

Report to the Future Melbourne (Planning) Committee

Agenda item 6.1

**Planning Permit Application: TP-2018-799
205-211 Roden Street and 218-228 Stanley Street, West Melbourne**

21 July 2020

Presenter: Evan Counsel, Director Planning and Building

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application seeking approval for partial demolition of buildings and the construction of a multi-storey building for apartment dwellings at 205-211 Roden Street and 218-228 Stanley Street, West Melbourne (Refer to Attachment 2, Locality Plan).
2. The applicant is Stanley Street Holdings Pty Ltd c/o proUrban, the owner is Stanley Street Holdings Pty Ltd and the architect is Point Architects Pty Ltd.
3. The site is located within the Mixed Use Zone (MUZ) and is affected by Heritage Overlay (HO3) and Design and Development Overlay Schedule 29 (DDO29). The land is also affected by proposed Melbourne Planning Scheme Amendments C308 (West Melbourne Structure Plan) and C258 (Heritage Policies Review and West Melbourne Heritage Review).
4. Public notice of the proposal has been undertaken and a total of 38 objections have been received.
5. A previous application (TP-2016-739) for full demolition of the site and construction of a six to seven-storey building was refused by the Victoria Civil and Administrative Tribunal (VCAT) on 10 January 2018. In summary, VCAT found the following aspects of the proposal unacceptable:
 - 5.1 The overall height, massing and street wall.
 - 5.2 The interface to 230-250 Stanley Street to the south-west.
 - 5.3 Full demolition of 210-212 Stanley Street.

Key issues

6. Key issues for consideration are heritage, height and massing, amenity impacts, equitable development, onsite amenity, transport, access, environmentally sustainable design and potentially contaminated land.
7. The proposal has responded to the previous VCAT order relating to the site. The front portion of the heritage building at 210-212 Stanley Street has been retained, the building height has been reduced by one storey and the setbacks to adjoining properties have been increased.
8. The site is located within an area identified for built form change and the development is an acceptable response to design objectives and built form outcomes identified in DDO29. The proposal provides a mixed use, multi-storey development that respects the scale of and provides an appropriate transition to the adjoining heritage buildings and streetscapes.

Recommendation from management

9. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit, subject to the conditions outlined in the Delegate Report (refer Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 2 of 63)
2. Locality Plan (Page 3 of 63)
3. Selected Plans (Page 4 of 63)
4. Delegate Report (Page 25 of 63)

Supporting Attachment

Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (Act) sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

Finance

3. There are no direct financial issues arising from the recommendations contained in this report.

Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Health and Safety

5. Relevant planning considerations such as traffic, waste management and potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

6. Public notice of both the original application and the Section 57A amended application has been undertaken to surrounding owners and occupiers, pursuant to Section 52 of the Act 1987.

Relation to Council policy

7. Relevant Council policies are discussed in the attached Delegate Report (refer Attachment 4)

Environmental sustainability

8. The Environmentally Sustainable Design (ESD) Report submitted with the application demonstrates that the development will achieve the ESD performance requirements of Clause 22.19 (Energy, Water and Waste Efficiency) and Clause 22.23 (Stormwater Management).
9. Permit conditions requiring implementation of the ESD initiatives are recommended.

Locality Plan

205-211 Roden Street and 218-228 Stanley Street, West Melbourne



210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE

Attachment 3
Agenda item 6.1
Future Melbourne Committee
21 July 2020

TOWN PLANNING

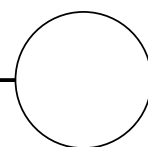
SHEET NO.	SHEET NAME	SHEET NO.	SHEET NAME
CS000	COVER SHEET		
TP100	EXISTING SITE CONDITIONS & DEMOLITION SITE PLAN		
TP101	PROPOSED SITE PLAN		
TP102	PROPOSED BASEMENT LEVEL FLOOR PLAN		
TP103	PROPOSED GROUND FLOOR PLAN		
TP104	PROPOSED LEVEL 1 FLOOR PLAN		
TP105	PROPOSED LEVEL 2 FLOOR PLAN		
TP106	PROPOSED LEVEL 3 FLOOR PLAN		
TP107	PROPOSED LEVEL 4 FLOOR PLAN		
TP108	PROPOSED ROOF PLAN		
TP200	PROPOSED SOUTH ELEVATION		
TP201	PROPOSED EAST & WEST ELEVATION		
TP202	PROPOSED NORTH ELEVATION		
TP203	SECTION A-A		
TP204	SECTIONS B-B & C-C		
TP205	SHADOW DIAGRAMS 9AM-12NOON		
TP206	SHADOW DIAGRAMS 1PM-4PM		
TP211	DEVELOPMENT SUMMARY		



545 King Street West Melbourne 3003 t : 93295988 f : 93294707 e : info@pointarc.com.au

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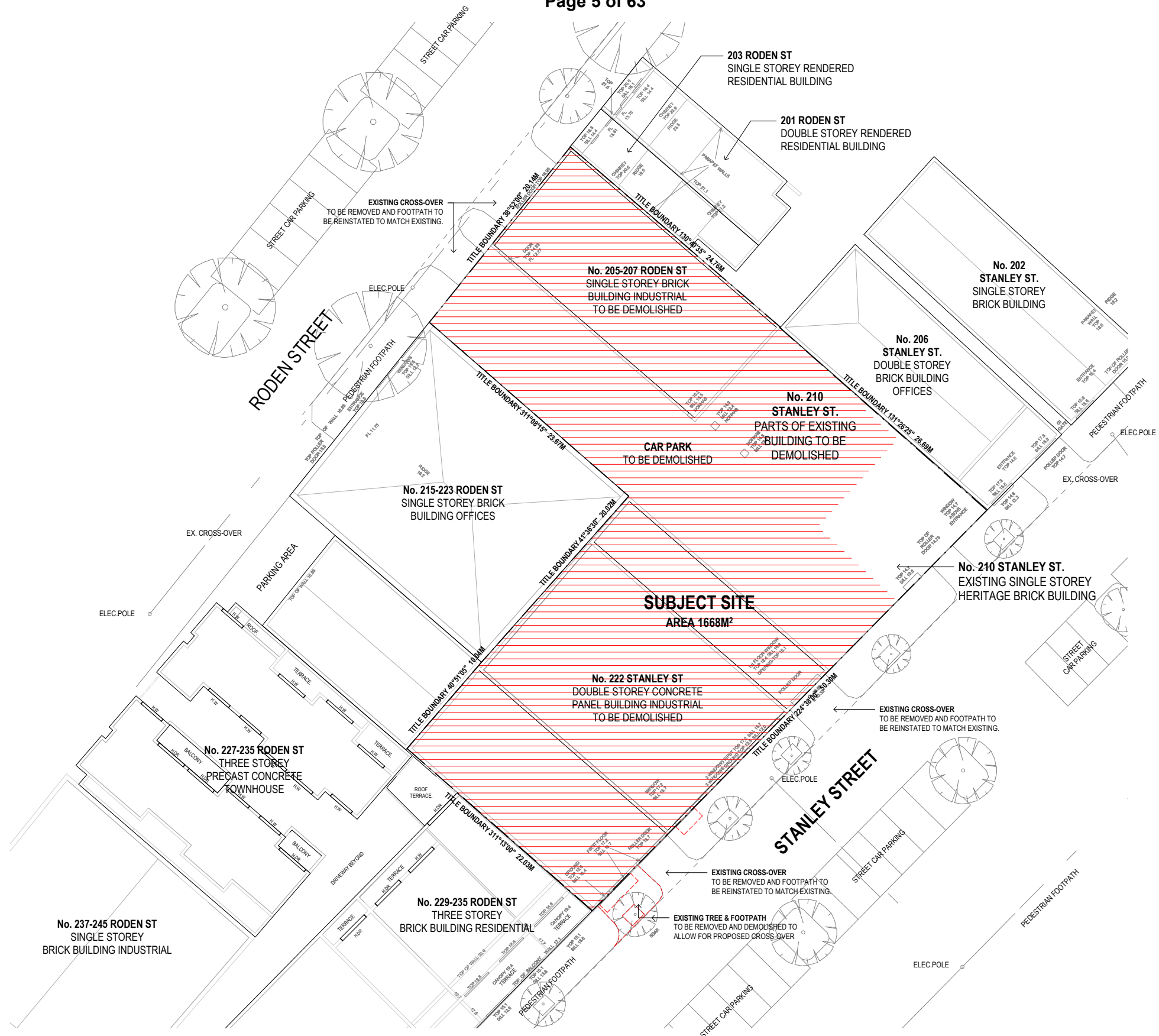
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1	TP RESUBMISSION			24/06/2019



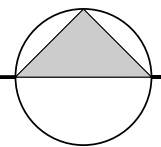
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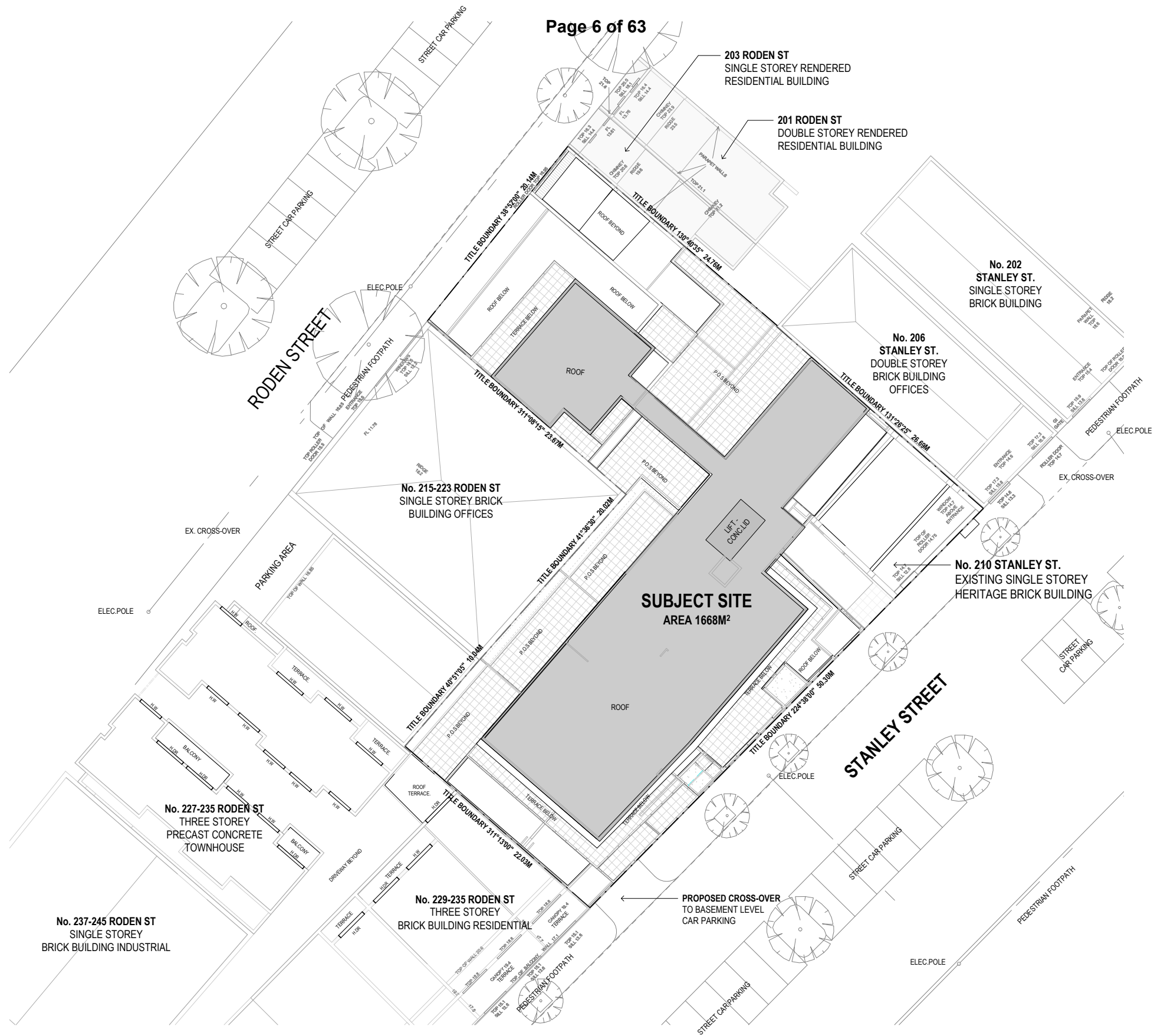
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210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE	COVER SHEET	SD	@ A1	06/02/20	910

DWG No. OF REVISION
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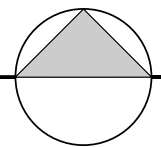


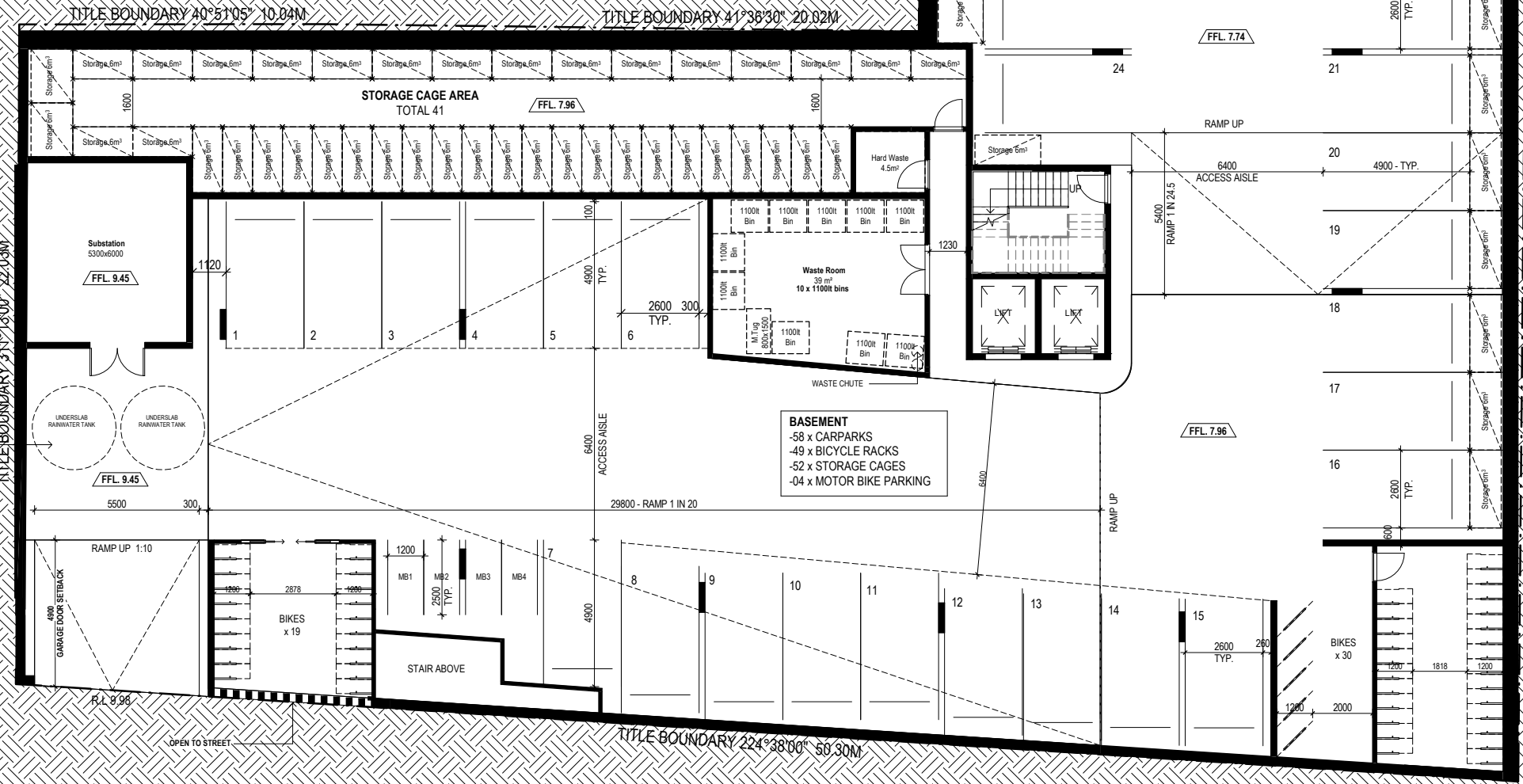
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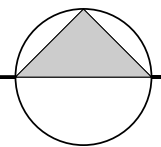
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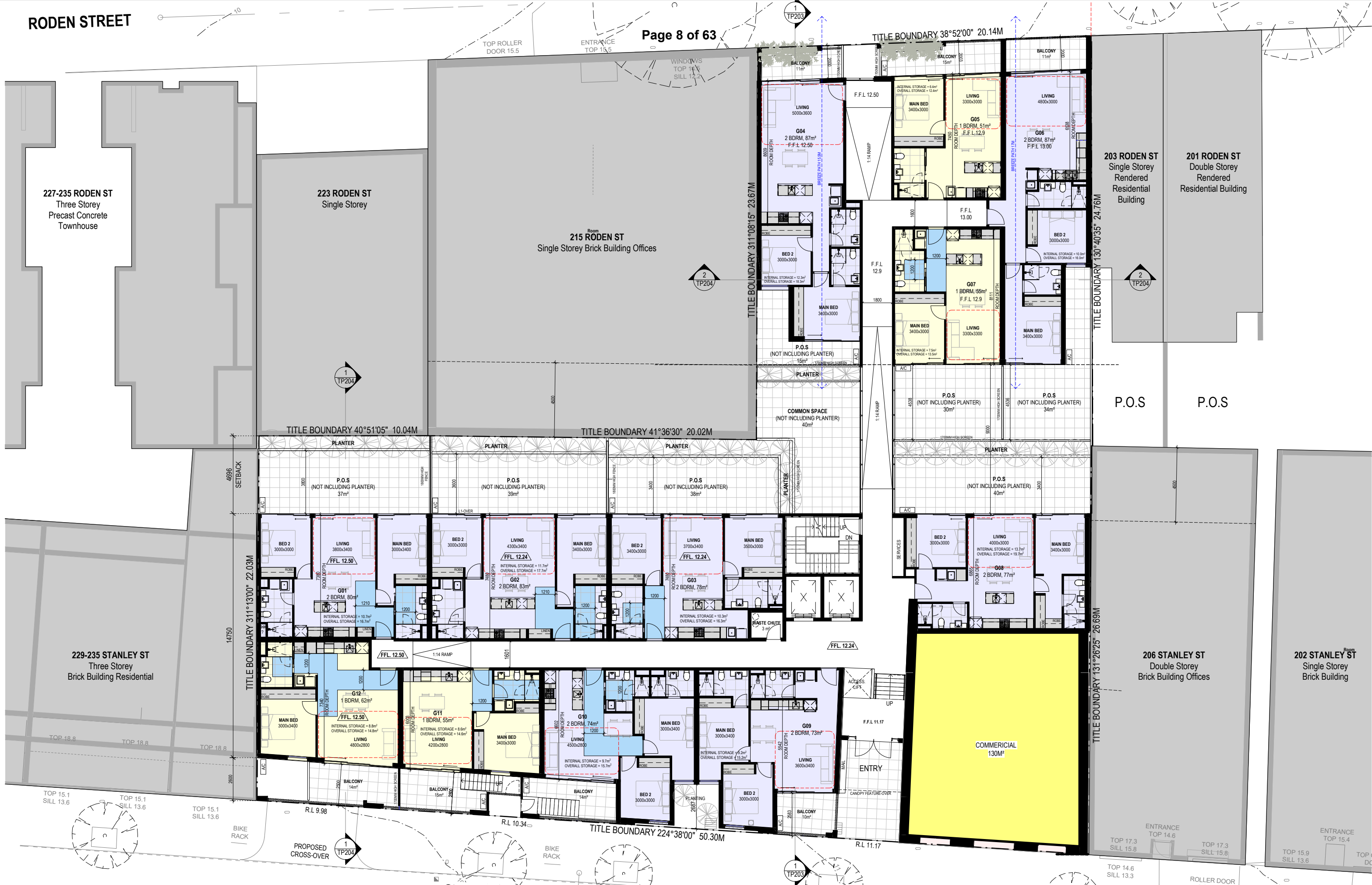




NOTE:
 1. DIMENSIONS TO CARPARK,
 BICYCLE RACK, SUPPLYING TO
 GROUND AND FIRST FLOOR LEVELS IN
 DEVELOPMENT

REV	DESCRIPTION	DRN	CHK	DATE
0	TOWN PLANNING ISSUE			11.09.2018
1	TP RESUBMISSION			24/06/2019







227-235 RODEN ST
Three Storey
Precast Concrete
Townhouse

223 RODEN ST
Single Storey

215 RODEN ST
Single Storey Brick Building Offices

203 RODEN ST
Single Storey
Rendered
Residential Building

201 RODEN ST
Double Storey
Rendered
Residential Building

TITLE BOUNDARY 40°51'05" 10.04M

TITLE BOUNDARY 41°36'30" 20.02M

TITLE BOUNDARY 130°40'35" 24.76M

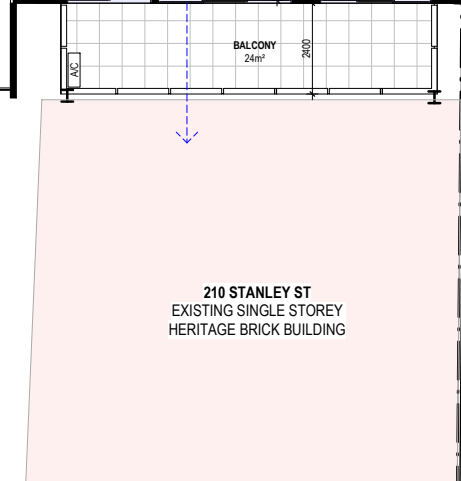
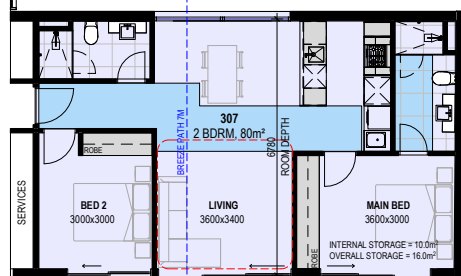
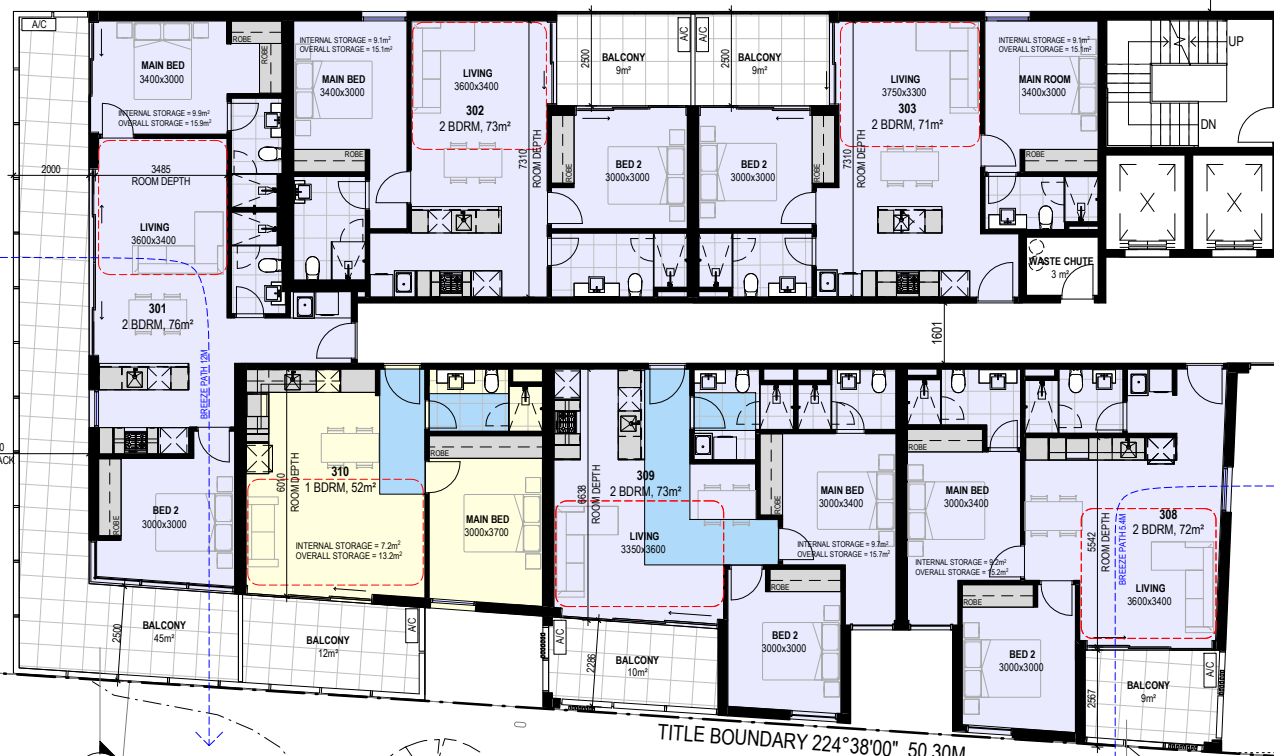
P.O.S
BEYOND

P.O.S
BEYOND

P.O.S BEYOND

229-235 STANLEY ST
Three Storey
Brick Building Residential

TITLE BOUNDARY 311°13'00" 22.03M



206 STANLEY ST
Double Storey
Brick Building Offices

202 STANLEY ST
Single Storey
Brick Building

TITLE BOUNDARY 131°26'25" 26.69M

ENTRANCE
TOP 17.3
SILL 15.8

ENTRANCE
TOP 17.3
SILL 15.8

ROLLER DOOR
TOP 14.7

210 STANLEY ST
EXISTING SINGLE STOREY
HERITAGE BRICK BUILDING

TITLE BOUNDARY 224°38'00" 50.30M



TITLE BOUNDARY 38°52'00" 20.14M

227-235 RODEN ST
Three Storey
Precast Concrete
Townhouse

223 RODEN ST
Single Storey

215 RODEN ST
Single Storey Brick Building Offices

203 RODEN ST
Single Storey
Rendered
Residential
Building

201 RODEN ST
Double Storey
Rendered
Residential
Building



TITLE BOUNDARY 40°51'05" 10.04M

TITLE BOUNDARY 41°36'30" 20.02M

TITLE BOUNDARY 311°08'15" 23.67M

TITLE BOUNDARY 130°40'35" 24.76M

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BEYOND

P.O.S
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P.O.S
BEYOND

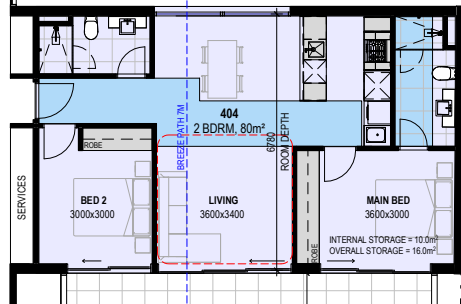
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SETBACK

TITLE BOUNDARY 311°13'00" 22.03M

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SETBACK

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229-235 STANLEY ST
Three Storey
Brick Building Residential



206 STANLEY ST
Double Storey
Brick Building Offices

202 STANLEY ST
Single Storey
Brick Building

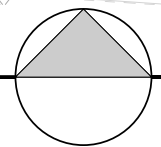
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210 STANLEY ST
EXISTING SINGLE STOREY
HERITAGE BRICK BUILDING

TITLE BOUNDARY 224°38'00" 50.30M



STANLEY STREET



PRELIMINARY

PROJECT TITLE DRAWN SCALE PLOT DATE JOB No.

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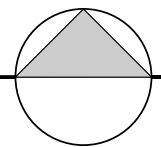
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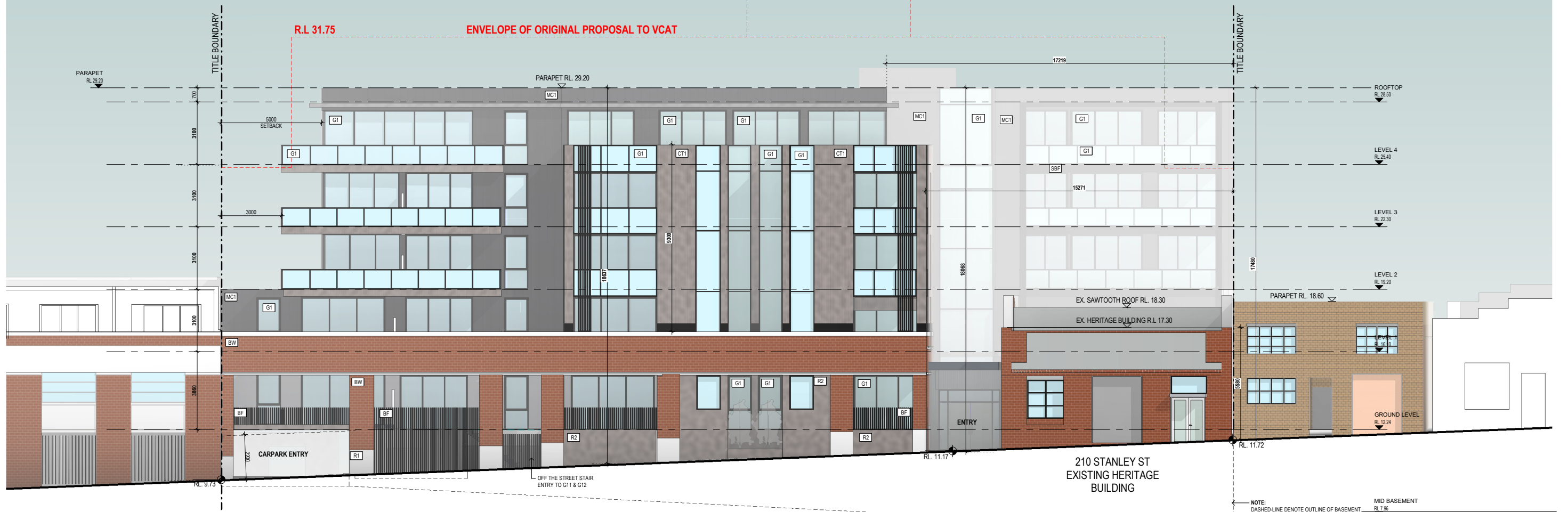


TITLE BOUNDARY 38°52'00" 20.14M



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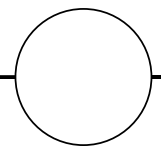


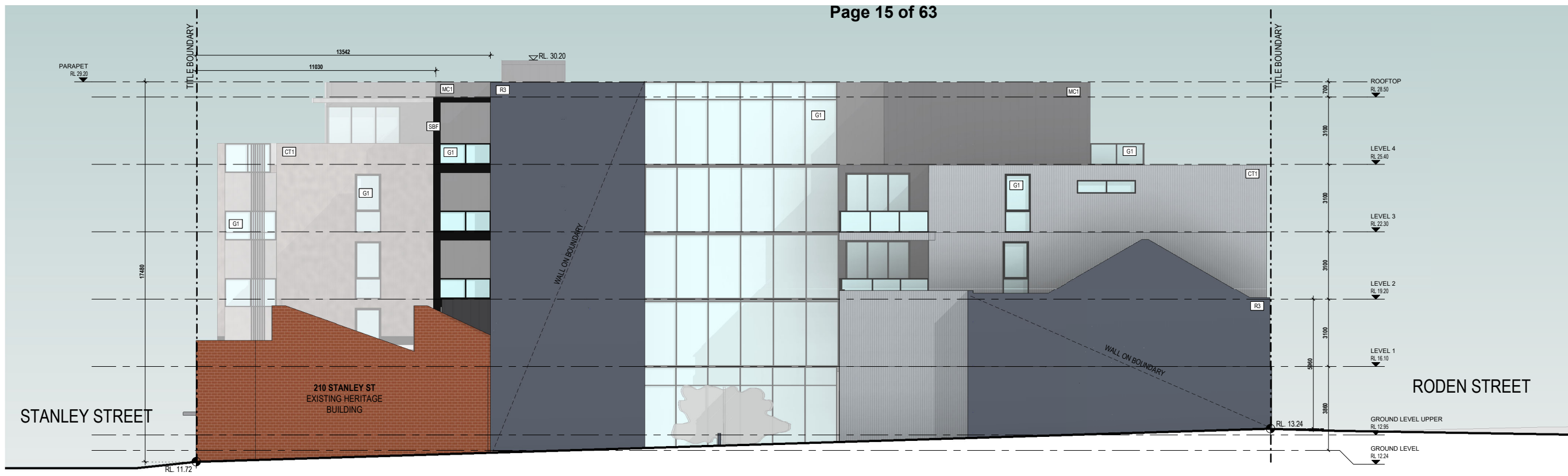
02 SOUTH ELEVATION (STANLEY ST)
TP200 SCALE 1 : 100

NOTE: DASHED-LINE DENOTE OUTLINE OF BASEMENT. MID BASEMENT RL 7.58

MATERIAL SCHEDULE	
	MC1 COLORBOND CLADDING STANDING SEAM, COLOUR, 'MONUMENT' OR SIMILAR
	CT1 PRECAST CONCRETE WITH TEXTURED FINISH RECKLI 'RIB & WAVE' PATTERN CONCRETE OR SIMILAR
	R1 RENDER FINISH 'WHITE' OR SIMILAR
	R2 RENDER FINISH 'ASTRO' OR SIMILAR
	R3 RENDER FINISH 'MONUMENT' OR SIMILAR
	BR BRICK FINISH 'RED RESTORATION' OR SIMILAR
	CR1 GREEN COLORBOND CORRUGATED ROOFING OR SIMILAR
	WIN ALUMINIUM WINDOW FRAMED COLOUR 'BLACK' OR SIMILAR
	GL1 GLAZED WINDOW FINISH_CLEAR 'OB' DENOTE OBSCURED.
	SBF STEEL BEAM & POST FEATURE 'BLACK' OR SIMILAR
	BF VERTICAL BLADE FENCING 'BLACK' OR SIMILAR

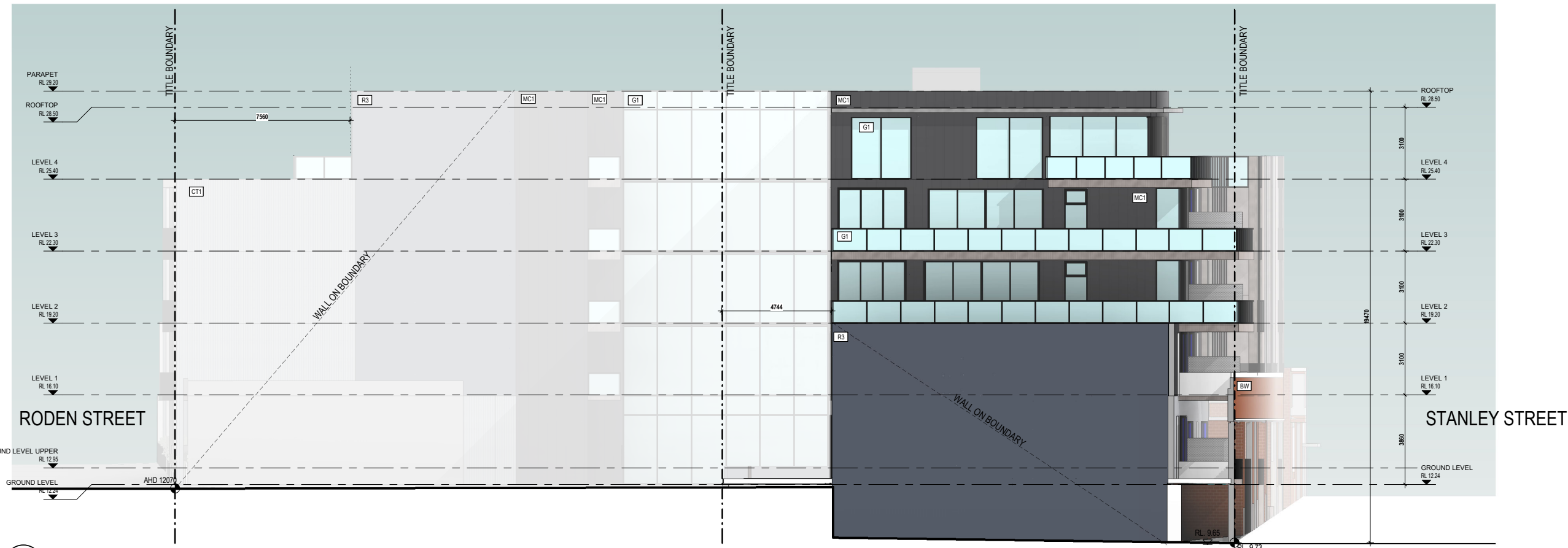
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01 EAST ELEVATION
TP201 SCALE 1 : 100

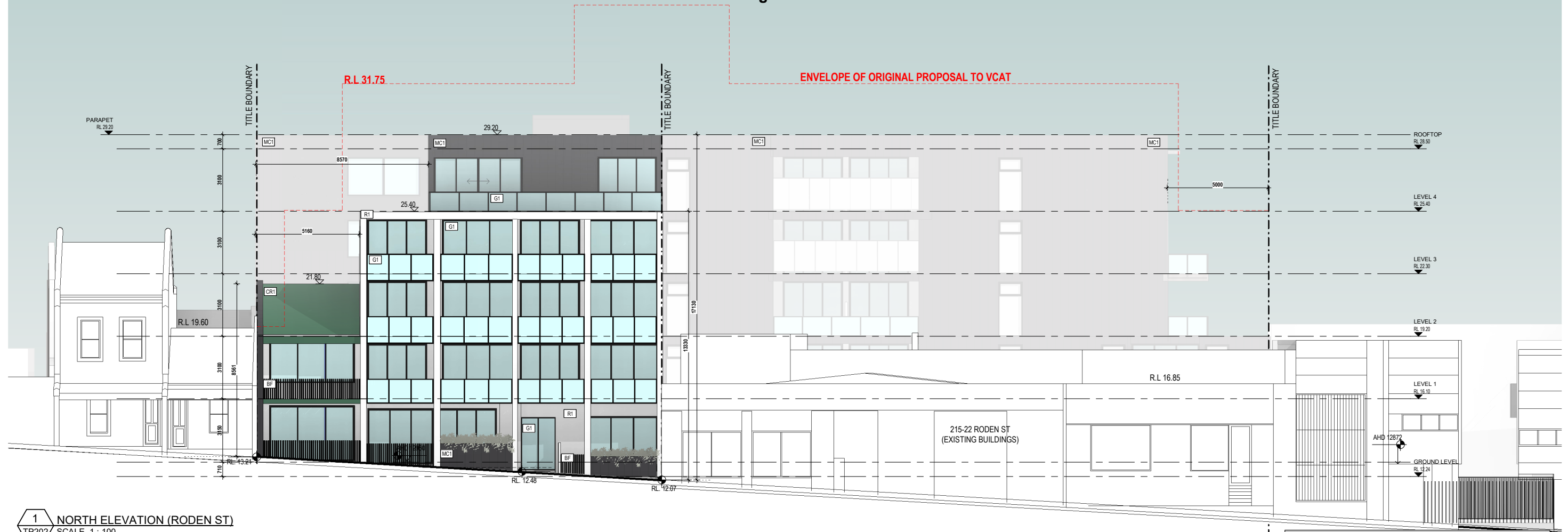
MID BASEMENT
RL 7.95



02 WEST ELEVATION
TP201 SCALE 1 : 100

MID BASEMENT
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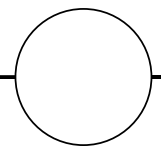
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	R1 RENDER FINISH 'WHITE' OR SIMILAR
	R2 RENDER FINISH 'ASTRO' OR SIMILAR
	R3 RENDER FINISH 'MONUMENT' OR SIMILAR
	BR BRICK FINISH 'RED RESTORATION' OR SIMILAR
	CR1 GREEN COLORBOND CORRUGATED ROOFING OR SIMILAR
	WIN ALUMINIUM WINDOW FRAMED COLOUR 'BLACK' OR SIMILAR
	GL1 GLAZED WINDOW FINISH_CLEAR 'OB' DENOTE OBSCURED.
	SBF STEEL BEAM & POST FEATURE 'BLACK' OR SIMILAR
	BF VERTICAL BLADE FENCING 'BLACK' OR SIMILAR

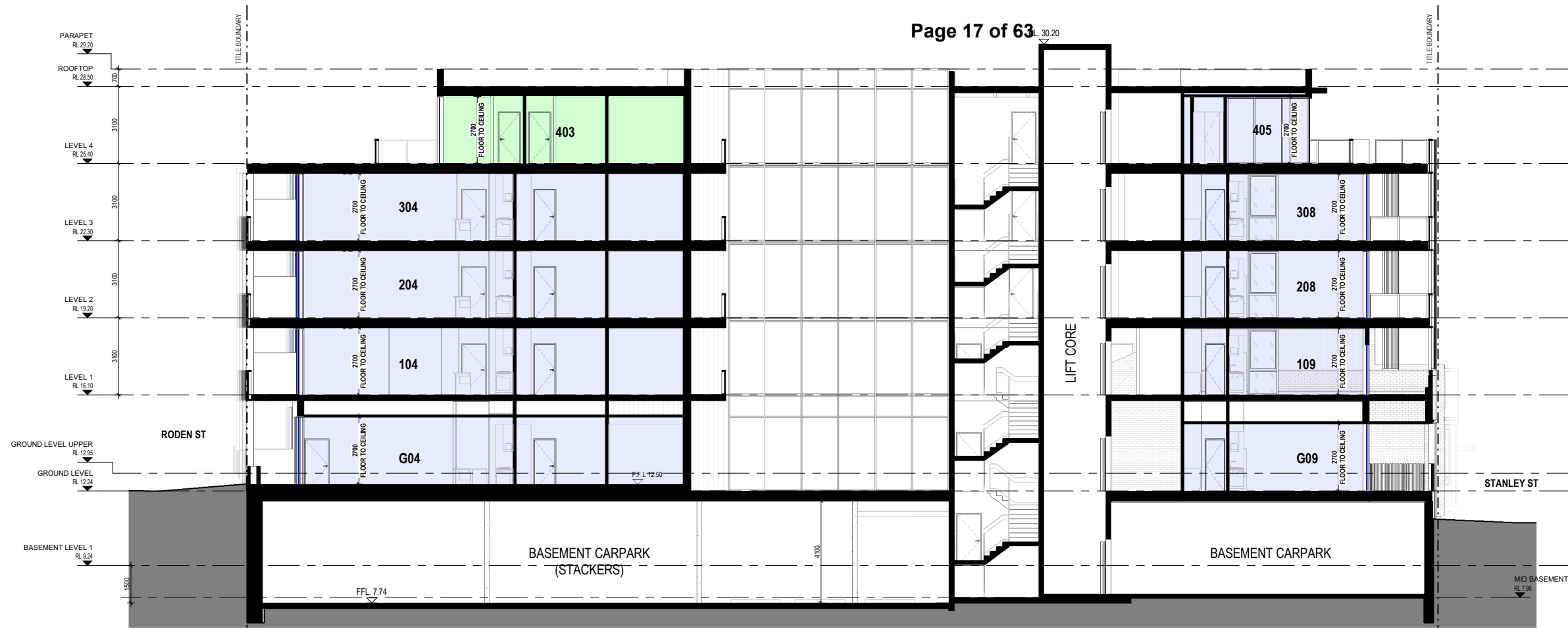


1 NORTH ELEVATION (RODEN ST)
TP202 SCALE 1 : 100

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	R2 RENDER FINISH 'ASTRO' OR SIMILAR
	R3 RENDER FINISH 'MONUMENT' OR SIMILAR
	BR BRICK FINISH 'RED RESTORATION' OR SIMILAR
	CR1 GREEN COLORBOND CORRUGATED ROOFING OR SIMILAR
	WIN ALUMINIUM WINDOW FRAMED COLOUR 'BLACK' OR SIMILAR
	GL1 GLAZED WINDOW FINISH_CLEAR 'OB' DENOTE OBSCURED.
	SBF STEEL BEAM & POST FEATURE 'BLACK' OR SIMILAR
	BF VERTICAL BLADE FENCING 'BLACK' OR SIMILAR

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1	TP RESUBMISSION			24/06/2019

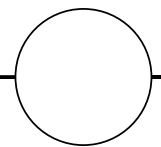


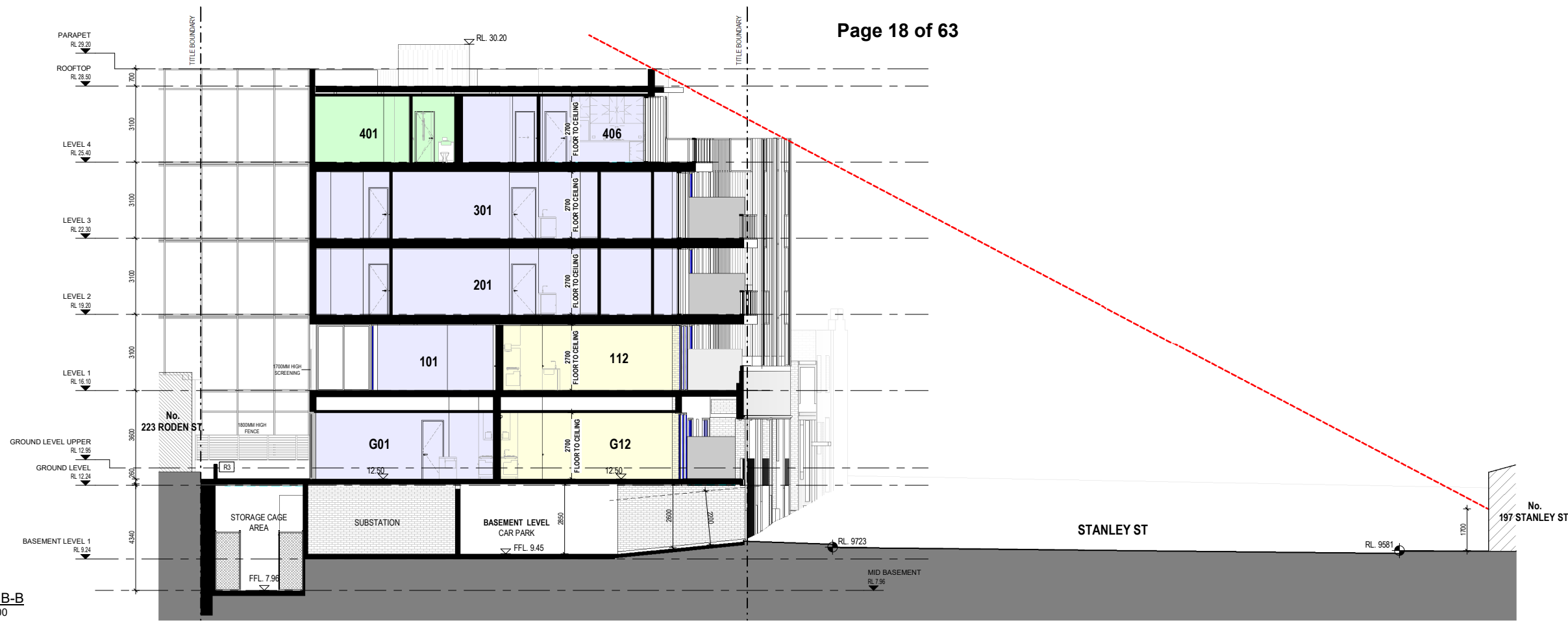


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	R2 RENDER FINISH 'ASTRO' OR SIMILAR
	R3 RENDER FINISH 'MONUMENT' OR SIMILAR
	BR BRICK FINISH 'RED RESTORATION' OR SIMILAR
	CR1 GREEN COLORBOND CORRUGATED ROOFING OR SIMILAR
	WIN ALUMINIUM WINDOW FRAMED COLOUR 'BLACK' OR SIMILAR
	GL1 GLAZED WINDOW FINISH_CLEAR 'OB' DENOTE OBSCURED.
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1 SECTION A-A
TP203 SCALE 1 : 100

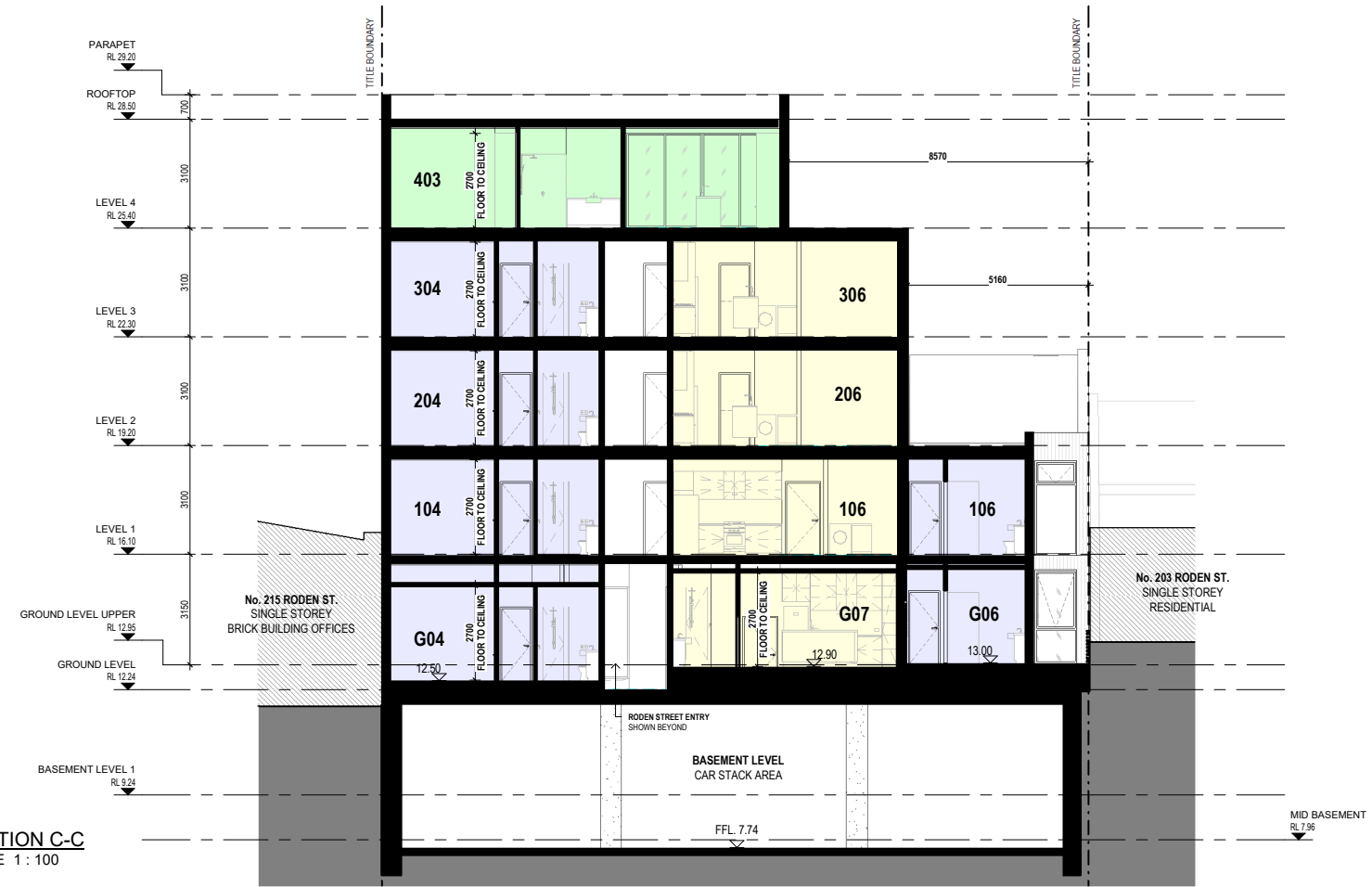
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1	TP RESUBMISSION			24/06/2019





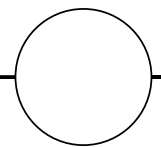
1 SECTION B-B
TP204 SCALE 1 : 100

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	R2 RENDER FINISH 'ASTRO' OR SIMILAR
	R3 RENDER FINISH 'MONUMENT' OR SIMILAR
	BR BRICK FINISH 'RED RESTORATION' OR SIMILAR
	CR1 GREEN COLOBOND CORRUGATED ROOFING OR SIMILAR
	WIN ALUMINIUM WINDOW FRAMED COLOUR 'BLACK' OR SIMILAR
	GL1 GLAZED WINDOW FINISH_ 'CLEAR' 'OB' DENOTE OBSCURED.
	SBF STEEL BEAM & POST FEATURE 'BLACK' OR SIMILAR
	BF VERTICAL BLADE FENCING 'BLACK' OR SIMILAR







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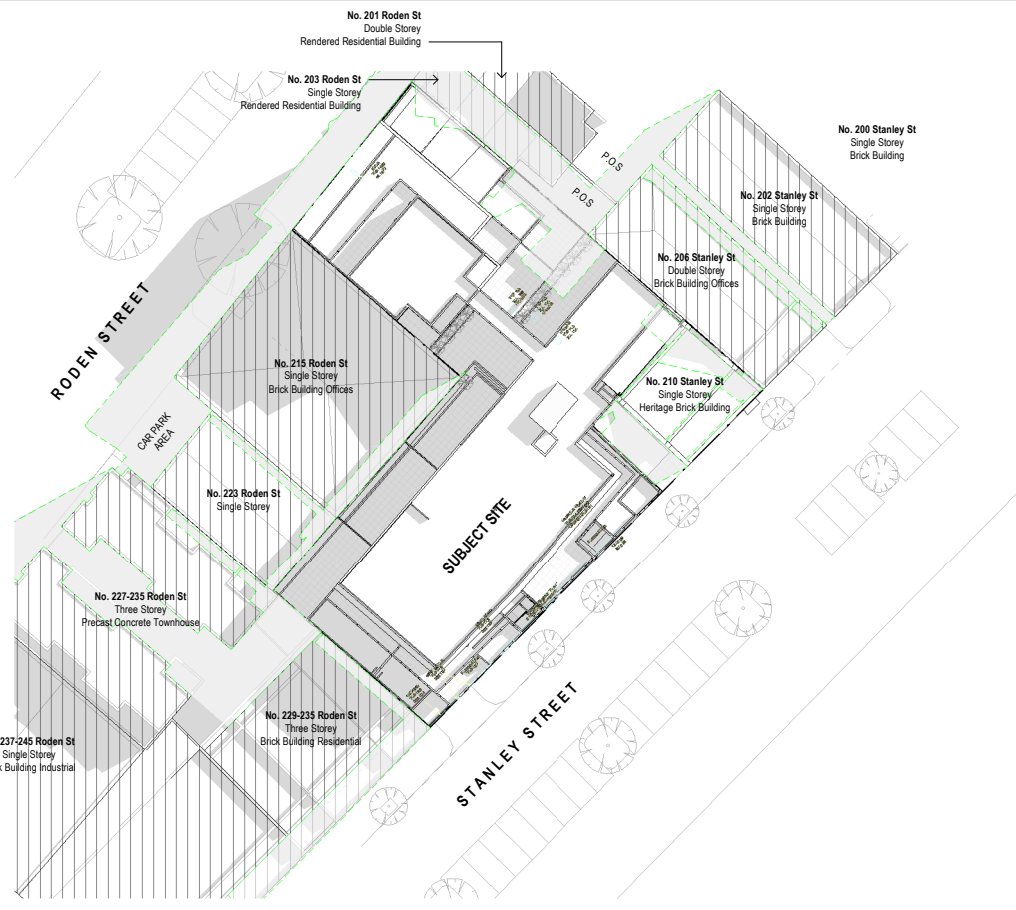
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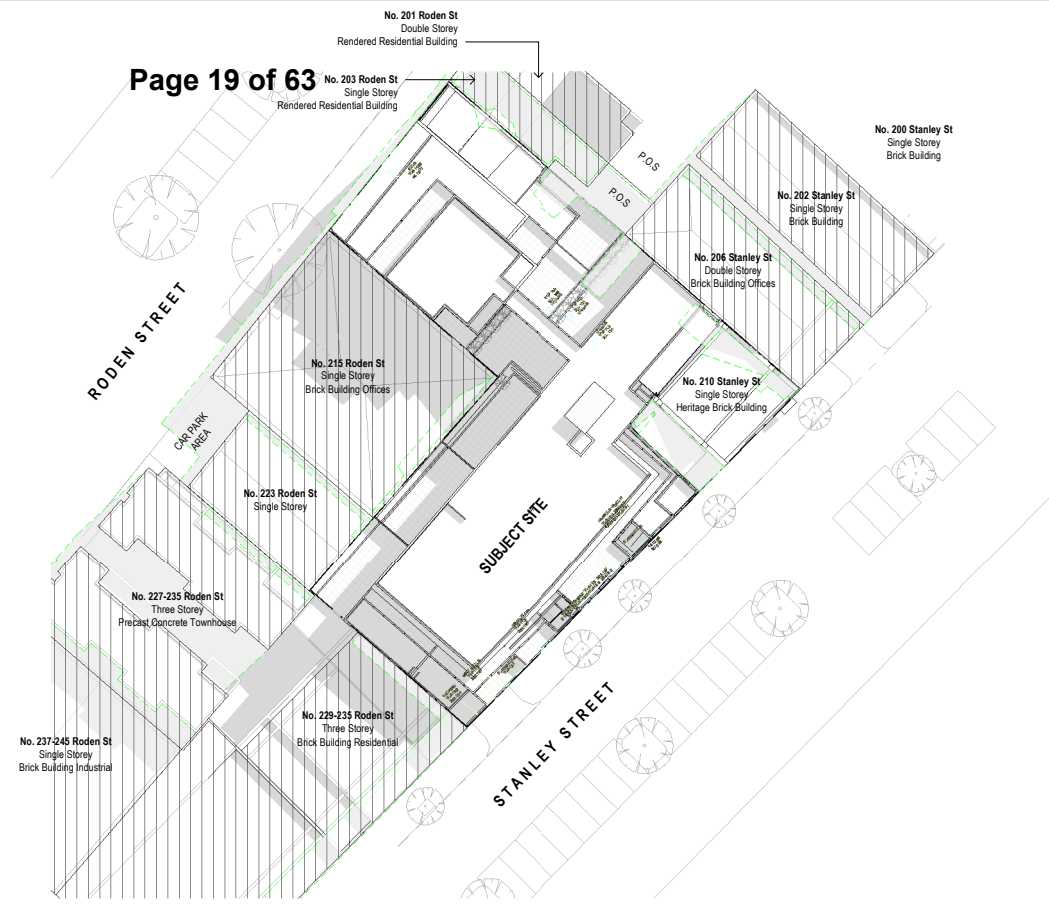
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210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE	SECTIONS B-B & C-C	MN	1 : 100 @ A1	06/02/20	910

LEGEND

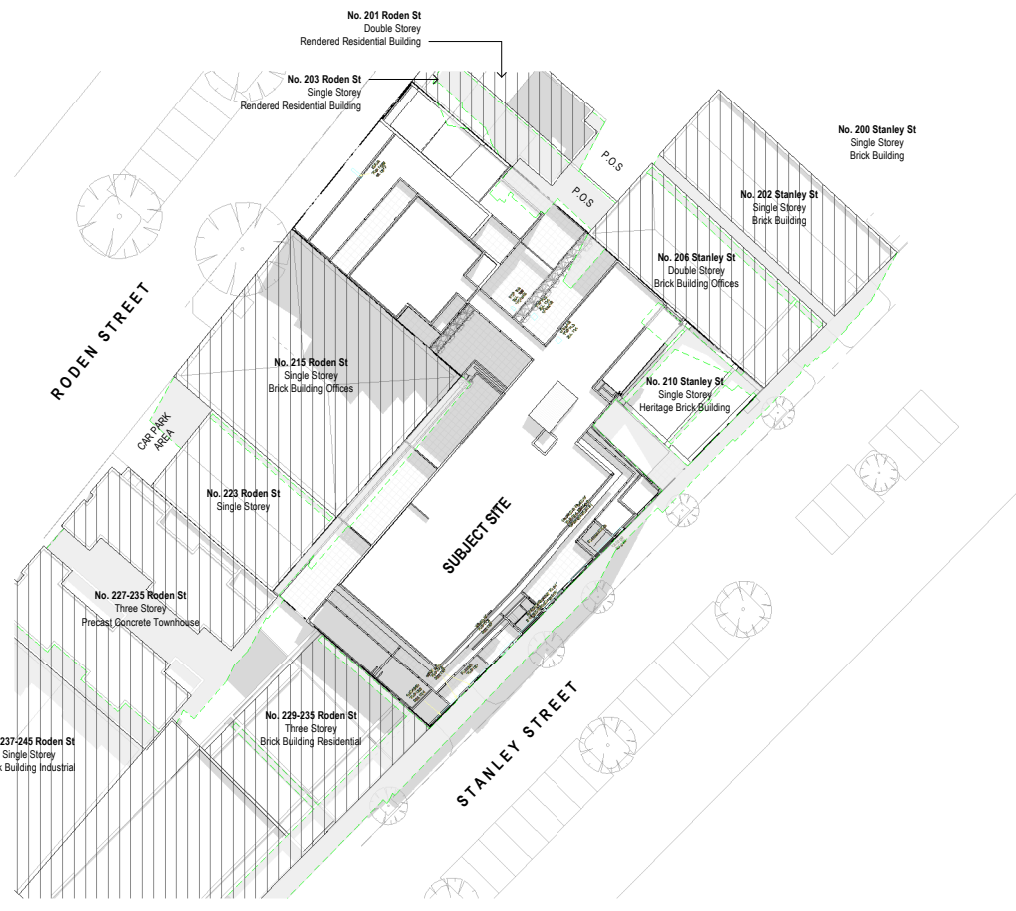
-  TITLE BOUNDARY
-  ADJOINING PROPERTIES
-  ADDITIONAL/PROPOSED SHADOW
-  EXISTING SHADOW



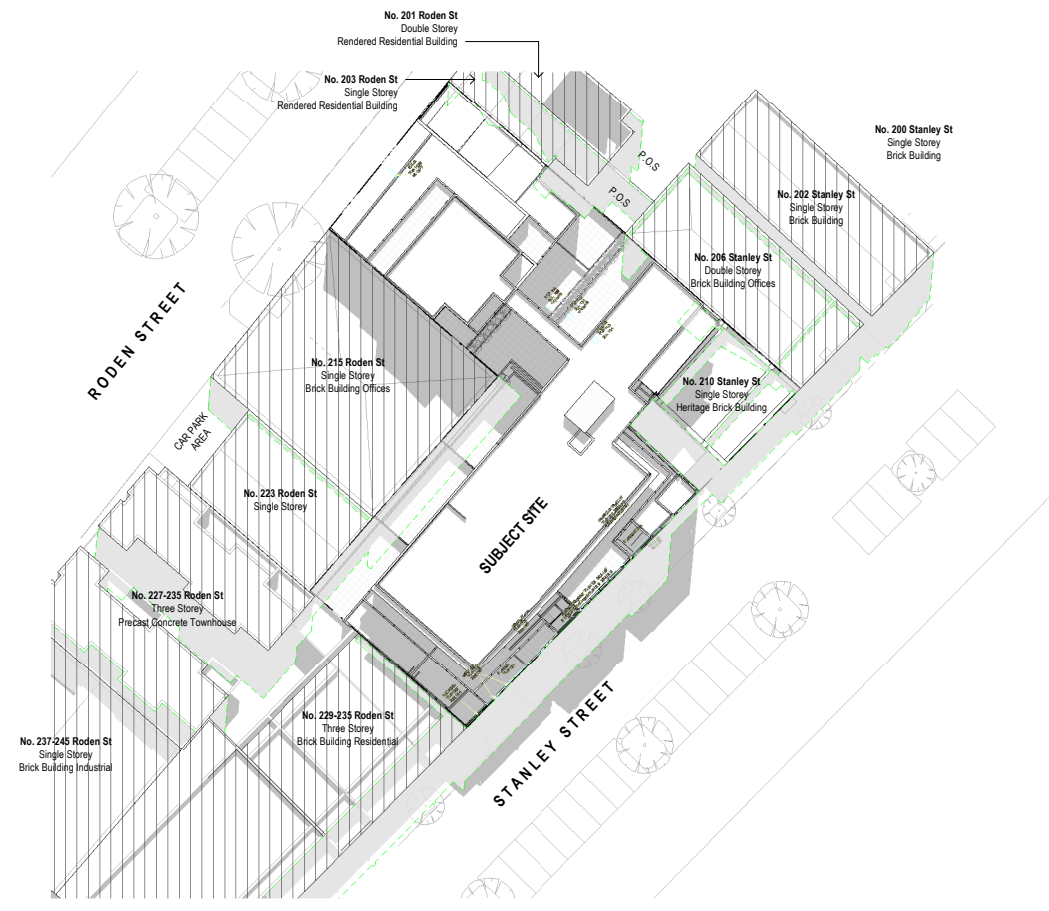
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TP205 SCALE 1 : 400



3 SHADOWS - 22 SEPTEMBER - 10AM
TP205 SCALE 1 : 400

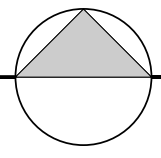


4 SHADOWS - 22 SEPTEMBER - 11AM
TP205 SCALE 1 : 400







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TP205 SCALE 1 : 400

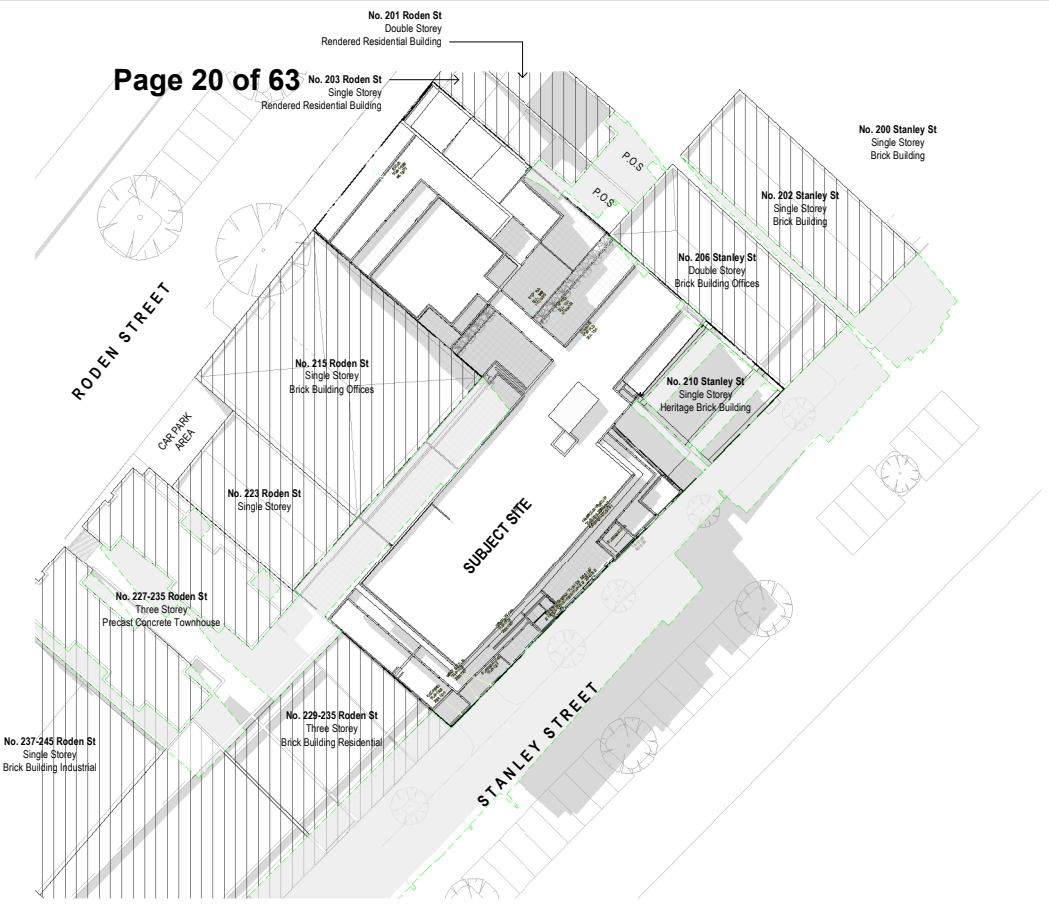
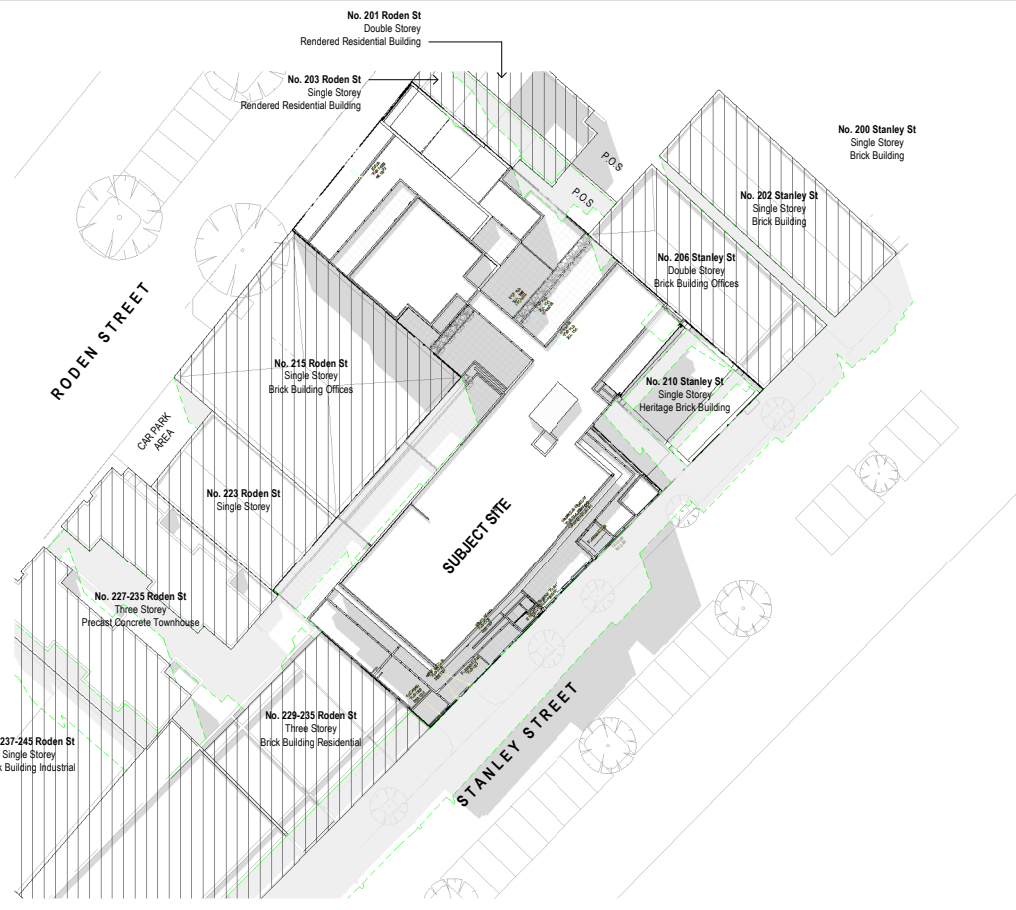
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1	TP RESUBMISSION			24/06/2019



PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE	SHADOW DIAGRAMS 9AM-12NOON	MN	As indicated @ A1	06/02/20	910
				DWG No.	REVISION
				TP205	1

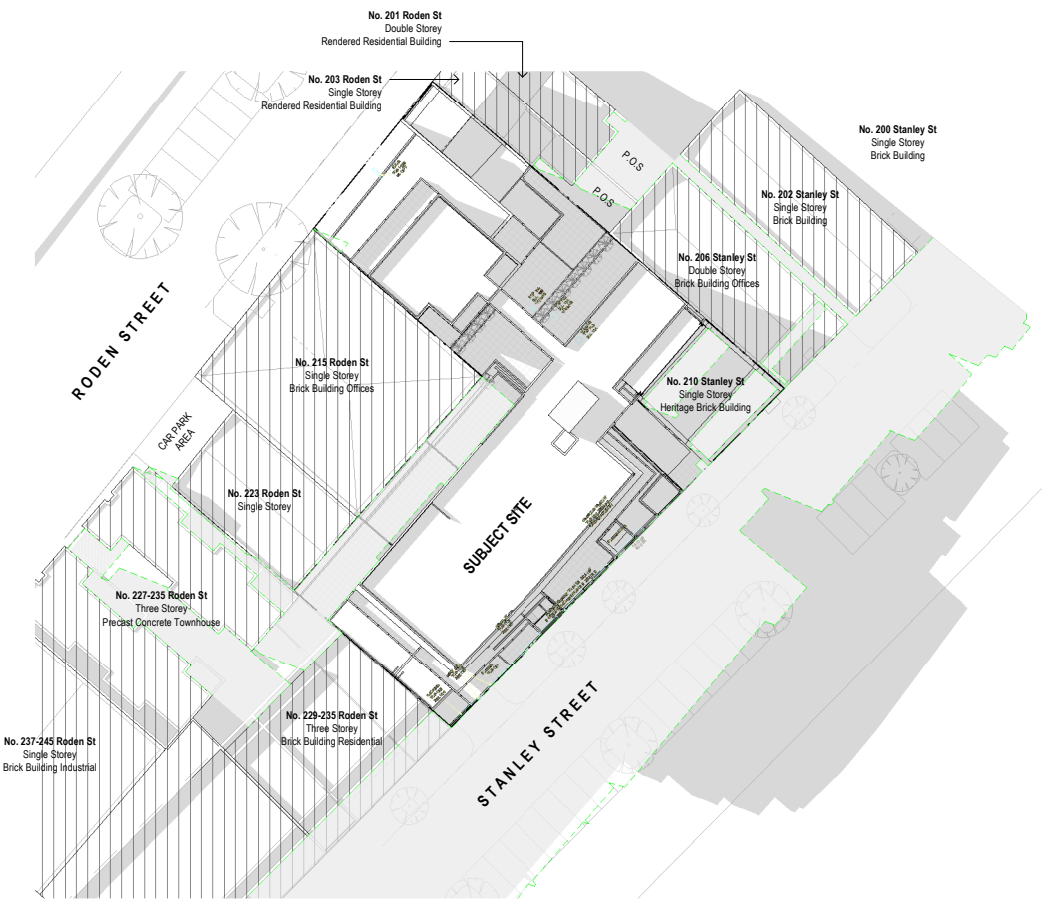
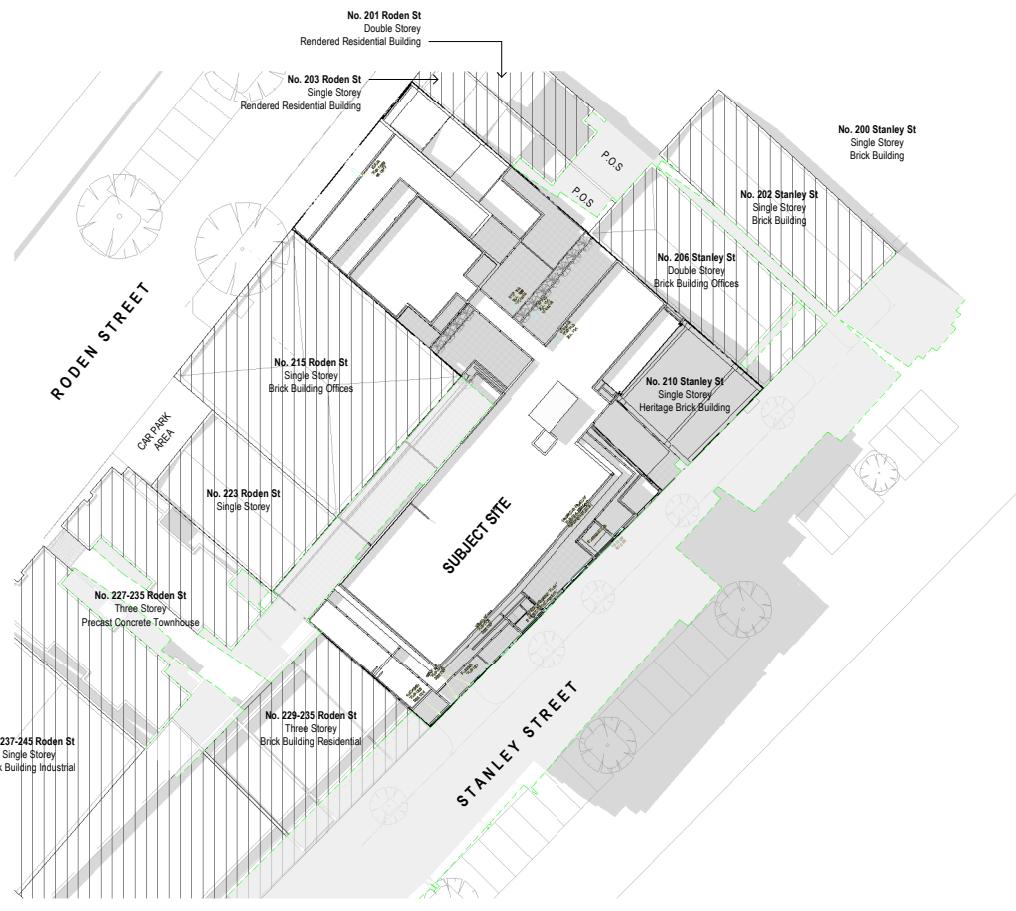
LEGEND

-  TITLE BOUNDARY
-  ADJOINING PROPERTIES
-  ADDITIONAL/PROPOSED SHADOW
-  EXISTING SHADOW



1 SHADOWS - 22 SEPTEMBER - 1PM
TP206 SCALE 1 : 400

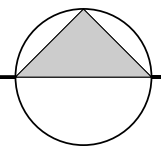
2 SHADOWS - 22 SEPTEMBER - 2PM
TP206 SCALE 1 : 400



3 SHADOWS - 22 SEPTEMBER - 3PM
TP206 SCALE 1 : 400

4 SHADOWS - 22 SEPTEMBER - 4PM
TP206 SCALE 1 : 400

REV	DESCRIPTION	DRN	CHK	DATE
0	TOWN PLANNING ISSUE			11.09.2018
1	TP RESUBMISSION			24/06/2019



PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE	SHADOW DIAGRAMS 1PM-4PM	MN	As indicated @ A1	06/02/20	910
				DWG No.	REVISION
				TP206	1

DEVELOPMENT SUMMARY - APARTMENTS				
APARTMENT No.	APARTMENT TYPE	AREA	BADS - ACCESSIBILITY	BADS - NATURAL VENTILATION
G01	2 BED, 2 BATHS	80 m ²	YES	
G01 - P.O.S		37 m ²		
G02	2 BED, 2 BATHS	83 m ²	YES	
G02 - P.O.S		39 m ²		
G03	2 BED, 2 BATHS	78 m ²	YES	
G03 - P.O.S		38 m ²		
G04	2 BED, 2 BATHS	87 m ²		YES
G04 - P.O.S		15 m ²		
G04 - P.O.S		11 m ²		
G05	1 BED, 1 BATH	51 m ²		
G05 - P.O.S		15 m ²		
G06	2 BED, 2 BATHS	87 m ²		YES
G06 - P.O.S		11 m ²		
G06 - P.O.S		34 m ²		
G07	1 BED, 1 BATH	65 m ²	YES	
G07 - P.O.S		30 m ²		
G08	2 BED, 2 BATHS	77 m ²		
G08 P.O.S		40 m ²		
G09	2 BED, 2 BATHS	73 m ²		
G9 - P.O.S		10 m ²		
G10	2 BED, 2 BATHS	74 m ²	YES	
G10 - P.O.S		14 m ²		
G11	1 BED, 1 BATH	55 m ²	YES	
G11 - P.O.S		15 m ²		
G12	1 BED, 1 BATH	62 m ²	YES	
G12 - P.O.S		14 m ²		

101	2 BED, 2 BATHS	75 m ²		
101 - BALC.		9 m ²		
102 - BALC.	2 BED, 2 BATHS	9 m ²	YES	
103	2 BED, 2 BATHS	71 m ²		
103 - BALC.		9 m ²		
104	2 BED, 2 BATHS	81 m ²		YES
104 - BALC		8 m ²		
104 - BALC		6 m ²		
105 - BALC	2 BED, 2 BATHS	72 m ²	YES	
106	2 BED, 2 BATHS	88 m ²		YES
106 - BALC		11 m ²		
107	1 BED, 1 BATH	50 m ²	YES	
107 - BALC		9 m ²		
108	2 BED, 2 BATHS	79 m ²		
108 - BALC		28 m ²		
109	2 BED, 2 BATHS	72 m ²		YES
109 - BALC.		10 m ²		
110	2 BED, 2 BATHS	73 m ²	YES	
110 - BALC.		11 m ²		
111	1 BED, 1 BATH	54 m ²	YES	
111 - BALC.		13 m ²		
112	1 BED, 1 BATH	56 m ²	YES	
112 - BALC.		14 m ²		

201	2 BED, 2 BATHS	77 m ²		YES
201 - BALC		45 m ²		
202	2 BED, 2 BATHS	73 m ²		
202 - BALC		9 m ²		
203	2 BED, 2 BATHS	71 m ²		
203 - BALC.		9 m ²		
204	2 BED, 2 BATHS	81 m ²		YES
204 - BALC		6 m ²		
204 - BALC		8 m ²		
205	2 BED, 2 BATHS	72 m ²	YES	
205 - BALC		22 m ²		
206	1 BED, 1 BATH	59 m ²	YES	YES
206 - BALC		14 m ²		
207	2 BED, 2 BATHS	80 m ²	YES	YES
207 - BALC		24 m ²		
208	2 BED, 2 BATHS	72 m ²		YES
208 - BALC.		9 m ²		
209	2 BED, 2 BATHS	73 m ²	YES	
209 - BALC.		11 m ²		
210	1 BED, 1 BATH	52 m ²	YES	
210 - BALC.		12 m ²		

301	2 BED, 2 BATHS	76 m ²		YES
301 - BALC.		45 m ²		
302	2 BED, 2 BATHS	73 m ²		
302 - BALC.		9 m ²		
303	2 BED, 2 BATHS	71 m ²		
303 - BALC.		9 m ²		
304	2 BED, 2 BATHS	81 m ²		YES
304 - BALC		8 m ²		
304 - BALC		6 m ²		
305	2 BED, 2 BATHS	72 m ²	YES	
305 - BALC		22 m ²		
306	1 BED, 1 BATH	59 m ²	YES	YES
306 - BALC		14 m ²		
307	2 BED, 2 BATHS	80 m ²	YES	YES
307 - BALC		24 m ²		
308	2 BED, 2 BATHS	72 m ²		YES
308 - BALC.		9 m ²		
309	2 BED, 2 BATHS	73 m ²	YES	
309 - BALC.		10 m ²		
310	1 BED, 1 BATH	52 m ²	YES	
310 - BALC.		12 m ²		

401	3 BED, 2 BATHS	98 m ²		
401 - BALC.		11 m ²		
402	2 BED, 2 BATHS	70 m ²		
402 - BALC		9 m ²		
403	3 BED, 2 BATHS	113 m ²		YES
403 - BALC		29 m ²		
403 - BALC		6 m ²		
404	2 BED, 2 BATHS	80 m ²	YES	YES
404 - BALC		24 m ²		
405	2 BED, 2 BATHS	85 m ²		
405 - BALC		54 m ²		
406	2 BED, 2 BATHS	85 m ²		
406 - BALC		32 m ²		

DEVELOPMENT SUMMARY

SITE AREA		1668M ²
BASEMENT LEVEL		
CARPARK	58	1668M ²
GROUND LEVEL		
COMMERCIAL	1	130M ²
APARTMENT		
GROUND LEVEL		
NSA		
1 BED, 1 BATH	4	
2 BED, 2 BATH	8	
3 BED, 3 BATH	-	
TOTAL	12	862M ²
LEVEL 1		
1 BED, 1 BATH	3	
2 BED, 2 BATH	9	
3 BED, 3 BATH	-	
TOTAL	12	845M ²
LEVEL 2		
1 BED, 1 BATH	2	
2 BED, 2 BATH	8	
3 BED, 3 BATH	-	
TOTAL	10	710M ²
LEVEL 3		
1 BED, 1 BATH	2	
2 BED, 2 BATH	8	
3 BED, 3 BATH	-	
TOTAL	10	710M ²
LEVEL 4		
1 BED, 1 BATH	-	
2 BED, 2 BATH	4	
3 BED, 3 BATH	2	
TOTAL	6	531M ²
APARTMENT TOTAL	50	3656M²

GENERAL APARTMENT NOTES

- PLEASE NOTE:
- BEDROOM DIMENSIONS**
ALL MAIN BED ROOM IS MINIMUM 3400MM x 3000MM AND ALL OTHER BEDROOMS IS MINIMUM OF 3000MM x 3000MM, NOT INCLUDING BUILT IN ROBE.
 - LIVING AREA DIMENSIONS**
ALL 1 BEDROOM APARTMENT LIVING AREA IS A MINIMUM OF 10SQM, WITH A MINIMUM WIDTH OF 3300MM.

TWO OR MORE BEDROOM APARTMENT LIVING AREA IS A MINIMUM OF 12SQM, WITH A MINIMUM WIDTH OF 3600MM.

NOTE:
EXTENT OF LIVING AREA ILLUSTRATED VIA A 'RED DASH LINE' ON FLOOR PLANS.
 - STORAGE**
ALL 1 BEDROOM APARTMENT CONSIST OF A MINIMUM TOTAL OF 10 CUBIC METRES WITH A MINIMUM OF 6 CUBIC METRES WITHIN THE APARTMENT.





ALL 2 BEDROOM APARTMENT CONSIST OF A MINIMUM TOTAL OF 14 CUBIC METRES WITH A MINIMUM OF 9 CUBIC METRES WITHIN THE APARTMENT.

ALL 3 BEDROOM APARTMENT CONSIST OF A MINIMUM TOTAL OF 18 CUBIC METRES WITH A MINIMUM OF 12 CUBIC METRES WITHIN THE APARTMENT.
 - BALCONY SIZE**
ALL 1 BEDROOM APARTMENT BALCONY IS A MINIMUM OF 1800MM DEEP WITH A MINIMUM AREA OF 8SQM.

ALL 2 BEDROOM APARTMENT BALCONY IS A MINIMUM OF 2000MM DEEP WITH A MINIMUM AREA OF 8SQM.

ALL 3 BEDROOM APARTMENT BALCONY IS A MINIMUM OF 2400MM DEEP WITH A MINIMUM AREA OF 12SQM.

BADS LEGEND

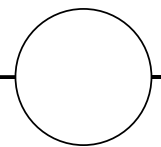
-  ACCESSIBLE PATHWAY
-  LIVING AREA
-  BREEZE PATH
-  STORAGE CALCULATION

GFA CALCULATION

GROUND FLOOR	1208M ²
LEVEL 1	1009M²
LEVEL 2	853M²
LEVEL 3	853M²
LEVEL 4	651M²
OVERALL GFA	4574M²



REV	DESCRIPTION	DRN	CHK	DATE
0	TOWN PLANNING ISSUE			11.09.2018
1	TP RESUBMISSION			24/06/2019



TOWN PLANNING

PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE	DEVELOPMENT SUMMARY	MN	1 : 100 @ A1	06/02/20	910



1.0 STANELY ST - EAST



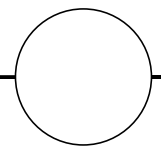
2.0 STANELY ST - WEST



3.0 STANELY ST - ENTRY



REV	DESCRIPTION	DRN	CHK	DATE



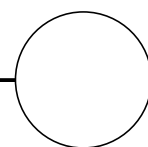
PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
210-228 STANLEY ST & 205-211 RODEN ST WEST MELBOURNE	MASSING RENDERS - STANLEY ST	SD	@ A1	16/05/19	910
		DWG No.	REVISION		
		TP600			



1.0 RODEN ST EAST



2.0 RODEN ST WEST





1.0 RODEN ST EAST



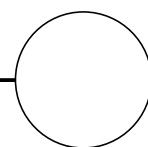
2.0 RODEN ST WEST



3.0 STANLEY ST EAST



4.0 STANLEY ST WEST



PLANNING PERMIT APPLICATION DELEGATE REPORT

Application number:	TP-2018-799
Applicant:	Stanley Street Holdings Pty Ltd c/- proUrban Pty Ltd
Architect:	Point Architects Pty Ltd
Owner:	Stanley Street Holdings Pty Ltd
Address:	205-211 Roden Street and 218-228 Stanley Street, West Melbourne
Proposal:	Partial demolition of buildings and the construction of a building for apartment dwellings and basement car parking
Cost of Works	\$20 million
Date of application:	14 September 2018
Delegate:	Adam Birch, Urban Planner

1 SUBJECT SITE AND SURROUNDS

1.1 Subject Site

This application relates to a consolidated group of lots known as 205-211 Roden Street and 218-228 Stanley Street, West Melbourne ('the Site') contained in the following Certificates of Title:

- Lot 1 of Title Plan TP081933B
- Lot 1 of Title Plan TP613012R
- Lots 1 and 2 of Title Plan TP036558 and
- Lots 3 and 4 of Title Plan TP036559

The Site is a mid-block parcel which extends between the southern side of Roden Street and northern side of Stanley Street, between the rail reserve (to the west) and Adderley Street (to the east). Key characteristics of the subject site are:

Total area of approximately 1,668 square metres

A combined configuration of lots resulting in an L-shaped parcel

A frontage of approximately 50 metres to Stanley Street

A frontage of approximately 20 metres to Roden Street

A fall of approximately 3.5 metres down from north to south and by 1.99 metres east to west.

The Site is occupied by two brick warehouses and a concrete office building with associated car parking. One of the brick warehouses is proposed to be a 'contributory building' under Planning Scheme Amendment C258.

The land is not burdened by any registered restrictive covenants nor encumbered by any easements.



Figure 1: Locality Plan (Source: ComPass)

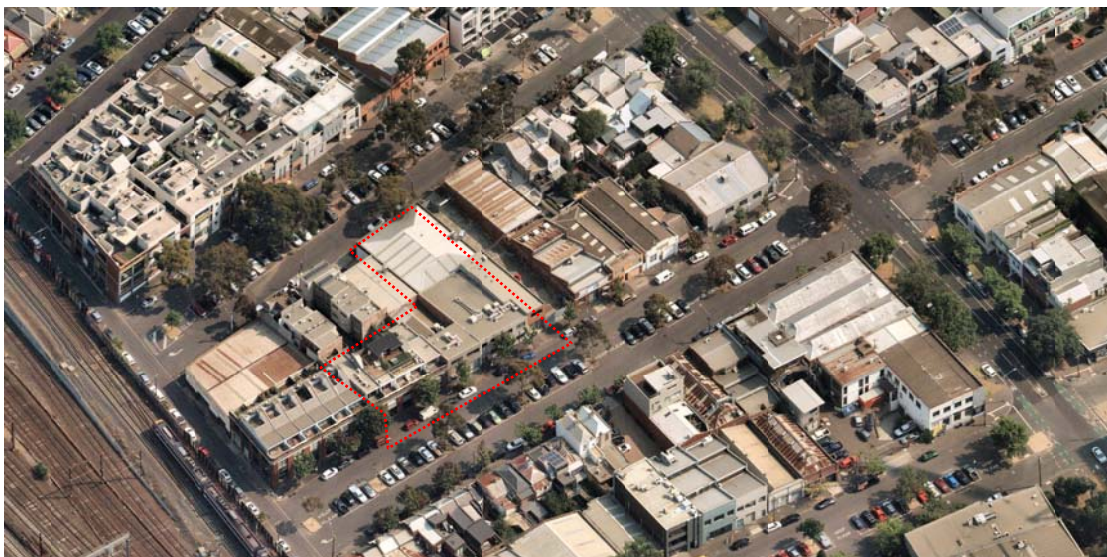


Figure 2 Fly Over Image (Source: Nearmap 17 December 2019)



Figure 3: Stanley Street Frontage



Figure 4: Stanley Street Frontage



Figure 5: Roden Street Frontage



Figure 6: Roden Street Frontage

1.2 Surrounding Environs

The surrounding sites are as follows:

West

215-223 Roden Street comprises a single storey rendered warehouse building.

227-235 Roden Street is a three-storey residential complex containing 11 dwellings with car parking. The complex includes five town-houses facing Stanley Street (Numbers 230 to 238) and six townhouses arranged in a mews accessed from Roden Street (Units 1 to 6 of No. 231). The complex contains several terraces, roof decks and one roof deck. The brick façade to Stanley Street joins with the 240-250 Stanley Street which under Planning Scheme Amendment C258 is a proposed to be a 'significant building'.

East

203 Roden Street is a D-graded single-storey Victorian terrace with a ground level courtyard at the rear.

Extending further to the east along Roden Street are three two-storey Victorian terraces.

206 Stanley Street comprises a single storey warehouse building.

Extending further to the east along Stanley is a single-storey warehouse at number 202 and a single-story dwelling at No. 200.

North

Opposite the site across Roden Street are a mix of two and three storey residential and remnant industrial buildings.

South

Opposite the site across Stanley Street are a mix of single and two storey townhouses, a three storey residential building and other remnant industrial buildings.

2 BACKGROUND AND HISTORY

2.1 Previous Application

Planning Permit application TP-2016-739 was submitted on 2 September 2016 seeking permission to construct an eight-storey apartment building with two basements containing 90 apartments. This application was made by the current permit applicant. The application received 70 objections.

On 5 May 2017 the applicant lodged an application for review with the Victorian Civil and Administrative Tribunal (VCAT) against the City of Melbourne's failure to determine the application within the statutory timeframe, pursuant to Section 79 of the Planning and Environment Act 1987. The applicant amended the plans to reduce the height to a six-storey building with a roof deck.

Council did not support the original application or the amended VCAT plans on the following grounds:

1. *The proposal fails to comply with the State and local planning policy frameworks of the Melbourne Planning Scheme with respect of:*
 - a. *Clause 15.01 (Urban Design);*
 - b. *Clause 15.03 (Heritage);*
 - c. *Clause 21.04 (Settlement);*
 - d. *Clause 21.06 (Built Environment and Heritage);*
 - e. *Clause 21.07 (Housing); and*
 - f. *Clause 21.16-5 (North and West Melbourne).*
2. *The proposal will unreasonably impact the heritage significance of the area through the demolition of a contributory building and failure to integrate the new building with the prevailing heritage character of the precinct.*
3. *The proposal presents an erroneous and inappropriate built form outcome having regard to the provisions of Clause 22.17 of the Melbourne Planning Scheme, and the objectives and built form*

outcomes sought by the Design and Development Overlay – Schedule 29.

4. *The proposed development will unreasonably impact the amenity of the neighbouring properties to the east.*
5. *The proposed development fails to provide for equitable development opportunities on adjoining sites.*
6. *The proposed development provides poor on-site and internal amenity to future occupants.*
7. *The proposal fails to achieve a net community benefit.*

The application was refused by the VCAT on 10 January 2018. In summary, VCAT found the following aspects of the proposal unacceptable:

- Heritage - Full demolition of contributory building at 210-212 Stanley Street was not supported. A minimum of the front 10 metres should be retained so that all parts of the roof associated with the first saw-tooth are retained (Paragraph 51-60)
- Heritage Context - The interface of the building with the two existing buildings to the south west at 230-250 Stanley Street. The style, architectural expression and materials in the façade were considered to be respectful (Paragraph 40). The interface however has a dominating effect, particularly as the upper two levels (of the street wall) present as unrelieved wall on a single plane (Paragraph 43).
- Built form - The overall height, massing and street wall in relation to the objectives and built form outcomes of Design and Development Overlay Schedule 29 and the predominant two to three-storey scale of the surrounding area (paragraph 68-73 and 78-80).

The VCAT order also made commentary on the following matters:

- Stanley Street Interface - The ground floor interface on Stanley Street where the basement projects around 2.8 metres above the adjacent footpath. This is further emphasised by the interruption caused by the double width basement ramp and the need for a flight of 14 stairs to the office component located at that end of the building. This was regarded as an unacceptable response to the street interface and recommended that any future iteration of the proposal should address the effect of the continuous ground floor level (Paragraph 95-96).
- Internal Amenity - changes were recommended to the design of five apartments across three of the lower levels to achieve acceptable daylight outcomes (Paragraph 97).
- External Amenity - Recommending wing walls of Level 4 and 5 balconies on the shared side boundary with 205-213 Roden Street (Paragraph 98).



Figure 7: VCAT Plans - Stanley Street Elevation (source CHT Architects)



Figure 8: VCAT Plans - Roden Street Elevation (source CHT Architects)

2.2 Pre-application discussions

The applicant met with City of Melbourne officers prior to lodging the application.

2.3 Amendment to current application

The original application was lodged on 14 September 2018. In response to objections received and referral comments, the application was formally amended under Section 57A of the Act on 26 June 2019. The following changes were made to the plans.

- Introduction of two built forms separated by 9 metres and linked with a bridge.
- Two storey massing adjoining single-storey dwelling at 203 Roden Street
- A four storey mass on Roden Street to the west with vertical orientated elements.
- Ground floor apartments to Roden Street levels differ to suit street slope.
- Planting added to Ground floor apartments to Roden Street and Stanley Street entry.
- Podium height matched to existing 229-235 Stanley Street creating two-storey horizontal mass with rhythm through brickwork to respond to pilasters of neighbouring building.

- Setback of 5 metres (balconies encroaching) to 229-235 Stanley Street on upper levels.
- Continuous south-west wall created vertically from Level 2-4.
- Lightweight cantilevered glazed balconies to south-west corner of Stanley Street.
- Vertical division creating rhythm on façade above podium.
- Clear vertical break created with glazing between existing heritage building and new proposal.
- Mass above heritage created with lightweight expression and full length balconies.
- Activated frontage of basement to south west of Stanley Street with bike parking.

3 PROPOSAL

The plans which have been considered in this planning assessment are prepared by Point Architects Pty Ltd dated 6 February 2020 and the perspectives received on 14 May 2020. The key aspects of the proposal are:

- Demolition of existing buildings and retention of the existing single-storey warehouse at 210-212 Stanley Street, West Melbourne to a depth of 11.13 metres from the frontage.
- Removal of the existing crossovers to Roden Street and Stanley Street and the removal of one street tree on Stanley Street.
- Construction of a five to six storey building with a basement.
- The basement covers the entire site and contains car parking, motor bike parking, bicycle racks, storage cages and underground water tanks.
- The ground floor comprises entries from Roden Street and Stanley Street, apartments and 210-212 Stanley Street retained as a commercial premises.
- Levels 1 to 5 comprise of apartment dwellings.
- Vehicle access to the basement is proposed from a proposed 5.5 metre wide access ramp to Stanley Street at the south-west corner of the site.
- The form of the development comprises two blocks joined by a corridor with a podium built form and recessed upper levels.
- The external materials include red brick, textured and rendered concrete, metal framed glazing, corrugated metal roofing and metal fencing and glazed balustrades.

Table 1: Details of the proposal	
Dwellings	50 apartments 11 One-bedroom 37 two-bedroom 2 three-bedroom
Commercial	130 square metres
Building Height	17 metres (5 to 6 storeys)
Setbacks	North-west (Roden Street): 0m to 7.56m South-east (Stanley Street): 0m to 10.98m

	South-west: 0m to 5m North-east: 0m to 8.57m
Gross floor area	4,574 square metres
Floor Area Ratio	2.74 :1
Car Parking Spaces	58
Bicycle Spaces	49
Motorbike Spaces	4
Storage Cages	52

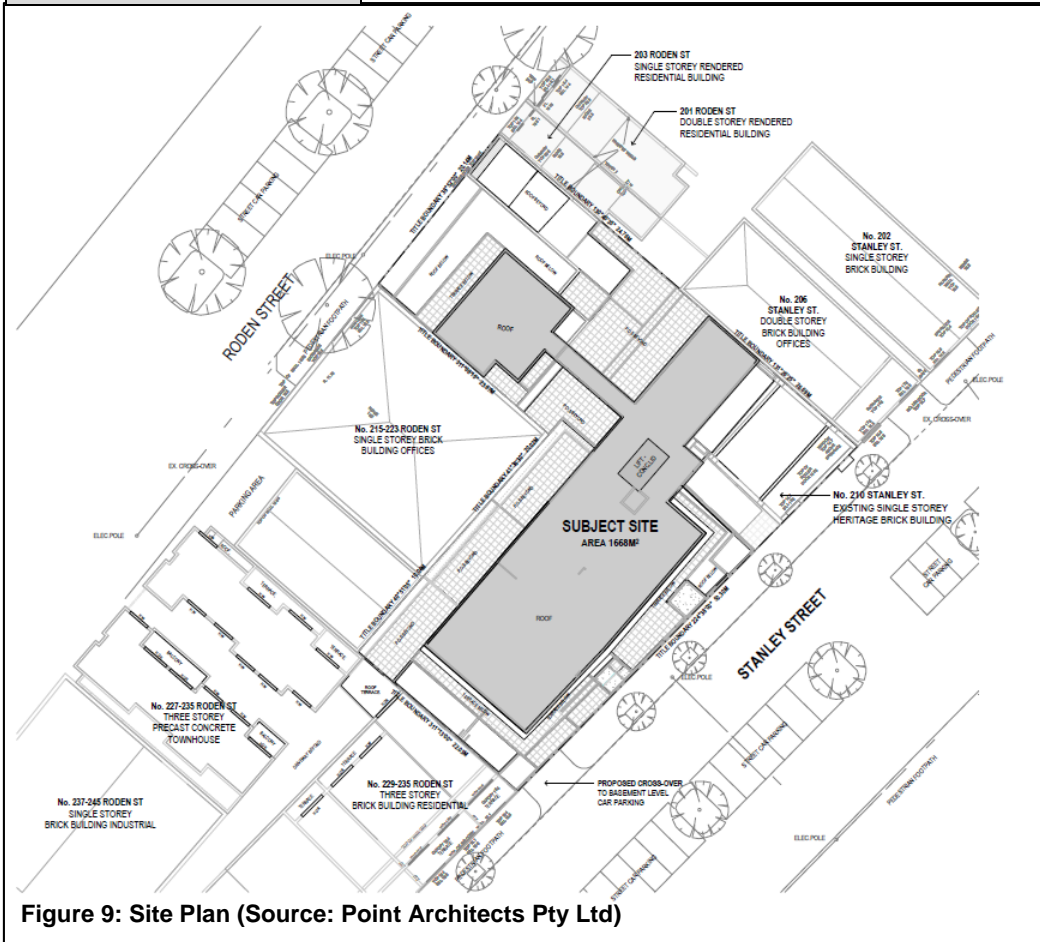


Figure 9: Site Plan (Source: Point Architects Pty Ltd)



Figure 10: Roden Street Perspective (Source: Point Architects Pty Ltd)



Figure 11: Roden Street Perspective (Source: Point Architects Pty Ltd)



Figure 12: Stanley Street Perspective (Source: Point Architects Pty Ltd)



Figure 13: Stanley Street Perspective (Source: Point Architects Pty Ltd)



Figure 14: Stanley Street Perspective (Source: Point Architects Pty Ltd)

4 STATUTORY CONTROLS

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

Table 2: Permit Triggers	
Clause	Permit Trigger
Zone	
Clause 32.04 Mixed Use Zone	Permit Required Pursuant to Clause 32.04-6, a permit is required to construct two or more dwellings on a lot. An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.
Overlays	
Clause 43.01 Heritage Overlay (HO3 – North and West Melbourne Precinct)	Permit Required Pursuant to Clause 43.01-1, a permit is required to: demolish a building construct a building or construct or carry out works
Clause 43.02 Design and Development	Permit Required Pursuant to Clause 43.02-2, a permit is required to construct a

Overlay Schedule 29	building or construct or carry out works. Schedule 29 applies to the land and sets out a preferred maximum building heights and a series of built form outcomes to be achieved.
Particular Provisions	
Clause 52.06 Car Parking	Permit not required Pursuant to Clause 52.06-3, a permit is required to reduce the car parking required by Clause 52.06-5. The use and development of land is to comply with the design requirements of Clause 52.06-8. A permit is not required as 58 car parking spaces are proposed which exceeds the minimum statutory requirement for 55 spaces.
Clause 52.34 Bicycle Requirements	No permit required A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6. A total of 49 spaces is proposed which exceeds the statutory requirement for 15 spaces (10 for residents and 5 for visitors)

5 STRATEGIC FRAMEWORK

5.1.1 Planning Policy Framework (PPF);

The relevant provisions of the PPF are listed as follows:

- Clause 11 – Settlement;
- Clause 11.06 – Metropolitan Melbourne;
- Clause 15 – Built Environment and Heritage;
- Clause 16 – Housing

5.2 Local Planning Policy Framework (LPPF)

5.2.1 Municipal Strategic Statement (MSS)

The relevant provisions of the MSS are listed as follows:

- Clause 21.04 – Settlement;
- Clause 21.06 – Built Environment and Heritage;
- Clause 21.07 – Housing;
- Clause 21.16 – Other Local Areas (North and West Melbourne);

5.3 Local Policies

The relevant local policies are summarised as follows:

- Clause 22.05 – Heritage Places outside the Capital City Zone
- Clause 22.17 – Urban Design Outside the Capital City Zone
- Clause 22.19 – Energy, Water and Waste Efficiency
- Clause 22.23 – Stormwater Management (Water Sensitive Urban Design)

6 PARTICULAR PROVISIONS

The following particular provisions apply to the application:

- Clause 52.06, Car Parking
- Clause 52.34, Bicycle Facilities
- Clause 58, Apartment Developments

7 GENERAL PROVISIONS

The following general provisions apply to the application:

Clause 65, Decision Guidelines, which includes the matters set out in Section 60

8 PLANNING SCHEME AMENDMENTS

In addition to the preceding policies, Amendment C258 Heritage Policies Review and West Melbourne Heritage Review and Amendment C309 West Melbourne Structure Plan are also of relevance.

8.1 C258 Heritage Policies Review and West Melbourne Heritage Review

Melbourne Planning Scheme Amendment C258 seeks to:

- Revise the local heritage planning policies in the *Melbourne Planning Scheme*.
- Incorporate new heritage statements of significance for the following precincts: Carlton; East Melbourne and Jolimont; North Melbourne and West Melbourne; Parkville; South Yarra; and Kensington
- Replace the 'A to D' grading system with the 'significant/contributory/non-contributory' grading system in line with the Department of Environment Land, Water and Planning Practice Note.
- 210-212 Stanley Street is proposed to be listed as a 'Contributory' building in the *Heritage Places Inventory 2020 Part A*.

The Future Melbourne Committee considered the recommendations of the independent panel at its meeting on 18 February 2020 and Council adopted the Amendment at its meeting on 25 February 2020. The adopted Amendment has been submitted to the Minister for Planning for final approval. This amendment is considered as seriously entertained.

8.2 C309 West Melbourne Structure Plan

Amendment C309 proposes to implement the built form and land use directions of the *West Melbourne Structure Plan 2018* by introducing new planning provisions into the Planning Scheme to guide future land use and built form in the area. The Site is located within the Adderley Precinct. The Amendment proposes the following changes relating to the Site:

- Amend Design and Development Overlay Schedule 29 to include:
- Introduction of a mandatory 3:1 floor area ratio
- Discretionary maximum building height of four storeys
- Minimum floor to ceiling heights of 4 metres at ground floor and 3.3 for all non-residential uses on other floors
- Encouragement of through-block links
- Strengthen application requirements, built form outcomes and decision guidelines.
- Rezoning the Site to the Special Use Zone Schedule 6 and applying a discretionary 16.6 per cent minimum non-accommodation floor area

- Apply Parking Overlay Schedule 14 to introduce a maximum parking rate of 0.3 to 0.6 car parking spaces per dwelling and 0.5 per 100 square metres for other land uses.
- Introduce an Environmental Audit Overlay.

The Planning Scheme Amendment C309 West Melbourne Structure Plan Committee meeting of 28 April 2020, Council was unable to consider adopting Melbourne Planning Scheme Amendment C309 (the Amendment) due to a loss of quorum. The Amendment cannot be adopted under delegation due to the operation of section 188(2) of the Planning and Environment Act 1987 (the Act).

The amendment was referred to the Minister for Planning and it was requested that the Minister for Planning prepare and approve the Amendment under section 20(4) of the Act given the Amendment has been lawfully exhibited and subject to consultation and a Panel process under the Act; and authorised the General Manager, Strategy, Planning and Climate Change to make further minor editorial changes to the Amendment documentation prior to submitting the Amendment to the Minister for Planning.

The amendment is considered as seriously entertained.

9 PUBLIC NOTIFICATION

It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting one sign on the Roden Street frontage and two signs to the Stanley Street frontage on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

Notice of the amended application was given by ordinary mail to the owners and occupiers of adjoining properties and all objectors.

10 OBJECTIONS

A total of 38 objections were received, and raised the following concerns:

- Building height
- Construction management
- Car parking
- Vehicle access
- Visual bulk
- Overshadowing
- Overlooking
- Noise
- Neighbourhood character
- Equitable development potential
- Inconsistent with previous VCAT ruling
- Inconsistent with DDO29
- Inconsistent with the West Melbourne Structure Plan (Planning Scheme Amendment C309)
- Waste management

- Onsite facilities

11 CONSULTATION

Given the receipt of the above objections, and in response to internal referral comments the application was formally amended on 26 June 2019. Notice of the amended application was given on 16 August 2019.

12 REFERRALS

12.1 Internal

The application was referred internally to:

- Urban Design
- Heritage
- Engineering Services
- Urban Forrest and Ecology

12.2 Urban Design

Urban Design supported the proposal in terms of:

- The built form being split into two with a 9-metre separation.
- The increased setback to the west on Stanley Street.
- Better alignment of apartments with the façade along Roden Street.
- Better alignment of private open space with façade and stairs to Stanley Street.
- The front setbacks on Level 4 in achieving heritage separation and recessive character when viewed from Roden Street.
- Introduction of light-weight balconies.
- A balancing of activation and level management along the ground floor of Stanley Street ground interface.
- The addition of a bicycle facility next to carpark entry.
- A vertical break to denote entry and separation between the heritage and contemporary massing to Stanley Street.
- Internal management of DDA access from the Stanley Street entry.
- A contemporary lower form adjacent the contributory building at 203 Roden Street.

It was recommended that:

- The use of bladed metal balustrades to obscure oblique views or extending planting boxes instead of glass.
- The use of planters on the ground floor frontages including details of soil volumes and irrigation.
- Differential material treatment at the Roden Street entry including a small canopy, wayfinding sign or other design features.
- Recommendations for façade strategy conditions

12.3 Heritage

The Heritage Advisor was generally not supportive of the proposal, and made the following comments and recommendations (summarised):

- Supportive of the two-storey height adjoining the building at 203 Roden Street.
- The form and materials of the building to Roden Street is not considered to respond to its heritage context.
- No direct access to Roden Street provided from ground floor apartments.
- Built form not broken-up along Stanley Street with uniform floor plans.
- The height and setback of the building adjoining the building at 230 to 250 Stanley Street is not considered to be respectful and would appear dominant.
- The materials of the Roden Street façade and the upper levels to Stanley Street are not considered to be responsive to the heritage and former industrial character of the area.
- Detail has not been provided for the brickwork to the Stanley Street façade. Brick slips or impressed bricks in concrete panels are not supported.
- Details of the car park entry doors or gate have not been provided.
- Details of the retention or demolition of internal walls of the retained portion of the contributory building at 210-212 Stanley Street have not been provided.
- Plans should be annotate the retention of the roof to 210 Stanley Street.
- Clarification of any external works to 210-212 Stanley Street.

12.4 Engineering Services

The following civil, transport and waste comments were provided.

12.4.1 Civil

Infrastructure Engineering recommended several standard civil design conditions and advised that the maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6 metres. Crossings wider than 7.6 metres should include pedestrian refuges a minimum of 2 metres.

12.4.2 Transport

Transport Engineering made the following recommendations:

- Signalling system should be provided to alert pedestrians of exiting vehicles and vice-versa.
- Narrow road hump should be installed close to the exit, to facilitate low speed for exiting vehicles.
- The provision of 35 bicycle spaces exceeds the Melbourne Planning Scheme requirements. It is noted that provision of all spaces within one store room in the basement is inconvenient for visitor bicycle parking. As the spaces in the basement are likely to only be used by residents, a separate visitor bicycle area should be provided.
- In order to ensure that vehicles entering the site do not stop in the street and obstruct pedestrians/traffic while waiting for the entry door to the building's basement to open, the door should be offset at least 6 metres from the site boundary. Alternatively, the door should be left open during the evening peak period and closed off-peak.

12.4.3 Waste

The Waste Management Plan prepared by lid consulting dated 17 February 2020 was supported. It was noted that kerbside collection was approved, including for hard waste presented by the building management.

12.5 Urban Forrest and Ecology

The application was referred to Urban Forest and Ecology for Environmental Sustainable Design (ESD) comments and advice relating to the proposed street tree removal.

12.5.1 Environmental Sustainable Design

The following summarised ESD advice was provided:

- The proposal meets minimum ESD targets including the minimum legal requirement for energy efficiency, achieving an average NatHERS rating of 6.1 Stars.
- The preliminary FirstRate information included in the ESD report shows that the glazing specification used for the development is aluminium single glazing with a U-Value of 6.7 which is very high, and is considered to be very low performance glazing. Improving the glazing specification by including glazing systems with a lower U-value will assist in achieving higher NatHERS ratings for the apartments, improve thermal comfort, and reduce energy consumption providing a far better outcome for the future occupants.
- Encouragement of the inclusion of a solar photovoltaic system to provide renewable energy to the common building services.
- Encouragement of the inclusion of deep soil areas and or canopy trees, climbers, planters, green roofs or facades.
- Encouragement of one bicycle space per apartment.
- The proposal achieves compliance with Clause 22.23 of the Melbourne Planning Scheme through a compliant STORM report including a 22,500L tank.
- Recommendation of conditions for the implementation of the ESD report and a landscape plan.

12.5.2 Street Tree Removal

Parks and City Greening noted:

- A replacement tree plot has not been identified by the applicant.
- Supported plantings added to ground floor apartments on Roden and Stanley Streets
- The extent of the planting is not considered sufficient to meet the enhanced greening standard of the Policy and mitigate the loss of public tree asset 1070146.
- A replacement tree plot should be scoped by the applicant (see recommend conditions).
- The only likely location of a replacement tree plot is adjacent to the Roden Street property boundary.
- Should a permit be issued the following conditions and advice notes should be included.

12.6 External

No external referrals were required by the Melbourne Planning Scheme.

13 ASSESSMENT

The application seeks approval for partial demolition of buildings and the construction of a multi-storey building for apartment dwellings. The key issues for consideration in the assessment of this application are:

- Responding to VCAT decision
- Heritage considerations
- Height and Massing
- Potential amenity impacts
- Clause 58 Apartment Design Standards
- Equitable development
- Parking, Access and Waste Management
- Access and Tree Removal
- ESD and WSUD considerations
- Potentially contaminated land
- Construction Management
- Commercial Land Use

13.1 Responding to VCAT decision

In summary the application addresses the matters raised in the VCAT order by:

- Reducing the height of the building by one level and deleting the roof deck (See figures 10 and 11)
- Retention of the front 11.3 metres of the contributory heritage at 210-212 Stanley Street
- Splitting the building into two built forms facing the two street frontages.
- Removal of a second basement
- Increasing the setback on Levels 2-3 to the west from being on the boundary to being setback 3 metres.
- Increasing the extent of brickwork to Stanley Street
- Increasing the setback to the east adjoining 203 Stanley Street from 4.61 metres to 5.16 metres and introduction of a pitched roof form

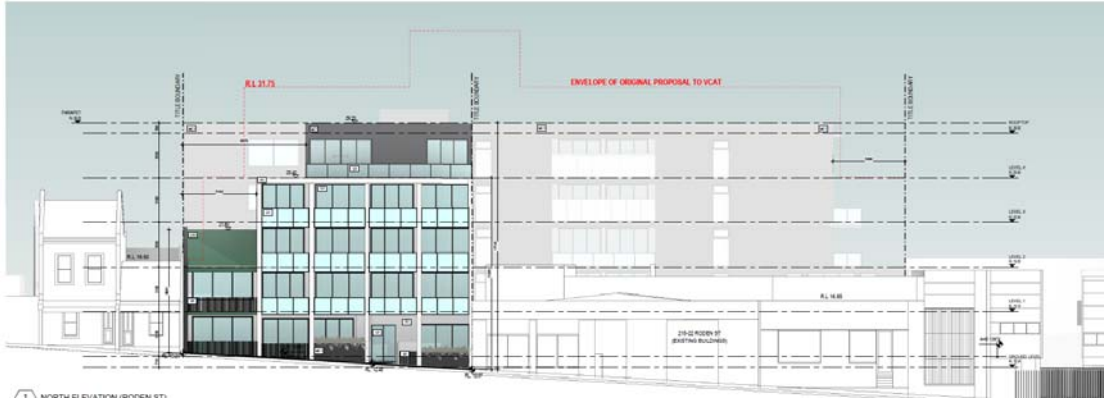


Figure 15: Roden Street Elevation. Red line showing extent of refused building envelop (Source: Point Architects Pty Ltd)

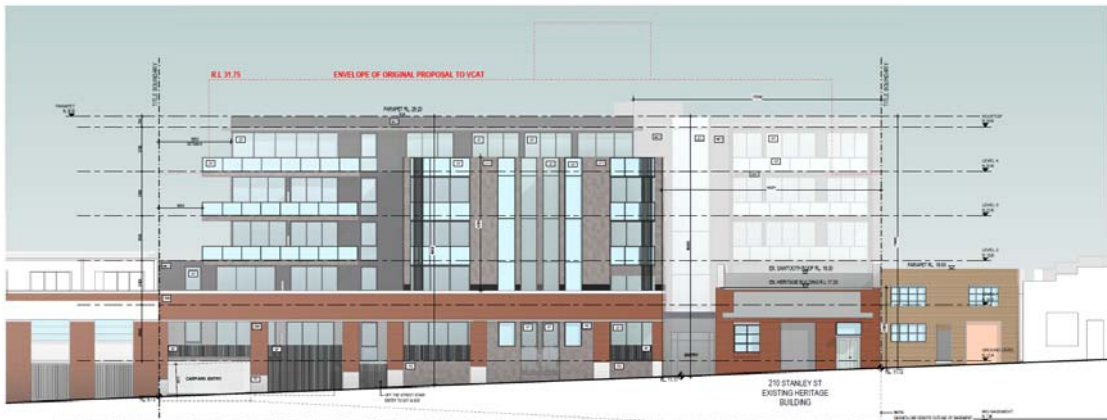


Figure 16: Stanley Street Elevation Red line showing extent of refused building envelop (Source: Point Architects Pty Ltd)

13.2 Heritage Considerations

13.2.1 Demolition

The application seeks to demolish all buildings on the site, with the exception of the front 11.3 metres of the contributory (D-graded) building at 210 Stanley Street.

Clause 21.16-5 (West Melbourne) includes the policy to ‘Encourage the re-use of existing warehouse and industrial buildings with efficient recycling potential where these contribute to the traditional mixed use character of the area.’

Clause 22.05 (Heritage Places Outside of the Capital City Zone) seeks the retention of the front part being two-rooms in depth or 8 metres of D-graded buildings.

Planning Scheme Amendment C258 seeks to introduce a new Clause 22.05 that includes the policy that ‘Partial demolition in the case of significant buildings, and of significant elements or the front or principal part of contributory buildings will not generally be permitted.’

The VCAT decision did not support full demolition of 210-212 Stanley Street and recommended a minimum of the front 10 metres should be retained. This includes the front face, western side brick wall and the saw-tooth roof.

The application proposes to retain and re-use the front portion of the heritage building. The adaptive reuse of building is supported under Clause 15.06-1S. No heritage significant elements of the heritage building are proposed to be demolished or removed. The extent of demolition behind the retained front portion the heritage building is consistent with Clause 21.16-5, Clause 22.05, Amendment C258 and the VCAT decision and is therefore supported.

The extent of heritage fabric to be retained including the roof is shown in the perspective drawings (Figure 17) and proposal plans. The demolition plans however do not clearly demonstrate that the roof is to be retained. The requirement for the retention of the roof is to be included as a condition of permit.

The proposal also seeks to excavate the land underneath the heritage building for the construction of a basement. The application has not provided a structural engineering report detailing as to how this is to occur. To ensure the contributory building is retained during demolition, excavation and construction it is recommended conditions require a structural engineering report and a bond to the value of \$385,000.



Figure 17: Perspective showing retained heritage building with sawtooth roof (Source: Point Architects Pty Ltd)

13.2.2 New built form and heritage context

Consideration has been given to both the current heritage policy and controls and the proposed local heritage policy under Planning Scheme Amendment C258.

The purpose of the Heritage Overlay, relevant state and local policies seek for heritage places to be conserved and protected from adverse impact of potential new development (Clause 15.03-1, Clause 21.06-2, Clause 22.05 and Clause 43.01).

The proposal is recommended for support on heritage grounds because:

- Clause 15.03-1S 'encourages appropriate development that respects places with identified heritage values.'
- The proposal is considered to be in keeping with the key attributes of West Melbourne Heritage Precinct by adopting high quality materials and respectful contextual design. This includes brickwork on the Stanley Street façade and an interpretive design to the Roden Street façade that responds positively to the character of lower scale townhouses.
- The proposal is considered to not to visually dominate the surrounding area or contributory buildings. The proposal has set back the higher building components. This includes the following setbacks:

- 5 metres from the western boundary facing Stanley Street from Level 2 and above.
- 5.16 metres from the eastern boundary from level 2 and above from the eastern boundary adjoining the single-storey contributory building at 203 Roden Street.
- The topmost floor is setback a minimum of 3.624 metres from Stanley Street and 7.56 metres from Roden Street. This reduces the visibility of the topmost floor from surrounding streets.

Furthermore, the proposal is considered to respond positively to the performance standards of Clause 22.05, as outlined in the below table.

Table 3: Response to relevant performance standards of Clause 22.05	
Form	The external shape of the building is respectful to the heritage context. The proposal has achieved this by incorporating a pitched roof which responds to the adjoining the single-storey dwelling at 203 Roden Street (see Figure 18) and uses the parapet height of 210-212 Stanley Street as a datum for the new street wall (see Figure 19).
Material	The materials include the use brick and concrete to Stanley Street which are respectful to the industrial heritage context. It is recommended a condition be placed on the permit requiring the use of face brick and not brick veneer.
Details	The proposed details are modern and simplified. Concrete walls are proposed. Urban Design has made recommendation such as a facade strategy, bladed metal balustrade or planter boxes, and a more legibility entry from Roden Street through a differentiated material treatment to entry door or subtle canopy / wayfinding signage or other design features. These changes are recommended as conditions of permit.
Façade Height and Setbacks	The facade height and position of the proposed building is considered not to dominate the brick façade of 230 Stanley Street with the height of the street wall being consistent and upper levels setback from the side boundary.
Building Height	The overall height of the building is considered to respond to the site context and is discussed further in the next section of this report.



Figure 18: Roden Street Perspective (Source: Point Architects Pty Ltd)



Figure 19: Stanley Street Perspective (Source: Point Architects Pty Ltd)

13.3 Height and Massing

Consideration has been given to current planning controls and the planning scheme amendments that apply to the site.

13.3.1 Current Planning Controls

The Municipal Strategic Statement (MSS) sets out the vision, objectives and strategies for managing land use change and development in the City of Melbourne. For West Melbourne, it is policy under Clause 21.16-5 to 'Maintain the predominantly low scale of the Mixed Use Zone in West Melbourne, south of Hawke and Roden

Streets’ and also to ‘Support higher building forms in West Melbourne in the area adjacent to the Hoddle Grid’.

Under the local policy of Clause 22.17 (Urban Design Outside of the Capital City Zone) includes the policies that ‘*The height of new development should respect the existing built form of the immediate surroundings.*’

In areas where the desire for built form change has been identified, the height of new development is encouraged to respond to the height of the emerging preferred new built form character.

DDO29 has a discretionary four storey maximum building height. Applications that exceed the maximum building height must demonstrate how the development will continue to achieve the design objectives and built form outcomes. The DDO29 design objectives are:

- To acknowledge the transitional nature of the area.
- To encourage the development of a new built form character and the retention of the mixed use nature of the area.
- To acknowledge the potential for higher density development near North Melbourne Railway Station.

The DDO29 built form outcomes are:

- Higher buildings and a new built form character.
- West Melbourne Development reflects the higher building forms in the area.
- Development respects the scale of, and provides a transition to, adjoining lower scale heritage buildings.

Related Approvals

Several developments of a similar scale have been approved under DDO29. These are listed in the below table and extract from the Development Activity Model.

Map Ref.	Permit No.	Address	Number of storeys	Permit date
1	Ministerial Permit 2010/016238	559-577 King Street	6 storeys	1/7/2012
2	TP-2014-7	145-147 Rosslyn Street	6 storeys	26/05/2015
3	Ministerial Permit 2014002550	177-231 Rosslyn Street	5 buildings ranging from 8 to 15 storeys	29/06/2016
4	TP-2016-637	101-107 Rosslyn Street	9 storeys	9/10/2017
5	Ministerial Permit PA1600194	512-542 & 544 Spencer Street	9 storeys	21/05/2018
6	TP-2018-88	172-184 Roden	7 storeys	09/10/2018

		Street		
7	TP-2017-395	137-157 Adderley Street	6-7 storeys	20/11/2018

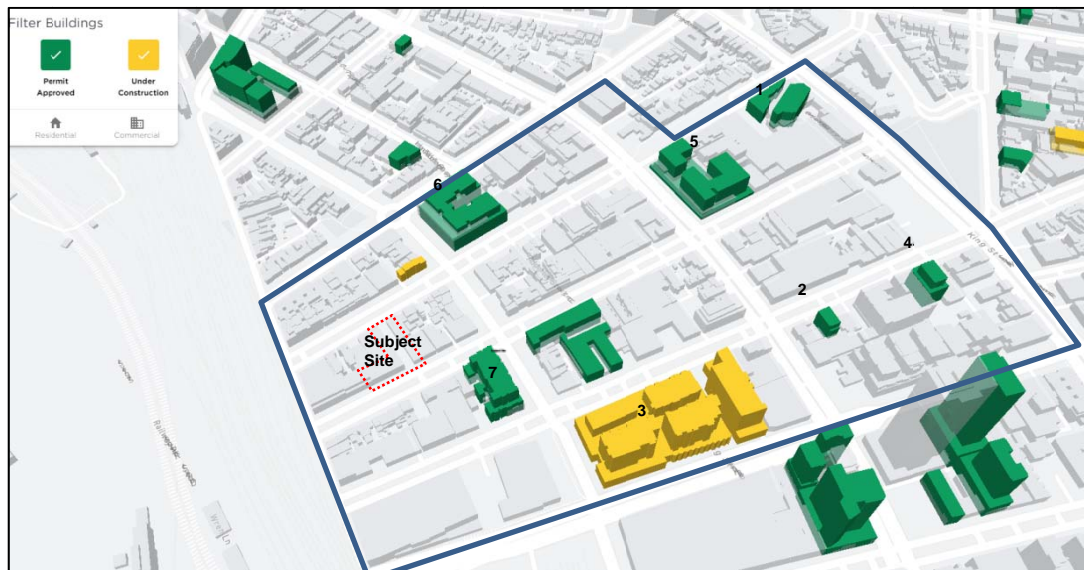


Figure 20: Recent approved Developments under DDO29 (Source: Development Activity Model)

The proposal includes variable building heights and exceeds the discretionary four-storey height control of DD029 by two storeys.

The height and massing of the proposal is considered to meet the current and proposed design objectives and the built form outcomes of DDO29. The proposal provides a higher density development while respecting the scale of the adjoining heritage buildings and streetscapes. The proposal allows for a transition in scale, higher and new built form.

Facing Roden Street:

- The proposal reads as a four-storey street wall with the fifth storey setback 7.5 metres from the frontage.
- A two-storey built form on Roden Street provides for a transition in scale to the adjoining the single-storey terrace at 203 Roden Street.

Facing Stanley Street:

- The retention of the contributory building at 210 Stanley Street and the reduction of one level from the previous proposal sufficiently reduces the visual bulk of the development when viewed from Stanley Street.
- The top floor is setback a minimum of 3.6 metres from Stanley Street which reduces the visual bulk of the proposal.
- Potential future development of the adjoining property at 208 Stanley Street will further reduce the visibility of the proposal from eastern approach on Stanley Street.
- The proposal is setback 5 metres on third storey (level 2) and above from adjoining townhouses at 229-235 Stanley Street. This setback provides a transition in scale to the lower three-storey townhouses to the west of the site.

13.3.2 Amendment C309 – West Melbourne Structure Plan

Amendment C309 proposes changes to the Municipal Strategic Statement to facilitate West Melbourne being identified Urban Renewal Area identified under Clause 21.04, where new residential infill development is expected to occur. Within West Melbourne, the area is proposed to become a 'mid-rise, human scaled neighbourhood with a diverse range of building types and some higher built form in specified locations.' (Proposed Clause 21.16).

As relevant to the current application, Planning Scheme Amendment C309 proposes to introduce a new DDO29 to the area that applies:

- Additional design objectives, built form outcomes, application requirements and decision guidelines
- A mandatory maximum 3:1 floor area ratio.
- Retaining the discretionary 4-storey height control
- Discretionary floor to ceilings heights of 4 metres for the ground floor and 3.3 metres for non-residential uses on other floors.
- Built form outcomes and requirements for active streets, laneways, and pedestrian and cycling connections, that includes requirements for through-block pedestrian connections.

The proposal is considered to be consistent with the relevant policies, design objectives, built form outcomes and decision guidelines of Amendment (C309) in respect that:

Floor Area Ratio

- The proposal is below the maximum 3 to 1 floor area ratio. The gross floor area of the proposal is 4,557 square metres (excluding basement) as showed on the Development Summary prepared by the architect (TP211). The total site area is 1,668 squares. This results in a floor area ratio of 2.73 to 1.

Adaptable Buildings

- The retention of the heritage building at 210 Stanley Street provides high ceilings that allows for adaptable re-use.
- On Roden Street the ground floor ceiling heights of apartments are at 2.7 metres which is below the C309 4 metre requirement. The 2.7 metre height is considered to be acceptable given that these areas are to be used for residential purposes and the proposal generally meets the other significant requirements of C309. It is also noted that additional height would result in an overall taller built form that would not be desirable for the site.

Building Height

- The height of the proposal is consistent with the proposed design objective for the Adderley Precinct which envisions a building scale of generally between two and six storeys.
- The building is broken into two sub-volumes facing each of the streets and separated by 9 metres. This responds the site context and historic urban grain.

- The proposal includes variable building heights from two to six storeys that responds to the character of the surrounding area.
- The proposal respects the scale of adjoining residential development and heritage buildings with higher elements of the proposal being setback from the property boundaries.
- The building has been designed to minimise amenity impacts on neighbouring development (see Section 13.5).
- A high standard of internal amenity is achieved (see Section 13.6 of this report).
- The proposal is setback 4.5 metres from the rear shared boundary with 215-223 Roden Street, to ensure internal spaces receive adequate levels of daylight and privacy.
- Equitable development of adjoining land would be achieved, with primary outlook to the street or within the site (see Section 13.8 of this report).

Laneways, pedestrian and cycling connections

- The proposal includes an enclosed through-block link at ground floor for future residents. It is noted that this link would not be publically accessible. Due to the impractical constraints of the site, which include retention of the heritage building at 210 Stanley, a publicly accessible through-block link is not considered practical for the proposed development.

13.3.3 Street Level Interface

The street level interface with Stanley Street has significantly improved from the scheme presented to VCAT by:

- Retention of the contributory D-graded building at street and providing commercial activation to retained building.
- A balcony being brought to the street edge above the car park entry to reduce the extent of the void in the façade.
- Retention of direct access to two apartments from Stanley Street.
- Inclusion of plantings.
- Inclusion of bicycle parking for visitors at the Stanley Street entry.

These improvements are considered to be consistent with the local Urban Design Policy under Clause 22.17, and the proposed active frontage built form objectives and requirement under Planning Scheme Amendment C309.

13.3.4 Detailed design

Urban Design Review have made several detailed design recommendations relating the materials of the façade, weather protection and street interfaces. These recommendations should be included as conditions of permit.

13.4 Potential Amenity Impacts

The key amenity impacts that were raised by objectors include the following:

- Overlooking
- Overshadowing

13.4.1 Overlooking

Several objections raised concern about potential unreasonable overlooking from the proposal. Clause 58 does not set out specific standards for what defines unreasonable overlooking. Standard D14 (Building Setback Objective) does recommend that 'buildings should be setback for side and rear boundaries to 'Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.'

The proposal may result in potential unreasonable overlooking from proposed balconies and windows to the following areas of secluded open space:

- An existing roof deck of 229-35 Stanley Street
- An existing terrace and proposed roof deck to 227-235 Roden Street
- The rear courtyard of 230 Roden Street

A condition of permit requiring screening in accordance with Clause 55 of the Melbourne Planning Scheme to limit unreasonable overlooking is recommended.

13.4.2 Overshadowing

Clause 58 does not set out specific standards for overshadowing of existing secluded private open spaces. The proposal would result in the following shadow impacts:

- 9am shadow to a roof deck of 229-35 Stanley Street at 9am on 22 September
- 4pm shadow to rear courtyard at 203 Roden Street on 22 September.
- The additional shadow impact at these times is considered to be acceptable given the time of day that this occurs, and that no additional shadowing is proposed between 10 am to 3 pm on 22 September.

13.5 Clause 58 Apartment Design Standards

Clause 58 (Apartment Developments) seeks *'To encourage apartment development that provides reasonable standards of amenity for existing and new residents.'* and *'To encourage apartment development that is responsive to the site and the surrounding area'*. The provisions set out objectives which an apartment development must meet and standards which should be met.

Variation is sought from the following standards:

Table 5: Variations from standards			
Standard	Objective	Required	Proposed
D7	Communal Open Space	250m ²	40m ²
D8	Solar access to communal open space	50% of area sunlit between 9am to 3pm on 21 June	No solar access on 21 June
D10	Landscape Objectives	166.8m ² and 1 large tree or 2 medium trees	None
D15	Internal views	50% of views to secluded private open space from apartments above prevented.	Not achieved.

D19	Private Open Space	3-bedroom apartments with 12m ² balcony	1 3-bedroom apartment with an 11m ² balcony
D27	Natural Ventilation	40% of apartments with effective cross ventilation	34% (17 out of 50) with effective cross ventilation.

In general, the development provides a good level of internal amenity and meets all of the objectives of Clause 58. Variations to the standards are discussed as follows.

13.5.1 Communal open space and solar aces (Standard D7 and D8)

Standard D7 and D8 require 250 square metres of communal open space that receives at least 50 per cent direct sunlight between 9 am to 3 pm on 21 June. The proposal includes 40 square metres of communal open space on the ground floor that does not receive sunlight.

The proposed communal open space is considered to meet the objective of Standard D7 in being ‘accessible, practical, attractive, easily maintained and integrated with the layout of the development.’

Access to sunlight during winter for the development is considered to be impracticable given the built form context.

13.5.2 Landscape Objective (Standard D10)

Standard D10 requires 166.8 square metres of deep soil areas and one large tree or two medium trees. No deep soil areas or trees onsite are proposed. The proposal does include planter boxes on the ground floor. It is recommended that a Landscape Plan be included as a condition of permit to detail soil volumes, irrigation and drainage.

13.5.3 Standard D15 Internal Views

Standard D15 requires 50 per cent of views to secluded private open space from apartments above be prevented, which is not achieved by the proposal. The proposal may result in views from apartments on upper levels to the courtyards on the ground floor being possible. Screening these apartments would have negative impact on their outlook and amenity. Therefore, it not considered that screening is required to prevent internal views.

13.5.4 Standard D19 Private Open Space

The three bedroom apartment on Level 5 contains an 11 square metre apartment, when Standard D19 requires a minimum 12 square metre apartment. The internal configuration of apartments on Level 5 can be rearranged to comply with the standard. This is recommended as a condition of permit.

13.5.5 Standard D27 Natural Ventilation

34 per cent (17 out of 50) of the proposed apartments achieve the natural ventilation requirements of Standard D27. This is three apartments short of the required 40 per cent requirement. This small variation is considered acceptable given that the proposal otherwise achieve a high level of amenity for the proposed apartments.

13.5.6 Noise Impacts

Standard D16 (Noise Impacts) requires acoustic attenuation levels that apartment development should achieve depending on their location. It is recommended for as a condition of permit to require an acoustic assessment to be undertaken with specific building and works recommendations is recommended to ensure the proposal achieves a high level of acoustic attenuation.

13.6 Equitable development

Objections were received in relation to the impact of the proposal on the development potential of adjoining properties.

The adjoining properties at 215-223 Roden Street and 206 Stanley Street both have the potential to be developed in future. Neither site currently has an application for a planning permit submitted for redevelopment.

The proposal allows for equitable development of 215-223 Roden Street because:

- The proposal has been setback 4.5 metres from the northern boundary. This allows for an adjoining development to mirror the setback resulting in adequate separation between both sites.
- The proposal has been broken into two blocks thereby allowing for better amenity outcomes to the properties the east. This built form allows for a sense of openness when viewed from the rear of properties to the east.
- The proposal allows for equitable development at 206 Stanley Street with the retention of the contributory building at 210 Stanley Street and adjoining apartments oriented to the street. There is no evidence to suggest that the proposal would limit the potential of the adjoining site being developed.
- A wing wall should be included to the balcony of Apartment 403 to the adjoining land at 215-223 Roden Street to limit potential unreasonable overlooking to a possible future development of the site.

13.7 Parking, Access and Waste Management

13.7.1 Car and Motorcycle Parking

Many of the objections received raised concern about the impact the proposal would have on the limited availability of on-street car parking.

The development comprises of 50 apartments (11 one-bedroom, 37 two-bedroom and two three-bedroom dwellings) and 130 square metres of commercial land use. Pursuant to Clause 52.06 a car parking requirement of 55 spaces is required for the development. A total of 58 spaces are proposed.

Since the introduction of Amendment VC148 on the 31 July 2018, visitor parking is no longer required for the residential component. Any visitor driving to the site would be obligated to follow the on-street parking restrictions.

A Traffic Impact Assessment has been provided with the application has been reviewed by Council's traffic engineers. The traffic impact from the proposal is considered to be acceptable and the increase traffic volumes can be accommodated within the surrounding road network.

The proposal includes four motor cycle parking space in the basement. This is also supported by Council's traffic engineers.

Council's traffic engineers made recommendations in their referral comments to improve the safety of the car park. These recommendations can be address as conditions of permit.

13.7.2 Bicycle Parking

A total of 49 bicycle parking spaces are proposed in the basement which exceed the statutory requirement of 15 spaces. Visitor bicycle spaces are provided at ground level at the Stanley Street entry. This location is supported.

13.7.3 Access and Tree Removal

Existing crossovers on Roden Street and Stanley Street are proposed to be removed. A new crossover is proposed from Stanley Street that would require the removal of one street tree. This is considered to be acceptable due the net decrease in crossovers to both Stanley Street and Roden Street and the young age of the street tree. It is noted that the removal of the street tree is also subject to the Tree Retention and Removal Policy.

13.7.4 Waste Management

As discussed in section 12.2.2 of this report, the Waste Management Plan prepared by LID Consulting Pty Ltd dated 17 February 2020 was supported by the Waste Services team.

13.8 ESD and WSUD considerations

The proposal which is now separated into two built forms is considered to result in improved cross ventilation and daylight access from the previous scheme presented to VCAT.

Clause 22.19 requires that all applications be accompanied by an environmentally sustainable design statement that demonstrates how the development meets the policy objectives of Clause 22.19-2 and the policy requirements of Clause 22.19-3.

Further, applications for buildings over 2,000 square metres gross floor area must provide a statement from a suitably qualified professional verifying that the building has the preliminary design potential to achieve the relevant performance measures set out in Clause 22.19-5.

Clause 22.19-5 requires residential developments over 5,000s GFA achieve point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent 5 star rating under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent.

Clause 22.23 applies Stormwater Management (Water Sensitive Urban Design) requirements for development.

An ESD Report and WSUD Report were provided with the application which was reviewed by Urban Forest and Ecology. It was advised the proposal meets the minimum requirements which can be implemented by way of a condition of permit.

13.9 Potentially contaminated land

A Preliminary Site Investigation Report (prepared by *Prensa PL*) was submitted with the previous application for a planning permit (TP-2016-739). The report recommended further investigatory work is required. Should a permit issue, it is recommended that a Comprehensive Environmental Assessment be undertaken.

13.10 Construction Management

Given the scale of the proposal, it is appropriate to require a demolition and construction management plan.

13.11 Commercial Land Use

It is noted that 210 Stanley Street is shown on the plans as 'commercial' and with an area of 130 square metres. The Site is in a Mixed Use Zone, which allows for several commercial land uses (such as food and drink premises or office) of less than 250 square metres without requiring a planning permit.

Should the Minister for Planning approve Planning Scheme Amendment C310 as proposed, a planning permit would not be required under the proposed Special Use

Zone Schedule 6 for a food a drink premises or shop of less than 150 square metres or a medical centre of less than 250 square metres.

14 RECOMMENDATION

That a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Prior to the commencement of the development on the land, plans, drawn to scale must be submitted to the Responsible Authority generally in accordance with the plans prepared by Point Architects Architect dated 2 May 2019 but amended to show:
 - a. The demolition plans to show the existing roof of 210-212 Stanley Street retained to a depth of 11.03 metres.
 - b. Direct pedestrian entry to Roden Street from the balconies of Apartments G05 and G06.
 - c. Reconfiguration of apartments of Level 4 to achieve compliance with Standard D19 (Private Open Space) of Clause 58 of the Melbourne Planning Scheme.
 - d. Screening in the form of fix louvers or battens accordance with Standard B22 of Clause 55.04-6 of the Melbourne Planning Scheme to limit unreasonable overlooking to the existing and proposed secluded open space of:
 - i. 203 Roden Street
 - ii. 227-235 Roden Street
 - iii. 229-235 Roden Street
 - e. Bladed metal balustrades or extended planting boxes instead of glass.
 - f. Planters on the ground floor frontages.
 - g. Details of the soil volumes and irrigation methods for all planters.
 - h. Signalling system to alert pedestrians of exiting vehicles.
 - i. Convex mirror within the curtilage, for drivers to be able to see pedestrians.
 - j. Narrow road hump installed close to the exit, to facilitate low speed for exiting vehicles.
 - k. The dimensions of all car parking spaces, aisles, and pillars.
 - l. Provision of a minimum of one car share space in the basement car park.
 - m. The width of the crossover no greater than 7.6 metres.
 - n. External lighting to the ground floor entrances.
 - o. Any changes required by the endorsed Waste Management Plan.
 - p. Any changes required by the endorsed Facade Strategy.

These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

Façade Strategy

3. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Façade Strategy must be generally in accordance with the development plans and must detail:
 - a. A concise description by the architect(s) of the building design concept and how the façade works to achieve this.
 - b. Elevation details generally at a scale of 1:50 illustrating typical lower level details, balcony niches, entries and doors, and utilities, typical tower detail, and any special features which are important to the building's presentation. The drawings must demonstrate:
 - c. The authenticity of the pastel jade coloured tiles, concertina patterning and brass coloured balustrades proposed on the building.
 - d. Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - e. Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
 - f. Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
 - g. A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.
 - h. Differential material treatment at the Roden Street entry including a canopy, wayfinding sign or other design features.
 - i. Face brick to the Stanley Street façade.

Building appurtenances and services

4. All building plant and equipment on the roofs are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, exhausts (including car parking) and communications equipment, shall be to the satisfaction of the Responsible Authority.

Materials and finishes

5. Prior to the commencement of the development a schedule and samples of all external materials, colours and finishes including a colour rendered and notated plan /elevation must be submitted to, and approved by the Responsible Authority.

3D Model

6. Prior to the commencement of the development, a 3D digital model of the approved development must be submitted to and approved by the Responsible Authority. The model should be prepared having regard to the Advisory Note – 3D Digital Modelling Melbourne City Council. Digital models provided to Melbourne City Council may be shared with other government organisations for planning purposes. Melbourne City Council may also derive a representation of the model which is suitable for viewing and use within its own 3D modelling environment. In the event that substantial modifications are made to the building envelope a revised 3D digital model must be submitted to and approved by the Responsible Authority.

Waste Management

7. The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by lid consulting dated 17 February 2020.

The submitted WMP must not be altered without prior consent of the City of Melbourne – Waste and Recycling.

Acoustic attenuation

8. Prior to the commencement of the development, an acoustic report prepared by a qualified acoustic consultant must be submitted to and be to the satisfaction of the Responsible Authority. The report must provide for noise attenuation measures to achieve a maximum noise level of not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am and not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm in unfurnished rooms with a finished floor and the windows closed. The recommendations in the approved acoustic report must be implemented, at no cost to the Responsible Authority, prior to the occupation of the dwellings.

Street Trees

9. Prior to the commencement of any works including demolition and bulk excavation, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (Urban Forestry & Ecology). The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
 - a. City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
 - b. Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries or scaffolding.
 - c. Site specific details of the temporary tree protection fencing to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.

- d. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned trees. These must be provided for any utility connections or civil engineering works.
 - e. Full specifications of any pruning required to publicly owned trees with reference to marked images.
 - f. Any special arrangements required to allow ongoing maintenance of publicly owned trees for the duration of the development.
 - g. Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).
10. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority.
11. Prior to the commencement of any works (including demolition) a bond in the form of a bank guarantee, equivalent to the combined environmental and amenity values of public trees affected by the works, must be provided to the City Of Melbourne. The bond amount will be calculated by council and provided to the applicant/developer/owner of the site. Should the tree be adversely impacted on, the City Of Melbourne will be compensated for any loss of amenity, ecological services or amelioration works incurred.
12. Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
13. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of tree(s) to be removed, must be met by the applicant/developer/owner of the site. The costs of these works will be provided and must be agreed to before council remove the subject trees.
14. Prior to the commencement of any works (including demolition) and subject to meeting the requirements of the Tree Retention and Removal Policy in relation to tree removal, Engineering Plans that show the location and specification of a new tree plot adjacent to the property boundary on Roden Street must be provided to the satisfaction of the City Of Melbourne.
15. Prior to the commencement of the development, Engineering Works, as shown on the endorsed Public Realm Civil Works (Tree Plots) Plans must be completed to the satisfaction of the City Of Melbourne.

Security Bond for demolition and retention of heritage building

16. Prior to the commencement of any demolition, construction or works, a bank guarantee or bond to the value of \$385,000 must be deposited with the Responsible Authority to ensure that the existing building at 210 Stanley

Street, West Melbourne is not demolished except to complete the development in accordance with the endorsed plans. The bank guarantee or bond will be returned when the works are completed to the satisfaction of the Responsible Authority.

17. Prior to demolition, the permit holder must satisfy the Responsible Authority that substantial progress has been made towards obtaining the necessary building permits for the development of the land generally in accordance with the development of the land proposed under this permit and that the permit holder has entered into a bona fide contract for the construction of the development.

Structural Engineering Report

18. Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to City of Melbourne and be to the satisfaction of the Responsible Authority.

Demolition and Construction Management Plan

19. Prior to the commencement of the development, including demolition and bulk excavation, a detailed demolition and construction and management plan must be submitted to and be approved by the Responsible Authority – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to consider the following:
 - a. Public safety, amenity and site security.
 - b. Operating hours, noise and vibration controls.
 - c. Air and dust management.
 - d. Stormwater and sediment control.
 - e. Waste and materials reuse.
 - f. Traffic management.

Civil Design Conditions

20. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – Engineering Services. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system. Where necessary, the City of Melbourne's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.
21. Prior to the commencement of the use/occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.
22. The footpath(s) adjoining the site along Roden Street and Stanley Street must be reconstructed together with associated works including the reconstruction of kerb and channel and modification of services as necessary at the cost of the

developer, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.

23. Existing street levels in Roden Street and Stanley Street must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Engineering Services.
24. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Engineering Services.
25. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – Engineering Services.
26. All street furniture such as street litter bins recycling bins, seats and bicycle rails must be supplied and installed on Roden Street and Stanley Street footpaths outside the proposed building to plans and specifications first approved by the Responsible Authority – Engineering Services.

Potentially contaminated land and remediation

27. Prior to the commencement of the development (excluding demolition), the applicant must carry out a Comprehensive Environmental Assessment (CEA) of the site to determine if it is suitable for the intended uses. This CEA must be carried out by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or a person who is acceptable to the Responsible Authority. The assessment must be submitted to, and be approved by the Responsible Authority prior to the commencement of the development (excluding demolition). The CEA must include:
 - a. Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This includes details of how long the uses occupied the site.
 - b. A review of any previous assessments of the site and surrounding sites, including details of any on-site or off-site sources of contaminated materials. This includes a review of any previous Environmental Audits of the site and surrounding sites.
 - c. Intrusive soil sampling in accordance with the requirements of Australian Standard (AS) 44582.1. This includes minimum sampling densities to ensure the condition of the site is accurately characterised.
 - d. An appraisal of the data obtained following soil sampling in accordance with ecological, health-based and waste disposal guidelines.
 - e. Recommendations regarding what further investigate and remediation work, if any, may be necessary to ensure the site is suitable for the intended uses.

Prior to the occupation of the building, the applicant must submit to the Responsible Authority a letter confirming compliance with any findings, requirements, recommendations and conditions of the CEA.

21. Should the CEA recommend that an Environmental Audit of the site is necessary then prior to the occupation of the building the applicant must provide either:
 - a. A Certificate of Environmental Audit in accordance with Section 53Y of the *Environment Protection Act 1970*; or

- b. A Statement of Environmental Audit in accordance with Section 53Z of the *Environment Protection Act 1970*. This Statement must confirm that the site is suitable for the intended use(s).

Where a Statement of Environmental Audit is provided, all the conditions of this Statement must be complied with to the satisfaction of the Responsible Authority and prior to the occupation of the building. Written confirmation of compliance must be provided by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or other person acceptable to the Responsible Authority. In addition, the signing off of the Statement must be in accordance with any requirements in it regarding the verification of works.

If there are conditions on the Statement that the Responsible Authority consider requires significant ongoing maintenance and/or monitoring, the applicant must enter into a legal agreement in accordance with Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority. This Agreement must be executed on title prior to the occupation of the building. The owner of the site must meet all costs associated with the drafting and execution of this agreement including those incurred by the Responsible Authority.

Environmentally Sustainable Design

22. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the endorsed ESD report have been implemented in accordance with the relevant approved plans. The report must include all final calculations, modelling reports and other supplementary materials etc. that have been produced to demonstrate compliance with the relevant targets included in the endorsed ESD report.

Landscape Plan

23. Prior to commencement of development, a scheme for landscaping and planting in connection with the proposed development must be submitted to, and be approved by the Responsible Authority that demonstrates compliance with the Better Apartments Design Standards requirements. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

Time Limits

24. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

NOTES

All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the responsible authority – Manager Engineering Services Branch.

Under the Resident Priority Parking Permit scheme, occupiers of the development approved by this permit are not eligible to obtain resident priority parking permits or visitor vouchers.

The City of Melbourne (CoM) will not change the on-street parking restrictions to accommodate the access, servicing, delivery and parking needs of this development. However, new parking restrictions may be introduced in the surrounding streets if considered appropriate by the CoM. As per Council's policy, new developments in this area that increase residential density are not entitled to resident parking permits. Therefore, the residents/visitors/staff of this development will not be eligible to receive parking permits and will not be exempt from the on-street parking restriction.

The location of a replacement tree plot must be supported by details that show no services will restrict construction to council's specification.

In accordance with the Tree Retention and Removal Policy a bank guarantee must be:

1. Issued to City of Melbourne, ABN: 55 370 219 287.
2. From a recognised Australian bank.
3. Unconditional (i.e. no end date)
4. Executed (i.e. signed and dated with the bank stamp)

Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.

At the time of lodgement of the bank guarantee a completed Project Arborist Confirmation Form must be provided. On completion of all works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the health of the subject public trees has not been compromised.