

City of Port Phillip
Advertised Document
No. of Pages: 15

LEVEL 10
477 COLLINS STREET
MELBOURNE VIC 3000

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

21 October 2021

Patricia Stewart
Statutory Planning – City Development
City of Port Phillip
99a Carlisle Street
St Kilda
Victoria 3182

Via email: patricia.stewart@portphillip.vic.gov.au and planhelp@portphillip.vic.gov.au

Dear Patricia,

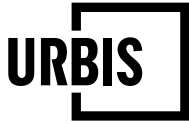
RESPONSE TO RFI - PDPL/01019/2021 8 LOUISE STREET, MELBOURNE

Urbis Pty Ltd continues to act on behalf of 8 Louise Street Pty Ltd in relation to the above mentioned application for a Planning Permit at 8 Louise Street, Melbourne. In response to Council's request for further information dated 10 September 2021 and our meeting on 20 September 2021, please find the following enclosed:

- Updated Architectural Plans, prepared by Cera Stribley dated 19 October 2021
- Updated Landscape Plan, prepared by Acre dated 19 October 2021
- Heritage Impact Statement, prepared by Bryce Raworth dated 6 October 2021
- Traffic Advice, prepared by One Mile Grid dated 14 October 2021
- Wind Assessment, prepared by Mel Consultants dated 21 October 2021
- Tree management plan, prepared by Arbor Survey dated 21 October 2021
- Arborist report, prepared by Arbor Survey dated 21 October 2021
- Updated Planning Report prepared by Urbis, dated 21 October 2021

Specifically, the attached material responds to the items requested by Council within their RFI as follows.

INFORMATION REQUESTED	Response
Plans	
1. General: Please update all elevations and floorplans to darken the shade of grey	The adjoining properties have been illustrated in a darker tone of grey to improve legibility.



INFORMATION REQUESTED	Response
<p>associated with adjoining properties to improve legibility.</p>	<p>Refer to architectural plans provided by Cera Stribley.</p>
<p>2. General: The Louise Street podium setbacks appear to be taken from the window line instead of the external wall. Please ensure all dimensions are correctly detailed.</p>	<p>The Louise Street podium setbacks have been detailed correctly. We note that the external wall is setback 4.1metres from the title boundary. The front landscaped setback of the DDO is discretionary and given the encroachment is minor, we consider it to be acceptable. Additionally, the considered landscape design by Acre has presented an outcome that fulfills the objectives of sub-precinct 5.</p>
<p>3. An existing site conditions plan.</p>	<p>An existing site conditions plan has been included on TP0100</p>
<p>4. All plans and elevation drawings fully dimensioned, including natural ground level, floor levels, and incremental and total wall and building heights and lengths, with heights to be expressed to Australian Height Datum (AHD) and/or reduced levels. Setbacks to walls of adjoining properties from the title boundary must be annotated.</p>	<p>All plans and elevations have been fully dimensioned and incorporate NGL, floor levels and wall/ building heights and length expressed in ADH. The setbacks to adjoining properties have been included on TP0500 and TP0501.</p>
<p>5. Please detail the proposed crossover and dimension. The plans show the existing crossover and is inconsistent with the crossover detailed in the Traffic Report. Please note any assets within this area may need to be relocated or made trafficable to the satisfaction of Council or the responsible authority.</p>	<p>The new crossover will be 8049mm with a corner splay for improved visibility when exiting the site onto Queens Lane.</p>

INFORMATION REQUESTED	Response
<p>6. Please provide details of any security swipe card system to access the basement car park.</p>	<p>The garage door will be a private remote controlled roller door as noted on TP1100.</p>
<p>7. A streetscape elevation from St Kilda Road detailing (at a minimum) 492 St Kilda Road, 490 St Kilda Road, Louise Street and 482-486 St Kilda Road.</p>	<p>Three streetscape elevations have been provided from 482-486, 490 and 492 St Kilda Road on pages TP2000, TP2001 and TP2002 provided by Cera Stribley.</p>
<p>8. Photo montage superimposing the proposed development into the existing street/streetscape, including a view from St Kilda Road looking west to the subject site including (as a minimum) 492 St Kilda Road, 490 St Kilda Road, Louise Street and 482-486 St Kilda Road.</p>	<p>A photo montage of the proposed development has been provided in the package provided by Cera Stribley. The artist impressions show the proposal looking west from at 482-486, 490 and 492 St Kilda Road.</p>
<p>9. Please clearly detail all habitable room windows and balconies within an 9m overlooking arch of any sources of overlooking.</p>	<p>Overlooking sections have been provided on TP3100-TP3111.</p>
<p>10. Following from Point 9, details of screening devices to prevent overlooking of neighbouring properties. The details must be provided in both the floor plans, elevation plans and a detailed section plan showing the screening devices.</p>	<p>Angled privacy screens have been provided on the terraces of apartments 105, 205 and 305 to ensure that no overlooking to adjacent properties occurs. See TP3111 for further detail.</p> <p>Opaque glazing has been provided to 1.7 metres where necessary to limit overlooking. See TP1102 and TP.1103.</p>
<p>11. Some of the dimension on the detailed apartment layouts are incorrect, e.g. the terrace area</p>	<p>The dimensions of the terraces have been amended and confirmed where necessary.</p>

INFORMATION REQUESTED	Response
<p>dimensions provide for an area less than that annotated. Please clarify.</p>	
<p>12. Shadow diagrams showing the shadow which would be cast by both the <u>existing and proposed</u> buildings and works, including fences, during the equinox (September 22) at 9am, 10am, 11am, 12pm, 1pm, 2pm & 3pm.</p> <p>Please distinguish overshadowing from other buildings within the area and those proposed by the subject site. You may wish to provide sectional overshadowing diagrams.</p> <p>The shadow diagrams must also include the following calculations:</p> <ul style="list-style-type: none"> a) The total area (in square metres) of neighbouring secluded private open space / balconies (we note 34 Queens Road has balconies to the north-east corner of the development which must be detailed); b) The amount of existing sunlight access to neighbouring secluded private open space/ balconies. The amount of existing sunlight must be specified in terms of square metre coverage 	<p>Shadow diagrams have been included illustrating the overshadowing of the proposed development on POS of adjoining residential buildings.</p> <p>The POS of 34 Queens Road will receive additional overshadowing for a period of two hours between 9am and 3pm. This represents a minor non-compliance and while not an intended outcome, when assessed against the merits of the application is considered to be acceptable.</p>

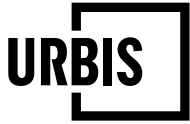
INFORMATION REQUESTED	Response
<p>and as a percentage of the total area of the secluded private open space/ balconies; and</p> <p>c) The amount of proposed sunlight access to neighbouring secluded private open space/ balconies. The amount of proposed sunlight must be specified in terms of square metre coverage and as a percentage of the total area of the secluded private open space.</p>	
<p>Landscaping</p>	
<p>13. An amended landscape plan to be drawn to scale with dimensions. The plan must show:</p> <p>a) A survey, including botanical names, of all existing trees to be retained and removed on the site.</p> <p>b) A survey, including botanical names, of all existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the subject site.</p>	<p>The Landscape Plan provided by Acre has been amended and updated to the satisfaction of the RFI.</p>

INFORMATION REQUESTED	Response
<p>c) Details of all landscaping, water sensitive urban design elements (as applicable) and surface finishes.</p> <p>d) The Acre elevations are inconsistent with the Cera Stribley architectural drawings. E.g., Acre – South Elevation details different fenestration patterns, different locations and treatments of ground floor wall on the boundary, planters in tower locations are inconsistent etc.</p>	
<p>14. Please provide a Tree Protection and Tree Management Plan:</p> <p>a) Details of Tree Protection Zones, as per AS4970, for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site;</p> <p>b) Protection measures to be utilised and when they will be implemented; and</p> <p>c) Stages of development at which the site arborist will inspect tree protection measures.</p>	<p>A Tree Protection and Management Plan has been provided by Arbor Survey which outlined the TPZ and SRZ of all trees to be retained on site and on the adjacent properties. The protection measures are outlined, including reference to the stages when the project arborist is required to be present on-site.</p> <p>A plan is provided that illustrates the protection measures to be utilised throughout the development.</p>

INFORMATION REQUESTED	Response
<p>The Tree Protection Plan must be drawn to scale and show:</p> <p>d) The location of all tree protection measures to be utilised.</p>	
Reports	
<p>15. Please provide an amended Town Planning Report updated to reflect any changes arising for the matters raised in this correspondence, including but not limited to:</p> <p>a) Detailed discussion regarding the side setbacks to abutting properties relative to the controls outlined at DDO26.</p> <p>b) The report identifies that no microclimate impacts will result from the development. Please provide a detailed discussion regarding overshadowing and wind impacts, the latter should be supported by expert advice.</p>	<p>The Town Planning Report has been updated to respond to the setback requirements of DDO26. A setback plan has been provided on TP.0500-TP.0504 illustrating the current conditions superimposed on the proposed conditions.</p> <p>A wind assessment has been provided by Mel Consultants demonstrating that the walking criterion has been satisfied.</p> <p>Overshadowing diagrams have been included within the architectural plans and a detailed assessment has been included in the updated Town Planning Report.</p>
<p>16. Expert Heritage advice on the relationship of the proposal with 490 St Kilda Road (HO331).</p>	<p>The attached Heritage Impact Statement provided by Bryce Raworth states that the proposal is supported in relation to heritage considerations. The proposed setbacks to 490 St Kilda Road establish a clear visual and physical separation to the subject site, which</p>

INFORMATION REQUESTED	Response
	<p>enable the heritage building to retain its integrity and heritage value.</p> <p>The Heritage Impact Statement supports the assertion that the proposed scheme will not adversely impact upon the significance of the neighbouring heritage properties or significant view lines within the precinct.</p>
<p>17. Urban Art - A statement and/or plans detailing the intended urban art contribution, reflecting the overall design objectives of 'Principle 1: Responsive Design' and 'Principle 2: Integrated Art' in the Urban Art Strategy 2002.</p>	<p>Council has confirmed that this request can be dealt with by way of a permit condition.</p>
<p>Non-Mandatory Information</p>	
<p>18. Please detail the location and clearly label all easements on-site. You may wish to provide a separate plan detailing the relationship of the proposal and the easements and how these are to be managed.</p>	<p>The easements have been clearly labelled on the existing site plans on TP.0100.</p>
<p>Concerns</p>	
<p>An initial assessment of the application has been undertaken and the following issues are raised for your consideration and response;</p>	

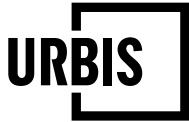
INFORMATION REQUESTED	Response
<p>A. Built form / DDO26</p> <p>Schedule 26 to Clause 43.02 Design and Development Overlay outlines built form requirements for St Kilda Road North Precinct. Section 2.1 General Requirements outlines Separation Distances / Side and Rear Setbacks.</p> <p>Policy notes, “A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement unless allowed by Clause 2.3 of this schedule, (inter alia)</p> <p>For properties in Sub-Precincts 5 and 6 without a primary frontage to St Kilda Road or Queens Road:</p> <ul style="list-style-type: none"> – Development must be setback at least 4.5 metres from common side boundaries; or – Development may be constructed to a side boundary (0 metre setback) where: <ul style="list-style-type: none"> • The adjoining site has a blank boundary wall with no habitable room windows or balconies constructed within 200 millimetres of the boundary; or • The adjoining site has not been developed above the podium height; Providing: 	<p>The town planning report has been updated to respond to the setbacks as outlined in DDO26. The application of the setback requirements have been generally resolved, noting particularly that the proposal’s interface with 490 St Kilda Road demonstrates an improved setback outcome and the interface with 492 St Kilda Road is considered to be a rear setback, which is not affected by the side setback requirements of the DDO. Further commentary is provided below.</p> <p>Setback to 490 St Kilda Road:</p> <p>The setback to the heritage listed building at 490 St Kilda Road is considered to be appropriate when considered in the context of the existing building. At ground floor the proposed development is setback 3 metres from the title boundary to the east. The existing building is setback less or equal to this amount for the extent of the adjoining property which on balance results in improvement in the existing conditions. Additionally, 490 St Kilda Road contains no habitable room windows on the boundary with the subject site, further limiting any potential amenity impacts. The proposal complies with the side setback requirements of DDO26 from level 1 and above.</p> <p>Setback to 492 St Kilda Road:</p> <p>The proposed development is built to the southern boundary with 492 St Kilda Road at ground level and 4.2 metres thereafter which results in a 9-metre separation between the two buildings. It is noted that no specific requirements pertaining to rear setbacks are outlined and have provided a building separation of 9 metres to ensure that daylight and amenity is afforded to both the proposal and the adjacent office building.</p> <p>We note that the podium height along Queens Lane slightly exceeds that preferred height limit as outlined in sub-precinct 5-a (by 600mm). However, this is a</p>



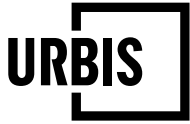
INFORMATION REQUESTED	Response
<ul style="list-style-type: none"> ○ The primary living areas of all proposed dwellings have a main window(s) / balconies oriented to the front or rear of the site. ○ The new boundary wall matches the length of the boundary wall on the adjoining lot. ○ The proposed development does not unreasonably compromise the ability of the adjoining site to be developed and achieve the required minimum 4.5 metre setback or to build to the boundary. ○ There are no existing habitable windows / balconies on the adjoining site within 4.5 metres of the proposed development. <p>The below extract from the Urbis Town Planning Report outlines the proposed setbacks:</p>	<p>discretionary height limit (not mandatory) and represents a minor non-compliance. The crossover sits 900mm below the ground floor level and assists with the safe and accessible operation of the basement car park.</p>

INFORMATION REQUESTED	Response										
<p>Table 2 – Building setbacks</p> <table border="1" data-bbox="300 562 719 779"> <thead> <tr> <th>Interface</th> <th>Setback</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>4.5 metres</td> </tr> <tr> <td>East</td> <td><u>3.0 metres at ground level and above</u></td> </tr> <tr> <td>South</td> <td>0 metres at ground level and above (9.0m setback)</td> </tr> <tr> <td>West</td> <td><u>0 metres to 11 metres</u> 5 metres thereafter</td> </tr> </tbody> </table> <p>Policy directs a 4.5m setback or construction on the boundary to the East and South setbacks, areas of non-compliance are underlined. Council encourages you to increase the setbacks to comply with this requirement.</p> <p>We note the mandatory 11m height limit to Queens Lane is marginally exceeded. This must be amended accordingly.</p>	Interface	Setback	North	4.5 metres	East	<u>3.0 metres at ground level and above</u>	South	0 metres at ground level and above (9.0m setback)	West	<u>0 metres to 11 metres</u> 5 metres thereafter	
Interface	Setback										
North	4.5 metres										
East	<u>3.0 metres at ground level and above</u>										
South	0 metres at ground level and above (9.0m setback)										
West	<u>0 metres to 11 metres</u> 5 metres thereafter										
<p>B. On-site services</p> <p>Council does not support the placement of the Fire Booster Cupboard and request that it is relocated to provide an improved interface with Louise Street. We also note that it would be located in close proximity to existing street trees and a proposed large street on site which would impede access. You may wish to consider its relocation to Queens Lane and it being architecturally resolved within the development.</p> <p>The Louise Street and Queens Lane elevations have overhead powerlines. You should be satisfied that the Swag and Sway on the lines comply with Electrical</p>	<p>The booster is required by AS2419.1 to be located to the front entry façade within sight of the main pedestrian entry point. Moving the booster cupboards to another location would be in contravention of these requirements.</p> <p>We will apply for Sag and Sway for the existing aerial cable with the relevant authority to understand the requirement to underground the powerlines.</p>										

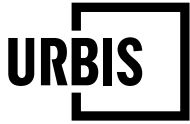
INFORMATION REQUESTED	Response
<p>Safety Regulations 2019 113/2019. You are strongly encouraged to underground powerlines.</p>	
<p>C. Traffic, Access and Parking</p> <ul style="list-style-type: none"> • The loading bay access is impeded by an outward opening door and is reliant on the basement security door being open to facilitate reversing into the area, please amend accordingly. • You may wish to check with your Building Surveyor that the open security fencing / screen to the southern property boundary would meet relevant Building Regulations. Planning officers have no in-principle issue with arrangement as it would provide improved visibility upon egress from the site. • Following from the above point, we note that there would be five accesses within proximity on Queens Lane. This is similar to the existing arrangement but the number of traffic movements from this site would be much greater. Please provide additional 	<p>The loading bay will be managed to ensure that access is available at all times when loading is required to take place.</p> <p>With regards to access, Queens Lane is suitably designed to accommodate the increase in traffic due to the one-way operation of the lane and intersection connections to the north and south. See the traffic advice by One Mile Grid, dated 14 October 2021 for further justification.</p>



INFORMATION REQUESTED	Response
<p>commentary on the acceptability of this arrangement.</p>	
<p>D. Landscaping</p> <ul style="list-style-type: none"> • The placement of the rainwater tank appears to be in close proximity to trees of the eastern property boundary which may impact their health and viability, you are encouraged to consider its relocation. • Please remove bicycle parking from within the tree protection zone of a street tree asset. All visitor bicycle parking should be located within the title boundary. 	<p>The inground water tank has been shifted to the west to mitigate any damage to the adjacent trees.</p> <p>The bicycle parking has been removed from Council land.</p>
<p>Other Matters</p>	
<p>Drainage and Sewerage Easement</p> <p>It is noted from your Title Certificate and Title Plan that your proposal includes development, including proposed landscaping, over or within the vicinity of a sewerage easement (E-3). If Council or South East Water has a vested interest in the easement for drainage and sewerage purposes, you are advised that pursuant to Regulation 310 of the Building Regulations (2006) you require the consent of the Municipal Building</p>	<p>We have contacted South East Water who have conducted a preliminary review of the proposal. We have engaged a SEW accredited engineer who is in the process of designing the new sewer easement which will be submitted to SEW for approval.</p>



INFORMATION REQUESTED	Response
<p>Surveyor and South East Water to build over the easement.</p> <p>Please note that the grant of any planning permit for the proposed development does not remove your obligation to firstly determine if Council and/or South East Water has a vested interest in the easement and secondly to obtain the necessary consent(s) for development over the easement. Council's Asset Services Department will be able to assist with identifying Council's interest in the easement and they can be contacted on 9209 6774, South East Water can be contacted on 9552 3000, and Council's Building Department can be contacted on 9209 6253 should you have any queries with regard to the Building Regulations requirements and process.</p>	
<p>Parking Permit Policy</p> <p>Please note: In 1997 the City of Port Phillip introduced the No Parking Permit Policy. This policy applies to all new residential developments, where there is an increase in the number of residential dwellings on the lot (or in the case of a subdivision of an existing building where insufficient parking exists), irrespective of the level of on-site parking provided.</p> <p>From 1 October 2002, this policy was extended to include all new residential developments where the number of households increased on a property, irrespective of the level of off street parking provided. Please be aware of</p>	Noted.



INFORMATION REQUESTED	Response
this information as it may affect the final outcome of your proposal.	

We trust the above provides Council sufficient information and look forward to a positive response regarding the application. If you have any queries, please do not hesitate to contact me via email at jlittlewood@urbis.com.au

Yours sincerely,

J Littlewood

James Littlewood
Consultant
8663 4934
jlittlewood@urbis.com.au