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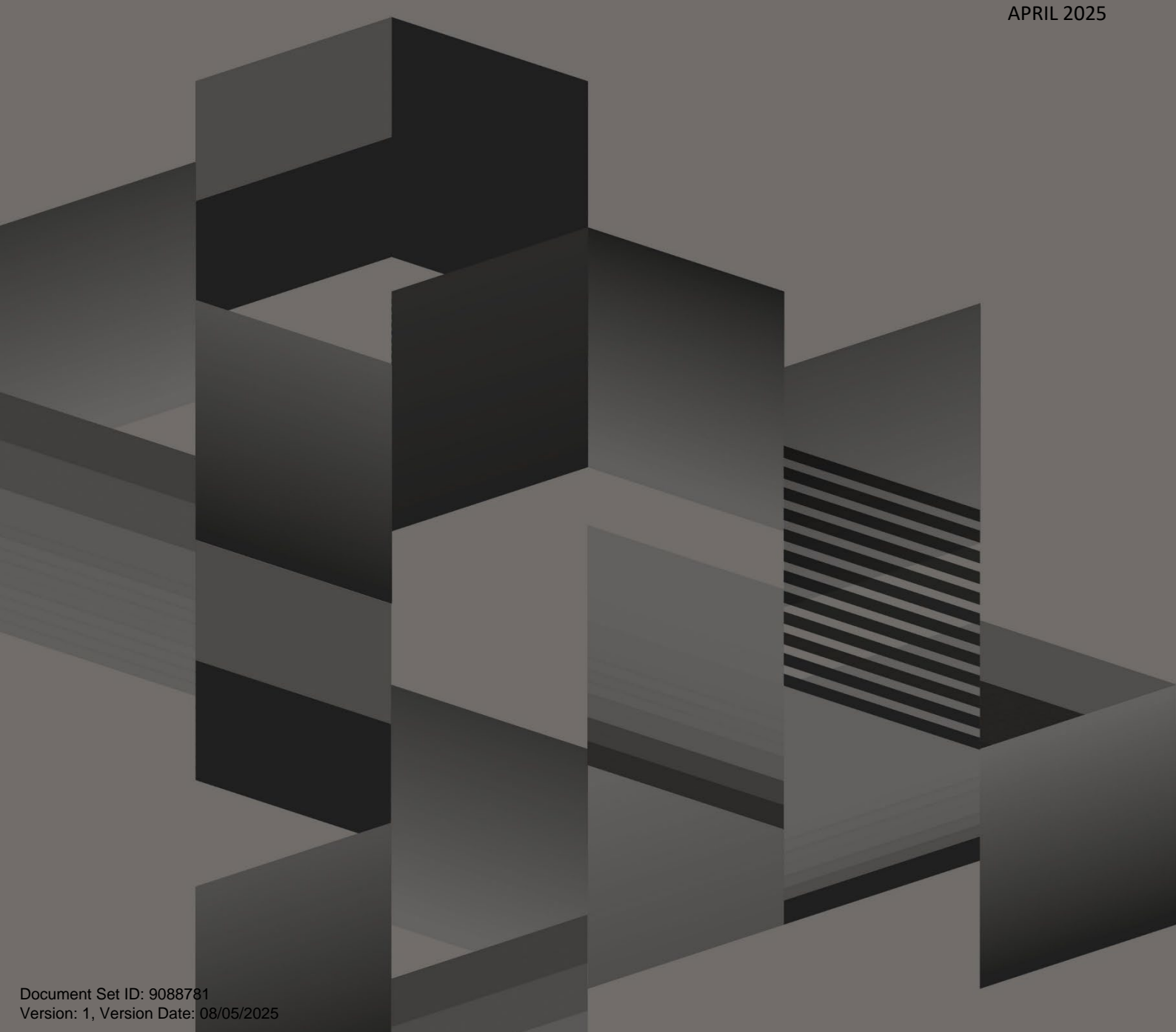
**PLANNING AND URBAN CONTEXT REPORT**

**146 – 150 BRIDPORT STREET, ALBERT PARK**

**SECTION 87A AMENDMENT**

**PDPL/00817/2022**

**APRIL 2025**





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## 1 INTRODUCTION

This planning report has been prepared Squareback Planning to support an application to amend planning permit PDPL/00817/2022 that applies to 146 – 150 Bridport Street, Albert Park under Section 87A of the Planning and Environment Act 1987. The planning permit was issued by order of the Tribunal on 17 May 2024 and allows:

*The partial demolition and construction of a multi-storey building over two (2) basement levels within the Heritage Overlay (HO443) and comprising a restaurant (as-of-right); the use of the land for accommodation with a ground floor frontage exceeding 2 metres in width; a reduction in the number of car parking spaces required under clause 52.06-5 for the restaurant and a reduction in the bicycle requirements of clause 52.34.*

This application seeks to make the following key changes:

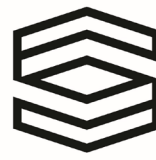
- Reduced floor to floor heights,
- The addition of Level 4,
- An overall height increase of 1.2 metres,
- Apartments numbers increased from 8 to 10 (+2),
- Apartment mix changed from 3 x 4-bed, 2 x 3-bed and 3 x 2-bed to 4 x 3-bed and 6 x 4-bed,
- Car parking provision increased from 22 to 30 spaces (+8),
- Bike parking spaces decreased from 16 to 12 spaces (-4),
- Restaurant premises reduced in size from 455m<sup>2</sup> to 174m<sup>2</sup> (-281m<sup>2</sup>),
- Revised core location resulting in apartment layout changes from GF Level to Level 04, and
- Relocation of residential entry from shopfront 150 to shopfront 146.
- Specification of gas connection.

The changes have come about following a detailed review of the Tribunal decision, consideration of the mix of uses, apartment number numbers, configurations and internal amenity.

The proposed changes do not alter the permit triggers, however some of the conditions of the planning permit will require deletion or modification in order to implement the abovementioned changes as the information has been incorporated into the plans, referenced documents have been updated or information/referencing has become redundant.

This amendment application is accompanied by the following documentation:

- Architectural Drawings prepared by Cera Stribley.
- Landscape Plan prepared by Myles Baldwin.
- 3D Imagery prepared by Orbit Solutions.
- Traffic Report prepared by One Mile Grid.
- Waste Management Plan prepared by One Mile Grid.
- Letter prepared by Bryce Raworth.
- Sustainable Management Plan prepared by GIW.

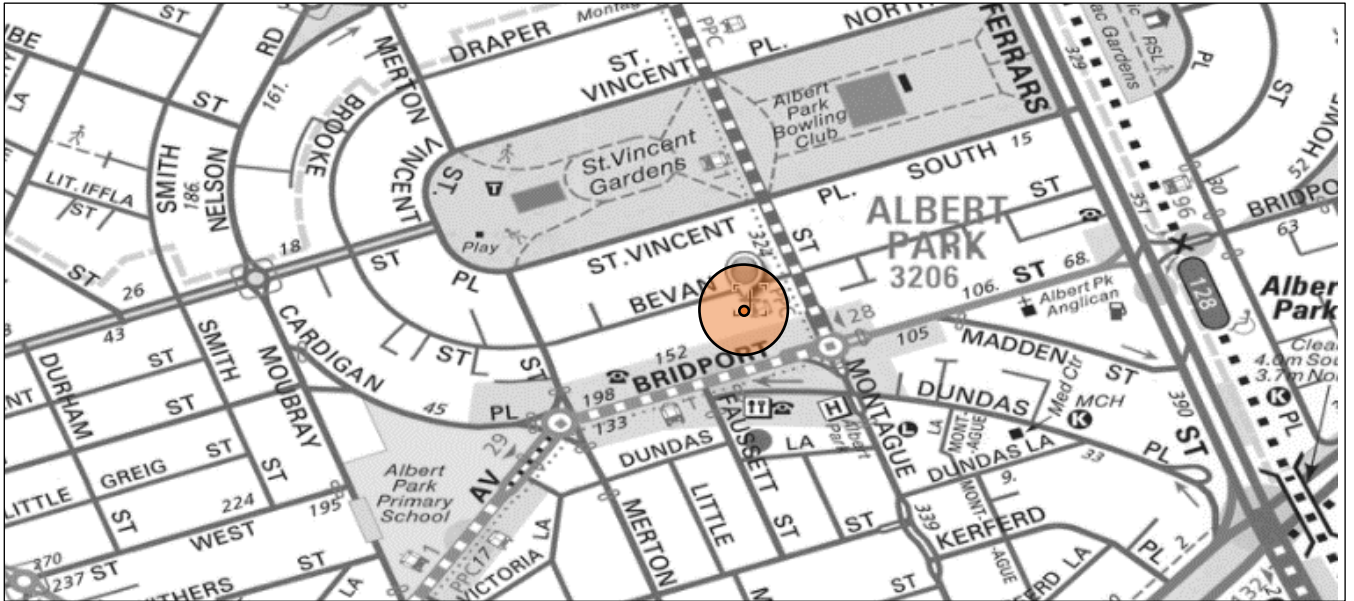


## 2 PERMIT APPLICATION SUMMARY

<b>Address</b>	146 – 150 Bridport Street, Albert Park.
<b>Municipality</b>	Port Phillip.
<b>Land Description</b>	Lot 1 on Plan of Subdivision 125810. VOLUME 09261 FOLIO 886. Lot 2 on Plan of Subdivision 125810. VOLUME 09261 FOLIO 887. Lot 3 on Plan of Subdivision 125810. VOLUME 09261 FOLIO 888.
<b>Site Area</b>	963 square metres approximately.
<b>Site Shape</b>	Rectangular.
<b>Existing Conditions</b>	Commercial Buildings, with car parking at the rear. Refer to Sections 5 and 6 for further details.
<b>Proposal</b>	Part demolition and construction of alterations and additions to an existing building including basement, use of land for dwellings, reduction of car parking and bicycle requirements. Refer to Sections 9 - 11 for further details.
<b>Zone</b>	Commercial 1 Zone.
<b>Overlays</b>	Heritage Overlay – Schedule 443 (Precinct Overlay).
<b>Permit Trigger(s)</b>	A permit is required for the accommodation use as the frontage at ground floor level exceeds 2 metres in the Commercial 1 Zone (Clause 34.01-1). A permit is required to construct a building or construct or carry out works in the Commercial 1 Zone (Clause 34.01-4). A permit is required for buildings and works, including demolition in the Heritage Overlay – Schedule 443 (Clause 43.01-1). A permit is required to reduce the number of car parking spaces required under Clause 52.06-5.
<b>Applicable Planning Scheme Provisions</b>	Planning Policy Framework – Clauses 02.01, 02.02, 02.03, 11, 15, 16, 17, 18 and 19. Zone – Clause 34.01. Overlays – Clauses 43.01, 43.02 and 44.05. Particular Provisions – Clauses 52.06, 52.34, 53.18 and 58. General Provisions – Clause 65. Operational Provisions – Clauses 73.01, 73.02, 73.03 and 73.04.
<b>Heritage Status</b>	Significant.
<b>Encumbrances on Title</b>	There are party wall and sewerage easements that are internal to the site and most will become redundant as part of the redevelopment of the site.
<b>CHMP Triggered</b>	Not Applicable.
<b>PPTN Area</b>	Yes.



### 3 LOCATION



Source: <http://www.street-directory.com.au/>

### 4 AERIAL OF SITE AND SURROUNDS



Source: <http://maps.au.nearmap.com/>





## 5 SITE HISTORY AND DESCRIPTION

The subject site is a rectangular allotment located on the north side of Bridport Street in Albert Park, with a secondary street frontage to Bevan Street along the northern (rear) property boundary.

Melbourne and Metropolitan Board of Works plans dating from c.1894 and 1895 show that at this time the land supported a pair of masonry dwellings numbered 77 and 81A Bridport Street at the centre of the site, with three timber shops numbered 81, 83 and 85 Bridport Street in the setback of the western dwelling.

The *Sands & McDougall Directory of Victoria* from 1895 indicates that George Cunningham, tinsmith resided at 81A and also occupied the shop at 81 Bridport Street. The premises at nos. 83 and 85 operated as a printer and a bootmaker respectively, while the dwelling at 77 Bridport Street was occupied by Frederick Whitlock.

A property service plan shows that the property was redeveloped c.1901-1904 under the ownership of Mr R Tope of Queens Road, South Melbourne. The three timber shops were demolished and the existing two storey building constructed, connecting with the retained fabric of the earlier dwellings to the rear.

Today the shop row, now numbered 146-150 Bridport Street, presents with an ornate masonry facade. The upper level is substantially intact with groups of arch headed windows, cement mouldings and dentilated cornice. A balustraded parapet with central curved pediment bearing the initials RTT and the date 1901 in raised relief conceals the hipped roofs to the rear. Rendered chimneys are visible in oblique views from the south-east. At ground floor level, nos 146 and 148 are reasonably intact examples of early 1900s shopfronts with centrally recessed entry doors. No. 146 displays metal framed windows and a tiled plinth, and no. 148 contains timber frames and leadlight windows seated on masonry plinths. The shopfront to no. 150 has been replaced with a modern shopfront on a masonry plinth. Nos 148 and 150 retain verandahs with cast iron posts and frieze, while that to no. 146 has been removed.

The wider Bridport Street context is somewhat mixed in terms of built form character and typology but nonetheless relatively intact in terms of heritage fabric, containing a high proportion of heritage buildings. The very substantial four-storey Victorian building adjacent to the west of the subject site at 152 Bridport Street, constructed as the Albert Park Coffee Palace in 1887-9, later the Biltmore Hotel, has an individual heritage overlay (HO62) and is also listed on the Victoria Heritage Register. To the east, four single storey Victorian shops with curved pediments occupy 138-144 Bridport Street.

Bevan Street to the north of the site chiefly functions to provide access to the rear of properties addressing Bridport Street as well as St Vincent's Place further north. The subject site presents tall timber fences with provision for car parking to this secondary street frontage. The single storey envelopes at the rear of the shop row have limited visibility from Bevan Street.

Refer to Heritage Impact Statement prepared by Bryce Raworth Pty Ltd for the MMBW Plans, Service Plans and Details described above.



## 6 PLANNING PERMIT HISTORY

In late 2022, JD Bridport Street 1 Pty Ltd (the 'applicant') made an application (PDPL/00817/2022) to Port Phillip City Council for a planning permit for the part demolition and construction of alterations and additions to an existing building including basement, use of land for dwellings, reduction of car parking and bicycle requirements at 146-150 Bridport Street, Albert Park.

The application was advertised and prior to a decision being made by Port Phillip City Council, the applicant lodged an appeal under Section 79 of the Planning and Environment Act 1987 to review the failure of Council to make a decision within the prescribed timeframe.

The application proceeded to a hearing with hearing dates being 8, 9, 10, 13, 14, 15 & 16 November 2023 and 4, 5 & 6 March 2024 before Members Jane Tait and Joel Templar.

On 17 May 2024, by the Order of the Tribunal, the decision of the responsible authority is set aside.

In planning permit application PDPL/00817/2022 a permit was granted and directed to be issued for the land at 146-150 Bridport Street Albert Park VIC 3206 in accordance with the endorsed plans and the conditions set out in Appendix A to the Order. The permit allows:

*The partial demolition and construction of a multi-storey building over two (2) basement levels within the Heritage Overlay (HO443) and comprising a restaurant (as-of-right); the use of the land for accommodation with a ground floor frontage exceeding 2 metres in width; a reduction in the number of car parking spaces required under clause 52.06-5 for the restaurant and a reduction in the bicycle requirements of clause 52.34.*

Plans and reports addressing conditions 1, 4 – 7 and 12 were submitted to Council post the decision and on 12 December 2024, these were endorsed by Council.





## 7 PHOTOGRAPHS OF THE SITE AND SURROUNDS



View of the subject site from Bridport Street.



View of 136 – 144 Bridport Street located to the east of the subject site.



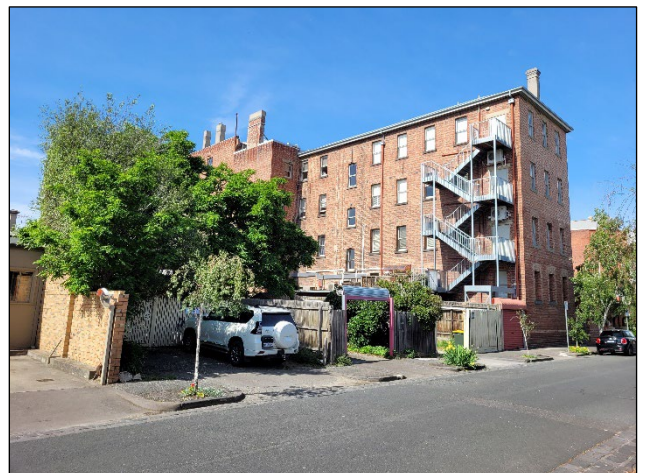
View of the Biltmore Building at 152 Bridport Street.



View west from Montague Street along Bevan Street with the subject site to the left side of the photograph.



View of the subject site and the Biltmore Building from Bridport Street.



View of the rear of the subject site from Bevan Street.





View of the rear of 326 Montague Street with the subject site to the right of the photograph.



View south-west along Bevan Street with the Biltmore Building to the left of the photograph.



View of the properties diagonally opposite the rear of the site.



View of the rear of the Biltmore Building.



View of the properties opposite the rear of the site.



View of the properties opposite the rear of the site.





## 8 ZONING

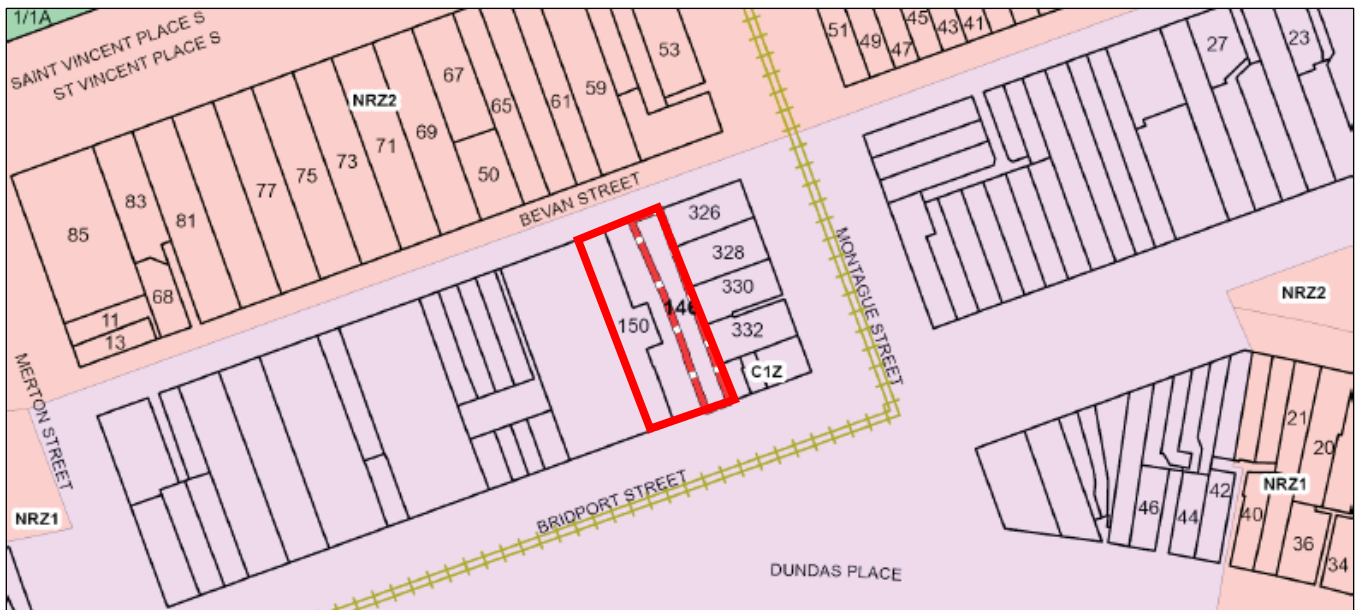
The site is located within the Commercial 1 Zone as shown in the map below.

A permit is required for the accommodation use as the frontage at ground floor level exceeds 2 metres in the Commercial 1 Zone (Clause 34.01-1).

A permit is required to construct a building or construct or carry out works in the Commercial 1 Zone (Clause 34.01-4).

There are no height restrictions within the Commercial 1 Zone.

The proposed amendments to the planning permit and endorsed plans do not alter the abovementioned permit triggers.



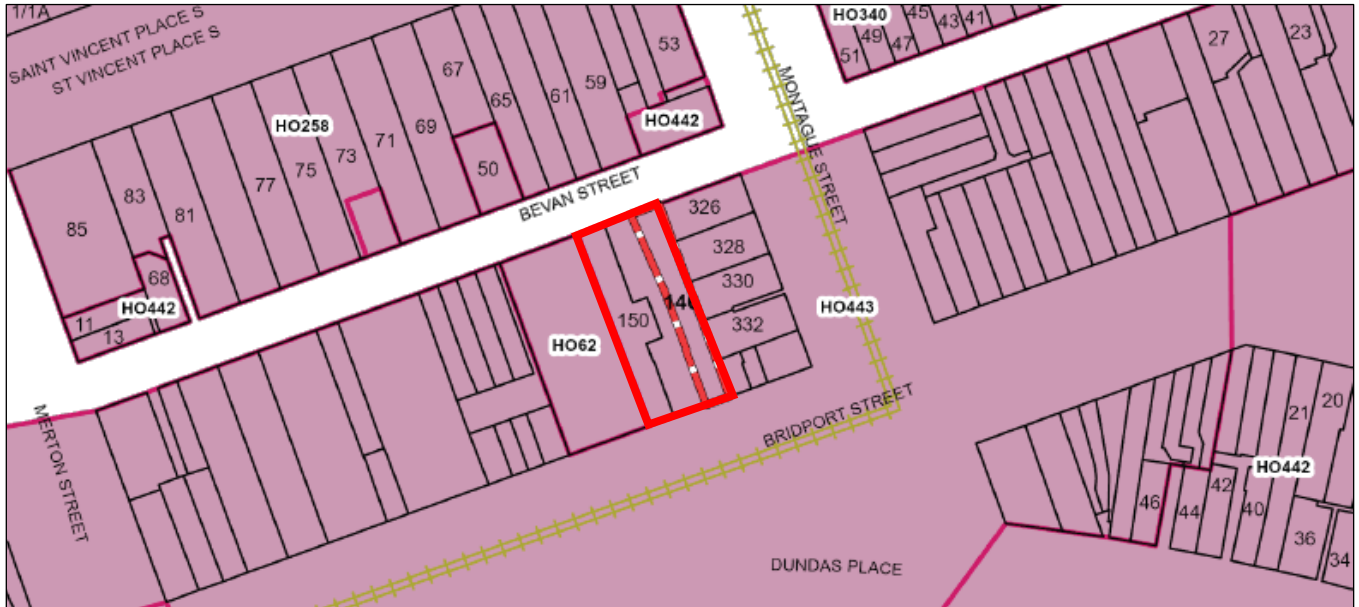


## 9 OVERLAYS

The site is affected by a Heritage Overlay – Schedule 443.

A permit is required for buildings and works, including demolition in the Heritage Overlay – Schedule 443 (Clause 43.01-1).

The proposed amendments to the planning permit and endorsed plans do not alter the abovementioned permit trigger.





## 10 AMENDED PROPOSAL

The planning permit was issued by the Order of the Tribunal on 17 May 2024 and allows:

*The partial demolition and construction of a multi-storey building over two (2) basement levels within the Heritage Overlay (HO443) and comprising a restaurant (as-of-right); the use of the land for accommodation with a ground floor frontage exceeding 2 metres in width; a reduction in the number of car parking spaces required under clause 52.06-5 for the restaurant and a reduction in the bicycle requirements of clause 52.34.*

This application seeks to make the following key changes:

- Reduced floor to floor heights,
- The addition of Level 4,
- An overall height increase of 1.2 metres,
- Apartments numbers increased from 8 to 10 (+2),
- Apartment mix changed from 3 x 4-bed, 2 x 3-bed and 3 x 2-bed to 4 x 3-bed and 6 x 4-bed,
- Car parking provision increased from 22 to 30 spaces (+8),
- Bike parking spaces decreased from 16 to 12 spaces (-4),
- Restaurant premises reduced in size from 455m<sup>2</sup> to 174m<sup>2</sup> (-281m<sup>2</sup>),
- Revised core location resulting in apartment layout changes from GF Level to Level 04, and
- Relocation of residential entry from shopfront 150 to shopfront 146.
- Specification of gas connection.

The changes have come about following a detailed review of the Tribunal decision, consideration of the mix of uses, apartment number numbers, configurations and internal amenity.

The proposed changes do not alter the permit triggers, however some of the conditions of the planning permit will require deletion or modification in order to implement the abovementioned changes as the information has been incorporated into the plans, referenced documents have been updated or information/referencing has become redundant.

The amended plans have been prepared by Cera Stribley, with job reference 21229 and are all dated 17 April 2025, Revision G. The drawing numbers are:

TP.0100-TP.0102, TP.130, TP.0200-TP.0202, TP.0300-TP.0303, TP.1000, TP.1090, TP.1091, TP.1100-TP.1104, TP.1100, TP.2100-TP.2104, TP.3000-TP.3003, TP.4001, TP.5000-TP.5005, TP.8000-TP.8003 and TP.9000.

A detailed list of changes has been prepared by Cera Stribley and this accompanies this application.



## 11 COMPARISON VISUALISATIONS

The imagery below has been produced by Orbit Solutions to show the differences between the endorsed design response and the proposed design response from five vantage points.

### *Endorsed Design*



View 1 (Endorsed)

### *Amended Design*



View 1 (Proposed)



View 2 (Endorsed)



View 2 (Proposed)



View 3 (Endorsed)



View 3 (Proposed)



**squareback**

***Endorsed Design***



**View 4 (Endorsed)**

***Amended Design***



**View 4 (Proposed)**



**View 5 (Endorsed)**



**View 5 (Proposed)**

## **12 PLANNING ASSESSMENT**

The amended design response has been assessed against the applicable clauses of the Port Phillip Planning Scheme and it is considered that the proposal is appropriate having regard to the following key criteria:

- Urban Design and Policy.
- Heritage.
- Environmental.
- Amenity.
- Waste Management.
- Parking and Access.
- Other Matters.

Each of the above criteria have been examined in the following sections of this Report.

## **13 URBAN DESIGN AND POLICY RESPONSE**

The amended design response seeks to make a number of amendments that have a bearing on the urban design outcome and policy considerations including the re-instatement of level 4 (in combination with reduced floor to floor heights and an overall height increase of 1.2 metres), the addition of two apartments and the reduced restaurant size. These changes are considered to be appropriate for the following reasons:

- The addition of level 4 (in combination with reduced floor to floor heights and an overall height increase of 1.2 metres) is done in a way that does not add significantly to the built form as it presents to the streetscapes or surrounding properties. In fact, the design response has less impact when viewed from all vantage points despite the height increasing, as the upper level is now visually recessive to the lower levels through increased setbacks and material variation. This is clearly demonstrated in the comparison imagery prepared by Orbit Solutions in Section 11 of this Report.
- The abovementioned changes will expose more of the east side of the Biltmore building when viewed from the intersection of Bridport Street and Montague Street as shown in View 5 of the comparison imagery prepared by Orbit Solutions in Section 11 of this Report and this is considered to be a positive outcome from a streetscape and heritage perspective.
- The addition of two apartments is consistent with a broad range of policy which seeks to facilitate increased housing in an around activity centres, such as Clauses 02.03-5 (Housing), 16 (Housing), 16.01-1S (Housing Supply) and 16.01-1L-01 (Housing Diversity).
- The decrease to the size of the restaurant is of no consequence from a planning perspective, as the restaurant continues to be of decent size and connects with the streetscape at the ground floor level. The first floor space previously occupied by the restaurant is to be replaced with an apartment, which is common in the streetscape and this apartment will equally activate the streetscape via outlook from the existing window forms along the frontage.
- The proposal continues to provide a very high architectural standard and will positively contribute to the diversity of architecture within this Neighbourhood Activity Centre from a range of perspectives.
- The proposal continues to add to the vitality and vibrancy of the Bridport Street / Victoria Avenue Neighbourhood Activity Centre, consistent with the objectives of the Planning Scheme.
- The proposal continues to be consistent with the relevant purpose, objectives, policy and decision guidelines of Clauses 15.03-1S (Heritage Conservation), 15.03-1L (Heritage Policy) and 43.01 (Heritage Overlay) as outlined in Section 14 of this Report.

## 14 HERITAGE RESPONSE

The amended design response seeks to make a number of amendments that have a bearing on the heritage considerations including the re-instatement of level 4 and the relocation of the residential entry from shopfront 150 to shopfront 146. The re-instatement of level 4 is made in combination with reduced floor to floor heights and an overall height increase of 1.2 metres. No additional demolition is proposed, so demolition is not considered to be relevant to this amendment application. An assessment of the amended design response prepared by Byrce Raworth Pty Ltd outlines the changes compared to the approved design response and states:

*'In terms of the visibility of the proposed amended built form, heritage policy states to support additions that are 'Substantially concealed when viewed at natural eye-level from the opposite side of the street.' Having regard for this aspect of policy, it is apparent that the additional level (level 4) would not result in an unacceptable impact on the character and appearance of the place providing that the associated built form is largely concealed. The proposed additional level is effectively screened by the sight line of the level below (level 3). This level is taller than the retained heritage building, and due to the siting and height of level 4 essentially conceals that level in views from the public realm. Furthermore, in order to incorporate level 4, the lower levels were adjusted, resulting in a lower height for level 3. It is important to note that this lower height at level 3 provides for a lesser degree of visibility to the set back upper levels than the approved built form envelope, notwithstanding the addition of level 4. These measures ensures that there would be no appreciable impact on the heritage character or appearance of the retained heritage building(s) by the amended scheme, and in fact there is a slight reduction in terms of visibility as judged from natural eye-level from the opposite side of the street (refer to the sightline diagram provided on drawing TP 3000).'*

*In terms of the retained heritage building(s), the amended scheme incorporates the fire booster cupboard and a new shop front at number 150. The associated affected area does not make an important contribution to the significance of the place, being already permitted to be altered on the basis it is non-original. The significance of the place lies more obviously with the retained shopfronts to number 148 and 146, the Bridport Street level 1 façade and the return east and west side walls. This significance is not altered by the amendment including the works as outlined in Schedule of Conservation Works and is therefore consistent with heritage policy at clause 15.03-1L that states to 'Maintain the integrity and intactness of heritage places.'*

*It is noted that the apartment entrance has been relocated to the shopfront of number 146. However, the shop front is still to be retained in full and the junction between the existing shop front and a proposed new internal wall is sensitively managed by butting into the existing door mullion (refer to the detail prepared by Cera Stribley Architects appended to this letter). It is noted that the existing door will need to be replaced due to code compliance requirements, but it is intended this will be done utilising details that correspond with the character of the existing pair of doors.*

*In conclusion, the significance of the heritage building(s) and its contribution to the heritage character of its environs will not be affected by the proposed amendment, with the significant fabric to be retained and unaltered by the amendment. The additional built form that is proposed will be of negligible, if any, visibility or visual impact from the public realm. The amendment proposal does not give rise to heritage concerns and should be seen to be acceptable on that basis.'*

Based on the assessment provided by Byrce Raworth Pty Ltd in relation to the amended design response, it is considered that the proposed amendments are appropriate having regard to the relevant purpose, objectives, policy and decision guidelines of Clauses 15.03-1S (Heritage Conservation), 15.03-1L (Heritage Policy) and 43.01 (Heritage Overlay).

## 15 ENVIRONMENTAL RESPONSE

The amended proposal achieves the objectives of Clause 15.01-2L-02 (Environmentally Sustainable Development) as demonstrated in the Sustainable Design Assessment prepared by GIW Environmental Solutions which incorporates a BESS assessment and STORM Rating report and accompanies this application. More specifically, the proposal will implement the following ESD initiatives and comply with condition 7 of the permit.

1. The project achieves a total BESS score of 62% with no mandatory category (IEQ, Energy, Water, Stormwater) below 50%.
2. 70% (7 out of 10) of the development's apartments are naturally cross-ventilated.
3. The in-built BESS daylight calculator has been utilised to demonstrate compliance under BESS – IEQ 1.2 and 1.3.
4. The non-residential areas are targeting a 2% DF to 33% of the nominated area.





5. 70% (7 out of 10) of apartments achieve at least 3 hours of sunlight.
6. The development is provided with a comprehensive shading strategy.
7. The development is to achieve a 6.5 Star average NatHERS Energy Rating result.
8. The non-residential areas aim to reduce heating and cooling energy consumption below the reference case (BCA Section J 2019).
9. The development is to utilise a centralised gas hot water system.
10. A 5.2kW Solar PV system is to be located on the roof of the proposed development.
11. Individual cold water, electricity and natural gas meters will be provided to the apartments and communal areas.
12. Water efficient fittings and fixtures are applied throughout.
13. A 17,000-litre rainwater tank will harvest rainwater from the penthouse roof and the heritage roof areas. This tank will be connected to all WC's and landscape irrigation.
14. A Melbourne STORM rating of 101% is achieved.
15. Landscape irrigation demand will be connected to the rainwater tank.
16. In total 12 bicycle spaces are to be provided. 10 for residents and 2 for commercial employees.
17. 2 bike parking spaces will be allocated to commercial visitors and 2 for residential visitors.

## 16 AMENITY RESPONSE

The development as amended with revised layouts and ten apartments will continue to provide a high level of amenity for future occupants of the apartments due to their generous proportions and ability to accommodate families, unlike many apartments in the area. The amenity of the apartments is further enhanced by the location of the site which benefits from an array of restaurants, shops, open space, services and facilities within the Neighbourhood Activity Centre and more broadly.

The layout of each apartment includes open plan living spaces with direct connections to balconies and functional bedroom layouts that do not rely on a snorkel for access to daylight. The layouts accord with Clause 58.05 (on-site amenity and facilities) as demonstrated in Section 20 of this Report.

The commercial operations of the site, being the proposed restaurant, will now occupy the front section of the building at ground level only with pedestrian access limited to Bridport Street in order to minimise the potential for impacts on the residential properties to the north along Bevan Street. The location of the restaurant at the front of the site is consistent with existing conditions and will continue to activate and engage with Bridport Street.

Vehicle access will continue to be provided from Bevan Street with 30 car parking spaces on site, most of which are provided for use by residents. No changes are proposed to the vehicle access point and whilst there are more cars associated with the dwellings, the restaurant size has reduced significantly thereby reducing the overall car parking demand for the site and this is a positive outcome.

The revised layouts and introduction of level 4 (in conjunction with the reduced floor to floor heights) will not cause any significant impact on the outlook from adjoining properties compared to the approved design response. In fact, towards the front and rear of the built form, the building height has reduced by 1m (refer to west elevation) and this is expected to open up views from some upper level windows in the Biltmore building across the site to some degree.

The separation between the proposed addition and the Biltmore building is considered to be sufficient to ensure there is adequate daylight access to all habitable room windows. This separation continues to be at least 4 metres and increases to more than 6 metres towards the rear of the building. It is relevant to note that where the separation is 4 metres, the height of the building has decreased by 1m for part of this interface (i.e. the west edge of the terrace of Apartment 401 closest to Bridport Street) and this will generally improve daylight access in this location.



All new windows and the existing approved windows in the western elevation of the proposed building will be screened to a height of 1.7 metres to limit views into habitable room windows within the development on the adjoining property. There is no need to screen windows and terraces on the balance of elevations as there are no sensitive areas (i.e. habitable room windows or secluded private open space).

A comprehensive analysis of onsite and offsite amenity is provided in the Clause 58 response in Section 20 of this Report.

## 17 WASTE MANAGEMENT RESPONSE

The waste collection operational aspects of the amended design are largely consistent with the original approved design response, including the requirements of condition 6 of the planning permit.

The volumes of waste have altered based on the reduced restaurant size and increased apartment numbers, with less waste expected to be produced from the site each week.

The approved waste generation rates were:

**Table 4 Expected Waste Generation**

Development Type	No./Area	Total Garbage Waste / Week	Total Organics Waste / Week	Total Recycling Waste / Week
Dwelling (3+ bedroom)	5	390 litres	210 litres	600 litres
Dwelling (1 or 2 bedroom)	3	195 litres	105 litres	300 litres
Restaurant	444 m <sup>2</sup>	7,087 litres	876 litres	6,052 litres

The proposed waste generation rates are:

**Table 4 Expected Waste Generation**

Development Type	No./Area	Total Garbage Waste / Week	Total Organics Waste / Week	Total Recycling Waste / Week
Dwelling (3+ bedroom)	10	780 litres	420 litres	1,200 litres
Restaurant	174 m <sup>2</sup>	2,710 litres	335 litres	2,314 litres

The bins will continue to be stored at the basement level and collected by a 6.4m waste collection vehicle as outlined in the amended waste management plan that accompanies this application. This is consistent with condition 6 of the planning permit and is considered to be appropriate.

## 18 PARKING AND ACCESS RESPONSE

The amended design response continues to rely on a shared 2-level basement carpark with access from Bevan Street. The basement car park will continue to include retail staff car parking, as well as parking for each of the apartments which are in a combination of private garages and car parking spaces.

The key changes from a parking perspective compared to the approved design response include the reduction to the size of the restaurant (455m<sup>2</sup> to 174m<sup>2</sup>) and an increase in the number of apartments (8 to 10). In combination with these changes, the car parking provision increased from 22 to 30 spaces and bike parking spaces decreased from 16 to 12 spaces. The motorbike parking spaces have also been removed.

The parking requirements for the subject site are identified in Clause 52.06 of the Port Phillip Planning Scheme. As the site is located within the Principal Public Transport Network Area, the Column B car parking rates apply to the proposed amended development, as shown below which is an extract from the Traffic Impact Assessment prepared by One Mile Grid which accompanies this application.

**Table 9 Clause 52.06 – Car Parking Requirements**

Use	No./ Area	Rate	Car Parking Measure	Total
Dwelling	0	1	to each one or two bedroom dwelling	0
	10	2	to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as bedrooms), plus	20
	10	0	for visitors to every 5 dwellings for developments of 5 or more dwellings	0
Restaurant	174 m <sup>2</sup>	3.5	To each 100 m <sup>2</sup> of each leasable floor area	6
<b>Total</b>				<b>26</b>

It is proposed to provide a total of 28 spaces to the residential component, with each dwelling being allocated no less than two car spaces, which exceeds the above requirements.

With regard to the restaurant component, it is proposed to provide a total of two car parking spaces within the basement car park, which equates to a shortfall of four spaces when compared to the Planning Scheme requirements. It is noted that this shortfall is less than the approved shortfall of 12 spaces and therefore represents an improvement on the existing permit and is therefore considered acceptable.

The bicycle parking requirements for the subject site are identified in Clause 52.34 of the Port Phillip Planning Scheme, which specifies the following requirements for the different components of the proposed amended development:

**Table 8 Clause 52.34 – Bicycle Parking Requirements**

Components	No./Area	Requirement	Total
Dwelling	10 dwellings	1 space per 5 dwellings for residents	2
		1 space per 10 dwellings for visitors	1
Restaurant	174 m <sup>2</sup>	1 space per 100 m <sup>2</sup> for employees	2
		2 + 1 space per 200 m <sup>2</sup> for visitors if the floor area exceeds 400 m <sup>2</sup>	2
<b>Total</b>		<b>Residents</b>	<b>2</b>
		<b>Employees</b>	<b>2</b>
		<b>Visitors</b>	<b>1</b>
		<b>Customers</b>	<b>2</b>

Based on the above calculations, a total of seven bicycle parking spaces are required for the proposed development and 12 spaces are provided. Like with the approved development, it is not considered suitable to provide customer bicycle parking within the site, as access to the spaces within the building will not be available for restaurant visitors. It should be noted that existing bicycle hoops can be found at the frontage of the site, and additional bicycle parking hoops can be seen along Bridport Street and on surrounding roads. Therefore, the restaurant visitor bicycle parking demand is expected to be comfortably accommodated in the surrounding area.

The removal of the motorbike parking spaces is of no consequence having required to Clause 52.06 as they are not required by the Planning Scheme.

## 19 OTHER MATTERS

### Gas Connection

The proposed amended design response seeks to specify gas connections for the apartments and restaurant uses.

Clause 53.03-2 outlines that a permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service. Whilst this is the case, at Clause 53.03-5 there are transitional provisions introduced by Amendment VC250 that states that Clause 53.03-2 does not apply to an application lodged before the approval date of Amendment VC250 (1/1/24) or an application to amend a permit under section 72 of the Act.

It is noted that the permit granted at the direction of the Tribunal dated 23 May 2024 benefits from the transitional provisions given the original application was lodged in 2022 and whilst the proposal now seeks to specify the gas connection, this is permissible as the proposal continues to benefit from the transitional provisions and is therefore entitled to the gas connection.



## 20 APARTMENT DEVELOPMENT (CLAUSE 58) ASSESSMENT

CLAUSE 58.02 URBAN CONTEXT		
<b>D1</b>	<b>Urban Context objectives</b> To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.  To ensure that development responds to the features of the site and the surrounding area.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The proposed design response as amended is considered to meet this standard and objectives as shown in the development plans prepared by Cera Stribley and as outlined in the response to Standard D2 below.
<b>D2</b>	<b>Residential policy objectives</b> To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.  To support higher density residential development where development can take advantage of public and community infrastructure and services.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The proposed design response as amended is considered to be consistent with the relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework as outlined in Section 13 of this Report.
<b>D3</b>	<b>Dwelling diversity objective</b> To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design response includes a range of three and four bedroom dwellings, with various layouts and sizes in accordance with the standard.
<b>D4</b>	<b>Infrastructure objectives</b> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design response will continue to be provided with the appropriate utility services and infrastructure including water, gas, sewerage and drainage, consistent with the standard. These are all readily available in this street and it is expected that the proposal as amended will not unreasonably exceed the capacity of utility services and infrastructure.
<b>D5</b>	<b>Integration with the street objective</b> To integrate the layout of development with the street.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design response will continue to include appropriate vehicle and pedestrian links to the street frontages that are designed to meet current standards and offer a high degree of accessibility for users. The apartments also include a range of window forms and terraces that have an outlook towards the street frontages which maintains a reasonable degree of visual connection and integration consistent with the objective.
CLAUSE 58.03 SITE LAYOUT		
<b>D6</b>	<b>Energy efficiency objectives</b> To achieve and protect energy efficient dwellings and buildings.  To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.  To ensure dwellings achieve adequate thermal efficiency.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design response has been designed to achieve the requirements of this standard and the objectives as outlined in the report by GIW Environmental Solutions in the Sustainable Design Assessment.





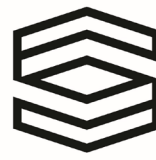
<b>D7</b>	<b>Communal open space objective</b> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The amended design response has increased the number of apartments from 8 to 10 and therefore this Standard now applies and seeks the provision of 30 square metres of communal outdoor open space. The amended proposal seeks to waive this requirement on the basis that the objective is met for the following reasons: <ul style="list-style-type: none"><li>• Each of the apartments is provided with well in excess of the requirement minimum open space as demonstrated in Standard D20. These spaces in isolation meet the reasonable recreation and amenity needs of residents.</li><li>• There is a significant amount of open space within close proximity of the site, including but not limited to St Vincent Gardens and Albert Park Lake. These spaces suitably offset any need for communal space when balanced with the abovementioned point.</li></ul>
<b>D8</b>	<b>Solar access to communal outdoor open space objective</b> To allow solar access into communal outdoor open space.	Objective Met <input type="checkbox"/> Standard Met <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/> This standard is not applicable to the proposal as there is no communal open space within the development.
<b>D9</b>	<b>Safety objective</b> To ensure the layout of development provides for the safety and security of residents and property.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The amended design response continues to include clearly defined entrances to the building with the restaurant and apartments provided with individual entries to ensure there is adequate separation between the uses. The apartments have also been provided with a generous lobby area the frontage of one of the three original shops (now within 146 Bridport Street) and that will be secure and well lit. To the rear of the site there will continue to be vehicle access and this will be secured with a roller door at the base of the ramp which is a common response and access will be via access passes / fobs or intercom. In terms of passive surveillance opportunities, balconies and windows also continue to present to the street frontages and will enhance safety.
<b>D10</b>	<b>Landscaping objectives</b> To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape. To preserve existing canopy cover and support the provision of new canopy cover. To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The subject site has an area of less than 1000 square metres and the standard seeks 5 percent of the site area as canopy cover with deep soil (or 12 square metres whichever is the lesser). The proposal does not include any deep soil areas, however large planters and pots are provided at the ground floor level (within the courtyards of G01 and G02) and at the upper levels, in particular on the terracing of 201. The large pots throughout the development have depths of 800mm and whilst they don't offer 12 cubic metres of soil to accord with Table D3, they are considered to be of sufficient volume to accommodate the trees specified by Myles Baldwin Design which range from 2 – 4 metres and are appropriate for this scale of building and courtyard/terrace sizes.
<b>D11</b>	<b>Access objective</b> To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. To ensure the vehicle crossovers are designed and located to minimise visual impact.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The proposal continues to include access from Bevan Street which is consistent with this standard. For further details, refer to the Transport Impact Assessment prepared by One Mile Grid.
<b>D12</b>	<b>Parking location objectives</b> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Car parking accommodation for the restaurant and dwellings continues to be provided at the basement levels where there are lobbies that provide convenient access to the restaurant and dwellings above via stairs and a lift. The basement will be secured by a door and the basement will be ventilated in accordance with the Building Regulations, consistent with the requirements of this standard.



D13	<b>Integrated water and stormwater management objectives</b>  To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.  To facilitate stormwater collection, utilisation and infiltration within the development.  To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design continues to facilitate on-site storm water infiltration and reduce the impact of peak stormwater flows on the drainage system, consistent with the objectives associated with this standard and also the objectives of Clause 15.01-2L-02 (Environmentally Sustainable Development) and Clause 53.18 (Stormwater Management in Urban Development) through the provision of a 17,000 litre rainwater tank.  This is demonstrated through the provision of a Melbourne Water STORM Rating Report prepared by GIW Environmental Solutions which shows the proposal will achieve a rating of 101 percent which exceeds the target score of 100 percent.
CLAUSE 58.04 AMENITY IMPACTS		
D14	<b>Building setbacks objectives</b>  To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.  To allow adequate daylight into new dwellings.  To limit views into habitable room windows and private open space of new and existing dwellings.  To provide a reasonable outlook from new dwellings.  To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design includes setbacks that are considered to be consistent with this standard and objective for the following reasons: <ul style="list-style-type: none"><li>• It generally adopts the same setbacks as the approved design response, save for the addition of a new level which is inset from the north, east and southern elevations to ensure it is visually recessive and does not add any significant mass to the built form when comparing the design responses.</li><li>• The setbacks have appropriate regard for the range of planning policies as outlined in the response to the Municipal Planning Strategy and the Planning Policy Framework in Standard D2 as well as the heritage impact assessment (letter) prepared by Bryce Raworth that accompanies this application.</li><li>• All dwellings will receive adequate daylight as outlined in the Sustainable Design Assessment prepared by GIW Environmental Solutions. This includes the new apartment which occupies the space that was approved as a first floor to the restaurant.</li><li>• Privacy screening in the form of fluted glass to a height of 1.7 metres has been provided to all west facing windows has been provided to limit views into habitable room windows within the development on the adjoining property. There is no need to screen windows and terraces on the balance of elevations as there are no sensitive areas (i.e. habitable room windows or secluded private open space).</li><li>• Most dwellings have an outlook to Bridport Street and / or Bevan Street and in the case of Apartment 102 this has a generous terrace space to the east side of the building which will have an outlook to the north.</li><li>• The dwellings are provided with appropriate internal amenity to meet the needs of residents as outlined in the balance of this Clause 58 assessment and also in the Sustainable Design Assessment prepared by GIW Environmental Solutions.</li></ul>
D15	<b>Internal views objective</b>  To limit views into the private open space and habitable room windows of dwellings within a development.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design response with one to three apartments on each level limits the potential for internal views between apartments. Along the east side there is a light court shared between levels and whilst there is some opportunity for views to upper and / or lower apartments, the alignment of the windows and layout of the apartments is such that the views are limited. There is also the potential for a distance view between the terrace of Apartment 103 and one of the bedroom windows of Apartment 101 with a minimum separation of 8.4 metres and a practical separation of around 9.8 metres noting the fixed planter pot nominated for the north end of the terrace and this separation suitably limits views as sought by the objective.
D16	<b>Noise impacts objectives</b>  To contain noise sources in developments that may affect existing dwellings.  To protect residents from external and internal noise sources.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/>  The amended design will continue to include a range of services which are largely contained within the building or on the roof to prevent any offsite amenity impacts.  There will be some air-conditioning units externally with their locations to be determined at engineering stage and these will be well separated from any sensitive areas within the apartments on the adjoining property and they will meet relevant regulations for noise emissions.  Bins will be located within the basement with chutes providing convenient access for residents, with the chutes located within the lobby area at each level within a small room.  The site is not located within a noise influence area specified in Table D5.



D17	<b>Wind impacts objectives</b> To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.	<p>Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/></p> <p>The proposed development as amended sits in context with the Biltmore building which is of a similar scale and is not expected to generate unacceptable wind impacts within the site or on surrounding land.</p> <p>The footpath along Bridport Street will continue to be covered and is not expected to be impacted.</p> <p>To the rear of the site the built form is setback from the road and the elevation continues to include a number of punctuations, in the form of terraces, which will minimise any wind gusts down towards the footpath.</p> <p>There are no communal open spaces within the proposal that could be affected by winds.</p> <p>There are no publicly accessible external spaces within the development that could be affected by winds.</p>																					
CLAUSE 58.05 ON-SITE AMENITY AND FACILITIES																							
D18	<b>Accessibility objective</b> To ensure the design of dwellings meets the needs of people with limited mobility.	<p>Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/></p> <p>This standard requires half of the apartments to be accessible. All apartments within the development are accessible thereby exceeding the minimum requirements of this standard and they will include the following:</p> <ul style="list-style-type: none"><li>• A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</li><li>• A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.</li><li>• A main bedroom with access to an adaptable bathroom.</li><li>• At least one adaptable bathroom that meets all of the requirements as shown in the table below.</li></ul> <table border="1" data-bbox="639 909 1385 1541"><thead><tr><th></th><th>Design option A</th><th>Design option B</th></tr></thead><tbody><tr><td>Door opening</td><td>A clear 850mm wide door opening.</td><td>A clear 820mm wide door opening located opposite the shower.</td></tr><tr><td>Door design</td><td>Either:<ul style="list-style-type: none"><li>▪ A slide door, or</li><li>▪ A door that opens outwards, or</li><li>▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li></ul></td><td>Either:<ul style="list-style-type: none"><li>▪ A slide door, or</li><li>▪ A door that opens outwards, or</li><li>▪ A door that opens inwards and has readily removable hinges.</li></ul></td></tr><tr><td>Circulation area</td><td>A clear circulation area that is:<ul style="list-style-type: none"><li>▪ A minimum area of 1.2 metres by 1.2 metres.</li><li>▪ Located in front of the shower and the toilet.</li><li>▪ Clear of the toilet, basin and the door swing.</li></ul>The circulation area for the toilet and shower can overlap.</td><td>A clear circulation area that is:<ul style="list-style-type: none"><li>▪ A minimum width of 1 metre.</li><li>▪ The full length of the bathroom and a minimum length of 2.7 metres.</li><li>▪ Clear of the toilet and basin.</li></ul>The circulation area can include a shower area.</td></tr><tr><td>Path to circulation area</td><td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td><td>Not applicable.</td></tr><tr><td>Shower</td><td>A hobless (step-free) shower.</td><td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td></tr><tr><td>Toilet</td><td>A toilet located in the corner of the room.</td><td>A toilet located closest to the door opening and clear of the circulation area.</td></tr></tbody></table> <p>Refer to the floor plans on TP.5000 – TP.5005 prepared by Cera Stribley which demonstrate compliance and it is noted that based on these measures, it is considered that the objective is met.</p>		Design option A	Design option B	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.	Door design	Either: <ul style="list-style-type: none"><li>▪ A slide door, or</li><li>▪ A door that opens outwards, or</li><li>▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li></ul>	Either: <ul style="list-style-type: none"><li>▪ A slide door, or</li><li>▪ A door that opens outwards, or</li><li>▪ A door that opens inwards and has readily removable hinges.</li></ul>	Circulation area	A clear circulation area that is: <ul style="list-style-type: none"><li>▪ A minimum area of 1.2 metres by 1.2 metres.</li><li>▪ Located in front of the shower and the toilet.</li><li>▪ Clear of the toilet, basin and the door swing.</li></ul> The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"><li>▪ A minimum width of 1 metre.</li><li>▪ The full length of the bathroom and a minimum length of 2.7 metres.</li><li>▪ Clear of the toilet and basin.</li></ul> The circulation area can include a shower area.	Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.	Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.	Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.
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D19	<b>Building entry and circulation objectives</b> To provide each dwelling and building with its own sense of identity.  To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.  To ensure internal communal areas provide adequate access to daylight and natural ventilation.	<p>Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/></p> <p>The proposal includes a clearly defined entrance from Bridport Street with secure lobby space, albeit now located to the east side within the 146 Bridport Street shopfront and it will continue to receive adequate daylight through the glazing.</p> <p>There are no lobbies proposed in the amended plans at each level, with direct access provided from lifts into apartments. As a result, there is no requirement for access to daylight and natural ventilation at each level above ground level and Apartment 103 has its own small lobby at ground floor level, which is not communal so this standard does not apply.</p> <p>Based on the above, it is considered that the standard and objectives are met.</p>																					



D20	<p><b>Private open space objective</b></p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/></p> <p>The proposal includes ten dwellings with a courtyard or balcony space that complies with the standard and are considered to be adequate for the reasonable recreation and service needs of residents, consistent with the objective.</p> <p><b>Assessment Table</b></p> <table><tr><th>Dwelling</th><th>Dwelling Type</th><th>Standard P.O.S.</th><th>Proposed P.O.S.</th></tr><tr><td>G01</td><td>3 bedrooms</td><td>25m<sup>2</sup> with a minimum dimension of 3.0m.</td><td>25.2m<sup>2</sup> with a minimum dimension of 4.0m, plus a second courtyard.</td></tr><tr><td>G02</td><td>3 bedrooms</td><td>25m<sup>2</sup> with a minimum dimension of 3.0m.</td><td>25.2m<sup>2</sup> with a minimum dimension of 4.0m, plus a second courtyard.</td></tr><tr><td>101</td><td>3 bedrooms</td><td>Northern orientation. 8m<sup>2</sup> with a minimum dimension of 1.70m.</td><td>31m<sup>2</sup> with a primary area on the terrace exceeding 8m<sup>2</sup> with a minimum dimension of 1.70m.</td></tr><tr><td>102</td><td>3 bedrooms</td><td>Northern orientation. 8m<sup>2</sup> with a minimum dimension of 1.70m.</td><td>21m<sup>2</sup> with a primary area on the terrace exceeding 8m<sup>2</sup> with a minimum dimension of 1.70m.</td></tr><tr><td>103</td><td>3 bedrooms</td><td>Eastern orientation. 12m<sup>2</sup> with a minimum dimension of 2.4m.</td><td>27m<sup>2</sup> with a primary area on the terrace exceeding 12m<sup>2</sup> with a minimum dimension of 2.4m.</td></tr><tr><td>201</td><td>4 bedrooms</td><td>Eastern orientation. 12m<sup>2</sup> with a minimum dimension of 2.4m.</td><td>55m<sup>2</sup> with a primary area on the terrace exceeding 12m<sup>2</sup> with a minimum dimension of 2.4m.</td></tr><tr><td>202</td><td>4 bedrooms</td><td>Northern orientation. 8m<sup>2</sup> with a minimum dimension of 1.70m.</td><td>24m<sup>2</sup> with a primary area on the terrace exceeding 8m<sup>2</sup> with a minimum dimension of 1.70m.</td></tr><tr><td>301</td><td>4 bedrooms</td><td>Northern orientation. 8m<sup>2</sup> with a minimum dimension of 1.70m.</td><td>24m<sup>2</sup> with a primary area on the terrace exceeding 8m<sup>2</sup> with a minimum dimension of 1.70m.</td></tr><tr><td>302</td><td>4 bedrooms</td><td>Northern orientation. 8m<sup>2</sup> with a minimum dimension of 1.70m.</td><td>24m<sup>2</sup> with a primary area on the terrace exceeding 8m<sup>2</sup> with a minimum dimension of 1.70m.</td></tr><tr><td>401</td><td>4 bedrooms</td><td>Northern orientation. 8m<sup>2</sup> with a minimum dimension of 1.70m.</td><td>150m<sup>2</sup> with a primary area on the terrace exceeding 8m<sup>2</sup> with a minimum dimension of 1.70m.</td></tr></table> <p>Refer to the floor plans on TP.5000 – TP5005 prepared by Cera Stribley which demonstrate compliance and it is noted that based on these measures, it is considered that the objective is met.</p>	Dwelling	Dwelling Type	Standard P.O.S.	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401	4 bedrooms	Northern orientation. 8m <sup>2</sup> with a minimum dimension of 1.70m.	150m <sup>2</sup> with a primary area on the terrace exceeding 8m <sup>2</sup> with a minimum dimension of 1.70m.																																											
D21	<p><b>Storage objective</b></p> <p>To provide adequate storage facilities for each dwelling.</p>	<p>Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/></p> <p>The proposed apartments are provided with a minimum of 27.3m<sup>3</sup> of internal storage which exceeds this total minimum storage volume requirement of this standard for each apartment. It is noted that there is also additional storage space within the basement for each apartment.</p>																																												
CLAUSE 58.06 DETAILED DESIGN																																														
D22	<p><b>Common property objectives</b></p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p>Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/></p> <p>The amended proposal includes a common driveway, lobby areas, basement aisle, services such as lifts and bin storage. This is common for mixed use developments and the areas will be appropriately managed by an owner’s corporation, consistent with the objectives.</p>																																												





<b>D23</b>	<b>Site services objectives</b> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The amended proposal includes a range of common services associated with the apartments and restaurant including mailboxes, meters and bins storage areas. The mailboxes for each apartment and the restaurant will be located at the entrance to the building from Bridport Street and are therefore conveniently located for use by Australia Post, residents and staff.
<b>D24</b>	<b>Waste and recycling objectives</b> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Bins will be stored in the basement and the waste will be collected by Private Waste Collection from within the basement. This will be undertaken in accordance with the Waste Management Plan prepared by One Mile Grid.
<b>D25</b>	<b>External walls and materials objectives</b> To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. To ensure external walls endure and retain their attractiveness.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The proposal includes a predominantly concrete exterior which will create an attractive presentation and is durable. The balance of the building materials (such as glass and metal) are also common building materials and are therefore consistent with this standard and objective.
<b>CLAUSE 58.07 INTERNAL AMENITY</b>		
<b>D26</b>	<b>Functional layout objective</b> To ensure dwellings provide functional areas that meet the needs of residents.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> The proposal includes <b>bedrooms</b> with minimum dimensions exceeding 3.4 metres by 3 metres for the main bedroom (10.2m <sup>2</sup> ) and 3 metres by 3 metres (9m <sup>2</sup> ) for all other bedrooms, consistent with the standard. The proposal includes <b>living areas</b> with a minimum width exceeding 3.6 metres and area exceeding 12m <sup>2</sup> , consistent with the standard. Refer to TP.5000 – TP.5005 of the development plans which demonstrate compliance.
<b>D27</b>	<b>Room depth objective</b> To allow adequate daylight into single aspect habitable rooms.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Three of the ten dwellings include single aspect living rooms. These are Apartments G01, G02 and 101 and they include room depths of 9m, 8.93m and 8.9m respectively. These all comply with the standard which allows a room depth of up to 9 metres.
<b>D28</b>	<b>Windows objective</b> To allow adequate daylight into new habitable room windows.	Objective Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> All habitable rooms have a window in an external wall consistent with the standard and will allow adequate daylight into the rooms consistent with the objective. It is also worthy to note that there are no habitable rooms that rely on snorkels for access to daylight which is a common outcome for many apartment designs.
<b>D29</b>	<b>Natural ventilation objectives</b> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings.	Objectives Met <input checked="" type="checkbox"/> Standard Met <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> All habitable rooms include a section of window or door opening that will allow for natural ventilation and all dwellings include cross flow ventilation with a breeze path between 5 metres and 18 metres, consistent with the requirements of this standard. These are shown for all apartments on TP.5000 – TP5005 prepared by Cera Stribley which demonstrate compliance.



## 21 CONCLUSION

It is submitted that the proposed amendments to the approved design response are appropriate and consistent with the strategic directions of the Port Phillip Planning Scheme as demonstrated throughout this planning report.

The proposal continues to be of a high quality and it is expected that the future occupants of this building will be afforded an excellent level of amenity through the design of the apartments, generous balcony spaces and the accessible location within the heart of Albert Park which offers a significant range of amenities and services.

It is therefore considered that an amended planning permit should be issued for the proposal.

Jason Barnfather  
Director  
**Squareback Planning**