

3.2 852-858 Glenferrie Road Hawthorn

852-858 Glenferrie Road, Hawthorn

| | |
|------------------------------|--|
| Application no.: | PP19/00504 |
| Responsible director: | Shiran Wickramasinghe City Planning |
| Authorised by: | Simon Mitchell, Manager Statutory Planning |
| Report officer: | Julia Smith, Senior Statutory Planner |

Abstract

Proposal

The proposal seeks planning permission to construct a seven (7) storey building above basement car parking, comprising a residential hotel with 95 lodging rooms, and a 701sqm food and drink premises (inclusive of kitchen facilities located in Basement 01) in a Commercial 1 Zone and Design and Development Overlay Schedule 15. The proposal seeks permission to reduce the standard car parking requirement associated with a food and drink premises, reduce the bicycle parking facilities requirements associated with food and drink premises customers, alter access to a road in a Road Zone, Category 1 (reinstatement of a redundant crossing) and to construct a canopy in a Road Zone, Category 1. It is noted the recommended permit conditions achieve full compliance with the requirements of Clause 52.06, so no car parking dispensation would be required.

Issues

The following are key issues in respect of this application:

- Whether the development warrants the exercising of discretion to allow built form above the preferred street wall height and maximum building height, having regard to the requirements of DDO15 and Clause 22.06 (refer to pages 35-41 and 43-55 of 63);
- Whether the development will cause unreasonable off-site amenity impacts (refer to pages 29-41 and 43-55 of 63);
- Whether the provision of car parking is sufficient for each proposed use (refer to pages 14-23, 30-32, 39 and 54-60 of 63) ;
- Whether the post-development traffic volumes will have an unreasonable and detrimental impact on the safety and operation of laneway (refer to pages 14-23, 30-32, 39 and 54-60 of 63); and
- The matters raised by objectors (refer to pages 10-11 and 60-63 of 63).

Officer's response

Subject to the recommended permit conditions, the development achieves a high standard of contemporary architectural design and warrants approval. Having regard to the height and scale of the two adjoining commercial buildings, it is considered the proposed development will result in an appropriate built form outcome. Further to this, the development and layout of uses will activate the street frontage and enhance the vibrancy of the commercial corridor along Glenferrie Road.

The development will not cause any unreasonable amenity impacts on adjacent commercial properties or residential properties located to the east of the rear laneway along Sercombe Grove. This is achieved through adequate privacy screening and sensitively designed building setbacks.

Subject to the recommended permit conditions, the development will achieve full compliance with statutory car parking requirements of Clause 52.06.

Council's Traffic Engineers have reviewed the proposal and are satisfied the volume of traffic generated by the development will not exceed the capacity of the laneway or wider local network and will not have a detrimental impact on the safety or operation of the laneway. The proposal to provide vehicle access via the rear laneway is encouraged by Clause 22.06 and DDO15 of the Boroondara Planning Scheme.

Details of the proposal, discussion of all objections and assessment against relevant controls and policies are contained in the attachment to this report.

Officers' recommendation

That the Urban Planning Special Committee resolve that a Notice of Decision to Grant a Planning Permit No. PP19/00504 for construction of buildings and works comprising of a seven (7) storey building in a Commercial 1 Zone and Design and Development Overlay Schedule 15; use of the land for the purpose of a residential hotel; alteration of access to a road in a Road Zone, Category 1 (removal of a redundant vehicle crossing); reduction of the bicycle facilities requirements associated with residential hotel visitors; and construction of a canopy in a Road Zone, Category 1, generally in accordance with the endorsed plans at 852-858 Glenferrie Road, Hawthorn be issued under the Boroondara Planning Scheme subject to the following conditions:

Amended plans required

1. Before the development starts, amended plans must be submitted to the satisfaction of the Responsible Authority. When the plans are to the satisfaction of the Responsible Authority they will be endorsed and will then form part of the Permit. The plans must be drawn to scale with dimensions and an electronic copy provided (unlocked PDF), substantially in accordance with the plans advertised in December 2019 (Project No. 19010, Drawings A0090 C, A0091 C, A0092 C, A0100 D, A0101 C, A0103 C, A0104 C, A0105 C, A0106 C, A0107 C, A0900 D, A0901 B, A0902 D, A0903 D, A0910 C, A0950 D, A0951 D and A0952 A, all dated 2 October 2019 and A2500, dated 27 June 2019, all prepared by Elenberg Fraser Architects) but modified to show:

General:

- a) All residential hotel lodging room exterior glazing to consist of double glazing, or better, with commercial-grade seals;
- b) A notation confirming all privacy screens will be a maximum of 25% transparent;
- c) All roof top services and associated screens setback a minimum 2 metres from the eastern and western edge of the roof level;
- d) All proposed roof top services setback a minimum of 2 metres from the northern property boundary, where adjacent to the existing light well associated with No. 862 Glenferrie Road, Hawthorn;
- e) The Tree Protection Zone and Structural Root Zone of Trees 7 and 8 as identified in the Arborist Report submitted with the application ("Arborist Report" dated September 2019, prepared by Bluegum) drawn on all site and floor plans;
- f) Notation on all site and floor plans that Trees 7 and 8 as identified in the Arborist Report submitted with the application ("Arborist Report" dated September 2019, prepared by Bluegum) are to be protected in accordance with Condition 14 of this permit;
- g) Any modifications recommended by the Sustainability Management Plan required by this Permit;
- h) A Waste Management Plan in accordance with Condition 23;

Materials and finishes:

- a) The polished brass finish proposed to be applied to the central planter boxes extended to the balcony soffits and side walls of the two central bays along the street wall;
- b) All service and garage doors to be finished in a high quality material which integrates with the rear façade in accordance with the details shown on View 05 (3D Perspective);

- c) Finished surface levels of the Ground Floor western boundary setbacks (i.e. the spaces between the expressed columns) to have an appropriately graded transition to the level of the Glenferrie Road footpath, with no steps;
- d) A full-colour schedule of external materials showing the proposed palette of materials and finishes (including a sample board of all external materials and finishes, including privacy screens) selected for all sides of the building. The samples must demonstrate the development consists of high quality, durable materials;

Car parking and accessways:

- e) Details of any necessary modifications to achieve compliant disabled access from the guest drop-off car spaces to the hotel reception and food and drink premises;
- f) Annotations on the Ground Floor Plan of the car lift make, model, platform dimensions and minimum height clearance, consistent with the specifications provided in the Transport Impact Assessment submitted with the application (Reference No.: V174240, Revision B, dated 20 November 2019, prepared by GTA Consultants);
- g) The widened lane to be constructed with bluestone cobbles to match the existing eastern lane, with bands of white granite pavers to denote pedestrian shared zones, consistent with the layout shown in the Landscape Plan required by this Permit;
- h) The number of on-site car spaces increased from 42 to a minimum of 48 (in addition to two guest drop-off car spaces) for shared use by residential hotel and food and drink premises employees and customers. The six additional car spaces are to be provided within Basement 03 (to achieve a minimum of 20 car spaces within Basement 03) in accordance with the "Concept Plan" received by Council on 17 March 2020 (Drawing "ASK 003_Alternative Basement 03 Arrangement for Information Purposes", dated 17 March 2020, prepared by Elenberg Fraser Architects);
- i) A notation that all on-site car spaces are to be held in common ownership;
- j) Annotations on the Ground Floor Plan, West Elevation and East Elevation requiring all doors that open outwards into the Glenferrie Road footpath or widened lane to be fitted with 180-degree hinges;
- k) A notation on the Ground Floor Plan requiring a suitably graded transition (i.e. no step) at the interface between the eastern lane (road) and widened lane;
- l) A notation the Ground Floor eastern setback is to be available for passage as a legal right by any member of the public;
- m) The Basement 02 bicycle parking spaces and trip-end facilities labelled as for use by residential hotel and food and drink premises employees;
- n) The Ground Floor bicycle parking spaces labelled as for use by residential hotel guests;
- o) A notation that bicycle signage is to be installed and maintained in accordance with Clause 52.34-5 of the Boroondara Planning Scheme;
- p) Any modifications approved by the Car Parking Management Plan required by this Permit;
- q) Any modifications approved by the Loading Management Plan required by this Permit;
- r) Any modifications approved by the Waste Management Plan required by this Permit;

Public realm works

- s) The Glenferrie Road footpath reconstructed using the same material as used in the Ground Floor western boundary setback (the spaces between the expressed columns) to seamlessly integrate the public and private realm;

Amendments required by Head, Transport for Victoria (VicRoads)

- t) The canopy above the Glenferrie Road footpath to have a setback of 750mm, measured from the back of kerb;
- u) A notation on the Ground Floor Plan that the redundant vehicle crossing is to be removed, and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to the Head, Transport for Victoria.

Layout of Buildings and Uses not to be altered

- 2. The layout of the site and the size, levels, design and location of buildings and works and the description of the uses on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

Confirmation of project architect team

- 3. Before the development starts, the Responsible Authority must be provided with evidence to its satisfaction that Elenberg Fraser, or an alternative architectural firm which is acknowledged to have comparable skill and experience to the satisfaction of the Responsible Authority, has been engaged as part of the ongoing consultant team to oversee the design and construction to ensure the design quality and appearance of the approved development is realised.

Easement-in-gross

- 4. The Ground Floor widened lane on the east side of the development, with dimensions in accordance with the plans approved under this Permit, to a height equivalent to not less than 4.4m above finished surface level, must be created as:
 - a) Common property as part of any subdivision of the land; and
 - b) An easement-in-gross for right of way; and

be available for passage as a legal right by any member of the public before any part of the building is occupied.

Valet car parking service

- 5. A valet car parking service for basement car parking on the land must be available to all residential hotel guests and food and drink premises customers in accordance with the Car Parking Management Plan required by this Permit. No fee may be charged to food and drink premises customers for the valet parking service.

Car spaces to be held in common property

- 6. All car parking spaces on the land are to be maintained in common ownership.

Maintenance of Buildings and Works

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

Maintenance of plant and equipment

8. All plant and equipment associated with rainwater harvesting and re-use for toilet flushing and landscape irrigation must be maintained in good order and regularly serviced to the satisfaction of the Responsible Authority.

Car lifts installed

9. Before the use starts or any building is occupied, car lifts must be installed in accordance with the endorsed plans.

Maintenance of car lifts

10. The car lifts must be routinely serviced and maintained to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.

Landscape Plan

11. Concurrent with the submission of amended plans required by Condition 1 of this Permit, a Landscape Plan to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Landscape plan advertised in December 2019, drawn to scale with dimensions and an electronic copy provided. When endorsed, the plan will form part of the permit. The landscape plan must show:
 - a) All planter boxes to be irrigated using harvested rainwater, with mains back-up;
 - b) Landscaping in all planter boxes;
 - c) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and the quantities of each plant; and
 - d) Details of the surface finish of all pathways, paved areas and accessways;

Completion of landscaping works

12. Landscaping as shown on the endorsed landscape plans must be carried out and completed to the satisfaction of the Responsible Authority prior to the occupation of the development.

Landscaping maintenance

13. All landscaping works shown on the endorsed landscape plan/s must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.

Regulation of activities in Tree Protection Zone during construction

14. No storage or dumping of tools, equipment or waste must occur within the Tree Protection Zone of Trees 7 and 8, as identified in the Arborist Report submitted with the application ("Arborist Report" dated September 2019, prepared by Bluegum) during the construction of the development allowed by this Permit, including demolition and bulk excavation phases.

Contractors to be advised of trees to be protected

15. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be protected and are advised of any obligations in relation to the protection of those trees in accordance with Condition 14.

Conditions required by Head, Transport for Victoria (VicRoads)

16. Prior to the commencement of works, amended plans must be submitted to and approved by the Responsible Authority. Once approved, the plans may be endorsed and will form part of the permit. The plans must be generally in accordance with the advertised plans, and amended to show the horizontal clearance from the back of the Glenferrie Road kerb to be no less than 750mm.
17. Prior to the commencement of the use hereby approved, all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to the Head, Transport for Victoria.

Loading Management Plan

18. Concurrent with the submission of amended plans required by Condition 1 of this Permit, a Loading Management Plan to the satisfaction of the Responsible Authority, prepared by an appropriately qualified Traffic Engineer, must be submitted to and approved by the Responsible Authority. The Loading Management Plan must include (but is not limited to):
 - a) Scheduling arrangements for deliveries/ waste collection outside of peak residential hotel check-in/check-out periods to minimise conflict between visitors and loading vehicles;
 - b) Installation of pedestrian warning signage facing exiting vehicles from the site into the laneway;
 - c) Days/hours of loading in accordance with any applicable City of Boroondara Local Law.

Once approved, such Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

Car Parking Management Plan

19. Concurrent with the submission of amended plans required by Condition 1 of this Permit, a Car Parking Management Plan to the satisfaction of the Responsible Authority, prepared by an appropriately qualified Traffic Engineer, must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must include (but is not limited to):
 - a) A valet car parking service for basement car parking on the land available to all residential hotel guests and food and drink premises customers;
 - b) Details of the hours of operation of the valet service and hours of operation of the food and drink premises and residential hotel reception;
 - c) Details of how the valet parking service will operate, including in the event the residential hotel reception is closed;
 - d) Details regarding the means of publicising the free valet parking service to food and drink premises customers;
 - e) Details of any necessary security measures for the Ground Floor guest drop-off car spaces, including lighting;
 - f) Shared allocation of car spaces between the uses operating on the land;
 - g) Details of all proposed signs mirrors, line marking and traffic control equipment.

Once approved, such Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

Driveways and car parking areas to be constructed

20. Before the use starts or any building is occupied, area/s set aside for car parking, access lanes and driveways shown on the endorsed plans must be:
- a) Constructed;
 - b) Formed to such levels and properly drained so that they can be used in accordance with the endorsed plans;
 - c) Surfaced with an all-weather seal coat;
 - d) Line marked to indicate each car space;
 - e) Clearly marked to show the direction of traffic along the access lanes and driveways; and
 - f) Drained;

to the satisfaction of the Responsible Authority.

21. All signs, mirrors, line marking and traffic control equipment detailed in the Car Parking Management Plan must be installed prior to the occupation of the building and maintained to the satisfaction of the Responsible Authority.

Use of car parking spaces and driveways

22. Car parking spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.
23. All vehicles entering and exiting the car park must do so in a forwards direction.

Lighting of car parks and accessways

24. Low intensity lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.

Removal of redundant vehicle crossovers

25. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.

Number of car parking spaces

26. A minimum of 48 car parking spaces must be provided on the land in accordance with the endorsed plans and be used in accordance with the approved Car Parking Management Plan required by this Permit.

Fee for installation and supply of bicycle hoops

27. Prior to the commencement of the development, a fee for the reasonable costs of supplying and installing two (2) bicycle hoops along the Glenferrie Road frontage footpath in the vicinity of the subject site must be paid to the Responsible Authority

Environmentally Sustainable Design Report

28. Concurrent with the submission of amended plans required by Condition 1 of this Permit, an Environmentally Sustainable Design (ESD) Report which is to the satisfaction of the Responsible Authority must be prepared by a suitably qualified expert and submitted to the Responsible Authority for approval.

The report must be generally in accordance with the Sustainability Management Plan advertised in December 2019 (Revision 04, dated 20 November 2019, prepared by WRAP Engineering Pty Ltd) and must address Ecological Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles proposed for the site including, but not limited to, energy efficiency, storm water collection and re-use on the site for landscape irrigation and toilet flushing (with mains back-up) and waste and building materials. Once approved, such Report must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

Waste Management Plan

29. Concurrent with the submission of amended plans required by Condition 1 of this Permit, a Waste Management Plan must be submitted to the Responsible Authority for approval. Such Plan must provide details of a regular garbage, recyclables and food organics and garden organics (FOGO) collection service for the residential hotel and food and drink premises, including information regarding the type of refuse bin/s, type/size of trucks to enable onsite waste collection, means of accessing bins, frequency of refuse collection and waste collection scheduled to take place outside of the AM and PM commuter peak, to the satisfaction of the Responsible Authority. Once approved, such Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

Hours for waste collection

30. Collection of waste must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:

| | |
|-------------------------------|-----------------------|
| Monday to Friday: | 7:00am to 6:00pm |
| Saturday and Public Holidays: | 9:00am to 6:00pm |
| Sunday: | No collection allowed |

to the satisfaction of the Responsible Authority.

Loading and unloading

31. All loading and unloading of vehicles must be carried out within the designated loading bay within the site and must be conducted in a manner that does not cause any unreasonable amenity impacts.

Hours for deliveries (loading and unloading)

32. Deliveries to the site must only be undertaken at the following times:

| | |
|---------------------------------------|------------------|
| Monday to Friday: | 7:00am to 8:00pm |
| Saturday, Sunday and Public Holidays: | 9:00am to 8:00pm |

to the satisfaction of the Responsible Authority.

Amenity of Area

33. The amenity of the area must not be adversely affected by the use or development as a result of:

- a) transport of materials, goods or commodities to or from the land;
- b) appearance of any building, works, stored goods or materials;
- c) emission of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products or oil; or

- d) the presence of vermin;

to the satisfaction of the Responsible Authority.

Plant/equipment or features on roof

34. No plant, equipment, services or architectural features other than those shown on the endorsed plan/s are permitted on the roof of the building without the prior written consent of the Responsible Authority.

External Lighting

35. All outdoor lighting of publicly accessible areas must be designed, baffled and located to prevent light from the site causing any detriment to the locality, to the satisfaction of the Responsible Authority.

Concealment of Pipes

36. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.

Drainage

37. The land must be drained to the satisfaction of the relevant building surveyor.
38. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.
39. The owner must make an arrangement with Council for the provision of drainage and the acceptance of surface and stormwater from the subject land directly or indirectly into Council's drainage system and a final inspection shall be carried out to determine the completion of drainage in accordance with the approved plans, to the satisfaction of the Responsible Authority.

Noise from public premises

40. Noise levels emanating from the premises must not exceed the relevant levels prescribed under State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (or its successor), to the satisfaction of the Responsible Authority.

Plant/equipment or features on roof

41. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted on the roof of the building without the prior written consent of the Responsible Authority.

External Lighting

42. All outdoor lighting of publicly accessible areas must be designed, baffled and located to prevent light from the site causing unreasonable detriment to the locality, to the satisfaction of the Responsible Authority.

Construction Management Plan

43. Prior to the commencement of any site works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority.

The plan must be prepared in accordance with Council's "*Construction Management Plan Template*" and provide details of the following:

- a) Hours for construction activity in accordance with any other condition of this permit;
- b) Measures to control noise, dust, water and sediment laden runoff;
- c) Measures to ensure the avoidance of any damage to street trees as a consequence of the movement of large vehicles and machinery (including cranes and excavators) to from the land or as a consequence of the operation of these vehicles and machines in association with the construction of the proposed building, including excavation of the land;
- d) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
- e) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
- f) A Traffic Management Plan showing truck routes to and from the site;
- g) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- h) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
- i) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the construction management plan;
- j) Contact details of key construction site staff;
- k) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- l) Any other relevant matters, including the requirements of VicRoads and Yarra Trams.

Hours for Construction Work

44. All buildings and works activity associated with the approved development (including demolition and earthworks) is to be limited to the following hours, unless with the prior written consent of the Responsible Authority:

| | |
|---------------------------|------------------|
| Monday to Thursday: | 7:00am to 6:30pm |
| Friday: | 7:00am to 5:00pm |
| Saturday: | 9:00am to 5:00pm |
| Sunday & Public Holidays: | No construction |

Permit to Expire

45. This Permit will expire if:

- a) The development does not start within two (2) years of the issue date of this Permit; or
- b) The development is not completed within four (4) years of the issue date of this Permit.

The Responsible Authority may extend the times referred to if a request is made in writing before the permit expires or:

- a) Within six (6) months afterwards if the use or the development has not commenced; or
- b) Within 12 months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

Permit Notes:

- *Headings are for ease of reference only and do not affect the interpretation of permit conditions.*
- *This is not a Building Permit. A Building Permit may be required prior to the commencement of any works associated with the proposed development.*
- *Separate permission is required to be obtained from Council's Landscape and Design Team and Projects and Strategy Department for the design and construction of all public realm works required by this Permit;*
- *Prior to the commencement of the use, the details of any kitchen, food preparation area or other relevant facility requiring health approval must be submitted to Council's Health Department and the premises registered with Council under the Food Act 1984.*



STATUTORY PLANNING OFFICERS REPORT Urban Planning Special Committee

| | |
|--------------------------------------|---|
| Application Number | PP19/00504 |
| Date Application Received | 28/06/2019 |
| Planning Officer | Julia Smith |
| Applicant | SJB Planning |
| Owner | Australia Bai Fu Xin International Investment Pty Ltd |
| Property Address | 852-858 Glenferrie Road, Hawthorn |
| Proposal | Construction of buildings and works comprising a seven (7) storey building in a Commercial 1 Zone and Design and Development Overlay Schedule 15; use of the land for the purpose of a residential hotel; a reduction of the standard car parking requirement associated with a food and drink premises; a reduction to the bicycle parking facilities requirements associated with food and drink premises customers; alteration of access to a road in a Road Zone, Category 1 (reinstatement of a redundant crossing) and construction of a canopy in a Road Zone, Category 1. |
| Ward | Glenferrie |
| Zoning | Commercial 1 Zone Road Zone Category 1 (Glenferrie Road) for the proposed canopy |
| Overlays | Design and Development Overlay (Schedule 15) Parking Overlay (Schedule 1) |
| Potential Overland Flow? | No |
| Advertised? | Yes |
| Number of Objections Received | 37 |
| Recommendation | Notice of Decision to Grant a Planning Permit, subject to conditions. |

PLANS ASSESSED IN THIS REPORT

[Plans](#) and [documents](#) advertised December 2019

PROPOSAL

Appendix A - Plans

The application seeks planning permission to construct a seven (7) storey building above basement car parking, comprising a residential hotel and food and drink

premises in a Commercial 1 Zone, and Design and Development Overlay Schedule 15. The proposal also seek permission to reduce the standard car parking requirement associated with a food and drink premises and to construct a canopy in a Road Zone, Category 1 (Glenferrie Road).

Details of the proposal are summarised as follows:

- The existing five (5) storey office building is proposed to be demolished (no planning permit required) and a new seven (7) storey building, above three levels of basement, is proposed to be constructed;
- The proposed building is to be developed as a residential hotel;
- The proposed residential hotel will contain 95 hotel rooms, with a ground floor lobby and separate food and drink premises;
- The building is proposed to be constructed to an overall height of 23.8 metres, with a street wall height of 14.5 metres;
- The upper levels of the building (above street wall height) are setback in raked profile from the eastern, western and southern property boundaries;
- The predominant materials consist of a combination of polished and matte concrete tiles, with polished brass finishes to the central canopy and planter boxes;
- The proposal provides vehicle access to the site from the rear laneway via two car lifts;
- A total of 42 car parking spaces and 24 bicycle spaces are proposed to be provided across the 3 basement levels;
- Access to the car park will be managed by a valet parking system. A loading bay will be provided and the rear laneway will be widened by 3.05 metres into the site for the full width of the site.

Table 1 - Minimum and maximum setbacks - December 2019 advertised plans

| Location of setbacks | Proposed minimum building setbacks measured to the building wall-face (excluding columns) | | |
|----------------------|---|--------|------------------------|
| | South | East | West (Glenferrie Road) |
| Ground Floor | 0m | 3.05m | 0m |
| Level 1 | 0m | 3.5m | 0m |
| Level 2 | 0m | 3.5m | 0m |
| Level 3 | 0m | 6.01m | 0m |
| Level 4 | 1.67m | 8.97m | 1.67m |
| Level 5 | 3.35m | 11.94m | 3.34m |
| Level 6 | 5m | 14.9m | 5m |



Above: Streetscape 3D Perspective of the proposed development.



Above: Streetscape 3D Perspective of the proposed development.



Above: Aerial 3D perspective of the proposed development.

THE SITE

Appendix B - Locality Plan

| | |
|------------------------------|---|
| Site Location | The subject site is located on the eastern side of Glenferrie Road. |
| Width of Frontage | 27.43m |
| Maximum Depth of Site | 38.10m |
| Total Site Area | 1045m ² |
| Easements | The subject site is not encumbered by any easements. |
| Fall of the Land | The site is generally flat with minimal fall across the allotment. |
| Front Fencing Details | The site does not have front fencing. |

- The subject site is currently developed with a five (5) storey office building;
- The existing building is setback 10 metres from the southern boundary. At-grade car parking is located in this setback. The car parking area is also partially undercroft;
- The existing building is 5 storeys high and contains a large 2 metre high parapet which assists in screening roof top plant equipment (including a mobile phone relay tower);
- Existing vehicle access to the site is via a crossover to Glenferrie Road and from the rear laneway.
- The subject site is devoid of significant vegetation however there are six small trees which are not of a size to be protected under Council’s Tree Protection Local Law.



Above: Streetscape view of the subject site.



Above: View from within the at-grade car park to the south of the existing building located on the subject site.



Above: View from within the rear laneway looking north towards the subject site.

THE SURROUNDING AREA

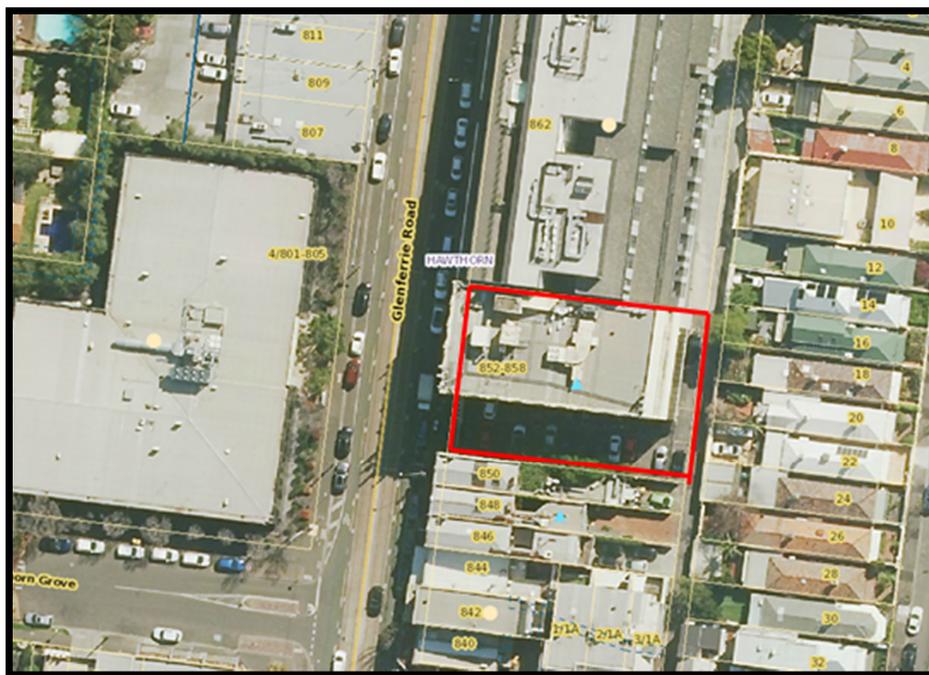
The subject site is located in the northern end of the established Glenferrie Road commercial corridor in Hawthorn. The Glenferrie Road commercial area is a traditional strip shopping centre containing a combination of uses and activities. The properties to the north, south and west (across Glenferrie Road) of the subject site include a range of mixed-use buildings which contain restaurants, commercial offices, retail shops and take-away food premises. The majority of these commercial tenancies are located on the ground floor with either residential dwellings or commercial offices located in the floors above.

To the east of the subject site, across the rear laneway, is an established residential area. Residential dwellings located east of the subject site, along Sercombe Grove, which have a rear outlook towards the subject site, consist of a number of well-preserved Victorian workers cottages and are located in a Heritage Overlay (HO774).

The subject site and surrounding area is well-serviced with public transport, with a tram line running along Glenferrie Road and Glenferrie Station located within 600 metres of the subject site.



Above: Melways extract of the subject site and surrounds.



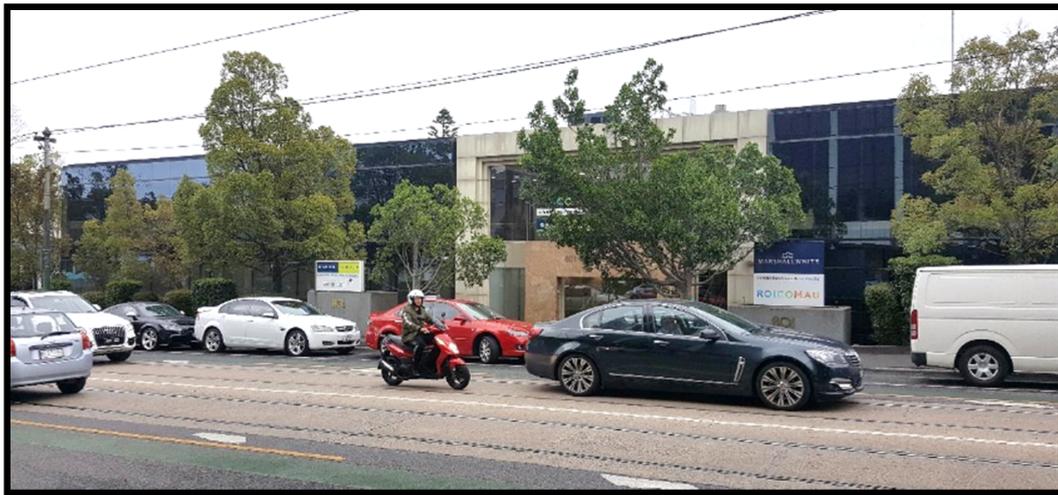
Above: Aerial view of the subject site.



Above: Adjoining seven (7) storey apartment building with ground floor retail at No. 862 Glenferrie Road, Hawthorn.



Above: Street view of the adjoining commercial properties at No. 846 to 850 Glenferrie Road, Hawthorn.



Above: Street view of commercial office building located opposite the subject site at 801-805 Glenferrie Road, Hawthorn.



Above: View of the subject site taken from Sercombe Grove located to the east of the site.

RESTRICTIVE COVENANT/AGREEMENTS

No covenant or restriction has been registered on Title for this property.

ABORIGINAL CULTURAL HERITAGE

| | |
|---|----|
| Is the site within an area of Aboriginal cultural heritage sensitivity? | No |
|---|----|

NOTICE OF APPLICATION

Pursuant to Section 52 of the *Planning & Environment Act 1987*, the application was advertised by:

- Sending notices to the owners and occupiers of adjoining land; and
- Placing four (4) signs on the land for a period of 14 days.

Thirty-seven (37) objections have been received to the proposal. The grounds of objection are summarised as follows:

Visual Bulk

- The height should be reduced to five storeys;
- The roof will look unattractive from Glenferrie Road. Plant equipment should be screened;
- The rear loading bay, service cupboard and entry doors are depicted differently on the rear elevation and the 3D rear elevation;

Amenity

- Overlooking from hotel rooms into the rear SPOS areas of dwelling located along Sercombe Grove;
- Noise from additional traffic, the car lifts, delivery/waste vehicles within the laneway will impact on the amenity of Sercombe Grove residents;

Traffic/Parking

- Removal of the Glenferrie Road access will impact on the movements within the rear laneway;
- The laneway is too narrow for delivery vehicles;
- Hotel patrons won't use the parking and will park in local streets;
- Forty-two (42) car spaces is not enough;
- Rubbish trucks should not be emptying before 7am;
- The lane should be made one way;
- The rear laneway will be impacted by additional traffic.

Building Matters

- The building must be drained properly so that no water falls into the light well of the adjoining apartment building;
- There will be increased traffic during construction in the laneway which may cause disruption to residential properties;
- Damage to adjoining properties may occur during construction.

AMENDMENTS TO THE PROPOSAL

Appendix C - Concept Plan received 17 March 2020

| Date Received | Amendments | Amendment Type |
|--|--|-------------------|
| 17 March 2020 | <ul style="list-style-type: none"> Alteration to the layout of the Level 3 Basement to accommodate 6 additional car spaces. | "Concept plans" - |
| <p>The changes displayed on the concept plans will not result in any increased material detriment to adjoining property owners and are recommended to be referred to as a condition of the planning permit as follows:</p> <ul style="list-style-type: none"> <i>Six additional car parking spaces provided within the Level 3 basement in accordance with the "Concept Plan" received by Council on 17 March 2020.</i> | | |

INTERNAL REFERRALS

The application was referred to the following:

Arborist

| |
|---|
| <p>DETAILED COMMENTS:</p> <p><u>Detailed Internal Arborist Comments:</u></p> <p>Tree 1, 2, 3, 4, 5, and 6 - are undersized. A Tree Protection Local Law application is not required for their removal.</p> <p>Tree 6 - is a neighbouring tree.</p> <ul style="list-style-type: none"> The entire canopy of the tree overhangs the subject property and the proposed construction will cause a major encroachment of its TPZ. The tree requires removal to facilitate the proposed construction, which has been identified within the arborist report. The tree is undersized and does not require a Tree Protection Local Law permit for its removal. Authorisation to remove the tree has been provided by the owner of the tree. <p>Tree 7 - is a neighbouring tree</p> <ul style="list-style-type: none"> The proposed construction will cause an estimated TPZ encroachment of <5% This is a minor encroachment. The extent of encroachment is unlikely to cause significant damage to the tree that will affect its viability <p>Tree 8 - is a neighbouring tree that will not be directly impacted by the proposed development.</p> <p>Given that that there is an existing laneway between the subject site and Tree 7 and 8 a Tree management Plan is not deemed necessary.</p> |
| <p><u>Please include the following conditions:</u></p> <p>Amended plans required</p> <ol style="list-style-type: none"> Plans modified to show: |

- a) The Tree Protection Zone and Structural Root Zone of Tree 7 and 8 drawn on all site and floor plans;
- b) Notation on all site and floor plans that Tree 7 and 8 are to be retained and protected in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.

Contractors to be advised of trees to be retained

2. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of those trees.

Regulation of activities in Tree Protection Zone

3. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone of Tree 7 and 8.

Officer Comment

Council's Arborist is supportive of the proposal subject to the following:

- Authorisation from the adjoining property owner at No. 850 Glenferrie Road to remove Tree 6;
- The above recommended conditions.

Since receiving the above comments, the Applicant has obtained written consent from the adjoining property owner regarding the removal of Tree 6. Evidence of this was submitted to Council on 3 March 2020.

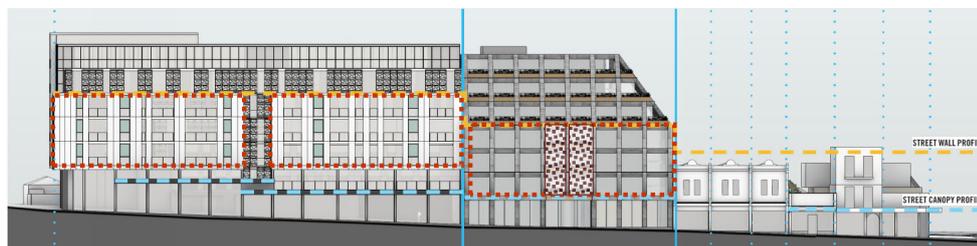
The above conditions are supported and are recommended to be included on the planning permit.

Urban Design

The scheme offers a different take on the traditional podium/tower form, integrating the two into a single mass with the tower element folding back in a raked profile above the podium walls. Whilst this concept and departure from the typical podium/tower form is interesting and novel, the singularity of the mass does present some challenges.

The following comments are offered on the proposal:

1. Overall, the street wall and overall building height are appropriate in this context and step down with the landfall as may be appreciated from the streetscape elevation below. The breadth of the façade is also comparable to the façade bays of the adjoining northern neighbour as depicted on the elevation.



2. The provision of vertical relief or some variation in the treatment of the central bays of the gridded façade we requested has been implemented by applying a brushed brass finish to the planter boxes of these bays and the raked upper floors. The street elevation above illustrates the subtlety of this variation. It is barely appreciable in the overall façade and mass. This could potentially be strengthened by increasing the application of the brass finish in these bays. For example, extending it to the balcony soffits and sidewalls. Alternatively, the architects may choose to consider a custom-designed perforated or laser cut screen in this finish for the central bays, as roughly depicted in the above elevation. This screen may be extended to the raked floors, fully or partially, as seen appropriate by the architect.
3. Physical samples of all finishes selected should be submitted for Council's consideration and final approval. In particular, the samples should demonstrate the appropriateness of the stone tiles for the raked upper levels and the visual quality of the brass finish.
4. The façade detailing and materiality of all services and garage doors should be submitted to demonstrate their high quality and seamless integration into the façade design. There are some inconsistencies between the 3D views and elevations that need to be clarified. For instance, the garage doors for the car lifts in the rear façade are annotated as metal in the elevations - i.e., a continuous finish of the wall and doors, but in the perspective views they are tiled with metal doors. Our preference is a continuous finish for the wall and garage doors.
5. The plant level needs to be better integrated into the raked upper floors and whole building form to minimise its visual intrusion on the skyline and enhance the building form and appearance in distant views.

All the above can be addressed in conditions attached to the planning permit.

Officer Comment

Council's Urban Designer is supportive of the proposal, subject to some further changes. These changes are supported and are recommended to be included as conditions of the planning permit. These recommended conditions are listed as follows:

- *The polished brass finish proposed to be applied to the central planter boxes extended to the balcony soffits and side walls of the two central bays along the street wall;*
- *All service and garage doors to be finished in a high quality material which integrates with the rear façade in accordance with the details shown on View 05 (3D Perspective);*
- *A full-colour schedule of external materials showing the proposed palette of materials and finishes (including a sample board of all external materials and finishes, including privacy screens) selected for all sides of the building. The samples must demonstrate the development consists of high quality, durable materials;*
- *All roof top services and associated screens setback a minimum 2 metres from the eastern and western edge of the roof level;*
- *All proposed roof top services setback a minimum of 2 metres from the northern property boundary, where adjacent to the existing light well associated with No. 862 Glenferrie Road, Hawthorn.*

| |
|---|
| Traffic & Transport Department - Traffic Engineers |
|---|

| ON-SITE PARKING PROVISION | | | | |
|---------------------------|----------|--|-----------------------------|---------------------------|
| DESCRIPTION (USE) | SIZE | CAR PARKING RATE | CAR PARKING REQUIREMENT | ON-SITE PARKING PROVISION |
| Food and Drink Premises | 701 sq.m | 3.5 spaces per 100 sqm of leasable floor area | 24 | 5 |
| Residential Hotel | 95 rooms | To the satisfaction of the responsible authority = 0.25 space/dwelling | 24 | 37 |
| TOTAL | | | 48 | 42 |
| DESCRIPTION (USE) | TYPE | BICYCLE PARKING RATE | BICYCLE PARKING REQUIREMENT | ON-SITE PARKING PROVISION |
| Food and Drink Premises | Employee | 1 space per 300 sqm LFA | 2 | 2 |
| | Visitor | 1 space per 500 sqm LFA | 1 | 1 |
| Residential Hotel | Resident | <u>1 per 10 lodging rooms (if 4 storeys or more)</u> | 10 | 10 |
| | Visitor | <u>1 per 10 lodging rooms (if 4 storeys or more)</u> | 10 | 11 |
| TOTAL | | | 23 | 24 |

| SATISFIED | | PARKING ASSESSMENT ELEMENT |
|--|---|---|
| | | |
| | X | In accordance with Statutory Requirements |
| | X | Waiver of long-term (eg. staff, resident) parking |
| | X | Waiver of short-term (eg. visitor, customer) parking |
| X | | Submission of empirical data - including Parking Demand and Occupancy surveys |
| <p>COMMENTS</p> <p><u>Residential Hotel component</u></p> <ul style="list-style-type: none"> • There is no specified Planning Scheme requirement for Residential Hotel. Therefore the rate is to the satisfaction of the responsible authority. • Reference to the RTA's Guide to Traffic Generating Developments - 2002 recommends a rate of 0.25 spaces per room in 3 and 4 star hotels. In addition, GTA Consultants has also compiled parking demand survey data for six residential hotels in Melbourne, indicating parking generation rates ranging between 0.2 to 0.6 spaces per room, with this variability in rate often governed by location, accessibility to public transport, on-site parking provision and complementary facilities. • As such, based on the proposed empirical parking generation rate, as specified, the proposed residential hotel with 95 rooms is likely to generate a car parking requirement of 24 car parking spaces, as stated in the Traffic report. The provision of 37 parking spaces is in excess of the recommended parking requirement and is therefore acceptable. <p><u>Food and drink premises component</u></p> <ul style="list-style-type: none"> • The food and drink premises is 701 sq.m which equates to a statutory parking requirement of 24 spaces in accordance with Clause 52.06. Based on similar uses, an assumption has been made that customer parking demands equate to approximately 80% of this parking requirement, resulting in a parking demand generation of 19 short-term customer spaces and five long-term staff spaces associated with the proposed use. • On this basis, an on-site provision of five spaces has been allocated to staff only of the Food and Drink premises, with no on-site customer parking provided. Accordingly, the provision of five parking spaces associated with this use does not satisfy the statutory parking requirement and results in a shortfall of 19 spaces associated with this component. • Given the proposed size of the food and drink premises (701 sq.m), it is also considered likely that staff levels may exceed a total of five at any one time. Accordingly, any additional staff present would also contribute to additional long-term parking demands associated with the proposed use, noting that no long-term on-street parking is available in the vicinity of the site. | | |

| | | |
|--|----|--|
| <ul style="list-style-type: none"> • It is acknowledged that the location of the proposed development is within a Principal Activity Centre (Glenferrie Road Shopping Precinct) and is located within the Principal Public Transport Network area, with close proximity to public transport, which may assist accessibility to/from the site, however, the reliance on off-site parking availability should be avoided where possible, with every effort should be made to provide the requirement on-site. • While it is stated that the food and drink premises will predominantly service both the residential hotel patrons and attract a proportion of walk-up patrons as part of the customer mix, the total reliance on off-site public parking availability to service this parking demand is not considered reasonable and is not supported. • The entire adjacent precinct includes comprehensive on-street parking restrictions, predominantly short-term and/or Permit Zone to encourage parking turnover and availability, deter long-term non-local parking and provide a level of protection for residents and visitors. Additionally, the precinct experiences extremely high demand for both on-street and off-street parking. On this basis, the reliance on off-site parking capacity to accommodate food and drink customers is not supported. • Given, the proposed oversupply of spaces associated with the Residential Hotel component, it is strongly recommended that the proposed on-site parking provision be reallocated accordingly to accommodate all on-site uses and that on-site parking provision for the Food and Drink Premises be provided in accordance with the Statutory Requirement. <p><u>Bicycle Parking provision</u></p> <ul style="list-style-type: none"> • There is a statutory requirement to provide a total of 23 on-site bicycle parking spaces, including 12 staff/resident spaces and 11 customer/residential visitor spaces. The proposed development provides a total of 24 on-site bicycle parking spaces, which exceeds the statutory requirement as per Clause 52.34 and is considered acceptable. | | |
| CAR PARK LAYOUT/DESIGN | | |
| SATISFIED | | PARKING ASSESSMENT ELEMENT |
| YES | NO | |
| Parking Spaces/Garages | | |
| X | | Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004 |
| N/A | | Electronic swept path assessment provided to demonstrate satisfactory access |
| COMMENTS | | |
| <ul style="list-style-type: none"> • Dimensions for all the parking spaces within the basement car park levels are 2.6m wide by 4.9m long via a minimum 6.4m wide aisle in accordance with Clause 52.06. • The disabled parking space is 2.6m wide x 5.4m long and an adjacent shared area of 2.6m wide x 5.4m long, accessed from a 7m aisle, which exceed the requirements as per | | |

| | | |
|---|---|---|
| <p>AS/NZS2890.6-2009. It is noted the proposed space length with utilise part of the adjacent access aisle, which is considered acceptable.</p> <ul style="list-style-type: none"> • Dimensions for the proposed 'Guest Drop Off' spaces within the ground floor car park level are 2.4m wide by 5.4m long via a minimum 6.6m wide aisle in accordance with AS/NZS2890.1-2004. • Additional 300mm has been provided for parking spaces adjacent to walls in accordance with AS2890.1-2004. • Basement car park levels are accessed via two independent car lifts, accessed via the rear laneway. The car lifts satisfy minimum internal dimensions of 3.8m x 6.5m which exceeds the requirements for a single garage as per Clause 52.06 and is acceptable. • The proposed development is set back approximately 3m from the eastern boundary to widen the laneway along the rear site frontage, creating an effective laneway width of 6m abutting the site. This localised widening of the laneway is consistent with the adjacent large residential development north of the site and assists traffic movement on the laneway. | | |
| <p>Access Aisles</p> | | |
| X | | Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004 |
| | X | Electronic swept path assessment provided to demonstrate satisfactory access |
| | X | Provision of 1m aisle extension for blind aisle in basement car park |
| <p>COMMENTS</p> <ul style="list-style-type: none"> • Car park access aisles have been provided in accordance with Clause 52.06. • End aisle extensions of less than 1m have been provided for the easternmost spaces in each of the basement car park levels. Swept path diagrams have been submitted demonstrating suitable access to/from these car parking spaces, noting that a corrective manoeuvre may be required. • It is noted that multiple manoeuvres are generally supported for long-term use only (staff and resident), as per AS/NZS2890.1-2004. It is noted that access to the car lifts on basement levels require multiple manoeuvres to enter during the departure movement. | | |
| <p>Access Ramps</p> | | |
| X | | Ramp width and design in accordance with Clause 52.06 or AS/NZS2890.1-2004 |
| X | | Ramp grades in accordance with Clause 52.06 or AS/NZS2890.1-2004 |
| | X | Electronic swept path assessment demonstrating satisfactory simultaneous access |
| <p>COMMENTS</p> <ul style="list-style-type: none"> • The rear access/vehicle entry to the car lifts includes a 1:10 ramp grade which is in accordance with Clause 52.06. | | |

| | | |
|--|--|--|
| <ul style="list-style-type: none"> • The two-way access ramp area adjacent to the car lifts achieves a minimum 8.7m width wall-to-kerb, in accordance with the requirement of AS/NZS2890.1-2004. • The basement car park levels are proposed at a flat grade and are accessed via car lifts. • The proposed loading bay and 'Guest Drop Off' spaces on the Ground Floor level includes a 1:20 ramp grade which is in accordance with Clause 52.06. • Given the proposed setback of 3m from the rear property boundary, and the effective laneway width of 6m adjacent to the site, there is adequate laneway width to permit simultaneous two-way vehicle access in the vicinity of the site and passing opportunities for entering and exiting vehicles. • It is noted that substation and utility store doors open outwards to the 3m setback from the laneway between the loading bay and the car lift access. It is recommended that these doors be redesigned to open inwards such that the effective width of the laneway is not obstructed during use, impacting vehicle movements of the laneway. | | |
| Headroom | | |
| X | | Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004 |
| <p>COMMENTS</p> <p>A minimum height clearance of 3.9m is provided at the rear entrance of the development, incorporating both the loading bay at the north east corner of the site and the access to the car lifts, exceeding the minimum requirements as per Clause 52.06. This height clearance is adequate to accommodate the anticipated loading vehicles at the site, including waste collection vehicles.</p> <p>A minimum height clearance of 2.2m is achieved within the basement car park levels, in accordance with Clause 52.06.</p> | | |
| Pedestrian Sight Triangles | | |
| N/A | | Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004 |
| N/A | | Fences or obstructions restricted to a height of 900mm or made to be 50% permeable to maintain visibility to pedestrians |
| <p>COMMENTS</p> <ul style="list-style-type: none"> • The rear laneway does not include a formal pedestrian facility and it is likely that there is limited pedestrian traffic currently. Both vehicular accesses via the laneway (Loading Bay, Car Lift accesses) include significantly wide access points and in the case of the car lifts, an additional 3.2m setback from the effective laneway width. Visibility to the laneway from both the car lift access and the Loading Bay is considered adequate, given the width of these accesses and the anticipated pedestrian volumes in the laneway. It is recommended that pedestrian warning signage be installed facing exiting vehicles to the laneway to reinforce the awareness of pedestrians in the laneway. | | |
| LOADING REQUIREMENTS | | |

| SATISFIED | | LOADING ASSESSMENT ELEMENT | |
|--|------|--|------------------------------|
| YES | NO | | |
| X | | Dimensions of on-site loading area in accordance with Clause 52.06 | |
| N/A | | Suitable justification for not providing an on-site loading facility | |
| <p>COMMENTS</p> <ul style="list-style-type: none"> • Loading at the site is proposed via an on-site loading bay accessed via the adjacent laneway at the rear of the site. Provision has been made to accommodate a 6.4m small rigid vehicle within the on-site loading bay. It is proposed that all loading and deliveries be undertaken outside of peak check-in/check-out periods to minimise conflict between visitors and loading vehicles, including waste collection vehicles. • It is also proposed that loading at the development be controlled via a Loading Management Plan for the site which would provide specific requirements and scheduling arrangements to manage relevant deliveries at the site. To date, this proposed Loading Management Plan has not been submitted. • Swept path analysis has been provided of the proposed largest delivery vehicle at the site (6.4m SRV) demonstrating that suitable access to/from the loading bay may be achieved from the laneway. In addition, it also indicates that simultaneous two-way movement may be achieved for two 6.4m SRV within the laneway. | | | |
| WASTE COLLECTION | | | |
| SATISFIED | | WASTE COLLECTION ASSESSMENT ELEMENT | |
| YES | NO | | |
| X | | Identification of waste collection method (Council/Private Contractor) | |
| X | | Demonstration of suitable on-site access and manoeuvrability (if required) | |
| <p>COMMENTS</p> <p>Waste collection is proposed to occur in the Loading Bay within the ground level car park, accessed via the rear laneway. Waste collection is to occur four times per week and is to be undertaken by a private contractor, with collection staff transferring bins to/from the on-site bin store. Swept path analysis has been provided of the proposed waste collection vehicle at the site (6.4m SRV) demonstrating that suitable access to/from the loading bay may be achieved from the laneway.</p> | | | |
| TRAFFIC ASSESSMENT | | | |
| DESCRIPTION (USE) | SIZE | DESIGN GENERATION RATES | TRAFFIC GENERATION ESTIMATES |

| | | PEAK HOUR | DAILY | PEAK HOUR | DAILY |
|---|-------------------------|---|---------------------|----------------------|------------|
| Food and Drink premises | 701 sq.m (5 spaces) | 1/space | 2/space | 5 | 10 |
| Residential Hotel (Pick-up/Drop-off) | 95 rooms (37 spaces) | 0.15/room | - | 14 | 28 |
| Residential Hotel (Car Park) | 95 rooms (37 spaces) | 0.2/space | 2/space | 7 | 74 |
| TOTAL | | | | 26 | 112 |
| COUNCIL OBTAINED TRAFFIC DATA | | | | | |
| STREET | | DATE | ROAD TYPE(CAPACITY) | DAILY TRAFFIC VOLUME | |
| Laneway rear of 852-858 Glenferrie Road, Hawthorn | | - | Access lane | 300 vpd | |
| PROVIDED | | TRAFFIC ASSESSMENT ELEMENT | | | |
| YES | NO | | | | |
| | X | Existing traffic volume data for adjacent street | | | |
| | X | Anticipated traffic generation of the proposed development to be accommodated within the surrounding road network | | | |
| | X | Submission of traffic modelling data to justify anticipated traffic generation | | | |
| COMMENTS | | | | | |
| <p>No Council-obtained traffic data is available for the current daily traffic volume along the laneway at the rear of 852-858 Glenferrie Road, Hawthorn. The laneway, which according to Clause 56.06, is classified as an 'Access Lane' which may accommodate up to a daily maximum capacity of 300 vehicle movements.</p> <p>Existing traffic volume data for the laneway network and also the subject site has been submitted by the applicant indicating that the laneway currently carries in the order of 115 vehicle movements per day in the northern section of the laneway. The existing office development at the site currently generates 24 movements in the AM peak hour period and 6 movements in the PM peak hour period.</p> <p>The assessment is based on the existing plans as submitted, including a total of 42 on-site parking spaces with 5 spaces allocated to the Food and Drink premises and 37 spaces allocated to the Residential Hotel, with two of these spaces utilised for Pick-up/Drop-off.</p> | | | | | |

Empirical traffic generation rates have been utilised by the applicant and referenced a number of sources, including car parking survey data of similar developments within Metropolitan Melbourne and RMSNSW Guide to Traffic Engineering Developments. Given the type of use proposed at the site and the information submitted, it is considered that the empirical traffic generation rates for this development are considered reasonable.

Based on the proposed empirical traffic generation rates, a total of 112 trips per day have been estimated by Traffic Engineering for the proposed development including 26 movements in each of the AM and PM peak periods.

Based on the submitted existing traffic volumes occurring on the laneway and taking into account the existing site-generated traffic on the laneway compared with the proposed residential hotel/food and drink premises at the site, it is anticipated that this section of laneway will carry in the order of 225 vehicles per day, post-development. This effective daily traffic volume is within the design threshold for a road of this order, as per Clause 52.06.

It is noted that there is capacity on the Ground level to accommodate a total of five vehicles on-site, including three at-grade spaces and two vehicles stored within the car lifts. This excludes the use of the loading bay.

Based on the specifications of the proposed car lift system, taking into account the operation time of the lifts and the probability of conflict occurring at the site it is demonstrated that the 98th percentile vehicle for the development equates to three vehicles. Accordingly, should this condition occur, there is capacity to store a total of five vehicles on-site, which demonstrates that there is adequate capacity to manage this queuing condition, should it occur.

While there will be an intensification of use of the laneway as a result of this development, it is considered that, given the localised widening of the laneway to match the existing condition north of the site, there is adequate capacity to accommodate the additional site-generated traffic without significant impact.

Officer Comment

The advice from Council's Traffic and Transport team is noted. Their requirement for full compliance with Clause 52.06 (Car Parking) of the Boroondara Planning Scheme is supported and is recommended to be addressed as conditions of the planning permit.

In response to the advice received from Council's Traffic Department, the Applicant provided a 'Concept Plan' on 17 March 2020 which demonstrates how an additional 6 car spaces can be provided within the Level 3 basement. With an additional 6 car spaces, the total number of car spaces provided on site will comply with the total number required by Clause 52.06.

To ensure the proposed number and allocation of car spaces within the development is fully compliant with Clause 52.06, the following condition is recommended to be included on the planning permit:

- *The number of on-site car spaces increased from 42 to a minimum of 48 (in addition to two guest drop-off car spaces) for shared use by residential hotel and food and drink premises employees and customers. The six additional car spaces are to be provided within Basement 03 (to achieve a minimum of 20 car spaces within Basement 03) in accordance with the “Concept Plan” received by Council on 17 March 2020 (Drawing “ASK 003_Alternative Basement 03 Arrangement for Information Purposes”, dated 17 March 2020, prepared by Elenberg Fraser Architects);*

With the re-allocation of car spaces recommended by the above listed condition, it is considered necessary to ensure the valet parking system is also made available to customers of the food and drink premises. This will assist in minimising patron confusion in the loading area and in the basement car lifts. To ensure this occurs, a Car Parking Management Plan is recommended to be required as condition of the planning permit as follows:

- *Concurrent with the submission of amended plans required by Condition 1 of this Permit, a Car Parking Management Plan to the satisfaction of the Responsible Authority, prepared by an appropriately qualified Traffic Engineer, must be submitted to and approved by the Responsible Authority. The Car Parking Management Plan must include (but is not limited to):*
 - a) *A valet car parking service for basement car parking on the land available to all residential hotel guests and food and drink premises customers;*
 - b) *Details of the hours of operation of the valet service and hours of operation of the food and drink premises and residential hotel reception;*
 - c) *Details of how the valet parking service will operate, including in the event the residential hotel reception is closed;*
 - d) *Details regarding the means of publicising the free valet parking service to food and drink premises customers;*
 - e) *Details of any necessary security measures for the Ground Floor guest drop-off car spaces, including lighting;*
 - f) *Shared allocation of car spaces between the uses operating on the land;*
 - g) *Details of all proposed signs mirrors, line marking and traffic control equipment.*

Once approved, such Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

With regards to service deliveries and waste collection, a Loading Management Plan is also recommended to be required as a condition of the planning permit. This will assist in ensuring scheduling of deliveries and waste collection occurs with minimal disruption to the operation of the laneway by occurring outside of peak operating periods for the residential hotel and food/drink premises.

EXTERNAL REFERRALS

The application was referred externally to:

Head, Transport for Victoria (VicRoads)

No objection to the proposal subject to recommended conditions being placed on the permit.

GOVERNANCE ISSUES

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

The officers responsible for this report have no direct or indirect interests requiring disclosure.

CONSIDERATIONS

In assessing this application, consideration has been given to the following:

- The objectives of planning in Victoria as detailed in Section 4 of the *Planning & Environment Act 1987*;
- Section 60 of the *Planning & Environment Act 1987*;
- The relevant provisions and decision guidelines of the Boroondara Planning Scheme including the decision guidelines of Clause 65;
- The comment or decision of a referral authority; and
- The objections received.

This proposal does not raise any significant adverse social or economic impacts. General social and economic impacts are addressed by the planning policy assessment below.

BOROONDARA PLANNING SCHEME

PLANNING POLICY FRAMEWORK

The following State policies are relevant to the assessment of the current application:

- Clause 15 - Built Environment & Heritage
 - Clause 15.1-1S - Urban Design
 - Clause 15.1-2S - Building Design
 - Clause 15.01-5S - Neighbourhood Character
- Clause 18 - Transport
- Clause 19 - Infrastructure

Clauses 15.01-1S (Urban Design), 15.01-1R (Urban Design - Metropolitan Melbourne) and 15.01-2S (Building Design) require assessment of matters such as urban design, suitability of design response to context, and minimising detrimental impacts on amenity.

In particular, the strategies to Clause 15.01-2S are to:

- *Require a comprehensive site analysis as the starting point of the design process.*
- *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
- *Encourage development to retain existing vegetation.*

Commercial Corridors, such as Glenferrie Road, provide vital components of the City's activities and are integral to the local economy. They provide a focus for goods, services and employment and are important for community life and interaction. The Glenferrie Road Commercial Corridor is located within the Principal Public Transport Network Area and will be the focus of increased residential growth and mixed use development over the next two decades.

Through policy, in activity centres, planning must consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017);
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017).

| |
|--|
| <p>Consideration of the <i>Urban Design Guidelines for Victoria</i> (Department of Environment, Land, Water and Planning, 2017)</p> |
|--|

Clause 15 requires the consideration of the *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017) where a development is proposed within an activity centre. The Guidelines set out objectives to deliver functional and enjoyable places for people to live, work and spend leisure

time. These guidelines aim to create neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity.

The guidelines contain of the following principles:

- *Urban structure;*
- *Movement network;*
- *Public spaces;*
- *Public transport environs;*
- *Buildings; and*
- *Objects in the public realm.*

The guidelines are to be used in assessing development proposals that affect the public realm.

The following objectives of the guidelines are considered applicable to this assessment:

- *Section 2.2 - Pedestrian Priority Streets:*
 - *2.2.2a - Place doors and windows of buildings to overlook the street;*
- *Section 5.1.1 - To ensure the building scale and form supports the context and preferred future character of the activity centre.*
- *Section 5.1.3 - To ensure buildings in activity centres provide equitable access to daylight and sunlight.*
- *Section 5.1.5 - To maximum safety through informal surveillance of streets and public spaces from within buildings in activity centres.*
- *Section 5.1.7 - To ensure the building façade detail supports the context or preferred future character of the activity centre.*

Planner's comments:

The building layout achieves appropriate activation and surveillance of Glenferrie Road and the rear laneway.

In respect to the building scale, form and design detailing, the objectives identified in the guidelines are considered to be generally aligned with those of the Design and Development Overlay - Schedule 15 and the objectives contained within Clause 22.06 (Neighbourhood Centres and Commercial Corridors Urban Design Policy). It is noted the proposal seeks an overall building height greater than the preferred maximum set out in the DDO. A more detailed assessment in respect to the building scale, form and design detailing is undertaken in the DDO15 and Clause 22.06 sections of this report.

Subject to the recommended permit conditions, it is considered the development satisfies the relevant objectives of the *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017).

Subject to the recommended permit conditions addressing the issues raised by Council's Urban Designer and Traffic Engineers, the proposal is considered to respect the preferred character of the centre and will make a positive contribution to the streetscape and public realm. For these reasons, the proposal is considered to be consistent with the broad urban consolidation, energy efficiency and mixed use objectives outlined in the relevant clauses of the PPF.

MUNICIPAL STRATEGIC STATEMENT

Clause 21.02 - Neighbourhood Centres, local centres, commercial corridors and out of centre development.

The key issues for Boroondara's neighbourhood centres, local centres and commercial corridors are:

- *Competition from free standing mall based centres in neighbouring municipalities.*
- *Potential loss of active street frontages.*
- *Loss of retail and office floorspace to high density housing.*
- *Managing retail and office development across the activity centre network and commercial corridors.*
- *Securing the long term viability and retail mix of Boroondara's centres in light of changing consumer trends and impacts from online retailing.*
- *Fragmented land ownership and variable lot sizes affecting development outcomes.*
- *Impact of development on sensitive residential interfaces by way of visual bulk, noise, traffic and vehicle access.*
- *Preserving attractive heritage streetscapes, centre character and identity.*

Clause 21.02-2 sets out the following objectives:

- *To maintain and strengthen the network of neighbourhood centres, local centres and commercial corridors within Boroondara.*
- *To support retail and office development in accordance with the framework for centres and commercial corridors.*

The above objectives will be achieved through the following strategies:

- *Facilitate mixed use development that supports the local community and ensures that neighbourhood centres, local centres and commercial corridors remain vibrant, sustainable and multi-functional destinations.*
- *Recognise development that promotes sustainability, improves functionality, accessibility and integration with the public realm, and addresses scale and identity through site responsive design.*
- *Require development to include a greater mix of uses including retail, office and residential.*

- *Require non-retail activities (including community services) to locate on the periphery of the neighbourhood centres and/or upper levels of buildings.*
- *Avoid supermarket uses in the Commercial 2 Zone.*
- *Require retail and office development to be located in nominated neighbourhood centres, local centres and commercial corridors.*
- *Protect the amenity of residential areas adjoining neighbourhood centres, local centres and commercial corridors.*

Planner's comments:

The proposed mixed-use development is consistent with the objectives of Clause 21.02, as it maintains an active frontage, locates two commercial uses on the ground floor, with residential hotel rooms on the floors above and will not unreasonably impact on the amenity of nearby residential properties. A more detailed assessment in respect to amenity impacts is undertaken in the DDO15 and Clause 22.06 sections of this report.

Clause 21.04 - Built Environment and Heritage

Clause 21.04-1 (Urban Design)

The key issues for Boroondara's urban and neighbourhood character are:

- *Achieving high quality urban design outcomes through development.*
- *Ensuring built form outcomes enhance streetscapes and maintain local amenity.*
- *Ensuring that the built environment caters to the needs of diverse user needs.*

Clause 21.04-1 sets out the following objective:

- *To achieve high quality urban design and built form outcomes*

The above objective will be achieved through the following strategies:

- *Facilitate development that respects and positively responds to the physical characteristics of the site and sensitively manages its various interfaces.*
- *Support building design and internal layout of new buildings to achieve high quality passive surveillance, engagement and safety within the public realm.*
- *Require development to be responsive to existing streetscape patterns and themes.*
- *Require development to treat landscape as an integral part of the overall design.*
- *Maintain the City's streets and laneways as high quality public spaces.*
- *Require visible service areas (and other utility requirements) of buildings to be treated as an integral part of the overall design and to be fully screened from the public realm.*
- *Provide development that is accessible for people with all abilities.*

Planner's comments:

Subject to the recommended conditions set out in this report, it is considered the proposed development will positively contribute to the public realm, by way of providing visually interesting architecture, passive surveillance and streetscape activation.

The proposed design incorporates a raked profile to the upper levels of the development. This element of the design is considered to be particularly responsive to the subject sites most sensitive interface to the east, as the raked profile allows for the building to fully comply with Standard B17 (Side and Rear Setbacks) of Clause 55. Further to this, the raked profile enables the building to screen the exposed southern blank wall associated with the adjoining development at No. 862 Glenferrie Road, Hawthorn. For these reasons, it is considered the development has been appropriately designed with regards to its various interfaces.

The recommended permit conditions seek to provide a more visually appreciable break in the repetitive pattern of the front facade. This will assist in ensuring the development appropriately relates to the rhythm of the older commercial buildings located to the south of the site, along Glenferrie Road.

The proposal to utilise the rear laneway results in a unique opportunity to maximise passive surveillance, engagement and safety within the Glenferrie Road frontage of the site. This arrangement also enables service areas to be located to the rear of the subject site facing the laneway, thus maximising the capacity for glazing along the Glenferrie Road façade.

The development is accessible for people of all abilities, with at-grade access proposed to be provided from the footpath to the hotel lobby. Additionally, a ramp will be provided from the valet drop off area at the rear of the site to the hotel lobby.

Clause 21.06 - Transport and Infrastructure

Clause 21.06-2 (Walking and Cycling)

Key issues

- *Safety and access within activity centres and around tram and bus stops.*
- *Pedestrian and cyclist safety along the arterial road network.*
- *Loss of weather protection (shade and shelter) on key pedestrian routes.*
- *Competing transport modes on shared paths and between traffic and cyclists on road.*
- *Gaps in the cycling network and physical barriers to cycling in some areas.*
- *Lack of secure end of trip facilities for cyclists, particularly around train stations, activity centres, community, recreational and educational facilities.*

Clause 21.06-2 sets out the following objective:

- *To create more pedestrian friendly street environments and high quality urban centres that are not dominated by the car.*
- *To improve the bicycle network and the provision of end of trip facilities for cyclists.*

The above objective will be achieved through the following strategies:

- *Improve and prioritise the pedestrian environment to support walking trips within key destinations and transport nodes.*
- *Implement better pedestrian infrastructure and facilities to improve safety and facilitate pedestrian movement.*
- *Support development to make a positive contribution to pedestrian and cycling public realm amenity where development is located adjacent to a Priority Pedestrian Area, a Bicycle Priority Route and the Principal Bicycle Network.*
- *Require continuity of weather protection canopies within activity centres and adjacent to commercial premises to provide shade that supports the comfort of pedestrians.*
- *Facilitate improvements to the regional cycling network.*
- *Support developments to provide high quality bicycle parking and end-of-trip facilities.*
- *Support development to provide linkages through private land where gaps exist in the cycling network where sites are sufficiently large enough to accommodate linkages.*

Planner's comments:

The proposal incorporate a tiered canopy above the Glenferrie Road footpath which will provide appropriate weather protection for pedestrians.

It is proposed to provide a total of 22 bicycle parking spaces within the basement and ground level, including eleven for visitors. Two additional bicycle parking spaces are proposed to be provided on the footpath. A total of 24 spaces are required to be provided on the site pursuant to Clause 52.3. The proposal to only provide 22 on site falls short of this requirements. However, the proposal to provide the shortfall of two spaces along the footpath is considered to be acceptable and is supported by Council's Traffic and Transport Department.

LOCAL PLANNING POLICY FRAMEWORK

Clause 22.06 - Neighbourhood Centres and Commercial Corridors Urban Design Policy

This policy seeks to ensure developments promote sustainability, improve functionality, accessibility and improved integration with the public realm, and address scale and local identity through site responsive design.

Clause 22.06-2 sets out the following objectives:

- *To achieve excellence in design and high quality, contemporary architecture that efficiently utilises the site, enhances the character of the centre or corridor and enhances the public realm.*
- *To ensure active ground level frontages and vibrant street level activity.*
- *To ensure building design embodies the highest environmental standards, adopts innovative ways to achieve ecologically sustainable outcomes, and achieves the highest level of durability, robustness and adaptability throughout the building life cycle.*
- *To ensure development is designed to protect the residential amenity of future residents of the development.*
- *To ensure development does not detrimentally impact on the amenity of residents of adjoining properties.*
- *To ensure that the amenity, character and sense of openness of service lanes is protected and enhanced.*
- *To ensure new development respects and enhances heritage buildings and precincts.*
- *To improve traffic management and car parking.*

Planner's Comments:

The proposal development is considered to be highly responsive to the objectives of Clause 22.06-2, for the following reasons:

- Subject to the changes recommended by Council's Urban Designer, it is considered the proposed development will positively contribute to the character of the commercial area. The proposal to remove vehicle access from Glenferrie Road along with location of uses and extent of proposed glazing along the ground floor facade, will significantly improve the subject sites pedestrian environment and interaction at the street level. The in turn, will assist in improving the overall vibrancy of the Glenferrie Road commercial area;
- It is considered the proposed development has been appropriately designed with regard to environmentally sustainable outcomes. An Ecological Sustainable Design Report (Prepared by WRAP Engineering, dated 20/11/2019) was submitted with the application and demonstrates how the development has been designed with regard to Ecological Sustainable Design (ESD) and Water Sensitive Urban Design principles (WSUD). Conditions are also recommended to be included on the planning permit which require on-going maintenance of all buildings and works, including plant and service equipment;
- For the reasons set out below in this report, the proposal will not unreasonably impact on the amenity of nearby residential properties located to the east of the rear laneway. Sufficient privacy screening has been incorporated into the design to minimise overlooking impacts and the rear setbacks of the proposed development are an improvement on existing conditions and are fully compliant with Standard B17 (Side and Rear Setbacks) of Clause 55. A more detailed

discussion on these matters is contained policy guideline assessment and Overlay assessment section of this report below;

- The development incorporates a proposal to widen the rear lane, to match that of the adjoining development at No. 860 Glenferrie Road, Hawthorn. Subject to the recommended permit conditions, the proposal to widen the laneway will improve the sense of openness and overall functionality of the lane;
- The laneway located to the rear separates the subject site from an established residential area which also forms part of the Cranmore Estate and Environs Heritage Precinct (HO774). The proposed development will not unreasonably impact on the heritage significance of this Heritage Precinct, given sufficient separation is provided between the proposed buildings on the subject site and other commercial properties to the contributory and significant heritage dwellings located along Sercombe Grove.
- Subject to the recommended permit conditions, the proposed development will contain a compliant number of car spaces relevant to the requirements of each proposed use. This will result in an improvement to existing condition, given the number of car spaces currently provided on site for the existing office building falls 22 spaces short of the requirements of Clause 52.06. Additionally, the proposal to utilise the rear laneway for vehicle access to the subject site is responsive to the 'vehicle and pedestrian movement' guidelines of this policy (Clause 22.06) and is supported by Council's Traffic Department.

It is policy to:

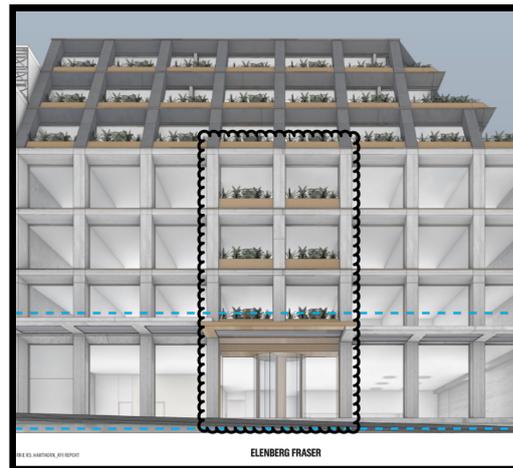
Façade articulation and detailing

- *Facilitate a high level of façade articulation and design treatments that:*
 - *maintain the fine grain shop front patterns of existing retail and commercial premises*
 - *distinguish recessed upper level built form from the main building façade*
 - *provide variation to surface alignment and materials.*
- *Require active ground level frontages and vibrant street level.*
- *Provide architectural detailing that accentuates prominent corners at key intersections or other places of community significance.*
- *Ensure that the combined effect of the height, setbacks and design treatment of new buildings do not dominate a heritage place on or adjoining the site.*
- *Provide external lighting that enhances the architectural features of the building and complements lighting in the public domain without causing unreasonable off-site amenity impacts.*
- *Avoid blank side walls and require visible faces of buildings to be articulated and visually interesting with a mixture of materials and finishes.*

Planner's Comments:

It is considered the proposal achieves an appropriate level of façade articulation and design treatments due to the following:

- The design incorporates distinct vertical and horizontal elements which reference the fine grain rhythm of older commercial properties located to the south of the subject site. Two of the central bays are proposed to contain polished brass planter boxes along the façade. These are clouded as follows:



Above: Central polished brass canopy and planter boxes.

A condition is recommended to be included on the planning permit which requires the polished brass finish to be applied to balcony soffits and side walls of two central bays along the street wall. This will assist in further articulating the streetscape presentation of the development and providing a central break to the façade.

- The proposal employs a “raked” design to the upper levels of the building above the street wall. This clearly distinguishes the upper level built form from the main building façade;
- The design includes a combination of recessed glazing treatments, prominent horizontal and vertical frames and metallic planter boxes which will achieve an appropriate degree of visual interest.

The ground floor hotel lobby and food and drink premises will have an outlook to Glenferrie Road via extensive glazing. This will sufficiently activate the Glenferrie Road frontage of the subject site.

The rear and side wall of the proposed development are to be finished in a similar manner to the front façade. Therefore, no blank walls to the public realm will be created.

Integration with the primary and side street frontage, and public realm

- *Allow the upper levels of buildings to cantilever over a ground floor setback if the projection extends no further than the property line, is cantilevered (with no columns), and maintains a minimum clearance of 3.5 metres above a footpath or 4.5 metres above a vehicle accessway (or otherwise agreed by Council engineers).*
- *Require ramps or steps to be contained within the building or property boundary where they are necessary.*
- *Support ground floor dwelling entries that are distinct and subordinate to the ground floor retail/commercial frontage.*
- *Avoid disrupting the retail/commercial frontage of key retail environments by requiring secondary pedestrian access to upper level building spaces (e.g. to shop-top dwellings) to be provided from side streets or rear laneways.*
- *On corner sites, facilitate ground floor residential entries to be located on the side street rather than the primary retail/commercial frontage.*
- *Create residential premises at upper levels that address the street.*

Planner's Comments:

Due to the interconnected nature of the proposed uses, the residential hotel and food and drink premises are both proposed to be accessed from one central pedestrian entrance which has been integrated into the ground floor façade design. This allows for the entire ground floor frontage to interact with the public realm.

Integration with the primary and side street frontage, and public realm - Weather protection to footpaths

- *Support the incorporation of weather protection for pedestrians along street frontages in the form of verandas, awnings or canopies over the footpath, maintaining a minimum clearance of 3.5 metres above the footpath level and 0.75 metres from the back of kerb (or otherwise agreed by Council engineers).*
- *Require new verandas to achieve continuous unbroken pedestrian weather protection.*
- *Require verandas to be integrated with the design of the building and to provide architectural features and/or materials that complement the streetscape.*
- *Require verandas to be cantilevered to avoid obstructive post/columns or perceived privatisation of the public domain.*
- *Ensure that on sloping sites, verandas step down to follow the slope of the street and special consideration is given to the detailed design of the junction at the level changes.*

Planner's Comments:

A canopy is proposed to be provided over the footpath at a clearance of more than 3.5 metres above the footpath level. The proposed canopy will be unbroken and is proposed to step down with the fall of the land. Further to this, the central section of the canopy is proposed to be finished in polished brass to integrate with the central bay planter boxes above. The proposed weather protection canopy is considered to

integrate well with the façade of the building and is in accordance with the above listed policy requirements.

Service lanes and laneways - Ground level setbacks

- *Avoid ground level setbacks along service lanes, unless the same setback can be provided on adjoining properties to create a consistently wider, accessible and attractive service laneway.*
- *Require laneway surface materials and interface treatments to be used in the ground level setbacks of adjoining residential areas.*
- *Avoid unenclosed setbacks for rubbish and recycling bins, loading bays and service/utility areas fronting onto service laneways. Waste and recycling facilities should be concealed within secure dedicated enclosures that are integrated into the design of the building.*
- *Minimise buildings and works encroaching into service lanes.*
- *Maintain and enhance the intimate environment of service lanes by requiring higher built forms to be set back from the service lane.*

Planner's Comments:

The development is proposed to be setback 3.05 metres from the rear property boundary to match the rear setback of the adjoining residential apartment building at No. 862 Glenferrie Road, Hawthorn. This will assist in creating a consistently wider and more accessible laneway. To ensure the widened lane is finished appropriately, the following conditions are recommended to be included on the planning permit:

- *The widened lane to be constructed with bluestone cobbles to match the existing eastern lane, with bands of white granite pavers to denote pedestrian shared zones, consistent with the layout shown in the Landscape Plan required by this Permit;*
- *A notation on the Ground Floor Plan requiring a suitably graded transition (i.e. no step) at the interface between the eastern lane (road) and widened lane.*

To ensure all service cupboards and substation doors will not obstruct the widened lane, the following condition is recommended to be included on the planning permit:

- *Annotations on the Ground Floor Plan, West Elevation and East Elevation requiring all doors that open outwards into the Glenferrie Road footpath or widened lane to be fitted with 180-degree hinges.*

The development will present as three stories to the laneway, with the upper levels raking back from there. The height of the proposed rear façade will be approximately 40mm less than the height of the rear façade of the adjoining residential apartment building at No. 862 Glenferrie Road. When compared with the height of the existing building, the proposed height of the rear wall will be approximately 2 metres lower than the height of the existing rear wall. Further to this, the existing rear wall is setback only 2.85 metres from the rear property boundary compared with the proposal to setback the rear wall of the development 3.05 metres from the rear property boundary. The

difference in how this will appear from the laneway, is demonstrated in the following 3D perspective:



Above: Comparative 3D Perspective taken from within the laneway.

Therefore, it is considered the proposed development will not negatively change the existing environment within the rear laneway.

Abutting residential zones

- *Support development that contributes to an improved interface between the neighbourhood centres and the established residential areas through providing for a recessed and articulated development and an appropriate scale.*
- *Avoid windows and balconies overlooking private open space or habitable rooms on the opposite side of the service lane.*

Planner's Comments:

When comparing the appearance of the rear façade of the existing building with the rear façade of the proposed development, the proposed development will improve the site's existing interface with the established residential area located to the east of the rear laneway.

The proposed development is much more articulated, has a lower rear wall height, incorporates higher quality materials and includes more effective overlooking treatments to residential properties. This is demonstrated in the following existing and proposed 3D perspectives taken from within the rear SPOS areas and front boundaries of residential properties located to the east of the rear laneway:



Above: Comparative 3D Perspectives taken from 19 Sercombe Grove, Hawthorn.



Above: Comparative 3D Perspectives taken from 20 Sercombe Grove, Hawthorn.



Above: Comparative 3D Perspectives taken from 16 Sercombe Grove, Hawthorn.

The rear setbacks of the proposed development are compliant with Standard B17 (Side and Rear Setbacks) when taken from the eastern edge of the laneway. Furthermore, the first, second and third level balconies/windows are proposed to be screened to a height of 1.7 metres above the finished floor level, where these balconies/windows are within 9 metres of any residential areas of SPOS.

Vehicle and pedestrian movement and parking - Vehicular access to sites

- *Facilitate sites with access from a service lane providing all vehicular access to the site from the lane.*
- *Avoid the creation of driveway crossovers from other streets unless:*
 - *the service lane is too narrow for vehicular entry and cannot be widened as part of the development proposal, or*
 - *the traffic volume generated by the development would exceed the capacity of the service lane, as determined by a qualified independent traffic engineer and Council's engineers.*
 - *Require development to provide car parking in basements where feasible, and to the rear of properties where laneway access is available.*

Planner's Comments:

All vehicular access to the subject site is proposed to be provided via the rear laneway to three levels of basement car parking, in accordance with the above policy requirements.

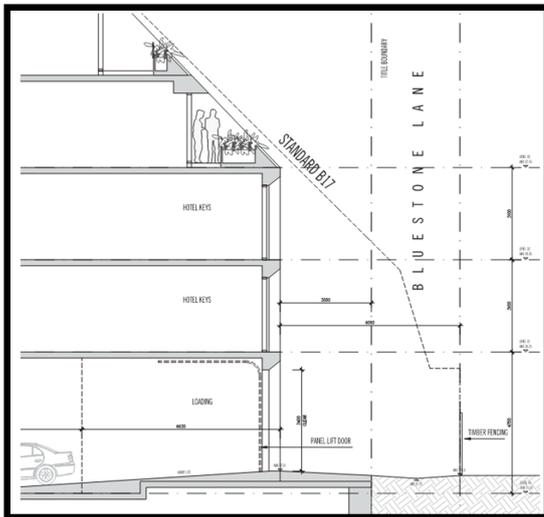
The laneway is proposed to be widened by 3.05 metres into the subject site which will improve the overall functionality of the laneway. Council's Traffic and Transport Department have advised the laneway can accommodate the anticipated traffic volume generated by the proposal. Further details on this matter are contained in the referral section of this report.

Overshadowing and overlooking

- *Minimise the impacts of overshadowing and overlooking on the amenity of adjoining residential properties and habitable room windows.*
- *Retain the visual privacy of adjoining dwellings.*
- *Minimise overshadowing of photovoltaic panels or solar hot water collectors located on the roof top of adjoining dwellings within a Residential Zone between 9am and 3pm at the equinox.*

Planner’s Comments:

The proposed development is separated from dwellings located in a Neighbourhood Residential Zone by the rear laneway. Rear setbacks in accordance with Standard B17 of Clause 55 have been incorporated into the design of the building to minimise amenity impacts on these dwellings. These setbacks are demonstrated in the following sectional diagram:



Above: Rear setbacks compliant with Standard B17 of Clause 55.04-1.

The proposed development has also been designed to minimise overlooking impacts into the rear SPOS areas of the residential dwellings located to the rear of the laneway. More specifically, the proposed hotel windows or balconies located within 9 metres of any SPOS areas associated with residential properties, are proposed to be screened to a height of 1.7 metre above the finished floor level, in accordance with requirements of Standard B22 (Overlooking) of Clause 55.04-6. This will apply to levels 1, 2 and 3, as depicted on the eastern elevation:



Above: Overlooking screens to rear windows/balconies along eastern elevation.

The windows/balconies located on Level 4 and above are located over 10.2 metres from any SPOS areas associated with residential properties. Therefore, the proposal to not provide screening to these hotel rooms is compliant with Standard B22 (Overlooking) of Clause 55.04-6. However, it is noted, the balconies located on level 4 and above, contain planter boxes to the west of each balustrade, which assist in preventing downwards views towards areas of SPOS associated with residential dwellings.

With regard to overshadowing, the proposed development will not result in any unreasonable amenity impacts, when considering the existing site conditions and the urban context of the area. In particular, the proposed development will not cause any new shadows to residential properties between the hours of 9am and 2pm on the day of the September equinox. Instead, overshadowing impacts will generally be reduced during these hours. This is as a result of the proposal to rake the upper levels back from the rear which is an improvement on the sheer five storey wall of the existing office building. New shadows will occur at 3pm and will largely affect the residential property at No. 26 Sercombe Grove. However, the SPOS area of this property will continue to receive adequate sunlight between the relevant hours, in accordance with the standard.

ZONING & OVERLAYS

Appendix D - Zoning Map

Commercial 1 Zone (C1Z)

The purpose of the Commercial 1 Zone is:

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

Pursuant to Clause 34.01-2 (Use of Land), a use must not detrimentally affect the amenity of the neighbourhood, including through the:

- *Transport of materials, goods or commodities to or from the land.*
- *Appearance of any building, works or materials.*
- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

Pursuant to Clause 3401.4 of the Boroondara Planning Scheme, a permit is required to construct a building or carry out works.

The proposed canopy over Glenferrie Road is located within the Road Zone Category 1. A planning permit is required for the proposed buildings and works over the footpath. One of the decision guidelines requires Council to 'consider the views of the relevant road authority.'

Planner's Comments:

The proposed development is considered to be entirely appropriate when considering the purpose of the Commercial Zone, Schedule 1. The mixture of proposed uses will contribute to the vibrancy of the commercial corridor, by increasing the site's interaction with and activation of Glenferrie Road.

Subject to the recommended conditions set out in the report, it is considered the proposed development will positively contribute to the long term built form character and economic viability of the commercial centre.

It is noted, the Head, Transport for Victoria (VicRoads) has no objections the proposal subject to recommended conditions.

Parking Overlay - Schedule 1

The purpose of the Parking Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking.*

Objectives to be achieved:

- *To identify appropriate car parking rates for land uses in various activity centres throughout the municipality.*

Planner's Comments:

The overlay does not vary the car parking requirements of Clause 52.06 for a hotel or food and drink premises. An assessment of the car parking provision is provided in the referral comments from Council's Traffic and Transport Department and within Clause 52.06 section of this report.

Design and Development Overlay - Schedule 15

The purpose of the Design and Development Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Design objectives

The relevant general requirements of Clause 1.0 of the schedule to this overlay that are relevant to this assessment are as follows:

- *To protect and enhance the identity and character of the centre.*
- *To ensure development respects the significance of heritage sites and precincts.*
- *To respect the character and amenity of adjacent residential areas.*
- *To achieve a high standard of architecture and urban design.*
- *To encourage development that is ecologically sustainable.*
- *To encourage development that supports alternative modes of travel such as walking, cycling and public transport.*
- *To create a safe environment that is conducive to walking, cycling and public transport use at all times of the day.*

Variations to the requirements of this schedule

An application to vary the requirements in this schedule (including building height requirements) must:

- *Identify the design objectives and design requirements specified in this schedule that will be achieved by the proposal.*
- *Include an assessment of how any departure from a preferred building height or building setback specified in this schedule assists the proposal to achieve the design objectives and design requirements specified in this schedule.*
- *Demonstrate that the proposal will achieve the following outcomes (as appropriate):*
 - *A high standard of architectural design.*
 - *Innovative ecologically sustainable design practices.*
 - *Minimal overshadowing of adjoining streets, public spaces and residential properties.*
 - *Respect for places subject to the Heritage Overlay.*

- *Transitions in scale to lower building forms.*

An application to vary the requirements in this schedule should also identify (where relevant) whether the site has any particular characteristics or features that warrant the variation and an alternative design response.

Precinct 1 - Mixed Use

The relevant precinct specific design objectives of Clause 2.0 of the schedule to this overlay that are relevant to this assessment are as follows:

| Design Objective |
|--|
| <ul style="list-style-type: none"> • <i>To maintain the predominant low to medium scale character of the area while allowing for retail, office, commercial and residential growth.</i> • <i>To maintain vistas to key landmark buildings in the centre.</i> |

| Requirements |
|---|
| <ul style="list-style-type: none"> • <i>Development should respect views to the Immaculate Conception Church (along Glenferrie Road) and the Hawthorn Town Hall clock tower (along Burwood Road).</i> • <i>The facade of developments on wide frontages should incorporate vertical and horizontal elements that reinforce the fine grain pattern of development that is typical along Glenferrie Road.</i> |

| Discretionary Requirements | | |
|----------------------------|-----------------------------|-----------|
| Building Height | Proposed Building Height | Complies? |
| 21.5 metres | 23.8m | x |
| Street Wall Height | Proposed Street Wall Height | Complies? |
| 11 metres | 14.5m | x |
| Setbacks Above Street Wall | Proposed Setbacks | Complies? |
| 5 metres | 1.7m - 5m | x |

Planner's Comments:

The proposed development will not obscure views towards any landmark buildings in the precinct and is considered to be responsive to the existing site and context conditions.

The proposed development is on a 27 metre wide frontage. In response to this, the design incorporates distinct vertical and horizontal columns which reference the fine grain rhythm of older commercial properties located to the south of the subject site. Additionally, these elements assist in breaking up the wide appearance of the front façade. This response is considered to be in accordance with the requirements for Precinct 1 of DDO15. However, further refinement of the façade design is required to avoid a repetitive pattern, which could visually accentuate the width of the building. Therefore, the following condition is recommended to be included on the planning permit:

- *The polished brass finish proposed to be applied to the central planter boxes extended to the balcony soffits and side walls of the two central bays along the street wall.*

For the reasons set out in this report, it is considered the development achieves all of the requirements necessary to warrant exceeding the preferred maximum overall building height and street wall height in the manner proposed.

The proposed maximum building height exceeds the discretionary maximum building height by 2.3 metres. The proposed maximum building height of 23.8 metres is appropriate when considering the height of the adjoining apartment building at No. 862 Glenferrie Road, Hawthorn. The proposed maximum height will sit just under the maximum building height of the adjoining building by approximately 0.5 metres and is considered appropriate to avoid large sections of the adjoining southern wall being exposed to views from the south along Glenferrie Road. Furthermore, the proposal to rake the southern floor façade of the building will create an appropriate transition in scale to any future DDO15 compliant development located to the south of the site. Having regard to equitable development opportunities, this is considered to be a positive aspect of the proposal.

The proposed street wall height exceeds the discretionary street wall height by 3.5 metres. This proposed street wall height of 15.5 metres will provide an appropriate transition in scale between the street wall heights of the two adjoining buildings at No. 862 Glenferrie Road and No. 850 Glenferrie Road, Hawthorn. This is demonstrated as follows:



Above: Comparison of street wall heights.

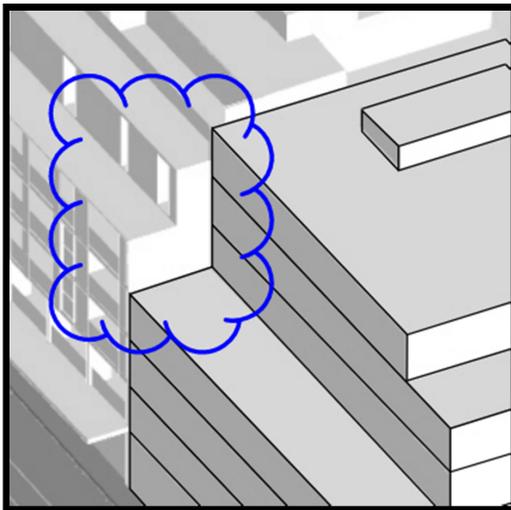
The proposed street wall height is essentially one storey lower than the street wall height of the adjoining apartment building at No. 862 Glenferrie Road and one storey higher than the DDO15 discretionary street wall height. The proposed street wall height will assist in obscuring views of the southern blank wall of the building at No. 862 Glenferrie Road as viewed from Glenferrie Road. It is considered the proposed street wall height will not act as a negative precedent for future development in this Precinct, but is rather a context responsive transition to the discretionary street wall height for future development to the south.

It is also noted, the proposed street wall height is just over a storey lower than the street wall height of the existing building, displayed as follows:



Above: Streetscape elevation of the existing building on the subject site.

The proposed development incorporates a raked profile from the street edge, resulting in a minimum street wall setback of 1.7 metres at Level 4, increasing to maximum street wall setback of 5 metres at level 6. The proposed raked profile is applied to not only the front façade but also the southern and eastern (rear) façade. This is considered to be a visually interesting response and an acceptable alternative to the more typical “wedding cake” style upper level setbacks. The raked profile, with a minimum setback of 1.7 metres to the street wall, is also considered to be appropriate, for the purpose of not exposing the southern wall associated with the adjoining development at No. 862 Glenferrie Road, Hawthorn. This section of the adjoining wall which would be left exposed is shown as follows:



Above: Adjoining wall which would be left exposed if a 5 metre street setback were to be applied.

All Precincts - General Requirements

Building Setbacks

- *Developments should be built to the street edge where shown on Map 1 - Building Heights and Setbacks and Map 2 - Swinburne University Campus and create a consistent street edge. This may be varied, if a setback is:

 - *designed as part of the public domain; and*
 - *fully accessible to the public.**
- *Buildings should provide continuous weather protection along these streets.*
- *Where a zero front setback applies, development above 11 metres in height should be setback a minimum of 5 metres behind the street wall.*

Planner's Comments:

The development is proposed to be constructed to the street edge, in accordance with the above guidelines.

Weather protection is proposed to be provided above the footpath, by way of three connecting canopies, which stagger in height with the fall of the land. The central canopy is proposed to be finished in a polished brass material, which will draw appropriate attention to the pedestrian entrance of the building.

The proposed development incorporates a raked profile above the street wall, resulting in a minimum street wall setback of 1.7 metres at level 4, increasing to maximum street wall setback of 5 metres at level 6. The proposed raked profile is applied to not only the front façade but also the southern and eastern (rear) façade. This is considered to be a visually interesting response and an acceptable alternative to the more typical "wedding cake" style upper level setbacks. The raked profile, with a minimum setback of 1.7 metres to the street wall, is also considered to be appropriate, for the purpose of not exposing the southern wall associated with the adjoining development at No. 862 Glenferrie Road, Hawthorn.

Built Form

- *Development must demonstrate a high quality architectural design that complements the older buildings in the centre and enhances the centre's eclectic character.*
- *A consistent street wall parapet height should be created along Burwood Road and Glenferrie Road.*
- *Building services and equipment such as air-conditioners, stairwells and lift over-runs must be located to minimise their visibility from public places and be integrated into the design of buildings.*
- *Development should provide appropriately proportioned ground floor spaces that can accommodate a wide range of retail and commercial uses.*

Planner's Comments:

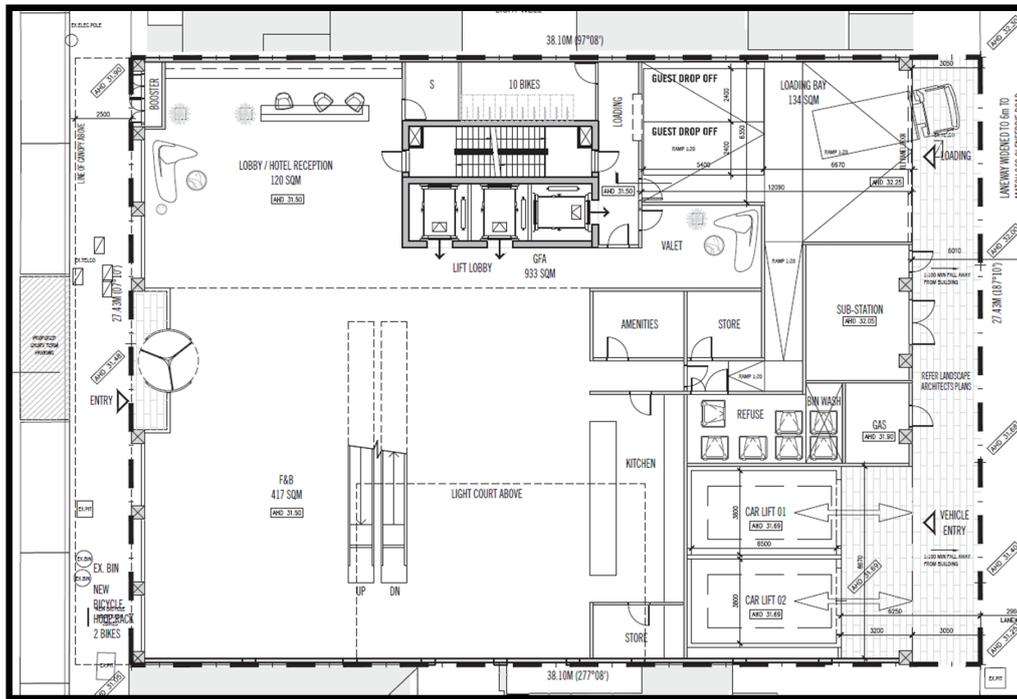
For the reasons set out in this report, it is considered several features have been incorporated into the development which will assist in achieving a high quality architectural design. The proposed design incorporates distinct vertical and horizontal elements which reference the fine grain rhythm of older commercial properties located to the south of the subject site. These vertical and horizontal elements will be complimented with high quality finishes, including stone tiles and polished brass planter boxes. It is considered the combination and application of these materials will result in a visually interesting built form outcome.

The proposed street wall height will provide a transition between the subject sites two adjoining buildings. This proposed transition in street wall height is considered to be an appropriate response to the context of the site. A detailed discussion of this matter is contained above in the Precinct 1b discussion section of this report.

Plant equipment and building services are proposed to be provided on the roof level of the building and are proposed to be screened. Whilst the proposed screening is supported, it is considered the services and associated screens should be further setback from the eastern and western edges of the roof level, to ensure visibility is minimised from both Glenferrie Road and nearby residential properties. Therefore, the following conditions are recommended to be included on the planning permit:

- *All roof top services and associated screens setback a minimum 2 metres from the eastern and western edge of the roof level.*
- *All proposed roof top services setback a minimum of 2 metres from the northern property boundary, where adjacent to the existing light well associated with No. 862 Glenferrie Road, Hawthorn.*

The ground floor level of the proposed development will provide a high degree of interaction and activation with Glenferrie Road. This is primarily achieved through the proposal to include a large open plan food and drink premises and hotel lobby/lounge on the ground floor, with primary pedestrian access from Glenferrie Road. The lobby/lounge and food and drink premises will have a direct outlook to Glenferrie Road via extensive ground floor glazing. The size and width of these ground floor spaces are shown in the proposed ground floor plan as follows:



Above: Proposed ground floor plan.

| Public Realm |
|--|
| <ul style="list-style-type: none"> • <i>Development should be designed to provide passive surveillance (including at upper levels) of the public realm, and where practical, activation of streets, parks, public plazas, laneways and car parks. Blank walls along secondary street frontages are discouraged.</i> • <i>Transparent glazing and pedestrian entrances should be provided at street level along the primary street frontage.</i> • <i>Development should incorporate ground floor spaces that allow for uses that provide interaction with the street and enhance the pedestrian environment.</i> • <i>Development should incorporate external lighting to enhance the night time appearance of the buildings and add to pedestrian safety at night.</i> • <i>Development should avoid overshadowing of public spaces between 11am and 3pm, measured on 21 March and 22 September.</i> |

Planner’s Comments:

The proposed development will provide a greatly improved degree of activation to Glenferrie Road, due to the location of the proposed hotel lobby and food and drink premises on the ground level. The proposal to incorporate transparent glazing into these ground level commercial activities will also further assist in activating the street frontage and improving the pedestrian environment. Upper level hotel rooms will also have an outlook to Glenferrie Road, providing further passive surveillance of the public realm.

The proposed development will also result in increased passive surveillance and activation of the rear laneway, which is proposed to be widened as part of the development. Vehicle access to the hotel is proposed to be provided to the subject site from the rear laneway and will be managed via a valet system. This in itself will provide an improved degree of passive surveillance to the rear laneway and will also enhance the pedestrian environment along the primary street frontage, as encouraged by the above *Public Realm* requirements of the DDO15.

With regard to overshadowing impacts of the public realm, the proposed development will overshadow some new areas but also reduce the extent of existing shadows in other areas. The reduced shadows will mainly occur over Glenferrie Road, given the proposed street wall height will be lower than the height of the existing street wall. New shadows within the public realm will occur between the hours of 11am and 1pm on the day of September Equinox, but will generally fall over the commercial properties located to the south of the subject site and over the proposed footpath canopy. Given the proposal will result in improvements to overshadowing within Glenferrie Road, it is considered the proposed development will not cause any new unreasonable overshadowing impacts to the public realm.

| Residential Amenity |
|---|
| <ul style="list-style-type: none"> • <i>Dwellings should achieve a high level of internal amenity and demonstrate how accesses to natural daylight and ventilation and visual privacy has been maximised.</i> • <i>The layout of apartments should take into consideration amenity impacts from nearby businesses, roads and public transport and mitigate potential amenity impacts for future occupants.</i> • <i>Development on land abutting a residential zone, or separated from a residential zone by a laneway, should be setback from the side and/or rear boundary of the land in a residential zone in accordance with Clause 55.04-1 Standard B17 of the Planning Scheme. A laneway can be included as part of the setback calculation.</i> • <i>Development abutting a residential zone should be designed to minimise impacts on adjoining residences and demonstrate how overlooking and overshadowing impacts have been addressed in accordance with the objectives and standards Clause 55 of the Planning Scheme.</i> • <i>Building services and equipment should be screened from view of abutting residences and located to minimise noise impacts on surrounding residential areas.</i> • <i>Development should not unreasonably compromise the development opportunity of adjacent properties by maintaining equitable daylight access.</i> |

Planner's Comments:

The proposed development is separated from dwellings located in a Neighbourhood Residential Zone by the rear laneway. Rear setbacks in accordance with Standard B17 of Clause 55 have been incorporated into the design of the building to minimise