

PLANNING REPORT

Submitted to

Port Phillip City Council

In relation to a Planning Permit Application:

Use of the land for a Rooming house and associated minor buildings and works in the GRZ1 and HO6.

At

40 Alma Road, St Kilda

Prepared for

Seranin Pty Ltd

Prepared by

Urban Edge Consultants Pty Ltd

May 2023 (Rev A – July 2024, updated in accordance with proposed Amended Plans)

Job No: 1851

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1. INTRODUCTION

This Planning Report has been prepared by *Urban Edge Consultants Pty Ltd* on behalf of Seranin Pty Ltd. It accompanies an application to Port Phillip City Council (the 'Responsible Authority') for a planning permit for the following:

'Use of the land for a Rooming house and associated minor buildings and works in the GRZ1 and HO6..' at 40 Alma Road, St Kilda (the subject site).

The application for a planning permit is made to the Responsible Authority pursuant to Clause 47 of the *Planning and Environment Act 1987*, and in accordance with Section 13 of the *Planning and Environment Regulations 2015*.

This Planning Report has been updated in response to amended plans prepared by Next Architects dated 2 July 2024 and the requirements set out at Practice Note – PNPE9 Amendment of Planning Permit Applications and Plans. It relates to the section 77 proceedings VCAT Reference No P1630/2023, permit application no PDPL/00299/2023.

A planning permit is required under the *Port Phillip Planning Scheme* ('the Scheme') because:

FOR THE USE:

- General Residential Zone - Schedule 1: Pursuant to Clause 32.08-2, a permit is required to use the land as a Rooming House, as the proposed use does not satisfy the conditions to allow the use 'as of right' becoming a Section 2 (permit required) Use or the exemption at Clause 52.23 (Rooming House).

FOR BUILDINGS AND WORKS:

- General Residential Zone - Schedule 1: Pursuant to Clause 32.08-10, a permit is required for the minor buildings and works associated with the Section 2 (Rooming house) use; and
- Heritage Overlay – Schedule 6: Pursuant to Clause 43.01-1, a permit is required for the minor buildings and works,
- Clause 62.02-2 (buildings and works not requiring a permit unless specifically required by the planning scheme) applies and therefore no permit is required under Clause 32.08-10 or Clause 43.01-1 for the internal rearrangement of the buildings or any internal works. The gross floor area of the building and the size of the works is not being increased and the number of dwelling is not being increased.
- The new fencing is more than 3 metres from the street and no permit is required under Clause 32.08 (see Clause 62.02-2), but a permit is required under Clause 43.01-1 as parts of the new fencing will be visible from Alma Road and Charnwood Crescent.

This Report is to be read in conjunction with amended plans prepared by Next Architects dated 2 July 2024.

Minor external buildings and works are required to provide disabled access, bicycle parking, landscaping, enable additional waste storage and to improve security, amenity and privacy for residents.

The external works required are:

Alma Road frontage

- 1m handrail to be provided along both sides of pathway to the building entrance for Building A (not heritage graded);
- 2m high timber paling fence and gate between Building A and western boundary to screen bins and secure courtyard;
- 3 windows to Building A frontage (not heritage graded) to be frosted to provide privacy for internal conversion to bathrooms.

Charnwood Crescent frontage and courtyard behind Building A

- Addition of 1.8m wide concrete ramp and metal handrails to provide DDA compliant access to rear of Building B (heritage graded) in accordance with Standard AS1428.1;
- Partial removal of existing fence and sleeper wall along Charnwood Crescent frontage to facilitate access to DDA ramp;
- 2 visitor bicycle spaces in front of Building A (not heritage graded);
- Addition of 10 mailboxes for use by residents in Building B;
- Addition of 2m high metal palisade fence across the undercroft to secure the courtyard and resident bicycle spaces;
- 13 secure resident bicycle spaces, provided via:
 - o 2 bicycle racks (providing spaces for 5 bikes each, 10 in total) in the undercroft of Building A (not heritage graded);
 - o 3 wall mounted bicycle racks (providing space for 1 bike each, 3 in total);
- Existing metal handrails on steps to front entry of Building B (heritage graded building) to be replaced and tactiles to be added to steps;
- 8 Air conditioners to be installed within courtyard;
- Provision of hot water system, gas metre and Main Switch Board (MSB)
- Landscaping to be provided in accordance with landscape plan.

Building B-northern (rear) elevation

- frosting of level 1 windows to provide privacy for internal conversion to bathrooms (no change to existing frosting at ground level).
- Air conditioning units (not visible from the street).

Western boundary

- Minor reduction in extent of garden bed to improve access and provide additional bin storage area;
- Additional bin storage area under metal stair case and along western boundary; and
- Air Conditioning units.

Roof

- A 4kw flat roof solar panels are to be located on the roof of the Building A (not heritage graded). As they are to be laid out to sit flat, there will be little if any visibility of the panels from Charnwood Crescent or Alma Road.

Other than this Introduction, this Planning Report consists of five (5) further sections, as outlined in the following table.

Section 2	Site Analysis	This section puts the subject site into context by providing a thorough description of it, as well as the properties adjoining it, and the area surrounding it.
Section 3	The Proposal	Describes the proposed use and development in detail.
Section 4	Planning Controls	Identifies the zoning and overlay controls and the Planning Policy Framework and Local Planning Policy Framework which are relevant to the proposed use and development.
Section 5	Planning Assessment	Provides an assessment of the proposed use and development against the planning controls and policy framework identified in Section 4.
Section 6	Conclusion	Provides a conclusion as to why the proposal is appropriate and that a permit should be granted subject to appropriate conditions.

2. SITE ANALYSIS

2.1 The Subject Site

The subject site is located in the suburb of St Kilda, approximately 6 kilometres south-east of the Melbourne CBD and within the municipality of Port Phillip.

The subject site is located on a corner lot, on the northern side of Alma Road and western side of Charnwood Crescent.

There are two crossovers providing vehicular access, one being located at the southern end of Charnwood Crescent and the other located at the at the south eastern end of the Alma Road frontage.

It is noted that the site also utilises vehicle access from the laneway (ROW) immediately adjacent No. 36 Alma Road which provides access to the 11 car spaces at the rear of the subject site. This laneway is known as ROW 3675 in Council's register of lanes.

The subject site is developed with two buildings that contain a total of twelve apartments. There is no strata plan for the development. It is registered on the land titles registry in Volume 08455 Folio 950, with the legal description as follows:

Lot 1 on Title Plan 384890D (formerly known as part of Crown Allotment G Portion 68 Parish of Prahran).

No known easements, restrictions or encumbrances are listed on the title. A recent copy of Title accompanies this application.

The location of the subject site is shown in **Figure 1** below.

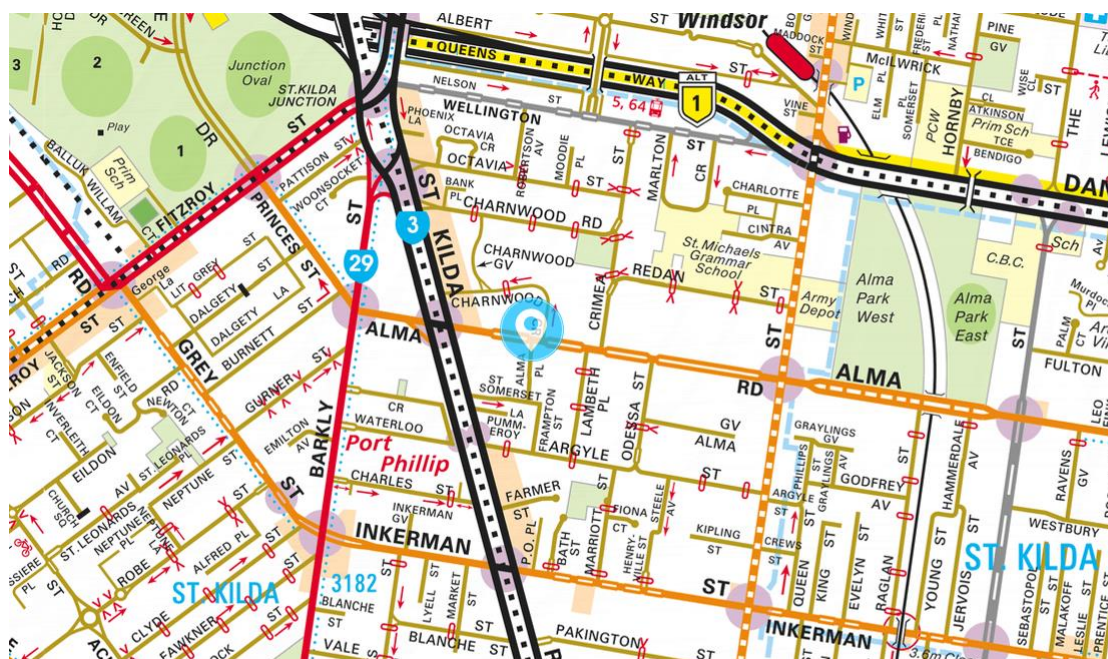


Figure 1: An extract from the Melways Street Directory, with the blue icon indicating the location of the subject site fronting Alma Road.

The subject site is irregular in shape, and has the following dimensions:

- a 25.10m-wide southern frontage to Alma Road;
- a 45.82m-long eastern (side) boundary with Charnwood Crescent;
- a 15.21m-long north-western (side) boundary with 36 Alma Road;
- a 15.21m long south-western boundary with No. 38 Alma Road;
- a 30.46m long western boundary with No. 38 Alma Road; and
- a 40.59m-wide northern (rear) boundary with No. 15 and 17 – 25 Charnwood Crescent.

The **site area** of the subject site is **1391m²**.

In terms of topography, the subject site includes a rise from the frontage to the rear.

The subject site is currently occupied by two buildings:

- Two storey brick dwelling with a hipped roof profile (heritage graded – constructed in 1868-9, the former ‘Toldara (later ‘Shirley’); and
- Three storey brick building with a flat roof profile (constructed circa 1960).

Both buildings comprise of apartments (total 12). A breakdown of the 12 apartments is as follows:

1 bedroom: 3 Apartments;

2 bedrooms: 8 Apartments; and

3 bedrooms: 1 Apartment.

Planning Permit History:

A planning permit was recently granted for the site, relating to external painting of the buildings (given their location in the heritage overlay), as follows:

PDVP/00231/2022		40 ALMA ROAD ST KILDA VIC 3182		APPROVED	DETERMINED
VicSmart Planning Permit		Default category		External painting within a heritage overlay	
Lodged	Accepted	Determined	Effective	Completed	
14-Dec-2022 16:40:23	15-Dec-2022 08:40:28	12-Jan-2023 15:21:27	12-Jan-2023 00:00:00		

Photographs of the existing features of the subject site are depicted in Figures 2 to 5 (below).



Figure 2: Aerial View of the subject site, indicated by the red arrow and red outline.



Figure 3: The subject site as viewed from Alma Road, indicated by the red underline.



Figure 4: The subject site, as viewed from Charnwood Crescent, including the 60s building (left) and original heritage building at the site (right of image).



Figure 5: Façade of the heritage building located centrally within the subject site.

2.2 Adjoining Properties

As can be seen in the map extract in Figure 6, below, the following properties adjoin the subject site. These properties are:

- **36 Alma Road;**
- **38 Alma Road;**
- **15 Charnwood Crescent; and**
- **17 – 25 Charnwood Crescent.**

Each property with regard to its location is shown in Figure 6 below.



Figure 6: An extract from Planning Maps Online, showing the subject site (red outline) and the surrounding neighbourhood.

Key features of the immediately surrounding properties are as follows:

- Secluded Private Open Space at the rear of No. 38 Alma Road sits immediately adjacent the western section of the subject site;
- There are several habitable room windows at No. 36 and No. 38 Alma Road which face towards the western section of the subject site;
- Secluded Private Open space at No. 15 and 17 – 25 Charnwood Crescent sit immediately adjacent to the northern boundary of the subject site, noting that there are habitable room windows located at the southern section of both buildings for both properties which face towards the subject site.

Public Roadway:

It is noted that there is a laneway off Alma Road (between Nos. 36 and 38) providing access to No. 36 Alma Road, the rear of Nos. 28-34 Alma Road, the rear of 11 and 13 Charnwood Crescent and the rear car park area at the subject site. It is understood from previous discussions with Council (pre-application discussions) that this road is classified as a public road on Council's Road register, affording access to all lots.

R3675 ALMA RD DEAD END 38 ALMA RD St Kilda ROW - Non Shopping 1/07/2004

Figure 7: Above is an extract from Council's register of lanes which lists this roadway as R3675

This is also shown on Council's online mapping system, which shows the ROW in grey.



Figure 8: An extract from Council's online mapping system "Near Me" showing the ROW in grey and subject site in red¹

2.3 The Surrounding Area

The subject site is located in a well-established residential and mixed use precinct surrounding. There are a variety of built form typologies surrounding the subject site, including original housing stock i.e. single dwellings on a lot, infill development in the form of townhouses and apartment developments comprising of walk up flats and more recent higher intensity multi storey developments.

There are a variety of public transport services on offer, including access to tram routes along St Kilda Road and Chapel Street, with Windsor station located to the north-east of the site.

Public transport services available within proximity to the subject area are detailed in the image below.

¹ Council's Near Me mapping system:
<https://www.portphillip.vic.gov.au/explore-the-city/travelling-around/using-port-phillip-maps>

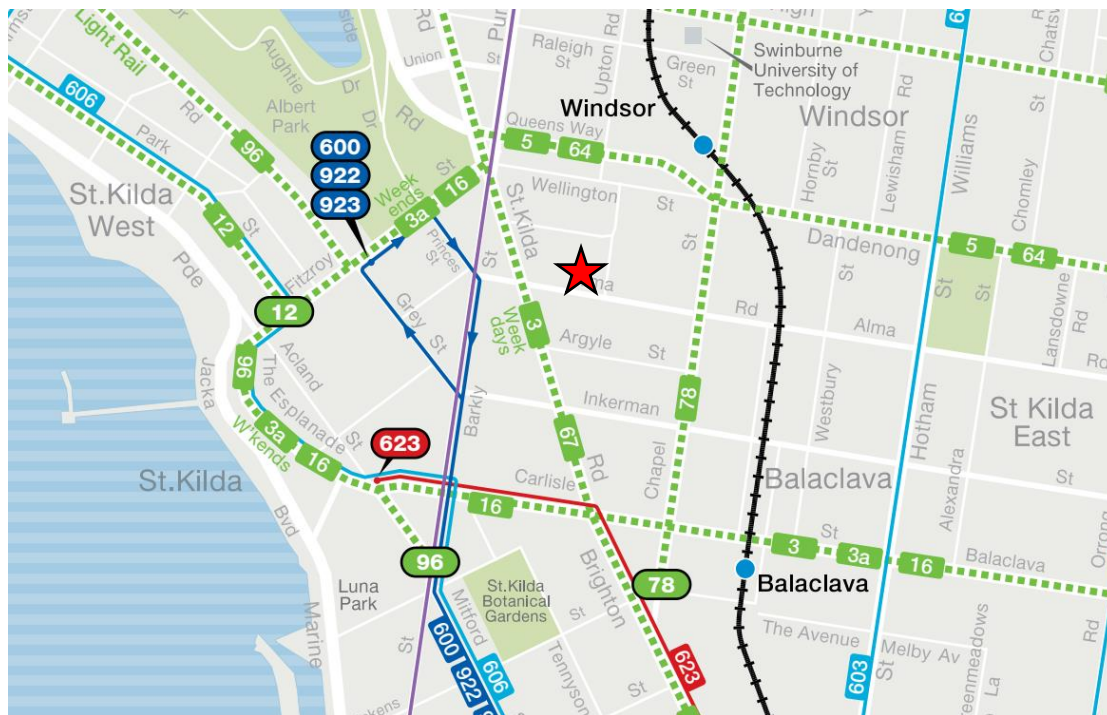


Figure 9: PTV map showing the available public transport services within close proximity to the subject site.

3. THE PROPOSAL

The proposal included pre-application advice with Maggie Pridmore of Port Phillip City Council in 2022.

The feedback, along with further design development has guided the proposal as submitted to Council, ensuring that the proposal seeks to provide for an appropriate planning outcome with regard to its scale and land use.

Further changes have been introduced following the preparation of amended plans to be circulated in accordance with the VCAT Practice Note PNPE9 (Amendment of Planning Permit Applications and Plans).

The proposal seeks to use the land for the purpose of a Rooming house, providing inclusionary and affordable social housing services within the local area and to undertake minor buildings and works associated with the change in use. As part of this application retention of both existing buildings on site is to occur.

There will be no construction or extension of any dwellings or residential buildings. Permission for the external repainting existing buildings has previously been approved under the VicSmart planning permit referenced in Section 1 (PDVP/00231/2022).

The proposed Rooming house has been designed to meet the provisions of the Residential Tenancies Act 1997. The operator will be required to comply with the Standards in the Rooming House Operators Act 2016 and will be registered with the City of Port Phillip under the Public Health and Wellbeing Act 2008.

Internal rearrangement works will be required as part of this application to facilitate the revised layouts to provide accommodation across both buildings, providing for a total of 22 Rooming house rooms each containing one bedroom.

It is noted that 5 of the rooming house rooms are self-contained, inclusive of the managers residence at ground floor level. These suites have kitchenettes contained within them. All rooms have access to the shared kitchen, dining, laundry facilities and the common areas including the courtyard.

This is consistent with the allowable provision for a self-contained apartment to be treated as if it were a room in a rooming house. Section 18(2) of the Residential Tenancies Act 1997 provides:

“This Act applies to a self-contained apartment in a rooming house as if it were a room in that rooming house if the ratio of rooms to self-contained apartments in the rooming house is not less than 3 rooms for every self-contained apartment.”

The number of self-contained apartments to rooming house rooms is 5:17 (which is 1:5.66). Accordingly, there are not less than 3 rooming house rooms for every self-contained apartment.

A summary of the proposed conditions is as follows:

Site Area: 1395.2 m ²	Permeability: 381.45m ² (27.34%)
Internal Court Yard: 104.01m ²	Garden Area: 535.28m ² (38.36%)

A breakdown of each suite to be provided is as follows:

Ground Level – Floor Area Provided in m²:

Suite 1: 1 bed (43.47m²);
Suite 2: 1 bed (35.23m²);
Suite 2a: 1 bed (35.23m²);
Suite 3 (Manager Residence): 1 bed (39.13m²);
Suite 10: 1 bed (39.64m²);
Suite 10a (DDA Self Contained): 1 bed (42.10m²);
Suite 12: 1 bed (25.19m²); and
Suite 12a (Self Contained) (42.22m²): 1 bed.

Entry: (14.24m²)
Communal Kitchen/ Laundry: (14.45m²);
Corridor - Combined: (28.44m²);
Stair Areas – Combined: (19.30m²); and
Storage: (4.23m²).
Car Parking Spaces: 11.

Total comprised of:

- 8 Suites, All 1 Bedroom, 4 x 1 Bedroom, 4 x Self Contained.

Level 1:

Suite 4: 1 bed (40.22m²);
Suite 4a (Self Contained): 1 bed (42.50m²); and
Suite 5: 1 bed (35.98m²).

Total comprised of:

- 3 Suites, 2 x 1 Bedroom, 1 x Self Contained – 1 Bedroom.

Communal Kitchen/ Laundry: (17.92m²);
Corridor - Combined: (12.73m²); and
Stair Areas – Combined: (19.17m²).

Level 2:

Suite 6: 1 bed (43.47m²);
Suite 7: 1 bed (36.10m²);
Suite 7a: 1 bed (28.36m²);
Suite 8: 1 bed (17.90m²);
Suite 8a: 1 bed (38.98m²);
Suite 9: 1 bed (26.99m²);
Suite 9a: 1 bed (24.54m²);
Suite 9b: 1 bed (33.65m²);
Suite 11: 1 bed (24.40m²);
Suite 11a: 1 bed (27.09m²); and
Suite 11b: 1 bed (33.39m²).

Total comprised of:

- 11 Suites, 11 x 1 Bedroom.

Proposed Internal Rearrangement Works:

To facilitate the conversion from the previous 12 apartments to the 22 rooming house rooms (inclusive of the onsite manager's accommodation). There will be internal rearrangement works to both of the existing buildings (labelled as Building A and Building B).

This will not require any changes to the building envelope of either of the existing buildings, and will not increase the gross floor area of the buildings.

Solar Panels:

A 4kw flat roof solar panels are to be located above the eastern and southern planes of the 1960s building, being the building that is not listed as having heritage significance.

As the solar panels are to be laid out to sit flat, there will be minimal visibility of the panels from Charnwood Crescent or Alma Road, as shown on the sightline drawing accompanying this application.

Car Parking:

The proposal seeks to reduce the number of spaces from 15 (existing) to 11.

10 car parking spaces to be located within the existing car park area located at the rear of the site, reducing the rear carparking by one space to provide for a DDA space.

The three existing car spaces provided in the courtyard between Buildings A and B, accessed from Charnwood Crescent via the undercroft, will not be retained and instead this area will be used for communal private open space.

The carpark in the southeast corner of the site, accessed from the Alma Road crossover, will be retained.

The proposal continues to comply with the relevant car parking requirements under Clause 52.06 of the Scheme, as addressed in further detail in Section 5.5.1 below.

Setbacks off boundaries:

As noted above, there is to be no change to the existing building envelope, therefore the existing setbacks from all boundaries will remain the same.

Fences:

Partial removal of the existing fencing along the eastern boundary is proposed to provide for the access ramp and handrail.

No change is proposed to the boundary fencing along the north (rear) and west (side boundaries).

The proposal includes the construction of a 2m high metal palisade fence across the undercroft of the 1960s flats (Building A at ground floor) to provide improved security for the central courtyard and secure bike parking.

A short section of additional 2m high timber paling fencing will be introduced to the Alma Road frontage between Building A and the western boundary. This will screen the bin storage and secure the courtyard area.

Crossover:

No change to the existing crossovers is to occur as part of this application.

Mailboxes:

Mailboxes are to be provided for all residents, comprising the following:

- Existing 12 mailboxes allocated to front building (Building A) which will provide mailboxes for 11 suites + manager suite; and
- Additional 10 mailboxes provided for rear building (Building B) along the eastern boundary, as shown on the elevation (as shown on TPO2.01).

Architectural Plans:

Further detail regarding the proposal, including the proposed layout are shown on the plans prepared by Next Architects.

4. PLANNING CONTROLS

4.1 Preamble

The planning control framework that applies to the subject site and the proposed development including zoning, overlays, planning policy framework, and particular provisions are contained within the Port Phillip Planning Scheme (the 'Scheme').

Section 5 of this Report provides discussion regarding how the proposal accords with the relevant provisions of the Scheme.

4.2 Zoning

The subject site is located within the following zone:

General Residential Zone – Schedule 1 (General Residential Areas)	as contained within Clause 32.08 of the Scheme.
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An assessment against the relevant requirements of the GRZ1 is included in Section 5.2 of this Report.

4.3 Overlays

The following Overlay affects the subject site:

Heritage Overlay (HO6)	as contained within Clause 43.01 of the Scheme.
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An assessment against the relevant requirements of the HO6 is included in Section 5.3 of this Report.

4.4 Planning Policy Framework

Those sections of the Planning Policy Framework (PPF) which are considered relevant to the proposed development are:

Heritage	as contained within Clause 15.03 of the Scheme.
Residential Development	as contained within Clause 16.01 of the Scheme.

An assessment against the relevant sections of the Planning Policy Framework is included in Section 5.4 of this Report.

4.5 Particular Provisions

The following Particular Provisions of the Planning Scheme are relevant to this application:

Car Parking	as contained within Clause 52.06 of the Scheme.
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An assessment against the relevant sections of the Particular Provisions is included in Section 5.5 of this Report.

5. PLANNING ASSESSMENT

5.1 Matters for Consideration

Pursuant to the Decision Guidelines contained within Clause 65 of the *Port Phillip Planning Scheme* ('The Scheme') and given the planning controls identified in Section 4 of this Report, the following matters are to be considered in the assessment of the proposed development.

5.2 Zoning

General Residential Zone – Schedule 1

Under the Scheme the subject site is situated within the General Residential Zone – Schedule 1 (GRZ1) which applies to all immediately adjoining properties to the east and west, with properties to the north of the site located within the Neighbourhood Residential Zone – Schedule 5 (NRZ5).

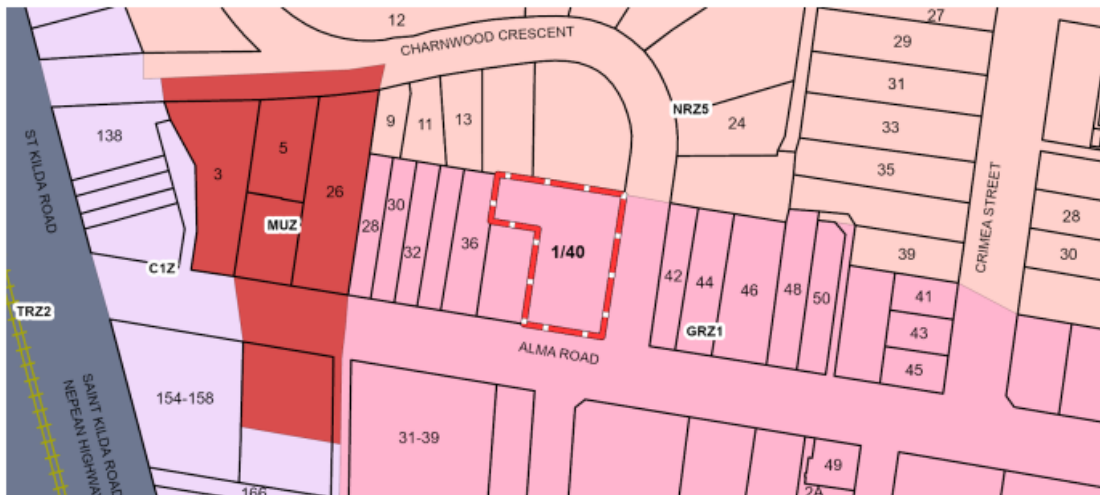


Figure 10: Extract from VicPlan detailing the site's location within the General Residential Zone, which applies to all properties immediately east and west of the subject site.

The GRZ1 has the following purposes (Clause 32.07):

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The proposed use is Rooming House (nested within Residential building – Accommodation), which is defined at Clause 73.03 of the Port Phillip Planning Scheme (Land use terms) as follows:

“Land used for a rooming house as defined in the Residential Tenancies Act 1997 .”

A Rooming House is listed as a Section 1 (no permit required) use in the GRZ1 provided the following condition is met:

- Must meet the requirements of Clause 52.23-2.

The requirements from **Clause 52.23 (Rooming House)** are as follows:

Use Exemption:

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.

- *The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.*
- *No more than 12 persons are accommodated.*
- *No more than 9 bedrooms are provided.*

Buildings and works exemption

Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- *No more than 9 bedrooms are developed on the land.*
- *Bedrooms can only be accessed from within the building.*
- *The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.*
- *If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.*
- *Shared entry facilities and common areas, including a kitchen and living area, are provided.*

The highlighted areas above note the items for which the proposal does not comply with these conditions, therefore, a planning permit is required for the land use.

There are no buildings being developed on the land and the internal rearrangements to the existing buildings fall within the exemption at Clause 62.02-2 (discussed below). The minor works being undertaken do not contravene the exemption, although the total floor area of the existing buildings exceeds 300 square metres, excluding outbuildings.

Clause 32.08-14 sets out the following relevant Decision Guidelines that the responsible authority must consider in any application as appropriate:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

There are no objectives or decision guidelines set out in the schedule to the zone. There are no new buildings or works that will impact overshadowing of existing rooftop solar energy systems. There is no construction or extension of a residential building, since the existing buildings are not being extended.

It is considered that the use of the land for a Rooming house is appropriate in consideration of the above, for the following reasons:

- **The proposed land use is to occur within the two existing buildings, which require minimal internal works to be repurposed from their existing purpose (dwellings) to Rooming house with suitable layouts to meet the requirements of these residents;**
- **The proposal provides for a modest increase in the total number of bedrooms to be provided from 19 (existing) to 22 (proposed) within two buildings that can readily accommodate this change, as reflected in the proposed floor plans;**
- **The proposal maintains provision for landscaping to be provided across the subject site;**
- **The proposal satisfies the car parking requirements as set out under Clause 52.06 ensuring there is no unreasonable impact on parking infrastructure present on Alma Road or Charnwood Crescent;**
- **The proposal will maintain the domestic appearance of the existing built form to ensure that there is no perceptible change to the current conditions; and**
- **The proposal will not render any change with respect to overlooking, overshadowing or other built form outcome relative to the existing conditions;**
- **The proposal provides a garden area that exceeds the minimum garden area requirement that is applicable in the General Residential Zone.**

It is considered that the minor buildings and works associated with the section 2 use (Rooming house) are appropriate in consideration of the above, for the following reasons:

- The works are minor and do not increase the building envelope or height of the residential buildings and ensure the buildings retain their residential form and scale, consistent with the varied architectural styles and typologies found within the surrounding area; and
- The works will allow for the on-going use of the site for a residential purpose without requiring extensive change to the existing conditions, both with regard to internally within the buildings and externally across the site.

Internal Works (building and works exemption)

Reference to the proposed internal works has been outlined in Section 3 and assessed in Section 5 of this report. Internal works do not require a permit under the planning scheme (and there are no internal works controls under Clause 43.01 and its schedule 6. The internal works are exempt from assessment, pursuant to Clause 62.02-2 of the Scheme (*Buildings and works not requiring a permit unless specifically required by the planning scheme*), noting the following extract:

- *The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.*

No increase in floor area or the number of dwellings is proposed.

5.3 Overlays:

5.3.1 Heritage Overlay – Schedule 6 (HO6) St Kilda East

The subject site is affected by a Heritage Overlay – 6 (HO6) –see Figure 11 below. This overlay applies to all surrounding properties.



Figure 11: Extract from Planning Maps Online showing the subject site (outlined in red) within the HO6.

As outlined in Section 2.2 of this Report, the subject site comprises of two buildings, one building being constructed in the 1960s (non-graded), being the 3 storey apartment building and the original heritage graded building at the rear.

A summary of the proposed external works has been provided in Section 3 above. These works are considered to be relatively minor and seek to facilitate the proposed land use in a manner which will allow for efficient functionality for all users, while also seeking to appropriately sit within the heritage fabric, particularly the heritage fabric.

It is considered that the minor buildings and works associated will not have any adverse heritage implications as follows:

- There is no permit requirement for internal alterations to the heritage building (or 1960s addition) under the HO6, where it is noted that Council's heritage officer had no objection to the original application, where internal alterations were proposed;
- The additional works are only a modest extent of change, and are consistent with the relevant local policy Clause under the Port Phillip Planning Scheme (Clause 15.03-1L).

A comprehensive assessment of the proposed works has been undertaken by Bryce Raworth in the Heritage Impact Statement which accompanies this amendment application.

5.4 Planning Policy Framework

The following Clauses are relevant to this application:

**Clause 15.03 (Heritage); and
Clause 16.01 (Residential Development).**

Each Clause, including sub-clause is provided below:

Clause 15.03 (Heritage):

Clause 15.03-1S (Heritage Conservation):

Objective

To ensure the conservation of places of heritage significance.

Strategies:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the protection of natural heritage sites and man-made resources.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings where their use has become redundant.*
- *Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.*

Clause 15.03-1L (Heritage Policy):

Policy application

This policy applies to all land within a Heritage Overlay

Strategies:

Conserve and enhance Significant and Contributory buildings as identified in the incorporated document in Schedule to Clause 72.04 ' City of Port Phillip Policy Map ' .

Conservation of heritage places and new development are guided by the statement of significance, the urban context and any relevant documentary or evidence.

Encourage high quality, contemporary design responses for new development that respects and complements the heritage place by using a contextual approach

- *Responds to and reinforces the contributory features of the heritage place, including: –*
 - *Building height, scale, massing and form.*
 - *Roof form and materials.*
 - *Siting, orientation and setbacks.*
 - *Fenestration and proportion of solid and void features.*
 - *Details, colours, materials and finishes.*
- *Conserves and enhances the setting and views of heritage places.*
- *Maintain the integrity and intactness of heritage places.*
- *Conserve and enhance the significant historic character, intactness and integrity of streetscapes within heritage precincts including:*
 - *The layering and diversity of historic styles and character where this contributes to the significance of the precinct.*
 - *The consistency of historic styles and character where this contributes to the significance of the precinct.*
- *Avoid development that would result in the incremental or complete loss of significance of a heritage place by:*
 - *Demolishing or removing a building or feature identified as Significant or Contributory in the incorporated document in Schedule to Clause 72.04 ' City Phillip Heritage Policy Map . '*
 - *Altering, concealing or removing a feature, detail, material or finish that contributes to the significance of the heritage place.*
- *Distorting or obscuring the significance of the heritage place by using historic styles and detail where these previously did not exist.*

Additional Strategies are listed with regard to the following items:

- *Demolition and Relocation;*
- *Conservation;*
- *Alteration;*
- *Additions;*
- *New buildings;*
- *Vehicle access;*
- *Fencing; and*
- *Signage.*

Response:

The outcomes sought under the above Clauses has been largely addressed under the Heritage Overlay (above), where it is submitted that the works will have an imperceptible change to the external conditions, notably towards the significantly graded heritage building on site.

This will ensure the heritage building, where visible from the public realm (east) and adjoining properties (north and west) will continue to illustrate the building to detail itself largely in its original form.

Housing Supply (Clause 16.01-1S):

Objective:

To facilitate well-located, integrated and diverse housing that meets community needs.

Strategies:

- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*

Housing Affordability (Clause 16.01-2S)

Objective:

To deliver more affordable housing closer to jobs, transport and services.

Strategies:

- *Increase the supply of well-located affordable housing by:*
 - *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*
 - *Ensuring the redevelopment and renewal of public housing stock better meets community needs.*
- *Facilitate the delivery of social housing by identifying surplus government land suitable for housing*

Housing Affordability (Clause 16.01-2S)

- *Locate affordable and social housing within walking distance from the Principal Public Transport Network (PPTN) or Major Activity Centre or Neighbourhood Activity Centre.*
- *Encourage a broad spectrum of affordable housing through innovative models including affordable rental housing (community housing and Build to Rent) and affordable home ownership (Shared Equity Housing, Community Land Trusts, Rent to Buy).*
- *Provide affordable housing with a priority for moderate income households.*
- *Provide social housing with a priority for very low and low-income households that addresses identified local need.*
- *Encourage well-designed affordable and social housing within development that:*
 - *Integrates with the remainder of the development and is externally indistinguishable from other dwellings/development.*

-Reflects the overall dwelling composition of the building.

-Has internal layouts identical to other comparable dwellings within the building. Avoid the conversion of existing social housing and registered rooming houses into other forms of residential buildings, such as backpackers' lodges.

- *Support the redevelopment of social housing (including public housing estates) to: Increase the yield of social (public and community) housing in terms of both total number of dwellings and total number of bedrooms.*
- *Increase the diversity of housing through inclusion of community and affordable housing.*
- *Increase the quality of housing.*
- *Address local housing need.*
- *Integrate the design of built form with built form of surrounding neighbourhoods. Provide broader public benefits to the wider community through delivery of public spaces and shared community facilities and co-located community services.*

Policy Guidelines:

- *Consider as relevant: Locating affordable and social housing no more than 400 metres walking distance from the PPTN or Major or Neighbourhood Activity Centres.*
- *Providing a mix of bedsitter, one, two and three bedroom affordable and social housing dwellings that are in the same ratio as the mix of bedsitter, one, two and three bedroom dwellings in the overall building.*
- *Providing a mix of one and two bedroom dwellings for moderate income households.*
- *Providing appropriately sized social housing for the following priority groups of local need:*
 - *Smaller families with children in two bedroom dwellings.*
 - *Larger families with children in three or more bedroom dwellings.*
 - *Older persons, particularly older single women, in one and two bedroom dwellings.*
 - *Singles who are experiencing homelessness and sleeping rough, in bedsitter and one-bedroom dwellings.*
 - *Persons at greatest risk of homelessness, in bedsitter and one bedroom dwellings.*
 - *Lower income wage earners, in one and two bedroom dwellings.*
 - *Youth, in particular younger women, in bedsitters and one bedroom dwellings.*

Response:

The proposed use is considered to be highly compatible with the outcomes sought under the objective and strategies above, given the site's location which provides ease of access to nearby services and activity centres.

This is illustrated by the site's location within the PPTN, as well as being within walking distance of both St Kilda Road and Chapel Street which provide access to a variety of public transport and services the future residents can access without reliance on private vehicle (car) transport.

As detailed on the proposed floor plans (TP.01.01- TP.01-03) the layouts for each suite provide for a diverse layout between each building and each floor which has the ability to accommodate a variety of living requirements.

This includes all suites being provided with separate bathroom and bedrooms to ensure that the residents can have a level of privacy-contained within their residence.

Most importantly, the proposal will provide for a significant increase in the provision of social housing, in an area where there is a clear need to increase rooming house and community care accommodation.

To this end, Council has recognised the importance and need to significantly increase the provision of affordable housing within the municipality.

Council has prepared and adopted a strategy entitled 'In our Backyard – Growing Affordable Housing in Port Phillip 2015 – 2025', which is aimed at addressing housing affordability.

One of the key aims is to provide housing for the socially disadvantaged and marginalised. This is partly reliant upon the private sector in providing such accommodation. The proposed repurposing of the apartments within the existing buildings on the subject site to provide Rooming house accommodation will provide a positive contribution to the provision of affordable accommodation to low-income groups.

Private rooming houses (provided by private landlords and investors) is recognised as one of the key typologies in housing products for the very low to low-income population in Port Phillip.

Accordingly, it is considered that this proposal is highly responsive to the policy framework relating to housing supply and housing affordability.

5.5 Particular Provisions

5.5.1 Car Parking (Clause 52.06)

Clause 52.06-1 provides the requirements of Clause 52.06 that apply to a new use.

Clause 52.06 sets out the following purpose:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Under Clause 52.06-2 prior to a new use commencing, the car parking spaces required under Clause 52.06-5 must be provided on the land. Clause 52.06-3 states that a permit is required to reduce the number of spaces.

The subject site is located within the Principal Public Transport Network. Therefore, under Table 1 to Clause 52.06-5 of the Scheme, a 'rooming house' requires the following car parking spaces:

- *1 space to each four bedrooms*

As noted in Section 3 of this Report the proposal seeks to provide for 22 bedrooms, therefore, requiring 5 car spaces (rounding down from 5.5) to be provided.

Given that there are 11 spaces to be provided it is noted that the proposal satisfies the requirements under Clause 52.06 of the Scheme.

Additionally, as part of this amended application, a detailed Traffic Engineering Assessment has been completed by Traffix Group.

This assessment provides an overview of the proposed car parking/ vehicle movements associated with the use, including the following summary:

- The majority of car parking on site will operate as per existing conditions. The rear car park will continue to access the subject site via the existing laneway (R3675) and the number of car spaces using the accessway is reducing by one (from 11 carparks in the rear to 10), representing no significant difference in vehicle movements in/ out of the site;
- The reduction in on-site car parking (4 spaces) will continue to provide an appropriate level of car parking on site, providing 11 spaces which is more than the statutory requirement;
- Minor alterations to the existing kerbing at the rear of the subject site would allow for an improvement for vehicle egress, however, it is not a mandatory requirement, and vehicles are presently accessing the carpark under the existing conditions; and
- In addition to the car parking provision, 15 bicycle spaces are to be provided for resident and visitor use.

5.5.2 Rooming House (Clause 52.23)

Assessment of the proposal under this provision is provided above in Section 5.2 under the land use assessment in the GRZ1.

6. CONCLUSION

The proposal is considered to be appropriate for the subject site because:

- The proposal achieves a high level of compliance with the purpose and intent of the GRZ, the relevant requirements of the Port Phillip Planning Scheme including the Planning Policy Framework and the decision guidelines of Clause 65;
- The proposal will facilitate the delivery of quality low-cost persons' housing in a location which is in close proximity to a wide range of existing services and infrastructure. By doing so, the proposal will contribute to the supply of a form of housing which is needed in Victoria;
- The proposal will increase the range of housing types that exist in the area and will assist in addressing the shortfall of accommodation for very low to low income people;
- The proposal will contribute to the diverse social and economic population demographics of the St Kilda neighbourhood;
- The proposal will facilitate the upgrading of the existing accommodation on-site and the re-purposing of the existing accommodation to enhance the provision of low cost housing;
- The proposed use will allow for an efficient use of the site and make a positive and respectful contribution to the neighbourhood; and
- The proposal will not have detrimental impacts upon the built of natural environments, will complement the orderly planning of the surrounding area and will not have any unacceptable impacts upon the amenity of adjoining properties.

Given all of the above, it is considered the proposal warrants approval subject to appropriate permit conditions to ensure its orderly operation.

Yours Sincerely,



Hamish Balzan
Senior Urban Planner
Urban Edge Consultants Pty Ltd