



# Planning Permit Application 35-65 Paramount Road & 99 Olympia Street, Tottenham Planning Report

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26 October 2022

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# 1. Introduction

proUrban Advisory, Planning & Management ('proUrban') act on behalf of 'The Trustee For The Paramount Victoria Trust' ('the applicant') in relation to the property at 35-65 Paramount Road and 99 Olympia Street, Tottenham ('the site').

This planning report and attached documentation forms an application to Maribyrnong City Council ('the responsible authority') for use and development of the land for the purposes of warehouse and office, removal of native vegetation, access to a road in the Transport 2 Zone and a reduction in car parking.

A review of the planning controls and a detailed inspection of the subject site and surrounds have been conducted to inform this application.

This report should be read in conjunction with the following documents:

- Certificate of Title Documentation;
- Metropolitan Planning Levy Certificate;
- Architectural Drawings prepared by Qanstruct;
- Traffic Impact Assessment, prepared by Traffix Group;
- Landscape Plan prepared by John Patrick;
- Heritage Impact Statement prepared by Lovell Chen;
- Arboricultural Report prepared by John Patrick;
- Cultural Heritage Assessment prepared by Tardis;
- Preliminary Environmental Contamination and Gas Assessment prepared by Greencap;
- Sustainable Management Plan prepared by Ark Resources; and
- Stormwater Management Plan prepared by Davis Naismith & McGovern.

Overall, we submit that the proposal is generally consistent with the relevant policy objectives and intent of the Maribyrnong Planning Scheme and presents a commercial and strategic design response to the site's opportunities and constraints and the broader context of the surrounding area.

We seek to engage in a collaborative application process with Council to ensure a mutually desirable outcome is achieved for the subject site.



Figure 1 | Aerial Image of Subject Site

## 2. Site Context

### 2.1 Site Description

The subject land is located at 35-65 Paramount Road and 99 Olympia Street Tottenham, and is comprised of two land parcels, formally identified as:

- 99 Olympia Street:
  - Lot 1 on TP806290
- 35-65 Paramount Road:
  - Lot 1 on TP806244
  - Lots 1 and 2 on TP806261
  - Lot 1 on TP806328

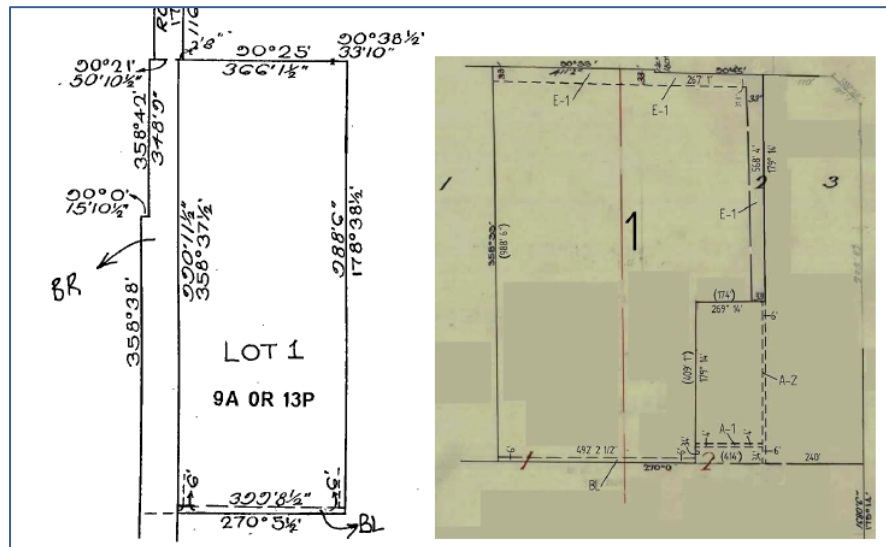


Figure 2 | Lot Plans for both land parcels

The site is subject to an easement along the southern boundary of the site which is associated with sewerage and drainage. A carriageway easement exists to the north of 35-65 Paramount Road to provide access to 99 Olympia

Street from the north-east. These easements will not be impacted as part of this proposal.

The site is located approximately nine (9) kilometres west of the Melbourne CBD and sits within an established industrial area.

The subject site comprising a continuous land holding of just under 10 hectares. The site is a regular shaped block with a frontage of approximately 300 metres to both Paramount Road and Olympia Street.

The site is generally flat in nature and is devoid of any significant vegetation.

Access to the site is provided via five (5) crossovers; three (3) crossovers on Olympia Street to the west, one (1) on Paramount Road to the north-east and one (1) off Sredna Street to the north.

### 2.2 Existing Conditions

The western parcel of the site (99 Olympia Street) is currently occupied by a large warehouse utilised for logistics purposes with associated loading areas to the south of the built form and car parking around the western and northern interfaces. A large patch of predominantly unoccupied land is located to the south of the parcel.

The eastern parcel (35-65 Paramount Road) is occupied by several vacant warehouse facilities, with those along Paramount Road and in the middle of the site generally presenting vacant warehouse/factories. To the north-west, newer warehousing has been built and is currently functioning as a logistics facility. Similarly to 99 Olympia Street, the rear of the site provides large areas of vacant space topped with light grass cover. The south-eastern corner of the site demonstrates heavy vegetation associated with Stony Creek.

### 2.3 Site Interfaces

The subject site is surrounded by predominantly industrial land uses.

The subject site's northern border is shared with a variety of industrial and commercial buildings to the north-west and range of residential properties to the north-east.

To the west Olympia Street forms the subject sites western border. Further west, across Olympia Street is a variety of industrial and office buildings.

Paramount Road forms the subject site's eastern border. On the opposite side of Paramount Road, a variety of industrial warehouse buildings comprise a vehicle dealership, gardening supplies and storage. Land to the east has been identified with potential for transition to urban renewal/residential.

Stony Creek runs along the sites south-eastern border. The remainder of the southern boundary is shared with number 4-4a Paramount Road and 31 Alick Road, which is currently used as a shipping container storage facility.

#### 2.4 Surrounding Area

The Tottenham area and immediate environs have long been designated for industrial land uses and developments, and local and state policies and strategies support the further intensification of industrial and economic development of the industrial precinct.

The wider area comprises of predominantly industrial zoned and occupied land characterised by older small and medium warehouse facilities. Further to the north are residential areas adjacent to and across the Sunbury Railway Line and east along Somerville Road. Residential developments are also found to the east but are separated from the subject site by numerous industrial facilities.

It is apparent that the surrounding area has experienced, and will continue to undergo a change in development, with evidence of contemporary style dwellings and offices interspersed amongst industrial warehouses.

#### 2.5 Heritage Components

The northern and north-eastern portion of 35-65 Paramount Road is subject to the Heritage Overlay Schedule 152 (HO152), which relates to *Pacific Carpets*, which is of regional historical and architectural significance for its important historical role in the development of the carpet textile industry in Melbourne and for its distinctive and unusual architectural form.

Heritage experts Lovell Chen have been engaged and have considerably informed the proposed design. A heritage statement is provided with the application.

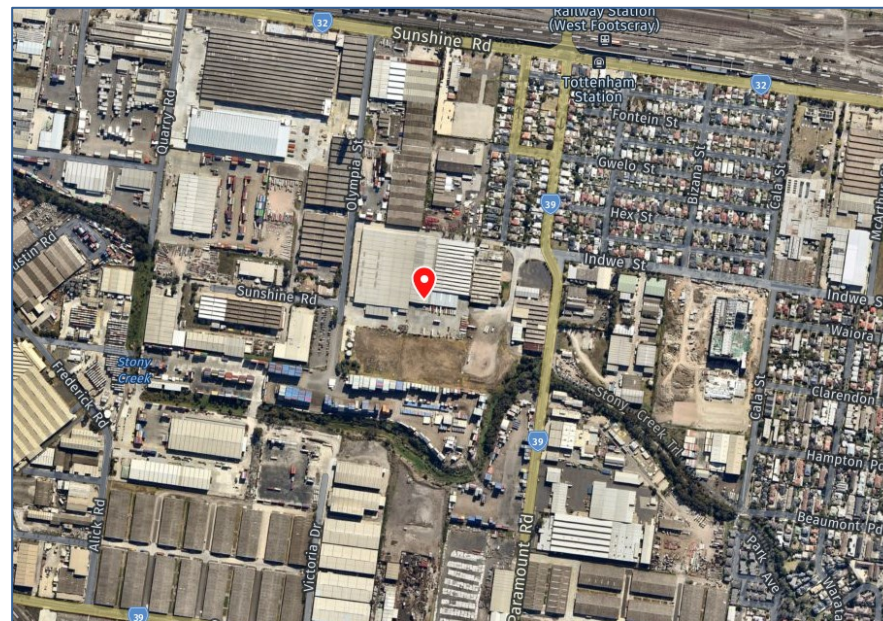


Figure 3 | Aerial Image of Subject Site and Surrounds

#### 2.6 Permit History

##### 2020-2021: Permit TP592/2019(1), 35-65 Paramount Road, Tottenham

In early 2020, a planning application was lodged at 35-65 Paramount Road in Tottenham, seeking approval for:

*Demolition, use and development of the land for the purposes of warehouses and offices, construction and display of a pole sign and business identification signage and a reduction in the car parking requirement on Land within a Heritage overlay and land subject to inundation overlay and a by a Public Acquisition Overlay and on a Road Zone Category 1.*

Of particular importance, this application sought demolition of all heritage fabric.

The application was refused by Council on 10 August 2020. Council's grounds of refusal are outlined below:

- 1. The intensity and design of the proposed building fails to respond to the objectives and strategies of Clauses 15.01-1R (Urban Design – Metropolitan Melbourne) 15.01-2S (Building Design) of the Maribyrnong Planning Scheme.*
- 2. The intensity and design of the proposed building fails to respond to Clause 21.06-3 (Built Environment & Heritage) of the Maribyrnong Planning Scheme. Specifically, the design fails to achieve appropriate heritage outcomes as required by objectives 8 and 9.*
- 3. The development fails to respond to the objectives of Clause 22.01 (Cultural Heritage Policy) and Clause 43.01 (Heritage Overlay) in that it fails to conserve and enhance elements, which contribute to the significance of the Heritage place.*
- 4. The speculative nature of the proposal is not supported as it fails to meet the policy objectives of Clause 21.08-3 (Industrial Related Employment Land) as it does not provide any certainty on the economic and employment benefits of the proposal.*
- 5. The development fails to provide an acceptable building design, contrary to the decision guidelines at Clauses 33.01-4 & 33.03-4 of the Maribyrnong Planning Scheme.*
- 6. The development fails to provide a net community benefit, as required by Clause 71.02-3 (Integrated Decision Making) of the Maribyrnong Planning Scheme.*

The decision was appealed and was heard at VCAT in April 2021 (P1647/2020). The Tribunal affirmed the decision of the responsible authority, and no permit was granted.

The development was refused at the Tribunal, primarily on heritage grounds. More specifically, the Tribunal determined that:

- The buildings proposed to be demolished have heritage significance and relevant provisions and policy favour the retention of visible heritage fabric.*
- Evidence provides interpretive elements about the heritage significance of the existing buildings and also takes a more balanced view of what can and should be retained.*
- There is insufficient information on structural integrity and the condition of the buildings proposed to be demolished in order to support demolition.*
- Potential road widening of Paramount Road under the PAO is a separate and uncertain process, despite the overlap of the PAO mapping and the most significant parts of Building C recommended for retention. No detail about the nature and timing of any proposed road widening works was submitted to the Tribunal.*
- For these reasons, I find the total demolition of the buildings identified would be an unacceptable planning outcome as it will adversely affect the significance of the heritage place.*
- Based on the submissions, evidence and material before me, I find there is opportunity in this instance where a more balanced outcome can be achieved, where heritage can be retained and a significant amount of the site can still be retained, used and developed for future industrial land use purposes.*

The Tribunal also outlined some concerns with vehicle access and car parking outcomes; however these were not explored in depth given the determinative heritage findings.

### 3. Proposal

The application seeks approval for the following:

#### 3.1 Land Use

The proposal seeks to use the land for the purposes of office and warehouse.

Warehouse is defined within the Planning Scheme as:

- *Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.*

It is noted the majority of the proposed offices are associated with the proposed warehouses and are therefore considered ancillary to the use of land for warehouse, for the purposes of land use definition and car parking calculations.

Office is defined within the Planning Scheme as:

- *Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.*

The proposed office (C3) is not associated with the warehouse facilities and therefore we seek approval for the office land use.

The development outcome is explained more specifically below:

- **99 Olympia Street**
  - **Building A:**
    - Existing warehouse with existing ancillary ground and first floor office.

- **Building D:**
  - Warehouse with two-storey ancillary office.
- **35-65 Paramount Road**
  - **Building B1:**
    - Warehouse with existing two-storey ancillary office and new dock office.
  - **Building B2:**
    - Warehouse with ancillary office and dock office.
  - **Building C1:**
    - Warehouse with ancillary office.
  - **Building C2:**
    - Warehouse with ancillary ground and mezzanine office.
  - **Building C3:**
    - Standalone office.

#### 3.2 Built Form

The proposal seeks approval for the demolition of existing buildings and construction of new buildings and works across both sites. More specially we propose the construction of four new warehouses with ancillary offices and single office tenancy. Further detail is provided below:

##### 99 Olympia Street

- Existing warehouse and associated office spaces to remain.
- Construction of single warehouse (Warehouse D) with a total building footprint of 6,170sqm, including:
  - 5,820sqm warehouse space.
  - 350sqm two-storey office.

##### 35-65 Paramount Road

- Demolition of existing building, excluding significant heritage components as noted on plans.
- Construction of Warehouse B1 with a total building footprint of 16,640sqm, including:

- 15,930sqm warehouse space.
  - 610sqm existing two-storey office which will be connected to the warehouse space via elevated pedestrian bridge.
  - 100sqm dock office.
- Construction of Warehouse B2 to the south-west of the site with a total building footprint of 15,063sqm, including:
  - 14,463sqm warehouse space.
  - 500sqm single storey office.
  - 100sqm dock office.
- Buildings B1 and B2 will have a maximum ridge height of 16.8 metres, with the rebuilt tower element at the north-east of building B1 at an overall height of 19.55 metres.
- Construction of Warehouse C to the east of the site with a total building footprint of 7,295sqm, including:
  - 6,130sqm warehouse space.
  - 70sqm single storey office (C1).
  - 665sqm single storey office (C2).
  - Standalone 330sqm single storey office (C3).
  - 100sqm Caretakers workshop.
- Building C will have a maximum ridge height of 16 metres with discrepancies largely due to land sloping downwards from north to south.

Please refer to the Architectural Plans prepared by *Qanstruct* for further information.

### 3.3 Materials and Finishes

The attached drawings provide detail on the external building materials proposed. Please refer to TP Plans prepared by *Qanstruct* for further detail.

The materials include various Colourbond wall cladding and aluminium cladding in various shades of black and grey precast alongside concrete panels with various paintings, tinted glazing and various other elements to create visual interest such as brick and accenting uses.

Further, large sections of brick masonry are proposed alongside reconstructed sections as a response to the heritage character of the former British Australian Carpet Manufacturers Complex.

The proposed materials are consistent with the materials and finishes used in similar and recent developments within the surrounding Tottenham industrial area.



Figure 4 | Proposed Retained Heritage Office

### 3.4 Car Parking

A total of 523 (37 deferred) car parking spaces are proposed as part of this application. This equates to:

- A total of 81 spaces (including 37 deferred) associated with the existing warehouse (Warehouse A)
- A total of 311 spaces associated with Warehouse B, allocated as follows:
  - 160 allocated to Tenancy B1, located to the north of the built form.

- 151 allocated to Tenancy B2, located to the south of the built form.
- A total of 75 spaces associated with Warehouse C.
- A total of 56 spaces associated with Warehouse D.

Please refer to the Traffic Report prepared by *Traffix Group* for further detail.

### 3.5 Bicycle Parking

A total of 35 bike spaces will be provided across the development.

Each warehouse will be afforded bicycle parking adjacent to the office area and end of trip facilities including showers and lockers internal to the office buildings.

Please refer to the Traffic Report prepared by *Traffix* for further detail.

### 3.6 Access and Loading

The site will be access from the existing crossover on the north-eastern corner of the site from Paramount Road. This is the only access/egress for trucks.

A secondary access/egress point is proposed to the south of Warehouse C for car vehicles only.

Each warehouse will be equipped with modern loading facilities and large canopy awnings.

Please refer to the Traffic Report prepared by *Traffix* for further detail.

### 3.7 Vegetation and Landscaping

Landscaped setbacks are provided around the periphery of the site and throughout the development around the built form, car parking and hardstand providing amenity and buffers to abutting sites.

This includes a three metre landscaped setback along the southern boundary of the site to complement the Stony Creek corridor. A large area of planting is proposed in the south-east corner of the site.

Along the northern boundary of the site (adjacent to residential uses), a six metre landscaped area is provided including canopy. Where the northern interface abuts industrial uses a three metre strip is provided.

Canopy planting is also proposed between car parking bays and around parking areas throughout the development.

Please refer to the Landscape Plan prepared by *John Patrick* for further information.

Various trees will be removed across the site. Please refer to arborist report prepared by *John Patrick* for further information.

### 3.8 Environmentally Sustainable Design

The following key sustainable design initiatives have been incorporated into this project:

- Total rooftop solar photovoltaic system;
- Rainwater harvesting system for toilet flushing;
- High-performance glazing and energy efficient building services, appliances and fixtures; and
- Environmentally preferable internal finishes.

The project meets the standard required for water, energy, stormwater and Indoor Environment Quality. The project also meets the 50% BESS Score required to demonstrate Best Practice – achieving 54%.

Please refer to the Sustainable Management Plan prepared by Ark Resources for further information.

Davis, Naismith and McGovern were commissioned to provide conceptual civil design and storm water management plan for the site as required for the development application.

Please refer to their Stormwater Management Plan for details.

## 4. Relevant Planning Controls

### 4.1 Zoning

The subject site is situated within both the **Industrial 1 Zone (IN1Z)** and the **Industrial 3 Zone (IN3Z)**.

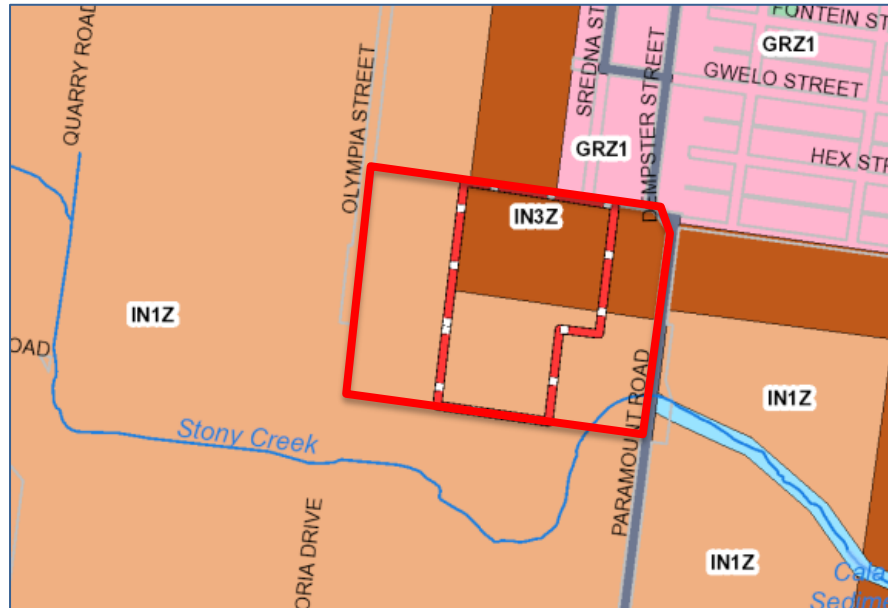


Figure 5 | Zoning Map of Subject Site

In addition to implementing the Municipal Planning Strategy and Planning Policy Framework, the purpose of the Industrial 1 Zone is:

- To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Similarly, in addition to implementing the Municipal Planning Strategy and Planning Policy Framework, the purpose of the Industrial 3 Zone is:

- To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.
- To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.
- To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.
- To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

Pursuant to Clause 33.01-1 and 33.03-1, a planning permit is not required for the purposes of a Warehouse provided the following conditions are met:

- Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.
- The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:
  - The threshold distance, for a purpose listed in the table to Clause 53.10.
  - 30 metres, for a purpose not listed in the table to Clause 53.10.
- Must not:
  - Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
  - Require a notification under the Occupational Health and Safety Regulations 2017.

- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.
- Require a licence under Dangerous Goods (HCDG) Regulations 2016.
- Must not adversely affect the amenity of the neighbourhood, including through the:
  - Transport of materials, goods or commodities to or from the land.
  - Appearance of any stored goods or materials.
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

As the site is within 30 metres of land within a Residential Zone, a permit is required for the proposed warehouse use.

Pursuant to Clause 33.01 and 33.03, an Office within the IN1Z and IN3Z requires a planning permit.

A planning permit is required for building and works pursuant to Clause 33.01-4 and Clause 33.03-4 of the Maribyrnong Planning Scheme.

#### 4.2 Overlays

It is noted that 99 Olympia Street **does not consist of any planning overlays**. The below all apply to 35-65 Paramount Road.

##### Heritage Overlay

The subject site is affected by the **Heritage Overlay – Schedule 152 (HO152)**. The purpose of the HO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.

- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

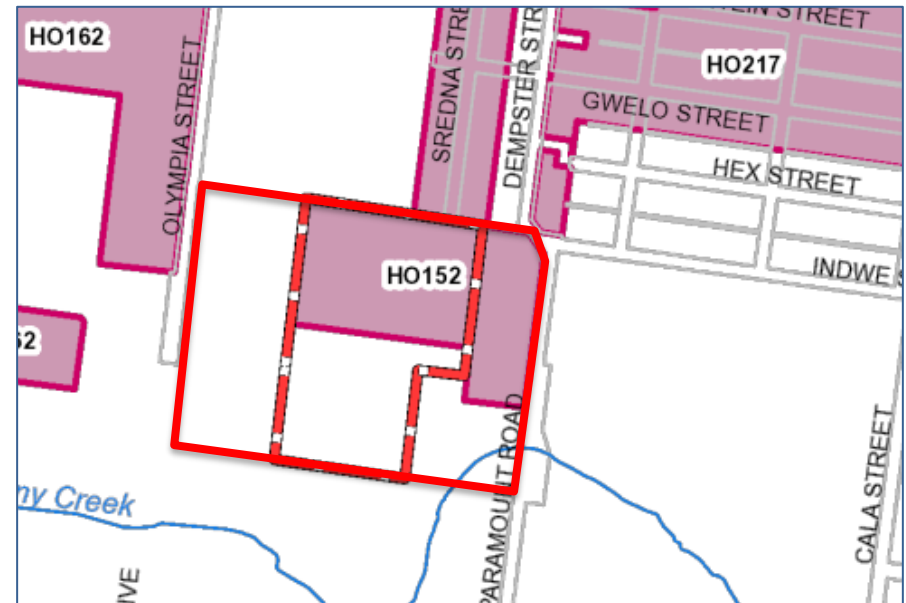


Figure 6 | Site in the Context of the HO152

A site-specific Heritage Overlay (HO152) applies to 35-65 Paramount Road and is associated with Pacific Carpets, which applies to the northern part of the site.

Pursuant to Clause 43.01-1, a permit is required to subdivide land, demolish or remove a building and construct a building or construct or carry out works.

### Public Acquisition Overlay

The subject site is affected by the **Public Acquisition Overlay – Schedule 1 (PAO1)**. The purpose of the PAO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land which is proposed to be acquired by a Minister, public authority or municipal council.
- To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

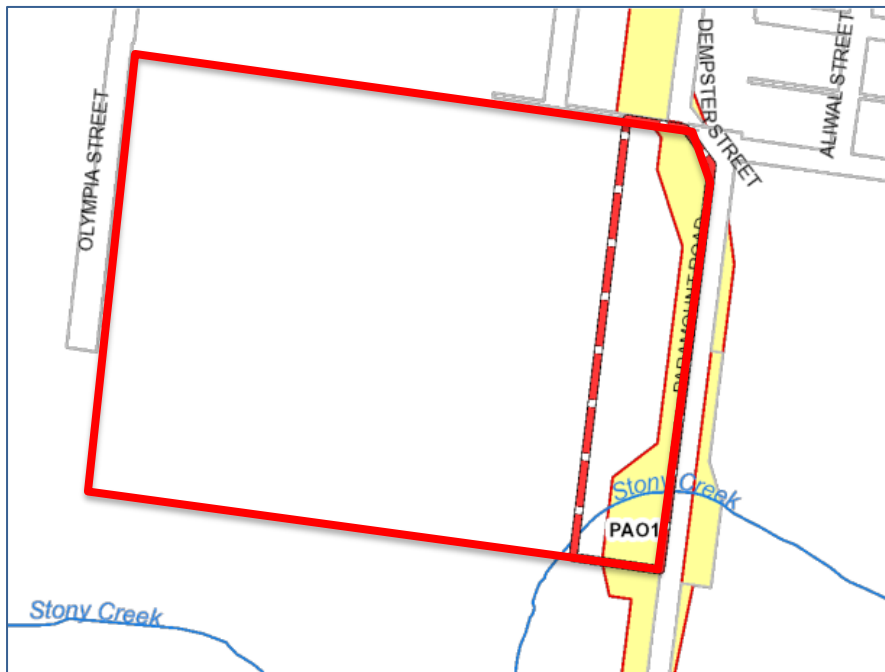


Figure 7 | Site in the Context of the PAO1

A permit is required to use the land for any Section 1 or Section 2 use and to construct a building or construct or carry out works, pursuant to Clause 45.01-1.

The PAO1 relates to a proposed road widening of Paramount Road and is in favour of VicRoads. We understand there are no current design or timeline around this road project.

### Land Subject to Inundation Overlay

The site is affected by the **Land Subject to Inundation Overlay (LSIO)**. The purpose of the LSIO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

A planning permit is required to construct a building or construct or carry out works.

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed

in writing between the responsible authority and the floodplain management authority.

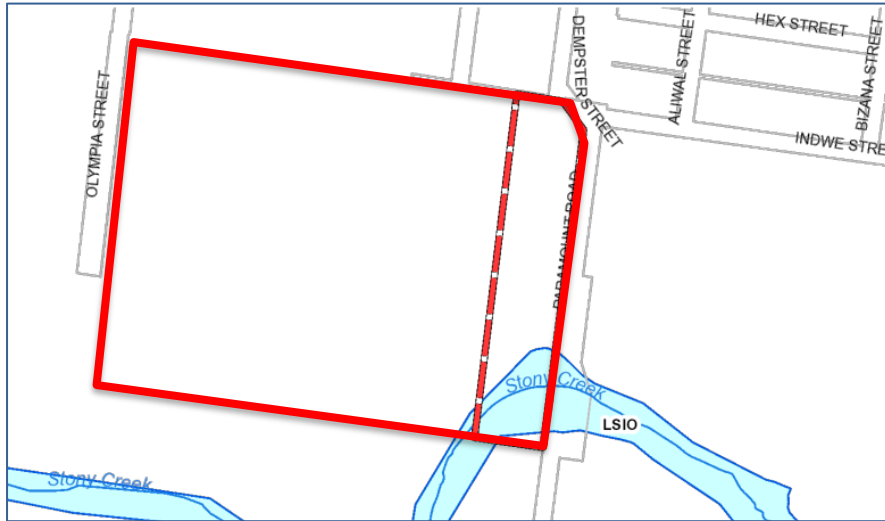


Figure 8 | Site in the Context of the LSIO

#### Aboriginal Cultural Heritage Sensitivity

The sites at both 99 Olympia Street and 35-65 Paramount Road sit within an area of cultural heritage sensitivity.

An assessment was prepared by *Archaeology at Tardis* in relation to the requirement of a CHMP for this proposal. The following conclusions were made:

*The proposed works at 35-65 Paramount Road & 99 Olympia Street, Tottenham will not require the preparation of a mandatory Cultural Heritage Management Plan because although the activity area is listed as a high impact activity and part of the activity area is located within an area of legislated cultural heritage sensitivity, the activity area has been subject to significant ground disturbance in accordance to the conditions outlined in the Aboriginal Victoria Practice Note. Land that complies with these*

*conditions is not considered as culturally sensitive under Regulation 25 (3) of the Aboriginal Heritage Regulations 2018.*

Please refer to the letter for further information.

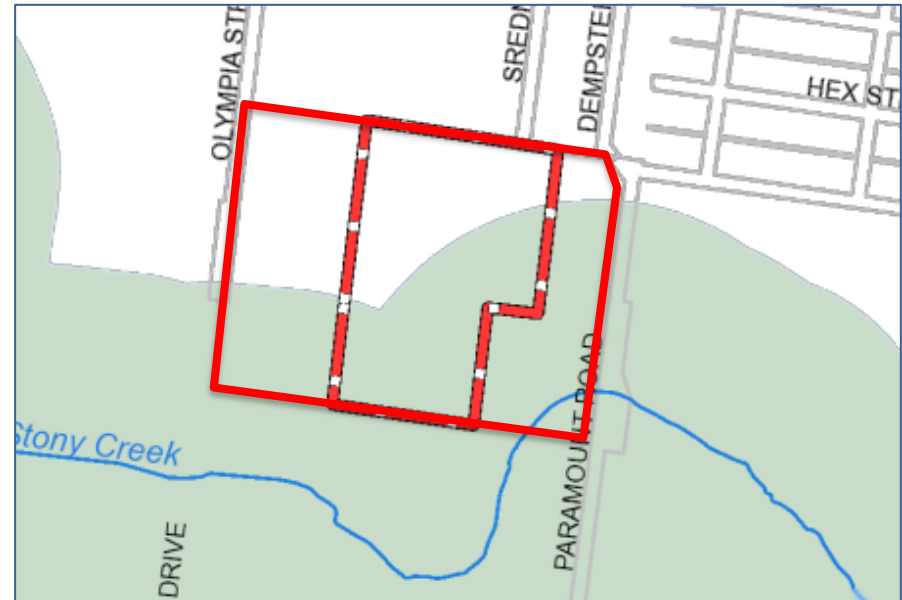


Figure 9 | Site in the Context of the Areas of Cultural Heritage Sensitivity

#### 4.3 Particular Provisions

##### Clause 52.05 – Signs

Clause 52.05 - Advertising Signs seeks to regulate the display of signs. The subject site is situated within a Category 2 - Office and Industrial Area. This area is classified to be 'low limitation' and of relatively low sensitivity.

A permit is required to provide business identification signage with a total advertisement area of all signs exceeding 8sqm.

#### Clause 52.06 – Car Parking

Clause 52.06 of the Maribyrnong Planning Scheme relates to the provision of car parking. The objective of the clause is:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local 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.*

The subject site is not located within the Principal Public Transport Network (PPTN) and as such is subject to rates identified within Column A.

Clause 52.06-5 requires 2 car spaces to be provided for each premise, plus 1.5 spaces for each 100m<sup>2</sup> of net floor area (NFA) for a Warehouse use.

Clause 52.06-5 requires 3.5 car spaces for each 100m<sup>2</sup> of NFA for an office land use. This does not apply where an office is considered an ancillary component.

#### Clause 52.17 – Native Vegetation

Clause 52.17 seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Pursuant to Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

#### Clause 52.29 – Land Adjacent to the Principal Road Network

Clause 52.29 of the Maribyrnong Planning Scheme outlines the purpose of the land adjacent to a Principal Road Network as follows:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

A permit may be granted to create or alter access to a road in a Transport 2 Zone.

#### Clause 52.34 – Bicycle Facilities

Clause 52.34 outlines the statutory bicycle facility requirements which apply to particular land uses. Pursuant to Clause 52.34 of the Maribyrnong Planning Scheme, the following bicycle facility objectives:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Pursuant to Clause 52.34, no bicycle spaces or end of trip facilities are required for a warehouse use.

Pursuant to Clause 52.34, one bicycle space is required to each 300sqm of net floor area and an addition 1 space for visitors is required if the floor area exceeds 1000sqm for an office purpose. Given the proposed office does not exceed 1000sqm, no bicycle spaces or end of trip facilities are required.

#### Clause 53.10 – Uses with Adverse Amenity Impacts

Pursuant to Clause 33.01 of the IN1Z, the use of the land for the purpose of a Warehouse is an as of right use and does not require a permit. We note the condition of the use in the Table to the Zone *‘Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.’*

Clause 53.10 of the Maribyrnong Planning Scheme aims to define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

At this stage, no tenants are proposed as part of this application, and therefore an assessment against the provisions of Clause 53.10 is premature.

#### Clause 53.18 – Stormwater Management in Urban Development

The purpose of Clause 53.18 is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Pursuant to Clause 53.18, an application to construct a building or construct or carry out works:

- *Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.*
- *Should meet all of the standards of Clauses 53.18-5 and 53.18-6.*

Various responses to the requirements of Clause 53.18 are included in the Stormwater Management Plan prepared by *Davis, Naismith and McGovern*.

## 5. Planning Permit Requirements

The proposed development requires a planning permit for the following:

### 5.1 Land Use

Pursuant to Clause 45.01-1, a permit is required to use the land for warehouse and office.

Pursuant to Clause 33.01-1 and 33.03-1, a permit is required to use the land for warehouse and office.

### 5.2 Buildings and Works

A permit is required to construct a building or construct or carry out works, pursuant to Clause 33.01-4, Clause 33.03-4, Clause 43.01-1, Clause 44.04-2 and Clause 44.05-1.

A permit is required for the demolition of a building pursuant to Clause 43.01-1 and Clause 44.05-1.

### 5.3 Car Parking

Pursuant to Clause 52.06-5, a permit is required to reduce the number of car parking spaces.

### 5.4 Native Vegetation

A planning permit is required to remove scattered native vegetation pursuant to Clause 52.17 and Clause 45.01-1.

### 5.5 Access

A permit is required to create or alter access to a road in a Transport 2 Zone pursuant to Clause 52.29-2.

### 5.6 Notice and Review

The proposal is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## 6. Planning Policy Framework

### 6.1 Plan Melbourne

The Melbourne Metropolitan Planning Strategy, Plan Melbourne, outlines the vision for Melbourne's growth to the year 2050.

It seeks to respond to the challenges of population growth, driving economic prosperity and liveability.

It defines what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city's growth.

It is the State Government's blueprint for Melbourne's future prosperity, liveability and sustainability.

The Strategy addresses Melbourne's infrastructure, housing, employment and environmental challenges with an integrated approach to planning, based broadly on the principles of transit orientated development that includes land use, transport, and social and community infrastructure.

### 6.2 Planning Policy Framework

The PPF seeks to ensure that the objectives of Planning in Victoria are fostered through appropriate land use and development policies. The PPF integrates relevant environmental, cultural, social and economic factors in the interest of net community benefit and sustainable development. PPF policies relevant to the proposed development include:

#### Clause 11 Settlement

The overarching policy objective of **Clause 11** is to ensure provision for planning to anticipate and respond to the existing and future needs of the community. This should be achieved through the provision of appropriately zoned land to accommodate the community's needs for housing, recreation and open space, employment, commercial and community facilities and infrastructure.

More specifically, **Clause 11.02-1S Supply of urban land** has the following objective:

- *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

#### Clause 12 Environmental and Landscape Values

This Clause seeks to help protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values. Key objectives are outlined below:

- **Clause 12.01-1S Protection of biodiversity:** *Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.*
- **Clause 12.01-2S Native vegetation management:** *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*
- **Clause 12.03-1S: River corridors, waterways, lakes and wetlands:** *To protect and enhance river corridors, waterways, lakes and wetlands.*

#### Clause 13.07-1S Land Use Compatibility

The objective of Clause 13.07-1S is to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

#### Clause 15 Built Environment and Heritage

**Clause 15** focuses on the built form considerations of new development, recognising the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and

neighbourhoods. Objectives and strategies within this clause aim to ensure that land use responds to the surrounding area and new developments are enjoyable, accommodating and contribute positively to the area. The following relevant clauses and their objectives are outlined below.

- **Clause 15.01-1S Urban design:** *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
- **Clause 15.01-2S Building design:** *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
- **Clause 15.03-1S Heritage conservation:** *To ensure the conservation of places of heritage significance.*
- **Clause 15.03-2S Aboriginal cultural heritage:** *To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*

#### Clause 17 Economic Development

**Clause 17** seeks to ensure the planning framework facilitates a strong and innovative economy, where all sectors of the economy are recognised to encourage economic prosperity. Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential. The following relevant clauses and their objectives are outlined below.

- **Clause 17.01-1S Diversified economy:** *To strengthen and diversify the economy.*
- **Clause 17.02-1S Business:** *To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.*
- **Clause 17.03-1S Industrial land supply:** *To ensure availability of land for industry.*

- **Clause 17.03-2S Sustainable industry:** *To facilitate the sustainable operation of industry.*

#### Clause 18.02 Movement Networks

This Clause sets out a number of objectives and strategies in association with the varying types of travel and transport systems. More specifically and relevant to the proposal, the below objectives are identified:

- **Clause 18.02-1S Walking:** *To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.*
- **Clause 18.02-2S Cycling:** *To facilitate an efficient and safe cycling network and increase the proportion of trips made by cycling.*
- **Clause 18.02-4S Roads:** *To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.*

### 6.3 Local Planning Policy Framework

#### Municipal Strategic Statement

Council's MSS outlines the vision, strategies and objectives for use and development of land in the municipality. It provides the basis for the application of local policies, zones, overlays and other provisions in the Maribyrnong Planning Scheme. Those clauses most relevant to the current proposal include:

#### Clause 21.05-1 Landscape Values

The relevant objective under this Clause is:

- *To enhance the landscape character along the Maribyrnong River and Stony Creek.*

#### Clause 21.06-2 Environmentally Sustainable Design

The relevant objectives under this Clause are:

- *To provide sustainable building design.*
- *To improve stormwater quality.*

- *To ensure that water resources are managed in a sustainable manner.*

#### **Clause 21.06-3 Heritage**

The relevant objectives under this Clause are:

- *To protect and conserve heritage places.*
- *To protect heritage places from adverse impacts.*

#### **Clause 21.08-3 Industrial Related Employment Land**

The relevant objectives under this Clause are:

- *To protect and improve Core Employment Areas.*
- *To ensure high quality industrial and commercial development in Core Employment Areas.*

#### **Clause 21.09 Transport**

The relevant objectives under this Clause are:

- *To support and promote cycling and walking*
- *To support and promote sustainable transport.*
- *To develop a safe, efficient and accessible transport network.*

### **6.4 Local Planning Policy**

Council's local planning policy aims to implement the objectives and strategies outlined in the MSS. It provides guidance relating to specific planning issues and can offer directions for development in specific areas. Those clauses most relevant to the current proposal include:

#### **Clause 22.01 Cultural Heritage Policy**

This Local Planning Policy is to be used in conjunction with the MSS Heritage policy (at Clause 21.06-3). The key objectives within this Clause are as follows:

##### General Guidelines

- *To protect and conserve heritage places.*
- *To protect heritage places from adverse impacts.*

- *To ensure demolished heritage places are documented and archived.*

#### Industrial Heritage Policy

- *To conserve industrial heritage places as an integral part of the City's heritage fabric and in a manner which is supportive of ongoing industrial activity.*
- *To encourage development to be undertaken in accordance with the accepted conservation standards of the ICOMOS Burra Charter.*
- *To encourage conservation and other works including maintenance, restoration, reconstruction and adaptation.*
- *To ensure that industrial heritage places continue to be used and conserved, and that replacement and renewal occur where necessary for the continuation of an historic industrial use.*
- *To ensure that the conservation of industrial places is balanced against other policies and objectives which may have a bearing upon the ongoing use and development of land.*
- *To conserve infrastructure associated with industrial sites including railways, pipelines, roads, wharves and the like where this is practically achievable and will not unreasonably impact, physically or economically, upon the re-development of the site for a continued or new industrial use.*

An evaluation against the specific policy requirements outlined at Clause 22.01 is provided within the 'Assessment' section if this report.

### **6.5 Relevant Strategic Documents**

#### **Maribyrnong Economic and Industrial Development Strategy, 2011**

Part One of MEIDS is the Economic Development Strategy (EDS) which sets the overall direction for development of the Maribyrnong economy and provides the basis for demand and supply of industrial land within the City.

Part Two of MEIDS is the Industrial Land Strategy (ILS) which provides for the categorisation of industrial land, core strategic directives, actions and

implementation plans and precinct analysis and strategy to achieve the Maribyrnong industrial land vision.

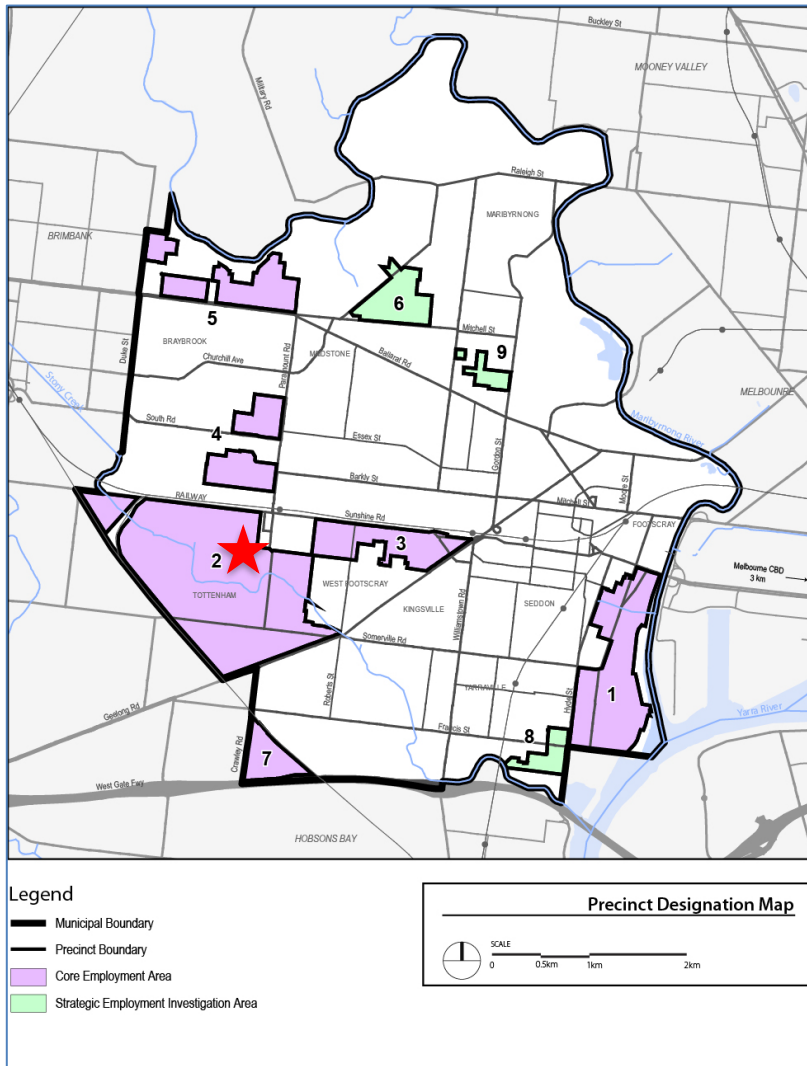


Figure 10 | Industry Related Employment Land Precinct Designation (MEIDS Part 2)

Pursuant to the provisions of the ILS, the site is located within Precinct 2 – Tottenham Precinct, which is the largest industrial precinct within the municipality, accounting for just under half of all industrial land. Predominant land uses include warehousing (51.7% of area), container storage (20.8%) and factories (14.9%). The precinct also holds approximately 10% of the jobs within the municipality.

#### Tottenham Employment Precinct Framework Plan

The Tottenham Employment Precinct Framework Plan 2020 was prepared and endorsed by Council in April 2020. The Framework Plan 2020 outlines its objectives:

- To protect the industrial use of the precinct and enhance the range of employment opportunities.
- To create the road network and infrastructure that supports the precinct's modern industrial needs.
- To create an active transport network across the precinct to support worker access integrated into the broader network.
- To enhance the image and amenity of the precinct as a desirable place for investment and improved worker facilities.
- To protect and enhance the environmental qualities within the precinct.
- To market the precinct as a desirable inner-city fringe industrial precinct.

The Framework Plan introduces design guidelines that apply to Tottenham and West Footscray's employment precincts. Those relevant to the proposal include:

- Site Responsive Design
- Access and Circulation
- Built Form
- Landscaping
- Site Amenity
- Environmentally Sustainable Design

Please refer to the Planning Assessment section below for a more detailed discussion of the proposed development's compliance with the Design Guidelines.

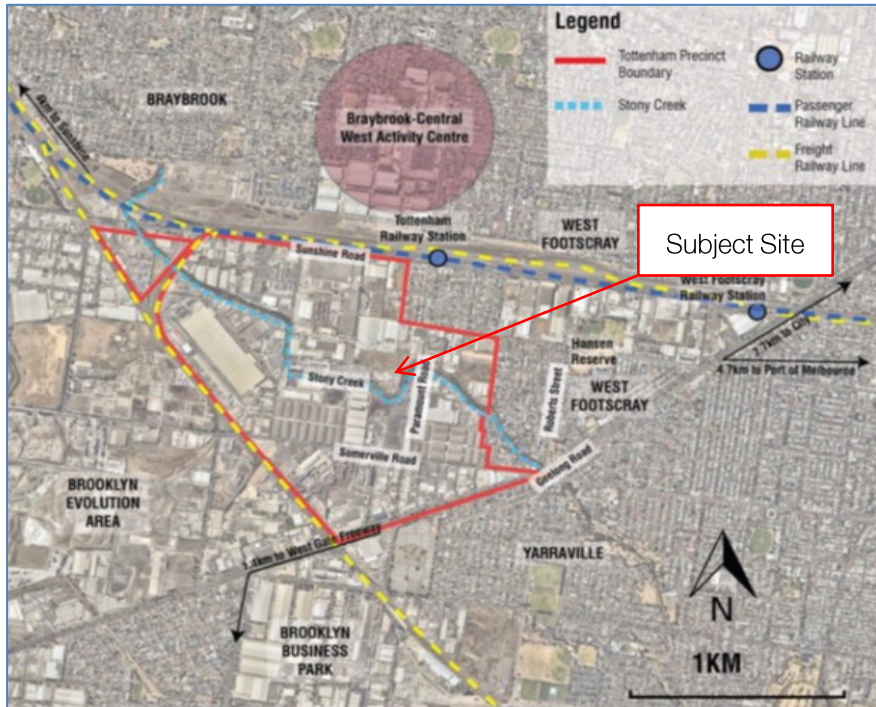


Figure1 1 | Tottenham and West Footscray Precincts

## 7. Planning Assessment

We consider the proposed development achieves a high level of consistency with the relevant policy and planning controls stipulated throughout the Maribyrnong Planning Scheme.

### 7.1 Response to Plan Melbourne

The proposed development responds to the broad objectives of Plan Melbourne by:

- Respecting and protecting the existing built form and cultural heritage elements of the site;
- Providing job opportunities in relative proximity to residential labour forces; and
- Proposing a considered planning approach that seeks to ensure a strong and prosperous economy.

The proposed development will facilitate future development opportunities in a State-Significant Industrial precinct of Melbourne that will support the productive use of land and resources. In achieving this, Tottenham will be an area of Melbourne that attracts investment, supports innovation and creates jobs.

### 7.2 Response to Planning Policy Framework

By facilitating the potential for development in this location, the proposal achieves consistency with the high-level strategic objectives of the PPF through:

- Facilitating local employment opportunities through the creation of additional industrial floor area within a locality identified for future industrial and commercial activity;
- Providing an additional supply of industrial floor area to meet the forecasted demands for the Municipality;
- Providing predominantly industrial activity in a Core Employment Area and in doing so protecting the location from the encroachment of

unplanned large commercial, residential and other sensitive uses which will adversely affect industry viability;

- The provision of employment generating businesses and furthering the sustainable development and operation of the industrial precinct;
- Continuing to ensure the conservation of places of heritage significance and the protection and conservation of places of Aboriginal cultural heritage significance; and
- Providing for the sustainable development and operation of industrial land uses.

### 7.3 Response to Local Planning Policy Framework

The proposed development has sought to achieve a high level of consistency with the strategic objectives of the LPPF through:

- Protecting a Core Employment Area from encroachment of uses not compatible with the Industrial 1 or Industrial 3 Zones;
- Providing a more intensive and better use of current industrial zoned land;
- Maintaining a stable supply of predominantly Industrial Related Employment Land that will deliver jobs and economic prosperity upon future development of the land;
- Ensuring that the key role the industrial area plays within the broader and local area will support future development that generate compatible uses and activities;
- Catering for a wide range of compatible land uses and provide for cost effective and attractive sites that will support and generate employment uses and activities in the future;
- Enhancing the image and amenity of the precinct as a desirable place for investment and improved worker facilities;
- Marketing the Tottenham Precinct as a desirable inner-city fringe industrial precinct;
- Conserving industrial heritage places as an integral part of the City's heritage fabric and in a manner which is supportive of ongoing industrial activity;

- Encouraging conservation and other works on an industrial development restoration, reconstruction and adaptation; and
- Ensuring that industrial heritage places continue to be used and conserved, and that replacement and renewal occur where necessary for the continuation of an historic industrial use.

#### 7.4 Land Use & Activity

The use of the land as 'Warehouse' is considered the most appropriate use of the land. The scale of the proposed buildings alongside the existing built form to be retained on site confirms the suitability of the use in this context.

Pursuant to zone controls, the use of the land for the purpose of a Warehouse requires a permit given the development as a whole is within 30 metres of a residential area, directly abutting dwellings along Sredna and Dempster Streets to the north-east.

It is noted the condition of the use in the Table to the Zone '*Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified*'.

At this stage, no tenants are proposed as part of this application, and therefore an assessment against the provisions of Clause 53.10 is premature. Speculative developments of this nature are common in these areas and given the current lack of supply of industrial land of this capacity in Metropolitan Melbourne, it is likely that once approval is provided, future tenants will swiftly be seeking to lease these spaces.

The proposed development achieves a high level of compliance with the purpose of the IN1Z and IN3Z through the demolition and reconfiguration of existing warehouse facilities at 35-65 Paramount Road and an additional warehouse within an unutilised portion of land to the south of 99 Olympia Street, significantly enhancing the amenity of the area alongside the experience for future workers and visitors to the site. The built form elements of the warehouses are also appropriately separated approximately 16 metres from sensitive uses (as currently existing on the site) and will not have any

adverse impacts on the safety and amenity of the nearby residential area provided light industrial activities are proposed.

Each of the proposed warehouses will have an ancillary office, with the standalone office space proposed at 'Building C3' along Paramount Road providing surveillance and activity at the street frontage. The scale of the warehouses is expected to attract logistical tenants suited to this industrial area. The proposed warehouse use is also consistent with surrounding uses, which includes a number of medium-large scale warehouses.

The subject site is well located, situated within the core of the Tottenham Industrial Precinct. The site is easily accessible to and from significant road corridors, including Somerville Road to the south, Princes Freeway and the West Gate Freeway to the south.

The strategic location of the subject site, within close proximity to the Principal Freight Network and Transport Gateways, makes the site a suitable location for industrial, distribution and logistics development and is consistent with the purpose for State-significant industrial land outlined in Plan Melbourne and local strategic plans (MEIDS). The office use proposed will complement the warehouse development and provide for a high amenity outcome along the street frontage.

The proposed development is consistent with local planning policies, including the Tottenham Precinct Framework Plan 2020, which encourages larger warehouses in close proximity to the freight railway line and major transport infrastructure. In particular, policy seeks to encourage the retention or attraction of some of the larger operators / employment generators in this area.

The MEIDS document notes the Tottenham precinct as the highest employment generating area for the municipality. The proposed development will further strengthen this outcome by providing additional employment opportunities.

## 7.5 Draft Tottenham Precinct Framework Plan 2020

The proposal responds to the objectives and provisions of the Tottenham Precinct Framework Plan through:

- Strengthening and revitalising the economic role of the Tottenham Precinct as a Core Employment Area by enabling development that will facilitate opportunity, attract business, and enhance a range of employment opportunities;
- Facilitating future industrial uses to function appropriately on an underutilised site;
- Enhancing the image and amenity of the Tottenham Precinct as a desirable place for investment and improved worker facilities;
- Providing cost effective and attractive sites for employment generating uses and activities; and
- Providing development which will cater for future uses and development that will respond to the site and its current and proposed context within the Tottenham and West Footscray industrial precincts.

Overall, the proposed development provides high quality industrial and commercial uses which complement the precinct as a desirable, inner-city fringe industrial precinct. The standalone office will serve as a complementary use to the broader site.

The proposed development generally complies with the objectives outlined in the Framework Plan relating to land use and built form, infrastructure, active transport, image and identity, environment, and business attraction. The provision of multiple new warehouses and the reconstruction of existing heritage built form responds to the Framework Plan which identifies the site to be within an area of the Precinct where larger lots are encouraged to be retained.

The proposed development also generally complies with the Design Guidelines in the Precinct Framework Plan through:

- Carefully managing the interface between industrial uses and adjacent or nearby sensitive land uses, in particular the residential area to the north and the Creek Corridor to the south;
- Providing functional access and car parking arrangements for visitors and employees while minimising crossover impacts to the streetscape;
- The provision of large lot sizes in the Tottenham area (noting the reconfigured warehouses provide increased floorspaces vary in sizes which increases opportunity and choice for future businesses seeking to locate their operations in the Tottenham industrial precinct); and
- Side setbacks and an orientation which maximise passive solar design of buildings, and additionally provides for car parking spaces located to the side and rear of each proposed warehouse, where possible.

## 7.6 Maribyrnong Economic and Industrial Development Strategy (MEIDS)

The proposed development will respond strongly to the objectives of the MEIDS.

The vision for the Tottenham area is for *'a major core employment area embracing manufacturing, logistics and storage'*.

The MEIDS consistently discusses utilising undeveloped or vacant land within the Tottenham area for more intensive uses that will encourage employment growth and increase the amenity of the location while maintaining the industrial uses in the area.

The proposed development will provide cost effective and attractive employment generating uses and activities, which will strengthen and revitalise the economic role of the precinct as a Core Employment Area in Melbourne's western region.

The development will significantly improve the overall amenity of the area, particularly as viewed from the public space along Paramount Road, residential areas to the north and from the open space interfaces to the south.

## 7.7 Design and Built Form

The proposed development represents a well-considered, high quality built form outcome that is consistent with the character of the surrounding area and requirements of the planning scheme and reference documents.

The development proposes the industrial buildings at an overall height of approximately 16.8 metres (well set back into the site), which is consistent with industrial built form in the Tottenham area. Further the buildings are set behind the main heritage façade and allow this building to maintain its prominence in the streetscape.

The proposed developments will provide ample opportunity for landscaping and will provide for improved interfaces along these frontages, which is a key objective of the draft Framework Plan. The setbacks are consistent with the currently existing and approved developments along Paramount Road and within the broader industrial area of Tottenham.

Consistent with Clause 15 (Built Form), the proposal will create high quality built form while respecting the heritage elements, street interfaces and sensitive interfaces.

The development will incorporate a variety of materials and finishes to ensure the building will create visual interest and are sympathetic to the adjacent sites and streetscape. All façades incorporate a mix of precast concrete panels, Colourbond, metal wall cladding in a mix of colours, glazing and warehouse wall and roof cladding. Special consideration has been given to the feature offices and amenities spaces, which offer interest on each facade.

Please refer to Architectural Drawings prepared by Qanstruct for further details of the proposed built form and external finishes.

## 7.8 Heritage

A key design outcome of the development is the retention and adaptive reuse of the significant heritage fabric on the land, particularly the existing office and water tower (reconstructed) forming part of Warehouse B1 and the sawtooth building along the Paramount Road.

In relation to the previous application, the determination by VCAT found that the appropriate balance between retention and demolition (of heritage buildings) was not achieved and was too in favour of demolition, and this balance needs to be adjusted so that more of the significant heritage building components and fabric are retained and conserved.

A table has been prepared below comparing the evidence and recommended extent of demolition provided by Anita Brady at VCAT, which was generally agreed upon by the Tribunal.

Anita Brady Comment (VCAT)	Proposed Design Response
<b>Replacement of some external materials may be required but any new materials should aim to maintain the existing fabric as far as is possible.</b>	Replacement materials will be consistent with other developments in the area and will complement the heritage fabric that is being maintained.
<b>Building C - 8-10 metres of the building should be retained, as this is what is most visible from the public realm along Paramount Road.</b>	A depth of 12.4 metres of the original sawtooth building on the Paramount Road frontage has been retained and will be reused for office tenancies.
<b>Buildings D and F – total demolition is not supported with the tower to be fully retained. A depth of in the order of 6-8 metres of the office building may suffice with the north and east elevations retained including the architectural treatment on the ground floor eastern side.</b>	It is noted that Building D is associated with the amenities block and associated water tower at proposed Building B1, while Building F refers to the office associated with Building B1.  The tower is proposed to be fully retained (reconstructed) and the office building will be retained in full, with the

	original façade to be refurbished and reinstated.
<b>Building E – total demolition is considered acceptable, as future development may block publicly visible views and it is not as prominent as other buildings on the site, especially from the north.</b>	It is noted that Building E is associated with built form behind the water tower and aforementioned office.  This will be demolished in its entirety.
<b>Building B – although not proposed, partial demolition of this building could occur to assist in providing developable area on the site. Retention of the northern parts of the building, including some of the saw-toothed bays should be achieved as evidence of original building form.</b>	It is noted that Building B is associated with the north-western most built form at 35-65 Paramount Boulevard.  This building is proposed to be demolished in its entirety, provided it is predominantly hidden from the public realm.  The replacement building will provide design references to and interpretations of the previous building on the proposed northern interface.

We also note that the Sredna Street gates/entrance will be retained and refurbished. Noting this will not be used for any vehicle entry/exit to the development.

Maintaining this significant core heritage fabric allows the development to retain an understanding (reference) of the site's history as a former industrial complex associated with the manufacture of carpet and other textiles. Further the retention and reuse of buildings acknowledges the site's industrial values and importance to the area.

More specifically, the proposal meets the relevant objectives (8 and 9) outlined in Clause 21.06-3, through the protection of key heritage elements, which protects and conserves the integrity of the Pacific Carpets development. The proposed industrial use also acknowledges and respects the previous uses on the land.

Further to the above, the application meets the objectives and policies of Clause 22.01 (Cultural Heritage Policy) by:

- Conserving heritage elements identified to be of significance;
- Conserving industrial heritage places as an integral part of the City's heritage fabric and in a manner which is supportive of ongoing industrial activity;
- Proposing conservation and other works including maintenance, restoration, reconstruction and adaptation; and
- Ensuring that industrial heritage places continue to be used and conserved, and that replacement and renewal occur where necessary for the continuation of an historic industrial use.

We consider that the proposed development finds the appropriate balance between retention, demolition and new development. The application no longer relies on the removal of buildings as a result of the widening of Paramount Road (PAO land) or the poor structural integrity. The proposal retains (and in some cases reuses) the significant heritage fabric (as defined in the previous table). Where appropriate interpretive elements have been incorporated into the new built form to reference the demolished buildings.

Heritage experts Lovell Chen have been engaged and have informed the proposed design. A heritage statement is provided with the application. The report concludes the following:

*The proposed redevelopment of 35-65 Paramount Road, Tottenham, has been carefully designed and incorporated into the site so as to be sympathetic to the original design intentions, including the distinct and unusual architectural forms.*

*The proposed works support the viability of a new industrial use on the site, while retaining the assessed heritage significance of the place and views of the site from the public realm. Noting the past determination of the Tribunal on an earlier proposal, the revised approach in large part responds to the issues raised in that decision and provides a more balanced physical outcome where the imperative to deliver large format warehousing has been better integrated with heritage fabric retention and/or reconstruction.*

*Combined with archival recording and interpretation deliverables, the outcome is one which will maintain the ability to understand the heritage nature of the place and to maintain its heritage significance.*

The proposed outcomes were discussed at length with Council officers and all relevant suggestions were considered and referenced in the final design. It is considered that the proposal satisfies the objectives and requirements of the local heritage policy and in turn mitigates the previous heritage concerns held by Council and subsequently by the Tribunal.

## 7.9 Landscaping

Significant landscaped setbacks are provided throughout the development to break up built form and hardstand within the site as well as providing a positive buffer to abutting developments and sensitive areas. This includes a six metre buffer along the residential interface and larger landscaped area in the south-east corner of the site along the creek boundary.

Canopy planting is also proposed between car parking bays and around parking areas throughout the development to assist with large areas of concrete and to improve the amenity of the space.

We note that landscape response around the retained heritage buildings directly responds to this interface and the original design elements on these buildings and associated gardens.

The landscape design complements the retained and new buildings and will offset the vegetation to be removed to develop the site. Overall the new

landscaping design will provide improve the existing site response through a consistent planting and maintenance approach.

Please refer to the Landscape Plan prepared by John Patrick for further information.

## 7.10 Native Vegetation

The proposed development requires the removal of a single tree within the south-west corner of the site (Tree 32 as identified in the Arboricultural Report). This tree is considered to meet the definition of native vegetation under Clause 52.17 and the relevant guidelines.

The removal of other trees on the site does not trigger a planning permit as they are exempt under the provisions of the scheme.

It is considered that the removal of Tree 32 is acceptable in this instance to allow for the overall development of this state significant industrial land and given the considerable (replacement) planting that will occur across the site.

Please refer to the Arboricultural Report prepared by John Patrick for further information.

## 7.11 Parking and Access

### Car Parking and Bicycle Facilities

Clause 52.06 of the Maribyrnong Planning Scheme relates to the provision of car parking. Column A within Table 1 at Clause 52.06-5 requires the following rates:

- **Warehouse** - 2 car spaces to be provided for each warehouse premises, plus 1.5 spaces for each 100sqm of net floor area (NFA).
- **Office** – 3.5 car spaces for each 100sqm of net floor area (NFA).

As previously mentioned, the office components (other than Building C3) within the warehouse are ancillary, and therefore are treated as additional warehouse space in the context of assessment under Clause 52.06-5.

As such the resultant statutory rate suggests that approximately 937 car spaces are required.

The proposed development includes the provision of 523 car spaces across the site, with an average rate of 0.85 spaces per 100sqm of NFA.

We note a discrepancy exists between the car parking requirements of Clause 52.06-5 and the demand likely to be generated by the future tenants of the proposed development.

The disparity between the required rate and the proposed provision of car spaces must be considered in accordance with the provisions of Clause 52.06-7.

Traffix Group have provided the attached Traffic Impact Assessment (TIA) which concludes:

- *A permit to reduce the car parking requirement under Clause 52.06 is sought and is acceptable in this instance having regard to:*
  - *The convenience of public transport services in the vicinity of the site.*
  - *The case study data, existing car parking rates on the site and column A rates from Clause 52.06, which take into account good access to public transport, which indicate that car parking demands less than the statutory requirement are likely to be generated.*
  - *The proposed on-site car parking provision being sufficient to accommodate the anticipated car parking demands generated by the proposed development.*

It is also noted that the development is providing 35 bicycle spaces, which exceeds the requirements of Clause 52.34. Each warehouse will have access to bike spaces adjacent to the office areas. Internal end of trip facilities will also be provided for each tenancy.

#### Access, Loading and Traffic

The access, loading and traffic associated with the development have been assessed by *Traffix Group* in the Traffic Report submitted with the application, which concludes:

- *We do not anticipate that either of the proposed access points will cause any adverse impact on the operation of Paramount Road and the proposed accesses have been designed to suitably accommodate the vehicle types required.*
- *We are satisfied that the proposed development can appropriately accommodate loading activities on the site.*
- *It is anticipated that Olympia Street will carry an additional 905 daily vehicle movements, increasing the existing daily traffic volume from 2,561 to in the order of 3,500 vehicle movements per day.*
  - *We are satisfied that this level of traffic is within the environmental capacity of Olympia Street noting that the construction of the road and parking restrictions in place ensure that there is always clear space for two-way vehicle movement.*
- *It is anticipated that Paramount Road will carry an additional 1,557 daily vehicle movements, increasing the existing daily traffic volume from 3,700 to in the order of 5,300 vehicle movements per day.*
  - *We are satisfied that this level of traffic is well within the capacity of Paramount Road noting that it is identified as an arterial road and a part of the principal road network.*

Please refer to the report prepared by *Traffix Group* for further details.

#### 7.12 Environmentally Sustainable Design

The project meets the standard required for water, energy, stormwater and Indoor Environment Quality. The project also meets the 50% BESS Score required to demonstrate Best Practice.

The proposal incorporates best practice environmentally sustainable design and achieves a BESS score of 54%. It is considered the proposal is an appropriate response to the requirements of the Maribyrnong Planning

Scheme and will provide suitable indoor environments and support environmentally efficient building and site operation across the life of the development.

The following key sustainable design initiatives have been incorporated into this project:

- Total rooftop solar photovoltaic system;
- Rainwater harvesting system for toilet flushing;
- High-performance glazing and energy efficient building services, appliances and fixtures; and
- Environmentally preferable internal finishes.

Please refer to the Sustainable Management Plan prepared by Ark Resources for further information.

### 7.13 Stormwater Management

A Stormwater Management Plan for the proposed development sites has been prepared by Davis, Naismith and McGovern, which demonstrates the holistic preliminary design proposal for the site, and outlines the following:

- The existing onsite in ground piped stormwater system will be retained and a new in ground piped stormwater system for the proposed works will be designed for a 1 in 10 year ARI storm event as per City of Maribyrnong and NCC requirements.
- The onsite overland flow stormwater system will be designed for a 1 in 100 year ARI storm event as per City of Maribyrnong and NCC requirements.
- On-site stormwater detention is to be provided as per the requirements of the City of Maribyrnong. This includes 5 x 30,000 litre rain water tanks that will be connected to flushable toilets and irrigations systems.
- It is proposed to provide for water quality improvements on site and to treat gross pollutants and nutrients to meet the requirements of the Urban Stormwater – Best Practice Environmental Management Guidelines. MUSIC modelling has been used to analyse the systems

efficiency. Generally proprietary systems will be employed across the site as they are recognised as the most appropriate method/mechanism for large industrial development of this nature.

Accordingly the application complies with the requirements of Clauses 53.18-5 and 53.18-6 by:

- Providing a stormwater management that maximises the retention and reuse of stormwater.
- Providing a development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.
- Providing a stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
- Ensuring that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.
- Protecting drainage infrastructure and receiving waters from sedimentation and contamination.
- Protecting the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

Please refer to the Stormwater Management Plan prepared by Davis, Naismith and McGovern for further details.

## 8. Conclusion

proUrban has prepared this report in support of the planning permit application for the proposed warehouse and office development at 99 Olympia Street and 35-65 Paramount Road, Tottenham.

A planning permit is sought pursuant to the following permit triggers:

- A permit is required to use the land as warehouse and office, pursuant to Clause 45.01-1.
- A permit is required to use the land as warehouse and office, pursuant to Clause 33.01-1 and 33.03-1.
- A permit is required for demolition, pursuant to Clause 43.01-1 and Clause 44.05-1.
- A permit is required to construct a building or construct or carry out works, pursuant to Clause 33.01-4, Clause 33.03-4, Clause 43.01-1, Clause 44.04-2 and Clause 44.05-1.
- A planning permit is required to remove scattered native vegetation pursuant to Clause 52.17 and Clause 45.01-1.
- A permit is required to create or alter access to a road in a Transport 2 Zone pursuant to Clause 52.29-2.

Each of the permit triggers is considered to be appropriately addressed in this town planning application report. We consider that the proposal is appropriate within its context, will complement the existing uses of the surrounding area, and will lead to positive social and economic outcomes.

As evidenced throughout this report, the proposal is well considered, appropriate and in accordance with the objectives of the relevant clauses of the Maribyrnong Planning Scheme and in particular provides for an

appropriate response to the heritage overlay and grounds raised within the previous decision of the Tribunal.

The proposed development has been informed by a detailed analysis of the site's context and has sought to employ best practice design techniques to develop a functional and intelligent design that positively contributes to the ongoing visual enhancement of the area.

This report and the associated documentation demonstrate the proposed development is well considered and will enhance the quality, function and profile of the Tottenham Industrial Precinct and, in our opinion, should be supported by Council.