

**PLANNING and ENVIRONMENT ACT
PORT PHILLIP PLANNING SCHEME**

PERMIT NO. PA2402869

ENDORSED PLAN

Sheet 1 of 27

Paul Hoffman
Signed: _____ for
MINISTER FOR PLANNING
Date: 13 JUNE 2024

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planning

PLANNING REPORT
Park Street Tram Terminus
PREPARED FOR YARRA TRAMS
April 2024

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ATTACHMENTS

Attachment 1: Response to conservation guidelines contained in the Heritage Kerbs, Channels and Laneways Guidelines (City of Port Phillip, 2006)

Project Number	2775
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Version	240415

1 Introduction

This Planning Report has been prepared by Echelon Planning for Yarra Trams in support of a building and works planning permit application for land at the Park Street tram terminus, St Kilda (Subject Site).

The proposal is for works including:

- Removal of existing portable toilet amenities on tram platform.
- Partial demolition of sections of bluestone kerb on tram platform, fencing on tram raised platform, bluestone kerb and channel, parts of the existing nature strip.
- Construction of a new raised pedestrian safety crossing.
- Construction of a new two-cubicle toilet with stainless steel finish.
- Installation of associated street furniture and public infrastructure. These include a drainage pit and underground drainage, street luminaire for the new raised safety crossing, line markings for a bike lane, a new CCTV pole, new water meter, relocated switchboard, relocation of existing mirror pole to be clear of the crossing entry to platform and new fence-mounted signage to restrict public access to the amenity area.
- Construction of new fencing on tram platform
- Construction and display of a pedestrian crossing sign.

The proposed works are consistent with the existing tram terminus and will not result in amenity impact or material detriment to surrounding residents or heritage values. The land is currently used and developed as a tramway and tram terminus. The proposed works will facilitate improved safety and amenity of tram driver facilities, as well as accessibility to the tram platform. The proposed works will appropriately address the heritage significance of bluestone kerb and channel.

An assessment of the application has been provided against the relevant provisions of the Port Phillip Planning Scheme and the proposal achieves a high level of compliance, warranting the issue of a planning permit.

The responsible authority for this application is Minister for Planning, in accordance with Clause 72.01-1 of the Port Phillip Planning Scheme, as the proposal is development carried out by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.

The permit application is supported by the following documents:

- Architectural plans, prepared by Brand Architects (February 2024)
- Civil/Structural Documentation, prepared by WGA (January 2024)
- Arboricultural Impact Assessment, prepared by Ryder Arboriculture and Environment (February 2024)
- Plan of Feature and Level Survey, prepared by CRA Survey (October 2023)

A proponent-made referral has been undertaken to Melbourne Water for the proposal. A response is expected by 23 April 2024.

2 Site Context

2.1 The Site

The subject site is located at the Park Street Tram Terminus on Fitzroy Street/Park Street tram stop in St Kilda. The site is a road reserve. The site is currently developed as a tram stop, including a raised tram terminus platform with two shelters, driver amenities, and fencing, and the northeast traffic lane of Park Street (refer to **Figure 1** below and A401 of the architectural set).

The tram terminus platform has two access points – the northern access point includes a step, and the southern access point includes a disabled access ramp.



Figure 1: The subject site (Nearmap.com, 17 March 2024).

2.2 Surrounds

The subject site's immediate surroundings are characterised as follows:

- **Northeast:** Medium density residential use abuts the subject site to the northeast, with commercial uses (including a massage parlour and computer services business) beyond.
- **Southeast:** The site is abutted by Fitzroy Street, with medium density commercial uses including hospitality and accommodation beyond.
- **Southwest:** The site is abutted by the southwest lane of Park Street, with medium density commercial uses (hospitality and accommodation) and apartment units beyond.
- **Northwest:** The site is adjacent to medium density residential uses.

2.3 Title

A copy of title is not available for the road reserve land.



3 Planning Proposal

The proposed works generally seek to upgrade the existing tram terminus driver amenities at the Park Street tram terminus, as well as to facilitate improved safety and accessibility from the adjacent footpath to the tram platform.

The proposal is for works including:

- Removal of existing portable toilet amenities on tram platform.
- Partial demolition of sections of bluestone kerb on tram platform, fencing on tram raised platform, bluestone kerb and channel, parts of the existing nature strip and
- Construction of a new raised pedestrian safety crossing.
- Construction of a new two-cubicle toilet with stainless steel finish.
- Installation of associated street furniture and public infrastructure. These include a drainage pit and underground drainage, street luminaire for the new raised safety crossing, line markings for a bike lane, a new CCTV pole, new water meter, relocated switchboard, relocation of existing mirror pole to be clear of the crossing entry to platform and new fence-mounted signage to restrict public access to the amenity area.
- Construction of new fencing on tram platform.
- Construction and display of a pedestrian crossing sign.

The existing toilet facilities at the Park Street Tram Terminus are outdated and are proposed to be replaced by two new all-gender toilet facilities for tram drivers.

In consultation with Council, the new raised pedestrian safety crossing has been included to provide an additional access point that replaces the current access 'step' from the north of the tram platform.

The pedestrian crossing necessitates removal of sections of bluestone kerb on the tram platform, and parts of the bluestone kerb and channel to allow for the construction of the structural base of the new fencing layout. The upgrade works will include a series of new installations to integrate the new works into the surrounding street network, and complement the reconfigured tram terminus layout.

4 Planning Controls

4.1 Zoning

The site is subject to the Commercial 1 Zone (C1Z) of the Port Phillip Planning Scheme, as shown in **Figure 2**.

Pursuant to Clause 34.01, the purpose of the C1Z is:

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

The use occurring at the site can be defined as “Tramway” under Clause 73.03 of the Port Phillip Planning Scheme: *Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops and shelters, shunting areas and associated passenger facilities.*

Tramway is a Section 1 (Permit not required) use under the C1Z.

A permit is not required to construct a building or construct or carry out works under Clause 34.01-4 of the C1Z, as the proposal includes:

- building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria (exempt pursuant to Clause 62.02).
- demolition or removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria (exempt pursuant to Clause 62.05).





ZONING PLAN

Park Street, St Kilda

Site boundary

Commercial Zone - Schedule 1 (C1Z)

Transport Zone - Schedule 2 (TRZ2)

Neighbourhood Residential Zone - Schedule 5 (NRZ5)

General Residential Zone - Schedule 1 (GRZ1)



0 15 30 60
METRES

Figure 2. Zoning Plan for the subject site.

4.2 Overlays

Heritage Overlay – Schedule 444

The site is subject to the Heritage Overlay – Schedule 444 (HO444), as shown within **Figure 3**.

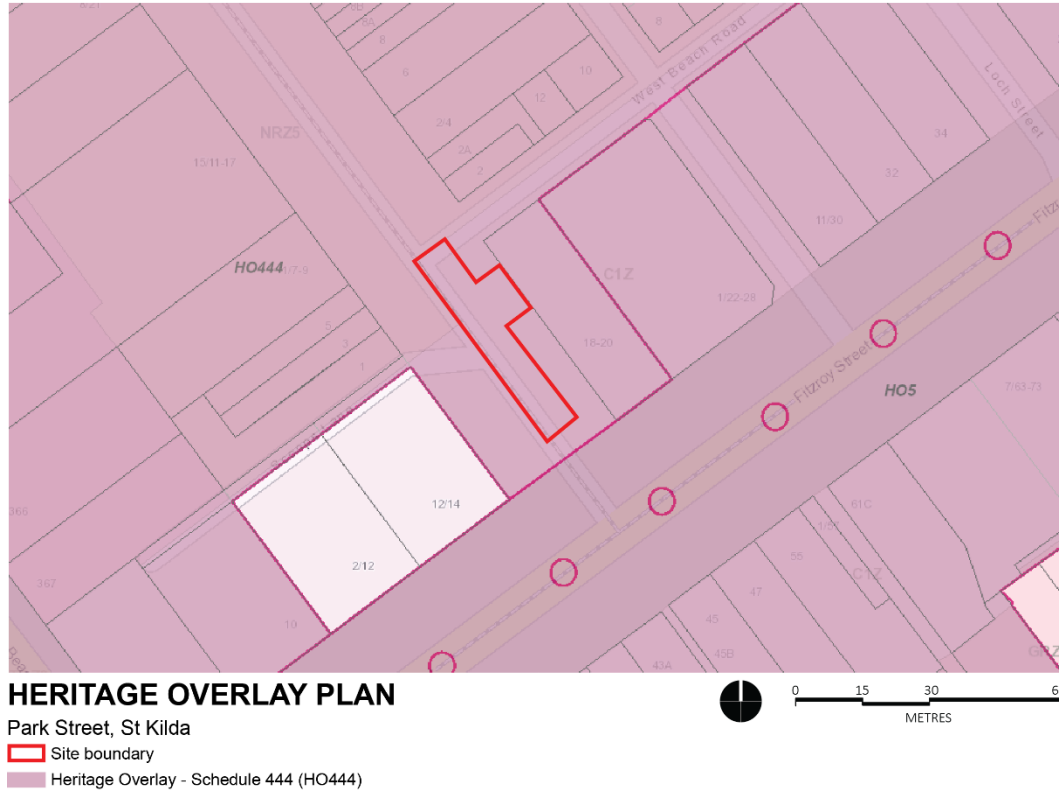


Figure 3 – Heritage Overlay Plan (HO444) for the subject site

The purpose of the HO includes:

- 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.

Pursuant to Clause 43.01-1, a permit is required to:

- Demolish or remove a building.
- Construct a building or carry out works, including:

- A fence.
- Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
- Buildings or works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.
- Street furniture other than:
 - Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.
 - Speed humps, pedestrian refuges and splitter islands.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.

HO444 – ‘Middle Park and St Kilda West Precinct bound by Kerferd Rd, Canterbury Rd, Fitzroy St and Beaconsfield Parade’ is not included on the Victorian Heritage Register under the *Heritage Act 2017*. External paint controls and solar energy system controls apply to the site as per HO444.

Key decision guidelines as at Clause 43.01-8 include:

- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Any applicable heritage design guideline specified in the schedule to this overlay.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

Special Building Overlay – Schedule 2

Part of the site is affected by the Special Building Overlay – Schedule 2 (SBO2) as shown in **Figure 4**.

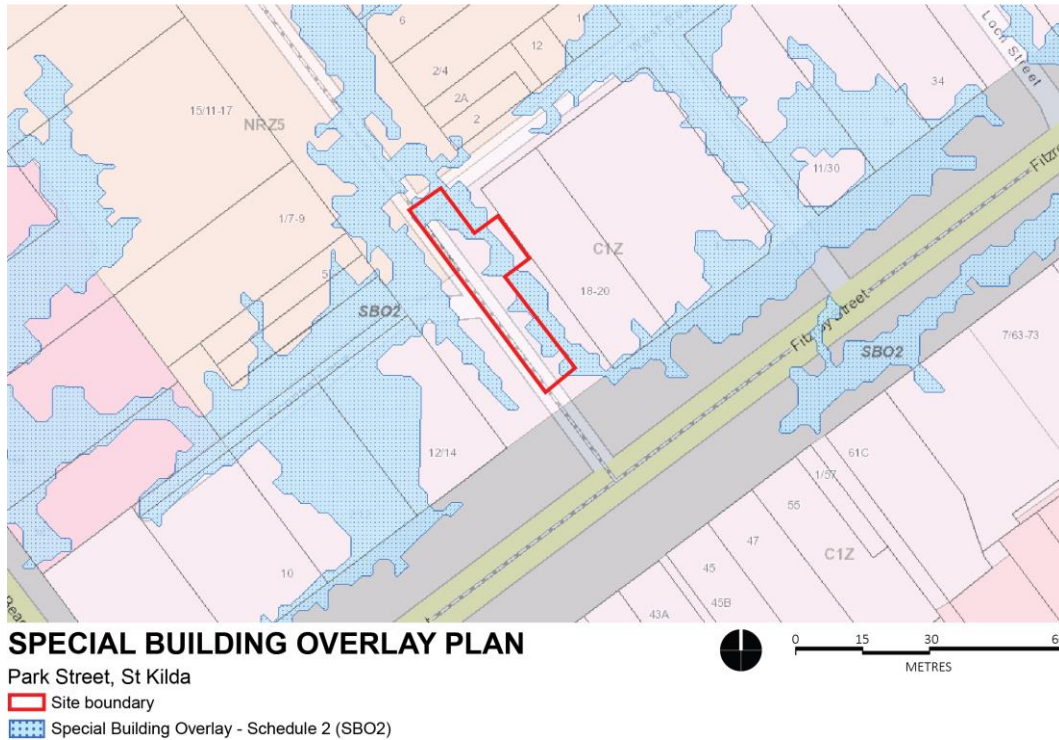


Figure 4 – Special Building Overlay Plan (SBO2) for the subject site

The purpose of the Special Building Overlay (SBO) is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, 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 protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimize the risks to the environmental quality of water and groundwater.

Under Clause 44.05-2 of the SBO, a planning permit is required to construct a building or to construct or carry out works, including, among others:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
 - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
 - Landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

Schedule 2 of the SBO does not include any permit exemptions relevant to the proposal and notes an application will be considered by the City of Port Phillip as the authority responsible for local drains.

Decision guidelines under Clause 44.05-7 require consideration of factors such as the Municipal Planning Strategy, any local floodplain development plan, comments from the relevant floodplain management authority, existing land use and development, susceptibility of development to flooding, and flood risk factors including frequency, duration, extent, depth, velocity of flooding, flood warning time available, danger to occupants, effects on redirecting or obstructing floodwater.

Implication for the proposal: Given the proposal has yet to be considered by the relevant floodplain management authority, the roadworks and bicycle paths are not exempt and require a planning permit.

Design and Development Overlay – Schedule 6 (DDO6)

The entire site is affected by the Design and Development Overlay – Schedule 6 (DDO6) as shown in **Figure 5**.

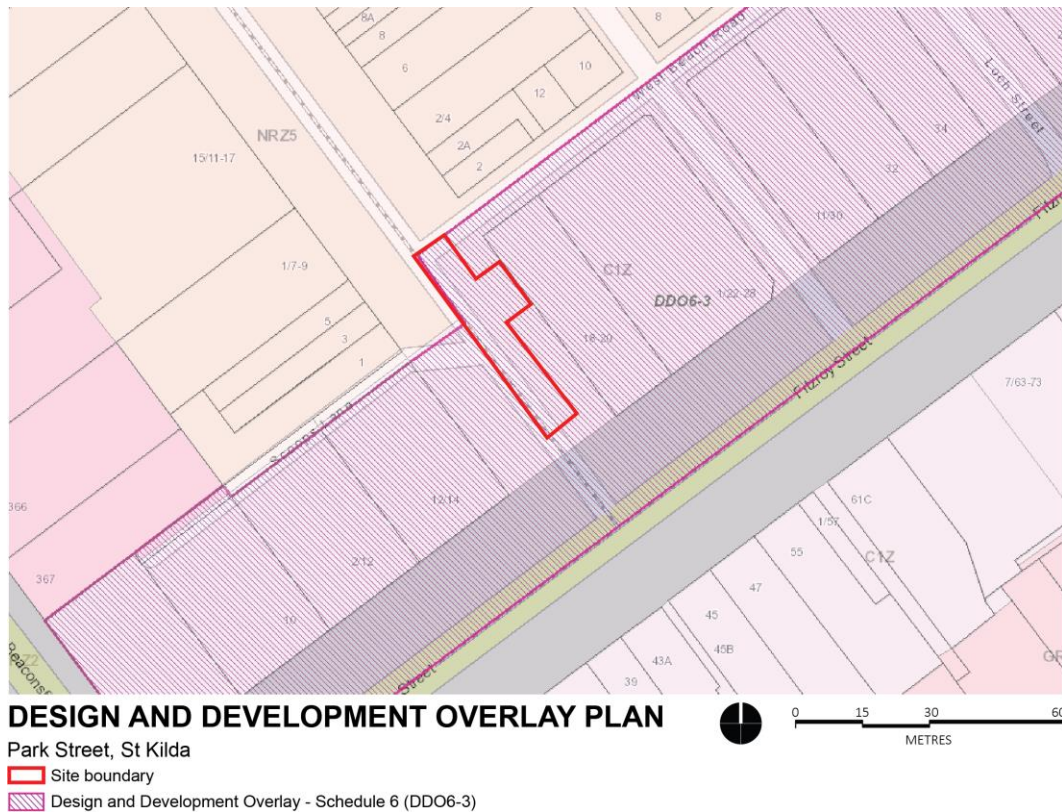


Figure 5 – Design and Development Overlay Plan (DDO6-3) for the subject site

Pursuant to Clause 43.02-2 of the DDO, a permit is required to construct a building or construct or carry out works.

Schedule 6 of the DDO (St Kilda Area – Including Fitzroy Street, The Esplanade and Acland Street) contains the following relevant design objectives:

- *To ensure the built form and building siting respects the dominant street patterns.*
- *To encourage high quality, well-designed new buildings, works, renovations and additions that are compatible with the existing diverse architectural and streetscape character of St Kilda and reinforce its distinctive built form.*
- *To ensure that the facade design of new development is compatible with, and respects the character of, neighbouring buildings within the same streetscape.*

- *To ensure that new development on sites containing or adjacent to a heritage place is of a form and scale that is respectful of the heritage place.*

The Preferred Character, Design Objectives and Requirements of DDO6-3 (Fitzroy Street Central - north west side between Canterbury Road and Beaconsfield Parade) are included at Clause 2.0, and is included below:

Preferred Character:

- *Varied built form that reflects the predominant mix of residential and office uses, in contrast to the shopping and leisure uses on the south-east side of Fitzroy Street.*
- *Varied setbacks, some of which provide a softer street edge through on-site landscaping, and compliment the “linear piazza” character of the footpath.*
- *A building scale which confirms/reinforces the tree-lined boulevard character and topography of the street.*

Design Objectives:

- *Buildings should respond to and reflect the topography of Fitzroy Street.*
- *To ensure that buildings allow for a clear view of the sky for kerbside diners on the south-east side of Fitzroy Street.*
- *To ensure that the footpath on the south-east side of Fitzroy Street retains direct solar access.*
- *To ensure development complements the residential character of the north-west side of Fitzroy Street.*
- *To ensure building frontages and ground level activities complement the character of the tree-lined footpath environment.*
- *To ensure new development is of a scale and form that maintains the pedestrian scale.*

Requirements:

- *Buildings must not exceed 16.5 metres in height.*
- *Buildings must not cast a shadow within 6 metres of the property line of the south-east side of Fitzroy Street before 3.00 pm on 21 June.*
- *Buildings should be set back from the rear property boundary by 3 metres to reasonably protect residential amenity and must not be higher than 9.5 metres within 10 metres of the West Beach Road frontage.*
- *Current setbacks from the Fitzroy Street frontage should be retained to reflect the context of the street.*
- *Front setbacks should provide for landscaping.*
- *New car parking access must not be provided from Fitzroy Street.*
- *Buildings should not overshadow the foreshore reserve, including Cleve Gardens, after 10.00am on 21 June.*
- *Buildings should be designed to provide casual surveillance of the street from upper levels.*

A permit is not required to construct a building or construct or carry out works under the DDO6, as the proposal includes:

- building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria (exempt pursuant to Clause 62.02).

- demolition or removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria (exempt pursuant to Clause 62.05).

4.3 Particular/General Provisions

The following particular provisions and general provisions have been considered for their relevance:

Clause 53.21 (State transport projects)

The purpose of this clause is:

- *To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.*

The clause applies to an application under any provision of the planning scheme, made by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.

Pursuant to Clause 53.21-2, *an application to which clause 53.21 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.* Therefore, the proposal is exempt from third party review rights.

Clause 62.02-2 (Buildings and works not requiring a planning permit unless specifically required by the planning scheme)

The clause states that any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- *Buildings and works associated with a minor utility installation.*
- *Buildings and works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria. If the buildings or works are on land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay and will redirect or obstruct the water flow path, they must be constructed and carried out to the satisfaction of the relevant floodplain management authority.*
- *Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.*
- *Roadworks.*
- *Bicycle pathways and trails.*



Implications for proposal: The proposal includes buildings and works associated with a tramway constructed or carried out by or on behalf of the Head, Transport for Victoria, including a minor utility installation (underground drainage pipes and drainage pit) and street furniture such as public toilets, light poles, CCTV poles.

The underground drainage pipes and drainage pit (minor utility installation) are exempt from a planning permit.

However, as 'buildings and works associated with a...tramway constructed or carried out by or on behalf of the Head, Transport for Victoria' is specifically required pursuant to the Heritage Overlay and partially pursuant to the Special Building Overlay, a planning permit for buildings and works associated with a tramway is required.

Clause 62.05 (Demolition)

The clause states that:

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

Any requirement in this planning scheme (other than a requirement in a Heritage Overlay) relating to the demolition or removal of a building or works does not apply to the demolition or removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria.

Implications for proposal: The proposed demolition or removal of a buildings or works associated with a tramway carried out by or on behalf of the Head, Transport for Victoria is specifically required pursuant to the Heritage Overlay, therefore a planning permit is required.

4.4 Operational Provisions

The following general provision has been considered for its relevance:

Clause 72.01 (Responsible authority for this planning scheme)

Pursuant to Clause 72.01-1, the Minister for Planning is the responsible authority for permit applications in relation to the use and development of land carried out by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.

4.5 Planning Permit Triggers

Having regard to the above, the following works require a planning permit:

- Removal of existing portable toilet amenities on tram platform.
- Partial demolition of sections of bluestone kerb on tram platform, fencing on tram raised platform, bluestone kerb and channel, parts of the existing nature strip.
- Construction of a new raised pedestrian safety crossing.
- Construction of a new two-cubicle toilet with stainless steel finish.
- Installation of associated street furniture and public infrastructure. These include a drainage pit and underground drainage, street luminaire for the new raised safety crossing, line markings for a bike lane, a new CCTV pole, new water meter, relocated switchboard, relocation of existing mirror pole to be clear of the crossing entry to platform and new fence-mounted signage to restrict public access to the amenity area.
- Construction of new fencing on tram platform.
- Construction and display of a pedestrian crossing sign.

A planning permit is triggered by the following clauses of the planning scheme:

- Clause 43.01-1 (HO), a permit is required to remove or demolish a building, construct a building and carry out works including roadworks, fencing, construct and display a sign and paint an external surface.
- Clause 44.05-2 (SBO), a permit is required to construct a building or carry out works, including roadworks, fencing, and other works.

5 Planning Policy Context

The following section outlines the key policy considerations of the Planning Policy Framework and Local Policy Frameworks as well as the planning controls, which apply to the site. An assessment of the proposal against the policy framework will be addressed in Section 6 of this report.

5.1 State Planning Policy Framework

The Planning Policy seeks to guide proposals in a manner which benefits local communities and the wider region. The following clauses are relevant to the proposal:

Clause 11 – Settlement seeks for planning to facilitate sustainable development that take full advantage of existing settlement patterns in transport, utility, social, community and commercial infrastructure and services.

Clause 13.03-15 – Floodplain Management seeks to assist the protection of the natural flood carrying capacity of floodways and the flood storage of floodplains and waterways.

Clause 15 – Built Environment and Heritage aims for planning to promote places that are enjoyable, engaging and comfortable to be in and that accommodate people of all abilities, ages and cultures.

Clause 15.01-15 – Urban Design seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 18.01-15 – Land Use and Transport Integration seeks to plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Clause 18.01-15 – Land Use and Transport Integration seeks to Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to:

- Landscaping.
- The placement of signs.
- Providing buffer zones and resting places.

Clause 18.01-25 – Transport system seeks to facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

5.2 Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) provides localised direction in relation to land use and development objectives within the municipality.

The LPPF includes the Municipal Planning Strategy, which sets out the vision, objectives and strategies for the built environment within Port Phillip and is supported by the Local Planning Policies, which provide specific policy requirements for a range of land use and development.

The following Local Planning Policies are relevant to the proposal:

- Clause 15.01-1L-02 Urban Design
- Clause 15.03-1L Heritage policy
- Clause 18.01-1L-01 Land use and transport integration
- Clause 18.01-3L-01 Sustainable and safe transport in Port Phillip

The key objectives, strategies, design guidelines which emerge from these policies are outlined below:

- *Improve the quality, consistency, efficiency and application of lighting in the public realm.* (Clause 15.01-1L-02 Urban Design)
- *Protect and enhance pedestrian spaces and amenity in all streets, squares, parks, walkways and public spaces.* (Clause 15.01-1L-02 Urban Design)
- *Conserve and enhance Significant and Contributory buildings as identified in the incorporated document in Schedule to Clause 72.04 'City of Port Phillip Heritage Policy Map'.* (Clause 15.03-1L Heritage policy)
- *Conserve historic public realm infrastructure.* (Clause 15.03-1L Heritage policy)
- *Ensure that new public realm infrastructure respects and complements the historic character of the heritage place.* (Clause 15.03-1L Heritage policy)
- *Support development that promotes alternate modes of transport and reduces reliance on private vehicles* (Clause 18.01-2S)
- *Design public streets and spaces to provide support infrastructure for pedestrians (such as footpaths, street furniture, lighting, drinking fountains and toilet facilities).* (Clause 18.01-3L-01)

6 Planning Considerations

6.1 Assessment against relevant Planning Policy and Strategies

The proposal achieves a high level of compliance with both State and Local planning policies and strategies, particularly those of the Port Phillip Planning Scheme aiming to provide high quality transport facilities and protection of local character and amenity.

The proposal achieves the following level of compliance:

State Policy

- The proposal will support the ongoing functioning of the tram network and improve access to the tram platform, contributing to integrated transport and land use in the area (Clause 11).
- The proposed building and works avoids intensifying the impact of flooding through appropriate location of the use and development and includes drainage solutions to manage overland flows (Clause 13.03-1S).
- The proposal supports the functioning of safe and healthy urban environments through the support of the local tram network (Clause 15.01-1S).
- The proposal supports the ongoing improvement and development of the State Transport System in the short and long term (Clause 18.01-1S).
- The proposal achieves the visual outcomes that are responsible to local context (Clause 18.01-1S).
- The proposal supports the efficient and reliable movement of people and supports the improvement of sustainable local transport options, through improving the amenities for Yarra Trams staff and improving pedestrian access to the tram platform (Clause 18.01-2S).

Local Policy

- The proposal includes street luminaire for the new raised safety crossing, contributing to the quality of lighting in the public realm (Clause 15.01-1L-02 Urban Design).
- The proposed works will enhance pedestrian spaces and amenity through the construction of the new raised safety crossing and improved pedestrian access to the tram platform (Clause 15.01-1L-02 Urban Design).

- The proposed demolition and works are minor in terms of scale and form and will have no impact on Significant and Contributory buildings as identified in the incorporated document in Schedule to Clause 72.04 'City of Port Phillip Heritage Policy Map' (Clause 15.03-1L Heritage policy).
- The proposed demolition and works will have an acceptable impact on historic public realm infrastructure in the area (Clause 15.03-1L Heritage policy).
- The location, form and appearance of the new two-cubicle toilet and associated street furniture and public infrastructure will respect and complement the existing character of surrounding heritage, through the use of muted colours and the small scale of the building (Clause 15.03-1L Heritage policy).
- The proposal support development that promotes alternate modes of transport and reduces reliance on private vehicles (Clause 18.01-2S)
- The design of the proposal includes infrastructure for pedestrian use, including improved pedestrian access to the tram platform, the new raised safety crossing and associated street lighting (Clause 18.01-3L-01).

6.2 Assessment against applicable Planning Controls

Clause 43.01 (Heritage Overlay)

A summary of the proposal's level of compliance with the purpose and decision guidelines of the HO444 follows:

- In support of the purpose of the HO444, the proposal conserves and enhances the heritage place through minimising elements of bluestone kerb and channel removal necessary to upgrade the existing Park Street Tram Terminus and construct the raised pedestrian crossing, with associated infrastructure.
- The proposal addresses the relevant conservation guidelines contained in the *Heritage Kerbs, Channels and Laneways Guidelines (City of Port Phillip, 2006)* which is identified as a policy guideline pursuant to the Clause 15.03-1L Heritage policy. Refer to **Attachment 1** for an assessment against the relevant conservation guidelines.
- In response to the decision guidelines of HO and HO444, the proposed works can be supported given that:
 - The location, form and appearance of the new driver amenity toilets, raised pedestrian crossing, and new minor utilities, fencing and works will not adversely affect the heritage significance of the St Kilda West HO444 area. These buildings and works are designed to harmoniously integrate

with the existing bluestone kerbs, tram terminus structures and maintain the visual prominence of adjacent Significant and Contributory buildings.

- In terms of scale, the new toilets are almost a 'like-for-like' replacement of the existing driver facilities and will visually integrate beneath the treed boulevard of Park Street along with associated infrastructure.
- The proposed pedestrian crossing sign is sited and designed similar to other public signs to serve a necessary directional function, and not detract from the heritage significance of the HO444 area.
- The replacement of a limited section of bluestone kerb with an upstand concrete kerb to construct the raised pedestrian crossing and underground drainage pipes and drainage pit would have limited impact on the heritage significance of the HO444 area.
- In terms of works on the tram platform, the existing bluestone blocks will be saw cut to allow for removal, and extension of the slab. The existing road is to be made good, following the construction of the platform slab extension, maintaining existing road levels. This ensures minimal change to the appearance and form of the existing tram platform.
- The new balustrade fencing around the tram platform would be slightly extended to match the existing location of existing fencing.

Clause 44.05 (Special Building Overlay)

A summary of the proposal's level of compliance with the purpose and decision guidelines of the SBO2 is provided as follows:

- The proposed buildings and works will have minimal impact on the free passage and temporary storage of floodwaters, be compatible with the local drainage conditions and not cause any significant rise in flood level or flow velocity. The only buildings and works considered relevant to such issues of flooding and drainage is the new raised pedestrian crossing, however this is anticipated to have minimal impact on flooding and drainage conditions due to the limited area of street to be raised and the installation of a new grated pit and associated stormwater drain as part of the proposal.
- The existing use and development of the land as a tram platform with associated infrastructure will remain largely unchanged, with relatively minor buildings and works to result in an improved outcome for the site.
- The nature of the development (tram platform with toilet cubicles) involves low susceptibility to flooding and flood damage, with the raised levels of the tram platform minimising the risk of flooding on the site.
- The danger to other floodplain residents and emergency personnel is relatively low, due to the location of the site within a road reserve and the low impact of the development on flood hazard (as noted above).



- As noted above, the effect of the development on redirecting or obstructing floodwater, stormwater or drainage water is considered to be minimal. Furthermore, the development is anticipated to have the effect of increasing flood storage, due to the new grated pit and associated stormwater drain.

7 Conclusion

The proposal achieves a high level of compliance with State and Local Planning Policy, the C1Z, the HO444 and the SBO. The proposal is for a high-quality upgrade of existing tram driver amenities at the Park Street Tram Terminus, St Kilda and construction of a new pedestrian safety crossing.

The works will improve safety, amenity and accessibility to transport infrastructure, and represents a sustainable and logical approach to land use planning that should be supported.

The proposal will not cause negative impact to the existing heritage significance of the St Kilda West area, and will complement existing heritage fabric in the form of bluestone kerb and channels. The works follow the desired contextual design approach, and will complement and enhance the existing built form through being sensitively designed and positioned.

Further, the proposal will not cause negative impact to the heritage character or amenity of surrounding streets or properties or adversely affect flood characteristics.

Given the high level of compliance with the assessment framework, it is respectfully requested that the application be approved, and the plans submitted with the application endorsed.

ATTACHMENT 1: Response to conservation guidelines contained in the Heritage Kerbs, Channels and Laneways Guidelines (City of Port Phillip, 2006)

The *Heritage kerbs, channels & laneways policy* identifies the significant kerbs, channels and laneways within Heritage Overlay Precincts of the City of Port Phillip and includes policies to conserve and enhance their contribution to the Heritage Overlay.

Whilst the Heritage Overlay precinct (HO444) area is not identified within the *Heritage kerbs, channels & laneways policy*, the subject site includes bluestone kerbs which would require alteration or removal to facilitate the proposed buildings and works associated with the Park Street Tram Terminus.

Heritage Conservation Guidelines are included in Section 4 of this *Heritage kerbs, channels & laneways policy*.

Pursuant to Section 4.2 which outlines the Guidelines, the objectives of the Guidelines are as follows:

- *To preserve significant heritage bluestone kerb and channelling, bluestone laneways and significant concrete kerb and channelling contained within Heritage Overlay Precincts in the City of Port Phillip.*
- *To ensure that reconstruction and repair of significant heritage bluestone kerb and channelling, bluestone laneways and significant concrete kerb and channel is carried out in a way that reflects as closely as possible the original appearance.*

The relevant Guidelines are as follows:

- *Bluestone kerb and channelling and bluestone laneways should be inspected and repaired, and maintained as necessary, to prevent deterioration and the need for reconstruction. (4.2.2 General Guidelines)*
- *The dates, description and photographs of any reconstruction works should be documented and retained by the Council. (4.2.2 General Guidelines)*
- *A photographic record should be kept of the existing conditions of significant kerbs and channels and bluestone laneways prior to any works being undertaken. (4.2.2 General Guidelines)*
- *Any permits issued for works to significant heritage kerbs, channels and laneways should include a condition that works must abide by this guidelines. (4.2.2 General Guidelines)*
- *Reconstruction should only occur when the existing kerb and channel is at the end of its useful life or when the amenity for residents is negatively affected. Closely inspect the original construction methods and*

reinstate as close as possible to existing with particular attention to the jointing method and kerb layback angle. (4.2.3 Bluestone Kerb and Channelling)

- *Where disability access is required for incorporation into path systems, they should be installed with minimum intervention to significant kerb and channelling and where possible avoid alteration to or removal of significant kerb and channelling. (4.2.3 Bluestone Kerb and Channelling)*
- *Where new bluestone (cut bluestone/pavers) is used in new road features, it should be detailed in such a way that it is distinguishable as new construction. (4.2.7 Contemporary use of bluestone)*
- *In rare instances where heritage kerbs and channels and laneways cannot be reconstructed due to changes of level or alignment, it may be appropriate to archaeologically record and cover the historic features. If this is done, a separation layer should be provided between the old and new material. This allows the later covering to be removed in the future without damage to the historic fabric beneath if circumstances changes. (4.2.7 Contemporary use of bluestone)*

The proposed buildings and works address the relevant Conservation Guidelines as follows:

- Reconstruction is proposed as the existing kerb and channel is at the end of its useful life. The existing kerb is not proposed to be reinstated as it is not structurally sufficient for the new fence.
- The raised pedestrian crossing is designed to provide safe access to the tram platform, and is designed to be incorporated into the path system with minimum intervention to significant kerb and channelling.
- The proposed removal of bluestone kerb and bluestone blocks (from tram platform) are not proposed to be replaced with bluestone but concrete – this is sufficient to distinguish the works as new construction.
- As the heritage kerb and channel cannot be reconstructed due to changes of level due to the proposed raised pedestrian crossing, it may be appropriate to archaeologically record and cover the historic features. A condition of permit can be included to this effect.

