

# Amendment C223 to the Yarra Planning Scheme

Comparison of exhibited version and the version for adoption and reasons for the change

## Schedule 15 to the Development Plan Overlay (DPO15)

The information in this table is based on the exhibited version of DPO15 and the version of DPO15 supported by officers for adoption. This table should be read in conjunction with Attachment 2 of the Council Report dated 15 September 2020 which provides a track change version of DPO15 showing the changes from the exhibited version to the version for adoption.

This table only highlights aspects of the DPO15 where changes are proposed to the exhibition version of the DDO. Elements of the amendment where no changes are proposed or very minor changes such as spelling mistakes or punctuation where there are no other changes are not included in this table.

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
2.1	Timing of Section 173 agreement: <i>The Section 173 Agreement must be entered into prior to a planning permit being issued in accordance with the approved Development Plan</i>	Timing of Section 173 Agreement: <i>The Section 173 Agreement must be entered into <u>once a planning permit being issued but prior to the endorsement of plans in</u> accordance with the approved Development Plan.</i>	Recommendations made by the Panel.  The wording of the Section 173 agreement has been modified to allow a better understanding of the requirements for an agreement which would be determined once a permit has been issued. Plans cannot be endorsed without an agreement being entered to which will provide certainty to Council.
2.2	The owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 for	The owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 for	Recommendation made by the Panel.  The Panel considered it reasonable to include a provision requiring upgrades to the public realm given the scale and impact of the development. The Panel noted:

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	the provision of to the following items of public infrastructure in accordance with the Public Realm Plan prepared and approved in accordance with this schedule.	the provision <del>of</del> <u>or a proportionate contribution</u> to the following items of public infrastructure in accordance with the Public Realm Plan prepared and approved in accordance with this schedule.	<p><i>The nature of these works, the extent of the contribution, timing and whether the contribution is provided in cash or in kind are matters for negotiation with Council as municipal authority and the manager of adjacent local roads.</i></p> <p>Wording to DPO15 has been updated to reflect the Panel's conclusions and is supported by Officers.</p>
2.2	Timing of Section 173 Agreement: <i>The Section 173 Agreement must be entered into prior to a planning permit being issued in accordance with the approved Development Plan</i>	Timing of Section 173 Agreement: <i>The Section 173 Agreement must be entered into <u>once</u> a planning permit being <u>issued but prior to the endorsement of plans</u> in accordance with the approved Development Plan.</i>	<p>Recommendations made by the Panel.</p> <p>The wording of the Section 173 agreement has been modified to allow better understanding of the requirements for an agreement which will be determined once a permit has been issued. Plans cannot be endorsed without an agreement being entered to which will provide certainty to Council.</p>
2.2	A minimum nine (9) metre wide pedestrian lane connecting Doonside Street and Appleton Street at the approximate mid-point of the Site, generally in accordance with the Indicative Framework Plan at Figure 1	A minimum nine (9) metre wide pedestrian lane connecting Doonside Street and Appleton Street <del>at the approximate mid-point of the Site,</del> generally in accordance with the Indicative Framework Plan at Figure 1	<p>Recommendation made by the Panel.</p> <p>Council acknowledges that the location of the pedestrian lane is not in the approximate middle of the site but towards the east. Illustrating the location on the Indicative Framework Plan is sufficient to guide future decision making.</p>
2.3	Timing of Section 173 Agreement:	Timing of Section 173 Agreement:	Recommendations made by the Panel.

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	<p><i>The Section 173 Agreement must be entered into prior to a planning permit being issued in accordance with the approved Development Plan</i></p>	<p><i>The Section 173 Agreement must be entered into <u>once</u> a planning permit being <u>issued but prior to the endorsement of plans</u> in accordance with the approved Development Plan.</i></p>	<p>The wording of the Section 173 agreement has been modified to allow better understanding of the requirements for an agreement which will be determined once a permit has been issued. Plans cannot be endorsed without an agreement being entered to which will provide certainty to Council.</p>
2.3	<ul style="list-style-type: none"> <li>• A two way or a four way signalised intersection between Burnley Street/Doonside Street/Buckingham Street; and</li> <li>• A new intersection, if required, approved by VicRoads in consultation with the Responsible Authority.</li> </ul>	<ul style="list-style-type: none"> <li>• A two way or a four way signalised intersection between Burnley Street/Doonside Street/Buckingham Street; <u>and if required, approved by VicRoads in consultation with the Responsible Authority.</u></li> <li>• <del>A new intersection, if required, approved by VicRoads in consultation with the Responsible Authority.</del></li> </ul>	<p>Recommendation made by the Panel.</p> <p>The Panel commented:  <i>“Splitting this in two suggests that there may be other new intersection works aside from in this location.”</i></p> <p>Officers agree with the refinement, as it does not undermine the intent of the wording but makes DPO15 more concise.</p>
3.2	<p>Heritage Impact Statement  A permit application must include, where relevant:</p> <ul style="list-style-type: none"> <li>• A heritage impact statement prepared by a suitably qualified professional that assesses the impact of the proposed development on the heritage values of the heritage place and nearby heritage places, as identified in the conservation management plan or similar comprehensive heritage analysis</li> </ul>	<p>Heritage Impact Statement  A permit application must include, where relevant:</p> <ul style="list-style-type: none"> <li>• <del>A heritage impact statement prepared by a suitably qualified professional that assesses the impact of the proposed development on the heritage values of the heritage place and nearby heritage places, as identified in the conservation management plan or similar comprehensive heritage analysis prepared for the site, along with</del></li> </ul>	<p>Recommendation made by the Panel.</p> <p>Refinement of the wording to reflect the introduction of a new section 3.3 <i>heritage conservation works</i>.</p>

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
	prepared for the site, along with relevant heritage studies and citations.	<del>relevant heritage studies and citations.</del> <u>A heritage impact statement prepared by a suitably qualified professional that assesses the impact of the proposed development on the heritage values of the heritage place.</u>	
3.3	Content not included as part of the exhibited DPO15.	3.3 Heritage Conservation Works (refer to Attachment 2)	<p>Recommendation made by the Panel in response to hearing evidence from heritage experts.</p> <p>Council's heritage expert recommended that further guidance was needed in DPO15 during the panel hearing. His suggestion was a further Section 173 agreement covering heritage conservation works was recommended during the hearing.</p> <p>After considering the issue the Panel has agreed that further guidance within the DPO is recommended. However, it recommended the additions should be located under requirements for a permit. This decision has been made in consultation with Council's and the proponent's heritage experts.</p> <p>Officers agree with the insertion as it will provide further guidance in managing heritage conservation works at the</p>

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			appropriate time (that being the permit stage).
3.4	Content not included as part of the exhibited DPO15.	Traffic Impact Assessment Report (TIAR) (refer to Attachment 2)	<p>Recommendation made by the Panel.</p> <p>The Panel included the need to consult with Victoria Gardens Shopping Centre as this was put by a submitter and agreed by the proponent. The Panel considered this change acceptable but not necessary.</p> <p>The majority wording within 3.4 was already included with DPO15. However, was located under Requirements for a development plan. The Panel considered that some of the material addressed in this section was best provided at the planning permit stage.</p>
3.5	Content not included as part of the exhibited DPO15.	Green Travel Plan	<p>Recommendations made by the Panel.</p> <p>A green travel plan was required as part of the <i>Requirements for a Development Plan</i>, and has been moved to the <i>permit requirements</i> section.</p> <p>Officers agree as the material provided as part of a Green Travel Plan are better suited to the permit stage.</p>
4.1 Development plan vision	To protect the amenity of residential properties on the south side of Appleton Street	To protect the <u>reasonable</u> amenity of residential properties on the south side of Appleton Street <u>and to the east of the subject site.</u>	<p>The insertion of the word reasonable was a recommendation from the Panel.</p> <p>Officers agree with the insertion as it should provide greater clarity within the DPO for</p>

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			<p>the need to balance the strategic policy vision for the site and the amenity of the surrounding residential properties.</p> <p>The refinements to include the residential properties to the east was a refinement made by Council following exhibition. The panel has supported this inclusion. This was in response to submissions who raised concern over amenity impacts from a new development.</p>
4.1 Development plan vision	To respect the scale and form of heritage places within and adjacent to the site and provide for the conservation of heritage places within the site.	To respect the scale and form of heritage places within and adjacent to the site <del>and provide for the conservation of heritage places within the site.</del>	<p>Recommendations made by the Panel.</p> <p>Has become a separate dot point within 4.1 (see below)</p>
4.1 Development plan vision	Content not included as part of the exhibited DPO15.	<u>To provide for the conservation of heritage places within the site.</u>	<p>Recommendations made by the Panel.</p> <p>Has become a separate dot point within 4.1 (see above)</p>
4.1 Development plan vision	Content not included as part of the exhibited DPO15.	<ul style="list-style-type: none"> <li><u>To ensure that the primary responsibility for noise attenuation rests with the agent of change.</u></li> <li><u>To ensure new development, does not unreasonably prejudice by way of reason of reverse amenity the ongoing operation of nearby existing commercial, industrial and warehouse businesses, including Victoria Gardens Shopping Centre</u></li> </ul>	<p>Recommendation made by the Panel.</p> <p>The Panel noted:</p> <p><i>Salta Properties is a key landowner in the precinct with a direct interest in maintaining the use and development capacity of the Activity Centre. Its concerns to protect future opportunities, including the ongoing operation of existing businesses, are reasonable.</i></p>

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			<i>Appropriate wording has been refined to ensure suitable noise attenuation for new residential properties on the land, recognising the mixed use activity centre context.</i>
4.1 Development plan vision	To provide for the sensitive adaptive re-use of heritage buildings in accordance with the Indicative Framework Plan and informed by a comprehensive heritage analysis prepared for the site by a suitably qualified professional that:	To provide for the sensitive adaptive re-use of heritage buildings in accordance with the <del>Indicative Framework Plan and informed by a comprehensive heritage analysis prepared for the site by a suitably qualified professional that:</del> <u>Comprehensive Heritage Analysis referred to in Clause 4.2</u>	Recommendations made by the Panel.  Administrative change to reflect change of wording within DPO15.
4.1 Development plan vision	– articulates the significance of the heritage place, its component parts and its setting;	<del>– articulates the significance of the heritage place, its component parts and its setting;</del>	Recommendations made by the Panel.  Refinements made in consultation with Council’s and Proponent’s heritage experts to increase clarity of the provisions.
4.1 Indicative Framework Plan	Panel recommendation to amend Indicative Framework Plan. Refer to Attachment 2 for original IFP.	delete dashed lines capable of indicating building footprints	Recommendations made by the Panel.  The Panel commented:  <i>The Panel concludes there is also scope to reduce graphics within the IFP in favour of built form guidelines in DPO15, generally as advanced in expert evidence for the Proponent. It has sought to supplement the wording of the schedule where required to clarify built form and land use outcomes sought.</i>

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			Officers are comforted by the refinement of the wording within the schedule and thus support the Panel's recommend to refine and reduce graphics on the IFP.
4.1 Indicative Framework Plan	Panel recommendation to amend Indicative Framework Plan. Refer to Attachment 2 for original IFP.	convert references from storeys to metres	<p>Recommendations made by the Panel.</p> <p>The Panel commented:</p> <p><i>The Panel agrees that the reference to metres instead of storeys throughout the schedule is desirable as more certain and in line with preferred planning scheme drafting conventions.</i></p> <p>Officers agree with this statement.</p>
4.1 Indicative Framework Plan	Panel recommendation to amend Indicative Framework Plan. Refer to Attachment 2 for original IFP.	delete the graphic depiction of a 9 metre separation between buildings	<p>Recommendations made by the Panel.</p> <p>Officers support recommendation as the building envelopes on the IFP are now removed. There is sufficient wording within the DPO to ensure there is a minimum 9m building separation between upper levels.</p>
4.1 Indicative Framework Plan	Panel recommendation to amend Indicative Framework Plan. Refer to Attachment 2 for original IFP.	specify the height of the heritage building at 26 Doonside Street by reference to its ridge line height through survey	<p>Recommendations made by the Panel.</p> <p>Officers agree and have used the survey plans provided by the proponent to determine the height of the heritage place on the IFP.</p>



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4.1 Indicative Framework Plan	Panel recommendation to amend Indicative Framework Plan. Refer to Attachment 2 for original IFP.	adopt the arrow notations pertaining to the spectrum of land use generally as recommended in Ms Heggen’s preferred Indicative Framework Plan	<p>Recommendations made by the Panel.</p> <p>The Panel commented:</p> <p><i>It is sufficient for the IFP to indicate a preferred spectrum of locations for various types of land use in diagrammatic form as proposed by Ms Heggen, which should be flexibly applied to achieve integrated and activated site outcomes. For example, it is conceivable that small cafes or home offices are precisely the type of ground floor uses that could activate Appleton Street without detracting from its principally residential land use.</i></p> <p>Officers agree with the recommendation made by Panel and has adopted an approach similar to that shown in Ms Heggen’s expert evidence report. Officers note that Ms Heggen’s wording lacks reference to land use above the podium, and have made minor refinements to reflect the wording in the exhibited version.</p>
4.2 Concept Plans	that remains publicly accessible in perpetuity; and	that remains publicly accessible <del>in perpetuity; and</del> <u>to pedestrians at all times; and that will not be accessible by private vehicles at any time (with the exception of emergency services and public/authority services)</u>	<p>Recommendations made by the Panel.</p> <p>The Panel recommended language changes that would provide greater clarity and improved wording.</p>

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4.2 Concept Plans	The provision of at least 4.5% of the total site (576 square metres) for public open space which fronts Doonside Street and adjoins the pedestrian lane. The plan must show the area of public open space in square metres and its percentage of overall site area; and	The provision of at least 4.5% of the total site (576 square metres) for public open space which fronts Doonside Street and adjoins the pedestrian <u>lane (or a higher percentage if contained in Clause 53.01 of the Yarra Planning Scheme at the time of subdivision)</u> . The plan must show the area of public open space in square metres and its percentage of overall site area; <del>and</del>	<p>Recommendations made by the Panel.</p> <p>The Panel explained their reason for the insertion:  <i>"It would be reasonable to tie the provision of public open space for this site to the controls at the point at which the site is redeveloped, so that if the Planning Scheme rate was to increase, the Proponent would be liable for a higher contribution."</i></p> <p>Officers agree with the rationale listed above.</p>
4.2 Concept Plans	Vehicular pedestrian, cyclist and loading access points and connections.;	<del>Vehicular</del> <u>Indicative vehicular</u> , pedestrian, cyclist and loading access points and connections.; <u>and</u>	<p>Recommendations made by the Panel</p> <p>Officer's support in the inclusion of the word indicative as it will still provide sufficient guidance for future approvals.</p>
4.2 Concept Plans	Content not included as part of the exhibited DPO15.	<u>Details of any works or treatments proposed to Doonside Street or Appleton Street or the nearby road network.</u>	<p>Recommendations made by the Panel</p> <p>Refinements made in consultation with Council's and Proponent's transport experts. This would provide guidance for a future development plan.</p>
4.2 Built form guidelines	Building setbacks from street boundaries that ensure that new future development does not overwhelm the scale of the heritage buildings on the site or on heritage places in the vicinity of	Building setbacks from street boundaries that ensure that new future development does not overwhelm the scale of the heritage buildings on the site <del>or on heritage places</del> <u>and presents acceptable to lower scale buildings</u> in the vicinity of the site,	<p>Recommendations made by the Panel</p> <p>Refinements made in consultation with Council's and Proponent's heritage experts.</p>

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	the site, including dwellings on the south side of Appleton Street;	including dwellings on the south side of Appleton Street;	
4.2 Built form guidelines	Minimum upper level (above podium) setbacks of:	<del>Minimum</del> Preferred minimum upper level (above podium) setbacks of:	<p>Recommendations made by the Panel</p> <p>Refinements made to wording that aligns with the wording within DPO15 and the Indicative Framework Plan.</p> <p>Officers support change as it provides better consistency within the DPO15.</p>
4.2 Built form guidelines	Content not included as part of the exhibited DPO15.	<u>9m from habitable room windows or balconies of the Embassy building directly to the east and south.</u>	<p>Amendment made to DPO15 following exhibition.</p> <p>Changes made in response to submissions. The 9m separation is a way to achieve views and daylight through the site and to reduce the perceived scale of building forms. This amendment was supported by the Panel.</p>
4.2 Built form guidelines	Buildings set back a minimum of 10 metres (above podium) from the heritage building at 26-34 Doonside Street;	Buildings set back a minimum of <del>8</del> 10 metres (above podium) from the heritage building at 26-34 Doonside Street;	Officer do not support this recommendation, please refer to the Council Report – section <i>Response to Heritage Values Upper Level Setback</i> .
4.2 Built form guidelines	Content not included as part of the exhibited DPO15.	<u>Ensure the retention of key heritage fabric of:</u> <u>– The Appleton Street, Burnley Street and Doonside Street elevations of 81-95 Burnley Street (former Repco Factory) for the extent of the building within in heritage overlay;</u> <u>and</u>	<p>Addition made to DPO15 by Council following exhibition.</p> <p>Changes made in response to submissions concerned about the retention of heritage fabric.</p>

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
		<p><u>– External form of 21 Doonside Street (former Repco Offices and Laboratories), while allowing for adaptive reuse.</u></p>	<p>Addition made by Panel: <i>while allowing for adaptive reuse.</i></p> <p>Their rationale: <i>This would contemplate the provision of additional openings as suggested by the Proponent. It would also put the retention of heritage fabric back into the context of the sensitive redevelopment of the site.</i></p>
4.2 Built form guidelines	<p>Massing diagrams that model the proposed built form envelopes based on the indicative heights and setbacks; Shadow diagrams that demonstrate:</p> <ul style="list-style-type: none"> <li>– no unreasonable overshadowing of Doonside Street public open space area and</li> <li>– no overshadowing of private properties on the southern side of Appleton Street beyond that caused by a building of 11m when measured between the hours of 10:00am and 2:00pm at the September Equinox.</li> </ul>	<p><del>Massing diagrams that model the proposed built form envelopes based on the indicative heights and setbacks; Shadow diagrams that demonstrate:</del></p> <ul style="list-style-type: none"> <li><del>– no unreasonable overshadowing of Doonside Street public open space area and</del></li> <li><del>– no overshadowing of private properties on the southern side of Appleton Street beyond that caused by a building of 11m when measured between the hours of 10:00am and 2:00pm at the September Equinox.</del></li> </ul>	<p>Recommendation made by Panel.</p> <p>The Panel have moved these to a new section “<i>Supplementary Information</i>”</p> <p>The Panel commented: <i>These are better expressed as Supplementary Documentation since they are not in the form of guidelines. They have been moved below.</i></p>
4.2 Built form guidelines	<p>Indicative palette of building materials and architectural treatments throughout the site. The design and use of materials must be respectful of the industrial heritage of the site and its surrounds to the north and east, as well as to the residential heritage to the south.</p>	<p><del>Indicative palette of building materials and architectural treatments throughout the site.</del> The design and use of materials must be respectful of the industrial heritage of the site and its surrounds to the north and east, as well as to the residential heritage to the south.</p>	<p>Recommendation made by Panel.</p> <p>The Panel have moved these to a new section “<i>Supplementary Information</i>”</p>

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
4.2 Built form guidelines	<p>Provide for high quality architecture and spaces throughout the site and respond to heritage places through, as appropriate:</p> <ul style="list-style-type: none"> <li>– Use of lightweight materials</li> <li>– Simple architectural detail so as not to detract from significant elements of the heritage buildings</li> <li>– Discouraging highly articulated facades with recessed and projecting elements</li> <li>– Ensuring the retention of solid built form behind retained facades and avoiding avoid balconies behind existing openings.</li> <li>– Providing high quality treatments to building facades facing the pedestrian lane.</li> </ul>	<p>Provide for high quality architecture and spaces throughout the site and respond to heritage places through, as appropriate:</p> <ul style="list-style-type: none"> <li>– <del>Use of lightweight materials</del> <u>Create an interesting and varied street wall and podium which is reinforced through a range of parapet heights and rebates of sufficient depth and texture to provide modulation in the street facade.</u></li> <li>– <del>Simple architectural detail so as not to detract from</del> <u>Use contemporary architectural detail which complements and responds to the</u> significant elements of the heritage buildings</li> <li>– <del>Discouraging</del> <u>Avoid</u> highly articulated facades <del>with recessed and projecting elements</del> <u>above retained heritage buildings,</u></li> <li>– <del>Ensuring the retention of</del> <u>Ensure there is</u> solid built form behind retained facades and <del>avoiding</del> avoid balconies behind existing <del>openings</del> <u>openings.</u></li> <li>– Providing high quality treatments to <u>the</u> building facades facing the pedestrian lane <u>and streets.</u></li> </ul>	<p>Recommendation made by Panel.</p> <p>Refinements made in consultation with Council’s and Proponent’s heritage, planning and urban design experts to increase clarity of the provisions.</p>
4.2 Built form guidelines	Guidelines to mitigate adverse impacts of wind effects in building design	<del>Guidelines to mitigate adverse impacts of wind effects in building design</del>	<p>Recommendation made by Panel.</p> <p>Duplicates another guideline within DPO15.</p>
4.2 Built form guidelines	Content not included as part of the exhibited DPO15.	<ul style="list-style-type: none"> <li>• <u>Ensure buildings are designed and spaced to create a visually interesting</u></li> </ul>	Recommendation made by Panel.

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		<p><u>skyline, streetscape and coherent precinct.</u></p> <ul style="list-style-type: none"> <li>• <u>Ensure that site services and loading areas are carefully designed to minimise impacts on streetscapes, shared spaces and pedestrian footpaths and laneways.</u></li> <li>• <u>Buildings designed to ensure the effectiveness of new residential development and other noise sensitive uses in protecting their own amenity where potentially affected by existing commercial, industrial and warehouse businesses.</u></li> <li>• <u>To encourage sustainable transport initiatives.</u></li> </ul>	<p>Refinements made in consultation with Council's and Proponent's heritage, planning and urban design experts. This would provide greater design outcomes for upper levels of a future development.</p>
4.2 Supplementary Information	Content not included as part of the exhibited DPO15.	<ul style="list-style-type: none"> <li>• <u>Massing diagrams that model the proposed built form envelopes based on the indicative heights and setbacks;</u></li> <li>• <u>Shadow diagrams that demonstrate:</u> <ul style="list-style-type: none"> <li>– <u>no overshadowing of private properties on the southern side of Appleton Street beyond that caused by a building of 11m when measured between the hours of 10:00am and 2:00pm at the September Equinox.</u></li> <li>– <u>no overshadowing of the footpath on the western side of Burnley Street from 11 am at the September Equinox</u></li> <li>– <u>appropriate access to sunlight within the proposed park between the hours</u></li> </ul> </li> </ul>	<p>Recommendation made by Panel.</p> <p>This content has been moved from other sections of DPO15.</p> <p>Refinements made in consultation with Council's and Proponent's heritage, planning and urban design experts. This would provide greater design outcomes for upper levels of a future development</p>

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		<p><u>of 10am and 2pm at the September Equinox to provide a reasonable standard of amenity and useability as a principally passive open space.</u></p> <ul style="list-style-type: none"> <li><u>Indicative palette of building materials and architectural treatments throughout the site</u></li> </ul>	
4.2 Open space and landscape	Content not included as part of the exhibited DPO15.	<u>Deep planting opportunities for canopy trees within the proposed public open space, free from basement incursion</u>	<p>Recommendations made by the Panel.</p> <p>The Panel was concerned that a potential basement underneath the development would limit opportunities for a large canopy tree.</p> <p>Officers support this inclusion as it will provide for a better open space outcome.</p>
4.2 public realm plan	A minimum nine (9) metre wide pedestrian lane connecting Doonside Street and Appleton Street at the approximate mid-point of the Site, generally in accordance with the Indicative Framework Plan at Figure 1	A minimum nine (9) metre wide pedestrian lane connecting Doonside Street and Appleton Street <del>at the approximate mid-point of the Site,</del> generally in accordance with the Indicative Framework Plan at Figure 1.	<p>Recommendation made by the Panel.</p> <p>Council acknowledges that the location of the pedestrian lane is not in the approximate middle of the site but towards the east.</p>
4.2 Housing Diversity Report	The model to provide 10% of the overall housing stock as affordable housing.	The model to provide 10% of the <del>overall housing stock</del> <u>total number of dwellings</u> as affordable housing.	<p>Recommendation made by the Panel.</p> <p>The amended wording will provide further clarity within DPO15. The use of the word “dwelling” is the correct language used in the Yarra Planning Scheme.</p>

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			Officers agree with the amendment for the reasons listed above.
4.2 Economic assessment.	ECONOMIC ASSESSMENT An economic assessment must be prepared which identifies, as appropriate, viable employment generating uses for the site.	<del>ECONOMIC ASSESSMENT An economic assessment must be prepared which identifies, as appropriate, viable employment generating uses for the site.</del>	<p>Recommendation made by the Panel.</p> <p>It was considered by the Panel that sufficient economic assessment had already been undertaken to justify the amendment. The panel did not consider that further formalised assessment within the schedule was required.</p> <p>Officers support this view and recommend its removal.</p>
4.2 Transport Assessment	An existing conditions assessment	An existing conditions assessment, <u>including existing and approved vehicle and loading access arrangements in David Street via access from Doonside Street associated with the Victoria Gardens Shopping Centre with capacity to interact with traffic from the development.</u>	<p>Recommendation made by the Panel.</p> <p>Recommendation made following submission from SALTA properties.</p> <p>The Panel notes: <i>The Panel supports the use of Doonside Street for primary access for the subject land, subject to the need to ensure the ongoing functionality of this street as a loading route for the Victoria Gardens Shopping Centre. The revised wording of DPO15 also reflects a commitment by the Proponent to consult with this key stakeholder as agreed.</i></p>
4.2 Transport Assessment	Content not included as part of the exhibited DPO15.	<u>Consultation with the owner of the Victoria Gardens Shopping Centre</u>	<p>Recommendation made by the Panel.</p> <p>The use of Doonside Street for primary access for the subject land, subject to the</p>



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			need to ensure the ongoing functionality of this street as a loading route for the Victoria Gardens Shopping Centre.
4.2 Transport Assessment	Details regarding the impact on pedestrian and bicycle routes.	<del>Details regarding the impact on</del> Determine the likely increases to pedestrian and bicycle <del>routes.</del> <u>movements generated by the site and the likely distribution of those movements. Demonstrate how the subject site will prioritise those movements and provide convenient connections to existing infrastructure.</u>	Recommendation made by the Panel.  Further refinements made following hearing expert transport evidence. Refinements will provide great clarity in the DPO15.
4.2 Transport Assessment	Content not included as part of the exhibited DPO15.	<u>Estimate the type and number of loading/unloading activities associated with the development and provide information on appropriate loading/unloading facilities to service the various uses proposed.</u>	Recommendation made by the Panel.  Further refinements made following hearing expert transport evidence. Refinements will provide great clarity in the DPO15.
4.2 Green Travel Plan	A Green Travel Plan must demonstrate that the development supports sustainable transport alternatives to the motor car, provides on site car share spaces and provides bicycle parking and storage facilities. It must be prepared to the satisfaction of the Responsible Authority and prepared by a qualified traffic engineer.	<del>A Green Travel Plan must demonstrate that the development supports sustainable transport alternatives to the motor car, provides on site car share spaces and provides bicycle parking and storage facilities. It must be prepared to the satisfaction of the Responsible Authority and prepared by a qualified traffic engineer.</del>	Recommendation made by the Panel.  Green Travel Plan has been moved to <i>permit requirements</i> where the material provided will be better understood and used.
<b>4.2 Comprehensive Heritage Analysis</b>	A heritage impact statement must be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority that:	A <del>heritage impact statement</del> <u>Comprehensive Heritage Analysis</u> must be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority that <u>includes the following, having</u>	Recommendation made by the Panel.  In consultation with heritage experts this section has been refined, with other parts having moved to the new <i>Heritage</i>

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
	<ul style="list-style-type: none"> <li>• Assesses the impact of the proposed development on the heritage values of the heritage place and nearby heritage places</li> <li>• Addressesthe retention, restoration, redevelopment and adaptive reuse of the heritage buildings (81-95 Burnley Street and 26-34 Doonside Street); and heritage façade (Burnley Street);</li> <li>• Assesses the impacts on the context and setting of heritage places in the vicinity of the site;</li> <li>• Addresses the retention, recording and interpretation of links to the site’s history and industrial past including interpretive panels depicting that past; and</li> <li>• Provides a siteline analysis and 3D modeling of the proposed development from key view points in the public realm to enable an assessment of the visual impact of the development on heritage places, in particular 26 Doonside Street</li> </ul>	<p><u><a href="#">regard to the heritage expert assessments prepared for Amendment C223:</a></u></p> <ul style="list-style-type: none"> <li>• <u><a href="#">written description of the heritage places;</a></u></li> <li>• <u><a href="#">history of the heritage places;</a></u></li> <li>• <u><a href="#">assessment of significance of individual elements; and</a></u></li> <li>• <u><a href="#">copies of the existing Statements of Significance of HO252 and HO375.</a></u></li> </ul>	<p><i>Conservation Works</i> section and within the built form design guidelines.</p>
4.2 Acoustic Report	Content not included as part of the exhibited DPO15.	<p><u><a href="#">Development that includes residential or other sensitive uses must be designed and constructed to include noise design and noise attenuation measures that achieve the noise levels that are calculated by applying</a></u></p>	<p>Recommendation made by the Panel.</p> <p>The Panel noted:</p>

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
		<p><u>the method in Schedule B of State Environment Protection Policy No. N-1 'Control of Noise from Commerce, Industry and Trade (SEPP N-1). (or the equivalent environment reference standard to be introduced under the Environment Protection Amendment Act 2018). For the purpose of assessing whether the above noise standards are met, the noise measurement point shall be located inside a habitable room of a noise sensitive residential use with windows and doors closed.</u></p>	<p><i>Salta Properties is a key landowner in the precinct.</i></p> <p><i>Its concerns to protect future opportunities, including the ongoing operation of existing businesses, are reasonable.</i></p> <p><i>Appropriate wording has been refined to ensure suitable noise attenuation for new residential properties on the land, recognising the mixed use activity centre context.</i></p> <p>Officers agree with the explanation provided by the Panel.</p>
4.2 Acoustic Report	Content not included as part of the exhibited DPO15.	<p><u>An application for a planning permit that includes residential or other sensitive uses must be accompanied by an acoustic assessment, prepared by a qualified acoustic consultant that demonstrates how the noise attenuation measures will achieve noise levels (within any noise sensitive area) in accordance with the Built Form Guidelines.</u></p>	<p>Recommendation made by the Panel.</p> <p>The Panel noted:</p> <p><i>Salta Properties is a key landowner in the precinct.</i></p> <p><i>Its concerns to protect future opportunities, including the ongoing operation of existing businesses, are reasonable.</i></p> <p><i>Appropriate wording has been refined to ensure suitable noise attenuation for new residential properties on the land, recognising the mixed use activity centre context.</i></p> <p>Officers agree with the explanation provided by the Panel.</p>

Clause and element of DPO	Exhibited DPO15	DPO15 for Adoption	Reason for Change
4.2 Community Consultation	The Development Plan shall be available for public inspection and submission for 28 days prior to its consideration by the Responsible Authority.	The Development Plan <del>shall</del> <u>must</u> be available for public inspection and submission for 28 days prior to its consideration by the Responsible Authority.	Recommendation made by the Panel.  Officers support wording change.