

Special Meeting of Council Agenda

**to be held on Tuesday 29 May 2018 at 6.30pm
Richmond Town Hall**

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (*tel. 9205 5110*).
- Auslan interpreting is available by arrangement (*tel. 9205 5110*).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (*tel. 9205 5110*).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

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Order of business

- 1. Statement of recognition of Wurundjeri Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Council business reports**

1. Statement of Recognition of Wurundjeri Land

“Welcome to the City of Yarra.”

“Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present.”

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Daniel Nguyen (Mayor)
- Cr Misha Coleman (Deputy Mayor)
- Cr Danae Bosler
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr James Searle
- Cr Amanda Stone

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Andrew Day (Director - Corporate, Business and Finance)
- Ivan Gilbert (Group Manager - CEO's Office)
- Lucas Gosling (Acting Director - Community Wellbeing)
- Chris Leivers (Director – City Works and Assets)
- Bruce Phillips (Director - Planning and Place Making)
- Jane Waldock (Assistant Director - Planning and Place making)
- Mel Nikou (Governance Officer)

3. Declarations of conflict of interest (Councillors and staff)

4. Council business reports

Item		Page	Rec. Page	Report Presenter
4.1	115 and 115B Victoria Parade, Fitzroy - PLN17/0991 - Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access	5	51	Mary Osman – Manager Statutory Planning
4.2	626 Heidelberg Road, Alphington - PLN17/0703 - Use and Development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), childcare centre, education centre (primary school) and place of assembly and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road generally in accordance with the Development Plan.	65	137	Mary Osman – Manager Statutory Planning
4.3	171 Stawell Street and 7-9 Kennedy Avenue, Richmond (Formerly 26-50 Bendigo Street, Richmond - Channel 9 GTV site) - Planning Application No. PLN17/0920 - Amendment to the 22 Bendigo Street, Richmond Development Plan pursuant to Clause 43.04-3 of the Yarra Planning Scheme.	156	197	Mary Osman – Manager Statutory Planning

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

Public submissions procedure

When you are invited by the meeting chairperson to make your submission, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your submission to the chairperson;
- speak for a maximum of five minutes;
- confine your remarks to the matter under consideration;
- refrain from repeating information already provided by previous submitters; and
- remain silent following your submission unless called upon by the chairperson to make further comment.

4.1 115 and 115B Victoria Parade, Fitzroy - PLN17/0991 - Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access

Executive Summary

Purpose

This report provides Council with an assessment of planning permit application No. PLN17/0991 which affects 115 and 115B Victoria Parade, Fitzroy against the provisions of the Australian Catholic University St Patrick's Campus Development Plan December 2017 and the Yarra Planning Scheme.

Key Issues

The key issue for Council in considering the proposal relate to consistency with the Development Plan.

Other Key considerations include:

- (a) Clause 11.06 – Metropolitan Melbourne;
- (b) Clause 15.01 – Urban Environment;
- (c) Clause 19.02-2 – Education Facilities;
- (d) Clause 21.04-4 – Community facilities, hospitals and Medical services; and
- (e) Clause 43.04 – Schedule 2 to the Development Plan Overlay.

Financial Implications

The application is proceeding to the Victorian Civil and Administrative Tribunal and is scheduled for a 3 day hearing commencing 30 July. Cost will be incurred defending Council's position.

Submissions

The application is exempt from notification pursuant to the Development Plan Overlay.

Key Recommendations

As an appeal has been lodged with the VCAT that council advise the VCAT that if it were in a position Council would support the grant of a permit subject to a number of conditions.

CONTACT OFFICER: Mary Osman
TITLE: Manager Statutory Planning
TEL: 9205 5334

4.1 115 and 115B Victoria Parade, Fitzroy - PLN17/0991 - Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access

Trim Record Number: D18/71190
 Responsible Officer: Director Planning and Place Making

Proposal: Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access.

Existing use: University

Applicant: Australian Catholic University

Zoning / Overlays: Commercial 1 Zone
 Road Zone
 Development Plan Overlay – Schedule 2
 Environmental Audit Overlay
 Heritage Overlay (HO334)
 Design and Development Overlay – Schedule 2

Date of Application: 29 August 2017

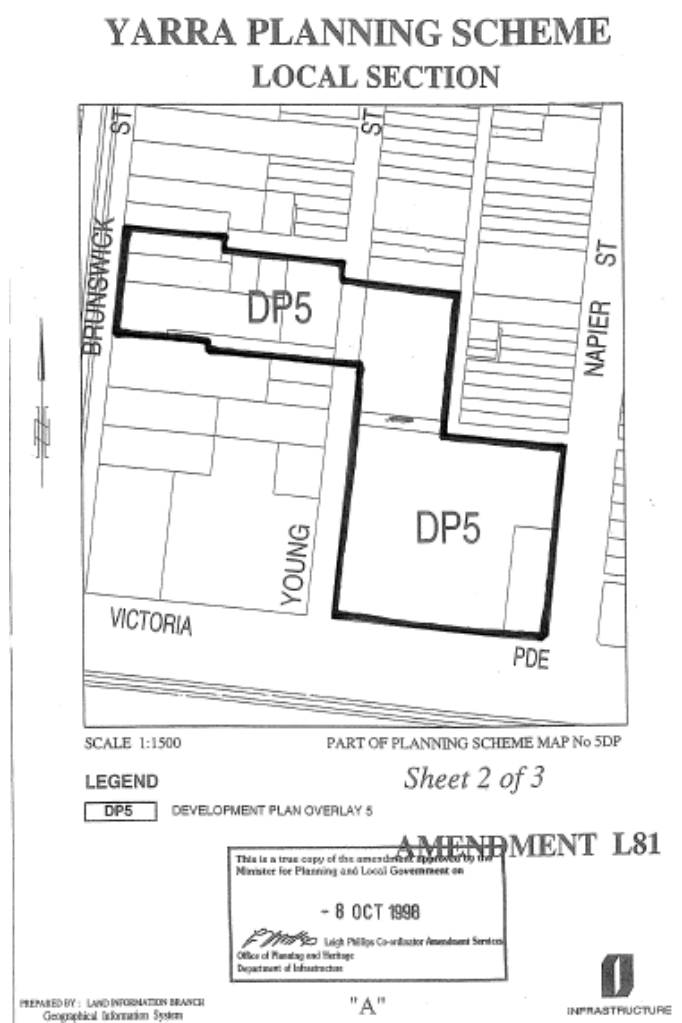
Application Number: PLN17/0703

Purpose

1. This report provides Council with an assessment of planning permit application No. PLN17/0991 which affects land at 115 and 115B Victoria Parade, Fitzroy against the provisions of the Australian Catholic University St Patrick’s Campus Development Plan December 2017.
2. This report does not assess the application against the provision of the heritage overlay as Heritage Victoria are the Responsible Authority for all heritage matters.

Background

3. The subject site and surrounds has an extensive history relevant to the consideration of this application.
Planning History
4. On 8 October 1998, the then Minister for Planning and Local Government approved amendment L81 to the Yarra Planning Scheme which introduced the Development Plan Schedule applying to the Australian Catholic University (**ACU**) site known as land described as 115 Victoria Parade, 28 Young Street and 20 – 26 Brunswick Street Fitzroy (See image below) (Area shown as DP5).



5. At the time of the amendment, the site was also encumbered by the then 'Urban Conservation Area No.1 & 2 (equivalent of the now Heritage Overlay) and Height Control Area 95, for land fronting Young Street which allowed a maximum height of 15.5 metres.
6. The ACU lodged a development plan (**the plan**) with Council on 9 October 1998. The plan generally showed the re-use of the existing buildings with some new works including:
 - (a) a new lecture building at the rear of the Cathedral Hall building;
 - (b) an additional level to the existing Young Street Car park; and
 - (c) alterations to 115 Victoria Parade to include new entrance and glazed canopy to Victoria Parade and new glazed stair towers.
7. Other information included:
 - (a) the proposed campus was anticipated to have a total of 2125 effective full time students and 180 staff;
 - (b) typical operating hours 8:00am – 9:30 pm Monday to Thursday, and 8:00am - 6:00pm Friday with the library open on the weekends; and
 - (c) a total of 255 car parking spaces.
8. Council determined at its meeting of 16 November 1998 to support the Development Plan subject to a number of conditions.
9. The Development Plan was endorsed by Council on 8 January 1999.
10. A planning permit application was lodged with Council on 30 October 1998. Council endorsed the development plan, issued a permit and endorsed planning drawings on 8 January 1999 facilitating the use and development of the site as a University.

Amendment to Development Plan

11. An amendment to the approved development plan was lodged with Council on 9 February 2016. The plan was advertised and 123 submissions were received.
12. A consultation meeting was held on 30 August 2016.
13. In response to the submissions and Council referral comments, the ACU lodged an amended DP with Council on 28 October 2016. The main changes can be summarised as:
 - (a) a reduction in height for the new building and additions to the Mary Glowrey building by 2 storeys;
 - (b) new design for the Young Street car park site;
 - (c) redesign of access from Napier street, maintaining all car parking on the eastern side of the street and removal of 2 trees; and
 - (d) deletion of the air bridges and Young street road closure.
14. Council was notified by the ACU on 21 December 2016 that a S149 appeal (declaration proceedings) had been lodged with the Victorian Civil and Administrative Tribunal (**VCAT**). The practice day hearing was held on 24 February with the compulsory conference set down for 12 May and the hearing scheduled to commence on 28 June for 3 days.
15. Council determined at the Council meeting of 21 March 2017 that were it in a position to approve the amended Development Plan for the ACU site it would subject to a number of conditions outlined below:

Element	Changed conditions sought by Council
Victoria Parade Building	<p><u>New Building</u></p> <ol style="list-style-type: none"> 1. Reduction in height of the proposed new building to have a maximum height of RL 86.5. 2. Proposed setbacks of level 1 – 3 to be increased to mirror those of levels 4 – 5. 3. Maintain the tripartite (podium, middle, top) composition of the building form as depicted in the DP. 4. Revised façade detail to the central bridging element introducing clear glazing and amended stair treatment. <p><u>Addition to Mary Glowrey Building</u></p> <ol style="list-style-type: none"> 5. Setback of the addition to the Mary Glowrey Building to Napier Street to be increased from 31.9m to a minimum of 42 metres. 6. The addition to the Mary Glowrey building to be set in from the existing external façade of the heritage building. 7. Deletion of the external structural support columns. <p><u>General</u></p> <ol style="list-style-type: none"> 8. Reduction in height and extent of the two plant areas to not be visible from the street and designed to be integrated into the building. 9. No signage (lit or otherwise) to be visible from residential areas (including Young Street, Little Victoria, Napier Street, George Street, Little George Street and Gore Street).

Young Street Building	<p>10. Retention of existing northern on boundary wall associated with the car park structure adjacent to 44 Young Street.</p> <p>11. Eastern wall of the Young Street Hub to either comply with the B17 ResCode height envelope or alternatively, be no higher than the existing conditions with any higher structure to be setback to limit off site amenity impacts.</p> <p>12. Reduction in height and extent of the plant area to not be visible from the street and designed to be integrated into the building.</p>
Cars and Vehicular Access	<p>13. A maximum of 50 car parking space located within a basement level utilising access and egress from the existing Victoria Parade crossover.</p> <p>14. A minimum of 12 disabled car parking spaces accessible by staff and students.</p>
Sustainable Transport	<p>15. A minimum of 160 new bike spaces to be provided with the Development Plan area.</p> <p>16. Retention of the Melbourne Bike Share facility in its current location.</p> <p>17. A Green Travel Plan for the University examining implementation of more sustainable transport measures.</p>
Landscaping	<p>18. Additional information regarding lighting of the Hub landscape areas to ensure pedestrian safety while controlling light spill to adjoining residential areas.</p>
Use	<p>19. Accurate information applicable only to the Development Plan area regarding increased student and staff numbers reflecting the existing figures being 2,125 full time students and 180 staff.</p>
Other	<p>20. Any other changes as a consequence of the above.</p>

16. The VCAT hearing was heard over 4 days in June 2017.

17. The VCAT determined on 4 October that the Development Plan for the ACU should be approved subject to changes. The VCAT more specifically determined:

- (a) *The following is approved at the Australian Catholic University St Patrick's Campus Development Plan pursuant to clause 43.04 of the Yarra Planning Scheme: Australian Catholic University St Patrick's Campus Development Plan October 2016 with the following modifications:*

Conditions	
(a)	The variations recorded within the document prepared by Lyons Architects and titles Description of Proposed Design Changes (dated May 2017 other than those variations shown in respect of Council's conditions 6 and 7 on pages 6, 7, and 8.
(b)	Creation of a wall/fence along the northern boundary wall adjacent to 44 Young Street, to infill the gap between the dwelling fronting Young Street and the garage facing little Napier Street to ensure privacy within the secluded private open space and habitable room windows of 44 Young Street.
(c)	A minimum of 160 new bicycle spaces to be provided within the Development Plan area.
(d)	A Green Travel for the University examining the implementation of sustainable transport measures.
(e)	Any references to 270 car spaces in section 4.6, in Appendix A and other parts of the Development Plan where car parking number are mentioned must refer to a 'maximum of 270 car spaces'.

(f)	Additional information regarding lighting of the Hub landscape area to ensure pedestrian safety whilst avoiding light spill to adjoining residential properties.
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18. Council determined at its meeting of 14 December 2017 to:
 - (a) note the report of officers regarding the amended Development Plan in compliance with the VCAT Order 4 October, 2017;
 - (b) note the detailing of all the required changes to the Development Plan for the Australian Catholic University; and
 - (c) authorise the Manager, Statutory Planning to endorse the Development Plan for the Australian Catholic University as outlined in this report and as shown in the attachments.
19. The amended development plan was subsequently endorsed on 21/12/2017.
Heritage Victoria Process
20. The former Commonwealth Note and Stamp Printing Building (subject site) was nominated by a local resident for inclusion on the State Heritage Register.
21. Council formally resolved to support this nomination at its Council meeting of 21 March 2017, it is noted that the ACU supported the nomination of the site.
22. In August 2017, the Heritage Council of Victoria determined that the building is of cultural heritage significance to the State of Victoria and warranted inclusion on the Victorian Heritage Register.
23. The consequence of this decision meant that any proposed development on this site would require both a planning permit from Council and a Heritage Permit from Heritage Victoria.
24. Council received a referral under Section 100 of the *Heritage Act 2017* on 27 November 2017, in relation to an application made to Heritage Victoria by the ACU for part demolition of the former Commonwealth Note and Stamp Printing Department building (VHR H2372) (known as the Mary Glowrey Building) and the construction of a multi storey building associated with the Australian Catholic University.
25. The proposal lodged with Heritage Victoria is in effect the same proposal lodged with Council and being assessed by this report.
26. Council sought external heritage advice from Trethowan Architecture, Interiors, and Heritage which informed a report presented to Council at its meeting of 17 January 2018.
27. At that meeting Council resolved to advise Heritage Victoria that Council does not support the proposal for the following reason:
 - (a) *The proposal in its current form represents as an overwhelming form that fails to respect the significance of the heritage place and would result in an adverse impact on both the registered place and the surrounding South Fitzroy Precinct through the:*
 - (i) proposed lack of setbacks;
 - (ii) proposed height of the proposed building;
 - (iii) incongruous form and massing of the building; and
 - (iv) dominating use of materials and articulation.
28. Council was advised on 13 April 2018, that Heritage Victoria had determined to issue a Heritage Permit for the '*Development of the ACU campus....*' (See Attachment)
29. Heritage Victoria approved the development generally as submitted with two changes:
 - (a) deletion of the protruding 'Pop Out' window to replace the existing elevated entrance at the eastern end of the south elevation of the existing 1924 building; and
 - (b) the hedges that abut and obscure the building façade at ground level.

30. Other changes or areas of further investigation required by the permit are found at condition 2 of the heritage permit relating the structural stability of the building. The condition requires:
- ‘2. *Prior to the commencement of any works approved by this permit, the following documents must be approved in writing by the executive Director, Heritage Victoria:*
- 2.1 *Report from a suitably qualified structural engineer to confirm that:*
- 2.1.1 *the existing heritage building is structurally capable of supporting the proposed addition, and its associated loads, and accommodating the basement carpark, and without any detriment to it.*
- 2.1.2 *there is no feasible solution to internally accommodate the structural supports for the new rooftop addition, and the portion of existing parapet proposed to be removed for the integration of a new addition to the existing heritage building.’*

Current Planning Permit Application

31. Council received a planning permit application for the 115 and 115B Victoria Parade, Fitzroy - PLN17/0991 - Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access
32. Council was notified on 15 March 2018 that an application for review against Council’s failure to determine an application within the prescribed time had been lodged. A practise day hearing was held on 20 April outlining procedural matters for the hearing. A compulsory conference is scheduled for 13 June and a three day hearing is scheduled to commence on 30 July 2018.

The Site

33. The subject site forms part of a larger complex of buildings which form the Australian Catholic University campus.
34. The aerial photo below shows outlined in red the buildings associated with the university and highlighted in pink is the extent of land which is included within Development Plan Overlay – Schedule 2 (DPO) which applies to land known as 115 and 115B Victoria Parade (Mary Glowrey Building), 28 Young Street (car park) and 20 – 26 Brunswick Street (cathedral hall and adjacent buildings).



Figure 1: Aerial photo with DPO area overlaid.

35. For the purpose of this report, the planning permit application (subject site) is defined as the Victoria Parade site only as shown in the aerial photo outlined in blue.



Figure 1: Aerial photo showing extent of the subject site.

The Subject Site

36. The subject site is an island site bound by Victoria Parade to the south, Napier Street to the east, Little Victoria Street to the North and Young Street to the west.
37. The site is occupied by a complex of three buildings forming an 'L' shaped structure with the remainder of the site generally occupied by an at grade car park.
38. The building occupying the site was formerly the Commonwealth Note and Stamp printing building and is now known as the Mary Glowrey Building and as outlined above is included on the State Heritage register.



39. The building presents as a 6 storey form to both Victoria Parade and Young Street with a lower 4 - 5 storey section (depending on the slope of the land) presenting to both Napier Street and Little Victoria Street.
40. The three buildings are all connected with a visible glazed structure connecting the Young and Little Victoria Street buildings with an additional 2 – 3 storey glazed addition to Victoria Parade frontage which marks the entry to the site.
41. The remainder of the site is occupied by hardstand areas used as a 50 car space car park with access from Victoria Parade with periphery planting.
42. To Napier Street, the sites direct interface is with the open corner to Victoria Parade occupied by the at grade car park area and the lower 4 -5 storey built form.

Immediately Surrounding Land

South

43. Victoria Parade is a wide boulevard and a declared Main Road. Victoria Parade runs in an east-west direction with multiple traffic lanes, dedicated bus lanes and a central tree lined median accommodating tram lines. Intermittent parallel parking is provided on both sides of the Street.
44. Built form on the City of Yarra side is made up of institutional buildings including St Vincent's public and private hospitals and the subject site which can be typically described as substantially scaled built form interspersed with some lower scale Victorian era buildings. From Napier Street extending east, built form typology visibly changes with scale reducing substantially with finer grain lower scaled Victorian era built form.
45. Victoria Parade is one of the borders of the Municipality. The City of Yarra manages the north side, and the City of Melbourne the south side.

East

46. Napier Street is a wide tree lined street with an alternating arrangement of angled and parallel parking on either side of the street. The street also operates as an important bike thoroughfare with clear markings on the road pavement. Close to the Victoria Parade intersection is a Melbourne Bike share station. Currently there is no access to the ACU car park from Napier Street.
47. Built form along Napier street typically comprises single and two storey Victorian Era dwellings.

North

48. Little Victoria Street forms the northern boundary to the site. The east – west connector acts as a ROW providing access from Napier Street through to Young Street. Little Napier Street intersects with Little Victoria Street which in the immediate context separates the residences orientated to Napier Street and the car park orientated to Young street.
49. The eastern section of Little Victoria Street includes the sideage of a part single part two storey residential property oriented to Napier Street. This dwelling includes some openings towards Little Victoria Street. To the rear of the property is an area of private open space.
50. The western section of Little Victoria interfaces with the sideage of an open deck carpark described in more detail below.

West

51. Young street is a north – south orientated Street with part of the street length presenting as a shared zone.
52. A series of institutional buildings flank the street including the St Vincent's car park and childcare centre, the ACU Physiology Lab and the relatively recently constructed ACU Daniel Mannix Building.



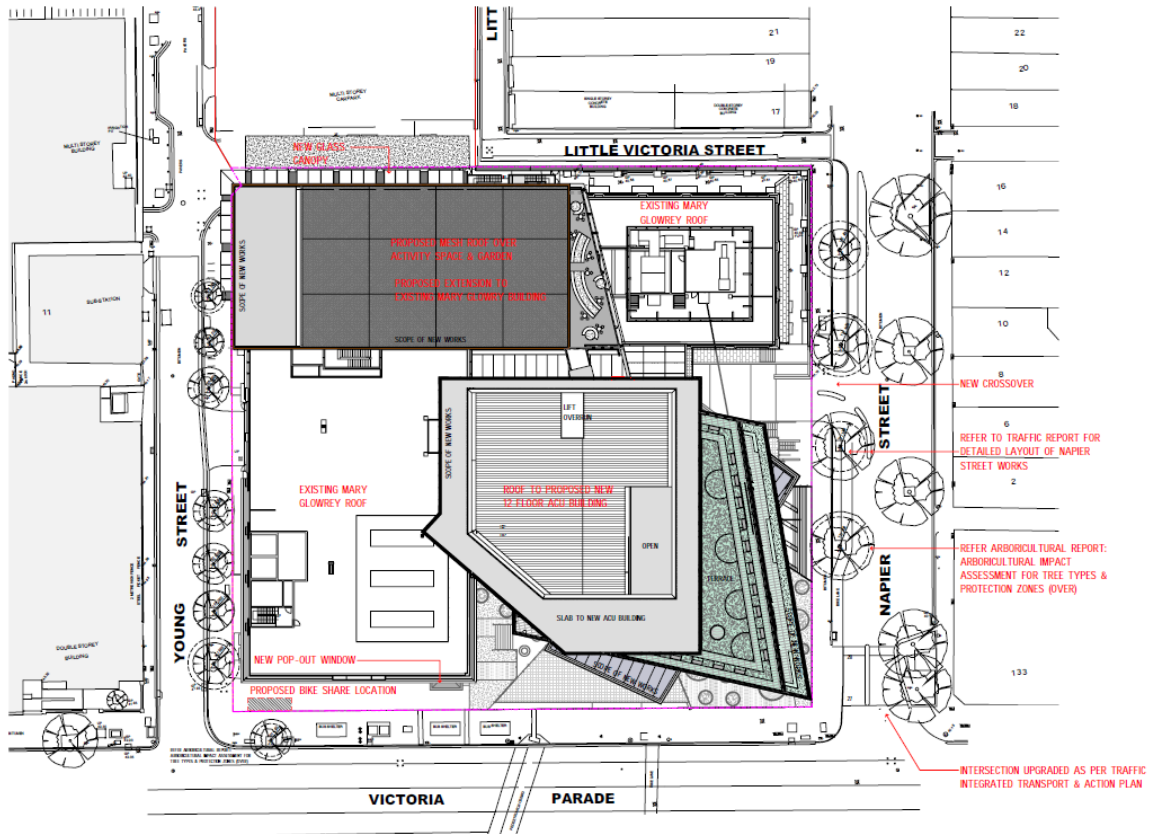
53. The site also interfaces with the ACU Young Street car park being a 3 storey structure with parking over 4 levels (including at roof level).



54. The car park is built boundary to boundary and presents as an open deck car park structure to Young and Little Victoria Streets and solid concrete walls to Little Napier Street.
55. Vehicular access and egress for the car park is from Young Street with a secondary point from Little Victoria Street.

The Broader Context

56. The wider area contains and is characterised by the following:
- (a) The Brunswick Street Major Activity (and Gertrude Street) centre to the north which contains a large range of retail, food and drink, dining, pubs and bars and services. The built form character is generally Victorian shop fronts 1-3 storeys with some taller examples as well as public housing towers up to 21 storeys;



Demolition

58. As the site is included on the state heritage register a planning permit is not required. For information purposes they can generally be described as:
- (a) Demolition of all structures and fixtures associated with the car park area;
 - (b) Works to the Mary Glowrey Building include demolition of:
 - (i) Glazed entry ramp and canopy orientated to Victoria Parade;
 - (ii) Punctuations into existing fabric (glazed stair structure) to connect the new building into the existing Mary Glowrey building;
 - (iii) Two storey glazed addition to the southern wing of the Mary Glowrey building and repair and creation of new entry points; and
 - (iv) Part of the roof to the southern wing of the Mary Glowrey Building.

New Building

- 59. The new building is proposed to be located in the south east corner of the site (currently a hard stand car parking area) and will connect back into the existing Mary Glowrey Building at all levels, and be partly constructed over the northern portion of the existing building.
- 60. The new building will house 7 levels of basement car parking providing for 244 car spaces (including 3 disabled spaces), 99 bicycle spaces (25 staff and 74 student spaces) end of trip facilities, and other services including switch rooms, substation and lift and stair access.
- 61. Vehicular access and egress is proposed from Napier Street through a new crossover. Streetscape works and an intersection upgrade to facilitate vehicular access to the site are also proposed with some tree removals proposed.
- 62. Above this, the new building is proposed to be 13 storeys high with a maximum RL height of 100.350.
- 63. At ground and lower ground levels the proposed buildings entrance will be orientated to Victoria Parade with a series of informal student spaces.

64. A series of teaching spaces, offices, conference rooms, meeting rooms and outdoor terraces are located at various levels.
65. A total of 18,404sqm of floor space is dedicated to the various university uses.
66. The proposed building has a strong angular presentation orientated to the corner of Victoria Parade and Napier Street and chamfering back away from the heritage building opening up views to the Mary Glowrey Building.
67. Setbacks across the levels vary with building elements projecting from the main structure and retracting.
68. A strong banding fenestration is proposed, presenting a modern interpretation of the horizontal banding evident on the existing heritage fabric.
69. A series of outdoor terraces are proposed at ground, fourth, fifth and sixth levels.
70. The building is proposed to be constructed from:
 - (a) Aluminium shingles;
 - (b) GRC panels; and
 - (c) Clear and coloured glazing.



Extension

71. The proposed extension to the northern wing of the Mary Glowrey building commences at level five with the construction of a conservatory level connecting the new building with the extension.
72. Proposed levels 6 and 7 are constructed over 2/3 of the existing building and would include a series of teaching spaces, meeting rooms and office.
73. Above this and expressed over 2 levels is proposed an external activity space (sports court) and associated facilities, including change rooms.
74. The proposed extension is cantilevered over the existing building and is supported by external structural columns which run the face of the northern façade of the exiting building.
75. The overall height of the proposed new addition is RL 87.630.
76. This section of is generally proposed to be constructed from grey tinted glass with the sport court constructed from mesh.



Streetscape works - Napier Street

77. As part of the application, the proposal includes works to Napier Street to facilitate the new access and egress points to the basement car park levels.
78. Works proposed include:
 - (a) Removal of two street trees;
 - (b) Removal of 9 on-street parallel parking spaces (west side Napier Street);
 - (c) Re-alignment of the existing bike path;
 - (d) Intersection upgrade works including:
 - (i) Reinstatement of the Victoria Parade Crossover; and
 - (ii) Construction of a new traffic island immediately in front of the access point to the basement.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

79. Pursuant to clause 34.01-1 of the Yarra Planning Scheme, use of the land as an Education Centre (which includes within in its definition Tertiary Institution) does not require a planning permit.
80. Pursuant to clause 34.01-4 of the Yarra Planning Scheme, a planning permit is required to construct a building or construct or carry out works.



Road Zone

81. The proposal includes the removal of the existing crossover along Victoria Parade, and the reinstatement of the footpath. Victoria Parade is categorised as a Road Zone, Category 1. Pursuant to Clause 36.04-2, a planning permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1. The proposed use is not listed in Section 1 or 3 and are therefore a Section 2 use (permit required). The views of the relevant road authority are part of the decision guidelines for this zone.

Overlays

Heritage Overlay

82. The subject site forms part of HO334 being the South Fitzroy Heritage Precinct.
83. Pursuant to clause 43.01-3, no planning permit is required to demolish or develop the heritage place as the subject site is included on the Victorian Heritage Register.

Design and Development Overlay – Schedule 2 – Main Roads and Boulevards

84. Under clause 43.02-2 of the Scheme, a permit is required to construct a building or construct or carry out works.
85. Schedule 2 to the DDO outlines the following design objectives:
 - (a) *To recognise the importance of main roads to the image of the City.*
 - (b) *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
 - (c) *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
 - (d) *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
 - (e) *To encourage high quality contemporary architecture.*
 - (f) *To encourage urban design that provides for a high level of community safety and comfort.*
 - (g) *To limit visual clutter.*
 - (h) *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

86. Decision guidelines include:

- (a) *The contribution of the proposal to the streetscape.*
- (b) *The design, height and visual bulk of the development in relation to surrounding land uses and developments.*
- (c) *The design, height and form of the development in relation to the built form character of the street.*

Environmental Audit Overlay

87. Pursuant to clause 45.03-1 of the Scheme outlines as the use proposed is not deemed to be a 'sensitive use', the provisions of this overlay do not apply to this application.

Development Plan Overlay - Schedule 2 –Australian Catholic University

88. Pursuant to clause 43.04-1, a planning permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

89. It is noted that an approved amended development was approved by Council on 21 December 2017.

90. Pursuant to clause 43.04-2, an application under any provision of the scheme which is generally in accordance with the development plan is 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 *Planning and Environment Act 1987*.

Particular Provisions

Clause 52.06 – Car Parking

91. Clause 52.06-1 requires that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

92. A permit is required to reduce (including reduce to zero) the requirement to provide the number of car parking spaces required under this clause.

93. The statutory requirement for an education centre is 0.4 spaces to each student that is part of the maximum number of students on the site at any one time.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road.

94. A planning permit is required to create or alter access in a Road Zone, Category 1. An application must also be referred to the road authority.

Clause 52.34 – Bicycle Facilities

95. Pursuant to clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage have been provided on the land.

96. The statutory requirement for an education centre other than that specified in the table to 52.34 is 1 to each 20 employees and 1 to each 20 full-time students.

General Provisions

97. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is offered in further in this report.

State Planning Policy Framework (SPPF)

98. The following SPPF provisions of the scheme are relevant:

Clause 9 – Plan Melbourne

99. This clause states that among other things, *‘where relevant planning and responsible authorities must consider and apply the strategy Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning 2017).*
100. Clause 11 ‘Settlement’ - *Planning is to recognise the need for, and as far as practicable contribute towards (as relevant);*
- (a) *Diversity of choice;*
 - (b) *Adaptation in response to changing technology;*
 - (c) *Economic viability;*
 - (d) *A high standard of urban design and amenity;*
 - (e) *Energy efficiency;*
 - (f) *Accessibility; and*
 - (g) *Land use and transport integration.*
101. *Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.*
102. Clause 11.02 ‘Urban growth’ aims to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
103. This clause includes several strategies to achieve this objective, including;
- (a) *Opportunities for the consolidation, redevelopment and intensification of existing urban areas; and*
 - (b) *Neighbourhood character and landscape considerations.*
- Clause 11.06-1 (Jobs and investment)*
104. The relevant objective of this clause is *‘to create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.’*
105. Relevant strategies include:
- (a) *Support the significant employment and servicing role of Health and Education Precincts by (where relevant):*
 - a. *Focussing on improving access, particularly public transport access.*
 - b. *Encouraging co-location of facilities to better utilise existing infrastructure.*

Clause 11.06-4 (Place and identify)

106. The relevant objective of this clause is *'to create a distinctive and liveable city with quality design and amenity.'*
107. Relevant strategies include:
- (a) *Improve the design quality of public spaces and the interfaces between private development and the public domain;*
 - (b) *Support the creation of memorable, well-designed places that are distinctive and liveable;*
 - (c) *Promote urban design excellence in the built environment and create places that:*
 - (i) *are accessible, safe and diverse;*
 - (ii) *are enjoyable, engaging and comfortable to be in and move around;*
 - (iii) *accommodate people of all abilities, ages and cultures; and*
 - (iv) *celebrate of the city's social, cultural and natural heritage.*

Clause 11.06-5 (Neighbourhoods)

108. The relevant objective of this clause is *'to create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.'*
109. Relevant strategies include:
- (a) Create Health and Education Precincts to support neighbourhoods by:
 - (i) Planning for health precincts to be located in or close to town centres in new suburbs; and
 - (ii) Ensuring these precincts are well serviced by public transport and other community services.

Clause 13.04-1 (Noise abatement)

110. The objective is:
- (a) *To assist the control of noise effects on sensitive land uses.*
111. Noise abatement issues are measured against relevant State Environmental Protection Policy (SEPP) and other Environmental Protection Authority (EPA) regulations.

Clause 15.01-1 – Urban design

112. The objective of this Clause is:
- (a) *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 – Urban design principles

113. This Clause directs that the following design principles be applied to development proposals for non-residential development.
114. The relevant design principles are as follows:
- (a) *Context:*

- (i) *Development must take into account the natural, cultural and strategic context of its location;*
 - (ii) *Planning authorities should emphasise urban design policies and frameworks for key locations or precincts; and*
 - (iii) *A comprehensive site analysis should be the starting point of the design process and form the basis for consideration of height, scale and massing of new development.*
- (b) *The public realm:*
 - (i) *The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.*
- (c) *Safety:*
 - (i) *New development should create urban environments that enhance personal safety and property security and where people feel safe to live, work and move in at any time.*
- (d) *Landmarks, views and vistas:*
 - (i) *Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.*
- (e) *Pedestrian spaces:*
 - (i) *Design of interfaces between buildings and public spaces, including the arrangement of adjoining activities, entrances, windows, and architectural detailing, should enhance the visual and social experience of the user.*
- (f) *Heritage:*
 - (i) *New development should respect, but not simply copy, historic precedents and create a worthy legacy for future generations.*
- (g) *Consolidation of sites and empty sites:*
 - (i) *New development should contribute to the complexity and diversity of the built environment;*
 - (ii) *Site consolidation should not result in street frontages that are out of keeping with the complexity and rhythm of existing streetscapes; and*
 - (iii) *The development process should be managed so that sites are not in an unattractive, neglected state for excessive periods and the impacts from vacant sites are minimised.*
- (h) *Light and shade:*
 - (i) *Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade; and*
 - (ii) *This balance should not be compromised by undesirable overshadowing or exposure to the sun.*
- (i) *Energy and resource efficiency:*
 - (i) *All building, subdivision and engineering works should include efficient use of resources and energy efficiency.*
- (j) *Architectural quality:*
 - (i) *New development should achieve high standards in architecture and urban design; and*
 - (ii) *Any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design.*
- (k) *Landscape architecture:*

- (i) *Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.*

Clause 15.01-4 – Design for safety

115. The objective of this clause is:

- (a) *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Clause 15.01-5 – Cultural identity and neighbourhood character

116. The objective of this clause is:

- (a) *To recognise and protect cultural identity, neighbourhood character and sense of place.*

117. Relevant strategies to achieve this objective include:

- (a) *Ensure development responds and contributes to existing sense of place and cultural identity;*
- (b) *Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation; and*
- (b) *Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising (as relevant):*
- (i) *The heritage values and built form that reflect community identity; and*
- (ii) *The values, needs and aspirations of the community.*

Clause 15.02-1 – Energy and resource efficiency

118. The Objective of this clause is:

- (a) *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

119. Relevant strategies to achieve this objective include:

- (a) *Ensure that buildings and subdivision design improves efficiency in energy use;*
- (b) *Promote consolidation of urban development and integration of land use and transport;*
- (c) *Improve efficiency in energy use through greater use of renewable energy; and*
- (d) *Support low energy forms of transport such as walking and cycling.*

Clause 15.03-1 – Heritage Conservation

120. The Objective of this clause is:

- (a) *To ensure the conservation of places of heritage significance.*

121. Relevant strategies to achieve this objective include:

- (a) *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value;*
- (b) *Encourage appropriate development that respects places with identified values and creates a worthy legacy for future generations;*
- (c) *Retain those elements that contribute to the importance of the heritage place;*
- (d) *Encourage the conservation and restoration of contributory elements; and*
- (e) *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*

Clause 18.01-1 – Land use and transport planning

122. The objective of this clause is:

- (a) *To create a safe and sustainable transport system by integrating land-use and transport.*

123. Relevant strategies to achieve this objective include:

- (a) *Develop transport networks to support employment corridors that allow circumferential and radial movements;*
- (b) *Plan urban development to make jobs and community services more accessible by:*
 - (i) *Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas;*
 - (ii) *Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area;*
 - (iii) *Connecting activity centres, job rich areas and outer suburban areas through the Principal Public Transport Network;*
 - (iv) *Providing for bus routes and stops and public transport interchanges in new development areas;*
 - (v) *Providing safe, convenient and direct pedestrian and cycling access to job rich areas, public transport interchanges and urban renewal precincts; and*
 - (vi) *Promote walking and cycling when planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations).*
- (c) *Integrate public transport services and infrastructure into new development.*

Clause 18.02-1 – Sustainable personal transport

124. The objective of this clause is:

- (a) *To promote the use of sustainable personal transport.*

Clause 19.02-2 – Education Facilities

125. The objective of this clause is:

- (a) *To assist the integration of education facilities with local and regional communities.*

126. Relevant strategies to achieve this objective include:

- (a) *Locate secondary and tertiary education facilities in designated education precincts and areas which are highly accessible to public transport;*
- (b) *Locate tertiary education facilities within or adjacent to activity centres; and*
- (c) *Ensure areas near to education facilities, adjoining streets and accessways are designed to encourage safe bicycle and pedestrian access.*

Local Planning Policy Framework (LPPF)

127. The relevant policies in the Local Planning Policy Framework (LPPF) can be described as follows:

Municipal Strategic Statement (MSS)

128. Relevant clauses are as follows:

Clause 21.05-1 - Heritage

129. While it is recognised that heritage matters have already been determined through the issue of a Heritage Permit from Heritage Victoria, the following are relevant for context.

130. The objectives of this clause is:

- (a) *To protect and enhance Yarra's heritage places.*

Clause 21.05-2 – Urban design

131. The relevant objectives of this Clause are:

- (a) *Objective 16 - To reinforce the existing urban framework of Yarra;*
(b) *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development;*
(c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
(d) *Objective 19 To create an inner city environment with landscaped beauty;*
(e) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric; and*
(f) *Objective 22 – To encourage the provision of universal access in new development.*

Clause 21.05-4 – Public Environment

132. The relevant objective of this clause is:

- (a) *Objective 28 – To provide a public environment that encourages community interaction and activity.*
(i) *Strategy 28.2 Ensure that buildings have a human scale at street level.*

Clause 21.06 – Transport

133. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. Relevant objectives and strategies of this Clause are as follows:

- (a) *Objective 30 – To provide safe and convenient pedestrian and bicycle environments:*
(i) *Strategy 30.1 – Improve pedestrian and cycling links in association with new development where possible;*
(ii) *Strategy 30.2 – Minimise vehicle crossovers on street frontages.*
(b) *Objective 31 – To facilitate public transport usage:*
(i) *Strategy 31.1 – Require new development that generates high numbers of trips to be easily accessible by public transport.*
(c) *Objective 32 – To reduce the reliance on the private motor car:*
(i) *Strategy 32.2 – Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport*
(d) *Objective 33 To reduce the impact of traffic:*
(i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.*

Clause 21.07-1 – Ecologically sustainable development

134. The relevant objectives and strategies of this clause are:

(a) *Objective 34 – To promote ecologically sustainable development:*

- (i) *Strategy 34.1 – Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.*

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

135. Clause 22.16-3 requires the use of measures to “*improve the quality and reduce the flow of water discharge to waterways*”, manage the flow of litter from the site in stormwater and encourage green roofs, walls and facades in buildings where practicable.

Clause 22.17 – Environmentally Sustainable Design

136. This policy was introduced into the Scheme on 19 November 2015 and applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Australian Catholic University St Patrick’s Campus Development Plan December 2017

137. The application will be assessed against the Design Principles and technical documents which together form the Development Plan.

Advertising

138. The application was not advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)*. As previously described, the application is exempt from notice requirements pursuant to Clause 43.04-2.

Referrals

139. The application includes a number of referrals outlined below:

140. External Referrals

- (a) VicRoads

141. Internal Departments

- (a) Engineering Services;
(b) Strategic Transport;
(c) ESD Advisor;
(d) Waste Services;
(e) Open Space; and
(f) Urban Design.

142. External Consultants

- (a) Urban Design (Message Consultants).

143. Referral comments are attachments to this report.

OFFICER ASSESSMENT

144. The following key issues will be used to frame the assessment of this planning permit application.

- (a) Strategic justification;
(b) Development Plan Guidelines:
(i) Land use;
(ii) Built form;

- (iii) The campus Public Realm;
- (iv) Environmental sustainability;
- (v) Landscaping;
- (vi) Vehicles and Bikes;
- (vii) Street works; and
- (viii) Heritage.

Strategic Justification

145. In relation to the SPPF and LPPF it is considered that the proposed development would achieve the various land use and development objectives outlined earlier in this report and achieves a sound level of compliance with the relevant policies, subject to conditions.
146. Key policy support for the application are outlined below:
- (a) Plan Melbourne identifies that Melbourne's and Victoria's population is expanding and seeks to harness this growth to promote places of State significance such as the St Vincent's Hospital/ACU health and education precinct as a focus for investment. These areas are identified as being close to public transport, stimulating innovation and employment, making best use of existing infrastructure by co-locating facilities.
 - (b) These areas are also intended to assist in re-enforcing the central city of Melbourne in becoming Australia's largest commercial centre including through the delivery of an additional 233,000 jobs by 2031 with scientific, health and medical industries identified as key to this.
 - (c) The expectation and policy direction of Plan Melbourne for this site is included in the scheme specifically at clauses 11.01-1 and 11.06-1, highlighting all those matters discussed above. Clause 9.01 also requires the Responsible Authority/Council to consider and apply Plan Melbourne where relevant.
 - (d) Clause 11.01 states that planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and social facilities;
 - (e) Clause 21.04-4 highlights the clusters of interrelated community facilities in this precinct (medical and education) and the desire to increase the number and range of local employment opportunities. Strategies include the co-location of community facilities especially in activity centres where they are easily accessible by public transport with shared parking arrangements for people of all abilities.
 - (f) Clause 21.06-2 encourages large trip generators to be located close to public transport.
- The strong policy support for the proposal is also outlined within the Tribunal's decision in determining the merits of amending the original development plan (*Australian Catholic University v Yarra City Council 2017*).

147. The decision states:

'34. *We start by recording that the recently released Plan Melbourne 2017-2050: Metropolitan Planning Strategy (**Metropolitan Strategy**) identifies the St Vincent's Hospital and the ACU Precinct in East Melbourne/Fitzroy as a place of state significance that will be the focus for investment and growth. The purpose of these health and education precincts is:*

To support health and education services that are well served by public transport in a range of locations around Melbourne.

Their specialised economic functions will be reinforced, and they should provide opportunity for ancillary health and education services, retail, commercial and accommodation uses.

35. *Map 4 in the Metropolitan Strategy depicts key features in and around Melbourne's central city and identifies the ACU as an Education facility. It also identifies St Vincent's Hospital and the Royal Victorian Eye and Ear Hospital, which in effect create a cluster of health and educational facilities in this location.*
36. *Policy at 1.1.4 in the Metropolitan Strategy notes that Victoria has an international reputation in health and medical research and is a leading provider of high quality international education. It records that almost 90,000 international students are linked along the listed corridors (including the City) and observes that planning for the growth of these precincts will need to focus on improving access and diversifying job choices. Importantly for our assessment of the amended Development Plan, it is policy that co-location of facilities (for example, a university and a hospital) will make better use of existing infrastructure and support the growth of associated businesses and industries. Specialised economic functions should be reinforced.*
37. *These broad, metropolitan level strategic aims are reinforced in State planning policies in the Yarra Planning Scheme. For example, Clause 11.06-01 includes a strategy to:*
Support the significant employment and servicing role of Health and Education Precincts by:
 - (a) *focussing on improving access, particularly public transport access;*
 - (b) *encouraging co-location of facilities to better utilise existing infrastructure;*
 - (c) *supporting and facilitating growth of associated businesses and industries; and*
 - (d) *reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.*
38. *Clause 19.02-1 for health facilities includes a strategy to locate hospitals and other large health service facilities in designated health precincts and areas highly accessible to public and private transport. Similarly, policy for education facilities at Clause 19.02-2 includes a strategy to locate secondary and tertiary education facilities in designated education precincts and areas which are highly accessible to public transport.*
39. *Local policy is largely silent about the ACU campus; although land along Brunswick Street, including part of the campus, has been identified as being in a Major Activity Centre on the strategic framework plan in Clause 21.03 (the plan includes a note that the map is only indicative).*
40. *Victoria Parade is also identified as a Boulevard in Clause 21.04.*
41. *There is acknowledgement in Clause 21.04-4 that while large regional facilities such as the Epworth and St Vincent's hospitals are important to the community, their operation and expansion must respond to the local context. The two hospital facilities are simply used as examples, and it is reasonable to presume that the ACU campus is also a large regional facility that must respond to local context. There is also an objective to limit the impact of large regional facilities and to require the preparation of master plans for such facilities. Although the approved Development Plan is a form of master plan, it does not cover the whole ACU campus but only that part within DPO2.*
42. *We record that much of local planning policy is framed to guide consideration of permit applications, not Development Plans or amendments to an approved Development Plan. Council fairly concedes in its submission (paragraph 73) that the primary issue for Council is the way in which the proposed built form responds to its physical context, there being largely no dispute about the strategic context.*

43. *Whilst that may be Council's position about strategic context, we consider it is too qualified. Based on our understanding of the Metropolitan Strategy, together with relevant State and local planning policies, we consider that there can be no dispute and no uncertainty about the state significance of this particular health and education precinct and the support being given for it to grow and for the specialised economic functions to be reinforced.*
44. *Although planning policies and other documents frequently ask for high quality urban design and architecture (sometimes even excellence or exemplary design), Clause 65 of the Planning Scheme seeks an acceptable outcome, not an ideal or perfect outcome. We agree with Council that how the built form responds to its physical context is the key issue in dispute, but observe that the designation of the precinct as one of state significance carries great weight in terms of assessing the physical context.*
45. *For example, we would suggest that a high rise apartment building, with a similar building envelope, but without the support of being a use or activity consistent with the reason for it being designated as a precinct of state significance, may mean that such a proposal would not be acceptable in this physical context. To suggest otherwise downplays or diminishes the role of higher level strategic policy in balancing potentially conflicting objectives to achieve a net community benefit.*

148. Notwithstanding the above, the proposed development still has an obligation to acceptably respond to its local physical context in respect of its appearance, height and setbacks. In this instance the scale of development will be guided by the development plan for the ACU.

149. The proposed development is supported by State and Local policy directing the expansion of health and education facilities to this precinct and to maximise existing infrastructure, support economic development, jobs, investment, innovation and the provision of health and education services with equity of access.

Development Plan Guidelines

150. The following section provides an assessment of the proposal against the development guidelines.

Land Use

151. The development outlines the following principles for Land use:

- (a) *The Development Plan is required to enable the ACU to accommodate growing community educational and research needs and to consolidate all of the ACU's teaching, academic and research activities to the St Patrick's Campus; and*
- (b) *The development Plan has been developed for delivery over a fifteen year period.*

152. As outlined earlier in the report, a planning permit is not required for the use of the site as an Education Centre.

Built Form

153. The Development Plan outlines very detailed envelope plans describing height, scale and setback for both the subject site and the Young Street building not subject of this application.

154. The relevant overall design principles are outlined below:

- (a) *The ACU St Patrick's Campus will deliver built form that relates to the surrounding context and creates an optimal environment for the sustainable operation of the University. This will include:*

- (i) *Height and mass that relates to the established and future character of the Victoria Parade corridor as a health and education focused mixed use urban zone;*
- (ii) *Buildings with identity orientated towards Victoria Parade and the city to serve a marker to strengthen the presence of the University within the city;*
- (iii) *Transitions in height and intensity to respond to the character of the inner Fitzroy precinct; and*
- (iv) *The ground level of buildings interact with the public realm and help activate and enliven open spaces with the campus.*

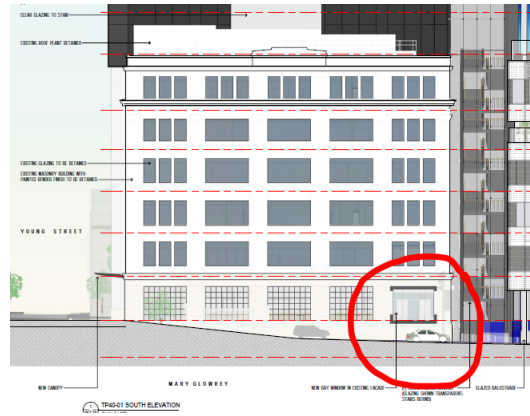
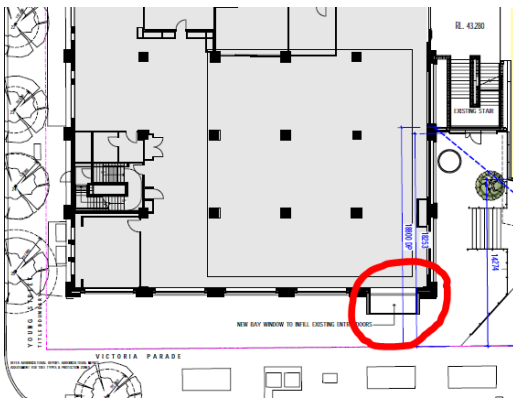
155. Specific design guidelines are found at pages 51 and 52 of the development, a detailed assessment against each of these points will be made below, these design principles have been grouped where relevant:

The existing glass façade and ramp arrangement of the Mary Glowrey Building on Victoria Parade is removed to re-establish the heritage façade.

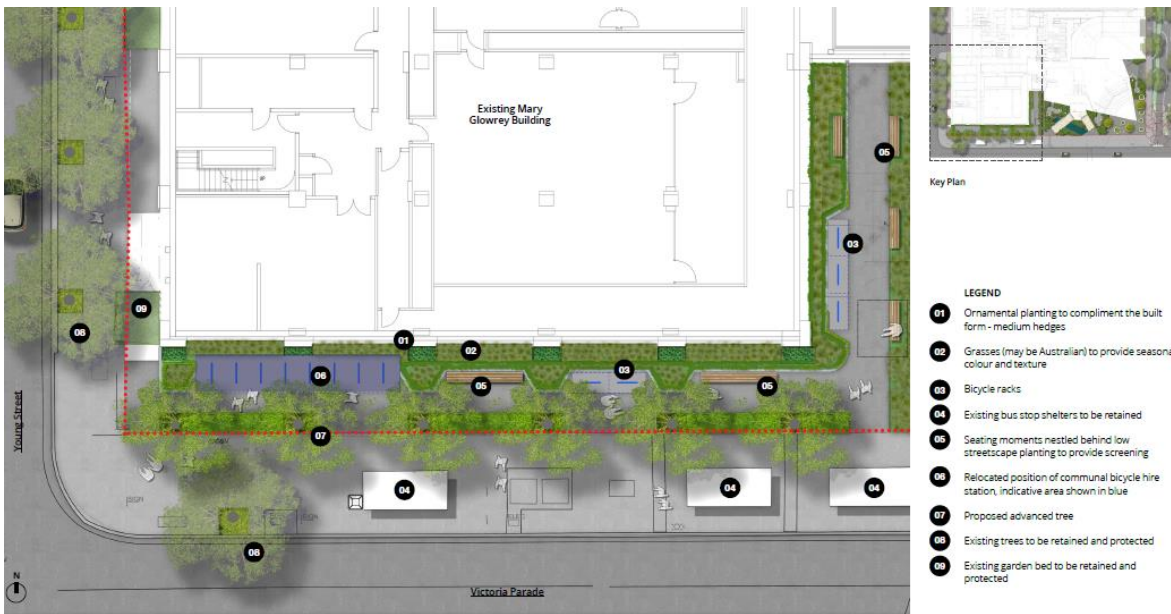
156. The removal of the glass façade structure from the Mary Glowrey building is supported as a positive response restoring the presentation of the building back to original. This element is detailed on the plans submitted to Council.



157. The restoration or re-establishment of the façade has been determined by Heritage Victoria as mostly acceptable. However, Heritage Victoria require the deletion of *‘the protruding ‘pop out’ window to replace the existing elevated entrance at the eastern end of the south elevation of the existing 1924 building’*.



158. A condition of any permit issued should require the deletion of the 'pop out' window and replaced with a new window design. This condition will be consistent with the Heritage Victoria permit.
159. The landscape plans submitted with the application show the area previously occupied by the glass façade will now be landscaped. A condition of the Heritage Victoria permit is to delete the proposed hedges in front of the heritage building to eliminate obscuring of the front façade. For consistency, should a permit be granted, this should form a condition of any permit issued.
160. Similarly, the landscape plan details the relocation of the Melbourne bike share facility from Napier Street to the front of the Mary Glowrey building.



161. It is considered that the purpose of this design objective is to restore the presentation of the Mary Glowrey Building to Victoria Parade and that this should not be cluttered with the new proposed location of the Melbourne bike station. As shown below the bike station is distinctive and should be located either setback back a greater distance from the façade of the Mary Glowrey building or to a location further east away from the heritage building.
162. While the DP shows the bike share scheme in a similar location, the proposal depicts this much more proximate to the building line of the Mary Glowrey building. Additionally the bike station is not shown on the plans and only referenced in the landscape concepts; this will be addressed as a condition of the permit.



Consolidate a new entry for both the Mary Glowrey Building and the new 115B Victoria Parade Building.

163. The plans show a new consolidated entry into the university direct from Victoria Parade. Internally, the new entry will connect back into the Mary Glowrey building satisfying this element of the development plan.



164. A landscape forecourt will present to Victoria Parade and wrap around to Napier Street with ramps providing access into the building.

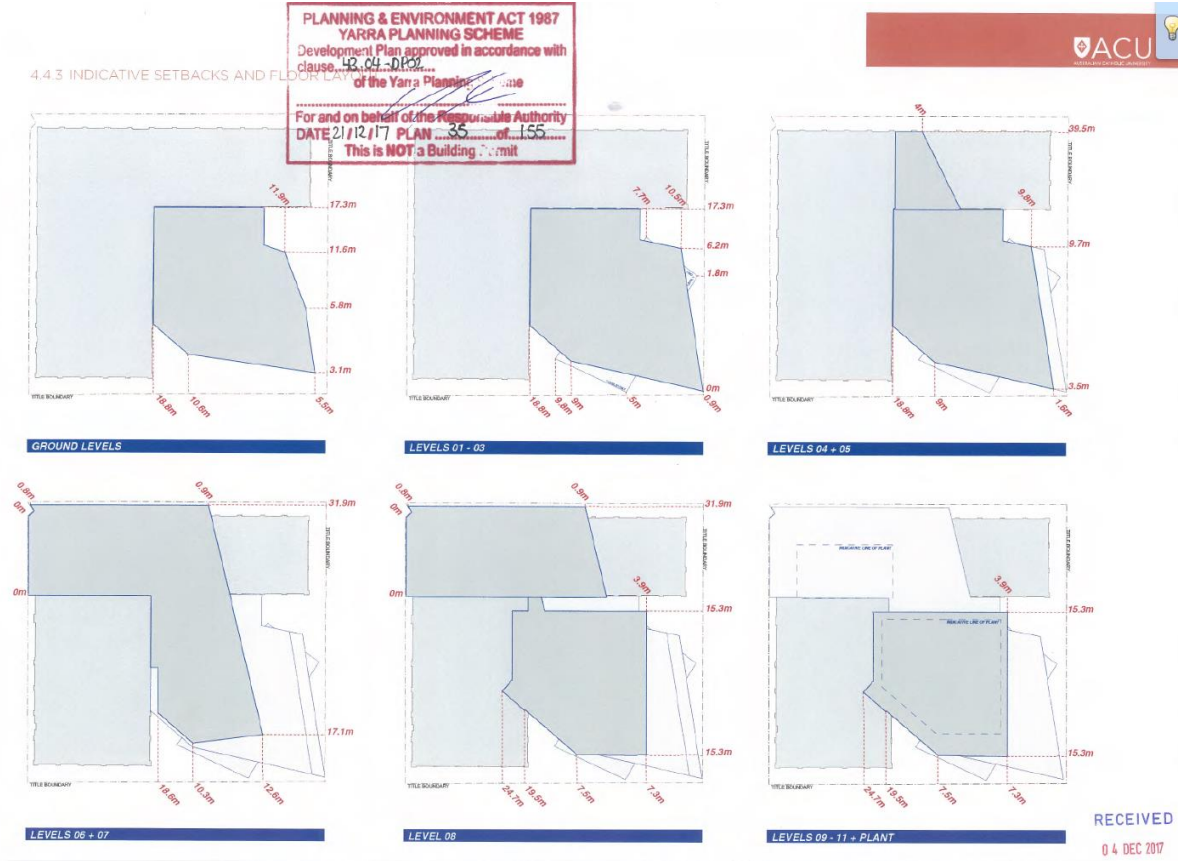


‘The new building consciously steps back from Napier Street, keeping the primary height and mass of the new building is recessed away from the more residential scale of the Napier Street Context.

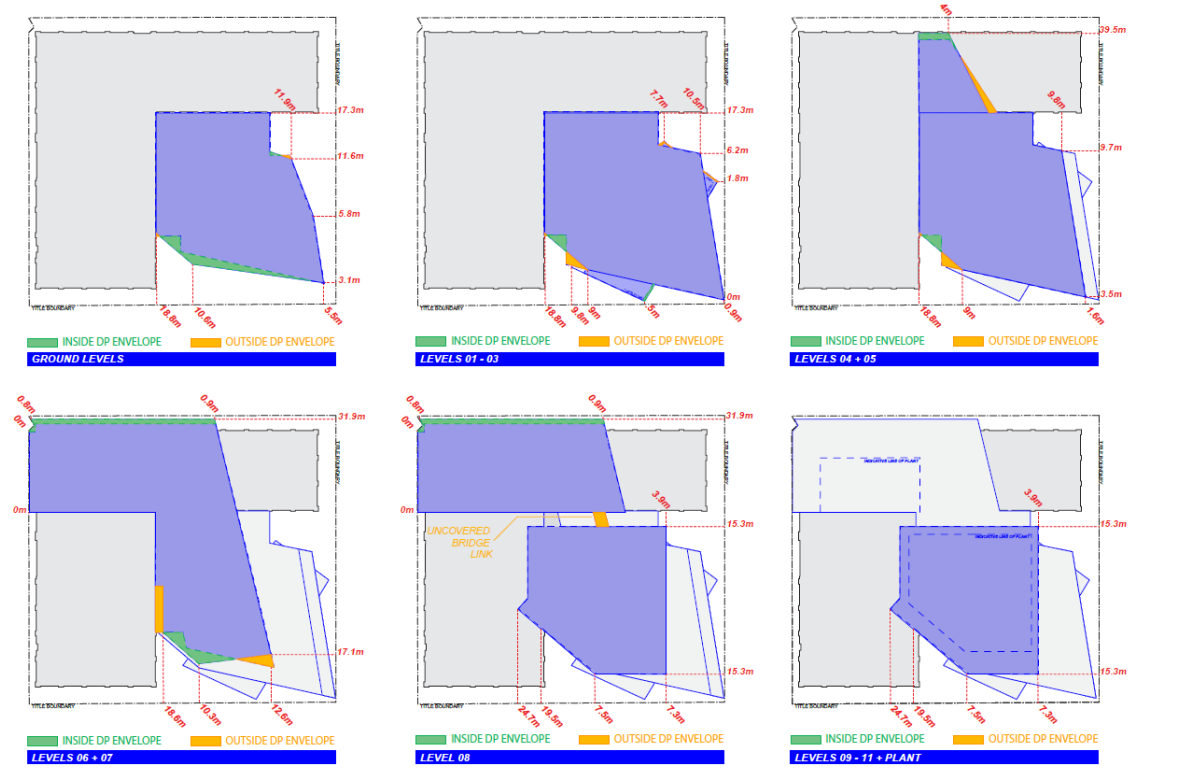
The new building is formally composed such that it allows the two primary ends of the Mary Glowrey Building to be fully expressed in the primary streetscapes. This is achieved by revealing and preserving corners of the Mary Glowrey Building.

The building form of 115B is chamfered to reveal a greater portion of the Mary Glowrey façade as well as softening the impact of the new building on the Victoria Parade Streetscape’.

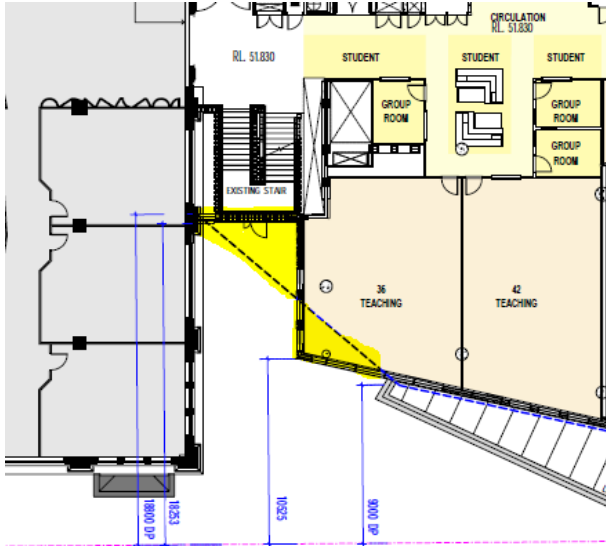
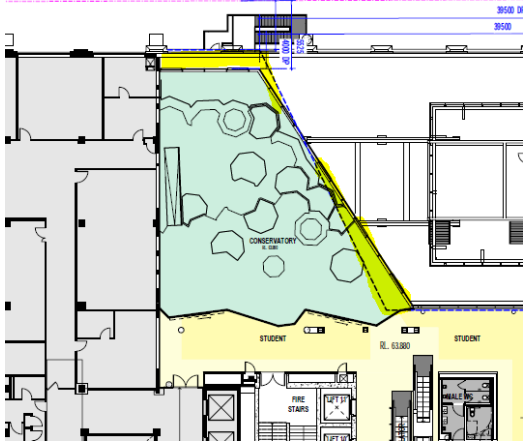
165. Both these design principles address the siting of the new building.
166. Within the development plan at section 4.4.3, indicative setback and floor layout plans show how the new building is to knit into the existing heritage fabric and how the use of chamfered edges to the new built form will address maintaining visual connection when viewed from the surrounding streets.

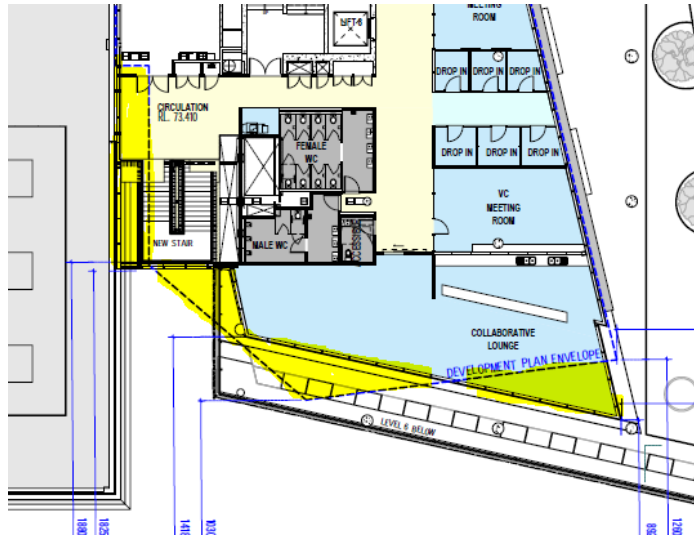


- 167. The proposal as submitted to Council generally adheres to the indicative setbacks with some encroachment in areas and in some instance additional setback.
- 168. The image below shows in green where the proposed plans sit within the proposed building envelope and in orange where the proposal encroached outside of the envelope plans.

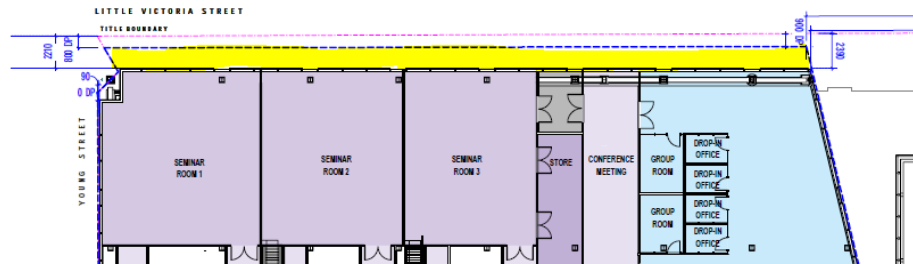


- 169. The table below discusses each of these changes:
 Yarra City Council – Special Meeting of Council Agenda – Tuesday 29 May 2018

Level	Change	Comment
Ground level	Increase and setback	The DP generally shows a chamfered setback of between 10.6m reducing to 5.5m as it approaches the Napier Street intersection. The proposal increases this setback to 14.2m to 5.5m with a projecting airlock within this setback
Levels 1 - 3	Increase in part decrease in part	At levels 1 – 3 in the chamfer area between the new building and the Mary Glowrey building there is a minor projection in the order of 8.3sqm and an increased recessed area of approximately 11.4sqm.
		
Levels 4 & 5	Increase in part decrease in part	Similar change as outlined above for levels 1 - 3 as the building presents to Victoria Parade. To Napier Street at level 5 where the new building commences its cantilever over the northern wing of the Mary Glowrey Building the conservatory area partly sits outside the DP envelope by approximately 15sqm and is recessed within the envelope by approximately 15sqm
		
Levels 6 & 7	Increase in part decrease in part	The southern portion of the building includes a lengthened section of new building which abuts the Mary Glowrey building. This section has been approved by Heritage Victoria as an acceptable heritage outcome. The area of building sitting outside the approved DP equates to approximately 9.4sqm at the interface of the Mary Glowrey Building and the existing staircase. The chamfer to Victoria Parade also include some changes in the envelope with two recess areas equating to approximately 32.0sqm and an additional area of floor space or approximately 17.7sqm.



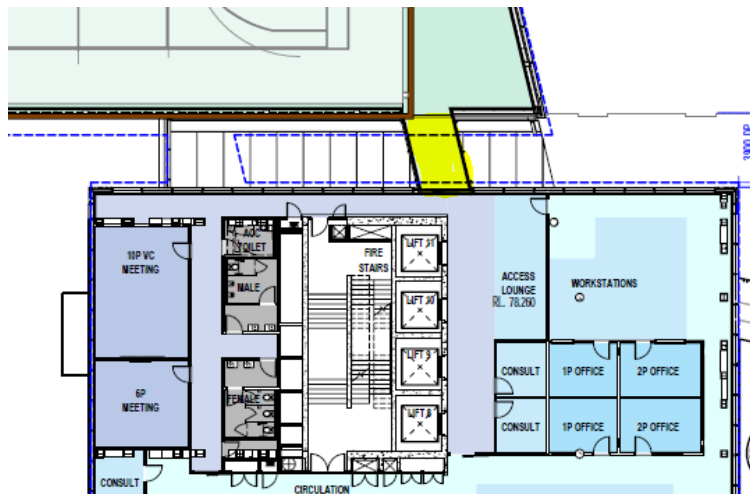
To the north, adjacent to Little Victoria Street, the envelop recesses by an additional 1.5m equating to a recess in envelop by approximately 82.5sqm.



Level 8 Increase in part decrease in part

Similar changes as outlined above for levels 6 & 7 to the north. Adjacent to Little Victoria the sports court is setback additional 1.5m equating to a recess in envelop by approximately 82.5sqm.

Central to the site and connecting the sports court back to the main building, the bridging element has moved east but is of a relative scale to what was proposed.



Please Note: minor changes are not included in the table above

- 170. The application while including refinement in the envelope of the building is true to the DP and proposes a built form outcome which is consistent with the DP.
- 171. The images below show conceptual images of what the DP aspired be developed on the site versus what is being realised through the planning permit application.



Napier Street



Victoria Parade



172. Based on the above, officers suggest that the proposals built form outcome is consistent with the DP with some variations as outlined in the table above and presents an acceptable outcome for the site.
173. The chamfered edges of the building to both Victoria Parade and Napier Street achieve the desired outcome of the DP for the edges of the heritage building to be perceived from the primary streetscapes.
174. The new building will sit proud on the site and will be of a scale significantly greater than the existing heritage building; however its streetscape response to the heritage building facilitates a 3 dimensional understanding of the Mary Glowrey building, consistent with the design principles outlined within the DP.



‘The form of the new building consists of three distinct parts that respond directly to their individual context; The podium responds to the steps in form of the Mary Glowrey Building; the hub sits back to form a bridging element between the Mary Glowrey building and the new building; The tower aligns and steps back significantly from Napier Street.’

175. The composition of the building as depicted in the image above, has retained the tripartite architectural form shown in the DP, the proposal is consistent with the approved DP.

‘An atrium between Mary Glowrey and 115B has been established to provide connections between the two buildings as well as preserving access to natural light for both buildings; the existing glass pop- out of the Mary Glowrey building is removed to restore the heritage façade.’

176. The proposal has included the glazed atrium between the new building and the heritage building. This design feature has been strengthened to provide a greater visual separation between the two buildings complying with the principles of the DP.



‘The ground floor is undercut away from the site boundary on Victoria Parade and Napier Street, revealing valuable urban space at the ground plane as well as providing generous means of circulation around the building from Napier Street and Victoria Parade.’

177. The chamfered edges of the building have the dual impact of revealing the edges of the Mary Glowrey building and providing a wider public realm interface with both Victoria Parade and Napier Streets.

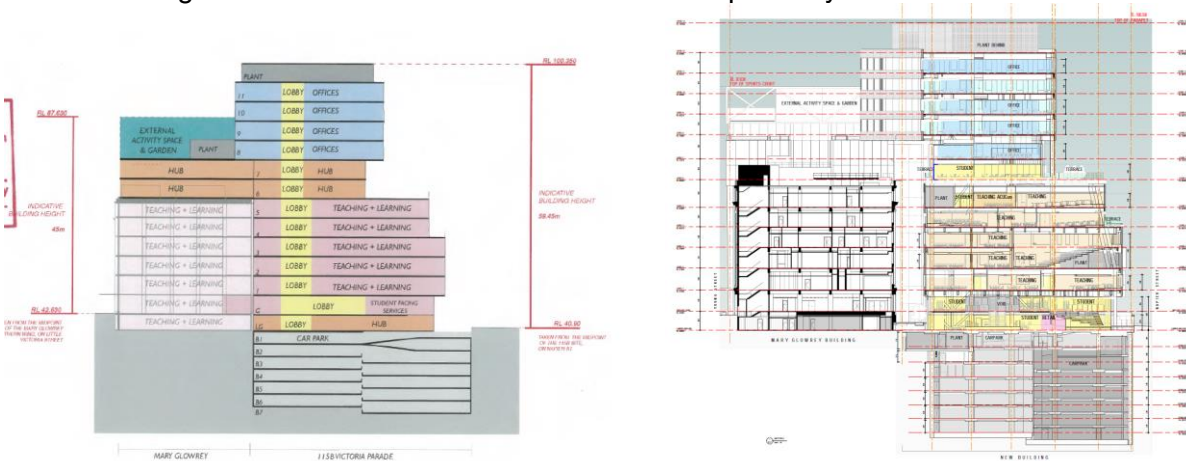


178. The various levels across the site have been incorporated into the design concept to provide interesting public realm spaces leading into the University building.

‘The addition above the Mary Glowrey building is set back from the line of the new 115B building and tapers away Napier Street to minimise its visual impact on the Mary Glowrey building an on the residential context of Napier Street.’

179. The proposal complies with this design principle and is consistent with the building endorsed envelope plans.

180. The height of this section is RL 87.6 or 45m as required by the DP.



181. The proposal seeks to increase the setback of the addition from Little Victoria Street from those shown in the DP which is an improvement. It is acknowledged that the building will be an obvious addition to the streetscape of Napier Street however the proposal as depicted is consistent with the DP
182. As outlined earlier, a Heritage Victoria permit has been issued for the site. A condition of the permit requires:

2.1 *Report from a suitability qualified structural engineer to confirm that:*

2.1.1

2.1.2 *there is no feasible solution to internally accommodate the structural supports for the new rooftop addition, and the portion of existing parapet proposed to be removed for the integration of a new addition to the existing heritage building.*



183. The externalised structural supports are shown on the proposal and while this was an area of concern for Council, the DP shows these as currently proposed. In the event that Heritage Victoria requires these to be varied, an amendment to any approved planning permit would be required.

'A new canopy will extend beyond the entrance to 115B along the face of the Mary Glowrey Building on Victoria Parade continuing into Young Street. The canopy will improve the pedestrian experience for the new 115B inhabitants and link the new building with the heart of the campus.'

184. This element has not been incorporated into the proposal. To incorporate a new canopy along the face of the Mary Glowrey building would be inconsistent with the intent of restoring the facade back to how the building originally present to Victoria Parade. Not including this element is supported.
185. A new canopy however has been proposed to the corner of Young Street and Little Victoria Street. Minimal details have been provided and a condition on any permit issued by Council should require this to be provided (consistent with the Heritage Victoria Permit) but also to require information to ensure that the height and depth of the canopy do not cause a traffic hazard. Council's engineering department has also requested details for the canopy.

'An inclusive ground plane strategy around 115B seeks to activate the zone around the Mary Glowrey and Little Victoria Street through the breaking down of the edge wall of the Mary Glowrey. Elevating a majority of the light court to street level widens the streetscape providing opportunities to give back to the urban realm.'

186. It is acknowledged that a landscape strategy has been developed for the site which seeks to invite the public and students to interact with the site.

187. The plans however have shown little in the way of addressing or improving the site's interface with Little Victoria Street. The plans show an area internal to the site to be partly used for student parking and partly covered with a canopy, it is considered reasonable that the landscape strategy extend round into Little Victoria Street and Young Street as required by the design principles of the DP.

'The car park entry and exit have been planned to be located on Napier Street which ensures the preservation of a strong active urban corner on Victoria Parade and enables a more harmonious relationship between cars, cyclists and pedestrians around 115B.'

188. The location of the vehicular entry and exit point to Napier Street is consistent with the DP and has enabled the reworking of the Victoria Parade frontage to become a pedestrian priority space.

189. The design detail of the Napier Street works will be discussed separately.

'Consider the significance of the Former Commonwealth Note and Stamp Printing Department building (known as the Mary Glowrey building) now registered on the Victorian Heritage Register. Noting that separate approval from Heritage Victoria is required.'

190. Heritage matters have been addressed by Heritage Victoria in the granting of a heritage permit for the site.

191. More broadly, contextual matters of scale of built form have already been settled within the DP and the planning permit application is consistent with these requirements.

The Campus Public Realm

192. The relevant overall design principles are outlined below:

- (a) *The Campus public realm will provide a hierarchy of spaces that are activated and well used by the University and the wider community. This will be achieved through the following key initiatives:*
 - (i) *St Patrick's Campus will become a pedestrian orientated space that is safe for students and prioritises sustainable modes of transport;*
 - (ii) *The creation of a pedestrian focused zone that encompasses University buildings will create strong pedestrian linkages through the Campus and to adjacent uses, activities and transport networks;*
 - (iii) *A number of different open spaces that serve different functions and offer flexible spaces for break out, social and structured interaction for both the University and the community and places for rest and relaxation;*
 - (iv) *Green landscape elements will be incorporated where ever possible including enhancing any blank walls'; and*
 - (v) *The public realm will be activated by built form boundaries where inside and outside activities cross over with that extended into open spaces from within the building.*

193. The design principles above advocate for an outcome which seeks to better integrate the University with the surrounding urban environment and to better link the campus of buildings through landscaping as a legitimate wayfinding tool.
194. The landscape concepts provided show clear markings of the entrances with the use of green rooms which adapt to the fall across the site. The concept submitted to Council includes integrated seating, however more information is required which needs to be developed as the plans submitted are concepts and not fully developed landscape plans.
195. Linked to this is the location of an internal amphitheatre teaching space located to the corner of Victoria Parade and Napier Street which also creates a non-static space which interacts with the external landscape spaces.



196. The DP outlines use of Little Victoria Street as a 'secondary pedestrian' link yet no information has been submitted about possible landscape improvements to address this. While it is accepted that this may come in a future planning application relevant to the hub space, it is an important connector through to the remainder of the campus and should be addressed as part of this application.
197. The landscape plans were referred internally for comment and require clarification around some of the design elements, these should form conditions on any permit issued.
198. No information regarding public art has been included with the planning permit application; a condition on permit will require the submission of public art plan to the satisfaction of the Responsible Authority.

Environmental Sustainability

199. Within the Environmental Sustainability section of DP, a number of topics are covered including: car parking, bikes and Environmentally Sustainable Design.
200. The relevant overall design principles are outlined below:
 - (a) *The built form and public realm is designed to maximize environmental sustainable development (ESD) initiatives and showcase sustainability to the wider community. This includes:*
 - (i) *Ensure efficient use of energy and reduce operating greenhouse gas emissions;*
 - (ii) *Ensure efficient use of water, reducing potable water use and encourage the collection and reuse of storm water and alternative water sources;*
 - (iii) *Improve indoor environment quality including by providing fresh air intake and cross ventilation, where feasible natural and appropriate levels of lighting and external views, and thermal comfort;*
 - (iv) *Reduce the impact and improve the quality of storm water runoff through water sensitive urban design;*

- (v) *Promote sustainable transport including walking, cycling and public transport to minimise car dependency;*
- (vi) *Manage waste through waste avoidance, reuse and recycling and the creation of adaptable spaces and buildings formed with durable materials; and*
- (vii) *Enhance biodiversity and natural habitats and reduce the urban heat island effect through the use of indigenous plants.*

ESD

201. The site is located in an existing built up area and would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes which reduce employees and visitors reliance on private vehicles. Policy at clauses 15.02-1, 21.07, 22.16 and 22.17 of the Scheme and provision of the DP, encourage environmentally sustainable development, with regard to water and energy efficiency, building construction and ongoing management.
202. Council's ESD Advisor confirmed that the proposed ESD standard for this development largely meets Council's best practice standard and highlights that the proposal includes the following ESD commitments:
- (a) Certified 5 Star Green Star Design and As Built rating;
 - (b) NCC energy efficiency standards exceeded by at least 40%;
 - (c) High efficiency system with 3 staged chillers with COP of 5.5, condensing flue boilers with heat recovery AHUs and VAV system;
 - (d) A 62.5kWp solar PV system;
 - (e) Good access to daylight;
 - (f) Mechanical ventilation with fresh air rates exceeding AS1668 rates by at least 50%; and
 - (g) Water efficient taps, fixtures and irrigation system.
203. There are areas of identified deficiency or outstanding information or improvement opportunities. These are:
- (a) provide valid evidence that the SPEL system can perform to the required best practice standard in local conditions, or select a different stormwater treatment type;
 - (b) provide completed JV3 energy model prior to occupation that demonstrates 40% energy efficiency improvement on the NCC minimum requirements will be achieved.
 - (c) plans to show the proposed solar PV array on the roof plan;
 - (d) confirmation of what the hot water system will be used for and its standard of energy efficiency;
 - (e) confirmation that 85 student bicycle spaces for students will be provided;
 - (f) electric vehicle charging points not shown on plan;
 - (g) external shading be considered on the north, east and western facades in addition to the high performance glazing;
 - (h) investigate recycled water for irrigation;
 - (i) consider a small pallet of materials and construction techniques that can assist in disassembly; and
 - (j) Waste Management to include separate waste streams and adequate space is provided for waste and recycling,
204. The applicant has responded that most matters can be addressed as conditions in an amended SMP and annotated on the plans (where relevant). Matters in contention are:

- (a) the 85 on site bike spaces as an error, the proposal includes a total of 99 on site bike spaces, 25 for staff and 74 for students, this is considered acceptable;
- (b) external shading to be provided, the applicant submits that the high performance glazing is sufficient to address this issue, a condition will instead ask for greater details of the glass;
- (c) construction techniques that can assist in disassembly, the applicant has stated that the project will be a standard building type; and
- (d) separate waste streams; the applicant has confirmed that comingled waste is collected and has been approved by Council's waste department. Plans to identify areas for waste and recycling.

205. It is considered that the proposal will achieve a high level of environmentally sustainable design and greater internal amenity for future occupants. This satisfies a number of clauses including 15.02-1, 18.02-1, 21.06 and 21.07 and the provisions of the DP.

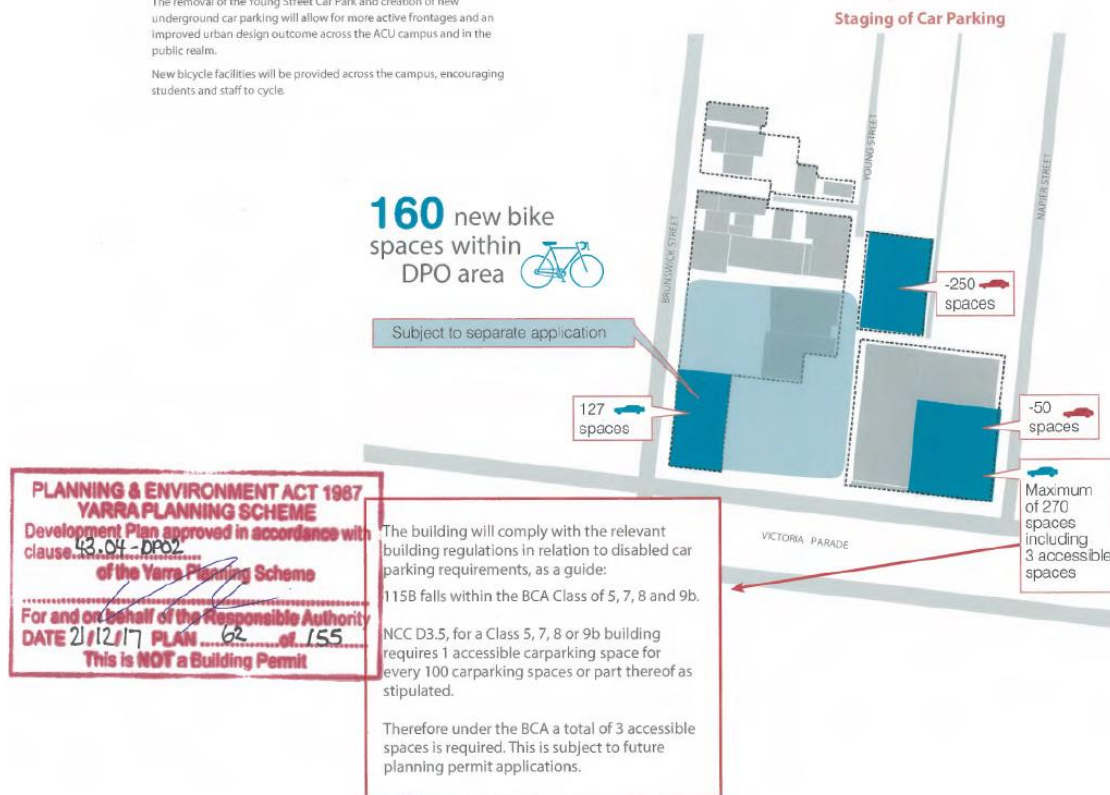
Bike & Car Parking

206. The DP makes very clear statements around the provision of bike and car parking. The DP identifies two specific principles being:

- (a) *The removal of the Young Street Car Park and creation of new underground car parking will allow for more active frontages and an improved urban design outcome across the ACU campus and in the public realm.*
- (b) *New bicycle facilities will be provided across the campus, encouraging students and staff to cycle.*

4.6 Proposed Vehicle and Bicycle Parking

The removal of the Young Street Car Park and creation of new underground car parking will allow for more active frontages and an improved urban design outcome across the ACU campus and in the public realm.
New bicycle facilities will be provided across the campus, encouraging students and staff to cycle.



207. In assessing this application the DP outlines the requirements for both bike spaces and car space, the DP requires:

- (a) A maximum 270 car parking spaces including 3 disabled spaces; and

(b) 160 bike spaces within the DP area.

Bikes

208. Of the required 160 bike space, the planning permit application proposes a total of 99 bike spaces with the remaining 61 spaces to be delivered as part of a later stage.
209. To determine the appropriateness of the design and location of the bike parking, the application was referred to Council's Strategic Transport Unit for comment.
210. Staff bike parking (25 spaces) is proposed to be located in Basement 1 immediately adjacent to the end of trip facilities. The proposed number of spaces is considered to be acceptable for this portion of the wider development and the layout and type of bike parking is satisfactory subject to clarification of a ramp grade which can form a condition of any permit issued for the development.
211. Council's Strategic transport unit would prefer that the bike parking be provided within a secure facility and while this may be an ideal outcome, the broader car park is a secure facility, it is not recommended that this be required to change.
212. The remaining 74 bike parking spaces are proposed for visitor/student use and are proposed to be located at the lower ground area adjacent to the northern wing of the Mary Glowrey building.
213. The bike parking allocation is considered acceptable, however access is proposed via a narrow staircase. Access is not considered reasonable with the volume of student and visitors accessing these spaces, and should be redesigned for ramp access down to these spaces, this can be addressed by way of condition.

Cars

214. The DP has a maximum number of 270 car parking spaces that can be provided on site. The planning application seeks to reduce this number by 26 spaces to 244 spaces.
215. The application was referred to Council's engineering department to comment on any traffic implications and the adequacy of the design of the 7 level basement car park.
216. The decrease in car parking numbers is considered to be reasonable and supported by Council policy which seeks to reduce reliance on private motor vehicles.
217. Council's engineers have reviewed the car park layout and subject to a number of conditions is considered to be satisfactory.
218. The planning application details the vehicular access and egress point to the car park is from Napier Street and that works to Napier Street are required to accommodate this, these works will be discussed below however are generally shown within the approved DP.

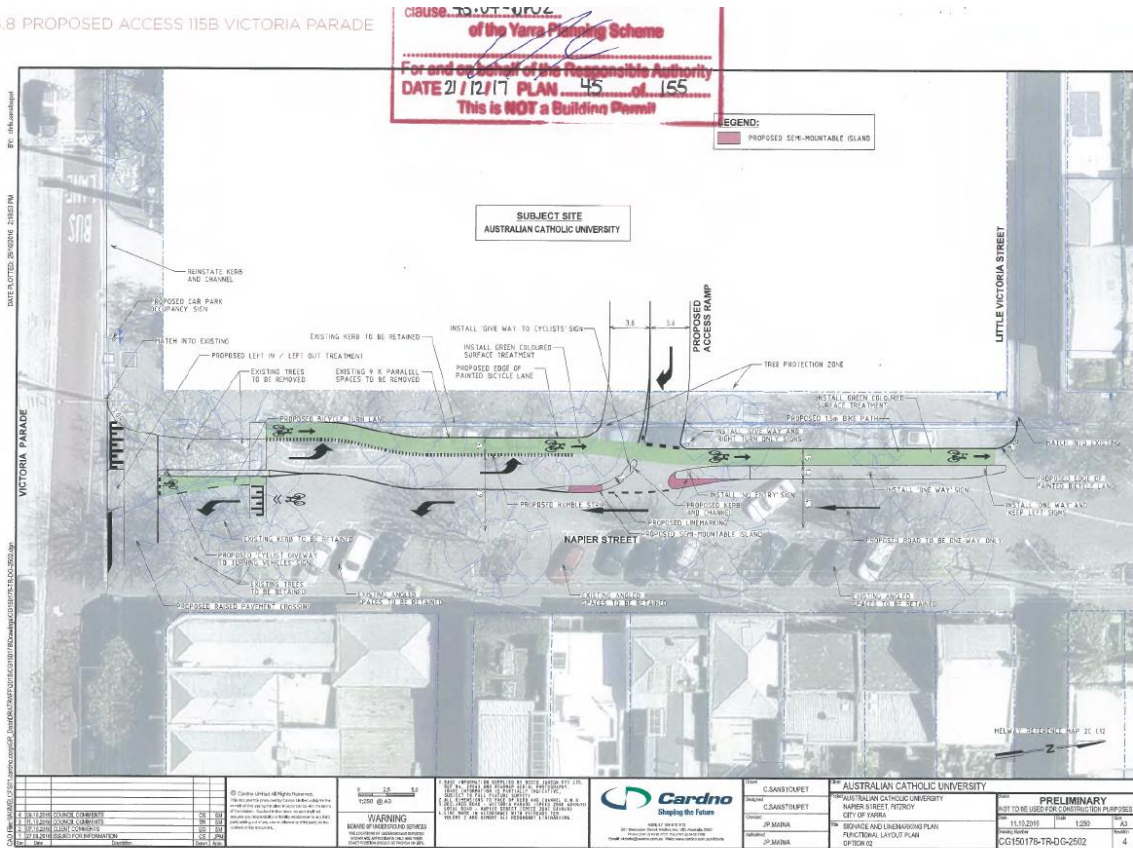
Green Travel Plan

219. It is acknowledged that a general green travel plan forms part of the DP, however, it is considered reasonable that an updated plan for this specific application be required. This will form a condition of any permit issued.

Napier Street works

220. Forming part of the DP is the Napier Street works 'concept' required to facilitate vehicular access to the site.

4.4.8 PROPOSED ACCESS 115B VICTORIA PARADE



221. The proposed works include:
- (a) Removal of two street trees;
 - (b) Removal of 9 on street parallel parking spaces (west side Napier Street);
 - (c) Re-alignment of the existing bike path;
 - (d) Intersection upgrade works including:
 - (i) Reinstatement of the Victoria Parade Crossover; and
 - (ii) Construction of a new traffic island immediately in front of the access point to the basement.
222. The Signage and Linemarking Plan Functional Layout Plan – Option 2 forming part of the planning permit application has been reviewed by both Council’s Engineering Department and the Strategic Transport Unit to ensure that the works will ensure safe bike and pedestrian movement while facilitating vehicular access. Comments from Council’s Open space unit were also provided to ensure the appropriate tree protection measures are in place for the retained trees.
223. While general support is offered for the proposed Napier Street works, a number of details are required to be included on the plans (see image below)

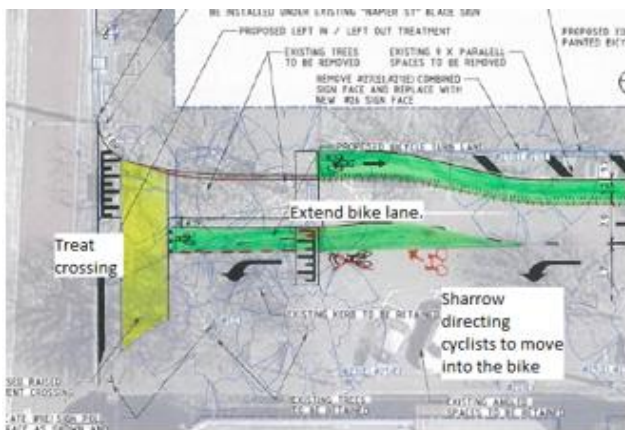


Figure 1 – The south-bound bicycle lane should be extended with cyclists encouraged to separate from car traffic before the intersection. The raised pedestrian crossing should be treated to indicate is a shared space.

- 224. Subject to a number of conditions, the proposed works to Napier street are consistent with the DP.
- 225. The application was referred to VicRoads who offered no objection to the application subject to conditions and notes being included on any permit issued.
- 226. Council’s Strategic Transport Unit advocates for additional works to Victoria Parade to facilitate improvements to cyclists. While these suggestions may have merit they require changes to Victoria Parade which is a road managed by VicRoads and not Council and cannot be conditioned by this permit.

Other Matters

- 227. The DP includes information regarding wind conditions. It is considered prudent to include a condition requiring a wind report to specifically address the planning application.
- 228. Acoustic information is required to ensure that proximate residents are not affected by the use of the outdoor court. A condition will require acoustic information to be submitted.
- 229. No information was been provided regarding any external lighting of the outdoor recreation space. The applicant has subsequently confirmed that lighting for the outdoor court will be limited to 7:00am – 9:00pm, these hours should be conditioned on any permit to ensure appropriate management of lighting of the court to minimise off site amenity impacts to the abutting residential properties.

External Consultation

- 230. None as advised earlier, the application is exempt from the notice and appeal provision of the *Planning and Environment Act 1987*.

Internal Consultation (One Yarra)

- 231. A number of internal departments were referred the application and their comments form part of this report.

Financial Implications

- 232. The application is proceeding to VCAT; costs will be incurred defending Council’s position.

Economic Implications

- 233. The proposal will facilitate an expansion of the ACU and increase the number of students and employees within this area.

Sustainability Implications

- 234. Sustainability has been considered as part of the assessment of the application.

Social Implications

- 235. No particular social implications are known.

Human Rights Implications

236. No Human Rights implications are known.

Communications with CALD Communities Implications

237. No CALD community implications are known.

Council Plan, Strategy and Policy Implications

238. All relevant policies have been referenced within the report.

Legal Implications

239. Appropriate representation will need to be engaged to defend Council's position on the planning permit application.

Conclusion

240. The application has been assessed against all relevant provisions of the planning scheme and against the Australian Catholic University St Patrick's Campus Development Plan December 2017, and subject to conditions, the application shows a high degree of consistency with the DP.

241. The proposal is an acceptable outcome and will enable the future growth of the University.

242. Subject to the conditions outlined within the recommendation section below, Council should advise the Victorian Civil and Administrative Tribunal that if Council were in a position to determine the application a Planning Permit would be issued for:

'Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access'

RECOMMENDATION

That Council:

- (a) note the report of officers assessing the planning permit application; and
 - (b) advise the Victorian Civil and Administrative Tribunal that if Council were in a position to determine the application a Planning Permit would be issued for: *'Development of the land for the construction of a multi storey building associated with the Australian Catholic University including a reduction in the car parking requirement and alteration to Road Access'*, subject to the following conditions set out below.
1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by Lyons received by Council on 20 November 2017 but modified to show:

Design

- (a) Deletion of the proposed bay widow to the ground floor southern elevation of the Mary Glowrey building and replacement with a modified window design;
- (b) Relocation of the 'Melbourne bike station to a location setback back a greater distance from the façade of the Mary Glowrey building or to a location further east, away from the heritage building;
- (c) Details of the glass canopy along the north and west elevations (corner of Young Street and Little Victoria Street) to ensure its height and depth enables vehicular movement;

Landscaping

- (d) Detailed landscape plans generally in accordance with the landscape design concepts prepared by Aspect Studios received by Council on 20 November 2017 but modified to show:
 - (i) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (ii) the location of all areas to be covered by lawn or other surface materials;
 - (iii) specification of works to be undertaken prior to planting;
 - (iv) cross sections showing the depth of planter boxes and planting, including growing media, irrigation, drainage, water proofing and tree anchors;
 - (v) specification of works to be undertaken prior to planting;
 - (vi) watering and maintenance;
 - (vii) garden bed dimensions;
 - (viii) areas of paving and proposed materials;
 - (ix) location of proposed tree planting – distances from buildings and other infrastructure, planting proposed over the basement levels or under the overhanging built form;
 - (x) clear definition of terraced spaces, retaining walls, seating elements and other structures independent of paving treatments;
 - (xi) water sensitive urban design [WSUD] features;
 - (xii) detailed sections of the upper level terraces, detailing:
 - a. vegetation layer;
 - b. growing substrate and depth;

- c. water efficient irrigation system;
 - d. filter sheet;
 - e. drainage layer;
 - f. protection mat;
 - g. root barrier; and
 - h. waterproofing.
- (xiii) Deletion of the proposed hedges at ground level which obscure the existing heritage façade;
 - (xiv) landscape strategy to extend round into Little Victoria Street and Young Street
 - (xv) Wayfinding plan outlining preferred pedestrian paths connecting the site to the remainder of the University Campus;
 - (xvi) continuation of a line of trees along the Victoria Parade boundary up to Napier Street to provide a continuous green edge;
 - (xvii) details of the proposed water feature;
 - (xviii) details of access to the sunken gardens; and
 - (xix) all requirements contained within the endorsed Tree Management Report.

ESD

- (e) location of the 30,000 litre water tank;
- (f) roof plan showing location of all solar panels;
- (g) provision and location of 12 electric vehicle charging points;

Materials

- (h) A schedule of external colours and materials, including samples (where appropriate). The schedule must show:
 - (i) thumb nail sketches of key elements of the façade for the new building and extension;
 - (ii) performance detail of glazing;
 - (iii) coloured elevations and perspectives of all street frontages including Little Victoria Street;

Bike and Car Parking

- (i) The ramp grade adjacent to the escalators at lower ground floor to be no greater than 1:12.
- (j) Deletion of the stair access at lower ground level to the student bike parking area and replacement with a ramp with a gradient of no greater than 1:8.
- (k) A 2.5m x 2.0m sight triangle be superimposed at the exit lane of the development on the ground floor plan.
- (l) Installation of convex mirror to service corners of the car park to facilitate passing of vehicles.
- (m) Provision of a central separator dividing the entry and exit landings of the access way on Level B1 generally as shown in Appendix B of the Traffic Impact Assessment report prepared by Cardno dated 13 November 2017.
- (n) Column depths and setbacks to be dimensioned on plans. Position of columns adjacent to spaces to comply with Diagram 1 *Clearance to car parking spaces* of Clause 52.09-9 or AS/NZS 2890.1:2004.
- (o) Clearance to walls to be dimensioned on plans and should be at least 300mm.

- (p) Head room clearance to be dimensioned on plans, a minimum headroom clearance of 2.1m to be provided as per clause 52.06-9. Headroom clearance above accessible parking spaces should be provided at 2.5m as per AS/NZS 2890.6:2009.
- (q) Location of 12 electric vehicle charging points
- (r) loading bay dimensioned on the drawings, including minimum overhead clearance and line marking to delineate the loading dock from the accessway.
- (s) The channelised section across the footpath associated with the vehicle crossing shown on the lower ground floor plans to be deleted.

General

- (t) Waste management room to show waste storage types (i.e. recycling etc.)
- (u) Details of outdoor court lights to be shown, with a notation that lighting will be baffled to prevent light spill.

Reports

- (v) any requirements as a result of the endorsed Sustainable Management Plan report pursuant to condition 9 to be shown on plans;
- (w) any requirements as a result of the endorsed acoustic report pursuant to condition 12 to be shown on plans;
- (x) any requirements as a result of the endorsed wind assessment report pursuant to condition 14 to be shown on plans.

Ongoing Architect Involvement

- 2. As part of the ongoing consultant team, Lyons or an architectural firm(s) to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

General

- 3. The development and uses as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
- 4. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 7. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 8. Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Sustainable Management Plan

- 9. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by AECOM dated 6 November 2017, but modified to show/reflect/demonstrate:

- (a) valid evidence that the SPEL system can perform to the required best practice standard in local conditions, or select a different stormwater treatment type;
 - (b) the 30,000L (minimum) rainwater tank used for toilet flushing and irrigation;
 - (a) details and plans to show the proposed solar PV array on the roof plan;
 - (b) confirmation of what hot water system will be used and its standard of energy efficiency;
 - (c) confirmation of 12 electric vehicle charging points and the location to be shown on plan;
 - (d) details of the high performance glazing; and
 - (e) areas required for waste storage types.
10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Prior to occupation of the building a completed JV3 energy model must be submitted to the Responsible Authority demonstrating 40% energy efficiency improvement on the NCC minimum requirements has been achieved.

Acoustic Report

12. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
- (a) noise from ball bouncing and whistles within the recreation sport court and measures to address potential impacts on nearby residential uses.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Assessment Report

14. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit. The wind assessment report must assess the following:
- (a) testing of comfort levels for all external areas of open space including with the recreation sports court; and
 - (b) testing for all new pedestrian entries into the university building.
15. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping

16. Before the plans are endorsed an Irrigation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Irrigation Management Plan will be endorsed and will form part of this permit. The Irrigation Management Plan must make recommendations for:
- (a) differential demands of the vegetation within the site complying with the provisions, recommendations and requirements of the endorsed Landscape Plan; and
 - (b) programmed maintenance for the irrigation system including flushing, checking systems integrity, monitoring sensors and calibration settings.
17. Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

18. The landscaping shown on the endorsed plans must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, all to the satisfaction of the Responsible Authority.
19. Before the development starts, the permit holder must provide a security bond to the Responsible Authority to secure the 11 street trees located along Young and Napier Streets and Victoria Parade ("bonded works"). The security bond would cover the amenity value of each tree as follows and:
 - (a) is to be \$50,000; and
 - (b) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority; and will be held by the Responsible Authority until the construction works are completed to the satisfaction of the Responsible Authority.
20. Once the construction works are completed to the satisfaction of the Responsible Authority, the Responsible Authority will inspect the trees and provided they are found to be in good condition, the security bond will be refunded to the permit holder.
21. Prior to the occupation of the building, or by such later date as approved in writing by the Responsible Authority, any damaged street trees must be replaced:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
22. Before the development commences, the permit holder must make a one off 'loss of amenity' contribution \$21,329.92 + GST based on the removal of the two (2) Pin Oaks located in Napier Street to the Responsible Authority to be used for the replacement and maintenance of trees within the immediate locale to Council's discretion. All tree planting and maintenance work will be undertaken by City of Yarra Contractors.

Ongoing Tree Management Plan Requirement

23. The provisions, recommendations and requirements of the endorsed Tree Management Plan prepared by Tree Logic dated 1 November 2017 must be complied with and implemented to the satisfaction of the Responsible Authority.

Public Art Management Plan

24. Within 6 months of commencement of the development, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
 - (a) details of the commissioned artist(s); and
 - (b) description of art work, including:
 - (i) materials;
 - (ii) colours;
 - (iii) dimensions;
 - (iv) content;
 - (v) special features (e.g. lighting);

- (vi) details of the installation process; and
 - (vii) details of art work maintenance schedule.
25. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

Public Lighting Plan

26. Before the development commences, a Public Lighting Plan prepared by a suitably qualified person and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along the Victoria Parade, Napier Street and Little Victoria Street frontages of the site and the entrance to the approved building. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for:
- (a) a lighting scheme designed for both public highway and new open public area/road/open space within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1;
 - (b) the control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997, "Control of the obtrusive effects of outdoor lighting";
 - (c) the locations of any new light poles so as not to obstruct access;
 - (d) lighting to all primary pedestrian access points a maintenance regime for the lighting scheme within the curtilage of the property; and
 - (e) the use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.
27. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.

Sports Court Lights

28. Before the development commences, or by such a later date as approved by the Responsible Authority details of the sports court lights including:
- (a) Lux Levels; and
 - (b) Baffling details.
29. Except with the prior written consent of the Responsible Authority, the use of the sports court lights authorised by this permit may only operate between the following hours:
- (a) Monday to Friday 7.00am to 9.00pm.
30. All outdoor court lighting to be baffled to prevent light spill to proximate residents.

Waste Management Plan

31. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
32. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Napier Street - Street Work Plan

33. Before the development commences, or by such later date as approved in writing by the Responsible Authority, an amended Signage and Linemarking Plan Functional Layout Plan – Option 2 to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Signage and Linemarking Plan Functional Layout Plan will be endorsed and will form part of this permit. The amended Signage and Linemarking Plan Functional Layout Plan must be generally in accordance with

the Signage and Linemarking Plan Functional Layout Plan prepared by Cardno dated 11 October 2016, but modified to include (or show, or address):

- (a) Clearly show all tree protection measures outlined within the Tree Management Plan prepared by Tree Logic dated 1 November 2017;
- (b) The north-bound bike lane on the west side of Napier Street to be increased in width to 1.5m or greater;
- (c) The south-bound bike lane extended further north to allow for cyclists to separate from traffic before the intersection, inclusion of sharrows to direct cyclist to move across;
- (d) The pedestrian crossing treated with yellow surface paint or the like, signs and sharrows indicating it is a shared space;
- (e) Ramp gradients either side of the raised pedestrian crossing;
- (f) Vehicle crossover details to be consistent with Condition 37 detailed cross section drawing;
- (g) Swept path diagrams that show the B99 design vehicle can satisfactorily enter into and reverse out of the angled parking spaces on the east side of Napier Street (including those spaces opposite the raised island and separator). The swept path diagrams must be fully dimensioned with angled bays clearly shown;
- (h) The proposed raised island and separators must be constructed in bluestone semi mountable kerb as per Council's engineering specifications;
- (i) The proposed raised island and separator must only facilitate left in /left access; and
- (j) materials to be of a City of Yarra Standard.

Civil Works

34. Before the development commences, or by such later date as approved in writing by the Responsible Authority the applicant must undertake a drainage catchment analysis (to the satisfaction of the Responsible Authority and approved by the Responsible Authority) of the surrounding local area and provide a drainage design scheme for the new works to Napier Street to ensure that stormwater run-off is adequately drained.
35. Before the development commences, or by such later date as approved in writing by the Responsible Authority the owner of the site must submit detailed civil works drawings associated with the Signage and Linemarking Plan Functional Layout Plan – Option 2 to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at the full cost of the owner and include (but not be limited to):
 - (a) All works shown with the endorsed Signage and Linemarking Plan Functional Layout Plan – Option 2;
 - (b) Incorporation of drainage matters as required by condition 33;
 - (c) The provision of any additional public lighting;
 - (d) The footpath and kerbs along the property's Napier Street and Victoria Parade frontage to be reconstructed to generally match into the existing fall across the site to Council's requirements;
 - (e) The two grated site entry pits at the south end of Napier Street are to be upgraded to solid cover side entry pits using heavy duty eco-lite covers;
 - (f) Any adjustments to Telstra pits must be shown and subject to all relevant Telstra approvals;
 - (g) All pits, telecommunication access chamber and the like to be shown;
 - (h) Location and retention of original 'Batemans Patent Melbourne Water works grate in Napier Street; and
 - (i) Details of all proposed signage.

36. All works associated with the Signage and Linemarking Plan Functional Layout Plan – Option 2 as shown on the endorsed plans and within the Signage and Linemarking Plan Functional Layout Plan – Option 2 Civil Works drawings (referred to in Conditions 32 and 34) must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority.

Timing of works

37. Before the building is occupied, all works associated with the Signage and Linemarking Plan Functional Layout Plan – Option 2 as shown on the endorsed plans (referred to in Conditions 20 and 22) must be fully constructed and completed by the owner to the satisfaction of the Responsible Authority.

Road Infrastructure

38. Before the development commences, or by such later date as approved in writing by the Responsible Authority, the applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels to three decimal places (not interpolated levels from the application drawings). The required levels include the building line level, top of kerb level, invert level, lip level and road pavement levels. The applicant must demonstrate by way of a ground clearance check using the B99 design vehicle that cars can traverse the new vehicle crossing without scraping or bottoming out. The 1 in 20 scale cross sectional drawing must be submitted to Council's Construction Management branch for assessment and approval.
39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel.
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
41. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property frontages to Napier Street and Victoria Parade must be re-constructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel immediately outside the property's Napier Street and Victoria Parade frontages must be profiled and re-sheeted:
- (a) able to drain during a storm event;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.

44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, Little Victoria Street between Young Street and Napier Street must be re-constructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
45. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
46. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal and reinstatement of kerbside parking sensors as required must occur:
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.
47. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
48. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
49. The use and development must comply at all times with the State Environmental Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
50. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

Car parking

51. Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
 - (a) the number of car parking spaces allocated to staff and students/visitors;
 - (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (c) policing arrangements and formal agreements;
 - (d) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.;
 - (e) the collection of waste and garbage including recyclables, which must be in accordance with the Waste Management Plan required by Condition 30;
 - (f) location of all convex mirrors to ensure clear lines of sight;
 - (g) Confirmation of an OHS plan for the use of pedestrian doors within the basements to access the drainage plenum; and
 - (h) details regarding the management of loading and unloading of goods and materials.
52. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

53. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.

Green Travel Plan

54. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) a description of the location in the context of alternative modes of transport;
 - (b) employee welcome packs (e.g. provision of Myki/transport ticketing);
 - (c) the provision of real time passenger information displays for nearby stops within each lobby;
 - (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (f) details of bicycle parking and bicycle routes;
 - (g) details of GTP funding and management responsibilities;
 - (h) security arrangements to access the employee bicycle storage spaces; and
 - (i) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (j) a minimum of 12 electric vehicle charging points and their location; and
 - (k) provision for the Green Travel Plan to be updated not less than every 5 years.
55. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

VicRoads Conditions (55 to 57)

56. Before the development starts (excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, retention work, soil remediation, piling), functional layout plans, supplementary information and analysis is required for the modified existing and or new access points from Victoria Parade to Napier Street relating to this development must be submitted to the satisfaction of at no cost to VicRoads (the Roads Corporation) for its approval.
57. Prior to the occupation of the buildings/s the following roadworks along the Victoria Parade frontage and at the intersection of Victoria Parade/Napier Street must be complete at no cost to and / or to the satisfaction of the Roads Corporation;
- (a) The construction, modification, relocation and or upgrade of various elements of Victoria Parade and Napier Street adjoining the development, including (but not limited to) any such inclusions or changes to the pedestrian crossing, pedestrian exclusion zones, bicycle line marking, road line marking, signal hardware, signage, road geometry, central medians, lane lengths and width, and associated road works on Victoria Parade and the intersection of Victoria Parade/Napier Street.

58. All disused or redundant vehicle crossing/s along Victoria Parade must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use of the building/s hereby approved.

Construction Management

59. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
- (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (q) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (t) vehicle borne material must not accumulate on the roads abutting the land;
 - (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
60. If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.
61. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
62. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm; and
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time Expiry

63. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the use has not commenced within five years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

All future employees, students or visitors within the development approved under this permit will not be permitted to obtain, employee or visitor parking permits.

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the Permit Holder's expense after seeking approval from the relevant authority.

No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from Council Parking Management unit and Construction Management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

VicRoads Notes:

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works may include the provisions of:

- Works associated with existing and or new traffic signals adjoining the subject land,
- Signage associated with vehicular access to Napier Street from Victoria Parade.
- A zebra pedestrian crossing on Napier Street at the Victoria Parade intersection and associated walking leg signs.
- Left in/Left out treatment/ signage associated with vehicular access to Napier Street from Victoria Parade.
- A traffic island at the intersection of Victoria Parade/ Napier Street to allow for a refuge for pedestrians crossing Napier Street.
- New bicycle land line marking.
- Modified raised central medians.
- Signs and associated road works.
- Road line marking, kerb and channel.

- Pedestrian crossing line marking and or exclusion zones.
- A road safety audit.
- Works associated with the new and or modified lanes on Victoria Parade and Napier Street adjacent to the development.

Separate consent will be required from VicRoads (the Roads Corporation) under the *Road Management Act 2004* for all buildings and works (i.e. canopies and architectural features/projections) undertaken outside the title boundary within a Road Zone Category 1 (i.e. Victoria Parade). Please contact VicRoads prior to commencing any works.

CONTACT OFFICER: Mary Osman
TITLE: Manager Statutory Planning
TEL: 9205 5300

Attachments

- 1** Heritage Victoria Permit
- 2** ACU Development Plan Part 1
- 3** ACU Development Plan Part 2
- 4** ACU Development Plan Part 3
- 5** ACU Development Plan Part 4
- 6** ACU Development Plan Part 5
- 7** ACU Development Plan Part 6
- 8** ACU Development Plan Part 7
- 9** ACU Development Plan Part 8
- 10** ACU Development Plan Part 9
- 11** ACU Development Plan Part 10
- 12** ACU Development Plan Part 11
- 13** ACU Development Plan Part 12
- 14** 115 and 115B Victoria Parade Planning Permit Application Architectural Plans
- 15** 115 and 115B Victoria Parade Architectural Design Supplementary Information
- 16** Engineering Referral
- 17** VicRoads Referral - 115 Victoria Parade, Fitzroy
- 18** Open Space Referral
- 19** Internal Urban Design Referral
- 20** Strategic Transport Referral
- 21** ESD Referral
- 22** External Urban Design Referral

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- 4.2 626 Heidelberg Road, Alphington - PLN17/0703 - Use and Development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), childcare centre, education centre (primary school) and place of assembly and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road generally in accordance with the Development Plan.**
-

Executive Summary

Purpose

This report provides Council with an assessment of Planning Application PLN17/0703 at 626 Heidelberg Road, Alphington against the provisions of the Alphington Paper Mill Development Plan 2016 and the Yarra Planning Scheme.

Key Issues

The key issue for Council in considering the proposal relate to consistency with the Development Plan.

Other Key planning considerations include:

- (a) Clause 15.01 – Urban Environment;
- (b) Clause 22.05 – Interface Uses Policy;
- (c) Clause 22.10 – Built Form and Design Policy;
- (d) Clause 43.04 – Schedule 11 to the Development Plan Overlay;
- (e) Clause 52.06 – Car Parking; and
- (f) Clause 58 – Apartment Guidelines.

Financial Implications

None at this stage. However, there is a risk for a challenge of any decision Council makes at the Victorian Civil and Administrative Tribunal.

Submissions

The application is exempt from notification pursuant to the Development Plan Overlay however a submission has been received from Darebin City Council.

Key Recommendations

Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported.

CONTACT OFFICER: Amy Hodgen
TITLE: Coordinator Statutory Planning
TEL: 9205 5330

-
- 4.2 626 Heidelberg Road, Alphington - PLN17/0703 - Use and Development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), childcare centre, education centre (primary school) and place of assembly and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road generally in accordance with the Development Plan.**
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Trim Record Number: D18/78325

Responsible Officer: Acting Director Planning and Place Making

Proposal:	Use and Development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), childcare centre, education centre (primary school) and place of assembly and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road generally in accordance with the Development Plan.
Existing use:	Vacant Land (Former Amcor Paper Mill)
Applicant:	Alpha APM No 2 Pty Ltd
Zoning / Overlays:	Mixed Use Zone Development Plan Overlay – Schedule 11 Environmental Audit Overlay Heritage Overlay (HO70)
Date of Application:	29 August 2017
Application Number:	PLN17/0703

Purpose

1. This report provides Council with an assessment of Planning Application PLN17/0703 at 626 Heidelberg Road, Alphington against the provisions of the Alphington Paper Mill Development Plan 2016 and the Yarra Planning Scheme.

Background

2. The subject site and surrounds has an extensive history relevant to the consideration of this application.

Planning History

3. The Alphington Paper Mill Development Plan (Parts 1 & 2) was endorsed on 27 May 2016 in accordance with 3.0 of Schedule 11 to the Development Plan Overlay. This is the first Development Plan that has been prepared and endorsed for the site since the Development Plan Overlay Schedule 11 was introduced into the Yarra Planning Scheme on 18 July 2013.
4. Since the Alphington Paper Mill Development Plan was endorsed, the following planning permits have been issued in accordance with the Development Plan:
 - (a) Planning Permit PLN16/0178 issued on 9 September 2016 for demolition of Building F6 - Machine Room, which fronts onto Heidelberg Road, extending between Chandler Highway and Latrobe Avenue. This permit has been acted upon;
 - (b) Planning Permit PLN16/0524 issued 2 December 2016 for construction of 109 townhouses and reduction in the car parking requirements within Precinct 4A. This precinct is immediately south of the subject site. Plans have been endorsed, however works are yet to commence;

- (c) Planning Permit PLN16/0628 issued 28 May 2017 for construction of 70 dwellings and reduction in the car parking requirements within Precinct 4B (south) and 4C. Plans have been endorsed and commencement of works is imminent; and
 - (d) Planning Permit PLN17/0041 issued 23 August 2017 for demolition of an existing dwelling and construction of 74 townhouses and a reduction in the car parking requirements within Precinct 4B (north). Works have recently commenced.
5. Various subdivision permits have also been issued, of relevance to the current application; Planning Permit SP16/0021 was issued on 17 November 2016 for a two-lot subdivision involving the subject site and the land immediately west, extending to Chandler Highway. The subdivision has been certified.

Existing Conditions

Subject Site

6. The subject site is an irregular shaped site with a frontage to Heidelberg Road of 163.85m, Latrobe Avenue of 171.71 and an overall area of 2.066ha. The site also has secondary frontages to an access road to the south and a pedestrian mews (outer circle mews) to the west.

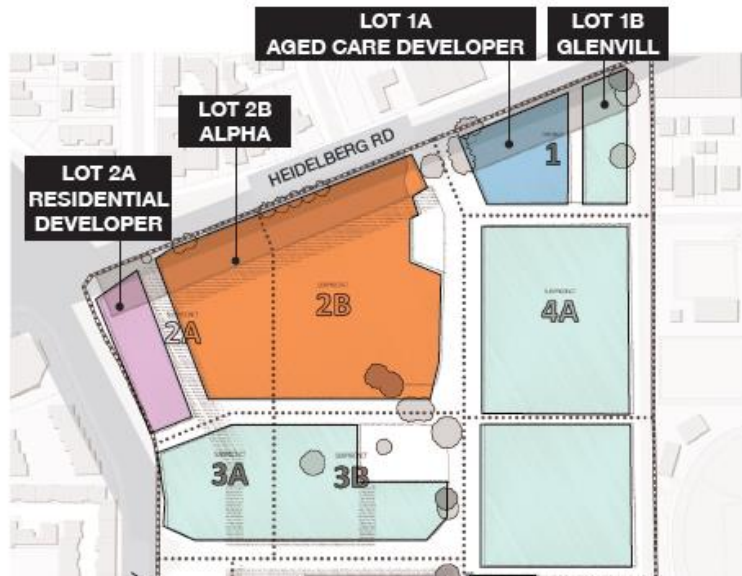


Figure 1: Subject site shown in orange

7. The northern portion of the site previously contained Building F6 (the Machine Room), however that has since been demolished under Planning Permit PLN16/0178 and is now vacant.

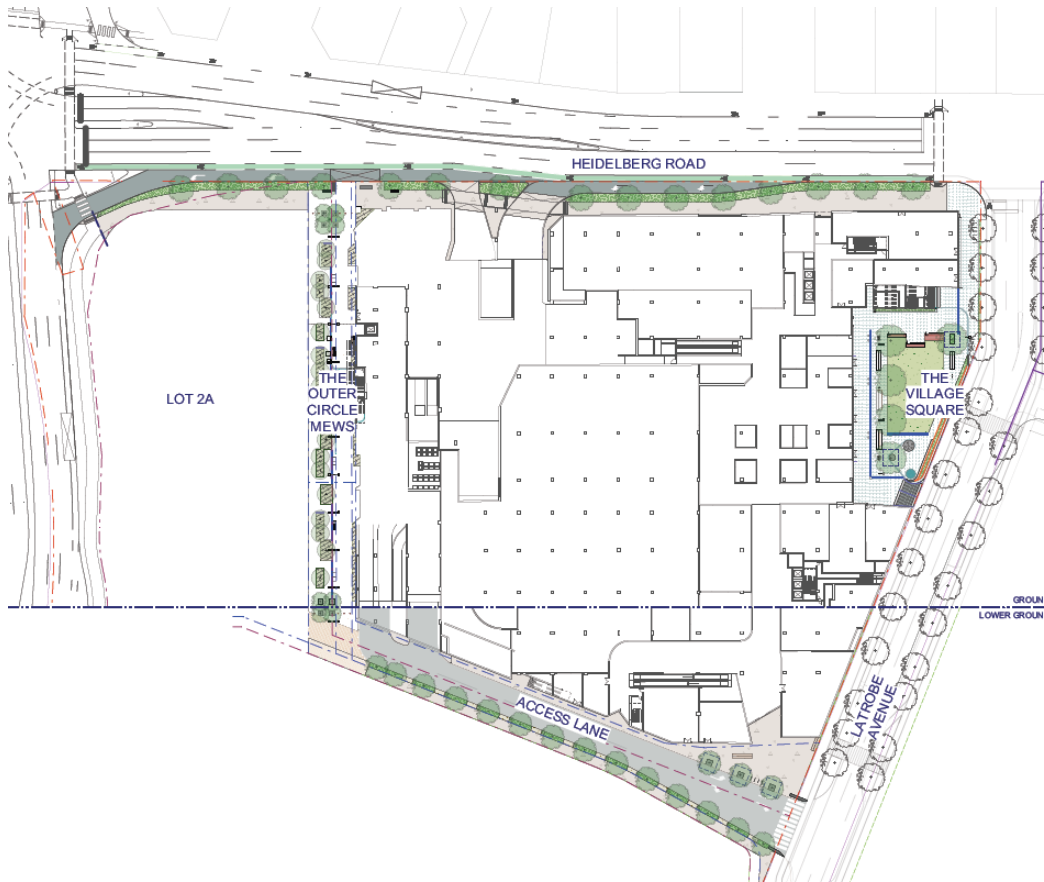


Figure : Subject site and surrounding street interfaces

8. A Section 173 Agreement (Instrument no. AN278787R) is registered on Title. This agreement contains Owner obligations that prior to the issue of an occupancy permit for Stage 2B (which includes the subject site), the owner must enter into an agreement to provide affordable housing on the subject land to an accredited Housing association, to be provided at a rental not less than 20% below the market rental for similar sized dwellings.

Surrounding Land

9. The former Alphington Paper Mill site is a large former industrial site of approximately 16.5ha in area. It is bounded by Heidelberg Road to the north, Parkview Road to the east, Chandler Highway to the west and the Yarra River to the south. The current application relates specifically to Precinct 2B as highlighted on the map below:



Figure 3: Amcor site

10. Land immediately surrounding the subject site is described as follows:

North

11. Heidelberg Road is immediately north of the subject site and forms the boundary between Yarra and Darebin City Councils. On the northern side of Heidelberg Road is a self-storage facility within a single level building.

East

12. Latrobe Avenue is immediately to the east of the site. This is an existing road that runs through the Amcor site. This road is to be redesigned and reconstructed as part of the overall redevelopment of the Amcor site.

13. On the eastern side of Latrobe Avenue are the Gateway and Park Precincts. The Gateway Precinct (lots 1A & 1B shown on figure 1) faces Heidelberg Road with the Park Precinct (lot 4A and beyond) located further to the south, separated by a private road. Both precincts extend between Latrobe Avenue and Parkview Road.

14. The Gateway precinct contains two sub-precincts, known as 1A and 1B. Sub-precinct 1A comprises the western section of the precinct and is situated on the corner of Latrobe Avenue and Heidelberg Road. A planning application (PLN17/0743) has been received for an 8 storey aged care facility comprising a total of 144 beds (Refer to image below). Vehicular access is to be provided from the private road to the south.

15. At the time of writing this report, the application was still being assessed.



Figure 4: Image of Planning Permit Application PLN17/0743

16. A Planning application (PLN17/0272) has been received for sub-precinct 1B, which is situated on the corner of Parkview Road and Heidelberg Road. The application seeks the construction of an eight (8) storey residential apartment building containing 110 dwellings and a reduction in the statutory car parking requirements generally in accordance with the Development Plan (Precinct 1B). Vehicular access is to be provided from the private road to the south, connected to Parkview Road.



Figure 5: Image of Planning Permit PLN17/0272

17. At the time of writing this report, the application was still being assessed.
18. Sub-precinct 4A of the Park Precinct is located adjacent to the subject site to the south-east. As identified in the planning history section earlier in this report, a planning permit has been issued for the development of this land with 109 three and four storey townhouses (see layout below). Vehicular access to Precinct 4A is provided via the private road to the north.



Figure 6: Precinct 4A Landscape Plan layout



Figure 7: Latrobe Street elevation of Precinct 4A

South

19. Immediately to the south is the Artisan Precinct, which extends between Latrobe Avenue and Chandler Highway and the access road. The precinct is separated into two sub-precincts, 3A and 3B. A Planning Application (PLN18/0173) has been received for a four storey mixed use development containing 96 dwellings and 9 food and drink premises. The precinct includes one of the pocket parks in the north-east corner, which is to contribute toward the overall 4.5% public space contribution.



Figure 8: Image of Planning Permit PLN18/0173

20. An application has not yet been received for sub precinct 3A; however the development plan contemplates a mixed use (primarily residential) precinct with a preferred height of five storeys.

West

21. To the west of the site is the balance of Precinct 2; Precinct 2A, extends to Chandler Highway. A planning application (PLN17/0978) has been received for a 17 storey residential apartment building comprising 346 dwellings. The applicant lodged an application for review on 30 April 2018 against Council's Failure to Determine the application with VCAT with the hearing scheduled for a 3 day hearing commencing 1 October 2018.



Figure 9: Image of Planning Permit PLN17/0978

22. At the time of writing this report, the application was still being assessed.

The Broader Context

23. The broader context is characterised by Heidelberg Road and Chandler Highway both VicRoads managed roads. A number of road projects are underway including modifications to Heidelberg Road and works to the Chandler Highway including duplication of the bridge.
24. Other relevant planning applications include:
25. Planning application PLN17/0040 (700 – 718 Heidelberg Road, Alphington) was determined by Council at its Internal Development Approval Committee meeting of 31 January 2018. The application proposed the construction of an 8 storey apartment building, Council determined to support the application subject to a number of conditions, including the deletion of 3 levels reducing the building to 5 storeys.
26. A conditions appeal has been lodged by the permit applicant with VCAT and a conditions appeal is scheduled for 6 days commencing on 17 August 2018.



Figure 10: Image of Planning Permit PLN17/0040 – as originally lodged.

27. Planning application PLN17/0858 has been lodged for land at 582 Heidelberg Road, Alphington for the construction of a mixed use development rising to a maximum 13 storey.



Figure 11: Image of Planning Permit PLN17/0858

28. A consultation meeting has recently been held for the site, with the application still being considered by Council.

The Proposal

29. The application is for use and development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), place of assembly, childcare centre, education centre (primary school) and community centre and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road.



Figure 12: The subject site (Brown Building - The Mill Building, Grey Building – Machinery Hall)

30. The proposal is depicted on architectural drawings prepared by NH Architecture and Bird De La Coeur Architects and the landscape architectural drawings prepared by Aspect Studios.
31. The development can generally be described as the 'commercial' precinct being the eastern portion of the site and the 'residential' precinct being the western portion.

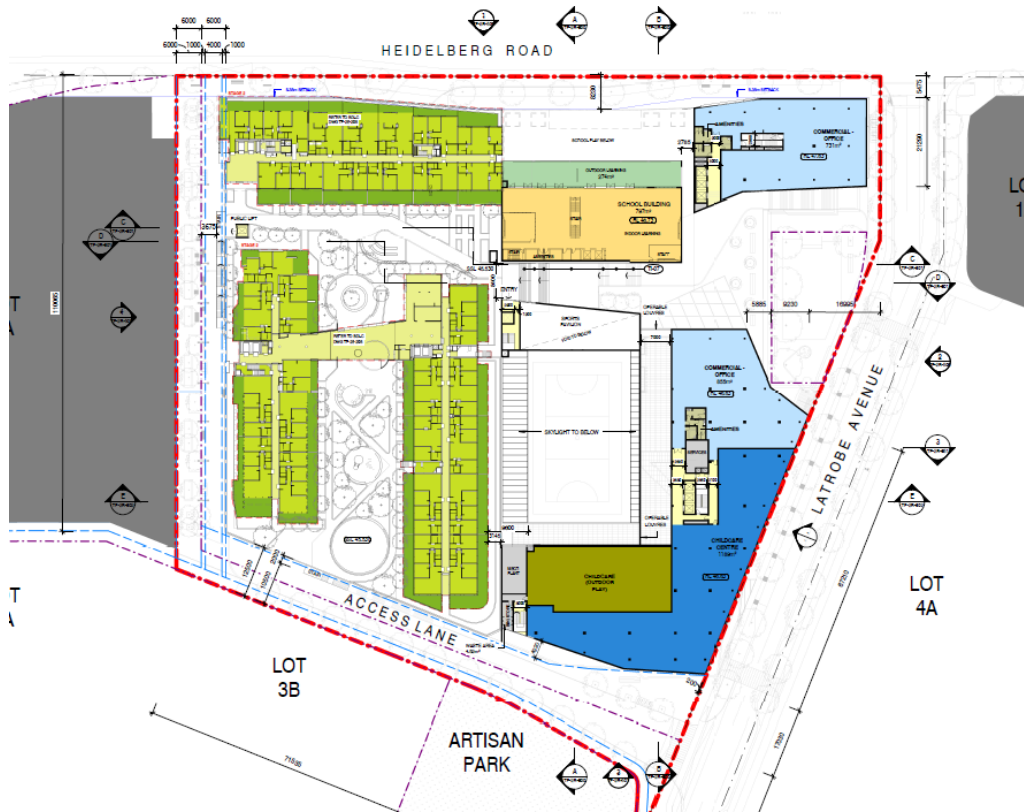


Figure 13: The subject site ‘Commercial’ eastern portion of the site, ‘Residential’ western portion of the site.

32. A summary of the proposed uses is provided in the table below as follows:

Land Use	Area
Supermarket x 2	6,065 sqm
Specialty Retail	4,134 sqm
Food and Drink	2,286 sqm
Office	3,412 sqm
Childcare Centre	120 children
Gymnasium	1,928 sqm
Medical Centre	15 practitioners (2,366 sqm)
Primary School (Years 5 & 6)	300 students & 12 staff
Place of Assembly	1700 sqm
Community Centre	300sqm
Sports Pavilion	300 sqm
Netball Court	Approx. 950sqm
Dwellings	281 dwellings (34 x 1 bed, 163 x 2 bed, 84 x 3 bed)

Commercial / Retail / Childcare Centre / Medical Centre / Gymnasium

33. The commercial components of the proposed development comprise:

- (a) The Lower Ground Level includes specialty retail floor space within a shopping mall configuration with pedestrian access provided from the lower ground level car park and the Access Lane. Due to the site levels, the pedestrian entry to the proposed shopping mall from the Access Lane to the south is at-grade;

- (b) The Ground Floor Level includes two supermarkets, specialty retail and food and drink floor space within a shopping mall configuration. Pedestrian access is provided from Heidelberg Road and Latrobe Avenue and a number of the tenancies interface with the proposed Village Square being a new area of open space orientated to Latrobe Street;

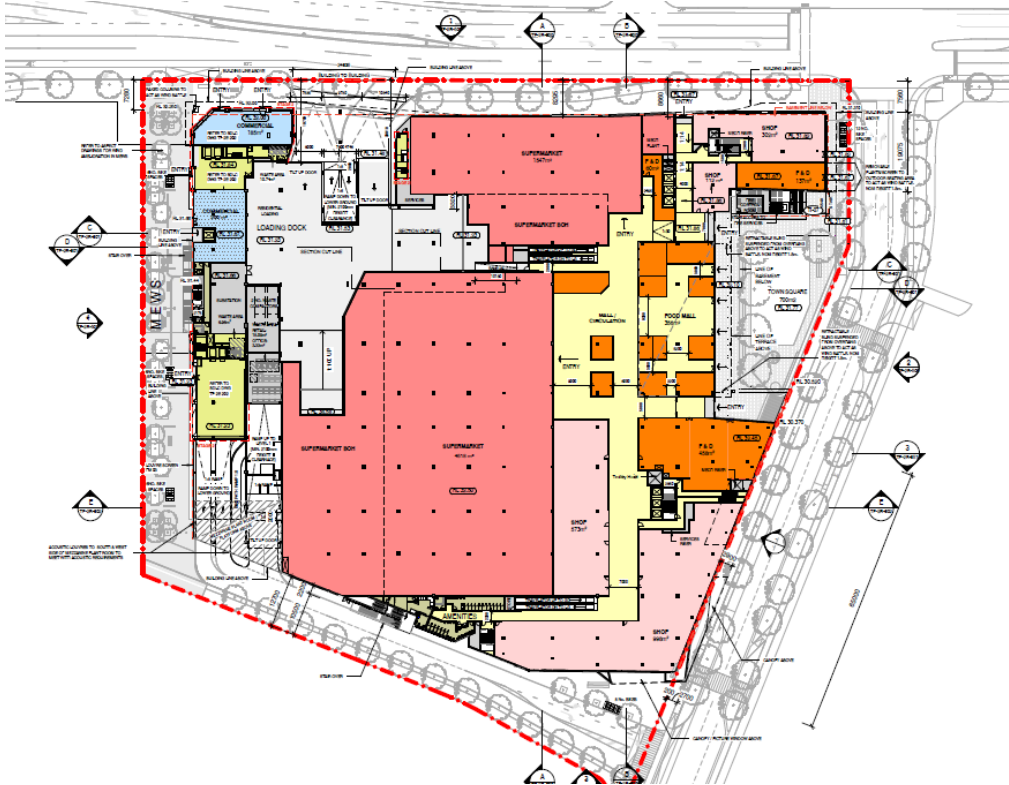


Figure 14: Ground floor plan

- (c) In addition, two commercial tenancies are located at this level with pedestrian access from the Outer Circle Mews (the Mews) being a pedestrian space located between the subject site and lot 2A;
- (d) Level 1 includes two cafes which interface with an elevated terrace area providing access to a series of community spaces and the proposed school (to be described in more detail later). A large gym flanks the corner of Latrobe Avenue and the access road;
- (e) Level 2 includes commercial floor space oriented to Heidelberg Road and Latrobe Avenue including offices and a large medical centre with 15 practitioners. Pedestrian access is provided via internal lifts and stairs;
- (f) Level 3 includes commercial floor space and a childcare centre (120 children). These tenancies have pedestrian access via internal lifts and stairs. The childcare centre includes an outdoor play area at this level. Pedestrian access is provided via internal lifts and stairs;
- (g) Level 4 includes commercial floor space with pedestrian access from internal lifts and stairs;
- (h) Travelators, lifts and stairs provide access between the Basement level, Lower Ground Level and Ground Level;
- (i) The commercial component of the development all forms part of one building at ground level. At Level 1 and above, the building at the south-west corner of Heidelberg Road and Latrobe Avenue is referred to as The Mill building which abuts the proposed new school;



Figure 15: Part North Elevation – The Mill Building and abutting School.



Figure 16: The Mill Building

- (j) The building located at the north-west corner of Latrobe Avenue and the Access Lane is referred to as the Machinery Hall. This building houses a series of retail premises, gym, medical centre and the childcare centre;



Figure 17: Machinery Hall

- (k) At the upper levels, both these buildings are generally separated by the Level 1 Terrace and the community centre and primary school; and
- (l) The building materials and external finishes of the commercial buildings predominantly include brick veneer cladding, brick snap cladding, weathered metal cladding, composite aluminium cladding and glazing.

Community Centre/sports pavilion/sports court

- 34. The proposed community centre is located at Level 1 and has pedestrian access via the Level 1 terrace. It is separated into two areas of 300sqm and 1400sqm.



Figure 18: Level 1 plan – community facilities.

- 35. Level 2 comprises an open air sports court and separate sports pavilion. This level can be accessed via stairs from the Level 1 terrace. There is also a lift connecting the Level 1 community centre and the Level 2 sports pavilion and sports court.

- 36. The community centre is located entirely within the site and does not present any frontage to the adjoining streets.

Primary School

- 37. The proposed primary school is located at Levels 1, 2 and 3 and is orientated to Heidelberg Road. Pedestrian access is provided from the Level 1 terrace and internal lift and stair access. An outdoor play area and bicycle storage area are located at Level 1.
- 38. The school building is planned to cater for 300 students and 12 staff and will operate as a Years 5 and 6 campus of Alphington Primary School.
- 39. A feature screen is provided at Level 1, fronting Heidelberg Road, to enclose the outdoor play area. No details of the screen have been provided, this will be conditioned accordingly.

Residential

- 40. The residential component of the proposed development is located within three buildings referred to as the Urban Anchor, Sculptural Building and Living Matrix.

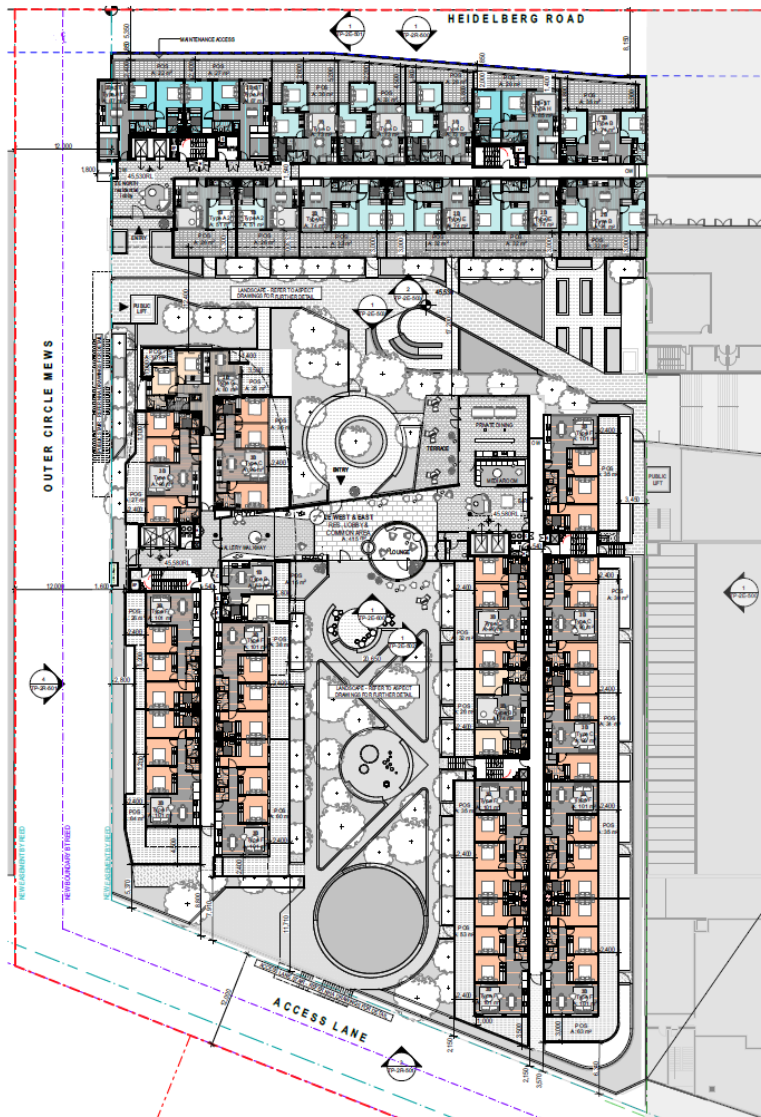


Figure 19: Level 3 plan – The Urban Anchor (Heidelberg Road), The Living Matrix (Outer Circle Mews) and The Sculptural Building (orientated internal to the site).

41. The residential component is orientated in a 'U' shape formation. Orientated to Heidelberg road is the Urban Anchor. The mews, the Living Matrix and the Sculptural Building are internal to the site, accessed from the Access Lane.

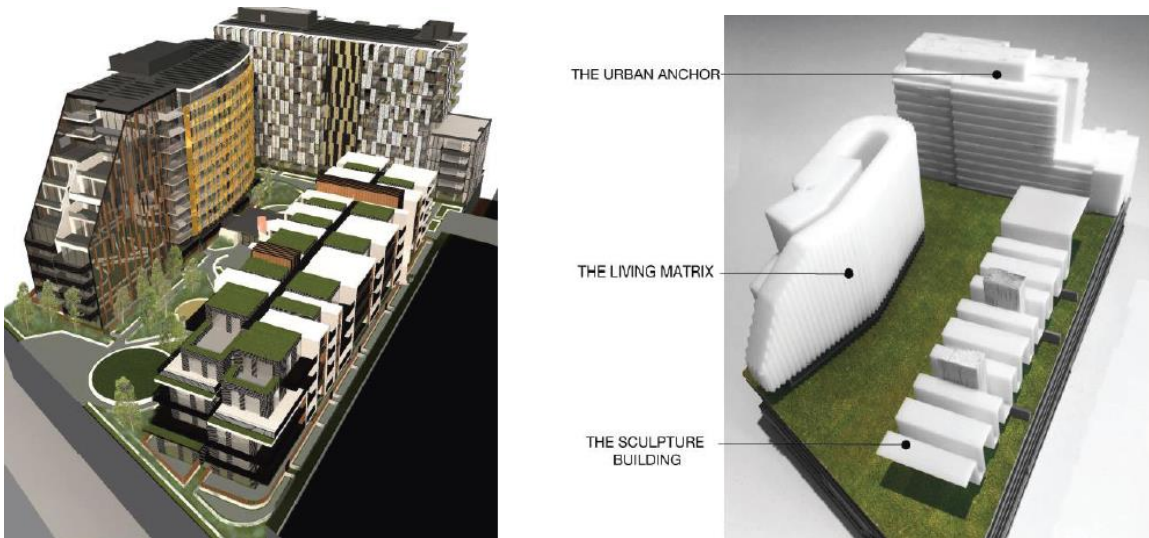


Figure 20: Residential component (view from South-East)

42. The buildings generally range in scale between 8 – 14 storeys and are separated by an elevated landscaped terrace (paper trail garden).

The Urban Anchor – Affordable housing

43. The Urban Anchor is a fourteen (14) storey building located at the south-east corner of Heidelberg Road and the Mews. The details of the building are outlined below:

- (a) The Ground Floor Level includes a commercial tenancy located at the south-east corner of Heidelberg Road and the Mews. The commercial tenancy has an interface with Heidelberg Road and the Outer Circle Mews;
- (b) The Ground Floor Level also includes a residential lobby which is oriented to and has pedestrian access from the Mews. The residential lobby incorporates lift and stair access, mailboxes for the apartments and seating areas. There is a second stair access located further to the east within the building;
- (c) This building incorporates a total of 151 apartments including 28 one-bedroom, 101 two-bedroom and 22 two-bedroom with study apartments;
- (d) Private open space is provided in the form of balconies with direct access from the main living area. The balconies are either oriented to Heidelberg Road (north facing) or the Paper Trail Gardens (south facing);
- (e) The building materials and finishes include brick snap cladding, painted finishes, glazing, glazed louvres, timber look cladding / spandrel, gold look cladding / spandrel, glass and metal balustrades; and
- (f) The entire 151 apartments in this building form the requirement for affordable housing on the entire site.



Figure 21: The Urban Anchor (view from Heidelberg Road)

The Living Matrix

44. The Living Matrix is a fourteen (14) storey building located on the east side of the Outer Circle Mews, south of the Urban Anchor. The details of the proposed building are outlined below:
- (a) The Ground Floor Level includes a residential lobby which is oriented to and has pedestrian access from the Outer Circle Mews. The residential lobby incorporates lift and stair access, mailboxes for the apartments and seating areas. This lobby services both the Living Matrix building and the Sculptural Building;
 - (b) This building includes a total of 82 apartments including 4 one-bedroom, 14 two-bedroom, 12 two-bedroom with study apartments and 52 three-bedroom apartments;
 - (c) Private open space is provided in the form of balconies with direct access from the main living area. In addition, the proposed development includes a large area of communal open space at podium level including landscaping, seating and informal play spaces accessible by this building and the Sculptural Building; and
 - (d) The building materials and finishes include brick snap cladding, painted finishes, timber look cladding / spandrel, glazing, glazed louvres, perforated metal screen (gold colour) and glass balustrades.



Figure 21: The Living Matrix

The Sculptural Building

45. The Sculptural Building is an eight (8) storey building located to the east of the Living Matrix. The details of this building are outlined below:
- (a) The Ground Floor Level includes a residential lobby which is oriented to and has pedestrian access from the Outer Circle Mews. The residential lobby incorporates lift and stair access, mailboxes for the apartments and seating areas. As noted, this lobby services both the Living Matrix and the Sculptural Building;
 - (b) This building comprises a total of 48 apartments including 2 one-bedroom, 8 two-bedroom, 6 two-bedroom with study and 32 three-bedroom apartments;
 - (c) Private open space is provided in the form of balconies with direct access from the main living area. In addition, the proposed development includes a large area of communal open space at podium level including landscaping, seating and informal play spaces; and
 - (d) The building materials and finishes include textured cladding, painted finishes, timber look cladding / spandrel, glazing and glass and metal balustrades.



Figure 21: The Sculptural Building

Vehicle Access, Loading, Car Parking and Bicycle Parking

46. Vehicle access to the proposed development is provided from Heidelberg Road and from the Access Lane to the south providing access to a total of 900 car parking spaces, 14 of which are designated disabled parking spaces.

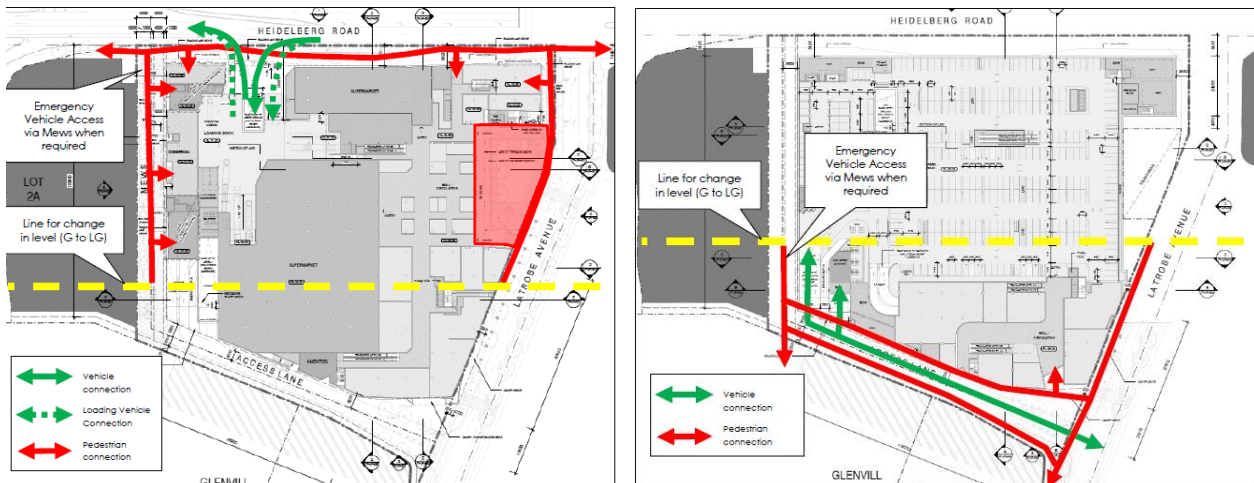


Figure 22: Access

47. The Heidelberg Road entry / exit incorporates access for vehicles to the loading areas, waste collection as well as access to the car parking within Basement level and the Lower Ground level.

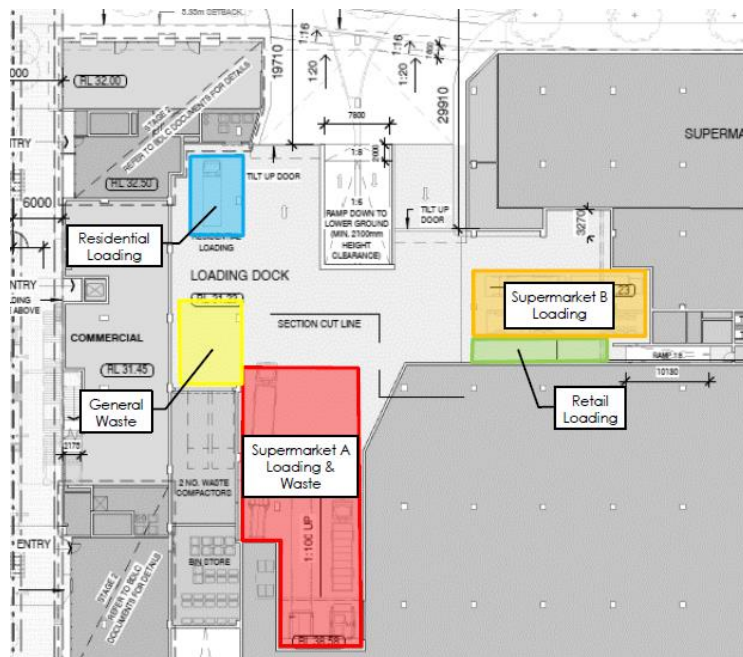


Figure 23: Loading dock layout and allocation

48. The Basement level and the Lower Ground level include car parking associated with the retail, commercial and community uses on the site. There are a total of 513 spaces, 227 spaces within the Basement level including 27 private spaces for staff and 200 public spaces for customers and a total of 286 spaces within the Lower Ground level including 34 private spaces for staff and 252 public spaces for customers and residential visitors.
49. These two levels also incorporate a drop off bay, bicycle parking, trolley collection points and hoists, back of house areas, building services, rainwater tanks, end of trip facilities for cyclists.

50. The Access Lane provides access to two entry / exit points. The western entry / exit point provides access to the car parking located within Basement level and the Lower Ground level and the eastern entry / exit point provides access to the car parking located at Levels 1 and 2.
51. Levels 1 and 2 include car parking associated with the residential component of the proposed development. There are a total of 387 car parking spaces, 191 spaces within Level 1 and 196 spaces within Level 2.
52. A total of 484 bike spaces are proposed, 344 spaces for use by residents and employees and 140 spaces for visitor and students, 60 spaces specifically for students of the primary school provided in a secure area.
53. These levels also include resident storage cages and bicycle parking.

Landscaped Areas

54. The Landscape Architectural Drawings prepared by Aspect Studios outline the proposed landscape designs for the following elements forming part of the proposed development:



Figure 24: Public and Private Realm Landscaping

Heidelberg Road streetscape

55. The design for the Heidelberg Road streetscape incorporates a footpath, landscape zone with low level garden bed planting and medium sized trees spaced at regular intervals.
56. There is a new bus shelter located adjacent to the entry to the Outer Circle Mews, together with bench seats located near pedestrian circulation nodes. The design accommodates the road offsets required by VicRoads as well as the street tree planting zones and a minimum 3.5 metre wide path.

The Outer Circle Mews

57. The design for the Outer Circle Mews incorporates brick paving, low level garden bed planting and medium sized trees, together with lighting, bench seating and bicycle hoops. The interpretive elements include feature metal surface inlay and feature metal benches, providing a connection to the former Outer Circle Line.

A clear path with a width of 4.0 metres and height of 4.8 metres is provided to allow access for emergency vehicles.

The Village Square

58. The design for the Village Square incorporates a central open lawn area together with bluestone paving consistent with the surface treatment which will continue to the building frontages and along the pedestrian path along Latrobe Avenue to the north.
59. The Village Square is framed by medium sized trees and includes timber bench seating, feature powder coated salvaged paper roller elements and a water feature incorporating water jets.
60. This space also forms part of the 4.5% open space contribution for the entire site.

The Terrace

61. The Level 1 Terrace incorporates an open bluestone paved area with feature metal surface inlay, timber bench seating, small trees and low planting within large pots and medium sized trees.

The Paper Trail Gardens

62. The bluestone paving is continued through the Paper Trail Gardens with the feature metal surface inlay and feature metal seats providing a consistent interpretive element.
63. The Paper Trail Gardens also include different paving delineating access to private terraces associated with the Urban Anchor and access to common areas associated with the Sculptural Building and Living Matrix.
64. Landscaping features include lawn areas, low garden bed planting and medium sized trees.

Residential Gardens

65. The Residential Gardens comprise the communal open space associated with the Sculptural Building and Living Matrix and includes brick paving, lawn and gravel spaces, low garden bed planting, sculptural play feature and medium sized trees.

Access Lane

66. The design for the Access Lane includes street tree planting and timber bench seating adjacent to the entry to the Market Hall in the commercial food precinct, together with street tree planting along the south side of the road to complement the pedestrian path.

Planning Scheme Provisions

Zoning

67. The subject site is included within the Mixed Use Zone.
68. Pursuant to clause 32.04-2 (Table of uses), the following applies:
 - (a) A 'dwelling' is a Section 1 – no permit required use;
 - (b) The following proposed Section 1 uses require a planning permit because they exceed the associated area condition contained within Section 1:
 - (i) Food & drink premises (as the leasable floor area exceeds 150sqm);
 - (ii) Medical centre (as the gross floor area exceeds 250sqm);
 - (iii) Office (as the leasable floor area exceeds 250sqm);
 - (iv) Shop (as the leasable floor area exceeds 150sqm);
 - (c) The following proposed uses are Section 2 – permit required uses:

- (i) Retail premises (other than food & drink premises and shop);
 - (ii) Place of Assembly (other than art gallery, carnival, circus, museum or place of worship);
 - (iii) Leisure and recreation (includes restricted recreation facility);
- (d) The following proposed uses fall into Section 2 as 'any other use not in Section 1 or 3:
- (i) Education centre; and
 - (ii) Childcare centre.
69. Pursuant to clause 32.04-6, a permit is required to construct two or more dwellings on a lot. An apartment development of five or more storeys, excluding a basement, must meet the requirements of clause 58.
70. Pursuant to clause 32.04-8, a permit is required to construct a building or construct or carry out works for a use in Section 2 of clause 32.04-2.

Overlays

Development Plan Overlay, Schedule 11 – Amcor Site, Heidelberg Road, Alphington

71. Pursuant to Clause 43.04-1, a planning permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
72. As outlined in the history section earlier, the Alphington Paper Mill Development Plan was endorsed on 27 May 2016.

Heritage Overlay

73. Heritage Overlay HO70 is site specific to 626 Heidelberg Road - Australian Paper Mills. The overlay covers all land west of Latrobe Avenue within the former paper mill site.
74. Pursuant to clause 43.01-1, a permit is required to demolish a building, to construct a building and to construct or carry out works. The Schedule to the Heritage Overlay indicates external paint controls apply to HO70.
75. As identified earlier, the subject site is devoid of all buildings and structures, having already removed these under Planning Permit PLN16/0178.

Environmental Audit Overlay

76. Pursuant to 45.03-1, before a sensitive use (residential use, child care, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works associated with a sensitive use commences, either:
- (a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
 - (b) An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
77. As the proposed development includes sensitive uses, the requirements of this overlay apply. A Statement of Environmental Audit has been issued for the land (EPA SO No. 8005354).

Particular Provisions

Clause 52.06 – Car Parking

78. Pursuant to Clause 52.06-2, before a new use commences, the required car parking spaces must be provided on the land. The following table identifies the car parking requirement under Clause 52.06-5 for the various proposed uses:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	34	1 space per dwelling	34	
Two-bedroom dwelling	163	1 space per dwelling	163	
Three-bedroom dwelling	84	2 spaces per dwelling	168	
Residential visitors	281 dwellings	1 space per 5 dwellings	56	
Office	3,412 m ²	3.5 spaces per 100 m ² of net floor area	119	
Supermarket (2 tenancies)	6,065 m ²	5 spaces per 100 m ² of leasable floor area	303	
Shop	4,134 m ²	4 spaces per 100 m ² of leasable floor area	165	
Food and Drink	2,286 m ²	4 spaces per 100 m ² of leasable floor area	91	
Medical Centre	15 practitioners	5 spaces to the first person providing health services plus 3 spaces to every other person providing health services	47	
Childcare Centre	120 children	0.22 spaces to each child	26	
Primary School	300 students 12 employees	1 space to each employee of the maximum number of employees on site at any one time	12	
Community Centre	2,882 m ²	Not Specified	To the satisfaction of the RA	
Gymnasium	1,928 m ²	Not Specified	To the satisfaction of the RA	
		Total:	1,184 Spaces + Parking for Gymnasium & Community Centre	900 spaces

79. Pursuant to Clause 52.06-3, a permit is required to reduce the number of car spaces required under Clause 52.06-5, the application must be accompanied by a Car Parking Demand Assessment.

Clause 52.29 – Land Adjacent to a Road Zone Category 1

80. A permit is required to create or alter access to a road in a Road Zone Category 1. As Heidelberg Road is a Road Zone Category 1 road and it is proposed to create a new access, a permit is required under this provision. An application must be referred to the Road Corporation under Section 55 of the Act.

Clause 52.34 – Bicycle Facilities

81. Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage are provided on the land. The following table identifies the car parking requirement under Clause 52.34-3, the provision on site, and the subsequent reduction below the statutory requirement:

Proposed Use	Quantity/ Size	Development Plan Requirements / Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	281 dwellings	1 bicycle parking space per dwelling (as per development plan requirements)	281 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	28 visitor spaces.	
Medical centre	15 practitioners	1 employee space to each 8 practitioners	2 employee spaces	
		1 visitor space to each 4 practitioners	4 visitor spaces.	
Minor Sports and Recreation Facility	12 staff	1 employee space per 4 employees	3 employee spaces	
	1928sqm	1 visitor space to each 200sqm of net floor area	10 visitor spaces	
Office (other than specified in the table)	3412 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	11 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	3 visitor spaces.	
Primary School	300 students and 12 staff	1 space per 20 employees	1 space	
		1 space per 5 students over year 4	60 spaces	
Retail premises (other than specified in this table)	2286 sqm	1 employee space to each 300 sqm of leasable floor area	8 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area	5 visitor spaces.	
Shop	10199 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	17 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	20 visitor spaces.	
Bicycle Parking Spaces Total			323 resident / employee spaces	344 resident / employee spaces
			130 visitor spaces	140 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	5 showers / change rooms	6 showers / change rooms

Clause 58 – Apartment Developments

82. This clause applies to an apartment development of five or more storeys, excluding a basement. A development should meet all the standards and must meet all the objectives.
83. The purpose of this clause is:
- (a) *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - (b) *To encourage apartment development that provides reasonable standards of amenity for existing and new residents.*
 - (c) *To encourage apartment development that is responsive to the site and the surrounding area.*

General Provisions

84. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision.

State Planning Policy Framework (SPPF)

85. The following SPPF provisions of the Scheme are relevant:

Clause 11.04-1 – Open Space Planning

86. The objective of this clause is:
- (a) *To assist creation of a diverse and integrated network of public open space commensurate with the needs of the community.*

Clause 11.06-2 - Housing Choice

87. The objective of this clause is:
- (a) *To provide housing choice close to jobs and services.*
88. Relevant strategies include:
- (a) *Manage the supply of new housing in locations that will meet population growth and create a sustainable city;*
 - (b) *Facilitate increased housing in the established areas to create a city of 20 minutes neighbourhoods close to existing services, jobs and public transport;*
 - (c) *Support housing growth and diversity in defined housing change areas and redevelopment sites;*
 - (d) *Direct new housing to areas with appropriate infrastructure;*
 - (e) *Provide certainty about the scale of growth in the suburbs by prescribing appropriate height and site coverage provisions for different areas.*
 - (f) *Direct new housing and mixed use development to urban renewal precincts and sites;*
 - (g) *Support new housing in activity centres and other places that offer good access to jobs, services and public transport;*
 - (h) *Facilitate development that increased the supply of affordable and social housing in suburbs across Melbourne;*

- (i) Facilitate diverse housing that offers choice and meets changing household needs through:
 - (i) Provision of a greater mix of housing types;
 - (ii) Adaptable internal dwelling design; and
 - (iii) Universal design.

Clause 11.06-4 – Place and identity

- 89. The objective of this clause is:
 - (a) *To create a distinctive and liveable city with quality design and amenity*
- 90. The relevant strategy:
 - (a) *Improve the design quality of public spaces and the interfaces between private development and the public domain.*

Clause 11.06-5 – Neighbourhoods

- 91. The objective of this clause is:
 - (a) *To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.*
- 92. Relevant strategies include:
 - (a) *Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip of their home;*
 - (b) *Create mixed-use neighbourhoods at varying densities that offer more choice in housing, create opportunities for local businesses and jobs and deliver better access to services and facilities;*
 - (c) *Support a network of vibrant Neighbourhood Activity Centres;*
 - (d) *Create neighbourhoods that support safe community's and healthy lifestyles;*
 - (e) *Create neighbourhoods that enable and promote walking and cycling as part of daily life;*
 - (f) *Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.*

Clause 13.03-1 – Use of contaminated and potentially contaminated land

- 93. The objective of this clause is:
 - (a) *To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.*

Clause 13.04 – Noise and Air

- 94. The objective of this clause is:
 - (a) *To assist the control of noise effects on sensitive land uses.*

95. The relevant strategy:

- (a) *Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

Clause 15.01.1 – Urban Design

96. The objective of this clause is:

- (a) *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 – Urban Design Principles

97. The objective of this clause is:

- (a) *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

98. This clause also states that planning must consider as relevant:

- (a) *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*
- (b) *Apartment Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*
- (c) *Urban Design Charter for Victoria (Department of Planning and Community Development 2009).*

Clause 15.01-4 – Design for Safety

99. The objective of this clause is:

- (a) *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Clause 15.01-5 – Cultural Identity and Neighbourhood Character

100. The objective of this clause is:

- (a) *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02 – Sustainable Development

101. The objective of this clause is:

- (a) *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 15.03 - Heritage

102. The objective of this clause is:

- (a) *To ensure the conservation of places of heritage significance*

Clause 16.01-1 – Integrated Housing

103. The objective of this clause is:

- (a) *To promote a housing market that meets community needs.*

Clause 16.01-2 – Location of residential development

104. The objective of this clause is:

- (a) *To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.*

Clause 16.01-3 – Housing opportunity areas

105. The objective of this clause is:

- (a) *To identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.*

Clause 16.01-4 – Housing Diversity

106. The objective of this clause is:

- (b) *To provide for a range of housing types to meet increasingly diverse needs.*

Clause 16.01-5 – Housing affordability

107. The objective of this clause is:

- (a) *To deliver more affordable housing closer to jobs, transport and services.*

Clause 17.01.1 - Business

108. The objective of this clause is:

- (a) *To encourage development which meets the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Clause 18.01 – Integrated Transport

109. The objective of this clause is:

- (a) *To create a safe and sustainable transport system by integrating land-use and transport.*

Clause 18.02-1 – Sustainable personal transport

110. The objective of this clause is:

- (a) *To promote the use of sustainable personal transport*

Clause 18.02-2 - Cycling

111. The objective of this clause is:

- (a) *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

Clause 18.02-3 – Principal Public Transport Network

112. The objective of this clause is:

- (a) *To facilitate greater use of public transport and promote increased development close to high-quality public transport routes in Metropolitan Melbourne.*

Clause 18.02-5 – Car parking

113. The objective of this clause is:

- (a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.04 – Land Use

114. The relevant objectives of this clause are:

- (a) *Objective 1 To accommodate forecast increases in population.*
 - (i) *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08;*

(ii) *Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*

(b) *Objective 2 To retain a diverse population and household structure;*

(i) *Support the provision of affordable housing for people of all abilities particularly in larger residential developments and on Strategic Redevelopment Sites; and*

(c) *Objective 3 To reduce potential amenity conflicts between residential and other uses.*

Clause 21.04-2 – Activity Centres

115. The relevant objective and strategies of this clause is:

(a) *Objective 5 To maintain the long term viability of activity centres.*

(i) *Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*

(ii) *Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.*

(iii) *Strategy 5.4 Permit residential development that does not compromise the business function of activity centres.*

Clause 21.04-3 – Industry, office and commercial

116. The objective of this clause is 'to increase the number and diversity of local employment opportunities.'

Clause 21.04-4 – Community facilities, hospitals and medical services

117. The relevant objective and strategies of this clause is:

(a) *Objective 9 To provide community services that meet the needs of a diverse and changing community.*

(i) *Strategy 9.2 Consider opportunities for the appropriate provision of, or contribution towards, community facilities or services to support new residents, for large scale residential development proposals.*

(b) *Objective 10 To provide accessible community services.*

Clause 21.04-5 – Parks, gardens and public open space.

118. The relevant objectives:

(a) *Objective 12 To establish a linked open space network.*

(b) *Objective 13 To provide an open space network that meets existing and future community needs.*

Clause 21.05-1 Heritage

119. The relevant objective:

(a) *Objective 14 To protect and enhance Yarra's heritage places..*

Clause 21.05-2 – Urban design

120. The relevant objectives and strategies of this clause is:

(a) *Objective 16 To reinforce the existing urban framework of Yarra.*

(b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*

(i) *Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*

- *Significant upper level setbacks*

- *Architectural design excellence*
 - *Best practice environmental sustainability objectives in design and construction*
 - *High quality restoration and adaptive re-use of heritage buildings*
 - *Positive contribution to the enhancement of the public domain*
 - *Provision of affordable housing.*
- (c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.*
- (d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
- (e) *Objective 21 To enhance the built form character of Yarra's activity centres.*
- (f) *Objective 22 To encourage the provision of universal access in new development.*

Clause 21.05-4 Public environment

121. The relevant objectives and strategies of this clause is:

- (a) *Objective 28: To provide a public environment that encourages community interaction and activity:*
- (ii) *Strategy 28.1 Encourage universal access to all new public spaces and buildings.*
 - (iii) *Strategy 28.2 Ensure that buildings have a human scale at street level.*
 - (iv) *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.*
 - (v) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces.*
 - (vi) *Strategy 28.8 Encourage public art in new development.*
 - (vii) *Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.*

Clause 21.06 - Transport

122. The relevant objectives of this clause is:

- (b) *To provide safe and convenient pedestrian and bicycle environments.*
- (c) *To facilitate public transport usage.*
- (d) *To reduce the reliance on the private motor car.*
- (e) *To reduce the impact of traffic.*

Clause 21.07 – Environmental Sustainability

123. The relevant objectives of this Clause are:

- (f) *To promote environmentally sustainable development*
- (g) *To improve the water quality and flow characteristics of storm water run-off.*

Clause 21.08 – Neighbourhoods

Clause 21.08-6 – Fairfield and Alphington

124. Clause 21.08-6 identifies that *'the Heidelberg Road neighbourhood activity centre is on the boundary between the Cities of Yarra and Darebin. It is a small convenience centre, with limited furniture and home wares outlets and a small amount of office space.'*

125. *Implementation of the built form strategies at cause 21.05 includes:*
- (a) *Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where subject to the Heritage Overlay, protects the heritage of the site and of the are:*
 - (i) *Site 1 626 Heidelberg Road (AMCOR).*
 - (ii) *Site 2 224 – 252 Heidelberg Road.*
126. Figure 16; the built form character type identifies the subject site within a Main Road precinct, which seeks to:
- (a) *Maintain the hard urban edge of development*
 - (b) *Reflect the fine grain of the subdivision pattern in building design where this exists along main roads.*

Relevant Local Policies

Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay

127. This policy applies to all new development included in a heritage overlay. The relevant objectives of this clause are:
- (a) *To conserve Yarra’s natural and cultural heritage.*
 - (b) *To conserve the historic fabric and maintain the integrity of places of cultural heritage significance.*
 - (c) *To retain significant view lines to, and vistas of, heritage places.*
 - (d) *To preserve the scale and pattern of streetscapes in heritage places.*
 - (e) *To ensure that additions and new works to a heritage place respect the significance of the place.*
128. The design guidelines contained within the Development Plan addresses matters on heritage, therefore this policy will not be specifically referenced within the report.

Clause 22.05 – Interface Uses Policy

129. The objectives of this clause are:
- (a) *To enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes.*
 - (b) *To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.*

Clause 22.12 – Public Open Space Contribution

130. This policy applies to all residential proposals, mixed use proposals incorporating residential uses and proposals incorporating residential subdivision. The public open space contribution is to be in the form of a land contribution of 4.5 per cent (7,500m²) of the total Alphington Paper Mills site. The proposed Public Open Space areas are nominated on Figure 27 on p.43 of the Development Plan. Alphington Square is nominated within the eastern portion of the subject site and is to measure 17m by 42m.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

131. The relevant objectives of this clause are:
- (c) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). Currently, these water quality performance objectives require:*
 - (i) *Suspended Solids - 80% retention of typical urban annual load;*
 - (ii) *Total Nitrogen - 45% retention of typical urban annual load;*
 - (iii) *Total Phosphorus - 45% retention of typical urban annual load;*

(iv) *iv. Litter - 70% reduction of typical urban annual load;*

(d) *To promote the use of water sensitive urban design, including stormwater re-use.*

Clause 22.17 – Environmentally Sustainable Development

132. This policy applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The Development Plan has specific environmental sustainability standards that will be referenced within the assessment section.

Other relevant documents

Alphington Paper Mill Development Plan (Parts 1 & 2).

133. Part 1 of the Development Plan (DP) contains design guidelines for each precinct. An assessment of the design guidelines for the Gateway Precinct is undertaken within this report.
134. Part 2 of the DP contains various supporting technical documents. Those relevant to the current application include:
- (a) ESD Strategy prepared by Cundall dated August 2015;
 - (b) Traffic management Plan prepared by GTA Consultants dated 19 August 2015;
 - (c) Integrated Transport Plan prepared by GTA Consultants dated 19 August 2015;
 - (d) Preliminary Acoustic Assessment prepared by ARUP dated 21 August 2015; and
 - (e) Conservation Management Plan prepared by Lovell Chen dated May 2014 (Re-Issued August 2015).

Advertising

135. The application was not advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)*. Pursuant to Clause 43.04-2, an application under any provision of the scheme which is generally in accordance with the development plan is 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.

Referrals

136. The application was referred to the following internal departments and external authorities and their recommendations are contained within the attachments to this report.

External Referrals

137. The following referral authorities have provided comments:
- (a) VicRoads; and
 - (b) Public Transport Victoria.

Internal Departments

138. The following internal referrals have been provided:
- (a) Urban Design Unit (internal) for comments on public realm, wayfinding and heritage interpretation;
 - (b) Open Space Unit;
 - (c) Environmental Sustainable Development Advisor;
 - (d) Engineering Services Unit;

- (e) Strategic Transport;
- (f) City Works on the Waste Management Plan; and
- (g) Community Facilities.

External Consultants

139. The following external consultant referrals have been provided:

- (a) Urban Design (David Lock Associates);
- (b) Traffic Engineering (Traffix Group);
- (c) Acoustic Engineers (SLR Consulting); and
- (d) Wind Consultants (MEL Consultants).

OFFICER ASSESSMENT

140. The considerations for this application are as follows:

- (a) Strategic justification;
- (b) Land Use;
- (c) Development Plan Design Guidelines:
 - (i) Built Form;
 - (ii) Connectivity & Interaction;
 - (iii) Building layout & Design;
 - (iv) Open space and landscape design;
 - (v) Environmentally sustainable Design;
 - (vi) Apartment Specific Guidelines;
- (d) Clause 58 (Apartment Developments);
- (e) Car parking, bicycle facilities and traffic generation;
- (f) Community facilities; and
- (g) Submissions.

Strategic Justification

141. The site forms part of the former Amcor Paper Mill, which is identified within Council's MSS as a strategic redevelopment site. Specifically, clause 21.08-6 encourages redevelopment of the site that '*contributes positively to the urban fabric and public domain of Yarra.*'

142. More intensive development of the site is further supported at a State level, specifically a strategy of Clause 11.06-2 (Housing Choice) seeks to '*Support housing growth and diversity in defined housing change areas and redevelopment sites*'. Clause 21.04-1 (Accommodation and housing) seeks to accommodate the majority of new development on strategic redevelopment sites.

143. State and local policies on heritage and built form (Clause 15.01 and 21.05) are consistent in their objectives to protect and conserve heritage places and for the delivery of responsive and high quality built form environments. More specifically and relevantly, objective 17 of Clause 21.05 seeks '*to retain Yarra's identity as a low-rise urban form with pockets of higher development*'. The consistency with heritage and built form policies will also be discussed in greater detail within the built form assessment.

144. Strategy 17.2 at Clause 21.05-2 (Urban Design) encourages development within Strategic Development sites to be no more than 5-6 storeys unless achieving specific benefits. The approved DP however encourages heights of eight to 14 storeys for the subject site, which is reflected in the current proposal. This is further discussed within the DP design guidelines below.
145. The DP also contains a vision for each precinct. The subject site is within the Village Precinct, which has a vision for a *mixed use precinct with significant retail, commercial and community focus, with residential development at upper levels*. The proposed development is consistent with this vision as will be discussed in greater detail within the following sections.
146. Yarra recognises the importance of environmentally sustainable development within the MSS (clause 21.07) and through the Environmentally Sustainable Development Policy at clause 22.17 and Stormwater Management (WSUD) Policy at Clause 22.16. The environmental sustainability of the proposed development will be covered in greater detail within this report.
147. Both State and local policy directives seek to promote the use of sustainable personal transport and increased development close to high-quality transport routes (Clauses 18.02-1, 18.02-2, 18.02-3 and 21.06). In regard to car parking, Clause 18.02-5 encourages an adequate supply of car parking to be provided with consideration to *'existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.'*
148. At a local level, clause 21.06 acknowledges that whilst parking availability is important for many people, *'unrestricted car use and parking is neither practical nor achievable.'* Matters relating to transport relevant to the proposed development will be covered later within this report.
149. The site is well-positioned to accommodate more intensive development of the site, with excellent accessibility to jobs, services and public transport. Having regard to the above discussion, the proposal clearly demonstrates strong policy support at both a State and local level.

Land Use

150. The DP anticipates a significant proportion of non-residential uses within the Village Precinct, including community, employment and retail activities. Section 3.6 (Land Uses) of the DP anticipates the following uses and areas to be accommodated within the Village Precinct:

(a) Commercial	7,650sqm
(b) Community	1,250sqm – 6,800sqm
(c) Retail (incl. supermarkets)	12,750sqm
151. The distribution and scale of uses within the proposal is commensurate with the above areas. Commercial uses, which includes office, medical centre and a gymnasium accounts for 7,706sqm. The community facilities, also including the school and childcare centre accounts for 5,748sqm with the retail uses combining to a total of 12,485sqm. The proposed land use allocation is therefore appropriate from the perspective of the DP.
152. As outlined within the planning controls, a permit is required for all the non-residential uses proposed in this application.
153. In the case of the food and drink premises, medical centre, office and shops, a permit is only triggered because the 'as of right' floor areas nominated within the Mixed Use Zone are exceeded, all other uses trigger a planning permit outright. There are no specific decision guidelines within the Mixed Use Zone, however a purpose of the Zone is *to provide a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality*. To further assess the appropriateness of the proposed uses having

regard to the purpose of the Zone, consideration needs to be given to Council's Interface Uses Policy at Clause 22.05.

154. Clause 22.05 encourages new residential development to incorporate appropriate measures to protect residents from unreasonable noise, fumes, vibration and light spillage. Mostly the residential component of the proposed development is elevated above the non-residential uses within the podium, which assists in mitigating potential interface issues. The exception of this is the apartments within the podium facing Heidelberg Road, which share a wall with the school playground. The lower levels of the apartments have been appropriately screened to prevent overlooking from the school playground.
155. An acoustic report was submitted with the application prepared by Norman Disney Young (NDY), which considers noise impacts between uses within the site. Council engaged SLR consultants to peer review the report and to provide advice to Council regarding any additional information or conditions required to be imposed on any permit issued.
156. Considering each use in turn.

School

157. In regard to noise impacts from the school courtyard, the NDY report predicts that internal living areas will achieve 45dBA Leq targets through acoustically treated glazing. This has been reviewed by SLR who was satisfied that the advice provided within the report is reasonable.
158. The use of school for 300 students with 12 staff is considered appropriate and will positively contribute to the community of the broader precinct.
159. Standard hours of operation will be imposed as conditions on any permit issued ensuring these hours facilitate before and after school care hours.

Sports court

160. The acoustic report identified the other potential interface conflict occurs between the open-air netball court and the east-facing apartments of the Sculptural Building. These uses are separated by a distance of 5.85m, the finished floor level of the netball court sitting 3.35m below the finished floor level of the lower apartments. There is a 5.1m high screen to the sports court, which will protect from overlooking. No details of court lighting have been shown, a condition will require court lighting to be shown and baffled to prevent light spill to the apartments to the west.
161. The sports court is proposed to be used between 7am and 10pm, Monday to Sunday, the NDY acoustic report assesses the potential noise impacts upon the surrounding uses; specifically voice and whistle noise. This has been reviewed by SLR who have suggested the following targets be met for apartments in close proximity to the court:
 - (a) 35dBA Leq and 50dBA Lmax in habitable rooms during the day and evening and
 - (b) 30dBA Leq and 45 dBA Lmax in bedrooms at night.
162. In making the above recommendations, SLR notes that glazing of the potentially affected apartments appears to have already been acoustically treated to achieve these targets. SLR has further recommended that the report be updated to consider ball bouncing noise if this is to occur. As it is expected that the court will be used for bouncing balls, an updated acoustic report will be required via condition to assess this impact on the residential uses and the community space below. This will be included as a condition accordingly.

Childcare

163. The proposed childcare centre is proposed to accommodate 120 children with 10 staff. It is considered that the proposal is acceptable and subject to conditions including operating hours of 6am – 7pm, Monday to Friday and other standard conditions this use should be supported.

Office

164. The office uses are orientated to Heidelberg Road and to Latrobe Avenue providing an appropriate buffer to any residential uses proximate to the site. Any permit issued should include operating hours for the office limited to 6am – 10pm, 7 days per week.

Medical Centre

165. The proposal seeks approval for a 15 practitioner medical centre. The centres is located within the commercial component of the development and is separated by Latrobe Avenue from any residential interface.
166. It is considered acceptable subject to standard conditions including capping operating hours to 6am – 8pm Monday to Friday and 8am – 5pm Saturday and Sunday. Other standard conditions are required to be imposed regarding practitioner numbers and disposal of medical waste.

Retail/Shop/and Food and Drinks Premises

167. Hours of operation for the proposed, retail and shop component of the proposal are to be limited to 6am – 10pm, 7 days per week.
168. Loading and other centre management type conditions will also be required to be imposed.
169. The Food and Drink premises are proposed to be permitted to trade a little later between 6 - 11pm, 7 days per week.
170. Limited information has been submitted regarding patron numbers for the Food and Drink premises. The applicant has provided a global figure of 1143 patrons. This is considered reasonable for the number of tenancies shown on the plans.
171. These hours are considered reasonable for the centre and would not be expected to result in adverse amenity impacts on the residential uses within the development or any other nearby residential uses. In regard to noise impacts, SLR have suggested that a noise impact assessment be undertaken if any food or beverage tenancy were to propose playing music above background noise level or to operate outside standard business hours.
172. The acoustic report has considered the potential noise impacts of the loading dock on the residential uses. SLR are satisfied that there is a very low risk of non-compliance with SEPP N-1 as it is proposed that the loading bay be fully enclosed during deliveries (i.e. with entrance door impervious and closed). However, it is not clear on the plans whether the access doors into the loading bay are impervious (Identified as steel 'L' angle powdercoated tilt up door); this will be addressed via condition. As discussed later, a loading bay management plan will also be required as a condition of permit, this will include a requirement for the loading bay entrance doors to be closed while loading or unloading is being carried out and that all loading must be carried out on site.
173. Additionally, given the potential frequency of trucks entering and leaving the loading dock at night, SLR have also suggested that appropriate Lmax targets are met for apartments overlooking the loading dock entry and exit. This can be included as a condition accordingly.

Community Space/Place of Assembly

174. Limited information has been submitted for the use of this space. It is considered reasonable to limit the number of patrons to 300 and to limit the hours to between 6am – 10pm, 7 days per week.
175. Council's consultant acoustic engineers SLR have also recommended that if the community space on Level 1 is to be used for music performance, an assessment of noise impacts to the adjacent residences would need to be conducted. A general condition will be added to the permit restricting the provision of music and entertainment on the land to be at background levels without the prior written consent of the responsible authority; this would apply to all uses on the site. It would also facilitate future consideration of music performances if desired by the community centre or another tenancy within the site.

Gym

176. The gym is proposed to operate 24-hours. These facilities are typically staffed during the day and provide member-only access via swipe cards after hours. However this level of detail has not been provided given that there is not yet a tenant for this facility. Therefore, to ensure that amenity and safety impacts are appropriately managed, an operation management plan will be required as a condition of permit.
177. SLR has recommended that gym operators be required to undertake a noise impact assessment if music is proposed to be played above background noise levels. As discussed previously, a condition will restrict music to background noises throughout the entire development without the prior written consent of the Responsible Authority. SLR has also recommended that further consideration of structure borne sound on surrounding commercial premises within the acoustic report. This will be included as a condition of permit accordingly.
178. Limited information has been submitted regarding patron numbers for the gym. The applicant has provided a figure of 386 patrons. This is considered reasonable and should form a condition on any permit issued.

DP Design Guidelines

179. The following section provides an assessment of the proposal against the Design Guidelines included within the Development Plan.

Building height

180. The DP suggests that buildings should be 14 storeys within Precinct 2A and 8 storeys within Precinct 2B. Unlike other areas within the DP, these heights are displayed as preferred rather than mandatory heights.
181. The development plan is also not precise in the location of the boundary between Precincts 2A and 2B. DLA has assumed that the Sculptural Building and part of the Urban Anchor are within Precinct 2B, rather than 2A. However, given the boundaries are vague within the DP, Council officers have taken the carpark podium to be the marker between Precinct 2A and 2B. As a consequence, Council's assessment assumes the entirety of the Urban Anchor and the Sculptural Building are within Precinct 2A.
182. While the preferred 14 storey height has been observed, DLA suggests that the Urban Anchor and the Living Matrix building are too tall. This opinion is derived from a calculation of building height based on the nominated floor to floor heights within the Village Precinct design guidelines (3m for residential, 4m for commercial) and the preference for a predominately residential development within Precinct 2A. On this basis, DLA suggests that the building should be approximately 43m (i.e. 1x commercial and 13 x residential), rather

than the 47.9m proposed. However, this advice fails to acknowledge that the floor to floor heights with the DP are specified as minimums rather than maximums.

183. A taller built form to DLA's calculation is mainly caused by the ground floor, which is proposed 6.23m high due to the supermarkets' requirements for taller ceiling heights. The proposed residential floors are also slightly higher at 3.1m. This allows them to achieve an internal floor to ceiling height of 2.72m in accordance with the daylight standards of Clause 58 (2.7m required). Reducing the floor to ceiling heights would adversely impact the daylight penetration into the single aspect apartments. As mentioned, the DP expresses floor heights as minimums to be achieved; therefore it is reasonable to expect greater floor heights than specified under the DP.
184. DLA is concerned that the height of the proposed buildings will be detrimental to the prominence of the future development at the corner of Heidelberg Road and Chandler Highway. DLA note that the Precinct Guidelines for the Village Precinct (p.122) identify that *'the tallest built form in the precinct should be located near the corner of Chandler Highway and Heidelberg Road.'* and *'the height of other buildings should generally scale down toward the south and east'*. However, the prominence of the corner building is not a matter for the current application, but rather a matter to be resolved by the corner site. It is noted that Council Officers are still to form a position on the current application.
185. The proposed height of the current proposal would not necessitate a taller building at the corner of Heidelberg Road and Chandler Highway; noting that 14 storeys is supported for both sites. Prominence is not only achieved through taller building heights, it can also be achieved by an exemplary design response, as indicated within the DP guidance for built form landmarks (p105). For the reasons discussed, it is considered unnecessary and unreasonable to require the height of the proposed development to be reduced to less than the preferred 14 storeys or require the floor to ceiling heights to be compressed by 5m to adhere to a non-prescribed height of 43m.
186. Furthermore, 14 storey built form is not proposed across the entire Precinct 2A section, rather it is proposed to construct two slender 11 storey apartment buildings with a third five storey apartment building above a three storey podium. The balance of the podium (approx. 1,100sqm) is to accommodate a landscape communal terrace. Given the relatively low plot ratio, the proposed development is not anticipated to overly dominate the site.



Figure 25: View corner of Heidelberg Road and the Mews

187. The taller elements are located along Heidelberg Road and the outer circle mews. It is considered that the scale of Heidelberg Road can comfortably accommodate the proposed building height. Given the narrowness of the central mews, the difference between DLA's expectation of 43m versus the proposed 47.9m would not be perceivable when viewed from such an acute angle within the mews. The proposed building also does not result in unreasonable levels of overshadowing, as will be discussed in the relevant section below. The acceptability of the upper level setbacks is also discussed within the following section.



Figure 25: View of the Urban Anchor and Living Matrix towards precinct 2A

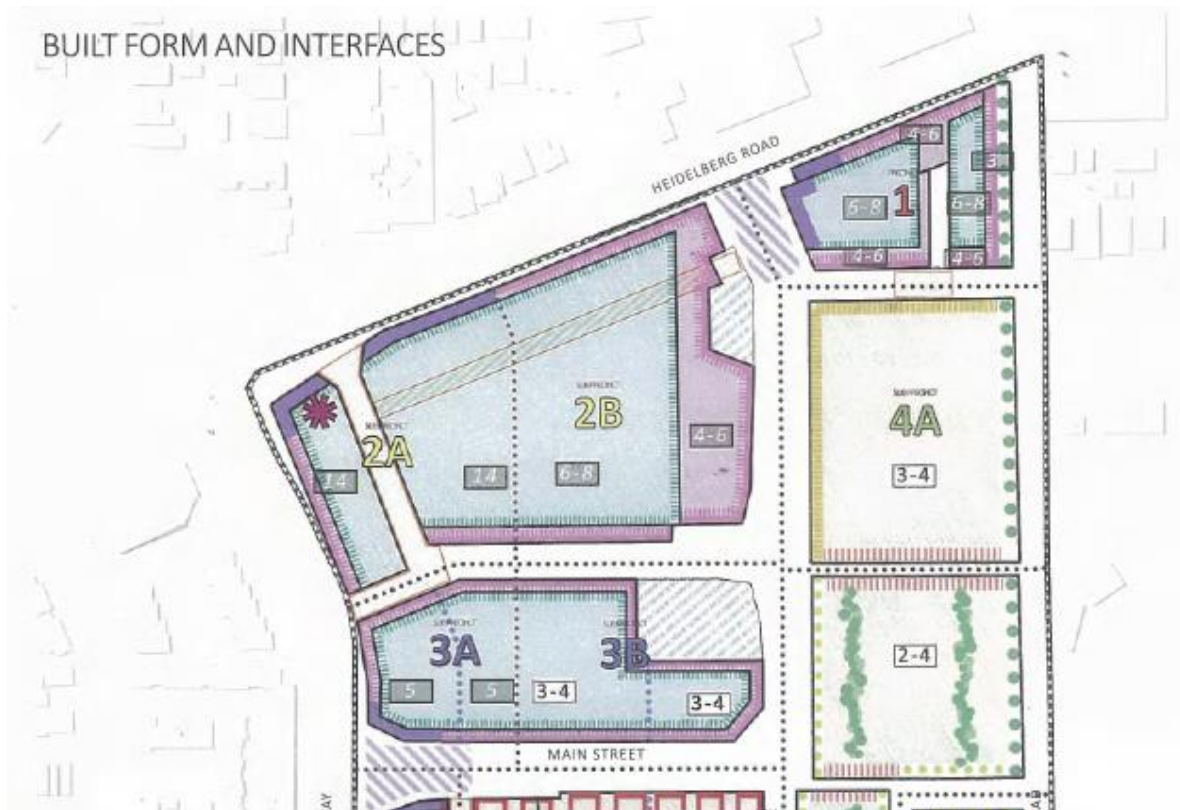
188. The buildings within Precinct 2B are lower than the DP anticipates, being no greater than five storeys. While the built form is lower, the buildings provide a comfortable scale adjacent to the Village Square and transition to the Artisan Precinct to the south and Park Precinct to the east. The lowered height also enhances the solar access into the Village Square and Artisan Park as will be discussed in further detail later in the report. Arguably the lower built forms within Precinct 2B further emphasise the height of the taller elements within Precinct 2A. However, having regard to the benefits from a lower built form in this area, the proposal is considered to achieve an appropriate outcome in its distribution of height. Furthermore, DLA officers in their review did not raise any concern with the built form scale within Precinct 2B and were satisfied that the built form in Precinct 2B is generally consistent with the future height aspirations of the DP.



Figure 26: View of built form over new park

Setbacks

189. The design guidelines for the Village Precinct suggest that built form should generally follow a podium tower typology extending to the property boundaries on all sides, with buildings above the podium to be setback. The guidelines also refer to the Built Form Treatment Plan (below). This plan indicates a podium treatment is to be provided along the Heidelberg Road, Latrobe Avenue and the private road to the south. The general requirements for the podium interface are *'to be built to the public realm interface at all levels'* with articulation to be provided through indented built form.



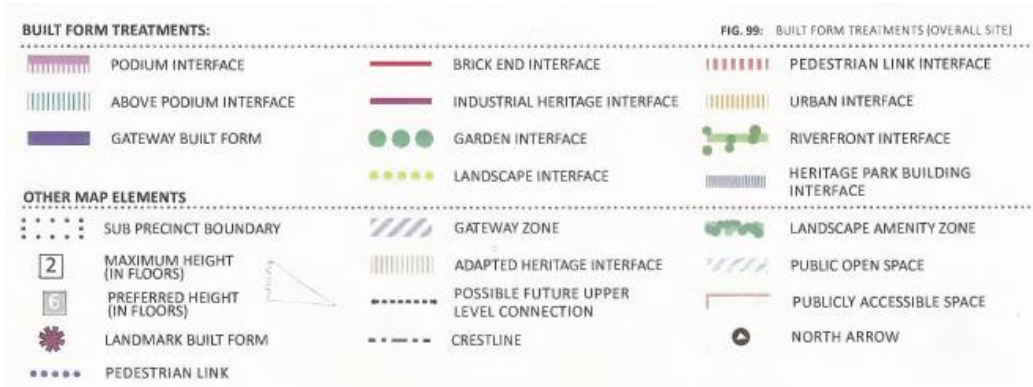


Figure 27: Built Form Treatment Plan (Figure 99) p. 111 of the DP

190. The Heidelberg Road interface of Precinct 2A calls for a Gateway Built Form, which has the following general requirement: *'Allow for a more prominent built form response at site gateways. Buildings are set back and the built form articulation provides for a generous pedestrian arrival zone at the gateway entries along Heidelberg Road.'*
191. While only requested for Precinct 2A, the proposal incorporates a widened footpath along the full Heidelberg Road interface between 7.28m to 8.29m from the property boundary. The proposed development generally achieves the hard edge character anticipated under the design guidelines. The areas where a setback has been provided includes the northern end of the Latrobe Street interface, where a setback accommodates an area for outdoor café seating. Additionally, the ground floor is chamfered in the south-east corner adjacent the entrance to the lower ground shopping area. These recesses are appropriately placed to facilitate movement at arrival zones into the Village Precinct.
192. The Built Form and Interfaces Table calls for a setback greater than 2.2m above the podium along Heidelberg Road, Latrobe Avenue and the private road to the south. Notably there is no podium/tower treatment sought along the Mews.
193. DLA was not satisfied that the upper levels of the Urban Anchor and the Living Matrix are sufficiently recessive, recommending a minimum setback of 3m from the street wall (inclusive of balconies) along Heidelberg Road and the Mews. In regard to the Urban Anchor's setback along Heidelberg Road, as depicted in the image below the upper levels have a staggered setback. The western section of the façade comprises balconies 0.8m back from the podium, while the actual building line is set back 3.2m. The setback for the remainder of the façade ranges from 2.2m to 3.6m from the podium line (inclusive of balconies) with the exception of one irregular shaped apartment, which extends out to the boundary line at a point from Levels 4 to 9.



Figure 28: Excerpt of Level 5 of Urban Anchor (blue dashed line represents podium)

194. As illustrated by the perspective images (below), the projections within the setback contribute to the articulation of the building mass as it presents along Heidelberg Road. Setting back these elements to accord with the DLA suggestions (3m) would reduce the articulation and result in an extensively sheer façade. While further work needs to occur to the architectural expression (as will be discussed) the setbacks from Heidelberg Road as proposed are considered acceptable.



Figure 29: Heidelberg Rd perspective of the Urban Anchor, viewed from the east

195. As previously identified, the Built Form Treatment Plan does not direct a podium/tower treatment along the Mews. The proposal seeks to distinguish the upper levels of the Urban Anchor from the podium by cantilevering the upper levels into the Mews. However as currently designed, it is likely to result in a feeling of enclosure within the Mews. The permit applicant has suggested that a recess to Levels 4 and 5 could be introduced to provide a clearer visual break between the podium and upper level forms. While the recess would contribute positively toward reducing the visual bulk at this corner, it is not sufficient to address the concerns of enclosure within the lane. A condition of permit will therefore be added requiring Levels 4 and 5 of the Urban Anchor to be set back a minimum of 2.2m from western side of the podium, with the levels above to project no further west than the podium.
196. The Living Matrix proposes a setback along the Mews of 1.8m to 4.2m. DLA have also suggested increasing this to a minimum 3m, however given that the DP Built Form Treatment Plan does not anticipate upper level setbacks along the Mews, the current siting is consistent with the design outcomes anticipated within the DP. The curved design to the northern end of the Living Matrix will assist in opening up the Mews and providing visual interest to the building.
197. The buildings within Precinct 2B do not provide a podium/tower form given that the overall heights of these buildings are capped at the preferred podium heights within Precinct 2B. This is considered an appropriate response to these buildings. DLA was also supportive of the scale and design response of the built form within this precinct.

Street wall height

198. The design guidelines stipulate a preferred street wall height of up to three storeys for Precinct 2A, which may be higher along Heidelberg Road. The preferred street wall height for Precinct 2B is between 4 and 6 storeys. As identified previously, the Built Form Treatment Plan does not indicate that a podium/tower form is to be provided along the Mews.

199. Along Heidelberg Road, a three storey street wall height is proposed for Precinct 2B, however due to the more generous ground floor height, the podium is equivalent to approximately 4 storeys. This is consistent with the design guidelines. Marking the corner of Latrobe Avenue and Heidelberg Road is a sheer five storey building, however similar to 2A, the generous ground floor height increases the perceived height to the equivalent of a 6 storey building. Between this and Precinct 2A the podium drops to single storey, with a 4m high screen above associated with the school's outdoor play area. The balance of the school building is set back a further 12m (approx.) from the boundary.

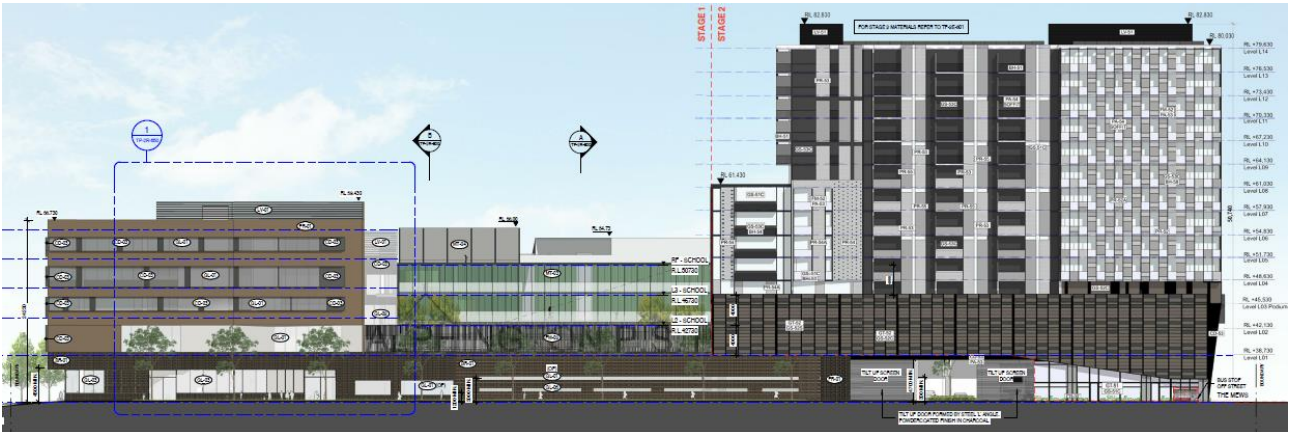


Figure 30: Heidelberg Rd streetscape

200. This section of the Heidelberg Road street wall is notably lower than anticipated within the DP for Precinct 2B. While DLA acknowledges the lower street wall height, its officers have not raised any concern. Given the midblock position, the lower street wall height can be accommodated without impacting any key sightlines. The generous setbacks of the levels above the street wall also ensure that the upper levels do not appear overly prominent or dominate within the streetscape. The two buildings either side of the school site have also been designed with sheer walls to accommodate more intensive future development opportunities for the school site in accordance with the DP tolerances.

201. Turning to Latrobe Avenue, the proposal maintains a five storey street wall height to much of the frontage with the exception for the Village Square, where built form has been appropriately eroded to create an open and uncovered public space area. The street wall scale along Latrobe Avenue is consistent with the DP and is considered to provide an appropriate response to the public realm.

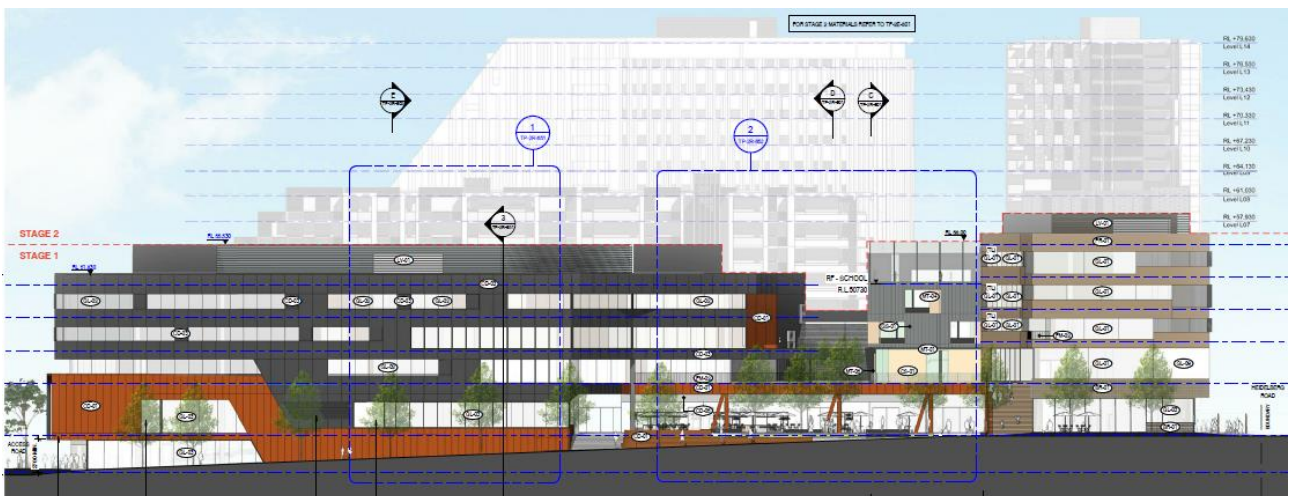


Figure 31: Latrobe Avenue streetscape

202. Along the access road to the south, the design guidelines recommend a three storey street wall within Precinct 2A and a four to six storey street wall within Precinct 2B. The proposal provides a four storey street wall within Precinct 2A which transitions to five storeys within Precinct 2B. The street wall within Precinct 2A ranges in height from 16.6m to 19m, west to east. DLA suggest reducing the street wall height within Precinct 2A to approximately 14.5m (equal to the Heidelberg Road podium) on the basis that the Access Lane is narrower and less robust than Heidelberg Road. It was also felt by DLA that a lower podium would provide a more proportionate relationship with the Sculpture Building. However, for the reasons discussed below, a reduction in the height of the podium is not considered necessary.
203. The podium is at the same level across all of Precinct 2A, however due to the fall in the land toward the south-east corner of the site, the podium presents a higher form to the access road than to Heidelberg Road. The fourth storey is created by the lower ground floor, which at the western end is only partially above ground.



Figure 32: South Elevation

204. The DP supports a four to six storey street wall height at the eastern end of the access road (within Precinct 2B). There are no additional amenity impacts affecting the western end of the access road to suggest a lower podium is necessary. On the contrary, the eastern end is arguably more sensitive given its interface with public open space to the south (within the Artisan Precinct). On this basis, Council officers do not agree with DLA’s concern regarding the relative street proportions. Furthermore, a four storey scale is also proposed on the southern side of the Access Road (within the Artisan Precinct), thus there would be a comfortable height relationship between the two precincts.
205. A taller street wall height reduces the extent of visibility of upper levels as viewed from the street (and adjoining properties to the south). Reduced visibility of taller forms as viewed from the south is considered beneficial to the public realm experience and the adjacent future residential development to the south.

Floor heights

206. The design guidelines suggest that residential floors should have a minimum 3m floor to floor height and commercial floors should have a minimum 4m floor to floor height. The residential floor to floor heights are 3.1m which facilitates a 2.7m floor to ceiling height within apartments. This improves daylight penetration for single aspect apartments as will be discussed further within the assessment of Clause 58 (Apartment guidelines).
207. The floor to floor heights for the commercial uses differ with the lower ground floor retail at 4.42m and the ground floor retail at 6.23m. As discussed previously, the higher floor level at ground floor is required for the supermarket. Given that the floor levels within the design guidelines are identified as ‘minimum’ rather than ‘maximum’, the taller floor heights remain consistent with the development plan. The impact that this has on the overall building heights has been discussed previously.

208. The remaining commercial floor to floor heights are 3.9m. The difference between 3.9m and the preferred 4.0m is considered minimal and of limited impact to the functionality of these spaces. However the community facilities have only been provided a floor to floor height of 3.4m. This may impact the potential adaptability of this space for various community uses. To ensure that this area has sufficient flexibility for other commercial uses, a condition will require the floor to floor heights of this section to be increased to 3.9m to match the other commercial uses within the development. It is recognised that this may raise the floor level of the outdoor court, however this should be able to be accommodated without any detriment to the residential apartments to the west.

Roof forms

209. The design guidelines encourage consideration of the composition of roof forms to creating a legible and visually appealing silhouette. The proposed development is composed of a collection of buildings of different scales, forms materials and finishes. This creates variation between the buildings, contributing to a legible and visually appealing silhouette as sought by the design guidelines. However, improvements to material finishes will be discussed later within this report.

Built form articulation

210. The design guidelines encourage modulated building forms with vertical and horizontal breaks in the massing. Flat and continuous facades should also be avoided where they repeat the same form without variation or create a single horizontal form.
211. Generally, the proposed development is consistent with this design guidelines. However concern is raised with the Urban Anchor, which presents an overly busy and repetitious façade contrary to the design guidelines. It is considered that this could be readily addressed by simplifying the design detail and materiality. This will be discussed in greater detail later within the report.

Corner lots

212. The design objective encourages façade treatments that address both streets and provide design treatments that emphasis the corner including building up to the lot line.
213. The buildings within Precinct 2B successfully articulate all visible sides to ensure that buildings present 'in the round' and address all street frontages. Concern is raised in relation to the western elevation of the Urban Anchor facing the Mews. The building proposes a textured concrete wall spanning the full height of the upper levels (above the podium). Given the high visibility of this wall, this is considered a poor quality response. A higher quality of material and finish is necessary and will be incorporated via conditions.

Wind protection

214. The design guidelines state that for higher built form, proposals should demonstrate that building forms and articulation will mitigate adverse wind conditions at street level, public spaces, balconies and adjoining properties. A desktop wind assessment has been undertaken by Vipac Engineers & Scientists, which has subsequently been reviewed by MEL Consultants.
215. In their review, MEL Consultants have raised a number of concerns that will need to be addressed via an amended Wind Report as a condition of permit:
- (a) 'Walking' rather than 'fast walking' should be used as the minimum acceptable criterion;
 - (b) Existing configuration data to be included;

- (c) Clarification whether other wind mitigation strategies (e.g. vegetation) has been included to achieve the wind conditions at Location 2;
 - (d) Testing of wind conditions to the ends of screens proximate to Locations 5 and 6
 - (e) Walking comfort achieved for Location 31; and
 - (f) Testing undertaken to the southwest and northwest corners of the 14 storey buildings.
216. An amended wind report will be required to address the above.
217. In relation to the above, reliance upon landscaping for minimum comfort levels is not considered reasonable. Vegetation is considered an unreliable wind mitigation strategy as its size and porosity is variable and may fail or be removed. On this basis, the recommended wind conditions need to be achieved via built form elements, excluding any vegetation.
218. MEL Consultants note that wind analysis has been done both on existing buildings and future conditions. Considering the approved DP, it is appropriate that a wind analysis is undertaken on the future scenario once the site is development.

Building Separation & Overshadowing

219. A 12m separation or greater is encouraged in the design guidelines, taking into account orientation, building positioning, solar access, over shadowing, outlook, facade length and alignments between the buildings requiring more distance.
220. The separation between the apartment buildings within the subject site achieves the minimum separation requirements; with a minimum 12m between the Urban Anchor and the Living Matrix, 16.2m between the Urban Anchor and the Sculptural Building and 19.8m between the Living Matrix and the Sculptural Building. However, on Level 3 (podium level) the terraces associated with the two westernmost south-facing dwellings of the Urban Anchor are approximately 11.4m from the Living Matrix. While falling slightly short of 12m, the separation is considered acceptable on the basis that:
- (a) The depth of the terraces associated with these apartments is 3.3m, this could be reduced to 1.8m under the DP (based on clause 55.07-9, standard 43), thereby readily achieving a 12m separation from the Living Matrix;
 - (b) While it would be possible to reduce the terraces to the Urban Anchor apartments, it would result in the balconies being entirely covered by the 10 levels above;
 - (c) Situated on the podium, the reduced separation would not be visible from street level;
 - (d) On the podium, the separation of 11.4m is generous, with the area between the apartments intended as a pedestrian walkway connection between the retail core and the outer mews, rather than the principal communal open space area, which is focused more so between the Sculptural Building and the Living Matrix; and
 - (e) On balance, the proposed depth of the private terraces is considered a more desirable outcome than a 12m separation at this level.
221. With respect to separation from adjoining sites, the Urban Anchor and the Living Matrix generally achieve a minimum separation of 12m from the balance of Precinct 2A (west of the Mews) however this is reduced to 10.9m for the Urban Anchor at Level 3 and above. This discrepancy is a result of the proposed cantilevered section of the building within the outer circle mews. It would result in unreasonable amenity impacts on the future development for the balance of Precinct 2A to the west of the Mews. As discussed earlier within the report, a condition is already recommended to remove the cantilevering element in response to visual bulk and pedestrian concerns with the projection. This condition will consequently resolve the separation concerns.

222. The design guidelines also encourage building forms to be arranged to allow solar access to at least 90% of the units. The applicant suggests that a total of 83% of the development will achieve solar access. Two of the three apartment buildings are designed along a north-west axis to support either morning or afternoon solar access. The Urban Anchor however spans in an east-west orientation resulting in a number of south facing apartments. While these south facing apartments will not receive direct solar access, they will have uninterrupted access to daylight and an outlook over the landscaped podium. As such, it is considered that an adequate level of amenity will be achieved for these dwellings.

Connectivity and interaction

Public/Private interaction

223. The design guidelines refer to the Connectivity and Interaction Plan, which is found at pp. 102 and 103 of the Development Plan. Of relevance, this promotes:
- (a) Urban legibility and public access to and through the site;
 - (b) Street level interface treatments to contribute to high levels of pedestrian amenity and safety;
 - (c) Provide safe and convenient vehicular and pedestrian access;
 - (d) Minimise the impact of vehicles on public space where practical; and
 - (e) Support the preferred neighbourhood character sought by the site masterplan for each individual precinct and the place as a whole.
224. The pedestrian connectivity plan at Figure 94 of the DP identifies that pedestrian priority routes extend along all sides of the site (refer to image below). There is also an east-west connection that is shown toward the north of the site. This is identified also as a publically accessible space. The proposal has responded to this by providing a through-connection from Latrobe Street to the Mews via the podium communal courtyard (the Paper Trail). This is to be publically accessible.





Figure 33: Pedestrian Connectivity (Figure 94) p. 102 of the DP

225. The Heidelberg Road frontage as currently designed offers a poor interface treatment to the street. The DP identified that Heidelberg Road should contain active uses contributing to the public realm. However, a large expanse of the Heidelberg Road frontage is inactive, providing only highlight windows and lower reflective glazing (illustrated in the image below). Given that a substantial portion of the façade will be taken up by the loading bay/vehicle access entry, it is ever more important that activation of the balance of the frontage is maximised to achieve an acceptable level of pedestrian amenity. To address this, a condition will be added to permit to require full height glazing to the ground level supermarket interface for its entire frontage.



Figure 34: Close up Heidelberg Road

226. Vehicular safety and the impact of vehicles on the public realm will be discussed in greater detail later within the report.

Ground floor Level

227. The ground floor should be designed to provide convenient access from the adjacent public realm. This design guideline is considered to be met. The proposed development provides multiple entrances into the building, contributing to the pedestrian permeability through the site. The majority of entrance points are provided at-grade, contributing to the ease of movement and inclusion through the site.

Entry definition

228. Common entrances for apartments should be well lit, transparent and in a visually prominent location. This design guideline is comfortably met. There are two residential lobby entrances located along the Mews. The lobbies are generous in size and offer a high level of visibility via full height glazing to the mews. Public lighting is proposed to be installed along the mews, which would assist in illuminating the entrances to the lobbies.

Building Layout & Design

Internal amenity

229. The design guidelines seek to avoid privacy screening to habitable rooms, particularly main living areas. Borrowed light or ventilation is also to be avoided.
230. All habitable room windows have direct access to natural light, with none relying on borrowed light. The operability of windows is not clearly shown on the plans. To ensure that natural ventilation is provided to all habitable rooms, a condition of permit will require operable windows to be provided to every habitable room. Further discussion of internal amenity for apartments is contained within the Clause 58 assessment later within this report.

Overlooking

231. Direct overlooking to habitable rooms and private open space is to be avoided. The proposed development does not present any overlooking opportunities between buildings or to any surrounding precincts, with a separation between buildings and adjacent precincts in excess of 9m. Borrowing from Clause 55 (ResCode) Standard B22, views beyond 9m are not considered to result in unreasonable amenity impacts.
232. In regard to overlooking between dwellings within the same building, it appears that there are screening devices proposed between balconies to prevent internal overlooking. However details have not been provided and will be conditioned accordingly.

Acoustic treatments

233. The design guidelines require acoustic treatments to be provided to comply with the Preliminary Acoustic Assessment within Volume 2 of the DP.
234. The Preliminary Acoustic Assessment states that acoustic treatments would be required for development within 20m from Heidelberg Road. The recommended design sound levels for houses and apartments near major roads are 35- 40L_{Aeq} dB(A) for living areas and 30-40L_{Aeq} dB(A) for sleeping areas near busy roads.
235. The NDY acoustic report submitted with the application has assessed Heidelberg Road traffic noise to targets of 45dBA Leq in living rooms and 40dBA Leq in bedrooms at night. SLR has suggested that target should be increased to 40 dBA Leq 16h in living rooms and 35dBA Leq8hr in bedrooms consistent with the BADA (clause 58) targets. An amended acoustic report will be required as a condition of permit to include this recommendation.
236. Acoustic treatments for noise generated within the proposed development have been discussed within the assessment of the land uses.

Design detail

237. The design guidelines suggest that designs should be contemporary and demonstrate design excellence. A distinctive architectural response is required for landmark built form and within the gateway zone, commensurate with prominence and scale.

238. DLA describes the architecture within the Village Retail Precinct as ‘*exemplary and contemporary*’ and that this precinct has been ‘*ably handled to achieve a visually interesting and compelling built form outcome.*’ DLA were also comfortable that the Urban Anchor had been sufficiently resolved architecturally. Council officers however have concerns with the overly busy and repetitive northern elevation (image below). It is suggested that this could be addressed by simplifying the design detailing and material palette, as well as providing some variation to minimise the repetition. Specifically, it is suggested that the decorative screens to the western portion of the facade be revised so that they are applied more irregularly with variation in their sizes. It is also suggested that allowing some sections of the screens to be operable will create a more dynamic and visually interesting façade. This will be conditioned accordingly. Further discussion on materials will be provided below.



Figure 35: Urban Anchor on the corner of Heidelberg Rd & the Mews

239. The Living Matrix and the sculptural building are considered well resolved and present distinctive and visually interesting built forms, which will contribute to a varied skyline and attractive silhouette, consistent with the design philosophy for the precinct on p.109 of the DP. DLA was also generally comfortable with the design detail of these upper forms, albeit for the materials employed within the Living Matrix as will be discussed below.
240. The design guidelines recommend that lower levels generally present as a more solid street wall with indented balconies and building entrances with upper levels to present as a lighter structure with greater glazing and translucency.
241. The above image of the Urban Anchor suggests that the proposal is doing the reverse by providing a glazed podium and more solid upper levels. Notwithstanding this, the development still manages to create a solid street wall to Heidelberg Road through the use of the continuous louvered screen. Additionally, with the changes to the design detail and materials discussed above and below, it is considered that the upper levels will present an articulated and visually integrated design with the overall building. It is noted also that DLA has not raised any concern with the design detail of the podium to Heidelberg Road.
242. While the screens along the Mews and the access lane present a solid base, DLA has however raised concern regarding the lack of activation. This will be discussed in greater detail within the assessment of the car parking location.

Materials & finishes

243. The design guidelines encourage high quality materials that will age gracefully, generally in muted tones with large expanses of highly reflective surfaces to be avoided. A material palette drawn from industrial heritage of the site, including natural concretes and render, face brickwork, steel and unfinished timber is encouraged.
244. DLA has raised concern with the vertical yellow material applied to the Living Matrix building and suggest that a more subdued material is required for this site given its subservient location off the main road. The material proposed is perforated metal screen in a golden or similar colour finish with integrated planter boxes as illustrated in the images below. Once the green wall establishes, the screen will be partially concealed by vegetation. However it is agreed that a more subdued colour finish, such as a bronze or copper finish would be a more appropriate response to the design guidelines, which seek a material palette drawn from the industrial heritage of the site. This will be conditioned accordingly.

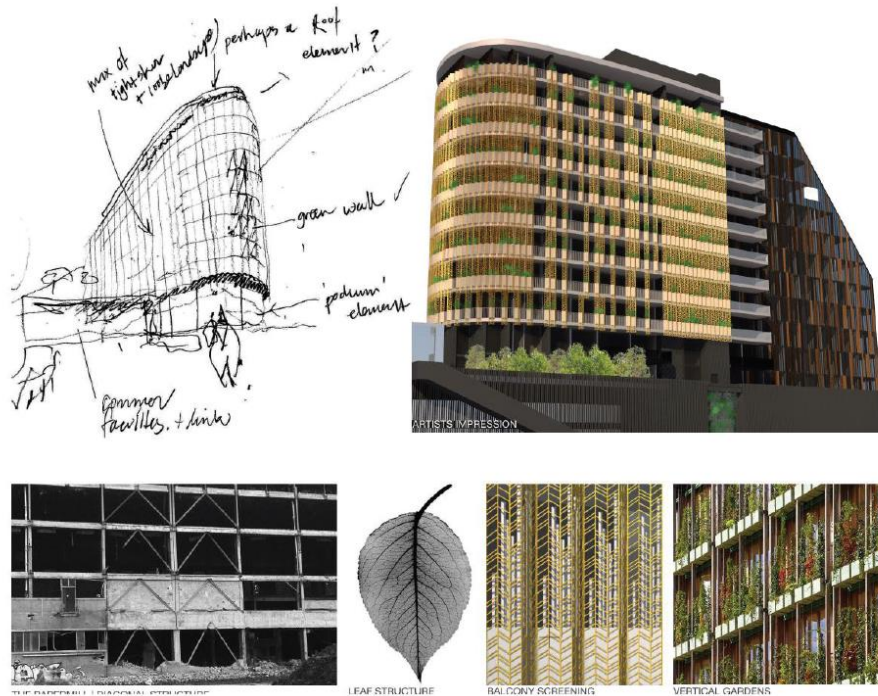


Figure 36: The Living Matrix

245. In regard to the Urban Anchor building, it is noted that the ‘earthy’ tones depicted in the perspectives (refer to Design Detail section above) are not consistent with the colour palette in the materials schedule, which refers to white and light grey finishes. Given the scale of the building and its prominent location, the extensive use of grey finishes will have a lacklustre appearance. It is considered that the ‘earthy’ tones as shown within the perspective are more aligned with the industrial heritage (e.g. orange brick from the former buildings on the site).
246. While more ‘earthy’ tones are appropriate, the ‘checker board’ application of the different colour finishes is contributing to the busyness in the façade. To address these concerns, it is suggested that the brick snap cladding (PR-53) to the eastern side of the building be finished in a brown shade similar to shown on the perspective. The material schedule describes the screens to the western portion of the building (FM-53) as white, rather it is suggested that these be a single cream colour so not to look so stark against the brown.

Car parking and bikes

247. The design guidelines refer to the Integrated Transport Plan. This plan includes initiatives to encourage sustainable travel behaviour such as:
- (a) Provision for bicycle end of trip facilities;

- (b) Car parking at lower rates; and
 - (c) Green travel planning.
248. The endorsed Traffic Management Plan within Part 2 of the DP recommends visitor parking rates lower than the statutory requirements. Further discussion regarding the bicycle and car parking provision is contained later in this report.
249. A Green Travel Plan has also been submitted with the application. Council's Strategic Transport Unit and Traffix Group have reviewed the report and recommended that the green travel plan be modified to include:
- (a) employee and resident welcome packs (e.g. provision of Myki/transport ticketing);
 - (b) the provision of real time passenger information displays for nearby stops within each main lobby;
 - (c) security arrangements to access the resident and employee bicycle storage spaces;
 - (d) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (e) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness';
 - (f) Support for carpooling;
 - (g) Support for the car share vehicles proposed;
 - (h) Clarification on references to employee permit parking; and
 - (i) Confirmation who will be the Green Travel Plan Coordinator.
250. An amended Green Travel Plan addressing the above will form a condition of permit.

Mail and building services

251. The design guidelines seek to design building services to be visually unobtrusive, screened or located away from active street frontage zones wherever possible.
252. Site services appear to be adequately accommodated within the development. A Trunk Services Infrastructure Report has been prepared and submitted with the application providing details of authority services and trunk infrastructure to serve the proposed development.
253. Building services are generally shown internal to the development and thus do not impact on activate street frontage zones.
254. The design guidelines also encourage communal mail collection points to be secure, weather protected and located close to the main building entry and be easily accessible for delivery. The proposed development provides mailboxes within both residential lobby areas. The location and design of these areas are consistent with the aforementioned design guidelines.

Open space and landscape design

Streets & publically accessible spaces

255. The design guidelines state that the Heidelberg Road frontage should provide for wide footpaths and generous public arrival zones at gateway locations with high quality public space. The guidelines also refer to the Landscape Concept Plan, which is at section 4.0 of Part 1 of the DP.
256. A landscape plan prepared by Aspect has been submitted with the application for all publically assessable areas. A Crime Prevention Through Environmental Design (CPTED) Report has also been prepared to review the safety of these spaces. These documents have

been reviewed by Council's Open Space and Urban Design Units and comments provided with respect to each area are discussed below. While Council's Open Space Unit has also made comments on Main Street/Latrobe Avenue, this is currently being designed by others (Glenvill) and is not proposed to be part of the current application.

Heidelberg Rd frontage

257. Section 4.8 (Interfaces) of the DP indicates that Heidelberg Road should provide for a tree lined street with a tree plantation zone of 1.8m from the back of kerb and a 3m wide shared path. The Aspect section drawings (TP-LAN-0-721) are consistent with this, showing planting zones of 2.1m wide and footpath widths of 3.15m wide. However, the plans show a pinch point in the footpath that has not been dimensioned. A condition will be added to ensure that the Heidelberg Road footpath maintains a minimum dimension of 3m. Open Space and Urban Design have suggested some design improvements, which will be incorporated as conditions of permit. However, Council's urban design has suggested drop off and pick up points along Heidelberg Road. This suggestion is considered unnecessary and would be subject to VicRoads approval. There is already drop off kerb side parking proposed within the development.

Outer Circle Mews

258. Open Space and Urban Design have suggested improvements to the Mews that can be incorporated as conditions of permit. However, Council's Urban Design Unit has requested that solar access be provided to 50% of the area or 125sqm, whichever the lesser, for a minimum of 2 hours between 9am and 3pm for June and September. This is adapted from the apartment guidelines for communal open space areas at Clause 58 of the Yarra Planning Scheme. This is not applicable to this area as it is not the primary communal open space area for the residential apartments (which is located on the podium). Furthermore, it would also not be a reasonable requirement given the DP built form expectations adjacent the mews.
259. The shadow diagrams submitted with the application for the September Equinox indicate that the development will cast shadow over this area until 12pm, with 1pm showing no additional impact. This is considered acceptable. Comments have also been raised by Council's Urban Design and Engineering Units relating to MFB access requirements and building regulation compliance with stair landing design. These are matters addressed at the Building Permit stage and do not warrant any additional conditions.

Level 1 Terrace

260. Council's Urban Design Unit was not satisfied with the treatment of the Level 1 Terrace, describing this area as unappealing and uninteresting. Open Space has suggested that larger or a greater provision for trees and seating would assist. More programming and details will be required for this space via conditions of permit.
261. The Urban Design Unit has suggested that solar access be provided to the same standard recommended for the Outer Circle Mews. This again is considered an unreasonable test for this area. However, based upon the September Equinox shadow diagrams, it appears that this area will be predominately in sun until 1pm. This is considered appropriate.

Paper trail gardens Level 3

262. Council's Urban Design and Open Space Units have suggested some improvements that will be included as conditions. The Urban Design Unit has again requested compliance with the Clause 58 standard for solar access, however in this case, this standard does apply as this area also accommodates the communal open space for the residential apartments. As discussed with the Clause 58 assessment later in this report, this standard has been met.

Access lane

263. Council's Urban Design Unit and Open Space Unit have suggested some improvements that will be included as conditions. Additionally, Urban Design has raised concern with the recessed entrance to the lower ground floor at the corner of Latrobe Avenue and Heidelberg Road. Given that this entrance is adjacent to glazed commercial tenancies; it is not considered that this recess creates a concealment space. There will be sufficient passive surveillance from the tenancies to deter any anti-social behaviour and counter any feeling of unsafety. To the contrary, it is considered that this covered recessed area will provide a welcoming transition into the development. Furthermore, it is noted that the CPTED does not raise any concerns within the safety of this design arrangement.
264. Council's Engineering Services Unit has raised concern with the design of the stair landings and its compliance with the building regulations. This is a matter addressed at the Building Permit stage and does not warrant any additional conditions. Concern was also raised with the clearance height of the staircase above the footpath, a detailed section is provided on the NH Plans (TP-2R-654) describing the clearance height of the staircase at 3m above the footpath. This is considered an adequate clearance and will not obstruct pedestrian movement.
265. There is also a door to a Back of House area that is shown to open out into the footpath, creating a potential conflict with pedestrian movements. A condition will require the door to be amended to not open outward onto the footpath.

Village Square

266. As discussed within the proposal description, the Village Square is a part contribution to the 4.5% open space contribution for the overall site and is to be vested with Council. The public realm strategy plan on p43 of the DP provides indicative dimensions for the park of 17m by 42m.
267. Council's Urban Design and Open Space teams have raised several concerns in relation to the design of this space from both a usability and maintenance perspective. However, most critically, concern has been raised with the poor transition and connectivity with Latrobe Avenue at the southern end of the square due to a difference in levels at this point of approximately 1.9m. A condition will be included on permit that the Village Square will need to be further resolved to the satisfaction of Council officers.



ILLUSTRATIVE 3D IMAGE: BIRD'S EYE VIEW OF THE VILLAGE SQUARE

Figure 37: Village Square

268. Council's Engineering Services Unit has identified that the proposed heritage interpretation steel inserts appear to present a tripping or slipping hazard. They have consequently requested that these be removed from the Village Square. A condition of permit will request greater detail of the steel insets to demonstrate that they do not create a tripping or slipping hazard, or alternatively that these be deleted.

Private Open space

269. The design guidelines state that terraces and balconies acting as primary open space are to provide a minimum 6sqm for one or two bedroom dwellings and minimum 10sqm for three or more bedroom dwellings. This is preferably to have a northern orientation and 2m minimum internal dimension.
270. All apartments have a balconies directly connected to the main living area. While the minimum private areas are met for all apartments, the minimum dimension is not always achieved. A two bedroom apartment type on the southern side of the Urban Anchor building proposes a dimension of 1.8m rather than 2m. This affects 10 apartments within the development. Given that these apartments are already at a disadvantage from their southern orientation, it is considered appropriate to require these balconies to achieve a minimum dimension of 2m.
271. On the northern side of the Urban Anchor, there are four one-bedroom apartments and seven two-bedroom apartments with triangular shaped balconies that range from 1m to 2m in depth. To preserve the angled design feature of the building without unreasonably compromising the internal amenity of the apartments, it is considered acceptable to require these balconies to achieve an average width of 2m.

Environmentally Sustainable Design

Material re-use

272. The guidelines specify that brick and concrete salvaged from existing structures should be re-used on site where possible and where relevant to the proposed built form. The retention and adaption of existing buildings is also encouraged where possible.
273. The proposed development does not propose to re-use existing materials on site. As outlined earlier, the existing building on the site has already been demolished and materials removed. Council's ESD Advisor has recommended that the permit applicant consider using recycled materials in products such as insulation across the project and specifying recycled content of concrete and steel. The permit applicant has indicated that this would be required as part of the UDIA EnviroDevelopment and as such will be conditioned accordingly.

Solar access and passive energy efficiency

274. The design guidelines seek to minimise the number of indoor and outdoor living areas with a southerly orientation. Council's ESD advisor has reviewed the proposal and is generally satisfied with the level of daylight and natural ventilation to all dwellings, office, community centre and the school.
275. The design guidelines also seek to demonstrate ESD compliance at Planning Application stage through to architectural and landscape designs consistent with or exceeding the requirements of the ESD technical reports. The endorsed ESD Strategy within Part 2 of the DP relies heavily on the UDIA EnviroDevelopment tool. The endorsed report commits to meeting all UDIA EnviroDevelopment Criteria and all SDAPP best practice standards.
276. A Sustainable Management Plan prepared by Norman Disney Young, dated 14 February 2018 containing the following commitments:
- (a) Average 6.5 star (min) NatHERS rating for dwellings;
 - (b) 85kWp solar PV array;
 - (c) Energy Efficient heating/cooling;
 - (d) Water efficient fixtures and taps; and
 - (e) Electric vehicle charging infrastructure.
277. Council's ESD advisor has reviewed the report and is not satisfied that it meets Council's ESD standards. In addition to stormwater management, which is discussed below, concern was also raised with the extent of east, west and north facing glazing exposure, particularly at the eastern end of the 'Urban Anchor' and the southern end of the 'Living Matrix'. It is recommended that additional external shading systems are applied on all east, west and north facing facades to reduce cooling loads and improved thermal comfort. This will be included via condition.
278. Council's Strategic Transport Unit have also identified that only one electric vehicle (EV) charging point is indicated on each of the three relevant floor plans. To ensure the potential for future expanded provision for electric vehicle charging all car parking areas should be electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed to the each of these areas for this purpose. This will be included as a condition of permit.
279. Council's ESD advisor has also made a number of additional ESD Recommendations including:
- (a) Energy efficient HVAC systems within one star of more efficient, or within 85% of best energy performing unit available at time of construction;
 - (b) Separate water metering for all major common area uses, tenancies and dwellings;
 - (c) Comprehensive commissioning and tuning of all major appliances and building services;

- (d) Environmental Management Plan Monitor and control activities undertaken during construction;
 - (e) Consider FSC certified sustainable timber for all timber uses on site; and
 - (f) Consider providing composting systems for organic residential waste.
280. The permit applicant has advised that it can incorporate items (b) to (d) as part of the EnviroDevelopment application process. Given that a high level of ESD standard will be achieved via the EnviroDevelopment application process, the other suggestions are not considered necessary.

Water cycle management

281. The design guidelines refer to the Water Cycle Management section of the ESD and services technical reports. The guidelines also encourage green roofs for areas exceeding 100sqm.
282. A MUSIC model has been provided relying heavily on a proprietary SPEL stormwater product filtering runoff from approximately 14,180sqm of roof, road and paved areas as well as 8,072sqm of roof connected to 110kL of rainwater storage for toilet flushing. Council's ESD Advisor is not supportive of this approach as it cannot ensure that urban stormwater quality objectives of best practice can be met. It is recommended that evidence is provided that these products are effective in local Victorian conditions, or alternatively a different approach is used. This will be conditioned accordingly.
283. There is also a discrepancy in the size of the rainwater storage between the SMP and the MUSIC, with the former identifying a 60kL capacity and the latter a 110kL capacity. This discrepancy can be addressed via condition.

Heritage Interpretation

284. The design guidelines refer to the Conservation Management Plan for interpretation opportunities. The Conservation Management Plan encourages interpretation strategies such as street names, signage, entry markers, re-used/recycled materials, artwork and the like. It also encourages an interpretation plan to be prepared.
285. Additional detail on the interpretation plan is provided within Section 3.9 (Heritage and Interpretation) of the DP (Part 1). This includes a linear interpretation path as illustrated in the map below.

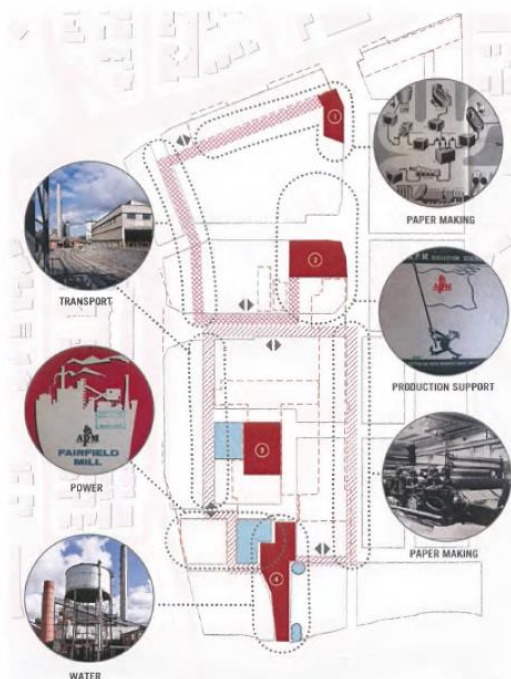


Figure 38: Figure 38 on p52 of the Development Plan (Part 1)

286. A Wayfinding and Heritage Interpretation Strategy has been prepared outlining the interpretation theme within the proposed development. The interpretation strategy is to connect the Outer Circle Mews to the Village Square via the Level 1 Terrace and the Paper Trail gardens. The strategy is materialised through the reuse of machinery elements within the public realm and a continuous steel inlay/landscape element that physically connects the open spaces areas.
287. The heritage interpretation strategy been reviewed by Council’s Urban Design Unit who was satisfied that it responded to the DP subject to the following:
- (a) Heritage interpretation signage within the Paper Trail for the metal inlay; and
 - (b) Provision of further details regarding the heritage interpretation/wayfinding elements e.g. steel paving inlay to vertical element transition.
288. A condition will be included on permit requiring an updated Wayfinding and Heritage Interpretation Strategy addressing the above elements.

Apartment Specific Guidelines

Design treatment for common areas

289. External lighting is encouraged and concealment points avoided. The landscape plan submitted with the application provides lighting details for all public and communal areas, however a more detailed public lighting plan will be included as a condition of permit.
290. The design guidelines also seek to minimise the length of common area internal corridors, encourage natural light and ventilation and provide a minimum corridor width of 1.8m. While the corridors are to have access to natural light and daylight to at least two points, the length and width of the corridors fail to meet this guideline. Common corridors are generally 1.54m wide, with a section within the Urban Anchor narrowing to approximately 1.2m adjacent to a stairwell. The narrow width of the corridors combined with their extensive length (Sculptural building; 65m, Urban Anchor; 56m and the Living Matrix; 47m), will result in a substandard level of internal amenity for the future occupants of the development. To address this issue, a condition will be included on permit for the corridors to be increased to a minimum of 1.8m in width. While this does not address the length of the corridors, the increased width and natural light and ventilation to these areas is considered to result in an acceptable outcome.

Parking and driveways

291. The design guidelines indicate that car parking within basements is preferred, or otherwise it should be sleeved with habitable or active uses. Access from a lane or unobtrusive location is also preferred. Car parking entrances should be visually recessive and located generally in accordance with the site guidelines.
292. The proposed visitor car parking is accommodated within a basement and semi basement (lower ground) level concealed from the public realm. Residential and employee parking is located within Levels 1 and 2 of the podium, adjacent to the Mews and the private road to the south. This does not meet the design guidelines, which seeks to 'sleeve' car parking areas with active uses.



Figure 39: Car park entry and mews

293. While the podium screen assists to reduce the visibility of the car park, glimpses are still likely to be visible, particularly when illuminated at night. Furthermore, it results in a poor activation and reduces passive surveillance opportunities. This is of concern along the Mews given it is intended to be a key pedestrian amenity area. To address this issue, a condition will be added to the permit to require the podium carpark be sleeved with apartments for the full length of the Mews, apart from the area accommodating the stairwell. This will be conditioned accordingly.
294. Given that the western end of private road primarily functions as a service area (facilitating access into the building) podium car parking adjacent to the street is less detrimental to the public realm. Furthermore, given that these apartments would be south facing and immediately above the vehicular entrance to the building, their amenity is likely to be poor. As such, it is not recommended that the private road podium be sleeved with apartments.
295. The DP indicates vehicle access is to be provided via the private road to the south, with loading bay access via Heidelberg Road. The proposed development is consistent with this, however also provides a second access to the public car park via Heidelberg Road.
296. The Heidelberg Road access to the car park has been introduced to reduce vehicle movements within Latrobe Avenue/Main Street. The traffic modelling that was undertaken in the preparation of the DP was based on a wider road profile for Latrobe Avenue. However the Council resolution of the DP in December 2015 removed the stand-up lane on Latrobe Avenue (and its intersection with Heidelberg Road) and the left turn slip lane into Chandler Highway. Traffic modelling undertaken with the narrower road profile identified significant traffic implications with lengthy queuing expected within Latrobe Avenue. The secondary vehicle access point has been introduced to overcome this issue.
297. Reducing the necessary vehicle movements within Latrobe Avenue is also considered to benefit the pedestrian and cyclist safety within Main Street and is supported by Council's Engineering Services Unit and Traffix Group.



Figure 40: Car park entry Heidelberg Road

298. The disadvantage to vehicle access from Heidelberg Road is that it results in a wider vehicle access point to Heidelberg Road than otherwise necessary for just the loading bay access. The design of the access has sought to improve the pedestrian realm experience through the provision of a 9.73m wide landscaped refuge island between the entry and exit lanes. This will assist in breaking up the 'void' created by the vehicle entrance. On balance of the traffic, pedestrian and cyclist benefits achieved by the additional vehicle access point, the arrangement is considered acceptable. However, in the acceptance of the wider vehicle access point to Heidelberg Road, ensuring activation of the balance of the frontage becomes increasingly more important. This has been discussed in detail earlier within the report.

Waste Management and loading areas

299. The design guidelines require a consolidated waste pick up consistent with a management plan be provided, with bins to be stored in designated waste storage areas concealed from the street. All waste is proposed to be stored internally to the site and will be collected within the enclosed loading dock area, accessed via Heidelberg Road.
300. A Waste Management Plan (WMP) has been prepared by SALT dated 11 April 2018. Council's City Works Branch has reviewed the WMP and advised that it is satisfactory. The WMP will be endorsed and will form part of the permit.
301. While the design guidelines do not provide detailed guidance for loading bays, given the substantial retail component within the proposed development (including two supermarkets) a designated loading area is necessary. The Vehicular Movement Strategy (Figure 33) on page 47 of the DP depicts a loading bay in the location proposed to be accessed of Heidelberg Road. The proposed loading bay is consistent with this location. The loading bay is also to be internal to the building, reducing its visual impact on the public realm. It will also reduce noise impacts on the surrounding apartments as discussed earlier in this report.

Clause 58 (Apartment Developments)

302. The following assessment applies specifically to the proposed residential apartments.

Standard D1 – Urban context

303. This standard has two purposes:
- (a) To ensure that the design responds to the existing urban context or contributes to a preferred future development of the area; and
 - (b) That development responds to the features of the site and the surrounding area.

304. These matters are discussed in detail with the assessment of the DP earlier in the report.

Standard D2 – Residential Policies

305. As outlined earlier within the Strategic Justification section, there is general policy support for the proposed development.

Standard D3 – Dwelling diversity

306. The application contains a mix of dwelling types and sizes as encouraged under this Standard. While the majority of dwellings within the proposed development are two bedroom (58%), the overall Amcor development will provide a diverse mix of dwelling sizes, including three and four bedroom townhouses and detached dwellings already approved east of Latrobe Avenue.

Standard D4 - Infrastructure

307. As previously mentioned, a Trunk Services report has been submitted with the application demonstrating that the proposed development can be accommodated subject to the planned infrastructure works proposed as part of the overall Amcor development.

Standard D5 – Integration with the street

308. Integration with the abutting streetscapes has been discussed previously within the report within the DP assessment.

Standard D6 – Energy efficiency

309. This standard seeks to ensure that buildings are orientated to make appropriate use of solar energy and sited to ensure that the energy efficiency of existing adjoining dwellings is not unreasonably reduced.

310. A sample of dwellings has not been provided demonstrating the NatHERS annual cooling load. A permit condition will require that this is provided, demonstrating that cooling loads do not exceed the 21MJ/M² threshold (Moorabbin area).

311. Further discussion regarding the energy efficiency of the development has been provided within the DP assessment

Standard D7 – Communal open space

312. This Standard requires developments with greater than 40 dwellings to provide a minimum of 2.5sqm of communal open space per dwelling or 250sqm, whichever the lesser. In the case of the subject site, the lesser is 250sqm. The proposed development comfortably meets this requirement, providing an area of approximately 1,250sqm above the podium.

313. The location and design of the open space area is also consistent with Standard D7, such as:

- (a) Passive surveillance opportunities are available with apartments orientated to overlook this area; and
- (b) Fencing is provided to the apartments on the podium level to protect privacy. While the Aspect landscaping plans indicate that this will be a timber fence, no details have been provided of the height or visual permeability of the fence. To ensure that it adequately protects the privacy of the occupants, a condition will be added requiring the fence to be 1.7m high with a maximum of 25% transparency.

314. As will be discussed within the assessment of Standard D10 (landscaping), detailed landscape treatment is proposed within the communal areas.

Standard D8 – Solar access to communal open space

315. The standard encourages communal outdoor open space to be located on the northern side of a building if appropriate. It also seeks to ensure at least 50 per cent, or 125sqm, whichever the lesser, of the primary outdoor open space area receives a minimum two hours of sunlight a day between 9am and 3pm on 21 June.
316. In the case of the subject site, the communal open space is located centrally to the three building forms, with the Urban Anchor building to its north. Given the orientation of the site, it is not practicable to locate open space to the north without compromising the Heidelberg Road presentation. Notwithstanding this, the communal open space area comfortably exceeds Standard D8, providing over 125sqm of solar access between 12pm and 2pm (232sqm to 569sqm available).

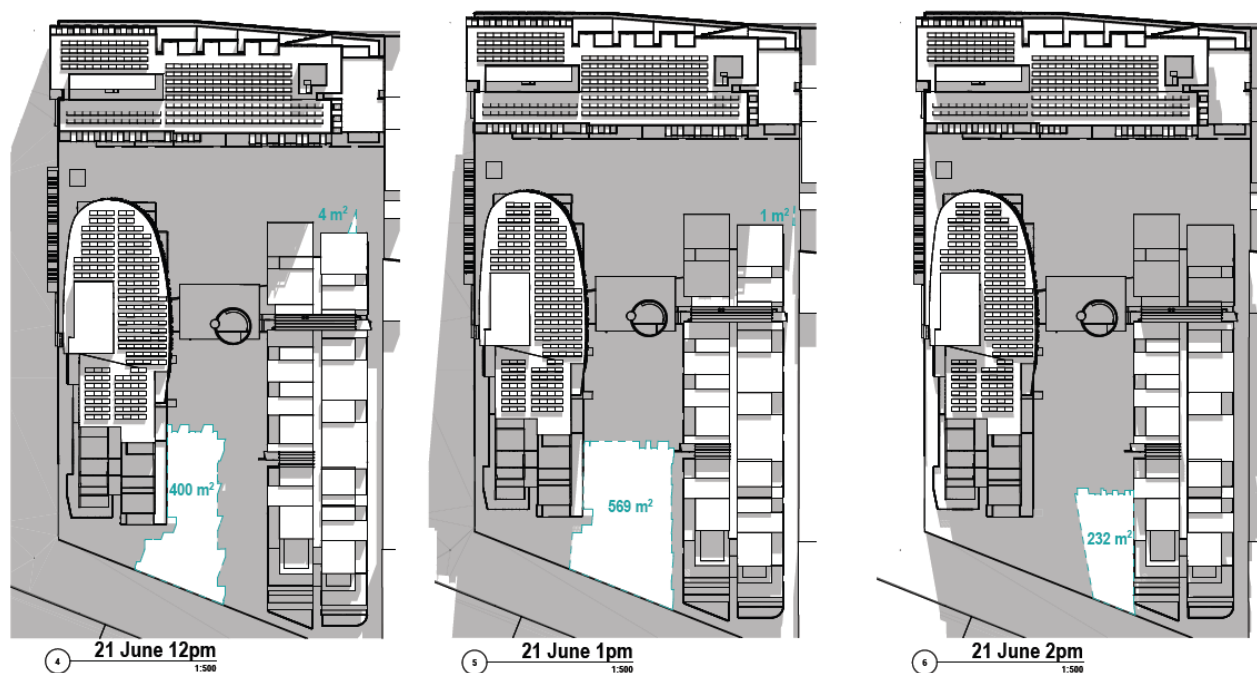


Figure 41: 21 June Shadows for the Communal Open Space Area

Standard D9 – Safety

317. This standard seeks to ensure that the layout of development provides for the safety and security of residents and property. The safety for the residents is facilitated through the provision of glazed residential lobbies along the Mews. A separate secure car parking area is also proposed for residential car parking, with direct lift access into the apartments. The communal open space area on the podium will be publically accessible via the Village Square and the outer circle mews. Fencing to apartments on the podium is provided to ensure adequate safety and security is maintained for these dwellings. Overall the development is considered to provide adequate passive surveillance within the residential apartment component of the development.

Standard D10 – Landscaping

318. There are no specific landscape controls for the Gateway Precinct within the DP design guidelines.
319. Standard D10 encourages landscape layout and design to achieve the following:
- (a) Be responsive to the site context;
 - (b) Protect any predominant landscape features of the area;

- (c) Take into account the soil type and drainage patterns of the site and integrate planting and water management;
- (d) Allow for intended vegetation growth and structural protection of buildings;
- (e) In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals;
- (f) Provide a safe, attractive and functional environment for residents;
- (g) Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration; and
- (h) Maximise deep soil areas for planting of canopy trees.

320. Based on the site area of 20,600sqm, pursuant to Standard D10, deep soil areas of 15 per cent of the site (i.e. 3,090sqm) should be provided, with a minimum dimension of 6m. This is to support one large tree or two medium trees per 90sqm of deep soil. The proposed development does not provide any deep soil area outside of Village Square.
321. A variation to the deep soil planting areas is considered acceptable on the basis that the DP already nominates various public open space areas to be delivered as part of the overall development of the former paper mill site equating to 7,500sqm (4.5% of the site). Additionally, a 30m wide linear park is also required to be delivered adjacent to the Yarra River. This provision of open space across the entire development site is considered to achieve the landscaping objectives of Standard D10.

Standard D11 – Access

322. The proposed development access arrangements have been discussed within the assessment of the DP.

Standard D12 – Parking location

323. Lift and stair access is provided from within the car parking areas to all levels of the development. This ensures convenient access for residents and visitors in accordance with Standard D12.

Standard D13 – Integrated water and stormwater management

324. Integrated water and stormwater management has been discussed previously within the DP assessment of Water Cycle Management.

Standard D14 – Building setbacks

325. The DP contains setback requirements. These have been discussed previously.

Standard D15 – Internal views

326. As discussed within the DP assessment, details of screening between abutting balconies will be required via condition. Internal views are otherwise addressed through the building separation greater than 9m.

Standard D16 – Noise impacts

327. The proposed development is not located in proximity to noise generating areas as listed under this Standard. However an acoustic report was prepared in accordance with the DP requirements. This has been discussed earlier within this report.

Standard D17 – Accessibility objective

328. This standard requires at least 50 percent of dwellings to have:

- (a) Clear opening with of at least 850mm at the entrance to the dwelling and main bedroom;
- (b) Clear path with a minimum width of 1.2m connecting a dwelling entry to the main bedroom, an adaptable bathroom and living area;
- (c) Main bedroom with access to an adaptable bathroom; and
- (d) At least one adaptable bathroom meeting Design A and B within Table D4 contained within the Standard.

329. While the accessibility requirement is only required for 50 percent of dwellings, the summary table and the individual apartment layouts demonstrate that the above criteria is met for all dwellings, thereby exceeding the minimum requirements.

Standard D18 – Building entry and circulation

330. The standard encourages entries to be visible and easily identifiable as well as providing shelter and a sense of personal address. There is also further guidance on the layout and design of buildings. These matters are also covered within the DP Design Guidelines and have been assessed earlier in this report.

Standard D19 – Private open space

331. Given that the DP already contains minimum balcony sized requirements, the above standards have not been applied to the development. Further discussion on the balcony sizes is contained within the DP assessment.

Standard D20 – Storage

332. The standard encourages each dwelling to have convenient access to usable and secure storage space in accordance with Table D6 (below)

Table D6 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

333. There are 281 six cubic metre storage cages provided within the residential carpark areas. Additional internal storage volumes within each apartment in accordance with Table D6 above are notated for each apartment type. The storage requirements of Standard D6 are met.

Standard D21 – Common property

334. This standard states that developments should clearly delineate public, communal and private areas. Common property should also be functional and capable of efficient management.

335. Where private areas are adjacent to communal areas, such as on the podium level, these areas are clearly delineated by fencing. The communal areas are functional and readily accessible from communal corridors and the lift. The proposed common property areas do not appear to create any spaces that would be difficult to maintain by a future Owners Corporation.

Standard D22 – Site services

336. Site services and mailbox locations have been discussed earlier within the assessment of the DP design guidelines.

Standard D23 – Waste and recycling

337. Waste management for the site has previously been discussed under the DP Design Guidelines.

Standard D24 – Functional layout

Bedrooms

338. Table D7 within Standard D24 states that the main bedroom should have minimum dimensions of 3.4m x 3m with remaining bedrooms of 3m x 3m. The annotations on the apartment layouts demonstrate compliance with these standards.

Living areas

339. Table D8 within Standard D24 specifies a minimum area of 10sqm and width of 3.3m be provided for single bedroom dwellings, and for two or more bedroom dwellings; a minimum area of 12sqm and minimum width of 3.6m. This is to exclude kitchen and dining areas. While the clause 58 summary table provided by the applicant suggests this standard has been met, this is to be clearly shown on the individual apartment layouts. Based on officer calculations, Apartment Types E, G, H and J appear to fail to achieve the minimum width and area requirements. A condition will require internal reconfiguration to achieve the minimum living area requirements.

Standard D25 – Room depth

340. This Standard discourages single aspect rooms exceeding a room depth of 2.5m times the ceiling height. The section drawings suggest that typical floor to ceiling heights to living rooms are 2.7m, thus room depths should not exceed 6.75m.
341. The standard states however, that this can be increased to 9m for open plan habitable rooms, provided that the kitchen is the furthest from the window and the ceiling is at least 2.7m. This appears to be met by the development, with bedrooms locate direct adjacent light sources and living areas associated with the deepest single aspect apartments comfortably meeting the criteria with living room depth approximately 7.5m, and kitchens furthest from the window.

Standard D26 – Windows

342. This standard requires all habitable room windows to have a window to an external wall of a building. This is the case for all bedrooms and main living spaces. Apartment Type H contains 'study nooks' receiving only borrowed light from the corridor of the main living area. Given the limited natural light that would penetrate these areas, and the small living areas provided for these dwellings, it is considered that this area would be more beneficial to the internal amenity if accommodated as part of the larger open plan living, kitchen and dining area. This will be conditioned accordingly.

Standard D27 – Natural ventilation

343. This standard encourages that at least 40 per cent of dwelling provide effective cross ventilation that has:
- (a) A maximum breeze path through the dwelling of 18m;
 - (b) Minimum breeze path through the dwelling of 5m; and
 - (c) Ventilation openings with approximately the same area.
344. The Clause 58 summary table suggests cross ventilation is provided for 46 per cent of dwellings, specifically Apartment types A2, D, E3, G, H, H1, F. Cross ventilation in accordance with the above criteria however has not been clearly demonstrated for these apartment types. This will need to be demonstrated by way of permit condition.

Car parking, Bicycle facilities, Design and Access and Traffic generation

Car Parking

345. The car parking provision of 900 spaces is less than the statutory requirement of 1,114 spaces, as outlined earlier in the planning controls section. A reduction in the statutory car parking requirements is sought based upon likely car parking demand for the proposed uses, and a sharing of visitor spaces for the various uses across the course of a day.
346. The DP anticipates a variation to the statutory rates noting that the endorsed Traffic Management Plan within Volume 2 of the DP nominates lower car parking rates for certain uses (See below)

Table 5.7: Summary of Recommended Car Parking Rates

Land Use	Category	Recommended Parking Rate
Residential	One Bedroom Dwelling	1 space per dwelling
	Two Bedroom Dwelling	1 space per dwelling
	Three Bedroom Dwelling	2 spaces per dwelling
	Visitor (Low Density) [1]	0.5 carspaces per dwelling
	Visitor (Medium Density) [1]	0.15 carspaces per dwelling
	Visitor (High Density) [1]	0.12 carspaces per dwelling
	Affordable Housing	0 spaces per dwelling
Specialty Retail [1]	Staff / Employee	0.5 spaces per 100sqm
	Visitor	1.8 spaces per 100sqm
Supermarket [1]	Staff / Employee	0.9 spaces per 100sqm
	Visitor	3.6 spaces per 100sqm
Office [1]	Staff / Employee	3.15 carspaces per 100sqm
	Visitor	0.35 carspaces per 100sqm
Community Use [1]	Childcare Centre	0.19 carspaces per child

[1] Where a "shared" parking pool is determined to be appropriate the recommended design rates are to be used together with use specific temporal activity profiles. Any variations to these rates would be subject to Council approval.

347. The current application seeks to apply the rates within the DP, except for the office and the dwelling components, where further reduced rates are sought. The proposed car parking allocation has been reviewed by Traffix Group (Traffix). Overall Traffix were satisfied that there was sufficient car parking provided within the proposed development, however recommend the reallocation of car spaces in some instances as discussed in more detail below.

Dwellings

348. Residential car parking is proposed at approximately half the DP rate, with 0.5 spaces for one bedroom dwellings, 0.7 spaces for two bedroom dwellings and 1 space for three bedroom dwellings. These have been borrowed from the car parking rates for the Victoria Street East Precinct at Clause 37.06 of the Scheme. However, this precinct is a very different context with respect to location and access to public transport and is therefore not a comparable example.
349. Traffix Group does not support the reduced residential car parking rate that has been proposed, however based on the locational characteristics of the site and alternative transport modes available, it has recommended increasing the car parking allocation from 215 spaces to 261 spaces, achieving an overall parking rate of 0.93 space per dwelling.
350. However, Traffix Group has not acknowledged that car parking is not anticipated to be provided to the affordable housing component within the DP. There are 151 affordable housing units contained within the development. If the affordable housing component is not allocated any car spaces, the remaining 130 dwellings within the proposed development would generate a car parking requirement of 215 spaces. Therefore, it is considered that the allocated 215 spaces is sufficient on the basis that no spaces are allocated to the affordable housing component. It is acknowledged however, that this will result in no parking being provided for those dwellings once the 10 Year time limit of the S173 Agreement lapses.
351. It is expected that the number of car parking spaces and dwellings will slightly change due to proposed permit conditions discussed throughout this report. Specifically, the increased setbacks to the Urban Anchor are likely to reduce the number of dwellings, whilst additional dwellings are being introduced within the podium. The additional dwellings within the podium will also likely require some of the car parking spaces to be removed. However, on the advice from Traffix that 46 spaces (to achieve 261 spaces) could be reallocated from other uses to the residential component, it is considered there are enough car spaces within the development to accommodate the potential variation to dwelling and parking numbers.
352. Regarding residential visitor parking, the DP contains a reduced rate of 0.12 per dwelling which the proposal seeks to reduce further to 0.1 spaces per dwelling. This is not supported by Traffix who recommends adopting the DP rate, equating to 34 residential visitor car spaces.

Office

353. The proposal adopts a rate of 2.5 car spaces per 100sqm for the office uses, this is lower than the statutory and DP rate of 3.5 spaces per 100sqm. Traffix Group consider this to be on the low side of an office in this location, however on balance of the sustainable transport objectives within the Scheme, it was considered acceptable. It was also recommended that all office parking (85 spaces) should be allocated to staff on the basis that office visitor space demand is not significant.

Childcare

354. While the childcare car parking rate reflects the DP rate, Traffix Group does not support the assumed split between staff and parents. The TIA assumes 1 staff per 25 children, however the experience of Traffix Group is that the rate can be as low as 1 per 4 children. Their experience is also that car parking at peak times is split approximately 50/50 between staff and parents, however during the middle of the day, the demand is mostly staff. On this basis, Traffix recommend that the childcare centre of 120 children should be allocated 10 staff spaces and 13 parent spaces.

Primary School

355. There is no specified rate in the DP for a primary school. As described within the planning controls section, the statutory rate requires one space per staff member. The TIA assumes 12 staff to the proposed 300 student campus, however 15 car spaces are provided for staff and an additional 60 spaces for parents. The allocation is supported by Traffix Group, who expects that a school of 300 students would likely require slightly more than the anticipated 12 staff members. While not a statutory requirement, the expected car parking demand for parents is appropriate and ensures that this is considered when analysing the overall demand for the public carpark.

Supermarket

356. The proposal adopts the DP rates for supermarket, however seeks to allocate a lower percentage of parking to staff than suggested in the DP. This is proposed following advice of the supermarket operator that a large percentage of their staff would not be of driving age. This rationale was accepted by Traffic Group provided that the public car park is suitably time controlled to prevent all day parking for staff.

Food & Drink

357. The DP does not contain a reduced rate for Food & Drink premises, with the proposal applying the statutory rate. Traffix Group were comfortable applying the same DP rate for shops, noting that these uses generate a similar demand.

Gym

358. There is no specified rate in the Scheme or the DP for a gym (restricted recreational facility). In the absence of a rate, the proposal has adopted the NSW Roads and Maritime Services (rate of 3 spaces per 100sqm), equating to a demand of 58 spaces, 10 of which are proposed to be allocated to staff. Traffix Group considers this to be a conservative estimate, anticipating residents to contribute to a significant portion of the gym's members. It is subsequently expected that visitor parking demand for the gym would be approximately half of this i.e. 24 spaces.

Community centre, sports court and pavilion

359. The TIA anticipated a demand of 20 spaces for the community facility. This was revised up to 90 car spaces based on the advice from Council Officers that the community spaces should be treated as a place of assembly and are likely to accommodate activities independent of other uses on the site. In allocating 90 spaces, the GTA report assumes a total of 300 patrons across all uses i.e. applying the place of assembly rate of 0.3 spaces per person.
360. Traffix was generally satisfied that the 90 spaces could be accommodated within the public car park, with some exemptions. Based on the other proposed uses, there was likely to be strong peaks in demand at midday on Saturday and in the early evening (5-6pm). It has subsequently been suggested that either the total capacity of the community spaces be reduced to a maximum of 150 people before 6pm or more car parking spaces be provided based on a rate of 0.3 spaces per patron. Given the floor areas of these activities, it is considered that the usability of these spaces would be unreasonably compromised by reducing the capacity to 150 patrons prior to 6pm. Therefore, it is recommended that additional car parking is provided for visitors, based on a rate of 0.3 spaces per patron, thus accommodating the further 150 patrons requires an addition 45 car spaces to be provided. This will be conditioned accordingly.

Remaining uses

361. The remaining uses, being the shops and medical centre propose to adopt the rates contained within the DP, this is supported by Traffix Group.

Allocation of car spaces

362. The visitor car parking for the overall Village Development is proposed to be shared across the various uses, with a total of 452 spaces to be allocated. A condition will require a car parking management plan to include a minimum requirement of 497 for visitors, accounting for the additional 45 car spaces needed to meet the demand for the community centre. The car parking management plan will also capture the staff and resident car parking spaces as discussed in the above paragraphs.

Bicycle Facilities

363. The development requires 406 bicycle spaces to be provided on the site under Clause 52.34 and the DP. A total of 484 bicycle spaces are provided, including 282 resident spaces, 62 school spaces, 60 employee spaces and 80 customer/visitor spaces.
364. Under the Development Plan approved by Council, the ITP requires that *'At a minimum, statutory provisions for bicycle parking will be met. In instances where a waiver of car parking is being sought, it is recommended that an increased provision of bicycle facilities be provided, in the order of one space per dwelling.'*
365. Council's Strategic Transport Unit is not satisfied that there is sufficient bicycle provision on site and has subsequently recommended a minimum of 190 visitor bicycle spaces be provided and 66 employee spaces.
366. The preferred location for the visitor spaces includes:
- (a) on the Heidelberg Road footpath, near the pedestrian entrance to the retail and shop uses;
 - (b) near the corner of Latrobe Avenue and the laneway; and
 - (c) near elevators serving the commercial uses within the lower-ground-floor car park.
367. The additional bicycle spaces in the preferred locations will be conditioned accordingly.
368. Concern has been raised by both Council's Strategic Transport Unit and Traffix Group regarding the poor accessibility to the bicycle spaces for the school. These are located adjacent to the school and are accessed via the lift. While not ideal, it is understood that the school requires these spaces to be connected to the school for safety reasons. On this basis, the location is considered acceptable. However, Council's Urban Design Unit have suggested providing wheel ramps adjacent to stairs. This will be conditioned accordingly.
369. Council's Strategic Transport team have recommended several improvements to the staff bicycle provision that will be included as a condition of permit:
- (a) At least 20% of spaces within any secure facility should be provided as horizontal rails in accordance with AS2890.3;
 - (b) Direct access between adjacent facilities; and
 - (c) Relocation of bicycle storage facilities (and end of trip facilities) to the east of the car park, closer to the entrance to the commercial uses.
370. A number of bicycle storage devices are shown directly adjacent walls. These spaces would not be usable due to handlebar clearance. A condition will be added to permit that a 500mm handlebar clearance be provided.

Design and Access

371. The car parking spaces and accessways are designed in accordance with the Design Standards within Clause 52.06-9 and Australian/New Zealand Standards AS/NZS 2890.6:2009, however some detail is missing from the plans, specifically:
- (a) Bollards are required within shared areas associated with accessible parking spaces in accordance with AS/NZS 2890.6:2009;
 - (b) Column depths need to be dimensioned on the drawings, consistent with Diagram 1 within Clause 52.06-9 of the Yarra Planning Scheme; and
 - (c) Clearances of car spaces to walls needs to be shown at a minimum of 300mm.
372. These matters can be readily addressed via condition on any permit that issues.
373. Concerns have been raised by Traffix Group, Council's Engineering Services and Strategic Transport Units in relation to the layout and design of the bicycle and vehicle entrance from the private road to the south into the development:
- (a) There is a potential conflict between the bicycle and the vehicle access ramps due to poor sight lines and multiple movements. It is suggested that this could be potentially resolved by relocating the bicycle ramp to the west;
 - (b) Lane markings from the access road into the development have not had regard to through traffic movements accessing the proposed development to the west of the Mews; and
 - (c) Consideration needs to be given to the design of the access road and the access points into the development to ensure sufficient safety for vehicles and bicycles.
374. A Road Safety Audit will be requested via condition of permit with recommendations to address the above concerns and inform any amendments to the plans.
375. Furthermore, the bicycle ramp connecting with the access road has a gradient of 1:8, Council's Strategic Transport Unit request that this be reduced to 1:12 to improve safety and ease of use, consistent with Australian Standard AS2890.3. This will be conditioned on permit accordingly.

Traffic Generation

376. Traffic generation modelling was undertaken in preparing the development plan. The applicant's traffic engineering consultant has undertaken a comparison between the projected traffic generation in the DP versus the projected traffic generation by the current proposal. The traffic generation is expected to be either similar or slightly less than anticipated in the DP. The assumptions were reviewed by Traffix Group who agreed that a similar traffic generation rate was to be expected, however requested that future evidence be provided. That evidence has since been provided and is determined to be accurate.

Community Facilities

377. In the Council Resolution of December 2015, it was resolved that the applicant would provide a community space (not less than 300sqm "fitted out") and a floor area of not less than 1,400sqm "warm shell" in the activity centre with a single roof top, multi-purpose court (netball standard) with associated sports pavilion and store (approx. 300sqm) to the satisfaction of the Responsible Authority. The title of these spaces shall be transferred to Yarra City Council.
378. These facilities are provided within the current application in accordance with the Council resolution. However, given that Council will ultimately be the owner of this land, comments have been sought from Council's Asset Branch. They have requested that the following items be incorporated into the design of these spaces:

- (a) A secondary entrance provided to the 1400sqm area to enable the potential division of the internal space
- (b) Northern wall to the 300sqm community facility to be glazed to enable visibility between the facility and the corridor
- (c) Direct lift access to be provided to the 300sqm community facility or alternatively a door into the community space adjacent to the lift;
- (d) Floor to floor heights increased to 3.9m for the Level 1 community facilities;
- (e) Clarification of the L-shape within the 1400sqm area, with a preference that it be removed;
- (f) Provision of lights to the multi-purpose court;
- (g) Provision of a small canopy extending from the southern side of the sports pavilion over the multi-court;
- (h) Lift access to be provided directly to the court; and
- (i) Separate access to the court independent of the sports pavilion.

379. These matters will be addressed via conditions of permit.

External Consultation

380. None as advised earlier, the application is exempt from the notice and appeal provision of the *Planning and Environment Act 1987*.

381. While this application is not subject to third party notice and review, a submission was received from the City of Darebin. The submission raised the following points, which are addressed in the report:

- (a) Concern with public vehicle access via Heidelberg Road;
- (b) Lower street wall height associated with the school will create a varied street wall;
- (c) Within Precinct 2A, upper level setbacks of 2.2m is not fully provided; and
- (d) Lack of ground floor activation along Heidelberg Road.

Internal Consultation (One Yarra)

382. A number of internal department were referred the application and their comments form part of this report.

Financial Implications

383. None at this stage. However, there is a risk for a challenge of any decision Council makes at the Victorian Civil and Administrative Tribunal.

Economic Implications

384. The proposal will facilitate economic growth through the construction of a new shopping centre and introduce additional residents to the area.

Sustainability Implications

385. Sustainability has been considered as part of the assessment of the application.

Social Implications

386. No particular social implications are known.

Human Rights Implications

387. No Human Rights implications are known.

Communications with CALD Communities Implications

388. No CALD community implications are known.

Council Plan, Strategy and Policy Implications

389. All relevant policies have been referenced within the report.

Legal Implications

390. None.

Conclusion

391. Based on the above report and subject to the conditions discussed throughout, the proposal is considered to substantially comply with the relevant planning policy and specifically the aspirations of the Development Plan for the Village Precinct.

392. The application has been assessed all relevant provisions of the planning scheme and against the Alphington Paper Mill Development Plan December 2016, and subject to conditions, the application shows a high degree of consistency with the DP.

393. The proposal is an acceptable outcome and will introduce the commercial and community aspects to the broader Amcor development site.

394. Subject to the conditions outlined within the recommendation section below, Council should support the application and issue a planning permit for:

'Use and development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), childcare centre, education centre (primary school) and place of assembly and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road generally in accordance with the Development Plan, generally in accordance with the plans and reports noted previously as the "decision plans".'

RECOMMENDATION

That Council:

- (a) note the report of officers assessing the planning permit application; and
 - (b) determine to Issue Planning Permit PLN17/0703 for use and development of the land for a mixed use development containing dwellings, supermarkets, shops, food and drink premises, office (including medical centre), restricted recreation facility (gym), childcare centre, education centre (primary school) and place of assembly and a reduction in the car parking requirements and creating access to a Road Zone Category 1 Road generally in accordance with the Development Plan, generally in accordance with the plans and reports noted previously as the "decision plans" and subject to the following conditions set out below.
1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by DKO dated 28 November 2017 (Received 21 December 2017) but modified to show:

Design

- (a) Levels 4 and 5 of the Urban Anchor to be set back a minimum of 2.2m from western side of the podium;
- (b) Levels 6 and above of the Urban Anchor to project no further west than the podium;
- (c) Full height glazing along the Heidelberg frontage to the supermarket;
- (d) Decorative screens to the western portion of the northern façade associated with the Urban Anchor applied more irregularly and with variation in sizes, including operability to sections;

- (e) Greater detail (design/openings) of the screen facing Heidelberg Road associated with the school;
- (f) The podium carpark be sleeved with apartments for the full length of the Outer Circle Mews, apart from the area accommodating the stairwell;

ESD

- (g) Additional external shading systems applied on all east, west and north facing facades of the Urban Anchor and Living Matrix;
- (h) location and size of the water tank;
- (i) roof plan showing location of all solar panels;
- (j) provision and location of a minimum of 40 electric vehicle charging points;

Materials

- (k) an update schedule of external colours and materials, including samples (where appropriate). The schedule must show:
 - (i) thumb nail sketches of key elements of the façade for all buildings;
 - (ii) coloured elevations of all buildings including coloured perspectives for all key interfaces reflective of the proposed colours and materials;
 - (iii) Replacement of the decorative precast concrete cladding with a higher quality material and finish;
 - (iv) More subdued colour finish applied to the Living Matrix screen, such as copper or bronze;
 - (v) Brick snap cladding (PR-53) to the eastern side of the Urban Anchor be finished in a brown shade similar to shown on the perspective;
 - (vi) Material FM-53 within the western portion of the urban Anchor to be a single cream colour;
 - (vii) Loading bay entrance door to be of an impervious material.

Bike and Car Parking

- (l) A minimum of 20% of spaces within any secure bicycle facility provided as horizontal rails in accordance with AS2890.3;
- (m) Direct access between adjacent bicycle facilities;
- (n) Relocation of bicycle storage facilities (and end of trip facilities) to the east of the car park on the lower ground floor, closer to the entrance to the commercial uses;
- (o) Dimensions of bicycle storage spaces, and relevant access ways to comply with AS2890.3 or be to the satisfaction of the Responsible Authority;
- (p) Bicycle ramp from the access way to have a maximum gradient of 1:12;
- (q) Clearance of bike spaces to walls to be shown at a minimum of 500mm.
- (r) Increase in the number of visitor bike space to a minimum of 190, additional spaces should be located:
 - (i) On the Heidelberg Road footpath, near the pedestrian entrance to the retail and shop uses;
 - (ii) Near the corner of Latrobe Avenue and the access lane; and
 - (iii) Near elevators serving the commercial uses within the lower-ground floor car park;
- (s) Provision for an additional 45 car spaces within the public car parking area;
- (t) Include wheel ramps adjacent stairs from ground to Level 1;

- (u) Bollards to be provided within shared areas associated with accessible parking spaces in accordance with AS/NZS 2890.6:2009;
- (v) Column depths dimensioned on the drawings, consistent with Diagram 1 within Clause 52.06-9 of the Yarra Planning Scheme;
- (w) Clearances of car spaces to walls needs to be shown at a minimum of 300mm;

General

- (x) Roof plans showing location of all plant and equipment;
- (y) Details of outdoor court lights to be shown, with a notation that lighting will be baffled to prevent light spill;
- (z) Floor to floor heights for the community facilities on Level 1 to be increased to a minimum of 3.9m;
- (aa) Notation confirming all habitable rooms are fitted with an operable window;
- (bb) Details of screening devices between abutting balconies to prevent overlooking;
- (cc) Balconies to south-facing apartments within the Urban Anchor to achieve a minimum width of 2m;
- (dd) Balconies to the north-facing apartments within the Urban Anchor to achieve an average width of 2m; without reducing the northern setback;
- (ee) Common corridor widths within the apartment buildings to be increased to a minimum of 1.8m;
- (ff) Fencing to podium level apartments to be 1.7m high and a maximum of 25% transparency;
- (gg) Internal reconfiguration of living areas of Apartment Types E, G, H and J to accurately demonstrate compliance the minimum width and area requirements of Standard D8 of Clause 58 of the Yarra Planning Scheme;
- (hh) Study nooks in Apartment Type H to be deleted with subsequent increase in the living/kitchen/dining area;
- (ii) Clearly demonstrate cross-ventilation opportunities in accordance with Standard D27 of Clause 58 of the Yarra Planning Scheme;
- (jj) Northern wall to the 300sqm community facility to be glazed;
- (kk) Direct lift access to be provided to the 300sqm community facility or alternatively a door into the community space adjacent to the lift;
- (ll) Deletion of the L-shape within the 1400sqm community facility area;
- (mm) Provision of a small canopy extending from the southern side of the sports pavilion over the multi-purpose court;
- (nn) Lift access to be provided directly to the court;
- (oo) Separate access to the court independent of the sports pavilion;
- (pp) A secondary entrance provided to the 1400sqm area to enable the potential division of the internal space;

Reports

- (qq) any amendments as require by the endorsed landscape plan pursuant to condition 15 to be shown on plans;
- (rr) any requirements as a result of the endorsed Sustainable Management Plan report pursuant to condition 9 to be shown on plans;
- (ss) any requirements as a result of the endorsed acoustic report pursuant to condition 11 to be shown on plans;

- (tt) any requirements as a result of the endorsed wind assessment report pursuant to condition 13 to be shown on plans;
- (uu) Any amendments as required by the road safety audit pursuant to Condition 71; and
- (vv) Any requirements as a result of the endorsed Car parking management plan pursuant to condition 64 to be shown on plans.

Ongoing Architect Involvement

2. As part of the ongoing consultant team, NH Architects and Bird de la Coeur or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

General

3. The development and uses as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
4. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
8. Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Sustainable Management Plan

9. Before the development commences, an amended Sustainable Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the Sustainable Management Plan prepared by Norman Disney Young and dated 14 February 2018, but modified to include or show:
 - (a) Bicycle numbers updated to reflect the plans i.e. 484 bicycle spaces;
 - (b) All car parking areas with the potential to be electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed to the each of these areas;
 - (c) Size of the rainwater tank described consistently within the SMP;
 - (d) Evidence to demonstrate that SPEL proprietary products are effective in local Victorian conditions or provide a different approach for managing stormwater;
 - (e) Separate water metering for all major common area uses, tenancies and dwellings;
 - (f) Comprehensive commissioning and tuning of all major appliances and building services;

- (g) Environmental Management Plan Monitor and control activities undertaken during construction;
 - (h) Use of recycled materials e.g. insulation;
 - (i) Recycled content of concrete and steel; and
 - (j) A sample of dwellings demonstrating that NatHERS annual cooling loads do not exceed the 21MJ/M2 threshold (Moorabbin area).
10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

11. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Norman Disney Young Pty Ltd and dated 21 February 2018, but modified to include (or show, or address):
- (a) Apartments in close proximity to the netball court to achieve the following targets:
 - (i) 35dBA Leq and 50dBA Lmax in habitable rooms during the day and evening and
 - (ii) 30dBA Leq and 45 dBA Lmax in bedrooms at night.
 - (b) Noise from ball bouncing within the sport courts and measure to address potential impacts on nearby residential uses and the community space below the court;
 - (c) Consider structure borne sound from the indoor recreational facility on surrounding commercial premises;
 - (d) Lmax targets met for apartments above the loading bay entrances in the event of evening and night time deliveries and/or recommendations for restricted delivery and collection times; and
 - (e) Targets of 40dBA, Leq16h in living rooms and 35dBA Leq8hr in bedrooms met for traffic noise along Heidelberg Road.
12. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Assessment Report

13. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Vipac Engineers and Scientists and dated 23 November 2017, but modified to include (or show):
- (a) Assessment of the amended plans pursuant to Condition 1 of this permit;
 - (b) 'Walking' rather than 'fast walking' used as the minimum acceptable criterion;
 - (c) Existing configuration data to be included;
 - (d) Clarification whether other wind mitigation strategies have been included to achieve the wind conditions at Location 2;
 - (e) Testing of wind conditions to the ends of screens proximate to Locations 5 and 6;
 - (f) Walking comfort achieved for Location 31;
 - (g) Testing undertaken to the southwest and northwest corners of the 14 storey buildings;

and

(h) Minimum acceptable criterion achieved at all locations excluding vegetation.

14. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping

15. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Aspect Studios and dated 20 February 2018, but modified to include (or show):

- (a) Consistency with the architectural drawings pursuant to Condition 1;
- (b) Greater detail of the vertical planting proposed to the Living Edge regarding plant species type, irrigation and maintenance details;
- (c) Greater detail of the steel inserts, including cross sections, demonstrating that they will not be a tripping or slipping hazard, or alternatively removal of this feature.
- (d) To Heidelberg Road:
 - (i) Minimum footpath width of 3m;
 - (ii) Remove continuous landscape strip;
 - (iii) Introduce bicycle hoops and seating between street trees;
 - (iv) Retaining wall relocated at the kerb side edge;
 - (v) Remove brick paving extending from the Outer Circle Mews;
 - (vi) Tree species to consider impact from future location of power lines and infrastructure;
 - (vii) Ensure/demonstrate the tree within the splitter island adjacent to the vehicle entrance does not impact on sight lines.
- (e) To the Outer Circle Mews:
 - (i) The cluster of four trees at each end of the Mews replaced with a single tree;
 - (ii) Avoid small 'left over' spaces between street furniture and garden beds;
 - (iii) Small garden beds or vertical garden planting along the eastern edge;
 - (iv) Greater detail of the windscreens e.g. materials, porosity;
 - (v) Provision of BMX coping/deterrents to street furniture;
 - (vi) Colour variation applied to the brick plinths and pavements;
- (f) To the southern access lane:
 - (i) Further tree planting at the north/east edge (triangular space);
 - (ii) Minimum 1.5m planting width for street trees;
 - (iii) Doors to the Back of House storage area to not open outward onto the footpath;
- (g) To the Level 1 terrace:
 - (i) Provision for medium sized trees in larger planter boxes;
 - (ii) Inclusion of softer materials e.g. timber;
 - (iii) Seating to be provided in clusters;

- (h) To the Residential Gardens/Paper Trail:
 - (i) Further tree planting along the southern and eastern edge of the residential gardens;
- (i) To the Village Square:
 - (i) Redesign to avoid significant change in level between the square and Latrobe Avenue;
 - (ii) Provision of large trees along the western side that will allow light to penetrate at ground level;
 - (iii) Incorporate landscaping on the eastern edge of the square that will supplement the Main Street tree planting;
 - (iv) Replace corten steel with an alternative graffiti resistant material to the satisfaction of the Responsible Authority;
 - (v) Additional entrance that aligns with the Latrobe Avenue crossing;
 - (vi) Deletion of ground water jets;
 - (vii) Consider custom seating that allows for groups to gather and interact;
 - (viii) Lawn area to be raised to two sides to deter cross traffic movements;
 - (ix) Bicycle hoops, drinking fountains and bins to Council's Standards or otherwise to the satisfaction of the Responsible Authority;
 - (x) Provision of clear wayfinding signage for access to Level 1;
 - (xi) Double sided timber benches to include backs and armrests; and
 - (xii) Clear demarcation between public and private areas, including the location of assets.
- 16. Before the plans are endorsed, an Irrigation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Irrigation Management Plan will be endorsed and will form part of this permit. The Irrigation Management Plan must make recommendations for:
 - (a) differential demands of the vegetation within the site complying with the provisions, recommendations and requirements of the endorsed Landscape Plan; and
 - (b) programmed maintenance for the irrigation system including flushing, checking systems integrity, monitoring sensors and calibration settings.
- 17. Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 18. The landscaping shown on the endorsed plans must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,all to the satisfaction of the Responsible Authority.

Wayfinding and Interpretation Strategy

- 19. Before the use commences, an amended Wayfinding and Interpretation Strategy to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wayfinding and Interpretation Strategy will be endorsed and will form part of this permit. The amended Wayfinding and Interpretation Strategy must be generally in accordance with the Wayfinding and

Interpretation Strategy prepared by Urban & Public and Aspect Studios and dated August 2017, but modified to include or show:

- (a) Heritage interpretation signage within the Paper Trail for the metal inlay; and
- (b) Provision of further details regarding the heritage interpretation/wayfinding elements e.g. steel paving inlay to vertical element transition.

Public Art Management Plan

20. Within 6 months of commencement of the development, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
- (a) Details of the commissioned artist(s);
 - (b) Description of art work, including:
 - (i) materials;
 - (ii) colours;
 - (iii) dimensions;
 - (iv) content;
 - (v) special features (e.g. lighting);
 - (vi) details of the installation process; and
 - (vii) details of art work maintenance schedule.
21. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

Lighting Plan Design

22. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian walkways and dwelling entrances must be provided. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
23. Before the development commences, a Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Lighting Plan must address lighting within the internal streets and other publicly accessible areas and the entrances to the approved dwellings. When approved, the Lighting Plan will be endorsed and will form part of this permit. The Lighting Plan must provide for:
- (a) A lighting scheme designed for new open roads within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1;
 - (b) The control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997, "Control of the obtrusive effects of outdoor lighting";

- (c) The locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
 - (d) Lighting to all primary pedestrian access points to a residential property to satisfy at least level P4 as per AS 1158.3.1;
 - (e) A maintenance regime for the lighting scheme within the curtilage of the property; and
 - (f) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.
24. The provisions, recommendations and requirements of the endorsed Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.

Sports Court Lights

25. Before the development commences, or by such a later date as approved by the Responsible Authority details of the sports court lights including:
- (a) Lux Levels; and
 - (b) Baffling details.

Waste Management Plan

26. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority generally in accordance with the Waste Management Plan prepared by SALT dated 11 April 2018. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
27. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Community Facilities – Section 173 Agreement

28. Before the development starts, the owner (or other 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 (Act). The agreement must provide the following:
- (a) the minimum:
 - (i) 300sqm community space located at level 1;
 - (ii) 1400sqm community centre Activity space including terrace area located at level 1;
 - (iii) 300sqm sports pavilion located at Level 2; and
 - (iv) Roof top outdoor sports court located at Level 2,All shown on the endorsed plans must be subdivided and gifted to the Responsible Authority at no cost to the Responsible Authority before the development authorised by this permit is occupied;
 - (b) the owner will undertake the:
 - (i) fit out of the internal 300sqm community space (to include floor covering, ceiling, lighting and air conditioning);
 - (ii) Delivery of a “warm shell” of the 1,400sqm area; and
 - (iii) Delivery of the roof-top multi-purpose court to netball standard, including lighting with associated 300sqm sports pavilion and store,

before they are gifted to the Responsible Authority. All fit outs must be in a manner to be agreed by the owner and the Responsible Authority before the internal and where relevant external works commence for all fit outs, all at no cost to the Responsible Authority; and

- (c) the owner (or other person in anticipation of becoming the owner) must meet all of the expenses of preparing, reviewing, executing and registering the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to preparing, reviewing, executing, registering and enforcing the agreement.

Use Conditions

Primary School

- 29. Except with the prior written consent of the Responsible Authority, no more than 300 children are permitted on the land at any one time.
- 30. Except with the prior written consent of the Responsible Authority, no more than 12 staff are permitted on the land at any one time.
- 31. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday 6.00am to 7.00pm.

Sports Court / Pavilion

- 32. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday 7.00am to 10.00pm.
- 33. All outdoor court lighting to be baffled to prevent light spill to the apartments to the west.

Childcare

- 34. Except with the prior written consent of the Responsible Authority, no more than 120 children are permitted on the land at any one time.
- 35. Except with the prior written consent of the Responsible Authority, no more than 10 staff are permitted on the land at any one time.
- 36. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday 6.00am to 7.00pm.

Office

- 37. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Sunday 6.00am to 10.00pm.

Medical Centre

- 38. No more than fifteen (15) practitioners are permitted to operate from the land at any one time.

39. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
- (a) Monday to Friday 6.00am to 8.00pm; and
 - (b) Saturday and Sunday 8:00am to 5:00pm.
40. All infectious waste must be removed by a commercial waste contractor which holds an appropriate commercial waste licence to the satisfaction of the Responsible Authority.

Retail/Shop

41. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
- (a) Monday to Sunday 6.00am to 10.00pm.

Food and Drink Premises

42. Except with the prior written consent of the Responsible Authority, no more than 1,143 patrons (distributed across all food and drink premises) are permitted on the land at any one time.
43. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
- (a) Monday to Sunday 6.00am to 11.00pm.

Community Space - Place of Assembly

44. Except with the prior written consent of the Responsible Authority, no more than 300 patrons are permitted on the land at any one time.
45. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
- (a) Monday to Sunday 6.00am to 10.00pm.

Gym

46. Except with the prior written consent of the Responsible Authority, no more than 386 patrons are permitted on the land at any one time.
47. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
- (a) 24 hrs per day.
48. Before the restricted recreation facility (gym) use commences, an operation management plan must be submitted and approved by the Responsible Authority. When approved, the operation management plan will be endorsed and will form part of this permit. The operation management plan must include:
- (a) Hours that staff will be present on site;
 - (b) Details of after-hours access by members; and
 - (c) Details of security/safety measures/emergency contact when facility is unstaffed.
49. The provisions, recommendations and requirements of the endorsed Operation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

General Use Conditions

50. The provision of music and entertainment on the land must be at a background noise level unless with the prior written consent of the Responsible Authority.
51. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
52. The use and development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
53. The amenity of the area must not be detrimentally affected by the development and uses including through:
 - (a) The transport of materials, goods or commodities to or from the land;
 - (b) The appearance of any buildings, works or materials;
 - (c) The emission of noise, artificial light, vibration, smell fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or
 - (d) The presence of vermin,to the satisfaction of the Responsible Authority.

Road works – Section 173 Agreement

54. Unless otherwise agreed by the Responsible Authority, prior commencement of the development authorised by this permit, 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*, which provides for the following:
 - (a) Before the occupation of the development approved by this permit, Heidelberg Road along the site frontage must be substantially completed to the satisfaction of the Responsible Authority, including appropriate connections to the adjoining sections of Heidelberg Road;
 - (b) Sections of the Heidelberg Road and Latrobe Avenue footpath that lie outside the building envelope but within the title boundaries to be vested with Council;
 - (c) Before occupation of the development approved by this permit, the sections of Heidelberg Road and Latrobe Avenue adjacent to the title boundaries must be substantially completed to the satisfaction of the Responsibility;
 - (d) The cost of the design and carrying out these works to be borne by the owner of the land;
 - (e) Publicly accessible pedestrian links (Paper Trail, Outer Circle Mews and southern access road) to remain unobstructed and maintained in good order to the satisfaction of the Responsible Authority’;
 - (f) Paper Trail access (connecting the Village Square to the Outer Circle Mews) to be publicly accessible between 6am and 12midnight; and
 - (g) 24-hour public access provided to the Outer Circle Mews and the access road to the south.

The owner, or other person in anticipation of becoming the owner, must meet all the expenses of the preparation and registration of the agreement, including the Responsible Authority’s costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

Road Infrastructure

55. Before the development commences, or by such later date as approved in writing by the Responsible Authority, the applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels to three decimal places (not interpolated levels from the application drawings). The required levels include the building line level, top of kerb level, invert level, lip level and road pavement levels. The applicant must demonstrate by way of a ground clearance check using the B99 design vehicle that cars can traverse the new vehicle crossing without scraping or bottoming out. The 1 in 20 scale cross sectional drawing must be submitted to Council's Construction Management branch for assessment and approval.
56. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
57. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
58. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
59. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
60. Prior to the commencement of works, specifications for the proposed surface materials to be used for Council's assets are to be submitted to Council's Civil Engineering Unit for assessment and approval.
61. Before the buildings are occupied, the footpaths, kerbs, channels and roadways adjacent to the site are to be constructed to the satisfaction of the Responsible Authority.
62. Before the buildings are occupied, redundant pits/services are to be removed and Council assets reinstated.
63. Prior to the commencement of works, existing Council stormwater drainage and sewerage infrastructure within the site to be relocated to the satisfaction of the Responsible Authority.

Car parking

64. Before the buildings are occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

- (a) the number and location of car parking spaces allocated to each use including:
 - (i) no car spaces allocated to the affordable housing component;
 - (ii) Residential spaces provided at a minimum rate of 0.93 spaces per dwelling (excluding affordable housing component);
 - (iii) Office employee car parking provided at a rate of 2.5 spaces per 100sqm of office space;
 - (iv) 10 staff car spaces for the childcare;
 - (v) 15 staff car spaces for the school; and
 - (vi) Minimum 497 car spaces for visitors;
 - (b) Location of a minimum of 14 disabled car spaces;
 - (c) any tandem parking spaces allocated to a single tenancy;
 - (d) Location of a minimum of two car share spaces, including time of shared use;
 - (e) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
 - (f) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (g) the number and allocation of storage spaces;
 - (h) policing arrangements and formal agreements;
 - (i) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.; and
 - (j) management of drop off and pick up for the school and childcare centre.
65. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
66. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
67. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Loading Bay Management Plan

68. Before the buildings are occupied, a Loading Bay Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Loading Bay Management Plan will be endorsed and will form part of this permit. The Loading Bay Management Plan must address, but not be limited to, the following:
- (a) Details of the frequency, hours and type of deliveries to occur;

- (b) Access management into the loading bay e.g. manual/swipe/pin code;
 - (c) Collection of waste and garbage including the separate collection of organic waste and recyclables and medical waste which must be in accordance with the Waste Management Plan required by Condition 26; and
 - (d) Loading hours and operations to be consistent with recommendations in the acoustic report pursuant to Condition 11, including that doors are to remain shut while loading and unloading.
69. The provisions, recommendations and requirements of the endorsed Loading Bay Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
70. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

Road Safety Audit

71. Prior to the endorsement of plans, a road safety audit is to be undertaken to assess the layout, design and line markings of the private road to the south having regard to bicycle/vehicle conflicts and through-traffic to the west.

Green Travel Plan

72. Before the use commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by GTA Consultants and dated 25 September 2017, but modified to include or show:
- (a) employee and resident welcome packs (e.g. provision of Myki/transport ticketing);
 - (b) the provision of real time passenger information displays for nearby stops within each main lobby;
 - (c) security arrangements to access the resident and employee bicycle storage spaces;
 - (d) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (e) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness';
 - (f) Support for carpooling;
 - (g) Support for the car share vehicles proposed;
 - (h) Clarification on references to employee permit parking; and
 - (i) Confirmation who will be the Green Travel Plan Coordinator.
73. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Transport Victoria

74. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Heidelberg Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations during construction and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

VicRoads Conditions (75 to 78)

75. Before the development starts functional layout plans for the intersection of Heidelberg Road and the accessway to the Village (at the north west) and the intersection of Heidelberg Road and Latrobe Avenue, must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies submitted with the application (by GTA consulting, Heidelberg Road Frontage Alphington, SIGHT TRIANGLES, reference: 16M192300-SK05 & swept Path Assessment 1-2 and 12. The Functional Layout Plans must also incorporate the recommendations of the Road Safety Audit, Reference RSA – 05937 submitted with the application.
76. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access lanes, driveway, crossovers and associated works must be provided and available for use and be:
- (a) Formed to such levels and drained so that they can be used in accordance with the plan; and
 - (b) Treated with an all-weather seal or some other durable surface.
77. e crossover and driveway must be constructed to the satisfaction of the Roads Corporation and the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the works hereby approved
78. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operation efficiency of the road or public safety.

Construction Management

79. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;

- (vi) washing of concrete trucks and other vehicles and machinery; and
- (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (q) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (t) vehicle borne material must not accumulate on the roads abutting the land;
 - (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
80. If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.
81. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

82. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time Expiry

83. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the uses have not commenced within five years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

All future property owners and residents, within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

All future property owners and residents, within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

Separate approval under the Road Management Act may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

VicRoads Notes:

Separate approval under the Road Management Act may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

CONTACT OFFICER: Amy Hodgen
TITLE: Coordinator Statutory Planning
TEL: 9205 5330

Attachments

- 1 Architectural Plans - Part 1
- 2 Architectural Plans - Part 2
- 3 Architectural Plans - Part 3
- 4 Landscape Plans
- 5 Urban Context Report - Part 1
- 6 Urban Context Report - Part 2
- 7 Urban Context Report - Part 3
- 8 Urban Context Report - Part 4
- 9 VicRoads Referral Comments
- 10 Transport for Victoria Referral Comments
- 11 Urban Design Unit (Public Realm/streetscapes)
- 12 External Urban Design Review (DLA)
- 13 Open Space Unit Referral Comments
- 14 Environmental Sustainable Development Referral Comments
- 15 Traffic Engineering Referral Comments (Traffix Group)
- 16 Engineering Services Unit Referral Comments
- 17 Strategic Transport Referral Comments
- 18 City Works (Waste Services) Referral Comments
- 19 Acoustic Referral Comments (SLR Consulting)
- 20 Wind Impact Referral Comments (MEL Consultants)
- 21 Community Facilities Referral Comments

4.3 171 Stawell Street and 7-9 Kennedy Avenue, Richmond (Formerly 26-50 Bendigo Street, Richmond - Channel 9 GTV site) - Planning Application No. PLN17/0920 - Amendment to the 22 Bendigo Street, Richmond Development Plan pursuant to Clause 43.04-3 of the Yarra Planning Scheme.

Executive Summary

Purpose

1. This report provides Council with an assessment of a request to amend the 22 Bendigo Street Development Plan (associated with the former Channel 9 GTV site) pursuant to Clause 43.04-3 (Schedule 5) of the Yarra Planning Scheme (the Scheme). The amendment seeks to:
 - (a) Increase the height of built form from six to nine storeys in the Central Precinct (north of Khartoum Street) and use the building as a retirement village;
 - (b) Provide retirement living accommodation of up to four-storeys at the north-west of Bendigo and Khartoum Streets (Central Precinct);
 - (c) Provide an aged care facility of up to six storeys in the South Precinct (south of Khartoum Street);
 - (d) Provide affordable housing of up to three-storeys in the South Precinct to Stawell St; and
 - (e) Increase the height of townhouses to three storeys across Stawell Street, the extended Kennedy Avenue and at the south-east corner of Khartoum Street.
2. The report recommends approval subject to modifications.

Key Planning Considerations

3. Key planning considerations relate to the Development Plan Overlay - Schedule 5, with particular regard to built form, land use, heritage, traffic and access, affordable housing and public submissions.

Submitter Concerns

4. Fifty-three (53) submissions were received to the application. Issues of concern raised can be summarised as:
 - (a) The amendments to the development plan are not in keeping with neighbourhood character and heritage;
 - (b) The building height of nine-storeys is excessive;
 - (c) Impacts on car parking in the area;
 - (d) The development will result in overshadowing and impact the level of daylight into surrounding properties;
 - (e) The development would provide overlooking opportunities;
 - (f) The development plan does not include enough landscaping;
 - (g) The development would result in wind impacts / tunnelling effects; and
 - (h) Other impacts, including issues during the construction phase such as the carrying out of works outside the permitted construction hours and devaluation of other properties.

Conclusion

5. Based on the following report, the proposal to amend the Development Plan is considered to comply with the relevant planning policy and should therefore be supported subject to the changes outlined within the “Recommendation” section of this report.

CONTACT OFFICER: John Theodosakis
TITLE: Senior Statutory Planner
TEL: 9205 5307

4.3 171 Stawell Street and 7-9 Kennedy Avenue, Richmond (Formerly 26-50 Bendigo Street, Richmond - Channel 9 GTV site) - Planning Application No. PLN17/0920 - Amendment to the 22 Bendigo Street, Richmond Development Plan pursuant to Clause 43.04-3 of the Yarra Planning Scheme.

Trim Record Number: D18/78451

Responsible Officer: Manager Statutory Planning

- Proposal:** Amendment to the approved 22 Bendigo Street, Richmond Development Plan (Former GTV9 Site) pursuant to Clause 43.04-3 of the Yarra Planning Scheme to include the following key changes:
- (a) Increase in height of built form from six to nine storeys in the Central Precinct (north of Khartoum St) and use of the building as a retirement village;
 - (b) A building for retirement living accommodation of up to four-storeys at the north-west of Bendigo and Khartoum Streets (Central Precinct);
 - (c) An aged care facility of up to six storeys in the South Precinct (south of Khartoum St);
 - (d) A building for affordable housing of up to three-storeys in the South Precinct to Stawell St; and
 - (e) An increase in height of townhouses across Stawell St, the extended Kennedy Ave. and at the south-east corner of Khartoum St. from two and three storeys to three storeys.
- Existing use:** Partially developed with dwellings / apartment building, restaurant, food and drinks premises and community facility and partially vacant.
- Applicant:** Contour Town Planner on behalf of Lend Lease Apartments Pty Ltd
- Zoning / Overlays:** Mixed Use Zone
Heritage Overlay – Schedule 224
Design and Development Overlay – Schedule 5
Development Plan Overlay – Schedule 5
Environmental Audit Overlay
- Date of Application:** 27 October 2017
- Application Number:** PLN17/0920

Purpose

1. This report provides Council with an assessment of a request to amend the 22 Bendigo Street Development Plan (associated with the former Channel 9 GTV site) pursuant to Clause 43.04-3 (Schedule 5) of the Yarra Planning Scheme (the Scheme).

Planning History

2. The subject site is covered by Development Plan Overlay (Schedule 5 - DPO5). The Development Plan (DP) was endorsed by Council on 11 May 2012. The DP forms the basis for the consideration of any planning permit application on the subject site.
3. The DP provides a concept plan and a framework for land use and development on the larger Channel 9 site and divides the site into four (4) development 'precincts', which are:
 - (a) Heritage Precinct;

- (b) Northern Precinct;
 - (c) Central Precinct; and
 - (d) Southern Precinct.
4. For the Heritage Precinct, planning permit PLN12/0407 was issued on 31 August 2012 for *the development of land for use and construction of dwellings, a shop, food and drink premises (café) and a community facility and a waiver of the associated loading and unloading bay requirements generally in accordance with the Development Plan approved by Council on 11 May 2012.*
 5. An amended planning permit for PLN12/0407 was issued on 2 October 2013 to change the use of the approved shop premises to a 129 patron restaurant operating 6am to 11pm, seven days a week with an on-premises liquor licence between 9am and 11pm seven days a week. There was a planning permit amendment to construct a flue, however this application lapsed on 9 January 2015 due to lack of information.
 6. For the Northern Precinct planning permit PLN12/0405 was issued on 19 November 2012 for *the construction of five residential buildings providing 142 dwellings including the construction of basement car parking associated with the North, Central and Heritage Precincts, generally in accordance with the Development Plan approved by Council on 11 May 2012.* This permit was amended via secondary consent to show changes to the roadwork layout (the provision of a pitcher kerb and 2 pitcher channels in lieu of the nominated kerb with double pitcher), and inclusion of sawn bluestone edging.
 7. A Section 72 Amendment for planning permit PLN12/0405 was issued on 22 November 2013 for the re-wording of condition 29 (car share requirement). A Section 72 Amendment to amalgamate two ground floor apartments (A6-001/002) and amend the permit preamble from '142 dwellings' to '141 dwellings' was approved on 2 May 2014.
 8. For the Northern and Central Precinct, planning permit PLN12/0406 was issued on 17 October 2012 for *the development of the land for dwellings (town houses and apartment buildings) generally in accordance with the Development Plan approved by Council on 11 May 2012.*
 9. Planning permit PLN12/0406 was amended on 21 March 2013 to include a new condition 3 (c) on the permit that required *a minimum 5-Star Green Star rating must be achieved unless otherwise agreed by the Responsible Authority.*
 10. Planning permit PLN14/0671 was issued on 23 September 2014 for excavation works (in associated with the construction of the second level of the previously approved basement to the development within the Central Precinct).
 11. For the Central Precinct, planning permit PLN14/0829 was issued on 05 August 2015 to construct *four, six storey (plus basement) buildings with 203 dwellings, generally in accordance with the Development Plan approved by Council on 11 May 2012.*
 12. Other planning permits which have been approved within the overall development site are as follows:
 - (a) Planning Permit PLN12/0098 was issued on 18 April 2012 for the temporary use of the building (Wertheim Piano Factory) as an art gallery, cinema and café;
 - (b) Planning Permit PLN11/1102 was issued on 30 January 2012 for the construction and display of advertising signage (major promotion signage) to Jago Street, Bendigo Street and 25m of Khartoum Street;
 - (c) Planning Permit PLN11/0609 was issued on 3 October 2011 for excavation works in association with the remediation of the site; and
 - (d) Planning permit PLN14/0601 was issued on 23 October 2014 for temporary sale signage.

Background

13. The request was made on the 27 October 2017 to amend the 22 Bendigo Street Development Plan. Accordingly, a planning permit (considered separately from this amendment) must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority and the permit granted must be generally in accordance with the development plan.
14. An amendment to a DP is exempt from third party notice and review (appeal) rights. For the purposes of exhibiting the application, 809 letters were sent to surrounding owners and occupiers and three signs were displayed on the site advising of the amendment and where it could be inspected. An information session was held on 15 February 2018. At the time of writing this report, fifty-three submissions were received.
15. A consultation meeting was held on 1 May 2018 and was attended by the permit applicant and members of their project team (including town planner), eight objectors and Council officers.
16. This report is based on the publically exhibited amended development plan.
17. It is highlighted that should the current amendment to the DP be approved, this will sit as an addendum to the current endorsed DP superseding only the sections relating to the Central and Southern Precincts of the former channel 9 GTV site. The endorsed DP will continue to be relevant to the Northern and Heritage Precincts as currently developed.

Existing Conditions

Subject Site

18. The former Channel 9 Studio site comprises two parcels of irregularly shaped land separated by Khartoum Street, and in general terms it is located south of Wertheim Street, west of Bendigo Street, north of Moore Street and east of Stawell Street in Richmond.
19. This application relates to the area of land known as 'Central Precinct' which is bounded by Khartoum Street to the south, Stawell Street to the west, Barnet Way and Bendigo Street to the east and Studio Walk to the north to the north. The 'Southern Precinct' is to the south of Khartoum Street and is bounded by Stawell Street to the west.
20. The Northern and Heritage Precincts to the north and east (outlined in black and white, respectively in the aerial below) have been completed. The developed conditions provide a total of 202 dwellings, a 400sq.m. community facility and café tenancy.



Aerial identifying the Northern, Central, Southern and Heritage Precincts

Restrictive Covenants

21. A Section 173 Agreement (AK307666Y 24/04/2013) exists on the copy of title provided. This agreement provides for the transfer and use of land associated with a community centre, an obligation that has been fulfilled.

Surrounding Land

22. The former Channel 9 site sits within a largely residential context. The immediate residential interfaces with the subject site are mostly single and double storey terrace houses. Stawell Street is located opposite the western boundary, and is a narrow street connecting Swan Street to Bridge Road. It displays a consistent streetscape of single-storey terraces with the occasional double-storey house with evident additions.



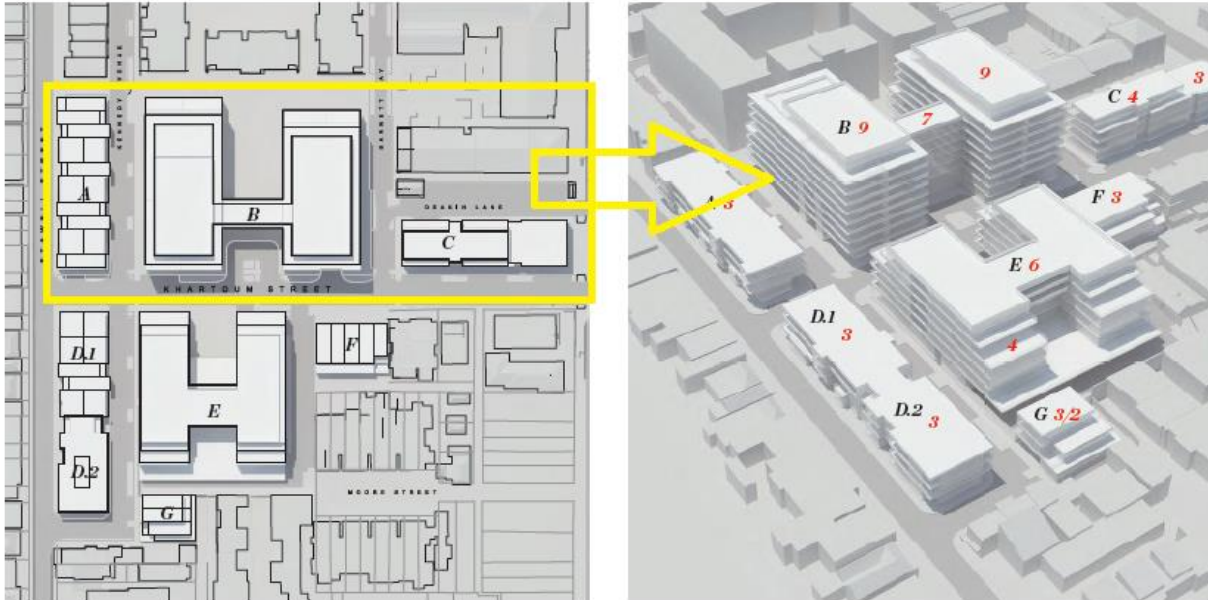
Aerial identifying locations of streets and relevant precincts within the former Channel 9 GTV site

23. Wertheim Street and Jago Street are located to the north of the subject site. Both are narrow residential streets with a mix of terrace and free-standing dwellings and townhouses fronting their respective streets.
24. Bendigo Street to the east of the subject site contains single, double and three-storey dwellings (a mix of heritage-era buildings, modern town houses and multi-unit developments).
25. Khartoum Street is located between the Central and Southern Precincts.
26. The broader context includes 1940s public housing to the north and pockets of industrial building stock. There are unit developments located along Stawell Street (north of the subject site) and Westbank Terrace (to the north-east of the subject site). The west side Stawell Street contains primarily single-storey Victorian terraces, some of which have been developed with double-storey additions.
27. The Bridge Road and Swan Street Major Activity Centres are located approximately 420m and 117m to the north and south of the site, respectively.

The Proposal

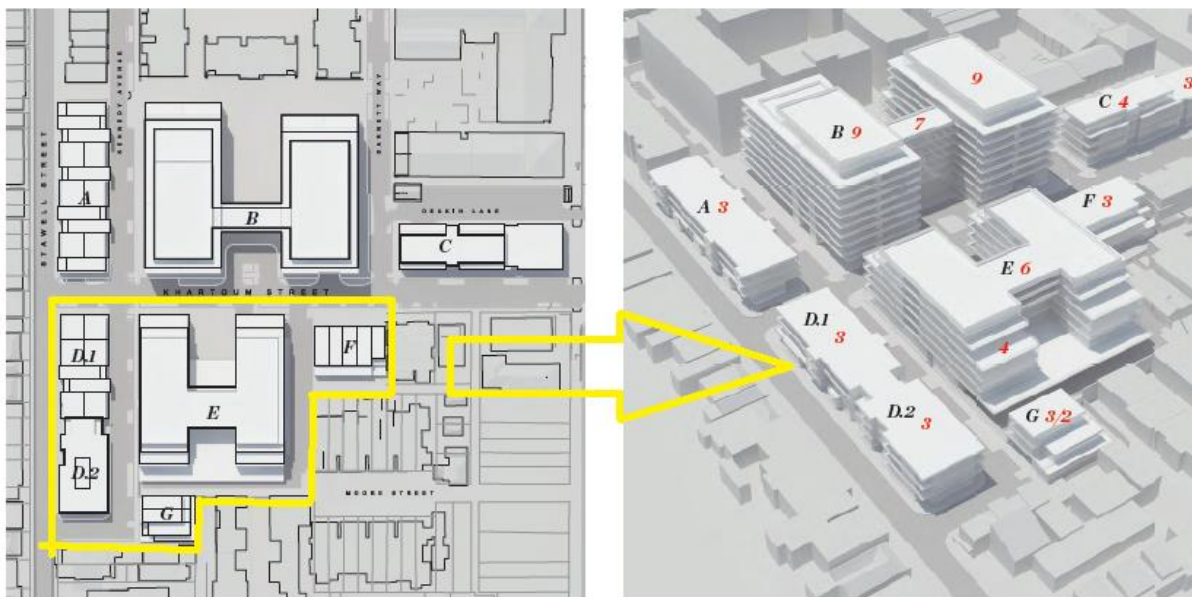
28. The proposed amendment is to the Central and Southern Precincts only of the approved 22 Bendigo Street, Richmond Development Plan (Former GTV9 Site).
29. The amendments to the Development Plan proposed in the request are summarised as follows:

Central Precinct



- (a) The extension and continuation of the townhouses along Stawell Street (labelled “A” in the above diagram) at a consistent building height of three storeys (height of 10.9m above the natural ground level), with some orientated to Kennedy Avenue (in lieu of a combination of two and three-storey townhouses only facing Stawell Street) that combined with the number of townhouses provided in the Southern Precinct, would total to an indicative thirty townhouses, each with a single car garage;
- (b) A part seven and part nine-storey building with a building height of approximately 30m above the natural ground level (labelled “B” in the above diagram) in lieu of a six-storey apartment building and use as Independent Retirement Living Apartments (with further services including a café and wellness centre, including a pool, gym, a multi-purpose room and other rooms suitable for the delivery of allied health services) with an indicative 138 apartments;
- (c) A separate detached building of between three and four-storeys at the north-west corner of Bendigo and Khartoum Streets with a building height of approximately 14.8m above the natural ground level (labelled “C” in the above diagram) and use as Independent Retirement Living Apartments with an indicative 18 apartments in lieu of a combination of three-storey townhouses;
- (d) A total of 192 cars associated with the Independent Retirement Living Apartments spread across the basements of each respective building;

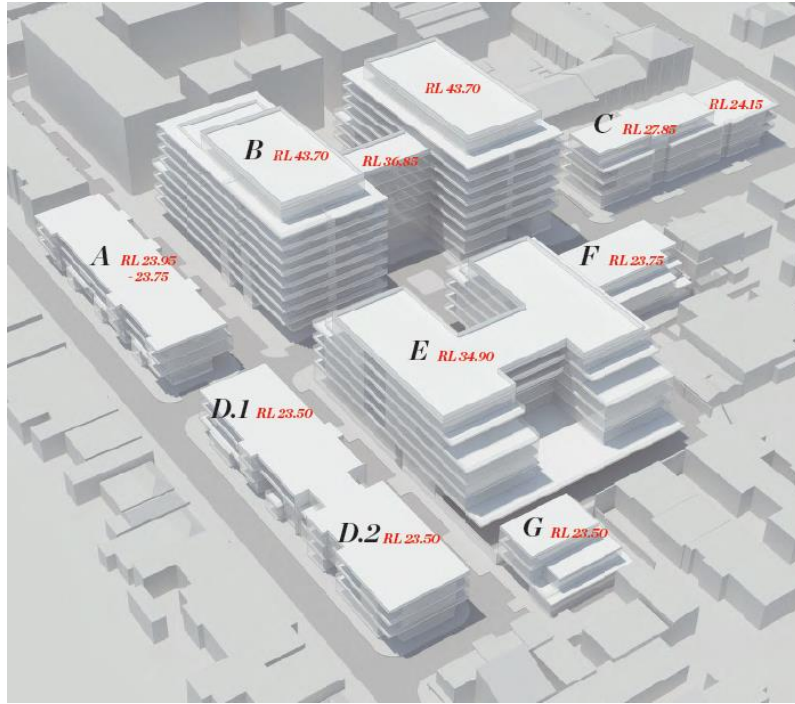
Southern Precinct



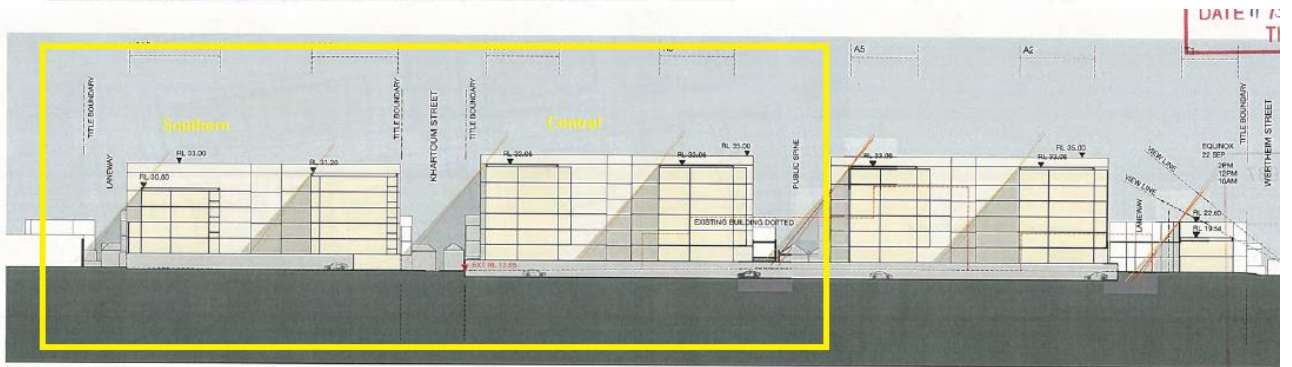
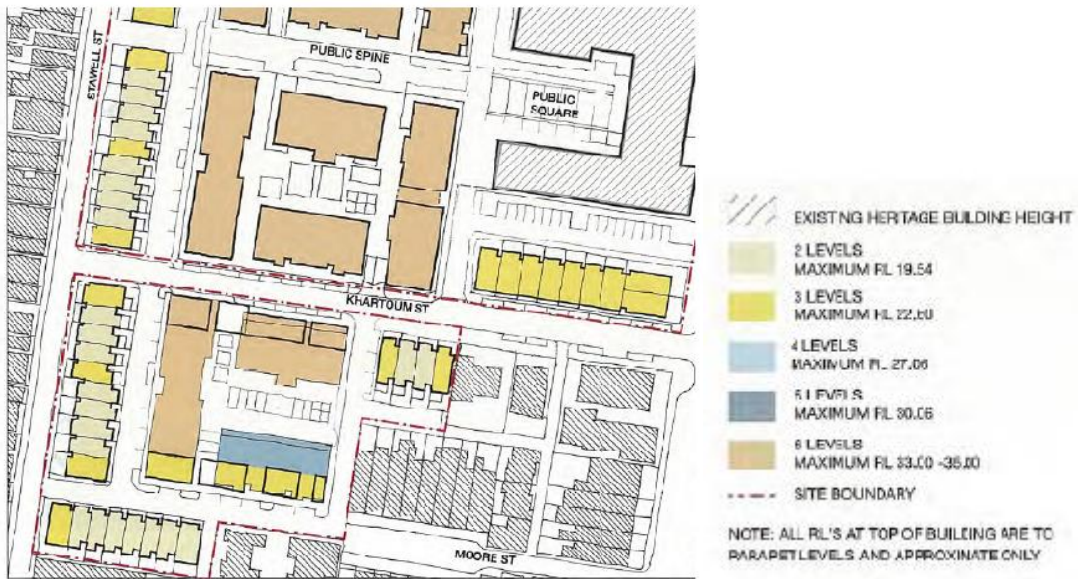
- (e) The continuation of the townhouses along Stawell Street (labelled “D1” in the above diagram) at a consistent building height of three storeys (with a height of approximately 10.8m above the natural ground level), with some orientated to Kennedy Avenue (in lieu of a combination of two and three-storey townhouses at a maximum height of 10m above the natural ground level);
- (f) A building of up to three-storeys to Stawell Street (labelled “D2” in the above diagram) for affordable housing with an indicative 16 apartments, a building height of 10.8m above the natural ground level and 8 on-site car spaces (in lieu of two and three-storey townhouses);
- (g) A six-storey building with a building height of 21.7m above the natural ground level (labelled “E” in the above diagram) used as an aged care facility with an indicative 144 beds including 470sq.m. of retail space and 48 onsite car spaces at ground level (in lieu of a six storey apartment development with a height of up to 20.3m above the natural ground level); and
- (h) Further townhouses of up to three-storeys (labelled “F” and “G” in the above diagram) in lieu of a combination of two and three-storey townhouses with similar heights to those indicated earlier.

Building heights

- 30. The diagrams below include the varying Relative Levels proposed for the Central and Southern Precincts as compared to that currently endorsed:



Proposed



Endorsed (extracted from pages 54 and 55 of the endorsed DP)

Landscaping

- 31. The diagram below shows the locations of vegetation / landscaping intended to be provided throughout the Central and Southern Precincts. Most landscaping is provided within the streetscapes of Khartoum Street and Kennedy Avenue and within the central courtyard (part of which will be accessible to the public) of the nine-storey building and within the central courtyard of the six-storey building.

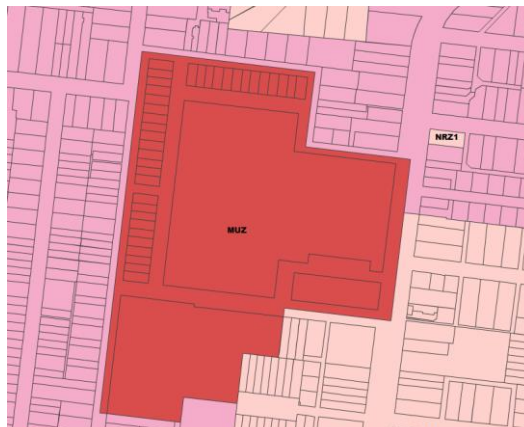


Planning Scheme Provisions

Zoning

Mixed Use Zone

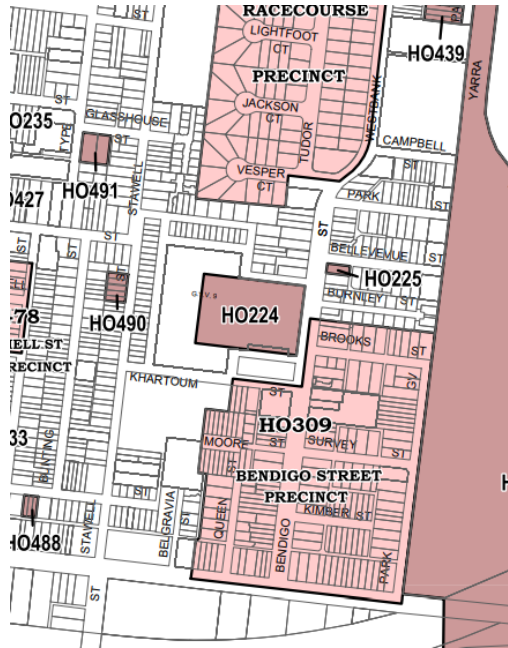
- 32. The site is zoned Mixed Use (shown in red in the diagram below).
- 33. As per clause 32.04-1 of the Scheme, a planning permit is not required for a residential aged care facility or for dwellings (i.e. the townhouses and affordable housing component) but a planning permit is required to use the site for the purpose of a 'Retirement Village' (i.e. the Independent Retirement Living Apartments). This is because a retirement village is nested under 'Accommodation' which is a Section 2 – Permit required use at the table of uses under clause 32.09-1 of the Scheme. Retail is also a Section 2- Permit required use.



Overlays

Heritage Overlay

- 34. Heritage Overlay Schedule 224 (identified as HO224 in the map below) covers part of the eastern portions of the Northern and Central Precincts and the Heritage Precinct (i.e. that contains the Former Wertheim Piano Factory building facing onto Bendigo Street).



- 35. Pursuant to clause 43.01-2 of the Scheme, no planning permit is required under the heritage overlay to develop a heritage place that is included on the Victorian Heritage Register (Reference no. VHR H2165).
- 36. Whilst there is no trigger for a planning permit (with this request being an amendment to the DP and pre-cursor to obtaining planning permits), the amendment request was referred to Council’s Heritage Advisor for comment. This report considers those comments. It is also highlighted that a note on any future planning permit relating to the nine-storey building will include a note advising that further permission will be required to be obtained from Heritage Victoria.

Design and Development Plan Overlay – Schedule 5 (DDO5)

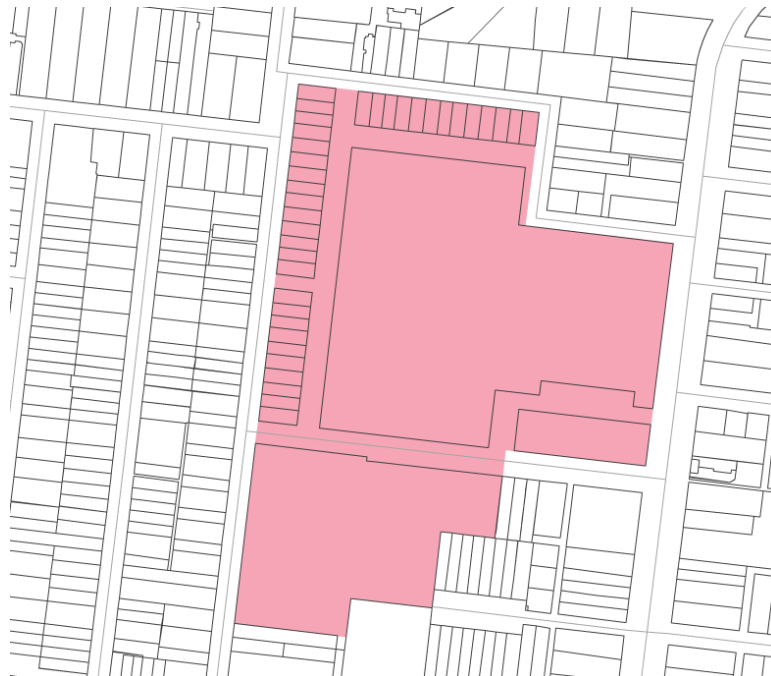
- 37. The south-west corner (as shown below in pink) of the Southern Precinct is affected by the Design and Development Overlay (Schedule 5).



38. There are no permit triggers under the DDO5, and whilst there are notice requirements, these do not apply in this instance given that this request relates to an amendment to a Development Plan.

Development Plan Overlay (DPO)

39. The subject site is located in a Development Plan Overlay shown in pink below.



40. The purpose of the DPO is:
- (a) *to implement the SPPF and the LPPF, including the MSS and local planning policies;*
 - (b) *to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land; and*
 - (c) *to exempt an application for a planning permit from notice and review if it is generally in accordance with a development plan.*
41. Clause 43.04-1 of the Scheme states that a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
42. Pursuant to Clause 43.04-3 *the development plan may be amended to the satisfaction of the responsible authority.*
43. Schedule 5 to the Development Plan Overlay (DPO5) relates specifically to the former Channel 9 Site. The DP for the site was approved in May 2012 in accordance with Clause 43.04 of the Scheme and provides a concept development for the site. It is also a precursor to future planning applications for permits. The following indicative layout (outlined in black) for the Central and Southern Precincts (excluding the Northern and Heritage Precincts) has been approved as part of the current DP:

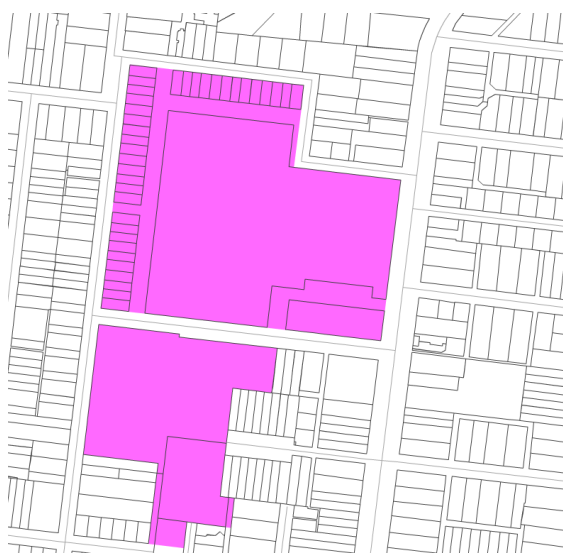
Figure 1 – Indicative site layout



44. Consideration of the proposed amended Development Plan against the relevant Scheme provisions will be provided in the 'Assessment' section of this report. Clause 3 of the DPO outlines what is required to be shown in a development plan which includes requirements relevant to the use of the site, community facilities, urban design, built form, traffic, landscape, accessibility, movement, energy efficiency, and affordable and accessible housing and will form the basis of the assessment of the amended development plan.

Environmental Audit Overlay (EAO)

45. The site is also located within an Environmental Audit Overlay (EAO) pursuant to clause 45.03-1 of the Scheme coloured in purple below.



46. As the Development Plan is a concept plan (not a planning permit application), the provisions of the EAO do not require further consideration.

Particular Provisions

Clause 52.06 Car Parking

47. Clause 52.06-2 requires that before a new use commences, the number of car spaces required under Clause 52.06-5 must be provided. Clause 52.06-3 states that a permit is required to reduce the number of car spaces required under Clause 52.06-5.
48. The Clause 52.06-5 requirements, the proposal provision and the subsequent shortfall are shown below, noting that these rates are indicative and are subject to further consideration at each planning permit stage of the process.

Use	Bedrooms/ Area	Rate	No. required	No. Provided
Independent Retirement Living Apartments, Townhouses and Affordable Housing	1 and 2 bedrooms (99 dwellings)	1 space per dwelling.	99	
	3+ bedrooms (85 dwellings)	2 spaces per dwelling.	170	209
Visitor		1 space to every 5 dwellings for developments of 5 or more dwellings	36	21
Residential Aged Care Facility	144 beds	0.3 spaces per lodging room	43	43
Retail	470sq.m.	1 space per 100sq.m.	4	5
Totals			352	278

49. Applying the rates in the car parking table, a total of 352 car parking spaces are required to be provided on-site. With 278 spaces provided, there is a shortfall of 74 car spaces. This is less than the car parking generated by the approved development plan largely because of the change of use of the building in the Southern Precinct to aged care facility which has a reduced rate compared to dwellings.

Clause 52.34 – Bicycle Facilities

50. The purpose of this clause is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities noting that similarly to the car parking rates, these are indicative and are subject to further consideration at the each planning permit stage of the process.

Use	Unit	Employee/resident requirement	No. required	No. Provided
Independent Retirement Living Apartments	156	In developments of four or more storeys, 1 to each 5 dwellings.	31	28
Visitor		In developments of four or more storeys, 1 to each 10 dwellings	15	
Residential Aged Care Facility	144 beds	1 for every 7 beds for employee/resident spaces	20 employee spaces / Resident spaces.	0
		1 visitor space for every 60 beds.	2 spaces	
Retail		1 to each 300 sq. m. of leasable floor area	1	0
Totals			69	28 + 20 bicycle spaces that will be distributed around the site.

Clause 55 – Two or more dwellings on a lot and residential buildings

51. This clause applies to the townhouses and affordable housing component, including the three and four-storey independent retirement living apartments at the north-west corner of Bendigo and Khartoum Streets.

Clause 58 – Apartment Developments

52. This clause applies to an apartment development of five or more storeys, excluding a basement. A development should meet all the standards and must meet all the objectives. This applies to the nine-storey building in the Central Precinct that would provide independent retirement living apartments.
53. The purpose of this clause is:
- (a) *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;*
 - (b) *To encourage apartment development that provides reasonable standards of amenity for existing and new residents; and*
 - (c) *To encourage apartment development that is responsive to the site and the surrounding area.*

General Provisions

54. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision.

State Planning Policy Framework (SPPF)

55. The following SPPF provisions of the Scheme are relevant:

Clause 11.02 – Urban Growth

Clause 11.02 -1 – Supply of Urban Land

56. The objective of this clause is “to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”.

57. The relevant strategies of this clause are as follows:

- (a) *Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development;*
- (b) *Ensure that sufficient land is available to meet forecast demand;*
- (c) *Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis;*
- (d) *Planning for urban growth should consider:*
 - (i) *opportunities for the consolidation, redevelopment and intensification of existing urban areas;*
 - (ii) *neighbourhood character and landscape considerations;*
 - (iii) *the limits of land capability and natural hazards and environmental quality;*
 - (iv) *service limitations and the costs of providing infrastructure; and*
 - (v) *monitor development trends and land supply and demand for housing and industry.*

Clause 11.06-2 - Housing Choice

58. The objective of this clause is “to provide housing choice close to jobs and services”.

Clause 11.06-5 – Neighbourhoods

59. The objective of this clause is “to create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs”.

Clause 13.03-1 – Use of contaminated and potentially contaminated land

60. The objective of this clause is “to ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely”.

Clause 13.04 – Noise and Air

61. The objective of this clause is “to assist the control of noise effects on sensitive land uses”.

Clause 15.01.1 – Urban Design

62. The objective of this clause is “to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity”.

Clause 15.01-2 – Urban Design Principles

63. The objective of this clause is *“to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties”*.
64. This clause also states that planning must consider as relevant:
- (a) *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017);*
 - (b) *Apartment Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017); and*
 - (c) *Urban Design Charter for Victoria (Department of Planning and Community Development 2009).*

Clause 15.01-4 – Design for Safety

65. The objective of this clause is *“to improve community safety and encourage neighbourhood design that makes people feel safe”*.

Clause 15.01-5 – Cultural Identity and Neighbourhood Character

66. The objective of this clause is *“to recognise and protect cultural identity, neighbourhood character and sense of place”*.

Clause 15.02 – Sustainable Development

67. The objective of this clause is *“to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions”*.

Clause 15.03 - Heritage

68. The objective of this clause is *“to ensure the conservation of places of heritage significance”*.

Clause 16.01-1 – Integrated Housing

69. The objective of this clause is *“to promote a housing market that meets community needs”*.
70. It has the following strategies:
- (a) *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land;*
 - (b) *Ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities;*
 - (c) *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns;*
 - (d) *Encourage housing that is both water efficient and energy efficient; and*
 - (e) *Facilitate the delivery of high quality social housing to meet the needs of Victorians.*

Clause 16.01-2 – Location of residential development

71. The objective of this clause is *“to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport”*.

Clause 16.01-3 – Housing opportunity areas

72. The objective of this clause is *“to identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne”*.

Clause 16.01-4 – Housing Diversity

73. The objective of this clause is *“to provide for a range of housing types to meet increasingly diverse needs”*.

Clause 16.01-5 – Housing affordability

74. The objective of this clause is *“To deliver more affordable housing closer to jobs, transport and services”*.

Clause 16.02-3 - Residential aged care facilities

75. The objective of this clause is *“to facilitate the timely development of residential aged care facilities to meet existing and future needs”* through the application of the following strategies:
- (a) *Ensure local housing strategies, precinct structure plans, and activity centre structure plans provide for residential aged care facilities; and*
 - (b) *Encourage planning for housing that:*
 - (i) *delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities; and*
 - (ii) *enables older people to live in appropriate housing in their local community.*

Clause 16.02-4 - Design and location of residential aged care facilities

76. The objective of this clause is *“to encourage well-designed and appropriately located residential aged care facilities”* through the application of the following strategies:
- (a) *Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area;*
 - (b) *Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass);*
 - (c) *Provide for a mix of housing for older people with appropriate access to care and support services; and*
 - (d) *Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.*

Clause 17.01.1 - Business

77. The objective of this clause is *“to encourage development which meets the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities”*.

Clause 18.01 – Integrated Transport

78. The objective of this clause is *“to create a safe and sustainable transport system by integrating land-use and transport”*.

Clause 18.02-1 – Sustainable personal transport

79. The objective of this clause is *“to promote the use of sustainable personal transport”*.

Clause 18.02-2 - Cycling

80. The objective of this clause is *“to integrate planning for cycling with land use and development planning and encourage as alternative modes of travel”*.

Clause 18.02-3 – Principal Public Transport Network

81. The objective of this clause is *“to facilitate greater use of public transport and promote increased development close to high-quality public transport routes in Metropolitan Melbourne”*.

Clause 18.02-5 – Car parking

82. The objective of this clause is *“to ensure an adequate supply of car parking that is appropriately designed and located”*.

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.03 – Vision

83. This clause has the following objectives:
- (a) *The City will accommodate a diverse range of people, including families, the aged, the disabled, and those who are socially or economically disadvantaged;*
 - (b) *Yarra will have increased opportunities for employment;*
 - (c) *There will be an increased provision of public open space;*
 - (d) *The complex land use mix characteristic of the inner City will provide for a range of activities to meet the needs of the community; and*
 - (e) *Yarra's exciting retail strip shopping centres will provide for the needs of local residents, and attract people from across Melbourne.*

Clause 21.04 – Land Use

Clause 21.04-1 - Accommodation and housing

84. The relevant objectives of this clause are:
- (a) *Objective 1 To accommodate forecast increases in population:*
 - (i) *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08; and*
 - (ii) *Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*
 - (b) *Objective 2 To retain a diverse population and household structure;*
 - (i) *Strategy 2.1 Support the provision of affordable housing for people of all abilities, particularly in larger residential developments and on Strategic Redevelopment Sites;*
 - (ii) *Strategy 2.2 Encourage residential development which allows people to age in their existing homes and communities by supporting a range of housing types;*
 - (iii) *Strategy 2.3 Support the development of new residential care facilities;*

- (iv) *Strategy 2.4 Encourage the retention of dwellings in established residential areas that are suitable for families with children;*

and

- (c) *Objective 3 To reduce potential amenity conflicts between residential and other uses.*

Clause 21.04-3 – Industry, office and commercial

85. The objective of this clause is ‘*to increase the number and diversity of local employment opportunities.*’

Clause 21.04-4 - Community facilities, hospitals and medical services

86. *Council wishes to retain community services which cater to a range of needs (in particular for disadvantaged groups). Community facilities may be private or not for profit organizations.*

87. A relevant objective is “*to provide community services that meet the needs of a diverse and changing community*”.

Clause 21.05-2 – Urban design

88. The relevant objectives and strategies of this clause are:

- (a) *Objective 16: To reinforce the existing urban framework of Yarra;*

- (b) *Objective 17: To retain Yarra’s identity as a low-rise urban form with pockets of higher development.*

- (i) *Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*

- *Significant upper level setbacks;*
- *Architectural design excellence;*
- *Best practice environmental sustainability objectives in design and construction;*
- *High quality restoration and adaptive re-use of heritage buildings;*
- *Positive contribution to the enhancement of the public domain;*
- *Provision of affordable housing;*

- (c) *Objective 18: To retain, enhance and extend Yarra’s fine grain street pattern;*

- (d) *Objective 20: To ensure that new development contributes positively to Yarra’s urban fabric;*

- (e) *Objective 21: To enhance the built form character of Yarra’s activity centres; and*

- (f) *Objective 22: To encourage the provision of universal access in new development.*

Clause 21.05-4 Public environment

89. The relevant objectives and strategies of this clause is:

- (a) *Objective 28: To provide a public environment that encourages community interaction and activity:*

- (i) *Strategy 28.1 Encourage universal access to all new public spaces and buildings;*
(ii) *Strategy 28.2 Ensure that buildings have a human scale at street level;*

- (iii) *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment;*
- (iv) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces;*
- (v) *Strategy 28.8 Encourage public art in new development; and*
- (vi) *Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.*

Clause 21.06 - Transport

90. The relevant objectives of this clause are:
- (a) To provide safe and convenient pedestrian and bicycle environments;
 - (b) To facilitate public transport usage;
 - (c) To reduce the reliance on the private motor car; and
 - (d) To reduce the impact of traffic.

Clause 21.07 – Environmental Sustainability

91. The relevant objectives of this clause are:
- (a) To promote environmentally sustainable development; and
 - (b) To improve the water quality and flow characteristics of storm water run-off.

Clause 21.08 – Neighbourhoods

Clause 21.08-10 – Central Richmond

92. Clause 21.08-10 identifies the site as a Strategic Redevelopment Site and encourages its re-development “*in a way that contributes positively to the urban fabric and public domain of Yarra and supports the built form character of the area*”. It is highlighted that the Scheme recognises that Yarra is distinguished from other municipalities by low-rise urban forms with pockets of higher development. This builds upon Yarra’s existing sense of place and is encouraged alongside new development that aspires to high quality architectural design, environmental sustainability and public domain enhancements.

Relevant Local Policies

Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay

93. This policy applies to all new development included in a heritage overlay. The relevant objectives of this clause are:
- (a) *To conserve Yarra’s natural and cultural heritage;*
 - (b) *To conserve the historic fabric and maintain the integrity of places of cultural heritage significance;*
 - (c) *To retain significant view lines to, and vistas of, heritage places;*
 - (d) *To preserve the scale and pattern of streetscapes in heritage places; and*
 - (e) *To ensure that additions and new works to a heritage place respect the significance of the place.*

Clause 22.03 – Landmark and Tall Structures

94. The policy has the object “to maintain the prominence of Yarra's valued landmarks and landmark signs”.

Clause 22.05 – Interface Uses Policy

95. The objectives of this clause are:
- (a) *To enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes; and*
 - (b) *To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.*

Clause 22.07 – Development Abutting Laneways

96. The objectives of this clause are:
- (a) *To provide an environment which has a feeling of safety for users of the laneway;*
 - (b) *To ensure that development along a laneway acknowledges the unique character of the laneway;*
 - (c) *To ensure that where development is accessed off a laneway, all services can be provided to the development; and*
 - (d) *To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

Clause 22.10 – Built form and Design policy

97. The policy applies to all new development not included in a heritage overlay. Clause 22.10-3.1 does not apply to residential development. Clauses 22.10-3.6 to 22.10-3.11 do not apply for applications required to be assessed against Clause 54 or Clause 55.

Clause 22.12 – Public Open Space Contribution

98. This policy applies to all residential proposals, mixed use proposals incorporating residential uses and proposals incorporating residential subdivision. The public open space contribution is to be in the form of a land through the provision of landscaped gardens, tree lined pedestrian spaces and streets and community facilities.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

99. The relevant objectives of this clause are:
- (a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended). Currently, these water quality performance objectives require:*
 - (i) *Suspended Solids - 80% retention of typical urban annual load;*
 - (ii) *Total Nitrogen - 45% retention of typical urban annual load;*
 - (iii) *Total Phosphorus - 45% retention of typical urban annual load;*
 - (iv) *iv. Litter - 70% reduction of typical urban annual load; and*
 - (b) *To promote the use of water sensitive urban design, including stormwater re-use.*

Clause 22.17 – Environmentally Sustainable Development

100. This policy applies to residential development with more than one dwelling. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The Development Plan has specific environmental sustainability standards that will be referenced within the assessment section.

Other relevant documents

101. Another relevant document for the consideration of this request to amend the 22 Bendigo Street Development Plan (associated with the former Channel 9 GTV site) is the *City of Yarra – Positive Ageing Strategy Action Plan* that provides the following objectives and strategies:
- (a) *Social Connections:*
 - (i) *Strategy: Fostering community engagement and participation, a strong sense of belonging, and intergeneration contact; and*
 - (ii) *Strategy: Ensuring older people have access to a wide range of opportunities for all aspects of healthy living – physical, mental, emotional and social.*
 - (b) *Active Healthy Living:*
 - (i) *Strategy: Ensuring older people have access to a wide range of opportunities for all aspects of healthy living-physical, mental, emotional and social.*
 - (c) *Supportive Environments:*
 - (i) *Strategy: Ensuring accessibility and mobility for older people through the municipality. Providing access to open space and parks. Supporting increased safety and security.*
 - (d) *Ageing in Place:*
 - (i) *Strategy: Supporting residents to live well and age successfully within their local Yarra community through accessible and responsive services and facilities.*
 - (e) *Lifelong Learning:*
 - (i) *Strategy: To provide opportunities for older people to be involved in lifelong learning activities and engage in active roles in the community.*
 - (f) *Community Planning and Partnerships:*
 - (i) *Strategy: Encouraging and establishing opportunities for older people and organisations to work together and participate in community planning and decision making.*

Notification

102. An amendment to the Development Plan is exempt from third party notice and review (appeal) rights, however 809 letters were sent to surrounding owners and occupiers and three signs were displayed on the site advising where the amended development plan was available for public inspection (i.e. online and at the Richmond Town Hall for 28 days). An information session was held on 15 February 2018.
103. At the time of writing this report, fifty-three submissions were received that raised the following concerns:
- (a) The amendments to the development plan are not in keeping with neighbourhood character and heritage;
 - (b) The building height of nine-storeys is excessive;

- (c) The modified land use will result in the congestion of the surrounding traffic network and would impact the availability of car parking in the area;
- (d) The development will result in overshadowing and impact the level of daylight into surrounding properties;
- (e) The development would provide overlooking opportunities;
- (f) The development plan does not include enough landscaping;
- (g) The development would result in wind impacts / tunnelling effects; and
- (h) Other impacts, including issues during the construction phase such as the carrying out of works outside the permitted construction hours and devaluation of other properties.

104. A consultation meeting was held on 1 May 2018 and was attended by the permit applicant and members of their project team (including town planner), eight objectors and Council officers.

Referrals

105. The application was referred to the following internal departments and external consultants and their recommendations are contained within the attachments to this report.

- (a) Heritage Advisor;
- (b) Urban Design Unit (internal) for comments on public realm;
- (c) Open Space Unit;
- (d) Urban Design (MGS Architects Pty Ltd);
- (e) Environmental Sustainable Development Advisor;
- (f) Engineering Services Unit;
- (g) Strategic Transport;
- (h) Strategic Planning;
- (i) City Works on the Waste Management Plan; and
- (j) Wind Consultants (MEL Consultants).

Officer Assessment

106. The primary considerations for this amendment to develop the Central and Southern Precincts of the Channel 9 GTV site are:

- (a) Strategic justification and Land Use;
- (b) Urban Design and Built form;
- (c) Affordable and Accessible Housing;
- (d) Community facilities;
- (e) Environmental Sustainable Development;
- (f) Public Realm, Pedestrian Space and Landscaping;
- (g) Wind Impacts;
- (h) Car Parking and Traffic / Bicycle Parking and Facilities;
- (i) Waste Management;
- (j) Submissions; and
- (k) Other Matters.

Strategic Justification and Land Use

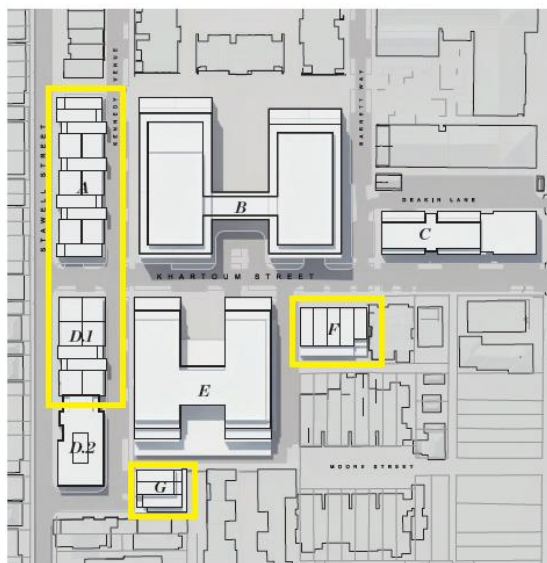
107. The amendment satisfies the various land use and development objectives within the SPP and LPP Frameworks, providing an acceptable level of compliance with the relevant policies within the Scheme, and is considered to provide a positive strategic opportunity for the future development of the GTV9 site within a well-resourced inner-urban environment.
108. State and Local Policies (such as clause 16.01-2 and 16.02-4) encourage the concentration of development in and around activity centres and intensifying development on sites well connected to public transport. The site has already undergone some significant change with regard to the Northern and Heritage Precincts and there is strong state policy support for increased density in this area as shown through Clause 16.01-1 and 16.02-4 (amongst others).
109. There is also clear policy support for the provision of higher density development within easy walking distance to transport. Policy encourages the concentration of residential aged care and associated living and facilities in established areas and supports proposals which achieve the urban growth objectives at clauses 11.02-1, 11.02-2 and 16.02-4 of the Scheme through the provision of a mixed-use development on land close to existing transport corridors and services.
110. Clause 16.02-4 specifically encourages residential aged care facilities and the like (i.e. in this instance being a retirement village) to be located in residential areas, activity centres and strategic redevelopment areas, close to services and public transport. Thus the subject site fits these specifications. Clause 21.04-1 also encourages developments that enable older people to live in their local community and therefore should be located within a variety of areas around Melbourne. This development would enable inner-city and local residents to *age in their existing homes*. Clause 16.02-4 recognises that residential aged care facilities / retirement living are different to dwellings in their purpose and function, and will therefore have a different built form (including height, scale and mass).
111. It is considered that the amendment to the DP would strengthen the site's long term viability by adding additional people and community uses to the area. There is strong strategic support within clauses 11.02-1, 16.01-1 and 16.02-4 for the further intensification of such a large site in an inner-city location. Considering the current need for a mixture of housing choices (including aged care / retirement living and affordable housing) in existing urban areas, the proposal satisfies a number of the previously discussed State and Local policies regarding intensification.
112. The location of the proposal provides an opportunity for the redevelopment of the site, and accords with clause 11.02 (Urban Growth) and also clause 16.02-3, which aims to consolidate, redevelop and intensify existing urban areas. As already identified by the existing DP, the site is suitable for redevelopment, with a proposed built form that generally responds to the diverse pattern of urban form in the neighbourhood. Clause 16.02-4 specifically encourages the recognition that residential aged care facilities and the like, contribute to housing diversity and choice. The inclusion of a retail use suitably activates the ground floor of the aged care facility in the Southern Precinct and will provide visual interest to the building's façade, while also allowing for increased surveillance of the public realm. In relation to any variance to the commercial use of the site, conditions would be included at the planning permit stages to ensure noise emissions from any part of the development comply with the State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1).
113. The subject site is identified as a Strategic Redevelopment Site (SRS) given its location, accessibility to public transport and ability to accommodate more than 10 dwellings. SRSs can generally be developed in a reasonably robust manner as Council's MSS acknowledges the municipality is predominantly low rise with 'pockets of higher development'.

114. The amendment to provide both aged care facilities and retirement living is also supported by Plan Melbourne, a document that represents the Victorian Government’s vision for Melbourne up until 2050. It is estimated that the city will need to accommodate 7.7 million people and provides strategies to address this significant population growth, including the provision of housing for the elderly, affordable houses and relevant services. Council’s External Urban Designer, MGS Architects Pty. Ltd. is also quoted as follows:
115. *“The provision of social infrastructure in the form of a retirement village and aged care facility of a substantial size has much merit and this change in use should be supported on the principles of aging in place and the co-location of social infrastructure with Major Activity Centres and public transport. The delivery of housing diversity within the municipality has been long seen as a key ambition of the urban renewal strategy and the shortfall in housing for an ageing community has been well demonstrated in other submissions as well as this one to council. This is consistent with principles of inclusive, resilient and diverse communities. The proposed scale of development aligns with industry standard models that enable a high level of on-site services to be provided within the proposal”.*
116. It is important to highlight that the existing DP has already established that the site is suitable for higher density living with a maximum six-storey built form vision for the Central and Southern Precincts. As such, the primary question is whether the amendment specifically relating to the part nine and part seven-storey building in the Central Precinct (amongst other key changes) should be supported as part of the amendment to the DP. In short, the added benefits of the use for retirement living and the net community benefit is considered to tip the balance towards justifying the added built form and height and this is reflected throughout the Scheme and is further supported by the *City of Yarra – Positive Ageing Strategy Action Plan*.

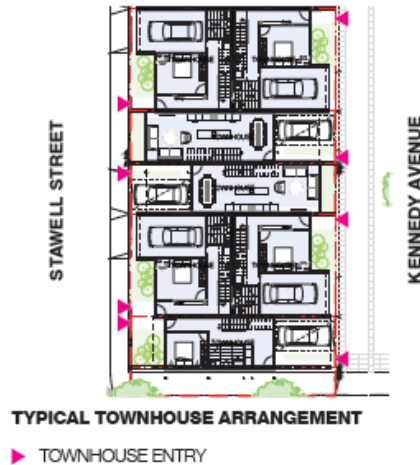
Urban Design and Built form

117. As indicated earlier, the DP is a precursor to future planning permit applications with each development stage having to demonstrate general compliance with an endorsed DP. The issues of neighbourhood character, massing and height are closely intertwined and will be considered together to the extent possible (given that this is an amendment to a DP). Consideration in the application stage of each building will be guided by the clauses in the SPP and LPP Frameworks given that the DP outlines the broad intentions for developing each precinct. The portions within each precinct will be considered in turn as follows:

Central and Southern Precincts - Townhouses along Stawell Street and Kennedy Avenue (labelled “A” and “D1”) including townhouses to the south and east of the six storey aged care facility (labelled “G” and “F”)



118. The primary difference between the endorsed DP and the amendment is the overall consistent height of the townhouses of three-storeys across Stawell Street and Kennedy Avenue in lieu of a combination of two and three-storeys, and orientation of some of the townhouses to Kennedy Avenue.
119. The varied building height can be adopted on this site and the advice provided by MGS Architects Pty. Ltd. is generally supportive. The townhouses in the amended DP would provide a height similar to that already approved and add variation pedestrian and vehicle access to Stawell Street and Kennedy Avenue being proposed activating both street interfaces as demonstrated in the indicative floor layout below (extracted from page 22 of the draft DP):



120. The activation of Kennedy Avenue with the provision of both vehicle and pedestrian access is a significant improvement on the existing DP as the current scheme (as constructed) within the Northern Precinct turns its back to Kennedy Avenue by being primarily used for vehicular access at ground level with no opportunity for landscaping as shown in the image below:



121. Further activation is provided through the provisions of upper level balconies as illustrated below (extracted from page 57 of the draft DP):



122. Similarly, the townhouses within the locations labelled “G” and “F” are also supported given that their adopted building heights are similar to that in the current DP and would be oriented to their respective street. On and off-site amenity impacts in terms of built form and overlooking will be considered in detail at the permit application stage.

Central and Southern Precincts - Part seven and part nine-storey building (labelled “B”) – Independent Retirement Living Apartments and six-storey aged care facility (labelled “E”)



123. Considering the strong strategic support for higher density development for retirement living and aged care facilities, the Central Precinct provides opportunities for renewal where there is no immediate abuttal with any sensitive residential uses (i.e. is located to the south of the Northern Precinct and separated by a central public spine, Kennedy Avenue to the west, Khartoum Street to the south and Barnett Way to the east) with the Southern Precinct already suitably identified as capable of accommodating a six-storey building.
124. Compared to the approved building(s) for the Central Precinct, the nine-storey building within the DP is varied by its built form and mass, purpose and intent. The existing planning permit (PLN14/0829) allows for the construction of *four, six storey (plus basement) buildings with 203 dwellings* that would surround a centrally located landscaped / communal space as depicted below:



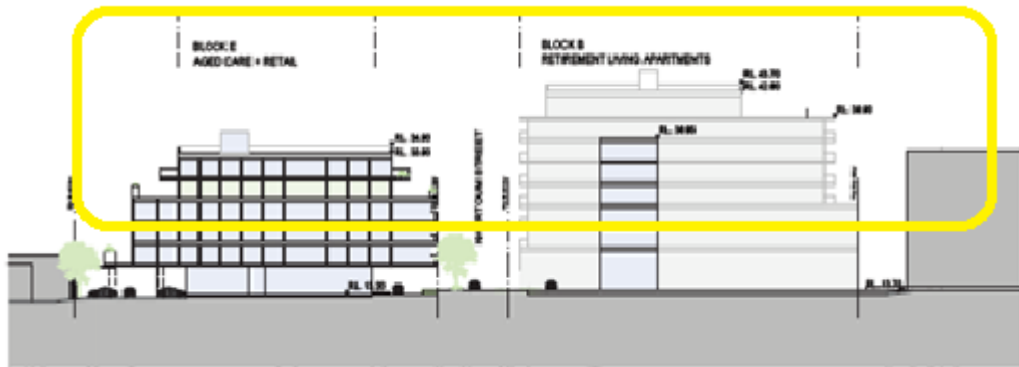
Northern elevation of the six-storey development within the Central Precinct (for information purposes only as this elevation / or any plans for planning permit no. PLN14/0829 has not been endorsed).

- 125. The amended building, whilst a significant departure from the current scheme (above) with regard to height, mass and layout, would provide 138 independent retirement living apartments which is supported by State and Local policy as outlined under the *Strategic Justification and Land Use* heading.
- 126. The amendment proposes to increase the building height in the Central Precinct (labelled “B”) with an added three storeys (increasing this to nine-storeys, with built form layout massed in the shape of a letter “H”). The two north-south orientated wings would be nine-storeys and connected by a seven-storey element. The aged cared facility in the Southern Precinct would also adopt a built form layout massed in the shape of a letter “H” but at six storeys.
- 127. The nine-storey building would provide a three to four-storey podium that would reference the surrounding neighbourhood context with an expressed separation point above the podium with softer articulation at the upper levels as shown below (extracted from page 56 of the draft DP):



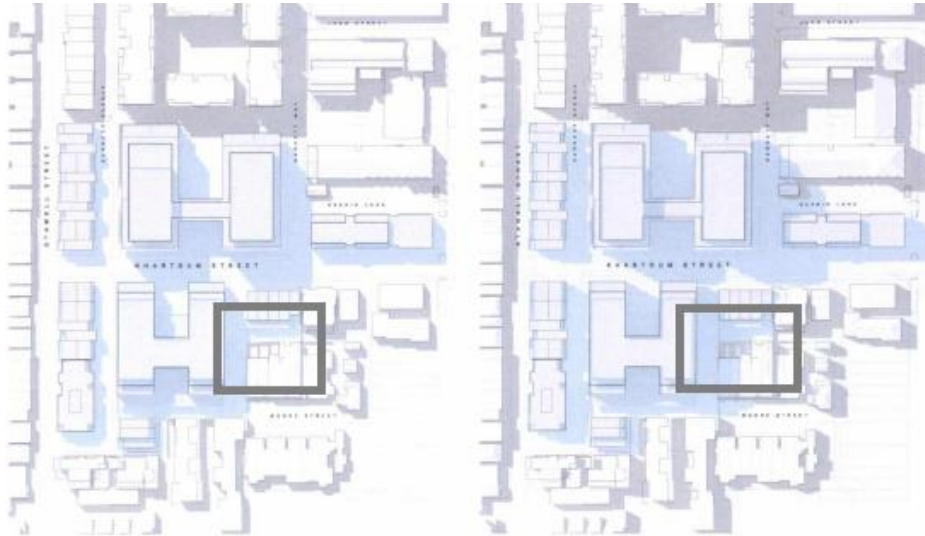
- 128. The podium of the nine-storey building is intended to serve as an anchor and direct viewer’s eyes to this lower portion with the upper levels being lighter in appearance. This will ensure the overall height is thus broken up into shorter segments to reduce visual bulk and height perception. Council’s External Urban Designer, MGS Architects Pty. Ltd. is also supportive of a nine-storey built form.

129. There is also a reasonable expectation that this site would experience intensification in use and development given that it is an established SRS. It is also within the current context that any added building height must be considered in terms of providing an appropriate transition (i.e. being three-storeys compared to the residential development located within the Northern Precinct, north of the public spine).
130. The site's attributes and its location within the Central Precinct, in the heart of the Channel 9 GTV site, including policy support for retirement living favour a taller building. As other buildings emerge within the Channel 9 GTV site around the perimeter of the broader site such as the townhouses and the six-storey, aged care facility, the nine-storey building will be less visible from the surrounds (i.e. from Stawell and Bendigo Streets to the west and east, respectively). The proposal will be one of several tall buildings (i.e. combined with that constructed in the Northern Precinct and the aged care facility within the Southern Precinct). Over time, as the overall site is developed, these buildings will form part of an emerging character surrounded by a lower scale podium. The taller built form above, appropriately transitioning by three-storeys and effectively massed within the centre of the Channel 9 GTV site, as illustrated below in the form of a cross-section (extracted from page 63 of the draft DP):

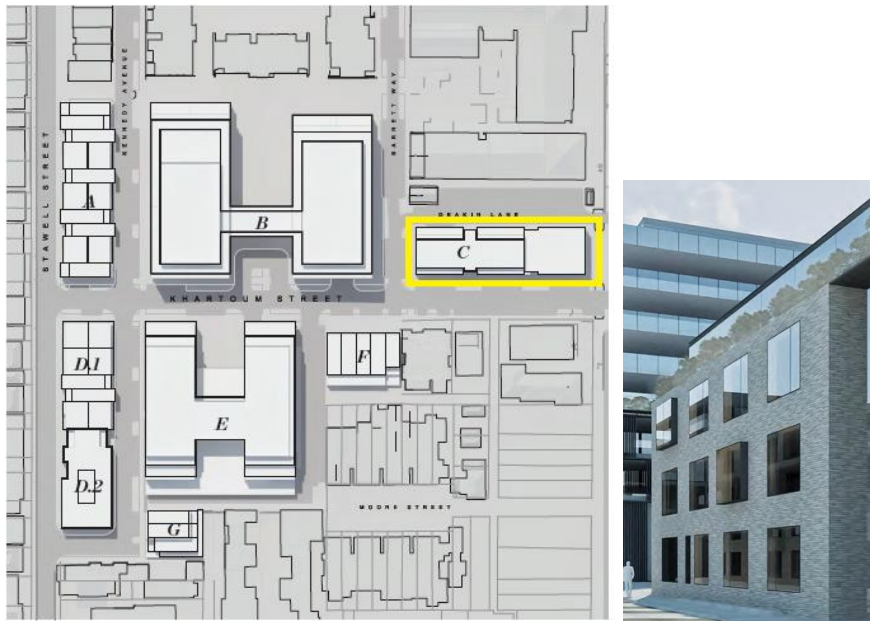


131. Strategy 17.2 at clause 21.05-2 of the Scheme states that development should generally be no more than 5-6 levels unless it can be demonstrated that the proposal can achieve specific benefits such as significant upper level setbacks, architectural design excellence, best practice environmental sustainability objectives in design and construction, high quality restoration and adaptive re-use of heritage buildings, positive contribution to the enhancement of the public domain and provision of affordable housing.
132. The buildings will make a positive contribution to the enhancement of the public domain and would provide much needed independent retirement living and aged care services in an inner city context and within a competent architectural expression that will be further considered at the permit application stage.
133. MGS Architects Pty. Ltd. made a recommendation that higher levels of amenity and articulation is provided in the corridors and lobby spaces of the independent retirement living apartments and the aged care facility. This can also be addressed with a condition.
134. The amendment was referred to Council's Heritage Advisor who provided comments of support but required that the nine-storey building to be recessive to the east and designed to contrast with the colours and materials of the Former Wertheim Piano Factory building fronting onto Bendigo Street. The building would be located over 70m from Bendigo Street and is considered to be recessive. A condition will be adopted requiring contrasting colours and materials to the Former Wertheim Piano Factory across the eastern elevation.
135. MGS Architects Pty. Ltd raised concerns with the overall shadow impact cast to the south and east from the six storey, aged care facility and recommended that this be reviewed to completely ameliorate any additional shadow cast into adjoining properties.

136. However, the additional shadow impact in question is limited to an impact at 3pm at the time of Equinox (September 22nd) and given that it is limited to this one hour (as demonstrated in the shadow diagram overleaf and within property no.'s 1, 3 and 5 Moore Street – outlined in a grey box), the building envelope is not required to be further revised. However, the legend in Section 7.5 – Shadow Studies of the amended / draft DP is required to be corrected to reflect the accurate shadow (i.e. the additional shadow should be that in blue).



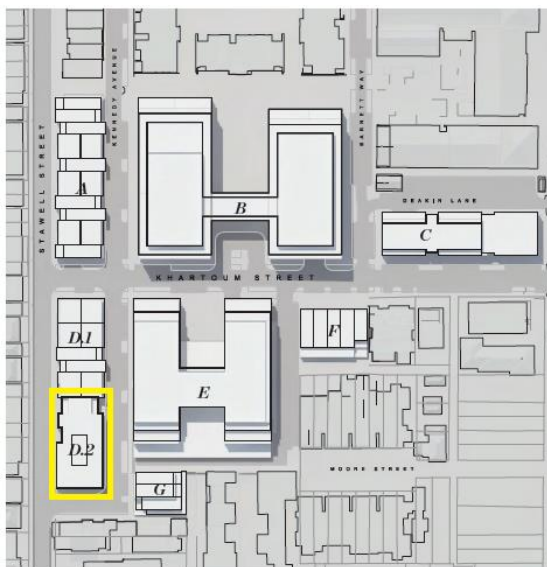
Central Precinct - Part three and four-storey building (labelled “C”) – Independent Retirement Living Apartments at the north-west corner of Bendigo and Khartoum Streets.



137. A separate detached building of between three and four-storeys is provided at the north-west corner of Bendigo and Khartoum Streets that would house additional retirement living apartments. The building would be located to the south of the Former Wertheim Piano Factory building, and separated by Deakin Lane to the north. The height adopted would provide an appropriate transition with the buildings in the Heritage Precinct being a three-storey podium with a recessive fourth storey which is supported by Council’s Heritage Adviser. The image to the right of that identifying the location of the building (extracted from an earlier illustration), demonstrates that the building would also provide an appropriate reference and rhythm with the three-storey podium adopted to the nine-storey building in the backdrop.

138. It is also considered that this building will make a positive contribution to the enhancement of the public domain that similarly to the remainder of the development, will be further considered at the permit application stage, with additional urban design advice sought from MGS Architects Pty. Ltd. and with specific regard to Clause 55 (Two or more dwellings on a lot and residential buildings) of the Scheme for further guidance.

Southern Precinct – Affordable housing in the form of a three-storey building (labelled “D2”)



139. A three-storey building is located south of the townhouses fronting Stawell Street and Kennedy Avenue that would provide affordable housing. This is considered to be an appropriate location, lending itself both in terms of building height, bulk and mass to the townhouses to the north. MGS Architects Pty. Ltd. raised concerns with regard to the difference in the quality of the detail of the building when compared to the adjoining townhouses within the amended DP. However, and similarly to the remainder of the development (including the townhouses) the detail of the building with regard to setbacks and materiality (including quality) will be considered at the permit application stage.

Affordable and accessible housing

140. The provision of affordable housing is a significant component to the approved Development Plan, with Schedule 5 of the overlay requiring a representation of at least 5%. As outlined above, the three-storey building labelled “D2” is for affordable housing. This building will provide up to 16 apartments that will be associated with Women’s Housing Limited with a mix of 1 and 2 bedrooms. Council’s Strategic Planning Unit has provided comments outlining that this figure in total, equates to approximately 4.39% of the total number of dwellings across the site and is required to be increased. That advice is attached to this report.
141. In an email dated 11th May, the applicant responded outlining that 23% of the aged care rooms would be provided with concession rates and in applying the 5% requirement for affordable housing, indicated that this would equate to 7.7/8 apartment dwellings in total. However, the applicant applied the 5% in isolation of the total number of apartments / dwellings across the entire site (i.e. excluded the Northern and Heritage Precincts) and a condition will require this to be effectively managed so that affordable housing (inclusive of the 16 affordable housing apartments in the Southern Precinct) is provided of at least 5%. The Schedule also applies this number to the “total number of apartment dwellings to be developed”.

142. Schedule 5 also has a requirement for the provision of either adaptable or fully accessible wheelchair housing representing 5% of the total number of apartment dwellings to be developed. This is already included in the executive summary at point 12 of page 22 of the DP.

Community facilities

143. It is worth highlighting that the applicant has made commitments to provide community facilities within the independent retirement living apartment building that includes a *wellness centre, a pool, gym, a multi-purpose room and other rooms suitable for the delivery of allied health services*. The applicant in an email dated 14th May 2018 indicated that *“Lendlease commits to make these spaces accessible to the wider community as well as residents of the retirement village, and recognises the benefit of making these facilities available to both residents and the general public. As people get older, they tend to use these amenities less unless they are properly managed with appropriate programs and support offered. Improved activation of these amenities drives increased participation and social interaction and as a result, physical and mental wellbeing”*. A condition has been included requiring the DP to be amended to include reference to a clear commitment that ensures these facilities are accessible to all members of the public.

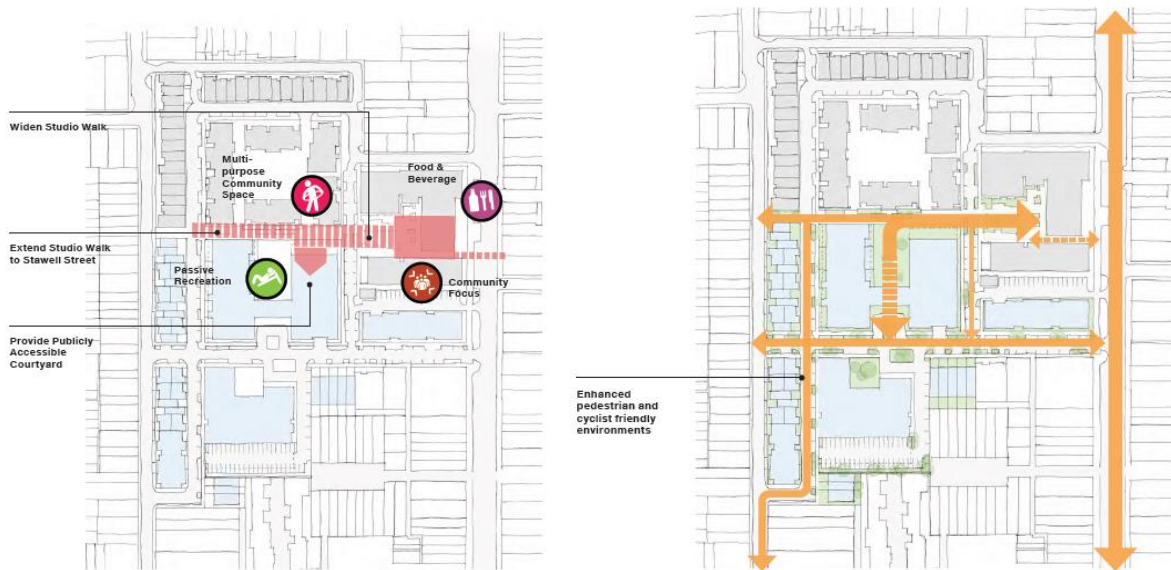
Environmentally Sustainable Design

144. The application was referred to Council’s ESD Advisor and this advice has been included as an attachment in this report. Council’s ESD Advisor made several recommendations including providing a clear commitment to ESD performance standards for all areas of the site, the implementation of a Green Star of 5 Star minimum, a clear commitment to NatHERS rating and implementation of a thermal efficiency standard for the aged care building which isn’t suitable to a NatHERS rating.
145. The applicant submitted a response in relation to the advice and indicated that the DP can be amended to commit to a:
- (a) *6-Star Green Star Communities rating and certification for the precinct (the first Green Star Communities project in the City of Yarra and the first 6 Star Green Star Communities Retirement Living rated precinct in Australia based on advice received from GBCA 5th April 2018);*
 - (b) *5-Star Green Star RL Building Performance Standard Equivalent (i.e. not certified by GBCA);*
 - (c) *NatHERS rating of average 7 Stars on RL apartments;*
 - (d) *NatHERS rating of average 6.5 Stars on townhouses (due to difficulties relating to their east-west orientation) and improved energy efficiency services;*
 - (e) *BESS ‘best practice’ performance standard across retirement living apartments, townhouses, affordable housing and aged care;*
 - (f) *20% energy savings demonstration through JV3 modelling for the Aged Care building;*
and
 - (g) *Precinct-wide stormwater management strategy, including stormwater collection systems such as biofilter to collection and treat stormwater and rainwater tanks to collect and re-use stormwater.*
146. The above commitments go some way towards addressing Council’s ESD advice and offer significant improvements to the energy efficiency techniques included within the request to amend the DP for consideration. Conditions will ensure that these commitments are built into the amended DP for endorsement.

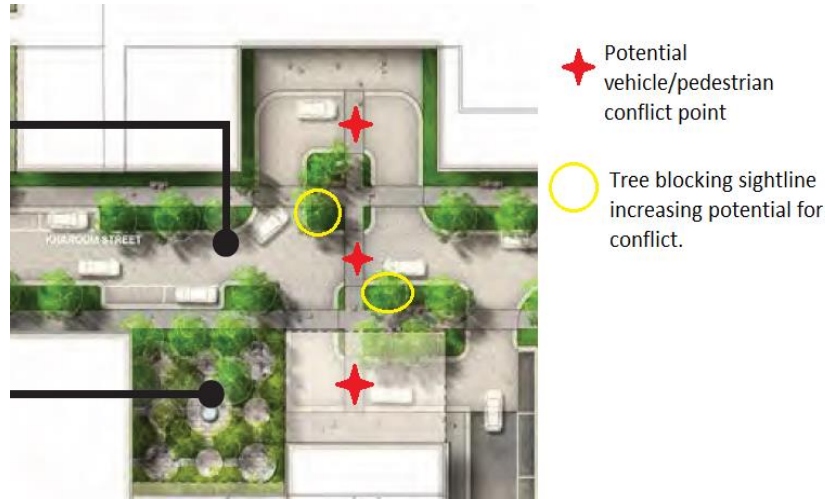
147. Further comments in relation to ESD were provided in the advice by MGS Architects Pty. Ltd. specifically relating to the affordable housing (labelled “D2”) building and provision for bicycle parking. A condition addressing the as-agreed to commitments outlined will address all buildings, including the affordable housing building. Bicycle parking is discussed under the *Bicycle parking and facilities* heading.

Public Realm, Pedestrian Space and Landscaping

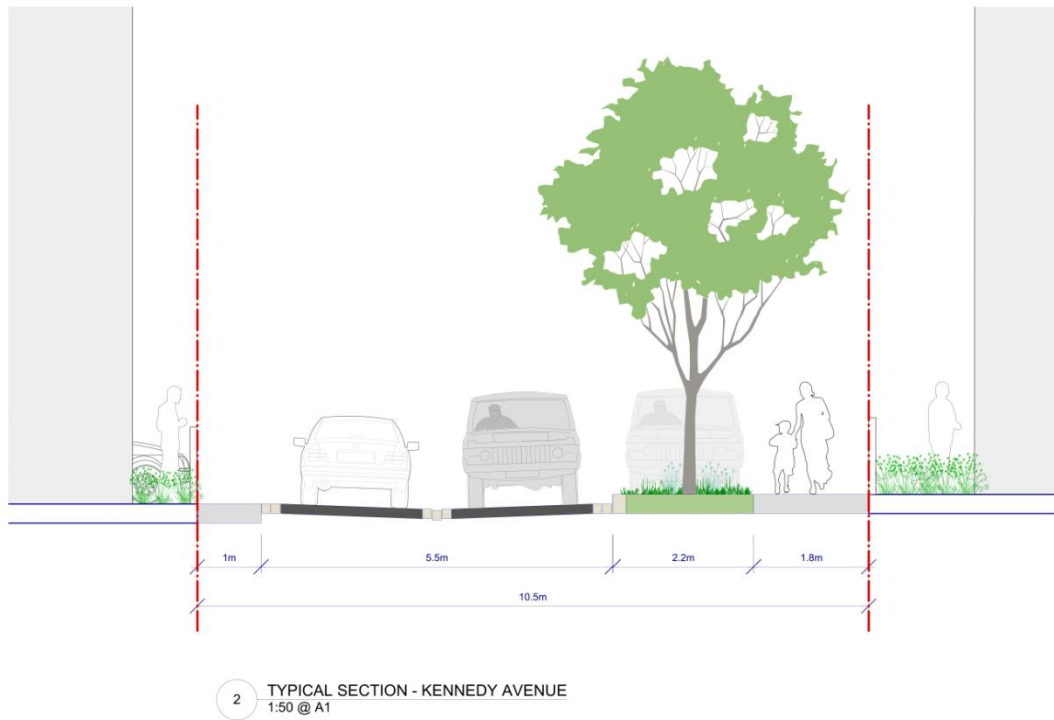
148. This design of interfaces between buildings and public spaces should enhance the visual and social experience of the user. In this respect, the proposal represents an improvement in streetscape, public space quality and perceived safety because it provides landscaping in the public domain, publically accessible spaces and community facilities including the continuation of Kennedy Avenue south of Khartoum Street and facilities that are inclusive and encourage pedestrian movement as demonstrated below:



149. The above shows the continuation of Studio Walk to the north of the Central Precinct from Kennedy Avenue to Stawell Street, and the central courtyard within the nine-storey building as being accessible to the public as a walk-through between Khartoum Street and Studio Walk. Pedestrian and cycling modes are provided across Khartoum Street and Kennedy Avenue and provide appropriate links between Stawell and Bendigo Streets. There is also a food and beverage and community focus already established as part of the existing conditions associated with the Northern and Heritage Precincts that will be further enhanced with the services intended to be provided in both Central and Southern Precincts.
150. Comments were provided by Councils Strategic Transport unit who identified the following three potential conflict points at the pedestrian crossings between the independent retirement living apartments in the Central Precinct and the aged care facility in the Southern Precinct, along Khartoum Street:



151. To rectify this aspect of the DP it was recommended that the path be redesigned and relocated to the west or east with calming measures that can be adopted to improve pedestrian access across the street. It was also recommended that landscaping treatments be revisited to ensure clear sightlines between vehicles and pedestrians and the surface materials designed to clearly distinguish the 'pedestrian focussed' pathways between both buildings. The issue with regard to sightlines was also raised by Council's Open Space Unit. These elements can be addressed with conditions.
152. MGS Architects Pty. Ltd also identified that pedestrian priority is required to be improved within the development plan, particularly along Kennedy Avenue and recommended that a surface material consistent with that to Studio Walk could be adopted to the footpath. MGS Architects Pty. Ltd also recommended that provision is made of on-grade pedestrian access at all publicly accessible points of entry with avoidance of the use of platform lifts and stairs at the private entrances.
153. MGS Architects Pty. Ltd recommended a *minimum 1.2m (recommended 1.5m) wide footpath along the western edge of Kennedy Avenue and all footpaths in accordance with AS 1428.2 (1992)*. This was also raised by Council's Urban Designer.
154. The applicant provided the following updated Kennedy Avenue cross section (as an attachment to an email dated 11th May 2018) that shows the western pathway widened from 0.7m to one metre, achieved by reducing the eastern pathway from 2m to 1.8m and reducing the on-street car parking width from 2.3m to 2.2m which complies with the relevant Australia Standard.



155. The cross-section is an improvement to that shown at Section 12.10 of the DP which includes only a single pedestrian pathway on one side and a condition will require this to be replaced with that above. A further condition will require on-grade pedestrian access at all publicly accessible points of entry with avoidance of the use of platform lifts and stairs at the private entrances.
156. Further recommendations were provided by MGS Architects Pty. Ltd. with regard to details of the locations of poles and signposts to ensure that these do not constrain access for users with wheelchairs or mobility devices. The applicant has indicated in an email that all street lighting poles will be located within kerb outstands or other locations outside of the continuous 1.8 metre wide path of travel of the footpaths. The specific locations of poles will be determined in the detail of the planning application stage of the project.
157. As indicated, vegetation / landscaping is intended to be provided throughout the Central and Southern Precincts with most provided within the streetscapes of Khartoum Street and Kennedy Avenue and within the central courtyard (part of which will be accessible to the public) of the nine-storey building and within the central courtyard of the six-storey building.
158. Councils Open Space Unit recommended that further landscaping is provided on the eastern side of Stawell Street by introducing a 2.7m wide footpath. However, this request is excessive particularly as the existing footpath is 1.7m wide and the townhouses and affordable housing building in the Central and Southern Precincts would read as an extension to those already developed in the Northern Precinct, hence infrastructure, roads and pavement widths should remain consistent.
159. Council's Open Space Unit also had a preference for a continuous and regular street tree alignment along Khartoum Street. Street trees along Khartoum Street have been provided. Further opportunity to enhance and improve landscaping treatments across each street will be provided with each planning application stage in the form of a landscape plan that will also specify tree and plant species.
160. The applicant has also provided the following updated Khartoum Street cross section (as an attachment to an email dated 11th May 2018) that shows an updated drainage strategy from a central invert to a two-way cross fall road with conventional kerb and channel as a response to concerns raised by Council's Construction Engineer.



1 TYPICAL SECTION - KHARTOUM STREET
1:50 @ A1

161. This is an improvement and will be adopted with a condition.

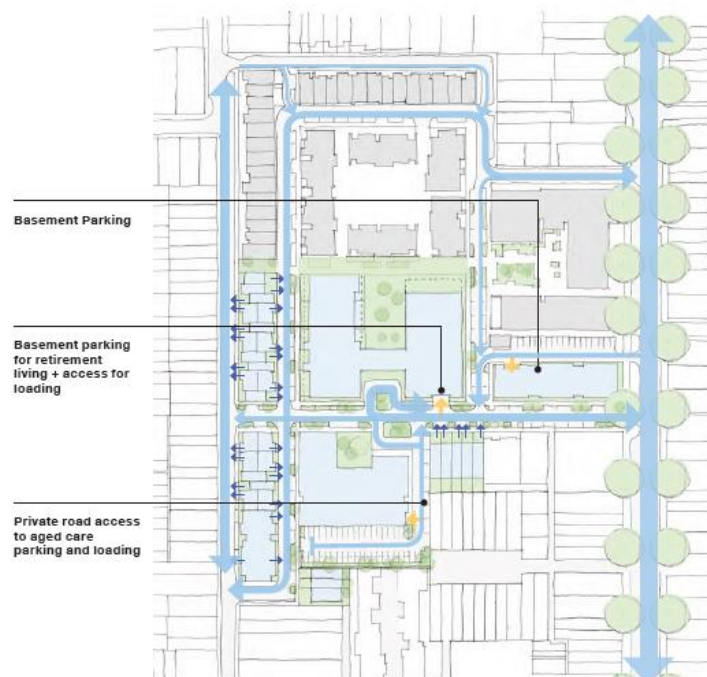
Wind Impacts

162. The applicant provided a Wind Assessment that was prepared by CPP Qualitative Wind Assessment. This was reviewed by MEL Consultants who provided general comments of support but raised concerns with regard to the wind conditions at the building corners of independent retirement living building and the aged care facility and that they would exceed the walking criteria. As such, further wind testing will be required to occur at the planning application stage. Localised amelioration measures will be implemented if required to meet the required pedestrian comfort levels at each phase of the planning application stage.

Car Parking and Traffic / Bicycle Parking and facilities

Car parking and traffic

163. Essentially, the amended DP anticipates the following traffic flows / movements within the site which is similar to that currently endorsed:



164. The traffic assessment submitted with the application and prepared by Cardno Consultants was reviewed by Council's Engineering Services Unit who provided comments of support. That advice can be found as an attachment to this report. Vehicle access and car parking layouts will be considered further at each planning application stage.
165. The amended DP has provided car parking to the southern side of the aged care facility which is a supported outcome by Council's Engineering Services Unit. MGS Architects Pty. Ltd. indicated that this should be removed, consolidated into a basement car park and Moore Street (located to the south east of the Southern Precinct) be continued through the site with two laneway access. This does not form part of the endorsed DP at present. This option has been investigated in the past and the Moore Street residents strongly oppose any new access from Moore Street to the subject site.

Bicycle parking and facilities

166. In the case of the proposed development, concerns have been raised by Council's Strategic Transport Unit including MGS Architects Pty. Ltd. with regard to the provision of bicycle spaces. Council's Sustainable Transport Officer also raised concerns specifically with the lack of bicycle parking for staff associated with the aged care facility, visitors of the townhouses and further stated that residential parking for the affordable housing apartments should be provided at a rate of one space per dwelling. The applicant offered no objection to the concerns raised in relation to the bicycle parking rates and has offered to provide bicycle parking in accordance with the following rates:

Retirement Living Apartments

Resident: 1 space to each 5 dwellings

Visitor: 1 space to each 10 dwellings

Townhouses

1 space to each dwelling

Aged Care

Resident/Staff: 10% of building occupants (staff)

Visitor: 1 space to each 60 beds

Affordable Housing Apartments

Resident: 1 space to each dwelling

Visitor: 1 space to each 4 dwellings

167. In relation to staff rates associated with the aged care facility, the applicant further responded stating that:
- (a) *the Scheme rate for nursing home bicycle parking spaces for staff is excessive. For staff, the planning scheme requirement is the equivalent of approximately 1 space per 2 staff, which is unlikely to ever be required. By way of comparison, an office requires approximately 1 staff space per 20 staff members (assuming a floor area of 15sqm per person). Further to this, staff generally work shifts that start very early (6.30am -- - 7.00am), finish very late (9.00pm - 9.30pm), or work overnight. It is considered that a significantly reduced bicycle parking supply would be fit for purpose. Of note is that the Sustainable Design Assessment in the Planning Process (SDAPP) suggests 10% for non-residential uses which would equate to up to 3-4 spaces at peak times, which can be provided internally within the back of house areas.*
168. The above statement is agreed with and the bicycle rates provided are supported and can form part of the draft DP managed by way of a condition.
169. Council's Construction Engineer has also made reference to a number of other related matters (e.g. drainage, public lighting, land ownership, maintenance, footpath levels and compliance with DDA) which are dealt with at later stages through other Council processes (e.g. planning and building permit stages). The matters relating to consideration of the draft DP have been included.

Waste Management

170. Council's Waste Management Officer indicated that the waste management plan 171 Stawell St, Richmond authored by Leigh Design and dated 25/10/17 *is unsatisfactory from a City Works branch's perspective. Council services for this development will only be provided to those with a private garage, namely building A. The remaining services need to be a private collection within the boundaries of the development.*
171. The applicant responded to this advice indicating that waste collection would be limited to the townhouses and affordable housing. Waste management will be resolved at the planning application stage of each development, with regard to the comments already provided by Council's Waste Management Officer.

Submissions

172. The majority of the issues which have been raised by the submitters have been addressed within this report as follows:
- (a) The amendments to the development plan are not in keeping with neighbourhood character and heritage (paragraphs 118 - 140);
 - (b) The building height of nine-storeys is excessive (paragraphs 124 - 135);
 - (c) Impacts on car parking in the area (paragraphs 163 - 165);
 - (d) The development will result in overshadowing of surrounding properties (paragraphs 136 -137);
 - (e) The development plan does not include enough landscaping (paragraphs 157 - 159); and
 - (f) The development would result in wind impacts / tunnelling effects (paragraph 162).
173. Outstanding concerns will be discussed below, and relate to:
- (a) The development would provide overlooking opportunities; and
 - (b) Other impacts, including issues during the construction phase such as the carrying out of works outside the permitted construction hours and devaluation of other properties.

174. In response to the above outstanding matters, overlooking opportunities will be addressed at each planning application stage with the construction phase considered at the building permit stage of each portion. The building permit will provide stringent measures and controls and timelines for construction that are required to be adhered to. The devaluation of properties is not a planning consideration.

Other Matters

Financial Implications

175. The DP is guided by legislation and has major financial implications for site's current and future operations and financial direction into the future.

Economic Implications

176. There are no economic impacts to be considered in this report.

Sustainability Implications

177. Sustainability has been considered as part of the assessment of the DP.

Social Implications

178. There are no social impacts to be considered in this report. In fact, there is a significant net community benefit to be gained with the introduction of independent retirement living apartments and an aged care facility within this part of Richmond.

Human Rights Implications

179. There are no human rights impacts to be considered in this report.

Communications with CALD Communities Implications

180. No CALD community implications are known.

Legal Implications

181. The request to amend the DP has been considered transparently by giving public notice of the submission period and receiving public submissions.

Conclusion

182. Having considered all relevant planning policy and submissions, the amended Development Plan should be supported, subject to the changes detailed in the recommendation below. Following these changes to the plans, the amended Development Plan will be endorsed as an addendum to that currently endorsed given that this continues to remain relevant to the Northern and Heritage Precincts.

RECOMMENDATION

1. That Council:

- (a) note the report of officers regarding the proposed amendment to the 22 Bendigo Street, Richmond Development Plan (Former GTV9 Site); and
- (b) resolves to approve the 22 Bendigo Street, Richmond Development Plan (Former GTV9 Site) received by Council on 14 December 2017 subject to the adoption of the following:

Element	Conditions
Nine-storey building (Independent Retirement Living Apartments)	1. Colours and materials across the eastern elevation of the nine-storey building that contrast from the Former Wertheim Piano Factory.
Internal spaces / corridors and lobby spaces of the independent retirement living apartments and aged care facilities.	2. The guidelines amended to specify minimum widths of corridors, entries and lobby spaces in the building design guidelines beyond the Gold level standard.
Shadows Studies	3. The legend in Section 7.5 – Shadow Studies corrected to reflect the accurate shadow (i.e. the additional shadow should be that in blue).
Affordable Housing	4. A statement indicating that affordable housing representing of at least 5% of the total number of apartment dwellings (inclusive of the 16 apartments provided in the Southern Precinct) will be developed across the entire site (inclusive of the Northern and Heritage Precincts).
Environmental Sustainable Development	5. A written outline committing to the following: <ul style="list-style-type: none"> (a) 6-Star Green Star Communities rating and certification for the precinct (the first Green Star Communities project in the City of Yarra and the first 6 Star Green Star Communities Retirement Living rated precinct in Australia based on advice received from GBCA 5th April 2018); (b) 5-Star Green Star RL Building Performance Standard Equivalent (i.e. not certified by GBCA); (c) NatHERS rating of average 7 Stars on RL apartments; (d) NatHERS rating of average 6.5 Stars on townhouses (due to difficulties relating to their east-west orientation) and improved energy efficiency services; (e) BESS 'best practice' performance standard across retirement living apartments, townhouses, affordable housing and aged care; (f) 20% energy savings demonstration through JV3 modelling for the Aged Care building; and (g) Precinct-wide stormwater management strategy, including stormwater collection systems such as biofilter to collection and treat stormwater and rainwater tanks to collect and re-use stormwater.

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|-----------------------------------|--|
| Community facilities | 6. A written commitment stating that all community facilities (including but not limited to the <i>wellness centre, a pool, gym, a multi-purpose room and other rooms suitable for the delivery of allied health services</i>) located within the independent retirement living apartment building will be publically accessible. |
| Access, footpaths and landscaping | 7. Provision of on-grade pedestrian access at all publicly accessible points of entry with avoidance of the use of platform lifts and stairs at the private entrances.

8. Pedestrian crossings redesigned to rectify all potential conflicts between drivers and pedestrians.

9. All pedestrian crossings and footpaths to be distinguished and delineated with varied surface materials from that of surrounding roads with a clear emphasis on pedestrian priority.

10. The location of landscaping / trees reviewed to ensure clear sightlines are achieved between pedestrians and drivers at all pedestrian crossings and crossovers.

11. The adoption of the Khartoum Street and Kennedy Avenue cross sections emailed to Council on 11 May 2018 at Sections 12.9 and 12.10 of the Development Plan, respectively. |
| Sustainable Transport | 12. Bicycle parking in accordance with the following rates:

<u>Retirement Living Apartments</u>
Resident: 1 space to each 5 dwellings
Visitor: 1 space to each 10 dwellings

<u>Townhouses</u>
1 space to each dwelling

<u>Aged Care</u>
Resident/Staff: 10% of building occupants (staff)
Visitor: 1 space to each 60 beds

<u>Affordable Housing Apartments</u>
Resident: 1 space to each dwelling
Visitor: 1 space to each 4 dwellings |
| Other | 13. Any other changes as a consequence of the above. |

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Attachments

- 1** PLN17/0920 - Development Plan Part 1
- 2** PLN17/0920 - Development Plan Part 2
- 3** PLN17/0920 - Development Plan Part 3
- 4** PLN17/0920 - Development Plan Part 4
- 5** PLN17/0920 - Development Plan Part 5
- 6** PLN17/0920 - Development Plan Part 6
- 7** PLN17/0920 - Development Plan Part 7
- 8** PLN17/0920 - Development Plan Part 8
- 9** PLN17/0920 - Development Plan Part 9
- 10** PLN17/0920 - Development Plan Part 10
- 11** PLN17/0920 - Development Plan Part 11
- 12** PLN17/0920 - Development Plan Part 12
- 13** Heritage Advice
- 14** Urban Design comments (internal)
- 15** Urban Design Advice by MGS Architects Pty. Ltd
- 16** ESD Referral Advice
- 17** Engineering Services Unit
- 18** Strategic Transport advice
- 19** Strategic Planning advice
- 20** Wind Impact Assessment advice
- 21** Development Plan- Endorsed Plans (Part 1)
- 22** Development Plan - Endorsed Plans (Part 2)
- 23** Development Plan - Endorsed Plans (Part 3)
- 24** Development Plan - Endorsed Plans (Part 4)
- 25** Development Plan - Endorsed Plans (Part 5)
- 26** Development Plan - Endorsed Plans (Part 6)
- 27** Development Plan - Endorsed Plans (Part 7)
- 28** Development Plan- Endorsed Plans (Part 8)