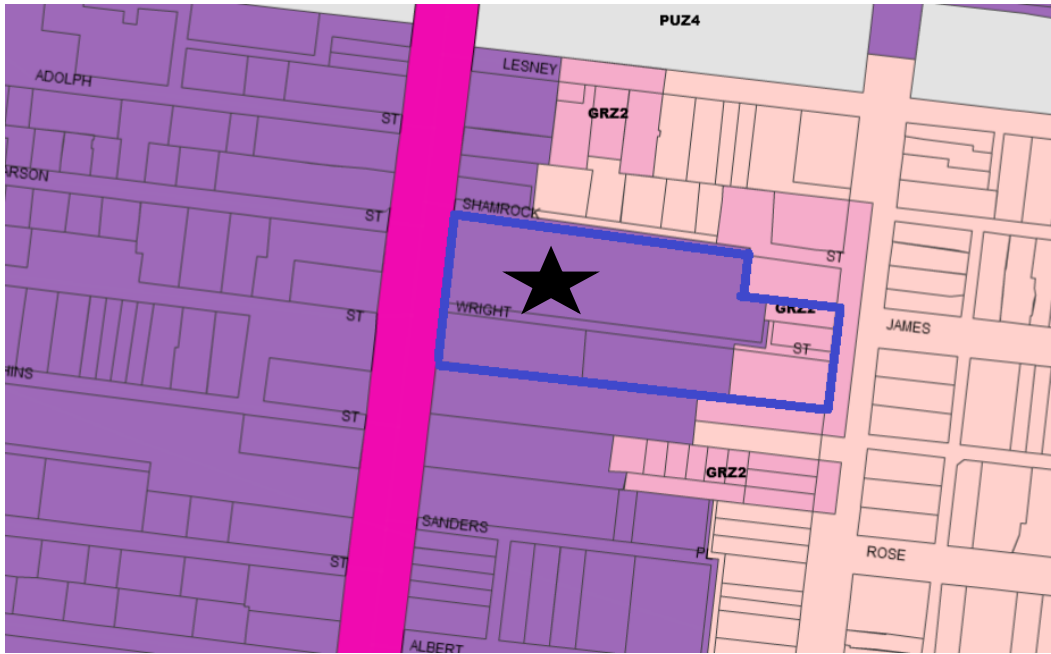


**SUBJECT LAND:**



↑ North

★ Subject Site

## City of Yarra Planning Application DAP Report

<b>Application No:</b>	PLN18/0328
<b>Land Address:</b>	459-471 Church Street & 20 – 26 Brighton Street, Richmond
<b>Current Land Use:</b>	Furniture Showrooms, car park and dwelling
<b>Zone/s:</b>	Part Commercial 2 Zone, Part General Residential Zone (Schedule 2)
<b>Overlay/s:</b>	Design and Development Overlay (Schedules 2 and 5) and CityLink Project Overlay (CLPO)
<b>Date Received:</b>	11 May 2018
<b>The Proposal:</b>	Use and development of the land for the construction of three buildings (ranging between four and fourteen storeys in height with two basement levels) for offices, restricted retail premises, food and drinks premises (cafe) and a child care centre (permit required for childcare centre only), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.
<b>Objections/Submissions:</b>	225 Objectors  18 Statements of Grounds
<b>Planning Officer:</b>	Vicky Grillakis
<b>Statutory Days:</b>	Failure Appeal

### Planning Scheme Amendments

#### *Amendment VC148*

On 31 July 2018, Planning Scheme Amendment VC148 was gazetted by the Minister for Planning. Amongst other changes the amendment has deleted the State Planning Policy Framework (SPPF) and has replaced it with a new integrated Planning Policy Framework (PPF) in Clauses 10 to 19 of the Scheme.

The introduction of VC148 amended Clause 52.06 (Car parking) so that the car parking rates of Column B applies if any part of the subject site is identified as being within the Principal Public Transport Network Area (PPTN).

The subject site is located within the PPTN Area and, therefore, the Column B car parking rates apply to this planning permit application. As a result, the office car parking requirement is now 3 spaces per 100sqm instead of 3.5, restricted retail is 2.5 spaces per 100sqm instead of 3, and the requirement for a food and drinks premises is now 3.5 spaces per 100sqm instead of 4. There is no change to childcare centres.

## **Background**

### **Appeal against Council's failure to determine the application in time**

On 8 October 2018, Council received notice that an application had been lodged at the Victorian Civil Administrative Tribunal (VCAT) by the applicant under section 79 of the *Planning and Environment Act 1987* (the Act) for the failure of Council to determine the application within the statutory time period.

The purpose of this report is to form Council's position on the application.

A Compulsory Conference is scheduled for 22 January 2018. A VCAT Full Hearing is scheduled for five days beginning on 18 March 2019.

Eighteen other parties have lodged statements of grounds.

## **Planning History**

- Planning permit PLN 981362 was issued 8 February 1999 for buildings and works to an existing warehouse.
- Planning permit PLN 990572 was issued 9 June 1999 for business identification signage.
- Planning application PLN16/0379 was withdrawn on 19 July 2016 for a change of use to a place of assembly (exhibition and function centre), restaurant (greater than 100sq.m.), shop (in excess of 500sq.m.), studio (in-nominate use) and office (non-permit required use) and a reduction in the associated car parking, bicycle and loading bay requirements of the Yarra Planning Scheme.
- Planning permit PLN18/0246 for display of business identification signage was issued on 6 September 2018.

## **Existing Conditions**

### **Subject Site**

The subject site is located on the eastern side of Church Street, Richmond and runs along the southern side of Shamrock Street, extending to the western side of Brighton Street. The site is generally rectangular in shape, save for a cut-out in the north-eastern corner associated with No. 16 Brighton Street which is not part of the subject site. The private road Wright Street runs through the centre of the site. The site is occupied by a double storey furniture showroom and car park fronting Church Street, a single storey warehouse in the centre of the site, and a dwelling and car park with fencing fronting Brighton Street.

The aerial image below depicts the subject site:



### *Title*

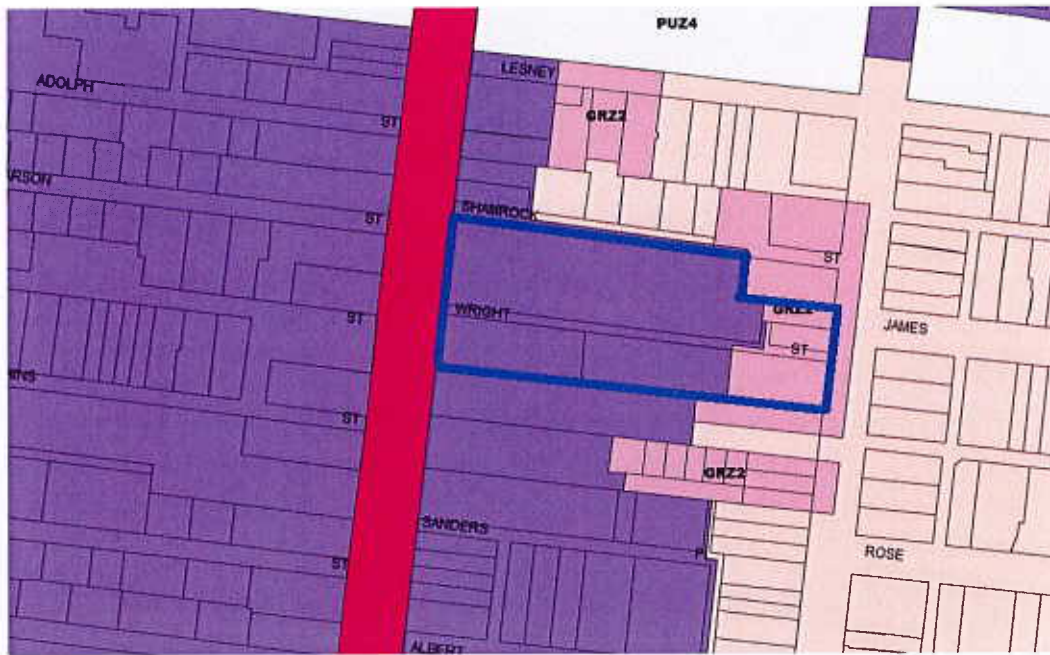
The subject site is made up of 18 lots:

- TP018720C
- TP835062H
- TP746732H
- TP747046V
- TP693554W
- TP377580K
- TP741791S
- TP895899J
- TP512064F
- TP600753Q
- TP702427L
- TP892174X
- TP512842G
- TP511648H
- TP845425Q
- TP895487J
- TP845454H
- TP010910Q

The titles submitted with the application do not show any covenants or easements.

### Surrounding Land

The subject land is located within two zones - Commercial 2 and General Residential (Schedule 2), with the existing development in the wider area being mixed and consisting of residential, commercial and industrial uses resulting in diverse built form. Land zoned Neighbourhood and General Residential is located to the east of the subject site, as well as to the north and south. Public Use Zone (Schedule 4) located further to the north associated with the train line, and Church Street is a Road Zone. Below is a zoning map of the area:



The variation in the subdivision pattern and built form types associated with the different zones is clearly shown in the aerial image below:



### *General*

Generally speaking, the built form of the area is hard-edged or with minimal front setbacks, with fine grain residential developments to the north, east and south (and interspersed in the surrounds also), with lots having high site coverage and high on-boundary walls. Richmond is well known as being quite intensely developed where “cheek by jowl” development is already common. The residential pockets of this part of Richmond are also generally built to their side boundaries with small private open spaces. Existing building heights in this area are primarily low rise, between one and three storeys with some taller structures in the wider area.

In the wider area are showrooms, warehouses and offices generally constructed to the boundary with high site coverage. A furniture retailing theme is evident in the area.

Further to the north, are the East Richmond Train Station and Swan Street Major Activity Centre (MAC) which includes various commercial uses and also the Richmond Train Station.

In an easterly direction is the residential pocket (both in built form typology and zoning) of Richmond with dwellings generally on narrow lots, built to their side boundaries and with small private open spaces.

To the west of Church Street is the suburb of Cremorne which has a similar typology, albeit even slightly more constrained in terms of site areas and high site coverage. The strip running along the western side of Church Street is also Commercial 2 Zoned land, with the residential pocket separated from this area by the north-south orientated Walnut Street

The Cremorne area is currently going through a period of transition from lower scale buildings to higher density development. Whilst the existing tallest buildings close to the site are five to seven storeys, there have been a number of approvals along the eastern end of Cremorne (closest to the subject site) and also the western part of Cremorne for larger scale developments. Recent approved developments which are currently under construction or have progressed beyond the planning permit stage and are within proximity to the site are as follows:

- 506 & 508-510 Church Street, Cremorne (10 storeys plus a roof terrace – 33m to the south-west)
- 11-13 Pearson Street, Cremorne (7 storeys – 93m to the north-west)
- 12-18 Albert Street, Richmond (7 storeys – 100m south)
- 'X' Building, Church Street, Cremorne (7 storeys - 100m south-west)
- 19 William Street, Cremorne (7 storeys – 117m south-west)
- 17 William Street, Cremorne (6 Storeys – 125m south-west)
- 561-563 Church Street, Richmond (6 storeys - 300m south-west)
- 594-600 Church Street, Cremorne (8 storeys - 340m south-west)

Further afield there have been numerous planning permit approvals in the western section of Cremorne ranging between 6 and 17 storeys in height for a mixture of commercial and residential developments.

Whilst the subject site is not located within Cremorne, it is located in proximity to it, and the above approved/under construction developments show there is an increasing trend in the area for larger scale built form compared to what currently exists.

### *North*

Shamrock Street is a 4m wide one-way street (entering from Church Street and exiting onto Brighton Street). Along the northern side of Shamrock Street, at its intersection with Church Street, is a three-storey commercial building, occupied by a furniture showroom. To its north is a double storey building used for a Thai restaurant, a three storey bike shop and a double storey pub, known as 'Harlow' (previously the Great Britain Hotel). These sites are all located within the Commercial 2 Zone.

To their east, along the northern side of the residential portion of Shamrock Street are a row of single storey dwellings between Nos. 1-11 Shamrock Street and including No. 12 Brighton Street (double storey townhouses) at its eastern end. Each of these dwellings has minimal front setbacks, some of which have a side car park access/parking area, and private open spaces along their northern boundaries (although some of the dwellings have their entire private open spaces along their side boundary).

Along the northern boundary of the subject site is No. 16 Brighton Street which is currently a single storey dwelling with private open space at the rear. A planning permit (PLN11/0673) was approved

for four, part-two, part-three three storey townhouses (with basements) on 21 April 2012. The works have not yet commenced, and an extension of time to the permit was recently approved which allows for works to commence no later than 21 May 2019 and be completed no later than 21 May 2021. A building permit has not been issued, however a building surveyor has been appointed.

The approved townhouses will be built along the western boundary abutting the subject site, partly constructed along the southern boundary and also partly setback distances of between 1.5m and 4.265m from the southern boundary. The ground floor of the townhouses have service yards along the southern boundary, balconies at first floor and windows at each floor, all facing the subject site. These approved townhouses have north-facing windows and balconies as well. All the south-facing windows are either located 1.7m above the finished floor level or have screening to that effect. The eastern-most townhouse presents as double storey to Brighton Street and all present as three-storeys to Shamrock Street.

In terms of the surrounding heritage overlay, Nos. 1-11 Shamrock Street are graded as 'contributory' within the Barkley Gardens Heritage Precinct. Nos. 12 and 14 Lesney Street are also 'contributory' and No. 20 and 24 Lesney Street are "individually significant" to the same heritage precinct.

Beyond these immediate interfaces, are the dwellings located along the southern side of Lesney Street, with the train line to their north. Further north is the Swan Street Major Activity Centre.

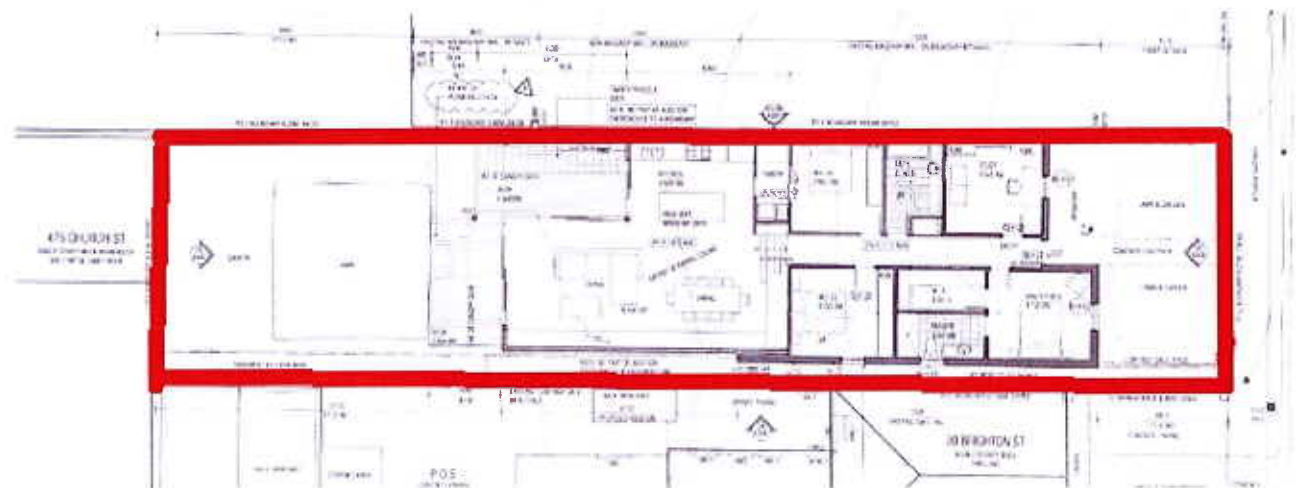
### *East*

To the east of the site is Brighton Street which is 15m in width. Facing the subject site are single storey dwellings, typically attached on one side, with narrow side setbacks, and small private open spaces. To their east are single and double storeys dwellings with high site coverage. Beyond these, to the east of Mary Street is a large park, named Barkly Gardens.

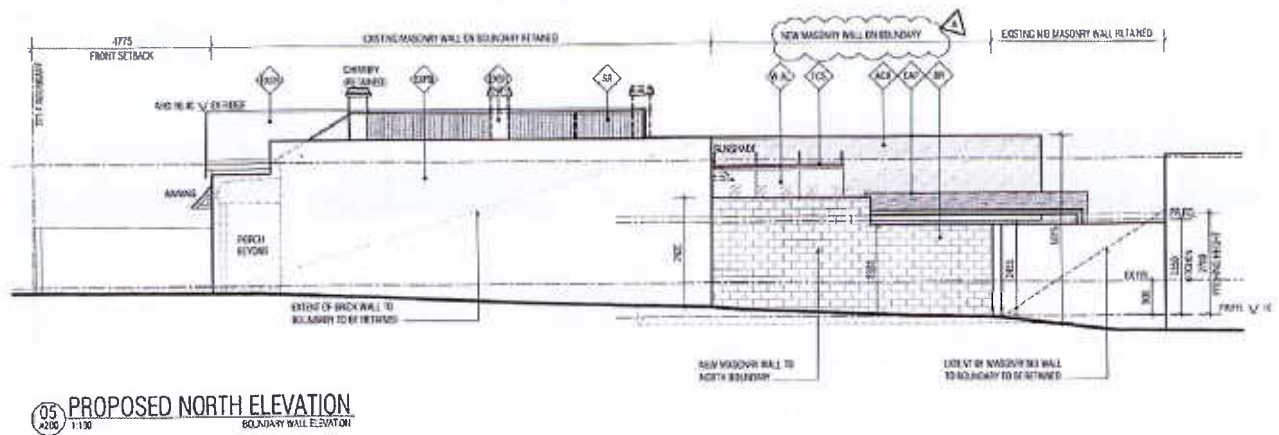
In terms of the surrounding heritage overlay along the eastern side of Brighton Street, there are a number of not-contributory dwellings, with the majority of those having heritage significance being further to the south. For example, between Nos. 23 to 39 Brighton Street (north-east and south-east of the subject site), only No. 31 Brighton Street is of heritage value.

### *South*

To the south of the subject site, facing Brighton Street is No. 28 Brighton Street which is graded as 'contributory' to the heritage precinct. Occupying the site is a single storey, double fronted dwelling. Planning Permit PLN13/0432 approved a ground floor extension. The image below is the endorsed ground floor plan:



The works associated with this permit have been completed. The plans show that there is a solid wall along part of the shared boundary, with garden areas in the eastern and western ends of the site. There are rear, north-facing open plan living room windows looking towards the subject site as well as west-facing windows. A portion of the open plan living area also has north-facing highlight windows. The image below is the endorsed north elevation:



To its south is No. 30 Brighton Street which is a double storey dwelling, setback from the street for a front car park area with high side boundary walls and a large shed at the rear. Between the dwelling and the shed is private open space. This dwelling is graded as 'individually significant' to the heritage precinct. To its south are three recently constructed double and triple storey metal-clad dwellings.

To the south of the subject site, fronting Church Street is No. 475 Church Street which is a large, single storey furniture showroom and warehouse which is built along its northern boundary with the subject site. To the south of this is a private road, leading to the rear of the site. To its south are a row of attached double storey, furniture showrooms and warehouses. Each of these have high site coverage with any open areas being used for car parking or access.

To the east of these Church Street properties, and abutting the southern boundary of No. 475 Church Street and No. 30 Brighton Street, are a row of six, two and three storey townhouses located at No. 7 Sanders Place. These townhouses were approved under Planning Permit PL01/0765 on 11 September 2001. Each of these dwellings are partly built to their northern boundary with each having car parking, a study/bedroom/s and courtyard at ground floor, bedrooms and a balcony at first floor, living/kitchen at second floor and north-facing second floor terraces. The two, double storey townhouses have their living/kitchen at first floor with no second floor. They receive access to their site from Sanders Place which is within a Commercial 2 Zone. The dwellings are located within the General Residential Zone. Dwellings are prohibited in the Commercial 2 Zone.

Further south are other commercial buildings with robust built form, and the Yarra River.

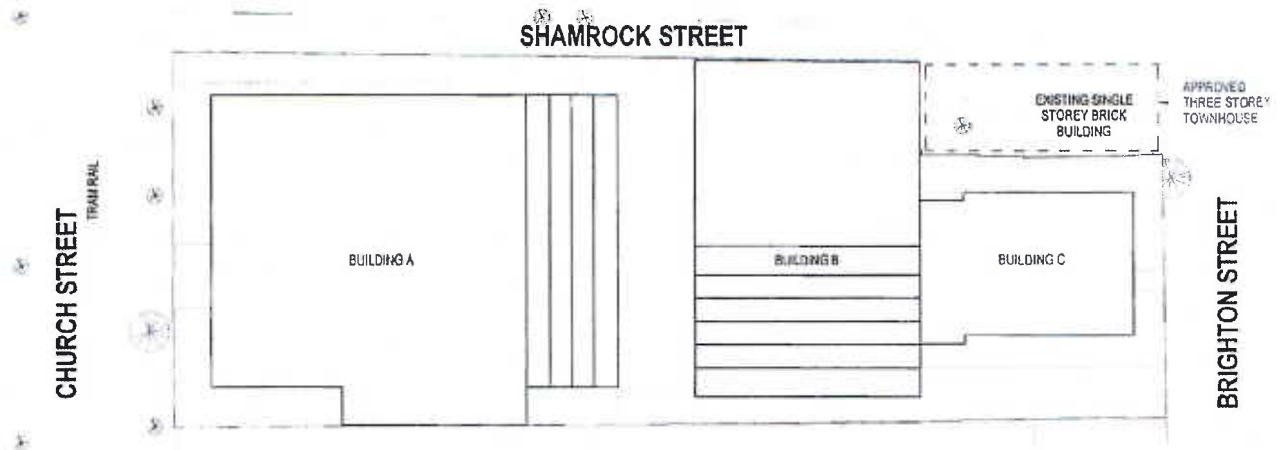
### West

To the west of the subject site is Church Street which is a Category 1, Road Zone (under VicRoads authority) with a tram route running north to south and parking either side, effectively resulting in it generally being a single lane road in either direction. On the opposite side of the street are other large single and double storey commercial buildings. Beyond these is Walnut Street which separates the Commercial 2 Zone land from the residential area further to the west.

### The Proposal



The proposal is for the demolition of all buildings on site, and the constructed of three buildings, one facing Church Street, another facing Shamrock Street and the third, facing Brighton Street. This is shown in the image below:



The front building comprises of a five storey podium, with nine additional levels above. The middle building has a double storey base, north-facing second floor terraces, with the southern side terracing at each level, up to an overall height of eight storeys. The Brighton Street building is a three-storey plus covered fourth floor open space building.

Buildings A and B are attached from the ground floor to the second floor, with the two buildings separating from the third floor and above. Building C (Brighton Street) is built along the eastern wall of Building B at each level.

The render below depicts Buildings A and B as viewed from the north along Church Street:



The render below depicts the three buildings as viewed from Brighton Street from the south-east:



### Basements (all buildings)

- Two basement levels (total of 217 cars plus services) are proposed beneath Buildings A and B, with a separate single level basement (23 cars plus bins and services) beneath the Brighton Street building.

### Buildings A and B

#### *Ground floor*

At ground floor of Buildings A and B includes a central Church Street lobby with an east-west corridor (8m in width) as well as an access from Shamrock Street setback approximately 50m from Church Street with a courtyard width of 16.75m. Both entries provide access to the two lift cores associated with the two buildings. Along the perimeter of the ground floor are various tenancies, services, toilets, and end of trip facilities. The lift core of Building A is located along the southern boundary, whilst the lift core of Building B is located centrally within the building. Building A also includes a central atrium.

Car parking access is along Shamrock Street, with the development being setback 4m from the title north-western title boundary to widen Shamrock Street to allow for two-way access from Church Street (instead of only one-way). Loading, waste collection and the substation are all located along Shamrock Street.

Both buildings are built along their southern, western and northern boundaries, save for the additional northern setback previously mentioned. The proposal also includes a splay in the north-western corner of the site, in addition to the setback from Shamrock Street.

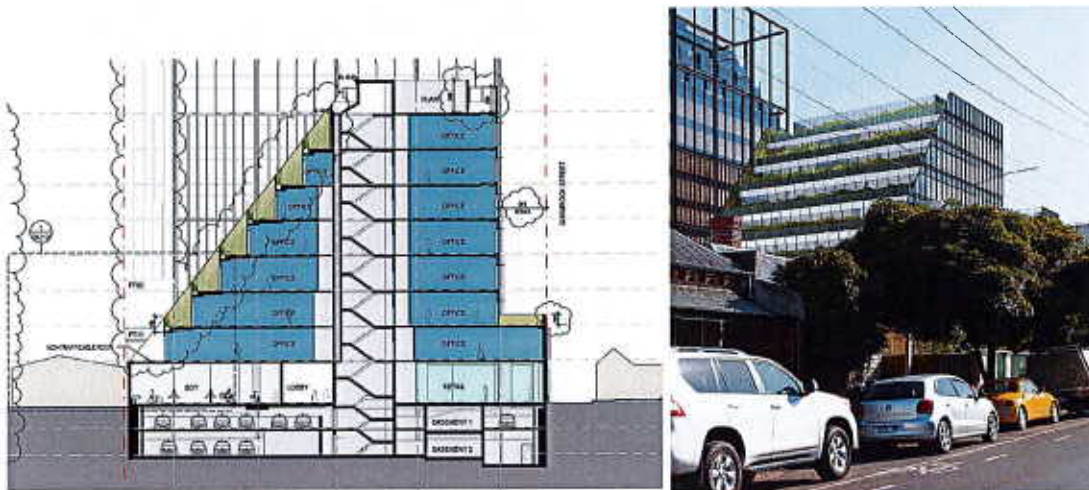
#### *First and second floors*

At first floor, the podium of the front building is built to the western boundary, with a central indent and a northern setback of 3.8m. Aside from a 13.86m wide northern courtyard, the remainder of the two buildings are built along their northern boundary. Building A includes a northern 3m wide canopy over the setback area.

Along the southern boundary, there is on-boundary construction for a length of 55m, with setbacks of 3m and 3.8m for the remaining length of Buildings A and B.

The second floor is constructed similarly, albeit with a terrace located on the northern side of Building A, the central courtyard is reduced to a width of 9.8m (which will continue for the levels above), additional northern and southern terraces for Building B and a terrace separating the two buildings. The setbacks of Building B from the southern boundary have increased to 6.82m (including the terrace areas).

From the second floor and above, Building B increases its setbacks at each floor from the southern boundary via the inclusion of terraces. The setbacks range from a minimum of 3.8m at first floor, to a maximum of 22m on the eighth floor. This terracing effect is pictured below:



### *Third and fourth floors*

The third floor sees the full separation of Buildings A and B which are divided via a 9.8m wide building setback between them.

The third and fourth floors of Building A are constructed along the western boundary with the central indent and setback between 3.8m and 5.1m from the northern boundary. A terrace is located along the southern boundary at third floor, which at fourth floor results in a 5m setback from the southern boundary. The fourth floor is the upper-most level of the podium which results in terraces located along its perimeter. The fourth floor sees a significant reduction in the size of the atrium.

From the third floor and above, Building B is setback between 5m and 5.2m from the northern boundary.

### *Fifth floor and above*

Due to the podium being five storeys in height, from the fifth floor and above, only the tower component of Building A continues. The tower has setbacks of 5m from Church Street, setbacks of between 5.1m and 5.8m from the northern boundary with a 6.5m deep indent and a lift core constructed along the southern boundary with 5m setbacks either side. This built form continues up to the ninth floor where from the tenth floor and above, at each level, there is a 2m wide terrace which effectively steps the building away from the eastern boundary at each floor. A framing element surrounds these terraces which can be seen in the image below:



Between the fifth and eighth floors, Building B retains the same built form, albeit increased setbacks from the southern boundary ranging from 15.9m (inclusive of terrace) and 22m (no terraces). The eighth floor only includes plant equipment.

At each level, Building B is constructed along its shared boundary to No. 16 Brighton Street with glazing being incorporated from the second floor and above.

The overall maximum height of Building A is 57.37m (also maximum on-boundary wall height) to the top of the building and 61.32m to the top of the plant screening (3.95m in height).

The overall maximum height of Building B is 35m to the top of the lift core and plant. The maximum on-boundary wall height is 33m.

Materials include brown brick, glazing, metal framing and concrete.

#### Brighton Street building

At ground floor the built form is setback 4.61m from the front boundary, 7m from the southern boundary and 6.4m from the northern boundary. Its rear wall is setback 29.77m from the front boundary – in line with the General Residential Zone. There are outdoor play spaces within the front and southern setback areas.

Car park access to the basement is from a 5.8m wide vehicle ramp down to the basement, setback approximately 1m from the southern boundary. The southern outdoor play space is over this area. Pedestrian access to the remainder of the site is also available via the northern gate.

At first floor this building is setback 4.5m from the northern boundary, 1.35m from the front boundary with a central indent of up to 4m, and between 6.34m and 8.5m from the southern boundary with an outdoor play space along this elevation. The second floor is constructed similarly, albeit with setbacks of between 4.5m and 5.76m from the northern boundary, between 1.35m and 4m from Brighton Street, and between 8.5m and 9.6m from the southern boundary. An outdoor play space is located on the third floor with plant located on the fourth floor. It has an overall height of between 14.5m and 15m with an additional 3m for the lift core and plant.

The image below depicts this building from Brighton Street, diagonally opposite looking northward. Building B can be seen in the background.



Materials include glazing, metal framing, timber and concrete.

## ***Yarra Planning Scheme Provisions***

### Zoning

#### *Commercial 2 Zone (C2Z)*

The land known as No. 459-471 Church Street, Richmond is zoned Commercial 2 Zone. The purpose of the zone is:

- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

The following provisions apply:

- Pursuant to Clause 34.02-1, a planning permit is not required to use the land as an office, a restricted retail premises, or a food and drinks premises under 100sqm in floor area. Therefore, there is no permit required for any of the uses as the food and drinks premises is 83sqm.
- Pursuant to clause 34.02-4 of the Scheme, a permit is required to construct a building or construct or carry out works.

#### *General Residential Zone (Schedule 2)*

The land known as No. 20-26 Brighton Street, Richmond is zoned General Residential Zone, Schedule 2. The following provisions apply:

- Pursuant to Clause 32.08-2 of the Yarra Planning Scheme (the Scheme), a permit is required for a childcare centre (any other use not listed in Section 1 or 3 – therefore Section 2).

- Pursuant to Clause 32.08-9 of the Scheme, a permit is required to construct a building or to construct or carry out works associated with a Section 2 use.

### *Road Zone*

The proposal includes the removal of the existing crossover along Church Street, the reinstatement of the footpath and construction of a canopy over a section of Shamrock Street which intersects with Church Street. Church Street 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 uses are 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

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

This overlay applies to a 30m deep portion of the site fronting Church Street.

Under clause 43.02-2 of the Scheme, a permit is required to construct a building or construct or carry out works.

Schedule 2 to the DDO outlines the following design objectives:

- *To recognise the importance of main roads to the image of the City.*
- *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
- *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
- *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
- *To encourage high quality contemporary architecture.*
- *To encourage urban design that provides for a high level of community safety and comfort.*
- *To limit visual clutter.*
- *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

Decision guidelines include:

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

#### *Design and Development Overlay Schedule 5 (DDO5) City Link Exhaust Stack*

- Pursuant to clause 43.02-2 of the Scheme a permit is not required to construct a building or to construct and carry out works.
- Schedule 5 (City Link Exhaust Stack Environs) specifically exempts buildings and works from requiring a planning permit. Pursuant to clause 43.02 of the Scheme, where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1) (c) of the *Planning and Environment Act 1987* to the person or body specified as a person or body to be notified in clause 66.06 or a schedule to that clause.

- A planning permit is required for buildings and works under the C2Z, and under the CLPO. Notice of the application must therefore be given to the Environment Protection Authority, Transurban City Link Limited and the Roads Corporation (VicRoads). Their comments are provided in the *Referrals* section of this report.

#### *City Link Project Overlay (CLPO)*

- Pursuant to clause 45.07-1 of the Scheme, a permit is required to develop land, given that the development is not part of the Melbourne City Link Project or the Exhibition Street Extension Project. Pursuant to clause 45.07-6 of the Scheme, the Roads Corporation (VicRoads) is listed as being a section 55 referral authority.

#### Relevant Particular Provisions

##### *Clause 52.06- Car parking*

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, the provision on site, and the subsequent reduction below the statutory requirement:

<b>Proposed Use</b>	<b>Quantity/ Size</b>	<b>Statutory Parking Rate*</b>	<b>No. of Spaces Required</b>	<b>No. of Spaces Allocated</b>
Office	23,504 m <sup>2</sup>	3 spaces per 100 m <sup>2</sup> of net floor area	705	217 (202 for the office, with the remainder shared between the staff of the restricted retail and food and drinks premises)
Restricted Retail	1,219 m <sup>2</sup>	2.5 spaces per 100 m <sup>2</sup> of leasable floor area	30	
Food and Drink	83 m <sup>2</sup>	3.5 spaces per 100 m <sup>2</sup> of leasable floor area	2	
Childcare Centre	100 places	0.22 spaces to each child	22	23
<b>Total</b>			<b>759 Spaces</b>	<b>240 Spaces</b>

Pursuant to Clause 52.06-3, a permit is required to reduce (including reduce to zero) the number of car spaces required under Clause 52.06-5. The provision of 240 car spaces results in a numerical shortfall of 519 car spaces. Based on the allocation of car parking, there is a shortfall of 520 car spaces for the office, restricted retail and food and drink premises uses. There is also a surplus of 1 car space for the childcare centre

##### *Differences due to Amendment VC148*

Due to the introduction of Amendment VC148 which amended Clause 52.06, there is also a significant difference between Council's car parking rate assessment and the applicant's traffic report. As a result of the amendment, car parking rates of Column B applies if any part of the subject site is identified as being within the Principal Public Transport Network Area (PPTN).

The subject site is located within the PPTN Area and, therefore, the Column B car parking rates apply to this planning permit application. As a result, the office car parking requirement is now 3 spaces per 100sqm instead of 3.5, restricted retail premises is 2.5 instead of 3 and the requirement for a food and drinks premises is now 3.5 spaces per 100sqm instead of 4.

The previous car parking requirement (prior to VC148) was a total of 883 spaces. Whereas now, post-VC148, the car parking requirement is 759 spaces. This is a decreased requirement of 124 car parking spaces. The previous car parking reduction would have been 634 spaces, however it is now 520.

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

The purpose of this clause is to ensure appropriate access to identified roads and to ensure appropriate subdivision of land adjacent to identified roads.

Pursuant to Clause 52.29 a permit is required to create or alter access to a road in a Road Zone, Category 1.

Church Street is a Road Zone, Category 1 and the application proposes to remove the existing crossover located along it and to construct a canopy over a section of Shamrock Street which intersects with Church Street. The proposal will also be changing the intersection of Church and Shamrock Streets from a one-way street to two-way. Therefore, a planning permit is required for the works and alteration of access to a road in a Road Zone.

An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the authority responsible for acquiring the land, must be referred to the Roads Corporation under Section 55 of the Act.

*Clause 52.34 - Bicycle facilities*

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:

<i>Proposed Use</i>	<i>Quantity/ Size</i>	<i>Statutory Parking Rate</i>	<i>No. of Spaces Required</i>	<i>No. of Spaces Allocated</i>
<i>Office (other than specified in the table)</i>	<i>23,504 sqm</i>	<i>1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm</i>	<i>78 employee spaces</i>	
		<i>1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm</i>	<i>24 visitor spaces.</i>	
<i>Retail premises (other than specified in this table)</i>	<i>83 sqm</i>	<i>1 employee space to each 300 sqm of leasable floor area</i>	<i>0 employee spaces</i>	
		<i>1 visitor space to each 500 sqm of leasable floor area</i>	<i>0 visitor spaces.</i>	
<i>Shop</i>	<i>1,219 sqm</i>	<i>1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds</i>	<i>2 employee spaces</i>	



		1000 sqm		
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	2 visitor spaces.	
Bicycle Parking Spaces Total			80 resident / employee spaces	195 resident / employee spaces
			26 visitor spaces	41 visitor spaces
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces		9 showers / change rooms	24 showers / change rooms

Clause 52.34-2 states that a permit may be granted to reduce or waive this requirement. Clause 52.34-5 contains bicycle signage requirements.

The development provides a total of 115 additional employee spaces and 15 additional visitor spaces above the statutory requirements of the planning scheme. There are also an additional 15 showers / change rooms.

#### General Provisions

Clause 65 – Decision guidelines

#### Planning Policy Framework (PPF)

Relevant clauses are as follows:

*Clause 11.02 (Managing Growth)*

*Clause 11.02-1S (Supply of Urban Land)*

The objective is:

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

*Clause 11.03 (Planning for Places)*

*Clause 11.03-1R (Activity centres – Metropolitan Melbourne)*

Relevant strategies are:

*Support the development and growth of Metropolitan Activity Centres by ensuring they:*

- *Are able to accommodate significant growth for a broad range of land uses.*
- *Are supported with appropriate infrastructure.*
- *Are hubs for public transport services.*
- *Offer good connectivity for a regional catchment.*
- *Provide high levels of amenity*

*Clause 13.05-1S (Noise abatement)*

The objective is:

- *To assist the control of noise effects on sensitive land uses.*

Noise abatement issues are measured against relevant State Environmental Protection Policy (SEPP) and other Environmental Protection Authority (EPA) regulations.

*Clause 15.01 (Built Environment and Heritage)*

*Clause 15.01-1S (Urban design)*

The objective is:

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

*Clause 15.01-1R (Urban design - Metropolitan Melbourne)*

The objective is:

- *To create distinctive and liveable city with quality design and amenity.*

*Clause 15.01-2S – (Building Design)*

The objective of this clause is 'to achieve building design outcomes that contribute positively to the local context and enhance the public realm.'

Relevant strategies of this clause are:

- *Require a comprehensive site analysis as the starting point of the design process.*
- *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
- *Encourage development to retain existing vegetation.*

This clause also states that planning must consider as relevant:

- *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*

*Clause 15.01-4S (Healthy neighbourhoods)*

The objective of this clause is:

- *To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

Relevant strategies include:

- *Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:*
  - *Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
  - *Streets with direct, safe and convenient access to destinations. Conveniently located public spaces for active recreation and leisure.*
  - *Accessibly located public transport stops.*
  - *Amenities and protection to support physical activity in all weather conditions.*

*Clause 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)*

The strategy is:

- *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 from their home.*

*Clause 15.01-5S – (Neighbourhood character)*

The objective of this clause is *'to recognise, support and protect neighbourhood character, cultural identity, and sense of place.'*

Relevant strategies are:

- *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
  - *Pattern of local urban structure and subdivision.*
  - *Underlying natural landscape character and significant vegetation.*
  - *Heritage values and built form that reflect community identity.*

*Clause 15.02-1S – (Energy and resource efficiency)*

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 17 – (Economic development)*

*Clause 17.01-1S– Employment*

The objective of this clause is:

- *To strengthen and diversify the economy.*

Relevant strategies include:

- *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*

- *Improve access to jobs closer to where people live.*

*Clause 17.02-1S – (Business)*

The objective of this clause is *'to encourage development which meet the communities' needs for retail, entertainment, office and other commercial services'*.

*Clause 18.01-1S – (Land use and transport planning)*

The objective of this clause is:

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

Relevant strategies to achieve this objective include:

- *Develop transport networks to support employment corridors that allow circumferential and radial movements.*
- *Plan urban development to make jobs and community services more accessible by (as relevant):*
  - *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.*
  - *Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.*
  - *Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.*
- *Integrate public transport services and infrastructure into new development.*

*Clause 18.02-1S – (Sustainable personal transport)*

The objective of this clause is:

- *To promote the use of sustainable personal transport.*

Relevant strategies of this policy are:

- *Encourage the use of walking and cycling by creating environments that are safe and attractive.*
- *Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.*
- *Ensure cycling routes and infrastructure are constructed early in new developments.*
- *Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.*
- *Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.*
- *Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.*
- *Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.*
- *Ensure provision of bicycle end-of-trip facilities in commercial buildings*

*Clause 18.02-1R – (Sustainable personal transport- Metropolitan Melbourne)*

Strategies of this policy are:

- *Improve local travel options for walking and cycling to support 20 minute neighbourhoods.*
- *Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network.*

*Clause 18.02-2S Public Transport*

The objective of this clause is:

- *To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

*Clause 18.02-2R Principal Public Transport Network*

A relevant strategy of this clause is to:

- *Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.*

*Clause 18.02-4S – (Car Parking)*

The objective of this clause is:

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

A relevant strategy is:

- *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

Local Planning Policy Framework (LPPF)

The following LPPF provisions of the Scheme are relevant:

*Clause 21 – Municipal Strategic Statement (MSS)*

*Clause 21.04-2 – Activity Centres*

The relevant objective of this clause is:

- *To maintain the long term viability of activity centres.*

Relevant strategies to achieve this objective include:

- *Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*
- *Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.*
- *Strategy 5.4 Permit residential development that does not compromise the business function of activity centres.*

*Clause 21.04-3 – (Industry, office and commercial)*

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

*Clause 21.05-2 – (Urban design)*

The relevant objectives and strategies of this clause are:

- *Objective 16 - To reinforce the existing urban framework of Yarra;*
- *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:*
  - *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.*
- *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
- *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;*
- *Objective 21 - To enhance the built form character of Yarra's activity centres;*
  - *Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and*
  - *Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.*
- *Objective 22 - To encourage the provision of universal access in new development.*

*Clause 21.05-4 (Public environment)*

The relevant objective and strategies of this clause are:

- *Objective 28 - To provide a public environment that encourages community interaction and activity:*
  - *Strategy 28.1 Encourage universal access to all new public spaces and buildings*
  - *Strategy 28.2 Ensure that buildings have a human scale at street level.*
  - *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.*
  - *Strategy 28.5 Require new development to make a clear distinction between public and private spaces.*
  - *Strategy 28.8 Encourage public art in new development.*

*Clause 21.06 – (Transport)*

This clause builds upon the objectives outlined at clause 18, promoting cycling, walking and public transport as alternatives to private motor vehicle usage.

*Clause 21.06-1 – (Walking and cycling)*

This clause builds upon the objectives outlined at Clause 18, promoting cycling, walking and public transport as alternatives to private motor vehicle usage.

- *Objective 30 - To provide safe and convenient bicycle environments:*
  - *Strategy 30.2 Minimise vehicle crossovers on street frontages.*
- *Objective 32 - To reduce the reliance on the private motor car.*
- *Objective 33 - To reduce the impact of traffic.*
  - *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.*

*Clause 21.07-1 – (Environmentally sustainable development)*

The relevant objective and strategy of this Clause is:

- *Objective 34 To promote ecologically sustainable development:*
  - *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 21.08-2 Burnley-Cremorne- South Richmond*

*The neighbourhood provides a range of residential opportunities:*

- *the Cremorne area has a truly mixed use character with Victorian cottages, apartments and warehouse conversions intermingled with commercial and industrial uses. This mix of uses is valued by the local community and must be fostered*
- *the established residential area surrounding Barkly Gardens provides a range of housing opportunities in small cottages and larger period dwellings*

*This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered.*

*Along Church Street is an activity centre based on furniture and homewares, professional and business services and hospitality. There is an opportunity to enhance this activity centre with consistent active frontages.*

Figure 8 shows the subject site is a 'non-residential area' where the built form character objective is to improve the interface of development with the street.

*The implementation of land use strategies in clause 21.04 includes:*

- *Supporting the mixed use nature of development in the Cremorne area.*
- *Supporting offices and showrooms fronting Church Street south of Swan Street*
- *Supporting a monetary contribution in preference to land contribution in Cremorne, and a land contribution in preference to a monetary contribution in the remaining areas of this neighbourhood, for open space when residential subdivision occurs.*

*The implementation of built form strategies in clause 21.05 includes:*

- *Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.*

## Local Policies

### *Clause 22.01 – Discretionary Uses in the Residential 1 Zone*

This policy is only applicable to the land at No. 20-26 Brighton Street.

The objective is 'to ensure that residential amenity is not adversely affected by non-residential uses'.

*It is policy that:*

- *Existing buildings constructed for non-residential purposes are the preferred location for non-residential uses.*
- *Food and drink premises, places of assembly, places of worship and plant nurseries should have access to and adjoin a road in a Road Zone.*
- *Except on land adjoining and gaining direct access from a road in a Road Zone:*
  - *all required car parking should be on-site.*
  - *the scale of the proposed use should be compatible with providing service to the local residential community.*
- *Hours of operation should be limited to 8am to 8pm except for convenience shop.*
- *New buildings and works should be consistent with the scale, bulk and character of the area.*
- *Noise emissions should be compatible with a residential environment*

### *Clause 22.03 – Landmarks and Tall Structures*

The objective of this policy is to:

- *To maintain the prominence of Yarra's valued landmarks and landmark signs.*

It is policy to:

- *Maintain the prominence of Yarra's valued landmark signs.*
- *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.*
- *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

Within Clause 22.03-4, the spire of St Ignatius Cathedral, Church Street, Richmond and the Nylex Sign are identified as a landmarks. These are located 600m and 715m in distance from the subject site.

New buildings within the vicinity of the following landmarks should be designed to ensure the landmarks remain as the principal built reference.

### *Clause 22.05 – Interface Uses Policy*

This policy applies to applications for use or development within Commercial Zones (amongst others).

The relevant objective of this clause is:

*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.*



Clause 22.05-3 also states that it is policy that 'new non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.'

Decision guidelines at clause 22.05-6 include:

- *Before deciding on an application for non-residential development, Council will consider as appropriate:*
  - *The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.*
  - *Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.*

#### *Clause 22.10 - Built Form and Design Policy*

This policy provides guidelines to assess the scale, form and appearance of new development in areas where heritage overlay controls do not apply.

The policy aims to ensure that the design of new buildings limit the impact on the amenity of surrounding land while making a positive contribution to the streetscape through high standards in architecture and urban design.

The policy comprises the following design elements to guide the assessment of built form:

- *urban form and character;*
- *setbacks and building height;*
- *street and public space quality;*
- *environmental sustainability;*
- *site coverage;*
- *on-site amenity;*
- *off-site amenity;*
- *landscaping and fencing;*
- *parking, traffic and access; and*
- *service infrastructure.*

#### *Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)*

This policy applies to (as relevant) new buildings.

#### *Clause 22.17 – Environmentally Sustainable Design*

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 considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

#### Other Relevant Documents

*Cremorne and Church Street Precinct Urban Design Framework*

The *Cremorne and Church Street Precinct Urban Design Framework* [UDF] was adopted by Council at its meeting in September 2007. The intent of the UDF was to support redevelopment that contributes to Cremorne as a mixed-use area, while supporting strategic aims to develop employment opportunities in the area.

The portion of the site located at No. 459-2471 Church Street Richmond site is located within the Church Street Sub Precinct whilst No. 20-26 Brighton Street is within the residential streetscapes precinct. The study area for the UDF does not include the residential land as per the study area map on page 2.

Church Street Sub Precinct:

#### *Built Form - Aims*

- *Encourage redevelopment that consolidates Church Street's role as a focus of office and showroom retail activities with a mixture of complementary activities that support these dominant uses and add to the amenity and activation of the public realm.*
- *Encourage high quality new buildings of a scale complementary to the Bryant & May factory while ensuring transitions to protect the amenity of lowrise development away from Church Street on side streets and ensuring a sense of pedestrian scale in the streetscape.*

#### *Built Form – recommendations*

- *Build to the street frontage with no front or side setbacks unless creating an open space that invites and supports public access and activity, that offers genuine environmental amenity for its users, and that contributes to the quality of the surrounding public domain.*
- *Require the provision of active frontages along Church Street in all new development unless this conflicts with heritage conservation objectives.*
- *Encourage the provision of awnings over footpaths to create weather protection for pedestrians, especially near tram stops.*
- *Investigate the potential for public access to the Bryant & May tennis courts and enhanced utilisation of the clubroom facilities as part of any new development within the site. New development on this site will be guided by the heritage overlay controls and the overall building heights and setbacks specified for this part of Church St sub-precinct*
- *Minimise the number of vehicular crossovers affecting pedestrian amenity in Church Street. Discourage vehicular entry to properties from Church Street where there are options for access via side streets and rear laneways.*
- *Ensure that new buildings sit comfortably within their immediate built form context, and where appropriate allow relatively higher built form elements, especially along Church Street with the proviso that taller new buildings grade down to create appropriate transitions to adjoining heritage buildings, and adjoining low-rise residential development to the east and west of Church Street to protect their amenity. A street frontage height of three to four storeys (max 14m) along Church Street, depending on adjoining buildings, and three storeys (max 11m) along side streets should be maintained and any additional height set back so as to be hidden from and to avoid additional overshadowing of nearby streets and public spaces.*
- *Encourage a maximum height limit of four to five-storeys along Church Street north of William Street, and most properties on the east side of Church Street. This aims to continue and maintain the fine grain and low scale character of the heritage buildings north of the station and provide a responsive design outcome. Buildings south of Williams Street, in particular the west side of Church St, may accommodate another level given their relatively larger sites, if development proposals demonstrate design excellence and make tangible contributions to the public domain.*
- *Create a sense of pedestrian scale and interest using building articulation and detailing of facades, especially at ground and first floor levels.*

### *Public Realm Recommendations*

- *Consider the establishment of Shared Zones in all streets and lanes that are too narrow for DDA-compliant footpaths and where multiple driveways erode the integrity of the footpaths.*
- *Develop and implement a public lighting strategy. Suspend street lights from buildings wherever possible to enable removal of poles from footpaths.*
- *Explore opportunities for undertaking aerial bundling of cables or place power lines underground, especially in connection with the redevelopment of any of the major sites in the precinct.*
- *Rationalise poles and signs to reduce obstacles in footpaths*
- *Prepare a streetscape precinct plan, setting out paving materials, identifying improvements for disabled access, including improved alignment of kerb ramps and installation of tactile pavers, and identifying locations for tree planting (e.g. within localised kerb outstands, pocket parks, building setbacks, etc.). Implement the plan through a combination of Council capital works budget and developer contributions for frontages adjoining their sites.*

Council prepared Amendment C97 to the Scheme which proposed to rezone the study area from Business 3 Zone to Business 2 Zone, in order to provide for some residential development in the precinct.

The Amendment was abandoned by Council at its February 2010 meeting, however the UDF remains as an adopted document.

### *Swan Street Structure Plan*

The SSSP was adopted by Council at its meeting on 17 December 2013 and is relevant to the land at No. 459-2471 Church Street Richmond. The land at No. 20-26 Brighton Street not part of the structure plan.

The site is located within the 'Church Street' Precinct of the Plan's study area. The Structure Plan prepared for the Swan Street Major Activity Centre [MAC] was in response to the State Government sustainable growth policy, *Melbourne 2030*; a plan for the growth and development of the Melbourne metropolitan area. One of the principal aims of the policy was to provide a network of activity centres throughout Melbourne, with these centres providing a focus for development and urban expansion in areas well serviced by public transport, existing infrastructure and community services. The Swan Street Structure Plan aims to manage this growth within the Swan Street MAC and the surrounding area.

Of relevance to this application are proposed revisions to the built form guidelines that will provide guidance on future built form and how that would be in keeping with the longer term vision for Swan Street and surrounds, along with guidance on urban intensification within the precinct. The plan provides guidance on maximum building heights within each precinct, with 5-6 storeys the suggested height for this area within the Church Street neighbourhood. The eastern end of the land is shown as being required to transition in scale to low rise residential dwellings through the provision of a 10m high boundary wall with setbacks above this to be at a ratio of 1:1.

The SSSP acknowledges that the area is functioning well and provides significant employment opportunities and that with the right support, these activities are likely to continue. It also acknowledges that the current zoning of the aforementioned relevant land does not allow residential development.

Council's rationale for this precinct includes:

- *Consolidation of commercial and retail uses will strengthen the current land use activities along Church Street and support the precinct's important employment role.*

- *Varying lot sizes and lack of heritage will offer some opportunities for redevelopment for commercial purposes.*
- *Improvements to street level activity can be achieved through encouraging active frontages along Church Street.*
- *Network of narrow east west streets and laneways provides conditions for improving pedestrian and cycling friendly environs.*
- *Redevelopment provides opportunity to create a defined street wall and sense of enclosure along Church Street.*
- *Retention of existing zoning will support the consolidation of the precinct's increasing specialisation in furniture and homewares.*

The SSSP states that new buildings should:

- Establish a preferred street wall height of 3-4 storeys along Church Street.
- Ensure upper levels are visually recessive.
- Ensure a transition in building heights at the interface with existing residential areas • Provide active frontages to the street.
- Ensure new buildings are built to the street boundary and both side boundaries at the street interface.

The SSSP also includes objectives to consolidate the Precinct's role as a location for offices and employment, provide high quality pedestrian orientated public realm along Church Street, as well as promote public realm improvements through redevelopment opportunities.

Whilst adopted, the SSSP has yet to progress to the formal amendment stage and technically has limited statutory weight. Compliance with the structure plan will be discussed later within this assessment.

*Yarra Business and Industrial Land Strategy (Adopted June 2012)*

This strategy sets out a 10-15 year direction for Yarra's business and industrial areas.

The subject site is located within Precinct BS14 – Church Street South Strip and as a Main Road Business Strip. The strategy has the following rationale:

*These industrial and business precincts form an elongated corridor along the frontage of a main road, which is defined at a minimum as "Major Road" in Melway or higher in the road hierarchy, such as Arterial Road or Highway. Businesses in these precincts may have fully or partially adapted to the high level of accessibility and exposure to passing trade, and adopted a main road retail, showroom and office character (at least in part).*

*The key investment opportunities which are anticipated in both categories of Yarra's Main Road Business Strips are:*

- *Retail showrooms and bulky goods stores;*
- *Commercial office conversions;*
- *Small offices complexes; and*
- *Mixed Use developments*

The Strategy does not recommend rezoning of the precinct and proposes to retain the Commercial 2 Zoning (previously known as Business 3).

*Urban Design Guidelines*

Clause 15.01-2S states that planning must consider as relevant:

- *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017). (UDG)*

*City of Yarra Review of Heritage Areas 2007 Appendix 8, updated from time to time*

The heritage classifications discussed in this report are derived from the incorporated document 'City of Yarra Review of Heritage Overlay Areas 2007, Graeme Butler and Associates 2007: Appendix 8 City of Yarra Heritage Database'.

## **Advertising**

The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 509 letters sent to surrounding owners and occupiers and by three signs displayed on site (two facing each of the Church and Brighton Street frontages and one on the Shamrock Street). Council received 225 objections, the grounds of which are summarised as follows:

- Amenity Impacts (overshadowing, overlooking, loss of daylight, light spill, wind, noise, pollution);
- Excessive height of all buildings;
- Not in-line with the Swan Street Structure plan;
- Building C does not fit in with surrounding streetscape and does not provide a front setback;
- Building C does not consider heritage precinct;
- Inappropriate uses;
- Inappropriate design and choice of materials;
- Lack of sufficient car parking provided;
- Traffic issues exacerbated;
- Obstruct views of the sky and landmarks both within and outside of the City of Yarra;
- Negative impact on property values;
- Safety concerns due to vehicle access along residential streets;
- Impact on Church Street tram and vehicle operations;
- Safety concerns along Shamrock Street due to excessive vehicle access, poor car park layout and issues with swept path diagrams;
- Two-way access in Shamrock Street is inappropriate;
- Safety concerns for school children;
- Childcare should have on-site drop off;
- Creation of precedent;
- Acoustic report did not consider nearby dwellings;
- Overshadowing of public realm;
- Too many people accessing the area;
- Loading area inadequate and will block access to Shamrock Street;
- Glazing on shared boundary is a potential safety hazard and impedes development potential;
- Shamrock Street is too narrow for vehicle access;
- Construction issues (noise, vibration, dust, debris);
- Impact on solar hot water /solar panels;
- Impact on existing trees;
- Demolition of existing warehouse wall will impact adjoining property;
- Lack of ESD excellence;
- Location of loading area, car parking access, entry of Building B and substation opposite dwellings;
- Insufficient open space;
- Inadequate traffic report;
- Impacts from waste collection (traffic, noise, bins being left on the street);
- There should not be any access to Brighton Street;

## ***Referrals***

The application was referred to the following internal departments and external authorities and their recommendations are contained below:

### External Referrals

- Head, Transport for Victoria;
- VicRoads/CityLink;

### Internal departments

- Urban Design;
- Heritage;
- Engineering Services Unit;
- Strategic Transport;
- Streetscapes and Natural Values;
- Waste Services;
- ESD Advisor;
- Open Space;

### External consultants

- Traffic (Traffix);
- Urban Design (MGS Architects);
- Acoustics (SLR Consulting); and
- Wind (MEL Consultants).

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### External consultants

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- Acoustics (SLR Consulting); and
- Wind (MEL Consultants).

## **External Referrals**

### **Head, Transport for Victoria**

*The Head, Transport for Victoria, pursuant to Section 58(1) of the Planning and Environment 1987 does not object to the grant of a planning permit subject to the following conditions:*

*Conditions:*

1. *The permit holder must take all reasonable steps to ensure that disruption to tram operation along Church Street is kept to a minimum during the construction of the development.*

*Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to Yarra Trams and Public Transport Victoria thirty five days (35) prior.*

2. *The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Public Transport Victoria at the full cost of the permit holder.*

### **VicRoads/CityLink**

#### *Section 55 – No objection subject to conditions*

*Thank you for referring details of the above application to the Roads Corporation (VicRoads) pursuant to Section 55 of the Planning and Environment Act 1987.*

*The application is for use and development of the land for the construction of three buildings (ranging between four and fourteen storeys in height with two basement levels) for offices, restricted retail premise, food and drinks premises (café) and a child care centre (permit required for childcare centre only), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.*

*VicRoads in consultation with CityLink does not object to the development in its current form.*

*If Council regards the proposed development favourably, VicRoads and CityLink would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:*

1. *Before the use approved by this permit commences the following roadworks on Church Street, Richmond must be completed at no cost to and to the satisfaction of the Roads Corporation:*
  - a. *The installation of sign/s and associated road works prohibiting “Right turn in” vehicular access from Church Street into Shamrock Street.*
  - b. *Modification or removal of any existing car parking spaces, street tree/s and associated road works on the east side of Church Street to accommodate the new vehicular access arrangement.*
2. *Prior to the commencement of the development, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implement prior, during and following excavation to prevent any impact on the Burnley Tunnel is to be submitted to VicRoads and CityLink for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:*
  - a. *That the development will not compromise the structural integrity of the Burnley Tunnel;*
  - b. *What is the load applied to the ground by the development;*
  - c. *What is the depth of the excavation;*
  - d. *That the development will not cause changes to groundwater conditions that will result in adverse effect on the Burnley Tunnel.*
  - e. *Any holding points requiring VicRoads and CityLink inspection and approval prior to releasing the hold points.*
3. *Prior to the commencement of and during the course of construction the following details must be submitted to the satisfaction of VicRoads and CityLink for approval:*

- a. Initial groundwater level;
- b. Expected and confirmation of actual flows and total volume drained during the construction of the basement;
- c. If the completed basement is tanked or drained;
  - i. If drained, confirm flow rate into the basement and the height and extent of the permanent lowering of the watertable.
  - ii. Temporary or permanent groundwater drawdown greater than 2 metres below existing levels requires the developer to demonstrate the impact of the proposed development on the regional groundwater regime. The developer shall describe how groundwater drawdown will be managed, and demonstrate that there will be an insignificant impact on CityLink assets.

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

*Note: The owner of the building/body corporate advise staff and visitors of alternative access routes for north bound vehicles along Church Street accessing the site (Right into Cotter Street/ Left into Brighton Street/Left into Lesney Street/Left into Church/Left into Shamrock Street).*

## **Internal departments**

### **Urban Design**

#### *Existing Conditions*

*Ensure existing tree outstands and parking bays on Brighton Street are shown on Existing Conditions Plan.*

#### *Pavements*

##### *Church Street*

*Redundant vehicle crossovers and the existing concrete footpath is to be removed and reinstated with:*

- concrete kerb and channel,
- asphalt footpath and
- granitic gravel tree pits

##### *Brighton Street*

*All modifications to the existing kerb and channel (including the removal of the redundant vehicle crossover) are to be reinstated using bluestone kerb and single pitcher channel (rather than Concrete kerb and channel as noted on LD05)*

##### *Shamrock Street*

*Bluestone kerb and single pitcher channel is to be retained (noted as new kerb & channel LD04). Feature paving (PV01) is to terminate at the property boundary. A consistent asphalt pavement is to be implemented along the footpath.*

*All proposed streetscape materials should be as per Technical Notes: City of Yarra Public Domain Manual and Yarra Standard Drawings.*



### *Parking bays and tree planting*

*Dimension proposed parking bay and tree planting arrangement on Brighton Street to ensure layout is compliant with Yarra Standards.*

*Refer to Engineering Services comments in regard to parking bay lengths and required offsets to vehicle crossovers.*

*Parking sensors are currently installed within Brighton Street parking bays. As existing parking will be rearranged, line marking and sensors will need to be adjusted to suit.*

*Prior to any construction work parking sensors will need to be removed. Following completion of all road resurfacing and line marking works sensors will be re-instated at the Permit Holder's cost.*

*Refer to Arboriculture and Streetscapes comments in regard to street tree removals and reinstatements.*

### *Entry Grades*

*Ensure entry grades are compliant with all relevant standards and neatly match into existing footpath levels. If ramp grades exceed 1:20 ensure all required handrails and tactile indicators are to be located within the property boundary.*

### *Garden Beds*

*Ensure all garden beds are irrigated. Garden beds located adjacent to title boundaries should be shallow in grade and make allowance for mulch set downs to avoid spill (e.g. North-East corner).*

## **Heritage**

### **Proposed works**

#### *Built form (height/setbacks)*

*The environs are generally low rise and there are generally few buildings which visually impact upon the skyline, and where they exist, they are in Church Street or further afield such as the new Dimmeys building in Swan Street.*

*The Barkly Gardens Precinct is generally comprised of single- or double-storey dwellings. Brighton Street near the development site is relatively mixed in its architectural styles, including in the Heritage Precinct.*

*The proposed setback to Brighton Street appears to be 4.06 metres at the 4<sup>th</sup> level which is not respectful of the streetscape. At the 5<sup>th</sup> level the setback appears to be 30.08 metres but it is likely that this will have little effect in ameliorating the impact of the height below in relation to the 4 metres setbacks. At least one level should be removed in respect of Brighton Street.*

*Shamrock Street is a narrow street with an according air of intimacy. The existing building along the south side of Shamrock Street has a zero setback but is only single storey. What is proposed is 8 storeys to the east and 14 storeys to the west with a 5.11 metre setback. The proposed height on the south side will dwarf these cottages and is not respectful of them.*

*The Barkly Gardens square is one block to the east of Brighton Street, is an area of quiet repose and presently the view from the significant Barkly Gardens square is unencumbered by built form above the skyline set by the dwellings. The garden square has a particular visual character in Yarra which evokes the early history of this part of Richmond. It is probable that the new built form will be visible from the Barkly Gardens square and Mary Street and certainly from Brighton Street.*

The proposed built form will have an adverse impact on these parts of the Heritage Precinct.

The proposal does not accord with the following Objectives of the Heritage Policy:

- To preserve the scale and pattern of streetscapes in heritage places
- To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.

Nor will it be respectful of the pattern, rhythm, spatial characteristics, and heritage character of the surrounding historic streetscape.

Colours/materials

There appears to be no relevance of the east facade in relation to the heritage streetscape and as such it will be an alien element in Brighton Street.

**Recommendation / Comments:**

The proposal is inappropriate in its current form in respect of the impact on the Barkly Gardens Precinct, and in particular Shamrock and Brighton Streets and the potential impact on the Barkly Gardens square. The height at the interface needs to be reduced and the setbacks increased and the design of the elevations at the heritage interface needs to be reconsidered to be more in-keeping with the context.

**Engineering Services Unit**

**CAR PARKING PROVISION**

Proposed Development

Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	23,504 m <sup>2</sup>	3 spaces per 100 m <sup>2</sup> of net floor area	705	217
Restricted Retail	1,219 m <sup>2</sup>	2.5 spaces per 100 m <sup>2</sup> of leasable floor area	30	
Food and Drink	83 m <sup>2</sup>	3.5 spaces per 100 m <sup>2</sup> of leasable floor area	2	
Childcare Centre	100 places	0.22 spaces to each child	22	23
<b>Total</b>			<b>759 Spaces</b>	<b>240 Spaces</b>

\* Since the site is located within the Principal Public Transport Network Area, the parking rates in Column B of Clause 52.06-5 now apply.

The site would have a parking shortfall of 5 spaces (commercial uses) and a surplus of one childcare centre spaces. To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:

- *Parking Demand for the Restricted Retail and Food and Drink Uses.* The parking demand associated with these commercial uses would be staff parking and a rate of 1.0 space per 100 square metres of floor space is considered reasonable. Applying this rate to the restricted retail and food and drink uses would equate to 12 spaces and one space respectively.
- *Parking Demand for the Office Use.* Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100 square metres of floor space, since the area has very good access to public transport services.

If we assume that allocated 204 spaces were to be allocated to the office (assuming 12 spaces were allocated to the restricted retail use and one space for the food and drink use), the on-site car parking provision for this use would be 0.87 spaces per 100 square metres of floor area. Throughout the municipality, a number of developments have been approved with reduced office rates, as shown in the following table:

<i>Development Site</i>	<i>Approved Office Parking Rate</i>
<i>Cremorne</i>	
<i>60-88 Cremorne Street PLN17/0626 issued 21 June 2018</i>	<i>0.85 spaces per 100 m<sup>2</sup> (233 on-site spaces; 27,306 m<sup>2</sup>)</i>
<i>506 &amp; 508-510 Church Street PLN17/0278 issued 11 January 2018</i>	<i>1.09 spaces per 100 m<sup>2</sup> (226 on-site spaces; 20,744 m<sup>2</sup>)</i>
<i>Collingwood</i>	
<i>2-16 Northumberland Street PLN16/1150 issued 14 June 2017</i>	<i>0.89 spaces per 100 m<sup>2</sup> (135 on-site spaces; 15,300 m<sup>2</sup>)</i>

The proposed on-site office parking rate of 1.40 spaces is considered appropriate, having regard to the site's good accessibility to public transport services and proximity to Melbourne.

- *Short-Stay and Long-Stay Parking Demand.* The short-stay parking demand associated with the site would be primarily customers and clients to the restricted retail and food and drinks premises. Long-stay parking demands (employees) would be accommodated on-site. Employees who are not allocated any on-site parking would make their own travel arrangements such as take public transport or ride a bicycle, as the surrounding streets have very little, if any, on-street parking for long-stay users.
- *Availability of Public Transport in the Locality of the Land.* The site is within walking distance of tram services operating along Church Street and Swan Street. Rail services can be accessed from East Richmond railway station.
- *Multi-Purpose Trips within the Area.* Customers, clients and patrons might combine their visits to the development by engaging in other activities or business whilst in the area.

#### *Appropriateness of Providing Fewer Spaces than the Likely Parking Demand*

Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- *Availability of Car Parking.* Impact traffic engineering consultants had undertaken an on-street parking occupancy survey of the surrounding area on Tuesday 6 March 2018 from 7:30am to 5:30pm. The survey area encompassed Church Street, Albert Street, James Street, Brighton

Street and Lesney Street. The times and extent of the survey are considered appropriate. An inventory of 118 publicly available parking spaces was identified. The results of the survey indicate that the peak parking occupancy had occurred at 11:30am, 2:30pm and 4:30pm, with no fewer than 21 vacant spaces in the study area. Any short-stay customer parking associated with the proposed uses could be accommodated on-street.

- *Relevant Local Policy or Incorporated Document.* The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.
- *Car Parking Deficiency associated with Existing Land Use.* The existing land comprises commercial and retail uses. Although the applicant provides little detail on the existing property, it is highly likely that the site has a car parking deficiency and that this parking would be accommodated off-site. Any short-stay parking credits that site may have could potentially be transferrable to the new development.
- *The Future Growth and Development of an Activity Centre.* Practice Note 22 – Using the Car Parking Provisions indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such Church Street, where spare on-street car parking capacity would be shared amongst sites within the centre.

### Adequacy of Car Parking

From a traffic engineering perspective, the waiver of parking associated with the office, restricted retail and food and drink uses is considered appropriate in the context of the development and the surrounding area. Any short-stay parking overflow could be accommodated on-street. Employees would have not been allocated any on-site car parking would be inclined to take public transport or ride a bicycle.

The Civil Engineering unit has no objection to the reduction in the car parking requirement for this site.

### TRAFFIC GENERATION

#### Trip Generation

The traffic generation for the site adopted by Impact traffic engineering is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Childcare Centre (100 places)	0.8 trips per child in AM peak hour* 0.7 trips per child in PM peak hour	Not Provided	80	70
Commercial (Office/retail/ café staff)	0.5 trips per space in each AM peak hour 0.35 trips per space in each PM peak hour**	Not Provided	109	76
Total		-	189	146

\* Adopted from the NSW Roads and Maritime Services' Guide to traffic generating developments.

\*\* We would have preferred a PM peak hour rate of 0.5 trips per space. Notwithstanding, the rate of 0.35 trips in each peak hour is considered acceptable given that the site well serviced by public transport.

### Directional Splits and Traffic Distribution

Directional split assumptions in each peak hour for the childcare centre traffic –

- AM Peak – 50% outbound (40 trips), 50% inbound (40 trips); and
- PM Peak – 50% outbound (35 trips), 50% Inbound (35 trips).

Commercial traffic directional split:

- AM Peak – 10% outbound (9 trips), 90% inbound (100 trips); and
- PM Peak – 90% outbound (69 trips), 10% inbound (7 trips).

The traffic directional split and distribution assumptions outlined in section 6.2 of the Impact traffic engineering report appear reasonable.

### Traffic Impact at Key Intersections

Using the SIDRA intersection modelling programme, Impact traffic engineering had analysed the following intersection in the surrounding area:

- Church Street/Shamrock Street.

The results of the post-development modelling suggest that the intersection is expected to operate satisfactorily without adversely impacting on Church Street. SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic.

Anecdotally, stationary traffic queues can extend along the length of Church Street, south of Swan Street, during PM peak periods.

Can traffic from the site easily absorb into the Church Street during the PM peak hour? The applicant should provide some information on this matter.

### DEVELOPMENT LAYOUT DESIGN

Architectus Drawing Nos. DA1001, DA1002, DA2101 and D2102 Revision C dated 7 June 2018  
DA1003 Revision C dated 11 Jul 2018

### Layout Design Assessment

Item	Assessment
<b>Access Arrangements</b>	
Development Entrance – Shamrock Street	The primary accessway off Shamrock Street has a minimum wall-to-wall width of 7.2 metres and satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Location of Access Point off Shamrock Street	The location of the development entrance and the loading bay are unsuitable. In Shamrock Street, there are two existing grated side entry pit in the lowest point of the street. These pits need to remain intact.
Visibility – Shamrock Street	A pedestrian sight triangle has been provided for the exit lane of the entrance. Sight triangle has not been dimensioned.
Development Entrance – Brighton Street	The proposed Brighton Street entrance has wall-to-wall width of at least 6.1 metres and satisfies AS/NZS 2890.1:2004.

<i>Visibility – Brighton Street</i>	<i>A pedestrian sight triangle (not dimensioned) has been provided for the exit lane of the entrance.</i>
<i>Headroom Clearance</i>	<i>A minimum headroom clearance of 2.3 metres has been provided and satisfies AS/NZS 2890.1:204.</i>
<i>Internal Ramped Accessways</i>	<i>Widths of internal ramps have not been dimensioned.</i>
<b>Car Parking Modules</b>	
<i>At-grade Parking Spaces</i>	<i>The dimensions of the parking spaces (2.6 metres by 4.9 metres) satisfy Design standard 2: Car parking spaces of Clause 52.06-9.</i>
<i>Accessible Parking Spaces</i>	<i>Not dimensioned on the drawings.</i>
<i>Aisles</i>	<i>The widths of the aisles range from 6.4 metres to 7.0 metres and satisfy Table 2: Minimum dimensions of car parking spaces and accessways of Clause 52.06-9.</i>
<i>Column Depths and Setbacks</i>	<i>Not dimensioned on the drawings.</i>
<i>Clearances to Walls</i>	<i>Not dimensioned on the drawings.</i>
<b>Gradients</b>	
<i>Ramp Grade for First 5.0 metres inside Property</i>	<i>Ramp grade lengths have not been dimensioned on the drawings.</i>
<i>Ramp Grades and Changes of Grade</i>	<i>Ramp grade lengths have not been dimensioned on the drawings.</i>
<i>Transition Grade at Base of 1 in 4 Ramp Section – Brighton Street Access Ramp</i>	<i>The transition grade at the base of the 1 in 4 ramp section is 1 in 10 (length not dimensioned) is unsatisfactory. This would cause a B99 design vehicle to scrape and bottom out.</i>

<b>Item</b>	<b>Assessment</b>
<b>Other Items</b>	
<i>Numbering of Parking Spaces</i>	<i>Car parking spaces have not been numbered, making space identification difficult.</i>
<i>Loading Facility</i>	<i>The dimensions of the loading facility (10.83 metres by approx. 5.0 metres) can satisfactorily accommodate a medium rigid vehicle. The loading facility headroom clearance has not been dimensioned.</i>
<i>Truck Turning Movements</i>	<i>The swept path diagrams for an 8.8 metre long medium rigid vehicle accessing and egressing the loading bay and entering and exit Shamrock Street via church Street are considered satisfactory.</i>
<i>Childcare Centre Car Park – Tandem Parking Sets</i>	<i>The tandem parking sets have not been dimensioned and do not have the minimum length of 10.3 metres as required by Design standard 2.</i>

<i>Childcare Centre Car Park – Lift at Basement Level</i>	<i>The lift servicing the childcare centre opens out directly into the circulating aisle of the basement car park – not an acceptable design outcome for parents and children accessing the centre or their cars.</i>
<i>Widening of Shamrock Street</i>	<i>The proposed carriageway width of 5.77 metres is considered satisfactory for two way traffic. The grades of 1 in 9.4 and 1 in 10 in the widened section of Shamrock Street for the loading area and car park entry are unsatisfactory.</i>
<i>Footpath – Widened Section of Shamrock Street</i>	<i>The footpath width of 1.32 metres does not satisfy DDA requirements.</i>
<i>Existing Kerb Extension – Brighton Street</i>	<i>The existing kerb extension on the west side of Brighton Street has not been depicted on the drawings. The proposed vehicle crossing servicing the childcare centre may not be partially clear of the kerb extension.</i>

#### **WIDENING OF SHAMROCK STREET – POTENTIAL DRAINAGE IMPLICATIONS**

*The widening of Shamrock Street, as proposed by the applicant, would impact on the existing drainage infrastructure in the street. There are two existing graded side entry pits approximately 24 metres east of Church Street. These pits are located at the lowest point in Shamrock Street which connects into a drain that runs underneath properties on the east side of Church Street and continues to Lesney Street.*

*Widening Shamrock Street would reduce the inlet capacity of the southern graded side entry pit with the removal of the lintel and throat. It is vital that the pits remain intact as they are critical in collecting rainfall run-off for the Shamrock Street catchment area.*

*It is suggested that the principal vehicular entrance be relocated further west (please see appended concept diagram). Since the development entrance would be located in the vicinity of the low point in Shamrock Street, it is also suggested that a central invert be constructed in the widened section of Shamrock Street.*

*Essentially, the principal entrance and loading bay need to be redesigned and the length of the Shamrock Street widening be reduced from what was originally proposed. In addition, the footpath in the widened section of Shamrock Street needs to be widened to satisfy minimum DDA widths (i.e. – 1.5 metres).*

#### **Design Items to be Addressed**

<b>Item</b>	<b>Details</b>
<i>Accessible Parking Spaces</i>	<i>Accessible parking spaces and associated shared areas are to be dimensioned and satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004.</i>
<i>Tandem Parking Sets – Childcare Centre Car Park</i>	<i>The tandem parking sets in the childcare centre car park are to have a minimum length of 10.3 metres as required by Design standard 2.</i>
<i>Column Depths and Setbacks</i>	<i>To be dimensioned on the drawings. Column locations are to satisfy Diagram 1 Clearances to car parking spaces.</i>
<i>Clearances to Walls</i>	<i>To be dimensioned on the drawings and be no less than</i>

	300 mm.
<b>Ramp Grade Lengths</b>	Each ramp grade length to be dimensioned on the drawings.
<b>Transition Grade at Base of 1 in 4 Ramp Section – Brighton Street Access Ramp</b>	At the base of each 1 in 4 ramp grade section, the transition grade must be 1 in 8 for a length of at least 2.5 metres.
<b>Numbering of Parking Spaces</b>	To be numbered on the drawings for easier identification.
<b>Childcare Centre Car Park – Lift at Basement Level</b>	Protection for pedestrians should be provided in the area in front of the lift in the basement level car park.
<b>Widening of Shamrock Street</b>	The widening of Shamrock Street is to extend west of the two existing grated side entry pits. These pits are to remain intact (control point). It is suggested that the principal access be relocated to the west and the loading facility be orientated at 90-degrees to the accessway. A detailed engineering design of the Shamrock Street widening is to be submitted to Council for assessment and approval.
<b>Footpath – Widened Section of Shamrock Street</b>	The footpath within the widened section of Shamrock Street is to have a minimum clear width of 1.5 metres as per DDA requirements. Continuity should be provided for the footpath along the south side of Shamrock Street.
<b>Existing Kerb Extension – Brighton Street</b>	The existing kerb extension must be depicted on the drawings. The proposed crossing servicing the childcare centre must be clear of the kerb extension. If the kerb extension is partially located in front of the kerb extension, the applicant must reposition the kerb extension to the north such that it is clear of the new vehicle crossing.
<b>Utility Services – Wright Street</b>	The applicant is to confirm that the utility services in Wright Street are no longer required.
<b>Two-Way Traffic</b>	The applicant should explain how this section would operate and what countermeasure is proposed to prevent traffic east of the site from travelling towards Church Street.

## ENGINEERING CONDITIONS

### Civil Works

Upon the completion of all building works and connections for underground utility services,

- The kerb and channel along the property's Brighton Street and Church Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Brighton Street and Church Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.



- The new vehicle crossing on the west side of Brighton Street must be constructed in accordance with Council's Standard Drawings, Council's Infrastructure Road Materials Policy and engineering requirements. The vehicle crossing must satisfy the ground clearance requirements for a B99 desi vehicle.
- The redundant vehicle crossing is to be demolished and reinstated with paving, and kerb and channel to Council's satisfaction and at the Permit Holder's cost.

#### Road Asset Protection

- 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 to Council's satisfaction and at the developer's expense.

#### Construction Management Plan

- A Construction Management Plan must be prepared and submitted to Council. The Plan must be approved by Council prior to the commencement of works. A detailed dilapidation report should detail and document the existing and post construction conditions of surrounding road infrastructure and adjoining private properties.

#### Impact of Assets on Proposed Development

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

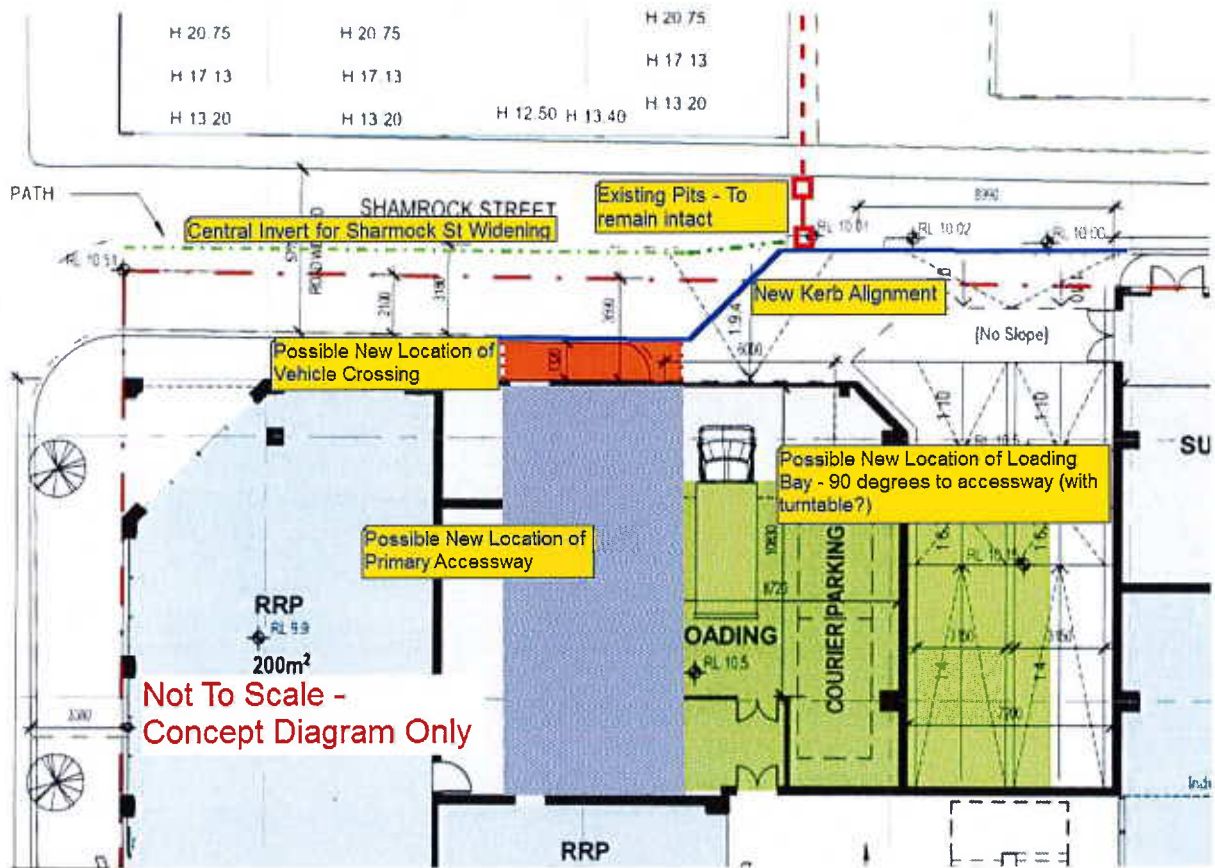
#### Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's 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.
- The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

#### ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

Item	Details
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

<p><i>Discharge of Water from Development</i></p>	<ul style="list-style-type: none"> <li>▪ <i>Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.</i></li> <li>▪ <i>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.</i></li> <li>▪ <i>Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.</i></li> <li>▪ <i>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.</i></li> </ul>
<p><i>Clearance from Electrical Assets</i></p>	<p><i>Overhead power lines run along the east side of Church Street and west side of Brighton Street, close to the property boundary.</i></p> <p><i>The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website:</i></p> <p><i><a href="http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs">http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs</a></i></p>



## Strategic Transport

### Access and Safety

There are no major access or safety concerns which have been noted. However, it is recommended the applicant consider providing a pram ramp on the Shamrock Street kerb aligned with the courtyard entrance, for improved wheelchair and bicycle access.

### Bicycle Parking Provision

### Statutory Requirement

Under the provisions of Clause 52.34-3 of the Yarra Planning Scheme, the development's bicycle parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office (other than specified in the table)	23504 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	78 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	24 visitor spaces.	
Retail premises (other than specified in this table)	83 sqm	1 employee space to each 300 sqm of leasable floor area	0 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area	0 visitor spaces.	

Shop	1219 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	2 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	2 visitor spaces.	
Bicycle Parking Spaces Total			80 resident / employee spaces	195 resident / employee spaces
			26 visitor spaces	41 visitor spaces
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces		9 showers / change rooms	24 showers / change rooms

The development provides a total of 115 additional resident/employee spaces and 15 additional visitor spaces above the statutory requirements of the planning scheme.

#### Adequacy of visitor spaces

41 spaces are suitable as visitor bicycle parking spaces. The provision of the visitor spaces is inadequate for the following reasons:

- Whilst 41 spaces exceeds the statutory requirement of 26 spaces it does not cater for Yarra's current or predicted future cycling demand. At minimum 49 visitor spaces should be provided for the following reasons:
  - Best-practice recommends a rate of 1 visitor spaces to each 500sqm of office floor area<sup>1</sup>, generating a requirement of 47 spaces for the office.
  - 2 visitor spaces are required to meet the shop requirement.
- Alternatively, if the scale of the overall development was reduced, the recommended number of visitor spaces could be applied at the above rates.
- The vast majority of the visitor spaces are hanging spaces. It is best practice to provide all visitor spaces as horizontal spaces at ground level, given the short term nature of their use and accessibility requirements: however in this instance it would be acceptable if a minority of the visitor spaces were provided as hanging spaces given the large number of total spaces being provided. It is recommended that no more than 20% of visitor spaces are provided as hanging spaces.

In addition to the above concerns visitor bike spaces should be numbered, or notations added indicating the number of bicycle spaces in each group to facilitate easy verification of bicycle space numbers.

#### Adequacy of employee spaces

##### Number of spaces

Whilst the proposal includes a surplus of 115 resident/employee spaces above the requirements of the planning scheme, it is noted:

- A reduction of 643 car parking spaces is sought (72% of the statutory requirement);

<sup>1</sup> Category 6 of the Built Environment Sustainability Scorecard (BESS) offers this advice.

- the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase; and
- both local and state planning policies include objectives to promote sustainable transport modes, including cycling.
- Given the above, best-practice requires a rate of 1 space to each 100sqm of office floor space<sup>2</sup> and the statutory rates for other uses. This generates a recommended minimum rate of 238 employee spaces.
- Alternatively, if the scale of the overall development was reduced, the recommended number of employee spaces could be applied at the above rates.

#### *Design and location of employee spaces and facilities*

*The following aspects of the design and location of employee bicycle spaces is supported:*

- The majority of employee bicycle parking is provided at ground level in a single secure location, with a small number of spaces provided at basement 1 (associated with the childcare centre). All bicycle spaces appear to be easily accessible and close to relevant end of trip facilities.
- 24 showers/change rooms (as shown) should meet the expected employee demand if 238 employee bicycle spaces are provided as recommended.

*However, employee and resident spaces are inadequately located and designed for the following reasons:*

- Currently less than 17% of employee bicycle spaces appear to be horizontal at ground-level spaces. Pursuant to AS2890.3 at least 20% of employee spaces in each storage facility should be provided as horizontal at ground level spaces.
- Lockers are shown, however it is unclear how many lockers are to be provided. One locker per bike space should be provided.

*In addition to the above concerns employee bike spaces should be numbered, or notations added indicating the number of bicycle spaces in each group to facilitate easy verification of bicycle space numbers.*

#### *Electric vehicles*

*Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). Whilst it is acceptable no EV charging points are installed during construction, to allow for easy future provision for electric vehicle charging, all car parking areas should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.*

#### *Green Travel Plan*

*It is noted the applicant has supplied a Green Travel Plan (GTP). The GTP does not adequately address all relevant concerns, and should be modified to include:*

- Clear commitments to Green Travel initiatives. The current document states each action "could" be undertaken, with no actual commitment to undertake any of the actions.
- Information on security arrangements to access the employee bicycle storage spaces;
- signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;

<sup>2</sup> Category 6 of the BESS offers the following for best-practice guidance for 'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area.

- Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
- provisions for the Green Travel Plan to be updated not less than every 5 years.

*Recommendations*

*The following should be shown on the plans before endorsement:*

- A pram ramp at the Shamrock Street kerb, aligned with the northern courtyard entrance for easy bicycle and wheelchair accessibility.
- At least 49 visitor bicycle parking spaces, clearly marked as for visitor use (or an equivalent rate if the scale of the development is altered):
  - At least 80% of visitor spaces should be provided as horizontal-at-ground-level spaces.
  - Visitor spaces should continue to be provided in publically accessible locations, with convenient access to building entrances, lift shafts, etc.
  - Access ways and storage spaces should be designed to comply with AS2890.3.
- At least 238 employee bicycle parking spaces (or an equivalent rate if the scale of the development is altered):
  - All employee bicycle spaces should be provided at ground-level or basement 1 within secure bicycle parking compounds;
  - All secure bicycle compounds should continue to be provided with reasonable access to end of trip facilities and building entrances;
  - At least 20% of bicycle spaces within each secure compound should be provided as horizontal-at-ground-level spaces;
  - Access ways and storage spaces should be designed to comply with AS2890.3.
- A minimum 40A single phase electrical sub circuit installed within the car parking areas, to allow for the future provision of electric vehicle charging points.

*An Amended Green Travel Plan should be provided with the information outlined previously.*

**Streetscapes and Natural Values**

*A bond for the protection of three (3) trees in Church St adjacent the frontage of the development and one (1) tree opposite 22 Brighton St must be taken at a combined value of \$10,000.00*

*This bond will be returned once a final inspection has occurred on these trees post construction. Any damages will be rectified using these funds including but not limited to*

- Pruning and or removal works
- Remediation of soil from contamination

*Council reserves the right to keep the entire bond if damages are excessive.*

*Plans show removal of 4 trees (1 in Church St and 3 in Brighton St). Costs for removal and replacement are provided at current schedule of rates below. Please note the current schedule of rates will change as of November 1<sup>st</sup>.*

*459-471 Church and 20-26 Brighton St*

	<i>Plane Tree</i>	<i>Callistemon</i>	<i>Jacaranda</i>	<i>Jacaranda</i>	<i>Sub Total</i>
<i>Melbourne valuation</i>	<i>\$ 6,372.00</i>	<i>3513</i>	<i>147</i>	<i>147</i>	
<i>Removal</i>	<i>\$ 1,204.93</i>	<i>313.45</i>	<i>71.24</i>	<i>71.24</i>	

Stump	\$ 91.58	94.13	9.16	9.16	
Reinstatement asphalt	\$ 250.00	250	1000	1000	Quote required
New cut out	\$ 143.49	143.49	143.49	143.49	Quote required
Supply tree 100L	\$ 350.00	350	350	350	
Planting Cost	\$ 118.05	118.05	118.05	118.05	
Maintenance 2 years	\$ 160.80	160.8	160.8	160.8	
<b>Sub Total</b>	<b>\$ 8,690.85</b>	<b>4942.92</b>	<b>1999.74</b>	<b>1999.74</b>	<b>\$ 17,633.25</b>

The above costs for the reinstatement of asphalt and new cut outs have been placed as a nominal figure however further costing is required for removal of existing outstands to accommodate the proposed plans.

The design of new planting pits in Brighton st will also need to be considered in conjunction with Council's Embedding Green Infrastructure Guidelines which are soon to be released and must consider strata cells below parking bays and use of porous paving and storm water catchment into the tree pits.

The cost of these new planting beds should be funded by the amenity value and reinstatement costs and any further costs should be passed onto the applicant.

An additional tree on the Brighton Street frontage should be included as the current proposal only shows a single tree and a new tree outside the north neighbouring site.

### **Waste Services**

The waste management plan for 459-471 Church St and 20-26 Brighton St, Richmond authored by Irwin Consulting and dated 04/05/2018 is not satisfactory from a City Works branch's perspective. Issues to be identified include, but may not be limited to:

1. Collection from Brighton St is not appropriate. It is recommended that building C utilises a collection from within the development's boundaries.
2. Please detail how food waste will be diverted from the waste stream from the remaining areas of the development.

### **ESD Advisor**

The standard of the ESD is close to meeting Council's Environmental Sustainable Design (ESD) standards. Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met.

Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are addressed in an updated SMP report and are clearly shown on Condition 1 drawings. ESD improvement opportunities (4) have been summarised as a recommendation to the applicant.

Applicant ESD Commitments:

- 30% improvement above the NCC energy efficiency requirements for energy efficiency (6 points in Green Star Energy section) based on various initiatives.
- A WSUD report has been submitted that claims best practice and relies a 40,000 litre rainwater tank proposed to flush toilets and irrigation in Building A and B, building C has a further 20,000 litres for toilet flushing and irrigation. See below for more information request.

- Some vertical and horizontal shading elements and high performance double glazing.
- Energy efficient HVAC with variable refrigerative volume (VRV).
- A 30 kW solar PV array to contribute to onsite electricity demands.
- Energy efficient lighting.
- Water efficient fixtures and taps.
- Water efficient irrigation.
- At least 183 bike parking spaces, plus at least 51 visitor spaces.
- 24 showers and at least 221 lockers to support cyclists riding to work.

#### *Application ESD Deficiencies:*

- No access to natural ventilation to most spaces. Improved mechanical ventilation standards with little detail provided. Ensure that fresh air supply is in excess of AS1668 air flow rates by at least 50%.

#### *Outstanding Information:*

- No specific daylight assessment has been provided, although reasonable daylight to most areas. Provide more information on the expected daylight performance of the buildings. Ensure that at 30% of floor area can reach a minimum 2% df standard, and provide a suitable VLT for each area to assist achieve this standard.
- Recommend that the architect consider increased external shading systems to reduce heat gain, rather than rely on glazing. If not, please include the SGHC proposed including the minimum VLT noted in the SMP, and demonstrate that the 30% energy reduction can be met.
- Please provide a completed JV3 energy modelling report, or equivalent, prior to occupation demonstrating the 6 points or 30% improvement in NCC requirements.
- No MUSIC model outputs have been submitted. Please include all MUSIC model inputs and outputs including catchment area, storage locations and volume and location and number of toilet connections to ensure that best practice in WSUD can be met.
- Please mark approximate size and location of solar PV array on roof and elevations.
- Please provide details of proposed type and efficiency of hot water system. Recommend gas boosted solar hot water or gas storage hot water with a minimum 85% efficiency / 5 Star equivalent.
- Ensure that the WMP has sufficient spaces allocated to recycling and all waste streams. Ensure that recycling is just as convenient as general garbage.

#### *ESD Improvement Opportunities:*

- Recommend a COP for HVAC (VRV) within one Star or 85% of best available of suitably designed size and capacity.
- Recommend providing a composting system.
- Recommend providing electric vehicle charging facilities.
- Recommend providing more communal spaces for staff and building users.

#### **Open Space**

*I would like to request clarification and/or further information on these items:*

*Update the landscape plans to incorporate the latest architectural drawings from Architectus dated 7 June 2018:*

- *The retail precincts in the lobby area have extra FDP/RRP facilities indicated which are not yet reflected in the landscape plan.*
- *The drawing DA1006 indicate there could be a roof garden above the childcare facility on Level 3. Is this the case? The addition of a large green space on the east side of the*



- development would be a valuable asset with multiple benefits and should be duly considered.*
- *Are there dividers or screens across terraces on levels 4, 5 and 6 as indicated on the architectural plans? If so, please update the landscape plans accordingly and show the impact this will have on the proposed garden beds.*
  - *Are there vertical green elements on the west side of the terraces of Building B as indicated in the architectural sections? If so, please update the landscape plans accordingly.*
- *Provide further detail on the design of the outdoor playspace for the childcare facility. Is there opportunity for more play elements and a more garden-esque setting to be incorporated on the level 1 terrace of the childcare facility?*
  - *Provide further details on the vertical green systems across the development.*
  - *Provide details on how the feature tree in the deck area will be incorporated into the deck surface to ensure sufficient growing width is provided. Provide details on the nominal depth as well.*
  - *Provide a detailed planting plan.*
  - *Provide information on the landscape feature proposed at the corner of Church and Shamrock Streets.*
  - *Provide information in the Technical Notes on how the grade of the proposed garden beds in relation to their mounded nature will be maintained over time.*
  - *Have allowances been made in the basement parking plans to accommodate the drop in the slabs for the proposed garden beds, ensuring there is sufficient headroom as well as depth for tree and plant growth.*
  - *The terraces and planter beds on Building B are nominated on the south side of the development. Is there scope to include more green infrastructure e.g. vertical climbing structures or planting beds on the northern façade?*

#### *General comments*

- *We have some concerns about the amount of natural light available in the lobby area and the impact this will have on the quality of the proposed planting. Consider incorporating grow lights for all the garden beds, as per the ones under the staircase.*
- *Consider moving the feature tree in the central courtyard west on the deck so the canopy does not become compromised by the building overhang.*
- *Consider an alternate paving treatment from the Brighton Street entry into the development. The effect of the cobblestone/setts on wheels for prams or cyclists might result in an reduction of amenity*
- *Consider opportunity for more planting garden beds on the Level 02 terrace.*

#### **External consultants**

#### **Traffic (Traffix)**

*Based on our various investigations, we are of the opinion that:*

- *The proposal has a statutory car parking requirement to provide 759 car spaces under the Column B parking rates of Clause 52.06-5 (which now apply as a result of VC148).*
- *The provision of 240 car spaces results in a numerical shortfall of 519 car spaces.*
- *Based on the allocation of car parking, there is a shortfall of 520 car spaces for the office, restricted retail and food and drink premises uses. There is also a surplus of 1 car space for the childcare centre.*
- *The reduction in car parking required supported under the decision guidelines of Clause 52.06-7.*
- *The level of bicycle parking and end of trip facilities provided is strongly supported, however it is recommended that the following condition be placed on any permit issued:*

- All bicycle spaces are to be dimensioned and provided in accordance with the requirements of AS2890.3-2015 or to the satisfaction of the Responsible Authority.
- The carpark layout is generally satisfactory, subject to:
  - Columns within the childcare centre carpark must fully comply with Diagram 1 of Clause 52.06-9.
  - Provision of 500mm separation between tandem car spaces is required, in accordance with Clause 52.06-9.
  - Alterations to the childcare centre ramp are required in order to comply with the ground clearance requirements of the B99 design car, as per AS2890.1-2004.
  - Changes to the childcare centre lifts are required in order to provide better protection to pedestrians entering/exiting the lifts at the basement carpark level.
  - The proposed loading arrangements are satisfactory, subject to:
    1. Confirmation of a 4.5m headroom clearance within the loading bay, in accordance with AS2890.2-2002.
    2. Confirmation that the grades into the loading bay can accommodate the 8.8m long Medium Rigid Vehicle (MRV).
- The proposed waste collection arrangements for the commercial tenancies are satisfactory, subject to the changes required to the loading bay specified above.
- Waste collection for the childcare centre should occur on-site within the basement carpark using the small waste collection vehicle. Providing an area to turn around and load may result in the loss of 1 car space, which is acceptable as there is a statutory surplus of 1 car space for this use.
- The changes to Shamrock Street are supported in-principle, subject to:
  - A review of the grades proposed within the widened section of Shamrock Street is required.
  - Provision of a clear travel path for pedestrians along the south side of Shamrock Street between Church Street and the eastern side of the carpark entrance.
  - The traffic impacts of the proposal are generally acceptable, however it is recommended the applicant review whether stationary traffic queues on Church Street are likely to impact the operation of the Church Street/Shamrock Street intersection and whether 'Keep Clear' line marking or other treatments are warranted to minimise the impact on tram services and general traffic along Church Street,
- The Green Travel Plan should be updated in regard to the following:
  - The language in the body of the report for various actions uses the term 'could be introduced', instead of 'should' or otherwise committing to a particular action.
  - The Action Plan at Appendix A does not include references to all actions included in the report, including any carpooling actions.
  - It is recommended that the plan be updated to include the promotion of various public transport smartphone apps such as the Public Transport Victoria app and/or train or tram tracker.

### **Urban Design (MGS Architects)**

The overshadowing of the development drawings presented in Shadow Studies 2 to 16 indicates a number of issues of concern.

Contrary to other development within Church Street the proposed shadow has major impacts on the western side of Church Street at 9.00am. These diagrams indicate significant impacts on key Church Street areas egressing from the nearby transport interchange at East Richmond Station and its role as a major pedestrian link to employment areas to the south in morning peak periods up until 10.30am on the western footpath.

*Residential properties to the south of the site in Sanders Place and Brighton Street are impacted from 1.00pm and substantially thereafter with the eastern side of Brighton Street impacted after 3.00pm.*

*The design renders provided in the application from page 134 onwards illustrate the design language and approach.*

*The choice of materials in the development is well based and supported, however the application in this instance in scale and the positioning of the form and the assumptions that underpin this are of concern.*

*The rendering from the south west illustrates the use of a brick podium form to lower levels. This podium accommodates open balcony forms extending to the south boundary of the development with open terraces to the south at level 6.*

*The lift core and stairs form an imposing concrete form rising full height relying on a mid-section glazed slot for amenity to the core and relief to the imposing bulk arising from its location on the site boundary. The provision of this glass form on the boundary to a property that could reasonably be expected to be developed in the future is clearly problematic as is the location of such a prominent and bulky aspect as the first impression of the building when looking at it from the south.*

*The expression of the building as seen, retaining the gridded form of the office to the full height, does little to reduce perceived height, with the opportunity clearly seen in the Pearson Street (or Brighton Street as it is more commonly known) render from the south east illustrating the combination of the positioning of the lift core, the expression of the western building and the stepped nature of the east building in relation to neighbours of typically one storey housing as can be seen in the renderings and, looking from the east in Brighton Street, illustrates the nature of the combined childcare interface at the end of the street and the mid-block and background office forms. It illustrates from the James Street interface how these built forms are interpreted, in particular how the childcare centre and mid-block office sit relative to the approved development to the east and the emerging character of development to the north and south.*

*The applicant notes that the site sits within an area of massive change within Melbourne and within the precinct. This is a contention that I think needs to be challenged. Whilst it is clear that Church Street is seen as an area of substantial change, it is equally clear that greater opportunities lie on the western side of Church Street where neighbours are characteristically similarly commercial in nature.*

*To the eastern side of Church Street where the interfaces are to fine grain residential in side streets and to areas such as Brighton, Pearson and James Streets to the east this is reflected in the intermeshing nature of zones as illustrated in the zoning maps and also in over 75% of the northern Shamrock Street interface being either NRZ or GRZ in nature, with the entire eastern and south eastern interfaces GRZ in nature as well. Areas such as Pearson Lane are also GRZ.*

*In such a circumstance it is clear that there needs to be mediation of built form to these key interfaces.*

*Disappointingly, in the heritage analysis by Human Habitats the Heritage Overlay HO308 that exists in the interfacing areas of Shamrock Street mid-block to the north for almost 50% of the frontage, the entire eastern frontage of Brighton Street and interfacing areas to the south east, is not noted but demonstrates further that the site is indeed embedded in its eastern interface into an area of the Barkly Gardens Precinct of high heritage value in this context. This is in contrast to much of the neighbouring area to the western side of Church Street wherein, particularly in the southern half of the street, heritage buildings where noted are industrial in nature and larger in form. This suggests that there is significant need in that case to think about the grain and scale of building development along Shamrock and Brighton Streets and in the south eastern 40% of the site interfacing with adjoining residential properties.*

*The management of scale in this context can be handled in a number of ways. One of which can be by enhancing the quality and scale of street interfaces with, in this instance, Shamrock Street providing an opportunity for substantial enhancement. The applicant has chosen however largely to not provide for such a measure save for a mid-block courtyard break.*

*Much of the frontage is dedicated to back of house areas and in particular the private open space of adjacent residential areas being immediately opposite the proposed loading dock zones.*

*In contrast the development provides a high level of amenity for its own users to the front door through the centre of the development. Clearly more needs to be done to enrich Shamrock Street with a high quality public realm treatment and generous setback at ground level; an acknowledgement of the more substantial pedestrian demand generated by the development and the low scale nature of its adjoining neighbours.*

*I would invite the applicant to reconsider setbacks to this frontage for the full extent from Church Street to gridline K and treatments through this area to mitigate the impact of back of house areas, traffic and noise on adjoining residential private open space areas and the streetscape amenity of this zone.*

*It is recommended in this instance that setbacks be provided to ensure a minimum 9m setback from the northern face of retail and office areas to the boundary interface with adjoining properties to the north at podium levels.*

*Generally speaking I am satisfied with the podium treatments and arrangements for the interface to Church Street and with the rotation of the end of trip facilities within the development. Set back the office over to match this alignment.*

*The inclusion of a central courtyard in the development is supported and the development of the proposal as a series of buildings stepping from east to west upwards is similarly supported in principle.*

*What isn't supported is the proposed scale of form and its configuration. Key issues of concern are as follows.*

*As previously noted the fine grain residential scale of Shamrock Street requires sensitive and generous set down of scale to these interfaces. I note the mid-block heritage overlay and typically 1 storey characteristic of properties to the north as requiring a response of the midblock zone of lower scale and greater setback. The proposed scale of setbacks suggested at level 3 would appear to me to be in the order of setbacks that should be provided at lower levels down to ground in conjunction with upgraded landscape treatments to this mid-block area to incorporate tree planting and an enhanced place making for this part of the site.*

*Similarly in relation to the childcare centre, the absence of substantive setback at levels 1 and 2 to the Brighton Street frontage is of concern. The area is a GRZ and there are characteristic setbacks for adjoining development from the street that contributes to the landscape amenity and streetscape quality that is typically low scale in this area.*

*I note the approved development to the north is 2 storey in scale at the street interface, stepping up to 3 storey. In this case with the overhead canopy of the third level extending to within 4m of the street no such mediation exists. I would recommend that the facility be set back at ground, first and second floors similar to that of its adjoining southern and northern neighbours and that the canopy at level 3 should be set back an additional 3m to ensure it is less visually intrusive within the streetscape.*

*In relation to the adjoining mid-block office building, it is my view that this building is grossly excessive in scale relative to its adjoining Heritage Overlay and neighbourhood context within*

*Shamrock Street to the north and the private open space of residential areas that exist to the south. To this extent I would recommend removal of levels above the fourth floor to these interfaces i.e. that levels 5 to 7 are deleted.*

*In relation to the western tower, in the first instance I don't find it acceptable that the lift core is built to the southern boundary to the full height as is currently proposed nor that it relies on glazed aspect to its southern boundary for amenity to this zone. The lift core should be embedded into the development, not incorporated into a boundary interface as suggested in this instance. It has significant impacts on apparent bulk and diminishes the quality of the streetscape environment of Church Street.*

*The scale of development also needs to be addressed so that the western side of Church Street is not impacted in the early morning peak pedestrian movement times from public transport to the adjoining workplace areas and similarly reduced so that the private open space of adjoining residential areas to the south east are not impacted at peak times of the day. I would suggest in this instance between 10.00am and 2.00pm.*

*Additionally the scale of the proposal in this instance is excessive. As previously noted the proposal has interfaces with low scale residential areas in contrast to the areas in the south west of the core areas. It is clearly a zone of transition.*

*The proposal in this instance needs to be radically reduced in scale. My view is that whilst I am satisfied that the proposed podium is acceptable, it is my view that development above level 7 should be deleted, having regard for the substantive plant area above this zone. This would result in a building including plant of approximately RL42.5 in height or effectively 32m in height relative to street level. Effectively an 8 level commercial building.*

*At an interface with a fine grain neighbourhood as exists in this instance I believe it is this scale that finds residents with both Local Policy, existing character, the known little changed nature of its north, eastern and south eastern interfaces and the relatively modest footprints of its neighbours.*

## CONCLUSION

*For these reasons, whilst the architectural language, elements of the quality of ground floor place making within the development and the provision of childcare are supported, substantial and radical surgery needs to be taken to the proposed scale at this transitional location and it should not be approved in its current form on urban design grounds.*

## **Acoustics (SLR Consulting)**

*A summary of our review of the acoustic report for 459-471 Church Street and 20-26 Brighton Street is provided below.*

### *External Noise Intrusion*

*The proposed façade upgrade treatments appear adequate for controlling the measured levels of road traffic noise, however we would like to confirm the following:*

- *That rail noise has been predicted to upper levels of the building, and that the advice provided will achieve the indoor design targets.*
- *That noise from children playing in the rooftop outdoor play area has been predicted to the proposed overlooking office spaces, and that the glazing proposed will achieve appropriate indoor targets for this noise source.*
- *That a review of façade upgrade treatments to offices overlooking the rooftop plant room on Building C will be undertaken during the detailed design to ensure that the indoor targets will be met.*

## Childcare Centre Noise

Noise from children's voice has been assessed to residential receivers using a target of 'background + 10 dB'. We agree that the target is appropriate for daytime operations. We would like the following issues to be clarified or addressed:

- The sound power level used for children's voices in each of the outdoor play areas should be provided, or sufficient information included in the report for us to calculate them. It is unclear from the information provided whether the same sound power level has been used for each play area, or whether they have been scaled for size. A 3-D image of the noise model used in calculations would assist in creating an understanding of the modelling approach.
- Explicit assessments are not provided in the report for:
  - 28 Brighton Street to the south, (i.e. the high level north facing windows, and the outdoor private open space) and
  - Upper levels of the development proposed for 16 Brighton Street, to the northThese receiver locations should be included in the assessment.
- Noise from vehicles dropping off children at the centre has not been considered. This noise should be assessed to sleep disturbance targets if it is likely to occur before 7 am. If there is provision for drop offs to occur via the basement carpark we would consider this issue adequately addressed.

## Project Mechanical Plant

Plant noise is proposed to be assessed to SEPP N-1. Our calculations of SEPP N-1 noise limits are slightly different to Cundall's, however the presented limits are nevertheless reasonable for the planning phase of the project. During the detailed design, when impacts to particular receivers are calculated, it may be appropriate to calculate limits specific to those receivers.

We recommend that the planning permit for the project include the requirement that noise from project mechanical plant is reviewed by a suitably qualified acoustical consultant and designed to achieve compliance with SEPP N-1.

## **Wind (ViPac Consultants)**

Vipac have reviewed the wind test report and relative drawings provided (see the list of files in the attachment). Our comments are as follows:

- The MEL Consultants Environmental Wind Speed Measurements report has been prepared based on a 1:400 scaled model wind tunnel test. The report includes the following main Sections: Introduction, Environmental Wind Criteria, Model and Experimental Techniques, Discussion of Results and Conclusions. Detailed test data were presented in the Figures section.
- We have no issue with the criteria for wind environmental conditions developed in 1978 by W. H. Melbourne, which was adapted in this report. Vipac have no comment regarding the mentioned criteria based on 20% or 0.1% probability of occurrence, as they are not actually used in the assessment in the report.
- In the Model and Experimental Techniques section, a 300 m minimum radius proximity model was used and is substantially correct. The Category 3 exposure was used in the assessment; this was also appropriate. Hot wire anemometers were used to measure the local wind speeds at various locations as shown in Figure 1 and Figure 2 of this review.

- *In the Discussion of Results section, the report clearly addressed the wind speed measurement results street by street around the development and various terraces.*
- *The report assessed the wind conditions on podium roof and roof top terraces and found that these locations met Walking criterion as a minimum. Many areas would also meet the more stringent standing criterion. Vipac agree with the use of walking criterion as a minimum to assess the podium roof and rooftop terraces.*
- *The report assessed the wind conditions in the building entrance areas and found that these locations met the standing criterion as a minimum.*
- *The Conclusions indicated that all test locations fulfil the recommended wind criteria for the basic configuration with amelioration strategies which include a porous wind screen at the northwest corner, and a canopy on the northern façade above. The amelioration strategies can be found in 6 on Page 25 of the wind report and Figure 3 of this review. These have been incorporated into the architectural drawing Shamrock Street Canopy dated 13/06/2018 as shown in Figure 4 and discussed in MEL Consultants addendum letter 45-18-DE-LET-00.*

*In conclusion, the MEL Consultants Environmental Wind Assessment used the proper model, experimental and analysis methodology to assess the wind effects on the pedestrian level spaces around the proposed development, as well as various building terraces in detail. The locations of high wind conditions have been identified and were rectified with wind control strategies. The conclusions are substantially valid.*

## **Assessment**

The considerations for this application are as follows, as required:

- Strategic context;
- Childcare Centre Use;
- Built form and Design;
- Off-site amenity;
- Traffic, access, bicycle parking and car parking reductions;
- Waste management; and
- Objector concerns.

### Strategic context

In assessing this application Council officers must make a comprehensive evaluation of the proposal with consideration to the purposes and objectives sought to be achieved by the Act and the Yarra Planning Scheme, the applicable decision guidelines, and as to whether or not there is a net community benefit and sustainable development outcome. There is no doubt that the site has many of the attributes that would lead to a support of higher density development. However, having carried out an assessment of the competing state and local policies and objectives against the particulars of this development, on balance this proposal does not represent an acceptable outcome.

The development in its current form is an overdevelopment of the site and is a poor response to its context. Specifically the primary issues are:

- excessive height, scale and massing of Buildings A and B;
- unreasonable visual bulk impacts and inequitable development opportunities for the site to the east at No. 16 Brighton Street; and
- poor place-making along Shamrock Street.

Council does not dispute that the Commercial 2 Zone (C2Z) which applies to the site is capable of accommodating a greater density and higher built form, subject to individual site constraints. Additionally, state and local policies (such as clause 11.03-1R and 18.01-1S) encourage the

concentration of development near activity centres and intensifying development on sites well connected to public transport such as the subject site. A portion of the land is also within a General Residential Zone (Schedule 2) where there is a more restrained development expectation. The applicant has responded to this by including a lower building in this location.

However, in this instance, the site is in a transitional location where it interfaces with finer grain, low scale residences and heritage buildings to the north, east and south which temper development potential even on sites located within the C2Z and require a considered response.

The Planning Scheme is a network of policies and objectives, which is to be read as a complete document; with an understanding that objectives of urban consolidation and employment growth can conflict with neighbourhood character and other objectives. Clause 71.02-3 requires planning authorities to ingrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. Council submits the proposal fails these tests.

The issue around strategic imperatives (such as urban consolidation) versus site context is complex and one in which the Tribunal explored in its decision for *2G Investment Group Pty Ltd v Yarra CC* [2009] VCAT 2182. Within this decision, the Tribunal recognised that strategic imperatives cannot outweigh concerns about how a design responds to its context.

The following comments were made:

[9] ..... However, we disagree that this opportunity and the strategic imperative override the necessity to also achieve a good design outcome. We have refused this application because of the failure of this particular design to respond to its context and to provide a reasonable level of amenity to future occupants and adjoining properties.

In this instance, the application fails when balancing the competing objectives of the Scheme; principally those of equitable development, enhancement of the public realm, height and heritage which are not sufficiently off-set by positive urban consolidation achievements.

In summary, while there are clear policy directions to support the intensive redevelopment of the site for high density commercial buildings to provide for employment growth, the proposal clearly does not meet many of other policies and its poor design response does not warrant support.

#### Childcare Centre Use

The only use which requires a planning permit is the childcare centre which is proposed to have a maximum of 100 children and operate between 7.00am to 7.00pm Monday to Friday. The childcare centre is proposed to operate within the General Residential Zone (Schedule 2). The centre will have up to 100 children with 22 staff.

Council planning officers submit that the use is compatible with the nearby community and would provide a service to local residents as well as future employees of the proposed office as well as those newly constructed. Council has recently adopted the Spatial Economic and Employment Strategy (SEES) and Housing Strategy (HS) which provide up to date strategic information on these aspects in the Yarra municipality. The SEES identifies the Church Street South precinct, as a Major Employment Precinct.

Council's HS identifies that there will be a projected increase in families with children and older persons in Yarra over the next 15 years. The uses directly respond to the changing demographics within Yarra. Facilities like childcare centres are a type of community facility and social infrastructure and it is important that they establish in urban areas in appropriate locations. The purpose of the General Residential Zone also recognises that educational, recreational, religious, community and a limited range of other non-residential uses that serve local community needs are appropriate, provided they occur in appropriate locations. Council planning officers believe this is



an appropriate location, as a portion of this land is already used for non-residential purposes (car park), is immediately adjoining a commercial zone and is not located in a residential hinterland.

Additionally, the site is well suited to accommodate the proposed use as it is highly accessible to the community as it is located within an established urban area.

In terms of the hours of operation, these are acceptable as they allow sufficient time for drop offs and pick-ups before and after work. It is also worth noting that clause 22.01 (*Discretionary Uses in a Residential 1 Zone*) stipulates that permit required uses in a residential zone should have hours of operation limited to 8am to 8pm. The childcare centre proposed to open one hour earlier, at 7am, considering that this is only for one hour, and many nearby residents will be getting ready for work or school at that time, this is reasonable.

These hours of operation also reduce the impact of light spill as it is generally daylight around these hours.

With regards to noise, Council's Acoustic Engineer confirmed that there were a number of issues which needed to be clarified or addressed. These are discussed within the *Off-site Amenity* section of this report.

Had Council been of a mind to support these uses, permit conditions would have controlled the hours of operation, staff numbers and numbers of children.

With regards to traffic and waste implications, this will be discussed within the *Traffic and Waste Management* sections of this report.

### Built form and Design

The relevant permit trigger for the development is the Commercial 2 Zone for Buildings A and B and General Residential Zone (Schedule 2) for Building C. The primary considerations for the proposed development are the decision guidelines at clauses 34.02-7 and 32.08-13 of the Scheme respectively.

The urban design assessment for this proposal is guided by State and Local policies at clause 15.01-2S (Building Design), clause 21.05-2 (Urban design), clause 22.05 (Interface uses policy) and clause 22.10 (Built form and design policy). For a 30m wide portion of the western end of the site, the design guidelines and objectives of the design and Development Overlay (Schedule 2 are also relevant).

As has already been outlined, there is no dispute that strategically, the subject site is appropriately located for a higher-density development, being located within proximity to an Activity Centre, primarily within a commercial zone with excellent access to public transport, services and facilities. Three boundaries have at least the width of a street to provide a buffer from amenity impacts. It would be a reasonable expectation that this site (as those surrounding it are currently doing) would experience intensification in use and development. Whilst all of these are factors which would encourage substantial development of the site, Council submits that the proposal is inappropriate due to:

- the excessive overall height of Building A (including the sheer southern boundary wall) which is not only a detriment to the Church Street streetscape, but subsequently results in excessive overshadowing to the western footpath of Church Street;
- the excessive height and lack of setback of the tower component of Building A and its impact on the Shamrock Street streetscape;
- the overall height and lack of transition of Building B will dominate the streetscape along Shamrock and Brighton Streets as well as the repetitive stepped form southern façade being incongruous to the area; and
- the lack of public realm improvements along its northern boundary with Shamrock Street.

In terms of Building C, as will be discussed, subject to additional front setbacks from Brighton Street, Council's planning officer and external urban designer found the built form of Building C to be acceptable.

There are a number of other additional issues which could have been resolved by way of condition, however some would have required the applicant to submit additional information prior to Council planning officers making a decision. This uncertainty in the resultant built form has partly led to Council recommending refusal for this planning application.

A similar situation with regards to the refusal of a high density development in a location where one would expect taller built form was discussed within the Red Dot Tribunal decision, *ACCC Pty Ltd tas AWC Property v Yarra CC* (includes Summary) (Red Dot) [2012] VCAT 1180. In this case, a high density development located within the Swan Street MAC and next to Richmond Train Station was refused due to its inappropriate built form within a heritage precinct. Within this case, the following statement was made:

- [4] The State and local planning policies are consistent in their message that the subject land is located in an area where an intensity of development is encouraged. Based on the local planning policy framework, it is our finding that the subject land is within the Swan Street Major Activity Centre. The recent inclusion of the Richmond Station precinct in State planning policy that encourages high scale and high density mixed residential and commercial developments further identifies the area around the station as one where an intensity of development is encouraged. However, this does not create a 'free-for-all' situation in regard to the height and form of development that is acceptable for this land. There are other considerations that come into play through the planning policies and controls that are relevant in this case.

Council's external urban designer made the following salient points with regards to development expectations along the eastern side of Church Street, compared to those on the west:

*The applicant notes that the site sits within an area of massive change within Melbourne and within the precinct. This is a contention that I think needs to be challenged. Whilst it is clear that Church Street is seen as an area of substantial change, it is equally clear that greater opportunities lie on the western side of Church Street where neighbours are characteristically similarly commercial in nature.*

*To the eastern side of Church Street where the interfaces are to fine grain residential in side streets and to areas such as Brighton, Pearson and James Streets to the east this is reflected in the intermeshing nature of zones as illustrated in the zoning maps and also in over 75% of the northern Shamrock Street interface being either NRZ or GRZ in nature, with the entire eastern and south eastern interfaces GRZ in nature as well. Areas such as Pearson Lane are also GRZ.*

*In such a circumstance it is clear that there needs to be mediation of built form to these key interfaces.*

*Disappointingly, in the heritage analysis by Human Habitats the Heritage Overlay HO308 that exists in the interfacing areas of Shamrock Street mid-block to the north for almost 50% of the frontage, the entire eastern frontage of Brighton Street and interfacing areas to the south east, is not noted but demonstrates further that the site is indeed embedded in its eastern interface into an area of the Barkly Gardens Precinct of high heritage value in this context. This is in contrast to much of the neighbouring area to the western side of Church Street wherein, particularly in the southern half of the street, heritage buildings where noted are industrial in nature and larger in form. This suggests that there is significant need in that case to think about the grain and scale of building development along Shamrock and Brighton Streets and in the south eastern 40% of the site interfacing with adjoining residential properties.*

The numerous issues with the presentation of Buildings A and B including the lack of setbacks from Shamrock Street and overall height of Buildings A and B result in far too many varying elements which need to be modified. Therefore Council is unable to support the proposal or rectify these matters via permit conditions. These issues must be resolved before any approval can be granted. It is submitted that there are too many issues to be dealt with to be resolved by way of conditions and that any future application would need to resolve these issues before an approval of any sort can be granted.

Council planning officers submit that the proposal is contrary to policy at clauses 15.01-1S, 15.01-2S, 21.05-2, 22.10-3.2, 22.10-3.3 and the design objectives of Schedule 2 of the Design and Development Overlay.

#### *Church Street – Building A*

The surrounding existing neighbourhood character is a mixture of older single to triple storey buildings both commercial and residential in style with some modern developments also. More recently constructed buildings are at least five storeys in height. The built form of the wider surrounding area is dominated by its location within a commercial zone and its proximity to the Swan Street Major Activity Centre (MAC). This mixture in built form types and heights is typical of the Richmond/Cremorne area as discussed within the Clause 21.08-2 description. These areas have and will continue to experience an intensification of use and development.

Considering the recent approvals of larger scale developments, the street's proximity to the Swan Street MAC, convenient access to a train station and public transport, and that the majority of sites are not located within a heritage overlay to restrict development, it would be a reasonable expectation that this site and others in Church Street, would experience further intensification in use and development. Whilst not a document which Council relies on, the SSSP has designated this area as having developments of between five and six levels. This highlights that Council has earmarked this area for higher development than the current form which exists.

In terms of more specific street interfaces, the proposed works are an improvement on the existing streetscape interface through the demolition of out-dated buildings and the removal of at-grade car parking spaces which do not activate the street frontage for the construction of a modern building. The majority of buildings are constructed in a rectilinear form with windows and balconies facing the street and mainly flat roofs although there is a mixture of construction eras and styles.

As previously discussed, there is a consistent character of boundary-to-boundary development with all of the abutting sites having high site coverage and high walls along the front boundaries with minimal openings. The proposal is continuing the character of high site coverage with improved visual permeability.

#### *Podium*

Building A incorporates a five storey street wall to Church Street which also wraps around the southern elevation and along Shamrock Street where it is setback an additional 3.6m to provide for a widened street. The fifth floor of the podium is used for terraces that are open to the sky. In terms of presentation the street wall has a concrete ground floor, with brown brick above, with windows and walls having angled bevelled edges. Along the southern side of the podium, the lower four walls are solid but retain the impression of the patterning. The image below depicts the podium as seen from Church Street:



Both Councils planning officer and external urban designer are supportive of the podium. It is acknowledged that the proposed podium is higher than the majority of those within the streetscape. However, consideration should be given to the exceptional width of the site. Additionally the central separation and sky visibility through the upper level reduce any potential dominance in the streetscape. The central indentation creates two podium forms which reduces the impact of the breadth of the site.

The southern elevation of the fifth floor of the podium will consist of large openings facing No. 475 Church Street, whilst typically Council discourages openings abutting another site, in this instance, as the street wall also has openings to the west, the southern fifth storey openings are acceptable as they would not restrict an adjoining development.

In terms of architectural merit, the podium is a visually interesting design with the use of concrete for the ground floor which differentiates it from the levels above. The bevelled window openings and patterned walls provide a contemporary design which shows the podium has been considered in the round. The street wall of Building A constitutes a significant improvement as it will fill-in an area within the streetscape which is currently used partly for at-grade car parking and partly for an out-dated, bulky building. The existing car park creates a void in the streetscape where active frontage should be and does not contribute to the streetscape character of Church Street. It is a substantial positive of the proposal for new built form to be constructed in this location and the car parking access removed.

#### *Tower*

It is the upper levels and the southern elevation where this proposal fails. The image below depicts the southern elevation of Building A as viewed from Church Street:



Looking specifically at the overall height, whilst Council acknowledges that this is a site where much taller developments can occur compared to what currently exists, Council does not support the proposed 14 storeys in height. Council's external urban designer stated that the proposal should be no more than eight storeys in height, with development above level 7 to be deleted.

Council planning officers submit that at least three of the upper levels should be deleted. This would assist with the proportions of the development, which as seen in the image below when viewed from the north along Church Street, it is quite evident that the upper levels result in a dominating and overbearing presentation to the street.

The framing element visible on the upper levels is unacceptable, and undermines the attempt at reducing the visual bulk of the overall height through the provision of increased setbacks from the east. The applicant has provided these setback upper levels as a way to reduce the form of Building A, however this form is then surrounded by a four storey external frame which draws the views eye up towards the top of the building.



The reduction in height would also assist in reducing shadow impacts to the western side of Church Street which is highlighted as an issue and will be disused further within the *Public Realm* section of this report.

In terms of appropriate overall heights, the proposal is noted within the SSSP having a preferred five to six storey overall height which many objectors have raised as an issue. It should also be noted that the SSSP states that an acceptable transition for this site to a residential interface, is a 10m boundary wall with setbacks above at a ratio of 1:1. As previously outlined, whilst it is an adopted document, it can only be given very limited weight as it has not progressed to a planning scheme amendment. This has been repeatedly stated by the Tribunal in numerous decisions, one of which being *Barkly Gardens Pty Ltd v Yarra CC* [2017] VCAT 995:

[19] .... It is not a seriously entertained planning proposal. It has not been subject to public scrutiny. The Tribunal has consistently given limited weight to the structure plan.

It has been over four years since the SSSP was adopted and has not progressed to a planning scheme amendment. Many developments have been approved and constructed which exceed the heights proposed within it.

The tower is setback 5m from the street wall which is an acceptable distance and (subject to a height reduction), would allow the street wall to remain visually prominent in the streetscape.

Finally, another issue with the proposal, as already outlined is the visual dominance of the southern boundary wall associated with the core. The height, width and lack of articulation result in dominating the Church Street streetscape and is unacceptable. The use of glazing along this boundary is also unacceptable. Had Council been of a mind to support the proposal, this would have been required to be deleted.

Council's external urban designer suggested that the lift core should be internalised to avoid the southern boundary wall, however planning officer's believe there may be other solutions which would also resolve this issue. Again, this is a failing of the proposal which cannot be resolved by way of a condition on permit, but would need the applicant to provide a re-design for further consideration.

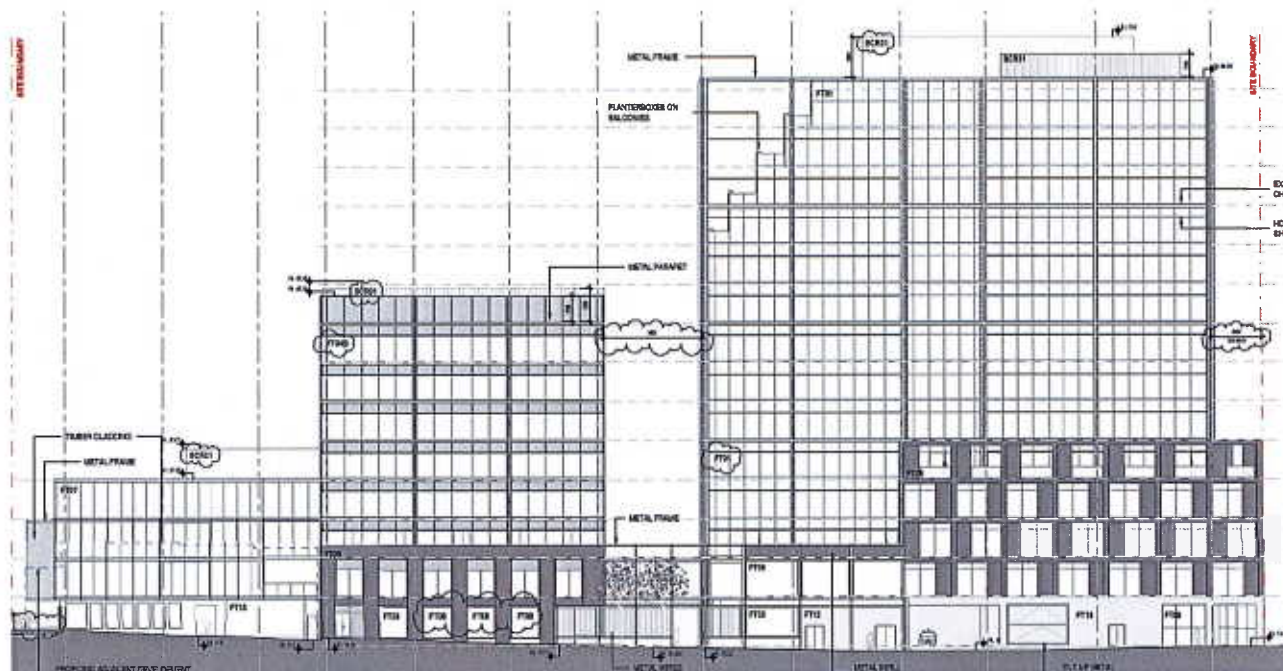
In terms of architectural quality, the tower of Building A will be constructed of metal cladding, concrete and glazing which is quite typical of office developments. Along the western façade the tower is horizontally separated into three groupings of three levels each with increasing visual transparency from the lower levels to the upper levels. These bands are also vertically separated. Along the northern boundary, the horizontal bands of each level are visible, as is the central indentation. This all assists in creating a visually interesting and articulated building, however as already stated, the external framing element, the southern boundary and the overall height result in the dominating impact of the building which is unacceptable.

Due to the height and setbacks of Building A, Building B would have minimal visibility from Church Street and would be seen in the foreground.

### *Shamrock Street – Buildings A and B*

The streetscape of Shamrock Street is such that the southern side is dominated by the commercial built form of the subject site (currently between single and double storeys in height), whilst the northern side consists of south-facing single and double storey brick and weatherboard dwellings with minimal, if any, side setbacks. The majority of dwellings have their private open space areas to their north, whilst two dwellings have theirs located along their side boundary. Nos. 1-11 Shamrock Street are graded as 'contributory' to the Barkley Gardens Heritage Precinct.

Looking at the width of the site as it spans Shamrock Street, Council's external urban design supported a stepping down of the heights from west to east. The elevation below depicts this transition:



### *Building A*

The five storey podium of Building A continues along Shamrock Street, where it steps down to three-storeys in height at approximately the centre-point of No. 1 Shamrock Street and constructed along the northern title boundary (instead of being setback 3.8m at ground floor as per the five storey portion). Above the three-storey street wall, the northern wall of the tower is setback an additional 5m from its northern title boundary for the full height of the proposal in addition to the width of the street. From the fourth floor and above, there is a 6.5m deep and 7.4m wide indentation within the northern tower façade. Above the five-storey street wall, the northern wall of the tower is setback 5.8m from the northern title boundary.

Council planning officers submit that the five-storey element of the podium appropriately turns the corner onto Shamrock Street, however, the three-storey competent should be brought further west, in-line with the western side boundary of No. 1 Shamrock Street. This could be facilitated by way of condition. A three-storey street wall opposite these dwellings is entirely acceptable within the streetscape, and is an existing interface character throughout Richmond and Cremorne.

It should be noted that Council's external urban designer has recommended the entire Shamrock Street elevation of the proposal should be setback a total distance of 9m from the sites along the northern side of the street. This is to provide for sufficient place-making initiatives along Shamrock Street to improve the quality of the pedestrian experience, and to also mitigate off-site amenity impacts to the north. Council planning officers agree with this as a recommendation and would constitute a significant public improvement. This could not be rectified by way of condition as it would result in significant changes to services located along this boundary.

The tower component has an approximate 10m setback opposite Nos. 1 and 5 Shamrock Street for its full height. Whilst numerically this may seem inadequate, the narrowness of Shamrock Street would restrict views to the upper levels above the street wall. Any views to these levels from along Shamrock Street would be from a distance and most likely, not from along Shamrock Street. The dominant element in the street would be the street wall. Building A is closer to the main road and the commercial areas where taller built form is to be expected compared to the portions of the site further to the east.

It should be noted, that if the applicant were to provide an additional setback to the north for the street wall as per Council's external urban designer's advice, this would require an additional setback for the tower component to ensure the prominence of the street wall in the streetscape and to reduce the dominance of the tower from along the Shamrock Street streetscape. This may also result in requiring further setbacks at the upper levels due to the increased visibility within the streetscape. This is another unknown, which requires the applicant to provide further information prior to Council officer's making a decision.

### *Building B*

Building B is located in the eastern portion of the subject site and presents as a three storey street wall, above this, a 5m setback from the north for the remainder of the 34m in height proposed. As already highlighted, a three-storey street wall is acceptable in this context. This street wall height allows for a continuation with the street wall further to the west. In the event that the three storey townhouses are constructed at No. 16 Brighton Street, this will allow for a transition in height from west to east. Above the street wall, the northern wall of Building B is setback 5m which is an acceptable setback. It allows the brick and metal framed street wall to be the dominant element.

As already outlined, Council's external urban designer has recommended the entire Shamrock Street elevation of the proposal should be setback a total distance of 9m from the sites along the northern side of the street. This would necessitate additional setbacks for the levels above also.

Council's external urban designer found the overall height of Building B to be excessive considering that it adjoins lower scale residences, some of which have heritage value. It was recommended that it not exceed five levels in overall height. Council's heritage advisor was also not supportive of overall massing of this building and its impact to the Shamrock and Brighton Street heritage buildings and wider heritage precinct to the east.

Council planning officers agree that the site should transition in scale from west to east, and that this central building should be lower in height to avoid dominating the Shamrock Street streetscape. Importantly, No. 16 Brighton Street currently has a single storey dwelling immediately to the east of Building B. As already outlined, there is also an existing permit for three storey townhouses on that site. Whilst Building B includes a northern 5m setback above its street wall which is a positive design outcome, its eastern side wall is sheer along the boundary and this lack of transition in relation to No. 16 Brighton Street (either existing or approved) in the streetscape is unacceptable and would be excessively dominant. It should be noted that this building includes glass windows along the eastern boundary. Council does not support this due to inequitable development opportunities, as will be discussed in the *Off-site Amenity* section of this report.

In terms of materials, the use of glazing and black metal framing is common within contemporary office developments within Richmond. The proposal also includes red brick as a reference to Richmond's heritage buildings. As with Building A, each level is separated both vertically and horizontally which assists in articulating the overall massing.

### *Building C*

The visibility of Building C from Shamrock Street would be minimal, as it is setback at least 4.5m from its northern boundary and is separated by the dwelling at No. 16 Brighton Street. The level of visibility is an acceptable outcome and would not dominate the streetscape. If the approved townhouses were to be constructed, they would essentially obstruct all views to it from Shamrock Street.

### *Brighton Street*

The Brighton Street streetscape is generally single to triple storey in scale with the majority of dwellings either being attached or with minimal (if any) side setbacks. In terms of heritage, the area



is quite varied, with a number of dwellings with no heritage value. For example, between Nos. 23 to 39 Brighton Street (north-east and south-east of the subject site), only No. 31 Brighton Street is of heritage value. The two dwellings to the south of the site have heritage significance with No. 28 Brighton Street being classified as 'contributory' and No. 30 Brighton Street being 'individually significant'.

Dwellings are constructed using weatherboard, brick and metal cladding.

#### *Building A*

Due to the lower scale nature to the buildings to the east of Building A, it would be visible in the foreground when viewed from Brighton Street. Council planning officers have already outlined that they would have recommended a significant height reduction which would further reduce its visibility. Council's heritage advisor raised concerns with the impact of this building on the Brighton Street heritage buildings. The eastern wall of Building A is setback 68m from the western Brighton Street footpath and would not dominate the streetscape.

#### *Building B*

As already outlined, Council planning officers agree that this building is excessive in height, as is the eastern sheer wall due to its dominating impact on the Shamrock Street streetscape. The impact would be similar from along Brighton Street and Council planning officers submit this is unacceptable also.

In addition to the eastern wall, from the south, along Brighton Street, the repetitively stepped form of southern façade of this building will be visible. This stepped massing is incongruous with the surrounding area and will visually dominate the Brighton Street streetscape. Whilst a reduction in height would have reduced the visibility of this facade, this is another issue which goes beyond what can be required by way of condition.

#### *Building C*

Building C is proposed to be three storeys in height, with a covered fourth floor used as an outdoor play space for the child care centre. The building has an overall height of 15m with plant and the lift core being an additional 4m. It provides setbacks of at least 4.5m from the northern boundary and ranging between 6.3m and 9.62m from the southern boundary. In terms of street setbacks, the ground floor is setback 4.6m, the first floor is setback 1.35m, with the level above being between 1.35m and 4m at its southern extent. The third floor is setback 4m from Brighton Street. It is constructed against the eastern wall of Building B.

The image below is a render of the proposal when viewed from Brighton Street:



This building is located within a General Residential Zone which anticipates much more restrained built form compared to the Commercial 2 Zone. Dwellings and residential buildings are limited to a height of 9m and three storeys as a maximum. The applicant has followed this guidance by providing the lower scale built form in this location.

Council planning officers and external urban design submit that this building is acceptable within this streetscape, subject to additional front setbacks to avoid dominating the streetscape and the adjoining dwellings. This will also assist to reduce the prominence of the new building within the heritage streetscape. It is important to note that in terms of Brighton Street, the subject site is located within an area where there are less intact heritage buildings compared to further south (as already outlined).

The aforementioned proposed side setbacks provide for sufficient building separation and allow for a transition in scale to the lower adjacent forms, particularly on the southern side, where the setbacks increase from the ground to the third floor.

Turning back to the front setbacks, Council's external urban designer recommended that the lower three levels be setback further so that they are similar to that of the buildings to the north and south, and for the upper-most floor to be setback an additional 3m to ensure it is less visually intrusive into the streetscape. This would essentially result in the proposal having a predominant three-storey form, with a recessed fourth floor. Council's heritage advisor recommended increased setbacks of the fourth floor.

Council planning officers support the increased front setbacks to be similar to the dwelling at No. 28 Brighton Street which is 4.75m as per the endorsed plans of planning permit PLN13/0432 for that site. Whilst it is noted that the approved townhouses at No. 16 Brighton Street have street setbacks of between 1m and 1.8m, the recommended setbacks would have still been required. No. 16 Brighton Street is located on a corner which typically allows for lesser setbacks. Additionally, Building C is 15m in height (plant an additional 4m), whilst the approved townhouses are 9m. The additional front setbacks which would have been required for Building C and are appropriate when considering the additional height sought by this building.

Any increase in the front setback would have to retain the central indent as this assists in creating a vertical separation and rhythm to keep the proportions similar to the existing streetscape. Had

Council been of a mind to support the proposal, the above would have been required by way of condition.

In terms of materials and architectural quality, the proposal fits within this existing streetscape character by incorporating a central indent and vertical frames whilst still retaining the horizontal banding at each floor. A number of the dwellings to the east and south have horizontal elements as well as vertical separations. The vertical separation also allows the proposal to have similar proportions of other narrower lots in the street. The subject site is quite wide compared to the width of other sites along Brighton Street and this is integral to fitting in with the existing context.

The proposal incorporates a number of materials already evident in the street such as metal, timber and concrete, both in terms of heritage buildings and the recent constructions.

#### *Public realm, light and shade and pedestrian spaces*

This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. Whilst the proposal will have some positive aspects, considering the extent of development proposed, its contribution to the public realm falls short.

Council is supportive of the construction of three modern buildings with large glazed ground floor lobbies, active tenancies and improved outdoor spaces. Through the activation of the ground floor, the building will provide interaction at street level along all street frontages where it is currently limited.

One of the key issues with the proposal is the extent of inactive frontage onto Shamrock Street, and the lack of street setback provided at ground floor. Council's external urban designer was particularly critical of this. It was recommended that the full extent of the site's Shamrock Street frontage be setback to provide for appropriate place making initiatives. The street currently has very narrow footpaths, typical of a side street in Richmond/Cremorne. The development proposes to have its secondary office lobby entry off Shamrock Street yet has not provided a sufficient footpath width to accommodate the foot traffic. The development is attempting to entice office staff and patrons to the ground floor uses via the central courtyard from Shamrock Street but fails to provide for any improvements to the public realm. Again, this is not an issue which can be resolved by way of condition.

Council planning officers are concerned with the height of the front fencing at ground floor facing Brighton Street for Building C as it does not encourage passive surveillance of the street. In terms of the basement entry and its impact on the public realm, Council planning officers submit that this building only has one street frontage, and therefore it is unavoidable. Officers note that the levels above ground have windows facing the street.

Council's Streetscapes and Natural Values Unit recommended conditions regarding tree protection bonds for the three street trees in Church Street, as well as costings for the tree removals and replacements proposed. Had Council been of a mind to support this proposal this would have been required by way of condition.

In terms of light and shade, the proposal shades the western footpath in the morning, however by 11am the shadows are onto the road. Council's external urban designer recommended that there be no shading to the western side from 10am onwards. This would be resolved with a significant height reduction. In terms of the afternoon, the proposal does not shade the eastern footpath of Brighton Street.

Shading the footpath immediately outside the subject site's title boundary is acceptable and a common occurrence. It would be difficult for any building to not shade the adjacent footpath.

#### *Site Coverage*

The level of site coverage proposed is above the maximum of 80 percent as directed by clause 22.10-3.6. However as the existing level of site coverage in the surrounding and immediate area is similar, it is acceptable. Commercial buildings in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout Richmond.

### *Landscape architecture*

Landscaping is not a typical feature of commercial developments or in the wider Richmond area. The applicant provided landscape drawings prepared by MALA Studio which included plans and technical notes. The proposal includes plantings within the internal courtyard at ground floor beneath Buildings A and B and also at ground floor surrounding Building C. The upper level terraces also show some plantings.

Council's Open Space Unit reviewed these and requested clarification and further information. Had Council been of a mind to support the application, these would have been required by way of condition or through the provision of additional information prior to a decision being made.

### *Environmentally Sustainable Design*

Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes which reduce staff and visitors from relying on private vehicles.

Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.

Council's ESD Advisor confirmed that the proposal is close to meeting Council's ESD standards as they have made the following commitments:

- *30% improvement above the NCC energy efficiency requirements for energy efficiency (6 points in Green Star Energy section) based on various initiatives.*
- *A WSUD report has been submitted that claims best practice and relies a 40,000 litre rainwater tank proposed to flush toilets and irrigation in Building A and B, building C has a further 20,000 litres for toilet flushing and irrigation. See below for more information request.*
- *Some vertical and horizontal shading elements and high performance double glazing.*
- *Energy efficient HVAC with variable refrigerative volume (VRV).*
- *A 30 kW solar PV array to contribute to onsite electricity demands.*
- *Energy efficient lighting.*
- *Water efficient fixtures and taps.*
- *Water efficient irrigation.*
- *At least 183 bike parking spaces, plus at least 51 visitor spaces.*
- *24 showers and at least 221 lockers to support cyclists riding to work.*

Council's ESD Advisor identified deficiencies, outstanding information and improvement opportunities which considering the scale of the proposal, would have been required had Council been of a mind to support the proposal. They are as follows:

- *No access to natural ventilation to most spaces. Improved mechanical ventilation standards with little detail provided. Ensure that fresh air supply is in excess of AS1668 air flow rates by at least 50%.*
- *No specific daylight assessment has been provided, although reasonable daylight to most areas. Provide more information on the expected daylight performance of the buildings. Ensure that at 30% of floor area can reach a minimum 2% df standard, and provide a suitable VLT for each area to assist achieve this standard.*

- *Recommend that the architect consider increased external shading systems to reduce heat gain, rather than rely on glazing. If not, please include the SGHC proposed including the minimum VLT noted in the SMP, and demonstrate that the 30% energy reduction can be met.*
- *Please provide a completed JV3 energy modelling report, or equivalent, prior to occupation demonstrating the 6 points or 30% improvement in NCC requirements.*
- *No MUSIC model outputs have been submitted. Please include all MUSIC model inputs and outputs including catchment area, storage locations and volume and location and number of toilet connections to ensure that best practice in WSUD can be met.*
- *Please mark approximate size and location of solar PV array on roof and elevations.*
- *Please provide details of proposed type and efficiency of hot water system. Recommend gas boosted solar hot water or gas storage hot water with a minimum 85% efficiency / 5 Star equivalent.*
- *Ensure that the WMP has sufficient spaces allocated to recycling and all waste streams. Ensure that recycling is just as convenient as general garbage.*
- *Recommend a COP for HVAC (VRV) within one Star or 85% of best available of suitably designed size and capacity.*
- *Recommend providing a composting system.*
- *Recommend providing electric vehicle charging facilities.*
- *Recommend providing more communal spaces for staff and building users.*

The proposal, subject to additional conditions, would have achieved a good level of environmentally sustainable design and greater internal amenity for future occupants had Council been of a mind to support it.

#### Off-site amenity

The policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy). Clause 55 of the Scheme provides some guidance on these matters (although not strictly applicable).

Design objectives at *clause 22.10-3.8* aim to limit the impact of new development on the amenity of surrounding land, particularly residential land, by ensuring that development does not prejudice the rights of adjoining land users. These objectives are largely designed to reduce off-site amenity impacts to land where they interface between land uses. This can include limiting off-site amenity impacts on residential land as well as ensuring that new non-residential use and development within Commercial and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties. Therefore this application must consider both the off-site amenity impacts for residential land as well as any potential impacts to existing commercial/industrial uses.

Having regard to amenity impacts on nearby existing residences, policy within clause 22.05 acknowledges that in order to maintain the viability of industrial and business areas, residences which abut business areas should not have unrealistic expectations of the level of amenity which can be achieved. The appropriateness of amenity impacts including setbacks, walls on boundaries, shadowing and overlooking need to be considered within their strategic context, with the site being partly located within a Commercial 2 Use Zone. In addition, the local character shows a high level of site coverage and boundary-to-boundary development within the surrounding area.

Within a recent VCAT decision at No. 60-88 Cremorne Street, Cremorne (*Arthur Land Pty Ltd v Yarra CC* [2018] VCAT 946) the following relevant comments were made regarding amenity expectations of residents abutting a Commercial 2 Zone and the application of policy (including Clause 55):

- [34] Second are reasonable amenity expectations. Clause 55 is used in expert evidence and submissions to assess the amenity impacts of the proposal. Some residents urge an outcome that is no worse than Rescode and say that clause 55 should be "enforced". But clause 55 does not apply and the

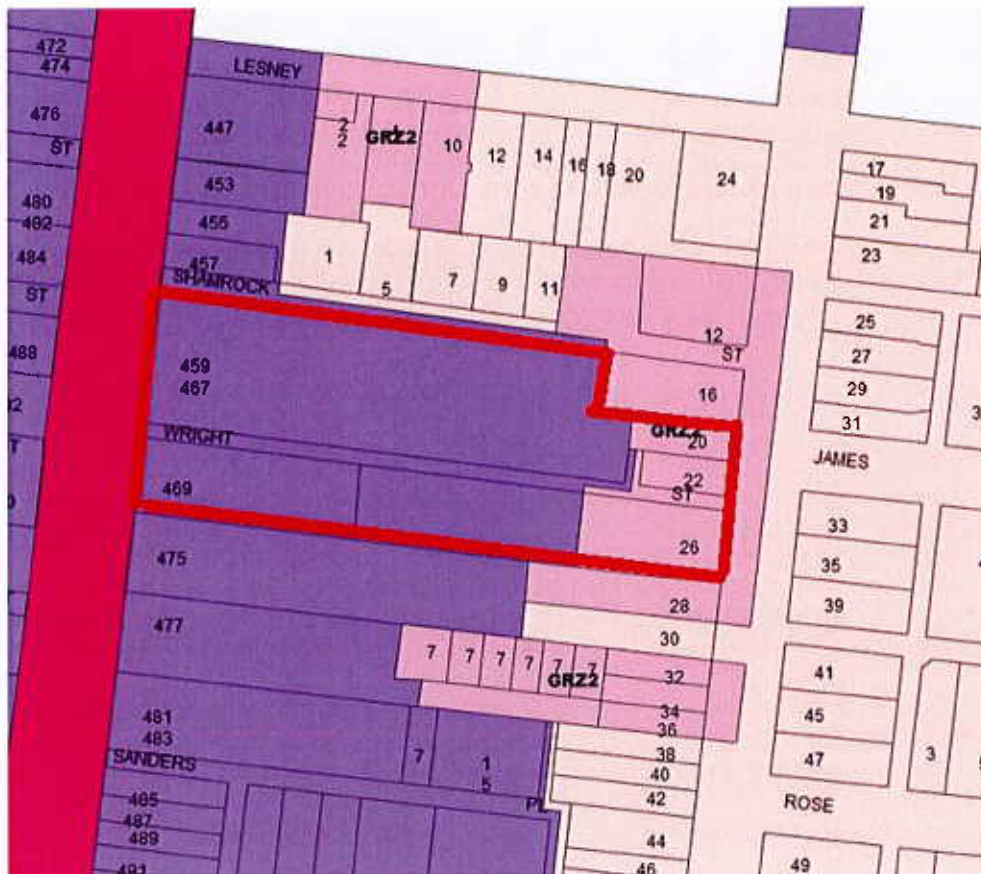
scheme does not set it as the 'test' for acceptability in this case. Moreover, even if it did apply, the numerical standards can be departed from if the relevant objective is met.

- [35] Residents who appeared at the hearing are aware that amenity expectations at the interface between the NRZ and C2Z are not the same as if their properties abutted land in a NRZ or General Residential Zone. This interface situation does not have prescribed or numerical outcomes or benchmarks to be met. A judgment is required. Our assessment takes account of impacts that can be quantified but not all changes can be measured numerically. Further, amenity impacts must be considered holistically; inter-relationships are relevant. For example, boundary planting may provide visual screening and assist to limit overlooking but may add to overshadowing. As the outcomes cannot all be fully quantified, there can be legitimate differences in opinion as to the acceptability of the outcomes and whether impacts are reasonable or not.
- [36] These assessments are informed by the land use ambitions for the area and the fact that the subject land is currently an open car park. Land in the C2Z is expected to contribute to employment outcomes comprising a substantial development, of a commercial nature, on a very large site.
- [37] As indicated earlier, interface situations such as this are difficult. Different outcomes are sought for the residential/heritage areas and the commercial precinct. Similarities are seen where cottages are located behind strip shopping centres and where increased scale occurs at the edge of an activity centre. Transitional responses are required but these situations inevitably see some change in residential amenity because of the scale and bulk of new forms that are typically directed to activity centres and commercial precincts. Visual bulk cannot be expected to be minimised in the same way as a residential-to-residential interface. We agree with the applicant and Council officer's report that the land's size and strategic context underpin a relevant principle evident in the scheme; that the use and development of land in the C2Z should not be unduly fettered by the presence of adjacent dwellings while ensuring that a reasonable amenity outcome is retained for those residential properties. The proposed development is not required to be low-rise because of the interface condition where the residential land will not experience significant change.

For the part of the subject site located at No. 20-26 Brighton Street, any off-site amenity impacts will be considered within the context of its zoning which is General Residential Zone (Schedule 2).

The subject site is adjacent to dwellings to its north, east and south with the majority of these being separated by the width of a street, with the exception of Nos. 16 and No. 28 Brighton Street which directly abut the site. The site also abuts commercial properties to its south at No. 475 Church Street.

For ease of reference a site map of the surrounding area including street names and numbers is included below:



### *Overlooking*

Typically even the more stringent Clause 55 (Rescode) requirements only consider potential views within 9m. Within commercially zoned land for non-residential development, it is encouraged within policy that they are designed to minimise the potential for unreasonable overlooking. With regards to commercial uses within the General Residential Land, the decision guidelines do not specifically discuss overlooking.

The width of Shamrock Street is 5m, and the width of Brighton Street is 15m. This distance provides a visual buffer from potential overlooking opportunities for any dwellings to the east. In terms of overlooking, the dwellings which will be assessed are Nos. 1-11 Shamrock Street and Nos. 12, 16, 26 and 28 Brighton Street. All other dwellings are well outside of 9m in distance.

### *Shamrock Street*

The subject site faces the front of each of these dwellings with the majority of dwellings having their private open spaces to their rear. A number of them also have car parking spaces within their front setback. The image below shows these properties and their street number has also been included:



Existing levels of overlooking must also be considered. For example front yards are not considered secluded private open space as any passer-by could also currently overlook a front yard with a permeable fence. It is a similar situation with front windows.

The image below clearly shows that the majority of dwellings have their private open space along their northern boundary or at a distance greater than 9m from the subject site. As shown above, this is with the exception of No. 9 Shamrock Street which has a secluded area along its side boundary, behind a solid roller door and within 9m of the subject site. It should be noted that whilst No. 1 Shamrock Street has its private open space to the side, it is behind a visually permeable fence and only obscured by landscaping. This is not considered secluded.

There is no overlooking potential at ground floor as there is at least a visual barrier of 1.8m (roller door) with this meeting Rescode requirements. Only Building 2 is located opposite No. 9 Shamrock Street with the ground, first and second floor terraces being within 9m. The applicant has not provided any details regarding any overlooking to this area from these floors. Had Council issued a planning permit, this would have been requested by way of condition.

#### *Brighton Street*

Nos. 12, 16, 28 and 30 Brighton Street are all within 9m of the subject site.

#### *No. 12 Brighton Street*

With regards to No. 12 Brighton Street, as with the Shamrock Street dwellings, its secluded private open space is more than 9m in distance from any portion of the subject site. Only front windows, car parking areas and front yards are within this distance, therefore, there is no unreasonable overlooking.

#### *No. 16 Brighton Street*

No. 16 Brighton Street has a current planning permit for four townhouses, however works have not yet commenced. Council's planning officers will consider both existing and proposed conditions for this site. A building permit has not been issued, however a building surveyor has been appointed. Existing conditions include a rear private open space area. In terms of existing conditions, Building B abuts this site, and it is unclear how overlooking has been addressed, particularly as above the second floor, Building B is proposed to be glazed along its eastern boundary. Had Council issued a planning permit, a condition would have been required to show that there is not any unreasonable overlooking into this private open space.

In terms of approved townhouses, overlooking from Building B would be minimal as there are not any habitable room windows facing it within 9m, and the balconies of the townhouses are all north-facing (ie facing Shamrock Street). The only potential overlooking would be to ground floor service



yards, however the closest is setback 6.4m to the east and any views would be blocked by built form. Council planning officers do not consider this to be unreasonable.

Turning to the southern boundary of No. 16 Brighton Street, Building C is setback between 4.5m and 5.8m (from the first floor and above) from this shared boundary. At ground floor, Building C is setback between 6.3m and 6.6m with a fence separating these areas. Whilst no details have been provided for the proposed fence, the endorsed plans associated with the approved townhouses shows a 1.8m high paling fence which would prevent overlooking. From the first floor and above, the south-facing windows/balconies are all either located 1.7m, above the finished floor level or have screening.

The applicant has not provided sufficient detailing regarding the ground floor boundary fence associated with this application, and this would have been required by way of condition.

#### *No. 28 Brighton Street*

The proposal includes a solid wall for the entire length of its abuttal with this site. No. 28 Brighton Street has a rear private open space area, as well as rear north-facing windows associated with a living room, however there is a wide canopy (approximately 1m) over these windows.

In terms of the land used for Building C, the proposal includes a 3.5m high solid fence along their shared boundary at ground floor, with the southern terrace setback at least 6.34m from the southern boundary and the second floor (with roof terrace above) setback at least between 8.54m and 9.6m from the boundary. In terms of distances, only the first floor would have a potential area from which overlooking could occur. The southern elevation shows screening provided at first floor.

Council's planning officer's own assessment confirmed that the 3.5m high fence will obstruct views from the first floor within a 9m distance.

#### *No. 30 Brighton Street*

This site is located 8.5m from the subject site. Give the majority of the development is setback from its south-eastern corner from the first floor and above, the majority of Buildings A and B would be well outside of 9m. The ground floor of Buildings A and B is solid. Building C is well above 9m in distance from this site and has a solid wall along its southern boundary to prevent overlooking from the southern outdoor play space. Therefore there is no overlooking potential.

#### *Overshadowing*

Standard B21 of Clause 55 seeks to ensure buildings do not significantly overshadow existing secluded private open space between 9am and 3pm on 22 September. It is important to note that Clause 55 is not strictly applicable in this instance due to the proposed uses and zoning of the land however, it is used as a reference.

Due to the orientation of the subject site, only those dwellings to the east and south are affected by overshadowing. The location of existing built form including high on-boundary walls and paling fences and high site coverage already results in some overshadowing to the private open spaces to the south and east. This is shown in the existing shadow diagrams provided by the applicant. The applicant has attempted to reduce overshadowing impacts of Building B by incorporating additional setbacks at each level, resulting in a terracing affect at the rear.

#### *No. 16 Brighton Street*

This site is affected by Building B from 1pm onwards.

As shown in the shadow diagrams provided by the applicant, if the approved townhouses were to be constructed, the ground floor service yards at No. 16 Brighton Street would be shadowed by

their own built form from 1pm onwards. As previously outlined, the approved townhouses all have north-facing balconies facing Shamrock Street.

In terms of existing conditions, No. 16 Brighton Street has a single storey shed along its western wall which would shade its private open space from 1pm onwards. The shadow diagrams provided show that at 1pm, shadows would fall over the shed, however at 2pm and 3pm, any shadows would also fall over a small portion of the private open space, however these would fall within those created by the existing shed.

#### *No. 28 and 30 Brighton Street*

No. 30 Brighton Street is unaffected until 2pm.

As previously outlined, No. 28 Brighton Street includes either a solid wall or fence along its entire shared boundary with the subject site. The endorsed plans associated with planning permit PLN13/0432 for the site, show that the wall is between 2.9m and 2.4m in height.

Existing conditions are that a high on-boundary wall associated with a warehouse on the subject site is constructed along a portion of the northern boundary. The wall is between 2.4m and 3m in height also.

These existing conditions result in overshadowing of the northern portion of the private open space. Additionally, in the morning, the constructed extension (associated with PLN13/0432 for No. 28 Brighton Street) shades the private open space as shown in the shadow diagrams provided with that application. At 9am, existing conditions are that approximately 66 percent of the rear private open space is shaded. It should be noted that Council planning officers do not believe the applicant's shadow diagrams for this application are correct in this instance, as they appear to show less shadows compared to the shadows within the application for PLN13/0432.

Following on from this, the applicant's shadow diagrams show that there is a slight increase in shadows from 9am. However, between 9am and 2pm, the additional shadows are minor, with the majority being a sliver. Council's planning officer does not consider this to be unreasonable, as at each time, there is a reasonable area (between one third and half) free of any shadow, similar to existing conditions.

At 2pm, portions of the external framing element of Building A begins to cast shadows over the private open spaces of both Nos. 28 and 30 Brighton Street. However, as previously noted, had Council been of a mind to support the proposal, a lower height would have been required and these shadows would have been eliminated. Council planning officers do not consider these shadows to be unreasonable as they are only from a framing element.

The rear private open space areas of both dwellings are completely in shadow at 3pm, however, prior to 3pm, most of the shadowing is minor (with none before 2pm for No. 30 Brighton Street). With regards to No. 30 Brighton Street, this private open space area is already shaded in the afternoon by its own shed located at the rear of the site and the existing built form of the commercial property at No. 475 Church Street Richmond (also within the Commercial 2 Zone).

Considering the limited extent of time of this significant overshadowing and keeping in mind that this dwelling abuts Commercial 2 Zoned land, expectations of amenity must be tempered. This is considered to be an acceptable outcome.

#### *No. 7 Sanders Place*

These dwellings are a row of six, double and triple storey townhouses approved under Planning Permit PL01/0765 on 11 September 2001. The image below depicts the townhouses from an aerial view, with the access point leading south-ward to Sanders Place



They each have a ground floor north-facing courtyard as well as a south-facing courtyard which appears to be used for vehicle access. They each have a first floor, north-facing balcony constructed along the boundary however it is only for the two eastern-most, double storey townhouses that this balcony is accessed directly from the living room. The remainder have a second floor north-facing balcony which is accessed from their living rooms. These second floor balconies are partly covered above and are setback from the boundary approximately 4m.

These dwellings do not directly abut the subject site. The three, western townhouses are constructed along the shared boundary with No. 475 Church Street which is also located within the Commercial 2 Zone. Any residents living in these townhouses, in this circumstance, should have an expectation that due to the Commercial 2 zoning of No. 475 Church Street, it is likely to be developed more intensely in the future than the current single storey warehouse.

In terms of the ground floor areas, considering the height of the on-boundary wall along their northern boundary, these would already be significantly in shadow during the day. Additionally, none of these courtyards are directly accessed from the living area.

Following on from this, the proposal does not impact these townhouses until 1pm, when the two western-most, first and second floor terraces are completely in shadow. This increases to approximately the western half by 2pm, and by 3pm, all townhouse terraces are in shadow. The shadowing is primarily from Building A. Council planning officers agree that Building A is excessive in height and requires a substantial reduction in height. If this were to occur, the shadowing would also be reduced. However, Council planning officer note that it would be an unrealistic expectation for any residents in this location to not experience any additional overshadowing. The western-most townhouses directly abut a Commercial 2 Zone and all have their private open spaces abutting their northern boundary, with minimal, if any, setbacks provided. The issue of expecting change on adjoining lots was addressed within the Tribunal decision, *37 KR Developments Pty Ltd v Moonee Valley CC* [2010] VCAT 1063, where it was stated that:

- [9] Local communities often do not acknowledge or recognise that significant change has been a constant feature of our urban areas, and that further substantial change will continue into the future

Considering the limited extent of time of additional overshadowing for the majority of these townhouses (four out of the six are impacted for one hour), their site context of abuttal with a Commercial 2 Zone and being one site removed from the proposal, the level of overshadowing is not considered unreasonable.

Council planning officers have already outlined that the overall height of Building A is excessive, and should be reduced. However this would be on a built form basis, rather than overshadowing. The reduction in height of Building A may or may not result in a reduction in overshadowing to these townhouses.

#### *Daylight to Windows*

In terms of daylight to existing habitable room windows, the most immediately affected properties are Nos. 16 and 28 Brighton Street. All other sites are either separated from the subject site by the width of a street, or by another site.

In the case of the Shamrock Street dwellings (including No. 12 Brighton Street), not only are they separated from the subject site by the width of Shamrock Street, but they are also south-facing windows generally covered by an overhanging verandah which limits daylight access. Where the proposal interfaces with these dwellings, it includes setbacks from the third floor and above. Additionally, No. 5 Shamrock Street has the internal courtyard and void area opposite.

#### *No. 16 Brighton Street*

In terms of existing conditions, it is unclear if the dwelling has any west-facing windows, however one can assume there would be windows facing its private open space. As previously noted, the development proposes a sheer wall along the shared boundary up to a maximum height of 34m. Council planning officers submit this is excessive and would impact daylight access to any west-facing windows.

Looking at proposed conditions for the approved development, this would be less of an issue, as the townhouses are constructed along the shared boundary and have either north or south-facing windows.

With regards to Building C, it is proposed to be constructed opposite ground and first floor bedroom windows, and second floor living room windows. All of these windows are south-facing. South-facing windows receive ambient daylight, rather than direct. All of the windows are either highset or have a screen up to 1.7m above the finished floor level which further restricts daylight access. Building C has a minimum setback of 4.5m from the shared boundary which will allow the approved townhouses to receive sufficient daylight access.

#### *No. 28 Brighton Street*

This dwelling has north-facing living room windows which face Building C. As per the endorsed plans associated with the completed extension, these windows are covered by a canopy above and face a 2.9m high wall. This would already impact the northern direct sunlight received. Nevertheless, Building C is setback 6.8m and 9.6m from the shared boundary, which would provide a reasonable buffer to allow for daylight access. Additionally this rear living area also has west-facing windows.

#### *Visual bulk*

Traditionally buildings with commercial and industrial uses tend not to include side and rear setbacks and this is evident in both the remnant and modern commercial and industrial buildings in the area. Minimal side and rear setbacks would be an expected feature of a commercial and industrial area.

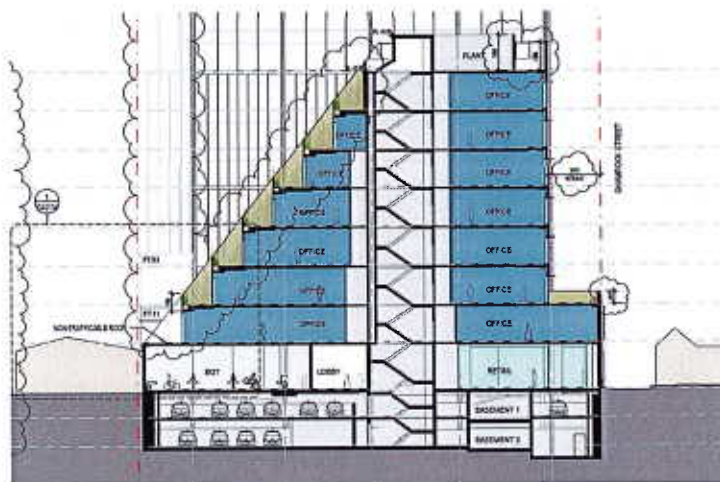
As already outlined, Council's adopted policy the SSSP states that a 10m high wall along a residential interface would be an adequate transition, with any setbacks above being at a ratio of 1:1. The proposal does not include boundary walls of such height along any of its residential interfaces.

### *Buildings A and B*

In terms of the Shamrock Street dwellings (inclusive of No. 12 Brighton Street) visual bulk impacts from secluded private open spaces and habitable room windows would be minimal as the majority of private open spaces are to their north. Any views to the Buildings A and B would be over their dwellings with each of these also having their northern outlook as an alternative. Additionally, front windows are generally covered by a verandah above.

Council planning officers believe that the most immediately impacted dwellings are No. 16 and 28 Brighton Street. As with the *Daylight to Windows* assessment, the visual bulk impact created as per the existing conditions at No. 16 Brighton Street are unacceptable due to the height of the sheer wall of Building B. However, if the approved development were to occur, this impact would be lessened as the townhouses are built along the shared boundary.

The applicant has attempted to address the amenity impacts to the south of Building B by incorporating additional setbacks at each level, resulting in a terracing affect at the rear with setbacks of between 3.8m at the first floor (9m) and up to 22m for the eighth floor (34m in height). It should be noted that Building B is quite close to meeting Standard B17 (Side and Rear Setbacks) of Clause 55 (Rescode). For example, B17 requires a 9m high wall to be setback 4.09m and a 34m high wall to be setback 29m. Council submits that meeting Standard B17 is obviously not warranted considering the zoning of the subject site which does not require developments to comply with the more stringent policy associated with residentially zoned land. The attempt to reduce visual bulk is clearly seen in Section DD:



The height of northern boundary wall/fence at No. 28 Brighton Street would also assist in ameliorating visual bulk impacts. Any views to Building A would also be from a substantial distance and over other built form. Council's planning officers submit that the proposal has adequately reduced visual bulk amenity impacts experienced from this private open space.

In terms of dwellings further to the east, north or south, views would only possible from a greater distance, and over built form, further reducing any potential visual bulk impacts.

Council submits that the side and rear setbacks proposed are substantial, consistent with the purpose of the zone and resultant off-site amenity outcomes are deemed acceptable. Additionally, those which reside in residential zoned land which interfaces with a commercial/industrial area must have an expectation that there will be greater built form in these areas compared to if it faced residential land.

### *Building C*

Building C has provided substantial side setbacks from the northern and southern boundaries where it interfaces with Nos. 16 and 28 Brighton Street. Any dwellings further to the north or south east are separated by the width of a street or another site which is more than sufficient to ameliorate any unreasonable visual bulk impacts.

Building C has setbacks of between 4.5m and 5.76m from the northern boundary for wall heights of up to 15m, whilst setbacks from the south at reach up to between 9.85m and 10.3m for a 15m high wall.

In terms of visual bulk impacts to No. 16 Brighton Street, under existing conditions, there is an alternative outlook to the north from the secluded private open space. Additionally, the greater setback is located adjoining the existing private open space. Council planning officers believe this to be acceptable. With regards to the approved townhouses, as with the *Daylight to Windows* assessment, all of the windows facing the proposal are either highlight or have a screen up to 1.7m which obstructs views to Building C.

Turning to the impacts on No. 28 Brighton Street, quite substantial setbacks have been provided which are close to meeting Standard B17 (Side and Rear Setbacks) of Clause 55 (Rescode). Council submits that meeting B17 is obviously not warranted in this instance as non-residential uses within residential zones are not required to comply with rescode. As already discussed, No. 28 Brighton Street has walls and fences along its northern boundary which would also restrict views to Building C.

#### *Solar energy facility impacts*

No.4/7 Sanders Place has solar photovoltaic panels on its roof and No. 28 Brighton Street has a solar hot water facility on its roof. As the shadow impacts show, at the September Equinox, these would only be impacted at 3pm by Building A (in the Commercial 2 Zone) which is acceptable. Whilst the impact would increase in winter, this would decrease in summer when the sun is the strongest.

It should be noted, that the impact on existing solar energy facilities is only a consideration for residentially zoned land. These shadows are associated with a building in a commercial zone.

#### *Noise and light spill*

Policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

#### *Buildings A and B*

The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given the majority of the building would be used for offices. Due to the nature of the office use there will be minimal noise generated by pedestrian activity, with this activity largely limited to Church and Shamrock Streets and not considered to be detrimental to the amenity of the adjacent properties to the north or east. Whilst the Shamrock Street entrance is opposite dwellings, the Church Street entrance will be the primary entry point as it is closest to the main road.

The two restricted retail premises located along the northern boundary would be most likely to use Shamrock Street. As already noted, both Council's external urban designer and planning officer agree that the application should include additional setbacks at the lower levels. If these were to be provided this would provide an additional separation between the dwellings on the northern side of Shamrock Street and the development.

The use also ensures that deliveries to the site will be kept to a minimum (and within the loading bay area close to Church Street). The majority of the office space is enclosed and the use conducted indoors (with the exception of the outdoor terraces).

The applicant provided an acoustic report which was peer reviewed by Council's acoustic consultant, SLR Consultants. The report confirmed that plant noise will meet the relevant EPA regulation (SEPP N-1). However an assessment was not provided, which Council's acoustic consultant confirmed was acceptable at this stage. Had Council been of a mind to support the proposal, it would have required this to be confirmed by way of a post-construction report.

Light spill will also be limited due to the uses primarily operating during the day. Again, this is another area where residents must temper their expectations when they face a zone where these types of uses are encouraged.

### *Building C*

The proposed hours of between 7am and 7pm for the childcare centre will eliminate any light spill onto nearby residential properties as it is generally daylight around these hours.

With regards to noise, the applicant's acoustic report had assessed noise from children's voice to residential receivers by using a target of 'background + 10 dB'. Council's acoustic engineer agreed that the target is appropriate for daytime operations. Whilst this was found acceptable, there are a number of issues which need to be addressed or clarified. These include:

- *The sound power level used for children's voices in each of the outdoor play areas should be provided, or sufficient information included in the report for us to calculate them. It is unclear from the information provided whether the same sound power level has been used for each play area, or whether they have been scaled for size. A 3-D image of the noise model used in calculations would assist in creating an understanding of the modelling approach.*
- *Explicit assessments are not provided in the report for:*
  - *28 Brighton Street to the south, (i.e. the high level north facing windows, and the outdoor private open space) and*
  - *Upper levels of the development proposed for 16 Brighton Street, to the north*

*These receiver locations should be included in the assessment.*

Had Council been of a mind to support the proposal, these would have been required by way of an amended acoustic report, prior to a decision being made.

Council's acoustic engineer also recommended that noise from vehicles dropping off children at the centre should be considered, however if there was a provision for drop offs to occur via the basement carpark, it was not considered necessary. As previously stated, some of the car spaces are proposed to be allocated to parents for drop offs, and therefore this will not be required by way of condition.

### *Wind*

The applicant's wind consultant (MEL Consultants) carried out a 1:400 scaled model wind tunnel test for the proposal. It was confirmed by Council's wind consultant (Vipac) that the report clearly addressed the wind speed measurement results street by street around the development and various terraces. The applicant's wind consultant adequately assessed the wind conditions on the podium roof and roof top terraces and found that these locations met the 'walking criterion' as a minimum. Many areas would also meet the more stringent 'standing' criterion. Council's wind consultant agree with the use of walking criterion as a minimum to assess the podium roof and rooftop terraces.

The applicant's wind consultant also assessed the wind conditions in the building entrance areas and found that these locations met the 'standing' criterion as a minimum.

Council's wind consultant confirmed that the MEL Consultants used the proper model, experimental and analysis methodology to assess the wind effects on the pedestrian level spaces around the proposed development, as well as various building terraces in detail. The locations of high wind conditions have been identified and were rectified with wind control strategies (such as wind break screens and a canopy in the north-western corner of the site). Council's wind consultant confirmed that the conclusions are substantially valid.

#### *Views to landmarks*

Clause 22.03 (Landmarks Policy) seeks to protect views of Yarra's valued landmarks, with the spire of St Ignatius Cathedral, Church Street, Richmond and the Nylex Sign being two of them. However, within the policy it is unclear which views should be protected. This was explored by Member Naylor within the 2013 Tribunal decision, *Rescom QOD Lennox Street Pty Ltd v Yarra CC* [2013] VCAT 1799:

[53] I agree with the findings of the Tribunal in Crema Group that the policy is not intended to preserve and protect every possible view from public spaces. The Tribunal found in Cremorne Corporation that key or important views need to be carefully dealt with, not every incidental view; and in Richmond Icon that not all views are of equal worth.

[54] In [Mr Lovell's] opinion, what needs to be protected are "the historical principal heroic views.....

As previously outlined, within Clause 22.03-4, the spire of St Ignatius Cathedral, Church Street, Richmond and the Nylex Sign are identified as a landmarks. As outlined within the previous Tribunal decision, not all views should be protected, but rather it should be principle views.

These are located 600m and 715m (respectively) in distance from the subject site. This is quite a significant distance which ensures that the key views to these landmarks are not impacted. Streets such as James, Shamrock and Brighton Street would not be considered key views for either of these landmarks.

A number of objectors raised this as an issue, however views from private property to landmarks are not protected within the Yarra Planning Scheme.

#### *Equitable development*

The setbacks from the southern boundary of Buildings A and B ensures the commercially zoned sites to the south are not impeded in terms of development potential.

With regards to the commercial properties to the north, they have the width of Shamrock Street as a buffer.

In terms of the residentially zoned land, with the exception of No. 16 Brighton Street these sites have sufficient setbacks from the development to ensure any development potential is not limited. It should be noted that those sites are currently within a more restrictive zone which has a height restriction of two and three storeys.

Finally, in terms of No. 16 Brighton Street, the proposal includes glazing along the eastern boundary wall of Building B. This is unacceptable as it impedes its development potential in the event that a different proposal were to be approved. Had Council been of a mind to support the proposal, this would have been rectified.

#### Traffic, access, bicycle parking and car parking reductions



The provision of 240 car spaces results in a numerical shortfall of 519 car spaces. Based on the allocation of car parking, there is a shortfall of 520 car spaces for the office, restricted retail and food and drink premises uses. There is also a surplus of 1 car space for the childcare centre.

The development provides for 217 spaces for Buildings A and B, 15 of which are to be shared between the restricted retail and the food and drinks, with the remaining 202 spaces being for the office use. Had Council been of a mind to support the proposal, a condition would have required the allocation of car spaces for each use to be shown on the basement floor plans.

The Red Dot VCAT decision (*Ronge v Moreland CC [2017] VCAT 550*) made numerous statements with regards to car parking reductions. The Member clearly advocated for a reduction in the statutory car parking provision in inner-city sites such as this. Whilst this decision pertains to a site in Brunswick, the context is similar, being located within proximity to train stations and tram routes. In this instance, the subject site is closer to public transport opportunities and the Melbourne CBD than the review site.

Throughout the decision there are numerous relevant statements in support of the reduction and also regarding the limited importance that should be placed on car parking demand assessments.

Relevant statements within the summary of this decision are applicable to this application, as follows;

- *State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling.*
- *Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.*
- *A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.*
- *However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.*
- *Policy tells us the future must be different.*
- *Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.*
- *One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.*

The *Ronge v Moreland* decision also confirms that in inner city areas where there is access to alternative forms of transport, we need to drastically change how we are currently moving around Melbourne. Providing less car parking spaces encourages people to cycle, walk or use public transport.

### *Parking Availability*

The applicant's traffic engineers, Impact Traffic Engineering conducted site inspections at hourly intervals between 7.30am and 5.30pm on Tuesday 6 March 2018. The site inspection included Church, Albert, Lesney, Brighton and James Streets. Council's Senior Traffic Engineer confirmed the times and extent of the survey are considered appropriate.

An on-street parking inventory of 118 publicly available spaces was identified consisting of a mixture of 1 to 2 hour and a very limited number of long term parking. The results of the survey indicate that on-street parking occupancy is high and that it had peaked at 11.30am, 12.30pm and at 4.30pm, which no fewer than 21 vacant spaces available.

Council's Senior Traffic Engineer confirmed that the availability of short to medium-stay parking would provide regular turnover throughout the day and allow visitors to park near the site. Council's Senior Traffic Engineer confirmed that the limited opportunity to park on-street would encourage customers, clients and employees to travel by alternative forms of transport.

As already outlined within *Ronge V Moreland* a discussion around the existing pattern of car parking is of "marginal value" as policy is aiming to shift to more sustainable forms of transport. Continuing to provide car parking spaces at a rate commensurate with historic demands will not assist in achieving the aim of State and Local Policy to reduce reliance on private motor vehicle use.

### *Parking Demand*

#### *Office*

Council's Senior Traffic Engineer confirmed parking associated with such developments is generally long-stay parking for employees and short-stay parking (approximately up to two hours' duration) for customers and clients. Council's Senior Traffic Engineer confirmed that the actual parking demand generated by the office is expected to be lower than the statutory parking rate of 3.5 spaces per 100 square metres of floor space, since the area has very good access to public transport services.

The proposal would be providing on-site office parking at a rate of 0.86 spaces per 100sqm, which is comparable to other recently approved office developments which are shown in the table below:

<b><i>Development Site</i></b>	<b><i>Approved Office Parking Rate</i></b>
<b><i>Cremorne</i></b>	
<i>60-88 Cremorne Street PLN17/0626 issued 21 June 2018</i>	<i>0.85 spaces per 100 m<sup>2</sup> (233 on-site spaces; 27,306 m<sup>2</sup>)</i>
<i>506 &amp; 508-510 Church Street PLN17/0278 issued 11 January 2018</i>	<i>1.09 spaces per 100 m<sup>2</sup> (226 on-site spaces; 20,744 m<sup>2</sup>)</i>
<b><i>Collingwood</i></b>	
<i>2-16 Northumberland Street PLN16/1150 issued 14 June 2017</i>	<i>0.89 spaces per 100 m<sup>2</sup> (135-site spaces; 15,300 m<sup>2</sup>)</i>

It should be noted that Council's Senior Traffic Engineer stated that the rate was 0.87 spaces per 100sqm, however this is due to their calculation relying on an office parking rate of 204, whereas the applicant's traffic report states that it is 202.

Within a recent Tribunal decision regarding the car parking reduction associated with an office development, *KM Tram Enterprise Pty Ltd v Boroondara CC* [2018] VCAT 1237, the Member agreed that office developments "are prime candidates" for modal shifts to reduce reliance on private motor vehicles, with the following relevant comments:

- [29] In this context of a change from the 'business as usual' approach, I agree with Ms Dunstan that office workers are prime candidates for a mode change given their commuting patterns of travel to and from work during peak times. This is the time when public transport services run at highest frequencies and when Melbourne's roads are most congested. The combination of 'carrot' and 'stick' makes it viable

for many office workers commuting to a site such as this to change from private vehicle to public transport.

- [30] I am not persuaded that the council's option of reducing the amount of office space so that it better aligns with on-site parking supply is consistent with planning policy. *Plan Melbourne* which promotes '20 minute neighbourhoods' where most of a person's everyday needs can be met locally within a 20 minute journey from home by walking, cycling or local public transport. The everyday needs referred to include local employment opportunities along with shopping, education and community facilities.
- [31] Local employment opportunities in this context are not limited to retail or community services. There is a benefit in encouraging office uses in the '20 minute neighbourhood mix', as it provides opportunities for business owners and their staff to work locally. I find this line of argument is far more persuasive than the council's position of limiting the amount of office floor space so that more cars can be brought into this part of Hawthorn.

Within a Tribunal decision (*Grocon (Northumberland St) Developer Pty Ltd v Yarra CC [2017] VCAT 753*) regarding the office development to the south at No. 2 – 16 Northumberland Street, the Tribunal Member also supported a significant reduced office car parking rate (405 spaces) and made the following comments:

- [54] We have concluded that the reduced car parking provision is justified in the circumstances of this application. In doing so, we have had regard to the location within an inner city environment that is earmarked as an employment precinct, with convenient access to a range of alternative transport modes and a constrained supply of on-street parking. We consider that the reduced parking provision will not compromise the viability of the development or precinct, nor will it result in an unacceptable demand for on-street parking, given the saturated conditions that are presently experienced.
- [55] We agree that employees who are not allocated a car space will utilise alternative transport modes rather than attempt to seek out long term parking in the surrounding street network. This may well include walking to the site for persons who reside in the nearby residential and mixed-use areas. To constrain development of the land for a purpose that is in accordance with the zone purpose on the basis of car parking provision would not be consistent with the policy framework when read as a whole. This includes policies aimed at fostering economic development, employment and environmental sustainability. We reach this conclusion mindful of the site's strategic and physical context and its accessibility by a range of transport modes. In a different context without the level of policy support and more remote from alternative transport modes, there may be less justification for a reduction of the magnitude proposed here.

Both Council's Engineering Services Unit and external traffic engineer were supportive of the proposed car parking reduction. The latter made the following pertinent comments:

*While not specifically discussed in the TIA [traffic impact Statement], it should be noted that providing car parking inline with the statutory requirements would generate a considerably higher volume of traffic that would negatively impact on the operation of the nearby road network. Offices are an important target for mode shift to sustainable transport modes as they generate most of their traffic during the commuter peak hours.*

*This has consequential impacts on the arterial road network at the time of highest demand and at the same time, public transport services are also at their most frequent.*

#### *Childcare centre*

The childcare centre is providing a surplus of one space. The applicant's traffic report states that at a maximum up to 50 percent of the 22 staff would drive which equates to a demand of 11 car parking spaces. These can be accommodated on-site, with the remainder to be used by parents.

#### *Food and drinks and Restricted Retail*

These two uses are provided with staff parking at a rate of one space per 100sqm. Customers would be expected to use alternative forms of transport. Customers would primarily be residents or workers from the surrounding area or the subject site.

The reduction being sought by the proposal is supported by the following additional reasons:

- The site has excellent access to the public transport network (train and tram), bicycle facilities and a wide range of retail, dining and commercial services within the Swan Street MAC and along Church Street, which in turn will reduce the dependence on private vehicle ownership by future employees;
- The proposal includes secure bicycle parking spaces well in excess of rates specified within the Scheme. The development also has excellent end of trip facilities which will further encourage the use of bicycles. Future employees would be able to take advantage of the bike lanes along the Yarra River;
- Occupant or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking, this is a welcomed sustainable option in lieu of on-site car parking and consistent with Clauses 18.02-1S and 21.06-1 of the Scheme;
- The office land use is particularly conducive to encouraging those without a car to not drive given trips are made in peak public transport availability periods, trips are known and planned in advance, on-site parking availability is known in advance, surrounding parking conditions are known in advance and do not accommodate long term daytime parking associated with an office use. These factors encourage and help facilitate those without a car to use other modes of transport.
- Visitors would also be aware of the car parking constraints in the area which would discourage driving for alternative modes such as public transport, cycling or taxis;
- The restricted retail and food and drinks premises would heavily rely on walk-up trade for its primary source of customers, rather than being a specific destination for visitors. It is highly likely that it would attract employees from nearby businesses as well as local residents.
- It is typical of small inner-city food and drinks premises to not provide car parking spaces for visitors; and
- The location of the proposal encourages multi-purpose trips to the area.

It should also be noted that there are two crossovers on the site's Church Street frontage. These would be replaced with kerb which would allow for additional on-street car parking spaces.

From a traffic engineering perspective, the reduction in car parking spaces is considered appropriate in the context of the development and the surrounding area. The site is very well positioned in terms of public transport services. Engineering Services and external traffic engineer has no objection to the proposed reduction in the car parking requirement.

### Traffic

In terms of traffic, the applicant's traffic engineers adopted the following summary for the traffic generation for the site:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Childcare Centre (100 places)	0.8 trips per child in AM peak hour* 0.7 trips per child in PM peak hour	422	80	70
Commercial (Office/retail/ café staff)	0.5 trips per space in each AM peak hour 0.35 trips per space in each PM peak hour**	Not Provided	109	76
<b>Total</b>		-	189	146

Council's Senior Traffic Engineer found the traffic directional split and distribution assumptions outlined in section 6.2 of the Impact Traffic Engineering report to be reasonable.

#### *Buildings A and B*

According to the applicant's traffic report, this component of the applicant is expected to generate between 70 to 110 vehicle movements onto Church Street in the peak periods and between 80-110 along Shamrock Street. The vehicle access along Shamrock Street is closest to Church Street which the applicant claims will encourage motorists to utilise the latter street instead of travelling further east.

Both Council's engineers and external traffic engineer raised concerns with the traffic associated with the intersection of Church and Shamrock Streets. The traffic impact of the development at this intersection was assessed by the applicant's traffic engineers using the SIDRA program, which measures intersection performance. Council's Senior Traffic Engineer stated that SIDRA modelling works well under free flowing traffic conditions but may have limitations, such as queuing of downstream traffic.

The results of the post-development modelling provided by the applicant's traffic engineers suggest that the intersection is expected to operate under 'excellence' conditions without adversely impacting Church Street. Both Council's engineers and external traffic engineer questioned the accuracy of this due to anecdotal evidence of queuing along Church Street.

Council's external traffic engineer made the following statements:

- *It is not clear whether the analysis has considered any existing traffic queues on Church Street. Church Street is known for slow traffic movement and significant queuing during the commuter peak hours.*
- *The reduction in intersection performances as a result of queuing on a main road is difficult to reflect in SIDRA and the analysis provided may not represent actual conditions.*
- *A gap analysis based on actual gaps in traffic along Church Street may have been more appropriate to assess whether this intersection is impacted by stationary queues on Church Street.*

Both Council's engineers and external traffic engineer requested further investigation of this by the applicant. Council's external traffic engineer also recommended that the applicant review whether 'Keep Clear' line marking or turn bans are warranted. This is in particular reference to ensuring that traffic turning right into Shamrock Street is not obstructed by stationary queues of southbound traffic along Church Street and therefore obstructing northbound traffic on Church Street. Had Council been of a mind to support this proposal, this would have been required prior to making a decision.

Council's external traffic engineer confirmed that the widening Shamrock Street between Church Street and the development's vehicle access was supported as a way to minimise the intrusion of development traffic into the local streets to the east of Church Street.

Council's external traffic engineer was generally satisfied that the traffic impacts of the development, provided that the issue of stationary queues on Church Street are further investigated – which may lead to a requirement for Keep Clear line marking or imposition of turn ban restrictions.

Council's traffic engineers also requested that the applicant explain how this section would operate and what countermeasure is proposed to prevent traffic east of the site from travelling towards Church Street.

It should be noted that initially, VicRoads (who is a referral authority due to the change in access of a Category 1 Road) initially recommended a condition which would prohibit Right turn in' vehicular movements from Church Street into Shamrock Street. However, subsequent to the applicant providing VicRoads with additional information, this is no longer a recommendation (as per their letter to VCAT dated 15 November 2018).

*Building C*

Brighton Street (south of James Street) current carries in the order of 1,400 vehicles movements per day, which includes 180 in the AM peak, and 130 in the PM peak. As seen in the table above, the proposed childcare centre will add an additional 80 and 70 movements, respectively. The applicant adopted conservative assumptions with regards to traffic implications as they have made based it on all children being dropped off and picked up by car, and that 50 percent of staff (22 staff) would drive. These are considered conservative as the calculations assume that there will not be any linked trips with other offices tenancies or the nearby primary school and that all children would be driven. In reality, it is likely that many of the children would have parents who work in nearby offices or that they may live close by and walk.

With these additional traffic movements, this results in Brighton Street carrying up to 260 movements in the AM peak, 200 in the PM and a total daily volume of 1,822. The applicant's traffic report states that Brighton Street is classified as an Access Street level 2 which has an environmental capacity of between 2,000 and 3,000 vehicle movements per day and between 200-300 during the peak hours). This is therefore within the capacity.

A number of objections were made in regards to the cumulative impact of a proposed child care centre (associated with planning permit PLN17/0459 at No.64-68 Brighton Street) further to the south along Brighton Street which will have places for 118 children. The additional movements of this proposal is 94 in each of the morning and evening peaks. Even adding this, the street is still within its capacity.

Council's external traffic engineer was satisfied with the proposed traffic estimate (albeit they found it highly conservative). It was confirmed that traffic associated with the childcare centre will defuse in a number of directions throughout the local road network and they were satisfied that the traffic generated by this use can be accommodated.

*Layout and Access (including the widening of Shamrock Street)*

*Buildings A and B*

These two buildings will have access to 217 car parking spaces over two basement levels, accessed via a 7.2m wide vehicle entry. The development includes a widening of Shamrock Street to provide for a width to allow for two way traffic onto Church Street. To the east of the vehicle entry the proposal will remain one way only (entering from Church Street and travelling east).

Council's Senior Traffic Engineer was satisfied with the layout design subject to:

<b>Accessible Parking Spaces</b>	<i>Accessible parking spaces and associated shared areas are to be dimensioned and satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004.</i>
<b>Column Depths and Setbacks</b>	<i>To be dimensioned on the drawings. Column locations are to satisfy Diagram 1 Clearances to car parking spaces.</i>
<b>Clearances to Walls</b>	<i>To be dimensioned on the drawings and be no less than 300 mm.</i>
<b>Ramp Grade Lengths</b>	<i>Each ramp grade length to be dimensioned on the drawings.</i>
<b>Numbering of Parking</b>	<i>To be numbered on the drawings for easier identification.</i>

Had Council been of a mind to support this proposal, the above would have been required by way of condition.

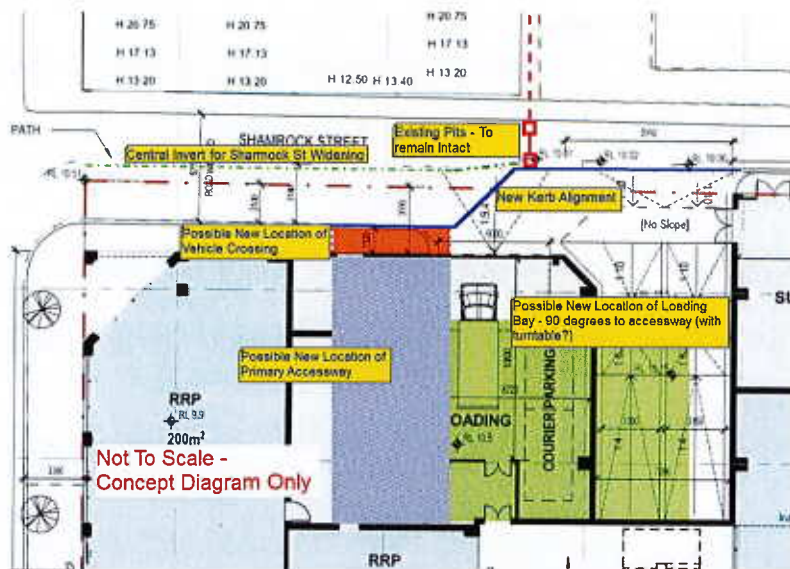
Council's external traffic engineer also stated that some columns encroach within the permitted area of Diagram 1 of Clause 52.06-9. However it was noted that for these buildings, unlike Building C, the level of non-compliance is relatively minor for the office carpark (it affects a relatively small number of car spaces) and affects only the rear door of a car parked adjacent to these columns. Given that this carpark is for staff only who will be familiar with their car space, this is not considered to be a significant issue. Therefore no additional changes were required.

Issues with the widening of Shamrock Street and the width of the southern footpath of Shamrock Street were identified.

Firstly turning to the width of the footpath, both Council's engineers and external traffic engineer stated that it should be a minimum width of 1.5m and for any footpath to be DDA compliant in terms of its crossfall. This would have been required by way of condition, had Council been of a mind to support the proposal. Council's external traffic engineer stated that there should be an appropriate transition between this footpath and the balance of Shamrock Street to the east, which can remain as an informal shared zone and that the pedestrian arrangements in this area are reviewed to provide a more appropriate travel path. The latter of these recommendations seems more appropriate to be conducted as a strategic study by Council.

Had Council been of a mind to support this proposal, conditions could have been required to include this additional information.

Turning to the widening of Shamrock Street. Council's civil engineers identified this as a significant issued. As a result of the widening, two existing grated side entry pits (located 24m to the east of Church Street) would be impacted. These pits are located at the lowest point in Shamrock Street which connects into a drain that runs underneath properties on the east side of Church Street and continues to Lesney Street. The inlet capacity of the southern grated side entry pit would be reduced as a result of the widening of Shamrock Street due to the removal of the lintel and the throat. Council's civil engineers stated that it is vital that the pits remain intact as they are critical in collecting rainfall run-off for the Shamrock Street catchment area. Council's civil engineers recommended that the principal vehicular entrance be relocated further west. As the development entrance would be located in the vicinity of the low point in Shamrock Street, Council's civil engineers also recommended that a central invert be constructed in the widened section of Shamrock Street. As a result of these recommendations, the principal vehicle entrance and loading bay need to be redesigned and the length of the Shamrock Street widening be reduced from what was originally proposed. Council's civil engineers provided the following diagram:



Had Council been of a mind to support this proposal, this issue would have been rectified prior to a decision being made.

### Building C

The childcare centre is providing 23 car parking spaces within one basement level beneath Building C. Access to these spaces is via a 5.8m wide vehicle entrance onto Brighton Street.

Council's external traffic engineer found the layout and access to be satisfactory with the exception of the following:

- Columns encroaching within the permitted area of Diagram 1 of Clause 52.06-9. It is recommended that full compliance is achieved for the childcare centre carpark and this should be included as a condition of permit. There are a number of columns that impact car door opening or sit within the carpark aisles and impact car space accessibility. This is unsatisfactory for a childcare centre carpark. Childcare centre carparks experience a high turnover of car spaces and should be designed to be as convenient as possible. The building being supported is not especially large and fully compliance with this standard should be achieved.
- Tandem spaces need to be separated by 500mm as per Design Standard 2 of Clause 52.06.
- The base of the childcare centre ramp is specified at 2m long at 1:10. This will result in vehicle scraping by the B99 design vehicle in a ground clearance test under AS2890.1-2004. This grade needs to be changed to a minimum of 2.4m @ 1:8 (or any other solution that passes the ground clearance test of AS2890.1-2004 for the B99 design vehicle).
- The childcare centre lifts open directly into the carpark aisle with no protection for pedestrians. An alternative solution that provides pedestrians using the lifts some protection is required.

An addition to the above, Council's engineers requested the following design items to be addressed:

<b>Accessible Parking Spaces</b>	<i>Accessible parking spaces and associated shared areas are to be dimensioned and satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004.</i>
<b>Tandem Parking Sets – Childcare Centre Car Park</b>	<i>The tandem parking sets in the childcare centre car park are to have a minimum length of 10.3 metres as required by Design standard 2.</i>
<b>Column Depths and Setbacks</b>	<i>To be dimensioned on the drawings. Column locations are to satisfy Diagram 1 Clearances to car parking spaces.</i>
<b>Clearances to Walls</b>	<i>To be dimensioned on the drawings and be no less than</i>



	300 mm.
<b>Ramp Grade Lengths</b>	Each ramp grade length to be dimensioned on the drawings.
<b>Transition Grade at Base of 1 in 4 Ramp Section – Brighton Street Access Ramp</b>	At the base of each 1 in 4 ramp grade section, the transition grade must be 1 in 8 for a length of at least 2.5 metres.
<b>Numbering of Parking Spaces</b>	To be numbered on the drawings for easier identification.
<b>Childcare Centre Car Park – Lift at Basement Level</b>	Protection for pedestrians should be provided in the area in front of the lift in the basement level car park.
<b>Existing Kerb Extension – Brighton Street</b>	The existing kerb extension must be depicted on the drawings. The proposed crossing servicing the childcare centre must be clear of the kerb extension. If the kerb extension is partially located in front of the kerb extension, the applicant must reposition the kerb extension to the north such that it is clear of the new vehicle crossing.

Had Council been of a mind to support this proposal, this would have been required to be rectified by way of condition.

It should be noted that the swept path diagrams provided by the applicant show that a street tree on Brighton Street will be impacted by vehicles egressing from the site, however Council's Streetscapes and Natural Values Unit did not object to this and provided costings for the tree removal and subsequent replacement.

#### *Loading*

The proposal includes a loading bay accessed from Shamrock Street, to the west of the vehicle access. The applicant has stated that the loading area is capable of servicing trucks up to 8.8m long (medium rigid vehicles- MRV).

Both Council's traffic engineers and external traffic engineer noted that the swept path diagrams and the dimensions of the area were satisfactory. However the headroom clearance needed to be confirmed. This would have been required by way of condition.

Council's external traffic engineer also had concerns with the grade up into the loading bay. It was recommended that the applicant needs to demonstrate that there are no ground clearance or grading issues with the loading bay or modify the design of the loading bay. This would have been required by way of condition – also noting that Council's traffic engineers had recommended a re-design of the widened portion of Shamrock Street due to the pits.

Many objectors raised concerns with the loading bay swept path diagrams which show that a MRV either entering or egressing onto Church Street would impact the existing Church Street car space to the south of the site. However this is not a concern as due to the widening of Shamrock Street, the car space would have to be removed.

#### *Electric vehicles*

Additionally, had Council been of a mind to support this, it would have required the basement levels to be electrically wired for electric vehicles. A minimum 40A single phase electrical sub circuit would have been required to be installed to the basement levels for this purpose.

#### *Bicycle parking and facilities*

The subject site is well serviced by bicycle infrastructure with bicycle lanes along Church Street and access to the Yarra River Trail. The subject site would be an ideal location to take advantage of this situation.

As outlined earlier in the report, the development (no requirement for the childcare centre) is required to provide a total of 80 staff bicycle spaces and 26 visitor bicycle spaces under clause 52.34 of the Scheme. The development provides 115 additional staff bicycle spaces and an additional 15 visitor bicycle spaces being specified.

End of trip facilities associated with Buildings A and B are located in the south-eastern corner of their ground floor whilst for Building C they are located in the basement. Visitor bike spaces are located at the rear of Buildings A and B, and along the northern pathway for Building C.

In terms of the staff and visitor spaces, the provision falls short of Council's best practice rate of 1 space to each 100sqm of office floor space (which requires 238 spaces based on the current floor area). Council's Strategic Transport Officer confirmed that the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase. The vast majority of the visitor spaces are hanging spaces. It is best practice to provide all visitor spaces as horizontal spaces at ground level, given the short term nature of their use and accessibility requirements. However in this instance, Council's Strategic Transport Officer confirmed it would be acceptable if a minority of the visitor spaces were provided as hanging spaces given the large number of total spaces being provided. Council's Strategic Transport Officer noted that the number of showers provided would meet the needs of the best practice rate of bicycles, and whilst lockers are shown, it is unclear how many are provided. If this application has been supported, this would have been confirmed by way of condition.

It should be noted that the two required visitor spaces for the restricted retail premises have not been supplied. Had Council been of a mind to support this application, this would have been required by way of condition.

Council's Strategic Transport Officer recommended the following:

- *A pram ramp at the Shamrock Street kerb, aligned with the northern courtyard entrance for easy bicycle and wheelchair accessibility.*
- *At least 49 visitor bicycle parking spaces, clearly marked as for visitor use (or an equivalent rate if the scale of the development is altered):*
  - *At least 80% of visitor spaces should be provided as horizontal-at-ground-level spaces.*
  - *Visitor spaces should continue to be provided in publically accessible locations, with convenient access to building entrances, lift shafts, etc.*
  - *Access ways and storage spaces should be designed to comply with AS2890.3.*
- *At least 238 employee bicycle parking spaces (or an equivalent rate if the scale of the development is altered):*
  - *All employee bicycle spaces should be provided at ground-level or basement 1 within secure bicycle parking compounds;*
  - *All secure bicycle compounds should continue to be provided with reasonable access to end of trip facilities and building entrances;*
  - *At least 20% of bicycle spaces within each secure compound should be provided as horizontal-at-ground-level spaces;*
  - *Access ways and storage spaces should be designed to comply with AS2890.3.*

Had Council been of a mind to support the proposal, these would have been required by way of condition.

In addition to this, Council's Strategic Transport Officer recommended that the proposal include a pram ramp at the Shamrock Street kerb, aligned with the northern courtyard entrance for easy bicycle and wheelchair accessibility. This would also have been required, had Council supported the proposal.

Both Council's Strategic Transport Officer and external traffic engineer made recommendations regarding the submitted Green Travel Plan. These would also have been included as permit conditions, had Council supported the proposal.

#### *Other*

Council's Senior Traffic Engineer has recommended the inclusion of a number of conditions relating to civil works to public lighting, road protection, impacts on assets (eg existing pits, electricity poles), vehicle crossings and drainage. Had Council been of a mind to support this proposal, many of these would have either been included as notes on the permit or required by way of condition.

#### Waste Management

The applicant's Waste Management Plan (WMP) dated 4 May 2018 has been found to be unsatisfactory by Council's Waste Management Unit. The WMP confirms the following:

- Waste shall be stored within the development (hidden from external view).
- Users shall sort their waste, and dispose garbage and recyclables into collection bins.
- Commercial bins (those servicing Buildings A and B) will be collected by a private contractor from the ground level loading bay. Collection vehicles will prop within the loading bay, with operators to collect bins directly from the commercial bin room and return them immediately upon emptying. Commercial bins will not be stored outside of the title boundary or presented to kerb for collection at any time.
- Childcare bins (those servicing Building C) will be collected by a private contractor from the Brighton Street kerbside. Cleaning staff will be responsible for transferring bins from the basement level childcare bin room to the Brighton Street kerbside via the basement access ramp. A mechanical bin tug is to be provided for the safe transfer of bins.

Both Council's waste management unit and external traffic engineer found it unsatisfactory that waste was collected on from the Brighton Street kerb.

Council's waste management unit also requested details of how food waste will be diverted from the waste stream from the remaining areas of the development.

These would all have been required by way of condition.

#### Objector concerns

The majority of the issues which have been raised by the objectors have been addressed within this report.

Outstanding concerns will be discussed below, and relate to:

- *Pollution;*  
There is no indication that this application would add to pollution.
- *Negative impact on property values;*  
Not a relevant planning consideration.

- *Safety concerns due to vehicle access along residential streets;*

This is an inner city location adjacent to main roads. There should be some expectation that vehicles will drive down these residential streets. Pedestrians, cyclists and private motorists should always exercise caution on the roads. No safety concerns have been raised by Council's Engineering Services Unit. All car and bicycle users as well as pedestrians must comply with road safety rules. Any non-compliance is a matter for the Victoria Police.

- *Impact on Church Street tram and vehicle operations;*

This impact has been assessed by external referral authorities such as Transport for Victoria and VicRoads.

- *Safety concerns for school children;*

Pedestrians, cyclists and private motorists should always exercise caution on the roads.

- *Childcare should have on-site drop off;*

There is no requirement for an on-site drop off area. Nevertheless, the basement under Building C would have had spaces available for parents.

- *Creation of precedent;*

Not a relevant planning consideration as each application is considered on its own merits.

- *Too many people accessing the area;*

The site is located within the inner-city and within an area designated for residences. Additionally, State and Local policies encourage increase use and development and hence an increase in density of people. It is considered that existing infrastructure can accommodate this increase.

- *Construction issues (noise, vibration, dust, debris);*

A Construction Management Plan (CMP) condition would have been included within the planning officer's recommendation, had Council been of a mind to support the proposal and a CMP deals with these matters. These issues will be dealt with during the building permit stage.

- *Demolition of existing warehouse wall will impact adjoining property;*

Structural issues will be dealt with during the building permit stage. However, the building on the subject site is located within its title boundaries.

- *Location of substation opposite dwellings;*

Council Officers on other occasions have consulted with the Environment Protection of Australia and have been advised that there is no evidence to suggest that locating a stand-by generator on-site would be a health risk to surrounding residents. By its very nature, the stand-by generator would only be used for emergency services and is likely to be used only a couple of times in a year.

- *Insufficient open space;*

There is no required to provide open space. Nevertheless, the proposal has a large ground floor internal area and terraces.

- *There should not be any access to Brighton Street;*

The design of the vehicle access of Buildings A and B discourages vehicles from driving along Brighton Street. Nevertheless, it is a public road.

## **Conclusion**

While there is policy support at both state and local levels for urban consolidation, coupled with the site strategic location including proximity to the Swan Street Major Activity Centre and excellent public transport accessibility; the site lends itself as an ideal development site for higher density.

However, urban consolidation imperatives must be balanced with equitable development considerations, enhancement of the public realm, height and heritage. Consequently, the application fails to adequately comply with Council's Municipal Strategic Statement, State Planning Policy and Local Planning Policy.

For the above reasons outlined within this report it is considered that the proposed development for the site is an inappropriate response and should not be supported by Council.

## **RECOMMENDATION**

That having considered all objections and relevant planning documents, Council resolves to advise the Victorian Civil and Administrative Tribunal, the Permit Applicant and Objectors that if it were in a position to, it would have issued a Notice of Refusal for Planning Permit PLN18/0328 for the use and development of the land for the construction of three mixed use buildings (including a childcare centre), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road at 459 – 471 Church Street and 20-26 Brighton Street, Richmond on the following grounds:

1. The scale, height and massing of the buildings will dominate the surrounding streetscape of Church, Shamrock and Brighton Streets, will dominate the wider heritage place and is contrary to policy at clauses 15.01-1S, 15.01-2S, 21.05-2, 22.10-3.2, 22.10-3.3 and the design objectives of Schedule 2 of the Design and Development Overlay.
2. The development will unreasonably impact on the amenity of the area.
3. The proposal results in unreasonable visual bulk impacts and inequitable development opportunities for the site to the east at No. 16 Brighton Street.
4. The proposal does not provide for a pedestrian friendly environment along Shamrock Street and ~~does not provide for~~ sufficient public realm improvements.

Signed:



Dated:

18/01/2019

## Determining Authority - VicRoads

### Internal departments

- (a) Waste Services;
- (b) Engineering Services Unit;

### External consultants

- (c) Traffic (Traffix);
- (d) Urban Design (MGS Architects);

## **VicRoads**

*VicRoads has received substitute amended plans (VCAT Issue dated 1 February 2019) in relation to the above Application for Review from Planning and Property Partners on 4 February 2019.*

*Please quote the above VicRoads reference number in all correspondence and contact with VicRoads.*

*Further to correspondence dated 15 November 2018 (copy attached), VicRoads in consultation with CityLink have reviewed the substitute plans and do not object to the amendments.*

*More specifically, VicRoads considers the modifications relating to:*

- a) *the increase in width of Shamrock Street where it intersects with Church Street between 5.65m and 9.45m respectively, and*
- b) *the relocation of the access to the basement and loading bay/s approximately 6m west towards the intersection of Church Street.*

*as being generally acceptable.*

*Consistent with its previous advice VicRoads and CityLink has reached an agreement regarding the permit conditions with representatives of the permit applicant and as a result VicRoads and CityLink has no further issues to raise in relation to substitute plans if all the conditions are satisfied and form part of the Planning Permit.*

*Accordingly, VicRoads and CityLink do not wish to contest the Application for Review and will not be attending the hearing.*

## **Waste**

*The comments from City Works still apply and it looks as if the plans would suit internal collection.*

## **Engineering**

*Layout Design Assessment*

<b>Item</b>	<b>Assessment</b>
-------------	-------------------

<b>Access Arrangements</b>	
<i>Development Entrance – Shamrock Street</i>	<i>The primary accessway off Shamrock Street has a minimum wall-to-wall width of 7.1 metres and satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.</i>
<i>Loading Bay Access – Shamrock Street</i>	<i>The applicant has not depicted the entrance and vehicle crossing into the loading bay. This matter needs to be address before approval is granted.</i>
<i>Visibility – Shamrock Street</i>	<i>A pedestrian sight triangle for the exit lane of the entrance has now been reduced in size and is non-compliant. The sight triangle has not been dimensioned.</i>
<i>Brighton Street Entrance</i>	<i>The clear doorway width has not been dimensioned on the drawings.</i>
<i>Visibility – Brighton Street</i>	<i>A pedestrian sight triangle (not dimensioned) has been provided for the exit lane of the entrance.</i>
<i>Headroom Clearance</i>	<i>A minimum headroom clearance of 2.3 metres has been provided and satisfies AS/NZS 2890.1:204.</i>
<i>Internal Ramped Accessways</i>	<i>The ramp connecting the ground Floor with Basement 1 level has a width of 7.1 metres, including 300 mm wide kerbs, and satisfies AS/NZS 2890.1:2004. The ramp connecting Basement 1 with Basement 2 has a ninety –degree bend with individual single lanes of 3.0 metres. The inside edge of the accessway is too close to the column and needs to be corrected.</i>

<b>Item</b>	<b>Assessment</b>
<b>Car Parking Modules</b>	
<i>At-grade Parking Spaces</i>	<i>The dimensions of the parking spaces (2.6 to 2.8 metres by 4.9 metres) satisfy Design standard 2: Car parking spaces of Clause 52.06-9.</i>
<i>Parallel Parking Spaces</i>	<i>The parallel parking spaces (length: 6.7 metres) satisfy Design standard 2.</i>
<i>Accessible Parking Spaces</i>	<i>Not dimensioned on the drawings. Bollards have not been provided in the shared areas as required by AS/NZS 2890.6:2009.</i>
<i>Tandem Parking Sets</i>	<i>The tandem parking sets have been provided with additional 500 mm and satisfy Design Standard 1.</i>
<i>Aisles</i>	<i>The aisle widths range from 6.1 metres to 7.1 metres and satisfy Table 2: Minimum dimensions of car parking spaces and accessways of Clause 52.06-9. For the childcare centre car park, the aisles (6.4 metres and 7.1 metres) also satisfy Table 2 in Clause 52.06-9.</i>
<i>Column Depths and Setbacks</i>	<i>Not dimensioned on the drawings.</i>
<i>Clearances to Walls</i>	<i>Not dimensioned on the drawings.</i>
<b>Gradients</b>	
<i>Ramp Grade for First 5.0 metres inside Property</i>	<i>Ramp grade lengths have not been dimensioned on the drawings.</i>
<i>Ramp Grades and Changes of Grade</i>	<i>Ramp grade lengths have not been dimensioned on the drawings.</i>
<i>Transition Grade at Base of 1 in 4 Ramp Section – Brighton Street Access Ramp</i>	<i>The transition grade at the base of the 1 in 4 ramp has now been provided with a 2.5 metre long transition grade at 1 in 8 and is now satisfactory.</i>
<b>Other Items</b>	

Numbering of Parking Spaces	Car parking spaces have now been numbered as requested.
Loading Facility	Not dimensioned on the drawings.

*Design Items to be Addressed*

<b>Item</b>	<b>Details</b>
Visibility	Sight triangles should be superimposed and dimensioned for the exit lanes of all vehicular entrances.
Loading Bay	Entrance of loading bay is to be depicted on the drawings.
Widened Section of Shamrock Street	To be dimensioned on the drawings (face of kerb to face of kerb).
Pedestrian refuge – In between Vehicle Crossings of Entrance and Loading Bay	A pedestrian refuge (minimum 1.3 metres in span) should be provided in between the vehicle crossings of the development entrance and the loading bay.
Internal Ramped Accessways	The rapped accessway connecting Basement 2 with Basement 1, the inside edge of the ninety-degree bend must have a minimum clearance of 300 mm from the column as required by AS/NZS 2890.1:2004. Swept path diagrams of passing movements for a B85 design vehicle and an oncoming B99 design vehicle along the ninety-degree bend are to be submitted, demonstrating satisfactory passing movements.
Accessible Parking Spaces	Accessible parking spaces and associated shared areas are to be dimensioned and satisfy the Australian/New Zealand Standard AS/NZS 2890.1:2004. Bollards must be inserted in the shared areas as required by the Standard.
Column Depths and Setbacks	To be dimensioned on the drawings. Column locations are to satisfy Diagram 1 Clearances to car parking spaces or AS/NZS 2890.1:2004 (where applicable).
Clearances to Walls	To be dimensioned on the drawings and be no less than 300 mm.
Ramp Grade Lengths	Each ramp grade length is to be dimensioned on the drawings.
Loading Bay	To be dimensioned on the drawings.

*Additional Traffic Advice from Applicant*

Impact traffic engineering consultants report Reference: IMP171003LET03F01 dated 6 February 2019

<b>Item</b>	<b>Details</b>
<b>Traffic Impact at Key Intersections</b>	
Gap Acceptance Analysis – Church Street/Shamrock Street Intersection	To assess the traffic impact of the Church Street/Shamrock Street intersection, Impact traffic engineering consultants have used gap acceptance analysis based on AustRoads guidelines. This analysis has been used to determine whether the critical movements at the intersection have adequate capacity in the peak hours once the development is operational. When entering major roads from minor roads (such the left and right turn movements from Shamrock Street into Church Street), motorists must wait for an acceptable time gap in the traffic stream to which they must give way before proceeding. It is agreed that the operation of the signalised intersection of Church Street/Swan Street



	<p><i>(150 metres to the north) would provide gaps in the Church Street traffic stream to allow vehicles to exit Shamrock Street. The analysis undertaken by Impact confirms that the intersection has capacity to accommodate the critical turning movements.</i></p>
--	--

## **ENGINEERING CONDITIONS**

*The Engineering Conditions as per our referral advice of 24 September 2018 are relevant.*

### **ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT**

*The Additional Engineering Advice for the Applicant as per our referral advice of 24 September 2018 is still relevant.*

*Additional Engineering comments:*

- *The design of the widened section of Shamrock Street must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the widening of Shamrock Street must provide details including pavement widths, surface treatment, road infrastructure items, landscaping (where applicable) and drainage.*
- *The full width of Shamrock Street along the development frontage must be profiled (grinded to a depth of 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.*
- *Before the uses at the site commence, all works associated with the widening of Shamrock Street must be undertaken and completed at the cost of the Permit Holder and to the satisfaction of the Council.*
- *The footpath along the property's Shamrock Street road frontage must be constructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.*
- *The new vehicle crossing on the property's Shamrock Street road frontage must be constructed in accordance with Council's Standard Drawings, Council's Infrastructure Road Materials Policy and engineering requirements. The vehicle crossing must satisfy the ground clearance requirements for the B99 design vehicle.*
- *The footprint of the basements should clear of the widened road pavement and new kerb alignments of Shamrock Street (i.e. - no portion of the basement should be located underneath the road pavement of Shamrock Street).*
- *The applicant is to provide clear delineation of the site's title boundaries along the Shamrock Street footpath (Brass discs or a similar type method for delineating the title boundaries could be considered).*

*To protect ourselves, I think it is advisable that we have something like the following (as is the case with 510 Church Street):*

- *Within six months of the commencement of works, 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, providing for the following:*
  - (a) *The owner must provide unfettered 24 hour public access over that part of the land within the owner's title boundary to be used for the widened Shamrock Street.*

- (b) *The owner is responsible for maintaining at all times the areas that are private land open to the public at the cost of the owners of the site and to the satisfaction of the Yarra City Council;*
  - (c) *The owner(s) must obtain and maintain public liability insurance, to the satisfaction of Yarra City Council, for the public liability and indemnify Yarra City Council against all any claims resulting from any damage, loss, death or injury in connection with the public accessing the land, except to the extent that the damage, loss, death or injury is caused or contributed to by:*
    - (i) *any conduct, negligent act or omission of the Yarra City Council or any of its employees, agents or contractors; or*
    - (ii) *a direction, instruction or requirement of the Yarra City Council that the owner carries out specified works on the land, including specific design elements required by the Yarra City Council as part of the Shamrock Street widening.*
- *The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority.*

*Additional Engineering advice:*

*For the childcare centre, the provision of 12 on-site spaces would equate to a rate of 0.12 spaces per child. A childcare centre at 556 Swan Street, Richmond (PLN15/0302 issued on 22 March 2016), was approved with an on-site car parking rate of 0.134 spaces per child. The proposed car parking provision for the childcare at the subject site is considered appropriate.*

*There is no objection to the reduction in car parking for the childcare centre.*

*Generally, parking at childcare centres is split between staff and parents. The City of Brisbane's Transport, access, parking and servicing planning scheme policy (SC6.31) indicates that a childcare centre's on-site parking should allocate 60% of spaces to staff. There might be some merit in providing some on-site parking to parents. On the other hand, the proposed childcare centre's catchment area would potentially encompass much the surrounding businesses and residences whereby parents could walk with their children to and from the childcare centre.*

*If all parking is allocated to staff, parents would know upfront that the childcare centre would not have any on-site parking for parents.*

### **Traffic (Traffix)**

*The following provides my response to the letter prepared by Impact, dated 6<sup>th</sup> February, 2019. This letter specifically reviews the future operation of the intersection between Church Street and Shamrock Street. As instructed, I have not reviewed the amended plans in detail, other than how they relate to this single issue.*

*The Impact response includes the gap analysis requested by the referral comments. We are satisfied with the analysis and associated assumptions/methodology. The critical movement as far as the impact on Church Street is the right turn into Shamrock Street in the AM peak, which has adequate capacity based on this analysis. It is likely during the PM peak that there will be some queuing on Shamrock Street from vehicles exiting the site, which is acceptable and will not impact on Church Street.*

*Based on the above, we are satisfied that Impact response is acceptable and that no additional mitigating works are required at this intersection.*

## **Urban Design (MGS Architects)**

*In reviewing the plans considerable positive progress has been made. Generally speaking the approach from the east inclusive of the midrise central block I think is acceptable and the taller built form to the west is as an approach the right one.*

*Public realm improvements along Shamrock Street are also supported. The remaining issue it seems to me is the overshadowing of the eastern footpath at the equinox at 9 and 10 am and the private open space to the SE in the afternoon. The former is an issue I think in that the Church Street frontage is a Primary Active Transport corridor for the area linking East Richmond Station and Swan Street tram with the Church/Chapel Street tram and bike network. In commensurate areas such as Chapel Street to the South planning policy requires that new development ensure that:-*

*To ensure new development maintains appropriate levels of solar access and wind protection to existing and proposed footpaths and public spaces and surrounding development.*

### *Strategies*

*1.1 Ensure new development does not unreasonably affect the environmental performance of surrounding properties.*

*1.2 Encourage new buildings to minimise overshadowing of existing and proposed public open space.*

*1.3 Ensure new development minimises impacts on the public realm in terms of overshadowing and wind tunnelling.*

*1.4 Encourage new development in higher density areas not to overshadow opposite footpaths*

*Typically 10-22 at the equinox have been applied and it would be my view this would be appropriate in this instance. This would require increased setback or lowering of upper levels to achieve protection of the western footpath after 10am*

*My previous advice had noted*

*The overshadowing of the development drawings presented in Shadow Studies 2 to 16 indicates a number of issues of concern.*

*Contrary to other development within Church Street the proposed shadow has major impacts on the western side of Church Street at 9.00am. These diagrams indicate significant impacts on key Church Street areas egressing from the nearby transport interchange at East Richmond Station and its role as a major pedestrian link to employment areas to the south in morning peak periods up until 10.30am on the western footpath. Typically as a minimum sunlight protection to the western footpath as a minimum from 10am-2pm at the equinox should be sought as a minimum and applied as a criteria for development down the street.*

***Recommendation 1*** Amend plans so as not to overshadow the western footpath of Church Street after 10am at the equinox.

*Residential properties to the south of the site in Sanders Place and Brighton Street are impacted from 1.00pm and substantially thereafter with the eastern side of Brighton Street impacted after 3.00pm whilst less than previous there are still issues arising from the SW corner height and proximity of the Church Street tower to these areas. Having said this there is considerable improvement to what previously arose*

*The lift core and stairs form and south elevation of taller form is improved.*

*The expression of the building as seen, has generally been improved to what I believe is an acceptable level*

*I previously recommended in this instance that setbacks be provided to ensure a minimum 9m setback from the northern face of retail and office areas to the boundary interface with adjoining properties to the north at podium levels. This has in part been implemented and I am generally satisfied with the outcome.*

*What wasn't supported was the proposed scale of form and its configuration. Key issues of concern were as follows.*

*As previously noted the fine grain residential scale of Shamrock Street required sensitive and generous set down of scale to these interfaces. I note the mid-block heritage overlay and typically 1 storey characteristic of properties to the north as requiring a response of the mid-block zone of lower scale and greater setback. This has now in my view been reasonably amended.*

*I noted the approved development to the north is 2 storey in scale at the street interface, stepping up to 3 storey. In this case with the overhead canopy of the third level extending to within 4m of the street no such mediation exists. I recommended that the facility be set back at ground, first and second floors similar to that of its adjoining southern and northern neighbours and that the canopy at level 3 should be set back an additional 3m to ensure it is less visually intrusive within the streetscape. The outcome has been improved to an acceptable level*

*In relation to the adjoining mid-block office building, it was my view that this building was grossly excessive in scale relative to its adjoining Heritage Overlay and neighbourhood context within Shamrock Street to the north and the private open space of residential areas that exist to the south. To this extent I recommended removal of levels above the fourth floor to these interfaces i.e. that levels 5 to 7 are deleted. I am of the view that the revised scale is appropriate.*

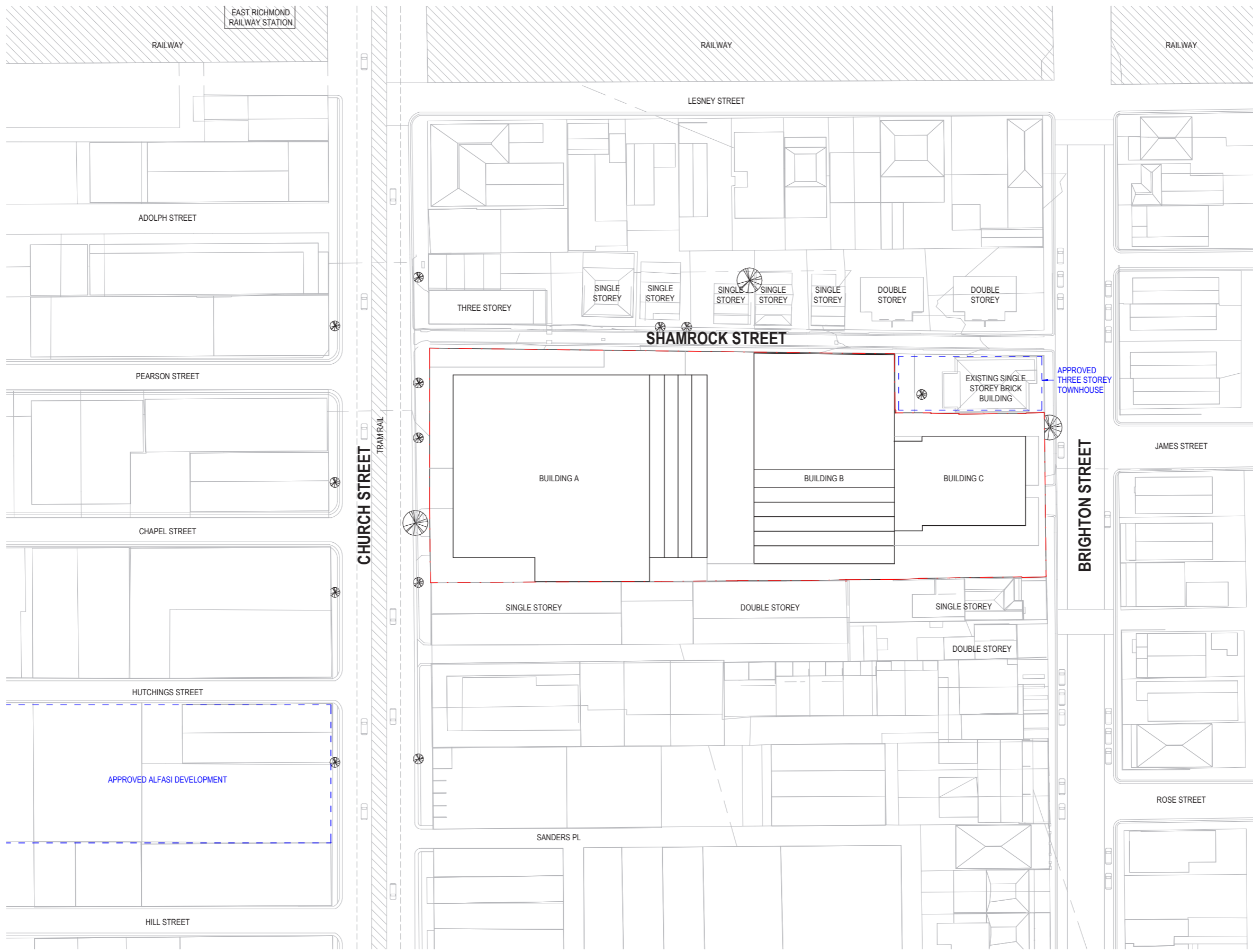
*In relation to the western tower, I didn't find it acceptable that the lift core was built to the southern boundary to the full height as is currently proposed nor that it relied on glazed aspect to its southern boundary for amenity to this zone. I recommended that The lift core should be embedded into the development, not incorporated into a boundary interface as suggested in this instance I am satisfied that the revised approach is acceptable subject to mitigating overshadowing noted earlier.*

*The scale of development also needs to be addressed so that the western side of Church Street is not impacted in the early morning peak pedestrian movement times from public transport to the adjoining workplace areas and similarly reduced so that the private open space of adjoining residential areas to the south east are not impacted at peak times of the day. I would suggest in this instance between 10.00am and 2.00pm at the equinox as noted earlier.*

*The proposal in this instance needs to be radically reduced in scale. My view is that whilst I am satisfied that the proposed podium is acceptable, it is my view that development above level 7 should be deleted, having regard for the substantive plant area above this zone. This would result in a building including plant of approximately RL42.5 in height or effectively 32m in height relative to street level. I note the applicant has returned with a proposal for approximately 41m excluding plant to the top of parapet level, Effectively a 9 level commercial building. Subject to increased setbacks to manage offsite overshadowing I am of the view on a site of this size this may be able to be effectively managed but would like to review the revised footprint and elevations with the recommended inclusions.*

*Conclusion*

*The project is close and I think it could be conditioned.*



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Nominated Architect  
Ray Brown, NSWARB 6359



issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018



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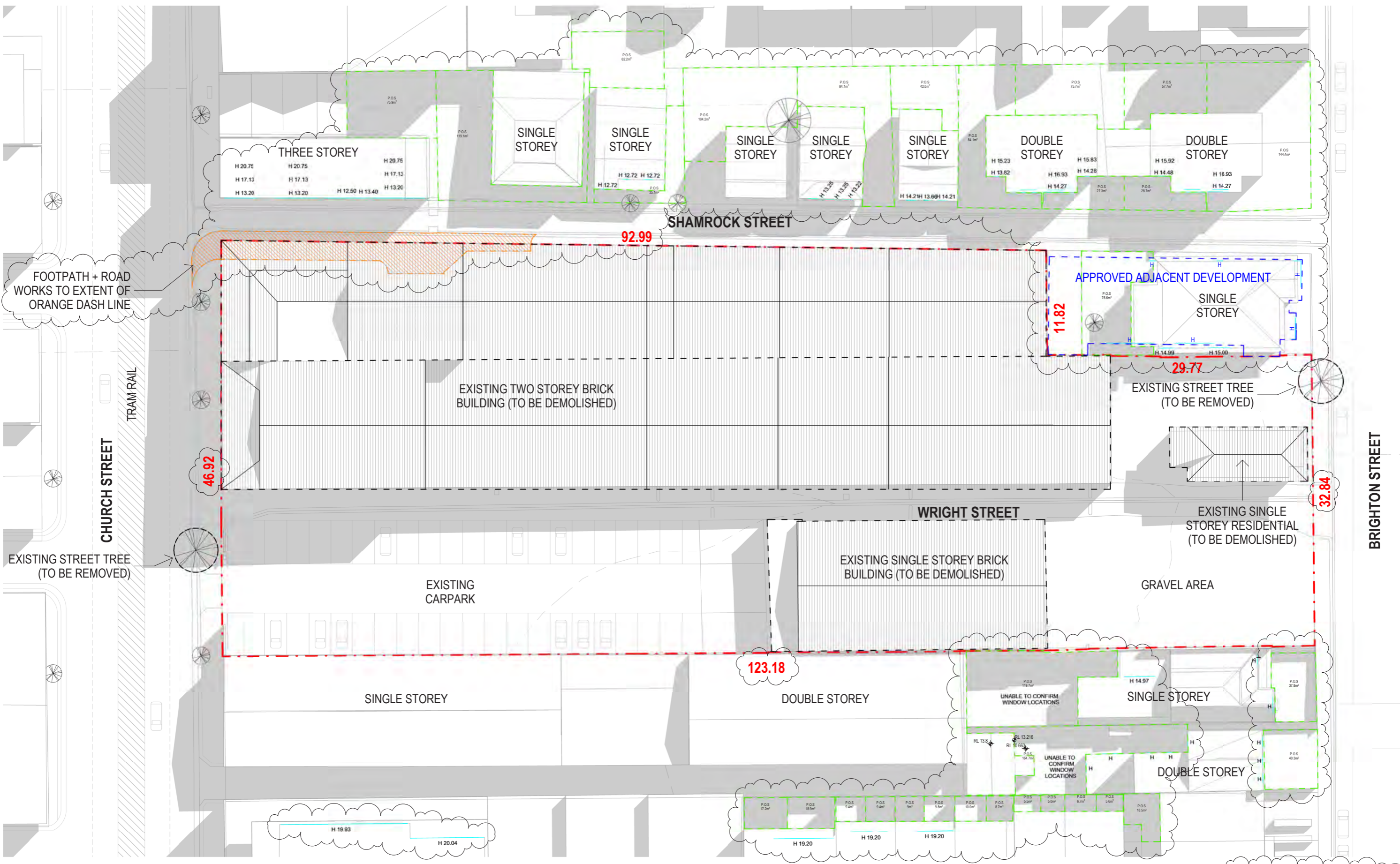
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checked AH scale 1 : 400@A1  
drawn LL project no 170358.00

project 459-471 Church Street, Richmond

drawing Site Plan

drawing no. DA0001 issue B



FOOTPATH + ROAD WORKS TO EXTENT OF ORANGE DASH LINE

EXISTING STREET TREE (TO BE REMOVED)

EXISTING STREET TREE (TO BE REMOVED)

EXISTING SINGLE STOREY RESIDENTIAL (TO BE DEMOLISHED)

EXISTING SINGLE STOREY BRICK BUILDING (TO BE DEMOLISHED)

EXISTING TWO STOREY BRICK BUILDING (TO BE DEMOLISHED)

UNABLE TO CONFIRM WINDOW LOCATIONS

UNABLE TO CONFIRM WINDOW LOCATIONS

H = Head of adjacent habitable room windows

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A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018



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 drawn JHK project no 170358.00

project  
 459-471 Church Street, Richmond  
 drawing  
 Existing Conditions Plan  
 drawing no. DA0002 issue C  
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T = TANDEM CARPARK

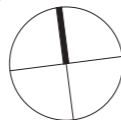
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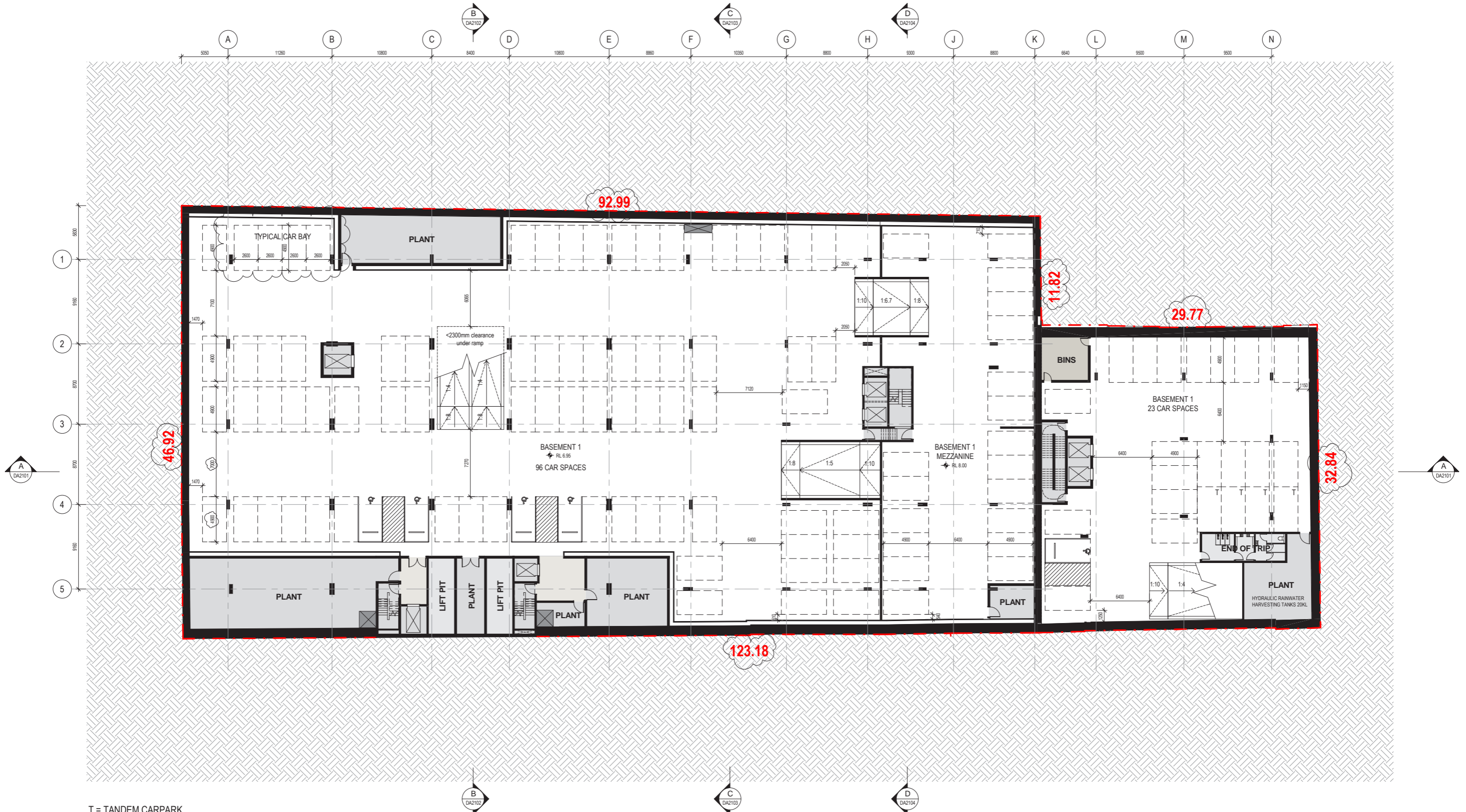
project 459-471 Church Street, Richmond

drawing L-B02 - Basement 2

drawing no. DA1001 issue C

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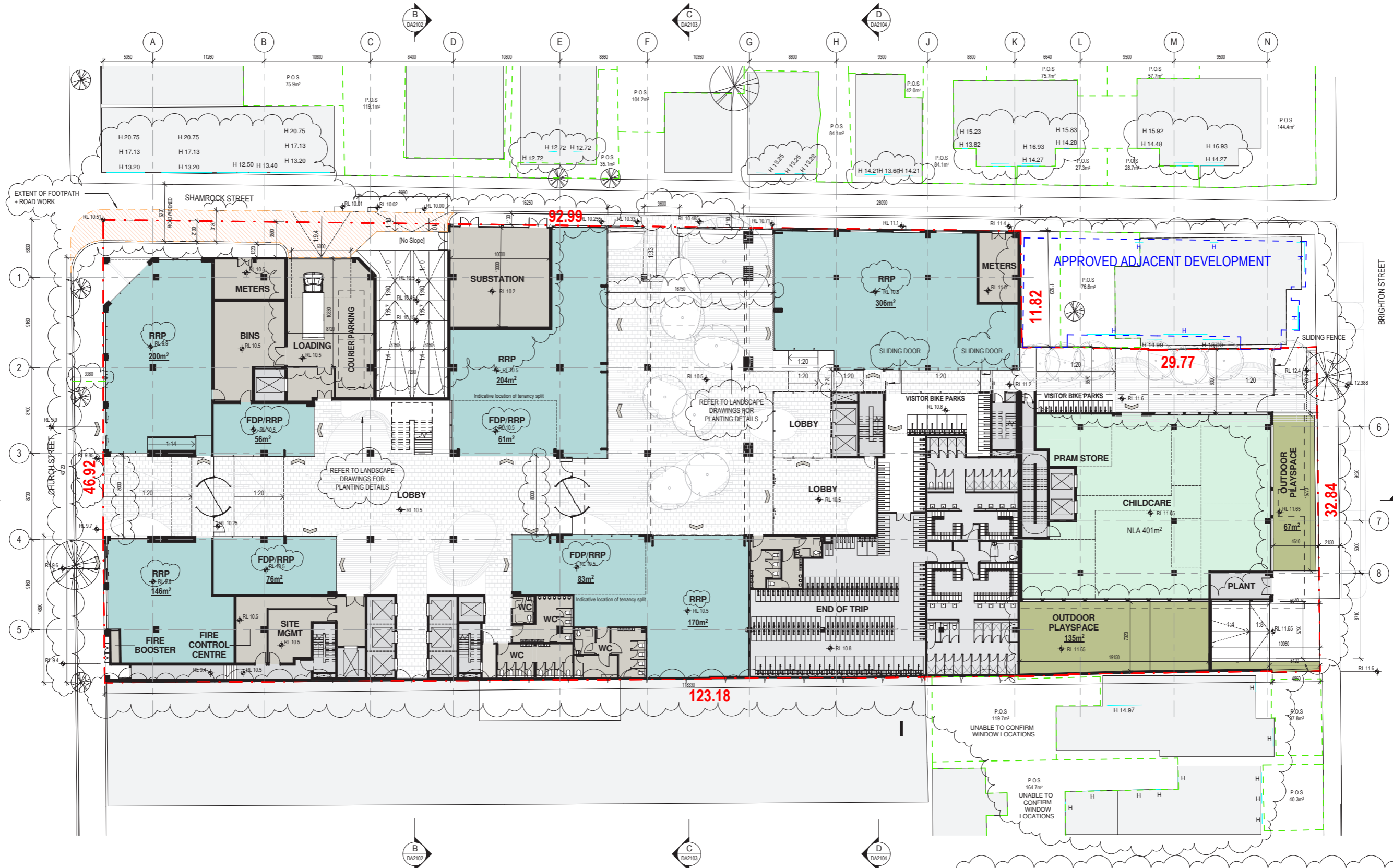
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project  
459-471 Church Street, Richmond

drawing  
L-B01 - Basement 1

drawing no. DA1002  
issue C

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— H = HEAD OF ADJACENT HABITABLE ROOM WINDOWS  
- - - PRIVATE OPEN SPACE

RRP = RESTRICTED RETAIL PREMISES  
 FDP/RRP = FOOD AND DRINK PREMISES / RESTRICTED RETAIL PREMISES

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C	TP RFI RESPONSE	07.06.2018

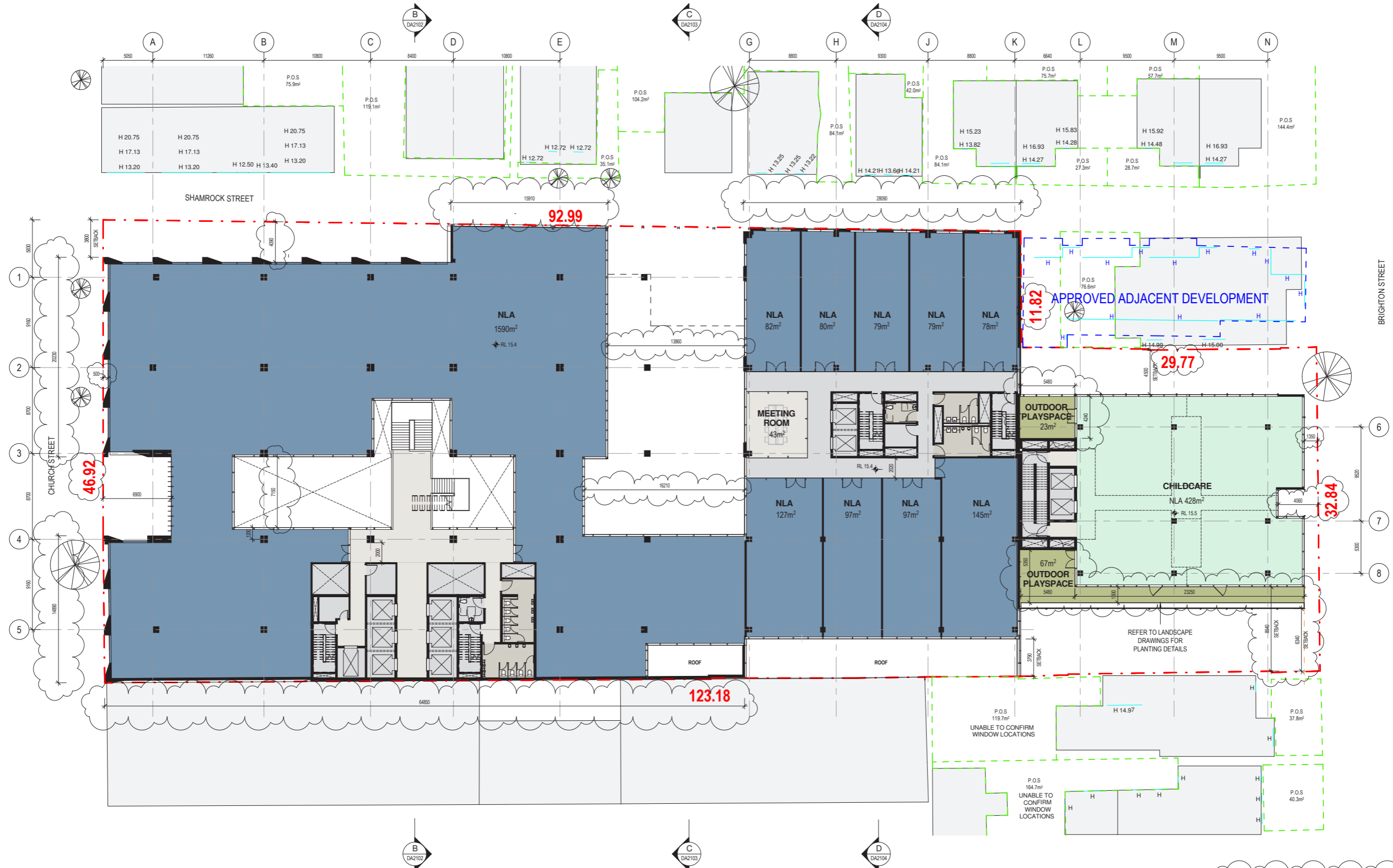


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project  
 459-471 Church Street, Richmond  
 drawing  
 L-00 - Ground Floor

checked AH scale As indicated@A1  
 drawn ADS project no 170358.00

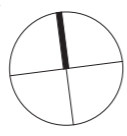
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 issue C



H = HEAD OF ADJACENT HABITABLE ROOM WINDOWS  
 --- PRIVATE OPEN SPACE

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C	TP RFI RESPONSE	07.06.2018



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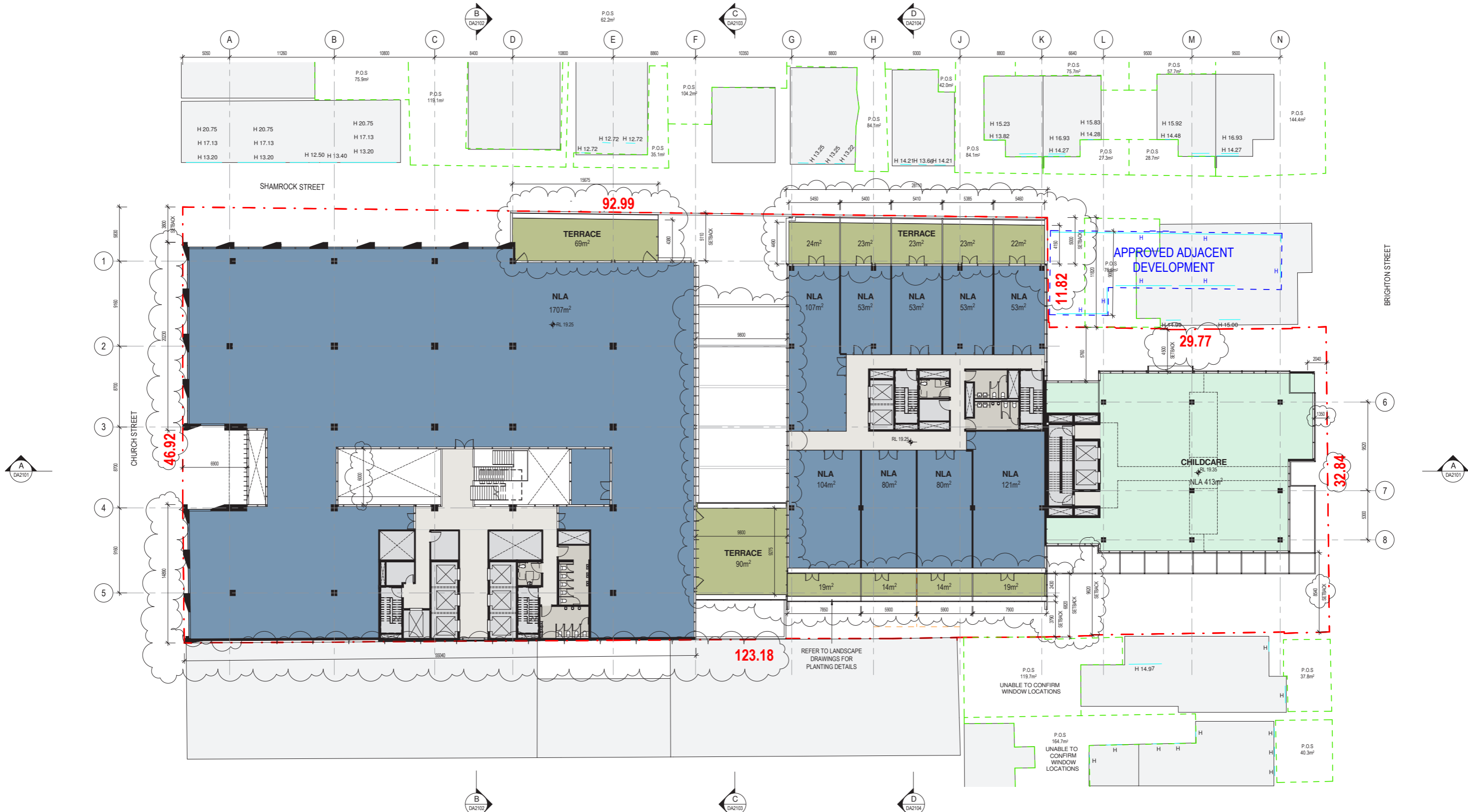
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checked AH scale As indicated@A1  
 drawn ADS project no 170358.00

project  
 459-471 Church Street, Richmond

drawing  
 L-01 - First Floor

drawing no. DA1004  
 issue C

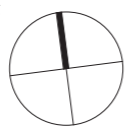


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B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018



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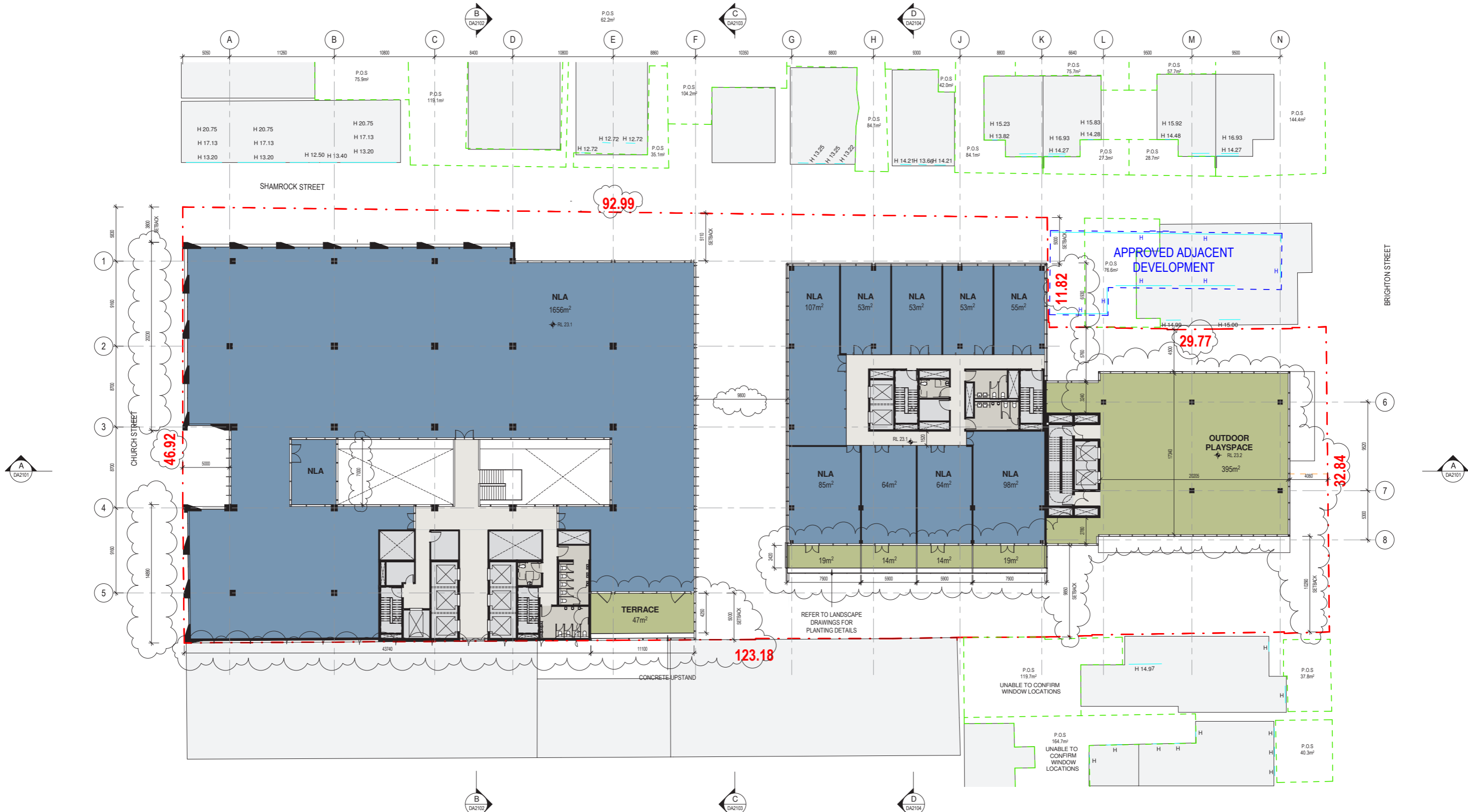
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project  
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drawing  
 L-02 - Second Floor

checked AH scale As indicated@A1  
 drawn ADS project no 170358.00

drawing no. DA1005  
 issue C



46.92

92.99

11.82

29.77

32.84

123.18

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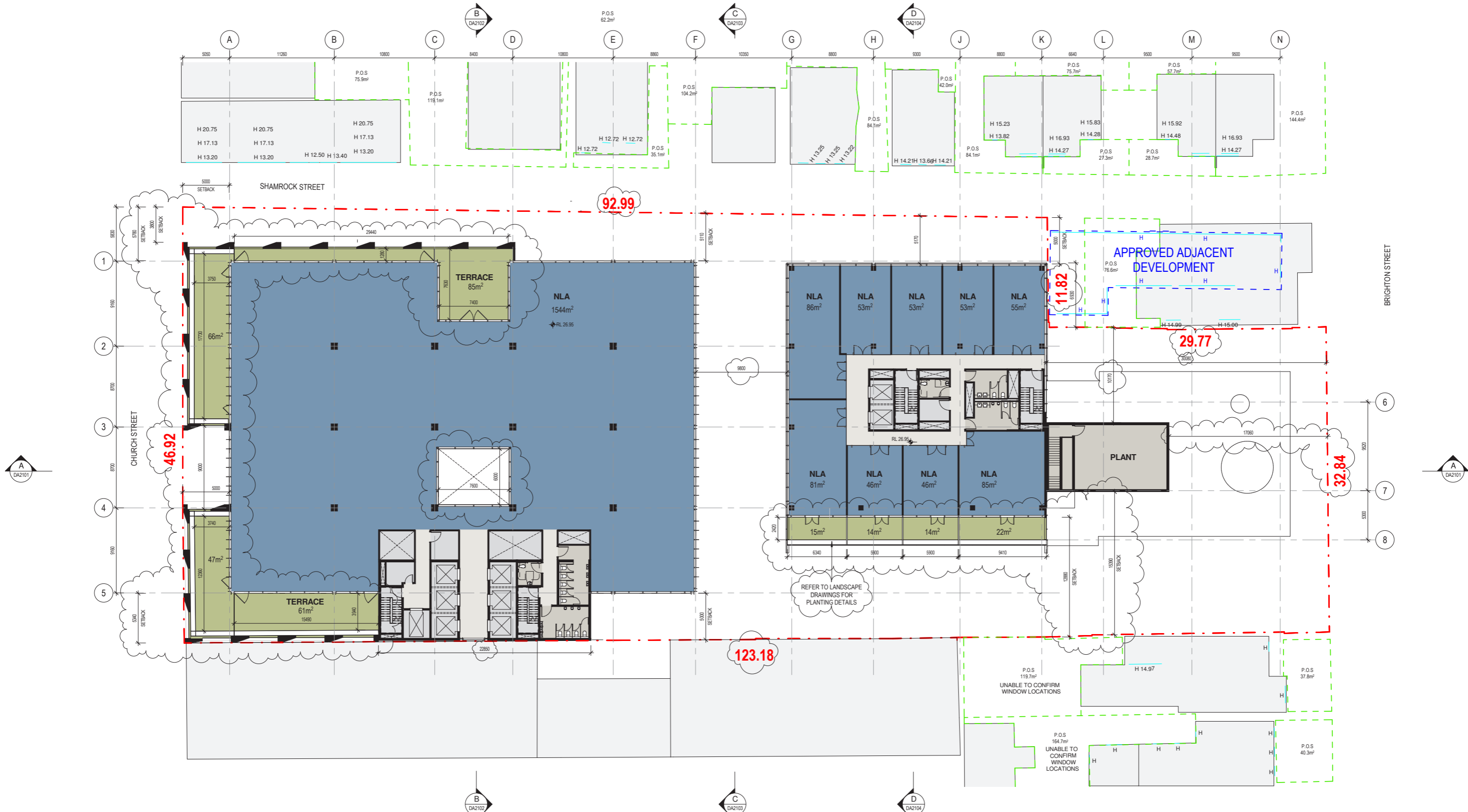
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 drawn ADS project no 170358.00

project  
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drawing  
 L-03 - Third Floor

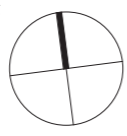
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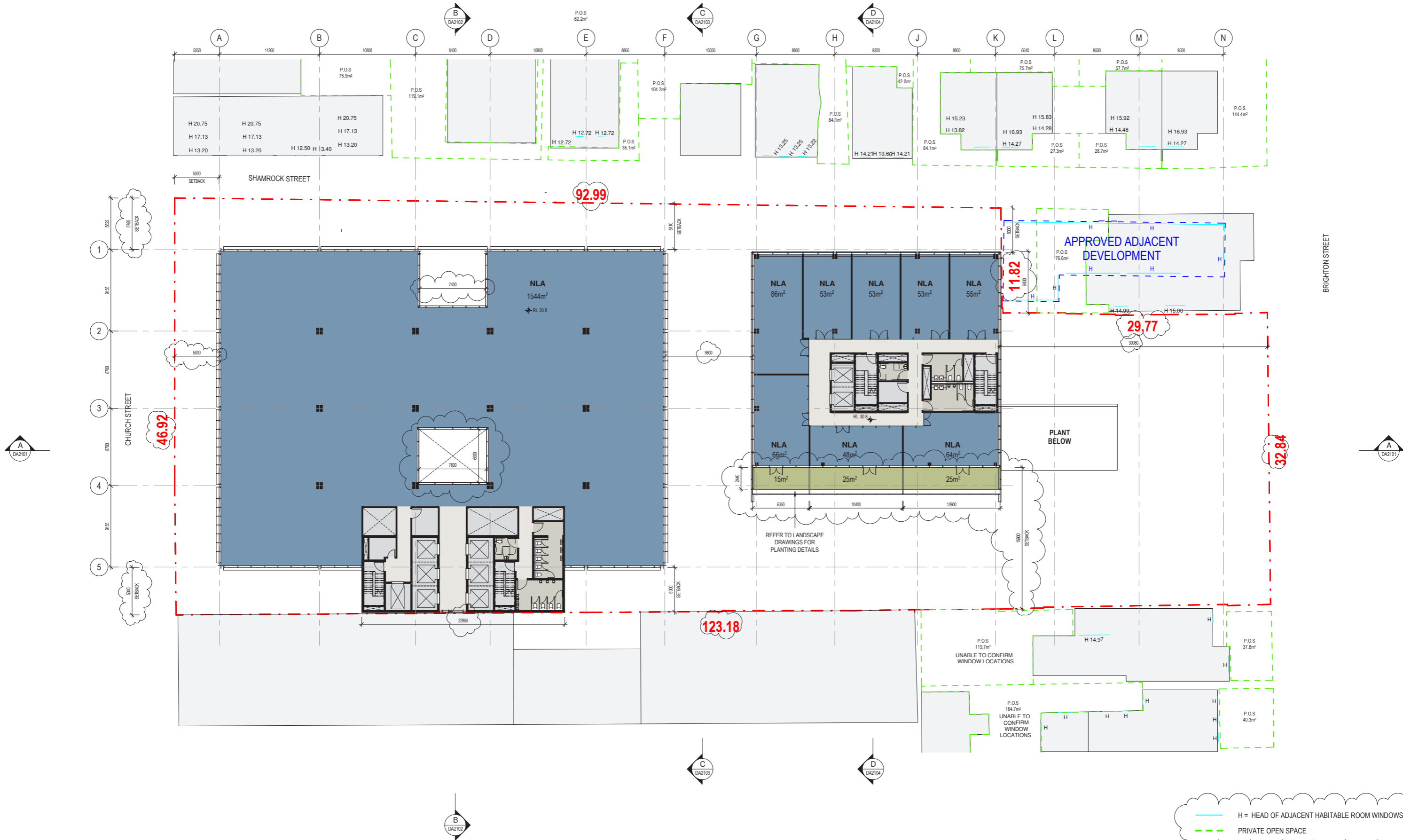
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checked AH scale As indicated@A1  
 drawn ADS project no 170358.00

project  
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 drawing  
 L-04 - Fourth Floor

drawing no. DA1007  
 issue C



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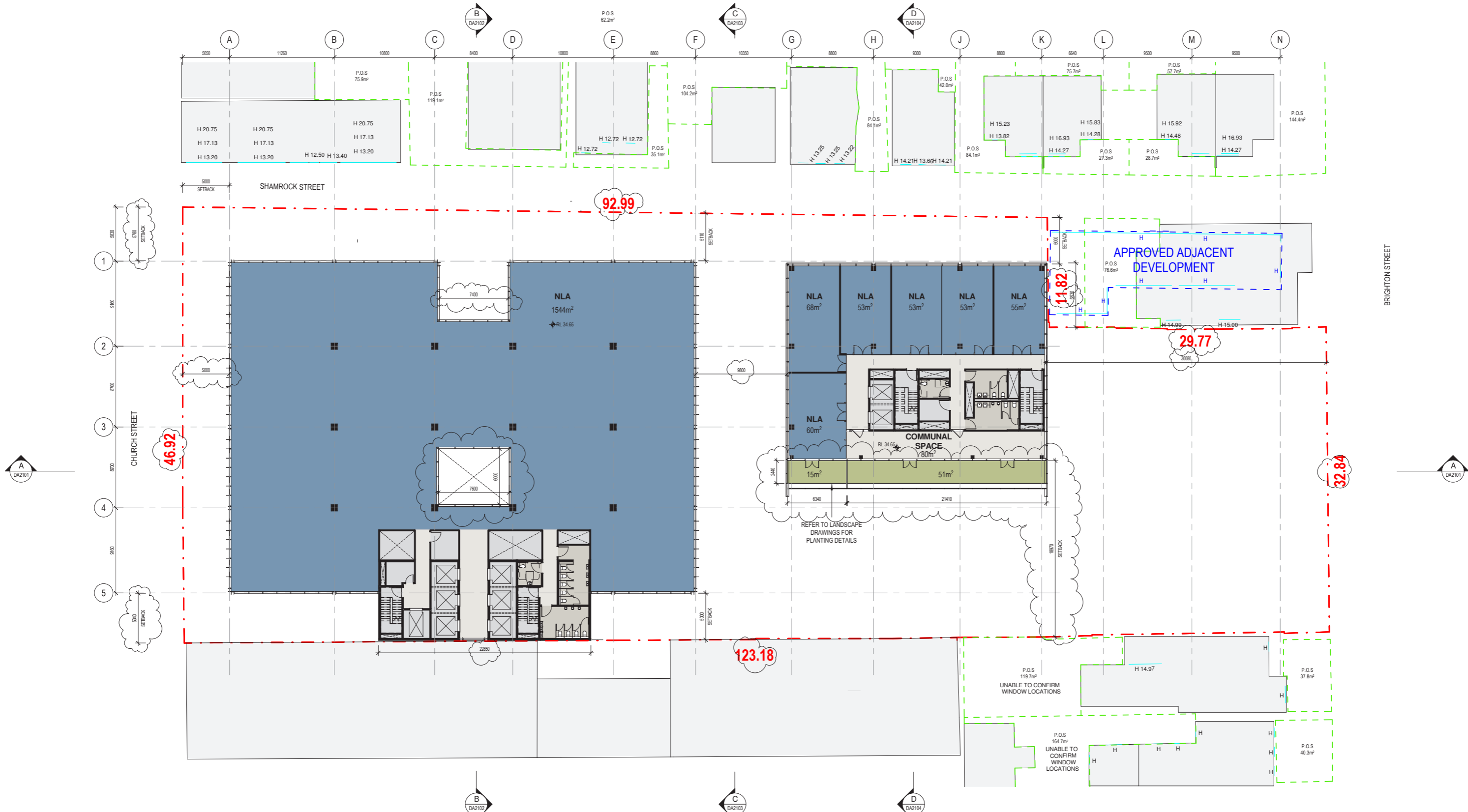
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project  
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drawing  
 L-05 - Fifth Floor

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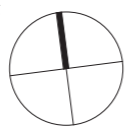
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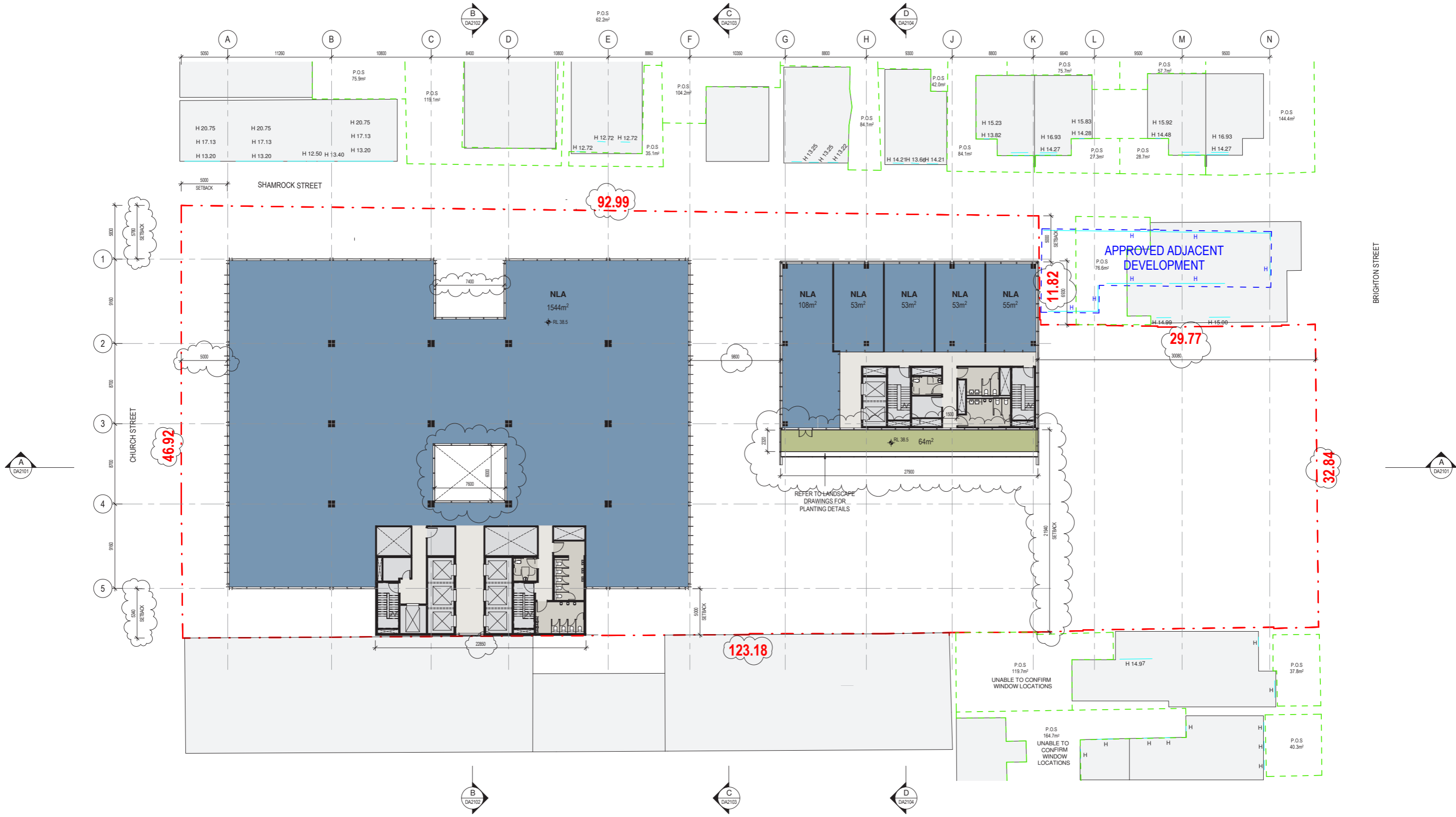
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project  
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drawing  
 L-06 - Sixth Floor

drawing no. DA1009  
 issue C





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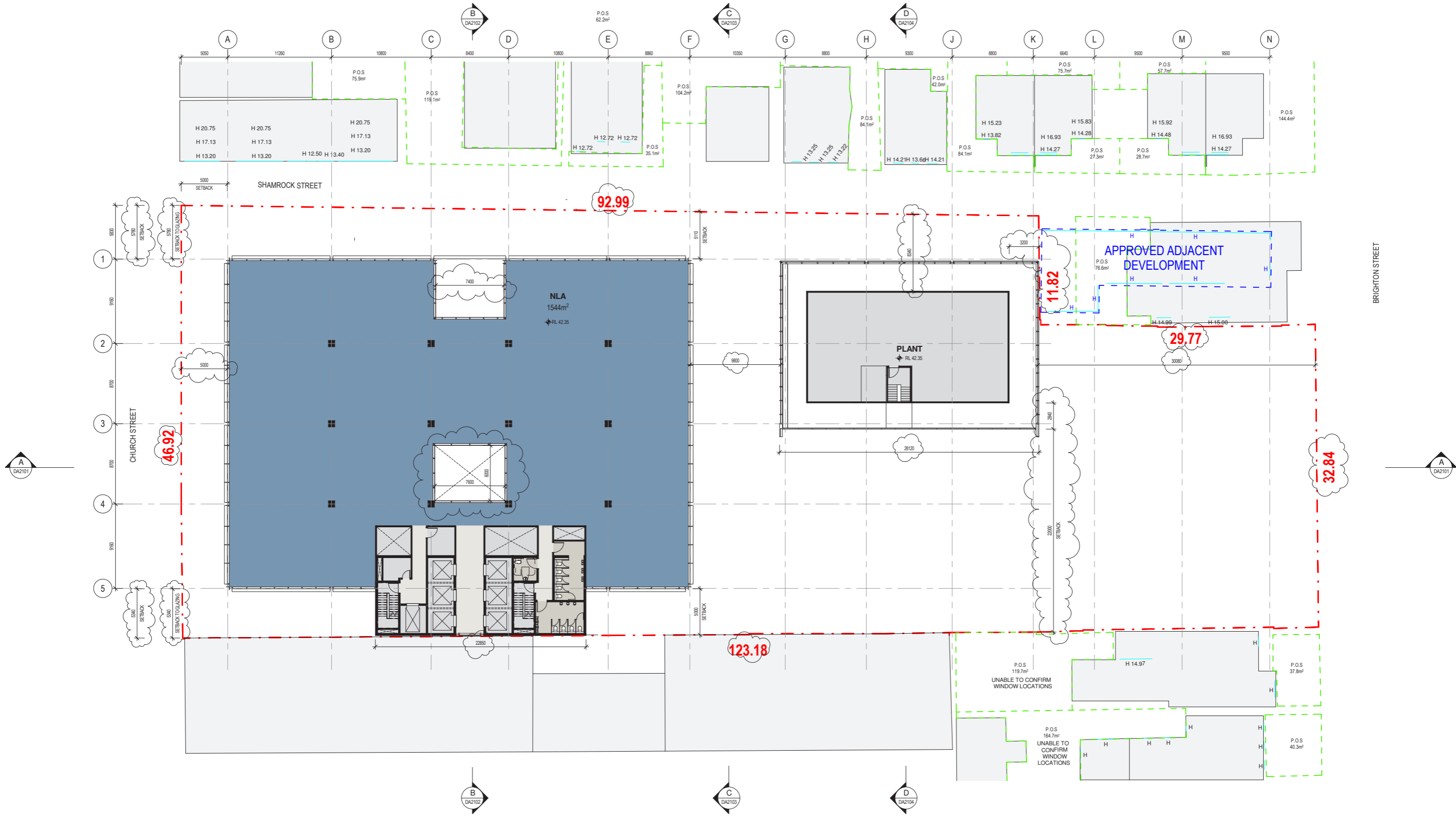
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drawing no. **DA1010** issue **C**



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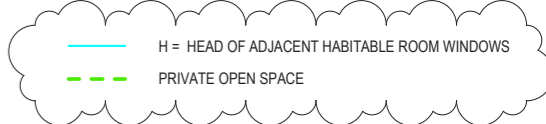
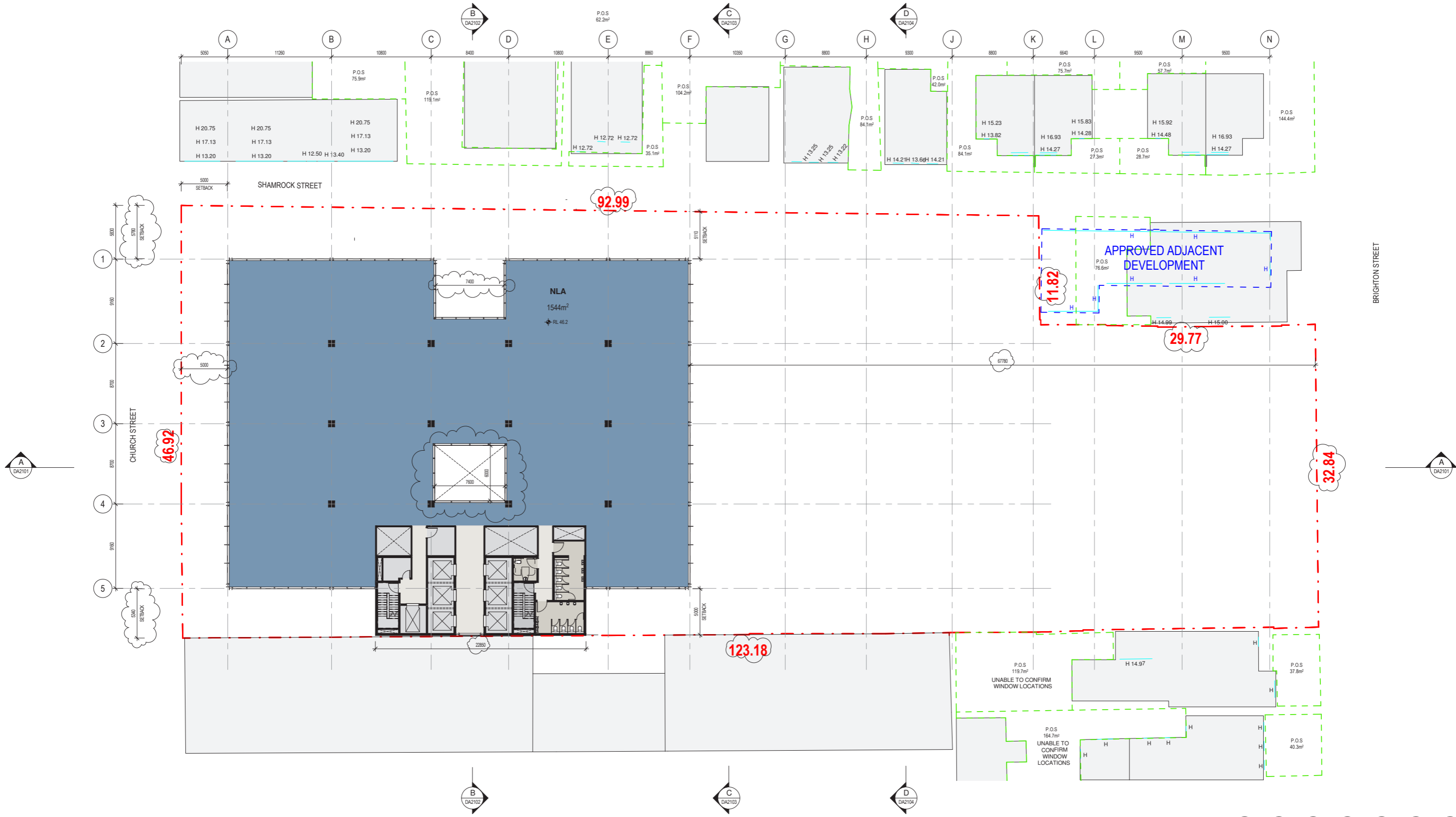


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project  
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 drawing  
 L-08 - Eighth Floor

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drawing no. DA1011  
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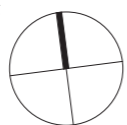


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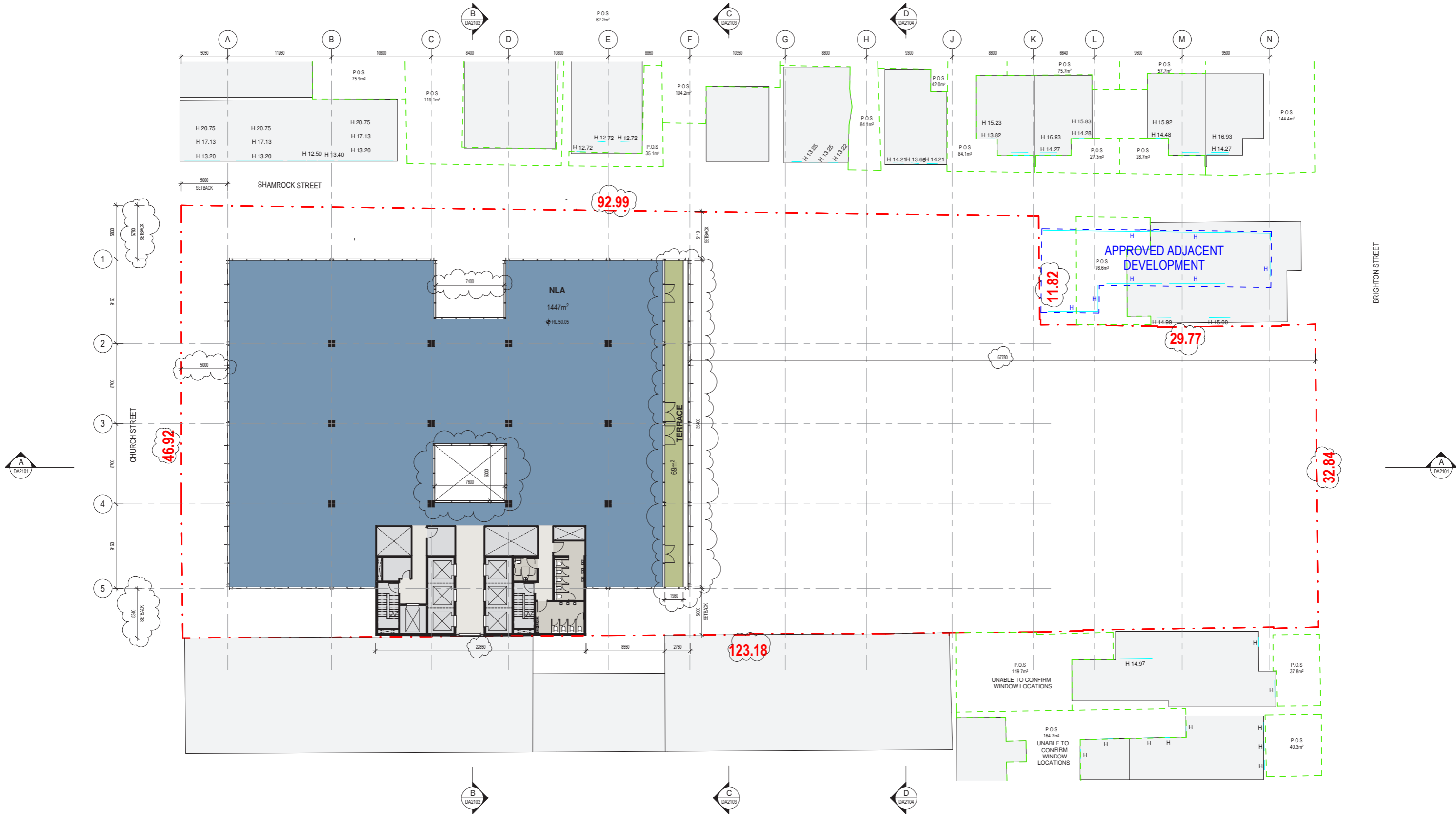
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drawing  
 L-09 - Ninth Floor

drawing no. DA1012  
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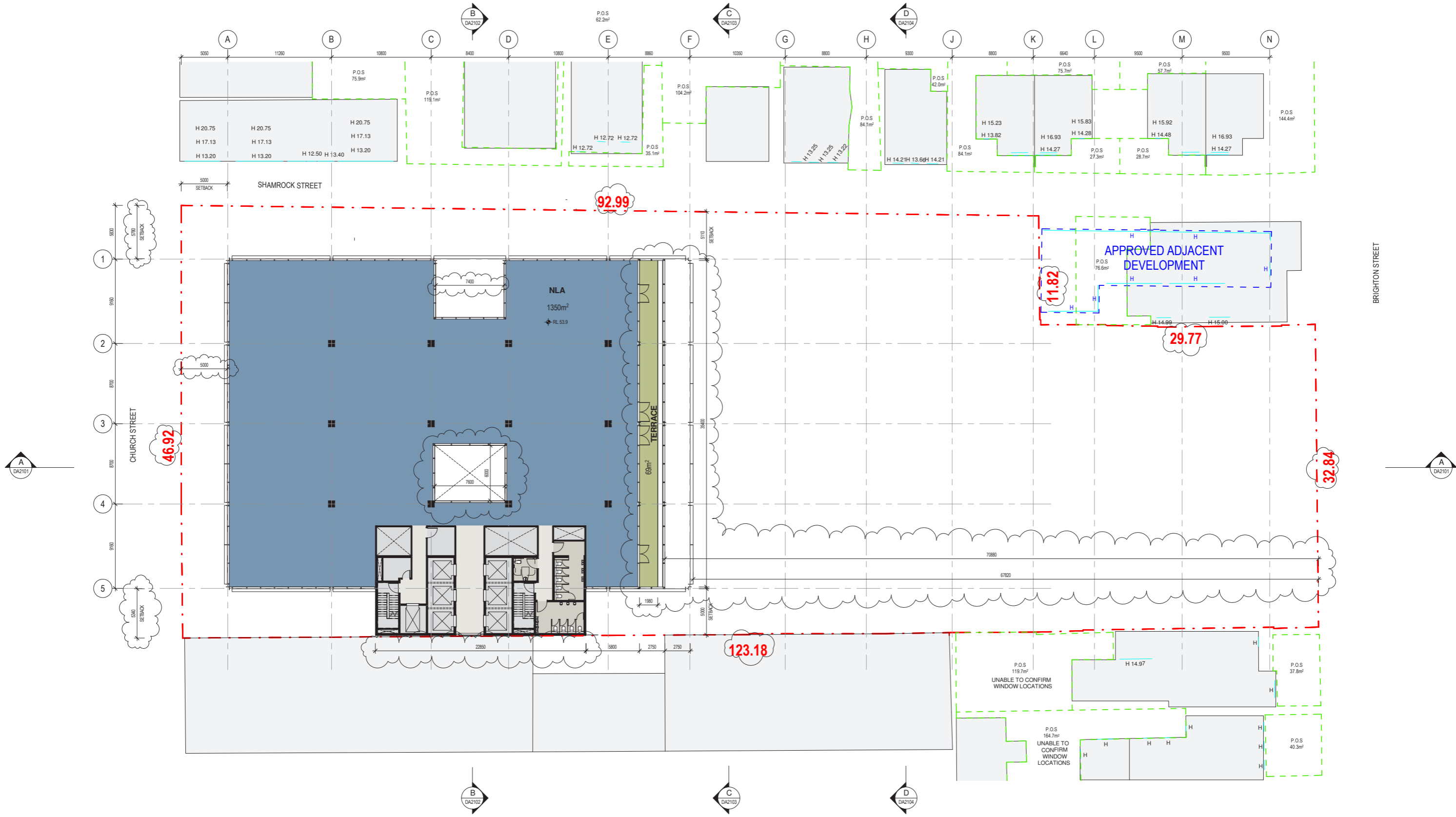
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drawing  
 L-10 - Tenth Floor  
 drawing no. DA1013  
 issue C

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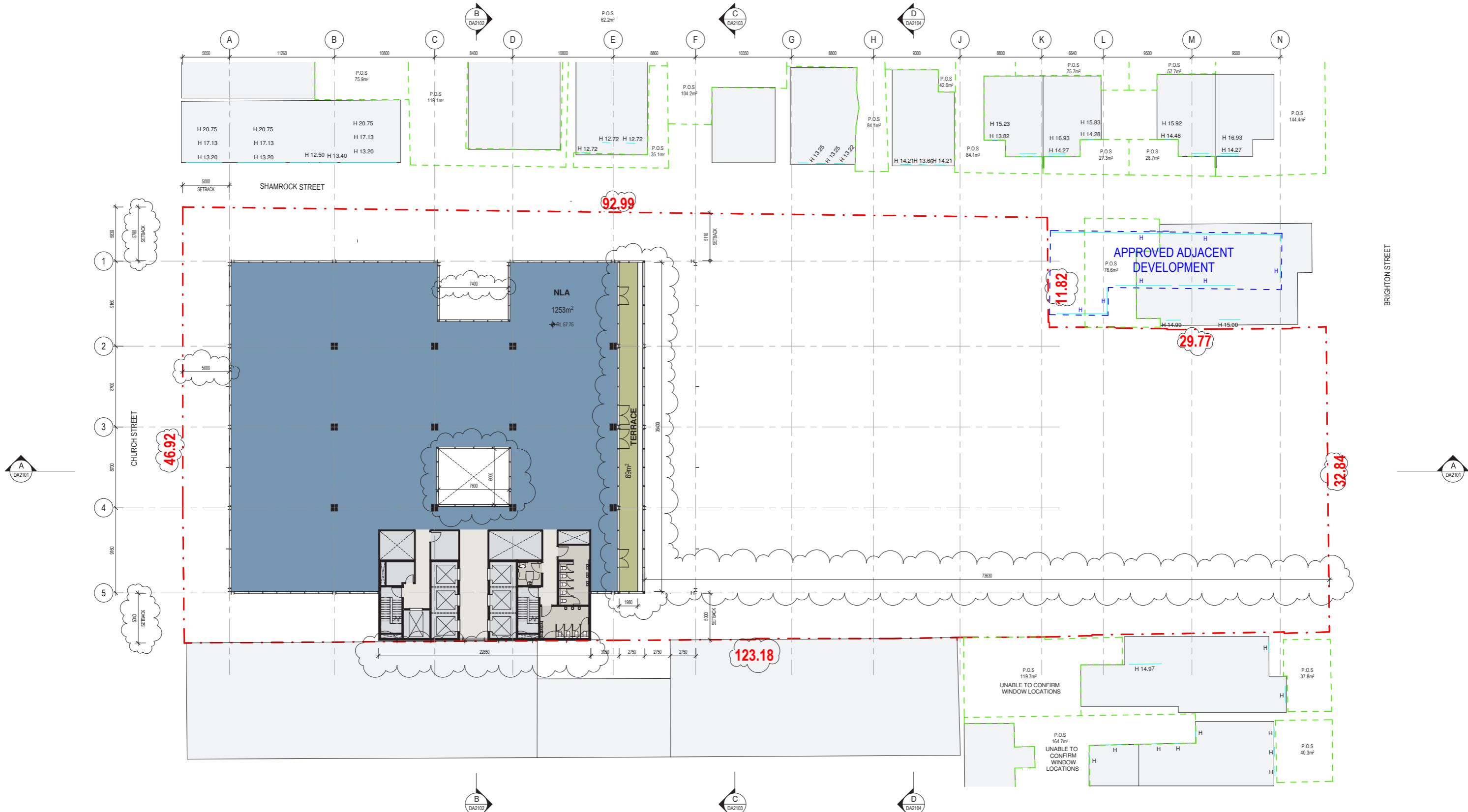
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drawing  
 L-11 - Eleventh Floor

drawing no. **DA1014** issue **C**

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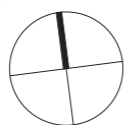


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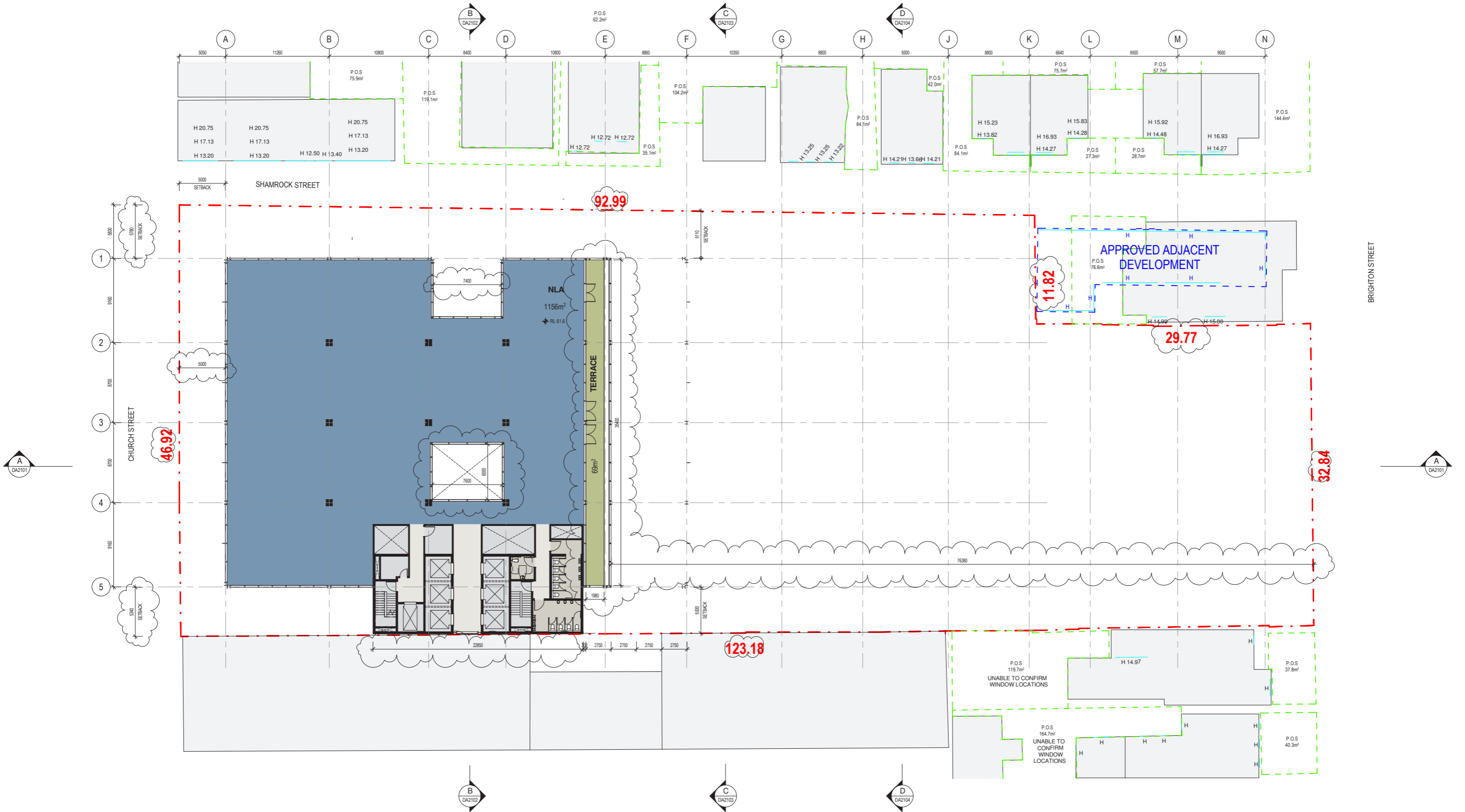


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drawing  
 L-12 - Twelfth Floor

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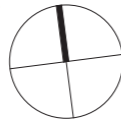
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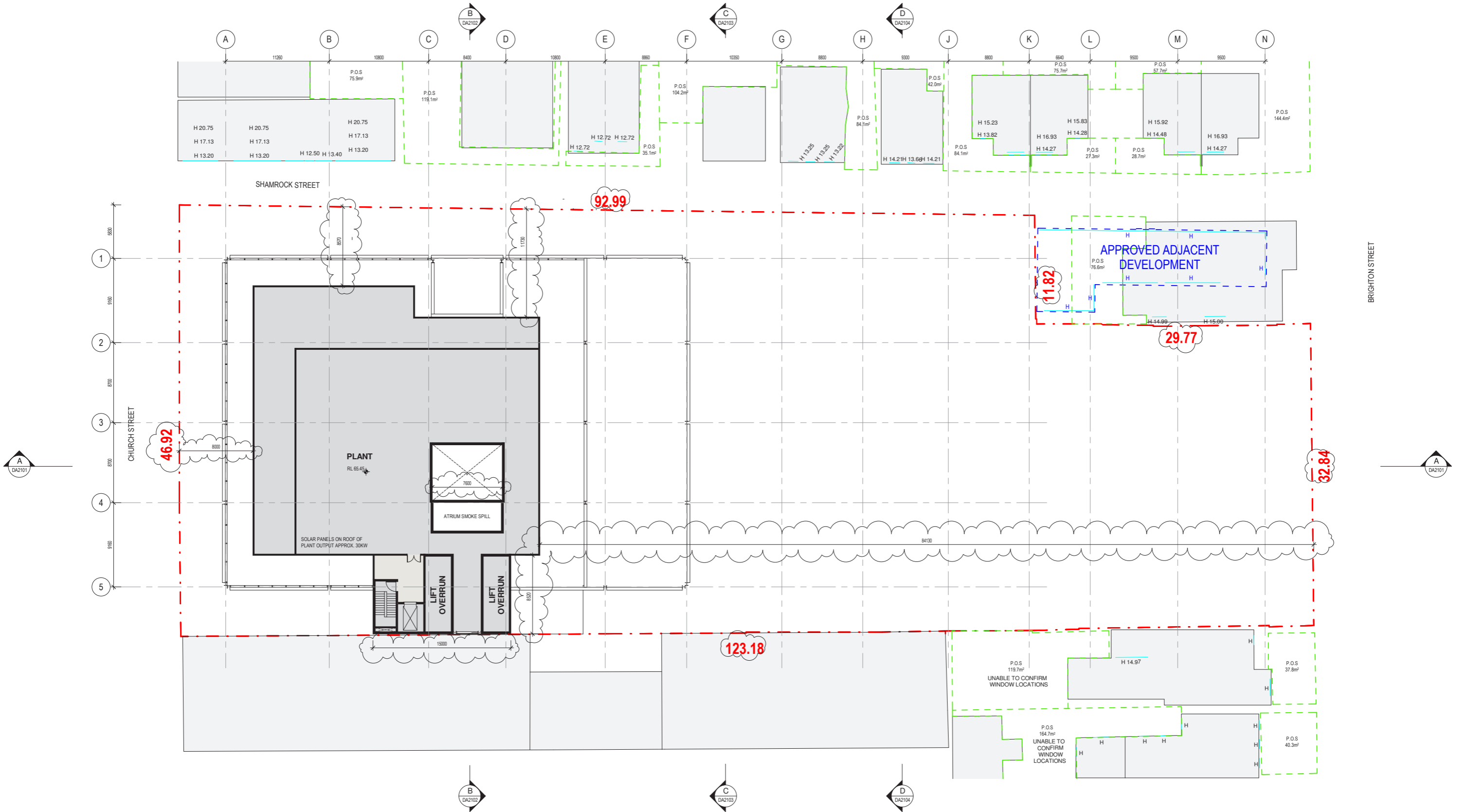
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drawing  
 L-13 - Thirteenth Floor

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drawn	ADS project no	170358.00

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drawing  
 L-Roof - Building A Roof

drawing no.  
**DA1017**

issue  
**C**



# 3.1 Area Schedule

## Building A

### Basement

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES (inc. TANDERS)
Basement 2	4.15 Carpark	4,290	3,897	393								2.80	3,897	121
Basement 1	6.95 Carpark	4,290	3,703	587								2.80	3,703	96
<b>TOTAL</b>		<b>8,580</b>	<b>7,600</b>	<b>980</b>								<b>5.60</b>	<b>7,600</b>	<b>217</b>

### Podium

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Ground	10.40 Retail/Lobby/EOT	2,561	1,739	1,169	0	0	822		570	276	0	5.00		
Level 01	15.40 Office	2,236	1,965	375	1,590	210	0					81%	3.85	
Level 02	19.25 Office	2,360	2,057	350	1,707	145	82					83%	3.85	
Level 03	23.10 Office	2,291	2,003	347	1,656	154	57					83%	3.85	
<b>TOTAL</b>		<b>9,448</b>	<b>7,764</b>	<b>2,241</b>	<b>4,953</b>	<b>509</b>	<b>961</b>		<b>570</b>	<b>276</b>	<b>0</b>	<b>64%</b>	<b>16.55</b>	<b>0</b>

### Tower

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Level 04	26.95 Office	2,176	1,822	278	1,544	46	307					85%	3.85	
Level 05	30.80 Office	1,868	1,821	277	1,544	46						85%	3.85	
Level 06	34.65 Office	1,868	1,821	277	1,544	46						85%	3.85	
Level 07	38.50 Office	1,868	1,821	277	1,544	46						85%	3.85	
Level 08	42.35 Office	1,868	1,821	277	1,544	46						85%	3.85	
Level 09	46.20 Office	1,868	1,821	277	1,544	46						85%	3.85	
Level 10	50.05 Office	1,868	1,724	277	1,447	46	97					84%	3.85	
Level 11	53.90 Office	1,771	1,627	277	1,350	46	97					83%	3.85	
Level 12	57.75 Office	1,674	1,530	277	1,253	46	97					82%	3.85	
Level 13	61.60 Office	1,577	1,433	277	1,156	46	97					81%	3.85	
<b>TOTAL</b>		<b>18,403</b>	<b>17,245</b>	<b>2,775</b>	<b>14,470</b>	<b>463</b>	<b>695</b>				<b>81</b>	<b>84%</b>	<b>38.50</b>	<b>0</b>

### Roof

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Roof TBC	65.45 Plant	1,480	159	159								5.00		
Plant Roof TBC	70.45 Plant Roof Line													
<b>TOTAL</b>		<b>1,480</b>	<b>159</b>	<b>159</b>								<b>5.00</b>		

## SUMMARY

PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	MEETING ROOMS m <sup>2</sup>	EFFICIENCY (NLA / GFA)	BUILDING HEIGHT	PARKING m <sup>2</sup>	CAR SPACES
BASEMENT	Car Park	8,580	7,600	980								5.60	7,600	217
PODIUM	Lobbies / Drop Off / BOH	9,448	7,764	2,241	4,953	509	961	570	276	0	64%	16.55		
TOWER	Commercial Office	18,403	17,245	2,775	14,470	463	695				84%	38.50		
ROOF	Plant	1,480	159	159								5.00		
<b>TOTAL</b>		<b>37,911</b>	<b>32,767</b>	<b>6,155</b>	<b>19,423</b>	<b>972</b>	<b>1,657</b>	<b>0</b>	<b>570</b>	<b>276</b>	<b>0</b>	<b>60.05</b>	<b>7,600</b>	<b>217</b>

- NOTE:**
- 1 All figures have been based on preliminary information and are subject to verification.
  - 2 GBA \*\* = Gross Building Area including voids and basement car parking
  - 3 GFA \* is calculated in accordance with the Property Council of Australia guidelines
  - 4 NLA \*\*\* is calculated in accordance with the Property Council of Australia guidelines as defined in PCA Method of Measurement for Lettable Area - Commercial

## Building B

### Basement

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Basement 2	Carpark													
Basement 1	Carpark													
<b>TOTAL</b>														

### Podium

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Ground	10.50 Retail/Lobby/Carpark/EOT	1,769	1,251	249	0		518	546	456	0	0	0%	4.9	
Level 01	15.40 Office	1,286	1,257	241	973		125				43	81%	3.85	
<b>TOTAL</b>		<b>3,055</b>	<b>2,508</b>	<b>490</b>	<b>973</b>		<b>643</b>	<b>546</b>	<b>456</b>	<b>0</b>	<b>43</b>	<b>39%</b>	<b>8.75</b>	<b>0</b>

### Tower

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Level 02	19.25 Office	1,286	924	217	707		356					76%	3.85	
Level 03	23.10 Office	932	844	198	646		82					77%	3.85	
Level 04	26.95 Office	851	760	198	562		82					74%	3.85	
Level 05	30.80 Office	770	676	198	478		82					71%	3.85	
Level 06	34.65 Office	689	605	178	346		82			81		71%	3.85	
Level 07	38.50 Office	580	505	178	327		82					65%	3.85	
<b>TOTAL</b>		<b>5,108</b>	<b>4,314</b>	<b>1,167</b>	<b>3,066</b>		<b>764</b>			<b>81</b>	<b>71%</b>	<b>23.10</b>	<b>0</b>	<b>0</b>

### Roof

LEVEL	R.L. PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	FLOOR TO FLOOR HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
Roof TBC	42.35 Plant	503	11	11								5.00		
Plant Roof TBC	47.35 Plant Roof Line													
<b>TOTAL</b>		<b>503</b>	<b>11</b>	<b>11</b>								<b>5.00</b>		

## SUMMARY

PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLA <sup>m2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	MEETING ROOMS m <sup>2</sup>	EFFICIENCY (NLA / GFA)	BUILDING HEIGHT	PARKING m <sup>2</sup>	CAR SPACES
BASEMENT	Car Park													
PODIUM	Lobbies / Drop Off / BOH	3,055	2,508	490	973		643	546	456	43	40%	8.75		
TOWER	Commercial Office	5,108	4,314	1,167	3,066		764			81	73%	23.10		
ROOF	Plant	503	11	11								5.00		
<b>TOTAL</b>		<b>8,665</b>	<b>6,832</b>	<b>1,668</b>	<b>4,039</b>	<b>0</b>	<b>1,408</b>	<b>546</b>	<b>456</b>	<b>123</b>		<b>36.85</b>		

- NOTE:**
- 1 All figures have been based on preliminary information and are subject to verification.
  - 2 GBA \*\* = Gross Building Area including voids and basement car parking
  - 3 GFA \* is calculated in accordance with the Property Council of Australia guidelines
  - 4 NLA \*\*\* is calculated in accordance with the Property Council of Australia guidelines as defined in PCA Method of Measurement for Lettable Area - Commercial

# 3.1 Area Schedules

## Building C (Childcare)

992m<sup>2</sup> Site Area

LEVEL	PROGRAM	R.L.	Floor to Floor Height m	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / CIRC m <sup>2</sup>	NLAm <sup>2</sup> ***	EXTERNAL m <sup>2</sup>	OUTDOOR PLAY SPACE m <sup>2</sup>	CHILDREN (1 per 13m <sup>2</sup> )	BOH	EFFICIENCY	CAR PARKING GFAm <sup>2</sup>	CAR SPACES
Basement 01	Carpark	8.85	2.80	992	838	154					68		770	24
Ground	Childcare / Drop-off	11.65	3.85	992	437	32	405	314	203	31	0	93%		
Level 01	Childcare	15.50	3.85	604	497	55	442		108	34		89%		
Level 02	Childcare	19.35	3.85	484	513	55	458			35		89%		
Level 03	Childcare	23.20	3.85	470	55	55			389					
Roof	Childcare	27.05	5.00	336	23	23					55			
<b>TOTAL</b>			<b>20.40</b>	<b>3,878</b>	<b>2,363</b>	<b>374</b>	<b>1,305</b>	<b>314</b>	<b>700</b>	<b>100</b>	<b>123</b>		<b>770</b>	<b>24</b>

**NOTE:**

- 1 Areas calculated on the basis that 1 child requires 13m<sup>2</sup> internal space and 7m<sup>2</sup> external space. This rate is calculated from precedent projects and is indicative only
- 2 Core / Circulation is estimated area of circulation core only and are not inclusive of other back of house facilities
- 3 All figures have been based on preliminary information and are subject to verification
- 4 The material contained herein is indicative only and may be subject to approval by the responsible authority(s), or other factors beyond the control of Architectus; receiving parties should not use this material to form the basis of any financial feasibility, contractual negotiation or sale documents.
- \* 5 GFA is calculated in accordance with the Property Council of Australia guidelines.
- \*\*\* 6 NLA is calculated in accordance with the Property Council of Australia guidelines as defined in PCA Method of Measurement for Lettable Area - Commercial
- \*\* 7 GBA = Gross Building Area including voids and basement car parking

## Building "A"

PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLAm <sup>2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	BUILDING HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
BASEMENT	Car Park	8,580	7,600	980							5.60	7,600	217
PODIUM	Lobbies / Drop Off / BOH	9,448	7,764	2,241	4,953	509	961	570	276	0	16.55		
TOWER	Commercial Office	18,403	17,245	2,775	14,470	463	695				38.50		
ROOF	Commercial Office	1,480	159	159							5.00		
<b>TOTAL</b>		<b>37,911</b>	<b>32,767</b>	<b>6,155</b>	<b>19,423</b>	<b>972</b>	<b>1,657</b>	<b>570</b>	<b>276</b>	<b>0</b>	<b>60.05</b>	<b>7,600</b>	<b>217</b>

## Building "B"

PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLAm <sup>2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	RENTABLE MTG ROOMS m <sup>2</sup>	BUILDING HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
BASEMENT	Car Park												
PODIUM	Lobbies / Drop Off / BOH	3,055	2,508	490	973		643	546	456	0	43	8.75	
TOWER	Commercial Office	5,108	4,314	1,167	3,066		764			81	23.10		
ROOF	Commercial Office	503	11	11							5.00		
<b>TOTAL</b>		<b>8,665</b>	<b>6,832</b>	<b>1,668</b>	<b>4,039</b>	<b>0</b>	<b>1,408</b>	<b>546</b>	<b>456</b>	<b>0</b>	<b>123</b>	<b>36.85</b>	

## Building "C"

PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLAm <sup>2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	OUTDOOR PLAY SPACE m <sup>2</sup>	BUILDING HEIGHT	CAR PARKING GFA m <sup>2</sup>	CAR SPACES
BASEMENT	Car Park	992	948	222					3	770	24
BUILDING (PODIUM)	Childcare Facilities	2,550	1,469	197	1,305		314	700	0.00		
ROOF	Childcare Facilities	336	23	23					20.40		
<b>TOTAL</b>		<b>3,878</b>	<b>2,440</b>	<b>442</b>	<b>1,305</b>		<b>314</b>	<b>700</b>	<b>20.40</b>	<b>770</b>	<b>24</b>

## SUMMARY

PROGRAM	GBAm <sup>2</sup> **	GFAm <sup>2</sup> *	CORE / BOH / CIRCULATION ETC.m <sup>2</sup>	NLAm <sup>2</sup> ***	VOID m <sup>2</sup>	TERRACE / EXTERNAL m <sup>2</sup>	EOT m <sup>2</sup>	RESTRICTED RETAIL PREMISES	FOOD + DRINK PREMISES/ RESTRICTED RETAIL PREMISES	MEETING ROOMS m <sup>2</sup>	BUILDING HEIGHT (BUILDING A)	CAR PARKING GFA m <sup>2</sup>	CAR SPACES	
BASEMENT	Car Park	9,572	8,548	1,202							5.60	8,370	241	
PODIUM	Lobbies / Drop Off / BOH	15,053	11,741	2,928	7,231	509	2,619	546	1,026	276	123	16.55		
TOWER	Commercial Office	23,510	21,558	3,942	17,536	463	1,460				38.50			
ROOF	Commercial Office	2,318	193	193							5.00			
<b>TOTAL</b>		<b>50,454</b>	<b>42,040</b>	<b>8,265</b>	<b>24,767</b>	<b>972</b>	<b>4,078</b>	<b>546</b>	<b>1,026</b>	<b>276</b>	<b>123</b>	<b>60.05</b>	<b>8,370</b>	<b>241</b>

**NOTE:**

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- 3 GFA \* is calculated in accordance with the Property Council of Australia guidelines
- 4 NLA \*\*\* is calculated in accordance with the Property Council of Australia guidelines as defined in PCA Method of Measurement for Lettable Area - Commercial



Translucent silver-grey glass - FT01, FT02, FT02A, FT04, FT04A, FT04B



Translucent silver-grey glass - FT01, FT02, FT02A, FT04, FT04A, FT04B



Red brick facade - FT05, FT06



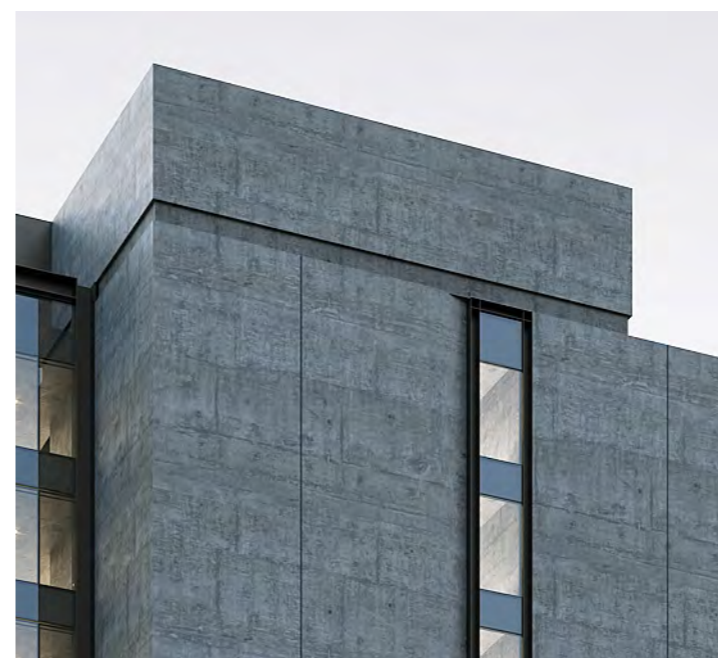
Black metal frame with planting infill as indicated - FT06



Translucent silver glass- FT07



Shopfront glass - FT08



Pre-cast concrete with applied texture - FT09



Concrete base - FT13

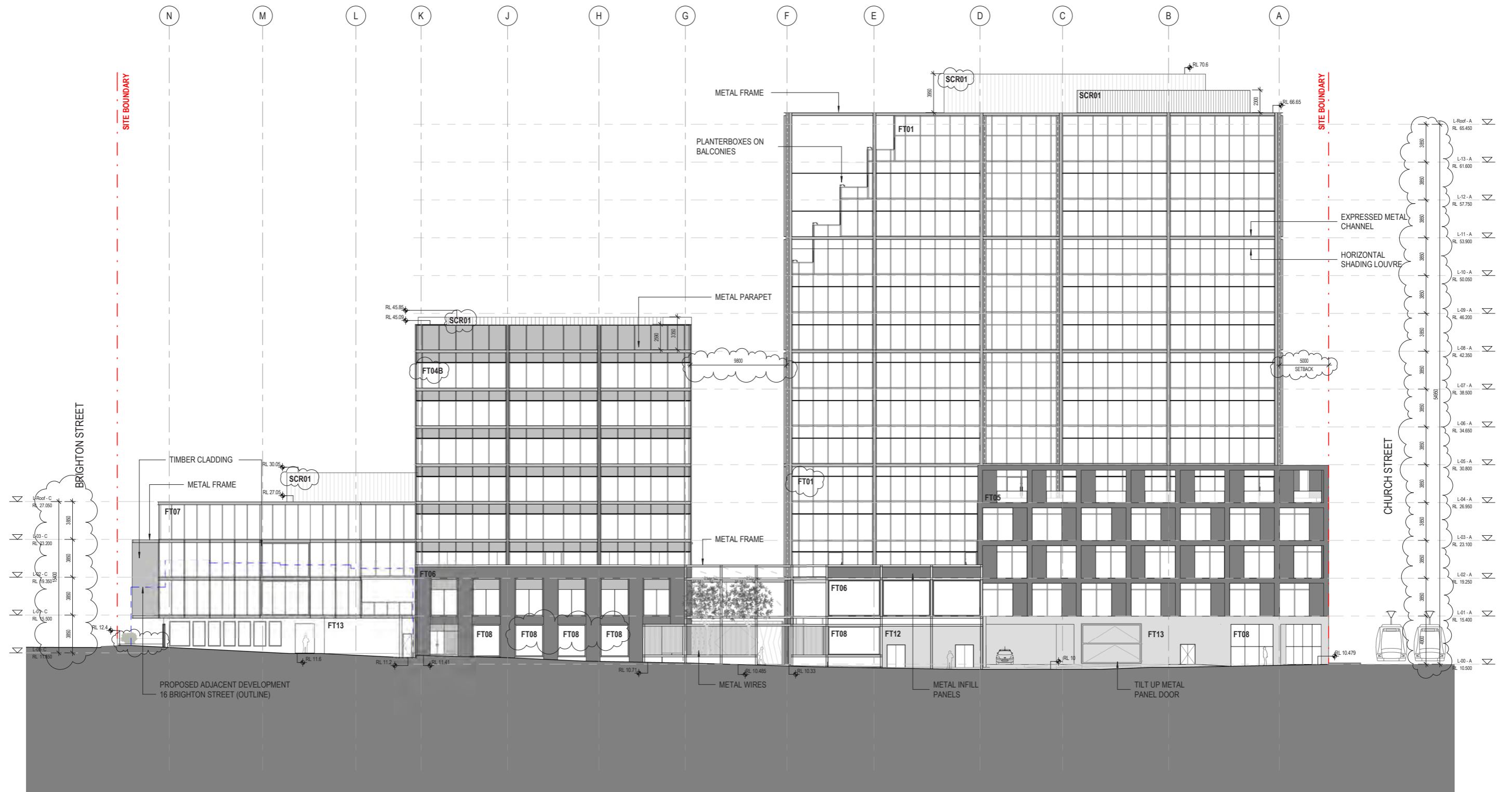
# 3.2 Material Schedule

## Material Schedule

		UPDATED DESCRIPTION
FT01	Building A north tower façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel. Expressed black metal channels as indicated in drawings, horizontal black metal shading louvres. Continuous glazed finish to balustrades.
FT02	Building A east + west tower façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel. Expressed black metal channels as indicated in drawings, vertical black metal shading louvres. Continuous glazed finish to balustrades.
FT02A	Building A south tower façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel. Expressed black metal channels as indicated in drawings. Continuous glazed finish to balustrades.
FT03	Podium - west façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel.
FT04	Building B south façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel with expressed galvanized metal finish. Clear glass balustrade with minimal framing.
FT04A	Building B east + west façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel with expressed black metal finish. Vertical fins as indicated on drawings
FT04B	Building B north façade	Translucent silver - grey glass. Structurally glazed curtain wall with blind mullions and high performance IGU. Integrated shadowbox spandrel panel with expressed black metal finish. Expressed black metal channels as indicated in drawings, horizontal black metal shading louvres.
FT05	Building A podium façade	Brick façade with glazed windows. Angled brick recesses as indicated in drawings. Structurally glazed blind mullions, shadowbox spandrel panel. Clear glass balustrade as indicated with integrated landscape planter.
FT05A	Brick podium façade	Precast concrete façade panels with brick slip finish. Panel breakup set as per FT05 window breakup
FT06	Podium façade	Black metal framed façade with glazed and brick infill as indicated in drawings. Where glazing occurs - structurally glazed blind mullions, shadowbox spandrel panel.
FT07	Building C façade	Translucent silver glass. Structural window wall system with blind mullions and high performance IGU. Integrated shadowbox spandrel panel. Expressed metal channels as indicated in drawings, vertical galvanized metal shading fins. Timber infill panels as indicated on drawings.
FT08	Shopfront glazing	Clear shopfront glazing at ground level. Clear glass, structurally glazed blind mullions. Door types as indicated on drawings.
FT09	Building A core	Precast concrete walls with expressed joints and applied Reckli Form-Liner texture. Expressed joints as indicated on elevations. Dark grey integral finish.
FT10	South boundary podium treatment	Precast concrete façade panels with brick slip frame achieving façade depth. Panel breakup as indicated in drawings.
FT11	South boundary wall	Precast concrete walls with expressed joints. Joint layouts set out as per elevation drawings, referencing podium façade character. Mid-grey integral finish.
FT12	Infill concrete panel	Black metal framed façade with concrete panel infill as indicated in drawings. Mid-grey integral concrete finish.
FT13	Concrete	Mid-grey integral concrete finish.
FT14	Windows to Building A core	Curtain wall window system with expressed metal frame. Translucent silver - grey glass. Structurally glazed blind mullions and high performance IGU. Integrated shadowbox spandrel panel.

## Material Schedule

PB01	Planter box	See landscape drawings for details
FR01	Metal frame	Black finish to building A = B, natural metal finish to Building C
SCR01	Plant screen 1	Fixed vertical louvre system, vertical blades, minimal transparency. Black finish Building A + B, natural metal finish building C
SCR03	Building C mesh	Bespoke steel mesh. Custom oversized diamond grid pattern with galvanized finish.
FEN01	Retractable fence	Sliding fence with single operable swing gate. Stacks to concealed position set within landscaping. Bespoke steel mesh. Custom oversized diamond grid pattern with galvanized finish.
FEN02	Building C fence	Bespoke steel mesh fence to 1800mm height, sitting on mid-grey rendered retaining wall. Custom oversized diamond grid pattern with galvanized finish. Integrated planting.
WAL01	Precast wall	Precast wall built up against existing adjacent shear wall at site boundary. Wall remains lower than existing site condition.



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Nominated Architect  
Ray Brown, NSWARB 6359



issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018

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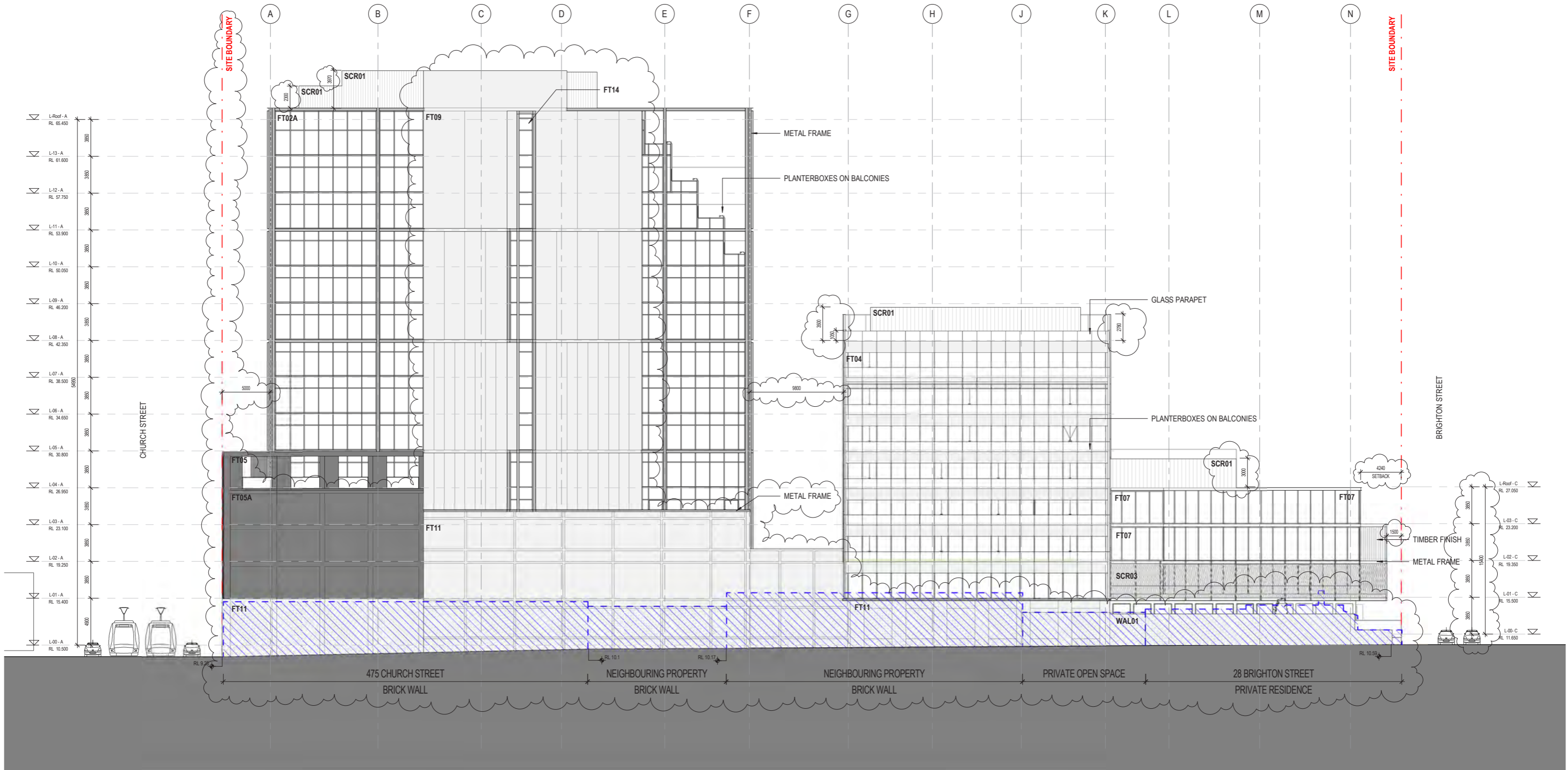
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project  
459-471 Church Street, Richmond

drawing  
Site Elevation (North)

drawing no. DA2001  
issue C

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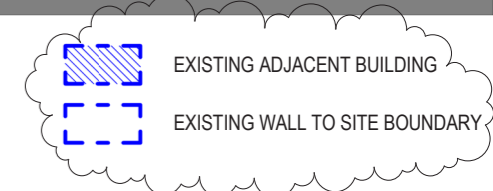
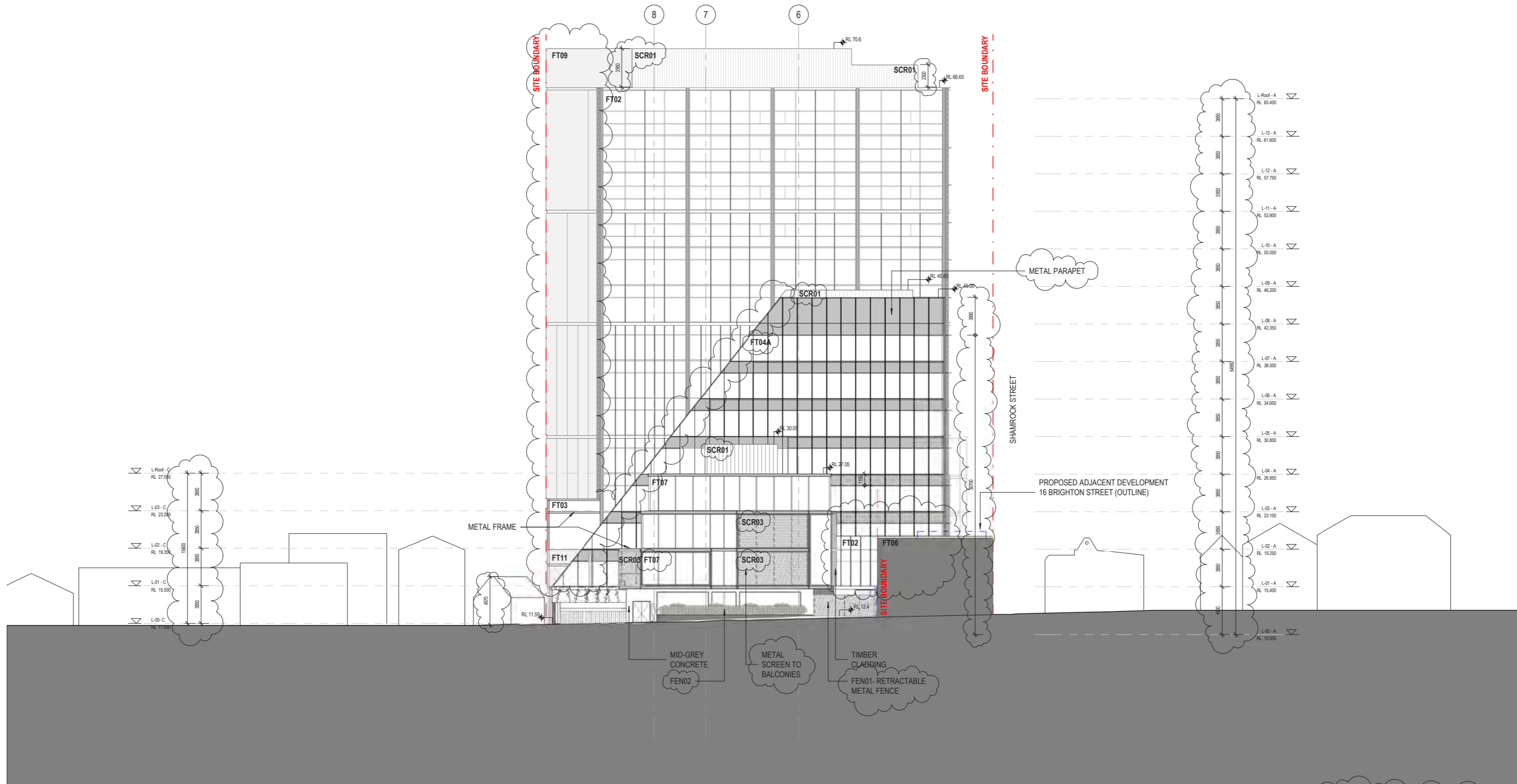
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drawing  
Site Elevation (South)

drawing no. DA2002 issue C

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Nominated Architect  
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issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018

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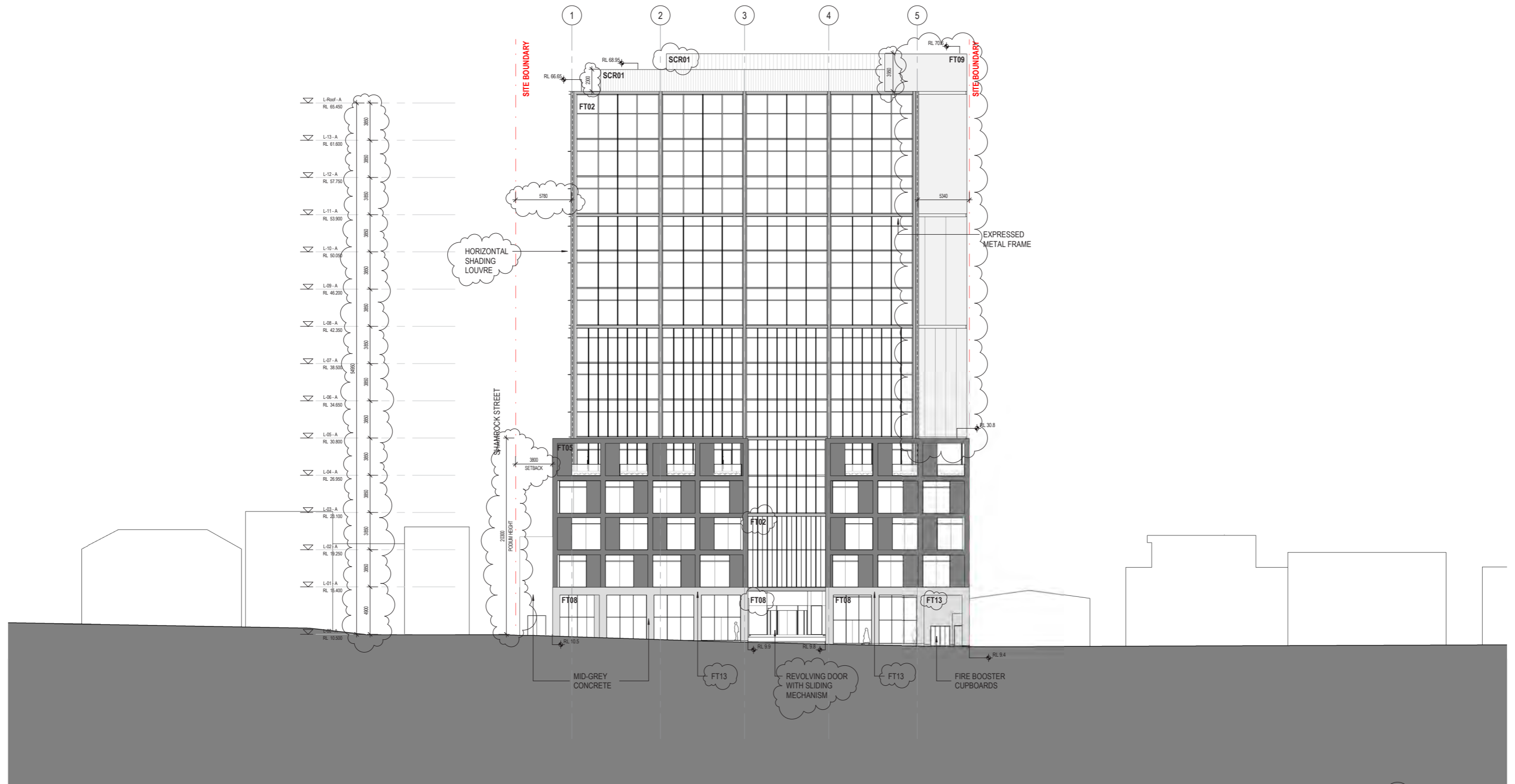
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Auckland  
Christchurch  
Brisbane



checked AH scale As indicated@A1  
drawn LL project no 170358.00

project  
459-471 Church Street, Richmond

drawing  
Site Elevation (East)

drawing no. DA2003  
issue C



 EXISTING ADJACENT BUILDING  
 EXISTING WALL TO SITE BOUNDARY

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Nominated Architect  
Ray Brown, NSWARB 6359



issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018

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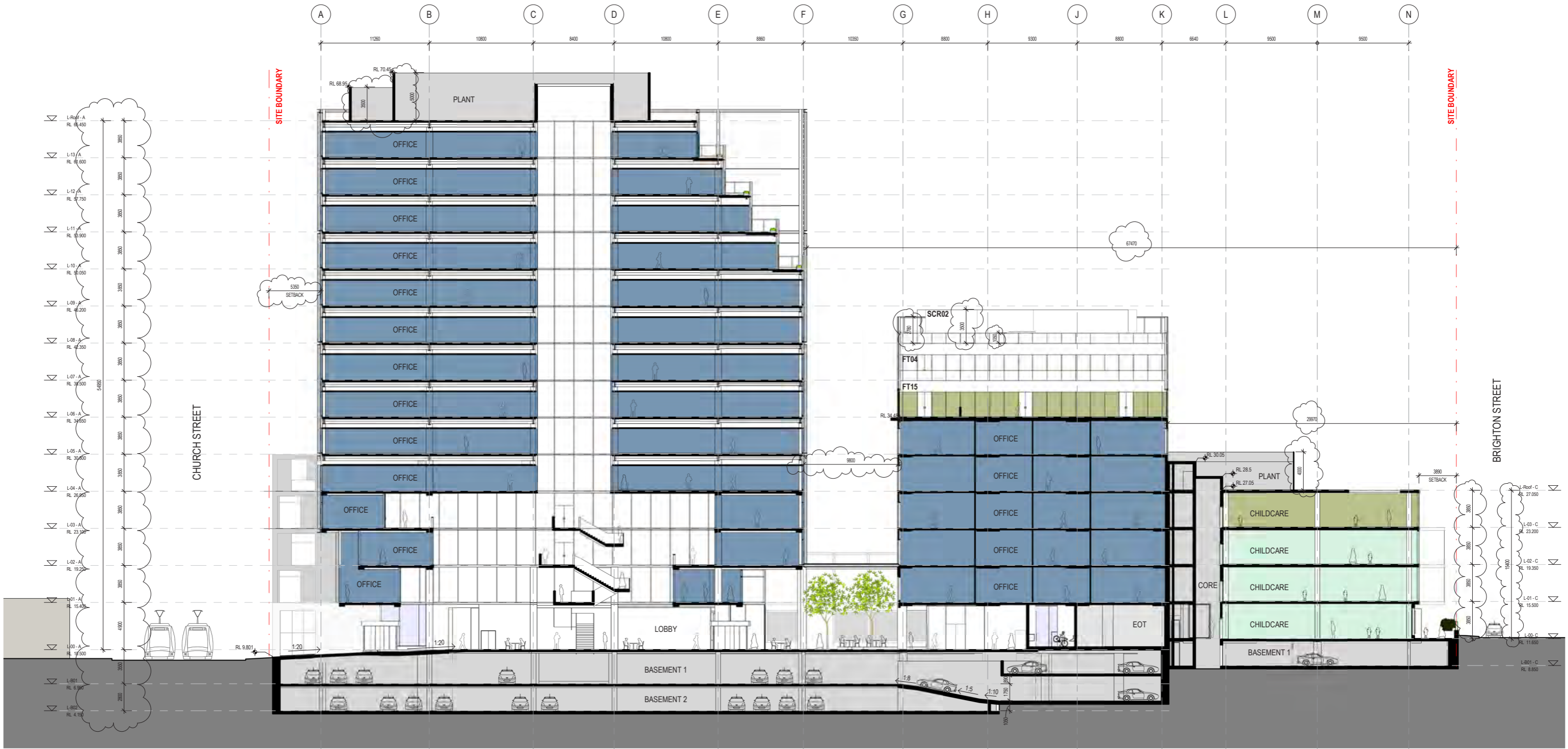
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drawn	LL	project no	170358.00

project  
459-471 Church Street, Richmond

drawing  
Site Elevation (West)

drawing no.	issue
DA2004	C





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Nominated Architect  
Ray Brown, NSWARB 6359



issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018

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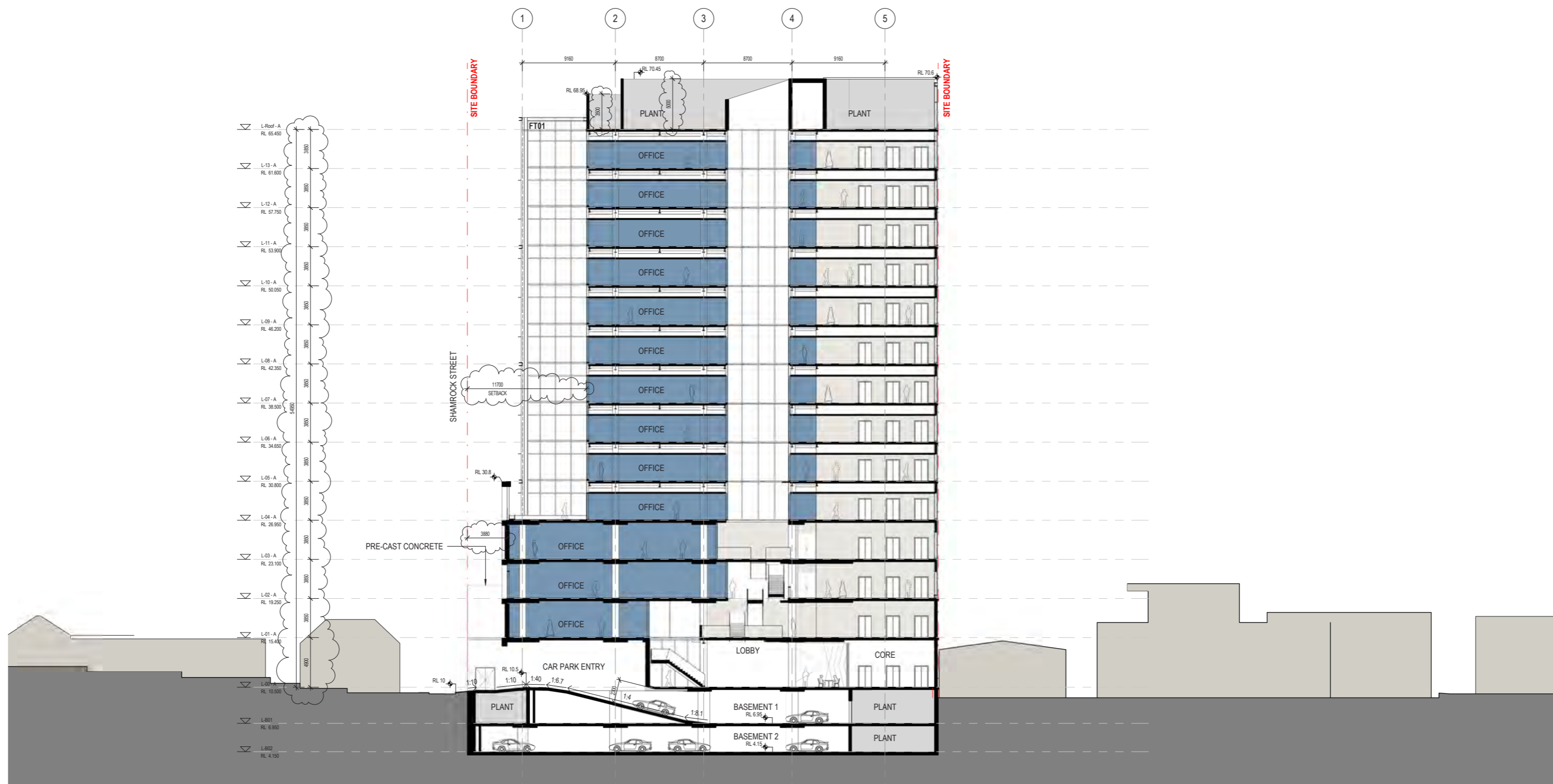
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project  
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drawing  
Section - A-A

drawing no. DA2101  
issue C

07-Jun-18 4:45:57 PM



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issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018

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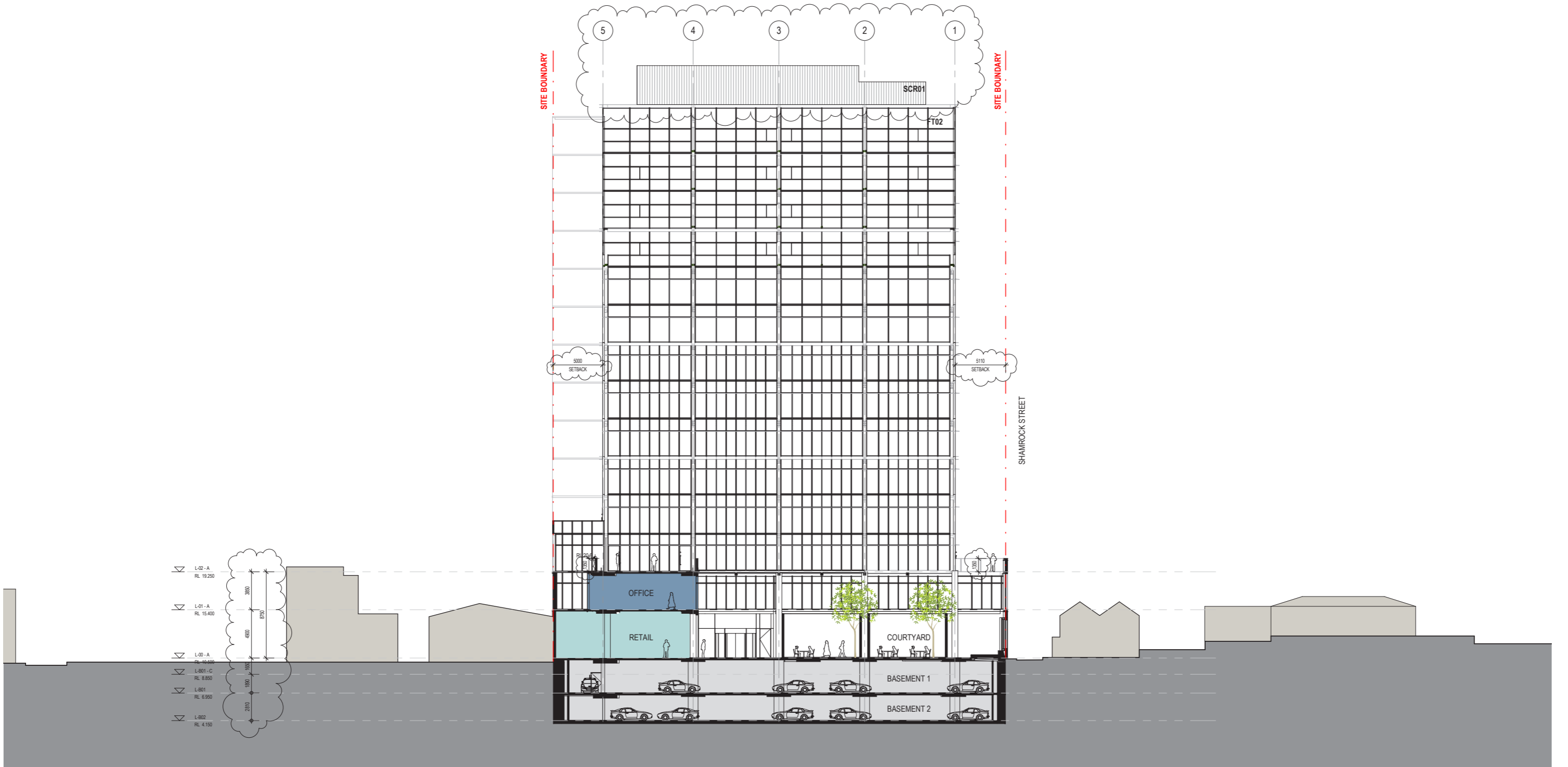
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drawn ADS project no 170358.00

project 459-471 Church Street, Richmond

drawing Section - B-B

drawing no. **DA2102** issue **C**



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Nominated Architect  
Ray Brown, NSWARB 6359



issue	amendment	date
A	TP DRAFT ISSUE	27.04.2018
B	TP ISSUE	04.05.2018
C	TP RFI RESPONSE	07.06.2018

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checked	AH	scale	1 : 200@A1
drawn	ADS	project no	170358.00

project  
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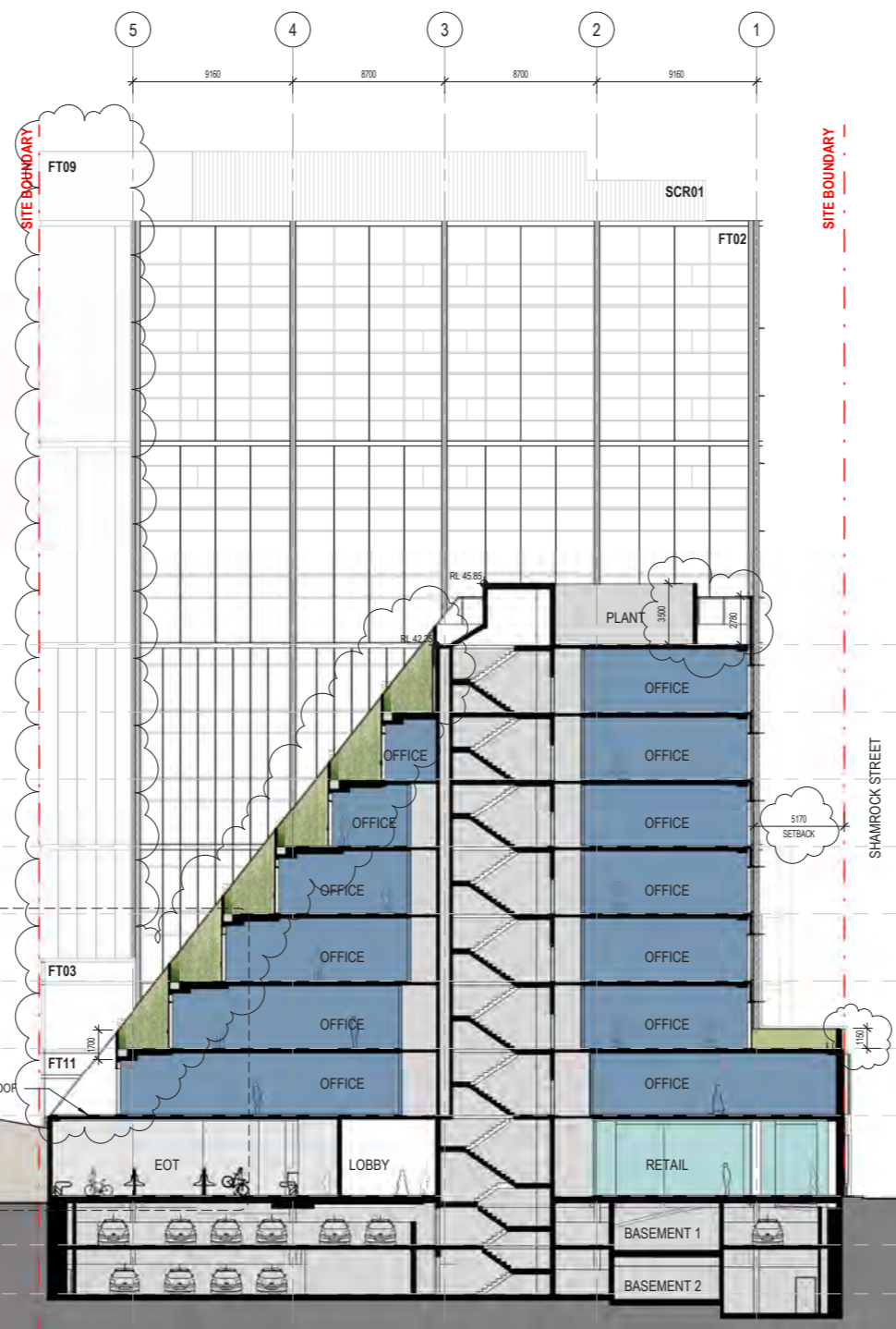
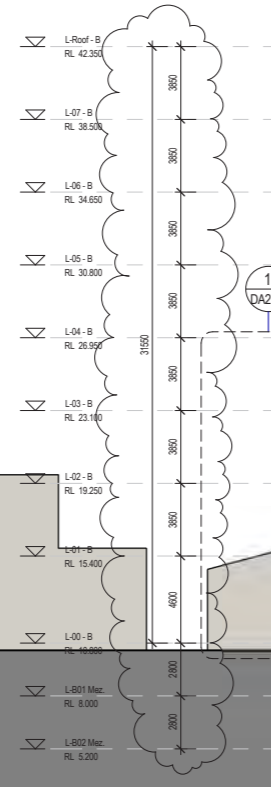
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Section - C-C

drawing no.  
**DA2103**

issue  
**C**



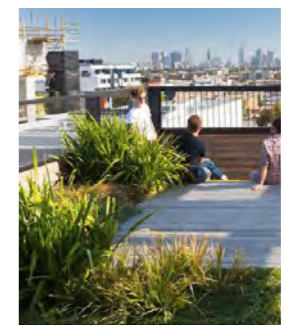
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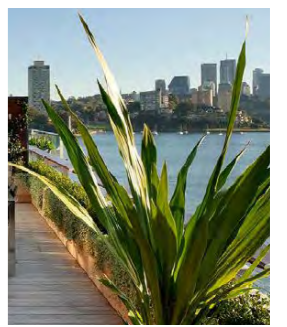
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Jasminoides*



*Miscanthus sp.*



*Dietes gransiflora  
Dianella tasmanica  
Dichondra repens*



*Miscanthus sp. Doryanthes palmeri*

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A	TP DRAFT ISSUE	27.04.2018
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C	TP RFI RESPONSE	07.06.2018

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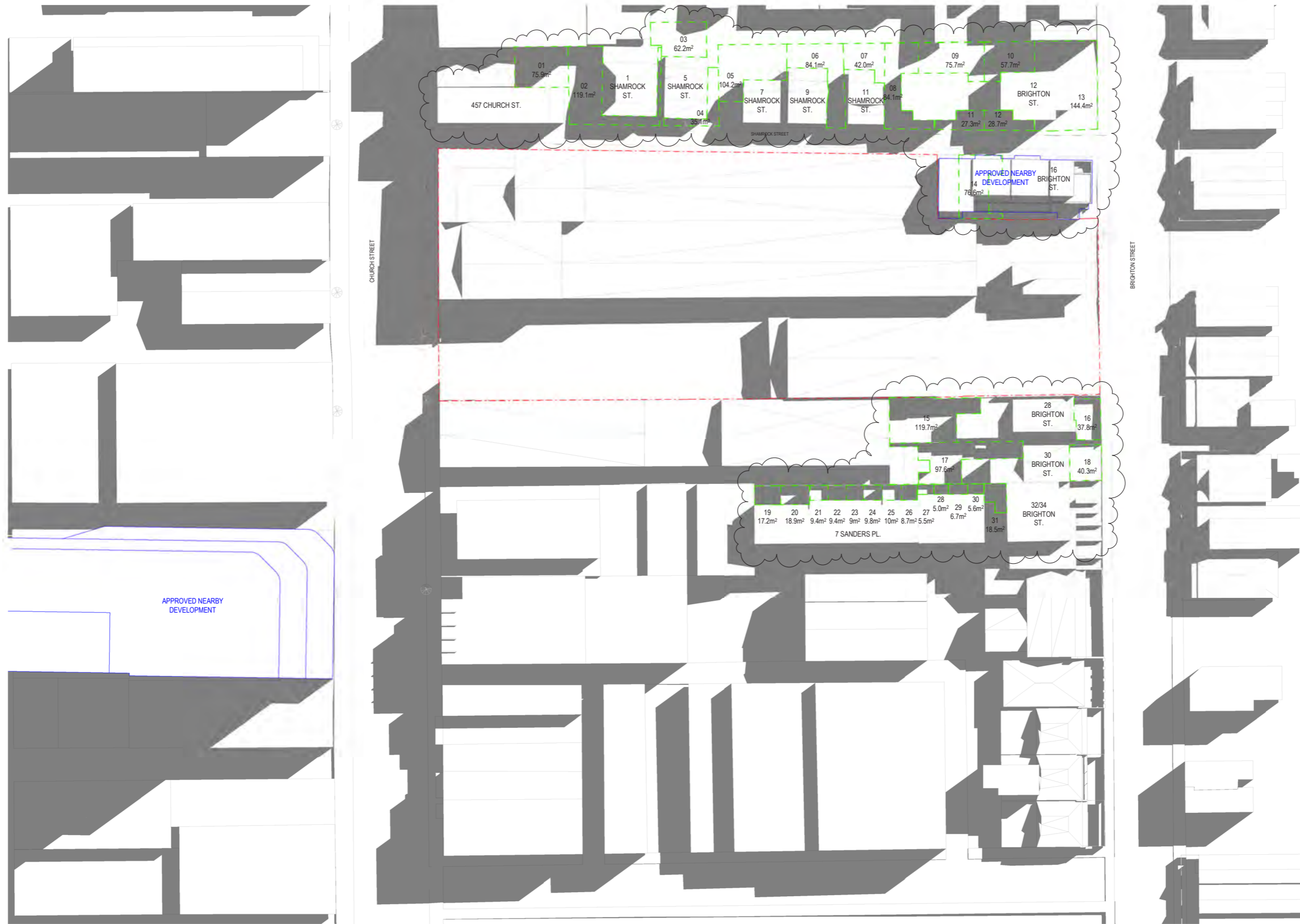
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project  
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drawing  
Section - D-D

drawing no. DA2104  
issue C

6/7/2018 7:16:35 PM



1 ShadowStudy\_0900\_Existing\_22 Sep  
SCALE: 1:400

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issue	amendment	date
A	TP ISSUE	04.05.2018
B	Revised Shadow Studies	31.05.2018
C	TP RFI RESPONSE	07.06.2018

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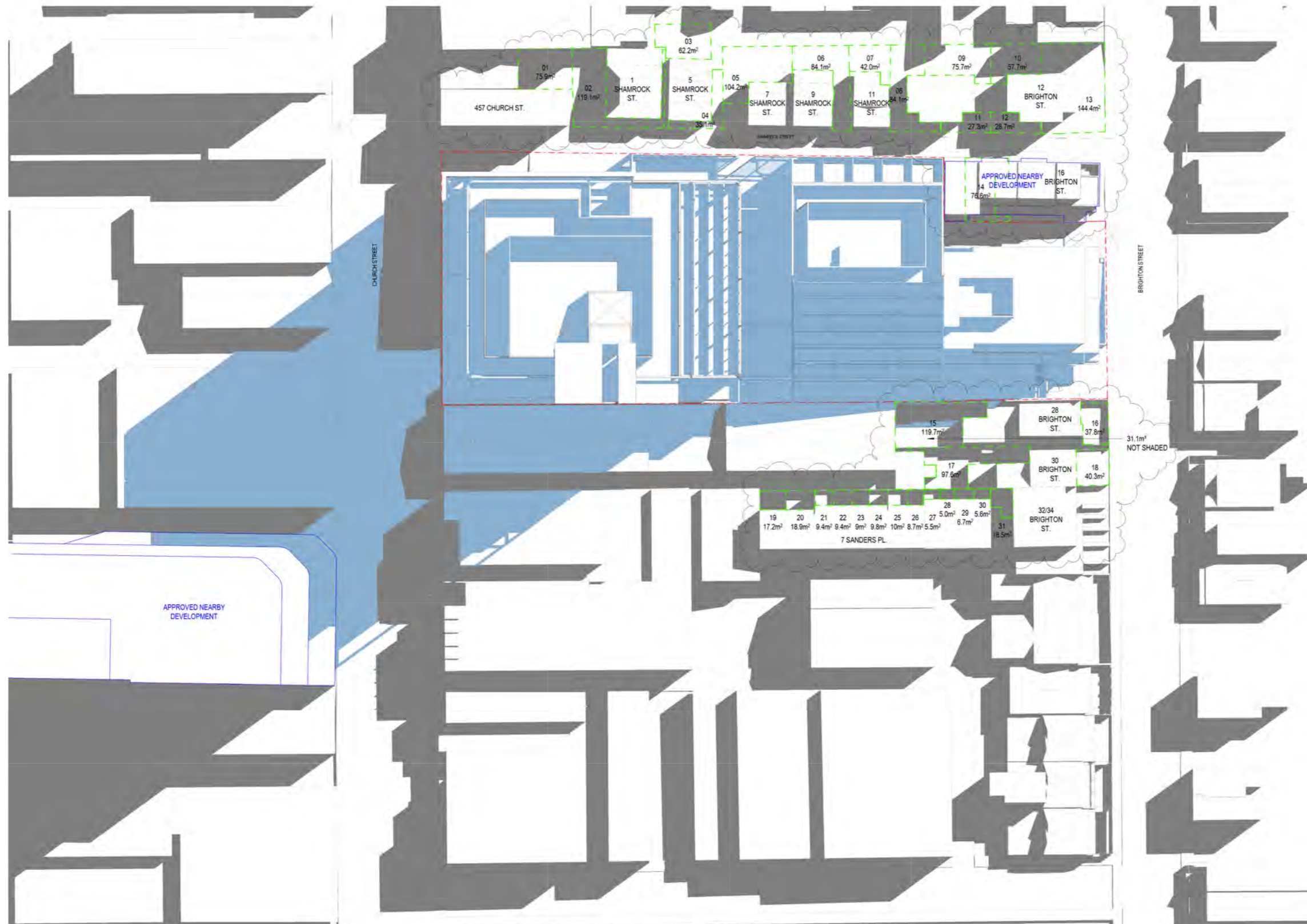
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project  
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drawing  
Shadow Studies 1

drawing no. DA2201 issue C

6/7/2018 2:29:25 PM



SHADOW STUDIES COMPARISON - 09:00AM				
NO.	PRIVATE OPEN SPACE AREA (m <sup>2</sup> )	EXISTING SHADOW (%)	NEW SHADOW (%)	CHANGES (%)
15	119.7	65.7%	74.0%	8.3%

1 ShadowStudy\_0900\_Proposed\_22 Sep  
SCALE 1:400

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issue	amendment	date
A	TP ISSUE	04.05.2018
B	Revised Shadow Studies	31.05.2018
C	TP RFI RESPONSE	07.06.2018

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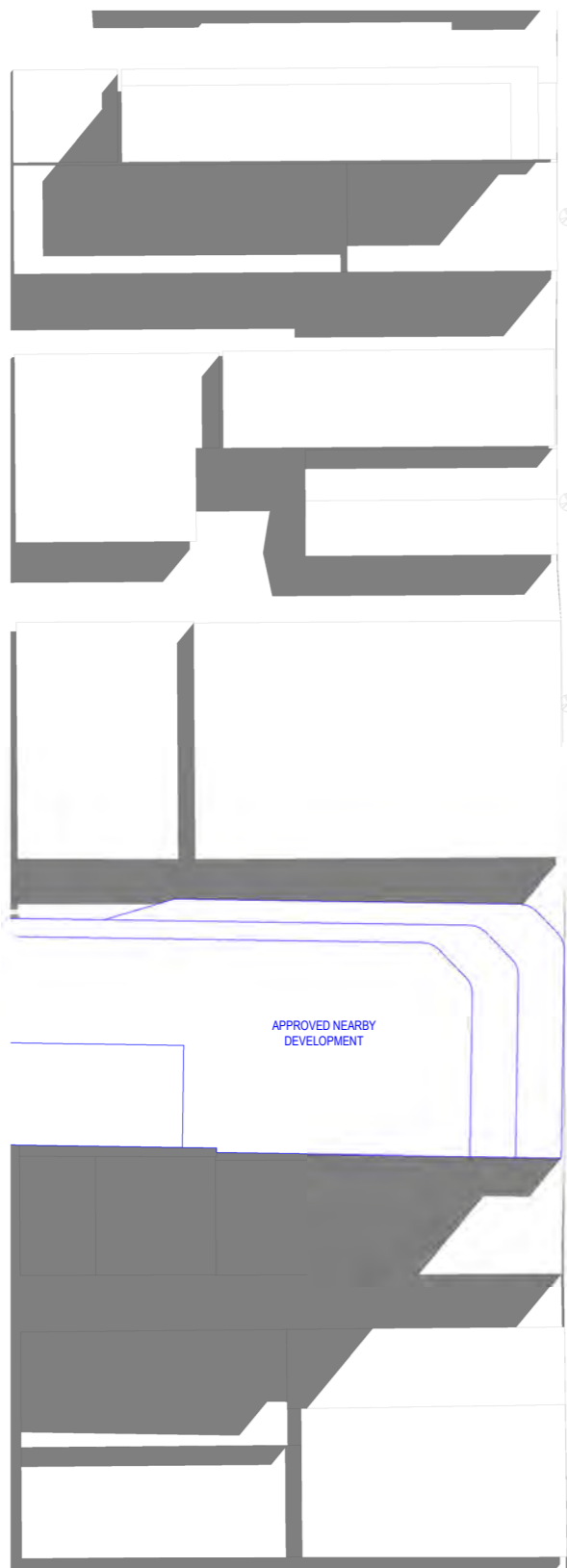
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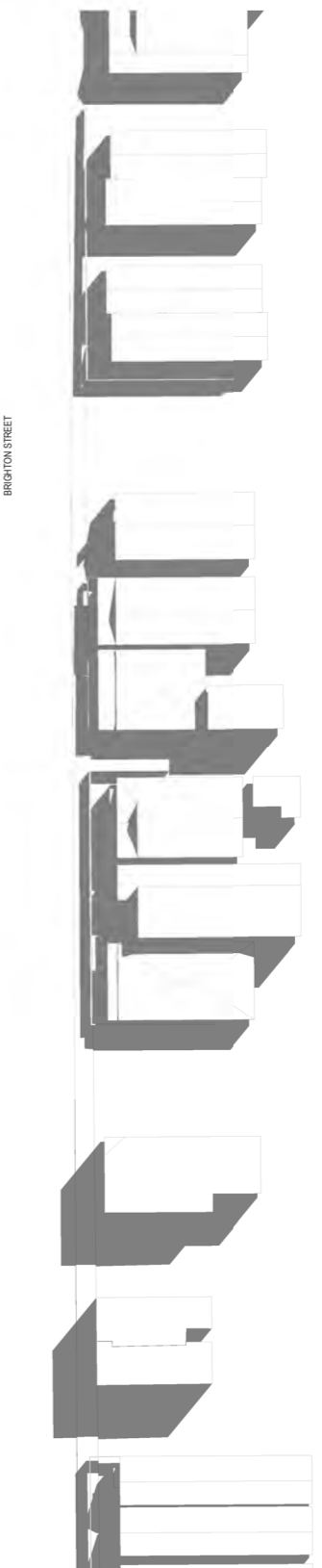
drawing  
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drawing no. DA2202 issue C

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1 ShadowStudy\_1000\_Existing\_22 Sep  
SCALE: 1:400



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issue	amendment	date
A	TP ISSUE	04.05.2018
B	Revised Shadow Studies	31.05.2018
C	TP RFI RESPONSE	07.06.2018

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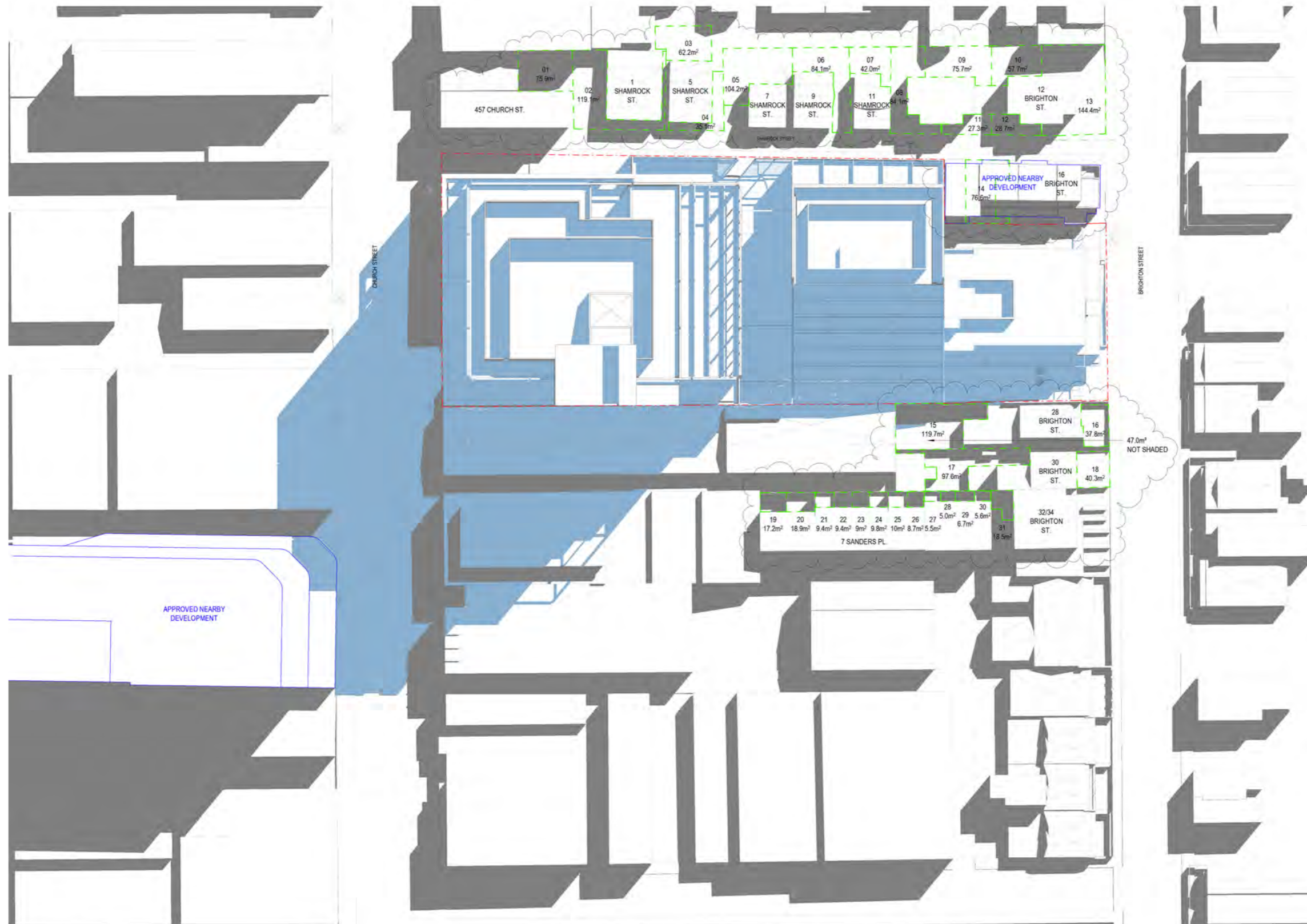
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project  
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drawing  
Shadow Studies 3

drawing no. DA2203  
issue C

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SHADOW STUDIES COMPARISON - 10:00AM				
NO.	PRIVATE OPEN SPACE AREA (m <sup>2</sup> )	EXISTING SHADOW (%)	NEW SHADOW (%)	CHANGES (%)
15	119.7	57.2%	60.7%	3.5%

1 ShadowStudy\_1000\_Proposed\_22 Sep  
SCALE 1:400

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issue	amendment	date
A	TP ISSUE	04.05.2018
B	Revised Shadow Studies	31.05.2018
C	TP RFI RESPONSE	07.06.2018

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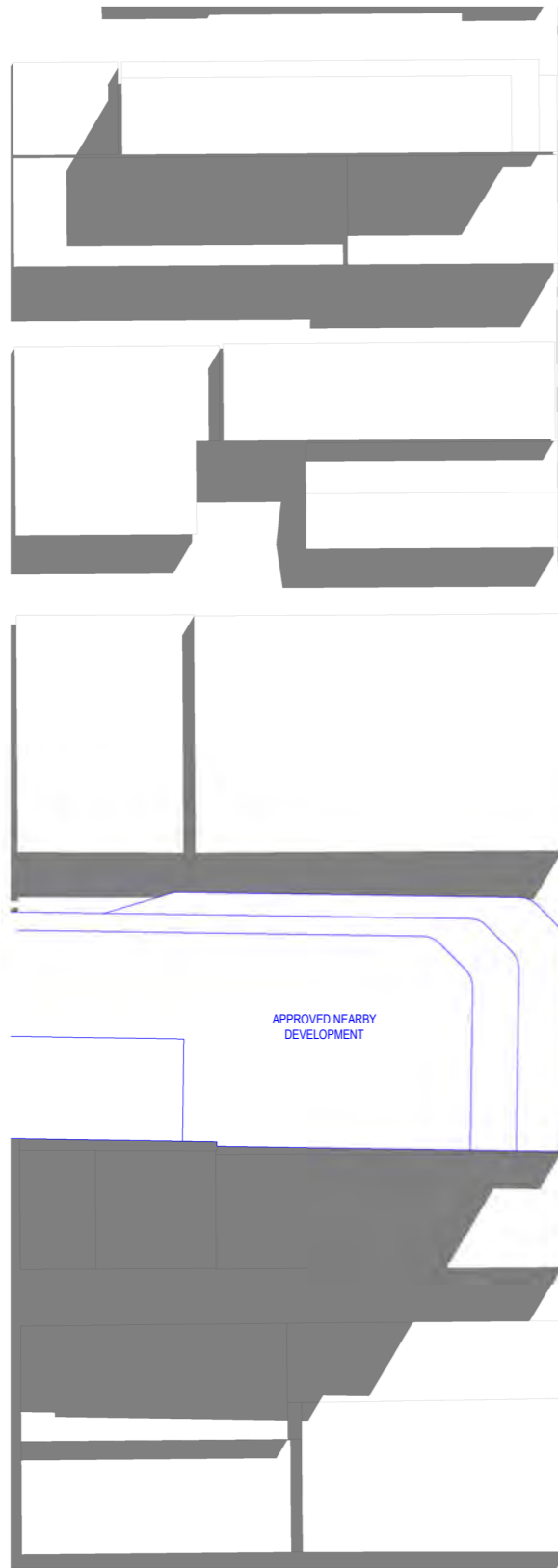
project  
 459-471 Church Street, Richmond

drawing  
 Shadow Studies 4

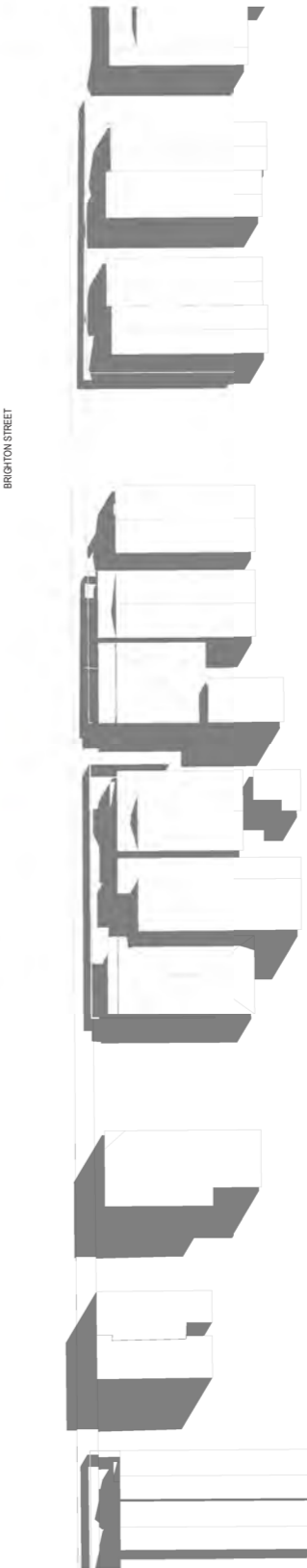
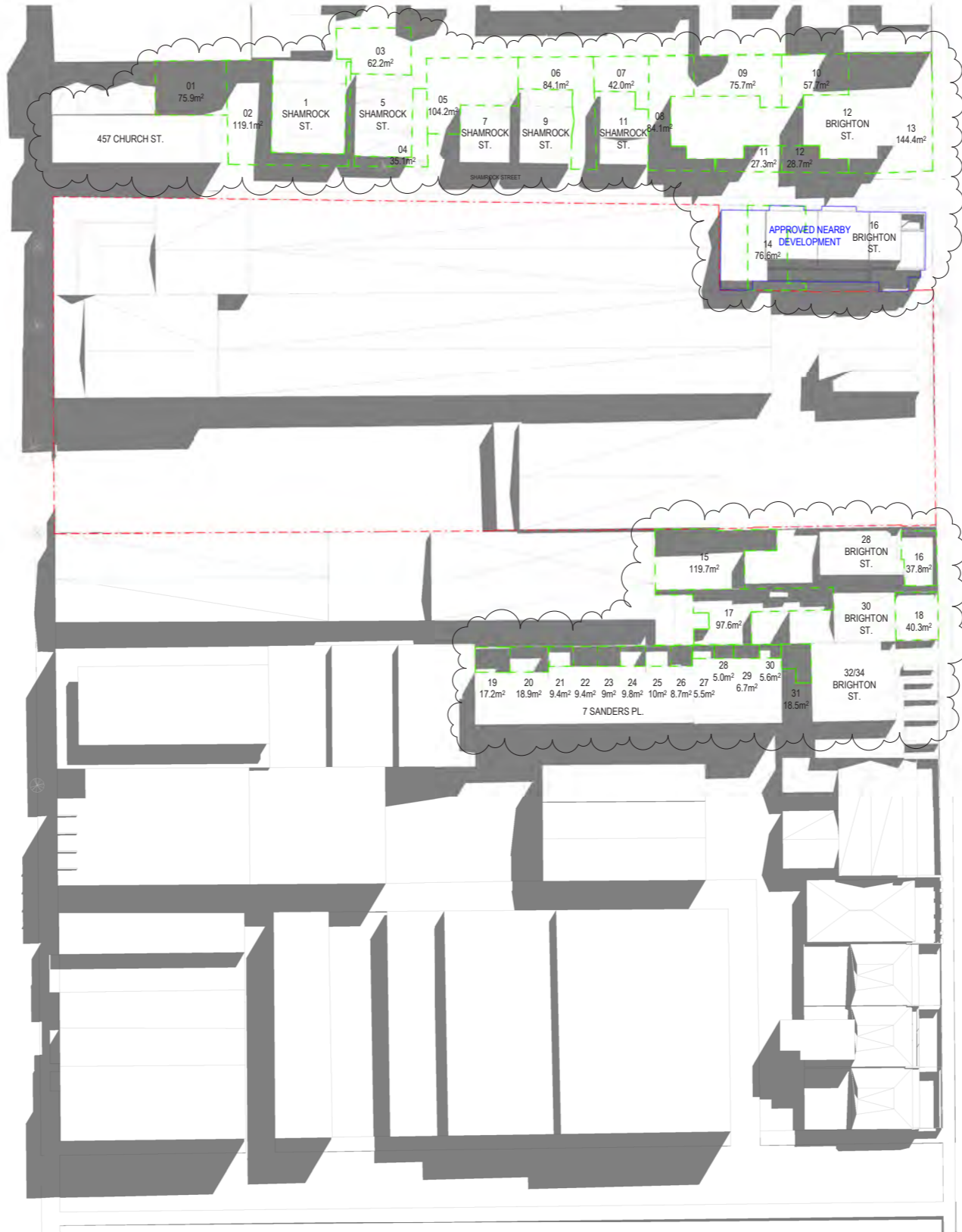
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1 ShadowStudy\_1030\_Existing\_22 Sep  
SCALE: 1:400



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issue	amendment	date
A	Revised Shadow Studies	31.05.2018
B	TP RFI RESPONSE	07.06.2018

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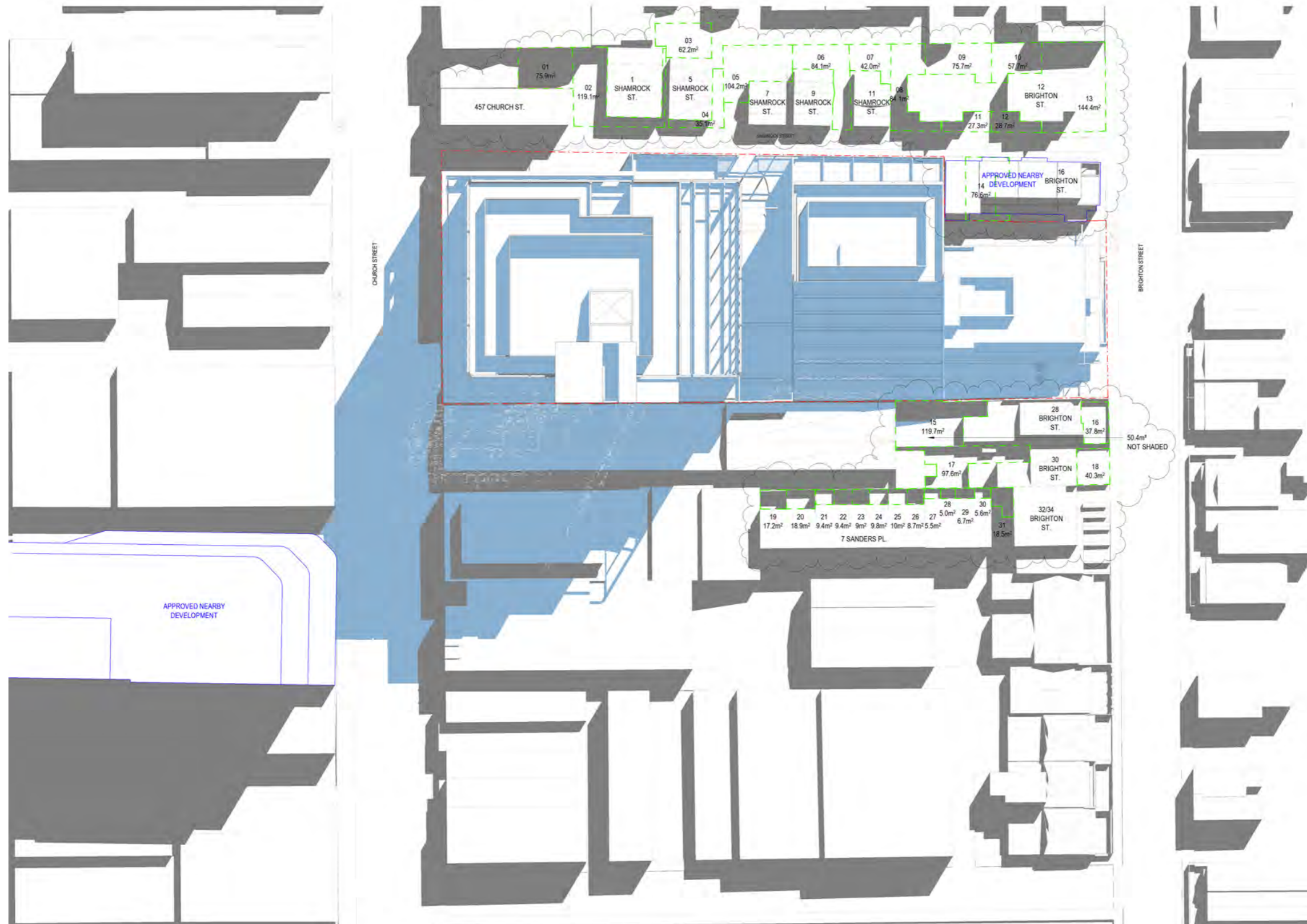
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drawn TH project no 170358.00

DA2205 B

6/7/2018 2:30:14 PM

SHADOW STUDIES COMPARISON - 10:30AM				
NO.	PRIVATE OPEN SPACE AREA (m <sup>2</sup> )	EXISTING SHADOW (%)	NEW SHADOW (%)	CHANGES (%)
15	119.7	54.1%	57.9%	3.8%



1 ShadowStudy\_1030\_Proposed\_22 Sep  
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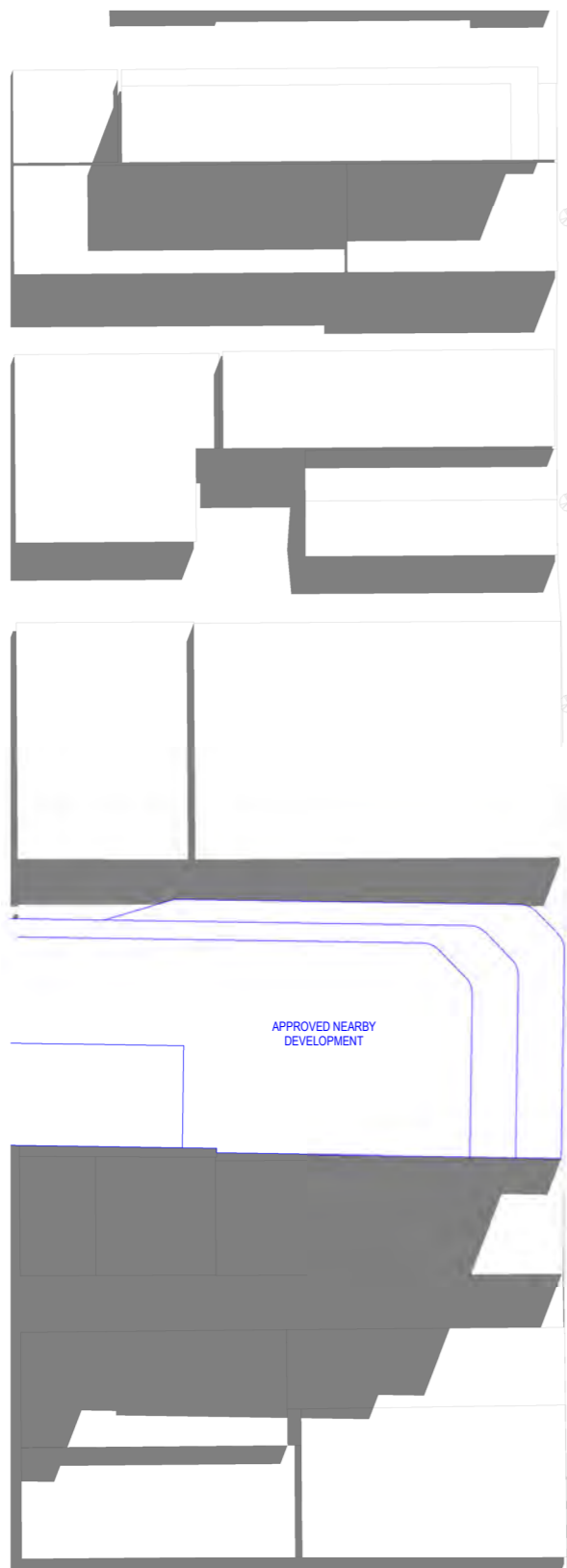
issue	amendment	date
A	Revised Shadow Studies	31.05.2018
B	TP RFI RESPONSE	07.06.2018

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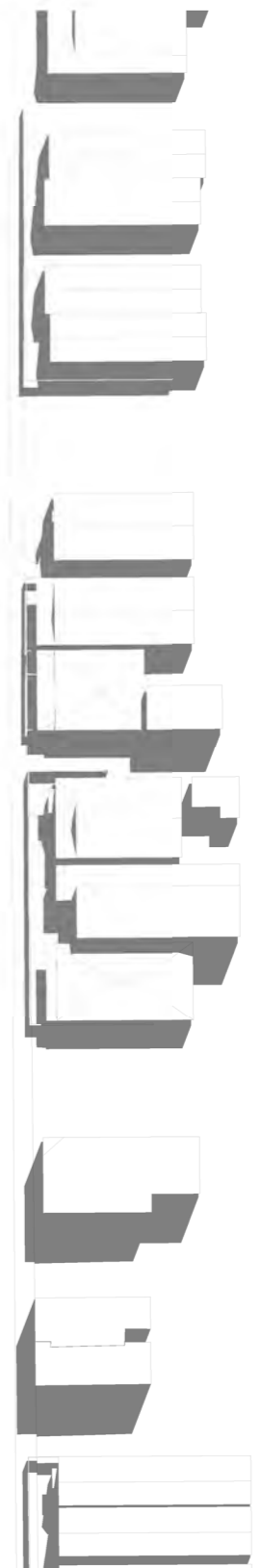
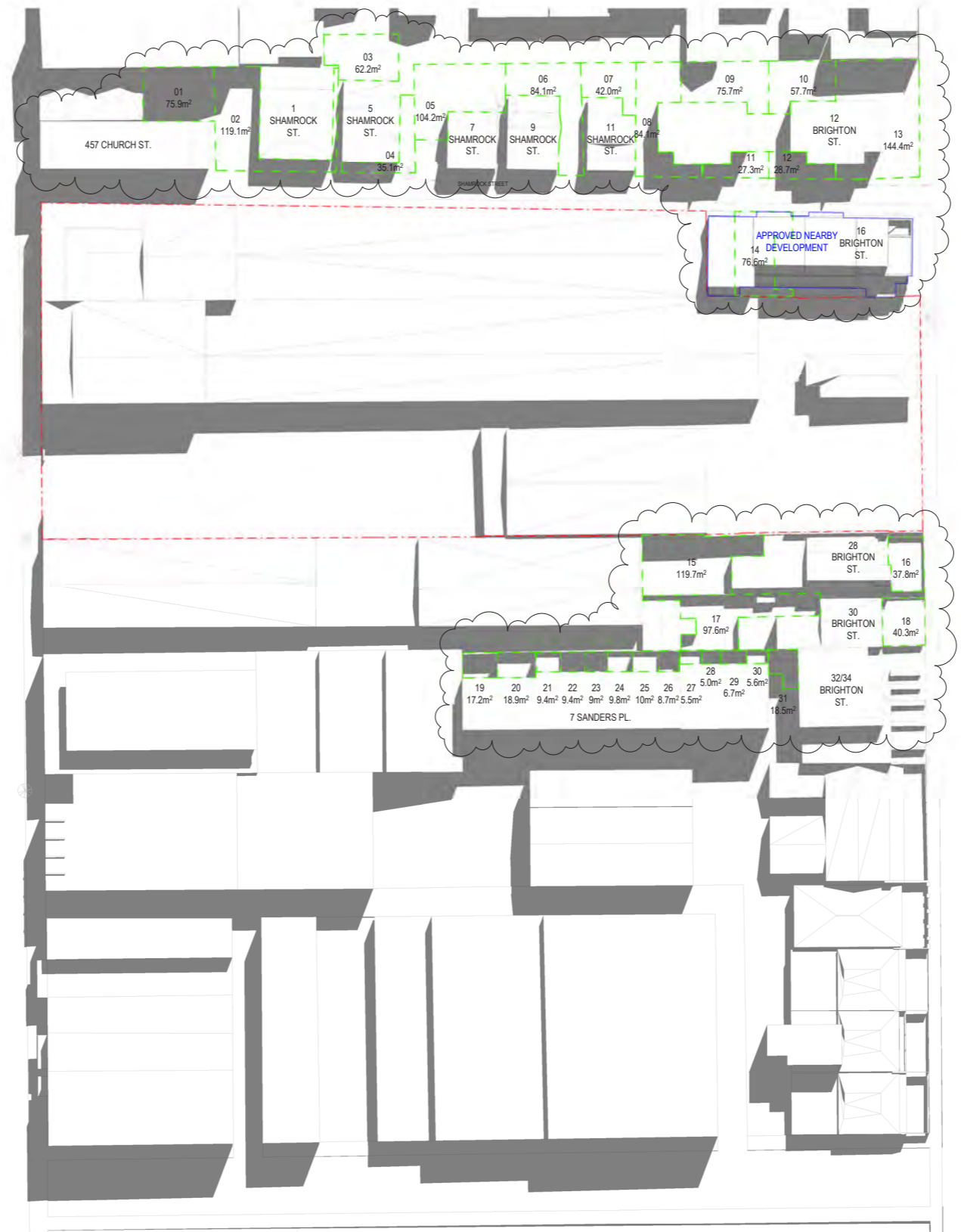
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project  
 459-471 Church Street, Richmond  
 drawing  
 Shadow Studies 6  
 drawing no. issue  
 DA2206 B



1 ShadowStudy\_1100\_Existing\_22 Sep  
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Nominated Architect  
Ray Brown, NSWARB 6359



issue	amendment	date
A	Revised Shadow Studies	31.05.2018
B	TP RFI RESPONSE	07.06.2018

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drawn	TH	project no	170358.00

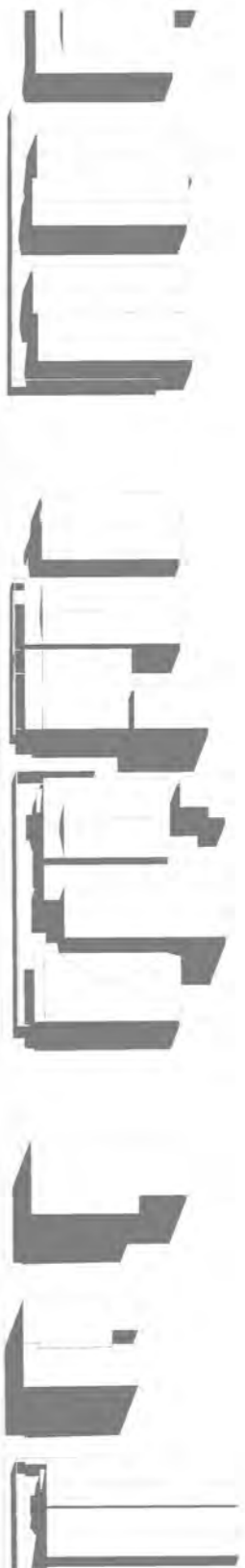
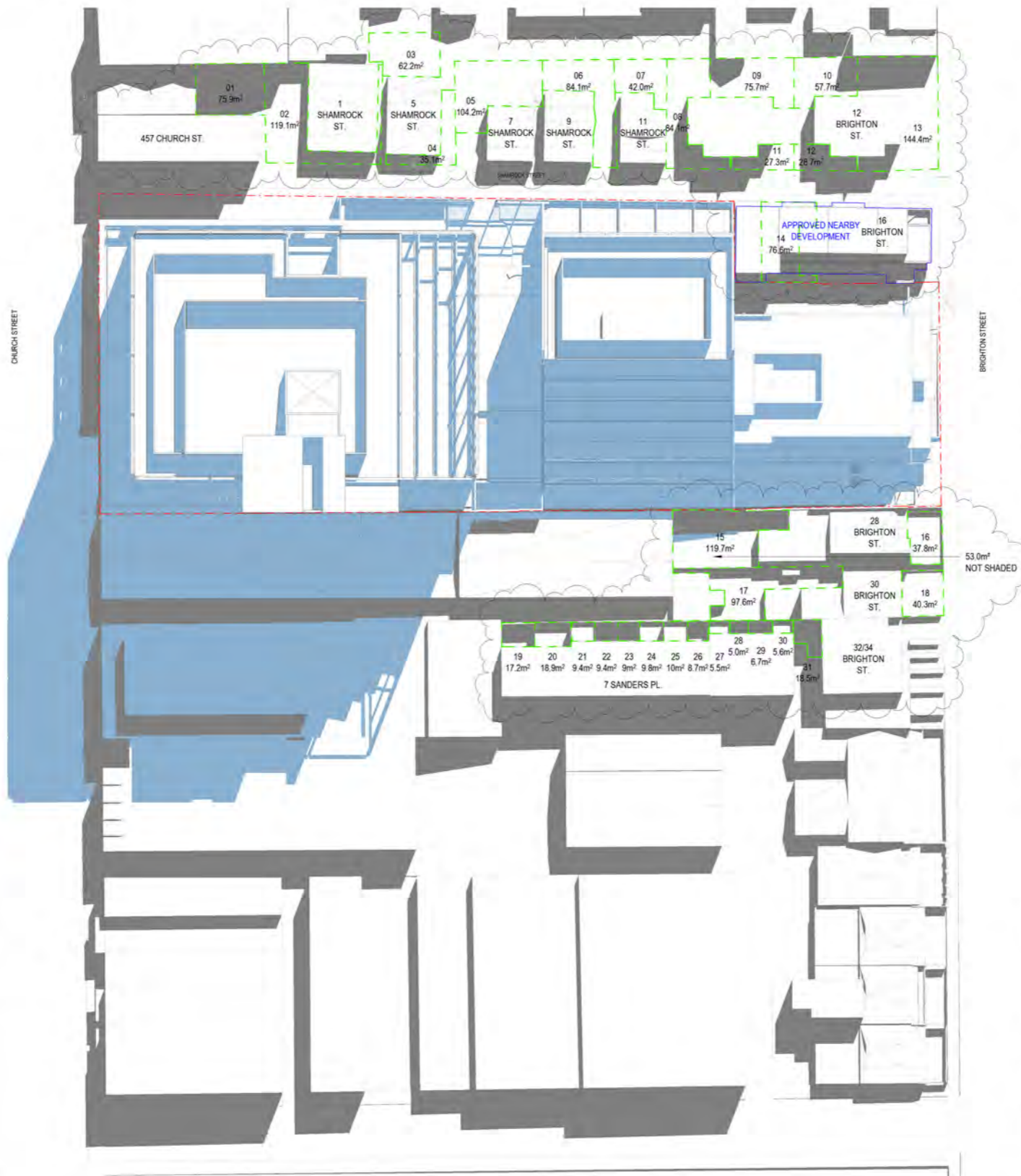
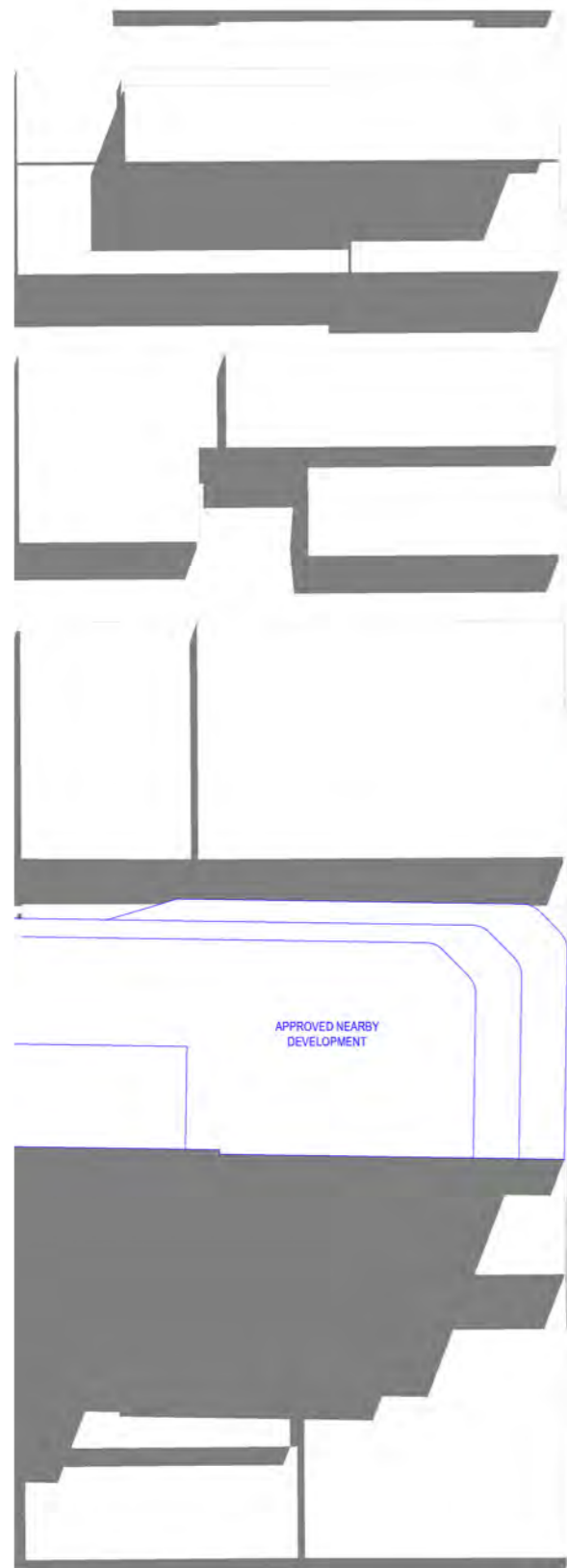
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drawing  
Shadow Studies 7

drawing no.  
DA2207

issue  
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SHADOW STUDIES COMPARISON - 11:00AM				
NO.	PRIVATE OPEN SPACE AREA (m <sup>2</sup> )	EXISTING SHADOW (%)	NEW SHADOW (%)	CHANGES (%)
15	119.7	51.0%	55.7%	4.7%

1 ShadowStudy\_1100\_Proposed\_22 Sep  
SCALE 1:400

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 PRIVATE OPEN SPACE

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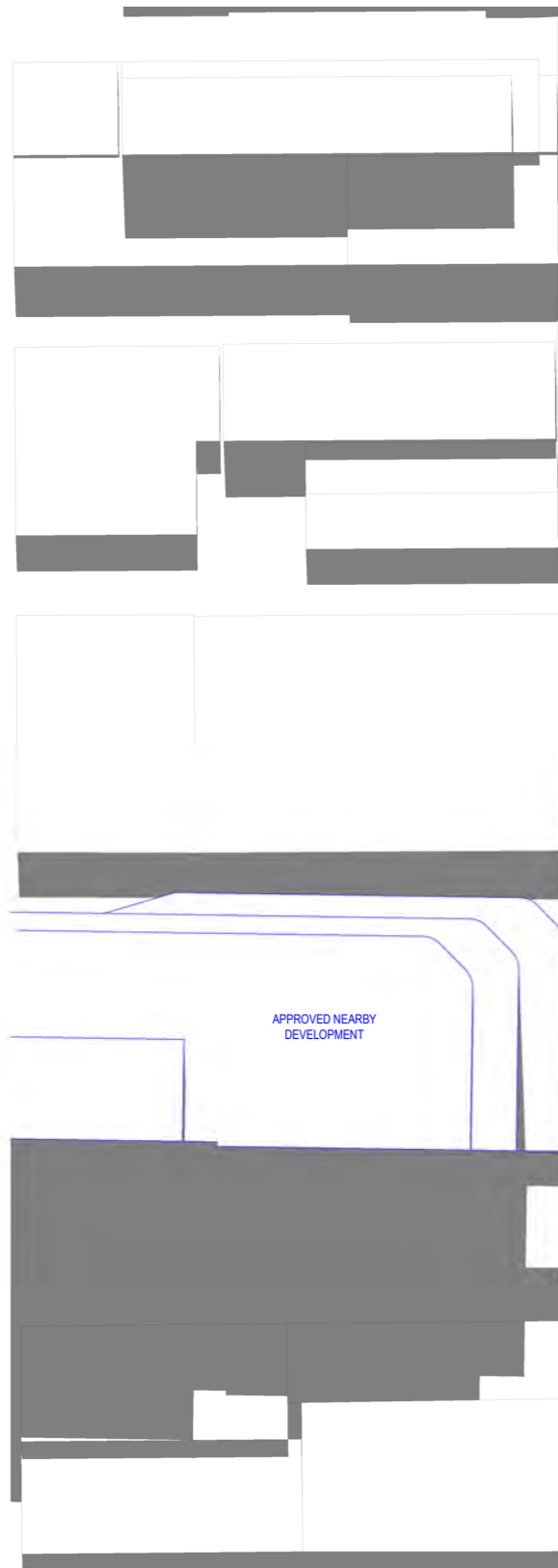
issue	amendment	date
A	Revised Shadow Studies	31.05.2018
B	TP RFI RESPONSE	07.06.2018

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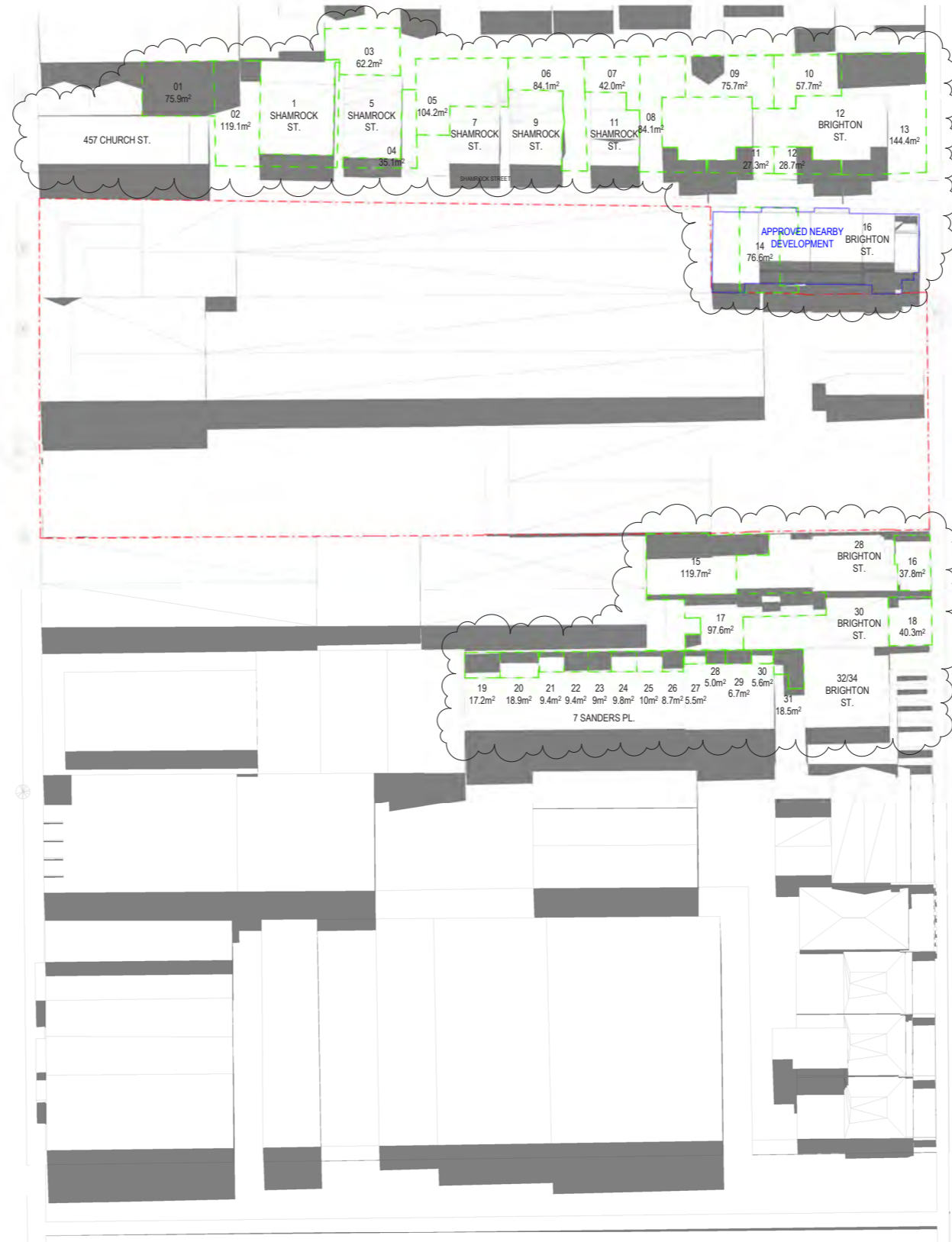
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 drawn TH project no 170358.00

project  
 459-471 Church Street, Richmond  
 drawing  
 Shadow Studies 8  
 drawing no.  
 DA2208  
 issue  
 B



1 ShadowStudy\_1200\_Existing\_22 Sep  
SCALE: 1:400



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A	Revised Shadow Studies	31.05.2018
B	TP RFI RESPONSE	07.06.2018

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drawing  
Shadow Studies 9

drawing no. DA2209 issue B