



Ordinary Meeting of Council Agenda

**to be held on Tuesday 22 May 2018 at 7.00pm
Richmond Town Hall**

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

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

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Order of business

- 1. Statement of recognition of Wurundjeri Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Petitions and joint letters**
- 7. Public question time**
- 8. General business**
- 9. Delegates' reports**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. Urgent business**

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

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

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

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

Council officers

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

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

4. Confidential business reports

Nil

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 8 May 2018 be confirmed.

6. Petitions and joint letters

7. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

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

- state your name clearly for the record;
- direct your questions to the chairperson;
- ask a maximum of two questions;
- speak for a maximum of five minutes;
- refrain from repeating questions that have been asked previously by yourself or others; and
- remain silent following your question unless called upon by the chairperson to make further comment or to clarify any aspects.

8. General business

9. Delegates' reports

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	Amendment C225 - 351 Church Street Richmond - considering submissions	6	15	David Walmsley - Manager City Strategy
11.2	Open Data Policy	73	75	Margherita Barbante - Manager Information Services
11.3	Proposed Discontinuance of Road adjacent to 506-510 Church Street, Cremorne	80	82	Graham Wilsdon - Procurement Coordinator
11.4	Supplementary Report on Assemblies of Councillors	89	90	Ivan Gilbert - Executive Manager - Chief Executive's Office

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

Public submissions procedure

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

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

12. Notices of motion

Item		Page	Rec. Page	Report Presenter
12.1	Notice of Motion No 6 of 2018 - Submission re Planning Application 701 Park Street Brunswick	99	99	Cr Mike McEvoy - Councillor

13. Urgent business

Nil

11.1 Amendment C225 - 351 Church Street Richmond - considering submissions

Trim Record Number: D18/53997

Responsible Officer: Senior Coordinator Strategic Planning

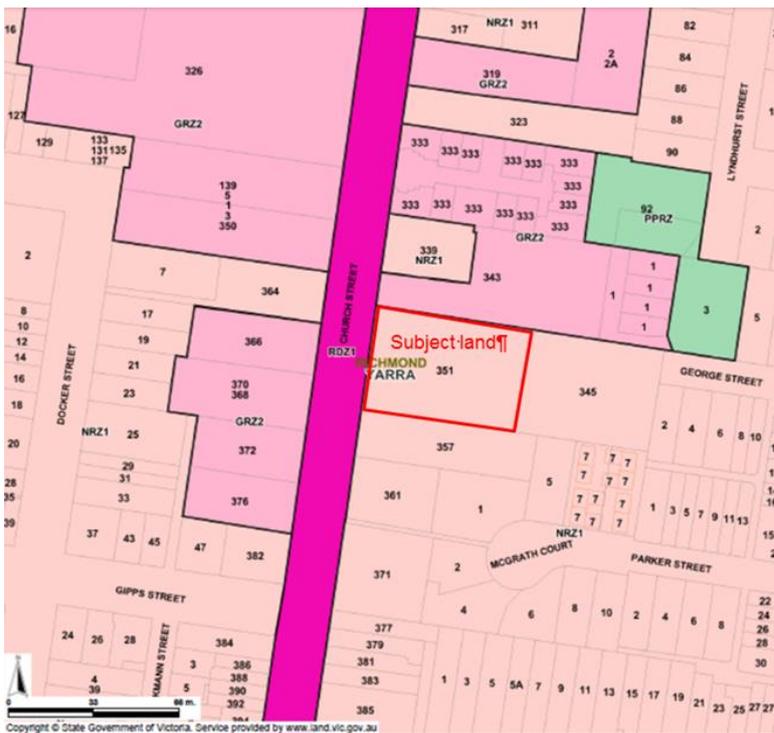
Purpose

1. The purpose of this report is to outline submissions responding to the proposed Amendment C225. Council must decide whether to agree to or resolve the submissions, or refer them and the Amendment to an Independent Panel for review.
2. The Amendment uses Clause 52.03 of the Yarra Planning Scheme to introduce an Incorporated Document to allow a particular development as shown in the plans specified in the Incorporated Document. The proposed development at 351-353 Church Street, Richmond is a 5 storey purpose-built residential aged care facility, operated by Mecwacare, a not for profit agency. The amendment would create an exemption from the mandatory 9m height control in the Neighbourhood Residential Zone which applies to the land.

Background

Amendment Request

3. Council received an amendment request from Urbis Pty Ltd on behalf of Mecwacare on 3 November 2016. Mecwacare is a not-for-profit aged care provider that currently operates the ‘Rositano House’ facility at 273 Church Street, Richmond, providing 30 residential places. The facility, currently being refurbished, has a long waiting list of people requesting the support of its services. The residents of Rositano are from a long term “old Richmond”, or CALD or LGBTI background. All are from backgrounds of disadvantage, most have mental illness and alcohol or drug related disorders or dementia. Most residents are in transition through the palliative care phase of life.
4. On 29 April 2016, the Australian Government Department of Health granted Mecwacare the provisional allocation of 100 places to provide residential aged care services at 351-353 Church Street, Richmond.
5. The land is on the east side of Church Street, Richmond, just south of St Ignatius church.



6. The area includes a mix of 19th Century detached and terrace housing, more recent multi-dwelling development and some institutional and specialised accommodation – 357 and 345 Church Street are both short term accommodation. The land is currently occupied by a residential hotel.
7. Building heights in the immediate area range from single and 2 storey to a 7 storey building at the rear of the subject land (345 Church Street).
8. The amendment would create an exemption from the mandatory 9m height control in the Neighbourhood Residential Zone which applies to the land. This is done using Clause 52.03 of the Yarra Planning Scheme. The Amendment would introduce a proposed Incorporated Document (Attachment 1), which would allow a particular development as shown in the architects plans specified in the Incorporated Document (see Attachment 2).
9. The Incorporated Document would operate like a planning permit, allowing the proposed development subject to a range of conditions. If the purpose-built multi-level residential aged care facility, as set out in the Incorporated Document, is not constructed then the underlying zoning controls would apply to any other development.
10. The land is in Heritage Overlay - HO315 - 'Church Street Precinct, Richmond'. A pair of individually significant terrace houses is located on the subject land close to the Church Street frontage and will to be retained as part of the proposed redevelopment. The 2 terraces were consolidated in 1917 to provide accommodation for the YWCA.

Assessment of the proposal – before exhibition

11. Council officers' initial assessment considered urban design issues (building bulk, height, off-site and internal amenity impacts) and heritage. Expert advice was sought in relation to urban design and heritage impacts. This resulted in significant changes between December 2016 and November 2017. The changes resulted in:
 - an overall reduction in the scale of the residential aged care facility to 79 rooms
 - greater upper level set-backs
 - alterations to the design and appearance of the new five storey building.
12. The overall building height did not change significantly through the revisions. The height is 5 storeys including the ground floor, plus roof top plant facilities. The height of the new building at the rear of the heritage buildings ranges from 18.3m near the existing terraces to 20.3m plus 2.6m for the plant room on the roof at the rear. The height above ground level increases towards the rear, eastern end of the land because the land slopes down from Church Street to the rear boundary.
13. The strategic justification for the Amendment is based on the demand for and community benefit from the aged care services. This is consistent with recent VCAT decision (Brotherhood of St Laurence v Yarra CC [2016] VCAT 1648), which used the concept of community benefit to justify allowing a proposal which would normally not meet some Planning Scheme requirements or policies. Further discussion is outlined in a separate section below. The primary impacts of the development, and aspects which would not normally meet Planning Scheme requirements were heritage and urban design issues.

Heritage

14. The Amendment application included a 'Heritage Appraisal: Richmond Hill Hotel, 351-353 Church Street, Richmond' (October 2016) and subsequently Heritage Impact Statement entitled 'Richmond Hill Hotel' prepared by Lovell Chen, Architects & Heritage Consultants (dated May 2017) (HIS). The HIS was requested by Council after a preliminary assessment of the application in December 2016.
15. In assessing the new development, the HIS notes that the proposed facility does not comply with the sight line heritage provisions in Clause 22.02 of the Yarra Planning Scheme. It goes on to consider the proposal against Clause 10.04 'Integrated Decision Making' of the Victoria Planning Provisions which seeks "...to balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations". It is in the context of broader community benefits that Lovell Chen concludes,

on balance, that the development is acceptable in heritage terms (HIS). A later Memo from Lovell Chen 7 December 2017 on the specific issue of Clause 22.02 concludes:

'In some respects, the proposal challenges the expectations of the Planning Scheme. It will be a visible addition to an 'individually significant' heritage place. That said, as far as possible, the proposed facility has been designed to defer to the heritage building fabric, through the use of a muted colour palette, simple, contemporary and interpretive architectural form and deep upper level setbacks. Critically, from a heritage perspective, the terrace will continue to be understood as mid-nineteenth century building in the Church Street streetscape.'

16. The extent of the non-compliance with Clause 22.02 is shown on plan TP20 in Attachment 2. These show the upper levels of the new building are significantly above the sight-line tests in Clause 22.02. The impact of this non-compliance is off-set by the distance from the Church Street frontage which is 33.5 metres. Expert advice to Council from GJM Heritage consultants generally concludes that the non-compliance is acceptable in the context of the large set-back and the overall design of the proposal.
17. The proposal has been assessed by GJM Heritage (Council consultants) who advised that the final revised proposal (November 2017) was acceptable from a heritage perspective, because:
 - (a) two heritage significant terrace houses on the subject land are retained;
 - (b) the massing of the new rear development is generally acceptable given the setback of the taller form from the terraces and highly variable built surroundings; and
 - (c) façade detailing and proposed matt finish colours reduce the visual prominence of the new built form.
18. A higher than normal palisade fence is proposed for security and safety reasons associated with the aged care use of the site.

Urban design

19. David Lock Associates (DLA), Council consultants, has assessed the urban design aspects of the proposal. Key issues included the compatibility of the design with the urban character of this part of Church Street, amenity impacts on adjoining sites and performance of the development measured against the relevant parts of Res-Code.

Character

20. The DLA assessment of the revised proposal indicated:

The existing character of the context consists of a number of residential buildings of varying height. In this part of Church Street there are a number of 3-4 storey buildings, which exceed the mandatory maximum height that applies to the site (in the zone). The proposed building is 5-6 storeys high, which exceeds the prevailing height of the buildings. However, the plans show that the proposed new building is setback approximately 25.8m from the front boundary, behind the existing heritage dwelling and the existing mature trees within the front setback are proposed to be retained. As a result, the existing heritage building will remain the dominant element within the streetscape.

Given that the proposed building is well set-back, its visual presence will not disrupt the existing character, when viewed from the street. Additionally, the retention of the tall canopy trees within the front setback will further ameliorate any additional height effects, when viewed from Church Street.

Off-site amenity impacts

21. The DLA assessment considered a range of impacts on the adjoining properties immediately to the north and south of the subject land (343 and 357 Church Street) and to a lesser extent to the taller building to the east at 345 Church Street (YWCA – Richmond House). These impacts relate to visual bulk, overlooking and overshadowing. The initial assessments led to a range of modifications to the design, including a sloping upper level set-back on the south

side of the development, alterations to minimise overlooking and clarification of the floor layouts and use of the adjoining buildings.

22. As a result of the changes to the design DLA are satisfied that the amenity impacts were acceptable.

Other statutory planning issues

23. The purpose and mechanisms in the Amendment work like a form of planning permit. The proposals have been assessed by internal Council officers as if it was a permit application. The issues raised with the proponent during initial assessment included: the design and quality of landscaping in the street front area between the existing terraces and Church Street, including an arborists report on existing trees, provision of bike parking and support facilities and the quality of the internal layout and design from an ESD perspective.

Community benefit

24. Assessment of community benefit relates to recent VCAT decisions including an aged care facility in Clifton Hill (*Brotherhood of St Laurence v Yarra CC* [2016] VCAT 1648). That decision points to the importance of how net community benefit is assessed and makes a very clear distinction between conventional 'for profit' aged care facilities and services like the Brotherhood which address special issues of disadvantage and disability.
25. The *Residential Aged Care - A Snapshot of Homes in the City of Yarra in 2015* (report prepared by Council officers in Aged and Disability Services) noted that there is a significant shortfall in the number of residential aged care beds to cater for growing demand in the City of Yarra. It noted that:
- (a) a major factor impacting on the provision of residential care in the inner city has been land prices coupled with the service model requiring 100 plus bed facilities;
 - (b) City of Yarra has 304 beds which is significantly below (166 less beds) the national planning standards;
 - (c) the number of beds has also decreased approximately 130 since 2007;
 - (d) unless bed/facility numbers are increased – by 2025 (based on projected population) City of Yarra will be almost 50% under required operational numbers; and
 - (e) there is significant demand in the Richmond area for quality residential aged care, with ageing residents of the numerous public housing units in the area in need of aged care with specialised capability in caring for those with complex needs.
26. The exhibited proposal was assessed in terms of:
- (a) the target population for the facility;
 - (b) how it will address disability and / or disadvantage;
 - (c) subsidised care for disadvantaged groups;
 - (d) the mix of subsidised care to non-subsidised care; and
 - (e) how the proposed development relates to the Federal funding.
27. Recent information from the State Government indicates:
- (a) there is a continuing growth in demand for residential aged care facilities;
 - (b) in the inner metropolitan region meeting this demand is complicated by increasing land values and a trend to provide residential aged care facilities in taller and denser forms which reduce the relative land cost; and
 - (c) the State department (DELWP) is investigating ways to make it easier for residential aged care facilities to obtain development approval, including exempting these facilities from current mandatory height restrictions.
28. Information provided by Mecwacare, which has been reviewed by officers in Council's Aged and Disability Services, indicates that they have a strong focus on supporting people from

disadvantaged and lower socio-economic backgrounds and from within at risk or high need cohorts, in particular:

- (a) they currently support 65% subsidised and 35% non-subsidised residents and they will continue to offer this mix of subsidised to non-subsidised care to its clientele in Victoria; and
 - (b) the beds have been allocated by the Federal Government to be used for the care of people who are from CALD, LGBTI, veterans and people living with dementia.
29. In general terms the current proposal demonstrates a positive community benefit. It is consistent with the recent precedents using community benefit as a justification for allowing a development which would not otherwise comply with Planning Scheme requirements. The proposal is for a not-for-profit service which would provide subsidised and specialised care for the local community.

Council Decision to Prepare and then Exhibit Amendment

30. Council considered a report about the proposed Amendment at the meeting, 19 December 2017, and resolved:
1. *That Council:*
 - (a) *note the officer report on the proposed request by Mecwacare for an amendment to the Yarra Planning Scheme in relation to the site known as 351 Church Street, Richmond;*
 - (b) *note the contents of the officers report on Amendment C225 which seeks to use Clause 52.03 of the Yarra Planning Scheme to introduce an Incorporated Document to create an exemption from the mandatory 9m height control in the Neighbourhood Residential Zone to permit a 5 storey purpose-built residential aged care facility managed by Mecwacare being a not for profit organisation providing care for disadvantaged persons; and*
 - (c) *seek authorisation from the Minister for Planning to prepare Amendment C225 to the Yarra Planning Scheme in accordance with section 8A of the Planning and Environment Act 1987.*
 2. *If authorisation is granted by the Minister for Planning, officers prepare to exhibit Amendment C225 in accordance with Section 19 the requirements of the Planning and Environment Act 1987.*
 3. *That subject to clause 2 above, note that the community consultation during the exhibition and consideration of the proposed amendment will include:*
 - (a) *public exhibition of the proposed amendment for one calendar month, in accordance with the requirements of the Planning and Environmental Act 1987;*
 - (b) *notification letters detailing information about the proposed amendment and how to make a submission sent to each affected owner and occupier;*
 - (c) *provision of fact sheets with information about the amendment and the consideration process;*
 - (d) *consideration of community submissions with a report provided to Council;*
 - (e) *hearing community submissions and consideration of any recommended changes at a Council meeting; and*

Authorisation

31. Authorisation was granted 10 January 2018 with no significant changes to the Amendment.

Exhibition

32. Exhibition commenced on Monday, 26 February and finished at 5pm, Monday, 2 April 2018. Owners and occupiers of properties at 407 addresses in the adjoining area were notified by

direct mail. This included all properties which would be likely to see the new structure and be impacted by the proposed development.

33. The mail notification included a:
 - (a) covering letter;
 - (b) fact sheet outlining the proposed Amendment and how to respond (Attachment 3); and
 - (c) formal Notice as required by the Planning and Environment Act 1987.
34. In addition to the mail notification, exhibition included:
 - (a) a sign at the Church Street frontage of the site;
 - (b) a notice in The Age newspaper, 26 February 2018;
 - (c) a notice in the Government Gazette, 1 March 2018; and
 - (d) information about the Amendment on the City of Yarra website from 26 February including:
 - (i) plans of the proposed development;
 - (ii) all the Amendment documents; and
 - (iii) all supporting documents submitted by the proponent.

Submissions

35. Council has received seven submissions. These are summarised in Attachment 4. The submissions were from:
 - (a) residents and owners of dwellings nearby (five submissions) - objecting to the amendment;
 - (b) the YWCA which operates 345 Church Street, Richmond (known as 'Richmond House') – objecting to the amendment and specific amenity impacts on Richmond House; and
 - (c) Urbis on behalf of the proponent, Mecwacare in support of the amendment and proposing a minor change to the Incorporated Document.

Issues raised in submissions

Residents and owners of dwellings

36. The five submissions from residents and owners of nearby dwellings objected to the amendment for the following reasons:
 - (a) sets an inappropriate precedent;
 - (b) the development could be located in a more appropriate location;
 - (c) the building height is too high for the location;
 - (d) questions the 'not-for-profit' nature of the proponent;
 - (e) there is not enough car parking;
 - (f) the road access for emergency vehicles is inadequate;
 - (g) the development does not fit the character of the area and will detract from Saint Ignatius Church;
 - (h) the development is not consistent with the heritage overlay and heritage character;
 - (i) the amendment would undermine certainty in the Planning Scheme provisions; and
 - (j) the development will dominate the outlook from nearby dwellings.

Response

37. All these submissions object to the proposal as a whole and do not propose changes which might make it acceptable to the submitter. If Council decided to agree with these submissions it would, by implication, mean that the Amendment should be abandoned.
38. Council must either agree with these submissions and abandon the Amendment or refer the Amendment to a Panel for assessment and review.

YWCA – Richmond House

39. The submission objects to the proposed development for the following reasons:
 - (a) it will cause adverse impacts on access to Richmond House for pedestrians and vehicles; and
 - (b) it will impact on the amenity of Richmond House residents, due to:
 - (i) “The visual bulk, height and mass of the proposed 6 storey building on the subject site; and
 - (ii) The overshadowing impacts on ground level private open space, especially on the west and south west portions of the property being outdoor areas well utilised by our residents.”

Response

40. This submission includes specific suggestions for changes to the proposed development which would (from the submitter’s perspective) mitigate the amenity impacts.
41. Council and the proponent may consider the potential for changes to the proposed development generally as suggested by the YWCA. Potential modifications to the development plans could be considered as part of a Panel process and through negotiation and agreement between the YWCA, the proponent and Council.

Urbis on behalf of Mecwacare – minor changes to the proposal

42. The Urbis submission indicates ‘Mecwacare wishes to make a submission and be heard at the panel hearing for this matter.’ The submission notes:

‘Critically, C225 delivers on the following:

- social and community benefit by enabling the development of a state-of-the-art facility that will provide critical support services to Yarra’s aged population and will address the growing need for residential aged care facilities in the municipality; and
- an architecturally considered built form outcome that, in addition to the community benefit, will restore the existing heritage building and construct a new contemporary addition that responds to the site’s heritage sensitivities and protects the amenity of surrounding properties.

‘Given that there is revised material forming the basis of exhibition, it is considered that the proposed Incorporated Document should be updated to reflect the changes made. To that end a tracked change version of the proposed Incorporated Document is appended to this submission.’

43. The revised Incorporated Document includes the following additional item for amended plans (at 4.2.1):

‘c) An updated finishes schedule which is to provide white or pale finishes to the elevations.’

Response

44. The proposed change to the appearance of the new building in the Urbis submission, was in response to some concerns raised about the appearance of the new building discussed at the Council meeting 19 December 2017.

45. Council's heritage consultants (GJM Heritage) provided written advice in July 2017, that indicated:

The proposed white colour of the metal cladding on the new upper level built form is likely to provide a stark contrast with the existing heritage fabric and the surrounding area. While we agree that standing seam metal cladding is appropriate, it is our view that a more recessive matt finish and zinc-grey colour be considered to reduce the visual prominence of the new built form.

46. The Urbis submission 'to provide white or pale finishes to the elevations' is likely to conflict with the heritage advice from GJM Heritage.
47. Attachment 5 includes:
- (a) the initial 2016 design;
 - (b) the revised design which was considered by Council, 19 December 2017 and exhibited with the Amendment; and
 - (c) an alternative white finish and design preferred by the proponent.
48. The issues of detailed design and appearance should be considered as part of the Panel process, so that the options can be considered and relevant expert advice assessed. Council is likely to present the expert evidence provided by GJM Heritage. That advice would support (b) above and the grey perforated metal finish.

External Consultation

49. External consultation has been undertaken to meet the legal process requirements of the Planning and Environment Act 1987, for exhibition of a Planning Scheme Amendment and also to ensure that all interested parties and the local community have an opportunity to understand what is proposed and to respond. The fact sheet about the proposal, in particular, provided a clear summary of the proposal and how to respond.

Internal Consultation (One Yarra)

50. The proposed Amendment has been circulated internally with comments from different sections forming part of the assessment process leading to this report.

Financial Implications

51. There are no significant financial implications. The proponent will pay the relevant fees which will help meet the costs of the Amendment.

Economic Implications

52. The proposed residential aged care facility is part of a growing health care network in the City of Yarra. This growing sector provides important local employment and economic activity.

Sustainability Implications

53. Environmentally sustainable development requirements have been part of the assessment for this development.

Social Implications

54. The Amendment would allow provision of about 80 residential aged care rooms. There is a growing demand for these facilities across the State and in the inner region. Local facilities, such as these, allow people to age-in-place, reducing disruption for elderly people who need care and supported accommodation.
55. The *Residential Aged Care - A Snapshot of Homes in the City of Yarra in 2015* (report prepared by Council officers in Aged and Disability Services) noted that there is a significant shortfall in the number of residential aged care beds to cater for growing demand in the City of Yarra. It noted that the City of Yarra has 304 beds which is significantly below (166 less beds) the national planning standards.

Human Rights Implications

56. There are no anticipated negative human rights implications.

Communications with CALD Communities Implications

57. This would be part of the normal Planning Scheme Amendment consultation process.

Council Plan, Strategy and Policy Implications

58. The proposal is consistent with the Council Plan which addresses aged care at:

Strategy 1.2 Promote a community that is inclusive, resilient, connected and enjoys strong mental and physical health and wellbeing.

Initiative 1.2.3 Continue to implement the National Aged and Disability Care reforms and develop new strategic directions for support of older people and people with disability.

59. The Amendment is also consistent with '*Objective 4 – A liveable Yarra – Development and growth are managed to maintain and enhance the character and heritage of the city*'. The Amendment would help respond to the pressures of population growth and demographic change which has resulted in changes in the demand for and supply of residential aged care facilities.

Legal Implications

60. As Planning Authority under the Planning and Environment Act 1987 (the Act) Council must follow the legal processes for a Planning Scheme amendment.

61. Section 23 (1) of the Act, sets the decisions required at this stage of an amendment:

After considering a submission which requests a change to an amendment, the planning authority must:

- change the amendment in the manner requested; or
- refer the submission to a panel; or
- abandon the amendment or part of the amendment.

Other Issues

Working Group – review of residential zone provisions – residential aged care facilities

62. The DELWP are currently investigating possible changes to the residential zones as they relate to residential aged care facilities. This involves a working group of local government and industry representatives. The purpose of this investigation is to see if there are ways to relax restrictions including the current mandatory height limits, to encourage residential aged care facilities.

63. This investigation may mean mandatory height limits will not apply to residential aged care facilities. If the Minister for Planning approves changes, they could come into effect by mid-2018.

64. If the Minister approves the proposed changes to the residential zones, Amendment C225 may become redundant or require modifications.

Options

65. Council can consider the following options:

- (a) Abandon the amendment in response to the objecting submissions; or
- (b) Refer the amendment to a panel;

The amendment cannot be modified to satisfy the submissions because most of the submissions oppose the amendment as a whole and do not seek changes but object in principle.

Comments

(A) Abandon the amendment

66. Council could decide to abandon the amendment if it agrees with the reasons set out in the objecting submissions, summarised earlier in this report and in Attachment 4.

(B) Refer the amendment to a panel

67. If Council does not abandon the amendment it must refer it and the submissions to a panel.

Preferred option

68. The preferred option is (b) – refer the amendment to a panel. A Panel review would allow the issues to be assessed and tested. This might include potential modifications to the proposed building including for example to reduce impacts on the YWCA, Richmond House and changes to the external appearance of the new building to address heritage and character concerns.

Conclusion

69. Council must consider the seven submissions received in response to exhibition of this Amendment.
70. Five submissions oppose the proposal in principle on a range of grounds including precedent, building height, heritage concerns, traffic, parking and amenity impacts. These submitters could only be addressed or satisfied if the proposal does not proceed.
71. One submission opposes the Amendment because it will impact on the building at 345 Church Street (Richmond House). This submission proposes possible modifications to reduce these impacts. These could be negotiated with the proponent through the Panel process and may lead to potential changes to the plans.
72. The proponent has made a submission supporting the Amendment and asking for a minor change to the Incorporated Document which relates to a different external appearance scheme for the new building. There are options for this shown in Attachment 5. The expert heritage advice to Council supports the option for a more muted grey colour scheme, rather than the white colour scheme proposed by the proponent.

RECOMMENDATION

1. That Council:
- (a) notes the officer report assessing the exhibited amendment C225 – 351 Church Street, Richmond and the submissions lodged in response;
 - (b) consider all submissions to Amendment C225, in accordance with section 22 of the *Planning and Environment Act 1987* ;
 - (c) in accordance with Section 23 of the *Planning and Environment Act 1987*, refer any submissions received that cannot be resolved, along with all other submissions received, to an independent panel appointed by the Minister for Planning;
 - (d) request the Minister for Planning to appoint an independent panel under Part 8 of the *Planning and Environment Act 1987* to consider Amendment C225 and all submissions received; and
 - (e) advise all submitters of this decision.

CONTACT OFFICER: Peter Mollison
TITLE: Senior Strategic Planner
TEL: 9205 5023

Attachments

- 1** Incorporated Document - 351 Church Street
- 2** Architects Plans - 351 Church Street
- 3** Fact Sheet - C225 351 Church Street - exhibition notification Submission
- 4** summary table
- 5** 351 Church Street - External appearance schemes - three alternatives

Attachment 1 - Incorporated Document - 351 Church Street

351 - 353 Church Street, Richmond

Incorporated Document,

November 2017

Attachment 1 - Incorporated Document - 351 Church Street

This document is an incorporated document in the Yarra Planning Scheme pursuant to Section 6 (2) (j) of the *Planning and Environment Act 1987* (Vic).

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Attachment 1 - Incorporated Document - 351 Church Street

1. INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule of Clause 81.01 of the Yarra Planning Scheme (**the Scheme**).

This document gives effect to specific controls for the use and development of a Residential aged care facility on the land described below (**the Proposal**) pursuant to clause 52.03 of the Scheme.

In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this Incorporated Document will prevail.

2. ADDRESS OF THE LAND:

The land is known as 351-353 Church Street, Richmond and described in Certificate of Title Volume 09441 Folio 758 on Plan of Subdivision 138330 (**the Land**).

3. PURPOSE:

The purpose of this Incorporated Document is to permit the use and development of the Land for the purposes of the Proposal.

4. THIS DOCUMENT ALLOWS:

Despite any provision to the contrary, or any inconsistent provision in the Scheme, no planning permit is required for, and no planning provision in the Scheme operates to prohibit, restrict or regulate the use or development of the Land for the purposes of, or related to, the use and development of the Land for the purposes of the Proposal.

The Proposal includes:

- the use of the Land for the purposes of a 'Residential aged care facility' as defined by Clause 74 of the Scheme;
- partial demolition of the existing heritage building on the Land in accordance with the plans endorsed by Council under this Incorporated Document; and
- construction of a multi-storey residential aged care facility on the Land in accordance with the plans endorsed by Council under this Incorporated Document,

subject to the conditions in Clause 6 of this Incorporated Document.

5. ENDORSED INCORPORATED PLANS:

The plans endorsed in accordance with this Incorporated Document are the plans prepared by CHT Architects, 'MECWACARE 351 Church Street, Richmond', Revision C - plan numbers TP00 to TP44 (dated 4 November 2017) and include any amendments to those plans that may be approved by the Responsible Authority under the conditions of this Incorporated Document. Once approved, these plans will be known as the 'Endorsed Incorporated Plans'.

6. THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

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Endorsed Incorporated Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed under this document (**the Endorsed Incorporated Plans**). The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans prepared by CHT Architects, 'MECWACARE 351 Church Street, Richmond', Revision C - plan numbers TP00 to TP44 (dated 4 November 2017) but modified to show:
 - a) Changes required by the Landscape Plan in condition 6
 - b) Any changes required by the SMP in condition 9
2. The development as shown on the Endorsed Incorporated Plans must not be altered without the prior written consent of the Responsible Authority.
3. Without the prior written consent of the Responsible authority, no more than 80 lodging rooms are permitted on the land at any one time.
4. Finished floor levels shown on the Endorsed Incorporated Plans must not be altered or modified without the prior written consent of the Responsible Authority.

Ongoing architect involvement

5. As part of the ongoing consultant team, CHT Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - a) oversee design and construction of the development; and
 - b) ensure the design quality and appearance of the development is realised as shown in the Endorsed Incorporated Plans or otherwise to the satisfaction of the Responsible Authority.

Landscaping

6. Before the development starts, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the responsible authority. When approved, the amended Landscape Plan will be endorsed and will form part of this Incorporated Document. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by John Patrick Landscape Architects Pty Ltd (revisions c) and dated 23 May 2017 but modified to include (or show):
 - a) The location of the proposed "lightweight planter box".
 - b) Ground level
 - i. Permeable paving surrounding the Oak tree to ensure the roots are able to receive sufficient water.
 - ii. Delete the two eastern-most trees from the line of Capital Pears along the southern boundary,.
 - c) Level 2
 - i. plans for the level 2 rooftop terrace.
7. Before the building is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed Landscape Plan

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must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

8. A cash bond for \$5,000 plus a non-refundable 5% service charge of \$250 shall be lodged with the Responsible Authority prior to the approval of the Landscape Plan to ensure the completion and establishment of landscaped areas. This cash bond will only be refunded upon the expiry of a 13 week establishment period, beginning when the Responsible Authority is satisfied with the completed landscaping works, and provided that the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

ESD Report

9. Before the development starts, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this Incorporated Document. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Built Environments Pty Ltd and dated 23/11/2016, but modified to include or show:
 - a) The relevant changes to the Endorsed Incorporated Plans
 - b) All relevant ESD features described and detailed in the SMP should be marked on an updated set of architectural drawings and landscape plans, including:
 - i. The 5m² of raingardens, and
 - ii. The 25 kW solar PV array.
10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management

11. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
12. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view. All waste collection and recycling collection is to be undertaken in accordance with Council's Local Law No. 3.

Car Parking and Traffic

13. The car parking area must be used for no other purpose to the satisfaction of the Responsible Authority.

Vehicle crossings and accessways

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14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - a) in accordance with any requirements or conditions imposed by Council;
 - b) at the permit holder's cost; and
 - c) to the satisfaction of the Responsible Authority.

Drainage

15. 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.

Construction

16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the entire Church Street footpath for the width of the property frontage if required by the Responsible Authority):
 - a) at the permit holder's cost; and
 - b) to the satisfaction of the Responsible Authority.
17. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Amenity

18. Any noise emanating from the development including plant and other equipment, must comply with the State Environment Protection Policy or any other standard recommended by the Environment Protection Authority (EPA), to the satisfaction of the Responsible Authority.

Privacy screens

19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the Endorsed Incorporated Plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

Tree Management Plan Required

20. Before the development starts, an amended Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Tree Management Plan will be endorsed and will form part of this Incorporated Document. The amended Tree Management Plan must be generally in accordance with the Tree Management Plan prepared by Tree Logic and dated 20 October 2015 and supplemented by an addendum report dated 11 November 2017, but modified to include (or show):
 - a) any changes resulting from the Endorsed Incorporated Plans
 - b) any changes resulting from the endorsed Landscape Plans

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21. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

Lighting

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, and building entrances must be provided within the property boundary. Lighting must be:

- a) located;
- b) directed;
- c) shielded; and
- d) of limited intensity,

to the satisfaction of the Responsible Authority

Construction Management Plan

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

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- n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
 - p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - i. using lower noise work practice and equipment;
 - ii. the suitability of the land for the use of an electric crane;
 - iii. silencing all mechanical plant by the best practical means using current technology;
 - iv. fitting pneumatic tools with an effective silencer;
 - v. other relevant considerations; and
 - vi. any site-specific requirements.
 - q) any storm-water discharged into the storm-water drainage system must be in compliance with Environment Protection Authority guidelines;
 - r) storm-water drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the storm-water drainage system;
 - s) vehicle borne material must not accumulate on the roads abutting the land;
 - t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
24. If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.
25. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction hours and noise

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

7. EXPIRY

27. The controls in this Incorporated Document expire if any one of the following circumstances applies:
- a) The development allowed by the controls is not commenced within two (2) years from the date of approval of Amendment C225 to the Yarra Planning Scheme.

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- b) The development allowed by the controls is not completed within four (4) years from the date of approval of Amendment C225 to the Yarra Planning Scheme.

The Responsible Authority may extend the periods referred to if a request is made in writing before these controls expire or within 6 months afterwards in the case of the commencement of the development, or within twelve months afterwards in the case of the completion of the development.

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Notes:

The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority. Please contact Council's Building Services on 9205 5585 for further information.

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

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

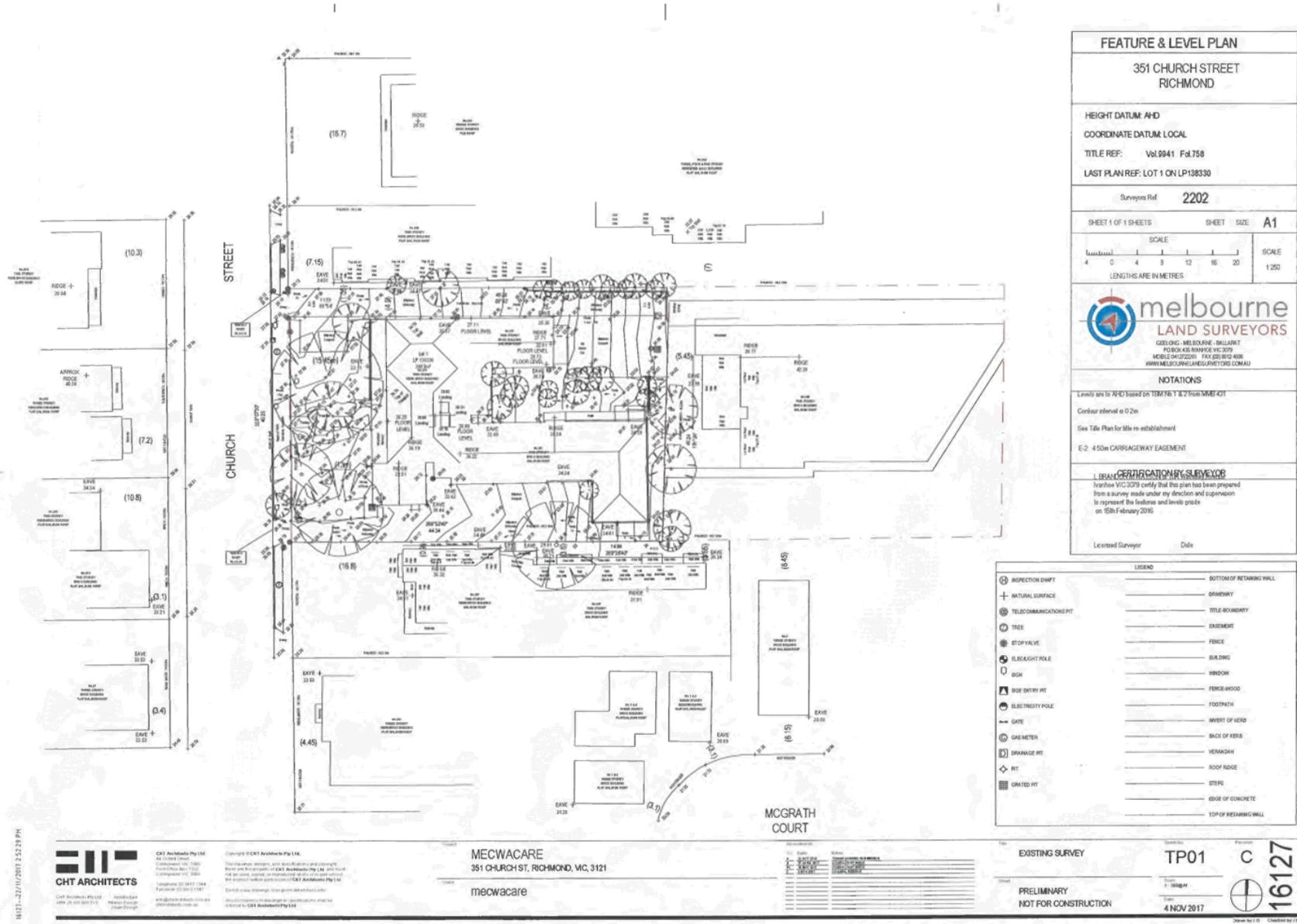
All future property owners, residents, business owners and employees within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5166.

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

End of Document

Attachment 2 - Architects Plans - 351 Church Street



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MECWACARE
 351 CHURCH ST, RICHMOND, VIC, 3121
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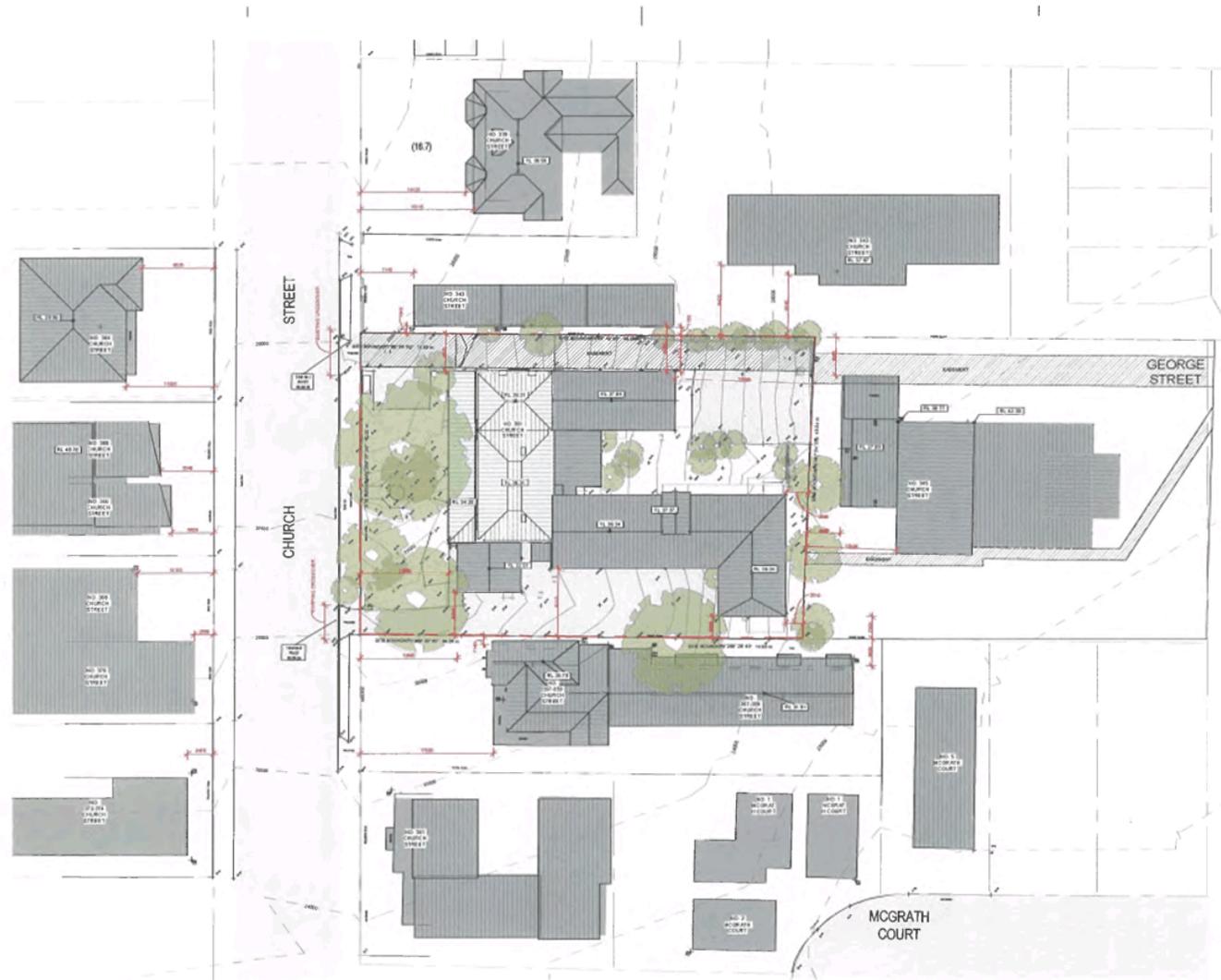
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2	15/02/2015	ISSUE FOR CONSTRUCTION

EXISTING SURVEY
 PRELIMINARY
 NOT FOR CONSTRUCTION

TP01
 4 NOV 2017

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Attachment 2 - Architects Plans - 351 Church Street



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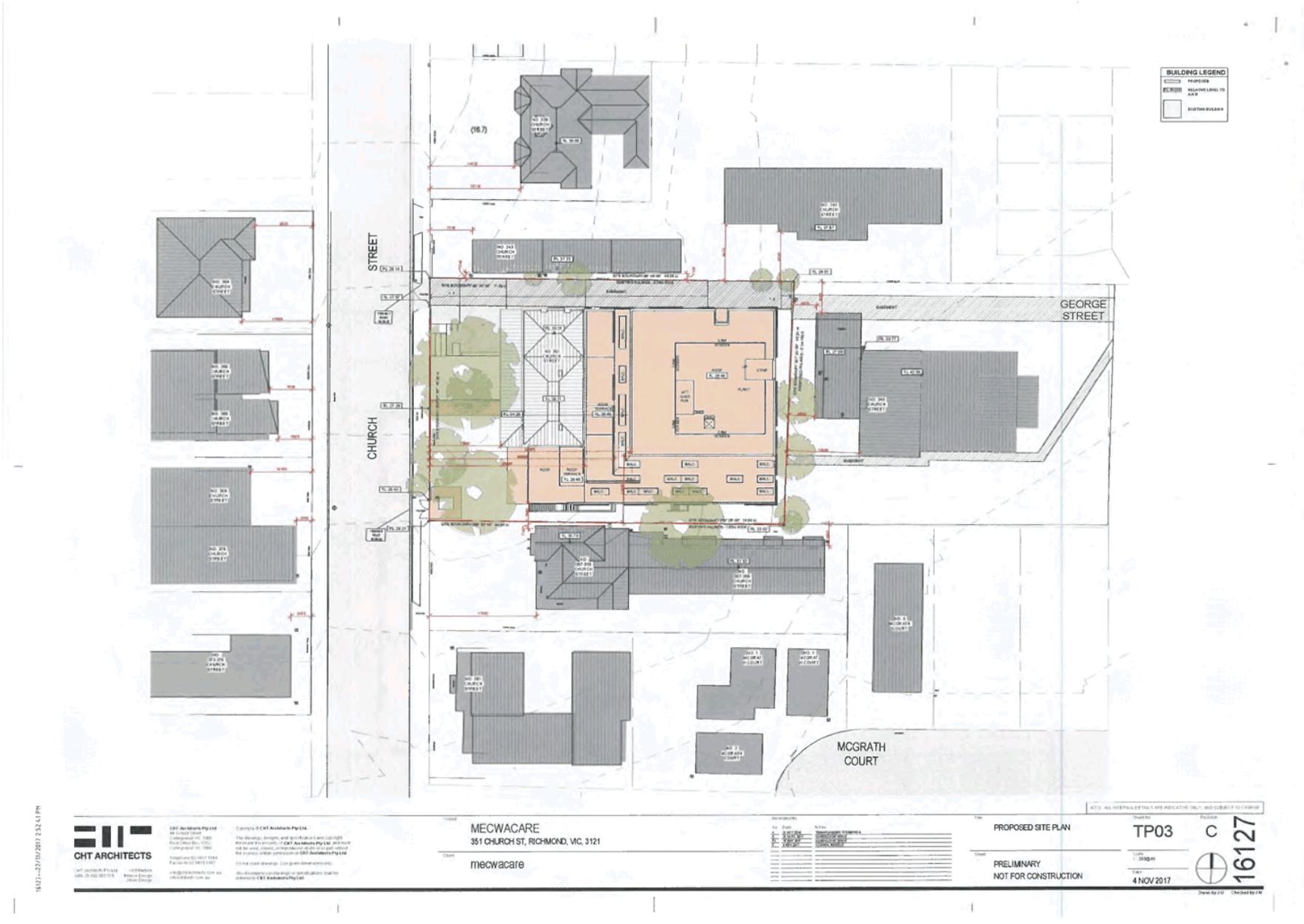
MECWACARE
 351 CHURCH ST, RICHMOND, VIC, 3121
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EXISTING SITE PLAN
 TP02
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 DATE: 4 NOV 2017

Checked by: C
 Drawn by: 16127


Attachment 2 - Architects Plans - 351 Church Street



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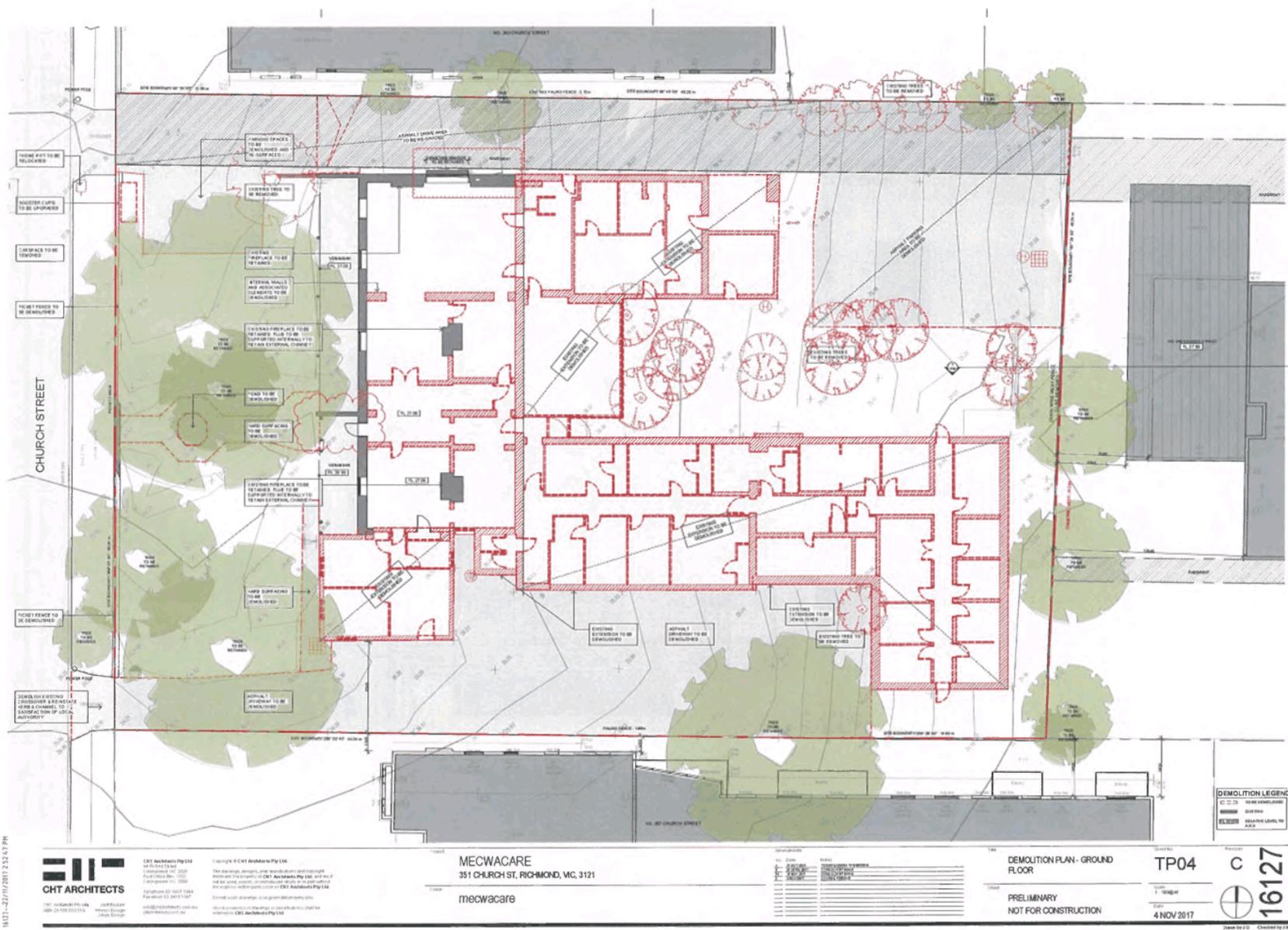
MECWACARE
 351 CHURCH ST, RICHMOND, VIC, 3121
 mecwacare

NO.	DATE	REVISION
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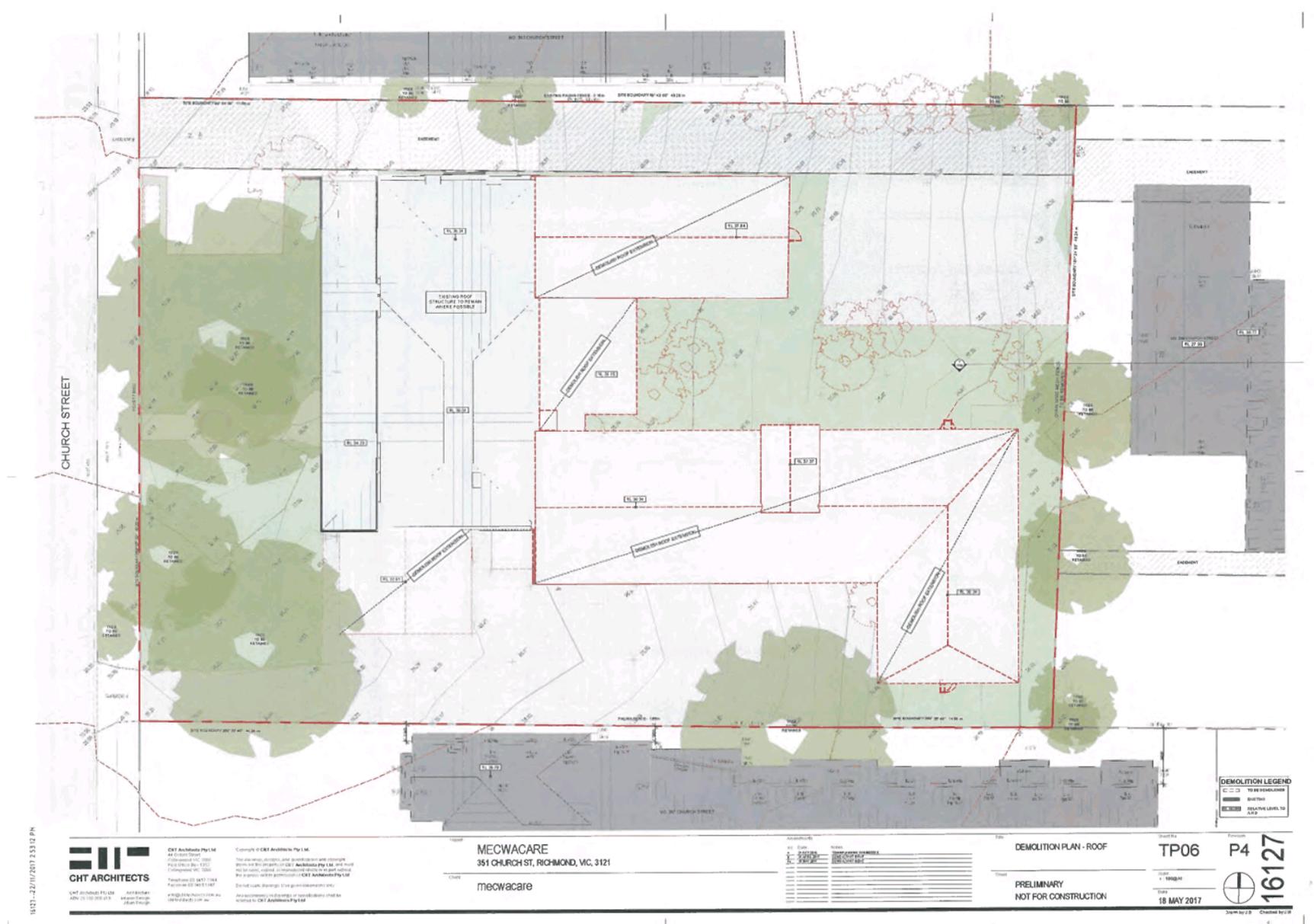
PROPOSED SITE PLAN
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 NOT FOR CONSTRUCTION
 4 NOV 2017



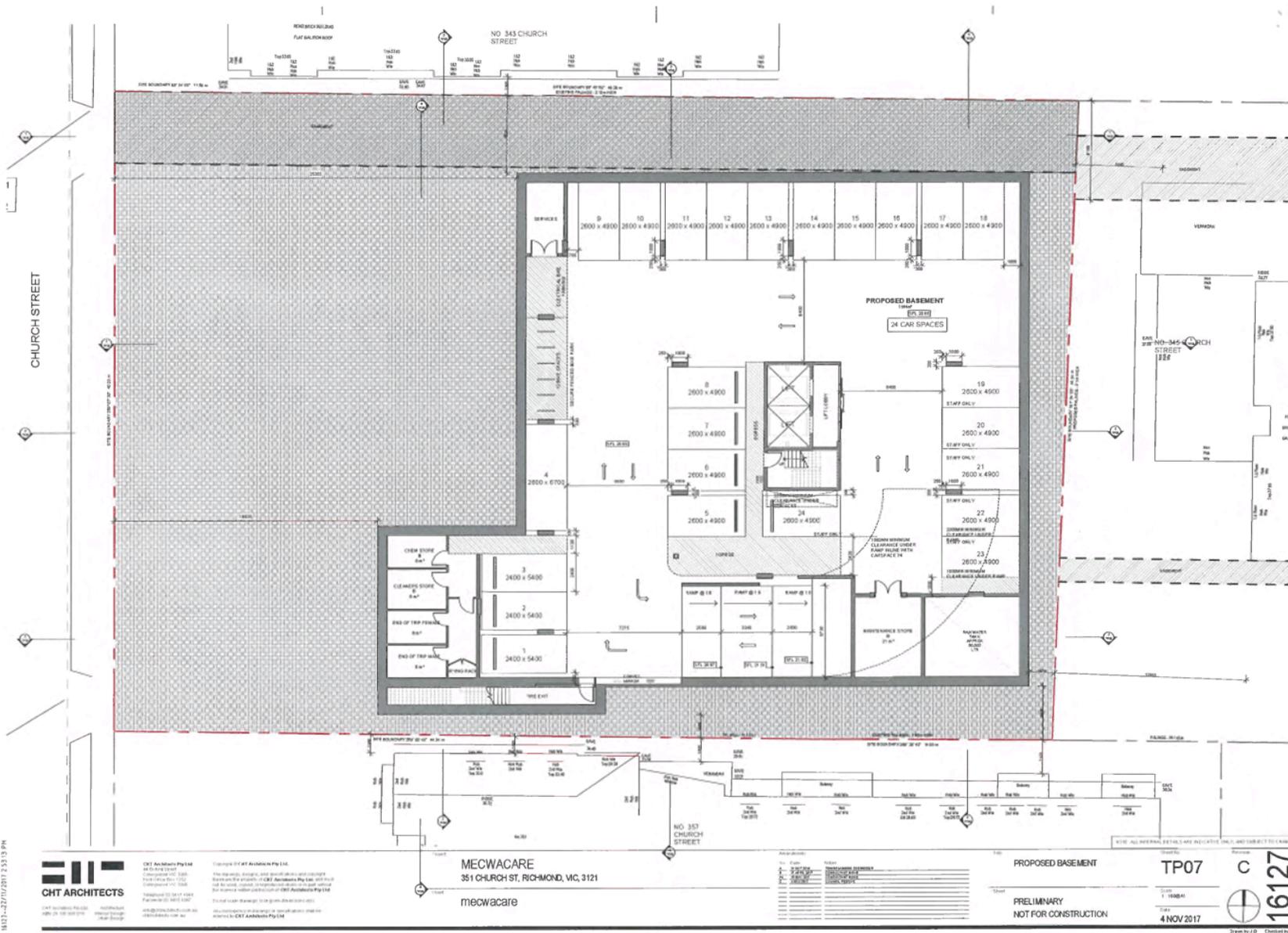
Attachment 2 - Architects Plans - 351 Church Street



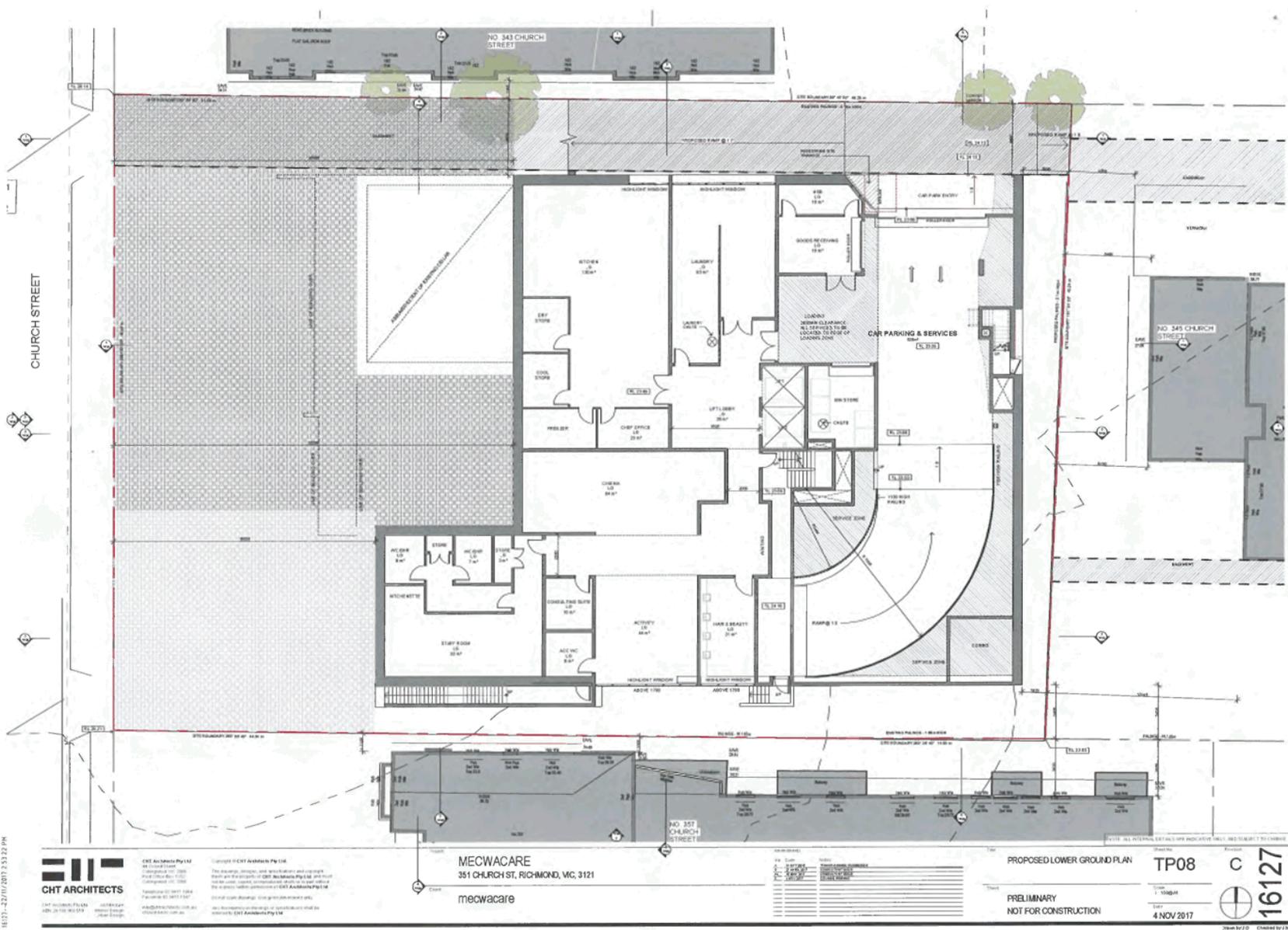
Attachment 2 - Architects Plans - 351 Church Street



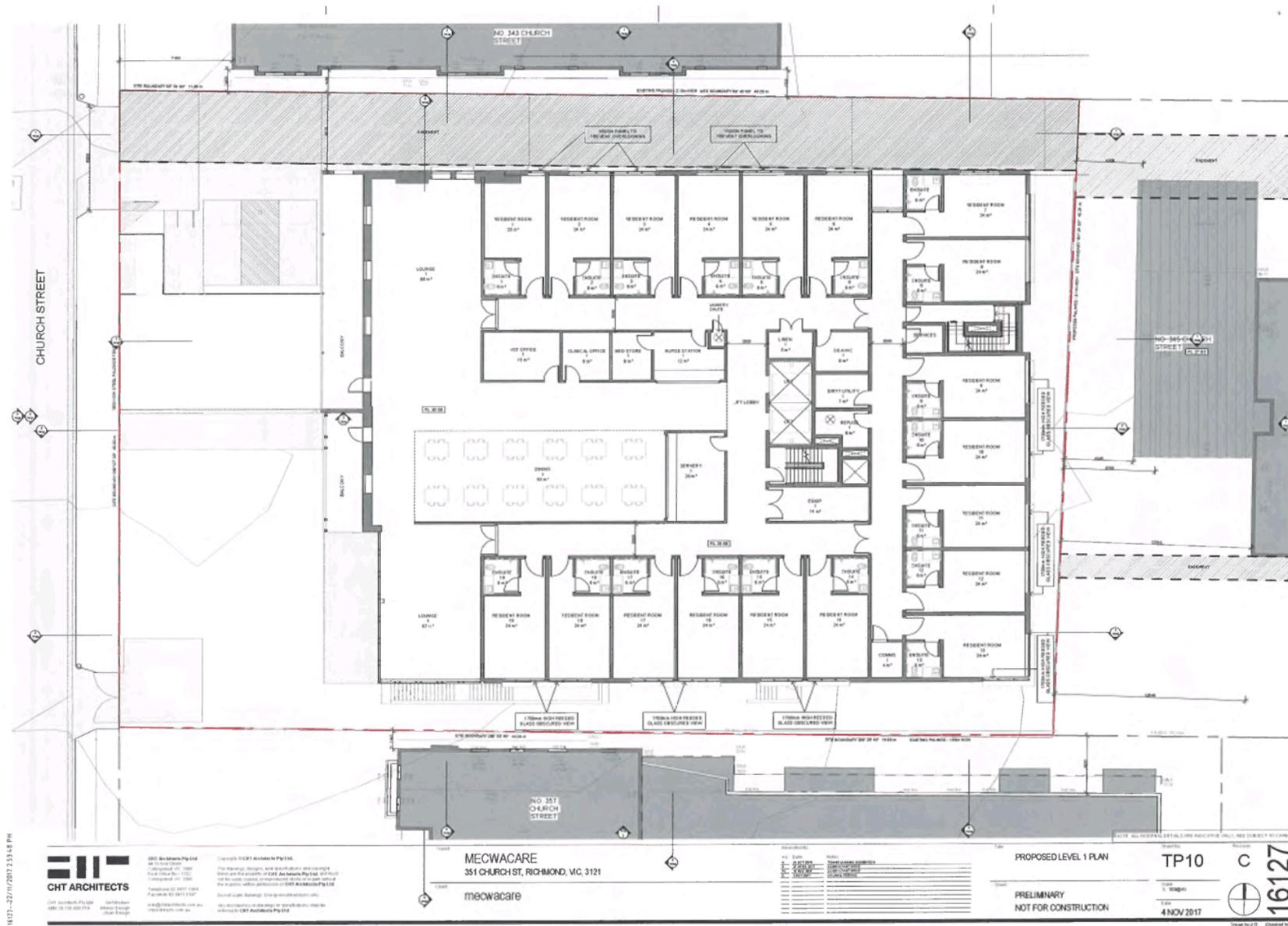
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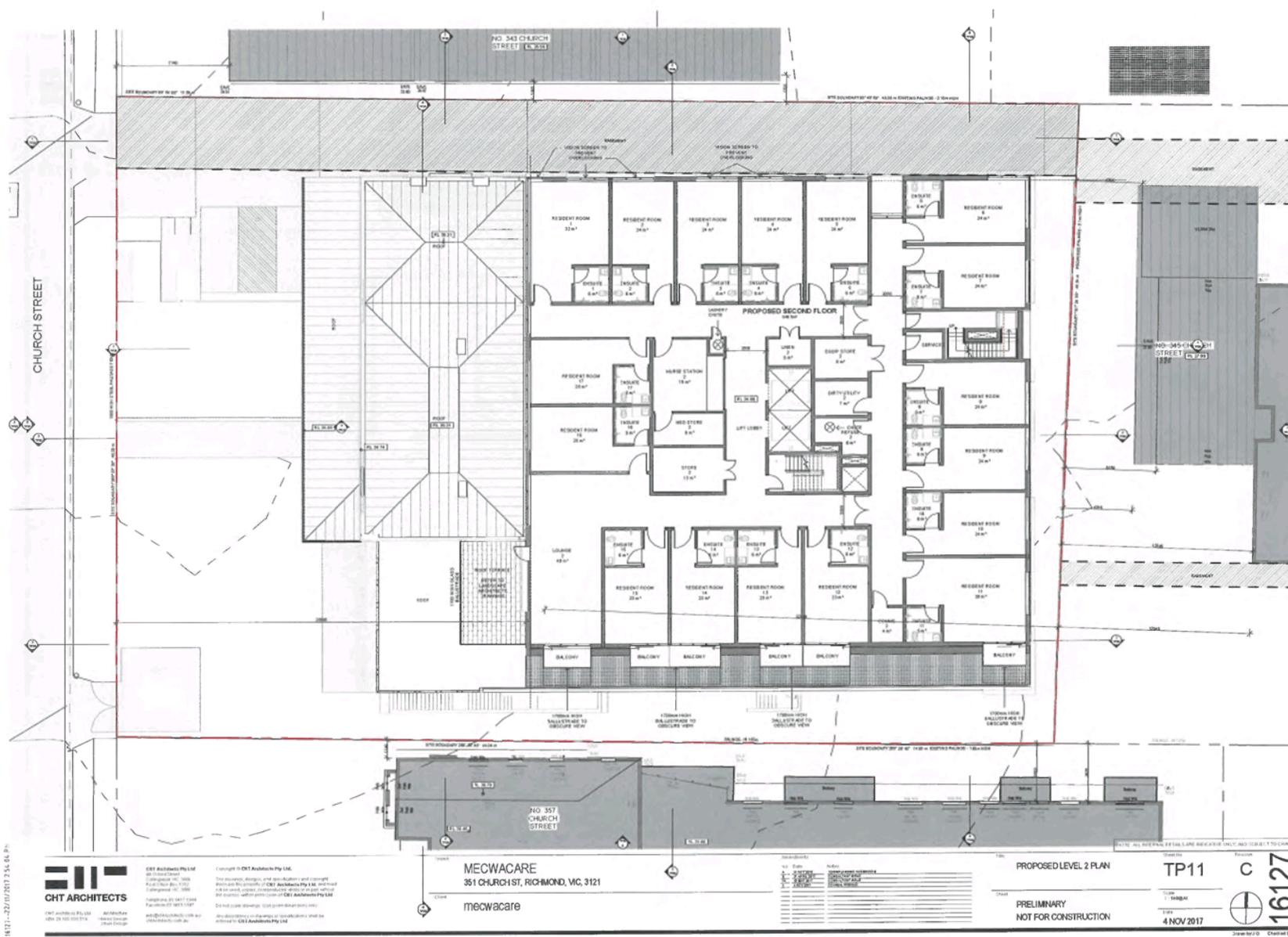
Attachment 2 - Architects Plans - 351 Church Street



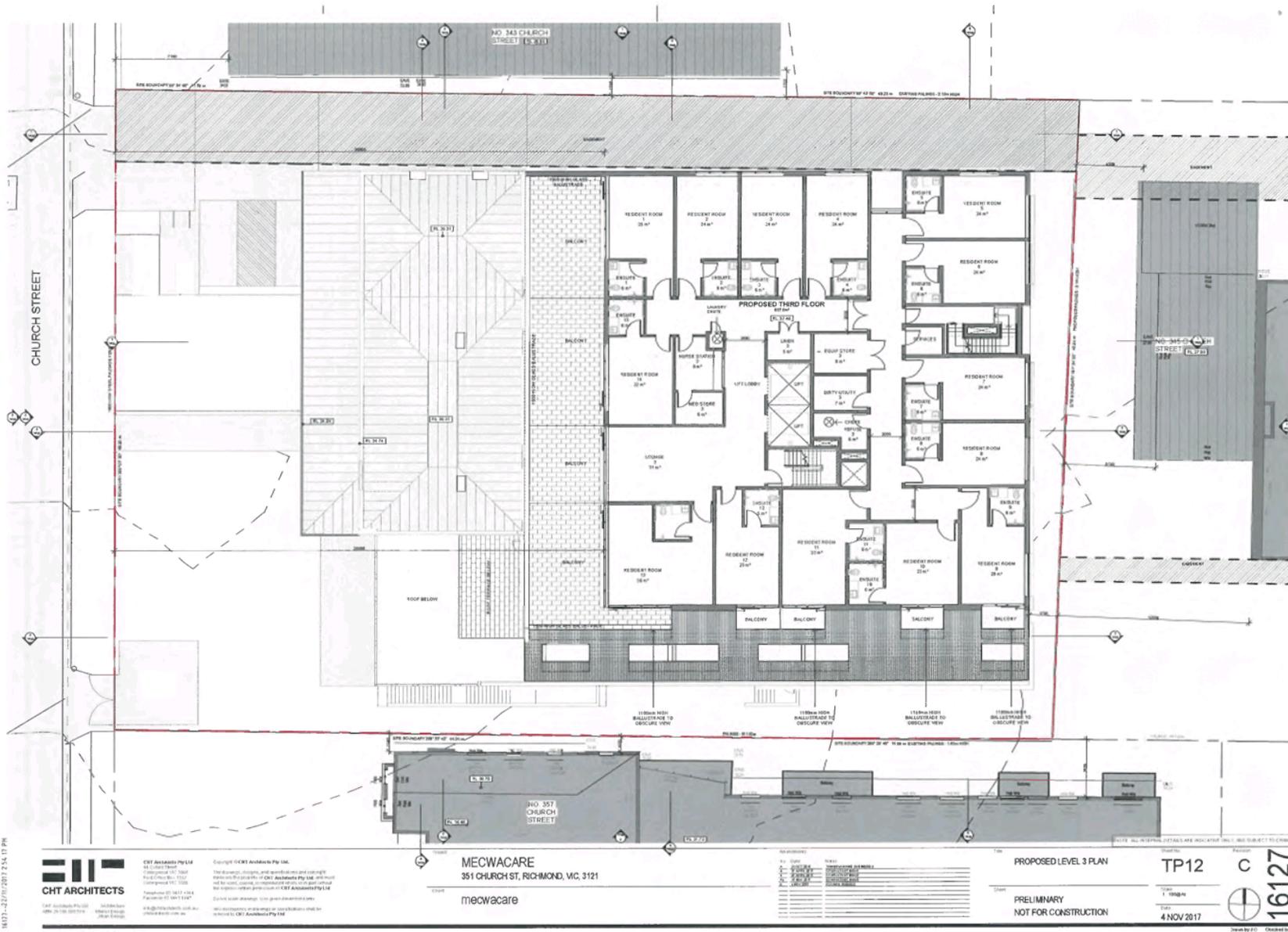
Attachment 2 - Architects Plans - 351 Church Street



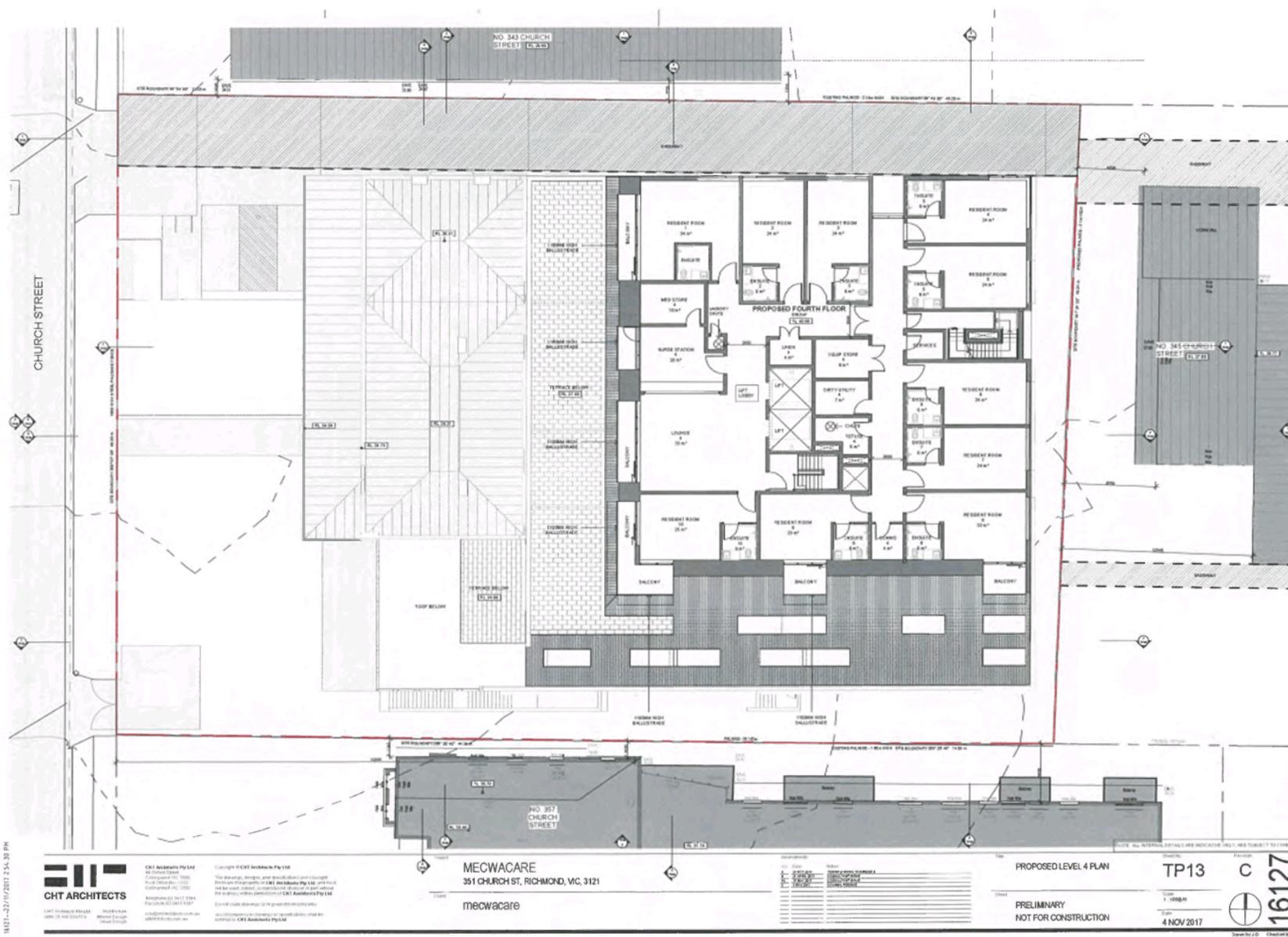
Attachment 2 - Architects Plans - 351 Church Street



Attachment 2 - Architects Plans - 351 Church Street



Attachment 2 - Architects Plans - 351 Church Street



16127-22/11/2017 2:34:30 PM

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1	16/11/2017	ISSUED FOR PERMIT	[Signature]	[Signature]
2	16/11/2017	ISSUED FOR CONSTRUCTION	[Signature]	[Signature]
3	16/11/2017	ISSUED FOR CONSTRUCTION	[Signature]	[Signature]

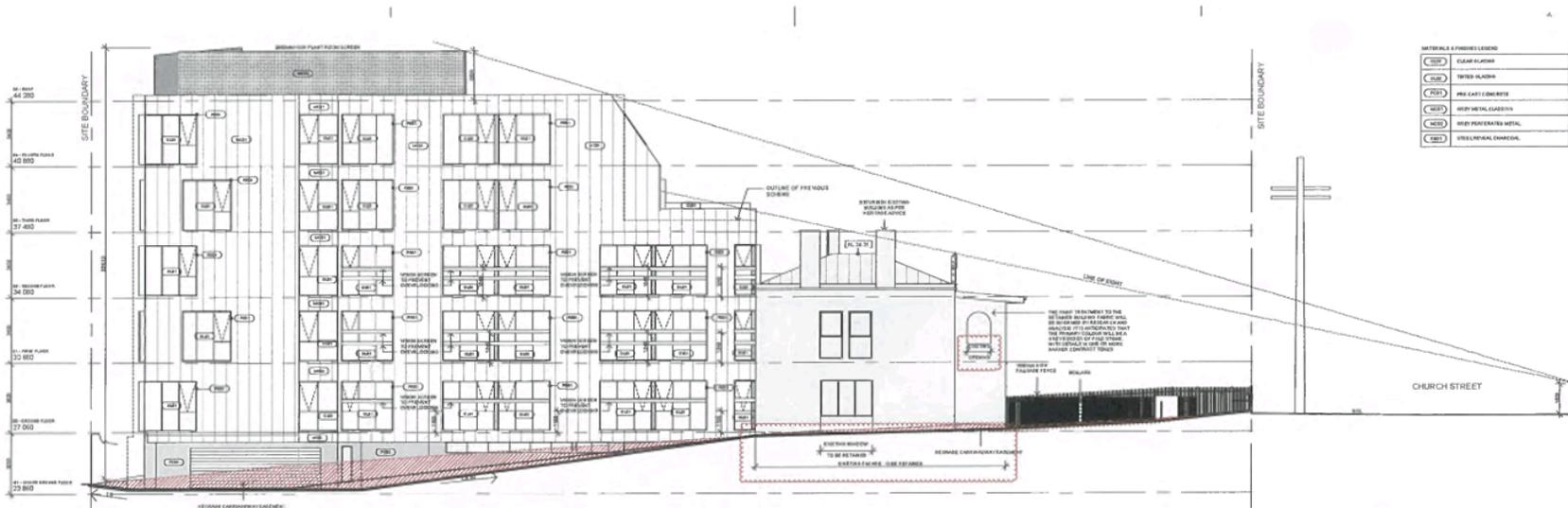
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 TP13
 Scale: 1:100 (A1)
 Date: 4 NOV 2017

16127
 Drawn by: J.D. Checked by: J.D.

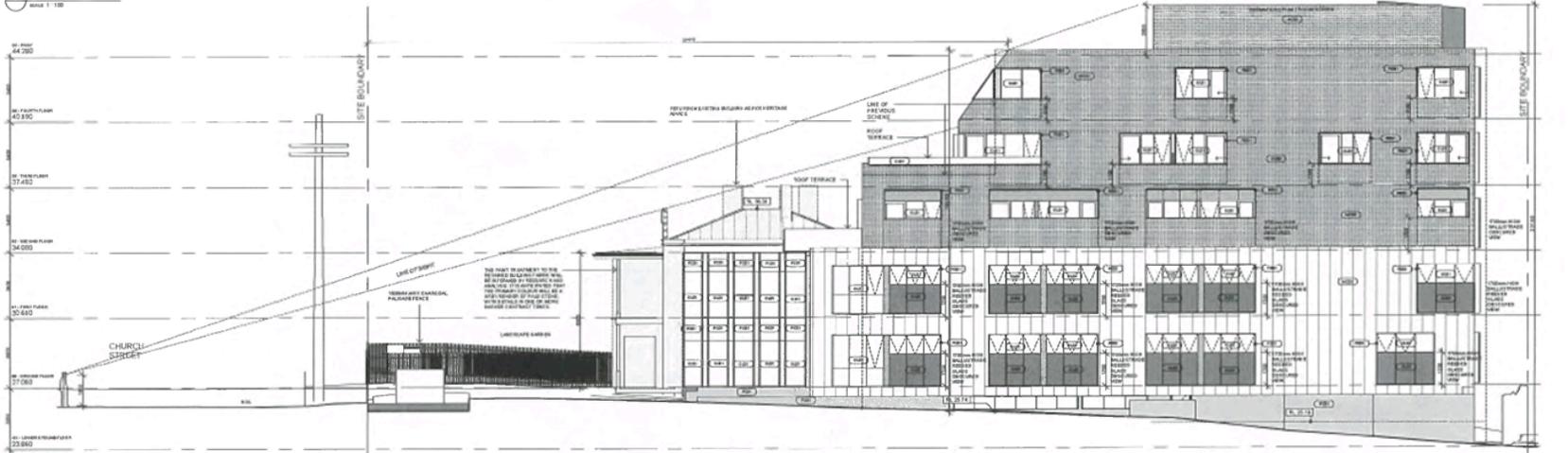
PRELIMINARY
 NOT FOR CONSTRUCTION

NOTE: ALL INTERNAL DETAILS ARE INDICATIVE ONLY AND SUBJECT TO CHANGE.

Attachment 2 - Architects Plans - 351 Church Street



1 NORTH ELEVATION
SCALE 1:100



2 SOUTH ELEVATION
SCALE 1:100

1831 - 22/11/2017 15:57 PM

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1	22/11/2017	ISSUED FOR PERMIT

ELEVATIONS
TP20
PRELIMINARY
NOT FOR CONSTRUCTION

4 NOV 2017

16127

Scale 1:100

DATE: 4 NOV 2017

SCALE: 1:100

PROJECT: 16127

FILE: 16127_01

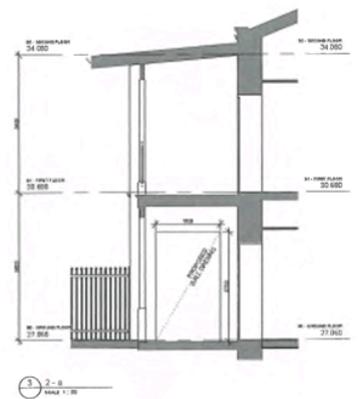
DATE: 4 NOV 2017

SCALE: 1:100

PROJECT: 16127

FILE: 16127_01

Attachment 2 - Architects Plans - 351 Church Street



MATERIALS & FINISHES LEGEND

(C100)	CLASH FLUENTS
(C200)	WHITE RAUWOLF
(C300)	PINK CAST CONCRETE
(C400)	HYPERMETAL CLAYERS
(C500)	4000 PULVERIZED METAL
(C600)	PREFINISHED METAL

16127_1-22/11/2017 2:55:25 PM



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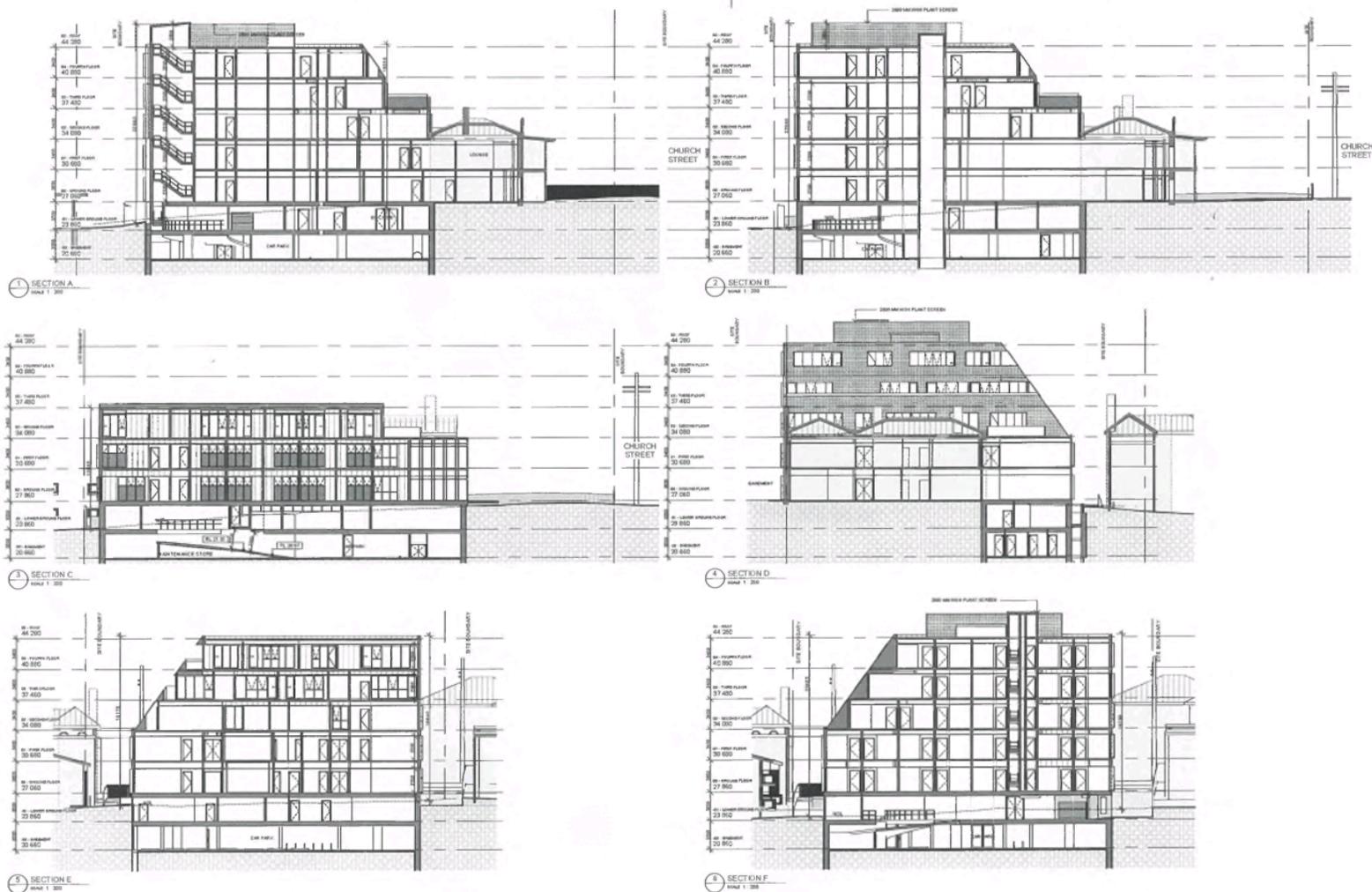
REVISIONS

No.	Date	Description
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2	11/11/17	ISSUE FOR PERMIT
3	11/11/17	ISSUE FOR PERMIT

ELEVATIONS
 TP21
 PRELIMINARY
 NOT FOR CONSTRUCTION
 4 NOV 2017

16127
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 TP21
 4 NOV 2017

Attachment 2 - Architects Plans - 351 Church Street



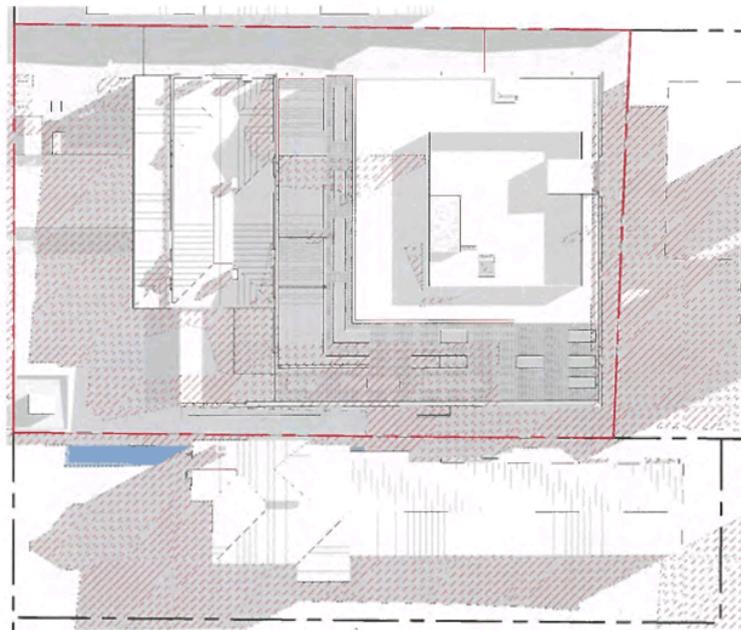
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Attachment 2 - Architects Plans - 351 Church Street



1 TP - EXISTING SHM - CROPPED
SCALE 1:200



2 TP - PROPOSED SHM - CROPPED
SCALE 1:200

SHADOW LEGEND	
	EXISTING SHADOWS
	PROPOSED SHADOWS

NOTE: ALL INTERNAL DETAILS ARE INDICATIVE ONLY, AND SUBJECT TO CHANGE

16127-22/11/2017 2:55 PM



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NO.	DATE	REVISION
1	4 NOV 2017	ISSUED FOR PERMIT

SHADOW STUDY - 22ND
 SEPTEMBER
 PRELIMINARY
 NOT FOR CONSTRUCTION

TP30
 1:200PH
 4 NOV 2017

C

 16127
 Drawn By: JSC Checked By: JSC

Attachment 2 - Architects Plans - 351 Church Street



1 TP - EXISTING 10AM - CROPPED
Scale 1:200



1 TP - PROPOSED 10AM - CROPPED
Scale 1:200

SHADOW LEGEND	
	Existing Footprint
	Footprint of Proposed Development

NOTE: ALL MATERIALS, DETAILS, USES, ETC. ARE SUBJECT TO CHANGE.

10:31 - 27/09/2017 2:56:31 PM

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 1477 ANCHORAGE DRIVE
 SUITE 201 WILSON BLDG
 WILSON BRIDGE

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2	27/09/2017	ISSUED FOR PERMIT
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SHADOW STUDY - 22ND
 SEPTEMBER
 PRELIMINARY
 NOT FOR CONSTRUCTION

TP31
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 4 NOV 2017

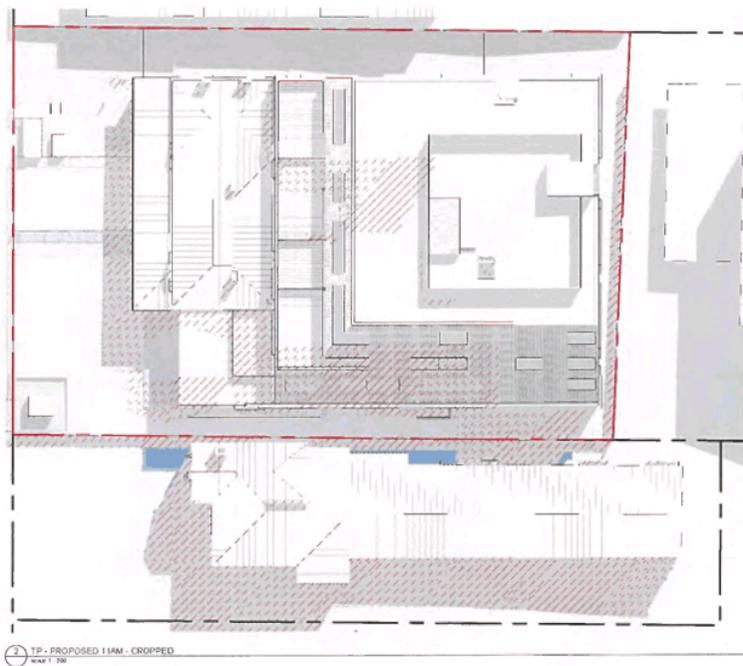


16127
 Drawn by: J.O.
 Checked by: J.O.

Attachment 2 - Architects Plans - 351 Church Street



1 TP - EXISTING 11AM - CROPPED
SCALE 1:200



2 TP - PROPOSED 11AM - CROPPED
SCALE 1:200

SHADOW LEGEND	
	EXISTING SHADOWS
	PROPOSED SHADOWS

NOTE: ALL INTERNAL DETAILS ARE INDICATIVE ONLY AND SUBJECT TO CHANGE

16:27 - 22/11/2017 2:55:46 PM



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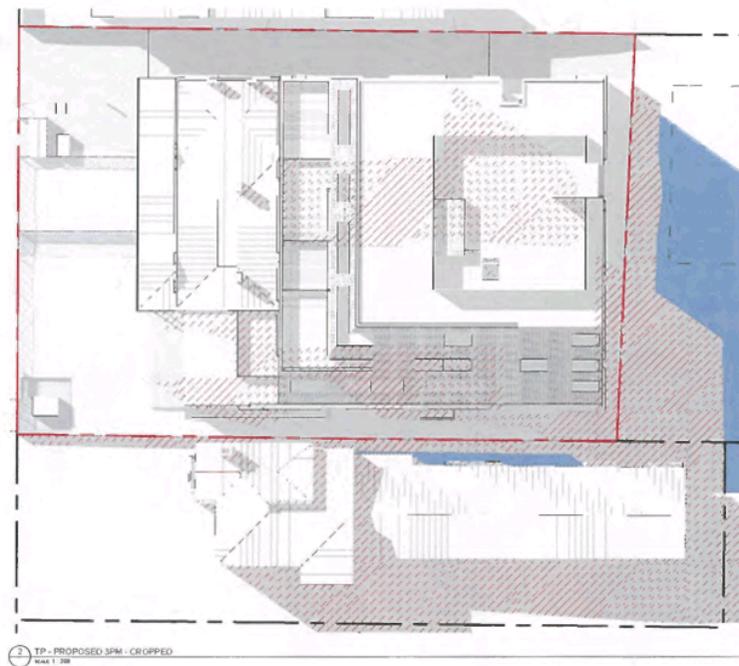
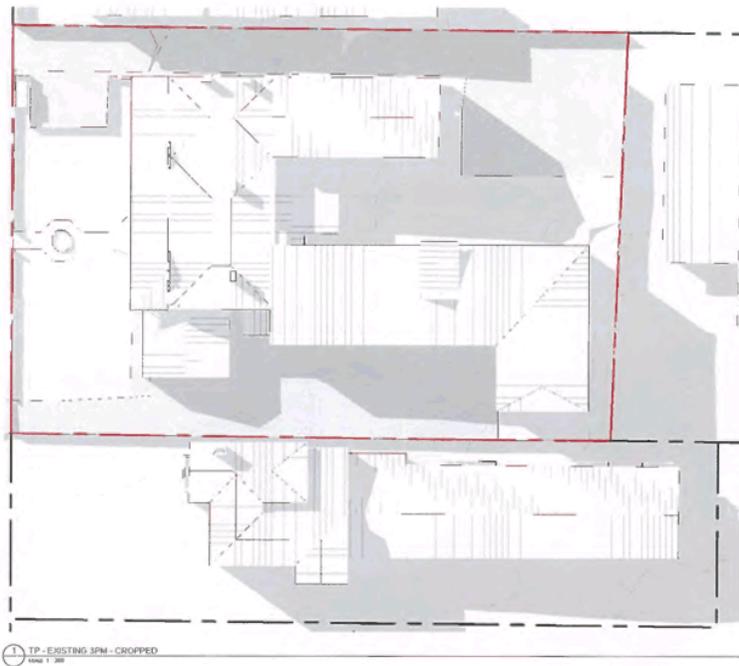
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SHADOW STUDY - 22ND
 SEPTEMBER
 PRELIMINARY
 NOT FOR CONSTRUCTION

TP32
 1:200
 4 NOV 2017

16127

Attachment 2 - Architects Plans - 351 Church Street



SHADOW LEGEND	
	EXISTING BUILDINGS
	PROPOSED BUILDINGS
	SHADOWS

18:37 - 22/10/2017 3:51 PM

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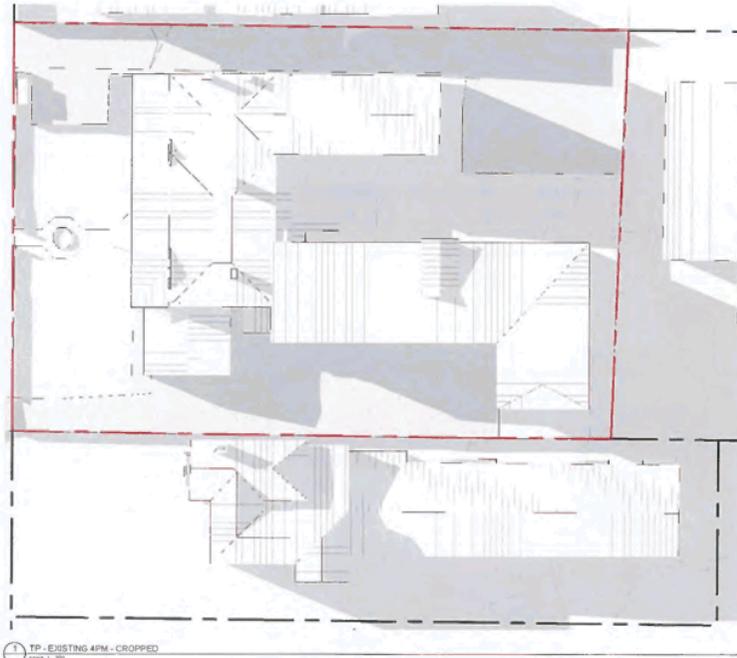
No.	Date	Revised
1	22/10/2017	ISSUED FOR PERMIT

SHADOW STUDY - 22ND
 SEPTEMBER
 PRELIMINARY
 NOT FOR CONSTRUCTION

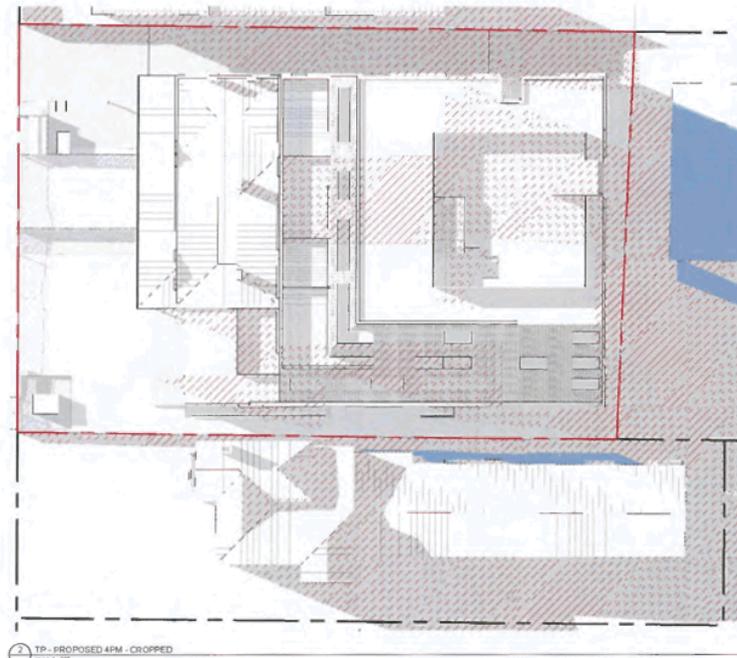
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 4 NOV 2017

16127

Attachment 2 - Architects Plans - 351 Church Street



TP - EXISTING 4PM - CROPPED
Scale 1:200



TP - PROPOSED 4PM - CROPPED
Scale 1:200

SHADOW LEGEND	
	Existing shadows
	Floorspace under new or reconstructed building

NOTE: ALL INTERNAL DIMENSIONS INDICATIVE ONLY, AND SUBJECT TO CHANGE

16127-3271/2017 2:58:12 PM



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NO.	DATE	BY	REVISION
1	2017	TP	PROPOSAL

SHADOW STUDY - 22ND
SEPTEMBER

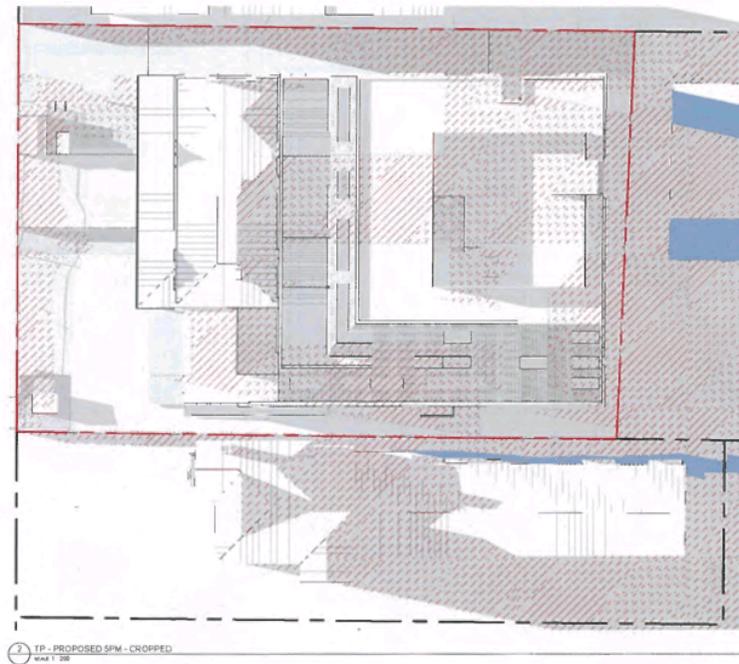
PRELIMINARY
NOT FOR CONSTRUCTION

TP37

Date:
4 NOV 2017

16127
C

Attachment 2 - Architects Plans - 351 Church Street



SHADOW LEGEND	
	EXISTING FOOTPRINT
	PROPOSED FOOTPRINT
	PROPOSED FOOTPRINT

NOTE: ALL INTERNAL DETAILS ARE INDICATIVE ONLY, AND SUBJECT TO CHANGE

16/11/2017 2:58:33 PM

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No.	Date	Revised
1	16/11/2017	ISSUED FOR PERMIT
2	16/11/2017	REVISED

Project No: **TP38**
 Title: **SHADOW STUDY - 22ND SEPTEMBER**
 Status: **PRELIMINARY**
 Date: **4 NOV 2017**
 Not for construction

16127

Attachment 2 - Architects Plans - 351 Church Street



14171 - 22/11/2017 2:58:44 PM



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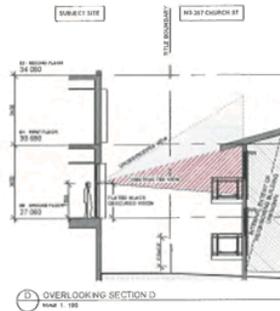
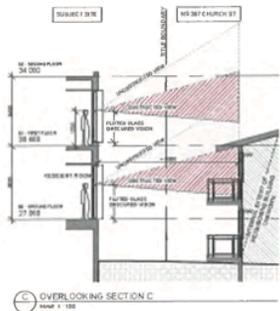
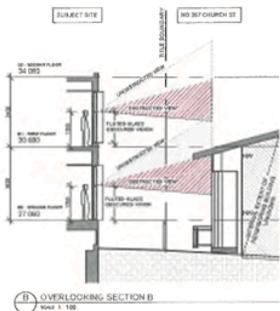
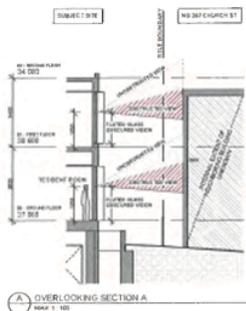
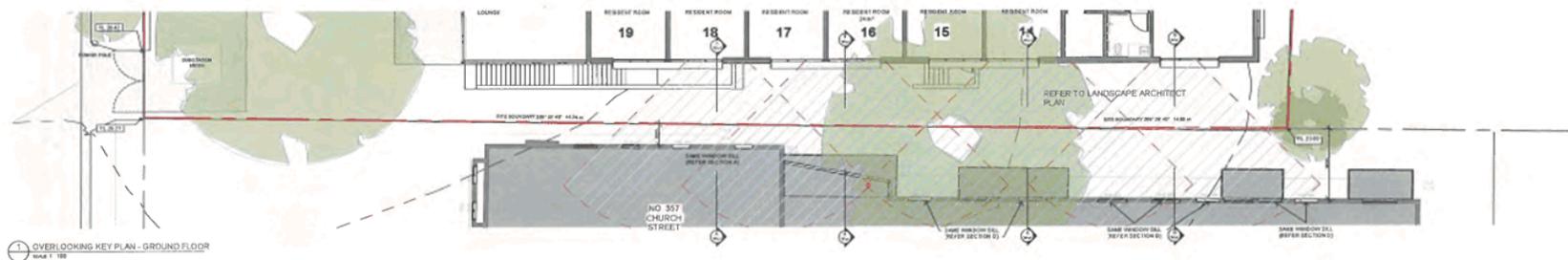
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Rev	Date	Description
1.1	22/11/17	Issue for Council
1.2	22/11/17	Issue for Council
1.3	22/11/17	Issue for Council
1.4	22/11/17	Issue for Council
1.5	22/11/17	Issue for Council
1.6	22/11/17	Issue for Council
1.7	22/11/17	Issue for Council
1.8	22/11/17	Issue for Council
1.9	22/11/17	Issue for Council
1.10	22/11/17	Issue for Council

SHADOW SECTIONS - 22ND SEPTEMBER @ 1PM
 TP39
 PRELIMINARY
 NOT FOR CONSTRUCTION
 4 NOV 2017

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 Checked by: J.D.

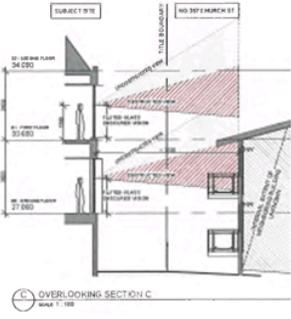
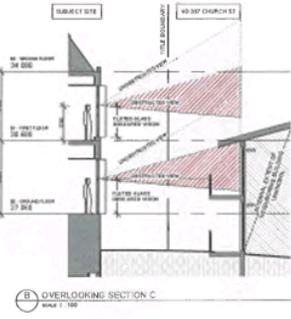
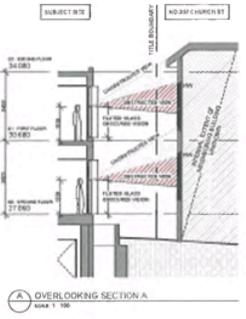
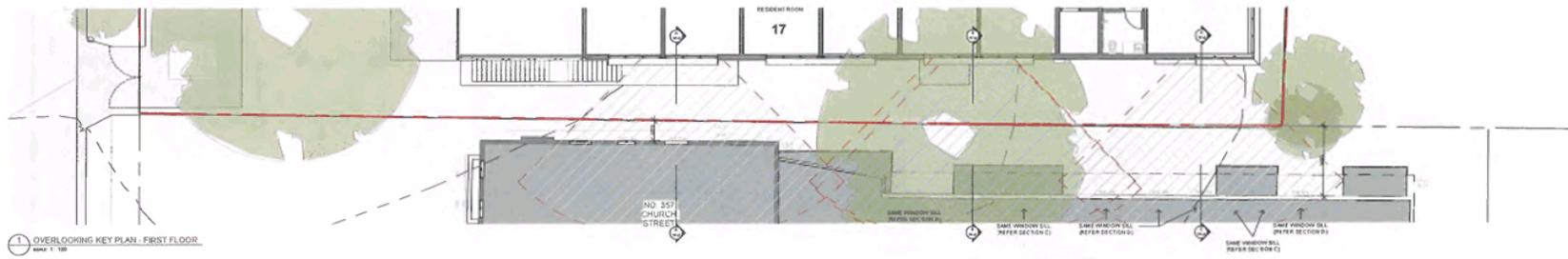
Attachment 2 - Architects Plans - 351 Church Street



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Attachment 2 - Architects Plans - 351 Church Street

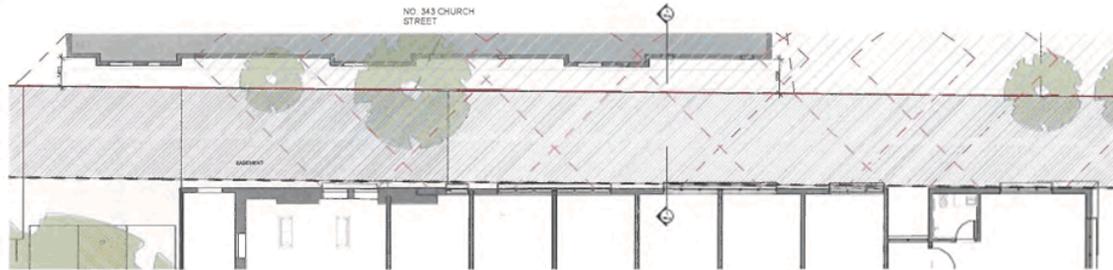


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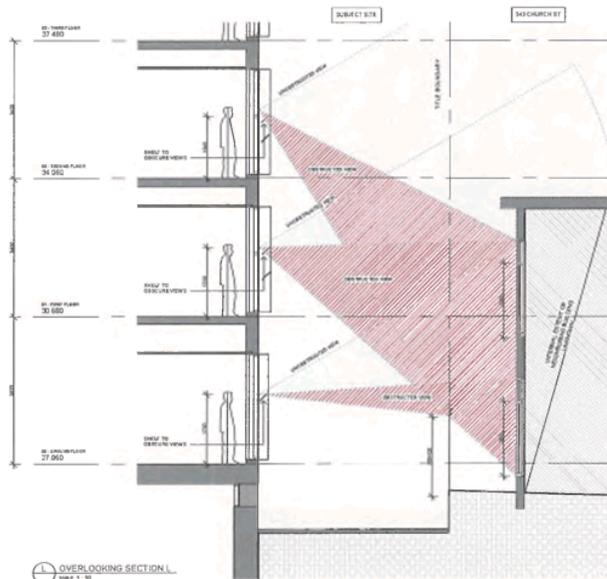
 <p>CHT ARCHITECTS 15/17 Church St, Richmond, VIC 3121 Tel: 03 9412 1000 Fax: 03 9412 1001 www.chtarchitects.com.au</p>	<p>CHT Architects Pty Ltd 15/17 Church St, Richmond, VIC 3121 Tel: 03 9412 1000 Fax: 03 9412 1001 www.chtarchitects.com.au</p>	<p>MECWACARE 351 CHURCH ST, RICHMOND, VIC, 3121</p> <p>meowacare</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>18/11/2017</td> <td>ISSUED FOR PERMIT</td> </tr> </tbody> </table>	No.	Date	Notes	1	18/11/2017	ISSUED FOR PERMIT	<p>OVERLOOKING SECTIONS - SOUTH TP42 C</p> <p>PRELIMINARY NOT FOR CONSTRUCTION</p> <p>DATE: 4 NOV 2017</p> <div style="text-align: right;">  <p style="font-size: 2em; font-weight: bold;">16127</p> </div>
No.	Date	Notes								
1	18/11/2017	ISSUED FOR PERMIT								

NOTE: ALL INTERNAL DETAILS ARE INDICATIVE ONLY AND SUBJECT TO CHANGE

Attachment 2 - Architects Plans - 351 Church Street



1 OVERLOOKING KEY PLAN - FIRST FLOOR
SCALE 1:100



L OVERLOOKING SECTION L
SCALE 1:50

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CHT ARCHITECTS
145/151 COLLEGE STREET
RICHMOND VIC 3121

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MECWACARE
351 CHURCH ST, RICHMOND, VIC, 3121

mecwacare

NO.	DATE	DESCRIPTION
01	22/11/2017	ISSUED FOR PERMIT
02	22/11/2017	ISSUED FOR PERMIT
03	22/11/2017	ISSUED FOR PERMIT
04	22/11/2017	ISSUED FOR PERMIT
05	22/11/2017	ISSUED FOR PERMIT
06	22/11/2017	ISSUED FOR PERMIT
07	22/11/2017	ISSUED FOR PERMIT
08	22/11/2017	ISSUED FOR PERMIT
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19	22/11/2017	ISSUED FOR PERMIT
20	22/11/2017	ISSUED FOR PERMIT

OVERLOOKING SECTIONS - NORTH

TP44

C

PRELIMINARY
NOT FOR CONSTRUCTION

4 NOV 2017

16127

Attachment 3 - Fact Sheet - C225 351 Church Street - exhibition notification

**Amendment C225
351 Church Street Richmond**



Artist impression of the proposed residential aged care facility – 351 Church Street – submitted plans – CHT Architects for Mecwacare

Yarra City Council has prepared Amendment C225 to the Yarra Planning Scheme which applies to land at 351 Church Street, Richmond.

The amendment would enable the building of a residential aged care facility at the site, and has been requested by Mecwacare (the proponent), a not-for-profit aged care provider.

Amendment C225 is now on exhibition. You are welcome to make a written submission on the amendment by 5pm, Monday 2 April.

What does Amendment C225 do?

The amendment would create an exemption from the mandatory 9m height control in the Neighbourhood Residential Zone which applies to the land. It introduces an Incorporated Document into the Yarra Planning Scheme that would permit a 5 storey purpose-built residential aged care facility. The exemption would only apply to the proposed residential aged care facility. The amendment does not rezone the land.

Proposed Residential Aged Care Facility

The site for the residential aged care facility is on the east side of Church Street Richmond, just south of St Ignatius Church. The land is currently occupied by a residential hotel.

The proposed residential aged care facility would retain the two individually significant heritage terraces at the front of the site. A new building at the rear of the heritage buildings would range in height from 18.3m near the existing terraces to 20.3m at the rear (plus 2.6m for the plant room on the roof). It will include basement car parking and support services for staff and residents.

What is the justification for the amendment?

There is a significant shortfall in the number of residential aged care beds to cater for growing demand in the City of Yarra. The number of people over 70 is expected to nearly double from approximately 6,800 (2016) to 12,700 (2031).

The current supply of residential aged care facilities does not meet the current or future community needs.

The proposal demonstrates a positive community benefit and is consistent with recent precedents using community benefit as a justification.

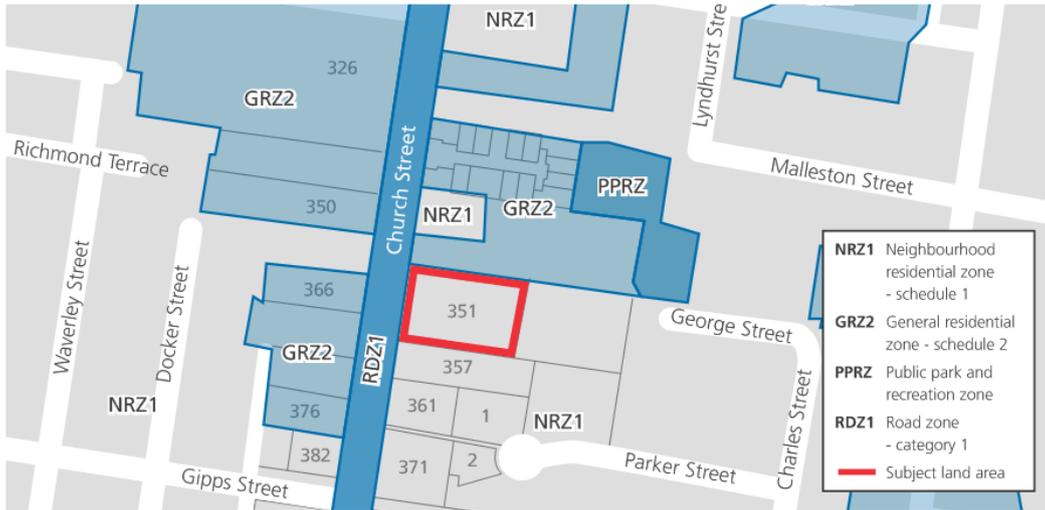
The proposal is for a not-for-profit service which would provide subsidised and specialised care for the local community.

Attachment 3 - Fact Sheet - C225 351 Church Street - exhibition notification

Amendment C225

351 Church Street Richmond





NRZ1	Neighbourhood residential zone - schedule 1
GRZ2	General residential zone - schedule 2
PPRZ	Public park and recreation zone
RDZ1	Road zone - category 1
█	Subject land area

Next steps

Following the current consultation period, council will consider community submissions at a council meeting and an independent planning panel may be appointed to assess them at this stage.

Find out more

Online

For full details about the proposed amendment and the amendment process, visit www.yarracity.vic.gov.au/amendmentc225

In person

The draft amendment can be viewed in person at Richmond Town Hall (333 Bridge Road, Richmond) during business hours.

Consultation closes at 5pm on Monday 2 April 2018.

How to make a submission:

We are exhibiting Amendment C225 from Thursday 1 March to Monday 2 April 2018.

Submissions must be made in writing and are due by 5pm, on Monday 2 April 2018.

Email

info@yarracity.vic.gov.au
(Subject line: 351 Church Street - Amendment C225)

Post

PO Box 168, Richmond VIC 3121
(Attention to Peter Mollison, Strategic Planning)

When you make a submission, please provide us with your name and contact details to ensure that you continue to be part of the process.

You will be contacted when Council is ready to consider the proposed amendment and given the opportunity to speak in support of a submission (or to have someone speak on your behalf).

All submissions will be treated as public documents. Council is obliged by the Planning and Environment Act to make all submissions available for inspection at its offices.

For information in your language, please call 9280 1940 and quote the REF number below. | 欲知粵語版本的資訊，請致電9280 1932並報上下列REF號碼。 | Για πληροφορίες στα Ελληνικά, παρακαλούμε καλέστε το 9280 1934 και αναφέρετε τον αριθμό REF παρακάτω. | Per informazioni in italiano siete pregati di chiamare il numero 9280 1931 e di citare il numero di riferimento (REF number) sottoindicato. | 欲知普通话版本的信息，请致电9280 1937并报上下列REF号码。 | Para información en castellano, llame al 9280 1935 y cite el número de REF. De más adelante. | Để biết thông tin bằng tiếng Việt, xin hãy gọi số 9280 1939 và nói số REF dưới đây. | للمعلومات باللغة العربية، يرجى الإتصال هاتفياً بالرقم 9280 1930 والإشارة إلى رقم المرجع المذكور أدناه. |

REF 18020

Attachment 4 - Submission summary table

Amendment C225 Submissions – contact details and summary of issues

Submission No.	TRIM No.	Stakeholder	Submission Summary	Submission Position	Discussion
1	D18/39888	Unit owner	<p>Objects to the development on the grounds that it sets a precedent for the area. Other parties may also argue that theirs is also a service that the city of Yarra needs.</p> <p>Why can't the facilities be built within the height restrictions? Build two age care facilities by acquiring other land in the City of Yarra. The not for profit organisation should not be driven by excessive profits demanded of for-profit organisations.</p> <p>Height restrictions influenced our decision to buy into the area.</p>	Objects	Refer to a Panel – the objection is in-principle and cannot be negotiated
2	D18/42604	Unit owner	<p>Supports that part of the development proposal that seeks to retain the heritage building facades at the front of 351 Church Street, but are gravely concerned about the proposed variation to the existing height limitation in the area. The height and bulk of the proposed new building will affect our property (on the South side of number 343) as it will dominate the outlook.</p> <p>This is not a trivial variation. The height limit of 9 metres is to be varied to allow a building of a total height of almost 24 metres. This is, almost three times the existing height limit makes a mockery of Council's existing planning strategy and regulations. The proposed variation would create a precedent for further applications.</p> <p>Questions the 'not-for-profit' nature of the proponent and suggests the proposal is opportunistic.</p> <p>The new building may compete with St Ignatius and detract from that building. Instead of this location being defined by the St Ignatius spire it will be dominated by this building or others which follow.</p>	Objects	Refer to a Panel – the objection is in-principle and cannot be negotiated
3	D18/56986	Property owner	<p>Opposed to the Amendment on the following grounds:</p> <ul style="list-style-type: none"> height is not in keeping with surrounding buildings car parking must be sufficient for all staff and visitors so that cars are not congesting surrounding streets <p>Changes which should be made to the Amendment:</p> <ul style="list-style-type: none"> reduce height of proposed facility ensure sufficient underground car parking is provided for staff, visitors ensure sufficient road access is provided for emergency vehicles which will need to access the facility 	Objects	Refer to a Panel – the objection is in-principle and cannot be negotiated
4	D18/56701	Housing Development Manager YWCA Housing	<p>The submission objects to the proposed development for the following reasons:</p> <ul style="list-style-type: none"> It will cause adverse impacts on access to Richmond House for pedestrians and vehicles It will impact on the amenity of Richmond House residents, in particular due to: <ul style="list-style-type: none"> The visual bulk, height and mass of the proposed 6 storey building on the subject site; and The overshadowing impacts on our ground level private open space, especially on the west and south west portions of our property being outdoor areas well utilised by our residents. <p>The submission suggests the proposed development should be modified to reduce these impacts: 'the building alignment of the upper two levels of the development plus the rooftop plant on the eastern side be setback the same distance as the building alignment setback on the western side of the development directly behind the heritage buildings on the subject site, that is, approx. 5m commencing at level 4. This 5m setback will assist in not only reducing the overall height of the development when viewed from Richmond House so as to be of a similar height to that of Richmond House (to its eaves) but assist in reducing the overshadowing of our main private open space adjacent to the site's eastern boundary which commences at around 1pm on 22 September and gets progressively worse from that time onwards. It will also reduce the overshadowing impacts for the habitable room windows on the western side of Richmond House.'</p>	Objects and seeks specific changes to the design of the proposed new building	This submission objects to the proposal but also seeks specific changes to the design as it would impact on the building at 345 Church Street – refer to a Panel and negotiate with parties.
5	D18/57646	Owner and resident	<p>It is inappropriate for individual developers to seek to benefit by a spot change to the planning scheme for a particular location, on the basis that it suits their cause. There are other suitable sites within the City of Yarra for an aged care facility that won't negatively impact heritage buildings.</p> <p>Planning controls are there to provide certainty, and they should provide guidance to all land owners as to the reasonable expectations of development and use of the land.</p> <p>The Planning Scheme rules should not be changed.</p>	Objects	Refer to a Panel – the objection is in-principle and cannot be negotiated
6	D18/57650	Owner and resident	<p>The submission objects to the proposed Amendment for the following reasons:</p> <ul style="list-style-type: none"> Maintaining the integrity of Richmond's Heritage Overlay Upholding of the current mandatory height limits of 9 metres that apply under the current zoning to all, not selected parties. A more appropriate selection of site. Consideration of the traffic implications of such a huge development. Inadequate distribution of The Notice of Amendment Document to home-owners. <p>(the submitter queried whether absent owners had been notified directly or not)</p>	Objects	Refer to a Panel – the objection is in-principle and cannot be negotiated
7	D18/58793	On behalf of the proponent Mecwacare	<p>The submission supports the Amendment. It indicates Mecwacare wishes to make a submission and be heard at the panel hearing for this matter.</p> <p>The submission notes:</p> <p>'Critically, C225 delivers on the following:</p> <ul style="list-style-type: none"> Social and community benefit by enabling the development of a state-of-the-art facility that will provide critical support 	Supports as proponent and seeks minor change	Supports the Amendment and asks for a minor change to the Incorporated Document about the external appearance scheme which the

Attachment 4 - Submission summary table

Submission No.	TRIM No.	Stakeholder	Submission Summary	Submission Position	Discussion
			<p>services to Yarra's aged population and will address the growing need for residential aged care facilities in the municipality; and</p> <ul style="list-style-type: none"> An architecturally considered built form outcome that, in addition to the community benefit, will restore the existing heritage building and construct a new contemporary addition that responds to the site's heritage sensitivities and protects the amenity of surrounding properties. <p>Given that there is revised material forming the basis of exhibition, it is considered that the proposed Incorporated Document should be updated to reflect the changes made. To that end a tracked change version of the proposed Incorporated Document is appended to this submission.</p> <p>The revised Incorporated Document includes the following additional item for amended plans (at 4.2.1):</p> <p>c) An updated finishes schedule which is to provide white or pale finishes to the elevations.</p>		<p>proponent wants to change – refer to Panel – the change proposed is contrary to Heritage advice.</p>

Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives

External appearance schemes – Architect’s perspective drawings – April 2018

Scheme 1 – White Standing Seam (the original 2016 proposal)



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives

Scheme 2 – Grey Perforated Metal – (the revised scheme presented to Council for decision to prepare and exhibit the Amendment – December 2017)



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives

Scheme 3 – White Perforated Metal – (the latest revised scheme which is the proponent’s current preferred response)



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives



Attachment 5 - 351 Curch Street - External appearance schemes - three alternatives



11.2 Open Data Policy

Trim Record Number: D18/55784

Responsible Officer: Director Corporate, Business and Finance

Purpose

1. To seek Council's endorsement and adoption of the City of Yarra's Open Data Policy.

Background

2. The City of Yarra Council Plan 2017-2021 clearly identifies a number of objectives designed to support local business, foster greater transparency, responsiveness and accountability, to drive innovation and economic opportunities within the City of Yarra.
3. The need for Council to establish a clear digital direction and support community access to meaningful data is referenced in both strategy 5.4 and 7.8 of the current plan.
4. Open Data is also an identified action in the Information Services Strategy 2018-2021. Priority 5 Application and Data Governance identifies the need to 'ensure accurate and consistent data is available, through attention to data quality and management'.
5. The Open Data Handbook located at www.opendatahandbook.org defines data open – "*Open Data is data that can be freely used, re-used and re-distributed by anyone for any purpose – subject only, at most, to the requirement to attribute and share alike*".
6. Benefits Associated with Open Data
 - (a) Increases Transparency and Accountability
 - (b) Encourages Public Education and Community Engagement
 - (c) Improved or new private sector products and services
 - (d) Promotes Progress and Innovation
 - (e) Improved efficiency and effectiveness of council services
7. Open data enables council to proactively answer frequently asked questions by making the information freely accessible. Overtime, information can be made available as quickly as it is gathered, which means that the public can become involved and offer valuable feedback throughout council process. Access to meaningful data aids in unifying a community and empowering them to help shape the direction for the future.

External Consultation

8. Not applicable.

Internal Consultation (One Yarra)

9. The Open Data Policy was made available to all internal stakeholders for a period of four weeks over January – February 2018.
10. Feedback was received from Governance and Emergency Management. These comments were considered and resulted in minor changes to the attached policy.

Financial Implications

11. There are no immediate financial implications resulting from this report or the Policy. Information Services operates within Council's adopted budget 2017/2018. Council data identified of value to community will be published via the Victorian State Government repository data.vic.gov.au.

Economic Implications

12. Data holds great potential for local communities and economies. Open data has the potential to stimulate economic growth better decision making, more transparency and efficiency; as well as higher quality of life and more inclusive societies. Open Data is universally

acknowledged as a key driver for economic growth and an enabler for transparency and accountability, as well as innovation and knowledge.

Sustainability Implications

13. There are no sustainability implications inherent with this report.

Social Implications

14. The benefits of Open Data will primarily be achieved through improvements to council's level of responsiveness, transparency, the utilisation of data to support more informed and effective decision making, empowering local and disadvantage voices or enhancing service delivery and effective service utilisation.

Human Rights Implications

15. There are no Human Rights implications inherent with this report.

Communications with CALD Communities Implications

16. There are no CALD communities' implications.

Council Plan, Strategy and Policy Implications

17. The City of Yarra Council Plan 2017-2021 clearly identifies a number of objectives designed to support local business, foster greater transparency, responsiveness and accountability, to drive innovation and economic opportunities within the City of Yarra.
18. The need for Council to establish a clear digital direction and support community access to meaningful data is referenced in both strategy 5.4 and 7.8 of the current plan.
19. Strategic Objective 5 *City of Yarra, a place where ...*Local businesses prosper and creative and knowledge industries thrive.
20. Strategy 5.4 Develop Innovative Smart City solutions in collaboration with government, industry and community that use technology to embrace a connected, informed and sustainable future. A stated initiative of this strategy includes:
21. Initiative 5.4.1 Implement an innovation hub to bring people together to focus on creative solutions, enabling a culture of continuous improvement, innovation and collaboration
22. Initiative 5.4.2 Develop an Open Data Policy which provides open access for appropriate data sets to businesses and community organisations.
23. Strategic Objective 7: *City of Yarra, a place where...*Transparency, performance and community participation drive the way we operate
24. Strategy 7.8: Develop Innovative Smart City solutions in collaboration with Government, Industry and Community which will use open data technology
25. Initiative 7.8.1 Establish the digital direction for the next 10 years with actions aimed to support customer experience, economic competitiveness, accelerate innovation and deepen engagement with the community to transition Yarra into a nationally recognised digital economy.

Legal Implications

26. There are no legal implications inherent with this report.
27. Implementation of this Policy must be consistent with and operate within any applicable legislation, policy and strategic framework. This may include, but is not limited to:
- (a) Copyright Act 1986
 - (b) Freedom of Information Act 1982
 - (c) Privacy and Data Protection Act 2014
 - (d) Local Government Act 1989
 - (e) Australian Government Public Data Policy Statement
 - (f) Data Vic Access Policy

(g) Public Records Act 1973

Other Issues

Data Audit and Registry

28. A broad spectrum of valuable data assets are currently captured across all Divisions, and corporate systems. Each one of these datasets is currently either locked within corporate systems and/or is captured for the benefit and use of specific council branches. The limited coordination of the types of data currently held by council means that valuable data assets have limited use and value to the organisation.
29. The City of Yarra will shortly commence a process to identify data currently held by council. This will improve our ability to deliver continuous improvement, innovation, collaboration and improved decision making across the organisation.
30. The establishment of a data register will in the long term also assists council with the process to prioritise and publish data which may be of value to local business or community organisations.

Publishing Council Data

31. It is recommended that Victorian councils publish open data to data.gov.au, the Victorian State Government's open data repository.
32. All data-publishing Victorian councils use this portal. It is free and provides storage for the data itself. It includes a number of useful services, such as automatically converting between geospatial data formats, and providing web previews of geospatial data.

Privacy and Open Data

33. Open data is fully compatible with the protection of privacy. Datasets will be reviewed before they are proposed for release to ensure they do not contain any personal information. This will ensure there are no privacy implications.
34. It is intended to start small and publish less sensitive datasets e.g. waste collection zones as Council's initial open data offering.

Options

35. No other options have been considered.

Conclusion

36. The development and application of an Open Data Policy is an essential step to ensure that the City of Yarra provides an appropriate framework to continue to support economic growth, better decision making, more transparency and efficiency; as well as improvements to the quality of life of its citizens.

RECOMMENDATION

1. That:
 - (a) Council adopt the City of Yarra Open Data Policy in **Attachment 1** of this report.

CONTACT OFFICER: Margherita Barbante
TITLE: Manager Information Services
TEL: 9205 5389

Attachments

- 1 Open Data Policy (Draft)

Attachment 1 - Open Data Policy (Draft)



OPEN DATA POLICY

Title	Open Data Policy
Description	Publishing open council data
Category	ICT
Type	Policy
Approval authority	Executive Team
Responsible officer	Coordinator Asset and Geospatial Systems
Approval date	
Review cycle	Every four years
Review date	20 July 2021
Document Reference (Trim)	
Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights of Responsibilities

1. Purpose

To improve the management and use of data assets in support of an open data policy which will deliver value and benefits for Council, Yarra based businesses and the Yarra community.

2. Policy

1. INTRODUCTION

Yarra City Council is committed to the implementation of an open data policy that encompasses all segments of council.

Open data provides new opportunities for commercial applications, improves time-to-market for business, and can form the foundation for new technological innovation, better, more informed decision making, improved service provision and support economic growth. Third parties without the resources to gather data for themselves are able to repurpose it, and utilise the information to develop new applications and services. Information provided in this way is also significant for the academic, public-sector, and industry-based research communities. Open data vastly increases the value of information and allows it to travel and be utilised to its full potential. For data to be considered completely open, it must conform to the following:

Accessibility	Open to everyone, easy to discover
Cost	Available at no cost
Machine Readable	Available in formats easily retrieved and processed by computers
Use Rights	Licensed to enable data reuse and redistribution

This recognises that the above situation for open data is not always possible or appropriate and that in some instances more restrictive licences may be necessary or a charge may be applied.

Attachment 1 - Open Data Policy (Draft)**OPEN DATA POLICY****2. PURPOSE**

The purpose of this policy is to improve management and use of data assets to deliver value and benefits for Council, Yarra based businesses and the Yarra community.

By opening access to its data, Council's objective is to increase productivity and improve service delivery by supporting innovation, research, education and evidence based decision making.

The objective of this policy is to apply open data principles within Council (across Council business units) and to provide open data access to the private sector, Yarra residents and the general public.

By applying these principles to its operations, Council will:

- Improve the quality of council data that will support better informed decision making
- Promote transparency, improve performance, foster collaboration, innovation and community participation, drive the way we operate
- Help local businesses prosper and creative and knowledge industries thrive
- Promote development of new businesses and industries that can build on council data
- Facilitate greater awareness and understanding across Council Business Units of the data for which they are responsible and its potential use.
- Improve citizen engagement with Council.
- Support evidence based policy and practice across all business units

3. SCOPE

This Policy applies to all Council business units

The target beneficiaries of this policy are Council itself, Yarra residents, Yarra businesses and industry.

Implementing the objectives of this policy will not be instantaneous, it will evolve over time. Initially business units should focus on determining and reviewing the data that they collect, its format, frequency of capture, quality and potential use, not just within their own operations, but corporately.

4. PUBLISHING OPEN DATA

The Information Services Steering Committee (ISSC) will be tasked with overseeing the data quality processes within business units and the publishing of council data. The Information Services Steering Committee (ISSC) will have responsibility for evaluating open data against legislative requirements, the value and intended outcome against the cost and potential implications of making the data open.

All open data publishing proposals must be submitted to the Information Services Steering Committee (ISSC) for ratification.

5. DATA QUALITY

It's important that users have confidence in the data they are accessing and using and are made aware of any caveats relating to it. To enable user to determine data suitability, data should be published with a metadata (data about data) statement relating to its purpose and quality.

It may be acceptable to publish incomplete or less than optimum quality data so long as it is accompanied by sufficient information to inform users of any limitations.

Attachment 1 - Open Data Policy (Draft)



OPEN DATA POLICY

6. PRINCIPLES

6.1 Open by Default

Council has adopted a position of data openness with an emphasis on data release unless there is a compelling reason to restrict or preclude access for reasons of privacy, confidentiality, sensitivity or other relevant considerations.

6.2 Cost

Whenever possible, data should be made available at no, or minimal cost to users. It is considered that this approach will encourage maximum use of the data. However, this policy recognises that there may be legitimate instances for applying a reasonable charge for the data

6.3 Prioritised

Dataset should be prioritised for release to enable discovery and innovative use by individuals and organisations. In particular high-value datasets aligned with demand from other Council business units, the public and industry as determined through stakeholder consultation.

6.4 Discoverable

Council data will be published on the Federal Government's online portal data.gov.au. The portal provides an easy way to find, access and reuse public datasets from the government sector. The main purpose of the site is to encourage public access to and reuse of public data. The site was created following the Australian Government's Declaration of Open Government. It also provides hosting for tabular, spatial and relational data with hosted application programming interfaces (APIs) and the option for agencies to link data and services hosted by other government sources. Improving the quantity and quality of the government data and the data.gov.au stack will be an ongoing process.

6.5 Usable

Data should be published in a format that makes it easy to use, transform and reuse. Commonly accepted open data standards such as those proposed by the World Wide Web Consortium (W3C) should be implemented as far as possible to enhance data usability. Characteristics that support data usability include:

- Machine processable formats
- Non-proprietary formats
- Completeness,
- Clear high quality metadata

Standardised metadata provides descriptive and contextual information that makes the dataset understandable and as a consequence, more useful.

Data should be licenced appropriately with clear terms surrounding copyright and use. Where possible and appropriate, a non-restrictive licence should be employed to maximise dissemination and reuse of the data.

There may be some instances where special copyright arrangements or more restrictive licences are necessary. It will be a requirement of individual business units to, where applicable, recommend any data licensing arrangements to the Open Data Committee who will be responsible for determining the appropriate course of action in these instances.

6.6 Protected where required

A large amount of data collected by Council will be suitable for public release. However there will be instances where the data will need to be protected and thus, access restricted or precluded, including:

- Privacy – where personal or sensitive information is involved that can be identified with an individual, or may be involved as an unintended result of data linking or combination.
- Security – because of the nature of the data or information;

Attachment 1 - Open Data Policy (Draft)



OPEN DATA POLICY

- Confidentiality – arising because of the nature of the data or information itself or because a contractual arrangement has been made in relation to the data or information;
- Legal privilege – relating to certain legal advice;
- Commercial – such as commercial in confidence, patent pending, or intellectual property considerations; and
- Public interest – if there are public interest considerations against release and, on balance, they outweigh the public interest considerations.

6.7 Timely

Published data should be current, and if considered practical, live with real-time feeds provided as appropriate and where this enhances the utility of the dataset.

Datasets should include timestamps or other information for users to identify the currency of the data, newer, updated data should be made available to users in a timely manner.

6.8 Data Governance

It is important for user to have confidence that the data they are accessing is trustworthy and authoritative.

Data must be well managed to help ensure its ongoing integrity and efficacy for users. Council will establish a Data Governance Framework that will apply to all council business units. Once in place, it will be the responsibility of data custodians (council business units) to ensure that all data is maintained in accordance with the Data Governance Framework.

7. RELATED DOCUMENTS

Implementation of this Policy must be consistent with and operate within any applicable legislation, policy and strategic framework. This may include, but is not limited to:

- Copyright Act 1986
- Freedom of Information Act 1982
- Privacy and Data Protection Act 2014
- Local Government Act 1989
- City of Yarra Council Plan 2017 – 2021
- City of Yarra ICT Strategy
- City of Yarra Data Governance Framework (under development)
- Australian Government Public Data Policy Statement
- Data Vic Access Policy
- Public Records Act 1973

11.3 Proposed Discontinuance of Road adjacent to 506-510 Church Street, Cremorne

Trim Record Number: D18/74520
 Responsible Officer: Chief Financial Officer

Purpose

1. This report seeks Council's authority to commence statutory procedures pursuant to the *Local Government Act 1989* (Act) to consider discontinuing the road adjacent to the property known as 506 Church Street, Cremorne, being part of the land contained in conveyance book 81 no. 496 (Road).

Background

2. The Road is shown as lot 1 on the Title Plan attached as Attachment 1 to this report, and is shown as the area outlined orange on the plan attached as Attachment 2 to this report (Site Plan).
3. 510 Church Street Pty Ltd (Owner) is the registered proprietor of the properties known as;
 - (a) 506 Church Street, Cremorne, shown outlined blue on the Site Plan, being the land contained in certificate of title volume 1537 folio387; and
 - (b) 508-510 Church Street, Cremorne shown outlined pink on the Site Plan, being the land contained in certificate of title volume 9341 folio 525.
4. These two properties are adjoining.
5. The road is adjacent to the adjoining properties and is not fenced.
6. The Owner has lodged an application for a mixed use development across both properties.
7. The Owner has requested that Council discontinue the Road and sell the Road to the Owner (Proposal).
8. The Owner has agreed to pay Council's costs and disbursements associated with the proposed discontinuance of the Road, together with the market value for the transfer of the discontinued Road to the Owner.

Discussion

Road

9. The Road is known to title as a 'road'. The Road is therefore a road for the purposes of the Act which Council has the power to consider discontinuing.
10. Upon being discontinued, the Road will vest in Council.
11. The Road is not listed on Council's Register of Public Roads.

Site Inspection

12. A site inspection of the Road was conducted by Greg Thomson of Reeds Consulting Pty Ltd on 14 December 2017. The site inspection report notes that:
 - (a) the Road is constructed of concrete;
 - (b) the Road opens onto the existing car park on the adjoining property at 508-510 Church Street, Cremorne;
 - (c) there is no evidence of any vehicular or pedestrian traffic on the Road;
 - (d) the Road does not provide any access to any adjoining properties;
 - (e) the road appears to be used as part of a private car park; and
 - (f) the Road is not required for public access.
13. A copy of the site inspection report is attached as Attachment 3 to this report.

Public Authorities

14. The following statutory authorities have been advised of the proposal and have been asked to respond to the question of whether they have any existing assets in the Road which should be saved under section 207C of the Act: City West Water, Yarra Valley Water, Melbourne Water, Citipower, United Energy, Multinet Gas, Telstra, Optus, APA Gas and Yarra City Council.
15. All authorities have advised that they have no assets in or above the road and no objections to the Proposal.

Public Notice

16. Before proceeding with the discontinuance, Council must give public notice of the Proposal in accordance with section 223 of the Act. The Act provides that a person may, within 28 days of the date of public notice, lodge a written submission regarding the Proposal.
17. Where a person has made a written submission to Council requesting that he or she be heard in support of the written submission, Council must permit that person to be heard before a meeting of Council or the Committee which has delegated authority to hear those submissions, giving reasonable notice of the day, time and place of the meeting.
18. After hearing any submissions made, Council must determine whether the road is not reasonably required as a road for public use, in order to decide whether the Road should be discontinued.

Economic Implications

19. Nil

Financial Implications

20. The Owner has agreed to acquire the Road for its market value (plus GST).
21. In addition to the market value of the Road (plus GST), the Owner has agreed to pay Council's costs and disbursements associated with the Proposal.

Sustainability Implications

22. Nil

Social Implications

23. Nil

Human Rights Implications

24. Nil

Communications with CALD Communities Implications

25. All notices and correspondence issued with respect of this report will contain referral information to Yarralink Interpreter Service.

Council Plan, Strategy and Policy Implications

26. Nil

Legal Implications

27. If the Road is discontinued and sold to the Owner, Council will require the Owner to consolidate the title to the former Road with the title to the Owners' property 506-510 Church Street, Cremorne, within 6 months of the date of transfer of the Road to the Owners, at the Owners expense.

Other Issues

28. Nil

Options

29. Nil

Conclusion

30. It is proposed that Council should commence the statutory procedures pursuant to clause 3 of Schedule 10 of the Act to discontinue the Road adjacent to 506-510 Church Street, Cremorne, and transfer to the Owner the discontinued Roads, as the Road is no longer reasonably required for public use.

RECOMMENDATION

1. That Council, acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):
 - (a) Resolves that the required statutory procedures be commenced to discontinue the road adjacent to 506-510 Church Street, Cremorne, which is shown marked lot 1 on the title plan attached as Attachment 1 to the report (Road);
 - (b) Directs that, under sections 207A and 223 of the Act, public notice of the proposed discontinuance be given in The Age and The Weekly Times newspapers and Council's social media;
 - (c) Resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the road is discontinued, Council proposes to sell the road to the adjoining owner for market value; and
 - (d) Authorises the Valuations Coordinator to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter.

CONTACT OFFICER: Bill Graham
TITLE: Coordinator Valuations
TEL: 9205 5270

Attachments

- 1 Title Plan
- 2 Site Plan
- 3 Site Inspection Report

Attachment 3 - Site Inspection Report



Ref: MAN:MZY:7276438

Maddocks
Lawyers
Collins Square, Tower Two
Level 25, 727 Collins Street
MELBOURNE 3000

Yarra City Council
Proposed discontinuance of road adjacent to 506-510 Church Street, Cremorne

DATE OF INSPECTION: 14 / 12 /2017

PHOTOGRAPHS OF THE ROAD: Attached at Annexure A

IS THE ROAD OPEN AND AVAILABLE FOR USE BY THE PUBLIC? Yes No

WHAT OBSTRUCTIONS ARE OVER OR IN THE ROAD?

Fencing	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Vegetation*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Rubbish	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Services*#	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Other*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	(# Including fire hydrants/plugs.)				

* Provide Details:

There is a large recycle bin on the Southern portion of the road. The Eastern and Southern boundaries are bounded by a brick building. _____

THE MATERIAL WITH WHICH THE ROAD IS CONSTRUCTED:

<input type="checkbox"/> Nil	<input type="checkbox"/> Bitumen
<input type="checkbox"/> Bluestone	<input checked="" type="checkbox"/> Other - Concrete 15 years + _____

Note: This concrete is the same as the concrete car park on the adjoining title to the West

EVIDENCE OF THE ROAD BEING USED:

<input checked="" type="checkbox"/> Nil	<input type="checkbox"/> Gates opening onto the road
<input type="checkbox"/> Tyre marks	<input type="checkbox"/> Garages opening onto the road
<input type="checkbox"/> Worn grass	<input type="checkbox"/> Other _____

TYPE OF TRAFFIC:

<input type="checkbox"/> Pedestrian	<input type="checkbox"/> Vehicular	<input type="checkbox"/> Animal	<input checked="" type="checkbox"/> Nil
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[7276438: 20535773_1]

Attachment 3 - Site Inspection Report



WHAT IS THE ROAD PROVIDING ACCESS TO?

- Adjoining properties @
- Reserve/Park
- Main Road
- Shops
- Other _____

@ Specify which properties

A blocked up window on the Eastern boundary (Rear of brick building at 506 Church Street). No doors from this brick building access the road.

DETAILS OF OTHER SUITABLE MEANS OF ACCESS NEARBY.

The Northern boundary of the road is open to Hutchings Street and the Western boundary opens to existing carpark on the adjoining title. _____

DETAILS OF FENCES, BUILDINGS AND/OR LANDSCAPING PLACED ON OR OVER ANY PORTION OF THE ROAD BY ABUTTING PROPERTY OWNERS, AND THE EXTENT OF SUCH ENCROACHMENT.

There are no encroachments _____

IS THE ROAD REQUIRED FOR PUBLIC ACCESS? Yes No

OTHER OBSERVATIONS:
The road appears to be part of a private carpark. It also appears to be used as a car park (1 car) for 506 Church Street.

Signed: Craig Thayer Date: 15 / 12 / 2017

Title/Position: Survey Manager LS Company: Reeds Consulting P/L

Reeds Consulting Ref:23025

ATTACH ADDITIONAL PAGES IF THERE IS NOT ENOUGH SPACE ON THIS FORM

[7276438: 20535773_1]

Attachment 3 - Site Inspection Report


Maddocks



[7276438: 20535773_1]

11.4 Supplementary Report on Assemblies of Councillors

Trim Record Number: D18/79686

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To provide a supplementary report on Assemblies of Councillors held in the period 1 January 2018 to 30 April 2018.

Background

2. The *Local Government Act 1989* (The Act) requires that ... "The Chief Executive Officer must ensure that the written record of an Assembly of Councillors is, as soon as practicable:
 - (a) reported at an ordinary meeting of the Council; and
 - (b) incorporated in the minutes of that Council meeting.....".
3. At its meeting on 8 May 2018, Council received the records of 13 Assemblies held in the period since the previous report. This report provides an additional 16 records of Assemblies held during that period.
4. Future reports will be presented to Council on a monthly basis.

Consultation

5. Not applicable.

Financial Implications

6. Not applicable.

Economic Implications

7. Not applicable.

Sustainability Implications

8. Not applicable.

Social Implications

9. Not applicable.

Human Rights Implications

10. Not applicable.

Communications with CALD Communities Implications

11. Not applicable.

Council Plan, Strategy and Policy Implications

12. Not applicable.

Legal Implications

13. The Act, requires the above information be reported to a formal Council Meeting and also be recorded into the Minutes of the Council.

Other Issues

14. Not applicable.

Options

15. Nil.

Conclusion

16. That Council formally note and record the Supplementary Assemblies of Councillors report as detailed in ***Attachment 1*** hereto.

RECOMMENDATION

1. That Council formally note and record the Supplementary Assemblies of Councillors report as detailed in ***Attachment 1*** hereto.

CONTACT OFFICER: Rhys Thomas
TITLE: Senior Governance Advisor
TEL: 9205 5302

Attachments

- 1 Supplementary Assemblies of Council Report - May 2018

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Supplementary Record of Assemblies of Councillors

Report cut-off	15 May 2018
Council Meeting	22 May 2018

This report includes all Assemblies reported to the Governance Department at the cut-off date that have not already been reported to Council. Assemblies held prior to the cut-off date that are not included here will be included in the next report to Council.

Assembly	Attendance	Matters considered	Disclosures
Heritage Advisory Committee 30/1/2018 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Jackie Fristacky • Cr James Searle Officers <ul style="list-style-type: none"> • Ivan Gilbert • Richa Swarup • Belinda Robson • Michael Ballock 	1. Role of the Senior Advisor City Heritage 2. Gasworks Site 3. Yarra's Oral History	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
2018/19 Planning and Budget Discussion 10/2/2018 12.00pm	Councillors <ul style="list-style-type: none"> • Cr Mi-Lin Chen Yi Mei • Cr Misha Coleman • Cr Jackie Fristacky • Cr Daniel Nguyen • Cr James Searle • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Andrew Day • Ivan Gilbert • Lucas Gosling • Chris Leivers • Bruce Phillips • Fred Warner • Ange Marshall • Julie Wyndham 	<ol style="list-style-type: none"> 1. Review of Council Plan 2. Discussion on LG finance in a Yarra Context, including VAGO and LGPRF indicators 3. Mid-year financial position 4. Preliminary 2018/2019 budget parameters and LGPRF 5. Financial pressures, including NAV/CA and centralisation of valuations 	None
Acting Ageing Advisory Group 14/2/2018 1.00pm	Councillors <ul style="list-style-type: none"> • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Adrian Murphy • Fran Moloney • Nina Collins • Cheryle Gray • Julia Mardjuki (Item 5) 	<ol style="list-style-type: none"> 1. Affordable Housing - Council Housing policy guidelines 2. Active & Healthy Ageing and Access and Inclusion Consultation report 3. Members report on engagement during the past 2 months 4. Presentation: Avatars and other IT Innovation supporting residents 50+ yrs to stay engaged 5. Presentation of Council's Open Space Strategy 	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
Early Years Reference Group 20/2/2018 11.00am	Councillors <ul style="list-style-type: none"> • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Sarah O'Donnell • Nichola Marriot • Deanne Halpin • Camille Lee-Hill • Janet Keily • Sarah Northwood 	<ol style="list-style-type: none"> 1. Open Space Strategy 2. 0 to 25 Plan 3. Child Care Management System changes 4. Decrease in kindergarten participation 	None
Urban Agriculture (Community Gardens) Advisory Committee 22/2/2018 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Danae Bosler • Cr James Searle Officers <ul style="list-style-type: none"> • Pippa French • Eloise Lobsey 	<ol style="list-style-type: none"> 1. Open Space Strategy Consultation 2. Introduction New Urban Agriculture Facilitator 3. Review of Urban Agriculture Strategy 4. Urban Agriculture projects 5. Future agendas 6. Future meeting invites 7. Draft Terms of Reference 8. Conclusion and Next meeting 	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
Councillor Planning Day 24/2/2018 11.00am	Councillors <ul style="list-style-type: none"> • Cr Misha Coleman • Cr Jackie Fristacky • Cr Mike McEvoy • Cr Daniel Nguyen • Cr James Searle Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Andrew Day • Ivan Gilbert • Lucas Gosling • Chris Leivers • Bruce Phillips • Fred Warner • Ange Marshall • Julie Wyndham 	<ol style="list-style-type: none"> 1. Summary of draft LTFS position 2. Summary and discussion of early engagement community feedback 3. Draft 2018/19 capital expenditure program 4. Draft 2018/19 discretionary projects 5. Draft 2018/19 operating budgets 6. Draft 2018/19 fees and charges 	None
Finance Committee 26/2/2018 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Danae Bosler • Cr Misha Coleman • Cr Jackie Fristacky • Cr Daniel Nguyen • Cr James Searle • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Andrew Day • Ange Marshall • Chris Leivers 	<ol style="list-style-type: none"> 1. 2018/19 Budget 2. November 2017 - Finance Report (for noting) 3. December 2017 - Finance Report (for noting) 4. January 2018 - Finance Report (for noting) 5. Budget Resolution Actions (for noting) 	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
Aboriginal Advisory Committee 1/3/2018 11.00am	Councillors <ul style="list-style-type: none"> • Cr James Searle Officers <ul style="list-style-type: none"> • Aldo Malavisi • Colin Hunter Jr • Daniel Ducrou • Julia Mardjuki (Item 1) 	1. Open Spaces consultation 2. Update Stolen Generation Marker 3. Debrief on Council's January 26 event 4. Discussion about the plaque recognising Captain Cook in Edinburgh Gardens 5. Update on Council's Aboriginal events 6. Wurundjeri update 7. Aboriginal Community updates	None
Youth Advisory Committee 8/3/2018 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Mike Searle Officers <ul style="list-style-type: none"> • Rupert North 	1. Yarra Open Spaces Strategy 2. Priorities for Youth Advisory Committee 3. Yarra Youth Services Victorian Youth Week Event ('Block Party') 4. Updates from Councillors and questions 5. Update from Yarra Youth Services	None
Bicycle Advisory Committee 14/3/2018 6.30pm	Councillors <ul style="list-style-type: none"> • Cr Jackie Fristacky (Item 10) • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Simon Exon • Peter Eckersley 	1. Dockless Share Bikes Parking Report 2. Richmond High School/Coppin Street 3. Planning Scheme Subgroup 4. Station Street Closure 5. Richmond Wiggle 6. Wellington Street Stage 2 7. Monash University Bike Parking Pod Prototype 8. Freestyle Bike Ride 9. Cycling Infrastructure 10. Canning Street Bike Boulevard	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
Heritage Advisory Committee 29/3/2018 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Jackie Fristacky • Cr Stephen Jolly • Cr James Searle Officers <ul style="list-style-type: none"> • Ivan Gilbert • Richa Swarup 	1. World Heritage matters 2. Implementation of Yarra's Heritage Strategy 2015-18 3. Impact of new Heritage Act 4. Works in public places 5. Updating heritage significance statements 6. Incentives for owners of heritage properties 7. Heritage indicators 8. Heritage Training Courses 9. Activity Centres and Heritage Policy 10. Heritage advice to residents 11. Works of the service authorities in heritage areas	None
Aboriginal Advisory Committee 5/4/2018 11.00am	Councillors <ul style="list-style-type: none"> • Cr Mi-Lin Chen Yi Mei • Cr Daniel Nguyen Officers <ul style="list-style-type: none"> • Aldo Malavisi • Colin Hunter Jr • Daniel Ducrou 	1. Planning for the next generation Aboriginal Partnerships Plan 2019-2022 2. Update on Stolen Generations Marker Project 3. Update on Council's Aboriginal events 4. Wurundjeri update 5. Aboriginal Community updates 6. Discussion about the Treaty process 7. Discussion about the creation of a Nicky Winmar Statue 8. Discussion of a 'Keeping Place' for local historical items of significance	None
Active Ageing Advisory Group 11/4/2018 1.00pm	Councillors <ul style="list-style-type: none"> • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Adrian Murphy • Fran Moloney • Nina Collins • Cheryle Gray 	1. Update on Living Well in Yarra consultation 2. Future Directions in Aged Care - Options for Consideration 3. Presentation of Streets Alive, community submission to the Active and Healthy Living in Yarra 4. Future Directions of Aged Care-Options for consideration 5. Members report on engagement over the last few months	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
Bicycle Advisory Committee 11/4/2018 6.30pm	Councillors <ul style="list-style-type: none"> • Cr Jackie Fristacky • Cr Mike McEvoy Officers <ul style="list-style-type: none"> • Peter Eckersley • Julian Wearne 	1. Coppin St/Safe Schools 2. Canning/Richardson Intersection 3. Canning Street Updates 4. Car parking and Bike lanes 5. Dockless Share Bike Parking 6. Gipps/Hoddle Intersection	None
Finance Committee 16/4/2018 6.00pm	Councillors <ul style="list-style-type: none"> • Cr Danae Bosler • Cr Misha Coleman • Cr Jackie Fristacky • Cr Mike McEvoy • Cr Daniel Nguyen • Cr Amanda Stone Officers <ul style="list-style-type: none"> • Vijaya Vaidyanath • Andrew Day • Ange Marshall 	1. 2018/19 Budget 2. Budget Resolution Actions (for noting) 3. Valuations and CIV vs NAV 4. Strategic Projects	None
Multicultural Advisory Group 18/4/2018 9.30am	Councillors <ul style="list-style-type: none"> • Cr Mi-Lin Chen Yi Mei Officers <ul style="list-style-type: none"> • Cristina Del Frate • Kathy Vrettas • Elly Murrell 	1. Multicultural Partnerships Plan	None

Attachment 1 - Supplementary Assemblies of Council Report - May 2018

Assembly	Attendance	Matters considered	Disclosures
<p>Disability Advisory Committee 15/5/2018 4.30pm</p>	<p>Councillors</p> <ul style="list-style-type: none"> • Cr Stephen Jolly • Cr Daniel Nguyen (Items 1,2,4) <p>Officers</p> <ul style="list-style-type: none"> • Adrian Murphy • Natalia Brennan • Cheryle Gray • Marta Rokicki • Pia Borghesi 	<ol style="list-style-type: none"> 1. Proposal for creating a new Individual Assistance Officer position 2. Ask Izzy - info exchange collaboration project on an on-line accessibility rating page. 3. Access and Inclusion Strategy Development 4. Discussion on the format of meetings in absence of Delegate Councillors. 	<p>None</p>

12.1 Notice of Motion No 6 of 2018 - Submission re Planning Application 701 Park Street Brunswick

Trim Record Number: D18/83726

Responsible Officer: Group Manager Chief Executive's Office

I, Councillor Mike McEvoy, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 22 May 2018:

1. *That Council Officers provide advice to Councillors on grounds for a submission to Moreland City Council objecting to the proposed development at 701 Park Street, Brunswick (Planning application number MPS/2016/985), noting the grounds for objection may include, but not limited to:*
 - a) *overshadowing of public open space;*
 - b) *traffic impacts related to parking levels and location of vehicle access onto local streets;*
 - c) *heights in excess of those in DDO18;*
 - d) *impact on neighbouring heritage areas; and*
2. *That officers lodge a submission on behalf of Council on the grounds identified.*

Background

Residents in Princes Hill have expressed concerns to Nicholls Ward Councillors about the impact of the proposed development at 701 Park Street, Brunswick. The proposed development is within the City of Moreland but is on the doorstep of Yarra's Princes Hill, an area of significant character and protected by heritage overlay.

The scale of the proposed development is excessive for the location and exceeds maximum height limits in the Moreland Planning Scheme by 80%. The impact on traffic, public space and Neighbourhood character within the City of Yarra justifies a submission from Council.

RECOMMENDATION

1. That Council Officers provide advice to Councillors on grounds for a submission to Moreland City Council objecting to the proposed development at 701 Park Street, Brunswick (Planning application number MPS/2016/985), noting the grounds for objection may include, but not limited to:
 - (a) overshadowing of public open space;
 - (b) traffic impacts related to parking levels and location of vehicle access onto local streets;
 - (c) heights in excess of those in DDO18;
 - (d) impact on neighbouring heritage areas; and
2. That officers lodge a submission on behalf of Council on the grounds identified.