



**YARRA CITY COUNCIL**  
**Internal Development Approvals Committee**  
**Agenda**

**to be held virtually**  
**on Wednesday 29 July 2020 at 6.30pm**

**Rostered Councillor membership**

Councillor Amanda Stone  
Councillor Mi-Lin Chen Yi Mei  
Councillor Bridgid O'Brien

**I. ATTENDANCE**

Ally Huynh (Senior Co-Ordinator Statutory Planning)  
Gary O'Reilly (Senior Planner)  
Rhys Thomas (Senior Governance Advisor)  
Cindi Johnston (Governance Officer)

**II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**

**III. CONFIRMATION OF MINUTES**

**IV. COMMITTEE BUSINESS REPORTS**

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***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri Woi-wurrung 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."***



## **Internal Development Approvals Committee Submissions**

“Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.”

*Extract from the Council Meeting Operations Policy, September 2019*

## 1. Committee business reports

Item		Page	Rec. Page
1.1	PLN19/0364 - 142 - 144 Coppin Street Richmond - Construction of a four-storey building and reduction in the car parking requirements associated with the use of the land for dwellings and offices (no permit required for office use).	5	44

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- 1.1 PLN19/0364 - 142 - 144 Coppin Street Richmond - Construction of a four-storey building and reduction in the car parking requirements associated with the use of the land for dwellings and offices (no permit required for office use).**
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## **Executive Summary**

### **Purpose**

1. This report provides Council with an assessment of planning permit application PLN19/0364 submitted for 142 – 144 Coppin Street Richmond. The application seeks approval for the construction of a four-storey building and reduction in the car parking requirements associated with the use of the land for dwellings and offices (no permit required for office use). The report recommends approval of the application, subject to conditions.

### **Key Planning Considerations**

2. Key planning considerations include:
  - (a) Built form and Urban Design;
  - (b) Land Use;
  - (c) On-site amenity;
  - (d) Off-site amenity impacts;
  - (e) Car and bicycle parking.

### **Key Issues**

3. The key issues for Council in considering the proposal relate to:
  - (a) Strategic justification;
  - (b) Land Use;
  - (c) Built form and Urban Design;
  - (d) On-site amenity;
  - (e) Off-site amenity;
  - (f) Parking, traffic, and bicycle parking; and
  - (g) Objector concerns.

### **Submissions Received**

4. Thirty-one (31) objections were received to the application, these can be summarised as:
  - (a) Out of keeping with neighbourhood character / heritage;
  - (b) Inappropriate design and overdevelopment (height, scale, bulk, site coverage and permeability);
  - (c) Off-site amenity impacts (loss of solar access to north-facing windows, overshadowing, overlooking and noise impacts);
  - (d) Car parking, traffic impacts and pedestrian safety; and
  - (e) Impacts during construction phase (structural, noise, traffic and pest control).

### **Conclusion**

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and key considerations, and should therefore be supported, subject to conditions generally requiring limited design changes.

**CONTACT OFFICER: Nish Goonetilleke**  
**TITLE: Senior Statutory Planner**  
**TEL: 9205 5005**

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**1.1 PLN19/0364 - 142 - 144 Coppin Street Richmond - Construction of a four-storey building and reduction in the car parking requirements associated with the use of the land for dwellings and offices (no permit required for office use).**

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Reference: D20/125965  
Authoriser: Senior Coordinator Statutory Planning

**Ward:** Melba Ward  
**Proposal:** Construction of a four-storey building and reduction in car parking associated with the use of the land for dwellings and offices (no permit required for office use)  
**Existing use:** No. 142 Coppin Street – Shop/ dwelling  
No. 144 Coppin Street – Dwelling  
**Applicant:** Bacolas Architects Pty Ltd and Fastnet Consulting  
**Zoning / Overlays:** Commercial 1 Zone  
Design and Development Overlay (Schedule 5)  
**Date of Application:** 07 June 2019  
**Application Number:** PLN19/0364

### Planning History

1. Council records indicate that there is no planning permit history for the two subject sites.

### Background

2. The application was received by Council on 07 June 2019 and additional information was received on 17 September 2019. The application was advertised on 02 October 2019 and twenty-seven (27) objections were received.
3. Whilst the advertising process was occurring, Council sought and received formal referral advice from internal departments within Council, including Traffic Engineering Unit, Heritage and the Urban Design Unit.
4. A planning consultation meeting was held on 17 May 2019, and was attended by the applicant, sixteen (16) objectors and Council planning officers.

#### Section 57A Plans

5. The permit applicant submitted a set of amended plans to Council under Section 57(a) of the *Planning and Environment Act* (1987) (the "Act") on 20 February 2020 in an attempt to resolve concerns raised by Council's Engineering Unit, Urban Design Unit and objectors.
6. The Section 57(a) plans included the following plan changes to the originally advertised plans:
  - (a) Deletion of the ground level Apartment G.01 to provide two additional car parking spaces on-site;
  - (b) Re-arrangement of the storage areas at ground level;
  - (c) Changes to the western (rear) façade design and material associated with the Level 2 canopy; and
  - (d) Material change to the level 3 south-facing balcony of Apartment 3.01 from brick to a mix of powder-coated and perforated metal.

7. In addition, the applicant lodged the following amended reports:
  - (a) Sustainable Management Plan (SMP), dated February 2020 and prepared by Sustainable Development Consultants;
  - (b) Traffic Engineering Assessment, dated December 2019, prepared by Traffix Ground; and
  - (c) Waste Management Plan (WMP), dated 29 January 2020, prepared by R B Waste Consulting Service.
8. The amended plans and reports were re-advertised and four additional objections were received with some original objectors re-emphasising their concerns.

#### Sketch Plans

9. On 03 June 2020, the Applicant submitted Sketch Plan (TP100-C – ground level plan) to show:
  - (a) Convex mirrors associated with the rear garage located within the subject site's title boundaries.
  - (b) Amended levels within the garage to be 40mm above the existing levels at the sides of the lane.
  - (c) Addition of two sectional diagrams of the car park, taken from the midpoint of each garage showing the gradual transition from the ROW to the garage in order to show that a B85 vehicle can enter and exit without scraping.
10. The assessment in this report is based on the amended 57A plans submitted to Council on 20 February 2020, and references the abovementioned Sketch Plan submitted on 03 June 2020.

#### **The Proposal**

11. The application seeks approval for the construction of a four-storey building and reduction in the car parking requirements associated with the use of the land for dwellings and offices (no permit required for office use). The proposal is summarised as follows:

#### General

- (a) Demolition of all built form on-site (no permit required), including boundary fencing, with the exception of the existing 0.11m wide party-wall easement shared between No. 142 Coppin Street and No. 140 Coppin Street;
- (b) Construction of a four (4) storey building, with a maximum overall height of 13.45m above natural ground level (NGL);
- (c) The building design would encompass a contemporary, rectilinear form, with vertical-rectangular fenestrations to the front façade, and broadly stepped three-storey base from all title boundaries and a recessive fourth storey;
- (d) The overall development is proposed to be finished in a mix of 'white wash' and 'monument' brickwork, 'patterned natural finish' concrete, and 'monument' powder-coated metal cladding, with glazing along the front and rear facades;

#### Use

- (e) Commercial (2 x office) tenancies at ground level consisting of 70sqm and 75sqm of leasable floor area (permit not required for use);
- (f) Dwellings (apartments) between Levels 1 to 3 comprising:

- (i) 4 x one-bedroom;
  - (ii) 2 x two-bedroom; and
  - (iii) 1 x three-bedroom.
- (g) 4 on-site residential car parking spaces; 2 allocated to Apartment 3.01 and 1 car park each allocated per two bedroom apartments;
- (h) 14 bicycle spaces, consisting of 8, vertical resident spaces within a secure bike storeroom, 2 horizontal spaces allocated to the office tenancies and 4 visitor bicycle spaces along the Coppin Street frontage;
- (i) Two shower / change rooms provided within the offices;

### Development

#### *Ground Level*

- (j) The majority of the ground level will be constructed to all four title boundaries, with the exception of a minimum setback of 0.15m from the northern boundary (abutting the existing party-wall shared with No. 140 Coppin Street), a minimum setback of 0.9m from the eastern (front) boundary. The ground level is also setback 0.8m from the western (rear) boundary with access to four car spaces from Wall Place;
- (k) An internal walkway along the southern boundary accesses bicycle hoops (two accessible bicycle hoops allocated to the office tenancies and 8 resident bicycle spaces), refuse room, residential lift lobby, storage areas for each apartment and a 10,000Ltr rainwater tank connected for sanitary purposes of all apartments;
- (l) A 2.5m setback from the northern boundary provides for a central light-court located between Office 1 and the rear garage. This light-court continues vertically up to Level 3;
- (m) A secondary pedestrian entrance for Apartment 3.01 is provided from Wall Place;

#### *Level 1 to Level 3*

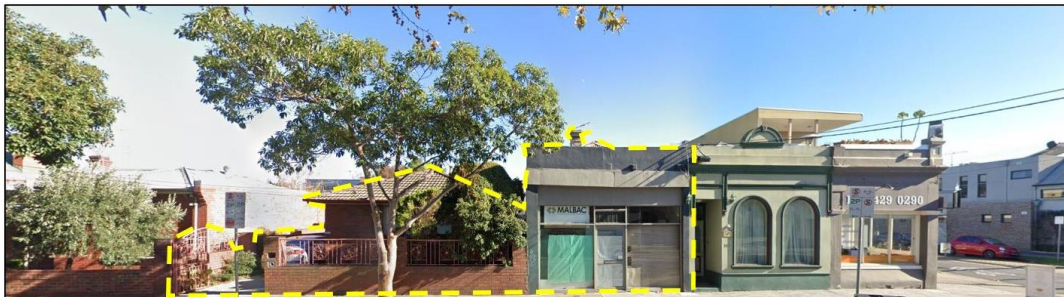
- (n) Level 1 is setback a minimum 0.15m from the northern boundary, setback a minimum 1.15m from the front boundary, setback 2.25m from the southern boundary and setback 2.25m from the rear boundary with balconies encroaching into this setback);
- (o) Level 1 contains 2 x 1 bedroom and 2 x 2 bedroom apartments, each with balconies measuring 8sqm (two addressing Coppin Street and two addressing Wall Place);
- (p) One bedroom from each of the 2 bedroom apartments will have a smaller terrace, setback 1.4m from the southern boundary;
- (q) Level 2 has a similar envelope with regards to the setbacks from the northern and front boundaries, with the southern setback increased to a minimum 3.05m and setback a minimum 1m from the rear boundary with balconies encroaching this setback;
- (r) Level 2 contains 2 x 1 bedroom apartments, each with balconies measuring 8.1sqm fronting Coppin Street. The remainder of Level 2 consists of Apartment 3.01 with a Wall Place and south-facing balcony;
- (s) Level 3 has the same envelope as the levels below with regards to the setbacks from the northern boundary, setback a minimum 2.1m from the front boundary, setback a minimum 4.8m from the southern boundary and setback a minimum 1.25m from the rear boundary; and

- (t) Level 3 contains the open plan dining/ kitchen/ living area of Apartment 3.01, including two large balconies, each addressing Coppin Street and Wall Place and a smaller north-facing balcony. An operable, louvered pergola partially covers the balcony fronting Wall Place and the north-facing balcony.

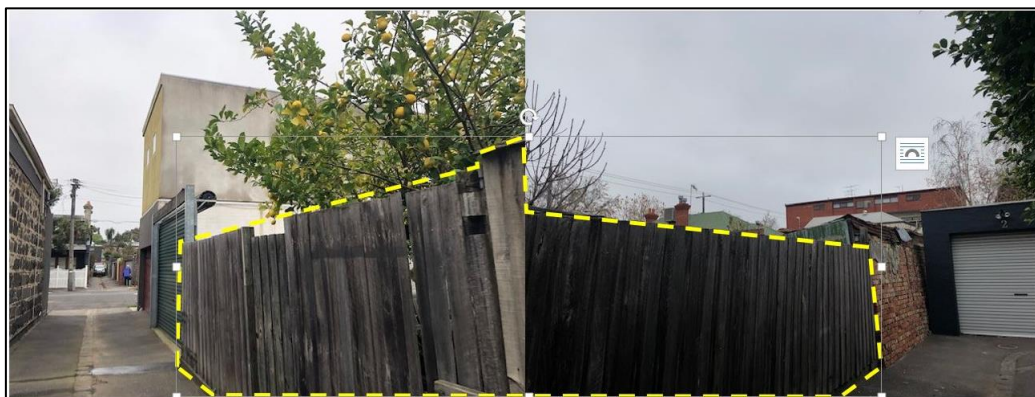
**Existing Conditions**

Subject Site

- 12. The subject site is located on the western side of Coppin Street, approximately 400m south of Bridge Road, 350 north of Swan Street. Church Street is 380m west of the site and Burney Street 400m to the east. The site is generally rectangular in shape, with a total frontage of 16.37m to Coppin Street and a maximum depth of 31.24m, consisting an overall combined site area of approximately 512sqm. The western boundary abuts a 3.3m wide Right-of-Way (ROW) known as Wall Place.
- 13. No. 142 Coppin Street is occupied by a single-storey, office building, built to the majority of the northern and southern title boundaries, with the exception of a 1.4m setback from the southern boundary and a 3.02m setback from the rear boundary. The building presents to Coppin Street with an on-boundary, single-storey wall with glazed windows and pedestrian door. This site has relatively high site coverage. There is no car parking on-site.
- 14. No. 144 Coppin Street is occupied by a single-storey, brick dwelling, setback a minimum 1m from the northern boundary, 3m from the front boundary, 2m from the southern boundary, and approximately 10m from the rear boundary. The majority of the rear setback is covered by sheds, with secluded private open space (SPOS) located between the main dwelling and sheds. Car parking on-site is accessed via Coppin Street.



The subject sites when viewed from Coppin Street (Planning Officer, July 2019)



The subject sites from Wall Place (Planning Officer, July 2019)

*Title and Plan of Subdivision*



15. There are no restrictive covenants listed against the certificate of titles provided for Nos. 142 and 144 Coppin Street. There is however a party-wall easement between No. 140 Coppin Street and No. 142 Coppin Street. The development proposes to retain the existing party-wall shared with No. 140 Coppin Street and build abutting the party-wall.

Surrounding Land

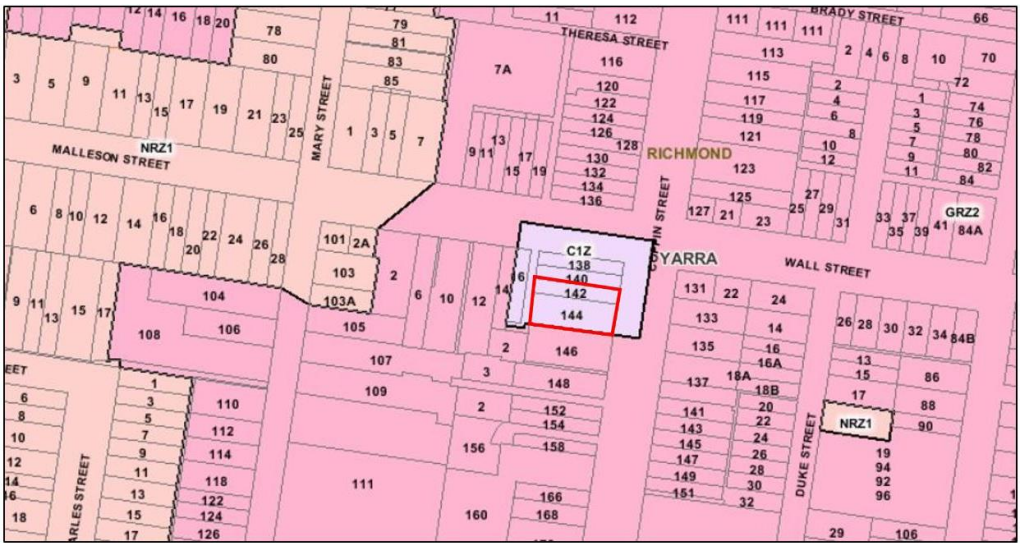
16. The immediate surrounds are predominantly residential in nature and defined by a mix of single to double-storey dwellings with three and four storey apartments interspersed along the street. As shown below, there are several three to four storey 1970's apartments, including more recently constructed three-storey apartment developments (No. 135 Coppin Street) and recently approved, three-storey townhouse developments (No. 170 Coppin Street) within the vicinity.



Existing and approved 2, 3 and 4-storey buildings in the surrounding area (Planning Maps Online, June 2020)

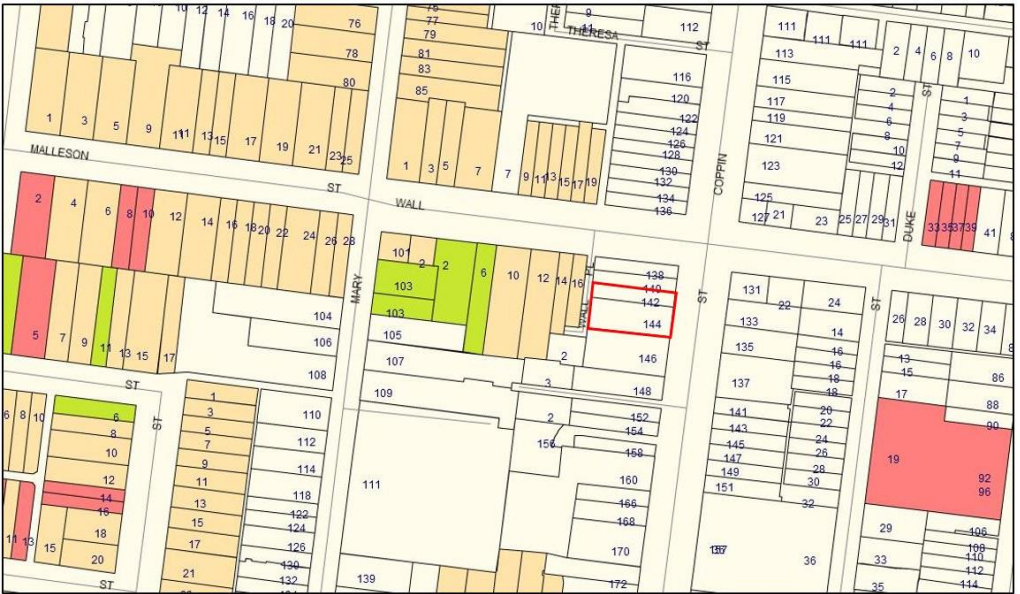
17. As shown below, the surrounding land is largely located within the General Residential Zone, with the subject site located within a pocket of Commercial 1 Zone between Nos. 138 to 144 Coppin Street. No. 16 Wall Street is also located in this zone. The broader neighbourhood has a mixture of commercial and residential activities.





The land zoning context of the surrounding land (Planning Maps Online, June 2020) with subject site in red

- 18. As seen below, the subject site and the properties to the north, south and east of Coppin Street are in a non-heritage context, where most variety in built form (scale, type and era) is seen. The properties to the west of the subject site (fronting Wall Street) fall within the Heritage Overlay (HO319) with many of these sites 'contributory' to the heritage of the Elm Grove Precinct. These properties are quite consistent in their character, being predominantly single-storey; some with first floor additions.



Heritage graded buildings of the surrounding land (GIS, June 2020)

- 19. To the north of the site, are Nos. 138 and 140 Coppin Street. No. 138 Coppin Street is a double-storey, rendered brick building located at the intersection of Coppin Street and Wall Street, and built to all title boundaries at both levels, with the exception of a Level 1 balcony addressing this intersection. The ground level is used as a wellness centre (commercial use), with Level 1 used as a dwelling.
- 20. No. 140 Coppin Street is a single-storey, rendered brick building, built flush to the front boundary and along the majority of the shared boundary with the subject site, with a setback of approximately 7m from the rear boundary to accommodate a shared car parking space and SPOS. Vehicle access is provided via Wall Place to the rear. The use and appearance of this building is for commercial purposes (shop).

21. Abutting the subject site to the south, is No. 146 Coppin Street, a single-storey, brick dwelling, setback 3m from the front boundary, and setback a minimum 1m from the shared boundary with the subject site. A single-storey shed abuts the rear boundary. SPOS of over 100sqm is located between the dwelling and shed. Car parking on-site is accessed via Coppin Street.
22. To the west of the subject site, is Wall Place. Despite Wall Place being a ROW, it is named and identified as a “road” and provides vehicular access to a number of properties along Coppin Street, Wall Place and Wall Street. To the west of Wall Place are dwellings fronting Wall Street. The immediate interface with the subject site are Nos. 14 and 16 Wall Street and No. 2 Wall Place.



Corner of Wall Place and Wall Street (Planning Officer, July 2019)

23. No. 16 Wall Street is one of an attached pair with No. 14 Wall Street to the west, sharing a common wall and roof form. This single-storey dwelling is built along the majority of its eastern boundary, with the exception of a 1.2m wide, central light-court. The southern (rear) setback of approximately 6m accommodates their SPOS. As stated earlier, No. 16 Wall Street is located within a Commercial 1 Zone.
24. Wall Place extends from the rear boundaries of Nos. 138 to 146 Coppin Street and doglegs to the west, abutting the side and rear boundaries of Nos. 14 to 16 Wall Street, respectively. No. 2 Wall Place is located to the south of Wall Place and is a contemporary, double-storey dwelling, setback 2.5m from its northern boundary and 3.6m from the eastern boundary to accommodate a shared car space and SPOS.
25. To the east of the subject site, on the opposite side of Coppin Street are a mix of single and double-storey dwellings as well as a number of three and four-storey apartments.





The subject site and surrounding land (Council GIS, June 2020)

26. The subject site has good access to public transport, retail, and public open space services and facilities, including:
- (a) Burnley train station located 400m east;
  - (b) Swan Street tram line located approximately 350m south. Swan Street is an Activity Centre (AC) which consists of commercial uses, including restaurants, cafes and licensed premises;
  - (c) Bridge Road tram line located approximately 400m north, and Bridge Road is also an AC;
  - (d) Church Street tram line located approximately 380m west;
  - (e) Barkly Gardens, Burnley Park, and Dame Nellie Melba Reserve, all located approximately 400m south, 1km east and 300m north of the site, respectively; and
  - (f) Access to the Yarra River and Capital City Trail 800m south of the site.

## Planning Scheme Provisions

### Zoning

27. The subject site is zoned Commercial 1 Zone (C1Z). The following provisions apply:
- (a) Pursuant to *Clause 34.01-1* of the Yarra Planning Scheme (the Scheme) a planning permit is required for 'dwelling use' if the frontage exceeds 2m. In this instance, the residential entrance equates to an overall width of 2.85m, therefore a planning permit is required.
  - (b) The commercial tenancies (office) use is identified as a 'Section 1 - Permit not required' use. There is no limit on leasable office floor area in the schedule to the C1Z, therefore a planning permit is not required for this use.
  - (c) Pursuant to *Clause 34.01-4*, a planning permit is required to construct a building or construct or carry out works.
  - (d) For an apartment development, the decision guidelines at *Clause 34.01-8* specify the objectives, standards and decision guidelines of *Clause 58* must be considered.

Overlays

28. The subject site is affected by the Design and Development Overlay (Schedule 5). The following provisions apply:
- (a) Pursuant to *Clause 43.02-2* of the Scheme, a permit is required to:
    - (i) *construct a building or to construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.*
  - (b) Schedule 5 specifically states that a permit is not required for buildings and works. Notice however must be given to the Environment Protection Authority (EPA), Transurban City Link, and Vic Roads in the event that a planning permit is triggered under another provision within the Scheme.
  - (c) However, the City of Yarra has entered into an agreement with the EPA on 10 July 2019 regarding the requirement for notice to be given to the EPA under *Clause 43.02*, Schedule 5. The agreement is to exempt certain applications from being required to be referred to the EPA. These applications are as follows:
  - (d) *An application to use land or for the construction of a building or the construction or carrying out of works does not require notice to be given to the EPA if the following requirements are met:*
    - (i) *The title boundary of the subject site is more than 50 metres from the centre of the Burnley Tunnel exhaust stack (located at Barkley Ave. Richmond. Latitude - 37.8295434, Longitude 145.0018514); and*
    - (ii) *The proposed building height is less than 10 stories or 30 metres, whichever is lesser.*
  - (e) *Regardless of clause 3(a) of this Agreement, an application for carrying out of works specified in clause 62.02-2 of the Yarra Planning Scheme (even if a permit is specifically required for any of these matters) does not require notice to be given to the EPA.*
29. As the subject site is over 1km from the centre of the Burnley Tunnel exhaust stack and the proposed overall height of the building being limited to 13.45m above NGL, notice to the EPA was not required to be given.

Particular Provisions

*Clause 52.06 (Car Parking)*

30. The number of car parking spaces required under *Clause 52.06-5* of the Scheme must be provided to the satisfaction of the responsible authority. A planning permit is required for a reduction in the number of car parking spaces.
31. The following table identifies the car parking requirement under *Clause 52.06-5*, the provision on site, and the subsequent reduction:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces On-site	Reduction Required
1 x bedroom dwelling	4	1 space per dwelling	4	0	4

2 x bedroom dwelling	2	1 space per dwelling	2	2	0
3 x bedroom dwelling	1	2 spaces per dwelling	2	2	0
Office (Combined leasable floor area)	145sqm	3 spaces to each 100sqm of leasable area	4	0	4
<b>Total</b>			<b>12</b>	<b>4</b>	<b>8</b>

32. With 4 car parking spaces provided on-site, the proposal seeks a total reduction of 8 car spaces; 4 spaces for resident car parking and 4 spaces for the offices.

*Clause 52.34 – Bicycle facilities*

33. Pursuant to *Clause 52.34-3*, in developments of four or more storeys, 1 resident bicycle parking space should be provided for every 5 dwellings (rounded up), plus 1 visitor space for every 10 dwellings as seen in the table below.

Use	Bedrooms/ Area	Rate	No. required on-site	No. provided on-site
7 x dwellings	4 x 1 bedroom 2 x 2 bedroom 1 x 3 bedroom	1 space per every 5 dwellings	2	8
		1 space for visitors to every 10 dwellings for developments	1	4
Office	145sqm	1 employee space to each 300sqm of net floor area if the net floor area exceeds 1000sqm	0	2
		1 visitor space to each 1000sqm of net floor area if the net floor area exceeds 1000sqm	0	
<b>Totals</b>			<b>3</b>	<b>14</b>

34. The proposal exceeds the bicycle parking rate for dwelling residents/visitors and office employees/visitors.

*Clause 58 Apartment Developments*

35. *Clause 58* applies to applications to construct an apartment development within a Commercial 1 Zone. This clause seeks to encourage apartment development that provides reasonable standards of amenity for existing and new residents and to encourage apartment development that is responsive to the site and surrounding area.

General Provisions

*Clause 65 - Decision Guidelines*

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

Planning Policy Framework (PPF)

37. Relevant clauses are as follows:

*Clause 13.05-1S – Noise abatement*

38. The relevant objective of this clause is *“To assist the control of noise effects on sensitive land uses”*.

*Clause 15.01-1S – Urban Design*

39. The relevant objective of this clause is *“to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity”*.

*Clause 15.01-2S – Building Design*

40. The relevant objective of this clause is *“to achieve building design outcomes that contribute positively to the local context and enhance the public realm”*.

*Clause 15.01-5S – Neighbourhood Character*

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

*Clause 15.02 – Sustainable Development*

42. The objective of this clause is *“to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions”*.

*Clause 16.01-1S – Integrated housing*

43. The objective of this clause is *“to promote a housing market that meets community needs”*.

*Clause 16.01-1R – Integrated housing- Metropolitan Melbourne*

44. Strategies for this clause are:

- (a) *Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.*
- (b) *Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.*

*Clause 16.01-2S – Location of residential development*

45. The objective of this clause is *“to locate new housing in designated locations that offer good access to jobs, services and transport”*.

46. Relevant strategies for this clause are:

- (a) *Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in Greenfield and dispersed development areas.*
- (b) *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- (c) *Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.*

- (d) *Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.*
- (e) *Identify opportunities for increased residential densities to help consolidate urban areas.*

*Clause 16.01-3S – Housing diversity*

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

*Clause 16.01-3R – Housing diversity - Metropolitan Melbourne*

48. The strategy of this policy is “create mixed-use neighbourhoods at varying densities that offer more choice in housing”.

*Clause 16.01-4S – Housing affordability*

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

*Clause 17.02-1S – Business*

50. The objective of this clause is “To encourage development that meets the community’s needs for retail, entertainment, office and other commercial services”.

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

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

*Clause 18.02-1S – Sustainable personal transport*

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

*Clause 18.02-2R – Principal Public Transport Network*

53. Relevant strategies for this clause are:

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

Local Planning Policy Framework (LPPF)

*Clause 21.04 – Land Use*

*Clause 21.04-1 – Accommodation and housing*

54. Relevant objectives and strategies for this clause are:

- (a) *Objective 1 To accommodate forecast increases in population.*
  - (i) *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08.*
  - (ii) *Strategy 1.3 Support residual population increases in established neighbourhoods.*
- (b) *Objective 2 To retain a diverse population and household structure.*
- (c) *Objective 3 To reduce potential amenity conflicts between residential and other uses.*
  - (i) *Strategy 3.1 Ensure new residential development in the Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones is designed to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity.*

- (ii) *Strategy 3.2 Apply the Interface Uses policy at clause 22.05.*

*Clause 21.04-3 Industry, office and commercial*

55. The relevant objective for this clause is “*To increase the number and diversity of local employment opportunities*”.

*Clause 21.05 – Built Form*

*Clause 21.05-2 – Urban design*

56. The relevant objective and strategy of this clause are;

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

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

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

*Clause 21.06 – Transport*

*Clause 21.06-1 Walking and cycling*

57. The relevant objectives and strategies of this clause are;

- (a) *Objective 30 To provide safe and convenient pedestrian and bicycle environments.*

- (i) *Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.*
- (ii) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*
- (iii) *Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.*

*Clause 21.07 – Environmental Sustainability*

*Clause 21.07-1 – Environmentally sustainable development*

58. The relevant objective of this clause is to “*promote environmentally sustainable development*”.

*Clause 21.08-8 – Central Richmond (area between Swan Street and Bridge Road)*

59. Within Figure 24 (Built form character map: Central Richmond), the subject site is located within the ‘Inner Suburban Residential’ area. The relevant design strategy is to

- (a) *Maintain the existing pattern of front setbacks.*
- (b) *Limit variation height to a maximum of one-storey compared to the adjacent properties, on single house sites/small development sites in areas with generally consistent building heights.*

Relevant Local Policies

*Clause 22.05 – Interface Uses Policy*

60. This policy applies to applications for use or development within Business (now Commercial) Zones (amongst others). The relevant objectives of this clause are;



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

61. *Clause 22.07 – Development Abutting Laneways*

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

*Clause 22.10 – Built form and design policy*

62. The policy applies to all new development not included in a heritage overlay and comprises ten design elements that address the following issues: urban form and character; setbacks and building heights; street and public space quality; environmental sustainability; site coverage; on-site amenity; off-site amenity; landscaping and fencing; parking, traffic and access; and service infrastructure.

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

63. This policy applies to applications for new buildings (amongst others). Under this clause it is policy to:
- (a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*
  - (b) *To promote the use of water sensitive urban design, including stormwater re-use.*
  - (c) *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*
  - (d) *To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.*
  - (e) *To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well-being.*

*Clause 22.17 – Environmentally Sustainable Design*

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

## Advertising

65. The originally submitted application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 117 letters sent to surrounding owners and occupiers and by two signs displayed on site (one at the Coppin Street and the second along Wall Place).
66. Council received 27 objections, the grounds of which are summarised as follows:
  - (a) Out of keeping with neighbourhood character / heritage;
  - (b) Inappropriate design and overdevelopment (height, scale, bulk, site coverage and permeability);
  - (c) Off-site amenity impacts (loss of solar access to north-facing windows, overshadowing, overlooking and noise impacts);
  - (d) Car parking, traffic impacts and pedestrian safety; and
  - (e) Impacts during construction phase (structural, noise, traffic and pest control).
67. A planning consultation meeting was held on 17 May 2019, and was attended by the applicant, sixteen (16) objectors and the Council planning officers to discuss the concerns raised. There was no specific resolution reached, however following the meeting, on 20 February 2020, the applicant submitted revised plans under a S57(A) of the Act.
68. The S57A plans were advertised to all previously notified properties and all objectors. Four (4) additional objections were received, thereby increasing the total number of objections from 27 to 31.

## Referrals

### External Referrals

69. As stated earlier in the report, whilst the application is not required to be referred to the EPA, the application was referred to City Link Authority and VicRoads under Section 52 of the Act based on the requirements of the DDO5. There was no objection to the application from any authority.

### Internal Referrals

70. The originally advertised application was referred to the following areas within Council:
  - (a) Urban Design Unit
  - (b) Traffic Engineering Unit;
  - (c) ESD Advisor;
  - (d) City Works Unit;
  - (e) Arborist; and
  - (f) Strategic Transport Unit.
71. Referral comments have been included as attachments to this report.
72. The amended (S57A) plans were referred to Council's Traffic Engineering Unit and City Works Department as additional car parking spaces are proposed on-site, with changes to the bin storage area.

## OFFICER ASSESSMENT

73. The following key issues and policies will be used to frame the assessment of this planning permit application:
  - (a) Strategic justification;

- (b) Land Use;
- (c) Built form and design;
- (d) On-site amenity;
- (e) Off-site amenity;
- (f) Parking layout, traffic and bicycle parking; and
- (g) Objector concerns.

#### Strategic justification

74. There is strong strategic direction to support the redevelopment of the site to provide a mixed-use development with office premises at ground level and residential use above. The site is located within the C1Z and between Bridge Road and Swan Street ACs and is therefore well serviced by public transport and community services. Policy at *Clauses 11 (Settlement), 16 (Housing), 18 (Transport) and 21.04 (Land use)* of the Scheme, together with Plan Melbourne, encourage the accumulation of activities and the intensification of development in and around activity centres. This ensures efficient use of infrastructure and supports Council's preference that established areas experience residual increases in population growth.
75. The C1Z specifically identifies the purpose of the land as an area where higher residential density developments are anticipated, with growth specifically directed to occur within or close to activity centres. The dwellings would provide increased housing opportunities consistent with the policy outlined above. The site has excellent access to shops, restaurants, community facilities and supermarkets, ensuring that the proposal will result in efficient use of existing infrastructure, consistent with *Clause 21.04 (Land use)* of Council's MSS. Further, the provision of two office tenancies at ground level, addressing Coppin Street, will provide a degree of activity within the street, also consistent with the purpose of the C1Z.
76. *Clause 16.01-4 (Housing affordability)* of the Scheme encourages developments to provide for a variety of housing sizes, which this proposal does by adding to the wider spread of dwelling types in the area. The development offers a variety of dwelling sizes, providing one, two and three-bedroom apartments with a variety of open space.
77. The non-heritage area in a C1Z allows for a more robust development to occur, with the site currently underutilized within the context outlined above. However more intensive growth, whilst strongly supported by policy, must respond to existing conditions and be tempered to respect the existing neighbourhood character and the site specific relationship with adjoining built form. These factors will be discussed later in the report.

#### Land Use

78. A purpose of the C1Z is *to provide for residential uses at densities complementary to the role and scale of the commercial centre*. Whilst the site is located within the C1Z, Coppin Street is predominantly residential in use and zoning. On this basis the use of the land for dwellings will not unreasonably impact any existing commercial uses in the surrounding area, with the closest of these being a shop at No. 140 Coppin Street and a wellness-centre at No. 138 Coppin Street.
79. Residential noise is unlikely to impact upon existing uses within these abutting buildings, with internal noise to the dwellings from external sources discussed later in the assessment. The proposed dwelling use must comply with relevant objectives at *Clause 22.05 (Interface uses policy)* of the Scheme, by incorporating measures to minimise the impact of the normal operation of business activities on the reasonable expectation of amenity within the dwellings. This will ensure that the growth of further commercial opportunities within proximity to the new dwellings is not impeded. Furthermore, the residential facet to the proposal is considered appropriate given the nature of residential use found within the immediate area. Based on the appropriate design of the dwellings to ensure this is achieved, the use of the land as dwellings is considered entirely appropriate in the context and is supported.

### Built form and design

80. In considering the design and built form of the proposed development, the most relevant aspects of the Scheme are provided at *Clause 15 (Built environment and heritage)*, *21.05 (Built form)*, *22.10 (Built form and design policy)*, the decision guidelines of *Clause 34.01-8* and policy at *Clause 58 (Apartment Developments)*. These provisions support a development outcome that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the objectives for the area. Particular regard must be given to the acceptability of the design in terms of height and massing, design and relationships to adjoining buildings.

#### *Context*

81. As outlined in the 'sites and surrounds' section of this report, the existing character of the surrounding area contains a mix of building sizes and heights, varying between single-storey heritage cottages to modern two to three-storey developments. A number of three to four-storey, 70's brick apartment buildings are also located along Coppin Street. These buildings are currently the highest visible buildings within the immediate vicinity.
82. The sites between Nos. 138 to 144 Coppin Street (which includes the subject site) and No. 16 Wall Place to the west are located within the C1Z. Considering the strategic direction of the C1Z to encourage higher density developments, it is expected to have more intensive development compared to the residential areas to the south, east and west, which are located within a General Residential Zone (Schedule 2). Nonetheless, the GRZ2 allows for developments of three-storeys at a maximum height of 9m above NGL. Therefore, whilst it is acknowledged that this proposal would be one of the highest developments in the immediate area, the sites to the immediate south, north (across Wall Street) and east (across Coppin Street) have the opportunity to be developed up to three-storeys; i.e. one storey less than the proposed developed on-site. Based on this context, the addition of this higher built form is considered to be an acceptable outcome.
83. The row of heritage cottages located to the rear of the subject site, across Wall Place and fronting Wall Street is read in both a different street and different context (one of a heritage overlay with smaller block sizes) with the buildings in the commercial zone (and no heritage overlay) forming a backdrop to these buildings. Nonetheless, off-site amenity impacts must be considered, and will be discussed in the assessment below.

#### *Height, Scale and Massing of the development*

84. *Clause 21.08 (Neighbourhoods)* and *Clause 22.10* of the Scheme provides guidance on design outcomes for the site. *Clause 22.08* of the Scheme encourages the following:
- (a) *Maintain the existing pattern of front setbacks.*
  - (b) *Limit variations in height to a maximum of one-storey compared to the adjacent properties, on single house sites/small development sites in areas with generally consistent building heights.*
85. The relevant objective at *Clause 22.10* of the Scheme aims to;
- (a) *Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.*

86. The proposal seeks to construct a four-storey building, with a stepped three-storey base and a recessed fourth-storey. There is no distinct setback pattern in the immediate streetscape. Nos. 138 to 140 Coppin Street consist of single-storey street walls, with vertical, rectangular fenestrations, whilst No. 146 Coppin Street consists of a street setback of 3m. As a result, the proposal responds to this variation by not providing a clearly defined street wall (aside from the north-eastern corner), with multiple setbacks of 0.9m to 2.1m incorporated into the front façade between ground level to Level 3. The setback of the east-facing balconies from the front boundary is consistent at 1.15m between Level 1 and Level 2. The use of a mix of light coloured brickwork and patterned concrete is also consistent between ground level to Level 2, with Level 3 finished in a combination of rendered brick and dark metal cladding. These features in combination with the use of vertical, patterned cement along the north-eastern corner between ground level and Level 2 create the impression of a single-storey street wall to Coppin Street (in-line with the abutting commercial sites to the north), with the upper levels setback incrementally from the south-eastern corner (abutting the residential interface). This is an appropriate design response that allows for the proposal to sit comfortably between the neighbouring buildings.



Proposed streetscape - Coppin Street (CBG Architects & Interior Designers, December 2019)

87. The overall height of the proposal is 13.45m. As discussed earlier in the report, Coppin Street has a varied streetscape, ranging between single-storey buildings to four-storey apartment blocks, with no heritage overlay. As can be seen by the proposed streetscape above, the street is not one formed by a consistent row of eras, heights or construction materials.
88. The proposed residential building is two-storeys higher than the immediately abutting sites to the north (No. 140 Coppin Street) and to the south (No. 146 Coppin Street), and as such is non-compliant with policy at *Clause 21.08* of the Scheme. However as shown in the various streetscape images in this report, the built form is acceptable in this instance given the commercial appearance and use of No. 140 Coppin Street, and the generous setbacks and varied materials proposed to the interface with No. 146 Coppin Street.
89. Whilst Council's Urban Design Unit has recommended *to rationalise setbacks and balconies along this interface to simplify the overly stepped and bulky form*, these setbacks are required in order to limit off-site amenity impacts to No. 146 Coppin Street. Nonetheless, the applicant submitted S57A plans, reducing the bulk of the southern perimeter of Apartment 3.01's balcony at Level 3 by changing the material from brick to a mixture of powder-coated and perforated metal finish.
90. Council's Urban Design Unit also recommended that in order to ensure the upper forms are recessive at Level 3, *the brick wing walls be removed and a light weight structural form be pursued*. Planning Officers agree with this recommendation and in order to provide emphasis on the two-storey built form found along Coppin Street, Wall Street and Wall Place, a condition will require wing walls to pergolas at Level 3 to be deleted.

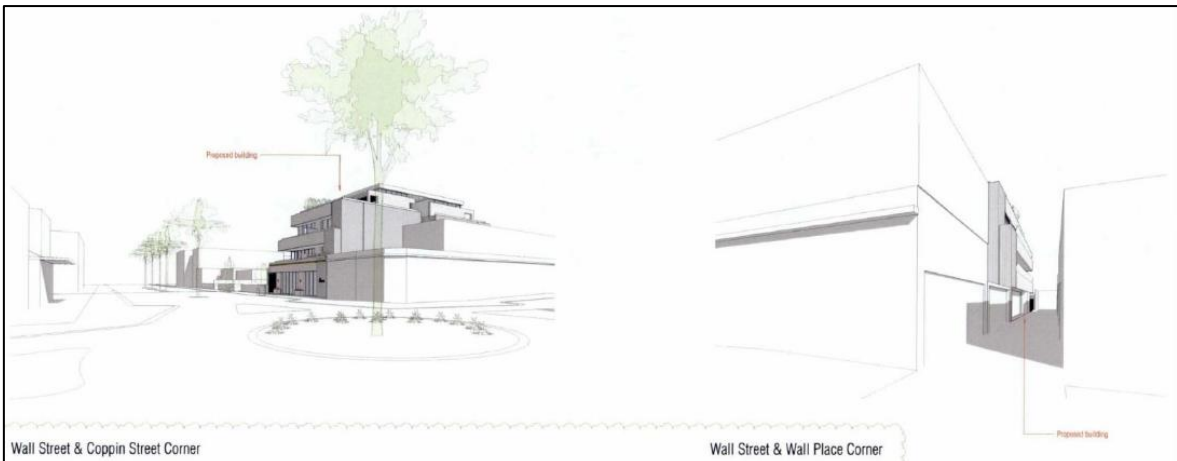


Eastern façade of proposed development



South-eastern façade of proposed development

91. There is also a high incidence of existing double, triple and even four-storey built form in the immediate streetscape; e.g. Nos. 135 and 137 Coppin Street which are three-storey developments diagonally across from the subject site. In this context, the proposed three-storey building, with a recessive fourth-storey (setback a maximum of 8m from the front boundary) will not appear excessively visually bulky, particularly given the zoning of the subject land and the existing built form along both sides of Coppin Street.
92. In addition the contrasting use of light finished brick within the base of the building, and a darker shade to Level 3 achieves a visually interesting and modulated built form outcome, reducing the massing of the overall development as it presents to Coppin Street. Furthermore, the use of glazing along the front, rear and southern facades would further assist in providing a level of articulation and reduce visual bulk when viewed from Coppin Street and Wall Place. The three-storey, northern boundary wall abutting No. 140 Coppin Street allows for a level of articulation when viewed from the corner of Coppin Street and Wall Place as a result of the patterned, concrete finish. In addition, given the double-storey development at No. 138 Coppin Street, the majority of this wall will not be visible and therefore, further articulation of this side façade is not required.
93. Whilst the subject site and both sides of Coppin Street are not affected by a heritage overlay, the immediate sites across Wall Place are located within the Elm Grove Heritage Precinct and are a row of 'contributory' dwellings between Nos. 10 to 16 Wall Street. Nevertheless, as shown below, the location of the subject site ensures there is no loss of view of the heritage cottages from any part of Wall Street or at the intersection with Coppin Street. The proposed development will not create an imposing and overwhelming backdrop to the modestly scaled heritage built form along Wall Street as a result of the proposed light coloured, patterned wall finishes and balconies. When viewed from further west along Wall Street, the majority of the proposed development will be obscured by the double-storey addition and boundary walls associated with No. 138 Coppin Street, including parapets and roof forms of existing built form along Wall Street.



Development viewed from the north-eastern corner of Wall Street and Coppin Street/Wall Place (CBG Architects & Interior Designers, December 2019)

94. The provision of west-facing balconies at Level 1, combined with pale coloured, patterned materials provide a transition of built form from the varied single to double-storey heritage dwellings found along Wall Street. However, minimal upper level setbacks are provided at Level 2 and 3. Pursuant to Clause 22.10-3.3 (*Setbacks and building height*) new development which abuts a ROW should be no higher than two-storeys. Clause 22.07 (*Development abutting laneways*) aims to maintain the unique character of the ROW and ensure that development abutting ROWs respect the scale of surrounding built form. Clause 22.07-3 further recommends that *development respect the scale of the surrounding built form*. Council's Urban Design Unit recommended that the *solid component (horizontal concrete) of the street wall at the northwest corner be reconsidered and the Second Floor and Third Floor balcony be setback further (minimum 2.25m) to achieve a recessed upper level*. As shown earlier in the report, the applicant lodged S57A plans, limiting the street wall at the north-western corner between ground Level to Level 1 (9.5m above NGL), as opposed to the previously proposed street wall which extended between ground level to Level 2 (10.2m above NGL).
95. Wall Place, at a width of 3.3m provides a degree of separation between the subject site and the single-storey dwellings to the west. Moreover, the immediate dwelling across Wall Place, at No. 16 Wall Place, is located with a C1Z where building height is discretionary, and cannot expect the same level of amenity as would be afforded within a purely residential zone. Nonetheless, given the width of this neighbouring lot and its location in a heritage overlay, it is unlikely to be developed for commercial purposes. Therefore, in order to preserve the two-storey built form along Wall Street, Planning Officers agree with the above recommendation by Council's Urban Design Unit to increase the upper level setbacks between Levels 2 and 3 to a minimum of 2.25m. As such, a condition will require increased setbacks to Level 2 and balcony of Level 3 from the west to a minimum of 2.25m. Changes to the floor plate as a result of this condition will be discussed later in the report.
96. In conclusion, given the commercial zoning of the land between Nos. 138 to 144 Coppin Street, and the absence of a heritage overlay between the eastern and western sides of Coppin Street, it is acknowledged that the area is undergoing change, with new development resulting in the emergence of higher built form within the immediate surrounds. Taking into consideration the relevant policy guidelines, the emerging built form character of the area and for all the reasons outlined above, subject to condition, the proposed development will not overwhelm the existing character along Coppin Street and Wall Street.

#### *The Public Realm & Pedestrian spaces*

97. Clause 21.05 (*Built form*) of the Scheme seeks new development to make a positive contribution to the enhancement of the public domain, whilst clause 22.10-3.4 (*Street and public space quality*) aims to ensure that new development enhances public safety and the pedestrian experience by creating attractive and active interfaces.
98. The glazed façade to the ground floor offices addressing Coppin Street will provide an engaging frontage to this interface, creating passive surveillance opportunities. Council's Urban Design Unit broadly supports the ground level interface as the *presence of two office tenancies strengthens the presence of the small commercial pocket*. The relatively simple and rectilinear façade; glazing intercepted with pillars and planter-boxes, including a metal awning will clearly help to identify the entrances to the building and provide adequate activation. The minimum front setback limited to 0.9m will create a safe environment, with no undercroft area. Furthermore, the use of glazed doors to the two office tenancies and a decorative wrought-iron security gate for the dwellings will help to distinguish between the two separate uses. Council's Urban Design Unit have recommended that *the entrances could be further enhanced and differentiated through the introduction of a plinth below the window glazing*.



This will be required as a condition. Council's Urban Design Unit have also recommended the proposed decorative wrought-iron gate to the dwellings be reduced in height from 2.7m to a maximum of 1.8m. This too will be required by way of condition. The width of the pedestrian entrance at 2.85m provides an adequate pedestrian circulation space.

99. Whilst landscaping is proposed to the Coppin Street façade, a landscape plan has not been provided and as such, a condition will require the provision of a landscape plan. Furthermore, the existing street trees adjacent to the subject site on Coppin Street are proposed to be retained. Council's Arborists have confirmed that the amenity value of each trees is \$9,034 (Tree 1) and \$11,217 (Tree 2). In addition, it has been advised that both trees will require Tree Protection Zone (TPZ) fencing. This will be required by way of condition.
100. The upper levels will also consist of extensive glazing which would contribute to passive surveillance and activation. This outcome is encouraged within commercial areas, as outlined as a decision guideline of the zone at *Clause 34.01-8* and policy direction under *Clause 22.10-3.4* of the Scheme.

#### *Laneway interface*

101. As discussed earlier in the report, the rear interface has been designed to reasonably respond to the existing scale of the surrounding built form. This discussion will be limited to the remainder of the policy recommendations of *Clause 22.07-3*. Wall Place is currently used by vehicles to access No. 140 Coppin Street and No. 2 Wall Place. Wall Place will be used for vehicle access for 4 on-site car spaces. Whilst two pedestrian entrances are located within this rear wall; one being a pedestrian link through the building for the residential component of the development and the second being solely used by Apartment 3.01, these are secondary entrances that are unlikely to be frequently used. Given that the car parking access to the site will be provided from the rear ROW and the principal pedestrian entrance is provided via Coppin Street, the proposal is consistent with *Clause 22.10-3.10* (Parking, traffic and access) which encourages *access to car parking areas and loading area not adversely affect pedestrian amenity* and *Clause 22.07-3* which states *pedestrian entries be separate from vehicle entries*.
102. A number of west-facing windows and balconies face the ROW, thereby providing a level of passive surveillance through activity at this frontage. Potential overlooking to the habitable room windows and SPOS associated with the dwellings across Wall Place will be discussed later within this report.
103. A designated internal bin storage room for waste is provided at ground level, ensuring that no refuse will be stored in the ROW. All proposed works, including doors and windows (with the exception of the convex mirrors on the garage wall) will be located wholly within the title boundaries of the subject site. A discussion regarding the convex mirrors can be found later in the report. On this basis, the ROW will continue to meet emergency services access requirements and will not obstruct existing access to other properties in the laneway. The objectives of clause 22.07 will be met.

#### *Light and Shade*

104. Due to the east-west orientation of the site the proposed development would result in a degree of additional overshadowing to the rear ROW in the morning between 9.00am to 12,00pm, and limited to the western footpath associated with Coppin Street from 2.00pm to 3.00pm.
105. The subject site is within a location where a degree of overshadowing is inevitable due to the mixed built form character which has been established in this area. Irrespective of this, it is considered that the shadowing from the development would not affect the usability of the public realm, being limited in scale and duration at both interfaces.



### *Site Coverage*

106. The proposal occupies approximately 93% of the site area. This extent of site coverage is considered to be appropriate and consistent with the mixed residential and commercial character of the area that accommodates predominantly hard-edged built form with limited open space or landscaping; e.g. at No. 131 Coppin Street, between Nos. 138 to 142 Coppin Street, and other 70's three to four-storey apartment blocks.

### *Architectural Quality*

107. The development is of a contemporary design and incorporates a mix of traditional (brick) and modern materials (metal cladding). The rectilinear design creates a clearly modern form which will integrate well with existing and emerging contemporary development in the immediate surrounds.
108. The use of brickwork between ground level to Level 2 aims to create a degree of connectivity with the prevalence of brickwork and masonry in the area, with the mix of vertical glazing, patterned cement, pillars and planter-boxes to provide a degree of difference to these materials. As discussed earlier in the report, a condition will require a landscape plan to be provided. Council's Urban Design Unit have recommended the introduction of further *vertical articulation to the Coppin Street frontage to respond to the prevailing streetscape grain as the current composition and heavy horizontal banding increases the bulk*. However, Planning Officer's support the proposed horizontal banding, as the vertical glazing and pillars between ground level to Level 2 provide a level of articulation when viewed from Coppin Street. The vertical banding at the north-eastern corner of the site helps to distinguish and reinstate the C1Z interface to the north while eroding the built form through increasing setbacks down to the finer-grained residential interface to the south.
109. Level 3 and sections of the balconies of the development will be finished in powder-coated or perforated metal and pre-cast concrete. On balance, with the brickwork, the use of a mix of powder-coated and perforated metal is supported, with this finish providing a degree of articulation and visual interest to the uppermost level of the development. In addition, the condition requiring the deletion of wing walls at Level 3, will further lighten the uppermost levels.
110. Overall it is considered that the proposed development would achieve a good level of architectural quality. The proposal would significantly contribute to and improve the streetscape through active frontages and use of high-quality materials which the existing building within the subject site currently lacks.

### Clause 58

#### *Standard D1 – Urban context*

111. The purpose of this Standard is to ensure that the design responds to the existing urban context and contributes to a preferred future development of the area, while also responding to the features of the site and the surrounding built form. This aspect has been discussed in detail earlier within this assessment and this Standard is considered to be met.

#### *Standard D2 – Residential Policies*

112. As outlined within the Strategic Policy section of this report, the proposed development has strong policy support under the purpose of the C1Z and local policies of the Scheme. The site can clearly support a reasonable degree of higher density residential development, based on its proximity to public transport, community infrastructure and services. The Standard is met.

*Standard D3 – Dwelling diversity*

113. The provision of a diverse housing stock assists in achieving broader strategic goals by promoting housing choice, adaptability and encouraging a diverse range of people within a neighbourhood, including families. The proposed mix of dwelling sizes allows for a reasonable variety of dwellings to be provided and ensures that the Standard is met.

*Standard D4 - Infrastructure*

114. The proposal is located within an existing commercial and residential area with established utility services and infrastructure. There is no evidence to suggest that the proposed development would impact on the operation of these existing services and therefore the purpose of the Standard is considered to be met.

*Standard D5 – Integration with the street*

115. The proposed development would provide a significant improvement in terms of the subject site's interface with Coppin Street, as discussed previously in the *Public Realm & Pedestrian spaces* assessment of this report.

*Standard D6 – Energy efficiency*

116. The orientation of the subject site, with two abutting street frontages, somewhat dictates that proposed dwellings would be orientated to face east or west, however Apartment 3.01 has access to north-facing balconies, thereby increasing direct sunlight opportunities within these spaces. The pergola structures at Level 3 will provide adequate shading to these balconies of Apartment 3.01. All dwellings have good access to natural ventilation with east, west and south-facing windows.

117. The originally advertised SMP (dated July 2019 and prepared by Sustainable Development Consultants) was referred to Council's ESD Officer for comment. This SMP was found to be generally acceptable, with the following recommendations:

- (a) Show the location of the private outdoor clotheslines for each apartment;
- (b) Extend application of ceiling fans to all bedrooms;
- (c) Use permeable paving to reduce run-off;
- (d) Increase the size of PV system;
- (e) Natural ventilation to office spaces.

118. Based on the amended (S57A) SMP (dated February 2020 and prepared by Sustainable Development Consultants, the development incorporates a number of positive ESD outcomes into its design, as follows;

- (a) A BESS Score of 60%.
- (b) Preliminary NatHERS rating of 7.3 star.
- (c) Provision of LED lighting.
- (d) 5 star reverse cycle heating and cooling systems.
- (e) 4 star WELS rated toilets.
- (f) 3 star WELS rated shower heads.
- (g) 2 kWp solar PV system.
- (h) Provision of 10,000Ltr rainwater tank for sanitary purposes achieving a STORM Rating of 102%.
- (i) No VOC paint used.
- (j) Provision of a minimum of 1 bicycle parking space per apartment.
- (k) Provision of 4 public use bicycle parking spaces.
- (l) Private outdoor clothesline for each apartment.

119. The following items will be conditioned to show on either the plans and/or the SMP (as appropriate);

- (a) Location of the private outdoor clotheslines for each apartment to be shown on plan;

- (b) SMP amended to extend application of ceiling fans to all bedrooms. Currently these are limited to Apartments 2.02 and 3.01;
- (c) Increase the size of the PV system;
- (d) Provision of natural ventilation for the office tenancies.

120. With regards to internal daylight, given the overall height of the development and the limited number of apartments, Council's ESD Advisor advised that a daylight modelling report is not required. Nonetheless, all apartments would receive a good level of daylight amenity from the east and west, including the central, north-facing light-court. The office tenancies will also benefit from the east-facing windows, including the northern light-court and south-facing windows.
121. The Standard notes that dwellings located in the Melbourne climate zone should not exceed a 30MJ/m<sup>2</sup> cooling load. The SMP confirm that this cooling load requirement is met, with a *10% improvement on heating and cooling consumption in comparison to a reference case defined by the NCC 2016 BCA Section J provided for the office*. Council's ESD Advisor has informed that this is an acceptable approach.
122. Overall, it is considered that subject to the conditions discussed above, the proposed development would achieve best practice in environmentally sustainable development in accordance with the overarching objectives under *Clause 22.17 (Environmentally sustainable development)* of the Scheme.

*Standard D7 – Communal open space*

123. This Standard only applies to developments which propose forty (40) or more dwellings and therefore does not apply to this proposal.

*Standard D8 – Solar access to communal open space*

124. No communal open space is proposed as part of this development.

*Standard D9 – Safety*

125. The Standard encourages that dwelling entries should not be obscured or isolated from the street or internal accessway. The main pedestrian entrance to the apartments will be provided via a communal, decorative wrought-iron security gate, fronting Coppin Street. The use of wrought-iron for this entrance helps to clearly distinguish from the glazed entrances of the office tenancies. This wrought-iron gate scales at a height of 2.7m above NGL. To further improve the visibility of the foyer area associated with the apartments, Council's Urban Design Unit has recommended this gate to be lowered in height to 1.8m above NGL. This will be required by way of condition.

The addition of wall-mounted lighting on the eastern façade pillars, combined with the wrought-iron security gate and the glazed roof above the residential walkway will also ensure that the objective of the standard is met, providing safety and security for both residents and visitors.

126. The Standard recommends that *developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways*. There are secondary pedestrian entrances provided from Wall Place. As discussed earlier in the report, these secondary entrances are unlikely to be frequently used. Nonetheless, these entrances are separated from the roller-doors associated with the two garages. However, as both the pedestrian entrances and garage doors are constructed of the same material, to further highlight the location of the pedestrian access points along the western boundary to passing pedestrians, and provide for increased glazing at the ground level, a condition will require the provision of transparent elements such as glazing to these pedestrian doors.

127. The garages and secondary pedestrian entrances are setback 0.7m from the rear boundary. Given Wall Place is shared for both vehicle and pedestrian access, the recessed secondary pedestrian entries provide an appropriate transitional space for pedestrians, minimising any conflict with vehicle access. Internally, there is adequate width separating the pedestrian walkways from the 4 car-spaces on-site, thereby, providing safe accessways. There is no lighting proposed to the rear pedestrian entrances. To further increase pedestrian safety and improve the integration between the development and the street, a condition will require wall-mounted lighting to be provided to the rear pedestrian entrances. Standard conditions will be imposed to ensure the lights are appropriately baffled and shielded to prevent light spill.
128. The proposed ground level planter boxes fronting Coppin Street are located within the 0.9m front recess and will not create unsafe spaces for pedestrians using Coppin Street.
129. Overall, subject to condition, the development achieves a satisfactory outcome against the objective of this Standard.

*Standard D10 – Landscaping*

130. Given the C1Z, landscaping and vegetation does not form a characteristic of the immediately abutting sites to the north between Nos. 138 to 144 Coppin Street. However, given the surrounding residential zone, the development aims to provide a moderate level of landscaping as one of the features of the proposal at all levels; mainly located within planter boxes. In order to ensure that the level of landscaping proposed will provide a safe, attractive and functional environment for future residents a condition will require a landscape plan to be submitted and thereafter maintained.

*Standard D11 – Access*

131. This objective and Standard seeks to ensure that the number of vehicle crossovers respects the character of the street, whilst maximising the retention of on-street car parking. The proposed development does not seek to introduce any new crossovers to Coppin Street. Therefore, the proposal will continue to maintain the current kerb-side parking. Whilst not shown on the plans, there is an existing vehicle crossover in front of No. 144 Coppin Street which will be made redundant as a result of the proposed development. Therefore, a condition will require the existing redundant crossover in front of No. 144 Coppin Street to be removed and reinstated with footpath. This will also create an additional on-street car space on Coppin Street.
132. Wall Place will service vehicle access to the apartments, with this ROW already used for this purpose. Council Engineers have provided standard conditions and notes to accommodate this development, such as the protection or relocation of infrastructure as necessary.
133. Further to the above, a standard condition will require a Construction Management Plan (CMP) to be prepared prior to the commencement of the development. This will ensure that any emissions and road disruptions during construction will be appropriately managed.

*Standard D12 – Parking location*

134. The on-site car parking for the three apartments will be provided at grade. The location of the residential parking will provide secure access to the residential lobby. Council's Traffic Engineering Unit have assessed the S57A plans and have confirmed that the swept path diagrams satisfactorily demonstrate vehicle turning movements into and out of the garages using the B85 design vehicle. This, together with the direct access between the garages and dwellings achieves the objective to provide "convenient" parking for residents. Whilst Council's Engineering Unit were generally supportive of the parking location and access, the following were recommended:

- (a) *The convex mirrors are to be relocated inside the property line, at the corner of the garage.*

- (b) *For any new internal concrete works, the finished floor levels along the edge of the slab must be set 40 mm above the edge of Wall Place – Council Infrastructure requirement.*
  - (c) *The applicant is to demonstrate by a ground clearance check, that a B85 design vehicle can enter and exit the property without scraping or bottoming-out.*
135. As a result of the above comments, the applicant lodged Sketch Plan (TP100-C) on 03 June 2020 to address these concerns. The plan incorporated the following changes:
- (a) Convex mirrors located inside the property line.
  - (b) Amended levels within the garage to be 40mm above the existing levels at the sides of the lane.
  - (c) Addition of two sectional diagrams of the car park, taken from the midpoint of each garage showing the gradual transition from the ROW to the garage in order to show that a B85 vehicle can enter and exit without scraping.
136. Council's Traffic Engineering Unit are supportive of the changes made under the Sketch Plan. A condition will require the above changes to be added to the ground level plan, in accordance with the Sketch Plan.
137. This Standard requires that *shared accessways or car parks of other dwellings should be located at least 1.5m from the windows of habitable rooms*. Whilst the proposal incorporates west-facing habitable room windows and balconies, they will be directly adjacent to Wall Place and located between Levels 1 to 3, and as such providing an adequate buffer of well over 1.5m. Any off-site amenity impacts will be discussed later in the report.
138. An objective of the Standard is to protect residents from vehicular noise within developments. Given vehicles travel at low speeds through this area, and the car parking spaces on-site do not involve stackers, unreasonable noise impacts are not expected. It is also noted that the proposed garage will directly abut an existing car park associated with No. 140 Coppin Street to the north and a proposed 3.2m high wall along the shared boundary with No. 146 Coppin Street to the south. As such, this will ensure that adequate noise levels and internal amenity to these dwellings is achieved.

*Standard D13 – Integrated water and stormwater management*

139. Decision guidelines of this Standard encourage the use of alternative water sources such as rainwater, stormwater and recycled water, and encourage proposals to facilitate stormwater collection, utilisation and infiltration within the development. Further, buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
140. The application proposes the installation of a 10,000Ltr rainwater tank which would be connected for sanitary purposes of the apartments, thereby achieving a STORM rating of 102%. Therefore, the STORM score exceeds that required 100% by Council's WSUD policy and thereby meeting this Standard and *Clause 22.16 (Stormwater management)* of the Scheme.

*Standard D14 – Building setbacks*

141. This Standard seeks to ensure that building setbacks respond to the surrounding context of the site, and allow adequate internal and off-site amenity to be achieved. As discussed earlier in the report, the proposed development respects the existing and emerging built form along Coppin Street and thereby, the proposal integrates with the surrounding neighbourhood character subject to a condition requiring the setbacks of Level 2 and Level 3 balcony to be increased from the western boundary to further improve the interface between the subject site and the single-storey dwelling at No. 16 Wall Street.

142. Adequate outlooks for each dwelling are provided, with apartments receiving adequate daylight from east and west-facing windows, including the northern central light-court. The individual internal layouts of each dwelling, as will be discussed in detail later within this assessment, are considered appropriate.
143. The setbacks provided at each level, along with the privacy screening, prevent unreasonable overlooking to adjacent residential land. This aspect of the proposal will also be discussed in more detail within the 'off-site amenity' section of this report.

*Standard D15 – Internal views*

144. The arrangement of the east and west facing balconies above each other ensure there are no internal views available between dwellings. Furthermore, the fixed, metal screening with a maximum 25% transparency, at a height of 1.7m above floor level between each balcony will also prevent internal views between dwellings. The Standard is met.

*Standard D16 – Noise impacts*

145. This Standard aims to contain noise sources in developments that may affect existing dwellings, whilst protecting residents from any external and internal noise sources. In this instance, the proposed development would not be located in proximity to any noise generating areas as listed under Table D3 of this Standard. In addition, the Bridge Road AC, Swan Street AC and Church Street are all located well over 300m from the subject site. Therefore, the apartments on-site will not be unreasonably affected by traffic and tram noise along those busy thoroughfares.
146. However the site is located within a C1Z, with two office tenancies proposed at ground level, resulting in the potential for the dwellings at Level 1 to be impacted. Whilst the proposal did not include the submission of an acoustic report addressing these possible impacts, the plans demonstrate that noise attenuation measures will be included between the offices at ground level and the immediate apartments above. Furthermore, a planning permit is not required to use the subject site for offices within a C1Z and is considered a 'quiet' use and entirely compatible with a residential interface.
147. Any noise generated from air conditioning units or similar machinery associated with the office use can be managed by the use of a standard condition that the development must comply at all times with the *State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1)*.

*Standard D17 – Accessibility objective*

148. This Standard requires the following:
- (a) *At least 50 per cent of dwellings should have:*
    - (i) *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.*
    - (ii) *A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.*
    - (iii) *A main bedroom with access to an adaptable bathroom.*
    - (iv) *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.*
149. Of the 7 apartments, 4 have been annotated to show the above requirements (excepting Apartments 1.02, 2.02 and 3.01). Therefore, more than 50% of the apartments meet the requirements outlined above. Nonetheless, a notation on all floor plans confirm that all apartments meet the requirements of this Standard.

*Standard D18 – Building entry and circulation*

150. The proposed residential lobby would be readily identifiable within Coppin Street, subject to the reduced height of the decorative wrought-iron security gate. The glazed roof above the pedestrian walkway provides a degree of shelter and natural light to this passage.
151. The main lobby and those at each upper level would be sufficiently dimensioned to service residents coming and going to a development of this scale, with no services obstructing these passageway, and therefore are generally in line with the objectives under this Standard.

*Standard D19 – Private open space*

152. The Standard notes that 1 x bedroom, 2 x bedroom and 3 x bedroom dwelling should be provided with SPOS of 8sqm and a minimum width of 1.8m, 8sqm and a minimum width of 2m, 12sqm and a minimum width of 2.4m, respectively.
153. In its current form, all dwellings meet these requirements. However, as a result of conditioning an increased western setback of the Level 3 balcony, the size of the SPOS associated with Apartment 3.01 will be reduced. Nonetheless, there is ample alternate SPOS associated with this apartment located at Levels 2 and 3. Therefore, the development will continue to meet the requirements of this Standard.
154. In addition, as required by the Standard, the inclusion of planter boxes and A/C units within these balcony spaces do not encroach into these dimensions, thereby providing an additional area of 1.5sqm for these services. Furthermore, the provision of landscaping and the ESD features of the proposal form a positive outcome of this development and are limited to the edges of each space. Therefore, the proposal meets the requirements of this Standard.

*Standard D20 – Storage*

155. The Standard notes that 1 x bedroom, 2 x bedroom and 3 x bedroom dwelling should be provided with a total minimum storage volume and a minimum storage volume within the dwelling of 10m<sup>3</sup> and 6m<sup>3</sup>, 14m<sup>3</sup> and 9m<sup>3</sup>, 18m<sup>3</sup> and 12m<sup>3</sup>, respectively.
156. Each of the proposed apartments would exceed the storage requirement of this Standard, as outlined below.

<b>Apartment</b>	<b>External Storage</b>	<b>Internal Storage</b>	<b>Total Storage</b>
<b>4 x 1 Bedroom</b>	4m <sup>3</sup> storage cupboards each, within the communal storage area at ground level	6m <sup>3</sup>	10m <sup>3</sup>
<b>2 x 2 Bedroom</b>	6m <sup>3</sup> storage cupboards each at the ground level car park	10m <sup>3</sup>	16m <sup>3</sup>
<b>1 x 3 Bedroom</b>	6m <sup>3</sup> storage room at ground level	12m <sup>3</sup>	18m <sup>3</sup>

*Standard D21 – Common property*

157. The common property areas within the development are clearly delineated and would not create areas which were difficult to maintain into the future. The residential lobby and lift access areas are well conceived, with the refuse and bicycle storage rooms easy to access and generally cohesive with the overall building design. The Standard is met.

*Standard D22 – Site services*

158. Site services and meters would be readily accessible from the main lobby. This will avoid any services within the Coppin Street façade. This outcome is considered to provide a good design response to the objective of this Standard.

*Standard D23 – Waste and recycling*

159. A shared refuse room is provided at ground level, with this space easily accessible from the apartments. The Waste Management Plan (WMP) dated 29 January 2020 and prepared by R B Waste Consulting Service states that waste collection is proposed via Coppin Street and is to be undertaken by Council.
160. The WMP was referred to Council’s City Works Branch, who identified a number of deficiencies with this document and the associated waste management procedures. These are outlined below;
- (a) *Council provides 1x80L waste and 1x120L recycle bin for individually rated commercial properties.*
  - (b) *The commercial and residential streams should be calculated separately and appropriate bins allocated.*
  - (c) *Commercial bins and residential bins should be separated.*
  - (d) *Please detail the bin store plan showing path of access to collection point, hard waste area etc.*
  - (e) *Council does not offer hard waste services for commercial properties.*
  - (f) *Council does not alter collection services on request.*
  - (g) *Space must be available to accommodate extra bins that will be required once Councils new kerbside service is introduced later this year.(glass bin and food and green waste bin)*
  - (h) *Please provide an explanation of how any risk relating to waste service will be managed.*
  - (i) *A clause must be included in the plan regarding potential review into the service if operational requirements change.*
161. A condition will require an amended WMP.

*Standard D24 – Functional layout*

*Living areas*

162. This Standard notes that living areas for dwellings with 1 x bedroom and 2 or more bedrooms should have a minimum width and a minimum area of 3.3m and 10sqm, 3.6m and 12sqm, respectively. As shown below, all apartments meet the requirements of this Standard.

<b>Apartment</b>	<b>Minimum Living Room Width</b>	<b>Minimum Living Room Area</b>
<b>4 x 1 Bedroom</b>	3.3m	10sqm
<b>2 x 2 Bedroom</b>	3.6m	12sqm
<b>1 x 3 Bedroom</b>	>3.6m	>12sqm

*Bedrooms*

163. This Standard notes that main bedrooms and all other bedrooms should have a minimum width and a minimum depth of 3m and 3.4qm, 3m and 3sqm, respectively. The current proposed development is fully compliant with the bedroom dimensions required under this Standard. However, as a result of conditioning an increased western setback at Level 2, the size of the master bedroom of Apartment 3.01 will be reduced. Nonetheless, there is adequate internal space to rearrange and increase the size of this bedroom. Therefore, the internal amenity of these rooms are supported and will not be compromised as a result of increasing the western setback of Level 2.

*Standard D25 – Room depth*

164. All of the apartments at Level 1 (4 out of 7 apartments) would be single aspect. The Standard notes that the depth of a single aspect, open-plan, habitable room may be increased to 9m, if the following requirements are met:



- (a) *The room combines the living area, dining area and kitchen;*
- (b) *The kitchen is located furthest from the window; and*
- (c) *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level.*

165. These requirements are met in all four dwellings. However, the decision guidelines associated with this Standard also highlight that any overhang above habitable room windows that limits daylight should be taken into consideration. In this instance, all of these habitable room windows would be affected by the overhang of balconies within levels above. The most impacted would be the two apartments facing Wall Place at Level 1; Apartment 1.03 and 1.04. Nonetheless, Council's ESD Officer has confirmed that given the minimal overall height of the development and the limited number of dwellings, a daylight modelling report is not required and the apartments will not be drastically impacted.

*Standard D26 – Windows*

166. All habitable rooms within the proposed development contain a window within an external wall to the building, thereby meeting the Standard.

*Standard D27 – Natural ventilation*

167. A good degree of natural ventilation is provided for all dwellings, with cross-ventilation opportunities provided within the living rooms, and breeze paths also providing good cross-ventilation between habitable rooms. The Standard is met.

Off-site amenity

168. *Clause 22.05-4.1* of the Scheme recommends that non-residential development is to be designed to (relevantly):

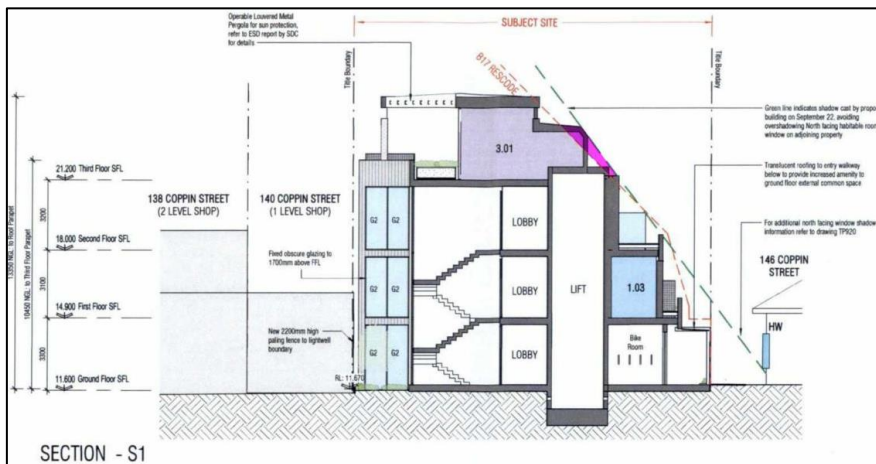
- (a) *Minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, articulation and possibly screens.*
- (b) *The location, length and height of any wall built to a boundary not adversely impact on the amenity of any adjoining residential properties in terms of unreasonable overshadowing of private open space, visual bulk or loss of day light to habitable room windows.*
- (c) *Where private open space and/or windows to adjoining residential properties are unreasonably affected, appropriate setbacks from boundaries are to be provided to address loss of daylight, overshadowing and visual bulk impacts.*
- (d) *Provide for a high level of acoustic protection to adjoining residential properties*
- (e) *Minimise the opportunity for light spill due to fixed or vehicular lights, outside the perimeter of the site and on to habitable room windows of nearby residential properties.*

*Setbacks and visual bulk*

169. The proposed development would be visible from various points along Coppin Street and Wall Street as outlined earlier within this report, however the proposed height of three-storeys, with a recessed fourth-storey would not result in an overwhelming or visually dominant building. The introduction of various setbacks at all levels of the building, combined with the deletion of the wing walls at Level 3 reduces the overall size of the uppermost level and as such, this design response (subject to condition), is considered to reduce the overall scale of the building to an acceptable degree. As discussed earlier in report, the four-storey built form would not result in a stark height transition to the single-storey commercial building to the north and single-storey dwelling to the south.

Subject to increasing the western setback of Level 2 and Level 3 balcony, the proposed development will provide a degree of articulation when viewed from Wall Place.

170. Abutting the subject site to the north is a car space associated with the commercial use at No. 140 Coppin Street. Given that this is not a sensitive interface and it is likely that this area will be developed into built form in the future (given the commercial zoning), the proposed three-storey wall along this shared boundary is acceptable.
171. The SPOS and one north-facing habitable room window (HRW) associated with the dwelling at No. 146 Coppin Street abuts the subject site to the south. Under this application, a staggered setback design is proposed along this shared boundary; a 1.2m high brick fence, with a 2.2m high timber fence and a 9.5m long x 3.2m high a solid wall. Whilst not strictly applicable, in the absence of policy at *Clause 58, Standard B18 (Walls on boundaries objective)* of *Clause 55.04-2* of the Scheme can be considered to provide some guidance relating to visual bulk. If *Clause 55* of the Scheme applied to this site, then *Standard B18* would allow for a total length 15.25m along this shared boundary at an average wall height of 3.2m above NGL. Given that this proposed wall is limited to a length of 9.5m and a height of 3.2m, the proposed boundary wall is acceptable and will not be visually intrusive when viewed from the SPOS and HRW of No. 146 Coppin Street.
172. With the exception of the lift overrun associated with Apartment 3.01, the remainder of the development meets the setback requirements of *Standard B17 (Side an rear setbacks objective)* of *Clause 55.04-1* of the Scheme. However, as highlighted on below, the encroachment of this lift overrun into the B17 setback line is limited. This element coupled with the use of a mix of materials on the southern façade will assist in reducing the perception of any visual bulk impacts when viewed from the SPOS of No. 146 Coppin Street.



B17 Setback encroachment from No. 146 Coppin Street (CBG Architects & Interior Designers, December 2019)

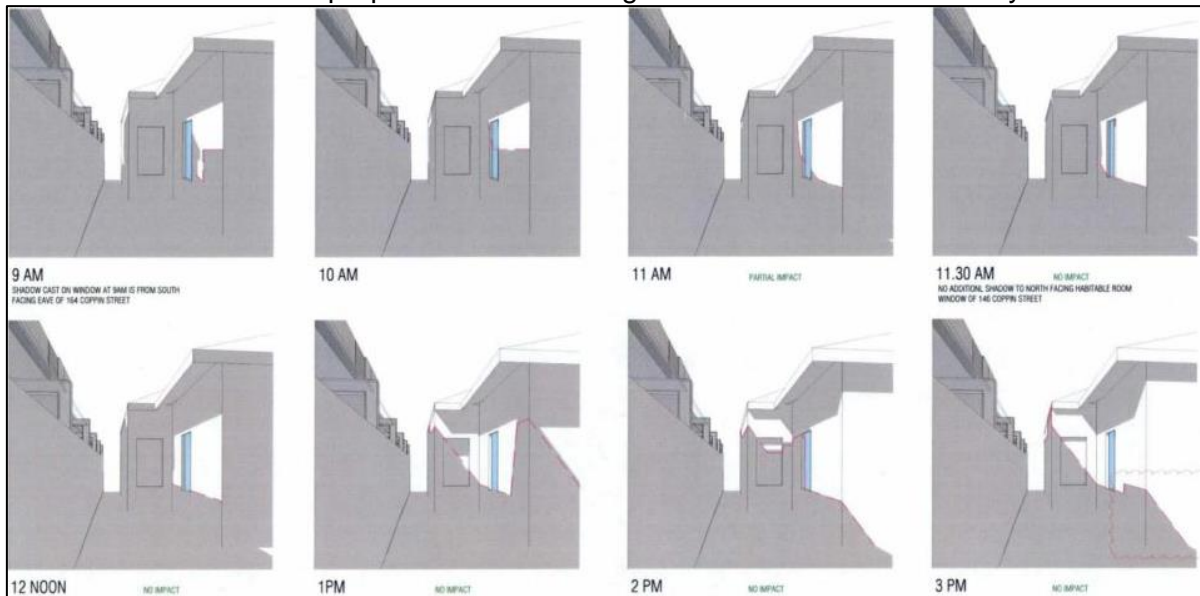
173. Across Wall Place to the rear is No. 16 Wall Street, a single-storey, heritage dwelling located within the C1Z pocket. The proposed development on-site will be positioned adjacent to two, east-facing HRW and SPOS of this dwelling. As discussed earlier in the report, a dwelling in a C1Z cannot expect the same level of amenity as would be afforded within a purely residential zone. Nonetheless, based on the proposed western façade having a direct interface with Wall Place, which provides a 3.3m separation from the adjacent property to the west, there will be minimal impact on any sensitive interfaces such as the two HRWs and SPOS of No. 16 Wall Street. Furthermore, the use of a number of different materials (brick, patterned cement and metal cladding), including the addition of windows would provide an appropriate level of articulation of the development when viewed from these neighbouring sensitive interfaces.

*Daylight to habitable room windows*

- 174. As outlined earlier in the report, the abutting dwelling to the south at No. 146 Coppin Street has one north-facing HRW. This window is setback 2.4m from the shared boundary. The proposal has responded to this context by providing incremental setbacks adjacent to this window, between 1.4m to 4.8m at Level 1 to Level 3 respectively. Whilst not strictly applicable, Standard B19 (*Daylight to existing windows objective*) of Clause 55.04-3 of the Scheme requires that walls more than 3m in height opposite an existing HRW should be set back from the window to provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimension of 1m clear to the sky. Standard B19 requires a setback of 6.55m between the proposed development and this HRW. The proposed southern façade at an overall height of 13.1m above NGL will be setback a total of 7.2m from this HRW, thereby limiting any unreasonable loss of daylight to this HRW.
- 175. The east-facing HRW of No. 16 Wall Street are setback between 4.6m to 5.4m from the subject site and therefore, there will be no unreasonable loss of daylight to these windows.

*Solar access to habitable room windows*

- 176. No. 146 Coppin Street; the dwelling to the south of the subject site has one, north-facing HRW. As illustrated on below, the proposed development has been setback from the shared boundary and designed in order to reduce unreasonable loss of solar access to this HRW. Whilst solar access to this window will be impacted between 9.00am to 10.00am, between 11.00am to 3.00pm, more than 50% of this window will continue to receive adequate solar access as a result of the proposed setback design from the southern boundary.



Solar access to north-facing HRW of No. 146 Coppin Street (CBG Architects & Interior Designers, December 2019)

*Overshadowing*

- 177. The immediately impacted SPOS is associated with No. 16 Wall Street to the west and No. 146 Coppin Street to the south. The accompanying shadow diagrams (Rev B: TP900 and TP901) indicate that there will be no additional overshadowing caused to No. 14 Wall Street further west nor to No. 2 Wall Place to the south-west.

*No. 16 Wall Street*

- 178. The additional overshadowing impacts to No. 16 Wall Street are limited to the morning hours, between 9.00am to 10.00am. Given the east-west orientation of the subject site, between 11.00am to 3.00pm, this neighbouring SPOS will not be impacted by additional shadows.

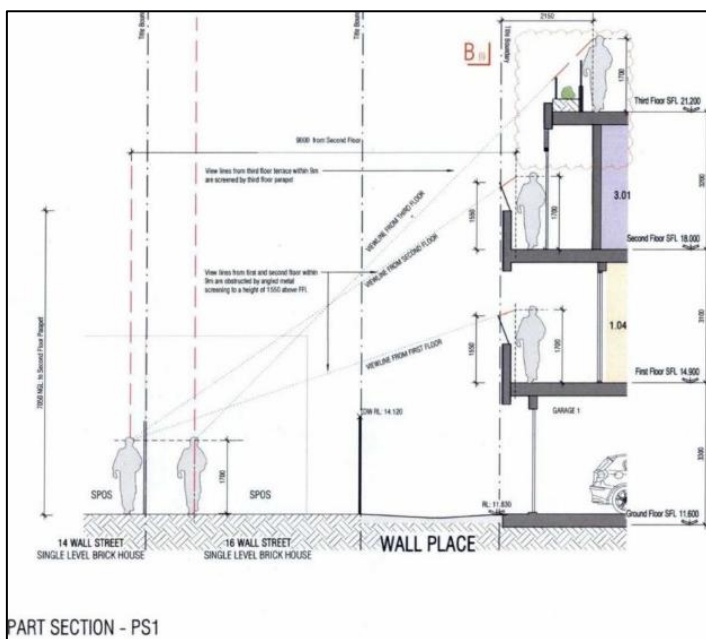
As discussed earlier in the report, a dwelling in a C1Z cannot expect the same level of amenity as would be afforded within a purely residential zone. Nonetheless, given the limited timeframe (1 hour) during the morning in which the greatest impact would occur, the additional shadowing is considered reasonable.

*No. 146 Coppin Street*

179. The submitted shadow diagrams show that the total SPOS area of No. 146 Coppin Street is well over 100sqm. Whilst this SPOS is mostly impacted due to its southern position from the subject site, the shadow diagrams illustrate that as a result of the proposed architectural form of the building whereby incremental setbacks have been introduced from the southern boundary, this dwelling will continue to maintain 40sqm of unshadowed SPOS, with a minimum dimension of 3m between 9.00am to 3.00pm.
180. Based on this, it is considered that the proposed development will not adversely affect the use of the eastern and southern SPOS areas for outdoor recreation and service needs, generally in accordance with Clause 22.05 of the Scheme. Furthermore, in the context of the subject site in a C1Z where increased densities are encouraged under the purpose of the zone, the above outcome is not considered to be unreasonable.

*Overlooking*

181. The proposed development has been designed to limit unreasonable overlooking to adjacent sensitive interfaces, with the dwelling at No. 146 Coppin Street to the south, the dwellings at Nos. 14 to 16 Wall Street to the west and No. 2 Wall Place to the south-west being the closest residential buildings. Whilst not strictly applicable to development within the C1Z, the floor plans and overlooking sections clearly demonstrate the 9m overlooking radius as specified in *Clause 55* of the Scheme; with these diagrams confirming that there will be no direct lines of sight provided from HRW or balconies of the proposed development and into neighbouring SPOS or HRW.
182. Overlooking opportunities at ground level from the southern common pedestrian walkway into the SPOS and HRW of No. 146 Coppin Street would be suitably limited by proposed southern boundary fences that are over 2.2m in height (and given that floor levels of the ground floor is less than 800mm above NGL).
183. Views from the east-facing balconies between Levels 1 to 3 will fall within the public realm; i.e. Coppin Street, existing built form or front setbacks of dwellings to the east and south and therefore screening is not required to these balconies.
184. The floor plans also demonstrate the use of either 1.7m high, fixed perforated screening, with a maximum of 25% transparency along the southern perimeter of the south-facing balconies between Levels 1 to 3. On this basis, there will be no unreasonable overlooking into SPOS directly to the south of the land.
185. Angled screening is proposed along the perimeters of the west-facing balconies between Levels 1 to 3. As seen below views from these rear balconies will not hit the ground within 9m as per the standard. Therefore, this outcome is acceptable.



Overlooking section to the west (CBG Architects & Interior Designers, December 2019)

*Noise*

- 186. Policy at *Clause 22.05* of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses. In this instance, the proposed office use does not require a planning permit, however this space will be located adjacent existing residential development, with new dwellings above. Whilst the lack of planning permission required for this use prevents Council controlling hours of operation and employee numbers, it is considered that the limited scale of this overall space (145sqm) would subsequently limit the impacts that any business operating within this space would generate. In addition, a condition will be added ensuring that the development must comply at all times with the *State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1)*.
- 187. It is considered that the residential facet to the proposal is unlikely to result in unacceptable noise emissions to nearby properties given the nature of residential use generally not creating significant noise levels. The location of A/C units on the balconies are acceptable.

*Wind*

- 188. A wind assessment was not undertaken as part of the proposal as the height of the overall building is limited to 4 storeys. Wind impacts are of concern with taller built form.

*Equitable development*

- 189. The Scheme aims to facilitate equitable development opportunities for neighbouring properties within the context of the site's location and that of adjoining properties. In this instance, the site has direct abuttal with two properties; the first being the single-storey, commercial building to the north (No. 140 Coppin Street) and the second being the single-storey dwelling to the south (No. 146 Coppin Street).

190. Given the GRZ2 zoning of the site to the south, it is unlikely that any development beyond three-storeys (maximum height of 9m) will occur in the future. Furthermore, given the alternate easterly and westerly outlook afforded to all of the proposed apartments, including the substantial setbacks proposed from the southern boundary; future developments to the south can occur without impeding the internal amenity of any dwellings within the proposed development. Therefore, the equitable development opportunities of the southern site are not impeded by the design of this development.
191. The direct abuttal of the proposed, three-storey northern wall with the commercial building to the north would allow a degree of built form to be constructed directly along this boundary, without inhibiting the internal amenity of any dwellings within the proposed development. However, any future developments to the northern site will need to give consideration to the proposed north-facing, centrally located light-court on-site.
192. Coppin Street provides a good degree of separation from any further higher development to the east, with Wall Place to the west also allowing outlook and daylight to be maintained to the west-facing dwellings.
193. As a result of the above, it is considered that the proposal does not unduly compromise or prejudice the future development potential of adjoining properties.

Parking layout, traffic and bicycle parking

*Car parking*

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces On-site	Reduction Required
1 x bedroom dwelling	4	1 space per dwelling	4	0	4
2 x bedroom dwelling	2	1 space per dwelling	2	2	0
3 x bedroom dwelling	1	2 spaces per dwelling	2	2	0
Office (Combined leasable floor area)	145sqm	3 spaces to each 100sqm of leasable area	4	0	4
<b>Total</b>			<b>12</b>	<b>4</b>	<b>8</b>

195. Based on the table above, the development meets the statutory car parking rate associated with Apartment 3.01 and the 2 x bedroom dwellings, with a parking shortfall of 4 resident/visitor car parking spaces for the 1 x bedroom apartments and 4 for the office spaces. Before a requirement for car parking is reduced, the applicant must satisfy the Responsible Authority that the provision of car parking is justified having regard to the assessment requirements of *Clause 52.06-6*.

*Availability of Car Parking.*

196. The subject site is located within an area containing predominantly time-restricted car parking, with periods ranging from ¼ hour to 2 hours. A large proportion of parking is restricted to 2 hours, extending along both sides of Coppin Street.



197. There are currently two car parking spaces provided along the Coppin Street frontage of the site; these will not be impacted by the development as car parking on-site will be accessed via Wall Place to the rear. Instead, the crossover in front of No. 144 Coppin Street will be made redundant as a result of providing vehicle access to the site from the rear. Therefore, a condition will require this redundant crossover to be demolished and re-instated as standard footpath and kerb and channel. This will allow for existing on-street car parking in front of the subject site to increase from two to three.
198. The applicant provided an amended Traffic Report, dated 11 December 2019 and prepared by Traffic Ground. To ascertain parking availability within the surrounding area, Traffix Group undertook a parking occupancy survey on Thursday 23<sup>rd</sup> and Saturday 25<sup>th</sup> of May 2019 at 12.00pm, 1.00pm, 7.00pm and 8.00pm. The survey area encompassed sections of Coppin Street, Wall Street, Malleson Street, Benson Street, Mary Street, Murray Street, Brady Street, Duke Street and Lord Street. The time and extent of the survey was considered appropriate by Council Engineers.
199. A parking inventory of between 171 to 279 publicly available parking spaces was identified, with 23 of these spaces vacant at 8.00pm on the Saturday. This equates to an occupancy rate of 87%, which indicates that parking was in relatively high demand on weekends. However, this data suggests that short-stay parking overflow from the site could be accommodated within the surrounding streets.

*Parking Demand for Office Use.*

200. Parking associated with office type developments is generally long-stay parking for employees and short-term parking. In practice, the parking demand generated by the office is expected to be lower than the statutory parking rate of 3 spaces per 100sqm of leasable floor space, since the area has very good access to public transport services. Council's Traffic Engineering Unit highlighted that Council often approves small scale office developments with no on-site car parking. This is based largely on the inner-city location of these offices and the proximity they have to public transport. The proposed office has a similar context and the provision of no on-site parking for the proposed office use is considered appropriate.

*Parking Demand for Dwelling Use.*

201. Future residents would know up-front that the 1 x bedroom dwellings will have no car parking spaces provided on-site. Council Traffic Engineer Unit raised no concerns with the reduction in residential car parking as data indicates that the 1 x bedroom dwellings have an average car of 0.80 cars per dwelling. Car ownership is influenced by a number of factors and not limited to public transport access, proximity to employment and education centres, affordability issues, environmental concerns, and access to services. Given the location of the subject site; i.e. between two activity centres with access to public transport, combined with the area's coverage of 2P restrictions this would provide regular turnover of parking throughout the day.

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

202. The additional reduction in car parking being sought by the proposal is supported by the following:
- (a) The site is within walking distance from the Bridge Road and Swan Street Activity Centres, as well as Church Street which consists of a number of retail, entertainment and commercial premises. Visitors to the site might combine their visit by engaging in other activities or business whilst in the area;
  - (b) Tram services operating along Bridge Road (400m north), Swan Street (350m south) and Church Street (380m west). The site also has access to train services operating from the Burnley Train Station (400m east);
  - (c) The site has good connectivity to the on-road bicycle network, with a generous amount of on-site bicycle parking spaces proposed;

- (d) The lack of opportunities to park on-street in the surrounding area would be a disincentive for employees of the office to commute to work by car, with the short-term parking restrictions allowing employees to park for limited periods if necessary;
- (e) The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.
- (f) A Flexicar car share pod is located in Lyndhurst Street, approximately 450m north –west of the site.

203. The reduction in the car parking requirement associated with the office and dwelling uses is considered appropriate in the context of the development and the surrounding area.

#### *Car park access and layout*

204. As discussed earlier in the report (under Clause 58), the proposed at-grade car parking layout and access shown on the S57A plans and amended Traffic Report was assessed by Council's Traffic Engineering Unit, who confirmed that the width of each garage entrance and the headroom clearance are satisfactory and met all relevant standards and guidelines. The dimensions of the garages were also found to be suitable.

205. Swept path diagrams were submitted, which demonstrated that entering and exiting the garages is satisfactory for the B85 design vehicle. In some instances, a correctional movement would be required, however this is permissible under AS/NZS 2890.1:2004 and supported by Council Engineers. As all of the car parking spaces are allocated to the dwellings, users of the car parks will become accustomed to the manoeuvres required to access these spaces.

206. As stated earlier in the report, the submitted S57A plans were supported by Council's Traffic Engineering Unit in combination with the changes on the Sketch Plan. As such, a condition will address these changes.

#### *Bicycle parking*

207. The proposal generates a demand of 3 statutory spaces and provides a total of 14 spaces, thereby exceeding the requirement outlined at *Clause 52.34* of the Scheme. 8 Ned Kelly bicycle parking spaces for the apartments are proposed in an internal bike store accessed from the communal pedestrian entrance. The provision of 2 horizontal bicycle spaces accords with the requirements of AS2890.3-2015, with Clause 2.1(e) of this Standard noting that a minimum of 20% of the bicycle spaces must be provided in the form of horizontal rails. Council's Strategic Transport Unit have confirmed that *resident / employee bicycle spaces and access ways appear to be in accordance with the clearance requirements of AS2890.3*. 2 floor mounted hoops; i.e. 4 visitor spaces are also provided along the Coppin Street frontage.

208. In addition, two shower / change rooms are provided within the office areas which exceeds Council's best practice standards.

209. Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). Council's Strategic Transport Unit have recommended that car parking areas should be electrically wired to be 'EV ready' to allow for easy future provision for electric vehicle charging. However, given the overall scale of the development, it is considered that it is acceptable no EV charging points are installed.

#### *Traffic*

210. Given the allocation of all on-site car parking spaces to most of the dwellings, any traffic generated by the site will be restricted to the 4 x 1 bedroom apartments and the office use.



With only 7 dwellings proposed in total the level of traffic that would be generated is considered to be low, and it is unlikely that the traffic associated with the development would have a discernible impact upon traffic levels along Coppin Street and Wall Street.

211. The primary use of Wall Place is currently to access garages (with the exception of No. 2 Wall Place). Increased use of Wall Place by vehicle traffic is therefore considered reasonable, with this outcome supported Council's Traffic Engineers.

Objector concerns

212. The objector concerns are outlined and discussed below:

(a) *Out of keeping with neighbourhood character / heritage.*

Neighbourhood character and heritage have been discussed in paragraphs 81 to 100.

(b) *Design and overdevelopment (height, scale, bulk, site coverage and permeability).*

Matters relating to height, scale and bulk are discussed at paragraphs 81 to 100 within the neighbourhood character assessment. Site coverage and permeability are discussed in paragraph 106.

(c) *Off-site amenity (solar access to north-facing windows, overshadowing, overlooking and noise impacts).*

Solar access to north-facing windows is discussed in paragraph 176. Overshadowing is discussed in paragraph 177 to 180 and noise impacts at paragraph 145 to 146 and 186 to 187. Overlooking is addressed in paragraphs 181 to 185.

(d) *Car parking, traffic impacts and pedestrian safety.*

Car parking, traffic impacts and pedestrian safety has been discussed in paragraphs 194 to 206 and also within relevant sections of the Clause 58 assessment at paragraphs 131 to 138. Council's Traffic Engineering Unit have deemed Wall Place to have sufficient width and capacity to service vehicles associated with the new dwellings.

(e) *Impacts during the construction phase (structural, noise, traffic access and pest control)*

This will be managed by via a conditional requirement for a Construction Management Plan, to be approved by Council's Construction Management Unit.

Other matters

213. A notation on the ground level plan states that the *existing sewer vent is to be removed to the satisfaction of the responsible authority*. However, there is no discussion as to whether this sewer vent can or will be relocated to. It appears that if the sewer vent is not relocated (or potentially if it has to be relocated within the site) it may interfere with the turning circles for the cars on the subject site. Therefore, a condition will require written confirmation to be provided from the relevant authority that the sewer vent in the laneway can either be relocated or is no longer required and can be removed. Subject to this written confirmation, a condition will require that the sewer vent is removed or relocated prior to commencement of construction to the satisfaction of the relevant authority and the responsible authority, and at the cost of the permit holder.

## Conclusion

Based on the report, the proposal is considered to comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval, subject to conditions.

## RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0364 for the construction of a four-storey building and reduction in the car parking requirements associated with the use of the land for dwellings and offices (no permit required for office use) at Nos. 142 – 144 Coppin Street Richmond VIC 3121, subject to the following conditions:

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 and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans prepared by CBG Architects & Interior Design, dated 19 December 2019 (Rev B: TP100, TP101, TP102, TP103, TP104, TP201, TP200, TP220, TP221, TP230) and dated 02 August 2019 (Rev A: DR06), but modified to show the following:
  - (a) Additional changes made at Ground Level in accordance with the submitted Sketch Plan received on 03 June 2020 (TP100-C);
  - (b) Provision of wall-mounted lighting, and introduction of glazing to the rear, pedestrian entrances;
  - (c) Provision of a plinth below the front window glazing associated with the office tenancies;
  - (d) Decorative wrought-iron gate fronting Coppin Street reduced in height to 1.8m;
  - (e) Location of the private outdoor clotheslines for each apartment;
  - (f) Increased minimum setbacks of 2.25m to Level 2 and Level 3 balcony from the west boundary;
  - (g) Deletion of wing walls to pergolas at Level 3;
  - (h) Design changes to implement recommendations of the Sustainable Management Plan Condition No. 3 of this permit;
  - (i) Design changes to implement any recommendations of the endorsed Waste Management Plan Condition No. 5 of this permit.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority

## Sustainable Management Plan

3. Before the plans are endorsed, 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 Sustainable Management Plan will be endorsed and will form part of this permit. The Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Development Consultants and dated February 2020, but modified to include the following:
  - (a) Extend application of ceiling fans to all bedrooms;
  - (b) Increase the size of the PV system; and
  - (c) Provision of natural ventilation for the office tenancies.
4. The provisions, recommendation and requirements of the plans and endorsed Sustainable Development Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

## **Waste Management Plan**

5. Before the plans are endorsed, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by R B Waste Consulting and dated 29 January 2020, but modified to include the following:
  - (a) Provision of 1 x 80L waste and 1 x 120L recycle bin for individually rated commercial properties.
  - (b) Commercial and residential streams calculated separately with appropriate bins allocated.
  - (c) Commercial bins and residential bins separated.
  - (d) Detail the bin store plan showing path of access to collection point, hard waste area etc.
  - (e) Remove reference to Council offering hard waste services for commercial properties.
  - (f) Remove reference to Council altering collection services on request.
  - (g) Provision of space to accommodate extra bins that will be required once Councils new kerbside service is introduced later this year.(glass bin and food and green waste bin)
  - (h) Provide an explanation of how any risk relating to waste service will be managed.
  - (i) Addition of a clause regarding potential review into the service if operational requirements change.
  
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

## **Landscape Plan**

7. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
  - (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (b) indicate the location of all areas to be covered by lawn or other surface materials; and
  - (c) provide a specification of works to be undertaken prior to planting,to the satisfaction of the Responsible Authority.
  
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan 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.

## **Tree Management Plan**

9. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for the protection of two street trees opposite the site on the western side of Coppin Street, including:
- (a) pre-construction;
  - (b) during construction; and
  - (c) post construction
  - (d) the provision of any barriers;
  - (e) any pruning necessary; and
  - (f) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

10. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
11. Before the development starts, or by such later date as approved in writing by the Responsible Authority, the permit holder must provide a bond to the Responsible Authority for the trees on the Coppin Street footpath, in proximity of the site. The bond:
- (a) is to be to the total value of the \$20,251.00 for both trees;
  - (b) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
  - (c) may be held by the Responsible Authority until the buildings and works are completed to the satisfaction of the Responsible Authority; and
  - (d) may be applied by the Responsible Authority to allow for a large replacement planting(s) and costs associated with establishment and maintenance.

Once the buildings and works are completed to the satisfaction of the Responsible Authority, any portion of the bond which has not been applied by the Responsible Authority will be refunded to the permit holder.

12. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
13. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
14. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
16. Before the development 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 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.

17. Before the endorsement of plans, written confirmation must be provided from the relevant authority that the sewer vent in the laneway can either be relocated or is no longer required and can be removed. Subject to this written confirmation, the sewer vent is to be relocated prior to commencement to the satisfaction of the relevant authority and the responsible authority, and at the cost of the permit holder.
18. 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.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all external lighting capable of illuminating access to the pedestrian entries and car parking area must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity.to the satisfaction of the Responsible Authority.
20. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
  - (a) be designed, provided and completed to the satisfaction of the Responsible Authority;
  - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
  - (c) be made available for such use at all times and not used for any other purpose;
  - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
  - (e) be drained and sealed with an all-weather seal coat;all to the satisfaction of the Responsible Authority.
21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing on Coppin Street must be demolished and re-instated as standard footpath and kerb and channel:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
22. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures, fire hydrants or service pits necessary to facilitate the development must be undertaken:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
23. 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 the full re-sheeting of the footpath at the front of the property if required by Council):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

25. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

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

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.

26. During the construction:

- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (c) vehicle borne material must not accumulate on the roads abutting the land;
- (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

27. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
28. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.
29. 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;
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
30. This permit will expire if:
  - (a) The dwelling use is not commenced within five years of the date of this permit;
  - (b) the development is not commenced within two years of the date of this permit;
  - (c) the development is not completed within four years of the date of this permit.

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

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

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

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

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

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.

**CONTACT OFFICER:** Nish Goonetilleke  
**TITLE:** Senior Statutory Planner  
**TEL:** 9205 5005

**Attachments**

- 1** PLN19/0364 - 142 - 144 Coppin Street, Richmond - Site Location Plan
- 2** PLN19/0364 - 142 - 144 Coppin Street Richmond - Previously Advertised Plans
- 3** PLN19/0364 - 142 - 144 Coppin Street Richmond - S57A Plans
- 4** PLN19/0364 - 142 - 144 Coppin Street Richmond - Sketch Plan Ground Level (dated 03.06.2020)
- 5** PLN19/0364 - 142 - 144 Coppin Street Richmond - S57A ESD Report
- 6** PLN19/0364 - 142 - 144 Coppin Street Richmond - S57A Traffic Assessment Report
- 7** PLN19/0364 - 142 - 144 Coppin Street Richmond - S57A - Waste Management Plan
- 8** PLN19/0364 - 142 - 144 Coppin Street Richmond - Urban Design Comments Based on Originally Advertised Plans
- 9** PLN190364 - 142 - 144 Coppin Street Richmond - ESD Comments on Originally Advertised Plans
- 10** PLN19/0364 - 142 - 144 Coppin Street Richmond - Council Arborist Comments
- 11** PLN19/0364 - 142 - 144 Coppin Street Richmond - Waste Management Referral Comments Based on S57A Plans
- 12** PLN19/0364 - 142 - 144 Coppin Street Richmond - Engineering Comments Based on S57A Plans
- 13** PLN190364 - 142 - 144 Coppin Street Richmond - Engineering Comments Based on Sketch Plans (dated 03.06.2020)