



Agenda

Planning Decisions Committee

6.30pm, Wednesday 13 October 2021

Microsoft Teams

The Planning Decisions Committee

The Planning Decisions Committee is a delegated committee of Council with full authority to make decisions in relation to planning applications and certain heritage referrals. The committee is made up of three Councillors who are rostered on a quarterly basis.

Participating in the Meeting

Planning Decisions Committee meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There is an opportunity for both applicants and objectors to make a submission to Council in relation to each matter presented for consideration at the meeting.

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. Simply raise your hand and the chair will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the chair;
- confine your submission to the planning permit under consideration;
- If possible, explain your 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 you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the chair to make further comment or to clarify any aspects.

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.

Arrangements to ensure our meetings are accessible to the public

Planning Decisions Committee meetings are held at the Richmond Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (via the entry foyer).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop and receiver accessory is available by arrangement (tel. 9205 5110).
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available.

1. Appointment of Chair

Councillors are required to appoint a meeting chair in accordance with the City of Yarra Governance Rules 2020.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

3. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

Cr Edward Crossland	Councillor
Cr Stephen Jolly	Councillor
Cr Sophie Wade	Councillor

Council officers

Ally Huynh (Senior Co-ordinator Statutory Planning)
Madeleine Moloney (Senior Planner)
Rhys Thomas (Senior Governance Advisor)
Cindi Johnston (Governance Officer)

4. Declarations of conflict of interest

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Confirmation of Minutes

RECOMMENDATION

That the minutes of the Planning Decisions Committee held on Wednesday 29 September 2021 be confirmed.

6. Committee business reports

Item	Page	Rec. Page
6.1 PLN21/0271 - 268-272 Church Street, Richmond - Construction of a multi-storey mixed use building, use of the land for office/shop/food and drink premises (no permit required) and dwellings (permit required) and a reduction of standard car parking requirements	5	57
6.2 PLN19/0384.01 - 219 Gore Street, Fitzroy - Section 72 amendment for approval to construct a wall on boundary to the existing dwelling (Deferred from PDC Meeting of 29 September 2021)	277	288

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- 6.1 PLN21/0271 - 268-272 Church Street, Richmond - Construction of a multi-storey mixed use building, use of the land for office/shop/food and drink premises (no permit required) and dwellings (permit required) and a reduction of standard car parking requirements**
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Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN21/0271 which relates to land at 268-272 Church Street, in Richmond. The report recommends approval subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Built form and Heritage (Clauses 15.01, 21.05, 34.01-8 and 43.02
 - (b) Clause 22.03 – Landmarks and Tall Structures;
 - (c) Clause 22.05 – Interface Uses Policy;
 - (d) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design);
 - (e) Clause 22.17 – Environmentally Sustainable Development
 - (f) Clause 34.01 – Commercial 1 Zone;
 - (g) Clause 36.04 – Road Zone;
 - (h) Clause 43.02 – Design and Development Overlay (Schedule 21);
 - (i) Clause 52.06 – Car Parking; and
 - (j) Clause 52.34 – Bicycle Parking.

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Strategic justification.
 - (b) Built form.
 - (c) On-site amenity (including ESD).
 - (d) Off-site amenity.
 - (e) Car parking, traffic, access, bicycle parking and loading/unloading.
 - (f) Waste management/collection.
 - (g) Objector's concerns.

Submissions Received

4. 37 objections were received to the application, these can be summarised as:
 - (a) Inappropriate built form and design (excessive building height, impact on built form character, insufficient upper level setbacks, DDO21 non-compliance, scale and massing, overdevelopment and precedence);
 - (b) Off-site amenity impacts (visual bulk, overshadowing, loss of daylight, loss of privacy, noise);
 - (c) Insufficient open space and landscaping;
 - (d) Inadequate internal amenity of apartments;

- (e) Traffic and parking impacts of surrounds (including laneway safety and incorrect swept path diagrams) and insufficient car parking for the proposal;
- (f) Amenity impacts (visual and overshadowing) to Alexander Reserve;
- (g) Impacts from construction activities;
- (h) Negative impact on property values;
- (i) Fire safety concerns; and
- (j) Inconsistency with Yarra Urban Design Strategy.

Conclusion

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:
- (a) Public realm plan requiring a raised threshold crossing at the intersection of Church and Berry Streets.
 - (b) A minimum of 22 resident / employee bicycle spaces within a secure facility;
 - (c) Revised Landscape Plan, WMP, Wind Assessment and SMP to reflect the amended proposal.

CONTACT OFFICER: Daniel Herrmann
TITLE: Co-Ordinator Statutory Planning
TEL: 9205 5147

- (a) Excessive building height
- (b) Inappropriate transition in building height along Church Street.
- (c) Inadequate building separation.
- (d) Appearance of southern boundary wall.
- (e) Shadow impacts to Alexander Reserve.

Lodgement of Section 57a amendment to application

6. In response to the above concerns, the application was amended pursuant to Section 57A of the the *Planning and Environment Act 1987* on 17 September 2021. The key changes to plans include:
- (a) A reduction of the building height to 6 storeys (including reduced height from 24m to 20.3m).
 - (b) Reduction in the number of apartments (originally 24, now 21) and change to apartment mix.
 - (c) Additional bike spaces (previously 6 internally, now 21 spaces internally).
 - (d) Fire exit to Berry Street removed and services space reconfigured to include BOH for Retail B and services in a Mezzanine level.
 - (e) DDA Ramps added to both retail tenancies.
 - (f) Canopy added over Church Street.
 - (g) Reconfiguration of apartment layouts (generally consolidation to improve amenity).
 - (h) Communal roof terrace reconfigured.
 - (i) Introduction of private terraces on roof top for apartments on Level 05.
 - (j) Revised materiality/finishes to southern boundary walls.
7. The assessment of the application is based on the section 57A amended plans. These plans received an exemption from advertising at Council’s Development Assessment Panel on 23 September 2021. This determination was made on the basis the changes to plans would not cause material detriment to any persons or property due to the extent of built form being reduced through a reduction of the building height. Details of a link to the section 57A amended plans contained on Council’s website was included in the Planning Development Committee (PDC) meeting invite circulated to objectors.
8. A comparison of the advertised proposal and Section 57a amended proposal is provided below.



Image: advertised (left) and amended (right) northern elevation, showing reduction in building height

Planning Scheme Amendments

Amendment C291

9. Amendment C291 is proposing to introduce permanent built form and design requirements for Bridge Road, Richmond (and Victoria Street, Richmond/Abbotsford). These controls and policies will help guide future development, ensure development is sensitive to heritage buildings and minimises impacts on sensitive residential interfaces such as backyards and public spaces like footpaths, parks and expanded street corners. The proposed permanent controls are currently on exhibition until 27 October 2021.
10. Under C291, the Site is located within the Bridge Road West Precinct (proposed DDO41). Key planning controls relevant to the Site outlined in proposed DDO41 include:
 - (a) 15m discretionary building height.
 - (b) 11m maximum mandatory street wall height to Church Street and discretionary minimum 6m upper level setback above.
 - (c) 11m discretionary street wall height to Berry Street and discretionary 3m upper level setback above.
 - (d) 8m discretionary street wall height to rear Right of Way and 4.5m upper level setback above.
 - (e) A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:
 - (i) any part of the opposite footpath of Lennox Street and Church Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).
 - (f) A permit should not be granted to construct a building or construct or carry out works that would cause any additional overshadowing of the following space between 10am and 2pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:
 - (i) Alexander Reserve.
11. The proposed permanent controls will be considered by the appointed Standing Advisory Committee in early 2022, which will then make recommendations to the Minister of Planning to assist in making the final decision.

The Proposal

12. The application involves the construction of a six storey mixed use building, use of the land for shop/office/food and drink premises (no permit required) and dwellings (permit required) and a reduction of the standard car parking requirements. The key elements of the proposal include:

Demolition (no permit required)

13. All existing buildings and works on the site will be demolished as part of the proposal. A permit is not required for demolition works on the Site pursuant to Clause 62.05 (Demolition).

Use and Layout

14. A summary of uses and layout include:
 - (a) Two ground floor commercial tenancies (office/food and drink premises/shop) are orientated/accessed to/from Church Street, with internal areas of 111m² and 62m² respectively.

- (b) A residential entry and corridor to common lobby is provided at the southern end of the site frontage to Church Street and southern boundary. The lobby provides access to a centrally located common lift and stairwell core.
- (c) A total of 21 apartments including two (2) split level apartments between Mezzanine and Ground floor levels (rear) and 19 apartments configured throughout Levels 01-05. The proposed apartment mix is as follows:
 - (i) 2 x 1 bedroom apartments
 - (ii) 9 x 2 bedroom apartments
 - (iii) 10 x three bedroom apartments
- (d) Rooftop comprising communal roof top terrace (154m²) and three private terraces associated with apartments immediately below.
- (e) 34 car spaces within three basement levels.
- (f) 21 bikes spaces spread across three basement levels.

Construction

15. The proposal involves the following construction works:
- (a) Three basement levels, accessed from the right of way accessed off Berry Street.
 - (b) Bedrooms for two apartments located within the Mezzanine Level with 2 metre deep terraces/light courts measured from the right of way. Resident storage provided within the mezzanine level.
 - (c) Three storey podium is proposed, including part mezzanine (below ground), ground floor, Level 01 and Level 02 with apartment terraces primarily orientated to the east and west.
 - (d) A 3.3m x 4.5m full height light court is proposed centrally along the southern boundary.
 - (e) Levels 03-05 (upper levels) are setback as follows:
 - (i) 5m from Church Street (east).
 - (ii) 2m from right of way (west).
 - (iii) 1.5m from Berry Street (north)
 - (iv) 0m from southern boundary.
 - (f) Roof top terrace adopts similar setbacks to those outlined above with an increased setback to the ROW of 2.25m
 - (g) Stairs, lifts, bin chute access is proposed within a centrally located core to all levels.
 - (h) Plant area, including air conditioning units, are located at roof level.
 - (i) The proposed building has an overall height of 23.5m to the top of the plant and 20.3m to the building parapet when viewed from Church Street.

Design

- 16. The overall built form massing comprises a three storey podium to all boundaries and three upper levels with varied setbacks from the podium.
- 17. The upper levels will appear recessive to the podium when viewed from Church Street through a 5m upper level setback and modified architectural detail.
- 18. The building facades feature curved brick (elongated profile with off-white/cream colour) columns to east, north and west elevations, which are thicker on podium levels and thinner on the upper levels. The building also features a curved facade to the northeast and north west corners.
- 19. The façade is horizontally broken through the metal balcony balustrades and slab lines. Two different types of metal detail is employed for the balcony balustrades.

20. Clear glazing is proposed to all windows/doors.
21. A 1.6m deep canopy is proposed along the Church Street frontage.
22. Dedicated planter boxes are provided to most balconies on Levels 01 – 03, the roof terrace and the internal sides of the southern light court.



Image: Perspective of the amended proposal. Source: *Section 57a architectural plans.*

Existing Conditions

Subject Site

23. The subject site is located on the western side of Church Street, Richmond, approximately 75 metres south of Bridge Road. The Site is formally described as Plan of Consolidation 167997.
24. The Certificate of Title identifies that the Site is not affected by any easements, restrictive covenants or Section 173 Agreements.
25. The Site has a 18.29m frontage to Church Street, 28.04m frontage to Berry Street, maximum depth of 30.48m and an overall area of approximately 546m². A right of way is located immediately
26. The Site contains two, two storey commercial buildings of modern architectural style. Both buildings have historically been used for office and medical centre purposes but appear to be at least partly vacant at present. The building at 268-270 Church Street is provided with internal ground floor car parking accessed via Berry Street.

27. The two buildings on the Site generally provides a continuous two storey street wall to Church Street and Berry Street. A zero lot setback is provided adjacent the intersection of Berry Street and ROW located immediately west of the Site. Rear (western) setbacks are provided along the remainder of the western frontage, which accommodates open air, off-street car parking spaces. The rear setback of the building at 272 Church Street is approximately 12 metres.
28. The Site has a noticeable slope falling from the southwest to northeast corner, with a maximum difference in level of approximately 1.6 metres.
29. Photos of the Site are provided below.



Photos: Subject site viewed from Church Street (left) and ROW (right)

Surrounding Land

30. The Site is located within the Bridge Road Major Activity Centre (MAC). A mixture of uses, including retail, office, food and drink premises and dwellings characterise the MAC. The inner suburban locale ensures the Site is well serviced by infrastructure and public transport, including:
 - (a) Tram Route 78 – adjacent the Site.
 - (b) Tram Route 48 and 75 (Bridge Road) – 75m.
 - (c) East Richmond train station – 800m.
 - (d) West Richmond train station – 800m.
 - (e) Richmond train station – 1.0km.
 - (f) Principal bicycle network – adjacent the Site.
 - (g) Citizens Park – 250m.
31. Zoning surrounding the land is mixed and defined by:
 - (a) The Commercial 1 Zone along this section of Church Street (western side), which terminates approximately 25m south of the Site.
 - (b) Neighbourhood Residential Zone on the eastern side of Church Street, changing to Commercial 1 Zone 20m north of the Site.
 - (c) Public Park and Recreation Zone immediately west of the Site, with Neighbourhood Residential Zone further west.

32. The built form character along this section of Church Street is varied due to the a mix of commercial and residential land uses. Land on the western side of Church Street, between Hodgson Terrace and Bridge Road has a fine grain commercial character defined by single and double storey commercial buildings of varied architectural styles, including a number of heritage places. Built form is generally robust and forms a continuous streetwall to Church Street, broken by the street network.
33. The eastern side of Church Street features a mix of residential and commercial uses and buildings. Built form typically ranges between one and three storeys and typically features shadllow landscaped front setbacks with some boundary to boundary construction. Architectural styles widely vary.
34. The broader Bridge Road MAC area is undergoing built form change. Notable developments that have been approved/under construction/constructed near the Site include:
 - (a) 239-245 Church Street – 6-7 storeys (20m from the Site – under construction)
 - (b) Richmond Plaza redevelopment, maximum 11 storey development comprising shops dwellings- (90m north of the subject site - under construction).
 - (c) 242 Bridge Road – 5 storeys (50m from the site - permit issued 1 March 2018).
 - (d) 243 Bridge Road – 10 storeys (120m from the site – constructed).
 - (e) 231 Bridge Road – 7 storeys (150m from the Site – constructed).
 - (f) 209-211 Bridge Road – 8 storeys (200m from the site – constructed).
 - (g) 178-182 Bridge Road – 6 Storeys (180m from the Site – permit issued 7 May 2021).
35. The aerial image below shows the Site and immediate surrounds.



Image: Aerial image of the Site and immediate surrounds. Source: *Nearmp*, 2021.

36. The immediate interfaces of the Site are described below:

East

37. To the east of the Site is Church Street, which has a width of approximately 20 metres. The mixed residential and commercial built form character on the eastern side has been described above in paragraph 32. The 6 storey development currently under construction at 239-245 Church Street represents the start of the Bridge Road MAC on the eastern side of the road.



Photos: Existing residential properties opposite the Site on the eastern side of Church Street

South

38. The land to the south of the Site, 274 Church Street, is occupied by a single storey, fine grain commercial building. The building is used as wine bar (Atlas Vinifera, holding a general liquor licence). The sale and consumption of liquor is limited to between 10am and 11pm with a maximum patron capacity of 35 persons (PLN16/0328). A courtyard is located within the rear setback of the building, together with an area for off-street car parking.

39. Further south, 276 Church Street is occupied by a single storey individually significant commercial building. 278-280 Church Street is occupied by a two storey modern building with a dual vaulted roof form.



Photos: Two commercial building at 278-280 Church Street (left) and single storey commercial buildings at 274 and 276 Church Street (right)

West

40. A 4m wide ROW is located immediately west of the Site, which provides a connection between Hodgson Terrace and Berry Street.

41. Beyond the ROW is Ben Alexander Reserve, which extends between Berry Street and Hodgson Street. The reserve is approximately 18m in width and depth of 44 metres, which is broken by a central laneway servicing the rear of residential properties further west. The reserve features informal open space areas bordered by planter beds containing a predominantly native species palette. A number of mature trees are scattered throughout the reserve, particularly to the south.
42. Predominantly single storey detached/attached dwellings characterise land further west of the reserve, which front Hodgson and Berry Streets.



Photos: Ben Alexander Reserve viewed from Berry Street (left) and existing dwelling along Berry Street (right)

North

43. To the north of the Site is Berry Street, which measures approximately 5.4 metres in width. The narrow width of Berry Street accommodates one way traffic movement (west bound only) and is bordered by two narrow footpaths.
44. The land opposite the Site, 264 Church Street, is occupied by a double fronted commercial building that is contributory to the Church Street heritage precinct. This land has a rear setback which allows for off-street car parking opportunities. One to three storey commercial buildings are located further north on the western side of Church Street (south of Bridge Road).
45. The 11 storey Richmond Plaza development that is currently under construction represents the tallest built form in close proximity to the Site.



Photos: rear of 264 Church Street viewed from Berry Street (left) and commercial buildings further north of the Site along Church Street (right)

Planning Scheme Provisions

Zoning

Clause 34.01 - Commercial 1 Zone

46. The following provisions apply:
- Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required to use the land for office, shop or food and drink premises uses, however a planning permit is required to use the land for dwellings as the frontage at ground floor exceeds 2 metres.
 - Pursuant to Clause 34.01-4, a planning permit is required to construct a building and carry out works.

Clause 36.04 - Road Zone – Category 1 (Church Street road reserve)

47. The following provisions apply:
- Pursuant to Clause 36.04-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works for a Section 2 use under Clause 36.09-1.

Overlays

Clause 43.02 - Design and Development Overlay (Schedule 21)

48. The subject site is affected by the Design and Development Overlay (Schedule 21). Pursuant to Clause 43.02-2, a planning permit is required to construct a building or construct or carry out works. Schedule 21 provides comprehensive design guidelines and built form controls. The Site is located within Precinct 1 (Bridge Road West). The key quantitative built controls for Precinct 1 that are relevant to the Site are outlined in the following table:

Item	DDO21- Precinct 1 Built form Controls
Discretionary maximum building height	15m
Mandatory maximum building height	N/A
Mandatory maximum street wall height	N/A
Preferred maximum street wall height (Church Street)	11m
Preferred maximum street wall height (Berry Street)	N/A
Discretionary min. upper level setback (Church Street)	6m
Discretionary sightline diagram (measured from opposite footpath along Church Street)	The part of the building above the street wall must occupy <u>no more than one third</u> of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street)
Rear (west) setback	N/A

49. The application will be assessed against these controls in the assessment section of this report.

Clause 45.06 – Development Contributions Plan Overlay (Schedule 1) (DCPO1)

50. The Development Contributions Plan applies to the proposed additional office floor area, requiring the developer to pay a cash contribution towards essential city infrastructure like roads and footpaths.

51. Pursuant to Clause 45.06-1 a permit granted must:

- (a) *Be consistent with the provisions of the relevant development contributions plan.*
- (b) *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay*

52. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject site is located within Charge Area 6 (Collingwood) and the development infrastructure levy is applicable to the office and retail floor space.

53. A planning permit is not required for works under the overlay. The requirements of the DCPO have been included as a condition in the recommendation.

Particular Provisions

Clause 52.06- Car parking

54. The site is located within the Principal Public Transport Network Area, therefore the parking rates in Column B of Clause 52.06-5 apply. Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
1 bedroom apartment	2	1 per dwelling	2	34 (+3)
2 bedroom apartment	9	1 per dwelling	9	
3 bedroom apartment	10	2 per dwelling	20	
Shop / Food and drink premises (noting office has a lesser rate)	173 (including 24m ² BOH)	3.5 spaces per 100 m ² of leasable floor area	6	0
Total			37 Spaces	34 Spaces

55. Pursuant to clause 52.06-3, a planning permit is required to reduce 3 car parking spaces.

Clause 52.34 - Bicycle facilities

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	21	1 space per 5 dwellings for residents 1 space per 10 dwellings for visitors	4 x resident 2 x visitor	21 - internal for residents
Office	140 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	1 x employee	2 – visitor spaces to frontage
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	N/A	

	Bicycle Parking Spaces Total	7 spaces	23 spaces
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	0 showers / change rooms	0

57. The proposal includes 23 bicycle spaces in total, thus significantly exceeding the minimum statutory requirement applicable to the proposal and accordingly no permit is required under this Clause.

Clause 58 - Apartment Developments

58. The provisions of Clause 58 apply to an application to construct or extend an apartment development if the development is five or more storeys within the Commercial 1 Zone. A development must meet all of the objectives and should meet all of the standards of the Clause.

Clause 53.18 – Stormwater Management in Urban Development

59. This clause applies to an application under a provision of a zone to construct a building or construct or carry out works. An application to construct a building or to construct or carry out works:

- (a) *Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.*
- (b) *Should meet all of the standards of Clauses 53.18-5 and 53.18-6.*

General Provisions

60. 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 Municipal Planning Strategy and the Planning Policy Framework, as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is contained in this report.

Planning Policy Framework (PPF)

61. Relevant clauses are as follows:

Clause 11.02 (Managing Growth)
Clause 11.02-1S (Supply of Urban Land)

62. The objective is:

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

Clause 11.03 (Planning for Places)
Clause 11.03-1S (Activity Centres)

63. The relevant objectives of this clause include:

- (a) *To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*

13.05-1S (Noise abatement)

64. The objective is:

- (a) *To assist the control of noise effects on sensitive land uses*

Clause 15.01 (Built Environment)
Clause 15.01-1S (Urban design)

65. The relevant objective of this clause is:

- (a) *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

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

66. The objective is:

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

Clause 15.01-2S (Building design)

67. The relevant objective of this clause is:

- (a) *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

68. Relevant strategies of this clause are:

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

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

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

Clause 15.01-5S (Neighbourhood character)

70. The relevant objective of this clause is:

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

71. Relevant strategies are:

- (a) *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- (b) *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*

- (c) *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
- (i) *Pattern of local urban structure and subdivision.*
 - (ii) *Underlying natural landscape character and significant vegetation.*
 - (iii) *Heritage values and built form that reflect community identity.*

Clause 15.02 (Sustainable Development)

Clause 15.02-1S (Energy Efficiency)

72. The objective of this clause is:

- (a) *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 – Housing Supply

73. The objective of this clause is:

- (a) *To facilitate well-located, integrated and diverse housing that meets community needs.*

74. Strategies for this clause are:

- (a) *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- (b) *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- (c) *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- (d) *Identify opportunities for increased residential densities to help consolidate urban areas.*
- (e) *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- (f) *Encourage the development of well-designed housing that:*
 - (i) *Provides a high level of internal and external amenity.*
 - (ii) *Incorporates universal design and adaptable internal dwelling design.*
- (g) *Support opportunities for a range of income groups to choose housing in well-serviced locations.*
- (h) *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

Clause 16.01-1R – Housing supply- Metropolitan Melbourne

75. Relevant strategies for this clause are:

- (a) *Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:*
 - (i) *In and around the Central City.*
 - (ii) *Urban-renewal precincts and sites.*
 - (iii) *Areas for residential growth.*
 - (iv) *Areas for greyfield renewal, particularly through opportunities for land consolidation.*
 - (v) *Areas designated as National Employment and Innovation Clusters.*
 - (vi) *Metropolitan activity centres and major activity centres.*

- (vii) *Neighbourhood activity centres - especially those with good public transport connections.*
- (viii) *Areas near existing and proposed railway stations that can support transit oriented development.*
- (b) *Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.*
- (c) *Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.*
- (d) *Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.*
- (e) *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.*
- (f) *Create mixed-use neighbourhoods at varying densities that offer more choice in housing.*

Clause 16.01-2S – Housing affordability

76. The objective of this clause is *'to deliver more affordable housing closer to jobs, transport and services'*.

Clause 17.01 (Employment)

Clause 17.01-1S (Diversified economy)

77. The objective of this clause is:

(a) *To strengthen and diversify the economy.*

78. The relevant strategies of this clause are:

- (a) *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
- (b) *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- (c) *Improve access to jobs closer to where people live.*

Clause 17.02 (Commercial)

Clause 17.02-1S (Business)

79. The relevant objective of this clause is:

(a) *To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.*

80. The relevant strategies of this clause is:

- (a) *Plan for an adequate supply of commercial land in appropriate locations.*
- (b) *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
- (c) *Locate commercial facilities in existing or planned activity centres.*

Clause 18.01 (Integrated Transport)

Clause 18.01-2S (Transport System)

81. The objective of this clause is:

(a) *To coordinate development of all transport modes to provide a comprehensive transport system.*

Clause 18.02 (Movement Networks)

Clause 18.02-1S (Sustainable personal transport)

82. The relevant objectives of this clause is:
(a) *To promote the use of sustainable personal transport.*

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

83. Strategies of this policy are:
(a) *Improve local travel options for walking and cycling to support 20 minute neighbourhoods.*
(b) *Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network*

Clause 18.02-2S (Public Transport)

84. The objective of this clause is:
(a) *To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

Clause 18.02-2R (Principal Public Transport Network)

85. A relevant strategy of this clause is to:
(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.*

Clause 18.02-4S – (Car Parking)

86. The objective of this clause is:
(a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

87. A relevant strategy is:
(a) *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

[Local Planning Policy Framework \(LPPF\)](#)

88. The relevant policies in the Municipal Strategic Statement can be described as follows:

Clause 21.03 – Vision

89. The relevant sections of this Clause are:
(f) *Yarra will have increased opportunities for employment.*
(g) *The complex land use mix characteristic of the inner city will provide for a range of activities to meet the needs of the community.*
(h) *Yarra's exciting retail strip shopping centres will provide for the needs of local residents, and attract people from across Melbourne.*
(i) *Most people will walk, cycle and use public transport for the journey to work.*

Clause 21.04-1 Accommodation and Housing

90. The objectives of this clause are:
(a) *To accommodate forecast increases in population.*
(b) *To retain a diverse population and household structure.*
(c) *To reduce potential amenity conflicts between residential and other uses.*

Clause 21.04-2 – Activity Centres

91. Objectives and strategies include;
- (a) Objective 4 - *To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.*
 - (i) *Strategy 4.2 Support the regional role of the Major Activity Centres as an important component of Yarra's economy and as a metropolitan destination.*

Clause 21.05-2 (Urban design)

92. The relevant objectives of this Clause are:
- (a) *Objective 16 - To reinforce the existing urban framework of Yarra;*
 - (b) *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:*
 - (i) *Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*
 - *Significant upper level setbacks*
 - *Architectural design excellence*
 - *Best practice environmental sustainability objectives in design and construction*
 - *High quality restoration and adaptive re-use of heritage buildings*
 - *Positive contribution to the enhancement of the public domain*
 - *Provision of affordable housing.*
 - (c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
 - (d) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;*
 - (i) *Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*
 - (ii) *Strategy 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*

Clause 21.05-3 (Built form character)

93. The general objective of this clause is:
- (a) *To maintain and strengthen the identified character of each type of identified built form within Yarra. The subject site is located within the 'main roads' area, where the built form objective is to "maintain the hard edge of the strip".*

94. The strategies to achieve the objective are to:

- (a) *Strategy 27.1 - Allow flexibility in built form in areas with a coarse urban grain (larger lots, fewer streets and lanes).*
- (b) *Strategy 27.2 - Require new development to integrate with the public street system.*

Clause 21.05-4 (Public environment)

95. The relevant objective and strategies of this clause are:
- (a) *Objective 28 - To provide a public environment that encourages community interaction and activity*
 - (i) *Strategy 28.1 - Encourage universal access to all new public spaces and buildings*
 - (ii) *Strategy 28.2 - Ensure that buildings have a human scale at street level.*
 - (iii) *Strategy 28.3 - Require buildings and public spaces to provide a safe and attractive public environment.*

Clause 21.06 (Transport)

96. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives. Relevant objectives and strategies of this Clause are as follows:
- (a) *Objective 30 – To provide safe and convenient pedestrian and bicycle environments.*
 - (i) *Strategy 30.2 – Minimise vehicle crossovers on street frontages.*
 - (ii) *Strategy 30.3 – Use rear laneway access to reduce vehicle crossovers.*
 - (b) *Objective 31 – To facilitate public transport usage.*
 - (c) *Objective 32 – To reduce the reliance on the private motor car.*
 - (d) *Objective 33 – To reduce the impact of traffic.*
 - (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.*

Clause 21.06-1 (Walking and cycling)

97. This clause builds upon the objectives outlined at Clause 18, promoting cycling, walking and public transport as alternatives to private motor vehicle usage. The relevant objectives and strategies of this clause are:
- (a) *Objective 30 - To provide safe and convenient bicycle environments:*
 - (i) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*
 - (b) *Objective 32 - To reduce the reliance on the private motor car.*
 - (c) *Objective 33 - To reduce the impact of traffic.*
 - (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.*

Clause 21.06-2 (Public transport)

98. The relevant objectives and strategies of this clause are:
- (a) *Objective 31 To facilitate public transport usage.*
 - (i) *Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.*

Clause 21.06-3 (The road system and parking)

99. A relevant objective of this clause is:
Objective 32 To reduce the reliance on the private motor car.

Clause 21.07-1 (Ecologically sustainable development)

100. The relevant objectives and strategies of this clause are:
- (a) *Objective 34 – To promote ecologically sustainable development.*
 - (i) *Strategy 34.1 – Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.*

Clause 21.08-10 – Central Richmond (Area between Bridge Road and Swan Street)

101. Clause 21.08-10 describes the Central Richmond area in the following way:
- (j) *The land use character of this neighbourhood is predominantly residential, with the area closest to Punt Road comprising early to mid-Victorian cottages and terraces, and an increasing amount of Edwardian dwellings towards the east of the neighbourhood.*

Figure 23 of Clause 21.08-10 identifies the subject site as adjacent the Bridge Road major activity centre.

Relevant Local Policies

Clause 22.03 Landmarks and Tall Structures

102. This policy applies to all development. It is policy to:
- (a) *Maintain the prominence of Yarra's valued landmark signs.*
 - (b) *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.*
 - (c) *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*
103. New buildings within the vicinity of the following landmarks should be designed to ensure the landmarks remain as the principal built reference:
- (a) *Clocktower of Richmond Town Hall.*
 - (b) *Spire of St Ignatius Cathedral, Church Street, Richmond.*
104. Development should protect views to the following landmark signs:
- (a) *Pelaco Sign (Goodwood Street, Richmond).*

Clause 22.05 (Interfaces Uses Policy)

105. This policy applies to applications within the commercial Zone (among others), and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.
106. It is policy that:
- (a) *New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.*

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

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

Clause 22.17 (Environmentally Sustainable Design)

108. This policy applies to (as relevant) the development of a non-residential building with a gross floor area of more than 100sqm and or residential buildings with 2 or more dwellings. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Other documents

Plan Melbourne

109. The plan outlines the vision for Melbourne’s growth to the year 2050. It seeks to define what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city’s growth. It is a blueprint for Melbourne’s future prosperity, liveability and sustainability.

110. It is policy to create mixed-use neighbourhoods at varying densities to offer more choice in housing and create opportunities for local businesses and new jobs whilst also delivering better access to local services and facilities. It is acknowledged that the application of the Mixed Use Zone can facilitate diverse housing and a greater mix of uses at varying densities.
111. The strategy promotes '20-minute neighborhoods' where there is access to local shops, schools, parks, jobs and a range of community services within a 20 minute trip from your residence.

Urban Design Guidelines for Victoria (DELWP)

112. These guidelines are policy guidelines within the State Planning Policy Framework of the Victoria Planning Provisions. The guidelines must be considered when assessing the design and built form of new development where relevant. The guidelines use best practice knowledge and advice underpinned by sound evidence.

Yarra Planning Scheme Amendment C269 – Rewrite of Local Policies

113. Amendment C269 proposes to introduce new and revised local planning policies into the Yarra Planning Scheme. The amendment was on public exhibition between 20 August 2020 and 4 December 2020. The Amendment is currently subject to a hearing of submissions before an independent Planning Panel.
114. The revised local planning policy identifies the Site as being located within the Bridge Road MAC, as shown on the Bridge Road Activity Centre Plan. The Site is located within Precinct 1 of the proposed Johnston Street Activity Centre Plan. The relevant strategies proposed for the Bridge Road MAC are provided below:
- (a) *Promote the metropolitan and local retail and commercial roles of the activity centre, including larger format retail at its eastern end.*
 - (b) *Support the night-time economy, including the core entertainment precinct west of Burnley Street, while managing the amenity impacts associated with licensed premises.*
 - (c) *Protect primary views defined in the clause 15.01-2L to the spire of St Ignatius Cathedral, clock tower of Richmond town hall, and the Pelaco sign.*

[Planning Practice Note 30 \(potentially Contaminated Land – July 2021\)](#)

115. Accordingly to Council records, the Site has been historically been used for shop, office and medical centre purposes. Under Planning Practice Note 30 (Potentially Contaminated Land – July 2021), shop, office and medical centre uses are not listed as uses with either high or medium contamination potential. Accordingly, no environmental assessment was required to for the proposed dwellings.

Advertising

116. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 347 letters sent to surrounding owners and occupiers and by 5 signs displayed on site. Council received 37 objections, the grounds of which are summarised as follows):
- (a) Inappropriate built form and design (excessive building height, impact on built form character, insufficient upper level setbacks, DDO21 non-compliance, scale and massing, overdevelopment and precedence);
 - (b) Off-site amenity impacts (visual bulk, overshadowing, loss of daylight, loss of privacy, noise);
 - (c) Insufficient open space and landscaping;
 - (d) Inadequate internal amenity of apartments;

- (e) Traffic and parking impacts of surrounds (including laneway safety and incorrect swept path diagrams) and insufficient car parking for the proposal;
 - (f) Amenity impacts (visual and overshadowing) to Alexander Reserve;
 - (g) Impacts from construction activities;
 - (h) Negative impact on property values;
 - (i) Fire safety concerns; and
 - (j) Inconsistency with Yarra Urban Design Strategy.
117. The Section 57A amended plans reduce the scale of the proposal and therefore have not been re-advertised as they would not cause material detriment to any person. The plans, however, have been sent to the objectors with the invitations to this PDC meeting for their reference.
118. No consultation meeting was held as a result of the state of emergency declared in Victoria and the current health advice related to the COVID-19 pandemic.

Referrals

119. The referral comments were received on the advertised plans. Additional referral comments were received from Council's urban design consultant, urban Design Unit, Engineering Unit, Strategic Transport Unit and Strategic Planning Unit in relation to the S57a amended plans.

External Referrals

120. The application was not required to be referred to any external authorities.

Internal Referrals

121. The application was referred to the following units within Council:
- (a) Open Space Unit;
 - (b) Streetscapes and Natural Values Unit;
 - (c) Urban Design Unit;
 - (d) Engineering Unit;
 - (e) Strategic Transport Unit;
 - (f) Strategic Planning Unit;
 - (g) City Works Unit (waste);
 - (h) ESD Advisor;
 - (i) Urban design consultant (Global South); and
 - (j) Wind Consultant (MEL Consultants).
122. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

123. The primary considerations for this application are as follows:
- (a) Strategic justification;
 - (b) Use of the land for dwellings;
 - (c) Built form and design;
 - (d) Off-site amenity impacts;
 - (e) On-site amenity, including Clause 58 and ESD;
 - (f) Car parking, traffic, access and bicycle parking;
 - (g) Development contributions; and
 - (h) Objector concerns.

Strategic Justification

124. The proposal has strong strategic planning policy support at both State and local levels. The subject site is within the C1Z and forms part of the Bridge Road Major Activity Centre (MAC). The key purpose of the C1Z is:
- (a) *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses; and*
 - (b) *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*
125. The PPF and LPPF at Clause 11.03-1S and at Clause 21.04-2 encourage the concentration of retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community and support the long term viability of activity centres.
126. Clause 11.03-1R (Activity Centres – Metropolitan Melbourne) and Clause 21.04-2 encourages development and growth in and around activity centres, with the Bridge Road MAC location supporting more intensive development. This is evident in the emerging mid-rise character in close proximity to the Site within the MAC.
127. The PPF at Clause 16.01-1R requires management of the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are in a MAC and areas near railway stations.
128. Consistent with the zone, the use of the land for retail uses do not require a planning permit and only the use of the land for dwellings (due to frontage condition not being met) and buildings and works are triggered by the zone and overlay provisions. This indicates strategic support for retail and office uses within the precinct, which will continue to provide activation along Church Street and part of Berry Street at both ground.
129. The development provides opportunities for new employment within the proposed retail spaces, consistent with clause 17.01-1S (Diversified Economy) and clause 17.02-1S (Business). These provisions, along with clause 21.04 (Land Use), recognise and support land uses and development that contributes to increasing *'the number and diversity of local employment opportunities'*.
130. Policy encourages the concentration of higher density developments in established areas and supports proposals, which achieve the urban growth objectives at clause 11.02-1 through the provision of a mixed-use development on land close to existing transport corridors and services. In this instance the site is located close to several public transport options with close proximity to various tram routes along Bridge Road and Church Street, Richmond East and West train stations, various nearby bus routes. A strong bike lane network also exists in close proximity to the Site. This is also consistent with clause 21.06 (Transport), which aims to reduce car dependency by promoting walking, cycling and public transport use as viable and preferable alternatives. The site's proximity to public transport assists in achieving this objective.
131. The site is located in an area suitable for redevelopment, with a proposed built form that generally includes elements of the diverse pattern of urban form found in the neighbourhood. The proposals design response references the commercial nature of the area with its design language and seeks to create a new built form character that results in no unreasonable off-site amenity impacts, improves activation/surveillance of the public realm and appropriately responds to the strategic location and policy direction for higher density built form within the MAC.
132. Having regard to the above, the proposed development of the site including 21 dwellings with a mix of typologies is considered to have strategic planning support, however regard must be had to the appropriate scale of the proposal, based on the individual context and constraints of the land. This aspect of the development will be discussed below.

Use of the land for dwellings

133. A permit is required to use the land for 'dwellings' given the residential entry and common mail box area along the Church Street frontage exceeds 2m (approximately 2.7m) in width at ground level, as outlined earlier in this report.
134. The intent of this permit trigger for dwellings is to ensure ground floor interfaces in commercial areas are appropriately activated with commercial uses, as opposed to residential frontages that would otherwise weaken the commercial function and vibrancy of activity centres.
135. In this instance, the variation from the Section 1 condition is a width of approximately 0.7m when services associated with the residential use are included. The remaining 15m of the frontage to Church Street (including the proposed corner curve) will maintain activation to Church Street with two retail/office tenancy spaces. This design and land use outcome will ensure 'Church Street' contributes positively to the Bridge Road MAC, where residential use is generally limited to upper levels.
136. The residential entry and associated service area being 2.7m is considered to be appropriately limited but also of a sufficient dimension to offer a high level of internal amenity and sense of address when viewed from Church Street.
137. The two split level apartments located at the rear of the proposed ground floor are considered to provide an appropriate land use transition along Berry Street, which is exclusively residential (with the exception of Ben Alexander Reserve) in nature beyond the Site. These dwellings will also offer improved surveillance over the adjoining reserve and Berry Street compared with the existing built form configuration of the Site. Accordingly, the dwelling use components at the ground floor are considered entirely appropriate given the Site context and proposed design.

Built Form and Design

138. This section of the report considers the built form of the proposed development and is guided by decision guidelines of the Commercial 1 Zone at clause 34.01-8 and those contained in DDO21. This assessment is also based on State and local planning policy at clauses 15.01-2 – Urban design principles; 21.05 – Urban design; 22.05 – Interface Uses Policy and 22.10 – Built form and design policy.
139. All of these provisions and guidelines support a development outcome that responds to the existing or preferred urban character and provides a contextual urban design response reflective of the aspirations for the area. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationships to nearby buildings.

Site context

140. Firstly, it is important to note that the Site has public realm interfaces to Church and Berry Streets and the ROW and Ben Alexander Reserve to the west. The only common interface is to the south.
141. The built form context of the Site is described in detail in the 'Surrounding land' section of this report detailed in paragraphs 30 - 45. In summary, this section of Church Street features a contrasting built form character on each side, including:
 - (a) Western side - A commercial character generally defined by a continuous street wall of single and double storey building.
 - (b) Eastern side - A mixed residential/commercial character on the eastern side typically featuring small landscaped front setbacks for dwellings and buildings built on side boundaries. The character changes to a more robust commercial character further north and commencing at 239-245 Church Street, which features a 6-7 storey building that is currently under construction.

142. Land along Hodgson Terrace and Berry Street, west of Ben Alexander Reserve is characterised by predominantly fine grain, single storey and some double storey detached/attached dwellings.
143. Land within the roader Bridge Road MAC area is experiencing built form change, which is evident from a number of mid-rise (6-11 storey) development that have been recently constructed or under construction.
144. The St Ignatius Cathedral Spire is located approximately 250m south of the Site, while the Pelaco sign is located approximately 270m west of the Site. It is important that views to these landmarks are protected by new development.
145. The Site also has no direct abuttal with a building located the Church Street heritage precinct.

Specific DDO21 versus DDO41 controls for the Site

146. The development is assessed against the quantitative building height and setback controls of DDO21 and proposed DDO41 in the table below. However, it is important to note that the proposed DDO41 controls are ‘draft’ and subject to a live Planning Scheme Amendment process, including a pending Council response following the consultation/exhibition stage. Accordingly, greater weight should be placed on the interim controls outlined in DDO21, which are formally included in the Yarra Planning Scheme.

Item	DDO21	Proposed DDO41	Proposal	Complies?
Preferred street wall height				
• Church Street (east)	11m	11m	10.4m - 11.06m	0.06m variation
• Berry Street (north)	N/A	11m	11m – 11.7m	N/A – DDO21 No
• ROW (west)	N/A	8m	10.3m – 11m	N/A – DDO21 No
Preferred maximum building height	15m	15m	18.7 - 20.3m	No
Min. Upper level setbacks				
• Church St	6m	6m	5m	No
• Berry St	N/A (1.8m for separation)	3m	1.3m - 1.5m	N/A – DDO21 No – DDO41
• ROW	N/A	4.5m	1.8m - 2m	N/A – DDO21 No – DDO41
Common boundary (south)	N/A	N/A	No	N/A
Church Street sightline, viewed from footpath on opposite footpath	2/3 street wall 1/3 upper levels	N/A	<28% - upper levels	Yes – DDO21 N/A – DDO41

147. As demonstrated above, the proposal seeks variations from the discretionary building height and Church Street upper level setback requirements under the DDO21 interim controls. Further upper level setback variations would be required from Berry Street and the ROW, should the draft permanent DDO41 controls be approved. These variation are discussed in detail below.

Street Wall Heights

148. The specific Precinct 1 controls set out in DDO21 refer to a discretionary 11m street wall height to Church Street for the Site, due to the absence of a heritage frontage. No street wall requirements are set out for Berry Street or the rear (western) interface.
149. A Precinct 1 design requirement is to ‘*maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street*’.

150. In this instance, the proposal features a street wall height ranging between 10.4 and 11.06m due to the slope of land, which would be similar in height to the existing 3 storey building at 256 Church Street. This street wall height is considered compliant with the quantitative street wall height control for Precinct 1 as well as positively reinforcing a prominent street wall to Church Street.
151. A 1m high solid metal balustrade to the Level 03 terrace area is proposed above the street wall but is setback approximately 400mm from the street edge and therefore does not contribute to the street wall as defined in DDO21. The appearance of the balustrade is also appropriately softened through planter boxes provided on the perimeter of the Level 03 terrace balustrade.
152. The street wall along Berry Street also ranges in height, measuring approximately 11.7m in height with the Level 03 balustrade adjacent the Church Street intersection and reducing to approximately 11m adjacent the intersection with the ROW.
153. It is noted that the proposed DDO41 (Amendment C291) controls specify a discretionary 11m street wall height control for the Site (Interface E). Whilst the proposal marginally exceeds this draft requirement, it is important to note that the proposal satisfies this requirement at the western end of the Site, which is most sensitive. This transition in street wall height is considered a site responsive and acceptable design approach, particularly given the slope of the natural ground level.
154. The street wall along the rear ROW ranges in height between 10.3m (south) to 11m (north). Whilst there is no specific street wall height controls for this interface in DDO21, the proposed DDO41 controls specify a discretionary 8m street wall height limit. Notwithstanding this, it is noted that the Strategic Planning unit and Council's external urban design consultant have not raised concerns with the proposed street wall height to this interface.
155. The design of the street walls feature dwelling windows, balconies and terraces fronting the western end of Berry Street and the ROW. These elements are further articulated by curved columns that are spaced every 2 metres, which help ground the building. This presentation will provide improved activation to Berry Street and the ROW when compared with the existing two storey street wall conditions on the Site (shown in the photo below).



Photo: Existing two storey street wall conditions to Berry Street and intersection with the ROW.

Building height and views to landmarks

156. The amended proposal involves the construction of a 6 storey building (with mezzanine service area). The proposal has a total building height of up to 20.3 metres when measured adjacent the intersection of the Church and Berry Streets. As demonstrated above, the proposal exceeds the preferred building height by between 3.7 and 5.3 metres, depending on where on the Site the measurement is taken.
157. From a building height perspective, DDO21 states that a permit cannot not be granted to exceed the preferred maximum building height unless all the following criteria are met:
- (a) *the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule;*
 - (b) *the proposed building height achieves the preferred future mid-rise character for the Bridge Road Activity Centre; and*
 - (c) *the proposal will achieve each of the following:*
 - (i) *greater building separation than the minimum requirement in this schedule;*
 - (ii) *housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;*
 - (iii) *universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;*
 - (iv) *excellence for environmental sustainable design measured as a minimum BESS project score of 70%; and*
 - (v) *no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.*
158. It is noted that the Heritage Building Design Requirements are not applicable to the Site, given it is not affected by the Heritage Overlay (HO) or located immediately adjacent to land within a HO.
159. With regard to (a) and (b), Council's urban design consultant has considered the DDO21 Design Objectives, the relevant Precinct Design Requirements and preferred future mid-rise character for the Bridge Road MAC set out in DDO21. Council's urban design consultant concluded the proposed building meets this criteria for the following reasons:
- (a) The proposed development is mid-rise in scale, and provides lower-height interfaces
 - (b) to adjoining streets and lanes.
 - (c) Whilst the Heritage Building Design Requirements do not apply to the Site, the proposal provides appropriately proportioned street walls to the public realm and uses brick in the material palette to respond to nearby heritage buildings.
 - (d) The proposal maintains a prominent street wall character along the Church Street streetscape. The design detail in conjunction with upper level setbacks/massing of the street walls reinforce the distinction between the street wall and upper levels.
 - (e) The proposed upper level setbacks and massing from Church Street meets the requirement for upper level built from visibility outside the HO.
 - (f) The proposed street wall and upper levels provides an appropriate balance of enclosure and openness in relation to the 20m wide Church Street corridor.
 - (g) The eastern side footpath of Church Street is clear of overshadowing until approximately 2:30pm, in accordance with the overshadowing requirements of DDO21.
 - (h) The built form to public interfaces is of high quality (discussed further below), with consistent materials and design articulation to both streets and the rear laneway interface, comprising brickwork, glazing, metal details and integrated planting.
 - (i) The proposal retains the visual prominence of return facades of corner buildings.

- (j) The proposal responds to the low-scale setting adjoining the activity centre through a lower-scale frontage to all interfaces including a frontage to the public open space area that provides a 'buffer' to the more established residential context to the west of the subject site.
- (k) Any visual bulk and overlooking impacts experienced at 29 Berry Street is considered to be acceptable given the MAC and C1Z context of the Site and the non-secluded nature of the front open space.
- (l) The amended proposed height of approximately 20m (south elevation) is comparable to the mandatory 18m height control applying to the immediate north of the review site, in effecting a general transition in scale downwards from Bridge Road.

160. With regard to (c), it is noted that the proposal will achieve these requirements, given that:

- (a) The building separation requirements do not apply to the amended proposal due to no windows/balconies/terraces orientated to the south boundary and Berry Street not being a laneway.
- (b) A diverse mix of one, two and three bedroom apartment typologies are proposed.
- (c) Universal access is proposed to all upper levels by graded entry from Church Street and lift, while >50% of apartments meet the accessible design standards of Clause 58.
- (d) The minimum private open space requirement in Clause 58 is met or exceeded for all dwellings. Furthermore, the proposal provides communal open space on the roof top, which is not required for development with <40 dwellings.
 - (i) The proposal achieves ESD excellence with a 72% BESS Score, subject to revisions to the SMP recommended by conditions.
 - (ii) No overshadowing will be experienced from residentially zoned properties during the Equinox. Issues of visual bulk and overlooking from the additional height are discussed above and deemed reasonable given the MAC and C1Z context of the Site.

161. DDO21 also requires development to maintain specific views to landmarks. The landmark views relevant to the Site are

- (a) *the tower belfry and spire of St Ignatius Cathedral when viewed from:*
 - (i) *the tram stop at the intersection of Victoria Street and Church Street;*
 - (ii) *the north east corner of the Bridge Road and Church Street intersection; and*
 - (iii) *Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street.*

162. The Applicant has effectively demonstrated that views to the tower belfry and spire of the St Ignatius Cathedral will be appropriately maintained with sections (Page 39 and 40 of the architectural plans) and perspectives (page 103-108 of the architectural plans) taken from the abovementioned views. Three of the perspective views are provided below.





Image: Tower belly and spire of St Ignatius Cathedral views from the tram stop at the intersection of Victoria Street and Church Street (top left), north east corner of the Bridge Road and Church Street intersection (top right) and Citizens Park central entry from Highett Street

Source: S57a Architectural plans (Pages 103-108)

163. Having regard to all of the above, it is considered that the amended proposal which now proposes a 6 level building satisfies all the relevant criteria to exceed the 15m preferred building height control and will positively support the emerging mid-rise built form character of the Bridge Road MAC.

Upper level setbacks

164. The Site does not contain a heritage building, is not affected by the Heritage Overlay (HO) and does not adjoin a heritage building. The discretionary 6 metre upper level setback requirement applies to properties affected and not affected by the HO.
165. Whilst the proposed development fails to meet the minimum upper level setback requirement, it successfully achieves the preferred DDO21 building massing outcome for upper levels along Church Street. This view is also shared with Council's urban design consultant, stated above.
166. This is due the upper levels of the proposed building occupying less than 1/3 of the viewline when measured from the eastern footpath of Church Street. A sightline diagram has been prepared by the Applicant, shown in the image below, which demonstrates compliance with this requirement.

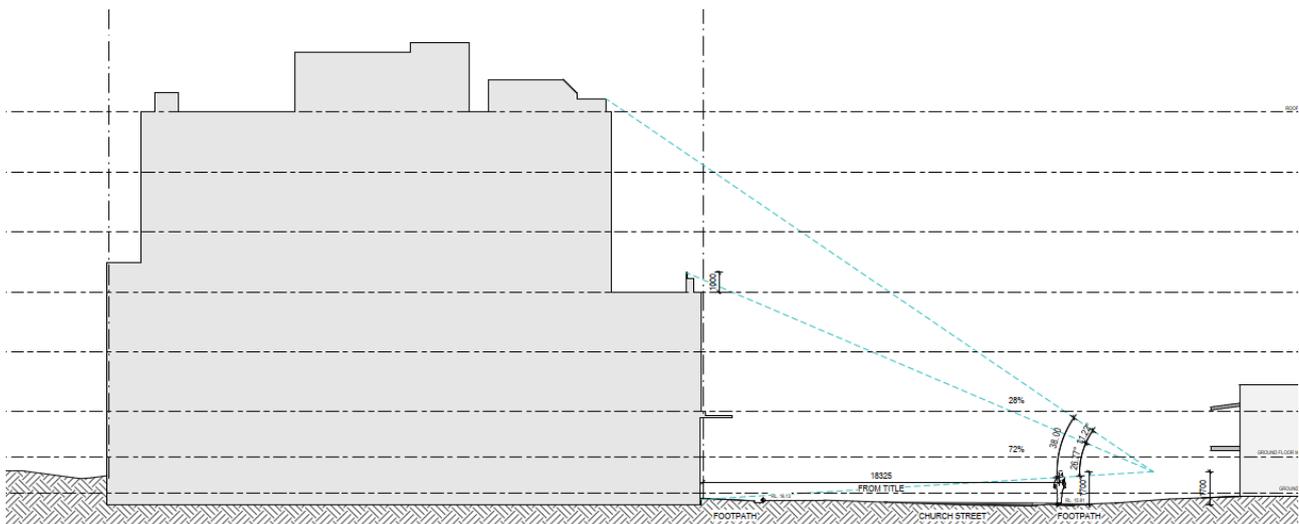


Image: Sightline diagram of proposed building viewed from the eastern footpath of Church Street.

Source: S57a Architectural Plans (Page 41)

167. The 1.5m and 2m setbacks from Berry Street and rear ROW respectively, whilst less than the Church Street setback, are nevertheless considered to appropriately contribute to the distinction between the street wall and upper levels. This is further enhanced by the different architectural treatments proposed to the street wall and upper levels, which are discussed under 'architectural quality' below.
168. The proposed DDO41 controls introduce setback controls to these two interfaces with a 3m setback above the Berry Street street wall and 4.5m setback above the street wall to the rear ROW interface. Notwithstanding this, Council's urban design consultant has not raised any concerns in relation to these setbacks and it is noted that the proposed DDO21 controls are silent on setback controls to these interfaces. It is also noted that other developments / approvals within the Bridge Road MAC feature lesser setbacks to secondary street and laneway interfaces.

Public realm interface / Pedestrian Experience

169. Both DDO21 and Clause 22.10-3.4 promote active and attractive frontages to the public domain in order to enhance public safety and the pedestrian experience.
170. The proposal involves a 2.7m wide residential entry area at southern end of the Church Street frontage. The remainder of the Church Street frontage will be activated by two retail tenancies with high floor to ceiling glazing. A condition has been included to add 400mm high plinth to each commercial tenancy to help the shopfronts better respect the existing shopfront character along this section of Church Street.
171. Vehicle access is proposed from the rear ROW and will be concealed from both Berry and Church Street frontages. A dedicated services area has been cleverly sleeved within a mezzanine level at the rear of Retail B tenancy. Further services are located behind the southern light court. To this effect, the proposal has made an excellent effort in maximising activation to Church Street.
172. The dwellings at ground level and on all upper level will also significantly increase passive surveillance and pedestrian safety to all directions within the public realm.
173. The amended proposal features a 1.6m deep canopy along the Church Street frontage with curved corners to complement the façade design. The canopy was included in the amended plans in response to comments from Council's urban design unit. The unit support the extent of the proposed canopy, however, request that the underside of the canopy is dimensioned and proposed materials clearly labelled. A condition has been recommended to address this matter.
174. Council's urban design unit have also identified an opportunity to improve pedestrian safety and accessibility along Church Street through the provision of a raised threshold crossing the intersection of Church Street and Berry Street as shown in the markup below.
175. The Applicant has agreed to undertaking this public realm improvement, subject of course to an appropriate drainage outcome, which goes above and beyond the requirements of the Yarra Planning Scheme. A condition has been recommended to ensure these works are carried out to Council's satisfaction and the developer's expense.

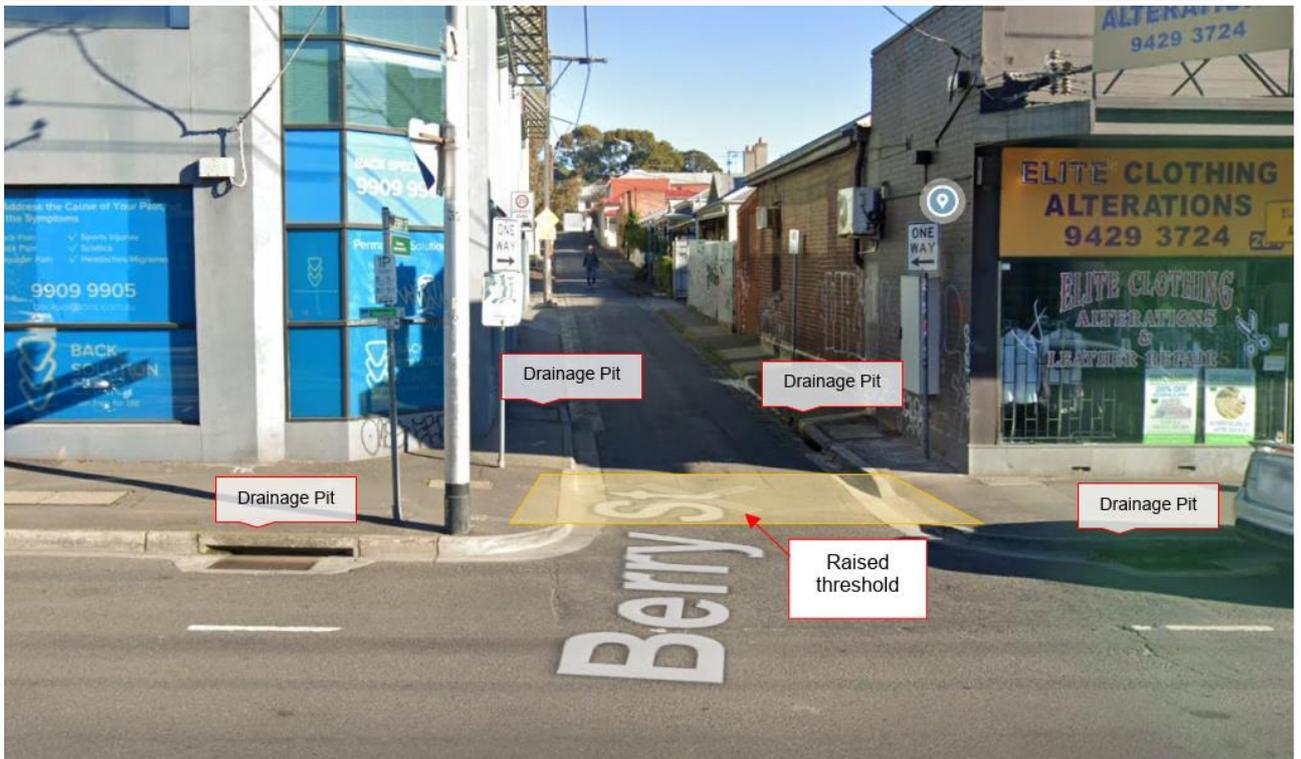


Image: Potential raised threshold crossing the intersection of Church and Berry Streets.

Source: Council's Urban Design Unit referral comments

Architectural Quality

176. Policy at clause 15.01-2S encourages high standards in architecture and urban design, whilst clause 22.10 encourages the design of new development to respect (amongst others) the pattern, spatial characteristics, fenestration, roof form and materials in the surrounding area. DDO21 also provides general building design requirements.
177. As noted earlier, an increasing degree of contemporary, mid-rise built form is emerging within the Bridge Road MAC. These developments typically provide robust, rectilinear designs, a balanced solid to void ratio to street walls with higher proportions of glazing at upper levels and flat roof forms.
178. The proposed architecture features curved brick columns (elongated brick profile with a mix of off-white/cream colours) columns to east, north and west elevations. This simple design language includes subtly thicker columns applied to the street wall to help ground the building and thinner columns to the upper levels to emphasise their recessive relationship with the street wall. The vertical rhythm of the curved columns is also horizontally broken by metal balcony balustrades, slab lines and the proposed canopy to the Church Street frontage. The use of landscaping planter boxes to the street wall levels also helps provide a subtle yet effective differentiation between street wall and upper levels, which is a building design outcome specifically sought by DDO21.
179. The proposal incorporates a restrained material and colour palette that includes the off-white/cream brick, tinted concrete to match brick colour, textured concrete with tint to match brick colour, two dark toned metal finishes and clear glazing. An image of the materials board is provided below.



Image: Proposed Colour and Material Palette. Source: S57a architectural plans (Page 100)

180. The amended plans incorporate brickwork to the southern boundary wall up to street wall height to reinforce the use of brick in the overall architectural composition and help integrate the boundary wall with other facades. The boundary wall above the street wall will feature concrete panels with expressed joints and texture to provide visual interest. The central light court also effectively create a visual break in the boundary wall with the visibility of an exposed fire stair. Council’s urban design consultant is now satisfied with the treatment of the southern boundary wall shown on the amended plans, following concerns with the original advertised plans.
181. Overall, it is considered that all sides of the proposed building will feature a high level of architectural quality and appearance. A façade strategy condition is included in the recommendation to ensure that all external finishes for the facades are executed to Council’s satisfaction, including the provision of detailed images/samples of materials/finishes to ensure a high quality finish is achieved. A further condition is recommended that requires the retention of Cera Stribley Pty Ltd for the life of the project.

Landscaping

182. Dedicated planter boxes are provided to most balconies on Levels 01 – 03, the roof terrace and the internal sides of the southern light court. It is clear that landscaping forms an integrated part of the architectural quality. This level of landscaping will not only add an extra visual dimension to the proposed building it will also help raise the standard of landscaping incorporated on mid-rise development within the surrounding area.
183. Council’s Open Space Unit have reviewed the advertised landscape concept by Tract Consultants and agreed the proposed landscaping will enhance the built. The Unit requested a more detailed landscape plans for endorsement purposes. Conditions have been recommended to ensure this detail is required, together with updated plans that reflect the changes incorporated into the S57a amended plans, including the reconfigured roof top level.
184. Council’s arborist have reviewed the proposal in relation to its interface with two existing maple street trees along Church Street. Council’s arborist have requested that a Tree Management Plan, bond payment and TPZ fencing to ensure both trees are appropriately protected during the construction process.

Site coverage

185. Greater than 95% of the Site will be covered in built form. There are no site coverage requirements set out in DDO21. Whilst the development does not achieve the recommended maximum site coverage of 80% in accordance with Clause 22.10, this is acceptable because the proposed site coverage reflects that of the existing and emerging built form commercial context of the Bridge Road MAC.

186. Having regard to the above assessment, it is considered that the proposal demonstrates substantial compliance with the policies of DDO21 and Clause 22.10 relating to built form and will contribute positively to the emerging/preferred built form character of the precinct.

Off-site amenity impacts

187. Clause 15.01-2S of the Scheme aims to provide building design that minimises the detrimental impact of development on neighbouring properties, the public realm and the natural environment, with potential impacts relating to overshadowing of SPOS, loss of daylight to windows, visual bulk, overlooking of sensitive areas and equitable development. The relevant policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) of the Scheme.
188. The subject site is zoned C1Z, as are the properties to the north and south. The land to the west is Ben Alexander Reserve, which is zoned Public Park and Recreation Zone (PPRZ). The land to the east is within the Neighbourhood Residential Zone (NRZ). An existing dwelling is located at 29 Berry Street and is located within the C1Z and included within the Richmond Hill heritage precinct (HO332). The nearest residentially zoned property is 25 Berry Street, which is approximately 13 metres to the northwest.
189. The only directly abutting lot is to the south, which is occupied by a single storey commercial building used as a licensed wine bar with outdoor seating in part of the rear setback.
190. The acceptability of off-site amenity impacts (i.e. noise, visual bulk, overlooking, overshadowing and equitable development) are considered below.

Noise

191. Policy at Clause 22.05-4.2 requires non-residential development to provide a high level of acoustic protection to adjoining properties. In this instance, the proposed commercial tenancies are to be occupied by either office/shop/food and drink premises uses, which are all Section 1 uses and do not require a permit. Acoustic impacts to the proposed dwellings is addressed later in the report under the 'On-site amenity' (Clause 58) assessment.
192. As all proposed commercial uses are Section 1 within the Commercial 1 Zone, no assessment has been made on potential off-site amenity impacts from the proposed retail tenancies.

Visual bulk

193. In the above built form analysis, the potential off-site amenity impacts by way of visual bulk to all interfaces was assessed, and found them to be appropriate and reasonable in this C1Z and MAC context. The existing dwelling at 29 Berry Street will be most affected by visual bulk, though this property is also located within the C1Z. This property is occupied by has a single storey, double fronted Victorian cottage with a shallow front setback and two habitable room windows at least 8.8 metres from the Site. The dwellings SPOS is located to the rear and therefore is not expected to experience any unreasonable visual impact from the proposal.
194. It is noted that the Site provides a generally inactive presentation to Ben Alexander Reserve highlighted by car parking and paved surfaces with timber paling fencing used to define 272 Church Street boundaries.

195. The proposal is considered to result in a significant improvement to the activation and visual surveillance to the adjoining reserve with extensive glazing and balconies/terraces with direct outlook to the reserve. Whilst there will be additional visual bulk experienced by the occupants of the reserve, this impact is considered to be appropriately tempered by the 2 metre upper level setback above the street wall, a balanced ratio of solid to void elements and high quality external materials finishes.

Overlooking

196. As discussed above, the two habitable room windows of 29 Berry Street facing south (towards the street) are located at least 8.8 metres from the Site (a photo of this dwelling is shown below). The habitable room windows and balconies/terraces of the proposed apartments are setback a minimum 400mm from the title boundaries and therefore at least 9 metres separation will be provided from the habitable room windows at 29 Berry Street. This setback increases for the upper levels. Accordingly, no screening of windows / balconies / terraces would be necessary to comply with the overlooking requirements of Clause 55.04-6 (Standard B22) and any overlooking impacts are considered entirely reasonable.



Photo: The existing dwelling at 29 Berry Street (located within the C1Z), viewed from Berry Street looking east

Overshadowing - Ben Alexander Reserve

197. Ben Alexander Reserve is located immediately west of the rear ROW and has a total area of approximately 750m², excluding the laneway that dissects the centre of the reserve. Due to the reserve's western interface to the Site, overshadowing impacts from the proposed development are limited to morning hours.

198. Ben Alexander Reserve has been designed with ‘play’ in mind and comprises play equipment, a table and bench seating on the northern portion, while the southern portion features bench seating and an informal open grassed area. Natives, including various established trees, have been planted along all borders, which reduces the areas set aside for play equipment and informal open areas (refer to images below).



Photos: North portion of the reserve, looking north from central laneway (Left) and southern portion of laneway looking south from laneway (Right)

199. DDO21 does not contain any overshadowing requirements for Ben Alexander Reserve. Clause 22.10-3.8 seeks to ensure that new development does not ‘substantially’ overshadow adjoining public facilities such as parks and gardens.
200. Council’s Open Space Strategy 2020 identifies Ben Alexander Reserve being within the Central Richmond A sub-precinct. The precinct action for this reserve is ‘continue to maintain’. Section 5.4 of the strategy details the importance of sunlight access to open space. In this section, the following recommendation is made:

No.	Recommendation	Responsibility	Priority
5.4-2	<u>Sunlight access to existing and future open space</u> Council to protect existing and new open space from additional overshadowing between 10am and 3pm on 21 June beyond that generated by the standard 9 metre built form height. Council is to implement effective controls for sunlight protection through the planning scheme.	YCC	Very High and Ongoing

201. Building on the Open Space Strategy, proposed DDO41 (Amendment C291) seeks to apply specific shadow controls Ben Alexander Reserve. The proposed discretionary requirement states:

(a) *A permit should not be granted to construct a building or construct or carry out works that would cause any additional overshadowing of the following space between 10am and 2pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:*

(i) *Alexander Reserve.*

202. Whilst the control is not formally in the Planning Scheme, it shows Council’s clear intent to protect the amenity of the reserve.

203. Council’s Open Space Unit raised concerns regarding the proposed development and its overshadowing impact on the Reserve and referred to the non-compliance with the above recommendation of the Open Space Strategy. Winter Solstice shadow diagrams were also requested, along with a recommendation to reduce the height of the development.
204. The amended proposal has involved a reduction of the building height by one storey as discussed above. The reduction of building height has also resulted in a reduction of overshadowing to the reserve. A summary of the shadow impacts of the advertised and amended proposals on the reserve between 10:00am and 11:00am (the most relevant hour based on the proposed DDO41 control) is summarised below:

Time (am)	Overshadowing: Advertised plans (m ² / % of reserve)	Overshadowing: S57a Amended plans (m ² / % of reserve)
10:00	142m ² (18.9%)	119m ² (15.8%)
10:30	55m ² (7.3%)	46.5m ² (6.2%)
10:52	11m ² (1.46%) *No shadow on northern portion	9m ² (1.2%) *No shadow on northern portion
11:00	0m ²	0m ²

205. To visually show the location of the proposed shadow between 10:00am – 10:52am in relation to the reserve, extracts of the shadow diagrams of the S57a plans are provided below:

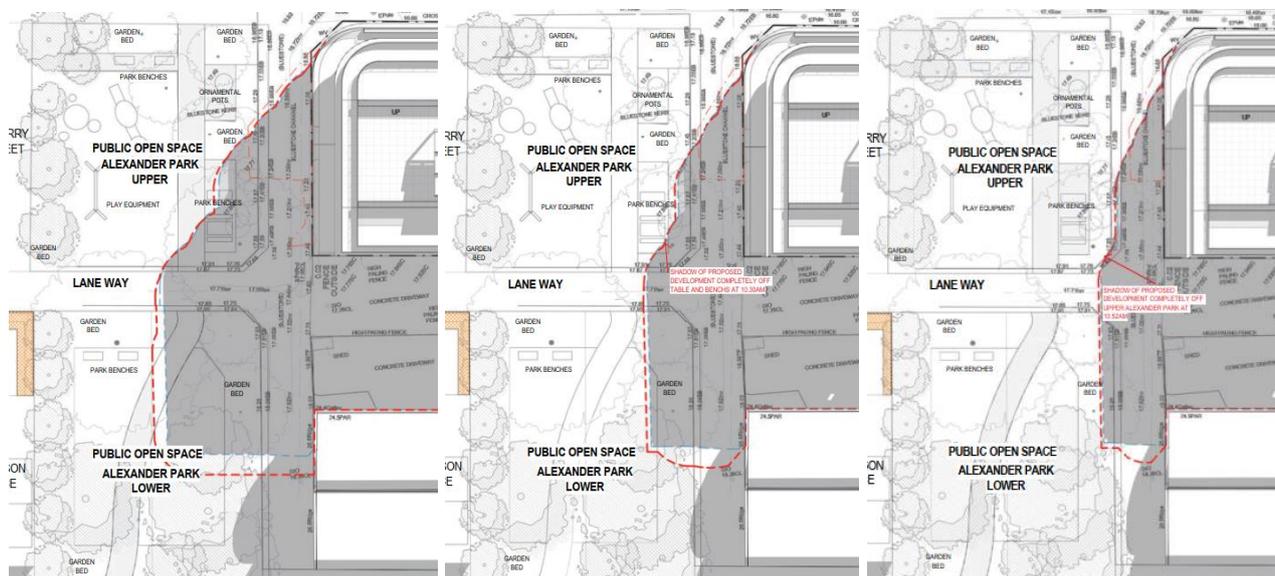


Image: Proposed shadow diagrams: 10am (left), 10:30am (middle) and 10:52am (right). Red dashed outline is the advertised proposal shadow and blue dashed outline is the amended proposal shadow. Source: S57a architectural plans (Pages 87-89)

206. It is clear that the principal shadow cast on the reserve by the amended proposal is generally limited to between 10:00am (119m²) and 10:30am (46.5m²) at the Equinox. After 10:30am, the overshadowing impact is largely limited to the eastern garden bed of the southern portion of the reserve. No shadowing impact occurs on the reserve after 11am. It is also important to understand that the shadow diagrams do not contemplate shadow impacts from the existing established trees scattered throughout the reserve.

207. It is important to note that the proposed DDO41 control for the reserve contemplates overshadowing between 10am-2pm provided it would not prejudice the amenity of the public space.
208. The Tribunal has considered overshadowing impacts of an 8 storey building at 33 Peel Street, Collingwood (PLN17/1059 – see endorsed western elevation below), which has a direct southern interface with Cambridge Reserve (a similar sized reserve as Ben Alexander Reserve with no laneway separation). This decision is helpful to understand what constitutes a reasonable amenity outcome from a shadow perspective. The endorsed building shown below features a 16.1m high wall adjoining the northern boundary of the reserve with raked upper levels beyond. The extent of additional overshadowing to this reserve ranged between 30m² and 65m² between 10:30am and 2pm. Cambridge Reserve also experienced significant existing shadow impacts from existing built form at its eastern interface.

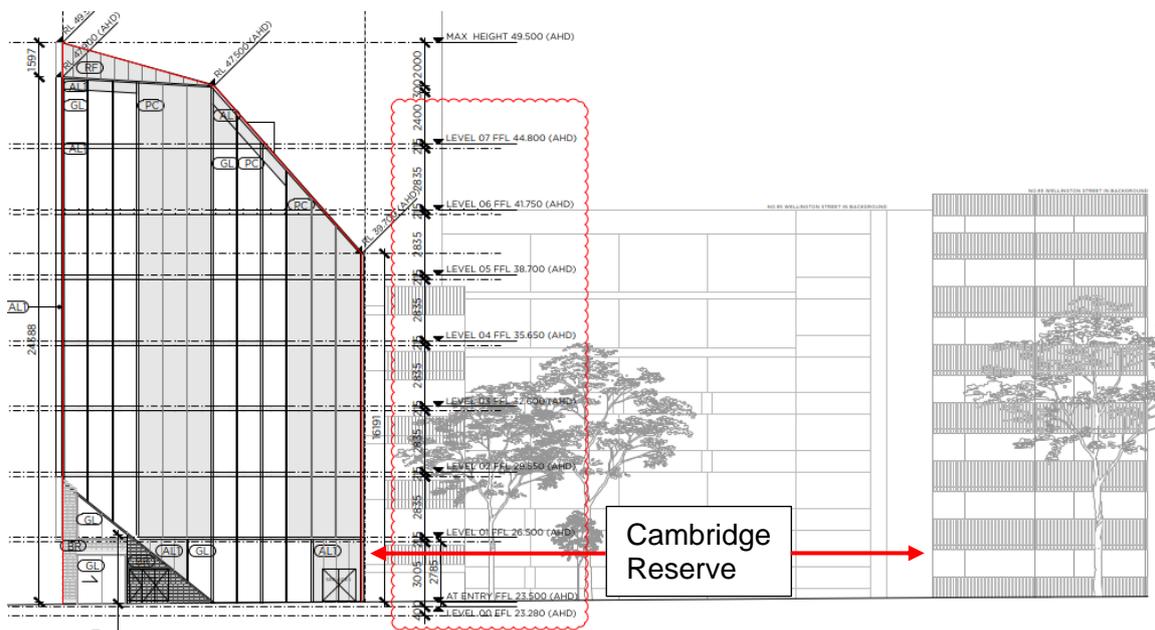


Image: Endorsed western elevation of PLN17/1059 (8 storey office building), with southern interface to Cambridge Reserve

209. In this matter, the DDO23 requirements sought to ‘minimise’ shadow impacts to Cambridge Reserve between 10am-2pm, given the reserve already had robust interfaces to the east. The Tribunal ultimately found that the loss of amenity to Cambridge Reserve from this development was reasonable, subject to carrying out improvements to the reserve (including relocation of two picnic tables to improve solar access). Member Code and Nervegna made the following conclusions regarding shadow impacts in *S& Giggles Pty Ltd v Yarra City Council* (P1315/2018):

[76] “The reserve upgrade removes or has the potential to remove any adverse amenity impact on the reserve. We will include an appropriate permit condition. We would not oppose the reserve upgrade but we would require the Council and Giggles to reconsider the location of the picnic tables and BBQ.”

[77] “Subject to the carrying out of approved reserve improvements, the proposal meets the objective and requirements relating to shadow impacts of the reserve.”

210. When considering the shadow impacts from the proposed development, the VCAT decision for the development adjacent Cambridge Reserve at 33 Peel Street, Collingwood, it is considered that the proposal will not unreasonably prejudice the amenity of Ben Alexander Reserve for the following reasons:

- (a) The reserve will enjoy excellent solar access between 10:30am – 2pm at the Equinox, noting that shadow cast at 10:30am is generally limited to garden bed areas away from key public amenity spaces such as seating, play equipment and informal 'open' space areas. The overshadowing impacts during the 30 minute period between 10:00am and 10:30am is considered to be acceptable when considering the solar access for the remainder of the day.
- (b) The proposal will not cast any overshadowing on the reserve after 11am, which will ensure all seating areas experience sunlight access during key hours during the middle of the day when picnic tables are expected most used (as referred to in the above mentioned VCAT decision).
- (c) No setback controls currently exist in the Planning Scheme for the rear ROW / reserve interface of the Site. The proposal involves a 1.8m-2m setback from the street to this interface, which also assist in reducing shadow impacts.
- (d) The proposed DDO41 shadow controls are not yet formally part of the Yarra Planning Scheme.

Overshadowing – Church Street

211. The shadow diagrams submitted depict that at the equinox, the shadows from the proposed building will not fall on the eastern footpath of Church Street before 3pm, as discussed above. Therefore, the proposal's shadow impacts to Church Street are considered acceptable, having regard to overshadowing controls set out in DDO21.

Overshadowing – private realm

212. The shadow diagrams for the amended proposal depict that at the equinox, no shadows will fall on any residentially zoned property. This is an improvement on the advertised proposal, which involved Equinox shadow impacts on residentially zoned land at 9am and 3pm.
213. It is also noted that the C1Z properties fronting Church Street south of the Site do not contain any residential uses and therefore do not incorporate habitable room windows or SPOS areas. Accordingly, the proposed shadow impacts to these properties is considered entirely acceptable based on the C1Z / MAC context.

Wind

214. The application was accompanied by a desktop wind assessment prepared by VIPAC. The report concluded that with the proposed design (advertised plans):
- (a) *Wind conditions in the ground level footpath areas and access ways would be expected to be within recommended walking comfort criterion.*
 - (b) *With recommendations, the entrances would be expected to be within the recommended standing comfort criterion.*
 - (c) *The terraces and balconies would be expected to be within recommended walking comfort criterion.*
 - (d) *With recommendations, the rooftop communal terrace is expected to have wind conditions within the recommended standing comfort criterion. No recommendation for the alteration of the design, as proposed.*
215. VIPAC recommended the relocation of northern commercial tenancy entrance away from the corner to Church Street.
216. In relation to the advertised communal rooftop terrace, VIPAC recommended that balustrades along the southern boundary be made solid and raised to 1.5m high. Additionally, the proposed planters are recommended to have a solid planter at 0.8m, with design shrubbery at 1.2m and trees to make a total height of 1.8m.

217. This wind report has been peer reviewed externally. The external wind consultant raised no concerns with the proposed analysis approach, site exposure, regional wind climate and description of the development used in the preparation of the assessment. Council's external wind consultant mostly agreed with the conclusions made stating:

“MEL Consultants would agree with the Vipac assessment of the expected wind conditions along Berry and Church Streets and the suggested relocation of the northeast entrance. MEL Consultants would agree with the assessment of satisfying the walking criterion on the Levels 3 and 6 terraces and support the recommendations for wind mitigation strategies for the roof terrace.

218. The amended plans have relocated the northeast commercial entry to a more central position along Church Street away from the corner. As a result, no further action is required in relation to this ground plane recommendation from VIPAC. A condition has been included to ensure that the wind mitigation measures for the roof level are reconsidered for the amended proposal and shown on any endorsed plans.
219. Subject to the above-mentioned conditions it is considered that wind is adequately addressed and will ensure the development would not generate safety concerns for the pedestrian wind environment.

Equitable development

220. To ensure the 'fair, orderly, economic and sustainable development of land' in accordance with the objective of the Act, matters of equitable development must be considered. In this instance, the site has a direct interface to the south. Berry Street is a narrow 5.4m wide street and a C1Z property is located on the northern side of Berry Street opposite the Site.
221. The proposed development is considered to appropriately provide for equitable development opportunities of the southern adjoining land at 274 Church Street for the following reasons:
- (a) The southern boundary wall provides an opportunity for 274 Church Street to reciprocate a boundary wall condition to the common boundary.
 - (b) The light court along the southern boundary is appropriately dimensioned (3.3m wide along the common boundary) to be easily reciprocated/ responded to without any unreasonable impact on development yield. This is due to the mid block nature and 30m depth of the land to the south resulting in any future development generally needing a central daylight source for internal amenity purposes.
222. With regard to the northern interface, the proposed DDO41 controls specify a discretionary 11m street wall control to Berry Street with a discretionary upper level setback requirement of 3m above this height. The proposal provides a 1.5m setback from Berry Street to the HRW's/balconies of apartments above the proposed three storey street wall. The separation from the centre of Berry Street is therefore approximately 4.2 metres.
223. Firstly, Berry Street is not a laneway and therefore the building separation requirements of DDO21 do not strictly apply to this interface. Whilst a typical equitable development approach would involve a 4.5m setback from the centre of Berry Street for the level above the street wall, it is noted that the land to the north could easily replicate the same upper level setback to achieve a separation distance of approximately 8.5m. Whilst marginally short of 9m, it is noted that the fine grain nature of the many allotments within the MAC has meant that a number of other developments/approvals achieve an even lesser separation outcome (for example development on narrow lots with a similar street interface such as 127 Bridge Road). Furthermore, Berry Street being a public street, together with mandatory height controls of land to the north, will ensure adequate daylight/outlook will always be available to apartment windows/balconies/terraces orientated to the north.

Accordingly, the proposed upper level setback from Berry Street is acceptable from an equitable development perspective.

On-site amenity, including Clause 58 and ESD

224. Clause 58 comprises design objectives and standards to guide the assessment of new apartment development. Given the site's location within a built up inner city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. The following objectives are not relevant to this application:
- (a) *Access objectives* – There is no vehicular access or crossovers proposed at the street frontage.
 - (b) *Communal open space objective* – The proposed 21 apartments does not trigger any requirements for communal open space. However, the proposal still provides 154m² of high quality communal open space on the roof top.
 - (c) *Solar access to communal outdoor open space objective* – The proposed communal open space has excellent solar orientation with northern, eastern and western aspects.
225. As supplementary guidance, the UDGV and ADGV are also of relevance.

Urban context objective

226. The objective is to ensure that the design responds to the existing urban context or contributes to a preferred future development of the area.
227. This has been considered earlier in the report under the *Built form and heritage* assessment. The proposed development provides an acceptable design response with regard to retention of heritage values, building height, massing and detailed design, subject to the amendments shown in the 'without prejudice' sketch plans and further conditions.
228. Overall, the proposed development achieves a positive response with the emerging character along Church Street. The objective and standard are satisfied.

Standard D2 – Residential policy objectives

229. This is addressed within the *Strategic Justification* section of this report. The standard and objective are met

Standard D3 – Dwelling diversity

230. The proposed development incorporates a genuine mix of one (2), two (9) and three (10) bedroom dwellings. The standard and objective are met.

Standard D4 – Infrastructure

231. The proposal is located within an established area with existing utility services and infrastructure; there is no evidence to suggest that the proposed development would unreasonably overload the capacity of these existing services. The standard and objective is met.

Standard D5 – Integration with the street

232. As discussed above, the proposal has made a concerted effort to maximise activation to all three public interfaces of the Site by locating the vehicular entry/exit to the ROW and carefully concealing service areas away from street frontages.
233. No high fencing is proposed adjacent the public realm interfaces. The dwellings with ground level frontage feature 1m high preamble balustrades to terrace areas above a FFL that is raised up to 750mm above the natural ground level. The permeable nature of the terrace and light court balustrades will ensure they appear 'light weight' when viewed from the public realm and allow views into and out of apartments, including to the adjoining public open space.
234. The design of the upper levels incorporates high levels of glazing/openings to all three interface with the public realm, which will add significant activation/passive surveillance opportunities to the street. The proposal is considered to comply with both the standard and the objective

Standard D6 – Energy efficiency

235. Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes reduces staff and visitors from relying on private vehicles.
236. Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.
237. Council's ESD Advisor reviewed the submitted SMP, daylight modelling and the development plans identifying only two ESD deficiencies relating to operability of retail glazing and inadequate bike parking. The amended proposal makes significant improvements with regard to bike parking. Bike parking will be discussed later in this report. Overall, the proposal will achieve ESD excellence with a BESS score of 72%, which is highlighted by the excellent daylight, natural/cross ventilation and an 7.5 Star average NatHERS rating (well above the minimum required) outcomes for the apartments.
238. No issues were raised by Council's ESD advisor with daylight modelling of the advertised apartment living and bedroom layouts, noting that some secondary bedrooms to the southern light court receive limited daylight. The amended proposal is also expected to improve the daylight outcomes for the mezzanine bedrooms of apartment 001 and 002 by removing the 'snorkel' layout of two bedrooms and increasing glazing oriented to the ROW for all four bedrooms.
239. Conditions are included in the recommendation to require the SMP to be updated to address the additional information requested by Council's ESD Advisor, as well updates that reflect the revised apartment layouts shown on the amended plans.

Standard D9 - Safety

240. The two ground level dwellings have primary entries connecting to the communal lobby as well as secondary stepped entries to terraces fronting the ROW and Berry Street respectively. These secondary entries are surveyed by the proposed apartments above and are not obscured from public realm views.
241. The remainder of apartments will be accessed via either the communal residential entry proposed from Church Street, which has been designed to be clearly visible from the street. The objective and standard are met.

Standard D10 - Landscaping

242. As the Site is less than 750m² in area there is no requirement for deep soil areas and canopy trees per Table D2.
243. A landscape plan has been prepared by Tract, which features extensive planter boxes on balconies and terraces and associated vertical green elements. Given the absence of landscaping on the existing site, the proposed landscaping opportunities will significantly enhance the appearance of the development and the landscape character of this section of the Bridge Road MAC more generally. Accordingly, the objective and standard are met.

Standard D12 – Parking location

244. Car parking is contained within the basement levels of the development, accessed via the rear ROW. Occupants will benefit from convenient access to these spaces via the central lift and stair core. The objective and standard are met.

Standard D13 – Integrated water and stormwater management

245. The Sustainable Management Plan (SMP) prepared by SDC indicates that a 10,000L rainwater tank will be connected to toilet flushing of all apartments. A condition has been included to notate this rainwater tank capacity within the basement and that it will be connected to the toilets of all apartments for flushing.
246. The STORM report provided with the application achieves a score of 114%, which is in line with the policy direction under clause 22.16 – *Stormwater Management (Water Sensitive Urban Design)*. This complies with the objective and the standard
247. A condition is recommended to ensure the SMP and associated STORM assessment are updated to reflect the amended plans and annotate a minimum rainwater tank capacity on the plans consistent with the SMP.

Standard D14 – Building setbacks

248. As outlined earlier in this report the height and massing of the building are considered to achieve an acceptable design response to the character of the surrounding area. The public realm interfaces to the east, north and west will ensure the proposed apartments are provided with ongoing external outlook as well as excellent daylight into habitable rooms. DDO21 envisages to Church Street, Berry Street and the rear ROW, while no minimum setback is necessary to the southern interface due to the absence of habitable room windows / balconies orientated to the south.
249. This Standard also aims to avoid direct views into habitable room windows and private open space of new and existing dwellings, thereby reducing the reliance on screening to inhibit these views. This has previously been discussed above under 'off-site amenity'.

Standard D15 – Internal views

250. Solid partitions integrated with the curved columns are proposed where balconies adjoin one another on the same level to ensure privacy is provided.
251. In general, balconies are inset within the prevailing building line and are generally directly above the balcony below where replicated. Minor exceptions to this are noted at at Level 03 where a recessive setback is adopted, which results in very limited views to private open space immediately below from habitable room windows. The limited views available from habitable room windows/balconies above are considered acceptable.

252. Bedroom windows of apartments face one another for the full height of southern lightcourt. The floor plans refer to the west facing bedroom windows to feature a combination of louvre and obscure glazing treatment to manage internal views, however this detail is not shown on elevations and sections. A condition has been included to demonstrate that potential internal views from these windows are appropriately managed in accordance with the Internal View Objective.

Standard D16 – Noise impacts

253. According to VicRoads, Church Street is not a road that generates in excess of 40,000 Annual Average Daily Traffic Volume and thus does not meet the threshold for a noise influence area in Table D3 of this Standard.
254. All mechanical equipment is located on the rooftop, ground floor or basement levels basement or at ground level to appropriately minimise noise impacts. Bedrooms for all apartments are suitably separated from the central lift and stair core.
255. The site is located adjacent a wine bar at 274 Church Street. This wine bar operates with a general liquor licence that is restricted to 11pm on weekend nights and early on week nights. The Vine Hotel is a late night licensed venue situated on the corner of Church Street and Bridge Road and approximately 45 metres from the Site. A condition is recommended that an acoustic report is prepared to assess potential noise impacts on future residents of the development and make recommendations (where necessary) to appropriately treat the building. This will ensure it protects itself from existing licensed/entertainment venues within close proximity of the Site.

Standard D17 – Accessibility

256. The standard requires that at least 50% dwellings should provide;
- (a) *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom;*
 - (b) *A clear path with a minimum width of 1.2m that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area;*
 - (c) *A main bedroom with access to an adaptable bathroom;*
 - (d) *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.*
257. The amended plans demonstrate that 11 (52%) apartments have been designed to be accessible in accordance with the requirements of Standard D17, which includes a mix of 2 bedroom and 3 bedroom apartments. The objective and standard are met.
258. The two split level apartments at ground and mezzanine levels will not have universal access due to steps adjacent both entry options. This is considered reasonable given they represent less than 10% of total apartments.

Standard D18 – Building entry and circulation

259. All apartments are accessible via the glazed and sheltered entry fronting Church Street, which provides a strong sense of entry for occupants.
260. The lobby has been designed with fire stair access directly adjacent the lift entries. The fire stair has an open southern side orientated to the light court, which will also provide good daylight and outlook to encourage its use.
261. The internal circulation area of each level will have a source of natural light, ventilation and outlook via the fire stair and will also have minimum width of 1.2 metres.

Standard D19 – Private open space

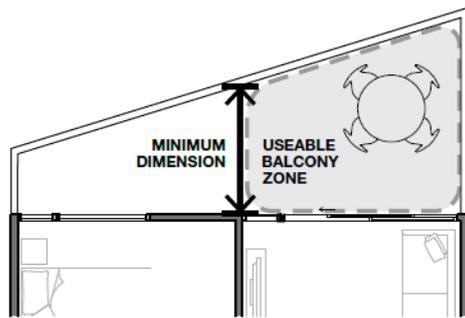
262. A dwelling should provide balconies meeting the dimensions outlined in Table 5 of this Standard. This table specifies that:

- (a) *A one bedroom dwelling should have access to a balcony with a minimum area of 8sqm and minimum dimension of 1.8m, with convenient access from a living room.*
- (b) *A two bedroom dwelling should have access to a balcony with a minimum area of 8sqm and minimum dimension of 2m, with convenient access from a living room.*
- (c) *A three bedroom dwelling should have access to a balcony with a minimum area of 12sqm and minimum dimension of 2.4m, with convenient access from a living room.*

263. Guidance is taken from the ADGV, which states:

- (a) *The additional area for an air conditioning unit does not need to meet the minimum balcony area.*
- (b) *The minimum area must be provided in a single useable space. Other balcony areas may be provided in addition.*
- (c) *Where irregular shaped balconies are proposed, only the portion of the balcony which meets the minimum dimension will be calculated towards the minimum area.*

264. The following infographic is contained within the ADGV to demonstrate the above.



Plan diagram. The minimum area provided in a single useable space.

265. All air conditioner plant equipment is proposed on the rooftop and as a result all apartment types comply with the private open space area requirements of the standard.

266. Apartments 101, 105, 201, 205, 301, 303 and 401 require variations from the minimum private open space dimension requirement of the standard. Notwithstanding this, the variations required are considered acceptable for the following reasons:

- (a) *The minimum area requirement is achieved for each apartment.*
- (b) *The open space areas still incorporate part of the open space with a minimum dimension of 2 metres to ensure good useability and function of the open space.*
- (c) *The proposed development incorporates 154m² communal open space, which equates to a generous 7m² of communal open space per apartment. This is significantly in excess of the requirements under the communal open space standard had this been applicable to the proposal.*

Standard D20 – Storage

267. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 6 of this Standard. This table specifies that:

- (a) *A one bedroom dwelling should have a total minimum storage volume of 10 cubic meters with a minimum storage volume within the dwelling of 5 cubic meters.*

- (b) *A two bedroom dwelling should have a total minimum storage volume of 14 cubic meters with a minimum storage volume within the dwelling of nine cubic meters.*
- (c) *A three bedroom dwelling should have a total minimum storage volume of 18 cubic meters with a minimum storage volume within the dwelling of 12 cubic meters.*

268. All apartments have been designed to exceed the minimum internal/total storage requirements outlined above. A condition of permit is recommended to ensure the 21 storage areas (4 of which are over bonnet) scattered throughout the mezzanine and basement levels are allocated.

Standard D21 – Common property

269. The common property areas within the development are clearly delineated and would not create areas which were difficult to maintain into the future. The building entrance and vehicle access areas are well conceived and are generally cohesive with the overall building design and are therefore considered to be in line with the objectives of this Standard.

Standard D22 – Site services

270. Mailboxes located adjacent the residential entry from Church Street. Site services are located within the building and generally concealed from public realm interfaces. These locations are acceptable and supported by Council's urban design unit and external urban design consultant.

Standard D23 – Waste and recycling

271. The applicant submitted a Waste Management Plan (WMP) prepared by One Mile Grid. Key waste facilities of the development include:

- (a) Provision of a combined residential and commercial waste storage room within basement Level 1, including:
 - (i) Hard waste area
 - (ii) 4 x 1,100L bins (2 x garbage, 2 x recycling)
 - (iii) 1 x 600L bin (1 x organic)
 - (iv) 3 x 360L bins (2 x glass, 1 x organic)
 - (v) Bin tug.
- (b) Private collection will occur from the rear ROW. Bin will be transported to laneway via the bin tug.
- (c) Garage and recycling waste from residents is collected via bin chute system provided on each floor. All commercial waste and resident glass and organics will need to be transferred from individual tenancies/dwellings to the bin stores, in person.

272. Council's City Works Unit reviewed the submitted WMP, raising the following issues to be rectified by permit condition:

- (a) Council does not offer a hard waste drop off service, please check website for items accepted at the recycling centre.
- (b) A clause must be included in the plan regarding potential review into the service if operational requirements change.

273. A condition has also been included to ensure the WMP is updated to reflect the amended proposal, which results in a modest reduction of waste generation.

Standard D24 – Functional layout objective

Bedrooms

274. This standard requires that main bedrooms should have a minimum width of 3m and minimum depth of 3.4m, with other bedrooms to be 3m x 3m in dimensions (any wardrobes should be additional to this).
275. All bedrooms provided within the development meet or exceed the standard requirement.

Living areas

276. The standard states that living areas (excluding dining and kitchen areas) for a studio and one bedroom dwelling should have a minimum width of 3.3 metres and area of 10sqm, for two or more bedroom dwellings, a minimum width of 3.6 metres, with a minimum area 12sqm is to be provided.
277. All living areas provided within the development meet or exceed the standard requirement.

Standard D25 – Room depth

278. This standard requires that single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height or 9 metres if all 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.*
 - (c) *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level.*
 - (d) *This excludes where services are provided above the kitchen.*
279. With a typical floor-to-ceiling height of approximately 2.8m and maximum room depth of 9m metres where the above criteria is met, all apartments meet the objective and standard.

Standard D26 – Windows

280. All habitable rooms within the proposed development contain a window within an external wall to the building. There are instances of living rooms and bedrooms facing onto a balcony which is covered above. However, the daylight analysis based on the advertised plans provided the Applicant indicates that worst case scenarios are acceptable and expected to improve as a result of the amended plans. Accordingly, the development is considered to meet the Objective.

Standard D27 – Natural ventilation

281. The standard requires that at least 40 percent of dwellings should be provided with effective crossover ventilation that has a maximum breeze path through the dwelling of 18m and a minimum breeze path of 5m.
282. As shown on the 'BADS apartment plans,' 16 (76%) dwellings are shown to have cross ventilation, which meet the Standard, which almost doubles the minimum requirements of the standard.

Daylight and Ventilation (commercial)

283. Extensive glazing is proposed to each commercial tenancy. Council's ESD advisor has recommended that the two commercial tenancies are provided with operable windows to allow natural ventilation. A condition is recommended to address this.

Circulation Spaces (commercial)

284. The main pedestrian entrances to the two commercial tenancies are directly from Church Street. Both tenancies also have BOH access to the central lobby provided access to basement levels.

Car parking, traffic, access, bicycle parking and loading/unloading:

Car parking reduction

285. Under clause 52.06 of the Scheme, the applicant is seeking a parking reduction of 6 car parking spaces for the commercial tenancies (and surplus of 3 spaces for dwellings), with 34 on-site car parking spaces proposed. A breakdown on the car parking requirements of the proposal and the allocation is provided in the table below:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
1 bedroom apartment	2	1 per dwelling	2	34 (+3)
2 bedroom apartment	9	1 per dwelling	9	
3 bedroom apartment	10	2 per dwelling	20	
Shop / Food and drink premises (noting office has a lesser rate)	173 (including 24m ² BOH)	3.5 spaces per 100 m ² of leasable floor area	6	0
Total			37 Spaces	34 Spaces

286. The application seeks flexibility in relation to the designation of the two commercial tenancy uses within the building. These uses are sought to be either office/shop/food and drink premises, which are all Section 1 uses in the Commercial 1 Zone and have varied car parking rate as each other in Clause 52.06-3 (office having a lower rate). This is not considered an acceptable approach due to implications on waste management, and a condition is recommended to ensure uses are allocated for each commercial.

287. A full waiver of car parking is sought for the proposed commercial uses and surplus 3 spaces is provided for the dwellings. A total reduction of 6 car spaces for the commercial uses is sought.

288. In support of the waiver of the commercial statutory rate, a car parking demand assessment was undertaken by One Mile Grid.

289. With regards to the car parking demand generated by the proposed residential, retail/office uses, it is acknowledged that the statutory car parking rates outlined in the Scheme are conservative when applied in this instance, given the inner-city location of the subject site and proximity to alternative transport means.

290. It is well documented through recent decisions made by the Victorian Civil and Administrative Tribunal (VCAT) that modal shifts to reduce the reliance on the use of private motor vehicles is not only welcomed, but required, to ensure that a holistic planning approach to precincts that are designated for greater change is applied.

291. In the VCAT Red Dot Decision *Ronge v Moreland CC [2017] VCAT 550* the Tribunal made the following key statements:

Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.

A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.

However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.

Policy tells us the future must be different.

Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.

One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.

Based upon the findings within this recent decision, it would be inappropriate to merely adopt current car parking trends for the proposed development. Consideration needs to be given to the context and opportunities to encourage sustainable transport alternatives.

292. Based upon the findings within these decisions, consideration needs to be given to the context and opportunities to encourage sustainable transport alternatives.
293. Council's Engineers reviewed the parking assessment undertaken by One Mile Grid and concurred with the findings. They also noted the following in support of the proposed reduction:
- (a) *Parking demand* - A staff parking demand of 1 space per 100 square metres of floor area could be adopted. Using this rate would equate to 2 spaces. This reflects the precinct approach for similar food and drink premises and acknowledges that a proportion of customers for this use will be drawn from the residents of the apartments and surrounding residences and businesses.
 - (b) *Availability of Public Transport in the Locality of the Land* - The following public transport services can be accessed to and from the site by foot:
 - (i) Church Street tram services – 70 metre walk
 - (ii) Bridge Road tram services – 85 metre walk
 - (iii) Swan Street tram services – 700 metre walk
 - (iv) West Richmond railway station – 800 metre walk
 - (v) East Richmond railway station – 820 metre walk
 - (c) *Multi-Purpose Trips within the Area* - Visitors to the site might combine their visit by engaging in other activities or business whilst in the area.
 - (d) *Convenience of Pedestrian and Cyclist Access* - The site has very good access to shops, businesses, essential facilities and public transport nodes. The site also has good connectivity to the Principal Bicycle Network.

- (e) *Availability of Car Parking* - Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the 'normal' car parking demands in the surrounding area.
- (f) *Relevant Local Policy or Incorporated Document* - The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use..

294. In summary, the proposed car parking reduction is supported and consistent with the intent of Clause 21.06, which seeks to reduce car dependency.

Traffic

295. In relation the additional car parking spaces accommodated on-site, Council's Engineering Unit reviewed the trip generation rates provided by One Mile Grid. The likely trip generation is outlined below:

Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Residential (21 dwellings)*	0.2 trips for each peak hour	4 Trips	4 Trips

*dwellings with a car space

296. Council's engineers are satisfied that the development peak hour volumes generated by the site are low and should not adversely impact the traffic operation of the surrounding road network.

Access and layout

297. Clause 52.06-9 (Design standards for car parking) of the Scheme relates to the design of car parking areas and contains 7 standards and requirements relating to access way, car parking spaces, gradients, mechanical parking, urban design, safety and landscaping.

298. These details, along with the proposed ramp designs have been reviewed by Council's Engineering Unit who is satisfied with the layout of the car parking area. Council's Engineering Unit has requested that the plans be revised to include the following details, which are recommended by way of conditions:

- (a) Installation of convex mirrors at the car park entrance to improve the visibility of motor traffic along the laneway.
- (b) Demonstrate that the columns and car spaces are designed to satisfy Figure 3.2 of AS/NZS 2890.1:2004.
- (c) Nominate the car stacker model and demonstrate the car stacker can be accommodated inside the car park.
- (d) Demonstrate by using a B99 design vehicle template that vehicles will not bottom-out or scrape on the pavement of the laneway or internal slab. The actual levels of the laneway are to be used.
- (e) Provide a minimum length of 2.5 metres for the 1 in 8 transition grade at the base of the 1 in 4 and 1 in 4.1 ramp sections.
- (f) Details on how vehicle passing movements would be managed. Swept path diagrams should also be provided.

(g) Details of the proposed traffic signal system shown on the architectural plans.

299. Several engineering conditions in regards to civil works, road asset protection, construction management, footpath reconstruction on Church and Berry Streets, impacts of assets on the proposed development, flood analysis of laneway and modification to car parking signage have been recommended. These conditions have been included as part of the recommendation.

300. Overall, the proposed design and configuration of access and car parking areas are considered to achieve a satisfactory outcome, subject to the conditions requested by Council’s Engineering Unit.

Bicycle parking and facilities and strategic transport

301. The Clause 52.34 statutory bicycle parking/facility requirements for the proposal are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	21	1 space per 5 dwellings for residents 1 space per 10 dwellings for visitors	4 x resident 2 x visitor	21 - internal for residents
Office	140 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	1 x employee	2 – visitor spaces to frontage
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	N/A	
Bicycle Parking Spaces Total			7 spaces	23 spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	0 showers / change rooms	0

302. The application substantially exceeds the planning scheme bicycle parking requirements numerically.

303. Council’s Strategic Transport Unit reviewed the layout of bicycle parking advising the following:

- (a) The bicycle hoop along Church Street must be installed as per Urban Design’s bicycle hoop standard detail.
- (b) A minimum of 21 resident and 1 employee bicycle spaces within a secure facility to meet BESS best practice standards.
- (c) *A minimum 20% of bicycle spaces must be provided as a horizontal bicycle rail.*
- (d) *Notations indicating the dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority.*
- (e) *Electrical infrastructure to ensure car parking areas are ‘electric vehicle ready’, including:*
 - (i) *One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.*

- (ii) *A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand.*

304. Conditions have been included in the recommendation to address these the recommendations from Council's Strategic Transport Unit.

Development contributions

305. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject site is located within Charge Area 9 (Central Richmond) and a community infrastructure levy is applicable to the additional dwellings whilst the development infrastructure levy is applicable to the additional dwellings as well as the additional commercial space.

306. A condition will be included outlining the requirements for the payment of the development infrastructure levy whilst a note will be included outlining the requirements for the payment of the community infrastructure levy, in accordance with the relevant statutory requirements for each levy type.

307. Lastly, in accordance with the requirements of Clause 22.12 (Public Open Space Contribution) of the Scheme a note will be added to any permit issued reminding the applicant that a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

Objector concerns

308. Many of the objector issues have been discussed within the body of the report as shown below. Outstanding issues raised are addressed as follows.

- (a) *Inappropriate built form and design (excessive building height, impact on built form character, insufficient upper level setbacks, DDO21 non-compliance, scale and massing, overdevelopment and precedence);*

This is discussed within paragraphs 138 - 186.

- (b) *Off-site amenity impacts (visual bulk, overshadowing, loss of daylight, loss of privacy, noise);*

This is discussed within paragraphs 187-219.

- (c) *Insufficient open space and landscaping;*

This is discussed within paragraphs 182-184 and 242-243.

- (d) *Inadequate internal amenity of apartments;*

This is discussed within paragraphs 224 - 284.

- (e) *Traffic and parking impacts of surrounds (including laneway safety and incorrect swept path diagrams) and insufficient car parking for the proposal;*

This is discussed within paragraphs 285 - 304.

- (f) *Amenity impacts (visual and overshadowing) to Alexander Reserve;*

This is discussed within paragraphs 194-195 and 197-210.

- (g) *Impacts from construction activities;*

Whilst this will be handled at the Building Permit stage, a Construction Management Plan will be required via condition to ensure the construction is managed in accordance with Council policies and procedures.

- (h) *Negative impact on property values;*

The impact on property values is not a consideration within the Planning Scheme or the Objectives of the *Planning and Environment Act 1987*.

- (i) *Fire safety concerns;*

Issues relating to first safety are a requirement that is addressed through the building permit process.

(j) *Inconsistency with Yarra Urban Design Strategy.*

The Yarra Urban Design Strategy (2011) is a high level strategy document that was prepared to achieve good design outcomes to develop a coherent and appealing urban environment with opportunity for its continuity, growth and change. It sets out a vision, key objectives and a set of priority actions that will help improve the quality of the City's urban design in a dynamic urban environment.

This strategy sits outside of the Yarra Planning Scheme and can inform the preparation of Planning Scheme Amendments that have an urban design component. We note that the strategy is a decade old and that the background urban design studies that have informed the preparation of DDO21 (C248) and proposed DDO41 (C291) are more relevant than this strategy. An assessment against relevant DDO provisions was made under the 'built form' section of this report.

Conclusion

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

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for construction of multi storey building, use of the land for dwellings and a reduction in the car parking requirements at 268-272 Church Street, Richmond subject to the following conditions:

Amended Plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the decision plans, prepared by Cera Stribley Pty Ltd (dated September 2021) but modified to show:
 - (a) Dimension the underside of the proposed canopy;
 - (b) Provision of a raised crossing threshold at the intersection of Church and Berry Street, subject to the approval from Council's Engineering and Urban Design Units;
 - (c) A minimum 400mm high plinth to each commercial tenancy;
 - (d) Notate the capacity of the rainwater tank within the basement, consistent with the SMP and annotation stating 'connected to all apartment toilets for flushing purposes'.
 - (e) Allocation of external storage areas;
 - (f) Operable windows to each commercial tenancy to allow for natural ventilation;
 - (g) Specify one use descriptions for each of the two commercial tenancies as one of the following uses office or food and drink premises;
 - (h) Bike hoop along Church Street to be installed in accordance with the City of Yarra Urban Design bicycle hoop standard detail;
 - (i) A minimum of 22 resident / employee bicycle spaces within a secure facility;
 - (j) At minimum 20% of resident / employee bicycle spaces must be provided as a horizontal bicycle rail;
 - (k) Notations indicating the dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority;

- (l) Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
 - (i) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
 - (ii) A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand.
- (m) Sections and internal elevations of habitable room windows orientated to the southern light court to demonstrate treatments that satisfy the Objective of Clause 58.04-2;
- (n) Location of convex mirrors to the basement entrance to improve the visibility of motor traffic along the laneway;
- (o) Demonstrate that the columns and car spaces are designed to satisfy Figure 3.2 of AS/NZS 2890.1:2004;
- (p) Nominate the car stacker model and demonstrate the car stacker can be accommodated inside the car park;
- (q) Demonstrate by using a B99 design vehicle template that vehicles will not bottom-out or scrape on the pavement of the laneway or internal slab. The actual levels of the laneway are to be used;
- (r) Provide a minimum length of 2.5 metres for the 1 in 8 transition grade at the base of the 1 in 4 and 1 in 4.1 ramp sections;
- (s) Details on how vehicle passing movements would be managed (including Swept path diagrams);
- (t) Details of the proposed traffic signal system;
- (u) Any changes required by the amended Wind Assessment at Condition 14;
- (v) Any changes required by the amended Waste Management Plan at Condition 11;
- (w) Any changes required by the amended Sustainable Management Plan at Condition 5;
- (x) Any changes required by the Landscape Plan at Condition 21; and
- (y) Any changes required by the Acoustic Report at Condition 15.

2. The use and 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.

Façade Strategy and Materials and Finishes Plan

3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) Elevations at a scale of 1:20 or 1:50 illustrating typical street wall and upper level details, entries and doors;
 - (b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) Design of operable windows via cross-section / detailed plans (i.e. size and operability).
 - (d) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and graffiti proofing of walls.
4. As part of the ongoing progress and development of the site, Cera Stribley Pty Ltd or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee design and construction of the development; and

- (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Sustainable Management Plan

- 5. In conjunction with the submission of development plans under Condition 1, an amended SMP must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the Sustainable Management Plan dated April 2021, prepared by Sustainable Development Consultants, but updated to include the following:
 - (a) The amended proposal plans, prepared by Cera Stribley, dated September 2021.
 - (b) Maintain a minimum STORM score of 114%.
 - (c) Operable glazing to the ground floor office/retail areas to facilitate natural ventilation.
 - (d) Consistency with the WMP in relation to the bin chute system.
- 6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

- 7. In conjunction with the submission of development plans under Condition 1, 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 Leigh Design and dated 18 December 2021, but modified to include:
 - (a) Reference to the amended proposal as shown on the plans prepared by Cera Stribley, dated September 2021.
 - (b) A clause stating that Council does not offer a hard waste drop off service, and include website link that confirm items accepted at the recycling centre.
 - (c) A clause must be included in the plan regarding potential review into the service if operational requirements change.
- 8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Wind Report

- 10. Before the development commences, an amended Wind Impact Assessment Report to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the amended Wind Impact Assessment Report will be endorsed and will form part of this Incorporated Document. The Wind Impact Assessment Report must be generally in accordance with the Wind Impact Assessment prepared by VIPAC, dated 11 June 2021, but modified to refer to:
 - (a) The amended proposal, including reconfigured roof terraces, shown on the plans prepared by Cera Stribley Pty Ltd, dated September 2021.
 - (b) Wind mitigation measures for the revised roof terraces.

Acoustic Report

11. In conjunction with the submission of development plans under Condition 1, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:

- (a) Potential noise impacts from nearby licensed premises on the proposed dwellings.
- (b) Potential noise impacts from services on Site on the proposed dwellings.

The acoustic report must make recommendations to limit the noise impacts in accordance with the Environment Protection Authority Publication 1826 and the Environmental Protection Regulations 2021.

12. The recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Street Trees

13. Before the development commences, the permit holder must provide an Asset Protection Bond of \$5,000 (ex GST) for the two street trees on Church Street, unless otherwise advised by the Responsible Authority. The security bond:

- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
- (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
- (c) must be in accordance with the requirements of this permit.

14. Any pruning required to be undertaken for the street trees along the subject site's Church Street frontage must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.

Tree Management Plan

15. In conjunction with the submission of development plans under Condition 1, a Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of the permit. The Tree Management Plan must make recommendations for:

- (a) the protection of street trees adjacent the Church Street frontage:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
- (b) the provision of any barriers;
- (c) any pruning necessary; and
- (d) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

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

Landscape Plan

17. In conjunction with the submission of development plans under Condition 1, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Tract dated December 2020, but modified to include (or show):

- (a) Reference to the amended proposal as shown on the plans prepared by Cera Stribley, dated September 2021.
- (b) Planting schedule - show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (c) Ensure none of the proposed plants are shown on the *DELWP Advisory List of Environmental Weeds*;
- (d) provide details including sections and spot levels for the atrium and mezzanine gardens,
- (e) provide details on the raised planters and terrace/rooftop planting (including planter box materials and dimensions, mulch layer – something that won't blow away, growing media – suitable in weight and content for roof top gardens, filter media, irrigation method, drainage system, root barrier / water proofing layer);
- (f) provide details of the *proposed method for irrigation and drainage*;
- (g) detail the *maintenance (duration, regime) and irrigation*;
- (h) show the materiality of the proposed spaces;
- (i) provide a specification of works to be undertaken prior to planting;
- (j) detail if relevant on any sustainable treatments and water harvesting methods; and
- (k) detail plant/planting maintenance schedules and requirements.

to the satisfaction of the Responsible Authority.

18. 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,

all to the satisfaction of the Responsible Authority.

Car Park Management Plan

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

- (a) the number and location of car parking spaces allocated to each tenancy;
- (b) the management of visitor car parking spaces and security arrangements for occupants and employees of the development, including details on how residential visitors are to access car parking;
- (c) details of way-finding, cleaning and security of end of trip bicycle facilities;

- (d) The number and allocation of storage spaces;
- (e) policing arrangements and formal agreements;
- (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc; and
- (g) details regarding the management of loading and unloading of goods and materials.

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

Car parking

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

- (a) constructed and available for use in accordance with the endorsed plans;
- (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- (c) treated with an all-weather seal or some other durable surface; and
- (d) line-marked or provided with some adequate means of showing the car parking spaces;

to the satisfaction of the Responsible Authority.

Loading and Unloading

22. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

23. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

Public Realm Plan

24. Within six (6) months of the commencement of the development or by such later date as is approved by the Responsible Authority, a Public Realm Works plan prepared 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 then form part of the permit. The Public Realm Works plan must show the works associated with:

- (a) A raised threshold crossing at Church Street and Berry Street intersection to be designed in accordance with relevant Council standards and be DDA compliant, including:
 - (i) Drainage details assessing overland flow coming down Berry St under a 100-year event to ensure the depth and spread of the water contained at the raised crossing does not adversely affect the surrounding properties.
- (b) All pedestrian, vehicle and bicycle footpaths, crossings, roads, drainage, infrastructure works and connections and associated landscaping (external to buildings).
- (c) Include all paving materials, surface grading and drainage and all existing/proposed fixtures such as public transport shelters, trees, seats, tactiles, handrails and litter bins.

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the works shown on the endorsed Public Realm Plan must be carried out and completed to the satisfaction of the Responsible Authority.

Public Lighting Plan

26. Unless the relevant Authority (i.e. CitiPower) provides written confirmation that the existing public light on pole number 194 can be retained operational during the construction period and will continue to be maintained by the relevant Authority (i.e. Citipower) after the completion of the development, within six months of the commencement of the development authorised by this Permit, or at a later date as agreed in writing by the Responsible Authority the applicant must:
- (a) Provide to Council an alternative Public Lighting Plan to the satisfaction of the Responsible Authority. The Public Lighting Plan must address lighting along Berry Street and the laneway number 808 at the rear of the property; or
 - (b) The owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:
 - (i) The owner of the subject land is responsible for maintaining (in working order) public lighting in Berry Street and the laneway 808 at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
 - (ii) The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the section 173 Agreement in Land Title Office Victoria, including the costs borne by the Responsible Authority (Yarra City Council).
27. Unless the relevant authority (i.e. CitiPower) provides written confirmation that the existing public light on pole number 194 can be retained operational during the construction period prior to the commencement of construction works, the developer must submit to Yarra City Council a temporary public lighting plan for approval. The temporary lighting scheme should be working until an approved permanent lighting plan (Condition 30) becomes operational.

Road Infrastructure

28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the following must occur:
- (a) The kerb and channel along the property's Church Street and Berry Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
 - (b) The footpath along the property's Church Street and Berry Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
 - (c) All redundant vehicle crossings associated with the development must be demolished and reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
- (a) In accordance with any requirements or conditions imposed by Council.
 - (b) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (c) At the Permit Holder's cost; and
 - (d) To the satisfaction of Council.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:

- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the responsible authority, any isolated areas of road pavement failure as a consequence of construction traffic impacts must be reconstructed:
- (a) at developer's cost;
 - (b) the satisfaction of any other relevant authority; and
 - (c) to the satisfaction of the responsible authority.
32. Before the building is occupied, or by such later date as approved in writing by the responsible authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) at the developer's cost; and
 - (b) to the satisfaction of the responsible authority.
33. 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 developer's cost; and
 - (b) to the satisfaction of the responsible authority.
34. Before the building is occupied, or by such later date as approved in writing by the responsible authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the developer to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the developer.

General

35. The amenity of the area must not be detrimentally affected by the use or development, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
36. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
37. 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.
38. 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.

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
40. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
41. 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.

Construction Management Plan

42. 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;
 - (j) materials and waste;
 - (k) dust;
 - (l) stormwater contamination from run-off and wash-waters;
 - (m) sediment from the land on roads;
 - (n) washing of concrete trucks and other vehicles and machinery; and
 - (o) spillage from refuelling cranes and other vehicles and machinery;
 - (p) the construction program;
 - (q) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (r) parking facilities for construction workers;
 - (s) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (t) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (u) 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;
 - (v) 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;
 - (w) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.

In preparing the Noise and Vibration Management Plan, consideration must be given to:

- (i) using lower noise work practice and equipment;
- (ii) the suitability of the land for the use of an electric crane;
- (iii) silencing all mechanical plant by the best practical means using current technology;
- (iv) fitting pneumatic tools with an effective silencer;

During the construction:

- (x) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (y) 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;
- (z) vehicle borne material must not accumulate on the roads abutting the land;
- (aa) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (bb) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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.

- 43. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 44. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Development Infrastructure Levy

- 45. Prior to the commencement of the development the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.

Community Infrastructure Levy

- 46. Prior to the issue of a building permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the Community Infrastructure Levy within a time specified in the agreement.

Time Expiry

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

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

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.

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 5555 to confirm.

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

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.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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

Attachments

- 1 PLN210271 - 268-272 Church Street, Richmond - S57a plans
- 2 PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments
- 3 PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

**268-272 Church Street, Richmond
Town Planning RFI
SEPTEMBER 2021**

Cera Stribley

Domenic Cerantonio
Managing Principal
dom@cs-a.com.au

Chris Stribley
Managing Principal
chris@cs-a.com.au

CERA STRIBLEY PTY.LTD.
ACN 166 374 170

Studio 5/249 Chapel St
Prahran VIC 3181

T: +613 9533 2582
E: info@cs-a.com.au
www.cs-a.com.au

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

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Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Site

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Site

Existing Address
268-272 Church St, Richmond

Site Area
555m2 approx.

Site Frontage
18.2m approx (along Church St)

Local Council
Yarra



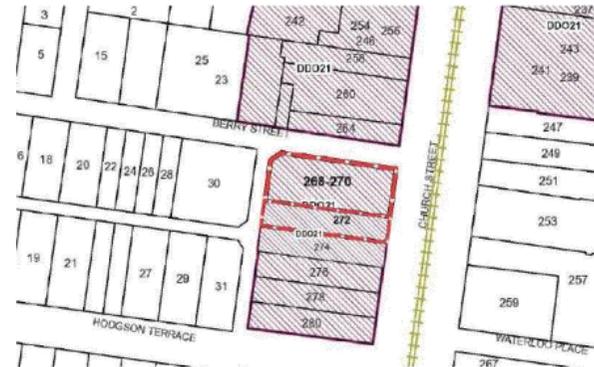
Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Planning Controls

Planning Zone
C1Z - Commercial 1 Zone



Planning Overlays
DDO - Design And Development Overlay - Schedule 21



Planning Overlays not directly affecting this land
HO - Heritage Overlay

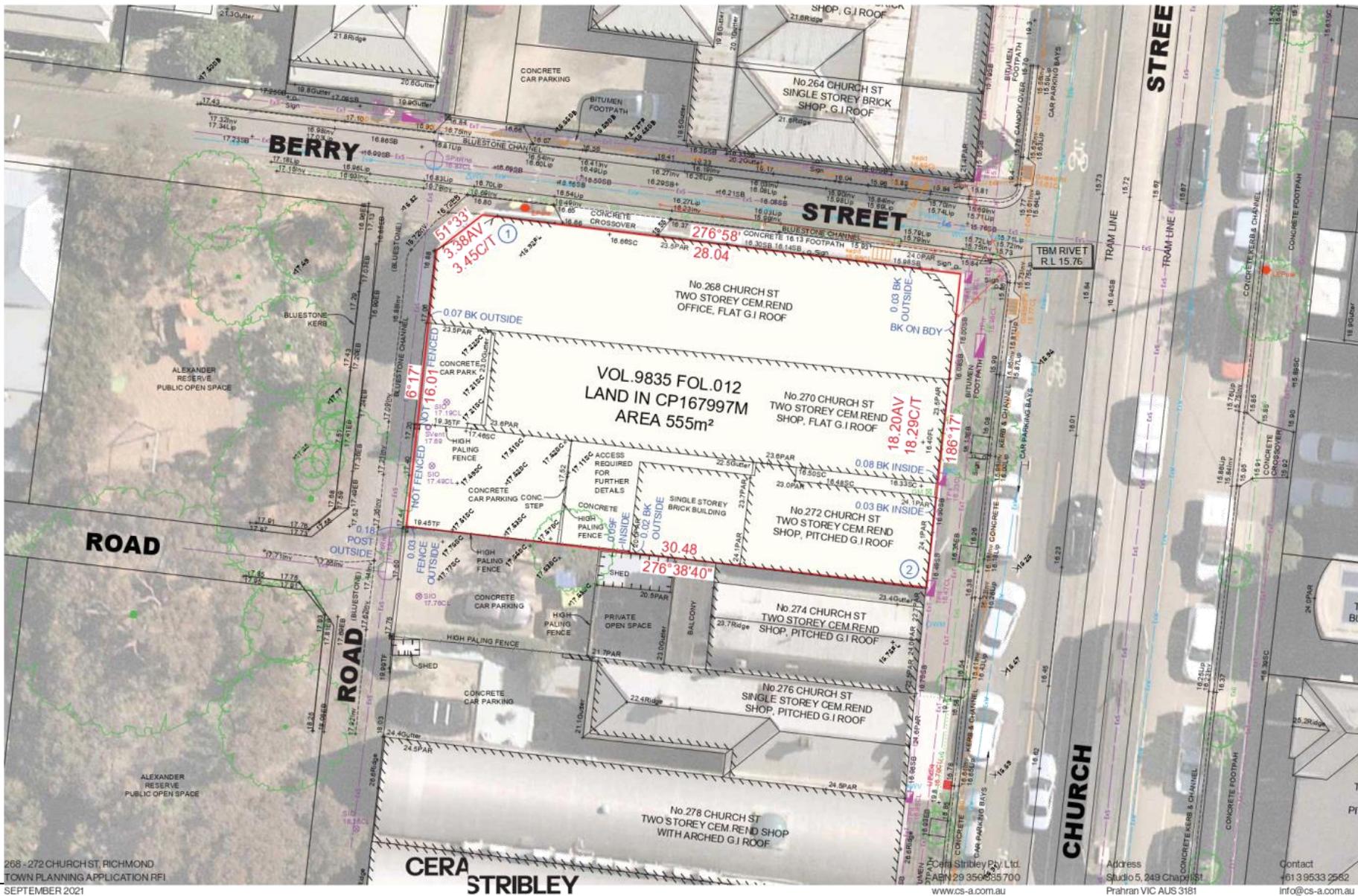


Planning Overlays
DCPO - Development Contributions Plan



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Site Survey



268 - 272 CHURCH ST, RICHMOND
 TOWN PLANNING APPLICATION RFI
 SEPTEMBER 2021

Cera Stribley Pty Ltd.
 ABN 29 350 335 700
 www.cs-a.com.au

Address
 Studio 5, 249 Church St
 Prahran VIC AUS 3181

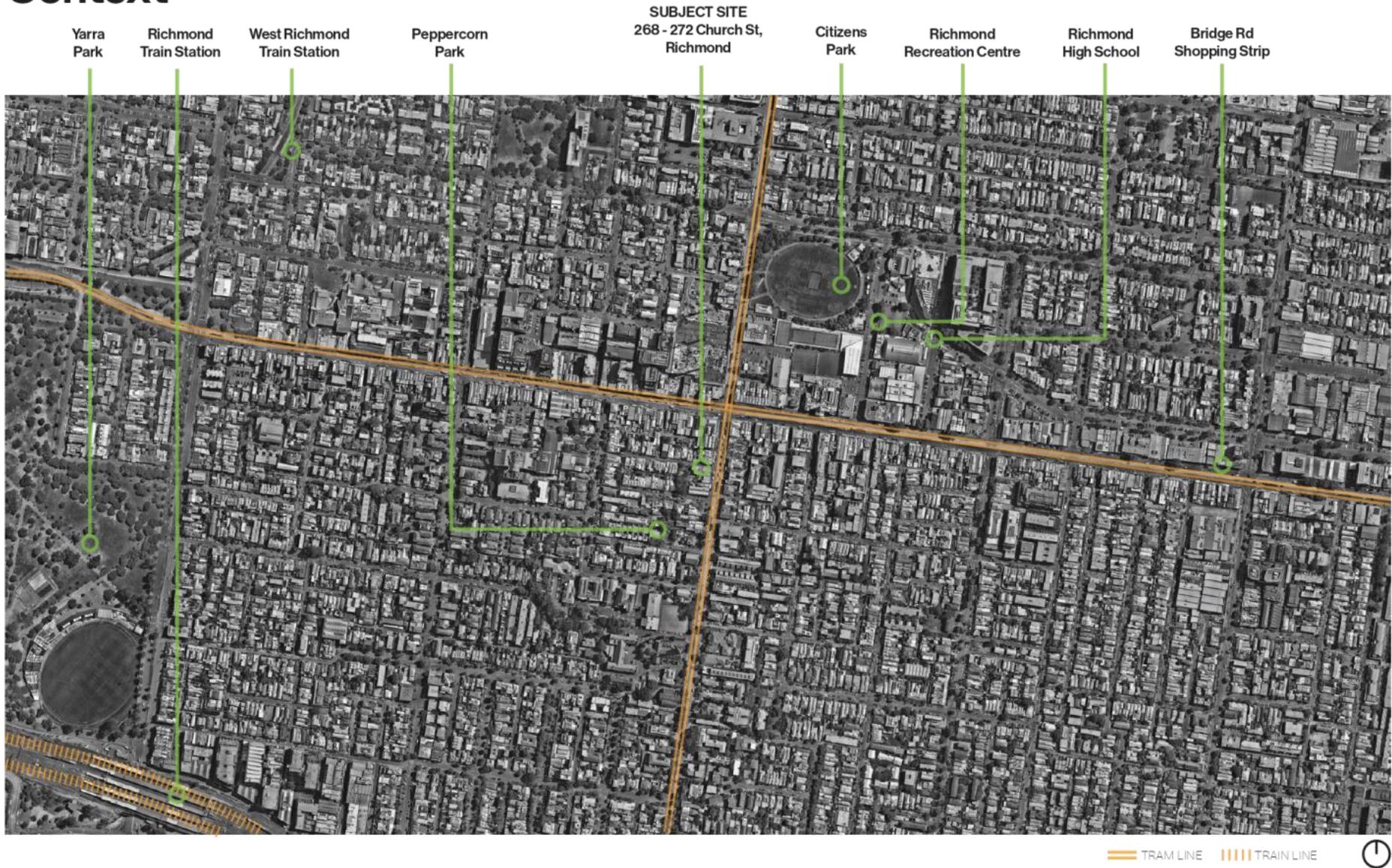
Contact
 +61 3 9533 2562
 info@cs-a.com.au

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Analysis

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Context



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Site Analysis

Subject Site
268 - 272 Church St, Richmond

Legend

-  Subject Site
-  Secondary Traffic Flows
-  Major Traffic Flows
-  Existing Crossover to Subject Site
-  Sun Path (Winter)
-  Sun Path (Summer)
-  City Views
-  Wind Direction / Strength
-  Tram Line (#78)
-  Extent of Adjoining Commerical Tenancy
-  Private Open Space
-  Commercial 1 Zone (C1Z)
-  Neighborhood Residential Zone (NRZ)
-  Surrounding trees on site, footpath and adjoining properties.



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Street Views



Richmond



1



2



3



4

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

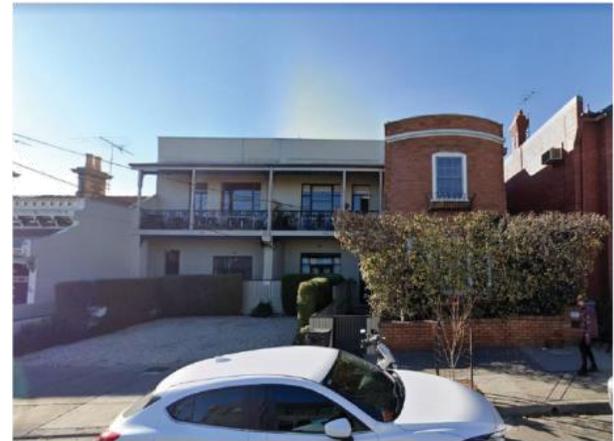
Street Views



Richmond



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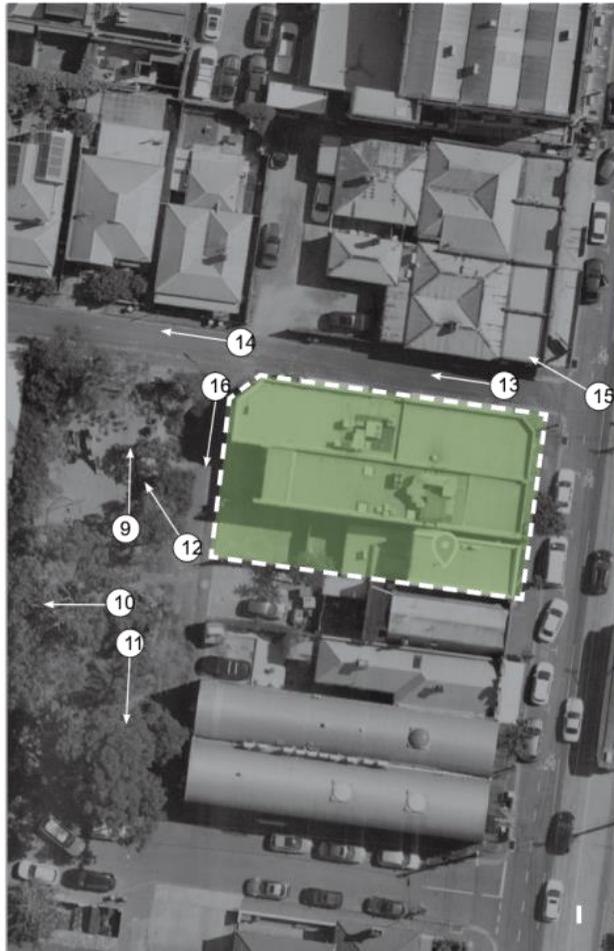
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Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Street Views



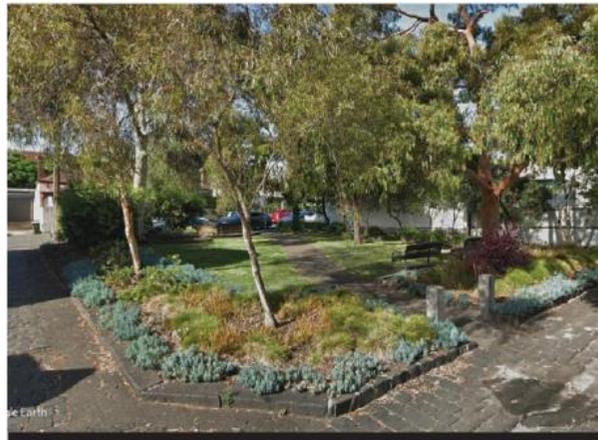
Richmond



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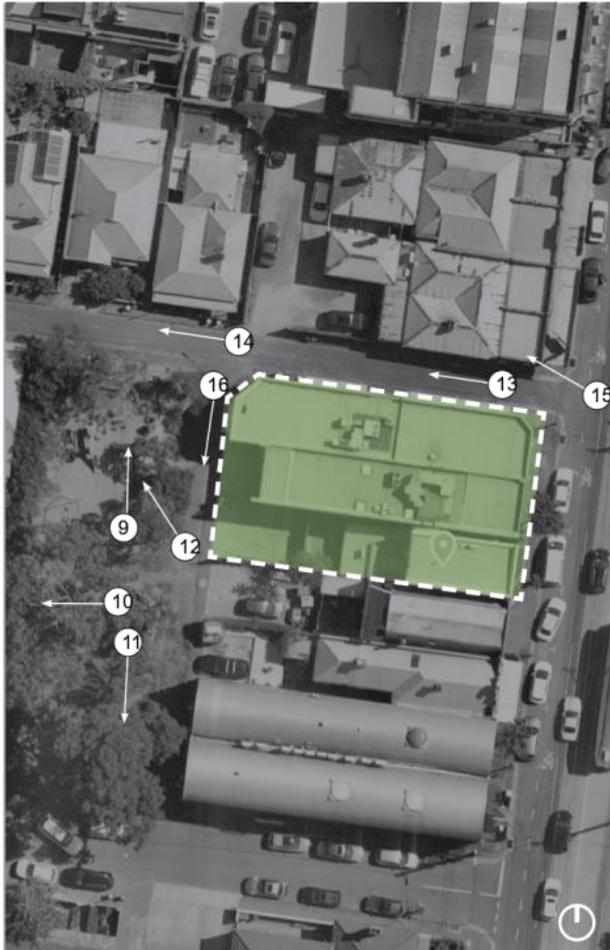
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Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Street Views



Richmond



13



14



15



16

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Developments

Significant existing and future developments in surrounding area.

268-272 Church Street, Richmond

1 Palmer Street, Richmond (Jaques)

Stage: Built - 3 Buildings - 10 Storeys
 Zone: Mixed Use Zone (MUZ)
 Building Height: 32.8m

2 153 Bridge Road, Richmond (Dux Richmond Hill)

Stage: Built - 13 Storeys
 Zone: Commercial 1 Zone (C1Z)
 Building Height: 46.8m

3 79 Bridge Road, Richmond (Lanbruk Apartments)

Stage: Under Construction - 8 storeys
 Zone: Commercial 1 Zone (C1Z)

4 23-29 Bridge Road, Richmond (Island House)

Stage: Pre-Construction - 5 storeys
 Zone: Commercial 1 Zone (C1Z)
 Building Height: 23.30m

5 32 Bosisto Street, Richmond (Bosisto at Bridge)

Stage: Built - 8 Storeys
 Zone: Commercial 1 Zone (C1Z)



Non-residential Zone
 Residential Zone
 Heritage Overlay
 Parks

6 203 Bridge Road, Richmond (Newbridge Richmond)

Stage: Pre-Construction - 7 storeys
 Zone: Commercial 1 Zone (C1Z)
 Building Height: 31.4m

7 129 Bridge Road, Richmond

Stage: Pre-Construction - Midrise
 Zone: Commercial 1 Zone (C1Z)

8 123 Bridge Road, Richmond (Claudia Apartments)

Stage: Built - 7 storeys
 Zone: Commercial 1 Zone (C1Z)

9 172 Lennox Street, Richmond (Herbert King)

Stage: Built - 6 storeys
 Zone: Commercial 1 Zone (C1Z)

10 183 Bridge Road, Richmond (Richmond Place)

Stage: Built - 9 storeys
 Zone: Commercial 1 Zone (C1Z)
 Building Height: 27.5m

11 242 Bridge Road Street, Richmond

Stage: In Planning - 6 storeys
 Zone: Commercial 1 Zone (C1Z)
 Area: 476 sqm

12 239-254 Church Street, Richmond (Immerse)

Stage: In Planning - 6 storeys
 Zone: Commercial 1 Zone (C1Z)
 Building Height: 23.50m

13 261-271 Bridge Road, Richmond

Stage: In Planning - 10 storeys
 Zone: Commercial 1 Zone (C1Z)

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Developments



1



2



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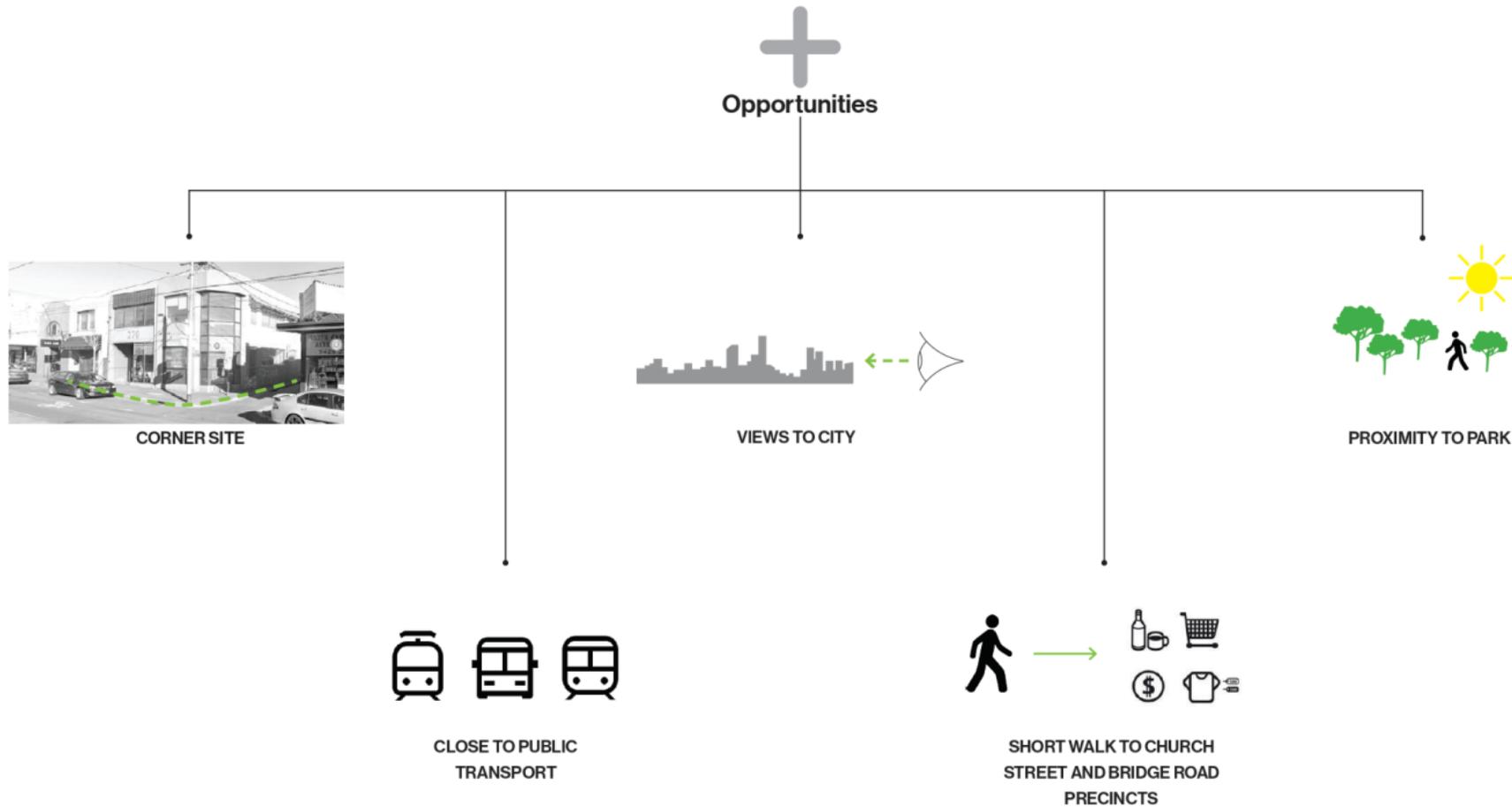


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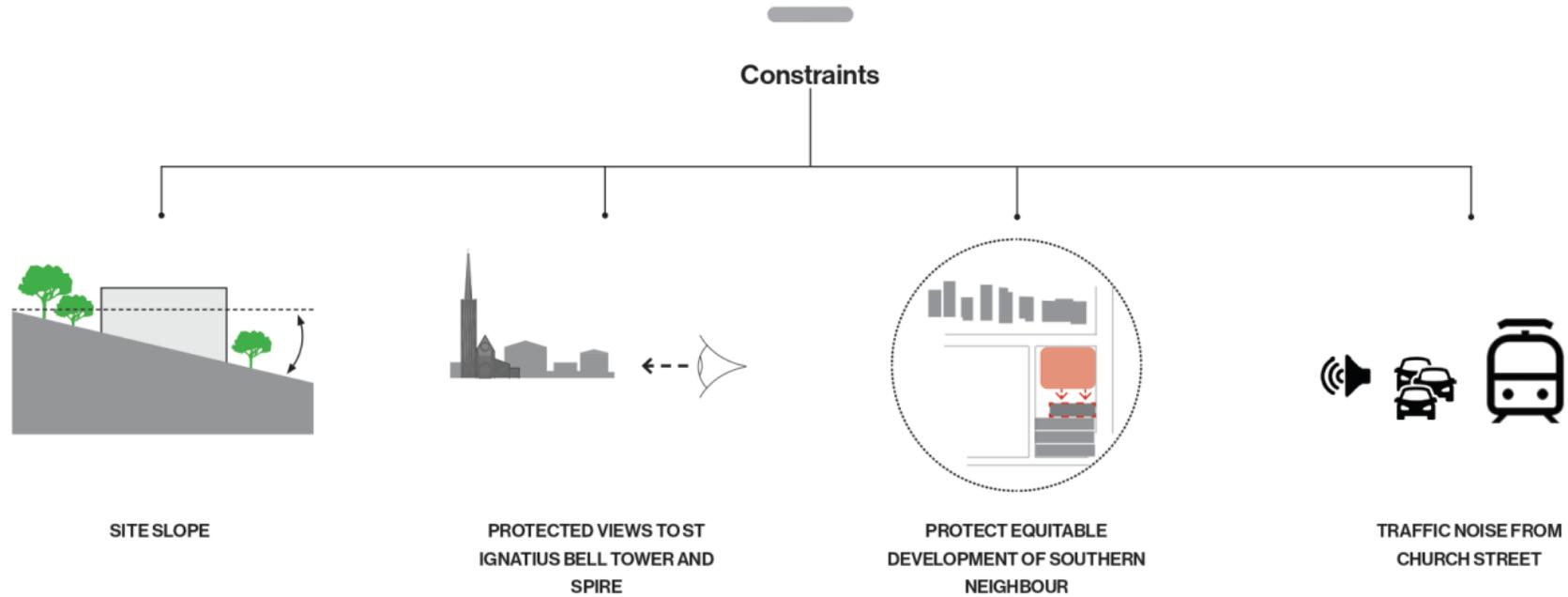


13

Opportunities



Constraints



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Concept

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Natural Materials

Brickwork is a key feature to residential projects for the City of Yarra.

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Simplified Definition

22

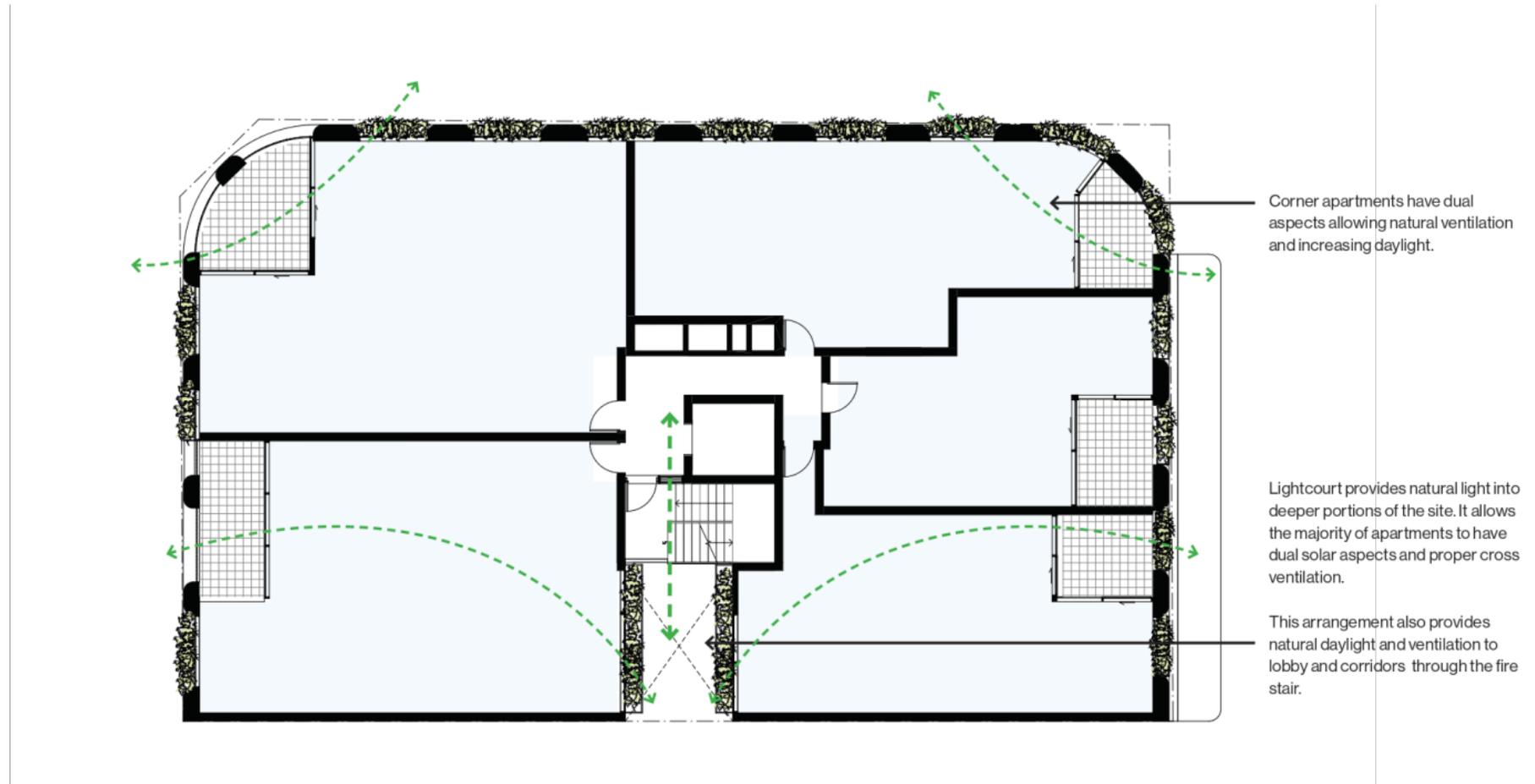
Connecting humans with nature.

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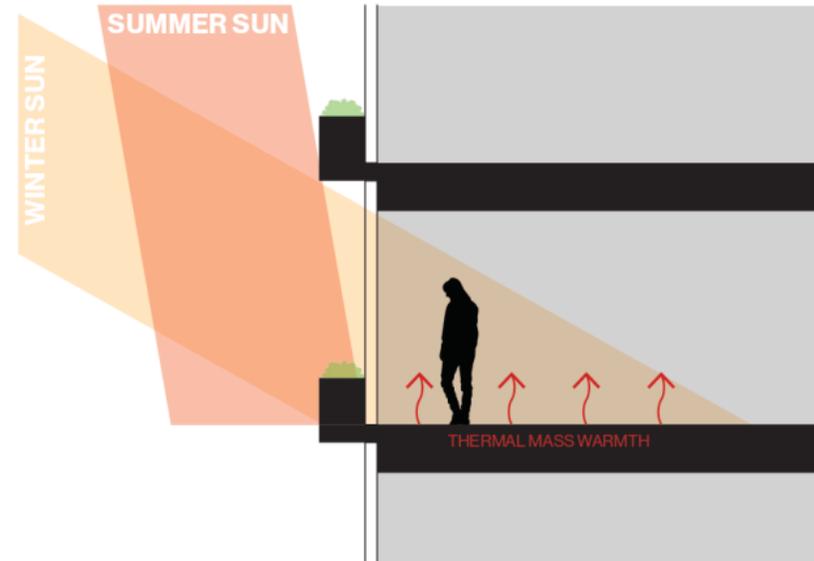
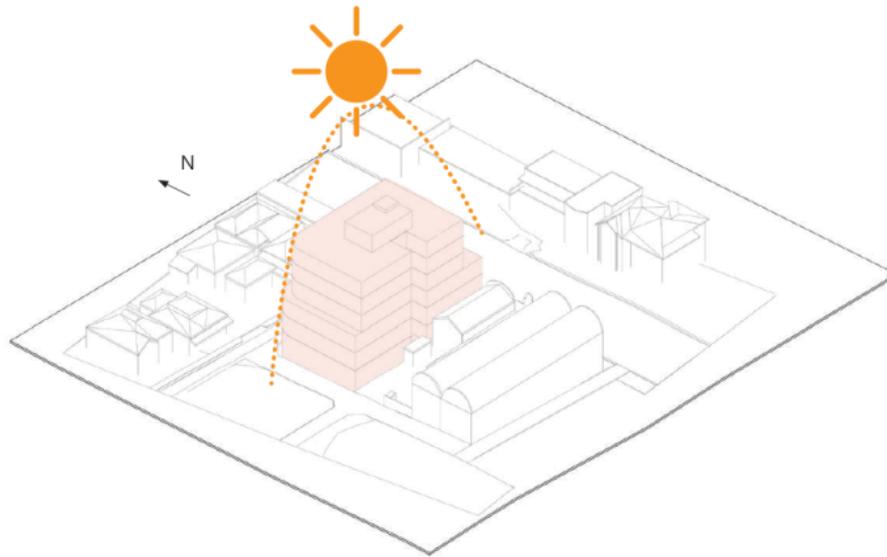
Biophilic Architecture

Atriums / naturally ventilated corridors /
communal gardens / green terraces

Light & Ventilation

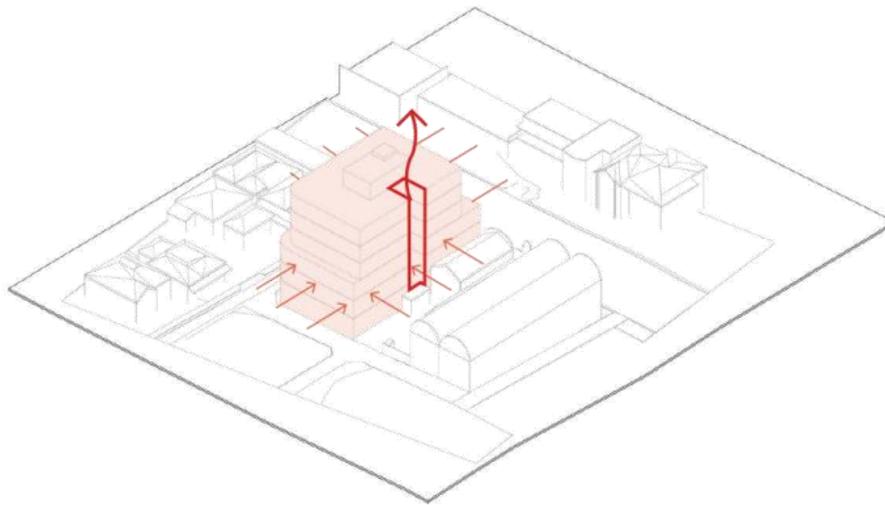


Orientation

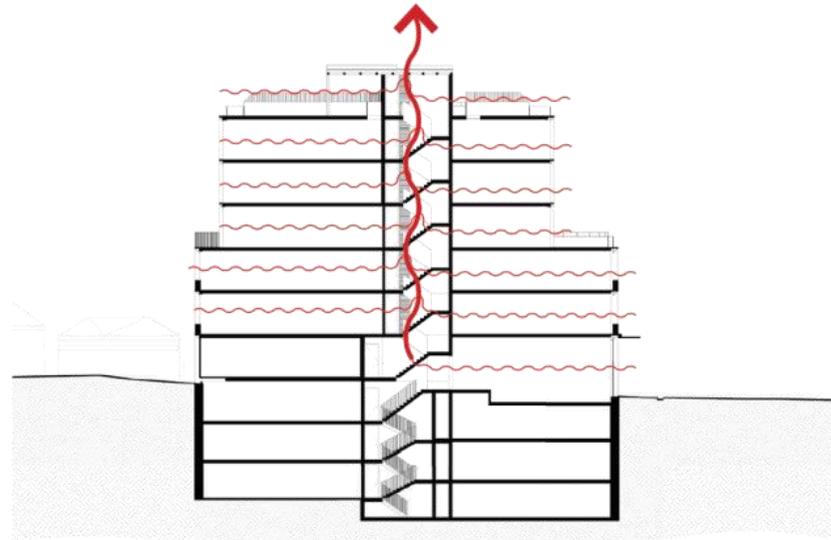


Sun enters the building during winter to provide warmth and provides thermal mass to certain materials.

Ventilation



Central courtyard/Light-well increase the amount of apartments with natural ventilation as well as providing ventilation to the internal corridors.

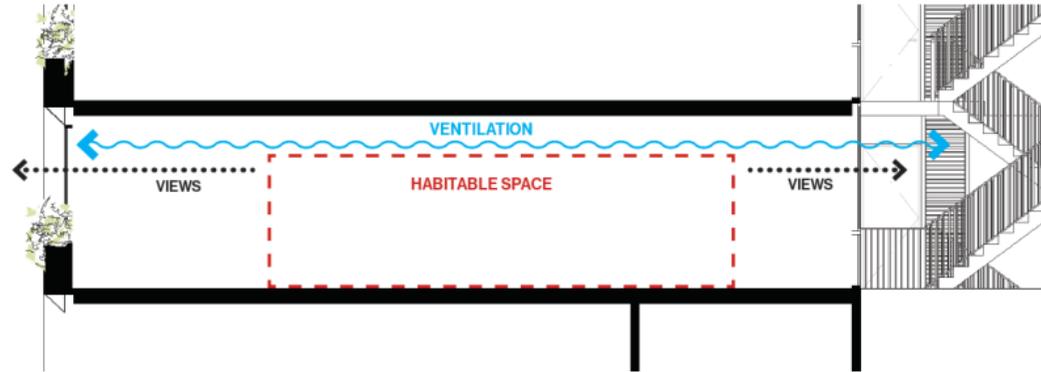


Central courtyard enables stacking effect which forces warm air drawn from apartments through the center of the building and exhausted upwards.

Dual Aspect

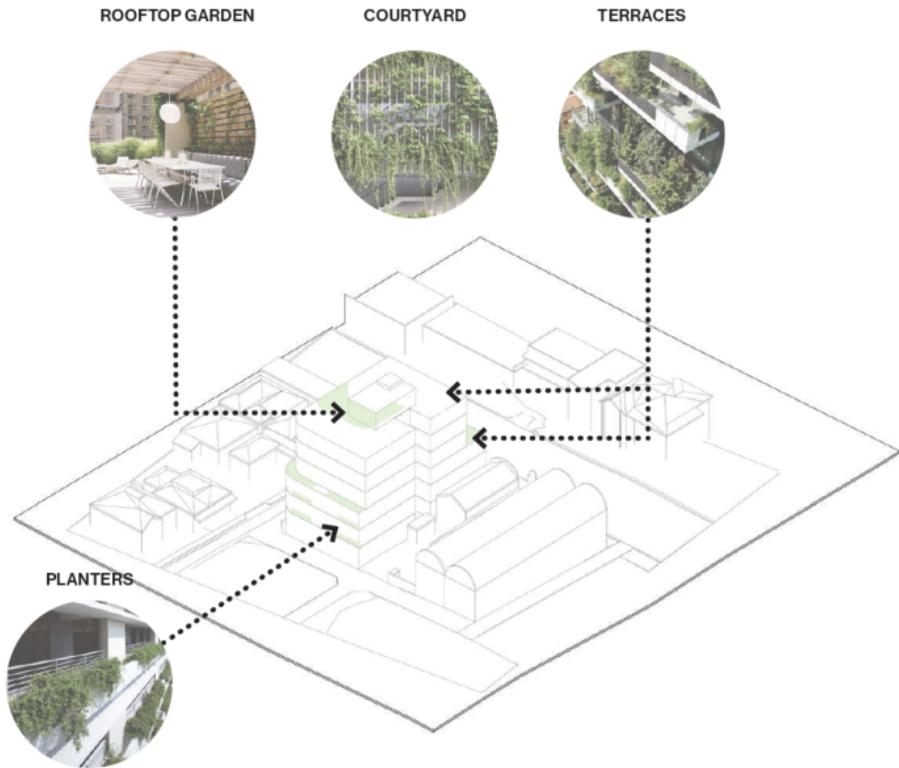


TERRACE
OUTLOOK

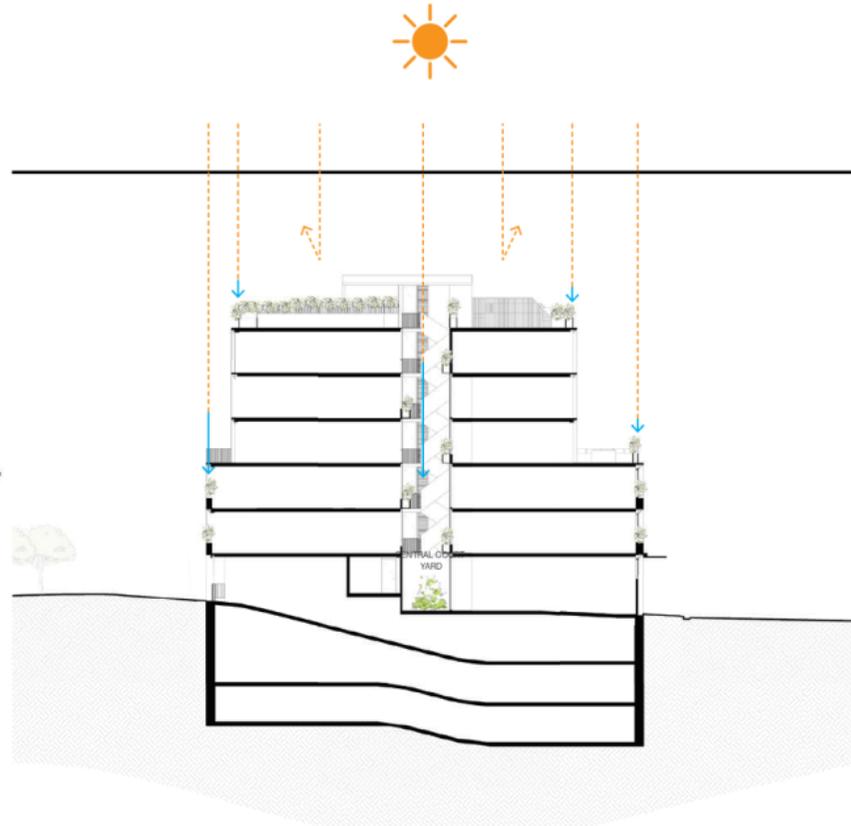


GREEN INTERNAL
COURTYARD

Landscaping



Access to green spaces promote positive physiological and physical effects on the body.



Greenery absorbs heat, insulates the building and reduces heat island effect.

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Facade Inspiration

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



The fine linear grain of Richmond is a key source of inspiration. A result of its Victorian era development.



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



This fine linear grain is also evident in heritage facades along Church st.

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



Linear proportions are consistently softened with curved details.

**St Ignatius Bell Tower.
A landmark building for
Richmond features a
generous curved corner at its
entry.**



St Ignatius' Church is one of the earliest churches in Australia and is located on the highest point in Richmond - a historical prominent landmark.

The church was designed by architect William Wardell (1823-1899), who was noted for his ecclesiastical work, including St Patrick's Cathedral, Melbourne.

The church is built in a Gothic Revival style. It is an asymmetrical, cruciform church with minimal decorating features, allowing the materiality and pattern of its coursed axed bluestone be expressed. Its singular rounded spire is 65.5 meters high, the pinnacle of Richmond Hill.

Facade Concept Integration



1. Curved details used to soften linear facade



Plan View of Proposed Facade Columns

2. Curved detail applied into the shape of the columns.

Facade Concept Integration



Sharp Corners of Building Volume curved



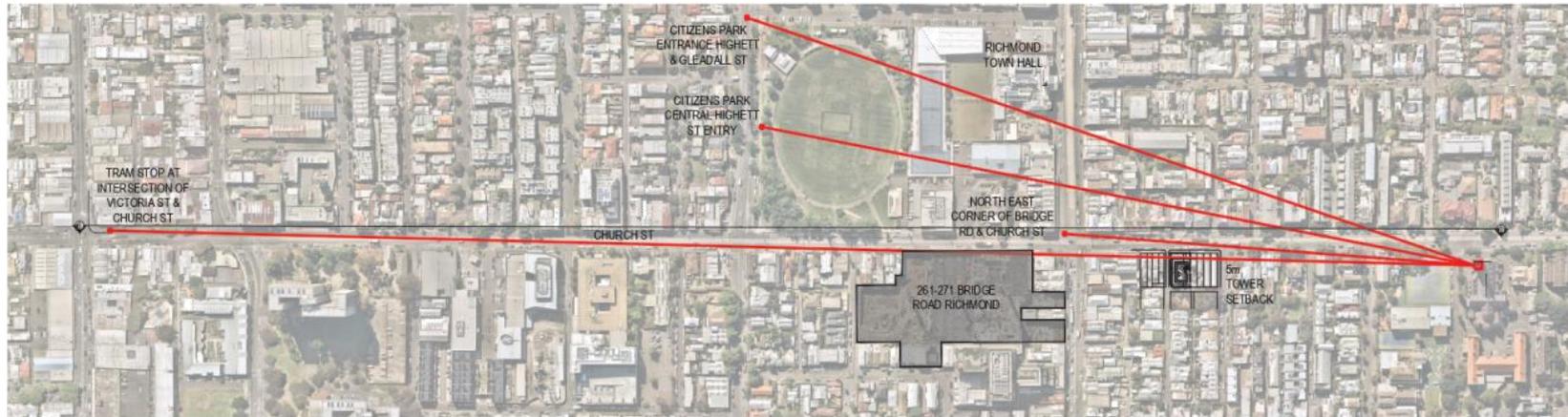
- 1. Increased views from Berry St into Public Park Space
- 2. Creates Feature at Prominent Corner & Connects Berry St Interface with Church St.

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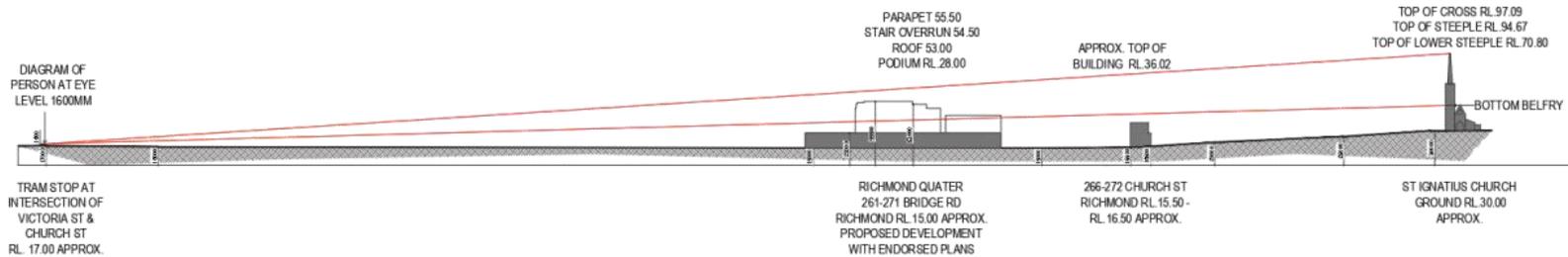
Design Response

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View to Landmarks



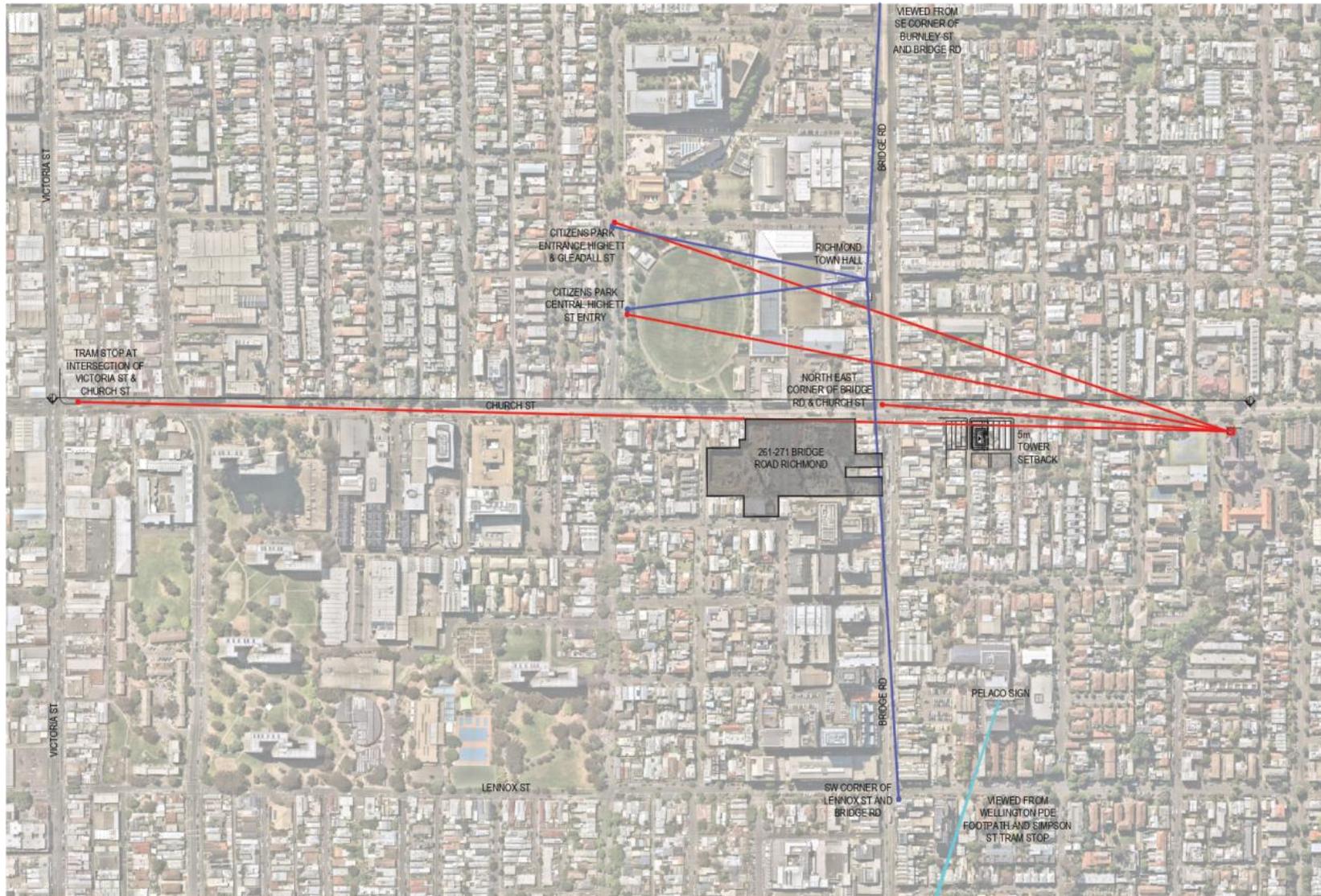
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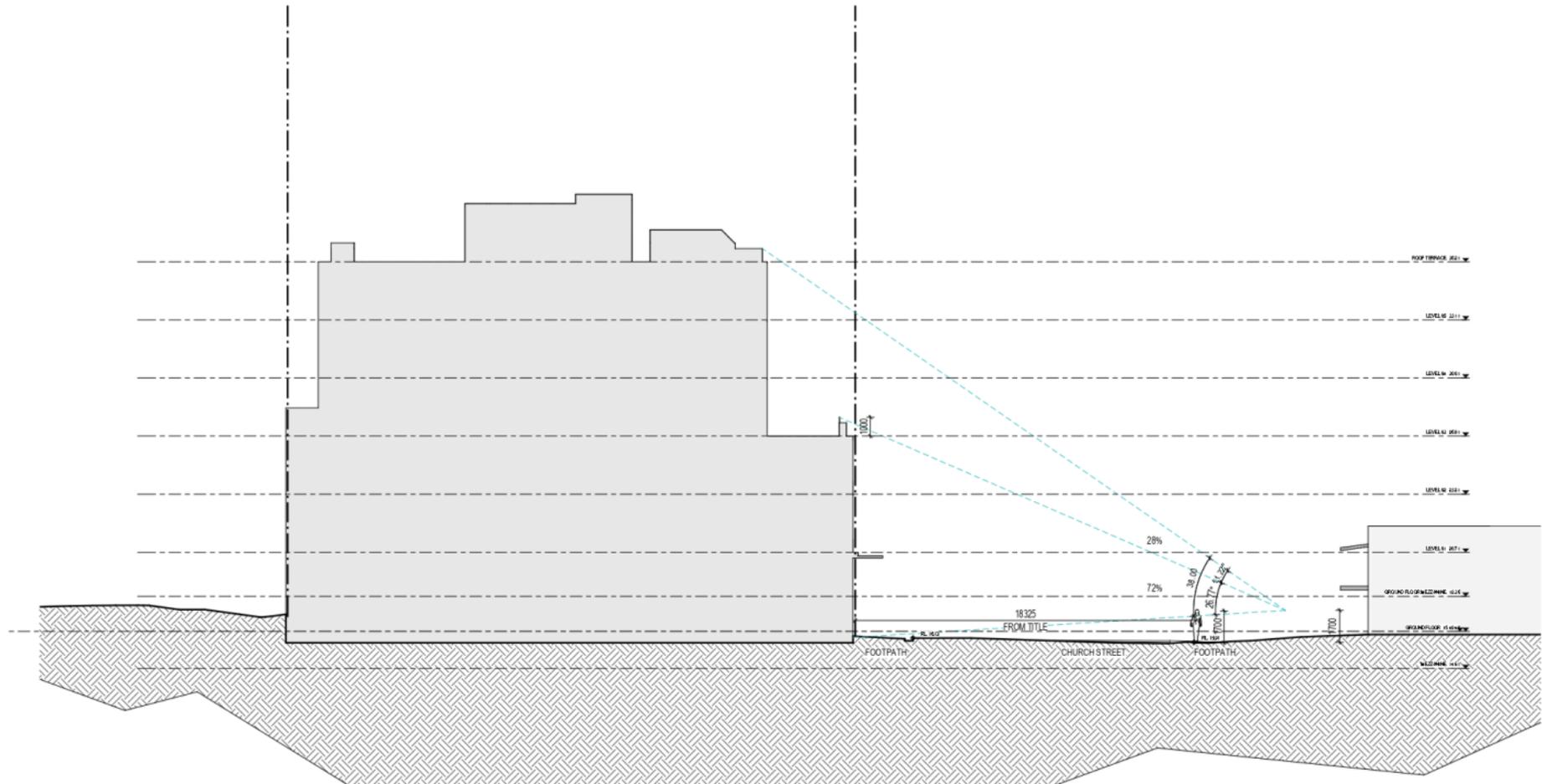
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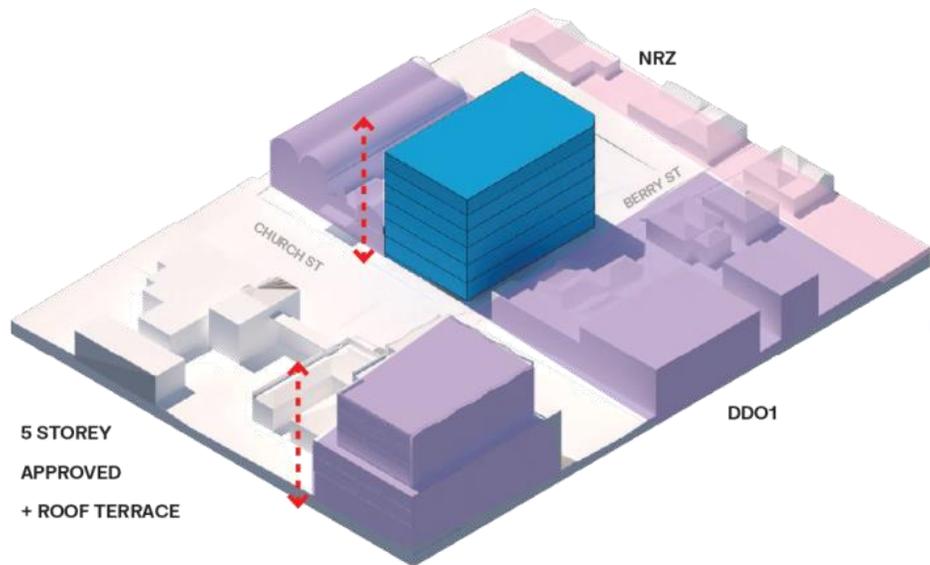
View to Landmarks



Site Line Diagram

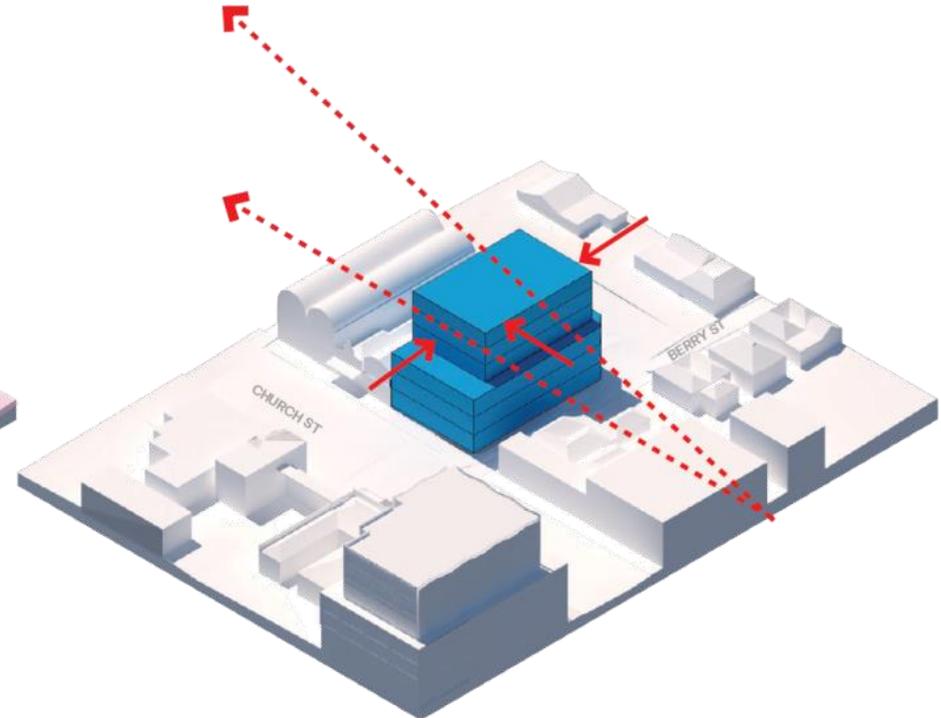


Design Principles



01. Existing Condition and Development Envelope

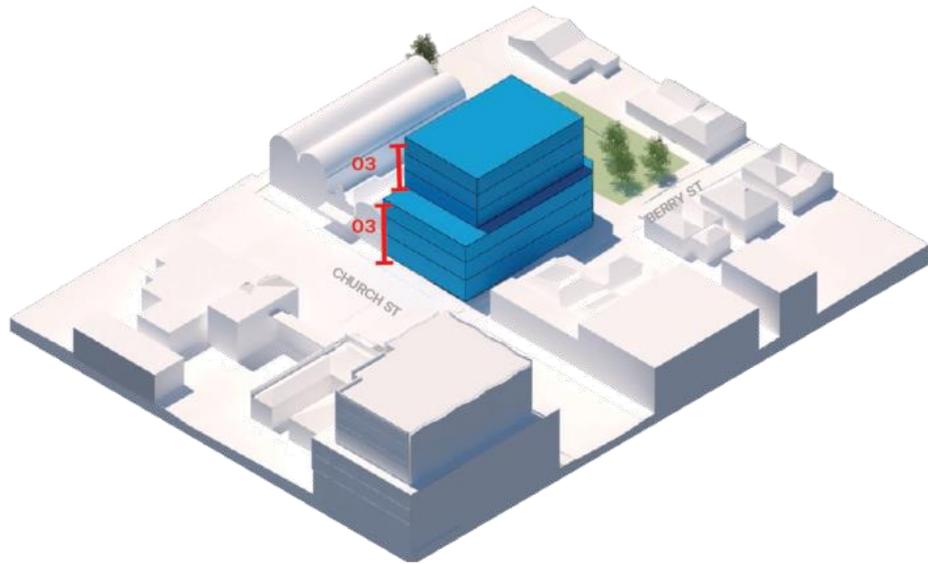
- Minimal Impact on neighboring residentially zoned land to the rear. A public park provides ample separation.
- Commercially zoned/DDO land to the south
- Northern interface to Berry St a great opportunity to improve the public realm.



02. Tower Setback Maintaining Views to Landmarks

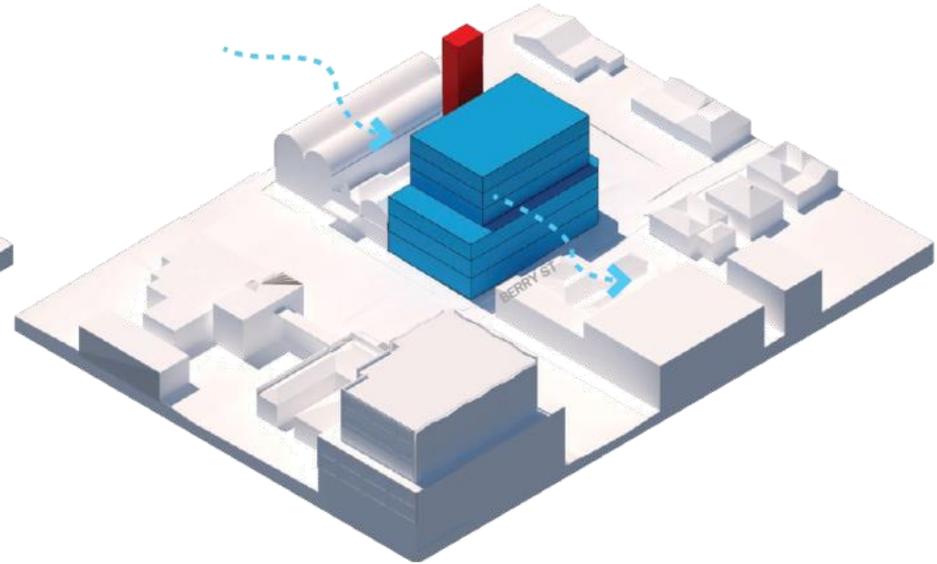
- 5m Tower setback ensures no view is lost to neighboring landmarks. Prevailing view to St Ignatius spire is maintained over the tower.
- Three storey podium restricts views of tower from church st to minimal ratio
- Setback to Berry St ensures podium level is read as primary interface

Design Principles



03. Proportion

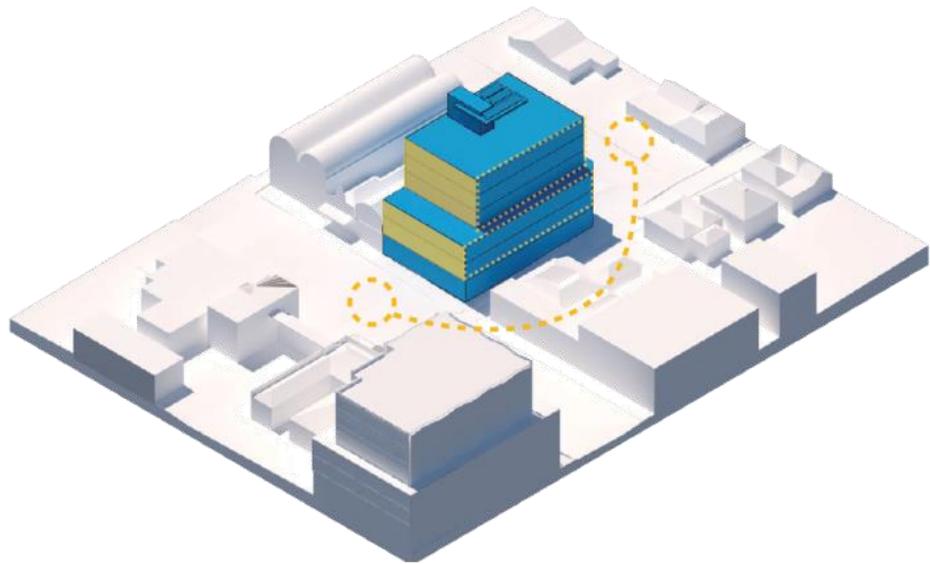
- Building scale provides general transition in scale downwards from Bridge Road
- 3+3 building proportion avoids stepping setbacks that create a 'wedding cake' appearance



04. Light Void and External Fire Stair

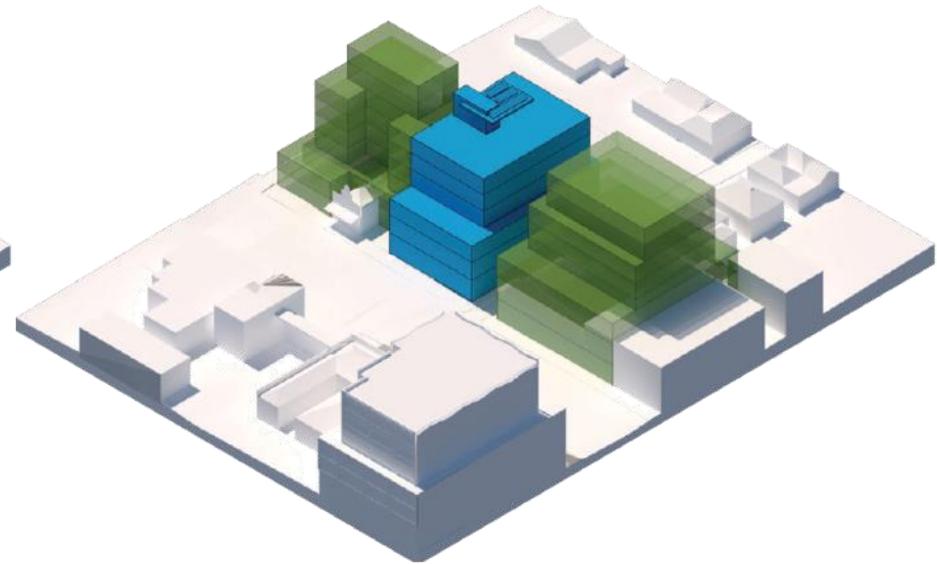
- Light void and external fire stair volume subtracted from southern facade
- The void and stair functions to allow cross ventilation to all floors of the building
- Provides important articulation to this face while its neighboring sites remain undeveloped.

Design Principles



05. Communal Roof Terrace, Productive Garden and Solar Pergola. Shading Measures to East, North and West Facade

- Communal area allocated to the rooftop.
- Productive Garden to allow for thermal benefits to building and residents amenity
- Solar pergola to allow for panels over communal space
- East and west facade to received operable screening
- North facade to receive fixed shading devices



06. Evolving Context in line with DDO

- Proposed building form shown with future neighbors developed in line with DDO.

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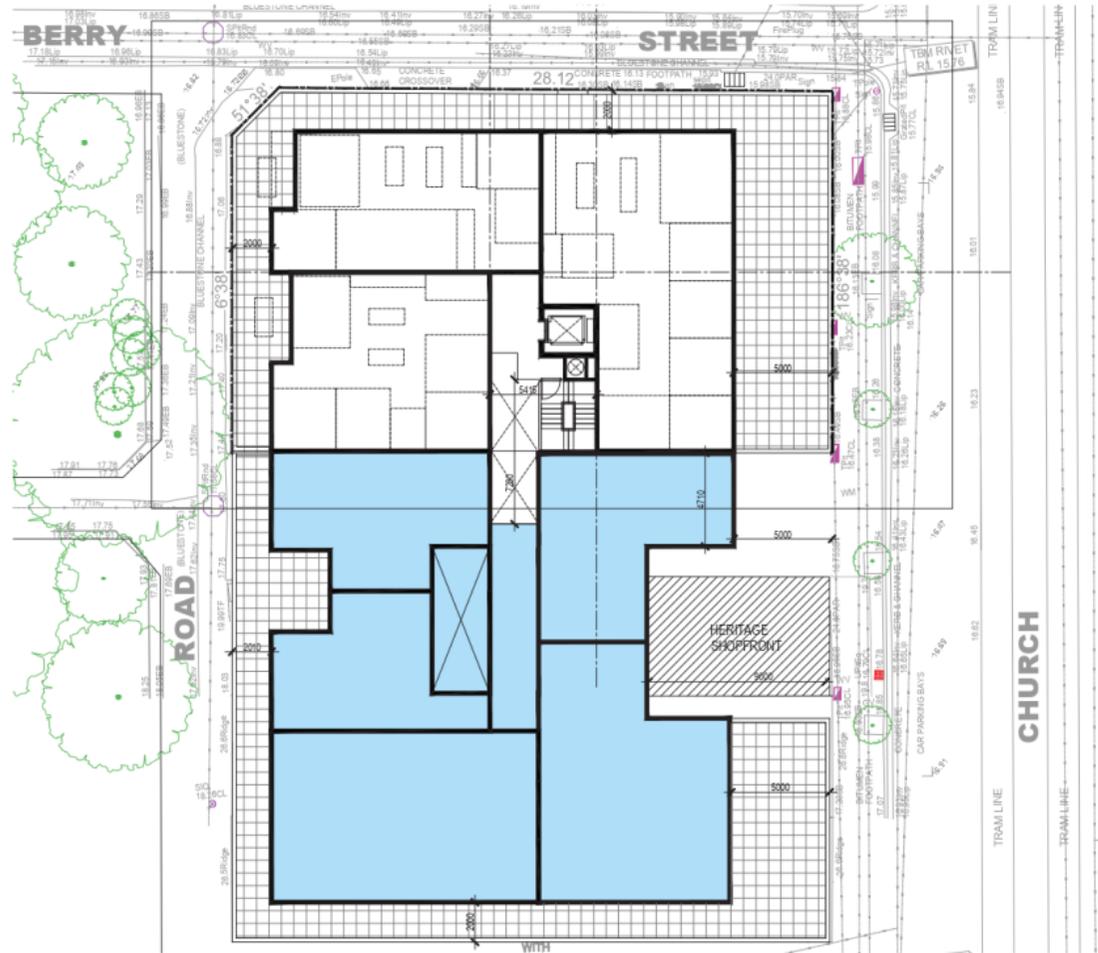
Equitable Development

Typical Tower Floor Plate

- Sites 274, 276, 278, 28 need to be amalgamated to create a feasible development footprint.
- This is due to the heritage overlay located on 276. The increased setbacks triggered by this overlay excludes 274 from achieving a large enough floor plate for development.



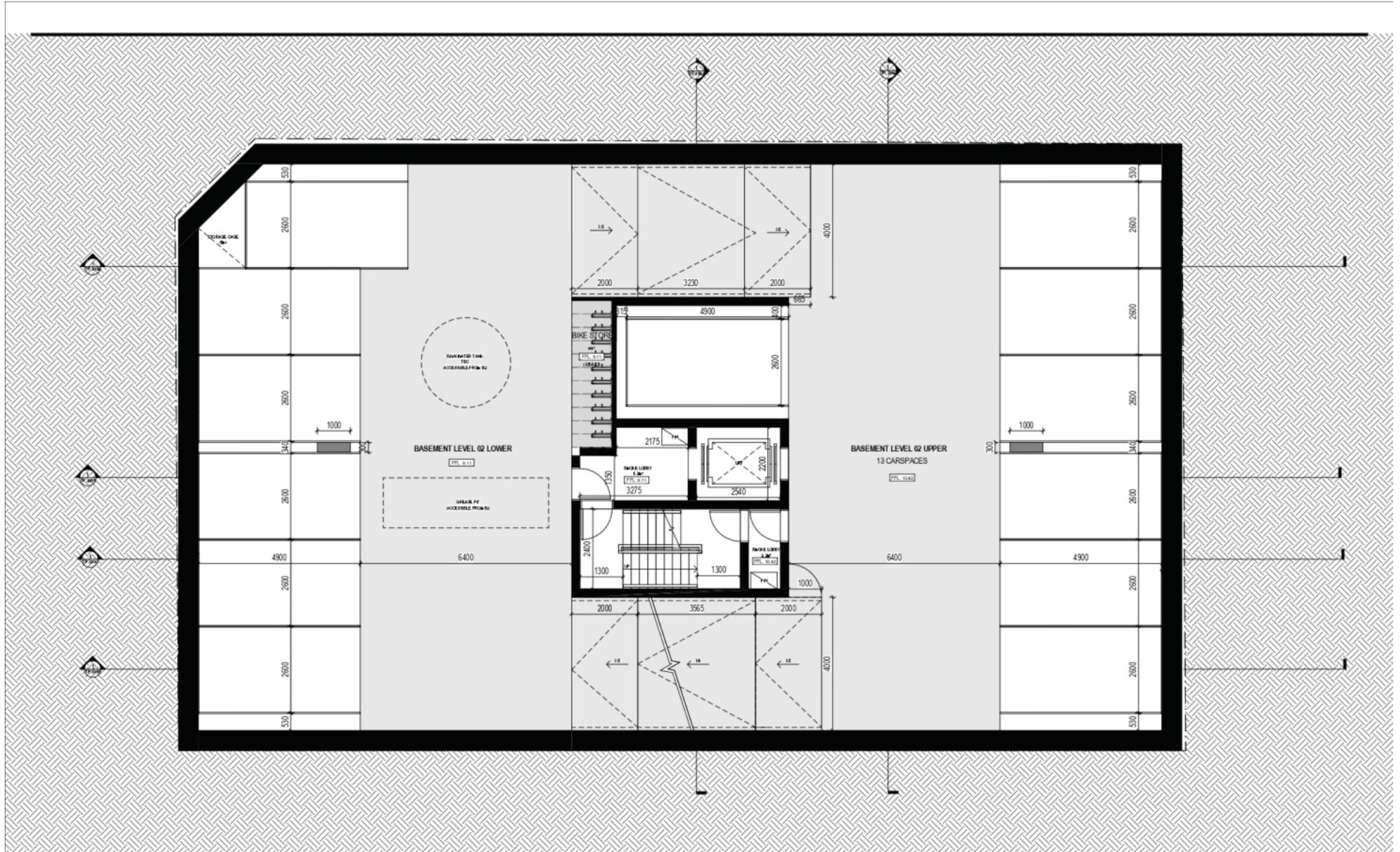
Heritage Shopfront at 276 Church St



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Design Drawings

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CERA STRIBBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 8633 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Ph: 08 9480 3181

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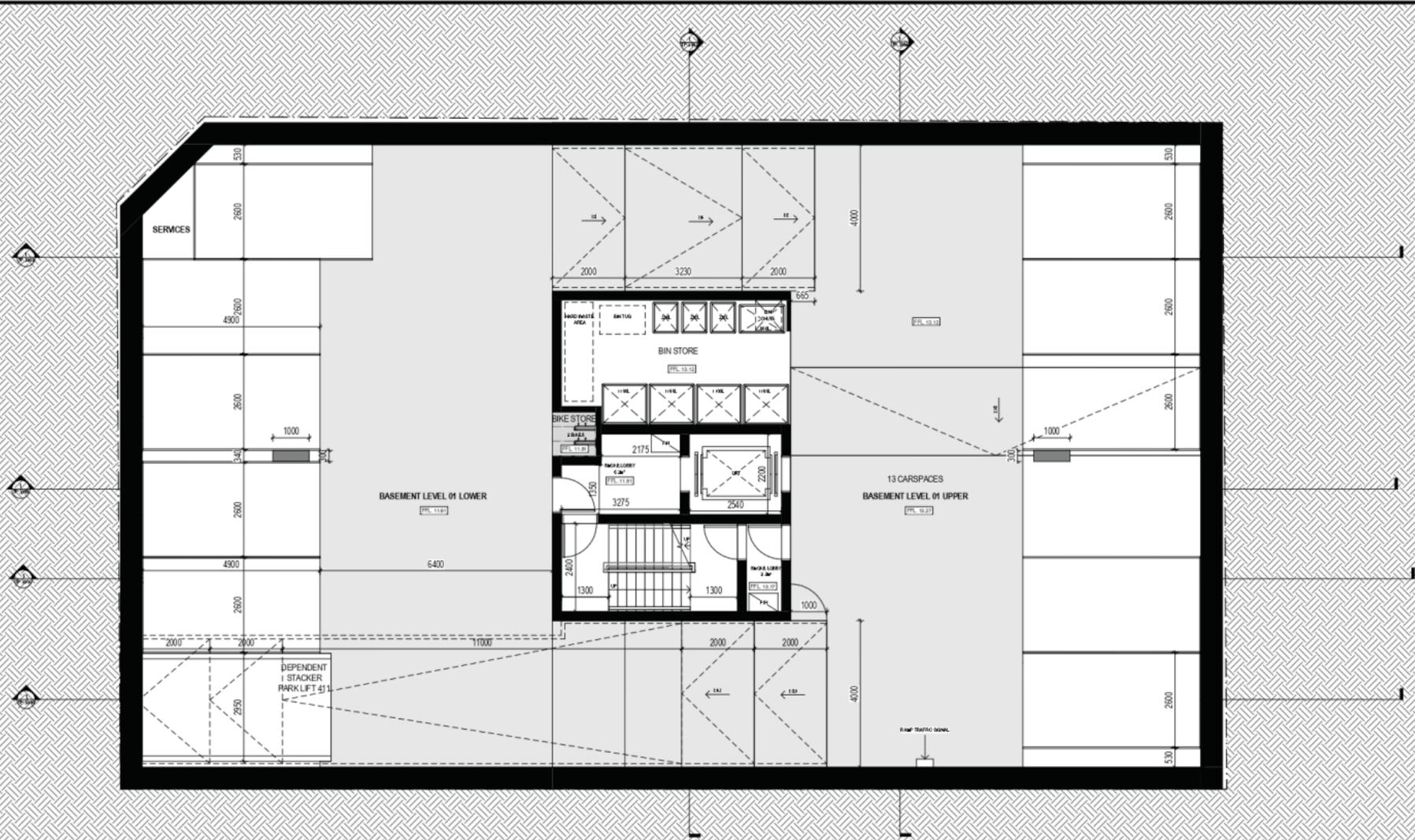
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CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT
DRAWING STATUS
DISCUSSION PLANS

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BASEMENT LEVEL 2



TP.109J

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CERA STRIBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
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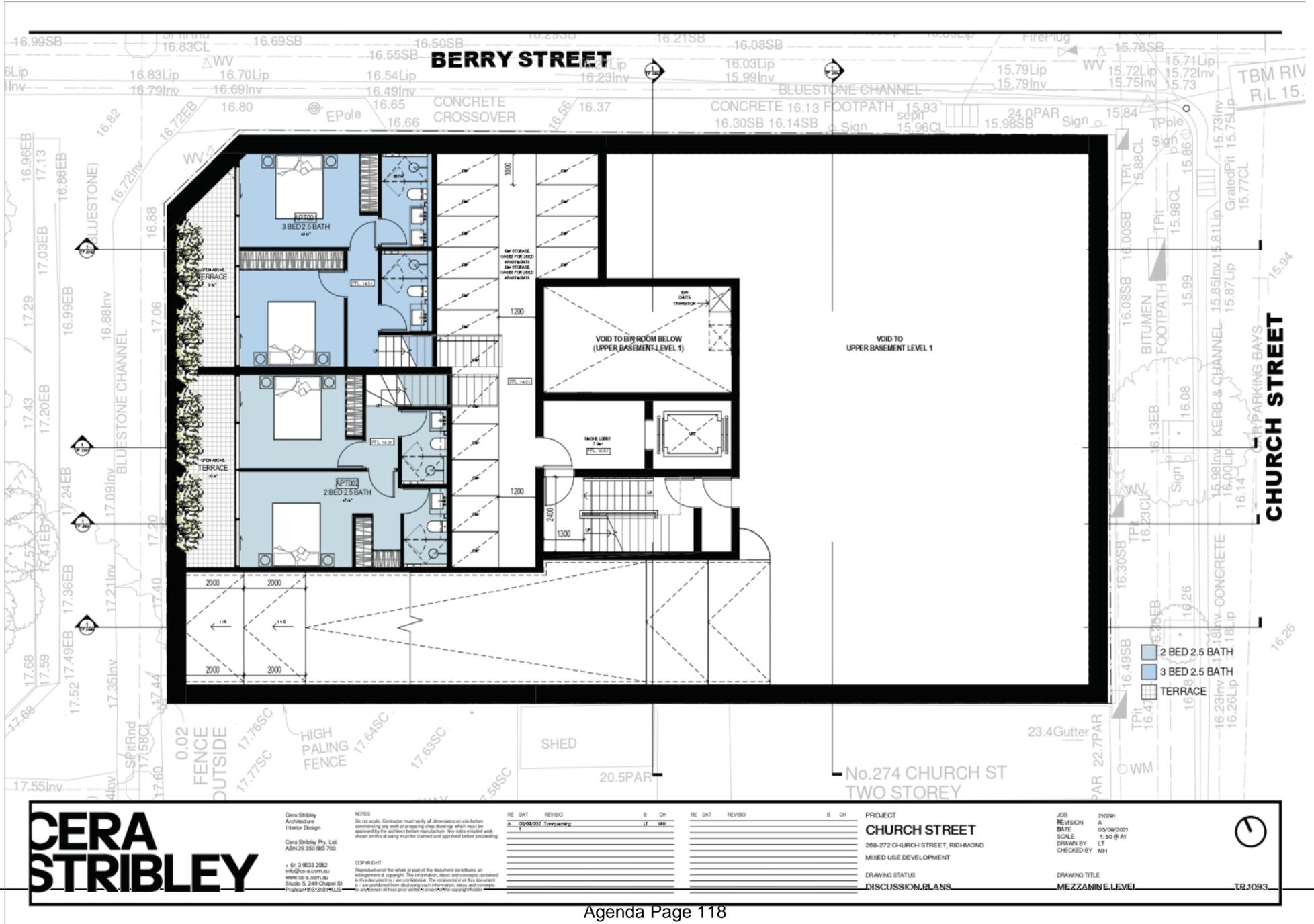
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Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
61 3 8633 2582
info@cera.com.au
www.cera.com.au
Studio 5, 248 Chapel St
Perth WA 6000

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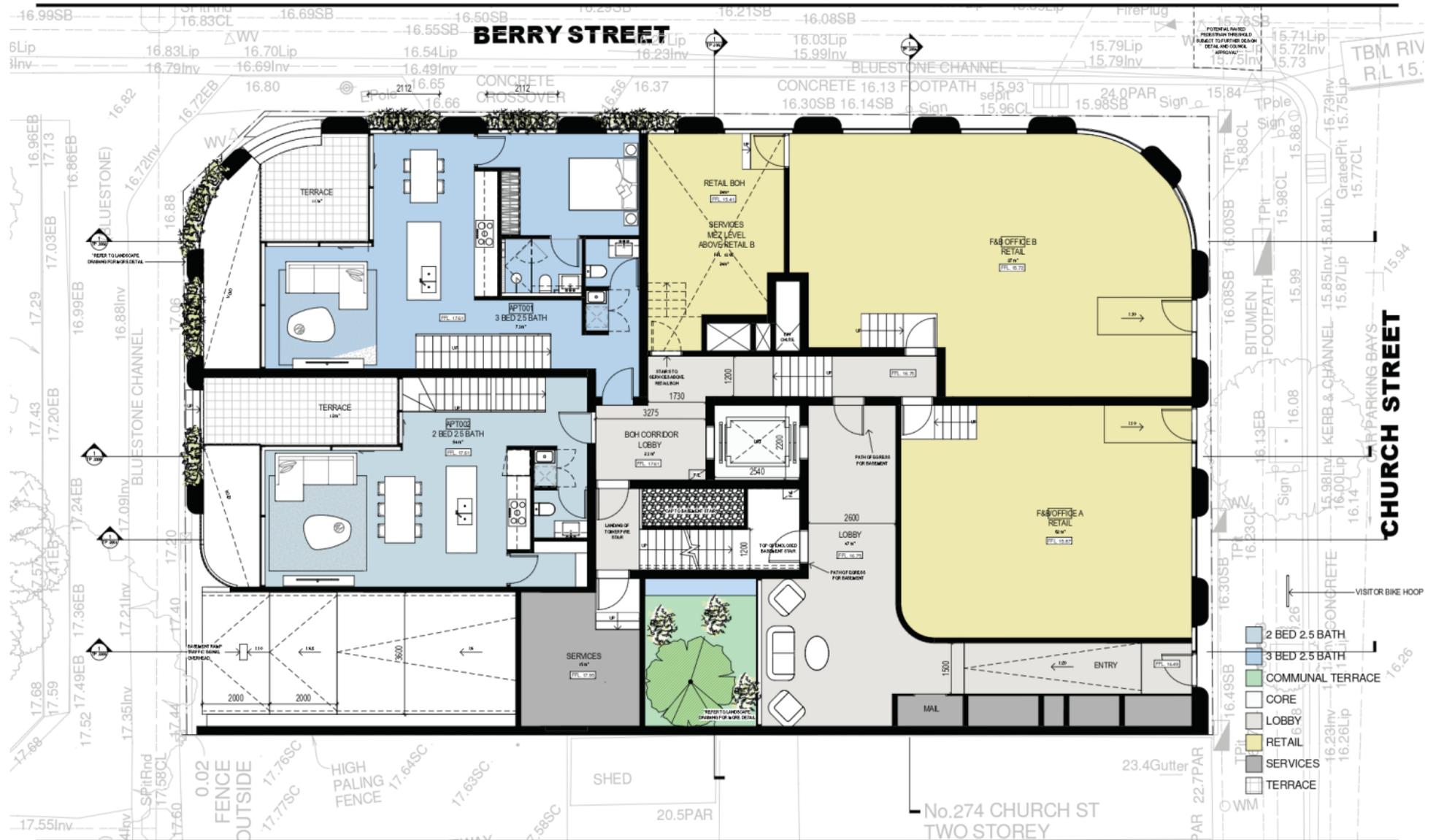
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MEZZAMINE LEVEL

TP.1093

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Cera Stribley
 Architecture
 Interior Design
 Cera Stribley Pty. Ltd.
 ABN 29 350 565 700
 + 61 3 9533 2582
 info@c-s.com.au
 www.c-s.com.au
 Studio 5, 248 Chapel St
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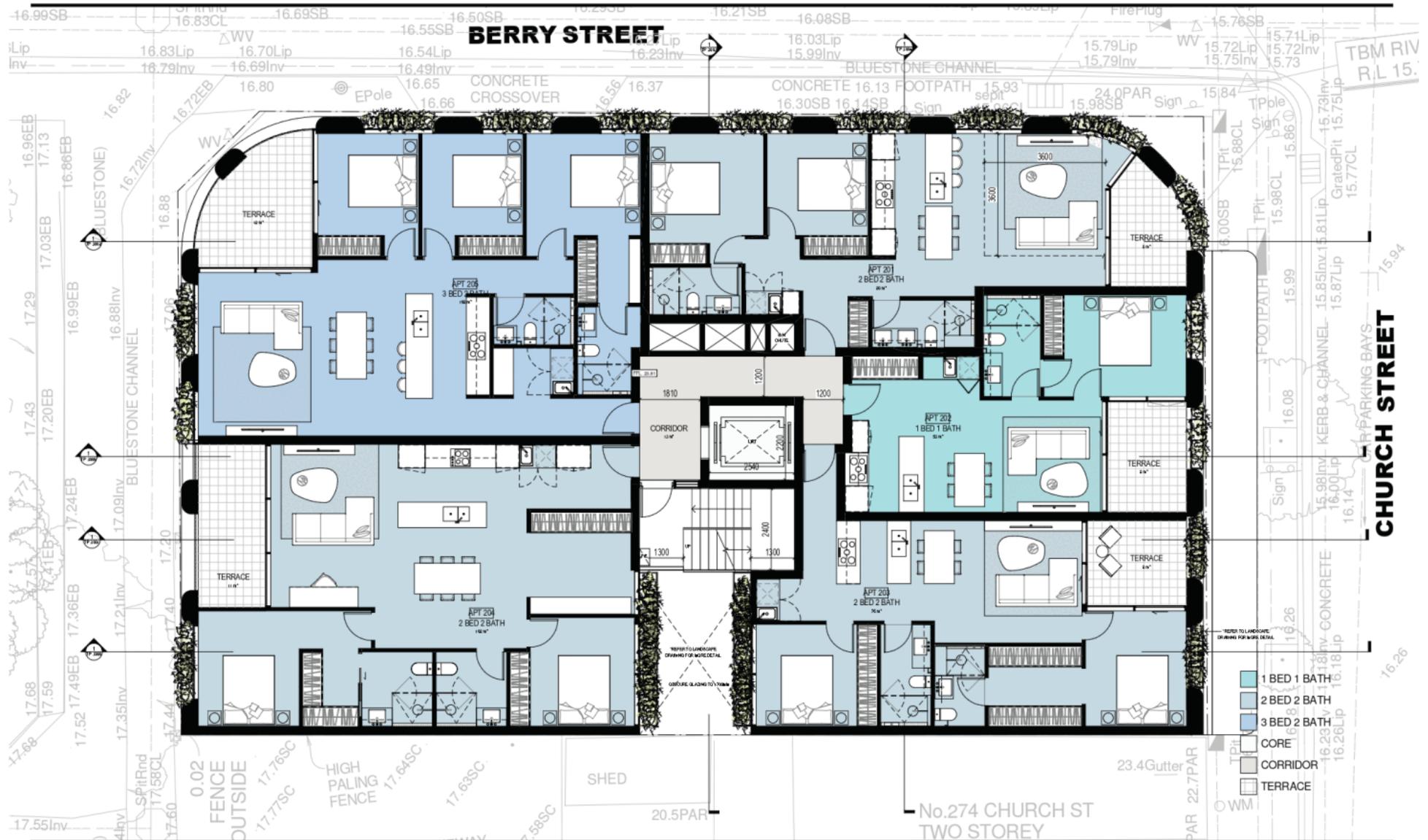
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 GROUND FLOOR PLAN

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Cera Stribley
Architecture
Interior Design

Cera Stribley Pty. Ltd.
ABN 29 350 585 700

+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 349 Chapel St
Perth WA 6000

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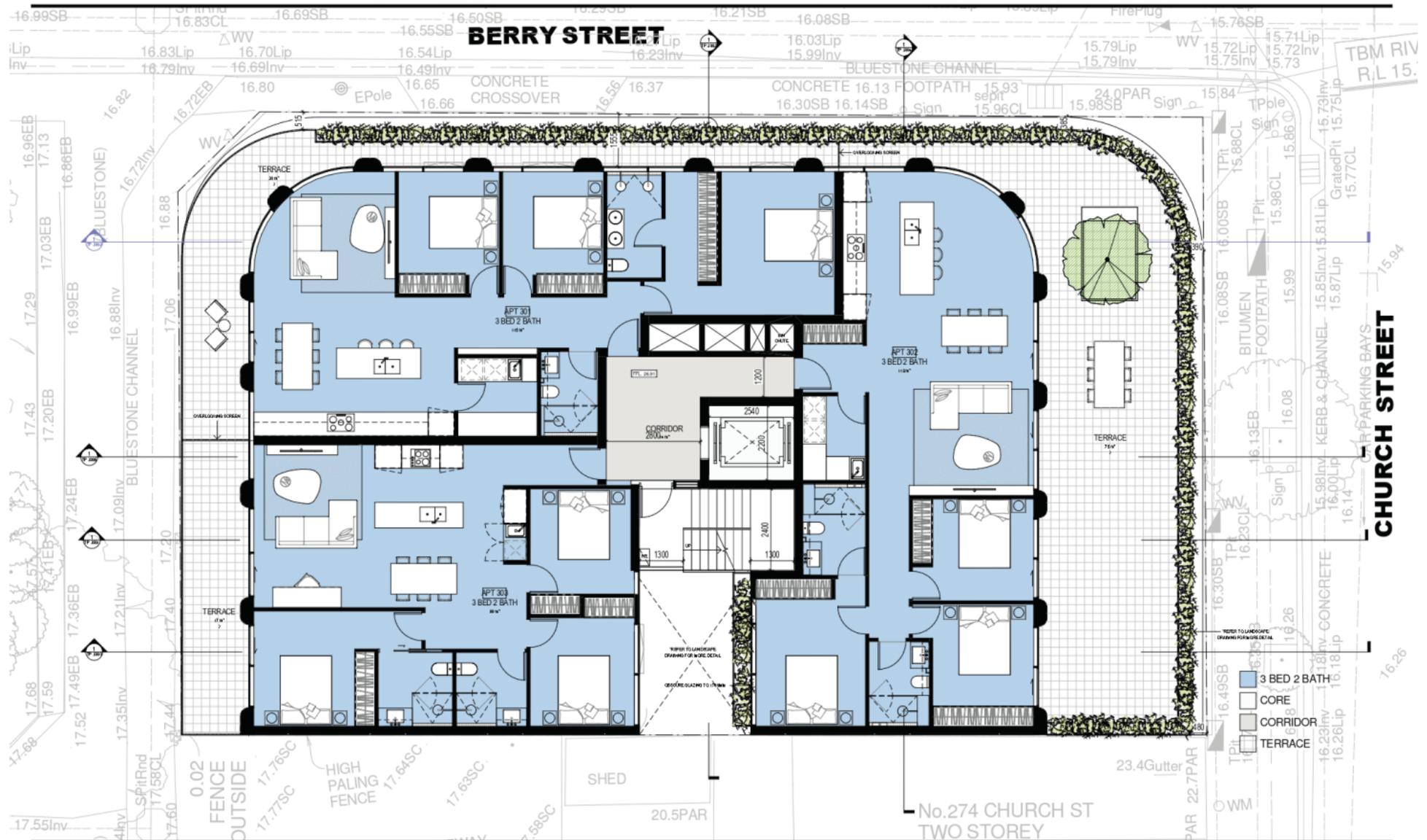
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CHURCH STREET
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LEVEL 2 PLAN

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Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 585 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 248 Chapel St
Perth WA 6150

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268-272 CHURCH STREET, RICHMOND
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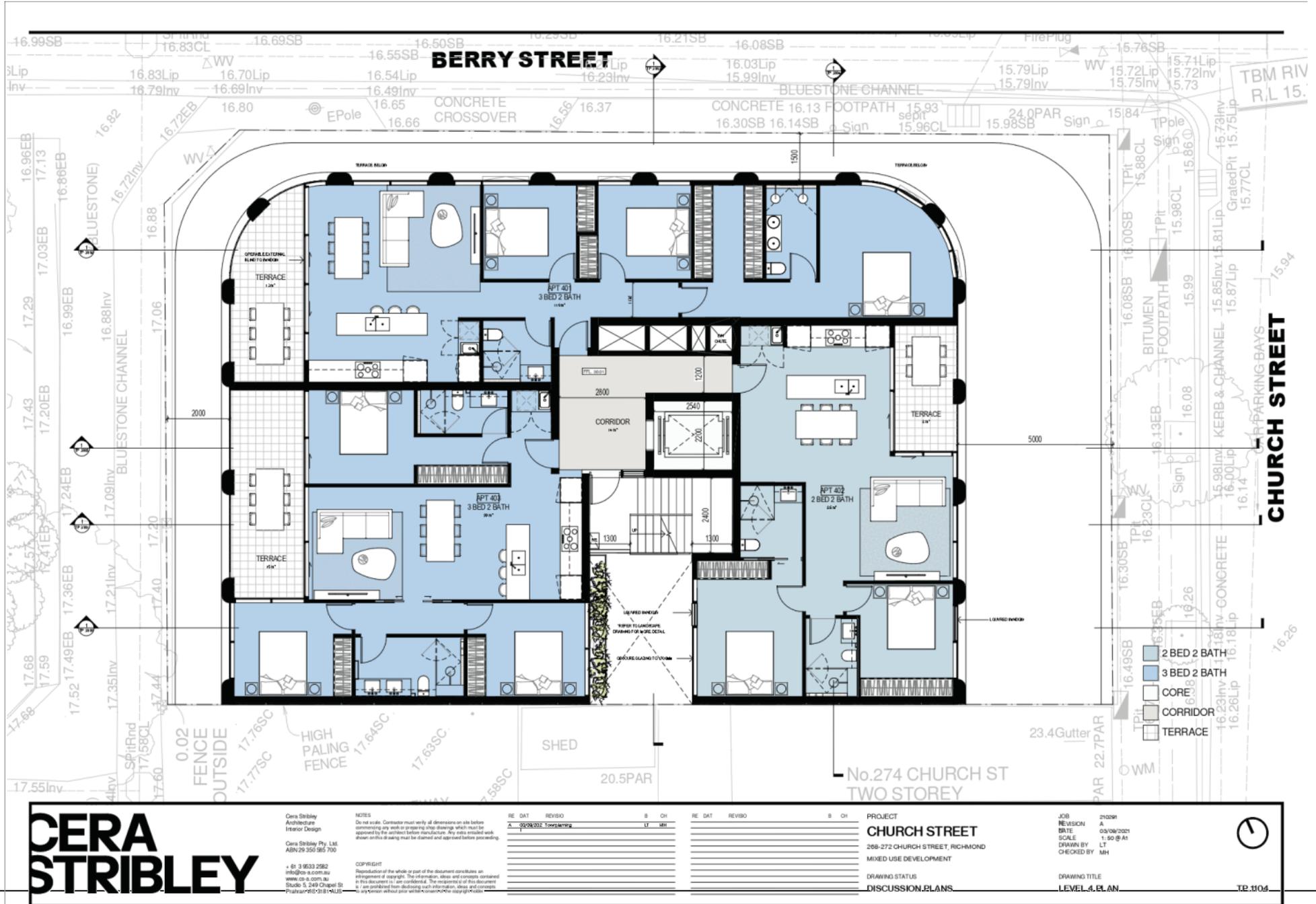
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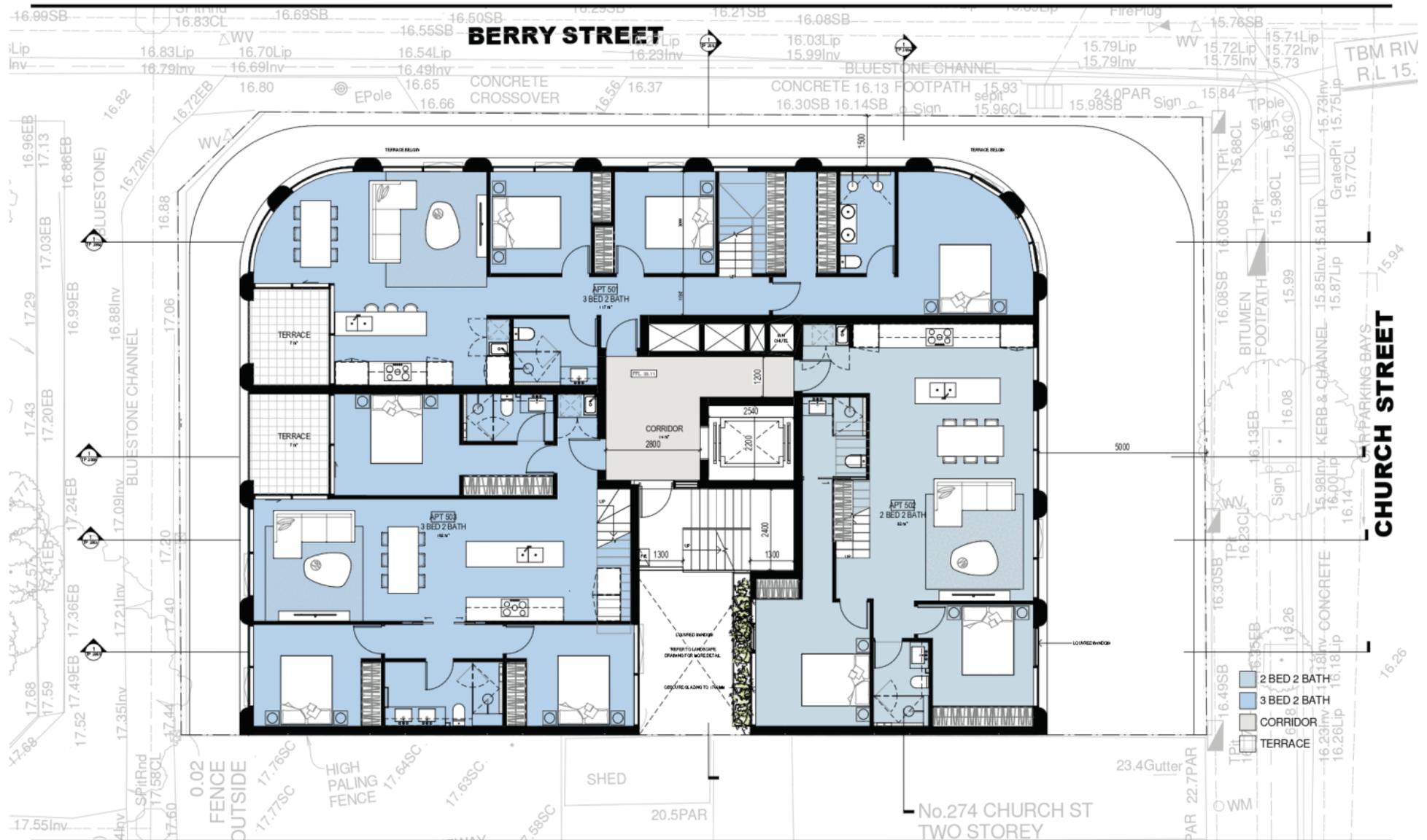
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Cera Stribley
Architecture
Interior Design

Cera Stribley Pty Ltd
ABN 29 350 585 700

+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 349 Chapel St
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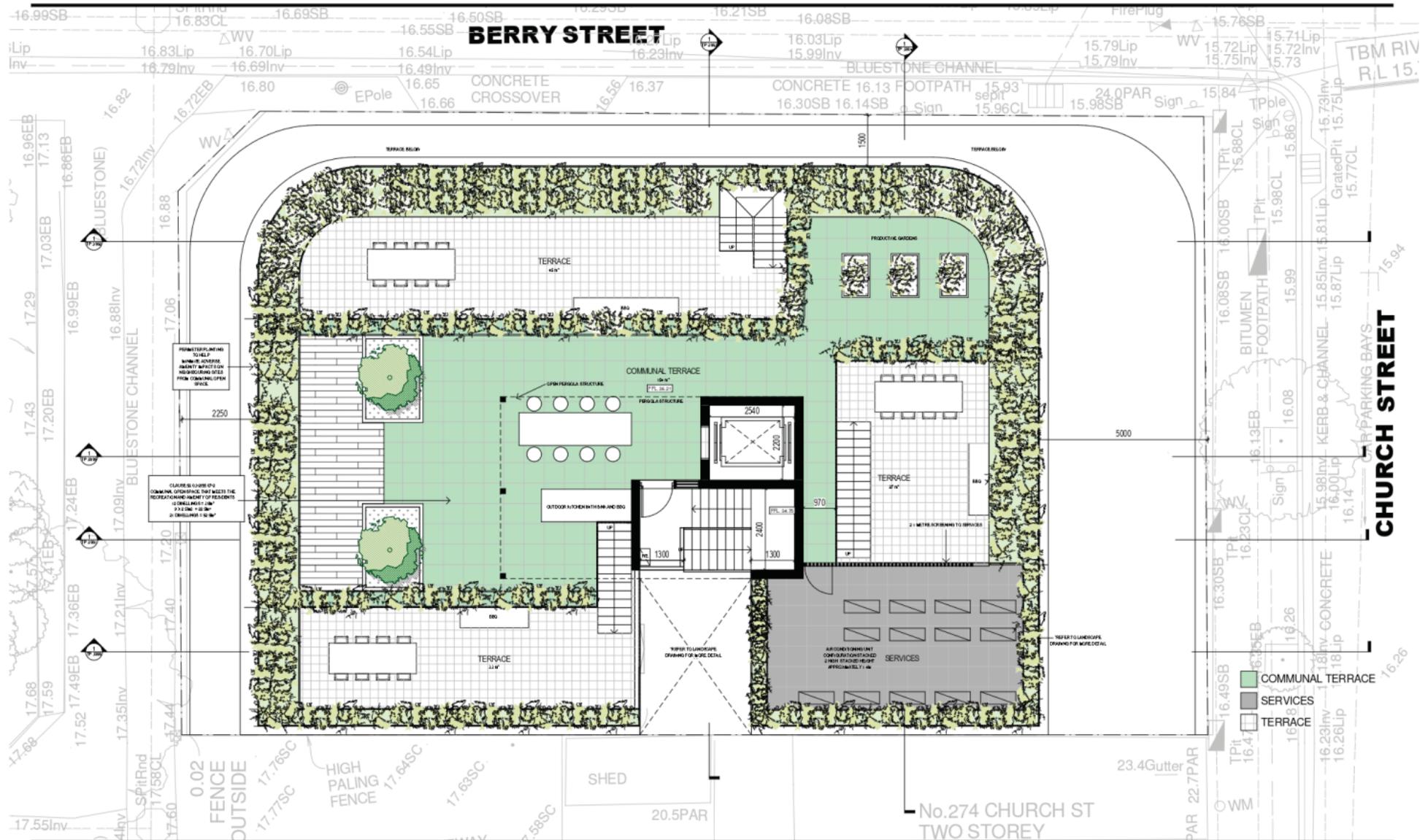
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LEVEL 5 PLAN

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Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 585 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 248 Chapel St
Perth WA 6150

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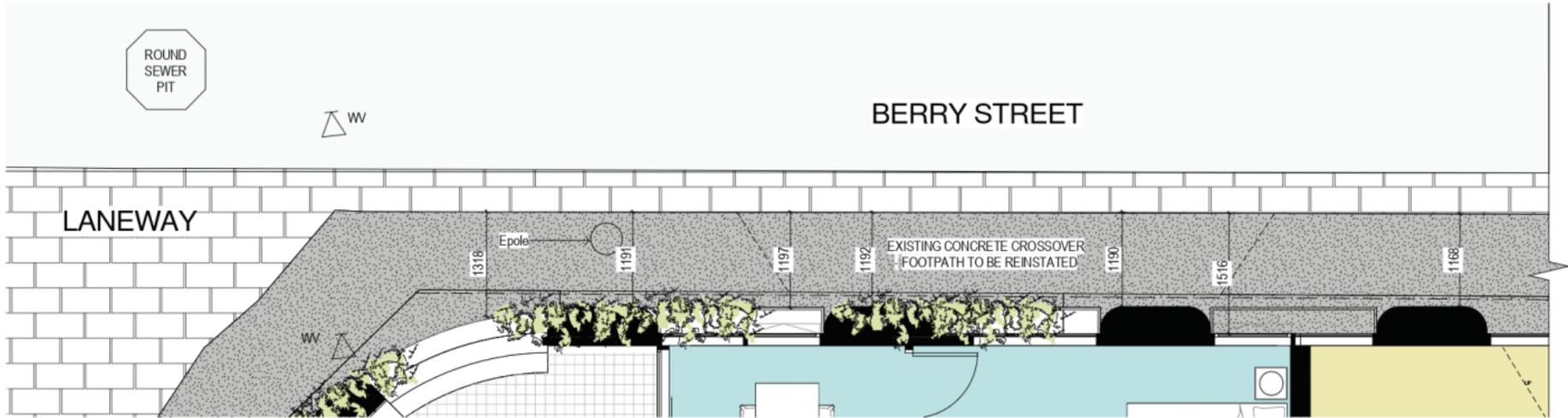
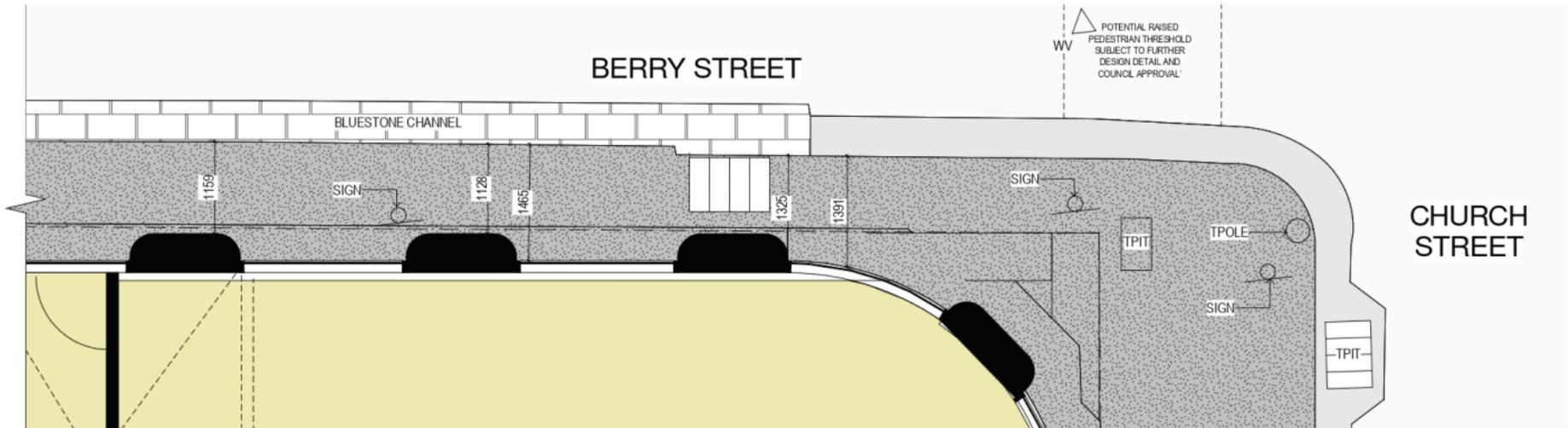
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CERA STRIBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9633 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Prahran VIC 3181

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BERRY STREET FOOTPATH DETAIL TP.1500



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MATERIALS			
(BR)	BRICK	(MT)	CORN METAL
(MH)	CONCRETE PAINTED TO MATCH BRICK COLOUR	(MF)	SHIPPED METAL
(ML)	CONCRETE TYPED TO MATCH BRICK COLOUR	(RM)	ROOFING

CERA STRIBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 248 Chapel St
Fitzroy VIC 3122 AUSTRALIA

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268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

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NORTH ELEVATION

TR.2100

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



MATERIALS			
(BR)	BRICK	(DM)	DARK METAL
(CM)	CONCRETE TINTED TO MATCH BRICK COLOUR	(FM)	FRESH METAL
(LM)	CONCRETE TINTED TO MATCH BRICK COLOUR	(GL)	GLAZING

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Cera Stribbley
Architecture
Interior Design
Cera Stribbley Pty. Ltd.
ABN 29 350 585 700
+ 61 3 8633 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Fitzroy VIC 3065

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A	03/08/2021	Issued for Tendering	LT	MH

PROJECT

CHURCH STREET

268-272 CHURCH STREET, RICHMOND

MIXED USE DEVELOPMENT

DRAWING STATUS

DISCUSSION PLANS

JOB

210271

REVISION

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DATE

03/08/2021

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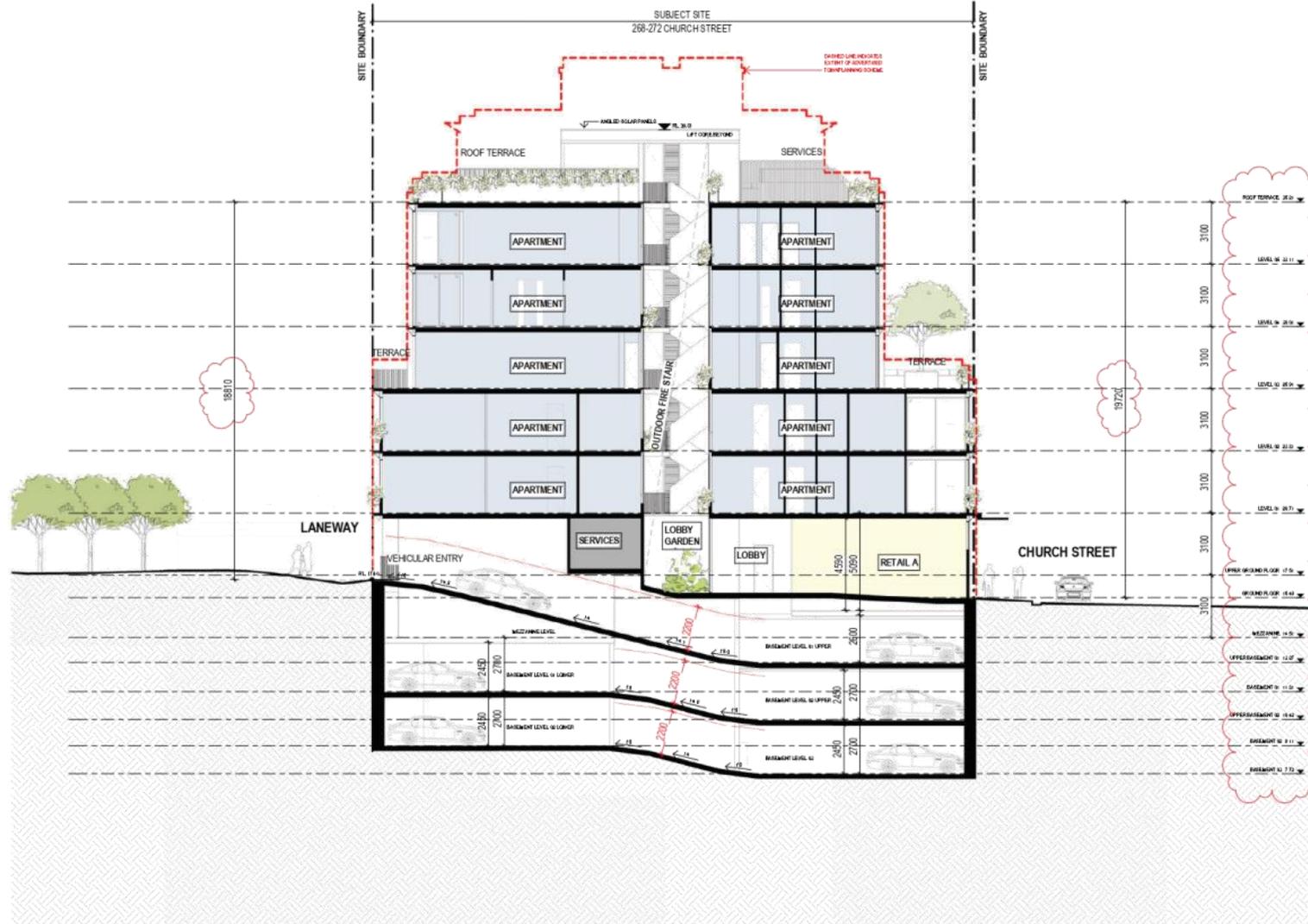
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EAST ELEVATION

TB 2101

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Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+61 3 9633 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 24th Chapel St
Prahran VIC 3181

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268-272 CHURCH STREET, RICHMOND
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BUILDING SECTION A-A
TB.3000

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Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 585 700

+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Fruitastr@cs.com.au

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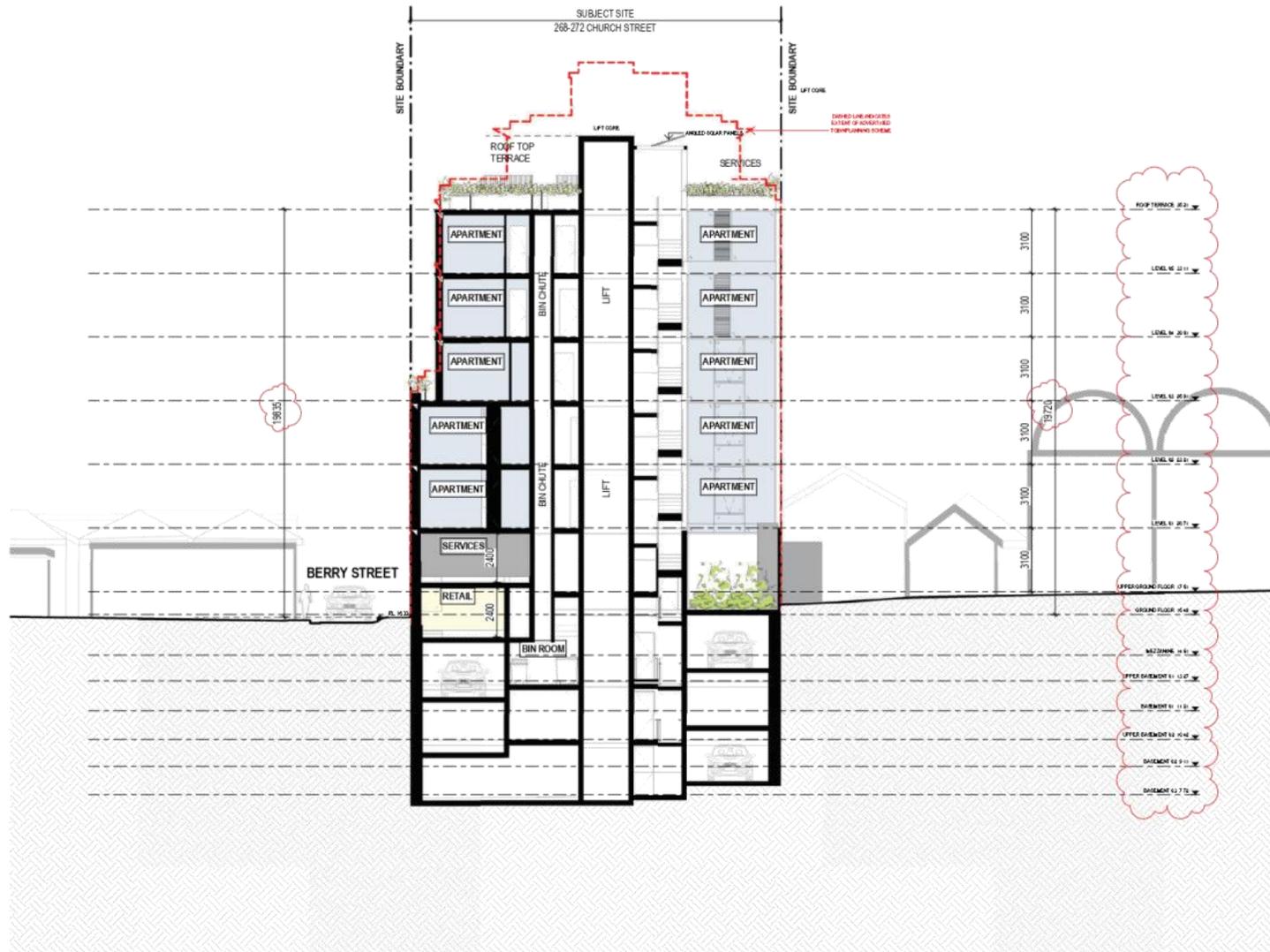
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CHURCH STREET
268-272 CHURCH STREET, RICHMOND
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BUILDING SECTION.C.C
TR.3002

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Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9633 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 24th Chapel St
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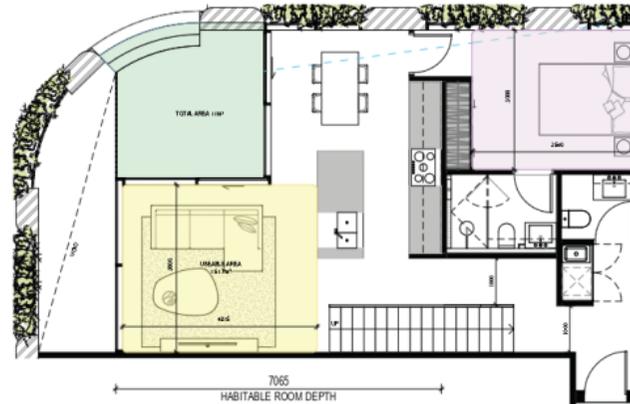
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BUILDING SECTION.DWG
TR.3003

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TYPE 01

APR 001

3 BED 2.5 BATH

100m²

NORTH BEDROOM SIZE	3540 x 3000mm
SOUTH BEDROOM SIZE	3885 x 3000mm
THIRD BEDROOM SIZE	3365 x 3000mm
MULTI-PURPOSE ROOM SIZE	
LIVING ROOM SIZE	4215 x 3600mm
HABITABLE ROOM DEPTH	7065mm
INTERNAL	
INTERNAL STAIRWIDE	1370mm
EXTERNAL PATH	7.7m
TERACE SIZE	20m ²
DEA COMPLIANCE	NO



CERA STRIBBLEY

Cera Stribbley
Architecture
Interior Design
Cera Stribbley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Fitzroy VIC 3065

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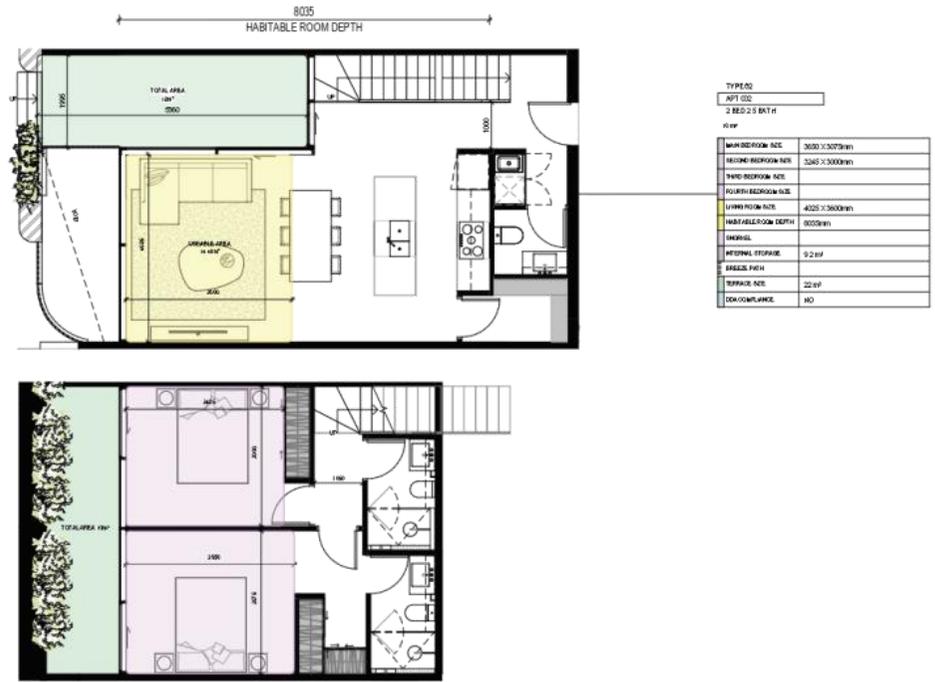
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Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Fitzroy VIC 3061

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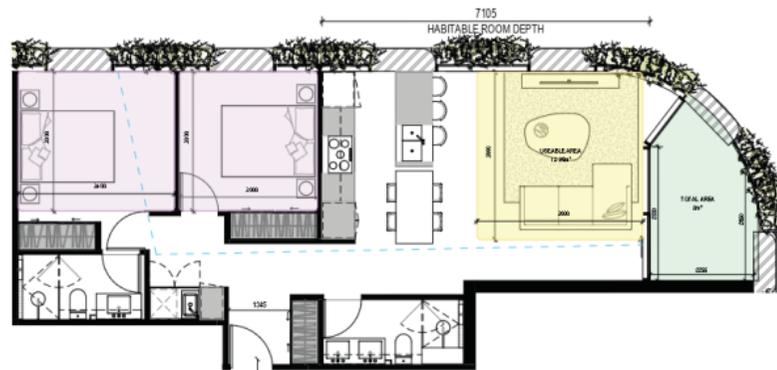
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TR 5002

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



TYPE 03

APT 101 201
2 BED 2 BATH
80sq

MAIN BEDROOM SIZE	3400 X 3000mm
SECOND BEDROOM SIZE	3000 X 3000mm
THIRD BEDROOM SIZE	
FOURTH BEDROOM SIZE	
LIVING ROOM SIZE	3600 X 3000mm
HABITABLE ROOM DEPTH	7105mm
KITCHEN	
INTERNAL STAIRS	11.5 sq
BRIDGE PATH	34.0 sq
TERRACE SIZE	8sq
DDA COMPLIANCE	NO



TYPE 04

APT 102 202
1 BED 1 BATH
85sq

MAIN BEDROOM SIZE	5450 X 3000mm
SECOND BEDROOM SIZE	
THIRD BEDROOM SIZE	
FOURTH BEDROOM SIZE	
LIVING ROOM SIZE	5500 X 3000mm
HABITABLE ROOM DEPTH	7795mm
KITCHEN	
INTERNAL STAIRS	6.5 sq
BRIDGE PATH	
TERRACE SIZE	8.1 sq
DDA COMPLIANCE	NO

CERA STRIBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700

+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Frisby: 4/10-11/111 Wickham St

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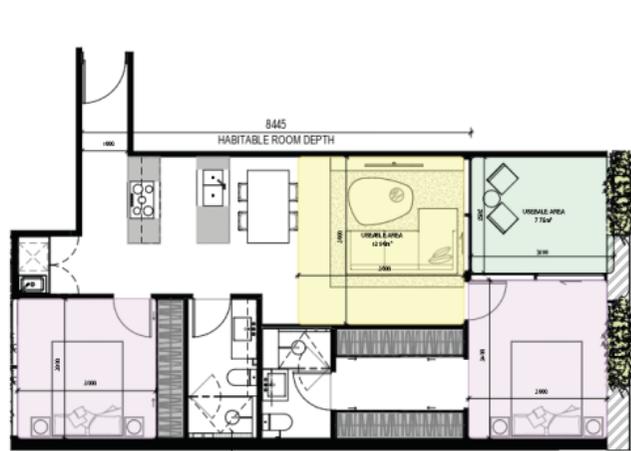
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TR 5003

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



TYPE 01
APT 201, 201
2 BED 2 BATH
75 m²

MAIN BEDROOM SIZE	5400 x 3000mm
SECOND BEDROOM SIZE	3200 x 3000mm
THIRD BEDROOM SIZE	
FOURTH BEDROOM SIZE	
LIVING ROOM SIZE	3800 x 3600mm
HABITABLE ROOM DEPTH	8.445m
ENERGY	
INTERNAL STORAGE	15.2 m³
BRICK/PATH	
TERRACE SIZE	8 m²
DDA COMPLIANCE	NO



TYPE 01
APT 204, 204
2 BED 2 BATH
104 m²

MAIN BEDROOM SIZE	5400 x 3000mm
SECOND BEDROOM SIZE	3200 x 3100mm
THIRD BEDROOM SIZE	
FOURTH BEDROOM SIZE	
LIVING ROOM SIZE	3800 x 3600mm
HABITABLE ROOM DEPTH	7.765m
ENERGY	
INTERNAL STORAGE	10.5 m³
BRICK/PATH	11.6 m
TERRACE SIZE	8 m²
DDA COMPLIANCE	YES

CERA STRIBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Preston VIC 3073

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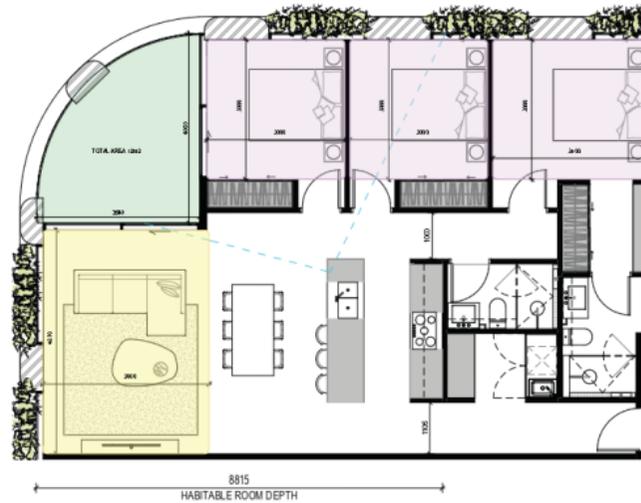
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TR.5004

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TYPE OF
APT 102, 205
3 BED 2 BATH

MINIMUM ROOM SIZE	5000 X 2400mm
BEDROOM ROOM SIZE	5000 X 3000mm
LIVING ROOM ROOM SIZE	5000 X 3000mm
LIVING ROOM SIZE	4510 X 3000mm
HABITABLE ROOM DEPTH	8815mm
WIPERS	
INTERNAL STORAGE	12.5 m ²
WALKER PATH	9.9 m
TERRACE SIZE	12 m ²
COMPLIANCE	NO

CERA STRIBBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Perth WA 6000

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TYPE 05
APT 301
3 BED 2 BATH
151M²

FIRST BEDROOM SIZE	4252 x 3560mm
SECOND BEDROOM SIZE	3000 x 3000mm
THIRD BEDROOM SIZE	3000 x 3000mm
FOURTH BEDROOM SIZE	
LIVING ROOM SIZE	3600 x 3600mm
HABITABLE ROOM DEPTH	6115mm
SKINFINISH	
INTERNAL HEIGHT	19.0M
SHEDGE PATH	12.0M
PERMITS	27 M ²
DEA COMPLIANCE	YES

CERA STRIBLEY

Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Perth WA 6000

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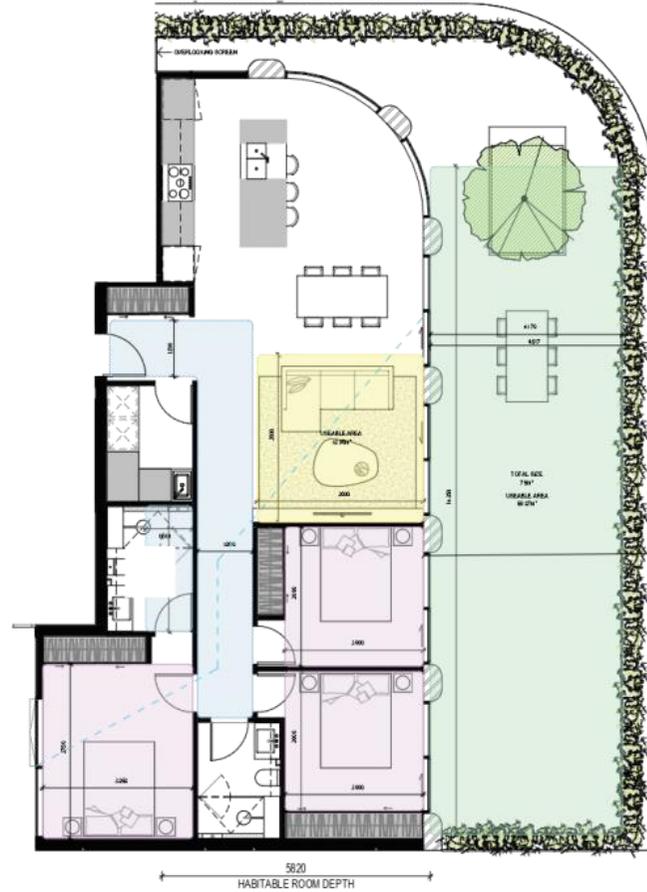
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TYPE 09
 3 BED 2 BATH
 118 SQ

MINIMUM ROOM SIZE	3700x 3250mm
BEDROOM ROOM SIZE	3000x 3000mm
BATHROOM ROOM SIZE	3000x 3000mm
LIVING ROOM SIZE	3600x 3000mm
HABITABLE ROOM DEPTH	6000mm
KITCHEN	
INTERNAL STORAGE	16.2sq
WALKER PATH	15.7sq
TERRACE SIZE	75sq
DOOR COMPLIANCE	YES

CERA STRIBBLEY

Cera Stribbley
 Architecture
 Interior Design
 Cera Stribbley Pty. Ltd.
 ABN 29 350 565 700
 + 61 3 9533 2582
 info@c-s.com.au
 www.c-s.com.au
 Studio: 5, 24th Chapel St
 Prahran VIC 3181

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Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 248 Chapel St
Perth WA 6150

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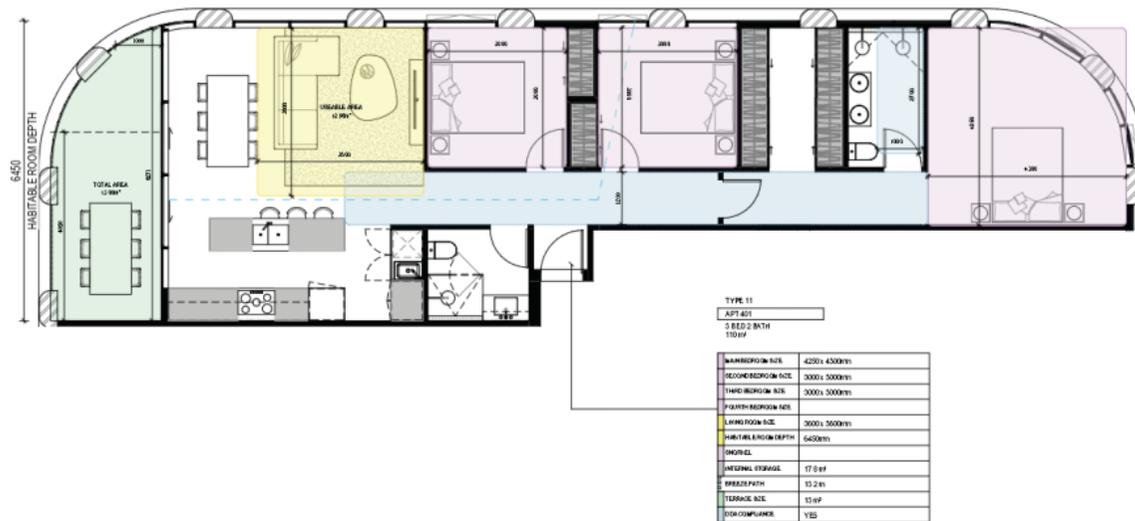
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Cera Stribley
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
Fitzroy VIC 3122

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Architecture
Interior Design
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ABN 29 350 585 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
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Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 9533 2582
info@c-s.com.au
www.c-s.com.au
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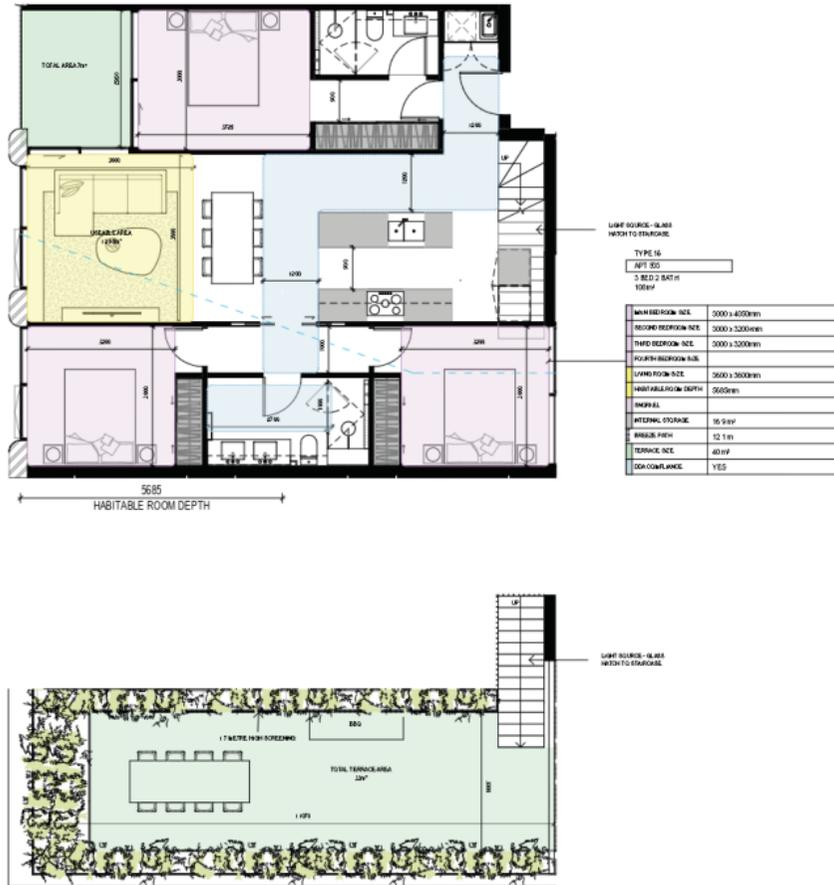
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Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 565 700
+ 61 3 8533 2582
info@c-s.com.au
www.c-s.com.au
Studio: 5, 24th Chapel St
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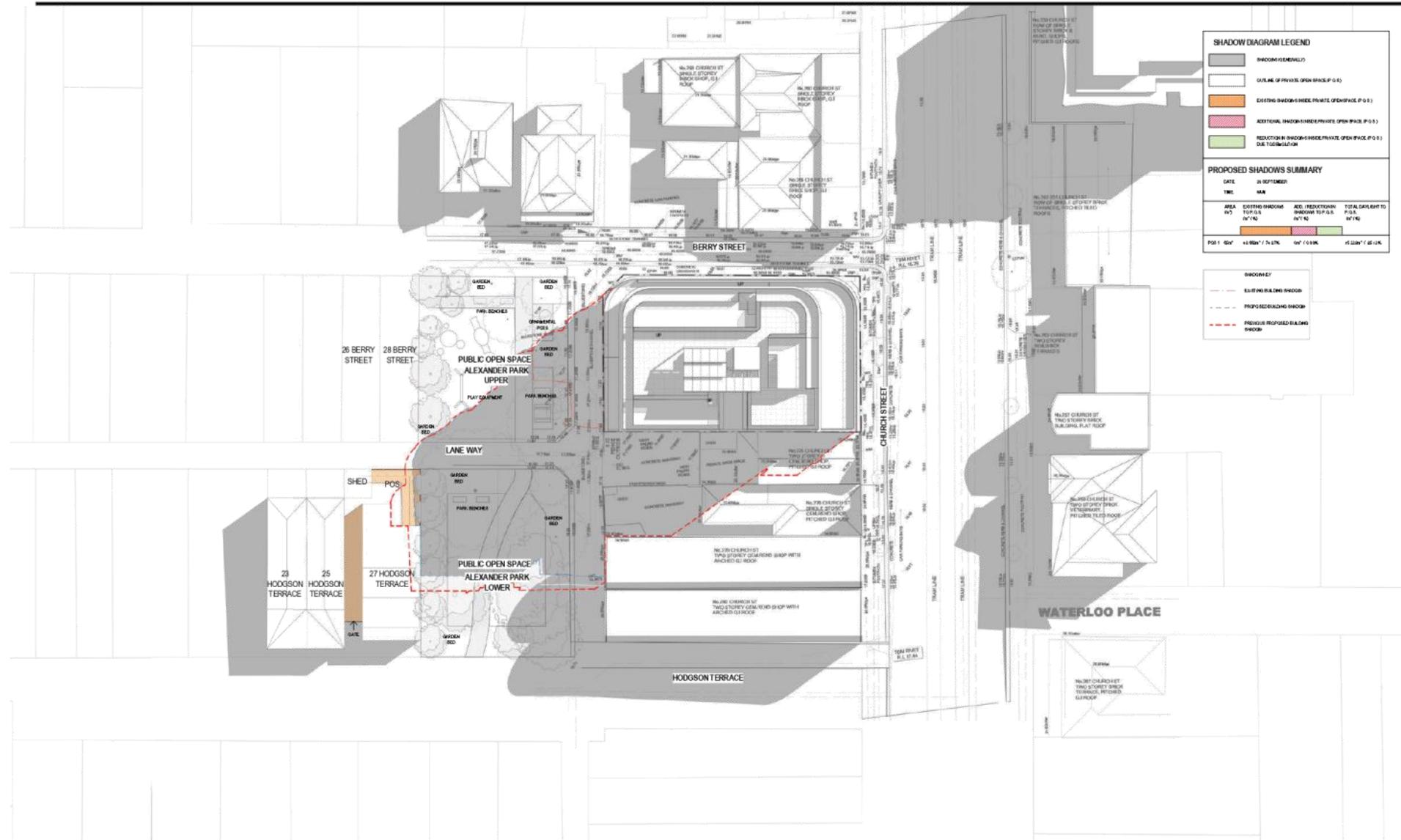
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Cera Stribley Architecture Interior Design
Cera Stribley Pty. Ltd. ABN 29 350 585 700
+ 61 3 9033 2582
info@c-s-a.com.au
www.c-s-a.com.au
Studio 5, 248 Chapel St
Melbourne VIC 3001 (MA00)

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RE	DATE	REVISION	BY	CHK
A	03/09/2021	Issued for tender	LT	MH

PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

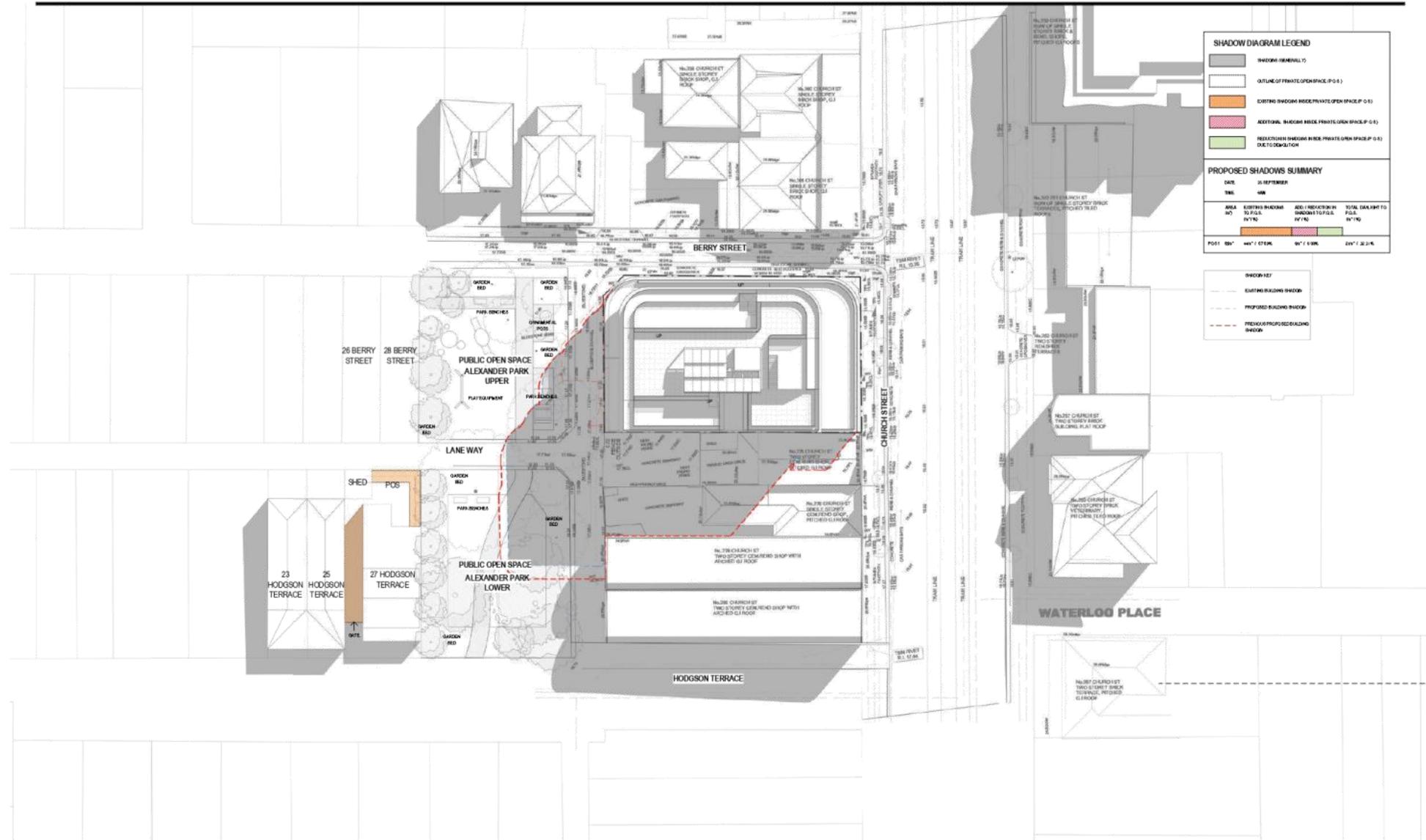
DRAWING STATUS
DISCUSSION PLANS

JOB 210201
REVISION A
DATE 03/09/2021
SCALE 1:200 @ A1
DRAWN BY LT
CHECKED BY MH

DRAWING TITLE
SHADOW STUDY - 9AM
EQUINOX 23/09/2021

TR-8000

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



CERA STRIBBLEY

Cera Stribbley Architecture Interior Design
Cera Stribbley Pty Ltd
ABN 29 350 565 700
+ 61 3 9333 2582
info@c-s-a.com.au
www.c-s-a.com.au
Studio 5, 248 Chapel St
Melbourne VIC 3181 MA00

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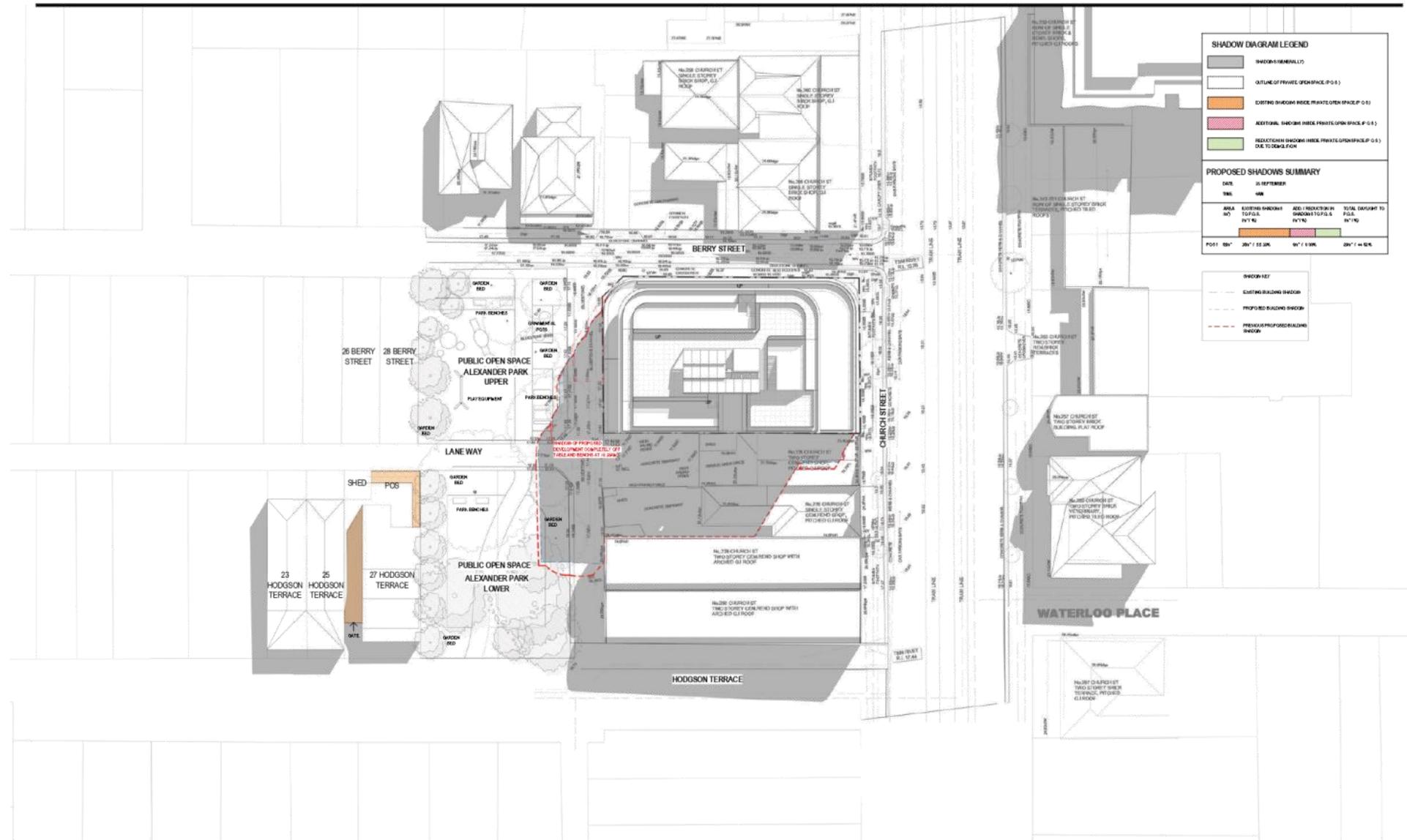
PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

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DISCUSSION PLANS

JOB NO: 210201
REVISION: A
DATE: 03/09/2021
SCALE: 1:200 @ A1
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SHADOW STUDY - 10AM
EQUINOX 23/09/2021

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



CERA STRIBLEY

Cera Stribley Architecture Interior Design
Cera Stribley Pty Ltd
ABN 29 350 565 700
+ 61 3 9333 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 2481 Chapel St
Melbourne VIC 3181 (AUS)

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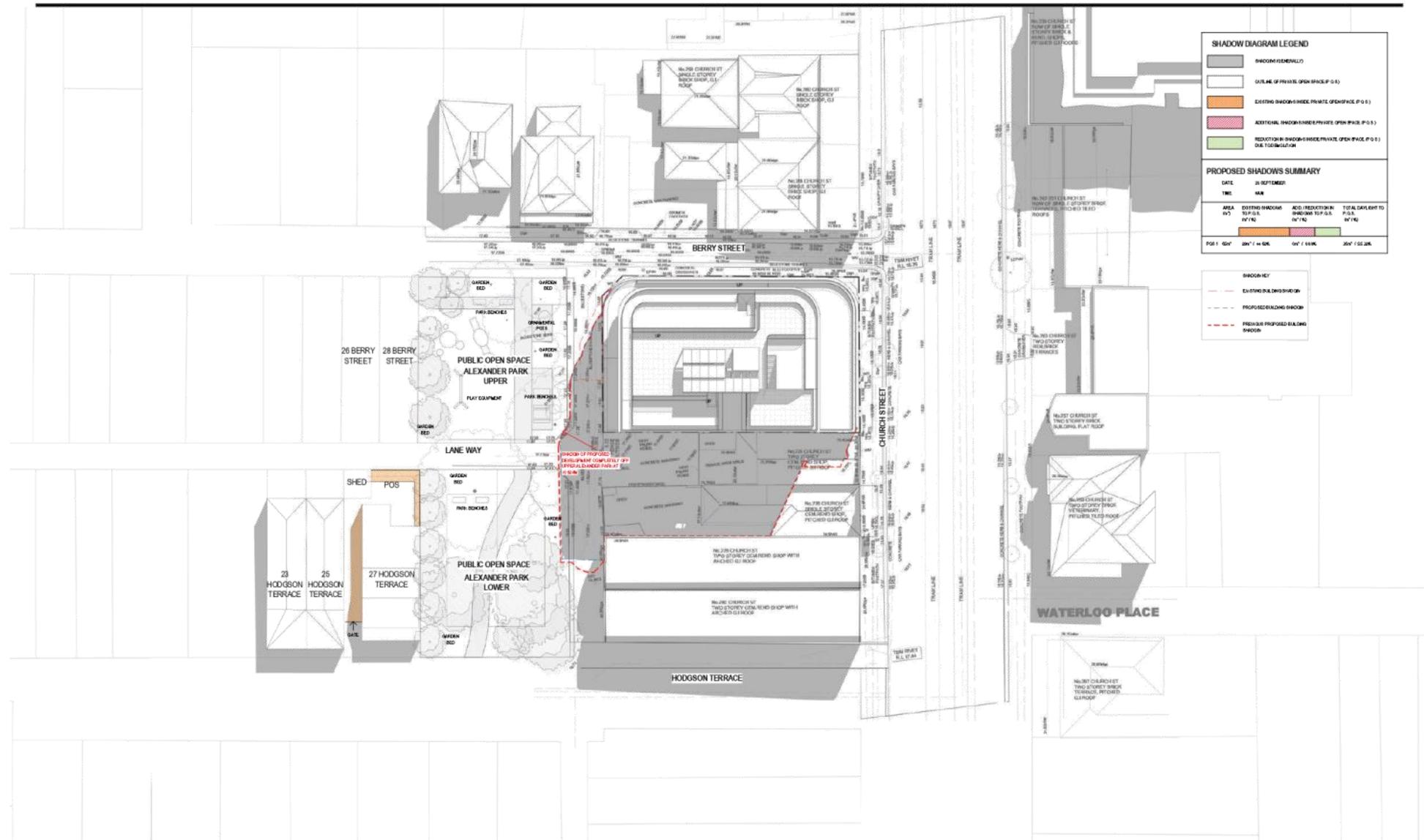
PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

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JOB 210201
REVISION A
DATE 03/09/2021
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SHADOW STUDY - 10:30AM
EQUINOX 23/09/2021

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



SHADOW DIAGRAM LEGEND

- SHADOW (RELEVANT)
- OUTLINE OF PRIVATE OPEN SPACE (POS)
- EXISTING SHADOWS (EXE PRIVATE OPEN SPACE (POS))
- ADDITIONAL SHADOWS (EXE PRIVATE OPEN SPACE (POS))
- REDUCTION IN SHADOWS (EXE PRIVATE OPEN SPACE (POS)) DUE TO DEVELOPMENT

PROPOSED SHADOWS SUMMARY

DATE: 24 SEPTEMBER

TIME: 10 AM

AREA	EXISTING SHADOWS TO POS (H/%)	ADD. REDUCTION IN SHADOWS TO POS (H/%)	TOTAL DAYLIGHT TO POS (H/%)
POS 1 (047)	307' / 41.6%	047' / 6.6%	307' / 55.2%

- SHADOW HEIGHT
- EXISTING SHADOWS
- PROPOSED SHADOWS
- REDUCTION IN SHADOWS

CERA STRIBLEY

Cera Stribley Architecture Interior Design
Cera Stribley Pty Ltd
ABN 29 350 585 700

+ 61 3 9333 2582
info@c-s-a.com.au
www.c-s-a.com.au
Studio 5, 248 Chapel St
Melbourne VIC 3001 (AUS)

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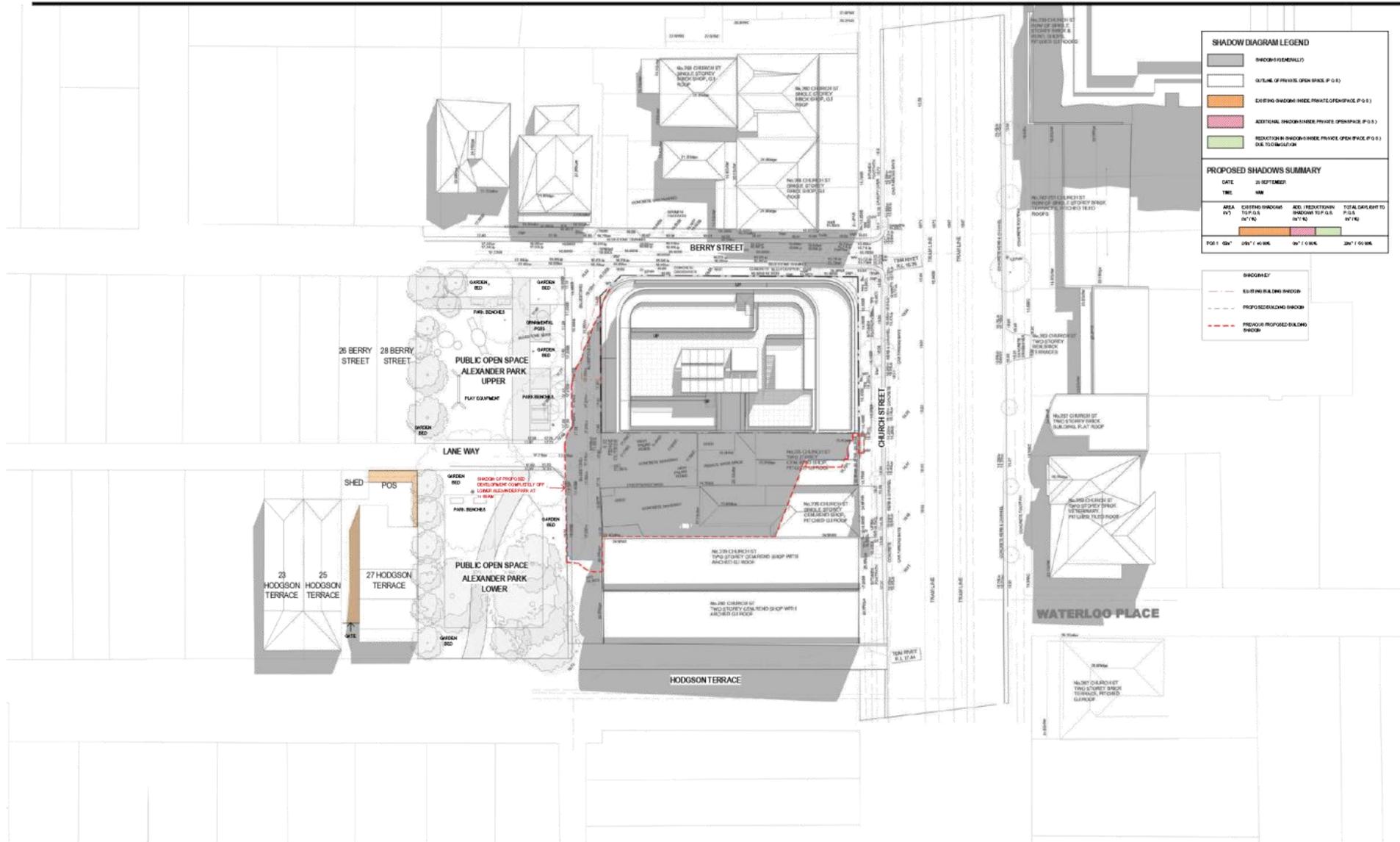
PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

DRAWING STATUS
DISCUSSION PLANS

JOB
REVISED
DATE
03/09/2021
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DRAWING TITLE
SHADOW STUDY-10.52 AM
EQUINOX 23/09/2021

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CERA STRIBLEY

Cera Stribley Pty. Ltd.
ABN 29 350 585 700

+ 61 3 9033 2582
info@c-s.com.au
www.c-s.com.au
Studio 5, 248 Chapel St
Melbourne VIC 3001 (MA00)

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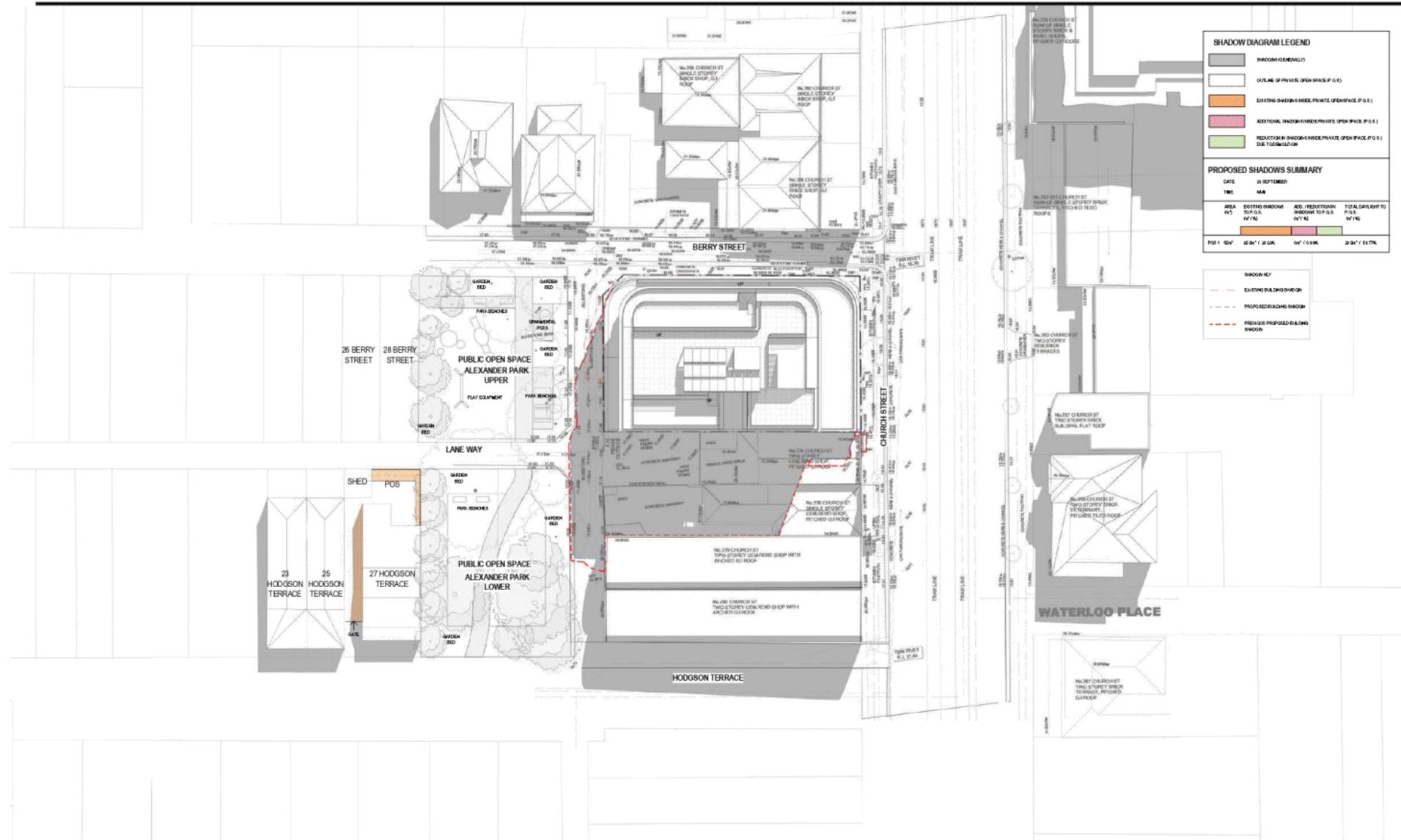
PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

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DISCUSSION PLANS

JOB 210201
REVISION
DATE
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SHADOW STUDY - R1AM
EQUINOX 23/09/2021

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CERA STRIBLEY

Cera Stribley Architecture Interior Design
Cera Stribley Pty. Ltd. ABN 29 350 585 700
+ 61 3 9333 2582
info@c-s-a.com.au
www.c-s-a.com.au
Studio 5, 2481 Chapel St
Melbourne VIC 3008 (AUS)

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RE	DATE	REVISION	BY	CHK
A	20/09/2021	Finalising	LT	MH

PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

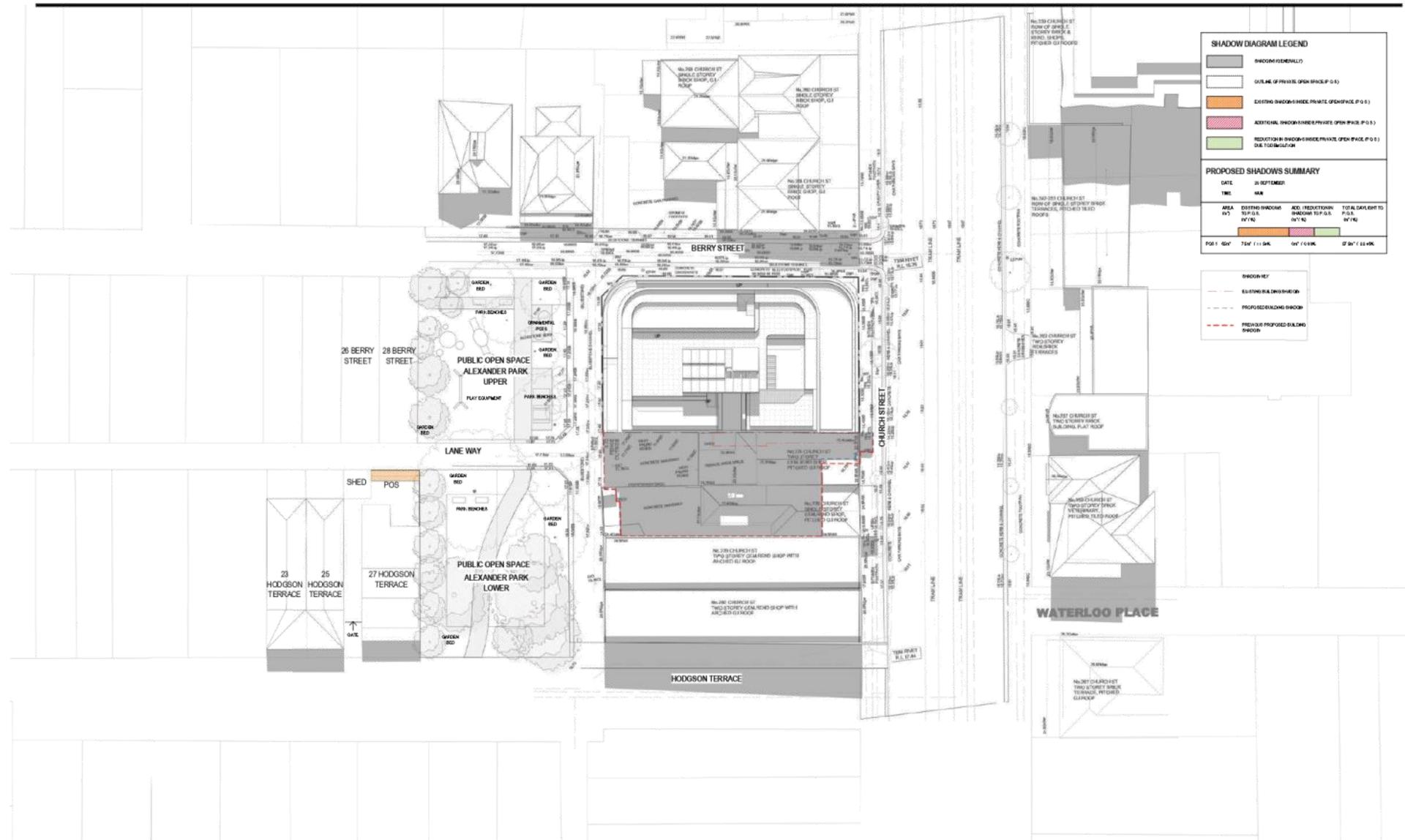
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JOB 210201
REVISION A
DATE 03/09/2021
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DRAWING TITLE
SHADOW STUDY - 11:02AM
EQUINOX 23/09/2021

TR-8005

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



CERA STRIBLEY

Cera Stribley Architecture Interior Design
Cera Stribley Pty Ltd
ABN 29 350 585 700
+ 61 3 9333 2582
info@c-s-a.com.au
www.c-s-a.com.au
Studio 5, 2481 Chapel St
Melbourne VIC 3181 MAJOR

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PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

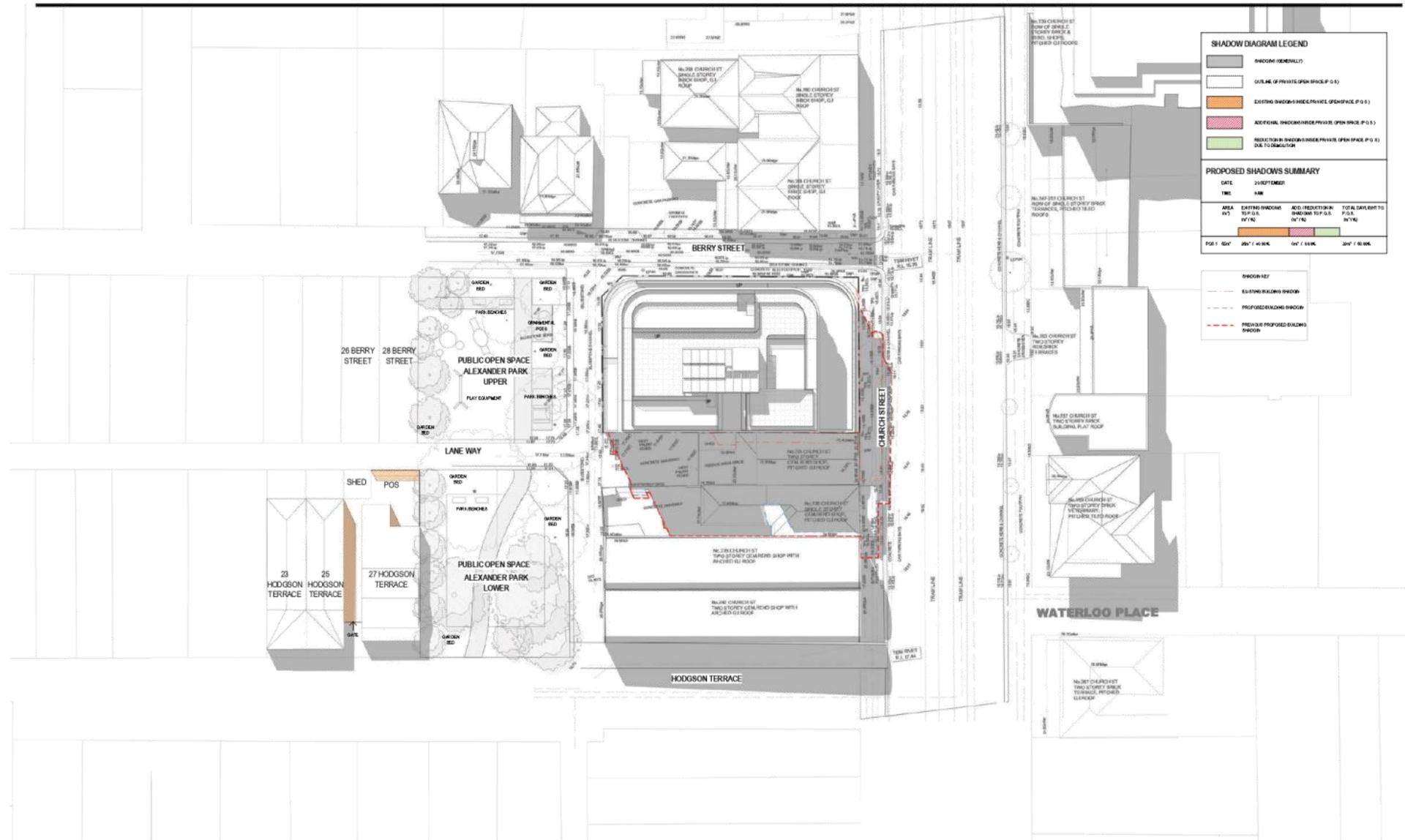
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JOB
NEWBORN
DATE
03/09/2021
SCALE
1:200 @ A1
DRAWN BY
LT
CHECKED BY
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DRAWING TITLE
SHADOW STUDY - 12PM
EQUINOX 23/09/2021

TR-8006

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



CERA STRIBLEY

Cera Stribley Architecture Interior Design
Cera Stribley Pty. Ltd. ABN 29 350 585 700
+ 61 3 9333 2582 info@c-s-a.com.au www.c-s-a.com.au Studio 5, 2481 Chapel St Melbourne VIC 3181 MA00

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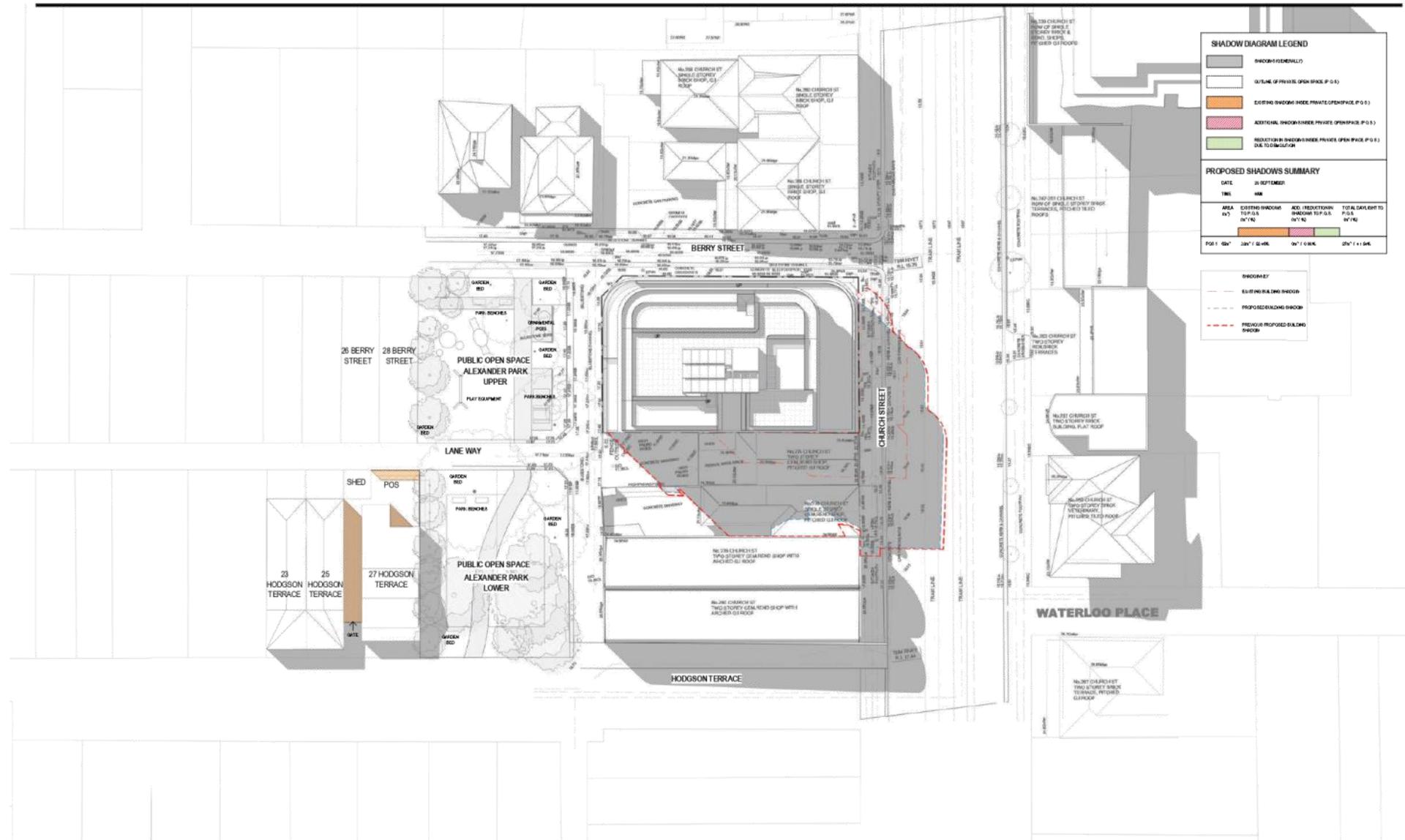
PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

DRAWING STATUS
DISCUSSION PLANS

JOB
REVISED
DATE
03/09/2021
SCALE
1:200 @ A1
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DRAWING TITLE
SHADOW STUDY - ITRM
EQUINOX 23/09/2021

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CERA STRIBLEY

Cera Stribley Architecture Interior Design
Cera Stribley Pty. Ltd. ABN 29 350 585 700
+ 61 3 9333 2582 info@cs-a.com.au www.cs-a.com.au Studio 5, 2481 Chapel St Melbourne VIC 3181 MA00

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PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

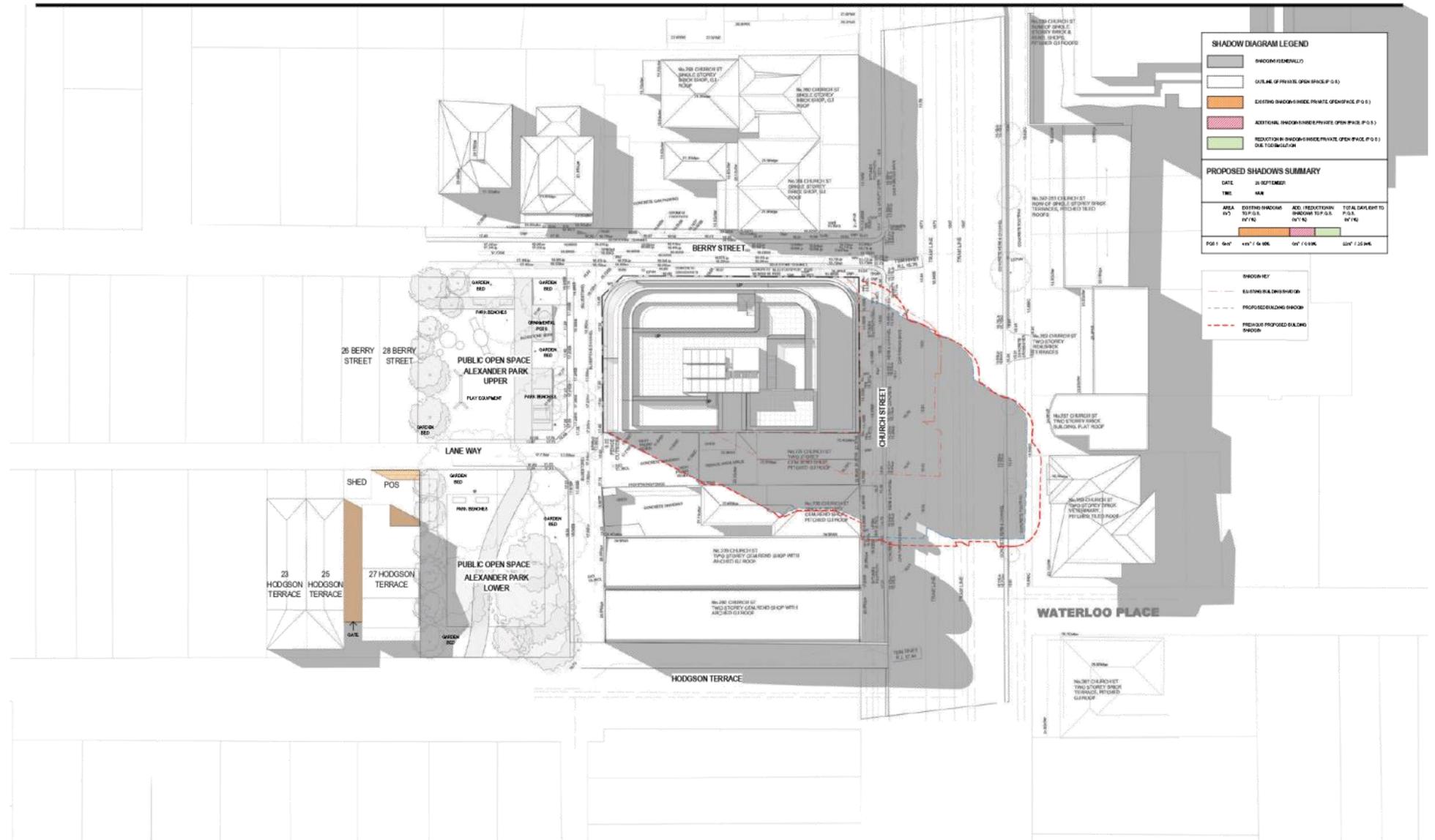
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DISCUSSION PLANS

JOB 210201
REVISION A
DATE 03/09/2021
SCALE 1:200 @ A1
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DRAWING TITLE
SHADOW STUDY - 2PM
EQUINOX 23/09/2021

TR-8008

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



SHADOW DIAGRAM LEGEND

- SHADOW (REMODEL)
- GATE (IF PRIVATE OPEN SPACE P.O.S.)
- EXISTING SHADOW (EXISTING PRIVATE OPEN SPACE P.O.S.)
- ADDITIONAL SHADOW (ADDITIONAL PRIVATE OPEN SPACE P.O.S.)
- REDUCTION SHADOW (REDUCTION PRIVATE OPEN SPACE P.O.S.) DUE TO OBSTRUCTION

PROPOSED SHADOWS SUMMARY

DATE: 21 SEPTEMBER
TIME: 12:00 PM

AREA (M ²)	EXISTING SHADOW TO FAC. (HRS)	AD. REDUCTION SHADOW TO FAC. (HRS)	TOTAL DAYLIGHT TO FAC. (HRS)
1447	439.7	6.006	1207.125

SHADOW NET
 EXISTING BUILDING SHADOW
 PROPOSED BUILDING SHADOW
 REDUCTION PROPOSED BUILDING SHADOW

CERA STRIBBLEY
Architecture
Interior Design
Cera Stribley Pty. Ltd.
ABN 29 350 585 700
+ 61 3 9333 2582
info@c-s-a.com.au
www.c-s-a.com.au
Studio 5, 2481 Chapel St
Melbourne VIC 3181 PA002

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PROJECT
CHURCH STREET
268-272 CHURCH STREET, RICHMOND
MIXED USE DEVELOPMENT

DRAWING STATUS
DISCUSSION PLANS

JOB NO: 210201
REVISION: A
DATE: 03/09/2021
SCALE: 1:200 @ A1
DRAWN BY: LT
CHECKED BY: MH

DRAWING TITLE
SHADOW STUDY - 3PM
EQUINOX 23/09/2021

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Development Summary

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Development Summary

PROJECT NUMBER 21091
 ADDRESS 266-272 Church Street, Richmond
 PROJECT STATUS Town Planning
 DATE Sep-21

SITE AREA (sqm) APPROX	555
BUILDING FOOTPRINT (sqm)	555.0
SITE COVERAGE	100.0%
BASEMENT COVERAGE	100.0%

PROJECT SUMMARY - APARTMENTS AND PARKING

LEVEL	1 BEDROOM	2 BEDROOM	3 BEDROOM	TOTAL APARTMENTS	DUEL LEVEL APARTMENTS	RETAIL
BASEMENT 03						
BASEMENT 02						
BASEMENT 01						
MEZZANINE						
GROUND					2	2
LEVEL 01	1	3	1	5		
LEVEL 02	1	3	1	5		
LEVEL 03			3	3		
LEVEL 04		1	2	3		
LEVEL 05		1	2	3		
LEVEL 06 - TERRACE						
SUBTOTAL	2	8	9	19	2	2
PERCENTAGE	10.5%	42.1%	47.4%	100%	8.7%	50.0%

REQUIRED PARKS	CAR	RES CAR PARKS	TOTAL CAR PARKS
		8	8
		13	13
		13	13
	4.0		
	6.0		
	6.0		
	6.0		
	5.0		
	5.0		
32		34	34

PROJECT SUMMARY - AREAS

LEVEL	SERVICES/ STAIR (m2)	CORRIDOR/ LOBBY	PARKING / COMMON	COMMUNAL AREA	RETAIL NSA (m2)	TOWNHOUSE NSA (m2)	TH TERRACE / P.O.S (m2)	TOTAL TOWNHOUSE AREA (m2)	APARTMENT NSA (m2)	TERRACE / P.O.S (m2)	TOTAL APARTMENT AREA (m2)	TOTAL GFA (m2) (EX BALC)	NETT-GROSS EFFICIENCY
BASEMENT 03	45	2.3	295.2									342.5	
BASEMENT 02	33	8.6	513.4									555.0	
BASEMENT 01	52	8.6	494.4									555.0	
MEZZANINE	72	7.2	143.0			96.0	19.0	115.0				318.2	
GROUND	80.0	70.0	10.0		173.0	127.0	23.0	150.0				460.0	
LEVEL 01	28.0	13.0						0.0	420.0	47.0	467.0	461.0	91.11%
LEVEL 02	28.0	13.0							420.0	47.0	467.0	461.0	91.11%
LEVEL 03	28.0	14.0							332.0	122.0	454.0	374.0	88.77%
LEVEL 04	28.0	14.0							294.0	37.0	331.0	336.0	87.50%
LEVEL 05	28.0	14.0							318.0		318.0	360.0	88.33%
LEVEL 06 - ROOF TERRACE	55.0			157.0						119.0		212.0	
SUBTOTAL	432.0	162.4	1160.8	157.0	173.0	223.0	42.0	265.0	1784.0	372.0	2037.0	4092.2	90.3%

PROJECT SUMMARY - DOUBLE STOREY APARTMENT AREAS

NUMBER	TYPE	ORIENTATION	ENTRY	LEVELS	TYPE	CAR ALLOCATION	AREA (m2)	COURTYARD	TOTAL TOWNHOUSE AREA (m2)
APT 001	TOWNHOUSE	NW	GROUND	2	3B-2.5B	2	121	12	133
APT 002	TOWNHOUSE	W	GROUND	2	2B-2.5B	1	101	12	113
TOTAL						3.0	222.0	24.0	246.0

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Area Summary

MEZZANINE

NUMBER	TYPE	ORIENTATION	CAR ALLOCATION	AREA (m2)
APT 001	TOWNHOUSE	NW		49
APT 002	TOWNHOUSE	N		47
TOTAL			0.0	96.0

GROUND FLOOR

NUMBER	TYPE	ORIENTATION	CAR ALLOCATION	AREA (m2)
APT 001	TOWNHOUSE	NW	2	73
APT 002	TOWNHOUSE (ENTRY)	W	1	54
TOTAL			3.0	127.0

LEVEL 01

NUMBER	BEDROOM	BATHROOM	CAR ALLOCATION	AREA (m2)
1 01	2 BEDROOM	2 BATH	1	80
1 02	1 BEDROOM	1 BATH	1	53
1 03	2 BEDROOM	2 BATH	1	75
1 04	2 BEDROOM	2 BATH	1	104
1 05	3 BEDROOM	2 BATH	2	108
TOTALS	5		6.0	420.0

LEVEL 02

NUMBER	BEDROOMS	BATHROOMS	CAR ALLOCATION	AREA (m2)
2 01	2 BEDROOM	2 BATH	1	80
2 02	1 BEDROOM	1 BATH	1	53
2 03	2 BEDROOM	2 BATH	1	75
2 04	2 BEDROOM	2 BATH	1	104
2 05	3 BEDROOM	2 BATH	2	108
TOTALS	5		6.0	420.0

LEVEL 03

NUMBER	BEDROOMS	BATHROOMS	CAR ALLOCATION	AREA (m2)
3 01	3 BEDROOM	2 BATH	2	115
3 02	3 BEDROOM	2 BATH	2	118
3 03	3 BEDROOM	2 BATH	2	99
TOTALS	3		6.0	332.0

LEVEL04

NUMBER	BEDROOMS	BATHROOMS	CAR ALLOCATION	AREA (m2)
4 01	3 BEDROOM	2 BATH	2	110
4 02	2 BEDROOM	2 BATH	1	85
4 03	3 BEDROOM	2 BATH	2	99
TOTALS	3		5.0	294.0

LEVEL 05/PRIVATE ROOF TERRACE

NUMBER	BEDROOMS	BATHROOMS	CAR ALLOCATION	AREA (m2)
5 01	3 BEDROOM	2 BATH	2	117
5 02	2 BEDROOM	2 BATH	1	93
5 03	3 BEDROOM	2 BATH	2	108
TOTALS	3		5.0	318.0

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Finishes

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Material Schedule

01. BR01- BRICK



02. CN01 - CONCRETE

TINTED TO MATCH BRICK COLOUR



03. CN02- CONCRETE TEXTURED

TINTED TO MATCH BRICK COLOUR



04. MT01- DARK METAL



05. MT02 - BRUSHED METAL LOOK



06. GL01 - GLAZING



07. LANDSCAPING



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

Artists Impression



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans



Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

View A

Adjacent the frontage centreline of 21 Berry Street.



Location Map of view A



Artist's impression of view A

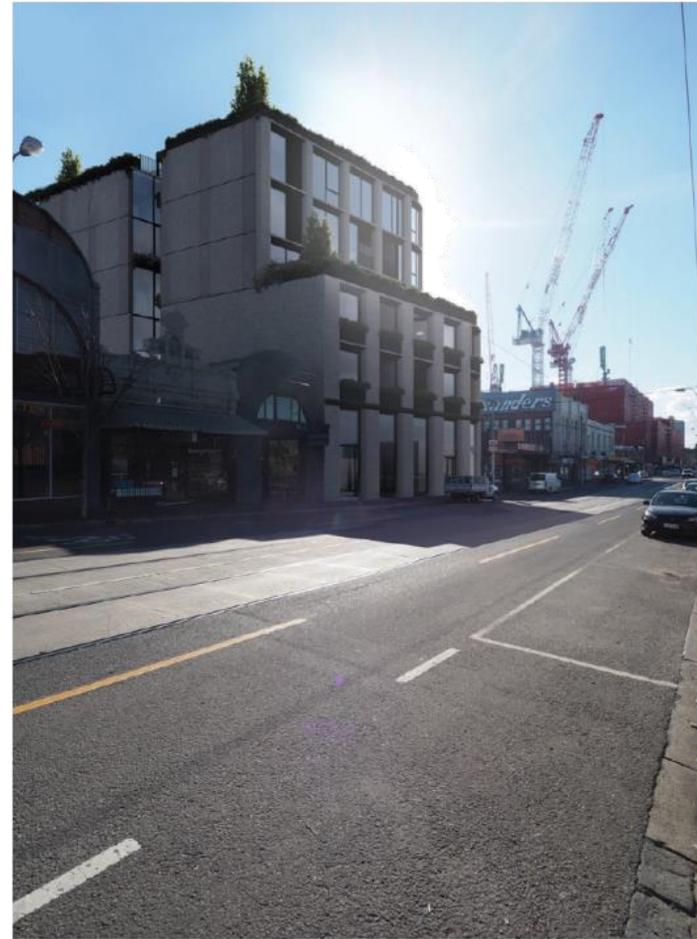
Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

View B

Southern side of Waterloo Place, intersecting with Church Street.



Location Map of view B



Artist's impression of view B

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

View C

Northeast corner of the intersection of Bridge Road and Church Street.



Location Map of view C



Artist's impression of view C

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

View D

The tram stop at the intersection of Victoria Street and Church Street.



Location Map of view D



Artist's impression of view D

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

View E.1

Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street.



Location Map of view E1



Artist's impression of view E1

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

View E.2

Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street.



Location Map of view E2



Artist's impression of view E1

Attachment 1 - PLN210271 - 268-272 Church Street, Richmond - S57a plans

**CERA
STRIBLEY**

Cera Stribley

Domenic Cerantonio
Managing Principal
dom@cs-a.com.au

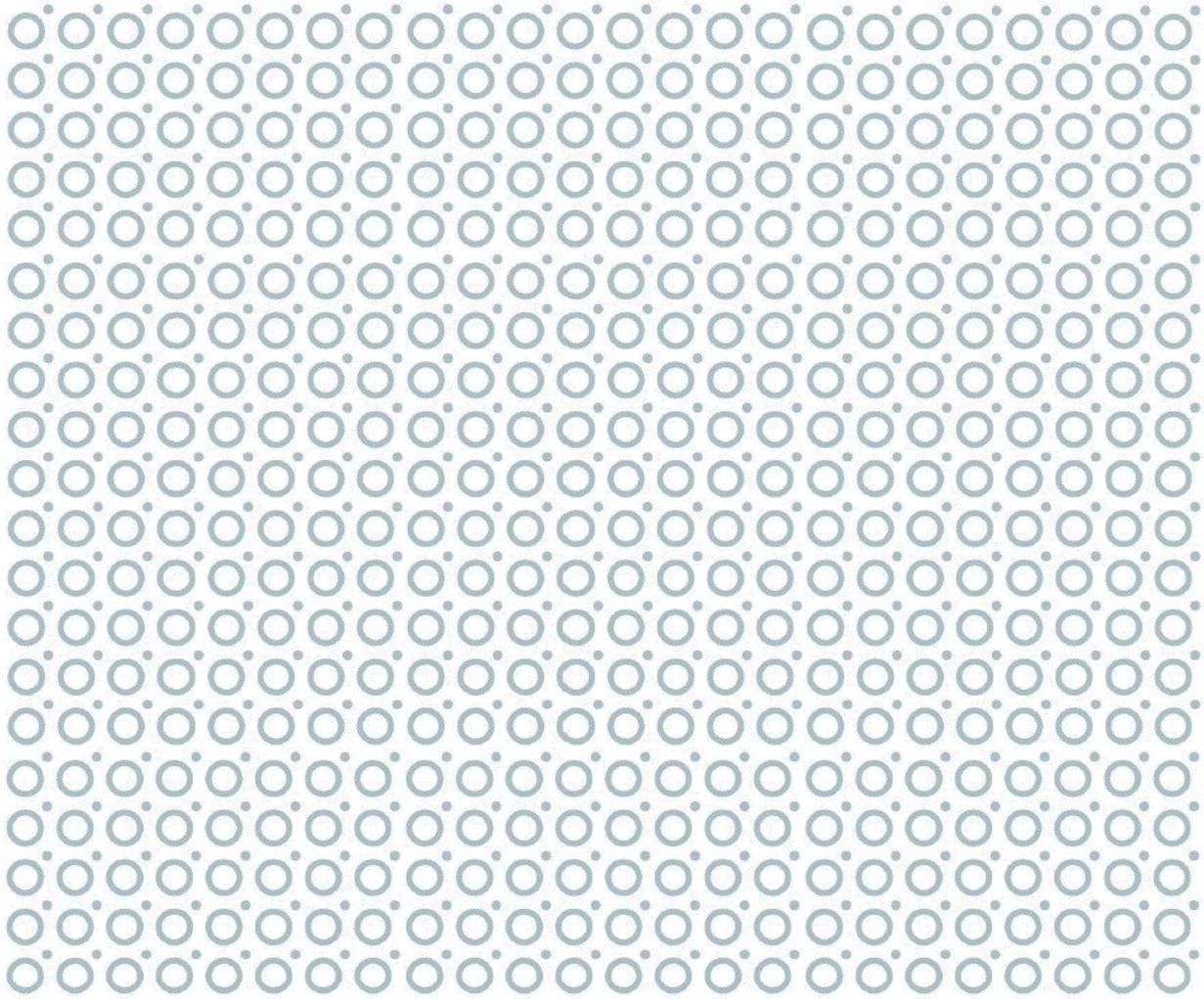
Chris Stribley
Managing Principal
chris@cs-a.com.au

CERA STRIBLEY PTY.LTD.
ACN 166 374 170

Studio 5/249 Chapel St
Prahran VIC 3181

T: +613 9533 2582
E: info@cs-a.com.au
www.cs-a.com.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments



Urban Design Review

Proposed Mixed-Use Development, 268-272 Church Street, Richmond
(PLN21/0271)

Prepared by Simon McPherson

13 August 2021

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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ABN 81 123 980 781
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M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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1.0 Introduction

1.1 Process and involvement

I have been asked by Yarra City Council officers to prepare a report comprising urban design review and advice, regarding the proposed mixed-use development at 268-272 Church Street, Richmond.

In preparing this review, I have:

- Accessed and reviewed the advertised plans and documents, as follows:
 - Architectural plans – Town Planning Application – RFI, dated June 2021 (Cera Stibley Architects);
 - Planning and Urban Context Report, dated 29 April 2021 (Tract Consultants);
 - Landscape Concept Report dated 21 April 2021 (Tract Consultants);
 - Sustainability Management Plan (April 2021, Sustainable Development Consultants);
 - Daylight Modelling Advice letter (dated 16 June 2021, Sustainable Development Consultants);
 - Endorsed Plans for development at 239-245 Church Street (under construction);
- Reviewed the applicable provisions of the Yarra Planning Scheme relating to urban design as listed below;
- Visited the subject site/locality on 3 August 2021. The photographs in the report are my own, except where specified.

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ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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1.2 Qualifications and experience to prepare this Review

1.2.1 Qualifications and registrations

My academic qualifications are as follows:

- **Executive Masters (MSc) in Cities**, inaugural programme (September 2016 - completed February 2018), London School of Economics and Political Sciences (LSE Cities), UK;
- **Master of Science (MSc): Built Environment - Urban Design** (Distinction), The Bartlett School, University College London, 2005-06, UK;
- **Bachelor of Architecture (BArch)** (First Class Honours), The University of Melbourne, 1996-97;
- **Bachelor of Planning and Design (BPD) (Architecture)**, The University of Melbourne, 1992-94.

My professional registrations and memberships are as follows:

- **Registered Architect, Architects Registration Board of Victoria**: individual registration number 15838;

I am engaged on the following professional organisations:

- Member, **Victorian Design Review Panel**;
- Member, **Design Review Panel for South Australia**;
- Member, **Latrobe University Design Review Panel**;
- Global Advisor, United Nations Global Compact – Cities Programme;
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand.

1.2.2 Experience

Professional experience

I hold over 15 years of dedicated professional experience in urban design, including:

- Urban Designer, Victorian State Government (2002-2007, including study leave);
- Director, SJB Urban (2007-2016);
- Director, Global South (2016-present).

I hold approximately 5 years of prior experience in architectural practice, in Australia and the UK.

Project experience

My urban design experience includes the following projects:

- Policy and guidelines:
 - Author/contributor, *Better Placed*, NSW Architecture and Urban Design Policy, Government Architect NSW (2016-17). Benchmark design policy, winner Australia Award for Urban Design 2017;
 - Contributor (State Government employee), Design Guidelines for Higher Density Residential Development, Activity Centre Design Guidelines;
 - Contributor, SA Medium-Density Design Guidelines;
 - Lead consultant, Urban Design Guidelines, Bowden, SA (SJB Urban, 2015);
- Urban Design Advice:

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ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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- Eden/Haven/Sanctuary on the River, Abbotsford, for HAMPTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
- Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
- Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews:
 - Regular independent reviews of permit applications, for Councils including Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
 - Footscray Activity Centre Built Form Review 2020, for Maribyrnong City Council;
 - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
 - 1160 Sayers Road, Tarnait, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
 - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008;
 - Brighton Toyota Site UDF, for LEFTA Corporation;
 - Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
 - Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).
- Master Plans and Concept Designs
 - Tarnait Major Town Centre Urban Design Review;
 - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
 - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
 - 433 Smith Street (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
 - Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
 - Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Experience preparing expert evidence

I have presented evidence at VCAT and Planning Panels Victoria on numerous occasions.

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
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2.0 Context

2.1 Strategic context

2.1.1 Zoning

The subject land is located on the western side of Church Street, and the southern side of Berry Street, approximately 75m south of Bridge Road.

The land is situated within the **Commercial 1 Zone (C1Z)**. The purposes of this Zone include *to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*

2.1.2 Design and Development Overlay

The site is subject to **Design and Development Overlay DDO21: Bridge Road Activity Centre**. The design objectives of this overlay are as follows:

- *To support a mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas.*
- *To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape.*
- *To maintain a prominent street wall character along Bridge Road with new development at upper levels setback, visually recessive and clearly distinct.*
- *To provide a comfortable level of street enclosure, maintain solar access to key footpaths, and ensure a high quality built form interface to all streets and public spaces.*
- *To minimise amenity impacts on residential properties adjoining the Bridge Road Activity Centre including overlooking, overshadowing and visual bulk impacts.*

DDO21 provides building height and street wall requirements expressed as both mandatory and preferred, and sets parameters for the potential exceedance of the specified preferred building height and street wall height.

I have been advised previously by Yarra City Council officers that the applicable provisions in DDO21 affecting the subject site and proposal are preferred (discretionary), rather than mandatory, including those for building height, upper level front setbacks (including their visibility and proportions, as discussed below).

However, it states that (on page 2, 2nd dot point): *A permit cannot be granted to vary a building height shown as a preferred building height in the relevant precinct Building Heights and Setbacks Plan unless all of the following requirements are met*, which suggests mandatory provisions to my understanding, or at least strong directions.

The subject proposal exceeds the preferred building height, and therefore an assessment against the relevant requirements is warranted.

The requirements for exceeding preferred building heights are as follows, and are addressed below:

- Satisfying the Design Objectives, Heritage Building Design Requirements and relevant Precinct Design Requirements;
- Achieving the preferred future mid-rise character;
- Achieving **all** of: greater building separation, housing diversity, universal access, ESD excellence, and no additional impacts to residential zoned properties.

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ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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The subject site is located in Precinct 1 (Bridge Road West) under DDO21, with precinct design requirements as follows:

- o retain the visual prominence of heritage buildings in the streetscape and the significant 'High Street' streetscape in the vista along Bridge Road;
- o retain the visual prominence of the return facades of corner buildings;
- o be consistent in form, massing and façade treatment as existing upper level development (where this exists) for any upper level development behind rows of identical or similar residences;
- o maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street;
- o maintain a sense of openness along Bridge Road and Church Street;
- o respect the low scale existing development adjoining the activity centre;
- o provide a transition in height along Lennox Street and Church Street from the taller forms on Bridge Road to the adjacent low rise residential neighbourhoods.

The applicable controls for the subject site are as follows:

- o Maximum building height: 15.0m (preferred/discretionary);
- o Street wall height (Church Street): 11.0m (discretionary);
- o Upper level setback (Church Street): 6m (discretionary);
- o No street wall guidance is provided for Berry Street.

2.1.3 Heritage Overlay

The subject site is not in a Heritage Overlay, however the Church Street corridor, Berry Street, the adjacent properties immediately north of Berry Street, and the property to the south at 276 Church Street (separated from the subject site by one property at 274 Church Street), all fall under **Heritage Overlay HO315 – Church Street Precinct, Richmond**.

The land to the immediate west (rear) of the subject site falls under **HO332 – Richmond Hill Precinct**.



Figure O1: Excerpt of Heritage Overlay map (source: DELWP Planning Property Report)

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
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2.1.4 Planning Policy Framework

The following clauses are applicable to the subject site and proposal. Relevant content from these clauses is raised below in the context of my assessment of the proposal.

Clause 15 Built Environment discusses Urban Design objectives and strategies:

- **15.01-1S Urban Design** provides strategies for safe, healthy, functional and enjoyable urban environments. Strategies include:
 - *Require development to respond to its **context in terms of character, cultural identity**, natural features, surrounding landscape and climate.*
 - *Ensure development **contributes to community and cultural life** by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
 - *Ensure development **supports public realm amenity and safe access** to walking and cycling environments and public transport.*
 - *Ensure that the design and location of **publicly accessible private spaces**, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
 - *Ensure that development provides **landscaping** that supports the amenity, attractiveness and safety of the public realm.*
- **15.01-2S Building design** guides buildings which contribute positively to context and enhance the public realm, including responding to the strategic and cultural context of the location.
- **15.01-4R Healthy neighbourhoods - Metropolitan Melbourne** seeks to create a city of 20-minute neighbourhoods;
- **15.01-5S Neighbourhood character** seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place, including by emphasising the heritage values and built form that reflect community identity.
- **15.02-1S Energy and resource efficiency** promotes consolidation of urban development and integration of land use and transport.

Clause 17 Economic Development states that planning is to provide for a strong and innovative economy.

- **17.02-1S Business** seeks to encourage development that meets the community's needs for retail, entertainment, office and other commercial services. Strategies include:
 - *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
 - *Locate commercial facilities in existing or planned activity centres.*

2.1.5 Local Planning Policy Framework

Yarra's Local Planning Policy Framework includes the following clauses applicable to the subject site and proposal. I have not exhaustively reproduced every policy below.

Clause 21.03 Vision includes a Strategic Framework Plan for Yarra, which locates the Swan Street Major Activity Centre. This policy states that *Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks, and that all new development will demonstrate design excellence.*

Clause 21.04-3 Industry, office and commercial seeks to *increase the number and diversity of local employment opportunities.*

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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Clause 21.05-2 Urban Design includes the following objectives and strategies:

- *To ensure that new development contributes positively to Yarra's urban fabric.*
- *Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*
- *To enhance the built form character of Yarra's activity centres.*
- *Require development within Yarra's activity centres to respect and not dominate existing built form.*
- *Support new development that contributes to the consolidation and viability of existing activity centres.*

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

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

Clause 21.05-4 Public environment states that new development must add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged. It seeks to ensure that buildings have a human scale at street level.

Clause 21.08-2 Neighbourhoods – Central Richmond identifies that *the Bridge Road major activity centre is an important regional centre*. It makes reference to the implementation of land use strategies in Clause 21.04 and built form strategies in Clause 21.05, including *maintaining the visual prominence of the Pelaco sign and the Spire of St Ignatius Cathedral*.

Clause 22.03 Landmarks and Tall Structures identifies key valued landmarks, with the MSS seeks to retain (and maintains view lines to), for their contribution to the identity of the city. This policy seeks to:

- *Maintain the prominence of Yarra's valued landmark signs.* Development should *protect views to landmark signs* including the Pelaco Sign.
- *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.* These include the spire of St Ignatius Cathedral.
- *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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2.2 Built form context

2.2.1 Site location and local context

The subject site comprises three adjoining narrow-fronted lots fronting Church Street. It is rectangular in shape with chamfered north-west corner, measuring approximately 30.5m long and 19.5 wide, with its narrow frontage to Church Street, and the longer frontage to Berry Street.

The site is well-located for local access and public transport, including trams along Church Street and Swan Street.

Church Street is about 20m wide, and Berry Street is approximately 5.5m wide.

The subject site is occupied by a 2-storey brick commercial building, which is built to all site boundaries.

The site's interfaces are as follows:

- **North:** Berry Street, with a row of four (4) single-level heritage shop buildings fronting Church Street;
- **East:** Church Street, with a range of single-level and double-storey heritage residential buildings.
- **West:** Rear laneway, and public open space (Ben Alexander reserve), with low-scale residential built form further east along Berry Street and Hodgson Terrace.
- **South:** 2-storey retail/commercial buildings, as well as single-level heritage shop building at 276 Church Street.



Figure 02: Subject site at right (red line), with adjacent built form to the south, including the heritage building at 276 Church Street.



Figure 03: Subject site at 268-270 and 272 Church Street (site extent indicated by red line), Church Street frontage.

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ACN 123 980 781
 ABN 81 123 980 781

www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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Figure 04: Subject site, Berry Street (north) frontage, looking west along Berry Street.



Figure 05: Church Street, looking north from opposite the subject site, towards Bridge Road, with entrance to Berry Street visible at left.



Figure 06: Church Street east side, opposite the subject site.



Figure 07: Church Street east side, looking south-east from the subject site, up the hill.



Figure 08: Rear of the subject site and laneway interfacing to Ben Alexander Reserve.



Figure 09: Ben Alexander Reserve, viewed from Berry Street near the rear of the subject site.

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ABN 81 123 980 781
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Figure 10: Aerial photo of the subject site (centre, red outline), in its local context (image source: Google).

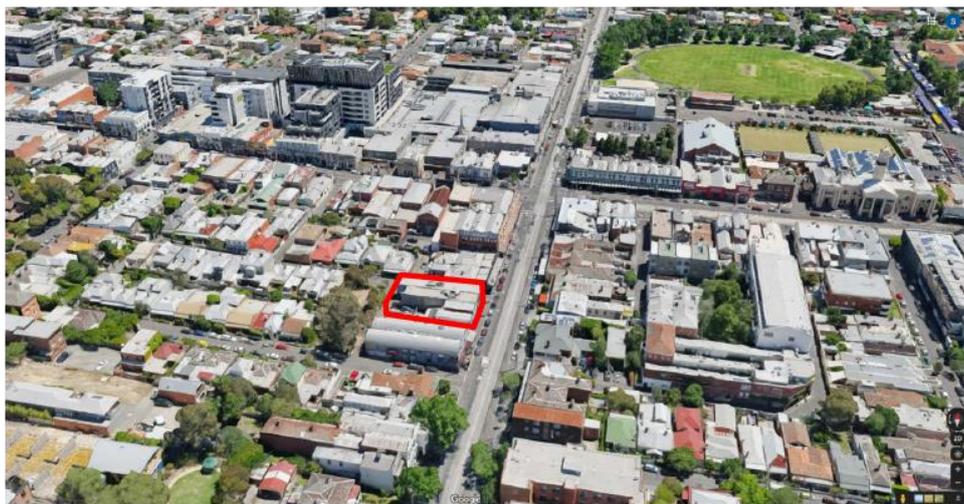


Figure 11: Aerial perspective over the subject site, looking towards Bridge Road's emerging higher-scale built form context and the Town Hall precinct and Citizens Park (upper right).

2.2.2 Surrounding built form and character

The local context contains a diversity of land uses and built form types and characteristics.

This part of Church Street is predominantly residential and low-scale, but the subject site forms part of an extension of commercial/retail activity from the Bridge Road Major Activity Centre.

The local context comprises predominantly fine grain residential built form within a regular, grid-based networks of streets and rear lanes. Bridge Road is experiencing ongoing higher-density development, particularly along its northern side, with mid-rise building forms typically set back behind lower-scale street frontages. The Richmond Town Hall (City of

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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Yarra) and adjacent Citizens Park are located just east of Church Street, on the northern side of Bridge Road.

Church Street south of Swan Street is undergoing substantial redevelopment, with several mid-rise scale buildings in place, under construction or approved. However that part of Church street falls under different zoning (C2Z) and overlay controls.

The nearby site at 239-245 Church Street is currently under construction (see Figure 22 below). It comprises a 3-storey street wall to Church Street (including full-height Mezzanine level), and four (4) additional floors above, for a total of seven (7) levels, plus basement levels.

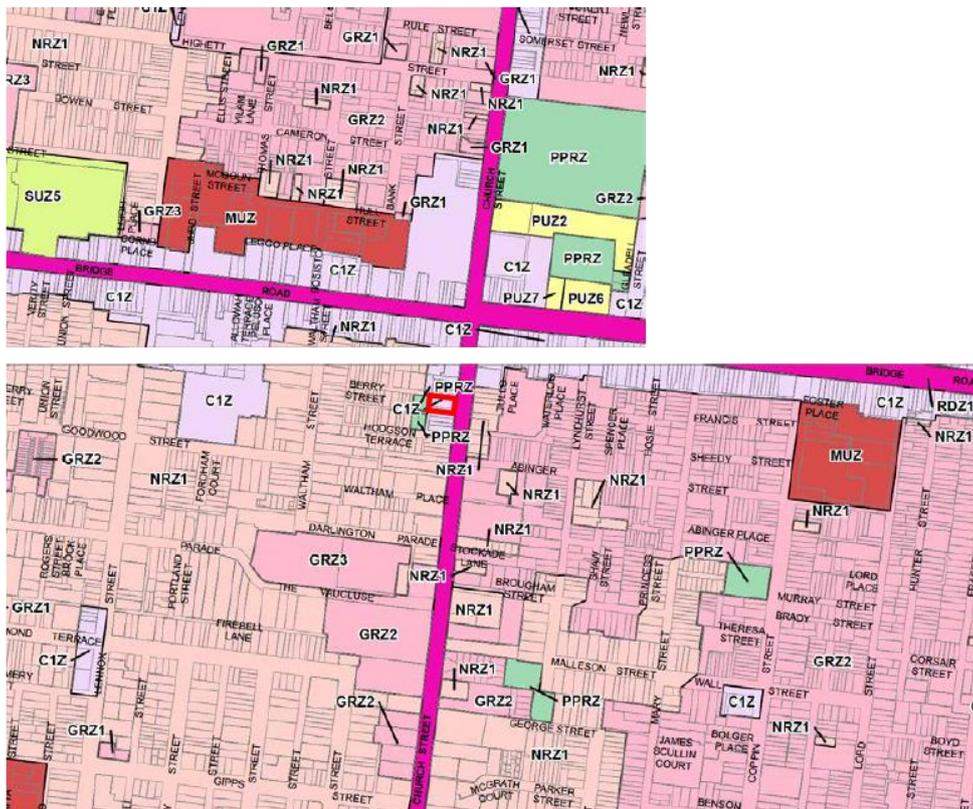


Figure 12: Excerpts from Zoning maps, with the subject site in red outline (source: Yarra Planning Scheme).

2.2.3 Landmarks

St Ignatius Cathedral’s spire is an identified landmark structure under Clause 22.03, and is located on the western side of Church Street at the top of Richmond Hill, approximately 260m south of the subject site.

The Pelaco sign is an identified as a landmark sign, and is located on the roof of the 4/5-storey brick building at 19-31 Goodwood Street, approximately 270m west of the subject site.

DDO21 provides specific requirements for maintaining views to these landmarks.

Global South Pty Ltd

ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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Figure 13: View along Church Street to the south, towards the St Ignatius Cathedral spire (at left, with scaffolding)



Figure 14: Looking east along Berry Street towards the Pelaco sign (partly visible).



Figure 15: Rear of the subject site (at right), with low-scale heritage housing opposite on Berry Street, and higher-scale development activity on Bridge Road in the distance.



Figure 16: Residential context looking west along Hodgson Terrace, south of the subject site.



Figure 17: Residential context looking west along Berry Street, from close to the subject site.



Figure 18: Subject site side frontage to Berry Street (right) looking east towards Church Street.

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ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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Figure 19: Bridge Road, looking east from Church Street, towards Richmond Town Hall.



Figure 20: Bridge Road, looking west from Church Street.



Figure 21: Church Street looking south with the subject site at right.



Figure 22: Construction site at 239-245 Church Street (eastern side), just 30m north-east from the subject site.



Figure 23: Church Street south of Swan Street, looking south.



Figure 24: Church Street south of Swan Street, looking south.

Global South Pty Ltd

ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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2.3 The proposal

2.3.1 Outline

The proposed development involves full demolition of the existing buildings on the site, and replacement with an infill mixed use/residential apartment building, with Ground Floor shops, occupying the full extent of the site.

2.3.2 Land use distribution

The proposed development comprises a 7-level building (plus roof terrace) as follows:

- Basement: Three (3) levels for car parking and building services;
- Mezzanine: Lower-levels of two dwellings, storage;
- Ground Floor:
 - Two (2) office/retail tenancies fronting Church Street and Berry Street;
 - Entry lobby;
 - Residential dwellings (upper or lower levels of 2-level dwellings);
- Levels 1-6: Residential dwellings around central lift/stair core;
- Roof level: Communal terrace space with central pergola, services.

2.3.3 Heights

The proposed development extends to 7 levels (plus roof terrace and basement). The overall heights at the Church Street frontage are:

- Street wall (Church Street): 11.62m (south) / 12.3m approx. (north);
- Roof level (parapet above Level 6): 24.1m approx. (south – see South Elevation) / 24.8m approx. (north);
- Overall height (to pergola above roof terrace): 26.42m (south) / 27.07m (north).

All floors are 3.1m in height (floor to floor).

2.3.4 Setbacks

The proposed setbacks are as follows:

- Ground Floor to Level 2: full site coverage (no setbacks) but with rounded north-east corner profile;
- Levels 3-5:
 - 5.0m setback to Church Street;
 - 1.5m setback to Berry Street (see Level 6 plan, drawing TP.1106)
 - 2.0m setback to rear lane;
- Level 6:
 - 7.7m setback to Church Street;
 - 4.5m setback to Berry Street;
 - 4.3m setback to rear lane;

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ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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3.0 Review of the proposed development

3.1 Is the built form siting appropriate?

3.1.1 Guidance

DDO21 seeks to *maintain a prominent street wall character along Bridge Road*, and provides clear guidance for street walls. Precinct 1 includes guidance to *maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street*.

3.1.2 Assessment

The proposed development occupies the full extent of the site at the lower levels, except for the rounded building footprint at the street corner.

The built form context of the Bridge Road Major Activity Centre strongly indicates and supports built form extending to front and side boundaries, resulting in continuous zero (0m) street walls and continuous built form conditions along streetscapes, and providing the conditions for active edges to the public realm (discussed below).

The infill nature of this site and proposal also supports full site coverage.

The 0m street frontage aligns with adjacent buildings and supports a continuous street frontage condition, and defines the public realm edge, as is appropriate in an activity centre context.

While some residential buildings in this part of Church Street provide limited setbacks, the subject site is part of the commercial context, and of the Bridge Road activity centre. Built form between Bridge Road to the north, and Hodgson Terrace to the south of the subject site, displays 0m front setbacks.

I therefore consider the proposed building siting to be appropriate.

3.2 Is the land use mix appropriate?

3.2.1 Guidance

The Commercial 1 Zone supports a mix of retail, office and businesses uses, and residential uses at densities complementary to the role and scale of the commercial centre.

3.2.2 Assessment

Retail/office tenancies

The Planning Report identifies these as retail spaces, while the plans label them as 'F&B/Office/Retail'. I consider it acceptable that flexibility is retained in terms of occupation of these spaces, and that office or retail/F&B would be acceptable in this 'fringe' location in the Bridge Road activity centre.

It is appropriate to provide commercial or retail uses at the ground Floor fronting both streets in this Commercial 1-zoned part of Church Street.

Residential apartments

It is also appropriate to provide higher-density housing in this Major Activity Centre context. The proposal incorporates a total 24 dwellings, as follows:

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ACN 123 980 781

ABN 81 123 980 781

www.globalsouth.net.au

M. +61 (0)448 201 344

E. simon.mcpherson@globalsouth.net.au

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- Four (4) 1-bedroom apartments (17%);
- Nine (9) 2-bedroom apartments (38%);
- Eight (8) 3-bedroom apartments (33%);
- Three (3) dual-level apartments (12%).

This reflects an appropriate mix of different dwelling types, configurations and sizes.

I therefore consider the proposed land uses to be appropriate and responsive to the location and context.

3.3 Is the built form height and massing appropriate?

3.3.1 Guidance for building height

DDO21 nominates a preferred maximum height of 15m for the subject site.

It is apparent that the preferred 15m height limit reflects the site's location at the periphery of the activity centre, and also a transition in scale from the Bridge Road corridor, down to the residential context south of the site.

This preferred height may also be understood in the context of the heritage, low-scale residential setting to the site's immediate west.

DDO21 guidance for Precinct 1 includes:

- *maintain a sense of openness along Bridge Road and Church Street;*
- *respect the low scale existing development adjoining the activity centre;*
- *provide a transition in height along Lennox Street and Church Street from the taller forms on Bridge Road to the adjacent low rise residential neighbourhoods.*

3.3.2 Assessment of building height

The proposed height of 24.6m significantly exceeds the preferred height of 15m in this part of the Bridge Road activity centre.

While there is extensive recent development activity on Bridge Road of a similar scale to that proposed (or higher), the site's immediate local context remains low scale.

However, the under-construction development at 239-245 Church Street will comprise a 6-storey-plus-mezzanine built form with 3-level street wall to Church Street, which 'introduces' mid-rise development into this part of Church Street, in the Commercial 1 Zone.

This building will be **21.3m** in height to the parapet line fronting Church Street, as shown in the endorsed plans (dimensioned on South Elevation, TP304; and RLs on West Elevation, TP303). That site's northern edge is approximately 40-45m north of the subject site's northern edge.

Assessment against DDO21 requirements for exceeding preferred building heights

This section evaluates the proposed development against the DDO21 provisions for proposals which exceed the preferred maximum heights.

Satisfying the Design Objectives

Mid rise: The proposed development is mid-rise in scale, and provides lower-height interfaces to adjoining streets and lanes.

Global South Pty Ltd

ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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Heritage response: While noting that heritage is beyond my expertise, the site does not contain or directly adjoin heritage buildings, and is not part of an identified heritage streetscape. The proposal is seen to respond to nearby heritage built form through:

- Lower-height frontage forms to all street and lane interfaces;
- Use of brickwork to reference heritage buildings.

In relation to the heritage building at 276 Church Street, it may be considered that a larger scale and therefore visually prominent building nearby may reduce that building's prominence. However, this Major Activity Centre context is clearly one where mid-rise development is expected to exist alongside (and above) low-scaled heritage fabric.

I do not consider that the proposed height affects the prominence or visibility of the landmark St Ignatius spire (discussed further below).

Street wall: The proposal does maintain a prominent street wall character along the streetscape. While the design expression of the upper and lower form is similar/related, rather than clearly visually distinct, there are subtle differences such as narrower brick columns at the upper levels, and edge planting between columns at the lower levels. Further, the setbacks and massing profile reinforce the distinction between the street wall or 'podium' and upper level forms.

The upper-level form is visually recessive, through its 5.0m setback from the front boundary. The plans demonstrate that the proposed Church Street profile meets the DDO21 requirement for upper level built form visibility outside the Heritage Overlay. The diagram on page 41 of the combine plans package shows that the upper level form occupies 24.2% of the view angle from the opposite side of Church Street, which is well below the one-third maximum requirement.

Streetscape amenity: I consider that a 3-storey street wall and 7-storey overall height (25m approx.), provides an appropriate balance of enclosure and openness, in relation to the 20m wide Church Street corridor.

The proposal does not (at the equinox) overshadow the adjoining Church Street footpath (west side) until after 12pm, and the eastern side footpath is clear of shadowing until approximately 2:30pm. This meets the DDO21 provision for not overshadowing the opposite footpath on Church Street between 11am and 20m at the equinox.

The built form to public interfaces is of high quality (discussed further below), with consistent materials and design articulation to both streets and the rear laneway interface, comprising brickwork, glazing, metal details and integrated planting.

Residential amenity impacts: the proposal is separated from residential properties to the west and south by the adjacent public open space and commercial buildings. The proposal is close to the existing house at 29 Berry Street (approx. 6.5m to the nearest corner) - noting that this property is within the Commercial 1 Zone - but the proposal does not overshadow that or any other residential properties. I do not foresee any significant overlooking impacts to that property, given the non-secluded front open space facing the proposal. The proposal will be very prominent in this narrow street setting, and therefore may present visual bulk impacts for this nearby dwelling (and potentially adjacent houses). However, I consider this acceptable given the Major Activity Centre context and Commercial 1 zoning of the subject site.

Satisfying the Heritage Building Design Requirements

I understand that the Heritage Building Requirements do not apply to the subject site because even though it is immediately adjacent to a Heritage Overlay the requirements state that they apply to *land affected by a heritage overlay and new buildings immediately adjoining a heritage building.*

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ABN 81 123 980 781
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E. simon.mcpherson@globalsouth.net.au

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Satisfying the relevant Precinct Design Requirements

- **Visual prominence of heritage buildings:** The proposal does not directly interface with heritage buildings in the streetscape and therefore does not directly affect their prominence. However, the proposed building scale will make it highly prominent in the streetscape, relative to the nearby single-level heritage buildings to the north and south.
- **Visual prominence of return facades:** The proposal retains the visual prominence of return facades of corner buildings, by providing a return façade consistent with the front façade, and not affecting the return facades of other existing buildings;
- **Consistency in form with existing upper-level development:** There is limited higher-scale development in the immediate vicinity, but the proposal is generally consistent with the under-construction development at 239-245 Church Street (both developments have 3-storey street walls and 4-storey upper-level forms), but the subject proposal is approximately 3.5m taller (but with additional setback to the uppermost level), and some 40m further south on Church Street.
- **Prominence of street wall character:** The proposal does reinforce the prominence of the street wall character.
- **Sense of openness:** The proposal maintains a sense of openness along Church Street, through significant upper level setbacks above the street wall, including the additional setback to Level 6.
- **Respect for low-scale setting:** The proposal responds to the low-scale setting adjoining the activity centre through a lower-scale frontage to all interfaces, and takes advantage of the public open space 'buffer' to the west of the subject site. However the 7-storey proposal is clearly much higher than the low-scale setting to the west and south (and east, across Church street) and so presents relatively abrupt transitions in scale to this setting.
- **Transition in height along Church Street:**
 - Because this part of Church Street does not yet contain higher-scale development, a transition in height is not clearly evident. However, the under-construction development of the Coles 'Richmond Quarter' site (corner Bridge Road and Church Street) extends up to 12-storeys, while several other Bridge Road developments are of a similar higher scale, including the following. Therefore, the proposed 7-storey height may be seen as constituting a transition from the higher-scale form emerging on Bridge Road.
 - ARK, 243-247 Bridge Road: 10 storeys approx.
 - 183-189 Bridge Road: 9 storeys
 - Dux Richmond Hill, 153 Bridge Road: 12 storeys
 - Epworth Hospital: 9 storeys approx.
 - Numerous other recent developments on Bridge Road are of lower mid-rise scale, in the order of 6-7 storeys.
 - Bridge Road east of Church Street is subject to 18m height controls on both sides (mandatory on south side) and includes the Richmond Town Hall precinct.
 - The western side of Church Street between the subject site and Bridge Road is subject to mandatory maximum height of 18m, for reasons of heritage and visibility to the landmark Pelaco sign. Therefore this 'transition area' from Bridge Road to the south would be up to 18m only in height, so a taller form on the subject site would 'step up' from that height, rather than transitioning down towards the south.
 - As noted above, the under-construction development at 239-245 Church Street is 6-storeys-plus mezzanine (21.3m to parapet) and is approximately 40m north of the subject site. The subject proposal is up to 24.8m in height to

Global South Pty Ltd

ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
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parapet level, but noting this parapet is above Level 6 which is set back further from the street frontage, to reduce its visibility.

- The Commercial 1 Zone / Activity Centre ends approximately 30m south of the subject site, where the setting transitions to the Neighbourhood Residential Zone. The NRZ1 also commences approx. 21m west of the subject site, across the adjacent public open space.
- **In this context, I consider that the subject proposal does not support a clear transition of building height along Church Street, and that a more deliberate response to a height transition, and to the low-scale context to the west and south, is required.**

Recommendation 1:

Reduce the building height by one level, to 6-storeys, or approximately 21.5m in height to the parapet level, while retaining the uppermost -level setback (so removing one of Level 3, 4, or 5).

This will result in an approximately equivalent height to 239-245 Church Street, but with an increased setback to the top level. The revised height will be closer to the mandatory height limit to the immediate north, supporting a clearer general transition in height, and reduced contrast in scale with the neighbouring low-scale context.

Achieving the preferred future mid-rise character

The proposal does contribute to achieving the preferred mid-rise character for this activity centre.

Achieving all of (other requirements):

Greater building separation: At the site's southern boundary, the proposal provides a boundary wall up to Level 5, with a 2.0m setback at Level 6, with balcony space up to the boundary. The habitable room windows are oriented slightly away from this interface, with one window panel louvred to prevent visibility to the south, but this solution does not appear to address the requirement.

Recommendation 2:

Review the Level 6 southern interface area, to ensure increased setbacks or appropriate screening to habitable room windows and balcony spaces.

Housing diversity: As outlined above, the proposal provides a for a diverse range of dwellings.

Universal access: Universal access is beyond my expertise and is not an urban design consideration. I have not reviewed all dwellings in relation to Clause 58.05-3 / Standard D19, but I note that several of the dwellings provide balcony areas larger than the minimum 8sq.m or 12sq.m for 3-bedroom dwellings.

ESD excellence: ESD is also beyond my expertise and not directly an urban design consideration, but the Sustainability Management Plan states that the proposal will achieve 'best practice' standards to meet City of Yarra requirements, and that it achieves a BESS rating of 72%, which is above the 70% threshold for 'Best practice' and within the 'Excellence' range.

No additional impacts to residential zoned properties:

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 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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- The proposal results in a limited shadowing impact to the residential property at 27 Hodgson Terrace at the equinox, but this shadowing is clear by 9:14am. That property is approx. 21m from the subject land at their closest corners.
- The proposal clearly presents additional visual bulk impacts for nearby residential properties, as a result of its proposed height at 24.8m / 7-storeys, relative to the preferred maximum height of 15m (4-5 storeys). 25 Berry Street is as close as 13m from the subject site, while 28 Berry Street and 27 Hodgson Terrace are approx. 21m from the subject site.
- **Therefore this requirement is not met, and supports the above recommendation for a reduction in building height.**

Overshadowing of public open space:

I note that the proposal casts significant morning shadows over the middle part of the adjoining public open space (which includes an east-west laneway), between 9am and 11am. There is no applicable policy in the Yarra Planning Scheme which controls overshadowing of public open spaces.

I consider this an undesirable impact which should be minimised. I acknowledge the limited timespan of the overshadowing and that the northern part of the space, which contains the playground and some seating, is not impacted, but parks and playgrounds are typically well-used in the mornings.

My above recommendation for reduced building height is expected to reduce the extent and duration of this overshadowing impact, (and will reduce or remove the overshadowing to the private open space of 27 Hodgson Terrace) providing a further benefit from the height reduction.

Based on the above assessment, I consider that the proposal meets most of the DDO21 requirements for exceeding the preferred maximum building height, but that some key elements such as contextually-responsive building height, clear transitions and management of off-site impacts, require a reduction in building height, as set out above.

This reduced height will still exceed the preferred maximum height by approximately 6.5m.

3.3.3 Guidance for upper-level setbacks

DDO21 nominates a preferred street wall height to Church Street of 11m, with preferred upper-level setback of 6m.

DDO21 does not provide specific guidance for side and rear setbacks.

3.3.4 Assessment of upper-level setbacks

The proposed street wall is dimensioned as 11.62m in height above Ground Floor Level, at the southern end of the Church Street frontage. This height increases by approximately 0.7m at the northern end, given the fall in the land.

While this exceeds the DDO21 preferred height of 11m by a limited margin, I consider this street wall height to be acceptable, given the limited exceedance of the recommended height. I also note that the street wall parapet line aligns approximately to the curved parapets of the nearly 2-storey buildings to the south, as shown in the Eats Elevation (TP.2101).

The proposed front upper-level setback of 5m is less than the preferred 6m under DDO21, but with increased setback at Level 6.

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ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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I consider the 5m setback to be reasonable given the height of the building, and the proposed profile meets the visual angle requirement in DDO21, as set out above.

The Berry Street upper-level setback of 1.5m at Levels 3-5 is relatively narrow, however I consider this setback acceptable based on the following:

- It appears to provide for 9m separation across Berry Street (6m wide approx.) if neighbouring sites to the north were to be redeveloped, noting these sites are in the Heritage Overlay;
- The vertical proportions frame the entrance to this narrow street, with relatively tight proportions, but an acceptable profile in my view, as shown in Artist's Impression of view A (page 102 of the combined plans package);
- The relatively robust building form that this side upper-level setback generates is appropriate;
- This interface is north-facing so does not present off-site overshadowing impacts;
- The upper-level form is 3-storeys in height, with the uppermost level above set further back;
- The visual distinction between street wall and upper levels is clear, as demonstrated in the renders at page 101 of the combined plans package, and in Artist's Impression of view A (page 102); and
- Berry Street is not an important pedestrian thoroughfare.

The rear upper-level setback of 2m to the rear (west) is considered acceptable given the interface to a rear laneway and the 'buffer' created by the adjacent public open space.

I have noted above the overshadowing to the public open space to the west, which would be reduced by the recommended reduction in building height, and I estimate that an increased upper-level setback at the rear would have limited additional benefit in reducing the extent of overshadowing.

I therefore consider the upper-level setbacks to be acceptable.

3.3.5 Guidance for response to landmarks

Clause 22.03 Landmarks and Tall Structures seeks to *maintain the prominence of Yarra's valued landmark signs, and to protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.*

DDO21 states that development must maintain existing views to the Pelaco sign from Wellington Parade and Wellington Street, and the spire of St Ignatius Cathedral from the tram stop at the corner of Victoria Street and Church Street, the north-east corner of the Bridge Road and Church Street intersection, and from two entrances to Citizens Park.

3.3.6 Assessment of response to landmarks

These views are captured in the Artist's impressions in the plans package, as follows:

- View C (Corner Bridge Road and Church Street): view to the spire is not obstructed;
- View D (tram stop, Victoria and Church streets): Very distant view so difficult to see precisely, but it appears that the spire is not obstructed by the proposal;
- View E1 (Citizens Park at Gleadall Street): obstructed view, but it is clear that the proposal will not affect visibility of the spire;
- View E2 (Citizens Park): view to the spire is not obstructed;

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ACN 123 980 781
ABN 81 123 980 781

www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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I am therefore satisfied that the proposed development does not affect nominated views to identified landmarks.

3.4 Are the public realm interfaces / frontages appropriate?

3.4.1 Interface to Church Street

The proposed Ground Level frontage to Church Street comprises two retail/commercial tenancies and the residential entrance, providing three separate entrances within five (5) window bays, between expressed brick columns.

The northern tenancy's frontage extends into the Berry Street frontage, to continue the active frontage to both street interfaces.

The plans do not appear to show any building services (such as fire cupboards) at the frontages. The Ground Floor Plan indicates services at the mezzanine level above Retail B (Northern tenancy) interfacing to Berry Street, adjacent to the bike store, but the elevation does not show doors to the outside at this location. This is advantageous for the public realm interfaces, as it allows maximum activation, if it can be achieved, but it is unusual in my experience.

The continuous active frontage through full height clear glazing and Ground Floor retail uses is appropriate in this location and will support activation and passive surveillance / visual interaction opportunities.

The glazing appears to extend down to footpath level, although Ground Floor level is above street level at the street corner. This presumably requires internal ramps or similar, but I would consider an external 'plinth' to be an acceptable approach to resolve the glazing edge at street level.

The plans do not indicate a canopy over the footpath, although the North Elevation (TP.2100) appears to show a lightweight canopy over the Church Street footpath. I would support this (presumably extendable/operable canopies between brick columns) in providing optional shelter to the footpath, and providing a visual 'break' in the relatively high glazed frontage, which extends up to approximately 5m in height.

3.4.2 Interfaces to Berry Street and rear laneway

The active frontage is extended along Berry Street through Ground Floor dwellings, with the street interface mediated by external planters in front of windows (and a change in floor level for the residential dwellings). This condition extends to the rear (west) laneway interface with external terraces providing direct access to two dwellings fronting the laneway, which are slightly elevated above the laneway level.

This interface condition is also supported, in that it provides continuous activation opportunities, through a residential interface to the residential setting west of the subject site.

It is appropriate to locate the vehicle access way off the rear laneway, and this appears to have been minimised in its width, to appropriately limit its visual impact in the public realm.

3.4.3 Upper-level windows

The continuation of large clear glazed windows and balconies between brick columns at the upper levels. Provides for further passive surveillance and visual interaction opportunities.

The proposal provides a visually open façade condition to all three public realm interfaces, and the brickwork and facade planting supports a 'residential' character or visual impression.

Global South Pty Ltd

ACN 123 980 781
 ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
 E. simon.mcpherson@globalsouth.net.au

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I therefore support the public realm interfaces as proposed.

3.5 Is the architectural expression appropriate?

3.5.1 External facades

The proposal presents a relatively simple expression with a limited range of materials, towards a refined and elegant presentation.

The regularly-spaced and broad columns create a solid, robust, 'grounded' impression, balanced with a high degree of visual openness in the facades. The columns have a curved profile, with inset glazing giving the facades a sense of depth, while the brickwork supports tactility and texture in between glazed surfaces.

The column spacing also generates vertical proportions in the facades and window openings, which is responsive to the heritage fabric nearby.

The curved profile at the corners makes reference to the footprint shape of the St Ignatius spire, as shown in the plans, provides for broader/varied views across the corners, and creates further 'softening' in the facades.

The thinner column profile to the upper levels supports a lighter expression, within a cohesive design language, while the recessed uppermost level comprises glazing and metal for an even lighter expression.

The integration of façade planting also adds softening and texture. The maintenance of these gardens is an important consideration for the operation of the building.

3.5.2 Side (south) wall treatment

The 'blank' side boundary wall will be quite prominent in the streetscape, above the neighbouring existing buildings. It is recognised that neighbouring sites to the south may undergo redevelopment, but this may be constrained by:

- Heritage status of the property at 276 Church Street;
- Narrowness of the property at 274 Church Street;
- Height transitions and other constraints such as overshadowing.

Therefore, the presentation of the boundary façade is an important design consideration. It is shown in Artist's Impression of view B (page 103 of combined plans package).

The southern façade is 'broken up' by the vertical light court and expressed stair feature, which reduces the expanse of blank wall.

The proposal incorporates two concrete finishes (smooth and textured), with a vertical 'column' articulation which reflects that of the main façades, and in a colour which matches the façade brickwork.

In the render, the south façade is softened by facade planting along the top and corner edges, which as noted above, requires a considered maintenance regime, given the south orientation.

I also note that my recommendation for a reduction in overall height by one (1) level would reduce the extent of the blank southern wall, which is beneficial to the proposal's streetscape presentation.

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ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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Recommendation 3:

While I accept the extent of the boundary wall, I consider that further articulation or refinement is required, to delineate the street wall levels from the upper levels, and more closely integrate the south façade with the remainder of the building. This could include a clearer horizontal 'break' between the street wall levels and upper levels, and/or narrower column bands in the upper-level part of the wall, or varied tones in the concrete materials.

I would also recommend the incorporation of façade brickwork in the south façade, in the vertical 'column' bands, to more closely align with the other facades, and to reflect a building 'in the round' while avoiding a boundary wall which appears disconnected from the rest of the building, as it does currently.

Other than this recommendation, I consider the external expression to be appropriate to the site and context.

Global South Pty Ltd

ACN 123 980 781
ABN 81 123 980 781

www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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4.0 Conclusion

The proposed development at 268-272 Church Street, Richmond aligns with the strategic directions for mixed-use intensification in activity centres, by providing varied residential apartments and Ground Floor retail tenancies, and would enhance the street frontage and laneway conditions through activation and passive surveillance opportunities.

The proposed building massing reflects a mid-rise intervention in a currently low-rise context, but is generally reflective of the planning provisions for development activity in the Bridge Road Major Activity Centre.

The proposed height substantially exceeds the preferred maximum height for this part of the activity centre, and while the design meets most of the criteria in DDO21 for exceeding the preferred maximum height controls, some are not met. I have therefore recommended a reduction in height by one (1) level, noting that the resultant height still exceeds the preferred maximum height. This will support a more effective 'fit' in the context, and reduce the off-site impacts.

The proposal reflects a highly considered architectural design, which maximises the visual permeability of the frontages, while provide a sense of 'mass', texture and solidity in the building form.

Subject to a reduction in building height and limited number of recommendations for refinement of the design set out above, I consider this proposal to be supportable from an urban design perspective.

Global South Pty Ltd

ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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(ACN 004 230 013)

Ref: 113-21-DE-REV-00

6 August 2021

City of Yarra
PO Box 168
Richmond VIC 3121

Attn: Daniel Hermann

Dear Daniel,

**268-272 Church Street, Richmond
Review of Vipac Wind Impact Assessment
Vipac Document Number: 30N-21-0274-TNT-14735-0 dated 11 June 2021**

The review of the Vipac Wind Impact Statement is based on MEL Consultants' experience of wind flow around buildings and structures. This experience has been developed from a company experience of more than 40 years of desktop, wind tunnel, and full scale studies of environmental wind conditions in urban and sub-urban areas. No wind tunnel studies have been undertaken to support the review. Our comments are as follows:

- The Vipac Wind Impact Assessment has been prepared based on the experience of the consultancy and no wind tunnel testing by Vipac has been carried out to support the report. MEL Consultants have no issue with this approach for a desktop study as this is a common approach to provide architects, developers, and responsible authorities advice on the wind effects of the design.
- MEL Consultants have no issue with the Analysis Approach, Site Exposure, and Regional Wind Climate that have been used as the basis for the assessment. Vipac has clearly identified the process for the desktop assessment and this is consistent with the approach that MEL Consultants would take to prepare a

TELEPHONE: (03) 8516 9680 : Intl +613 8516 9680 FAX : (03) 9544 0682 Intl +613 9544 0682

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desktop wind impact assessment. A clear description of the 268 Church Street, Richmond, development has been provided along with reference drawings are listed in the Appendix of the report.

- MEL Consultants have previously commented on the criteria used by Vipac. The recommended criteria for the immediate surroundings streetscapes would be walking comfort and the standing criteria for the entrances to the building. The assessment clearly discusses the rationale for recommending the walking criterion for the terraces and there is no issue with this recommendation.
- The Vipac desktop assessment of the wind conditions along Berry and Church Streets would satisfy the walking comfort criterion due to the setback design of the upper levels of the development. MEL Consultants agree with the assessment. Vipac have assessed the wind conditions outside the northeast corner entrance would not satisfy the standing criterion and have recommended it be related away from the corner and MEL Consultants agree with this assessment and recommendation.
- MEL Consultants would agree that the terraces on Levels 3 and 6 wind conditions would satisfy the walking criterion. Vipac have suggested mitigation strategies for the roof terrace and MEL Consultant support these recommendations to improve the wind conditions.

In conclusion, the Vipac Wind Impact Assessment has been prepared based on the consultant's experience of wind flow around buildings and structures. We have no issues with the Analysis Approach, Site Exposure, Regional Wind Climate, and description of the development used in the preparation of the assessment. This is consistent with the approach MEL Consultants would take to prepare a similar desktop environmental wind assessment. MEL Consultants would agree with the Vipac assessment of the expected wind conditions along Berry and Church Streets and the suggested relocation of the northeast entrance. MEL Consultants would agree with the assessment of satisfying the walking criterion on the Levels 3 and 6 terraces and support the recommendations for wind mitigation strategies for the roof terrace.

TELEPHONE: (03) 8516 9680 : Intl +613 851 6 9680 FAX : (03) 9544 0682: Intl +613 9544 0682

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Yours sincerely,

A handwritten signature in cursive script that reads "M. Eaddy".

M. Eaddy
MEL Consultants Pty Ltd

TELEPHONE: (03) 8516 9680 : Intl +613 8516 9680 FAX : (03) 9544 0682: Intl +613 9544 0682

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments



Memo

To: Daniel Herrmann

Cc: Glen Williames

From: Justin Bates

Date: 15 July 2021

Subject: PLN21/0271 268-272 Church St Richmond

diverse

vibrant

exciting

inclusive

Hi Daniel,

There are two Acers on the Church St Frontage at the proposed development site.
The amenity value come to \$2850.00.

We will be asking for a \$5,000.00 tree protection bond for the duration of the development to be refunded after tree inspection at the completion of he buils.

We will also require a TMP(Tree management plan), plus TPZ Fencing around both trees as per AS.4970.

Please feel free to contact me should you have any questions or concerns.

Regards

Justin

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

MEMO



To: Daniel Hermann (Statutory Planning)

From: Daniel Perrone (Urban Design)

Date: 11 Aug 2021

Site Address: 268 – 271 Church Street, Richmond

Application No: PLN21/0271

Description: Construction of a 7-storey mixed use building. Use of the land for office/food and drink premises (no permit required) and dwellings (permit required). A reduction of the standard car parking requirements. 156m² office/food and drink premises area. 24 dwellings. 34 car parking spaces within 3 basement levels. 6 resident and 2 visitor bicycle spaces (8 in total).

COMMENTS SOUGHT

Urban Design comments have been sought on following matters:

- Opportunities for UD improvements within the public realm adjacent the Site.
- Comment on the proposal's interface with public realm.
- Whether there are any capital works approved or proposed within the area of the subject site.

These comments are provided on the plans titled 'Town Planning RFI' (Cera Stribley Architects, June 2021). The extent of this review is limited to the proposed development's integration with the streetscape and public realm and excludes landscaping within the building and rooftop landscapes.

COMMENTS SUMMARY

This proposal is supported in principle, and the following recommendations are proposed to improve the proposal from an urban design perspective:

- It is recommended that an awning to be located above the ground floor of the Church Street interface is incorporated into the design proposal. Details (including materiality) would need to be reviewed by council (including Urban Design) before approval.
- Applicant to investigate opportunity of constructing a raised threshold crossing at the intersection of Church and Berry streets to improve the pedestrian safety and accessibility of Church St.

The rationale behind these changes is explained in detail overleaf.

There are no known planned/approved capital works around the site being led by the Urban Design Team.

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URBAN DESIGN COMMENTS

Ground Floor Interface

The subject site is located within the Bridge Road Activity Centre boundary and a section of Church St where building awnings are prevalent across most sites. As such, it is recommended that an awning along the Church Street façade of the development is incorporated into the design to improve the pedestrian amenity of Church Street, as well as to better integrate the development into the surrounding activity centre context. Furthermore, the addition of an awning to the Church Street interface may help to soften the scale of the development's form.

Otherwise, the materiality, the ratio of solid/glazed elements, and overall form of the ground floor interface are supported.

Footpaths

All footpaths surrounding the site are to be reinstated as per Yarra Standard Drawings and *Road Materials Policy*.

<p>Berry St</p>	<p>The footpath along the property's Berry Street frontage is approximately 700 millimetres in width and does not satisfy the minimum requirements of the Disability Discrimination Act (DDA). The applicant is to engage a qualified access consultant to provide an assessment of the footpath and advise if the footpath is adequate for pedestrian access to the primary pedestrian entrances of apartments 001, 002, and 003.</p> <p>The existing vehicle crossover along Berry St is to be demolished and reinstated as asphalt footpath as per Yarra Standard Drawings.</p>
<p>North-South Laneway (to west of site)</p>	<p>As above, there is concern that the existing laneway does not provide safe pedestrian access to apartments 002 and 003. As such the applicant may be required to re-construct the bluestone laneway using sliced bluestone pavers to provide a more accessible surface as per Yarra Standard Drawings.</p> <p>It is recommended that the applicant engages a qualified access consultant to provide an assessment of the laneway and advise if it is adequate for pedestrian access to the primary pedestrian entrances of apartments 002 and 003.</p>

Street Furniture & Fixtures

Bike hoops:

The proposed location of one (1) visitor bike hoop along the Church Street footpath is acceptable. Ensure the bike hoop is installed parallel to the kerb and as per Yarra Standard Detail attached. Any further visitor bike parking required (as determined by council's Strategic Transport team) will be required to be located within the boundaries of the subject site and clearly visible and accessible from the public realm.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

Opportunities for public realm improvements adjacent the site

There is the opportunity to improve pedestrian safety and accessibility along Church Street by providing a raised threshold crossing the intersection of Church St and Berry St as shown in the mark-up below. Desktop investigation shows that there are sufficient drainage pits around this intersection to support this, however, further onsite investigation would be required. The developer would be asked to bear the cost of this improvement.



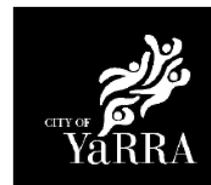
Figure 1: Location of potential raised threshold crossing at intersection of Church and Berry streets. Existing drainage pits shown for reference. (Not to scale.)

Capital Works

There are no known planned/approved capital works around the site being led by the Urban Design Team.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

Memo



To:	Daniel Herrmann
Cc:	
From:	Julia Mardjuki
Date:	6 August 2021
Subject:	PLN21/0271 - 268 - 272 CHURCH STREET, RICHMOND – Open Space Referral

Dear Daniel

Thank you for sending through this referral. I have reviewed the plans from Tract dated 21 April 2021 and the plans from Cera Stribley dated June 2021.

With regard to the overall development, I have some concerns over the bulk of the proposed development and the impact this will have to the amenity of Ben Alexander Reserve. The *Yarra Open Space Strategy 2020* states there should be no additional overshadowing beyond the 9 meter built form height between 10am and 3pm on 21 June. The shadow diagrams provided by Cera Stribley only show the impact of overshadowing on 23 September. We request additional diagrams be provided for 21 June so we can properly understand the overshadowing impact of the development on the reserve, especially in winter when it is crucial to maintain solar amenity in our public open spaces. The current diagrams show there will be impact from overshadowing at 10am on 23 September over the southern section of the reserve which we do not support.

In addition, the bulk of the building could also create a sense of enclosure over the park and negative wind tunnel effects in the laneway where the proposed development meets the reserve. There may be other adverse effects such as noise, light spill, traffic movement and car parking demand. We would like to be provided with additional studies to demonstrate how the development will positively or adversely affect the reserve. The Cera Stribley study shows 'site constraints' on page 18, we think protecting the amenity of the adjoining reserve should be one of the main factors they consider in their analysis and design proposal.

Public open space in Yarra is scarce, especially in the Central Richmond precinct and existing sites need to be preserved and protected. Impacts to the amenity of a reserve, especially to its sunlight access will compromise the quality of the existing planting and erode the community health and well benefits being our public open spaces provide. Based on the information provided to date, we would recommend a reduction in height to preserve the amenity of Ben Alexander Reserve.

In terms of the landscape concept report, I am supportive of the overall proposal and think the inclusion of green elements will enhance the built form. If a planning permit is issued for the development, we request a more detailed landscape plan with further information including:

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

- (a) planting schedule - show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (b) Ensure none of the proposed plants are shown on the *DELWP Advisory List of Environmental Weeds*;
- (c) provide details including sections and spot levels for the atrium and mezzanine gardens,
- (d) provide details on the raised planters and terrace/rooftop planting (including planter box materials and dimensions, mulch layer – something that won't blow away, growing media – suitable in weight and content for roof top gardens, filter media, irrigation method, drainage system, root barrier / water proofing layer);
- (e) provide details of the *proposed method for irrigation and drainage*;
- (f) detail the *maintenance (duration, regime) and irrigation*;
- (g) show the materiality of the proposed spaces;
- (h) provide a specification of works to be undertaken prior to planting;
- (i) detail if relevant on any sustainable treatments and water harvesting methods; and
- (j) detail plant/planting maintenance schedules and requirements.

Please let me know if you would like me to clarify any of my comments or if you require any further information from me at this stage.

Sincerely

Julia Mardjuki
Open Space Planner

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments



PLANNING APPLICATION REFERRAL TO STRATEGIC PLANNING UNIT

Strategic planning comments

Strategic Planning comments are provided below. The comments in this assessment focus on compliance with Schedule 21 to the Design and Development Overlay (DDO21). They do not provide commentary on other sections of the planning scheme or fully assess the internal amenity impacts of the application.

Development details

Property address	268-272 Church St Richmond
Application number	PLN21/0271
Referral prepared by	Daniel Herrmann
Description	<p>Construction of a 7-storey mixed use building.</p> <p>Use of the land for office/food and drink premises (no permit required) and dwellings (permit required).</p> <p>A reduction of the standard car parking requirements.</p> <p>156m² office/food and drink premises areas.</p> <p>24 dwellings.</p> <p>34 car parking spaces within 3 basement levels.</p> <p>6 resident and 2 visitor bicycle spaces (8 in total).</p>
Relevant amendment and status	Advertising
Existing and proposed controls	<p><u>Existing</u></p> <p>C1Z/DDO21/DCPO</p>

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments



1. Summary of Strategic Planning comments

A permit should not be granted for PLN21/0271 as the height of the proposed development (24.6m) exceeds the preferred height limit (15m) and does not comply with all the relevant criteria and design/precinct design objectives outlined in DDO21 (See sections 2.1, 2.2 and 2.10).

There are concerns how the application responds to the following objective (amongst others): *"To support a midrise scale built from character with lower built form at the interfaces with streets and the adjoining low-rise residential areas"*. There are concerns that the height along with the lesser setback to Berry St and the rear laneway provide for an overwhelming/dominating interface to these streets.

The proposed development does not meet the preferred upper level setback requirement of 6m and proposes 5m. This referral deems that the proposed setback is acceptable as outlined in Section 2.4.

The proposed development does not satisfy the building separation requirements as outlined in Section 2.5. This referral recommends that Statutory Planning seek urban design advice regarding how the development responds to the building separation requirements.

This referral has raised concerns with the proposed height (refer to section 2.1, 2.2 and 2.10) and is unclear whether the proposed development would intrude or provide some blue sky between itself and the landmark.

It is recommended that the applicant provide higher quality imagery if possible or modelling like Image 2 with a north/south elevation

The proposed street wall height to Berry St and the rear lane are appropriate. The proposed street wall height is a similar height to the outcome that would be sought if the property abutted residentially zoned land (i.e. the residential interface requirements in DDO21).

However, there is a minimal setback of the development above the street wall. This, coupled with the overall height, creates a contrast in height between the development and the single storey dwellings and the public park.

It is recommended that either:

- a greater setback to the rear laneway and possibly to Berry Street be provided; or
- a lower overall building height is proposed that is closer to the preferred overall building height.

This referral recommends that the applicant reconsiders the proposed development through several amendments listed below.

.1 Strategic Planning Comments

1. A permit should not be granted for the application in its current form.
2. Reduce the current height of the application to better align with DDO21's requirements, design objectives and precinct design objectives.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

3. This referral recommends that Statutory Planning seek urban design advice regarding how the development responds to the building separation requirements.
4. It is recommended that the applicant provide higher quality imagery if possible or modelling like Image 2 with a north/south elevation to show impacts to the St Ignatius Church.
5. The applicant should consider the following changes to address design/precinct design objective issues relating to the residential interface:
 - a. a greater setback to the rear laneway and possibly to Berry Street be provided; or
 - b. a lower overall building height is proposed that is closer to the preferred overall building height.

2. Detailed Review

2.0 Assessment of compliance with built form requirements

Built form requirements	DDO21	Proposal	Assessment of proposal
Building height	15m (Discretionary)	26.42m	Does not comply refer to section 2.2 of this referral.
Street wall height	11m (Discretionary)	10.92m without parapet 11.92 with parapet	The street wall proposed marginally exceeds the preferred street wall height by 0.92m refer to section 2.3 of this referral.
Street wall Setback	0m	0m	Complies
Upper lever setback	6m <i>Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3 (P.3)</i> <i>Must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form. (P.3)</i>	5m	Does not meet the 6m discretionary setback but meets the objectives/requirements of the DDO. Refer to 2.4.1 of this referral.
Overshadowing	the opposite footpath of Church Street to a distance of 3.0 metres from the kerb between 11am and 2pm at 22nd September	Does not overshadow.	Complies
Building separation, amenity and equitable development	In addition to the above, a building that exceeds a height of 21 metres must be setback at least one-	4.5m from Berry St 2m from southern boundary	Berry St complies. Southern boundary to increase to >3m to comply (approximately)

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

Built form requirements	DDO21	Proposal	Assessment of proposal
	sixth of the width of the lot to maintain views to the sky between buildings. Where the boundary is a laneway, the setback is measured from the centre of the laneway.		

2.1 Design Objectives

The following Design Objectives apply:

1. To support a midrise scale built form with character with lower built form at the interfaces with streets and the adjoining low-rise residential areas.
2. To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape. (Underlined section relevant)
3. To provide a comfortable level of street enclosure, maintain solar access to key footpaths, and ensure a high-quality built form interface to all streets and public spaces.
4. To minimise amenity impacts on residential properties adjoining the Bridge Road Activity Centre including overlooking, overshadowing and visual bulk impacts.

Point 1: The proposed development does not fully comply with the design objective listed in point 1. The development proposes a midrise form with an appropriate street wall interface to Church Street.

However, the development does not satisfy the objective to provide a “*lower built form at the interfaces with streets and adjoining residential development*”. The application proposes an interface that is dominant to the northern and western boundaries of the site.

Point 2: The plans indicate that the proposed building heights either sits just below or touches the view cone to the St Ignatius Church when viewed from the tram stop on Victoria St. There are some minor concerns that the building may visually intrude. This may be a result of the overall building height (refer to section 2.2) or upper level setbacks. There is further discussion on the *View to Landmark* requirement in Section 2.6.

Point 3: This referral acknowledges that the proposed development would provide a comfortable street enclosure (See Section 2.4) to Church Street while also maintaining solar access (See Section 2.7). This referral also acknowledges that the proposed design treatment would provide for a positive improvement to Berry St and the rear laneway of the site.

There are concerns that the height along with the lesser setback to Berry St and the rear laneway provide for an overwhelming interface to these streets.

Point 4: There are overshadowing and visual bulk concerns regarding the proposed development.

The application would result in unnecessary overshadowing of 27 Hodgson Street Richmond.

Along Berry St will present a contrasting 6/7 storey development to the single storey residential surrounds.

This referral recommends lower height, which would alleviate these concerns. Depending on the reduction further upper level setbacks may be required to meet this objective.

2.2 Building Heights

The height of the proposed development is 26.4m tall which exceeds the preferred height of 15m outlined in DDO21 by 11.4m

It is not recommended that the application is approved with a height taller than 15m as it does not:

- Design Objective: The proposal does not satisfy all the relevant design objectives as discussed in 2.1 of this referral.
- Building separation: Southern interface boundary is set back 2m which is less than the required 3m (see section 2.5).
- Universal access: 33.3% percent are accessible in the proposed development; this should be greater than 50% to meet this criterion.
- Amenity Impacts: The proposed development would have visual bulk and overshadowing (specifically 27 Hodgson Street) which would not occur if the building was 15m tall.

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2.3 Street Wall Heights

The street wall proposed marginally exceeds the preferred street wall height by 0.92m.

As the deviation to the preferred street wall height is only marginally and aligns with the precinct design requirements, this referral deems this to be an acceptable outcome.

2.4 Setback Requirements

2.4.1 Upper level setback

The proposed development does not meet the preferred upper level setback requirement of 6m and proposes 5m. This referral deems that the proposed setback is acceptable, as the upper levels comfortable sits within the prescribed vertical angle as outlined in DDO21:

Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3

The upper levels make up one quarter of the vertical angle comfortable under the one third requirement.

As this referral recommends that the overall building height be reduced, the visual presence of the upper levels will be reduced even further.

This referral does raise some concerns in Section 2.6 regarding some visual intrusion to St Ignatius Church. Depending on the outcome a greater upper level may be required.

2.4.2 Stepped form

The development complies with the following:

Must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form.

2.5 Building Separation Requirements

The development complies with the following clauses:

- *An application for development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk*

The application does not satisfy the following building separation requirements:

- *Where development shares a common boundary, upper level development must be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed. (Where the common boundary is a laneway, the setback is measured from the centre of the laneway)*
- *In addition to the above, a building that exceeds a height of 21 metres must be setback at least one-sixth of the width of the lot to maintain views to the sky between buildings. Where the boundary is a laneway, the setback is measured from the centre of the laneway.*

Point 1: The application proposes a 1m (approx..) upper level setback above the street wall on Berry Street. Berry St is narrow road/lane that is approximately 5.75m wide. To meet the building separation requirement (first point) a setback of 1.6m would be required. It is recommended that statutory planning seek urban design advice to determine whether the proposed building separation setback is appropriate.

Point 2: The application proposes upper level building separation above 21m of 4.5m from Berry St interface and 2m from the southern boundary (approximately). The site is 18.3m which would require upper level building separation of 3.05m on each side.

It is recommended that the height of the proposed development be reduced in line with the DDO21 and may not trigger the building separation clause as a result of an amended plan.

If the applicant wishes to propose a building taller than the preferred height of 15m the southern boundary setback above 21m would need to be increased to comply with the requirements set out in the DDO.

2.6 Views to Landmarks

DDO21 requires new development to maintain views to identified landmarks (see Image 1).

The proposed development is situated within a view line for the following landmark:

the tower belfry and spire of St Ignatius Cathedral when viewed from:

the tram stops at the intersection of Victoria Street and Church Street;

The plans provided by the applicant show that the development at its current height either just touch or sits below the view cone to the tower belfry and spire (see Image 2).

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

This referral has raised concerns with the proposed height (refer to section 2.1, 2.2 and 2.10), if the recommended height reduction is adopted then any concerns about a new development intruding into the identified view may be alleviated.

DDO21 requires:

Where a landmark is currently viewed from the above viewing points with a "clear sky" backdrop, development must maintain views to some clear sky between the landmark and the proposed development

It is unclear whether the proposed development would intrude or provide some blue sky between itself and the landmark.

It is recommended that the applicant provide higher quality imagery if possible or modelling like Image 2 with a north/south elevation.

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ARCHITECTURAL ELEMENTS

(Photo Provided by GJM Heritage Consultants)

Image 1 Architectural Elements - Landmarks and Views Assessment 2019 Page 31

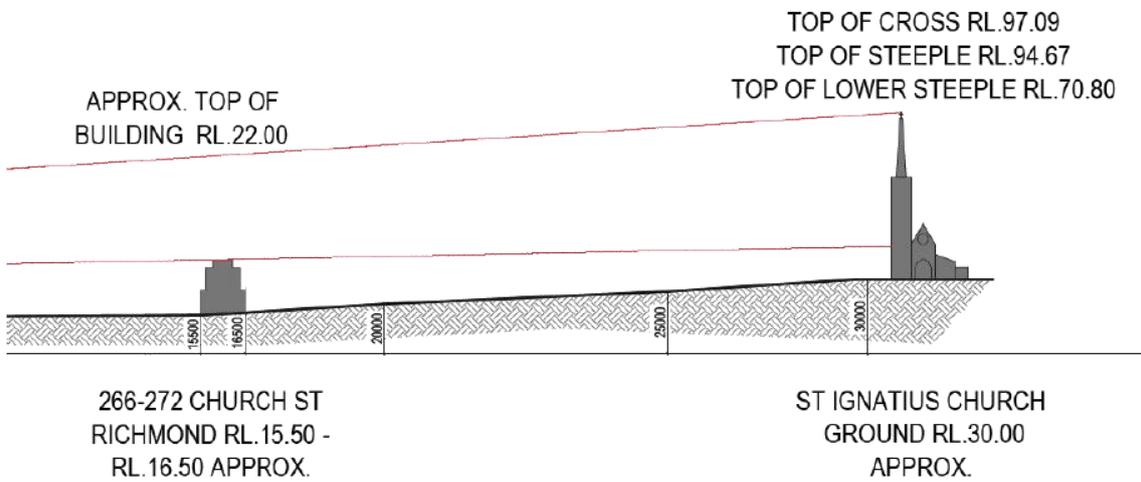


Image 2 View cone to St Ignatius Church - PLN21/0271 Plans

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Image 3 Building Outline - PLN21/0271 Plans

2.7 Overshadowing Requirements

The proposed development complies with the following clause:

- *the opposite footpath of Church Street to a distance of 3.0 metres from the kerb between 11am and 2pm at 22nd September;*

2.8 Vehicle Access

The proposed application complies with the clauses outlined under *Vehicle Access Requirements*.

2.9 Building Design

The application complies with the following building design requirements:

- *incorporate vertical articulation in the street wall that reflects the prevailing pattern of subdivision and buildings;*
- *allow for commercial activity at the ground and first floor (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint;*
- *be expressed in the round and provide detail on facades when viewed from all directions;*

The application does not fully comply with the following building design requirements however, the propose design of the development meets the overall design objectives of the DDO:

- *incorporate awnings over the footpath on commercial zoned land for the full width of the lot, continuous with any adjoining awning;*

There is no current pattern of awnings in this part of Church Street and the site is located at the periphery of the Activity Centre. Considering the finishes and design of the proposed application this outcome is considered appropriate.

- *incorporate an architectural expression at upper levels that is distinct from but complimentary to the street wall.*

The architectural expressions at upper levels are not distinct from the street wall. The proposed application relies on the upper level setback to provide a distinct form (see section 2.4). It is recommended that the height of the proposed application be reduced to comply with the DDO, this will also encourage the prominence of the street wall.

2.10 Precinct Design Requirements

The application complies with following relevant precinct design requirements:

- *maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street;*
- *maintain a sense of openness along Bridge Road and Church Street;*

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4.0 DDO41 – Bridge Road West

Officers have prepared draft C291yara which was considered by Council at its Ordinary Council Meeting on 20 April 2021.

Draft Amendment C291yara proposes to replace interim DDO21 and DDO22 with new permanent built form provisions for the Bridge Road and Victoria Street Activity Centres. Under the draft amendment, five new DDOs would apply to Bridge Road replacing DDO21

The draft DDO, proposed as part of C291yara, that would apply to the land at Church Street, Richmond is *DDO41 – Bridge Road West*.

The Minister for Planning has set up the Yarra Activity Centre Standing Advisory Committee to consider this and other draft amendments for Yarra’s activity centres. Council is awaiting details of the appointment of the SAC. Council on 29 July requested consent to notify and prepare Draft Amendment C291yara.

At the 20 April meeting, Council adopted the draft DDOs and background documents. While it is acknowledged that the draft amendment is not yet ‘seriously entertained’, they do provide information about Council’s intent. Strategic Planning considers it would be useful for the background material and draft DDOs to be considered in decision making.

Built form requirements	DDO21	Proposal
Building height	15m (Discretionary)	26.42m
Street wall height	8m to 11m (Mandatory) Church Street 11m (Discretionary) Berry Street 8m (discretionary) Rear Lane	10.92m without parapet 11.92 with parapet
Street wall Setback	0m	0m
Upper lever setback	6m Church Street 3m (Discretionary) Berry Street 4.5m (discretionary) Rear Lane	5m Church Street 1.1m Berry Street 2m Rear Lane
Overshadowing	A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority: <ul style="list-style-type: none"> any part of the opposite footpath of Lennox Street and Church Street, measured from the 	Complies with Church Street overshadowing requirements. Does not comply with Alexander Park overshadowing requirements.

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Built form requirements	DDO21	Proposal
	<p>property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).</p> <p>A permit should not be granted to construct a building or construct or carry out works that would cause any additional overshadowing of the following space between 10am and 2pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:</p> <ul style="list-style-type: none"> ▪ Alexander Park 	
<p>Building separation, amenity and equitable development</p>	<p>For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.</p>	<p>4.5m from Berry St 2m from southern boundary</p>

Kyle
Strategic Planner
Strategic Planning Unit
Date 17 Aug. 21

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Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



ESD in the Planning Permit Application Process

Yarra City Council's planning permit application process includes Environmentally Sustainable Development (ESD) considerations. This is now supported by the ESD Local Policy Clause 22.17 of the Yarra Planning Scheme, entitled *Environmentally Sustainable Development*.

The Clause 22.17 requires all eligible applications to demonstrate best practice in ESD, supported by the Built Environment Sustainability Scorecard (BESS) web-based application tool, which is based on the Sustainable Design Assessment in the Planning Process (SDAPP) program.

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category *Residential 1. 10 dwellings or greater*.

What is a Sustainable Management Plan (SMP)?

An SMP is a detailed sustainability assessment of a proposed design at the planning stage. An SMP demonstrates best practice in the 10 Key Sustainable Building Categories and;

- Provides a detailed assessment of the development. It may use relevant tools such as BESS and STORM or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identifies achievable environmental performance outcomes having regard to the objectives of Clause 22.17 (as appropriate); and
- Demonstrates that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- Documents the means by which the performance outcomes can be achieved.

An SMP identifies beneficial, easy to implement, best practice initiatives. The nature of larger developments provides the opportunity for increased environmental benefits and the opportunity for major resource savings. Hence, greater rigour in investigation is justified. It may be necessary to engage a sustainability consultant to prepare an SMP.

Assessment Process:

The applicant's town planning drawings provide the basis for Council's ESD assessment. Through the provided drawings and the SMP, Council requires the applicant to demonstrate best practice.

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Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



Assessment Summary:

Responsible Planner:	Dan Herrmann
ESD Advisor:	Euan Williamson
Date:	10.08.2021
Subject Site:	PLN21/0271
Site Area:	Approx. 553 m2
Project Description:	Construction of a mixed-use development comprising of ground floor office/food and drink premises with 24 residential dwellings and basement carparking
Pre-application meeting(s):	Unknown.
Documents:	<ul style="list-style-type: none"> - Sustainability Management Plan (SDC - Architectural Plans (advertised set – June 2021)

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

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

(1) Applicant ESD Commitments:

- Good access to daylight across dwellings and office/retail areas.
- Good standard of natural ventilation to dwellings, with mostly cross ventilated dwellings and effective single sided natural ventilation to remaining dwellings.
- Dwellings designed to a 7.5 Star NatHERS average ratings and non-residential meets the NCC2019 façade DTS standards.
- 6 Star gas instantaneous hot water.
- Overhanging balconies, articulated facades, and a variety of vegetation will provide reasonable shading and has kept cooling loads under the 30MJ/m²/year threshold.
- Energy efficient reverse cycle spit systems within one star of most efficient available.
- Energy efficient LED lighting
- On-site 8.8 kWp PV array to contribute to onsite energy demand.
- A STORM report with a 114% STORM score has been submitted that demonstrates best practice and relies on 386m² of roof and terraces connected to a 10,000 litre rainwater tank for flushing of all toilets in apartments.
- Water efficient fixtures and taps.
- Water sensitive landscaping to lower irrigation needs.
- One EV charging car park space. Remaining car parks have access to conduit for future EV charging.
- Waste management plan for construction with a 90% recycling target for construction and demolition waste.
- Waste management facilities to separate commercial and residential general waste and recyclables, hard waste and organic waste systems.
- Planting and landscaping areas include: in-ground planting in light courts and balustrades, terraces on level 3 and 6 and a planted rooftop space.
- High-albedo materials and significant landscaping areas throughout building assist with immediate thermal comfort in relation to urban heat.
- Sourcing materials close to site assist local economy and lowers emissions associated with building materials.

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Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



- Building users engagement through metering and display systems.
- Solar PV pergola in common rooftop garden is an effective use of the space and synergy of design elements

(2) Application ESD Deficiencies:

- Office/retail appear to have fixed glazing. Recommend operable glazing to the ground floor office/retail areas to facilitate natural ventilation.
- Only 6 secure bicycle parking spaces have been proposed for staff of retail, and there are no residential bike parking spaces. Recommend additional secure and convenient bike parking (ground floor) for residents, minimum 24 spaces or one per dwelling, plus spaces for visitors and staff.

(3) Outstanding Information:

- There appears on a single waste chute on the plans, but the SMP describes a twin chute system. Please confirm a twin waste chute system will be used to make recycling as convenient and general waste disposal. Check the waste strategy in the SMP and plans matches the WMP.

(4) ESD Improvement Opportunities

- Recommend all carparks are 'EV ready' *See Yarra Strategic Transport team for additional 'EV Ready' elements to complement the conduit.*
- Consider electric heat pump hot water and a 100% renewable energy building.
- Consider using a lighter metal colour on the upper façade and planter boxes to assist reduce urban heat and help the plants in the planter boxes thrive with reducing soil evaporation.
- 7.5 Stars is only just considered innovative as City of Yarra regularly sees 7 Star average for apartments. Recommend hitting 8 Star average if the project wants to truly be innovative in thermal energy performance.
- Recommend that all building services be commissioned in accordance with the manufacturer's specifications and tuned regularly to optimise performance.
- Consider that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.
- Recommend end of trip facilities at ground level to support staff cycling to work.

Further Recommendations:

The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

1. Indoor Environment Quality (IEQ)

Objectives:

- to achieve a healthy indoor environment quality for the wellbeing of building occupants.
- to provide a naturally comfortable indoor environment will lower the need for building services, such as artificial lighting, mechanical ventilation and cooling and heating devices.

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	Good standard of natural ventilation to dwellings, with mostly cross ventilated dwellings and effective single sided natural ventilation to remaining. Office/retail appear to have fixed glazing.	Recommend operable glazing to the ground floor office/retail areas.	4
Daylight & Solar Access	Good access to daylight across dwellings and office/retail areas.	Satisfactory.	1
External Views	90% of floor area in the building will allow occupants to be situated close to an external window and have a clear line of site to high quality external view.	Satisfactory.	1
Hazardous Materials and VOC	Mechanical ventilation in pollutant source zones (i.e. kitchens), Low VOC internal materials and 95% of engineered wood meet formaldehyde limits	Satisfactory.	1
Thermal Comfort	Passive orientation, articulated facades, and a variety of shading treatments including vegetation. Suitable and solar access.	Satisfactory.	1

*** Council Assessment Ratings:**

- 1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [1. Indoor Environment Quality](#)
 Good Environmental Choice Australia Standards www.geca.org.au
 Australian Green Procurement www.greenprocurement.org
 Residential Flat Design Code www.planning.nsw.gov.au
 Your Home www.yourhome.gov.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

2. Energy Efficiency

Objectives:

- to ensure the efficient use of energy
- to reduce total operating greenhouse emissions
- to reduce energy peak demand
- to minimize associated energy costs.

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	Dwellings designed to a 7.5 Star NatHERS average ratings and non-residential meets the NCC2019 façade DTS standards.	Satisfactory	1
Thermal Performance	Passive design elements incorporated.	Satisfactory	1
Greenhouse Gas Emissions	Generally supportive elements without clear calculations.	Satisfactory	1
Hot Water System	6 Star gas instantaneous hot water.	Consider electric heat pump hot water and a 100% renewable energy building.	4
Peak Energy Demand	Reduce peak electrical demand through various elements	Satisfactory	1
Effective Shading	Overhanging balconies, articulated facades, and a variety of vegetation will provide reasonable shading and has kept cooling loads under the 30MJ/m2/year threshold.	-	1
Efficient HVAC system	Energy efficient reverse cycle spit systems within one star of most efficient available.	Satisfactory	1
Car Park Ventilation	CO linked variable speed control.	Satisfactory	1
Efficient Lighting	LED lighting throughout designed to achieve a 20% improvement over NCC minimum requirements.	Satisfactory	1
Electricity Generation	On-site 8.8 kWp PV array to contribute to onsite energy demand.	Satisfactory	1
Other	-	-	

* Council Assessment Ratings:

1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [2. Energy Efficiency](#)
 House Energy Rating www.makeyourhomegreen.vic.gov.au
 Building Code Australia www.abcb.gov.au
 Window Efficiency Rating Scheme (WERS) www.wers.net
 Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au
 Energy Efficiency www.resourcesmart.vic.gov.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

3. Water Efficiency

Objectives:

- to ensure the efficient use of water
- to reduce total operating potable water use
- to encourage the collection and reuse of rainwater and stormwater
- to encourage the appropriate use of alternative water sources (e.g. grey water)
- to minimise associated water costs.

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Minimum WELS star rating of fixtures: <ul style="list-style-type: none"> • Taps: 5 star • Toilets: 4 star • Showers: 3 star (<7.5 l/min) 	Satisfactory	1
Water for Toilet Flushing	10,000 litre tank connected to toilet flushing in all toilets.	Satisfactory	1
Water Meter	Separate water metering systems for all tenancies.	Satisfactory.	1
Landscape Irrigation	Water sensitive landscape design to reduce potable water used for irrigation.	Satisfactory.	1
Other	Waterless heat rejection, fire testing water capture and drip irrigation with moisture sensors.	Satisfactory.	1

* Council Assessment Ratings:

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3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [3. Water Efficiency](#)

Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au

Water Services Association of Australia www.wsaa.asn.au

Water Tank Requirement www.makeyourhomegreen.vic.gov.au

Melbourne Water STORM calculator www.storm.melbournewater.com.au

Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

4. Stormwater Management

Objectives:

- to reduce the impact of stormwater runoff
- to improve the water quality of stormwater runoff
- to achieve best practice stormwater quality outcomes
- to incorporate Water Sensitive Urban Design principles.

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A STORM report with a 114% STORM score has been submitted that demonstrates best practice and relies on 386m ² of roof and terraces connected to a 10,000 litre rainwater tank for flushing of all toilets in apartments.	Satisfactory.	1
Stormwater Diversion	-	-	-
Stormwater Detention	-	-	-
Stormwater Treatment	See above	Satisfactory	1
Others	-	-	-

* Council Assessment Ratings:

1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [4. Stormwater Management](#)
 Melbourne Water STORM calculator www.storm.melbournewater.com.au
 Water Sensitive Urban Design Principles www.melbournewater.com.au
 Environmental Protection Authority Victoria www.epa.vic.gov.au
 Water Services Association of Australia www.wsaa.asn.au
 Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

5. Building Materials

Objectives:

- to minimise the environmental impact of materials used by encouraging the use of materials with a favourable lifecycle assessment.

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	Minimum 20% recycled content in insulation.	Satisfactory	1
Embodied Energy of Concrete and Steel	Steel sourced from Responsible Steel Maker	Satisfactory	1
Sustainable Timber	All timber sourced from sustainable supplier.	Satisfactory.	1
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	1
PVC	All cables, pipes, floors, blinds either PVC free or meet best Practice Guidelines.	Satisfactory.	1

* Council Assessment Ratings:

1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [5. Building Materials](#)

Building Materials, Technical Manuals www.yourhome.gov.au

Embodied Energy Technical Manual www.yourhome.gov.au

Good Environmental Choice Australia Standards www.geca.org.au

Forest Stewardship Council Certification Scheme www.fsc.org

Australian Green Procurement www.greenprocurement.org

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

6. Transport

Objectives:

- to minimise car dependency
- to ensure that the built environment is designed to promote the use of public transport, walking and cycling.

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking in basement.	See Yarra Strategic Transport team for additional 'EV Ready' elements to complement the conduit.	3
Bike Parking Spaces	Only 6 secure bicycle parking spaces have been proposed for staff of retail, and there are no residential bike parking spaces.	Recommend additional secure and convenient bike parking (ground floor) for residents, minimum 24 spaces or one per dwelling, plus spaces for visitors and staff.	2
End of Trip Facilities	No information has been provided.	Recommend end of trip facilities at ground level to support staff cycling to work.	4
Car Share Facilities	No information has been provided.	-	1
Electric vehicle charging	One electric vehicle charging space provided from commencement, with conduit for future EV charging to all car parks.	See Yarra Strategic Transport team for additional 'EV Ready' elements to complement the conduit.	1
Green Travel Plan	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [6. Transport](#)
 Off-setting Car Emissions Options www.greenfleet.com.au
 Sustainable Transport www.transport.vic.gov.au/doi/internet/icy.nsf
 Car share options www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/
 Bicycle Victoria www.bv.com.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

7. Waste Management

Objectives:

- to ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development
- to ensure long term reusability of building materials.
- to meet Councils' requirement that all multi-unit developments must provide a Waste Management Plan in accordance with the *Guide to Best Practice for Waste Management in Multi-unit Developments 2010*, published by Sustainability Victoria.

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	Waste management plan for construction with a 90% recycling target for construction and demolition waste.	-	1
Operational Waste Management	Waste management facilities to separate commercial and residential general waste and recyclables, hard waste and organic waste systems.	There appears on a single waste chute on the plans, but the SMP describes a twin chute system. Please confirm a twin waste chute system will be used to make recycling as convenient and general waste disposal.	3
Storage Spaces for Recycling and Green Waste	Bin storage room located in the basement with space allocated for multiple waste streams	Check the waste strategy in the SMP and plans matches the WMP.	3
Others	-	-	-

*** Council Assessment Ratings:**

1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [7. Waste Management](#)
 Construction and Waste Management www.sustainability.vic.gov.au
 Preparing a WMP www.epa.vic.gov.au
 Waste and Recycling www.resourcesmart.vic.gov.au
 Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002) www.environment.nsw.gov.au
 Waste reduction in office buildings (2002) www.environment.nsw.gov.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

8. Urban Ecology

Objectives:

- to protect and enhance biodiversity
- to provide sustainable landscaping
- to protect and manage all remnant indigenous plant communities
- to encourage the planting of indigenous vegetation.

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	N/A
Maintaining / Enhancing Ecological Value	Planting areas include: in-ground planting in light courts and balustrades, terraces on level 3 and 6 and a planted rooftop space.	Satisfactory.	1
Heat Island Effect	High-albedo materials and significant landscaping areas throughout building assist with immediate thermal comfort.	Consider using a lighter metal colour on the upper façade and planter boxes to assist reduce urban heat and help the plants in the planter boxes thrive with reducing soil evaporation.	4
Other		-	
Green wall, roofs, facades	Green roof area and substantial landscaping throughout the project.	Satisfactory.	1

* Council Assessment Ratings:

1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [8. Urban Ecology](#)
 Department of Sustainability and Environment www.dse.vic.gov.au
 Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au
 Greening Australia www.greeningaustralia.org.au
 Green Roof Technical Manual www.yourhome.gov.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

9. Innovation

Objective:

- to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

Issues	Applicant's Design Responses	Council Comments	CAR*
Significant Enhancement to the Environmental Performance	Sourcing materials close to site assist local economy and lowers emissions associated with building materials.	Satisfactory	1
Innovative Social Improvements	Building users engagement through metering and display systems.	Good idea, needs ongoing oversight.	1
New Technology	Solar PV pergola in common roof top garden is an effective use of the space and synergy of design elements.	Good result.	1
New Design Approach	7.5 Stars is only just considered innovative as City of Yarra regularly sees 7 Star average for apartments.	Recommend hitting 8 Star average if the project wants to truly be innovative in thermal energy performance.	4
Others	90% recycling rate for demo and construction waste higher than the standard 80%	Satisfactory	1

*** Council Assessment Ratings:**

- 1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

- SDAPP Fact Sheet: [9. Innovation](#)
 Green Building Council Australia www.gbca.org.au
 Victorian Eco Innovation lab www.ecoinnovationlab.com
 Business Victoria www.business.vic.gov.au
 Environment Design Guide www.environmentdesignguide.com.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

10. Construction and Building Management

Objective:

- to encourage a holistic and integrated design and construction process and ongoing high performance

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	No information has been provided	Recommend that all building services be commissioned in accordance with the manufacturer's specifications and tuned regularly to optimise performance.	4
Building Users Guide	A Building Users Guide explaining optimal usage of building services to minimise energy and water consumption.	Satisfactory	1
Contractor has Valid ISO14001 Accreditation	No information has been provided.	-	-
Construction Management Plan	No information has been provided.	Consider that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.	4
Others	-	-	-

*** Council Assessment Ratings:**

- 1 – Design Response is **SATISFACTORY**; 2 – Design Response is **NOT SATISFACTORY**
 3 – **MORE INFORMATION** is required; 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [10. Construction and Building Management](#)
 ASHRAE and CIBSE Commissioning handbooks
 International Organization for standardization – ISO14001 – Environmental Management Systems
 Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

Sustainable Management Plan (SMP)
for planning applications being considered by Yarra Council



Applicant Response Guidelines

Project Information:

Applicants should state the property address and the proposed development's use and extent. They should describe neighbouring buildings that impact on or may be impacted by the development. It is required to outline relevant areas, such as site permeability, water capture areas and gross floor area of different building uses. Applicants should describe the development's sustainable design approach and summarise the project's key ESD objectives.

Environmental Categories:

Each criterion is one of the 10 Key Sustainable Building Categories. The applicant is required to address each criterion and demonstrate how the design meets its objectives.

Objectives:

Within this section the general intent, the aims and the purposes of the category are explained.

Issues:

This section comprises a list of topics that might be relevant within the environmental category. As each application responds to different opportunities and constraints, it is not required to address all issues. The list is non-exhaustive and topics can be added to tailor to specific application needs.

Assessment Method Description:

Where applicable, the Applicant needs to explain what standards have been used to assess the applicable issues.

Benchmarks Description:

The applicant is required to briefly explain the benchmark applied as outlined within the chosen standard. A benchmark description is required for each environmental issue that has been identified as relevant.

How does the proposal comply with the benchmarks?

The applicant should show how the proposed design meets the benchmarks of the chosen standard through making references to the design brief, drawings, specifications, consultant reports or other evidence that proves compliance with the chosen benchmark.

ESD Matters on Architectural Drawings:

Architectural drawings should reflect all relevant ESD matters where feasible. As an example, window attributes, sun shading and materials should be noted on elevations and finishes schedules, water tanks and renewable energy devices should be shown on plans. The site's permeability should be clearly noted. It is also recommended to indicate water catchment areas on roof- or site plans to confirm water re-use calculations.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments



Planning Referral

To: Daniel Herrmann
From: Chloe Wright
Date: 09/08/2021
Subject: Strategic Transport Comments
Application No: PLN21/0271
Description: Construction of a 7 storey mixed use building and use of the land for office/food and drink premises and dwellings.
Site Address 268 – 272 Church Street, Richmond

I refer to the above application and the accompanying Traffic report prepared by One Mile Grid in relation to the proposed development at 268 – 272 Church Street, Richmond. Council's Strategic Transport unit provides the following information:

Access and Safety

No access or safety issues have been identified.

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	24 dwellings	1 resident space per 5 dwellings	5 resident spaces	
		1 visitor space per 10 dwellings	2 visitor spaces	
Retail premises	157 sqm	1 employee space to each 300 sqm of leasable floor area	1 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area	0 visitor spaces	
Bicycle Parking Spaces Total			6 resident / employee spaces	6 resident / employee spaces
			2 visitor spaces	2 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	0 showers / change rooms	0 showers / change rooms

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

Adequacy of visitor spaces

The following comments are provided in relation to the provision of visitor bicycle spaces:

- 2 visitor spaces are provided at the Church Street footpath, which meets the statutory requirement of 2 visitor spaces.
- Visitor bicycle spaces are provided as a bicycle hoop and appear to be positioned in accordance with clearance and access requirements of AS2890.3.
- The bicycle hoop must be installed as per Urban Design's bicycle hoop standard detail (attached).

Adequacy of residential / employee spaces

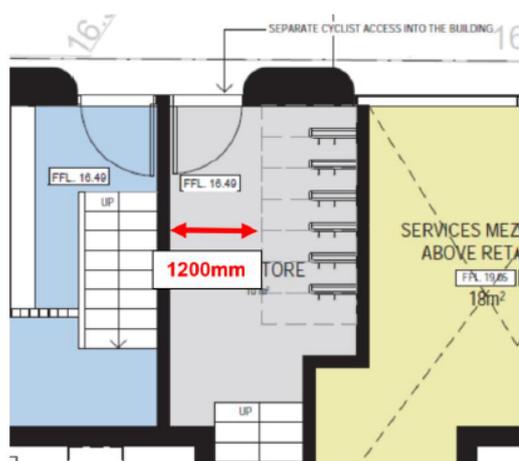
Number of spaces

6 resident / employee spaces are provided, which does not meet Council's best practice¹ recommendation of 25 resident / employee spaces.

Design and location of employee spaces and facilities

The following comments are provided in relation to provision of resident / employee bicycle parking:

- 6 bicycle spaces are provided within a secure area at the ground level, with direct access from an entrance at Berry Street.
- All bicycle spaces are provided as hanging wall racks. AS2890.3 requires at least 20% of bicycle storage spaces to be horizontal at ground-level spaces.
- Dimensions of the layout of employee / resident bicycle spaces are not noted on the plans. The aisle width of the bicycle parking area appears to be 1200mm, which does not comply with access and clearance requirements of AS2890.3 (1500mm aisle width is required).
- Resident / employee bicycle parking should be increased to a minimum of 25 spaces (24 spaces for residents and 1 space for employees) provided within a secure area.



Aisle width must be 1500mm.

Electric Vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). To allow for easy future provision for EV charging, it is recommended that all car parking bays should be electrically wired to be 'EV ready'. This does not mean car parking bays must be fitted with

¹ Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following for best-practice guidance for resident bicycle parking rates: "As a rule of thumb, at least one bicycle space should be provided per dwelling for residential buildings".

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

chargers, but that the underlying wiring infrastructure is in place to allow future owners and tenants to easily install a charger. For this purpose, the following should be installed:

- a) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
- b) A scalable load management system. This will ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand. Building electrical peak demand calculations can therefore be undertaken using the assessment methodology (AS/NZS3000:2018, clause 2.2.2.b.i), thus not increasing building electrical peak demand requirements beyond business as usual.

Recommendations

The following should be shown on the plans before endorsement:

1. A minimum of 25 resident / employee bicycle spaces within a secure facility.
2. At minimum 20% of resident / employee bicycle spaces must be provided as a horizontal bicycle rail.
3. Notations indicating the dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority.
4. Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
 - a. One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
 - b. A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand.

Regards

Chloe Wright

Sustainable Transport Officer

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments



MEMO

To: Daniel Herrmann
From: Artemis Bacani
Date: 5 August 2021
Subject: Application No: PLN21/0271
 Description: Seven-Storey Mixed Use Development
 Site Address: 268-272 Church Street, Richmond

I refer to the above Planning Application received on 13 July 2021 in relation to the proposed development at 268-272 Church Street, Richmond. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Cera Stribley	TP.1090	Basement Level 3	
	TP.1091	Basement Level 2	
	TP.1092	Basement Level 1	
	TP.1093	Mezzanine Level	
	TP.1100	Ground Floor Plan	
	TP.3000	Building Section A-A	
	TP.3001	Building Section B-B	
	TP.3002	Building Section C-C	
	TP.3050	Detail Section 01	
One Mile Grid	Transport Impact Assessment report		29 April 2021

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office/Food & Drink** (2 tenancies)	157 m ²	3.5 spaces per 100 m ² of 2leasable floor area	5	0
One-bedroom dwellings	4	1 space for each dwelling	4	4
Two-bedroom dwellings	11		11	11
Three-bedroom dwellings	9	2 spaces for each dwelling	18	18
Total			38 Spaces	34 Spaces***

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

** No decision on the use of the commercial component of the development. The parking rate for a food and drink premises will be used for the assessment as it provides a higher rate compared to an office use.

*** One on-site car space is unallocated and will be available for sale to the residents.

A reduction of 5 car spaces in the car parking requirement for the food and drink use is sought by the applicant.

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

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

- *Parking Demand for Food & Drink Use*
No car spaces would be provided for the food and drink use. A staff parking demand of 1 space per 100 square metres of floor area could be adopted. Using this rate would equate to 1 space. This reflects the precinct approach for similar food and drink premises and acknowledges that a proportion of customers for this use will be drawn from the residents of the apartments and surrounding residences and businesses.
- *Availability of Public Transport in the Locality of the Land.*
The following public transport services can be accessed to and from the site by foot:
 - Church Street tram services – 70 metre walk
 - Bridge Road tram services – 85 metre walk
 - Swan Street tram services – 700 metre walk
 - West Richmond railway station – 800 metre walk
 - East Richmond railway station – 820 metre walk
- *Multi-Purpose Trips within the Area.*
Visitors to the site might combine their visit by engaging in other activities or business whilst in the area.
- *Convenience of Pedestrian and Cyclist Access.*
The site has very good access to shops, businesses, essential facilities and public transport nodes. The site also has good connectivity to the Principal Bicycle Network.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

- *Availability of Car Parking.*
Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the 'normal' car parking demands in the surrounding area.

The on-street parking in this part of Richmond is generally high during business hours. The area surrounding the subject site is blanketed in time-based parking restrictions which ensure that parking turns over frequently. Visitors to the site during business hours should be able to find an on-street car space near the site.

In Richmond, the recent introduction of parking sensors in Bridge Road would further discourage persons attempting to park all-day. The parking sensors also ensure that parking frequently turns over for short-stay parking users (visitor, client parking etc.).

- *Relevant Local Policy or Incorporated Document.*
The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

From a traffic engineering perspective, the reduction in the car parking requirements for the proposed development is considered appropriate in the context of the development and the surrounding area. Visitors to the site would be fully aware of the high parking demand in Richmond. The existing short-stay parking restrictions that operate in many surrounding streets would improve the ability for clients and visitors to parking near the site.

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

TRAFFIC IMPACT

Trip Generation

The trip generation for the site adopted by One Mile Grid is as follows:

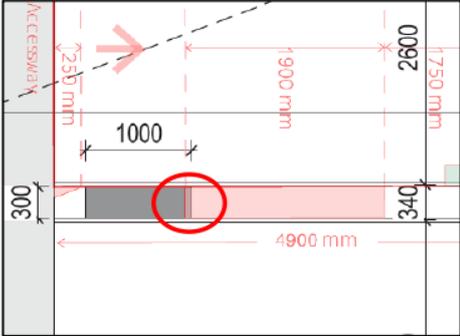
Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Residential (24 dwellings)*	0.2 trips for each peak hour	5 Trips	5 Trips

*dwellings with a car space

It is agreed that the traffic generated by the development should not have a detrimental impact on the traffic operation of the surrounding road network.

Attachment 2 - PLN-0271 - 268-272 Church Street, Richmond - Advertised plans consolidated referral comments

LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development's Entrance	The development's entrance is 3.6 metres in width, including the kerbs on either side of the accessway, to provide a single traffic lane and satisfy <i>AS/NZS 2890.1:2004</i> .
Visibility	No visibility triangles are required as the car park entrance is off the rear laneway.
Clearance Height at Car Park Entrance	A minimum clearance height of 2.33 metres is provided under critical overhead obstructions to satisfy <i>Design standard 1 – Accessways</i> .
Vehicle Turning Movements	The submitted swept path assessment for a B99 design vehicle shows that a vehicle can enter and exit into and out of the site adequately from the laneway.
Car Parking Module	
At-Grade Car Spaces	The dimensions of the car spaces of 2.6 metres by 4.9 metres satisfy <i>Design standard 2 – Car parking spaces</i> .
Aisle	A minimum aisle width of 6.4 metres is provided to also satisfy <i>Design standard 2 – Car parking spaces</i> .
Column Depths and Setbacks	<p>Using the Objective Trapeze software, the depth and setback of the columns within the basement car park were checked. The assessment show that a portion of the column would be situated inside the clearance area of the parking design envelope as shown in the diagram below.</p> 
Clearances to Walls	Clearances of no less than 300 mm have been provided to spaces adjacent to walls.
Vehicle Turning Movements	The swept path assessment shows that a B85 design vehicle can enter and exit individual car spaces and stacker platform adequately.

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Item	Assessment
Mechanical Car Parking	
Car Stacker Device	The car parking for this development would be accommodated using Wohr Parklift 411 stacker system. This device is available with a minimum platform width of 2.65 metres and a platform length of up to 5.7 metres to accommodate a B85 design vehicle.
Floor to Ceiling Height	<p>The Wohr Parklift 411 requires a minimum floor to ceiling height inside the basement of 3.5 metres. This model would provide one platform with a vehicle clearance height of 1.8 metres.</p> <p>The submitted section drawings show the floor to ceiling height within the Basement Level 1 would be insufficient to accommodate the nominated car stacker system.</p>
Vehicle Clearance Height	The stacker model can provide at least 25 per cent of platforms with a vehicle clearance height of 1.80 metres to satisfy <i>Design standard 4 – Mechanical parking</i> .
Gradients	
Ramp Grade for First 5.0 metres inside Property	<p>It is noted that the ramp grade within the first 5.0 metres inside the property does not satisfy <i>Design standard 3: Gradients</i>. The entrance to the basement car park is accessed via the rear laneway. As the laneway does not contain footpaths, it is not expected for pedestrians to be traversing along the laneway.</p> <p>The Engineering unit has no objection with the proposed ramp grades; however, the applicant is to demonstrate that a B99 design vehicle will not bottom-out or scrape on the pavement of the laneway and internal slab using actual levels of the laneway.</p>
Transition Grades at Bases of 1 in 4 and 1 in 4.1 Ramp Sections	The length of the 1 in 8 transition grade at the base of the 1 in 4 and 1 in 4.1 ramp sections is 2.0 metres. The length is considered inadequate and will cause cars to bottom-out.
Other	
Passing Movements Within the Basement Levels	The applicant has not provided swept path diagrams to demonstrate vehicle passing movements within the basement car park.
Vehicle Access – Via Laneway	<p>It is noted that the submitted ground clearance assessment do not provide an accurate representation of the levels in the laneway and do not show the 40 mm lip along the edge of the internal slab.</p> <p>To demonstrate the provision of the 40 mm lip from the edge of the laneway to the finished floor level of the front edge of the slab at ground level, the applicant must prepare a 1 in 20 scale cross-sectional drawing showing the reduced level of the east and west edge of the laneway, the centreline/central invert of the laneway, and the finished floor level of the slab 2.0 metres inside the property. (Please see under '<i>Design Items to be Addressed</i>' section).</p>

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Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Visibility	The applicant is recommended to consider the installation of convex mirrors at the car park entrance to improve the visibility of motor traffic along the laneway.
Column Depths and Setbacks	The applicant is to re-check the positions of the columns and ensure the car spaces are designed to satisfy <i>Figure 3.2 of AS/NZS 2890.1:2004</i> .
Floor to Ceiling Height – Car Stacker System	The applicant is to re-check the nominated car stacker model and confirm the car stacker can be accommodated inside the car park.
Ramp Grade for First 5.0 metres inside Property	The applicant is to demonstrate by using a B99 design vehicle template that vehicles will not bottom-out or scrape on the pavement of the laneway or internal slab. The actual levels of the laneway are to be used.
Transition Grades at Bases of 1 in 4 and 1 in 4.1 Ramp Sections	The applicant is to provide a minimum length of 2.5 metres for the 1 in 8 transition grade at the base of the 1 in 4 and 1 in 4.1 ramp sections.
Passing Movements Within the Basement Levels	The applicant is to provide details on how vehicle passing movements would be managed. Swept path diagrams should also be provided.
Traffic Signal System	The applicant is to provide details of the traffic signal system as proposed and shown in the architectural drawings should be provided.
Bicycle Considerations	The bicycle requirements for this development are to be referred to Council's Strategic Transport unit for assessment.

INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets	<p>The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.</p> <p>It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.</p>
Footpaths along Berry Street and Church Street Frontages	
Disability Access - Berry Street	<p>The footpath along the property's Berry Street frontage is approximately 700 millimetres in width and does not satisfy the minimum requirements of the Disability Discrimination Act (DDA).</p> <p>The applicant is to engage a qualified access consultant to provide an assessment of the footpath and advise if the footpath is adequate for pedestrian access to the primary pedestrian entrance of Apartment 001.</p>

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Item	Details
Footpaths along Berry Street Frontages	
Footpath Reconstruction	The footpaths along the property's Church Street and Berry Street frontages are to be reconstructed. In undertaking these works, the existing kerbs are to be retained (fixed control points). The new footpaths must have a cross-fall (the slope between the kerb and the property line) of no steeper than 1 in 33 or unless otherwise specified by Council. In providing the new footpaths, the finished floor levels at the development's pedestrian entries must be readjusted to match the new footpath levels.
North-South Aligned Laneway	
Flood Analysis for Laneway	The applicant must undertake a flood analysis along the laneway to determine the expected depth of overland flow at the property interface. Computations and details are to be provided to Council for assessment. The following must be achieved: <ul style="list-style-type: none"> ▪ The apex level within the basement entry must provide a minimum of 150mm freeboard above the determined flood level.
Other Items	
Redundant Vehicle Crossings	To be demolished and reinstated with paving, kerb and channel.

ENGINEERING CONDITIONS

Civil Works

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

- The kerb and channel along the property's Church Street and Berry Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Church Street and Berry Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- All redundant vehicle crossings associated with the development must be demolished and reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost.

Road Asset Protection

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

Construction Management Plan

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

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Impact of Assets on Proposed Development

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

PUBLIC LIGHTING CONDITIONS (Prepared by Lev Shinkarsky)

1. Unless the relevant Authority (i.e. CitiPower) provides written confirmation that the existing public light on pole number 194 can be retained operational during the construction period and will continue to be maintained by the relevant Authority (i.e. Citipower) after the completion of the development, within six months of the commencement of the development authorised by this Permit, or at a later date as agreed in writing by the Responsible Authority the applicant must:
 - (a) Provide to Council an alternative Public Lighting Plan to the satisfaction of the Responsible Authority. The Public Lighting Plan must address lighting along Berry Street and the laneway number 808 at the rear of the property; or
 - (b) The owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:
 - (i) The owner of the subject land is responsible for maintaining (in working order) public lighting in Berry Street and the laneway 808 at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
 - (ii) The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the section 173 Agreement in Land Title Office Victoria, including the costs borne by the Responsible Authority (Yarra City Council).
2. Unless the relevant authority (i.e. CitiPower) provides written confirmation that the existing public light on pole number 194 can be retained operational during the construction period

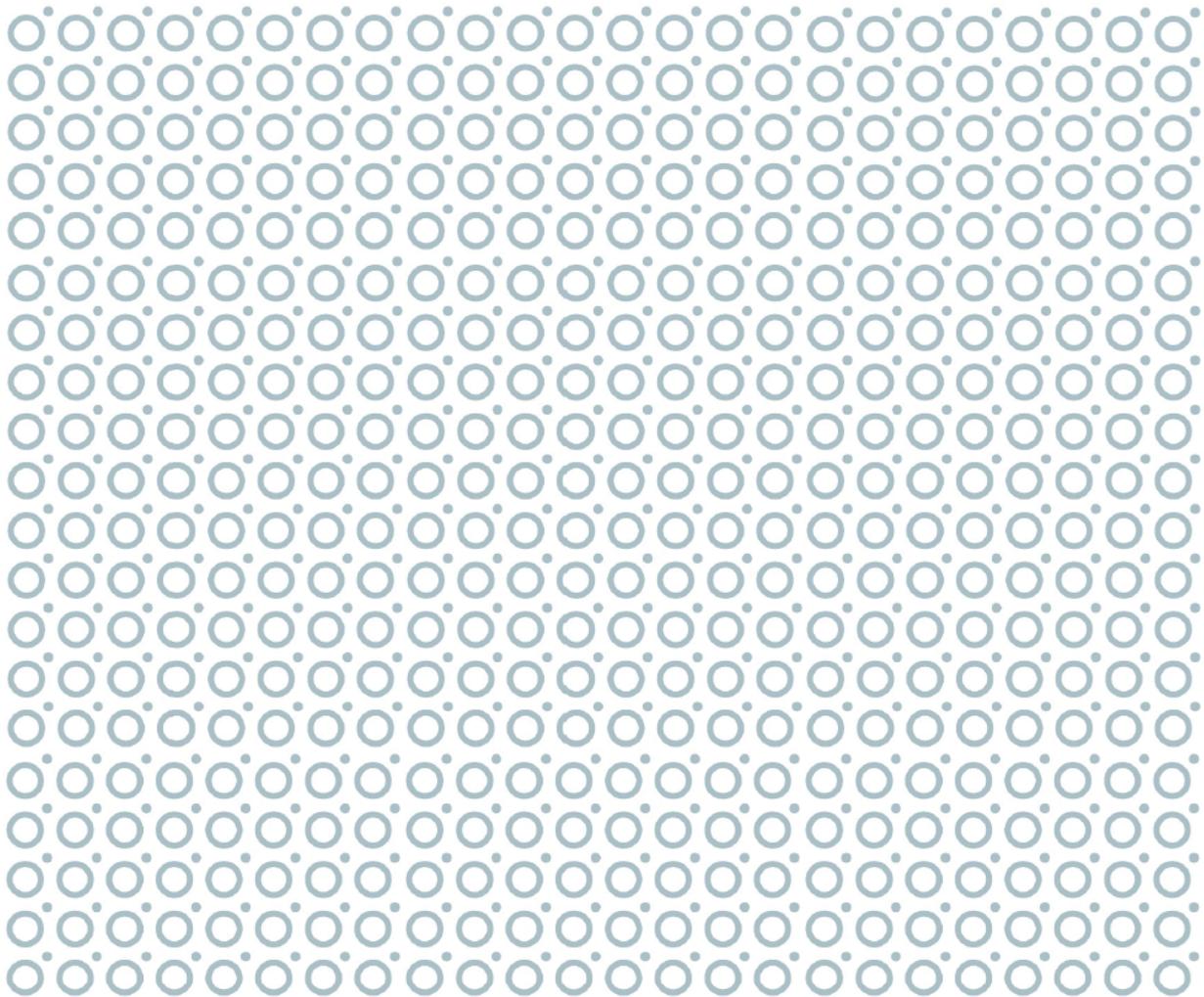
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prior to the commencement of construction works, the developer must submit to Yarra City Council a temporary public lighting plan for approval. The temporary lighting scheme should be working until an approved permanent lighting plan (Condition 1) becomes operational.

ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

Item	Details
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the <i>Building Regulations</i> 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the <i>Local Government Act</i> 1989 and Regulation 133.
Clearances to Electrical Assets	Overhead power lines run along the west side of Church Street and south side of Berry Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, <i>Building design near powerlines</i> , which can be obtained from their website: http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs

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Concise Urban Design Review (amended plans)

Proposed Mixed-Use Development, 268-272 Church Street, Richmond
(PLN21/0271)

Prepared by Simon McPherson

27 September 2021

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Global South Pty Ltd

ACN 123 980 781
ABN 81 123 980 781
www.globalsouth.net.au

M. +61 (0)448 201 344
E. simon.mcpherson@globalsouth.net.au

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1.0 Introduction

1.1 Process and involvement

In July 2021 I was asked by Yarra City Council to prepare a comprehensive Urban Design Review (referral) of the proposed mixed-use development at 268-272 Church Street, Richmond. This review was completed and submitted to Council on 13 August 2021.

On 10 September 2021 I was provided by Council with updated plans which sought to respond to my recommendations made in the review report, and I provided concise commentary on the effectiveness of these updates to the proposed design.

On 21 September 2021 I was provided by Council with formally amended documents, as follows:

- o Statement of Changes (Cera Stribley Architects, 17 September 2021);
- o Section 57A Amendment Request letter to Yarra City Council (Tract, 17 September 2021);
- o Amended Plans (Cera Stribley Architects, 3 September 2021).

This report comprises a concise review of the amended plans, in response to my prior recommendations and comments.

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E. simon.mcpherson@globalsouth.net.au

2.0 Response to previous recommendations

2.1 Recommendation 1: Height reduction

2.1.1 Previous recommendation (advertised plans):

Reduce the building height by one level, to 6-storeys, or approximately 21.5m in height to the parapet level, while retaining the uppermost -level setback (so removing one of Level 3, 4, or 5).

This will result in an approximately equivalent height to 239-245 Church Street, but with an increased setback to the top level. The revised height will be closer to the mandatory height limit to the immediate north, supporting a clearer general transition in height, and reduced contrast in scale with the neighbouring low-scale context.

2.1.2 Response (amended plans):

Height in context

The updated plans remove the recessive top level, providing an overall height reduction from 24.375m (parapet at roof level) to 19.975m (new roof level). This includes a reduction of 0.5m in the height of the Ground Floor/Mezzanine level.

As a result, the Church Street frontage (West Elevation) appears less vertically-oriented, and more 'squat' in proportion. The lowered Upper Ground Floor level also reduces the vertical height of the Ground Floor frontage.

The removal of the uppermost level, which is setback behind the rest of the upper-level form, has relatively limited visual impact (especially from closer-range views) because it was recessive and less visible previously, and retains the "3+3" composition of levels (3-level street wall and 3-level upper-level form).

However, I accept that removal of Level 3, 4 or 5 (as I recommended) would then make the uppermost level more visible in the streetscape (even though it is recessive), creating a "3 + 2 + 1" configuration which may appear excessively stepped or "wedding cake"-like.

Further, the 0.5m lowering of the Upper Ground Floor level lowers the overall building height down visually.

The amended proposed height of just under 20m is close to the mandatory 18m height control to the immediate north of the review site, in effecting a general transition in scale downwards from Bridge Road.

Height and off-site impacts

The amended building height supports a reduced shadow impact to the existing dwelling (SPOS) at 27 Hodgson Terrace at 9am. The (amended) very limited shadow encroachment is within the existing shadow of that property's side fence. I therefore consider this impact to be negligible, and compliant with the requirement for no additional impact to residential properties.

The reduced overall height (total 4.4m, or approximately 18% of the previous height) also reduces the visual bulk implications, and while the proposed height exceeds the preferred maximum height, I consider it acceptable, including in terms of visual bulk from nearby residential properties.

On this basis, I consider the revised height/massing to be acceptable.

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ABN 81 123 980 781
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M. +61 (0)448 201 344
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2.2 Recommendation 2: Level 6 southern interface/setbacks

2.2.1 Previous recommendation (advertised plans):

Review the Level 6 southern interface area, to ensure increased setbacks or appropriate screening to habitable room windows and balcony spaces.

2.2.2 Response (amended plans):

The amended plans incorporate removal of the recessive Level 6, which avoids the interface/setback issue to the southern boundary.

Therefore this recommendation has been addressed.

2.3 Recommendation 3: Southern boundary wall

2.3.1 Previous recommendation (advertised plans):

While I accept the extent of the boundary wall, I consider that further articulation or refinement is required, to delineate the street wall levels from the upper levels, and more closely integrate the south façade with the remainder of the building. This could include a clearer horizontal 'break' between the street wall levels and upper levels, and/or narrower column bands in the upper-level part of the wall, or varied tones in the concrete materials.

I would also recommend the incorporation of façade brickwork in the south façade, in the vertical 'column' bands, to more closely align with the other facades, and to reflect a building 'in the round' while avoiding a boundary wall which appears disconnected from the rest of the building, as it does currently.

2.3.2 Response (amended plans):

The amended plans introduce brickwork to the boundary wall up to street wall height, to reinforce this component and further integrate the boundary wall with the other facades. I consider that this change in materials, coupled with the height reduction, provides an appropriate level of variation and integration at the other interface.

2.4 Conclusion

I therefore conclude that the amended plans effectively respond to and address my previous recommendations.

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PLANNING APPLICATION REFERRAL TO STRATEGIC PLANNING UNIT

Strategic planning comments

Strategic Planning comments are provided below. The comments in this assessment focus on compliance with Schedule 21 to the Design and Development Overlay (DDO21). They do not provide commentary on other sections of the planning scheme or fully assess the internal amenity impacts of the application.

Development details

Property address	268-272 Church St Richmond
Application number	PLN21/0271 – Section 57A Amendment
Referral prepared by	Daniel Herrmann
Description	Construction of a 6-storey mixed use building. Use of the land for office/food and drink premises (no permit required) and dwellings (permit required).
Relevant amendment and status	Section 57a amendment
Existing and proposed controls	<u>Existing</u> C1Z/DDO21/DCPO

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Subject Site Plan



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1. Section 57A Review

1.1 Assessment of compliance with built form requirements

Built form requirements	DDO21	Proposal	Assessment of proposal
Building height	15m (Discretionary)	19.3m	<p>The proposed height exceeds preferred height set out in DDO21. For a permit to be granted it must meet the criteria set out in DDO21 – 2.2 – Building height requirements.</p> <p>It complies with most criteria noting that the development has made improvements on residential amenity impacts and accessibility provisions for apartments. However, there are some questions around its compliance with the building separation requirements.</p> <p>DDO21 requires separation between developments where they share a common boundary or laneway. The DDO requires 4.5m from the common boundary or where a common boundary is separated by a laneway from the centre point of that lane. This referral defers to the statutory planning department the consideration on whether Berry St is considered a laneway or public road.</p> <p>It does not meet the building separation requirement. This will determine whether a permit could be granted to exceed the preferred height.</p>
Street wall height	11m (Discretionary)	10.4 to 11m without parapet Plus 700mm to 1000mm planter	The street wall proposed marginally exceeds the preferred street wall height. The height is a preferred control. Strategic planning is satisfied with the proposed as outlined in the prior referral.
Street wall Setback	0m	0m	Complies
Upper lever setback	6m <i>Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3 (P.3.)</i>	5m	Does not meet the 6m discretionary setback but meets the objectives/requirements of the DDO. Refer to 2.4.1 of the previous referral.

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Built form requirements	DDO21	Proposal	Assessment of proposal
	<i>Must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form. (P.3)</i>		
Overshadowing	the opposite footpath of Church Street to a distance of 3.0 metres from the kerb between 11am and 2pm at 22nd September	Does not overshadow.	Complies. This referral notes that the reduction in height has improved overshadowing impacts to residential properties and public open space.
Building separation, amenity and equitable development	Where habitable windows or balconies are proposed building should be set back 4.5m from the common boundary or centre point of laneway – Berry St and Rear lane	4.25m approximately from centre point Berry St 4m from centre point of rear lane to the west.	DDO21 requires separation between developments where they share a common boundary or laneway. The DDO requires 4.5m from the common boundary or where a common boundary is separated by a laneway from the centre point of that lane. This referral defers to the statutory planning department the consideration on whether Berry St is considered a laneway or public road. While the application does not meet the separation requirements to the rear lane it does not share a common boundary with another property. It does not need to satisfy this requirement. This referral notes that other concerns regarding the southern boundary and development above 21m from the original application have been alleviated in the new design.

1.2 Other comments

Strategic Planning made a series of comments for the applicant to consider:

1. Reduce the current height of the application to better align with DDO21’s requirements, design objectives and precinct design objectives.
2. This referral recommends that Statutory Planning seek urban design advice regarding how the development responds to the building separation requirements.
3. It is recommended that the applicant provide higher quality imagery if possible or modelling like Image 2 with a north/south elevation to show impacts to the St Ignatius Church.
4. The applicant should consider the following changes to address design/precinct design objective issues relating to the residential interface:
 - a. a greater setback to the rear laneway and possibly to Berry Street be provided; or
 - b. a lower overall building height is proposed that is closer to the preferred overall building height.

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Comment 1

The reduction in height is seen as a positive response to addressing concerns raised in the previous referral.

The height of approximately 19m is in line with the mandatory heights for the properties north of Berry St. This allows the development to meet the precinct design requirement that encourages a transition downwards along Church Street.

The reduction in heights assists in meeting the design requirements set out in DDO21.

Comment 2

See comments in table above (Building Height and Building Separation) for review of building separation requirements.

Comment 3

The reduction in height is seen as a positive response to any potential implications on the view lines to the Church.

The proposed development will ensure a *clear sky* backdrop and provide a distance between contributory elements of the view.

Comment 4

The reduction in height is seen as a positive response to addressing concerns raised in the previous referral. The proposed development provides a better transition to neighbouring residential areas than the previous design.

2. Summary of original Strategic Planning comments

A permit should not be granted for PLN21/0271 as the height of the proposed development (24.6m) exceeds the preferred height limit (15m) and does not comply with all the relevant criteria and design/precinct design objectives outlined in DDO21 (See sections 2.1, 2.2 and 2.10 of the original referral).

There are concerns how the application responds to the following objective (amongst others): "*To support a midrise scale built from character with lower built form at the interfaces with streets and the adjoining low-rise residential areas*". There are concerns that the height along with the lesser setback to Berry St and the rear laneway provide for an overwhelming/dominating interface to these streets.

The proposed development does not meet the preferred upper level setback requirement of 6m and proposes 5m. This referral deems that the proposed setback is acceptable as outlined in Section 2.4 of the original referral.

The proposed development does not satisfy the building separation requirements as outlined in Section 2.5. This referral recommends that Statutory Planning seek urban design advice regarding how the development responds to the building separation requirements.

This referral has raised concerns with the proposed height (refer to section 2.1, 2.2 and 2.10 of the original referral) and is unclear whether the proposed development would intrude or provide some blue sky between itself and the landmark.

It is recommended that the applicant provide higher quality imagery if possible or modelling like Image 2 with a north/south elevation

The proposed street wall height to Berry St and the rear lane are appropriate. The proposed street wall height is a similar height to the outcome that would be sought if the property abutted residentially zoned land (i.e. the residential interface requirements in DDO21).

However, there is a minimal setback of the development above the street wall. This, coupled with the overall height, creates a contrast in height between the development and the single storey dwellings and the public park.

It is recommended that either:

- a greater setback to the rear laneway and possibly to Berry Street be provided; or
- a lower overall building height is proposed that is closer to the preferred overall building height.

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The previous referral recommended that the applicant reconsiders the proposed development through several amendments listed below.

2.1 Strategic Planning Comments

5. A permit should not be granted for the application in its current form.
6. Reduce the current height of the application to better align with DDO21's requirements, design objectives and precinct design objectives.
7. This referral recommends that Statutory Planning seek urban design advice regarding how the development responds to the building separation requirements.
8. It is recommended that the applicant provide higher quality imagery if possible or modelling like Image 2 with a north/south elevation to show impacts to the St Ignatius Church.
9. The applicant should consider the following changes to address design/precinct design objective issues relating to the residential interface:
 - a. a greater setback to the rear laneway and possibly to Berry Street be provided; or
 - b. a lower overall building height is proposed that is closer to the preferred overall building height.

Kyle

Strategic Planner
Strategic Planning Unit
Date 17 Aug. 21

MEMO



To: Daniel Hermann (Statutory Planning)

From: Daniel Perrone (Urban Design)

Date: 29 Sep 2021

Site Address: 268 – 271 Church Street, Richmond

Application No: PLN21/0271

Description: Construction of a 6-storey mixed use building. Use of the land for office/food and drink premises (no permit required) and dwellings (permit required).

COMMENTS SOUGHT

Additional Urban Design comments have been sought on following matters:

- Review canopy design to Church St
- Recommend condition wording for raised threshold crossing.

These comments are provided on the plans titled 'Discussion Plans' (Cera Stribley Architects, 03 Sep 2021). The extent of this review is limited to the items listed above and is to be considered in conjunction with previous advice provided on 11 Aug 2021.

COMMENTS SUMMARY

The proposed changes are supported pending the following additional details required.

Canopy design to Church St façade:

- The extent of the proposed canopy to Church St is supported. Further detail regarding the drainage of water off the canopy will be required. It is recommended a condition is included in the planning permit to state that the canopy must not discharge water onto the footpath (for example, via a downpipe to the LDP or otherwise to council engineer's approval).
- The endorsed plans are to show:
 - the dimensioned height to the underside of the canopy;
 - proposed materials clearly labelled.

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Raised threshold crossing at intersection of Church and Berry Streets:

Council's engineering team has provided the following items that need to be checked in order to determine the feasibility of constructing a raised threshold crossing at this location:

- The channel sections between the existing drainage pits on Berry St and the proposed crossing will need to be considered. Ideally, pits should be relocated to be at the interface of the channel and raised crossing, however it may be possible to reconstruct the channel levels to drain back to the pits. This will need to be checked by qualified engineer.
- The overland flow coming down Berry St under a 100-year event will need to be assessed to ensure the depth and spread of the water contained at the raised crossing does not adversely affect the surrounding properties.

Given the above constraints, the proposal can be supported both with and without the raised threshold crossing. Note that if the developer wishes to pursue the raised threshold, all costs associated with implementing the design (such as relocating pits etc) is to be borne by the developer.

If the threshold is pursued, a condition on the planning permit should be included to state that the design of the raised threshold treatment is subject to the outlined drainage feasibility requirements and needs to be approved by Council's engineering team.

--- END ---

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments



Planning Referral

To: Daniel Herrmann
From: Chloe Wright
Date: 30/09/2021
Subject: Strategic Transport Comments
Application No: PLN21/0271
Description: Construction of a 6-storey mixed use building and use of the land for office/food and drink premises and dwellings.
Site Address 268 – 272 Church Street, Richmond

I refer to the above Section 57a amended plans in relation to the proposed development at 268 – 272 Church Street, Richmond. Council's Strategic Transport unit provides the following information:

Access and Safety

No access or safety issues have been identified.

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	21 dwellings	1 resident space per 5 dwellings	4 resident spaces	
		1 visitor space per 10 dwellings	2 visitor spaces	
Retail premises	173 sqm	1 employee space to each 300 sqm of leasable floor area	1 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area	0 visitor spaces	
Bicycle Parking Spaces Total			5 resident / employee spaces	21 resident / employee spaces
			2 visitor spaces	2 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	0 showers / change rooms	0 showers / change rooms

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments**Adequacy of visitor spaces**

No changes are proposed in relation to the visitor bicycle parking at Church Street. The previous comments in relation to the provision of visitor bicycle spaces remain relevant:

- 2 visitor spaces are provided at the Church Street footpath, which meets the statutory requirement of 2 visitor spaces.
- Visitor bicycle spaces are provided as a bicycle hoop and appear to be positioned in accordance with clearance and access requirements of AS2890.3.
- The bicycle hoop must be installed as per Urban Design's bicycle hoop standard detail (attached).

Adequacy of residential / employee spaces*Number of spaces*

Resident / employee spaces have been increased to 21 bicycle spaces. It is recommended that 1 additional bicycle space is provided to meet Council's best practice¹ recommendation of 22 resident / employee spaces (21 resident spaces and 1 employee space).

Design and location of employee spaces and facilities

The following comments are provided in relation to provision of resident / employee bicycle parking:

- Bicycle spaces have been relocated from the ground floor to basement levels 1, 2 and 3 and are not provided within a secure facility. Pursuant to Clause 52.34-3 & Australian Standard AS2890.3 bicycle spaces must be provided in a bicycle locker or in a lockable compound (i.e. access is with a swipe card or key).
- All bicycle spaces are provided as hanging wall racks. AS2890.3 requires at least 20% of bicycle storage spaces to be horizontal at ground-level spaces.
- Resident / employee bicycle parking should be consolidated within one secure facility, ideally at the ground floor or within close proximity to the lift shaft if located at a basement level.

Electric Vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). To allow for easy future provision for EV charging, it is recommended that all car parking bays should be electrically wired to be 'EV ready'. This does not mean car parking bays must be fitted with chargers, but that the underlying wiring infrastructure is in place to allow future owners and tenants to easily install a charger. For this purpose, the following should be installed:

- a) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
- b) A scalable load management system. This will ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand. Building electrical peak demand calculations can therefore be undertaken using the assessment methodology (AS/NZS3000:2018, clause 2.2.2.b.i), thus not increasing building electrical peak demand requirements beyond business as usual.

Recommendations

The following should be shown on the plans before endorsement:

1. A minimum of 22 resident / employee bicycle spaces within a secure facility.
2. At minimum 20% of resident / employee bicycle spaces must be provided as a horizontal bicycle rail.

¹ Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following for best-practice guidance for resident bicycle parking rates: "As a rule of thumb, at least one bicycle space should be provided per dwelling for residential buildings".

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments

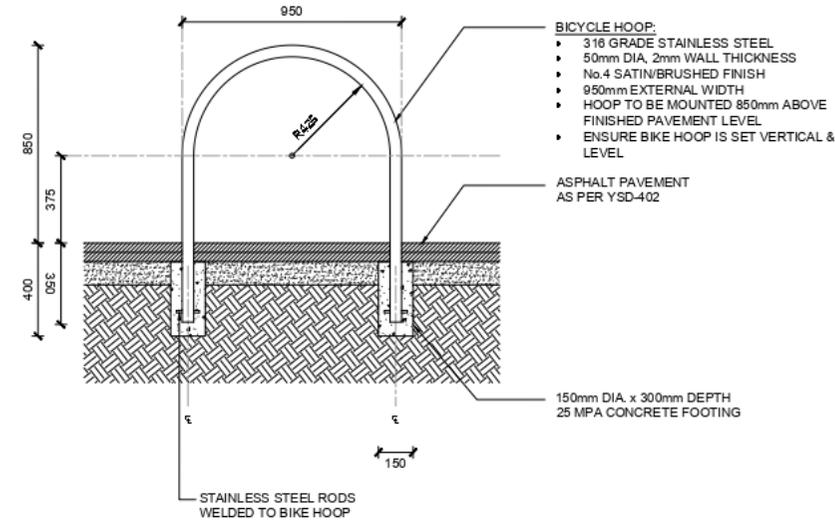
3. Notations indicating the dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority.
4. Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
 - a. One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
 - b. A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand.

Regards

Chloe Wright

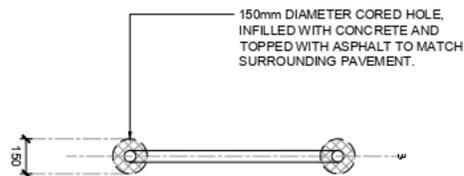
Sustainable Transport Officer

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments

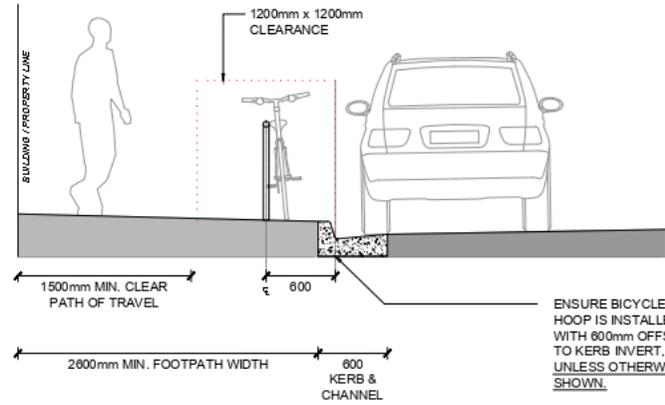


1 BICYCLE HOOP CONSTRUCTION - SECTION DETAIL
1:20

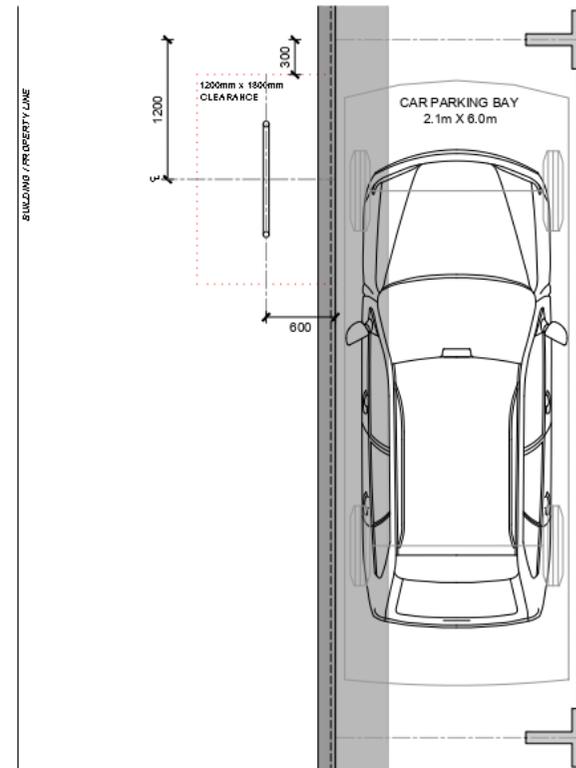
FOR INSTALLATION INTO EXISTING PAVEMENT:



2 BICYCLE HOOPS CONSTRUCTION - PLAN DETAIL
1:20



3 BICYCLE HOOP TYPICAL SETOUT - SECTION DETAIL
1:40



4 BICYCLE HOOP TYPICAL SETOUT - PLAN DETAIL
1:40

LEGEND

REV	DATE	DESCRIPTION	DATE
<p>WARNING BEWARE UNDERGROUND SERVICES</p>			
PRELIMINARY			
NOT FOR CONSTRUCTION			
YARRA CITY COUNCIL		<p>YARRA</p>	
PO BOX 106 RICHMOND VIC 3121			
T: 03 9266 5000 W: yarra.vic.gov.au			
PROJECT			
DRAWING TITLE			
FURNITURE DETAILS: BICYCLE HOOPS			
SCALE	DATE	DESIGNER	DRAWN
AS SHOWN	A3	XX	XX
CHECKED	XX	APPROVED	XX
REV	DATE	REV	DATE
		DD/MM/YY	
NORTH		####	

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments



MEMO

To: Daniel Herrmann
From: Artemis Bacani
Date: 30 September 2021
Subject: Application No: PLN21/0271
 Description: Section 57a Amendment
 Site Address: 268-272 Church Street, Richmond

I refer to the above Planning Application received on 21 September 2021 in relation to the proposed development at 268-272 Church Street, Richmond. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Cera Stribley	TP.1090 <i>Basement Level 3</i>	A	3 September 2021
	TP.1091 <i>Basement Level 2</i>	A	3 September 2021
	TP.1092 <i>Basement Level 1</i>	A	3 September 2021
	TP.1093 <i>Mezzanine Level</i>	A	3 September 2021
	TP.1100 <i>Ground Floor Plan</i>	A	3 September 2021
	TP.1500 <i>Berry Street Footpath Detail</i>	A	3 September 2021
	TP.3000 <i>Building Section A-A</i>	A	3 September 2021
	TP.3001 <i>Building Section B-B</i>	A	3 September 2021
	TP.3002 <i>Building Section C-C</i>	A	3 September 2021
Tract Consultants	Cover Letter		17 September 2021

CAR PARKING PROVISION

Amended Development

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

Item	Previous Development	Proposed Development	Change
One-bedroom dwelling	4	2	-2 dwellings
Two-bedroom dwelling	11	9	-2 dwellings
Three plus-bedroom dwelling	9	10	+1 dwelling
Office/Food & Drink*	157 m ²	197 m ²	+40 m ²
No. of Car Spaces Required	38	37	-1 Space
No. of Car Spaces Allocated	34	34	No Change

* The parking rate for a food and drink premises will be used for the assessment as it provides a higher rate compared to an office use.

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The amended development would consist of 1 less car space in the car parking requirements of *Clause 52.06* compared to the original development.

Since the residential component requires 31 car spaces and 34 spaces are currently provided for residents in the basement car park, the surplus of 3 spaces should be removed and be converted for either bicycle parking or storage. Alternatively, the spaces could be re-allocated for the commercial use.

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

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

- *Parking Demand for Food & Drink Use*
No car spaces would be provided for the food and drink use. A staff parking demand of 1 space per 100 square metres of floor area could be adopted. Using this rate would equate to 2 spaces. This reflects the precinct approach for similar food and drink premises and acknowledges that a proportion of customers for this use will be drawn from the residents of the apartments and surrounding residences and businesses.
- *Availability of Public Transport in the Locality of the Land.*
The following public transport services can be accessed to and from the site by foot:
 - Church Street tram services – 70 metre walk
 - Bridge Road tram services – 85 metre walk
 - Swan Street tram services – 700 metre walk
 - West Richmond railway station – 800 metre walk
 - East Richmond railway station – 820 metre walk
- *Multi-Purpose Trips within the Area.*
Visitors to the site might combine their visit by engaging in other activities or business whilst in the area.
- *Convenience of Pedestrian and Cyclist Access.*
The site has very good access to shops, businesses, essential facilities and public transport nodes. The site also has good connectivity to the Principal Bicycle Network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

- *Availability of Car Parking.*
Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the 'normal' car parking demands in the surrounding area.

The on-street parking in this part of Richmond is generally high during business hours. The area surrounding the subject site is blanketed in time-based parking restrictions which ensure that parking turns over frequently. Visitors to the site during business hours should be able to find an on-street car space near the site.

In Richmond, the recent introduction of parking sensors in Bridge Road would further discourage persons attempting to park all-day. The parking sensors also ensure that parking frequently turns over for short-stay parking users (visitor, client parking etc.).

- *Relevant Local Policy or Incorporated Document.*
The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments

transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

From a traffic engineering perspective, the reduction in the car parking requirements for the proposed development is considered appropriate in the context of the development and the surrounding area. Visitors to the site would be fully aware of the high parking demand in Richmond. The existing short-stay parking restrictions that operate in many surrounding streets would improve the ability for clients and visitors to parking near the site.

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

TRAFFIC IMPACT

Trip Generation

The trip generation for the site could be adopted as follows:

Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Residential (21 dwellings)*	0.2 trips for each peak hour	4 Trips	4 Trips

*dwellings with a car space

It is agreed that the traffic generated by the development should not have a detrimental impact on the traffic operation of the surrounding road network.

LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development's Entrance	The development's entrance is 3.6 metres in width, including the kerbs on either side of the accessway, to provide a single traffic lane and satisfy <i>AS/NZS 2890.1:2004</i> .
Visibility	No visibility triangles are required as the car park entrance is off the rear laneway.
Clearance Height at Car Park Entrance	A minimum clearance height of 2.33 metres is provided under critical overhead obstructions to satisfy <i>Design standard 1 – Accessways</i> .
Vehicle Turning Movements	The submitted swept path assessment for a B99 design vehicle shows that a vehicle can enter and exit into and out of the site adequately from the laneway.
Car Parking Module	
At-Grade Car Spaces	The dimensions of the car spaces of 2.6 metres by 4.9 metres satisfy <i>Design standard 2 – Car parking spaces</i> .
Aisle	A minimum aisle width of 6.4 metres is provided to also satisfy <i>Design standard 2 – Car parking spaces</i> .

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Car Parking Module	
Column Depths and Setbacks	<p>Using the Objective Trapeze software, the depth and setback of the columns within the basement car park were checked. The assessment show that a portion of the column would be situated inside the clearance area of the parking design envelope as shown in the diagram below.</p>
Clearances to Walls	Clearances of no less than 300 mm have been provided to spaces adjacent to walls.
Vehicle Turning Movements	The swept path assessment shows that a B85 design vehicle can enter and exit individual car spaces and stacker platform adequately.
Gradients within Parking Modules	The 1 in 16 grade perpendicular to the car spaces on the Basement Level 1 and Basement Level 3, and the 1 in 20 grade parallel to the spaces on the Basement Level 3 satisfy AS/NZS 2890.1:2004.
Mechanical Car Parking	
Car Stacker Device	The car parking for this development would be accommodated using Wohr Parklift 411 stacker system. This device is available with a minimum platform width of 2.65 metres and a platform length of up to 5.7 metres to accommodate a B85 design vehicle.
Floor to Ceiling Height	<p>The Wohr Parklift 411 requires a minimum floor to ceiling height inside the basement of 3.5 metres. This model would provide one platform with a vehicle clearance height of 1.8 metres.</p> <p>The submitted section drawings show the floor to ceiling height within the Basement Level 1 would be insufficient to accommodate the nominated car stacker system.</p>
Vehicle Clearance Height	The stacker model can provide at least 25 per cent of platforms with a vehicle clearance height of 1.80 metres to satisfy <i>Design standard 4 – Mechanical parking</i> .
Gradients	
Ramp Grade for First 5.0 metres inside Property	<p>It is noted that the ramp grade within the first 5.0 metres inside the property does not satisfy <i>Design standard 3: Gradients</i>.</p> <p>The entrance to the basement car park is accessed via the rear laneway. As the laneway does not contain footpaths, it is not expected for pedestrians to be traversing along the laneway.</p> <p>The Engineering unit has no objection with the proposed ramp grades; however, the applicant is to demonstrate that a B99 design vehicle will not bottom-out or scrape on the pavement of the laneway and internal slab using actual levels of the laneway.</p>

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Gradients	
Transition Grades at Bases of 1 in 4 and 1 in 4.1 Ramp Sections	The length of the 1 in 8 transition grade at the base of the 1 in 4 and 1 in 4.1 ramp sections is 2.0 metres. The length is considered inadequate and will cause cars to bottom-out.
Other	
Passing Movements Within the Basement Levels	The applicant has not provided swept path diagrams to demonstrate vehicle passing movements within the basement car park.
Vehicle Access – Via Laneway	<p>It is noted that the submitted ground clearance assessment do not provide an accurate representation of the levels in the laneway and do not show the 40 mm lip along the edge of the internal slab.</p> <p>To demonstrate the provision of the 40 mm lip from the edge of the laneway to the finished floor level of the front edge of the slab at ground level, the applicant must prepare a 1 in 20 scale cross-sectional drawing showing the reduced level of the east and west edge of the laneway, the centreline/central invert of the laneway, and the finished floor level of the slab 2.0 metres inside the property. (Please see under 'Design Items to be Addressed' section).</p>

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Visibility	The applicant is recommended to consider the installation of convex mirrors at the car park entrance to improve the visibility of motor traffic along the laneway.
Column Depths and Setbacks	The applicant is to re-check the positions of the columns and ensure the car spaces are designed to satisfy <i>Figure 3.2 of AS/NZS 2890.1:2004</i> .
Floor to Ceiling Height – Car Stacker System	The applicant is to re-check the nominated car stacker model and confirm the car stacker can be accommodated inside the car park.
Ramp Grade for First 5.0 metres inside Property	The applicant is to demonstrate by using a B99 design vehicle template that vehicles will not bottom-out or scrape on the pavement of the laneway or internal slab. The actual levels of the laneway are to be used.
Transition Grades at Bases of 1 in 4 and 1 in 4.1 Ramp Sections	The applicant is to provide a minimum length of 2.5 metres for the 1 in 8 transition grade at the base of the 1 in 4 and 1 in 4.1 ramp sections.
Passing Movements Within the Basement Levels	The applicant is to provide details on how vehicle passing movements would be managed. Swept path diagrams should also be provided.
Traffic Signal System	The applicant is to provide details of the traffic signal system as proposed and shown in the architectural drawings should be provided.
Bicycle Considerations	The bicycle requirements for this development are to be referred to Council's Strategic Transport unit for assessment.

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments

INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets	<p>The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.</p> <p>It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.</p>
Footpaths along Berry Street and Church Street Frontages	
Disability Access - Berry Street	<p>The footpath along the property's Berry Street frontage is approximately 700 millimetres in width and does not satisfy the minimum requirements of the Disability Discrimination Act (DDA).</p> <p>The applicant is to engage a qualified access consultant to provide an assessment of the footpath and advise if the footpath is adequate for pedestrian access to the primary pedestrian entrance of Apartment 001.</p>
Footpaths along Berry Street Frontages	
Footpath Reconstruction	<p>The footpaths along the property's Church Street and Berry Street frontages are to be reconstructed. In undertaking these works, the existing kerbs are to be retained (fixed control points). The new footpaths must have a cross-fall (the slope between the kerb and the property line) of no steeper than 1 in 33 or unless otherwise specified by Council. In providing the new footpaths, the finished floor levels at the development's pedestrian entries must be readjusted to match the new footpath levels.</p>
North-South Aligned Laneway	
Flood Analysis for Laneway	<p>The applicant must undertake a flood analysis along the laneway to determine the expected depth of overland flow at the property interface. Computations and details are to be provided to Council for assessment. The following must be achieved:</p> <ul style="list-style-type: none"> ▪ The apex level within the basement entry must provide a minimum of 150mm freeboard above the determined flood level.
Other Items	
Redundant Vehicle Crossings	To be demolished and reinstated with paving, kerb and channel.

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments**ENGINEERING CONDITIONS****Civil Works**

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

- The kerb and channel along the property's Church Street and Berry Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Church Street and Berry Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- All redundant vehicle crossings associated with the development must be demolished and reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost.

Road Asset Protection

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

Construction Management Plan

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

Impact of Assets on Proposed Development

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

Attachment 3 - PLN21-0271 - 268-272, Richmond - S57a Consolidated referral comments

PUBLIC LIGHTING CONDITIONS (Prepared by Lev Shinkarsky)

1. Unless the relevant Authority (i.e. CitiPower) provides written confirmation that the existing public light on pole number 194 can be retained operational during the construction period and will continue to be maintained by the relevant Authority (i.e. Citipower) after the completion of the development, within six months of the commencement of the development authorised by this Permit, or at a later date as agreed in writing by the Responsible Authority the applicant must:
 - (a) Provide to Council an alternative Public Lighting Plan to the satisfaction of the Responsible Authority. The Public Lighting Plan must address lighting along Berry Street and the laneway number 808 at the rear of the property; or
 - (b) The owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:
 - (i) The owner of the subject land is responsible for maintaining (in working order) public lighting in Berry Street and the laneway 808 at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
 - (ii) The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the section 173 Agreement in Land Title Office Victoria, including the costs borne by the Responsible Authority (Yarra City Council).

2. Unless the relevant authority (i.e. CitiPower) provides written confirmation that the existing public light on pole number 194 can be retained operational during the construction period **prior to the commencement of construction works**, the developer must submit to Yarra City Council a temporary public lighting plan for approval. The temporary lighting scheme should be working until an approved permanent lighting plan (Condition 1) becomes operational.

ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

Item	Details
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the <i>Building Regulations</i> 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the <i>Local Government Act</i> 1989 and Regulation 133.
Clearances to Electrical Assets	Overhead power lines run along the west side of Church Street and south side of Berry Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, <i>Building design near powerlines</i> , which can be obtained from their website: http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs

6.2 PLN19/0384.01 - 219 Gore Street, Fitzroy - Section 72 amendment for approval to construct a wall on boundary to the existing dwelling

Executive Summary

Purpose

1. This report provides Council with an assessment of the proposed amendment application to construct a wall on the southern boundary of the subject site. The report recommends approval with an additional permit condition.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Clause 54 – One Dwelling on a Lot.

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Clause 54 (ResCode); and
 - (b) Objector concerns.

Submissions Received

4. Seven objections were received to the application. These can be summarised as:
 - (a) Overshadowing of open space;
 - (b) Lack of due process;
 - (c) Impact that construction of the new wall has had on the adjacent outhouse;
 - (d) Incorrect and misleading information shown on the plans associated with the original planning permit application;
 - (e) Impact the new wall has had on the ability to attach garden features;
 - (f) Loss of parking associated with building contractors;
 - (g) That a building permit was not displayed on the subject site; and
 - (h) The impacts of construction noise and dust.
5. One letter of support was received to the application.

Conclusion

6. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported, with no change to the permit preamble and subject to the following changes to the permit conditions:

7. New condition 1 to read:

Within 3 months of the date of the amended permit (or as otherwise agreed in writing by the Responsible Authority), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Matt Gibson Architects but modified to show:

- (a) The western boundary wall to be shown on proposed plans and elevations, as per the previously endorsed plans.
8. The remaining conditions to be retained and subsequently renumbered.

CONTACT OFFICER: Erryn Megennis

TITLE: Statutory Planner

TEL: 0392055485

6.2 **PLN19/0384.01 - 219 Gore Street, Fitzroy - Section 72 amendment for approval to construct a wall on boundary to the existing dwelling**

Reference D21/137552
Author Erryn Megennis - Statutory Planner
Authoriser Senior Coordinator Statutory Planning

Ward: Langridge
Proposal: Section 72 amendment for approval to construct a wall on boundary to the existing dwelling
Existing use: Dwelling
Applicant: Matt Gibson Architecture & Design
Zoning / Overlays: Neighbourhood Residential Zone 1
 Heritage Overlay 166
 Development Contributions Plan Overlay
Date of Application: 05 May 2021
Application Number: PLN19/0384.01

Planning History

1. Planning Permit PLN19/0384 was issued on 09 August 2019 for the construction of a ground floor addition to the existing dwelling. Works in accordance with this permit have been completed, therefore the permit remains current. Additional works have also been undertaken on the site, including the demolition and reconstruction of part of the southern wall. These works were not approved under the original planning permit and now form the subject of this current amendment application.

Background

2. The subject site is on the Victorian Heritage Register No. HO166. Pursuant to Clause 43.01-3 of the Yarra Planning Scheme (the Scheme), a planning permit is not required *to develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.*
3. As such, the proposed demolition and construction of the southern boundary wall is not required to be assessed against Clause 43.01 (Heritage Overlay) or Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay) of the Scheme.
4. Part of the existing southern wall of the subject site is constructed within the title boundary of No. 217 Gore Street. As this property is also included on the Victorian Heritage Register (Heritage Overlay 165, Heritage Victoria Reference No. H156), a planning permit is not required for the demolition of the existing wall on boundary.
5. This application was heard at the Planning Decisions Committee (PDC) meeting held on 29 September 2021. The resolution was that the matter be deferred to the PDC Meeting on Wednesday 13 October 2021 to allow for further clarification of the height of the southern boundary wall.

Planning Scheme Amendments

Amendment C238

6. Amendment C238 was introduced into the Yarra Planning Scheme on 01 February 2021 and inserts Clause 45.06 (Development Contributions Plan Overlay) with Schedule 1 into the Scheme.

This overlay applies to all land in the City of Yarra (note: there are some exempted sites including schools, DHHS properties and public hospitals) and it applies to all new development where there is an increase in the number of dwellings and/or an increase in retail, commercial and industrial floor space. The overlay requires a monetary contribution from the developer. However, as there is no increase in the number of dwellings, a contribution is not required in this instance.

Amendment C269

7. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Planning Strategy and Local Policies within the Planning Policy Framework (PPF), consistent with the structure recently introduced by the State Government.

Amendment C269 was adopted by Council on 3 August 2021 and will proceed to a panel hearing in October 2021. In relation to this current planning application, the following clause is of most relevance:

- 15.01 – 2L – Building Design

The above clause is largely reflected in current planning policy and will not be contradictory to the proposed re-write of Clauses 21 and 22.

The Proposal

8. The amendment application is for retrospective approval of a new wall on the southern boundary of the site. Further details of the proposal are as follows:

Demolition (no permit required)

- (a) Demolition of the existing 4.3m long by 2.9m high southern wall (located on both Nos. 217 and 219 Gore Street), associated with the storeroom located at the rear of the site.

Buildings and Works

- (a) Construction of a new 4.3m long by 3.1m high wall on the southern boundary of No. 219 Gore Street; and
(b) The proposed wall will be constructed of recycled red bricks.

Existing Conditions

Subject Site

9. A description of the subject site was provided in the original officer's report:

The subject site is located on the western side of Gore Street, approximately 20m south of the intersection of Moor Street in Fitzroy. The site has a 6.61m wide frontage, a depth of 30.49m, and an area of 201.9sqm. A laneway (Freeland Lane) abuts the south-west corner of the subject site, and it appears there is no rear access from the subject site to this laneway. There is a fall across the site, with the finished floor level of the existing dwelling being 0.9m above ground level towards the front of the site and 0.2m towards the rear of the dwelling. The store at the rear of the site is approximately 0.6m higher than the abutting land to the west and the laneway.

Developed on site is a two-storey, Victorian-era dwelling with an ornate front verandah and parapet. This dwelling forms a row of 6 terraces which are on the Victorian Heritage Register (HO166).

The attached dwelling is constructed along the north and south boundaries with the north-west portion of the site being private open space. The dwelling accommodates formal living, dining, kitchen, and storage areas at ground level. At first floor there is a sitting room, 2 bedrooms, and a bathroom.

There is a 1.95m high boundary fence along the north boundary; a 1.85m high fence and a 2.1m high brick wall along the west boundary and a 3m high brick wall along the south boundary.

It is also noted that the existing southern boundary wall associated with the storeroom is partially constructed over the shared boundary with No. 217 Gore Street.

10. Since that time, the construction of the ground floor addition as approved by planning permit PLN19/0384 (excepting the new southern boundary wall) has been completed.



Figure 1: View of subject site from Gore Street (Planning Officer, August 2021)

Surrounding Land

11. A description of the surrounding area was provided in the original officer's report:

The surrounding area is residential and generally consists of one and two-storey dwellings. Located on the north-east corner of George and Moor Streets (approximately 43 from the subject site) facing Moor Street are properties in a Commercial 1 Zone (as continuation from Smith Street).

To the north and west is a two-storey dwelling (No. 221 Gore Street) which forms part of the row of two-storey, Victorian-era terraces. This site is a L-shaped lot which wraps towards the rear of the subject site. The dwelling is constructed on the north and south boundaries towards the front part of the dwelling, with later extensions extending along the entire length of its north boundary, and includes a roof terrace above. A large private open space area is located, generally to the south of the existing dwelling, and contains a carport abutting the shared boundary with the subject site.

To the south is another similar two-storey Victorian-era terrace. This dwelling is constructed along the north boundary. The private open space is located at the rear (west and south) of the dwelling, and contains a small shed located in the north-west corner of the site.

To the east is Gore Street, and on the opposite side are single-storey dwellings facing Gore Street; and also the rear private open space of a dwelling located on the north-east corner of Condell and Gore Streets.

There have not been any notable changes since the previous report was written, other than the northern wall on No. 219 Gore Street's SPOS being demolished.



Figure 2: Nearmap aerial imagery of subject site and surrounds (July 2021)

Planning Scheme Provisions

Zoning

Clause 32.09 – Neighbourhood Residential Zone (Schedule 1)

12. The subject site is in the Neighbourhood Residential Zone (Schedule 1) (NRZ1). The following provisions apply:
- (a) Pursuant to Clause 32.09-5, a planning permit is required to extend a dwelling on a lot less than 500sqm;
 - (b) Pursuant to Clause 32.09-4, the minimum garden area provisions do not apply as the subject site area is less than 400sqm; and
 - (c) Pursuant to Clause 32.09-10, the maximum building height must not exceed 9m or two storeys at any point.

Overlays

Clause 43.01 – Heritage Overlay, Schedule HO166

13. The subject site is affected by the Heritage Overlay, Schedule HO166. The following provisions apply:
- (a) Pursuant to Clause 43.01-3 of the Scheme, no permit is required under this overlay:
 - (i) *To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.*
 - (b) *City of Yarra Database of Heritage Areas, July 2020* – The site is on the Victorian Heritage Register No. HO166.

Clause 45.06 – Development Contributions Plan Overlay

14. The subject site is affected by the Development Contributions Plan Overlay (Schedule 1). This overlay requires developers to pay a contribution towards essential city infrastructure like roads and footpaths, as well as community facilities. The overlay is not applicable to the proposed development as the proposed works do not increase the number of dwellings on the site.

Particular Provisions

Clause 54 – One dwelling on a lot

15. This clause applies as the development is for the extension of a dwelling on a lot under 500sqm. A development should meet all the standards and must meet all the objectives.

General Provisions

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

Planning Policy Framework (PPF)

17. The following clauses are relevant to the amendment:
- (a) 15.01-2S – Building Design; and
 - (b) 15.01-5S – Neighbourhood Character.

Local Planning Policy Framework (LPPF)

18. The following clauses are relevant to the amendment:
- (a) 21.05-2 – Urban Design;
 - (b) 21.05-3 – Built Form Character; and
 - (c) Clause 21.08-7 – Fitzroy
 - (i) Clause 21.08-7 states: *Fitzroy is a mixed commercial and residential neighbourhood notable for the consistency of its Victorian streetscapes. It comprises a dense combination of residential areas, shopping precincts and commercial/ industrial activities.*

Relevant Local Policies

19. The following clauses are relevant to the amendment:
- (a) Clause 22.07 – Development Abutting Laneways.

Legislative Provisions

20. The amendment has been requested pursuant to Section 72 of the *Planning and Environment Act 1987* (the Act). Section 72 of the Act states:

- (1) *A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.*
- (2) *This section does not apply to—*
 - (a) *a permit or a part of a permit issued at the direction of the Tribunal, if the Tribunal has directed under section 85 that the responsible authority must not amend that permit or that part of the permit (as the case requires); or*
 - (b) *a permit issued under Division 6.*

21. The planning permit was issued on 09 August 2019. The Tribunal has not directed that the responsible authority must not amend the permit, nor was the permit issued under Division 6 of the Act.
22. Section 73 of the Act states that Sections 47 to 62 of the Act apply to the amendment application. This allows the Responsible Authority to apply the abovementioned sections of the Act to the amendment application as if it was an application for a permit.

Advertising

23. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 2 letters sent to adjoining owners and occupiers. Council received 7 objections and 1 letter of support. The grounds for objection are summarised as follows:
 - (a) Overshadowing of open space;
 - (b) Lack of due process;
 - (c) Impact that construction of the new wall has had on the adjacent outhouse;
 - (d) Incorrect and misleading information shown on the plans associated with the original planning permit application;
 - (e) Impact the new wall has on the ability to attach garden features;
 - (f) Loss of parking associated with building contractors;
 - (g) A building permit was not displayed on the subject site; and
 - (h) The impacts of construction noise and dust.

Referrals

External Referrals

24. The application was not required by the Scheme to be referred to external parties

Internal Referrals

25. The application was not referred to Council's internal departments as the proposed amendments can be adequately assessed under the relevant policies and provisions of the Scheme.

OFFICER ASSESSMENT

26. The primary considerations for this application are: Clause 54 (ResCode); Objector Concerns; and Other matters.

Clause 54 – (ResCode)

27. Clause 54 comprises design objectives and standards to guide the assessment of new residential development. Given the site's location within a built-up inner-city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. In considering the amendments, the following objectives and standards are not relevant:
 - (a) Standard A2 - Integration with the street – There are no changes proposed to the dwelling's existing presentation to Gore Street;
 - (b) Standard A3 - Street setback – There are no changes proposed to the existing street setback;
 - (c) Standard A5 – Site coverage – There is no change to the approved site coverage, which remains at 68.1%;
 - (d) Standard A6 – Site permeability – There is no change to the approved site permeability, which remains at 10.8%;
 - (e) Standard A7 – Energy efficiency – There are no changes proposed to the location of habitable rooms and private open space and there are no rooftop solar energy facilities on adjoining properties.

- (f) Standard A8 - Significant trees objectives – There are no significant trees on the subject site;
- (g) Standard A10 – Side and rear setbacks – There are no changes to the approved side and rear setbacks;
- (h) Standard A12 – Daylight to existing windows – The proposed southern boundary wall will not abut existing habitable room windows;
- (i) Standard A13 – North-facing windows – There are no north-facing windows within 3m of the proposed southern boundary wall;
- (j) Standard A15 – Overlooking – There are no additional habitable room windows, balconies, terraces or patios proposed as a result of this amendment application;
- (k) Standard A16 – Daylight to new windows – There are no additional habitable room windows proposed;
- (l) Standard A17 – Private open space – There are no changes proposed to the approved private open space area;
- (m) Standard A18 – Solar access to private open space – This Standard does not apply to dwelling extensions; and
- (n) Standard A20 - Front fences objective – There are no alterations proposed to the existing front fence.

The remaining objectives and standards are assessed in detail below.

Neighbourhood character (Standard A1) and Design Detail (Standard A19) objectives

28. The proposed extension continues to be located in the south-west corner of the site and is fully concealed by the existing two-storey terrace dwellings from Gore Street. The proposed southern boundary wall will be constructed with recycled heritage red bricks which is a material typical in the area (particularly for boundary walls) as evidenced by the existing northern boundary wall of the subject site and the southern boundary wall at No. 217 Gore Street, which are also constructed of brick.

Building height (Standard A4) objectives

29. The proposed southern boundary is compliant, with a maximum height of 3.1m, below the 9m maximum permissible under the Standard.

Walls on boundaries (Standard A11) objectives

30. To meet the standard any new wall constructed on the boundary should not abut a boundary for a length of more than 10m plus 25% of the remaining length of the boundary of an adjoining lot or the length of an existing or simultaneously constructed boundary wall, whichever is greater. In terms of height, new boundary walls should not exceed an average 3.2m in height with a maximum height of 3.6m at any one point, unless abutting a higher existing or simultaneously constructed wall.
31. The combined length of walls along the southern boundary is 30.4m, the same as existing conditions. The average height of the proposed southern boundary wall is 3m and the maximum height is 3.1m. The proposed southern boundary wall is therefore compliant with the Standard.

Overshadowing (Standard A14) objectives

32. This Standard applies to secluded private open space. Due to the east-west orientation of the subject site, and the laneway to the west, overshadowing impacts are limited to the secluded private open space (SPOS) of No. 217 Gore Street. The submitted shadow diagrams assess the impacts of overshadowing on the SPOS of No. 217 Gore Street at 9am, 12pm and 3pm on September 22nd.

33. These shadow diagrams were assessed against Council's overshadowing template in the computer program Objective Trapeze. At 9am, the shadow diagrams have been drawn correctly. However, at 12pm and 3pm, the extent of overshadowing appears to be marginally underestimated. Figure 3 below illustrates the extent of existing and proposed overshadowing measured in Objective Trapeze at 12pm and 3pm. The blue outline denotes existing shadow and the pink outline denotes proposed shadow.

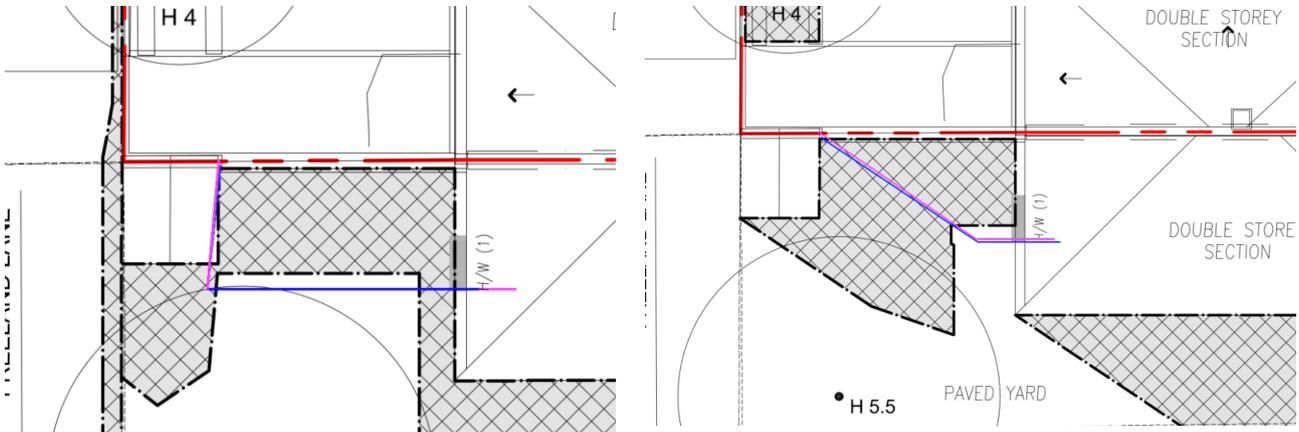


Figure 3: Overshadowing diagrams at 12pm (left) and 3pm (right)

34. The Standard requires that *if existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.*
35. The submitted 9am shadow diagram, as well as the diagrams prepared in Objective Trapeze demonstrate that there will be no additional overshadowing as a result of the increase in the height of the southern boundary wall. At 9am, the shadow cast by the southern boundary wall falls within the shadow footprint of existing built form. At 12pm, the extent of overshadowing matches existing conditions. At 3pm, there is a marginal reduction (less than 0.1sqm) in overshadowing.
36. The existing southern boundary wall is partially constructed over the title boundary of No. 217 Gore Street (as illustrated in Figure 4 below), and the proposed southern boundary is constructed within the title boundaries of the subject site (as illustrated in Figure 5). As such, despite an increase in height of 0.2m, the proposed southern boundary wall has been set back from existing conditions and will not result in additional overshadowing of this SPOS. The proposed southern boundary wall is therefore compliant with the Standard.

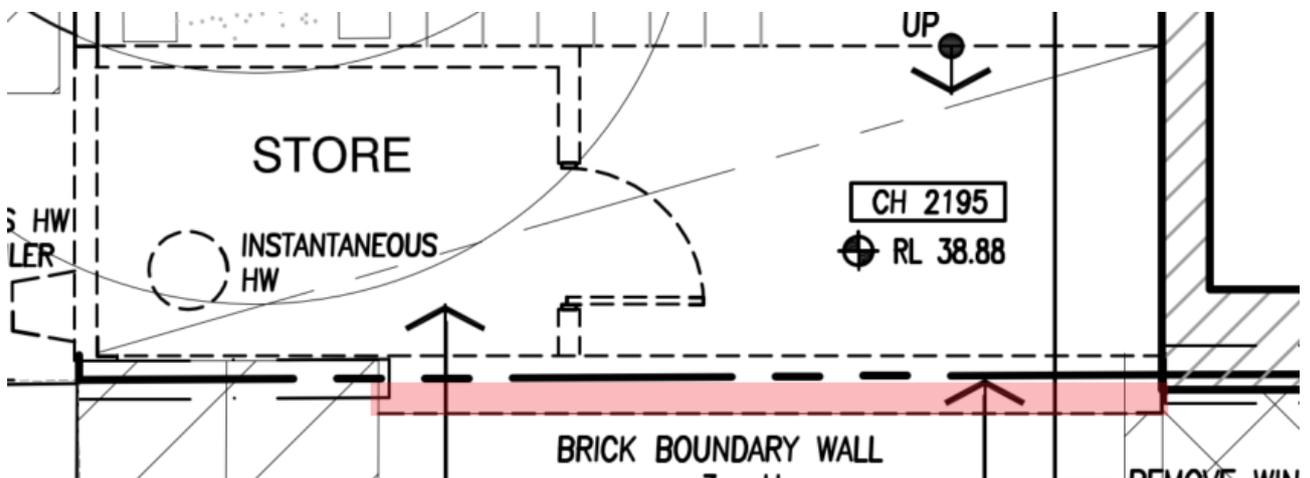


Figure 4: Existing ground floor plan showing extent of the existing southern boundary wall constructed over the title boundary (highlighted in red).

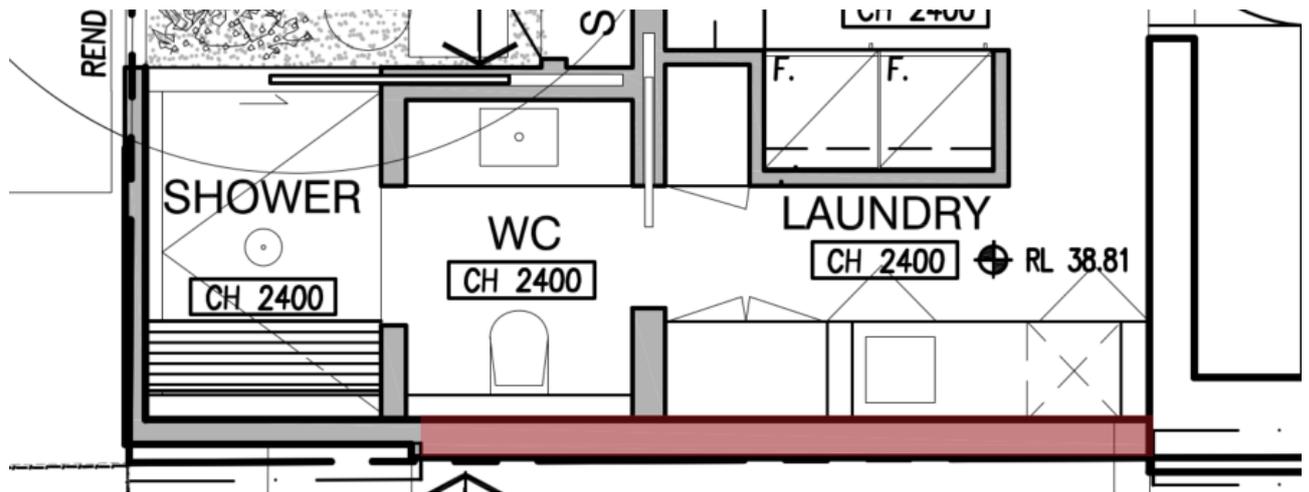


Figure 5: Proposed ground floor plan showing the extent of the proposed southern boundary wall, constructed within title boundary (highlighted in red)

Objector Concerns

37. Objector concerns have been addressed throughout this report as follows:
- (a) Overshadowing of open space - This has been discussed at paragraphs 31-35;
 - (b) Lack of due process – The *Planning & Environment Act 1987* (the Act) allows for amendments to permits, including those that are made retrospectively. In addition, this amendment application was advertised to affected parties. Therefore, the application has been processed in accordance with the obligations of the Act.
 - (c) Impact that construction of the new wall has had on the adjacent outhouse - Construction management, in relation to the damage of adjoining properties is not a planning consideration. This matter is addressed at the building permit stage.
 - (d) Incorrect and misleading information shown on the plans associated with the original planning permit application – This is not a planning consideration for the current application. However, the current plans have addressed this matter with updated demolition plans and elevations.
 - (e) Impact the new wall has on the ability to attach garden features – This is not a planning consideration.
 - (f) Loss of parking associated with building contractors – This is not a planning consideration.
 - (g) A building permit was not displayed on the subject site – This is not a planning consideration.
 - (h) The impacts of construction noise and dust – As stated previously construction management issues are not a planning consideration.

Other Matters

Western boundary wall

38. The proposed western boundary wall as shown on the proposed plans and elevations, is not shown in accordance with the endorsed plans and elevations. As changes to the western boundary wall have not been applied for under this amendment application, a condition will require the proposed plans and elevations to show the western boundary wall as per the previously endorsed plans.

Conclusion

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

RECOMMENDATION

That a Notice of Decision to Grant an amended Planning Permit PLN19/0384.01 be issued for, *the construction of a ground floor addition to the existing dwelling* at 219 Gore Street, Fitzroy VIC 3065 generally in accordance with the plans noted previously as the “decision plans” with no changes to the permit preamble and subject to the following changes to conditions:

New condition 1 to read:

1. Within 3 months of the date of the amended permit (or as otherwise agreed in writing by the Responsible Authority), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Matt Gibson Architects but modified to show:
 - (a) The western boundary wall to be shown on proposed plans and elevations, as per the previously endorsed plans.
- Retention and subsequent re-numbering of all other conditions.

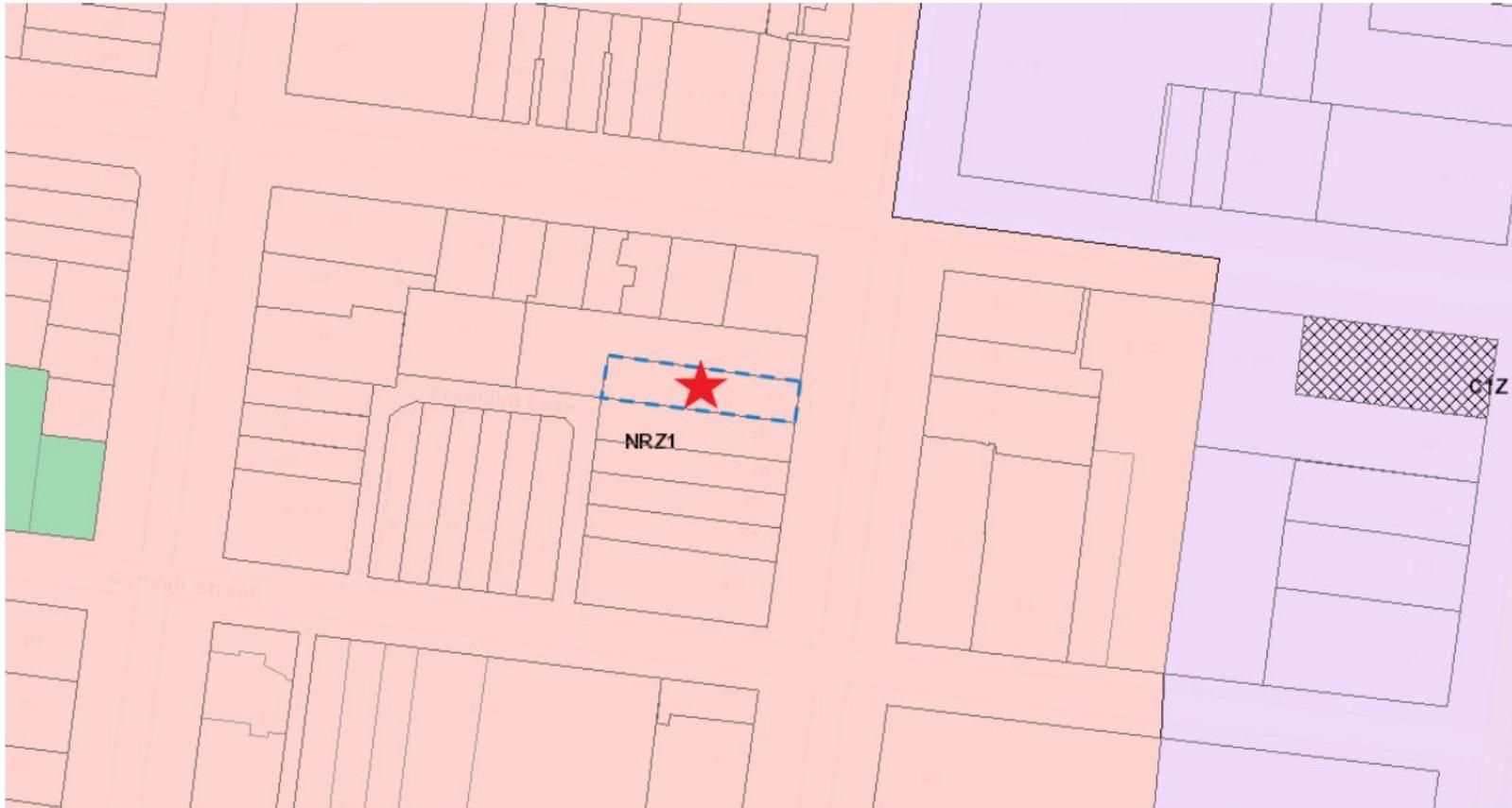
Attachments

- 1 PLN19/0384.01 - 219 Gore St Fitzroy - Locality Map
- 2 PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans
- 3 PLN19/0384 - 219 Gore Street Fitzroy - Existing Planning Permit
- 4 PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans

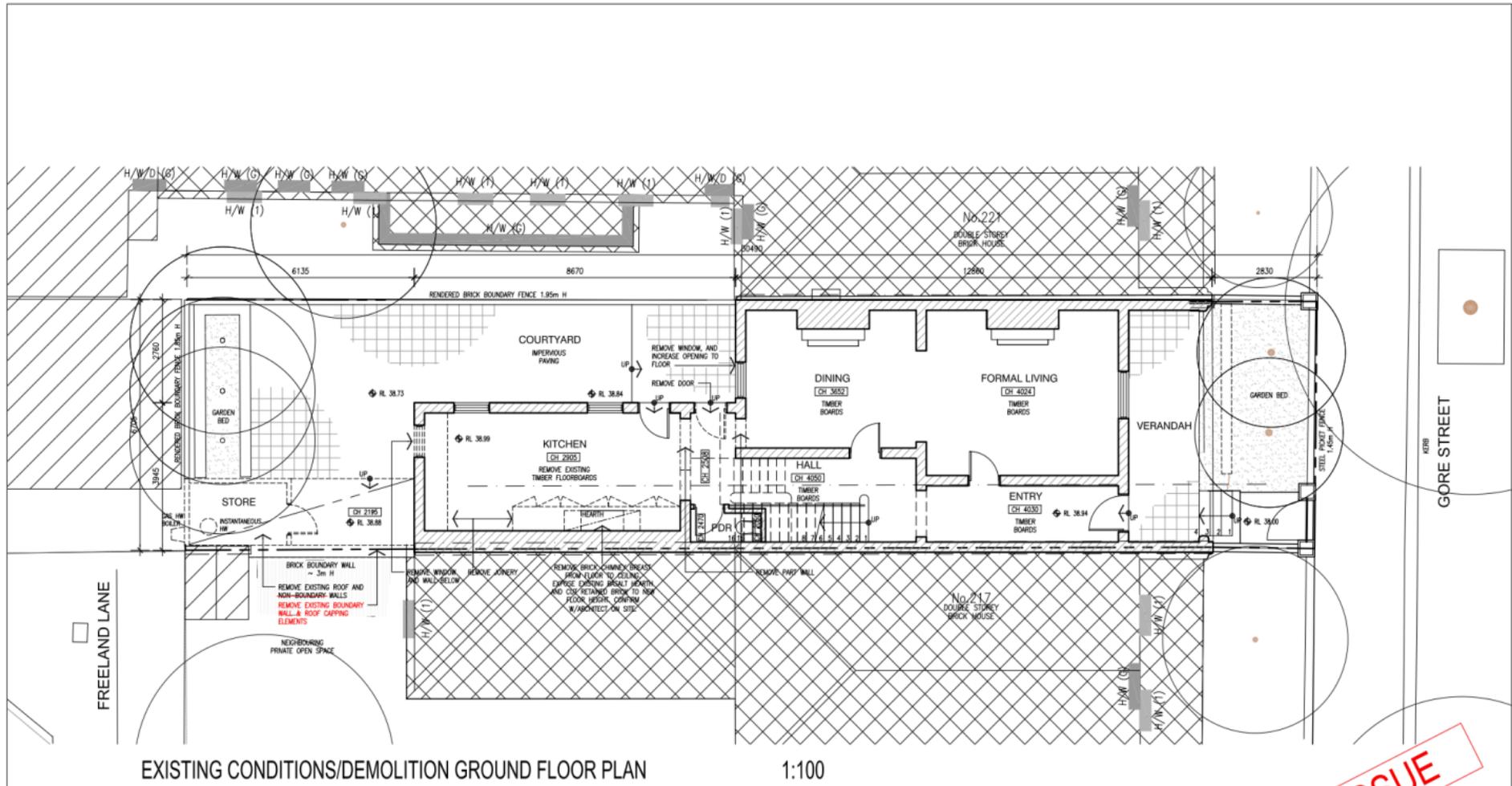
Attachment 1 - PLN19/0384.01 - 219 Gore St Fitzroy - Locality Map

PLN19/0384.01 – 219 Gore Street, Fitzroy

Locality Map



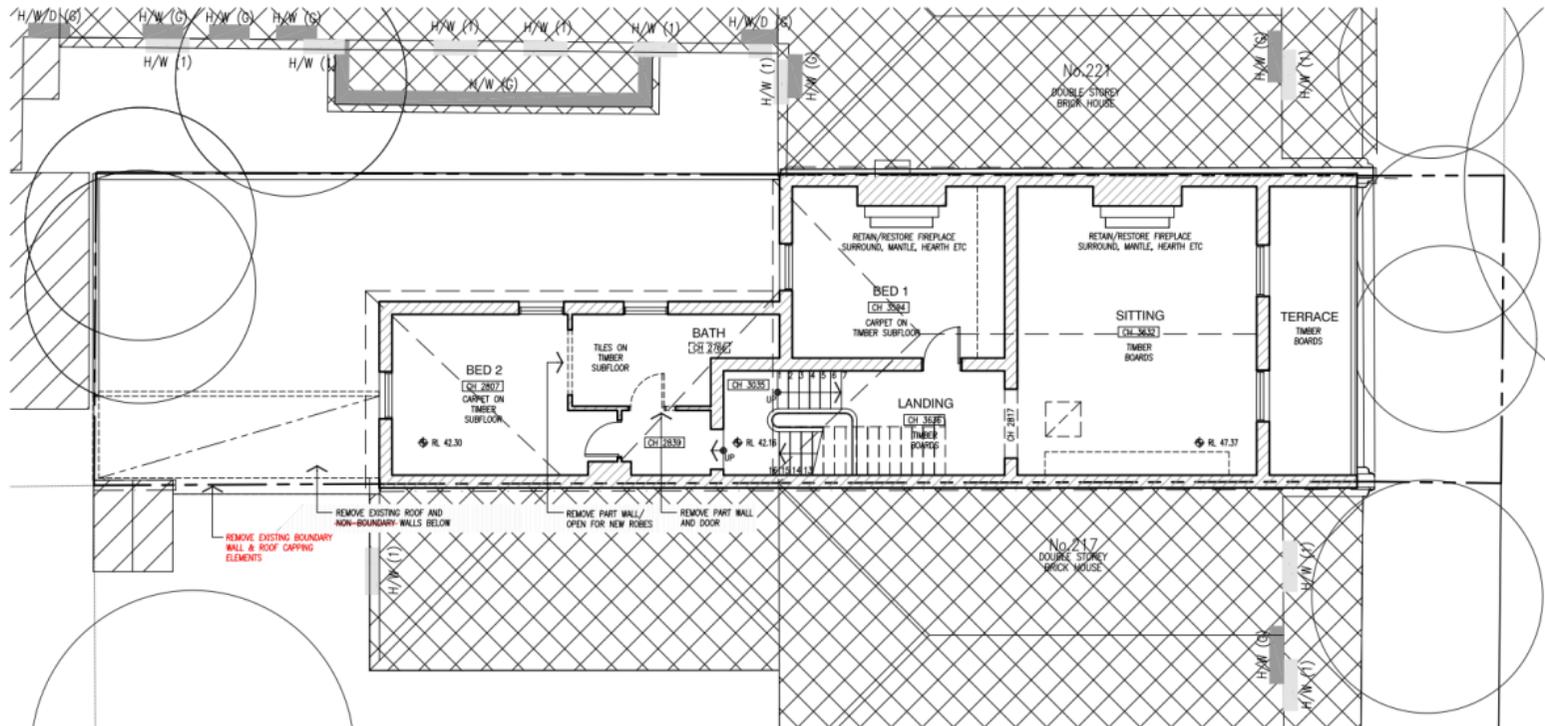
Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



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	29 derby street colingwood victoria australia 3066 [1] +61 9419 6677 [2] www.mattgibson.com.au	Dwg. by PB Proj. No. 1817 Check LM	Stage PL A-002	Rev. A	

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



EXISTING CONDITIONS / DEMOLITION FIRST FLOOR PLAN

1:100

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a+d matt gibson

29 derby street colingwood victoria australia 3066
 [i] +61 9419 6677
 [w] www.mattgibson.com.au

Project PROPOSED ALTERATIONS & ADDITIONS AT 219 GORE STREET FITZROY, VIC 3065

Client LUKE MERRICK

North

Dwg. by PB

Check LM

Scale 1:100 @A3
 Date 14.05.19

Dwg. Title: EXISTING CONDITIONS/DEMOLITION FIRST FLOOR PLAN

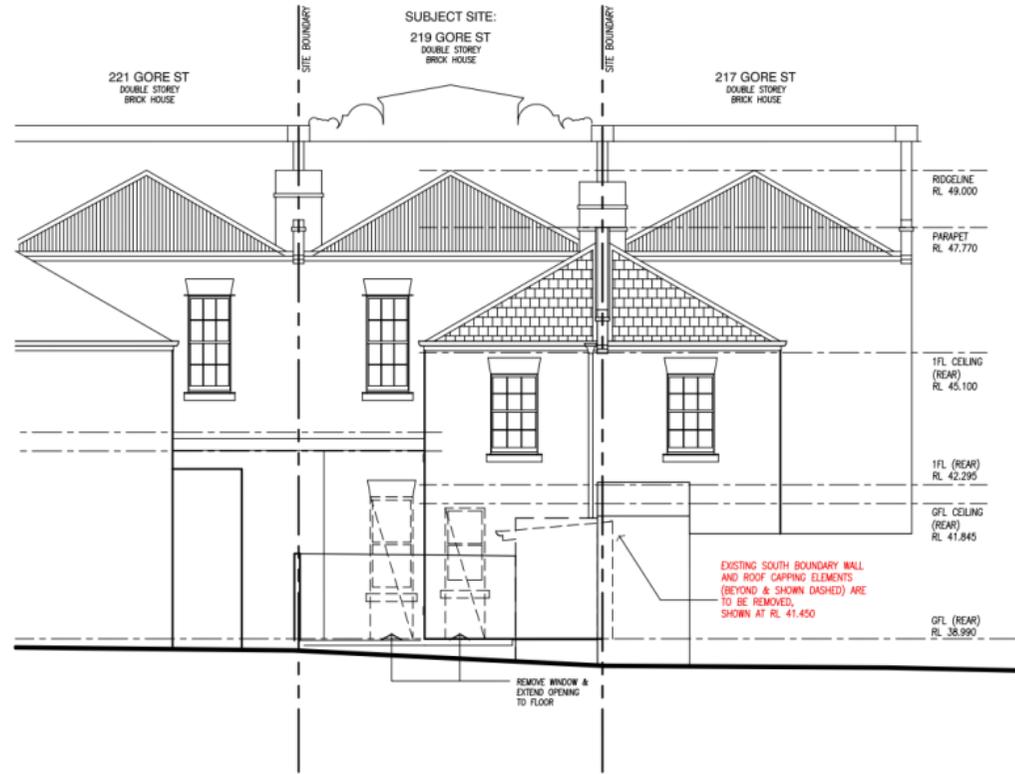
Proj. No. 1817

Stage PL

A-003

Rev. A

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans

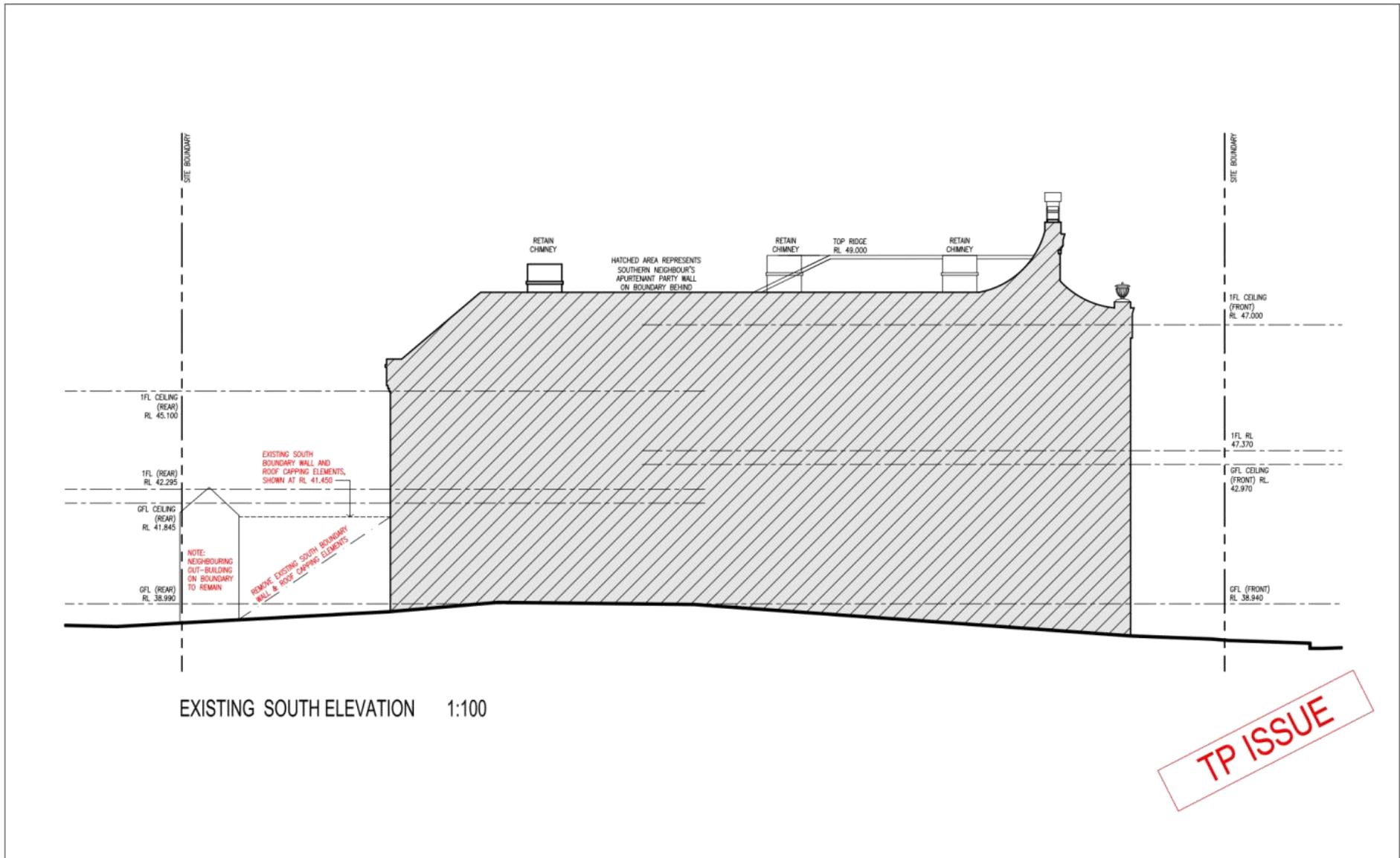


EXISTING WEST ELEVATION 1:100

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	A	04.05.21	PLANNING ISSUE - AMENDMENT	CS					29 derby street colingwood victoria australia 3066 [p] +61 9419 6677 [w] www.mattgibson.com.au	Dwg by PB	Proj. No. 1817

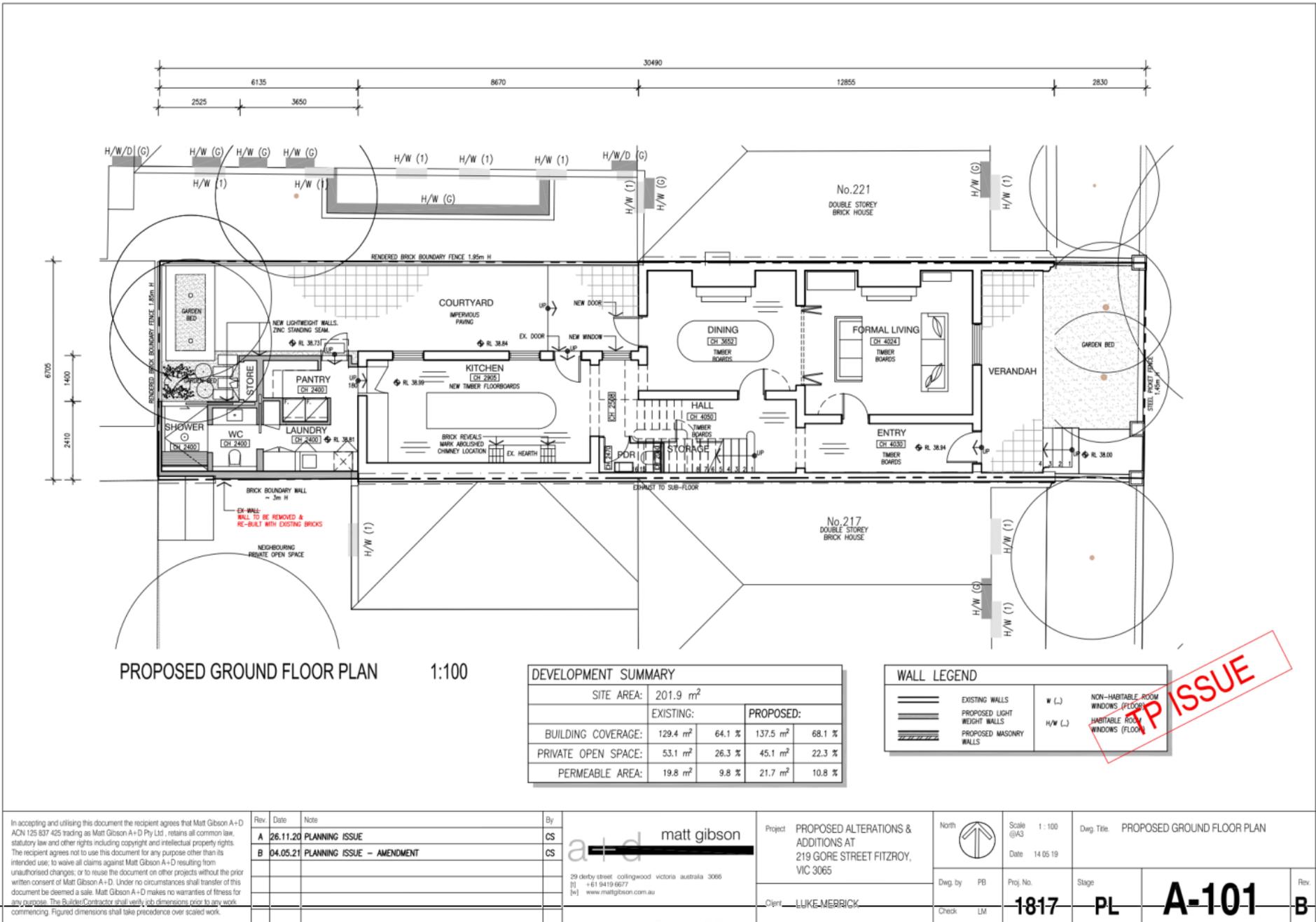
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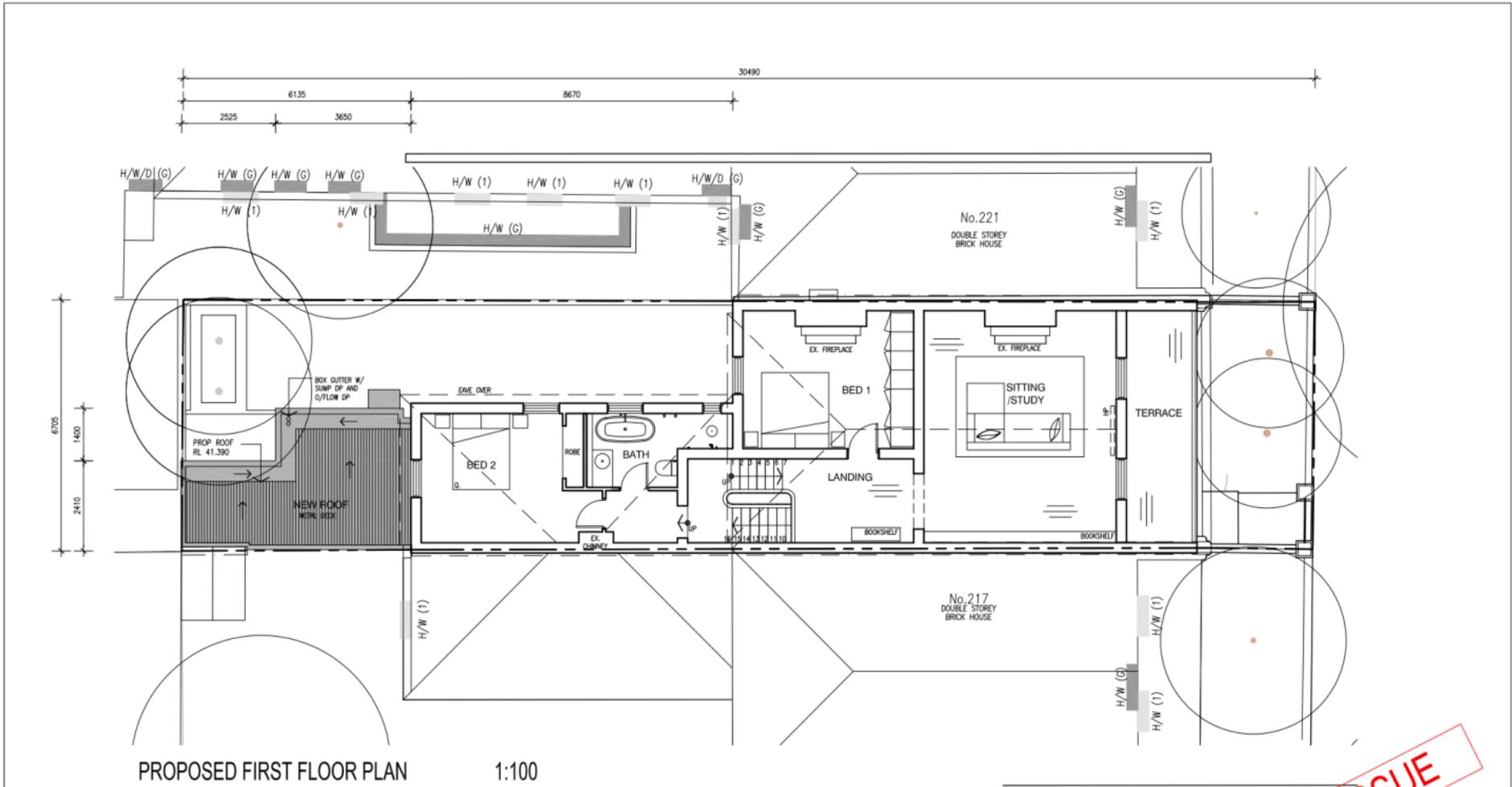
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Rev.	Date	Note															
A	04.05.21	PLANNING ISSUE - AMENDMENT															

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



WALL LEGEND	
	EXISTING WALLS
	PROPOSED LIGHT WEIGHT WALLS
	PROPOSED MASONRY WALLS
	NON-HABITABLE ROOM WINDOWS (FLOOR)
	HABITABLE ROOM WINDOWS (FLOOR)

TP ISSUE

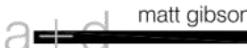
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	Client LUKE MEBRICK	Check LM										

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans

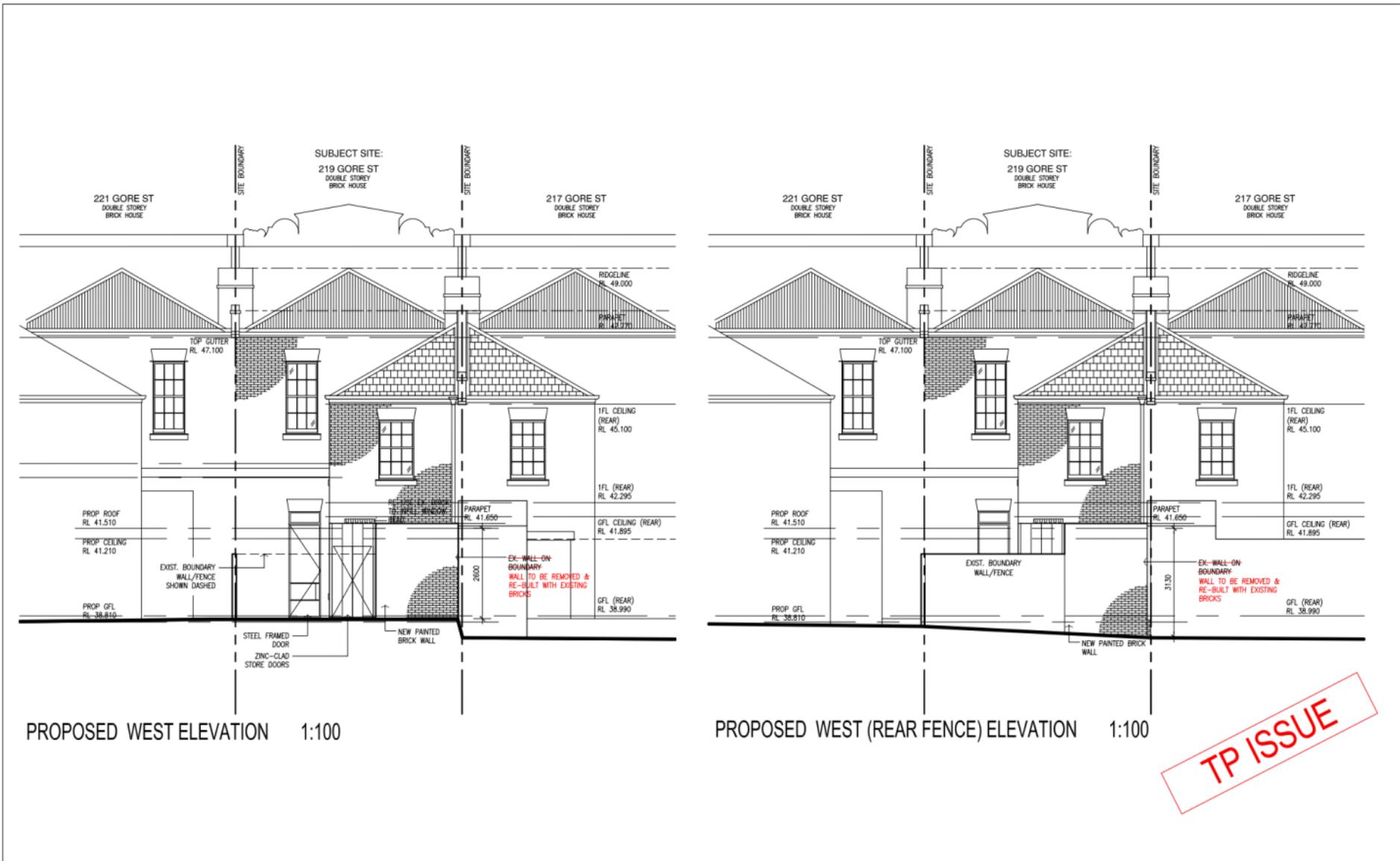


PROPOSED NORTH ELEVATION 1:100

TP ISSUE

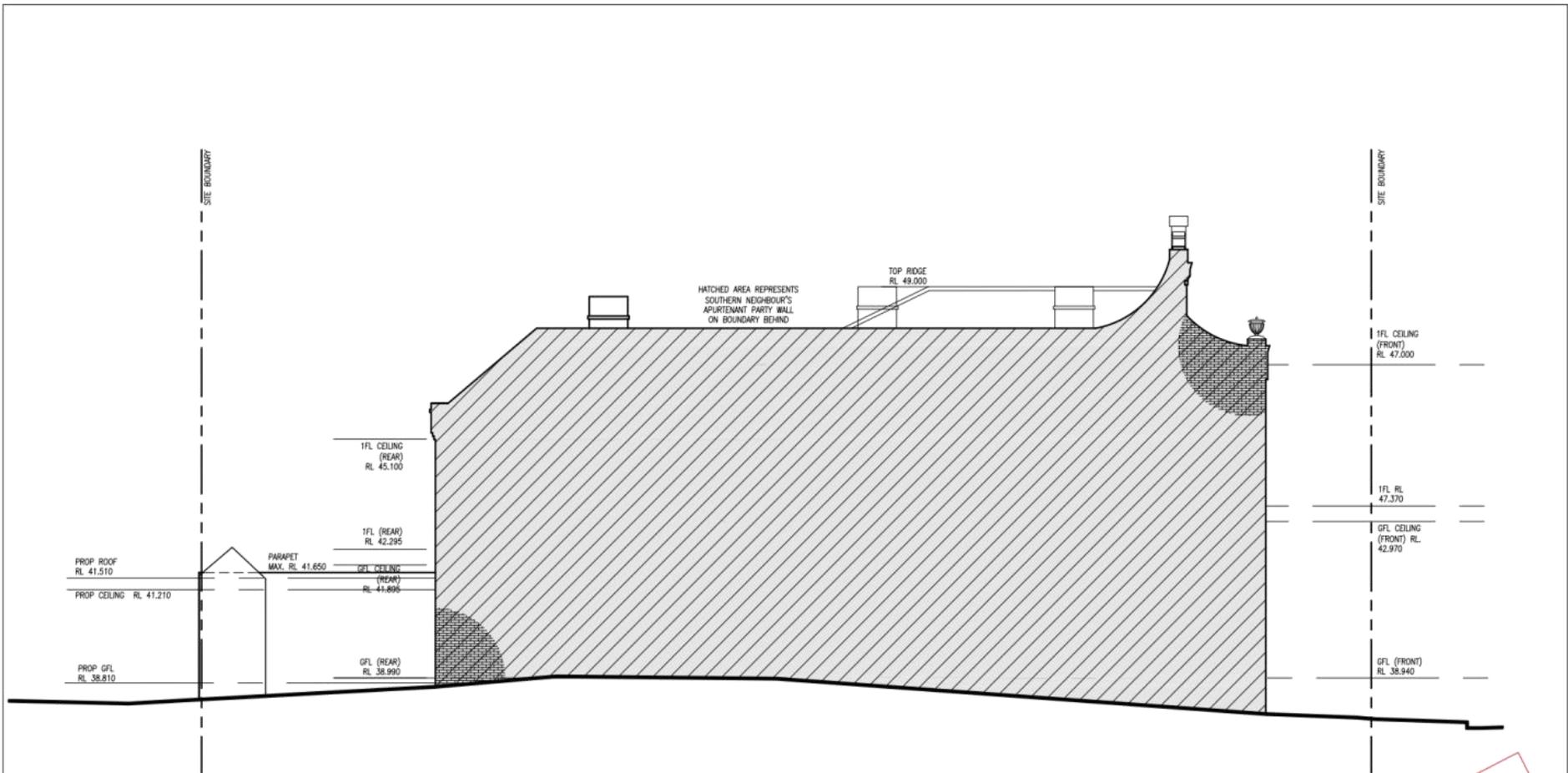
In accepting and utilising this document the recipient agrees that Matt Gibson A+D ACN 125 837 425 trading as Matt Gibson A+D Pty Ltd, retains all common law, statutory law and other rights including copyright and intellectual property rights. The recipient agrees not to use this document for any purpose other than its intended use, to waive all claims against Matt Gibson A+D resulting from unauthorised changes, or to reuse the document on other projects without the prior written consent of Matt Gibson A+D. Under no circumstances shall transfer of this document be deemed a sale. Matt Gibson A+D makes no warranties of fitness for any purpose. The Builder/Contractor shall verify all dimensions prior to any work commencing. Figured dimensions shall take precedence over scaled work.	Rev. Date Note _____ _____ _____	By _____ _____	 29 derby street colingwood victoria australia 3066 (i) +61 9419 6677 (w) www.mattgibson.com.au	Project PROPOSED ALTERATIONS & ADDITIONS AT 219 GORE STREET FITZROY, VIC 3065 Client LUKE MERRICK	North 	Scale 1:100 @A3 Date 14 05 19	Dwg Title. PROPOSED NORTH ELEVATION	
	Dwg by PB Check LM	Proj. No. 1817 Stage PL			A-202	Rev. _____		

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



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	A	26.11.20	PLANNING ISSUE	CS			Client	LUKE MERRICK	Dwg. by	PB	Proj. No.	1817	Stage	PL	A-203

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans

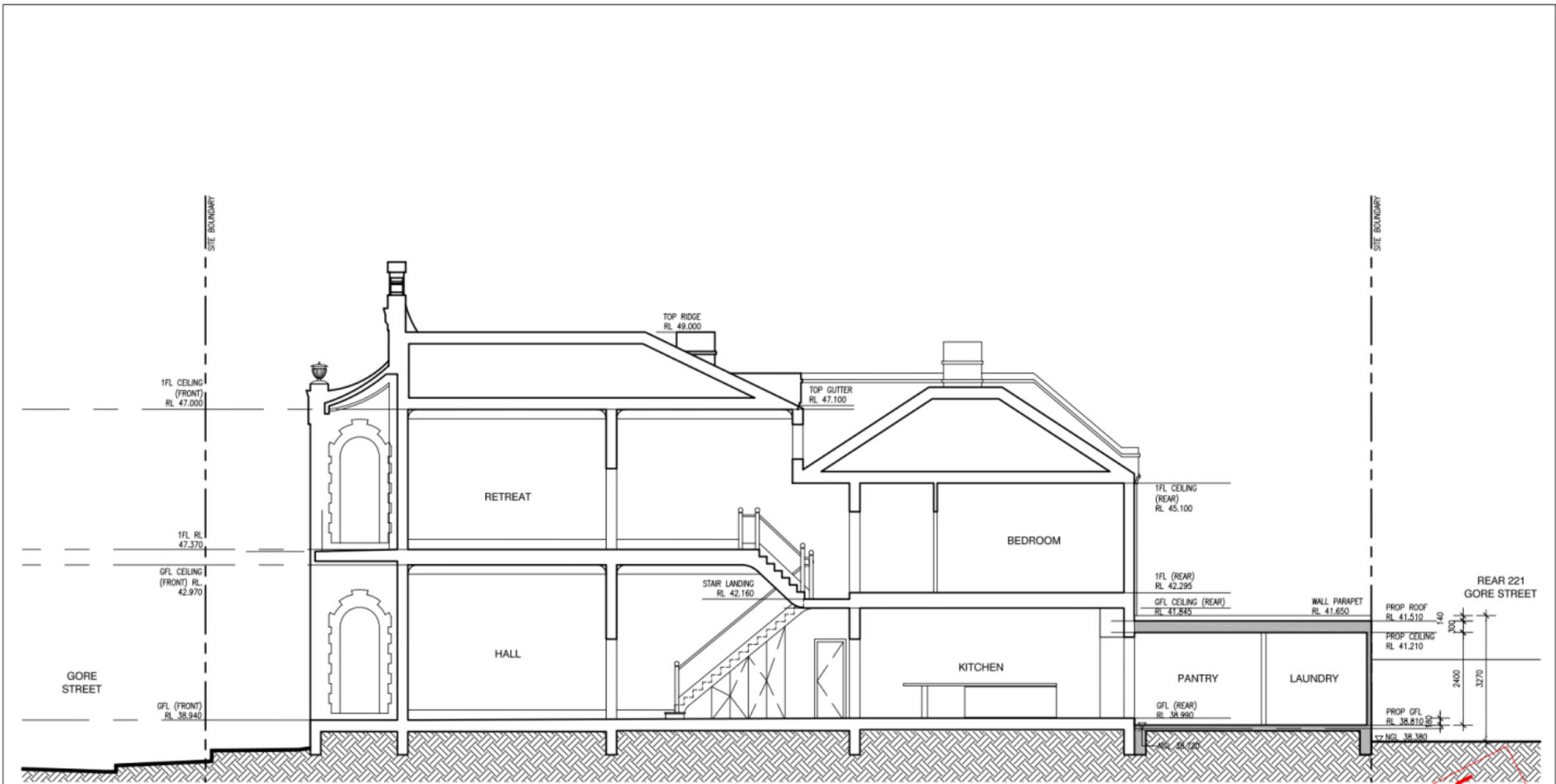


PROPOSED SOUTH ELEVATION 1:100

TP ISSUE

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	A	04.05.21	PLANNING ISSUE - AMENDMENT	CS								

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans

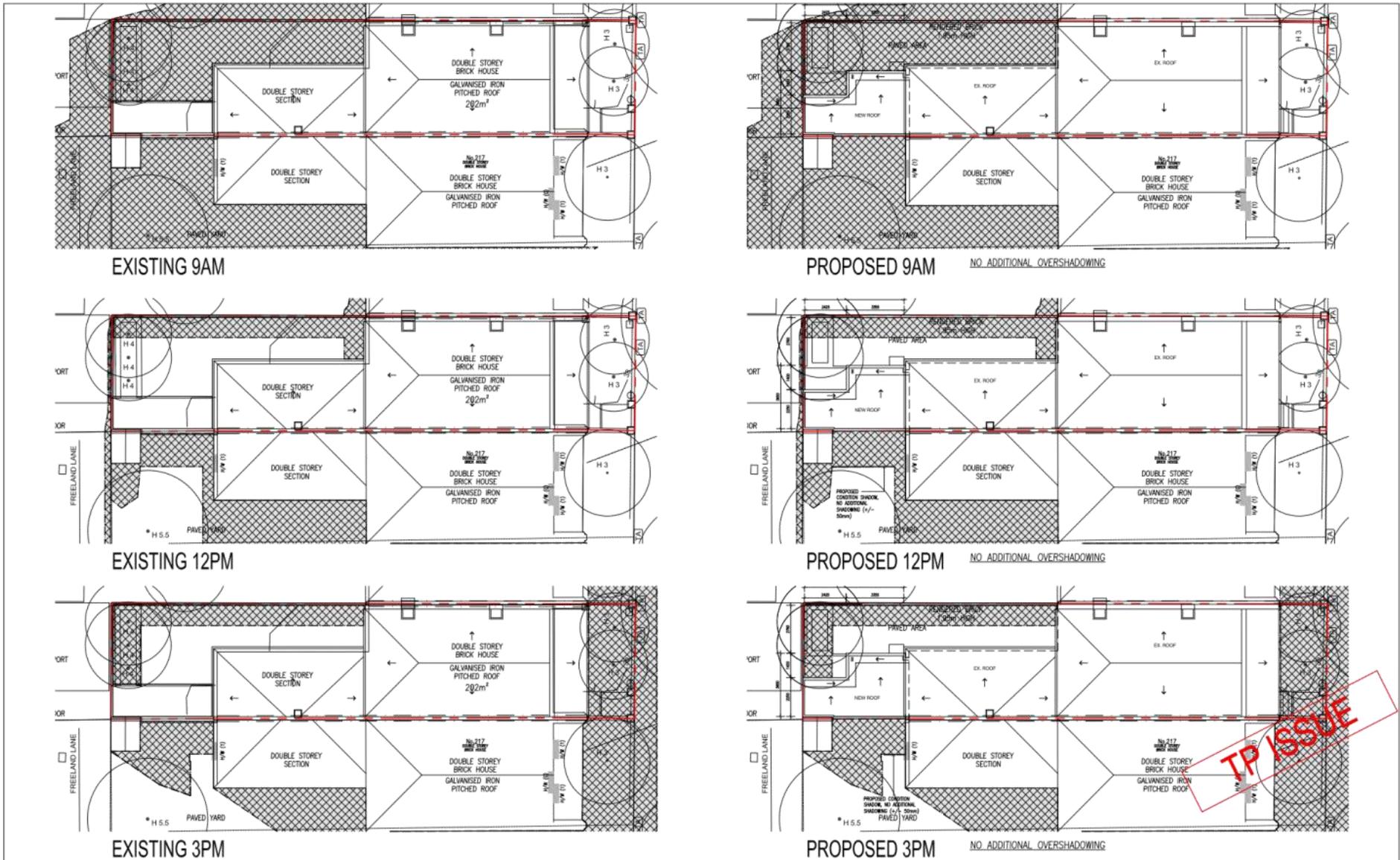


PROPOSED SECTION AA' 1:100

TP ISSUE

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									Dwg by PB

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



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	Date 14 05 19	Dwg. by PB		Proj. No. 1817	Stage PL	A-901	Rev. A		
Client LUKE MEBBRICK				Check LM	Date 14 05 19	Project No. 1817	Stage PL	Drawing No. A-901	Revision A

Attachment 2 - PLN19/0384.01 - 219 Gore Street Fitzroy - Advertising S52 - Plans



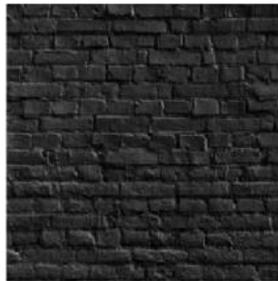
**'MONUMENT'
STEEL ROOFING**



**DARK (STANDING SEAM)
METAL CLADDING**



**SOUTH BOUNDARY WALL
EXPOSED RED BRICK
(RE-USE HERITAGE REDS)**



**'DOMINO' DARK-PAINTED
BRICKWORK**



STEEL FRAME DOORS

TP ISSUE

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Rev.	Date	Note	By
A	04.05.21	PLANNING ISSUE -- AMENDMENT	CS

a+d matt gibson

29 derby street collingwood victoria australia 3066
 [t] +61 9419 6677
 [w] www.mattgibson.com.au

Project **PROPOSED ALTERATIONS & ADDITIONS AT 219 GORE STREET FITZROY, VIC 3065**

Client **LUKE MERRICK**

North 

Scale **1 : 200**
 @A3
 Date **14 05 19**

Dwg. by **PB**

Check **LM**

Dwg. Title: **IMAGES + MATERIALS**

Proj. No. **1817**

Stage **PL**

A-902

Rev. **A**

Attachment 3 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Planning Permit

Helping you understand your planning needs



PLANNING PERMIT

Permit No: PLN19/0384
Planning Scheme: Yarra
Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

219 Gore St Fitzroy VIC 3065

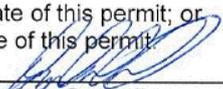
THE PERMIT ALLOWS:

Construction of a ground floor addition to the existing dwelling.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. 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.
2. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
5. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

Date: 09 August 2019



Danielle Connell
Signature for the Responsible Authority

Attachment 3 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Planning 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 5585 to confirm.

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

No Heritage Assessment

This application was not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

Date: 09 August 2019



Danielle Connell
Signature for the Responsible Authority

Attachment 3 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Planning Permit

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

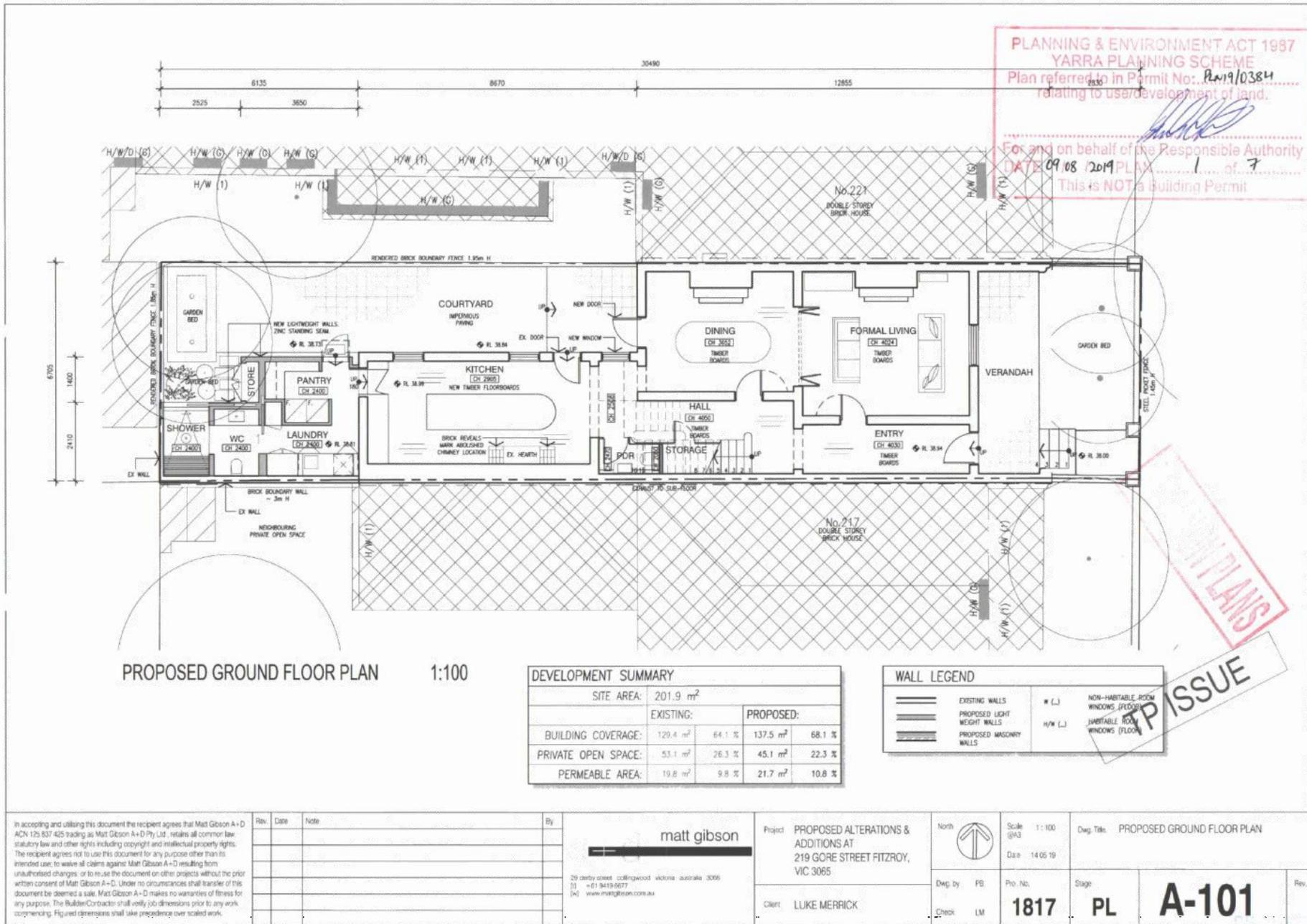
1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

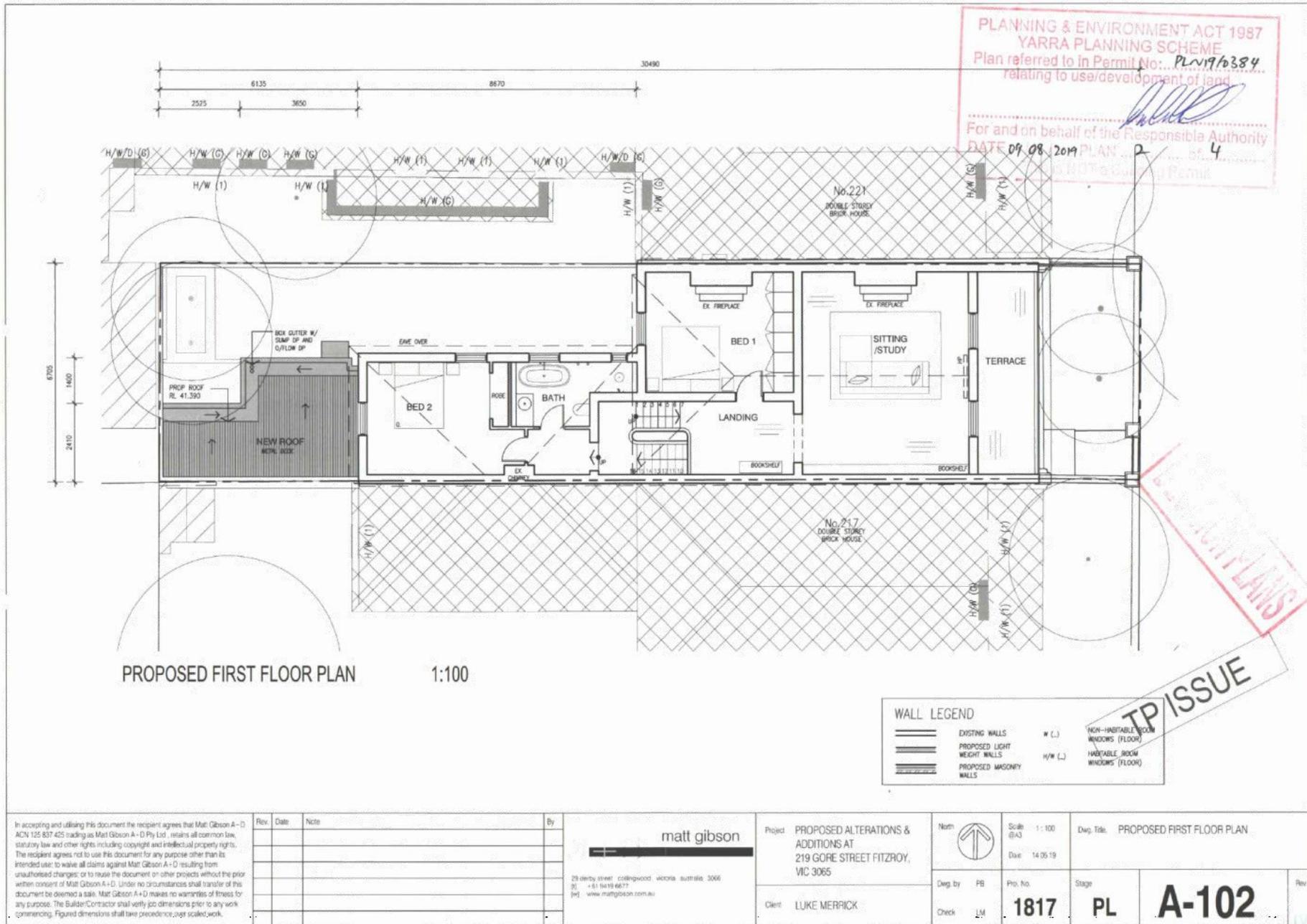
- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64, 64A and 86

Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans



Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans



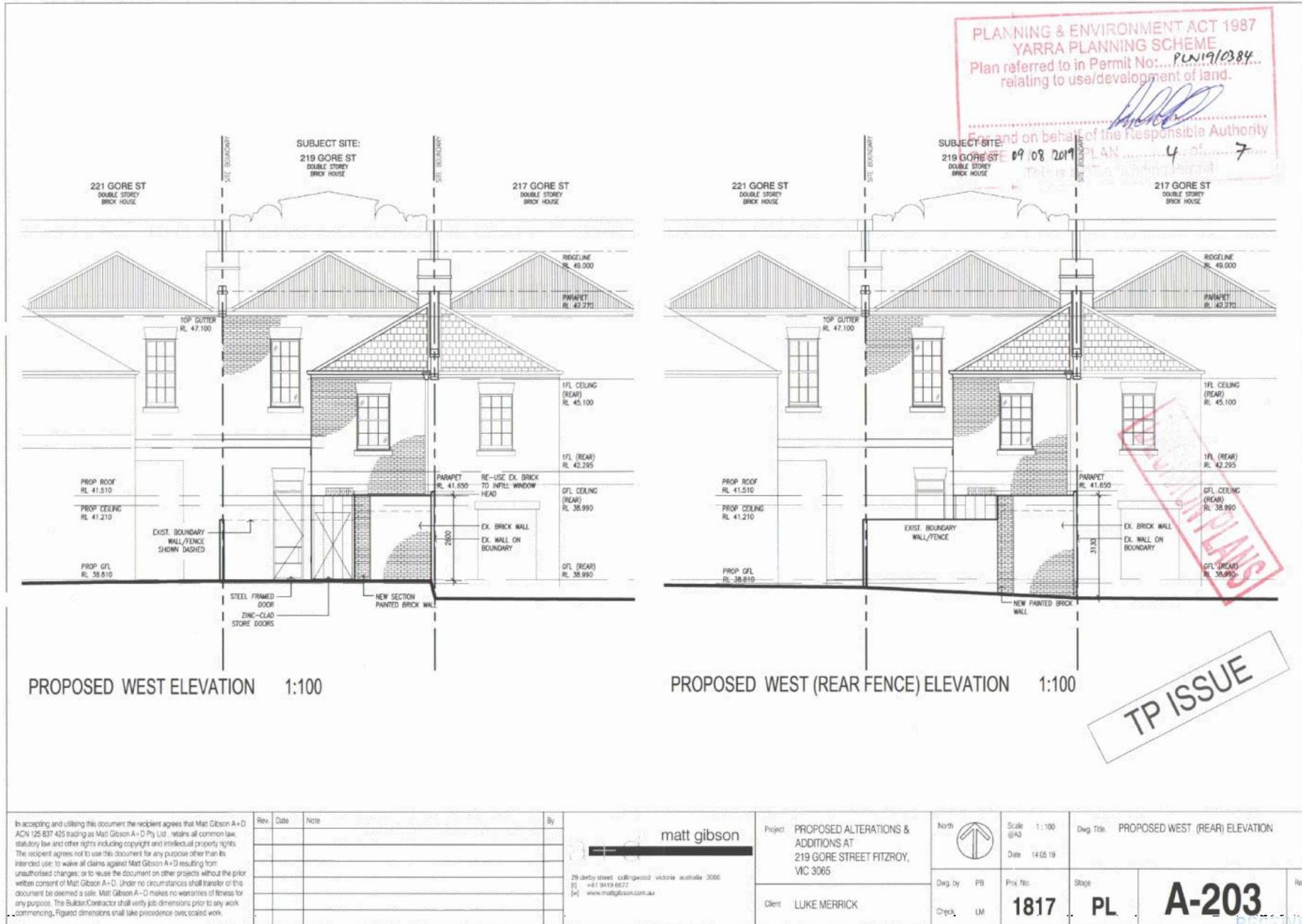
Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans



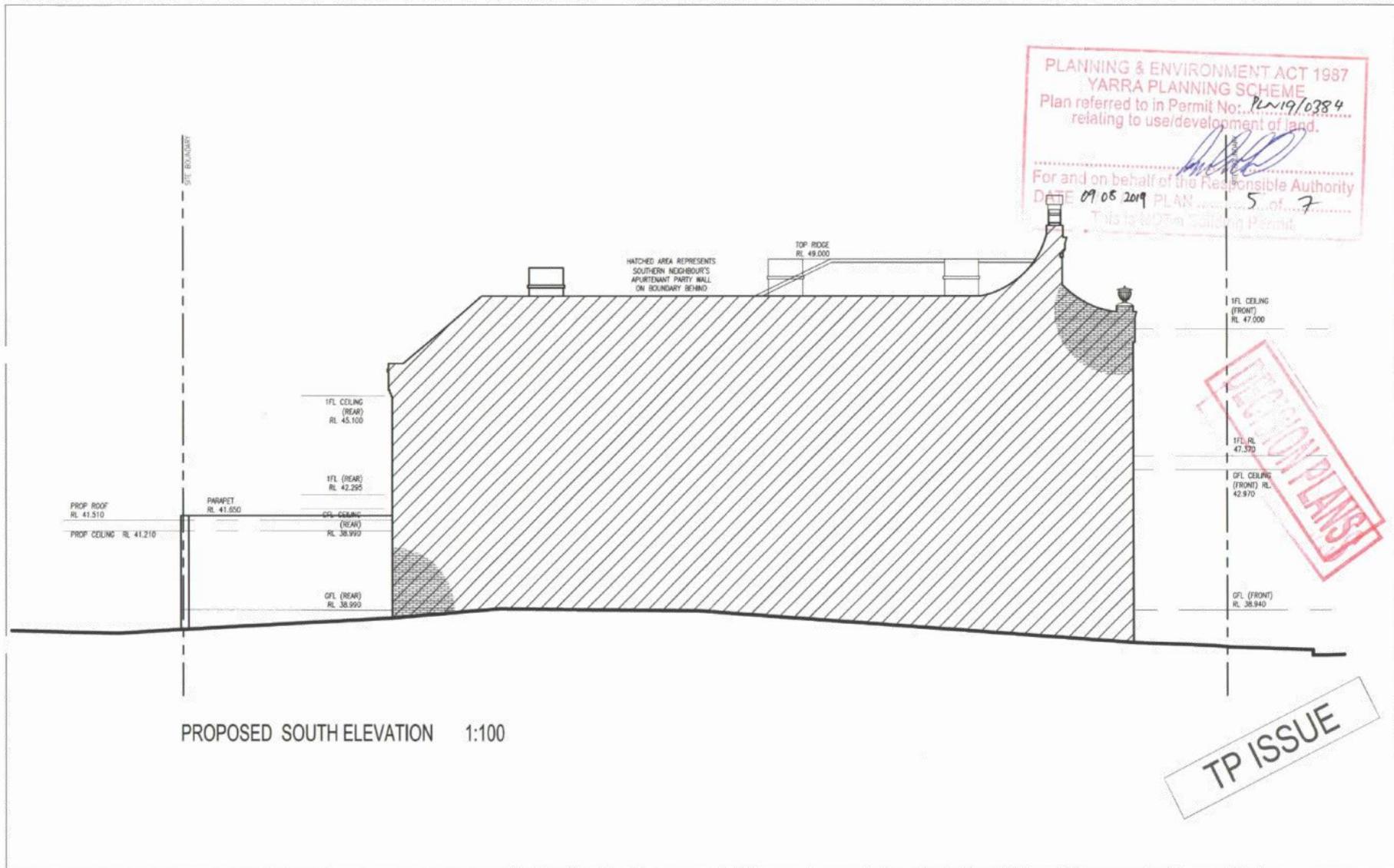
PROPOSED NORTH ELEVATION 1:100

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							Client	LUKE MERRICK	Dwg. by	PB	Proj. No.	1817	Stage		

Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans

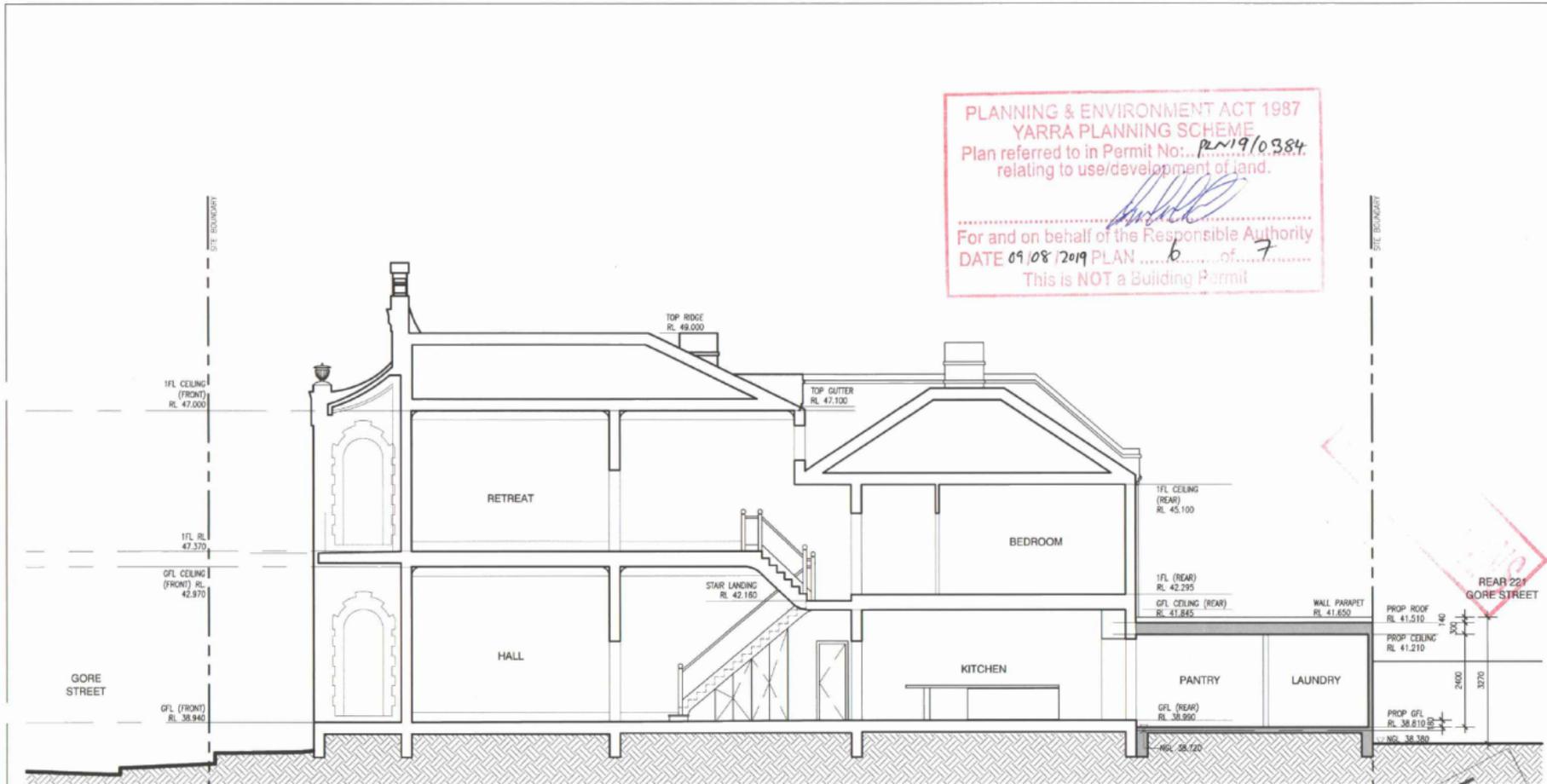


Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans



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	Rev.	Date	Note	By																							

Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans



PLANNING & ENVIRONMENT ACT 1987
 YARRA PLANNING SCHEME
 Plan referred to in Permit No... PLN19/0384
 relating to use/development of land.
 For and on behalf of the Responsible Authority
 DATE 09/08/2019 PLAN 6 of 7
 This is NOT a Building Permit

PROPOSED SECTION AA' 1:100

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Rev.	Date	Note	By

matt gibson
 a+d
 29 derby street collingwood victoria australia 3066
 t +61 9419 6677
 e www.mattgibson.com.au

Project: PROPOSED ALTERATIONS & ADDITIONS AT 219 GORE STREET FITZROY, VIC 3065
 Client: LUKE MERRICK

North
 Scale: 1:100 @A3
 Date: 14.05.19
 Dwg. by: PB
 Check: LM
 Proj. No.: 1817

Dwg. Title: PROPOSED SECTION AA'
 Stage: PL
A-301
 Rev.

Attachment 4 - PLN19/0384 - 219 Gore Street Fitzroy - Existing Endorsed Plans



'MONUMENT'
STEEL ROOFING



ZINC (STANDING SEAM)



'DOMINO' DARK-PAINTED
BRICKWORK



STEEL FRAME DOORS

PLANNING & ENVIRONMENT ACT 1987
YARRA PLANNING SCHEME
Plan referred to in Permit No: PLN19/0384
relating to use/development of land.

[Signature]
For and on behalf of the Responsible Authority
DATE 09 08 2019 PLAN 7 7
This is NOT a permit

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Rev.	Date	Note	By

matt gibson

a+d

25 derby street, coltringwood victoria australia 3066
t: +61 9419 9677
e: www.mattgibson.com.au

Project PROPOSED ALTERATIONS & ADDITIONS AT 219 GORE STREET FITZROY, VIC 3065

Client LUKE MERRICK

North

Scale 1:200 (A3)
Date 14.05.19

Dwg. by PB
Check LM

Proj. No. 1817

Stage PL

A-902

Rev.