



Agenda

Planning Decisions Committee

6.30pm, Wednesday 9 June 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 Herschel Landes
Cr Bridgid O’Brien
Cr Gabrielle de Vietri

Council officers

Daniel Herrmann (Co-ordinator Statutory Planning)
Lara Fiscalini (Principal 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 26 May 2021 be confirmed.

6. Committee business reports

Item		Page	Rec. Page
6.1	PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Partial demolition, buildings and works associated with alterations to an existing office building, including a double-storey extension and a reduction in the car parking requirements	5	37
6.2	PLN20/0470 - 4 - 12 Langridge Street, Collingwood		
	CONFIDENTIAL ITEM		

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- 6.1 PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Partial demolition, buildings and works associated with alterations to an existing office building, including a double-storey extension and a reduction in the car parking requirements**
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Executive Summary

Purpose

1. This report provides Council with an assessment of the application at No. 64 – 78 Trenerry Crescent Abbotsford, for partial demolition, buildings and works associated with alterations to an existing office building, including a double-storey extension and a reduction in the car parking requirements.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Clause 34.01 – Commercial 1 Zone
 - (b) Clause 43.02 – Design and Development Overlay
 - (c) Clause 43.01 and 22.02 – Heritage
 - (d) Clause 22.05 – Interface uses policy
 - (e) Clause 42.03 – Significant Landscape Overlay
 - (f) Clause 12.30-1S, 12.03-1R and 21.07-2 – Yarra River environs
 - (g) Clause 52.06 and 18.02-2R – Car parking
 - (h) Clause 52.34 – Bicycle facilities
 - (i) Clause 22.16 and 22.17 – Environmentally sustainable development

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Strategic context
 - (b) Built form
 - (c) Environmentally sustainable design
 - (d) On-site and off-site amenity
 - (e) Car parking, traffic and bicycle provisions
 - (f) Waste management
 - (g) Objector concerns

Submissions Received

4. Seven (7) objections were received to the application, these can be summarised as:
 - (a) Car parking demand and availability.
 - (b) Removal of brick pavers from the existing entry.

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 conditions included in the recommendation of this report.

CONTACT OFFICER: Jessica Sutherland
TITLE: Statutory Planner
TEL: 9205 5365

6.1 PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Partial demolition, buildings and works associated with alterations to an existing office building, including a double-storey extension and a reduction in the car parking requirements

Reference D21/42029
Author Jessica Sutherland - Statutory Planner
Authoriser Coordinator Statutory Planning

Ward: Langridge Ward
Proposal: Partial demolition, buildings and works associated with alterations to an existing office building, including a double-storey extension and a reduction in the car parking requirements.
Existing use: Office
Applicant: Urbis
Zoning / Overlays: Commercial 1 Zone, Design and Development Overlay (Schedule 1-C), Heritage Overlay (Schedule 337), Land Subject to Inundation, Significant Landscape Overlay, Areas of Aboriginal Cultural Heritage Sensitivity
Date of Application: 14 September 2020
Application Number: PLN20/0646

Planning History

1. Planning Application No. 43757 for the *use of the site for general industry* was refused by the Melbourne and Metropolitan Board of Works on 9 June 1966.
2. Planning Permit No. 87/206 was issued by the Melbourne and Metropolitan Board of Works on 16 November 1987 to develop the site and use it for a research and development enterprise.
3. Planning Permit No. 88/324 was issued by the City of Collingwood on 19 December 1988 for *buildings and works for offices and associated car parking*. The permit was acted on and the buildings constructed.
4. Planning Application PL08/0688 to develop the land for the purpose of installing a telecommunication satellite was submitted on 21 August 2008, but no planning permit was required as the proposal satisfied the requirements of Clause 52.19-2 (Telecommunications facilities) of the Yarra Planning Scheme.
5. Planning Permit PL09/0622 was issued by Council on 1 December 2009 to *develop the land by the installation of air-conditioning units and sunshades to the existing office building, including part demolition*.
6. Planning Permit PLN11/0761 was issued on 29 February 2012 for the *construction of an acoustic screen*.

Background

7. The application was received by Council on 14 September 2020, with further information provided on 14 December 2020. The application was advertised in December 2020 and January 2021, with seven (7) objections received.

Lodgement of Section 57a plans

8. The application was formally amended pursuant to Section 57A of the *Planning and Environment Act 1987* on 10 May 2021. The amended plans show the relocation of the free-standing pergola within the central courtyard area so that it is further south than the Mandatory Setback Line of DD01-C (discussed further in the *Planning Scheme Provisions* section of this report). The Proposed Ground Floorplan was also amended to confirm that both car parking spaces within the central courtyard are to be allocated as accessible spaces and dimensions added to the motorcycle spaces within the basement.
9. 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.

Planning Scheme Amendments

10. Amendment C238 was introduced into the Yarra Planning Scheme on 1 February 2021 and includes Clause 45.06 (Development Contributions Plan Overlay) with Schedule 1 into the Yarra Planning 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) where there is an increase in the number of dwellings and/or an increase in retail, commercial and industrial floor space. It requires a monetary contribution from the developer.
11. The subject proposal would trigger the requirements pursuant to Clause 45.06 of the Scheme and as such a contribution may be required. Council's standard condition will be included if a permit is to issue.

Aboriginal Cultural Heritage Significance

12. The subject site is located in an area recognised for its Aboriginal Cultural Heritage Significance. A Cultural Heritage Management Plan is required when "high impact" works are proposed. In this instance, the buildings and works are located above ground and within the footprint of the existing building and will not require any ground disturbance or excavation works, thus, are not considered high impact or to require a management plan.

The Proposal

13. The application is for part demolition, buildings and works to extend and alter the existing office building and a reduction in the car parking requirements of the Yarra Scheme. Further details of the proposal are as follows:

Demolition

14. Many of the internal walls, stairs and fixtures facing into the central courtyard. The main building form, including the façade to Trenerry Crescent, east and west elevations, southern elevation to the Yarra River and main roof form are to be retained, with the exception of:
 - (a) a small portion of ground floor wall on the eastern elevation;
 - (b) sections of the pitched roof on the west wing and east wing;
 - (c) balustrades associated with various balconies and terraces; and
 - (d) a staircase on the southern elevation.

Development

15. Painting of cement render on the façade entry with grey (*no permit required*).
16. Reconfiguration of the car parking layout in the basement levels to allow for two elevators.
17. Internal alterations to the retained building and wings to allow for open-plan office spaces.
18. The extension of the existing building, notably the east and west wings, into the central courtyard so that the ground floor leasable floor area is increased by 604sqm (total of 2,524sqm) and the first-floor leasable area increased by 627sqm (total of 1,251sqm).

19. Generally, the west wing has been increased in width. The east wing has been extended so that it connects to the front wing to Trenerry Crescent and a secondary internal courtyard is created.
20. The extensions are contained within and above the existing building footprint and courtyard so that the minimum setback of any introduced built form is 16.63 metres from the rear title boundary.
21. The introduced built form is shown in blue in the below perspective provided with the application.

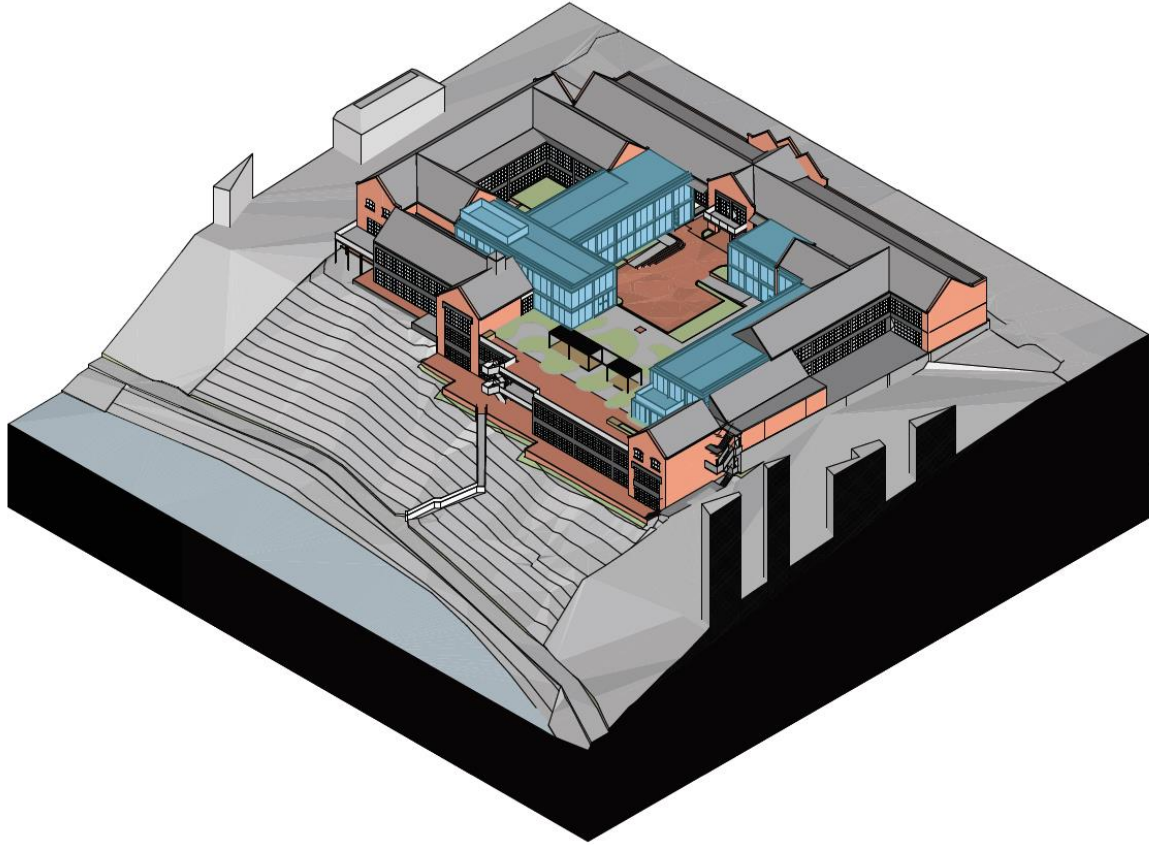


Image 1: perspective from TP402 of the Decision Plans

22. The extensions incorporate flat rooves (metal cladding finished in slate grey) which are generally lower in height than the existing pitched rooves; RL 28.61 for the new extension where the existing pitched rooves are between RL 28.13 and RL 33.05.
23. The alterations and extensions to the existing building incorporate red brickwork to match the existing building, metal cladding (charcoal grey finish) and large amounts of clear glazing.
24. Other finishes include metal louvre screening (charcoal grey finish) and clear glazed balustrades with charcoal metal framing.

Use

25. The building is to be used as flexible, office and co-working spaces with shared communal facilities (*no permit required for the use*).

Car parking and bicycle spaces

26. The number of on-site car parking spaces is reduced from 193 to 182 as a result of the basement reconfigurations and the loss of eight spaces at ground floor courtyard.
27. The number of bicycle spaces has increased from 30 to 42, with additional bicycle spaces provided in the basement levels and 6 visitor spaces provided in the entry courtyard.

Landscaping

28. Various landscaping is provided in the existing Trenerry Crescent entry and driveway, the central arrival courtyard which extends into a terrace and decking above the retained 'river wing' at the rear of the site. Additional courtyards and landscaping are provided in the retained partial setback of the building from the western title boundary and the courtyard created by enclosing the eastern wing.
29. A Landscape Plan has been submitted with the application which gives further details to landscaping features and plant species.

Existing Conditions

Subject Site

30. The subject site is located on the north-eastern side of Trenerry Crescent, abutted at the rear by the Yarra Rive environs, in Abbotsford. The subject site is irregular in shape and angled to front Trenerry Crescent in a south-westerly direction. For ease of reference, the south-west boundary abutting Trenerry Crescent will be referred to as the southern boundary and the north-east boundary fronting to the Yarra River environs will be referred to as the northern boundary.
31. The site has a frontage to Trenerry Crescent of 79.78 metres and a maximum site depth of 79.97 metres (on the western boundary), yielding an overall site area of 5,927sqm. The site has a notable fall at the rear, so that the northern boundary to the Yarra River is 8.5 metres lower than the centre of the site.
32. The site is developed with a red brick building which is generally two storeys with a pitched roof (as approved by Planning Permit 88/324) and is currently occupied by offices. The building is generally constructed to the southern boundary to Trenerry Crescent and then to the east and west title boundaries, creating east and west 'wings' and resulting in a large central courtyard which is open to the north. The building has two basement levels which provide for on-site car parking which can be accessed via a crossover on the south-east corner to Trenerry crescent. Arched entries are provided centrally in the two storey façade to Trenerry Crescent, providing additional crossovers for vehicle access to the central courtyard and a pedestrian entry to the site.



Image 2: The front, two-storey façade of the subject site as seen from Trenerry Crescent (source: Officer site visit, May 2021)

33. An additional 'river wing' is provided at basement level which due to the slope of the site presents onto the Yarra River environs to the north. The river wing has a minimum setback of 9.36 metres from the rear title boundary, which is itself setback approximately 20 metres from the Yarra River. Stairs provide access from the ground floor courtyard, down to the rear setback and river wing, and to the Yarra river walking trail.



Image 3: the stairs leading to the subject site from the Yarra River walking trail (source: Officer site visit, May 2021)

34. The building complex is graded as Not Contributory to the Victoria Park Heritage Precinct.
Title
35. The titles submitted with the application does not include any covenants, however, a drainage easement is shown along the western title boundary. The easement is unaffected by the proposal.
36. The titles include a caveat (as part of P958072M) created by the State Electricity Commission of Victoria. The caveat relates to the transfer of land and estate and has no bearing on this planning application.

Surrounding Land

37. The surrounding area is notably diverse with regards to the land uses and built form. Generally, the northern side of Trenerry Crescent is characterised by large sites with more robust built form (for either commercial or residential use) and is located in the Commercial 1 Zone. The southern side is predominantly characterised by fine-grain subdivision developed with single and double storey dwellings located in the Neighbourhood Residential Zone.
38. Built form is characterised by a mixture of Victorian/Edwardian-era dwellings, warehouse/industrial building conversions for office or residential use and contemporary infill development.

West

39. Immediately abutting the site to the west is No. 80 – 84 Trenerry Crescent which is developed with a large, residential complex comprising of 213 dwellings all located in the Commercial 1 Zone. The site, similarly to the subject site, presents a double and triple storey red brick and render façade along its entire frontage to Trenerry Crescent as a response to the traditional warehouse/industrial character of the immediate area. Internally, the site is developed with attached rows of triple-storey modern dwellings, taller residential buildings to the north and associated car parking as accessed from crossovers to Trenerry Crescent. A row of attached, triple-storey dwellings present their rear elevations to the shared boundary with the subject site, each of which present windows, balconies and terraces to the subject site from within their rear setbacks. A six storey residential building is located in the north-east corner of the site, which protrudes further north than the title boundary of the subject site, towards the Yarra River environs.



Image 4: The rear terrace and west wing of the subject site, with the 6 storey residential of No. 80 – 84 Trenerry Crescent building visible beyond (cream rendered building)

East

40. Immediately to the east of the subject site is No. 20 - 62 Trenerry Crescent which is currently developed with various red-brick commercial buildings occupied with offices. The site presents a car parking area, as accessed by a crossover to Trenerry Crescent, and landscaped courtyard area to the shared boundary with the subject site. Planning application PLN19/0361 was lodged with Council for the development of the land for full demolition of the existing office buildings and construction of an 8-storey mixed use building (dwellings, shop, office, café) with 3 levels of basement car parking. The application is being processed by Council at the time of this report.

South

41. To the south, across Trenerry Crescent, are various single and double storey dwellings, many of which face south-east or south-west to either Turner Street or Bath Street respectively. These dwellings generally present rear fences, roller doors or garages to Trenerry Crescent. The exception to this is No. 33 and No. 35 Trenerry Crescent which front northward to Trenerry Crescent and are developed with a double storey contemporary dwelling (red brick and cream render) and a single storey, Victorian-era terrace (cream render façade), respectively.

North

42. To the north of the site is the Yarra River, associated environs and walking trail. Land beyond is located within Studley Park and the City of Boorondara. The walking trail is notably lower than the rear boundary of the subject site and is separated by landscaping and foliage. It is noted that there are no readily accessible walking trails or parks on the northern bank of the Yarra River.

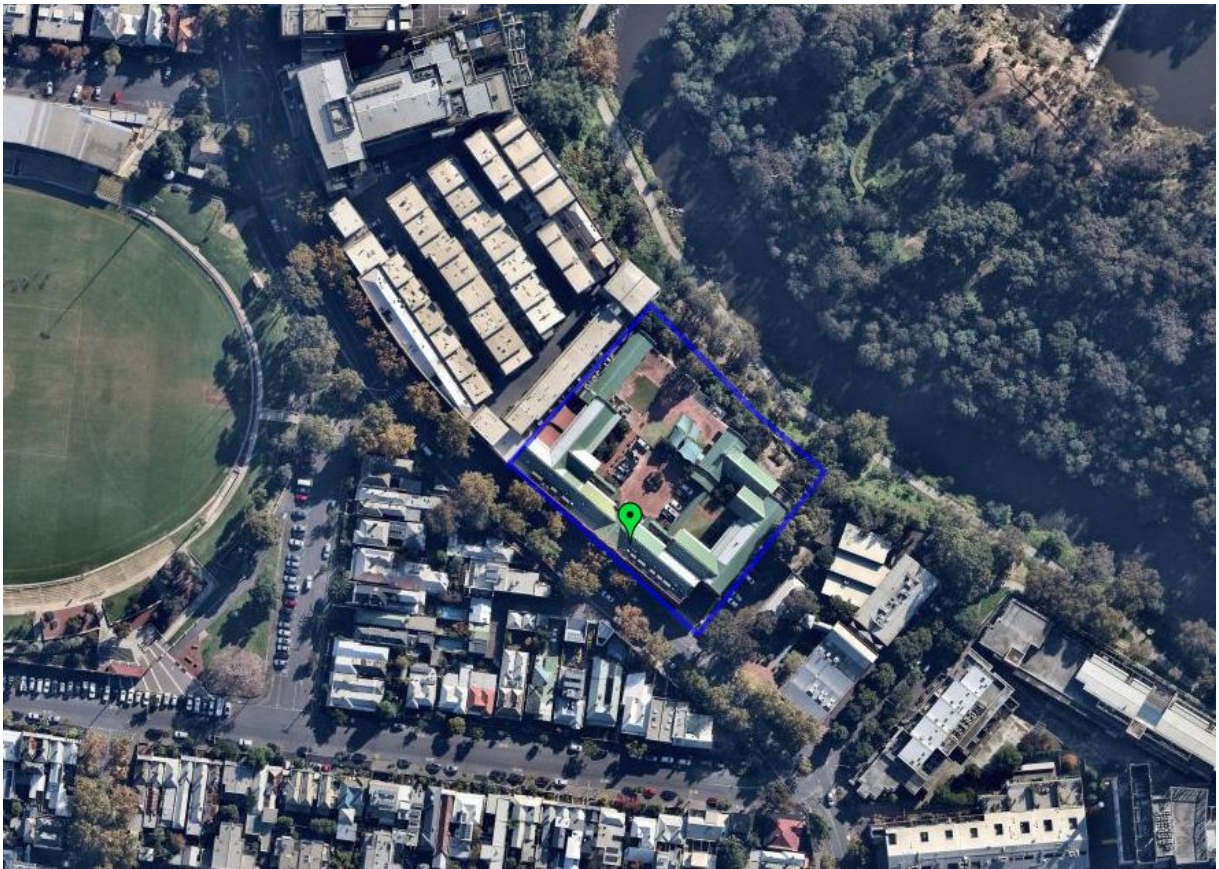


Image 5: the subject site and surrounds (source: NearMap, April 2021)

General

43. The subject site is located 180 metres north of the Johnston Street Major Activity Centre and the associated bus lines. The site is also a 500 – 600 metre walk from the Victoria Park train station and Hoddle Street and the associated bus lines.
44. The immediate area is well serviced with bicycle lanes, including the Main Yarra Trail immediately north-east of the site and bicycle lanes provided in either direction on Trenerry Crescent.
45. On-street car parking in the immediate area includes:
- (a) 4 hour free parking between 7am – 7pm on the northern side of Trenerry Crescent.
 - (b) 1 hour free parking between 7am – 7pm on the southern side of Trenerry Crescent.

- (c) A permit zone on the eastern side of Bath Street.
- (d) 4 hour free parking between 7.30am – 5.30pm on the western side of Bath Street.
- (e) 1 hour free parking between 7am – 7pm on the southern side of Turner Street.
- (f) A permit zone on the northern side of Turner Street.

Planning Scheme Provisions

Zoning

46. The subject site is zoned Commercial 1 Zone. The following provisions apply:
- (a) Pursuant to Clause 34.01-1, a planning permit is not required to use the land for an office.
 - (b) Pursuant to Clause 34.01-4, a planning permit is required to construct a building or construct or carry out works.

Overlays

47. The subject site is affected by the *Heritage Overlay (Schedule 337)*. The following provisions apply:
- (a) Pursuant to Clause 43.01-1, a planning permit is required to demolish or remove a building and to construct and carry out works.
 - (b) Pursuant to Clause 43.01-4, an application to externally alter a building is exempt from the Notice Requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82(1) of the Act.
 - (c) Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 – The site is identified as being Not Contributory.
48. The subject site is affected by the *Design and Development Overlay (Schedule 1-C)*. The following provisions apply:
- (a) Pursuant to Clause 43.02-2, a planning permit is required to construct a building or carry out works unless a schedule to the overlay specifically states that a permit is not required. Schedule 1 of the Overlay is silent on this matter and thus a permit is required for the buildings and works.
 - (b) Pursuant to Clause 2.0 of Schedule 1 of the Overlay, the following requirements must be met and cannot be varied by a planning permit:
 - (i) *Buildings and works must not cast any additional shadow across the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) between 11am and 2pm on 22 June.*
- Due to the orientation of the subject site, there are no shadows cast across the Setback Reference Line at June 2020 (red-dotted line in Table C of the Clause, as provided below). Shadow diagrams have been submitted to confirm this.



- (ii) *New buildings and works must not exceed the maximum building height specified in the applicable table to this schedule. A building must not exceed the maximum building height by up to 1 metre if the slope of the ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.*
- (iii) *New buildings (including basements and projections) must be set back from the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) must not:*
 - *Exceed the maximum building height specified in the applicable table to this schedule.*
 - *Reduce the existing setback of the building from the Yarra River and public open space.*
 - *Increase the existing gross floor area of the existing building.*

All new buildings and works (except for those replacing existing features, or those internal to the existing buildings and basement) are located to be behind the Mandatory Setback Line and to be lower than the mandatory maximum building height. This is demonstrated by the 3D render provided with the application as shown below and based on the accurate levels provided in the accompanying Survey Plans .

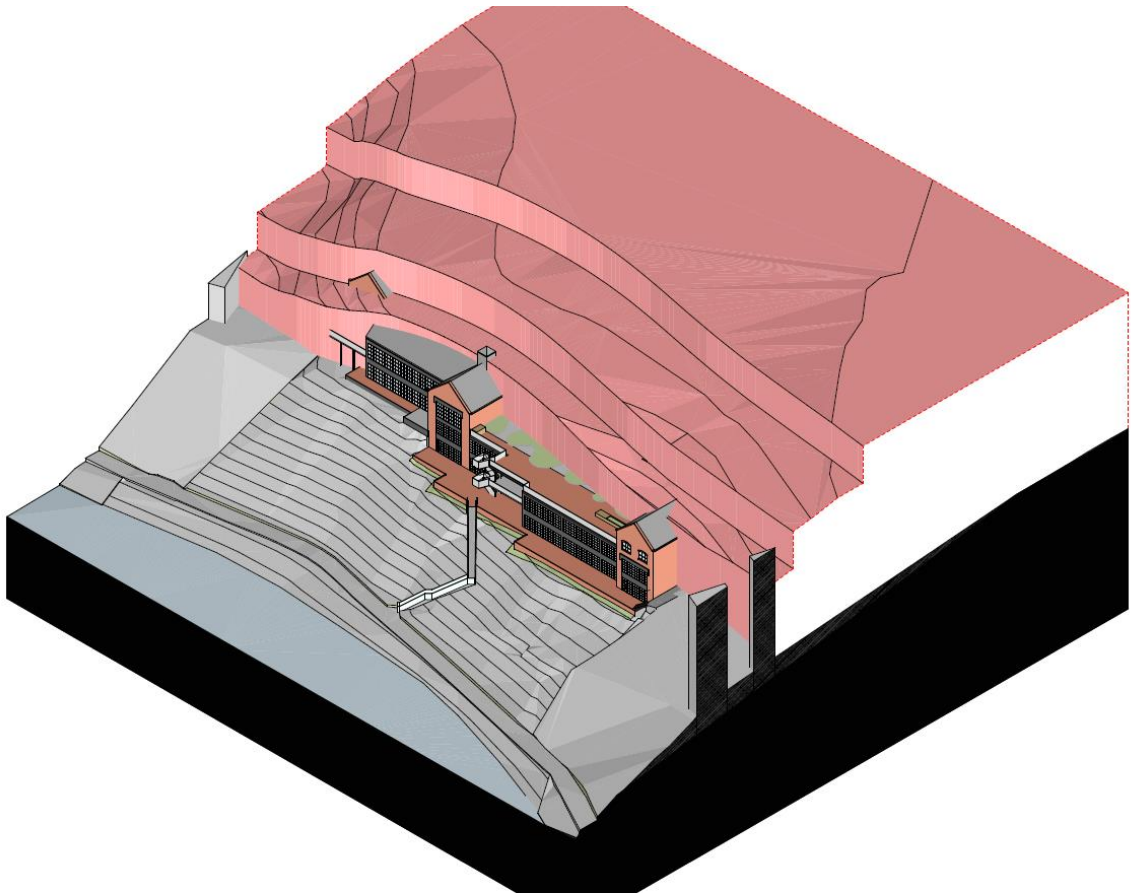


Image 6: perspective from TP402 of the Decision Plans

- (c) Clause 2.0 of Schedule 1 to the Overlay also outlines various requirement that can be varied by a planning permit as well as decision guidelines for development. These items will be discussed with the *Assessment* section of this report.
 - (d) Pursuant to Clause 1.0 of the Schedule to Clause 66.04 (Referral or permit applications under local provisions), where the land is affected by Schedule 1 to Clause 43.02 (DDO) an application within 100 metres of the Yarra River, as measured from the Setback Reference Line, should be referred to Melbourne Water.
49. The subject site is affected by the *Significant Landscape Overlay*. The following provisions apply:
- (a) Pursuant to Clause 42.03-2, a planning permit is required to construct a building or construct and carry out works.
50. The subject site is affected by the *Land Subject to Inundation Overlay* along the northern boundary. The following provisions apply:
- (a) Pursuant to Clause 44.04-2, a planning permit is required to construct or carry out works. However, there a no buildings or works proposed along the northern title boundary affected by the overlay so no planning permit is triggered.
51. The subject site is affected by the *Development Contribution Plan Overlay (Schedule)*. The following provisions apply:
- (a) Pursuant to Clause 45.06-1, a permit granted must:
 - (i) Be consistent with the provisions of the relevant contributions plan.
 - (ii) Include any conditions required to give effect to contribution or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

- (b) The proposal results in the increase of commercial floor area, thus a condition should be included if a permit were to issue requiring the fee to be paid, or an agreement to be entered, prior to the commencement of works.

Particular Provisions

Clause 52.06 – Car Parking

52. Pursuant to Clause 52.06-1, this policy applies to an increase in the floor area or the site area of an existing use.
53. Pursuant to Clause 52.06-2, before the floor area or the site area of an existing use is increased, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority.
54. Table 1 of this clause sets out the car parking requirements that applies to the use (office). In this instance, column B applies as the site is located within the Principal Public Transport Network Area as shown on the *Principal Public Transport Networks Area Maps* (State Government of Victoria, August 2018). The following table assesses the car parking requirements of Clause 52.06, noting that the existing use of the land has never been assessed against these requirements and therefore the total floor area is applicable, not just the proposed extension.

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	6,363 m ²	3.0 spaces per 100 m ² of net floor area	190	182

55. As shown above, a reduction of eight (8) car parking spaces is required; thus, pursuant to Clause 52.06-3, a permit is required to reduce the number of 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 has been provided on the land. Where the floor area occupied by an existing use is increased, as is the case, the requirement for bicycle facilities only applies to the increased floor area of the use.
57. Clause 52.34-5 requires that bicycle facilities be provided for an office as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	1,243 sqm (of the extension)	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	4 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	1 visitor spaces	
Bicycle Parking Spaces Total			4 employee spaces	12 employee spaces
			1 visitor spaces	6 visitor spaces
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces		0 shower / change room	0 showers / change rooms

58. The proposal provides 12 additional bicycle spaces (resulting in a total of 36) employee spaces and 6 visitor spaces and as such, exceeds the requirements of the Yarra Planning Scheme. It is noted that although no end of trip facilities are required, 6 existing shower and change rooms are provided for employees and located within close proximity to the bicycle storage area.

General Provisions

59. 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 and any other provision.

Planning Policy Framework (PPF)

60. The relevant clauses are as follows:

Clause 11.01 (Victoria)

Clause 11.01-1S (Settlement)

61. The objective of this clause is “*to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements*”.

Clause 11.02 (Managing Growth)

Clause 11.02-1S (Supply of urban land)

62. The objective of this clause is:

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

Clause 12.01 (Biodiversity)

Clause 12.01-1S (Protection of biodiversity)

63. The objective of this clause is to “*assist the protection and conservation of Victoria’s biodiversity*”.

64. The Strategies in achieving this objective relevantly include:

- (a) *Avoid impacts of land use and development on important areas of biodiversity.*

Clause 12.01-2S (Native vegetation management)

65. The objective of this clause is:

- (a) *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

Clause 12.03-1S (River corridors, waterways, lakes and wetlands)

66. The objective of this clause is to “*protect and enhance river corridors, waterways, lakes and wetlands*”.

67. Strategies to achieve this objective relevantly include:

- (a) *Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.*

- (b) *Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent lakes and wetlands.*

- (c) *Ensure development does not compromise bank stability, increase erosion or impact on water body or wetlands natural capacity to manage flood flow.*
- (d) *Protect the Yarra, Maribyrnong and Murray River corridors as significant economic, environmental and cultural assets.*

Clause 12.03-1R (Yarra river protection)

68. The objective of this is clause is to “*maintain and enhance the natural landscape character of the Yarra River corridor*”.
69. Strategies to achieve this objective relevantly include:
- (a) *Strengthen the Yarra River’s natural environment, heritage and overall health by ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.*
 - (b) *Promote a sense of place and landscape identity by ensuring that the appearance or development is subordinate to the local landscape setting, with any views of development being filtered through vegetation.*
 - (c) *Retain and enhance people’s enjoyment of the river and its environment by avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year round.*
 - (d) *Ensure the development is designed and sited to maintain and enhance the river’s secluded and natural environment by:*
 - (i) *Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation rails and the river itself.*
 - (ii) *Ensuring the siting and design of buildings avoids conflicting with the local natural landscape and environmental character.*
 - (iii) *Ensuring building height is below the natural canopy and all development is set back a minimum 30 metres from the banks of the river.*

Clause 12.05 (Significant Environments and landscapes)

Clause 12.05-1S (Environmentally sensitive areas)

70. The objective of this clause is:
- (a) *To protect and conserve environmentally sensitive areas.*

Clause 12.05-2S (Landscapes)

71. The objective of this clause is:
- (a) *To protect and enhance significant landscape and open spaces that contribute to character, identity and sustainable environments.*

Clause 15.01 (Built Environment and Heritage)

Clause 15.01-1S (Urban design)

72. The objective of this clause is “*to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*”.
73. Strategies to achieve this objective relevantly include:
- (a) *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
 - (b) *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*

Clause 15.1-1R (Urban design – Metropolitan Melbourne)

74. The objective of this clause is:

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

Clause 15.01-2S (Building design)

75. The objective of the clause is:

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

Clause 15.01-4S (Healthy neighbourhoods)

76. The objective of the clause is:

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

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

77. The strategy is to:

- (a) *Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.*

Clause 15.01-5S (Neighbourhood character)

78. The relevant objective of this clause is:

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

Clause 15.02 (Sustainable Development)

Clause 15.02-1S (Energy efficiency)

79. 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 15.03 (Heritage)

Clause 15.03-1S (Heritage conservation)

80. The objective of this clause is:

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

Clause 17.01 (Employment)

Clause 17.01-1S (Diversified economy)

81. The objective of this clause is to “*strengthen and diversify the economy*”.

82. Strategies to achieve the objective relevantly include:

- (a) *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
(b) *Improve access to jobs closer to where people live.*

Clause 17.01-1R (Diversified economy – Metropolitan Melbourne)

83. This clause includes the following relevant strategies:

- (a) *Facilitate the development of National Employment and Innovation Clusters by ensuring they:*
(i) *Have a high level of amenity and attract business and workers.*
(ii) *Are supported by good public transport services and integrated walking and cycling paths.*

Clause 17.02 (Commercial)

Clause 17.02-1S (Business)

84. The objective of this clause is:

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

Clause 18.02 (Movement Networks)

Clause 18.02-1S (Sustainable personal transport)

85. The objective of this clause is:

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

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

86. A relevant strategy of this clause is to:

- (a) *Improve local travel options for walking and cycling to support 20 minute neighbourhoods.*

Clause 18.02-2S (Public Transport)

87. 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)

88. 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 centre and where principal public transport routes intersect.*

Clause 18.02-4S (Car parking)

89. The objective of this clause is:

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

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

Clause 21.05 (Built Form)

Clause 21.05-1 (Heritage)

90. A relevant objective of this clause is:

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

Clause 21.05-2 (Urban design)

91. This clause includes the following relevant objectives:

- (a) *Objective 19 – To create an inner city environment with landscaped beauty.*
- (b) *Objective 21 – To enhance that new development contributes positively to Yarra's urban fabric.*

Clause 21.05-3 (Built form character)

92. The subject site is aptly defined as being located in the Yarra River Corridor, Current and Ex-Industrial River Edge. A relevant strategy of this clause is to:

- (a) *Use a combination of height, setback and vegetation-dominated screening to protect and enhance the landscape qualities of the Corridor as a vegetation-dominated Corridor, particularly in views from roads, paths and rail corridors and areas of public open space adjacent to the Corridor or the opposite bank.*

Clause 21.06 (Transport)

Clause 21.06-2 (Public transport)

93. The objective of this clause is to “*facilitate public transport usage*”.

94. The strategy to achieve this objective is to:

- (a) *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)

95. The objectives of the clause are:

- (a) *To reduce the reliance on the private motor car.*
- (b) *To reduce the impact of traffic.*

Clause 21.07 (Environmental Sustainability)

Clause 21.07-1 (Environmentally sustainable development)

96. An objective of this clause is to “*promote environmentally sustainable development*”.

97. Strategies to achieve this objective relevantly include:

- (a) *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 21.07-2 (Yarra River, Merri Creek and Darebin Creek)

98. An objective of this clause is to “*protect and enhance the environmental values of land within the waterway Corridors*”.

99. Strategies to achieve this objective relevantly include:

- (a) *Strategy 37.3 - Ensure the use of indigenous trees and plants in public and private landscaping within and adjacent to the waterways Corridor.*
- (b) *Strategy 37.4 - Ensure development along the waterway Corridors includes a landscaped buffer zone of indigenous plants to enhance the habitat value of the Corridor.*

Clause 21.07-3 (Waterway quality)

100. The objective of this clause is:

- (a) *To improve the water quality and flow characteristics of storm water run-off.*

Clause 21.08 (Neighbourhoods)

Clause 21.08-1 (Abbotsford)

101. The clause identifies Abbotsford as “*a highly varied neighbourhood with a substantial number of industrial and commercial buildings of various types and eras*”.

102. Figure 5 (*Neighbourhood Map: Abbotsford*) shows the subject site as abutting the Yarra River and off road pedestrian cycle link. The map also identifies the nearby Turner Street as an opportunity to improve on street pedestrian and cycle links to open space.

103. Figure 6 (*Built form character map: Abbotsford*) identifies the site has being located in the heritage overlay and encourages that “*development does not adversely affect the significance of the heritage place*”.

Clause 21.12 (Local Areas)

104. This clause focuses on the local area implementation of the objectives and strategies set out in the MSS. The clause identifies the nearby Johnston Street Activity Centre as an area of focus for future growth and provides the following relevant objectives:
- (a) *Promote Johnston Street as an economically viable activity centre. Foster new business opportunities and facilitate spaces for creative industries.*
 - (b) *Strengthen the role of Johnston Street in providing employment and business opportunities.*
 - (c) *Encourage sustainable transport measures in new development.*

Relevant Local Policies

Clause 22.02 (Development guidelines for sites subject to the heritage overlay)

105. This policy applies to all new development included in the heritage overlay. The relevant objectives of this clause includes to conserve Yarra's natural and cultural heritage, to conserve the historic fabric and maintain the integrity of places of cultural heritage significance, to retain significant view lines to, and vistas of, heritage places and to preserve the scale and pattern of streetscapes in heritage places.

Clause 22.05 (Interface uses policy)

106. This policy (relevantly) applies to applications for use or development within a Business Zone. This policy supports the objectives of the MSS by protecting Yarra's diverse land use mix and built form, reducing conflict between commercial, industrial activities, and supporting appropriate industrial and commercial activity.

Clause 22.16 (Stormwater management – water sensitive urban design)

107. This policy applies to extensions to existing buildings which are 50sqm in floor area of greater. The objective of the policy is to achieve best practice water quality performance.

Clause 22.17 (Environmentally sustainable design)

108. This policy relevantly applies to non-residential development with a gross floor area between 100-1000sqm and requires that these developments submit a Sustainable Design Assessment (SDA). The objective of this policy is that "*development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation*".

Advertising

109. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 1,109 letters sent to surrounding owners and occupiers and by two (2) signs displayed on site. Council received seven (7) objections, the grounds of which are summarised as follows:
- (a) Car parking demand and availability.
 - (b) The removal of brick pavers from the existing entry.
110. The Section 57A amended plans (submitted to Council on 10 May 2021) relocate the pergola so that it is further south of the mandatory setback line (DDO1-C), thereby increasing the setback of the pergola from the title boundary and public realm. As such, the Section 57A amended plans have not been re-advertised as they would not cause material detriment to any person (exemption granted at Council's internal Development Approvals Panel on 14 May 2021).
111. The amended plans, however, have been sent to the objectors with the invitations to this PDC meeting for their reference and are the Decision Plans.
112. A consultation meeting was not held as a result of the state of emergency declared in Victoria and the current health advice related to the Covid-19 pandemic.

Referrals

113. The referral comments are based on the advertised plans. It was not considered necessary to re-refer the amended plans submitted pursuant to Section 57A of the Act given that the amendment to the plans was minor in nature.

External Referrals

114. The application was referred to the following authority:
- (a) Melbourne Water.
115. Referral responses/comments have been included as attachments to this report.

Internal Referrals

116. The application was referred to the following units within Council:
- (a) City works branch.
 - (b) Open Space.
 - (c) Engineering Services Unit.
 - (d) Heritage.
 - (e) Strategic Transport.
 - (f) ESD Advisor.
 - (g) Biodiversity.
117. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

118. The primary considerations for this application are as follows:
- (a) Strategic context
 - (b) Built form
 - (c) Environmentally Sustainable Design (ESD)
 - (d) On-site and off-site amenity
 - (e) Car parking, traffic and bicycle provisions
 - (f) Waste management
 - (g) Objector concerns

Strategic context

119. The proposal satisfies the various land use and development objectives within the PPF, providing an acceptable level of compliance with the relevant policies within the Scheme, and is considered to provide a positive strategic development within a well-resourced inner-urban environment.
120. The objective of Clause 11.01-1S (Settlement) is to develop sustainable communities through a settlement framework which offers convenient access to jobs, services, infrastructure and community facilities. This policy aims to capitalise on opportunities for urban renewal and infill redevelopment; outcomes that are consistent with the metropolitan planning strategy *Plan Melbourne*. This strategy seeks to create 20-minute neighbourhoods where people can access most of their everyday needs (including employment) within a 20-minute walk, cycle or local public transport trip. These neighbourhoods must be safe, accessible and well connected for pedestrians and cyclists to optimise active transport. The subject site fulfils these criteria, with Victoria Park Station and bus routes along Johnston Street and Hoddle Street within walking distance. Further, the subject site has excellent access to bicycle and walking paths with the Yarra main trail immediately abutting the site, and bicycle networks provided on the surrounding streets.

121. Further, the Commercial 1 Zone which applies to the site is capable of accommodating a greater density, subject to individual site constraints, and aims “*to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses*”. The proposal will facilitate increased employment close to residential areas of Abbotsford and will contribute to flexible and creative workspaces as envisioned by Clause 21.12 (Local areas).
122. Finally, state and local policies (such as Clause 11.03-1R and 18.01-1S) encourage the concentration of development near activity centres and intensifying development on sites well connected to public transport such as the subject site. Clause 21.12 (Local areas) specifically identifies the Johnston Street Activity Centre, which is 180 metres south of the subject site, for fostering commercial and creative industries and encouraging development that strengthens the areas role in providing employment and business opportunities.
123. The proposal is consistent with the purpose of the zone and strategic intent for this area that seeks to encourage intensification of commercial uses and the provision of diverse employment opportunities. While there may be strong strategic direction for intensified development and a reduced reliance on the motor vehicle, the built form policy also outlines that consideration must be given to the design of the building and its interfaces with the surrounding area. The following Built Form assessment will consider this.

Built form

124. Development on the land is driven primarily by the various overlays affecting the site, with the most prescriptive decision guidelines outlined within Schedule 1-C of the Design and Development Overlay. An assessment of this proposal will also be relevantly guided by Clause 21.08-1 (Abbotsford), Clause 21.05-3 (Built form character) and Clause 22.02 (local heritage policy).

Neighbourhood character and heritage

125. As discussed, the surrounding area is notably diverse in regards to the land uses and built form. Generally, the northern side of Trenerry Crescent is characterised by large sites with more robust built form (for either commercial or residential use), whilst the southern side is predominantly characterised by fine-grain subdivision developed with single and double storey dwellings.
126. The area is covered by the *Victoria Park Heritage Precinct* (Schedule 337), however, the subject site and immediately abutting sites are not recognised as being contributory to the precinct. Nevertheless, the existing development along the northern aspect of Trenerry Crescent has been designed to complement and respect the prevailing industrial and warehouse character that was historically typical of the area (as recognised by Clause 21.05-3 – Built form character). It is considered that the scale, design and materiality (brick, steel and glazing) of the alterations and extension will continue to respond to this prevailing and preferred industrial character.
127. Moreover, Figure 6 of Clause 21.08-1 (Abbotsford) recognises the site as being in the heritage overlay and encourages that development does not adversely affect the significance of the heritage place. As discussed, the subject site itself (and associated built form) is not recognised as being contributory and as such, the extent of demolition is accepted. Further, the majority of the proposed alterations and extensions are located within the existing building footprint, centrally to the site, and are lower in height than the existing street wall. As such, the extensions will not be visible from the Trenerry Crescent frontage and will not adversely affect the appearance of the building or heritage place when viewed from the street. The application was referred to Council’s Heritage Advisor who supported the proposal given that the proposal will have no impact on the character or appearance of the Trenerry Crescent streetscape or the wider precinct.
128. Although supported in principle, the existing/demolition plans do not strictly align with the proposed plans (such as the depiction of doorways on the northern elevation of the ‘river wing’) and as such, a condition should be included requiring the demolition plans to correspond with the proposed plans if a permit is to issue.

129. It is noted that an objection was received raising concern to the removal of brick pavers from the existing building entry (image provided below), however, the submitted landscape plan shows the brick pavers to be generally retained and restored so that brick pavers will continue to contribute to the character of the area.



Image 7: the vehicle and pedestrian entry/exit of the subject site (source: Officer site visit, May 2021)

130. Whilst higher density built form is a dominant feature along the northern aspect of Trenerry Crescent, the Scheme recognises the importance of maintaining the character of the Yarra River Corridor, with a number of policies incorporated into the Scheme to ensure that future built form within proximity to the river responds appropriately to the context. Of note, Schedule 1-C of the DDO provides clear decision guidelines for development along this section of the Yarra River.
131. As discussed in the *Planning Scheme Provisions* section of this report, the proposal meets the mandatory height and setback provisions of the Overlay. Schedule 1 provides various decision guidelines relating to landscaping protection, siting and design, and site coverage and permeability. Each of which will be discussed in turn.

Landscaping protection

132. The decision guidelines provided in Schedule 1 of the DDO, relating to landscaping protection, include:
- (a) *The visibility of any proposed buildings and works when viewed from the Yarra River and adjacent public open space, pedestrian and bicycle paths and bridge crossings.*
 - (b) *Whether sufficient space is provided between buildings to maintain views of the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.*
 - (c) *Whether the siting of buildings and works avoids the removal of existing vegetation. Whether and earth works will affect public views of the river corridor.*
 - (d) *The need for additional landscaping or new vegetation screening to filter views of proposed buildings and works.*

133. With regard to the visibility of the proposed extensions, visibility to the site itself from the Yarra River environs is limited. Site visits carried out by the officer determined that views to existing building from the Yarra main trail were restricted and interrupted by the slope and extensive vegetation (image provided below). Given that the proposed extensions to the building will have a greater setback than the existing east wing (as visible in Image 8) the extensions will not be visible from the public realm to the north.



Image 8: view to the subject site from the Yarra main trail, the east wing visible through vegetation (source: Officer site visit, May 2021)

134. It is noted that the northern bank of the Yarra River, located within Studley Park, is characterised by dense vegetation and is not likely to be used for recreation or leisure. As such, any views to the subject site from this area are not a key consideration.
135. Moreover, the existing building of the subject site is generally constructed to the south, east and west title boundaries and as such, the proposed alterations and extensions will not further restrict views to the Yarra River environs from Trenerry Crescent or the associated public realm to the south.
136. With regards to the proposed landscaping and preservation of existing vegetation, all existing vegetation within the setback of the building and the Yarra River will be retained, as is encouraged by Clause 12.01-2S (Native vegetation management). Similarly, the proposal will not require any earthworks or excavation to be undertaken that may impact the integrity of the riverbank or compromise bank stability, increase erosion or impact on water body (Clause 12.03-1S – river corridors, waterways, lakes and wetlands).

137. A Landscape Plan (prepared by Hassell and dated 5 May 2021) has been submitted to show various landscaping in the central courtyard, vehicle/pedestrian entryway, existing courtyard on the western boundary and proposed courtyard in the east wing. The Landscape Plan was referred to Council's Open Space Unit who supported the landscaping and considered it to be a notable improvement from existing conditions, however, recommended the following:
- (a) Show the type, location, quantity, height at maturity and botanical names of all proposed plants.
 - (b) Provide details of the raised planters and terrace/rooftop planting (including planter box materials and dimensions, mulch layer suitable in weight and content for rooftop gardens, filter media, irrigation method, drainage system, roof barrier / waterproof layer.
 - (c) Provide details of the proposed method for irrigation and drainage.
 - (d) Detail the maintenance of works to be undertaken prior to planting.
 - (e) Detail plant/planting maintenance schedules and requirements.
138. The above should be required by condition should a permit issue.
139. The Landscape Plan was also referred to Council's Biodiversity Team to ensure that the landscaping appropriately includes indigenous plants and trees as encouraged by Strategy 37.3 of the Clause 21.07-2 (Yarra River, Merri Creek and Darebin Creek). In support of this strategy, Council's Biodiversity Team recommended that the proposed planting palette consist of locally indigenous species and that non-indigenous species should only be included where local indigenous plants cannot perform the same intended function (ie Japanese Maple sheds leaves to allow winter sun into the central courtyard). More specifically, the Biodiversity Team recommended that *Hedera helix* be removed from the planting schedule and that the species *Carex apressa*, *Ficinia nodosa* and *Chrysocephalum* be allowed, provided the genetic origin is sourced to less than 10km from Abbotsford and within the Victorian Volcanic Plains Bioregion. These recommendations will be required by condition if a permit is to issue.
140. More generally, the proposed landscaping and vegetation will soften and filter any views to the subject site as is encouraged by Clause 12.03-1R (River corridors, waterways, lakes and wetlands), and will assist in integrating the development with the significant Yarra River environs abutting the site, contributing to a sense of place and landscape identity. Subject to the recommended conditions, the proposed landscaping will meet the various policy objectives and strategies of the Yarra Planning Scheme (Clauses 42.03, 12.01-1S, 12.01-2S, 12.03-1S, 12.03-1R, 12.05-2S and 21.07-2) and will result in a positive contribution to the place and river corridor adjacent.

Siting and design

141. The decision guidelines relating to the siting and design of the development include:
- (a) *Whether any additional overshadowing of public open space.*
 - (b) *Whether siting of proposed buildings impacts the rivers natural floor and watercourse characteristics.*
 - (c) *Whether the location, bulk, outline and appearance of any proposed buildings or works are in keeping with or enhance the natural landscape character and appearance of the Yarra River.*
 - (d) *The appropriateness of proposed materials and finishes for any proposed buildings and works in reducing contrast.*
142. As discussed, given the orientation of the subject site, the proposal will not result in any overshadowing to public open space or to the Yarra River environs to the north.

143. Further, the proposed extensions and alterations are contained to the existing footprint and will not impact the Yarra river's natural floor or watercourse characteristic. The application was referred to Melbourne Water who did not object to the proposal, subject to the following conditions being included on a permit if it were to issue:
- (a) *Finished floor levels of the building extensions must be constructed 600mm above the applicable flood levels.*
 - (b) *All open space within the property must be set at existing natural surface level so as not to obstruct the passage of overland flows.*
 - (c) *No imported fill outside of the proposed building footprint.*
 - (d) *The entry/exit driveway of the basement car park must incorporate a flood proof apex of a minimum of 600mm above the applicable floor level.*
 - (e) *Prior to commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.*
144. Council Officers anticipate that the conditions required by Melbourne Water can be reasonably met. It is noted that the flood level of the property is between 12.43 – 12.53 Australian Height Datum (AHD) and the existing basement level is 14.20 AHD.
145. With regard to the height, massing and setbacks of the proposal, Clause 21.05-3 (Built form character) of the Scheme references the Schedule 1 to the DDO and provides strategies to encourage a combination of height, setbacks and vegetation screening to protect and enhance the landscape qualities of the river corridor. Further, Clause 15.01-2S (Build design) aims to "*minimise the detrimental impact of the development on neighbouring properties, the public realm and the natural environment*".
146. As outlined earlier in this report, Schedule 1-C to the DDO which is applicable to the subject site, provides a number of parameters and mandatory requirements which endeavour to achieve the objectives and strategies outlined above. As discussed, the proposal meets all the mandatory provisions. Moreover, the proposal has been sensitively designed so that the extensions are located centrally to the existing buildings and at a lesser height than the principal façade to Trenerry Crescent and the main forms of the east and west wings. The relevant Schedule (1-C) to the DDO would allow for heights of up to 25 metres towards the front (south) of the subject site, however, the proposed extensions have been contained to a maximum height of 13.7 metres.
147. The modest heights of the extensions coupled with the setbacks and placement of extensions generally behind existing built form ensures that there will be minimal, if any, visual intrusion onto the river corridor adjacent. As discussed, the retention of the existing vegetation along the site's northern title boundary, as well as the proposed landscaping of the open courtyards and terraces of the development will further limit any modest potential visual impacts of the proposal onto the Yarra river environs.
148. With regards to the design of the proposal, it provides a simple, robust design composed predominantly with red brick, steel and extensive glazing, providing an appropriate response to the existing, industrial-style built form of the site and surrounding area. Moreover, the extensions to the building have been fragmented, which coupled with the various landscaped outdoor areas, will provide for a visually interesting and intimate experience for the user.
149. Schedule 1-C of the DDO notes that building materials should utilise non-reflective colours and finished to blend with the existing natural landscape character, however, for the reasons outlined extensively above, the use of steel and glazing is appropriate given the limited visibility to these elements from the public realm to the north.
- Site coverage and permeability*
150. The proposal will not increase the site coverage or reduced the deep-soil permeable areas, in fact the introduced landscaping will likely reduce the impact of stormwater run-off from the site (discussed further in the *Environmentally Sustainable Design* section of this report).
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151. In summary, the proposal achieves the various built form outcomes required by the Planning Scheme, and accords with the parameters outlined in Schedule 1 to the DDO. It is considered that the design responds well to existing built form in the area, whilst protecting the Yarra River Corridor and limiting impacts on surrounding vegetation and landscape character.

Environmentally Sustainable Design (ESD)

152. Policies at Clause 15.01-2S, Clause 21.07, Clause 22.16 and Clause 22.17 of the Scheme encourage environmentally sustainable development, with a focus on water and energy efficiency, building construction and on-going management. The proposal to retrofit and extend the existing office building seeks to deliver a sustainable outcome, subject to existing constraints, with a number of commitments outlined in the Sustainable Management Plan (SMP) and incorporated into the design.
153. The SMP (prepared by Norman Disney & Young and dated 11 September 2020) was referred to Council's ESD Advisor who stated that, although supportable, additional information and commitments are required in order to meet Council's best practice.
154. The most relevant commitments outlined in the SMP that contribute to the energy efficiency of the building include:
- (a) Services design will document a metering and monitoring strategy for energy and water sources and install meters and monitoring equipment for all common, individual tenant spaces, and major uses.
 - (b) The head contractor will have an ISO14001 certified Environmental Management System and be required to implement a project-specific Environmental Management Plan.
 - (c) Specifications around TVOC and formaldehyde limits to align with the Green Building Council of Australia (GBCA) requirements.
 - (d) The BESS report indicates that the 66% nominated floor area achieves a daylight factor greater than 2.0.
 - (e) Newly installed glazing will exceed National Construction Code (NCC), Section J requirements.
 - (f) Refurbishment of bicycle storage facility with 36 bicycle spaces, and 6 visitor spaces.
 - (g) Commitment to 20% reduction in the NCC 2016 lighting density requirements.
 - (h) Hot water system to be upgraded throughout the development (retained and new areas).
 - (i) Water efficient fixtures and taps.
 - (j) Native or drought-tolerant plants will be preferred for the landscaping and mulch to help minimise water requirements – with irrigation provided via a 10,000 Lt rainwater tank.
 - (k) Steel to sourced from a responsible steel maker.
 - (l) Specifications around certified timber and PVC.
 - (m) The new thermal insulation will not contain any ozone-depleting substances and will not use any in its manufacturing.
 - (n) A 2kW rooftop solar PV system is proposed.
 - (o) Electric vehicle (EV) charging points at Basement Level 1.
155. Council's ESD Advisor considered that, for the development to achieve best practice, the following commitments should be provided for the proposal:
- (a) Removal of non-committal language, such as 'wherever possible' and 'it is encouraged' to ensure commitments will be met.

- (b) A STORM or MUSIC model is required to demonstrate that the development achieved best practice for stormwater management and rainwater reuse, noting that the SMP claims 100% is achieved in the BESS report.
 - (c) The development commits to best practice in terms of predicted mean VOTE levels, however, have not provided protection to the northern and western façade or information on the operability of windows. A shading and ventilation strategy should be required to address this.
 - (d) The solar PV system should be significantly increased to better cater for the energy consumption on site (the ESD advisor recommends a minimum provision of 30kW).
156. Should a permit issue, a condition will require that the SMP be amended to include the above and for all commitments be shown on plans (where appropriate).
157. Further to the above, the ESD advisor highlighted in their advice various outstanding information that should be included in the SMP prior to endorsement (as outlined at Section 3). The Applicant provided a response to these matters, and has made further commitments where applicable. The ESD advisor reviewed the response and was generally satisfied with the information and clarifications provided. The amended SMP should also be required to include/clarify the following:
- (a) The provision of outdoor air to office spaces on all levels.
 - (b) The reduction of Hazardous materials and VOC's will be in line with the Green Building Council requirements.
 - (c) Revision of all commitments against NCC 2019 and provide a Section J Report articulating improvements (including building fabric), and details of the proposed building reference services to articulate building fabric improvements.
 - (d) Details of the hot water systems (HRW).
 - (e) The extent of HVAC strategy and that existing spaces will be serviced by the existing VRF system, with units replaced as required.
 - (f) Confirmation that the car parking ventilation system has recently been replaced and would operate on the basis of monitoring CO within the carpark to adjust the fan speed to manage levels to within the permitted tolerances.
 - (g) Confirmation that lighting in all areas will be replaced to high efficiency LEDs and will meet the relevant lighting levels and colour consistencies. Intelligent lighting controls will be provided to ensure energy efficiency is maintained when areas are not in use with time controls implemented to dim/turn off lights automatically after set intervals.
 - (h) The extent of recycled materials (ie bricks) or materials with post-consumer content (ie insulation).
 - (i) The extent (by weight or cost) of embodied energy strategy – and consider reclaimed water and recycled aggregate for concrete components.
 - (j) Confirmation that no timber structures are proposed.
 - (k) The commitment (or extent of commitment) for limiting PVC impacts.
 - (l) A statement that addresses how the development responds to the urban heat effect.
 - (m) That all energy and water management systems will be commissioned in accordance with the manufacturer's consumption.
158. Finally, Council's ESD advisor recommends that a Green Travel Plan be submitted which should clarify surrounding locations of car-share programs and/or collaborations within the development and include performance targets and monitoring and reporting components.
159. It is noted that Council's Strategic Transport Unit also require that a Green Travel Plan be provided and as such this matter will be discussed further under the *Car parking, traffic and bicycle facilities* section of this report.

On-site and off-site amenity

160. With regards to the on-site amenity it is considered that the proposal will offer future employees a high level of amenity, functionality and accessibility for the following reasons:
- (a) The pedestrian entry is clearly distinguishable and provides for safe entry/exit of the site.
 - (b) The layout of the office spaces and extensive glazing allows for passive surveillance to the central courtyard to promote the safety of employees.
 - (c) As discussed in the ESD section of the report, the office spaces will be provided good access to daylight and natural ventilation, with large expanses of operable glazing provided to each office area.
 - (d) Substantial outdoor areas are provided with landscaping, direct solar access, seating opportunities and views to river and parkland.
 - (e) Adequate car parking and bicycle parking facilities are provided (as will be discussed later in this report) for both employees and visitors.
 - (f) End of trip facilities are provided for employees.
161. With regards to the potential off-site amenity impacts of the development, the relevant policy framework for off-site amenity considerations is contained within Clause 22.05 (Interface uses policy) of the Scheme. In this instance, the nearest sensitive uses (dwellings) are located immediately adjacent the site to the west and are also located to the south, across Trenerry Crescent. The use of the land as an office does not require planning permission, thus the amenity considerations relate solely to the proposed built form.
162. As discussed, the proposed alterations and extensions are contained centrally to the site and will not alter the interface to the dwellings to the west from what already exists. The proposed extensions to the building are similar, or lower, in height than the existing built form along each boundary, thus the extensions will not result in any additional shadows to neighbouring private open space or result in an unreasonable visual bulk impact. Further, the proposal will not provide any new overlooking opportunities from what already exists given that all new and altered windows face north to the river or face inward to the central courtyard.
163. For these reasons, it is considered that the proposed extensions to the existing office have been appropriately designed and located to limit any adverse amenity impacts to neighbouring dwellings.

Car parking, traffic and bicycle provision

164. Pursuant to Clause 52.06-5 of the Scheme, the total office area generates a statutory requirement of 190 spaces. Given there are 182 spaces provided on-site, a reduction of eight (8) car parking spaces is being sought.

Parking availability/demand

165. The proposed office use would be provided 2.86 spaces per 100sqm of floor area. This rate is considered to be substantial for the inner-city context, with a number of developments having been approved with reduced rates in the area, as shown in the following table:

Development Site	Approved Office Parking Rate
42 – 50 Flockhart Street, Abbotsford PLN19/0097 issued at the direction of the VCAT 4 September 2020	1.13 spaces per 100 m ² (50 on-site spaces; 4,418 m ²)
350 – 356 Johnston Street and 2 Rich Street, Abbotsford PLN20/0322 issued 12 April 2021	1.24 spaces per 100 m ² (42 on-site spaces; 3,382 m ²)

6 – 10 Peel Street Collingwood PLN20/0214 issued 9 April 2021	0 spaces per 100 m ² (0 on-site space; 2,294 m ²)

166. The applicant submitted a Car Parking Assessment (prepared by Impact and dated 18 November 2020). The assessment organised a car parking accumulation survey of the existing building and use (noting that the survey was carried out in February 2020, prior to the impacts of Covid-19 on working arrangements). The survey revealed that the site generated a peak demand of 145 parking spaces, which equated to a parking demand of 2.78 spaces to each 100sqm based on the existing building. As such, the anticipated demand of 2.78 spaces is less than the proposed 2.86 spaces per 100sqm of the subject development.
167. The Car Parking Assessment was referred to Council's Traffic Engineering Services who considered the reduction to car parking requirements appropriate in the context of the development in the surrounding area and proximity to public transport and sustainable transport routes.
168. Although it is anticipated that the proposed extension to the existing office will not generate an on-street car parking demand, 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 a holistic planning approach to commercial precincts.
169. A VCAT decision *Grocon (Northumberland St) Developer Pty Ltd v Yarra CC [2017]* VCAT 753 regarding an office development at No. 2 – 16 Northumberland Street, Collingwood, discussed this matter with a regard to supporting a significant reduction in car parking (383 car parking spaces) with the following assessment made:
- [54] *We have concluded that the reduced car parking provision is justified in the circumstances of this application. In doing so, we have regard to the location within an inner city environment that is earmarked as an employment precinct, with convenient access to a range of alternative transport modes and a constrained supply of on-street parking. We consider that the reduced parking provision will not compromise the viability of the development or precinct, nor will it result in an unacceptable demand for on-street parking, given the saturated conditions that are presently experienced.*
- [55] *We agree that employees who are not allocated a car space will utilise alternative transport modes rather than attempt to seek out long term parking in the surrounding street network. This may well include walking to the site for persons who reside in the nearby residential and mixed-use areas. To constrain development of the land for a purpose that is in accordance with the zone purpose on the basis of car parking provision would not be consistent with the policy framework when read as a whole. This includes policies aimed at fostering economic development, employment and environmental sustainability.*
170. Further to the above decision, and noting the substantial on-site car parking provided for development and capacity of local road networks, the VCAT Red Dot Decision *Ronge v Moreland CC [2017]* VCAT 550 provides the following pertinent statements:
- Oversupplying parking, whether or not to comply with Clause 52.06, has the 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 movement 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.*

171. Having regard to these decisions, the reduction of eight (8) car parking spaces being sought is further supported by the following:
- (a) The site has excellent access to the public transport network, bicycle and walking routes and the proposal has an appropriate provision of bicycle spaces and end of trip facilities.
 - (b) Office land uses are particularly conducive to alternative transport modes given that trips typically occur within peak hour when public transport services are most frequent. The regularity and familiarity of the journey is also a factor that encourages alternative travel modes. Employees are also more likely to cycle to avoid peak hour traffic delays.
 - (c) There is limited on-street parking in the area, with restrictive controls (short stay parking and permit zones) acting as a disincentive for employees to travel to work by car. Employee or visitor parking permits will not be issued for the development. Council's Standard note relating to parking permits will be included on a permit if it were to issue.
 - (d) A Green Travel Plan is recommended by condition. This will ensure that the permit holder will implement management practices to further encourage use of public transport and cycling as a means of transport for employees and visitors.
172. In light of the above, the reduction of eight (8) spaces sought for the office is considered appropriate, having regard to the site's accessibility to public transport services and sustainable transport opportunities.

Vehicle access

173. The proposal will continue to provide car parking within the existing basement car parking area. Access will be maintained via a double roller door and crossover along the eastern boundary and onto Trenerry Crescent with no alterations proposed to this access. The car parking layout is being slightly altered to allow for the provision of elevators to the upper levels but is otherwise maintained to the existing conditions.
174. The car parking spaces are being removed from the ground floor central car parking area, with the exception of two (2) accessible car parking spaces. Although the entry is being maintained central to the façade some minor alterations are proposed to the vehicle and pedestrian access internally, including a narrowing of the vehicle lanes to provide for landscaping.
175. The revised car parking layout and ground floor vehicle access were referred to Council's Traffic Engineers who raised no concerns to the proposal, other than requiring confirmation as to the number of accessible car parking spaces. The Section 57A amended plans addressed this matter and confirmed that both spaces at ground floor are to be allocated as accessible parking spaces.

Loading and unloading

176. The Scheme does not provide any requirements for loading bays, rather Council must consider loading and unloading as relevant to the application. A loading bay has not been designated on the plans, however, the ground floor central courtyard has sufficient space for a small vehicle to manoeuvre and undertake deliveries or collections. It is anticipated that loading associated with the office would be infrequent and undertaken by smaller trucks/vans that can also utilise on-street parking within the area. Further, it is not expected that any demand would be significantly higher than the existing office building and thus the existing arrangements are appropriate.

Bicycle parking and facilities

177. The proposal provides 36 bicycle spaces on-site (for the existing and proposed office area) and 6 visitor spaces. End-of-trip facilities are also provided within an appropriate and accessible proximity to the bicycle spaces.

178. The proposal was referred to Council's Strategic Transport Unit who accepted the provision of 12 additional spaces for employees given that this meets the statutory rate for the proposed extension. However, they recommended that the rate be applied to the total office area, rather than the extension, requiring that 64 employee spaces be provided for the 6,363sqm to meet Council's best practice rate. Whilst bicycle spaces are encouraged by Council and contribute to the sustainability of the development, Clause 52.34 (Bicycle facilities) states that "*where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use*".

As such, the proposal has exceeded the statutory provisions of the Scheme with regards to bicycle spaces and therefore further spaces cannot be required.

179. With regard to the design and location of the bicycle spaces and facilities, the following is relevant:
- (a) All employee spaces are provided within a secure facility at basement level 1, with access via the vehicle entrance at Trenerry Crescent.
 - (b) 10 employee spaces are provided horizontal at-grade spaces, which satisfies the AS2890.0 requirement for at least 20%.
 - (c) The layout of bicycle spaces appears to comply with access and clearance requirements.
 - (d) Six (6) existing shower and change rooms are provided for employees in an end of trip facilities area within close proximity to the bicycle storage area.
180. The above was considered acceptable by Council's Strategic Transport Unit, however, they recommended that the number of lockers is increased as per Council's best practice recommendation of 1 locker per employee bicycle space. This will be required by condition should a permit issue.
181. Finally, Council's Strategic Transport Unit require that a Green Travel Plan (GTP) be provided and for it to include the following information:
- (a) Description of the location in the context of alternative modes of transport.
 - (b) Employee welcome packs (eg provision of Myki/transport ticketing)
 - (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
 - (d) A designated 'manager' or 'champion' responsible for co-ordination and implementation.
 - (e) Details of bicycle parking and bicycle routes.
 - (f) Details of Green Travel funding and management responsibilities.
 - (g) The types of bicycle storage devices proposed to be used for employee and visitor spaces (ie hanging or floor mounted spaces).
 - (h) Security arrangements to access the employee bicycle storage spaces.
 - (i) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (j) Provisions for the GTP to be updated not less than every 5 years.

182. The above will be required by way of a condition if a permit is to issue.

Waste management

183. A waste storage area is provided in the basement with access provided through the car park. A Waste Management Plan (prepared by Impact and dated 18 November 2020) has been submitted and includes details of collection arrangements, noise minimization initiatives, litter reduction, prevention of stormwater pollution, ventilation, washing and vermin-prevention arrangements.

Council's City Works Branch consider that the waste management to be satisfactory, subject to further information to be provided requiring the total footprint of the bins storage area by dimensioned in sqm. This will be required by condition should a permit issue.

Objector concerns

Car parking

184. This matter has been addressed at paragraphs 52 - 55 and 164 - 175 of this report and the reduction of eight (8) car parking spaces sought is considered appropriate in the inner-city and, more generally, is supported by the policy directions of the Yarra Planning Scheme.

The removal of brick pavers from the entry/footpath

185. This matter has been addressed at paragraph 129 of this report where it was confirmed that the brick pavers will be retained, restored and reinstated to maintain the character of the existing building.

Conclusion

186. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the Yarra Planning Scheme. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies.

RECOMMENDATION

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Fender Katsalidis and latest revision dated 5 May 2021, Plans TP000, TP001, TP048, TP049, TP00, TP051, TP052, TP055, TP056, TP058-TP066, TP098-TP102, TP198-TP201, TP250-TP253, TP300, TP301, TP400-TP403 and TP700 but modified to show:
 - (a) The existing/demolition plan to correspond with the proposed plans.
 - (b) A minimum of one (1) locker provided for each employee bicycle space.
 - (c) Any plan details as required by, or committed to in, the Green Travel Plan (Condition 5)
 - (d) Any plan details as required by, or committed to in, the Sustainable Management Plan (Condition 3)
 - (e) Any plan details as required by, or committed to in, the Landscape Plan (Condition 9)
 - (f) The bin storage area dimensioned.
 - (g) Any requirements of Melbourne Water (Conditions 13 - 17)
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Amended Sustainable Management Plan

3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Norman Disney and Young and dated 11 September 2020, but modified to include or show/clarify/confirm:
 - (a) Remove non-committal language (ie 'wherever possible' and 'it is encouraged').

- (b) A STORM or MUSIC model demonstrating that the development achieves best practice for stormwater management and rainwater reuse in accordance with the submitted BESS.
 - (c) TA shading and ventilation strategy.
 - (d) The solar PV system increased to a minimum of 30kW.
 - (e) The provision of outdoor air to office spaces on all levels.
 - (f) The reduction of Hazardous materials and VOC's in line with the Green Building Council requirements.
 - (g) Revision of all commitments against NCC 2019 and provide a Section J Report articulating improvements (including building fabric and detail the proposed building reference services to articulate building fabric improvements.
 - (h) Type of hot water systems.
 - (i) The extent of HVAC strategy and that existing spaces will be serviced by the existing VRF system, with units replaced as required.
 - (j) Details of the car parking ventilation system.
 - (k) Details of the lighting scheme.
 - (l) The extent of recycled materials (ie bricks) or materials with post-consumer content (ie insulation).
 - (m) The extent (by weight or cost) of embodied energy strategy.
 - (n) The commitment (or extent of commitment) for limiting PVC impacts.
 - (o) A statement that addresses how the development responds to the urban heat effect.
 - (p) That all energy and water management systems will be commissioned in accordance with the manufacturer's consumption.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

5. Before the development commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) Description of the location in the context of alternative modes of transport, including car share programs.
 - (b) Employee welcome packs (eg provision of Myki/transport ticketing)
 - (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
 - (d) A designated 'manager' or 'champion' responsible for co-ordination and implementation.
 - (e) Details of bicycle parking and bicycle routes.
 - (f) Details of Green Travel funding and management responsibilities.
 - (g) The types of bicycle storage devices proposed to be used for employee and visitor spaces (ie hanging or floor mounted spaces).
 - (h) Security arrangements to access the employee bicycle storage spaces.

- (i) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (j) Provisions for the GTP to be updated not less than every 5 years.
6. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Amended Waste Management Plan

7. Before the development commences, 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 Impact and dated 18 November 2020, but modified to include:
- (a) The area of the bin storage dimensioned in sqm.
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.

Amended Landscaping Plan

9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Hassell and latest revision dated 5 May 2021, but modified to include (or show):
- (a) The type, location, quantity, height at maturity and botanical names of all proposed plants.
 - (b) Details of the raised planters and terrace/rooftop planting (including planter box materials and dimensions, mulch layer suitable in weight and content for rooftop gardens, filter media, irrigation method, drainage system, roof barrier / waterproof layer.
 - (c) Details of the proposed method for irrigation and drainage.
 - (d) Detail the maintenance of works to be undertaken prior to planting.
 - (e) Detail plant/planting maintenance schedules and requirements.
 - (f) The planting palette/scheme to include only local, indigenous species, except for where the same intended function cannot be met by an indigenous species (ie Japanese Maple which sheds in winter to allow sunlight to courtyard).
 - (g) Remove *Hedera helix* from the planting schedule.
 - (h) The species *Carex apressa*, *Ficinia nodosa* and *Chrysocephalum* included in the planting scheme provided that the genetic origin is sourced than 10km from Abbotsford and within the Victorian Plains Bioregion.
10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;

- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

Construction Management Required

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

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

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

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

Melbourne Water Conditions (13 – 17)

13. Finished floor levels of the building extensions must be constructed 600mm above the applicable flood levels.
14. All open space within the property must be set at existing natural surface level so as not to obstruct the passage of overland flows.
15. No imported fill outside of the proposed building footprint.
16. The entry/exit driveway of the basement car park must incorporate a flood proof apex of a minimum of 600mm above the applicable floor level.
17. Prior to commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.

Development Contributions Plan

18. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) 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 amount of the levy within a time specified in the agreement.
19. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to 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.
20. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway and central courtyards must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
22. Within 2 months of the completion of the development, 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.

Time expiry

23. 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.

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

This site is subject to a Heritage Overlay. A planning permit may be required for any further external works.

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

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

All future business (*whether as owners, lessees/tenants, occupiers*) within the development approved under this permit, will not be permitted to obtain business parking permits.

Use of Security Cameras must comply with Section 8(1) of the Surveillance Devices Act (2007) which outlines a permit holder's responsibility in relation to surveillance devices. Please ensure compliance with the relevant legislation at all times the security cameras are in use.

The flood level for the property grades from 12.53 metres to Australian Height Datum (AHD) at the north west corner down to 12.43 metres to Australian Height Datum at the north east corner. These levels are based upon a flood which has 1% Annual Exceedance Probability, that is, a probability of being equalled or exceeded in any one year.

Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Attachments

- 1 PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Site Map
- 2 PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Decision Plans
- 3 PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Landscape Plans
- 4 PLN20/0646 - 64 - 78 Trenerry Crescent Abbotsford - Referral comments