



Agenda

Planning Decisions Committee

6.30pm, Tuesday 26 July 2022

Richmond Town Hall

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 Stephen Jolly

Cr Herschel Landes

Cr Amanda Stone

Council officers

Julian Larkins (Co-ordinator Statutory Planning)

Robert Galpin (Senior Statutory Planner)

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 Tuesday 5 July 2022 be confirmed.

6. Committee business reports

Item		Page	Rec. Page
6.1	PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - The construction of a twelve storey (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.	5	62
6.2	PLN21/0987 - 393 Bridge Road Richmond - Construction of an eight storey office building (no permit required for office use) and an associated reduction to the car parking and bicycle facility requirements.	185	239
6.3	PLN22/0069 - 276 Lennox Street, Richmond - Use of the land for a medical centre (chiropractor), construction and display of one (1) business identification sign and a reduction in car parking.	377	396

- 6.1 PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond
- The construction of a twelve storey (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
-

Report Summary

Purpose

1. This report provides Council with an assessment of Planning Application PLN21/0882 which is for the construction of a twelve-storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements at No 525 Church Street & 1 - 7 Kingston Street Richmond. The report recommends a position of approval subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Clause 15.01 – Urban Environment – Higher Density Guidelines;
 - (b) Clause 22.10 – Built Form and Design Policy;
 - (c) Clause 34.02 – Commercial 2 Zone;
 - (d) Clause 52.34 – Bicycle Facilities, and
 - (e) Clause 52.06 – Car Parking.

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Policy and strategic support;
 - (b) Built form, and;
 - (c) Off-site amenity.

Submissions Received

4. Eighty two (82) objections were received to the application, these can be summarised as:
 - (a) Concerns relating to the built form including overall height, street wall heights, massing, architectural quality, public realm response and a lack of transition to the nearby residential area;
 - (b) Traffic concerns (increased traffic in the surrounding area and safety issues for pedestrians (including children walking to Richmond Primary School));
 - (c) Amenity impacts (overlooking, overshadowing, loss of daylight, wind impacts, visual bulk, light spill, glare and noise impacts);
 - (d) Amenity impacts during construction (noise, pollution, damage to property and traffic disruption);
 - (e) Impacts to nearby heritage places and neighbourhood character;
 - (f) Equitable development concerns;
 - (g) Poor bicycle access;
 - (h) Pressure on infrastructure in the surrounding area;

- (i) Street tree removal;
- (j) Lost opportunity for a street connection to Adelaide Street as per the SSSP;
- (k) Accuracy of the shadow diagrams;

VCAT Proceedings

5. On 17 June 2022, Council was informed that the applicant had lodged a Section 79 'failure to determine within the prescribed time' appeal with the Victorian Civil and Administrative Tribunal (VCAT). A Compulsory Conference is listed for 13 September 2022 and a Major Cases Hearing is listed for seven business days commencing 15 November 2022.

Conclusion

6. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:
- (a) Deletion of levels 8 and 9;
 - (b) Provision of bicycle access from Kingston Street;

CONTACT OFFICER: Chris Stathis
TITLE: Senior Statutory Planner
TEL: 9205 5352

6.1 **PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street**
Richmond - The construction of a twelve storey (plus roof level
plant room and two basement levels) for office and restricted
retail premises (no permit required for proposed uses) and a
reduction in the car parking requirements.

Reference D22/154497
Author Chris Stathis - Senior Statutory Planner
Authoriser Senior Coordinator Statutory Planning

Ward: Melba
Proposal: The construction of a twelve storey (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Existing use: Office (property at No. 525 Church Street) and
 Motor Vehicle Repairs (property at No. 1 – 7 Kingston Street)
Applicant: Elite Property Group
Zoning / Overlays: Commercial 2 Zone / Design and Development Overlay (Schedules 2 and 5) & Development Contributions Plan Overlay (Schedule 1)
Date of Application: 26 November 2021
Application Number: PLN21/0886

Planning History

1. The following planning history pertains to the property at No. 525 Church Street:
 - (a) Planning permit application PL05/0293 was lodged with Council on 12 April 2005 and sought approval for the demolition of the existing building (no permit required) and the construction of a five-storey building to be used as a restricted retail premises and offices with an associated waiver of parking. The application was advertised, received 8 objections, and was subsequently withdrawn.
 - (b) Planning permit PL05/1007 was issued on 5 January 2006 for *use as a restricted retail premises (showroom) associated buildings and works and a variation to the loading bay requirements subject to conditions*. The amended plans were subsequently endorsed on 7 April 2006.
 - (c) Planning Permit PL06/0848 was issued on 09 November 2006 for *buildings and works associated with the erection of non-illuminated signage*.
2. The following planning history pertains to the property at No. 1 – 7 Kingston Street:
 - (a) Planning Application 981410 was for a used car repairs centre, however an outgoing letter from September 1998 advised that at the time, a planning permit was not required for the proposal.
 - (b) Planning Permit PL07/0314 was issued on 23 July 2007 for the *use of the land for the purposes of motor vehicle repairs*.

Background

Planning Scheme Amendments

3. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Strategic Strategy and Local Policies within the Planning Policy Framework (PFF), consistent with the structure recently introduced by the State Government.
4. Amendment C269 was on public exhibition between 20 August 2020 and 4 December 2020 and proceeded to a panel hearing in October 2021. The Panel report was released on 18 January 2022. Council resolved on 19 April 2022 that having considered the Panel report, to submit the adopted Amendment to the Minister for Planning for approval.
5. The relevant sections to be considered in this report include:
 - (a) Clause 13.07-L (Interfaces and amenity)
 - (b) Clause 15.01-1L (Urban Design)
 - (c) Clause 15.01-2L (Building Design)
 - (d) Clause 15.02-1L (Environmentally Sustainable Development)
 - (e) Clause 17.01-1 (Employment)
 - (f) Clause 18.01-2L (Sustainable Transport)
 - (g) Clause 19.05-3L (Waste)
 - (h) Clause 18.02-4L (Car Parking)
6. The new clauses are largely reflected in current planning policy, which is generally not contradictory to the proposed re-write of Clauses 21 and 22. However, as this amendment is now a 'seriously entertained' planning proposal, a summary and brief assessment of the relevant policies to the proposal is provided in the table below. This assessment confirms that the proposal is consistent with the new relevant policies.

Proposed C269 Local Policy reference	Brief Assessment
Clause 02.04 – Strategic Framework Plan	The subject site is formally identified as being located within a Major Employment Precinct as well as being in close proximity to the Swan Street Major Activity Centre (MAC).
Clause 11.03-1L – Activity Centres	Whilst not formally located in an activity centre, the proposal will contribute positively to the commercial spine of Church Street which is located in a Major Employment Precinct.
Clause 13.07-1L – Interfaces and Amenity	The policy aspirations of this clause is addressed under the off-site amenity and on-site amenity assessments below.
Clause 15.01-1L – Urban Design	Built form and design is discussed in the officer assessment below and concludes that the proposal exhibits high quality architectural and urban design.
Clause 15.01-2L – Building Design	Built form and design is discussed in the officer assessment below and concludes that the proposal exhibits high quality architectural and urban design. The proposal will also satisfy the policy that seeks high rates of energy efficiency as discussed in the On-Site Amenity section of the report.

Proposed C269 Local Policy reference	Brief Assessment
Clause 15.02-1L – Env. Sustainable Development	The proposal will achieve ESD 'excellence', committing to a five star Green Star Rating. Council's ESD Advisor has recommended a number of conditions to ensure this high standard is achieved, which are incorporated via condition.
Clause 16.01-2L – Housing affordability	The proposal does not provide affordable housing, however this is not applicable as the subject site is located in the Commercial 2 Zone, where dwellings are prohibited by the Planning Scheme.
Clause 17.01-1L – Employment	The proposal includes a new source of commercial activity to the area including over 10,000sqm of office floor area and restricted retail and café offerings at ground floor. These will provide a positive contribution to employment opportunities along the Cremorne / South Richmond segment of Church Street.
Clause 18.02-1L – Sustainable Transport	The provision of extensive bicycle facilities and reduction of car parking proposed will ensure this policy is met.
Clause 18.02-4L – Car Parking	The proposal seeks a reduction of the car parking requirements to reduce reliance on private vehicle usage in accordance with the policy.
Clause 19.03-2L – Development Contributions	This is addressed via conditions.
Clause 19.03-3L – WSUD	The proposal is consistent with this policy, as outlined in the submitted Sustainable Management Plan. Implementation is required by condition.
Clause 19.03-5L – Waste	Waste management is discussed in the assessment section below and addressed via a Waste Management Plan that will be implemented by condition.

Corrected Shadow Diagrams

- During the application process, the Planning Officer ascertained there were errors in the shadow diagrams. The permit applicant identified that the shadow diagrams had erroneously been developed using Sydney co-ordinates instead of Melbourne co-ordinates. Accordingly, corrected shadow diagrams were submitted on 01 July 2022. This report refers only to the corrected shadow diagrams. All objector parties have been provided with a copy of the corrected shadow diagrams.

VCAT Proceedings

- On 17 June 2022, Council was informed that the applicant had lodged a Section 79 'failure to determine within the prescribed time' appeal with the Victorian Civil and Administrative Tribunal (VCAT). A Compulsory Conference is listed for 13 September 2022 and a Major Cases Hearing is listed for seven business days commencing 15 November 2022.

The Proposal

9. The proposal is for the construction of a twelve-storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements. The proposal can be described in more detail as follows:

Use

The application proposes to use the land for:

- (a) Office (across all levels) with a net floor area of 11,258sqm.
- (b) Restricted retail premises (at ground floor fronting Kingston Street) with a net floor area of 159sqm;

A planning permit is not required for either of the proposed land uses.

Development

General

- (c) The development proposes an overall building height of twelve stories or 47.5m. Including the roof level services, the proposal seeks an overall height of 51.4m. At the Church Street interface, a street wall height of four stories (or 15.9m) is proposed which transitions to a five storey (or 19.7m) street wall height along the Kingston Street interface. An eastern boundary wall is also proposed with a five-storey height (21.2m including terrace balustrade).
- (d) The development proposes the following massing typology:
 - (i) Ground floor largely constructed to all boundaries save for some setbacks along the Church Street and Kingston Street frontages and the courtyard located in the northeast corner of the site;
 - (ii) Level 1 largely constructed to all boundaries save for the northeast courtyard, a western setback (minimum setback of 3m) in the southwest corner of the lot and a small façade setback in the southeast corner of the site;
 - (iii) Levels 2 and 3 are largely massed in the same way as level 1 except that a 3m northern setback is provided along the eastern half of the northern boundary;
 - (iv) Level 4 adopts the same setbacks as levels 02 and 03 save for the introduction of upper level setbacks in the northwest corner of the site with the level setback 3m from the southern boundary, 7m – 8.15m from the western (Church Street) boundary and 3m from the northern boundary. A terrace is provided at this level about the Church Street podium;
 - (v) Levels 05 – 09 adopts the same setbacks as level 04 save for the introduction of an upper level setback of 4.5m from the southern boundary and a minimum upper level setback of 3m from the eastern boundary.
 - (vi) Level 10 introduces a deeper upper level setback of 6.75m – 9.9m from the eastern boundary;
 - (vii) Level 11 introduces a deeper upper level setbacks of 18.5m from the western boundary and 9.35m-12.5m from the eastern boundary;

Basement Levels

- (e) Two basement levels will be accessed via Kingston Street, with the following features
 - (i) A total of 67 car spaces (including 2 electric vehicle car spaces);
 - (ii) Services including a domestic water pump set, fire tank and pumps, and comms room (all services are located at basement level 01);

Ground Floor

- (f) The proposed layout of the ground floor plan includes:
- (i) Principal pedestrian entry point at Church Street frontage, behind which is a large lobby / reception area;
 - (ii) Restricted retail premises located along the western half of the Kingston Street frontage, with pedestrian access to this tenancy provided along Kingston Street;
 - (iii) Vehicle access and loading dock access provided at the eastern end of the Kingston Street frontage;
 - (iv) Employee bicycle spaces and end of trip facilities located internally along the northern boundary;
 - (v) Services (including waste storage area, water meters and substation) and lift core included internally.
 - (vi) Services visible front the street frontages are limited to a fire booster cupboard (height of 1.2m) at the Church Street frontage and gas meters (full height) at the Kingston Street frontage;
 - (vii) A total of 18 visitor bicycle spaces are proposed at ground floor within title boundaries, including four spaces within the Church Street setback, eight spaces within the Kingston Street setback and six within the courtyard at the northeast corner of the site.

Level 1

- (g) The western section of this floor level is a void to the ground floor lobby;
- (h) This level includes a total of 1026sqm of office floor area and a 60sqm raingarden towards the southwest corner of the site;

Levels 2 and 3

- (i) Each of these levels includes a 1402sqm of office floor area;

Level 4

- (j) This level includes 1163sqm of office floor area and a terrace along the southern and western boundaries of the site;

Levels 5 - 9

- (k) Each of these levels has 958sqm of office floor area;

Level 10

- (l) This level includes 863sqm of office floor area and an east-facing terrace;

Level 11

- (m) This level includes 611sqm of office floor area and an east-facing and a west-facing terrace – the west-facing is the largest terrace proposed with an area of 186sqm, substantial areas for seating and the eastern section of the terrace is provided with a verandah structure for weather protection;

Roof Level

- (n) An open plant area is provided at the roof above level 11, with a minimum setback from the upper levels of approximately 3m and a setback from Kingston Street of 6.66m. The lift overrun, service stairs and roofed plant area are located centrally within the roof level, set back from the service screens. The northern and western sections of the roof contain solar panels.

Materials and finishes

- (o) The development proposes a mix of concrete, glazing, brick cladding and metal cladding;

- (p) Concrete is expressed as a material on the materials schedule but its material acronym (CN-01) is not shown on any of the elevations – it is anticipated that the proposed boundary walls will be constructed of concrete, however a condition will require this to be clarified.
- (q) The podium levels along the Kingston Street frontage are finished in brick cladding (BR01) with vertical-rectangular and square format windows;
- (r) The Church Street podium is largely constructed of fluted glazing (GL03) at levels 1, 2 and 3 with feature spandrel glazing provided between floors.
- (s) The ground floor frontages to Kingston Street and Church Street are largely constructed of clear double glazing (GL01) and slatted metal for doors and screens to services and vehicle access (MT01);
- (t) The upper levels are constructed largely of glazing and include:
 - (i) Clear double glazing (GL01);
 - (ii) Spandrel glazing (GL02) at the top of each floor;
 - (iii) Horizontal fins constructed of metal (MT01) – two per floor;
- (u) The roof level includes a perimeter screen constructed of metal (MT02) as well as louvred service screens constructed of metal cladding (MT01).

10. A three-dimensional perspective of the development is provided below at Figure 1.



Figure 1: Three-dimensional perspective of the proposed development, taken from Church Street from the southwest (Applicant submission, February 2022)

Existing Conditions

Subject Site

11. The subject site is located on the eastern side of Church Street and the northern side of Kingston Street in Richmond and includes two properties:
- (a) Nos. 525 Church Street – Lot 1 on Lot Plan 45929, and;
 - (b) No. 1 - 7 Kingston Street – Land in Plan of Consolidation 109147

12. With these two properties combined, the subject site has a total area of 1,921sqm and has frontages to Church Street, Kingston Street and access to Selby ROW at the northernmost section of the eastern boundary.



Figure 2: The subject site (Council GIS, April 2022)

525 Church Street Richmond

13. No. 525 Church Street is largely rectangular in shape and has a frontage to Church Street of 16.35m and a lot depth of 73.56, with an overall area of 1196sqm. The property is developed with a double-storey, commercial building constructed of metal cladding and a high proportion of glazing. The building has a contemporary aesthetic and a flat roof form with rectilinear fenestration presenting to Church Street. This property is currently used as an office. The building at this property covers the majority of the land save for two small southern setbacks and a rear (eastern) area that is used for a total of nine car parking spaces.
14. This property is affected by a 1.22m-wide sewerage easement bordering the southern boundary. The property is not affected by any covenants or section 173 agreements.



Figure 3: No. 525 Church Street, viewed from Church Street, which forms part of the subject site (Applicant Submission, November 2021).

1 - 7 Kingston Street Richmond

15. No. 1-7 Kingston Street is largely rectangular in shape and has a frontage to Kingston Street of 43.28m and a lot width of 17.81, with an overall area of 725sqm. The property is developed with a single-storey, warehouse building constructed of brick and metal cladding of the post-war era. The building has a flat roof form and minimal windows facing Kingston Street.

This property has recently been used as a Motor Repairs Centre. The building at this property covers the majority of the land with a modest setback along the southern boundary which is used informally as car parking spaces. Vehicle access to the property is via Kingston Street with a double-width vehicle crossover and roller door.

16. This property is affected by a 1.22m-wide sewerage easement bordering a section of the property's northern boundary (i.e. the same sewerage easement associated with No. 525 Church Street). The property is not affected by any covenants or section 173 agreements.



Figure 4: No. 1-7 Kingston Street, viewed from Kingston Street, which forms part of the subject site (Planning Officer, May 2022)

Surrounding Land

17. The surrounding land is mixed and is located in close proximity to activity centres and public transport routes. The site is within 400m of the Swan Street Major Activity Centre (MAC) and has direct abuttal with the commercial activity centred on Church Street. Public transport is readily available to the site with tram services on both Church and Swan Streets as well as East Richmond Railway Station located within 350m to the northwest.



Figure 5: the subject site and surrounding land (Council GIS, April 2022)

18. The subject site is located in and surrounded by the Commercial 2 Zone (C2Z), with the Neighbourhood Residential Zone (NRZ1) further east, the General Residential Zone (GRZ2) further southeast and a Public Use Zone (PUZ2) further southeast. The surrounding land is mixed, and this pattern is most clearly demonstrated by the zoning context; specifically by the C2Z and residential zones to the east, as depicted at figure 6 below.

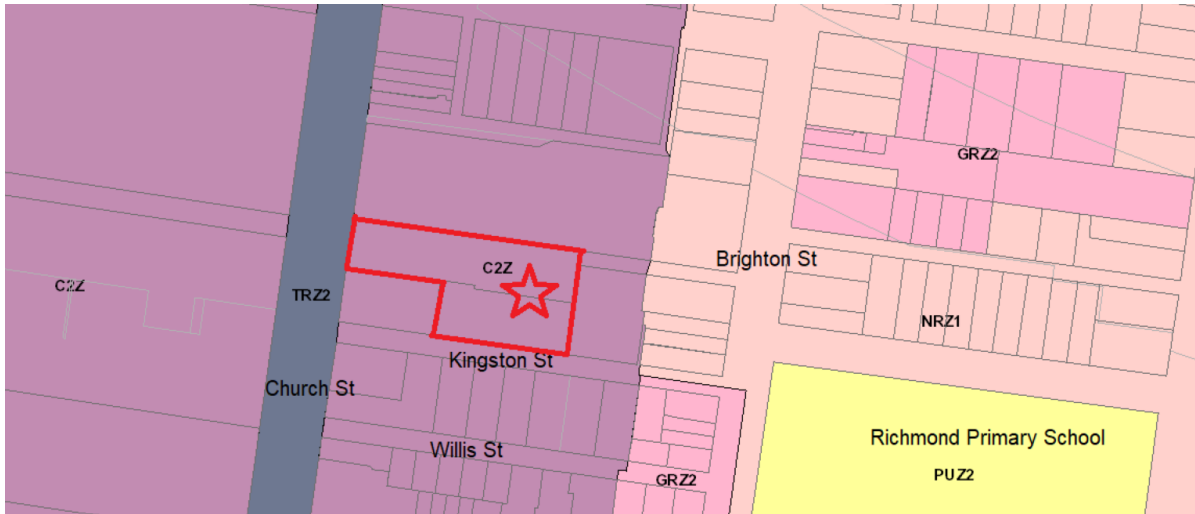








Figure 6: The zoning context of the subject site (red outline) and surrounding area (DELWP June 2022)

19. To the west (and inclusive) of the subject site the land is zoned C2Z and runs along Church Street. This area extends further west of Church Street and is typified by low-rise, older (Victorian through to early post-war eras) industrial and commercial buildings of 1-4 storeys as well as an emergent character of mid-rise contemporary office developments of up to 12 storeys. The older building stock typically has high site coverage with buildings presenting to the public realm with sheer walls and minimal (if any) street setbacks. The emerging developments in the area provide contemporary architectural responses, typically with rectilinear forms and materials including concrete, metal cladding and facades with high proportions of glazing. Examples of this emergent character are outlined in the following table:

No.	Address	Details	Image
PLN19/0025	9 Kingston Street Richmond	Six-storey office building located to the immediate east of the subject site. featuring a singular form which increases in height from two storeys (east) to six storeys (west). The permit has been issued and plans are endorsed but works are yet to commence.	

PLN17/0163	12 – 18 Albert Street Richmond	Seven-storey office building located 50m to the northeast of the subject site. The development has been completed and is now occupied.	
PLN18/0328	459 – 471 Church Street & 20 – 26 Brighton Street Richmond	Office development across a large site with building heights including three, six and ten storeys and features commercial tenancies at ground floor. The development is under construction and nearing completion.	
PLN17/0278	506 – 510 Church Street Cremorne	Office development across a large site with a height of ten storeys plus roof terrace. The development features a number of commercial uses at ground floor. The development is complete.	
PLN17/0456	600 Church Street Cremorne	Eight-storey (plus roof terrace) office development. Development is complete.	
PLN20/0320	587 – 593 Church Street Richmond	Eleven-storey (plus roof terrace) hotel development, recently approved by VCAT. Works have not yet commenced. The eastern section of the development reduces in height to ten stories. This approved development has lower floor-to-ceiling heights than the proposed development due to it	

		being a hotel development.	
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20. To the immediate east of the subject site is No. 9 Kingston Street, which is a rectangular allotment fronting Kingston Street with access to Selby R.O.W. at its rear boundary. The site is currently used as a private car park with a total of 27 car parking spaces. The majority of the site is covered in asphalt, save for a landscaped strip along the site's southern boundary. Vehicle access to the site is currently gained via Kingston Street. As detailed in the above table, No. 9 Kingston Street has approval for a six-storey office building (under Planning Permit PLN19/0025) with the following details:
- (a) A singular form with height ranging from two stories (east) to six stories (west – i.e. common boundary with the subject site). The approved development has no upper level setbacks to Kingston Street. Instead, the height of the street wall follows the two-six storey height of the development itself.
 - (b) Windows across the eastern, southern and northern facades;
 - (c) A solid boundary wall at the western façade (i.e. common boundary with the subject site);
 - (d) At ground floor, a 2.2m setback is provided for landscaping, pedestrian circulation and visitor bicycle spaces.
21. Works associated with the above development have not commenced, however plans and reports associated with the permit were endorsed in 2021.
22. To the east of No. 9 Kingston Street, the land is zoned Neighbourhood Residential Zone (NRZ) and largely consists of low-rise, single and double storey dwellings, the majority of which are of the Victorian or Edwardian-eras and are affected by the Heritage Overlay. These dwellings are typically constructed of timber or brick and many feature contemporary, single or double storey additions to the rear, often constructed with timber or metal cladding. A small number of post-war, flats are also found intermittently throughout the surrounding land with Richmond Primary School (60m east) and Barkly Gardens (220m east) also located in the area.
23. The most proximate dwellings in a residential zone are Nos. 82 – 86 Brighton Street. All three dwellings are single-fronted, single-storey Victorian-era brick dwellings with matching front verandahs and roof parapets. No. 84 and No. 86 both feature small areas of secluded private open space (SPOS) towards the rear of their lots and have rear lean-tos constructed along their respective northern boundaries. No. 86 has a double-storey rear extension to the existing dwelling approved under Planning Permit PLN17/0742. This dwelling has one modest-sized area of SPOS towards the rear of its lot. All three dwellings are located within the NRZ.
24. To the north of the site is Selby R.O.W., a 4.6 metre wide laneway that commences at Brighton Street to the east and terminates at the western boundary of the subject site. On the northern side of Selby R.O.W. (opposite the subject site) is a five-storey development (located at No. 511-521 Church Street) with a frontage to Church Street to the west with the following massing arrangement:
- (a) A three-storey, modulated street wall presenting to Church Street;
 - (b) The upper levels (i.e. the fourth and fifth storeys) are set back from Church Street by 8m (measured from building line) or 3m (measured from west-facing balconies).
 - (c) At the common boundary with the subject site, a three-storey solid boundary wall with the fourth and fifth floors set back approximately 4.5m from the common boundary with the subject site. The fourth and fifth floors have windows facing the subject site (which are also set back 4.5m from the subject site).

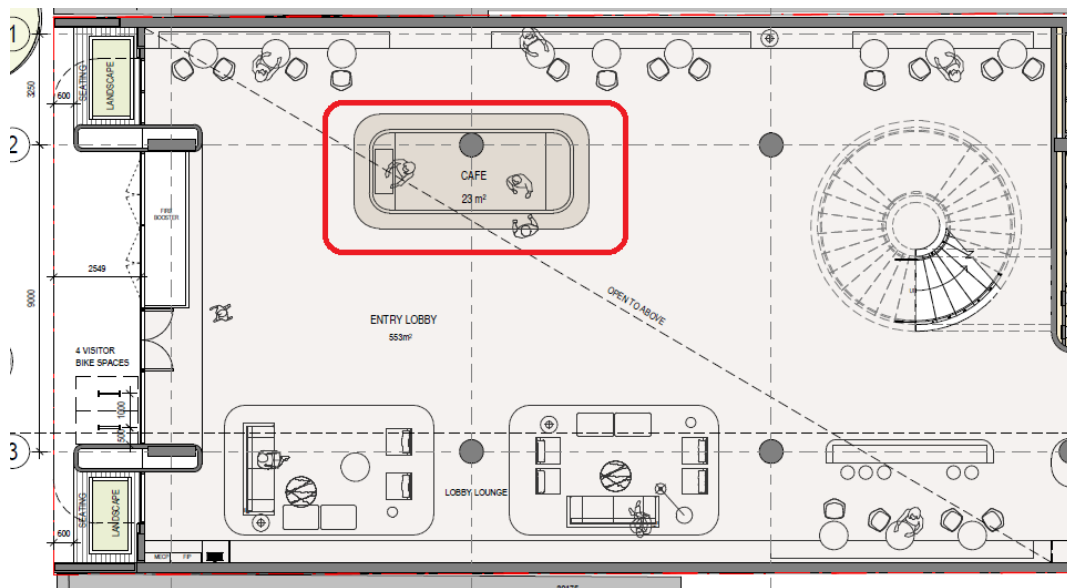
25. To the immediate south of the subject site (i.e. south of No. 525 Church Street) is No. 527 – 531 Church Street, a single storey, brick building of the interwar era. The site is not affected by the Heritage Overlay and has vehicle access off Kingston Street via a double-width vehicle crossover and roller door.
26. To the south of the subject site (as a whole) is Kingston Street, a 6.3 metre wide one-way street travelling in an easterly direction from Church Street to Brighton Street. On the southern side of Kingston Street, opposite the subject site, are the following properties:
- (a) A row of three Victorian-era, single-storey commercial terraces fronting Church Street at No 535 – 537 Church Street with these buildings used as a food and drinks premises (café) (northern terrace), Australia Post shop (central terrace) and a printing services shop (southern terrace). All three of these terraces are affected by Schedule 381 to the Heritage Overlay – listed in the schedule as *Alexander Miller's shops and residences*. The northern terrace features four vertical-rectangular windows facing Kingston Street.
 - (b) The rear, single-storey warehouse component of No. 539 Church Street fronts Kingston Street and has vehicle access from Kingston Street via a double width crossover and roller door;
 - (c) No. 2 Kingston Street is Council-owned land providing one-way vehicle access from Willis Street to Kingston Street and six at-grade car spaces;
 - (d) No. 4 Kingston Street, a vacant parcel of land used as a private car park, is currently leased to the Motor Vehicle Repairs centre at the subject site (i.e. at No. 1-7 Kingston Street).
 - (e) No. 8 Kingston Street, a post-war, double-storey commercial brick building fronting Kingston Street. The building is used for an office and has vehicle access from Kingston Street via a single width vehicle crossover and roller door.
 - (f) A double storey (plus roof terrace) contemporary office development at No. 10 Kingston Street approved under Planning Permit PLN17/0091 and features vehicle access from Kingston Street via a single-width vehicle crossover and roller door. The site also has vehicle access from Willis Street at its rear.
27. Further east along the southern side of Kingston Street are two single-storey, Edwardian-era dwellings fronting Kingston Street (Nos. 14 and 16 Kingston Street). These dwellings both feature front setbacks of approximately 1-2m, with habitable-room windows facing Kingston Street and areas of secluded private open space (SPOS) located at the southern ends of their respective lots (i.e. away from the subject site). No. 14 is located within the Commercial 2 Zone whilst No. 16 is located within the General Residential Zone (Schedule 2) (GRZ2).
28. Immediately west of the subject site is Church Street, an arterial road featuring single bi-directional traffic lanes, bi-directional tram lines and on-street car parking on either side of the road. Church Street features footpaths on each side of the street both with a width of roughly 3.5m. The Church Street road width (including footpaths) is approximately 20m.
29. West of Church Street is No. 560 Church Street which is a large parcel of land associated with the Bryant and May complex, which includes a number of Edwardian-era former industrial buildings. The complex is listed as individually significant to Schedule 240 of the Heritage Overlay. As it presents to Church Street, the site appears with robust, red and cream brick forms ranging in height from 1 – 3 storeys. Towards the northern end of the site's frontage to Church Street is a part one and part two storey addition, most likely constructed in the 1990s. The Bryant & May complex houses a wide variety of commercial uses including office, a furniture showroom and a restricted recreation facility (gym).

Planning Scheme Provisions

Zoning

Commercial 2 Zone

30. Pursuant to Clause 34.02-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required:
- (a) for the use of the land for offices, and;
 - (b) for the use of the land for a food and drink premises, provided that the leasable floor area is no greater than 100sqm. The ground floor plan features the notation 'café' within the Church Street lobby, with no detail on the associated floor area. The permit applicant provided a sketch plan (received 14 July 2022) to provide further detail on the proposed café use as shown below, which shows a small scale café operation with a leasable floor area of 23qm. Given this floor area, a planning permit is not required for the use. A condition will require the plans to be updated to reflect the extent of the café use as per the sketch plans received 14 July 2022.



Sketch plan received by Council 13 July 2022 providing further clarification on the extent of the proposed food and drink premises (café) (Applicant submission, July 2022)

31. Pursuant to Clause 34.02-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

Overlays

Design and Development Overlay (Schedule 2)

32. Pursuant to Clause 43.02-2 of the Scheme, a planning permit is require to construct a building or to construct or carry out works. The overlay does not have any specific building height or building massing controls, however the following design objectives are provided:
- (a) *To recognise the importance of main roads to the image of the City.*
 - (b) *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
 - (c) *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*

- (d) *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
- (e) *To encourage high quality contemporary architecture.*
- (f) *To encourage urban design that provides for a high level of community safety and comfort.*
- (g) *To limit visual clutter.*
- (h) *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

Design and Development Overlay (Schedule 5)

33. Under Clause 43.02 of the Scheme, a planning permit is not required for the use of the land or for buildings and works. Pursuant to Section 4.0 of the Schedule and the Schedule to Clause 66.06, where a permit is required for the development of the land (in this case under the C2Z), notice of the application must be given to the Environment Protection Authority (EPA), Transurban City Link, and the Roads Corporation (VicRoads).

Development Contributions Plan Overlay (Schedule 1)

34. The subject site is affected by Development Contributions Plan Overlay - Development Contributions Plan Overlay. The Development Contributions Plan applies to the proposed increase in floor area associated with the first floor office addition, requiring the developer to pay a cash contribution towards essential city infrastructure like roads and footpaths.
35. Pursuant to Clause 45.06-1 a permit granted must:
- (a) Be consistent with the provisions of the relevant development contributions plan.
 - (b) Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay
36. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject site is located within Charge Area 11 (Cremorne). A condition will require the applicable contribution to be paid.
37. A planning permit is not required for works under the overlay.

[Particular Provisions](#)

Clause 52.06 – Car parking

38. Clause 52.06-1 of the Scheme prescribes that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land. The table overleaf outlines the car parking requirements for the proposed office use (pursuant to Table 1 at Clause 52.06-5), the proposed car parking provision on site and the resultant car parking reduction.

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Office	11258sqm. net floor area	3 car parking spaces per 100sq.m. of net floor area	337	66	271

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Restricted Retail	159sqm	2.5 car spaces per 100sqm of leasable floor area	3	1	2
Total			340	67	273

39. As shown in the table above, the development requires a planning permit for a car parking reduction pursuant to Clause 52.06-3. A reduction of 273 spaces is sought. The proposed food and drink premises (café) has a leasable floor area of 23sqm and therefore triggers a car parking requirement of 0.69 spaces, which is rounded down to zero spaces.

Clause 52.34 – Bicycle facilities

40. A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. The table below outlines the bicycle parking requirements for the proposed use.

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Surplus
Office	11258sqm. net floor area	<i>Employee spaces</i> 1 space to each 300m ² net floor area (if the net floor area exceeds 1000m ²)	38	-	
		<i>Visitor spaces</i> 1 visitor space to each 1000sq.m. of net floor area (if the net floor area exceeds 1000m ²)	11	-	
Restricted Retail Premises	159sqm	<i>Employee spaces</i> 1 space to each 300m ² leasable floor area	1	-	
		<i>Customer spaces</i> 1 visitor space to each 500sq.m. of leasable floor area	0	-	
TOTAL		<i>Employee Spaces</i>	39	122	83
		<i>Visitor Spaces</i>	11	18	7
		<i>Showers / Change Rooms</i> (1 to the first 5 employee spaces and 1 to each additional 10 employee spaces)	4	14	10

41. As detailed in the above table, the proposal provides a surplus of 83 employee spaces, 7 visitor spaces and 10 showers / change rooms. As such, a planning permit is not triggered under this provision.

General Provisions

42. The decision guidelines outlines at Clause 65 of the Scheme are relevant to all applications. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State Planning Policy Frameworks, Local Planning Policy Frameworks and any local policy, as well as the purpose of the zone, overlay or any other provision.

Planning Policy Framework (PPF)

43. Relevant clauses are as follows:

Clause 11.01-1R (Settlement - Metropolitan Melbourne)

44. Relevant strategies include;

- (a) *Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.*
- (b) *Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.*

Clause 11.02 (Managing Growth)

Clause 11.02-1S (Supply of Urban Land)

45. The objective is:

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

Clause 11.03 (Planning for Places)

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

46. Relevant strategies are:

- (a) *Support the development and growth of Metropolitan Activity Centres by ensuring they:*
 - (i) *Are able to accommodate significant growth for a broad range of land uses.*
 - (ii) *Are supported with appropriate infrastructure.*
 - (iii) *Are hubs for public transport services.*
 - (iv) *Offer good connectivity for a regional catchment.*
 - (v) *Provide high levels of amenity.*

Clause 15.01 (Built Environment and Heritage)

47. This clause outlines the following guidelines;

- (a) *Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.*
- (b) *Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.*
- (c) *Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.*
- (d) *Planning should promote excellence in the built environment and create places that:*
 - (i) *Are enjoyable, engaging and comfortable to be in.*
 - (ii) *Accommodate people of all abilities, ages and cultures.*
 - (iii) *Contribute positively to local character and sense of place.*
 - (iv) *Reflect the particular characteristics and cultural identity of the community.*
 - (v) *Enhance the function, amenity and safety of the public realm.*

Clause 15.01-1S (Urban design)

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

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

49. The objective is:
- (a) *To create distinctive and liveable city with quality design and amenity.*

Clause 15.01-2S (Building Design)

50. The objective is:
- (a) *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
51. The strategies of this clause are:
- (a) *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
 - (b) *Ensure development responds and contributes to the strategic and cultural context of its location.*
 - (c) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
 - (d) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
 - (e) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
 - (f) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
 - (g) *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*

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

52. The strategy is:
- (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)

53. The objective is:
- (a) *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*
54. Strategies are:
- (a) *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
 - (b) *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
 - (i) *Pattern of local urban structure and subdivision.*
 - (ii) *Underlying natural landscape character and significant vegetation.*
 - (iii) *Heritage values and built form that reflect community identity.*

Clause 15.02 (Sustainable Development)

Clause 15.02-1S (Energy and resource efficiency)

55. The objective is:

- (a) *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 17 (Economic development)

56. The clause states:

- (a) *Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.*

Clause 17.01-1S (Diversified economy)

57. The objective is:

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

58. Relevant strategies are:

- (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)

59. Strategies include:

- (a) *Facilitate the development of National Employment and Innovation Clusters by ensuring they:*
 - (i) *Have a high level of amenity to attract businesses and workers;*
 - (ii) *Are supported by good public transport services and integrated walking and cycling paths;*
 - (iii) *Maximise investment opportunities for the location of knowledge intensive firms and jobs.*

Clause 17.02-1S (Business)

60. The objective is:

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

61. Relevant strategies include:

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

Clause 18.02-1S – (Sustainable personal transport)

62. The objective is:

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

63. Relevant strategies are:

- (a) *Encourage the use of walking and cycling by creating environments that are safe and attractive.*
- (b) *Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.*

- (c) *Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.*
- (d) *Ensure provision of bicycle end-of-trip facilities in commercial buildings*

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

64. Strategies of this policy are:

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

Clause 18.02-2S (Public Transport)

65. The objective 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)

66. A relevant strategy of this clause is to:

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

Clause 18.02-4S (Car Parking)

67. The objective is:

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

68. A relevant strategy is:

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

Local Planning Policy Framework (LPPF)

69. Relevant clauses are as follows:

Clause 21.04-2 (Activity Centres)

70. Relevant strategies include:

- (a) *Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.*
- (b) *Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*
- (c) *Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.*

Clause 21.04-3 (Industry, office and commercial)

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

72. The clause also acknowledges that Yarra's *commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.*

Clause 21.05-2 (Urban design)

73. The relevant objectives and strategies are:
- (a) *Objective 16 To reinforce the existing urban framework of Yarra;*
 - (b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
 - (i) *Strategy 17.2 encourages new development to be no more than five – six storeys unless it can be demonstrated that the development can achieve specific benefits.*
 - (c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern;*
 - (d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric;*
 - (e) *Objective 21 To enhance the built form character of Yarra's activity centres;*
 - (i) *Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and*
 - (f) *Objective 22 To encourage the provision of universal access in new development.*

Clause 21.05-4 (Public environment)

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

Clause 21.05-3 (Built form character)

75. The relevant objective is:
- (a) *Objective 27 To improve the interface of development with the street in non-residential areas.*

Clause 21.06 (Transport)

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

Clause 21.06-1 (Walking and cycling)

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

- (a) *Objective 30 To provide safe and convenient bicycle environments:*
 - (i) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*

Clause 21.06-2 (Public transport)

- (b) *Objective 31 To facilitate public transport usage.*
 - (i) *Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.*

Clause 21.06-3 (The road system and parking)

- (c) *Objective 32 To reduce the reliance on the private motor car.*

Clause 21.07-1 (Environmentally sustainable development)

78. The relevant objective of this clause is:

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

Clause 21.08-2 Neighbourhoods (Burnley, Cremorne, South Richmond)

79. The following relevant commentary is offered at this clause:

- (a) *This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered.*
- (b) *Along Church Street is an activity centre based on furniture and homewares, professional and business services and hospitality. There is an opportunity to enhance this activity centre with consistent active frontages.*

[Relevant Local Policies](#)

80. Relevant clauses are as follows:

Clause 22.05 (Interface Uses Policy)

81. The relevant policy is:

- (a) *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*

Clause 22.07 (Development abutting laneways)

82. This policy applies to applications for development that is accessed from a laneway or has laneway abuttal, with the relevant objectives as follows;

- (a) *To provide an environment which has a feeling of safety for users of the laneway.*
(b) *To ensure that development along a laneway acknowledges the unique character of the laneway.*
(c) *To ensure that where development is accessed off a laneway, all services can be provided to the development. To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

Clause 22.10 (Built form and design policy)

83. This policy applies to all new development that is not included within a heritage overlay. The policy comprises design elements to guide the scale, form and appearance of new development, of which the following are relevant to this application:

- (a) Setbacks and building heights;
(b) Street and public space quality;
(c) Environmental sustainability;
(d) On-site amenity;
(e) Off-site amenity;
(f) Landscaping and fencing; and

- (g) Parking, traffic and access.

84. The policy has the following objectives:

- (a) *Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood.*
- (b) *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*
- (c) *Limit the impact of new development on the amenity of surrounding land, particularly residential land.*
- (d) *Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.*
- (e) *Encourage environmentally sustainable development.*

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

85. This policy applies to (as relevant) new buildings and contains the following objectives;

- (a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*
- (b) *Currently, these water quality performance objectives require:*
 - (i) *Suspended Solids - 80% retention of typical urban annual load*
 - (ii) *Total Nitrogen - 45% retention of typical urban annual load*
 - (iii) *Total Phosphorus - 45% retention of typical urban annual load*
 - (iv) *Litter - 70% reduction of typical urban annual load*
- (c) *To promote the use of water sensitive urban design, including stormwater re-use.*
- (d) *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*
- (e) *To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.*
- (f) *To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well being.*

Clause 22.17 (Environmentally Sustainable Design)

86. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

[Other Relevant Documents](#)

Spatial Economic and Employment Strategy

- 87. The Spatial Economic and Employment Strategy (SEES) was adopted by Council in September 2018 and includes 6 directions which will inform future policy for the Scheme.
- 88. The strategic direction contained within the SEES supersedes that contained within the Yarra Business and Industrial Land Strategy (BILS), adopted by Council in June 2012.
- 89. The Church Street South (Richmond) Major Employment Precinct is nominated as one of five major employment precincts within Yarra, the other four being Gipps Street (Collingwood), Abbotsford, Cremorne and Victoria Parade.
- 90. A Strategy of the SEES relevant to this application is Strategy 1: Support Employment Growth in Activity Centres, which includes the following direction:

Yarra's Activity Centres are likely to accommodate significant growth in retail, commercial and institutional floor space. It is anticipated that an estimated 134,000 sqm of additional floor space will be added to Yarra's larger Activity Centres between 2016 and 2031 for commercial, retail and institutional uses (an increase of around 10%).

Yarra Economic Development Strategy 2020 - 2025

91. This is a local strategy that outlines Yarra's vision for future economic development with a focus on major employment precincts, The strategy calls for the intensification of employment opportunities, stating that:

Yarra's employment precincts and activity centres are critical economic areas that support a broad range of business and employment uses. The availability of areas of employment land in Yarra ...is a strength and competitive advantage and will be important in accommodating future business and employment growth. Therefore, Yarra is in a position whereby further population and employment growth can be accommodated.

Advertising

92. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 673 letters sent to surrounding owners and occupiers and by two signs displayed on site. Council received 82 objections, the grounds of which are summarised as follows:
- (a) Concerns relating to the built form including overall height, street wall heights, massing, architectural quality, public realm response and a lack of transition to the nearby residential area;
 - (b) Traffic concerns (including increased traffic in the surrounding area and safety issues for pedestrians (including children walking to Richmond Primary School));
 - (c) Amenity impacts (overlooking, overshadowing, loss of daylight, wind impacts, visual bulk, light spill, glare and noise impacts);
 - (d) Amenity impacts during construction (noise, pollution, damage to property and traffic disruption);
 - (e) Impacts to nearby heritage places and neighbourhood character;
 - (f) Equitable development concerns;
 - (g) Poor bicycle access;
 - (h) Pressure on infrastructure in the surrounding area;
 - (i) Street tree removal;
 - (j) Lost opportunity for a street connection to Adelaide Street as per the SSSP;
 - (k) Accuracy of the shadow diagrams;

Referrals

93. The referral comments are based on the advertised plans.

External Referrals

94. The application was referred under Section 55 of the *Planning & Environment Act 1987* and pursuant to Clause 66.02-11 to Transport for Victoria because the application proposes more than 10,000sqm of office gross floor area. No response was received from Transport for Victoria.
95. Pursuant to the requirements of Schedule 5 to the Design and Development Overlay, notice was provided under Section 52 of the *Planning & Environment Act 1987* to the following authorities:
- (a) Transurban – no response received;
 - (b) Transport for Victoria – no response received;
 - (c) EPA Victoria – no response received.

Internal Referrals

96. The application was referred to the following units within Council:
- (a) Engineering Services Unit;
 - (b) ESD Advisor;
 - (c) Civil Works (Waste) Unit;
 - (d) City Strategy (Open Space) Unit;
 - (e) City Works (Open Space) Unit
 - (f) Car Parking Management Unit
 - (g) Strategic Transport Unit; and
 - (h) Urban Design Unit.
97. The application was also referred to the following contractors:
- (a) Urban design consultant (Hansen Partnership);
 - (b) Acoustic consultant (SLR);
 - (c) Wind Engineering consultant (MEL);
98. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

99. The primary considerations for this application are as follows:
- (a) Policy and Strategic Support;
 - (b) Built Form;
 - (c) On-Site Amenity;
 - (d) Off-Site Amenity;
 - (e) Car Parking, Vehicle Access, Traffic, Loading and Waste;
 - (f) Bicycle Facilities;
 - (g) Objector Concerns; and
 - (h) Other matters

Policy and Strategic Support

100. The proposed development achieves the various land use and development objectives outlined in the Scheme and is in accordance with relevant State and local planning policies applicable to the redevelopment of sites within well-serviced commercial areas. The subject site is within proximity (approximately 380m) to the Swan Street MAC, which provides a wide range of retailing, services and food and drinks premises with good public transport links. Additionally, the site is located within the Cremorne / South Richmond segment of Church Street, which, whilst not a MAC, is an emerging office precinct located on a tram route with numerous retail and hospitality offerings. This ensures that the site is well serviced by local infrastructure and commercial activity.

101. The subject site is located within the Commercial 2 Zone (C2Z), a key purpose of which is *to encourage commercial areas for offices ... and associated business and commercial services*. The proposed office use is a Section 1 use (no permit required) which indicates strong strategic support for the proposed office. Similarly, the proposed restricted retail premise at ground floor is a section 1 use under the C2Z, as is the café component.
102. With regard to the proposed development of the site, State and local policies encourage the concentration of development in and around activity centres with more intense development on sites well-connected to public transport, thereby ensuring efficient use of existing infrastructure. The site is well connected to public transport opportunities, with trams along Church Street and Swan Street, and with the proximity of the East Richmond Railway Station, encouraging the use of alternative modes of transport to and from the site and reducing reliance on motor vehicles as encouraged by clauses 18.02 (Transport), 21.03 (Vision), 21.06-3 (the road system and parking) and 21.07 (Environmental Sustainability).
103. While it is not relied upon (as the document does not form part of the Yarra Planning Scheme), Council's Swan Street Structure Plan (SSSP) provides further guidance for the preferred direction for land use and development on the subject site and the surrounding land. The SSSP reinforces current State and local policy to increase the number and diversity of employment opportunities within and around activity centres. The application proposes the construction of a twelve-storey office development on a site which is currently underutilised in an area identified for increased development under the Swan Street Structure Plan. The proposal is highly consistent with the purpose of the zone and strategic intent for this area that seek to encourage intensification of commercial uses and provision of diverse employment opportunities.
104. Whilst there is a high degree of strategic and policy support for the proposal, the built form policy under clause 22.10 (Built form and design policy) and the decision guidelines of the C2Z direct that consideration must be given to the design of the building and its interface with the surrounding area. As the subject site is proximate to dwellings in the NRZ, consideration of off-site amenity impacts is of critical importance and will be discussed further within this report. A key recommendation of this report is that two levels be deleted to reduce the prominence of the proposal in its context and also to mitigate visual bulk impacts to nearby residential land. This recommendation will ensure a balance between the competing objectives of the Planning Scheme.

Built Form

105. This section of the report considers the built form of the proposed development and is guided by decision guidelines of the Commercial 2 Zone at clause 34.02-7 and the design objectives and decision guidelines of Schedule 2 to the Design and Development Overlay. This assessment is also based on State and local planning policy at clauses 15.01-2 – Urban design principles; 21.05 – Urban design; 22.05 – Interface Uses Policy, 22.07 – Development abutting laneways policy and 22.10 – Built form and design policy.
106. These provisions and policies seek a development that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations of the area. Particular regard must be given to the site context, building height, massing, architectural response, the pedestrian experience and the development's interface with sensitive uses. These will be considered in the following paragraphs.

Heritage

107. The subject site is not affected by a heritage overlay and as such, no consideration is warranted for the proposed demolition of the existing buildings across the subject site (as this does not trigger a planning permit).

108. Roughly 25m south of the subject site (on the opposite side of Kingston Street) is No. 537 Church Street, a row of three Edwardian-era, single-storey commercial terraces protected under Schedule 381 to the Heritage Overlay. The proposed development will have little impact on these heritage properties given that they are separated from the subject site by Kingston Street (as well as the property at No. 527 Church Street) and will therefore not obscure any views of the heritage buildings.
109. In a similar vein, the proposed development will not obscure views of the Bryant and May Complex at No. 560 Church Street (located on the opposite side of Church Street) given that the two sites have a substantial separation (being the entire width of Church Street).
110. In a broader sense, the proposed development has been designed to complement the nearby heritage properties through the use of masonry across the majority of the podium walls and the adoption of a rectilinear, contemporary aesthetic which ensures that the development will be read as a new element in the streetscape, separate and distinct from nearby heritage buildings.

Site Context

111. As outlined earlier within this report, built form in the immediate area is mixed, with an emergence of contemporary, higher-scale development evident in the area. These developments are interspersed throughout a streetscape that is defined by robust commercial and industrial buildings, typically provided with modest (if any) street setbacks.
112. The surrounding context is also defined by the low-scale, residential development which occurs further east of the subject site, which is located in either the NRZ or GRZ. These dwellings are typically one to two storeys and situated on narrow allotments.
113. Three dwellings are located to the east of the subject site, all of which feature their areas of SPOS in the western section of their respective lots, proximate to the subject site. Clauses 22.05, 22.10 and the decision guidelines of the zone require that new development respond appropriately to sensitive residential interfaces. At its eastern interface, the proposal has responded to this nearby residential context through:
 - (a) A five storey eastern boundary wall, less than the six storey wall approved at No. 9 Kingston Street;
 - (b) Levels 5 – 9 provided with an eastern upper level setback of 3m;
 - (c) Level 10 provided with an eastern upper level setback of 6.75m;
 - (d) Level 11 provided with an eastern upper level setback of 9.35m.
114. Whilst the design response has attempted to mitigate visual impacts to the east through progressive setbacks of the uppermost levels, the twelve storey height of the development is considered to be an unacceptable response given the nearest residentially-zoned dwellings are located only 23m away. A more detailed assessment of amenity impacts to the residential interfaces will be provided in a latter section of this report – however the proposal's response to site context is supported subject to a deletion of two levels.
115. As outlined previously, there is no dispute that strategically the subject site is well-located for a higher-density development, being located in the C2Z and within proximity to a MAC, and with excellent access to cycling networks, public transport, services and facilities. Based on these attributes, it is a reasonable expectation that this site will experience intensification in use and development.

Building Height

116. The development proposes a solid built form ranging from four stories to twelve stories, as detailed in the following table.

Category	Proposed Height
Overall Height	12 storeys (47.5m)
Overall Height (including roof level services)	12 storeys (51.4m)
Church St Street Wall	4 storeys (15.9m)
Kingston St Street Wall	5 storeys (19.7m)

117. The proposed height of the development is understood best through the South Elevation (see figure 7 below) which shows the four-storey Church Street wall (left), the overall height of 12 storeys (centre) and the five storey street wall height to Kingston Street (lower right).

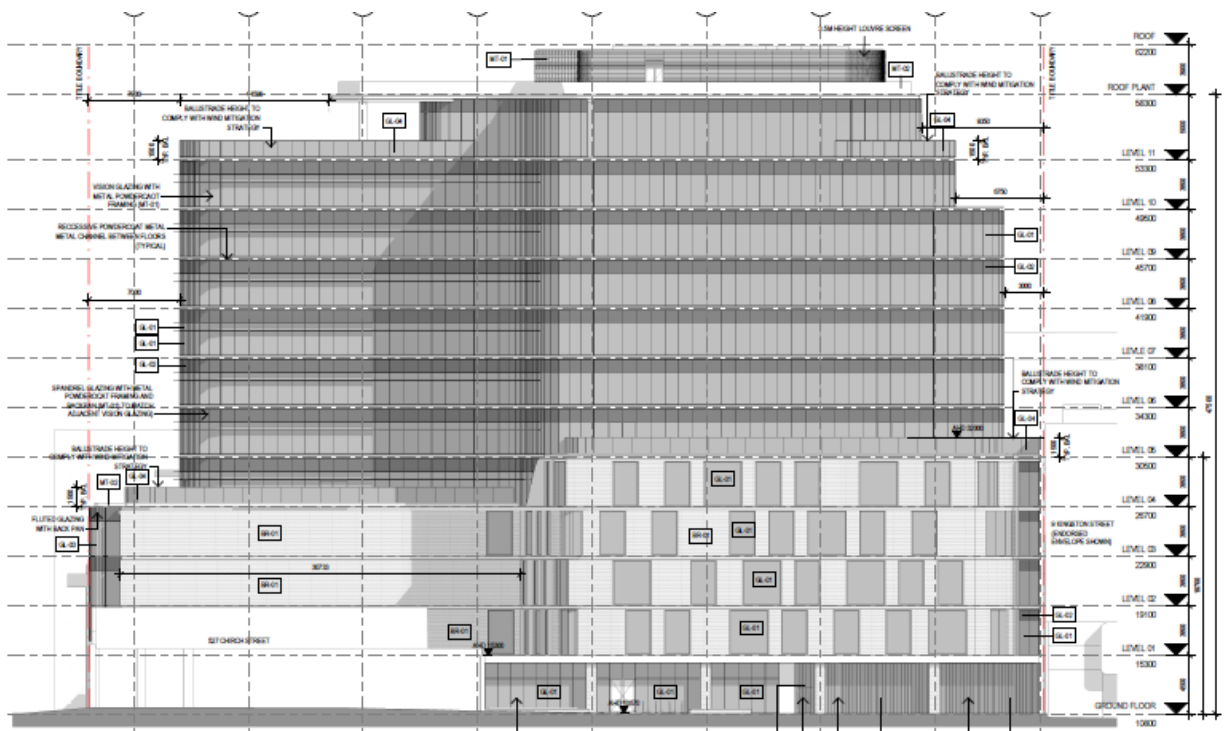


Figure 7: The height of the proposed development, as viewed from the South Elevation (Applicant submission, February 2022)

118. With respect to the four-storey street wall height to Church Street, this is well resolved and reflective of the emergent character of mid-rise development in the surrounding area. A four-storey street wall is also commensurate with the scale of Church Street itself and helps to reinforce the human scale for pedestrians walking along the street. The four-storey street wall also works to create a transition between the five storey scale of the building at No. 511 Church Street (immediately north of the subject site) and the single-storey building to the south (which is not subject to heritage controls and therefore likely to be developed to a taller height in the future). Council's external urban designer was also supportive of this street wall height stating that:

It is commensurate with the contemporary 4 – storey street wall across Church Street and creates an acceptable level of enclosure within Church Street. We believe the proposal's street wall at 4 storeys is an appropriate response to the emerging streetscape conditions of Church Street that reinforces a human-scaled streetscape presentation.

119. With respect to the five-storey street wall to Kingston Street, this is supported as a five-storey podium will similarly help to reinforce the human scale, directing pedestrian sightlines to the lower portion of the development and minimising views of the upper levels from the immediate public realm. The five-storey street wall also provides an elegant transition to the approved development at No. 9 Kingston Street which reaches a maximum street wall height of 6 storeys. Council's external urban designer made the following comments on the street wall height at Kingston Street:

We are supportive of the stepped street wall profile, rising from 4 storeys on Church Street to 5 storeys as it transitions along the Kingston 'side' street. We believe that the increase in street wall height is executed respectfully in this context, gradually rising from the sensitive Church Street frontage at the rear of 527 Church Street providing a natural integration with the future proposal at 9 Kingston Street.

120. With respect to the overall 12 storey height, this represents a substantial departure from recent approvals that form the emerging character in this part of Church Street and is of a height that would be highly visible and dominant both in the immediate vicinity and from further afield. In light of this, a detailed assessment of the proposal against the emergent character along Church Street is warranted.
121. As shown in the following table, the emergent character along this part of Church Street is mid-rise with heights ranging from five to ten storeys with only one case of an eleven-storey building (noting that the 11-storey building is a hotel development which has lower floor-to-ceiling heights and therefore has a substantially lower height in metres).

Site	Overall Height	Upper Level Setbacks from Church St
459 Church Street	10 storeys (39.9m)	5.5m (levels 4-8) 9m (level 9)
525 Church Street (subject application)	12 storeys (47.5m)	7m (levels 4–10) 18.5m (level 11)
511 – 521 Church Street	5 storeys (19.2m)	8m (levels 3-4)
506 – 510 Church Street	10 storeys plus roof terrace (41.4m)	5m (levels 3-7) 10m (level 8) 15m (level 9)
587 - 593 Church Street	11 storeys plus roof terrace (41.2m)	5m (level 4) 10m (levels 5–10)
600 Church Street	8 storeys plus roof terrace (33.4m)	2.2m – 3m

122. The table demonstrates that the proposed height of 47.5m is considerably taller than the emerging character in the area. The height proposed will result in a development that is unreasonably prominent in this context, attracting views to the substantial upper level and imposing a level of visual bulk that is not experienced along Church Street. The height proposed also creates an imbalance between the upper levels (eight storeys) and the Church Street podium (four storeys).

Council's urban design consultant assessed the proposed visual prominence, measured from the sightline of a pedestrian on the opposite footpath of Church Street. The analysis found that a large portion of the upper levels (roughly 6.5 stories) would be visible from this vantage point, or a visible vertical distance of 17.4m, as shown at figure 8 below.

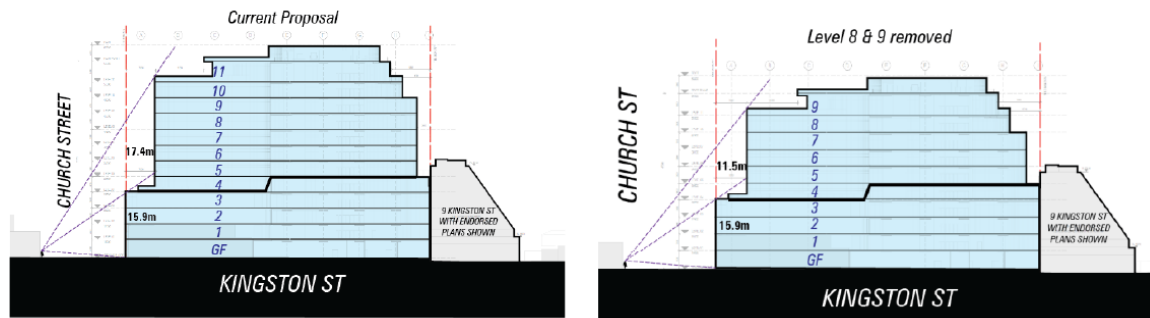


Figure 8: Excerpt from urban design advice showing the proposed visual impacts for pedestrians on the opposite side of Church Street (left) and the visual impacts if two storeys were deleted (Hansen, May 2022)

123. By deleting two storeys (levels 8 and 9), Council's urban design consultant found that the extent of upper-level visibility would reduce from a vertical distance of 17.4m down to a distance of 11.5m as shown above, which would significantly reduce the prominence of the building and the visual bulk of the upper levels. The deletion of two storeys also allows for:
 - (a) a more balanced composition, *assisting in reducing the visual impact of an overtly dominant 'top' in relation to its 'base'* as stated by Council's external urban design consultant;
 - (b) a reduced overall height of 10 storeys (or approximately 41.6m), which accords with the emergent character in the surrounding area including the developments at No. 506 – 510 Church Street (height of 41.1m) and No 587 – 593 Church Street (41.2m)
 - (c) a well resolved architectural form with no change to the number of 'steps' across the upper levels;
 - (d) a reduction in visual bulk impacts to residentially-zoned land to the east, as discussed in the following *Massing* section of this assessment.
124. A reduced height of ten storeys does not accord with the recommended height of 5 – 6 as per Council's SSSP, however as previously outlined, the SSSP cannot be relied upon as it was not incorporated into the Yarra Planning Scheme.
125. Based on these considerations, the proposed building height is supportable subject to the deletion of levels 8 and 9 and further consideration of off-site amenity impacts.

Massing

126. Setting aside the issue of building height, the proposal adopts a successful massing typology with a simple, integrated form that creates an elegant aesthetic. This is achieved through the following:
 - (a) Upper levels massed in a unified form with only one 'step' facing Church Street, zero 'steps' facing Kingston Street and only two 'steps' at the eastern interface;
 - (b) A sensitively-designed transition from the four-storey street wall at Church Street to the five-storey street wall at Kingston Street;
 - (c) Both the podium and upper levels have been designed to curve around the southwest corner of the site that creates a sense of visual interest;
 - (d) Appropriate upper level setbacks from the site's Church Street and Kingston Street boundaries (as discussed below);

127. The proposed upper level setbacks from the Church Street boundary (7m – 8.5m) allow for a good sense of distinction between the street wall and upper level forms, ensuring that they are read as a separate form to the Church Street podium levels. Council's external urban designer was satisfied that the upper levels are appropriate (subject to the aforementioned deletion of levels 8 and 9). Furthermore, level 11 of the proposed development is setback from Church Street by 18.5m which will lessen views of the top level from the immediate public realm.
128. A similar distinction is achieved by the 4.5m upper level setback from the Kingston Street boundary. Whilst less than the 7m upper level setback to Church Street, it will nevertheless provide a sizeable break between the Kingston Street podium and upper levels. Furthermore, the design response has included a masonry materiality along the Kingston Street podium levels which will provide an effective contrast to the glazed upper levels. Council's urban design consultant concurred stating that the setback:
- is adequate to achieve sufficient visual distinction between the 'base' and 'top'. The distinction between a more 'solid' podium through its use of bricks and framed windows provides sufficient contrast to the rising curtain glazed tower behind and above.*
129. With respect to the development's eastern interface, a five-storey eastern boundary wall is proposed, above which upper levels are set back from the site's eastern boundary as follows:
- (a) 3m (levels 5 – 9);
 - (b) 6.75m (level 10);
 - (c) 9.35m (level 11);
130. A key consideration for the eastern interface is that of visual amenity for the residentially-zoned dwellings located 23m east of the subject site. Council's SSSP states that development abutting a residential zone should adopt a 10m-high boundary wall and then upper levels should be set back within a 45 degree angle (see figure 9 below). Whilst the SSSP is not relied upon, this guideline does provide a tool for assessing visual impacts in the South Richmond context in the absence of any other test.

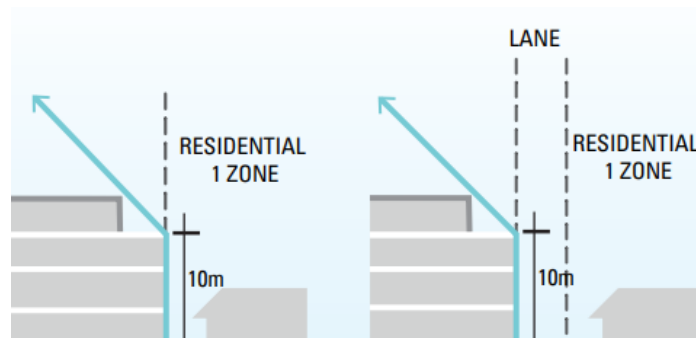


Figure 9: Excerpt from the SSP, showing guidelines for the preferred response to residentially-zoned land.

131. The subject site does not have immediate abuttal with residentially zoned land, so the 10m height would be measured from the eastern boundary of No. 9 Kingston Street. Council's urban design consultant prepared a graphic assessment of this guideline as shown at figure 10 below, with the proposed development shown to the left, and the proposed development with two levels deleted shown to the right.

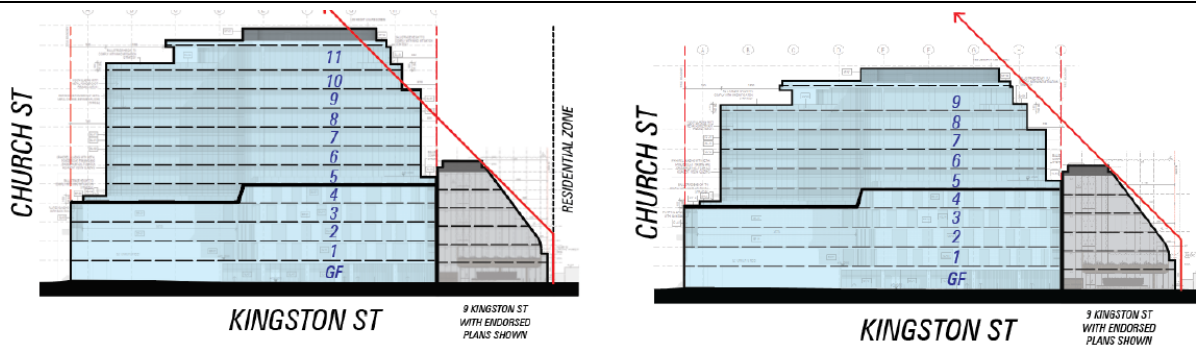


Figure 10: Massing of the proposed development (left) and with two levels deleted (right) (Hansen, May 2022)

132. The proposed five-storey eastern boundary wall is supported as this is a logical extension of the Kingston Street podium approved along the eastern boundary. Views of the eastern boundary will be obscured by the approved development at No. 9 Kingston Street.
133. The upper-level setbacks from the eastern boundary are also supported in-principle as they increase as the development ascends, mitigating visual impacts from the uppermost levels. The analysis at figure 10 above, however highlights that the proposed overall building height is the critical issue with respect to visual impacts to the eastern residentially-zoned dwellings. In its current form, the proposal would seek a sizeable variation from the SSSP guideline and substantial views of the upper levels would be possible from these dwellings (and the residentially zoned area more broadly). By deleting two levels (and with no changes to the eastern upper level setbacks), the development falls within the viewline test of the SSSP and visual impacts of the development from the eastern residential land will be substantially reduced. This analysis further highlights the need for the height of the proposal to be reduced by two storeys.
134. The development's massing response to the north and southwest will be discussed under the Equitable Development section of this report which is under the assessment heading of *Off Site Amenity*.

Public realm and pedestrian spaces

135. This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the use. This outcome has been achieved at ground level, with a high degree of glazing along both the Church Street and Kingston Street frontages, allowing views between the ground floor office area and the street, however a number of critical improvements are required as discussed in the following paragraphs.
136. With respect to the public realm response to Church Street, the principal pedestrian entry point has been provided here which, together with the landscaped bench seating will provide a high level of street activation along Church Street in accordance with policy objectives of clause 22.10 (see figure 11 below). The bench seating has been provided with a setback of 0.6m from the Church Street boundary, which will ensure users of the seating will not impede pedestrian circulation along the Church Street footpath. The entry itself is set back 2.55m from the Church Street boundary, which will provide space for employees to arrive at the building. A substantial lobby is also provided, which will create a strong sense of address complete with ample internal space for seating and a clear path to the lift lobby.

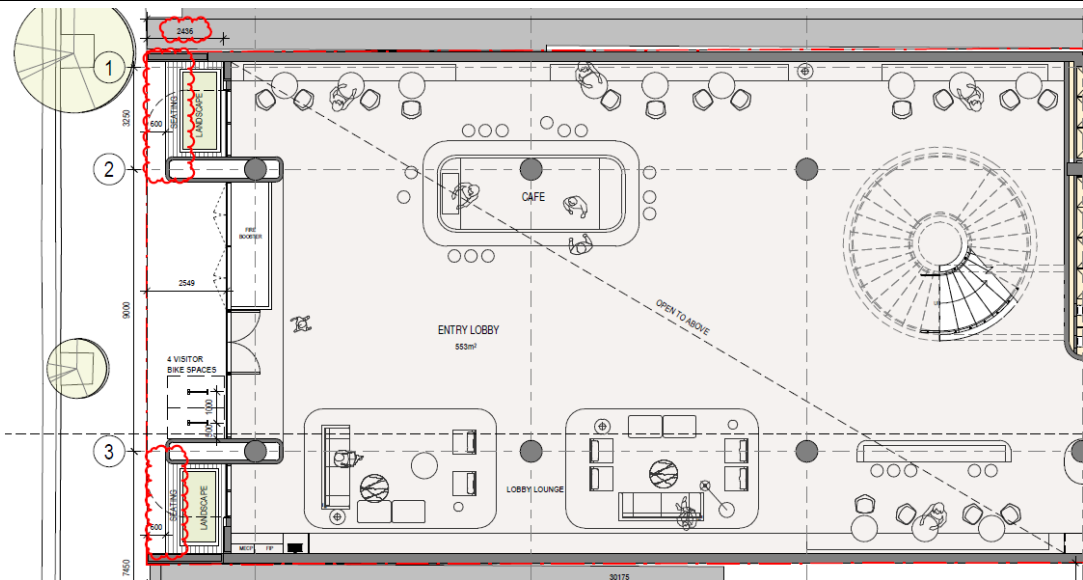


Figure 11: The public realm response along Church Street and the ground floor lobby (Applicant Submission, February 2022)

137. With respect to the Church Street public realm response, Council's Urban Design Unit found that:

the front entrance is set back from Church Street, which is welcomed. However, the configuration of the entrance doors, fire booster cabinet and bike parking is too tight. In particular, when the fire booster cabinets are open or when someone is locking up their bike this will partially obstruct the entrance.

138. For a development of this scale, it is agreed that the Church Street entry is overly cramped by the combination of fire booster cupboard and visitor bicycle spaces. Furthermore, the proposed entry doors are only double-width and should be increased in width to better reflect the scale of the building and the size of the lobby. To remedy this, the following conditions are recommended:
 - (a) relocate the four visitor bicycle spaces from the Church Street entry to the Kingston Street entry;
 - (b) increase the width of the Church Street entry doors to a minimum of 3.5m;
 - (c) provide signage at the Church Street entry advising that visitor bicycle spaces are available at the Kingston Street entry.
139. The relocation of the visitor bicycle spaces to the Kingston Street entry is appropriate in this case because a condition is also recommended to provide access for employee cyclists to the end of trip facilities from Kingston Street (this is detailed in the Bicycle Facilities section of this report). The recommended bicycle signage will ensure visitor cyclists arriving at Church Street are aware of the visitor bicycle spaces on Kingston Street.
140. Council's urban design consultant was largely satisfied with the public realm response, however recommended that the location of the Church Street fire booster cupboard be reconsidered. This recommendation will not be pursued for the following reasons:
 - (a) The public realm response at Church Street will be improved via the condition for relocated visitor bicycle spaces which will free up space at the entrance.
 - (b) The fire booster cupboard has been designed with a low height of only 1.2m (as shown at figure 12 below) which means that views into the building will be possible from the public realm, ensuring good activation of the street;
 - (c) The fire booster cupboards have also been designed to integrate with the architecture of the development with slatted metal cupboard doors in a powdercoated finish.



Figure 12: The proposed fire booster cabinet, Church Street Elevation (Applicant Submission, February 2022)

141. With respect to the Kingston Street public realm response, roughly half of the street frontage is taken up by the restricted retail premises, which has a high proportion of glazing ensuring good activation of the street. The restricted retail premises has a centrally-located entrance which is set back 1.82m from the Kingston Street boundary, ensuring sufficient space for pedestrian movements. A total of eight visitor bicycle spaces (four racks) are proposed along the Kingston Street frontage, with all of these being contained within the title boundaries of the subject site. The bicycle spaces, combined with the landscaped seating benches work to create a substantial improvement to the public realm along Kingston Street.

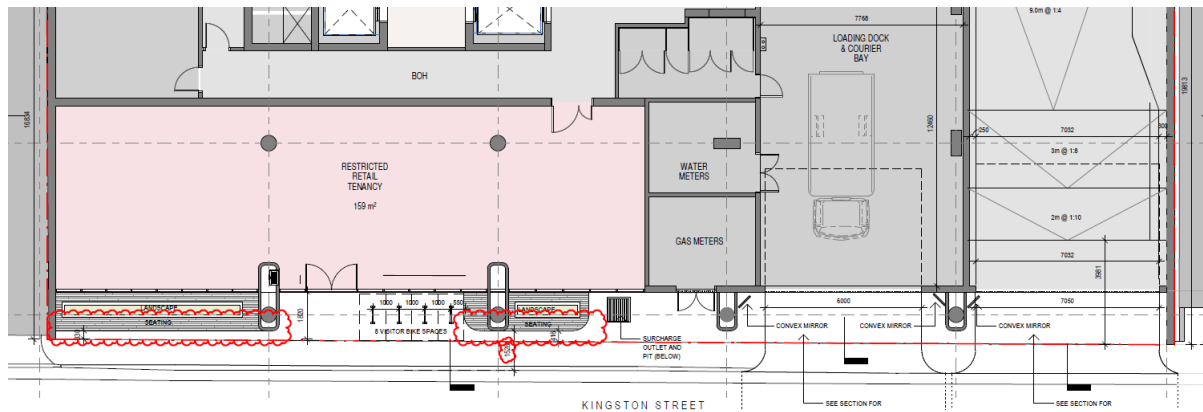


Figure 13: The proposed public realm response along Kingston Street (Applicant Submission, February 2022)

142. Council's Urban Design Unit made the following recommendations with respect to the Kingston Street public realm proposal:
- (a) Seating benches should be set back a minimum of 0.5m to ensure users of the seating do not block the narrow footpath;
 - (b) The visitor bicycle spaces should be shifted away from the restricted retail entry to ensure pedestrian movements are not affected by cyclists locking up their bicycle;
 - (c) Clarification of the proposed surcharge outlet and pit with this item to also be shown on the landscape plan;
 - (d) Consider increasing the depth of the landscaping planter boxes;
143. With respect to (a), this will be required by condition as the proposed bench seating has setbacks as low as 0.33m which is not sufficient along the narrow Kingston Street footpath.
144. With respect to (b), a preferred approach would require the restricted retail entry doors to have a minimum setback of 0.5m from the nearest visitor bicycle space, which would achieve the same effect. A condition will require this.
145. With respect to (c), the surcharge outlet pit is essentially a drainage grate and is not anticipated to affect the public realm outcome given it is located away from the title boundary in an area where pedestrians are unlikely to traverse. Furthermore, the landscape plan already shows this item. Therefore (c) will not be pursued.

146. With respect to (d), this is reasonable as the rear section of bench seating (i.e. adjacent to the windows) does not appear to serve any purpose. This recommendation would also ensure that the proposed plantings would have a better chance of survival and require less maintenance over time. A condition will therefore require the landscaping planter boxes along Kingston Street to have a minimum depth of 0.7m (they currently have a depth of approximately 0.4m so an increase to 0.7m depth is feasible without impacting the proposed seating configurations).
147. Towards the east of the restricted retail premises is a gas meter, loading bay (double width) and basement vehicle access (double width). These have been well designed through the use of metal slatted doors and screens to ensure a contemporary aesthetic that integrates with the architecture of the building. The metal slatted doors and screens also have a visual permeability of 25% which will enable views into the building, which is preferred to solid treatments. The landscape plans show that different paving materials are proposed to delineate the vehicle crossovers from the footpath areas as well as footpath tactiles at each end of the vehicle crossovers, which is a good outcome for pedestrian safety and legibility. Moreover the location of vehicle access from Kingston Street is supported as it is the best location in this case, with Church Street being the principal street frontage (and also impacted by higher traffic levels and tram services) and Selby ROW being substantially narrower and more difficult to access than Kingston Street.
148. The majority of services (including switch room, substation and waste area) have been provided either off Selby ROW or internal to the building. This is a positive public realm outcome as it allows the majority of ground floor frontage to be dedicated to glazing, entries and landscaping etc. Furthermore, at the Selby ROW entrance a large, landscaped seating bench area is proposed, which is clear to the sky and will provide an amenable area for occupants of the building. This area will be secure at night through the provision of a secure gate entry set behind the eastern title boundary.
149. Based on the above considerations, the presentation of the development to the public realm (subject to conditions) is well designed and will provide a positive interface with the street. Further changes to the Kingston Street frontage are recommended – these are covered in the *Bicycle Facilities* section of the report.

Architectural quality

150. Policy at clause 15.01-2S encourages high standards in architecture and urban design, whilst clause 22.10 encourages the design of new development to respect (amongst others) the pattern, spatial characteristics, fenestration, roof form and materials of the surrounding area.
151. As outlined earlier, there is an emergent character of higher built along the Cremorne / South Richmond segment of Church Street. These developments typically provide robust, rectilinear designs, high proportions of glazing across facades, and roof forms that are either flat or pitched in a contemporary fashion.
152. The dominant materials proposed are brick cladding, glazing and metal cladding. Brick cladding is expressed across the Kingston Street podium and the southern boundary wall (i.e. at the interface with No. 527 Church Street). This material provides a textured, masonry appearance which is encouraged at the lower podium level and also creates a distinction between the podium levels and the glazed upper levels.

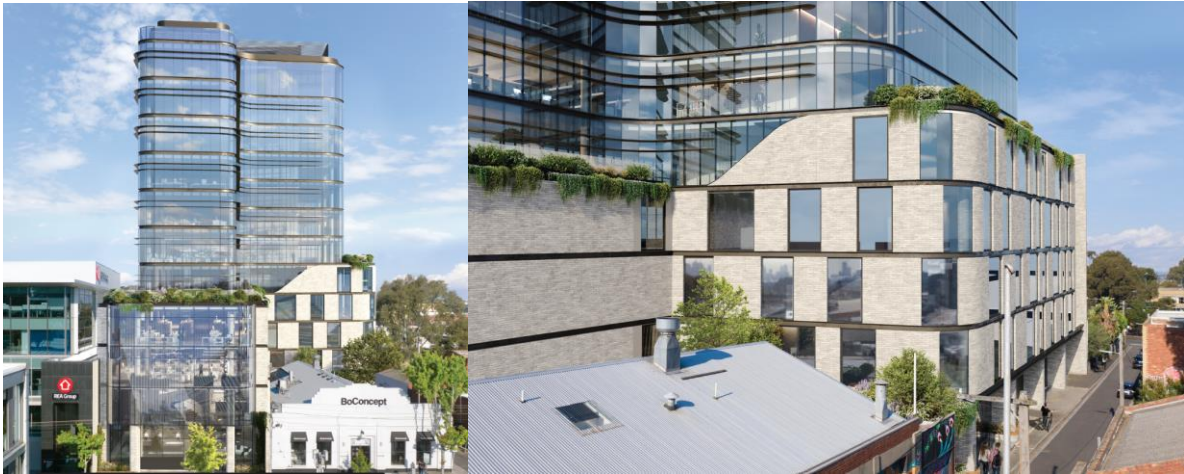


Figure 14: Rendered images of the development showing the proposed materiality and curved forms across the façade (Applicant Submission, February 2022)

153. Glazing is expressed across the upper levels and include:
 - (a) Clear double glazing (GL01);
 - (b) Spandrel glazing (GL02) at the top of each floor;
154. Glazing is also expressed across the podium levels facing Church Street in the form of fluted glazing. The high proportion of glazing across the development is consistent with the emerging character for office developments in the surrounding area. The extent of the glazing along the upper levels is effectively broken down through the use of spandrel glazing and the metal horizontal fins at each upper level. These elements assist in providing an articulated response to the public realm and ensure that glare impacts are not unreasonable.
155. Metal cladding is expressed in:
 - (a) the service screens and vehicle access doors at ground floor;
 - (b) horizontal fins across the upper levels, with two at each floor;
 - (c) the screens to the roof level plant area;
156. The use of metal cladding is appropriate as it adds a simple materiality that integrates the various components of the development.
157. Council's external urban designer were largely supportive of the architectural quality and the selection of materials proposed, however recommended that the depth of the metal fins at the upper levels be increased to add further articulation across these levels. This recommendation will be pursued via condition and this outcome will also assist with external shading.
158. The eastern boundary wall is proposed to feature street art which will provide a sense of visual interest until the property at No. 9 Kingston Street is developed. This is an appropriate arrangement, however the plans will need to show the final details of the street art to ensure it provides a satisfactory architectural outcome. This level of detail will be required by condition.
159. Given the scale of the development and the high quality architectural outcome shown on the plans, it is important that this architectural quality is achieved. This will be facilitated through the following:
 - (a) A condition for a façade strategy which will need to show high detail images and sections of the various façade elements and material treatments;
 - (b) A condition requiring the architect (Gray Puksand) or a similarly appropriate architect to Council's satisfaction to be involved during the construction stages of the development.

Landscaping

160. The development provides a substantial extent of landscaping including:
- (a) Planter boxes and green walls to the ground floor setback area along Church Street;
 - (b) Planter boxes along the ground floor setback area to Kingston Street;
 - (c) A large planter box and two green walls at the north-eastern ground floor courtyard;
 - (d) A large raingarden at level 01 located in the southwest corner of the site;
 - (e) Garden beds and planter boxes along the perimeters of the terraces at levels 4, 5 and 11;
161. The proposed landscaping is supported with ground floor plantings enhancing the pedestrian experience along Church and Kingston Streets and the landscaping proposed across the building façade will soften the appearance of the building and add a sense of visual interest.
162. Council's Open Space Unit raised no issues with the detail shown on the submitted landscape plan, however recommended that it be updated to include notes on the following matters:
- (a) Provide a planting plan and plant schedule for all landscape areas, showing proposed species, number of plants, height and width at maturity and installation size.
 - (b) Provide detail drawings for elements such planter boxes – showing dimensions, drainage, irrigation, lining, materials and growing media. Volumes of growing media need to be adequate for the plant species proposed.
 - (c) Provide information on proposed irrigation system.
 - (d) Provide a maintenance schedule, including task details and frequency.
 - (e) Demonstrate how maintenance contractors can safely access green wall planting above ground level, the rain garden on Level 01, and planters on the outside of balustrades, such as on Level 05.
 - (f) Load bearing weights for the building structure need to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, tree and plant mass being proposed to ensure the viability of the Level 01 rain garden.
 - (g) Provide a non-trafficable roof garden to the inaccessible east-facing terrace at level 10 to contribute positively to local heat mitigation;
 - (h) Increase the size and soil depth of the level 11 terrace plantings to ensure that these plants can thrive in the harsh roof level conditions;
163. All of these recommendations can be pursued by way of condition for an amended landscape plan, except for (f) as this is a non-planning matter and also (h) as the provision of a tree at level 11 terrace would require a substantial reconfiguration of the terrace and there may not be sufficient space for deep soil planting in this location.
164. Additionally, a condition will require the development plans to be updated to show any change relevant to the satisfactory landscape plan, thus ensuring that the two plans are consistent.

Street Trees

165. The subject site has two street trees along its Church Street frontage and zero street trees along its Kingston Street frontage. The application does not propose to remove any street trees. Council's Civil Works (Open Space) Unit reviewed the application and advised that the two street trees along Church Street have an amenity value of \$4,480 (ex GST). Therefore a condition will require an Asset Protection Bond to this value to be provided by the permit holder.
166. A Tree Management Plan was not submitted as part of the application but will be required by condition to ensure that the two street trees are effectively protected during the construction phase.

Site coverage

167. The majority of the land will be covered in built form, with the exception of small sections at the Church Street frontage and the clear-to-the-sky area towards the northwest corner of the subject site. Whilst the development does not achieve the recommended maximum site coverage of 80% in accordance with Clause 22.10, this is acceptable because the proposed high site coverage is similar to that of commercial buildings in proximity to the land, with intensive development a characteristic of the surrounding C2Z area. The extent of site coverage is considered acceptable based on the context of the land and this aspect of the development is not considered to result in a visually bulky or imposing building. Further, the provision of landscaping and footpath widening across the Church Street and Kingston Street frontages, will help to provide a sense of spaciousness when viewed from the immediate public realm.

Laneway Abuttal

168. Clause 22.07 of the scheme aims to maintain the unique character of laneways, ensure that development abutting laneways respects the scale of surrounding built form and that vehicle access via laneways will not detrimentally impact other users of the laneway.
169. The subject site abuts Selby R.O.W. to the north, which, is a narrow laneway providing a 'back of house' context with no residential abuttal. The ROW ends at its interface with the subject site and therefore does not act as a thoroughfare for pedestrians. As previously outlined, the proposed courtyard at the ROW entrance is well resolved. The courtyard will be secure at night through the use of a secure gate entry which is set back behind the subject site's eastern boundary.
170. Council's Strategic Transport Unit were not supportive of Selby ROW being the only access point for cyclists. This will be explored in detail under the *Bicycle Facilities* section of this report.

Light and shade

171. The submitted shadow diagrams show that the proposed development will result in some shadowing to the western footpath of Church Street at 9am on the equinox and then again at 10am. From 11am to 3pm, the proposed development will not result in any new equinox shadowing to the western footpath of Church Street.

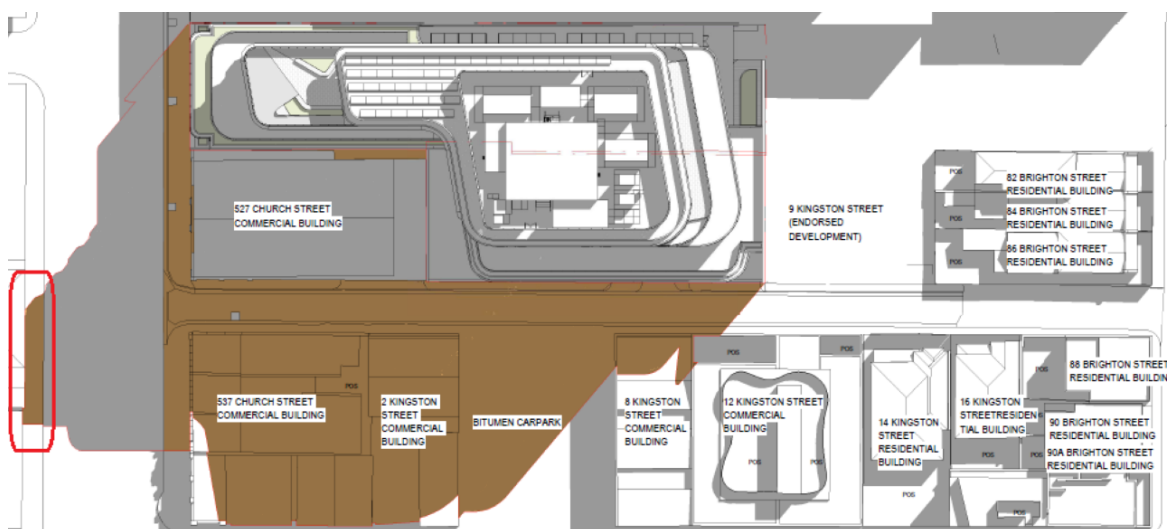


Figure 15: Extent of 10am equinox shadowing (circled in red outline) on the western footpath of Church Street (Applicant Submission, July 2022)

172. The proposed footpath shadowing at 9am is supported given that equinox shadows at this time are difficult to mitigate due to the position of the sun and that equinox solar access commencing from 10am is broadly considered to be a benchmark for good solar amenity for the public realm (and is featured as a requirement in many of Council's recent Design and Development Overlays).
For this reason, the proposed western footpath shadowing at 10am is not supported. Furthermore, as shown above at figure 15, the proposed shadowing covers the entire width of the footpath (rather than just a portion of the width), further highlighting the impact on public realm solar access. This issue is another reason that the building height needs to be reduced by two levels. It is likely that a reduction of two storeys will remove most (if not all) of the equinox footpath shadowing at 10am.
173. The proposed development will also result in new shadowing to the southern footpath of Kingston Street, with shadows cast consistently between 9am and 3pm on the September equinox. However, Kingston Street is very narrow, which makes it impractical for new development to avoid overshadowing the southern footpath. The footpaths along Kingston Street are also affected by a number of existing vehicle crossovers. This is reflective of the commercial nature of the area. For these reasons the proposed shadowing to the Kingston Street southern footpath is supported.

On-Site Amenity

174. The development is considered to achieve a high level of on-site amenity through the following:
- (a) provision of a suite of ESD features including indoor air quality monitoring and excellent daylight access with the majority of office space provided with daylight from three (and in some cases four) aspects;
 - (b) five terraces across the development for office employees, the majority of which are provided with landscaping;
 - (c) a landscaped courtyard that is clear to the sky at the northeast corner of the site;
 - (d) Substantial provision of bicycle parking for both employees and visitors and end of trip facilities for employees.
175. With regards to the wider ESD features proposed for the development; rainwater will be harvested in a 15KL tank for use in landscape irrigation and toilet flushing, a 14kW array of solar panels will be located on the roof and sustainable products will be used throughout the design. These features (amongst others) achieve a Green Star Rating of 5 stars (total Green Star score of 80 points), with a 5 star rating signifying 'ESD excellence'.
176. To ensure that the development will actually achieve the stated Green Star Rating, Council's ESD Advisor recommended the following deficiency in the SMP be addressed:
- (a) *While the proposal achieves a total (reach target) of 80 points using Green Star D&AB v1.3, this approach of equivalency without certification through the GBCA is no longer acceptable for town planning submission. Please confirm formal certification through GBCA (who have [communicated about non-certified projects](#)), or revise SMP and use an acceptable framework such as BESS.*
177. The above recommendation is important in ensuring that the development is constructed in accordance with certified assessment tools. This is considered necessary and a condition will require the SMP to be revised accordingly. In addition to the above, Council's ESD Advisor outlined that the following information was missing from the plans and/or SMP:
- (a) Provide analysis to support external view target being met.

- (b) Clarify % improvement over NCC requirements and provide a JV3 report that compares the proposal (fabric, services etc) against a reference building to support claims.
- (c) Clarify HWS proposed for the building (consider all-electric / gas-free) and include within the JV3.
- (d) Clarify HVAC system proposed for the building and include within the JV3
- (e) Clarify how the basement car parks are to be ventilated.
- (f) Amend rooftop plan (TP03.14) to show solar PV system size (not just numbers of panels)
- (g) Confirm utility metering will be provided for each individual tenancy.
- (h) Confirm that that post-development stormwater flows will not exceed pre-development levels.
- (i) Confirm details of any additional stormwater treatment strategies required to exceed BPEMG targets
- (j) Confirm inclusion of recycled materials (e.g. bricks) or products with post-consumer content (e.g. Glass wool/polyester insulation).
- (k) Amend basement plans to clearly identify locations for: fuel-efficient vehicles, motorcycle parking and EV charging.
- (l) Update GTP to reflect commitments around fuel-efficient and EV parking. Confirm site coverage of proposed landscaping and consider using the Green Factor Tool to assess the green infrastructure provision in terms of volume and ecosystem services provided.
- (m) Clarify how the building and landscape design has responded to and mitigated urban heat impacts. High-SRI roofing is strongly encouraged, as is lighter external finishes to assist with urban cooling.
- (n) Given the age of GS D&AB v1.3 some of these commitments (i.e. ultra-low VOC paint) are no longer innovative, having been incorporated into commercial developments for the past few years. Amend innovations claims accordingly within revised SMP that replaces the non-accredited Green Star with an acceptable framework such as BESS.
- (o) Confirm engagement of a head contractor with a valid ISO 14001 accreditation.

178. With respect to (a), this will not be pursued as views / outlook are not considered to be a critical element of ESD (and in any case the development has a high degree of clear glazing which will ensure good outlook). Otherwise these improvements and updates can be included as conditions for an updated SMP. Further, a condition can be added to condition 1 to ensure that all details associated with the endorsed SMP be included on the development plans.

Off-Site Amenity

179. Clause 15.01-2S of the Scheme aims to provide building design that minimises the detrimental impacts on neighbouring properties, the public realm and the natural environment, with potential impacts relating to overshadowing of SPOS, loss of daylight to windows, visual bulk and overlooking of sensitive areas. The relevant policy framework for amenity considerations is contained within clauses 22.05 and 22.10 as well as the decision guidelines of the Commercial 2 Zone at Clause 34.02-7 and the design objectives and decision guidelines of Schedule 2 to the Design and Development Overlay.

180. As previously identified, the subject site has commercial interfaces at all boundaries, however is proximate (within 23m) of nearby residentially-zoned dwellings towards the east.

Daylight to windows

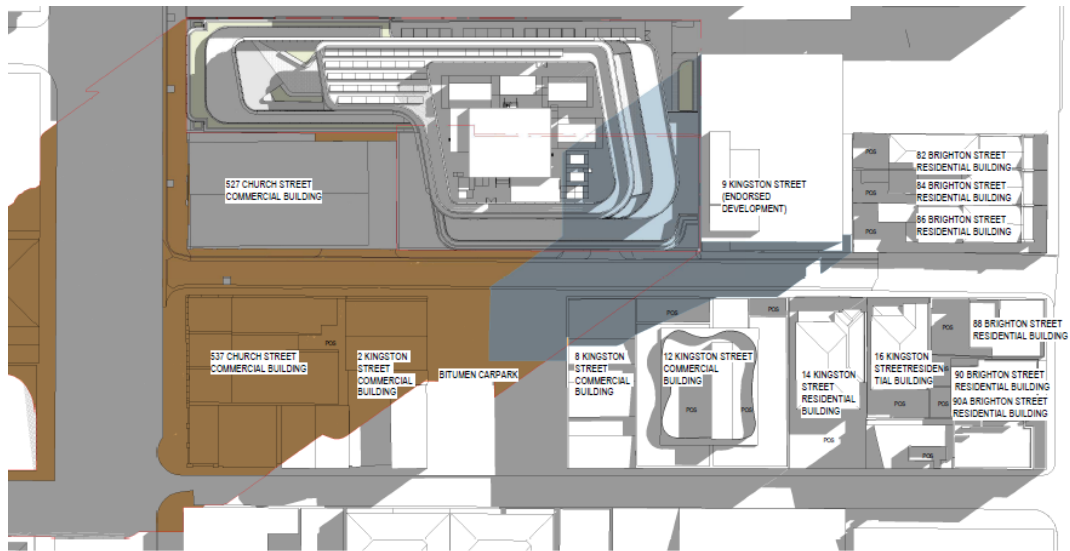
181. The closest habitable room windows (for a dwelling in a residential zone) addressing the subject site are the west-facing windows of No. 82 Brighton Street, which have a minimum setback of approximately 27 metres from the proposal's eastern boundary wall (which has a height of 21.2m). Whilst not strictly applicable, this would comply with Standard A12 (Daylight to habitable room windows) of ResCode (Clause 54) as:

- (a) the setback (27m) from the eastern boundary wall is greater than half (13.6m) of the height of the eastern boundary wall (21.2m).
- (b) the setback (36m) from the eastern level 11 wall is greater than half (23.75m) of the height of the level 11 wall (47.5m).

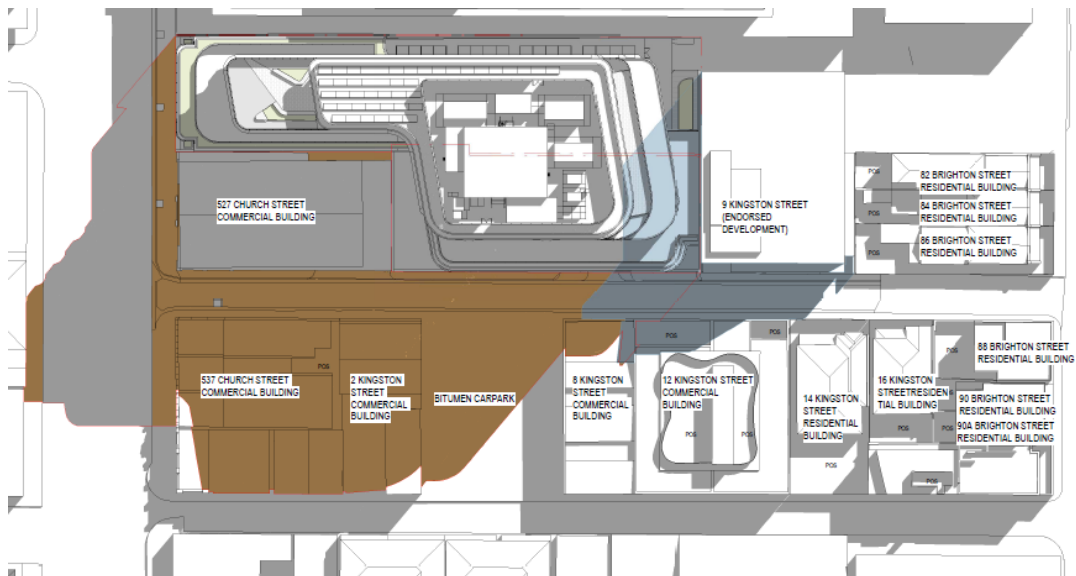
182. Whilst not applicable for office developments in the C2Z, the above compliance gives evidence to the minimal daylight impact on nearby dwellings proposed by the development. Furthermore, the daylight impact to residentially-zoned dwellings will be further reduced by the recommended deletion of two levels (which is required for visual bulk reasons, as discussed in this report).
183. The commercial properties on the southern side of Kingston Street (No. 537 Church Street and Nos. 2 - 12 Kingston Street) will experience some loss of daylight to their north-facing windows in the morning hours. This is appropriate as Kingston Street will continue to provide a buffer between these sites and the subject site to ensure continued adequate daylight access. Furthermore, these sites are all located in the Commercial 2 Zone and the proposed impacts to daylight are anticipated in this commercial context.

Overshadowing

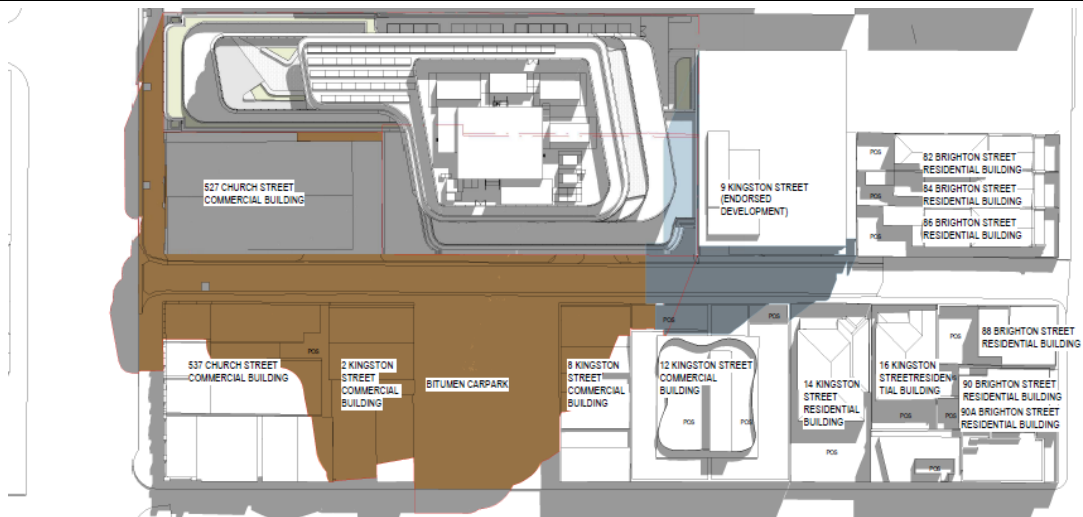
184. The decision guidelines of the Commercial 2 Zone and local policy at Clause 22.10 call for new development to consider overshadowing impacts to nearby land in residential zones (including shadowing to existing solar energy facilities). Although not strictly applicable in this instance, and in the absence of any other test, Standard B21 of Clause 55 notes:
- (a) *Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September; and*
 - (b) *If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.*
185. Given there are no dwellings to the north or west of the subject site, there will be no shadow impacts to dwellings for these aspects.
186. The dwellings to the east of the subject site (Nos. 82 – 86 Brighton Street) will experience some new shadowing to their respective areas of SPOS. The submitted shadow diagrams have incorporated the equinox shadows generated by the approved development at No. 9 Kingston Street (showing these shadows in dark blue). The additional shadows generated by the proposed development have been shown in dark orange, as shown at figure 16 below.
187. The shadow diagrams confirm that, when accounting for the shadows of the approved development at No. 9 Kingston Street, there will be no new equinox shadowing to Nos. 82 – 86 Brighton Street at 9am, 10am, 11am, 12pm, 1pm and 2pm. This highlights that the proposed development has been designed to minimise any additional shadow compared to those generated by the approved development at No. 9 Kingston Street. New shadowing would affect Nos. 82 – 86 Brighton Street at 3pm, however this is limited to the roofing and front gardens of the dwellings (rather than the rear areas of SPOS which would already be in shadow from the approved development at 9 Kingston Street).



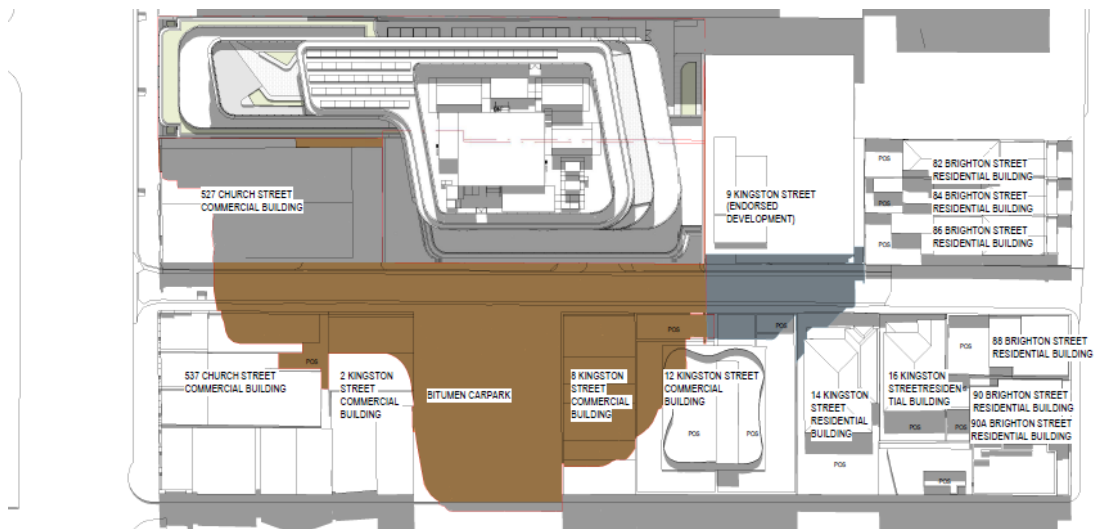
1 Sep 22, 9am



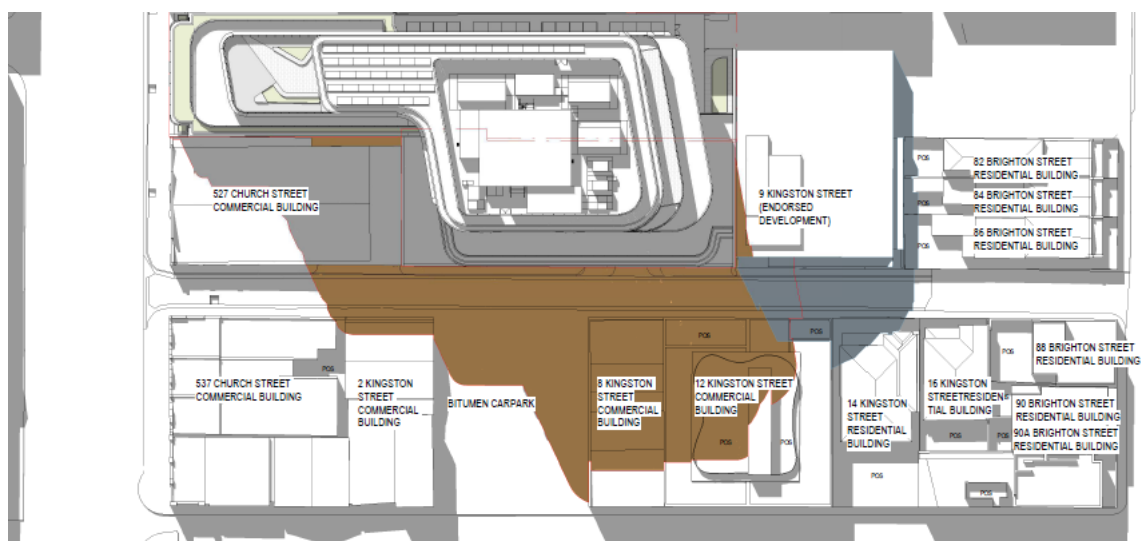
2 Sep 22, 10am



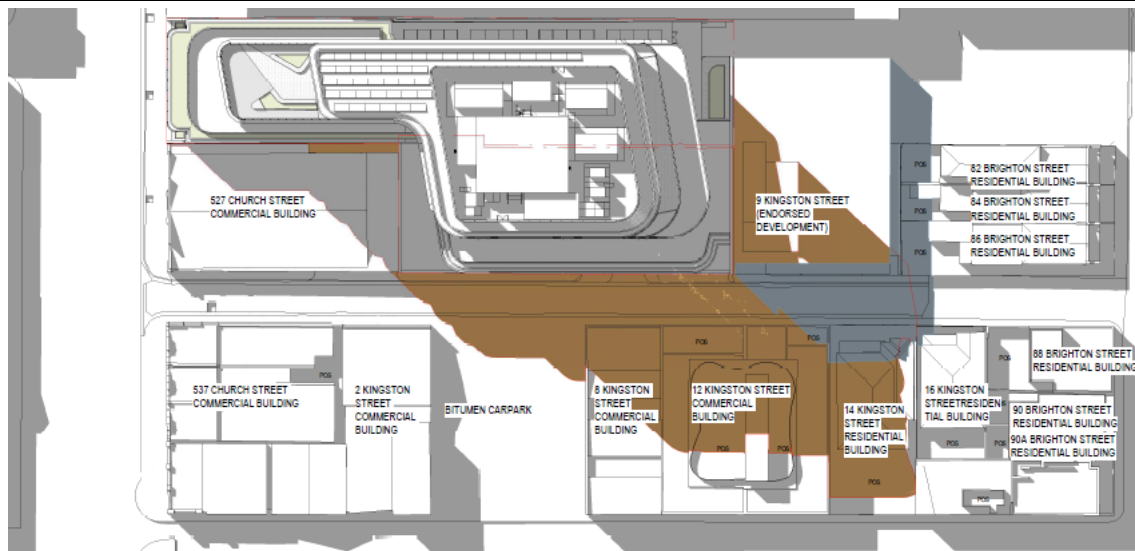
Sep 22, 11am



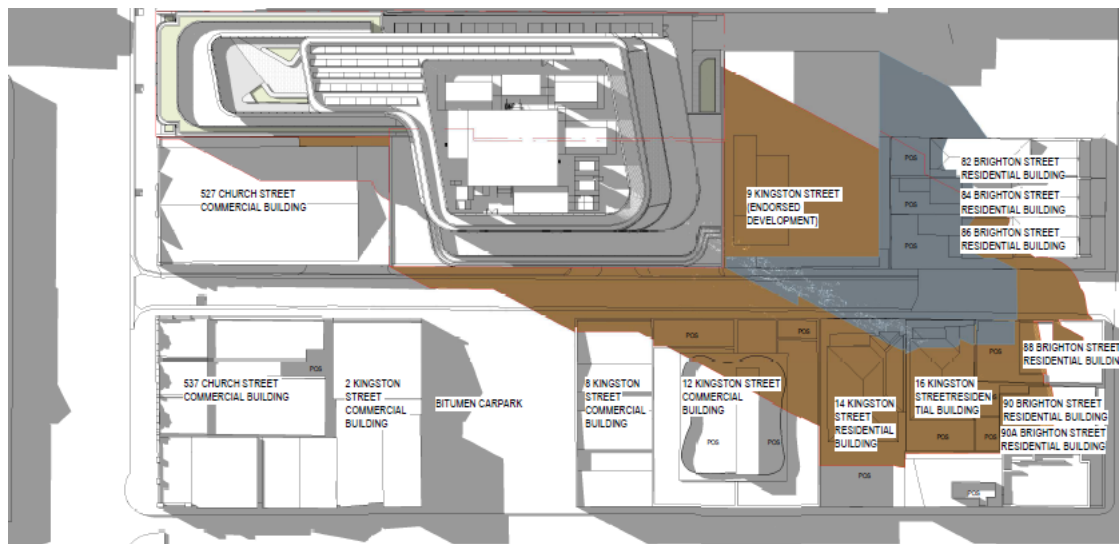
Sep 22, 12pm



Sep 22, 1pm



1 Sep 22, 2pm



1 Sep 22, 3pm

Figure 16: Shadow diagrams at each hour in ascending order from 9am - 3pm (Applicant submission, July 2022)

188. With respect to the residentially-zoned dwelling at No.16 Kingston Street, a small section of new equinox shadowing will occur within its rear area of SPOS, with no new equinox shadowing occurring in its SPOS at any other time between 9am and 3pm. This extent of new shadowing is supported as the impact will be negligible and the dwelling is located at the interface with the Commercial 2 Zone. Some new equinox shadowing will occur to the front area of private open space (i.e. the front setback and verandah) however this is not the dwelling's area of secluded private space and shadowing is to be expected at the interface with the Commercial 2 Zone.
189. Due to the extent of existing equinox shadows, the area of SPOS at No. 14 Kingston Street (a dwelling located in the C2Z) will not experience any new equinox shadowing as a result of the proposed development. New shadowing will occur in its front area of private open space however this is supported given that the dwelling is a non-conforming use in the C2Z where dwellings are prohibited.
190. No 88 Brighton Street (a residentially-zoned dwelling) will experience new equinox shadowing at 3pm as a result of the proposed development. This is supported given that:
 - (a) 3pm shadows are difficult to mitigate due to the location of the sun;

- (b) The dwelling will retain good solar access between the equinox hours of 10am and 2pm, with more than half of the SPOS unshaded between the hours of 11am and 1am.
- (c) The proximity of the dwelling to the C2Z.

191. Whilst the proposed extent of overshadowing to all nearby dwellings is supported, it is important to highlight that shadow impacts will be reduced by the recommended reduction in height of two levels, which is sought due to visual bulk impacts and building height more generally as outlined previously.
192. With respect to solar energy facilities, the nearest to the subject site is located to the south at No. 10-12 Kingston Street. Aerial imagery shows that the property has solar panels across most of the roof area with more panels located in the southern half of the site (see figure 17 below). The northernmost panels will experience new equinox shadows at 12pm, 1pm and 2pm. This extent of solar panel overshadowing is supported given that at the time of worst-equinox impact, more than half of the solar panels will retain solar access. Notwithstanding this and as highlighted previously, the recommended deletion of two levels from the building height will also reduce shadowing to the property's solar panels.

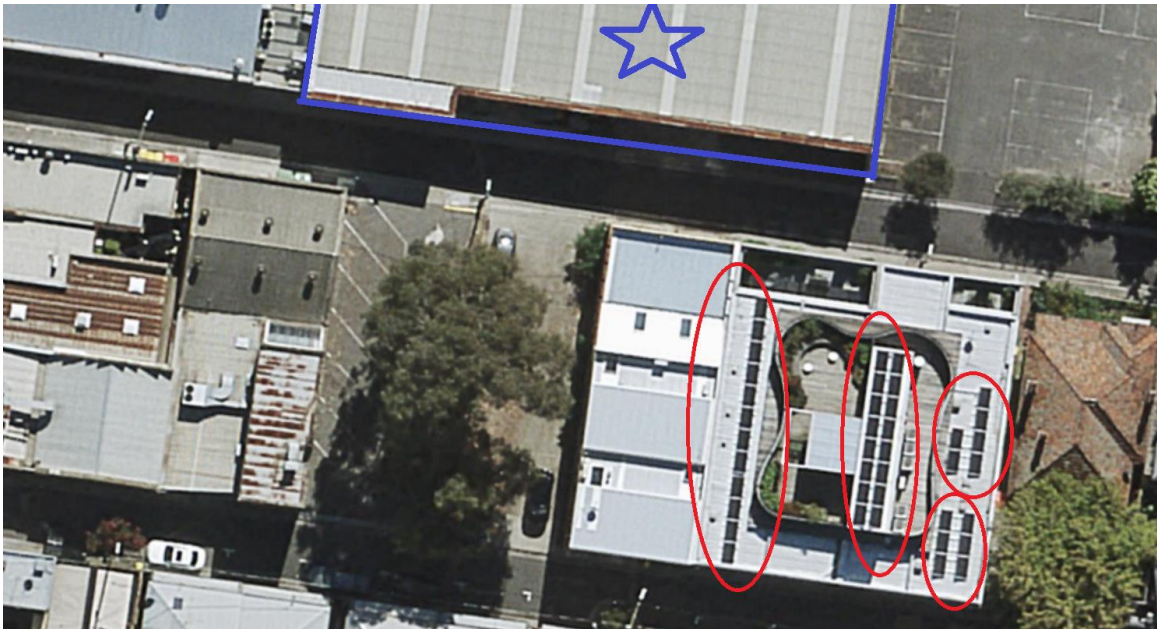


Figure 17: Solar panels at No. 10-12 Kingston Street (red outline) to the southeast of the subject site (Council GIS, April 2022)

193. In the above considerations, the proposal satisfies the decision guidelines of the Commercial 2 Zone and local policy at Clause 22.10 with regard to overshadowing.

Overlooking

194. The decision guidelines of the Commercial 2 Zone and local policy at Clause 22.10 call for new development to consider overlooking impacts to nearby land in residential zones. Clause 22.10 offers the following guidelines for mitigation of overlooking:

New residential development that contains a habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling or a dwelling's secluded private open space located within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio, should be either:

*Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
Have sill heights of at least 1.7 metres above floor level.
Have fixed obscure glazing in any part of the window below 1.7 metres above floor level.*

Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25% transparent.

195. The above policy is not applicable to the proposed development as it is not a residential development. However, it can be used as a guide for the purpose of assessing overlooking impacts.
196. Given that there are no dwellings located within 9m of the subject site, regardless of any proposed screening, the development would comply with the overlooking requirements of clause 22.10. The nearest residentially-zoned dwellings are at Nos. 82 – 86 Brighton Street which have areas of SPOS that are located 23m from the subject site. This is a substantial buffer and will ensure no unreasonable overlooking impacts result. Furthermore (and whilst not relied upon) it is relevant to highlight that the approved development at No. 9 Kingston Street would minimise views from the proposed development into the SPOS of Nos. 82 – 86 Brighton Street.
197. The proposed development will mitigate overlooking impacts in accordance with the decision guidelines of the Commercial 2 Zone and local policy at Clause 22.10.

Visual Bulk

198. Clause 22.10 calls for new development to be well designed in terms of both massing and materiality to minimise visual bulk impacts to nearby sensitive uses such as dwellings. Visual bulk impacts have been discussed at length in the *Building Height* and *Massing* sections of this report. As identified in these sections, the recommended deletion of levels 8 and 9 will substantially mitigate visual bulk impacts as viewed from the nearby residentially-zoned dwellings.

Noise Impacts

199. Clause 13.05-1S states that community amenity should not be reduced by noise emissions. Similarly, local policy at clause 22.05 calls for commercial development to consider noise attenuation in its design response. The application proposes three different uses – restricted retail and food & drink premises at ground floor, with the remainder of the building used for office. All three uses are section 1 uses under the C2Z and therefore do not require a planning permit (and as such, conditions cannot be placed on a permit to restrict the operational capacity of these uses). In any case, the proposed restricted retail and office uses are not associated with problematic noise impacts. As confirmed by the sketch plan received 13 July 2022, the proposed food and drink premises will be located internally at ground floor with an area of 23sqm.
200. With regard to the proposed development, the applicant submitted an acoustic report which makes the following recommendations:
- (a) The use of 10.38mm laminated glass at podium levels;
 - (b) The use of 6.38mm laminated glass at upper levels;
 - (c) A commitment that the mechanical services will be designed with acoustic attenuation to comply with Green Star targets
201. Council's acoustic consultant peer reviewed the acoustic report and found that it was largely satisfactory, however made the following recommendations to ensure that the stated noise attenuation will be achieved by the development:
- (a) Background noise levels should be taken at the site during the evening and night time to ascertain the resultant Noise Protocol limits for the site;
 - (b) The inclusion of a commitment that a detailed acoustic review be conducted once the specifications of the mechanical plant is available;
 - (c) The inclusion of a commitment that the lowest-noise mechanical plant equipment available (as appropriate for the development) be utilised;

202. These recommendations are reasonable and will ensure that the development achieves its stated noise attenuation levels. The recommendations will be required by way of conditions for an amended acoustic report. A condition will also require the development plans to show any detail from the satisfactory acoustic report (where relevant to show on the plans).
203. In addition to the acoustic report, a condition will require the development to comply at all times with the EPA noise regulations that apply to commercial developments (the EPA Noise Protocol). These measures will ensure minimal noise impacts arising from the development in accordance with State and Local planning policy.

Wind Impacts

204. Wind impacts relate to the public realm (with a particular focus on potential impacts to pedestrians using the public realm) and also to on site amenity for any external areas such as balconies of terraces. A desktop wind assessment was undertaken as part of the application which found that the development (in its current form) would be expected to result in wind conditions:
- (a) achieving the walking comfort criterion within the public realm along the Church Street and Kingston Street footpaths;
 - (b) outside the main pedestrian entrance on Church Street and the restricted retail entrance on Kingston Street achieving the standing comfort criterion;
 - (c) at the level 11 terrace achieving the walking comfort criterion but wind tunnel testing is needed to determine the necessary wind mitigation devices.
205. The expected wind conditions to the public realm and building entrances are supported, as these are the minimum standards expected. The level 11 terrace however, has a higher amenity expectation as it has a substantial area for seating and would be used as the principal terrace for the building. Given this, the walking comfort criterion is not considered sufficient, and a condition will require a wind tunnel impact assessment to be undertaken to demonstrate that a part of the level 11 terrace can achieve the standing comfort criterion. Council's wind consultant peer reviewed the applicant's wind impact assessment and concurred, stating that the terrace should be assessed as a public area rather than a private, which would typically require the standing comfort criterion to be achieved at a minimum.
206. The desktop wind assessment also found that wind tunnel testing is needed to determine if additional wind mitigation strategies are needed to ensure that the terraces at levels 4 and 5 achieve the walking comfort criterion. A condition will require this as part of the wind tunnel report. Achieving the walking comfort criterion at these terraces is supported as these are smaller terraces and are not shown with substantial seating areas.
207. The desktop wind assessment fails to discuss the terrace at level 10. Thus a condition will require the wind tunnel report to demonstrate this terrace achieving the walking comfort criterion. Furthermore, Council's wind consultant recommended that the report also assess the north-eastern ground floor courtyard and the bench seating along the Church Street frontage. A condition will require the north-eastern courtyard to be assessed, achieving a minimum of the standing comfort criterion given that a large seating area is proposed in this location. Assessment of the bench seating along Church Street is not considered necessary as these are likely to be used for short periods of time (and the report has already found that the footpaths along Church Street will achieve the walking comfort criterion).
208. In summary, with the inclusion of the above recommended conditions, the development will mitigate impacts satisfactorily. A general condition will also require the plans to show any relevant detail required by the satisfactory wind tunnel report, to ensure that these are shown on the plans and designed to integrate with the architecture of the building.

Equitable Development

209. To ensure the 'fair, orderly, economic and sustainable development of land' in accordance with the objective of the Act, matters of equitable development must be considered. In this instance, the site is separated from land to the south by Kingston Street (width of approximately 7m) and to the northwest by Church Street (width of approximately 20m). Thus, for these interfaces, there is no equitable development issues posed by the development.
210. The land to the east is also located in the C2Z and not affected by heritage controls. This site's interface with the NRZ means it has a lower development potential than the subject site, particularly at its eastern edge. The approved development under Planning Permit PLN19/0025 gives a realistic sense of the maximum development capacity for the site. The subject application has responded to this property with a five-storey solid boundary wall along the common boundary and upper levels with eastern setbacks of 3m or more. The proposed boundary wall is an appropriate equitable development response as it removes any amenity expectations at this interface. The upper level setbacks are also appropriate, with 3m consistently cited as the minimum building separation required between commercial buildings to retain amenable daylight (a number of recent Design and Development Overlays within Yarra have been introduced with building separation requirements of 3m where non-residential windows are proposed).
211. The site to the south-west (No. 527 Church Street), like the subject site, is located within the Commercial 2 Zone with no heritage controls and thus has robust development potential, warranting an assessment of equitable development. The proposed development has responded to No. 527 Church Street as follows:
- (a) A solid boundary wall along the adjacent site's northern boundary wall at the podium levels;
 - (b) All upper levels facing the adjacent site's northern boundary provided with a setback of 3m from the common boundary;
 - (c) The southern area of the level 04 terrace (facing the adjacent site's northern boundary) being set back approximately 1.2m from the common boundary;
 - (d) A west-facing solid boundary wall at ground floor along the adjacent site's eastern boundary
 - (e) Levels 1-11 set back a minimum of 3m from the common boundary along the adjacent site's eastern boundary.
212. This response is supported as the boundary wall results in no amenity expectations at these interfaces and the 3m setbacks provide sufficient space for daylight retention (as discussed above). The southern area of the level 4 terrace is set back only 1.2m however this is supported as it is a narrow, south-facing section of the terrace and is not anticipated to be a high amenity part of the terrace (amenity will be provided at the principal, west-facing area of the terrace).
213. The site to the north (no. 511 Church Street) is currently development with a five-storey office. Given the height of this building, a wholesale redevelopment of the property is unlikely but it is possible that an extension could be pursued to the height given recent approvals for up to 10-11 storey developments in the surrounding area. The proposed development has responded to this site with:
- (a) A part 3-storey, part 4-storey boundary wall along the common boundary;
 - (b) All upper levels provided with a setback of 3m from the common boundary;
 - (c) A north-facing terrace with a setback of approximately 1m from the common boundary.

214. The boundary wall is supported as it removes amenity expectations at this interface. The upper level setbacks are also supported given they achieve the 3m setback for the purposes of daylight retention as discussed above. The north-facing terrace is supported in this case because it is not the primary section of the terrace, but rather a narrow extension of the main west-facing area of the terrace. Amenity for this terrace is not anticipated to be gained from the narrow northern section and thus the setback proposed is adequate from an equitable development perspective.
215. In summary, the proposed development has successfully incorporated equitable development principles into the massing scheme. No issues pertaining to equitable development were raised by Council's external urban designer.

Car Parking, Vehicle Access, Traffic, Loading and Waste:

Provision of car parking

216. The proposed development would provide 67 on-site car parking spaces across the two proposed basement levels. As previously outlined, the proposal triggers a car parking reduction of 273 spaces.
217. The proposed car parking provision (and associated car parking reduction) are supported for the following reasons:
- (a) On-street car parking in the surrounding area consists largely of 1 hour, 2 hour and permit-restricted spaces. The lack of long-stay car parking in the surrounding area will significantly reduce car parking demand for both employees and visitors to the proposed development. Further, the permit-restricted spaces in the area will continue to protect car parking availability for existing, permit-holding residents.
 - (b) The site has excellent access to public transport, including tram services on Church Street (at the site's frontage), tram services on Swan Street (within 400m) as well as East Richmond Railway Station (within 400m);
 - (c) The provision of bicycle infrastructure in the surrounding area, including the Main Yarra Trail (500m south) which is a highly utilised commuter route for cyclists. The area also has shared lane markings for bicycles including on Church and Swan Streets. Further, the proposal provides in-excess of the bicycle space requirements prescribed by the Scheme. These measures (as well as the proposed end of trip facilities) will encourage employees to arrive via bicycle. Highly visible bicycle spaces along Kingston Street will similarly encourage visitors to ride to the development;
 - (d) Local planning policy at clauses 18.02, 21.03, 21.06-3 and 21.07 encourages reduced rates of car parking provision for development sites within close proximity to public transport routes and activity centres.
 - (e) Traffic is a key issue affecting the road network, particularly in Cremorne and southern Richmond. Providing fewer car spaces will ensure that the development does not generate any unreasonable increase in traffic levels for the surrounding road network.
 - (f) The report recommends approval subject to the deletion of two levels – this will substantially reduce the quantity of approved office floor area and thus lessen the car parking reduction sought under Clause 52.06;

- (g) Council's Engineering Services Unit reviewed the proposed car parking provision and raised no issue to the proposed reduction, stating that *the operation of the development should not adversely impact on the existing on-street parking conditions in the area*. Further, Council's Engineering Services Unit highlighted that the proposed car parking provision (at a rate of 0.59 car spaces per 100sqm of floor area) is similar to that of other office developments recently approved by Council in Cremorne and Collingwood which ranged from rates of 0.54 to 0.89 spaces per 100sqm floor area.

Vehicle Access

218. The application seeks to provide access to the basement car parking area via a double-width access door and ramp from Kingston Street. The proposed loading dock (located immediately west of the basement entry) is also accessed off Kingston Street by a double-width crossover. Visibility for vehicle ingress and egress has been provided in the form of a convex mirrors - one located at the western side of the entrance of the basement car park and one located at the eastern side of the loading dock entrance. Other than requesting additional information to be shown on the plans, Council's Engineering Services Unit did not raise any issues with vehicle access and safety. The following recommendations were made by Council's Engineering Services Unit:
- (a) The existing, on-street car parking space on the southern side of Kingston (opposite the proposed vehicle entrance) would need to be removed to facilitate vehicle turning movements into the development. Council's Engineering Services Unit commented that they were supportive of this car space being removed, but advised that this decision would rest with Council's Parking Management Unit;
 - (b) Two vehicle crossing ground clearance sectional drawings (one for each crossover proposed along Kingston Street) must be submitted to show spot levels for the reduced level 1m inside the property, the property boundary level, the bottom of the kerb (invert level) the edge of the channel level and a few levels of the road pavement of Kingston Street. The internal concrete slab must be designed to ensure that a B99 design vehicle can enter and exit the at-grade car spaces and basement car park entrance without bottoming-out or scraping.
 - (c) The ground floor setback area along Kingston Street within title boundaries should be visually delineated from public land along Kingston Street.
219. With regards to item (a), Council's Parking Management Unit were contacted to provide in-principle comments on the removal of this existing on-street car space. The Unit commented that there is a process that will need to be undertaken, but on an in-principle basis, there was no objection to its removal.
220. With regards to item (b), this will be required by condition.
221. With regards to (c), this is important to ensure that maintenance of the ground floor setback area is undertaken by the permit holder rather than Council and also enables the property boundary to be shown clearly. This will be required by condition on the landscape plans.
222. A number of additional recommendations were made by Council's Engineering Services Unit; these relate to various infrastructure requirements immediately surrounding the site that should be undertaken to Council's satisfaction and at the Permit Holder's cost, as follows:
- (a) The footpath immediately outside the property's Kingston Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 33 (for asphalt) or unless otherwise specified by Council.

- (b) The kerb and channel along the property's Kingston Street road frontage must be reconstructed to Council's satisfaction and at the permit holders cost;
- (c) The full-width road pavement of Kingston Street along the property frontage must be profiled and re-sheeted to Council's satisfaction;
- (d) Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense;
- (e) A Construction Management Plan must be prepared and submitted to Council. The Plan must be approved by Council prior to the commencement of works. A detailed dilapidation report should detail and document the existing and post construction conditions of surrounding road infrastructure and adjoining private properties;
- (f) Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority;
- (g) Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted;
- (h) Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains;
- (i) Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked;
- (j) No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch;
- (k) Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit;
- (l) The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder;
- (m) Prior to the occupation of the development, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) must be constructed:
 - (i) In accordance with any requirements or conditions imposed by Council;
 - (ii) At the permit holder's cost; and
 - (iii) To the satisfaction of the Responsible Authority.

223. These additional recommendations can be appropriately captured under general infrastructure, drainage and construction management conditions and/or notes that are usually placed on a permit of this type. Item (c) will not be pursued as it is not considered necessary for the road pavement to be re-sheeted as a result of this development. The condition for reinstatement of any damage will ensure that the road pavement will be reinstated if necessary.

Traffic

224. The traffic impact assessment submitted with the application made the following findings:
- (a) The proposed 67 on-site car spaces would conservatively generate 34 vehicle trips per peak hour;
 - (b) Staff vehicle trips are anticipated to be split 90/10 in/out in the AM peak and 20/80 in/out in the PM peak.
 - (c) Overall the development is anticipated to result in 163 vehicle trips per day (i.e. across the entire day), and this level of traffic is not anticipated to negatively impact the surrounding road network.
225. Council's Engineering Services Unit concurred with the above findings, stating that *the level of traffic generated by the development is not unduly high and it is agreed that the operation of the development would not have a detrimental impact on the surrounding road network.*
226. A large number of objections have raised concerns about traffic impacts (and associated impacts to pedestrian safety) to the residentially-zoned land further east of the subject site including along Brighton Street and the Richmond Primary School. Kingston Street is a one-way street and is accessed from Church Street only. Therefore, vehicles driving to the subject site in the AM peak will not traverse the residentially-zoned area east of the subject site. Vehicles exiting the subject site during the PM peak will need to drive through the residentially zoned area (most likely along Brighton Street). The anticipated outgoing traffic levels are 27 trips (80% of PM peak hour) and Council's Engineering Services Unit have confirmed that this increase in traffic levels would not detrimentally affect the surrounding area. Furthermore, the PM peak (5-6pm) is alternate to the PM peak associated with the Richmond Primary School (3pm-4pm) and therefore trips associated with each of these peak hours are unlikely to overlap.

Loading, unloading and waste

227. The Scheme does not provide any requirements for loading bays, rather Council must consider loading and unloading as relevant to the application. A loading dock has been designed as part of the development, located west of the basement car park entry and accessed off Kingston Street via a double-width crossover. This is a good outcome as it ensures that loading activities (such as the delivery of goods or unloading of goods) occur within the development rather than in the public realm.
228. Waste collection will occur in the above-mentioned loading dock via a private collection service. This will ensure that Kingston Street remains unaffected by stationary waste vehicles during collection. Swept path diagrams have been provided to demonstrate that a medium waste collection vehicle can access the site via Kingston Street (subject to the removal of an on-street car space as discussed above), which was supported by Council's Engineering Services Unit.
229. The submitted Waste Management Plan (WMP) and the plans show a large waste storage area will be located to the rear of the loading dock, complete with a designated area for bin cleaning and space for four different waste streams (garbage, recycling, food/organic waste and paper/cardboard). The WMP outlines that the size of the waste area will require the following waste collection frequencies:
- (a) 1 garbage collection per week;
 - (b) 1 recycling collection per week;
 - (c) 3 food/organic waste collections per week;
 - (d) 1 paper/cardboard collection per week.

230. These collection frequencies are considered to be low for a development of this scale, giving evidence to a well-resolved waste management proposal. A separate glass stream is not necessary in this case due to the lack of hospitality-based land uses (office and restricted retail are not land uses that generate a high degree of glass waste and the 23sqm café will not produce a high level of glass waste). The WMP has been assessed by Council's Civil Works Unit, who confirmed that it is satisfactory with no changes or clarifications required.

Bicycle Facilities

231. With regards to visitor spaces, the development will provide a total of 18 spaces within title boundaries which exceeds the statutory requirements outlined in Clause 52.34 (11 spaces, i.e. a surplus of 7 spaces). The proposed visitor spaces are distributed as follows:
- (a) Four spaces at the Church Street ground floor setback area;
 - (b) Eight spaces at the Kingston Street ground floor setback area;
 - (c) Six spaces at the north-eastern ground floor courtyard.
232. Council's Strategic Transport Unit commented that the number of visitor spaces is satisfactory but additional visitor spaces are needed at the Church Street footpath (i.e. within public land) to ensure convenient access for visitor cyclists arriving via Church Street. This recommendation will not be pursued for the following reasons:
- (a) The footpath at the site's Church Street frontage is already congested with street tree plantings, car parking signs and drainage infrastructure;
 - (b) The footpath is relatively narrow and therefore new visitor spaces on the footpath would further restrict pedestrian circulation;
 - (c) The footpath is adjacent to on-street car parking spaces which means that the placement of visitor bicycle spaces would conflict with vehicle door openings.
233. A recommendation is being pursued to relocate the proposed four visitor bicycle spaces from the Church Street ground floor setback area to the Kingston Street ground floor setback area (refer to the *Public Realm* section of the *Built Form* assessment earlier in this report). Whilst this recommendation is contrary to the advice from Council's Strategic Transport Unit, it will still provide a good sustainable transport outcome for the following reasons:
- (a) A large number of visitor spaces will be grouped together at the Kingston Street entry, which is located only 50m from Church Street;
 - (b) A condition will require a new entry into the development from Kingston Street (see discussion in following paragraph) which will ensure that the visitor spaces are convenient for use by cyclists;
 - (c) A condition will also require signage to be provided at the Church Street entry to advise that bicycle parking is available at the Kingston Street entry, to ensure that the Kingston Street visitor spaces are legible for visitors arriving to the site.
234. Council's Strategic Transport Unit also recommended that further details be provided on how the visitor spaces within the north-eastern courtyard (which are located behind a security gate) would be accessed for visitors. A condition will instead require a notation to confirm that the security gate at the Selby ROW entry be kept open during office hours. Whilst the spaces at the northeast courtyard are not highly legible to visitors, it is considered that these spaces will be used as 'overflow' spaces by visitors to the site that are more acquainted with the building.
235. With regards to employee bicycle spaces, the development provides a total of 122 spaces, far exceeding the requirements outlined in Clause 52.34 (39 spaces), along with the provision of substantial end-of-trip facilities for employees. Council's Strategic Transport Unit found that the number of spaces were appropriate and commented that the location of the employee spaces at ground floor is a good outcome, ensuring they are highly accessible for employees.

236. Whilst the ground floor location for employee spaces is supported, the access for these spaces is flawed because the only access point is via Selby ROW. This means that employees arriving via Church Street would need to ride east along Kingston Street, north along Brighton Street and the west along Selby ROW (refer to figure 18 below). This is highly inconvenient for cyclists and could create safety issues given the narrow width of Selby ROW.



Figure 18: 260m long path required for cyclists to access the proposed development (Council GIS, April 2022)

237. Council's Strategic Transport Unit were highly critical of this arrangement stating that it is not supported for the following reasons:
- (a) *it is likely that the largest source of bicycle traffic will be from Church Street. The rear laneway is a minimum of 150 metres away from the Church Street entrance, increasing to 260 metres if access through the existing surface-level carpark at 9 Kingston Street is excluded.*
 - (b) *Pursuant to AS 2890.3 (2.6): "Access should be provided from the nearest or most convenient roadway to the parking facility such that a bicycle may be ridden to a point typically not more than 30 m away from the facility."; and pursuant to Clause 52.34-4: "Be located to provide convenient access from surrounding bicycle routes and main building entrances" It is not considered that the proposed arrangement meets this Standard.*
 - (c) *The proposed laneway access is a narrow right of way with poor passive surveillance. This presents safety issues, particularly during Winter/Autumn and at night.*
 - (d) *Kingston Street is a one way street. People wishing to ride west along Adelaide Street (desirable due to the presence of a signalised pedestrian crossing on Church Street) would require a 340 metre detour along Brighton and Albert Streets in order to reach this safe crossing point. This creates further inconvenience.*
 - (e) *Instead it is recommended that provision is made for employee bicycle parking to also be accessible from the Church Street frontage. If this is not possible, the Kingston Street frontage would be a second preference.*
238. The permit applicant has responded to the above advice by stating that cyclist access from the Church Street entry is not preferred as it would result in dirt being tracked through the lobby area. This is accepted given that the Church Street lobby has been designed to be a highly amenable feature for pedestrians arriving to the site.

239. The next option is Kingston Street – the current design has opted to prioritise floor area for the Restricted Retail Premises over bicycle access. As shown at figure 19 below, a small change to the Kingston Street configuration would enable access into the site (and bicycle employee spaces) via Kingston Street. The image below is indicative only but illustrates the ease with which bicycle access could be provided at Kingston Street. In this case, it is essential for bicycle access from Kingston Street to ensure that Selby ROW is not the only option for cyclists. A condition will therefore require a new entry into the development to connect to the end of trip facilities from Kingston Street. The entry and associated corridor(s) will need to have a minimum width of 2m to ensure good circulation movements for cyclists walking into the development with their bicycles.

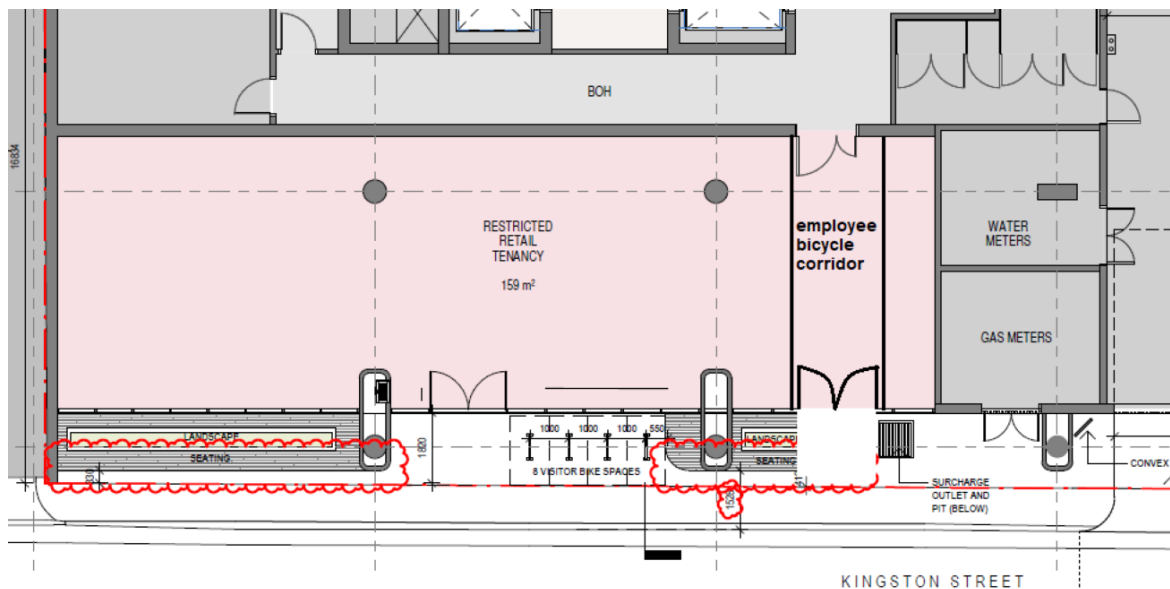


Figure 19: Concept sketch to demonstrate an example of employee cyclist access from Kingston Street – for discussion purposes only (Planning Officer, June 2022)

240. Council's Strategic Transport Unit also made the following additional recommendations for the employee spaces:
- (a) Demonstrate bicycle parking for larger / heavier bikes such as electronic bikes, cargo bikes and recumbent bikes;
 - (b) Details on the type of lockers to be provided, with at least 50% of the lockers providing hanging storage space;
 - (c) Provision of e-bike charging points within the employee bicycle compound;
241. With respect to (a), a condition will require a minimum of six employee spaces to be in the form of horizontal rack spaces (i.e. a minimum of three horizontal racks), which are the most accessible bicycle spaces;
242. With respect to (b) and (c), these will be required by condition.
243. The application material includes a Green Travel Plan which provides detailed information on how sustainable travel modes will be encouraged and managed. Council's Strategic Transport Unit were supportive of the Green Travel Plan, however recommended the following changes:
- (a) access arrangements for all employee bicycle parking spaces from Church Street;
 - (b) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
 - (c) establishing an employee bicycle users group (or similar) to encourage mode shift;
 - (d) promotion of walking for both transport and recreation;
 - (e) security arrangements to access the employee and visitor bicycle storage spaces;

- (f) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
- (g) reference to a minimum 40A single phase electrical sub circuit to be installed in car park areas for all car parking spaces to be 'EV ready'.

244. Items (b), (e) and (f) have already been addressed via conditions for the development plans and therefore will not be pursued as part of the Green Travel Plan. The remainder of the recommendations for the Green Travel Plan will be pursued by condition.

Objector Concerns

245. Objector concerns are discussed as follows:

- (a) *Concerns relating to the built form including overall height, street wall heights, massing, architectural quality, public realm response and a lack of transition to the nearby residential area;*

Building height has been discussed at paragraphs 116 - 125. The development's massing has been discussed at paragraphs 126 - 134. The development's public realm response has been discussed at paragraphs 135 - 149. The development's response to the eastern residential area has been discussed at paragraphs 129 – 134.

- (b) *Traffic concerns including increased traffic in the surrounding area and safety issues for pedestrians (including children walking to Richmond Primary School);*

This issue has been discussed at paragraphs 224 – 226.

- (c) *Amenity impacts including overlooking, overshadowing, loss of daylight, wind impacts, visual bulk, light spill, glare and noise impacts;*

This issue has been discussed at paragraphs 179 – 215.

- (d) *Amenity impacts during construction including noise, pollution, damage to property and traffic disruption;*

Amenity impacts during the construction phase will be dealt with during the Building Permit process, however a condition requires the submission of a detailed Construction Management Plan which will ensure that construction is carried out to Council's satisfaction.

- (e) *Impacts to nearby heritage places and neighbourhood character;*

The issue of heritage has been discussed at paragraphs 107 – 110. A discussion of the development's response to the site context and character is provided at paragraphs 111 – 115.

- (f) *Equitable development concerns;*

This issue has been discussed at paragraphs 209 - 215.

- (g) *Poor bicycle access;*

This issue has been discussed at paragraphs 236 - 244.

(h) *Pressure on infrastructure in the surrounding area;*

The development includes substantial services and infrastructure within the title boundaries of the subject site to ensure that the development does not unreasonably impact the surrounding infrastructure network. Furthermore, as discussed under the On- Site Amenity section of this report, the development achieves ESD excellence and provides a high capacity array of solar panels as well as a well resolved rainwater tank system. These initiatives further reduce the impact of the development on the surrounding infrastructure.

(i) *Street tree removal;*

The application does not propose the removal of any street trees. Furthermore, a condition will require the submission of a Tree Management Plan which will ensure that the existing street trees are protected during construction.

(j) *Lost opportunity for a street connection to Adelaide Street as per the SSSP;*

The SSSP encourages a street connection on the subject land to connect to Adelaide Street which is on the opposite side of Church Street. However, as outlined previously, the SSSP is a strategic document from 2007 that was not incorporated into the Yarra Planning Scheme and therefore cannot be relied upon. Furthermore, the application proposes considerable improvements to the public realm, which improve the pedestrian experience along the site's Church and Kingston Street frontages.

(k) *Accuracy of the shadow diagrams;*

This issue has been discussed at paragraph 7.

Other Matters

246. The officer recommendation below includes reference to aspects of the development at various levels. Given that the recommendation includes a condition to delete levels 8 and 9, any levels above this height will be expressed in the conditions both in their original height reference (for example 'level 10 terrace') and the height reference accounting for the deletion of levels 8 and 9 (for example 'level 8 terrace accounting for condition 1(a)').

Conclusion

247. As outlined throughout this assessment there is strong policy support at both State and local levels for urban consolidation. Given the site's strategic location, proximity to the Swan Street MAC, Church Street and excellent public transport options; the site lends itself as an ideal development site for higher density. By deleting levels 8 and 9, the recommended outcome tempers density with an appropriate response to its residential interface, mitigate visual impacts from the public realm and minimises overshadowing to the western footpath of Church Street.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to advise the Victorian Civil and administrative Tribunal that if it was in a position to decide on the application, Council would issue a Notice of Decision to Grant Planning Permit PLN21/0882 for the construction of a multi-storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for uses) and a reduction in the car parking requirements at 525 Church Street & 1 – 7 Kingston Street Richmond, subject to the following conditions:

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 architectural plans prepared by Gray Puksand and dated 28 February 2022 but modified to show:
 - (a) Deletion of levels 8 and 9;
 - (b) Demonstrate the café use is limited to the kiosk area only shown on the sketch plans received by Council 13 July 2022;
 - (c) Deletion of the four visitor bicycle spaces from the Church Street ground floor setback area and extend the width of the pedestrian entrance doors to a minimum width of 3.5m;
 - (d) Reduction in the extent of the landscaped seating along the Kingston Street ground floor setback area to allow for:
 - (i) The provision of a pedestrian entry from Kingston Street to be used by cyclists with a minimum entry width of 2m and a minimum corridor width of 2m, with this corridor providing access to the employee bicycle parking compound (with any floor plan reconfigurations required to achieve this);
 - (ii) A minimum of 12 visitor bicycle spaces within the Kingston Street ground floor setback area;
 - (iii) The restricted retail entry provided with a minimum setback of 0.5m from the nearest visitor bicycle space;
 - (e) Landscaped seating along Kingston Street to have a minimum setback of 0.5m from the southern title boundary;
 - (f) Landscaping planter boxes along the Kingston Street ground floor setback area to have a minimum depth of 0.7m;
 - (g) Increase the depth of the horizontal fins provided to the upper levels;
 - (h) Bicycle signage at the Church Street entrance to advise cyclists that visitor bicycle spaces are available on Kingston Street;
 - (i) Bicycle signage at the Kingston Street entrance to show that access internal to the building is provided for employee cyclists;
 - (j) Notation to confirm that the security gate at the Selby ROW entrance will be kept open during office hours;
 - (k) Employee bicycle spaces updated to provide a minimum of six spaces as horizontal rack spaces with these spaces designated for e-bikes, cargo bikes and recumbent bikes;
 - (l) Details of the types of lockers to be provided, with at least 50% of lockers providing hanging storage space;
 - (m) Provision of electric bicycle charging points within the employee bicycle compound;
 - (n) Update elevations to clarify the proposed material for the eastern boundary wall, and clarify use of (CN-01) on the elevations;
 - (o) Show details of street art proposed for the eastern boundary wall;
 - (p) Amend rooftop plan to show solar PV system sizes;
 - (q) Amend basement plans to clearly identify locations for fuel-efficient vehicles, motorcycle parking and electric vehicle charging;
 - (r) cross section drawing (ground clearance check) of the basement car parking vehicle entrance (and associated crossover) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
 - (i) spot levels of the reduced level 1m inside the property, the property boundary level, the bottom of the kerb (invert level), the edge of the channel level and at least three levels of the road pavement of Kingston Street;
 - (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Kingston Street;
 - (s) cross section drawing (ground clearance check) of the loading dock (and associated crossover) using the B99 design vehicle. The ground clearance check must provide (or show) the following:

- (i) spot levels of the reduced level 1m inside the property, the property boundary level, the bottom of the kerb (invert level), the edge of the channel level and at least three levels of the road pavement of Kingston Street
 - (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Kingston Street;
 - (t) any requirement of the endorsed Façade Strategy (condition 3) (where relevant to show on plans);
 - (u) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
 - (v) any requirement of the endorsed Landscape Plan (condition 9) (where relevant to show on plans).
 - (w) any requirement of the endorsed Wind Tunnel Modelling Report (condition 14) (where relevant to show on plans);
 - (x) any requirement of the endorsed Acoustic Report (condition 16) (where relevant to show on plans);
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a detailed materials schedule and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Gray Puksand or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee the design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Sustainable Management Plan

5. 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 Meinhardt, dated 26 November 2021, but modified to include or show:
- (a) Confirm formal certification through the Green Building Council of Australia or alternatively update the Sustainable Management Plan to use an acceptable framework such as BESS;
 - (b) Amend innovations claims to ensure all innovations are valid in accordance with either a Green Star Rating formally certified through the Green Building Council of Australia or an acceptable framework such as BESS;
 - (c) Clarify % improvement over National Construction Code requirements and provide a JV3 report that compares the proposal (fabric, services etc) against a reference building to support claims;
 - (d) Clarify the Hot Water System proposed for the building (consider all-electric / gas-free) and include within the JV;

- (e) Clarify Heating Ventilation and Air Conditioning system proposed for the building and include within the JV3;
 - (f) Clarify how the basement car parks are to be ventilated;
 - (g) Confirm utility metering will be provided for each individual tenancy;
 - (h) Confirm that that post-development stormwater flows will not exceed pre-development levels.
 - (i) Confirm details of any additional stormwater treatment strategies required to exceed *Best Practice Environmental Management Guidelines* stormwater targets;
 - (j) Confirm inclusion of recycled materials (e.g. bricks) or products with post-consumer content (e.g. Glass wool/polyester insulation);
 - (k) Clarify how the building and landscape design has responded to and mitigated urban heat impacts;
 - (l) Confirm High-SRI roofing is proposed to assist with urban cooling;
 - (m) Confirm engagement of a head contractor with a valid ISO 14001 accreditation.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

7. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Plan prepared by Traffix Group and dated 24 November 2021, must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Landscape 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 Site Image Landscape Architects and dated 01 February 2022, but modified to include (or show):
- (a) a planting plan and plant schedule for all landscape areas, showing proposed species, number of plants, height and width at maturity and installation size.
 - (b) Detailed drawings for elements such planter boxes – showing dimensions, drainage, irrigation, lining, materials and growing media, with volumes of growing media to be appropriate for the plant species proposed.
 - (c) information on proposed irrigation system.
 - (d) a maintenance schedule, including task details and frequency.
 - (e) Demonstrate how maintenance contractors can safely access green wall planting above ground level, the rain garden on Level 01, and planters on the outside of balustrades, such as on Level 05.
 - (f) Provide a non-trafficable roof garden to the east-facing terrace at level 10 (i.e. level 8 accounting for condition 1(a));
 - (g) Increase the size and soil depth of the level 11 (i.e. level 9 accounting for condition 1(a)) terrace plantings;
 - (h) Paving within the Kingston Street and Church Street ground floor setbacks to be visually-delineated from any surface treatments on public land;

to the satisfaction of the Responsible Authority.

10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, all to the satisfaction of the Responsible Authority.

Street Tree Protection Bond

11. Before the development commences, the permit holder must provide an Asset Protection Bond of \$4,480 (ex GST), for the two street trees along the Church Street footpath unless otherwise advised by the Responsible Authority. The security bond:
- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) must be in accordance with the requirements of this permit.

Tree Management Plan

12. Before the development commences, a Tree Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must detail management and protection measures for the two street trees along the site's Church Street frontage to the satisfaction of the Responsible Authority.
13. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented thereafter to the satisfaction of the Responsible Authority.

Wind Tunnel Modelling Report

14. Before the development commences, a Wind Tunnel Modelling Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Report will be endorsed and will form part of this permit. The Wind Tunnel Modelling Report must be generally in accordance with the Wind Impact Statement prepared by MEL Consultants and dated 26 November 2021, but modified to include (or show):
- (a) At least part of the level 11 (i.e. level 9 accounting for condition 1(a)) terrace to achieve the standing comfort criterion;
 - (b) the level 4 and 5 terraces will achieve the walking comfort criterion;
 - (c) assess wind conditions for the level 10 (i.e. level 8 accounting for condition 1(a)) terrace, with this terrace achieving the walking comfort criterion;
 - (d) assess the north-eastern ground floor courtyard, achieving a minimum of the standing comfort criterion;

to the satisfaction of the Responsible Authority.

15. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

16. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by SLR and dated 26 November 2021, but modified to include (or show):
- (a) Background noise levels taken at the site during the evening and night time to ascertain the resultant Noise Protocol limits for the site;
 - (b) Commitment that need a detailed acoustic review be conducted once the specifications of the mechanical plant is available;
 - (c) Commitment that the lowest-noise mechanical plant equipment available (as appropriate for the development) be utilised;
- to the satisfaction of the Responsible Authority.
17. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Road Infrastructure

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Kingston Street road frontage must be reconstructed to Council's satisfaction and at the permit holders cost.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Kingston Street road frontage must be stripped and re-sheeted:
- (a) at no cost to the Responsible Authority;
 - (b) with a cross-fall of 1 in 33 (for asphalt) or unless otherwise approved in writing by the Responsible Authority;
 - (c) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated:
- (a) at no cost to the Responsible Authority;
 - (b) to the satisfaction of the Responsible Authority.
21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing(s) must be constructed:
- (a) In accordance with any requirements of conditions imposed by Council;
 - (b) At the permit holder's cost,
- all to the satisfaction of the Responsible Authority.

Car Parking

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- all to the satisfaction of the Responsible Authority.

23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Green Travel Plan

24. Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Traffix Group and dated 26 November 2021, but modified to include (or show):
- (a) access arrangements for all employee bicycle parking spaces from Church Street;
 - (b) establishing an employee bicycle users group (or similar) to encourage mode shift;
 - (c) promotion of walking for both transport and recreation;
 - (d) reference to a minimum 40A single phase electrical sub circuit to be installed in car park areas for all car parking spaces to be 'EV ready'.
25. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- all to the satisfaction of the Responsible Authority.

General

27. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
28. The amenity of the area must not be detrimentally affected by the construction, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - (d) the presence of vermin.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
31. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Development Contributions

32. 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.

Construction Management

33. 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;
 - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.
In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
 - (vi) any site-specific requirements.

During the construction:

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

34. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9am or after 3pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time expiry

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

NOTES

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

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

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

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.

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

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

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

The Permit Holder/developer is responsible for the management and protection of their building from groundwater.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management Unit.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath.
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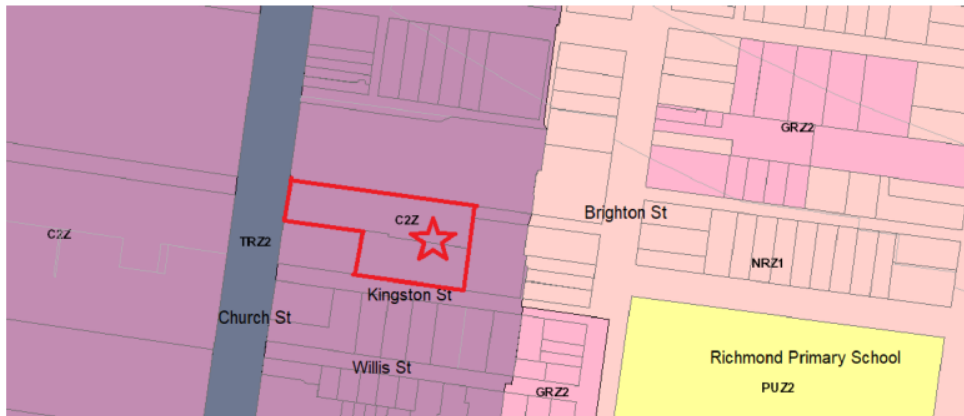
Attachments

- 1 PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Locality Map
- 2 PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments
- 3 PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans
- 4 PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Corrected Shadow Diagrams

**Attachment 1 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Locality Map**

PLN21/0882 – 525 Church Street & 1 – 7 Kingston Street Richmond

Locality Map



**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

PLN21/0882 – 525 Church Street & 1 – 7 Kingston Street Richmond

PDC Report Attachments – Referral Comments

Referral Comments	PDF page no.
External Urban Design comments	2
External Wind Peer Review comments	14
External Acoustic Peer Review comments	16
Council's City Works (Open Space) Unit	20
Council's Strategic Transport Unit	22
Council's Urban Design Unit	28
Council's City Works (Waste) Unit	31
Council's Engineering Services Unit	32
Council's City Strategy (Open Space) Unit	42
Council's ESD Advisor	45

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments



Urban Design Memo

To:	Chris Stathis	Date:	02.05.2022
Company:	City of Yarra	From:	Hansen Urban Design Team
Re:	525 Church Street & 1-7 Kingston Street, Richmond		

Thank you for the opportunity to review the application package for the proposed 12 storey mixed use office development at **525 Church Street & 1-7 Kingston Street, Richmond**. Following our site inspection, we have reviewed the relevant background information drawing upon planning policy, analysis of the urban context and our intimate knowledge of the Yarra Planning Scheme and more specifically the Swan Street- Church Street precinct.

We provide the following assessment in relation to urban design matters:

Site and context

The subject site is located on the eastern side of Church Street and the north side of Kingston Street. The site has a frontage to Church Street (16.6m) and Kingston Street (43.4m), abutting an open hardstand car park to the east with an immediate abuttal to the neighbouring commercial property to the north. The site is effectively flat and irregular in shape comprising two allotments resulting in a considerable total site area of 1,928.98m². Currently, the site accommodates a single storey commercial building (525 Church Street) and at 1-7 Kingston Street is a single storey warehouse brick building that is currently unoccupied. Vehicular access to 1-7 Kingston Street is afforded via an existing crossover along Kingston Street, with vehicle access provided to the rear of the allotment at 525 Church Street via an existing laneway.



Site Context (nearmap)

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

The key site interface conditions are as follows:

- To the **west** is Church Street, a 20m wide road reserve (Road Zone 1) permitting two-way traffic movements, marked parallel parking, bicycle paths and footpaths on either side. It also comprises a central tram track alignment (route 78) with its closest stop 16m from the site. Across the street on the corner of Adelaide Street and Church Street with an address at 554 Church Street, Cremorne is a 4 storey commercial building that is constructed to the edge of its southern and eastern boundaries with vehicle access provided via William Street to the north.
- To the **north** the site has an immediate abuttal with 511 Church Street, a 5 storey commercial building with dual frontages to Church and Gibbon Streets, built form is constructed to all boundaries comprising upper level awnings to the west and north that encroach on the public realm. Further north is Gibbons Street a 6.5m road reserve permitting two-way traffic movements providing vehicle access to 511 Church Street and allotments fronting Albert Street. Opposite Gibbons Street at 509 Church Street is an attached single storey commercial building occupied by 'Koko Lane' homewares store.
- To the **south** the site has an immediate abuttal to 527-531 Church Street comprising a single storey commercial brick building that is currently occupied by 'BoConcept' furniture store. The building is constructed to each of its site boundaries with its eastern edge also directly abutting the subject site at 1-7 Kingston Street. Further south is Kingston Street a 6.3m wide road reserve allowing one-way traffic movements for vehicles eastbound, it comprises footpaths on both sides and unmarked parallel parking to the south. Across the street at 535 Church Street are 3 attached single storey heritage shop forms graded as individually significant (H0381).
- To the immediate **east** the subject site interfaces with an area of open hard stand parking with access provided via crossovers from Kingston and Brighton Streets. At the northern edge of the car park a 4.5m wide laneway provides vehicle access to the subject site at 525 Church Street. Further east within the NRZ1 at 82, 84 & 86 Brighton Street are 3 single storey Victorian era dwellings with contributory heritage status (H0308). Opposite is Brighton Street a 15m wide road reserve comprising two-way traffic movements, marked parallel parking, dedicated cycle lanes and footpaths to either side.



Subject site – 525 Church Street, Richmond



Subject Site – 1-7 Kingston Street, Richmond



North – 511-521 Church Street



South – 527-531 Church Street



East – 219 Johnston Street

Hansen Partnership Pty Ltd

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

In the wider context, there have been several planning approvals that are beginning to shape the urban morphology of the area. Some of the notable approvals/buildings under construction relevant to the subject site are:

- 9 Kingston Street, Richmond – 6 storeys, approved.
- 459-471 Church Street, Richmond - 10 storeys, under construction.
- 506 & 508-510 Church Street, Cremorne – 10 storeys, completed.
- 600 Church Street, Cremorne – 8 storeys, completed.
- 631-633 Church Street, Richmond – 9 storeys, completed.
- 12-18 Albert Street, Richmond – 7 storeys, completed.
- 17 William Street, Cremorne – 7 storeys, completed.
- 19 William Street, Cremorne – 7 storeys, completed.
- 1 Little Lesney Street & 9 Wiltshire Street, Richmond – 15 storeys, approved.
- 11-13 Pearson Street & 10-12 Adolph Street, Cremorne – 7 storeys, under construction.
- 4-6 Adolph Street, & 3-5 Pearson Street, Cremorne – 7 storeys, approved.
- 10 Chapel Street, Cremorne - 7 storeys, approved.
- 587-593 Church Street, Richmond – 12 storeys, approved.
- 1-11 Gordon Street, Cremorne – 6 storeys, completed.
- 1/22 – 26 Gordon Street, Cremorne – 8 storeys, approved.

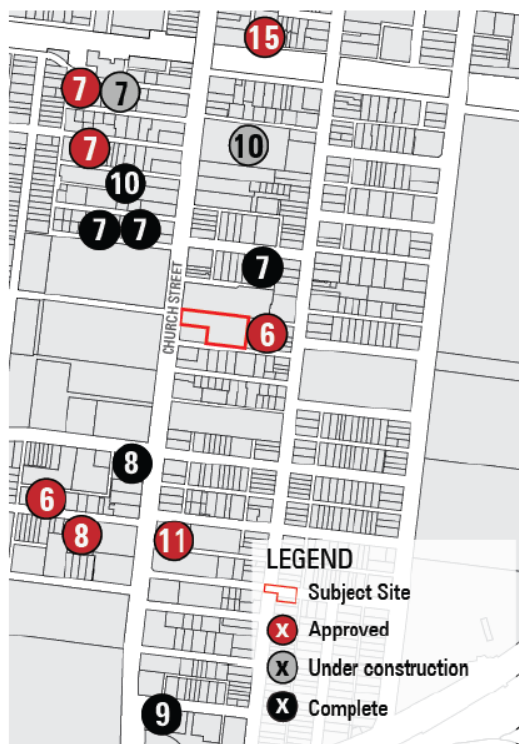


Diagram demonstrating the scale (in storeys) of recently approved and constructed developments in the vicinity

Hansen Partnership Pty Ltd

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

The Proposal

The proposal comprises the construction of a 12 storey mixed use office building with retail opportunities within the ground level above 2 levels of basement parking. Specifically, key components of the proposal are as follows:

- 2 Levels of basement car parking (67 spaces) surrounding a central lift core with vehicle access provided via Kingston Street.
- A Ground Floor including a restricted retail premises (159m²) positioned to the Kingston Street frontage and entry lobby comprising Café (533m²) fronting Church Street. A total 122 bike storage spaces and EOT facilities are located to the north of the site with pedestrian access provided from both Church Street and to the rear of the site.
- From Level 1 to Level 11 the proposal comprises office tenancies ranging from 611m² – 1403m² with similar open plan arrangement surrounding the central lift and stair core. Private open spaces are provided in the form of open air terraces at Levels 4, 5 & 11.
- An overall height of 47.5m (not including plant room) with a 15.9m street wall to the Church Street frontage that is setback to 7m from Level 4 with a further setback of 11.5m at Level 11. To the north the proposal is constructed to its boundary rising to 15.9m with a 3m setback from Level 4 and above. To the Kingston Street frontage, a street wall of 19.7m with a setback of 4.5m from Level 5. To the rear (east) a street wall height of 21.2m with a setback of 3m from Level 5, a further setback of 6.75m at Level 10 with a recessed Level 11 to 9.35m.
- The design language of the proposal is highly contemporary adopting a robust 4 storey core to the Church Street frontage with recessed upper levels. The material palette comprises significant double glazing to both the podium and tower levels with brick and cement render finish including elements of powdercoat metal finishings.



Hansen | Artists Impression of the proposal illustrating the Church Street frontage

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Planning Policy

The subject site is located within the **Commercial 2 Zone (C2Z)** which seeks to:

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

The site is affected by the **Design and Development Overlay – Schedule 2 (DDO2- Main Roads and Boulevards)**, **Design and Development Overlay – Schedule 5 (DDO5- City Link Exhaust Stack Environs)** and the **Development Contributions Overlay – Schedule 1 (DCOP1)**.

The following State and Local planning policies are considered relevant:

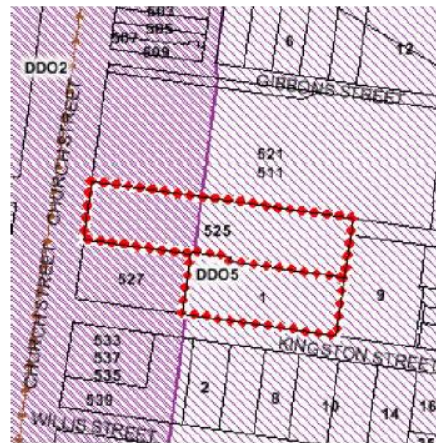
- *Clause 11 – Settlement;*
- *Clause 15 – Built Environment and Heritage;*
- *Clause 17 – Economic Development;*
- *Clause 21.03 – Vision;*
- *Clause 21.04 – Land Use;*
- *Clause 21.05 – Built Form;*
- *Clause 21.08 – Neighbourhoods;*
- *Clause 22.07 – Development Abutting Laneways;* and
- *Clause 22.10 – Built Form and Design Policy.*

Other relevant documents include:

- *City of Yarra Urban Design Strategy (2011);*
- *City of Yarra Built form Review (2003);*
- *Swan Street Structure Plan (2014);*
- *Victorian Urban Design Charter (2010); and*
- *Urban Design Guidelines for Victoria (2017)*



Zone extract



DDO05 & DDO2 map

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Urban Design Assessment

Based on our review of the site and surrounds as well as considering the relevant planning policy, we acknowledge that the subject site sits within a diverse and evolving inner urban context that is experiencing development in the form of mixed-use infill. While the subject site sits outside the Swan Street Major Activity Centre (Clause 21.08), it enjoys multiple frontages to the public realm including Church and Kingston Streets and well serviced by public transport options including the tram line along Church Street and East Richmond Railway Station 290m to the north. It is important to consider the proposal against the strategic ambitions of Planning Policy found within the Yarra Planning Scheme whilst responding to site specific conditions and potential impact to adjoining sensitive interfaces to ensure a comfortable and appropriate 'fit' within the evolving streetscape.

We consider the urban design proposition to be generally supportable in relation to its site planning and architectural response. However, we suggest refinements to the overall built form massing arrangement (including overall height) as detailed below in order to achieve a successful urban design outcome that responds appropriately to its existing and emerging contexts. The following urban design assessment outlines our rationale in greater detail with recommendations to achieve a supportable urban design outcome.

Strategic Context and Urban Morphology

- There are no specific built form controls relating to overall height affecting the subject site, instead our urban design assessment refers to the relevant policies within the Yarra Planning Scheme (Clause 21.05, 22.10 and DD05), as well as the principles found in the Swan Street Structure Plan to determine the suitability of the proposal within its existing and emerging contexts. We have also taken into consideration the recent development approvals (heights, massing, setbacks, interface management) as they inform the trajectory of development patterns and emerging urban morphology in the immediate context.
- At a strategic level, the Yarra Planning Scheme seeks to maintain the City's urban character as a *'low-rise urban form with pockets of higher development'*. Clause 21.05 – 2 states that low-rise building heights within the municipality predominantly vary between 1-2 storeys, with instances of 3-4 storey buildings. Pockets for higher development are Strategic Redevelopment Sites or within Activity Centres and should generally be no more than 5-6 storeys unless specific benefits can be achieved.
- We note the site is not located within the Swan Street Major Activity Centre (Clause 21.12 – Local Areas) or identified as a strategic development site. However, we recognise that there has been some notable transition to increased building heights ranging from 6-15 storeys within the vicinity. New development in the area represents an emerging taller-midrise character however consideration must be given to developments surrounding context including sensitive heritage abuttals, residential zones and protection of landmarks. We note residential zoning (NRZ1) in close proximity to the east and heritage sensitivities to the south (HO381), east (HO308) and west (HO240) with the Swan Street Structure Plan (2014) identifying the Bryant and May building as a key landmark within the precinct.
- While outside the Swan Street MAC boundary, the site has been identified within the Swan Street Structure Plan (2014) - Precinct 9 which outlines urban design principles and guidelines for sites within the MAC and surrounds. It includes building height, street wall, view line tests, building separation requirements, solar access and residential interface principles to ensure new development responds appropriately within this context.

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

- Recognising both strategic policy and physical contexts of the subject site, as well as the pattern of recent development approvals, we are generally supportive of a taller mid-rise proposition that is greater than 5-6 storey designation by the Swan Street Structure Plan. It represents urban morphology that is commensurate with large, corner sites within the vicinity which have a greater flexibility to contain off-site amenity impact. Importantly, when considering the appropriate ultimate scale, the following urban design considerations have influenced our advice and will be discussed in greater detail below:
 - Consistency with the emerging urban morphology of the Church Street precinct.
 - Visual impact of the proposed scale in relation to identified key landmarks within the Swan Street Structure Plan and the City of Yarra Landmark and Tall Structures (Clause 22.03).
 - Overshadowing impact onto public and private realms (residential properties to the east).
 - Transition to more sensitive residential interface to the east & south-east.
 - Relationship between the street wall and upper levels.

Building Height, Massing & Interfaces

- Clause 22.03 – Landmarks and Tall Structures seeks to *‘protect views to the silhouette and profile of Yarra’s valued landmarks to ensure they remain as the principal built form reference.’* New development should also consider its potential impact on landmarks identified in the Swan Street Structure Plan (2014) including the Bryant and May building to the west. We have investigated the site and surrounds and are satisfied that the proposal will not result in any visual impacts to key landmarks within the vicinity.
- The proposed 12- storey (47.5m) will represent the tallest element in the immediate context. However, as discussed above, there is no strategic direction that supports a deliberate ‘gateway’, or ‘landmark’ treatment on the subject site. Clause 22.10 sets out objectives and strategies relating to built form and design of developments, a relevant objective relating to building height seeks *‘to ensure that the height of new development is appropriate to the context of the area...and respects the prevailing pattern of heights of the area where this is a positive contribution to neighbourhood character.’* On that basis, we recommend modification of the overall building scale to 10 storeys (39.9m), commensurate with the prevailing recent approvals in the vicinity.
- Design guideline at Clause 22.10-3.3 states that the height of any portion of the new development *‘should be guided by its’ visual impact and off-site amenity impacts on surrounding properties such as overshadowing, visual bulk, day lighting to habitable rooms and overlooking’.* We have reviewed the potential impacts for overshadowing of the proposed 12- storey development and an overall reduction of building height to 10-storeys (39.9m) will improve solar access to residential properties and footpaths along Kingston Street from 1:30pm onwards.
- We are generally supportive of the proposed massing arrangement comprising a 4 storey street wall podium base to the Church Street frontage and 5 storey street wall to Kingston Street with setback upper levels. Distinction between ‘base’ and ‘top’ is gained through upper-level setbacks, varied use of materials, the provision of landscaping and architecture detailing. We are also supportive of the clear distinction between the street wall treatments to address distinction between Church Street and Kingston Street through the application of ‘stepped’ form and architectural language to reduce visual bulk and establish a clear sense of ‘address’ to both streets.

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

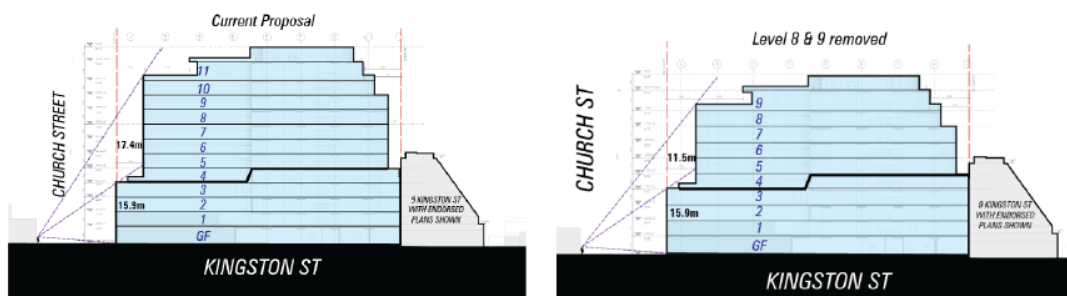
Church Street

- Recently constructed (or proximate) developments along Church Street have adopted similar massing arrangements, generally comprising a 3-4 storey podium street walls (between RL21.26 and RL27.9) with recessive upper-level tower forms. Table 1 below identifies the emerging street wall, building height and upper level setback expectations established by recent developments along Church Street.

Address	Street Wall (Church Street frontage)	Overall Height	Upper-level setback from Church Street (above street wall)
525 Church Street (subject site)	4 storeys, or 15.9m (RL26.7)	12 storeys, or 47.5m (RL58.3)	7m at Level 4 11.5m at Level 12
511-521 Church Street (Immediately north of the subject site- built)	3 storeys, or 11.2m (RL21.26)	5 Storeys, or 19.2m (RL29.26)	8m at Level 3
587-593 Church Street - approved	4 storeys, or 15.5m (AHD24.95)	11 storeys + roof terrace, or 41.2m (AHD50.65)	5m at Level 4 10m at Level 5
459 Church Street – under construction	4 storeys, or 17.39m (RL27.9)	10 storeys, or 39.9m (RL50.5)	5.5m at Level 4 9m at Level 9

Table 1: comparison of street wall/ building heights and upper-level setbacks along Church Street.

- DDO2 as applied to the site and the decision guidelines which inform an application decision will consider 'the design, height and form of the development in relation to the built form character of the street' & the design, height and visual bulk of the development in relation to surrounding land uses and developments.' When measured against the view test prescribed by the Swan Street Structure Plan, the 12-storey form visually dominates the street wall when viewed from the opposite side of Church Street. We therefore recommend a 2 storey reduction (Level 8 & 9), while this still does not completely accord with the view line test, it assists in reducing the visual impact of an overtly dominant 'top' in relation to its 'base'.



Vertical view line test from the Swan Street Structure Plan – Current proposal vs. 2 Level reduction

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

- While there are no specific street wall measures applicable to the subject site, Clause 22.10-3.3 (Setbacks & Building Height) is intended to broadly guide development. In relation to street wall heights it states that *'maximum building height for the portion of the new development between the primary setback and the secondary setback should not exceed the height of the higher of the two adjacent buildings, unless the adjacent buildings do not reflect the prevailing heights of the area, or the development is in an area where it is appropriate and practicable to establish a distinctly different new character in order to achieve planning objectives.'*
- We note that the architectural and massing arrangement of the REA Group building (511-521 Church Street) adopts a stepped form with a 3 storey 'base' defined by a projecting awning to the north. However, its architectural language demonstrates a cohesive 5-storey form, with minimal distinction to the 'top'. We also note the single storey street wall immediately to the south of the site (currently occupied by the Bo Concept store), which is not subject to heritage overlay and may be redeveloped in the future.
- The diversity of urban form is well demonstrated within this part of Church Street. In absence of a consistent street wall datum, the proposed 4 storey street wall (15.9m) straddles the 5-storey form to the north and a single storey form to the south. It is commensurate with the contemporary 4 – storey street wall across Church Street and creates an acceptable level of enclosure within Church Street. We believe the proposals street wall at 4 storeys is an appropriate response to the emerging streetscape conditions of Church Street that reinforces a human-scaled streetscape presentation.
- We are comfortable with the proposed 7m upper-level setback from Level 4. We believe this to be an appropriate measurement in this context providing a legible visual separation between the base and rising form to reduce the visual dominance when viewed from both the Church Street frontage and when viewed in the oblique along Church Street. However, to further reduce visual dominance, we recommend the removal of Level 8 & 9 to better accord with the view line test as identified in the structure plan (as mentioned above).

Kingston Street

- The Kingston Street interface is unique given the site's unusual shape which 'wraps' around the existing building at 527 Church Street. We are supportive of the stepped street wall profile, rising from 4 storeys on Church Street to 5 storeys as it transitions along the Kingston 'side' street. We believe that the increase in street wall height is executed respectfully in this context, gradually rising from the sensitive Church Street frontage at the rear of 527 Church Street providing a natural integration with the future proposal at 9 Kingston Street.
- At Level 5 the tower form is setback above the podium by adopting a 4.5m setback from its southern street frontage. We are satisfied with this setback is adequate to achieve sufficient visual distinction between the 'base' and 'top'. The distinction between a more 'solid' podium through its use of bricks and framed windows provides sufficient contrast to the rising curtain glazed tower behind and above. We are satisfied that the architectural treatment, the setback proposition and refinement to the overall scale as discussed above demonstrates an acceptable urban design outcome.
- Given Kingston Streets narrower profile (6.5m) in comparison to its Church Street frontage neighbouring properties on the south side of Kingston Street are particularly exposed to potential shadow impacts. Our recommendation of reducing the proposals overall height by 2 storeys will reduce the overall impact of shadows to neighbouring properties from 1:30pm onwards, noting the particularly sensitive residential allotments to the east and south-east.

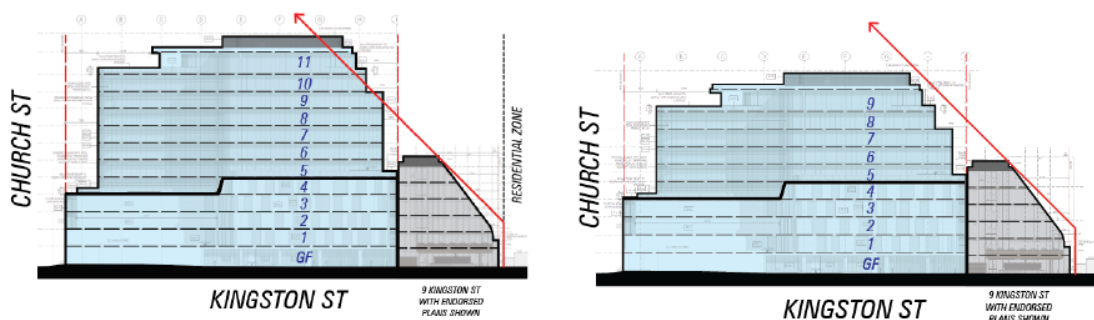
Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Northern interface

- The proposals northern boundary immediately abuts the existing commercial property at 511-521 Church Street for the full length of the allotment on Ground Floor and Level 1. From Level 2 the site partially abuts the neighbouring property with a 3m recess at the north-eastern edge providing space for a lightwell for the office tenancies from Level 2 and above. Built form is then recessed for the length of the northern interface at 3m from Level 4 to Level 11. We note that the provision of the lightwell at Level 2 generally aligns with the interfacing properties Level 3 setback of 3.85m providing sufficient separation between the adjoining developments. This visual 'break' ensures shared internal amenity to both developments allowing sufficient light and limiting potential visual bulk impacts.
- While we note a small portion of the proposal will result in a section of blank wall at the northern interface it is largely concealed from public view and will also not result in any amenity issues to 511-521 Church Street due to a setback of 3.85m at Level 3 which will ensure sufficient space between the two buildings.
- Overall, we are supportive of the northern interface arrangement and believe it provides adequate relief to the neighbouring allotment to the north, while also enhancing the internal amenity of the proposal through the provision of a well-positioned visual break.

Eastern boundary (rear interface)

- When assessed against the residential transition recommended within the Swan Street Structure Plan, the revised 10-storey form demonstrates a better urban design outcome in reducing the impacts of visual bulk when viewed from the Brighton Street frontage but will also ensure a respectful integration with the sensitive residential dwellings to the east. The reduction in height will also ensure a more natural transition with the endorsed proposal at 9 Kingston Street as seen (demonstrated above) in the residential interfaces site line test adopted within the Swan Street Structure Plan (2014), which has been designed to minimise off-site amenity impacts including visual bulk and overlooking on residential land uses. As a general principle the transition of the rear building setback should result in no obstruction to the red line (as seen below), this will ensure an appropriate building envelope in close proximity to residential areas. By reducing the proposal by 2 Levels we can determine that this represents a more comfortable fit within the streetscape and to the proximate residential allotments to the east, especially when viewed in tandem with the vertical site line test performed from the Church Street frontage.



Swan Street Structure Plan (2014) residential interfaces test (current form of the proposal and with Level 8 & 9 removed)

Hansen Partnership Pty Ltd

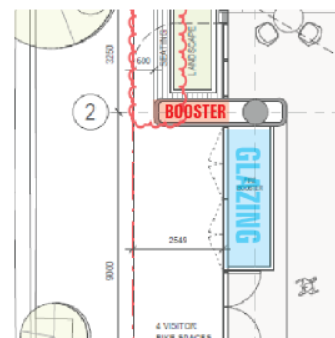
Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

- The proposals comprises a rear setbacks of 3m at Level 5, a setback of 6.75m at Level 10 and is further recessed to 9.35m at Level 11. We are satisfied with the existing rear setback distances given our recommendation of reducing the proposal by 2 storeys. We believe that the recommended 2 storey reduction will be sufficient to provide a rear profile that respectfully integrates into the existing context, noting sensitive residentially zoned land to the east. While we generally support the design proposition we believe that a 2 storey reduction will reduce the impact of visual bulk from rear views providing a more gradual transition in height from the endorsed 6 storey proposal at 9 Kingston Street.

Site Planning

We are generally supportive of the overall site planning response and make the following comments:

- The ground floor layout seeks to take advantage of its multiple frontages and rear access arrangement. A generous lobby lounge and café space is accessible from Church Street with a restricted retail tenancy interfacing with Kingston Street providing multiple active frontages at ground level engaging the public realm. The rear entrance is well considered providing a generously proportioned courtyard area with seating, visitor bike spaces and discrete access to the end of trip lobby and associated facilities.
- Vehicle loading and basement access is positioned to the eastern edge of the Kingston Street frontage and in our view is suitably placed. Both basement levels comprise well designed parking space arrangements seeking to maximise the available floorspace comprising a logical internal arrangement surrounding the central lift and stair core.
- At Ground Level, the provision of a communal bike storage rooms (122 bike parking spaces) and end of trip facilities are well positioned within the lobby area with rear entry providing convenient access to cyclists.
- We commend the proposals rear access, successfully integrating with the existing laneway providing convenient access especially for cyclists who may require the end of trip facilities at ground floor.
- The internal configuration of the lift/ stair core, service rooms and corridor spaces are well considered, with the core being positioned centrally to allowing for a logical circulation and maximising available floor space for the office spaces.
- The incorporation of a recess (or lightwell) from Level 2 along a portion of the northern interface will ensure sufficient sunlight for office tenancies and is considered appropriate for floorplates of this depth.
- We do note the awkward positioning of the booster cabinet and visitor bike parking at the Church Street frontage. We understand the sensitivity and necessity of convenient booster access, however we make a minor suggestion to reconsider the existing configuration. Currently the booster cabinet takes up a portion of the glazed frontage to Church Street, limiting activation of the frontage to the public realm. We suggest repositioning the cabinet (as seen right) which will result in a fully glazed and activated frontage and could provide greater buffer between the entrance and bicycle parking, which we would consider to be a successful urban design outcome.



New booster location at the Church Street frontage to maximise public engagement

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Architectural Language

- We consider the architectural response to the proposed development to be well considered in relation to its surrounding context and its intended use, primarily as commercial office space. The podium base is well defined and 'solid' particularly to the Kingston Street frontage with well articulated and visually interesting fenestration and considerate material use that articulates the façade effectively, particularly to the Kingston Street frontage. The recessed towers curvilinear form and emphasis of curved edges serves to reduce the visual bulk impacts compared to buildings of similar massing with more angled elements.
- The proposal incorporates appropriate use of materials and finishing's to ensure a design response of high architectural quality that serves to enhance the existing streetscape.
- While we are generally supportive of the architectural language we recommend a minor refinement to proposals façade to enhance visual interest, particularity to the church street frontage. Currently the proposal comprises 'metal fins' that protrude from the glazing of the rising tower form, we recommend enhancing these metal protruding elements to ensuring sufficient horizontal articulation to the expansive glazing presenting to the primary Church Street frontage.

Conclusion

In summary we are generally supportive of the proposal, we commend the site planning response which is well conceived and offers a high level of amenity that will integrate successfully into the public realm. We do not believe the proposal will result in any unreasonable offsite amenity impacts and commend the architectural design response which we believe is suitable in this Church Street context. We are generally supportive of the existing built form massing arrangement with generally suitable setbacks and street wall heights of generally appropriate scale. Despite our general support we make the following recommendations to refine the proposed development.

In summary we recommend.

1. Seeking to ensure the proposal represents a comfortable fit within the existing streetscape we recommend reducing the overall building height by 2 storey (removal of Level 8 & 9). This will ensure impacts of visual bulk are minimised from the Church Street frontage and from residential land to the east. Noting that the proposal in its current form or with only a 1 Level reduction would set a new building height benchmark along the Church Street spine.
2. Reconsideration of the booster cabinet location at the Church Street frontage to maximise visual permeability and activation of the frontage.
3. Enhancing the metal fin protrusions on the tower form to ensure sufficient horizontal articulation and visual interest to the highly glazed upper levels.

We would be happy to liaise with the design team directly to progress these refinements in a timely manner.

Should you have any further enquiries, please don't hesitate to contact us on 9664 9836.

Yours faithfully,

Hansen Partnership Pty Ltd

Urban Design Team 02/05/2022

Hansen Partnership Pty Ltd

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**



Vipac Engineers and Scientists Ltd
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w. www.vipac.com.au | A.B.N. 33 005 453 627 | A.C.N. 005 453 627

City of Yarra

7 April 2022

Ref: 30N-22-0095-GCO-32097-0

PO Box 168, Richmond, VIC 3121

Dear Chris Stathis,

525 Church Street, Richmond

This peer review is based on Vipac's experience as a wind engineering consultancy. No wind tunnel studies have been undertaken to support this review.

Vipac has reviewed the Environmental Wind Assessment (Report 129-21-DE-EWA-01) and drawings of the development (see attachments) and have the following comments:

- i. The MEL Consultants Environmental Wind Assessment has been prepared based on the drawings prepared by Gray Puksand on 31.11.2021 and consultancy experience. No wind tunnel testing has been carried out to support their assessment. We have no issues with this method for a desktop study as this is a common approach to provide architects, developers and responsible authorities advice on wind impact of the proposed design.
- ii. We have no issues with the analysis approach, wind environment and exposure estimate. MEL Consultants have clearly described the process for the desktop assessment, and this is consistent with the approach that Vipac would take.
- iii. The report has used the assessment criteria as detailed in the upcoming Better Apartment Design Standards (BADS) produced by DELWP. Vipac has no issues with the use of these comfort criteria.
- iv. The report assessed outdoor terraces on levels 4, 5 and 11 as private. As the proposed development is an office building (with retail units on the ground level), Vipac would thus argue that these terraces are communal, and would assess these areas to the more stringent standing comfort criterion.
 - a. MEL Consultants should provide clarification on whether the assessment of these terrace areas is appropriate for their intended use.
 - b. While the architectural plans do not show seating to be utilised in any of the terraces, the landscape plans dated 01.02.2022 show these areas to have seating. MEL Consultants and the Architect should provide clarification on the intended purposes of these terraces.
- v. The report analysed the wind effects on the streetscapes along Church Street and Kingston Street. It concluded that the wind conditions are expected to meet the recommended walking comfort criterion for all wind directions. Wind conditions at the main building entrances along Church Street and the retail entrance along Kingston Street are expected to satisfy the recommended standing comfort criterion. The Open car park to the east was also assessed to be expected to satisfy the recommended walking comfort criterion. Vipac agrees with these assessments.
- vi. There are seating areas along Church Street, and an entrance and an open courtyard at the north eastern corner of the site, that have not been assessed.
 - a. MEL Consultants should provide an assessment on this area.

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments



City of Yarra
525 Church Street, Richmond
Peer Review

- vii. The report analysed the wind effects on the outdoor terraces on levels 4, 5 and 11. It predicted that the wind conditions on levels 4 and 5 would exceed the recommended walking comfort criterion and mitigation strategies would need to be investigated via wind tunnel testing. However, the level 11 terraces are predicted to be within the recommended walking comfort criterion due to their location at the top of the building and the proposed 1.5m balustrades. Vipac agrees with these assessments.

In conclusion, the MEL Consultants Environmental Wind Assessment report used the proper analysis and methodology to analyse the wind effects on the pedestrian level surrounding the proposed development and found that the proposed design would be expected to generate winds within the recommended wind comfort criteria at ground level. However, MEL Consultants should provide clarification on why the north eastern corner of the site on the ground level and the seating areas along Church Street were not assessed, and whether an accurate wind comfort criterion was applied for the terraces on levels 4, 5 and 11.

Yours sincerely,

Vipac Engineers & Scientists Ltd

Rumman Islam

Consulting Engineer

Attachments

Name

- Architectural Plans Part 1
- Architectural Plans Part 2
- Landscape Plan
- Referral No. eRCRFeeReq 17144167
- Wind Impact Assessment (1)

7/04/2022

30N-22-0095-GCO-32097-0

Commercial-In-Confidence

Page 2 of 2

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**



Marshall Day Acoustics Pty Ltd
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Collingwood VIC 3066
Australia
T: +613 9416 1855
www.marshallday.com

29 April 2022

Yarra City Council
PO Box 168
Richmond VIC 3121

Attention: Chris Stathis

Dear Chris,

525 CHURCH STREET RICHMOND – PEER REVIEW – PLN21/0882

A new 12 storey office building development at 525 Church Street and 1-7 Kingston Street, Richmond has been proposed and is currently at Town Planning stage.

As stated by the Yarra City Council:

“Please note that the proposed land uses do not require a planning permit so the extent of the assessment is limited to the proposed development itself.”

Marshall Day Acoustics Pty Ltd (MDA) has been engaged by Yarra City Council to undertake a peer review of the following information:

- SLR Consulting Australia Pty Ltd document *Acoustic Report* dated 26 November 2021
- Gray Puksand Pty Ltd documents *Architectural Plans Part 1* and *Architectural Plans Part 2* dated 28 January 2022

In addition, the following briefing documents have formed the basis of this peer review:

- EPA Victoria Publication 1826.4 *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues*, dated May 2021 (the Noise Protocol).
- Environment Protection Act 2017

Acoustic terminology used throughout this letter is explained in a glossary contained in Appendix A.

The Association of Australian Acoustical Consultants (AAAC) document *Guideline for Report Writing* has been used as a reference for this peer review.

Summary Comments

MDA has reviewed the above documents and asserts that:

- The Acoustic Report has addressed the requirements stated in the EP Regulations for daytime operation.

With regard to the Acoustic Report, MDA note that noise limits have been derived, but no background noise measurements for the evening and night period were included in the report. A measurement for the day period was included at a level of 39 dB L_{A90} . It is highly likely, due to the COVID-19 Victorian Government pandemic restrictions enforced at the time, that the background noise level at the nearest noise sensitive receivers is higher, and therefore this is considered a conservative position.

It is not clear as to the proposed hours of operation of the development. It is recommended that background noise levels be taken at the site during the evening and night-time to ascertain the resultant Noise Protocol limits for the site prior to the development being built.



Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments



SUMMARY OF MDA REVIEW COMMENTS

3.2.1 Background noise measurement results

Section 3.2.1 of the report presents the background noise level results from the background noise survey. Four (4) 10-minute measurements were conducted during the day period at three (3) separate locations. No measurements were conducted during the evening or night-periods.

MDA agrees that long term monitoring should be undertaken in the area for the following stages of design to verify background noise levels, as well as to obtain limits for the evening and night-periods.

4.1.1 General Environmental Duty (GED) Requirements

Section 4.1.1 of the report presents a review of GED considerations with regards to noise. The table is presented below in Figure 1.

Figure 1: General Environmental Duty Review

Table 3 General Environmental Duty Review

Type of Noise	Potential Impact	How is the Risk Minimised	Residual Risk of Harm
Mechanical services noise	Impact on residential amenity and human health	Compliance with Noise Protocol	Very low
Delivery trucks	Impact on residential amenity and human health	Compliance with sleep disturbance criteria	Very low
Waste collection	Impact on residential amenity and human health	Compliance with EPA Publication 1254.2	Very low
Noise from Emergency Equipment	Impact on residential amenity and human health	Compliance with Noise Protocol	Very low

Compliance with the Noise Protocol does not necessarily achieve the requirements of General Environmental Duty. The purpose of the GED is to reduce the risk of harm from activities to human health and the environment, and from pollution or waste.

Assessment of the mechanical plant has not yet been undertaken. It would be appropriate to include a condition that addresses selection of lowest possible noise equipment to address the GED.

4.1.3 Zoning Levels and Noise Limit

Section 4.1.3 of the report includes the calculated noise limits for the nearest noise sensitive receivers. The limits were established by taking the "zoning level minus 5 dB" due to the unusually low background levels measured.

MDA confirms that the limits calculated are conservative with respect to the Noise Protocol. It is likely that the background noise levels may be higher during 'normal' conditions, and as such, the overall noise levels may also be higher.

5.1 Mechanical Plant

Section 5.1 of the report includes a review of plant locations, distances, and conceptual layout of the plant deck.

MDA confirms that compliance with the relevant environmental noise limits is expected, based on distances between the mechanical plant and the nearest noise sensitive receivers, subject to the selection of the plant.

MDA recommends that a detailed acoustic review still be conducted once the specifications of the mechanical equipment is available. Further, it would be appropriate to condition the site such that the lowest noise equipment available is selected in order to address GED.

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**



5.2 Carpark Movements

Section 5.2 of the report includes measured sound power levels of a car accelerating for the assessment of the proposed car park. MDA confirm that the noise level nominated is appropriate to assess against the relevant noise criteria and confirm that it is compliant.

Other items noted in the Acoustic Report are not related to the Town Planning stage of the assessment and are not considered further.

For the reasons detailed herein, MDA considers that the assessment is satisfactory in terms of demonstrating compliance with the relevant legislation.

We trust that this information is commensurate to your needs at this time. If you have any comments or questions then please do not hesitate to contact me.

Yours faithfully

MARSHALL DAY ACOUSTICS PTY LTD

A handwritten signature in black ink, appearing to read 'M. Garland', with a stylized flourish at the end.

Mathew Garland

Consultant

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**



APPENDIX A GLOSSARY OF TERMINOLOGY

dB	<u>Decibel</u> The unit of sound level. Expressed as a logarithmic ratio of sound pressure P relative to a reference pressure of $P_r=20 \mu\text{Pa}$ i.e. $\text{dB} = 20 \times \log(P/P_r)$
A-weighting	The process by which noise levels are corrected to account for the non-linear frequency response of the human ear.
L_{Aeq}	The equivalent continuous (time-averaged) A-weighted sound level. This is commonly referred to as the average noise level.
L_{Amax}	The A-weighted maximum noise level. The highest noise level which occurs during the measurement period.
L_{A90}	The noise level exceeded for 90% of the measurement period, measured in dBA. This is commonly referred to as the background noise level.

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

Open Space Services Formal Referral Response



Application Information	
Referral Officer	USERID
Officer	Robert Hill
Council Reference	PLN21/0882
Address	525 Church St, Richmond VIC 3121
Proposal	The construction of a twelve storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Comments Sought	This is the link to the Statutory Planning Referral memo: D22 59307

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Council's Open Space Services (City Works) provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above.

Council's Open Space Services (City Works) were requested to make comment on the proposal:

Please provide an amenity value of the two trees along the subject site's Church Street boundary.

If you are aware of any capital works approved or proposed within the area of the subject site (as relevant to the planning application), please provide details and a copy of the plans associated with these works.

Comments and Recommendations

- The total amenity value for the two trees on the Church St boundary is \$4,840
- I am not aware of any Capital works approved

City Works

Relevant to this business unit and this application, please be aware that the following capital works are approved / proposed within the area of the subject site (as relevant to the planning application):

Insert CM link to details / plans associated with these works

Open Space Services: USERID

Signature: Rob Hill

Date: 31-Mar 2022

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

Strategic Transport Formal Referral Response



Application Information	
Referral Officer	MALLISP
Officer	PlnUSERID
Council Reference	PLN21/0882
Address	525 Church St, Richmond VIC 3121
Proposal	The construction of a twelve storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Comments Sought	This is the link to the Statutory Planning Referral memo: D22/59293 - IREF22/00342 - Internal Referral Formal Request

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Council's Strategic Transport unit provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above.

Comments

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office (other than specified in the table)	11,258 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	38 employee spaces	122
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	11 visitor spaces.	
Retail premises (other than specified in this table)	159 sqm	1 employee space to each 300 sqm of leasable floor area	1 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	0 visitor spaces.	
Bicycle Parking Spaces Total			39 resident / employee spaces	122 resident / employee spaces
			11 visitor spaces	18 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	4 showers / change rooms	14 showers / change rooms

The development provides a total of 83 additional employee spaces and 7 additional visitor spaces above the requirements of the Scheme. This is also 8 additional employee spaces to those required by BESS.

Adequacy of visitor spaces

18 spaces are noted as visitor bicycle parking spaces.

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

The provision of the visitor spaces **is adequate given**:

- Whilst **18** spaces exceeds the statutory requirement, it is noted that only four spaces are located on the Church Street frontage. Church Street is designated as a Strategic Cycling Corridor (Main Route – C2) and is expected to see a continued increase in bicycle traffic. It is recommended that additional bicycle hoops be located directly outside the main entrance to Church Street to maximise convenient access in the form of a develop contribution to install at least one additional hoop on the public footpath (to be confirmed with relevant Council teams).
- The location of the six visitor bicycle parking spaces at the rear of the site towards 9 Kingston Street is behind a secure gate. More details are required on the proposed operation of this area and how visitors will access these spaces.

Adequacy of employee spaces

Number of spaces

Whilst the proposal includes a surplus of **83** employee spaces above the requirements of the planning scheme, it is noted:

- A reduction of **273** car parking spaces is sought.
- The subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase; and
- both local and state planning policies include objectives to promote sustainable transport modes, including cycling.
- This number of employee spaces is acceptable. However, it would be acceptable if a further reduction in car parking spaces was sought to provide additional bicycle parking spaces.

Design and location of employee spaces and facilities

Employee spaces are **adequately** located and designed for the following reasons:

- It is noted that employee bicycle parking is provided at Ground Floor. This is a preferred design solution and acceptable in the plans.
- **All** spaces are located within a secure facility, complying with Clause 52.34-3 & Australian Standard AS2890.3.

Employee spaces are **inadequately** located and designed for the following reasons:

- **More details should be provided to demonstrate that at least some of the proposed employee bicycle parking arrangements can safely and easily accommodate larger/heavier bicycles, including cargo bikes, electric bikes and recumbent bikes, as referenced in Appendix A of AS 2890.3.**
- **Details on the types of lockers to provided must be provided, with at least 50% of lockers providing hanging storage space;**
- **E-bike charging points should be provided within the employee bicycle parking facility.**
- **It is noted that "Access to the bicycle spaces will be via the rear carriageway". This is not supported for the following reasons:**

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

- As noted previously, it is likely that the largest source of bicycle traffic will be from Church Street. The rear laneway is a minimum of 150 metres away from the Church Street entrance, increasing to 260 metres if access through the existing surface-level carpark at 9 Kingston Street is excluded.
- Pursuant to AS 2890.3 (2.6): "Access should be provided from the nearest or most convenient roadway to the parking facility such that a bicycle may be ridden to a point typically not more than 30 m away from the facility."; and pursuant to Clause 52.34-4: "Be located to provide convenient access from surrounding bicycle routes and main building entrances" It is not considered that the proposed arrangement meets this Standard.
- The proposed laneway access is a narrow right of way with poor passive surveillance. This presents safety issues, particularly during Winter/Autumn and at night.
- Kingston Street is a one way street. People wishing to ride west along Adelaide Street (desirable due to the presence of a signalised pedestrian crossing on Church Street) would require a 340 metre detour along Brighton and Albert Streets in order to reach this safe crossing point. This creates further inconvenience.
- Instead it is recommended that provision is made for employee bicycle parking to also be accessible from the Church Street frontage. If this is not possible, the Kingston Street frontage would be a second preference.
- Signs directing visitors to bicycle parking must also be provided, particularly at the Church Street entrance where other visitor parking options may not be immediately visible.

Electric cars

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EVs).

No car parking spaces are marked as having electric car charging facilities. Given the site's location in an area with relatively high current and future market penetration rates for electric cars, it is recommended that at least three spaces be provided with electric car charging facilities from 'Day One' of the development.

In addition, to allow for easy future provision for electric car charging, all car parking areas should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.

Car share

The presence of eight car share pods within 500 metres of the site is noted. Given the scale of the development and car parking reduction being sought, it is recommended that at least one car share is provided within the development.

Green Travel Plan

The application includes a Green Travel Plan (GTP). The GTP does not adequately address cycling or walking, and should be modified to include the following:

- Establishing an employee bicycle users group (or similar) to encourage mode shift

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

- Promotion of walking for both transport and recreation, for example promoting walking campaigns such as Heart Foundation Walking

This information is required to be shown in the GTP before it can be approved.

Yarra's key bicycle corridors

The site is located adjacent to a key bicycle corridor. Church Street is designated as a Strategic Cycling Corridor and there are several other formal and informal bicycle routes in close proximity to the site.

Yarra's key walking routes

Kingston Street in particular is a key walking route. It connects to the signalised pedestrian crossing on Adelaide Street, tram stops on Church Street and provides access to Richmond Primary School via a school crossing on Brighton Street.

City Works

Relevant to this business unit and this application, the following capital works are approved / proposed within the area of the subject site (as relevant to the planning application):

None from Strategic Transport.

Recommendations

The following should be shown on the plans before endorsement:

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 but modified to show:
 - a. The provision of at least three car parking spaces to be supplied with electric car charging facilities;
 - b. Demonstration of capability of employee bicycle parking arrangements to safely and easily accommodate cargo bikes, electric bikes and recumbent bikes, as referenced in Appendix A of AS 2890.3;
 - c. The provision of at least one car share facility within the development; and
 - d. The provision of electric bicycle charging for at least 10% of employee bicycle parking spaces and 20% of visitor bicycle parking spaces.

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

- access arrangements for all employee bicycle parking spaces from Church Street;

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

- the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
- establishing an employee bicycle users group (or similar) to encourage mode shift;
- promotion of walking for both transport and recreation;
- security arrangements to access the employee and visitor bicycle storage spaces;
- signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
- reference to a minimum 40A single phase electrical sub circuit to be installed in car park areas for all car parking spaces to be 'EV ready'.

Bike rack provision (on public land)

Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 2 bike racks must be installed:

- (a) at the permit holder's cost; and
- (b) in a location and manner,

to the satisfaction of the Responsible Authority.

Principal Strategic Transport Planner (Strategic Transport Unit): MALLISP



Signature:

Date: 14/04/2022

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

Urban Design Formal Referral Response



Application Information	
Referral Officer	STATHISC
Officer	Hayley McNicol
Council Reference	PLN21/0882
Address	525 Church St, Richmond VIC 3121
Proposal	The construction of a twelve storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Comments Sought	<ul style="list-style-type: none"> • Referral type is Public Realm only (as built form referral has been sent to external urban design consultant). • Please provide a review of the development as it relates to the public realm, including along Church Street, Kingston Street and the rear laneway area. • If you are aware of any capital works approved or proposed within the area of the subject site (as relevant to the planning application), please provide details and a copy of the plans associated with these works.

Recommendation

- The proposal is supported in principle, subject to changes.

Comment Summary

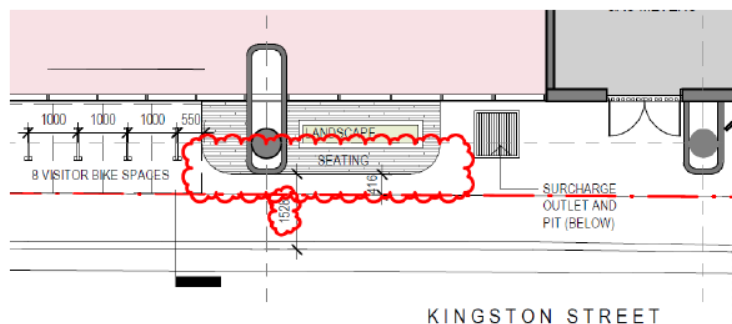
Public Realm Interface

- Church Street interface
 - The front entrance is set back from Church Street, which is welcomed. However, the configuration of the entrance doors, fire booster cabinet and bike parking is too tight. In particular, when the fire booster cabinets are open or when someone is locking up their bike this will partially obstruct the entrance. It is recommended that fire booster cabinet and hoops are set back further from the entrance doors.
 - The seating areas at either side of the entrance are welcomed and the seating is set back 600mm from the property boundary to provide ample leg room off the Church

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Street footpaths. We understand that the Open Space team will provide advice on the on-site landscaping (including for these planters).

- Kingston Street interface
 - The provision of seats along the Kingston Street interface is supported in principle. However, there are a few aspects of its design that need to be resolved:
 - The seats are only set back 330-416mm from the property boundary which does not provide enough leg room to avoid blocking the narrow footpaths. It is therefore recommended that the seats are set back a minimum of 500mm from the property boundary to provide adequate space.
 - The bike hoops are too close to the entrance doors (for the restricted retail tenancy), and therefore people locking up their bikes may partially obstruct the entrance. There is an adjacent platform structure (not sure what this would be used for). This could be removed (or reduced in size) to allow for bike hoops to shift down.
 - The Open Space Planning and Design team will provide any advice on-site landscaping, however we note that these planters are covered, are south facing and have limited width and so are not going to offer much greenery. Refer to any advice from Open Space team and consider the following suggestion below:
 - The seating structure has a narrow space for planting then some sort of platform between the plantings and the window sill – it is unclear why this platform along the window is so wide as it seems to compromise the width of the planter. In providing an increased setback (to address the first point), this configuration could also be revisited to provide a wider space for plantings.
 - The Architectural Plans (ground floor) show a 'Surcharge outlet and pit (below)' in the Kingston Street setback (see screenshot below). Unsure what this is and how it will impact the function and amenity of this space and the seating area. Clarification is required and this should be reflected on the Landscape Plans.



- Laneway interface
 - A sliding gate entrance is provided from the rear laneway, which is predominately for cyclists and substation. The gate provides metal slats offering 25% maximum opacity.
 - We assume that the Strategic Transport team will provide advice on cycle access via this laneway, and that the Open Space Planning and Design team will provide advice on the on-site landscaping behind this gate.
- General
 - We note that future detailed plans would need to cover issues such as tactile pavers (these are set on asphalt and bluestone on the Kingston Street frontage) and ensuring the forecourt paving is level with the footpath.

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Streetscape and Capital Works

- In terms of Council's tree planting programme, Kingston Street will be looked at in the next couple of years to investigate additional roadside planting locations on the south side of the street.

The proposal is supported in principle, subject to the following improvements and additional details:

- Church Street entrance – fire booster cabinet and hoops are set back further from the entrance doors to provide more space.
- Kingston Street - seats are set back a minimum of 500mm from the property boundary to provide adequate space.
- Kingston Street – bike hoops are set back from tenancy door.
- Kingston Street – widen the planter beds as much as possible.
- Kingston Street – clarify what the 'Surcharge outlet and pit (below)' is and show on Landscape Plans.

These comments exclude comments from the following teams, and they will be providing separate referral comments:

- Open Space Planning and Design
- Open Space Services – any impacts on any existing trees and tree management plan for Church Street footpath trees.

Urban Designer: MCNICOLH

Date: 2 May 2022

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

Civil Works Formal Referral Response



Application Information	
Referral Officer	USERID
Officer	Atha Athanasi
Council Reference	PLN21/0882
Address	525 Church St, Richmond VIC 3121
Proposal	The construction of a twelve storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Comments Sought	This is the link to the Statutory Planning Referral memo:

Council's Civil Works Unit provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above.

Civil Works were requested to make comment on the submitted Waste Management Plan (WMP).

Comments and Recommendations

The waste management plan for 525 Church St and 1 – 7 Kingston St Richmond authored by Traffix Group and dated 24/11/21 is satisfactory from a City Works Branch's perspective.

Engineer: USERID

Signature:

Date:

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

Development Engineering Formal Referral Response



Application Information	
Referral Officer	Chris Stathis
Officer	Mark Pisani
Council Reference	IREF22/00338
Address	525 Church Street and 1-7 Kingston Street, Richmond
Application No.	PLN21/0882
Proposal	Referral - Internal – Development Engineering
Comments Sought	Construction of 12-Storey Building

Council's Engineering Referral team provides the following information which is based on the information provided by Statutory Planning referenced above.

Comments and Recommendations

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Gray Puksand	TP03.00 <i>Basement 02 Floor Plan</i>	A	Not dated
	TP03.01 <i>Basement 01 Floor Plan</i>		Not dated
	TP03.02 <i>Ground Floor Plan</i>		28 January 2022
	TP10.01 <i>South & East Elevations</i>		Not dated
	TP11.02 <i>Sections – Sheet 03</i>		Not dated
Traffix Group	Traffic Engineering Assessment report	C	26 November 2021
	Waste Management Plan	B	24 November 2021

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CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	11,258 m ²	3.0 spaces per 100 m ² of net floor area	337	66
Restricted Retail	159 m ²	2.5 spaces per 100 m ² of leasable floor area	3	1
Total			340 spaces	67 spaces

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

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

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

Parking Demand Consideration	Details
<i>Parking Demand for Office Use</i>	<p>The proposed office would be providing on-site parking at a rate of 0.59 spaces per 100 square metres of floor area. Office developments throughout the municipality have been approved by Council with reduced rates. A few examples include:</p> <ul style="list-style-type: none"> 60-88 Cremorne Street, Cremorne – 0.72 spaces/100 m² 51 Langridge Street, Collingwood – 0.54 spaces/100 m² 2-16 Northumberland Street, Collingwood – 0.89 spaces/100 m² <p>Although slightly lower than some of the rates listed above, the proposed office parking rate of 0.67 spaces per 100 square metres of floor area is considered appropriate as the site has very good access to public transport and seeks to encourage more sustainable forms of transport.</p>
<i>Parking Demand for Restricted Retail Use</i>	<p>For the restricted retail use, a staff parking rate of 1.0 space per 100 square metres of floor area could be adopted. This would equate to a staff parking demand of one to two spaces. For any staff who do not have access to on-site parking, other travel arrangements would need to be made, such as taking public transport or riding a bicycle.</p>

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Parking Demand Consideration	Details
	Customers who choose to drive to the site would be expected to park on-street/off-site – typical of this type of use.
<i>Availability of Public Transport in the Locality of the Land</i>	<p>The following public transport services can be accessed to and from the site by foot:</p> <ul style="list-style-type: none"> ▪ Church Street trams – 20 metre walk ▪ Swan Street trams – 380 metre walk ▪ East Richmond railway station – 280 metre walk
<i>Multi-purpose Trips within the Area</i>	Customers and clients to the development could combine their visit by engaging in other activities of business whilst in the area.
<i>Convenience of Pedestrian and Cyclist Access</i>	The site is very well positioned in terms of pedestrian access to public transport nodes and other businesses. The site also has good connectivity to the on-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

Consideration	Details
<i>Availability of Car Parking</i>	<p>Trafix Group had conducted an on-street parking occupancy survey of the surrounding area on Tuesday 26 October 2021 at 1:00pm. The survey area encompassed Willis Street, Kingston Street, Gibbons Street, Albert Street and sections of Church Street, Brighton Street, Burgess Street, Barkly Avenue, Hill Street, William Street and Adelaide Street. The time and extent of the survey are considered appropriate. An inventory of 141 publicly available parking spaces was identified. The results of the survey indicate that some 84 cars were parked in the study area, which represents a 60% occupancy. The on-street parking demand in this part of Richmond is very high. The area surrounding the subject site is blanketed in time based parking restrictions. The high parking demand in the surrounding streets would be a disincentive for employees to drive. Customers and clients should be able to find a short-stay on-street parking space.</p>
<i>Relevant Local Policy or Incorporated Document</i>	<p>The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.</p>

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Consideration	Details
<i>The Future Growth and Development of an Activity Centre</i>	<i>Practice Note 22 – Using the Car Parking Provisions</i> indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such as the Church Street retail precinct, where spare on-street car parking capacity would be shared amongst sites within the activity centre.
<i>Car Parking Deficiency associated with Existing Land Use</i>	According to the applicant, the existing use This parking credit could potentially be transferrable to the new use.

Adequacy of Car Parking

From a traffic engineering perspective, the car parking provision for the restricted recreation facility use is considered appropriate in the context of the development and the surrounding area.

Employees who do not have access to on-site parking would make other travel arrangements to commute to and from the site, such as take public transport or ride a bicycle. The operation of the development should not adversely impact on the existing on-street parking conditions in the area.

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

TRAFFIC IMPACT

Trip Generation

The trip generation for the site adopted by Traffix Group is as follows:

Proposed Use	Adopted Traffic Generation Rate	AM Peak Hour	PM Peak Hour
Commercial (Office and Restricted Retail)	0.5 trips per on-site space in each peak hour	34 trips	34 trips

Directional Splits

Traffix Consultants have adopted commercial traffic peak hour directional splits as follows:

- AM Peak Hour: 90% IN (31 trips) and 10% OUT (3 trips)
- PM Peak Hour: 90% OUT (31 trips) and 10% IN (3 trips)

The level of traffic generated by the development is not unduly high and it is agreed that the operation of the development would not have a detrimental impact on the surrounding road network.

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance – Kingston Street Frontage	The 7.05 metre wide doorway of the development entrance satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Visibility	The provision of a convex mirror in lieu of a visibility splay is considered acceptable.
Headroom Clearance	The accessways have a headroom clearance of no less than 2.571 metres, which satisfies AS/NZS 2890.1:2004.
Internal Ramped Accessways	Internal ramped accessways have minimum carriageway widths of 6.0 metres with additional kerbs on either side, which satisfy AS/NZS 2890.1:2004.
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the ninety-degree parking spaces (2.6 to 2.9 metres by 4.9 metres) satisfy <i>Design standard 2: Car parking spaces</i> of Clause 52.06-9.
Parallel Parking Spaces	The dimensions of the parallel parking spaces (2.3 metres by 6.7 metres) satisfy <i>Design standard 2</i> .
Accessible Parking Space	The dimensions of the accessible parking space and shared area (2.4 to 2.8 metres by 5.4 metres) satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009.
Aisles	The aisle widths range from 5.8 to 6.474 metres and satisfy <i>Table 2: Minimum dimensions of car parking spaces and accessways</i> of Clause 52.06-9.
Column Depths and Setbacks	Columns are positioned outside of parking space clearance envelopes, as required by <i>Diagram 1 Clearance to car parking spaces</i> in Clause 52.06-9.
Clearances to Walls	Spaces adjacent to walls have been provided with 300 mm clearances, which satisfy <i>Design standard 2</i> .
Gradients	
Ramp Grade for the first 5.0 metres inside the Property	The ramp grades for the first 5.0 metres inside the property are no steeper than 1 in 10, which satisfy <i>Design standard 3: Gradients</i> .
Ramp Grades and Changes of Grade	The ramp grades and changes of grade satisfy <i>Table 3 Ramp Gradients</i> of Clause 52.06-9.
Swept Path Assessment	
Vehicle Turning Movements Development Entrance G29577-01A* Sheet 01	<p>The swept path diagrams for two B99 design vehicles entering and exiting the development entrance via Kingston Street are considered satisfactory.</p> <p>Important: Traffix Group has noted that there is an existing on-street parking space on the south side of Kingston Street,</p>

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Item	Assessment
	directly opposite the development entrance, that should be removed. The Engineering Referral team also considers the removal of this space to be appropriate. The decision to remove this space rests with Council's Parking Management unit.
Vehicle Turning Movements – with On-Street Space Retained Development Entrance G29577-01A Sheet 02	Should the on-street space on the south side of Kingston Street be retained. The swept path diagram for a turning B99 design vehicle can satisfactorily enter the development entrance. A vehicle wishing to exit at the same time would wait some distance back from the property line as an entering vehicle completes its turn. This arrangement is considered satisfactory.
Vehicle Passing Movements Basement 01 Car Park G29577-01A Sheet 03 G29577-01A Sheet 04	The swept path diagrams for a passing B99 design vehicle and an on-coming B85 design vehicle at the north east corner of Basement 01 car park are considered satisfactory. The swept path diagram of a B99 design vehicle circulating within Basement 01 car park (entry movement) is also satisfactory.
Vehicle Passing Movements Basement 01 Car Park G29577-01A Sheet 05	The swept path diagram of a B99 design vehicle circulating within Basement 01 car park (exit movement) is considered satisfactory.
Small Rigid Vehicle Entry and Exit Movements Loading Dock and Courier Bay G29577-01A Sheet 06	The swept path diagrams for a 6.4 metre long small rigid vehicle entering and exiting the Loading Dock and Courier Bay via Kingston Street are considered satisfactory (provided the on-street space on the south side is removed).
Waste Collection Vehicle Entry and Exit Movements Loading Dock and Courier Bay G29577-01A Sheet 07	The swept path diagrams for a 6.345 metre long waste collection vehicle entering and exiting the Loading Dock and Courier Bay via Kingston Street are considered satisfactory (provided the on-street space on the south side is removed).
Vehicle Ingress and Egress Movements Space 1 - Basement 01 Car Park G29577-01A Sheet 08	The swept path diagram for a B85 design vehicle entering and exiting space 1 in Basement 01 Car Park is considered satisfactory.
Vehicle Ingress and Egress Movements Spaces 22 and 23 - Basement 02 Car Park G29577-01A Sheet 09	The swept path diagrams for a B85 design vehicle entering and exiting spaces 22 and 23 in Basement 02 Car Park are considered satisfactory.
Vehicle Ingress and Egress Movements Spaces 24 and 25 - Basement 02 Car Park G29577-01A Sheet 10	The swept path diagrams for a B85 design vehicle entering and exiting spaces 24 and 25 in Basement 02 Car Park are considered satisfactory.
Vehicle Ingress and Egress Movements Spaces 31 and 32 - Basement 02 Car Park G29577-01A Sheet 11	The swept path diagrams for a B85 design vehicle entering and exiting spaces 31 and 32 in Basement 02 Car Park are considered satisfactory.
Vehicle Ingress and Egress Movements Space 33 - Basement 02 Car Park G29577-01A Sheet 12	The swept path diagrams for a B85 design vehicle entering and exiting spaces 33 in Basement 02 Car Park are considered satisfactory

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Item	Assessment
Other Items	
Loading Arrangements	The dimensions of the on-site loading dock (7.768 metres by 12.460 metres) can comfortably accommodate loading vehicle servicing the site.
Vehicle Crossing Ground Clearance	A vehicle crossing ground clearance check is to be undertaken for each new vehicle crossing by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out (Please see under 'Engineering Advice for Design Items to be Addressed by the Applicant' section).

* Traffic Group swept diagram drawing number.

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
On-Street Parking Space – South Side of Kingston Street	As mentioned earlier, an existing single on-street parking space is located on the south side of Kingston Street, opposite the development entrance. The presence of this space would adversely impact vehicle turning movements into and of the loading bay and restrict vehicle entry and exit movements for the basement access point. It is agreed that this space should be removed (or if possible, relocated). The decision to remove this space needs to be made by Council's Parking Management unit.
Vehicle Crossing Ground Clearance	<p>To assist the applicant, a Vehicle Crossing Information Sheet has been appended to this memo. The ground clearance check (for each new vehicle crossing) requires the applicant to obtain a number of spot levels which include the reduced level 2.0 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement – in this case, Kingston Street.</p> <p>These levels are to be shown on cross sectional drawings with dimensions, together with the B99 design vehicle ground clearance template demonstrating access and exit movements.</p> <p>Providing the ground clearance checks early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.</p>
Private Land and Kingston Street Footpath	There should be a clear delineation between the setback area (private land) and the Kingston Street footpath.

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ENGINEERING CONDITIONS

Civil Works

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

- The footpath along the Kingston Street frontage of the property must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 33 (for asphalt) or unless otherwise specified by Council.
- The kerb and channel along the property's Kingston Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The full-width road pavement of Kingston Street, along the frontage, must be profiled and re-sheeted to Council's satisfaction and at the Permit Holder's cost.

Vehicle Crossings

- Before the development commences, or by such later date as approved in writing by the Responsible Authority, a vehicle crossing design must be submitted to Council's Engineering department for approval, and:
 - Demonstrate satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle; and
 - Be fully dimensioned with actual reduced levels (to three decimal places) and comply with design requirements set out in Yarra City Council's Vehicle Crossing Information Sheet.
- Prior to the occupation of the development, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) must be constructed:
 - In accordance with any requirements or conditions imposed by Council;
 - At the permit holder's cost; and
 - To the satisfaction of the Responsible Authority.

Road Asset Protection

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

Impact of Assets on Proposed Development

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, valves or meters on Council property will be accepted.

Construction Management Plan

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

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

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- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

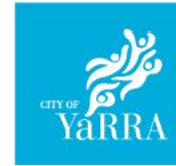
Item	Assessment
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the <i>Building Regulations</i> 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the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

Engineer: Mark Pisani

Signature: 

Date: 19 April 2022

Development Engineering Formal Referral Response

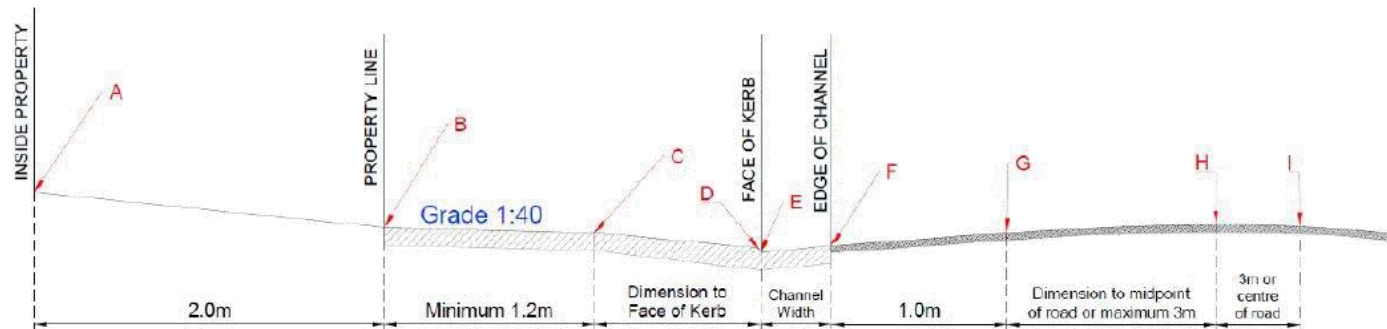


Vehicle Crossing – Cross Section

The designer is to submit a 1:20 scale cross section for each proposed vehicle crossing showing the following items:

- | | |
|--|--|
| A. Finished floor level 2.0 metres inside property | E. Surface level at the bottom of the kerb |
| B. Property line surface level | F. Surface level at the edge of channel |
| C. Surface level at change in grade (if applicable) | G. Road level 1.0 meter from the edge of channel |
| D. Bullnose (max height 60mm) – must be clearly labelled | H, I. Road levels |

- Please note the cross section must be fully dimensioned. As shown in the sketch below.
- Please show both the existing and proposed surface.
- The maximum allowable cross-fall between points B and C is 1:40 (2.5%).
- A bullnose (max 60mm) is permitted at point D, however not compulsory.
- The levels shown must be exact reduced levels, to three decimal points. Interpolation of levels is not acceptable.
- The designer must demonstrate that an 85th or 99th percentile vehicle profile can traverse the design cross section as per the Australian/New Zealand Standard ground clearance template (AS/NZS 2890.1:2004).
- Significant level changes to the existing footpath level B to C will require additional level design either side of the proposed crossing.
- Please include any additional levels or changes in grade that are not shown in the diagram.



**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

Open Space Design Formal Referral Response



Application Information	
Referral Officer	FETHERSL
Officer	Lindy Fetherston
Council Reference	PLN21/0882
Address	525 Church St, Richmond VIC 3121
Proposal	The construction of a twelve-storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Comments Sought	This is the link to the Statutory Planning Referral memo: D22/59117 - IREF22/00337 - Internal Referral Formal Request

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Council's Open Space Design (City Strategy) provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above.

Council's Open Space Design (City Strategy) were requested to make comments on:

- Landscaping Plan
- Landscaping proposed within a development's property boundary

Comments and Recommendations

I have reviewed the plans submitted (refer to hyperlink above) and specifically plans prepared by Site Office Landscape Architects (revision F – 01/02/22) for the above planning application.

The plans show that landscaping and planting is shown on levels Ground, 01, 04, 05, and Level 11.

On Level 1 there is a rain garden on the podium with a medium size tree. No access point is shown on the drawings for maintenance of this garden.

On Level 10 there is a large inaccessible terrace which is proposed to be surfaced with loose dark coloured gravel. This is a missed opportunity to contribute positively to local heat mitigation and bio-diversity, as well as improved amenity to the adjacent tenancy, by providing either an accessible terrace with garden bed planting, or a non-trafficable low-maintenance roof garden. The latter can be achieved with hardy groundcover plants such as succulents and low native grasses, which require minimal water and maintenance, and can be grown in a shallow, light-weight soil media mix.

The roof garden on the west side of Level 11 could benefit from additional garden bed areas and deep soil as it is a very exposed site and plants will struggle to thrive. There is potential to include some small ornamental trees here to provide some shade to seating areas and garden bed areas.

The garden beds at each end of the east side terrace will be very difficult to maintain as they it will be impossible to access the back of each planter from the paved terrace area, especially once the plants are established. Climbing up onto the raised planter could be a safety risk and could also result in damage to plants closer to the front edge.

Plant species and numbers are not shown for some garden bed areas on the plans, and some of the species codes listed do not match the plant schedule.

Planning permit requirements

- Provide a planting plan and plant schedule for all landscape areas, showing proposed species, number of plants, height and width at maturity and installation size.

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- Provide detail drawings for elements such planter boxes – showing dimensions, drainage, irrigation, lining, materials and growing media. Volumes of growing media need to be adequate for the plant species proposed.
- Provide information on proposed irrigation system.
- Provide a maintenance schedule, including task details and frequency.
- Demonstrate how maintenance contractors can safely access green wall planting above ground level, the rain garden on Level 01, and planters on the outside of balustrades, such as on Level 05.
- Load bearing weights for the building structure need to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, tree and plant mass being proposed to ensure the viability of the Level 01 rain garden.

City Works

Not Applicable

Open Space Design: FETHERSL

Signature: Lindy Fetherston

Date: 29/04/22

**Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC
Report Attachment - Referral Comments**

ESD Formal Referral Response



Application Information	
Referral Officer	Chris Stathis
Officer	Gavin Ashley
Council Reference	PLN21/0882
Address	525 Church St, Richmond VIC 3121
Proposal	The construction of a twelve storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.
Comments Sought	This is the link to the Statutory Planning Referral memo: D22/59258

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Report Attachment - Referral Comments**

Council's ESD Officer provides the following information which is based on the information provided in the Statutory Planning referral request memo referenced above.

ESD comments were requested on the following:

- SMP
- Stormwater Management Report
- Plans

The information contained within the Waste Management Plan may assist your assessment with regard to waste.

In assessing this application, the following documents were reviewed:

- Architectural Plans prepared by Grey Puksand (Town Planning Submission, n.d)
- Stormwater & WSUD Report prepared by Bonacci (Rev B – 19.11.2021)
- Sustainability Management Plan prepared by Meinhardt (Rev 3 – 26.11.2021)
- Green Travel Plan prepared by Traffix Group (Rev C – 26.11.2021)
- Waste Management Plan prepared by Traffix Group (Rev B – 24.11.2021)
- Landscape Plan prepared by Site Image Landscape Architects (01.02.2022)

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

Comments

The standard of the ESD does not meet Council's Environmental Sustainable Design (ESD) standards.

Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met

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

(1) Applicant ESD Commitments

- 50% increase in outdoor air (as per AS1668.2012) via the mechanical ventilation system (SMP, p. 13).
- 95% of all internal paints, adhesives, sealants and carpets, and 95% of all engineered wood products to meet best practice VOC and formaldehyde limits (SMP, p. 13).
- A daylight analysis has confirmed that 42.2% of the primary spaces achieve a daylight factor of at least 2.0 (SMP, p. 14).
- A 14kW [peak] solar PV system is currently proposed for the development (SMP, p. 18).
- Water efficient fixtures and taps, with water check metering and data capture (SMP, p. 19).
- A Stormwater Management Plan and MUSIC model have been provided that highlight the development uses a 15,000-litre rainwater tank to capture stormwater from roof areas, and a raingarden for other paving and terraced areas, exceeding the requirements of BPEMG (WSUD, p. 6).
- Portland Cement reduction of 30%, with 50% reclaimed water and 40% recycled aggregates or 25% manufactured sand (SMP, p. 23).
- Material specifications around steel, PVC and timber (SMP, p. 23).
- 15% of parking dedicated to fuel-efficient vehicles (5% motorbikes), two spaces for electric vehicles, and 122 employee bicycle parking spaces with EoT facilities (SMP, p. 25).
- Construction and demolition waste to landfill does not exceed 10 kg/m² GFA, or at least 90% of all construction and demolition waste generated is diverted from landfill (SMP, p. 26).
- Innovation claimed for: Air permeability rates, ultra-low VOC paint, construction waste targets, stormwater pollution reduction, high performance site offices, financial transparency and green cleaning.
- Commitment to developing a site-specific Environmental Management Plan, a Building Users Guide and 12-month post occupancy building tuning (SMP, p. 33).

(2) Application ESD Deficiencies

- While the proposal achieves a total (reach target) of 80 points using Green Star D&AB v1.3, this approach of equivalency without certification through the GBCA of

Attachment 2 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Referral Comments

no longer acceptable for town planning submission. Please confirm formal certification through GBCA (who have [communicated about non-certified projects](#)), or revise SMP and use an acceptable framework such as BESS.

(3) Outstanding Information

- Provide analysis to support external view target being met.
- Clarify % improvement over NCC requirements and provide a JV3 report that compares the proposal (fabric, services etc) against a reference building to support claims.
- Clarify HWS proposed for the building (consider all-electric / gas-free) and include within the JV3.
- Clarify HVAC system proposed for the building and include within the JV3
- Clarify how the basement car parks are to be ventilated.
- Amend rooftop plan (TP03.14) to show solar PV system size (not just numbers of panels)
- Confirm utility metering will be provided for each individual tenancy.
- Confirm that that post-development stormwater flows will not exceed pre-development levels.
- Confirm details of any additional stormwater treatment strategies required to exceed BPEMG targets
- Confirm inclusion of recycled materials (e.g. bricks) or products with post-consumer content (e.g. Glass wool/polyester insulation).
- Amend basement plans to clearly identify locations for: fuel-efficient vehicles, motorcycle parking and EV charging.
- Update GTP to reflect commitments around fuel-efficient and EV parking. Confirm site coverage of proposed landscaping and consider using the Green Factor Tool to assess the green infrastructure provision in terms of volume and ecosystem services provided.
- Clarify how the building and landscape design has responded to and mitigated urban heat impacts. High-SRI roofing is strongly encouraged, as is lighter external finishes to assist with urban cooling.
- Given the age of GS D&AB v1.3 some of these commitments (i.e. ultra-low VOC paint) are no longer innovative, having been incorporated into commercial developments for the past few years. Amend innovations claims accordingly within revised SMP that replaces the non-accredited Green Star with an acceptable framework such as BESS.
- Confirm engagement of a head contractor with a valid ISO 14001 accreditation.

(4) ESD Improvement Opportunities

- Consider inclusion of small, operable windows on each level to support natural cross-ventilation and minimise reliance on mechanical system.
- Consider materials and construction techniques that allow disassembly and re-use at end-of-life.

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Recommendations

Having reviewed the documentation, the applicant is required to address the items above listed as ESD deficiencies (2) and Outstanding Information (3) – and is strongly encouraged to incorporate the ESD improvement Opportunities where practical.

ESD Officer: ASHLEYG

Signature: Gavin Ashley

Date: 13.04.2022

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Sustainable Management Plan (SMP)
for planning applications being considered by Yarra Council



Applicant Response Guidelines

Project Information:

Applicants should state the property address and the proposed development's use and extent. They should describe neighbouring buildings that impact on or may be impacted by the development. It is required to outline relevant areas, such as site permeability, water capture areas and gross floor area of different building uses. Applicants should describe the development's sustainable design approach and summarise the project's key ESD objectives.

Environmental Categories:

Each criterion is one of the 10 Key Sustainable Building Categories. The applicant is required to address each criterion and demonstrate how the design meets its objectives.

Objectives:

Within this section the general intent, the aims and the purposes of the category are explained.

Issues:

This section comprises a list of topics that might be relevant within the environmental category. As each application responds to different opportunities and constraints, it is not required to address all issues. The list is non-exhaustive and topics can be added to tailor to specific application needs.

Assessment Method Description:

Where applicable, the Applicant needs to explain what standards have been used to assess the applicable issues.

Benchmarks Description:

The applicant is required to briefly explain the benchmark applied as outlined within the chosen standard. A benchmark description is required for each environmental issue that has been identified as relevant.

How does the proposal comply with the benchmarks?

The applicant should show how the proposed design meets the benchmarks of the chosen standard through making references to the design brief, drawings, specifications, consultant reports or other evidence that proves compliance with the chosen benchmark.

ESD Matters on Architectural Drawings:

Architectural drawings should reflect all relevant ESD matters where feasible. As an example, window attributes, sun shading and materials should be noted on elevations and finishes schedules, water tanks and renewable energy devices should be shown on plans. The site's permeability should be clearly noted. It is also recommended to indicate water catchment areas on roof- or site plans to confirm water re-use calculations.

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Sustainable Management Plan (SMP) for planning applications being considered by Yarra Council



ESD in the Planning Permit Application Process

Yarra City Council's planning permit application process includes Environmentally Sustainable Development (ESD) considerations. This is now supported by the ESD Local Policy Clause 22.17 of the Yarra Planning Scheme, entitled *Environmentally Sustainable Development*.

The Clause 22.17 requires all eligible applications to demonstrate best practice in ESD, supported by the Built Environment Sustainability Scorecard (BESS) web-based application tool, which is based on the Sustainable Design Assessment in the Planning Process (SDAPP) program.

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category Non-residential 1. 1,000m² or greater.

What is a Sustainable Management Plan (SMP)?

An SMP is a detailed sustainability assessment of a proposed design at the planning stage. An SMP demonstrates best practice in the 10 Key Sustainable Building Categories and;

- Provides a detailed assessment of the development. It may use relevant tools such as BESS and STORM or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identifies achievable environmental performance outcomes having regard to the objectives of Clause 22.17 (as appropriate); and
- Demonstrates that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- Documents the means by which the performance outcomes can be achieved.

An SMP identifies beneficial, easy to implement, best practice initiatives. The nature of larger developments provides the opportunity for increased environmental benefits and the opportunity for major resource savings. Hence, greater rigour in investigation is justified. It may be necessary to engage a sustainability consultant to prepare an SMP.

Assessment Process:

The applicant's town planning drawings provide the basis for Council's ESD assessment. Through the provided drawings and the SMP, Council requires the applicant to demonstrate best practice.

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1. Indoor Environment Quality (IEQ)

Objectives:

- to achieve a healthy indoor environment quality for the wellbeing of building occupants.
- to provide a naturally comfortable indoor environment will lower the need for building services, such as artificial lighting, mechanical ventilation and cooling and heating devices.

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	(min) 50% increase in outdoor air (as per AS1668.2012) via the mechanical ventilation system (SMP, p. 13).	Consider inclusion of small, operable windows on each level to support natural cross-ventilation and minimise reliance on mechanical system.	4
Daylight & Solar Access	A daylight analysis has confirmed that 42.2% of the primary spaces achieve a daylight factor of at least 2.0 (SMP, p. 14).	Satisfactory.	1
External Views	60% of spaces to achieve access to quality views, however SMP states analysis to come (SMP, p. 44).	Provide analysis to support external view target being met.	3
Hazardous Materials and VOC	95% of all internal paints, adhesives, sealants and carpets, and 95% of all engineered wood products to meet best practice VOC and formaldehyde limits (SMP, p. 13).	Satisfactory.	1
Thermal Comfort	80% satisfaction rate, delivered through building fabric, and mechanical ventilation.	Satisfactory.	1

* Council Assessment Ratings:

- 1 – Design Response is **SATISFACTORY**
- 2 – Design Response is **NOT SATISFACTORY**
- 3 – **MORE INFORMATION** is required
- 4 – **ESD IMPROVEMENT OPPORTUNITIES**

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References and useful information:

SDAPP Fact Sheet: [1. Indoor Environment Quality](#)

Good Environmental Choice Australia Standards www.geca.org.au

Australian Green Procurement www.greenprocurement.org

Residential Flat Design Code www.planning.nsw.gov.au

Your Home www.yourhome.gov.au

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2. Energy Efficiency

Objectives:

- to ensure the efficient use of energy
- to reduce total operating greenhouse emissions
- to reduce energy peak demand
- to minimize associated energy costs

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements	The SMP claims that 'minimum requirements of Section J, BCA 2019 will be exceeded significantly' - however a specific % improvement is not provided.	Clarify % improvement over NCC requirements and provide a JV3 report that compares the proposal (fabric, services etc) against a reference building to support claims.	3
Thermal Performance	A total of 11 points claimed in the GS pathway.	As above.	3
Greenhouse Gas Emissions	The GS pathway indicates a 50% reduction in GHG emissions against a base case (SMP, p. 44).	As above.	3
Hot Water System	No information has been provided.	Clarify HWS proposed for the building (consider all-electric / gas-free) and include within the JV3.	3
Peak Energy Demand	2 points claimed in the GS pathway, indicating a 30% reduction in peak energy demand (SMP, p. 44).	As above.	3
Effective Shading	400mm deep sunshades with powder coat finishes proposed for north and west elevations (TP10.00).	Satisfactory.	1
Efficient HVAC system	No information has been provided.	Clarify HVAC system proposed for the building and include within the JV3.	3
Car Park Ventilation	No information has been provided.	Clarify how the basement car parks are to be ventilated.	3
Efficient Lighting	Maximum illumination power density (W/m2) at least 20% lower than required	Satisfactory.	1

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Issues	Applicant's Design Responses	Council Comments	CAR*
	by Table J6.2a of the NCC BCA 2019 Vol 1 (SMP, p. 18).		
Electricity Generation	A 14kW [peak] solar PV system is currently proposed for the development (SMP, p. 18).	Amend rooftop plan (TP03.14) to show solar PV system size (not just numbers of panels)	3
Other			

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References and useful information:

SDAPP Fact Sheet: [2. Energy Efficiency](#)

House Energy Rating www.makeyourhomegreen.vic.gov.au

Building Code Australia www.abcb.gov.au

Window Efficiency Rating Scheme (WERS) www.wers.net

Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au

Energy Efficiency www.resourcesmart.vic.gov.au

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3. Water Efficiency

Objectives:

- to ensure the efficient use of water
- to reduce total operating potable water use
- to encourage the collection and reuse of rainwater and stormwater
- to encourage the appropriate use of alternative water sources (e.g. grey water)
- to minimise associated water costs

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Water Efficient fixtures and fittings: <ul style="list-style-type: none"> • Taps: 6-star WELS • Toilets: 4-star WELS • Urinals: 6-star WELS • Showers: 3-star WELS 	Satisfactory.	1
Water for Toilet Flushing	Rainwater will be harvested from the roof and stored in a 15kL tank in the lower basement. The captured rainwater will be used toilet flushing, landscape irrigation and equipment washdown (SMP, p. 20).	Satisfactory.	1
Water Meter	Accessible metering is to be provided to monitor building energy and water consumption, including all energy and water common uses, major uses and sources (SMP, p. 34).	Confirm utility metering will be provided for each individual tenancy.	3
Landscape Irrigation	Irrigation details (sub-surface drippers) provided in the Landscape Plan.	Satisfactory.	1
Other			

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SDAPP Fact Sheet: [3. Water Efficiency](#)

Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au

Water Services Association of Australia www.wsaa.asn.au

Water Tank Requirement www.makeyourhomegreen.vic.gov.au

Melbourne Water STORM calculator www.storm.melbournewater.com.au

Sustainable Landscaping www.ourwater.vic.gov.au

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4. Stormwater Management

Objectives:

- to reduce the impact of stormwater runoff
- to improve the water quality of stormwater runoff
- to achieve best practice stormwater quality outcomes
- to incorporate Water Sensitive Urban Design principles

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A MUSIC model has been submitted within the WSUD Report. A rooftop catchment of 1,056 m ² diverted to a 15,000-litre rainwater tank, with terraces and balconies diverted to a raingarden, and other areas to an overflow tank prior to discharge.	Satisfactory.	1
Discharge to sewer	Details of stormwater (from various sources) discharge provided, however no confirmation that post-development stormwater flows will not exceed pre-development levels.	Confirm that that post-development stormwater flows will not exceed pre-development levels.	3
Stormwater Diversion	A total catchment area of 1,930 m ² is diverted to the rainwater tank, raingarden or OSD tank prior to discharge.	Satisfactory.	1
Stormwater Detention	Stormwater detained in 15,000-litre rainwater tank and 60 m ² raingarden.	Satisfactory.	1
Stormwater Treatment	No details provided beyond the rainwater tank, raingarden and OSD tank.	Confirm details of any additional stormwater treatment strategies required to exceed BPEMG targets.	3
Others			

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References and useful information:

SDAPP Fact Sheet: [4. Stormwater Management](#)

Melbourne Water STORM calculator www.storm.melbournewater.com.au

Water Sensitive Urban Design Principles www.melbournewater.com.au

Environmental Protection Authority Victoria www.epa.vic.gov.au

Water Services Association of Australia www.wsaa.asn.au

Sustainable Landscaping www.ourwater.vic.gov.au

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5. Building Materials

Objectives:

- to minimise the environmental impact of materials used by encouraging the use of materials with a favourable lifecycle assessment

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	GS credit 21.1 <i>Sustainable Products</i> is indicated (1-2 points) however further details not provided.	Confirm inclusion of recycled materials (e.g. bricks) or products with post-consumer content (e.g. Glass wool/polyester insulation).	3
Embodied Energy of Concrete and Steel	Portland Cement reduction of 30%, with 50% reclaimed water and 40% recycled aggregates or 25% manufactured sand – and 95% steel procured from an ISO24001 Responsible Steel Maker (SMP, p. 23).	Satisfactory.	1
Sustainable Timber	95% (by cost) of timber to be FSC / PEFC / AFS certified - with relevant Chain of Custody accreditation included on all delivery docket (SMP, p. 24).	Satisfactory.	1
Design for Disassembly	No information has been provided.	Consider materials and construction techniques that allow disassembly and re-use at end-of-life.	4
PVC	90% (by cost) of all cables, pipes, flooring, and blinds do not contain PVC, or contains PVC that meets Best Practice Guidelines (SMP, p. 24).	Satisfactory.	1

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References and useful information:

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SDAPP Fact Sheet: [5. Building Materials](#)

Building Materials, Technical Manuals www.yourhome.gov.au

Embodied Energy Technical Manual www.yourhome.gov.au

Good Environmental Choice Australia Standards www.geca.org.au

Forest Stewardship Council Certification Scheme www.fsc.org

Australian Green Procurement www.greenprocurement.org

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6. Transport

Objectives:

- to minimise car dependency
- to ensure that the built environment is designed to promote the use of public transport, walking and cycling

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	A total of 67 parking spaces provided in the basements.	Satisfactory.	1
Bike Parking Spaces	122 employee bicycle spaces are provided on the ground floor with easy access to the road. An additional 18 visitor bicycle parking spaces are located at the building entrances (SMP, p. 25).	Satisfactory.	1
End of Trip Facilities	EoT facilities have been provided in the form of 7x male showers and 7x female showers with a DDA shower and a total of 120 lockers (TP03.02).	Satisfactory.	1
Car Share Facilities	The Green Travel Plan details the locations of 8 car share pods within 500m of the site (GTP, p. 12-13).	Satisfactory.	1
Electric vehicle charging	The SMP indicates up to 15% parking dedicated to fuel-efficient vehicles with maximum of 5% for motorcycle parking and two parking spaces dedicated to electric vehicles with charging infrastructure (SMP, p. 25).	Amend basement plans to clearly identify locations for: fuel-efficient vehicles, motorcycle parking and EV charging. Update GTP to reflect commitments around fuel-efficient and EV parking.	3
Green Travel Plan	A Green Travel Plan has been provided.		

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References and useful information:

SDAPP Fact Sheet: [6. Transport](#)

Off-setting Car Emissions Options www.greenfleet.com.au

Sustainable Transport www.transport.vic.gov.au/doi/internet/icy.nsf

Car share options www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/

Bicycle Victoria www.bv.com.au

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7. Waste Management

Objectives:

- to ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development
- to ensure long term reusability of building materials.
- to meet Councils' requirement that all multi-unit developments must provide a Waste Management Plan in accordance with the *Guide to Best Practice for Waste Management in Multi-unit Developments 2010*, published by Sustainability Victoria

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	The SMP confirms that construction and demolition waste to landfill will not exceed 10 kg/m ² GFA, or at least 90% of all construction and demolition waste generated is diverted from landfill (SMP, p. 26).	Satisfactory.	1
Operational Waste Management	An operational Waste Management Plan (WMP) has been provided, in addition to a waste room located on the ground floor.	Satisfactory.	1
Storage Spaces for Recycling and Green Waste	Paper/cardboard and commingled recycling and FOGO all included within the waste management strategy.	Satisfactory.	1
Others			

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References and useful information:

SDAPP Fact Sheet: [7. Waste Management](#)

Construction and Waste Management www.sustainability.vic.gov.au

Preparing a WMP www.epa.vic.gov.au

Waste and Recycling www.resourcesmart.vic.gov.au

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Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002)

www.environment.nsw.gov.au

Waste reduction in office buildings (2002) www.environment.nsw.gov.au

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8. Urban Ecology

Objectives:

- to protect and enhance biodiversity
- to provide sustainable landscaping
- to protect and manage all remnant indigenous plant communities
- to encourage the planting of indigenous vegetation

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	Site previously developed.	Satisfactory.	1
Maintaining / Enhancing Ecological Value	While the SG pathway indicates 1 point for ecological value, given the use of non-accredited GS an alternative to show ecological value is required.	Confirm site coverage of proposed landscaping and consider using the Green Factor Tool to assess the green infrastructure provision in terms of volume and ecosystem services provided.	3
Heat Island Effect	No information provided beyond GS credit 25 highlighted as a potential credit.	Clarify how the building and landscape design has responded to and mitigated urban heat impacts. High-SRI roofing is strongly encouraged, as is lighter external finishes to assist with urban cooling.	3
Other			
Green wall, roofs, facades	Extensive green walls and climbing vegetation (on tensioned wires) proposed.	Satisfactory.	1

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- 2 – Design Response is **NOT SATISFACTORY**
- 3 – **MORE INFORMATION** is required
- 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [8. Urban Ecology](#)

Department of Sustainability and Environment www.dse.vic.gov.au

Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au

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Greening Australia www.greeningaustralia.org.au

Green Roof Technical Manual www.yourhome.gov.au

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9. Innovation

Objective:

- to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings

Issues	Applicant's Design Responses	Council Comments	CAR*
Overall Innovation	Innovation claimed for: Air permeability rates, ultra-low VOC paint, construction waste targets, stormwater pollution reduction, high performance site offices, financial transparency and green cleaning.	Given the age of GS D&AB v1.3 some of these commitments (i.e. ultra-low VOC paint) are no longer <i>innovative</i> , having been incorporated into commercial developments for the past few years. Amend innovations claims accordingly within revised SMP that replaces the non-accredited Green Star with an acceptable framework such as BESS.	3

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- 2 – Design Response is **NOT SATISFACTORY**
- 3 – **MORE INFORMATION** is required
- 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [9. Innovation](#)

Green Building Council Australia www.gbca.org.au

Victorian Eco Innovation lab www.ecoinnovationlab.com

Business Victoria www.business.vic.gov.au

Environment Design Guide www.environmentdesignguide.com.au

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10. Construction and Building Management

Objective:

- to encourage a holistic and integrated design and construction process and ongoing high performance

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	For the first 12 months of operation, the building undergoes quarterly monitoring and tuning of all building systems by a nominated party in accordance with an approved building tuning manual or plan (SMP, p. 17).	Satisfactory.	1
Building Users Guide	A draft building users guide will be developed in consultation with all relevant consultants.	Satisfactory.	1
Contractor has Valid ISO14001 Accreditation	The contractor is required to provide a comprehensive and site-specific construction EMP and should be ISO14001 accredited (SMP, p. 32).	Confirm engagement of a head contractor with a valid ISO 14001 accreditation.	3
Construction Management Plan	As above.	Satisfactory.	1
Others			

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- 2 – Design Response is **NOT SATISFACTORY**
- 3 – **MORE INFORMATION** is required
- 4 – **ESD IMPROVEMENT OPPORTUNITIES**

References and useful information:

SDAPP Fact Sheet: [10. Construction and Building Management](#)

ASHRAE and CIBSE Commissioning handbooks

International Organization for standardization – ISO14001 – Environmental Management Systems

Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

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Sustainable Management Plan (SMP)
for planning applications being considered by Yarra Council



Applicant Response Guidelines

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Environmental Categories:

Each criterion is one of the 10 Key Sustainable Building Categories. The applicant is required to address each criterion and demonstrate how the design meets its objectives.

Objectives:

Within this section the general intent, the aims and the purposes of the category are explained.

Issues:

This section comprises a list of topics that might be relevant within the environmental category. As each application responds to different opportunities and constraints, it is not required to address all issues. The list is non-exhaustive and topics can be added to tailor to specific application needs.

Assessment Method Description:

Where applicable, the Applicant needs to explain what standards have been used to assess the applicable issues.

Benchmarks Description:

The applicant is required to briefly explain the benchmark applied as outlined within the chosen standard. A benchmark description is required for each environmental issue that has been identified as relevant.

How does the proposal comply with the benchmarks?

The applicant should show how the proposed design meets the benchmarks of the chosen standard through making references to the design brief, drawings, specifications, consultant reports or other evidence that proves compliance with the chosen benchmark.

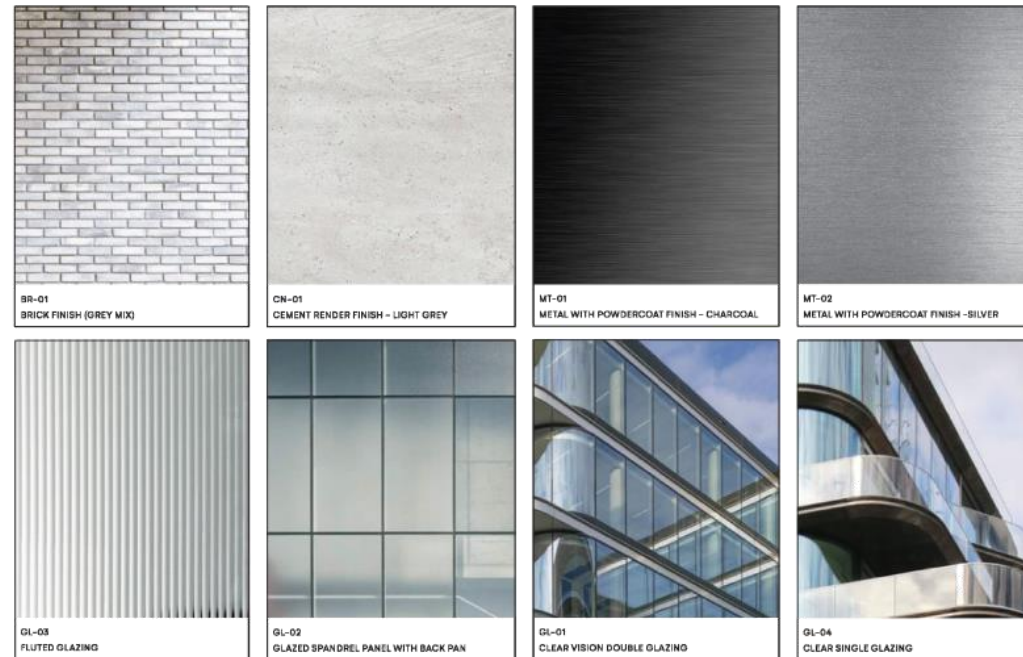
ESD Matters on Architectural Drawings:

Architectural drawings should reflect all relevant ESD matters where feasible. As an example, window attributes, sun shading and materials should be noted on elevations and finishes schedules, water tanks and renewable energy devices should be shown on plans. The site's permeability should be clearly noted. It is also recommended to indicate water catchment areas on roof- or site plans to confirm water re-use calculations.

COVER SHEET

Agenda Page 143

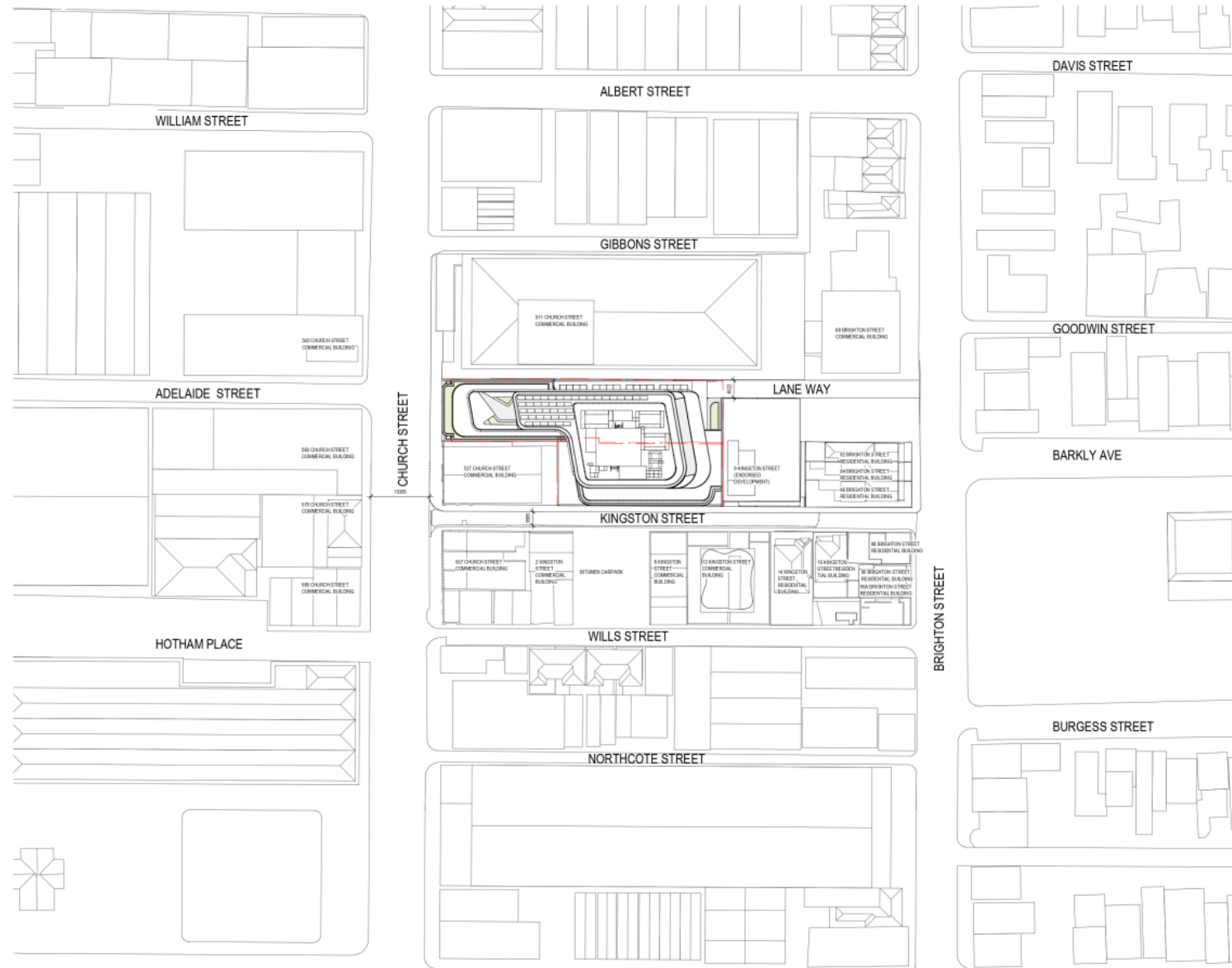
Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans



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Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans



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REV	DESCRIPTION	DATE
1	Initial Design	10/10/2021
2	Revised Design	11/10/2021
3	Final Design	12/10/2021

PROJECT NO	TP01
DRAWN	HJ
CHECKED	NT
APPROVED	NT
525 CHURCH	
525 CHURCH STREET,	
RICHMOND	

GRAY PUKSAND

TOWN PLANNING	
SUBMISSION	
SITE PLAN	
DWG #	TP01.01
SCALE @ A1	1 : 500



PROJECT NO	118167
DRAWN	FF
CHECKED	HJ
APPROVED	NT

525 CHURCH

525 CHURCH S
RICHMOND

**TOWN PLANNING
SUBMISSION**

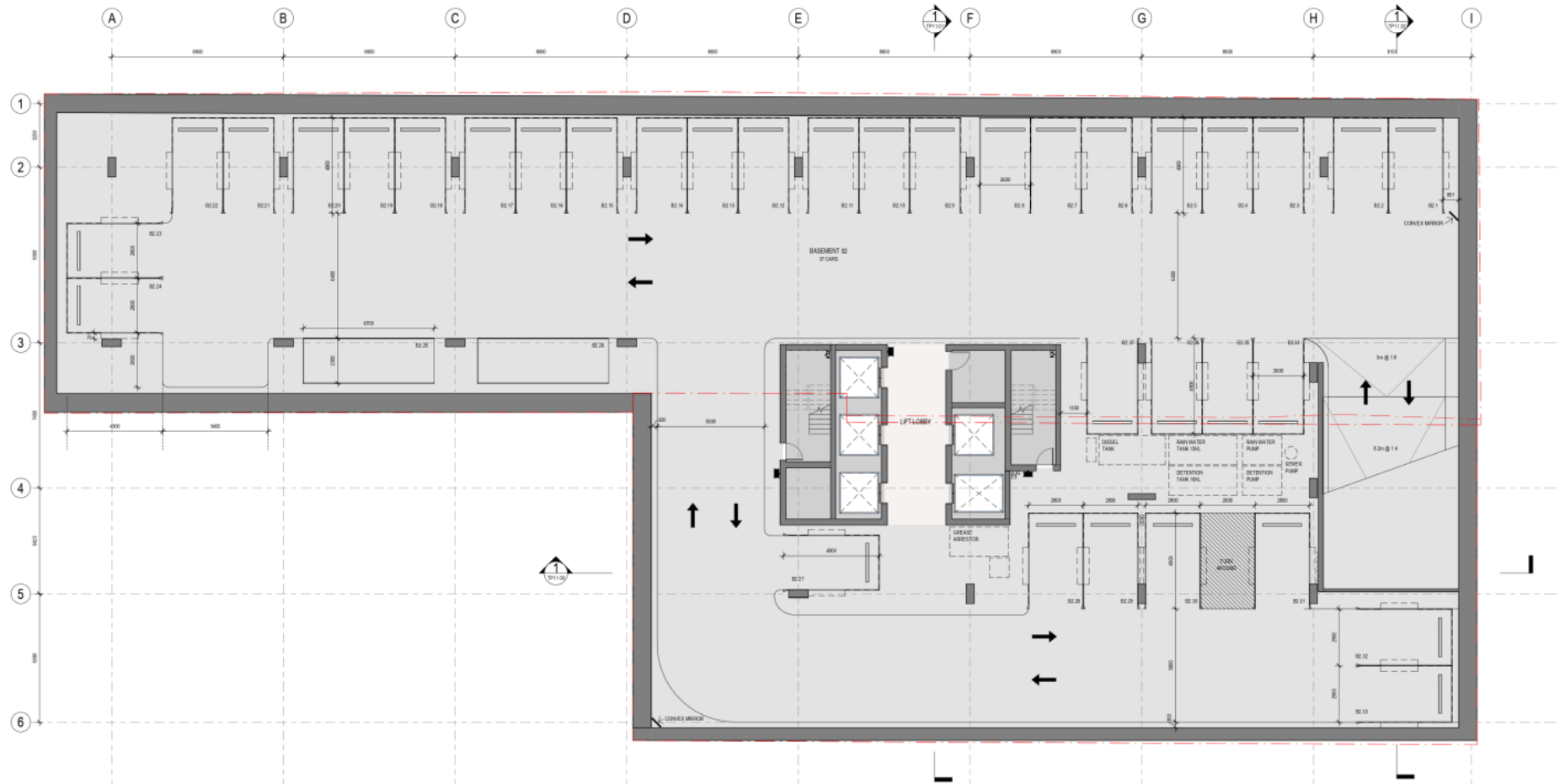
EXISTING CONDITIONS

DWD # **TP02.00** PREPARED BY **TP02.00**

SCALE @ A1 **1 : 200**



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PROJECT NO.	119467
DRAWN BY	FF
CHECKED BY	HJ
APPROVED BY	NT

GRAY PUKSAND

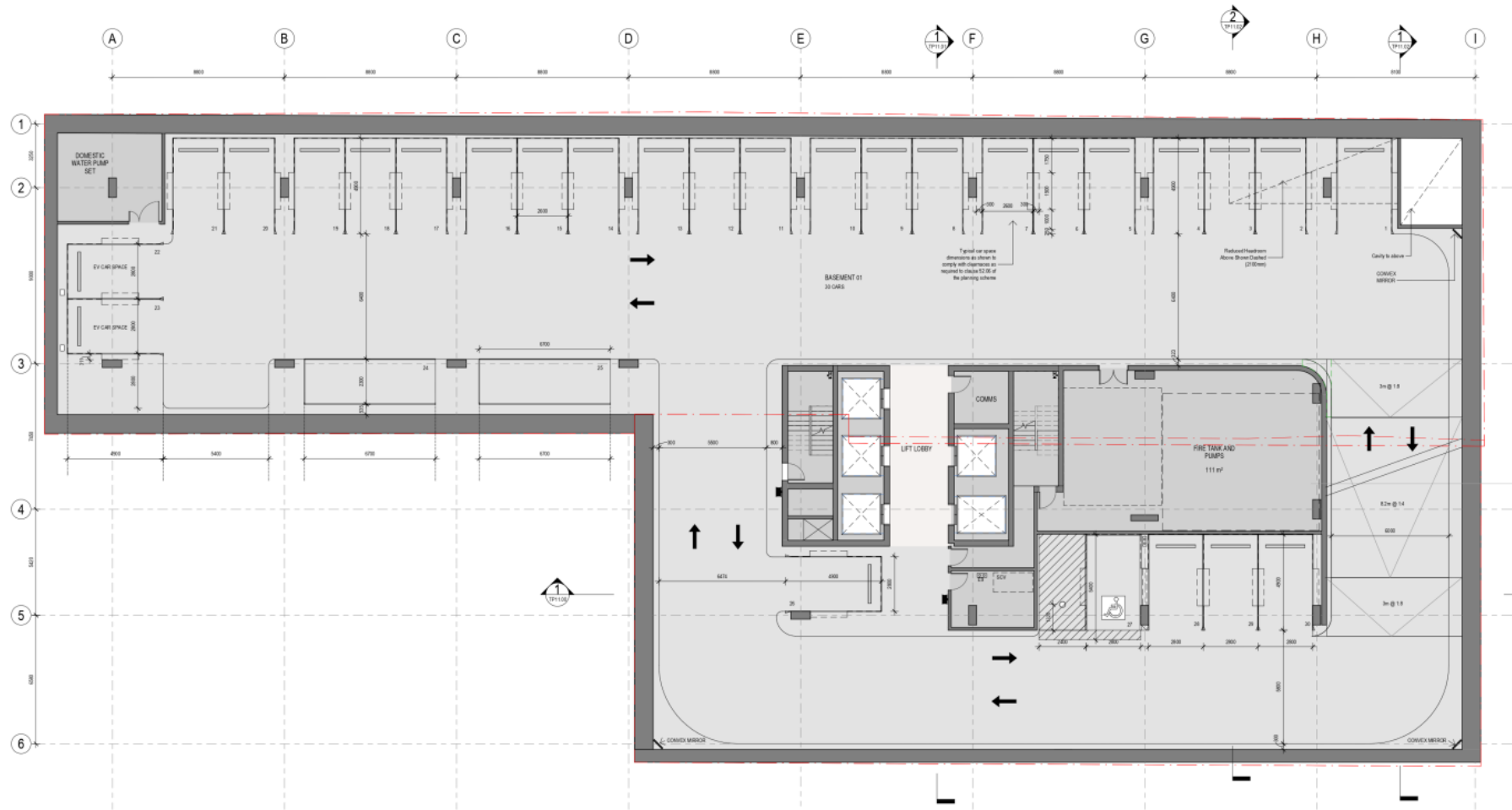
TOWN PLANNING
SUBMISSION

525 CHURCH
525 CHURCH STREET,
RICHMOND

BASEMENT 02 FLOOR PLAN

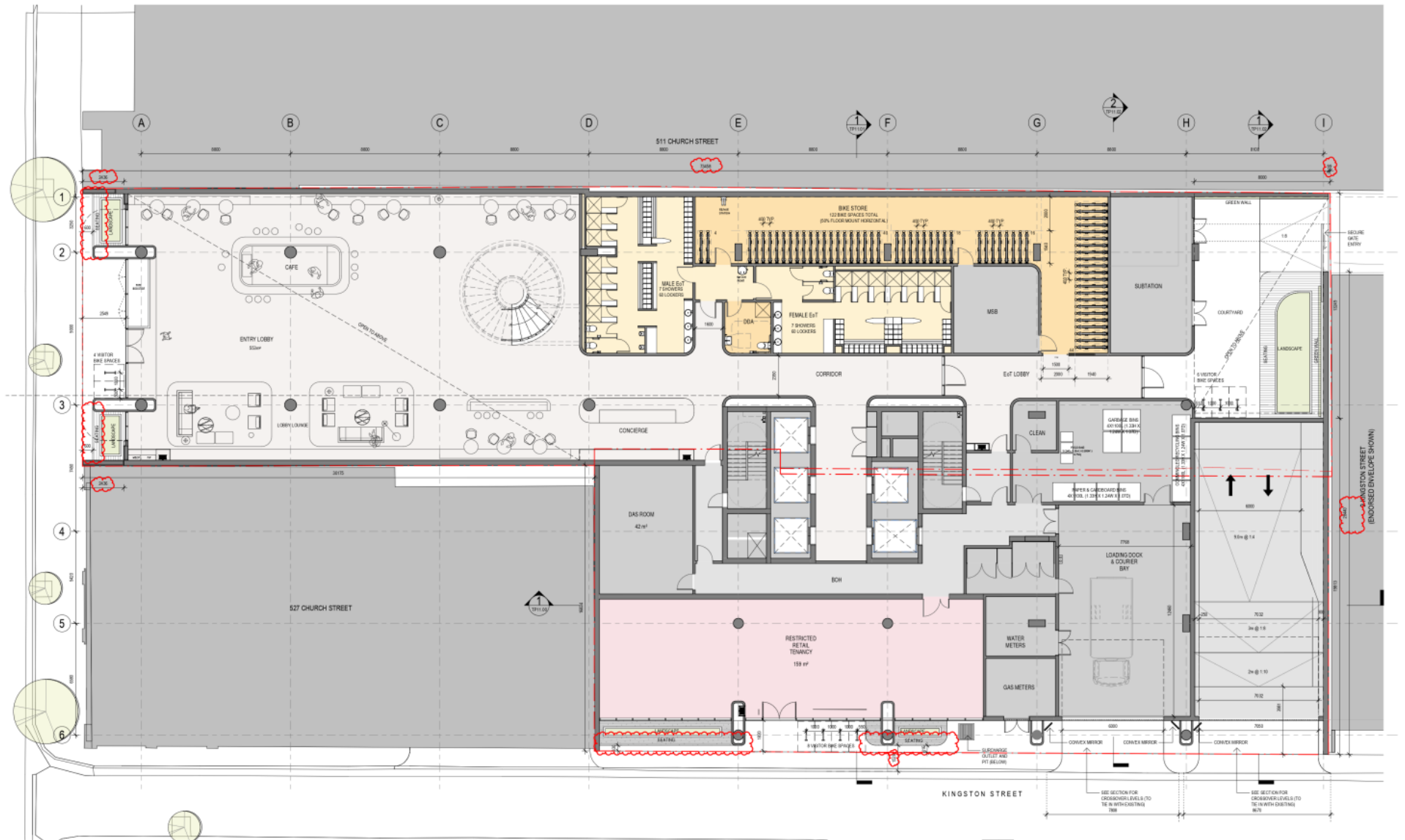
DWG # TP03.00
SCALE @ A1 1:100

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525 CHURCH 525 CHURCH STREET, RICHMOND		TP03.01 SCALE @ A1 1:100		BASEMENT 01 FLOOR PLAN			

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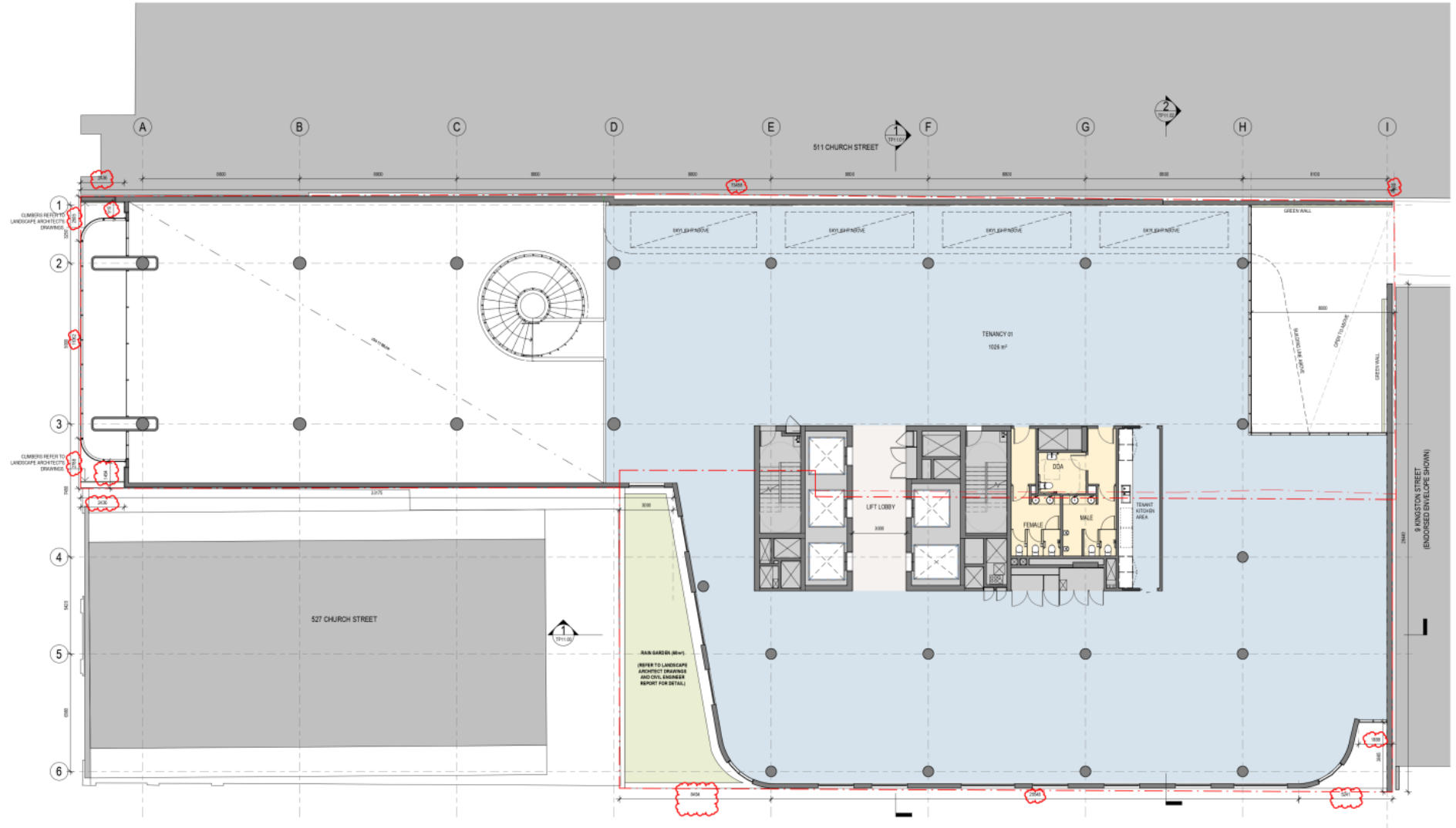
REV	DESCRIPTION	DATE
1	RESPONSE TO COUNCIL'S REVIEW	2021/08/22

PROJECT NO: 119467
 DRAWN: JH
 CHECKED: JH
 APPROVED: JH
 525 CHURCH
 525 CHURCH STREET,
 RICHMOND

GRAY PUKSAND

TOWN PLANNING
 SUBMISSION
 GROUND FLOOR PLAN
 DWG # TP03.02
 SCALE @ A1 1:100

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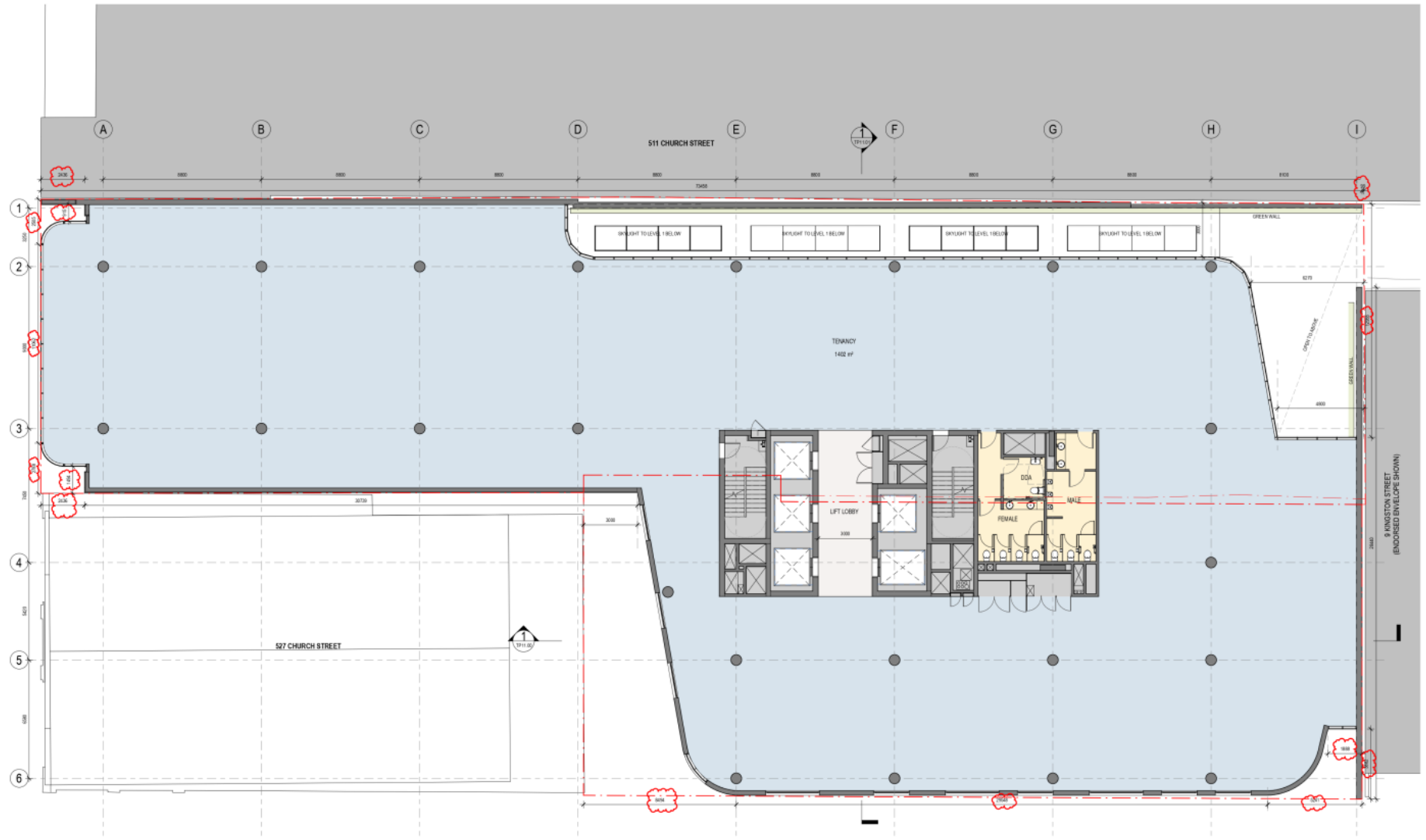
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REV	DESCRIPTION	DATE
1	RESPONSE TO COUNCIL'S REVIEW	26/11/2021
2		
3		
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7		
8		
9		
10		

PROJECT NO: 118467
DRAWN: PF
CHECKED: NJ
APPROVED: NT
525 CHURCH
525 CHURCH STREET,
RICHMOND

GRAY PUKSAND
TOWN PLANNING
SUBMISSION
LEVEL 01 FLOOR PLAN
DWG # **TP03.03** REV **A**
SCALE @ A1 1:100

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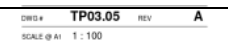
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TOWN PLANNING
SUBMISSION
LEVEL 02 FLOOR PLAN
525 CHURCH STREET, RICHMOND
TP03.04
SCALE @ A1 1:100



DWG.# **TP03.05** REV **A**
 SCALE @ A1 **1 : 100**



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2 -		2 -			CHECKED	HJ
3 -		3 -			APPROVED	NT
4 -		4 -			525 CHURCH	
5 -		5 -			525 CHURCH STREET, RICHMOND	
6 -		6 -			DRAWN	TP03.07
7 -		7 -			SCALE	A1 1:100

GRAY PUKSAND

TOWN PLANNING
SUBMISSION

LEVEL 05 FLOOR PLAN

DRAWN TP03.07 REV A

[illegible]

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					CHECKED	HJ
					APPROVED	NT
					525 CHURCH	
					525 CHURCH STREET, RICHMOND	
					DWG #	TP03.09
					SCALE @ A1	1 : 100

GRAY PUKSAND

TOWN PLANNING
SUBMISSION

LEVEL 07 FLOOR PLAN

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

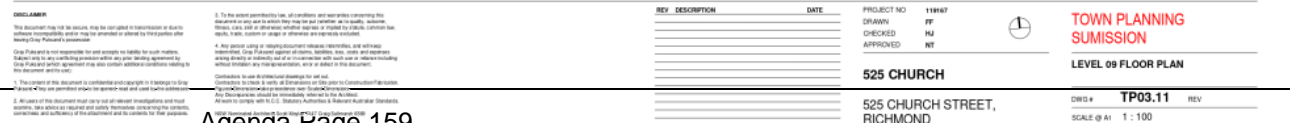


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525 CHURCH STREET, RICHMOND						
					DRW#	TP03.10
					SCALE @ A1	1 : 100

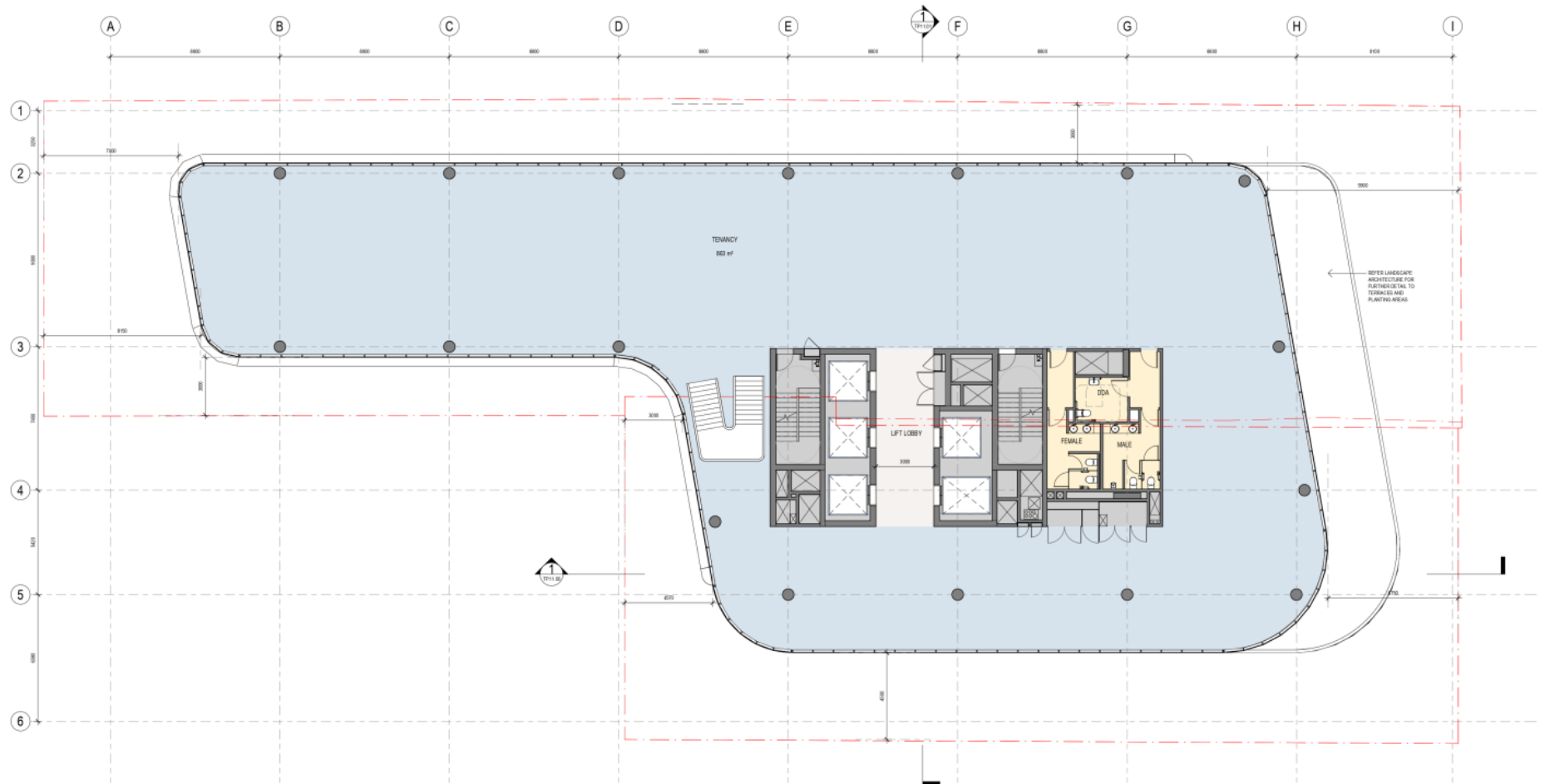
GRAY PUKSAND

TOWN PLANNING
SUBMISSION

LEVEL 08 FLOOR PLAN



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REV DESCRIPTION

REV	DESCRIPTION	DATE
1	Initial Design	2021-08-12
2	Revised Design	2021-08-12
3	Final Design	2021-08-12

PROJECT NO

PROJECT NO	525 CHURCH
DATE	2021-08-12
DESIGNED BY	GRAY PUKSAND
CHECKED BY	GRAY PUKSAND
APPROVED BY	GRAY PUKSAND

GRAY PUKSAND

TOWN PLANNING SUBMISSION

LEVEL 10 FLOOR PLAN

525 CHURCH STREET, RICHMOND

TP03.12
SCALE @ A1 1:100

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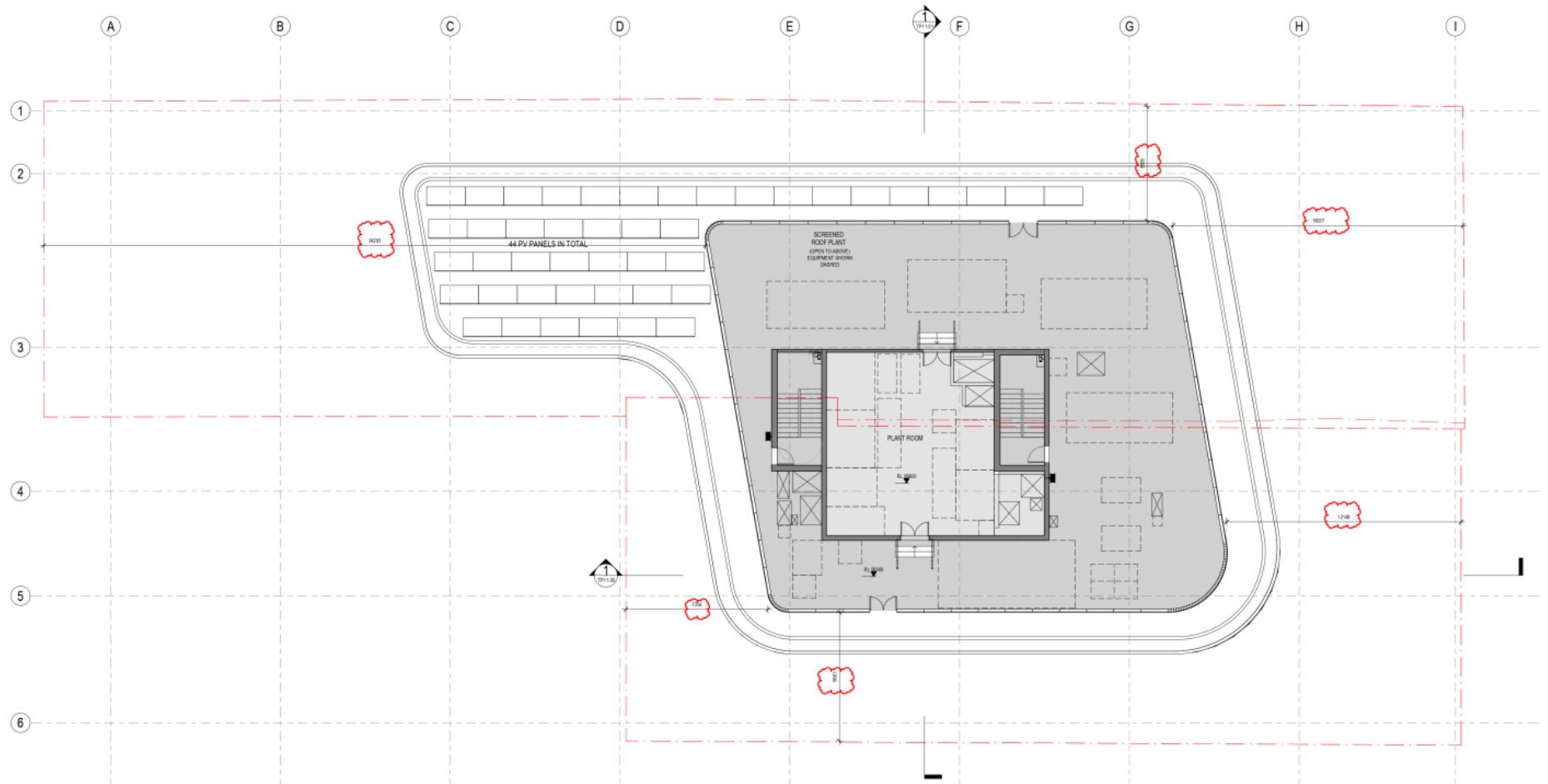
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GRAY PUKSAND

TOWN PLANNING
SUBMISSION
LEVEL 11 FLOOR PLAN
525 CHURCH STREET,
RICHMOND

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REV DESCRIPTION

REV	DESCRIPTION	DATE
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PROJECT NO

PROJECT NO	118617
DRAWN	FF
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APPROVED	NT
525 CHURCH	
525 CHURCH STREET,	
RICHMOND	

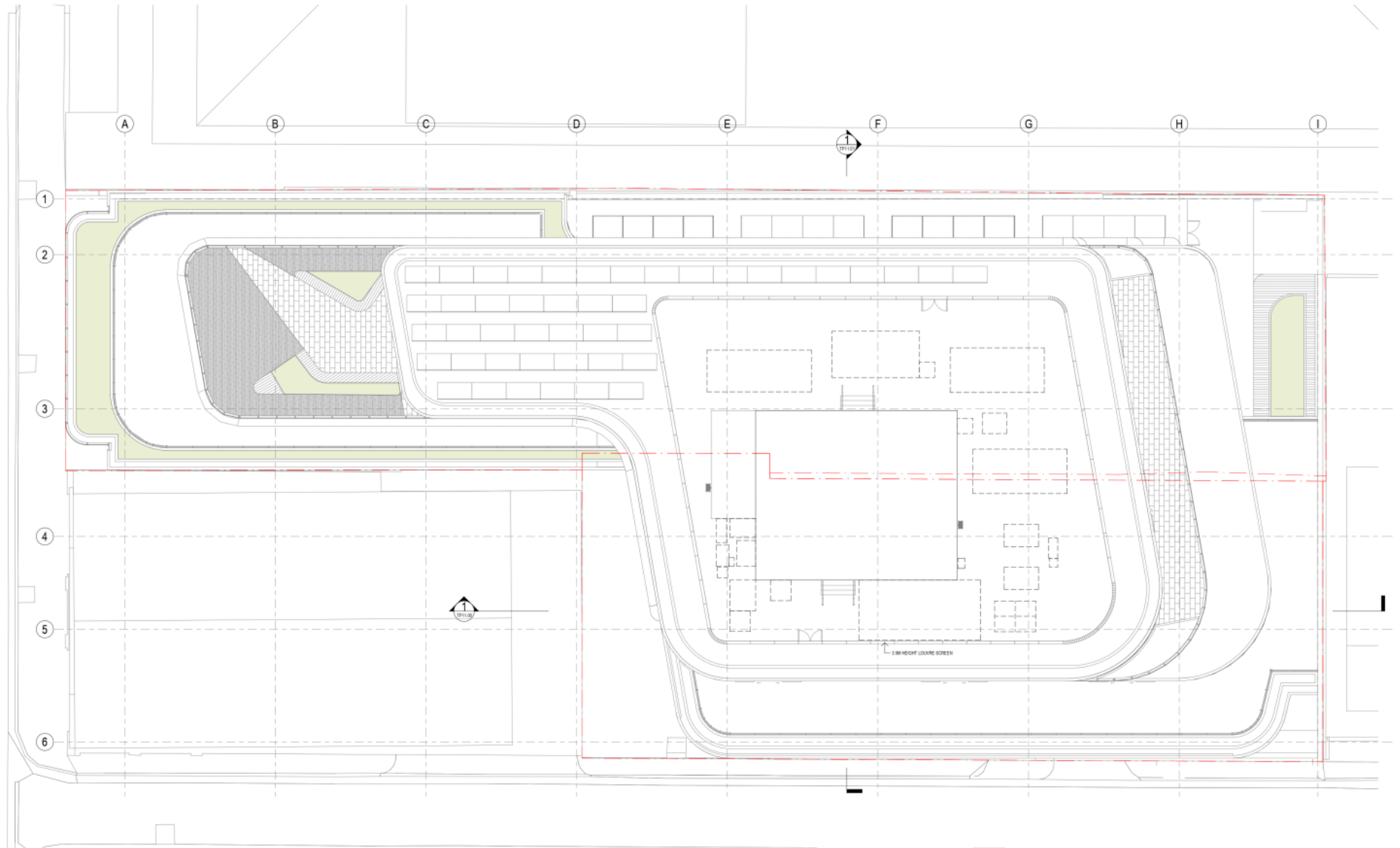
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TOWN PLANNING SUBMISSION

ROOF FLOOR PLAN

DWG #	TP03.14	REV	A
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REV	DESCRIPTION	DATE
1	Initial Design	2021-08-12
2	Revised Design	2021-08-12
3	Final Design	2021-08-12

PROJECT NO	118467
DRAWN	PT
CHECKED	HJ
APPROVED	NT

GRAY PUKSAND

TOWN PLANNING
SUBMISSION

ROOF PLAN

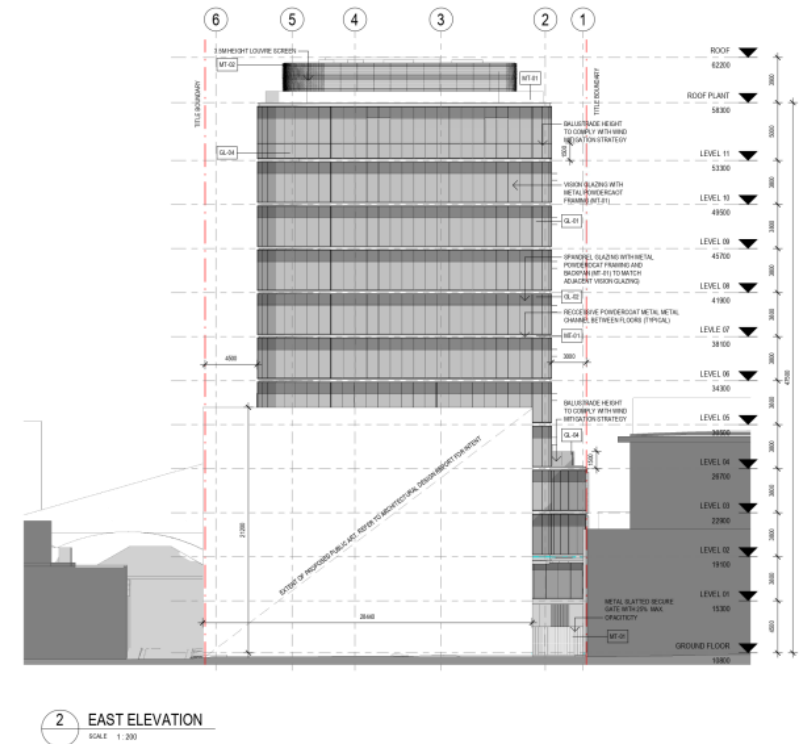
525 CHURCH
525 CHURCH STREET,
RICHMOND

DWG # TP03.15
SCALE @ A1 1:100



DWG# **TP10.00** REV
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DWG # **TP10.01** REV
SCALE @ A1 1 : 200

PROJECT NO	118167
DRAWN	FF
CHECKED	HJ
APPROVED	NT

525 CHURCH

525 CHURCH S
RICHMOND



SECTIONS - SHEET 01

DWG# **TP11.00** REV
SCALE @ A1 1 : 200

Agenda Page 16

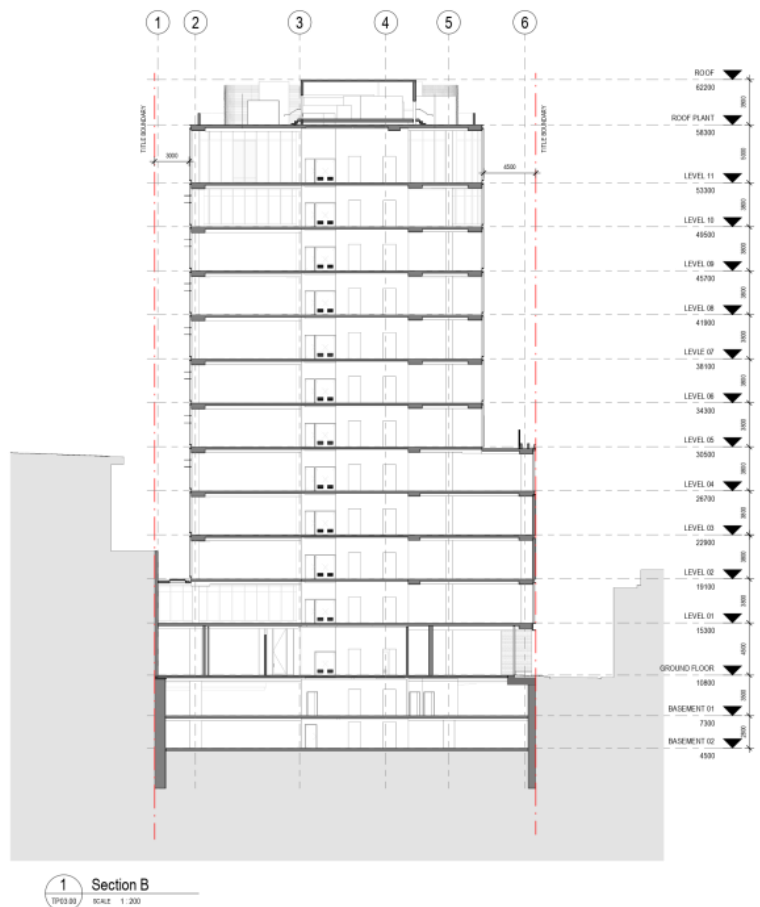
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PROJECT NO	118167
DRAWN	FF
CHECKED	HJ
APPROVED	NT

525 CHURCH

525 CHURCH STREET,
RICHMOND

DWG# **TP11.00** REV
SCALE @ A1 1 : 200



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TOWN PLANNING
SUBMISSION

SECTIONS - SHEET 02

PROJECT NO	118167
DRAWN	FF
CHECKED	HJ
APPROVED	NT

525 CHURCH

525 CHURCH STREET,
RICHMOND

DWG# **TP11.01** REV
SCALE @ A1 1 : 200

1 Section B
TP03.00 SCALE 1:200

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Contractors to use Architectural drawings for set out.
Contractors to check & verify all Dimensions on Site prior to Construction/Fabrication

Any Discrepancies should be immediately referred to the A/E/M.

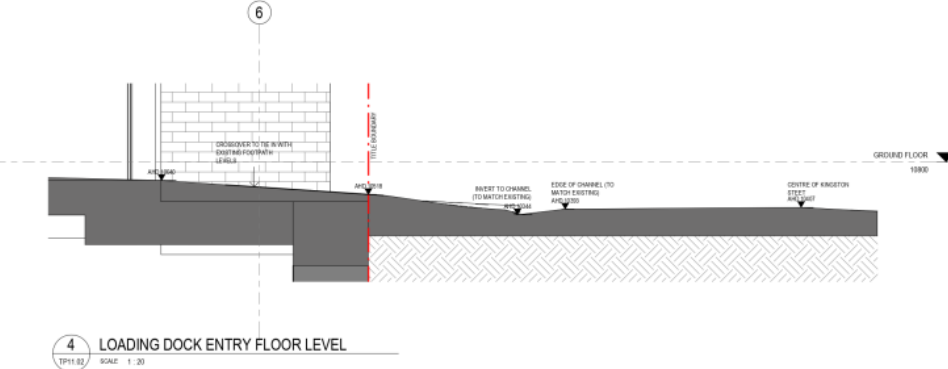
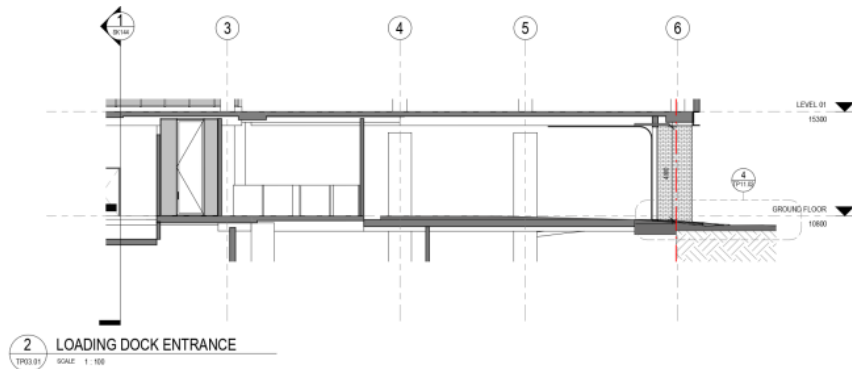
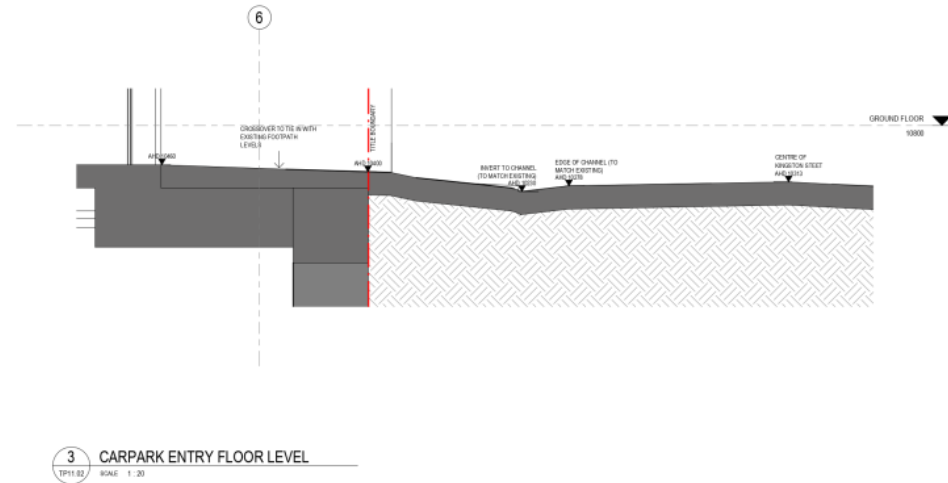
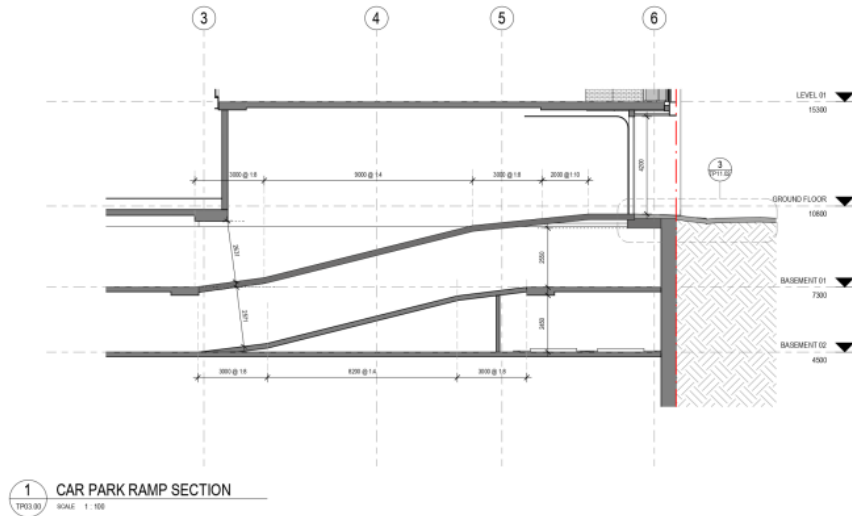
100% Guaranteed Archives in Best Read PDF Online (5MB)

Agenda Page 16

[illegible]

Agenda Page 167

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans



REV DESCRIPTION		DATE	PROJECT NO	118167
DRAWN			Author	
CHECKED			Checker	
APPROVED			Approver	
525 CHURCH				
525 CHURCH STREET, RICHMOND				
DWD #		TP11.02	REV	
SCALE @ A1		As indicated		

GRAY PUKSAND

TOWN PLANNING
SUBMISSION

SECTIONS - SHEET 03

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

EXSITING CONDITION



GRAY PUKSAND

TOWN PLANNING
SUBMISSION

SHADOW STUDIES - EXISTING

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REV	DESCRIPTION	DATE	PROJECT NO.	11/16/17
01	ISSUED FOR PERMIT	11/16/17	PP	
02	REVISED	01/11/18	HJ	
03	APPROVED	01/11/18	NT	
525 CHURCH				
525 CHURCH STREET, RICHMOND				

DWG # **TP20.00** REV
SCALE @ A1 1 : 500

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

EXSITING CONDITION



SHADOW AREA CHART - 1 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT KINGSTON STREET	PROPOSED BUILDING (525 CHURCH STREET)
		Area (sqm) Percentage	Additional Area (sqm) Percentage	Additional Area (sqm) Percentage
62 BRIGHTON STREET	28.09	11.23 40.3%		
64 BRIGHTON STREET	20.52	15.26 74.4%		
66 BRIGHTON STREET	42.70	35.37 82.8%		
68 BRIGHTON STREET	38.91	22.06 56.7%		
70 BRIGHTON STREET	46.25	21.52 46.5%		
72 BRIGHTON STREET	12.02	10.02 83.4%		
74 BRIGHTON STREET	12.12	10.02 82.7%		

SHADOW AREA CHART - 1:30 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT KINGSTON STREET	PROPOSED BUILDING (525 CHURCH STREET)
		Area (sqm) Percentage	Additional Area (sqm) Percentage	Additional Area (sqm) Percentage
62 BRIGHTON STREET	28.09	12.36 44.0%		
64 BRIGHTON STREET	20.52	15.63 76.2%		
66 BRIGHTON STREET	42.70	17.05 40.0%		
68 BRIGHTON STREET	38.91	22.01 56.6%		
70 BRIGHTON STREET	46.25	25.31 54.7%		
72 BRIGHTON STREET	12.02	12.02 100%		
74 BRIGHTON STREET	12.12	10.05 83.0%		

SHADOW AREA CHART - 2 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT KINGSTON STREET	PROPOSED BUILDING (525 CHURCH STREET)
		Area (sqm) Percentage	Additional Area (sqm) Percentage	Additional Area (sqm) Percentage
62 BRIGHTON STREET	28.09	14.11 50.2%		
64 BRIGHTON STREET	20.52	15.66 76.3%		
66 BRIGHTON STREET	42.70	18.78 44%		
68 BRIGHTON STREET	38.91	23.63 60.7%		
70 BRIGHTON STREET	46.25	30.78 66.5%		
72 BRIGHTON STREET	12.02	12.02 100%		
74 BRIGHTON STREET	12.12	11.76 97%		

SHADOW AREA CHART - 3 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT KINGSTON STREET	PROPOSED BUILDING (525 CHURCH STREET)
		Area (sqm) Percentage	Additional Area (sqm) Percentage	Additional Area (sqm) Percentage
62 BRIGHTON STREET	28.09	18.61 66.2%		
64 BRIGHTON STREET	20.52	16.26 79.2%		
66 BRIGHTON STREET	42.70	23.75 55.6%		
68 BRIGHTON STREET	38.91	25.08 64.5%		
70 BRIGHTON STREET	46.25	42.06 91%		
72 BRIGHTON STREET	12.02	12.02 100%		
74 BRIGHTON STREET	12.12	12.12 100%		

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GRAY PUKSAND

TOWN PLANNING SUBMISSION

SHADOW STUDIES - EXISTING

525 CHURCH
525 CHURCH STREET,
RICHMOND

DWG # TP20.01
SCALE @ A1 As indicated

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

APPROVED PROPOSAL ON 9 KINGSTON STREET



GRAY PUKSAND

TOWN PLANNING
SUBMISSION

SHADOW STUDIES - EXISTING

DWG # TP20.02
SCALE @ A1 1:500

REV	DESCRIPTION	DATE
1	Initial Submission	14/04/21
2	Revised Submission	14/04/21
3	Final Submission	14/04/21

PROJECT NO	119417
DRAWN	PT
CHECKED	HU
APPROVED	NT
525 CHURCH	
525 CHURCH STREET, RICHMOND	

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

APPROVED PROPOSAL ON 9 KINGSTON STREET



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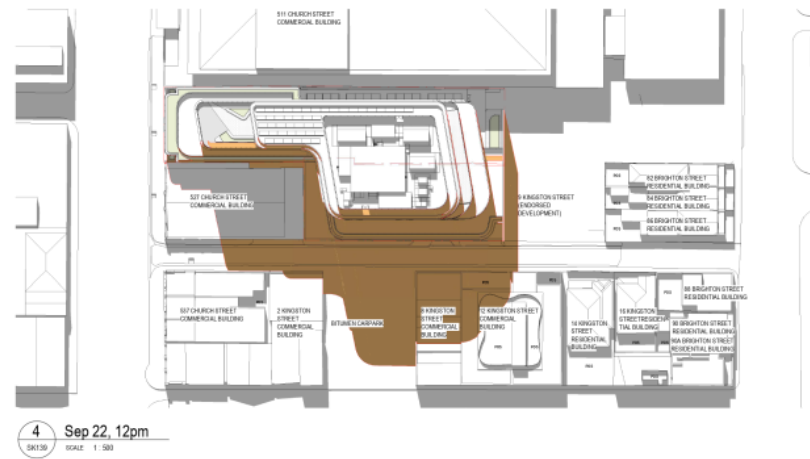
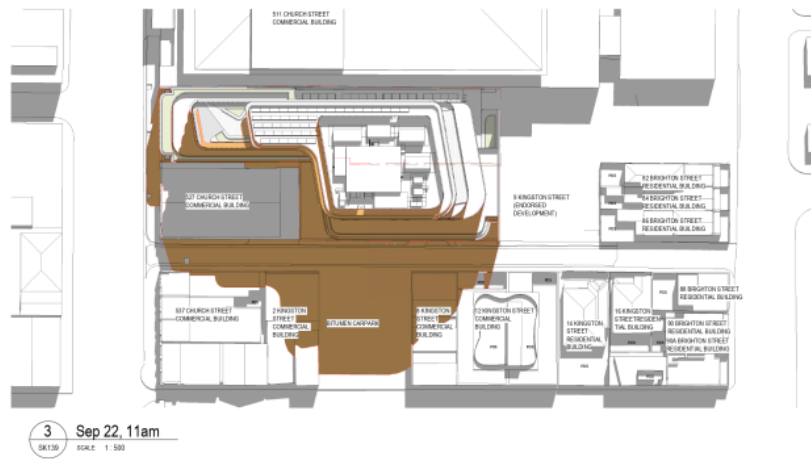
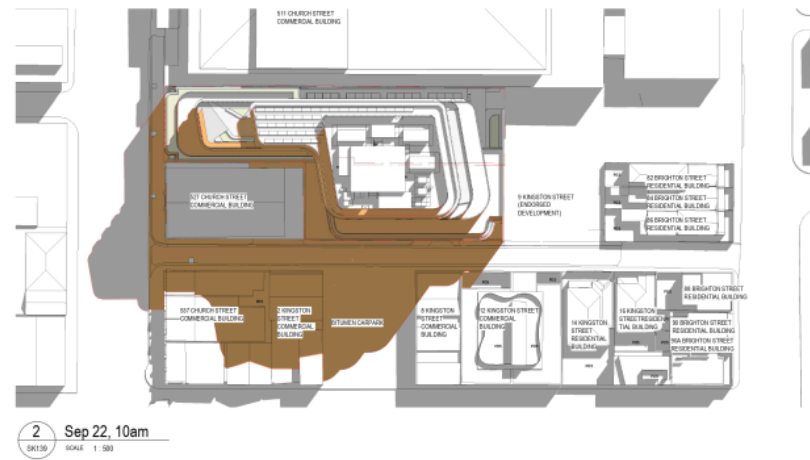
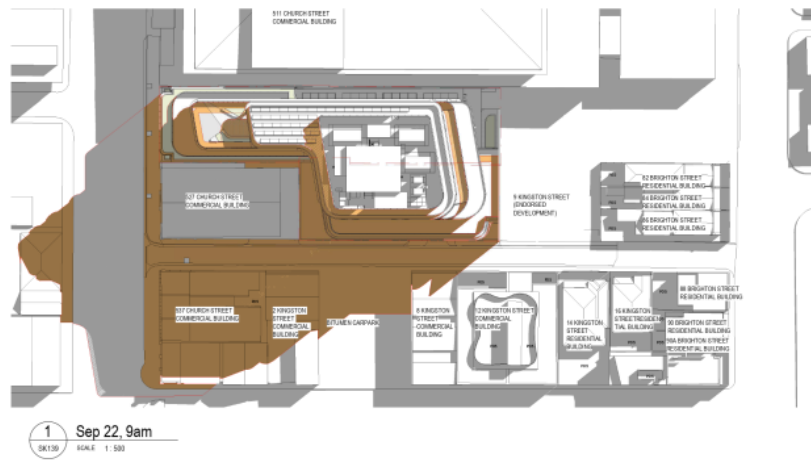
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GRAY PUKSAND

TOWN PLANNING
SUBMISSION
SHADOW STUDIES - EXISTING
DWD # TP20.03 REV A
SCALE @ A1 As indicated

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

PROPOSED BUILDING ON 525 CHURCH STREET



Existing shadows
Additional shadows cast by Proposed Building (525 Church Street)
Additional shadows cast by Endorsed Building at 9 Kingston Street
Permit No PLN19/0025 dated 14.04.21

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REV	DESCRIPTION	DATE
1	Initial design	14/04/21
2	Revised design	14/04/21
3	Final design	14/04/21

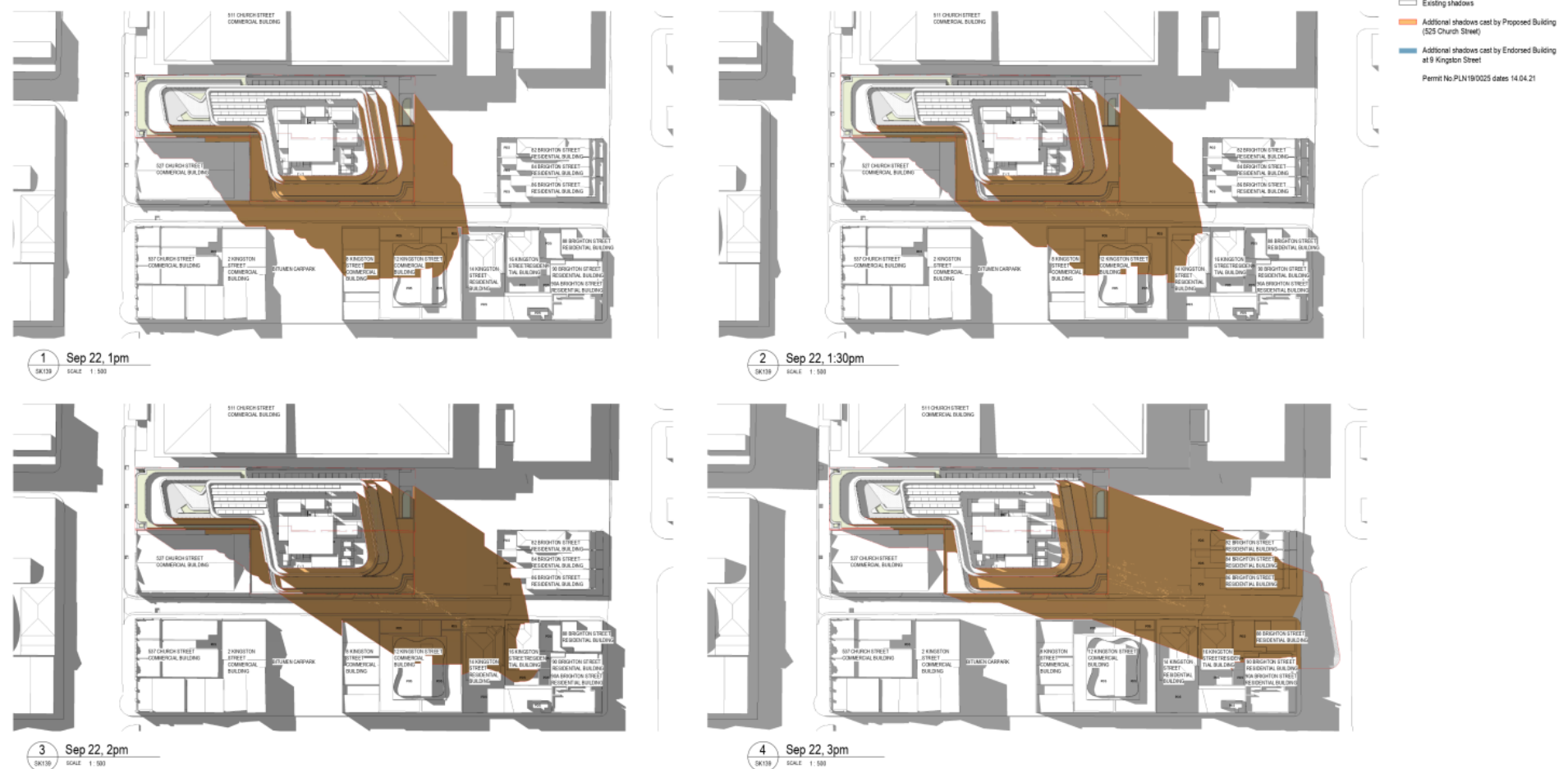
PROJECT NO: 151947
DRAWN: JT
CHECKED: JT
APPROVED: JT
525 CHURCH
525 CHURCH STREET,
RICHMOND

GRAY PUKSAND

TOWN PLANNING
SUBMISSION
SHADOW STUDIES - PROPOSED
DWG # TP20.10
SCALE @ A1 1:500

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

PROPOSED BUILDING ON 525 CHURCH STREET



SHADOW AREA CHART - 1 PM									
PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT 1 KINGSTON STREET			PROPOSED BUILDING 525 CHURCH STREET			
		Area (sqm)	Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage
42 BRIGHAM STREET	29.89	12.25	41.7%	0	0%	41.7%	0	0%	41.7%
54 BRIGHAM STREET	22.02	18.35	83.3%	3.68	16.6%	100%	0	0%	100%
58 BRIGHAM STREET	42.72	18.97	44.4%	23.75	55.6%	100%	0	0%	100%
64 BRIGHAM STREET	36.91	22.45	60.8%	14.46	39.2%	100%	0	0%	100%
68 BRIGHAM STREET	46.25	21.55	46.6%	24.70	53.4%	100%	0	0%	100%
80 BRIGHAM STREET	12.62	10.22	80.9%	2.40	19.1%	100%	0	0%	100%
84 BRIGHAM STREET	12.12	10.08	82.7%	2.04	17.3%	100%	0	0%	100%

SHADOW AREA CHART - 1:30 PM									
PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT 1 KINGSTON STREET			PROPOSED BUILDING 525 CHURCH STREET			
		Area (sqm)	Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage
42 BRIGHAM STREET	29.89	12.25	41.7%	0	0%	41.7%	0	0%	41.7%
54 BRIGHAM STREET	22.02	18.35	83.3%	3.68	16.6%	100%	0	0%	100%
58 BRIGHAM STREET	42.72	17.02	39.8%	25.70	60.2%	100%	0	0%	100%
64 BRIGHAM STREET	36.91	22.41	60.7%	14.50	39.3%	100%	0	0%	100%
68 BRIGHAM STREET	46.25	23.73	51.3%	22.52	48.7%	100%	0	0%	100%
80 BRIGHAM STREET	12.62	12.52	99.2%	0	0%	99.2%	0	0%	99.2%
84 BRIGHAM STREET	12.12	12.02	99.2%	0	0%	99.2%	0	0%	99.2%

SHADOW AREA CHART - 2 PM									
PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT 1 KINGSTON STREET			PROPOSED BUILDING 525 CHURCH STREET			
		Area (sqm)	Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage
42 BRIGHAM STREET	29.89	10.11	33.8%	19.78	66.2%	100%	0	0%	100%
54 BRIGHAM STREET	22.02	15.86	72.0%	6.16	28.0%	100%	0	0%	100%
58 BRIGHAM STREET	42.72	16.76	39.2%	25.96	60.8%	100%	0	0%	100%
64 BRIGHAM STREET	36.91	20.43	55.3%	16.48	44.7%	100%	0	0%	100%
68 BRIGHAM STREET	46.25	25.73	55.6%	20.52	44.4%	100%	0	0%	100%
80 BRIGHAM STREET	12.62	12.62	100%	0	0%	100%	0	0%	100%
84 BRIGHAM STREET	12.12	12.12	100%	0	0%	100%	0	0%	100%

SHADOW AREA CHART - 3 PM									
PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	ENDORSED BUILDING AT 1 KINGSTON STREET			PROPOSED BUILDING 525 CHURCH STREET			
		Area (sqm)	Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage
42 BRIGHAM STREET	29.89	18.41	61.6%	11.48	38.4%	100%	0	0%	100%
54 BRIGHAM STREET	22.02	16.20	73.5%	5.82	26.5%	100%	0	0%	100%
58 BRIGHAM STREET	42.72	23.73	55.5%	18.99	44.5%	100%	0	0%	100%
64 BRIGHAM STREET	36.91	26.40	71.5%	10.51	28.5%	100%	0	0%	100%
68 BRIGHAM STREET	46.25	42.90	92.7%	3.35	7.3%	100%	0	0%	100%
80 BRIGHAM STREET	12.62	12.62	100%	0	0%	100%	0	0%	100%
84 BRIGHAM STREET	12.12	12.12	100%	0	0%	100%	0	0%	100%

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REV DESCRIPTION

REV	DESCRIPTION	DATE
1	RESPONSE TO COUNCIL'S REVIEW	10/12/2021
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROJECT NO

525 CHURCH

525 CHURCH STREET,
RICHMOND

GRAY PUKSAND

TOWN PLANNING SUBMISSION

SHADOW STUDIES - PROPOSED

DWG# TP20.11
SCALE @ A1 As indicated

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

PROPOSED BUILDING ON 525 CHURCH STREET + APPROVED PROPOSAL ON 9 KINGSTON STREET



GRAY PUKSAND

TOWN PLANNING
SUBMISSION

SHADOW STUDIES - PROPOSED

DWG # TP20.12
SCALE @ A1 1:500

REV	DESCRIPTION	DATE
1	Initial design and shadow study	14.04.21
2	Revised design and shadow study	14.04.21
3	Final design and shadow study	14.04.21

PROJECT NO: 119417
DRAWN: JF
CHECKED: JF
APPROVED: JF
525 CHURCH
525 CHURCH STREET,
RICHMOND

Attachment 3 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Decision Plans

PROPOSED BUILDING ON 525 CHURCH STREET + APPROVED PROPOSAL ON 9 KINGSTON STREET



SHADOW AREA CHART - 1:30 PM										SHADOW AREA CHART - 2:30 PM										SHADOW AREA CHART - 3:30 PM									
PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW	EXISTING SHADOW
42 BRINGTON STREET	28.08	11.23	40.3%	4.00	14.0%	48.4%	0	0	40.3%	42 BRINGTON STREET	28.08	14.11	50.3%	11.00	39.1%	100%	0	0	40.3%	42 BRINGTON STREET	28.08	18.81	67.0%	1.00	3.6%	100%	7.08	25.0%	100%
44 BRINGTON STREET	22.02	16.25	73.8%	2.00	9.1%	82.9%	0	0	73.8%	44 BRINGTON STREET	22.02	16.25	73.8%	6.00	27.2%	100%	0	0	73.8%	44 BRINGTON STREET	22.02	16.25	73.8%	6.00	27.2%	100%	6.07	27.2%	100%
46 BRINGTON STREET	42.75	19.57	45.8%	8.75	20.5%	57.2%	0	0	45.8%	46 BRINGTON STREET	42.75	19.78	46.3%	12.00	28.1%	66.6%	0	0	46.3%	46 BRINGTON STREET	42.75	20.75	48.5%	10.00	23.4%	100%	10.81	44.2%	100%
48 BRINGTON STREET	34.91	22.49	64.4%	0	0	64.4%	0	0	64.4%	48 BRINGTON STREET	34.91	22.49	64.4%	0	0	64.4%	0	0	64.4%	48 BRINGTON STREET	34.91	26.40	75.6%	0	0	75.6%	0	0	75.6%
50 BRINGTON STREET	46.25	21.53	46.6%	0	0	46.6%	0	0	46.6%	50 BRINGTON STREET	46.25	21.53	46.6%	0	0	46.6%	0	0	46.6%	50 BRINGTON STREET	46.25	42.90	92.7%	1.00	2.2%	97.1%	3.5	7.6%	100%
52 BRINGTON STREET	12.82	10.02	77.8%	0	0	77.8%	0	0	77.8%	52 BRINGTON STREET	12.82	12.82	100%	0	0	100%	0	0	100%	52 BRINGTON STREET	12.82	12.82	100%	0	0	100%	0	0	100%
54 BRINGTON STREET	12.12	10.02	82.7%	0	0	82.7%	0	0	82.7%	54 BRINGTON STREET	12.12	11.76	97%	0	0	97%	0	0	97%	54 BRINGTON STREET	12.12	12.12	100%	0	0	100%	0	0	100%

GRAY PUKSAND

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DWG # **TP20.00** REV **A**
 SCALE @ A1 **1 : 500**

SHADOW AREA CHART - 3 PM

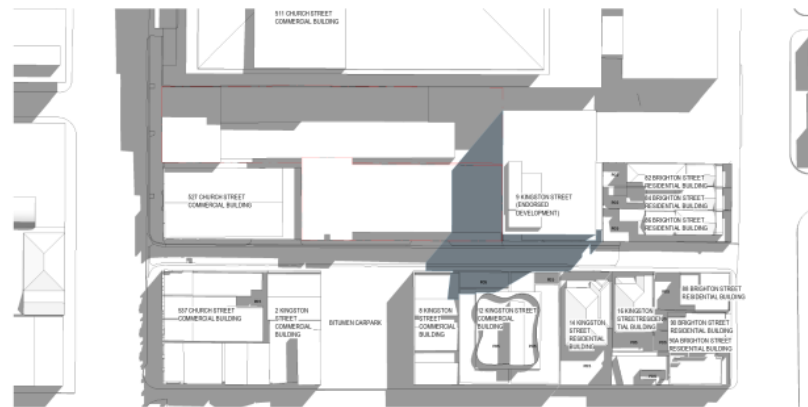
PROPERTY	U.S. AREA (sqm)	EXISTING SHEDD ¹		EXISTING BUILDING AT KINGSLEY STREET			PROPOSED BUILDING (22 CHURCH STREET)		
		Area (sqm)	Percentage	Additional Area (sqm)	Additional Percentage	Total Shed ² Percentage	Additional Area (sqm)	Additional Percentage	Total Shed ² Percentage
60 BAYLON STREET	25.08	17.94	70.3%						
64 BAYLON STREET	22.52	17.52	77.8%						
66 BAYLON STREET	43.79	28.82	65.8%						
74 KINGSLEY STREET	34.39	27.31	79.2%						
68 BAYLON STREET	46.35	36.76	79.1%						
76 BAYLON STREET	12.92	12.92	100%						
78A BAYLON STREET	12.12	12.12	100%						

Agenda Page

525 CHURCH
RICHMOND

525 CHURCH STREET,
RICHMOND

DWG.# **TP20.01** REV **B**
 SCALE @ A1 **As indicated**



The map shows the proposed development at 8 Kingston Street, which is highlighted in red. The development is located between St. Charles Street to the north and St. James Street to the south. To the west of the development is the 817 Church Street Commercial Building. To the east is the 819 Kingston Street Commercial Building. The map also shows other nearby buildings, including the 820 Kingston Street Residential Building, 821 Kingston Street Residential Building, 822 Kingston Street Residential Building, 823 Kingston Street Residential Building, 824 Kingston Street Residential Building, 825 Kingston Street Residential Building, 826 Kingston Street Residential Building, 827 Kingston Street Residential Building, 828 Kingston Street Residential Building, 829 Kingston Street Residential Building, 830 Kingston Street Residential Building, 831 Kingston Street Residential Building, 832 Kingston Street Residential Building, 833 Kingston Street Residential Building, 834 Kingston Street Residential Building, 835 Kingston Street Residential Building, 836 Kingston Street Residential Building, 837 Kingston Street Residential Building, 838 Kingston Street Residential Building, 839 Kingston Street Residential Building, 840 Kingston Street Residential Building, 841 Kingston Street Residential Building, 842 Kingston Street Residential Building, 843 Kingston Street Residential Building, 844 Kingston Street Residential Building, 845 Kingston Street Residential Building, 846 Kingston Street Residential Building, 847 Kingston Street Residential Building, 848 Kingston Street Residential Building, 849 Kingston Street Residential Building, 850 Kingston Street Residential Building, 851 Kingston Street Residential Building, 852 Kingston Street Residential Building, 853 Kingston Street Residential Building, 854 Kingston Street Residential Building, 855 Kingston Street Residential Building, 856 Kingston Street Residential Building, 857 Kingston Street Residential Building, 858 Kingston Street Residential Building, 859 Kingston Street Residential Building, 860 Kingston Street Residential Building, 861 Kingston Street Residential Building, 862 Kingston Street Residential Building, 863 Kingston Street Residential Building, 864 Kingston Street Residential Building, 865 Kingston Street Residential Building, 866 Kingston Street Residential Building, 867 Kingston Street Residential Building, 868 Kingston Street Residential Building, 869 Kingston Street Residential Building, 870 Kingston Street Residential Building, 871 Kingston Street Residential Building, 872 Kingston Street Residential Building, 873 Kingston Street Residential Building, 874 Kingston Street Residential Building, 875 Kingston Street Residential Building, 876 Kingston Street Residential Building, 877 Kingston Street Residential Building, 878 Kingston Street Residential Building, 879 Kingston Street Residential Building, 880 Kingston Street Residential Building, 881 Kingston Street Residential Building, 882 Kingston Street Residential Building, 883 Kingston Street Residential Building, 884 Kingston Street Residential Building, 885 Kingston Street Residential Building, 886 Kingston Street Residential Building, 887 Kingston Street Residential Building, 888 Kingston Street Residential Building, 889 Kingston Street Residential Building, 890 Kingston Street Residential Building, 891 Kingston Street Residential Building, 892 Kingston Street Residential Building, 893 Kingston Street Residential Building, 894 Kingston Street Residential Building, 895 Kingston Street Residential Building, 896 Kingston Street Residential Building, 897 Kingston Street Residential Building, 898 Kingston Street Residential Building, 899 Kingston Street Residential Building, 900 Kingston Street Residential Building.

<p>5. To the extent permitted by law, all conditions and warranties concerning this agreement shall be deemed to have been accepted by the parties, whether or not such conditions and warranties are stated in this agreement, and shall be deemed to be incorporated into this agreement by reference to the terms and conditions of the contract.</p> <p>6. Any person using or relying on documents released hereunder, and without limitation, any person using or relying on documents released hereunder, shall be deemed to be using or relying on such documents as if they were the original documents, and shall be deemed to be responsible for any errors or omissions in such documents.</p>	<table border="1"> <thead> <tr> <th>REV</th><th>DESCRIPTION</th><th>DATE</th></tr> </thead> <tbody> <tr> <td>2</td><td>RESPONSE TO COUNCIL'S FR</td><td>12/10/2002</td></tr> <tr> <td> </td><td> </td><td> </td></tr> <tr> <td> </td><td> </td><td> </td></tr> <tr> <td> </td><td> </td><td> </td></tr> <tr> <td> </td><td> </td><td> </td></tr> <tr> <td> </td><td> </td><td> </td></tr> </tbody> </table>	REV	DESCRIPTION	DATE	2	RESPONSE TO COUNCIL'S FR	12/10/2002																<table border="1"> <thead> <tr> <th>PROJECT NO</th><th>119167</th></tr> </thead> <tbody> <tr> <td>DRAWN</td><td>PT</td></tr> <tr> <td>CHECKED</td><td>HJ</td></tr> <tr> <td>APPROVED</td><td>NT</td></tr> </tbody> </table>	PROJECT NO	119167	DRAWN	PT	CHECKED	HJ	APPROVED	NT
REV	DESCRIPTION	DATE																													
2	RESPONSE TO COUNCIL'S FR	12/10/2002																													
PROJECT NO	119167																														
DRAWN	PT																														
CHECKED	HJ																														
APPROVED	NT																														

GRAY PUKSAND

SHADOW STUDIES - EXISTING

525 CHURCH STREET,
RICHMOND

CWD #	TP20.02	REV	A
SCALE @ A1	1 : 500		

Attachment 4 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Corrected Shadow Diagrams

APPROVED PROPOSAL ON 9 KINGSTON STREET



SHADOW AREA CHART - 1 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW		ENDORSED BUILDING AT 9 KINGSTON STREET		PROPOSED BUILDING (525 CHURCH STREET)	
		Area (sqm)	Percentage	Additional Area (sqm)	Percentage	Additional Area (sqm)	Percentage
82 BRIGHTON STREET	20.00	11.42	57.1%	2.28	11.4%	0.00	0.0%
84 BRIGHTON STREET	20.00	16.01	80.0%	2.78	13.9%	0.00	0.0%
86 BRIGHTON STREET	42.70	16.28	38.1%	8.22	19.2%	0.00	0.0%
88 BRIGHTON STREET	34.91	28.48	81.6%	0.00	0.0%	0.00	0.0%
90 BRIGHTON STREET	40.00	18.00	45.0%	0.00	0.0%	0.00	0.0%
92 BRIGHTON STREET	12.00	5.10	42.5%	0.00	0.0%	0.00	0.0%
94 BRIGHTON STREET	12.12	10.36	85.5%	0.00	0.0%	0.00	0.0%

SHADOW AREA CHART - 1:30 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW		ENDORSED BUILDING AT 9 KINGSTON STREET		PROPOSED BUILDING (525 CHURCH STREET)	
		Area (sqm)	Percentage	Additional Area (sqm)	Percentage	Additional Area (sqm)	Percentage
82 BRIGHTON STREET	20.00	12.34	61.7%	4.86	24.3%	0.00	0.0%
84 BRIGHTON STREET	20.00	16.43	82.1%	3.14	15.7%	0.00	0.0%
86 BRIGHTON STREET	42.70	17.90	41.9%	8.61	20.2%	0.00	0.0%
88 BRIGHTON STREET	34.91	28.95	83.2%	0.00	0.0%	0.00	0.0%
90 BRIGHTON STREET	40.00	20.71	51.8%	0.00	0.0%	0.00	0.0%
92 BRIGHTON STREET	12.00	11.10	92.5%	0.00	0.0%	0.00	0.0%
94 BRIGHTON STREET	12.12	10.84	89.4%	0.00	0.0%	0.00	0.0%

SHADOW AREA CHART - 2 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW		ENDORSED BUILDING AT 9 KINGSTON STREET		PROPOSED BUILDING (525 CHURCH STREET)	
		Area (sqm)	Percentage	Additional Area (sqm)	Percentage	Additional Area (sqm)	Percentage
82 BRIGHTON STREET	20.00	13.99	69.9%	7.73	38.7%	0.00	0.0%
84 BRIGHTON STREET	20.00	16.44	82.2%	3.77	18.9%	0.00	0.0%
86 BRIGHTON STREET	42.70	16.98	39.8%	13.27	31.1%	0.00	0.0%
88 BRIGHTON STREET	34.91	29.48	84.5%	0.00	0.0%	0.00	0.0%
90 BRIGHTON STREET	40.00	20.18	50.5%	0.00	0.0%	0.00	0.0%
92 BRIGHTON STREET	12.00	12.02	100.2%	0.00	0.0%	0.00	0.0%
94 BRIGHTON STREET	12.12	11.61	95.8%	0.00	0.0%	0.00	0.0%

SHADOW AREA CHART - 3 PM

PROPERTY	P.O.S AREA (sqm)	EXISTING SHADOW		ENDORSED BUILDING AT 9 KINGSTON STREET		PROPOSED BUILDING (525 CHURCH STREET)	
		Area (sqm)	Percentage	Additional Area (sqm)	Percentage	Additional Area (sqm)	Percentage
82 BRIGHTON STREET	20.00	17.84	89.2%	8.10	40.5%	0.00	0.0%
84 BRIGHTON STREET	20.00	17.00	85.0%	5.5	27.5%	0.00	0.0%
86 BRIGHTON STREET	42.70	22.82	53.4%	19.88	46.6%	0.00	0.0%
88 BRIGHTON STREET	34.91	27.71	79.4%	0.00	0.0%	0.00	0.0%
90 BRIGHTON STREET	40.00	30.75	76.9%	0.00	0.0%	0.00	0.0%
92 BRIGHTON STREET	12.00	12.02	100.2%	0.00	0.0%	0.00	0.0%
94 BRIGHTON STREET	12.12	12.12	100.0%	0.00	0.0%	0.00	0.0%

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REV	DESCRIPTION	DATE
1	ISSUED FOR COUNCIL'S REF	20/09/2021
2	ISSUED FOR COUNCIL'S REF	20/09/2021

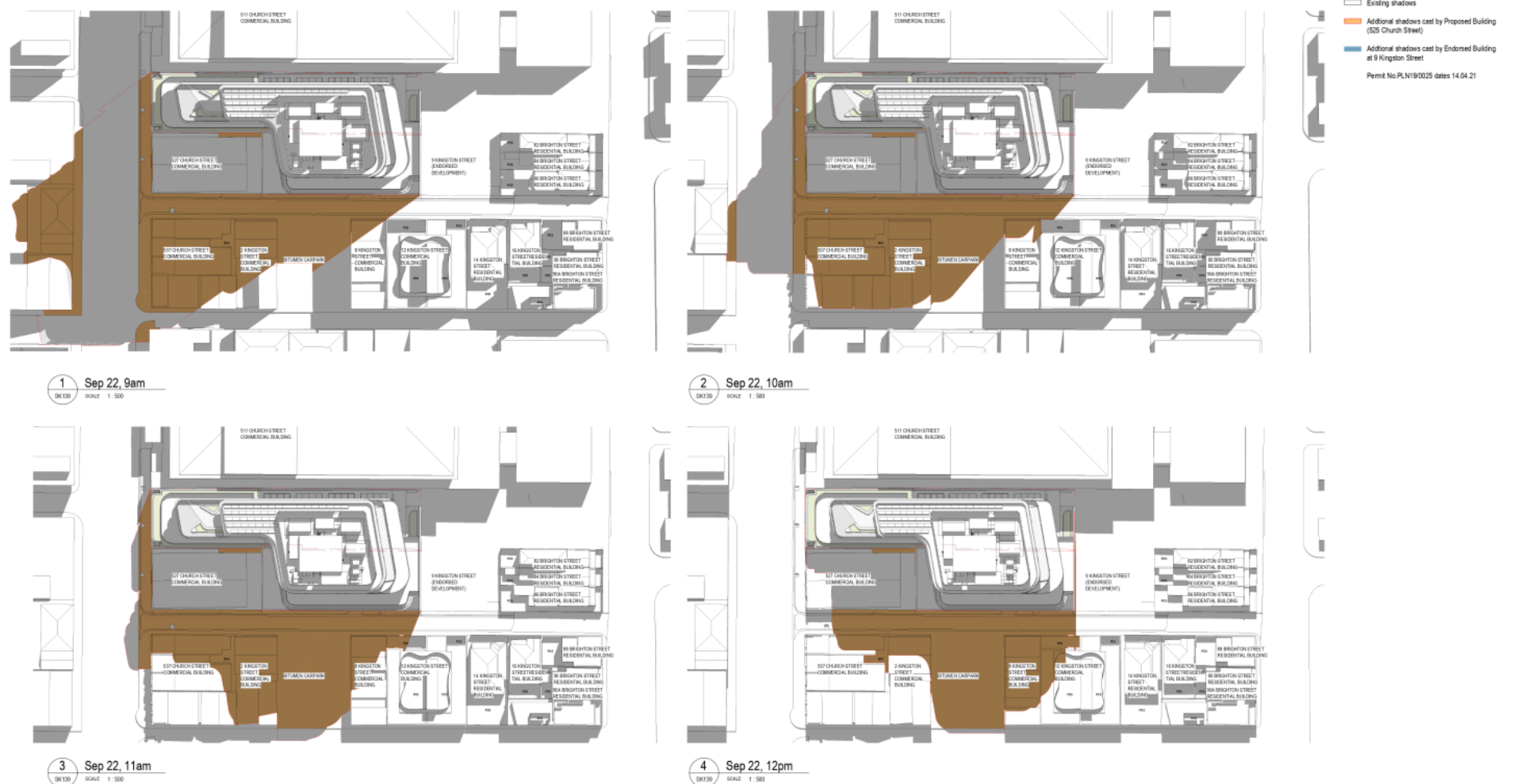
PROJECT NO: 15947
PP
CHECKED: NJ
APPROVED: NJ
525 CHURCH
525 CHURCH STREET,
RICHMOND

GRAY PUKSAND

TOWN PLANNING
SUBMISSION
SHADOW STUDIES - EXISTING
DRAWN: TP20.03
SCALE: A1
REV: B

Attachment 4 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Corrected Shadow Diagrams

PROPOSED BUILDING ON 525 CHURCH STREET



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REV	DESCRIPTION	DATE
1	RESPONSE TO COUNCIL'S REVIEW	30/09/2021
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROJECT NO	151947
DRAWN	PT
CHECKED	NT
APPROVED	NT
525 CHURCH	
525 CHURCH STREET, RICHMOND	
DWG #	TP20.10
SCALE @ A1	1:500
REV	A

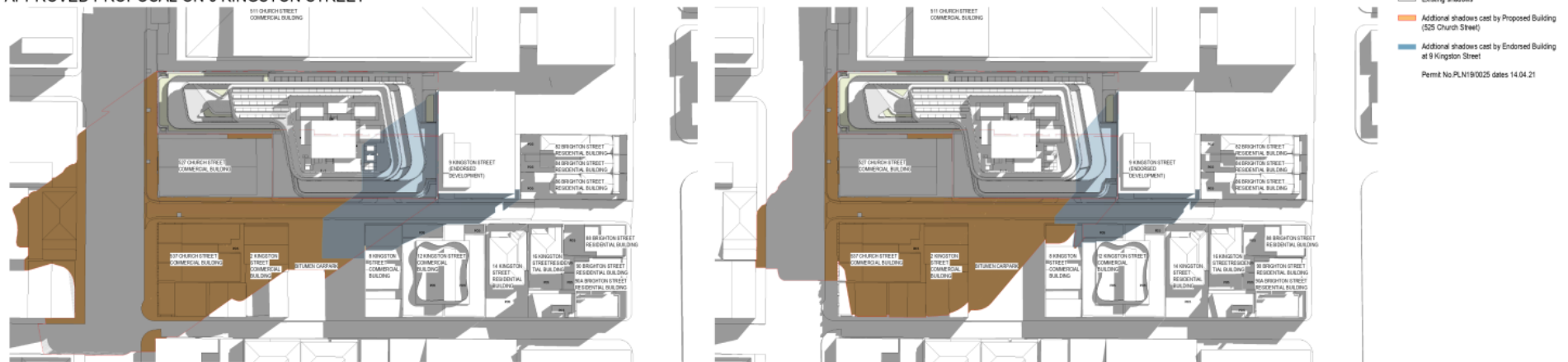
GRAY PUKSAND

TOWN PLANNING
SUBMISSION

SHADOW STUDIES - PROPOSED

Attachment 4 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Corrected Shadow Diagrams

PROPOSED BUILDING ON 525 CHURCH STREET +
APPROVED PROPOSAL ON 9 KINGSTON STREET



1 Sep 22, 9am
SK139 SCALE: 1:500

2 Sep 22, 10am
SK139 SCALE: 1:500



3 Sep 22, 11am
SK139 SCALE: 1:500

4 Sep 22, 12pm
SK139 SCALE: 1:500

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REV	DESCRIPTION	DATE
1	RESPONSE TO COUNCIL'S RM	16/09/2021
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROJECT NO: 151647
DRAWN: PF
CHECKED: NJ
APPROVED: NT

GRAY PUKSAND

TOWN PLANNING
SUBMISSION
SHADOW STUDIES - PROPOSED
525 CHURCH
525 CHURCH STREET,
RICHMOND
DWG # TP20.12 REV A
SCALE @ A1 1:500

Attachment 4 - PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - PDC Report Attachment - Corrected Shadow Diagrams

PROPOSED BUILDING ON 525 CHURCH STREET +
APPROVED PROPOSAL ON 9 KINGSTON STREET



SHADOW AREA CHART - 1 PM

PROPERTY	F.O.S AREA (sq ft)	EXISTING BAYON		ADDED BUILDING F.O.S BAYON STREET			PROPOSED BUILDING DELECAUX STREET		
		Area (sq ft)	Percentage	Additional Area	Additional Percentage	Total Bayon Percentage	Additional Area	Additional Percentage	Total Delecaux Percentage
60 BAYON STREET	25.69	11.62	45.2%	2.28	8.9%	53.8%	0	0	53.8%
58 BAYON STREET	21.0	18.81	89.6%	1.9	9.2%	92.4%	0	0	92.4%
56 BAYON STREET	47.75	19.28	40.4%	1.22	14.8%	52.2%	0	0	52.2%
54 BAYON STREET	30.71	28.65	73.5%	0	0	73.5%	0	0	73.5%
50 BAYON STREET	46.75	19.68	42.1%	0	0	42.1%	0	0	42.1%
30 BAYON STREET	12.82	9.0	70.4%	0	0	70.4%	0	0	70.4%
14 BAYON STREET	12.12	10.36	85.4%	0	0	85.4%	0	0	85.4%

SHADOW AREA CHART - 1:30 PM

PROPERTY	P.D. AREA	EXISTING SHADOW		PROPOSED BUILDING AT KANTAN STREET			PROPOSED BUILDING 300 KANTAN STREET		
		Area (sqm)	Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage	Additional Area (sqm)	Additional Percentage	Total Shadow Percentage
42 BRIDGTON STREET	25.61	12.34	48.57%	4.86	19.37%	0%	0	0%	67.94%
44 BRIDGTON STREET	23.62	11.93	50.51%	3.14	13.29%	0%	0	0%	63.80%
46 BRIDGTON STREET	42.72	13.50	31.59%	0.00	0.00%	64.41%	0	0%	64.41%
50 BRIDGTON STREET	34.81	25.90	74.39%	0	0%	73.25%	0	0%	73.25%
BRIDGTON STREET	48.25	25.71	53.30%	0	0%	61.33%	0	0%	61.33%
30 KANTAN STREET	12.82	11.13	86.83%	0	0%	86.83%	0	0%	86.83%
30A KANTAN STREET	12.12	10.84	89.43%	0	0%	89.43%	0	0%	89.43%

SHADOW AREA CHART - 2 PM

PROPERTY	F & S AREA (sq ft)	EXISTING SHADOW		ENHANCED BUILDING AT PROPOSED STREET			PROPOSED BUILDING (30' SHADOW STREET)		
		Area (sq ft)	Percentage	Additional Area (sq ft)	Additional Percentage	Total Shadow Percentage	Additional Area (sq ft)	Additional Percentage	Total Shadow Percentage
40 BRINGTON STREET	25.68	13.99	54.51%	7.73	30.1%	84.61%	0	0	84.61%
54 BRINGTON STREET	22.54	18.44	81.79%	4.17	18.5%	80.64%	0	0	79.49%
56 BRINGTON STREET	42.75	18.85	44.1%	15.37	35.9%	75.15%	0	0	75.15%
58 KENAGTON STREET	34.91	25.68	73.5%	0	0	73.5%	0	0	73.5%
60 BRINGTON STREET	48.26	25.15	52.09%	0	0	52.09%	0	0	52.09%
50 BRINGTON STREET	13.82	12.82	92.8%	0	0	92.8%	0	0	92.8%
50A BRINGTON STREET	12.12	11.41	94.1%	0	0	94.1%	0	0	94.1%

SHADOW AREA CHART - 3 PM

PROPERTY	P.D. AREA	EXISTING SHADOW		ENHANCED BUILDING AT 100% HEIGHT			PROPOSED BUILDING (50% HEIGHT)		
		Area (sq.)	Percentage	Additional Area (sq.)	Additional Percentage	Total Shadow Percentage	Additional Area (sq.)	Additional Percentage	Total Shadow Percentage
80 BRINGTON STREET	25.09	17.34	68.3%	0	0%	100%	2.75	14.2%	85.8%
94 BRINGTON STREET	25.09	76.9%			24.4%		3.44	13.4%	
96 BRINGTON STREET	27.71	52.65	53.1%	19.88	6.8%	100%	0	0%	100%
110 BRINGTON STREET	34.39	37.1	79.2%	0	0	100%	7.6	21.9%	100%
88 BRINGTON STREET	46.26	39.75	85.9%	2.80	4.3%	95%	4.58	9.9%	100%
95 BRINGTON STREET	12.02	12.02	100%	0	0%	100%	0	0%	100%
155A BRINGTON STREET	12.12	12.12	100%	0	0%	100%	0	0%	100%

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Contributors to use Architectural Drawings for sell out.
Contributors to check, to verify all Dimensions on file prior to Construction/Fabrication.
Please use Dimensions as a reference, see: [Building Dimensions](#)

Any Discrepancies should be immediately referred to the Asst.Md.
At work to comply with N.C.S. Statutory Authorities & Relevant Australian Standards.

Agenda Page 184

REV	DESCRIPTION
A	RECEIVED TITRATION 5

A	RESPONSE TO COUNCIL'S
B	RESPONSE TO COUNCIL'S

PROJECT NO	11816
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DRAWN	FF
CHECKED	HJ
APPROVED	NT

APPROVED	NT

525 CHURCH

525 CHURCH

RICHMOND

GRAY PUKSAND

TOWN PLANNING
SUBMISSION

SHADOW STUDIES - PROPOSED

DWG # **TP20.13** REV **B**
SCALE @ A1 **As indicated**

6.2 PLN21/0987 - 393 Bridge Road Richmond - Construction of an eight storey office building (no permit required for office use) and an associated reduction to the car parking and bicycle facility requirements.

Report Summary

Purpose

1. This report provides Council with an assessment of the application at No. 393 Bridge Road Richmond, for the construction of an eight-storey office building (no permit required for office use) and an associated reduction to the car parking and bicycle facility 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 22.10 – Built Form and Design Policy
 - (d) Clause 22.16 – Stormwater management
 - (e) Clause 22.17 – Environmentally Sustainable Development
 - (f) Clause 52.06 and 18.02-2R – Car Parking
 - (g) Clause 52.34 – Bicycle facilities

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Strategic support
 - (b) Built form and design
 - (c) Off-site amenity impacts
 - (d) Environmentally sustainable design
 - (e) Landscaping
 - (f) Waste management
 - (g) Car parking, traffic, access and bicycle provision
 - (h) Objector concerns

Submissions Received

4. 64 objections were received to the application, these can be summarised as:
 - (a) Height, scale and massing
 - (b) Non-compliance with Design and Development Overlay – Schedule 21 (Bridge Road)
 - (c) Poor heritage response
 - (d) Not in keeping with neighbourhood character
 - (e) Car parking and traffic impacts, road safety concerns

- (f) Insufficient bicycle facilities
- (g) Off-site amenity impacts including:
 - (i) Visual bulk
 - (ii) Overshadowing
 - (iii) Overlooking and privacy concerns
 - (iv) Noise impacts (from construction, use, waste collection and vehicle movements in the laneway)
 - (v) Loss of daylight
- (h) Precedent for future development
 - (i) Impact liveability of Richmond
 - (j) Use provides no community value / surplus of office space in precinct
 - (k) Blocks outlook and views from residential area including Jacques
 - (l) Poor pedestrian interface and lack of street level landscaping
 - (m) Property value impacts
 - (n) Strain on public amenities (public transport etc)
 - (o) No provision of open space

5. Two (2) letters of support were received to the application, which are summarised as follows:
- (a) Supports local business and revitalisation of Bridge Road Precinct
 - (b) Appropriate use and development of underutilised inner-city land
 - (c) Improvement on the existing use and built form of the site

Conclusion

6. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:
- (a) Deletion of Level 4 and Level 7, reducing the overall height of the building from 8 storeys to 6 storeys
 - (b) Set back the building above 18 metres (new Level 5) by 1 metre off the western title boundary, with the exception of the core (which is to be reduced to provide for only one lift and staircase between the new Levels 4 and 5)
 - (c) The articulation of the western boundary wall as shown in Sketch Plans submitted on 20 June 2022.

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

6.2 **PLN21/0987 - 393 Bridge Road Richmond - Construction of an eight storey office building (no permit required for office use) and an associated reduction to the car parking and bicycle facility requirements.**

Reference	D22/154548
Author	Jessica Sutherland - Statutory Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	Melba
Proposal:	Construction of an eight-storey office building (no permit required for office use) and an associated reduction to the car parking requirements of Clause 52.06 of the Yarra Planning Scheme.
Existing use:	Vehicle sales / vacant
Applicant:	Ratio Consultants
Zoning / Overlays:	Commercial 1 Zone Design and Development Overlay (Schedule 21) Development Contributions Plan Overlay (Schedule 1)
Date of Application:	23 December 2022
Application Number:	PLN21/0987

Planning History

1. Planning Permit PLN13/0501 was issued on 9 October 2013 for the *development of the land for buildings and works comprising of an external awning and construction and display of signage, including part demolition*. The permit has been acted on.

Background

2. The application was received on 23 December 2022, with further information provided on 23 March 2022. The application was advertised in March to April of 2022, with 64 objections and two (2) letters of support received.
3. No consultation meeting was held.

Planning Scheme Amendments

Amendment C269

4. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Strategic Strategy and Local Policies with the Planning Policy Framework (PFF), consistent with the structure recently introduced by the State Government.
5. Amendment C269 was on public exhibition between 20 August 2020 and 4 December 2020 and proceeded to a panel hearing in October 2021.
6. The Panel report was released on 18 January 2022. Council resolved on 19 April 2022 that having considered the Panel report, to submit the adopted Amendment to the Minister for Planning for approval. The amendment is therefore considered to be seriously entertained and will be discussed where relevant within the body of this report.
7. The relevant sections to be considered in this report include:
 - (a) Clause 2.03-1 and 11.03-1L - Activity centres

- (b) Clause 13.07-1L – Interfaces and amenity
- (c) Clause 15.01-1L – Urban design
- (d) Clause 15.01-2L – Building design
- (e) Clause 15.01-2L – Landmarks
- (f) Clause 15.02-1L – Environmental sustainable development
- (g) Clause 18.02-1L – Sustainable transport
- (h) Clause 18.02-4L – Car parking
- (i) Clause 19.03-3L – Water sensitive urban design

Amendment C291

- 8. Amendment C291 proposes to apply a new Design and Development Overlay (Schedule 43) to Bridge Road Central, replacing the interim DDO Schedule 21 which currently applies to the site. The amendment also includes an amendment to Clause 21.12 (Local Areas) to include Clause 21.12-2 (Bridge Road Activity Centre) which provides direction for the future character and development of Bridge Road.
- 9. Amendment C291 was on public exhibition in September to October of 2021 and proceeded to a Standing Advisory Committee in April 2022. Council received the Committee's report on 24 June 2022 and anticipates that the final recommendation will be heard at a Council Meeting in August 2022.
- 10. The proposed amendments, though not yet considered to be seriously entertained, will be discussed within the body of this report as relevant.

Amendment VC205

- 11. Amendment VC205 was gazetted into the Scheme on 20 January 2022, after the submission of the subject application, and replaced the Road Zone with a new Transport Zone. The amendment is applicable to Bridge Road and any buildings and works associated with the subject application but located within the new Transport Zone.
- 12. Specifically, the new Transport Zone requires written consent that the Head, Transport for Victoria consents generally or conditionally to either the application being made or the application being made and to the proposed use or development.
- 13. This will be discussed further in the body of this report.

[Lodgement of sketch plans](#)

- 14. Sketch plans were submitted on 20 June 2022 in response to concerns raised by Council and objectors, relating to height, massing and interface to the heritage buildings to the west. The sketch plans show the following changes:
 - (a) The deletion of Level 7 resulting in the reduction in the overall building height from 28.49 metres to 25 metres.
 - (b) Set back Levels 5 and 6 by 1 metre off the western title boundary, with the exception of the core.
 - (c) A revised articulation of the western boundary wall.

The Proposal

- 15. Full demolition of the existing building, associated fencing and ground cover (*no permit required*)
- 16. Construction of an eight storey (plus two basement levels), with open-plan offices provided at every level (no permit required for use of the land as an office). Further details of the proposed building are as follows:
 - (a) Overall building height of 28.49 metres.

- (b) Total of 3,741sqm of office floor area.
- (c) Constructed to the western boundary, to a height of 28.49 metres.
- (d) A street wall height of 11 metres to Bridge Road (south title boundary) and Coppin Street (east boundary), containing three storeys. Constructed to the northern boundary to the laneway for a height of 11 metres also.
- (e) Above the street wall:
 - (i) Set back between 6 to 10 metres from Bridge Road
 - (ii) Set back between 4 to 10.8 metres from Coppin Street
 - (iii) Set back between 3 and 7.95 metres from laneway to north.
- (f) Terraces are provided on Levels 3, 5, 6 and 7.



Image 1: Render of the proposed building as seen from the south-east corner of Bridge Road and Coppin Street (Decision Plans)

17. Materials, finishes and façade details include:

- (a) *Entry and street level* : white stone cladding to define grey glazed entry and auto-sliding doors, light grey rendered concrete awning with glazed panels over entry. Remaining street awning with charcoal powdercoat finish.
- (b) *Upper levels* : vertical grey glazing panels with light grey render framing. Clear glass balustrades to terraces.
- (c) *Vehicle entry and rear interface* : a mixture of horizontal metal shading at Level 1 and 2, black metal grill on awning, perforated black metal services doors and vehicle access entry.
- (d) Patterned precast concrete on western boundary wall

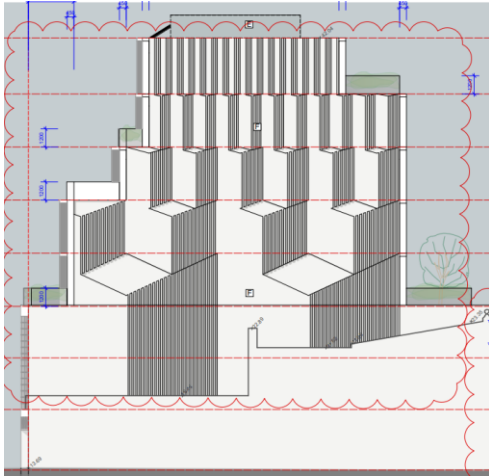


Image 2: proposed articulation of the precast concrete western boundary wall (Decision Plans)

18. A car lift, as accessed at ground level from the rear northern laneway, providing vehicle entry to the two basement levels (depth of 6.8 metres below ground level). Further details of the basements as follows:
- (a) 34 car parking spaces (including two accessible spaces), with an additional two “shared spaces”.
 - (b) 28 bicycle spaces (with three additional hoops to be provided on the Bridge Road frontage).
 - (c) Male and female end of trip facilities, providing for 64 lockers.
 - (d) CCTV/Comms room, a gym, waste storage area and rainwater tanks totalling 10,000L.

Existing Conditions

Subject Site

19. The subject site is located on the north-west corner of Bridge Road and Coppin Street, in Richmond, and is bound by an unnamed laneway to the north. The site is generally rectangular with the exception of a cut-out on the north-east corner (location of the substation at No. 393a Bridge Road).
20. The site has a frontage of 26.48 metres to the Bridge Road and 24.99 metres to Coppin Street, yielding a total site area of 752sqm. No easements, restrictions or covenants are included on the submitted Title Plan 514493U.
21. The site is currently occupied by a car hire company (Sixt) and is developed with a single storey building located towards the rear (north) of the site. Large single crossovers are provided along the southern frontage to Bridge Road and the eastern frontage to Coppin Street. Concreted car parking occupies the front of the site.
22. Along the Bridge Road frontage, adjacent to the site, is a covered tram stop and public bicycle hoop to the east and a small street tree to the west.



Image 3: subject site as viewed from north-east corner of Bridge Road and Coppin Street (Officer site visit, July 2022)



Image 4: subject site as viewed from the south of Bridge Road (Officer site visit, July 2022)

Surrounding Land

23. The surrounding area is characterised by commercial uses along Bridge Road (zoned Commercial 1 and located in the Bridge Road Major Activity Centre) and residential uses to the north within the General Residential Zone to the north of the site. Built form is predominantly buildings from the Victorian and Edwardian eras, interspersed with modern and contemporary infill development. Although not affecting the subject site itself, the Heritage Overlay (Schedule 310 – Bridge Road) covers the majority of Bridge Road.

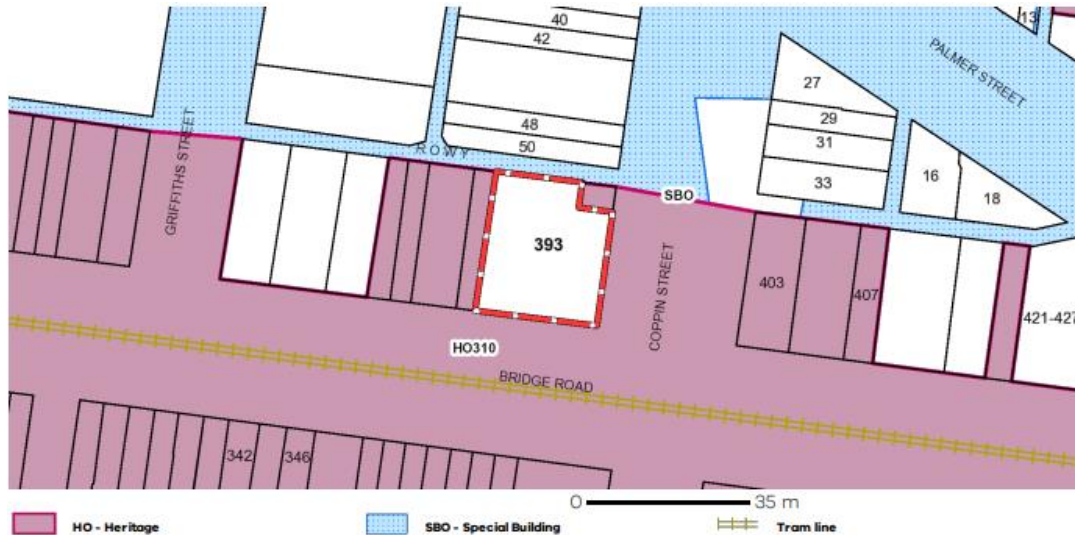


Image 5: Planning Overlays from VicPlan Planning Property Report (December 2021)

24. Although the section of Bridge Road, west of Church Street has undergone significant change in recent years, the eastern section in which the subject site is located, continues to be predominantly double storey buildings. Recent approvals/developments within the immediate area with a comparable height include:
- (a) An eight-storey apartment building with a maximum height of 26.92 metres, approximately 30 metres west of the subject site, at No. 373 – 375 Bridge Road (approved under Planning Permit PLN16/0924). Construction has not commenced; however, the permit is still live at the time of this report.



Image 6 and 7: excerpts from the Endorsed Plans for PLN16/0924

- (b) A part 11 storey, part seven storey development for mixed use (Jaques) with a maximum height of 35.9 metres, approximately 90 metres north of the site (approved under Planning Permit PLN11/0420).

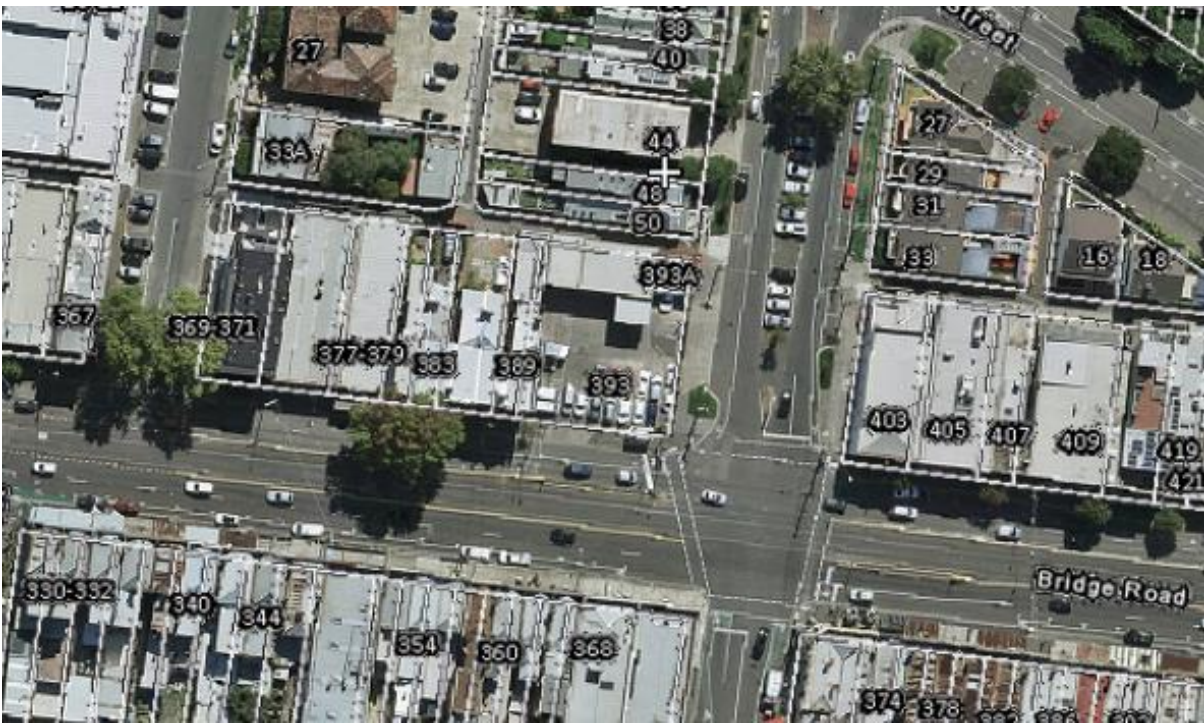


Image 8: Aerial of the subject site and surrounds (YarraGIS, June 2022)

West

25. To the west of the site, at Nos 381 – 389 Bridge Road, is a row of double storey Victorian/Edwardian-era buildings recognised as being Individually Significant to the heritage precinct (Schedule 310). The buildings are generally occupied by commercial uses (retail, massage parlour, real-estate agent) and some potential first floor dwellings provided.
26. The buildings have ornate frontages, which are notably intact at first floor, and include window hood moulders and elaborate parapets with central and secondary pediments to the end buildings. The nearest building at No. 389 Bridge Road is constructed flush to the shared site boundary for its entire length.
27. Although there is a potential for the first floors of these buildings to occupy dwellings, the rear courtyards of each appear to be used primarily as service yards and for car parking.



Image 9: row of Individually Significant terraces directly adjacent to the western boundary of the subject site (Officer site visit, July 2022)

28. The Richmond Town Hall clocktower, 215 metres west of the site, is recognised as a prominent landmark in the Activity Centre.

North

29. Immediately abutting the site to the north, is No. 393a Bridge Road, which is developed with an interwar brick building substation which occupies the entirety of the small site. The building is simple in design, with a gable roof and central timber door. The building is recognised as being Contributory to the heritage precinct (Schedule 310).
30. Further north, across the 3.6 metre wide unnamed laneway, are dwellings with east-west orientations fronting east to Coppin Street (not located in the Heritage Overlay). The nearest dwelling is No. 50 Coppin Street which is single storey and generally constructed to the side boundary to the laneway for its length with the exception of a central light court. One (1) non-habitable window faces the subject site from within this light court. An area of secluded private open space (**SPOS**) is located at the rear (west), situated diagonally across from the north-west corner of the subject site. Three sky lights are provided in the southern hip of the dwelling.



Image 10: (left to right) substation, dwellings within residential zone and Jaques, as viewed from the centre of Coppin Street (Officer site visit, July 2022)

31. Further north, are other single storey dwellings, some with double storey contemporary extensions at the rear, and a three-storey interwar unit building.

East

32. To the east is Coppin Street, a 30 metre wide street with 90-degree parking through the centre and bicycle paths provided in each direction. Across Coppin Street, is No. 405 Bridge Road, which is developed with a two storey white rendered building, constructed to all boundaries, and occupied by a retail premises (RepcO). The building is recognised as being Not Contributory to the heritage precinct.
33. Further east are similar two storey commercial buildings generally recognised as being Not Contributory.

South

34. To the south, across Bridge Road, the built form is generally characterised by two-storey Victorian/Edwardian-era buildings occupied for commercial uses (including retail and food and drinks premises, restricted recreation and medical centres), which are included in Schedule 310 of the Heritage Overlay.
35. Further south along Coppin Street there is a mixture of built form types, with a pocket of higher development (five to seven storeys) located between Coppin, Lord and Abinger Streets to the south-east.

General

36. The site more generally is serviced by public transport and other employment opportunities, including:
- (a) Immediate access to the Bridge Road Major Activity Centre (**MAC**) and associated tram services and bicycle lanes.
 - (b) Trams and bicycle lanes along Church Street, 350 metres to the west.

- (c) The Yarra River environs and associated bicycle paths 1km east of the site.
- (d) Melbourne CBD, located 3km from the site.
- 37. Bridge Road, a major arterial road with shared bicycle lanes and central tram lines, is provided parallel 2 hour parking with clearway restrictions.
- 38. Parking within Coppin Street and adjacent streets is generally restricted to 2 hours between 7am and 7pm (unrestricted at other times).

Planning Scheme Provisions

Zoning

Commercial 1 Zone

- 39. Pursuant to Clause 34.01-1, the use of the land as an Office is a Section 1 use – no permit required.
- 40. Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works.
- 41. Pursuant to Clause 34.01-7, an application to *construct a building or construct or carry out works 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.*
- 42. The subject site is within 30 metres of land within a residential zone and therefore the exemption is not applicable.

Transport Zone 2 (Bridge Road)

- 43. Pursuant to Clause 36.04-1, the buildings and works (removal of a crossover, construction of an awning and installation of bicycle hoops) located within the Transport Zone are associated with an office which is a Section 2 (permit required) use under the zone.
- 44. Pursuant to Clause 36.04-2, a permit is required *to construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1.*
- 45. Pursuant to Clause 36.04-3, *an application by a person other than a relevant transport manager on land shown on a planning scheme map as TRZ1 or TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating that the Head, Transport for Victoria consents generally or conditionally to either:*
 - (a) *The application being made.*
 - (b) *The application being made and to the proposed use or development.*
- 46. As discussed, the Transport Zone and relevant requirements were introduced to the Scheme after the subject application was lodged. As such, consent was not given for the application to be made, rather comments were sought afterwards.
- 47. The response from Transport for Victoria is provided in the attachments to this report.

Overlays

Design and Development Overlay (Schedule 21)

- 48. Pursuant to Clause 43.02-2, a permit is required to construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- 49. A permit is required to construct or carry out works, as Clause 2.0 of Schedule 21 does not specify otherwise.
- 50. Schedule 21 provides specific controls relevant to the Bridge Road MAC, dividing the centre into 5 precincts. The subject site is located in Precinct 3.

51. The schedule includes specific precinct design requirements, as well as general requirements relating to setbacks, building separation, views to landmarks, overshadowing, vehicle access and building design. These will be discussed within the *Built form and design* section of this report.
52. *Mandatory and preferred requirements*
53. Where a control in DDO21 is mandatory, it will specify that it is 'mandatory' or that 'a permit cannot be granted to vary'
54. If it does not specify that it is 'mandatory' or that 'a permit cannot be granted to vary', then the control is discretionary. Additionally, some of the preferred requirements include mandatory criteria to be met i.e. 'a permit cannot be granted to vary'.
55. Where it states that a requirement **must** be met, in the context of DDO21, the word 'must' does not necessarily imply that it is mandatory requirement.
56. With the above in mind, the schedule identifies street wall and building height requirements that are identified as either mandatory or preferred, as shown in the below figure.



57. The subject site is attributed a preferred maximum building height of 18 metres, and a preferred 11 metre high street wall (with a 6 metre setback above) to both the Bridge Road and Coppin Street frontages.
58. The proposed maximum building height is 28.49 metres, thus exceeding the preferred maximum height by 10.49 metres.
59. The 11 metre preferred street wall height is met for both street frontages, however, the Coppin Street interface proposes a variation to the 6 metre setback above the street wall (with a minimum setback of 4 metres).

60. Pursuant to Clause 2.2 of Schedule 21, a permit cannot be granted to vary a building height shown as a preferred building height, or a preferred street wall height, unless all of the requirements outlined at Clause 2.2 are met. As outlined, these requirements must be met for a variation to the preferred height to be considered/supported.
61. An assessment against these requirements will be included in the *Built form and design* section of this report.

Proposed Permanent DDO43

62. The proposed permanent DDO43 varies from the existing interim DDO21 for the site, as follows:
- (a) The site is designated a mandatory maximum height of 18 metres (currently preferred), and the following street wall requirements:
 - (i) Interface A to Bridge Road:
 - (a) Mandatory maximum street wall of 11 metres, or should match the parapet height of the adjoining heritage building (no lower than 8 metres).
 - (b) No front setback.
 - (c) Mandatory minimum upper level setback of 6 metres, with a preferred 9 metre minimum setback for built form above 15 metres.
 - (ii) Interface C to Coppin Street:
 - (a) Preferred maximum street wall of 11 metres, or should match the parapet height of the adjoining heritage building (no lower than 8 metres).
 - (b) No front setback (preferred).
 - (c) Preferred minimum upper level setback of 6 metres.
 - (b) The requirements to vary a preferred maximum overall building height are amended as follows:
 - (i) Requirements relating to residential developments have been clearly delineated from the more general development requirements.
 - (ii) The following requirements have been introduced/varied:
 - (a) *no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and*
 - (b) *provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.*
 - (c) The requirements to vary a preferred maximum street wall height are amended to include the following:
 - (i) *The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.*
 - (d) The street wall requirements are also amended to provide development guidelines relating to front setbacks to the street and corner sites/corner splays.
 - (e) The removal of setback and building separation requirements and the introduction of the following (relevant) upper level development requirements:
 - (i) *Development should:*
 - (a) *Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.*

- (b) *Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.*
- (c) *contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form. Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:*
- (d) *be visually recessive and not visually dominate the heritage building and the heritage streetscape.*
- (e) *avoid unarticulated façades that give a bulky appearance, especially from oblique views.*
- (f) *avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.*

63. The Standing Advisory Committee Report was published on 24 June 2022 and made the following comments relevant to the subject site:

- (a) *The prominence of the heritage fabric and streetscape is clearly a priority within Precinct 3, along with views to significant landmarks, good public realm amenity and appropriate transitions between new and existing buildings. The Committee agrees with Council's experts that the proposed mandatory street wall height and upper-level setback provisions support these objectives and are necessary to ensure that new development along Bridge Road does not overwhelm the heritage streetscape. Interface A should be applied consistently to the Bridge Road frontages to achieve policy objectives and intended built form outcomes. Interface A provisions are therefore appropriate for 393-395 Bridge Road because it is one part of a broader streetscape. The Committee is not persuaded that upper-level setbacks should be discretionary for this site or other land outside the Heritage Overlay with frontage to Bridge Road.*
- (b) *The Committee considers the Interface C provisions to be appropriate for the Coppin Street frontage. The discretionary provision to match the parapet height of adjoining heritage buildings is relevant, is not just about presenting a consistent street wall, and will provide an appropriate transition to the adjoining heritage building to the north. The Committee was not presented with any compelling evidence to reduce the Interface C upper-level setback to 5 metres on any land in Precinct 3, including 393-395 Bridge Road.*
- (c) *It is evident that varied heights, width and character are anticipated with new development in Precinct 3, with taller built form directed to locations behind Bridge Road. This contrasts with land opposite in Precinct 2 on the south side of Bridge Road, where policy supports only lower mid-rise development and therefore the consistent application of an 18 metre mandatory maximum building height. The DDO43 Height and Interface Plan includes a mix of discretionary and mandatory maximum building heights, although there is a more consistent application of a mandatory building height east of Griffiths Street. The Committee acknowledges that 393-395 Bridge Road is a larger site and agrees with Prof McGauran that a preferred maximum height would be appropriate for this site. In the context of mandatory street wall and upper-level setback provisions, the Committee accepts evidence that allowing discretion for building height at 393-395 Bridge Road would not compromise objectives for Precinct 3 which seek to maintain its heritage and civic character and views to significant landmarks.*
- (d) *The Committee does not support a preferred height of 24 metres as proposed by BG Estates and finds that policy seeks to support taller built form in Precinct 3 on land behind Bridge Road. It considers a discretionary height of 18 metres appropriate and consistent with properties fronting Bridge Road between the Town Hall and Griffiths Street in Precinct 3. (Page 65-66 SAC Report).*

Development Contributions Plan Overlay (Schedule 1)

64. Pursuant to Clause 45.06-1, a permit granted must:
- (a) Be consistent with the provisions of the relevant contributions plan.
 - (b) Include any conditions required to give effect to contribution or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.
65. The proposed building for the purpose of offices triggers the requirements of the Overlay; thus a condition is 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

66. Pursuant to Clause 52.06-1, this policy applies to new uses.
67. Pursuant to Clause 52.06-2, before a new use commences, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority.
68. 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 Network Area Maps (State Government of Victoria, August 2018). The following table assesses the car parking requirements of Clause 52.06.

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	3,741 m ²	3.0 spaces per 100 m ² of net floor area	112 spaces	34 spaces

69. A reduction of 78 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 52.29 – Land adjacent to a Principal Road Network

70. Pursuant to Clause 52.29-2, a permit is required to create or alter access to a road in a Transport Zone 2.
71. The subject application proposes to remove the existing crossover to Bridge Road (located in the TRZ2). Thus, a permit is triggered under this provision.
72. Pursuant to Clause 52.29-4, an application must be referred under Section 55 of the Act to Head, Transport for Victoria. Their comments are included in the attachments to this report.

Clause 52.34 – Bicycle facilities

73. Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage are provided on the land. Under the provisions of Clause 52.34-3 of the Yarra Planning Scheme, the development's bicycle parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office (other than	3741 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	11 employee spaces	

specified in the table)		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	3 visitor spaces.	
Bicycle Parking Spaces Total			11 resident / employee spaces	28 resident / employee spaces
			3 visitor spaces	0 visitor spaces (6 proposed to be provided outside the subject site's title boundaries)
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces		2 showers / change rooms	7 showers / change rooms

As shown in the above table, the proposed office building exceeds the requirements with regards to employee spaces, however, as no visitor spaces are proposed to be provided within the subject site's title boundaries, a permit is triggered in this instance to waive the visitor requirements of Clause 52.34.

Clause 53.18 – Stormwater management in urban development

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

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

75. This will be discussed further in the *Environmentally sustainable design* section of this report.

General Provisions

Clause 65 – Decision Guidelines

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

Planning Policy Framework (PPF)

Clause 11.02 (Managing Growth)

Clause 11.02-1S (Supply of Urban Land)

77. The objective of this clause is to *ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

78. Relevant strategies to achieve this objective includes:

- (a) *that planning for growth should consider:*
 - (i) *opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
 - (ii) *Neighbourhood character and landscape considerations.*

Clause 15.01 (Built environment)

Clause 15.01-1S (Urban design)

79. 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.*

Clause 15.01-R (Urban design – Metropolitan Melbourne)

80. The objective of this clause is to *create distinctive and liveable city with quality design and amenity.*

Clause 15.01-2S (Building design)

81. The objective of this clause is to *achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
82. Relevant strategies to achieve this objective are to:
- (a) *Require a comprehensive site analysis as the starting point of the design process.*
 - (b) *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
 - (c) *Ensure development responds and contributes to the strategic and cultural context of its location.*
 - (d) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
 - (e) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
 - (f) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
 - (g) *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
 - (h) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
 - (i) *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
83. This clause also states that planning must consider (as relevant) the *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*

Clause 15.01-4S (Health neighbourhoods)

84. The objective of this clause is to *create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

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

85. The strategy of this clause is to *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)

86. The objective of this clause is to *recognise, support and protect neighbourhood character, cultural identity, and sense of place.*
87. Relevant strategies to achieve this objective are to:
- (a) *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*

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

Clause 17.01 (Employment)

Clause 17.01-1S (Diversified economy)

- 88. The objective of this clause is *to strengthen and diversify the economy.*
- 89. Relevant strategies to achieve this objective are to:
 - (a) *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
 - (b) *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
 - (c) *Improve access to jobs closer to where people live.*

Clause 17.02 (Commercial)

Clause 17.02-1S (Business)

- 90. The objective of this clause is *to encourage development that meets the community's needs for retail, entertainment, office and other commercial services.*
- 91. Relevant strategies to achieve this objective are to:
 - (a) *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
 - (b) *Locate commercial facilities in existing or planned activity centres.*

Clause 18.02 (Movement Networks)

Clause 18.02-1S (Sustainable personal transport)

- 92. The objective of this clause is:
 - (a) *To promote the use of sustainable personal transport.*

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

- 93. 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)

- 94. 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)

- 95. 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)

96. 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 21.02 (Municipal profile)

97. The following is relevant to the subject site and the proposed development and use for offices:

- (a) *Occupation: The largest of the nine occupation groups in Yarra was Professionals at 40%;*
- (b) *Commerce: The expansion of the tertiary sector and its location in the inner Melbourne region close to the CBD has already resulted in Yarra being an increasing focus for finance, property and business services, cultural/recreational tourism, and wholesale and distribution activities. Yarra has also become a preferred location for many smaller and medium sized businesses, particularly those in computer technology, marketing and design. This trend is expected to continue.*

Clause 21.04 (Land use)

Clause 21.04-2 (Activity centres)

98. Objective 5 of the clause is *to maintain the long term viability of activity centres.*

99. A relevant strategy to achieve this is *to support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*

Clause 21.05 (Built form)

Clause 21.05-2 (Urban design)

100. The following objectives and associated strategies are relevant to the subject site:

- (a) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
 - (i) *Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*
 - (ii) *Strategy 20.4 Apply the Built Form and Design policy at clause 22.10.*
- (b) *Objective 21 To enhance the built form character of Yarra's activity centres*
 - (i) *Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form.*
 - (ii) *Strategy 21.2 Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of sub-precincts, each of which may have a different land use and built form character.*
 - (iii) *Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.*
- (c) *Objective 22 To encourage the provision of universal access in new development.*
 - (i) *Strategy 22.1 Encourage applicants to take into account the access needs of all people in the design of new buildings.*

Clause 21.06 (Transport)

Clause 21.06-2 (Public transport)

101. The objective of this clause is *to facilitate public transport usage.*

102. 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)

103. 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)

104. An objective of this clause is to *promote environmentally sustainable development.*

105. 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 21.08 (Neighbourhoods)

Clause 21.08-9 (North Richmond) and Clause 21.08-10 (Central Richmond)

106. The subject site is located within North Richmond, on the border to Central Richmond. Both clauses discuss the Bridge Road precinct and thus will be referenced where relevant.

107. Figure 21 (Neighbourhood Character Map) of Clause 21.08-9 identifies the site as being in the Bridge Road Major activity centre, recognised in Clause 21.08-10 as an important regional centre. Clause 21.08-9 specifically supports the creation of a civic and cultural node around the Richmond Town Hall (RTH) and encourages that the landmark role of the role of the RTH be maintained.

108. Clause 21.08-10 states that the central area (Church Street to Coppin Street) and land just east of Coppin Street does not have a consistent built form. However, the clause relevantly encourages that the continuity of built form along Bridge Road, east of Church Street, be reinforced.

Relevant Local Policies

Clause 22.03 (Landmarks and tall structures)

109. The policy applies to all development. The relevant objective of this policy is to maintain the prominence of Yarra's valued landmarks and landmark signs. Amongst other things, the policy requires development to protect views to landmark signs, including the clocktower of Richmond Town Hall.

Clause 22.05 (Interface uses policy)

110. 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 22.07 (Development abutting laneways)

111. The policy applies to applications for development that is accessed from a laneway or has laneway abuttal. The clause incorporates the following relevant objectives:

- (a) *To provide an environment what has a feeling of safety for users of the laneway.*

- (b) *To ensure that development along a laneway acknowledges the unique character of the laneway.*
- (c) *To ensure that where development is accessed off a laneway, all services can be provided to the development.*
- (d) *To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

Clause 22.10 (Built form and design policy)

112. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:

- (a) *Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.*
- (b) *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*
- (c) *Limit the impact of new development on the amenity of surrounding land, particularly residential land.*
- (d) *Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.*
- (e) *Create a positive interface between the private domain and public spaces.*
- (f) *Encourage environmentally sustainable development.*

Clause 22.16 (Stormwater management – water sensitive urban design)

113. This policy applies to applications for new buildings. The relevant objectives of this policy is to achieve best practice water quality performance objectives; to promote the use of water sensitive urban design, including stormwater re-use; to mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design in new development; and to minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies (creeks, rivers and bays).

Clause 22.17 (Environmentally sustainable design)

114. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

[Other Relevant Documents](#)

Plan Melbourne

- 115. The plan outlines the vision for Melbourne's growth to the year 2050. It seeks to define what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city's growth. It is a blueprint for Melbourne's future prosperity, liveability and sustainability.
- 116. It is policy to create mixed-use neighbourhoods at varying densities to offer more choice in housing and create opportunities for local businesses and new jobs whilst also delivering better access to local services and facilities. In respect of commercial use, the plan identifies the following:
 - (a) *Between now and 2031 it is estimated that approximately 11.9 million square metres of commercial floorspace will be required across metropolitan Melbourne to meet projected demand.*
 - (b) *Of this total, 57 per cent would be required for office uses.*

Yarra's Spatial Economic and Employment Strategy

117. The Spatial Economic and Employment Strategy (SEES) was adopted by Council in September 2018 and includes 6 directions which will inform future policy for the Scheme.
118. The SEES provides the following precinct direction for Bridge Road:

- (a) *The central and western portion of Bridge Road have been more successful in making the transition to local population service retail and hospitality. The new secondary school in this area will bring more activity, reinforcing the civic character of this central Bridge Road precinct. Local population growth will further enhance the viability of this part of the centre with opportunities for mixed use development on C1 zoned land.*

The isolated parcels of C2 zoned land to the south of Bridge Road might also be considered for transition to mixed use development in the future given the capacity for employment growth in Yarra's large consolidated mixed employment precincts.

Yarra Planning Scheme Amendment C269 – Rewrite of Local Policies

119. Relevantly to the subject site and proposed development, the revised local planning policy will continue to identify the site as being located in the Bridge Road Major Activity Centre. The revised policy continues to place emphasis on the long term viability of Yarra's activity centres, promoting employment growth in these areas.

Amendment C291

120. The amendment also includes an amendment to Clause 21.12 (Local Areas) to include Clause 21.12-2 (Bridge Road Activity Centre) which provides direction for the future character of Bridge Road. *Proposed Clause 21.12-2 (Bridge Road Activity Centre)*
121. The proposed Clause 21.12-2 includes the following key policy guidelines:
- (a) Vision:
- (i) *Bridge Road Activity Centre will continue to evolve as a vibrant and thriving mixed use centre that serves the day to day needs of the local residents and workers. It will feature well designed mid rise commercial and residential development whilst preserving the prominence of its intact heritage streetscape and buildings and maintaining amenity.*
- (b) Precinct 3 – Bridge Road Central:
- (i) *is the civic and community heart of Bridge Road Activity Centre. The precinct is anchored by the Richmond Town Hall and forms a key activity node within Bridge Road adjoining the important open space, Citizens Park as well as recreational facilities, two high schools, childcare and maternal health. The Town Hall forecourt will be enhanced as a key public space providing a setting for the Town Hall and the former police station with Gleadell Street and Griffiths Street enhanced as greener and more pedestrian focussed streets linking Bridge Road to the precinct's civic and community facilities. The precinct will support new housing and employment within mid-rise development of varying heights, widths and character while retaining the prominence of clusters of heritage buildings. Key views to across the precinct from Citizens Park and the corner of Bridge Road and Church Street to the iconic Richmond land.*
- (c) Economic development:
- (i) *Support Precinct 3 as a strong civic and education precinct.*
- (d) Built form and heritage:
- (i) *Maintain an intimate pedestrian scale at street level along Bridge Road. ▪*

- (ii) *Ensure development respects the consistency and intactness of the heritage streetscapes and the unique architectural form and qualities of heritage buildings within the activity centre.*
- (iii) *Protect key identified primary views lines to the Pelaco Sign, Richmond Clock Tower and St Ignatius Church.*
- (e) Access and movement:
 - (i) *Facilitate safe vehicular access to and from new development through the provision of laneway widening and passing bays.*
 - (ii) *Encourage the provision of vehicular access from either the side or rear of buildings.*
- (f) Public realm:
 - (i) *Maintain daylight and sunlight to the southern footpath of Bridge Road,*
 - (ii) *Encourage enhancement of the amenity and appearance of the public realm.*
 - (iii) *Ensure that new development provides adequate weather protection for footpaths along Bridge Road, Burnley Street, and Church Street.*

Advertising

122. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 201 letters sent to surrounding owners and occupiers and by two (2) signs displayed on site. Council received 64 objections to the application, these can be summarised as:

- (a) Height, scale and massing
- (b) Non-compliance with Design and Development Overlay – Schedule 21 (Bridge Road)
- (c) Poor heritage response
- (d) Not in keeping with neighbourhood character
- (e) Car parking and traffic impacts, road safety concerns
- (f) Insufficient bicycle facilities
- (g) Off-site amenity impacts including:
 - (i) Visual bulk impacts
 - (ii) Overshadowing
 - (iii) Overlooking and privacy concerns
 - (iv) Noise impacts (from construction, use, waste collection and vehicle movements in the laneway)
 - (v) Loss of daylight
- (h) Precedent for future development
- (i) Impact liveability of Richmond
- (j) Use provides no community value / surplus of office space in precinct
- (k) Blocks outlook and views from residential area including Jacques
- (l) Poor pedestrian interface and lack of street level landscaping
- (m) Property value impacts
- (n) Strain on public amenities (public transport etc)
- (o) No provision of open space

123. Two (2) letters of support were received to the application, which are summarised as follows:

- (a) Supports local business and revitalisation of Bridge Road Precinct
- (b) Appropriate use and development of underutilised inner-city land
- (c) Improvement on the existing use and built form of the site

124. The sketch plans submitted on 20 June 2022 were not formally circulated to submitters, however, are included in the attachments to this report.

Referrals

125. The referral comments are based on the advertised plans.

External Referrals

126. The application was required to be referred to Head, Transport for Victoria (Department of Transport). Referral comments have been included as an attachment to this report.

Internal Referrals

127. The application was referred to the following units within Council:

- (a) City Works – Waste Management
- (b) City Strategy – Open Space Services
- (c) Development Engineering
- (d) ESD advisor
- (e) Strategic Transport
- (f) Urban design (internal)
- (g) Strategic Planning

128. The application was referred to the following external consultants:

- (a) Heritage consultant (Anita Brady Heritage)
- (b) Urban Design consultant (Global south)
- (c) Wind Engineer (MEL)

129. Referral comments have been included as an attachment to this report.

OFFICER ASSESSMENT

130. The primary considerations for this application are as follows:

- (a) Strategic support
- (b) Built form and design
- (c) Off-site amenity impacts
- (d) Environmentally sustainable design
- (e) Landscaping
- (f) Waste management
- (g) Car parking, traffic, access and bicycle provision
- (a) Objector concerns

Strategic Support

131. The proposal is considered to provide a positive strategic development within a well-resourced inner-urban environment and benefits from strong strategic support from the existing and proposed State and local policies of the Yarra Planning Scheme.

132. 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 development; outcomes that are consistent with the metropolitan planning strategy *Plan Melbourne*.
133. Plan Melbourne, as well as policies at Clause 15.01-4R (Healthy neighbourhoods – Metropolitan Melbourne), seek 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 tram lines along Bridge Road and Church Street and a train line and bus routes on the western periphery of Bridge Road. The subject site also has excellent access to bicycle and walking paths with the Yarra main trail to the east of the site, and bicycle networks provided on the surrounding streets.
134. Further, State and local policies (such as Clause 11.03-1R, 21.04-2 and the proposed Clauses 2.03-1L and 11.03-1L) encourage the concentration of development on and near to activity centres (with Bridge Road being recognised as a major activity centre for the Municipality) to promote the long term viability of these centres. This is also evidenced through strategic work and analysis presented within Yarra's Spatial Economic and Employment Strategy which identifies Bridge Road (along with Smith Street, Victoria Street and Swan Street) as one of the municipal areas with "*the most potential for growth*" (page 45).
135. The proposal complies with strategic direction by continuing a commercial use of the site in a more intensive form, in order to facilitate greater employment opportunities for the area and contribute to a reinvigoration of Bridge Road.
136. As well as being located in a MAC, the site is located in the Commercial 1 Zone (C1Z) which specifically encourages the creation of vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. The C1Z is capable of accommodating greater density and higher built form, subject to a considered design response to a site's specific context.
137. Amendment C269, which is currently with the Minister for Planning, proposes to introduce new and revised local planning policies into the Yarra Planning Scheme reinforces the role of the Bridge Road MAC supports the growth of this area for employment opportunities.
138. Amendment C291 (not yet seriously entertained) proposes to introduce an amended Clause 22.12 (Local areas) to include the Bridge Road MAC and provide a broad strategic direction for five precincts identified along the Bridge Road MAC. The subject site is located within Precinct 3 (Bridge Road Central).
139. The draft policy expands on the existing directions of Clause 21.08-9 (North Richmond and Clause 21.08-10 (Central Richmond) which recognise Bridge Road as an important regional centre and specifically supports the creation of a civic and cultural node around the Richmond Town Hall (RTH).
140. Draft Clause 21.12 similarly supports Bridge Road Central as a strong civic and education precinct and provides the following vision for the MAC more broadly:
 - (a) "*Bridge Road Activity Centre will continue to evolve as a vibrant and thriving mixed use centre that serves the day to day needs of the local residents and workers. It will feature well designed mid rise commercial and residential development whilst preserving the prominence of its intact heritage streetscape and buildings and maintaining amenity*".

141. The proposed mid-rise office building is supported in a strategic sense by both the existing and proposed policies of the Yarra Planning Scheme, which generally support and encourage the intensification of commercial uses in activity centres which are well serviced by existing infrastructure and are close to where people live.
142. Nevertheless, policy support for more intensive development on this site must be balanced with other planning considerations, including the local built form context and applicable requirements of the DDO21, the proposed architectural response, equitable development opportunities, public realm, light and shade, ESD, off-site amenity considerations, car and bicycle space provision and car park design.

Built form and design

143. An assessment of the proposed development is guided by the various state and Local policies at Clause 15.01-2S (Building design), Clause 21.05-3 (Urban design), Clause 22.05 (Interface uses policy) and Clause 22.10 (Built form and design policy), with the most prescriptive decision guidelines outlined within interim Schedule 21 of the Design and Development Overlay. The proposed requirements of the draft Schedule 43 to the DDO will also be discussed where relevant, however, the draft is not yet seriously entertained at the time of this report and thus any expectation of full compliance with the proposed requirements will be tempered.

Building and street wall heights

144. As discussed previously in this report, the subject site is located in Precinct 3 and the preferred street wall height, upper level setback and overall building height are directed as follows:
- (a) Preferred maximum 11 metre street wall with a 6 metre setback above; and
 - (b) Preferred maximum 18 metre overall building height.

Building height

145. As discussed, the proposed building has a maximum height of 28.49 metres requiring a variation of 10.49 metres from the preferred maximum building height.
146. Clause 2.2 of DDO21 states that a permit cannot be granted to vary a building height shown as a preferred building height unless the following requirements are met:
- (a) *The built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule;*
 - (b) *The proposed building height achieves the preferred future mid-rise character for the Bridge Road Activity Centre; and*
 - (c) *The proposal will achieve each of the following:*
 - (i) *Greater building separation than the minimum requirement in this schedule;*
 - (ii) *Housing for diverse household types, including people with disability, older persons and families, through the inclusion of varying dwelling sizes and configurations;*
 - (iii) *Universal access, and communal and/or private open space provision that exceeds the minimum standard in Clause 5.07 and 58;*
 - (iv) *Excellence for environmental sustainable design measured as a minimum BESS project score of 70%;*
 - (v) *No additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.*

147. The above requirements do not imply that variations to the preferred height can only be considered for apartment buildings, as has been submitted in objections. Rather, the requirements relating to apartment buildings are not applicable to the subject proposal for non-residential use. The draft Schedule 43 to the DDO clarifies this by separating the requirements relating solely to apartment buildings.

148. The remaining requirements will be discussed in turn.
149. The Design Objectives at Clause 1.0 and the Precinct 3 Design Requirements of Schedule 21 both direct that development support the preferred future mid-rise scale and provide for a respectful response and transition to heritage buildings.
150. Council's Strategic Planning Department do not support the proposal to exceed 18 metres, stating the following:
- (a) *While the height of the proposed development meets aspects of the design objectives in the two DDOs, it does not meet design objectives (and Precinct Design Requirements in DDO21) which seek to ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape.*
 - (b) *It is considered the proposed height of the development:*
 - (i) *will have an adverse impact on the prominence of the adjoining heritage buildings and the wider heritage streetscape.*
 - (ii) *does not provide a respectful transition to the heritage buildings directly abutting the site to the west or across Coppin Street to the east.*
 - (iii) *will punctuate the skyline along this part of Bridge Road.*
 - (iv) *create a highly visible and dominant building in the street given the site's location on a prominent corner.*
151. These points will form the basis of discussion below.
152. The application was referred to Urban Design consultants Global South who consider 'mid-rise' to constitute a building height of 6 to 12 storeys, thus considering the proposed 8 storey building to represent a moderate mid-rise scale. Global south, in considering the proposed street wall height, upper level setbacks, interface to residential properties, shadows and heritage value of adjacent sites, support the proposed building height at 28.49 metres. Of note, they consider that the proposed height and massing to acceptably maintain the prominence of adjacent heritage buildings.
153. However, the application was also referred Heritage Advisor, Anita Brady, who raised concern to the overall height of the building from a heritage perspective, submitting the following:
- "As noted, the subject site is located at a prominent corner and while excluded from the [heritage] precinct, it is very much part of the Bridge Road streetscape in this area which is mostly included in the [heritage] precinct. Being a prominent site, the proposed eight storey building will visibly compete with the predominant two-storey scale of this immediate precinct area".*
154. Having regard to this, Anita Brady recommended that the building height be reduced, as achieved through one of the following:
- (a) Removal of two full upper levels (3, 4 or 5), with the top levels (currently 6 and 7) retaining their setbacks; or
 - (b) Removal of one full upper level and one of the top levels (6 or 7);
 - (c) An alternative approach which reduces the height to achieve greater consistency with the preferred building height of 18 metres.

155. In response, the Applicant submitted sketch plans on the 20 June 2022 which show the deletion of Level 7, and a setback of the Levels 5 and 6 (which are above 18 metres in height) by 1 metre off the western boundary around the core. The sketch plans demonstrate an attempt to provide a more recessive and stepped transition to the western Individually Significant properties (render provided below).
156. The sketch plans also show an alternate boundary wall detailing which will be discussed further under the *Building design* section of this report.



Image 11: sketch plan render (view from the south-west along Bridge Road) overlaid with 18 metre high development (as would be permitted by draft DDO43) in green to the left.

157. Aside from the potential heritage impact, Council Officers have concerns relating to the transition in height within the streetscape if a 28.49 metre high building were to be constructed. The fine-grain subdivision pattern of the sites to the west, coupled with more prescriptive development guidelines for sites recognised to have heritage value, suggests that the sites to the west of the subject site have a lesser development potential. Further, draft DDO (Schedule 43), which was heard at a Standing Advisory Committee in April, proposes to impose a mandatory 18 metre maximum building height for the subject site and adjacent properties to this west. It is important to note however, that the Standing Advisory Committee (SAC) Report (as published on 24 June 2022) considered a preferred maximum height to be appropriate for the subject site given its larger size.
158. Regardless, if it were to be approved in the future, the proposed DDO would likely prohibit any development of adjacent sites above 18 metres, potentially creating a severe contrast in height to the subject building with a height of 28.49 metres. For these reasons, Council Officers recommend that in addition to the deletion of Level 7, as per the sketch plans submitted on 20 June 2022, Level 4 should also be deleted. This will reduce the overall height of the building from 28.49 metres to 21.29 metres, providing for a transition of approximately one storey from the preferred and potentially future mandatory height of this section of Bridge Road. The reasons for deleting Level 4 specifically will be addressed in the *Setbacks* section of this report.

159. A variation of 3.29 metres is considered to be acceptable and subject to conditions, will meet the remaining mandatory requirements for varying the preferred height limit of the interim and draft DDO as follows:
- (a) Built form above 21m must be set back from the western boundary a minimum of one sixth of the width of the block. Subject to the proposed deletion of Level 4 and 7, the proposed development will be reduced to 21.29m, therefore the building will need to be further reduced to 21m, or built form above will need to be set back. This will be discussed in the *Setbacks* section of this report and addressed via condition accordingly.
 - (b) The building will achieve excellence for environmental sustainable design measured as a minimum BESS score of 70% as will be discussed in the *Environmentally sustainable design* section of this report.
 - (c) The building will not result in unreasonable amenity impacts to the neighbouring residential properties as will be discussed in the *Off-site amenity* section of this report. More specifically, a variation to the overall height by 3.29 metres will not result in any additional amenity impact beyond what would be generated by a proposal that complied with the preferred building height given that the building cannot cast shadows to the residential interface to the north and the setbacks of the upper level above 18 metres will appropriately mitigate visual bulk impacts.
 - (d) Although a mandatory height of 18 metres is currently proposed under amendment C291 (draft DDO43), evidence presented by Rob McGauran on behalf of Council at the Standing Advisor Committee supported a preferred maximum height for the site. His evidence (as follows) was agreed upon in the findings of the SAC Report:

*“Submissions were received in relation to properties at 393 – 395 Bridge Road arguing that the scale of the site and hence its development potential combined with its non-contributory warranted more flexibility and did not warrant mandatory provisions... They argue for preferred heights of 28 – 30m on the subject site...
The claim that more flexibility should be provided for greater height not afforded by its mandatory provisions is however a contention that I think warrants consideration for this site for the reasons provided by the applicant. That said the potential for uplift needs to be considered against its abutment to adjoining contributory terrace forms where mandatory provisions should apply and its abutments to low rise residential hinterland form.”*
 - (e) The building is reasonably distanced (215 metres) from the Richmond Town Hall and will not restrict views to the clocktower (as will be discussed further under *Views to landmarks*).
 - (f) The building, as per the decision plans, will not reduce sunlight to the footpath on the south side of Bridge Road.
 - (g) The provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms are in excess of the requirements of Clause 52.34, as required by the draft Schedule 43 of the DDO.
160. Further to the above, in order to mitigate the dominance of the western wall above the heritage streetscape to the west, it is also recommended that the building be set back 1 metre from the western boundary above a height of 18 metres (as illustrated in the sketch plans), with the lift and stair core further reduced between the new Levels 4 and 5 to provide for only one lift and stairs to Level 5. This will further mitigate the scale difference between the sites to ensure a cohesive streetscape.
161. In summary, Council Officers recommend that the following conditions be included on any permit issued:
- (a) Deletion of Level 4 and Level 7.

- (b) The core be reduced to provide for one stairwell and one lift between the new Levels 4 and 5.

162. The new Level 5 be set off the western boundary by 1 metre, with the exception of the core which is to remain on boundary. The below images provide a comparison from what is proposed and what the proposal would generally look like (with regards to height) subject to recommendation to delete two levels.



Image 12 and 13: South Elevation of the Decision Plans (left), South Elevation subject to condition (right) as sketched by Council Officers.

Street wall height

163. With regards to street wall height, both the Bridge Road and Coppin Street frontages present a street wall with a height of 11 metres, and thus comply with the preferred height under the Schedule 21 of the DDO. However, Schedule 21 also provides the following direction for street walls adjacent to heritage buildings (also reiterated by policy at Clause 22.10 (Built form and design policy)):
- (a) *The street wall height of development in a heritage overlay or immediately adjoining a heritage overlay must match the parapet height of the adjoining taller heritage building. Parapet height is defined in Schedule 21 to not include features such as brackets, pediments, urns, finials or other decorative elements.*
164. Although complying with the preferred street wall height, the Bridge Road street wall is slightly higher than the parapet of the Individually Significant building adjacent to the west (as depicted below). This requirement is not mandatory but is strongly encouraged.

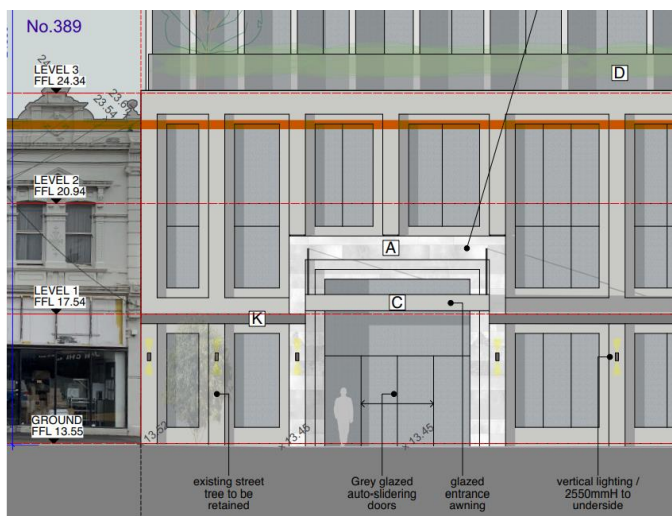


Image 14: orange line overlaid on Decision Plans to depict parapet height of adjoining building

165. Nevertheless, this variation is accepted for the following reasons:

- (a) The variation is minor and does not result in the subject site dominating the adjacent building given that the façade design is simplistic and does not take away from the ornate façade at No. 389 Bridge Road. Further, the horizontal lines created by the fenestration create a continuity between the buildings.
- (b) Heritage Advisor, Anita Brady did not raise concern to this aspect of the proposal.
- (c) The street wall will continue to sit below the highest point of the central decorative parapet of the adjacent heritage buildings.

Setbacks

166. Precinct 3 sets a minimum upper level setback (above the 11 metre street wall height) of 6 metres given that the site is abutted by properties with the heritage overlay to the north and west. The proposed building provides the following setbacks.
- (a) Between 6 to 10 metres from Bridge Road
 - (b) Between 4 to 10.8 metres from Coppin Street
167. As such, the setbacks to Bridge Road comply with the preferred setback requirement, however, the setbacks to Coppin Street require a variation of 2 metres from the preferred minimum setback. The variation along Coppin Street is accepted for the following reasons:
- (a) This aspect of the design was not raised as a concern by Council's Urban Design Consultant (Global South) or Heritage Advisor (Anita Brady).
 - (b) The 2 metre variation to the upper level setbacks will have no bearing on important heritage viewlines given that the substation to the north will sit below the 11 metre high street wall and the residential area to the north is not located in the Heritage Overlay.
 - (c) The variation will not impact any views to the Richmond Townhall Clocktower.
 - (d) Coppin Street is a wide secondary street, at 30 metres, and as such, a variation to the setback by 2 metres will not unreasonably encroach or 'enclose' the street.
 - (e) The variation will not result in any off-site amenity impacts to neighbouring properties (as will be discussed in the *Off-site amenity* section of this report).
 - (f) It is noted that the variation will only be sought at Level 3 and the new Level 4 given that the existing Level 4 is recommended to be deleted.
168. In addition to the above setbacks as attributed by precinct Building Heights and Setbacks Plan, the following setback requirements are also relevant to the subject site:
- (a) *Must occupy no more than one third (33%) of the vertical angle defined by the whole building in the view from a sight line a height of 1.7 metres above footpath (on the opposite side of the street) – see Figure 3 of Schedule 21*
 - (b) *Must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form.*

The above are relevant to the Bridge Road and Coppin Street interfaces.

The below diagram shows that the building, as per the Decision Plans, occupies approximately 41% of the sight line from the opposite footpath of Bridge Road. However, the recommended deletion of two levels will reduce the sightline to show compliance (as depicted by the orange line in the below diagram).

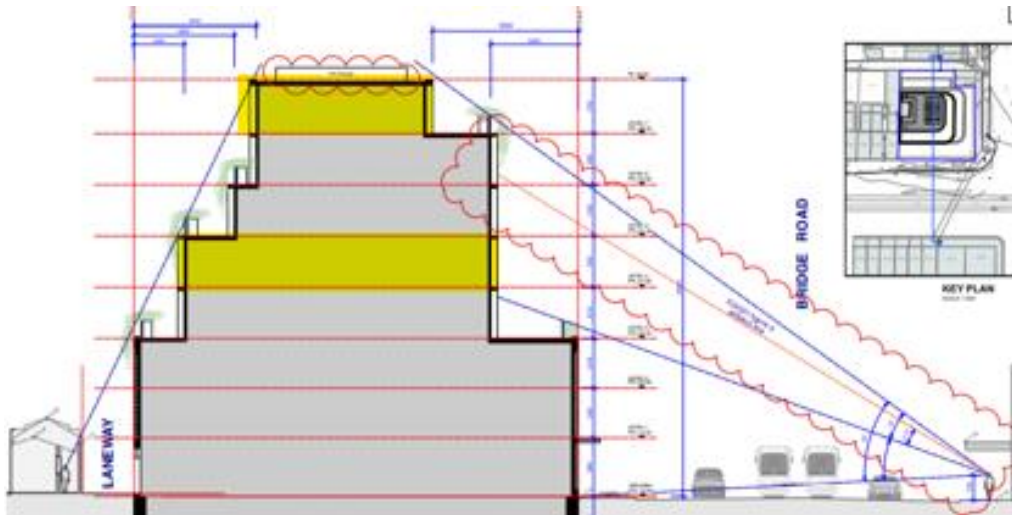


Image 15: Section from Decision Plans depicting view line from residential property (left) and from the southern side of Bridge Road (right). Yellow is overlaid to depict levels recommended to be deleted.

Further to above, the deletion of Level 7 and Level 4 will result in all the remaining levels above the podium having a consistent setback of 6 metres from Bridge Road; thus complying with the setback requirement and avoiding a repetitive stepped form.

Similarly, the building occupies approximately 41% of the sight line from the opposite side of Coppin Street (as depicted in the below image); however, the recommendation to delete two levels (shown in yellow) will reduce the height to comply with the sight line requirement. The recommendation will also result in 2 of 3 (66%) of the remaining levels having a consistent setback of 4 metres to reasonably avoid a repetitive stepped form.

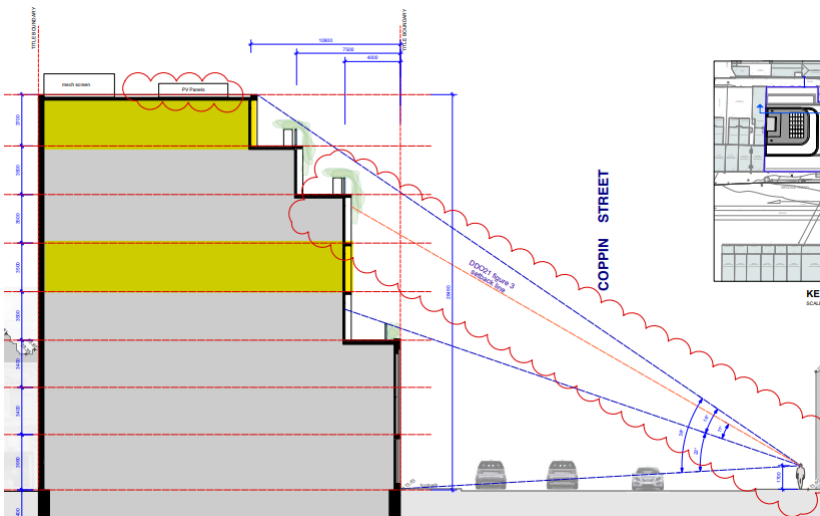


Image 16: Section from the Decision Plans showing the view line from the eastern side of Coppin Street. Yellow is overlaid to depict the levels recommended to be deleted.

- (c) Buildings must be set back from residentially zoned land as shown in Figure 1 of Schedule 21.

The setback requirement of Figure 1 is illustrated by the orange line in the below diagram. As shown, a portion of the podium constructed to the laneway, and a portion of the built form of Level 3, Level 4 and Level 5 will protrude into the required setback.



Image 17: East Elevation from Decision Plans with orange Figure 1 line overlayed to right. Yellow is overlayed to depict the levels recommended to be deleted.

However, the variations are considered acceptable for the following reasons:

- (i) The recommendation to delete Level 4 will reduce the upper level built form from protruding over the orange setback line significantly, with only a portion of Level 3 and glass balustrading of Level 5 (new Level 4) remaining.
- (ii) As shown in Image 9, the upper levels as per the Decision Plans will be somewhat obscured from view by the podium. Visibility to the upper levels will be further reduced by the recommended deletions of Level 4 and Level 7. It is not expected that the portions of the upper levels, such as the Level 5 balustrade, protruding into the setback requirement will result in an unreasonable visual bulk in this context.
- (iii) With regards to visual bulk and outlook, the dwelling immediately across the laneway has one non-habitable room window (associated with a bathroom) directly facing the subject site, which has an immediate outlook to a 3.45 metre high boundary wall. The dwelling is also provided a SPOS at the rear (west) which will have limited outlook to the subject development given that only a small section of the subject site is adjacent to the SPOS, as depicted below).

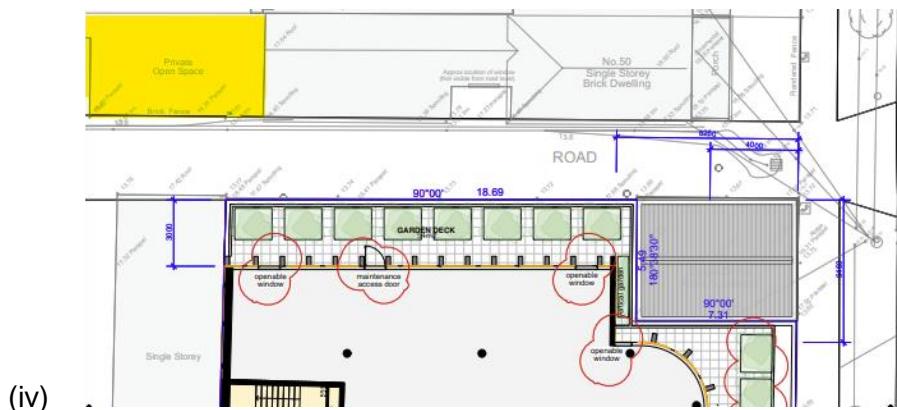


Image 18: The relationship between the subject site and SPOS (shown yellow) of No. 50 Coppin Street to the north.

- (v) The recommendation to setback the built form 1 metre off the western boundary at new Level 5 (plus the deletion of two storeys) will also assist to reduce the bulk of the building at the north-west corner, near to the SPOS area.
- (vi) There are no off-site amenity impacts relating to bulk (overshadowing, daylight to habitable windows) as will be discussed.
- (vii) An 11 metre wall height along the laneway is supported for the following reasons:
 - (a) The 11 metre wall is consistent with policy at Clause 22.07 (development abutting laneways) which encourages that development respect the scale of surrounding built form. As depicted in Image 12 below, the western end of the unnamed laneway is characterised by two storey built form constructed flush to the laneway boundary, so that a 11 metre, three storey form will not appear out of character in this context.
 - (b) Allows for the continuity of the Coppin Street street wall at 11 metres.
 - (c) 11 metres provides for a 2 metre variation to the maximum height of the adjacent residential zone (which is 9 metres). As such, it will provide for a reasonable transition between development residential zone to higher development along Bridge Road.



Image 19: the rear laneway looking west from Coppin Street (Officer site visit, July 2022)

Building separation and equitable development

- 169. Pursuant to Schedule 21 of the DDO, *an application for development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.*
- 170. The intent of this policy requirement is to ensure orderly planning which negates any impact on the potential for equitable development of the area, in accordance with the decision guidelines of 65.01 of the Scheme.
- 171. To achieve the above intent, Schedule 21 of the DDO provides the following development requirements:

- (a) *Where development shares a common boundary, upper level development must:*
 - (i) *Be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony is proposed.*
 - (ii) *Be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window is proposed.*
- (b) *Where the common boundary is a laneway, the setback is measured from the centre of the laneway.*
- (c) *In addition to the above, a building that exceeds 21 metres must be setback at least one-sixth of the width of the lot to maintain views to the sky between buildings. Where the boundary is a laneway, the setback is measured from the centre laneway.*

172. As previously discussed, the above, where applicable to the subject proposal, must be met to allow for any variation to the preferred building height to be considered.
173. The proposed building has two interfaces that require assessment; the laneway and residential zone to the north and the commercial property abutting the site to the west. Each will be discussed in turn.
174. The office building proposes windows which face the northern boundary, between a distance of 3.45 metres and 8.4 metres, at Levels 3 to 7. Thus, the setbacks from the centre of the laneway would be in excess of 5 metres at every level, well exceeding the building separation requirements.
175. No windows face the western boundary, thus the 3 metre setback is not applicable.
176. Subject to the recommended condition to delete two levels, the overall building height will be 21.29 metres. As such, to comply with the building separation requirements the proposed building must be reduced to a maximum height of 21 metres or, alternatively, any built form above a height of 21 metres (approximately 290mm) be set back the prescribed one-sixth of the lot (4.3 metres). A condition will therefore require that the building demonstrate compliance with the building separation requirements of the DDO, through either a reduction to the overall building height to 21 metres or through the provision of 4.3 metres setback above a height of 21 metres.

Building design

177. The development is considered to be of high architectural quality and in that regard responds to the design objectives clause 15.01-2 and interim DDO21. The contemporary design, with various landscaping, is appropriate and responds well to this part of Bridge Road where it is adjacent to contributory heritage fabric.
178. The proposal incorporates a mixture of textured materials, including grey stone cladding, grey glazing, light grey rendered and glazed entry awning, and slimline awnings with charcoal powder coat finish.



Image 20: Render of Bridge Road street interface provided in Decision Plans

179. Council's Urban Design consultants, Global South, considered the building design to be an appropriate response to its context. Of note, they supported the provision of extensive glazing at street level to promote passive surveillance and visual interaction between the building and the street, and commended the street wall design which they considered to respond to the *"fine grain context with vertical columns extending full height from ground level, but provides for varied module widths for diversity in façade"*.
180. Global South did however raise concern to the proposed patterning of the western boundary wall, stating that the "optical illusions" of a 3D form were incongruous with the neighbouring ornate facades and may diminish the importance of the Individual Significant buildings adjacent.
181. In response to this concern, the Applicant submitted sketch plans which provided for a revised indented grid-work on the western boundary wall (a comparison provided in Images 21 and 22 below). Council Officers consider that the revised western wall articulation provides for a simpler, less dominating boundary wall treatment which will provide for a reasonable amount of visual interest to the western wall which is unlikely to be built up to in the near future. As such, it is recommended that a condition requiring the articulation of the western boundary wall be as shown in the sketch plans submitted on 20 June 2022 be included as a condition on any permit issued.

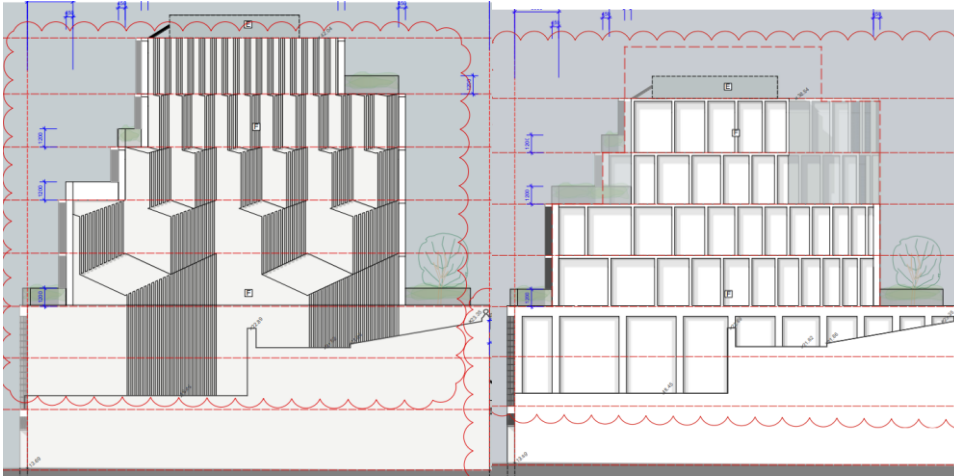


Image 21 and 22: West Elevation of the Decision Plans (left), West Elevation of sketch plans (right)

182. The western articulation as shown in the sketch plans will be required via condition to be a depth of 200mm to ensure that it will continue to be assessed as a boundary wall (by definition of the Yarra Planning Scheme), so that it will not prejudice any potential for future development of the western abutting site. The application was also referred to external Heritage Consultant, Anita Brady, who was generally supportive of the proposed building design for the following reasons:
- (a) The upper levels are generally '*visually lightweight*' in their appearance, and are simply detailed in terms of the architectural expression.
 - (b) The podium also has a defined ground floor which reflects the distinction between ground and first floors in the facades of adjoining and nearby two-storey commercial terraces.
183. However, Anita Brady did raise concerns to the potential of the proposed grey glazing to be highly reflective, which may detract from, or compete with, the adjoining significant row of terraces to the west.
184. In response, Council Officers consider that greater clarity should be provided for the proposed materials and finishes to ensure the building achieves a high architectural quality. As such, it is recommended that a condition be included on any permit issued requiring a Façade Strategy and Materials and Finishes Plan be submitted to detail the following:
- (a) elevations at a scale of 1:20 or 1:50 illustrating typical podium details, entries and doors, and tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained;
 - (d) a sample board and coloured renders outlining colours, materials and finishes including the following:
 - (i) Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface.
 - (e) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This can be provided through montages from various vantage points and/or built model.
185. The Façade Strategy should also include a requirement that the fire booster cupboards on the Coppin Street frontage with a 'tinted mirror finish' not be too reflective as recommended by Council's Internal Urban Design Unit (who provided comments relating to the public realm as to be discussed).

186. Subject to these conditions, it is considered that the proposed building meets the design requirements of the Interim DDO21 and draft DDO43 as follows:
- (a) The proposed glazing/fenestration provides vertical articulation in the street wall that reflects the prevailing pattern of Bridge Road's development, as characterised by fine-grain subdivision and Victorian/Edwardian-era buildings;
 - (b) The pattern of vertical rectangular fenestration also appropriately responds to vertical proportions of the window openings in the Individually Significant buildings within the streetscape.
 - (c) The façade design has been incorporated on the south, north and east elevations so that the design details are viewed from all directions. The boundary wall articulation as shown in the sketch plans continues the appearance of the fenestration's pattern to the boundary wall, further contributing to the overall expression of the building.
 - (d) Further, as submitted by Global South, the architectural expression achieved at upper levels is distinct from, but complimentary to, the street wall. Both façade treatments at street wall level and upper levels are simple in their articulation and do not compete with the elaborate detailing of the Individually Significant buildings within the streetscape.

Views to landmarks

187. Relevant to the location of the subject site, interim DDO21 requires that development must maintain existing views to the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:
- (a) The south east corner of Burnley Street and Bridge Road intersection.
188. The below diagram was submitted with the application to demonstrate that the subject building will not restrict or obscure views from the south-east corner of Bridge Road and Burnley Street to the Richmond Town Hall. The recommended deletion of two levels will further reduce the prominence of the building, proximate to the Richmond Town Hall, and within the streetscape more broadly.

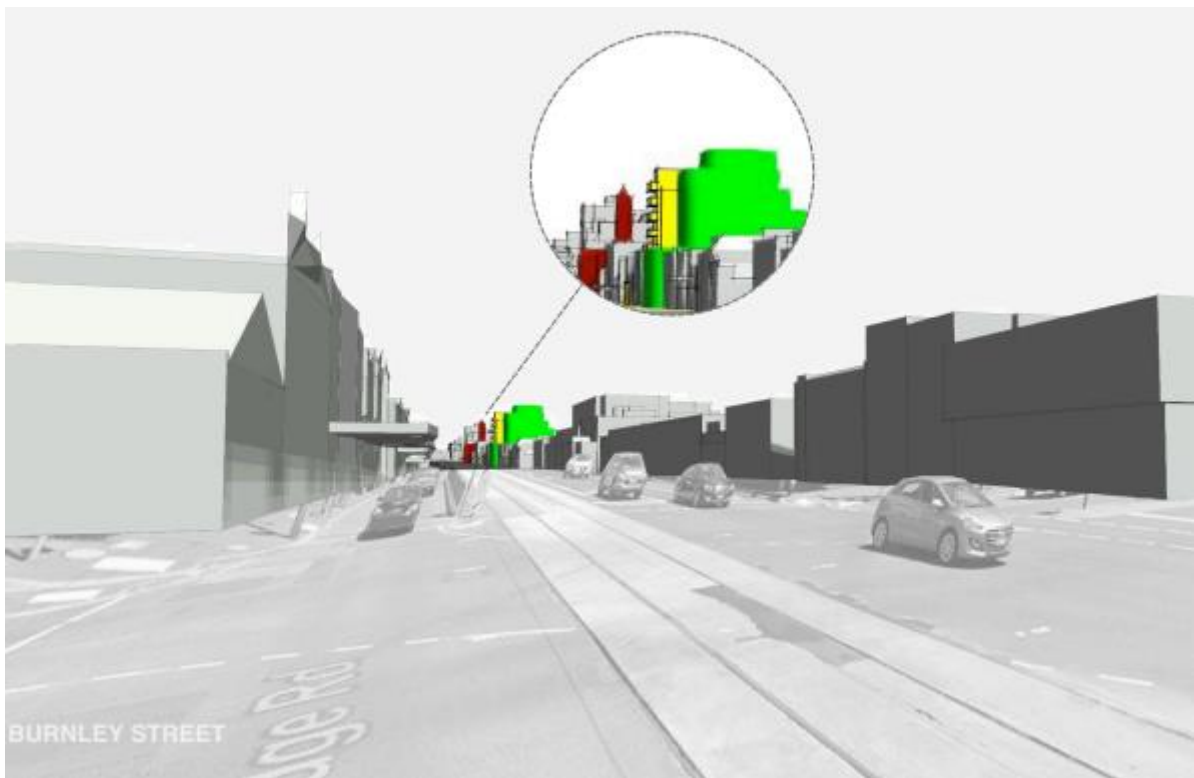


Image 14: subject building in green, previously approved development at 373 – 375 Bridge Road in yellow and the RTH in red (Decision Plans).

Wind

189. The applicant's wind consultant (Windtech) carried out a desktop assessment (dated 3 March 2022) which was referred to MEL consultants for review.
190. MEL Consultants confirmed they have no issue with the Analysis Approach, Site Exposure, and Regional Wind Climate that have been used as the basis for the assessment. They also agree with Windtech's assessment of the walking comfort criterion for the surrounding streetscapes. However, MEL consultants considered that further assessments of the wind conditions were required outside the ground level building entrance and on the terraces to determine that the relevant comfort criteria would be satisfied.
191. In response, a revised wind report (prepared by Windtech and dated 11 June 2022) was submitted to assess the standing comfort expected outside the main entrance and the walking comfort expected on the terraces.
192. MEL consultants were satisfied with the assessment, however, raised concern that the proposed specifications of the terrace landscaping (namely minimum heights for the densely foliated evergreen planting) do not align with the Windtech specifications to demonstrate walking comfortability. Council officers agree that landscaping referred to in the wind report must be consistent with the landscape plan (and will condition this accordingly), however Council Officers do not support a reliance on foliage to achieve compliance with safety criteria. This is because planting would take time to grow and can be variable and susceptible to change. However, planting can contribute to improve comfort levels so is supported for this purpose. As such, a condition should be included on any permit issued requiring that the wind report be amended to demonstrate safety criteria is achieved with built form (i.e. terraces) instead of landscaping..

Site coverage

193. The proposed site coverage of 100% is considered acceptable for the following reasons:
 - (a) High site coverage is encouraged by various design requirements relevant to the site, including Draft DDO43 for Bridge Road which proposes a mandatory 0m front setback to Bridge Road and Coppin Street. Similarly, boundary to boundary development is a characteristic of the Bridge Road streetscape.
 - (b) Commercial and mixed-use buildings in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout the Bridge Road MAC.

Light, shade and public realm

194. Relevant to the subject site, the interim DDO21 provides requirements for overshadowing impacts to the Bridge Road footpath. Pursuant to the interim DDO21 control, development must not overshadow any part of the southern footpath of Bridge Road to a distance of 3 metres from the kerb between 11am and 2pm at 22 September (the Equinox).
195. Shadow diagrams were submitted with the application demonstrating that the shadows cast at the Equinox go no further than the centre tramlines, thus complying with the requirement.
196. The recommended condition to delete two levels will result in the development exceeding the requirements further.
197. The interim DDO21 does not specify requirements for the Coppin Street interface, nevertheless, the subject building (as per the Decision Plans) will not cast a shadow to the opposite Coppin Street footpath at any hour between 9am to 3pm at the Equinox.
198. The application was referred to Council's internal Urban Design Unit for comment on the public realm interface. They were generally supportive of the proposal but suggested the following improvements be adopted:
 - (a) The relocation of the tram shelter along the Bridge Road frontage to the kerb
 - (b) The removal of the Coppin Street crossover and extension of the kerb as shown below.



Image 23: excerpt of Council's Urban Design referral comments

199. Council Officers consider that the relocation of the tram shelter to the kerb could result in a potential concealment area between the building and tram stop and the precarious proximity of commuters to the roadway, and as such do not recommend this be adopted. This aspect of the design was also reviewed by the Department of Transport, who considered that the location of the tram stop adjacent to the building was satisfactory. A permit issued for the signage on the tram stop (PLN16/0874 for road segment 289 – 393 Bridge Road) shows the tram stop to have a maximum height of 2.59 metres. As such, the awning, with a dimensioned height of 3.99 metres, will provide for an appropriate clearance.
200. However, Council Officers consider that the Coppin Street improvements would be a positive opportunity that should be readily achievable in the instance given that the crossover on Coppin Street is proposed to be removed and replaced. As such, a condition will require a Streetscape Plan, for an extension to the kerb along Coppin Street frontage, where the existing crossover is to be removed and replaced. The plan will be required to show proposed landscaping and public realm works to the satisfaction of the responsible authority.
201. A condition should be included on any permit issued requiring, more broadly, that the crossovers on Bridge Road and Coppin Street be removed and reinstated with a footpath and kerb to Council's satisfaction. This condition will still allow for the integration of the required public realm works on the Coppin Street frontage as discussed above.
202. Awnings are proposed to be constructed on the Bridge Road and Coppin Street frontage, at a height of 3.99 metres above footpath level. The awnings are a positive feature of the development, providing for shade and weather protection, whilst also responding to a contributory element of the Bridge Road heritage precinct. The light grey render / concrete feature awning on the bridge Road frontage also acts to clearly define the building entry. Council's Engineering Services Unit require that a canopy/awning has a minimum head clearance of 3 metres and a minimum setback from the kerb of 750mm. Further to this, the Department of Transport has directed that the awning provide for a minimum setback of 50mm from the traffic signals on the Bridge road frontage/corner. The prescribed head clearance is achieved by the proposed awning (dimensioned with a 3.99m clearance); however, conditions will require that a minimum setback of 750mm from the kerb and 500mm from traffic signals be dimensioned.
203. Council's Urban Design Unit raised concern to the proximity of a small street tree on the western edge of the Bridge Road frontage that may be impacted by the proposed development and awning. To ensure the tree's ongoing health as it grows, an Arborist Report will be required to provide direction to the likely circumference of the tree canopy once mature and to recommend any setbacks of the proposed awning accordingly.

Council's City works (Open Space) department expect that a 3 metre set back of the proposed awning from the tree's trunk will allow for an appropriate buffer. As such, this will be included as a condition within the recommendation of this report. Further, to ensure the tree's health is not impacted during construction, conditions should be included on any permit issued requiring the submission of a Tree Management Plan and a bond of \$5,000 to be paid to Council prior to commencement.

204. In terms of lighting, the Bridge Road frontage will be appropriately illuminated by existing street lighting during evening times, however, decorative mounted lighting is also shown in the submitted streetscape renders at a height of 2.55 metres above footpath level. Council's Engineering Services Unit require that the lighting be mounted to have a clearance of 2.7 metres above footpath level. A condition will be included on any permit issued accordingly.
205. A condition will also require that sensor lighting be provided to the undercroft to the rear laneway, to provide greater visibility and safety to its users, particularly bicycle riders (as will be discussed further).

Off-site amenity impacts

206. The decision guidelines at Clause 22.05-6 specify that Council should consider (as appropriate):
- (a) *The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.*
207. The appropriateness of amenity impacts needs to be considered within their strategic context, with the site being located on land zoned C1Z. With this in mind, the following assessment is provided.
208. The relevant policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) and at Clause 22.10-3.8 (Built form and design policy) of the Scheme.
209. In this instance the site is located in the Commercial 1 Zone but is adjacent to residentially zoned land to the north. The only sensitive interface to the site is No. 50 Coppin Street which is developed with a single storey dwelling, generally constructed to the side boundary to the laneway for its length with the exception of a central light court enclosed by a 3.45m high boundary wall. The dwelling has a bathroom window directly facing the site from within the aforementioned light court.
- It does not have any habitable room windows facing the subject site but is provided an area of secluded private open space diagonally north-west of the subject site.
210. The sites immediately to the west are predominantly used for commercial purposes and do not have any SPOS areas or habitable windows that may be impacted by the proposed development.

Bulk, shadowing and daylight

211. With regards to overshadowing, due to the location of the dwelling to the north of the subject site, the proposed development will not cast a shadow to the residential property at any point.
212. As noted, the dwelling does not have any habitable room windows facing the subject site, however, relies of a light court and three skylights along the southern boundary for daylight. The dwelling is provided an area of secluded private open space (SPOS) diagonally opposite the north-west corner of the subject site. It is considered that the subject proposal will not unreasonably impact daylight to the dwelling, or result in an unreasonable visual bulk impact to the dwelling, for the following reasons:
- (a) As discussed, the location of the dwelling to the north of the subject site will ensure that the development will not restrict direct solar access to the dwelling.

- (b) The dwelling has limited outlook to the subject site under existing conditions due to the 3.45m high boundary wall enclosing the light court and SPOS along the laneway.
- (c) The dwelling is buffered from the subject site by a 3.6 metre wide laneway.
- (d) The recommended deletion of Level 4 and 7 will reduce the overall height from 28.49 metres to 21.29 metres (a variation of 3.29 metres from the preferred height for the site under the interim DDO21).
- (e) The deletion of Level 4, coupled with the 1 metre setback of the new Level 5 from the western boundary, will reduce the extent of built form on the north-west corner of the site, further reducing any visibility or bulk when viewed to from the SPOS area diagonally opposite.

Overlooking

213. In relation to overlooking, Clause 22.05-4.2 (interface uses policy) requires that *new non-residential development is to be designed to minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, articulation and possibly screens* Specific measures to achieve the overlooking objective of Clause 22.05.4-2 are not prescribed for commercial development; however, Clause 22.10 (Built form and design policy), which relates to residential development, specifies that new windows or terraces within a horizontal distance of 9 metres of habitable room windows or SPOS to be designed to be either:
- (a) *Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.*
 - (b) *Have sill heights of at least 1.7 metres above floor level.*
 - (c) *Have fixed obscure glazing in any part of the window below 1.7 metres above floor level.*
 - (d) *Have permanent fixed external screens to at least 1.7 metres above floor level and be no more than 25% transparent.*
214. The above will be applied to the proposed development in the following assessment, which will consider the proposed windows and terraces of the office building and the potential views to the SPOS of No. 50 Coppin Street to the north (noting that the window directly facing the site from within the light court is non-habitable).
215. The ground level of the proposal provides for no windows or terraces and as such overlooking to the north is not applicable.
216. At Level 1 and 2, windows are constructed to the northern boundary and within 9 metres of the SPOS. The windows are provided external shading treatments; however, the permeability of the shading is not identified. As such, a condition will require that the Level 1 and 2 windows be designed to limit views (i.e. maximum 25% openings) to the SPOS of No. 50 Coppin Street within 9m and to a height of 1.7m.
217. At Level 3, windows are provided 3 metres off the northern boundary, and a trafficable terrace is constructed with a 1.2 metre high glass balustrade (and associated planters) to the northern boundary. A condition will require that the Level 3 terrace be designed to reasonably limit views (through obscure glazed screens or appropriately designed planters) to the SPOS of No. 50 Coppin Street. This will also act to obscure views from the associated Level 3 windows beyond.
218. Level 4, which has north facing windows within 6.6 metres of the northern dwelling, is recommended to be deleted.
219. Level 5 (new Level 4) will have a terrace setback 3 metres from the northern title boundary and a minimum distance of 6.6 metres from the SPOS to the north. . The Level 5 (new Level 4) terrace is designed to have a 1.2 metre high glass balustrade and planters, neither of which are currently designed to limit views down to the SPOS of No. 50 Coppin Street.

A condition will require that the new Level 4 terrace be designed (through obscure glazed screens or appropriately designed planters) to reasonably limit views down to the SPOS at No. 50 Coppin Street.

220. All levels above this point are setback to be a minimum of 6.45 metres from the northern boundary (including terraces), and therefore a minimum of 10.05 metres from No. 50 Coppin Street's SPOS. Being a distance greater than 9 metres from the SPOS, the terraces and windows of Levels 6 (new Level 5) and above are not required to be designed to limit views in accordance with the provisions of the Scheme.

Noise

221. Given that the office use is as-of-right and does not require a planning permit the noise from the use cannot be considered. However, Clause 22.05 (Interface uses policy) of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.
222. Looking specifically at the noise sources relating to the proposed development, the services/plant equipment is shown on the roof where they are entirely enclosed by a 1.5 metre high screen. A condition will require that the materiality of the screen be provided in greater detail. Further, a condition will require noise and emissions from plant and mechanical equipment comply at all times with the relevant EPA noise requirements.
223. It is anticipated that an office use would not require a large number of deliveries to the site and a condition can require deliveries and waste collections to be undertaken in accordance with the times prescribed by Council's Local Law.
224. This would assist in minimising noise disruption to the surrounds from these noise sources.
225. Some noise from vehicles in the laneway is to be expected and is largely unavoidable when providing for on-site vehicle parking in the inner-city. With only 34 car parking spaces provided, it is not expected that the movement of cars within the laneway will be excessive for the location on the periphery of a Major Activity Centre.
226. Moreover, given the nature of the use, it would be expected that the majority of vehicle movements would be around standard business hours and thus would not cause unreasonable noise disturbance. The dwelling adjacent to the laneway does not have any windows facing directly onto the laneway and as such is reasonably self-protected also.

The car lift is located in the undercroft to the rear laneway and is opposite the dwelling at No. 50 Coppin Street. The traffic report prepared by One Mile Grid predicts that the car lift will be used 17 times in each peak hour. An Acoustic Report will be required by condition to ensure that the car lift complies with the EPA noise requirements applicable to mechanical equipment and does not cause an unreasonable noise disturbance.

Fumes and air emissions, light spillage

227. As discussed, the office use is as-of-right and cannot be controlled by a permit. Nevertheless, it is not expected to generate fumes or air emissions that may detrimentally impact the amenity of the area.
228. With regards to light spill from the upper level offices, it is expected that the use of the land as offices will be limited to the traditional work week and will not result in unreasonable light spill during the night-time. Nevertheless, it is also not expected that any light spill from an office use would be incompatible to the site's context within in a Major Activity Centre.

Environmentally sustainable design

229. Policy at clauses 15.01-2S, 21.07, 22.16, 22.17 and 53.18 of the Scheme encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management. Moreover, interim DDO21 specifically requires that excellence for environmental sustainable design (measured as a minimum BESS project score of 70%) be achieved to allow for the variation to the preferred maximum height to be considered.

230. The proposal achieves a BESS score of 70% as required by the interim DDO21. Further, it seeks to deliver a highly sustainable outcome, with a number of ESD commitments outlined with the Sustainable Management Plan (SMP), as prepared by ARK Resources and dated 18 March 2022, and incorporated into the design. These include the following:
- (a) Preliminary NABERS Energy for Offices base building modelling undertaken with results indicating that the project has the potential to achieve a NABERS rating of between 5 ½ and 6 stars
 - (b) Daylight modelling confirms that 48.7% of floor area meets the *Best Practice* standard
 - (c) Individual tenancy metering for utilities, with additional metering and monitoring for building manager
 - (d) Water efficient fixtures and fittings and a 10,000-litre rainwater tank
 - (e) Specifications around low VOC and formaldehyde materials and products
 - (f) A total of 34 bicycle parking spaces provided, with EOT facilities (7 showers and 64 lockers) and EV charging for 10% of parking spaces
 - (g) A target recycling rate of 90% of construction and demolition waste has been adopted
 - (h) Concrete mixes will incorporate at least 30% reduction in Portland cement, at least 50% reclaimed water and at least 40% replacement of coarse aggregate with slag
 - (i) A 10.8kW rooftop solar PV system proposed, capable of generating up to 14,921kWh/year
231. The SMP was referred to Council's ESD advisor who did not consider there to be any deficiencies, but required the plan to be updated to:
- (a) Clarify misalignment of operable windows and update SMP accordingly and consider extending strategy to lower levels also.
 - (b) Clarify provision of high-quality external views.
 - (c) Confirm the NABERS target rating prior to construction with the associated documentation provided as an appendix to the SMP.
 - (d) Provide full energy modelling (JV3 or similar) prior to construction.
 - (e) Clarify hot water system (electric heat pump or similar suggested, and avoidance of gas provision encouraged).
 - (f) Confirm % peak demand reduction in heating and cooling demand associated with building design.
 - (g) Clarify heating and cooling system proposed for the building.
 - (h) Confirm CO monitoring / ventilation approach for basement car park.
 - (i) Amend SMP to clearly outline strategies to reduce energy demand from lighting.
 - (j) Provide more details regarding the fire testing and potable water reduction response.
 - (k) Confirm whether recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) will be incorporated to reduce environmental impacts.
 - (l) Clarify best practice specifications for PVC
 - (m) Amend plans to show total of 8x parking spaces on ground floor (currently shows x6).
 - (n) Amend the basement plans to indicate locations of EV charging infrastructure as committed to.
 - (o) Amend GTP with EV charging and any updates from the above comments.
 - (p) Amend the Landscape Plan to clearly show via cross-sections, or annotation, adequate soil depths and volumes to support the medium tree species specified.

- (q) Provide a statement as to how the building and landscape design has responded to and mitigates the urban heat island effect, including high-SRI roofing and external finishes.
 - (r) Revise the 90% landfill diversion target to provide a more innovative response.
 - (s) Confirm building tuning and commissioning strategy.
 - (t) Clarify commitment to appoint an ISO 14001 accredited head contractor.
 - (u) Confirm provision of a project-specific Environmental Management Plan to guide the construction phase.
232. It is noted that item (m) relates to the six (6) bicycle spaces provided and the existing two (2) already in situ and as such, this item is already met. A condition should be included on any permit issued requiring the SMP be amended to include the remaining items as above.
233. Council's ESD advisor also included the following improvement opportunities (that are encouraged but go beyond best practice):
- (a) Consider increasing catchment to include trafficable terraces to allow for greater tank size and/or supply reliability.
 - (b) Consider increasing the tank size (and rainwater catchment from terraces with additional treatment) to increase tank reliability and further reduce potable water associated with toilet flushing.
 - (c) Consider materials and construction techniques to assist with disassembly and re-use at end-of-life.
 - (d) Consider providing 1x as a uni-sex shower / changeroom or incorporating this into the DDA toilet on the ground floor.
234. The Applicant has confirmed in writing (email dated 8 June 2022) that they are willing to provide for one uni-sex shower / changeroom and the SMP should be required via condition to be amended accordingly.
235. However, it is considered that an increased tank size and increase to the catchment area to include trafficable terraces is not required in this instance given that the building is to be reduced by two levels, improving the catchment capacity of the proposed tank in relation to overall floor area.
236. The recommendation to consider materials and construction techniques to assist with disassembling and re-use at end-of-life has not been agreed upon by the Applicant and is not recommended to be adopted by Council Officers.

Landscaping

237. Landscaping is not a typical feature of commercial buildings within the Bridge Road MAC. Regardless, a Landscape Plan (prepared by memLa and dated 16 March 2022) was submitted with the application and shows various landscaping on the Level 3, 5, 6 and 7 terrace (noting that Level 7 is recommended to be deleted).
238. Given the boundary to boundary development, as encouraged by the interim and draft DDOs for the site, landscaping at street level is not practical in this instance.
239. The landscape plan was referred to Council's City Strategy (Open Space Team) who considered the plans to be acceptable, subject to the following:
- (a) Confirmation that volumes of growing media will be adequate for species nominated for each of the planters.
 - (b) Dimensions for the green wall detail.
 - (c) Confirmation of the soil volume for each creeper associated with the green wall.

- (d) Confirmation, from a suitably qualified structural engineer, that the load bearing weights of the building structure can allow for the required saturated bulk density of soil media, planter box and plant mass being proposed.
- (e) Confirmation of how deck areas are accessed for maintenance purposes, including entry and exit points.
- (f) Details of proposed irrigation including sources of water and location of irrigation control units.
- (g) Provide a maintenance schedule, including tasks and frequency.

240. The above should be required via condition, in conjunction with the previously discussed requirements relating the alignment of specifications with the submitted wind report.

Waste management

241. Council's City Works (Waste) advisor consider the Waste Management Plan submitted with the application (prepared by One mile grid and dated 22 December 2021) to be satisfactory.
242. The report details that waste collection is to be carried out by a private contractor. Waste will be transferred from the basement (via the car lift) to the laneway by staff / cleaners on collection days so that it can be collected by a mini loader vehicle in the waiting bay located in the undercroft. The mini loader will enter via Coppin Street and exit to the north at Griffiths Street. Swept path diagrams were provided at Appendix A of the report, and the navigation of the vehicle was considered satisfactory by Council's City works (waste) advisor.
243. General waste, recycling and organic/food waste will be collected on a weekly basis, whilst glass waste will be collected at an "as-needed" basis given the low generation expected from the office use.
244. A condition is recommended on any permit that issues requiring that the provisions, recommendations and requirements of the Waste Management Plan be implemented and complied with on an on-going basis.
245. Council's standard condition will require deliveries and waste collections to be undertaken in accordance with the times prescribed by Council's Local Law.

Car parking, traffic, access and bicycle provision

246. Pursuant to Clause 52.06-5 of the Scheme, the total office area generates a statutory requirement of 112 spaces. Given there are 34 spaces provided on-site, a reduction of 78 car parking spaces is being sought.

Parking availability/demand and traffic

247. The proposed office use would be provided 0.91 spaces per 100sqm of floor area. This rate is considered to be reasonable for the inner-city context, with a number of office-based developments having been approved with similar or reduced rates in the area, as shown in the following table:

Development Site	Approved Office Parking Rate
150 – 152 Bridge Road Richmond (permit issued at the direction of the VCAT)	0.92 spaces per 100 m ²
609 – 615 Church Street Richmond (permit issued at the direction of the VCAT)	0.67 spaces per 100 m ²
462 Swan Street Richmond	0.69 spaces per 100 m ²

441 – 443 Church Street Richmond	0.75 spaces per 100 m ²
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248. The applicant submitted a Traffic Impact Assessment (prepared by One mile grid and dated 22 December 2021). The assessment gives consideration to case study data of other similar developments in the precinct, the availability of car parking locally, the existing traffic volumes for Coppin Street, and the convenience of pedestrian and cyclist access.
249. Of note, the Assessment accredited the site as having a Walk Score of 96/100 (walkers paradise) and provided five examples of office development in Collingwood that provided for 0.56 to 1.35 car parking spaces per 100sqm of development.
250. The Traffic Impact Assessment was referred to Council's Development 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 options.
251. Although it is anticipated that the proposed office will not generate an unreasonable 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.
252. 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.*
253. 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.*

254. Having regard to these decisions and the relevant policy within the Yarra Planning Scheme, the reduction of 78 car parking spaces being sought is 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. Employees may also be more likely to cycle to avoid peak hour traffic delays.
 - (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.
 - (c) 34 on-site bicycle spaces are provided with associated end of trip facilities. A minimum of 37 spaces will be required via condition (to be discussed). This will encourage office workers to ride to work in lieu of driving.
 - (d) There is limited unrestricted on-street parking in the Richmond area during the day, which will act 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 is to issue.
 - (e) A Green Travel Plan has been submitted with the application which 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.
 - (f) The recommendation to delete Levels 4 and 7 will reduce the floor area of the proposed office by 557sqm, resulting in a reduced waiver of 61 car parking spaces.
 - (g) Council's Traffic Engineers supported the reduction sought.
255. With regards to traffic generated by 34 on-site car parking spaces; this is not expected to put an unreasonable burden on the inner-city area, particularly given the existing use of the site for vehicle hire and the expected traffic that would generate under exiting conditions One Mile Grid submit that the new development would result in an expected 17 movements per hour (at peak times).
256. It is, however, expected that traffic movements will be confined to the typical peak hour times and as such, congestion in the laneway and Coppin Street is a consideration. The Traffic Impact Assessment measured traffic volumes adjacent to the site on a Thursday morning between 7am and 9.30am and afternoon between 3.30 and 6.30pm. It was found that use of the laneway behind the site was extremely limited.
257. As such, it is not expected that the use of the rear laneway for vehicle access will exacerbate any experienced congestion for the area. Moreover, a waiting bay has been provided to ensure that vehicles waiting to use the car lift are not restricting movement on the Coppin Street footpath or creating congestion on Coppin Street itself.
258. Council's Traffic Engineers did not raise concern to this arrangement stating that based on the total servicing time of the car lift being 65 seconds, and the provision of a waiting bay, queuing externally to the site will be an infrequent occurrence that can reasonably be managed. Council's Traffic Engineers agreed with One mile grid's assessment that the traffic generated by the development should not adversely impact on the traffic operation of the laneway or put an unreasonable strain on the neighbouring road systems.

Vehicle layout

259. Council's Traffic Engineers reviewed the proposed layout of the vehicle entry, car lift and basement car parking layouts and considered the design to be satisfactory, subject to the following:
- (a) The symbol of access for the accessible parking spaces and the diagonal striped line markings for the shared areas are to be provided in accordance with AS/NZS 2890.6:2009.

- (b) The column depths and setbacks from the aisle are to be dimensioned on the drawings. The positions of the columns must be located outside the parking space envelope as per Diagram 1 clearance to car spaces at Clause 52.06-9.
- (c) The finished floor levels along the front edge of the development vehicle entrance are to be set 40mm higher than the edge of the laneway.

260. The above will be required via condition to any permit issued.

Loading and unloading

261. With regards to the proposed use of the site for office, it is not considered that an on-site loading bay is required. It is anticipated that loading associated with the office would be infrequent and undertaken by smaller trucks/vans that can utilise the public on-street Loading Zone on the eastern side of Coppin Street, across from the subject site.
262. A condition would require deliveries and waste collections to be undertaken in accordance with the times prescribed by Council's Local Law.

Bicycle provisions and facilities

263. With regards to visitor spaces, the development proposes a total of six new spaces within the public realm along the Bridge Road footpath and as such, the proposal requires a waiver of the visitor requirements of Clause 52.34 as none are provided within the site's title boundaries. With the existing two spaces, at the footpath, this would result in a total of eight visitor spaces along the site's frontages. , This arrangement is supported for the following reasons:

- (a) The provision of eight visitor spaces along the subject site's Bridge Road frontage are conveniently located near the building entrance and would be visible and convenient for visitors arriving to the site;
- (b) The spaces could also be used by the wider community when provided within the public realm;
- (c) The eight visitor spaces, whilst not within title boundaries, would double the statutory requirement under Clause 52.34;
- (d) Council's Strategic Transport unit were satisfied with the number of visitor spaces proposed within the public realm.

264. Whilst the number of visitor spaces is supported, Council's Urban Design Unit raised an issue with the location of the visitor spaces along Bridge Road, stating that:

In the proposed arrangement, the eastern bike hoop creates a pinch point on the footpath – the location of bike hoops should ensure that there is ample unobstructed space on the footpath. If the tram stop can be relocated, these bike hoops may need to be repositioned elsewhere along the Bridge Road frontage or on the Coppin Street frontage.

265. As discussed, the relocation of the tram shelter is not recommended by Council Officers and as such, the proposed visitor spaces must be assessed against existing conditions, and as shown at Image 24 below, the easternmost proposed visitor bicycle rack would create a significant pinch point between it and the existing tram shelter, as advised by Council's Urban Design Unit.

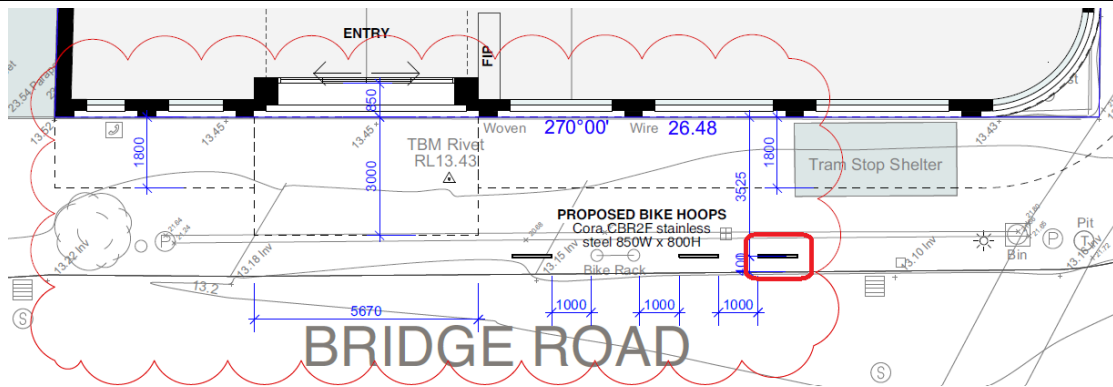
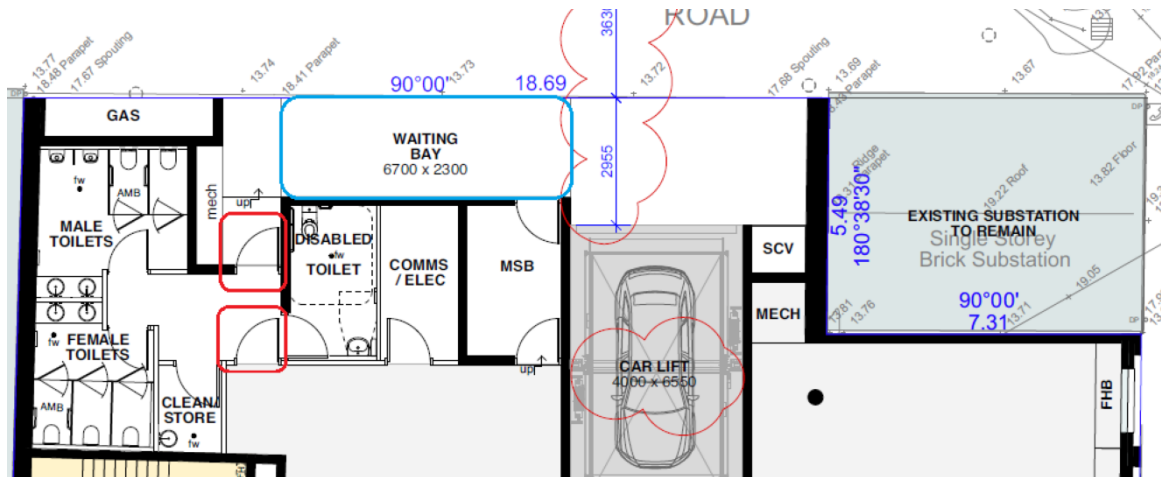


Image 24: excerpt of the Groundfloor Plan (Decision Plans)

- (a) Therefore, a condition will require that the easternmost visitor bicycle rack be relocated away from the tram shelter.
266. This condition could also allow for the bicycle rack to be provided on the Coppin Street frontage, and integrated into the expanded kerb design.
267. With regards to employee bicycle spaces, the development provides a total of 28 spaces, exceeding the minimum requirements outlined in Clause 52.34 (12 spaces), along with the provision of end-of-trip facilities for employees. Council's Strategic Transport Unit found that whilst exceeding the minimum statutory requirement, the proposed provision is insufficient, recommending that at least half (39 spaces) of the proposed car parking reduction (78 spaces) be made up through the provision of 39 additional employee bicycle spaces. Conflating bicycle parking provision directly with car parking provision however, this does not consider other matters that may vary bicycle demand for the subject site, such as location advantages and other modes of transport.. Instead, Council officers consider that Council's BESS best-practice standard should be used, which is at least one bicycle parking space for 10% of building occupants, or rather one bicycle space per 100sqm of office floor area. In order to achieve the best practice provision, a minimum of 37 employee bicycle spaces would need to be provided on site. A condition will thus require a minimum of 37 employee bicycle spaces to be provided.
268. It is likely that these additional spaces could be accommodated in the basement levels by reducing the area associated with the gym, or alternatively, by providing a lockable bicycle store at ground level as readily accessible from the rear laneway entry.
269. With respect to access of the proposed employee bicycle spaces, Council's Strategic Transport Unit made the following recommendations:
- (a) *Employee bicycle parking is provided at Basement 1. It is not specified on the plans, in the Traffic Impact Assessment or Green Travel Plan how the bicycle parking and other end of trip facilities are to be accessed by people on bikes.*
 - (b) *Dimensions of all walkways and bicycle parking spaces are not included on the plans. These are required to ensure compliance with Australian Standard AS2890.3, particularly for larger bikes (e.g. cargo bikes and electric bikes).*
 - (c) *None of the proposed bicycle parking spaces are located as on-ground hoops. As per AS 2890.3, at least 20% of bicycle parking must be provided as horizontal parking spaces. Strategic Transport's preference is for at least 50% to accommodate larger bikes and for ease of use to encourage sustainable transport.*
 - (d) *More details should be provided to demonstrate that at least some of the proposed employee bicycle parking arrangements can safely and easily accommodate larger/heavier bicycles, including cargo bikes, electric bikes and recumbent bikes, as referenced in Appendix A of AS 2890.3.*
270. With respect to the first recommendation (a) from Council's Strategic Transport Unit, the applicant has confirmed that bicycle access is intended to be from the northern laneway. The proposed access (in its current configuration) is a poor outcome for the following reasons:

- (a) The laneway entry point is single width (approximately 1.2 metres) which is insufficient for a cyclist walking their bicycle into a building;
- (b) In order to arrive to the lift lobby, a cyclist would need to navigate two outwards-opening doors (see red outline at Image 25 below) which is difficult when walking with a bicycle;
- (c) the entry is further restricted by the vehicle waiting bay (see light blue outline below at Image 25) along the northern boundary.



- (c) *At least two charging points should be provided in the employee bicycle parking area for the charging of electric bicycles.*

276. These details will be required to be shown on the plans and also as commitments as part of an amended Green Travel Plan.
277. Council's Strategic Transport Unit also recommended that the Green Travel Plan specifically be updated to detail the following:
- (a) the types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces);
 - (b) security arrangements to access the employee bicycle storage spaces; and
 - (c) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
278. These will also be required by way of conditions for an amended Green Travel Plan. Furthermore, a condition will require the amended Green Travel Plan to be in accordance with the development plans (to ensure that the amended Green Travel Plan shows the correct number of bicycle spaces etc.).
279. In summary, the proposal together with the conditioned improvements, will ensure a satisfactory sustainable transport outcome.

Objector concerns

Height, scale and massing. Visual bulk impacts.

280. This concern was discussed at paragraphs 150 – 182 of this report, and the proposed building, subject to conditions, including the recommended deletion of Level 4 and 7, is considered to be an appropriate response to the site context.

Non-compliance with Design and Development Overlay – Schedule 21 (Bridge Road)

281. This concern was discussed at paragraphs 150 – 165, 170 – 171 and 173 -182 of this report, and subject to conditions outlined in the recommendation of this report is considered to substantially comply with the relevant development requirements.

Poor heritage response

282. This concern was discussed at paragraphs 159 – 166, 170 – 171 and 189 - 192 of this report. Concerns raised by Council's Heritage Advisor have been included as conditions within the recommendation of this report.

Not in keeping with neighbourhood character

283. This concern was discussed at paragraphs 146 – 149 of this report. It is considered that a multi-storey building for commercial use is appropriate for the site's location in a Major Activity Centre, identified in policy to be a key growth area for the municipality. The proposed building design is considered to be an appropriate contemporary response to the existing and preferred character of the area.

Car parking and traffic impacts, road safety concerns

284. This concern has been discussed in paragraphs 252 - 266 of this report. The provision of car parking is considered to meet the relevant policy of the Yarra Scheme and to address the broader objectives of Plan Melbourne 2020.
285. Given that the number of spaces provided on-site is lower than required by the Scheme, and that the site is used for vehicle hire under existing conditions, it is not expected that the proposal will unreasonably increase traffic in the area.
286. The vehicle access provided to the rear of the site is encouraged by policies, including the interim DDO for the site, and is expected the appropriately managed through the laneway interface design, subject to conditions relating to lighting and mirror installation.

Insufficient bicycle facilities

287. This concern was discussed at paragraphs 269 – 285 of this report. The proposal exceeds the bicycle provision requirements of the Scheme and a condition has been recommended to provide a minimum of 37 employee bicycle spaces.

Off-site amenity impacts including Overshadowing, Overlooking and privacy concerns, loss of daylight

288. This concern was discussed at paragraphs 212 - 234 of this report. Subject to conditions relating to the height and scale of the building, and overlooking the building is considered to provide a reasonable response to the residential interface to ensure that it does not have an adverse impact on amenity.

Noise impacts (from construction, use, waste collection and vehicle movements in the laneway)

289. Noise from the proposed use and development was discussed at paragraphs 227 – 232 of this report.
290. Noise and truck movements during the construction phase of development are a temporary and unavoidable consequence of development and not justification to refuse the development of the site.
291. Nevertheless, a Construction Management Plan will be required via condition.

Precedent for future development

292. Future planning permit applications on neighbouring and nearby land will be assessed against the relevant planning policy and site conditions, and based on their own merits at the time of assessment.

Impact liveability of Richmond

293. The subject site is zoned for commercial use, is located in a Major Activity Centre, and is situated 3km from Melbourne CBD. The intensification of the land, through use and development, is encouraged by various planning policies as discussed at paragraphs 137 - 148. The proposed design response, subject to the various conditions outlined within the recommendation of this report, is considered appropriate for the site and its context.
294. The proposal will provide employment opportunities near to where people live and with an emphasis on reducing reliance on vehicles, will assist in achieving the 20-minute walking neighbourhoods as outlined in *Plan Melbourne 2030*.

Use provides no community value / surplus of office space in precinct

295. As discussed, the use of the land as an office is as-of-right and therefore considered an appropriate use of the land. Additionally, the Bridge Road MAC is identified in local policy as an area of potential commercial growth has discussed at paragraphs 137 – 144 of this report..

Blocks outlook and views from residential area including Jacques

296. Although visual bulk impacts can be considered amongst the amenity impacts of a proposal, there cannot be considered a right to any particular view, particularly where a view is obtained across adjoining land.
297. In this instance the development is not considered to intrude unreasonably upon the skyline to reduce the amenity of neighbours through their outlook or access to daylight.

Poor pedestrian interface and lack of street level landscaping

298. This concern was discussed at paragraphs 204 - 211 of this report. The street level interface is considered to be an appropriate response that substantially complies with the relevant development guidelines within the Scheme.

A condition has been included requiring a kerb expansion to the Coppin Street frontage, providing for public realm improvements.

Property value impacts

299. The Victorian Civil and Administrative Tribunal have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best determined through an assessment of the amenity implications rather than any impacts upon property values. The report provides a detailed assessment of the amenity impacts of this proposal.

Strain on public amenities (public transport etc)

300. It is not expected that the proposed office building will put an unreasonable strain on the existing infrastructure and services of the inner-city area.

No provision of open space

Provisions of open-space are not applicable to the site and is proposed development.

Conclusion

301. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the Planning Policy Framework and Municipal Strategic Statement. Notably, the proposal achieves the State Government's urban consolidation objectives.
302. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates compliance with the relevant Council policies.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for the construction of a multi-storey office building (no permit required for office use) and an associated reduction in the car parking and visitor bicycle facility requirements at No. 393 Bridge Road Richmond subject to the following conditions:

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 must be generally in accordance with the decision plans prepared by Davey Architecture Studio, dated December 2021 and March 2022, Plans TP-SC01, TP-SC02 A, TP-SC03 A, TP-SC04, TP-SC05, TP-SC06, TP-SC07 A, TP-SC08 A, TP01 A, TP02 A, TP03 A, TP04 A, TP05 A, TP06 A, TP07 A, TP08 A, TP09 A, TP10 A, TP11 A, TP12 A, TP13 A, TP13.1, TP14 A, TP14.1, TP15 A, TP16 A, TP17 A, TP18 A, TP101, TP102, TP103, TP104, TP105, TP106, TP107, TP19 A, TP20, TP21 but modified to show:
 - (a) Deletion of Level 4 and Level 7.
 - (b) The core be reduced to provide for one stairwell and one lift between the new Levels 4 and 5.
 - (c) The new Level 5 be set off the western boundary by 1 metre, excluding the building core.
 - (d) The articulation of the western boundary wall generally as shown in the sketch plans submitted on 20 June 2022, with indented depth of a minimum 200mm.
 - (e) The building to demonstrate compliance with the building separation requirements of DDO21, through the reduction in the maximum height to 21 metres or through a setback of built form above the height of 21 metres by a minimum 4.3 metre from the western boundary.

- (f) The symbol of access for the accessible parking spaces and the diagonal striped line markings for the shared areas provided in accordance with AS/NZS 2890.6:2009.
 - (g) Within the car parking areas, the column depths and setbacks from the aisle dimensioned and designed in accordance with the provisions of Clause 52.06-9.
 - (h) The finished floor levels along the front edge of the development vehicle entrance 40mm higher than the edge of the laneway.
 - (i) The easternmost visitor bicycle hoop along Bridge Road relocated.
 - (j) a minimum of 37 employee bicycle spaces to be provided on-site within a lockable secure area/s.
 - (k) All bicycle parking spaces and accessways dimensioned to demonstrate compliance with Australian Standard AS2890.3.
 - (l) A minimum of 20% of employee bicycle parking provided as horizontal parking spaces in accordance AS 2890.3.
 - (m) Details of types of lockers within the end of trip facilities, with at least 50% of lockers providing hanging storage space.
 - (n) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed for this purpose.
 - (o) At least two charging points provided in the employee bicycle parking area for the charging of electric bicycles.
 - (p) The materiality of the plant screen.
 - (q) The awnings on Bridge Road and Coppin Street set back a minimum of 750mm from the corresponding street kerbs.
 - (r) Sensor lighting provided in the undercroft to the rear laneway, baffled to prevent light spill, and proximate to the pedestrian door.
 - (s) The following to be designed to limit views (i.e. maximum 25% openings) to a height of 1.7m within 9m of the secluded private open space of No. 50 Coppin Street:
 - (i) The Level 1 and Level 2 northern windows
 - (ii) The Level 3 terrace
 - (iii) The new Level 4 terrace
 - (t) The awning with a minimum setback of 3 metres from the street tree's trunk.
 - (u) Any changes required by the endorsed Acoustic Report pursuant to Condition 9.
 - (v) Any changes required by the endorsed Sustainability Management Plan pursuant to Condition 12.
 - (w) Any changes required by the endorsed Landscape Plan pursuant to Condition 16.
 - (x) Any changes required by the endorsed Tree Management Plan pursuant to Condition 18.
 - (y) Any changes required by the endorsed Wind assessment pursuant to Condition 21.
 - (z) Any changes required to comply with Department of Transport Condition 24.
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.
3. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
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4. As part of the ongoing progress and development of the site, Davey Architecture Studio or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Façade Strategy

5. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained;
 - (d) a sample board and coloured drawings outlining colours, materials and finishes, including the following:
 - (i) Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface.
 - (ii) The tinted mirror finish to the booster cupboards as non-reflective.
 - (e) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This can be provided through montages from various vantage points and/or built model.

Streetscape Plan

6. Before the development commences, a Streetscape Plan providing for the extension of the Coppin Street kerb and detailing the interface between the Coppin Street kerb and eastern boundary of the subject site to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscape Plan will be endorsed and will form part of this permit. The Streetscape Plan to include the following:
 - (a) Extension of the kerb outstand along the Coppin Street site frontage, whilst maintaining vehicle turning movements into the road medium car parking spaces and access to the northern laneway;
 - (b) Proposed landscaping and any street infrastructure within the extended kerb;
 - (c) reconstructed footpath adjacent to the building line (including surface material to match with the existing footpath or otherwise agreed by the Responsible Authority);
 - (d) Details on how drainage will be managed, and any proposed drainage infrastructure;
7. The provisions, recommendations and requirements of the endorsed Streetscape Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Prior to occupation of the development, or at a later date agreed in writing by the Responsible Authority, the works (including any maintenance requirements) shown on the endorsed Streetscape Plan pursuant to Condition 6 must be completed to the satisfaction of the Responsible Authority and at the cost of the permit holder.

Acoustic Report Required

9. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
- (a) The mechanical plant and proposed car lift and make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.

Green Travel Plan

10. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by One Mile Grid and dated 8 March 2022, but modified to include or show:
- (a) A minimum of 37 bicycle spaces for employees.
 - (b) Details of how the bicycle parking will be accessed, including security arrangements for employee spaces
 - (c) The types of bicycle storage devices proposed to be used for employee and visitor spaces (ie hanging or floor mounted spaces)
 - (d) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (e) Details of types of lockers, with at least 50% of lockers providing hanging storage space.
 - (f) Provide one (1) uni-sex shower / changeroom in addition to the proposed EOT facilities.
 - (g) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed for this purpose.
 - (h) At least two charging points provided in the employee bicycle parking area for the charging of electric bicycles.
11. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

12. 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 Ark resources and dated 18 March 2022, but modified to include or show:
- (a) Clarify misalignment of operable windows and consider extending strategy to lower levels also.
 - (b) Clarify provision of high-quality external views.
 - (c) Confirm the NABERS target rating with the associated documentation provided as an appendix.
 - (d) Provide full energy modelling (JV3 or similar).

- (e) Clarify hot water system (electric heat pump or similar).
 - (f) Confirm percentage peak demand reduction in heating and cooling demand associated with building design.
 - (g) Clarify heating and cooling system proposed for the building.
 - (h) Confirm CO monitoring / ventilation approach for the basement car park.
 - (i) Clearly outline strategies to reduce energy demand from lighting.
 - (j) Provide more details regarding the fire testing and potable water reduction response.
 - (k) Confirm whether recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) will be incorporated to reduce environmental impacts.
 - (l) Clarify best practice specifications for PVC
 - (m) Provide a statement as to how the building and landscape design has responded to and mitigates the urban heat island effect, including high-SRI roofing and external finishes.
 - (n) Revise the 90% landfill diversion target to provide a more innovative response.
 - (o) Confirm building tuning and commissioning strategy.
 - (p) Clarify commitment to appoint an ISO 14001 accredited head contractor.
 - (q) Confirm provision of a project-specific Environmental Management Plan to guide the construction phase.
 - (r) Provide one (1) uni-sex shower / changeroom in addition to the proposed EOT facilities.
13. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.
14. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

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

Landscaping Plan

16. 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 memLa and dated 16 March 2022, but modified to include (or show):
- (a) Confirmation that volumes of growing media will be adequate for species nominated for each of the planters.
 - (b) Dimensions for the green wall detail.
 - (c) Confirmation of the soil volume for each creeper associated with the green wall.
 - (d) Confirmation, from a suitably qualified structural engineer, that the load bearing weights of the building structure can allow for the required saturated bulk density of soil media, planter box and plant mass being proposed.
 - (e) Confirmation of how deck areas are accessed for maintenance purposes, including entry and exit points.

- (f) Details of proposed irrigation including sources of water and location of irrigation control units.
 - (g) Provide a maintenance schedule, including tasks and frequency.
 - (h) Compliance with the landscape specifications in accordance with the endorsed wind report pursuant to Condition 21
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Tree Management Plan

18. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
- (a) the protection of the street tree on Bridge Road:
 - (b) pre-construction;
 - (c) during construction; and
 - (d) post construction
 - (e) the provision of any barriers;
 - (f) any pruning necessary; and
 - (g) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
19. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

Street Trees Bond

20. Before the development commences, the permit holder must provide an Asset Protection Bond of \$5,000 (ex GST) for the tree to the west of the Bridge Road, adjacent the frontage of the development to the Responsible Authority. The security bond:
- (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise to the satisfaction of the Responsible Authority.

Wind Assessment

21. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Windtech and dated 3 March 2022, but modified to include (or show):

- (a) assessment of the standing comfort expected outside the main entrance and the walking comfort expected on the terraces in accordance with the report prepared by Windtech and dated 11 June 2022;
- (b) but further modified to achieve the safety criteria with built form (i.e. balustrades), in lieu of foliage.

22. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Department of Transport Conditions (23 – 26)

- 23. Prior to commencement of use all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
- 24. The canopy/awning located along the Bridge Road façade at the corner of Coppin Street must provide a minimum setback of 0.5 metres from any part of the traffic signal at this location.
- 25. The permit holder must avoid disruption to tram operation along Bridge Road during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.
- 26. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

Development Infrastructure Levy

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

Construction Management Plan

- 28. 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;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and

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.

29. During the construction:

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

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

31. 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.

32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the vehicle entry, laneway and bicycle entrance 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.
33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
34. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
35. The amenity of the area must not be detrimentally affected by the development, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
36. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
37. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any Council assets necessary to facilitate the development must be undertaken:
- (a) in accordance with any requirements or conditions imposed by the relevant authority;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
38. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
39. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
40. 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.
41. All pipes, fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) Constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car lift must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car lift must be maintained thereafter to the satisfaction of the Responsible Authority.

44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, three (3) bike hoops must be installed within the pavement along the site frontage:
- (a) at the permit holder's cost; and
 - (b) in a location and manner,

to the satisfaction of the Responsible Authority.

Expiry conditions

45. 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

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.

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

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

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

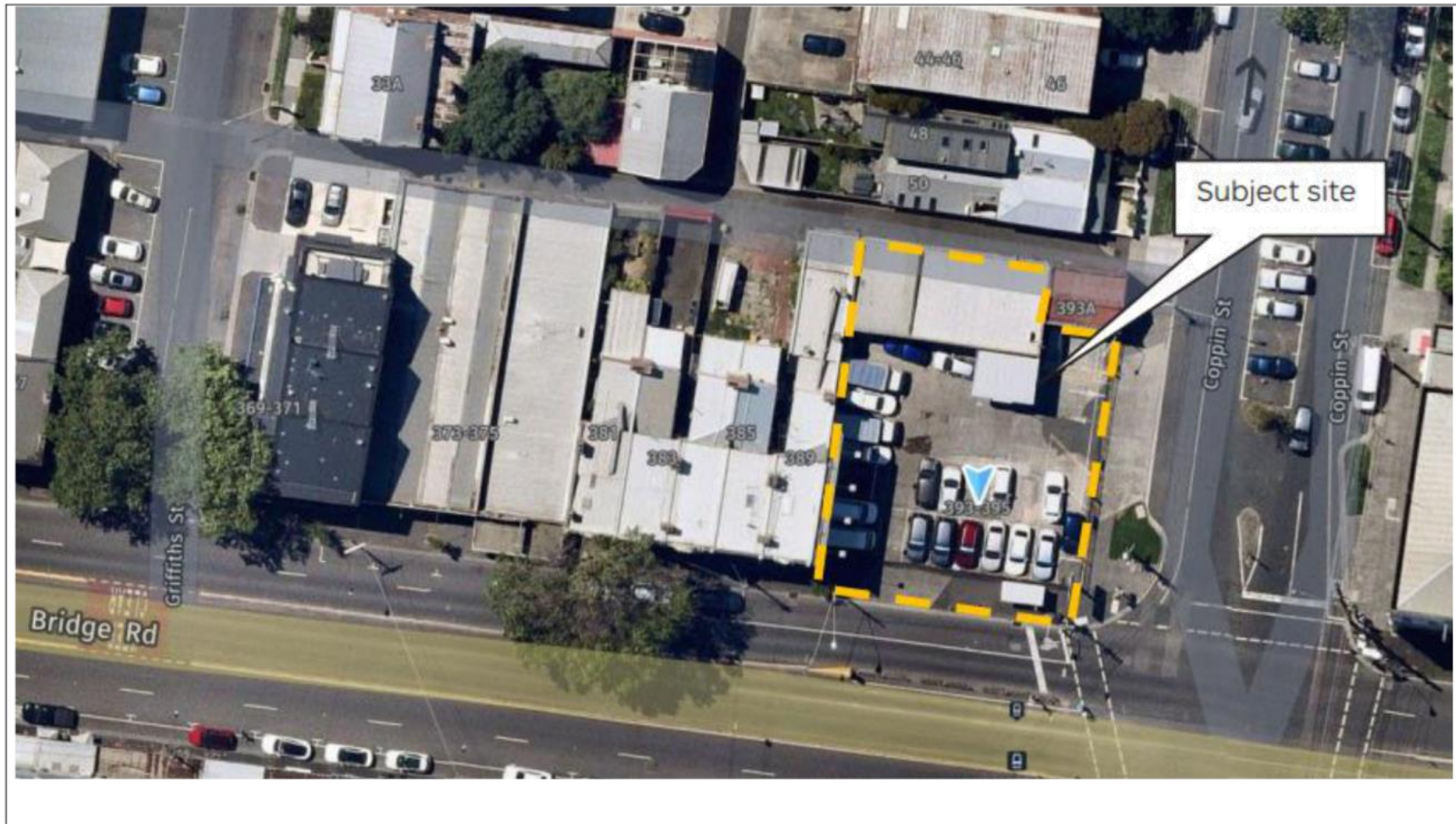
The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity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

Attachments

- 1 PLN21/0987 - 393 Bridge Road Richmond - Site Location Map
- 2 PLN21/0987 - 393 Bridge Road Richmond - Decision Plans
- 3 PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022
- 4 PLN21/0987 - 393 Bridge Road Richmond - Referral responses
- 5 PLN21/0987 - 393 Bridge Road Richmond - DoT referral response

Attachment 1 - PLN21/0987 - 393 Bridge Road Richmond - Site Location Map

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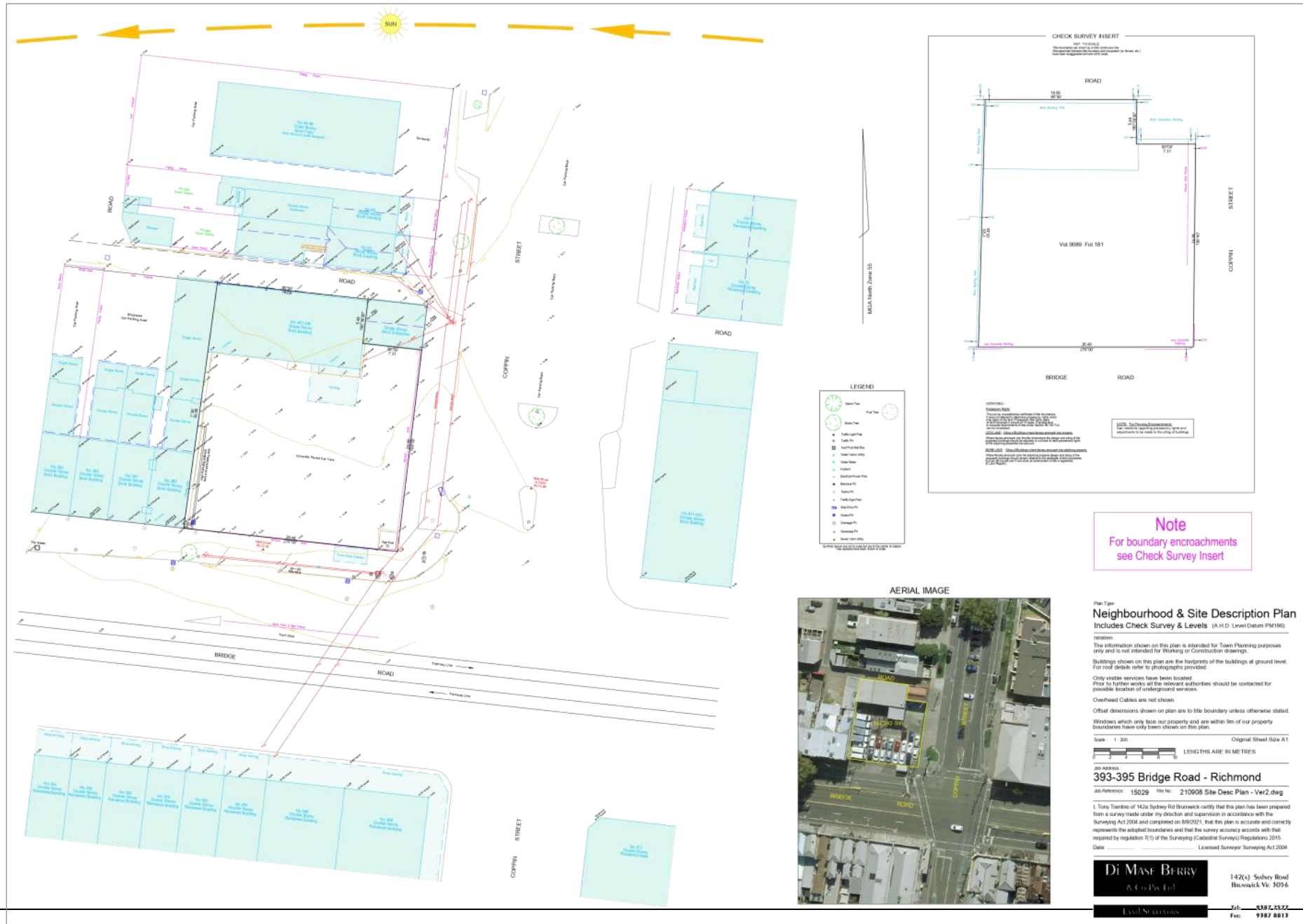


↑ North

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



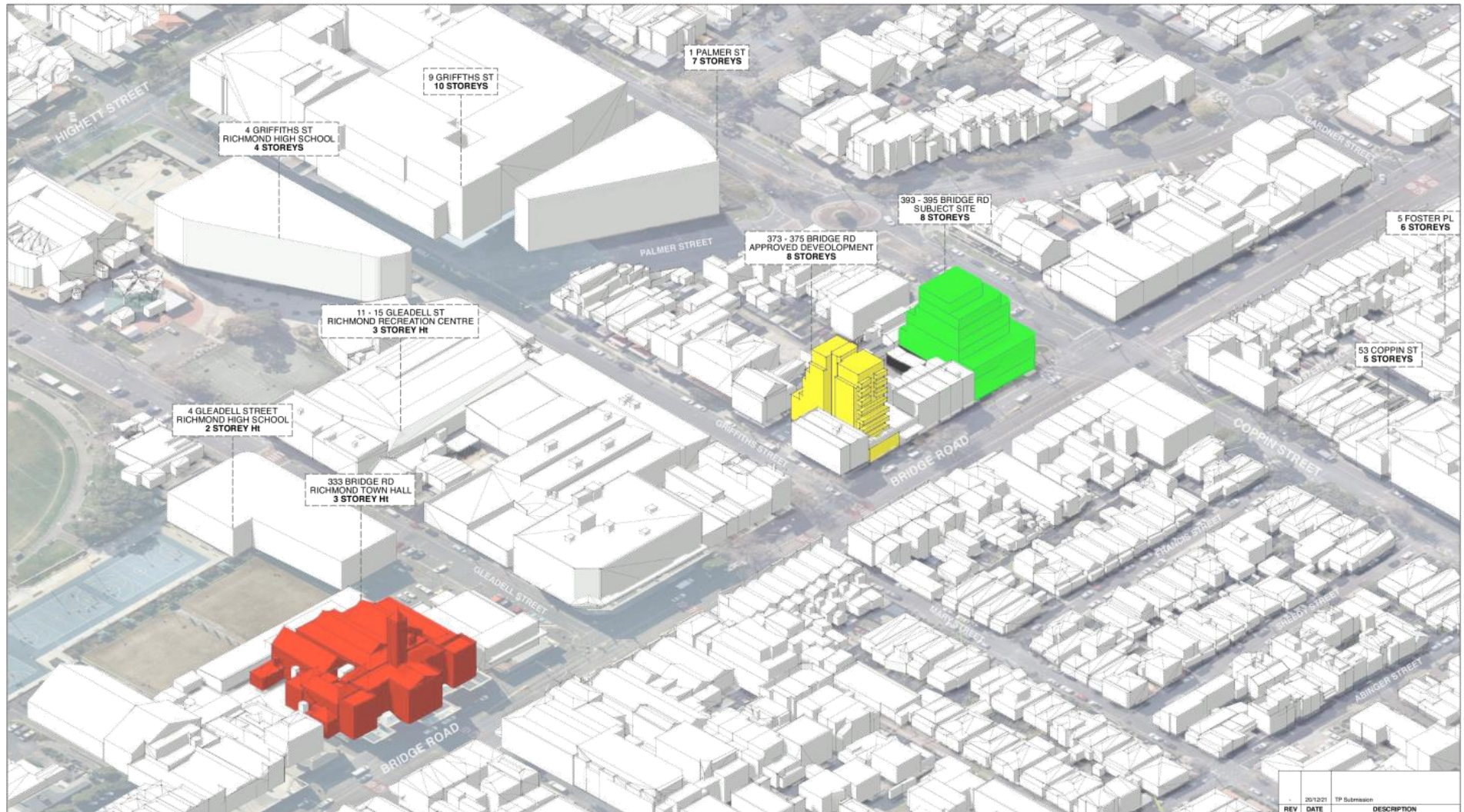
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Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



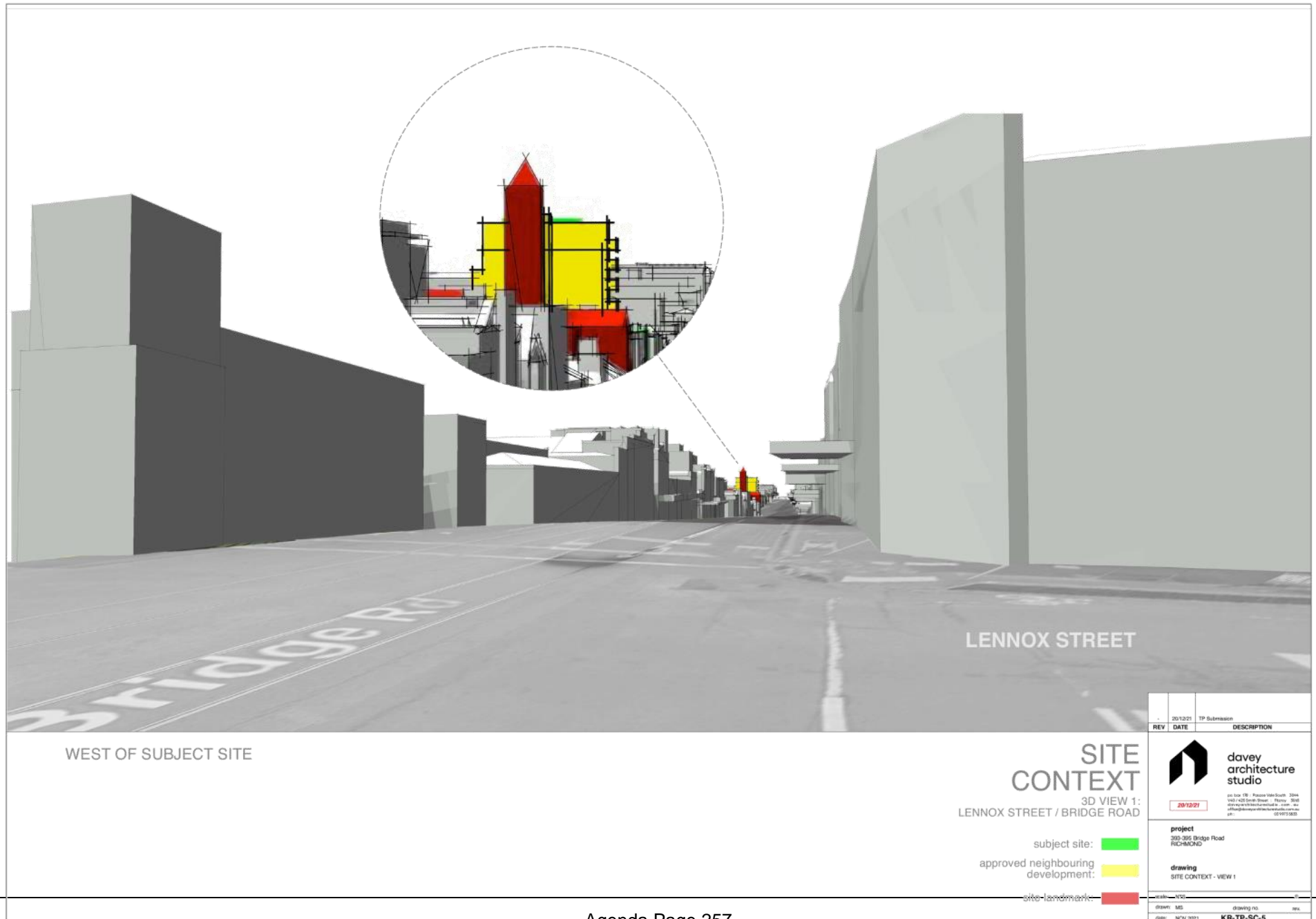
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3D ISOMETRIC

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approved neighbouring
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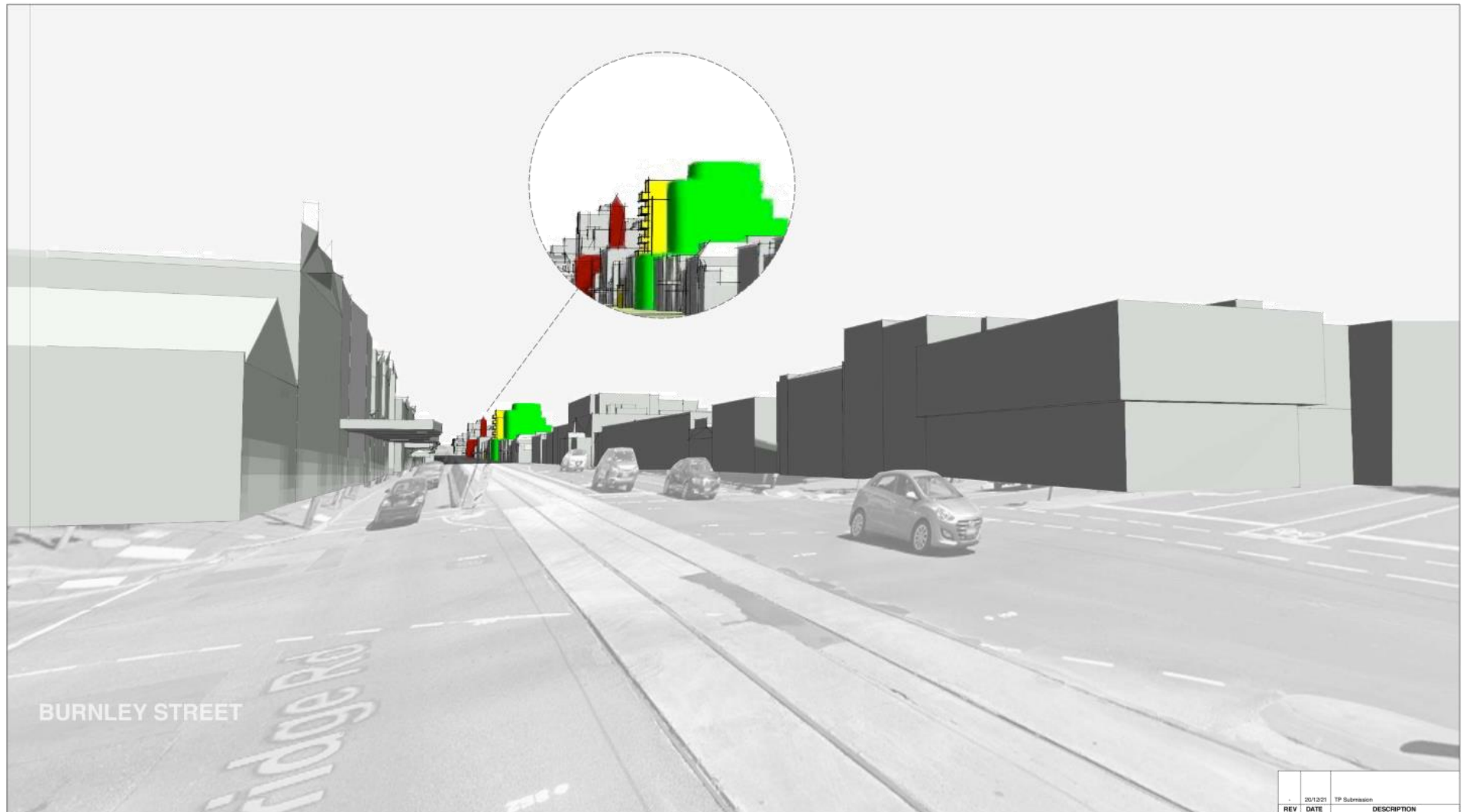
site landmark: ■

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<div>  <div> <p>davey architecture studio</p> <p>po box 118 - Rouse Vale South 5044 WA 6101 4251 South Street - Fremantle 6155 davey@studioarchitecture.com.au 08 9478 1111</p> </div> </div>		
<p>project 393-395 Bridge Road RICHMOND</p>		
<p>drawing SITE CONTEXT - 3D</p>		
<p>scale: 1:100</p>		
drawn: MS	drawing no:	rev:
date: NOV 2021	KR-TP-SC-4	

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans

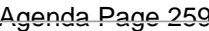


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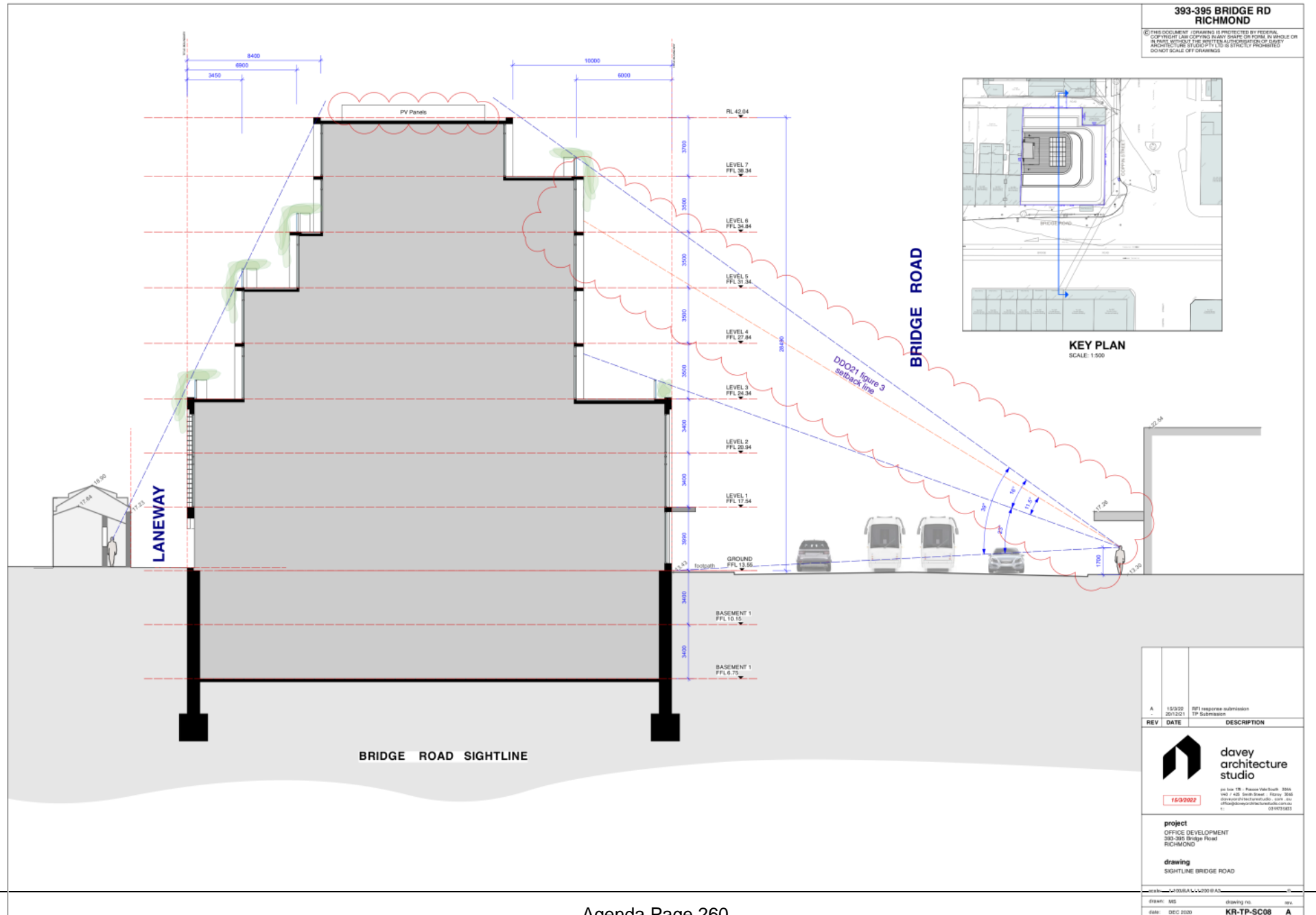
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3D VIEW 2:
BURNLEY STREET / BRIDGE ROAD

subject site: ■
approved neighbouring
development: ■
site landmark: ■

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<div>  davey architecture studio </div> <div> <small> 100 Dale Rd - Richmond VIC 3124 0438 423 0000 davey@studio.com.au </small> </div>		
project 393-395 Bridge Road RICHMOND		
drawing SITE CONTEXT - VIEW 2		
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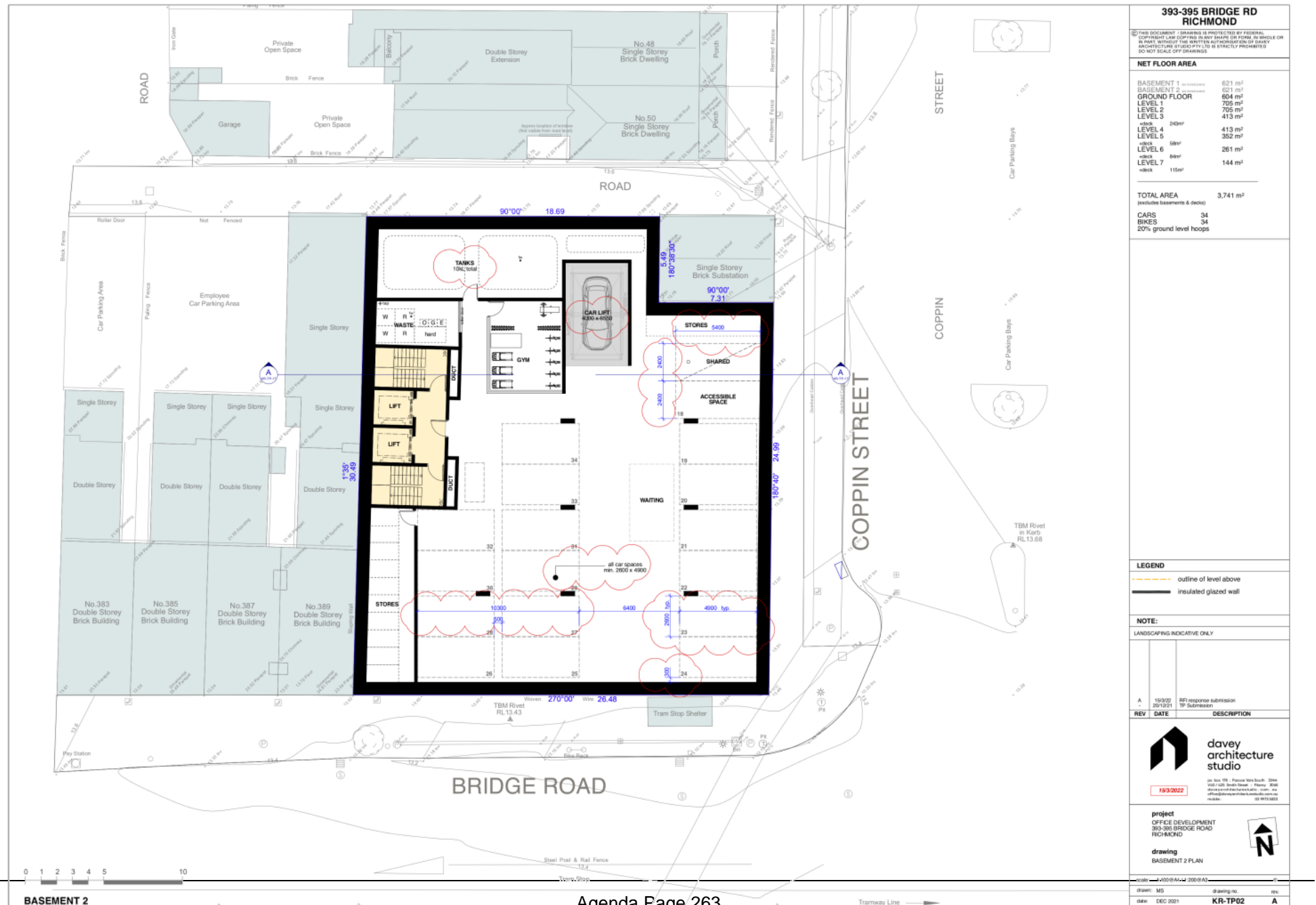


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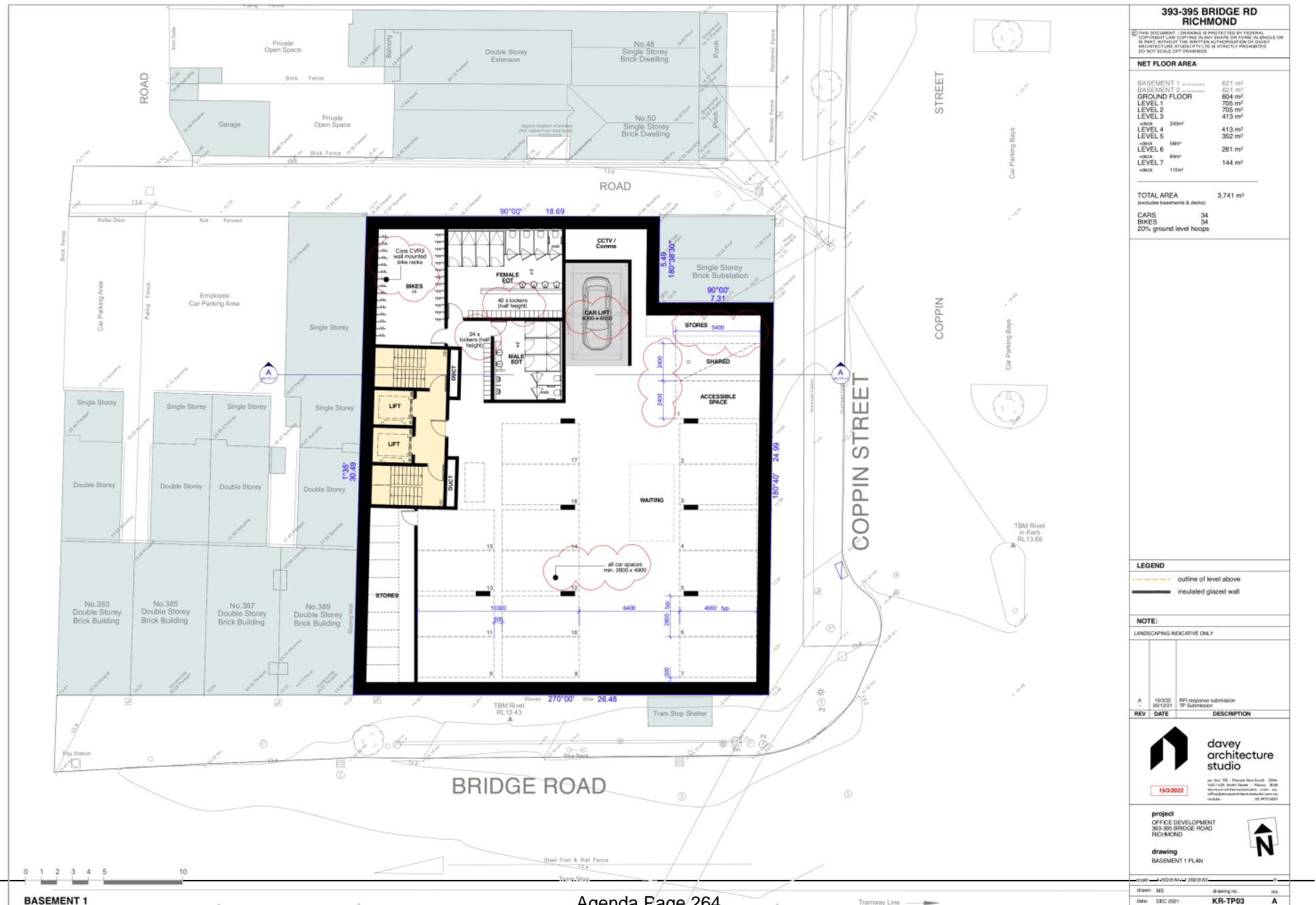




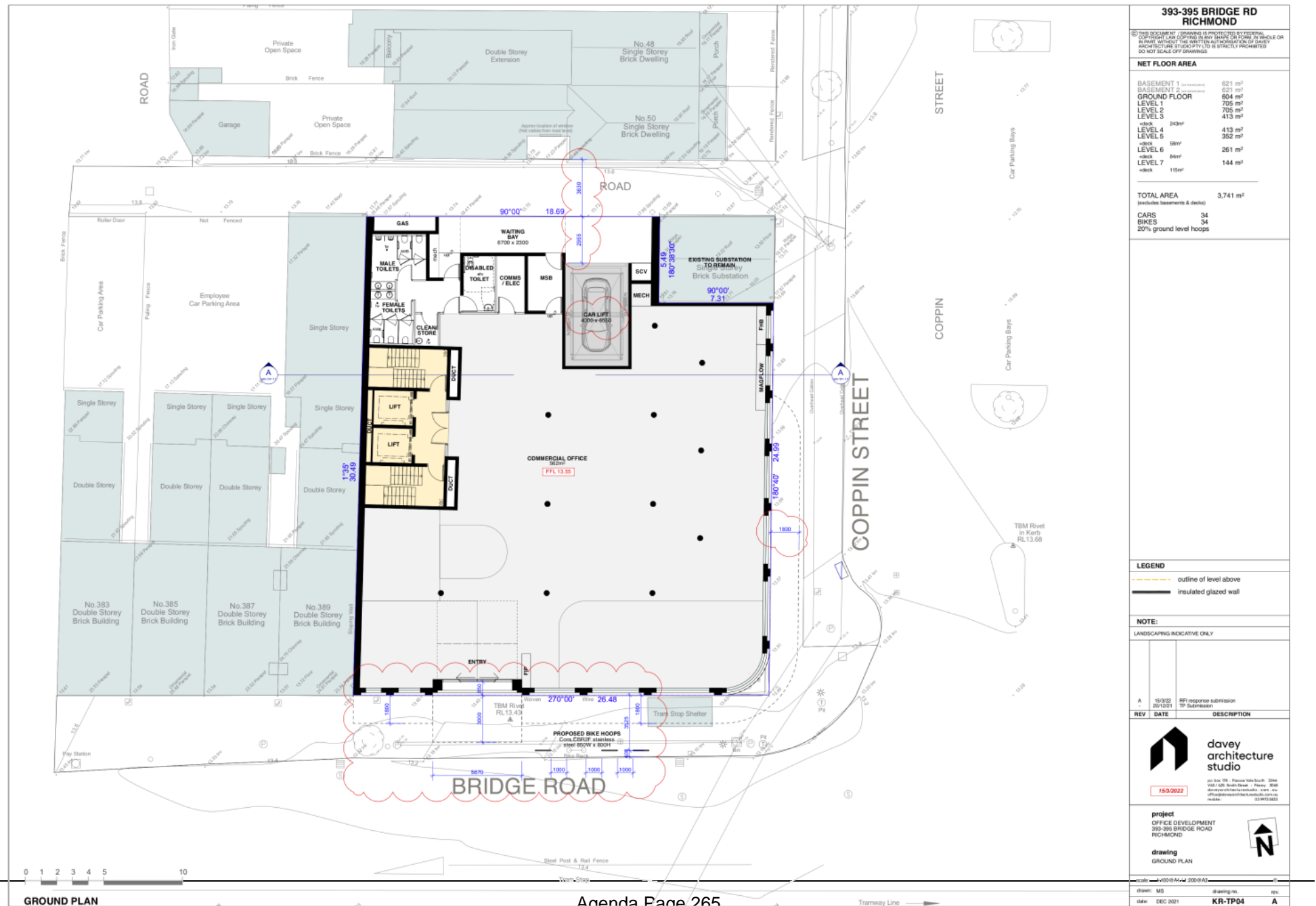
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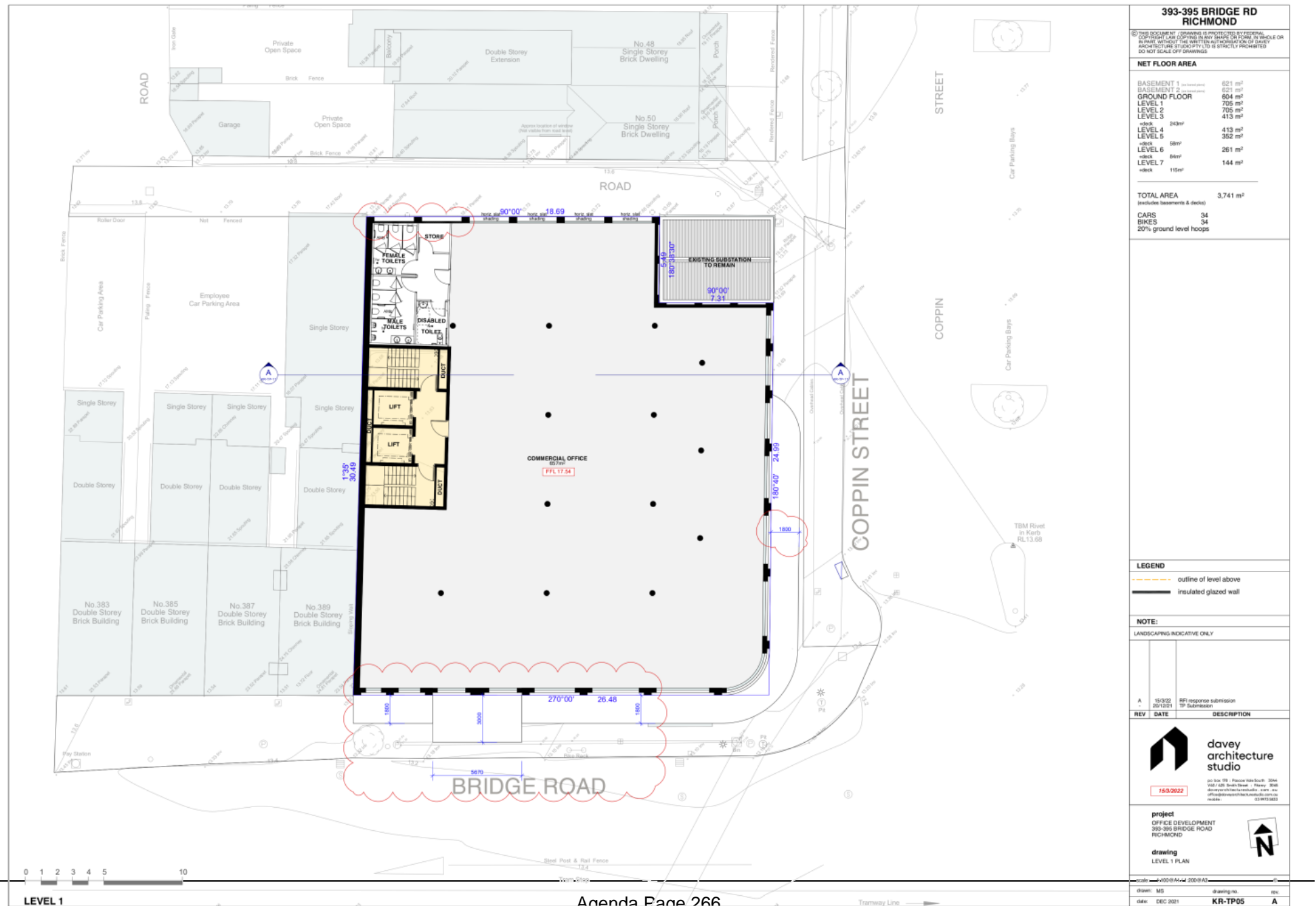
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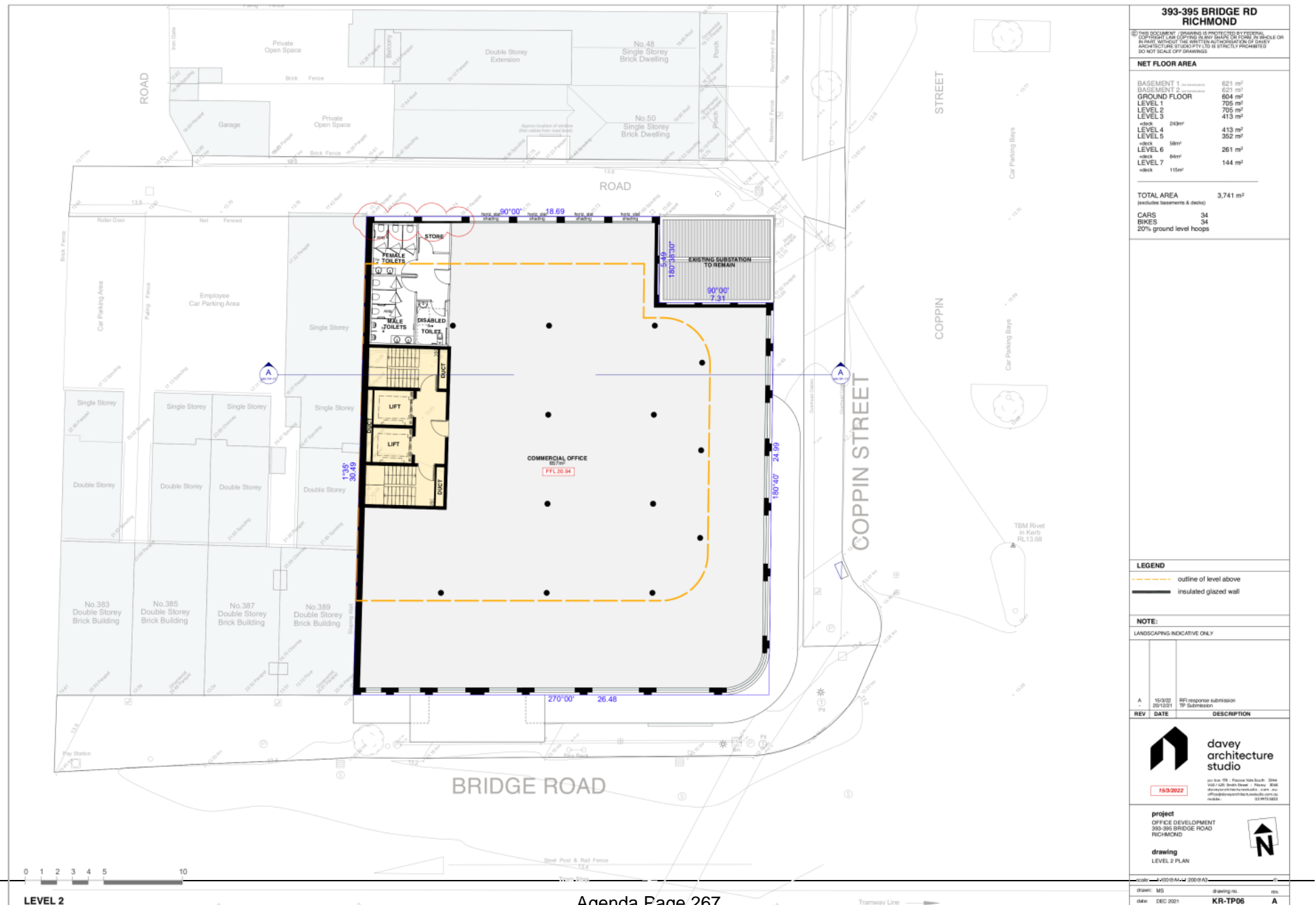
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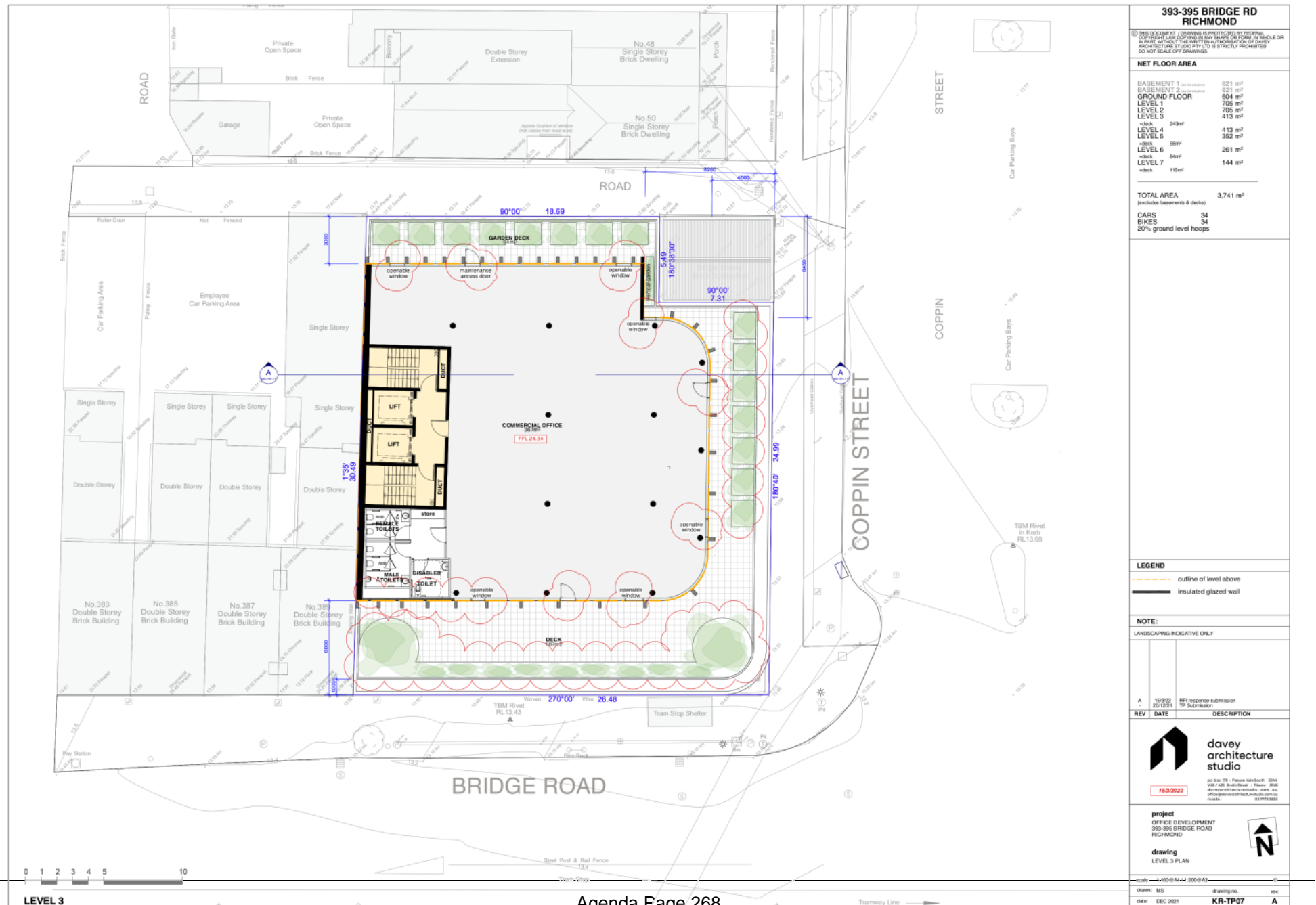
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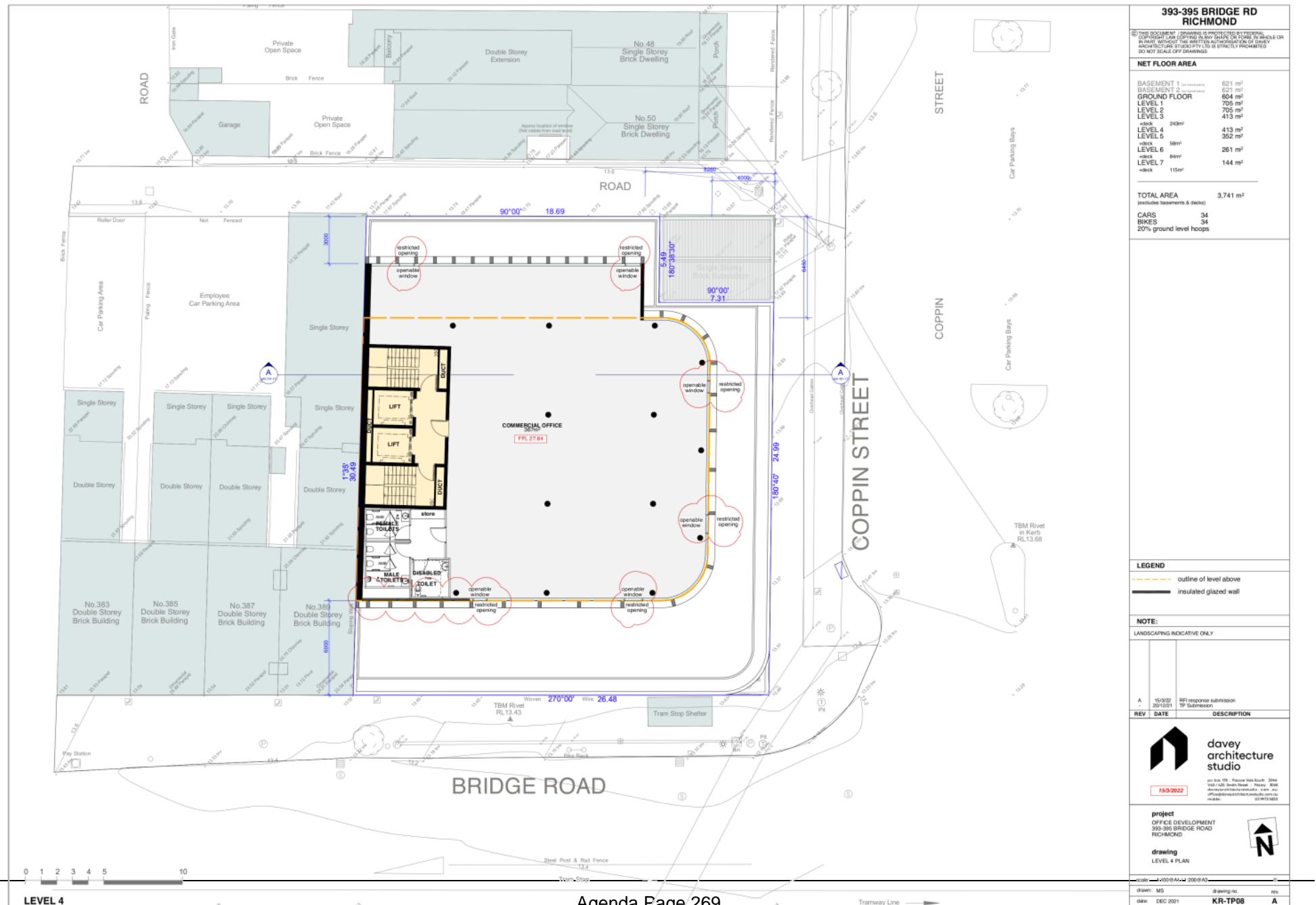
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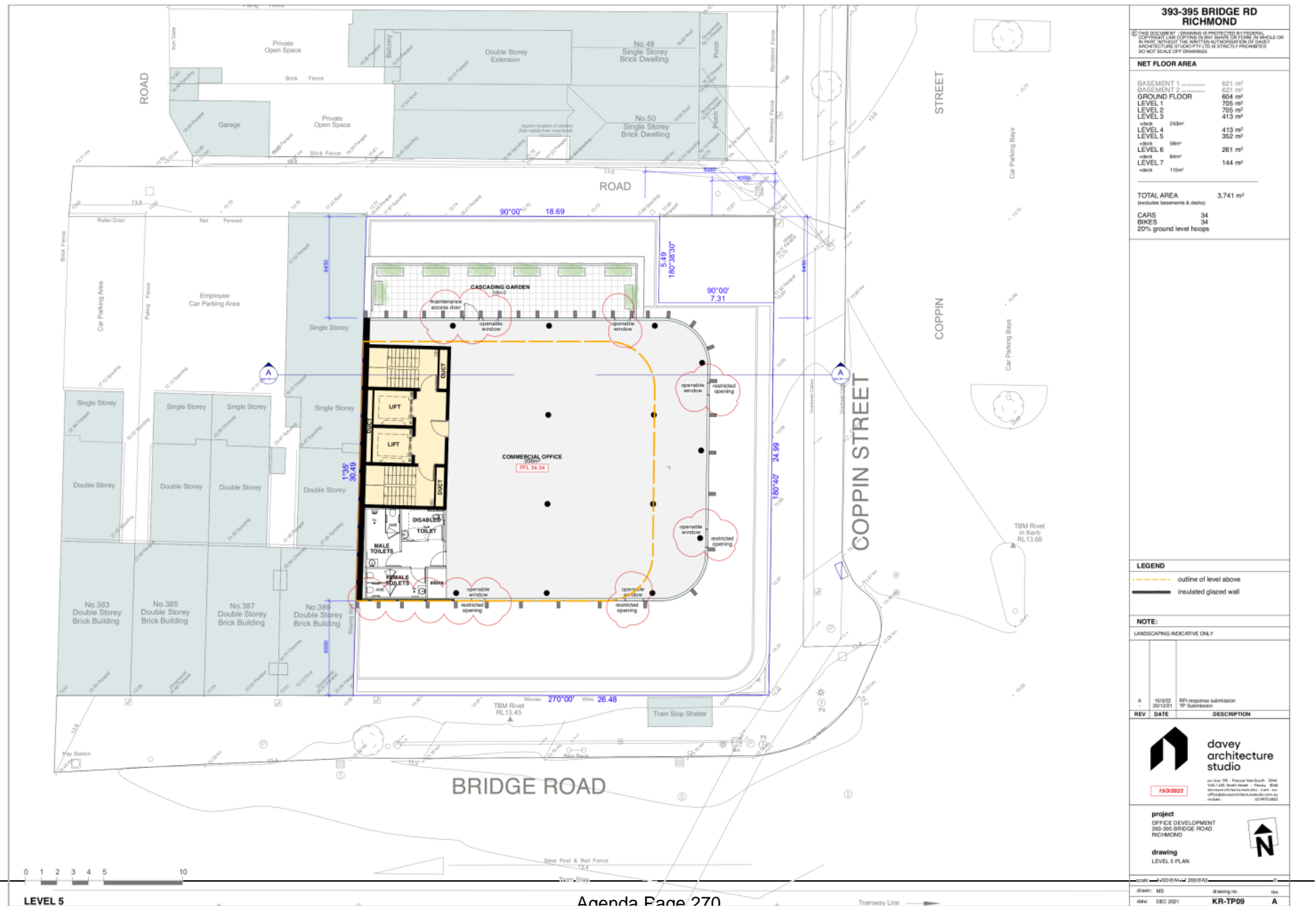
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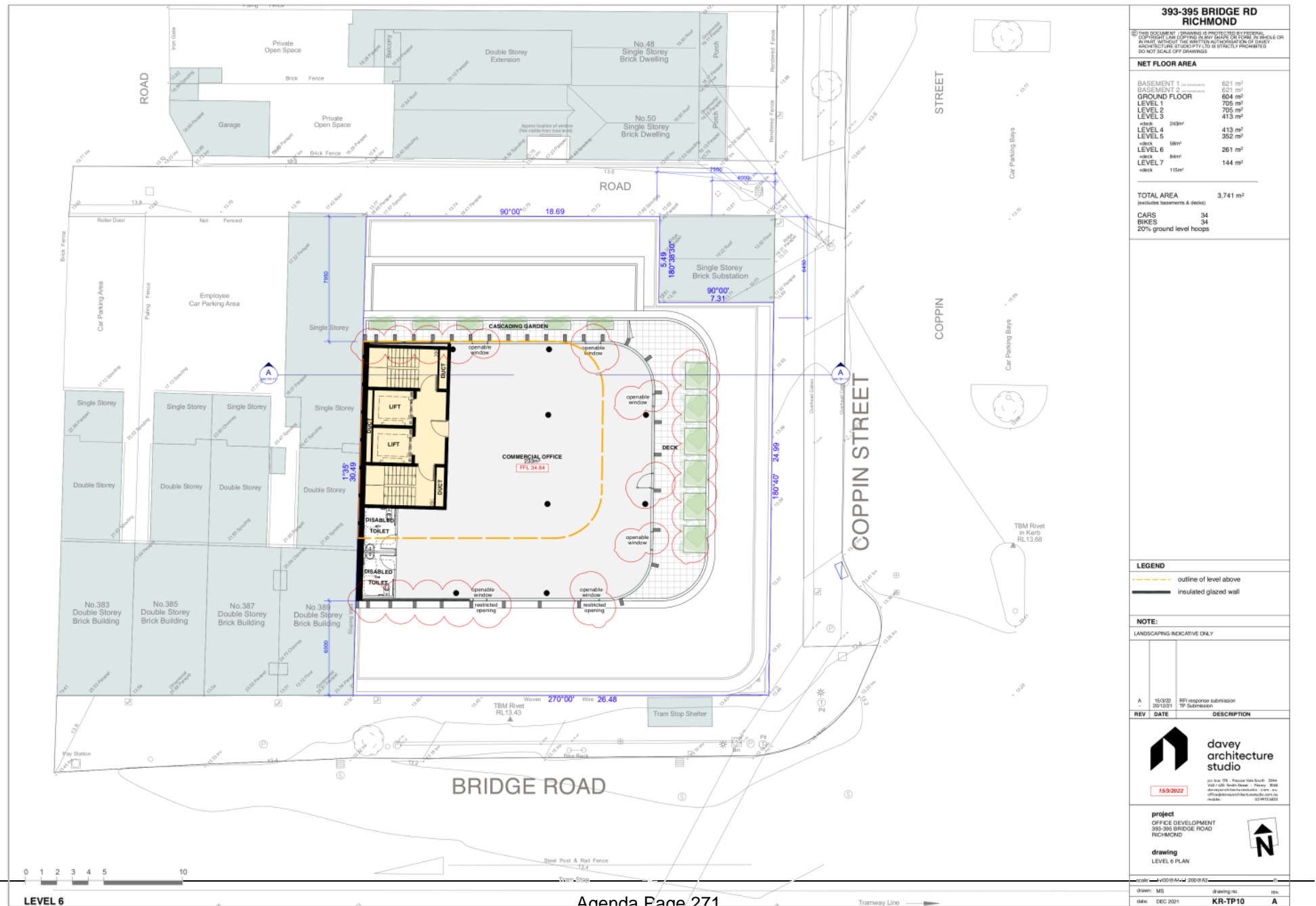
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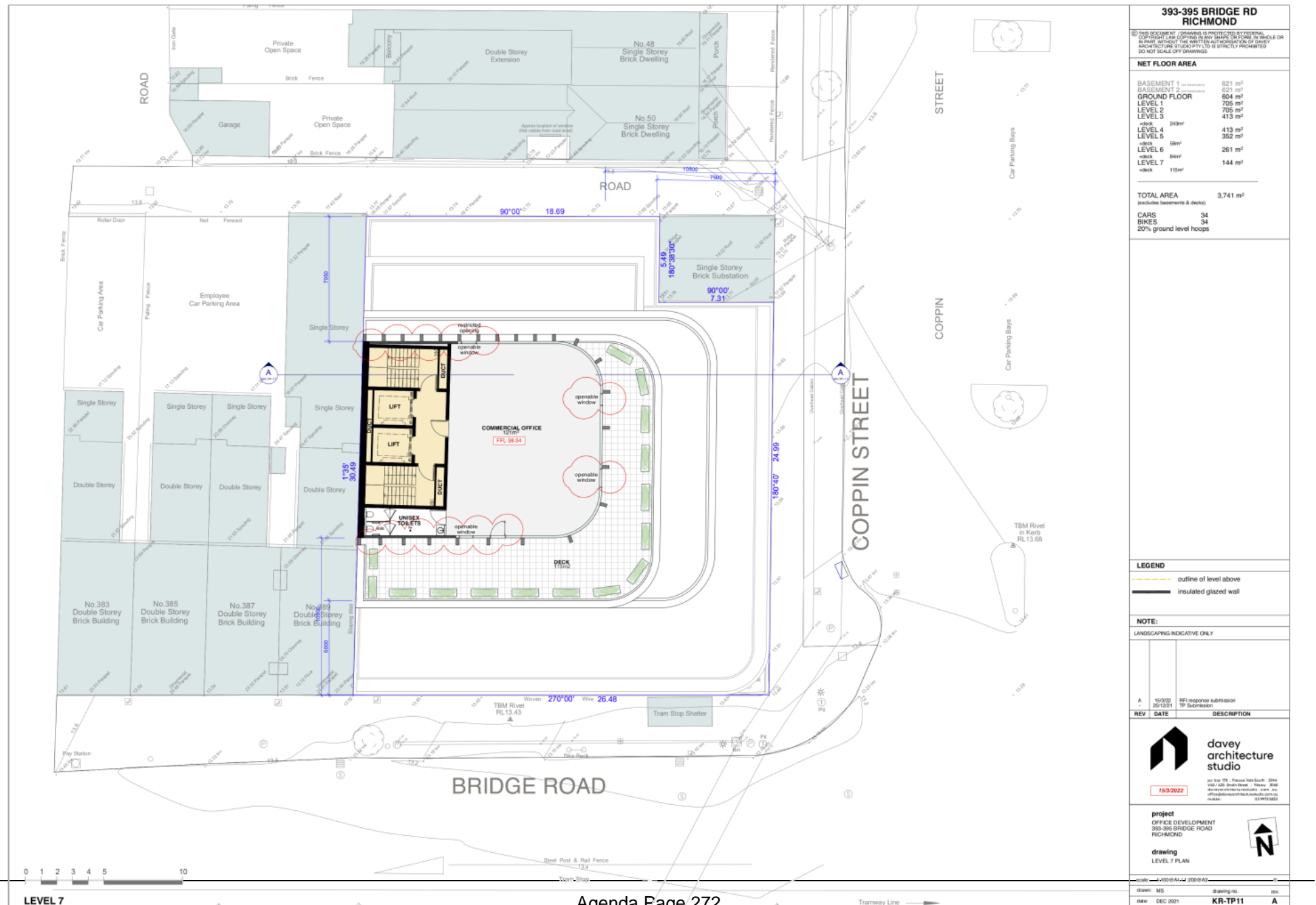
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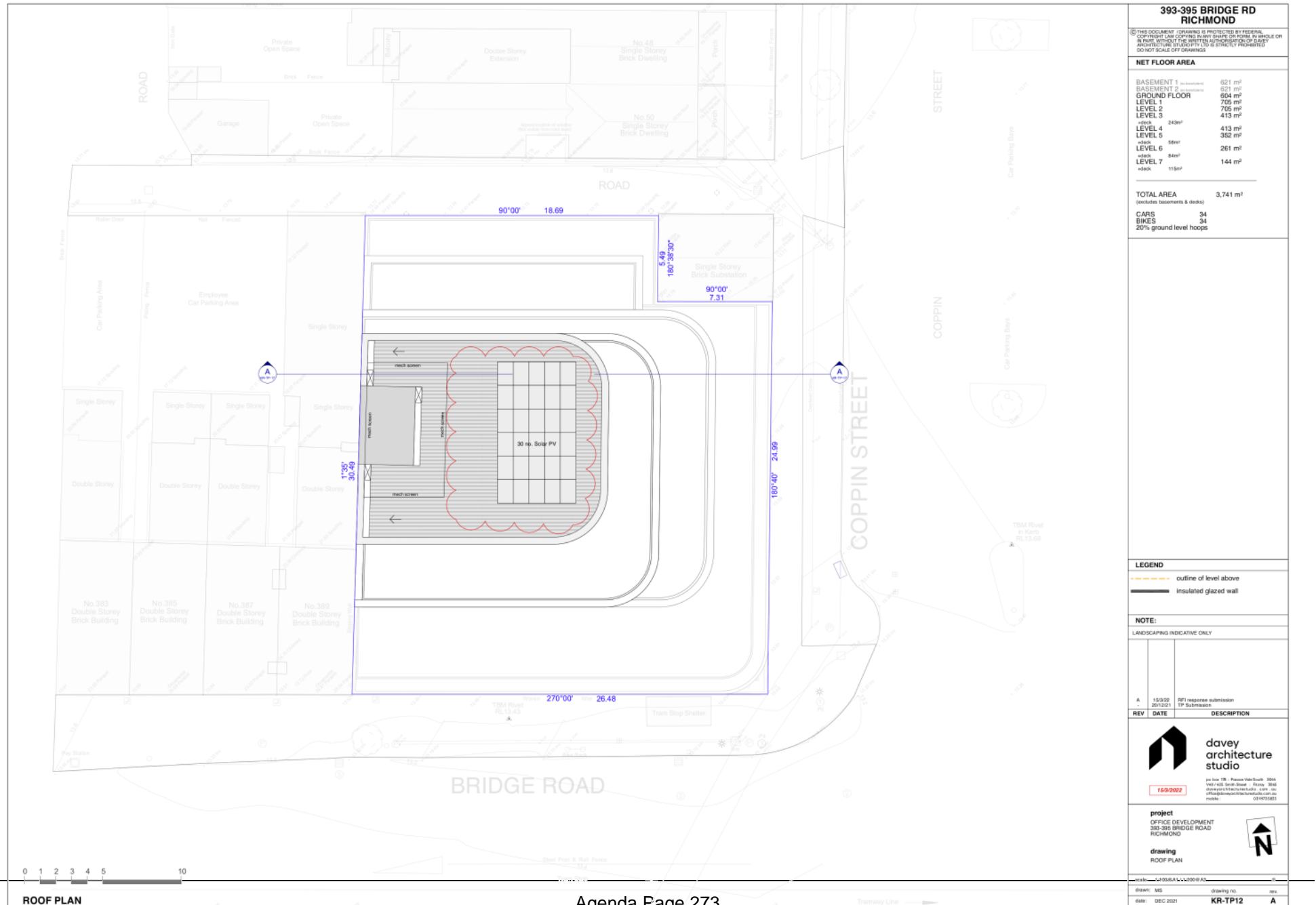
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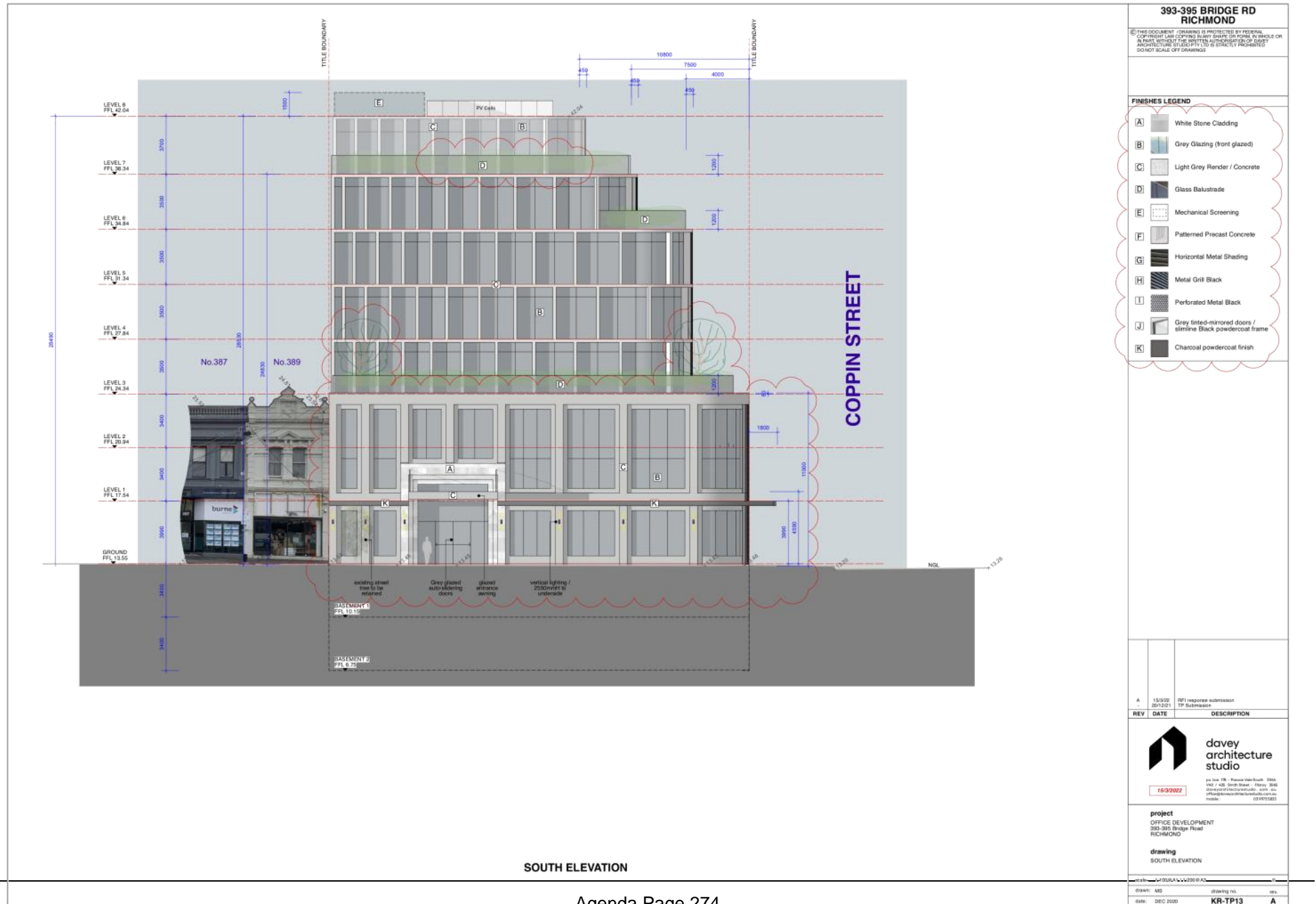
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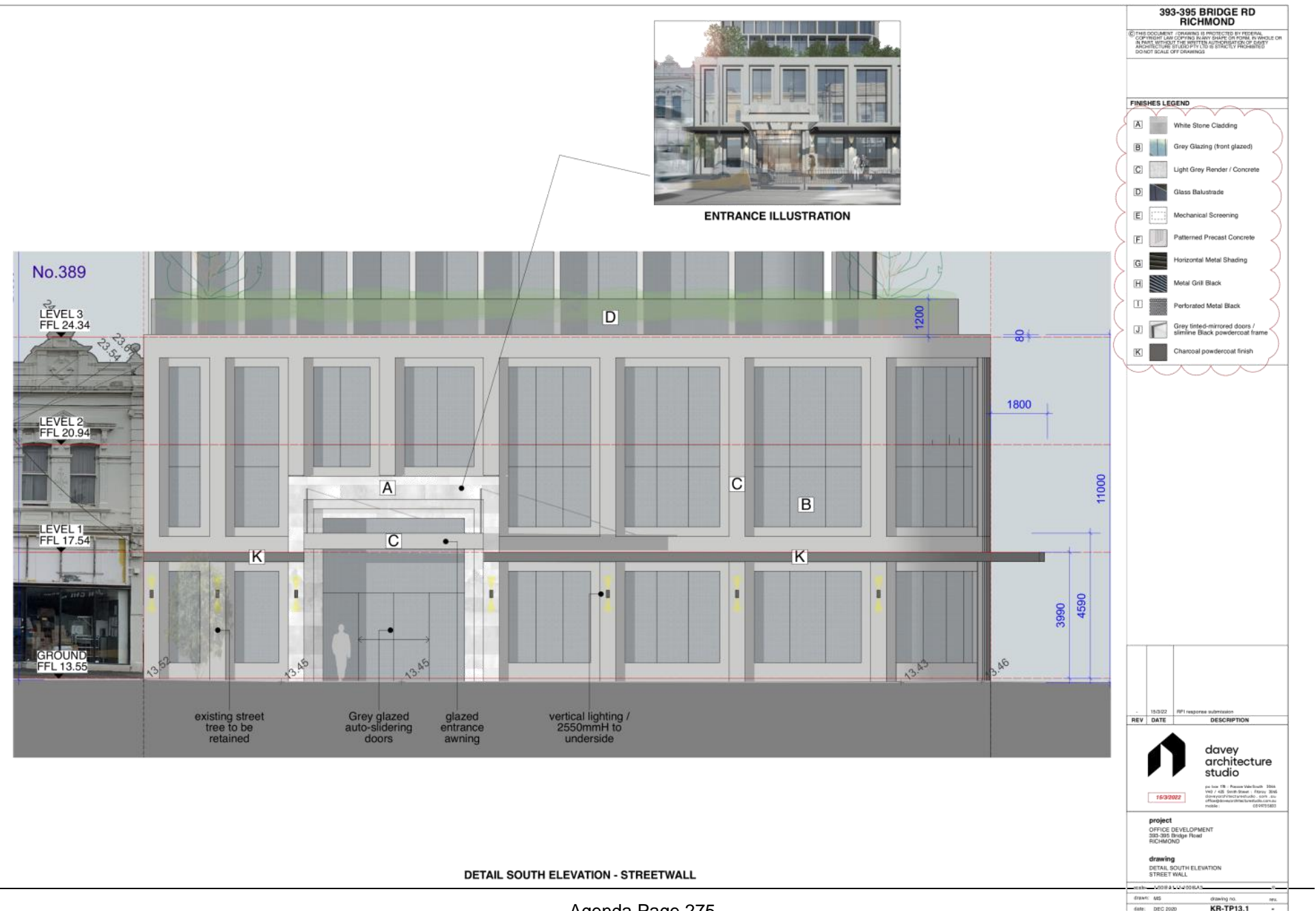
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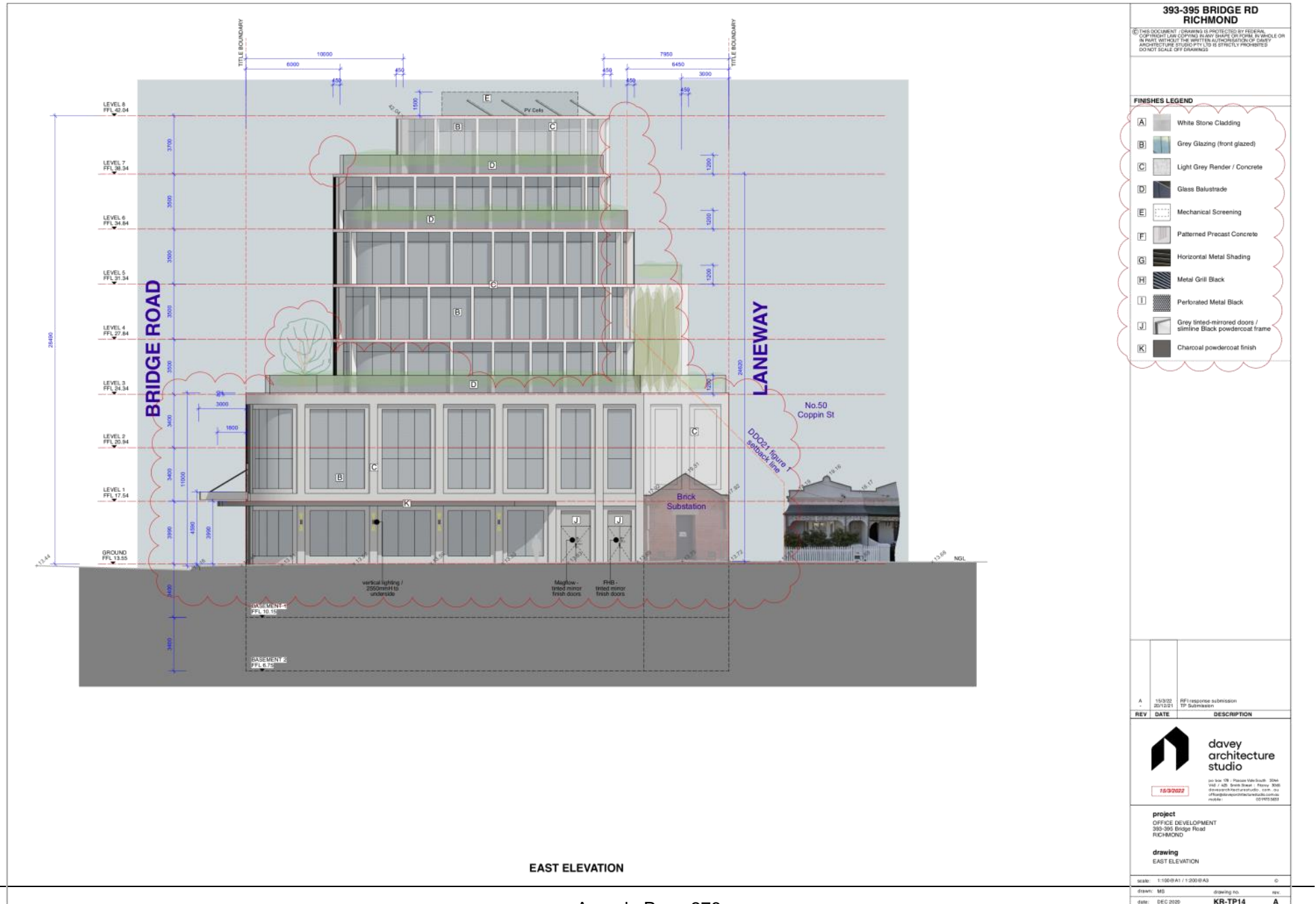
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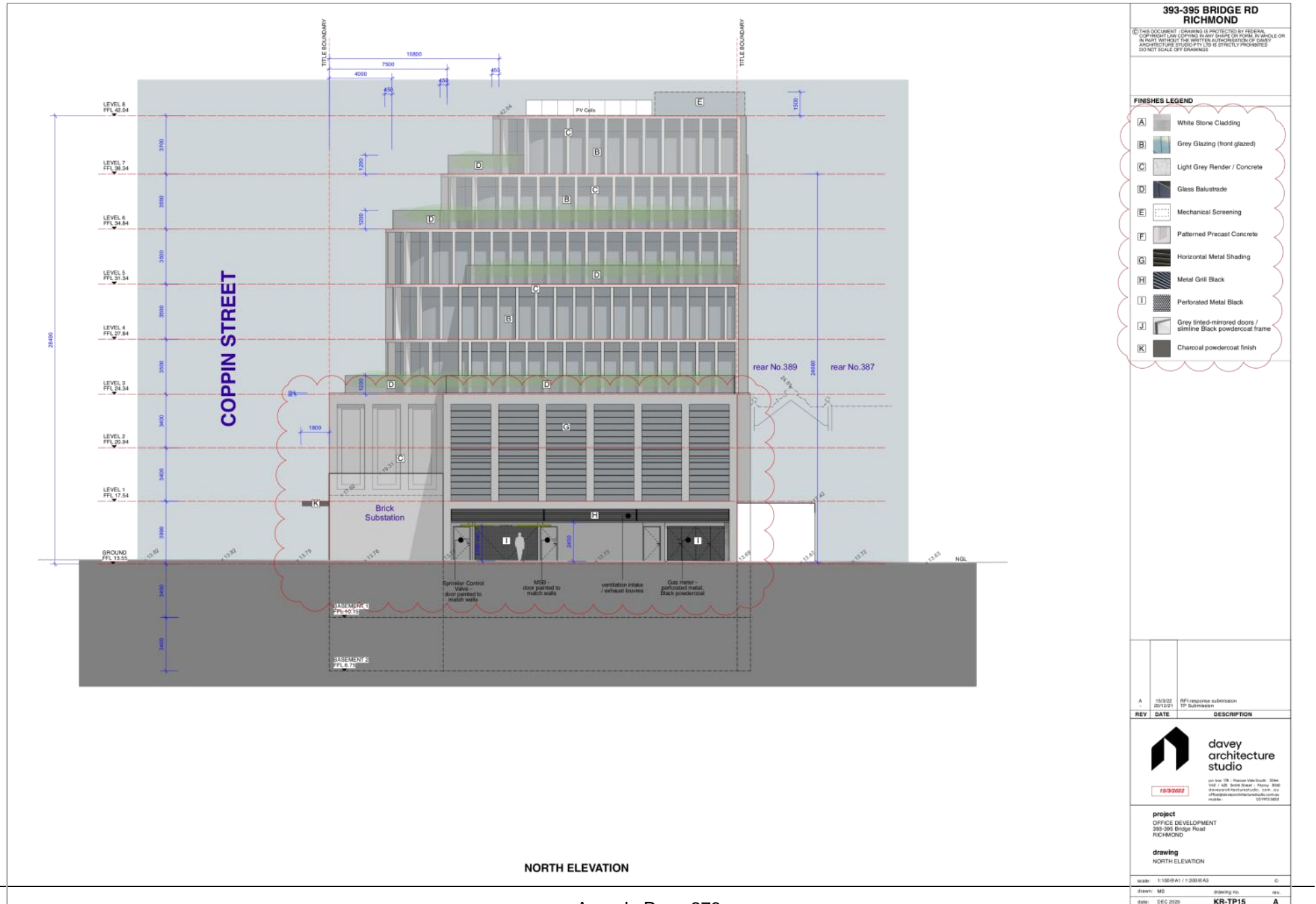
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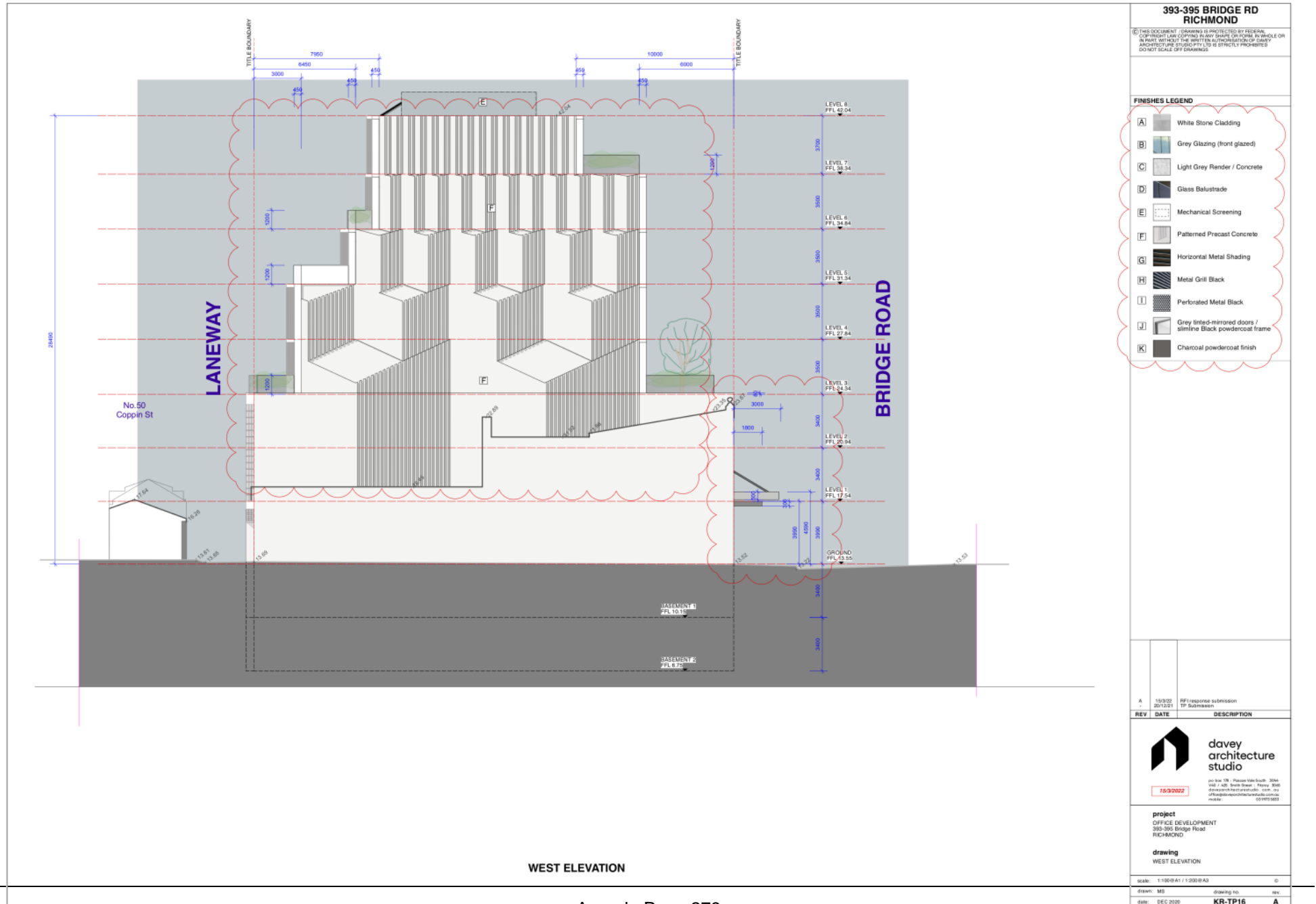
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Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans





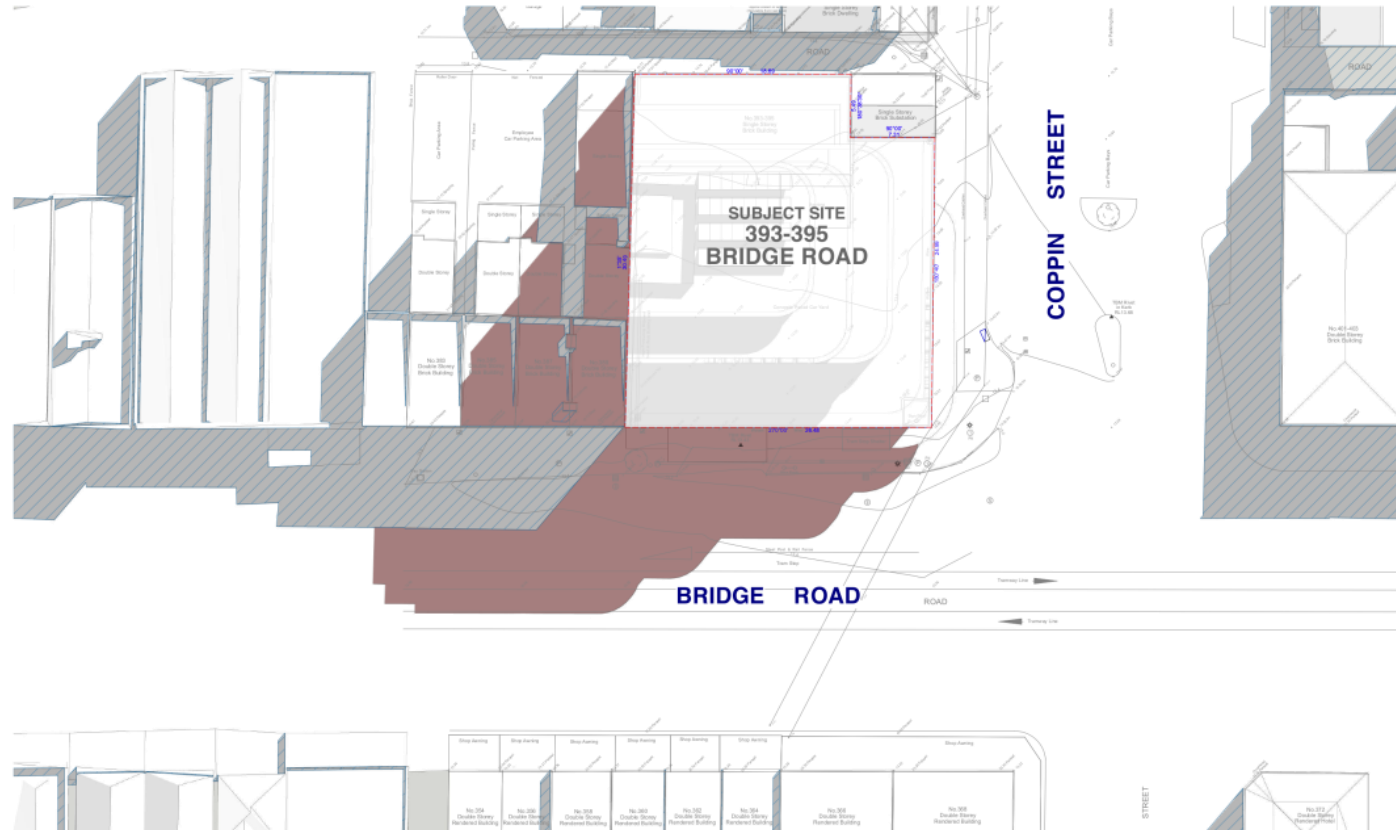
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<p>project</p> <p>OFFICE DEVELOPMENT</p> <p>250-250 Pongtong Road</p> <p>PICHMOND</p>		
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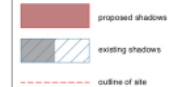
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Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



22nd SEPTEMBER @ 10am

22 SEPTEMBER @ 10am



20/12/21 TP Submission

REV DATE DESCRIPTION



20/12/21
 po box 198 - Pineside Vale South 5504
 vlad / 435 South Street - Pineside 5504
 davey@studioarchitecture.com.au
 08 9375 5853

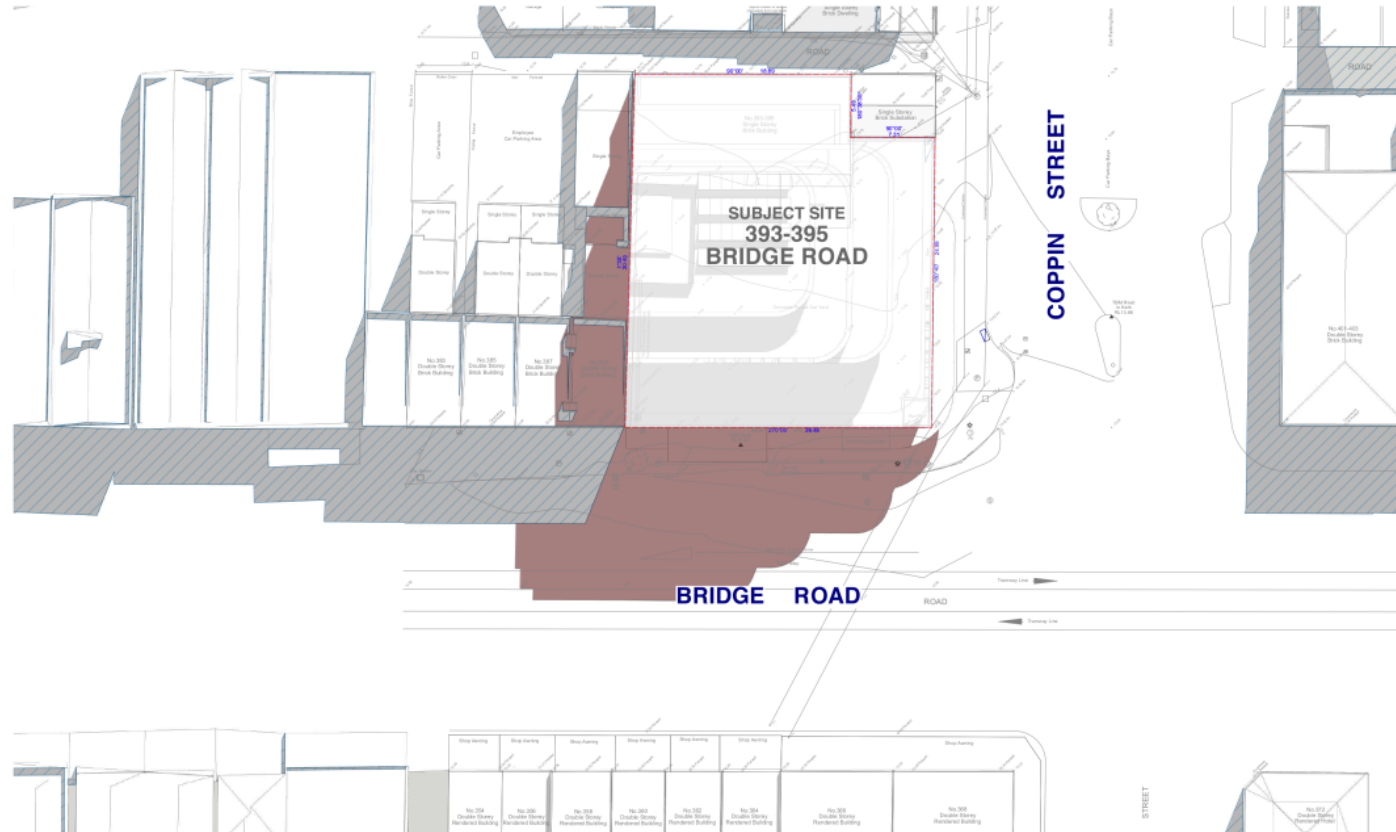
project
 OFFICE DEVELOPMENT
 393-395 Bridge Road
 RICHMOND

drawing
 10m SHADOW DIAGRAM



drawn: MS
 checked: MS
 date: DEC 2020
 drawing no: KR-TP102

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



22nd SEPTEMBER @ 11am

22 SEPTEMBER @ 11am

proposed shadows
existing shadows
outline of site

20/12/21 TP Submission

REV DATE DESCRIPTION



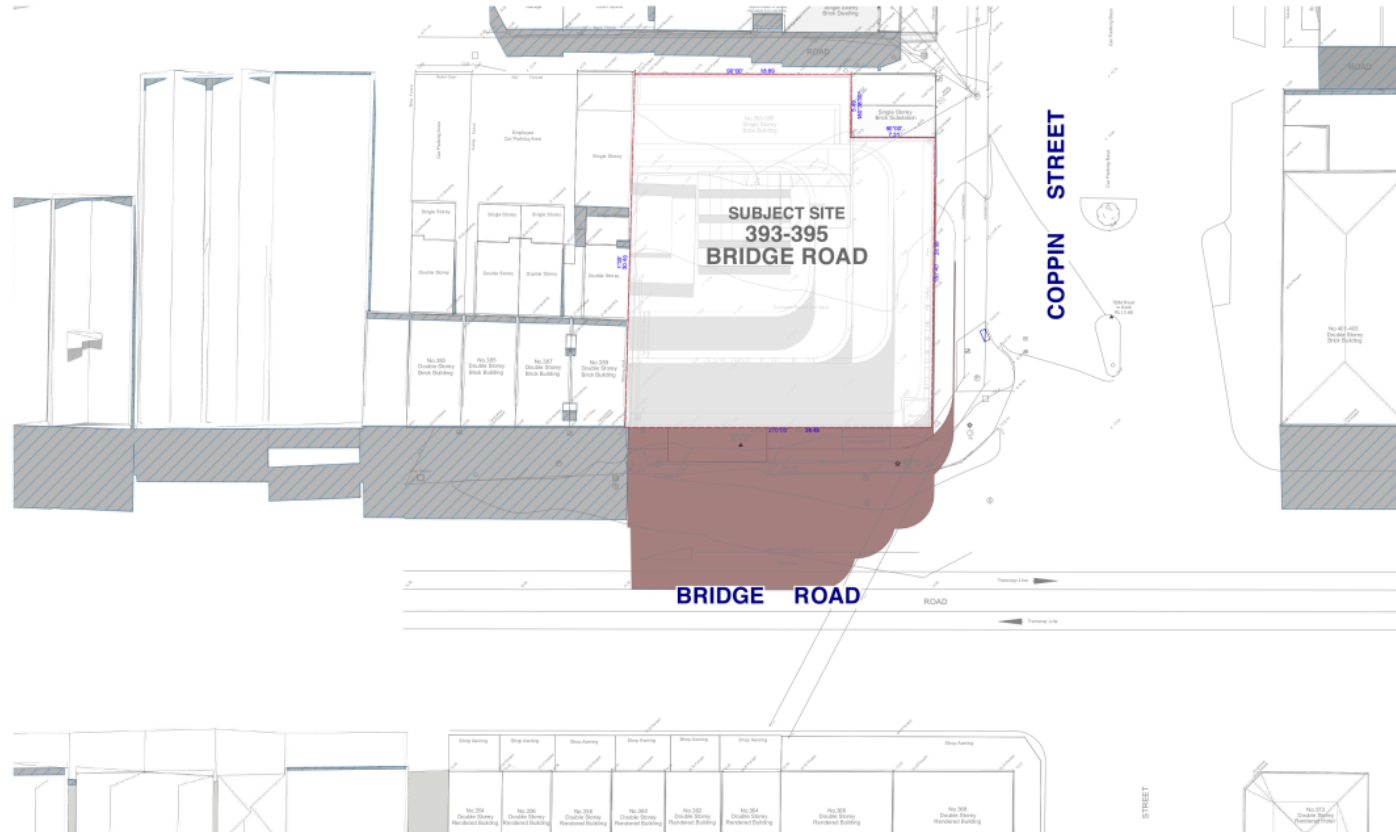
20/12/21
po box 118 - Pineside Vale South 5204
VIC / 435 South Street - Pineside 3045
davey@studioarchitecture.com.au
08 9375 5853

project
OFFICE DEVELOPMENT
393-395 Bridge Road
RICHMOND
drawing
11am SHADOW DIAGRAM



scale: 1:2000
drawn: MS
date: DEC 2020
drawing no: KR-TP103
rev:

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



22nd SEPTEMBER @ 12pm

22 SEPTEMBER @ 12pm

proposed shadows
existing shadows
outline of site

20/12/21 TP Submission

REV DATE DESCRIPTION



davey
architecture
studio

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08 9375 5853

project

OFFICE DEVELOPMENT

393-395 Bridge Road

RICHMOND

drawing

12pm SHADOW DIAGRAM



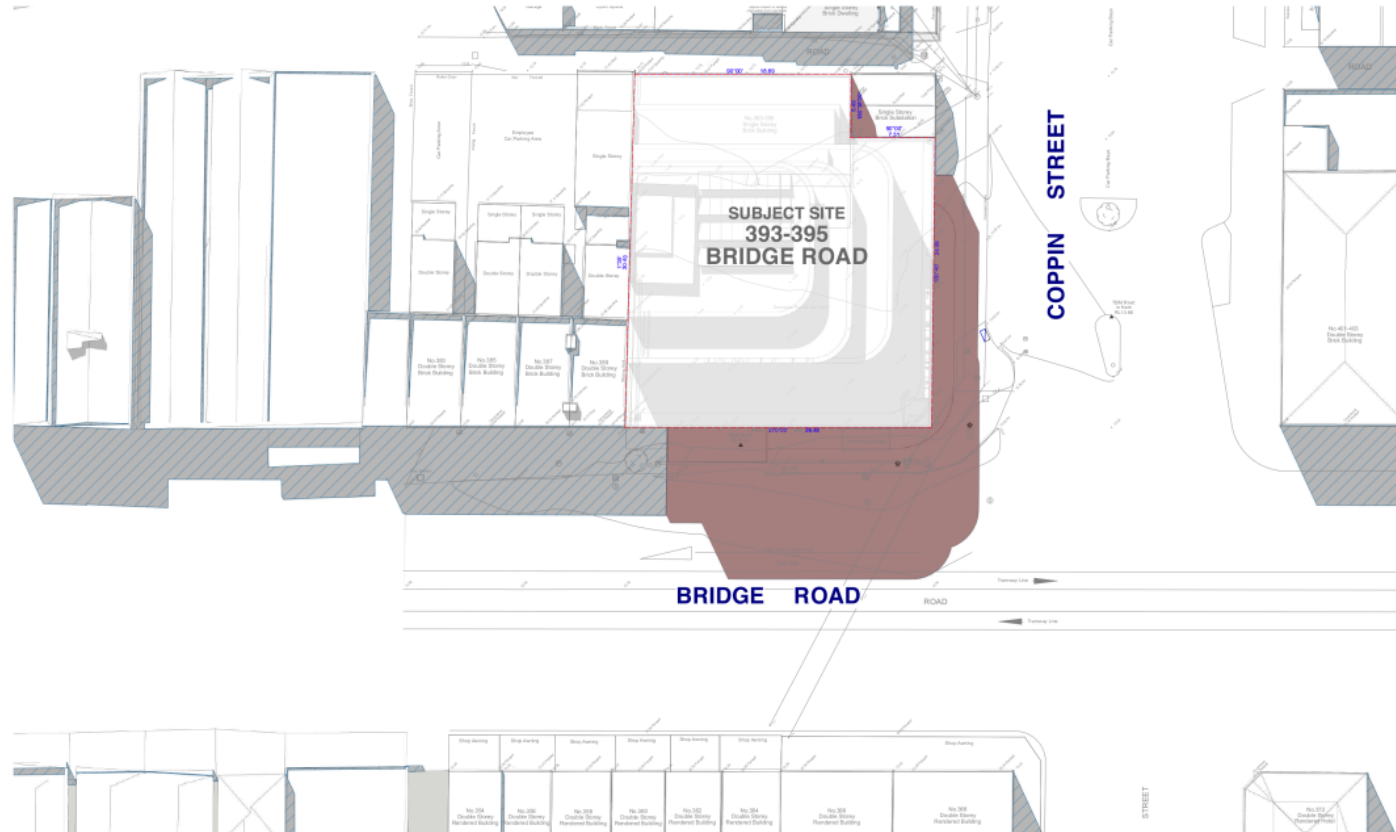
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date: DEC 2020

drawing no:

KR-TP104

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



22nd SEPTEMBER @ 1pm

22 SEPTEMBER @ 1pm

proposed shadows
existing shadows
outline of site

20/12/21 TP Submission

REV DATE DESCRIPTION



20/12/21
20/12/21
20/12/21

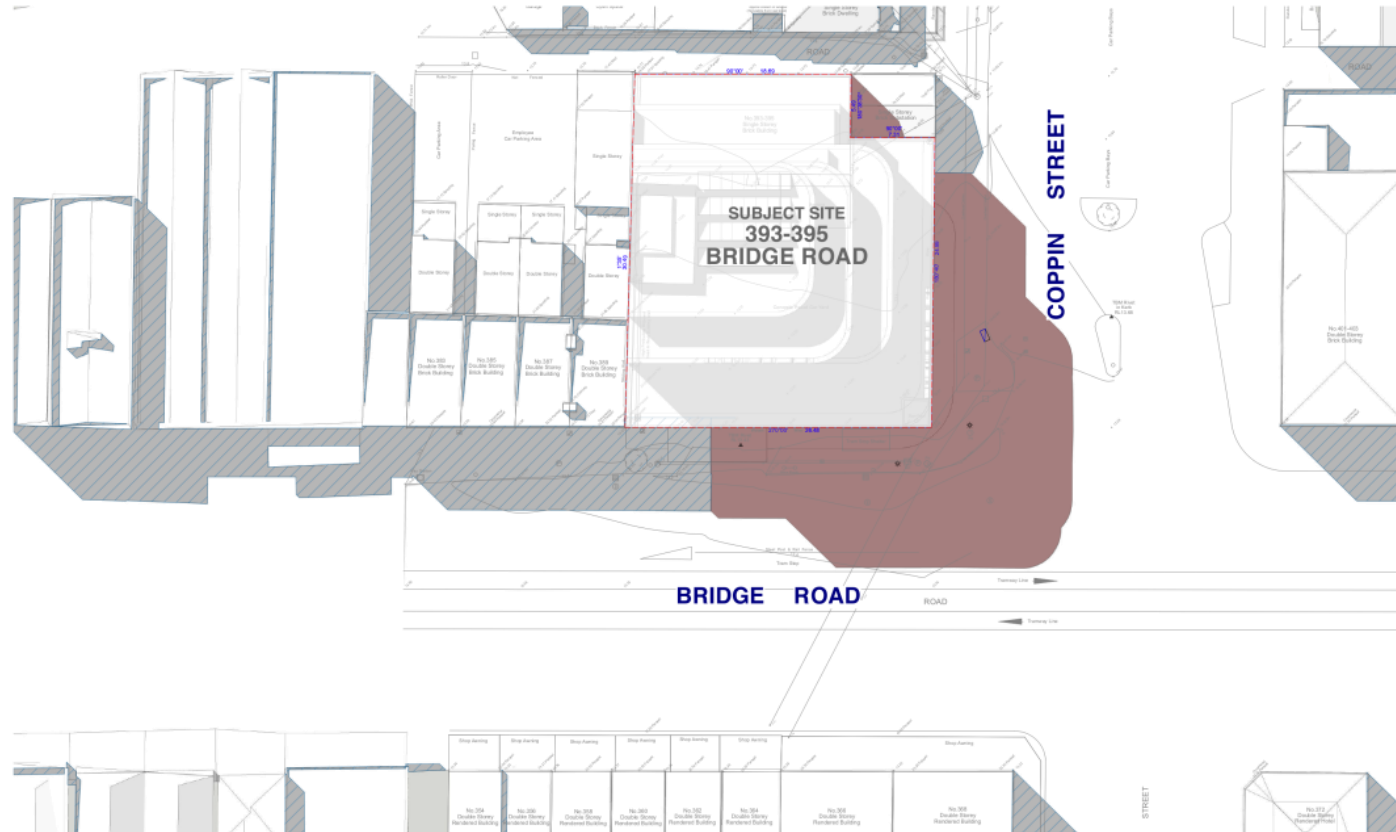
project
OFFICE DEVELOPMENT
393-395 Bridge Road
RICHMOND

drawing
1pm SHADOW DIAGRAM

scale 1:2000

drawn: MS drawing no: rev: 1
date: DEC 2020 KR-TP105

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



22nd SEPTEMBER @ 2pm

22 SEPTEMBER @ 2pm

proposed shadows
existing shadows
outline of site

20/12/21 TP Submission

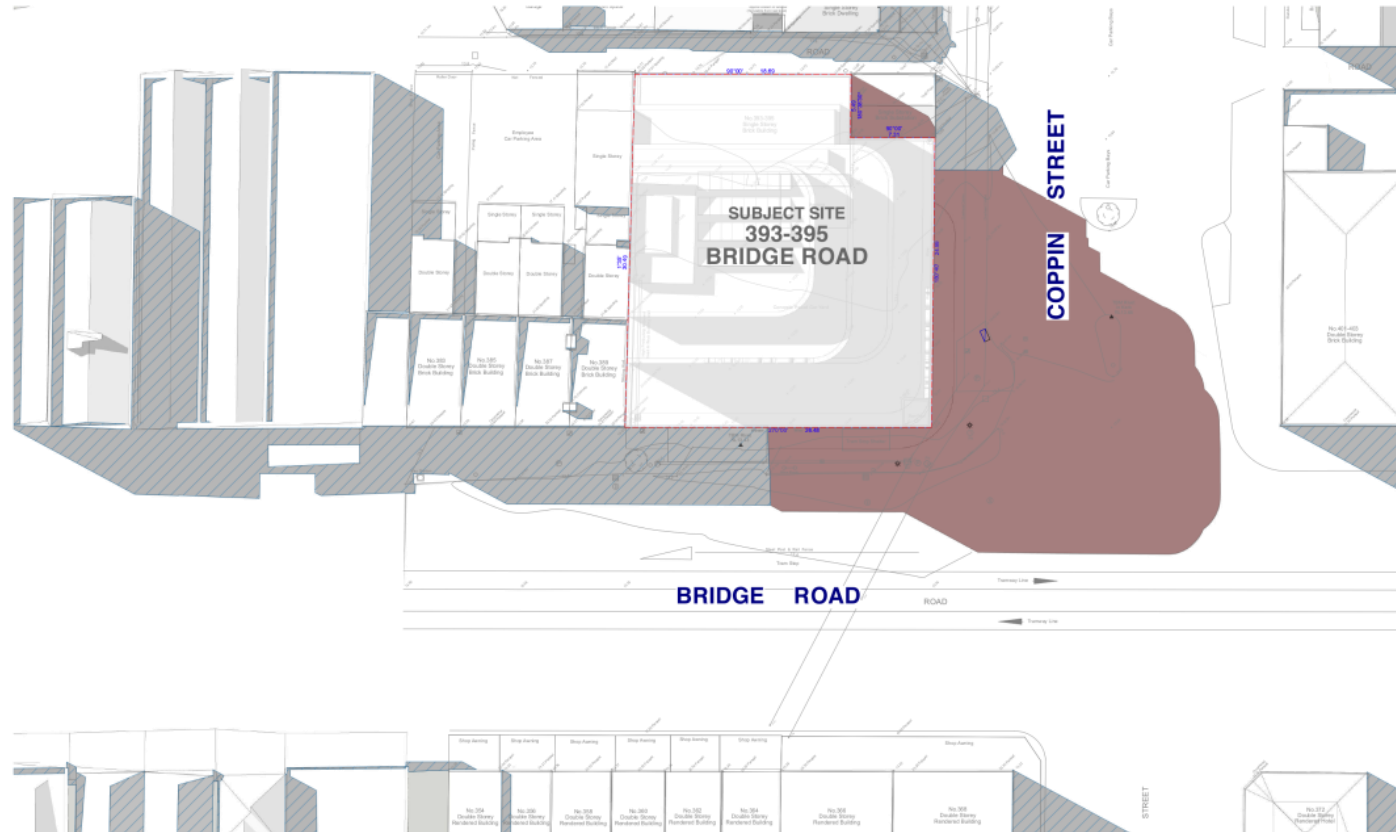
REV DATE DESCRIPTION

davey architecture studio
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VIC / 435 South Street - Fitzroy 3065
davey@daaveyarchitectural.com.au
03 9575 5853

project
OFFICE DEVELOPMENT
393-395 Bridge Road
RICHMOND
drawing
2pm SHADOW DIAGRAM

Scale: 1:2000
Drawn: MS
Date: DEC 2020
Drawing no: KR-TP106
Rev: 1

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



22nd SEPTEMBER @ 3pm

22 SEPTEMBER @ 3pm

proposed shadows
existing shadows
outline of site

20/12/21 TP Submission

REV DATE DESCRIPTION



20/12/21
po box 118 - Pineside Vale South 5504
VIC / 435 South Street - Pineside 3545
0800 000 000 or 0800 000 000
info@daveyarchitectural.com.au

project
OFFICE DEVELOPMENT
393-395 Bridge Road
RICHMOND

drawing
3pm SHADOW DIAGRAM



drawn: MS
checked: MS
date: DEC 2020
drawing no: KR-TP107

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



393-395 BRIDGE RD RICHMOND		
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A	15/03/20	881 response submission
	20/03/20	TP Submission
REV	DATE	DESCRIPTION
<div>  <div> <div>davey</div> <div>architecture</div> <div>studio</div> </div> </div> <div> <p>15/03/20</p> <p>project OFFICE DEVELOPMENT 393-395 Bridge Road RICHMOND</p> <p>drawing 3D ILLUSTRATIONS SHEET 1</p> </div>		
drawn	MS	drawing no.
date	DEC 2020	KR-TP19 A

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans

393-395 BRIDGE RD RICHMOND	
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15/03/22	RP1 response submission
REV	DATE
DESCRIPTION	



VIEW OF NORTH EAST CORNER



VIEW OF SOUTH WEST CORNER

 davey architecture studio	
<small>16/03/2022</small>	
<small>po box 118 - Pineside Vale South 3504 VIC / 435 South Street - Pineside Vale 3504 08 9478 0000 08 9478 0000</small>	
project OFFICE DEVELOPMENT 393-395 Bridge Road RICHMOND	
drawing 3D ILLUSTRATIONS SHEET 2	
author: VCC	
drawn: MS	drawing no: 001
date: DEC 2020	KR-TP20

Attachment 2 - PLN21/0987 - 393 Bridge Road Richmond - Decision Plans



VIEW OF BRIDGE RD ENTRANCE (from the south)

393-395 BRIDGE RD RICHMOND

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REV	DATE	DESCRIPTION
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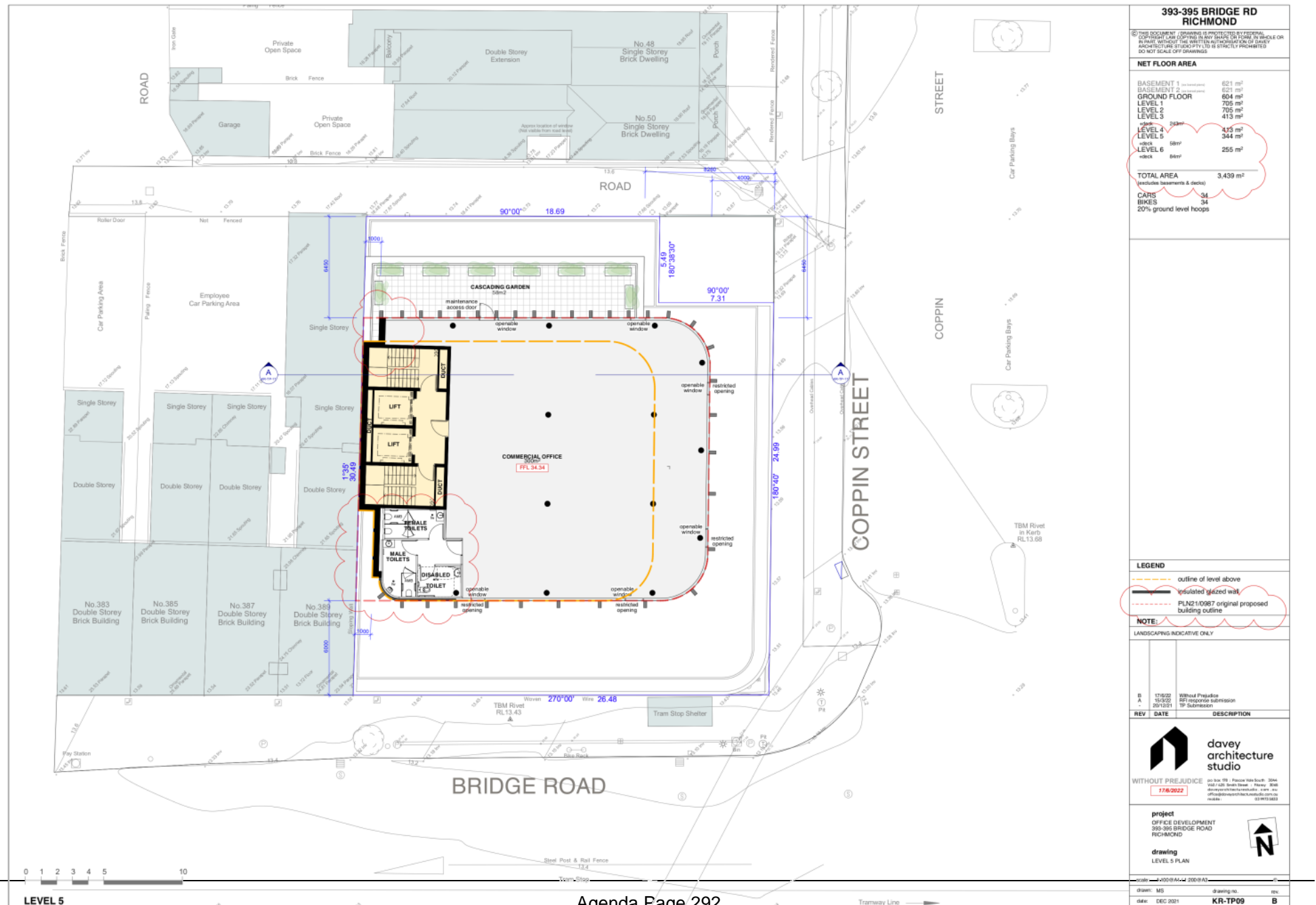
15/03/2022
po box 198 - Pineside Vale South 3504
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office@daveyarchitectural.com.au
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project
OFFICE DEVELOPMENT
393-395 Bridge Road
RICHMOND

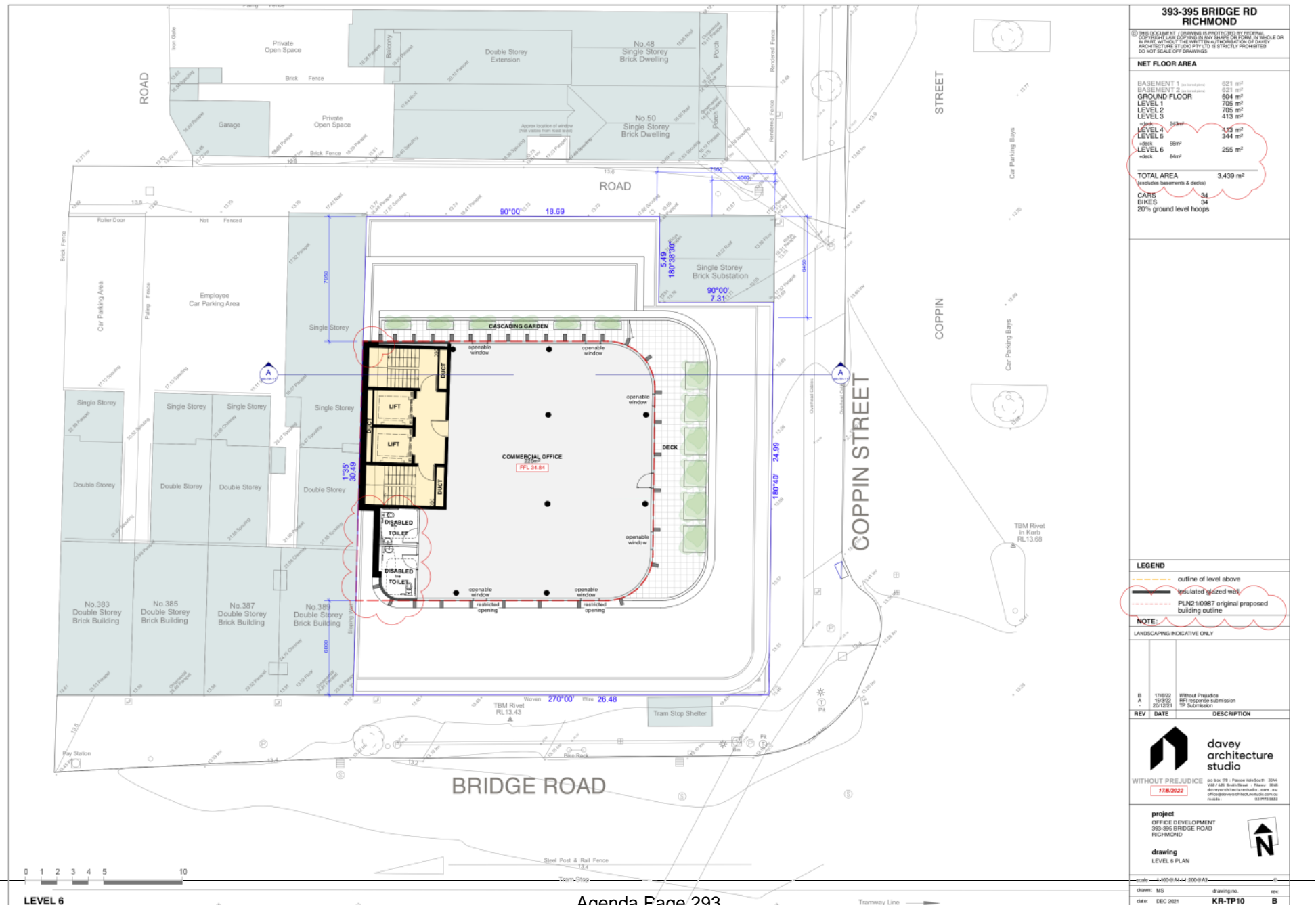
drawing
3D ILLUSTRATIONS
SHEET 2

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drawn	MS	drawing no.
date	DEC 2020	KR-TP21

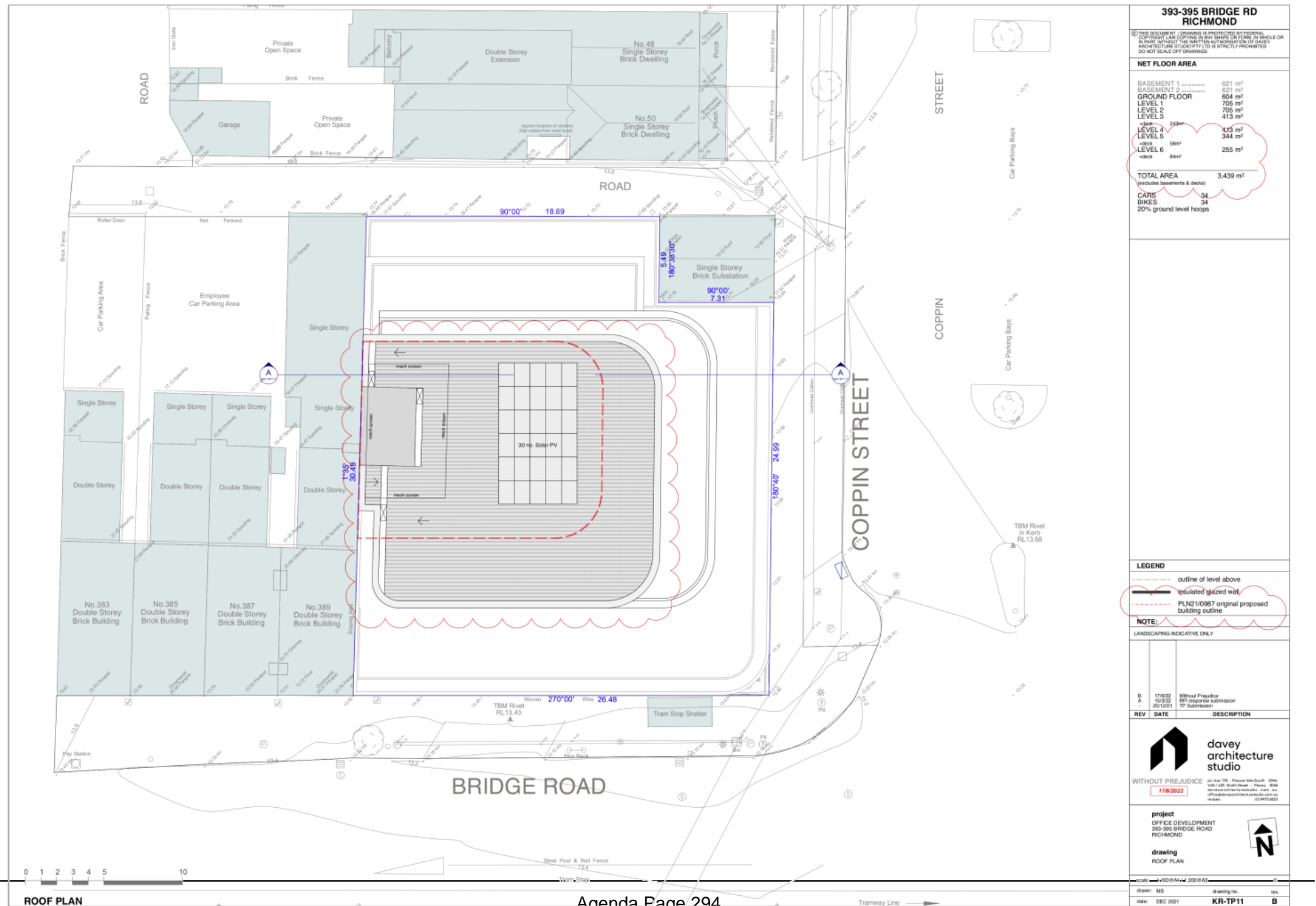
Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



SOUTH ELEVATION

393-395 BRIDGE RD RICHMOND

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FINISHES LEGEND

- [A] White Stone Cladding
- [B] Grey Glazing (front glazed)
- [C] Light Grey Render / Concrete
- [D] Glass Balustrade
- [E] Mechanical Screening
- [F] Patterned Precast Concrete
- [G] Horizontal Metal Shading
- [H] Metal Grill Black
- [I] Perforated Metal Black
- [J] Grey tinted-mirrored doors / slimline Black powdercoat frame
- [K] Charcoal powdercoat finish

LEGEND

PLN21/0987 original proposed building outline

R 17/6/22
A 15/5/22
20/5/22

Without Prejudice
SPT response submission
TP Submission

REV DATE DESCRIPTION

REV DATE DESCRIPTION



WITHOUT PREJUDICE
17/6/2022

on line 19 - Project Value South 1884
VND / 435 South Street / Floor 3/45
daveyarchitectures.com.au davey_arch
office@daveyarchitectures.com.au
mobile 02 9575 5883

project

OFFICE DEVELOPMENT

393-395 Bridge Road

RICHMOND

drawing

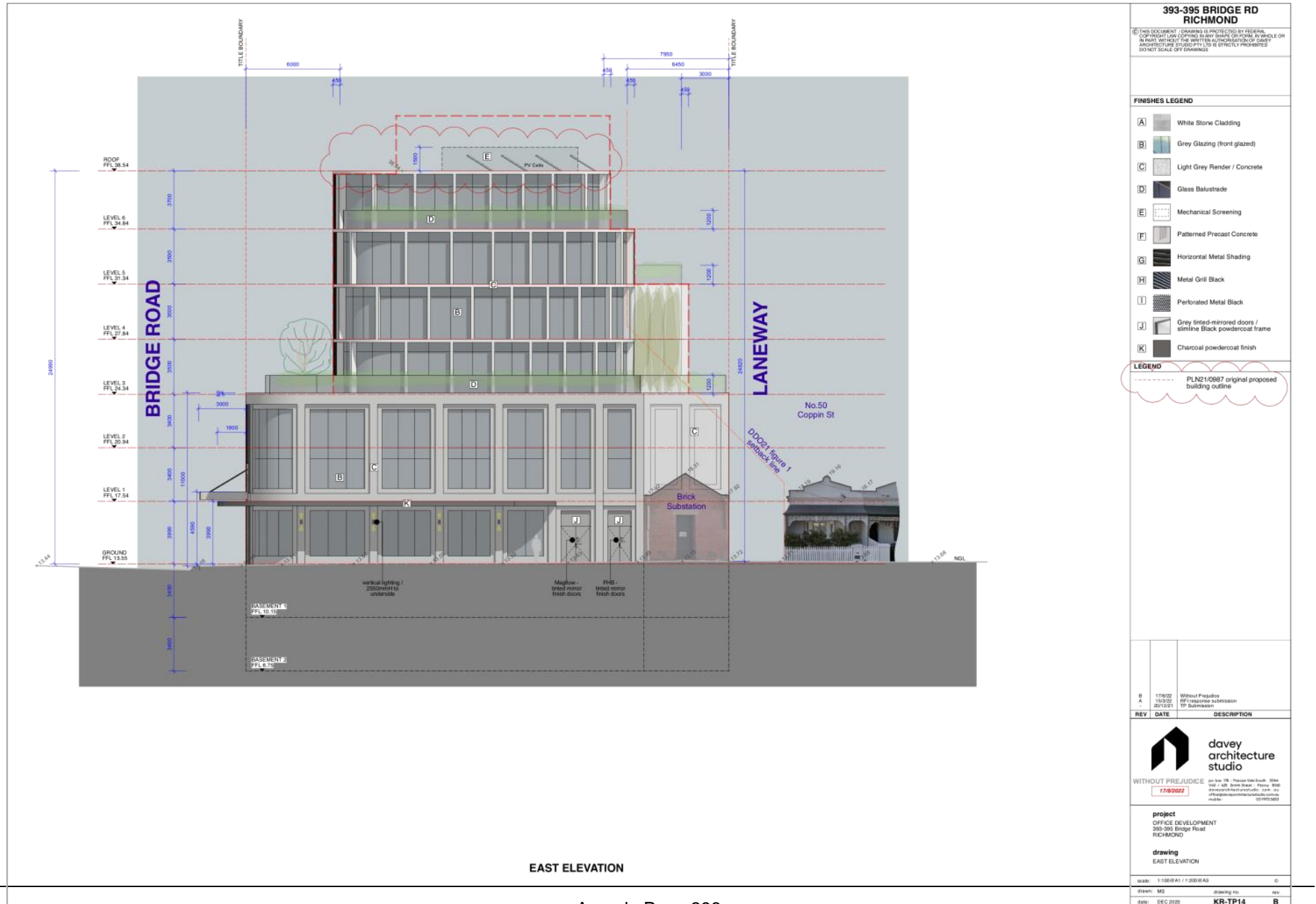
SOUTH ELEVATION

Scale: 1:100 (A4) 1:200 (A3)

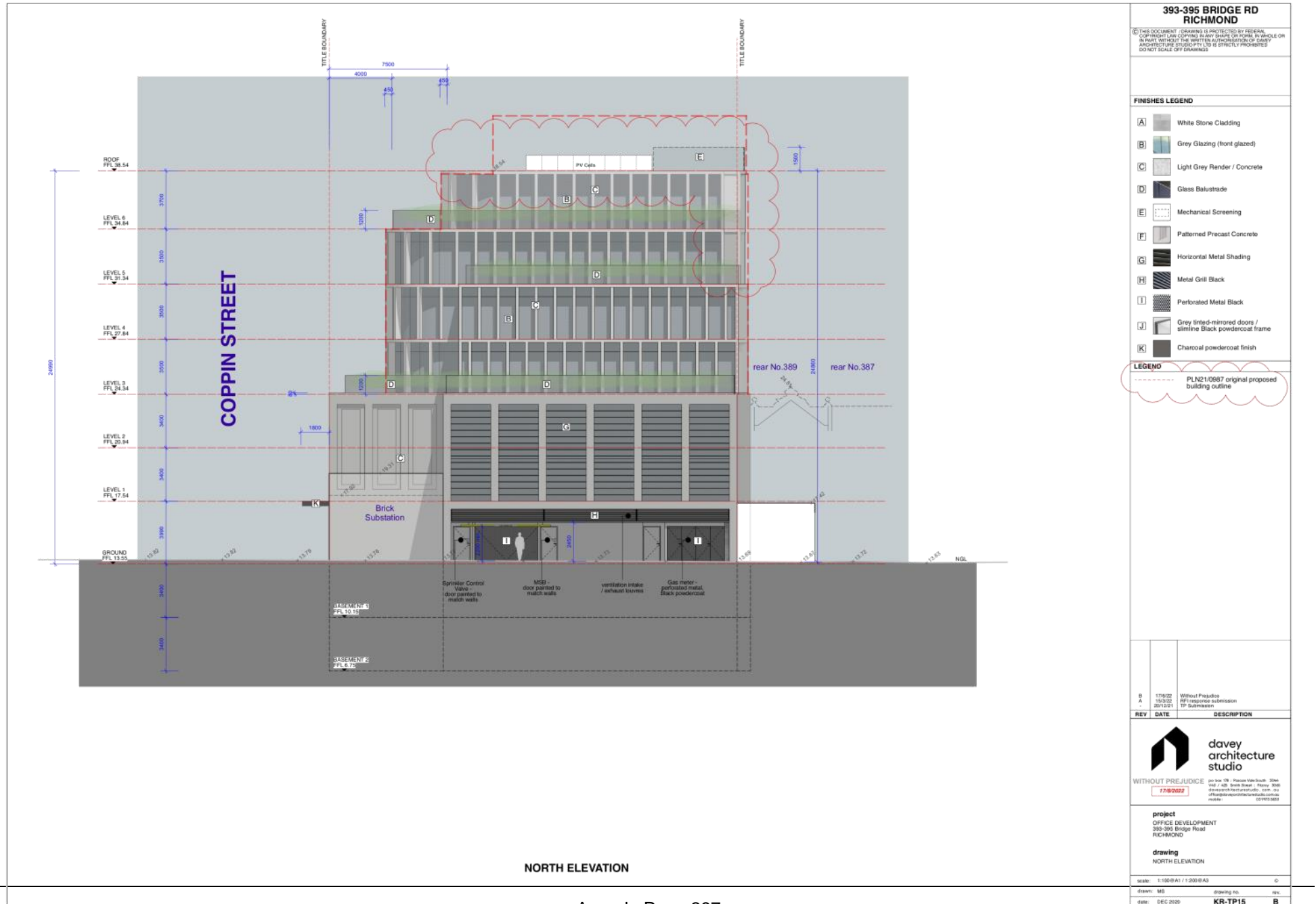
Drawn: MSJ Drawing no. rev.

Date: DEC 2020 KR-TP13 B

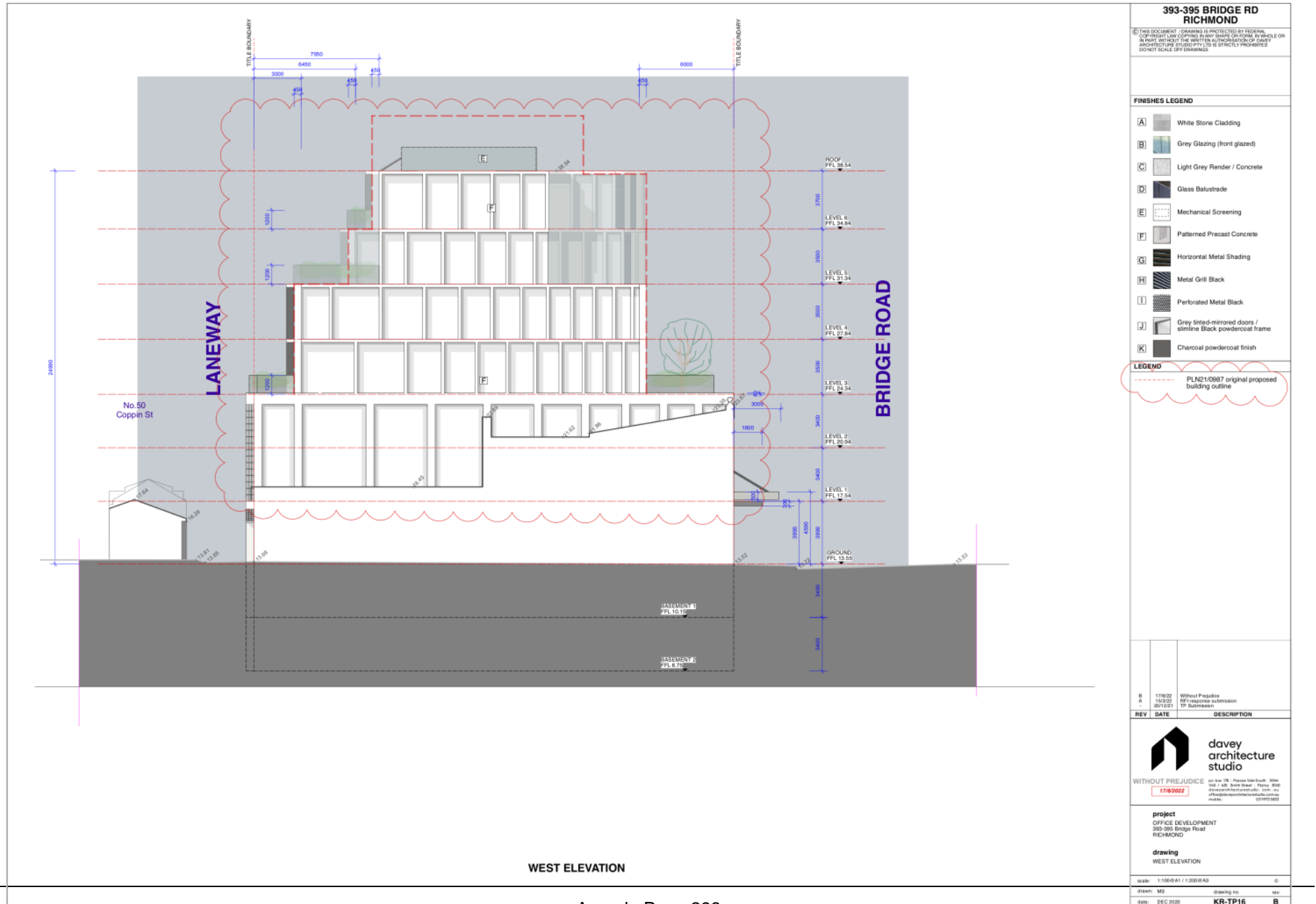
Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



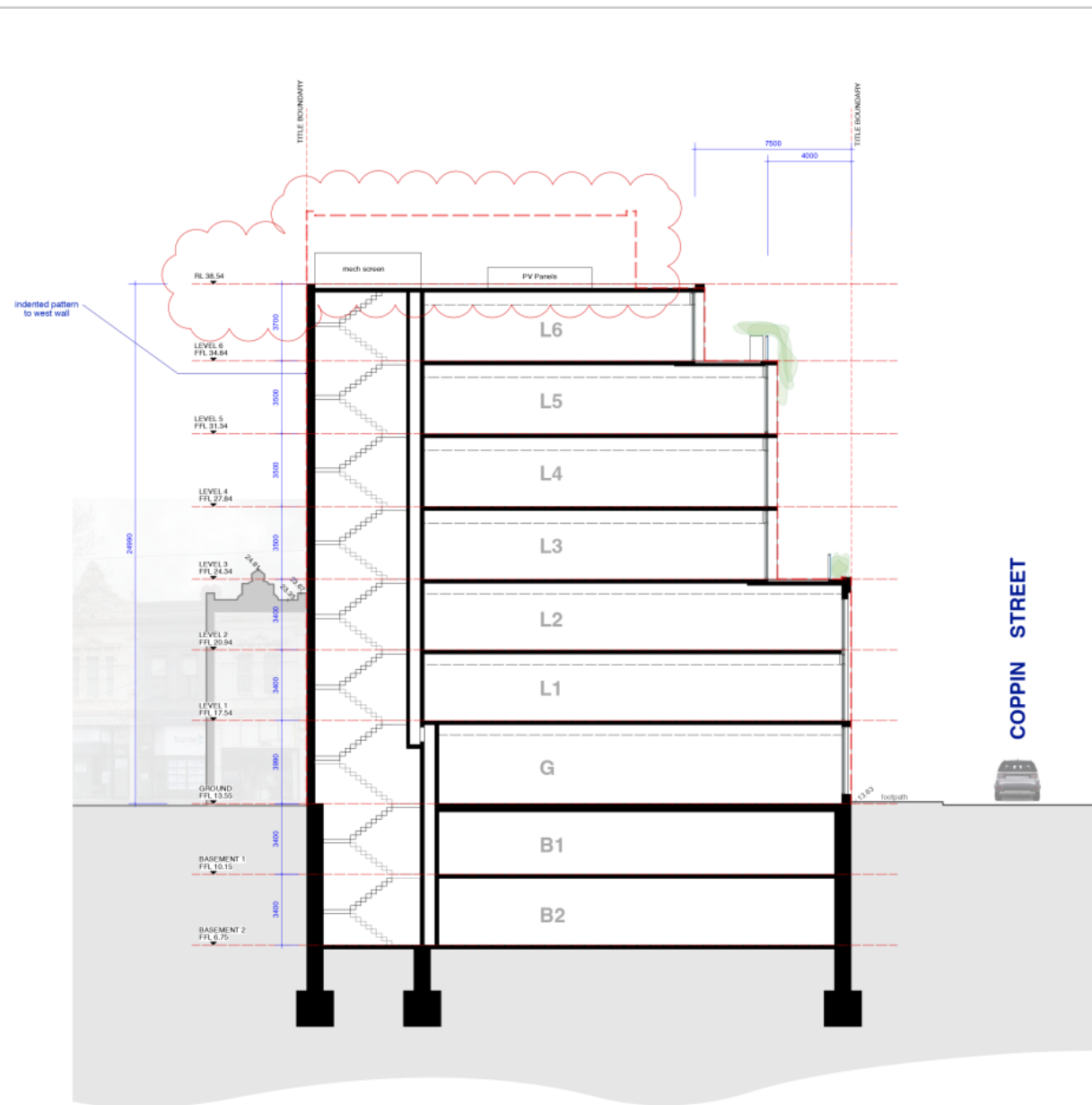
Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



Attachment 3 - PLN21/0987 - 393 Bridge Road Richmond - Sketch Plans submitted 20 June 2022



SECTION A-A

**393-395 BRIDGE RD
RICHMOND**

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LEGEND

----- PLN21/0987 original proposed building outline

REV	DATE	DESCRIPTION
R	17/6/22	Without Prejudice
A	15/6/22	RFI response submission
	20/12/21	TP Submission

davey architecture studio

WITHOUT PREJUDICE 17/6/2022

project
OFFICE DEVELOPMENT
393-395 Bridge Road
RICHMOND

drawing
SECTION A-A

scale: 1:200 @ A4+4 200@A3

drawn: MS

date: DEC 2020

drawing no.: KR-TP17

rev: B



REV	DATE	DESCRIPTION
A	17/02/20 15/03/22	Without Prejudice RFI response submission



davey architecture studio

WITHOUT PREJUDICE

17/02/2022

no fee 1B - Pascoe Vale South 2020
 16/2 / A/S - South Island 18/04/2021
 Davey part of the team available 01/04/2021
 daveystudio.com.au 01/04/2021
 K1 02/04/2021

project

OFFICE DEVELOPMENT
 30-35 Bridge Road
 RICHMOND

drawing

3D ILLUSTRATIONS
 SHEET 2

drawing no.	drawing no.	rev.
date: DEC 2020	KR-TP20	A

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

PLN21/0987 – 393 Bridge Road Richmond - Formal Referral Responses



Civil Works (waste)

The waste management plan for 393-395 Bridge Rd, Richmond authored by One mile grid and dated 22/12/2021 is satisfactory from a City Works Branch's perspective.

Open Space Design

I have reviewed the plans by MemLa (LCO1, LCO2, LCO3 – 23/12/21) for the above planning application. Landscaping and planting is shown on level 3, 5, 6 and 7.

Generally, the plans are suitable, however please confirm that volumes of growing media will be adequate for species nominated for each of the planters.

For example, the *Acmena smithii* and *Tristaniopsis laurina* proposed on level 3 grow quite tall (up to 10m) and will need adequate soil volumes. Trees and shrubs that grow in less than recommended soil volumes do not fair well in the longer term. Refer to the elk soil volume calculator to determine the appropriate size of the each of the planters.

<https://www.elkeh.com.au/soils/>

Also, there are no dimensions on the proposed green wall detail. This needs to be provided along with a calculation indicating that the soil volume for each creeper is adequate.

Load bearing weights for the building structure need to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed.

Please also confirm how the deck areas are accessed for maintenance purposes (the landscape plans do not show and entry/exit point).

In terms of the proposed species, these are generally adequate.

Provide notes on proposed irrigation, including source of water and location of irrigation control units or reference other drawings.

Provide a maintenance schedule, including task details and frequency.

Urban Design (internal)

Public Realm Interface and Suggested Improvements

- The proposed development removes crossovers from the Bridge Road and Coppin Street frontages, and provides vehicle access via the rear laneway, this is

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

supported. Comments on each frontage are below:

- Bridge Road
 - The main entrance is from Bridge Road which is supported.
 - The proposed awning will impact the existing tree along the Bridge Road frontage. Refer to any advice from the Open Space Services team. Subject to their advice, it would be worth seeking a contribution to replace this tree, so that it can be located elsewhere along this frontage or somewhere nearby (with a suitable species determined by Council).
 - In terms of the footpaths along Bridge Road, there is an existing tram shelter which will block a section of windows along the building's Bridge Road frontage. There is an opportunity to relocate this tram shelter to the kerb side, to provide more space along the footpath and enable the building to be used as a shoreline. This would need approval from the Department of Transport and be referred to Strategic Transport.
 - There are three additional bike hoops that are proposed along the Bridge Road frontage. In the proposed arrangement, the eastern bike hoop creates a pinch point on the footpath – the location of bike hoops should ensure that there is ample unobstructed space on the footpath. If the tram stop can be relocated, these bike hoops may need to be repositioned elsewhere along the Bridge Road frontage or on the Coppin Street frontage – refer also to any advice from Strategic Transport team.
- Coppin Street
 - The booster cabinets are located at the northern end of this frontage, which is supported. The cabinets are integrated with the façade; however we note that the proposed doors would be 'tinted mirror finish'. We recommend that this material is reconsidered, or additional details provided to ensure that this material won't be too reflective.
 - The removal of the crossover provides an opportunity to improve the public realm along the Coppin Street frontage. This is in line with the Bridge Road Streetscape Masterplan. There is an opportunity to extend the kerb along the Coppin Street frontage, between the Bridge Road and the laneway. The extent and design of the kerb outstand would depend on any drainage requirements (considering that alternations would need to be made to the existing drainage pit), turning circles and any required access to substation. The footpath area and potential kerb outstand are highlighted below.



Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

This new space would factor in the following:

- Three new trees along the site frontage.
- New garden bed/s (similar to that implemented along Bridge Road – see Gardner Street as an example below).
- Maintaining cycle lane along Coppin Street.
- New Yarra standard timber seat/s.
- Materials in line with Roads Materials Policy.
- Any required drainage works.
- Potential to underground power lines.

From initial discussions with colleagues in the Civil Engineering, Drainage and Stormwater and Traffic teams, there do not appear to be any major issues that prevent this idea being possible. However, we request that the applicant prepares an initial sketch to explore what could be implemented along this frontage, and to allow for Council officers to provide more detailed feedback. It is recommended that this sketch is provided before a decision is made on this application.



Example of garden beds on Gardner Street

- Bridge Road / Coppin Street facade
 - The curved building façade at the Bridge Road / Coppin Street corner is supported and will provide a bit more footpath space at this intersection. Further detail is required on the Landscape Plans (and any future civil drawings) to show what material this will be, and to confirm that the levels will be the same as the footpath.
 - We understand that external advice is being sought on the built form aspects of the development. We suggest that the design of the street wall (including the proportion of windows and ratio of solid/void) could more closely align with the adjacent heritage buildings, to provide an improved interface with the public realm. However, the external Urban Design consultant may provide more advice on this.

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

- Laneway interface
 - The rear vehicle access is recessed (with a first floor overhang), and includes a waiting bay. This could potentially be a hiding spot and create issues with personal safety. Suggest referring this issue to Social Policy team and consider CPTED principles in the design of this area.

Streetscape and Capital Works

- There are no known planned / approved capital works around the site being led by the Urban Design Team.
- The Bridge Road Streetscape Masterplan is adopted and provides guidance for future public realm opportunities, such as the improvements to the Coppin Street frontage mentioned above.

Strategic Transport

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office (other than specified in the table)	3741 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	11 employee spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	3 visitor spaces.	
Bicycle Parking Spaces Total			11 resident / employee spaces	28 resident / employee spaces
			3 visitor spaces	6 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	2 showers / change rooms	7 showers / change rooms

The development provides a total of 17 additional employee spaces and 2 additional visitor spaces above the requirements of the Scheme.

Adequacy of visitor spaces

6 spaces are noted as visitor bicycle parking spaces. The applicant's Traffic Impact Assessment incorrectly notes three hoops as providing 8 spaces.

The provision of the visitor spaces is adequate given:

- The number of spaces exceeds the statutory requirements
- Other on-street parking opportunities exist for visitor parking in the immediate area

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

- An opportunity may exist to install additional hoops and move the existing tram stop shelter to a more suitable location.

Adequacy of employee spaces

Number of spaces

Whilst the proposal includes a surplus of 17 employee spaces above the requirements of the planning scheme, it is noted:

- A reduction of 78 car parking spaces is sought (69% of the statutory requirement).
- the subject site is located in an inner-urban area with already high cycling-to-work demand, and trends indicate demand will continue to increase; and
- both local and state planning policies include objectives to promote sustainable transport modes, including cycling.
- Although the number of employee bicycle parking spaces is higher than the statutory requirements of Clause 52.34, the number of additional spaces is significantly lower than the reduction in car parking. i.e. the number of car parking spaces sought to be reduced is 78 but only 17 additional bicycle parking spaces are proposed.
- Therefore, it is recommended that additional employee bicycle parking spaces be provided to make up at least half of this shortfall (39) at either Ground Level or Basement 1 Level.

Design and location of employee spaces and facilities

Employee and resident spaces are inadequately located and designed for the following reasons:

- Employee bicycle parking is provided at Basement 1. It is not specified on the plans, in the Traffic Impact Assessment or Green Travel Plan how the bicycle parking and other end of trip facilities are to be accessed by people on bikes.
- It is noted that all 28 spaces are located within a secure facility.
- Dimensions of all walkways and bicycle parking spaces are not included on the plans. These are required to ensure compliance with Australian Standard AS2890.3, particularly for larger bikes (e.g. cargo bikes and electric bikes).
- None of the proposed bicycle parking spaces are located as on-ground hoops. As per AS 2890.3, at least 20% of bicycle parking must be provided as horizontal parking spaces. Strategic Transport's preference is for at least 50% to accommodate larger bikes and for ease of use to encourage sustainable transport.
- More details should be provided to demonstrate that at least some of the proposed employee bicycle parking arrangements can safely and easily accommodate larger/heavier bicycles, including cargo bikes, electric bikes and recumbent bikes, as referenced in Appendix A of AS 2890.3.
- Details on the types of lockers to be provided must be provided, with at least 50% of lockers providing hanging storage space;

Electric vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV).

- Whilst it is acceptable that no EV charging points are installed during construction, to allow for easy future expanded provision for electric vehicle charging, all car parking areas should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

- Additionally, at least two charging points should be provided in the employee bicycle parking area for the charging of electric bicycles.

Green Travel Plan

The application includes a Green Travel Plan (GTP). The GTP does not adequately address certain items, and should be modified to include the following:

- the types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces);
- the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
- security arrangements to access the employee bicycle storage spaces; and
- signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
- Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness' as previously outlined.

This information is required to be shown in the GTP before it can be approved.

Yarra's key bicycle corridors

The site is located adjacent to a key bicycle corridor. Bridge Road is noted as a Strategic Cycling Corridor (C2) and Highett Street (C1) within close proximity to the site.

Yarra's Bicycle Lanes

There may be an opportunity for developer contributions towards the project listed below under 'City Works' to improve bicycle safety on Coppin Street.

City Works

Relevant to this business unit and this application, the following capital works are approved / proposed within the area of the subject site (as relevant to the planning application):

- The (draft) 2022-23 works list includes a protected bike lane treatment on Coppin Street at the intersection with Bridge Road on both the north and south sides of the intersection.

Recommendations

The following should be shown on the plans before endorsement:

1. An additional 39 employee bicycle parking spaces
2. Dimensions of all walkways and bicycle parking spaces are not included on the plans. These are required to ensure compliance with Australian Standard AS2890.3, particularly for larger bikes (e.g. cargo bikes and electric bikes).
3. At least 20% of bicycle parking must be provided as horizontal parking spaces. Strategic Transport's preference is for at least 50% to accommodate larger bikes and for ease of use to encourage sustainable transport.
4. Details provided to demonstrate that at least some of the proposed employee bicycle parking arrangements can safely and easily accommodate larger/heavier bicycles, including cargo bikes, electric bikes and recumbent bikes, as referenced in Appendix A of AS 2890.3.
5. Details on the types of lockers to be provided must be provided, with at least 50% of lockers providing hanging storage space;

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

6. All car parking areas should be electrically wired to be 'EV ready'. A minimum 40A single phase electrical sub circuit should be installed to these areas for this purpose.
7. At least two charging points should be provided in the employee bicycle parking area for the charging of electric bicycles.

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

ESD

The standard of the ESD does not meet Council's Environmental Sustainable Design (ESD) standards.

Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met

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

(1) Applicant ESD Commitments

- The proposal achieves an overall BESS score of 70% (SMP, p. 8).
- Preliminary NABERS Energy for Offices base building modelling has been undertaken with results indicating that the project has the potential to achieve a NABERS rating of between 5 ½ and 6 stars (SMP, p. 8).
- Daylight modelling confirms that 48.7% of floor area meets the *Best Practice* standard (SMP, p. 8).
- Individual tenancy metering for utilities, with additional metering and monitoring for building manager (SMP, p. 10).
- Water efficient fixtures and fittings and a 10,000-litre rainwater tank (SMP, p. 12).
- Specifications around low VOC and formaldehyde materials and products (SMP, p. 13).
- A total of 36 bicycle parking spaces provided, with EoT (7 showers and 64 lockers) and EV charging for 10% of parking spaces (SMP, p. 13).
- A target recycling rate of 90% of construction and demolition waste has been adopted (SMP, p. 14).
- Concrete mixes will incorporate at least 30% reduction in Portland cement, at least 50% reclaimed water and at least 40% replacement of coarse aggregate with slag (SMP, p. 16).
- A 10.8kW rooftop solar PV system proposed, capable of generating up to 14,921kWh/year (SMP, p. 59).

(2) Application ESD Deficiencies

- N/a

(3) Outstanding Information

- Clarify misalignment and update SMP accordingly and consider extending strategy to lower levels also.

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

- Clarify provision of high-quality external views.
- The confirmed NABERS target rating should be confirmed prior to construction with the associated documentation provided as an appendix to the SMP.
- Provide full energy modelling (JV3 or similar) prior to construction.
- Clarify hot water system (electric heat pump or similar suggested, and avoidance of gas provision encouraged).
- Confirm % peak demand reduction in heating and cooling demand associated with building design.
- Clarify heating and cooling system proposed for the building.
- Confirm CO monitoring / ventilation approach for basement car park.
- Amend SMP to clearly outline strategies to reduce energy demand from lighting.
- Provide more details regarding the fire testing potable water reduction response.
- Confirm whether recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) will be incorporated to reduce environmental impacts.
- Clarify best practice specifications for PVC
- Amend plans to show total of 8x parking spaces on ground floor (currently shows x6).
- Amend the basement plans to indicate locations of EV charging infrastructure.
- Amend GTP with EV charging and any updates from the above comments.
- Amend the Landscape Plan to clearly show via cross-sections or annotation adequate soil depths and volumes to support the medium tree species specified.
- Provide a statement as to how the building and landscape design has responded to and mitigates the urban heat island effect, including high-SRI roofing and external finishes.
- Whilst this 90% landfill diversion target is excellent it is not considered innovative. Update to reflect.
- Confirm building tuning and commissioning strategy.
- Clarify commitment to appoint an ISO 14001 accredited head contractor.
- Confirm provision of a project-specific Environmental Management Plan to guide the construction phase.

(4) ESD Improvement Opportunities

- Consider increasing catchment to include trafficable terraces to allow for greater tank size and/or supply reliability.
- Consider increasing the tank size (and rainwater catchment from terraces with additional treatment) to increase tank reliability and further reduce potable water associated with toilet flushing.
- Consider materials and construction techniques to assist with disassembly and re-use at end-of-life.
- Consider providing 1x as a uni-sex shower / changeroom or incorporating this into the DDA toilet on the ground floor.

Recommendations

Having reviewed the application material, the applicant is required to address the items above listed as ESD deficiencies (2) and Outstanding Information (3) – and is strongly encouraged to incorporate the ESD improvement Opportunities (4) where practical.

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Development Engineering

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	3,741 m ²	3.0 spaces per 100 m ² of net floor area	112 spaces	34 spaces

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

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

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

Parking Demand Consideration	Details
<i>Parking Demand for Office Use</i>	<p>The proposed office would be providing on-site car parking at a rate of 0.91 spaces per 100 square metres of floor area. Office developments throughout the municipality have been approved by Council with reduced rates. A few examples include:</p> <ul style="list-style-type: none"> 60-88 Cremorne Street, Cremorne – 0.72 spaces/100 m² 51 Langridge Street, Collingwood – 0.54 spaces/100m² 2-16 Northumberland Street, Collingwood – 0.89 spaces/100m² <p>The proposed office parking rate of 0.91 spaces per 100 square metres of floor area is considered appropriate as the site has very good access to public transport and seeks to encourage more sustainable forms of transport.</p>
<i>Availability of Public Transport in the Locality of the Land</i>	<p>The following public transport services can be accessed to and from the site by foot:</p> <ul style="list-style-type: none"> Bridge Road trams – 10 metre walk Church Street trams – 380 metre walk Swan Street trams – 850 metre walk
<i>Multi-purpose Trips within the Area</i>	<p>Customers and clients to the development could combine their visit by engaging in other activities of business whilst in the area.</p>

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Parking Demand Consideration	Details
<i>Convenience of Pedestrian and Cyclist Access</i>	The site is very well positioned in terms of pedestrian access to public transport nodes, businesses and other essential facilities. The site also has good connectivity to the on-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

Consideration	Details
<i>Availability of Car Parking</i>	The demand for on-street parking in the surrounding area is very high. Since parking turnover is frequent, short-stay parking spaces could be found near the site.
<i>Relevant Local Policy or Incorporated Document</i>	The proposed development is considered to be in line with the objectives contained in Council's <i>Strategic Transport Statement</i> . The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.
<i>The Future Growth and Development of an Activity Centre</i>	<i>Practice Note 22 – Using the Car Parking Provisions</i> indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such as the Bridge Road retail precinct, where spare on-street car parking capacity would be shared amongst sites within the activity centre.
<i>Other Relevant Considerations</i>	The scarcity of available long-stay on-street parking would be disincentive for employees to commute to and from the site by private cars. For employees who do not have access to an on-site parking space, other travel arrangements would need to be made, such as take public transport or ride a bicycle. It is understood that the applicant has prepared a green travel plan to promote more sustainable modes of transport.

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of car parking for the office use is considered appropriate in the context of the development and the surrounding area. Employees who do not have access to on-site parking would make other travel arrangements to commute to and from the site, such as take public transport or ride a bicycle. The operation of the development should not adversely impact on the existing on-street parking conditions in the area.

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

TRAFFIC IMPACT

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Trip Generation

The trip generation for the site adopted by One Mile Grid is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	AM Peak Hour	PM Peak Hour
Office	0.5 trips per on-site space in each peak hour	Not provided	17 trips	17 trips

Directional Split Assumptions

A directional split assumption of 100% inbound during the AM peak hour and 100% outbound during the PM peak hour is considered reasonable for this site.

Traffic Impact on Laneway and Road Network

One Mile Grid had conducted peak hour turning movement counts at the junction of Coppin street and the east-aligned laneway abutting the development's northern boundary. The counts indicate that one vehicle trip had been recorded in the laneway during the PM peak hour. It is agreed that the traffic generated by the development should not adversely impact on the traffic operation of the laneway.

The traffic generated by the development could be accommodated with the surrounding road network.

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The development entrance is located off the east-west aligned laneway connecting Coppin Street. Vehicles would enter the basement car parking levels via a single car lift, which is set back from the laneway by 2.955 metres. The access arrangements for the site are considered satisfactory.
Visibility	Visibility plays for pedestrians are not technically required as vehicles would be exiting onto a laneway. The laneway is a low speed, low volume environment and vehicles exiting the site have visibility of traffic conditions within the laneway.
Headroom Clearance	The proposed car lift cabin has a minimum headroom clearance of 2.1 metres and satisfies <i>Design standard 1 – Accessways</i> of Clause 52.06-9.
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the parking spaces (2.6 metres by 4.9 metres) satisfy <i>Design standard 2: Car parking spaces</i> of Clause 52.06-9.
Waiting Bay (Parallel Parking Space)	The dimensions of the single parallel parking space (2.3 metres by 6.7 metres) satisfy <i>Design standard 2</i> .
Accessible Parking Spaces	The dimensions of the accessible parking spaces and shared areas (each 2.4 metres by 5.4 metres) satisfy the Australian/New Zealand

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Item	Assessment
	Standard AS/NZS 2890.6:2009. The accessible bays and shared areas do not contain the access symbols or striped line markings as required by the Standard.
Tandem Parking Sets	Tandem parking sets have lengths of 10.3 metres, which satisfy <i>Design standard 2</i> .
Aisles	The 6.4 metre wide aisle satisfies <i>Table 2: Minimum dimensions of car parking spaces and accessways</i> of Clause 52.06-9.
Column Depths and Setbacks	The setbacks from the aisles and depths of the columns have not been dimensioned on the drawings.
Clearances to Walls	Spaces adjacent to walls have been provided with 300 mm clearances, which satisfy <i>Design standard 2</i> .
Car Lift	
Car Lift Device	The proposed car lift core has dimensions of 4.0 metres by 6.65 metres. The car lift to be used in the development is manufactured by Liftronic, although the specific model type is not been specified by the applicant. The car lift core is able to accommodate a lift with a useable platform width of 2.4 metres and a length of 5.31 metres, which can comfortably cater for a B85 design vehicle. One Mile Grid traffic engineering consultants have estimated that the total service time for the car lift is 65 seconds, which is considered reasonable.
Performance of Car Lift	<p>For the operation of the car lift, the AM peak hour would be the critical time (the time the maximum number of cars are wishing to enter the site).</p> <p>The car lift is capable of servicing 55 vehicles per hour, based on a total service time of 65 seconds. The AM peak hour inbound volume would be 17 trips per hour.</p> <p>The utilisation ratio for the car lift (usage/capacity) would be 0.31 (= 17 vehicle trips per hour/55 vehicles per hour).</p> <p>To determine the storage queue of the car lift, guidance is sought from the Australian/New Zealand Standard AS/NZS 2890.1:2004. A mechanical device such as a car lift should have sufficient vehicle storage to accommodate the 98th percentile queue (the queue that will be exceeded on 2% of occasions). By knowing the utilisation ratio of the car lift (in this case, 0.31), the 98th percentile queue length can be calculated.</p> <p>Queue Length, $N = (\log_{10} \text{Pr}(n > N) / \log_{10} \rho) - 1$</p> <p>$\text{Pr}(n > N) = \rho^N + 1$</p> <p>where $\rho = r / s$ (utilisation factor)</p> <p>$\rho = \text{average arrival rate} / \text{average service rate}$</p> <p>$= 17 / 55$</p> <p>$= 0.31$</p> <p>$N = (\log_{10} 0.02 / \log_{10} 0.31) - 1$</p> <p>$= 2.34 \text{ car lengths, say } 3 \text{ car lengths}$</p> <p>The 98th percentile queue length for the car lift during the AM peak hour would be three car lengths. The queue length also includes a</p>

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Item	Assessment
	<p>car inside the device, resulting in a queue of two cars external to the car lift.</p> <p>The development is provided with one waiting bay adjacent to the laneway. Queuing external to the site needs to be reviewed in context. On rare occasions where a waiting vehicle may be external to the site, this vehicle could park temporarily in Coppin Street. In summary, we are satisfied that the car lift would operate satisfactorily without adversely impacting the traffic conditions in the laneway.</p>
Swept Path Assessment	
Vehicle Ingress and Egress Movements Car Lift via Laneway and Coppin Street SPA100* Revision A	The swept path diagram for a B99 design vehicle entering the car lift via the laneway and Coppin Street is considered satisfactory. The swept diagram for a B85 design vehicle exiting the car lift and proceeding onto the laneway and Coppin Street is also satisfactory.
Vehicle Egress Movements Car Lift via Laneway SPA101 Revision A	The swept path diagram for a B99 design vehicle exiting the car lift and entering the laneway is considered satisfactory.
Waste Collection Vehicle Movement SPA102 Revision A	The swept path diagram for a 6.41 metre long waste collection vehicle entering the laneway via Coppin Street is considered satisfactory. Collection of waste is generally not permitted in laneways. It is understood that comment is being sought Council's City Works – Waste Management team.
Vehicle Manoeuvrability Use of Waiting Bay SPA102 Revision A	The swept path diagram for a B85 design vehicle entering the waiting bay and manoeuvring into the car lift is considered satisfactory.
Vehicle Turning Movements Basement 1 Car Park SPA200	The swept path diagrams for a B85 design vehicle entering and exiting critical parking spaces and the accessible parking space are considered satisfactory.
Vehicle Turning Movements Basement 2 Car Park SPA300	The swept path diagrams for a B85 design vehicle entering and exiting critical parking spaces and the accessible parking space are considered satisfactory.
Other Items	
Finished Floor Level of Development Entrance/Setback Area	The finished floor levels along the front edge of the development entrance/setback area are to be set 40 mm higher than the edge of the laneway, as highlighted below:

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Item	Assessment
Canopy – Bridge Road and Coppin Street	<p>It is proposed to provide a canopy along the property's Bridge Road and Coppin Street frontages. For the canopy's headroom clearance and setback from the kerb, guidance is sought from the <i>Building Regulations</i> 2018. The canopy must have a minimum headroom clearance of 3.0 metres and a minimum setback of 750 mm from the kerb.</p> <p>The canopy has a minimum headroom clearance of 3.69 metres, which satisfies the Building Regulations. The setback of the canopy from the kerb has not been dimensioned on the drawings.</p>
Wall Mounted Vertical Lighting	<p>The wall mounted vertical lighting would be classified as an architectural feature under the <i>Building Regulations</i> 2018. Under Regulation 101 – Architectural features – wide street, a minimum headroom clearance of 2.7 metres is required for an architectural feature. The proposed 2.55 metres headroom clearance is insufficient.</p>

* One Mile Grid swept path diagram drawing number.

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Accessible Parking Spaces	The symbol of access for the accessible parking spaces and the diagonal striped line markings for the shared areas are to be provided in accordance with AS/NZS 2890.6:2009.
Column Depths and Setbacks	The column depths and setbacks from the aisle are to be dimensioned on the drawings. The positions of the columns must be located outside the parking space envelope as per <i>Diagram 1 Clearance to car spaces</i> of Clause 52.06-9.
Canopy	The canopy setbacks from the kerb are to be dimensioned on the drawings and must be a minimum of 750 mm as required by the <i>Building Regulations</i> 2018.
Wall Mounted Vertical Lighting	The wall mounted vertical lighting is to have a minimum headroom clearance of 2.7 metres as required by the <i>Building Regulations</i> 2018.

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ENGINEERING CONDITIONS

Civil Works

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

- The footpaths along the property's Bridge Road and Coppin Street frontages must be reconstructed and satisfy the following:
 - All footpaths adjacent to the property must be reconstructed in accordance with Council standards;
 - The footpath must be reconstructed in compliance with DDA requirements: maximum crossfall – 1 in 33 for asphalt and 1 in 40 for concrete;
 - Internal finished floor levels (FFL) must be aligned to the proposed DDA compliant footpath levels at the interface with the property boundary;
 - Existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades; and
 - The footpaths are to be reconstructed at the Permit Holder's cost.
- The redundant vehicle crossings along the property's Bridge Road and Coppin Street frontages must be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.
- The kerb and channel along the property's Bridge Road and Coppin Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The Permit Holder must prepare and submit detailed engineering design drawings of all road infrastructure and public realm works associated with this development to Council for assessment and approval.

Road Asset Protection

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

Impact of Assets on Proposed Development

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, valves or meters on Council property will be accepted.

Construction Management Plan

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

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

Strategic Planning

Relevant amendment and status

Officers have prepared draft Amendment C291yara, which proposes to replace interim DDO21 and DDO22 with new permanent built form provisions for the Bridge Road and Victoria Street Activity Centres. Under the draft amendment, five new DDOs would apply to Bridge Road replacing DDO21.

The draft DDO, proposed as part of C291yara, that would apply to 393 Bridge Road, Richmond is DDO43 – Bridge Road Central.

The Minister for Planning has set up the Yarra Activity Centre Standing Advisory Committee (SAC) to consider Amendment C291yara and other draft amendments for Yarra's activity centres.

Draft Amendment C291yara was placed on public exhibition in September – October 2021. Council received a total of 122 submissions to the draft Amendment. Council considered submissions and adopted a preferred position for the purposes of advocacy before the SAC at its ordinary meeting on 21 December 2021. Following the Council Meeting, Council requested the Minister refer to draft amendment to SAC.

The Hearing was held in April 2022. Council expects to receive the Committee's report in late June 2022. Following receipt of the report, it is anticipated Council would consider the recommendations of the report and adopt a final preferred position on the amendment to forward to the Minister for Planning. The Minister would then consider the SAC Report and Council's version. The Minister can either approve or reject the draft amendment and/or make changes.

While it is acknowledged that the draft amendment is not yet 'seriously entertained', the draft amendment has been considered by the SAC and provides information about Council's intent. Strategic Planning considers the background material and proposed DDOs should be considered in decision making.

Existing and proposed controls

DDO21 and proposed DDO43

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Subject Site Plan



Summary of Strategic Planning full comments:

The following feedback is provided:

Planning application PLN/0987 does not meet a number of the design objectives and requirements in DDO21 and proposed DDO43, including building height, street wall height, upper level setback, building separation and rear interface requirements.

Further discussion can be found below in Table 1.

Overall Building Height

The proposed development at 28m does not comply with the 18m mandatory maximum building height in proposed DDO43 nor the preferred 18m height in Interim DDO21. If DDO43 is approved in its current form, a permit could not be issued to exceed the mandatory height of 18m.

Strategic Planning officers do not support the proposal to exceed the 18m height.

Both DDOs include criteria which should be met where a development exceeds a preferred building height. (As this is a proposal for an office development some of the criteria, such as housing diversity, do not apply.)

The proposed development satisfies the BESS criteria but does not meet the following in DDO21:

Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements

greater building separation (see building separation discussion below)

no additional amenity impacts to residentially zoned properties than would be generated by a proposal that complies with the preferred building height (see rear interface discussion below).

DDO21 supports 'a mid rise scale built from character' however proposed DDO43 supports 'lower mid-rise' development. While lower mid-rise is not defined in the DDO, the proposed 28m development is unlikely to be considered a lower-mid rise development. The objectives in DDO43 also specifically direct taller development to sites behind Bridge Road. This site is not located behind Bridge Road.

The 18m height applies in both DDOs to properties fronting Bridge Road between Church Street and Gardner Street (excepting the Town Hall in proposed DDO43). While a Heritage Overlay applies to the

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majority but not all properties along Bridge Road in this precinct, the precinct is defined by its heritage character. A key focus of both DDOs is in retaining the visual prominence of heritage buildings and the streetscape.

While the height of the proposed development meets aspects of the design objectives in the two DDOs, it does not meet design objectives (and Precinct Design Requirements in DDO21) which seek to ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape.

It is considered the proposed height of the development:

will have an adverse impact on the prominence of the adjoining heritage buildings and the wider heritage streetscape.

does not provide a respectful transition to the heritage buildings directly abutting the site to the west or across Coppin Street to the east.

will punctuate the skyline along this part of Bridge Road.

create a highly visible and dominant building in the street given the site's location on a prominent corner.

Strategic Planning officers do not consider the proposed development at 373 Bridge Road should be used a precedent to permit higher development on this site. The proposed 8 storey development was approved in January 2018 before the interim controls were in place.

Street Wall Height

The proposed street wall heights partially comply with the requirements in DDO21 and proposed DDO43.

The proposed development complies with the maximum street wall height set out in the two DDOs, however it does not meet the requirement to match the parapet height of the adjoining heritage building to the buildings west along Bridge Road or to the substation north along Coppin Street.

It is recommended heritage and urban design advice is sought to determine whether the street wall height should be reduced to align with the neighbouring heritage buildings.

Upper Level Setbacks

The proposed development complies with the upper level setback for Bridge Road but does not comply with the requirement for Coppin Street.

No justification has been provided as to why the upper level setback has been reduced from 6m to 4m on Coppin Street.

The larger upper level setback would better match the front setbacks of dwellings to the north and promote a better transition to the heritage sub-station. It would also help to ensure any upper levels are more recessive given the prominence of upper levels of this corner site.

The proposal does not meet the sightline test in Figure 3 of DDO21. Compliance with the 1/3 sightline test shows that the building should be a maximum of 6 storeys on Bridge Road and slightly less than 6 storeys on Coppin Street.

Building Separation

The proposed development partially complies with the building separation requirements in the two DDOs.

Both DDOs have separation requirements which apply to buildings of 21m or more:

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DDO21 requires a setback of one-sixth of the site for development above 21m (ie 4.3m based on the 26m site width).

DDO43 requires a setback of 4.5m for any part of the building above 15m in height.

The proposed development proposes a blank wall and no upper level setbacks on its western boundary.

The sites to the west are heritage shops in HO310, on narrow sites and in individual ownership. Both DDOs propose an 18m height (mandatory in the case of DDO43) between Gardner Street and Coppin Street. The blank wall above the heritage buildings would be highly visible from the west. They are less likely to develop and if they were would not reach heights taller than 18m.

To address the context to the west, it is recommended all development above 18m should be setback 4.5m with all visible upper levels designed to reduce the impacts of the blank wall on heritage buildings, provide space between buildings and design the building in the round.

Rear Interface

Both DDOs include design objectives addressing residential amenity.

As the proposed development is to the south of the adjoining residential area, overshadowing is not an amenity issue. In terms of overlooking, the presence of decks and windows on levels 3 to 5 (depending on treatment) could present amenity concerns, noting Statutory Planning officers will examine this issue in detail.

The proposed design does not adequately minimise visual bulk impacts to the surrounding low rise residential areas. While taller development is expected in the activity centre, both DDOs propose 18m. The 28m height exacerbates this issue.

Both DDOs require development is set back from residentially zoned land as shown in Figure 1. These are preferred requirements that can be varied.

The proposed application exceeds the rear wall height. Levels 3 and 4 (See Image 4) at the rear encroach considerably into the rear interface.

To comply with the rear interface, the rear wall should be reduced – it exceeds the maximum height on the laneway in Figure 1 by 2.2m. A lowered wall height would provide better transition to the single storey heritage houses and heritage substation on Coppin Street.

It is also recommended that levels 3 and 4 (See Image 4) be set back further at the rear of the building to comply with Figure 1.

Views to Landmarks

Based on the images provided in the application, the proposed development does not appear to obscure views to the Richmond Town Hall from Burnley Street to the east or Lennox Street to the west.

However, both DDOs include a requirement to maintain clear sky views between the identified architectural elements of the landmark and new development.

The approved (but not yet started) development at 373 Bridge Road would obscure clear skies behind the Town Hall when viewed from Lennox Street.

However, if this permit expired, the building at 393-395 Bridge Road would be visible behind the Town Hall. A reduced building height would ensure clear skies behind the Town Hall are retained should the permit for 373 Bridge Road expire.

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Conclusions

To comply with DDO21 and proposed DDO43, the following is recommended:

Overall Building Height

- Reduce the building height to 18m.

Street Wall Height

- Confirm with Council's Heritage and Urban Design Advisers whether the street wall height should be reduced to match the parapet of the neighbouring heritage buildings.

Upper Level Setbacks

- Apply a 6m upper level setback to Coppin Street.

Building Separation

- Set the development above 18m back 4.5m on the western boundary.

Rear Interface

Lower the rear wall height and set levels 3 and 4 back to better align with Figure 1 in DDO21 and DDO43 and reduce bulk issues

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Assessment of compliance with built form requirements (as carried out by Strategic Planning Department):

Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
Building height	<p>18m (Preferred)</p> <p>Criteria to exceed a preferred building height listed in Appendix 1 below.</p>	<p>18m (mandatory)</p> <p>While the height is a proposed mandatory height in proposed DDO43, the criteria to exceed a preferred building height are also listed in Appendix 1 below.</p>	<p>28.5m</p>	<p>DDO21</p> <p>The proposed height of 28.5m exceeds the 18m preferred building height requirement by 10.5m.</p> <p>DDO21 includes criteria which should be met where a development exceeds a preferred building height. (As this is a proposal for an office development some of the criteria, such as housing diversity, do not apply.)</p> <p>The proposed development satisfies the BESS criteria but does not meet the following:</p> <p><i>the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the relevant Precinct Design Requirements specified in this schedule</i></p> <p><i>greater building separation than the minimum requirement in this schedule; (see building separation discussion below)</i></p> <p><i>no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height (see rear</i></p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<p>interface discussion below)</p> <p>The development meets aspects of the Design Objectives in DDO21, including:</p> <ul style="list-style-type: none"> • supporting ‘a mid rise scale built from character’ • maintaining ‘a prominent street wall character along Bridge Road’ • providing comfortable level of street enclosure, maintaining solar access to key footpaths, and ensuring a high quality built form interface to all streets and public spaces. <p>However Strategic Planning does not consider the proposed development meets the third design objective:</p> <p><i>To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape.</i></p> <p>It also does not meet the following precinct design requirements for Precinct 3:</p> <p><i>retain the visual prominence of heritage buildings in the streetscape, including the row of</i></p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<p><i>heritage buildings at 289-307 Bridge Road and the return façade of corner heritage buildings;</i></p> <p><i>provide a respectful transition along Bridge Road to heritage buildings;</i></p> <p>DDO21 also includes a Decision Guideline which requires consideration of:</p> <p><i>The profile and impact of development on the vista along Bridge Road and Church Street.</i></p> <p>The 18m height applies to properties fronting Bridge Road between Church Street and Gardner Street. While a Heritage Overlay applies to the majority but not all properties along Bridge Road in this precinct, the precinct is defined by its heritage character. A key focus is in retaining the visual prominence of heritage buildings and the streetscape.</p> <p>It is considered the proposed height:</p> <ul style="list-style-type: none"> • will have an adverse impact on the prominence of the adjoining heritage buildings and the wider heritage streetscape. • does not provide a respectful transition to the heritage buildings directly abutting the site to the west or across Coppin Street to the east.

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<ul style="list-style-type: none"> will punctuate the skyline along this part of Bridge Road. <p>The building will be especially prominent if the heritage buildings to the west and east are not developed or develop to 18m. These properties are unlikely to accommodate development above 18m due to heritage considerations, site size and width and the individual ownership patterns.</p> <p>The 28m height is highly visible and dominates the street given the site's location on a prominent corner.</p> <p>It is also noted the application of the sightline test in DDO21 results in a 6 storey building (see Upper level setbacks below).</p> <p>Proposed DDO43</p> <p>The proposed development does not comply with the proposed 18m mandatory building height in DDO43. If DDO43 was approved in its current form, a permit could not be issued to exceed the mandatory height of 18m.</p> <p>An 18m height also applies from Church Street to Gardner Street in DDO43 (excepting the Town Hall). However, it proposes a mandatory height limit of 18m between Griffith Street and Gardner Street and the sites west of the Town Hall.</p> <p>The development does not meet two key Design Objectives in proposed DDO43:</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<p><i>To support lower mid-rise development that retains the visual prominence of heritage buildings, heritage streetscape, local landmarks and the visual separation and openness between the Richmond Town Hall and other heritage buildings.</i></p> <p><i>To support high quality taller development on large sites behind Bridge Road which activate the street frontage and contribute to the public realm.</i></p> <p>DDO43 specifically highlights lower mid-rise development. While lower mid-rise is not defined in the DDO, an 8 storey development is not considered a lower-mid rise development.</p> <p>The objectives also specifically direct taller development to sites behind Bridge Road. This site is not located behind Bridge Road.</p> <p>As noted in the discussion above, the proposed 28m height does not retain the visual prominence of heritage buildings and heritage streetscape.</p> <p>Strategic Planning does not consider the proposed development at 373 Bridge Road should be used a precedent to permit higher development on this site. The proposed 8 storey</p>

Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<p>development was approved in January 2018 before the interim controls were in place. Interim DDO21 and proposed DDO43 both seek 18m.</p> <p>A permit which exceeds the current 18m height is not supported.</p>
Street wall height	<p>Bridge Road: 11m (Preferred)</p> <p>Coppin Street: 11m (Preferred)</p> <p>The street wall height of development in a heritage overlay or immediately adjoining a heritage overlay must match the parapet height of the adjoining taller heritage building.</p>	<p>Bridge Road: 8-11m (Mandatory)</p> <p>Coppin Street: 8-11m (Preferred)</p> <p>Development should achieve a continuous street wall along Bridge Road with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.</p> <p>Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.</p> <p>On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.</p>	<p>Bridge Road: 10.79m</p> <p>Coppin Street: 10.79m</p>	<p>DDO21</p> <p>The proposed street wall heights partially comply with the requirements in DDO21. At 10.79m to the parapet, it does not exceed the maximum height of 11m in DDO21.</p> <p>However, the street wall does not match the parapet height of the adjoining heritage building to the buildings west along Bridge Road or to the substation north along Coppin Street.</p> <p>It is recommended that heritage and urban design advice is sought to determine whether the street wall height should be reduced to align with the neighbouring heritage buildings.</p> <p>There is a balustrade that is set slightly behind the street wall. It is considered this will likely detract for the heritage streetscape to the west of the site. See Appendix 2 for screen shots.</p> <p>Proposed DDO43</p> <p>The proposed street wall heights partially comply with the requirements in proposed DDO43. The street wall comply with the maximum street wall heights but do not match the parapet height of the adjoining heritage</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<p>building to the buildings west along Bridge Road or to the substation north along Coppin Street.</p> <p>See comments in DDO21 on this issue, noting DDO43 requires the street wall transitions from the heritage building street wall height for a minimum distance of 6m.</p>
Street wall Setback	Not specified in DDO21, however the definition of street wall states that the façade is at the street boundary.	0m (Preferred)	0m along Bridge Road and Coppin Street	<p>DDO21 and Proposed DDO43</p> <p>The proposed street wall setback complies with the requirements in DDO21 and proposed DDO43.</p>
Upper level setback	<p>Bridge Road: 6m (Preferred)</p> <p>Coppin Street: 6m (Preferred)</p> <p>Must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3.</p> <p>All development must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form.</p>	<p>Bridge Road: 6m (Mandatory)</p> <p>Coppin Street: 6m (Preferred)</p> <p>Development should:</p> <ul style="list-style-type: none"> Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall. Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street. contain upper level setbacks above the street wall within a maximum of two steps to avoid 	<p>Bridge Road: 6m</p> <p>Coppin Street: 4m</p>	<p>DDO21</p> <p>The proposed development complies with the Bridge Road upper level setback but does not comply with the Coppin Street requirement.</p> <p>In DDO21, the upper level setbacks are preferred and can be varied.</p> <p>The proposal does not meet the sightline test in Figure 3 of DDO21. Compliance with the 1/3 sightline test shows that the building should be a maximum of 6 storeys on Bridge Road and slightly less than 6 storeys on Coppin Street.</p> <p>The Bridge Road façade complies with the 75% requirement (at 79%). However, the Coppin Street façade does not meet the requirement - only 59% of this façade is at the same setback.</p> <p>No justification has been provided as to why the upper level setback has been</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
		repetitive steps in the built form.		<p>reduced from 6m to 4m on Coppin Street. A larger upper level setback would better match the front setbacks of dwellings to the north and promote a better transition to the heritage sub-station. It would also help to ensure any upper levels are more recessive given the prominence of upper levels of this corner site.</p> <p>Proposed DDO43</p> <p>In proposed DDO43, the upper level setback to Bridge Road is a mandatory minimum with Coppin Street, a preferred setback.</p> <p>DDO requires that development ‘<i>should contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form</i>’. The proposed development achieves this on Bridge Road but not on Coppin Street.</p> <p>See commentary above on the Coppin Street upper level setback.</p>
Overshadowing	Development must not overshadow any part of the southern footpath of Bridge Road to a distance of 3.0 metres from the kerb between 11am and 2pm on 22nd September. A permit cannot be granted to vary this requirement.	<p>A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm on 22nd September:</p> <ul style="list-style-type: none"> any part of the southern footpath of Bridge Road, measured from the property boundary to the existing kerb. 	<p>Complies</p> <p>No overshadowing of southern footpath of Bridge Road</p> <p>No overshadowing of the opposite</p>	<p>DDO21 and Proposed DDO43</p> <p>Application complies with the overshadowing requirements set out in DDO21 and proposed DDO43.</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
		<p>A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm on 22nd September, unless the additional overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:</p> <ul style="list-style-type: none"> any part of the opposite footpath of Church Street, Gleadell Street, Griffiths Street, Gardner Street and Coppin Street (north of Bridge Road), measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting). 	footpath in Coppin Street	
Building separation	<p>1) Where development shares a common boundary, upper level development must:</p> <ul style="list-style-type: none"> be setback a minimum of 4.5m from the common boundary, 	<p>1) For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:</p> <ul style="list-style-type: none"> 4.5 metres from the common boundary, where a habitable window or 	Partially complies	<p>DDO21</p> <p>The application complies with the building separation requirements (point 1) for commercial or non-habitable windows. No windows are proposed on the western boundary.</p> <p>However, as the proposed development exceeds 21m, an additional building separation requirement (point 2) applies.</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
	<p>where a habitable window or balcony is proposed;</p> <ul style="list-style-type: none"> be setback a minimum of 3.0m from the common boundary where a commercial or non-habitable window is proposed. <p>2) In addition to the above, a building that exceeds a height of 21 metres must be setback at least one-sixth of the width of the lot to maintain views to the sky between buildings. Where the boundary is a laneway, the setback is measured from the centre of the laneway.</p>	<p>balcony facing the common boundary is proposed on the subject site.</p> <ul style="list-style-type: none"> 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site. <p>2) For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.</p>		<p>The proposed application does not provide any upper level setbacks on the west side of the site but proposes a blank wall to the full height of the development 28m.</p> <p>If a development was to be approved at 28m, DDO21 would require a 4.3m setback from the western boundary for development above 21m (ie one-sixth of the width of the 26m wide site).</p> <p>The application assumes that a development to the west will be built to a similar height and proposes a blank wall. The sites to the west are heritage shops in HO310 where an 18m height also applies. A blank wall above 18m or above the heritage buildings if they did not redevelop would be highly visible from the west.</p> <p>To address, the context to the west, it is recommended all development above 18m should be setback 4.5m with all visible upper levels designed to reduce the impacts of blank walls and ensure the building is designed in the round.</p> <p>Proposed DDO43</p> <p>The proposed development at 28m in height does not meet the building separation requirements for developments above 21m. (Noting this requirement would not apply if a mandatory 18m building height is approved for the site.)</p> <p>However, putting this aside, a height of 28.5m DDO43 would require a setback of</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<p>4.5m for levels above 15m. This was applied to maintain views to the sky between buildings.</p> <p>As noted above, should a development of over 18m be supported, it is recommended development above 18m should be setback 4.5m rather than above 15m required in DDO43, aligning with the building height the heritage buildings on adjoining sites could achieve.</p>
Vehicle and pedestrian access	<p>Development must provide safe vehicular access from rear lanes or from side streets.</p> <p>Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.</p> <p>Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone. Where pedestrian access can only be provided from a laneway, the pedestrian entrance must be setback from the rear laneway and well-lit to enable safe access.</p>	<p>Development should not provide vehicle access from Bridge Road.</p> <p>Development should provide vehicular access from rear lanes or from side streets, where possible</p> <p>Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.</p> <p>Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.</p> <p>Development indicated in Plan 3 as requiring a setback should include a rear setback. at ground floor, to facilitate the ongoing function of the</p>		<p>DDO21 and Proposed DDO43</p> <p>Application complies with the vehicle requirements.</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
		<p>laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.</p> <p>In locations where potential one way streets are indicated on Plan 3 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.</p> <p>Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.</p> <p>Car parking should be located within a basement or concealed from the public realm.</p> <p>Development should enhance the amenity and safety of laneways</p>		

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
		that provide pedestrian and vehicular		
Rear interface	Buildings must be set back from residentially zoned land (excluding Mixed Use Zone) as shown in Figure 1. (Preferred) See Appendix 3 for Figure 1	Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access. Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H on Plans 1) should not exceed the maximum heights and setbacks in Figure 1 of this schedule. (Preferred) See appendix 3 for Figure 1 – Interface H.	Does not comply. See appendix 4 and appendix 5.	<p>DDO21 and Proposed DDO43</p> <p>The proposed development exceeds both the rear wall height and upper levels above the rear lane to the north. These are preferred requirements that can be varied.</p> <p>Both DDOs include Design objectives to minimise impacts on residential amenity:</p> <p><i>To minimise amenity impacts on residential properties adjoining the Bridge Road Activity Centre including overlooking, overshadowing and visual bulk impacts. (DDO21)</i></p> <p><i>To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts. (Proposed DDO43)</i></p> <p>As the proposed development is to the south of the adjoining residential area, overshadowing is not an amenity issue.</p> <p>Strategic Planning has not undertaken a comprehensive assessment of overlooking but notes:</p> <ul style="list-style-type: none"> a garden deck built to the boundary on level 3

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				<ul style="list-style-type: none"> windows / cascading garden on levels 4 and 5 within 3 metres of the boundary setbacks of 6.4m and 7.9m apply to levels 6 and 7. <p>The presence of decks and windows on levels 3 to 5 (depending on treatment) could present amenity concerns.</p> <p>The proposed design does not adequately minimise visual bulk impacts to the surrounding low rise residential areas. While taller development is expected in the activity centre, both DDOs propose 18m. The 28m height exacerbates this issue.</p> <p>Both DDOs require development is set back from residentially zoned land as shown in Figure 1.</p> <p>The rear laneway is 3.63m wide. Under Figure 1, a building of 8.63m could be built to the laneway boundary. A building height of 10.8m is proposed on this boundary, exceeding the preferred laneway height by 2.2m.</p> <p>To comply with the rear interface, the rear wall should be reduced. A lowered wall height may would provide better transition to the single storey heritage houses and heritage substation on Coppin Street.</p> <p>Levels 3 and 4 at the rear encroach considerably into the rear interface sought in both DDOs.</p>

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Built form requirements	DDO21 – Precinct 3	Proposed DDO43	Proposal	Assessment of proposal
				It is recommended that levels 3 and 4 be set back further at the rear of the building to comply with Figure 1.
Views to Landmarks	<p>Development must maintain existing views to the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:</p> <ul style="list-style-type: none"> South East Corner of Burnley Street and Bridge Road Intersection; <p>Where a landmark is currently viewed from the above viewing points with a “clear sky” backdrop, development must maintain views to some clear sky between the landmark and the proposed development.</p>	<p>A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmarks (as shown on Plan 1 and 2 and listed below):</p> <p>the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:</p> <ul style="list-style-type: none"> south-west corner of Lennox Street and Bridge Road intersection (View 1); south-east corner of Burnley Street and Bridge Road intersection (View 2); <p>Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.</p>	<p>Complies</p>	<p>DDO21 and Proposed DDO43</p> <p>Based on the images provided in the application, the proposed development does not appear to obscure views to the Richmond Town Hall:</p> <ul style="list-style-type: none"> looking west from the south-east corner of Burnley Street and Bridge Road. looking east from the south-west corner on Lennox Street and Bridge Road. <p>However, both DDOs include a requirement to maintain clear sky views between the identified architectural elements of the landmark and new development.</p> <p>The approved (but not yet started) development at 373 Bridge Road would remove clear skies behind the Town Hall when viewed from Lennox Street and obscures views to the proposed development.</p> <p>However, if the permit for 373 Bridge Road was to expire, the height of the proposed building would negatively impact views to the Richmond Town Hall.</p> <p>A reduced height would ensure clear skies behind the Town Hall are retained should the permit at 373 Bridge Road expire.</p>

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ANITA BRADY HERITAGE

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MEMORANDUM

TO	Statutory Planning Branch, City of Yarra	FROM	Anita Brady
RE	393 Bridge Road, Richmond, CREF22/00045	DATE	23 May 2022

**Introduction**

This memorandum addresses the potential heritage impacts and issues associated with the proposed development of the property at 393 Bridge Road, Richmond, incorporating construction of an eight-storey office building.

The subject property is not a graded heritage property,¹ and is not included in Yarra's Heritage Overlay, however it adjoins the Bridge Road Precinct (HO310). This includes significant graded development to the west on Bridge Road and a contributory graded brick substation to Coppin Street (393A Bridge Road), abutting the north-east corner of the development site. The property is also included in DDO21, the Schedule to which references heritage.

More specifically, this memorandum addresses several queries identified by Council, as follows:

- Relationship (of the proposed development) with individually significant buildings to the west on Bridge Road
- Relationship with the contributory building at 393A Bridge Road on north-east corner of site
- Broader comments relating to the building's impact on the adjacent heritage precinct areas (including viewlines, materiality, streetwall etc)

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Figure 1 Recent aerial image indicating the subject property
Source: Nearmap April 2022

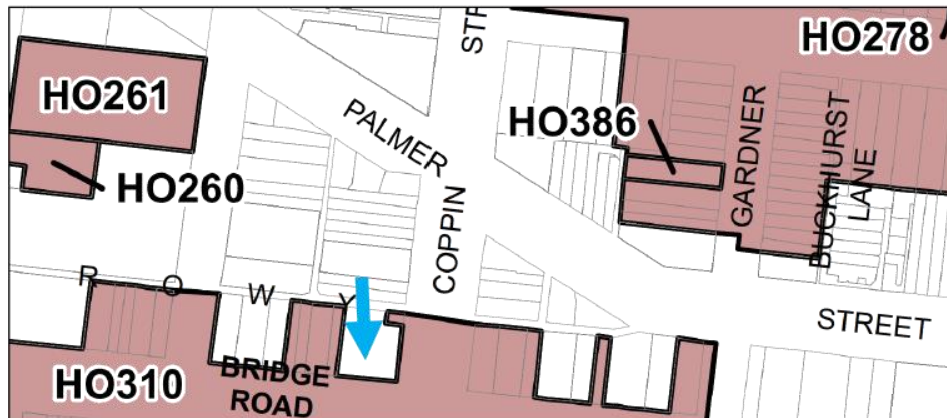


Figure 2 Extract from Yarra Heritage Overlay map, indicating the subject property outside the boundary of the HO310 precinct; the precinct extends further to the west (left) and east (right) of the area shown here
Source: Planning Schemes online

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References

The following have been referred to in preparation of this memorandum:

- Drawings by Davey Architecture Studio (December 2021 and March 2022)
- Town Planning Report by Ratio (December 2021)

Subject site

The subject site is located at the (north-west) corner of Bridge Road and Coppin Street, Richmond. It has long frontages to both streets, being 26.5m to Bridge Road and 25m to Coppin Street. Most of the site is given over to a concrete-paved car yard, with a modern single-storey flat-roofed building, with part-awning, in the northern part of the site. The brick substation referred to above adjoins the east side of the modern building, but also as noted is not included in the development site.

Heritage context

The subject site is adjoined on its west, south and east sides by the HO310 precinct. On the south side is Bridge Road, and on the east side is Coppin Street. The HO310 precinct also includes the small brick substation.

The HO310 heritage precinct is a long linear precinct in Bridge Road, Richmond, which for most of its extent is largely confined (with some exceptions including the subject site) to commercial/retail properties on the north and south sides of the road and including the roadway. The eastern part of the precinct (further east than the subject site) is mostly on the south side of Bridge Road, with several individual properties on the north side included. The north and south precinct boundaries tend to follow the rear property boundaries. In the area of the subject site, there are no other immediately adjoining or abutting heritage precincts.

As per the citation, the precinct is 'aesthetically and historically significant to the locality of Richmond and the City of Yarra' and:²

It is a predominantly 19th and early 20th century commercial strip and Richmond's civic hub, with a contribution from interwar buildings...key characteristics [include] one and two-storey Victorian and Edwardian-era shops...

Typical characteristics (as per the precinct citation) include living accommodation above or at the rear of ground level shops; buildings configured as continuous rows with no front or side setbacks, and set out on a 6m wide module; parapets concealing pitched roofs; rectangular symmetrical window openings to upper level facades; stuccoed facades with classically derived details and ornamentation, plus earlier face brick exteriors (bichrome, polychrome) and later Edwardian (pressed red brick) buildings; once extensive post-supported street verandahs, of timber and iron, with some cantilever awnings for twentieth century buildings; and historically large display windows at ground level, timber framed with plinths, and recessed tiled or stone paved entries. Richmond Town Hall, and associated Court House and Police Station are identified as having 'landmark qualities' in the precinct. The former Finchams Organ Factory is also identified as an 'industrial landmark'. The 'dominant Victorian-era and Edwardian-era scale' is identified under 'Why is it significant?'.

Regarding the properties adjoining the subject site and included in the precinct:

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- **West** is a row of five two-storey rendered masonry Victorian-era commercial terraces at 381-389 Bridge Road, which have been built as a suite. All are graded significant and have ornate frontages; especially intact first floor facades with window hood mouldings; and elaborate parapets including central and secondary pediments to the end buildings. No 383 is identified in the precinct citation as having a shopfront from the early twentieth century. The Richmond Conservation Study (1985) estimated the construction date of the row as c.1885 and described the row as 'a prominent feature of the Bridge Road commercial precinct'.
- **North** is the contributory graded interwar brick substation at 393A Bridge Road, which faces Coppin Street. This is a small, simply detailed, face brick gable-ended building with a central timber door, in a typical interwar 'substation' form.
- **East** is the roadway of Coppin Street and on the opposite corner on the north side of Bridge Road is 405 Bridge Road, which is a double-storey painted brick commercial building. This is identified as not contributory, with a date of 1990-2000 in Council's Database of Heritage Significant Areas (December 2020), although it appears to be an early twentieth building.
- **South** is the roadway of Bridge Road and on the opposite south side of the road are mostly contributory graded commercial buildings, with the significant graded Spread Eagle Hotel on the diagonally opposite corner of Bridge Road and Coppin Street.

Notably, development in all the above directions, in the vicinity of the subject property and included in the HO310 precinct, is predominantly of two-storey scale, with some development of single-storey scale; further afield there are buildings of three storeys.

The most immediate heritage sensitive interface of the proposed development is the significant graded Victorian terraces at 381-389 Bridge Road, to the west. This row is very much part of the valued heritage character and presentation of the precinct and displays many of the valued precinct characteristics as identified in the precinct citation. It is also, as noted above, 'a prominent feature of the Bridge Road commercial precinct'. The prominence of the building is an important consideration here.

Conversely, the interface with the modest utilitarian substation to the north is less sensitive. Further, there are no Heritage Overlay precinct or heritage places to the north again on Coppin Street. The east side of Coppin Street – opposite the subject site in the HO310 precinct – also has an ungraded building, which again lessens the heritage sensitivity.

However, the location of the subject site in relation to the linear HO310 precinct is an important consideration. It is at a prominent corner, and while excluded from the precinct, it is very much part of – and prominently so – the Bridge Road streetscape. The latter, again in this area and as noted, is consistently and repetitively of two-storey scale, with some development of single-storey scale.

The Town Planning Report (p.22) refers to higher developments in this general area. However, these are outside the HO310 heritage precinct by some distance; or if in proximity to the precinct they are set back from Bridge Road, sometimes immediately outside the precinct boundary and are viewed as a back-drop to the precinct and visually separate from it.

Exceptions to the above locations include (as per the Town Planning Report) 310 Bridge Road to the corner of Gleadell Street, which is described in the report as an existing five storey building but as seen from the street is predominantly three (tall) storeys. This building, as with the subject site, is also on a prominent corner in Bridge Road, and is excluded from although

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largely surrounded by the HO310 precinct. The Town Planning Report also identifies an approved but not yet built eight-storey building at 373-375 Bridge Road, to the west of the significant graded terraces at 381-389 Bridge Road. This too is excluded from but again largely surrounded by the HO310 precinct.

DDO21

The Schedule to DDO21 references heritage, including one of the 'Design objectives':

To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape.

A 'General design requirement':

The street wall height of development in a heritage overlay or immediately adjoining a heritage overlay must match the parapet height of the adjoining taller heritage building.

For development of 'land immediately adjacent to a Heritage Overlay':

- ensure the façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s);
- respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s);
- avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts;
- maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building;
- be articulated to reflect the fine grained character of the streetscape.

'Upper levels' must:

- be visually recessive and not visually dominate the...heritage streetscape;
- utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades;
- incorporate simple architectural detailing that does not detract from significant elements of the...heritage streetscape;
- be articulated to reflect the fine grained character of the streetscape.

The subject site is in Precinct 3 – Bridge Road Central. Development must:

- retain the visual prominence of heritage buildings in the streetscape...

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- retain the visual prominence of the Richmond Town Hall in the vista along Bridge Road;
- provide a respectful transition along Bridge Road to heritage buildings;

The preferred maximum building height is 18m; the preferred street wall height is 11m; and the preferred minimum setback of the upper levels behind the podium/streetscape component is 6m.

Assessment

Yarra's Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay and Clause 43.01 Heritage Overlay are not directly relevant as the subject site is not included in the Heritage Overlay.

Turning then to DDO21, for the proposed new building, the façade/street wall height (podium), the vertical 'bays' and articulation of the podium, and the proposed awning are generally acceptable. The podium also has a defined ground floor which reflects the distinction between ground and first floors in the facades of adjoining and nearby two-storey commercial terraces. However, the renders indicate highly(?) reflective glass, and it is preferred that the glass is not as reflective so as not to detract from or compete with the adjoining valued development in the heritage precinct including the significant row of terraces to the west.

For the upper levels, these (apart from the height, see below) are generally 'visually lightweight' in their appearance, and are simply detailed in terms of the architectural expression. This is largely as per the DDO.

The proposed building will not compete with the identified 'landmark' buildings in the HO310 precinct and streetscape. The Richmond Town Hall and civic complex is some 200m to the west, while the former Finchams Organ Factory (also identified as an 'industrial landmark' in the precinct citation) is some 600m to the east.

The proposal is consistent with the preferred street wall height of 11m, to both Bridge Road and Coppin Street. The preferred 6m minimum setback to the upper levels behind the podium/streetscape component is achieved for the Bridge Road frontage, but not for Coppin Street. The setbacks increase for the top levels. As a general comment, the street wall height and the setbacks are generally acceptable, with the immediate Coppin Street interface of the building (as noted above) being considered less sensitive in heritage terms than the Bridge Road interface.

However, the proposal for the property does not currently 'respect' the values of heritage buildings and heritage development in the adjoining HO310 heritage precinct, as evidenced in the 'dominant Victorian-era and Edwardian-era scale' (as per the precinct statement of significance); and nor does it maintain 'the prominence of the heritage streetscape' in this area of the heritage precinct or provide a 'respectful transition' to the heritage buildings to the west on Bridge Road (as per the DDO). As noted, the subject site is located at a prominent corner and while excluded from the precinct, it is very much part of the Bridge Road streetscape in this area which is mostly included in the precinct. Being on a prominent site, the proposed eight storey building will visibly compete with the predominant two-storey scale of this immediate precinct area.

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The preferred maximum building height in Precinct 3 of DDO21 is 18m, while the current proposal is for a building of 28.5m. In straightforward terms, the overall height of the proposed building will exceed the preferred height by some 10.5m, or the equivalent of (approximately) three levels.

Having regard for this, for the analysis and comments included above including showing more 'respect' for the predominant historical height of the precinct; and avoiding or minimising competition with the 'prominence' of the heritage streetscape/heritage precinct in this area including the adjoining significant terrace row to the west, the overall height of the proposed building is recommended to be reduced. An increase in the setback to the upper levels on the west side, depending also on the approach to reducing the height, may also benefit the heritage context and heritage development to the west.

The reduction in height may be achieved via different approaches, e.g:

- Removal of two full upper levels (two of levels 3, 4 or 5), with the top levels (currently 6 and 7) retaining their setbacks.

Or:

- Removal of one full upper level and one of the top levels (6 or 7).

Or:

- Potentially another approach which reduces the height and prominence of the building, and achieves greater consistency with the DDO preferred height of 18m.

And:

- Consider combining one of the above approaches with an increase in the setbacks on the west side, to part or all of the upper levels.

While the already approved eight storey building at 373-375 Bridge Road will also exceed the DDO height, this development is not adjoined by graded heritage buildings; has a narrower site frontage to Bridge Road; and is not located at a prominent street corner in Bridge Road. These factors serve to lessen the heritage sensitivity of 373-375 Bridge Road.

Concluding with a return to the queries identified by Council, brief responses are provided in red:

- Relationship (of the proposed development) with individually significant buildings to the west on Bridge Road. **The relationship as proposed is not satisfactory, with the proposed building at 8 levels significantly exceeding the scale of the terrace row. There are also no setbacks proposed on the west side of the new building. A reduction in height potentially combined with an increase in the setbacks on the west side will help to address this issue.**
- Relationship with the contributory building at 393A Bridge Road on north-east corner of site. **This is considered to be less of a concern here, albeit the recommended reduction in height of the new building will result in a better outcome for the small-scale substation.**
- Broader comments relating to the building's impact on the adjacent heritage precinct areas (including viewlines, materiality, street wall etc). **The materiality of the new building is acceptable, subject to avoiding highly reflective glass, especially to the proposed podium. The street wall height of the podium is also acceptable. The**

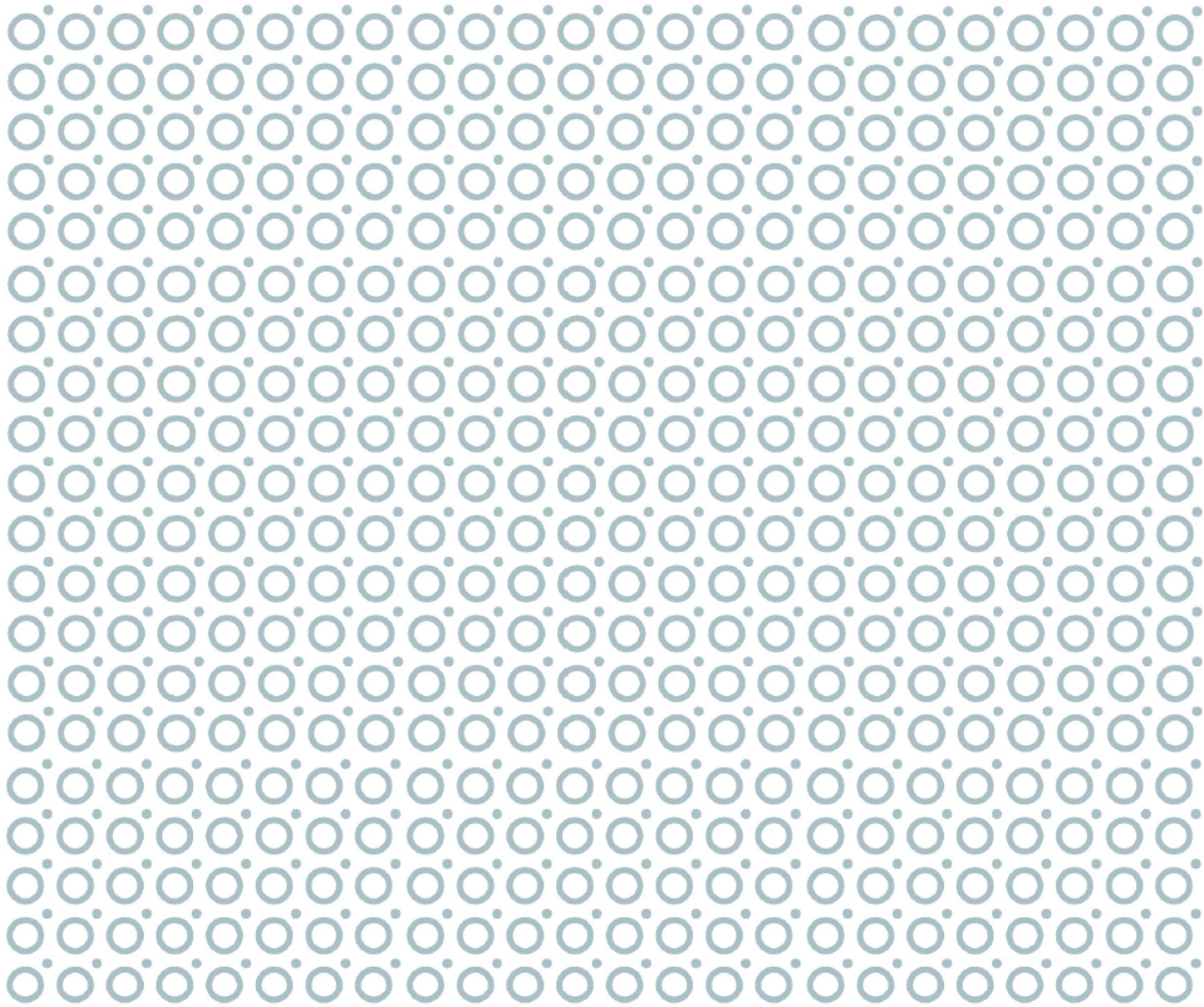
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viewlines, insofar as these relate to potential impacts on the Richmond Town Hall complex to the west, for instance, will not be impacted.

-
- ¹ All the gradings cited here are taken from the City of Yarra Database of Heritage Significant Areas (December 2020)
 - ² <https://vhd.heritagecouncil.vic.gov.au/places/73426/download-report>, downloaded 13 May 2022

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Independent Urban Design Review

Proposed Commercial Office Development, 393 Bridge Road, Richmond
(PLN21/0987)

Prepared by Simon McPherson, for Yarra City Council

31 May 2022

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1.0 Introduction

1.1 Process and involvement

On 31 March 2022, I was asked by Yarra City Council officers to prepare a report comprising urban design review and advice, regarding the proposed commercial office development at 393 Bridge Road, Richmond.

In preparing this review, I have:

- Received and reviewed:
 - Advertised plans for the proposed development, dated 02/04/2021 (Davey Architecture Studio);
 - Town Planning Report, December 2021 (Ratio);
 - Landscape Plans, dated 16.03.2022 (memLa).
- Reviewed the applicable provisions of the Yarra Planning Scheme relating to urban design as listed below;
- Visited the subject site and surrounding area on 25/04/2022. The photographs in this report are my own, except where specified. I have visited the area around the subject site on several occasions, and am familiar with other developments and proposals nearby.

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1.2 Qualifications and experience to prepare this Review

1.2.1 Qualifications and registrations

My academic qualifications are as follows:

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

My professional registrations and memberships are as follows:

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

I am engaged on the following professional organisations:

- Member, **Melbourne Design Review Panel** (City of Melbourne, 2021-);
- Member, **Victorian Design Review Panel** (OVGA, since 2016);
- Member, **Casey Design Excellence Panel** (City of Casey, 2022-);
- Member, **South Australian Design Review Panel** (ODASA, since 2011);
- Member, **Latrobe University Design Review Panel** (currently inactive);
- Member, **Research Advisory Group, PlaceLab**, RMIT University (2022-);
- Global Advisor, United Nations Global Compact – Cities Programme (discontinued);
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand (discontinued).

1.2.2 Experience

Professional experience

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

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

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

Project experience

My urban design experience includes the following projects:

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

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- Lead consultant, Urban Design Guidelines, Bowden, SA (SJB Urban, 2015).
- Urban Design Advice:
 - Eden/Haven/Sanctuary on the River, Abbotsford, for HAMPTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
 - Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
 - Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews:
 - Regular independent reviews of permit applications, for Councils including Melbourne, Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
 - Sunshine NEIC Urban Design Analysis and Framework Plans, for Brimbank City Council, in collaboration with Kinetica;
 - Footscray Built Form Review 2020, for Maribyrnong City Council;
 - Tareit Major Town Centre: Economic Impact Assessment and Design Review 2018, for Wyndham City Council;
 - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
 - 1160 Sayers Road, Tareit, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
 - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008;
 - Brighton Toyota Site UDF, for LEFTA Corporation;
 - Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
 - Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).
- Master Plans and Concept Designs
 - Sunshine Station Master Plan 2021, for Department of Transport, in collaboration with Development Victoria;
 - Revitalising Central Dandenong (Sites 11-15) Master Plan/Development Plan, for Capital Alliance and Development Victoria, 2021;
 - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
 - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
 - 433 Smith Street (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
 - Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
 - Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Experience preparing expert evidence

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

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2.0 Context

2.1 Subject site

The review site at 393 Bridge Road is located on the north side of Bridge Road, at the north-west quadrant of the intersection of Bridge Road and Coppin Street.

The site is rectangular in shape, but excludes the area of a heritage brick substation building in its north-east corner. The site's frontage to Bridge Road is approximately 26.5m long, and the frontage to Coppin Street is approximately 25m long.

Bridge Road is approximately 30m wide including footpaths, and Coppin Street is also approximately 30m wide.

The subject site is positioned within the Bridge Road Major Activity Centre (MAC), which is the focus of DDO21 (see below).

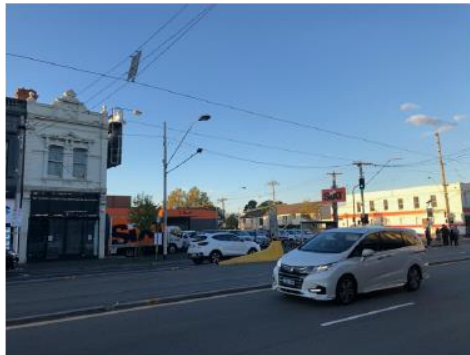


Figure 01: Review site viewed across Bridge Road, with Coppin Street at right.



Figure 02: Review site, Cubitt Street frontage.



Figure 03: Review site, Coppin Street frontage, looking south towards Bridge Road, with heritage streetscape built form along the south side of Bridge Road.



Figure 04: Review site, looking along the Bridge Road frontage to the side wall of the adjoining property.

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2.2 Strategic context

2.2.1 Zoning

The subject site is situated within the **Commercial 1 Zone (C1Z)**. The purposes of this Zone are:

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

2.2.2 Design and Development Overlay DDO21: Bridge Road Activity Centre.

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

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

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

A permit cannot be granted to vary a building height shown as a preferred building height in the relevant precinct Building Heights and Setbacks Plan unless all of the following requirements are met.

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

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

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

Precinct 3: Bridge Road Central

The subject site is in Precinct 3: Bridge Road Central, with precinct design requirements stating that development must:

- *retain the visual prominence of heritage buildings in the streetscape, including the row of heritage buildings at 289-307 Bridge Road and the return façade of corner heritage buildings;*

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- *retain the visual prominence of the Richmond Town Hall in the vista along Bridge Road;*
- *be consistent in form, massing and façade treatment as existing upper level development (where this exists) for any upper level development behind rows of identical or similar residences;*
- *retain the visual separation and openness between the Richmond Town Hall and other buildings within the precinct;*
- *provide a respectful transition along Bridge Road to heritage buildings.*

The applicable controls for the subject site are as follows:

- Maximum building height: 18.0m (preferred/discretionary), or approximately 5 storeys;
- Frontage: 11m street wall (discretionary);
- Upper-level setback: 6m (discretionary).

2.2.3 Amendment C291 / Proposed Design and Development Overlay DDO43: Bridge Road Activity Centre – Precinct 3 Bridge Road Central

I am advised that Planning Scheme Amendment C291 was the subject of a recent Planning Panel hearing, but that a Panel Report has not yet been published.

The Amendment documents include a proposed DDO43 which incorporates the review site.

I am advised that given the Amendment status, this is not a seriously entertained policy/control at this time. However, it is worth considering its directives.

The proposed design objectives are as follows:

- *To support **lower mid-rise development** that retains the visual prominence of heritage buildings, heritage streetscape, local landmarks and the visual separation and openness between the Richmond Town Hall and other heritage buildings.*
- *To support high quality **taller development on large sites behind Bridge Road** which activate the street frontage and contribute to the public realm.*
- *To ensure development retains view lines to the Richmond Town Hall Clocktower and the spire and belfry of St Ignatius Church.*
- *To ensure development enhances the pedestrian experience through **street activation and passive surveillance** along Bridge Road and its side streets and **protects sunlight access to Church Street, Gleadell Street, Griffiths Street, Coppin Street and the southern side of Bridge Road.***
- *To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.*

In comparison to the current DDO21, these objectives reference lower mid-rise, and direct higher forms to sites behind Bridge Road, as well as specifying Coppin Street and the southern side of Bridge Road for solar access.

The proposed DDO43 recommends a **mandatory** maximum height of 18m on the review site, in a key change from the current DDO21, with frontages as follows:

- Interface A to Bridge Road:
 - Mandatory 11m max. and 8m min. street wall height / match parapet height of adjoining heritage building;
 - Mandatory min. 6m upper level setback;
- Interface C to Coppin Street:

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- Preferred 11m max. and 8m min. street wall height / match parapet height of adjoining heritage building;
- Preferred min. 6m upper level setback.

The proposed DDO43 provides requirements (similar to DDO21) for proposals which exceed preferred building heights, but these would not apply to the review site under the proposed mandatory height control.

Expert Evidence: Prof. Robert McGauran

I have also been provided with the Statement of Evidence (Urban Design) to the Am. C291 Panel Hearing by Prof. Robert McGauran (for Council). Professor McGauran recommends discretionary/preferred maximum height of 18m for the review site (but not preferred heights of 28m-30m) as the applicant submitted).

With this in mind, I will consider (in outline) the proposed DDO43 in my assessment below.

2.2.4 Heritage Overlay

The subject site is not covered by the Heritage Overlay, but is directly adjacent (on three sides) to Heritage Overlay HO310 – Bridge Road Precinct, Richmond.

HO310 covers the adjoining properties to the west, the Bridge Road and Coppin Street streetscapes to the south and west of the site, and the existing substation building at the north-west corner of the site.

2.2.5 Planning Policy Framework

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

Clause 11 Settlement provides a range of Strategies for development in established Activity Centres, with a focus on quality, amenity, diversity and responding to context.

- **11.03-1S Activity Centres** provides strategies for building up Activity Centres as a focus for high-quality development, activity and living.
- **11.03-1R Activity Centres – Metropolitan Melbourne** provides strategies for developing activity centres to accommodate significant growth and support high levels of amenity.

Clause 15 Built Environment discusses Urban Design objectives and strategies:

- **15.01-1S Urban Design** provides strategies for safe, healthy, functional and enjoyable urban environments. Strategies include:
 - *Require development to respond to its **context in terms of character, cultural identity**, natural features, surrounding landscape and climate.*
 - *Ensure development **contributes to community and cultural life** by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
 - *Ensure development **supports public realm amenity and safe access** to walking and cycling environments and public transport.*
 - *Ensure that the design and location of **publicly accessible private spaces**, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
 - *Ensure that development provides **landscaping** that supports the amenity, attractiveness and safety of the public realm.*
- **15.01-1R Urban Design – Metropolitan Melbourne** seeks to *create a distinctive and liveable city with quality design and amenity.*

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- **15.01-2S Building design** guides buildings which contribute positively to context and enhance the public realm, including responding to the strategic and cultural context of the location, and minimising the detrimental impact of development on neighbouring properties and the public realm.
- **15.01-4R Healthy neighbourhoods - Metropolitan Melbourne** seeks to create a city of 20-minute neighbourhoods;
- **15.01-5S Neighbourhood character** seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place, including by emphasising the heritage values and built form that reflect community identity.
- **15.02-1S Energy and resource efficiency** promotes consolidation of urban development and integration of land use and transport.
- **15.03-1S Heritage conservation** seeks to encourage appropriate development that respects places with identified heritage values, and to ensure an appropriate setting and context for heritage places is maintained or enhanced.

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

2.2.6 Local Planning Policy Framework

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

Clause 21.03 Vision states that *Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks, and that all new development will demonstrate design excellence*.

Clause 21.04-3 Industry, office and commercial seeks to *increase the number and diversity of local employment opportunities, including commercial and office use in existing industrial areas*.

Clause 21.05-1 Heritage seeks to protect and enhance Yarra's heritage places, and supports the restoration of heritage places.

Heritage is not my area of expertise, and so this Review does not address heritage directly. However, I consider heritage in the context of a comprehensive urban design review.

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

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

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

- *Significant upper level setbacks*
- *Architectural design excellence*
- *Best practice environmental sustainability objectives in design and construction*

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- *High quality restoration and adaptive re-use of heritage buildings*
- *Positive contribution to the enhancement of the public domain*
- *Provision of affordable housing.*

Clause 21.05-3 Built form character seeks to improve the built form character of transport corridors.

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

Clause 21.08-9 Neighbourhoods – North Richmond states that this neighbourhood *is largely residential and Victorian and Edwardian in its origins*, and that *the consistent character of the residential areas must be protected*, but focuses predominantly on the Victoria Street Activity Centre within this Neighbourhood

The Neighbourhood Map for North Richmond locates the subject site in the Bridge Road Major Activity Centre. The Built Form Character Map locates the site in the Heritage Overlay, to ensure that development does not adversely affect the significance of the heritage place.

Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay encourages the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:

- *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
- *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
- *Be visually recessive and not dominate the heritage place.*
- *Be distinguishable from the original historic fabric.*

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

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

Clause 22.03-4 Landmarks Design Response states that *new buildings within the vicinity of the following landmarks should be designed to ensure the landmarks remain as the principal built reference*. These include the clocktower of Richmond Town Hall.

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2.3 Built form context

2.3.1 Site interfaces

The site's immediate interfaces are as follows:

- North: Right of way (rear laneway), edged by the existing substation building, and two heritage terrace houses on the northern side, fronting Coppin Street;
- South: Bridge Road, with 2-storey, fine-grain heritage shopfront buildings opposite;
- East: Coppin Street, with a 2-storey commercial building and -storey residential townhouses opposite;
- West: 2-storey, fine-grain heritage shopfront buildings adjoining the review site.



Figure 05: Review site looking across Coppin Street, with the existing brick substation and Right of Way laneway behind the site, at right.



Figure 06: Entrance to Right of Way laneway from Coppin Street, north of the review site, and adjoining houses.



Figure 07: Bridge Road context, south side, looking east from the review site.



Figure 08: Bridge Road context, diagonally opposite the review site.

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Figure 09: Built form adjoining the review site to the west.



Figure 10: Bridge Road footpath (north side) looking towards the review site.



Figure 11: Built form on Coppin Street (east side) opposite the review site.



Figure 12: Intersection of Bridge Road (right) and Coppin Street (left), looking east, with commercial/retail building opposite the review site.

2.3.2 Physical context

Bridge Road is a major east-west roadway and tram corridor, measuring approximately 30m in width, but narrowing to 20m west of Church Street. It connects to the Melbourne CBD to the west via Wellington Parade, and to the eastern suburbs via Burwood Road to the east. As a Major Activity Centre it incorporates a broad mix of uses including retail, food and beverage, commercial. It features extensive recent higher-scale development predominantly west of Church Street.

The section of Bridge Road containing the review site is characterised by its fine grain, 2-storey shopfront buildings forming intact heritage streetscapes, and which are highly ornate with a range of façade details.

Recent development

Recent development close to the review site includes:

- Jaques, on Coppin Street north of Palmer Street, approximately 90m north of the site (approximately 7-11 storeys);
- Development at 43 Coppin Street (two buildings, 5-8 storeys), approximately 80m south of Bridge Road;

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- Development at 4 Lord Street (6 storeys), approximately 45m south of Bridge Road.

The Application Plans indicate an approved 8-storey development at 373-375 Bridge Road, approximately 30m west of the review site. Like the review site, that land is not covered by the Heritage Overlay.



Figure 13: Bridge Road, looking west from the review site towards the Melbourne CBD.



Figure 14: Bridge Road, looking east from opposite the review site.



Figure 15: View along Bridge Road to Richmond Town Hall from near the review site.



Figure 16: Bridge Road, south side, west of the review site.



Figure 17: Jaques development, fronting Coppin Street (right) and Palmer Street.



Figure 18: Jaques development, viewed behind the review site.

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2.4 Proposed development

2.4.1 Land use distribution

The proposed development comprises an 8-level building (plus basement), as follows:

- Basement (2 levels):
 - Car parking
 - End of trip facilities
 - Building services.
- Ground Floor:
 - Commercial office space;
 - Car lift to basement, accessed from rear lane.
- Levels 1-2: Commercial office space;
- Level 3: Commercial office space with outdoor terrace;
- Level 4: Commercial office space;
- Levels 5-7: Commercial office space with outdoor terraces.

2.4.2 Heights

The total height of the proposed building to parapet level is 28.53m, plus rooftop plant areas (set back).

The proposed street wall height is 11.0m, with a glass balustrade above to the terrace space at Level 3

The proposed floor-to-floor heights are:

- Ground Floor: 3.99m
- Levels 1-2: 3.4m
- Levels 3-6: 3.5m
- Level 7: 3.7m.

2.4.3 Setbacks

The proposed development extends to both street boundaries at Ground floor and Levels 1-2, with setbacks above. The proposed upper level setbacks are as follows:

	Bridge Road	Coppin Street	Rear/north	Side/west
Ground	0m	0m	0m	0m
Level 1	0m	0m	0m	0m
Level 2	0m	0m	0m	0m
Level 3	6m	4m	3m	0m
Level 4	6m	4m	3m	0m
Level 5	6m	4m	6.45m	0m
Level 6	6m	7.5m	7.95m	0m
Level 7	10m	10.8m	7.95m	0m

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3.0 Review of the proposed development

3.1 Is the built form siting appropriate?

3.1.1 Guidance

Design and Development Overlay DDO21 Design objectives include:

- *To support a mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas.*
- *To maintain a prominent street wall character along Bridge Road with new development at upper levels setback, visually recessive and clearly distinct.*
- *To provide a comfortable level of street enclosure, maintain solar access to key footpaths, and ensure a high quality built form interface to all streets and public spaces.*

3.1.2 Assessment

The local context predominantly displays zero (0m) front setbacks with continuous street walls, and a fine-grain modulation of narrow frontages.

The proposed built form occupies the full extent of the site, providing zero (0m) setbacks at both street frontages and to the rear laneway, and building up against the side wall to the adjoining building to the west.

This condition extends the prevailing continuous street frontage condition, and supports direct, active edges to both streets, and a sense of enclosure and definition of the streetscape. It also extends the existing condition of built edges to the rear laneway.

I therefore consider the proposed building siting to be appropriate.

3.2 Is the land use appropriate?

3.2.1 Guidance

The **Commercial 1 Zone** encourages *commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

Clause 17.02-1S Business encourages *development that meets the community's needs for retail, entertainment, office and other commercial services.*

Clause 21.04-3 Industry, office and commercial seeks to increase the number and diversity of local employment opportunities, including commercial and office use in existing industrial areas.

3.2.2 Assessment

The provision of commercial office space is appropriate in the Commercial 1 Zone and Major Activity Centre context, and supports the provision of employment opportunities in this location.

It is noteworthy that the proposal incorporates office space at Ground Floor, rather than retail or café premises for example (or even a lobby). However, this appears to respond to the context of this part of Bridge Road, which is less intensive for retail and café than the area west

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of Church Street, and where these uses are better suited to the southern side of the road, for solar access.

I therefore consider the proposed land use approach to be appropriate.

3.3 Is the building height and massing appropriate?

3.3.1 Guidance

Design and Development Overlay DDO21 sets a maximum height for the review site of 18.0m, or approximately 5 storeys, and a street wall height of 11.0m.

Clause 11.03-1R Activity Centres – Metropolitan Melbourne provides strategies for *developing activity centres to accommodate significant growth and support high levels of amenity.*

Clause 15.01-2S Building design guides buildings which contribute positively to context and enhance the public realm, including responding to the strategic and cultural context of the location, and minimising the detrimental impact of development on neighbouring properties and the public realm.

Clause 15.01-5S Neighbourhood character seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place, including by emphasising the heritage values and built form that reflect community identity.

Clause 15.03-1S Heritage conservation seeks to encourage appropriate development that respects places with identified heritage values, and to ensure an appropriate setting and context for heritage places is maintained or enhanced.

Clause 21.03 Vision states that Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks.

Clause 21.05-2 Urban Design requires development within Yarra's activity centres to respect and not dominate existing built form, and supports new development that contributes to the consolidation and viability of existing activity centres. Strategy 17.2 states that *development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*

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

Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay encourages the design of new development to be articulated and massed to correspond with the prevailing building form of the heritage place, and to be visually recessive and not dominate the heritage place.

Clause 22.03 Landmarks and Tall Structures states that new buildings within the vicinity of landmarks including clocktower of Richmond Town Hall should be designed to ensure the landmarks remain as the principal built reference.

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3.3.2 Assessment

The proposal exceeds the DDO21 maximum height by 10.5m, or approximately 58%.

DDO21 states that a permit to vary the maximum height can only be granted if the proposal:

- satisfies the Design Objectives;
- satisfies the Heritage Building Design Requirements;
- satisfies the Precinct Design Requirements;
- achieves the preferred mid-rise character;
- achieves each of:
 - Greater building separation;
 - Housing diversity;
 - Greater universal access;
 - ESD excellence;
 - No additional amenity impacts to residential zoned properties.

Therefore, it is appropriate to assess the proposal against these Objectives and Requirements. This is set out below.

It is clear that building setbacks and profile are important factors in assessing the appropriateness or acceptability of the proposed height. However, I consider height and setbacks separately below (as much as possible), for the purposes of report clarity.

Also, the Design Objectives and Heritage Building Design Requirements from DDO21 appropriately focus substantially on heritage outcomes, including conserving and retaining the prominence of existing built fabric.

While heritage is not my area of expertise, it is appropriate to address these requirements from an urban design perspective, understanding that a heritage referral will also be provided for this application.

3.3.3 Assessment against DDO21 Design Objectives

Assessment against the Design Objectives provides a foundational and essential basis for assessing the urban design merits of the proposal, and so warrants reasonable depth.

The recommendations below in this section are considered important for supporting the increased height of this proposal.

Mid-rise scale

The proposal does constitute a moderate **mid-rise scale** at 8 levels. I consider 'mid-rise' to span approximately 6-12 levels, with some potential variation, as an indicative guide. I therefore consider this Design Objective response to be acceptable.

Respecting heritage value

The proposal responds to the adjoining heritage buildings fronting Bridge Road through its 11m high street wall, which approximately aligns to the height of the adjacent frontages.

The plans indicate that the top of the windows which span Levels 1 and 2, aligns to the top of the parapet of the adjacent building.

The proposed 3-storey street wall is expressed as a two-level façade, through the window openings which span across Levels 1 and 2, with a defined break and canopy below, at a similar level as the tops of the adjacent Ground Floor shopfronts.

The street wall expression of vertical columns creates a streetscape rhythm in the facades which responds to the fine grain context on both sides of Bridge Road,

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I therefore consider that this Design Objective is met.

Prominent street wall

The street wall has a distinct design expression comprising broad columns and beams and bevelled inset windows, creating a solid, 'heavy' expression which is appropriate at the lower levels.

The upper levels are distinguished by a visually lighter, thinner articulation.

Coupled with the upper-level setbacks and planting to the podium level, this approach ensures that the street wall is prominent and responsive to the established streetscape context.

Specific assessment: Prominent street wall

DDO21 provides a guide to the visual prominence of the street wall, in perpendicular views from across the street, stating that *any part of a building above the front street wall must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street).*

The sectional analysis at drawing KR-TP-SC07 show that the proposal exceeds this provision, with the combined upper levels occupying 41% (16 degrees) of the total view of the building (39 degrees), rather than the required 33% (one third).

Compliance with the DDO21 requirement (given that the proposed 6m upper-level setback is as specified in DDO21), would allow three upper levels above the 3-level podium.

However, the uppermost level as proposed is set back a further 4.0m at this frontage, and has very limited visibility.

Based on this analysis, and the visual implications shown in the renders at drawings KR-TP19 and KR-TP20, I consider that while the upper-level form is visually prominent in streetscape views, the proposed building profile provides for an appropriately prominent street wall,

This Design Objective is therefore achieved.

Street enclosure, solar access, built form interface

The 11m street wall corresponds to the preferred street wall in DDO21, and with the 6m setback above and further setback to the top level, provides appropriate definition and enclosure of the streetscape, balanced with a sense of openness.

The equinox shadows are well clear of the Bridge Road southern footpath.

The architectural design, discussed further below, does appear to reflect a high quality interface at the public realm.

Minimised impacts on residential properties

The proposal addresses the adjacent residential properties to the north (across the rear laneway) at 48 and 50 Coppin Street, through a 3-storey frontage interface, and a stepped profile with setbacks at Levels 3, 5 and 6. The laneway frontage windows are screened by horizontal louvers to prevent overlooking. Being to the south of these houses, the proposal does not create shadow impacts to these houses.

The townhouses across Coppin Street are also north of the review site, so not impacted by shadows.

Specific assessment: impacts on residential properties

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DDO21 provides a setback profile for the interface to residentially zoned land, requiring zero (0m) setback up to 5m in height, then angling at 45 degrees to a consistent 10m setback from 10m in height, from the residential boundary.

The rear Right of Way laneway is approximately 3.5m wide. The diagram below indicates the preferred DDO21 setback profile, relative to the actual proposed interface.

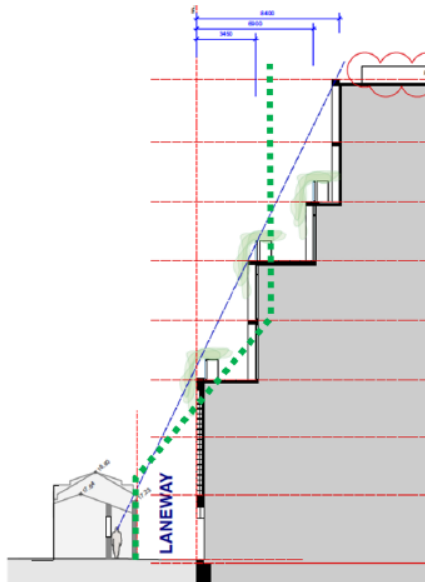


Figure 19: Excerpt from drawing KR-TP-SC08 with indication of DDO21 setback profile to residential-zones interfaces (green dotted line).

While the proposed profile exceeds the preferred envelope at the top of Level 2 and all of Level 4, it provides increased setbacks beyond the DDO21 profile at Ground Floor and Level 1 (afforded by the laneway), Level 3 and Levels 5-7. Further, the orientation means that the proposal does not overshadow the houses to the north.

I therefore consider that the proposal adequately minimises impacts on residential properties adjoining the activity centre, achieving this Design Objective.

I therefore consider that the proposed development meets the DDO21 Design Objectives.

3.3.4 Assessment against DDO21 Heritage Design Requirements

My assessment against these requirements is as follows, noting again that heritage is not my area of expertise. More detailed assessment of the visual implications is provided below:

Building facades and street frontages (Infill Buildings and Development Adjoining a Heritage Building)

- The proposed facades are simple in their expression, and reflect a 'refined' approach and modern expression with minimal decoration, and so will not compete visually with the adjacent heritage buildings.
- Vertical proportions of windows and openings within the street wall are responsive to the streetscape conditions.

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- There are no long expanses of glass, with the Ground Floor frontages characterised by prominent vertical piers between windows.
- The adjoining heritage buildings do not have a canopy over the footpath, but the proposed canopy generally aligns to the top of the adjacent shopfronts.
- As noted above, the articulation of the street wall component reflects a fine-grain streetscape condition.

Upper levels

- The upper level form, is visually recessive, and the setback to Bridge Road meets the DDO21 requirement (although the height exceeds the DDO21 maximum). The level of recessiveness is assessed further below.
- It does not impact the 3-dimensional form of adjacent heritage buildings.
- The upper levels are visually light, adopting extensive glazing set within a slender expressed frame in white.

I therefore consider that the proposal meets the DDO21 Heritage Design Requirements.

3.3.5 Assessment against DDO21 Precinct 3 Design Requirements:

Retaining the visual prominence of heritage buildings in the streetscape

The proposed development provides a 3-level street wall to both street frontages, which approximately aligns to the height of 2-storey heritage buildings on Bridge Road. The setbacks above the street wall reduce the prominence of the upper-level form, in relation to adjacent heritage buildings.

Further, the proposal extends and reinforces the prevailing street wall condition, defined by nearby heritage buildings, on what is currently a 'gap site' with only small existing buildings at the rear.

The upper-level form will clearly be visually prominent in the Bridge Road streetscape, particularly given there are no other tall buildings in this part of Bridge Road currently, although there is an approval for an 8-storey building at 373-375 Bridge Road, which is less than 35m from the review site. I am not aware of the process for that approval, and did not find information on Council's website.

A prominent upper-level form risks becoming the visually dominant element in the streetscape, rather than the heritage fabric.

Further, a lower-height building on the review site would clearly be less prominent.

However, I consider that the proposed height and massing is acceptable in retaining the prominence of adjacent heritage buildings – it is visually separate and contemporary, yet respectful in its design.

The proposal also 'builds around' the heritage substation building at the site's north-east corner, with the 3-level podium wall framing the edges of this single-level brick building. From an urban design perspective, I consider that this approach reinforces the importance and position of the substation building.

Therefore this requirement is achieved.

Retaining the visual prominence of the Richmond Town Hall

The review site is approximately 230m from the Richmond Town Hall spire. The perspective views at drawings KR-TP-SC-5 and KR-TP-SC-6 illustrate that:

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- In views along Bridge Road from the east (Burnley Street intersection), the proposed massing does not cause any impact on the visibility of the Town Hall.
- In views from the west (Lennox Street intersection), the proposed massing would have very limited visibility behind the approved (not yet built) development at 373-375 Bridge Road. If that building was to not proceed, the proposal would be visible behind the Town Hall spire, but substantially below the height of the spire.

I therefore consider that the proposal effectively retains the prominence of the Town Hall.

Consistency in form as existing upper-level development

There is no higher-scale built form in the immediate vicinity of the review site, with other developments noted above predominantly located away from the Bridge Road corridor.

However, the proposed street wall height and front upper-level setback meet requirements in DDO21.

The upper-level form is relatively complex with its varied setbacks to the interfaces across the upper levels, but I consider that this form 'reads' effectively in streetscape views, based on the renders provided.

Retaining the visual separation and openness between Richmond Town Hall and other buildings

Being approximately 200m away from Richmond Town Hall, this requirement does not affect the review site.

Providing a respectful transition to heritage buildings

As discussed above, I consider that the massing and design of the street wall component, together with the upper-level setbacks and distinct design expression of the upper levels, I consider that the proposed building massing provides a respectful transition to heritage buildings on adjoining sites and across Bridge Road.

I also note that the review site is not in a Heritage streetscape (as identified in DDO21).

I therefore consider that the proposal meets the DDO21 Precinct 3 Design Requirements, and so achieves all of the requirements for increased building height above the maximum height of 18.0m.

3.3.6 Assessment against Clause 21.05-2 Urban Design - Strategy 17.2

In considering the Strategy 17.2 parameters for increased height above 5-6 levels:

- The proposal does provide significant upper-level setbacks
- Architectural design excellence is difficult to assess definitively, but I consider the proposal reflects a considered, refined design which is appropriately simple and 'minimal' in its expression, in response to the visually rich heritage context.
- Assessment of environmental sustainability is beyond my expertise
- The restoration and adaptive re-use of heritage buildings is not applicable to the review site.
- The proposal would make a positive contribution to the enhancement of the public domain, as noted above.
- The provision of affordable housing is not applicable to this proposal for commercial office space.

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I am therefore satisfied that the proposal adequately responds to the Strategy 17.2 parameters for additional building height.

3.3.7 Consideration of proposed DDO43 (Am.C291) provisions

As introduced above, I have considered the proposed DDO43 and expert advice in relation to this, which I understand is not a 'seriously entertained' policy.

The proposal exceeds the proposed mandatory height of 18m, but complies with the proposed street interface requirements.

In response to the DDO43 Design Objectives:

- There is no set definition of 'mid-rise' or 'lower mid-rise' to my knowledge. I generally consider mid-rise to encompass approximately 6-12 storeys, with potential variation of up to approximately 2-storeys above or below this range (and I have given evidence previously to this effect). In this context, I consider that the proposed 8-storeys does reflect 'lower' mid-rise.
- The equinox shadows (as specified in DDO43) are well clear of the southern footpath of Bridge Road, and the eastern side of Coppin Street, across the day up to 3pm.
- For higher-scale forms on or behind Bridge Road, the proposed DDO43 provides for discretionary heights on large sites behind Bridge Road of 24m and 28m. The proposed development would be commensurate with these heights (at 28.5m), rather than providing a lower height within the Bridge Road corridor. However, given the context and condition of the review site, and the relatively small footprint of the uppermost proposed levels, I do not consider this to be a significant issue.

I have considered the potential for increased setbacks from the western boundary at the upper 1-3 levels, to address/respond to potential 18m high redevelopment on adjoining heritage sites to the west. I do not consider this a necessary requirement for the current proposal, given that:

- The redevelopment potential of the neighbouring sites is unknown, and uncertain given their narrowness and heritage constraints;
- The subject proposal steps back from Bridge Road 6m to upper levels, then 10m to the uppermost level, so the visibility of the side wall above potential future 18m high built form would be limited, and not concerning;
- A step down within the review site would 'replace' a step down at the boundary, so there would not be a significant difference.
- Requiring an upper-level (west) side setback would significantly disrupt the proposal's internal planning, by requiring the lift/stair core to be move towards the east, creating compromised spaces on all other floor levels.

3.3.8 General massing discussion

Height in context

The proposed development substantially exceeds the preferred height for this location, and represents a 'new' or emerging built form condition in this part of Bridge Road, which contains a limited extent of recent or higher-scale development.

However, DDO21 contemplates redevelopment to 5-6 storeys, and provides comprehensive parameters for development seeking to exceed this height, and there is broader strategic support for growth and consolidation in this Major Activity Centre location.

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In the context of the above assessment, I consider that the proposed massing is acceptable in addressing the balance between contextual response and strategic drivers.

Massing and stepping

The proposed upper-level form is relatively complex, as noted above, with setbacks at:

- Level 3 (podium - all sides except west);
- Level 5 (north/rear only);
- Level 6 (north/rear and east/side); and
- Level 7 (south/front and east/side).

Therefore, including the main setback above the street wall, each side incorporates two (2) steps (front) or three steps (side and rear).

This potentially reflects an excessively stepped or 'wedding cake' form which is generally undesirable, because more consistent and simple massing is preferred.

However, this arrangement of setbacks achieves several effective outcomes, as demonstrated by the render views at drawings KR-TP19 and KR-TP20:

- Residential interface: Graduated interface and recessive upper levels to the rear laneway;
- Coppin Street frontage: Prominence of the central three (3) storeys above podium, with limited visibility of uppermost levels;
- Bridge Road frontage: Prominence of the central four (4) storeys above podium, with limited visibility of uppermost level.

Further, the upper levels (above podium) feature a more lightweight expression (relative to the street walls) and consistent design across all levels. This expression of continuous, horizontal slab edges or framing elements, staggered/varied vertical fins, and curved corners, creates an expression or 'banding' and layered floor levels, which is appropriate and effective for the setback profiles.

I therefore consider the proposed massing to be acceptable.

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3.4 Is the architectural expression appropriate?

3.4.1 Guidance

Clause 15.01-1R Urban Design – Metropolitan Melbourne seeks to *create a distinctive and liveable city with quality design and amenity*

Clause 15.01-2S Building design guides buildings which contribute positively to context and enhance the public realm.

Clause 15.01-5S Neighbourhood character seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.

Clause 21.03 Vision states that *Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks, and that all new development will demonstrate design excellence.*

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

- *To ensure that new development contributes positively to Yarra's urban fabric.*
- *Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*
- *To enhance the built form character of Yarra's activity centres.*

Clause 21.05-3 Built form character seeks to improve the built form character of transport corridors.

Clause 21.05-4 Public environment states that new development must add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged

Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay encourages the design of new development

- *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
- *Be visually recessive and not dominate the heritage place.*
- *Be distinguishable from the original historic fabric.*

3.4.2 Assessment

Street frontages

The proposed external expression, as outlined above, comprises a relatively simple, grid-based façade approach, with the street wall comprising broader and visually heavier form with large, deep-set windows, and the upper levels comprising a more slender array with deep-set glazing, with offset vertical fins.

The expression is clearly contemporary, and relatively simple and consistent across both street frontages, with curved forms addressing the street corner.

The provision of extensive glazing at the street frontage supports passive surveillance and visual interaction opportunities, and improves upon current conditions of surface car parking on the site.

The street wall design responds to the fine-grain context, with vertical columns extending full height from ground level, but provides for varied module widths for diversity in the façade.

The spacing of the upper-level vertical fins is also varied across the Bridge Road façade.

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The curved corners at the upper levels provide a softer form, supported by proposed planting at the setback/terrace levels.

As a contemporary infill development which is visibly responsive to its streetscape context, I consider that this proposal will contribute positively to the context.

Side boundary wall

The west side boundary interface of the proposed development comprises a full-height boundary wall in precast concrete, which utilises patterned concrete to create an impression of 3-dimensional 'box' forms of descending size/width towards the upper levels, in horizontal bands corresponding to the building's floor levels.

Given the fine-grain/narrow frontage and heritage conditions of the adjoining sites, it is reasonable to expect that this side wall will remain visible in the streetscape above the adjoining buildings, perhaps permanently.

The patterning and 'optical illusion' or 3D forms in this wall is relatively subtle, judging by the rendered view at drawing KR-TP20, and provides a degree of visual interest and a new, playful element, as well as visual break-up of the boundary wall.

However, the patterning is incongruous with the other building facades.

I consider that in continuing the otherwise restrained and visually 'quiet' design expression, that the side boundary wall should utilise patterning and wall joints to visually continue the articulation of the Bridge Road frontage upper levels, with horizontal bands and staggered vertical bands with varied spacing.

This would allow the blank side wall to 'read' as integral with the other facades, rather than reinforcing its condition as a blank side wall with an applied pattern.

Recommendation:

Review the articulation of the west boundary wall, to more closely reflect and extend the façade articulation of the upper levels facing Bridge Road, and to allow the side wall to appear as integral with the other facades, rather than separate/distinct.

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Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

4.0 Conclusion

The proposed development at 393 Bridge Road, Richmond, reflects an effective design response to the various objectives and requirements of DDO21, and therefore to the site's context adjacent to low-scale, fine-grain heritage buildings and opposite a heritage streetscape in Bridge Road, but within a Major Activity Centre and transport corridor.

While the proposal will be visually prominent given its scale relative to existing building form in this part of Bridge Road, the massing mediates the transition to adjacent built form, and reinforces the prevailing street wall condition.

While the massing exceeds the preferred maximum height, the proposal meets the various requirements for additional height, and the massing mitigates the visibility and impact of the uppermost levels, within a design which is restrained and refined.

Apart for the above recommendation for the side boundary wall, I therefore consider that this proposed development should be supported on urban design grounds.

Global South Pty Ltd

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Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses



**22 CLEELAND ROAD
SOUTH OAKLEIGH VIC 3167
AUSTRALIA**

(ACN 004 230 013)

Ref: 67-22-DE-REV-00

7th June 2022

City of Yarra
PO Box 168
Richmond VIC 3121

Attn: Jessica Sutherland

Dear Jessica,

**393-395 Bridge Road, Richmond
Review of Windtech Pedestrian Wind Statement
Windtech Ref: WG831-01F01(REV0)-WS Report (3rd March 2022)**

The review of the Windtech Pedestrian Wind Statement is based on MEL Consultants' experience of wind flow around buildings and structures. This experience has been developed from a company experience of more than 50 years of desktop, wind tunnel, and full scale studies of environmental wind conditions in urban and sub-urban areas. No wind tunnel studies have been undertaken to support the review. Our comments are as follows:

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

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Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

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desktop wind impact assessment. A clear description of the 393-395 Bridge Road, Richmond, development has been provided and the areas where the assessment will focus.

- The pedestrian safety and comfort criteria are based on the Melbourne City Council wind safety and comfort criteria and MEL Consultants have no issue with these criteria. These are the same criteria that are now in Clause 58.04-4 of the City of Yarra Planning Scheme. No target comfort criteria recommendations have been made for external public and private areas around the development.
- Windtech have described the wind effects in the surrounding streetscapes and assessed the wind conditions as satisfying the pedestrian walking comfort criterion. MEL Consultants would agree with this assessment but Windtech need to comment on the whether the wind conditions outside the main building entrance would satisfy the standing comfort criterion. The City of Yarra has advised in previous reviews that they require the standing comfort criterion to be satisfied outside primary building entrances.
- Windtech has provided extensive descriptions of exposure and the wind effects on each of the upper-level terraces. These terraces have 1200mm high balustrades and planters. Windtech have relied on the planting for wind mitigating and specify minimum overall heights for the planter and planting. The MemLa landscaping concept planting should be reviewed to ensure it meets the minimum requirements specified by Windtech. For example, the Level 3 south side planter and mature planting appear to have a combined height less than the Windtech specification. Finally, Windtech have only stated the terraces will be suitable for their intended use and should assess the wind conditions in terms of the comfort criteria outlined in Section 5.

In conclusion, the Windtech Pedestrian Wind Statement has been prepared based on the consultant's experience of wind flow around buildings and structures. We have no issues with the Analysis Approach, Site Exposure, Regional Wind Climate, and description of the development used in the preparation of the assessment. This

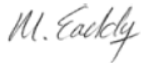
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Attachment 4 - PLN21/0987 - 393 Bridge Road Richmond - Referral responses

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is consistent with the approach MEL Consultants would take to prepare a similar desktop environmental wind assessment. MEL Consultants agree with the assessment of the walking comfort criterion for the surrounding streetscapes. However, further assessment of the wind conditions is required outside the ground level building entrance and on the terraces in terms of the comfort criteria that would be satisfied.

Yours sincerely,



M. Eaddy
MEL Consultants Pty Ltd

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Attachment 5 - PLN21/0987 - 393 Bridge Road Richmond - DoT referral response



Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

15 July 2022

Jessica Sutherland
Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Dear Jessica,

PLANNING APPLICATION NO.: PLN210987/2022
DEPARTMENT REFERENCE NO: TBC
PROPERTY ADDRESS: 383 BRIDGE ROAD, RICHMOND VICTORIA 3121

Section 55 - No objection subject to conditions

Thank you for referring the above application to the Head, Transport for Victoria under Section 55 of the *Planning and Environment Act 1987*.

The Head, Transport for Victoria has considered this application and does not object to the grant of a permit.

The Head, Transport for Victoria has considered this proposal (Drawings TP01 to TP21, Job 15029, File 210908-V2, prepared by Davey Architecture Studio) and provides its consent and support to the grant of a permit subject to the following conditions and notes:

1. *Prior to commencement of use all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.*
2. *The canopy/awning located along the Bridge Road façade at the corner of Coppin Street must provide a minimum setback of 0.5 metres from any part of the traffic signal at this location.*
3. *The permit holder must avoid disruption to tram operation along Bridge Road during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.*
4. *The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.*

Separate consent *may* be required from Head, Transport for Victoria under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a



Attachment 5 - PLN21/0987 - 393 Bridge Road Richmond - DoT referral response

Transport Zone 2 (Bridge Road). Please contact Head, Transport for Victoria prior to commencing any works.

HTfV advise that the awning/canopy clearance height above the pavement and measurement from the back of kerb should be consistent with the Building Act and Regulations. In addition, as the City of Yarra are the managers of the area from the back of kerb to the property boundary, HTfV have no objection to the landscape plans.

HTfV suggest Council consider retaining the two way traffic movements along the rear right of way between the rear property boundary and Coppin Street. This arrangement would minimise tram delays with vehicles accessing the site via Griffiths Street and encourage safer vehicle access from the signalised intersection of Bridge Road and Coppin Street.

Please forward a copy of any decision to this office as required under the *Planning and Environment Act 1987*.

Should you have any enquiries regarding this matter, please contact Gillian Menegas on 9313-1148 or Gillian.Menegas@roads.vic.gov.au.

Yours sincerely

Gillian Menegas

Gillian Menegas

Principal Statutory Planner - Inner Metropolitan Region
Under delegation from the Head, Transport for Victoria

15/7/2022

Cc: Ratio Consultants

6.3 PLN22/0069 - 276 Lennox Street, Richmond - Use of the land for a medical centre (chiropractor), construction and display of one (1) business identification sign and a reduction in car parking

Report Summary

Purpose

1. This report provides Council with an assessment of the application at No. 276 Lennox Street, Richmond for the use of the land as a medical centre (chiropractor), construction and display of business identification signage and a reduction in the car parking requirements of the Yarra Planning Scheme.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Clause 32.09 (Neighbourhood Residential Zone) and 22.01 (Discretionary Uses in the Residential Zone)
 - (b) Clause 22.05 (Interface Uses Policy)
 - (c) Clause 52.06 (Car Parking)
 - (d) Clause 52.05 and 22.04 (Signage)
 - (e) Clause 43.01 and Clause 22.02 (Heritage)

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Use (Medical Centre)
 - (b) Advertising signage
 - (c) Car parking and traffic
 - (d) Objector concerns

Submissions Received

4. Council received 25 objections, the ground of which are summarised as follows:
 - The proposed use is not consistent with neighbourhood character;
 - Inappropriate location for a medical centre;
 - Car parking reduction and lack of on-site parking space for staff and clients;
 - Noise and amenity impacts to surrounding area;
 - Lack of disabled access;
 - Inaccurate staff to patient ratios;
 - Saturation of chiropractors in area;
 - Potential for rooms to be leased out to other service providers;
 - Negative heritage impact of proposed sign and lack of information regarding whether the sign will be illuminated;

- Owner details as stated in application form are incorrect and the title certificate is out of date
- Drawings are not to scale and incorrectly show the location of the vehicle crossover

Conclusion

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:
- (a) No more than two (2) practitioners are permitted to operate from the land at any one time.
 - (b) Except with the prior written consent of the Responsible Authority, no more than 35 appointments can be carried out per day.
 - (c) Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - i. Monday to Friday: 8:00am – 6:30pm; and
 - ii. Saturdays: 8:00am – 12:00pm.

CONTACT OFFICER: Erryn Megennis
TITLE: Statutory Planner
TEL: 0392055485

6.3 [PLN22/0069 - 276 Lennox Street, Richmond - Use of the land for a medical centre \(chiropractic clinic\), construction and display of one \(1\) business identification sign and a reduction in car parking](#)

Reference D22/155144
Author Erryn Megennis - Statutory Planner
Authoriser Senior Coordinator Statutory Planning

Ward: Melba
Proposal: Use of the land for a medical centre (chiropractic clinic), construction and display of one (1) business identification sign and a reduction in car parking
Existing use: Dwelling
Applicant: Adaptive Chiropractic
Zoning / Overlays: Neighbourhood Residential Zone – Schedule 1 (NRZ1)
 Heritage Overlay – Schedule HO332
 Development Contributions Plan Overlay – Schedule 1 (DCPO1)
 Heritage Grading: Contributory
Date of Application: 05 February 2022
Application Number: PLN22/0069

Background

[Planning Scheme Amendments](#)

6. *Amendment C269*

Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Planning Strategy and Local Policies within the Planning Policy Framework (PPF), consistent with the structure recently introduced by the State Government.

Amendment C269 was on public exhibition between 20 August 2020 and 4 December 2020 and proceeded to a panel hearing in October 2021.

The Panel report was released on 18 January 2022. Council resolved on 19 April 2022 that having considered the Panel report, to submit the adopted Amendment to the Minister for Planning for approval.

The new clauses are largely reflected in current planning policy, which is generally not contradictory to the proposed re-write of Clauses 21 and 22. However, as this amendment is now a 'seriously entertained' planning proposal, a summary and brief assessment of the relevant policies to the proposal is provided in the table below. This assessment confirms that the proposal is consistent with the new policies:

The relevant sections to be considered in this report include the following:

- Clause 13.07-1L – Interfaces and Amenity

Clause 13.07-1L is largely consistent with the existing interface uses policy at Clause 22.01 and Clause 22.05 of the Scheme and is discussed in detail later in the report.

- **Clause 15.01-1L – Signs**
Clause 15.01-1L is largely consistent with the existing signage policy at Clause 22.04 of the Scheme and is discussed in detail later in the report. In accordance with this policy, only one sign is proposed and its content will be limited to the name, contact information and logo. The sign will not be illuminated.
- **Clause 15.03-1L – Heritage**
Heritage considerations of the proposal are limited to the proposed business identification sign and are discussed in detail later in the report. The siting of the proposed sign will ensure it does not obscure views or cover up original heritage fabric.
- **Clause 18.02-1L – Sustainable Transport**
This policy seeks to secure a sustainable transport system that reduces the impact of private motor vehicle traffic and on-street parking. The proposal will provide two bicycle parking spaces and the subject site is well serviced by a range of public transport options. As such, the proposal provides opportunities for sustainable transportation. This is discussed in greater detail later in the report.
- **Clause 18.02-4L – Car Parking**
This policy seeks to ensure car parking is supplied and managed consistent with promoting travel by sustainable modes. Policy supports a reduction in the required number of car parking spaces where (as is relevant):
 - *The site has high public transport accessibility and is located within walking or cycling distance to shops, jobs and amenities;*
 - *The use is unlikely to result in unreasonable impacts on existing on-street parking;*
 - *Increased motor vehicle traffic from the use is likely to unreasonably impact on the amenity of nearby residents; and*
 - *The development provides adequate bicycle parking*

A detailed assessment of the proposed car parking reduction is provided later in the report. However, the site is within walking distance of a range of public transport options as well as two major activity centres. Two bicycle parking spaces are also provided on-site which comply with the bicycle parking requirements of Clause 52.34 of the Scheme. Due to the nature of the operation of the proposed use, a reduction in car parking will not unreasonably impact existing on-street parking or residential amenity.

The Proposal

7. The application is for the use of land for a medical centre (chiropractic clinic), construction and display of one business identification sign and a reduction in car parking. Further details of the proposal are provided below:

Use

- The proposed chiropractic clinic will operate between the hours of:
 - Monday – Friday: 8am – 6.30pm
 - Saturdays: 8am – 12pm
 - Sundays: closed
- A maximum of two practitioners will be on the premises at any one time;
- Provision of one on-site car parking space and two bicycle parking spaces.

Buildings and Works

- Construction and display of a 0.54sqm non-illuminated business identification sign within the front setback of the subject site as follows:

- attached to two free-standing posts with a maximum height of 1.8m above ground level.
- located behind the front fence and set back 0.47m from the Lennox Street boundary and 1.84m from the Tanner Street boundary.

Existing Conditions

Subject Site

8. The subject site is on the south- western corner of the Lennox Street-Tanner Street intersection, in Richmond. Swan Street is approximately 100m to the south. The site has a frontage of 6.04m to Lennox Street, depth of 34.75m and an overall area of 212.5sqm. Currently occupying the site is a two storey, Edwardian-era dwelling with a small, paved front setback and area of private open space and car parking at the rear. Access to the car parking space is provided via a 3m wide crossover on Tanner Street. The site also has rear abuttal to Botherambo Street. The dwelling forms part of a matching pair with the dwelling to the south at No. 276A Lennox Street.

The site is graded 'contributory' to the Richmond Hill Heritage Precinct. Contributory features include the Edwardian-era dwelling, corbelled brick chimneys and exposed brick façade.



Figure 1: View of subject site from Lennox Street (Officer's photograph, June 2022)



Figure 2: View of subject site from Tanner Street (Officer's photograph, June 2022)

Surrounding Land

9. Lennox Street is primarily a residential street also consisting of pockets of non-residential uses dispersed between Bridge Road and Swan Street. The subject site is located within residentially-zoned land. However, land use zoning along this section of Lennox Street is variable and consists of both residential and commercial zones. Approximately 100m north of the subject site, Lennox Street is zoned Commercial 1 and the Swan Street Major Activity Centre (MAC) is located approximately 100m to the south of the site. Land to the west of the subject site falls within the Mixed Use Zone and consists of a mix of residential, office and light industrial uses.

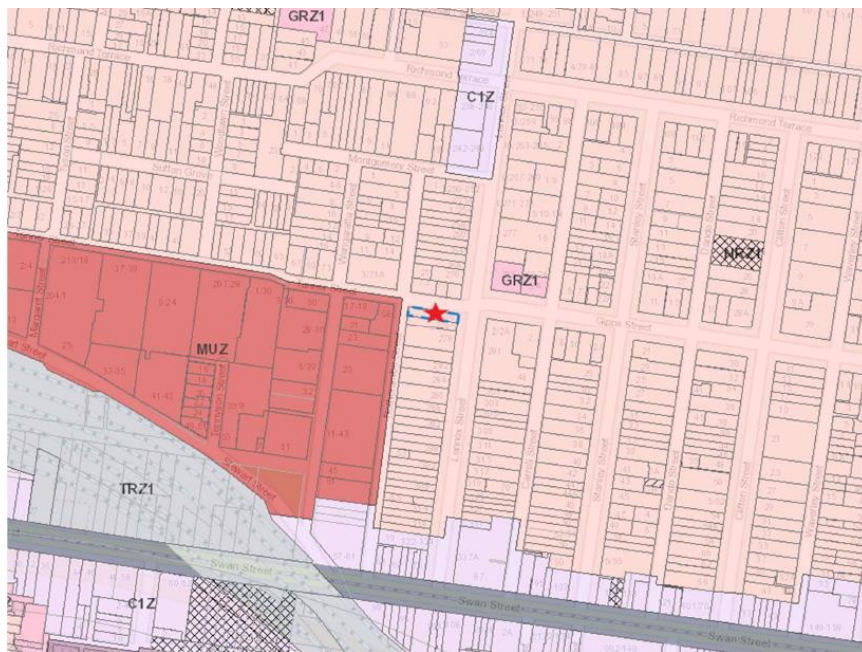


Figure 3: Surrounding land use zoning map (DELWP 2022) with subject site identified with red star

10. A two storey office building with a ground floor food and drink premises is also located on the corner of Lennox and Gipps Streets (diagonally opposite the subject site at No. 285 Lennox Street) within residentially-zoned land. Existing Use Rights for this office and planning approval for the food and drink premises were granted under planning permit PLN13/0173.
11. Car parking in this section of Lennox Street is subject to time restrictions and permit only parking zones. The site is also within the Principal Public Transport Network and is within walking distance of public transport servicing the Swan Street, Bridge Road and Hoddle Street corridors. Lennox Street is also a designated bicycle route with separate on-road bicycle lanes.
12. Specifically the subject site has the following interfaces:

Adjoining property – No. 276A Lennox Street

To the south of the site is No. 276 Lennox Street, an Edwardian-era dwelling with a first floor addition constructed to the rear of the site. The dwelling forms part of a matching pair with the subject site and is constructed along the length of the common boundary. An area of private open space is located to the rear, with rear access via Botherambo Street.

North – Nos. 73 Tanner Street and No. 77 Tanner Street and No. 272 Lennox Street

To the north of the site, on the opposite side of Tanner Street are Nos. 73, 77 Tanner Street and No. 272 Lennox Street. No. 77 Tanner Street and No. 272 Lennox Street form a three storey townhouse development. A garage as well as habitable room windows are constructed to the southern façade of the building. No. 73 Tanner Street comprises a two storey building with on-site parking and habitable room windows constructed on the southern façade.

West – No. 68 Tanner Street

To the rear of the site, on the opposite side of Botherambo Street, is the eastern side boundary of No. 68 Tanner Street, a two storey office building with on-site car parking accessed via Botherambo Street.

13. Properties to the east of the subject site include No. 1/2A Gipps Street and Nos. 291-295 Lennox Street. These properties consist of two and three storey townhouses with habitable room windows fronting Lennox Street.



Figure 3: Yarra GIS aerial imagery of subject site and surrounds (April 2022)

Planning Scheme Provisions

Zoning

14. The subject site is in the Neighbourhood Residential Zone – Schedule 1 (NRZ1). The following provisions apply:
 - Pursuant to Clause 32.09-2, a planning permit for a medical centre is not required subject to the following conditions:
 - The gross floor area of all buildings must not exceed 250sqm;
 - Must be located in an existing building;
 - The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3; and
 - Must not require a permit under Clause 52.06-3.
 - As the subject site does not adjoin or have access to a Transport Zone 2 or 3 and requires a planning permit under Clause 52.06-3, a planning permit is required to use the land for a medical centre.
 - Pursuant to Clause 32.09-14, sign requirements are at Clause 52.05. This zone is in Category 3.

Overlays

15. The subject site is affected by the Heritage Overlay – Schedule HO332. The following provisions apply:
 - Pursuant to Clause 43.01-1, a planning permit is required for buildings and works, including the construction and display of a sign;
 - Pursuant to Clause 43.01-4, the construction and display of a sign 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; and
 - City of Yarra Database of Heritage Areas, April 2022' (as saved in incorporated documents on the DELWP website [Incorporated Documents \(planning.vic.gov.au\)](https://planning.vic.gov.au) identifies the site as being of 'contributory' heritage grading to the Richmond Hill heritage precinct
16. The site is also affected by the Development Contributions Plan Overlay – Schedule 1 (DCPO1). The following provisions apply:
 - Pursuant to Clause 45.06-1 of the Scheme:
 - A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this Scheme.
 - A permit granted must be:
 - Consistent with the provisions of the relevant development contributions plan.
 - Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this Overlay.
 - Section 4.0 of Schedule 1 to the DCPO states that the construction of a building or carrying out of works that does not generate a net increase in additional demand units, is excluded from the development contributions plan.
 - A development contributions plan has been incorporated into this Scheme. The requirements of the DCPO do not apply as the proposed works do not result in an increase to the gross floor area of the building or an increase to the number of dwellings on the land.

Particular Provisions

17. Clause 52.05 – Signs

Category 3 sign controls at Clause 52.05-13 states that a planning permit is required for a business identification sign.

18. Clause 52.06 – Car Parking

Pursuant to Clause 52.06-2, before a new use commences, the required car parking spaces must be provided on the land. Under the provisions of Clause 52.06-5, the car parking requirements are as follows (noting that the site is in the Principal Public Transport Network, Column B rates apply):

Use	Size	Column B Rate	Statutory Requirement	No. spaces allocated
Medical Centre	161sqm (leasable floor area)	3.5 to each 100sqm of leasable floor area	5*	1

*If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Pursuant to Clause 52.06-3 of the Scheme, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

19. *Clause 52.34 – Bicycle Facilities*

Pursuant to Clause 52.34-1 of the Scheme, a new use must not commence until the required bicycle facilities are provided on the land. Under the provisions of Clause 52.34-5, the bicycle parking requirements are as follows:

Use	Employee Rate	Visitor Rate	Total Required	Total Provided
Medical Centre	1 to each 8 practitioners	1 to each 4 practitioners	1 employee 1 visitor	1 employee 1 visitor

The proposed bicycle parking provision therefore complies with the statutory requirements of Clause 52.34.

[General Provisions](#)20. *Clause 65 – Decision Guidelines*[Planning Policy Framework \(PPF\)](#)

21. Relevant clauses are as follows:

- Clause 11 – Settlement;
- Clause 13 – Environmental Risks and Amenity
 - Clause 13.05-1S - Noise management

To assist the management of noise effects on sensitive land uses:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area*

- Clause 13.07-1S – Land use compatibility
- Relevant objective and strategy:

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*

- Clause 15.03 – Heritage
 - Clause 15.03-1S – Heritage Conservation
- Relevant objective and strategies:

To ensure the conservation of places of heritage significance:

- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*

- Clause 17.01 – Employment
 - Clause 17.01-1S – Diversified Economy

Relevant objective and strategies:

To strengthen and diversity the economy:

- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- *Improve access to jobs closer to where people live.*

- Clause 17.02 – Commercial
 - Clause 17.02-1S – Business

Relevant objective and strategies:

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services:

- *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
- *Locate commercial facilities in existing or planned activity centres.*

- Clause 17.02-2S – Out-of-centre Development
- Relevant objective and strategies:

To manage out-of-centre development:

- *Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal*

- Clause 18.01-3S – Sustainable and safe transport

Relevant objective and strategies:

To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

- *Prioritise the use of sustainable personal transport*

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

22. Relevant clauses are as follows:

- Clause 21.04-3 – Industry, Office and Commercial
 - *To increase the number and diversity of local employment opportunities.*
- Clause 21.05-1 – Heritage
 - *To protect and enhance Yarra's heritage places:*
 - *Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.*
 - *Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*
- Clause 21.06 – Transport
 - *To reduce the reliance on the private motor car.*
- Clause 21.08-10 – Central Richmond.
 - *The land use character of this neighbourhood is predominantly residential, with the area closest to Punt Road comprising early to mid-Victorian cottages and terraces, and an increasing amount of Edwardian dwellings towards the east of the neighbourhood.*

[Relevant Local Planning Policies](#)

23. Relevant clauses are as follows:

- Clause 22.01 – Discretionary Uses in the Residential Zones
 - *To ensure that residential amenity is not adversely affected by non-residential uses*
- Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay
 - *To conserve Yarra's natural and cultural heritage;*
 - *To conserve the historic fabric and maintain the integrity of places of cultural heritage significance;*
 - *To preserve the scale and pattern of streetscape in heritage places;*
 - *To ensure that additions and new works to a heritage place respect the significance of the place.*
- Clause 22.04 – Advertising Signs Policy
 - *To allow for the promotion of goods and services;*
 - *To ensure that signs contribute to and do not detract from the visual amenity of commercial precincts, activity centres and residential areas;*
 - *To minimise visual clutter;*
 - *To ensure that signs are not the dominant element in the streetscape;*
 - *To protect and enhance the character and integrity of places of heritage significance;*
 - *To maintain vehicular and pedestrian safety.*
- Clause 22.05 – Interface Uses Policy
 - *To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.*

[Advertising](#)

24. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* with 111 letters sent to surrounding owners and occupiers and signs displayed at the front of the site and on the Tanner Street frontage. Council received 25 objections, the ground of which are summarised as follows:

- The proposed use is not consistent with neighbourhood character;
- Inappropriate location for a medical centre;

- Car parking reduction and lack of on-site parking space for staff and clients;
- Noise and amenity impacts to surrounding area;
- Lack of disabled access;
- Inaccurate staff to patient ratios;
- Saturation of chiropractors in area;
- Potential for rooms to be leased out to other service providers;
- Negative heritage impact of proposed sign and lack of information regarding whether the sign will be illuminated;
- Owner details as stated in application form are incorrect and the title certificate is out of date
- Drawings are not to scale and incorrectly show the location of the vehicle crossover

25. It is noted that 17 of the 25 objections (68%) were provided as proformas. In addition, four of the objections received are from a single primary property.

Referrals

External Referrals

26. The application was not required to be referred to any external department under the provisions of the Scheme.

Internal Referrals

27. The application was referred to the following units within Council:

- (a) Development Engineering; and
- (b) Heritage

28. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

29. The primary considerations for this application are as follows:

- (a) Use
- (b) Signage
- (c) Car Parking and Bicycle Facilities
- (d) Objector Concerns

Use

30. The following assessment is informed by the relevant policy objectives and decision guidelines of the Neighbourhood Residential Zone (Clause 32.09), Clause 22.01 (Discretionary Uses in Residential Zones), Clause 22.05 (Interface Uses Policy) and the Planning Policy Framework.

31. While the proposed use of the land as a medical centre triggers a planning permit in this instance, if the various conditions outlined at Clause 32.09-2 (Neighbourhood Residential Zone) were met, the medical centre would be an as-of-right use (no permit required). Where specific non-compliance of a condition triggers a permit, the scope of discretion required in determining whether to grant a permit is also limited.

32. In the matter of *Alex Kanzburg v Bayside CC* (VCAT Ref: P1294/2014) Member Wright makes the following findings under Paragraph 21 of his decision:

It follows that where a use is permitted as of right and the only bar is noncompliance with a specified requirement the only considerations relevant to the exercise of discretion to grant a permit are those which arise from that requirement. So where, as in this case, the requirement relates to the provision of car parking, the adequacy of the proposed parking in the circumstances of the particular case is the only relevant consideration.

33. With the above in mind, the ambit of discretion for this application relates primarily to the conditions not met at Clause 32.09-2, that being the statutory car parking requirements at Clause 52.06 (*Car Parking*) of the Scheme, as well as the location of the subject site which does not adjoin or have access to a road in a Transport Zone. It also attests to the clear support within the Planning Scheme for medical centres of this scale within residential areas.
34. Despite the guidance provided by the above VCAT decision, consideration of the acceptability of the use will still be given. The assessment will be directed by the relevant decision guidelines of the Neighbourhood Residential Zone at Clause 32.09 and applicable state and local planning policies - in particular, Clause 22.01 (*Discretionary Uses in the Residential 1 Zone*) and Clause 22.05 (Interface Uses Policy) of the Scheme.
35. The relevant policies of the Discretionary Uses in the Residential 1 Zone at Clause 22.01-3 are as follows:

It is policy that:

- *Existing buildings constructed for non-residential purposes are the preferred location for non-residential uses.*
 - *Except on land adjoining and gaining direct access from a road in a Road Zone:*
 - *all required car parking should be on-site*
 - *the scale of the proposed use should be compatible with providing service to the local residential community*
 - *Hours of operation should be limited to 8am to 8pm except for convenience shop.*
 - *Noise emissions should be compatible with a residential environment.*
36. The above policies are applicable to any non-residential use permitted within a residential zone, which includes a car wash, place of assembly, convenience restaurant and market. Comparatively, a medical centre is not typically associated with adverse amenity risks (such as noise) and as such the policy expectations of Clause 22.01 should be tempered accordingly.

Location

37. The site context within this section of Lennox Street is highly relevant to the appropriateness of the proposed use. Policies within the Scheme support community services (such as medical centres) within inner-city residential areas with good access to sustainable transport options. In a broader sense, there is a clear policy directive within the Planning Scheme to improve access to jobs and services closer to where people live (Clause 17.01-1S and Clause 21.04-4).
38. The strategy of Clause 15.01-4R (Healthy Neighbourhoods) to “*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*” is reflected in the permitted or as-of-right uses of the Neighbourhood Residential Zone, which includes medical centres.
39. More specifically, the Scheme gives clear direction of the appropriate locations for medical centres and health services. Clause 19.02-1S (Health facilities) and Clause 21.04-4 (Community facilities, hospitals and medical services) encourage an integration of health facilities with local communities to ensure that these services are accessible to the community and reflective of its needs. Nevertheless, Clause 17.01-2 (Out-of-Centre development) of the State Planning Policy Framework aims to “*ensure that out-of-centre proposal[s] are only considered where the proposed use or development is of net benefit to the community and the region*”.

40. In this instance, Lennox Street is not a homogenous residential streetscape and consists of pockets of commercial uses at various locations between Bridge Road and Swan Street. The site is also situated approximately 100m north of the Swan Street MAC and approximately 100m south of a small, commercially-zoned area of Lennox Street consisting of a pub, retail premises and offices. The Bridge Road MAC is also located 600m to the north. In addition, a two storey building consisting of offices and a food and drink premises is situated on the opposite corner, at the intersection of Lennox and Gipps Streets. The site is located within proximity of a variety of public transport services and bicycle networks. In terms of its strategic context the subject site is therefore considered to be an example of such a location described in various Local and State policy. Moreover, the limited scale of the medical centre (that being a maximum of two practitioners) will ensure the service is commensurate with the local community needs.
41. Clause 22.01-3 states that existing buildings constructed for non-residential purposes are the preferred location for non-residential uses. Although the subject site is an Edwardian-era building traditionally in use as a dwelling, no external or internal works are required to operate the medical centre at this location. The requirements for a small-scale medical centre are generally limited to consultation rooms, a waiting area and bathroom and, therefore, can be reasonably accommodated in a traditional dwelling. As a result of the modest built form requirements of consultative medical centres, coupled with it being a permitted use in the NRZ, medical centres within former dwellings are relatively common in established residential areas. As will be elaborated on later in this report, it is not expected that the medical centre will result in adverse amenity impacts with regards to noise, waste or light spill and as such, can be appropriately accommodated for in a residential style building without unreasonably impacting the amenity of the area.
42. Although the subject site does not have immediate access to a Transport Zone, it does have indirect access to nearby Swan Street, Bridge Road and Hoddle Street, which are directly accessible from Lennox and Tanner Streets. Further, the policy does not indicate that this warrants the refusal of a medical centre. Rather, weighted consideration should be given to the appropriateness of the subject site and immediate context for the proposed use. This is reiterated by the decision guidelines of the Neighbourhood Residential Zone at Clause 32.09-13 which require that the responsible authority give consideration to the compatibility of the use with the residential nature of the area, whether the use generally serves the local community needs, the scale and intensity of the use and the loading and waste requirements. It is noted that the zone also gives consideration to the provision of car parking and traffic impacts however this will be discussed under the *Car Parking* section of this report.

Scale of use and amenity impacts

43. The proposal is for a medical centre providing chiropractic services with a maximum of two staff at any given time. The medical centre will provide pre-booked appointments. The applicant advised via email correspondence (30 June 2022) that appointment durations will vary between 15 to 90 minutes depending on the nature of the issue requiring attention. As such, it is anticipated that the medical centre would be capable of conducting a maximum 35 appointments per day. The scale of the use is considered to be generally consistent with servicing the local community and aligns with one of the key objectives of the Neighbourhood Residential Zone, *"to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations"*. The limited number of practitioners and the length of appointments would not result in large numbers of people frequenting the site and so is unlikely to generate unreasonable disturbance to nearby residential properties. A condition of any approval would restrict the number of practitioners on-site at any one time to a maximum of two (2). Further, to ensure the scale of the proposed use does not increase over time, a condition will also be recommended requiring that there be no more than 35 appointments per practitioner on any given day, unless with the prior written consent of the Responsible Authority.

44. The proposed operating hours of 8am-6:30pm, Monday to Friday and 8am-12pm Saturdays are consistent with the policy direction at Clause 22.01-3. Further, the proposed hours of operation are not anticipated to cause conflicts with surrounding residential uses, given they largely represent standard business hours and the use will not disturb the amenity of the area during the sensitive night-time hours. The medical centre will be restricted to these operating hours by way of condition of any approval granted.
45. With regards to noise emissions, the proposed medical centre is not anticipated to create unreasonable noise within the surrounding residential neighbourhood. The medical centre provides therapeutic and remedial health services to its patients, the nature of which would have similar noise emissions to a residential use. Each consultation room is enclosed, and the appointments would be conversational, rather than relying on any machinery. In terms of a non-residential use located in a residential zone, a medical centre is generally considered to pose little amenity risks in this regard.
46. It is acknowledged that the use will result in additional people in the area throughout the day. However, social activity and the movement of people within the street is to be expected in an inner-city area. General noise produced from people arriving and leaving (including talking and car noises) associated with a medical centre is not considered unreasonable for the site context and will be reasonably limited by the recommended conditions restricting the operating hours and the number of appointments to a maximum of 35 on any given day.
47. No new external equipment is proposed to facilitate the use. It is unlikely that the type of equipment required for a medical centre of this size and nature (consultative appointments) would create noise emissions greater than typical domestic services. Nonetheless, Council's standard conditions relating to noise emissions will be included as conditions in the recommendation, consistent with policy objectives at Clause 22.01 and Clause 22.05 of the Scheme regarding amenity impacts.
48. Finally, given the operating hours are generally restricted to daytime hours, light spill is not a consideration in this instance. Regardless, any lighting on after hours would be no different to that of a residential use. The existing building is double storey and fenced and therefore would not result in any overlooking to neighbouring residential properties.

Waste and deliveries

49. It is anticipated that the waste generated by a consultative practice would be similar to or lesser than a residential use. Given the nature of the medical use, it is not expected that any toxic waste or large waste items will be produced. Council's standard condition requiring that the collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority will be included in the recommendation. It is expected that the bins can be easily stored in the rear outdoor area, or in the side setback behind the gate, as would be typical of a residential dwelling.
50. Given the nature of the use, it is not anticipated to require any bulky or frequent deliveries. Nonetheless, Council's standard condition restricting the hours of any deliveries will be included in the recommendation.
51. In summary, there is strong planning policy support for a medical centre (chiropractic clinic) at this site. It is considered that the proposed use, subject to conditions outlined, will not cause unreasonable material detriment to the surrounding residential properties and will be compatible with the subject site and surrounding land use context. The proposal addresses the relevant decision guidelines at Clause 32.09 and policies at Clause 22.01 and 22.05 and is supported.

Signage

52. The following assessment is informed by the relevant objectives and decision guidelines of Clause 22.04 (Advertising Signs Policy), Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay) and Clause 52.05 (Signs) of the Scheme.

53. *Impact of the sign on the streetscape/character of the area including views and vistas*

The proposed sign will be located within the front setback of the site facing Lennox Street and will not extend beyond the boundary of the building. The siting of the proposed sign will ensure it does not obscure views or vistas along Lennox Street. A number of commercial premises are situated in Lennox Street consisting of business identification signs including (and not limited to), No. 285 Lennox Street, No. 257-259 Lennox Street and No. 232 Lennox Street. These signs are non-illuminated and are limited to one to two signs per premises. The proposed sign is consistent with the signage theme of other commercial premises in Lennox Street in that only a single, non-illuminated sign is proposed. Although the sign is not flush-mounted to the building, its location is appropriate having regard to the heritage objectives of Clause 22.04-3.8 and Clause 22.02-5.7.1 in that its installation will not remove or cover up original heritage fabric or obscure views of principal heritage facades. The positioning of the proposed sign also has the support of Council's heritage advisor, who stated the following:

- *The proposed business identification sign has been appropriately sited. The sign is of low scale and does not disrupt views of the front window or entry.*
- *The sign is consistent with the business identification sign character of Lennox Street in that it is of low scale and not illuminated.*

54. *Design and relationship of the signs on the building*

Although Clause 22.04-3.6 encourages signs in residential areas to be located under the verandah or on the verandah fascia, the host building is a dwelling and not purpose-built for a commercial premises (where verandahs and shopfront awnings could be expected). As such, it is not possible for the sign to be erected in such way. As previously discussed in the paragraph above, the sign has been sited to ensure it does not adversely impact the heritage significance of the site. The sign will have a total display area of 0.54sqm and is not considered to dominate the site given it will be located behind the existing 1.8m high front fence. As only a single sign is proposed, there will be no adverse "visual clutter" impacts.

55. *Impact of structures associated with the sign*

The proposed sign will be freestanding and as such, its installation will not damage original heritage fabric, pursuant to policy at Clause 22.04-3.4. The sign will be mounted to two, black-painted timber posts. These supports will largely be obscured from view by the existing 1.8m high front fence. The use of timber posts is also appropriate having regard to the material character of the Victorian and Edwardian-era streetscape.

56. *Illumination*

As stated in the applicant's planning report and on the submitted plans, the proposed sign will not be illuminated. If a permit were to be issued, a standard condition will require the sign to not be illuminated.

57. *Impact of the sign on road safety*

The proposed sign will not be illuminated or consist of flashing or animated features and cannot be mistaken as a traffic control device. The sign is appropriately set back from the Lennox Street and Tanner Street kerbs and will not impact the safety of vehicles travelling along these streets. A standard permit condition will ensure the sign does not consist of any flashing or intermittent light (if a permit were to issue).

Car Parking and Bicycle Facilities

58. The proposal seeks a car parking reduction of 50 car parking spaces. Pursuant to Clause 52.06-3 of the Scheme, a permit is required to reduce (including reduce to zero) the number of car spaces required under Clause 52.06-5. Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced and are addressed as follows:

- *Availability of car parking*

The on-street parking demand in this part of Richmond is generally high during business hours. The area surrounding the subject site is blanketed in time-based (2-hour and permit zone) parking restrictions which ensure that parking turns over frequently. Visitors to the site during business hours should be able to find an on-street car space near the site. Permit zone parking on the western side of Lennox Street will also ensure that residential parking spaces are not compromised. Further, the nature of operation of the proposed use will not place an unreasonable demand on on-street parking.

- *Relevant local policy or incorporated document*

The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement as well as Clause 21.06-3 (Transport) of the Scheme. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

- *Availability of public transport in the locality of the land*

The site is well serviced by a range of public transport services. The following services can be accessed to and from the site by foot:

- Swan Street trams – 180 metre walk
- Richmond railway station – 370 metre walk
- Hoddle Street buses – 430 metre walk
- Church Street trams – 440 metre walk
- East Richmond railway station – 450 metre walk
- Bridge Road trams – 600 metre walk

- *Multi-purpose trips within the area*

Given the proximity of the site to both the Bridge Road and Swan Street activity centres, visitors to the site may combine their visit by engaging in other activities of business whilst in the area.

- *Convenience of pedestrian and cyclist access*

The site is very well positioned in terms of pedestrian access to public transport nodes, shops, supermarket, places of employment and education and other essential facilities. The site also has good connectivity to the on-road bicycle network. The provision of two bicycle parking spaces for practitioners and clients will encourage sustainable transport modes as encouraged at Clause 18.02 of the Planning Policy Framework (Movement Networks) and Clause 21.06 (Transport) of the Municipal Strategic Statement.

59. Overall, the proposed car parking shortfall is not expected to impact the surrounding area and is supported. Further, Council's engineering unit made no objection to the car parking reduction sought, stating:

From a traffic engineering perspective, the reduction of car parking for the site is considered appropriate in the context of the development and the surrounding area. Visitors to the site would commute to and from the site by using sustainable transportation modes, such as take public transport or ride a bicycle. The operation of the development should not adversely impact on the existing on-street parking conditions in the area. The Engineering Referral team has no objection to the reduction in the car parking requirement for this site.

60. Design Standard 1 requires accessways to be a minimum 3m wide. The existing crossover on Tanner Street is 3m and complies with the Standard. The proposed car parking dimensions (2.6m x 4.9m) satisfy Design Standard 2 of Clause 52.06-9. Based on a desktop review of aerial imagery as well as the planning officer's site visit, the location of the crossover as shown on the plans is incorrect. As illustrated in the below image, the crossover and roller door do not completely line up with the car parking space:



Figure 4: Yarra GIS aerial imagery showing true location of crossover (April 2022)

61. The applicant has provided photographs which confirm that a vehicle is still capable of parking in the designated angled space, as shown below:

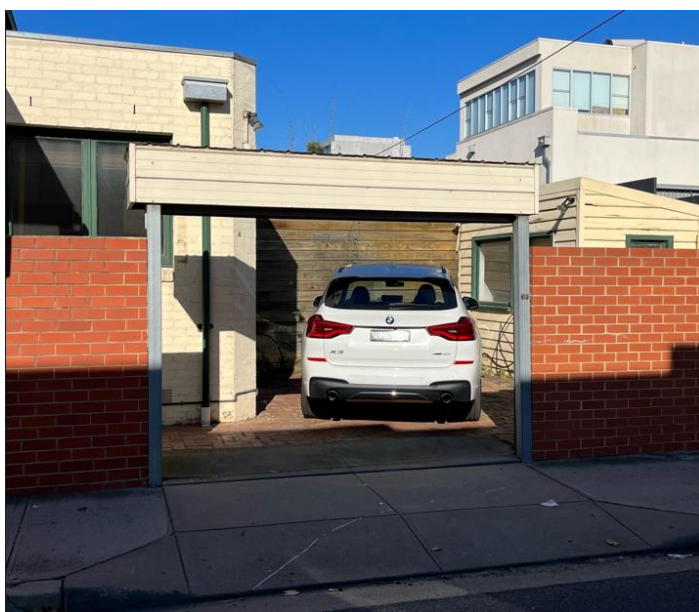


Figure 5: Applicant photo of on-site parking space

62. The matter was discussed with Council's engineering unit on 25 May 2022 with the following advice provided:
- *Based on a desktop review of Nearmap aerial imagery and the supporting photographs provided by the applicant, the engineers are satisfied that the true location of the roller door and vehicle crossover on Tanner Street will not compromise the ability of a B85-standard vehicle to access the on-site parking space.*
 - *The ground floor plan should be updated to correctly reflect the true location of the crossover and roller door and angled car parking space provided. The dimensions of the car parking space must be in accordance with Design Standard 2 at Clause 52.06 of the Yarra Planning Scheme.*

A condition will therefore require an updated ground floor plan in light of this engineering advice.

63. Clause 52.34 (Bicycle Facilities) requires a minimum 1 staff bicycle parking space and 1 visitor bicycle parking space be provided. 1 staff bicycle parking space is proposed at the rear of the site adjacent the car parking space and the visitor space will be located within the front setback. Both bicycle parking spaces are conveniently accessible from Lennox and Tanner Streets and the proposed dimensions satisfy the requirements at Clause 52.34-6.

Objector Concerns

64. Objector concerns are addressed as follows:

- *Inappropriate location for a medical centre and neighbourhood character*

This matter has been discussed at paragraphs 30 - 51.

- *Car parking reduction and lack of on-site parking space for staff and clients*

This matter has been discussed at paragraphs 58 - 62.

- *Noise and amenity impacts*

This matter has been discussed at paragraphs 43 - 51.

- *Lack of disabled access*

Whilst universal access is encouraged, there is no requirement under the Yarra Planning Scheme to provide a disabled access ramp. This is a matter dealt with under the Building Code of Australia.

- *Inaccurate staff to patient ratios*

A maximum of two practitioners will be practicing on the premises at any one time. The applicant has advised (via email correspondence on 23 May 2022) that there will be no reception or administrative staff. Given the small-scale operation, the practitioners will manage any ancillary management matters. A permit condition would restrict the number of practitioners on site at any given time.

- *Saturation of chiropractors in area*

The number of existing chiropractors in a given area is not a relevant planning consideration. Clause 22.01 of the Scheme provides the relevant guidance for considering the appropriateness of non-residential uses in residential zones and this has been discussed in detail at paragraphs 30 – 51.

- *Potential for rooms to be leased out to other service providers*

Should a permit be granted, it would restrict the use of the land to a medical centre providing chiropractic services, with a maximum of two practitioners. References to “leasable floor area” throughout the application are associated with how floor area is defined under the planning scheme (e.g. gross, net, leasable). Clause 73.01 of the Scheme provides definitions for the different floor area types.

- *Negative heritage impact of proposed sign and lack of information regarding whether the sign will be illuminated*

This matter has been discussed at paragraphs 52 – 57. A notation on the signage elevations confirms the sign will not be illuminated. A condition will also require that the sign must not be illuminated by either external or internal light.

- *Owner details as stated in application form are incorrect and the title certificate is out of date*

An application must be accompanied with a title certificate that is no older than 3 months at the time of submission. This application was submitted on 05 February 2022 and the accompanying title certificate was produced on 22 December 2021, within the 3-month period. The title certificate was therefore valid at the time of submission. The owner details stated on the are consistent with the owners recorded on the title certificate.

- *Drawings are not to scale and incorrectly show the location of the vehicle crossover*

The vehicle crossover matter has been discussed at paragraphs 60 - 62. The accuracy of the scale in the architectural drawings does not have a notable bearing on the assessment of the proposed use. The proposed sign as constructed must reflect the dimensions stated on the plans and elevations, regardless of whether the drawings are accurately to scale.

Conclusion

65. Based on the above report, the proposal is considered to substantially comply with the relevant planning policies and therefore should be supported subject to permit conditions.

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN22/0069 be issued for use of the land for a medical centre (chiropractic clinic), construction and display of one (1) business identification sign and a reduction in car parking at 276 Lennox Street, Richmond VIC 3121 generally in accordance with the “decision plans” and subject to the following conditions:

1. Before the use 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 must be generally in accordance with the decision plans prepared by Elevation 7 and dated November 2021 but modified to show:
 - (a) The ground floor plan updated to correctly reflect the true location of the crossover, roller door and angled car parking space provided. The dimensions of the car parking space must be in accordance with Design Standard 2 at Clause 52.06 of the Yarra Planning Scheme or otherwise to the satisfaction of the Responsible Authority.
2. The use and location and details of the sign, including the supporting structure, 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.
3. No more than two (2) practitioners are permitted to operate from the land at any one time.
4. Except with the prior written consent of the Responsible Authority, no more than 35 appointments can be carried out per day.
5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday: 8:00am – 6:30pm; and
 - (b) Saturdays: 8:00am – 12:00pm.
6. Before the use commences, or by such later date as approved in writing by the Responsible Authority, the bike racks must be installed and maintained to the satisfaction of the Responsible Authority.

7. The use must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
9. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
10. 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.
11. The sign must not be illuminated by external or internal light.
12. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
13. The signage component of this permit expires 15 years from the date of the permit.
14. On expiry of this permit, the approved signs and structures built specially to support signage must be removed.
15. This permit will expire if:
 - (a) The use is not commenced within two years from the date of this permit; or
 - (b) The use is discontinued for a period of two years; or
 - (c) The sign is not erected within 2 years of the date of this permit.

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

NOTES

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

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

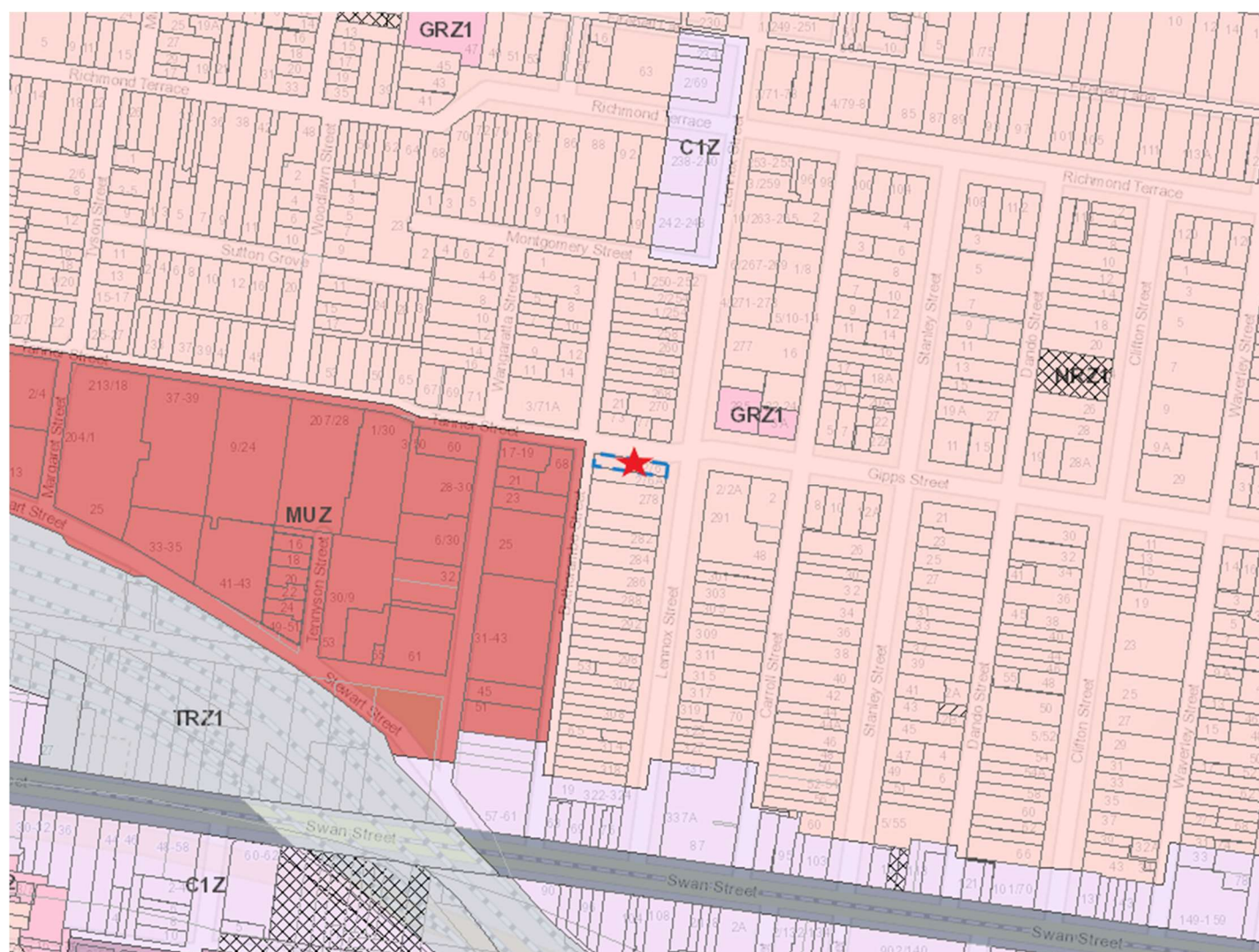
A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

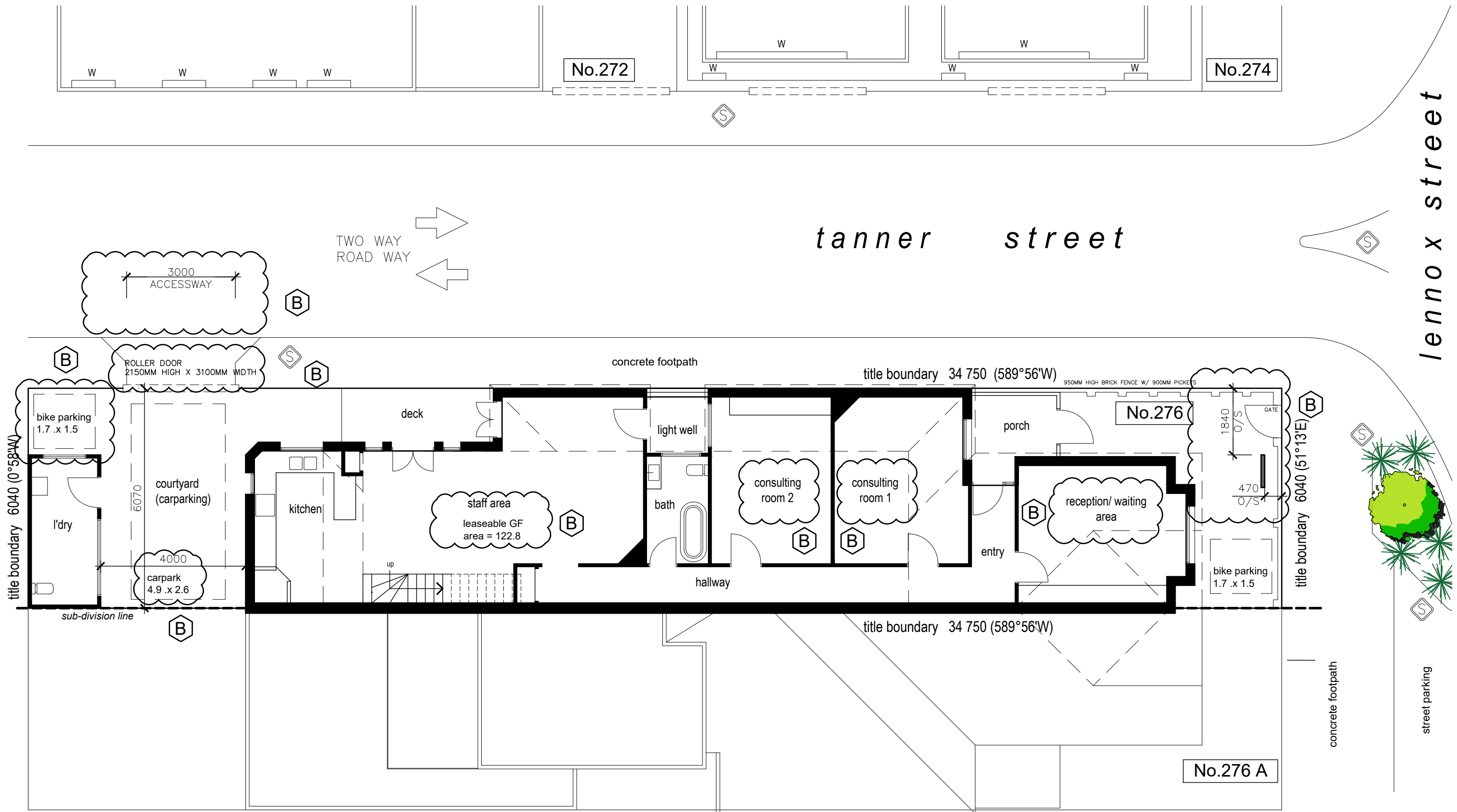
Use of Security Cameras must comply with Section 8(1) of the Surveillance Devices Act (2007) which outlines a permit holder's responsibility in relation to surveillance devices. Please ensure compliance with the relevant legislation at all times the security cameras are in use.

Attachments

- 1 PLN22 0069 - 276 Lennox Street Richmond - Site Context Map
- 2 PLN22/0069 - 276 Lennox Street Richmond - Advertised Plans
- 3 PLN22/0069 - 276 Lennox Street Richmond - Applicant Planning Report
- 4 PLN22/0069 - 276 Lennox Street Richmond - Heritage Referral Response
- 5 PLN22/0069 - 276 Lennox Street Richmond - Engineering Referral Response
- 6 PLN22/0069 - 276 Lennox Street Richmond - Certificate of Title

PLN22/0069 – 276 Lennox Street, Richmond Site Context Map





ground floor plan

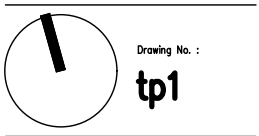
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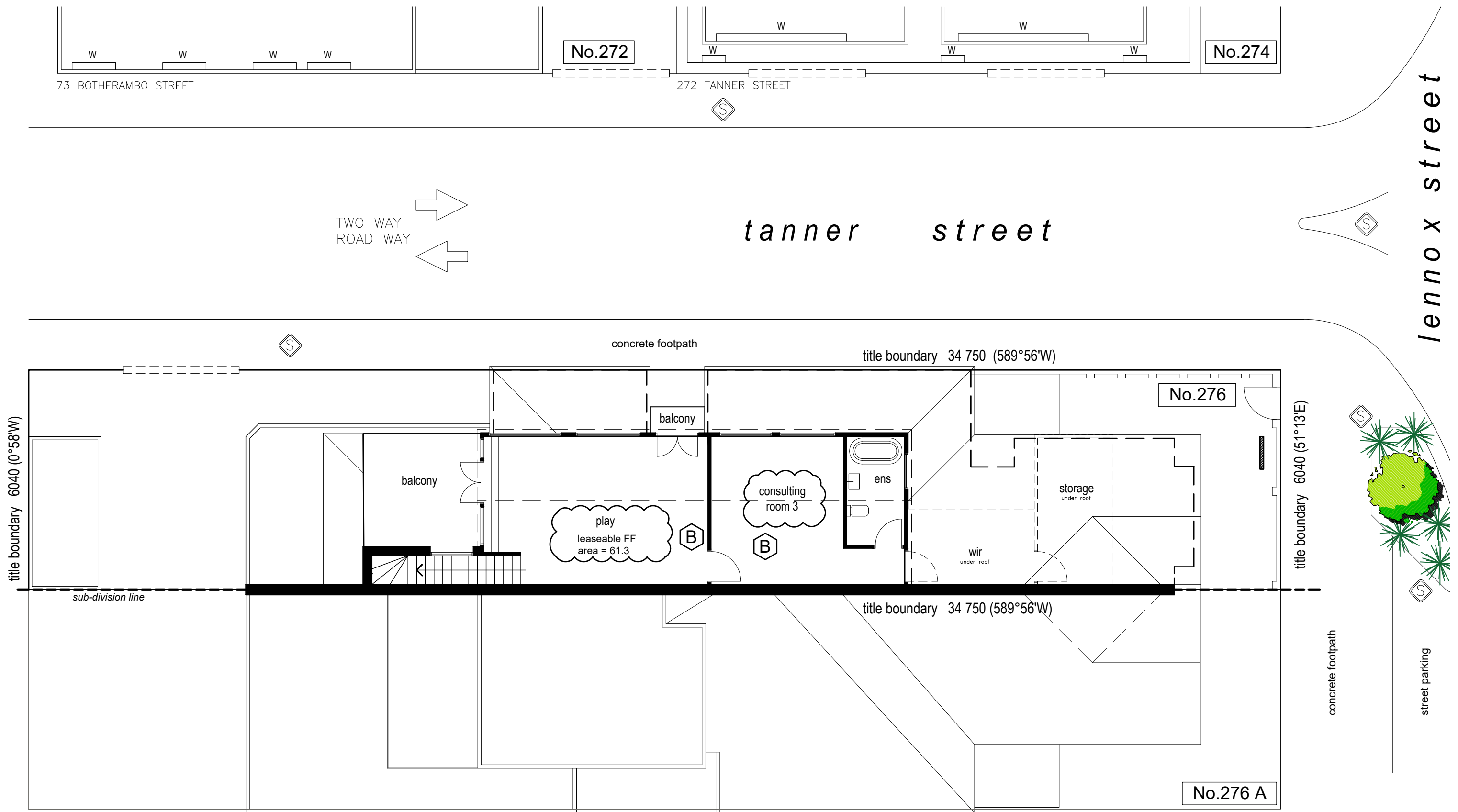
No.	Amendments	DATE
A	TOWN PLANNING APPLICATION	25.11.2021
B	TOWNPLANNING RFI	18.03.2022

Project :	PROPOSED RENOVATION
Address :	276 LENNOX STREET RICHMOND, VIC, 3121

Client :	DAVID HICKEY
Drawing :	GROUND FLOOR PLAN SHAPED CONSULTING

Drawn :	VW	Scale :	1:50/1:20
CAD Ref. :	tp2154	Date :	NOV 2021
Job No. :	eA2154	Revision :	B





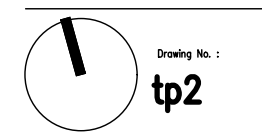
first floor plan
scale 1 : 100

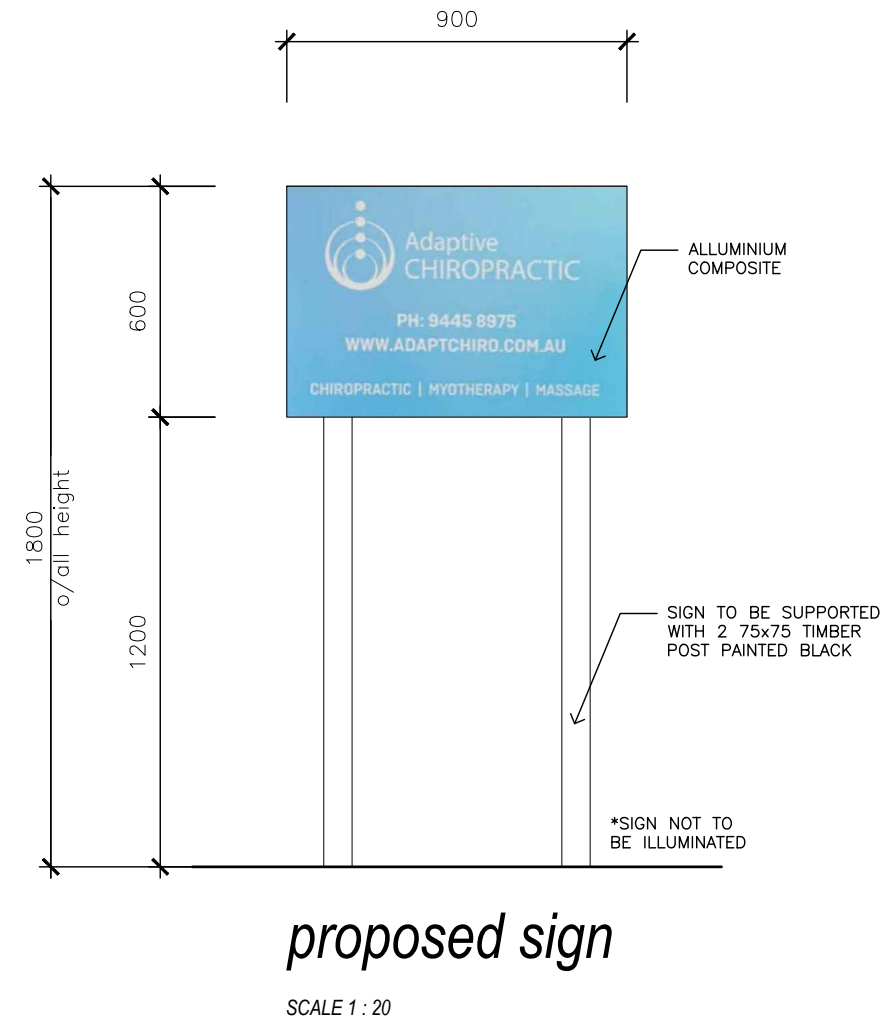
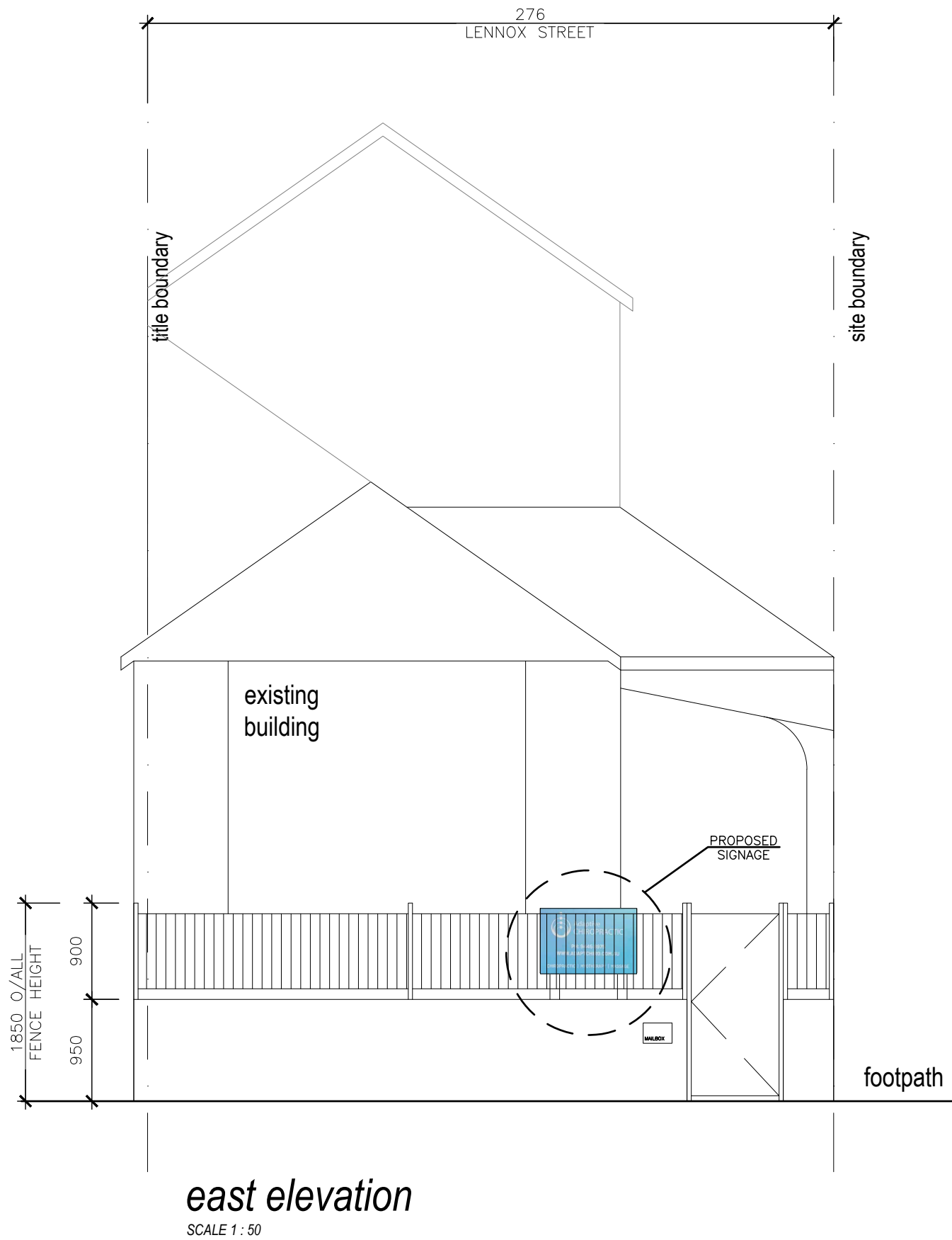
No.	Amendments	DATE
A	TOWN PLANNING APPLICATION	23.11.2021
B	TOWNPLANNING RPT	18.03.2022

Project :	PROPOSED RENOVATION
Address :	276 LENNOX STREET RICHMOND, VIC, 3121

Client :	DAVID HICKEY
Drawing :	FIRST FLOOR PLAN SHAPED CONSULTING

Drawn :	WV	Scale :	1:50/1:20
CAD Ref. :	tp2154	Date :	NOV 2021
Job No. :	eA2154	Revision :	B



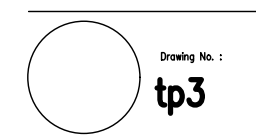


No.	Amendments	DATE
A	TOWN PLANNING APPLICATION	25.11.2021
B	TOWNPLANNING RFI	18.03.2022

Project :	PROPOSED RENOVATION
Address :	276 LENNOX STREET RICHMOND, VIC, 3121

Client :	DAVID HICKEY
Drawing :	EAST ELEVATION SHAPED CONSULTING

Drawn :	VN	Scale :	1:50/1:20
CAD Ref. :	tp2154	Date :	NOV 2021
Job No. :	eA2154	Revision :	B



The Planning Manager
Planning Department
City of Yarra

Submitted via email: PlanningAdmin@Yarracity.vic.gov.au

02 February 2022

Re: Application for a Planning Permit
No.276 Lennox Street, Richmond

Dear Sir/Madam,

We act on behalf of Mr Clarence Ho and Adaptive Chiropractic, in relation to the land at No.276 Lennox Street, Richmond.

Our client is seeking a planning permit for use of the existing building on the land for the purposes of a medical centre; reduction in the car parking provision; and a business identification sign.

For Council's consideration please find as part of the application material:

- A completed *Application for a Planning Permit* form
- A recent copy of the Certificate of Title for the land
- An architectural plan prepared by Elevation 7.

1.0 The Site

The subject site is known as No.276 Lennox Street, Richmond, located at the south-west corner of Tanner Street and Lennox Street. The lot is regular in shape with a frontage to Lennox Street of approximately 6 metres; a sideage to Tanner Street of approximately 47.2 metres; and a western boundary length of approximately 5.8 metres (Figure 1).

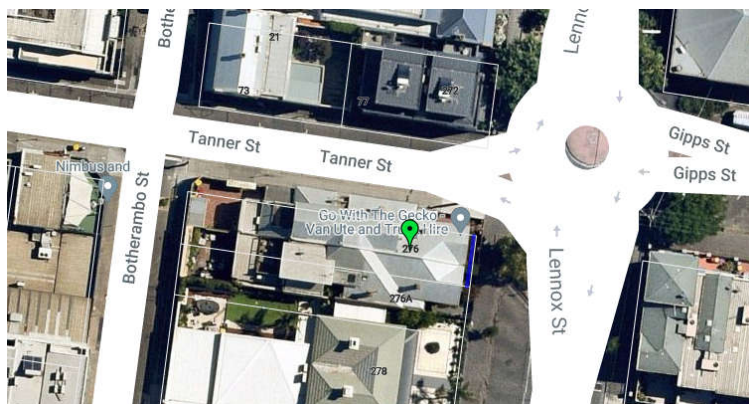


Figure 1: Aerial of the subject site

The land has an area of 214 square metres and contains a double storey, single dwelling. The dwelling is attached to another at No.276A Lennox Street however this dwelling is not part of the planning permit application.

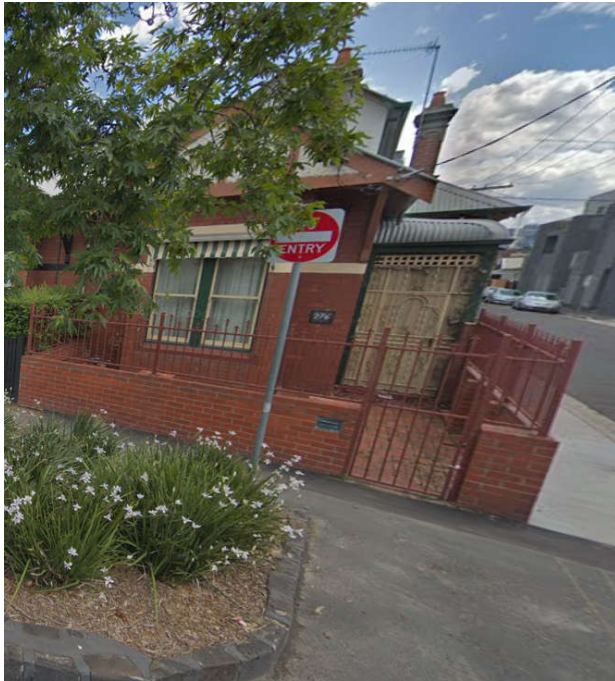


Figure 2: Subject site from Lennox Street

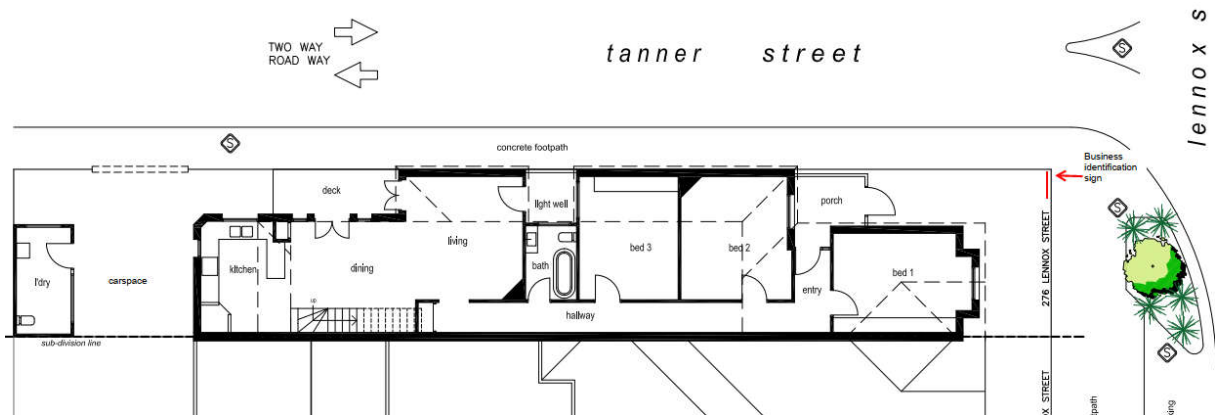


Figure 3: Extract of plan showing the subject site

An existing car space is located to the rear of the existing dwelling with access from Tanner Street to the north.

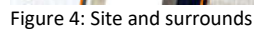
The Certificate of Title has been searched and is provided as a requirement of the planning permit application. The land is formally known as Lot 1 on Title Plan 854915V.

2.0 The Surrounds

The land is in a typical residential area of Richmond. The lot to the south is attached to the subject site dwelling. Further south is a mix of single and double storey dwellings on both sides of Lennox Street.

Opposite the subject site on the north side of Tanner Street is a three (3) storey residential dwelling.

And to the west is Botherambo Street which is a one way, north-south local street.



The planning permit application seeks permission for:

- use of the existing building on the land for the purposes of a medical centre
- reduction in the car parking provision
- a business identification sign.

Adaptive Chiropractic is seeking to commence practice as a chiropractic practice from the existing dwelling at No.276 Lennox Street, Richmond. The floor plan of the dwelling is suitably laid out to allow for a waiting room in the front of the house, two treatment rooms downstairs and one treatment room upstairs.

Typically, a maximum of two (2) practitioners will be treating at any one time.

A total of one (1) car space is provided on site, therefore a reduction in the number of car parking spaces required pursuant to Clause 52.06-5 is sought.

Zone

The subject site is identified as being within the Neighbourhood Residential Zone – Schedule 1 (NRZ1) ‘Yarra Residential Areas’ pursuant to Clause 32.09 of the Yarra Planning Scheme (Figure 5).

The purpose of this zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

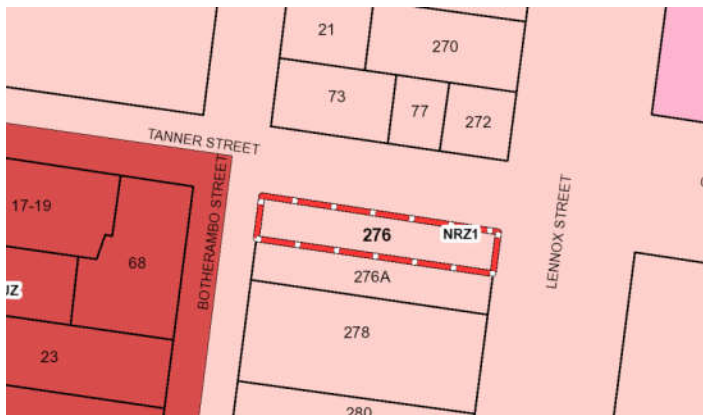


Figure 5: Zoning map

Within the NRZ1, 'medical centre' is an as-of-right use, however the conditions are:

- The gross floor area of all buildings must not exceed 250 square metres
- Must be located in an existing building
- The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3
- Must not require a permit under Clause 52.06-3.

The proposed medical use does not meet all of the conditions therefore a planning permit is required pursuant to Clause 32.09-2 of the Yarra Planning Scheme.

Overlays

A Development Contributions Plan Overlay (DCPO) and Heritage Overlay (HO332) affects the site.

DCPO

A planning permit is not required pursuant to Clause 45.06 as the proposal does not propose to 'subdivide land, construct a building or construct or carry out works...'

HO332

A planning permit is not required for the proposed medical centre use.

A planning permit is required to 'Construct or display a sign' pursuant to Clause 43.01-1, however any application is exempt from the notice requirements.

Particular Provisions

The following particular provisions are relevant to the proposal:

Clause 52.05 (Signs)

This clause regulates signage including Business Identification Signs which are defined as:

A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.

A Business Identification Sign is proposed in a Neighbourhood Residential Zone. The zone designates the site as in Category 3 of Clause 52.05. A planning permit is required pursuant to Clause 52.05-13 to display a Business Identification Sign.

The proposal includes a business identification sign of an area approximately 0.54 square metres (900mm x 600mm).

Clause 52.06 (Car Parking)

This clause requires that new uses and development be provided with an appropriate level of car parking, before the use and/or development commences on the land.

The standard car parking requirement for a medical centre proposal is:

- 3.5 to each 100sqm of leasable floor area

This results in a statutory car parking requirement of five (5.6 round down) based on a leasable floor area of 161 square metres. We note Column B applies as the site is located the Principal Public Transport Network Area.

The proposal provides one (1) car space therefore a planning permit is required pursuant to Clause 52.06-3.

5.0 Planning Assessment

Policy to support the Medical Centre Use

The proposed use of the existing dwelling; reduction in car parking; and one (1) business identification sign is a modest proposal to facilitate a medical centre use in Richmond.

Pursuant to Clause 21.08, the subject site is located in the neighbourhood of Central Richmond (Figure 6).

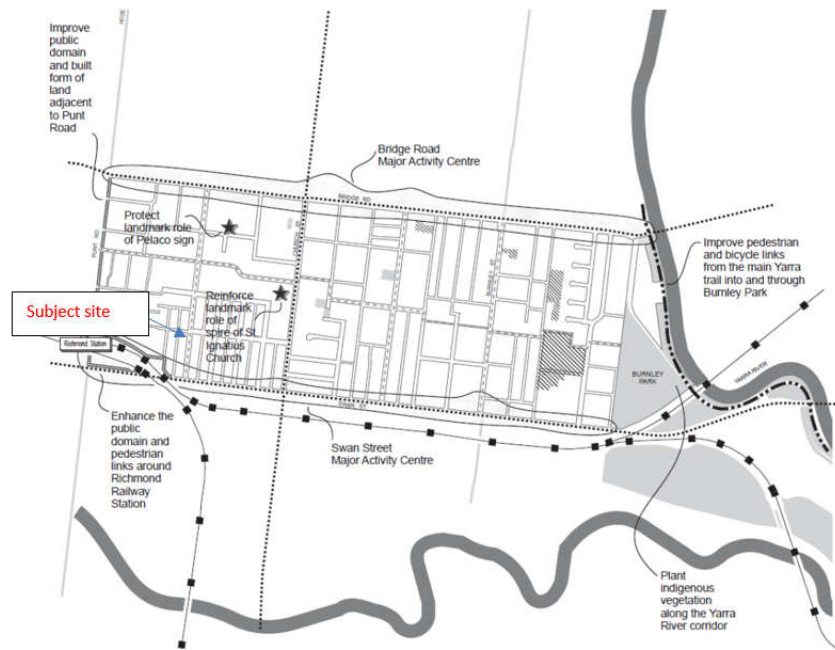


Figure 6: Central Richmond Neighbourhood

The site is proximate to the Swan Street Major Activity Centre to the south and the Bridge Road Major Activity Centre to the north.

While the site is located in an area primarily consisting of residential, the proximity to the Major Activity Centres is important in providing an accessible medical centre that can service local residents and workers and visitors to the activity centres.

The Neighbourhood Residential Zone, Clause 21.04 and Clause 22.01 contemplate 'non-residential' uses in residential zones.

Clause 21.04 seeks to 'retain community services' and to be located 'within or adjacent to activity centres'. The site is close to the Swan Street Major Activity Centre to the south and the Bridge Road Major Activity Centre to the north. The offering of a medical centre (chiropractor) will add to the medical services in the area as contemplated by Clause 21.04-4.

Clause 22.01 refers to discretionary uses in the 'the Residential 1 Zone' and has an objective 'to ensure that residential amenity is not adversely affected by non-residential uses.' The location of the site on the corner of Lennox, Tanner and Botherambo provides for management of interfaces with only the attached dwelling to the north being an immediate residential interface. The existing dwelling will be used for consulting with no new built form proposed.

Hours of operation will generally be limited to 8am to 8pm and the scale of the proposal is commensurate with the local residential community noting no new built form is contemplated.

Car parking

The location of the site within the Principal Public Transport Network Area and ensures excellent access to public transport with nearby sustainable transport facilities within proximity to the site as shown in Figure 7.

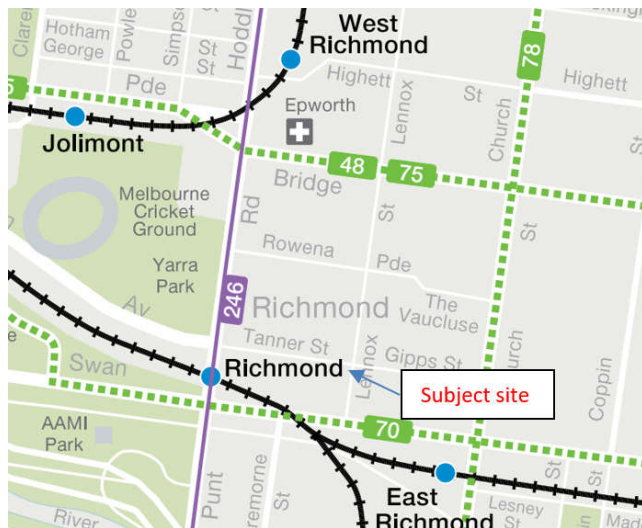


Figure 7: Public Transport in the vicinity of the subject site

The proposed car parking provision of one (1) car park is at a rate less than Column B of Clause 52.06 being:

- 3.5 to each 100sqm of leasable floor area

This results in a statutory car parking requirement of five (5.6 rounded down) based on a leasable floor area of 161 square metres.

Noting the character of the surrounding area, this provision is considered satisfactory for the following reasons:

- The subject site is easily accessible via sustainable transport options such as heavy rail, light rail, and active transport such as cycling. These diverse modes will provide staff and patients alternate and viable options to the motor vehicle.
- Car parking proximate to the site is typically constrained with permit and short to medium car parking evident. These restrictions preclude the use of street parking for staff particularly as they are seeking all day parking. This disincentive again moves demand to sustainable modes rather than the motor vehicle.

The proposed development delivers an outcome that satisfies not only the Sustainable Transport objectives and Strategies, but also the purpose of Clause 52.06, specifically:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- Ensures that car parking does not adversely affect the amenity of the locality.

Signage

A small Business Identification Sign is proposed in the front setback of the land facing Lennox Street (Figure 8).

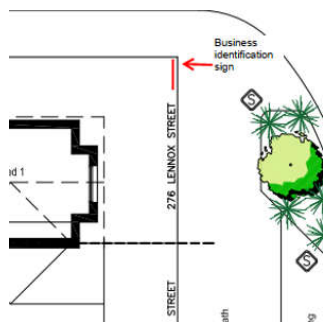


Figure 8: Location of business identification sign

The sign is proposed to replicate the following wording template with dimensions shown on plan (Figure 9):



Figure 9: Indicative business identification sign

The proposed sign meets the objectives of Council's Advertising Signs policy at Clause 22.04 by:

- Allowing for the promotion of community medical services.
- The signs do not detract from the visual amenity of commercial the residential areas.
- One small sign is proposed and therefore minimises visual clutter.
- The one small sign is not a dominant element in the streetscape.
- The small sign does not impact character and integrity of the heritage overlay.
- No major view corridors or vistas are affected.
- Vehicular and pedestrian safety is not affected.

The proposed sign is appropriate to identify a new medical centre and will not lead to 'visual clutter, a reduction in effectiveness, and generally detract from the character and amenity of an area' as is sought to be avoided at Clause 22.04.

5.0 Exemption from notice and review

Exemption 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 *Planning and Environment Act, 1987*, apply to the Business identification sign pursuant to Clause 52.05-7 and Clause 43.01-4.

6.0 Conclusion

A planning permit is sought for the use of the existing building on the land for the purposes of a medical centre; reduction in the car parking provision; and a business identification sign.

The proposal has been assessed against the Neighbourhood Residential Zone, the Heritage Overlay, Yarra's relevant policies at clauses 21.04, 21.08 and 22.01 and particular provisions at clauses 52.05 and 52.06.

We submit that the application for a medical centre is modest and on an appropriately located site to provide a service to local residents without impacting upon existing amenity.

The proposal is considered appropriate, justified and minor and we look forward to Council's prompt assessment.

Should you have any further queries or require any further clarification on the above, please do not hesitate to contact me on 0407 077 224.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Hickey', with a stylized flourish at the end.

David Hickey
Urban Planner

Encl.

The Planning Manager
Planning Department
City of Yarra

Submitted via email: PlanningAdmin@Yarracity.vic.gov.au

Att: Ms Erryn Megennis

22 March 2022

Re: Response to Further Information Request
No.276 Lennox Street, Richmond
PLN22/0069

Dear Ms Megennis,

We continue to act on behalf of Mr Clarence Ho and Adaptive Chiropractic, in relation to the land at No.276 Lennox Street, Richmond.

We refer to Council's letter dated 14 February 2022 which sought further information pursuant to Section 54 of the *Planning and Environment Act, 1987* in respect of our client's planning permit application. We are pleased to respond to the further information request as outlined below:

Requested Items	Response
<u>Application form</u>	The application has been updated to include a mobile phone number and email for Shaped Consulting as the representative of the permit applicant.
<u>Caveat</u>	Caveat AV10666Y is provided to Council. We note the caveat does not impose restrictions on the use or development of the land.
<u>Reports</u> <i>Written report</i>	a) At the most, 3 patients will be on site at any one time. b) The medical centre will operate Monday to Friday, 8am-6.30pm and Saturday 8am-12pm c) Clause 52.34-5 recommends 1 bicycle space per 8 practitioners and 1 bicycle space per 4 visitors. On this basis two (2) bicycle spaces are required. The plan has been amended to one (1) bicycle space in the front setback to Lennox Street and the rear of the building adjacent to the laundry
<u>Plans/Elevations</u>	The plan TP1 Ground Floor plan has been updated to show: a) Title boundaries clearly shown and the title boundary dimensions notated; b) The leasable floor area of the medical centre; c) Dimensions of the car parking space;

	<ul style="list-style-type: none"> d) A notation confirming the minimum clearance above ground level of the roller door; e) The width of the accessway to the car parking space; f) The setback of the proposed sign from the north and east title boundaries; and g) The location of on-site bicycle parking (if any) and dimensions of the bicycle parking spaces. <p>A new east elevation TP3 has been prepared to include:</p> <ul style="list-style-type: none"> a) The proposed business identification sign; b) Notation detailing the construction and support of the sign, including materials; c) The dimensions of the sign (length and width); d) The maximum height of the sign above ground level; and e) A notation confirming whether the sign is illuminated or not illuminated.
<p><u>Car Parking Demand Assessment pursuant to Clause 52.06-7 (Car Parking)</u></p>	<p>This Clause requires that new uses and development be provided with an appropriate level of car parking before the use and/or development commences on the land.</p> <p>The standard car parking requirement for a medical centre proposal is:</p> <ul style="list-style-type: none"> ▪ 3.5 to each 100sqm of leasable floor area <p>This results in a statutory car parking requirement of six based on a leasable floor area of 183 square metres. We note Column B applies as the site is located the Principal Public Transport Network Area.</p> <p>The proposal provides one (1) car space therefore a planning permit is required pursuant to Clause 52.06-3.</p> <p>The location of the site within the Principal Public Transport Network Area and ensures excellent access to public transport with nearby sustainable transport facilities within proximity to the site as shown below.</p> <div data-bbox="470 1288 1109 1825"> </div> <p>Public Transport in the vicinity of the subject site</p>

	<p>Noting the character of the surrounding area, a provision of one car space is considered satisfactory for the following reasons:</p> <ul style="list-style-type: none"> ▪ The subject site is easily accessible via sustainable transport options such as heavy rail, light rail, and active transport such as cycling. These diverse modes will provide staff and patients alternate and viable options to the motor vehicle. ▪ Car parking proximate to the site is typically constrained with permit and short to medium car parking evident. These restrictions preclude the use of street parking for staff particularly as they are seeking all day parking. This disincentive again moves demand to sustainable modes rather than the motor vehicle. <p>The proposed development delivers an outcome that satisfies not only the Sustainable Transport objectives and Strategies, but also the purpose of Clause 52.06, specifically:</p> <ul style="list-style-type: none"> ▪ To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. ▪ To support sustainable transport alternatives to the motor car. ▪ Ensures that car parking does not adversely affect the amenity of the locality. <p>An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 must be accompanied by a Car Parking Demand Assessment.</p> <p>Clause 52.06-7 sets out that a Car Parking Demand Assessment must have regard to the following key factors:</p> <ul style="list-style-type: none"> ▪ The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use. ▪ The variation of car parking demand likely to be generated by the proposed use over time. ▪ The short-stay and long-stay car parking demand likely to be generated by the proposed use. ▪ The availability of public transport in the locality of the land. ▪ The convenience of pedestrian and cyclist access to the land. ▪ The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land. ▪ The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land. ▪ Any empirical assessment or case study. <p>Planning Practice Note 22 (June, 2015) specifies that the provisions for reducing the car parking requirement draw a distinction between the assessment of likely demand for car parking spaces (the Car Parking Demand Assessment), and whether it is appropriate to allow the supply of fewer spaces than assessed by the Car Parking Demand Assessment. These are two separate considerations, one technical while the other is more strategic. Different factors are taken into account in each consideration.</p> <p>Accordingly, the applicant must satisfy the responsible authority that the provision of car parking is appropriate on the basis of a two-step process, which has regard to:</p> <ul style="list-style-type: none"> • <i>The car parking demand likely to be generated by the use.</i>
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	<ul style="list-style-type: none"> • <i>Whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the site.</i> <p>An assessment of the appropriateness of reducing the car parking provision below the statutory requirement is set out below.</p> <p><u>Car Park Demand Assessment</u></p> <p>A 'business as usual' approach to parking demand assessments is typically informed by a 'predict and provide' methodology which leverages current behaviour to inform future considerations.</p> <p>This approach is characterised by mandatory minimum parking requirements, with each development (land use) expected to provide its own parking. The intent being that motorists should nearly always be able to easily find convenient, free parking at every destination.</p> <p>Under this 'predict and provide' approach, parking planning is based on the premise that the 'parking problem' means 'inadequate supply', and consequently:</p> <ol style="list-style-type: none"> 1. More parking is better. 2. Every destination should satisfy its own parking needs (minimum ratios). 3. Car parks should never fill. 4. Parking should always be free or subsidised or incorporated into building costs. <p>However, there is an increasing trend towards more efficient use of existing transport infrastructure as an alternative to expanding roads and parking facilities, incorporated in a technique known as travel demand management (TDM).</p> <p>TDM emphasises the movement of people and goods, rather than motor vehicles, and gives priority to more efficient travel and communication modes (such as walking, cycling, car sharing, public transport and telecommuting), particularly under congested conditions (Austroads Guide to Traffic Management Part 11: Parking).</p> <p>In the decision of <i>Ronge v Moreland CC</i> [2017] VCAT 550 the Tribunal found that the 'business as usual' approach needs to be reconsidered especially in locations that are well served by a range of heavy and light rail services, where cycling and walking is a practical alternative to car travel, and where local policy advocates for car parking to be managed to optimise its use and encourage sustainable transport options. This decision and <i>Vincent Corporation Pty Ltd v Moreland CC</i> (Includes Summary) (Red Dot) [2015] VCAT 2049 are two decisions of the Tribunal that signal this change in the consideration of parking provision.</p> <p>In <i>Ronge v Moreland CC</i>, the Tribunal commented as follows:</p> <p><i>The recently released Plan Melbourne 2017-2050 is predicting that Melbourne's population will increase from approximately 5 million to 8 million people over the next 33 years. An additional 1.6 million dwellings will be required to house the extra population.</i></p> <p><i>State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling. At the municipal level, Moreland has long been recognised as being at the forefront of encouraging less reliance on car based transport. For example, the</i></p>
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	<p><i>Moreland Integrated Transport Strategy 2010 includes a key principle that walking and cycling are the preferred modes of transport.</i></p> <p><i>Our roads are already congested and will be unimaginably so if a 'business-as usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.</i></p> <p><i>A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5. However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.</i></p> <p><i>Policy tells us the future must be different. Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.</i></p> <p><i>One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.</i></p> <p><i>In Vincent Corporation Pty Ltd v Moreland CC, the Tribunal found that:</i></p> <p><i>The decision discusses current policies for car parking and the consideration of both demand and supply management as sought by State policy for integrated transport and the application of this in the assessment of car parking in inner city activity centres such as Brunswick. The decision also reviews a number of other similar recent cases of the Tribunal, deriving some common themes in the consideration of reducing car parking rates in larger, particularly inner city, activity centres. These are:</i></p> <ul style="list-style-type: none"> <i>a. Parking across an activity centre needs to be addressed in a centre wide manner.</i> <i>b. Providing or restricting parking through the planning scheme, only forms one part of the overall management of car parking demand and supply in these centres.</i> <i>c. There are a number of alternative means of travel emerging. Most notable of these are share car arrangements and increased bicycle use, including electric bicycles. These have grown extensively in use in the past 10 years. Their impact on empirical demand is not yet known. Policies to minimise car dependency suggest it should lead to less demand.</i> <i>d. In areas of existing restricted on-street parking, the supply of on-street spaces for future occupants of a proposal is not particularly relevant to the assessment. In these locations, on-street road management restrictions can ensure future residents of a proposal are not able to rely on any spare capacity in on-street parking.</i> <i>e. While a current empirical demand may exist not every site can, or needs to, meet this demand. Some sites may have limited capacity to meet car parking needs, particularly small or constrained sites.</i> <i>f. A proposal for a reduced resident parking provision needs to consider:</i> <ul style="list-style-type: none"> <i>i. Access to public transport, in timing, diversity of routes and frequency.</i> <i>ii. Walkable access from the site to shops and facilities that provide for the</i>
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	<p><i>daily needs of residents.</i></p> <p><i>iii. Access to other transport options including good bicycle infrastructure and walkable access to publically available shared use cars.</i></p> <p><i>g. As with any proposal, a decision to reduce parking ultimately must be tested on its own merits with competing issues balanced to achieve net community benefit. Any potential adverse impacts from parking on-street will need to be assessed against the benefits a proposal may bring to the community where car parking forms only one part of a use or development proposal.</i></p> <p>The decisions clearly support a reduction of statutory car parking provision where the benefits of lesser car parking outweighs the compliance with the provision in Clause 52.06.</p> <p>The statutory parking provision rate of 3.5 spaces per 100 square metres typically aligns with parking demand in unconstrained scenarios in suburban and outer suburban areas. In inner city locations, demand rates lower than 3.5 spaces per 100 square metres are commonplace.</p> <p>The proposed car parking provision of one (1) car park is at a rate of 1.84 each 100sqm of leasable floor area</p> <p>The site is proximate to the Swan Street Major Activity Centre to the south and the Bridge Road Major Activity Centre to the north and therefore is ideally located to provide an accessible medical centre that can service local residents and workers and visitors to the activity centres. The convenient availability of high-capacity public transport access clearly then justifies lower car parking provision rates than would be expected due to higher levels of access and connectivity to high quality public transport services.</p> <p>Adaptive Chiropractic is seeking to commence practice as a chiropractic practice from the existing dwelling at No.276 Lennox Street, Richmond. The floor plan of the building is suitably laid out to allow for a waiting room in the front of the house, two treatment rooms downstairs and one treatment room upstairs.</p> <p>Typically, a maximum of two (2) practitioners will be treating at any one time; with 3 patients on site at any one time. On that basis a maximum of two (2) long term car spaces for practitioners and three (3) long term car spaces for patients. One (1) long term car space will be available on site for a practitioner in addition to bicycle spaces within the subject site as shown on the application plan.</p> <p>With the location of the subject site and the nature of the car parking in the area being short term, it is reasonable to assume that one practitioner will utilise alternate transport including public transport that is plentiful in the area.</p> <p>Short-term on-street car parking (2 hour) on Lennox and Gipps streets can accommodate patients who choose to travel by car, however they will more likely utilise alternate transport means including public transport that is plentiful in the area. Bicycle spaces are available within the front setback of the lot as shown on the application plan.</p> <p>The proposal includes a car parking space on site and bicycle spaces that we submit will satisfies the likely parking demand of the new use.</p>
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	<p><u>Appropriateness of Providing Fewer Car Spaces than the Demand Assessment</u></p> <p>The second step is to consider whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the site as assessed by the Car Parking Demand Assessment.</p> <p>As the Car Parking Demand Assessment indicates that adequate on-site car parking is provided, there is no need to assess the appropriateness of providing fewer car spaces than the number likely to be generated.</p> <p>In any event, the availability of short-term car parking spaces on street; bicycle parking provided on the site; location of the site in the PPTN area, therefore the site is well serviced by public transport services, ensures that the car parking provision, and alternate transport options will satisfy the likely parking demand.</p>
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For Council's consideration please find as part of the application material:

- An amended *Application for a Planning Permit* form
- A copy of the Caveat AV10666Y for the land
- Updated architectural plans prepared by Elevation 7.

We look forward to Council's further assessment and prompt decision making.

Should you have any further queries or require any further clarification on the above, please do not hesitate to contact me on 0407 077 224.

Yours sincerely



David Hickey
Urban Planner

Encl.

Heritage

Informal Referral Request



Application Information	
Officer	Erryn Megennis
Council Reference	PLN22/0069
Subject Site	276 Lennox St, Richmond VIC 3121
Proposal	Use of the land for a medical centre (chiropractor), construction and display of one (1) business identification sign and a reduction in car parking
Zone	NRZ1 - Neighbourhood Residential Zone - Schedule 1
Overlay	DCPO1 - Development Contributions Plan Overlay - Schedule 1 (Development Contributions Plan) HO332 - Heritage Overlay (HO332) Contributory
Referral Information	IREF22/00891 – Heritage referral comments

Meeting Details	
Date	21 June 2022
Referred Officer Name(s)	Michelle Bashta

Advice Provided at Meeting

The following elements of the proposal are supported and comply with policy:

1. The proposed business identification sign has been appropriately sited. The sign is of low scale and does not disrupt views of the front window of entry.
2. The sign is consistent with the business identification sign character of Lennox Street in that it is of low scale and not illuminated.

Is further information required? ☐ Yes - Required or ☒ No - Not Required

Planner Name: Erryn Megennis

Planner Signature:

Date: 21 June 2022

Development Engineering Formal Referral Response



Application Information	
Referral Officer	Erryn Megennis
Officer	Artemis Bacani
Council Reference	IREF22/00141
Address	276 Lennox St, Richmond
Application No.	PLN22/0069
Proposal	Use of the land for a medical centre (chiropractor), construction and display of one (1) business identification sign and a reduction in car parking
Comments Sought	<ul style="list-style-type: none">• The proposed car parking reduction; and• On-site car parking access and dimensions

Council's Engineering Referral team provides the following information which is based on the information provided by Statutory Planning referenced above.

Comments and Recommendations

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Shaped Consulting	Town Planning Report		2 February 2022
Elevation7	TP1 <i>Ground Floor Plan</i>	B	18 March 2022

CAR PARKING PROVISION

Proposed Development

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

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Medical Centre	161 m ²	3.5 spaces per 100 m ² of leasable floor area	5	1

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

A reduction of 4 car spaces in the car parking requirements of Clause 52.06 is sought by the applicant.

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

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

Parking Demand Consideration	Details
<i>Parking Demand for the Medical Centre Use</i>	The on-site car space would be allocated for a medical practitioner use. Any overflow of car parking generated by the site would be accommodated on the street in the surrounding area.
<i>Availability of Public Transport in the Locality of the Land</i>	The following public transport services can be accessed to and from the site by foot: <ul style="list-style-type: none">▪ Swan Street trams – 180 metre walk▪ Richmond railway station – 370 metre walk▪ Hoddle Street buses – 430 metre walk▪ Church Street trams – 440 metre walk▪ East Richmond railway station – 450 metre walk▪ Bridge Road trams – 600 metre walk
<i>Multi-purpose Trips within the Area</i>	Visitors to the development could combine their visit by engaging in other activities of business whilst in the area.
<i>Convenience of Pedestrian and Cyclist Access</i>	The site is very well positioned in terms of pedestrian access to public transport nodes, shops, supermarket, places of employment and education and other essential facilities. The site also has good connectivity to the on-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

Consideration	Details
<i>Availability of Car Parking</i>	<p>Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the 'normal' car parking demands in the surrounding area.</p> <p>The on-street parking demand in this part of Richmond is generally high during business hours. The area surrounding the subject site is blanketed in time-based parking restrictions which ensure that parking turns over frequently. Visitors to the site during business hours should be able to find an on-street car space near the site.</p>
<i>Relevant Local Policy or Incorporated Document</i>	<p>The proposed development is considered to be in line with the objectives contained in Council's Strategic Transport Statement. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.</p>

Adequacy of Car Parking

From a traffic engineering perspective, the reduction of car parking for the site is considered appropriate in the context of the development and the surrounding area. Visitors to the site would commute to and from the site by using sustainable transportation modes, such as take public transport or ride a bicycle. The operation of the development should not adversely impact on the existing on-street parking conditions in the area.


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

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Vehicle Crossing	Access to the on-site car space is provided from the existing 3.0 metre wide vehicle crossing.
Car Parking Modules	
Car Space	The dimension of the car space of 4.0 metres by 6.07 metres satisfies <i>Design Standard 2 – Car parking spaces</i> .

Engineer: Artemis Bacani

Signature: 

Date: 19 May 2022

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 2

VOLUME 04322 FOLIO 279

Security no : 124094585259P
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LAND DESCRIPTION

Lot 1 on Title Plan 854915V.
PARENT TITLE Volume 02704 Folio 713
Created by instrument 0930626 24/03/1920

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
BENITA JAYE WILLIS of 276 LENNOX STREET RICHMOND VIC 3121
AH650404Q 03/12/2010

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AU566230D 12/07/2021
NATIONAL AUSTRALIA BANK LTD

CAVEAT AV106666Y 08/12/2021
Caveator
CHARLES HEIDSIECK PTY LTD ACN: 626214533
Grounds of Claim
AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.
Parties
THE REGISTERED PROPRIETOR(S)
Date
28/10/2021
Estate or Interest
FREEHOLD ESTATE
Prohibition
ABSOLUTELY
Lodged by
WILLIS CONVEYANCING
Notices to
BRANDON OWENS of 196 MT DANDENONG TOURIST ROAD FERNY CREEK VIC 3786

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP854915V FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AV106666Y (E)	CAVEAT Registered	08/12/2021

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 276 LENNOX STREET RICHMOND VIC 3121

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 2 of 2

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 12/07/2021

DOCUMENT END

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TITLE PLAN**EDITION 1****TP 854915V****Location of Land**

Parish : JIKA JIKA
 Township : -
 Section : -
 Crown Allotment : -
 Crown Portion : 22 (PT)

Last Plan Reference : -

Derived From : VOL. 4322 FOL. 279

Depth Limitation : NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land/ Easement Information

As to the land colored blue-

Together with the use and enjoyment of the half of a party wall which half was on -
 the 4th December 1919 standing upon the land colored yellow on the said map - - - -

ENCUMBRANCES

As to the land colored blue ----

THE PARTY WALL EASEMENT reserved by ----
 Instrument of Transfer Numbered 930626

THIS PLAN HAS BEEN PREPARED BY
 LAND REGISTRY, LAND VICTORIA FOR
 TITLE DIAGRAM PURPOSES

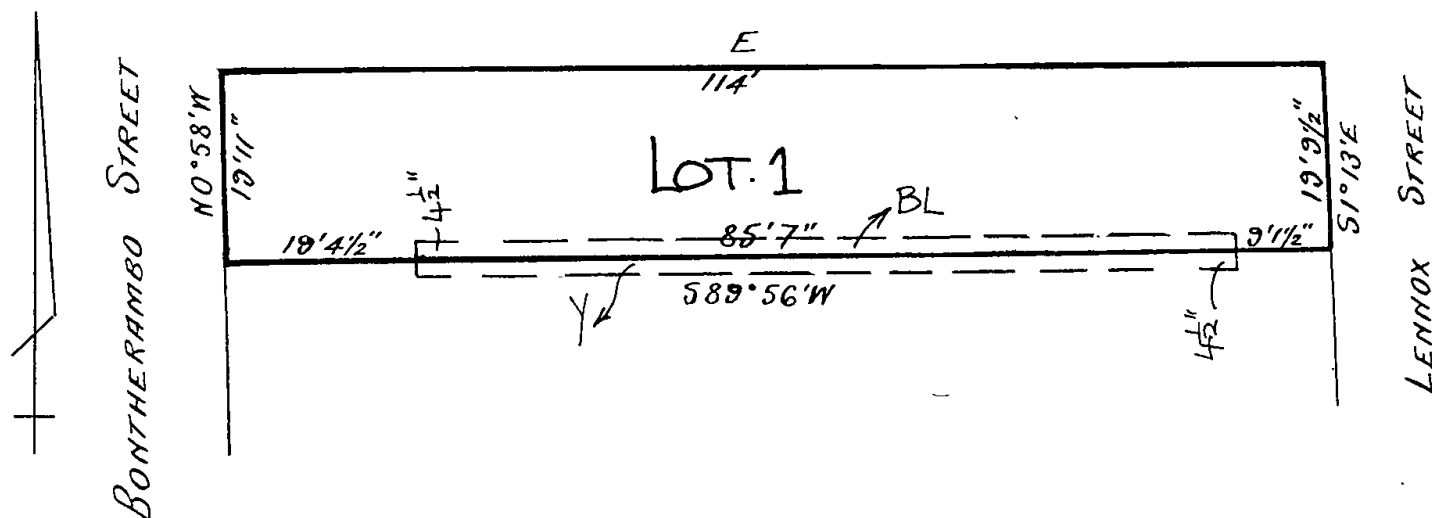
COMPILED: Date 5/07/06

VERIFIED: A. DALLAS

Assistant Registrar of Titles

COLOUR CODE

BL=BLUE G=GREEN
 BR=BROWN P=PURPLE
 Y=YELLOW R=RED
 H=HATCH CH=CROSS HATCH

*TANNER**STREET***TABLE OF PARCEL IDENTIFIERS**

WARNING: Where multiple parcels are referred to or shown on the Title Plan this does
 Not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962

LOT 1 = CROWN PORTION 22 (PT)

LENGTHS ARE IN
 FEET AND INCHES

Metres = 0.3048 x Feet
 Metres = 0.201168 x Links

Sheet 1 of 1 Sheets