YARRA CITY COUNCIL

Internal Development Approvals Committee

Agenda

to be held on Wednesday 30 May 2018 at 6.30pm in Meeting Rooms 1 & 2 at the Richmond Town Hall

Rostered Councillor membership

Councillor Misha Coleman
Councillor Danae Bosler
Councillor Daniel Nguyen

I. ATTENDANCE
Nish Goonetilleke (Senior Statutory Planner)
Ally Huynh (Senior Co-Ordinator Statutory Planning)
Cindi Johnston (Governance Officer)

II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

III. CONFIRMATION OF MINUTES

IV. COMMITTEE BUSINESS REPORTS

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

Guidelines for public participation at Internal Development Approval Committee meetings

POLiCY

Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

Governance Branch
2008

1. Committee business reports

Item		Page	Rec. Page
1.1	3 Station Street, Fairfield - PLN17/0585 - Development of the land for the construction of a double storey building containing 10 dwellings with basement car park.	5	31
1.2	9-17 Smith Street, Fitzroy VIC 3065 - Planning Permit Application No. PLN13/0212.03 - Section 72 Amendment to replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor, and associated reduction in car parking requirements and amendments to conditions	78	94
1.3	10 and 20 River Boulevard, Richmond - PLN16/1156 - Development plan, Pedestrian amenity and access plan, Landscape plan, Transport plan and Management plan under sections 6, 7, 8, 9 and 10 of the Comprehensive Development Zone, Schedule 1) to allow for the construction of a 13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses) [Development plan application] PLN17/1143 - Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme [Planning permit application]	111	170

1.1 3 Station Street, Fairfield - PLN17/0585 - Development of the land for the construction of a double storey building containing 10 dwellings with basement car park.

Executive Summary

Purpose

1. This report provides Council with an assessment of Planning Permit Application PLN17/0585 which affects the land at 3 Station Street, Fairfield and recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:

   (a) Clause 15.01 – Urban Environment;
   (b) Clause 21.05 – Built form
   (c) Clause 22.10 – Built Form and Design Policy;
   (d) Clause 22.13 – Residential Built form Policy;
   (e) Clause 32.09 – Neighbourhood Residential Zone (Schedule 2);
   (f) Clause 52.06 – Car Parking; and
   (g) Clause 55 - ResCode

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Clause 55 (ResCode);
   (b) Built form; and
   (c) Objector concerns.

Objector Concerns

4. A total of 66 objections were received to the application, these can be summarised as:
   (a) Overdevelopment high density development within a low density neighbourhood);
   (b) Out of keeping with neighbourhood character (architectural design, built form, setbacks, loss of garden areas);
   (c) Designated preferred development sites nearby;
   (d) Demolition of the dwelling not acceptable;
   (e) Car parking issues (increased visitor demand, blocking access to adjoining properties);
   (f) Traffic movements (congestion, pedestrian safety);
   (g) Minimal provision for bicycle spaces;
   (h) Overlooking;
   (i) Overshadowing;
   (j) Loss of solar access/daylight access;
   (k) Inappropriate site coverage (lack of garden space);
   (l) Removal of trees not acceptable;
   (m) Internal amenity (accessibility, balcony sizes, room functionality, dwelling diversity, access for persons with limited mobility);
   (n) Disturbances during construction;
   (o) Noise (from increased dwelling density, construction, traffic);
   (p) Lack of transparency by the developers;
   (q) Application not advertised correctly; and
   (r) Precedent for future development.

Conclusion

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

CONTACT OFFICER: **Gary O'Reilly**
TITLE: **Senior Statutory Planner**
TEL: **9205 5040**

1.1 3 Station Street, Fairfield - PLN17/0585 - Development of the land for the construction of a double storey building containing 10 dwellings with basement car park.

Trim Record Number: D18/81171
Responsible Officer: Senior Coordinator Statutory Planning

.Proposal:	Development of the land for the construction of a double storey building containing 10 dwellings with basement car park
Existing use:	Dwelling
Applicant:	Giuseppe Vermiglio & Lucia Vermiglio
Zoning / Overlays:	Neighbourhood Residential Zone (Schedule 2)
Date of Application:	18/07/2017
Application Number:	PLN17/0585

Planning History

1. Planning Permit PLN16/0309 was refused by Council on 27 September 2016 for the development of the land for twelve dwellings.

Background

2. The application was received by Council on 18 July 2017, with additional information received on 13 October 2017. The application was advertised on 2 November 2017, with sixty-six (66) objections received.

Sketch plans – 5 March 2018

3. In response to the concerns raised by Council, the Applicant submitted revised sketch plans on 5 March 2018. The sketch plans incorporate the following changes:

   (a) Internal re-design of Apartment 1 including the relocation of bedroom 1, the kitchen/living area and bathroom;
   (b) Internal re-design of Apartment 2 including the relocation of bedroom 1, bathroom and deletion of the study;
   (c) Internal re-design of Apartment 3 including the relocation of the dining area adjacent to the living area and subsequent relocation of the kitchen and laundry.

Sketch Plans – 15 May 2018

4. In response to the concerns by residents during the consultation meeting, the Applicant submitted revised sketch plans on 15 May 2018. The sketch plans incorporate the following changes:

   (a) Deletion of the first floor communal balcony adjacent to the lift and stairwell on the south side and installation of glazing;
   (b) Notation that south-facing glazing associated with the first floor communal sitting area is to be "*fixed, frosted glazing to 1700h, clear, openable glazing above*"
   (c) Notation stating "*builder to construct new fence upon demolition of existing garage boundary walls*", along boundary walls to be removed along southern boundary with No. 1 Station Street.

Existing Conditions

Subject Site

5. The subject site is located on the eastern side of Station Street, approximately 65m south of the intersection between Heidelberg Road and Station Street in Fairfield.

6. The lot is rectangular in shape having a frontage to Station Street of 19.94m, a depth of 40.23m and covering a total area of approximately 802sqm. The title submitted does not show any restrictive covenants affecting the subject site.

7. The land is developed with a single storey rendered dwelling with a tiled, hipped roof form. The dwelling is single fronted with a minimum setback of 10m from the western (front) title boundary, with a verandah encroaching 2.6m into the front setback. There is small to medium sized landscaping within the front setback.

8. Vehicle access is provided via a single width crossover and accessway along the southern boundary and leading into a single width garage constructed along the southern boundary. To the rear is the dwelling's secluded private open space, with a single storey outbuilding constructed along the southern boundary. There is an existing 1.6m high brick and steel picket fence along the front boundary.

9. The site survey plan shows dimensions of 20.12m to the east and west boundaries which fails to match the title dimensions of 19.94m (west) and 20.07m (east). The difference is marginal (between 0.18m to the front and 0.05m at the rear), however a condition will be required to correctly show title dimensions.

10. As a result of the incorrect dimensions, this could have an impact on the mandatory garden area requirements of the NRZ. Given the marginal error however, it is considered that a condition can be included for the minimum garden area to be provided in accordance with the zone without compromising the overall design/layout.

Surrounding Land

11. The surrounding land is predominantly residential in nature, with properties to the north along Heidelberg Road located with a Commercial 2 Zone. Station Street is occupied predominantly by post-war dwellings, none of which are located within a heritage overlay. The built form in the area is a mix of single and double storey dwellings, with a triple storey apartment block at No. 10 Station Street. There are also a number of multi-unit developments along the street with examples at Nos. 1 and 5 Station Street.

12. The adjoining land to the north is developed as a multi-unit residential development containing a double storey dwelling fronting Station Street and two single storey dwellings to the rear. The front dwelling has a 6.2m setback from the street with a high brick fence and 5.7m wide driveway running along the common boundary with the subject site. The dwelling's secluded private open spaces are located along the northern boundary, towards the Heidelberg Street interface.

13. The adjoining land to the south is also developed as a multi-unit residential development containing three single storey brick dwellings. The front dwelling has a 6.2m setback from the street with a high brick fence and 6.2m wide driveway running along the common boundary with the subject site. The dwellings' secluded private open spaces are located along the eastern (rear) and southern (side) boundaries.

14. To the eastern (rear) boundary of the subject site are the rear setbacks of dwellings fronting Arthur Street. These spaces are occupied by the secluded private open space, associated with Nos. 4 Arthur Street (single storey dwelling), parking associated with No. 6 Arthur Street (triple storey apartment block) and the side setback (2.3m wide) of No. 44 Park Crescent (a single and double storey dwelling). The built forms vary between single to triple storey residential buildings.

15. To the west is Station Street, which is a two-way street with kerb side parking along both sides and street trees. On the opposite side of the street is a mix of single storey dwellings and a triple storey apartment block to the north-west at No. 10 Station Street.

16. The site is well serviced by public transport, shopping strips and public open space facilities, including:

    (a) Heidelberg Road is serviced by the following bus routes:
        (i) The 546 (Heidelberg – Melbourne University – Queen Victoria Market via Clifton Hill and Carlton) travels along Heidelberg Road;
        (ii) The 609 (Hawthorn to Fairfield via Kew) travels along Heidelberg Road;
    (b) Fairfield Train Station 510m to the north of the site;
    (c) Heidelberg Road shopping strip located 50m to the north and extending east and west along Heidelberg Road;
    (d) Station Street shopping strip located approximately 550m to the north;
    (e) Yarra Bend Park located approximately 300m to the west; and
    (f) Coate Park and Alphington Park located approximately 410m and 1km to the east.

The Proposal

17. The proposed development is for ten (10) new dwellings within a two-storey building above a basement car parking level. The development can be summarised as follows:

    Basement level

18. Construction of fourteen (14) car parking spaces (1 for each apartment & 2 visitor spaces labelled as car share) accessed via a ramp into Station Street. The basement also contains an external storage area for each apartment, waste storage area, foyer, two bicycle spaces, 15,000 litre rainwater tank (for toilet flushing and landscaping etc.), and lift access area.

    Ground floor

19. This level contains Dwellings 1 to 5, containing a mix of 1 x 1-bedroom and 4 x 2-bedroom apartments. Each dwelling will also contain a bathroom, laundry and an open plan kitchen, dining and living area leading out onto the dwelling's individual secluded private open space located within the northern and eastern setbacks (Unit 1 has a courtyard within the front setback).

20. Vehicle access is via the existing crossover along the south-western corner, leading into a ramp into the basement car park. Above the ramp, it is proposed to construct four concrete columns as a design feature leading into the basement.

21. A common pedestrian entrance and communal sitting area is located towards the southern boundary of the building. Each of the proposed dwellings would be accessed via these shared areas. Setbacks vary between 1m to 5m from the various boundaries, with a front setback of 6.2m.

    First floor

22. This level contains Dwellings 6 to 10, containing a mix of 1 x 1-bedroom and 4 x 2-bedroom apartments. Each dwelling will also contain a bathroom, laundry and an open plan kitchen, dining and living area leading out onto the apartment's balconies (between 8sqm to 17.1sqm).

23. A communal seating area and 7sqm balcony is located towards the southern boundary of the building near the stairwell and lift entry. Each of the proposed dwellings would be accessed via these shared areas. Setbacks vary between 1m (balcony) to 5.6m from the various boundaries, with a varied front setback of 6.2m (balcony) to 8.2m (to façade of apartments 6 and 7). Wall heights vary between 5.35m (top of balcony balustrade) to 6.99m; with a maximum overall height of 7.8m.

Materials

24. The proposed development incorporates the following materials and finishes:

(a) Austral bricks (Hawthorne 50 series);
(b) James Hardie, "matrix" cladding (dulux black & peplum quarter);
(c) Cement render finish (dulux peplum quarter & partita);
(d) Zincalume flat roof;
(e) Laser cut steel formwork feature;
(f) Semi-frameless glass balustrade;
(g) Colourbond downpipes (surfmist);
(h) Timber fence.

General

25. The following table provides an overview of the proposed development:

No of dwellings	Ten (2 x 1 bedrooms & 8 x 2 bedrooms)
Site area	809sqm
Garden area	35% of site (subject to condition).
No of car spaces	14 spaces (no reduction required)
Max building height	7.22 metres
Site coverage	52.3%
Permeability	30%

Planning Scheme Provisions

Zoning

Neighbourhood Residential Zone (Schedule 2)

26. The subject site is zoned Neighbourhood Residential Zone (Schedule 2). The following provisions apply:
(a) Pursuant to clause 32.09-5 of the Yarra Planning Scheme (the Scheme), a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of clause 55;
(b) A building used as a dwelling or residential building must not exceed the height of 9 metres or two storeys;
(c) The zone requires a mandatory minimum garden area requirement for lots greater than 400 square metres and above. As the subject site is has a total area of 809sqm, a garden area of 35% is required and provided in this instance.

Overlays

27. The subject site is not affected by any overlays.

Particular Provisions

Clause 52.06 – Car Parking

28. Pursuant to the Car parking requirement table at clause 52.06-5 of the Scheme, dwellings are required to provide on-site car parking spaces as follows:

Land Use	Rate	No. of dwellings proposed	Spaces required	Spaces proposed	Reduction sought
Dwelling	1 car space to each 1 and 2 bedroom dwelling.	10 dwellings (2 x 1-bed & 8 x 2-bed)	10	12	0
	2 car spaces to each 3 or more bedroom dwelling.		0	0	0
	1 visitor spaces to each 5 dwellings	2 x visitor spaces	2	2	0
Total			12	14	0

Clause 52.34 – Bicycle facilities

29. The above clause only requires bicycle facilities for development of four or more storeys. As such, the above provision is not applicable to this application.

Clause 55 – Two or more dwellings on a lot and residential buildings

30. Pursuant to clause 55 of the Scheme this provision applies to an application to construct or extend two or more dwellings on a lot within the Neighbourhood Residential Zone. A development must meet the objectives of Clause 55 but does not need to meet the standard.

General Provisions

Clause 65 – Decision guidelines

31. 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.

32. 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

State Planning Policy Framework (SPPF)

Clause 11.02 – Urban growth

33. The clause includes several strategies to achieve this objective including '*planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas' and 'Concentrate urban expansion into growth areas that are served by high-capacity public transport'.*

Clause 11.06-2 – Housing Choice

34. The objective of this clause is *'to provide housing choice close to jobs and services'.*

Clause 11.06-4 – Place and amenity

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

Clause 15 – Built Environment and Heritage

Clause 15.01-1 – Urban environment

36. 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 *15.01-4 – Design for safety*

37. The objective of this clause is *'to improve community safety and encourage neighbourhood design that makes people feel safe'.*

Clause 15.01-5 – Cultural identity and neighbourhood character

38. The objective of this clause is '*to recognise and protect cultural identity, neighbourhood character and sense of place*'.

Clause 15.02-1 – Energy and resource efficiency

39. The objective of this clause is '*to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions*'.

Clause 15.03-2 – Aboriginal cultural heritage

40. The objective of this clause is '*to ensure the protection and conservation of places of Aboriginal cultural heritage significance'*.

41. Planning must consider as relevant:

    (a) *The Aboriginal Heritage Act 2006 for all Aboriginal cultural heritage;*
    (b) *The findings and recommendations of the Aboriginal Heritage Council;*
    (c) *The findings and recommendations of the Victorian Heritage Council for post - contact Aboriginal heritage places where relevant.*

42. The subject site is located within 200m of the Yarra River as defined in Division 3 of the *Aboriginal Heritage Regulations 2007*. The permit applicant has indicated that the development of this site does not trigger the need for a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

Clause 16 – Housing

Clause 16.01-1 – Integrated housing

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

Clause 16.01-2 – Location of residential development

44. The objective of this clause is *'to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport'*

Clause 16.01-4 – Housing diversity

45. The objective of this clause is *'to provide for a range of housing types to meet increasingly diverse needs*'.

Clause 16.01-5 – Housing affordability

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

Clause *18.02-1 - Sustainable personal transport*

47. The objective of this clause is *'to promote the use of sustainable personal transport'.*

Clause 18.02-2 - Cycling

48. It is an objective *'to integrate planning for cycling with land use and development planning and encourage as alternative modes of travel'*

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.03 – Vision

49. Clause 21.03 of the Scheme outlines strategic objectives for land use, built form, transport and environmental sustainability within the City. Strategies to achieve the objectives are set out in the following clauses of the MSS.

Clause 21.04 – Land use

50. The relevant objectives and strategies of this clause are '*to accommodate forecast increases in population'* and to *'support residual population increases in established neighbourhoods'.*

Clause 21.05 Built form
Clause 21.05-2 – Urban design

51. This clause incorporates the following relevant objectives:

    (a) Objective 16 - To reinforce the existing urban framework of Yarra; and

    (b) Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.

Clause 21.06 – Transport

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

    (a) Yarra *needs to reduce car dependence by promoting walking, cycling and public transport as viable and preferable alternatives.*

Clause 21.08 Neighbourhoods – Fairfield – Alphington

The policy describes this area as: "*to the east of Yarra Bend Park is a green, leafy, residential area, comprising late Victorian, Edwardian and interwar dwellings. Dwellings have generous front and side setbacks and allotments are double fronted and deep allowing for large spacious gardens and substantial backyards. The neighbourhood also has a significant amount of open space. The Northern Metropolitan Institute of Tafe and the Victorian Institute of Forensic Mental Health lie within the parkland'.*

Relevant Local Policies

Clause 22.10 – Built form and design policy

53. 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"*

54. The clause includes various design objectives and guidelines that can be implemented to achieve the above objectives. The design elements relevant to this application relate to:

    (a) Urban form and character;

    (b) Setbacks and building heights;

    (c) Street and public space quality;

    (d) Environmental sustainability.

Clause 22.13 – Residential Built Form Policy

55. This policy applies to the residentially zoned in areas not covered by a Heritage Overlay and refers to the Built Form Character Type as set out in the Built Form Character Maps in Clause 21.08. It is policy that development within each of the character types responds positively to the matters set out in clauses 22.12-3.1 to 22.12-3.4 referable to the location of the development.

56. The site is categorised as a Garden Suburban Residential built form type. Clause 22.13-3.2 outlines that Garden Suburban Residential is: *"residential areas with spacious garden settings and generous setbacks and spaces between buildings".*

57. The design guidelines set out in this policy are as follows:

    (a) Maintain the existing pattern of front setbacks;
    (b) Landscaping the front setback in a style that reinforces the garden character of the streetscape;
    (c) Provide a setback on at least one side of the building;
    (d) Where the general pattern of development includes side setbacks on both sides of the building, replicate this characteristic;
    (e) Orient buildings at right angles to the street frontage, unless the pattern of development is to site buildings at an angle;
    (f) Provide front fencing that matches the character of the fencing in the street (eg with an open fence or a very low, solid fence);
    (g) Maintain the existing scale of development, which is generally one or two storeys;
    (h) On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties;
    (i) Accommodate second storey extensions, or second storeys of new buildings, within an envelope that maintains the low, horizontal form of existing dwellings;
    (j) Retain sufficient open space in the backyard to plant a tree with a high and spreading canopy.

58. A further discussion on this policy will be provided later in this report.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

59. This policy applies to new buildings. The objective of this clause is:

(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).

60. In response to the above provision, a STORM assessment has been submitted. The assessment provides a 15,000 litre rainwater tanks, collecting water from the roof areas of both dwellings and achieving a STORM rating of 129%.

Clause *22.17 – Ecologically Sustainable Development Policy*

61. This policy applies throughout the City of Yarra for residential, mixed use and non-residential development to further implement environmentally sustainable design. The policy requires applications to be considered against the following objectives (where applicable):

(a) Energy efficiency;
(b) Water resources;
(c) Indoor environmental quality;
(d) Stormwater management;
(e) Transport;
(f) Water management; and
(g) Urban ecology

Advertising

62. The application was originally advertised in November, 2017 with 66 letters sent to surrounding owners and occupiers, and by a sign on site. Six (6) objections were initially received. A further 60 objections were received after the consultation meeting was held in March 2018. Objections are summarised as follows:

(a) Overdevelopment (high density development within a low density neighbourhood);
(b) Out of keeping with neighbourhood character (architectural design, built form, setbacks, loss of garden areas);
(c) Designated preferred development sites nearby;
(d) Demolition of the dwelling not acceptable;
(e) Car parking issues (increased visitor demand, blocking access to adjoining properties);
(f) Traffic movements (congestion, pedestrian safety);
(g) Minimal provision for bicycle spaces;
(h) Overlooking;
(i) Overshadowing;
(j) Loss of solar access/daylight access;
(k) Inappropriate site coverage (lack of garden space);
(l) Removal of trees not acceptable;
(m) Internal amenity (accessibility, balcony sizes, room functionality, dwelling diversity, access for persons with limited mobility);
(n) Disturbances during construction;
(o) Noise (from increased dwelling density, construction, traffic);
(p) Lack of transparency by the developers;
(q) Application not advertised correctly; and
(r) Precedent for future development.

Referrals

External Referrals

63. The application was not required to be referred (or notice given) to any referral authorities under Clause 66 of the Scheme

Internal Referrals

64. The application was referred to the following internal Departments, with the advice included in the attachments to this report:

    (a) Engineering Department;
    (b) Urban Design Unit;
    (c) Environmental Sustainable Development Advisor

OFFICER ASSESSMENT

65. The following key issues and policies will be used to frame the assessment of this planning permit application:

    (a) State and Local Planning Policy Framework;
    (b) Neighbourhood Character Assessment;
    (c) Clause 55 of the Yarra Planning Scheme (Rescode);
    (d) Car parking; and
    (e) Objector concerns.

State and Local Policy Frameworks

66. When assessed against the State and Local Planning Policy Frameworks (SPPF & LPPF), there is strategic support for the development with regards to its location within close proximity to an activity centre (AC) and within the Neighbourhood Residential Zone (NRZ). The purposes of the NRZ are as follows:

    (a) To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
    (b) To recognise areas of predominantly single and double storey residential development.
    (c) To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
    (d) To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

67. It considered that the proposed development fulfils these objectives, and allows for modern medium sized development within an inner city context that is ideally located to take advantage of existing public transport services including bus services available along Heidelberg Road (50m north) and Fairfield Train Station (470m north).

68. Clause 11 of the Scheme aims for an increase in diversity of choice, economic viability, accessibility and land use and transport integration, whilst facilitating sustainable development that takes full advantage of existing settlement patterns. The future residents of the dwellings will use the services available in the nearby commercial environment, in accordance with clause 11.02.

69. The development also accords with a number of key strategic policies within the Scheme, in particular clause 11.04-2 and 18.02-1 and 18.02-2, by providing higher density housing with connections to public transport and cycling networks and clauses 16.01-2, 16.01-4 and 21, by increasing and consolidating the supply and diversity of housing in existing urban areas.

For all of the reasons outlined above, the proposal is considered to achieve sufficient compliance with the relevant State and Local Planning policies.

70. The proposal, subject to the submission of an amended STORM report, complies with Clause 22.16 Stormwater Management (WSUD) and meets the required on site stormwater treatment as demonstrated by achieving 100%, or greater, using the STORM tool.

71. The applicant provided an ESD report committing to a number of ESD measures, such as:

    (a) a 15,000 litre rainwater tank linked to all toilets;
    (b) A STORM rating of above 100%.

72. Concerns have been raised by Council's ESD Officer with regards to daylight into bedroom 1 of Apartment 2 and the dining area of Apartment 3. To address these concerns, sketch plans were received on the 5 March 2018, which alter the dwelling layouts to both apartments to allow for better daylight and ventilation into these rooms. Council's ESD Officer has reviewed the sketch plans and has no objection to the proposed layout.

73. Council's ESD Officer further identified that the provision of two bicycle spaces is insufficient and has recommended that one bicycle space be provided to each dwelling. Given that clause 52.34 (Bicycle Facilities) is not applicable in this instance, it is not considered reasonable to request this of the applicant.

74. Additional concerns have been raised with regards to the developments cooling loads as a result of the northern, eastern and western glazing. Council's ESD Officer has recommended a condition to either install suitable exterior shading along the northern, eastern and western facing glazing or to demonstrate that no dwellings cooling loads exceed 30MJ/m² (BADS standard). This will be dealt with by condition.

75. Subject to conditions, Council's ESD officer was satisfied that the proposal can meet the Scheme requirements and satisfies clause 22.10-3.5, clause 15.01-2, and clause 22.17 of the Scheme.

Neighbourhood Character Assessment

76. Clause 22.10 (*Built form and design policy*) and Clause 22.13 (*Residential Built Form Policy*) provide specific guidance on assessing appropriate height and scale of new developments in residential contexts. Clause 22.10 provides design guidelines at Clause 22.10-3.2 (*Urban form and character*), Clause 22.10-3.3 (*Setbacks & building heights*), and Clause 22.10-3.4 (*Street and Public Space Quality).*

77. The building incorporates a minimum 6.2 metre setback from Station Street along both the ground and first floor levels, with only a nib wall between the balconies of Apartments 6 and 7 (along the first floor) encroaching into this setback (5.8m). A review of the surrounding area has identified 6.2m setbacks to both adjoining properties to the north and south (Nos. 1 and 5 Station Street). Furthermore, the living rooms facades to Apartments 6 and 7 are setback an additional 2m behind the balconies, providing a setback of 8.2m to the front boundary. The proposed setbacks are considered to be in keeping with the prevailing setbacks found in the immediate area and an acceptable design response in this instance.

78. The encroachment of the nib wall along the first floor is considered acceptable and in effect is a design feature of the building which adds to articulation and visual interest. The front setback also allows for the provision of landscaping, which softens the overall built form. The landscaping also reduces the impact of the vehicle accessway along the southern boundary, which only occupies 3m of a 20m frontage.

79. There are concerns however with respect to the concrete panel frames located above the basement ramp and extending into the front setback. Council's Urban Design Unit have stated, "*the entry arch, located less than two metres from the front boundary and spanning almost half the width of the site, reinforces the presence of built form on the site rather than garden character, and is not supported*". It is agreed that the structures would be imposing on the established garden areas along the street and as such a condition will be included for their removal.

80. The surrounding area is a mixture of single, double and triple storey built forms. To reduce the built form presenting to the street, the first floor façade (living room wall) to Apartments 6 and 7 incorporates a 2m setback/recession from the ground floor. This area is occupied by balconies, however the physical setback reduces the appearance of built form to the street. The upper floor built form is further reduced with the incorporation of a light render finish and the recessed bedroom and en-suite associated with Apartment 6. The setting back of the first floors ensures that the dominant element presenting to the street is the ground floors, with the upper floors presenting as recessive elements. As noted above, double storeys are not uncommon in the street with examples found at No. 1/5 Station Street and a triple storey residential building at No. 10 Station Street.

81. The built form within the wider area generally maintains spacing along both side boundaries and along the rear boundaries. The proposed development incorporates both side and rear setbacks, occupied by predominantly garden areas. This maintains the spacing between properties and reduces the visual bulk to adjacent dwellings. The adjoining dwellings to the north and south (Nos. 1 and 5 Station Street), have their common driveways and garages directly interfacing both side boundaries of the subject site. This results in non-sensitive interfaces to the proposed development.

82. Along the upper floor, articulation is provided through the incorporation of varied setbacks (including some cantilevering), provision of balconies, use of various materials and fenestration. The above responses, in addition to the generous setbacks to rear are considered an appropriate design response which will not unreasonably impact on the abutting properties in terms of visual bulk and off-site amenity impacts. The visual bulk is further reduced with the provision of landscaping along the rear and side boundaries. This aids in softening the visual impact of the proposed development.

83. The proposal incorporates a flat roof form, which is associated with more contemporary architectural designs. This type of roof form is considered acceptable given that examples can be found along the street at No. 10 Station Street and in developments along Heidelberg Road (50m to the north). The flat roof will also reduce the overall built form when viewed from the street. Furthermore, the subject site and all other dwellings along Station Street are not affected by a heritage overlay. As such, the design details (i.e. roof forms) of proposed developments are not as stringently controlled as that of properties affected by a heritage overlay.

84. The overall built form is considered acceptable given the incorporation of the combined design features identified above. The proposed development is considered to present an appropriate design response to the surrounding neighbourhood character.

Clause 55 of the Yarra Planning Scheme (Rescode)

85. Clause 55 (ResCode) provides an assessment tool for the appropriateness of the design of two or more dwellings on a lot. Given the site's location within a built up inner city residential area, strict application of the standard is not always appropriate. The relevant test is whether the proposal meets the objectives. The following provides an assessment against the relevant standards of ResCode and shows the proposal achieves a high level of compliance with relevant objectives.

Standard B1 – Neighbourhood Character

86. This standard encourages proposed development to respond to the existing neighbourhood character or to contribute to a preferred neighbourhood character of the area. An assessment of the proposed development in relation to neighbourhood character has been carried out above and found that the proposal provides an appropriate design response to respect both the existing and preferred neighbourhood character.

Standard B2 – Residential Policy

87. The proposal demonstrates consistency with State policies by contributing to urban consolidation and utilising existing infrastructure without unreasonably affecting the existing character of the surrounding neighbourhood and therefore the medium density can be supported.

88. The proposal has a reasonable level of consistency with local planning policies contained within the Scheme, including relevant components of the MSS. Accordingly, the proposed development is considered to adequately respond to the requirements of this Standard.

Standard B3 – Dwelling Diversity

89. This standard seeks, "*to encourage a range of dwelling sizes and types in developments of ten or more dwellings".*

90. The proposed development incorporates 2 one-bedroom apartments and 8 two-bedroom dwellings, ranging in floor area from between 49sqm to 78sqm. This allows for a range of dwelling sizes and types within the development.

91. Further, Dwellings 1 to 5 have been located along the ground floor and contain their kitchen, bath and toilet facilities along the ground floor level, equivalent to 50% of the entire development.

Standard B4 – Infrastructure

92. The development is located within an existing established residential area. It is not expected that increased dwellings would overload the utility services and infrastructure. The proposed development would be readily connected to the required utility services and infrastructure which are present at the site.

93. Furthermore the application has been referred to Council's Engineering Services Unit who has not objected to the proposed development. As such the site is considered capable of supporting the proposed dwellings.

Standard B5 – Integration with the street

94. The common vehicle and pedestrian entries will be orientated towards Station Street and provides good access to the subject site. A 1.5m high timber fence is provided to the Station Street frontage. A review of the streetscape has identified that high fences are characteristic and that the proposed fence would be beneficial to the street while maintaining views into the garden area.

Standard B6 – Street setback

95. Under the above standard a front setback of 6.2 metres is required. A minimum setback of 6.2 metres is proposed, meeting the above standard.

Standard B7 – Building height

96. The total overall building height of 7.8 metres is proposed. This is in accordance with the maximum 9 metres prescribed by the standard and the 9 metres mandatory height control of the Neighbourhood Residential Zone – Schedule 2.

Standard B8 – Site coverage

97. The site coverage is proposed to increase to approximately 55%, which complies with the maximum 60% recommended by the standard.

Standard B9 – Permeability

98. A site permeability of 30% of permeable surfaces retained on the subject site, located within the front, side and rear setbacks which the standard exceeds.

Standard B10 – Energy efficiency

99. Not applicable – refer to Standard B35

Standard B11 – Open Space

100. Not applicable – refer to Standard B36

Standard B12 – Safety

101. The pedestrian entry to the building will be located along Station Street and will be clearly visible from the street, with a pathway leading up to the door entry. The pedestrian pathway is separate from the vehicle accessway, ensuring no conflicts between pedestrians and vehicles. The location of the entries within the front setback ensure good surveillance and lighting from within the development.

Standard B13 - Landscaping

102. No landscape plan has been submitted at this stage, but the ground floor plans provides indicative landscaping within the front, side and rear setbacks. Given the setbacks provided it is considered the development is capable of accommodating contributing vegetation to each dwelling and within the front setback. A condition of approval will require a landscape plan to be submitted which show the location of planting and quantities.

Standard B14 – Access

103. The single width vehicle crossover within the south-west corner will be retained from Station Street. The accessway is to have a width of 3.9 metres or 19%. This width is under the maximum permitted width of 33%

Standard B15 – Parking location

104. The proposed development incorporates a basement car park for 14 vehicles. The basement is provided with both lift and stairwell access to the upper floors ensuring reasonable and convenient access to the apartments above. The garage would be reasonably secure and ventilated with the ramp.

105. A review of the building layout and sketch plans submitted, show no habitable room window within 1.5m of the accessway.

Standard B17 – Side and rear setbacks

106. *"A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:*
    (a) *At least the distance specified in a schedule to the zone, or*

(b) *If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres".*

107. A review of the proposed development has identified only one variation is required to the roof structure above apartment 6 and circulation area along the southern (side) boundary. The following table identifies the variations required:

Boundary	Setback required	Setback provided	Variation required
Northern	2.08m	2.42m (min)	0
Eastern	2.06m	3.6m (min)	0
Southern	1.9m	1.6m	0.3m

108. A variation in the above standard is considered acceptable in this instance for the following reasons:
   (a) The roof structure interfaces a non-sensitive driveway associated with No. 1 Station Street, with no habitable room windows or open spaces affected;
   (b) The overshadowing created by the variation is limited to the driveway;
   (c) The variation is relatively minor is scale (i.e. 300mm) and would not be appreciable from the street.

Standard B18 – Walls on boundaries

109. It is not proposed to construct any walls along the boundaries. This standard is therefore not applicable.

Standard B19 – Daylight to existing windows

110. The proposal will continue to allow adequate daylight to existing habitable room windows in accordance with the above standard.

Standard B20 – North-facing windows

111. There are no north-facing windows within 3m of the site. The above standard is therefore not applicable.

Standard B21 – Overshadowing

112. This standard requires, where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40 square metres with a minimum dimension of 3 metres should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September. If existing sunlight to the secluded private open space (POS) of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

113. A review of shadow diagrams submitted has identified overshadowing is confined to within the front setback and adjoining driveway to the south associated with No. 1 Station Street and the rear/side setback of No 4 Arthur Street and No. 44 Park Crescent.

114. The only secluded private open space affected will be No 4 Arthur Street during the afternoon period. This open space is over 200sqm in area, with the proposal overshadowing an area of approximately 30sqm at 3pm. This area of overshadowing is within the permitted levels under the above standard.

Standard B22 – Overlooking

115. The above standard requires that any habitable room windows or balconies be located or designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres.

116. Along the ground floor, 1.8m to 1.9m high fences are proposed along the northern and eastern boundaries. With floor levels not exceeding 800mm above the ground level (max of 510mm above NGL), the fencing is in accordance with the above standard to prevent overlooking.

117. No details have been provided with regards to the southern (side) boundary fence on the floor plans. As such a condition will be included for fencing details along the southern boundary to be in accordance with the above standard (i.e. minimum height of 1.8m above the NGL).

118. Along the first floor, frosted glazing to a height of 1.7m above the Finished Floor Level (FFL) is proposed to all habitable room windows and balconies in accordance with the above standard. However clarification is required that windows (especially to the north) are also fixed below 1.7m in height.

119. No screening is provided to the south-facing circulation window or the communal sitting area. As a result of consultations with residents, the applicant has submitted sketch plans on the 15 May 2018 which delete the balcony and incorporate screening (fixed, frosted glazing to a height of 1.7m above the FFL) to both areas. These alterations will be included as conditions.

Standard B23 – Internal views

120. No internal views have been identified, with first floor screening provided to all habitable room windows (subject to clarification). This prevents internal views from the first floor to the lower courtyards. Plans also show a 1.7m high screen between Apartments 9 & 10 and 6 & 7 to prevent overlooking although there are no details about the material or visual permeability. A condition will require compliance with this objective.

121. In addition, 1.8m high internal fencing between open spaces is provided to all relevant courtyards to prevent overlooking.

Standard B24 – Noise impacts

122. Not applicable – refer to Standard B40

Standard B25 – Accessibility

123. Not applicable – refer to Standard B41

Standard B26 – Dwelling entry

124. Not applicable – refer to Standard B42

Standard B27 – Daylight to new windows

125. The above standard requires all habitable room windows to face an "*outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky".*

126. All of the proposed windows will face an area with a minimum space of 3sqm and minimum dimension of 1m clear to the sky.

Standard B28 – Private open space

127. Pursuant to Clause 55, the ground floor apartments are required to be assessed against the above standard (B28), with all apartments above the ground floor to be assessed against standard B42 (private open space above the ground floor).

128. Standard B28 generally requires that:

A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

(a) An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
(b) A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
(c) A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

129. With regards to the above standard, each ground floor apartment should be provided with area of 40 square metres, with one part of the private open space to consist of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.

130. Variations are required for the following apartments:

Apartment No.	**Total open space**	**Secluded private open space**	**Variation**
1	75.5m²	0m²	40m²
2	30m²	30m²	10m²
3	32.6m²	32.6m²	7.4m²

131. With regards to Apartment 1, a total area of 75sqm is provided within the rear and northern side setbacks, none of which is secluded (i.e. fenced off). The apartment does meet the requirement for an overall area of 40sqm but lacks any secluded open spaces. A condition could be included which would fence off the northern section of the garden (within the northern setback between the front façade and internal fence between apartments 1 and 2). This would result in a secluded private open space of 23sqm (2sqm below the recommended 25sqm). Given that this apartment has access to the garden area within the front setback, a 2sqm variation is considered acceptable in this instance.

132. With regards to apartments 2 and 3, both are provided with secluded private open spaces but do not have a total area of 40sqm. A variation to this recommended area is considered acceptable given the proximity of the site to public parks and as both spaces will be usable in terms of service needs for residents. Furthermore, other apartments within the development will not be providing this amount of open space.

133. Apartments 4 and 5 are provided with open spaces in accordance with the above standard.

Standard B43 – Private open space above ground floor

134. All first floor balconies provide a minimum area of 8sqm, with a minimum dimension of 2m in accordance with the above standard. No heating or cooling units are proposed to be located on the balconies. As the locations of the heating and cooling units have not been identified, a condition will be included for them not to be located on any balconies which would result in a non-compliance with the above standard.

Standard B29 – Solar access to open space

135. The open spaces to apartments will have an outlook to the front (western boundary), side (northern boundary) and rear (eastern boundary) in the form of ground floor courtyards and first floor balconies. The apartments are considered to receive sufficient solar access throughout the day, with no apartment relying on a south-facing open space.

Standard B30 – Storage

136. Not applicable – refer to Standard B44

Standard B31 – Design detail

137. The proposed development incorporates a mix of Austral bricks, cement rendered finishes, James Hardie matrix cladding, steel formwork and glazing along both the ground and upper floors. The proposed materials are considered appropriate with the brick and render finish reflecting external finishes commonly found within the streetscape while also incorporating the newer cladded finishes and steel formwork characteristic of more recent infill developments.

138. The proposed fenestration proportions are considered acceptable with a good ratio of window to solid finishes presenting to the street. The building also provides good façade articulation through the use of setbacks and use of materials. The proposal does incorporate a flat roof form which although not a dominant feature of the streetscape is considered acceptable given the contemporary design, proximity to other flat roof buildings (i.e. commercial zone & No. 10 Station Street) and as no heritage overlays affect the subject site. The provision of the basement garage also allows for a more active frontage, with a glazed communal sitting area located above the entry ramp in lieu of a garage.

139. Council's Urban Design Unit has recommended the deletion of glazing to the balcony balustrades, to remove the apparent commercial appearance of the building. The balconies incorporate some partial glazing to the top of the balustrade, with the majority of the balustrade incorporating solid brick or rendered finishes below. It is considered that the current appearance of the balconies (with a mix of glazing and solid finishes) is sufficient to allow the proposal to present as a residential development.

140. Further recommendations have been made for, "*the introduction of deep window recesses and projecting sunshades, contributing depth, shadow and articulation at a finer scale as well improving environmental performance*". It is considered that the proposed development provides sufficient articulation in the use of setbacks and materials. With regards to the environmental performance, Council's ESD Officer has made recommendations which will be incorporated as conditions to achieve an appropriate level of environmental performance.

141. The proposal picks up on a number of existing design details within the street including the use of brick and render finishes, provision of sheltered entry and proportioning of the windows. The combination of the above allows the proposed development to be absorbed into the streetscape.

Standard B32 – Front fences

142. The proposal incorporates a 1.5 metre high, 505 transparent timber fence. This is considered an acceptable fence height that respects the existing fence heights and allows for the garden area to be a highly visible component of the development.

Standard B33 – Common property

143. The basement car park and communal sitting areas throughout the development are clearly delineated, practical and could be easily maintained.

Standard B34 – Site Services

144. Site services are located throughout the building, with a waste storage area in the basement, mailboxes along Station Street and metres adjacent to the entry. The applicant has identified that waste will be collected by a private contractor.

145. Given the size of the proposed development a condition will be included for the submission of a waste management plan (WMP) to the satisfaction of the Responsible Authority. The WMP will need to ensure that the storage area provided within the basement is of a sufficient size and ensure an appropriate frequency of collections.

Standard B35 – Energy efficiency

146. Overall, it is considered that the proposal will achieve an appropriate level of energy efficiency, consistent with the objective of the standard. The dwellings will achieve adequate levels of solar access and natural ventilation through the provision of fenestration to all habitable rooms and also allow for some cross-ventilation. There are a number of living room areas with north-facing windows, with the remaining east and west facing. There are no south-facing windows proposed.

147. Given the east-west orientation of the subject site, overshadowing will be contained to the adjoining property at Nos. 1 Station Street and to the rear along Arthur Street and Park Crescent. A slight increase in overshadowing will occur during afternoon periods. However as was discussed earlier in this report, the extent of overshadowing is fully compliant with the relevant standard.

148. Council's ESD Advisor has reviewed the plans and BESS report and has concerns that the current development may not meet a cooling load of 30MJ/M² because of the extent of northern, eastern and western glazing. As such, a condition will be included for the development to demonstrate a maximum cooling load of 30MJ/M². As noted in the ESD Officer's referral, this could be achieved through requiring the provision of blinds and shading devices to the northern, eastern and western glazing.

Standard B36 – Communal open space

149. This standard is not applicable as the overall dwelling density is less than 40 dwellings.

Standard B37 – Solar access to communal outdoor open space

150. Although not applicable (see above), the proposed development has provided some communal sitting area along the ground and first floors. Neither area will receive direct solar access but these locations are considered acceptable given that the ground floor area will have outlook to Station Street (as well as the southern boundary), and both areas will receive sufficient daylight. Furthermore the site is in close proximity to parks, as discussed earlier in this report.

Standard B38 – Deep soil areas and canopy trees

151. In accordance with the objective and standard, acceptable landscaping will be provided within the front, side and rear setbacks through means of planter boxes to medium and canopy trees. Plans identify an area of 40.47sqm (5% of the site area) within the front setback which has been designated for a deep soil area and provision of one canopy tree (Pyrus Calleryana Chanticleer - Chanticleer Pear). A condition will be included requiring a landscape plan to be submitted with the deep soil areas provided. A condition of approval will require a landscape plan to be submitted which shows the location of planting and quantities.

Standard B39 – Integrated water and stormwater management

152. The proposed development incorporates a 15,000 litre rainwater tank located underneath the vehicle ramp. The collected rainwater is to be connected to all toilets for flushing, laundry use and landscaping irrigation. The provision of the tank provides an alternative water source and reduces stormwater run-off on the drainage system in accordance with the above standard.

Standard B40 – Noise impacts

153. The subject site is located within 300 metres of a Heidelberg Road and two Industrial 3 Zones to the north-east and north-west. No assessment has been provided by the applicant with respect to table B6. The applicant has also not provided details of the location of plant equipment.

154. With regards to the proximity of Heidelberg Road, the average daily traffic volume does not exceed 40,000 vehicles. As such the proposed development does not need to be assessed with regards to the road as being a noise influence.

155. With regards to the proximity of the industrial zone, a condition will be included for an acoustic report to be submitted and to achieve the specified noise levels under the above standard.

156. All noise sensitive rooms have been located away from the lift and car parking areas in accordance with the above standard. It is proposed however, to relocate a south-facing bedroom window associated with Apartment 1, adjacent to the building entry along Station Street (sketch plan 5 March 2018). This window is setback 2m from the driveway, in accordance with Standard B15. Additionally, it is proposed to locate an east-facing bedroom window associated with Apartment 6 above the communal sitting area which is located above the vehicle access. Given the separation distances to the vehicle accessway (i.e. 2m plus the ramp for Apartment 1 and the sitting area for Apartment 6) and the medium sized scale of the development where pedestrian and vehicle movements would not be of a high frequency it is considered acceptable.

157. Furthermore, it has been identified that there are two bedrooms along the first floor (Apartments 6 and 10) in close proximity to the communal sitting area/balcony. Given that these areas are unlikely to be used after hours and as the balcony is to be deleted, the location is considered acceptable.

158. An additional condition will be included for the location of the mechanical plants to be shown and not to be located near bedroom of immediately adjoining bedroom or noise sensitive rooms within the subject site.

159. Given the nature of the proposal is not anticipated that the proposed development will result in any levels of noise above what can be reasonably expected from a residential development.

Standard B41 – Accessibility

160. Apartments 3, 6, 8, 9 and 10 appear to have been designed to meet the needs of people with limited mobility in accordance with the above standard. However a condition will be included however for a notation that all the relevant showers are to be hobless (step free) to ensure 50% of apartments meet this standard.

Standard B42 – Building entry and circulation

161. The building has been provided with entry off Station Street which is visible and easily identifiable, through the provision of a pathway and front door. The first floor has been cantilevered above the entry which provides shelter and sense of address.

162. The internal layout clearly distinguishes between the circulation areas and apartments, with the communal area, lifts and stairwell located in close proximity to the entry. The building entries and lift areas are also in close proximity or directly adjacent to daylight sources from glazing along the southern interface.

163. The majority of circulation areas have one source of light and natural ventilation. The only exception is the corridor leading into Apartments 6 and 7. Given the limited length of the corridor and as the remaining 8 entries meet the above standard a variation is considered acceptable in this instance. All spaces are clear of obstructions from building services.

Standard B44 - Storage

164. The above standard requires the following storage areas:

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8m³	5m³
1 bedroom dwelling	10m³	6m³
2 bedroom dwelling	14m³	9m³
3 or more bedroom dwelling	18m³	12m³

165. A review of plans submitted has identified that all apartments have been provided with the relevant storage areas in accordance with the above standard.

Standard B45 – Waste and recycling

166. The proposed development has provided a waste storage area within the basement and located for convenient access by all residents. The area provides for the 10 dwellings with capacity for bin wash facilities and rubbish separation. The storage area is also in close proximity to the ramp which will allow for easy access to the street for bin collection.

167. However, given the scale of the development, a condition will be included for the submission of a Waste Management Plan (WMP).

Standard B46 – Functional Layout

168. The above standard requires the following layouts to bedrooms and living rooms:

Table 10 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Table 11 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bed dwelling	3.3 metres	10sqm
2 or more bed dwelling	3.6 metres	12sqm

169. A review of plans submitted has identified that all apartments have been provided with bedroom and living rooms in accordance with the above standard.

Standard B47 – Room depth

170. Standard B47 states:

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- *The room combines the living area, dining area and kitchen.*
- *The kitchen is located furthest from the window.*
- *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.*

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

171. Subject to the re-arrangement of the internal layout, as per sketch plan submitted 5 March 2018, all apartments would be provided with adequate daylight in accordance with the above standard. All open plan living, dining and kitchen areas would be provided with a floor-to-ceiling height of 2.7m, do not exceed a length of 9m and combines all three rooms with the kitchen to the rear. A condition will be included for the internal layout to be amended as per the sketch plans received on the 5 March 2018.

Standard B48 – Windows

172. With the exception of Apartments 2 and 3, all units allow adequate daylight into new habitable room windows in accordance with the above standard.

173. With regards to Apartment 2, there is insufficient daylight into bedroom 1 and with regards to Apartment 3, the dining area is inappropriately located to the rear of the apartment and receives very limited daylight. To address the above concerns, sketch plans have been received on the 5 March 2018. These plans incorporate a revised internal layout to both apartments which include:

    (a) The re-locating of both bedrooms to apartment 2 towards the northern setback and clear to the sky.
    (b) A revised internal layout to apartment 3 which put the laundry and bathroom to the rear of the apartment and an open plan living, dining and kitchen area. This area also meets the requirements of Standard B47 (room depth).

Standard B49 – Natural ventilation

174. Five apartments have been provided with breeze paths in accordance with the above standard. The breeze paths will allow for effectively managed natural ventilation.

<u>Clause 52.06 – Car Parking</u>

175. Pursuant to clause 52.06 of the Scheme, a development is required to provide a total of 12 car spaces. A total of 14 have been provided, which is above the requirement of Clause 52.06.

Traffic generation

176. Council's Traffic Engineers have adopted a rate of 3 vehicle trips per dwelling per day. This equates to 30 vehicle movements per day, with the peak hour traffic volume approximately 10% of the daily traffic volume generated. Council's Engineers have concluded that the peak hour traffic would be 3 vehicle trips per peak hour. These traffic volumes are not unduly high and should not adversely impact the traffic operation of Station Street or the surrounding roads.

Car parking layout

177. Council's Engineers have reviewed the car parking layout including the access arrangements via Station Street and use of the basement. The access arrangement into the site is considered satisfactory with a minimum width of 3m provided and visibility splays also provided. A condition will be required for the landscaping within the visibility splay to have a mature height of no more than 900mm.

178. A review of the basement layout has identified that subject to conditions the proposed layout is satisfactory. These conditions include:
    (a) The re-location of the visitor car spaces to the spaces designated for apartments 1 and 2;
    (b) Swept path diagrams to demonstrate vehicles passing movements within the curved internal ramps;
    (c) The headroom clearances dimensioned at the development entrance;
    (d) The installation of a 300mm wide kerb along the southern edge of the accessway;
    (e) All car spaces along the southern side of the car park to have a minimum length of 4.9m (without encroaching onto the 6.4m wide aisle or car spaces along the northern side).

179. With regards to the final point, if the car spaces along the southern side are lengthened this may reduce the accessway width from 6.4m to 5.9m. Council's Engineers have confirmed that any reduction in the aisle width (with a car space width of 2.6m) will impact on internal movements and as such is not supported.

180. The applicant has therefore two options to allow for safe and efficient movements within the basement. The first being to increasing the overall width of the basement by 0.5m. This will allow for car space lengths of 4.9m (along both sides of the basement) and an aisle width of 6.4m. Given that both basement walls are setback of their respective boundaries, an increased width can be accommodated. The increased width may slightly impact on the overall permeability, but with a current permeability of 30%, the increased would be well below the minimum requirements of 20%. Furthermore, the increased width should not impact on the minimum garden area requirements given its location within the basement.

181. A condition will therefore be included for car spaces along the southern side of the basement to be increased to a minimum length of 4.9m (without encroaching onto the 6.4m wide aisle or car space lengths along the northern side).

182. Alternatively, the car space widths could be increased to 2.9m with a reduction in the aisle width to 5.9m. This would require the deletion of one of the car spaces along the southern side but is considered acceptable given that there is an excess of 2 car spaces.

Objector Concerns

183. The objections received raised the following (summarised) concerns with the proposal:

    (a) Overdevelopment (high density development within a low density neighbourhood);

        The proposed development demonstrates a high level of compliance with the objectives and most standards of clause 55. This is often a test as to whether a proposal results in an overdevelopment, such as site coverage, private open space, building heights and setbacks as well as the applicable amenity related standards under Clause 55. Given the high level of compliance it is considered to warrant a development of the scale which is proposed, and is not considered to be an overdevelopment of the land.

    (b) Neighbourhood character (architectural design, built form, setbacks, loss of garden areas);

        Refer to paragraphs 76-84.

(c) Designated preferred development sites nearby;

References have been made to recent developments within the surrounding area (in particular the AMCOR site) and that a limit should be put on any further development. The subject site is located within a NRZ, which has no maximum number of dwellings allowed on a particular site and given the largely compliant development with Clause 55 and minimal amenity impacts; a refusal of any increased dwelling density based on preferred development sites in the surrounding neighbourhood is considered unreasonable and unsupportable.

(d) Demolition of the dwelling;

The subject site is not located within a heritage overlay and therefore the demolition of the dwelling is not a planning matter to consider.

(e) Car parking (increased visitor demand, blocking access to adjoining properties);

An assessment of car parking access and layout is maintained within paragraphs 175 to 182.

With regards to potential blocking of accessways, this is a Local Laws/Police matter.

(f) Traffic movements (congestion, pedestrian safety);

Refer to paragraphs 103 to 105 and 175 to 182.

(g) Minimal provision for bicycle spaces;

Pursuant to Clause 52.34 of the Yarra Planning Scheme, the proposed development is not required to provide any bicycle spaces. However two spaces have been provided.

(h) Overlooking;

Refer to paragraphs 115-119.

(i) Overshadowing;

Refer to paragraphs 112 to 114.

(j) Solar access/daylight access;

Refer to paragraphs 125 to 126, 135 and 170 to 173.

(k) Site coverage (lack of garden space);

Refer to paragraph 97.

(l) Removal of trees;

The subject site is not affected by any tree controls and as such the removal of trees cannot be considered under this planning permit.

(m) Internal amenity (accessibility, balcony sizes, room functionality, dwelling diversity, access for persons with limited mobility);

Refer to Clause 55 assessment at paragraphs 125 to 135 and 143 to 174.

(n) Disturbances during construction;

It would be anticipated there would be some disruption during construction (as with any construction project). To reduce the impacts during the construction phase, a condition will be included for the submission of a Construction Management Plan (CMP) prior to the commencement of works. The CMP regulates (among other things) hours of construction to ensure no unreasonable impacts to adjoining neighbours.

(o) Noise

Refer to paragraphs 153 to 159.

(p) Lack of transparency by the developers;

The applicant and developer has provided residents with plans and written submissions as to the proposed development before Council. The applicant has also attended a consultation meeting with residents to discuss concerns.

(q) Application not advertised correctly; and

Notice of the application was given to all adjoining residents as per the requirements of the *Planning and Environment Act 1987*.

(r) Precedent for future development.

All applications are assessed on their own merits and compliance with the *Planning and Environment Act 1987* and Yarra Planning Scheme. Developments are not determined on the precedent of other developments.

Other matters

184. The floor plans and BESS report includes the provision of a visitor car share facility operated by Go Get. This facility, although generally supported, is not considered acceptable in this instance as it could result in members of the public entering the basement (private property) to gain access to the car space. It is unlikely that the applicant meant for the car space to be a publically available car share (and the resultant access/security issues) and more probable that the space be shared within the development itself (which can then be managed by body corporate). Given other requirements of the Scheme (in particular Clause 55.03-10 – Parking Location which requires car spaces to be secure) the provision of a car share to the public is on balance not considered appropriate.

Conclusion

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

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN17/0585 for the development of the land for the construction of a double storey building containing 10 dwellings with basement car park at 3 Station Street, Fairfield VIC 3078, generally in accordance with the decision plans and 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 decision and sketch plans received on the 5 March 2018 and 15 May 2018 which show:

(a) The deletion of first floor communal balcony and replacement with glazing and roofing as per sketch plans received on the 15 May 2018;
(b) The revised internal layout to Apartments 1, 2 and 3 as per sketch plans received on the 5 March 2018;

but further modified to show:

(c) Plans drawn to accurately reflect title dimensions;
(d) A minimum garden area of 35% of the overall site;
(e) The deletion of all concrete panel frames over the driveway ramp;
(f) Details of the southern boundary fence to be in accordance with Clause 55.04-6 (Overlooking) of the Yarra Planning Scheme;
(g) All mechanical plant equipment (including heating and cooling units) to be clearly identified and not to be located near any bedrooms of immediately adjoining bedroom or noise sensitive rooms within the subject site;
(h) Locations of the heating and cooling units (not to be located on balconies);
(i) Notation on floor plans associated with TPA10 and TPA11 stating that all relevant showers are to be hobless (step free) in accordance with Clause 55.07-7 (Accessibility) of the Yarra Planning Scheme.
(j) The overall heights shown on all elevations (from natural ground level).
(k) The re-location of the visitor car spaces to the designated spaces for Apartments 1 and 2;
(l) Swept path diagrams to demonstrate vehicles passing movements within the curved internal ramps.
(m) The headroom clearances dimensioned at the development entrance.
(n) The installation of a 300mm wide kerb along the southern edge of the accessway.
(o) All car spaces along the southern side of the car park to have a minimum length of 4.9m (without encroaching onto the 6.4m wide aisle or car space lengths along the northern side), or otherwise designed to comply with Australian Standards;
(p) Deletion of the car share/go-get notation of visitor space;
(q) First floor windows to be shown as fixed and frosted glazing, or otherwise screened to comply with Standard B22 and B23 of clause 55 of the Yarra Planning Scheme; and
(r) Any requirements as a result of conditions 3 and 5.

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. 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 relevant requirements of Clause 55.07-6 (Noise impacts – Standard B40) of the Yarra Planning Scheme.

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

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 Passivenergy and dated 11 October 2017, but modified to include or show:

   (a) External shading or demonstrate that no dwellings' cooling loads exceed 30MJ/m² (BADS standard);

6. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

7. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

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

9. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

   (a) Show the type, location, quantity, height at maturity and botanical names of all proposed plants;
   (b) Indicate the location of all areas to be covered by lawn or other surface materials;
   (c) Provide a specification of works to be undertaken prior to planting; and
   (d) Deep soil area with provision for a canopy tree in accordance with Clause 55.07-4 of the Yarra Planning Scheme.
   (e) All landscaping located within the visibility splays adjacent to the accessway entrance to have a mature height of no more than 900mm.

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.

    To the satisfaction of the Responsible Authority.

11. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

12. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

(a) in accordance with any requirements or conditions imposed by Council;
(b) at the permit holder's cost; and
(a) to the satisfaction of the Responsible.

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

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

To the satisfaction of the Responsible Authority.

14. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

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

15. 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.

16. 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) 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.

17. 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:

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

CONTACT OFFICER: **Gary O'Reilly**
TITLE: **Senior Statutory Planner**
TEL: **9205 5040**

Attachments
1 PLN17/0585 - Locality plan
2 PLN17/0585 - Plans Part 1
3 PLN17/0585 – Plans Part 2
4 PLN17/0585 - Engineering comments
5 PLN17/0585 - ESD comments
6 PLN17/0585 - Urban Design comments
7 PLN17/0585 - Sketch Plan - 5 March 2018
8 PLN17/0585 - Sketch Plan - 15 May 2018

Attachment 1 - PLN17/0585 - Locality plan

Locality Map – 3 Station Street, Fairfield – PLN17/0585

Attachment 2 - PLN17/0585 - Plans Part 1

DRAWING SCHEDULE

TPA01	MASTER PLAN, AREA ANALYSIS	1:200
TPA02	BASEMENT FLOOR PLAN	1:100
TPA03	GROUND FLOOR PLAN	1:100
TPA04	FIRST FLOOR PLAN	1:100
TPA05	ELEVATIONS, MATERIALS AND FINISHES SCHEDULE	1:100
TPA06	SECTION A-A	1:100
TPA07	DETAILED SITE ANALYSIS - NEIGHBOURHOOD AND SITE DESCRIPTION	1:300
TPA08	DETAILED SITE ANALYSIS - DESIGN RESPONSE, GARDEN AREA ANALYSIS	1:300, 1:200
TPA09	DETAILED SHADOW ANALYSIS - 9AM, 12NOON, 3PM SEPTEMBER 22ND	1:200
TPA10	CLAUSE 55.07 ASSESSMENT	1:100
TPA11	CLAUSE 55.07 ASSESSMENT	1:100

AREA ANALYSIS

SITE AREA 809.4M/2
NO. OF PROPOSED APARTMENTS ..... 10 NO. OF
OVERALL BUILDING AREA 1268TM/2
(EXCLUDING BALCONIES)
BUILDING SITE COVERAGE ..... 52.3 %
IMPERVIOUS PAVING AREA ..... 17.7 %
PERMEABLE SITE AREA ..... 30.0 %
GARDEN AREA ..... 35.3 %

UNIT No.	TYPE	DESCRIPTION	AREA	P.O.S
APARTMENT 1	GROUND	2 BEDROOMS, BATHROOM, COURTYARD, LAUNDRY, 1 CARSPACE	78.8m/2 (7.4sq)	76.5m/2
APARTMENT 2	GROUND	2 BEDROOMS, BATHROOM, COURTYARD, LAUNDRY, 1 CARSPACE	72.7m/2 (7.8sq)	30.0m/2
APARTMENT 3	GROUND	1 BEDROOM, BATHROOM, COURTYARD, LAUNDRY, 1 CARSPACE	58.7m/2 (6.4sq)	32.6m/2
APARTMENT 4	GROUND	2 BEDROOMS, BATHROOM, COURTYARD, LAUNDRY, 1 CARSPACE	74.4m/2 (8.0sq)	57.2m/2
APARTMENT 5	GROUND	2 BEDROOMS, BATHROOM, COURTYARD, LAUNDRY, 1 CARSPACE	69.4m/2 (7.5sq)	42.5m/2
APARTMENT 6	FIRST	2 BEDROOMS, BATHROOM, BALCONY, LAUNDRY, 1 CARSPACE	78.6m/2 (8.5sq)	8.6m/2
APARTMENT 7	FIRST	2 BEDROOMS, BATHROOM, BALCONY, LAUNDRY, 1 CARSPACE	68.9m/2 (7.4sq)	8.6m/2
APARTMENT 8	FIRST	1 BEDROOM, BATHROOM, BALCONY, LAUNDRY, 1 CARSPACE	49.8m/2 (5.4sq)	8.0m/2
APARTMENT 9	FIRST	2 BEDROOMS, BATHROOM, BALCONY, LAUNDRY, 1 CARSPACE	70.0m/2 (7.5sq)	17.1m/2
APARTMENT 10	FIRST	2 BEDROOMS, BATHROOM, BALCONY, LAUNDRY, 1 CARSPACE	61.0m/2 (6.6sq)	8.0m/2

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PLANNING APPLICATION FOR PROPOSED APARTMENT DEVELOPMENT

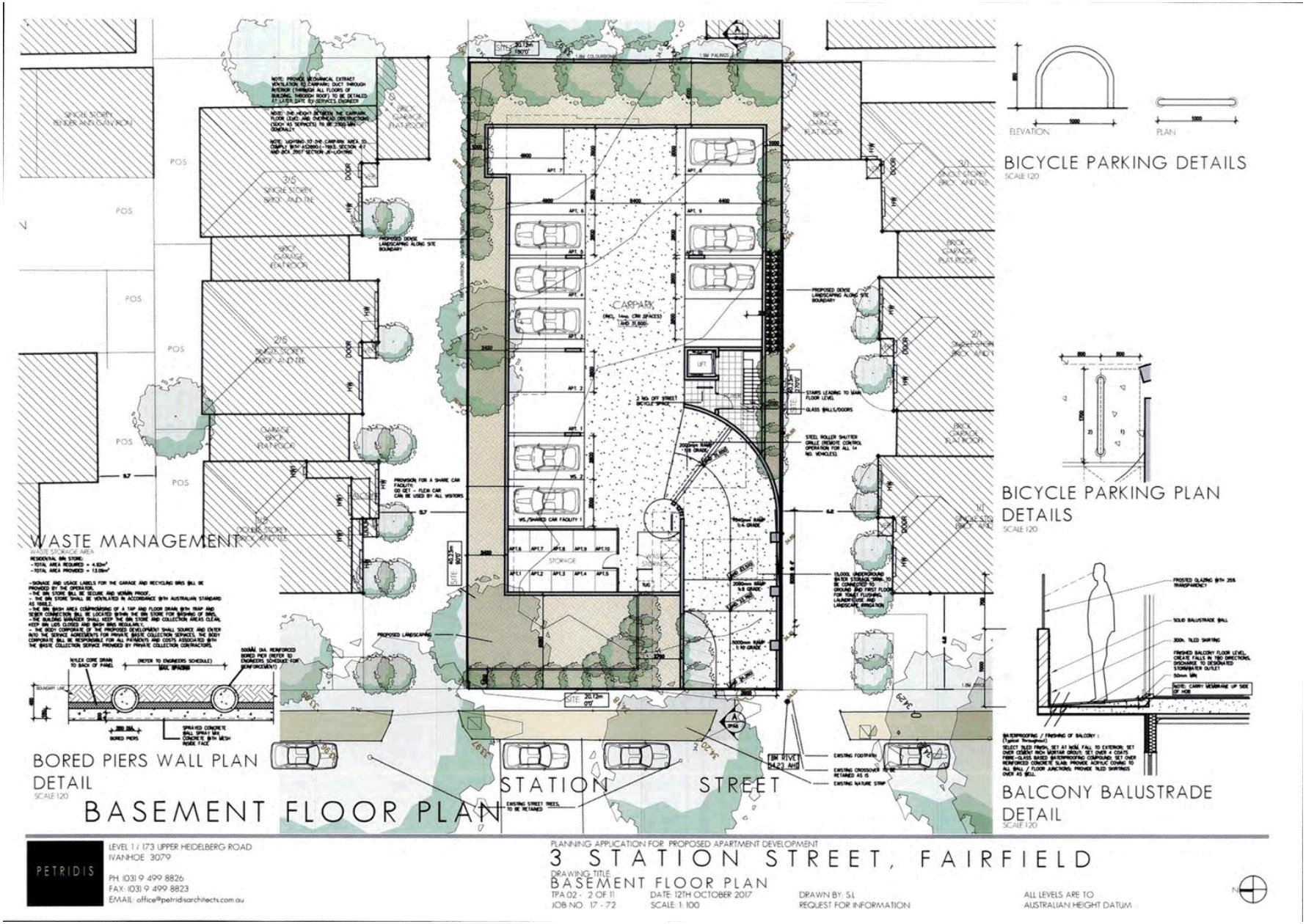
3 STATION STREET, FAIRFIELD

DRAWING TITLE
MASTER PLAN, AREA ANALYSIS

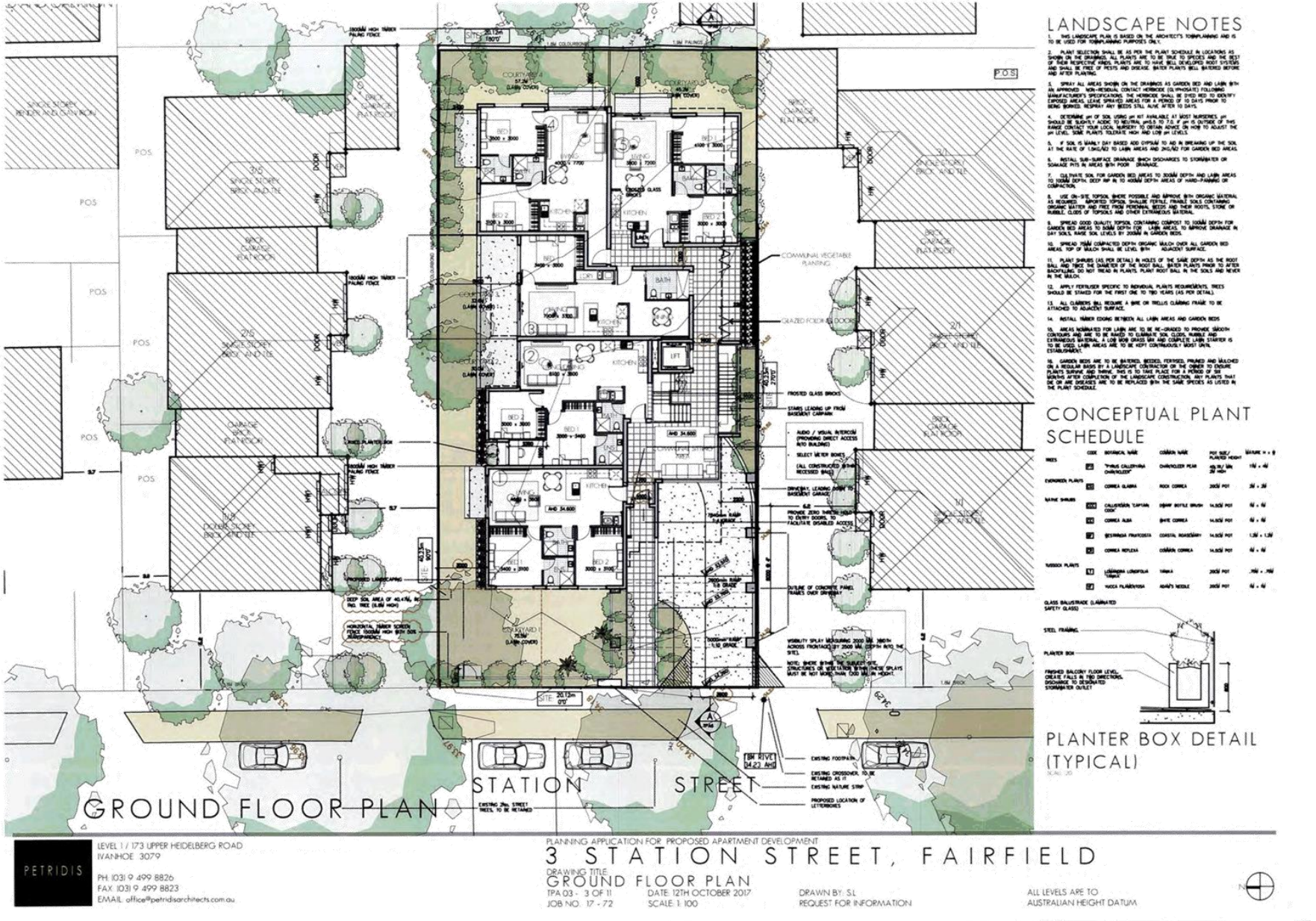
TPA 01 - 1 OF 11 | DATE: 12TH OCTOBER 2017 | DRAWN BY: SL | REQUEST FOR INFORMATION
JOB NO. 17 - 72 | SCALE: 1: 200

ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

Attachment 2 - PLN17/0585 - Plans Part 1



Attachment 2 - PLN17/0585 - Plans Part 1



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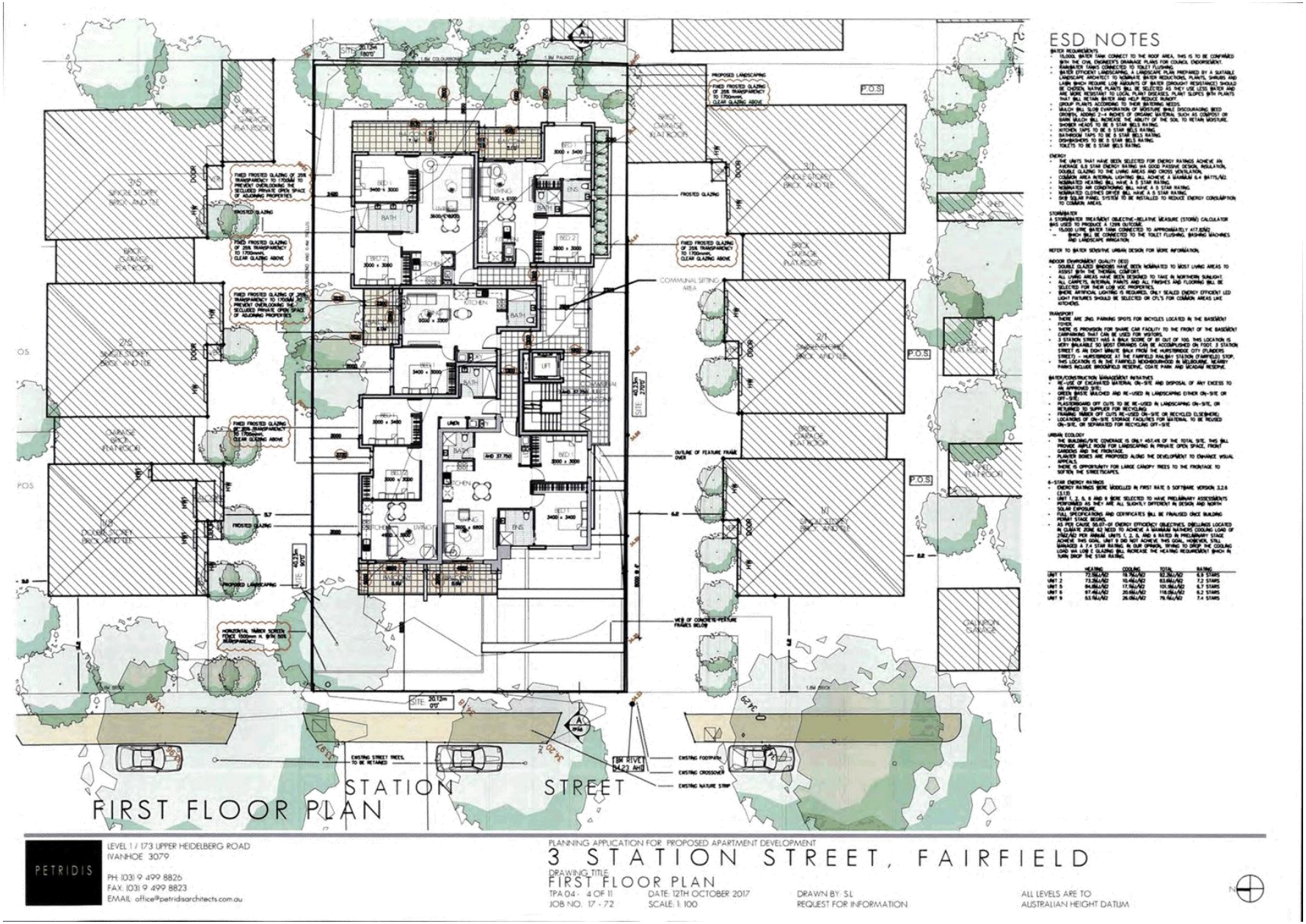

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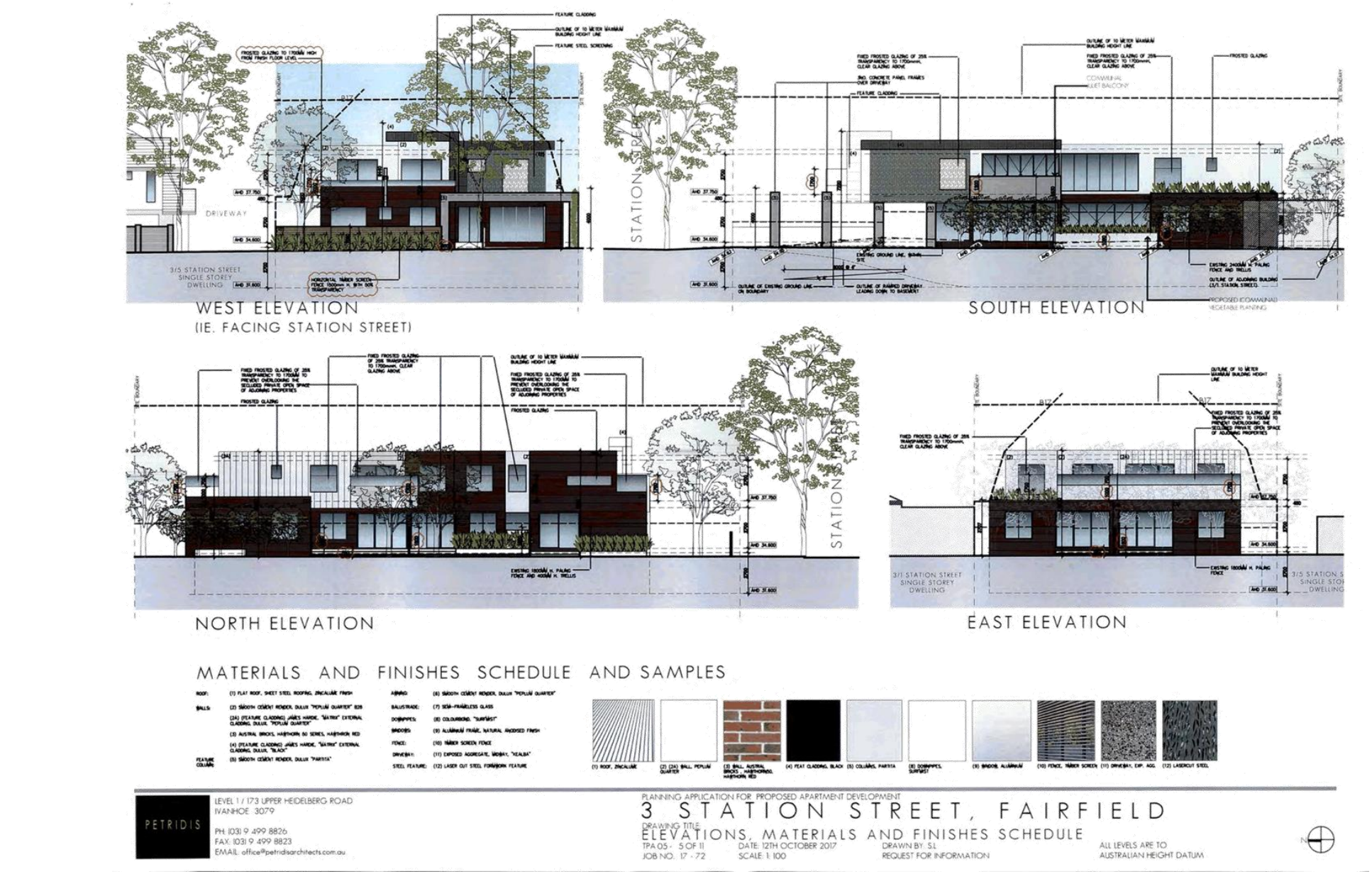

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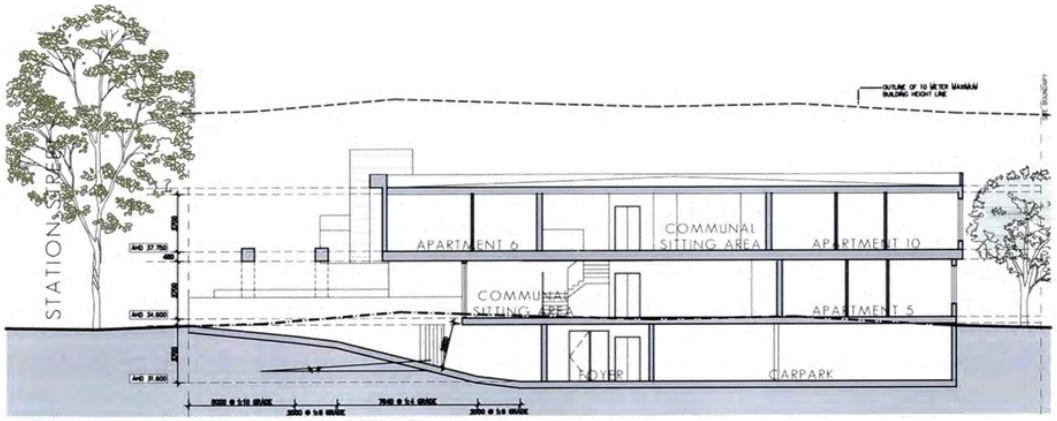

SECTION A-A

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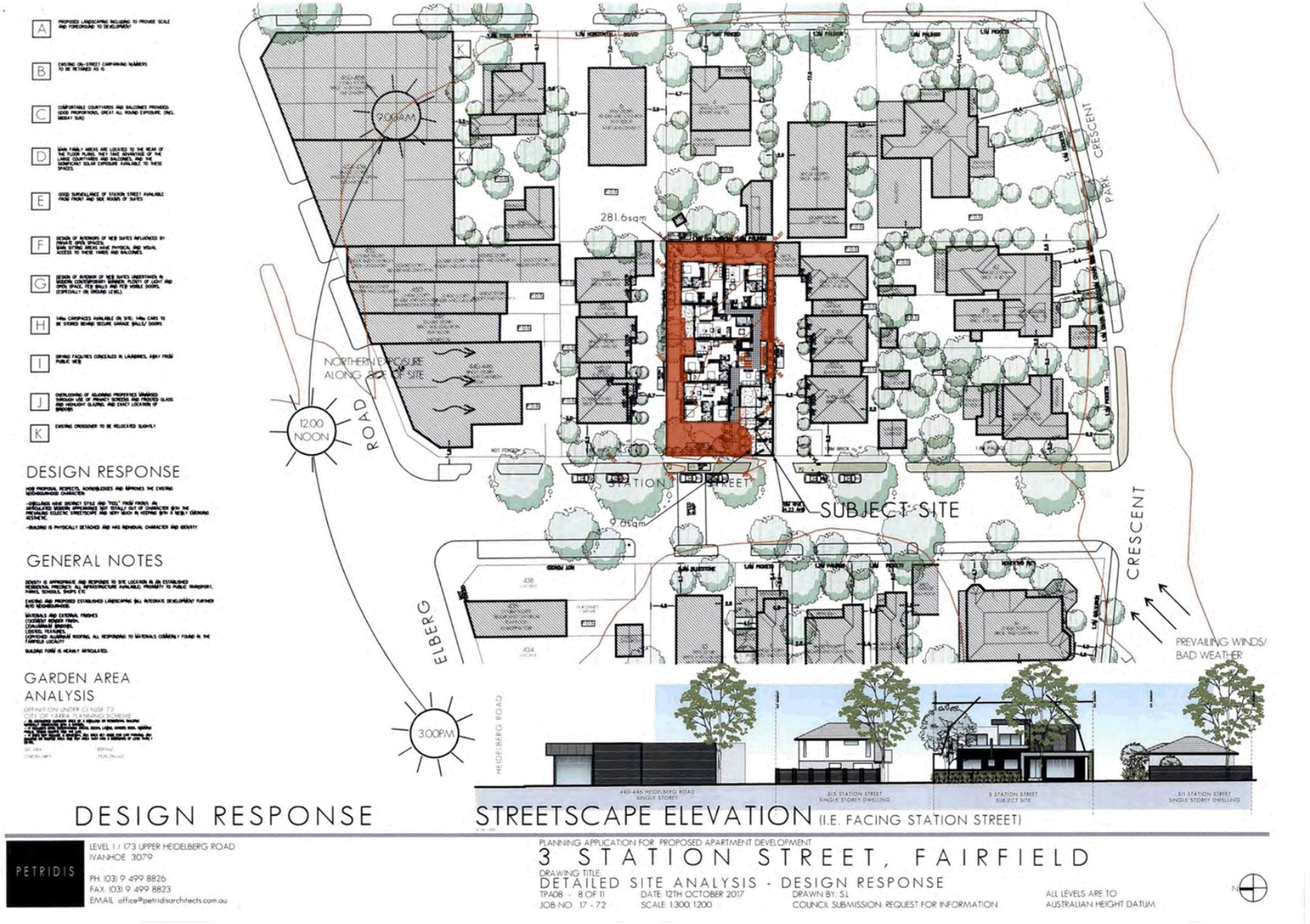
PLANNING APPLICATION FOR PROPOSED APARTMENT DEVELOPMENT
3 STATION STREET, FAIRFIELD
DRAWING TITLE:
SECTION A-A
TPA 06 -6 OF 11
JOB NO. 17 - 72
DATE: 12TH OCTOBER 2017
SCALE: 1:100
DRAWN BY: SL
REQUEST FOR INFORMATION
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

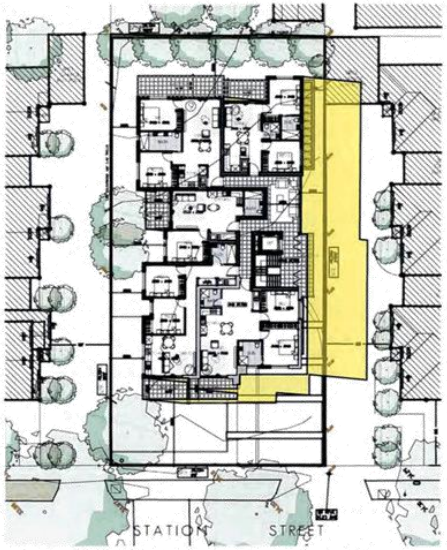
Attachment 3 - PLN17/0585 – Plans Part 2

Attachment 3 - PLN17/0585 – Plans Part 2



Attachment 3 - PLN17/0585 – Plans Part 2

DETAILED SHADOW ANALYSIS-
9AM, 22 SEPTEMBER



DETAILED SHADOW ANALYSIS-
12NOON, 22 SEPTEMBER

DETAILED SHADOW ANALYSIS-
3PM, 22 SEPTEMBER

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PLANNING APPLICATION FOR PROPOSED APARTMENT DEVELOPMENT
3 STATION STREET, FAIRFIELD
DRAWING TITLE
DETAILED SHADOW ANALYSIS - 9AM,12NOON,3PM, SEPTEMBER 22
TPA 09 - 9 OF 11 | DATE: 12TH OCTOBER 2017 | DRAWN BY: S.L | ALL LEVELS ARE TO
JOB NO. 17 - 72 | SCALE: 1: 200 | COUNCIL SUBMISSION: REQUEST FOR INFORMATION | AUSTRALIAN HEIGHT DATUM

Attachment 3 - PLN17/0585 – Plans Part 2

BAD ASSESSMENT LEGEND

FUNCTIONAL LAYOUT

LIVING AREA

ROOM DEPTH

2700MM MIN. CEILING HEIGHT FOR LIVING, DINING AND KITCHEN AREAS MEASURED FROM FINISHED FLOOR LEVEL TO FINISHED CEILING LEVEL, EXCEPT WHERE SERVICES ARE PROVIDED ABOVE THE KITCHEN.

NATURAL CROSS VENTILATION

BREEZE PATH

PRIVATE OPEN SPACE

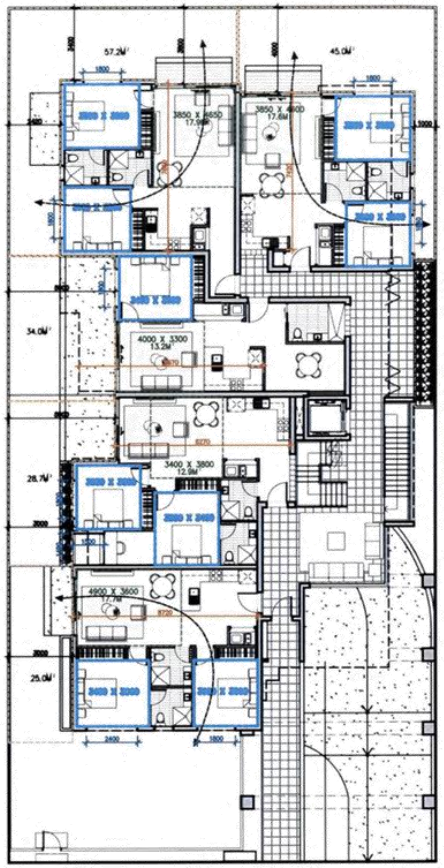
WINDOWS

STORAGE

ALL APARTMENTS ARE ALLOCATED 5M³ MIN. EXTERNAL STORAGE (LOCATED AT THE BASEMENT)

KITCHEN STORAGE INCLUDES:
- UNDERSIDE OF BENCH
- PANTRY
- OVERHEAD CUPBOARDS

ACCESSIBILITY



GROUND FLOOR PLAN

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PLANNING APPLICATION FOR PROPOSED APARTMENT DEVELOPMENT
3 STATION STREET, FAIRFIELD
DRAWING TITLE:
CLAUSE 55.07 ASSESSMENT
TPA 10 - 10 OF 11
JOB NO. 17 - 72
DATE: 12TH OCTOBER 2017
SCALE: 1 : 100
DRAWN BY: SL
REQUEST FOR INFORMATION
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

Attachment 3 - PLN17/0585 – Plans Part 2

BAD ASSESSMENT LEGEND

FUNCTIONAL LAYOUT

LIVING AREA

ROOM DEPTH

2700MM MIN. CEILING HEIGHT FOR LIVING, DINING AND KITCHEN AREAS MEASURED FROM FINISHED FLOOR LEVEL TO FINISHED CEILING LEVEL, EXCEPT WHERE SERVICES ARE PROVIDED ABOVE THE KITCHEN.

NATURAL CROSS VENTILATION

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ALL APARTMENTS ARE ALLOCATED 5M³ MIN. EXTERNAL STORAGE (LOCATED AT THE BASEMENT)

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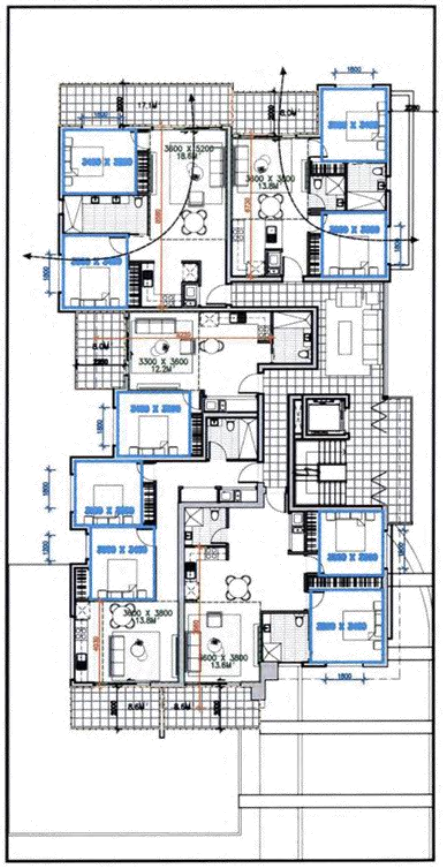
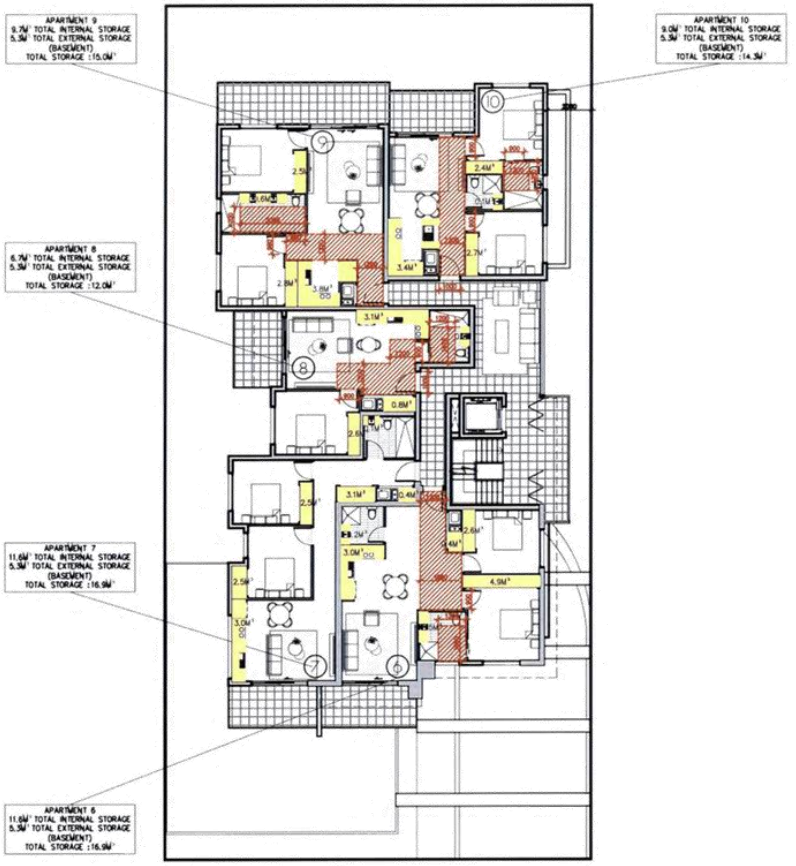
ACCESSIBILITY





FIRST FLOOR PLAN

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PLANNING APPLICATION FOR PROPOSED APARTMENT DEVELOPMENT
3 STATION STREET, FAIRFIELD
DRAWING TITLE
CLAUSE 55.07 ASSESSMENT
TPA 11 - 11 OF 11
JOB NO. 17 - 72
DATE: 12TH OCTOBER 2017
SCALE@A3
DRAWN BY: SL
REQUEST FOR INFORMATION
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

Attachment 4 - PLN17/0585 - Engineering comments

CITY OF YARRA

MEMO

To:	**Gary O'Reilly**
From:	**Artemis Bacani**
Date:	**28 November 2017**
Subject:	**Application No: PLN17/0585** **Description: Double Storey Building - 10 Dwellings** **Site Address: 3 Station Street, Fairfield**

I refer to the above Planning Application received on 2 November 2017 in relation to the proposed development at 3 Station Street, Fairfield. Council's Engineering Services unit provides the following information:

TRAFFIC GENERATION

The traffic generation for the site could be adopted as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Resident (10 Dwellings)	3.0 trips per dwelling per day Peak hour volume is 10% of daily traffic volume	30 trips per day	3 trips per hour	3 trips per hour

The traffic volumes generated by the development are not unduly high and should not adversely impact on the operation of the surrounding road network

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The development entrance has a width of 3.0 metres and satisfies *Design standard 1 – Accessways* of Clause 52.06-9.
Visibility	The plantation adjacent to the north edge of the vehicle crossing contains a garden bed which would provide a sight line for exiting motorists. The plantation within the garden bed should be maintained at a height of no more than 900 mm.
Headroom Clearance	Not dimensioned on the drawings.
Internal Ramped Accessway Width	Ramped accessway is 3.0 metres wide. No kerbs are provided on the sides of the accessway.

Attachment 4 - PLN17/0585 - Engineering comments

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Vehicle Passing Movements – Internal Ramped Accessways	Swept path diagrams for vehicle passing movements within curved internal ramps not provided.
Car Parking Modules	
Parking Spaces	The dimensions of the at-grade parking spaces (4.9 metres by 2.6 metres) satisfy *Design standard 2: Car parking spaces*.
Aisles	The 6.4 metre aisles satisfy the requirements of *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	Not dimensioned on the drawings.
Clearances to Walls	Clearances of no less than 400 mm have been provided.
Gradients	
Ramp Grade for First 5.0 metres inside Property	The ramp grade for the first 5.0 metres inside the building line is 1 in 10 and satisfies *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and the changes of grade for the ramped accessway satisfy *Design standard 3*.
Other Items	
Undersized Parking Spaces	The parking spaces along the south side of the car park have a depth of 4.4 metres.

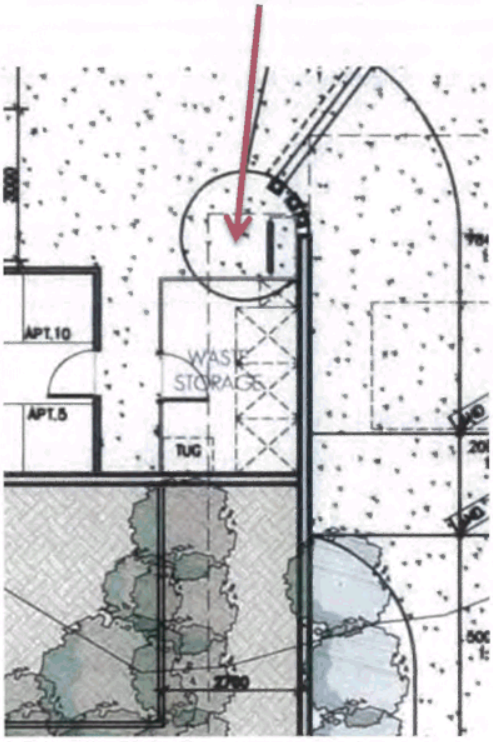
Design Items to be Addressed

Item	Details
Headroom Clearance	To be dimensioned at the development entrance and for the basement car park.
Vehicle Passing Movements – Internal Ramped Accessways	Swept path diagrams for a B99 design vehicle and an oncoming B85 design vehicle are to be provided for vehicle passing movements within the curved internal ramps.
Internal Ramped Accessway Width	A 300mm wide kerb should be provided along the southern edge of the accessway. The kerb must be constructed from the front edge of the columns.
Column Depths and Setbacks	To be dimensioned on the drawings.
Undersized Parking Spaces	The depth of the parking spaces along the southern side of the car park should have a minimum depth of 4.9 metres to satisfy *Design standard 2 – Car parking spaces* of Clause 52.06-9.

Attachment 4 - PLN17/0585 - Engineering comments

Visitor Parking	The visitor parking spaces should be easily accessible for visitors. It is recommended for the two visitor spaces to be relocated in the spaces that are allocated for apartments 1 and 2.

Design Items to be Addressed

Item	Details
Car Space Adjacent to Lift	Applicant to designate the use of this space. Could this space be a visitor space and have a separate space for the car share?
Basement Circular Feature	Information is required on the circular feature shown below. 

IMPACT ON COUNCIL ROAD ASSETS

The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.

It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees, visitors and other users of the site.

The footpath and kerb and channel along the development's Gwynne Street frontage require reconstruction once all works have been completed. Invariably, footpaths and kerbing outside development sites would be trenched and cut open for utility service connections and tappings.

Attachment 4 - PLN17/0585 - Engineering comments

More often than not, the footpath and kerb and channel would be damaged during development works.

ENGINEERING CONDITIONS
Civil Works

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

- The footpath along the property's Station Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any area/s of any damage caused by the development works and associated utility service trenching in relation to the development along Station Street must be re-sheeted for the full width (with any areas of pavement failure as a consequence of construction traffic must be reinstated with full depth pavement):
  - 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.

Construction Management Plan

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

Impact of Assets on Proposed Development

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

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- 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.
- Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.
- 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.

Attachment 4 - PLN17/0585 - Engineering comments

NON-PLANNING ADVICE FOR THE APPLICANT

Legal Point of Discharge

The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the *Building Regulations 2006* 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 610.

Protection of Basement

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

The developer needs to ensure that the basement car park and any portions of the development at or below natural surface level have a level of protection to minimise the seepage of subterranean water (groundwater) or any rainfall run-off from penetrating the walls or floors of the site.

In the event that any contaminated groundwater seeps through the walls of the basement, this water must not be discharged into Council's stormwater drainage system under any circumstances. Any contaminated groundwater that is present within the site must be treated and disposed of in accordance with a Trade Waste Agreement and as per EPA guidelines and Melbourne Water/City West Water guidelines.

It is also the Permit Holder's onus and responsibility to ensure that rainfall run-off does not enter the property in the event of a heavy storm. Adequate measures should be in place to prevent backwash from entering the property.

Street Tree

The existing street tree on Station Street is situated close to the site's property line. The applicant must liaise with Council's Open Space unit regarding lateral distance of the street tree.

Attachment 4 - PLN17/0585 - Engineering comments

Regards

Artemis Bacani
Civil Roads Engineer
Engineering Services Unit

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Attachment 4 - PLN17/0585 - Engineering comments

O'Reilly, Gary

From: Bacani, Artemis
Sent: Tuesday, 22 May 2018 7:57 AM
To: O'Reilly, Gary
Subject: D17/191701 : PLN17/0585 - 3 Station Street Fairfield - Engineering comments
Attachments: PLN17 0585 - 3 Station Street Fairfield - Engineering comments.DOCX; PLN17 0585 - 3 Station Street Fairfield - Engineering comments.tr5

Hi Gary

Further to our discussion yesterday, please find edited version of my comments.

I have included in my comments that the applicant must extend the length of the spaces along the south side of the car park to 4.9 metres and an aisle width of 6.4 metres to be maintained.

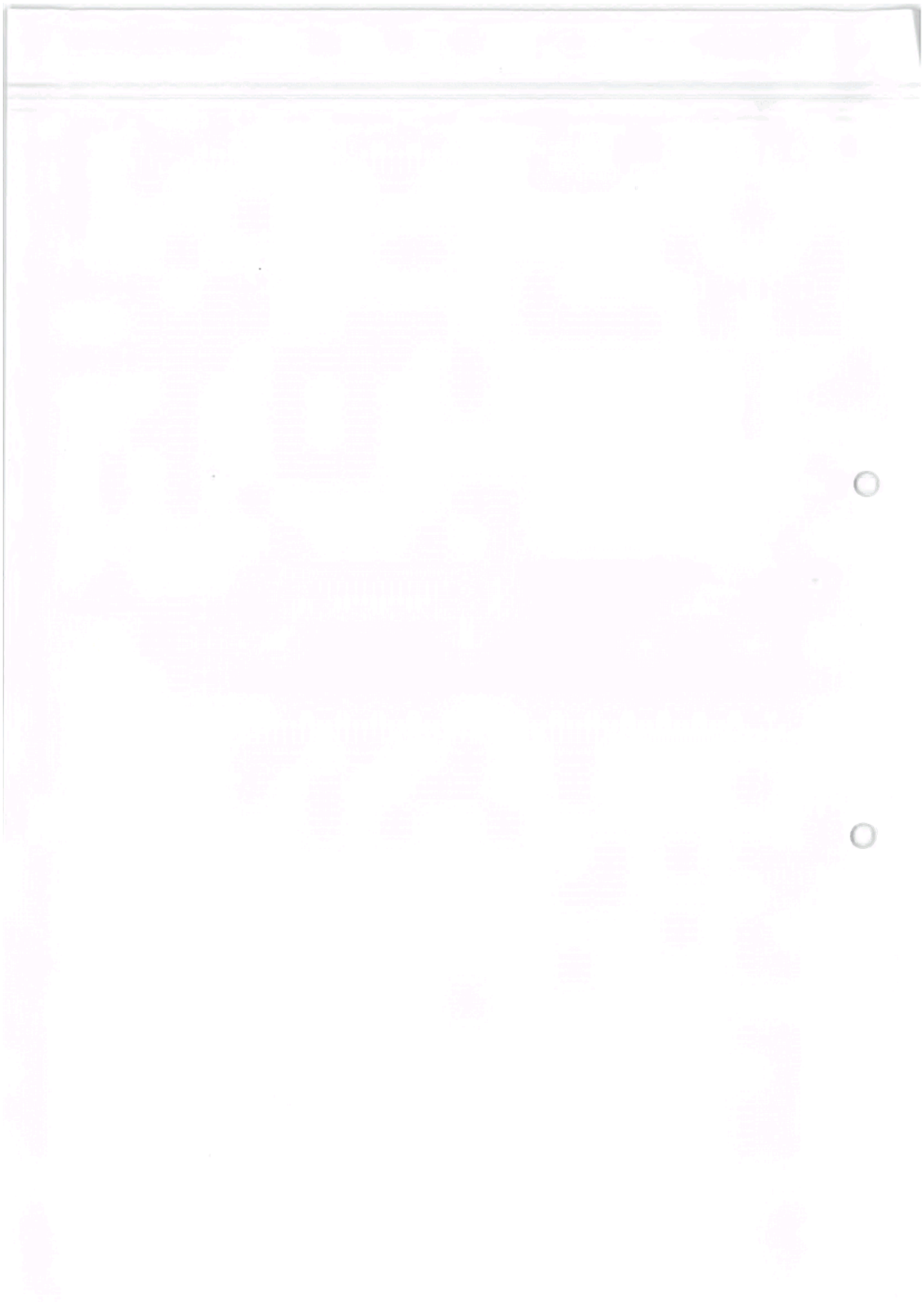
Alternatively, the aisle width could be reduced to 5.9 metres (with 4.9 metre long spaces), provided that the spaces e widened to 2.8 metres.

Please let me know if you have any questions regarding the edited memo.

Regards
Artemis

1

Attachment 4 - PLN17/0585 - Engineering comments



Attachment 5 - PLN17/0585 - ESD comments

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

ESD in the Planning Permit Application Process

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

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

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category *Residential 1. Ten or more dwellings*.

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.
The following comments are based on the review of the architectural drawings, prepared by Petridis (*advertised set*) and the accompanying SMP, prepared by Passivenergy (*advised set*).

Attachment 5 - PLN17/0585 - ESD comments

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

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Attachment 5 - PLN17/0585 - ESD comments

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:		Gary O'Reilly	
ESD Advisor:		Euan Williamson	
Date:	23.11.2017	Planning Application No:	PLN17/0585
Subject Site:		3 Station Street, Fairfield, VIC	
Site Area:	Approx. 809m^2	Site Coverage:	100%
Project Description:		Ten dwellings.	
Pre-application meeting(s):		None.	

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:
- Minimum 6.9 Star average NatHERS Star rating for dwellings.
- A STORM report with a 129% STORM score has been submitted that demonstrates best practice and relies on ~417m^2 of roof connected to 15,000 litres in rainwater storage for flushing of toilets in dwellings with 20 bedrooms.
- 5 kWp solar PV array to contribute to onsite electricity generation.
- Energy efficient hot water, heating/cooling and lighting.
- Water efficient fixtures and taps.

(2) Application ESD Deficiencies:
- Daylight to most habitable rooms is adequate with the exception of the living area of Apartment 3 that has an internal dining area and Bed 1 in Apartment 2 will also have poor access to daylight. Recommend that Apartment 2 is redesigned to reduce the depth of Bed 1 from the façade, and Apartment 3 is internally reconfigured to move the dining room closer to the façade and improve its' access to daylight.
- Most dwellings will have good natural ventilation, either cross ventilation or single sided, except Apartment 3 that has a deep floor plate and a flat un-articulated façade. Bed 1 in Apartment 2 will also have poor natural ventilation. Recommend that Apartment 3 is redesigned to allow better natural ventilation (with partially inset balcony offsetting openings and encouraging better air flow). Ensure that all habitable rooms have an operable window and that these are clearly marked on plans. Recommend extraction fans to kitchen ranges (not re-circulating type).
- Substantial areas of glazing exposed to northerly, west and east facing summer sun angles. Install suitable exterior shading to all exposed north, west and easterly facing glazing, or demonstrate that no dwelling's cooling loads exceed the 30MJ/m^2 BADS standard.
- Only 2 secure bicycle parking spaces in basement. This is not a satisfactory number of bike spaces. Strongly recommend increase the number of spaces to one-per-dwellings (10) plus spaces for visitors.

(3) Outstanding Information:
- A Car Share arrangement within the development is claimed within the BESS report. Please note the location of the car share on plans and provide detail.

Attachment 5 - PLN17/0585 - ESD comments

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

- The BESS Report submitted is in 'Draft' status in the software. Please 'Finalise' the project and re-submit the report. BESS Users can always save a copy into a new Draft project if changes are required in the future.

(4) ESD Improvement Opportunities

- Consider gas boosted solar hot water.
- Consider electric vehicle charging infrastructure.
- Consider specifying low-VOC internal finishes, sealants, carpets and flooring, wall and ceiling coverings, as well as low or zero formaldehyde content in engineered timber products
- Consider that all timber to be certified by FSC as sustainable.
- Consider recycled concrete component and low embodied energy steel.
- Consider recycled materials in building components such as insulation.
- Recommend providing a composting system for dwellings.
- Recommend a comprehensive commissioning and tuning of all major appliances and building services.
- Recommend a Building Users Guide explaining optimal usage of building services and sustainability features within the development including rainwater tanks, energy systems, etc.

Further Recommendations:

The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

Attachment 5 - PLN17/0585 - ESD comments

1. Indoor Environment Quality (IEQ)

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	Most dwellings will have good natural ventilation, either cross ventilation or single sided, except Apartment 3 that has a deep floor plate and a flat un-articulated façade. Bed 1 in Apartment 2 will also have poor natural ventilation.	Recommend that Apartment 3 is redesigned to allow better natural ventilation (with partially inset balcony offsetting openings and encouraging better air flow). Ensure that all habitable rooms have an operable window and that these are clearly marked on plans. Recommend extraction fans to kitchen ranges (not re-circulating type).	2
Daylight & Solar Access	Daylight to most habitable rooms is adequate with the exception of the living area of Apartment 3 that has an internal dining area and Bed 1 in Apartment 2 will also have poor access to daylight.	Recommend that Apartment 2 is redesigned to reduce the depth of Bed 1 from the façade, and Apartment 3 is internally reconfigured to move the dining room closer to the façade and improve its' access to daylight.	2
External Views	External views from all dwellings.	-	1
Hazardous Materials and VOC	No information has been provided.	Consider specifying low-VOC paints, internal finishes, sealants, carpets and flooring, as well as low or zero formaldehyde content in engineered timber products.	4
Thermal Comfort	Good thermal comfort is determined through a combination of good access to ventilation, balanced passive heat gains and high levels of insulation. The application proposes: - Mostly good access to natural ventilation - Some external shading proposed - Good thermal efficiency standards.	Please refer to section on, *NCC Energy Efficiency Requirements Exceeded* and *Effective Shading*	2

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 1. Indoor Environment Quality
Good Environmental Choice Australia Standards www.geca.org.au

Attachment 5 - PLN17/0585 - ESD comments

Australian Green Procurement www.greenprocurement.org
Residential Flat Design Code www.planning.nsw.gov.au
Your Home www.yourhome.gov.au

Attachment 5 - PLN17/0585 - ESD comments

2. Energy Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	Minimum 6.9 Star average NatHERS Star rating for dwellings.	-	1
Hot Water System	5 Star gas water system to all dwellings.	Consider gas boosted solar hot water.	4
Peak Energy Demand	Peak demand reduced through various initiatives.	-	1
Effective Shading	Substantial areas of glazing exposed to northerly, west and east facing summer sun angles.	Install suitable exterior shading to all exposed north, west and easterly facing glazing, or demonstrate that no dwelling's cooling loads exceed the 30MJ/m^2 BADS standard.	2
Efficient HVAC system	Energy efficient 5 Star gas heating and 5 Star AC cooling systems.	-	1
Efficient Lighting	Energy efficient lighting.	-	1
Electricity Generation	5 kWp solar PV array to contribute to onsite electricity generation.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 2. Energy Efficiency
House Energy Rating www.makeyourhomegreen.vic.gov.au
Building Code Australia www.abcb.gov.au
Window Efficiency Rating Scheme (WERS) www.wers.net
Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au
Energy Efficiency www.resourcesmart.vic.gov.au

Attachment 5 - PLN17/0585 - ESD comments

3. Water Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Water efficient taps and fittings throughout, including: - 5 Star toilets - 5 Star tapware - 3 Star showers <5 litres/min - 5 Star dishwashers	-	1
Water for Toilet Flushing	A 15,000 litre rainwater tank connected to toilets for flushing.	-	1
Water Meter	Water metering for individual dwellings and all major common area uses.	-	1
Landscape Irrigation	Rainwater also used for irrigation also.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
Water Services Association of Australia www.wsaa.asn.au
Water Tank Requirement www.makeyourhomegreen.vic.gov.au
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 5 - PLN17/0585 - ESD comments

4. Stormwater Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A STORM report with a 129% STORM score has been submitted that demonstrates best practice and relies on ~417m^2 of roof connected to 15,000 litres in rainwater storage for flushing of toilets in dwellings with 20 bedrooms.	-	1
Discharge to Sewer	-	-	-
Stormwater Diversion	-	-	-
Stormwater Detention	The 15,000 litres of rainwater tanks detailed above will partially act in a detention capacity.	-	1
Stormwater Treatment	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 4. Stormwater Management
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Water Sensitive Urban Design Principles www.melbournewater.com.au
Environmental Protection Authority Victoria www.epa.vic.gov.au
Water Services Association of Australia www.wsaa.asn.au
Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 5 - PLN17/0585 - ESD comments

5. Building Materials

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	No information has been provided.	Consider recycled materials in building components such as insulation.	4
Embodied Energy of Concrete and Steel	No information has been provided.	Consider recycled concrete component and low embodied energy steel.	4
Sustainable Timber	No information has been provided.	Consider that all timber be certified by FSC or AFS as sustainable.	4
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
Other	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 5. Building Materials
Building Materials, Technical Manuals www.yourhome.gov.au
Embodied Energy Technical Manual www.yourhome.gov.au
Good Environmental Choice Australia Standards www.geca.org.au
Forest Stewardship Council Certification Scheme www.fsc.org
Australian Green Procurement www.greenprocurement.org

Attachment 5 - PLN17/0585 - ESD comments

6. Transport

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking in car basement	-	1
Bike Parking Spaces	2 secure bicycle parking spaces in basement.	This is not a satisfactory number of bike spaces. Strongly recommend increase the number of spaces to one-per-dwellings (10) plus spaces for visitors.	2
End of Trip Facilities	No information has been provided.	-	NA
Car Share Facilities	A Car Share arrangement within the development is claimed within the BESS report.	Please note the location of the car share on plans.	3
Electric vehicle charging	No information has been provided.	Consider electric vehicle charging infrastructure.	4

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 6. Transport
Off-setting Car Emissions Options www.greenfleet.com.au
Sustainable Transport www.transport.vic.gov.au/doi/internet/icy.nsf
Car share options www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/
Bicycle Victoria www.bv.com.au

Attachment 5 - PLN17/0585 - ESD comments

7. Waste Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	No information has been submitted.	Recommend a CWMP with a minimum 70% recycling/reuse target for construction and demolition waste.	4
Operational Waste Management	Space for general waste and recycling bins.	Recommend providing a composting system for dwellings	4
Storage Spaces for Recycling and Green Waste	Area for bins can be identified on the plans.	-	1
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 7. Waste Management
Construction and Waste Management www.sustainability.vic.gov.au
Preparing a WMP www.epa.vic.gov.au
Waste and Recycling www.resourcesmart.vic.gov.au
Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002) www.environment.nsw.gov.au
Waste reduction in office buildings (2002) www.environment.nsw.gov.au

Attachment 5 - PLN17/0585 - ESD comments

8. Urban Ecology

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	NA
Maintaining / Enhancing Ecological Value	Some landscaping will marginally improve the ecological value of the site.	-	1
Heat Island Effect	No specific information has been submitted.	-	1
Communal Spaces	Communal sitting area.	-	1

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 8. Urban Ecology
Department of Sustainability and Environment www.dse.vic.gov.au
Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au
Greening Australia www.greeningaustralia.org.au
Green Roof Technical Manual www.yourhome.gov.au

Attachment 5 - PLN17/0585 - ESD comments

9. Innovation

Objective:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Significant Enhancement to the Environmental Performance	-	-	-
Innovative Social Improvements	-	-	-
New Technology	-	-	-
New Design Approach	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 9. Innovation
Green Building Council Australia www.gbca.org.au
Victorian Eco Innovation lab www.ecoinnovationlab.com
Business Victoria www.business.vic.gov.au
Environment Design Guide www.environmentdesignguide.com.au

Attachment 5 - PLN17/0585 - ESD comments

10. Construction and Building Management

Objective:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	No specific information has been submitted.	Recommend a comprehensive commissioning and tuning of all major appliances and building services.	4
Building Users Guide	No specific information has been submitted.	Recommend a Building Users Guide explaining optimal usage of building services and sustainability features within the development including rainwater tanks, energy systems, etc.	4
Contractor has Valid ISO14001 Accreditation	No specific information has been submitted.	-	1
Construction Management Plan	No specific information has been submitted.	Recommend that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.	4
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 10. Construction and Building Management
ASHRAE and CIBSE Commissioning handbooks
International Organization for standardization – ISO14001 – Environmental Management Systems
Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

Attachment 5 - PLN17/0585 - ESD comments

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

Applicant Response Guidelines

Project Information:

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

Environmental Categories:

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

Objectives:

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

Issues:

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

Assessment Method Description:

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

Benchmarks Description:

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

How does the proposal comply with the benchmarks?

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

ESD Matters on Architectural Drawings:

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

Attachment 6 - PLN17/0585 - Urban Design comments

CITY OF YARRA

MeMO

TO:	**Gary O'Reilly**
FROM	**David Pryor**
DATE:	**13 November 2017**
SUBJECT:	**3 Station Street, Fairfield**
APPLICATION NO:	**PLN17/0585**
DESCRIPTION:	Construction of 10 dwellings in a two storey building with basement carparking

Urban design advice has been sought in relation to the above application.

COMMENTS SUMMARY

This proposal is supported in principle, subject to the improvements outlined below, including the following:

- Delete the large entry arch;
- Consider the provision of an individual entry to Unit 1;
- Review the eave/wall configuration at the southwest corner;
- Replace (some of) the glass balustrades with a material of more tactile and domestic character;
- Introduce deep window recesses and/or projecting sunshades to provide shadow and articulation at a finer scale.

Site and Context

The site sits within a Garden Suburban Residential area, where Clause 21.08-6 promotes:

- *Maintain the existing pattern of front setbacks*
- *Reinforce the garden character of the streetscape*
- *Accommodate … second storeys of new buildings within an envelope that maintains the low, horizontal form of existing dwellings*.

The site is zoned NRZ2. No overlays apply, but HO328 abuts the east (rear) boundary.

A substantial single storey dwelling currently occupies the site. Other development in the street ranges from large detached Victorian houses to a 3-storey apartment block, and from tree-dominated sites to commercial development fronting Heidelberg Road.

Site Layout

The proposal is for a two storey building with modest setbacks from all boundaries. There are five apartments on each floor, with vehicular access and pedestrian circulation located toward the south side of the building.

Attachment 6 - PLN17/0585 - Urban Design comments

Built Form and Massing

The building is reasonably well articulated, with a range of cladding materials reinforcing the steps in plan and elevation.

The front setback appears to match the 6.2m setback of both adjoining properties, stepping back to an 8m setback at First Floor level.

Presentation to the Street

I have not assessed the proposed planting, but note that, to "*reinforce the garden character of the streetscape",* it will be important that substantial trees can flourish around the building, given the proposal's relatively high site coverage and bulk. To achieve this, it is important that the basement does not significantly extend beyond the building footprint above. This is generally achieved.

The entry arch, located less than two metres from the front boundary and spanning almost half the width of the site, reinforces the presence of built form on the site rather than *garden character*, and is not supported. The carpark entry would be easily found without the arch, and the large scale of the arch does not make it a suitable way of identifying the pedestrian entry.

There is an opportunity to provide an individual entry to Unit 1, directly from the footpath. This would achieve a finer grain of activation to the street and be consistent with Clause 55.07-8 Building entry and circulation objectives, which include *To provide each dwelling and building with its own sense of identity*.

Building Design and Finishes

The projecting eave to the southwest corner seems to unnecessarily encroach into the Rescode setback envelope and increase overshadowing of the adjoining property without corresponding improvement to the design. I would support the screened wall at this corner extending up into a simple parapet more typical of the rest of the building.

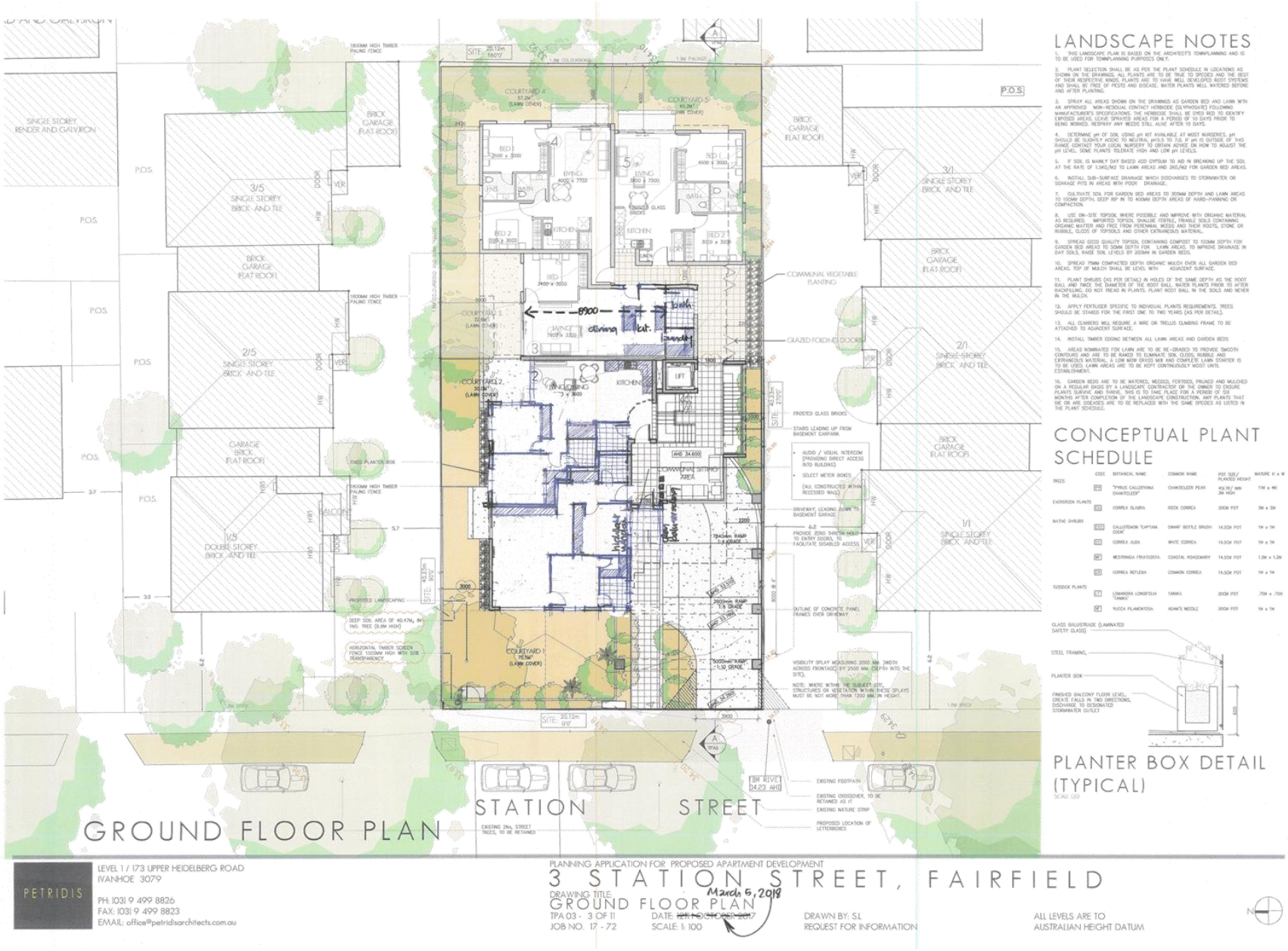
The design could be enhanced through the introduction of deep window recesses and projecting sunshades, contributing depth, shadow and articulation at a finer scale as well improving environmental performance.

The proposed glass balustrades give a commercial character to the development. It is recommended that at least some of these be replaced with a material of more tactile and domestic character such as timber slats, which would be comparable to the front fence. Differentiation between the balustrades of Units 6 and 7 would contribute to the building's articulation and obviate the need for the expressed blade wall which currently separates the balconies of these front units.

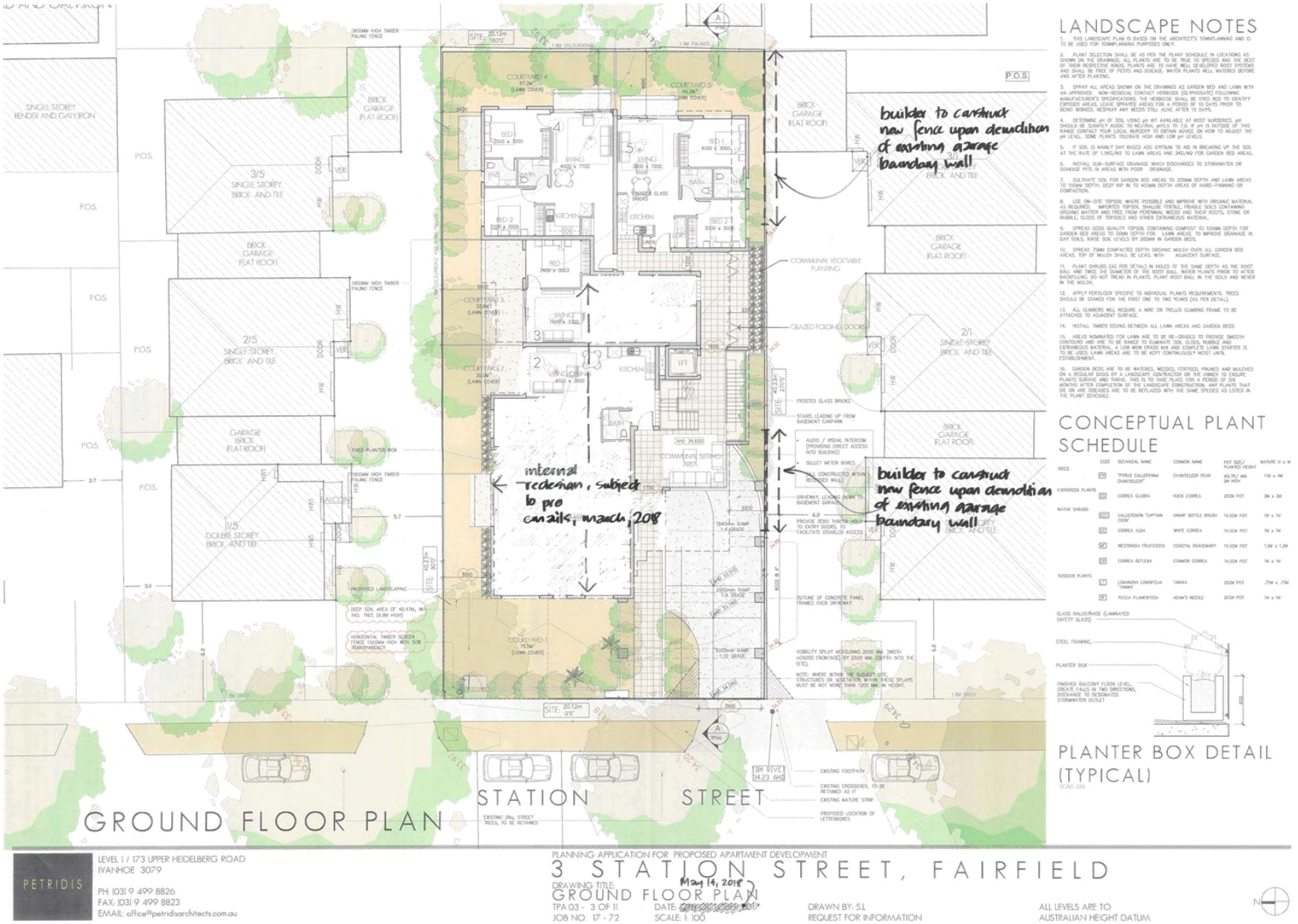
There may be opportunities to add character and a sense of history to the development by reusing components from the existing dwelling. This could include the new entry paving, which does not appear to be stipulated.

The above advice is limited to urban design issues, and does not address ESD, amenity or heritage, for example.

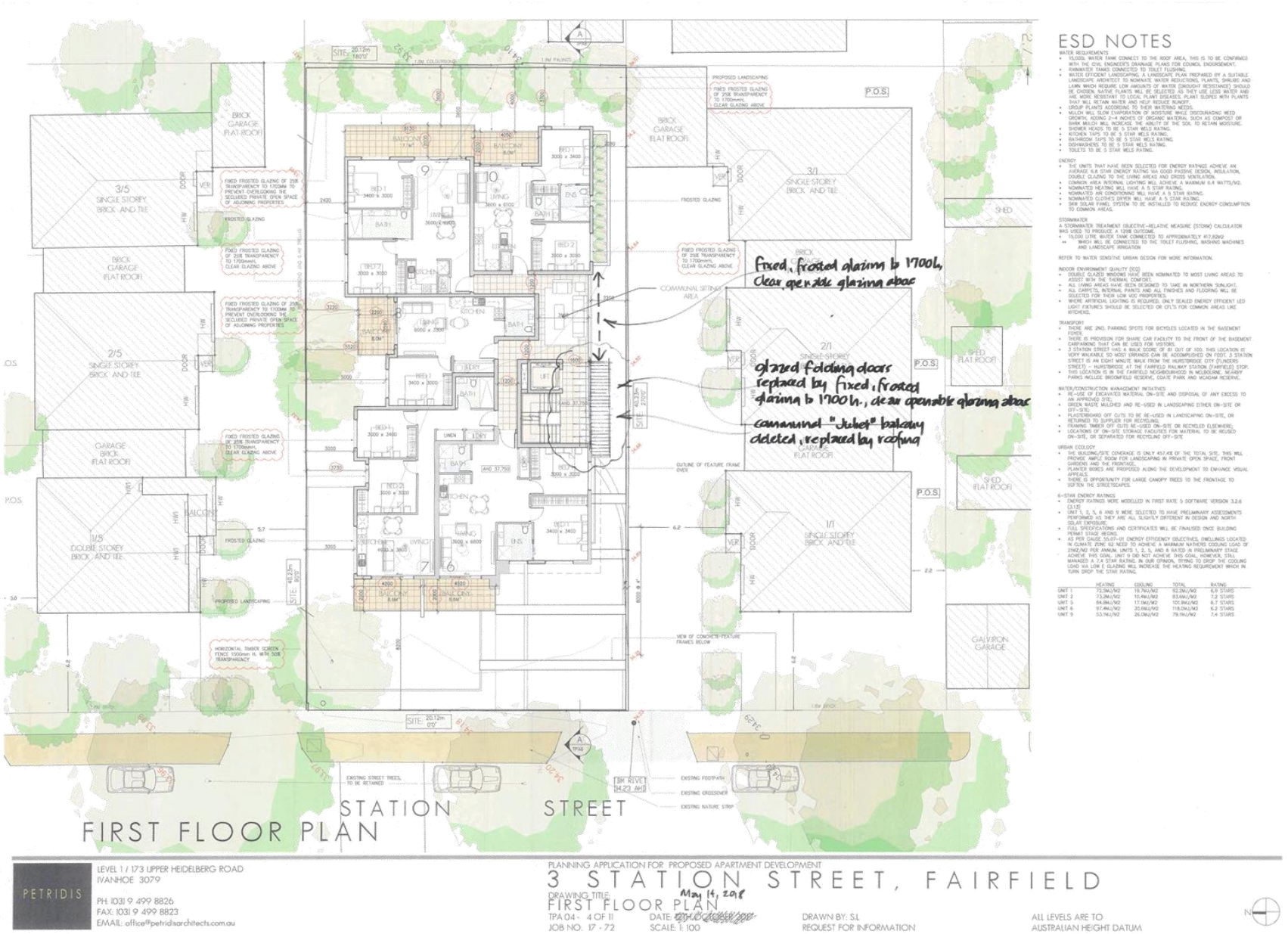
Attachment 7 - PLN17/0585 - Sketch Plan - 5 March 2018



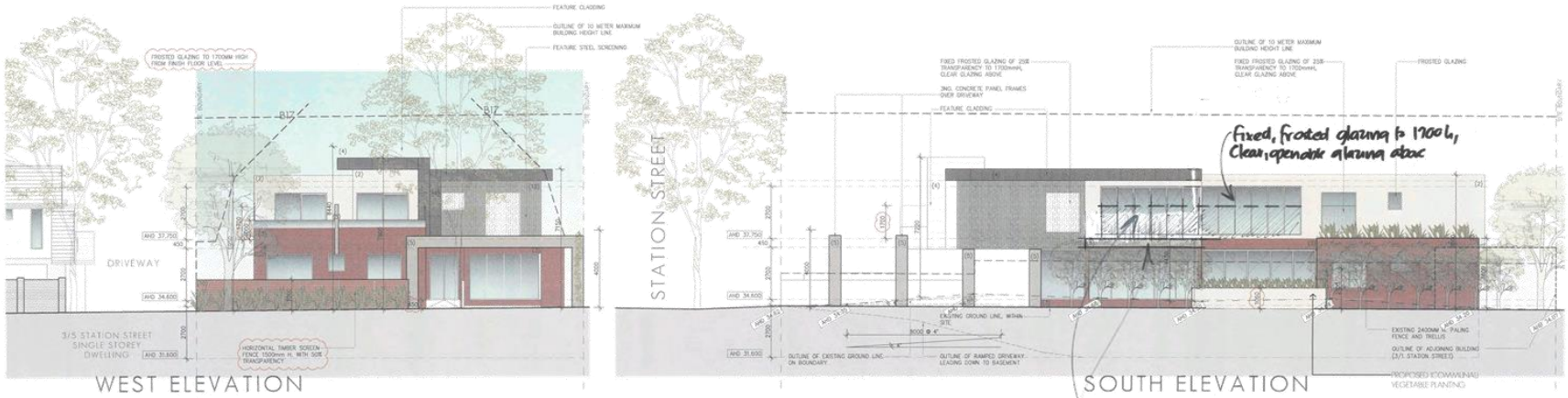
Attachment 8 - PLN17/0585 - Sketch Plan - 15 May 2018



Attachment 8 - PLN17/0585 - Sketch Plan - 15 May 2018



Attachment 8 - PLN17/0585 - Sketch Plan - 15 May 2018



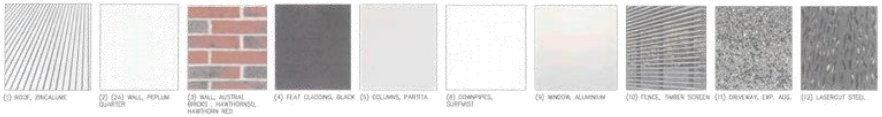
MATERIALS AND FINISHES SCHEDULE AND SAMPLES

ROOF: (1) FLAT ROOF, SHEET STEEL ROOFING, ZINCALUME FINISH

WALLS: (2) SMOOTH CEMENT RENDER, DULUX "PEPLUM QUARTER" B28
(2A) (FEATURE CLADDING) JAMES HARDIE, "MATRIX" EXTERNAL CLADDING, DULUX, "PEPLUM QUARTER"
(3) AUSTRAL BRICKS, HAWTHORN 50 SERIES, HAWTHORN RED
(4) (FEATURE CLADDING) JAMES HARDIE, "MATRIX" EXTERNAL CLADDING, DULUX, "BLACK"

FEATURE COLUMN: (5) SMOOTH CEMENT RENDER, DULUX "PARTITA"

AWNING: (6) SMOOTH CEMENT RENDER, DULUX "PEPLUM QUARTER"
BALUSTRADE: (7) SEMI-FRAMELESS GLASS
DOWNPIPES: (8) COLOURBOND, "SURFMIST"
WINDOWS: (9) ALUMINIUM FRAME, NATURAL ANODISED FINISH
FENCE: (10) TIMBER SCREEN FENCE
DRIVEWAY: (11) EXPOSED AGGREGATE, MIDWAY, "KEALBA"
STEEL FEATURE: (12) LASER CUT STEEL FORMWORK FEATURE



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PLANNING APPLICATION FOR PROPOSED APARTMENT DEVELOPMENT

3 STATION STREET, FAIRFIELD

DRAWING TITLE:
ELEVATIONS, MATERIALS AND FINISHES SCHEDULE

TPA 05 - 5 OF 11
JOB NO. 17 - 72
DATE: May 14, 2018
SCALE: 1: 100
DRAWN BY: SL
REQUEST FOR INFORMATION

ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

1.2 9-17 Smith Street, Fitzroy VIC 3065 - Planning Permit Application No. PLN13/0212.03 - Section 72 Amendment to replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor, and associated reduction in car parking requirements and amendments to conditions

Purpose

1. This report provides Council with an assessment of a planning permit application lodged for 9-17 Smith Street, Fitzroy, which seeks approval for changes to the current planning permit to replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor, an associated reduction in car parking requirements and amendments to conditions. The report recommends approval of the application, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 17 – Economic Development;
   (b) Clause 18 – Transport;
   (c) Clause 22.05 – Interface uses policy;
   (d) Clause 22.09 – Licensed premises policy;
   (e) Clause 52.06 – Car Parking;
   (f) Clause 52.27 – Licensed Premises; and
   (g) Clause 65 – Decision guidelines.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Sale and consumption of liquor,
   (b) Car parking;
   (c) Objector concerns; and
   (d) Other matters

Objector Concerns

4. Sixteen (16) objections were received to the application, these can be summarised as:
   (a) The existing building has not been built as per the endorsed plans;
   (b) Amenity impacts (e.g. noise and anti-social behaviour) associated with extended hours for sale/consumption of liquor;
   (c) Possible odours from restaurant;
   (d) Inadequate provision of on-site car parking;
   (e) Lack of detail regarding waste management; and
   (f) Loss of privacy/ security concerns relating to access within the building;

Conclusion

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

CONTACT OFFICER: **Catherine Balagtas**
TITLE: **Statutory Planner**
TEL: **03 9426 1425**

1.2 9-17 Smith Street, Fitzroy VIC 3065 - Planning Permit Application No. PLN13/0212.03 - Section 72 Amendment to replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor, and associated reduction in car parking requirements and amendments to conditions

Trim Record Number: D18/67062
Responsible Officer: Senior Coordinator Statutory Planning

Proposal:	To replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor, an associated reduction in car parking requirements and amendments to conditions
Existing use:	Mixed use, residential and commercial
Applicant:	9-17 Smith Street Developments Pty Ltd
Zoning / Overlays:	Commercial 1 Zone
Date of Application:	7 September 2017
Application Number:	PLN13/0212.01

Planning History

1. Planning permit PLN13/0212 was issued on 22 January, 2014 for the construction of a building, use for dwellings, sale and consumption of liquor associated with the restaurant and food and drink premises (café), reduction in the associated car parking requirements and waiver of the loading and unloading requirements.

2. An amendment to this permit under Section 72 of the *Planning and Environment Act 1987* was approved on 30 June 2015 to include:
   (a) An additional basement level for 17 extra car spaces;
   (b) 1 additional apartment;
   (c) Relocation of plant equipment;
   (d) Reconfiguration of apartment layouts; and
   (e) Various design variations.

3. A further amendment to this permit under Section 72 of the *Planning and Environment Act 1987* was approved on 16 March 2016 to include:
   (a) An increase in the height of the stair canopy and lift-overrun;
   (b) Reduction of two dwellings (from 43 to 41);
   (c) Relocation of plant equipment; and
   (d) Various design modifications.

4. This amendment approved on 16 March 2016 also included a correction of the permit under Section 71 of the *Planning and Environment Act 1987* to revise the property address to read '9-17 Smith Street' and correct the previous amendment description to include:
   (a) A reduction of two apartments (from 45 to 43) – rather than "1 additional apartment";
   (b) An increase in three commercial tenancies (from 4 to 7).

5. An application to amend the endorsed plans under secondary consent was submitted to Council on 21 November 2017 to show:
   (a) The replacement of 5 scooter parking spaces with storage spaces at basement;
   (b) Reconfiguration of the landscaping and doors within the common foyer at ground floor;
   (c) Additional west-facing door to the C02 office leading to the central foyer;
   (d) Deletion of the plant platforms and associated screening on the roof; and
   (e) Minor design modifications.

   This application is currently under assessment.

Existing Conditions

Subject Site

6. The overall site (as originally approved) is located on the western side of Smith Street, approximately 70m north of Victoria Parade and 10m south of Little Victoria Street, in Fitzroy. It is rectangular in shape and has a frontage to Smith Street of 27.4m, depth of 39.8m and overall area of approximately 1,092sqm. It has a rear abuttal to Little Smith Street (to the west). The approved development of a part-5, part-7 storey building has been constructed, which contains commercial tenancies at ground level and dwellings at upper levels.

7. The specific site to which this amendment is subject to is Lot C01 of PS718137U. It is located at the north-eastern corner of the building at ground level and has a frontage to Smith Street of approximately 6.5m and depth of 16.9m. Lot C01 is currently vacant, with the sale and consumption of liquor associated with a food and drinks premises (café) approved under the original permit.

Restrictive Covenants

8. There are no restrictive covenants shown on the copy of title.

Surrounding Land

9. The subject site is located within the Smith Street Activity Centre with access to a range of facilities and services. Specifically, this stretch of Smith Street is occupied by predominantly two storey commercial/ office buildings.

10. To the immediate north of the subject is a two-storey commercial building occupied by a radio station. The building to the south is a three-storey office building with a restaurant at ground level and is constructed to all boundaries.

11. To the west, across Little Smith Street, are residential properties which largely front Gore Street. These properties extend through to Little Smith Street at the rear.

12. The site is well serviced by public transport with trams running along Smith Street, Gertrude Street (200m north of the site) and along Victoria Parade (70m south of the site).

13. There are a number of existing licensed premises within 500m of the subject site, particularly further north of Smith Street. The nearest licensed premises within 50m of the site include:
    (a) The British Crown Hotel at No. 14-18 Smith Street, which has a General Licence allowing consumption of liquor on the premises until 1am on Fridays and Saturdays, 12 midnight on Mondays to Thursdays and 11pm on Sundays; and
    (b) Major Major at No. 5 Smith Street, which has a Restaurant and Café Licence, allowing consumption of liquor on the premises until 11pm on any day.

The Proposal

14. The application proposes to amend the existing planning permit to replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor, and associated reduction in car parking requirements, by modifying:

15. The preamble of the planning permit from:

> *Construction of a building, use for dwellings, sale and consumption of liquor associated with the restaurant and food and drink premises (café), reduction in the associated car parking requirements and waiver of the loading and unloading requirements.*

to:

*Construction of a building, use for dwellings, sale and consumption of liquor associated with the **restaurants**, reduction in the associated car parking requirements and waiver of the loading and unloading requirements.*

16. The heading of Condition 9 from "Food and drinks premises (café)" to "**Restaurant (north side)**" and Condition 9 from:

    Unless with the prior written consent of the Responsible Authority, the sale or consumption of liquor may only be offered between 7am – 5pm Monday to Sunday.

    to:

    *Unless with the prior written consent of the Responsible Authority, the sale or consumption of liquor may only be offered between 7am - **11pm** Monday to Sunday.*

17. Condition 11 from:

    The communal courtyard must not to be used by patrons of the restaurant and café.

    to:

    *The communal courtyard must not to be used by patrons of the **restaurants.***

18. Condition 12 from:

    Doors to the restaurant and food and drink premises (café) from the communal courtyard are to be kept closed at all times except for access use to the premises.

    to:

    *Doors to the **restaurants** from the communal courtyard are to be kept closed at all times except for access use to the premises.*

19. Condition 14 from:

    During all hours in which the restaurant and food and drink premises (café) businesses are open to the public, entry must be made freely available to any authorised officer(s) of the Responsible Authority for the carrying out of any investigations associated with the sale and consumption of alcohol on the site.

    to:

    *During all hours in which the **restaurant** businesses are open to the public, entry must be made freely available to any authorised officer(s) of the Responsible Authority for the carrying out of any investigations associated with the sale and consumption of alcohol on the site.*

20. Condition 15 from:

During all operating hours of the restaurant and food and drink premises (café), there must be present on the site a person above the age of 18 years, who is authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").

to:

*During all operating hours of the **restaurants**, there must be present on the site a person above the age of 18 years, who is authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").*

Planning Scheme Provisions

Zoning

Commercial 1 Zone

21. Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required for a restaurant use.

Overlays

22. No overlays apply to the subject site.

Particular Provisions

Clause 52.06 – Car parking

23. Pursuant to Clause 52.06-2 of the Scheme, 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. Where the required number of car parking spaces is not provided, Clause 52.06-3 allows a planning permit to be granted to reduce the requirement (including a reduction to zero).

24. The use of the land as a restaurant generates a different car parking requirement from the approved café, as described below:

Use	Quantity/ Size	Car parking measure	Statutory Requirement	No. of spaces provided
Food and drinks premises (café)	108sqm	4 spaces to each 100sqm of leasable floor area	4	1
Restaurant	70 patrons	0.4 spaces to each patron permitted	28	1

25. Based on the permitted capacity of 70 patrons, the Restaurant has a statutory parking requirement of 28 spaces. With one car space provided on site, the proposal seeks a reduction of 27 spaces (which is a difference of 24 spaces from the approved reduction of 3 spaces).

Clause 52.27 – Licensed Premises

26. Pursuant to Clause 52.27 of the Scheme, a planning permit is required to use land to sell or consume liquor if any of the following apply:
    (a) *A licence is required under the Liquor Control Reform Act 1998.*
    (b) *A different licence or category of licence is required from that which is in force.*
    (c) *The hours of trading allowed under a licence are to be extended.*
    (d) *The number of patrons allowed under a licence is to be increased.*
    (e) *The area that liquor is allowed to be consumed or supplied under a licence is to be increased.*

27. Given the hours of trading allowed under a licence are to be extended, a planning permit is required in this instance.

28. This clause aims to ensure that licensed premises are situated in appropriate locations and ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

29. In assessing the proposed licensed premise, it is necessary to consider the following decision guidelines of Clause 52.27:
    (a) *The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) and local planning policies.*
    (b) *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*
    (c) *The impact of the hours of operation on the amenity of the surrounding area.*
    (d) *The impact of the number of patrons on the amenity of surrounding area.*
    (e) *The cumulative impact of any existing and the proposed liquor license.*

    Clause 52.34 – Bicycle parking

30. Pursuant to Clause 52.34-3 of the Scheme, 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.

31. A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-3 and Clause 52.34-4.

32. The use of the land as a restaurant generates a bicycle parking requirement as follows:

Use	Quantity/ Size	Car parking measure	Statutory Requirement
Restaurant (north side)	108sqm	1 staff space to each 100sqm of floor area available to the public and 2 visitor spaces plus 1 space to each 200sqm of floor area available to the public if the floor area available to the public exceeds 400sqm	1 staff space and 2 visitor spaces

33. Based on the original permit, the on-site provision far exceeds the minimum statutory requirement of Clause 52.34-4. The original development required the provision of 18 spaces, which was satisfied with the provision of 49 bicycle spaces on site. The amended plans approved on 30 June 2015 increased the on-site provision to 57 spaces despite a reduction in dwelling numbers, which resulted in a surplus of 42 bicycle spaces. As outlined in the above table, the proposed restaurant requires 3 bicycle spaces which can be readily accommodated in the 42 excess bicycle spaces. The proposal, therefore, continues to satisfy the bicycle parking requirement of Clause 52.34 of the Scheme.

General Provisions

Clause 65 – Decision Guidelines

34. The Decision Guidelines outlined in Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State Planning Policy Frameworks, Local Planning Policy Frameworks, including the Municipal Strategic Statement and any local policy, as well as the purpose of the Zone, Overlay or any other Provision.

State Planning Policy Framework (SPPF)

Clause 11.01-2 – Activity centre planning

35. The objective of this clause is *"to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community"*.

36. The primary strategy to achieve this objective is to "broaden the mix of uses in activity centres to include a range of services over longer hours appropriate to the type of centre and needs of the population served".

Clause 17.01-1 – Business

37. The objective of this clause is to "encourage development which meets the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities".

38. Relevant strategies include:
    (a) *Locate commercial facilities in existing or planned activity centres.*
    (b) *Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.*
    (c) *Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.*

Local Planning Policy Framework (LPPF)

39. The following provisions of the LPPF are the most relevant to this application:
    (a) Clause 21 - Municipal Strategic Statement [MSS]; and
    (b) Clause 22 - Local Planning Policies.

Municipal Strategic Statement

40. The MSS provides a broad demographic overview of the municipality and is structured into four themes at clause 21.03 consisting of 'land use', 'built form', 'transport' and 'environmental sustainability'. Relevant clauses are as follows:

Clause 21.04-2 – Activity Centres

41. The objective of this clause is to *'support the regional role of the Major Activity Centres as an important component of Yarra's economy and as a metropolitan destination'.*

Clause 21.04-3 – Industry, office and commercial

42. This policy states the following:

(a) *Within Yarra the volume of commercial and associated uses is so significant that they form clusters of interrelated activity. The commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.*

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

Clause 21.08-7 – Fitzroy (Neighbourhoods)

44. As described in this clause, the site is located within the area designated as the Smith Street Major Activity Centre. Given the Smith Street centre borders Collingwood to the east, it is described in Clause 21.08-5 as follows:

(a) *The Smith Street major activity centre serves multiple roles for local residents whilst attracting visitors from a larger catchment. It is a classic main road strip generally consisting of buildings of two to four storeys interspersed with the occasional building of up to 6 storeys. The subdivision pattern is consistent, and the pattern of the streetscape is generally fine grain. Unlike many other Victorian shopping strips the street is also characterised by the variance in profile and design of buildings. It has a high proportion of individually significant heritage buildings, supported by contributory buildings from the Victorian-era and Edwardian-eras.*

The Activity centre has developed a strong factory outlet focus including a sports retail focus, at the north of the centre between Johnston Street and Alexandra Parade. Between Johnston Street and Gertrude Street the centre provides much of the convenience retailing for the surrounding neighbourhoods. The area also hosts a variety of restaurants and cafes. The southern precinct, south of Gertrude Street is home to an array of galleries and clothing stores.

Relevant Local Policies

Clause 22.05 – Interface Uses Policy

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

46. The policy has the following objective (as relevant):

(a) To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

Clause 22.09 – Licensed premises

47. This policy applies to all applications for new licensed premises and for the extension (including the extension of hours) of existing licensed premises.

48. The objectives of this clause are:

(a) *To effectively manage the location, operation and hours of trade of licensed premises, in order to protect the amenity of nearby properties and areas.*
(b) *To protect residential and other commercial uses from excess noise, traffic and car parking issues.*
(c) *To provide for daytime trade and active street frontages in retail strips, while providing reasonable commercial opportunities for the trading of licensed premises*

49. This policy outlines a range of guidance at Clause 22.09-3 (including hours of operation).

Advertising

50. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act* (1987) by sending 124 letters to the owners and occupiers of adjoining and surrounding land and displaying signs on the street frontages at Smith and Little Smith Streets.

51. A total of sixteen (16) objections have been received.

52. The grounds of objection are summarised as follows:

    (a) The existing building has not been built as per the endorsed plans;
    (b) Amenity impacts (e.g. noise and anti-social behaviour) associated with extended hours for sale/consumption of liquor;
    (c) Possible odours from restaurant;
    (d) Inadequate provision of on-site car parking;
    (e) Lack of detail regarding waste management; and
    (f) Loss of privacy/ security concerns relating to access within the building;

Referrals

External Referrals

53. The proposed changes do not trigger referral to any external authorities under the requirements of the Yarra Planning Scheme.

Internal Referrals

54. The application was referred to the following internal parties and their recommendations are contained below (as summarised):

Compliance Branch (Community Amenity)

(a) No concerns in relation to the proposed hours being 7am-11pm Monday to Sunday;

Engineering Services Unit

(b) No objection. The waiver of car parking spaces associated with the restaurant is considered appropriate in the context of the site and surrounding area. The operation of this restaurant would not be dissimilar to that of several small scale shopfront businesses that are already operating without on-site car parking.

55. Full details of the referral comments are attachments to this report.

OFFICER ASSESSMENT

56. In assessing this application, the primary planning considerations are:
    (a) Sale and consumption of liquor;
    (b) Car parking;
    (c) Objector concerns; and
    (d) Other matters.

Sale and consumption of liquor

57. The policy framework for licensed premises is contained within Clauses 22.09 (Council's Licensed Premises Policy) and 52.27 (State Licensed Premises Policy). Having regard to the decision guidelines of Clauses 22.09 and 52.27, the relevant considerations are as follows:

Location and access

58. Policy at Clause 22.09-3 states that:

(a) *Licensed premises with a capacity of more than 200 patrons should locate in the following Core Entertainment Precincts (defined by the Commercial 1 Zone and limited to properties fronting (and with pedestrian access) from the listed main streets):*
   (i) *Swan Street west of Church Street*
   (ii) *Bridge Road west of Burnley Street*
   (iii) *Victoria Street west of Burnley Street*
   (iv) *Smith Street between Gertrude Street and Alexandra Parade*
   (v) *Brunswick Street between Gertrude Street and Alexandra Parade*

(b) *Licensed* premises *should be located where:*
   (i) *The land is not zoned Residential (excluding the Mixed Use Zone).*
   (ii) *Potential amenity impacts from (but not limited to) patron noise, ingress and egress of patrons, queuing of patrons, smoking areas for patrons, and dispersal of patrons from the site can be appropriately managed or buffered.*
   (iii) *There is opportunity for a high level of public safety and surveillance of patrons as they enter and leave the premises.*
   (iv) *The premises would not result in an unreasonable cumulative impact on the amenity of the surrounding area.*

59. The subject site is located within Commercial 1 Zone and is within the Smith Street Activity Centre, which is identified as a Core Entertainment Precinct where licensed premises are encouraged. With the main entry to the proposed restaurant being via Smith Street, patron access will be primarily focused towards a currently busy interface, away from residential areas to the rear along Little Smith Street. Condition 12 of the permit will also continue to be in place requiring the door leading to the common courtyard of the building to be closed at all times except for access use to the premises to minimise any noise impacts to the residents within the building. Accordingly, the location and access of the proposed licensed premises are appropriate.

Licensed hours

60. A relevant policy at Clause 22.09-3 as relevant to this application is that:

(a) *Licensed premises within 30 metres of a residential zone should not provide for the sale and consumption of liquor beyond 11pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*
(b) *Licensed premises in a Commercial or Industrial zone should not provide for the sale and consumption of liquor beyond 1am, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area;* and
(c) *Licensed premises (including packaged liquor outlets) should not commence the sale and consumption of liquor before 9am.*

61. The licensed hours proposed, being between 7am and 11pm on any day, are consistent with the 1am closing time encouraged by policy for licensed premises in a commercial zone and with the 11pm stated for land within 30m of a residential zone. Whilst the 7am commencement of the sale and consumption of liquor is not consistent with the 9am commencement time encouraged by policy, this amendment does not seek to change these approved licensed hours. Therefore, Council cannot re-consider the commencement time.

62. Accordingly, the proposed increase in licensed hours is considered appropriate.

Venue Design and Patron Numbers

63. The application does not propose to change the venue design and maximum patron capacity (70 patrons) of the licensed restaurant; hence these aspects of the licensed premises remain appropriate.

Noise

64. It is policy at Clause 22.09-3 that:

    (a) *Noise from the operation of the licensed premises should not have an unreasonable impact on the amenity of the area.*
    (b) *Noise emissions from licensed premises should comply with the standards specified in the State Environmental Protection Policy or any other relevant requirement such as accepted sleep disturbance criteria or relevant Australian Standards.*
    (c) *On-site noise attenuation measures should be applied for licensed premises where unreasonable amenity impacts on the surrounding area may result from the proposed activities.*
    (d) *Where required, a licensed premise must be designed and managed in accordance with an acoustic report approved by the responsible authority.*

65. Given the restaurant use does not require a planning permit under the Commercial 1 Zone, noise consideration is limited to the extension of the licensed hours of the premises. The sale and consumption of liquor from 5pm until 11pm is not considered to cause unreasonable noise impacts given the type of licence (Restaurant and Café Licence) will remain unchanged with the serving of meals continuing to be the primary activity on site. No live music or entertainment is proposed and patron numbers will not be increased. Patron noise associated with a licensed restaurant is not considered to result in a perceptible difference to those associated with a restaurant which is as-of-right in the zone (i.e. can operate 24 hours a day). Also, the existing restaurant on the southern part of the building is licensed until 11pm as is the southern adjacent restaurant at No. 5 Smith Street.

66. Council, in the original proposal, required an acoustic report and a Noise and Amenity Action Plan (NAAP) for the development, which was challenged at VCAT. In *9-17 Smith Street Developer Pty Ltd v Yarra CC (Correction) [2014] VCAT 77* at paragraphs 37-44, the Tribunal has stated that the requirement for an acoustic report or a Noise and Amenity Action Plan (NAAP) is not deemed necessary where noise sources are typical of those experienced in a typical inner suburban locality, where dwellings are part of multi-storey mixed use building with commercial premises at ground floor.

67. Conditions will continue to be in place requiring noise from the venue to comply with EPA requirements, notably SEPP N-1 which controls equipment noise and N-2 which controls music from public premises. The condition requiring the door to the restaurant from the communal courtyard to be kept closed at all times except for access use to the premises will assist in minimising noise impacts from the restaurant to the dwellings at the upper levels of the building. These combined with the restricted hours, will regulate the premises in terms of noise emissions.

68. Additionally, the existing planning permit allows the emptying of bottles between 7:00am and 10:00pm. This will continue to be in force and further minimises any potential off-site amenity impacts from noise.

Cumulative impact

69. The State Government has prepared Practice Note 61 ('Licensed premises: Assessing cumulative impact') which provides guidance for assessing the cumulative impact of licensed premises under Clause 52.27 of the Scheme. According to the practice note, 'Cumulative Impact' refers to both the positive and negative impacts that can result from the clustering of licensed premises and is a product of the number and type of venues present, the way they are managed, and the capacity of the local area to accommodate these venues.

70. The practice note states that it 'should' be used for new or expanded licensed premises that will trade past 11pm and are located in a 'cluster' of licensed premises, i.e. where there are three or more licensed premises within a radius of 100m from the subject land; or, 15 or more licensed premises within a radius of 500m from the subject land. While the proposed restaurant is located in a cluster of licensed premises (with the majority of this cluster located along Smith Street), the proposed restaurant will not trade past 11pm; therefore, the practice note does not apply to this application.

71. Furthermore, a planning decision made by the Victorian Civil and Administrative Tribunal (VCAT) known as the *Corner Hotel* decision (Swancom Pty Ltd T/as Corner Hotel v Yarra City Council & Ors) formulated a potential assessment methodology for considering applications that may result in cumulative impacts, which developed a risk factor matrix as follows:

Type of premise	***Risk Factor***
Café / Restaurant	**0**
Bar / Restaurant / Café	1
Bar	3
Hotel / Tavern	3
Nightclub	3
Place of assembly	2

Size of premise	***Risk Factor***
0-49 patrons	0
50-99 patrons	**1**
100-199 patrons	2
200+	3

Closing hours of premise	***Risk Factor***
11.00 pm	**0**
12.00 am	1
1.00 am	2
2.00 am	3
3.00 am	3
Beyond 3.00 am	4

72. Applying the risk factor matrix, a reasonable consideration would suggest a score of 0-3 would be no risk, higher than three (3) would be a potential risk and requires a cumulative impacts assessment.

73. The proposal is afforded a risk factor score of one (1) for the licensed restaurant. Accordingly, a cumulative impact assessment is not warranted for the proposal. The proposal to change the type of use and increase the licensed hours does not impact on the risk factor score of the licensed premises.

74. In addition, Council's Compliance Branch did not raise concerns with the increased licensed hours of the restaurant.

75. Given the above, it is considered that the proposed licensed premises will not detrimentally impact on the amenity of nearby residential properties, satisfying the objectives of Clauses 22.09 and 52.27 of the Scheme.

Car parking

76. The use of land as a restaurant generates a different car parking requirement from the approved café. Based on the permitted capacity of 70 patrons, the restaurant has a statutory parking requirement of 28 spaces, which requires a reduction of 27 spaces (given the one on-site car space provided on site). This is a difference of 24 spaces from the approved reduction of 3 spaces.

77. Relevant decision guidelines in Clause 52.06-7 include:

    (a) *The availability of alternative car parking in the locality of the land, including:*
        (i) Public car parks intended to serve the land.
        (ii) On street parking in non-residential zones.
        (iii) Streets in residential zones specifically managed for non-residential parking.
    (b) *On street parking in residential zones in the locality of the land that is intended to be for residential use.*
    (c) *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.*
    (d) *Any car parking deficiency associated with the existing use of the land.*
    (e) *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
    (f) *The need to create safe, functional and attractive parking areas.*
    (g) *Access to or provision of alternative transport modes to and from the land.*
    (h) *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*

78. Clause 22.09-2 also seeks to *protect residential and other commercial uses from excess noise, traffic and car parking issues*.

79. The submitted car parking assessment report prepared by Ratio Consulting specified that the proposed restaurant use would generate a car parking rate of 0.10-0.21 spaces per patron (i.e. 7-15 spaces for a 70-patron restaurant). These figures are based on the empirical assessment undertaken of existing restaurants within the City of Port Phillip by Ratio Consulting. This is lower than the rate for a restaurant in Clause 52.06 as outlined above which is a state-wide policy. The report also provides an assessment of car parking spaces in the area (encompassing Smith Street, Victoria Parade, Gore Street, Gertrude Street, Little Oxford Street, Derby Street, Oxford Street and Mason Street) on a Friday between 12 noon and 10pm and on a Saturday between 12 noon and 10pm. The report found that there are minimum of 33 spaces available on Friday lunchtime, 48 spaces available on Friday dinner times, 32 spaces available on Saturday lunchtime and 62 spaces available on Saturday dinner time.

80. Council's Engineering Services Unit has reviewed the proposed use and commented that the empirical rate of 0.1-0.20 spaces was acceptable and a reasonable rate for a licensed restaurant given the context of the site and the surrounding area.

81. Having regard to policies at Clauses 18, 22.09 and 52.06-7, the proposed car parking reduction is considered acceptable for the following reasons:

    (a) Clause 21.06-3 of the Scheme encourages the reduction in reliance on private motor cars. One approach to achieving this is to not provide additional spaces for patrons to park in.

    (b) The site has good access to public transport, with tram route 86 (200m north of Smith Street) and tram routes 12 and 109 (70m south, along Victoria Parade) available within close proximity of the site. These provide alternatives to car use and the need for car parking.

(c) The site is highly accessible on foot and by bike being well connected to the bicycle network, with on-street bicycle lanes along Smith Street. This would assist patrons in accessing the site without a car.
(d) The site is positioned adjacent to other industrial and commercial properties and within the Smith Street Activity Centre. It is highly likely that patrons to the restaurant either would be local to the area or would have already parked in the area and be engaged in other activities or businesses particularly during daytime.
(e) The parking occupancy surveys undertaken by Ratio Consulting indicate that there was a minimum of 33 vacant spaces in the study area on a Friday and a minimum of 32 vacant spaces on a Saturday. Hence, the car parking demand associated with the restaurant, which is likely to peak in the evenings of up to 15 spaces (based on the empirical rate of 0.21 space per patron), can be accommodated within the on-street parking spaces in the area.
(f) It would be difficult to detect any noticeable impact of on-street parking associated with the operation of the restaurant alone. Throughout the entire municipality, on-street parking (a public asset) is shared by a multitude of different user classes. The current restrictions in place reflect the nature of parking and needs of various stakeholders who live or work in the area, with the surrounding on-street parking generally shared parking and not limited to residential parking only.
(g) It is impractical to provide the additional 27 on-site car parking spaces given the development as approved by the permit is already constructed to all boundaries. Also, it is commonplace that restaurants in inner-city locations do not provide on-site car parking, especially where viable alternative transport options exist.
(h) Council's Engineering Services Unit has reviewed the car parking reduction associated with the proposed restaurant and commented that it would not unreasonably impact on car parking in the area.

82. It is therefore considered that the availability of public transport, local parking options and the provision of 1 on-site car space and 57 shared on-site bicycle spaces are sufficient for the proposed use as a restaurant.

Objector Concerns

83. Sixteen (16) objections were received to the application, with grounds summarised as:

(a) *The existing building has not been built as per the endorsed plans;*

84. An application to amend the endorsed plans under secondary consent has been submitted seeking approval for works not built in accordance with the endorsed plans. These matters will be addressed in the assessment of the secondary consent application and is a separate matter.

(a) *Amenity impacts (e.g. noise and anti-social behaviour) associated with extended hours for sale/consumption of liquor;*

85. Noise impacts have been considered within the body of the assessment at paragraphs 64 to 68. Numerous conditions are already imposed to ensure that amenity impacts are reduced and the likelihood of any anti-social behaviour for this type of liquor license is low.

86. Conditions 14-17 of the permit are in place to reduce any impacts from anti-social behaviour. Also, Council's Local Law No.8 prohibits the consumption of liquor in public places and Council's Civic Compliance Unit and Victoria Police are charged with ensuring these venues operate in an appropriate manner.

Victoria Police generally focus on patron behaviour on the street and Council's Civic Compliance Unit generally deals with issues of noise from within premises. This is considered sufficient to address the potential for anti-social behaviour.

(a) *Possible odours from restaurant;*

87. Whilst the potential for cooking smells and other odours to impact on resident amenity is a valid concern, this issue is not a relevant planning consideration in the exercise of discretion under Clauses 52.06 (Car Parking) and 52.27 (Licensed Premises) of the Yarra Planning Scheme. The restaurant use is as-of-right under the Commercial 1 Zone and regulation of this use (apart from its licensing) does not require a planning permit.

(a) *Inadequate provision of on-site car parking;*

88. This matter has been addressed in the car parking assessment in paragraphs 76 to 82 of this report.

(a) *Lack of detail regarding waste management;*

89. A concern was raised regarding the potential for waste from the restaurant to cause a mess in the common courtyard as it will require being carried across to the bins lift on the southern side of the building. It can be expected that this matter would be addressed through Body Corporate rules as with anyone littering on common property. It is beyond planning consideration, particularly as the restaurant use does not require a planning permit. Relevant details regarding waste management for the entire development have already been addressed and outlined in the endorsed Waste Management Plan.

(a) *Loss of privacy/ security concerns relating to access within the building;*

90. Concerns were raised regarding the landscaping and doors within the common courtyard not being constructed in accordance with the endorsed plans, leading to perceived security and privacy issues. This is not a planning consideration under this amendment to the liquor licence and use.

Other Matters

91. Based on the above, the following changes will be required to be made to the planning permit (changes in **bold and italics**):

92. The preamble of the planning permit modified from:

> *Construction of a building, use for dwellings, sale and consumption of liquor associated with the restaurant and food and drink premises (café), reduction in the associated car parking requirements and waiver of the loading and unloading requirements.*

to:

> *Construction of a building, use for dwellings, sale and consumption of liquor associated with the **restaurants**, reduction in the associated car parking requirements and waiver of the loading and unloading requirements.*

93. The heading of Condition 9 modified from “Food and drinks premises (café)” to “***Restaurant (north side)***” and Condition 9 modified from:

> *Unless with the prior written consent of the Responsible Authority, the sale or consumption of liquor may only be offered between 7am – 5pm Monday to Sunday.*

to:

> *Unless with the prior written consent of the Responsible Authority, the sale or consumption of liquor may only be offered between 7am - **11pm** Monday to Sunday.*

94. Condition 11 modified from:

The communal courtyard must not to be used by patrons of the restaurant and café.

to:

*The communal courtyard must not to be used by patrons of the **restaurants.***

95. Condition 12 modified from:

Doors to the restaurant and food and drink premises (café) from the communal courtyard are to be kept closed at all times except for access use to the premises.

to:

*Doors to the **restaurants** from the communal courtyard are to be kept closed at all times except for access use to the premises.*

96. Condition 14 modified from:

During all hours in which the restaurant and food and drink premises (café) businesses are open to the public, entry must be made freely available to any authorised officer(s) of the Responsible Authority for the carrying out of any investigations associated with the sale and consumption of alcohol on the site.

to:

*During all hours in which the **restaurant** businesses are open to the public, entry must be made freely available to any authorised officer(s) of the Responsible Authority for the carrying out of any investigations associated with the sale and consumption of alcohol on the site.*

97. Condition 15 modified from:

During all operating hours of the restaurant and food and drink premises (café), there must be present on the site a person above the age of 18 years, who is authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").

to:

*During all operating hours of the **restaurants**, there must be present on the site a person above the age of 18 years, who is authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").*

Conclusion

98. The proposal, subject to conditions outlined in the recommendation below, is an acceptable planning outcome that demonstrates compliance with the relevant Council policies. Based on the above report, the proposal complies with the relevant Planning Scheme provisions and planning policy and is therefore supported.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PLN13/0212 to replace the cafe with 'restaurant' including increased hours for sale and consumption of liquor and associated reduction in car parking requirements at 9-17 Smith Street, Fitzroy, subject to the following conditions (new or amended conditions highlighted in **bold and italics**):

1 Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the VCAT plans dated 11 October 2013 Revision C prepared by MA Architects but modified to show:

Building Design

Smith Street building

(a) use of a light colour treatment to the mansard at the top two levels of the building;

(b) a fixed and continuous folding arm awning for the full length of the Smith Street frontage at ground level;

Little Smith Street building

(c) a 7.5m setback from the western title boundary to the 3rd floor (4th level) of the Little Smith Street building with balconies, pergolas and blinds moved accordingly and the consequential reconfiguration of affected units;

(d) a 4.57m setback from the western title boundary to the 1st and 2nd floors (2nd and 3rd levels) with balconies, pergolas and blinds moved accordingly);

(e) relocate access to the raised planter zone and services platform to the interface with the commercial premises, away from the residential unit;

(f) the east-west walkway to be increased to 1.8m wide at all relevant levels;

(g) the area between the lift and adjacent walkway to be increased to 1.8m wide at all relevant levels;

(h) reconfiguration of units to provide a 6.0m separation between units 102 and 103; 107 and 108; 202 and 203; 207 and 208; 302 and 303; 307 and 308; and 402 and 403; 407 and 408;

(i) 1.7m high privacy screen with 25% maximum transparency to common corridors to be shown on all relevant floors plans;

(j) units with bedroom windows along the common corridors to be treated appropriately to prevent overlooking opportunities from the corridor, with treatment details to be shown on all relevant floor plans and a detailed section;

(k) all pergolas on levels 4 and 5 (floors 3 and 4) are to incorporate battens to prevent overlooking into the private open space of properties on the west side of Lt Smith Street, but where pergolas are not present, 1700mm high screening is to be used for this purpose;

(l) Screening along balconies to the first and second floors (2nd and 3rd levels) is to be 1550 mm high to infill rebates or recesses created by the spaces created by any angled balconies;

(m) Any rooftop plant and equipment, platform, solar panels and associated screens are to be setback above Lt Smith Street at least 12 metres from the western property boundary;

(n) Olive trees shown on the plans are to be replaced with an alternative variety, 3m high at planting;

(o) The upstands to the balconies on first and second floor on the Lt Smith Street façade are to be a textured or patterned concrete and the undersides of these balconies are to be in a similar tone either by a wash or concrete colouring;

(p) Sight screens to the first and second floor (2nd and 3rd levels) balconies are to be made from perforated metal with 25% openings to a minimum of 1550 mm high;

(q) The precast concrete panel north boundary walls of the Lt Smith Street building on Drawing 11020TP202C are to be textured or patterned; and

(r) The taper to the top floor of the East (Smith Street) Elevation is to be replicated on the top floor of the West (Lt Smith Street) Elevation (to the full extent of the north and south boundary).

Environmentally Sustainable Design Principles

(s) all works recommended in the ESD report referred to in condition 18;

Car parking

(t) the installation of a traffic signalling system to the basement car park;

Bicycle Parking

(u) a minimum 1 bicycle parking space to each unit, 5 spaces for visitor; and 4 spaces for the commercial tenancies;

General

(v) the specification and location of all proposed external plant and equipment (including roof top plant and equipment, car park ventilation and individual air conditioning and hot water units). All plant and equipment must be screened to prevent views from the street and habitable room windows of nearby dwellings; and

(w) areas set aside within the property boundaries for pits, meters and essential services.

Endorsed Plans

2 All development and use must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.

3 Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

General

4 Before the dwellings are occupied, privacy screens as required in accordance with the endorsed plans must be installed to the satisfaction of the Responsible Authority and thereafter maintained to the satisfaction of the Responsible Authority.

5 Prior to the completion of the development, all new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

6 All piping and ducting, other than for drainage above the ground floor storey of the building must be concealed.

Sale and Consumption of Liquor

Restaurant

7 Unless with the prior written consent of the Responsible Authority, the sale or consumption of liquor may only be offered between 7am - 11pm Monday to Sunday.

8 No more than 100 patrons are permitted on the premises at any one time, unless with the prior written consent of the Responsible Authority.

Restaurant – north side

9 Unless with the prior written consent of the Responsible Authority, the sale or consumption of liquor may only be offered between 7am - ***11pm*** Monday to Sunday.

10 No more than 70 patrons are to be permitted on the premises at any one time, unless with the prior written consent of the Responsible Authority.

Use

11 The communal courtyard must not to be used by patrons of the ***restaurants*****.**

12 Doors to the ***restaurants*** from the communal courtyard are to be kept closed at all times except for access use to the premises.

13 No emptying of bottles (glass) into garbage bins is permitted after 10pm on any night, or before 7am on any day.

14 During all hours in which the ***restaurant*** businesses are open to the public, entry must be made freely available to any authorised officer(s) of the Responsible Authority for the carrying out of any investigations associated with the sale and consumption of alcohol on the site.

15 During all operating hours of the ***restaurants***, there must be present on the site a person above the age of 18 years, who is authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").

16 The Manager must be qualified in operating in accordance with the policies and guidelines prescribed by Liquor Licensing Victoria.

17 The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the sale and consumption of liquor.

Environmentally Sustainable Design Principles

18 The recommendations of the Environmentally Sustainable Report (22 March 2013) prepared by Ark Resources and any updates must be implemented into the development to the satisfaction of the Responsible Authority with details submitted to the Responsible Authority demonstrating compliance with the report and addressing the following:

(a) provision of adjustable shading or other appropriate devices to the east and west facing windows of units at upper most level of Smith Street building;

Waste Management

19 All waste must be collected via a private collection service, to the satisfaction of the Responsible Authority.

20 Before the occupation of the development, an updated Waste Management Plan generally in accordance with the Leigh Design report dated 20 March 2013 must be submitted to Council in consultation with and to the approval of the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will then form part of the permit. The Waste Management Plan must include:

(a) the frequency and time of collection; and

(b) a mechanism to ensure future owners and occupiers of the development (residential and commercial) are made aware of all collection agreements.

21 Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and managed in accordance with the approved Waste Management Plan. All waste and recycling collect to be undertaken between the hours specified in Council's Local Law No. 3.

Green Travel Plan [GTP]

22 Before the development is occupied, a Green Travel Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plan will be endorsed and will then form part of the permit.

The plan must encourage the use of non-private vehicle transport modes by the occupiers of the land by addressing at a minimum:

(a) the objectives for the Green Travel Plan;

(b) the location in the context of alternative modes of transport;

(c) the provision of real time passenger information displays for nearby stops within the residential lobby;

(d) welcome packs of information provided to staff and residents upon commencement of employment/occupation of residence (e.g. provision of Met Cards/Myki);

(e) a designated 'manager' or 'champion' responsible for co-ordination and implementation;

(f) details of bicycle parking and bicycle routes;

(g) details of GTP funding and management responsibilities; and

(h) include provisions to be updated not less than every 5 years.

Transport Management

23 Before the development is occupied, a Car Parking Management Plan prepared by an appropriately qualified traffic engineer must be submitted to and approved by the Responsible Authority. When approved, the Car Parking Management Plan will be endorsed and form part of this permit. The Car Parking Management Plan must address:

(a) An internal signage plan distinguishing permanent parking areas from visitor parking areas, directional arrows and signage, informative signs indicating location of disabled bays, small parking bays, bicycle parking, exits, restrictions, pay parking system etc;

(b) The number and location of the car parking spaces to each commercial tenancy and dwelling, and the clear identification of dwelling or commercial uses without any car parking;

(c) The number and location of car spaces for shared use, including time of shared use;

(d) Details of way finding, cleaning, security of end of trip bicycle facilities;

(e) Policing arrangements and/or formal agreements; and

(f) Details regarding the management of loading and unloading of goods and materials for the commercial and residential uses;

24 The Car Parking Management Plan must be implemented to the satisfaction of the Responsible Authority and thereafter maintained to the satisfaction of the Responsible Authority. No alterations may be made without the prior written approval of the Responsible Authority.

General parking areas

25 Unless with the prior written consent of the Responsible Authority, no fewer than 42 car parking spaces and 49 bicycle parking spaces must be provided at all times once the development is completed.

26 The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:

(a) be designed, provided and completed to the satisfaction of the Responsible Authority before the development is occupied;

(b) thereafter be maintained to the satisfaction of the Responsible Authority;

(c) be made available for such use at all times and not used for any other purpose;

(d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and

(e) be drained and sealed with an all weather seal coat.

27 Bicycle access must at all times be clearly signed and marked, to the satisfaction of the Responsible Authority.

28 Before the occupation of any dwelling, car parking must be allocated in accordance with the Car Parking Management Plan.

29 The car stacker must be installed and thereafter maintained as per manufacturer requirements all to the satisfaction of the Responsible Authority.

Landscaping

30 Before the development starts, updated landscape plans generally in accordance with the Landscape plans prepared by Oculus Landscape Architects Revision B dated November 2013 to the satisfaction of the Responsible Authority and prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the landscape plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show/include:

(a) an existing conditions plan and the tree and tree guard protection measures for the street trees along Smith Street;

(b) the replacement of two weed species (Olea europea and Hedera helix) with an alternative specie i.e. Olea paniculata and Notelaea venosa & N. longifolia';

(c) details of the raised planters to communal courtyard including (height, construction and tree planting details);

(d) details on the semi-transparent fence treatment and how this integrates with the planting bed;

(e) details of an automatic irrigation system for the watering of the ground floor communal spaces (including trees), the Smith Street façade and Little Smith Street façade.

(f) details about the on-going maintenance and upkeep of the landscape works including:

(i) the trimming/pruning, hedging, fertilising, mulching, weeding and spraying, watering and staking etc of all planted areas within the development;

(ii) details of annual fertilisation to the topsoil by hand;

(iii) the de-heading of feature planting following flowering;

(iv) replacing, as appropriate, any dead, diseased, damaged or stolen plants;

(v) the regular inspection and collection of rubbish from garden beds;

(vi) regular weeding;

(vii) removal of all clippings off-site; and

(viii) regular maintenance inspections of the automatic irrigation systems.

31 Before the development is occupied or by such later date as it approved by the Responsible Authority in writing, the landscaping works shown on the endorsed landscaping plans must be carried out and completed to the satisfaction of the Responsible Authority.

32 The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority in accordance with the approved landscaping plans.

Crossovers and footpaths

33 Before the development starts, plans must be submitted to the satisfaction of the Responsible Authority confirming the construction of a new vehicle crossing on the east side of Little Smith Street addressing the following:

(a) The vehicle crossing must be constructed in accordance with City of Yarra Standard Drawings and Specifications;

(b) A 1 in 20 cross-sectional drawing is to be prepared showing the proposed crossing, the existing road carriageway (entire width), the existing kerb and channel, the existing footpath and the new basement ramp for the first 10 metres inside the building line;

(c) A 30 mm high bull-nose may be permitted;

(d) The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;

(e) Existing kerb and channel, and road pavement surface levels should not be altered. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004.

34 Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.

35 The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;

36 All existing kerb and channel, and road pavement surface levels must not be altered unless with the prior written consent of the Responsible Authority.

37 Prior to completion the DDA compliant ramp crossing to Little Smith Street must be designed to Council's satisfaction.

38 All redundant vehicle crossings along the property's Smith Street and Little Smith Street road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction. All costs associated with these reinstatement works shall be borne by the permit holder.

General amenity

39 Alarms associated with the commercial premises must be directly connected to a security service and must not produce noise beyond the premises.

40 The development and use must be managed so that the amenity of the area is not detrimentally including through:

(a) the transport of materials, goods or commodities to or from land;

(b) the appearance of any buildings, works or materials; and

(c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.

41 All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

42 Noise emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 to the satisfaction of the Responsible Authority.

43 Noise emanating from the commercial uses within the development must comply with the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.

Lighting

44 Before the development is occupied, lighting capable of illuminating access to each car parking space, storage, rubbish bins, recycling bins, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer must be provided. Lighting must be located, directed, shielded and of limited intensity so that no unreasonable loss of amenity is caused within and beyond the site, to the satisfaction of the Responsible Authority.

45 Before the development is occupied, the permit holder must confirm if the two street lights on Little Smith Street closest to the site have the minimum lighting level of P4 required by the Australian Standard AS AS/NZS 1158.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements. The permit holder must ensure adequate lighting is installed to the satisfaction of the Responsible Authority, with all costs borne by the permit holder.

46 Before the development is occupied and in consultation with the relevant authorities, the permit holder must investigate if street light baffles are required to protect the new dwellings from light pole No. 21794 on Little Smith Street. If baffling is required, all costs associated with their installation must be paid for by the permit holder and installed to the satisfaction of the Responsible Authority.

Construction

47 Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am - 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am - 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

48 During the construction, the following must occur:

(a) any stormwater discharged into the stormwater drainage system to comply with EPA 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 premises enters the stormwater drainage system;

(c) vehicle borne material must not accumulate on the roads abutting the site;

(d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths or roads;

(e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and

(f) all site operations must comply with the EPA Publication TG302/92.

49 The development once commenced, must be completed to the satisfaction of the Responsible Authority.

50 Before any 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 as evidence of its approval. The plan must provide:

(a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;

(b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);

(c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);

(d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;

(e) on site facilities for vehicle washing;

(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 that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;

(i) construction program;

(j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;

(k) parking facilities for construction workers;

(l) measures to ensure that sub-contractors/tradespersons operate 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, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:

(i) using lower noise work practice and equipment

(ii) the suitability of the site for the use of an electric crane

(iii) silencing all mechanical plant by the best practical means using current technology; and

(iv) fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port.

Soil conditions

51 Before commencement of construction or carrying out of any buildings and works, save for demolition, bulk excavation and site preparation/remediation works, the permit holder must submit to the satisfaction of the Responsible Authority either:

(a) A site assessment prepared by a suitably qualified environmental professional that determines if an environmental audit is required and, if not, the assessment:

(i) confirms that the site is or can be made suitable for sensitive uses (residential); and

(ii) specifies requirements to effectively manage contamination prior to the occupation of the land for residential use; or

(b) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or

(c) An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the residential and childcare uses.

52 A copy of the site assessment, certificate of environmental audit and/or statement, and the complete audit report and audit area plan must be submitted to the Responsible Authority.

53 The use and/or development/buildings and works allowed by this permit must comply with the directions and conditions of any site assessment or statement of environmental audit issued for the land.

54 Prior to the occupation of dwellings a letter must be submitted to the Responsible Authority by a suitably qualified environmental consultant, to advise that all construction and remediation works necessary and required by a site assessment or an environmental audit or statement have been carried out.

55 Any handling and disposal of contaminated site soil must be in accordance with the requirements of any statement of environmental audit issued for the land, the requirements of the Environment Protection Authority and the *Environment Protection Act* 1970.

Expiry

56 This permit will expire if one of the following circumstances applies:

(a) the development is not started within two years of the date of this permit;

(b) the development is not completed within four years of the date of this permit; and

(c) the uses are not commenced within four years of the date of this permit.

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

CONTACT OFFICER: **Catherine Balagtas**
TITLE: **Statutory Planner**
TEL: **03 9426 1425**

Attachments

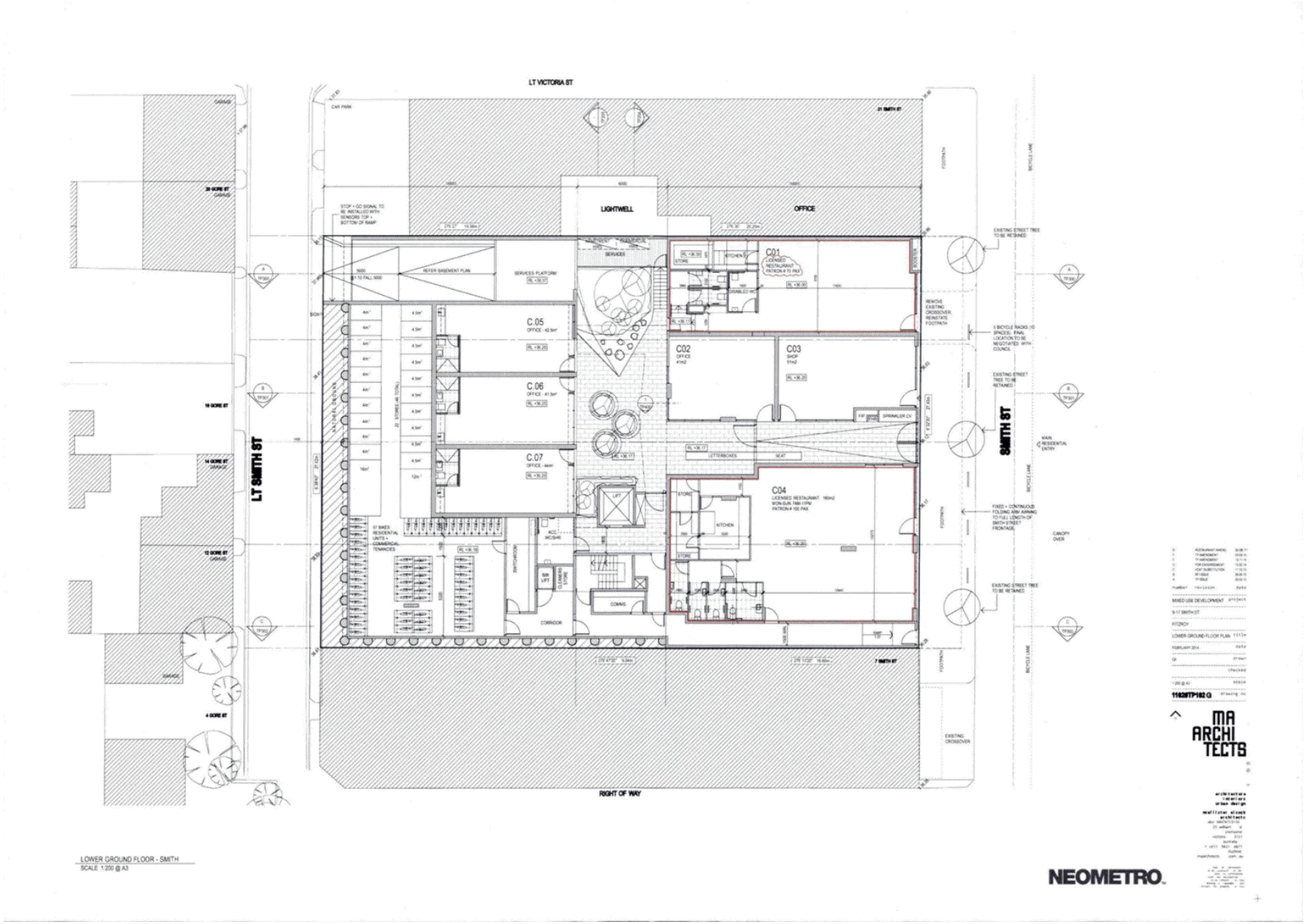
1 PLN13/0212.03 - 9 - 17 Smith Street Fitzroy - Location map
2 PLN13/0212.03 - 9 - 17 Smith Street Fitzroy - Decision Plan
3 PLN13/0212.03 - 9 - 17 Smith Street Fitzroy - Engineering comments
4 PLN13/0212.03 - 9 - 17 Smith Street Collingwood - Community Amenity Unit comments

Attachment 1 - PLN13/0212.03 - 9 - 17 Smith Street Fitzroy - Location map

SUBJECT LAND: 9-17 Smith Street, Fitzroy

★ Subject Site

Attachment 2 - PLN13/0212.03 - 9 - 17 Smith Street Fitzroy - Decision Plan



Attachment 3 - PLN13/0212.03 - 9 - 17 Smith Street Fitzroy - Engineering comments

CITY OF YARRA

MEMO

To:	**Patrick Sutton**	
From:	**Artemis Bacani**	
Date:	**5 December 2017**	
Subject:	**Application No:**	**PLN13/0212.03**
	Description:	**Change of Use to a Restaurant**
	Site Address:	**9-17 Smith Street, Fitzroy**

I refer to the above Planning Application received on 10 November 2017 and the accompanying Traffic Impact report prepared by Ratio Consultants Pty Ltd in relation to the proposed development at 9-17 Smith Street, Fitzroy. Council's Engineering Services unit provides the following information:

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	No. of Patrons	Statutory Parking Rate	No. of Spaces Required
Restaurant	70	0.4 spaces to each patron permitted	28 spaces

Since one car space will be provided on-site, a reduction of 27 spaces in the car parking requirement is sought by the applicant. To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

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

- *Parking Demand for the Restaurant.*
  The proposed restaurant use would have a car parking demand of 28 spaces. Travel mode surveys we have reviewed in the past for tavern/licensed venue applications typically generate 0.10 to 0.20 spaces per patron. Adopting the more conservative rate of 0.20 spaces per patron for the proposed restaurant would equate to 14 spaces (on the assumption that the venue was operating at full capacity of 70 patrons).

  By comparison, the nearby development at 236-238 Smith Street, Collingwood (Town Planning Application No.PLN16/0056) was approved with 140 patrons and no on-site parking. The development would have had a car parking demand of 56 spaces which is twice the parking demand of the proposed restaurant.

  Given the area's coverage of short-stay parking spaces, patrons who choose to drive to the site should be able to find an on-street parking space in the surrounding streets.

Some businesses in the area are unlikely to be operating after 5pm. This would free-up some of the on-street spaces in the area and allow patrons to find an on-street parking space near the site.

- *Multi-purpose Trips to the Area*.
  The restaurant is positioned within the Smith Street Activity Centre. It is highly likely that patrons to the restaurant would already have parked in the area and be engaged in other activities or business.

- *Availability of Public Transport in the Locality of the Land*.
  The site is within walking distance of tram services operating along Gertrude Street-Smith Street and Victoria Parade. Buses are available along Victoria Parade also within walking distance of the site. Rail services can be obtained from Parliament railway station.

- *Convenience of Pedestrian and Cyclist Access*.
  The catchment area surrounding the site includes residential properties and local businesses that would provide a source of local patrons. The site has excellent exposure to high pedestrian numbers and much of the restaurant's source of patrons would be pedestrians. 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:

- *Availability of Car Parking*.
  On-street parking along and near the Smith Street activity centre is generally very high. The streets in the area contain time restricted parking controls which ensure that short-stay car parking frequently turns over.

- *Access to or Provision of Alternative Transport Modes*.
  The site has very good access to public transport and the on-road bicycle network. Car share pods are located within walking distance of the site and provide an alternative option of transport for both staff and patrons. A Flexicar car share pod is located in Langridge Street, Collingwood, west of Oxford Street, approximately 200 metres north-east of the site. A second Flexicar car share pod is located in Victoria Parade, East Melbourne, west of Clarendon Street, approximately 120 metres south-west of the site.

- *Other Relevant Considerations*
  The stringent enforcement of drink-driving laws would be a disincentive for patrons to drive to the restaurant, particularly if they intend to consume alcohol. Patrons would be inclined to travel to and from the site with public transport, taxis and private driver services.

Adequacy of Car Parking
From a traffic engineering perspective, the waiver of car parking spaces associated with the restaurant is considered appropriate in the context of the site and the surrounding area. The operation of this restaurant would not be dissimilar to that of several small scale shop-front businesses that are already operating (and without on-site car parking).

Engineering Services has no objection to the reduction in the car parking requirement for this site.

Capital Works Programme
A check of the Capital Works Programme for 2017/18 indicates that no infrastructure works have been approved or proposed within the area of the site at this time.

Regards

Artemis Bacani
Roads Engineer
Engineering Services Unit

Attachment 4 - PLN13/0212.03 - 9 - 17 Smith Street Collingwood - Community Amenity Unit comments

MeMO

TO:	**Patrick Sutton**
cc:	
FROM:	**Steve Alexander**
DATE:	**13/11/2017**
APPLICATION:	**PLN 13 0212.03**
SUBJECT:	**Amenity Enforcement Referral**

Dear Patrick,

Thank you for your referral PLN13 0212.03 dated 10 November 2017 in relation to 9 – 17 Smith Street, Fitzroy.

Planning Enforcement has not received any complaints in relation to the above mentioned address. Given the total numbers will not exceed 70 patrons with the use being a restaurant, the Compliance branch does not have any concerns in relation to the proposed hours being 7am – 11pm Monday to Sunday.

Should you wish to discuss the application further, please feel free to contact me on 9205-5166.

Regards,

Steve Alexander
Coordinator Civic Compliance

1.3 10 and 20 River Boulevard, Richmond -
PLN16/1156 - Development plan, Pedestrian amenity and access plan, Landscape plan, Transport plan and Management plan under sections 6, 7, 8, 9 and 10 of the Comprehensive Development Zone, Schedule 1) to allow for the construction of a 13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses) [Development plan application]

PLN17/1143 - Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme [Planning permit application]

Executive Summary

Key Planning Considerations

1. Key planning considerations include:
   (a) Comprehensive Development Zone, Schedule 1;
   (b) Design and Development Overlay, Schedule 2;
   (c) Clause 52.06 – Car parking;
   (d) Clause 52.34 – Bicycle facilities;
   (e) Clause 21.04-1 – Accommodation and housing;
   (f) Clause 21.04-2 – Activity centres;
   (g) Clause 21.04-3 – Industry, office and commercial;
   (h) Clause 21.04-4 – Community facilities, hospitals and medical services;
   (i) Clause 21.05-2 – Urban design;
   (j) Clause 21.05-3 – Built Form character;
   (k) Clause 21.05-4 – Public environment;
   (l) Clause 21.06-1 – Walking and cycling;
   (m) Clause 21.06-2 – Public transport;
   (n) Clause 21.06-3 – The road system and parking;
   (o) Clause 21.07-1 – Ecologically sustainable development;
   (p) Clause 21.08-9 – North Richmond (area north of Bridge Road);
   (q) Clause 22.03 – Landmarks and tall structures;
   (r) Clause 22.10 – Built form and design policy;
   (s) Clause 22.11 – Victoria Street East Precinct Policy;
   (t) Clause 12 – Public open space contribution;
   (u) Clause 22.16 – Stormwater Management (water sensitive urban design);
   (v) Clause 22.17 – Environmentally Sustainable Development; and
   (w) Victoria Gardens Urban Design Guidelines [VGUDG].

Key Issues

PLN16/1156 – Development plan

2. The key issues for Council in considering the development plan relate to:
   (a) Strategic policy and the CDZ1;
   (b) Area of Aboriginal Cultural Heritage Sensitivity;
   (c) Urban design;
   (d) On-site amenity;
   (e) Off-site amenity/ equitable development;
   (f) Wind;
   (g) Environmentally sustainable design [**ESD**]
   (h) Strategic transport;
   (i) Car park layout and access;
   (j) Development plan;

(k) Pedestrian amenity and access plan;
(l) Landscape plan;
(m) Transport plan;
(n) Management plan;
(o) Submitter concerns; and
(p) Other matters.

PLN17/1143 – Planning permit

3. The key issues for Council in considering the planning relate to:
   (a) Car parking, traffic and loading; and
   (b) Objector concerns.

Objector Concerns

Planning permit application PLN17/1143

4. A total of 29 objections were received to the planning permit application and can be summarised as follows:
   (a) insufficient car parking (including for residents, shoppers, child care drop-offs/pick-ups, tradespersons and visitors);
   (b) DDA to the development and car parking is required; and
   (c) traffic congestion (including intersection with Victoria Street, loading vehicles currently block River Boulevard and cumulative impacts).

Development plan application PLN16/1156

5. As opposed to planning permit applications, the development plan application is placed on exhibition (not advertising) and there are no third-party appeal rights (i.e. submissions as opposed to objections).

6. A total of 24 submissions were received to the development plan and can be summarised as follows:
   (a) pedestrian and cyclist safety (including due to traffic, insufficient footpaths and impact on the Walmer Street bridge) and connectivity to the neighbourhood;
   (b) off-site amenity (including noise, pollution, overlooking, overshadowing [including winter]);
   (c) dwelling density is too high (including impact on infrastructure, services and public transport and considering the residential approval at 25-35 River Boulevard);
   (d) urban design and architectural quality (building is too high, street wall height, insufficient setbacks);
   (e) impact on the heritage of Richmond;
   (f) too many uses are proposed;
   (g) insufficient landscaping/green space;
   (h) this site should provide a land contribution to public open space;
   (i) inconsistent with the purpose of the zone;
   (j) on-site amenity does not comply with clause 58 (including sunlight, use of rainwater, internal storage, dwelling diversity and hard waste);
   (k) impact on wildlife; and
   (l) confusion as to the development plan process.

Conclusion

7. Based on the following report, the proposals are considered to comply with the relevant planning policy and should therefore be supported.

CONTACT OFFICER: **Sarah Thomas**
TITLE: **Principal Planner and Advocate**
TEL: **9205 5046**

1.3 10 and 20 River Boulevard, Richmond -
PLN16/1156 - Development plan, Pedestrian amenity and access plan, Landscape plan, Transport plan and Management plan under sections 6, 7, 8, 9 and 10 of the Comprehensive Development Zone, Schedule 1) to allow for the construction of a 13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses) [Development plan application]

PLN17/1143 - Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme [Planning permit application]

Trim Record Number: D18/86245
Responsible Officer: Senior Coordinator Statutory Planning

Proposal:	Development plan, pedestrian amenity and access plan, landscape plan, transport plan and management plan (application PLN16/1156) under sections 6, 7, 8, 9 and 10 of the Comprehensive Development Zone, Schedule 1) for the development of the land for the construction of a 13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses). Planning permit application PLN17/1143 - Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme.
Existing use:	Car park and undeveloped land
Applicant:	Salta Pty Ltd
Zoning / Overlays:	Comprehensive Development Zone (Schedule 1), part Environmental Audit Overlay, part Design and Development Overlay (Schedule 2) Victoria Street is a Road Zone (Category 1)
Date of Application:	16 December 2016
Application Numbers:	PLN16/1156 – Development plan, pedestrian amenity and access plan, landscape plan, transport plan and management plan PLN17/1143 – Planning permit application

Planning History

1. The relevant planning history on Council's files include:

   VicGardens

   (a) the site is part of the broader 'Victoria Gardens' complex, comprising a range of retail, office and residential land uses. A detailed planning history of the site is offered in the IDAC report for PL10/0156:
   Victoria Gardens – Comprehensive Development Zone
   Background to planning controls
   12. Victoria Gardens ("the CDZ site") is the land bound by Victoria Street to the north, the Yarra River to the east, Burnley Street to the west and Doonside Street to the south (in part).

13. *The site was rezoned on 4 February 1987 from 'General Industrial' to 'Comprehensive Development Zone No. 8' by Amendment 409 to the Melbourne Metropolitan Planning Scheme. The amendment permitted the site to be used for a mixture of office, retail, motel, residential and high technology industry uses.*
14. *On 8 October 1987, the Minister for Planning (in their capacity as the Responsible Authority for the site) endorsed a development plan, traffic control and management plan for the site.*
15. *On 16 February 1988, Council became the Responsible Authority such that any request to the previously approved plans must be made to Council.*
16. *In November 1989, Carlton United Brewery ("CUB") sought an amendment to develop the western part of the site as a large scale distribution centre. Council received a number of objections and the amendment was abandoned in September 1990.*
17. *Amendment L8 to the Yarra Planning Scheme was gazetted on 21 May 1997. The amendment rezoned the site to the 'Comprehensive Development Zone, Schedule 1: Victoria Gardens Comprehensive Development' which allows for retail, warehouse, cinema, and office development subject to the approval of development plans. The amendment also addressed car parking requirements and building height controls (among other things).*

    History of approvals within the CDZ1
18. *On 11 November 1997, Council approved an office development in the north-east corner of the site which also included a restaurant. An amendment to the landscape plan was approved on 15 December 1999, modifying the planting schedule, and an amendment to the development plan was also approved on 6 February 2006, reflecting internal layout changes and modifications to advertising signage.*
19. *On 12 December 1997, Council approved a development plan, traffic plan, management plan, and landscape plan for stage 2 (residential development). The approval was subject to a number of conditions, including a requirement to meet EPA standards and regulations, and to conduct an Environmental Audit in accordance with the Environment Protection Authority Act 1970. On 29 March 1999, an amendment was approved to the development plan, modifying the roof terraces of apartments 7, 8 and 15 and increasing the height of the river front residential apartment building by 708mm. On 23 September 1998, Council approved an amendment to the landscape concept plan. On 8 September 1999, Council approved a further amendment to the development plan to delete awnings and address overlooking issues.*
20. *On 9 December 1999, Council approved a development plan for the Victoria Gardens Shopping Centre in the north-west corner of the site. The plans allowed for a cinema, fitness centre, and a number of retail tenancies (including a supermarket) and take away food premises.*
21. *On 26 September 2000, a planning permit (ref: 001089) was issued for the construction of business identification and directional signage associated with the Victoria Gardens Shopping Centre.*
22. *On 27 March 2001, a planning permit (ref: 010094) was issued to increase seating to the food and drinks premises within the Victoria Gardens Shopping Centre from 460 to 1800.*
23. *On 19 December 2001, Council approved a development plan, traffic plan, management plan and landscape plan as part of the 'Plaza' offices in the north-west corner of the CDZ1 site.*
24. *On 31 July 2002, Council conditionally approved a development plan for an office and document service centre (copy centre) with associated car parking (ref: PL01/1408). Plans forming part of this approval (including a construction management plan and car parking and traffic plan) were approved on 23 July 2007. A staged site works and drainage plan and amended staged landscape plan were approved on 27 September 2007. On 2 October 2007, the development plan was amended, including a redistribution of floor area from building 1 to 3, an adjustment to the car parking, and external alterations to the presentation of building 3. At this stage only building 3, the southernmost building approved within the development plan, has been constructed and is known as the 'BAE Building'.*
25. *On 6 September 2002, a planning permit (ref: PL01/1407) was issued for an office development incorporating a floor area of 6,440sqm above the maximum 30,000sqm 'as-of-right' floor space as specified under the CDZ1 provisions.*
26. *On 6 May 2004, a planning permit application (ref: PL03/0672) for the construction of a temporary staff car park was withdrawn at the applicant's request.*

27. On 18 January 2007, Council refused a modification to the approved Development Plan for Stage 3 - Retail and Activity Centre of the Victoria Gardens project, to allow for an additional 656 car parking spaces over two new levels (levels 7 and 8) on the existing multi level car park at 620 Victoria Street, Richmond.

28. On 1 May 2007, a planning permit application (ref: PL03/0805) for the construction of a multi level car park at the rear of the Victoria Gardens Shopping Centre was withdrawn at the applicant's request.

29. On 22 September 2008, a planning permit (ref: PL08/0684) was issued for land at 15 Christine Crescent Richmond for the removal of two (2) trees and replacement with five (5) yellow box trees.

Amendments to the CDZ1 Controls

30. An amendment to the Yarra Planning Scheme (Amendment C31) was gazetted on 2 May 2002, modifying the 'Table of Uses' within the CDZ1 to include 'Motor repairs' as a Section 1 use, subject to specific conditional requirements.

31. An amendment to the Yarra Planning Scheme (Amendment C121) was gazetted on 16 April 2009 which modified Schedule 1 to the Comprehensive Development Zone to increase the 'as-of-right' caps for office and retail floor areas; modified provisions to allow for greater heights in Precinct 2 (applicable to this report) in exchange for increased setbacks and more open space provision along the river; introduced requirements for a Transport Plan and a Pedestrian amenity and access plan; and introduced provisions to create improved urban design and activated ground street frontages.

10 River Boulevard

(b) on 3 May 2012, Council issued Planning Permit PLN12/0161 for the construction and display of externally illuminated major promotion signage. This permit expired on 3 May 2013;

(c) on 6 March 2013, Council issued Planning Permit PLN12/0929 for the use of the site as a temporary car park and associated buildings and works. This permit expires on 6 March 2019; and

20 River Boulevard

(d) no relevant planning history could be found for this address.

Existing Conditions

Subject Site

2. The subject site is located on the south-west corner of Victoria Street and River Boulevard. The site has a frontage of approximately 75.5m to Victoria Street, a frontage of approximately 203.8m to River Boulevard and an overall site area of 14,766m².

3. Vickers Drive is a carriageway easement that dissects the two lots that make up the subject site and provides a carriageway easement in favour of the shopping centre west of the site. It is noted that River Boulevard is a private road.

4. The site is also subject to a number of easements, however this application does not seek to vary or remove these easements:
   (a) E7 – carriageway, water supply, sewerage and drainage easement in the north-east corner of the site;
   (b) E-10 – drainage easement; and
   (c) E-12 – powerline easement.

5. The northern segment of the site is currently developed as a car park (north of Vickers Drive) and the southern segment is undeveloped.

Surrounding Land

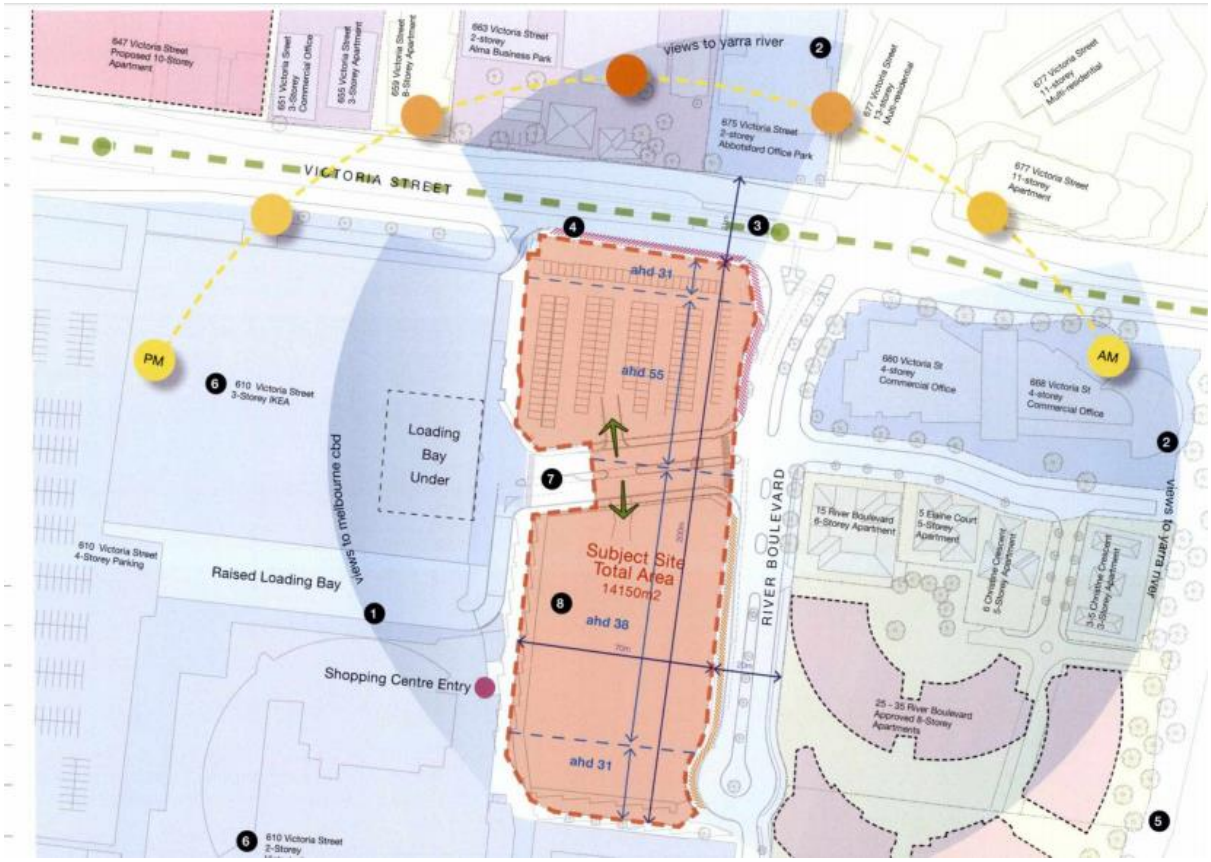
6. To the west of the subject site is the Victoria Gardens Shopping centre, containing a range of retail, food and drink and office uses with associated car parking. It is noted that a loading bay abuts the subject site and Vickers Drive provides vehicular access from River Boulevard, through the subject site to the shopping centre car park.

7. To the south of the subject site is the 4 storey BAE office building. The building is a contemporary style, glass office building. It is noted that the footpath along River Boulevard extends south to link with River Street.

8. To the east of the subject site, across River Boulevard is a 4 storey office/commercial building fronting Victoria Street. A café and restaurant are also located at the ground floor. South of this building are 4 groups of 3-6 storey residential buildings. Car parking is accessed via Elaine Court, which extends from River Boulevard. South again is an undeveloped parcel of land with a development plan approval for a maximum 8 storey residential development (PL10/0156). East of these properties is the main Yarra Trail and the Yarra River.

9. To the north of the subject site, across Victoria Street, are two, 2 storey office buildings with parking and 2 single storey heritage buildings within the front setbacks. To the north-east of the subject site is the 11-13 storey 'Honeywell' residential development.

10. Victoria Street contains 2 inbound and 2 outbound vehicular lanes and a tram route. Victoria Street is a declared Road Zone and a Major Activity Centre and east of the Yarra River, the street becomes 'Barkers Road in Kew/Hawthorn.



Extract of Applicant's Urban Context Report

The Proposal

11. The applications are for:

(a) PLN16/1156 - Development plan, Pedestrian amenity and access plan, Landscape plan, Transport plan and Management plan under sections 6, 7, 8, 9 and 10 of the Comprehensive Development Zone, Schedule 1) to allow for the construction of a 13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses); and
(b) PLN17/1143 - Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme.

12. More specifically:

Built form

(a) development of the land for a maximum 13 storey building, plus 4 basement levels;
(b) the development would be a maximum height of 40.8m, plus a 3m high plant and lift overrun level. The street wall to Victoria Street would be 16.8m high. The southern end of the development would be a height of 17.1m;
(c) basements 3 and 4 would generally be north of Vickers Drive, with a maximum width of 75.6m and depth of 67.8m;
(d) basement levels 1 and 2 are separated into 2 segments across Vickers Drive. The northern segment would be a maximum width of 75.6m and depth of 67.8m. The southern segment would be a maximum width of 67m and depth of 110.9m;
(e) the ground and upper ground floors continue to be split into 2 sections across Vickers Drive. The northern section would be a maximum width of 75m and a depth of 72m and the southern section would be a maximum width of 78m and a depth of approximately 11.3m;
(f) level 1 is the first to link both the northern and southern sections of the lower levels, with a maximum width of 74.9m and length of approximately 190m;
(g) at level 2, the tower forms begin to emerge, with the development partially constructed to the northern, western and eastern boundaries and setback a minimum 2m from the southern boundary. The development would be separated centrally along a north-south axis with a 8.4m to 24.8m separation;
(h) level 3 would be a similar footprint to the level below, with the exception of the southern 19.8m deep portion being developed partially as a rooftop play area for the childcare centre;
(i) level 4 would be setback further from the northern and southern boundaries than the levels below, with a maximum 29m from the southern boundary and due to the introduction of a roof deck at the northern end, setting back built form generally 9.7m from the northern boundary;
(j) level 5 would continue the tower forms, with a maximum 29m south boundary setback, minimum 800mm eastern setbacks, minimum 10.5m northern boundary setbacks and minimum 1.8m western boundary setbacks;
(k) level 6 would only extend the northernmost residential towers, north of Vickers Drive. These towers would extend from level 6 to 11 and would be setback a minimum 10.5m from the north title boundary, 800mm from the east title boundary and 1.8m from the west title boundary;

Layout

(l) basement 4 would contain 76 residential car parking spaces, storage cages and services;
(m) basement 3 would contain 13 office parking spaces and 110 residential car parking spaces, along with storage cages and service areas;
(n) basement level 2 would contain 58 restricted retail and 65 office car parking spaces, 134 residential car parking spaces and 45 lease car spaces, along with space for rainwater tanks, services, bicycle stores, storage cages, car park exhaust room and a bicycle shower/change facility;

(o) basement level 1 would contain 26 restricted retail car parking spaces, 30 shop car parking spaces, 26 medical centre car parking spaces and 116 lease car parking spaces, along with a carpark exhaust/supply rooms, service areas, retention tank/fire tank rooms, a substation, switch room, water metres, communications room, a travelator to the retail area and along Victoria Street, a 2,381m² restricted retail premises;

(p) the ground floor would contain a 2330.8m² restricted retail premises along Victoria Street, along with an office lobby. A 66.1m² shop would be located along the River Boulevard frontage, along with a residential lobby entrance. Vickers Drive would provide access to the car park entry to the northern basement segments and to a loading dock. Across Vickers Drive would be a loading dock, with 2 lobby entrances and 4 shops (61.1m² to 150m² along River Boulevard). A travelator would also provide access up to the retail podium, linking into Victoria Gardens Shopping centre. A second vehicular entrance would then be provided, this time off River Boulevard and link down to the basement levels, as well as providing 65 shop and 11 childcare car parking spaces at this level. This level would also contain service areas, stores, bicycle parking and at the southern end, a childcare and medical lobby;

(q) the upper ground floor would contain an 801.7m² mezzanine area for the restricted retail premises with a series of voids around. The southern segment of the upper ground floor would contain 12 shop areas (ranging from 25m² to 518.6m²) and 3 food and drink areas (ranging from 52.1m² to 493.7m²);

(r) level 1 introduces residential land uses, along with office floor space at the northern end adjacent to Victoria Street and a residential pool, childcare centre and medical centre at the southern end. A central communal open space area would also be provided at this level, running along a north-south axis;

(s) level 2 would also include a mixture of office floor space, dwellings and an extension of the medical centre and childcare centre land uses below;

(t) level 3 would contain a commercial office at the northern end, dwellings centrally and a rooftop play area for the childcare centre at the southern end;

(u) level 4 would contain a roof deck for residents at the northern end (including a BBQ area) and dwellings;

(v) levels 5 to 11 would all be used for dwellings;

Land uses

(w) extract of the Applicant's traffic report is included below:

Table 1.1: Development Schedule

Use	Size	
Residential Dwellings	426 dwellings	81 x one-bedroom
		322 x two-bedroom (including 10 duplex's)
		23 x three-bedroom
Restricted Retail	5,520sqm	
Commercial/Office	3,924sqm	
Shop	3,369sqm	
Food and Drink	859sqm	
Childcare	100 children	
Medical Centre	551sqm	

Materials

(x) the podium levels would primarily be constructed of light, dark and off-site textured concrete finishes;

(y) the tower forms would primarily be constructed of glazing (clear and grey), paint finishes (charcoal, white and dark grey) and metal finishes (black, silver and dark grey);

Car parking, bicycle parking

(z) extract of the Applicant's traffic report is included below:

Table 5.2: Proposed Car Parking Demand and Allocation

Use	Peak Demand	Shared Demand		Proposed On-Site Provision
		Peak Weekday Demand	Peak Saturday Demand	
Resident	320 spaces	320 spaces	320 spaces	320 spaces
Residential Visitors	17 spaces	0 spaces	17 spaces	0 spaces
Commercial	78 spaces	78 spaces	8 spaces (10% occupancy)	78 spaces
Shop (including Food and Drink)	127 spaces	95 spaces (75% occupancy)	127 spaces	95 spaces
Restricted Retail	110 spaces	84 spaces (75% occupancy)	110 spaces	84 spaces
Childcare	22 spaces	11 spaces	0 spaces	11 spaces
Medical Centre	26 spaces	26 spaces	26 spaces	26 spaces
Leased Office Spaces	161 spaces	161 spaces	81 spaces (50% occupancy) [1]	161 spaces
Total	1,010 spaces	775 spaces	689 spaces	775 spaces

[1] Adopted for conservatism, noting weekend commercial / office car parking demands are likely to be ≤ 10%

(aa) 346 bicycle parking spaces (including 278 resident/staff spaces and 68 visitor spaces);
(bb) provision of 4 change rooms/showers;

Waste management

(cc) waste would be stored within the ground level bin stores and would be collected on-site from loading docks and the vehicular entries (with waste vehicles propping);

ESD

(dd) average 6.5 Star (minimum) NatHERS ratings for dwellings;
(ee) non-residential areas to be 15% improvement on NCC energy efficiency standards for thermal performance and a 5% improvement on glazing allocations for each level, or a 10% improvement via JV3 modelling;
(ff) a MUSIC model demonstrating best practice has been submitted that relies on ~9,978m2 of roof connected to 60,000 litres of rainwater storage for landscape irrigation and toilet flushing. Overflow to be filtered through a propriety filtering device;
(gg) access to ventilation is good to most dwellings. Single sided dwellings have reasonable access to natural ventilation. Non-residential areas to have mechanical air-flow rates at least 50% above the AS1668 requirements;
(hh) good daylight access good to most dwellings;
(ii) reverse-cycle split systems (minimum 3 Star) and a centralised VRF system with heat recovery. Energy efficient non-residential HVAC below NCC requirements;
(jj) energy efficient hot water and lighting;
(kk) water efficient fixtures and taps; and
(ll) electric vehicle charging facilities provided.

Planning Scheme Provisions

Zoning

Comprehensive Development Zone – Schedule 1

13. The relevant purposes of the zone are:
    (a) *To encourage the comprehensive redevelopment of land on the south side of Victoria Street between Burnley Street and the Yarra River, City of Yarra.*
    (b) *To ensure that development on the site will complement and enhance the Yarra River environment.*
    (c) *To assist redevelopment as a mix of office, retail, entertainment, residential, commercial and ancillary uses.*

(d) *To ensure that the combination of uses, their overall density and the scale, character and level of redevelopment are compatible with:*
   (i) The amenity of the surrounding area and the nature of the surrounding uses.
   (ii) The visible skyline as seen from and along the Yarra River and the River's general environs, and views along Victoria Street and Barkers Road.
   (iii) The capacity of the existing road system and any proposed modifications to accommodate any increase in traffic.
   (iv) The capacity of existing essential services and proposed modifications.

(e) *To ensure retailing in the zone is compatible with and serves the existing and future commercial, industrial and residential uses in the surrounding area.*

(f) *To provide greater public access, in particular for pedestrians and cyclists, to and along the Yarra River bank.*

(g) *To ensure that the land is developed in an orderly and proper manner.*

(h) *To encourage a high standard of urban design.*

(i) *To encourage the provision of active frontages to streetscapes and high quality interfaces with the public realm and internal pedestrian interfaces.*

(j) *To improve pedestrian amenity and safety and enhance connectivity within and to surrounding development.*

(k) *To limit overshadowing affecting the amenity of adjoining land and, in particular, areas of public open space and the Yarra River.*

(l) *To avoid adverse wind conditions in pedestrian areas.*

(m) *To ensure that buildings and works along the Yarra River do not adversely affect drainage or flooding.*

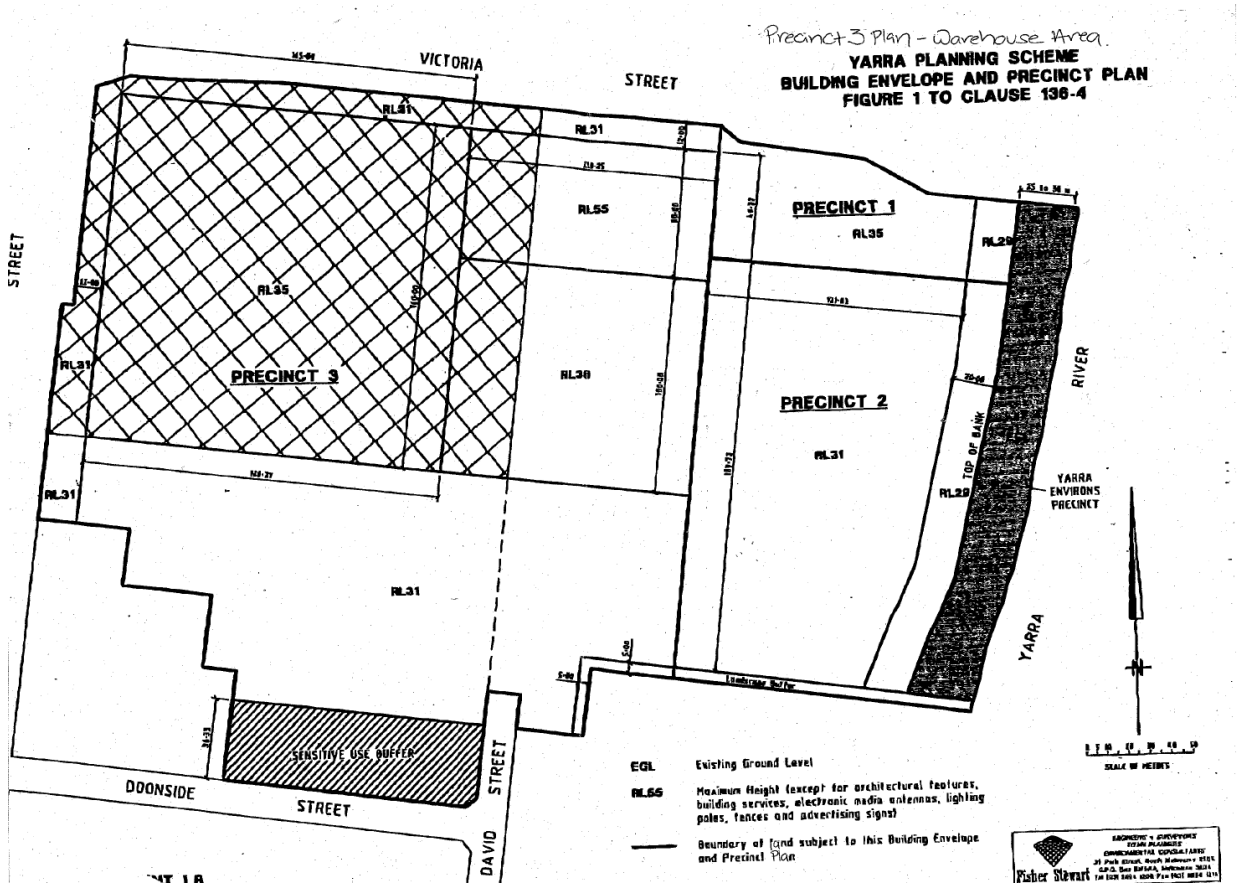
14. Under section 1 of Schedule 1 to the CDZ, a permit is not required to use the land as dwellings, a medical centre, food and drinks premises, a child care centre, shops, a restricted retail premises or an office. The zone specifies that although tavern and hotel uses are nested within food and drinks premises, these uses are section 2, permit required uses. A condition should therefore be imposed to clarify that the food and drinks premises must not include these uses.

15. Under section 4 of Schedule 1 to the CDZ, a permit is not required to construct a building or to construct or carry out works if in accordance with a development plan prepared to the satisfaction of the responsible authority.

16. Under section 5 of Schedule 1 to the CDZ, the provisions of clause 44.04 Land Subject to Inundation Overlay, Clause 42.03 Significant Landscape Overlay, Clause 43.02 Design and Development Overlay and Clause 43.01 Heritage Overlay do not apply to any development constructed in accordance with an approved development plan.

17. Sections 6, 7, 8, 9 and 10 outline requirements for a development plan, pedestrian amenity and access plan, management plan, transport plan and landscape plan.

18. Section 17 states that a building or works must not exceed the height above the Australian Height Datum for any particular site as shown on the Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area incorporated in this Planning Scheme.



19. Section 17 continues to state that this does not apply to:
    (a) the height of architectural features, building services, electronic media antennas, flagpoles, lighting poles, fences and advertising signs approved under Part 22 of this Schedule.
    (b) limited built form projections in the 'height projection area' shown in Precinct 2 which project above RL31 height limit but which do not exceed RL37 and do not exceed 10% of the precinct height projection area.

20. Section 18 outlines car parking controls. This will be outlined further in conjunction with the particular provisions later in this report.

21. Section 19 states that the dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06 unless the responsible authority agrees otherwise.

22. Section 20 states that facilities for vehicles to load and unload must be provided on the land to the satisfaction of the responsible authority.

23. Section 21 states that goods must be stored and transported to, from and on the land to the satisfaction of the responsible authority.

Overlays

Design and Development Overlay – Schedule 2 – Main Roads and Boulevards

24. Section 5 of the CDZ1 states that the provisions of this overlay do not apply for developments constructed in accordance with an approved development plan.

Particular Provisions

Clause 52.06 – Car Parking

25. Where the CDZ1 does not specify parking rates for particular uses, clause 52.06 rates apply.

26. The purpose of this provision (amongst others) is to ensure the an appropriate number of car spaces are provided having regard to the activities on the land and the nature of the locality.

27. Under clause 52.06-3 of the Scheme, a permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5.

Use		**CDZ1 rate**	**Clause 52.06 rate**	**Planning Scheme requirement**	**Provision**	**Reduction sought**
Dwellings	426 dwellings	1.5 spaces per dwelling		639	320	319
Restricted retail	5520m²	2 spaces per 100m²		110	84	26
Office	3924m²	2.5 spaces per 100m²		98	161	-63
Shop	3369m²	4.5 spaces per 100m²		151		
Food and drinks premises	859m² (282 seats)	0.3 spaces per seat		84	95	140
Childcare	100 children		0.22 spaces to each child	22	11	11
Medical centre	8 practitioners		5 spaces to the first person providing health services plus 3 spaces to every other person providing health services	26	26	0

28. Decision guidelines are listed at clause 52.06-6 of the Scheme and within section 18 of the CDZ1 and include a car parking demand assessment.

Clause 52.34 – Bicycle facilities

29. A permit is required under clause 52.34-2 of the Scheme to vary, reduce or waive any requirement of Clause 52.34-3 and Clause 52.34-4.

30. The bicycle requirements for this application are as follows:

Use		Clause 52.34 rate	Planning Scheme requirement	Provision	Reduction sought
Dwellings	426 dwellings	Resident - In developments of four or more storeys, 1 to each 5 dwellings Visitors - In developments of four or more storeys, 1 to each 10 dwellings	128		
Restricted retail	5520m²	Employee - 1 to each 300 sq m of leasable floor area Shopper - 1 to each 500 sq m of leasable floor area	29		
Office	3924m²	Employee - 1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m Visitor - 1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m	17		
Shop	3369m²	Employee - 1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres Shopper - 1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres	12		
Food and drinks premises (nested within Retail Premises)	859m²	Employee - 1 to each 300 sq m of leasable floor area Shopper - 1 to each 500 sq m of leasable floor area	5		
Childcare	100 children	Not specified	Not specified		
Medical centre	8 practitioners	Employee – 1 to each 8 practitioners Visitors – 1 to each 4 practitioners	3	278 resident/employee spaces and 68 visitor spaces	152 spaces above minimum requirement provided

31. The application did not include permission for a bicycle parking reduction (1 visitor space short). In the event the development plan is approved, a condition should require the bicycle parking provision to be as per clause 52.34 of the Scheme.

32. The application has a requirement for 4 showers/change rooms. It is unclear how many are provided at the ground level (adjacent to the bicycle parking spaces). This will be discussed in the bicycle parking section of this report.

Clause 58 – Apartment developments

33. These standards do not apply to an application for a planning permit lodged before the approval date of VC136 (13 April 2017). However, these standards will still be referenced throughout this report and used as a guide when assessing internal and external amenity of the proposed apartments/dwellings.

General Provisions

Clause 65 – Decision Guidelines

34. The Decision Guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State Planning Policy Frameworks, Local Planning Policy Frameworks and any Local Policy, as well as the purpose of the Zone, Overlay or any other Provision.

State Planning Policy Framework (SPPF)

Clause 11.03-1 – Activity centre network

35. The objective of this clause is: To build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres.

Clause 11.03-2 – Activity centre planning

36. The objective of this clause is: To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.

Clause 11.06-1 – Jobs and investment

37. The objective of this clause is: To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.

Clause 11.06-2 – Housing choice

38. The objective of this clause is: To provide housing choice close to jobs and services.

Clause 11.06-4 – Place and identity

39. The objective of this clause is: To create a distinctive and liveable city with quality design and amenity.

Clause 11.06-6 – Sustainability and resilience

40. The objective of this clause is: To create a more sustainable and resilient city that manages its land, biodiversity, water, energy and waste resources in a more integrated way.

Clause 11.06-8 – Open space network in Metropolitan Melbourne

41. The objective of this clause is: To strengthen the integrated metropolitan open space network.

Clause 12.05-1 – River corridors

42. The objective of this clause is: To protect and enhance the significant river corridors of metropolitan Melbourne.

Clause 12.05-2 – Yarra River protection

43. The objective of this clause is to: Maintain and enhance the natural landscape character of the Yarra River corridor in which the topography, waterway, banks and tree canopy are dominant features providing a highly valued, secluded, natural environment for the enjoyment of the public.

Clause 13.03-1 – Use of contaminated and potentially contaminated land

44. The objective of this clause is: To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Clause 13.04-1 – Noise abatement

45. The objective of this clause is: To assist the control of noise effects on sensitive land uses.

Clause 13.04-2 – Air quality

46. The objective of this clause is: To assist the protection and improvement of air quality.

Clause 15.01-1 – Urban design

47. 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 15.01-2 – Urban design principles

48. The objective of this clause is: To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

49. A list of 11 design principles is listed for development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56.

Clause 15.01-4 – Design for safety

50. The objective of this clause is: To improve community safety and encourage neighbourhood design that makes people feel safe.

Clause 15.01-5 – Cultural identity and neighbourhood character

51. The objective of this clause is: To recognise and protect cultural identity, neighbourhood character and sense of place.

Clause 15.02-1 – Energy and resource efficiency

52. The objective of this clause is: To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

Clause 15.03-2 – Aboriginal cultural heritage

53. The objective of this clause is: To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 16.01-1 – Integrated housing

54. The objective of this clause is: To promote a housing market that meets community needs.

Clause 16.01-2 – Location of residential development

55. The objective of this clause is to: To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport.

Clause 16.01-3 – Housing opportunity areas

56. The objective of this clause is: To identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Clause 16.01-4 – Housing diversity

57. The objective of this clause is: To provide for a range of housing types to meet increasingly diverse needs.

Clause 16.01-5 – Housing affordability

58. The objective of this clause is: To deliver more affordable housing closer to jobs, transport and services.

Clause 17.01-1 – Business

59. The objective of this clause is: To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Clause 18.02-1 - Sustainable personal transport

60. The objective of this clause is: To promote the use of sustainable personal transport.

Clause 18.02-2 - Cycling

61. It is an objective: To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.

Clause 18.02-5 – Car parking

62. It is an objective: *To ensure an adequate supply of car parking that is appropriately designed and located.* The clause includes the following (relevant) strategies to achieve this objective:
    (a) *Encourage the efficient provision of car parking through the consolidation of car parking facilities.*
    (b) *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

Local Planning Policy Framework (LPPF)

Clause 21.04-1 – Accommodation and housing

63. The relevant objectives of this clause are:
    (a) *Objective 1 To accommodate forecast increases in population.*
    (b) *Objective 2 To retain a diverse population and household structure.*
    (c) *Objective 3 To reduce potential amenity conflicts between residential and other uses.*

Clause 21.04-2 – Activity centres

64. The relevant objectives of this clause are:
    (a) *Objective 4 To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.*
    (b) *Objective 5 To maintain the long term viability of activity centres.*

Clause 21.04-3 – Industry, office and commercial

65. The objective of this clause is: Objective 8 To increase the number and diversity of local employment opportunities.

Clause 21.04-4 – Community facilities, hospitals and medical services

66. The relevant objectives of this clause are:
    (a) *Objective 9 To provide community services that meet the needs of a diverse and changing community.*
    (b) *Objective 10 To provide accessible community services.*

Clause 21.05-2 – Urban design

67. The relevant objectives and strategies of this clause are:
    (a) Objective 16 To reinforce the existing urban framework of Yarra.
    (b) Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.
        i. Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
            - Significant upper level setbacks
            - Architectural design excellence

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

(c) Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.
(d) Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.
(e) Objective 22 To encourage the provision of universal access in new development.

Clause 21.05-3 – Built Form character

68. Being within the CDZ, the site does not have a nominated built form character type in the Scheme.

Clause 21.05-4 – Public environment

69. The relevant objective and strategies of this clause are:
    (a) *Objective 28 To a 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.*
        (iv) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces.*
        (v) *Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.*

Clause 21.06-1 – Walking and cycling

70. The relevant objective and strategies of this clause are:
    (a) *Objective 30 To provide safe and convenient pedestrian and bicycle environments.*
        (i) *Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.*
        (ii) *Strategy 30.2 Minimise vehicle crossovers on street frontages.*
        (iii) *Strategy 30.3 Use rear laneway access to reduce vehicle crossovers.*

Clause 21.06-2 – Public transport

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

Clause 21.06-3 – The road system and parking

72. The relevant objective and strategies of this clause are:
    (a) *Objective 32 To reduce the reliance on the private motor car.*
        (i) *Strategy 32.1 Provide efficient shared parking facilities in activity centres.*
        (ii) *Strategy 32.2 Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.*
    (b) *Objective 33 To reduce the impact of traffic.*
        (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.*

Clause 21.07-1 – Ecologically sustainable development

73. The relevant objective of this clause is: Objective 34 To promote ecologically sustainable development.

Clause 21.08-9 – North Richmond (area north of Bridge Road)

74. The following relevant elements are offered at this Clause:

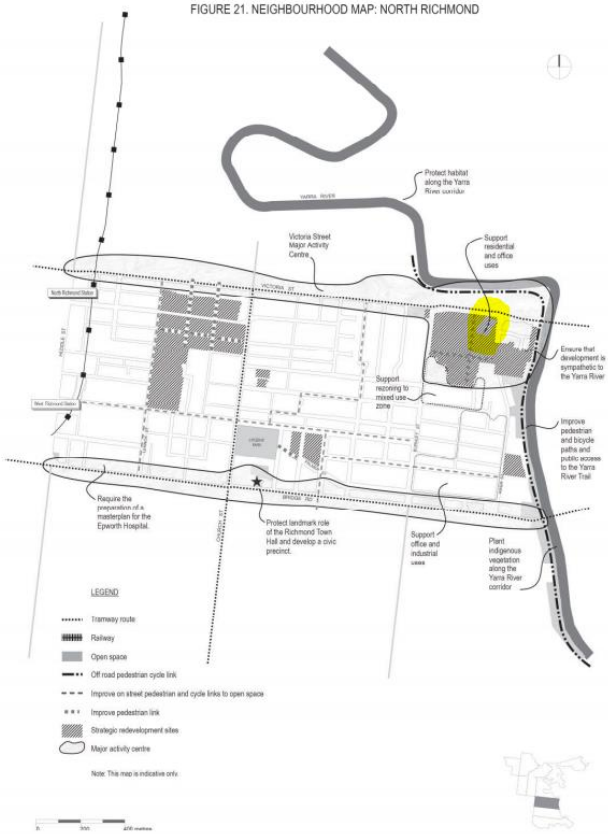
(a) *This part of Richmond is largely residential and Victorian and Edwardian in its origins. The consistent character of the residential areas must be protected. The Victoria Street Major Activity centre runs along the northern boundary of this neighbourhood. This activity centre spans approximately 2 kilometres and incorporates a variety of land uses along its length – some vibrant and others more dormant in terms of activity and street frontage.*

(b) *Within the centre are three precincts:*

(i) *Victoria Street East This precinct incorporates the area between Grosvenor Street in the west and the Yarra River to the east. It includes a combination of retail, bulky goods, entertainment, residential and office land uses. The centre has a key interface with the Yarra River, which defines its northern and eastern boundaries. Significant parts of this precinct have recently undergone extensive redevelopment. With a number of key sites in the area still up for redevelopment, it will continue to evolve. New development must enhance the landscape qualities of the Yarra River and include active frontages on Victoria Street and the River. The Victoria Gardens development has the capacity to incorporate further residential development. To the east of Burnley Street is an area of mixed industrial character with a pocket of low rise residential development. Given the proximity of this area to Victoria Gardens and the limited demand envisaged for the reuse of large industrial sites, there is potential for a wider range of employment uses including offices to locate in this precinct. It is important to:*

- *Protect the pocket of Residential 1 zoned land.*
- *Provide land use close to the Victoria Gardens Activity Centre that supports the role of the centre i.e. residential plus mixed uses.*
- *Continue to retain industry but allow office development further south and east of the Residential 1 and Mixed Use areas.*

75. Figure 21 of this clause also identifies the site as being a strategic redevelopment site, which ‘ support residential and office land uses’ (site highlighted below).



Relevant Local Policies

Clause 22.03 – Landmarks and tall structures

76. The site is within close proximity to the Skipping Girl sign on Victoria Street, however the sign is on the north side of the street. A detailed assessment against this policy is therefore not warranted as it will not impact the sign.

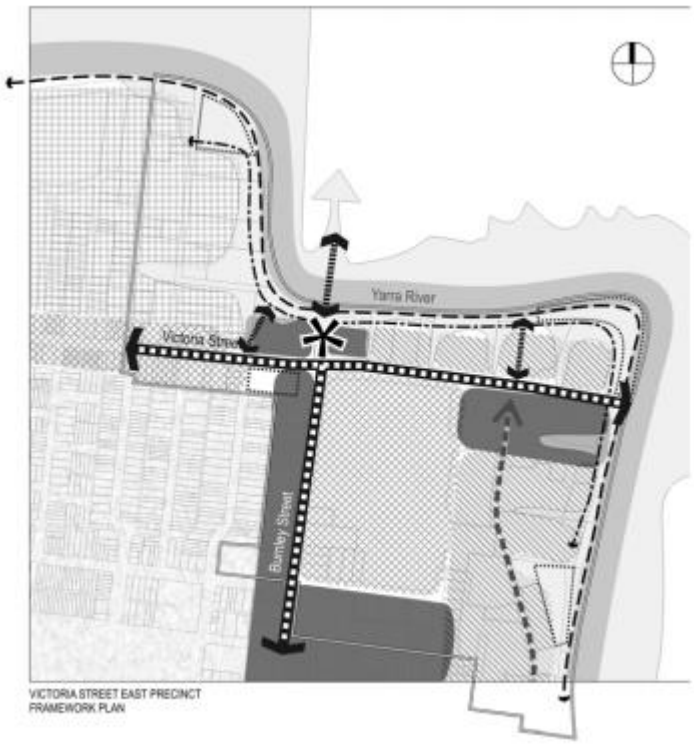
Clause 22.10 – Built form and design policy

77. 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.*

78. The clause includes various design objectives and guidelines that can be implemented to achieve the above objectives.

Clause 22.11 – Victoria Street East Precinct Policy

79. This policy applies to the following area (including the subject site):



80. The relevant objectives of this clause are:

    Yarra River and open spaces

    - *To create strong public links to the Yarra River and improve the accessibility and amenity of the River corridor as a significant public open space*
    - *To capitalise on the northerly aspect and proximity to public transport, while protecting and maintaining the recreational use of the river corridor.*

- *To enhance the landscape character of the river corridor and to ensure that the natural vegetation character is integrated into new development.*
- *To minimise the impact of building massing and siting when viewed from within the river corridor and ensure a vegetation dominated setting along the River edge,*
- *To improve natural surveillance, general safety and public accessibility of public space within the River corridor while maintaining the environmental qualities or the corridor.*

Traffic and Access

- *To improve the pedestrian environment along main roads, within the Precinct and along the River corridor, particularly at the intersection of Victoria Street with Burnley and Walmer Streets.*
- *To encourage the use of public transport, cycling and walking for access within the Victoria Street Precinct and between it and other parts of Melbourne.*
- *To provide for adequate access to, from and within redevelopment sites that contributes to the development of an integrated pedestrian and cycling network within the Precinct.*
- *To reduce vehicular traffic conflicts with tram services in Victoria Street without the requirement of future road widening.*

Provision of infrastructure

- *To develop and improve existing infrastructure in and around the Precinct, including parklands on both sides of the River and community infrastructure.*
- *To ensure new development contributes to the provision of appropriate physical and social infrastructure to support the change of uses in the Precinct.*

Land use, activity and development opportunities

- *To facilitate a mix of land uses appropriate for land forming part of the Victoria Street Major Activity Centre.*
- *To maximise opportunities for new development on former industrial sites and other disused sites while protecting the amenity of the surrounding area and enhancing the landscape character of the River corridor.*
- *To provide for higher intensity residential development within the Major Activity Centre where this will not be discordant with the built form and amenity of residential areas to the west and south of the Precinct.*
- *To protect existing industrial activities in the Industrial 1 Zone adjacent to the Precinct, while supporting opportunities for a shift from industrial activity to business activity within the Precinct.*
- *To create new local employment opportunities and protect existing ones, especially in the nearby CUB precinct*
- *To encourage the relocation of dangerous industry from the area south of Victoria Gardens and encourage more appropriate redevelopment as a transition between Victoria Gardens and residential areas.*

Urban Design and Built Form

- *To relate the siting scale bulk and massing of new development to the distinctive landscape and ex-industrial character of this section of the Yarra River Corridor*
- *To encourage high quality urban design and architecture throughout the precinct which contributes to the public realm, including the Yarra River corridor and street scapes.*
- *To ensure that the development or redevelopment of this precinct protects the character and amenity of neighbouring residential areas.*
- *To ensure access to sunlight and amenity is maintained in public spaces and that sensitive community facilities are protected from overshadowing and other detrimental impacts –*
- *To protect views to important landmarks, such as the 'Skipping Girl' sign.*

Clause 12 – Public open space contribution

81. The public open space contribution requirements do not apply as a Section 173 Agreement (executed in 1997) already required payment of the public open space contribution for this site. Payment was made in September 1999.

Clause 22.16 – Stormwater Management (water sensitive urban design)

82. This policy applies to applications for new buildings, amongst others. The policy aims to achieve best practice water quality performance.

Clause 22.17 – Environmentally Sustainable Development

83. This policy applies to developments for non-residential buildings with a gross floor area greater than 100m². In this instance, the policy calls for the submission of a Sustainable Management Plan [**SMP**]. This has been provided.

84. The relevant objective of this policy is: …that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

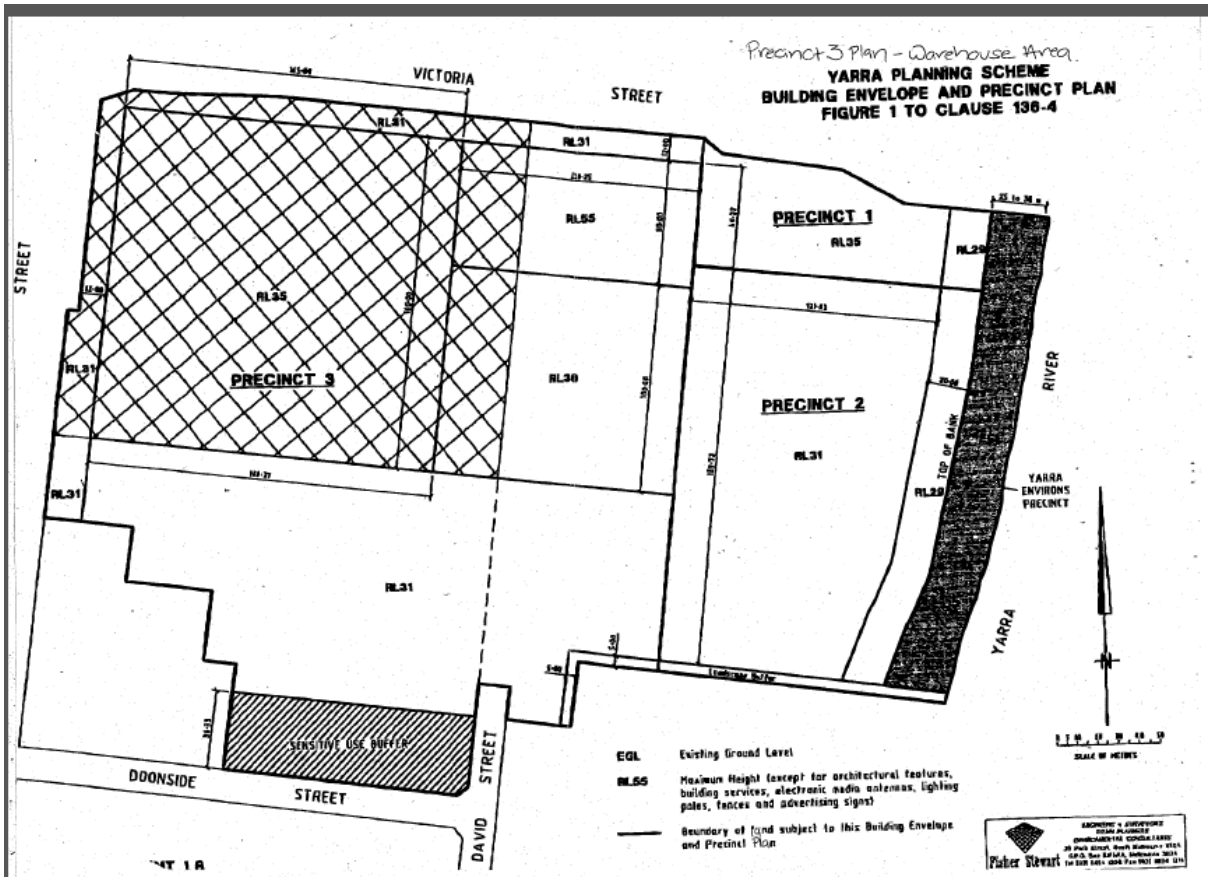
Other Policies

*Victoria Gardens Urban Design Guidelines [**VGUDG**]*

85. These guidelines are incorporated into the Scheme and outline 11 Design Objectives (copy contained as an attachment to this report. (Noting that many of the guidelines refer to the Yarra River, where these works are over 180m from the river corridor itself.)
    (a) 4.1 Design Element 1 - Setbacks, building envelopes and height limits;
    (b) 4.2 Design Element 2 – Building form, materials and colour;
    (c) 4.3 Design Element 3 – Orientation, overshadowing and overlooking;
    (d) 4.4 Design Element 4 – Streetscape and landscape;
    (e) 4.5 Design Element 5 – Views and vistas;
    (f) 4.6 Design Element 6 – Car park access and treatment;
    (g) 4.7 Design Element 7 – Open space;
    (h) 4.8 Design Element 8 – Pedestrian movement and security;
    (i) 4.9 Design Element 9 – Advertising signs;
    (j) 4.10 Design Element 10 – Interface areas; and
    (k) 4.11 Design Element 11 – Boat landings.

*Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area [**VGBEPP**]*

86. The plan depicts the following:

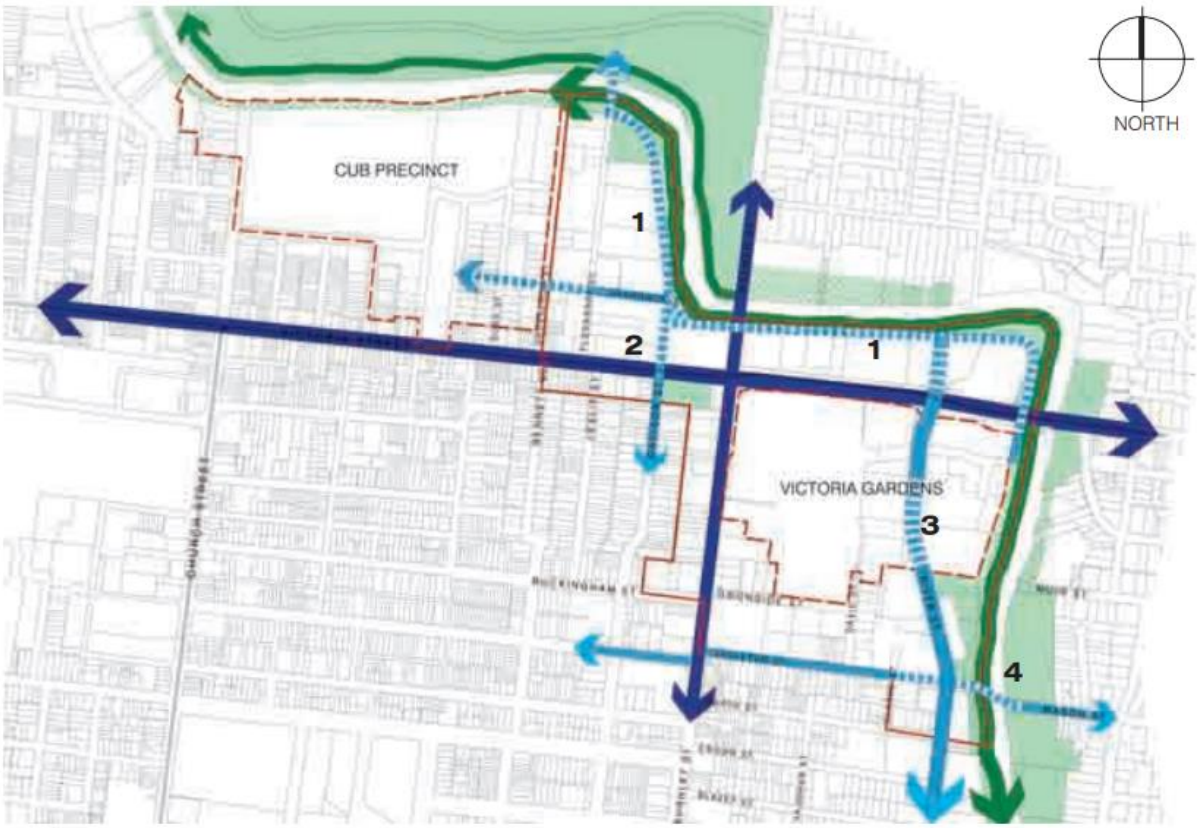


87. This plan translates to:
    (a) a maximum street wall of RL31 for a depth of 12m;
    (b) a maximum RL55 for the next 60m depth;
    (c) a maximum RL38 for the next 100m; and
    (d) a maximum RL of 31 for the rear segment of the site.

88. As per Section 17 of the CDZ1, a building or works must not exceed the AHD (which translates to RL on the plan) for any particular site as shown on this plan. This does not apply to:
    (a) *the height of architectural features, building services, electronic media antennas, flagpoles, lighting poles, fences and advertising signs approved under Part 22 of this Schedule.*
    (b) *limited built form projections in the 'height projection area' shown in Precinct 2 which project above RL31 height limit but which do not exceed RL37 and do not exceed 10% of the precinct height projection area.*

*Victoria Street East Precinct, Richmond Urban Design Framework, 16 November 2005 [**UDF**]*

89. The relevant elements of this clause are:



SECONDARY PEDESTRIAN ROUTES

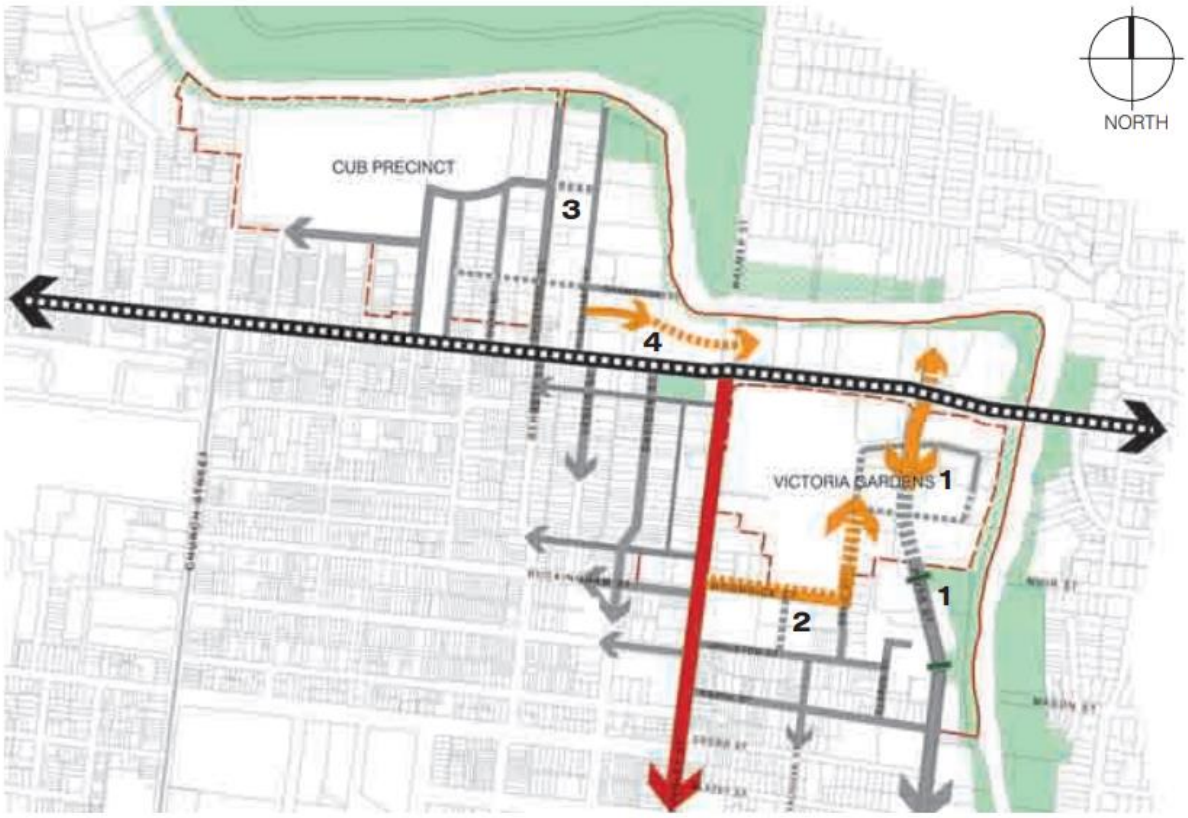
Recommended new links include:

1. *A new upper-level pathway along the Yarra north of Victoria Street, from Victoria Street Bridge to Flockhart Street. Further detailed design is required to resolve its alignment and levels.*
2. *New mid-block links at the MFB site connecting the riverside paths west to Flockhart and Grosvenor Streets, and south to Davison Street.*
3. *Extension and linking of River Street as a pedestrian-priority boulevard. This should be a generous, integrated public space linking Victoria Gardens with the area to the south although its traffic role will vary along its length. Traffic calming, part closures or barriers may be appropriate in various locations to prevent undesirable through traffic.*
4. *Enhanced link from Appleton Street to the river and new footbridge to Mason Street, Hawthorn.*

TERTIARY PEDESTRIAN ROUTES

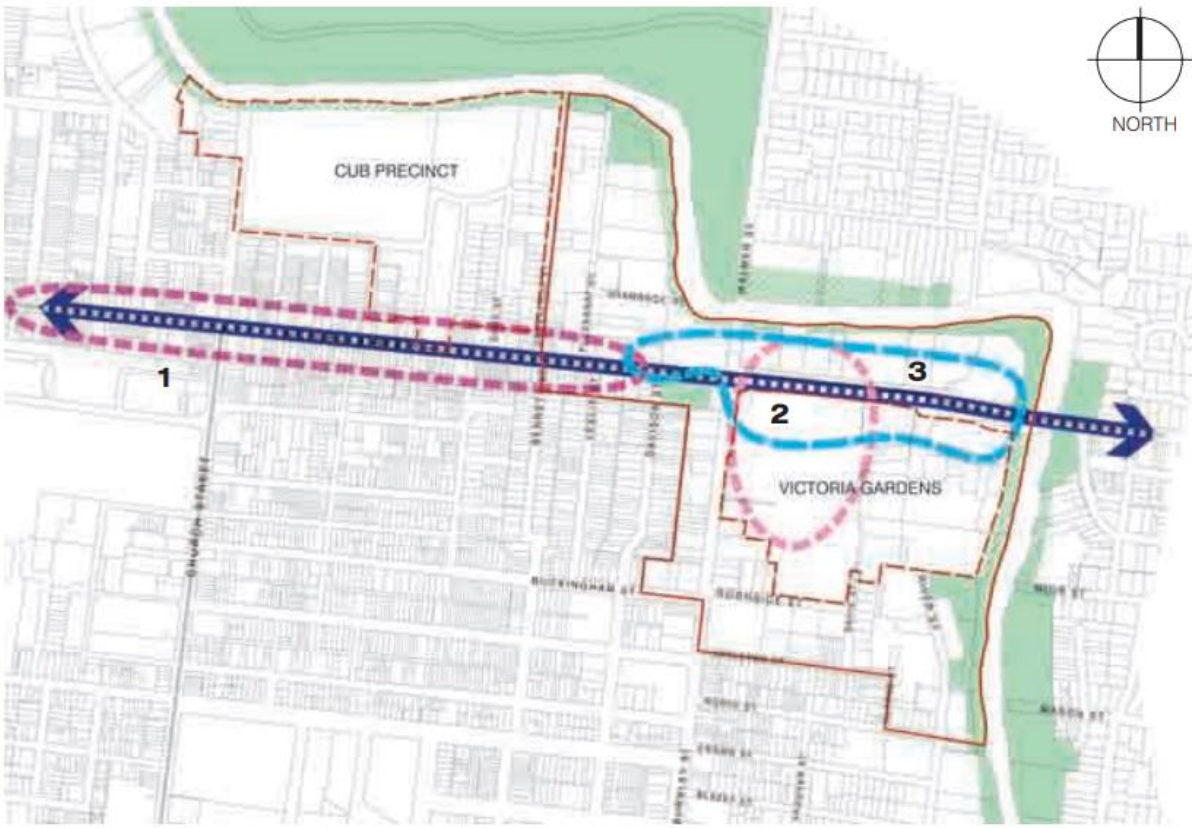
Create a fine-grained pedestrian network throughout the precinct. New links should be created including:

1. *Multiple routes through Victoria Gardens, extending and linking with existing. These include internal links through the shopping centre, although preference should be given to the creation of open-air routes that are fully accessible to the public at all hours.*
2. *Victorian Chemical Company (new north-south street past 26 Doonside Street)*
3. *Vaughan Street extension north of North Street*
4. *Southampton Street extension (Westons site, 30 Grosvenor Street)*
5. *Shamrock Street extension (Going Going Gone site, Flockhart to Grosvenor Street)*



TRAFFIC ACCESS ROUTES

4. *River Boulevard provides a major traffic entry into Victoria Gardens from the north. It should be continued as a pedestrian boulevard to link with River Street, using traffic calming or barriers as appropriate to prevent its abuse as a through route. As a public space, it should form a continuous spine for the precinct, but its varying traffic role should be carefully managed along its length.*
2. *Doonside Street should be improved as a major vehicular entry to Victoria Gardens and the area to its south, to keep traffic away from Victoria Street and housing south of Appleton Street. Doonside Street should be widened (on the north side, to create an overall road reserve width of 18 to 20m) and extended north into Victoria Gardens via David Street.*
3. *Southhampton Street link to Flockhart Street (Westons site) to improve local access without use of Victoria Street.*
4. *Vehicular access to the MFB and Walmer Street sites should be via Flockhart Street and then underground below Walmer Street to minimise impacts on Victoria Street frontages and the pedestrian-priority space at Walmer Street.*



ORIENTATION OF ACTIVITIES TO VICTORIA STREET

1. *Integrate the western end of the Victoria St East Precinct with the fine-grained retail strip to the west. Encourage 'shop top' housing and other complementary uses.*
2. *Victoria Gardens shopping centre: Encourage opening of the centre out towards Victoria Street and provision of retail complementing the remainder of the strip.*
3. *Extension of Victoria Street strip to the Yarra: Support continued commercial emphasis within a mixed-use area including residential above street level.*

90. The Plan then outlines the RLs or building envelope controls as now incorporated into the Scheme (and referenced throughout this report).

Advertising

<u>Application PLN16/1156 – Development plan, pedestrian amenity and access plan, landscape plan, transport plan and management plan</u>

91. Section 15 of the CDZ1 states that:

Before deciding to approve a development plan, landscape plan, traffic plan and management plan the responsible authority must display the plan for public comment. The plan must be displayed:

- *Within 28 days after the plan is received by the responsible authority.*
- *For at least 14 days, but no longer than 28 days.*

The responsible authority may request further information before deciding to display the plan.

The responsible authority must take account of any public comments received in response to this procedure.

The responsible authority must make a decision on the plan or amendment within 28 days after the completion of the display.

92. A total of 24 submissions were received to the development plan and can be summarised as follows:
    (a) pedestrian and cyclist safety (including due to traffic, insufficient footpaths and impact on the Walmer Street bridge) and connectivity to the neighbourhood;
    (b) off-site amenity (including noise, pollution, overlooking, overshadowing [including winter]);
    (c) dwelling density is too high (including impact on infrastructure, services and public transport and considering the residential approval at 25-35 River Boulevard);
    (d) urban design and architectural quality (building is too high, street wall height, insufficient setbacks);
    (e) impact on the heritage of Richmond;
    (f) too many uses are proposed;
    (g) insufficient landscaping/green space;
    (h) this site should provide a land contribution to public open space;
    (i) inconsistent with the purpose of the zone;
    (j) on-site amenity does not comply with clause 58 (including sunlight, use of rainwater, internal storage, dwelling diversity and hard waste);
    (k) impact on wildlife; and
    (l) confusion as to the development plan process.

Planning Permit Application PLN17/1143 – Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme.

93. The planning permit application was advertised under the provisions of Section 52 of the *Planning and Environment Act* 1987 [**the Act**] by letters sent to surrounding owners and occupiers and signs being placed on the Victoria Street and River Boulevard frontages.

94. A total of 29 objections were received to the planning permit application and can be summarised as follows:
    (a) insufficient car parking (including for residents, shoppers, child care drop-offs/pick-ups, tradespersons and visitors);
    (b) DDA to the development and car parking is required; and
    (c) traffic congestion (including intersection with Victoria Street, loading vehicles currently block River Boulevard and cumulative impacts).

Referrals

95. The application was required to be referred to PTV (now TfV) (clause 66 of the Scheme) under Section 55 of the *Planning and Environment Act* 1987 [**the Act**]. The views of Melbourne Water, Parks Victoria and VicRoads must also be considered as per section 15 of the CDZ1 (clause 37.02, schedule 1).

96. Melbourne Water and Parks Victoria did not object to the application. TfV did not object, however the following comments were received:

    TfV is pleased to provide commentary on the proposed Development Plan provided by SJB Planning. Overall, TfV supports the ideas, principles and direction outlined in the proposal. Development at the site will increase patronage of the public transport facilities on Victoria Street at the front of the site, therefore pedestrian connectivity towards the tram stop at River Boulevard should be considered.

97. VicRoads did not object, but requested the following conditions on any approval:

    1. Prior to the occupation of the building the following roadworks at the intersection of Victoria Street and River Boulevard, Richmond must be completed at no cost to and to the satisfaction of the Roads Corporation:

        a. The modification and relocation of various elements of the intersection of Victoria Street and River Boulevard adjacent to the development, including (but not limited to) any such inclusions or changes to the traffic signal phasing and associated road works.

Notes:

a) Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works may include provision of:
- *Works associated with the new and or modified traffic signal phasing adjacent to the development site,*
- *Signs and associated road works.*
- *Road line marking, kerb and channel.*
- *Appropriate lighting of roadway.*

b) Signage has not been considered as part of this application. VicRoads requests further details to be submitted in due course for its consideration and consent/approval.

c) Separate Consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for all buildings and works (including canopies and projections) undertaken outside the title boundary within a Road Zone Category 1 (Victoria Street). Please contact VicRoads prior to commencing any works.

98. Given the scale of this development, and as Victoria Street is a Road Zone, Category 1, the above conditions should be imposed on any development plan approval.

99. The application was also referred to the following:
(a) Urban Design Consultant (DLA);
(b) Council's Urban Design Unit;
(c) Council's Heritage Advisor;
(d) External Acoustic Consultant (SLR);
(e) Council's Engineering Services Unit;
(f) External Traffic Consultant (Cardno);
(g) Council's ESD Advisor;
(h) Council's Strategic Transport Unit;
(i) Council's Services Contracts Unit;
(j) Wind Consultant (ViPac); and
(k) Council's Open Space Unit.

100. Their advice is contained as appendices to this report.

Assessment

101. This assessment will be broken into the PLN16/1156 application (development plan, pedestrian amenity and access plan, landscape plan, transport plan and management plan) and the PLN17/1143 application (car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme).

Application PLN16/1156 – Development plan, pedestrian amenity and access plan, landscape plan, transport plan and management plan

Strategic policy and the CDZ1

102. In addition to the site being part of a strategic redevelopment site as per clause 21.08 of the Scheme, the relevant purpose of the CDZ1 is:
(a) *To encourage the comprehensive redevelopment of land on the south side of Victoria Street between Burnley Street and the Yarra River, City of Yarra.*
(b) *To ensure that development on the site will complement and enhance the Yarra River environment.*
(c) *To assist redevelopment as a mix of office, retail, entertainment, residential, commercial and ancillary uses.*

(d) *To provide greater public access, in particular for pedestrians and cyclists, to and along the Yarra River bank.*
(e) *To ensure that the land is developed in an orderly and proper manner.*
(f) *To encourage a high standard of urban design.*
(g) *To encourage the provision of active frontages to streetscapes and high quality interfaces with the public realm and internal pedestrian interfaces.*
(h) *To improve pedestrian amenity and safety and enhance connectivity within and to surrounding development.*
(i) *To limit overshadowing affecting the amenity of adjoining land and, in particular, areas of public open space and the Yarra River.*
(j) *To avoid adverse wind conditions in pedestrian areas.*
(k) *To ensure that buildings and works along the Yarra River do not adversely affect drainage or flooding.*

103. The development is over 165m from the Yarra River and would not generally be visible from the river or pedestrian/bicycle paths themselves. The land uses proposed are all as-of-right in the zone and would complement the existing mix of residential, retail and office in the area.

104. Bicycle and pedestrian links will be considered later in this report and subject to conditions, would improve linkages through and around the site.

105. Urban design considerations (including active frontage and interfaces) will be outlined later in this report, along with overshadowing and wind. It is noted that Melbourne Water responded that 'Land and flood level information available at Melbourne Water indicates that the above property is not subject to flooding from a Melbourne Water drain or waterway', confirming that flooding is not an issue at this site.

106. Subject to the conditions contained in this report, the proposal is considered to achieve the relevant objectives of the CDZ1 and would result in orderly planning.

Area of Aboriginal Cultural Heritage Sensitivity

107. The site is within close proximity to the Yarra River and is partially within an area of Aboriginal Cultural Heritage Sensitivity under the Aboriginal Heritage Regulations 2007.

108. The Applicant provided an Aboriginal Heritage Background Review and Implications Report prepared by Andrew Long and Associates, dated 8 February 2016.

109. The report states that both 10 and 20 River Boulevard have been subject to significant ground disturbance (car park at 10 River Boulevard and works for the terraced site at 20 River Boulevard). The report concluded:

This desktop study has determined that no known Aboriginal cultural heritage places will be impacted by the proposed development, and the risk of encountering as an yet unidentified Aboriginal cultural heritage place is negligible given the high degree of prior disturbance.

As such, the Aboriginal Heritage Regulations 2007 do not specify the need for a mandatory CHMP for the activity, as required in Section 46 of the Aboriginal Heritage Act 2006, on the basis that there are no areas of cultural heritage sensitivity, as defined in Section 39 of the Aboriginal Heritage Regulations 2007.

The preparation of a voluntary CHMP is an option, though not recommended in this instance. A voluntary CHMP is entirely at the discretion of the proponent.

Urban design
Context, urban form and character

110. There are general context, urban form and character guidelines offered at clauses 15.01-2 and 22.10 of the Scheme. These aim (amongst others): *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

111. These guidelines will be referenced where relevant throughout this report, however this site is also affected by more specific controls, being the Victoria Street East Precinct Policy (Clause 22.11), the incorporated documents the VGBEPP and the VGUDG. These will be referenced (as relevant) throughout this assessment.

112. Establishing the existing urban character (as required by Standard D1 of Clause 85), the external urban design advice received by Council (David Lock and Associates) included the following detailed summary:

The subject site is a large, vacant landholding comprising a total area of 1.4ha (approx.) located on the southern side of Victoria Street, Richmond, within the broader block bound by the Yarra River (to the east) and Burnley Street (to the west). The site abutted to the west by the Victoria Gardens Shopping Centre ('Victoria Gardens'), has a direct eastern street frontage to River Boulevard, and is dissected by Vickers Drive (which we understand to be a private road). A gentle slope runs NE-SW through the site.

In terms of abuttals, Victoria Gardens is a large commercial 'big box' regionally-significant shopping centre that presents to the public realm with an equivalent four storey commercial envelope. Victoria Gardens interfaces to the subject site with a mix of pedestrian entrances, ramped vehicle accessways and benign retail sideage, noting that the shopping complex sets back approximately 15m from Victoria Street itself. Victoria Street is located directly north of the subject site, which is a 30m (approx.) wide regionally-significant road reserve that forms the spine of the Victoria Street MAC. River Boulevard abuts the subject site for the entirety of the site's eastern interface, which is a 24m wide (approx.) local access cul-de-sac flanked by a mix of existing residential and commercial built form of approximately 4-5 storeys in height. Finally, a four storey commercial complex used for the purpose of 'Bae Systems' is located directly south of the subject site, across a privately-owned east-west public landscape linkage.

In terms of broader context, the subject site's broader area is clearly undergoing transformative built form change in the achievement of a preferred, intensive future character. The magnitude of development occurring in proximity to the subject site is such that the subject site effectively presents as one of the last 'remnant' development sites within the broader Victoria Street East precinct. The intensity of development occurring within proximity of the subject site is juxtaposed by the natural qualities of the Yarra River linear open space corridor, which is located approx. 150m east (and downslope) of the subject site.

113. The next step of the assessment process after the urban context is understood is to then understand the policy objectives that affect the site and area.

114. The site is located within the Victoria Street Activity Centre, where clause 21.08-9 acknowledges that '*The Victoria Gardens development has the capacity to incorporate further residential development'.* This is also supported in State and local policies (clause 11 and 21.04-2), which encourage '…*the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community*'. The site specific CDZ1 also includes the purpose:

To ensure that the combination of uses, their overall density and the scale, character and level of redevelopment are compatible with:

- *The amenity of the surrounding area and the nature of the surrounding uses.*
- *The visible skyline as seen from and along the Yarra River and the River's general environs, and views along Victoria Street and Barkers Road.*
- *The capacity of the existing road system and any proposed modifications to accommodate any increase in traffic.*
- *The capacity of existing essential services and proposed modifications.*

115. The CDZ1, VGUDG, VGBEPP and clause 22.11 provide more specific built form guidance which will be considered (as relevant) throughout this assessment.

Setbacks and building heights

116. The CDZ1 (and incorporated documents) include building height controls for this site. While Standard D14 of Clause 58 and more general urban design policies in the Scheme (including clauses 15.01-2 and 21.05-2) direct that built form respect the character of the area, the CDZ1 is more relevant when considering heights and setbacks of new built form.

117. In particular, the VGUDG (detailed guidelines) directs that '*Tall buildings should be restricted to the northern boundary, at a mid point on the site in accordance with the Building Envelope and Precinct Plan*'. This site abuts the northern boundary, with the tallest (12 storey) sections adjacent to Victoria Street (save for the required RL31 street wall for the first 12m). While the UDF states that building heights should not exceed 10 storeys in this section, that would be when considering an office building with taller floor-to-ceiling heights than dwellings. The following assessment outlines the proposal's compliance with the VGBEPP, albeit subject to minor conditions:

    (a) a maximum street wall of RL31 for a depth of 12m – The plans show a RL31.35 parapet to Victoria Street (and roofline for a depth of over 12m). While this may be considered to be an 'architectural feature', a condition should require the parapet and roofline behind for a minimum depth of 12m to be lowered 350mm to meet the envelope. The plans also show 'relocation of existing sign' above the height control, however this sign is outside title boundaries and a condition should require it's deletion from the plans.

    (b) a maximum RL55 for the next 60m depth – The next section of the development would be RL55, with rooftop plant extending above for a height of 3m. This services projection is permissible under the CDZ1 and is supported in this instance as it is setback from the building edges to ensure it is a recessive form.

    (c) a maximum RL38 for the next 100m – The next 100m long building segment is RL37.75 and complies with the VGBEPP. Again, services extend 3m above the building line. However, this is permitted under section 17 of the CDZ1 and again, the services and screen are setback form the building envelope below to ensure it is a recessive element.

    (d) a maximum RL of 31 for the rear segment of the site – The building does not exceed RL 27.3 at this point, however a shade sail extends above RL31. Reading the clause 72 definitions (albeit not a dwelling), 'domestic services normal to a dwelling' includes shade sails. It is therefore accepted that the shade sail is a 'service' which can be permitted above RL31 under section 17 of the CDZ1. Further, the shade sail is considered to be a lightweight structure, is setback over 8m from the nearest boundary and would therefore not result in unreasonable visual bulk.

118. Compliance with the VGBEPP does not necessarily grant automatic approval of heights or setbacks, however the following assessment will outline why (on balance), the proposal should be supported due to a number of factors, including the site responsive design (off-site amenity and pedestrian amenity) and architectural quality, subject to the conditions contained in this report.

119. The height and setbacks of the proposal from each interface will now be considered in more detail:

    <u>North</u>

120. The proposal incorporates a 5 storey equivalent street wall to Victoria Street, ensuring the pedestrian scale of Victoria Street is reasonably protected. This is also in keeping with the scale of the adjacent shopping complex to the west, as shown in the following perspective:

Application material – perspective looking north-west along Victoria Street.

121. The proposal then extends up to the envisaged RL54.5 at a distance of 12m behind the northern title boundary as per the VGBEPP. At this setback, the 13 storey (RL54.5 towers) would be read as a secondary building element and would not unreasonably dominate Victoria Street. This is also demonstrated in the following perspective, also confirming that the proposal would not unreasonably impact viewlines from the Barkers Road Bridge as per the VGUDG (design element 5).

122. The site is affected by the DDO2, which aims '*To recognise the importance of main roads to the image of the City' and 'To encourage urban design that provides for a high level of community safety and comfort'.*

123. In light of this, the interface to Victoria Street was further supported in the external urban design advice received by Council (David Lock and Associates), which noted:

Significantly, the applicant's architectural resolution of the Development Plan's response to the Precinct Plan's envelope parameters has been skilfully handled. Insofar as the Development Plan relates to Victoria Street, the proposed 'horizontality' of the architectural expression responds to the broad allotment width characteristic of the southern side of Victoria Street in a manner that responds to the primary transient experience of this space at higher speeds by vehicle. Similarly, the proposed upper levels of the Development Plan's Victoria Street interface have been diffused into two distinct tower forms by way of an internal minimum inter-tower separation of 25.9 meters, which – when combined with the juxtaposing of materiality between 'tower' and 'base' y – results in a high quality and visually interesting architectural composition that is suitably responsive to the prominent location of the subject site within the broader Victoria Street streetscape and aspirations of DDO2.

<u>East</u>

124. The proposal incorporates a dynamic range of podium and tower forms to River Boulevard, including part 3, part 8 storey podiums accentuated in vertically patterned concrete finishes in light and dark tones. The towers then project at 13, 6 and 5 storey glass forms above.

View from currently vacant site at 25-35 River Boulevard looking north-west.

View from south-east of the subject site, along River Boulevard looking north-west.

125. This form is quite sophisticated and serves to break up the building vertically and horizontally and provides an appropriate interface to the street from both a pedestrian and amenity perspective (detailed further in the off-site amenity section of this report).

126. The external urban design advice received by Council noted:

As with the Development Plan's proposed interface to Victoria Street, again the architectural resolution of the Development Plan's streetscape interface has been ably handled by way of a well-resolved application of juxtaposing materials (tactile 'light and dark textured concrete finishing' [CF01 and CF02] as well as glazing) to achieve a clear distinction between 'base' and 'upper form'. In particular, the 'framing element' to the eastern (and western) elevations of the Development Plan's Victoria Street streetwall is elegant and simple and of particularly high design quality.

Whilst the resultant visual outcome is generally high quality and well-modulated, further consideration should be given to the sheer extent of concrete materiality proposed for the full height of the southernmost childcare 'nodule' of the Development Plan's proposed River Boulevard as a means of achieving a higher degree of architectural resolution at the southern terminus of River Boulevard. Refer also to the discussion on 'Public Realm Amenity' below.

Subject to this, the Development Plan's propose interface to River Boulevard is appropriate from a character perspective.

127. The south-east corner is generally supported at ground level, however it is agreed that the upper ground level should incorporate additional glazing to reduce the dominance or expanse of concrete at this corner. This should be imposed by way of a condition.

South

128. The proposal is the lowest at the rear where it is adjacent to the 4 storey 'BAE' office building. The proposal would be lower than the BAE office building at this point and is setback approximately 8.5m from this site. With BAE being setback 4m from the shared boundary and a proposed setback of 4.5m, this is considered to be a site responsive and appropriate design response. The proposal also includes a shop at the south-east corner and the childcare and medical lobby area to the south, creating a high level of pedestrian amenity and activity to compliment the entry to the office building.

West

129. The proposal would be generally constructed to the western boundary, with the site enjoying access to easement E-9, being a footway (amongst other service easement rights) further west within the 'shopping centre' site. Again, the plans show a new roof to the west which is not part of the subject site. This should be removed by way of a condition.

130. The height and setback of the proposal would not generally impact the shopping centre to the west, which itself presents predominantly blank walls, car parking areas and loading bays towards the site. However this interface will be considered in greater detail in the off-site amenity/equitable development section of this report.
131. Subject to the conditions contained in this report, the proposal appropriately responds to the physical features and policy context of the site.

Site coverage

132. Clause 22.10-3.6 states that buildings should generally not exceed a site coverage of 80% unless:
    (a) the pattern of site coverage in the immediate area is higher than this figure (as identified in the Site Analysis Plan and Design Response); or
    (b) there is a need to cap the site to deal with contamination.

133. Firstly, the site is partially affected by the EAO (noting that the south-east corner of the site is not affected by the Overlay), however the childcare centre would extend into this segment. Should the development plan be approved, a condition should require the audit be undertaken for the whole site as per the requirements of the CDZ1 (and given the site's industrial history).

134. Secondly, the subject site is in an area dominated by high levels of site coverage. This is due to the shopping centre to the west, the transitioning industrial area to the south-west (Doonside precinct) and the medium/high density office/residential developments east of River Boulevard.

Source: Google maps, with subject site highlighted in yellow.

135. The proposed site coverage (with minor western, southern and eastern boundary setbacks) is supported in this context and provides reasonable amenity and public realm outcomes for the site and area.

The public realm, street and public space quality

136. While not applicable to this application, Standard D5 of Clause 58 (Integration with the street objective) aims to integrate the layout of development with the street, offering passive surveillance opportunities and vehicular and pedestrian links that maintain or enhance local accessibility.

137. The proposal is generally an improvement to existing conditions, activating a vacant/car park site. Council's external urban design advice (David Lock and Associates) recommended the following public realm improvements:
    (a) improving the pedestrian experience of Vickers Drive (e.g. greater details or perspectives of this space with passive wayfinding appropriates); and
    (b) introducing control points or gates to prevent public access into the level 1 communal area and into the western services area adjacent to the northern building segment.

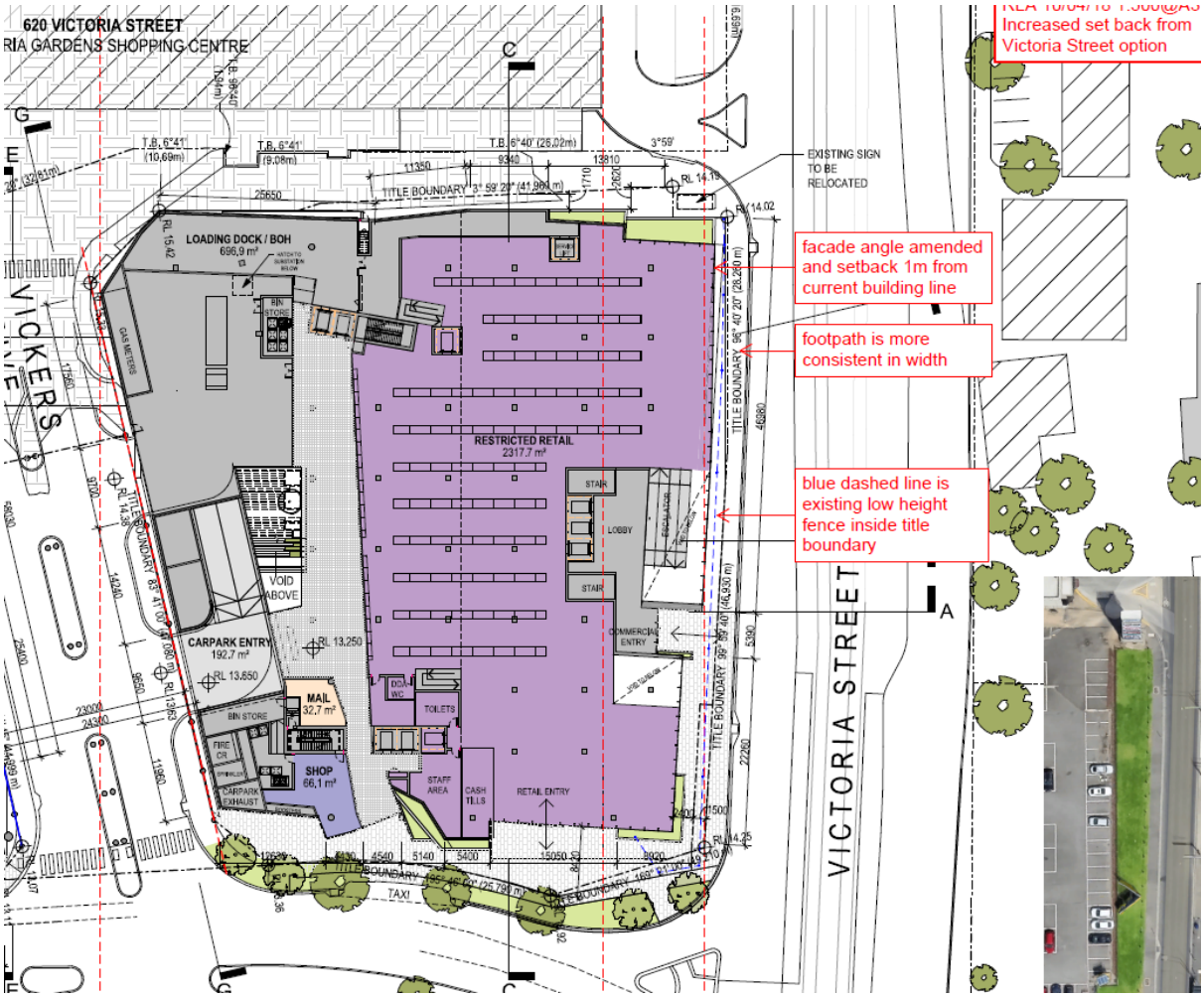
    These items should be addressed by way of conditions, should the development plan be approved. Further, a public art management plan should be required to improve the interface with the street and potentially treat Vickers Drive.

138. The external urban design advice also suggested the following:
    (a) rationalising the shop and childcare centre/medical lobby in the south-east corner of the site; and
    (b) provision of weather protection to Victoria Street and River Boulevard.

139. It is considered that the activation of the southern and south-east corner is site responsive, particularly with the BAE office building to the south. There is no need to rationalise these elements.

140. A condition should also be imposed to add weather protection along the River Boulevard face of the building (some or part) as it would add weather protection to the identified main pedestrian route to the shopping centre.

141. The objections also raised concern with the interface with Victoria Street. The Applicant has responded with a sketch plan setting the building back a further 1m from Victoria Street to widen the footpath.



142. This should be imposed by way of a condition, should the development plan be approved.

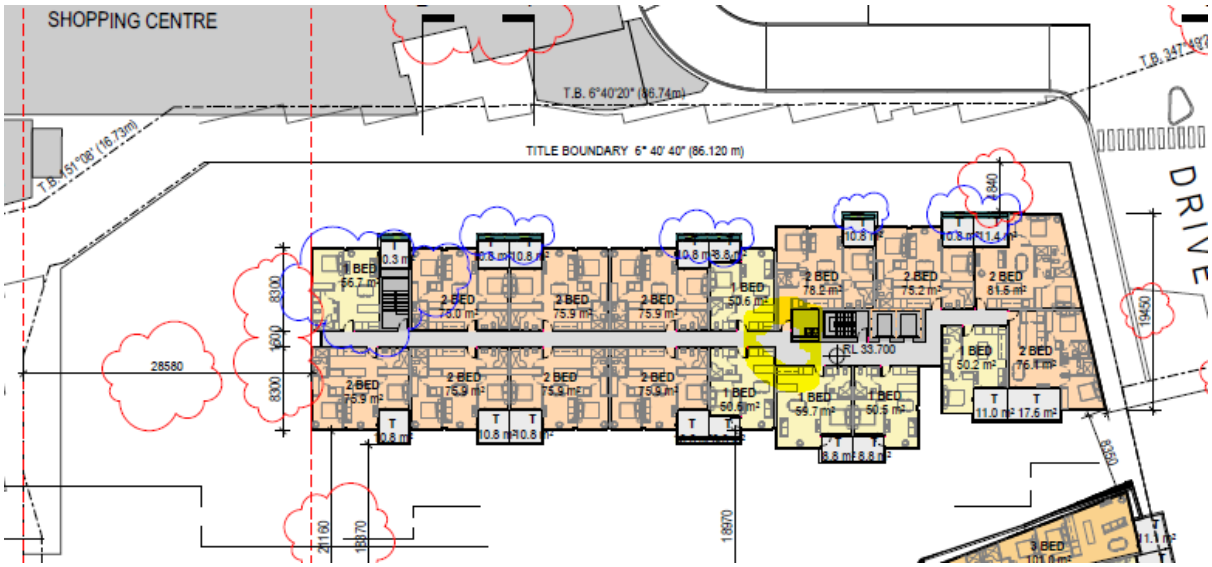
143. The external urban design advice concluded:
…the applicant's approach to 'funelling' pedestrian movements between Victoria Gardens and River Boulevard is logical, the extent of upper public realm activation and passive surveillance to both Victoria Street and River Boulevard is sound, and the extent of public realm Equinox overshadowing is of limited public realm amenity consequence. Importantly, the proposed Development Plan will not unreasonably impact upon the existing qualities and character of the Yarra River Corridor.

Safety and pedestrian spaces

144. As a useful guide, standard D9 of Clause 58 relates to safety and states that it is an objective '*To ensure the layout of development provides for the safety and security of residents and property*'. The VGUDG also aim '*To create high levels of community safety within the site'* and design element 8 is to '*Avoid dark and secluded areas internally and externally.*

Ensure safe and effective pedestrian linkages. Ensure safe environment for entire site. Through the design of buildings, clearly mark entrances to all public building frontages'.

145. While the residential lobbies are of a generous size and do not raise safety concerns, a condition should require the corridors to be a minimum 1.8m wide to ensure that viewlines are provided from the lobby areas through to the residential wings branching to the north and south. That would ensure that these 'kinks' would be opened up (see yellow highlighted area below).



146. Should the development plan be approved, a condition should require details of lighting to ensure there are no unsafe enclaves or passageways, including along the Vickers Drive footpath (discussed further in this report).

147. As already discussed, a condition should also ensure that mechanisms (gates/fences, etc.) are installed to prevent public access of the level 1 communal roof area.

148. Vehicular access and parking locations are also important when considering safety and pedestrian amenity. Standards D11 (Access objective) and D12 (Parking location objectives) are relevant guides.

149. The application meets Standard D11, with approximately 18% of the River Boulevard frontage being vehicular entries/exits (less than 33% of the frontage as per this standard). The car parking areas are also located behind an active skin to River Boulevard and the pedestrian lane to the south or within basement levels, ensuring that the car park areas would not unreasonably impact the amenity of the area by way of noise or appearance.

150. Subject to the conditions contained in this report, the development would result in a reasonable level of safety for residents and visitors to and around the site. Further, a condition should require a Section 173 Agreement (as suggested by Council's Engineering Services Unit) to ensure that all publically assessable footpaths remain open for this purpose, and that the landowner takes out appropriate public liability and indemnity insurance.

Landmarks, views and vistas

151. The VGUDG objectives aim to:
    (a) *Encourage development in keeping with the character and appearance of the area.*
    (b) *The viewline from the Barkers Road "Cutting" to the west should be reasonably maintained.*
    (c) *To ensure views from the north and east across the site are reasonably maintained.*

152. Views from Barkers Road would not be unreasonably ‘cut’ given the proposal has adopted a 5 storey podium to the street, with the tower forms commencing at least 10.5m from the northern boundary.

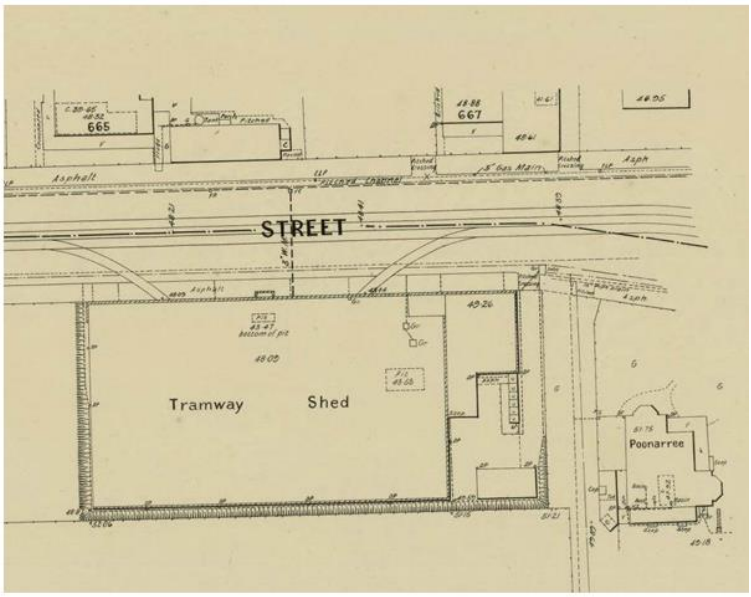
View looking west along Barkers Road from bridge

View taken at 1.7m above NGL

153. The site is also within close proximity to the Skipping Girl sign, an identified landmark sign as per clause 22.03-4 of the Scheme. However, being on the south side of Victoria Street and over 124m from the sign, the proposal is afforded enough separation so as to not unreasonably impact views to the sign from either end of Victoria Street.

Heritage

154. The site is not affected by a Heritage Overlay, however Council’s Heritage Advisor indicated that there was once a cable tram shelter on the car park site.



Extract from MMBW plans (plan 1071 dated 1903).

155. The Applicant then advised that the former cable tram shed site is a listed heritage inventory site with Heritage Victoria (H7922-0469). The landowner will need separate approval from Heritage Victoria before starting works, even though the site is not affected by a Heritage Overlay. No development plan conditions are therefore required to deal with this issue.

Consolidation of sites and empty sites

156. The proposal consolidates 2 lots within the Victoria Gardens complex, however the design response is site responsive and adds to the architectural diversity and complexity of the forms along this section of Victoria Street and River Boulevard.

Light and shade

157. Being on the south side of Victoria Street, the proposal would not impact this footpath. In the afternoon (midday onwards) the proposal would overshadow the western footpath of River Boulevard (this is unavoidable for any development on this site given the site orientation, however the shadows would not reach the eastern footpath until approximately 1pm at the Winter Solstice and 2pm at the September Equinox. These September shadows are considered to offer the most appropriate guidance as they are the mid-point between Summer and Winter. This is also the accepted 'overshadowing' tool when undertaking clause 54 and 55 assessments (albeit not applicable in this instance).

158. This would achieve a reasonable balance of amenity for the public realm, while achieving the intensity or scale of development envisaged on this identified strategic redevelopment site.

Energy and resource efficiency

159. Standards D6 (Energy efficiency objectives) and D13 (Integrated water and stormwater management objectives) offer policy guidance. However, these items will be considered in greater detail in the ESD section of this report.

Architectural quality

160. Strategically, the site is quite important, being a strategic redevelopment site along an Activity Centre and DDO2. Specific to this site, the VGUDG objectives (design element 2) aim:

    To encourage a variety of architectural forms, roofscapes and façade treatments across the site which is reflective of the cultural and architectural diversity of the surrounding area.

161. Detailed guidelines of the VGUDG include:

    Form
    The strategic importance of the corner of Burley and Victoria Streets to be emphasised through design.

    Materials and colour
    Reflective glazing is not encouraged unless it can be demonstrated to the Responsible Authority that reflections will not have a detrimental impact on surrounding properties and existing and proposed built form within the site.

    External wall for residential developments
    To be predominantly masonry or timber construction but other materials may be used to achieve diversity. Where concrete panels are used, these are to have a finish which is complementary with the masonry theme to the satisfaction of the Responsible Authority.

162. While the Guidelines aim to encourage masonry or timber as the primary materials, this site is a transition between the Victoria Gardens Shopping Centre and the finer grained residential/office development further east towards the river. This proposal includes vertically patterned concrete panelling along the podium to transition between the concrete panels of the shopping centre and the fine grain of the masonry residential buildings to the east. This approach is supported in this context. Further, the glazing is a range of clear, grey and dark grey tones. Should the development plan be approved, a condition should require a schedule of colours and materials (ensuring the glazing is not too reflective), including samples.

163. As per the external urban design advice received by Council, it is agreed that the proposal is site responsive and appropriately responds to its context.

Landscape architecture and fencing

164. Standard D10 of Clause 58 (Landscaping objectives) and the VGUDG aim for landscaping themes that respect the character of the area an in the case of the design guidelines ‘*’…encourage appropriate planting themes which soften the impact of the development and create pedestrian friendly environments*’.

165. As per the requirements of section 8 of the CDZ1, the submitted landscape plan will be assessed later in this assessment.

Service infrastructure

166. Standards D4 (Infrastructure objective) and D21 (Site services objectives) give guidance to these items.

167. The site is located within a well-developed and established area of Richmond, with access to services and infrastructure. There is also no information to suggest that the proposal would unreasonably impact the capacity of utility services or infrastructure.

168. The proposal includes service areas on top of each tower, obscured with black metal screens. This is supported from an urban design and noise perspective as it avoids air conditioner units (e.g.) being visible from the public realm and also makes it easier to acoustically attenuate these items (as opposed to air conditioner units being scattered across individual balconies).

Summary

169. Subject to the conditions contained in this report, the proposal would achieve a high quality urban design response to the policy and physical context of the site.

<u>On-site amenity</u>

170. Clause 15.01-2 of the Scheme deals with urban design, with the *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017) being a relevant policy guideline. This policy underpins clause 58, and while clause 58 of the Scheme is not strictly applicable, the relevant Standards of Clause 58 will be referenced throughout this assessment.

Standard D3 – Dwelling diversity objective

171. The development includes a range of dwelling styles and types, with 19% being 1 bedroom, 73.2% being 2 bedroom, 5.4% being 3 bedroom and 2.3% being a duplex/split level style. The objective of this standard is met.

Standard D7 – Communal open space objective

172. Under this Standard, the proposal should include at least 250m² of communal open space. At level 1, the proposal includes a 3,048m² area of communal open space and at level 4 an additional 1000m² is provided with BBQ areas, far exceeding the minimum requirements of this Standard.

173. The central and north-facing dwellings would look into this space (approximately half of all dwellings) and the layout does not bring rise to unreasonable noise concerns. The plans do not clearly show how the level 1 and 4 dwellings would be screened from this space with regard to overlooking, however a condition could be imposed to address this in any development approval. The plans also do not outline the use of the northernmost rooms at level 4, adjacent to the communal space. This should be addressed by way of a condition on any development plan approval.

174. This communal open space would be functional, easily maintained by the owner's corporation and meets the objectives of this Standard.

Standard D8 – Solar access to communal open space objective

175. The primary area of communal open space is on level 1, with a secondary area of 1,000m² at the north site of level 4. The level 1 area would receive at least 770m² of direct sunlight at the winter solstice throughout the day between 9am and 3pm, exceeding the minimum requirements of this standard.

Standard D15 – Internal views objective

176. Limited screening information is shown on the plans, however this could easily be achieved by way of a condition on any development plan approval, ensuring the amenity of new dwellings is of a reasonable standard.

Standard D16 – Noise impacts objectives

177. This standard recommends that dwellings be configured to avoid noise sources and that services and mechanical plants be positioned way from bedrooms of dwellings on and off-site.

178. Firstly, the plans show new plant and equipment on the roof of each tower, not on balconies or directly adjacent to bedrooms.

179. Secondly, the site is not within a noise influence area as per table D3 of Standard D16 (Victoria Street as an average daily traffic volume of 24,000 as per the VicRoads Website).

180. The application material included an acoustic report prepared by Acoustic Logic. Council had this report peer reviewed by SLR, noting the following items should be addressed by way of conditions in any development approval to achieve a reasonable level of amenity on and off-site with regard to noise:
    (a) *SEPP N-1 criteria need to be re-evaluated to ensure the correct criteria are provided for more shielded locations on the site. The presented criteria (and the associated internal SEPP N-1 criteria) are in the order of 2 dBA too high. This will have implications in the mechanical design targets, and in the assessment of existing loading dock / plant equipment noise to the western interface apartments*;
    (b) *Traffic noise should be assessed to the recommended criteria in this report, which are more in line with the current BADs targets. This will have implications on the selected glazing for traffic noise control;*
    (c) *Domestic Noise Guideline Criteria need to be reviewed and must be based on the lowest short term background levels at a shielded / setback location on the site;*
    (d) *Mechanical plant noise assessment from Victoria Gardens – Acoustic Logic should confirm if their site testing from 2016 is still representative of current plant equipment installation and noise emissions;*

(e) *Loading dock noise, if it occurs at night, should also be assessed to sleep disturbance criteria at the future apartments;*

(f) *Noise from any loading dock and gates / doors on the site has not been commented on. There would be a number of apartments overlooking Vickers Drive (and also directly above the loading areas) that could potentially be exposed to this. The report recommends restricted loading access (7am -6pm weekdays and Saturdays, 9am - 6pm Sunday). This is a reasonable amenity protection approach, but must be implemented. Noise from commercial loading docks is strictly required to comply with SEPP N-1;*

(g) *The southern end of the development includes the childcare centre. A rooftop play area is shown within very close proximity to the south most apartments. Noise from outdoor play areas may provide some amenity impact to the nearest residential apartments. This should be assessed. While there are no mandatory requirements for voice noise, appropriate assessment can be provided using SEPP N-1 based targets (or lowest background + 10 dB). Provision of perimeter screening, or upgraded glazing may suffice given the nature of the noise source;*

(h) *The report should recommend that a full detailed acoustical mechanical review be undertaken during the design stage of the development, given the scale and significant sources of noise likely;*

(i) *given the scale of the development, and the risk associated with the Victoria Gardens mechanical plant and loading docks, we would recommend that the permit include a requirement for post construction noise testing to confirm the appropriate internal design targets have been met. We also recommend this approach for the traffic noise façade design.*

181. It is also acknowledged that a development plan/planning permit approval has recently been granted for Ikea, allowing a larger home delivery area and reconfiguring the car park at levels 5 and 6 to improve usage. Should the development plan approved, the acoustic report should also be updated to have regard to this modified configuration, although it is not anticipated this would have a significant impact on this proposal.

182. Subject to conditions as per the above, the proposal would result in reasonable levels of on and off-site amenity with regard to noise.

Standard D17 – Accessibility objective

183. The Applicant's Clause 58 assessment (Attachment 1) notes that all dwellings will meet this standard, however the detailed layout plans (TP11.01-TP11.04) indicate that only some apartments will meet this standard. Nevertheless, acknowledging that clause 58 is not technically applicable, it is accepted that all of the dwellings are of a reasonable size and will meet the objective of Standard D17, being reasonable layouts for people of limited mobility.

Standard D18 – Building entry and circulation objectives

184. The development includes 5 cores, with corridor areas not being too long or difficult to navigate. However, a condition should require a signage plan to direct visitors, tradespersons, etc.

185. The entrance to the cores is via 3 clearly delineated entrances from River Boulevard. These entrances or lobbies are clearly visible from the street and accentuated with double space voids to mark the entry.

186. The dwelling entries and circulation within corridors are generally reasonable, however a condition should require the corridors to be a minimum width of 1.8m, with 2.1m clearances adjacent to lift areas and a minimum 100mm inset for dwelling entry doors.

187. A number of corridors include windows, however not all. This arrangement is however supported given the length of corridors and the complexity of the tower configurations. A condition however, should require any windows to corridors to be operable.

Standard D19 – Private open space objective

188. The typical apartment layout plans confirm that the:
    (a) 1 bedroom dwellings would be provided with minimum 8m² balconies (minimum dimension of 2.7m);
    (b) 2 bedroom dwellings would be provided with minimum 10.5m² balconies (minimum dimension of 3.1m);
    (c) duplexes would be provided with a minimum of 2 x 9.9m² balconies for a total area of 19.8m² (minimum dimension of 2.6m); and
    (d) 3 bedroom dwellings would be provided with minimum 12.6m² balconies (minimum dimension of 3.2m).

189. The layout of these spaces is also functional, with access provided from living areas. The objective of this standard is met.

Standard D20 – Storage objective

190. The requirements of this standard are:

Table D6 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

191. The storage provision is as follows:
    (a) 1 bedroom – 4.6m³ internal and a minimum 6m³ external;
    (b) 2 bedroom – 6.4m³ internal and a minimum 6m³ external; and
    (c) 3 bedroom – 12m³ internal and a minimum 6m³ external.

192. The only areas of non-compliance is with the 1 bedroom internal storage falling shy of the standard by 1.4m³ and the two bedroom internal space by 2.6m³ and the external by 1.6m³. The 1 bedroom apartment sizes are at least 50m², so they are of a reasonable size. While a condition could require the additional storage to be provided, this would then impact dwelling access and layout requirements as per standard D17 (e.g. if the bedroom robes are wider or the kitchen island bench is longer). On balance, the storage provision is considered appropriate and reasonable for the needs of residents. The objective of this standard is met.

Standard D21 – Common property objectives

193. The development clearly delineates public, private and communal open space, with no concerns in terms of maintenance or owner's corporation management. The objective of this standard is met.

Standard D24 – Functional layout objective

194. Plans TP11.01 to TP11.04 do not include dimensions for all bedrooms or living areas, however the Applicant's Clause 58 assessment notes that the development achieves compliance with this Standard. Should the development plan be approved, a condition should be imposed requiring these plans to be updated to demonstrate compliance with this standard.

Standard D25 – Room depth objective

195. All of the 1, 2 and 3 bedroom dwellings (including duplex style townhouses) have a maximum depth of 8m, meeting this standard. However, a condition should be imposed to ensure the ceiling height is at least 2.7m (excluding services above the kitchen).

Standard D26 – Windows objective

196. The layout of the dwellings does not include any borrowed light or light courts to habitable rooms. The dwellings would therefore receive adequate natural daylight as per the objective of this standard.

197. It is also acknowledged that there are a number of internally illuminated and floodlit signs to the west associated with the shopping centre. Should the development plan be approved, a condition should require external, operable screens be provided to the bedroom windows at levels 1-5 (generally inline or below these adjacent signs) to enable occupants to be able to block out these lights at night.

Standard D27 - Natural ventilation objectives

198. The detailed floor plans do not show that all habitable room windows are openable. This should be required by way of a condition, to ensure that adequate cross-ventilation opportunities are provided.

199. Subject to the conditions contained in this report, the proposal would achieve a reasonable level of on-site amenity for future residents.

Off-site amenity/ equitable development

200. This section of the assessment will be primarily guided by the relevant standards within Clause 58 of the Scheme and the VGUDG. Firstly, noise will be considered, along with each interface in turn.

201. In terms of the VGUDG, the objectives include:

    To address potential overlooking from commercial buildings into dwellings

    (Noting the detailed design guidelines refer to the Good design guide – now ResCode).

    To allow sun access into private open spaces of residential dwellings.
    To ensure adequate daylighting and direct sunlight to private open spaces of dwellings, public areas and outdoor commercial areas.
    To maximise opportunities for views from the site, such as the Yarra River Corridor and the city skyline and surrounding areas.

    Noise

202. Standard D16 (Noise impacts objectives) of Clause 58 is twofold, aiming to protect both new dwellings and existing dwellings. As has already been outlined, the application material included an acoustic report, prepared by Acoustic Logic, which Council had peer reviewed by SLR. As already outlined, subject to the conditions contained in this report, the proposal would not unreasonably impact amenity on or off-site for residents.

    West

203. To the west, the main consideration is ensuring the proposed dwellings are reasonably protected from the commercial land uses, plant and equipment and loading bays within the shopping complex to the west.

204. The development would be generally constructed to the western boundary of both lots, with a minimum 6m separation between the proposal and the shopping centre. At level 1, the setback between the shopping centre and the closest dwelling is 14m, ensuring the proposal does not unreasonably impact the equitable development of the shopping centre, while also providing a reasonable level of amenity for the proposed dwellings.

205. There are loading bays within the car park to the west and on level 5 associated with IKEA. These bays deal with deliveries and waste collection. To ensure these commercial tenancies can reasonably operate and the new dwellings enjoy a reasonable level of amenity, this report recommends a modified acoustic report to address these items. Subject to the conditions contained in this report, the proposal would not adversely affect the normal business operations or development potential of the shopping centre to the west.

206. The loading docks within the development (save for the loading bay in the south-west corner) would not unreasonably impact the shopping centre to the south as sufficient space has been provided within these bays for the needs of the development.

North

207. The site is over 41m to the south-west of the nearest dwellings across Victoria Street (being within the Honeywell development). Due to this separation, the proposal does not raise off-site amenity or equitable development concerns at this interface.

East

208. The proposal is over 23.7m west of the dwellings across River Boulevard. This separation ensures the proposal would not create unreasonable overlooking to any habitable room windows or private open space areas across the street.

209. The shadow diagrams provided by the Applicant also demonstrate that at the equinox, the proposal would not overshadow the private open space to the east until after 2pm. Having regard to the planning controls (these dwellings are also within the CDZ1) and the current level of amenity of this open space to the east (the space is not 'private' given the transparent fences fronting River Boulevard), the amenity of these dwellings would not be unreasonably impacted by the proposal.

210. Considering noise, as outlined throughout this report, subject to conditions, the proposal would not unreasonably impact the amenity of the dwellings to the east. Conditions recommended relate to plant and equipment and the proposed loading bays.

South

211. The development is setback over 8.7m from the office building to the south and only presents a 4 storey form adjacent to this building. Given the orientation of this building, the extensive glazing and it's use, the proposed height and setback opposite the BAE office building would not unreasonably impact the amenity of the office or future development potential of this site.

Summary

212. To summarise, the external urban design advice received by Council noted:

> The subject site does not have any direct abuttals to residential developments, or properties located within a residential zone. Whilst a number of residential building are located to the east of the subject site across River Boulevard, all are sufficiently well separated by way of the road network with respect to overlooking, overshadowing and visual bulk commensurate with reasonable amenity expectations for CDZ-zoned properties in identified future change areas.

With respect to equitable development, we are not of the opinion that any of the subject site's abutting properties are likely future development site's given their existing built form condition relative to the maximum mandatory building heights of the CDZ1 and underpinning precinct plan. In any event, any proposed residential use that is reliant on an abutting property for primary amenity is sufficiently set back from an equitable development perspective.

Wind

213. The Applicant provided a wind report, prepared by MEL Consultants, dated April 2017, which included wind tunnel testing of a 1:400 model. Council had the report peer reviewed by Vipac. The only issue raised was that the MEL Consultants report did not review the ground level (including entrances). However, Vipac reviewed the plans and available data and found that the walking comfort criterion would be fulfilled for the entrances.

214. Vipac agreed with the Mel Consultants report that the proposal would not adversely affect wind conditions around the site.

Environmentally sustainable design [**ESD**]

215. The Applicant provided a Sustainable Management Plan, prepared by Norman, Disney and Young dated 12 September 2017. Specifically, the following commitments have been made:
    (a) average 6.5 Star (minimum) NatHERS ratings for dwellings;
    (b) non-residential areas to be 15% improvement on NCC energy efficiency standards for thermal performance and a 5% improvement on glazing allocations for each level, or a 10% improvement via JV3 modelling;
    (c) a MUSIC model demonstrating best practice has been submitted that relies on ~9,978m2 of roof connected to 60,000 litres of rainwater storage for landscape irrigation and toilet flushing. Overflow to be filtered through a propriety filtering device;
    (d) access to ventilation is good to most dwellings. Single sided dwellings have reasonable access to natural ventilation. Non-residential areas to have mechanical air-flow rates at least 50% above the AS1668 requirements;
    (e) good daylight access good to most dwellings;
    (f) reverse-cycle split systems (minimum 3 Star) and a centralised VRF system with heat recovery. Energy efficient non-residential HVAC below NCC requirements;
    (g) energy efficient hot water and lighting;
    (h) water efficient fixtures and taps; and
    (i) electric vehicle charging facilities provided.

216. Council's ESD advisor raised the following issues with the application/outstanding items:

    There are large areas of glazing exposed to summer sun angles and very high levels of summer solar heat gain. Recommend additional external shading systems on all exposed east, west and north facing facades to reduce cooling loads and improve thermal comfort. Please provide sample NatHERS ratings for dwellings and demonstrate that cooling loads do not exceed the 30MJ/m2 threshold.

217. To minimise energy usage and improve occupant comfort, the above should be required by way of a condition on any approval. The Applicant's ESD Consultant agreed that this could be addressed, with modified glazing and/or the addition of curtain walls to some wall segments to achieve the 30MJ/m2 threshold.

218. In relation to stormwater management:

    The site area and lot boundaries in the Stormwater Management Plan do not match the architectural drawings and omit a large component of the connecting podium area. The Stormwater Management Plan describes all roof runoff from both sections of the building connecting to a common rainwater tank on Lot 9C (southern), but the architectural drawings show rainwater tank in basements of both areas. Toilet flushing is proposed but it not clear where the toilets are located, how many toilets will be connected and what the annual demand will be. This is fundamental for understanding the effectiveness of the stormwater management system proposed. Under-utilised rainwater tanks will constantly overflow.

219. A condition should require the stormwater management plan to accurately reflect the architectural drawings, include all areas to collect stormwater and clearly detail re-use (including which toilets, how many and what the actual demand will be).

220. Council's ESD officer found:
The carpark exhaust is located in the common area podium garden. Recommend that the carpark exhaust is relocated away from the common area garden and is filtered to remove carpark pollutants.

221. Officers could not see this detail on the plan. Further, the Applicant's ESD consultant confirmed that the car park exhaust does not extend into the garden.

222. In relation to bicycle parking, the comments included:
278 secure bicycle parking spaces on ground floor and carparking levels for staff, residents and an additional 44 spaces for visitors. Recommend increasing the number of residential, staff and visitor bike spaces to 426 for residents, plus spaces for staff, plus visitor bike parking spaces.
Ensure that adequate end of trip facilities are provided to support cyclist riding to work.

223. These issues will be addressed further in the strategic transport section of this assessment.

Please provide sample NatHERS ratings for dwellings and demonstrate that cooling loads do not exceed the 30MJ/m2 threshold. Ensure that glazing VLT is no less than 0.6% as used in the daylight modelling.
Please provide a completed JV3 model or DTS Section J report prior to occupancy demonstrating non-residential energy efficiency standards have been met.

224. This should be required by way of conditions, to ensure that targets can be achieved.

It appears on the detailed dwelling plans that some bedrooms do not have operable windows. Ensure that all habitable rooms have an operable window to facilitate natural ventilation.

225. This should be addressed by way of a condition on any approval to ensure adequate ventilation is provided.

A solar PV array(s) of unknown size and capacity to contribute to onsite electricity consumption. Please provide more details regarding the solar PV array, including approximately size and location and contribution to electricity consumption.
Please indicate the number of location of electric vehicle charging infrastructure.

226. This information should be required by way of conditions on any approval.

227. The following additional items were also recommended:

Consider a clear commitment to the 6.8 Star average NatHERS standard, as recommended in the SMP.
Consider providing composting for organic residential waste.

228. The Applicant's ESD consultant indicated that 6.8 stars are targeted to ensure that through the construction process the minimum commitment of 6.5 stars is achieved. This is considered reasonable.

229. Further, the Applicant's ESD consultant raised maintenance issues with a large scale organic compost system. It is agreed that this could lead to amenity and management issues and should not be conditioned.

230. Subject to the conditions outlined in this report, the development would achieve a reasonable level of energy and water efficiency as per clauses 22.16 and 22.17 of the Scheme.

<u>Strategic transport</u>

Bicycle parking provision

231. It has been identified that the visitor/shopper provision does not meet the clause 52.34 rate, however the application has not sought a waiver. In any event, Council's Strategic Transport Unit have requested a minimum 107 visitor spaces due to the following:
    (a) the best practice office rate is 1 visitor space per 500m² (requiring 8 in this instance);
    (b) the best practice residential visitor rate is 0.25 spaces per dwelling (requiring 107 spaces in this instance);
    (c) the statutory rate for the remaining uses is 22 spaces; and
    (d) given residential visitors would likely compliment the other uses peak demand, a total of 107 is likely to meet the best-practice demand.

232. While the employee residential rate meets the clause 52.34 requirements, a 366 space car parking reduction is sought. Further, the BESS guidelines suggest a best practice rate of 1 bicycle parking space per dwelling. As the employee and residential demand is likely to complement each other, Council's Strategic Transport Unit suggested that at least 426 resident/employee bicycle parking spaces should be provided. This should be imposed by way of a permit condition. In addition, Council's Strategic Transport Unit suggested that at least 6 change room /shower facilities be provided to meet anticipated demand.

233. While Council's Strategic Transport Unit generally support the design and layout of the bicycle parking spaces, the following should be addressed by way of conditions on ay approval:
    (a) *Walkways and storage area dimensions to demonstrate compliance with Australian Standard AS2890.3;*
    (b) *At least 20% of bicycle spaces within each floor, to each basement provided as horizontal rails as per the requirements of AS2890.3.*
    (c) *All additional spaces (as required above) located between Basement Levels 2 and Ground Floor.*

234. Council's Strategic Transport Unit also suggest that at a minimum, a minimum 40A single phase electrical sub circuit be installed in the basement to encourage electric car charging. This should be imposed by way of a condition on any approval. Further, a condition should be imposed requiring a detailed green travel plan outlining the following (noting a brief plan was provided in the traffic report):
    (a) a description of the location in the context of alternative modes of transport;
    (b) employee and resident welcome packs (e.g. provision of Myki/transport ticketing);
    (c) the provision of real time passenger information displays for nearby stops within each lobby;
    (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
    (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
    (f) details of bicycle parking and bicycle routes;
    (g) details of GTP funding and management responsibilities;
    (h) security arrangements to access the employee bicycle storage spaces; and
    (i) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
    (j) Reference to a minimum 40A single phase electrical sub circuit should be installed to the basement levels for 'EV readiness'; and
    (k) provisions for the Green Travel Plan to be updated not less than every 5 years.

Safety

235. The following issues should be addressed by way of conditions on any development plan approval:

(a) the plans show a taxi-rank on the west side of River Boulevard, however the plans fail to show a bicycle lane also on the west side of River Boulevard. Council's Strategic Transport Unit have requested that to avoid taxi/bicycle conflict that the taxi rank be relocated further south. A condition should also be imposed to correctly show the bicycle lane on the west side of River Boulevard;
(b) the 'loading bay' along River Boulevard should only be used as a 'kiss and drive' bay for cars and not encouraged for use by trucks due to potential conflict with cyclists;
(c) the entry door to the 94 space bicycle storage room repositioned closer to River Boulevard (the door is currently setback);
(d) River Boulevard bicycle parking spaces spread apart further along the footpath (not in 2 large bays or blocks);
(e) Deletion of the landscaping area west of the Vickers Drive footpath, with a pedestrian link from River Boulevard to the shopping centre; and
(f) Deletion of the loading bay in the south-west corner of the site due to potential pedestrian and cyclist conflicts.

236. Subject to the conditions contained in this report, the proposed bicycle parking layout and provision is supported.

Car park layout and access

237. The car park layout is generally supported, subject to the following conditions as recommended by Council's Engineering Services Unit and in the external traffic advice received by Council:
(a) provision of sightline triangles for the exit lane of the entrance onto Vickers Drive and on the north side of the River Boulevard entrance, or provision of a CCTV monitor to view pedestrians walking along the relevant footpath areas;
(b) headroom clearances dimensioned;
(c) all columns within car parking areas shown, with depths and setbacks as per clause 52.06;
(d) clearances to walls and blind aisle extensions dimensioned on plans;
(e) lengths of the ramp grades for the internal ramps in the north building dimensioned;
(f) deletion of the indented loading bay on the west side of River Boulevard (safety issue) and replacement with a short-stay car parking space/drop off bay;
(g) deletion of the indented taxi rank on the west side of River Boulevard (too close to the intersection with Victoria Street); and
(h) the height clearance above Vickers Drive dimensioned and at least 4.8m.

Development plan

238. The section 6 decision guidelines of the CDZ1 have been used throughout this assessment as a guide to assess the development plan. However a condition should also be imposed on any approval granted to ensure that any inconsistencies between the development plans and landscape plans including bicycle parking locations, pedestrian crossings and footpaths and loading bay locations are addressed.

Pedestrian amenity and access plan

239. Section 7 of the CDZ1 refers to a pedestrian amenity and access plan

For a development plan that proposes use or development of land for office or retail purposes, no new buildings and works may be constructed until a detailed pedestrian amenity and access plan has been prepared to the satisfaction of the responsible authority. The pedestrian access and amenity plan must demonstrate, as relevant, how the use and development of the land will:

- *Contribute to improving the amenity and public safety of pedestrian spaces and the public realm*
- *Activate internal and external frontages*
- *Improve pedestrian access to public transport facilities*

- *Improve pedestrian permeability within the site, to the river environs and enhance connectivity to other redevelopment precincts surrounding Victoria Gardens*

240. The plan is generally sufficient, with key pedestrian links already provided through and around the site. However, should the plan be approved, additional details of the pedestrian link through Vickers Drive must be provided, along with wayfinding signage and lighting. Although the Applicant is trying to divert the main pedestrian link through the main retail entry further south, pedestrians may still be inclined to enter the existing shopping centre at the ground level through Vickers Drive.

241. A condition should also require details of the pedestrian, cyclist and vehicular link delineation as per page 4 of the Town Planning Submission/landscape plan to be included on the pedestrian amenity and access plan.

Landscape plan

242. Section 8 of the CDZ1 states that '*No new buildings and works may be constructed until a detailed landscape plan has been prepared to the satisfaction of the responsible authority*'. The CDZ1 then outlines a range of requirements, which will be used to guide this section of the assessment.

243. The Applicant's landscape plan (prepared by Rothe Lowman and Aspect Studios) outlines their overall design response as '*…tessellated landscape terraces to building facades and entry stairs that integrates the landscape with the architectural built form*'.

244. A total of 15 trees would be removed from the site and 4 palms will be re-used (where possible).

245. At street level along River Boulevard, street trees are proposed along with a bluestone unit paving treatment. Within the site, a granite unit paving would delineate public and semi-public/private spaces. The footpaths to Victoria Street and along Vickers Drive would be a brushed concrete.

246. At level 1, the podium would be heavily landscaped, with terraces extending down and linking to River Boulevard at the ground level. This area includes a number of bench seats and breakout areas for residents. The plans do not show how the podium would be secured for residents only, which should be addressed by way of a condition on any approval.

247. This landscaping approach is generally considered appropriate as the site is setback from the river and offers a transition between the Yarra River (with the residential and office developments between) and the shopping centre. As per the VGUDG the landscaping proposed would activate the ground level interfaces and would positively contribute to the amenity and safety of pedestrian spaces. The podium landscaping treatment also provides an appropriate transition between the Yarra River and the shopping centre.

248. Council's Open Space Unit have also reviewed the landscape plan and generally support the proposal subject to the following conditions:

    (a) River Boulevard street tree planting should be consistent with the dominant native species in the street [Rose Gum (*Angophora costata*)] and/or local indigenous trees that enhance urban biodiversity values .i.e. Yellow Box (*Eucalyptus Melliodora*) and Melbourne Yellow Gum (*Eucalyptus leucoxylon ssp. connata*). London Plane trees are not supported for any new tree planting;
    (b) *Eucalyptus leucoxylon megalocarpa* 'Elite' (Large Fruited Yellow Gum) should be replaced with the local indigenous Melbourne Yellow Gum (*Eucalyptus leucoxylon ssp. connata*);
    (c) River Boulevard street tree planting must be regularly spaced;
    (d) no trees in the small outstand at the Victoria Street intersection;

(e) landscape plans must show all street lights, poles, gas metres, public infrastructure, etc. with confirmation that planting would not impact this infrastructure;
(f) the correct number of median street trees in the northern most section, with no additional trees in this section due to a street light pole and a pedestrian link;
(g) deletion of the proposed River Boulevard taxi rank (too close to existing street trees);
(h) low planting areas closer to Victoria Street (maintaining pedestrian, cyclist and vheiclar safety);
(i) new tree at the western end of the southern pedestrian link as a palm to match the adjacent species;
(j) the provision of small footpath trees along the Victoria Street frontage. Native trees such as Water Gum (*Tristaniopsis laurina* 'Luscious') are preferable due to the proximity of the Yarra River;
(k) provision of a Tree Protection Management Plan (TMP), including:
    (i) a non-destructive exploratory root excavation for all street trees along the west boundary of the current carpark area; and
    (ii) consideration of the canopies of trees along River Blvd.
(l) the removal of the one juvenile Council tree at the south western end of River Boulevard is supported subject to the applicant covering reinstatement costs;
(m) the species list must include accurate names and mature heights/spreads;
(n) water systems utilising on-site water must be shown and detail ongoing maintenance requirements; and
(o) tree planting spaces need to be defined to provide accurate soils areas, volumes and if planting spaces are planned to extend below hard landscape areas.

249. It is also noted that the following trees which may require a local law permit for removal:
    (a) one (1) London Plane tree in the Vickers Drive centre median;
    (b) three (3) Poplars located in the south west corner; and
    (c) the palms at the southern end of the site.
    This requirement should be conveyed to the applicant in the form of a notation should development approval be granted.

250. Council's Open Space Unit also raised issue with overshadowing of the level 1 communal open space area. However, the following areas are free of shadow throughout the day, even at the Winter Solstice:
    (a) 11am, 770m²;
    (b) midday, 1510m²; and
    (c) 1pm, 960m².
    This report has already outlined that the solar access to open space objective of Clause 58 is already met by this proposal, albeit this clause is not technically applicable.

251. Council's Open Space Unit also raised concern for light availability to the remaining palms on the south boundary (north of the neighbouring site) and the Pyrus on the west boundary (east of the neighbouring property). Should the landscape plan be approved a tree management plan should also be required by way of a condition.

252. Subject to the conditions contained in this report, the landscape plan is satisfactory.

Transport plan

253. The application material included a transport impact assessment, prepared by GTA Consultants dated 19/12/17. This is to be read in conjunction with the development plans, which also show car park access, layout and provision.

254. With reference to Section 15 of the CDZ1 and as per the requirements of Section 9, the following must be shown (as appropriate), noting that VicRoads responded with no objection to the transport plan (or development plan):

Proposed traffic management and traffic control works considered necessary in adjoining and nearby roads when the development or any stage is completed.

255. There are no changes proposed to the signalisation of River Boulevard and Victoria Street, noting these works occurred when the shopping centre was originally developed.

256. The Applicant's peak traffic generation rates (extracted from the GTA report) are also 178 and 245 in the weekday AM/PM peaks and 199 in the Saturday midday peak hour.
257. The Applicant's traffic report also considered the cumulative impact of recently approved developments at 607-627 Victoria Street, 647-649 Victoria Street and 25-35 River Boulevard. Council's Engineering Services Unit supported the analysis that the post-development modelling indicate that the intersection of River Boulevard and Victoria Street would continue to operate satisfactorily, however concern was raised with the proposed Victoria/Burnley Street intersection works and the impact on this development. (It is proposed to remove the west bound left turn lane). VicRoads have since responded that they have no objection to the application, but have requested the Applicant to undertake the Burnley/Victoria Street works as already required by the 647-649 Victoria Street development (noting this is the same developer). The signalisation works are noted as possibly impacting vehicular movements into and out of River Boulevard and therefore there is a nexus with this development.

Means of vehicular ingress to and egress from the site.

258. Vehicular egress/ingress would be provided via River Boulevard, Vickers Drive, the lane to the west (loading bay only) and through the basement 1, northern car park to the shopping centre car park.

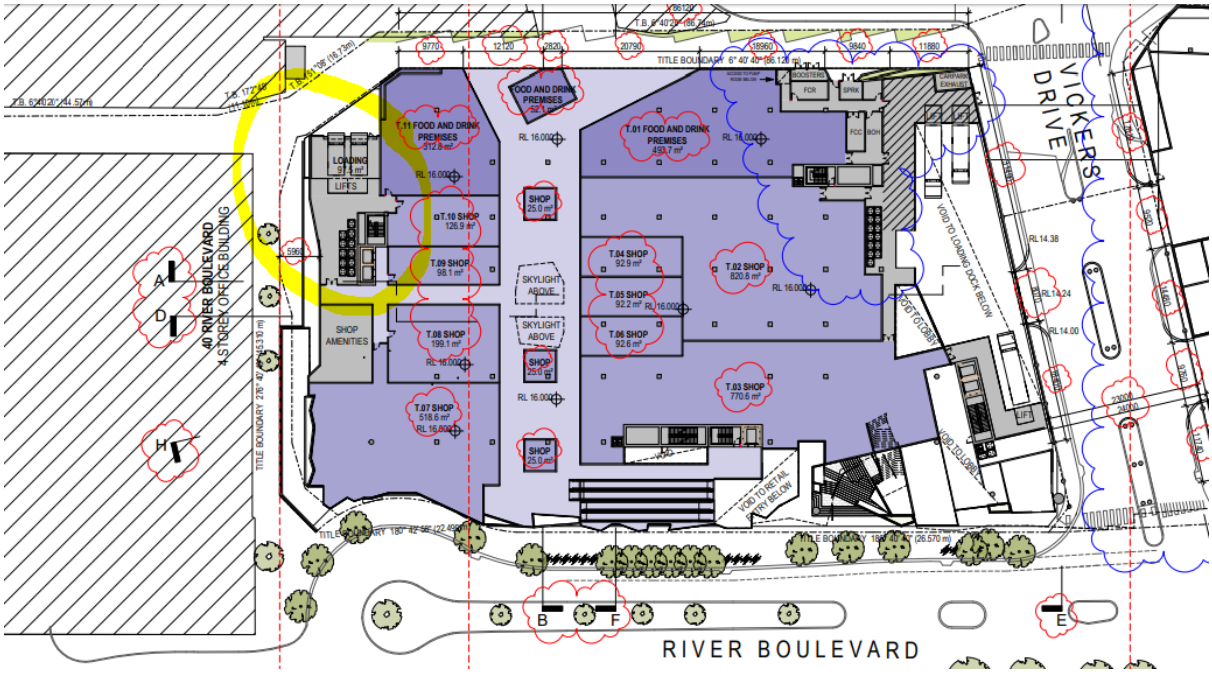
259. Council's Engineering Services Unit raised no major issue with the car park access or layout, subject to the conditions contained in this report.
The arrangements for internal access and movement including details of internal access roads.

260. There are no new internal access roads proposed (Vickers Drive and River Boulevard already exist).

The timing of the proposed traffic works relative to the staging of the development under the development plan.

261. Significant traffic works are not required as a result of this development.
Preferred locations for loading and unloading facilities

262. As has been outlined in the strategic transport section of this report, the loading bay in the south-west corner of the site may unreasonably impact the amenity of this area for pedestrians and cyclists.



263. With loading docks under each building segment along Vickers Drive, this loading bay should be deleted due to safety concerns. There are 2 other, larger viable alternative loading bays for the commercial tenancies within the development.

264. Car parking numbers, location and allocation will be assessed in the following assessment against planning permit application PLN17/1143.
Public transport arrangements and access routes and means of integration with public transport.

265. The proposal (measured from the childcare centre at the southern end of the site) is 190m from the nearest tram stop. The GTA report acknowledges that the service is 'high frequency', however a number of objectors noted that the trams are often full.

266. The application was referred to PTV under Clause 66 of the Scheme, so they are aware of the ongoing development within this area. The provision of tram services cannot be controlled at the local government level. PTV noted that pedestrian connectivity towards the tram stop at River Boulevard be considered, however the western River Boulevard footpath is already linked to the tram stop via a zebra crossing and signalised crossing over Victoria Street.

Source: Google maps – River Boulevard looking north

Pedestrian access and movement network

267. Page 6 of the GTA report outlines existing pedestrian access and movement network. A number of urban design, engineering and strategic transport items have been outlined throughout this report and can be improved by way of conditions (including cyclist/pedestrian safety).

Bicycle paths and their connection to the existing bicycle network

268. Pages 8 and 9 of the GTA report cover this matter. Issues with the bicycle parking layout and access within and around the site have been addressed throughout this report.
Proposed sustainable travel initiatives, including estimated mode share targets and actions to encourage use of public transport and non-motorised travel.

269. The mode share targets and sustainable transport initiatives are outlined on pages 10 and 11 of this report. The targets are for greater than existing Yarra mode shares for cycling and public transport (being a 3% and 15% mode share increase respectively). This is supported in the development plan, with a number of bicycle parking spaces being provided (albeit additional are recommended as per this report) and given the site's accessibility to public transport services. These mode share targets were supported in the external engineering advice received by Council.

270. While a traffic/parking issue, the development plan approval should also be subject to the conditions recommend in this report to ensure the layout and access to the car parking areas is efficient and meets relevant standards (be it the Scheme or Australian Standards).

Management plan

271. Section 10 of the CDZ1 refers to the requirement to provide a management plan addressing:
    (a) *General amenity provisions.*
    (b) *Set out proposals for the permanent management and maintenance of public areas. If the land is to be developed in stages, detail the management of the vacant land at each stage.*
    (c) *Operation matters applying to the operation of the retail, entertainment and office components.*
    (d) *The maintenance of undeveloped land on the site.*
    (e) *The operation of waste collection.*
    (f) *Litter management.*

272. The Applicant submitted a management plan (and separate waste management plan), however a number of conditions must be imposed to ensure it satisfactorily addresses the requirements of this clause:
    (a) the plan must correctly refer to the site as 10-20 River Boulevard;
    (b) the plan must incorporate the details of the WMP prepared by Leigh Design and dated 16 October 2017, but modified to include a medical waste plan;
    (c) correctly identify that the River Boulevard footpath is a private road (not Council responsibility);
    (d) details of the car park payment system;
    (e) details as to how loading/deliveries will be managed; and
    (f) details as to how residential loading (deliveries and people moving in and out) will be managed.

Submitter concerns

pedestrian and cyclist safety (including due to traffic, insufficient footpaths and impact on the Walmer Street bridge) and connectivity to the neighbourhood;

273. The application has been referred to Council's Engineering Services Unit, Council's Sustainable Transport Unit and also to an external traffic consultant (Cardno). The application has been assessed in terms of pedestrian, cyclist and vehicular safety and is supported subject to the conditions contained in this report.
off-site amenity (including noise, pollution, overlooking, overshadowing [including winter]);

274. Off-site amenity has been addressed at paragraphs 200-212.
dwelling density is too high (including impact on infrastructure, services and public transport and considering the residential approval at 25-35 River Boulevard);

275. The site has been earmarked for intensive residential development (being within the Comprehensive Development Zone) with a building envelope generally as per the application (subject to the conditions outlined in this report). There is no information to suggest that the application would unreasonably load existing infrastructure. Further, TfV have been referred this application and are aware of the residential growth in this area when considering additional tram services.
urban design and architectural quality (building is too high, street wall height, insufficient setbacks);

276. Urban design is considered throughout paragraphs 110-131.
impact on the heritage of Richmond;

277. The site is not within a Heritage Overlay, however heritage matters are assessed at paragraphs 154-155.
too many uses are proposed;

278. All of the uses proposed are section 1, as-of-right uses in the CDZ1.
insufficient landscaping/green space;

279. The proposal offers sufficient landscaping within this context, as outlined at paragraphs 242-252.
this site should provide a land contribution to public open space;

280. Addressed at paragraph 81.
inconsistent with the purpose of the zone;

281. This assessment is primarily framed around the purpose of the zone and it's relevant decision guidelines.
on-site amenity does not comply with clause 58 (including sunlight, use of rainwater, internal storage, dwelling diversity and hard waste);

282. While clause 58 is strictly not applicable, the relevant standards have been referenced throughout this report.
impact on wildlife; and

283. The site is not affected by any environmental or landscape overlays. Further, the site is over 180m from the Yarra River, not bringing rise to any wildlife impact concerns.
confusion as to the development plan process.

284. There was confusion from one objector as to why the development plan was being considered (in their view, as the development plan has not been approved, then a planning permit is required for buildings and works). However, application PLN16/1156 is for approval of the development plan, which if approved, would mean that the buildings and works do not require a planning permit under the Zone.

Other matters

285. Section 13 of the CDZ1 states that:

Before a sensitive use commences or before a building is constructed for a sensitive use and before works are constructed or carried out in association with a sensitive use, to comply with Ministerial Direction 1, the following must be complied with:

- *A Certificate of environment audit must be issued for the land in accordance with Section IXD of the Environment Protection Act 1970; or*
- *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Section IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*

Definitions
In this Schedule, a "sensitive use" means a residential use, a child care centre, a pre-school, a primary school or public open space.

286. While this is not a permit requirement under the scheme, this requirement should be conveyed to the permit holder in the form of a condition on any development approval.

287. Section 15 of the CDZ1 also outlines decision guidelines relating to Land Subject to Inundation and Environmental Significance, heritage character and native vegetation. However, the site is not within a Land Subject to Inundation Overlay or Environmental Significance Overlay, is not affected by a Heritage Overlay and no native vegetation is proposed to be removed. These guidelines are therefore of no relevance to this application.

Planning Permit Application PLN17/1143 – Car parking reduction associated with dwellings, retail, food and drinks premises, office, restricted retail premises, childcare centre and medical centre under Clause 52.06-3 and Section 18 of Clause 37.02, Schedule 1 of the Yarra Planning Scheme.

Car parking, traffic and loading

288. Section 15 of the CDZ outlines the following relevant decision guidelines to the car parking reduction:

General

- *The purposes of the zone*
- *Any views on the traffic plan by VicRoads.*

Traffic and Transport

- *The location of any proposed off street parking area.*
- *Points of access to and from the land and whether they are suitably located.*
- *The layout of car parking areas and accessways to them.*
- *The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood.*
- *The provision of adequate loading facilities.*
- *The provision of safe and efficient pedestrian and cyclist movement to, from and on the land and adjoining roads.*
- *Strategies for encouraging sustainable travel, including use of public transport and non-motorised travel.*

289. Under section 18 of the CDZ1, the following decision guidelines apply (as relevant):
    (a) *The likely demand for car parking spaces.*
    (b) *The extent to which the various uses of the land are likely to generate different levels of demand for car parking at different times.*
    (c) *The possible multi-use of car spaces.*
    (d) *The demand for car spaces generated by the uses established in previous stages of the development.*
    (e) *The accessibility of the site to vehicle traffic.*
    (f) *The proposed layout of parking areas.*

150. Clause 52.06-7 also outlines the following (as relevant):
Car parking demand assessment:
(a) *The variation of car parking demand likely to be generated by the proposed use over time.*
(b) *The short-stay and long-stay car parking demand likely to be generated by the proposed use.*
(c) *The availability of public transport in the locality of the land.*
(d) *The convenience of pedestrian and cyclist access to the land.*
(e) *The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.*
(f) *The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.*
(g) *Any empirical assessment or case study.*

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:
(a) *The Car Parking Demand Assessment.*
(b) *Any relevant local planning policy or incorporated plan.*
(c) *The availability of alternative car parking in the locality of the land, including:*
  (i) *Efficiencies gained from the consolidation of shared car parking spaces.*
  (ii) *Public car parks intended to serve the land.*
  (iii) *On street parking in non residential zones.*
  (iv) *Streets in residential zones specifically managed for non-residential parking.*
(d) *Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.*
(e) *The future growth and development of any nearby activity centre.*
(f) *Any car parking deficiency associated with the existing use of the land.*
(g) *Local traffic management in the locality of the land.*
(h) *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
(i) *The need to create safe, functional and attractive parking areas.*
(j) *Access to or provision of alternative transport modes to and from the land.*
(k) *The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.*
(l) *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*
(m) *Any other relevant consideration.*

290. The VGUDG also offer the following at design element 6:

Car Park Access and Treatment
Objectives:
- *Shared provision of car parking spaces is encouraged, where possible to minimise areas of parking;*
- *To ensure adequate landscaping of ground level car parking areas;*
- *To ensure that the appearance, location and entrances to on site car parking do not detrimentally affect streetscape amenity;*
- *To minimise pedestrian/vehicle conflict.*

291. Detailed guidelines are provided and call for access from Victoria Street to take into account any need for traffic signalisation (there are now traffic lights at the intersection of Victoria Street and River Boulevard) and that pedestrian footpaths be at least 1m wide through large car parking areas.

292. Again, this application is seeking a 319 car parking space reduction associated with dwellings, a 23 car space restricted retail reduction, provides a 63 space office surplus, a 140 space food and drinks premises reduction, an 11 car space childcare centre reduction and meets the medical centre requirements.

293. Having regard to the relevant decision guidelines, the car parking reduction is supported as follows:

(a) dwelling – The Applicant's traffic report (prepared by GTA) referred to ABS census data as empirical evidence from 2006, 2011 and 2016. These rates are 0.75 space per 1 bedroom dwelling, 1.04 spaces per 2 bedroom dwelling and 1.49 spaces per 3 bedroom dwelling. These rates are significantly lower than the CDZ1 rate of 1.5 spaces per dwelling. Having regard to the bicycle parking provision, access to public transport and these empirical rates, both the Council Engineering Services Unit and External Traffic advice received by Council support the 0.75 space parking rate proposed as part of this application;

(b) residential visitor – The CDZ1 does not specify a requirement for residential visitors. The Applicant's traffic report has applied an empirical rate of 0.04 car parking spaces per dwelling, based on surveys of similar developments in inner-city locations. Notwithstanding this, residents would be required to use car parking within the Victoria Gardens Shopping Centre car park. Both the Council Engineering Services Unit and External Traffic advice received by Council accept that the residential visitor car parking can be accommodated within the Victoria Gardens Shopping complex. Especially considering the site's access to public transport, walking and cycling accessibility. Multi-purpose trips are also highly likely given the services in the immediate vicinity;

(c) restricted retail – The application is seeking a 26 space parking reduction for the restricted retail premises, with 84 spaces being provided on-site. This is supported given the site's accessibility to public transport, walking and cycling options. Further, Council's Engineering Services Unit and external traffic advice (Cardno) support the car parking provision for this use;

(d) office – The application is proposing a parking rate of 1.99 spaces per 100m² of nett office floor area. While 2.5 spaces per 100m² is outlined as the car parking rate in the CDZ1, this is supported again given the site's accessibility to public transport, walking and cycling options. Both the internal and external traffic advice supported this provision. Further, Council's Engineers have cited at least 3 examples in the surrounding area (within Richmond and Cremorne) with rates of 0.88-0.96 spaces per 100m² of parking being approved. In addition, Cardno's site inspection revealed that the lot 10 at-grade car park (for which car parking is to be provided for the office development within the Fenix building to the east of River Boulevard) is currently underutilised (9.30am on a typical weekday). The Cardno advice was that staff in these areas are highly likely to choose alternative transport options, as is encouraged in clause 18 and 21.06 of the Scheme;

(e) food and drinks premises and shop – A 140 space car parking reduction is sought for these uses, with 95 spaces being provided. The Applicant's traffic report included a car parking demand survey of the existing Victoria Gardens Shopping Centre. The survey was undertaken on a Saturday between 9am and 7pm. The peak car parking occupancy was found to be 62% at 3pm, indicating a car parking demand of 3 spaces per 100m² of new floor area. This rate would then generate a demand of 127 spaces for this application based on the food and drinks premises and shop floor area. With 140 spaces being provided, the application is expected to meet the empirical parking demands. This rate was also supported in the internal and external traffic advice received by Council;

(f) child care centre – With 11 car parking spaces allocated to the child care centre, an 11 space reduction is sought. It is noted that some material refers to 120 child care spaces where the traffic report relies on 100 child care spaces. A condition should confirm this. Council's Engineering Services Unit support this provision, noting that a child care centre on Swan Street was approved with a parking rate of 0.134 spaces per child.

The external advice received by Cardno also supported this provision if the childcare parking spaces were allocated to residential visitors and retail customers outside childcare hours. A car park management plan should be imposed by way of a permit condition to manage the sharing of parking spaces to ensure their efficient use; and

(g) medical centre – The medical centre provision meets the clause 52.06 car parking requirements and is supported.

294. In light of the above, the proposed car parking provision will:
(a) not adversely impact the economic viability of the Victoria Street Activity Centre;
(b) not adversely affect the future growth or development of the Activity Centre;
(c) as outlined throughout this report, the proposal would not adversely affect traffic conditions in the area;
(d) subject to conditions contained in this report, not adversely affect the pedestrian amenity of the area;
(e) not unreasonably impact the character of the area with parking being provided in basement levels.

295. Based on the above and subject to the conditions contained in this report, the car parking reduction sought under the CDZ and clause 52.06 is supported.

Objector concerns

insufficient car parking (including for residents, shoppers, child care drop-offs/pick-ups, tradespersons and visitors)

296. This has been assessed throughout paragraph 293.
DDA to the development and car parking is required

297. Should the development plan be approved, the relevant building surveyor would need to consider DDA requirements.
traffic congestion (including intersection with Victoria Street, loading vehicles currently block River Boulevard and cumulative impacts).

298. Assessed at paragraphs 255-257.

Conclusions

299. PLN16/1156 - The proposed development plan, subject to conditions outlined in the recommendation below, is an acceptable planning outcome that demonstrates compliance with the relevant Council policies. Based on the above report, the proposal complies with the relevant Planning Scheme provisions and planning policy and is therefore supported

300. PLN17/1143 – The proposed planning permit application for a reduction in parking is also an acceptable planning outcome with regard to relevant planning policies and is supported subject to the conditions contained in this report.

RECOMMENDATION – Development plan application PLN16/1156

That development plan application PLN16/1156 for 10 and 20 River Boulevard, Richmond for the Development plan, Pedestrian amenity and access plan, Landscape plan, Transport plan and Management plan under sections 6, 7, 8, 9 and 10 of the Comprehensive Development Zone, Schedule 1) to allow for the construction of buildings and works be approved subject to conditions:

1. Prior to the endorsement of the development plan, an amended acoustic report must be submitted to the satisfaction of the Responsible Authority. The report must be prepared by a suitably qualified consultant and be generally as per the Acoustic Logic report dated 19/09/2017, but modified to show/address:

(a) hours of deliveries/loading bay use;
(b) SEPP N-1 criteria re-evaluated to ensure the correct criteria are provided for more shielded locations on the site. The presented criteria (and the associated internal SEPP N-1 criteria) are in the order of 2 dBA too high. This will have implications in the mechanical design targets, and in the assessment of existing loading dock / plant equipment noise to the western interface apartments;
(c) Traffic noise assessed to the recommended criteria in this report, which are more in line with the current clause 85 targets. This will have implications on the selected glazing for traffic noise control;
(d) Domestic Noise Guideline Criteria need to be reviewed and must be based on the lowest short term background levels at a shielded / setback location on the site;
(e) confirmation if the mechanical plant noise assessment from the Victoria Gardens shopping centre (undertaken by Acoustic Logic) is still representative of current plant equipment installation and noise emissions;
(f) loading dock noise, if it occurs at night, assessed to sleep disturbance criteria at the future apartments;
(g) Noise from any loading dock and gates / doors on the site has not been commented on. There would be a number of apartments overlooking Vickers Drive (and also directly above the loading areas) that could potentially be exposed to this. The report recommends restricted loading access (7am -6pm weekdays and Saturdays, 9am -6pm Sunday). This is a reasonable amenity protection approach, but must be implemented. Noise from commercial loading docks must comply with SEPP N-1;
(h) An assessment of the impact of the open childcare centre area on the southern end of the apartments with regard to SEPP N-1 based targets (or lowest background + 10 dB). Provision of perimeter screening, or upgraded glazing may suffice given the nature of the noise source;
(i) a commitment to a full detailed acoustical mechanical review during the design stage of the development, given the scale and significant sources of noise likely;
(j) a commitment to post construction noise testing to confirm that targeted noise levels are achieved;
(k) consideration of the recently approved amendment to the IKEA home delivery area on the proposed dwellings.

2. Prior to the endorsement of the development plan, an amended Sustainability Management Plan must be submitted to the satisfaction of the Responsible Authority. The report must be prepared by a suitably qualified consultant and be generally as per the Norman Disney and Young report dated 12 September 2017, but modified to show/address:
(a) commitments further confirmed in NDY memo dated 11 April 2018;
(b) sample NatHERS ratings for dwellings, demonstrating that cooling loads do not exceed the 30MJ/m2 threshold. Glazing VLT must be no less than 0.6% in daylight modelling;
(c) details of the solar PV array size and capacity to contribute to onsite electricity consumption;
(d) the number of location of electric vehicle charging infrastructure.

3. Prior to the endorsement of the development plan, an amended Stormwater Management Plan must be submitted to the satisfaction of the Responsible Authority. The report must be prepared by a suitably qualified consultant and be generally as per the Bonacci report dated May 2017, but modified to:
(a) reflect the architectural drawings;
(b) include all areas to collect stormwater; and
(c) detail re-use (including which toilets, how many and what the actual demand will be).

4. Prior to the commencement of the development, an amended development plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the development plan will be endorsed and will then form part of this permit. The development plan must be drawn to scale with dimensions, and three copies must be provided. The development plan must be generally in accordance with the decision plans but modified to show:

(a) a maximum street wall of RL31 for a depth of 12m;
(b) the correct location of bicycle lanes within River Boulevard;
(c) a maximum of 100 children within the child care centre (not 120 as shown);
(d) deletion of reference to works outside the site (including 'relocation of existing sign' and 'new roof' to the west);
(e) weather protection to part or all of the River Boulevard façade;
(f) confirmation the food and drinks premises do not include hotel or tavern uses;
(g) an improved pedestrian experience along Vickers Drive, with the southern footpath prioritised for pedestrians, including lighting, wayfinding signage and public art to activate this space;
(h) control points/gates to prevent public access into the level 1 communal area and into the ground level western services area (adjacent to the northern building segment);
(i) a minimum additional 1m northern setback (as shown on the sketch plan received by Council on 4 May 2018);
(j) residential corridors a minimum 1.8m wide, with residential lift lobbies being a minimum 2.1m wide and dwelling entry doors recessed a further minimum 100mm;
(k) windows to corridors must be operable;
(l) all habitable rooms with at least one operable window;
(m) a schedule of colours and materials, including samples. The schedule must confirm limited reflectivity of glazing;
(n) internal overlooking screening treatments between habitable room windows/balconies/communal open space areas within a 9m radius and 45 degree arc;
(o) additional glazing to the south-east corner of the building to activate this area;
(p) the use of the level 4, northernmost rooms (south of the communal open space area);
(q) the following minimum dimensions for each dwelling:
    (i) main bedroom – minimum 3m wide and 3.4m deep;
    (ii) all other bedrooms – minimum 3m wide and 3m deep;
    (iii) 1 bedroom living area – minimum 3.3m wide and 10m²; and
    (iv) 2+ bedroom living area – minimum 3.6m wide and 12m².
(r) minimum ceiling heights of at least 2.7m (excluding services above the kitchen);
(s) wayfinding signage (in particular for visitors, customers and tradespersons, etc.) to both the commercial and residential components of the development;
(t) external, operable screens to the bedroom windows at levels 1-5 or internal blinds/screens to enable occupants to be able to block out illuminated signs associated with the shopping centre at night;
(u) a minimum of 426 resident/employee bicycle parking spaces;
(v) a minimum of 6 shower/change room facilities for cyclists;
(w) walkways and storage area dimensions to demonstrate compliance with Australian Standard AS2890.3;
(x) at least 20% of bicycle spaces within each floor, to each basement provided as horizontal rails as per the requirements of AS2890.3;
(y) any vertical wall-mounted racks with an offset of at least 500mm;
(z) all additional bicycle parking spaces (as required in these conditions) located between Basement Levels 2 and Ground Floor;
(aa) at least 30% of all residential cars able to be connected to electric car charging;
(bb) the taxi rank be deleted or relocated further south along River Boulevard to avoid taxi/bicycle conflict;
(cc) cross-sections and treatments of the southern footpath to relate to the office building footpath further south;
(dd) confirmation the steps to level 1 meet the relevant Australian Standards;
(ee) footpaths along Victoria Street and River Boulevard as asphalt or otherwise to the satisfaction of the Responsible Authority;
(ff) the 'loading bay' along River Boulevard only used as a 'kiss and drive' bay (not used by trucks);
(gg) the entry door to the 94 space bicycle storage room repositioned closer to River Boulevard (the door is currently setback);
(hh) River Boulevard bicycle parking spaces spread apart further along the footpath (not in 2 large bays or blocks);

(ii) bicycle parking signage as per clause 52.34-5 of the Yarra Planning Scheme;
(jj) deletion of the landscaping area west of the Vickers Drive footpath, with a pedestrian link from River Boulevard to the shopping centre;
(kk) deletion of the loading bay in the south-west corner of the site;
(ll) turning circles for vehicles using the left turn lane into the car park;
(mm) a minimum 300mm offset between car parking spaces L 10-B2-006 and L 10-B2-008;
(nn) a green travel plan, outlining:
    (i) a description of the location in the context of alternative modes of transport;
    (ii) employee and resident welcome packs (e.g. provision of Myki/transport ticketing);
    (iii) the provision of real time passenger information displays for nearby stops within each lobby;
    (iv) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
    (v) a designated 'manager' or 'champion' responsible for coordination and implementation;
    (vi) details of bicycle parking and bicycle routes;
    (vii) details of GTP funding and management responsibilities;
    (viii) security arrangements to access the employee bicycle storage spaces; and
    (ix) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
    (x) Reference to a minimum 40A single phase electrical sub circuit should be installed to the basement levels for 'EV readiness'; and
    (xi) provisions for the Green Travel Plan to be updated not less than every 5 years.
    (oo) a public lighting plan including:
    (i) a lighting scheme designed for both public highway and new open public area/road/open space within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1;
    (ii) the control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997," Control of the obtrusive effects of outdoor lighting";
    (iii) the locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
    (iv) lighting to all primary pedestrian access points to a residential property to satisfy at least level P4 as per AS 1158.3.1;
    (v) a maintenance regime for the lighting scheme within the curtilage of the property; and

    (vi) the use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission, if possible.
(pp) provision of sightline triangles for the exit lane of the entrance onto Vickers Drive and on the north side of the River Boulevard entrance, or provision of a CCTV monitor to view pedestrians walking along the relevant footpath areas;
(qq) headroom clearances dimensioned;
(rr) all columns within car parking areas shown, with depths and setbacks as per clause 52.06;
(ss) clearances to walls and blind aisle extensions dimensioned on plans;
(tt) lengths of the ramp grades for the internal ramps in the north building dimensioned;
(uu) deletion of the indented loading bay on the west side of River Boulevard and replacement with a short-stay car parking space/drop off bay;
(vv) the height clearance above Vickers Drive dimensioned and at least 4.8m;
(ww) a notation confirming that loading and unloading may only be undertaken on the site between 7.00am and 6.00pm weekdays and Saturdays and between 9.00am and 6.00pm Sundays;
(xx) all commitments and amendments to the plans as per the Acoustic report (condition 1), ESD report (condition 2), stormwater management plan (condition 3) and submitted wind report; and

(yy) all changes to the landscape, pedestrian amenity and access plan, including bicycle parking locations, location of pedestrian crossings, footpaths, loading bay locations as per the above conditions.

5. 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;
      (viii) the construction program;
   (i) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
   (j) parking facilities for construction workers;
   (k) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
   (l) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
   (m) 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;
   (n) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

   If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.
   (o) 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
   (p) any site-specific requirements.

6. 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.

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

8. Before the building is occupied, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
(a) the location of the artwork (to be consistent with the endorsed development plans);
(b) outline of methodology for commission;
(c) details of the commissioned artist(s);
(d) description of art work, including:
(e) materials;
(f) colours;
(g) dimensions;
(h) conceptual and site context rationale;
(i) special features (for example lighting);
(j) details of the installation process;
(k) details of art work maintenance schedule and ongoing ownership/caretaker details; and
(l) attribution plans (e.g. signage or plaque)

9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

10. Before the development commences, either:
(a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
(b) An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

11. If, pursuant to condition 10, a Statement is issued:
(a) the
(i) use; and
(ii) development,
authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
(b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (**development pre-commencement conditions**);
(c) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (**use pre-commencement conditions**);

(d) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
(e) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;
(f) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act* 1987 (**Agreement**). The Agreement must:
    (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
    (ii) be executed before the sensitive use for which the land is being developed commences; and
(g) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

12. Prior to the occupation of the dwellings, a completed JV3 model or DTS Section J report must be provided demonstrating non-residential energy efficiency standards have been met.

13. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

14. 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.

15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided within the property boundary. Lighting must be:
    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,
    to the satisfaction of the Responsible Authority.

16. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

17. Before the 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.

18. As part of the ongoing consultant team, Rothe Lowman Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
    (a) oversee design and construction of the development; and

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

19. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

20. 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.

21. The amenity of the area must not be detrimentally affected by the use or development, including through:
    (a) the transport of materials, goods or commodities to or from land;
    (b) the appearance of any buildings, works or materials;
    (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
    (d) the presence of vermin.
    to the satisfaction of the Responsible Authority.

22. The use and/or development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

23. The use and/or development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

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

26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

27. 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.

28. Before the buildings 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) treated with an all-weather seal or some other durable surface; and
    (d) line-marked or provided with some adequate means of showing the car parking spaces.
    to the satisfaction of the Responsible Authority.

29. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's River Boulevard, Vickers Drive and Victoria Street road frontages must be reconstructed to Council's satisfaction and at the landowners cost.

30. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath along the property's River Boulevard, Vickers Drive and Victoria Street road frontages must be reconstructed to Council's satisfaction and at the landowners cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.

31. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the vehicle crossings servicing the development's entrances on the north side of Vickers Drive and the west side of River Boulevard must be constructed to Council's satisfaction. Materials to be used must comply with Council's *Infrastructure Road Materials Policy*. The vehicle crossings must satisfy the vehicle ground clearance requirements for the B99 design vehicle.

32. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the northbound carriageway of River Boulevard, from the south end to the intersection with Victoria Street must be profiled (grind the top layer of asphalt, up to a depth of 50 mm) and re-sheeted to Council's satisfaction and at the landowners cost.

33. All redundant vehicle crossings within and surrounding the site must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.

34. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external public lighting capable of illuminating footpaths, pedestrian walkways and dwelling entrances must be provided. Lighting must be:
    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,
    to the satisfaction of the Responsible Authority by way of a Public Lighting Plan.

35. 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.

36. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

37. Before the development is occupied, the owner (or another person in anticipation of becoming the owner) must enter into an amended agreement with the Responsible Authority under section 173 of the *Planning and Environment Act* 1987, providing for the following:
    (a) The Owner must provide unfettered 24 hour public access over those parts of the land to be used for the widened Victoria Street, modified River Boulevard, new Vickers Drive and new south boundary link footpaths;
    (b) Until such time as such the land is vested in the Yarra City Council, the owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 37(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
    (c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 37(a).

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

VicRoads Condition

38. Prior to the occupation of the building the following roadworks at the intersection of Victoria Street and River Boulevard, Richmond must be completed at no cost to and to the satisfaction of the Roads Corporation:
    (a) The modification and relocation of various elements of the intersection of Victoria Street and River Boulevard adjacent to the development, including (but not limited to) any such inclusions or changes to the traffic signal phasing and associated road works.

Pedestrian amenity and access plan

39. Before the development commences, an amended Pedestrian Amenity and Access Plan 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) additional details of the pedestrian link through Vickers Drive, including wayfinding signage and lighting;
    (b) details of the pedestrian, cyclist and vehicular link delineation as per page 4 of the Town Planning Submission/landscape plan; and
    (c) details generally as per the development plan (i.e. the plans must correlate).

Landscape plan

40. 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 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) deletion of the proposed planter bed at the western end of Vickers Drive to enable a pedestrian link to the shopping centre to the west;
    (b) materials of the footpath to the west adjacent to the Victoria Gardens Shopping centre as per Council Standard Drawing YSD416;
    (c) details as to how the level 1 podium would be secured for residents only;
    (d) the River Boulevard street tree planting consistent with the dominant native species in the street [Rose Gum (*Angophora costata*)] and/or local indigenous trees that enhance urban biodiversity values .i.e. Yellow Box (*Eucalyptus Melliodora*) and Melbourne Yellow Gum (*Eucalyptus leucoxylon ssp. connata*). London Plane trees are not supported for any new tree planting;
    (e) *Eucalyptus leucoxylon megalocarpa* 'Elite' (Large Fruited Yellow Gum) should be replaced with the local indigenous Melbourne Yellow Gum (*Eucalyptus leucoxylon ssp. connata*);
    (f) The River Boulevard street tree planting regularly spaced;
    (g) no trees in the small outstand at the Victoria Street intersection;
    (h) all street lights, poles, gas metres, public infrastructure, etc. with confirmation that planting would not impact this infrastructure;
    (i) the correct number of median street trees in the northern most section, with no additional trees in this section due to a street light pole and a pedestrian link;
    (j) deletion or relocation of the proposed River Boulevard taxi rank further south;
    (k) low planting areas closer to Victoria Street (maintaining pedestrian, cyclist and vehicular safety);

(l) the new tree at the western end of the southern pedestrian link as a palm to match the adjacent species;
(m) the provision of small footpath trees along the Victoria Street frontage. Native trees such as Water Gum (*Tristaniopsis laurina* 'Luscious') are preferable due to the proximity of the Yarra River;
(n) provision of a Tree Management Plan (TMP), including:
  (i) a non-destructive exploratory root excavation for all street trees along the west boundary of the current carpark area;
  (ii) consideration of the canopies of trees along River Blvd; and
  (iii) consideration of the potential impact on the Pyrus on the west boundary (east of the neighbouring property).
(o) a notation confirming the landowner will pay for reinstatement costs associated with the removal of the one juvenile Council tree at the south western end of River Boulevard;
(p) the species list must include accurate names and mature heights/spreads;
(q) water systems utilising on-site water must be shown and detail ongoing maintenance requirements;
(r) tree planting spaces need to be defined to provide accurate soils areas, volumes and if planting spaces are planned to extend below hard landscape areas; and
(s) details generally as per the development plan (i.e. the plans must correlate).

Transport plan

41. Before the development commences, an amended Transport Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Transport Plan will be endorsed and will then form part of this permit. The plan must be drawn to scale with dimensions, and three copies must be provided. The plan must be generally in accordance with the plan prepared by GTA but modified to show:
  (a) the number and location of car parking spaces allocated to each tenancy;
  (b) any tandem parking spaces allocated to a single tenancy;
  (c) the number and location of car spaces for shared use, including time of shared use;
  (d) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
  (e) details of way-finding, cleaning and security of end of trip bicycle facilities;
  (f) policing arrangements and formal agreements (e.g. ticketing systems);
  (g) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
  (h) management of the ticketed parking system;
  (i) security systems (e.g. boom gates, intercoms for residential visitors, etc) for entries/exits into/out of the car park areas;
  (j) a traffic safety audit (addressing loading dock and crossover interfaces with footpaths). This must be undertaken in accordance with the guidelines set out in Austroads *Guide to Road Safety Part 6: Road Safety Audits*.;
  (k) additional information to support the queuing analysis at section 8.7, including cycle time and phase-specific details; and
  (l) details generally as per the development plan (i.e. the plans must correlate).

Management plan

42. Before the development commences, an amended Management Plan 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:
  (a) Show the plan correctly referring to the site as 10-20 River Boulevard;
  (b) incorporate the details/recommendations of the WMP prepared by Leigh Design and dated 16 October 2017, but further modified to include a medical waste plan;

(c) correctly identify that the River Boulevard footpath is a private road (not Council responsibility);
(d) include details of the car park payment system;
(e) include details as to how loading/deliveries will be managed; and
(f) include details as to how residential loading (deliveries and people moving in and out) will be managed.

NOTES:

The following trees which may require a local law permit for removal:
(a) one (1) London Plane tree in the Vickers Drive centre median;
(b) three (3) Poplars located in the south west corner; and
(c) the palms at the southern end of the site.

Please contact Council's Compliance Branch on 9205 5166 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

These premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

These premises will be required to comply with the Public Health and Wellbeing Act 2008. The use must not commence until registration has been granted by Council's Health Protection Unit.

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

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

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easements.

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

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

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

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 landowner 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.

VicRoads NOTES:

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works may include provision of:

(a) Works associated with the new and or modified traffic signal phasing adjacent to the development site,
(b) Signs and associated road works.
(c) Road line marking, kerb and channel.
(d) Appropriate lighting of roadway.

Signage has not been considered as part of this application. VicRoads requests further details to be submitted in due course for its consideration and consent/approval.

Separate Consent will be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for all buildings and works (including canopies and projections) undertaken outside the title boundary within a Road Zone Category 1 (Victoria Street). Please contact VicRoads prior to commencing any works.

RECOMMENDATION – Planning permit PLN17/1143

That a Notice of Decision to Grant a Permit (PLN17/1143) for 10 and 20 River Boulevard, Richmond be approved a reduction in parking subject to the following conditions:

1. The floor area / childcare centre numbers / number of people providing health services as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

2. No more than 282 seats are to be provided in association with the food and drinks premises at any one time.

3. No more than 100 children are permitted to be in the child care centre at any one time.

4. No more than 8 medical centre practitioners are permitted to operate from the land at any one time.

5. This permit will expire if the use is not commenced within three years from 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.

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

CONTACT OFFICER: **Sarah Thomas**
TITLE: **Principal Planner and Advocate**
TEL: **9205 5046**

Attachments

1 Advertising Plans & Perspectives
2 Internal urban design advice
3 Acoustic peer review (SLR)
4 Engineering comments
5 ESD advice
6 Strategic Transport Comments
7 Wind peer review (Vipac)
8 Open space advice
9 External urban design advice
10 Council Heritage Advice (extract of emails)
11 External traffic review (Cardno)
12 Services Contract Unit advice

Attachment 1 - Advertising Plans & Perspectives

LEVEL	GFA (Excluding Terrace)	GFA Parking	NSA Residential	Residential Amenities	NLA Shops	NLA Food & Drink	NLA Restricted Retail	NLA Childcare	NLA Medical	NLA Office	Circulation & Services	Terrace POS	1 Bed	2 Bed	3 Bed	Duplex	Totals
BASEMENT 4	3728.1 m²	2665.9 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	1062.3 m²	0.0 m²	0	0	0	0	0
BASEMENT 3	5011.8 m²	4131.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	880.9 m²	0.0 m²	0	0	0	0	0
BASEMENT 2	11944.6 m²	9584.9 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	2359.6 m²	0.0 m²	0	0	0	0	0
BASEMENT 1	12103.3 m²	7520.8 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	2381.3 m²	0.0 m²	0.0 m²	0.0 m²	2201.2 m²	0.0 m²	0	0	0	0	0
GROUND	10766.7 m²	3647.8 m²	0.0 m²	0.0 m²	482.6 m²	0.0 m²	2330.8 m²	0.0 m²	0.0 m²	0.0 m²	4305.6 m²	0.0 m²	0	0	0	0	0
UPPER GROUND	6865.2 m²	0.0 m²	0.0 m²	0.0 m²	2886.8 m²	858.6 m²	801.7 m²	0.0 m²	0.0 m²	0.0 m²	2318.1 m²	0.0 m²	0	0	0	0	0
LEVEL 1	7655.0 m²	0.0 m²	3991.0 m²	590.7 m²	0.0 m²	0.0 m²	0.0 m²	363.2 m²	221.7 m²	1307.8 m²	1180.6 m²	1271.9 m²	13	38	1	0	52
LEVEL 2	7217.8 m²	0.0 m²	4113.3 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	364.1 m²	329.4 m²	1308.5 m²	1102.5 m²	603.8 m²	9	42	1	10	62
LEVEL 3	6484.6 m²	0.0 m²	4111.7 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	13.3 m²	0.0 m²	1308.5 m²	1051.1 m²	1656.5 m²	9	41	2	0	52
LEVEL 4	5287.0 m²	0.0 m²	4078.7 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	1208.3 m²	692.2 m²	12	41	3	0	56
LEVEL 5	5221.5 m²	0.0 m²	4369.8 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	851.7 m²	671.8 m²	14	42	4	0	60
LEVEL 6	2109.2 m²	0.0 m²	1788.1 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	321.1 m²	255.0 m²	4	18	2	0	24
LEVEL 7	2107.4 m²	0.0 m²	1786.3 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	321.1 m²	254.9 m²	4	18	2	0	24
LEVEL 8	2107.3 m²	0.0 m²	1786.2 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	321.1 m²	254.9 m²	4	18	2	0	24
LEVEL 9	2109.6 m²	0.0 m²	1788.5 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	321.1 m²	255.2 m²	4	18	2	0	24
LEVEL 10	2109.8 m²	0.0 m²	1788.7 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	321.1 m²	254.9 m²	4	18	2	0	24
LEVEL 11	2109.5 m²	0.0 m²	1788.4 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	321.1 m²	255.2 m²	4	18	2	0	24
	94938.4 m²	27550.4 m²	31390.8 m²	590.7 m²	3369.3 m²	858.6 m²	5513.8 m²	740.6 m²	551.1 m²	3924.8 m²	20448.4 m²	6426.1 m²	81	312	23	10	426

*For preliminary feasibility purposes. Areas are not to be used for purpose of lease or sale agreements. Layouts may not comply with building regulations or other regulatory requirements. The information contained in this schedule is believed to be correct at the time of printing. Areas are generally measured in accordance with the Property Council of Australia Method of Measurement.

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APARTMENT MIX				
1 Bed	2 Bed	3 Bed	Duplex	Total
19.0%	73.2%	5.4%	2.3%	100%

Lot 9C Parking/Storage

Level	Car Spaces: Residential	Leased (Ex. Permit)	Restricted Retail	Shops (incl. Food & Drink)	Medical	Child Care	Total	Bicycle Parks	Stores
BASEMENT 2	134	45	0	0	0	0	179	0	123
BASEMENT 1	0	116	0	30	26	0	172	0	0
GROUND	0	0	0	65	0	11	76	(Change / Shower facility) 162	57
	134	161	0	95	26	11	427	162	180

Accessible Communal Open Space	
Level	Area
LEVEL 1	3048.6 m²
LEVEL 4	999.9 m²
TOTAL AREA	4048.4 m²

Lot 10B Parking/Storage

Level	Car Spaces: Residential	Leased (Ex. Permit)	Restricted Retail	Shops (incl. Food & Drink)	Office	Total	Bicycle Parks	Stores
BASEMENT 1 NORTH	0	0	26	0	0	26	(Change / Shower facility) 135	0
BASEMENT 2 NORTH	3	0	58	0	62	123	(Change / Shower facility) 49	0
BASEMENT 3	110	0	0	0	13	123	0	86
BASEMENT 4	76	0	0	0	0	76	0	135
LEVEL 1 NORTH	0	0	0	0	0	0	0	9
LEVEL 2 NORTH	0	0	0	0	0	0	0	9
LEVEL 3 NORTH	0	0	0	0	0	0	0	9
	189	0	84	0	75	348	184	248

Total Parking/Storage (Lot 9C & 10B)

Level	Car Spaces: Residential	Leased (Ex. Permit)	Restricted Retail	Shops (incl. Food & Drink)	Medical	Child Care	Office	Total	Bicycle Parks	Stores
	323	161	84	95	26	11	75	775	346	428

Revisions		By
	15.12.16 TOWN PLANNING ISSUE	
A	04.12.17 RESPONSE TO RFI	

RESPONSE TO RFI DATED 9TH JANUARY 2017 & 23RD GENERAL CHANGES FOLLOWING RF SUBMISSION

12/01/2018 9:45:21 AM

Project: Mixed Use Development
Drawing: Development Summary
Project No: 216081
Date: 04/26/16
Author: SB/BI
Scale: @ A1
Drawing No: TP00.00 A

Lot 9c & 10b River Boulevard
Richmond VIC 3121

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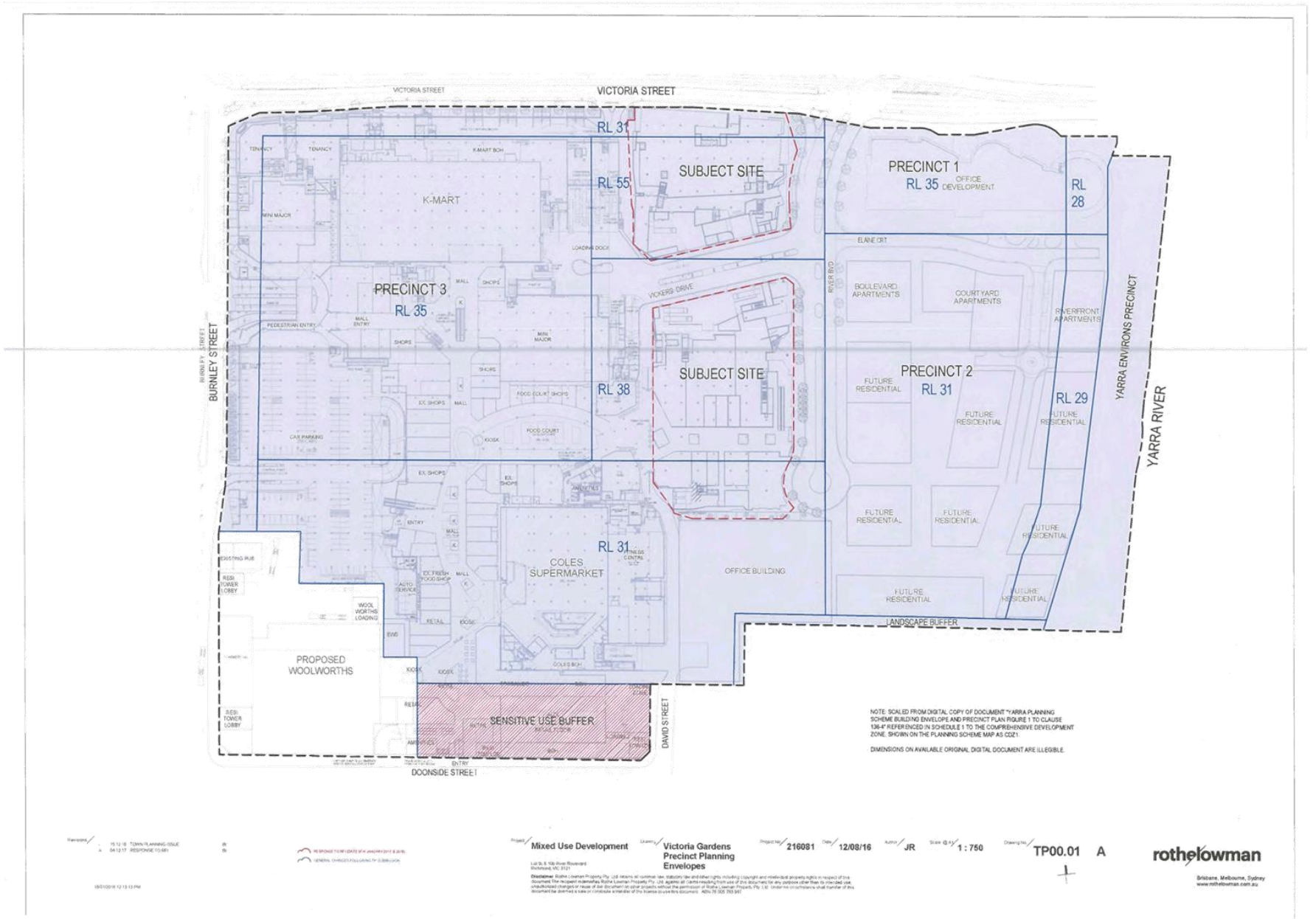

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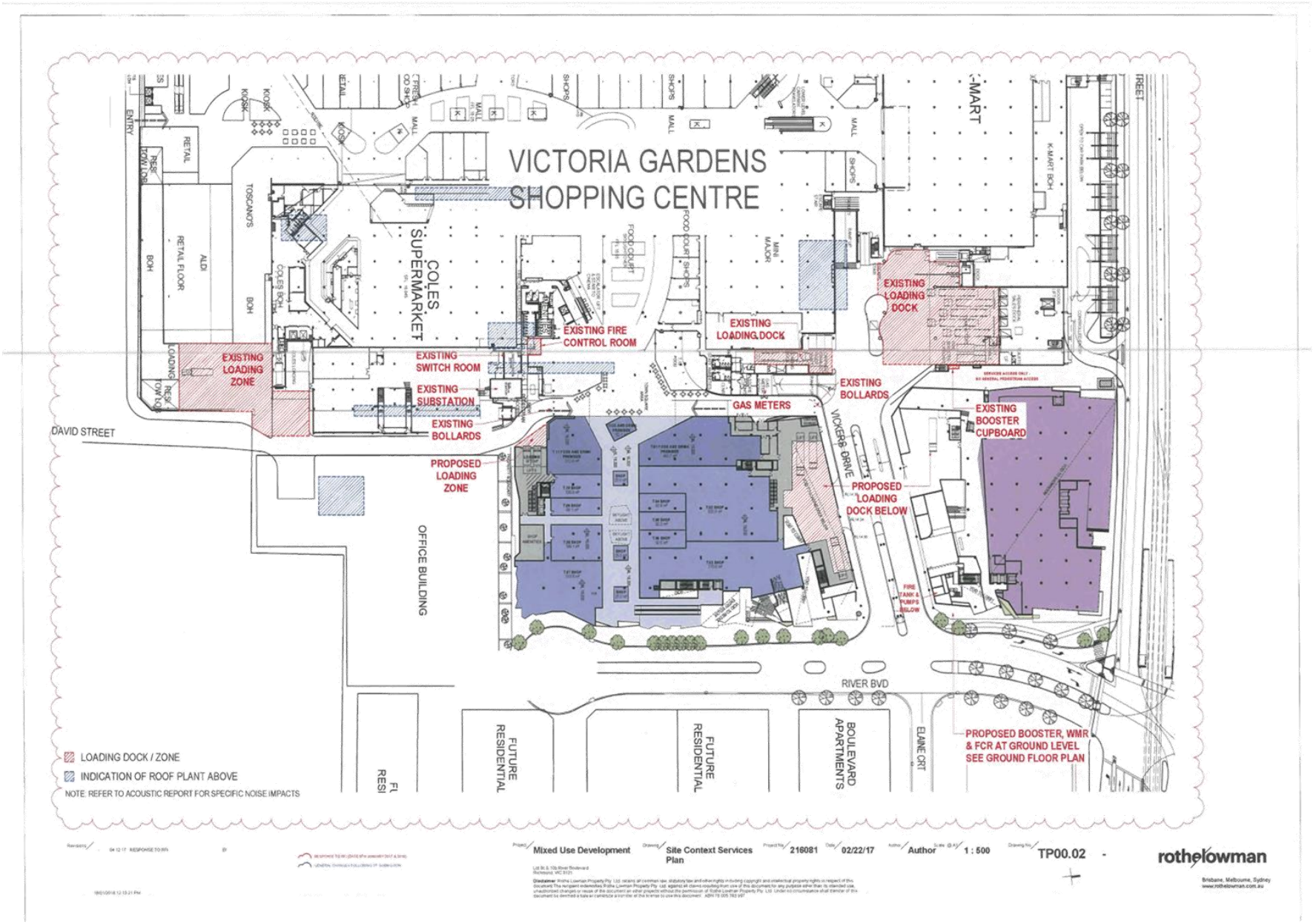

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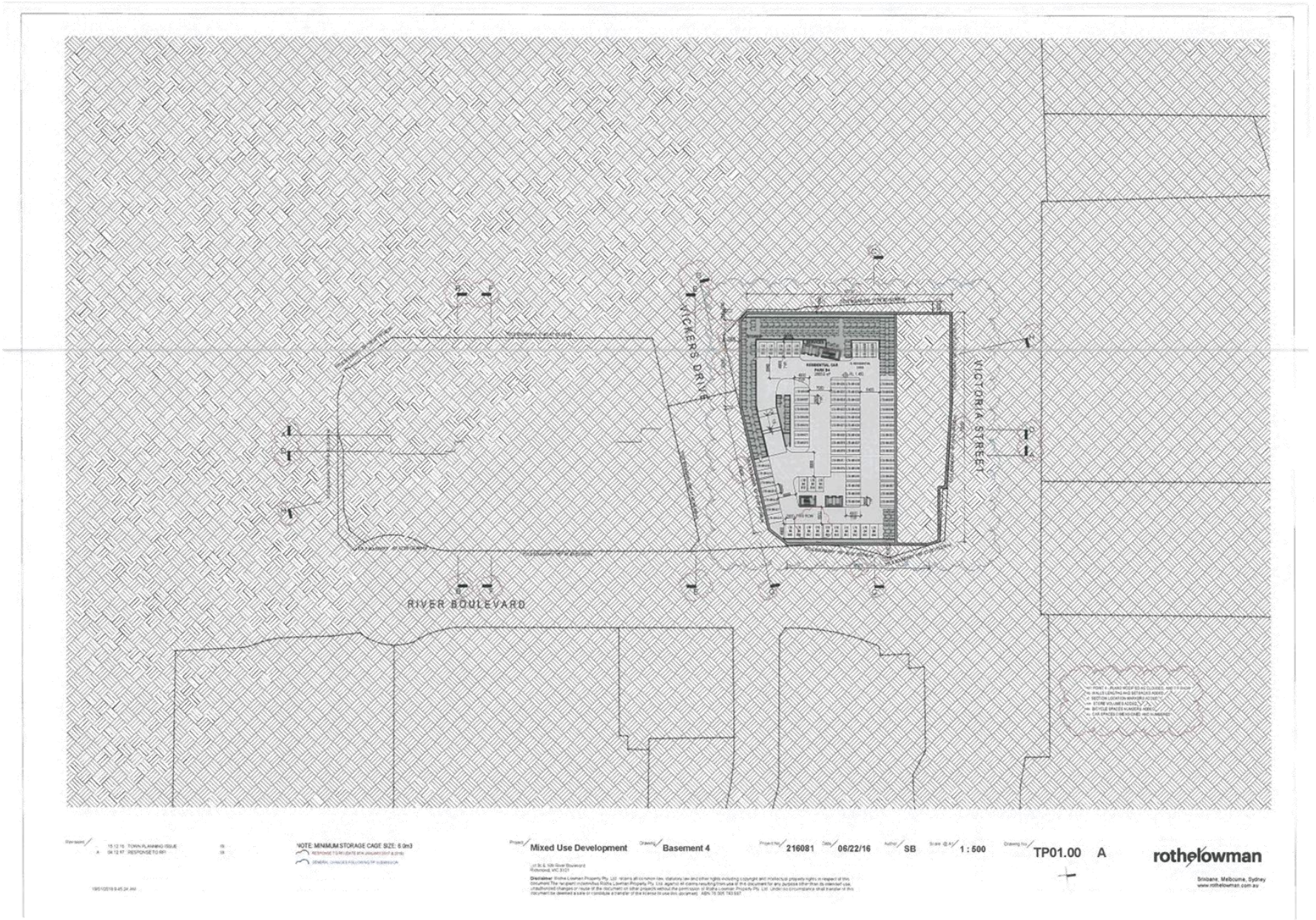

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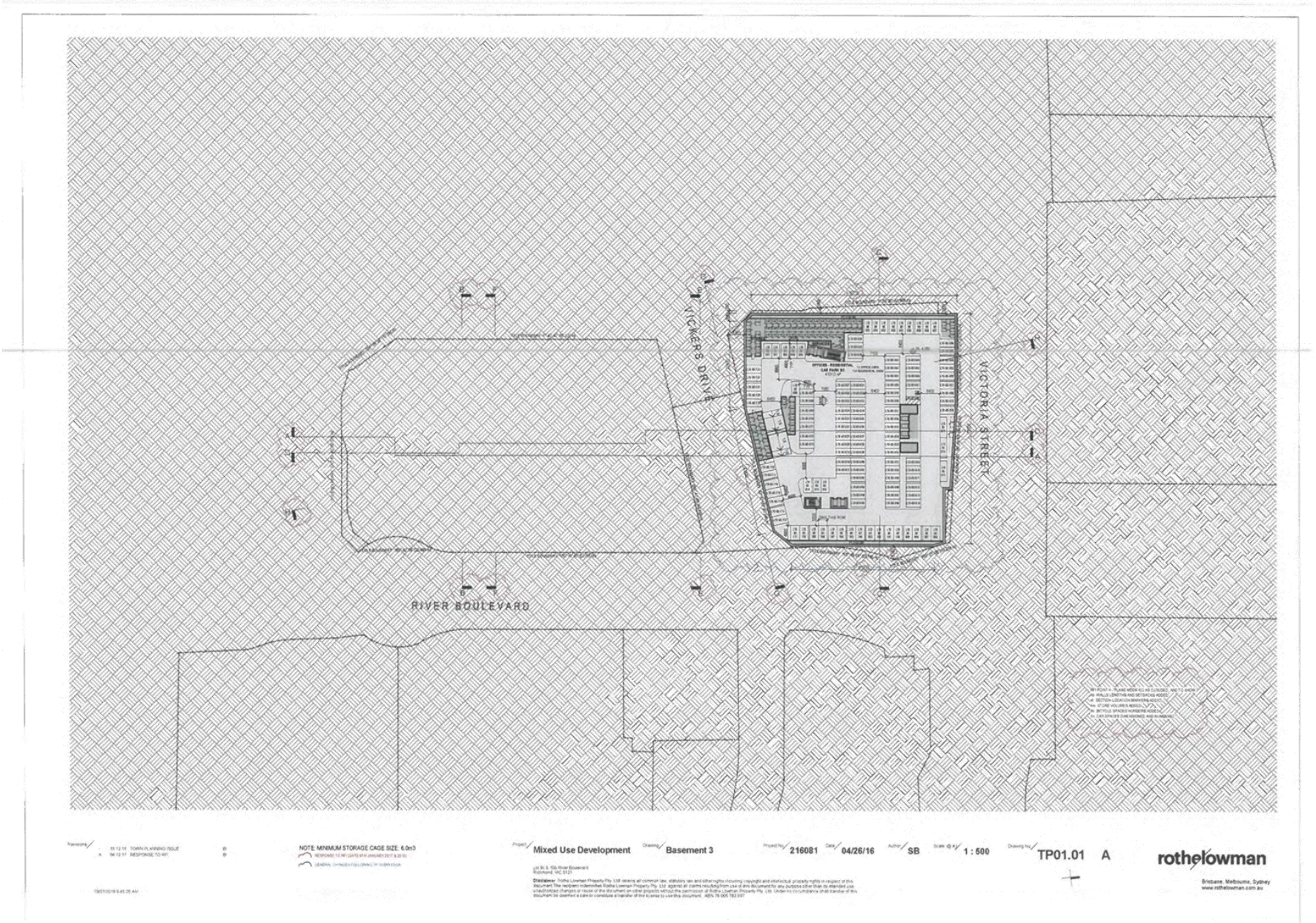

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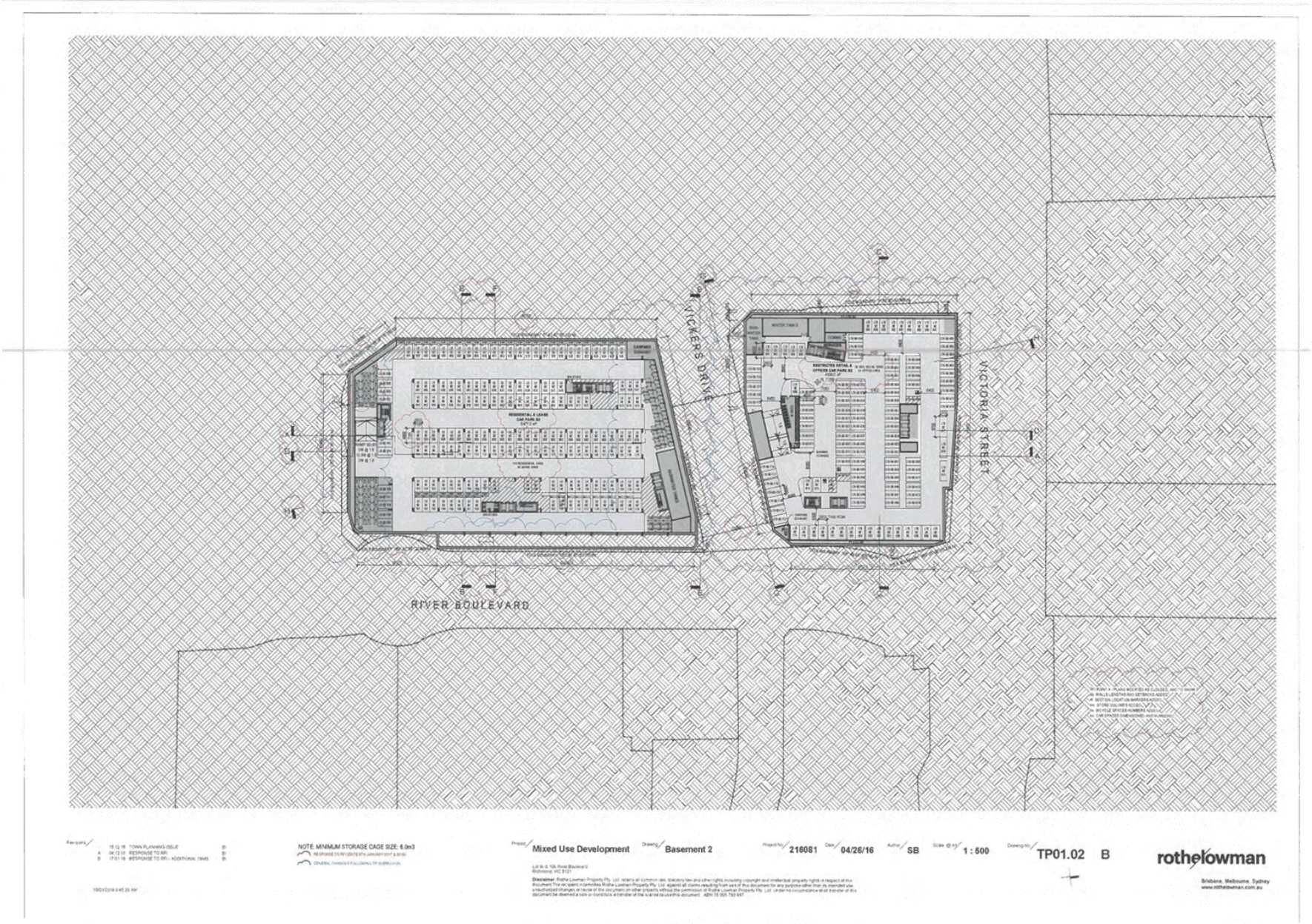

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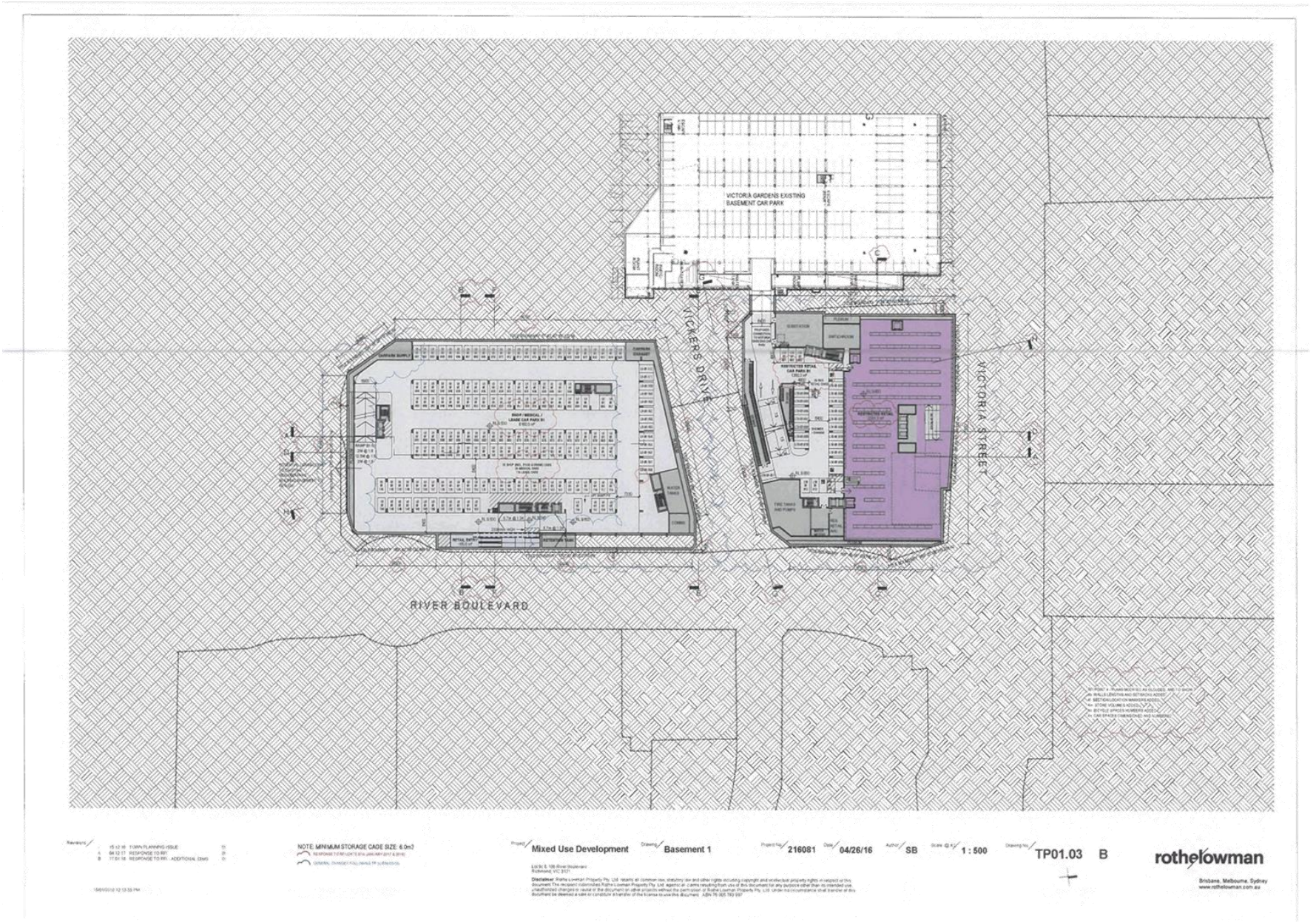

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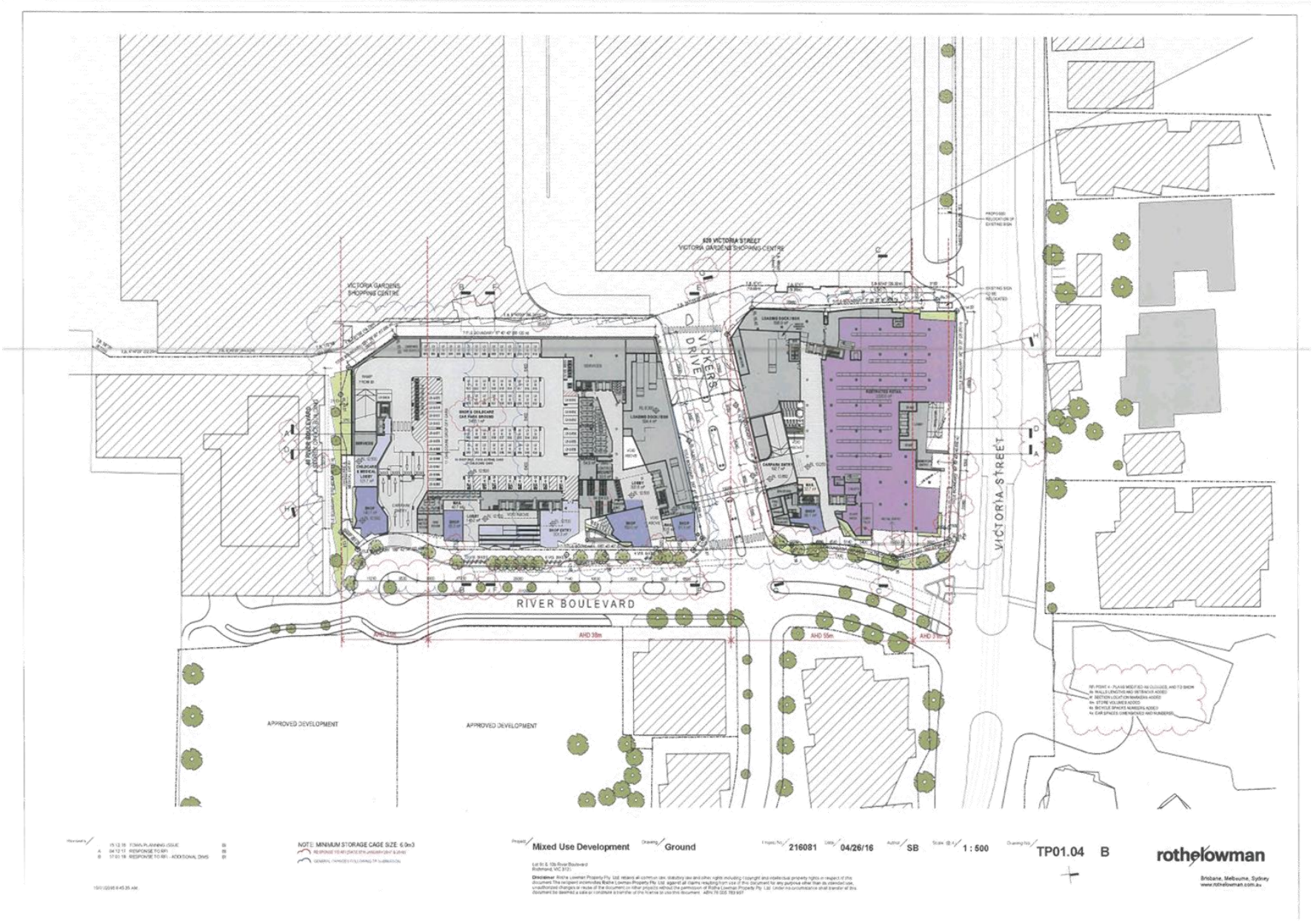

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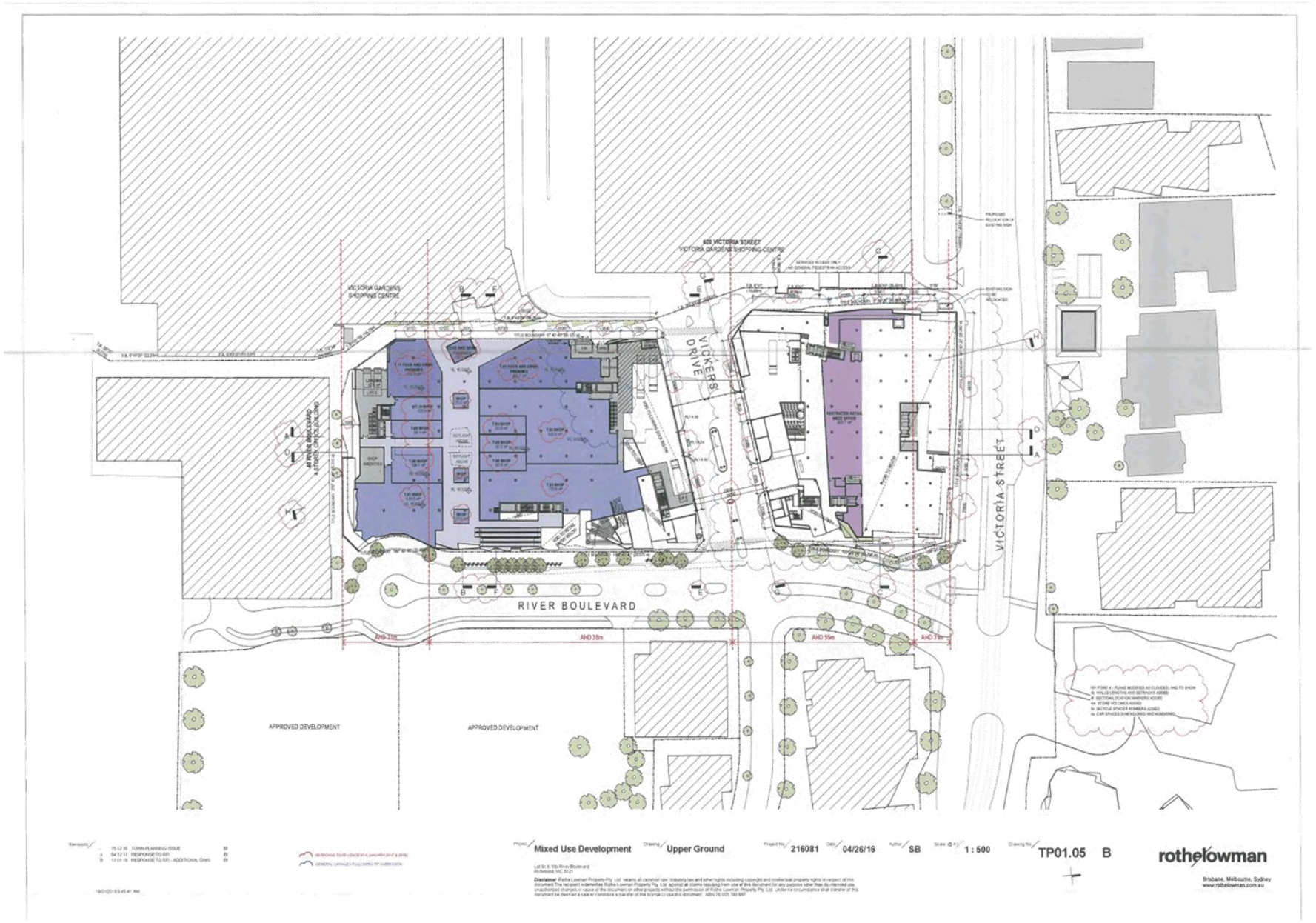

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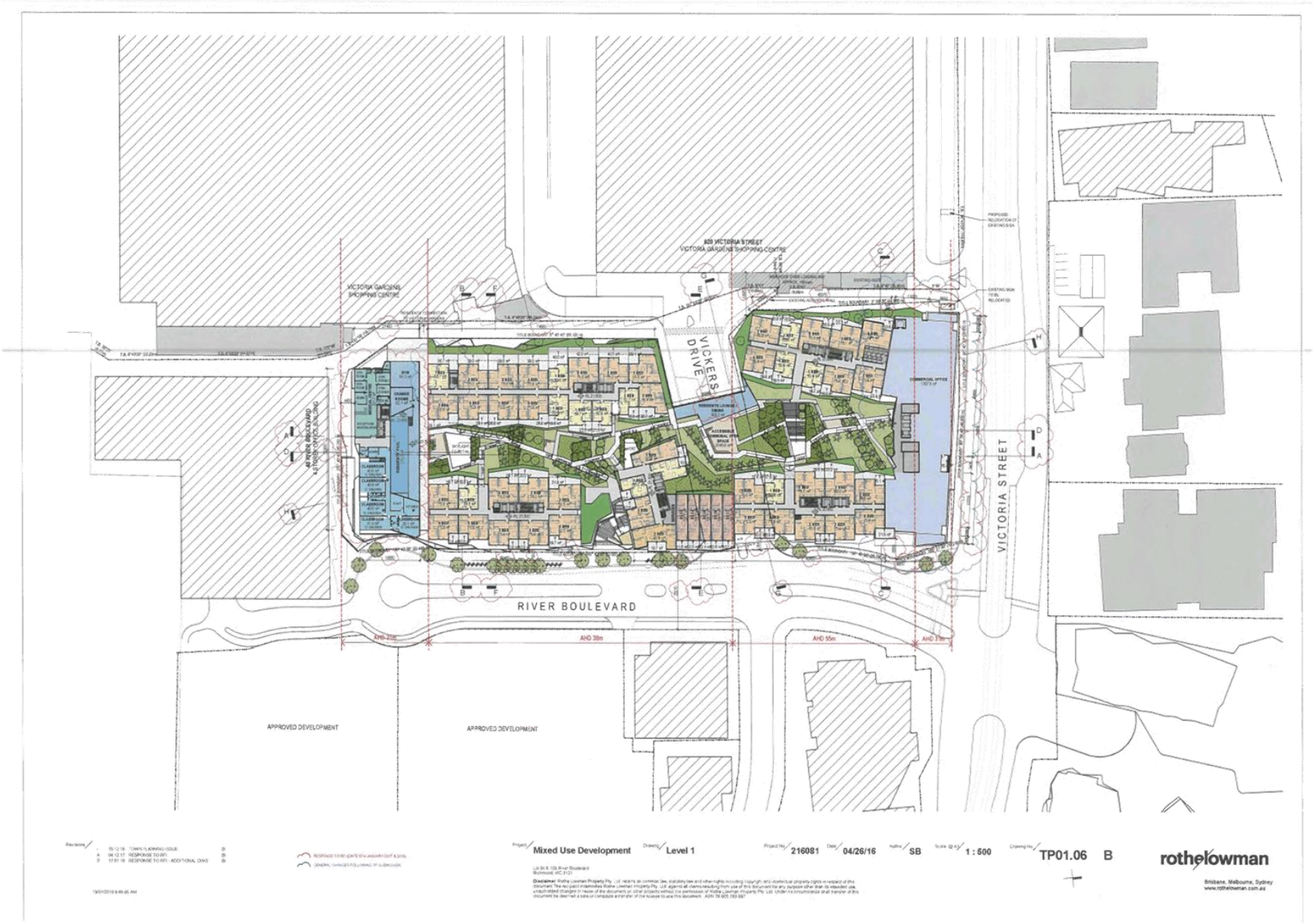

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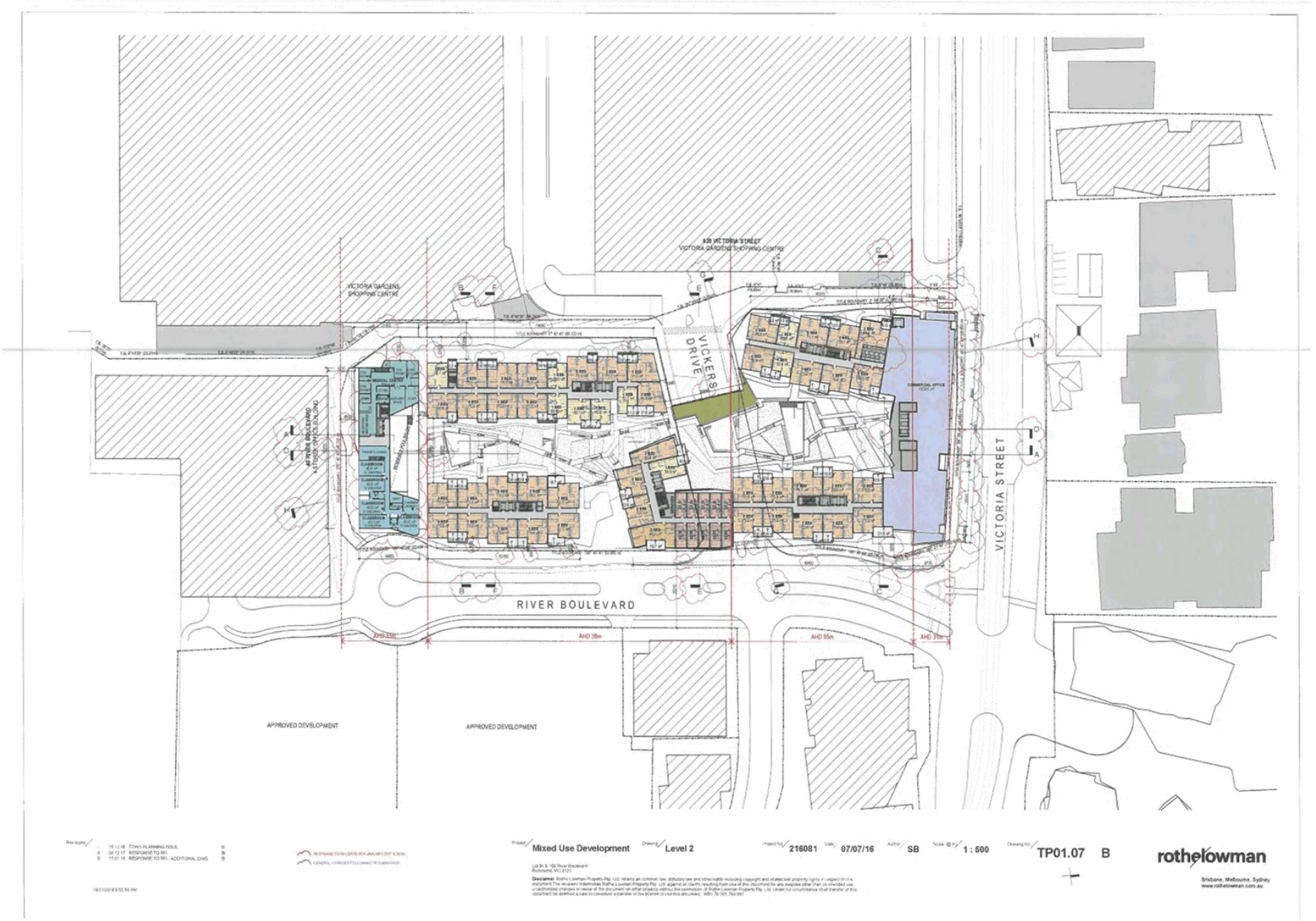

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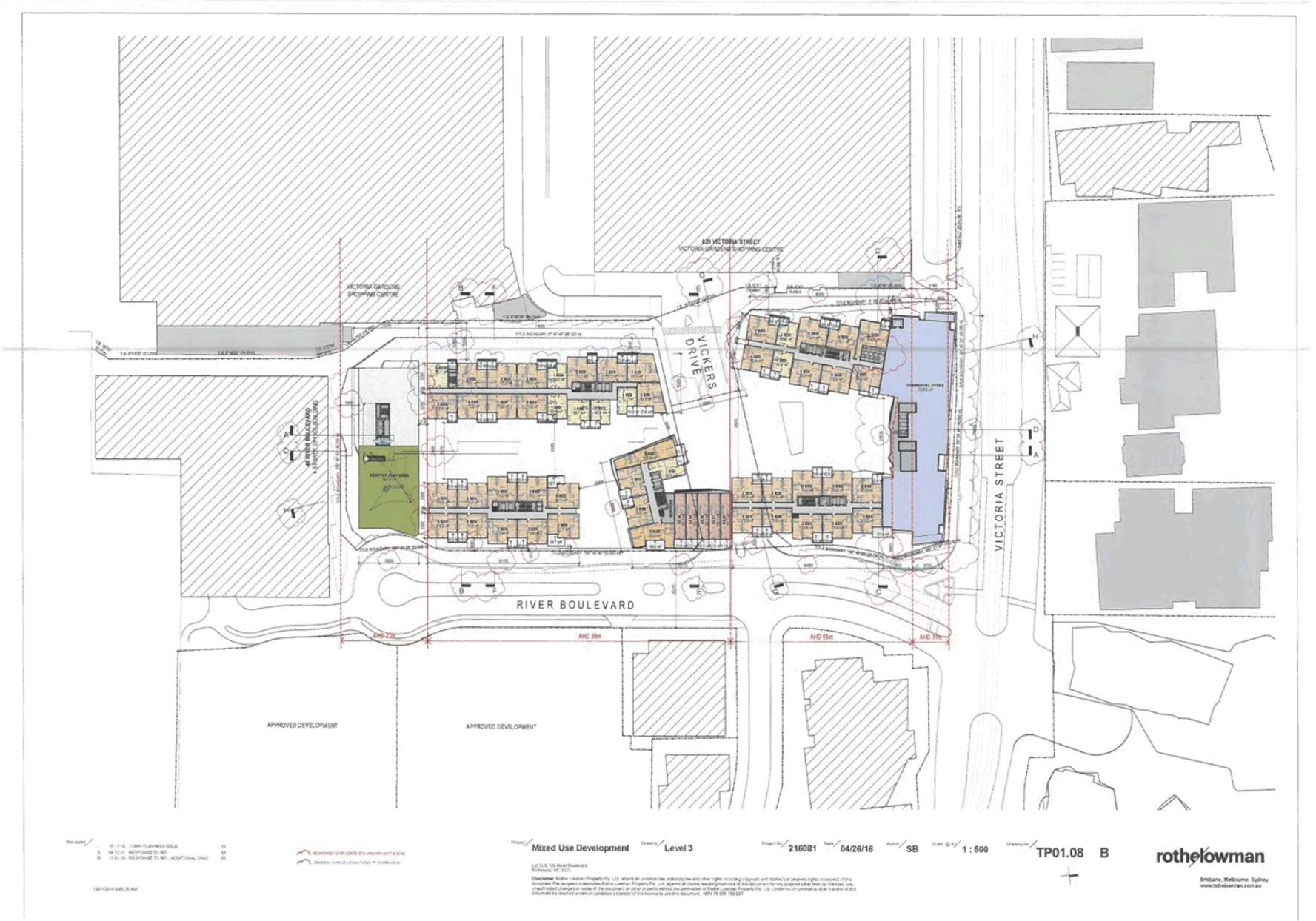

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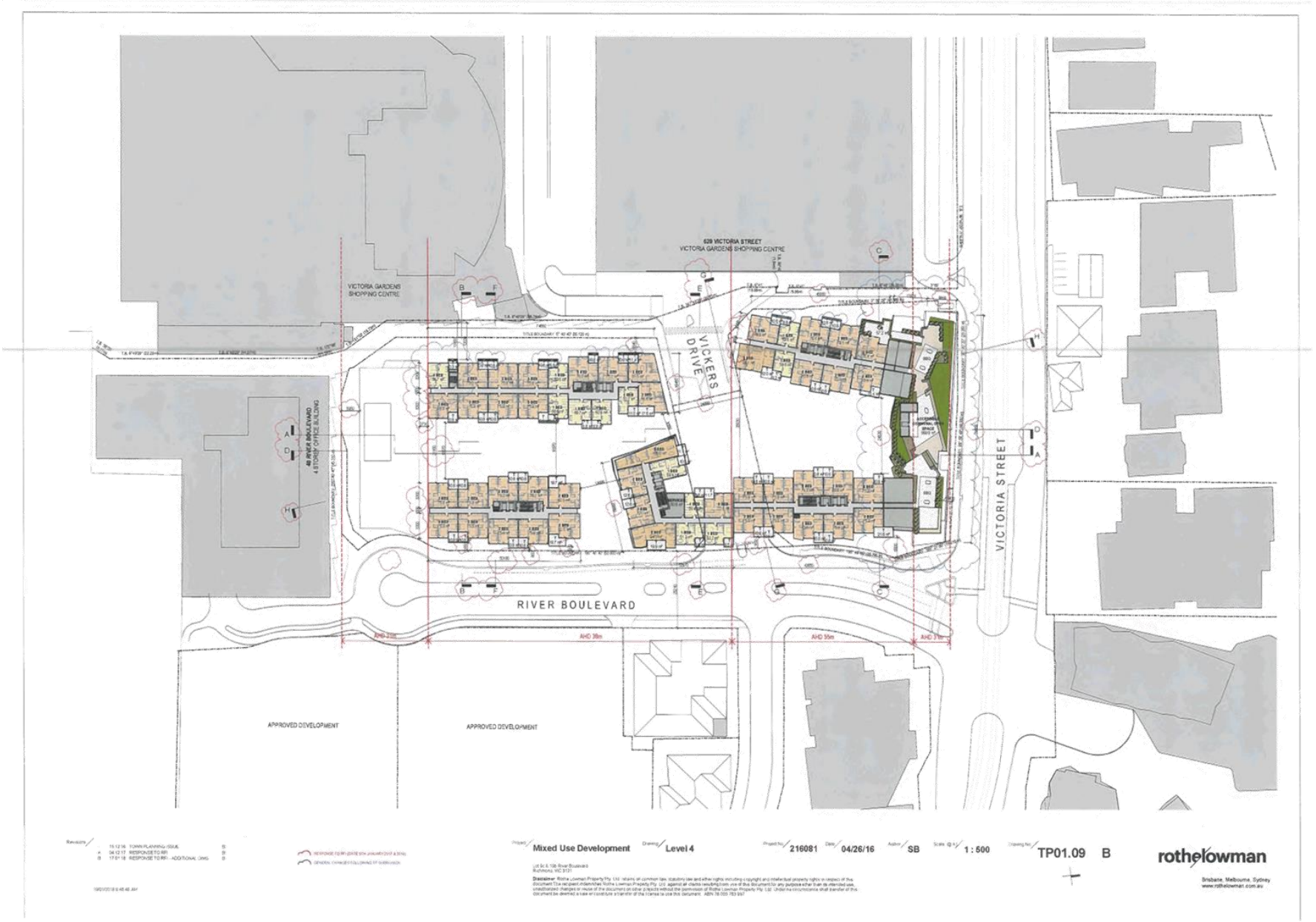

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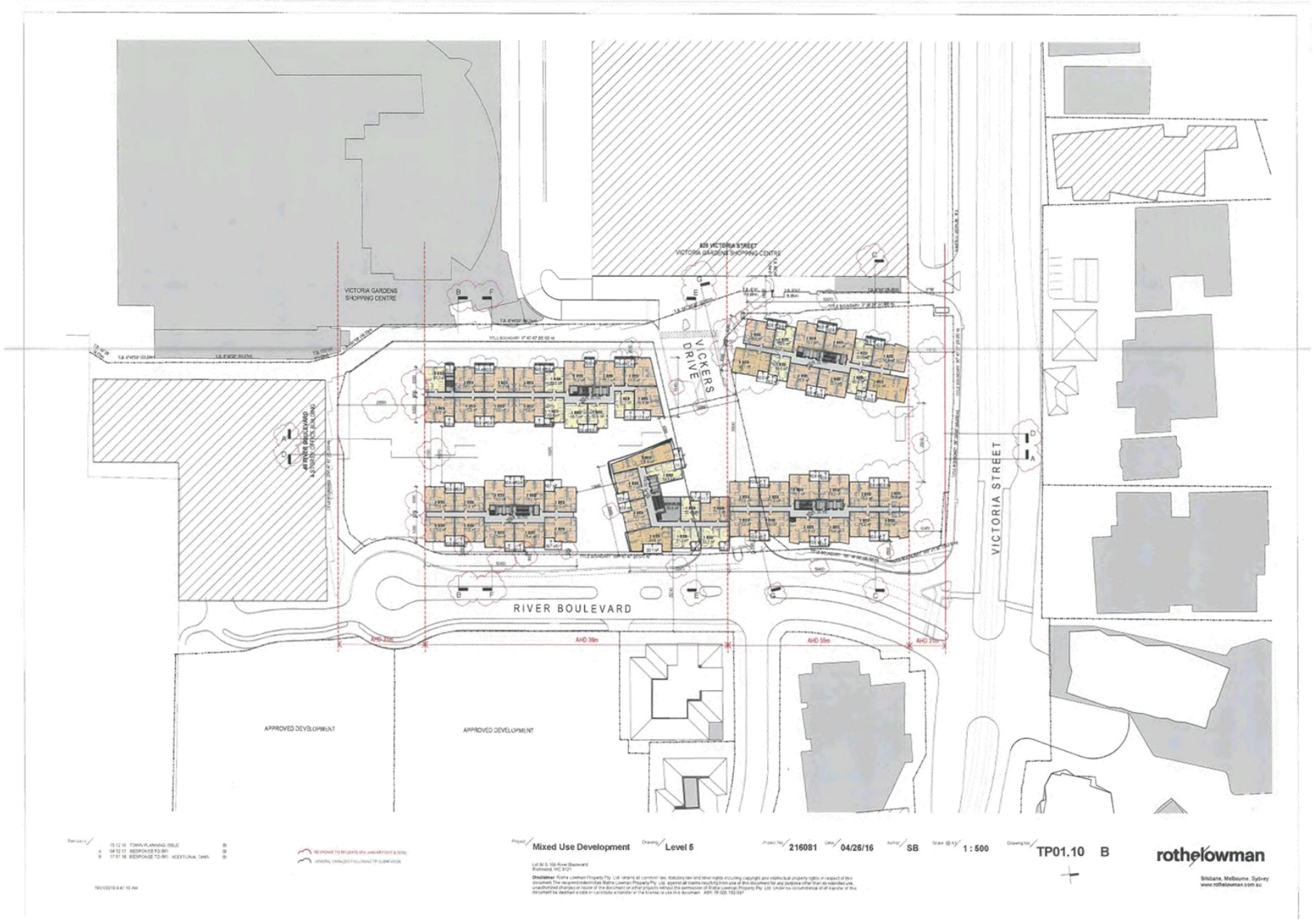

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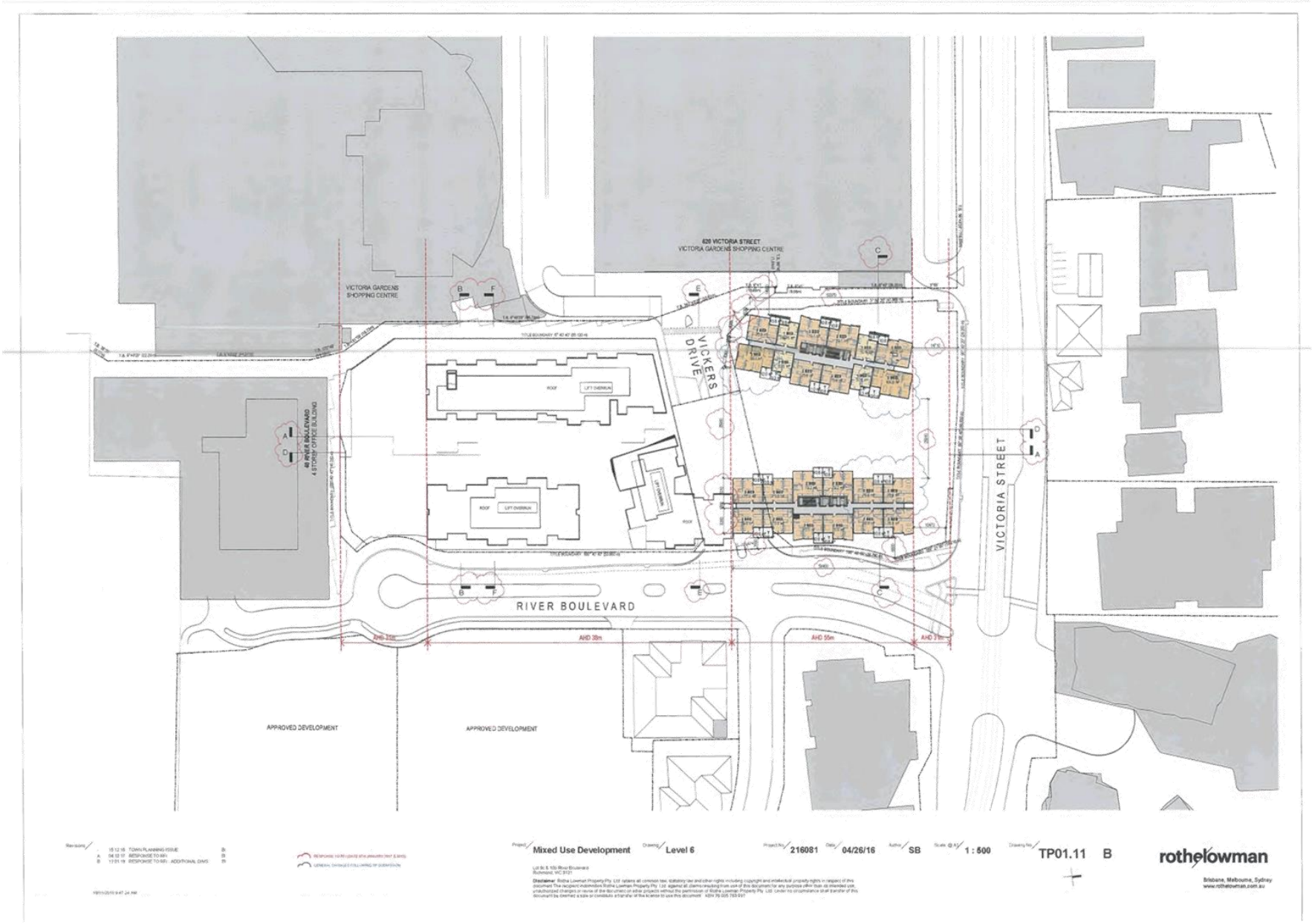

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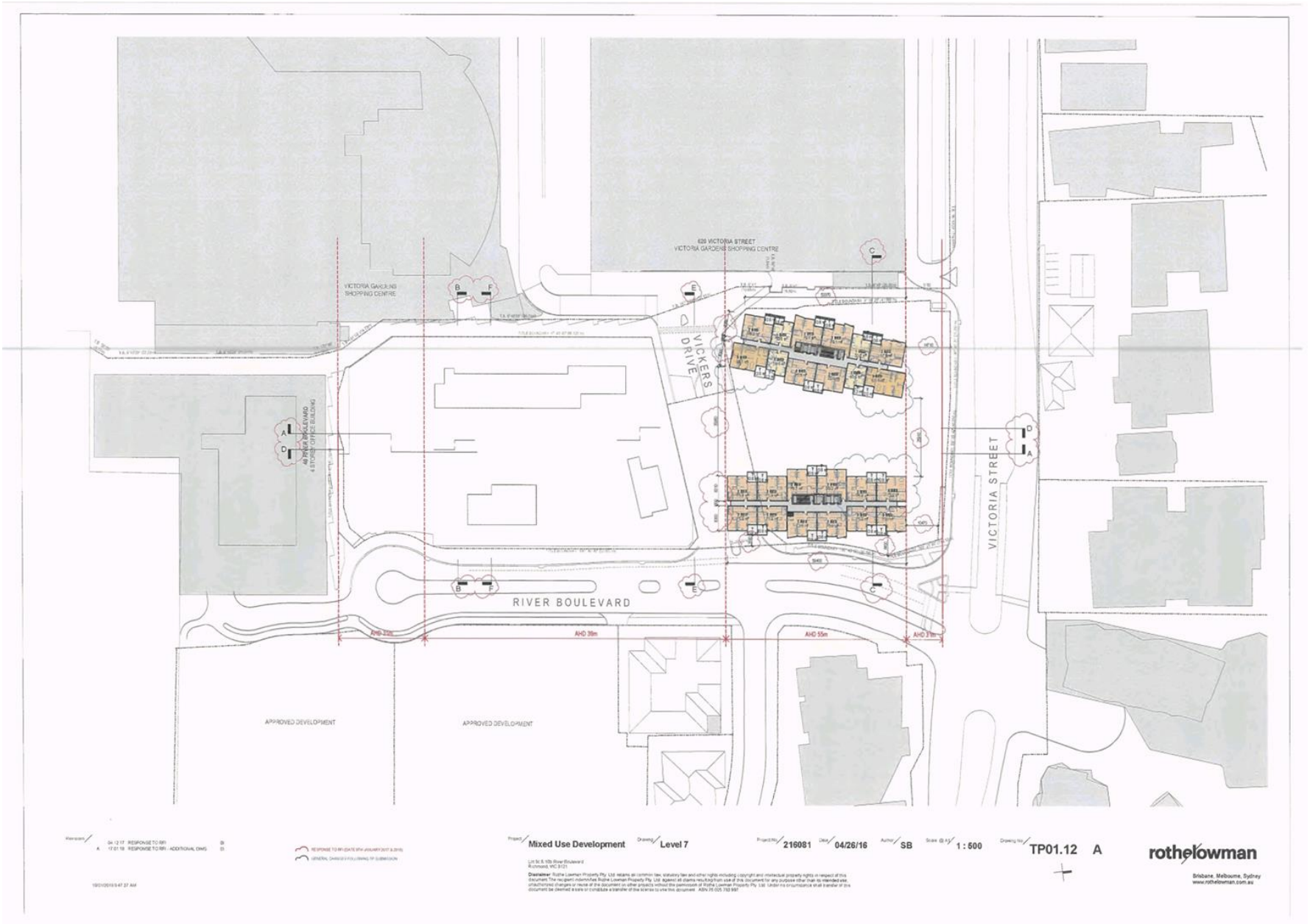

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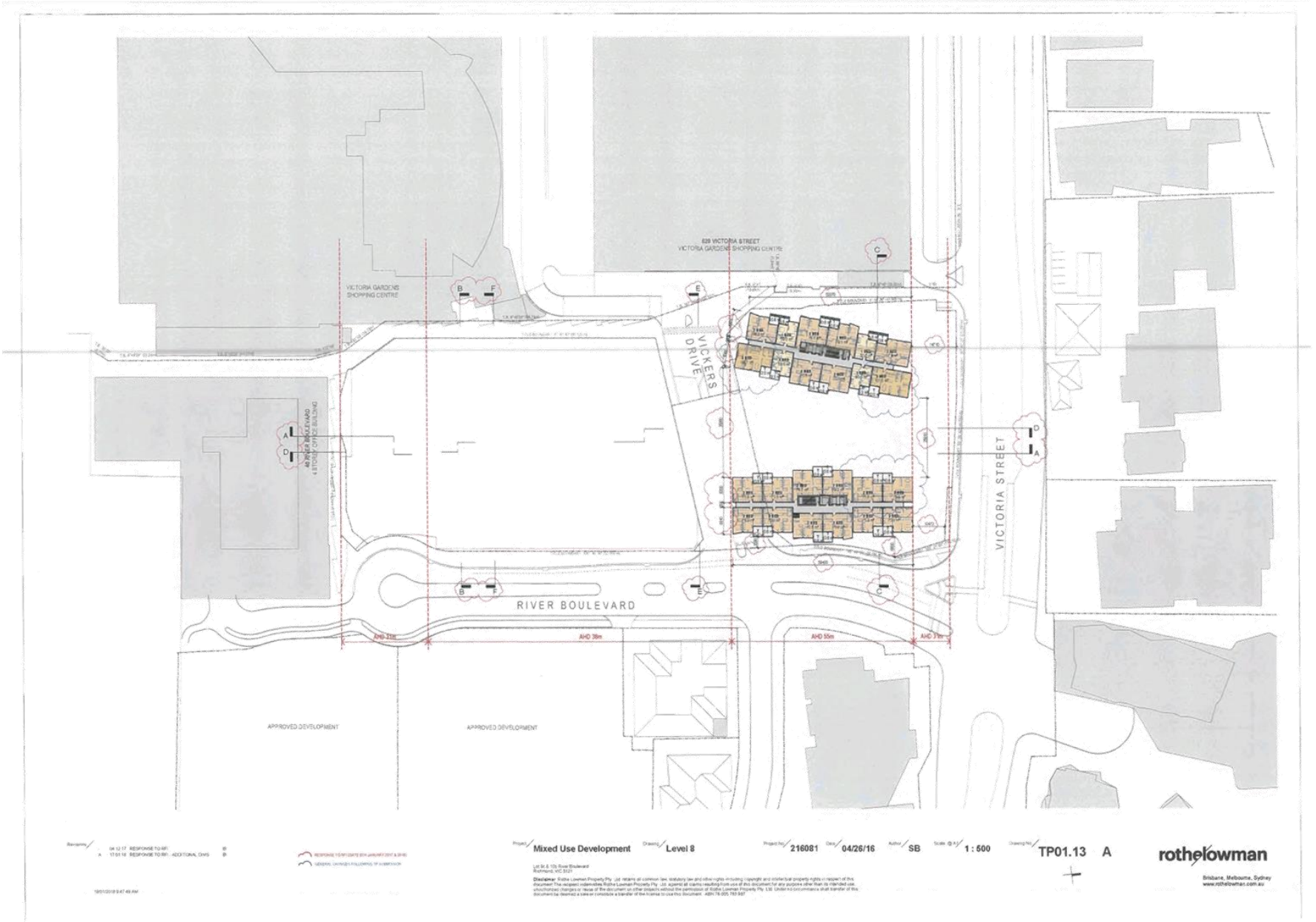

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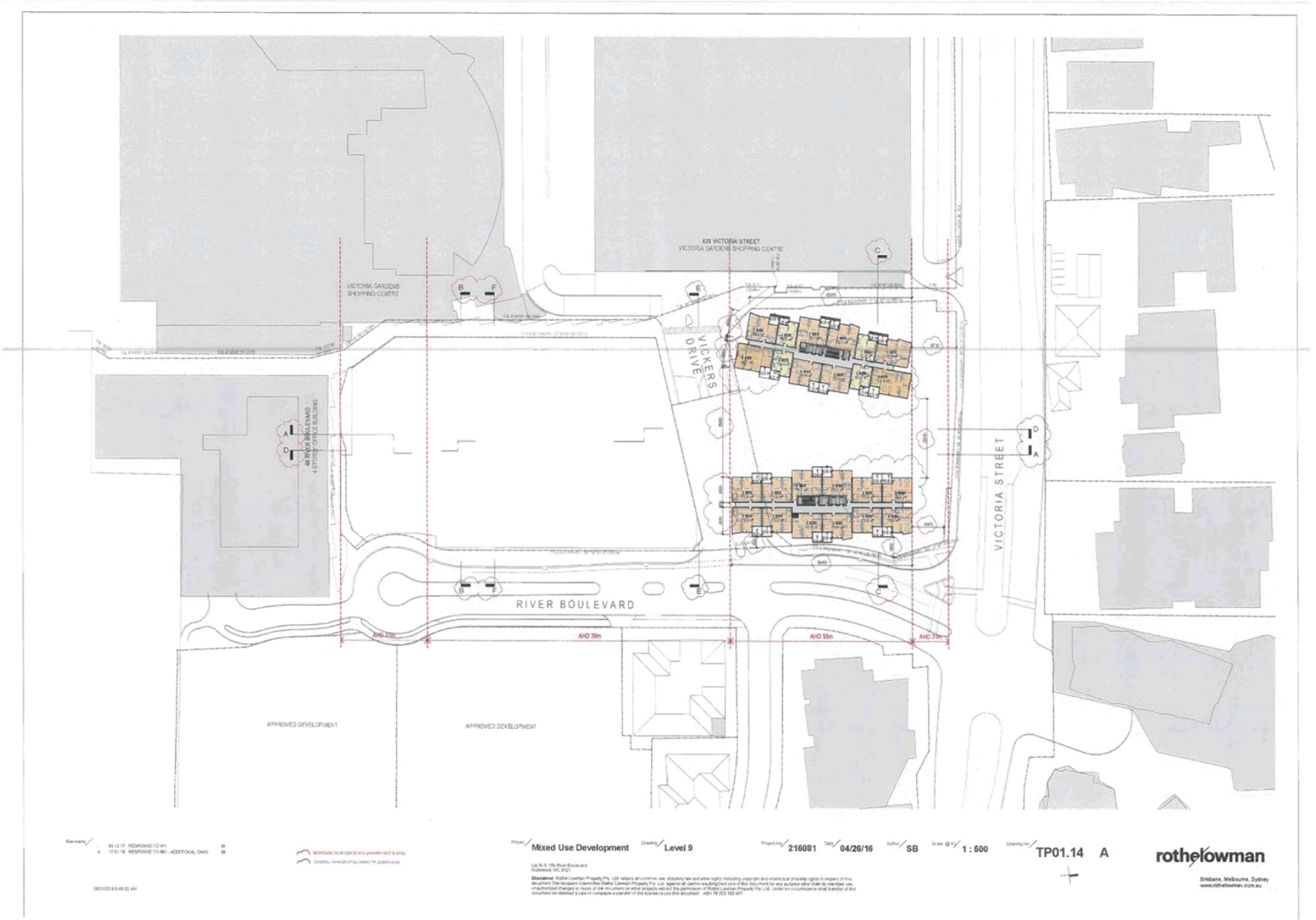

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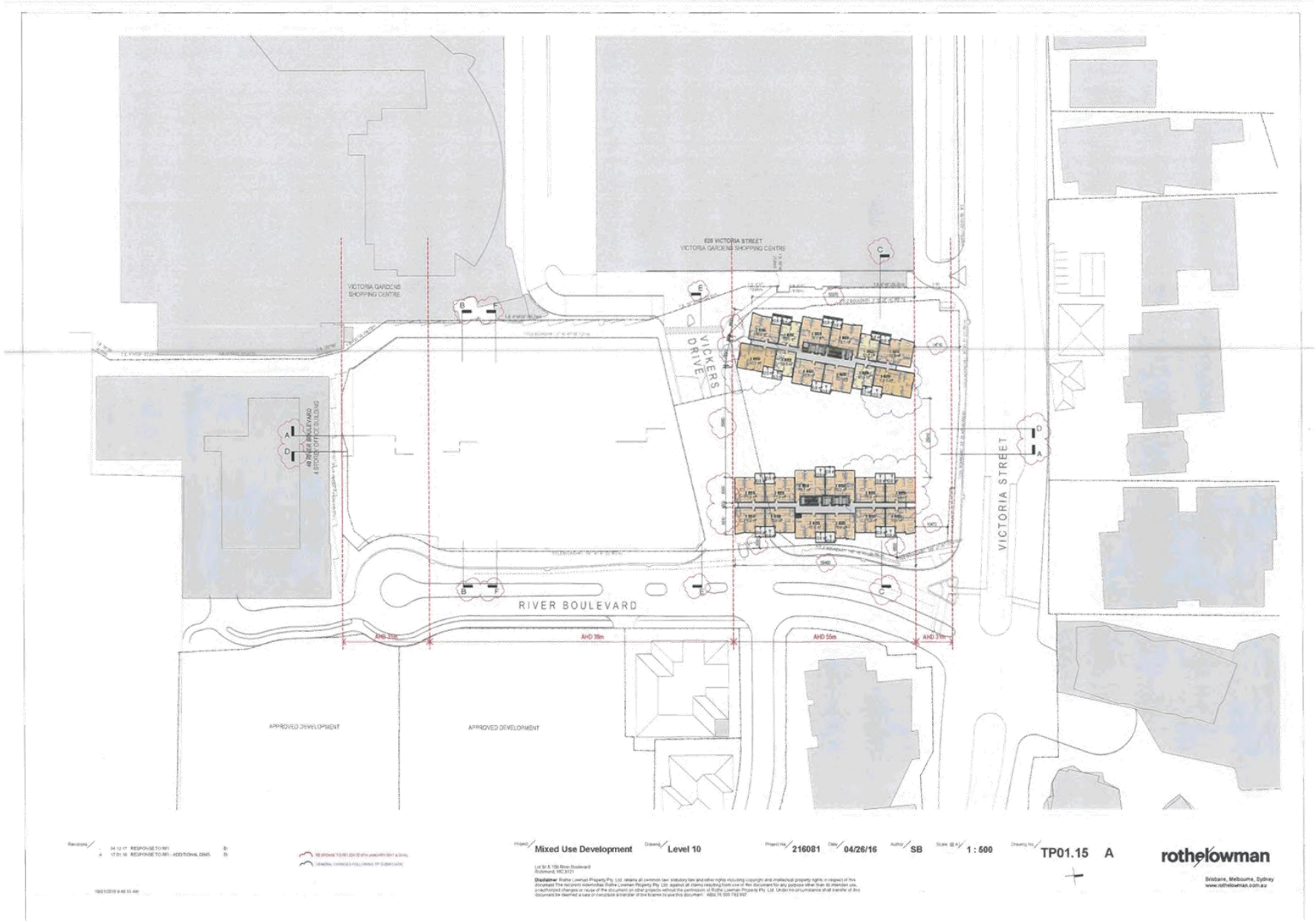

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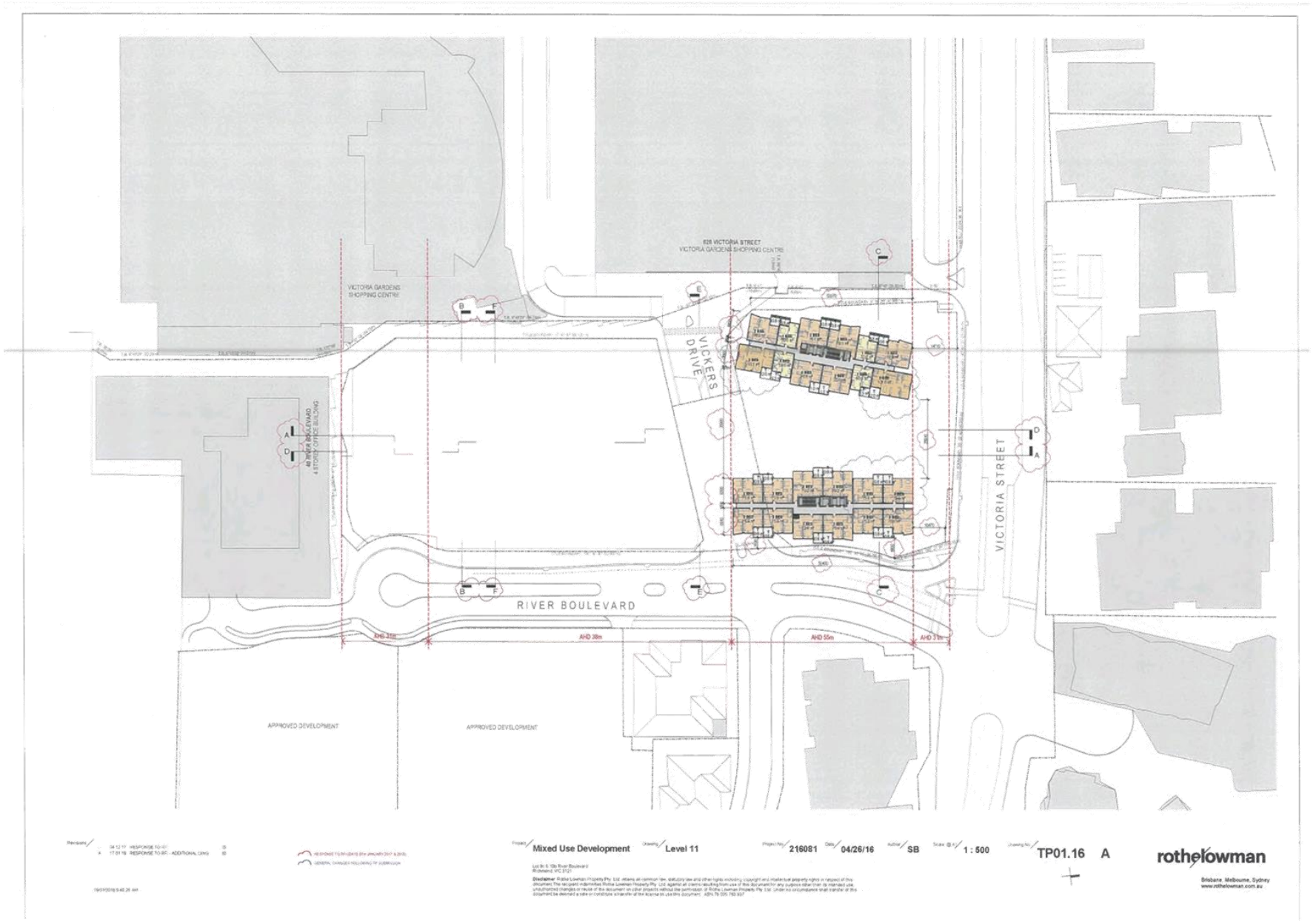

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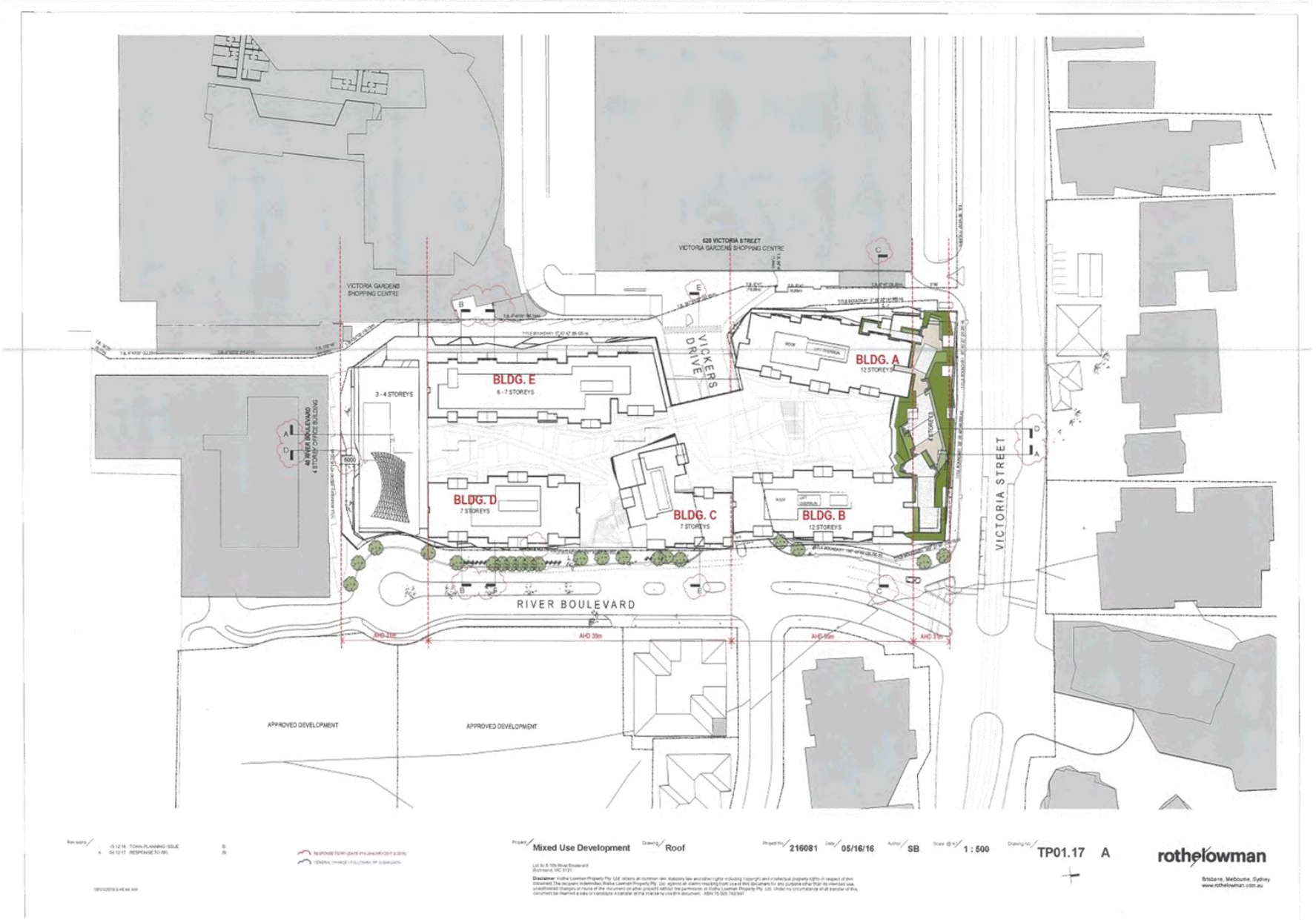

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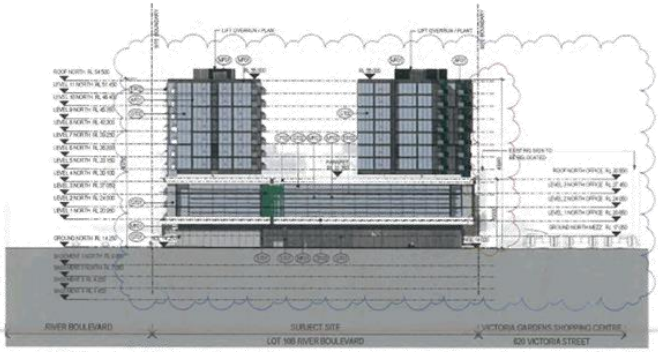
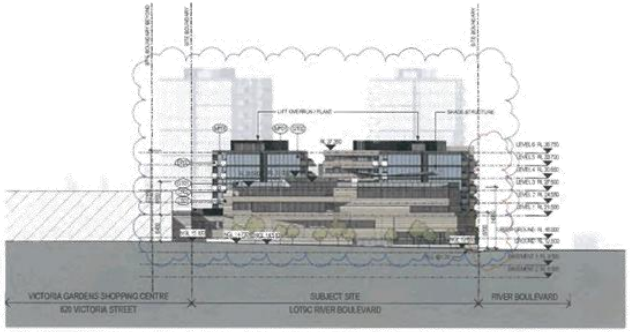


NORTH ELEVATION



SOUTH ELEVATION

MATERIALS SCHEDULE

CF01	CONCRETE FINISH - LIGHT TEXTURED	MF01	METAL FINISH - BLACK
CF02	CONCRETE FINISH - DARK TEXTURED	MF02	METAL FINISH - SILVER
CF03	CONCRETE FINISH - OFF WHITE TEXTURED	MF03	METAL FINISH - DARK GREY
GT01	GLASS - CLEAR	EP01	PAINT - CHARCOAL
GT02	GLASS - GREY	EP02	PAINT - WHITE
GT03	GLASS - DARK GREY	EP03	PAINT - DARK GREY
		ST01	STONE FINISH - DARK

Revisions
15.12.16 TOWN PLANNING ISSUE
A 04.12.17 RESPONSE TO RFI

NOTE:
Reduced Levels (RL) are to Australian Height Datum. Existing level information refer Feature and Level Survey. (Taylors)

Project: Mixed Use Development
Lot 9c & 10b River Boulevard
Richmond, VIC 3121

Drawing: North & South Elevations
Project No: 216081
Date: 04/28/16
Author: TF
Scale @ A3: 1 : 500
Drawing No: TP02.01 A

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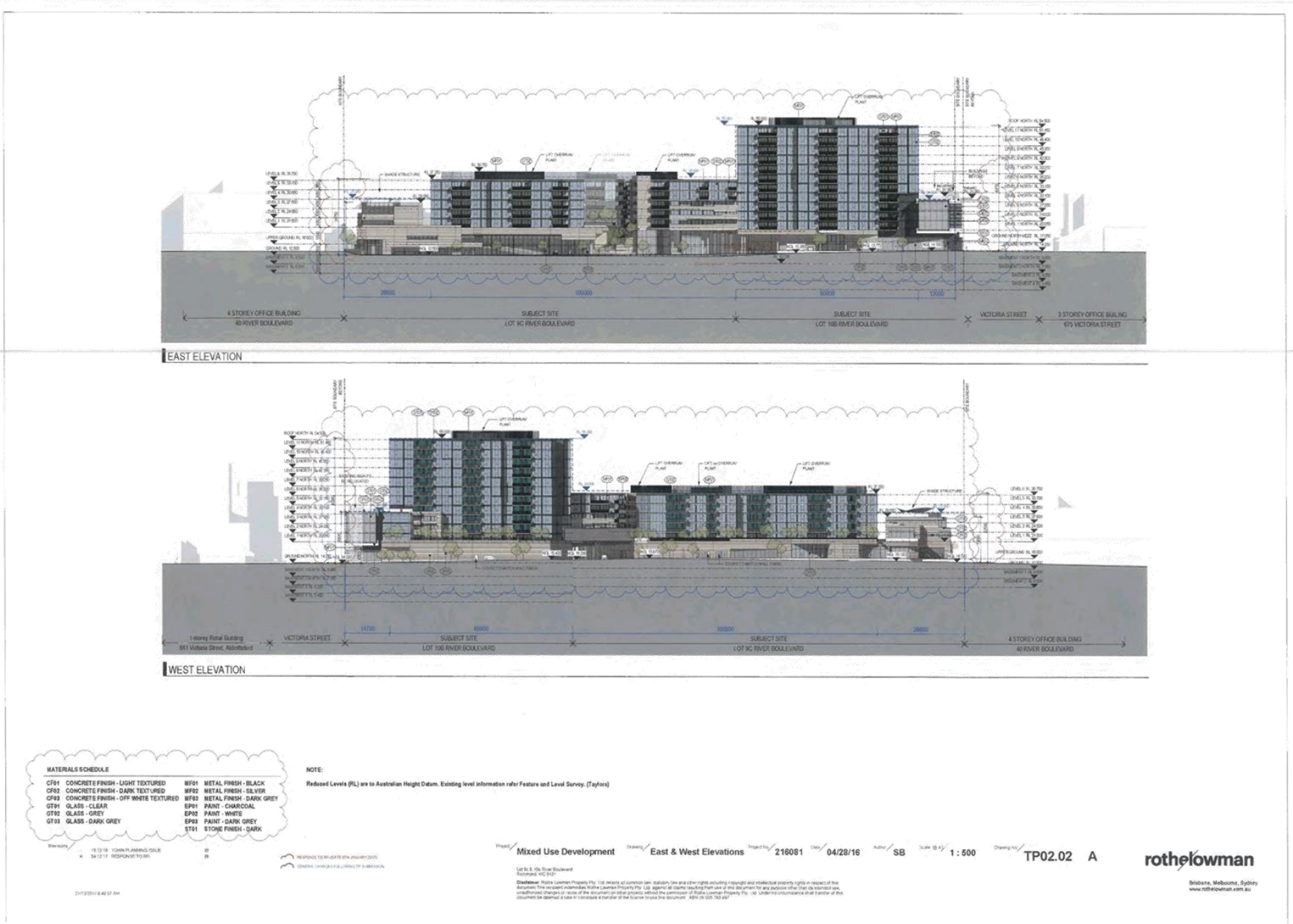
Attachment 1 - Advertising Plans & Perspectives



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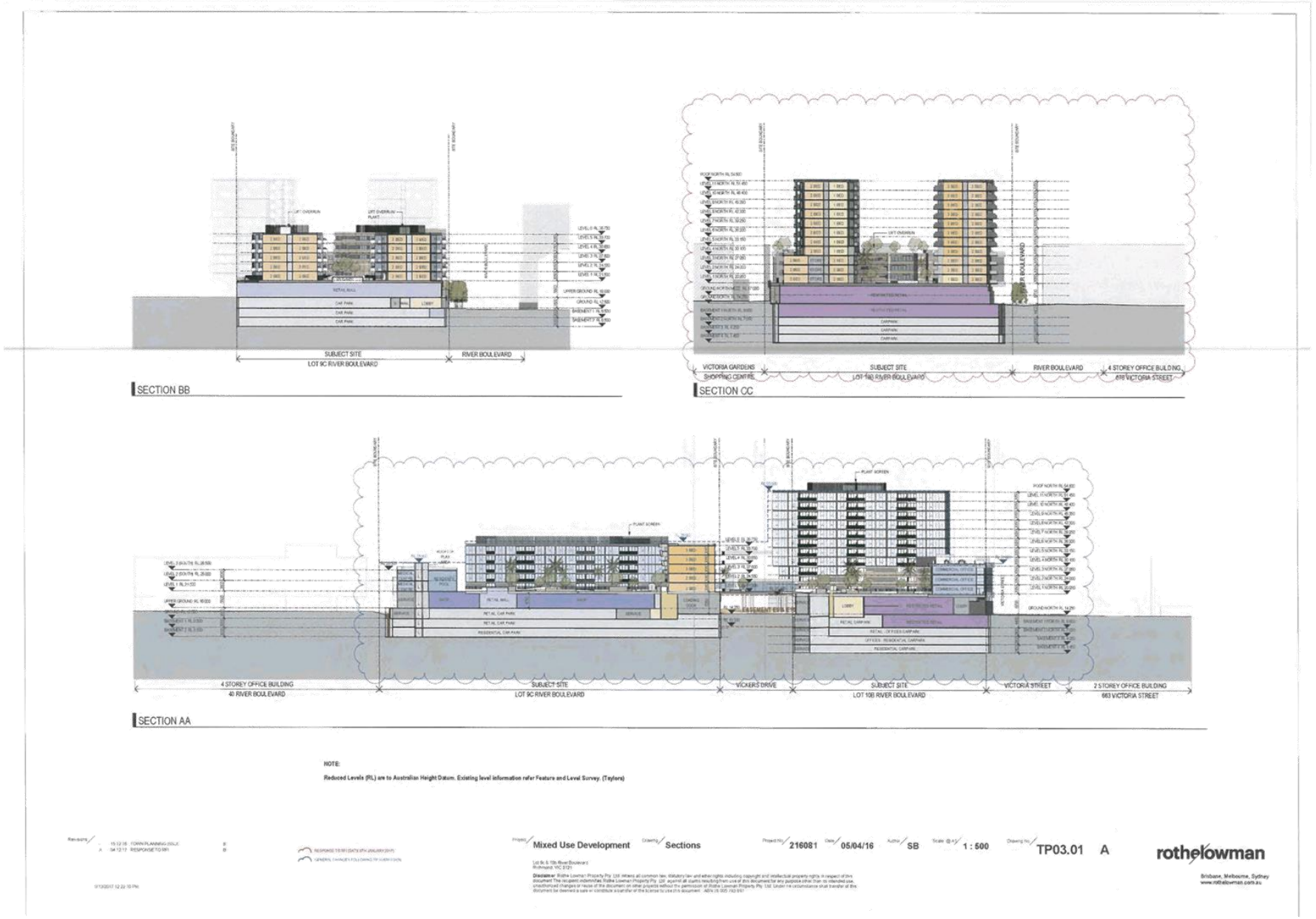

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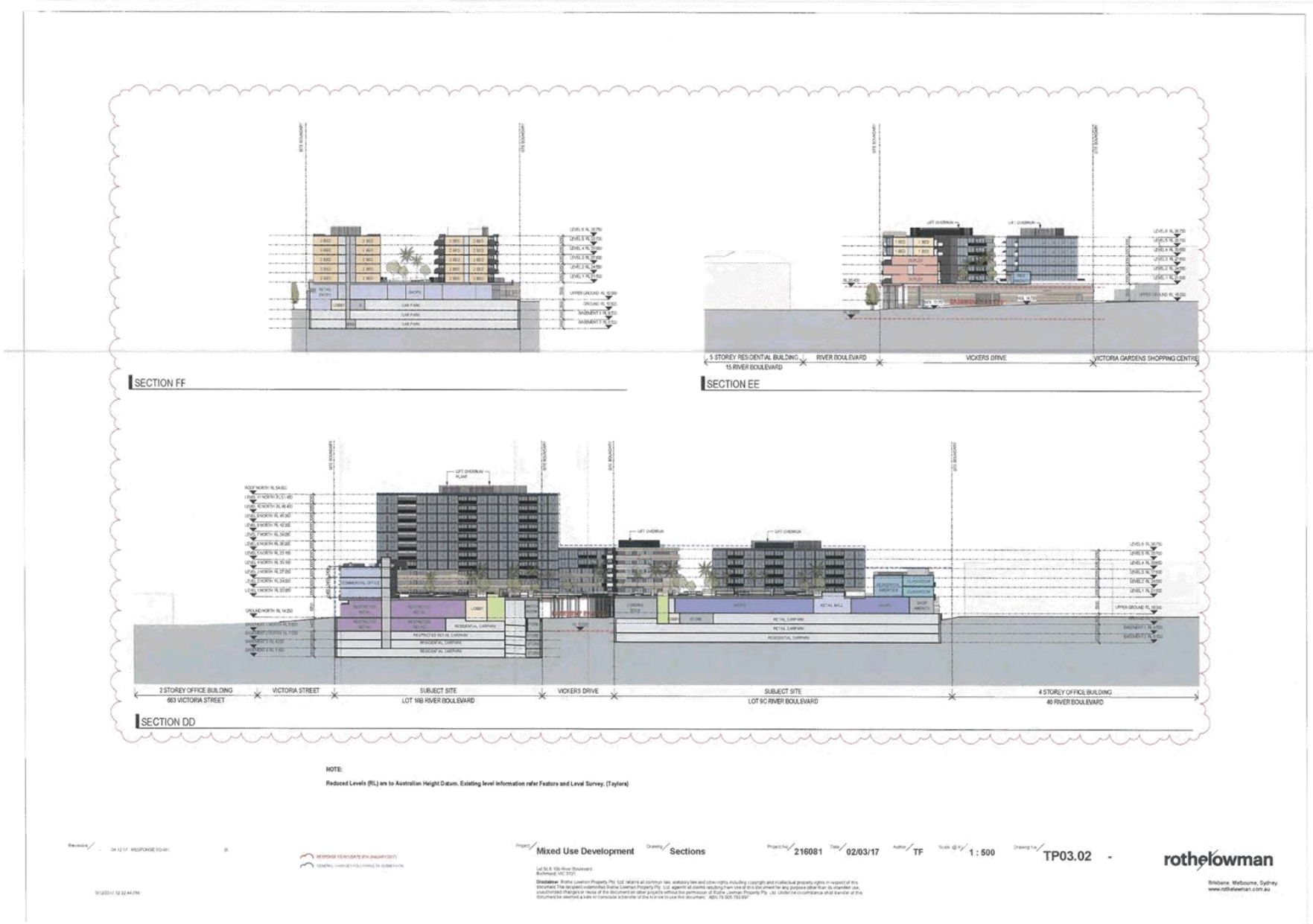

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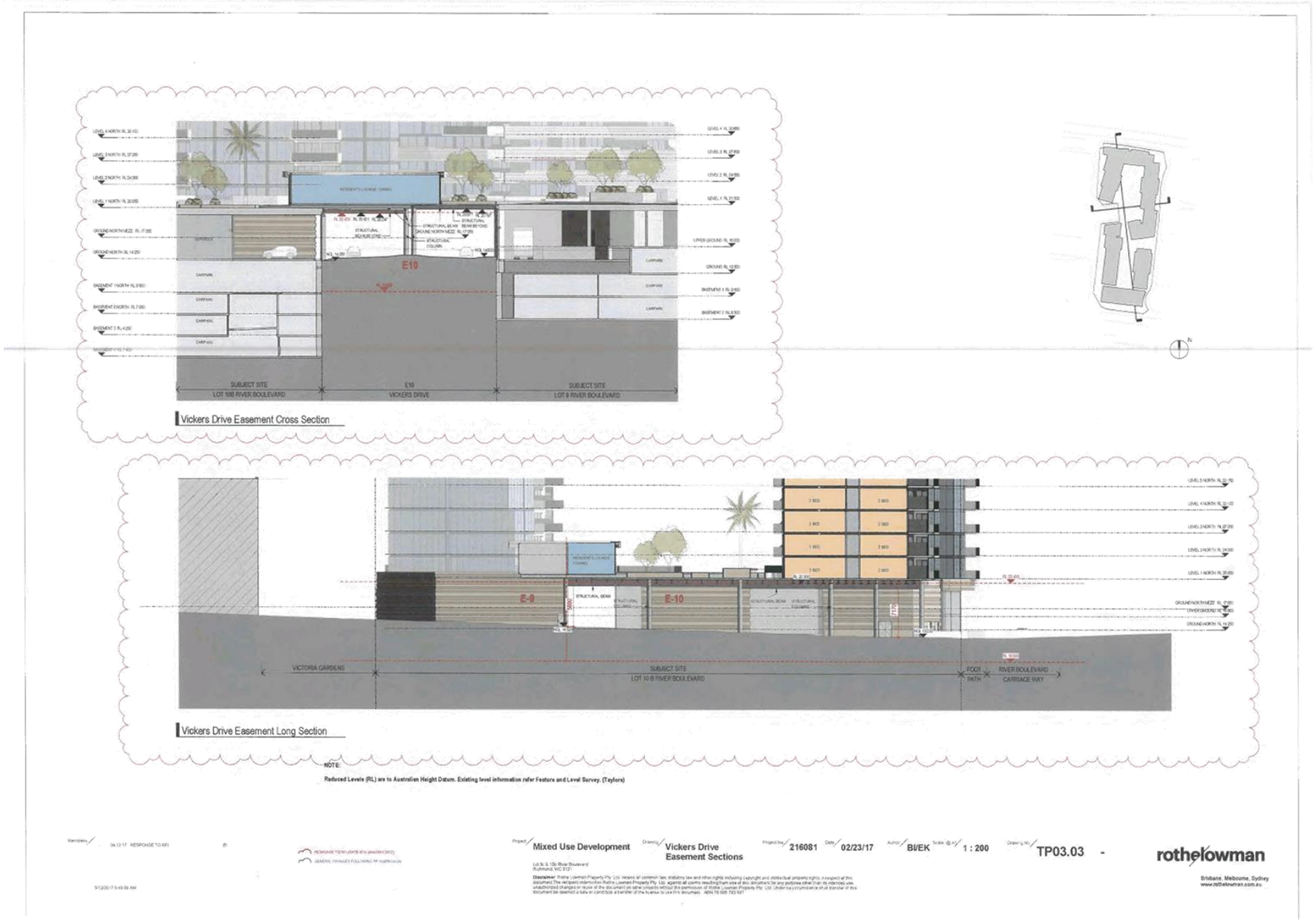

Attachment 1 - Advertising Plans & Perspectives

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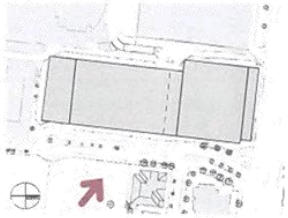
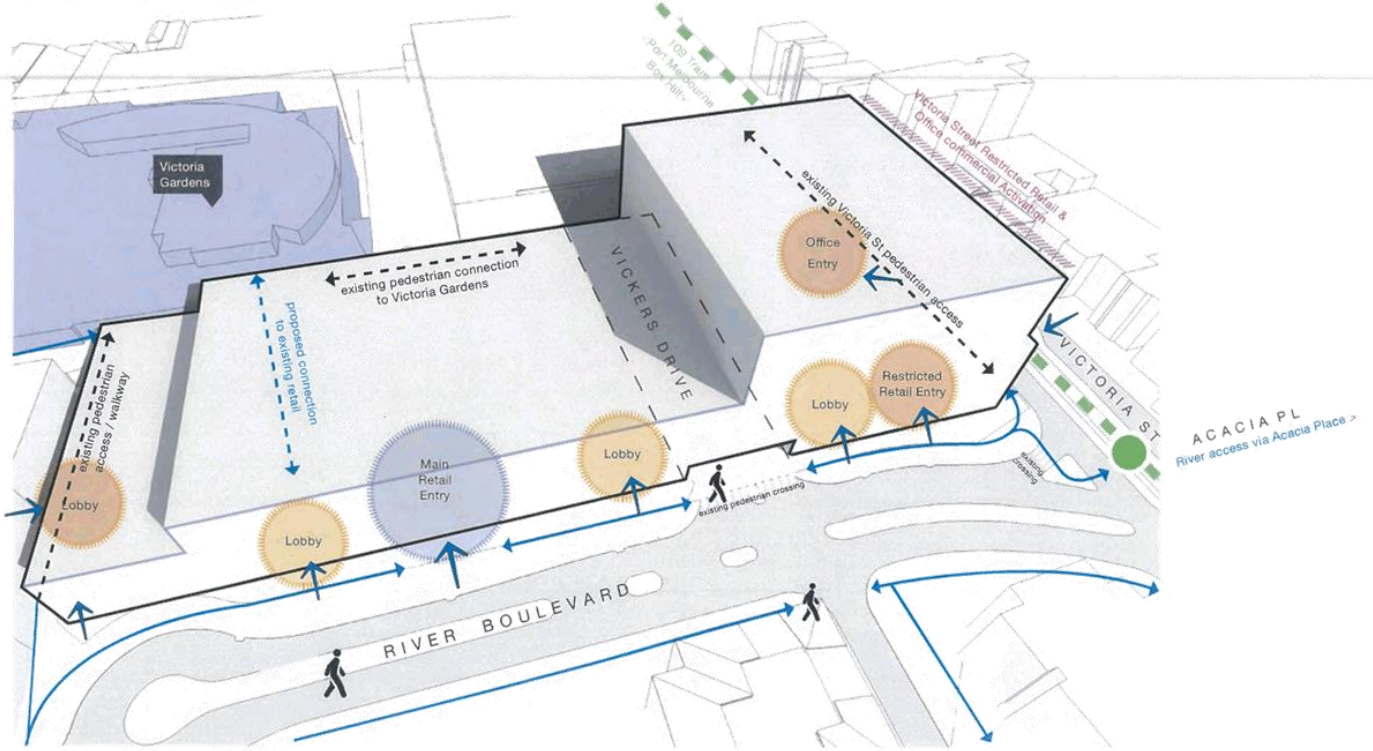
Pedestrian Amenity & Access Plan / Plan Diagram



Note: Development will provide additional street lighting and passive surveillance, increasing public safety of pedestrian spaces.



Lot 9C & 10B River Boulevard, Richmond / 17.01.2018

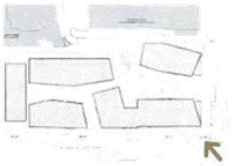
rothelowman

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.01 Rendered Views

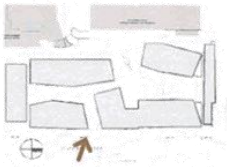


View looking South West across River Boulevard

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.02 Rendered Views

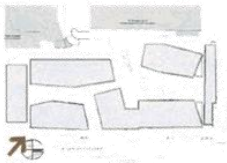


View looking West across River Boulevard

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.03 Rendered Views

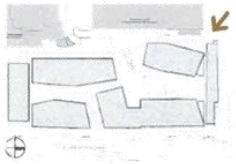


View looking West across River Boulevard

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.04 Rendered Views

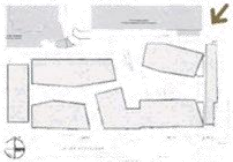


View looking South across Victoria Street

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.05 Rendered Views

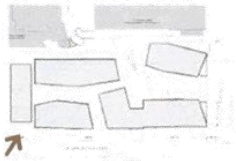


View looking South East across Victoria Street

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.06 Rendered Views



View looking North West along River Boulevard

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

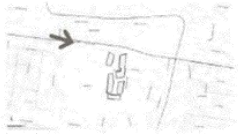
4.0 Design Proposal / 4.07 Rendered Views

View looking west along Barkers Road from bridge

View taken at 1.7m above NGL

Attachment 1 - Advertising Plans & Perspectives

4.0 Design Proposal / 4.08 Rendered Views



View looking east from intersection of Victoria Street and Burnley Street

View taken at 1.7m above NGL

Attachment 2 - Internal urban design advice

CITY OF YARRA

MeMO

TO:	Sarah Thomas (Statutory Planning)
FROM:	Blake Farmar-Bowers (Urban Design)
DATE:	26 March 2018
SUBJECT:	Lot 9C & 10B River Boulevard, Richmond
APPLICATION NO:	PLN16/1156 – Development plan application
	[PLN17/1143 – Planning permit application]
DESCRIPTION:	The development would allow for the construction of a 13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses).

COMMENTS

Urban Design comments have been sought on the above application, in particular on the proposed public realm and streetscape improvements.
(Comments refer to application drawings available online as at 28 February 2018)
Comments are provided below and as per attached annotated plan.
The Podium 1 Courtyard and Level 4 Roof Deck are not included within this review.

Drawing Consistency and Scale

Ensure drawings from all disciplines are co-ordinated and existing features (trees and light poles) are shown. Ensure drawing scale is noted, and scale bar is correct.

Pedestrian Access & Circulation

The following pedestrian links are required as per attached annotated plan:
Note: Drawing packages need to be co-ordinated to resolve inconsistencies between disciplines.

- Pedestrian access from River Boulevard past Childcare and Medical Lobby toward Victoria Gardens Shopping Centres.
- Pedestrian access along Vickers Drive connecting Victoria Gardens Shopping Centre to River Boulevard. Ensure that this is a legible pedestrian connection. Southern footpath may be prioritised as this offers fewer conflict points with vehicles.
- Maintain existing River Boulevard pedestrian crossing at Elaine Court.

To ensure circulation is safe and accessible the following items need to be addressed:

- Include zebra crossing line marking across carpark entries on Vickers Drive to indicate pedestrian priority.
- Ensure lighting levels are compliant on Vickers Drive under Level 1 Podium.
- Define single path of travel on 1:20 ramp at South-east corner, or regrade to a maximum grade of 1:40, to ensure all falls on pavements are compliant with Australian Standards.
- Review streetscape opposite Lobby at River Boulevard and Vickers Drive to ensure 1.8m wide unobstructed path of travel is achieved. Furniture located at this point may be contributing to narrowed footpath width.
- Review footpath on Victoria Street at Western interface to define extent of pedestrian pavement and accessibility.

Podium Access

Ensure steps from footpath to Level 1 podium are compliant with Australian Standards. Use tactile indicators at street level as per Technical Notes: City of Yarra Public Domain Manual.

Attachment 2 - Internal urban design advice

Vehicle Access
Confirm if loading bays located at South-west corner require vehicle access.
Risk of potential conflict with pedestrians given reduced sight lines.

Taxi Location
Nominated Taxi rank parking will impact on 2 No. existing London Plane trees and is not supported. Indented parking sits behind existing kerb line and offers an unacceptable offset to existing trees (approximately 0.5-1.0m). Proposed location creates conflict with left hand turning lane and bicycle lane. Nominate alternative location.

Loading Bays
Loading bays on River Boulevard should be designated as pick up/ drop off parking (Kiss 'n' Ride).
Relocate indented parking to allow cyclists direct access to bicycle parking from River Boulevard.

Pavement materials
Yarra City Council standard footpaths, in this location are asphalt pavements with concrete kerb and channels. The footpath along Victoria Street (Lot 10B) is currently asphalt and should be maintained rather than in-situ concrete as proposed.
River Boulevard footpaths should be nominated as an asphalt pavement.
Bluestone unit paving is supported as a replacement to the existing concrete pavement along the interface adjacent to Victoria Gardens Shopping Centre. Pavement design may be simplified with removal of banding.
Refer to Yarra Standard Drawings and comments provided by Engineering Services.

Street Tree Planting & Opportunities
It is recommended that proposed tree planting along River Boulevard be distributed evenly. Refer to comments provided by Arboriculture & Streetscapes.
Locations of some proposed trees (River Boulevard central median) clash with existing trees, light poles and pedestrian desire lines. Explore opportunity to extend central median to accommodate additional tree planting. Refer to annotated plan.
Opportunity to implement street tree planting on Victoria Street. Refer to comments provided by Arboriculture & Streetscapes.

Furniture & Fixtures
Proposed street furniture should be distributed more evenly to align with tree planting and breadth of commercial destinations. Furniture locations should be more responsive to building use and entries. Refer to example below for suggested furniture set-out at street tree locations (Typical Plan & Section).

Timber seats with backs and armrests are supported. Ensure seats are sited in accordance with Technical Notes: City of Yarra Public Domain Manual and Yarra Standard Drawings.

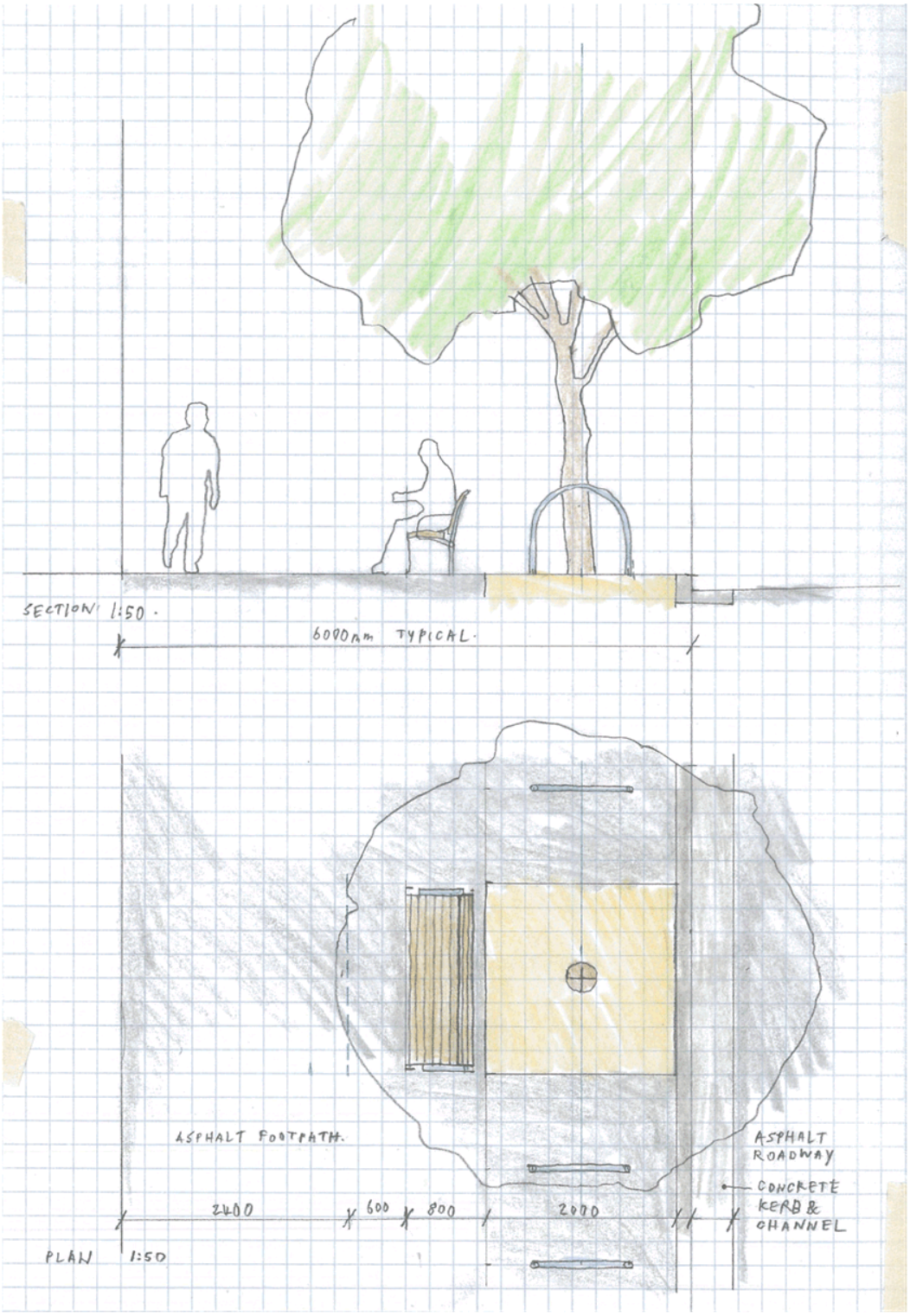
- 600mm offset is required to kerb line of footpaths.
- To maintain adequate clear paths of travel (recommended minimum 1800mm) allow additional 600mm offset in front of seats to accommodate usage.
- Preferred situation is located in front of tree pits or garden beds for an additional buffer to River Boulevard.
- Note image supplied shows SHS legs. Standard seat uses round tube legs.

Banks of bicycle hoops should be avoided to declutter streetscape. 2-3 No. could be positioned at street trees as per example below. Ensure bicycle hoops are sited in accordance with Technical Notes: City of Yarra Public Domain Manual.

Adjust orientation of drinking fountain so it faces shops/lobby rather than roadway. Ensure suitable clearance is provided to allow universal access.

Use single rubbish bin enclosures as all rubbish is collected from standard bins and recycling is sorted post collection.

Attachment 2 - Internal urban design advice



Furniture set-out
Suggested furniture set-out at street tree locations (Typical Plan & Section).

Attachment 3 - Acoustic peer review (SLR)

7 March 2018

640.10090.05260 10-20 River Bvd Richmond 20180307.docx

City of Yarra
P.O. Box 168
Richmond VIC 3121

Attention: Sarah Thomas

Dear Sarah

10-20 River Boulevard Richmond
Development Application Acoustical Review

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the mixed use development proposed for 10-20 River Boulevard Richmond.

Details of the report are as follows:

- Title: Lots 9 & 10, Victoria Gardens, Noise Impact Assessment
- Reference: 20161748.1/1909A/R4/JZ
- Date: 7 February 2018
- Prepared for: Victoria Gardens Developments Pty Ltd
- Prepared by: Acoustic Logic

We are not aware of any planning permit for the development. The provided acoustic report provides a general assessment of external noise intrusion and noise emissions from the site.

1 Preliminary

(Section 2 of the report)

The proposed use and the location of nearby uses are identified in these sections of the report.

The proposal is for a mixed use development comprising commercial, retail, childcare and medical centre, two towers of residential apartments at 5 and 11 storey respectively, as well as underground carpark.

The development is directly east of the existing Victoria Gardens shopping centre / Ikea and will have an interface with the shopping centre.

Commercial and residential apartments are also located to the east of the development.

There are primarily 2 main noise sources that impact the development, being traffic noise and mechanical plant & loading dock noise from Ikea / Victoria Gardens.

SLR Consulting Australia Pty Ltd Suite 2, 2 Domville Avenue Hawthorn VIC 3122 Australia
T: +61 3 9249 9400 F: +61 3 9249 9499 E: melbourne@slrconsulting.com
www.slrconsulting.com ABN 29 001 584 612

Attachment 3 - Acoustic peer review (SLR)

2 Assessment Criteria

2.1 Traffic Noise

(Section 5.1 of the acoustic report)

Noise from transportation is proposed to be assessed to the levels nominated in Australian Standard AS/NZS2107:2000. Acoustic Logic nominate the upper end of the Australian Standard Range, being:

- Day Period: 45 dBA, Leq 15h to all habitable Rooms
- Night Period: 40 dBA Leq 9h to bedrooms

SLR Comments: *The above targets are not acceptable for providing a reasonable level of amenity to occupants. Our recommended traffic noise design targets are:*

- *Day Period: 40 dBA, Leq 15h to all Habitable Rooms*
- *Night Period: 35 dBA Leq 8h to bedrooms*

AND

- *Loudest hour of road traffic noise is not to exceed 45 dBA Leq,1h in habitable rooms from 7 am to 10 pm, and 40 dBA Leq,1h in bedrooms from 10 pm to 7 am.*

The above targets are considered more appropriate and align with the new Better Apartment Design Standards (BADS) targets, and also with the NSW Road Noise Policy 2011 targets. We have been recommending the above targets to City of Yarra for over 5 years, and they have been adopted on many projects.

2.2 Plant Equipment and Loading Dock Noise

(Section 5.2 and 8 of the acoustic report)

Section 8 of the Acoustic Logic report presents the formal determined SEPP N-1 criteria as follows:

- Day: 60 dBA, Evening: 54 dBA, Night: 49 dBA

Section 8.2 presents the Domestic Noise Guideline (EPA Publication 1254) criteria as follows:

- Day / Evening: 61 dBA, Night: Inaudibility

In Section 5.2 Acoustic Logic discuss that all noise from adjacent uses should achieve formal SEPP N-1 noise limits at the development. Where this cannot be achieved, a sealed façade would technically be required to achieve formal compliance. This approach is usually highly undesirable from a building ventilation amenity outcome.

Given the above, Acoustic Logic suggest that plant noise and equipment / loading dock noise be designed to internal SEPP N-1 based criteria, where residents have the option of user controlled amenity – ie openable windows.

The SEPP N-1 internal criteria are based on the externa criteria -15 dB. Acoustic Logic present the internal night period noise criterion of 34 dBA Leq(30min).

Attachment 3 - Acoustic peer review (SLR)

SLR Comments:

The general approach from Acoustic Logic is appropriate, however we believe there are some technical errors in the derivation of the noise criteria in the report. This is both for the SEPP N-1 criteria and the Domestic Noise Guidelines criteria.

SEPP N-1 Criteria

In Section 8.2 Acoustic Logic determine the influencing factor for the site of 0.4. We also have calculated a similar Influencing Factor. However, the determined Zoning Levels (for an IF of 0.4) are incorrect in table 11 of their report. The Zoning Levels should be, according to our calculation, 2 dB lower than shown.

The final noise limits are determined with consideration to both the Zoning Levels, and background levels collected on site. Acoustic Logic use background data collected in an exposed location, near Victoria Street, for determining the noise limits. This location does not represent a potentially more shielded or set-back location on the site (eg. a location facing the loading docks).

The noise limits need to be recalculated, and it may be more appropriate to adopt zoning levels as the noise limits in the absence of specific background measurements at more shielded locations on the site.

The above error also follows onto the determined internal criteria, which were 34 dBA in the Acoustic Logic report, but should be 32 dBA according to our calculation. This needs to be checked and amended by Acoustic Logic.

The approach of allowing for internal noise criteria (user controlled amenity via appropriate glazing design) has been adopted previously in CoY applications, as formal compliance to SEPP N-1 is often highly impractical in mixed use areas. We have generaly accepted this approach but have advised that the criteria are based on the lower of either:

- *SEPP N-1 internal criteria (as per the AL approach)*
- *30 dBA inside*

Although we would prefer to see the 30 dBA criterion adopted, we would generally accept the SEPP N-1 internal criterion of 32 dBA (which is similar) on this site, as long as all relevant penalty adjustments are applied to the subject noise sources – ie tonality, impulsivity etc should be included as per normal SEPP N-1 approaches. The noise sources associated with the loading docks would likely attract such penalties (eg. reversing beepers, impact sounds).

Also, where night period sources are involved, it is necessary to consider sleep disturbance criteria from these sources – eg. a loading dock and truck pass-bys should be designed to appropriate sleep disturbance targets within the development.

The aim of these additional requirements is to minimise the risk of complaint from residents; this is necessary given that the proposed development introduces a non compliance to formal SEPP N-1 criteria for the Victoria Gardens shopping centre.

Domestic Noise (EPA Publication 1254) Criteria

Table 13 shows a Day / Evening criterion of 61 dBA Leq for the site. This is inappropriate because:

a. *The background noise was collected at an exposed location towards Victoria Street, and does not represent background levels to the rear / more shielded locations on the site.*

Attachment 3 - Acoustic peer review (SLR)

b. *The averaged evening background level appears to have been used instead of the lowest short term background level . The 1254 Guidelines require noise to be not more than 5 dBA above background at all times, and long term averaging of background levels does not provide for an appropriate baseline level to ensure this.*

We would expect background levels and associated noise criteria to be lower than what has been adopted.

3 Measurements

3.1 Traffic Noise

(Section 6.1 of the acoustic report)

Attended short term measurements and longer term noise logging was undertaken by Acoustic Logic at the subject site.

The traffic noise measurements included:

- Attended measurements along Victoria Street and River Boulevard (setback 30 m and 80 m from Victoria Street) during typical morning and evening peak traffic conditions
- Noise logging undertaken on the roof of the existing commercial building to the east (14-21 December 2017).

Results are summarised in Table 4, 5 and 6 for traffic noise.

SLR Comments: *The measurement locations and general presented data is reasonable for quantifying traffic noise to the site.*

3.2 Plant Equipment Noise

(Section 6.2 of the acoustic report)

Acoustic Logic undertook noise measurements around mechanical plant associated with the Victoria Gardens Shopping Centre, Ikea and commercial Office building at 40 River Boulevard on 12 December 2016. The results of measurements are provided in Table 8 of their report.

Measurements were also collected along the loading dock over 3 different attended surveys. The results are presented as 15 minute measurements in Table 9.

SLR Comments: *The approach undertaken by Acoustic Logic represents good practice. The relevant noise sources have generally been collected. However we note that the following should be considered / reviewed:*

- *The noise survey for the roof plant was in 2016. It should be confirmed that there has been no significant change in plant equipment on the subject site (ie no additional plant added etc.) or in operational modes of equipment.*
- *The loading dock noise should also be quantified as 'Lmax' noise levels if the docks are used at night, such that appropriate sleep disturbance consideration can be undertaken. We would assume that Acoustic Logic would likely have this data stored in their test instrumentation. This should include any truck pass-by noise to the new development.*

Attachment 3 - Acoustic peer review (SLR)

3.3 Noise Modelling

(Section 6.4 of the acoustic report)

Acoustic Logic use the collected data to create a noise model of all the noise sources on site, and show the predicted noise levels at the façade of the proposed development in Appendix 2 of their report.

Review of the Appendix 2 noise plots shows noise levels in the order of 60-62 dBA at the most exposed facades of the proposed development, due to mechanical plant and loading dock noise. This exceeds day, evening and night period SEPP N-1 criteria.

The noise modelling plots also show traffic noise levels of approximately 66-68 dBA along Victoria Street facades.

> ***SLR Comments:*** *The approach undertaken by Acoustic Logic represents good practice given the number of noise sources, and complex geometry of the proposed development. Technical details of the noise model inputs (eg. sound power levels) are not provided. This would be preferred for general transparency and to allow for an indicative technical review to be undertaken. Note that it would not be a straight forward exercise for SLR to fully review this work without undertaking independent measurements and noise modelling.*

4 Evaluation of Noise Intrusion

(Section 7 of acoustic report)

Recommended glazing, including composition and acoustic (Rw ratings) are provided in this section, as well as comment on construction of roof and walls of the development.

Section 7.4 also specifies an acoustic cover for the Ikea loading dock, which is in close proximity directly to the west of the development.

> ***SLR Comments:*** *The advice is appropriately specified. All acoustic design advice will need to be reviewed to reflect the corrected noise criteria and design targets as discussed above (for traffic, SEPP N-1 etc.).*

5 Plant and Equipment from Site

(Section 8.3 of acoustic report)

This section of the report discusses plant and equipment from the proposed development to residential uses. As there is no formal mechanical design yet for the development, indicative guidance is provided for typical plant equipment items such as carpark exhaust fans, air handling equipment and condensers.

Comment is also provided on any music noise emissions, noise from the medical and childcare centre and deliveries. The report recommends deliveries only occur after 7am weekdays, 9 am Sundays and before 6 pm on all days.

The report generally requires that all such sources are designed to meet formal SEPP N-1 and SEPP N-2 criteria.

Attachment 3 - Acoustic peer review (SLR)

SLR Comments: *The commentary provided is reasonable given there is no mechanical plant equipment design available for the site during the planning stage. However, given the size of the development and the potential for it to have significant sources of mechanical plant, the report should be clear in recommending that a detailed acoustical review be undertaken of the design during the detailed design stage of the development.*

6 SLR Summary

A review of the acoustic report for the mixed use development is provided above. The items we recommend are addressed in further detail are summarised below:

Noise Criteria

- SEPP N-1 criteria need to be re-evaluated to ensure the correct criteria are provided for more shielded locations on the site. The presented criteria (and the associated internal SEPP N-1 criteria) are in the order of 2 dBA too high. This will have implications in the mechanical design targets, and in the assessment of existing loading dock / plant equipment noise to the western interface apartments.
- Traffic noise should be assessed to the recommended criteria in this report, which are more in line with the current BADs targets. This will have implications on the selected glazing for traffic noise control.
- Domestic Noise Guideline Criteria need to be reviewed and must be based on the lowest short term background levels at a shielded / setback location on the site.

Mechanical plant noise assessment from Victoria Gardens

- Acoustic Logic should confirm if their site testing from 2016 is still representative of current plant equipment installation and noise emissions.
- Loading dock noise, if it occurs at night, should also be assessed to sleep disturbance criteria at the future apartments

Other

- Noise from any loading dock and gates / doors on the site has not been commented on. There would be a number of apartments overlooking Vickers Drive (and also directly above the loading areas) that could potentially be exposed to this. The report recommends restricted loading access (7am -6pm weekdays and Saturdays, 9am -6pm Sunday). This is a reasonable amenity protection approach, but must be implemented. Noise from commercial loading docks is strictly required to comply with SEPP N-1.
- The southern end of the development includes the childcare centre. A rooftop play area is shown within very close proximity to the south most apartments. Noise from outdoor play areas may provide some amenity impact to the nearest residential apartments. This should be assessed. While there are no mandatory requirements for voice noise, appropriate assessment can be provided using SEPP N-1 based targets (or lowest background + 10 dB). Provision of perimeter screening, or upgraded glazing may suffice given the nature of the noise source.
- The report should recommend that a full detailed acoustical mechanical review be undertaken during the design stage of the development, given the scale and significant sources of noise likely.
- Given the scale of the development, and the risk associated with the Victoria Gardens mechanical plant and loading docks, we would recommend that the permit include a requirement for post construction noise testing to confirm the appropriate internal design targets have been met. We also recommend this approach for the traffic noise façade design.

Attachment 3 - Acoustic peer review (SLR)

Regards

Jim Antonopoulos
Principal - Acoustics

Checked/
Authorised by: DW

Attachment 4 - Engineering comments

CITY OF YARRA

MEMO

To:	**Sarah Thomas**	
From:	**Mark Pisani**	
Date:	**12 April 2018**	
Subject:	**Application No:**	**PLN17/1143**
	Description:	**Major Development**
	Site Address:	**10 and 20 River Boulevard, Richmond**

I refer to the above Planning Application received on 28 February 2018 and the accompanying Transport Impact Assessment report prepared by GTA Consultants in relation to the proposed development at 10 and 20 River Boulevard, Richmond. Council's Engineering Services unit provides the following information:

CAR PARKING PROVISION

Proposed Development

Under the provisions of the Comprehensive Development Zone – Schedule 1 and Clause 52.06-5 of the Yarra Planning Scheme (where applicable), the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Residential	426 dwellings	1.5 spaces per dwelling	639	320
Office	3,924 m^2	2.5 spaces per 100 m^2	98	78
Shop	3,369 m^2	4.5 spaces per 100 m^2	151	95
Food and Drink	858 m^2/285 seats	0.3 spaces per seat	85	
Restricted Retail	5,520 m^2	2.0 spaces per 100 m^2	110	84
Childcare Centre	100 children	0.22 spaces to each child	22	11
Medical Centre	8 practitioners	5 spaces to the first person providing health services plus 3 spaces to every other person providing health services	26	26
		Total	**1,131 Spaces**	**614 Spaces plus 161 leased spaces***

Rates adopted from Clause 52.06-5

***** The 161 leased spaces are for use by the existing office at 680 Victoria Street.

Attachment 4 - Engineering comments

Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, Clause 18 – *Car parking control* states that the Responsible Authority must consider the following:

- *The likely Demand for Car Parking Spaces – Residential Dwellings*. GTA Consultants have sourced ABS census data for car ownership for flat type dwellings in Yarra for the years 2006, 2011 and 2016 and has also quoted statutory parking rates from Schedule 1 to the Priority Development Zone PDZ1 (Flockhart Street) and Schedule 3 to the Comprehensive Development Zone CDZ3 (2 Gough Street, Cremorne). To provide an overall parking demand rate for one-, two- and three-bedroom dwellings, GTA Consultants have adopted a rate of 0.75 spaces per dwelling, recognising that a proportion of dwellings would not own or use a motor vehicle. Providing a lesser rate than the statutory 1.5 spaces per dwelling would potentially provide modal shift towards using more sustainable forms of transport. We consider the adoption of 0.75 spaces per dwelling to be appropriate, especially since residents are within walking distance of shops, supermarkets, businesses, essential facilities, places of employment and public transport.
- *Parking Demand associated with Residential Visitors*. Although Clause 18 of Schedule 1 to the Comprehensive Development Zone does not specifically mention residential visitors, the development would generate a residential visitor parking demand. Peak parking for residential visitors generally occurs on weekday evenings and at weekends. Applying an established empirical peak residential parking rate of 0.12 spaces per dwelling for the 426 dwellings would result in a parking demand of 51 spaces. During normal business hours, the visitor parking rate would be much less than the 0.12 spaces per dwelling. Daytime visitor parking would be around 0.07 spaces per dwelling, which would result in 29 to 30 spaces. GTA have adopted a peak visitor rate of 0.04 spaces per dwelling based on surveys undertaken of residential developments in various inner city locations (details unknown). Although the GTA visitor parking rate seems low, it is agreed that the visitor parking would be accommodated within the expanse of the Victoria Gardens Shopping Centre. Multi-purpose trips would likely be made by residential visitors.
- *Parking Demand for Office Use*. Parking associated with office type developments is generally long-stay parking for employees and short term parking (say up to two hours' duration) for customers and clients. The development would be providing on-site office parking at a rate of 1.99 spaces per 100 square metres (78 spaces for 3,924 square metres of office floor space). Throughout the municipality, a number of developments have been approved with reduced office rates, as shown in the following table:

Development Site	Approved Office Parking Rate
Cremorne	
9-11 Cremorne Street PLN16/0171 (Amended) issued 13 June 2017	0.85 spaces per 100 m^2 (20 on-site spaces; 2,329 m^2)
Collingwood	
71-93 Gipps Street PLN16/1150 issued 30 August 2017	0.96 spaces per 100 m^2 (86 on-site spaces; 8,923 m^2)
2-16 Northumberland Street PLN16/1150 issued 14 June 2017	0.89 spaces per 100 m^2 (135 on-site spaces; 15,300 m^2)

An office parking rate of 1.99 spaces per 100 square metres of floor area is considered appropriate.

Attachment 4 - Engineering comments

- *Car Parking Demand for Shop and Food and Drink Uses*. To determine the likely parking demand for the sop and food and drink uses of the site, GTA Consultants had conducted a car parking demand survey of the Victoria Gardens Shopping Centre on Saturday 14 October 2017 from 9:00am to 7:00pm. An inventory of 2,340 spaces was identified. The survey recorded the peak parking occupancy occurring at 3:00pm (at 62%). The peak car parking demand had equated to a rate of 3.0 spaces per 100 square metres of floor area. Applying this rate to the two uses would result in a car parking demand of 127 spaces. GTA have also indicated that surveys of the car park throughout the year recorded weekday parking demands were around 75% of peak weekend parking demands. We agree that a weekday parking demand of 95 spaces could be accommodated.
- *Car Parking Demand for Restricted Retail Use*. GTA Consultants have adopted the rate of 2.0 spaces per 100 square metres as an appropriate car parking demand rate for the restricted retail premises.
- *Parking Demand for Childcare Centre*. It is agreed that the rate of 0.22 spaces per child is high. Council has approved childcare centres with rates lower than the statutory parking rate. One such site was at 556 Swan Street, Richmond (PLN15/0302 issued on 22 March 2016), was approved with an on-site car parking rate of 0.134 spaces per child. Applying this rate would yield 13 spaces. Providing 11 on-site spaces to the proposed childcare centre is considered appropriate.
- *Parking Demand for Medical Centre*. The proposed on-site parking provision for the medical centre matches the statutory parking rate and is therefore satisfactory.

Adequacy of Car Parking

From a traffic engineering perspective, the on-site car parking provision of the site is considered appropriate in the context of the development and the surrounding area. Any possible parking overflow from the subject development could be absorbed within the broader Victoria Gardens Shopping Centre car park.

Council's Civil Engineering unit has no objection to the reduction in the car parking requirement for this site.

Attachment 4 - Engineering comments

TRAFFIC GENERATION

Trip Generation

The traffic generation for the site adopted by GTA Consultants is as follows:

Proposed Use	Adopted Traffic Generation Rate	Weekday Peak Hour		Saturday Peak Hour
		AM	PM	Midday
Residential (320 on-site spaces)	0.16 trips per on-site space in each weekday peak hour 0.10 trips per on-site space in each Saturday peak hour	51	51	32
Office (78 on-site spaces)	0.50 trips per on-site space in each weekday peak hour	39	39	0
Retail, Restricted Retail Food & Drink (49,000 m^2)	0.67 trips per 100 m^2 of floor area in weekday AM peak 2.30 trips per 100m^2 of floor area in weekday PM peak 3.71 trips per 100 m^2 of floor area in Saturday peak	26	49	144
Childcare Centre (22 children)	0.425 trips per child in each weekday peak hour	43	43	0
Medical Centre (8 practitioners)	2.35 trips per practitioner in each weekday AM peak hour 2.90 trips per practitioner in each weekday PM peak hour 2.90 trips per practitioner in each Saturday peak	19	23	23
	Total	**178**	**245**	**199**

Other Nearby Development

In assessing the traffic impact of the subject site, GTA have also provided trip generation data for three major nearby developments: 607-627 Victoria Street, 647-649 Victoria Street and 25-35 River Boulevard.

Traffic Distribution

The traffic distribution assumptions made by GTA for the various uses of the development traffic are considered reasonable for the traffic analysis of the site.

Traffic Impact of Subject Site

The traffic generated by the subject site and the three large recently approved sites would impact the intersection of Victoria Street and River Boulevard-Acacia Place. The traffic impact of the Victoria Street/River Boulevard-Acacia Place intersection was assessed using the SIDRA program, which measures intersection performance. SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic.

The results of the post-development modelling suggest that the intersection would continue to operate satisfactorily when the subject site and the three nearby developments are operational. However, very little mention was made on the impact of the Victoria Street/Burnley Street intersection. It may be helpful if the intersection of Victoria Street and Burnley Street be assessed in conjunction with the Victoria Street/River Boulevard Acacia Place intersection.

In the AM peak hour, do stationary traffic queues along Victoria Street (westbound traffic) extend beyond the Victoria Street/River Boulevard-Acacia Place intersection?

The traffic impacts surrounding the site need to be detailed and discussed further, rather than look at one intersection in isolation.

Attachment 4 - Engineering comments

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Rothe Lowman Drawing Nos. TP00.02, TP01.00, TP01.01 Rev A dated 4 December 2017
TP01.02, TP01.03, TP01.04 Rev B dated 17 January 2018

Item	Assessment
Access Arrangements	
Development Entrance – Vickers Drive Access	The proposed 9.65 metre wide entrance satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Development Entrance – River Boulevard Access	The proposed 9.63 metre wide entrance satisfies AS/NZS 2890.1:2004.
Visibility – Vickers Drive Access	A pedestrian sight triangle has not been provided for the exit lane of the entrance onto Vickers Drive.
Visibility – River Boulevard Access	A pedestrian sight triangle has not been superimposed on the north side of the entrance.
Headroom Clearance	Not dimensioned on the drawings.
Internal Ramped Accessways	Ramped accessways have widths of 6.4 to 6.9 metres and also satisfy AS/NZS 2890.1:2004.
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the regular at-grade parking spaces (2.6 metres by 4.9 metres) satisfy *Design standard 2: Car parking spaces* of Clause 52.06-9.
Accessible Parking Space	With the exception of the lengths (which satisfy *Design standard 2*), the accessible parking spaces ad associated shared areas satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009.
Parallel Parking Spaces	The dimensions of the parallel parking spaces (6.7 metres by 2.3 metres) satisfy *Design standard 2*.
Aisles	The aisle widths range from 5.6 metres to 8.0 metres and satisfy *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	Not dimensioned on the drawings. Columns do not appear to have been provided for the car parking levels for the north building.
Clearances to Walls	Not dimensioned on the drawings.
Bind Aisle Extensions	Not dimensioned on the drawings.
Gradients	
Ramp Grade for First 5.0 metres inside Property – Vickers Drive and River Boulevard	The ramps grades for the first 5.0 metres inside the entrances are horizontal and satisfy *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and changes of grade satisfy *Table 3 Ramp Gradients* of Clause 52.06-9. The lengths of the ramp grades for the internal ramps in the north building have not been dimensioned.

Attachment 4 - Engineering comments

Item	Assessment
Loading and Truck Movements	
Loading Docks	Areas set aside for loading are located in both the north and south buildings. Swept path diagrams for the 8.8 metre and 12.5 metre long services vehicles entering and exiting the loading areas are considered satisfactory.
Waste Collection Vehicle	The swept path diagrams for the 6.34 metre long waste collection vehicle entering, circulating and exiting the south building via River Boulevard are considered satisfactory. Swept path diagrams for the waste collection vehicle servicing the north building via Vickers Drive are also satisfactory.
Loading Area – South West Corner of Site	A check of the Upper Ground plan indicates that there is a loading area located at the south west corner of the south building. Details are very scant and it is unknown how vehicles would access this facility. If it is proposed to have vehicular access to the loading area, this would cause potential safety concerns for pedestrians.
Other Items	
Vehicle Turning Movements – Vickers Drive Access	The swept path movements for a B99 design vehicle ad an oncoming B85 design vehicle into the entrance of the north building via Vickers Drive are considered satisfactory.
Vehicle Circulation within Basement Levels 1 and 2 – North Building	The swept path movements for a B99 design vehicle ad an oncoming B85 design vehicle with the aisles of basement levels 1 and 2 of the north building are considered satisfactory.
Indented Loading Bay – West Side of River Boulevard	The use of the indented bay on the west side of River Boulevard is considered inappropriate. This bay should be used for short-stay parking or drop-off.
Indented Taxi Rank – West Side of River Boulevard	The location of the indented taxi rank is inappropriate having regard to the proximity of the left turn slip lane. Should be relocated to an alternative position where pedestrians are likely to congregate.
Height Clearance – Above Vickers Drive	To be clearly dimensioned on the drawings, from the surface of the carriageway to the underside the building spanning across Vickers Drive. The height clearance shall be no less than 4.8 metres.

Attachment 4 - Engineering comments

Design Items to be Addressed

Item	Details
Visibility – Vickers Drive Entrance	A pedestrian sight triangle should be provided at the exit lane of the entrance. If a sight triangle cannot be provided, a CCTV monitor should be installed to view pedestrians walking along the Vickers Drive footpath.
Visibility – River Boulevard Entrance	A pedestrian sight triangle should be superimposed/provided at the exit lane of the entrance. If a sight triangle cannot be provided, a CCTV monitor should be installed to view pedestrians walking along the River Boulevard footpath.
Headroom Clearances	To be dimensioned on the drawings.
Column Depths and Setbacks	To be dimensioned on the drawings.
Clearances to Walls	To be dimensioned on the drawings.
Blind Aisle Extensions	To be dimensioned on the drawings.
Ramp grade Lengths – North Building	The ramp grade lengths for the internal ramped accessways are to be dimensioned on the drawings.

ROAD SAFETY AUDIT

Before a Planning Permit is issued for the site, it is recommended that a Road Safety Audit of the development, especially in relation to the loading dock and their interface with footpaths, at the design phase be undertaken by an independent accredited Road Safety Auditor.

The loading docks and vehicular entrances present potential conflict issues with pedestrians, bicycles and other vulnerable road users. The road safety aspects of these design elements must be examined and assessed. Recommendations from the Road Safety Audit should be considered before any revisions to the design are made.

The Road safety Audit must be completely independent of the application's traffic impact assessment and should be undertaken in accordance with the guidelines set out in Austroads *Guide to Road Safety Part 6: Road Safety Audits*.

IMPACT ON COUNCIL ROAD ASSETS

The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site.

It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for residents, employees, visitors and other users of the site.

Attachment 4 - Engineering comments

ENGINEERING CONDITIONS

Civil Works

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

- The kerb and channel along the property's River Boulevard, Vickers Drive and Victoria Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's River Boulevard, Vickers Drive and Victoria Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- The vehicle crossings servicing the development's entrances on the north side of Vickers Drive and the west side of River Boulevard must be constructed to Council's satisfaction. Materials to be used must comply with Council's *Infrastructure Road Materials Policy*. The vehicle crossings must satisfy the vehicle ground clearance requirements for the B99 design vehicle.
- The northbound carriageway of River Boulevard, from the south end to the intersection with Victoria Street must be profiled (grind the top layer of asphalt, up to a depth of 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- All redundant vehicle crossings within and surrounding the site must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external public lighting capable of illuminating footpaths, pedestrian walkways and dwelling entrances must be provided. Lighting must be:

    - located;
    - directed;
    - shielded; and
    - of limited intensity,

    to the satisfaction of the Responsible Authority by way of a Public Lighting Plan.

Road Asset Protection

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

Construction Management Plan

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

Impact of Assets on Proposed Development

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

Attachment 4 - Engineering comments

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

Attachment 4 - Engineering comments

NON-PLANNING ADVICE FOR THE APPLICANT

Item	Details
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the *Building Regulations 2006* 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 610.
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. ▪ 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. ▪ Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority. ▪ 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.
Road Reinstatements	All road pavement reinstatements must be consolidated as single full-width areas of reinstatement to reduce further construction joints in the pavement.
Redundant Pits and Services	Redundant pits/services to be removed and Council assets to be reinstated.
Details on Drawings	Additional dimensions to be provided on the drawings for widths of all footpaths, nature strips, roadway sections and vehicle crossings. Further assessment and comments to be provided following the receipt of these dimensioned plans.
Service Easement	Applicant to liaise with relevant authorities regarding proposed basement connection between 600 Victoria Street and 10 River Boulevard. There is currently a service easement that intersects with the alignment of this proposed underground connection. Consent from authorities may be required.
Section 173 Agreement	A Section 173 Agreement is to be drafted to ensure that publically trafficable footpaths and roadways are maintained and kept clear of obstructions. This is particularly important along the River Boulevard frontage where pedestrians are redirected within the title boundary.
Irrigation Assets	Irrigation assets surrounding the site to be identified prior to works commencing. Open space to provide comment as to whether they are to be retained or relayed at the cost of the applicant.
Proving of Underground Services	The proving of underground services is to be conducted prior to works commencing on-site to ensure that all services surrounding the site have been identified. Permission from the relevant service authorities must be obtained if works will impact the service authorities' assets.

Attachment 4 - Engineering comments

Item	Details
Detailed Engineering Design	The developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development for assessment and approval.
Footpath Materials	Proposed footpath pavers along the west side of River Boulevard and the south side of Victoria Street should be as per Council Standard Drawing YSD416 *Swan Bluestone Paving for Footpath*.
Existing Stormwater Pits	Existing stormwater pits close to the proposed vehicle crossings on Vickers Drive are to be shown on submitted plans. Stormwater pits may require to be relocated, at the cost of the applicant, subject to the assessment and approval of the developments civil design by Council's Civil Engineering unit.

Attachment 4 - Engineering comments

Attachment 5 - ESD advice

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

ESD in the Planning Permit Application Process

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

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

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category *Residential 1. Ten or more dwellings*.

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.
The following comments are based on the review of the architectural drawings, prepared by Rothe Lowman (Rev B prepared 17.01.2018), the accompanying SMP, prepared by Norman Disney Young (Rev 2 12.09.2017), and the Stormwater Management Plan prepared by Bonacci Group (May 2017).

Attachment 5 - ESD advice

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

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Attachment 5 - ESD advice

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:		Sarah Thomas	
ESD Advisor:		Euan Williamson	
Date:	19.03.2018	Planning Application No:	PLN16/1156
Subject Site:		10-20 River Boulevard, Richmond	
Site Area:	Approx. 14,152m^2	Site Coverage:	100%
Project Description:		13 storey mixed use development.	
Pre-application meeting(s):		None.	

The standard of the ESD <u>does not meet</u> 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:

- Average 6.5 Star (minimum) NatHERS ratings for dwellings.
- Non-residential areas to be 15% improvement on NCC energy efficiency standards for thermal performance & a 5% improvement on glazing allocations for each level, or a 10% improvement via JV3 modelling.
- A MUSIC model demonstrating best practice has been submitted that relies on ~9,978m^2 of roof connected to 60,000 litres of rainwater storage for landscape irrigation and toilet flushing. Overflow to be filtered through a propriety filtering device.
- Access to ventilation is good to most dwellings. Single sided dwellings have reasonable access to natural ventilation. Non-residential areas to have mechanical air-flow rates at least 50% above the AS1668 requirements.
- Good daylight access good to most dwellings.
- Reverse-cycle split systems (minimum 3 Star) and a centralised VRF system with heat recovery. Energy efficient non-residential HVAC below NCC requirements.
- Energy efficient hot water and lighting.
- Water efficient fixtures and taps.
- Electric vehicle charging facilities provided.

(2) Application ESD Deficiencies:

- There are large areas of glazing exposed to summer sun angles and very high levels of summer solar heat gain. Recommend additional external shading systems on all exposed east, west and north facing facades to reduce cooling loads and improve thermal comfort. Please provide sample NatHERS ratings for dwellings and demonstrate that cooling loads do not exceed the 30MJ/m^2 threshold.
- The site area and lot boundaries in the Stormwater Management Plan do not match the architectural drawings and omit a large component of the connecting podium area. The Stormwater Management Plan describes all roof runoff from both sections of the building connecting to a common rainwater tank on Lot 9C (southern), but the architectural drawings show rainwater tank in basements of both areas. Toilet flushing is proposed but it not clear where the toilets are located, how many toilets will be connected and what the annual demand will be. This is fundamental for understanding the effectiveness of the stormwater management system proposed. Under-utilised rainwater tanks will constantly overflow.

Attachment 5 - ESD advice

Sustainable Management Plan (SMP)
Referral Response by Yarra City Council

- The carpark exhaust is located in the common area podium garden. Recommend that the carpark exhaust is relocated away from the common area garden and is filtered to remove carpark pollutants.
- 278 secure bicycle parking spaces on ground floor and carparking levels for staff, residents and an additional 44 spaces for visitors. Recommend increasing the number of residential, staff and visitor bike spaces to 426 for residents, plus spaces for staff, plus visitor bike parking spaces.
- Ensure that adequate end of trip facilities are provided to support cyclist riding to work.

(3) Outstanding Information:

- Please provide sample NatHERS ratings for dwellings and demonstrate that cooling loads do not exceed the 30MJ/m^2 threshold. Ensure that glazing VLT is no less than 0.6% as used in the daylight modelling.
- Please provide a completed JV3 model or DTS Section J report prior to occupancy demonstrating non-residential energy efficiency standards have been met.
- It appears on the detailed dwelling plans that some bedrooms do not have operable windows. Ensure that all habitable rooms have an operable window to facilitate natural ventilation.\
- A solar PV array(s) of unknown size and capacity to contribute to onsite electricity consumption. Please provide more details regarding the solar PV array, including approximately size and location and contribution to electricity consumption.
- Please indicate the number of location of electric vehicle charging infrastructure.

(4) ESD Improvement Opportunities

- Consider a clear commitment to the 6.8 Star average NatHERS standard, as recommended in the SMP.
- Consider providing composting for organic residential waste.

Further Recommendations:
The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

Attachment 5 - ESD advice

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	Access to ventilation is good to most dwellings. Single sided dwellings have reasonable access to natural ventilation. Non-residential areas to have mechanical air-flow rates at least 50% above the AS1668 requirements.	It appears that some bedrooms do not have operable windows. Ensure that all habitable rooms have an operable window to facilitate natural ventilation. Recommend that the carpark exhaust is relocated away from the common area gardens and dwellings, and is filtered to remove carpark pollutants.	2
Daylight & Solar Access	Good daylight access good to most dwellings, non-residential areas will have passable daylight.	-	1
External Views	External views from all dwellings and common areas.	-	1
Hazardous Materials and VOC	95% of paints, adhesives, sealants, carpets will be low-VOC type. And at least 95% of timber products will be low formaldehyde content.	-	1
Thermal Comfort	Good thermal comfort is determined through a combination of good access to ventilation, balanced passive heat gains and high levels of insulation. The application proposes: - Good natural ventilation - Little shading proposed - Average thermal efficiency standards.	Please refer to section on, *NCC Energy Efficiency Requirements Exceeded* and *Effective Shading*	2

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 1. Indoor Environment Quality
Good Environmental Choice Australia Standards www.geca.org.au
Australian Green Procurement www.greenprocurement.org
Residential Flat Design Code www.planning.nsw.gov.au
Your Home www.yourhome.gov.au

Attachment 5 - ESD advice

2. Energy Efficiency

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	Average 6.5 Star (minimum) NatHERS ratings for dwellings. Non-residential areas to be 15% improvement on NCC energy efficiency standards for thermal performance & a 5% improvement on glazing allocations for each level, or a 10% improvement via JV3 modelling.	Please provide sample NatHERS ratings for dwellings and demonstrate that cooling loads do not exceed the 30MJ/m^2 threshold. Ensure that glazing VLT is no less than 0.6% as used in the daylight modelling. Consider a clear commitment to the 6.8 Star average NatHERS standard, as recommended in the SMP. Please provide a completed JV3 model or DTS Section J report prior to occupancy demonstrating non-residential energy efficiency standards have been met.	3
Hot Water System	Centralised condensing gas hot water with a minimum of 30% solar thermal contribution.	-	1
Peak Energy Demand	Peak demand reduced through various initiatives.	-	1
Effective Shading	There are large areas of glazing exposed to summer sun angles and very high levels of summer solar heat gain.	Recommend additional external shading systems on all exposed east, west and north facing facades to reduce cooling loads and improve thermal comfort. Please provide sample NatHERS ratings for dwellings and demonstrate that cooling loads do not exceed the 30MJ/m^2 threshold.	2
Efficient HVAC system	Reverse-cycle split systems (minimum 3 Star) and a centralised VRF system with heat recovery. Energy efficient non-residential HVAC below NCC requirements.	-	1
Efficient Lighting	Energy efficient LED lighting 10% improvement on NCC minimum requirements.	-	1
Electricity Generation	A solar PV array(s) of unknown size and capacity to contribute to onsite electricity consumption.	Please provide more details regarding the solar PV array,	3

Attachment 5 - ESD advice

		including approximately size and location and contribution to electricity consumption.	
Other	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 2. Energy Efficiency
House Energy Rating www.makeyourhomegreen.vic.gov.au
Building Code Australia www.abcb.gov.au
Window Efficiency Rating Scheme (WERS) www.wers.net
Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au
Energy Efficiency www.resourcesmart.vic.gov.au

Attachment 5 - ESD advice

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 taps and fittings throughout, including: - 4 Star toilets - 5 Star tapware - 3 Star showers <7.5 litres/min - 5 Star dishwashers & - 4 Star washing machines	-	1
Water for Toilet Flushing	A 60,000 litre rainwater tank connected to toilets for flushing & landscape irrigation.	-	1
Water Meter	Water metering for all major common area uses.	-	1
Landscape Irrigation	Provided by rainwater.	-	1
Other	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
Water Services Association of Australia www.wsaa.asn.au
Water Tank Requirement www.makeyourhomegreen.vic.gov.au
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 5 - ESD advice

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 demonstrating best practice has been submitted that relies on ~9,978m^2 of roof connected to 60,000 litres of rainwater storage for landscape irrigation and toilet flushing Overflow to be filtered through a propriety filtering device.	The site area and lot boundaries in the Stormwater Management Plan do not match the architectural drawings and omit a large component of the connecting podium area. The Stormwater Management Plan describes all roof runoff from both sections of the building connecting to a common rainwater tank on Lot 9C (southern), but the architectural drawings show rainwater tank in basements of both areas. Toilet flushing is proposed but it not clear where the toilets are located, how many toilets will be connected and what the annual demand will be. This is fundamental for understanding the effectiveness of the stormwater management system proposed. Under-utilised rainwater tanks will constantly overflow.	2
Discharge to Sewer	-	-	-
Stormwater Diversion	-	-	-
Stormwater Detention	60,000 litres of rainwater tanks detailed above will act in a detention capacity.	-	1
Stormwater Treatment	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 4. Stormwater Management

Attachment 5 - ESD advice

Melbourne Water STORM calculator www.storm.melbournewater.com.au
Water Sensitive Urban Design Principles www.melbournewater.com.au
Environmental Protection Authority Victoria www.epa.vic.gov.au
Water Services Association of Australia www.wsaa.asn.au
Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 5 - ESD advice

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	3% of all products by costs to meet Green star sustainable products guidelines.	-	1
Embodied Energy of Concrete and Steel	60% of steel reinforcing will be produced with energy efficient processes.	Consider recycled water and post-industrial process materials, such as slag or fly ash to reduce the % volume of Portland cement.	4
Sustainable Timber	95% of timber to be sustainable timber sourced with FSC or PEFC certification.	Consider FSC accredited sustainable timber or recycled timber only.	1
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
PVC	90% of PVC used will meet best practice guidelines.	-	1

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 5. Building Materials
Building Materials, Technical Manuals www.yourhome.gov.au
Embodied Energy Technical Manual www.yourhome.gov.au
Good Environmental Choice Australia Standards www.geca.org.au
Forest Stewardship Council Certification Scheme www.fsc.org
Australian Green Procurement www.greenprocurement.org

Attachment 5 - ESD advice

6. Transport

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking throughout podium and basement levels.	-	1
Bike Parking Spaces	278 secure bicycle parking spaces on ground floor and carparking levels for staff, residents and an additional 44 spaces for visitors.	Recommend increasing the number of residential, staff and visitor bike spaces to 426 for residents, plus spaces for staff, plus visitor bike parking spaces.	2
End of Trip Facilities	No information has been provided.	Ensure that adequate end of trip facilities are provided to support cyclist riding to work.	2
Car Share Facilities	No information has been provided.	-	1
Electric vehicle charging	Electric vehicle charging facilities provided.	Please indicate the number of location of electric vehicle charging infrastructure.	3

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 6. Transport
Off-setting Car Emissions Options www.greenfleet.com.au
Sustainable Transport www.transport.vic.gov.au/doi/internet/icy.nsf
Car share options www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/
Bicycle Victoria www.bv.com.au

Attachment 5 - ESD advice

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	A CWMP with a recycling/reuse target for construction and demolition waste has been set.	-	1
Operational Waste Management	General waste and recycling waste. Dual waste chutes provided.	Consider providing composting for organic residential waste	4
Storage Spaces for Recycling and Green Waste	Area for bins, including recycling, can be identified on the plans.	-	1
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 7. Waste Management
Construction and Waste Management www.sustainability.vic.gov.au
Preparing a WMP www.epa.vic.gov.au
Waste and Recycling www.resourcesmart.vic.gov.au
Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002)
www.environment.nsw.gov.au
Waste reduction in office buildings (2002) www.environment.nsw.gov.au

Attachment 5 - ESD advice

8. Urban Ecology

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	NA
Maintaining / Enhancing Ecological Value	Landscaping to podium courtyard and ground floor surrounding the building.	-	1
Heat Island Effect	No specific information has been submitted.	-	1
Communal Spaces	Resident's lounge and communal spaces.	-	1

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 8. Urban Ecology
Department of Sustainability and Environment www.dse.vic.gov.au
Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au
Greening Australia www.greeningaustralia.org.au
Green Roof Technical Manual www.yourhome.gov.au

Attachment 5 - ESD advice

9. Innovation

Objective:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Significant Enhancement to the Environmental Performance	-	-	-
Innovative Social Improvements	-	-	-
New Technology	-	-	-
New Design Approach	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 9. Innovation
Green Building Council Australia www.gbca.org.au
Victorian Eco Innovation lab www.ecoinnovationlab.com
Business Victoria www.business.vic.gov.au
Environment Design Guide www.environmentdesignguide.com.au

Attachment 5 - ESD advice

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	Independent commissioning agent ensuring comprehensive commissioning and tuning of all major appliances and building services.	-	1
Building Users Guide	Operation and Maintenance manual will be provided to the FM team explaining optimal usage of building services and sustainability features and common areas.	Building information should also go to the residents and staff using the building not just the facilities management team.	1
Contractor has Valid ISO14001 Accreditation	Head contractor will be ISO 14001 certified and implement an Environmental Management Plan to monitor and control activities undertaken during construction.	-	1
Construction Management Plan	Head contractor will be ISO 14001 certified and implement an Environmental Management Plan to monitor and control activities undertaken during construction.	-	1
Others	-	-	-

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 10. Construction and Building Management
ASHRAE and CIBSE Commissioning handbooks
International Organization for standardization – ISO14001 – Environmental Management Systems
Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

Attachment 5 - ESD advice

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

Applicant Response Guidelines

Project Information:

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

Environmental Categories:

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

Objectives:

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

Issues:

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

Assessment Method Description:

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

Benchmarks Description:

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

How does the proposal comply with the benchmarks?

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

ESD Matters on Architectural Drawings:

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

Attachment 6 - Strategic Transport Comments

Planning Referral

To:	Sarah Thomas
From:	Julian Wearne
Date:	26/03/2018
Subject:	Strategic Transport Comments
Application No:	PLN17/1143
Description:	13 storey building (plus basement levels) containing dwellings shops, food and drinks premises (cafes), medical centre, childcare centre and restricted retail premises (noting a permit is not required for these uses).
Site Address	10-20 River Boulevard, Richmond

I refer to the above Planning Application referred on 01/03/2018, and the accompanying Traffic report prepared by GTA Consultants in relation to the proposed development at 10-20 River Boulevard, Richmond. Council's Strategic Transport unit provides the following information:

Plan consistency

It is noted there are a number of inconsistencies between the proposed development plans and the landscape plans (which include a Movement & Circulation plan). All inconsistencies, including (but not limited to) the following should be addressed:

- Bicycle parking locations;
- Pedestrian crossings and footpaths; and
- Loading bay locations

Access and safety

The following safety and access concerns should be addressed:

Taxi rank location and on-road bike lane (River Boulevard)

The development plans show a taxi-rank between two existing trees on the western side of River Boulevard. This taxi rank location is directly adjacent the existing left-turning slip lane. This slip lane abuts an on-street painted bike lane, which is not shown on the plan.

Additional information is required as to whether the existing bike lane is proposed to be retained. Removal of the lane is unlikely to be supported without sufficient justification.

Assuming the bike lane is to be retained, taxi's using the rank are likely to cause conflict with cyclists and the operations of the slip lane. Taxi's will need to cross the slip and bike lanes once to enter the bay, then again if they are turning right.

If a taxi rank is required on River Boulevard, this should be located adjacent the southern building.

Loading bay & 'kiss and drive' bay pedestrian and cyclist conflict (River Boulevard)

The ground-floor development plans show an indented loading bay on River Boulevard adjacent the southern building. This also appears to serve as a short-term parking bay for 'kiss and drive' drop-offs. The location of the loading bay is not supported given River Boulevard is shown as a major pedestrian cyclist circulation point, and trucks should be discouraged from using this part of the development.

Attachment 6 - Strategic Transport Comments

Further, 94 bicycle storage locations are shown near this bay, with cyclists urged to travel south to access River Boulevard via the building entrance. It would be preferred if cyclists had a direct line to River Boulevard from the building entrance. This could be accompanied by shifting the indented bays, having multiple smaller indented bays.

On-street visitor bicycle parking (River Boulevard)
The existing layout of on-street visitor bike parking rails is likely to reduce pedestrian permeability due to the bays being located in large "blocks". It would be preferred if bays were spread apart in smaller groups along the River Boulevard frontage.

Footpath continuity and Vickers Drive pedestrian vehicle conflict (Western Elevation)
A small section of the footpath adjacent the western elevation of the southern building, is shown as ending at a garden-bed; before the footpath begins again on the northern face of the building. This appears to have been placed to discourage pedestrian movements along the Vickers Drive footpaths, which feature vehicle and loading bay crossovers.

Whilst minimising conflict between pedestrians is essential, given these footpaths are the most direct route to the existing shopping centre entrance; it appears more than likely many pedestrians would continue to use Vickers Drive to access the centre. Rather than attempt to deter pedestrians by removing a section of the footpath, a continuous footpath should be provided; and the crossovers along Vickers Drive should be treated to reduce the likelihood of conflict between pedestrians and vehicles.

Loading bay and pedestrian conflict (south west corner)
A 'loading' area is shown in the south-west corner of the southern building at the upper-ground-floor level on the development plans. The loading area is not shown on the Movement and Circulation page of the Landscape plans; however pedestrians are shown to circulate directly past this location.

Additional information regarding the nature of this loading bay is required. If loading via vans or trucks is proposed, there is a high likelihood of conflict with pedestrians. This is especially problematic given the childcare centre is located to the south of the loading bay, and a significant portion of pedestrians using this path are likely to be children.

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	426 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	85 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	43 visitor spaces.	
Medical centre	8 practitioners	1 employee space to each 8 practitioners	1 employee spaces	
		1 visitor space to each 4 practitioners	2 visitor spaces.	
Office (other than specified in the table)	3925 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	13 employee spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area	4 visitor spaces.	

Attachment 6 - Strategic Transport Comments

		exceeds 1000 sqm		
Retail premises[1] (other than specified in this table)	859 sqm	1 employee space to each 300 sqm of leasable floor area	3 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	2 visitor spaces.	
Shop[2]	8884 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	15 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	18 visitor spaces.	
Bicycle Parking Spaces Total			**117 resident / employee spaces**	**278 resident / employee spaces**
			69 visitor spaces	**68 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**4 showers / change rooms**	**X showers / change rooms**

The development provides a total of 161 additional resident/employee spaces over the requirements of the planning scheme, but provides 1 less visitor space than required by the planning scheme.

Adequacy of visitor spaces

68 spaces are noted as visitor bicycle parking spaces. The provision of the visitor spaces is inadequate for the following reasons:

- 68 spaces does not meet the statutory requirement of 69 visitor spaces, nor does it cater for Yarra's current or predicted future cycling demand. At minimum 107 visitor spaces should be provided for the following reasons:
  - Best-practice requires a rate of 1 visitor space to each 500sqm of office space[3], requiring 8 spaces for the office use.
  - Best-practice requires a rate of 0.25 visitor spaces to each dwelling[3], requiring 107 spaces for the 426 dwellings.
  - The statutory rate for the remaining uses equals 22 spaces.
  - Given the mixed use development proposed, it is expected visitors to the site are likely to be spread across the day; therefore visitor spaces for the various uses could be consolidated to the expected peak demand for the residential use.
- Visitor bike spaces should be spread across the development to cater for the various uses, with the vast majority of spaces located in close proximity to the entrances to the residential component.

Adequacy of employee spaces

Number of spaces

Whilst the proposal includes a surplus of 161 resident/employee spaces above the requirements of the planning scheme, it is noted:

- A reduction of 356 car parking spaces is sought (31% of the statutory requirement);
- the subject site is located in an inner-urban area with already cycling demand, and trends indicate demand will continue to increase; and

[1] *Food and drinks premises*

[2] *Includes Shops and 'Restricted Retail'*

[3] *Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following best-practice guidance for residential visitor bicycle parking rates: "Residential developments should provide 0.25 visitor spaces per dwelling" and the following advice for Office uses: "offices should provide 1 visitor space per 500m2 net lettable area".*

Attachment 6 - Strategic Transport Comments

- both local and state planning policies include objectives to promote sustainable transport modes, including cycling.
- Given the above, best-practice requires a rate of 1 space to each dwelling[4] (426 spaces), 1 space to each 100sqm of office floor space[5] (40 spaces), plus the statutory rate for the other uses (19 spaces).
- It is expected some (approximately 15-30%) of the residential spaces are likely to be vacant during normal office hours and therefore some spaces could be consolidated between the various uses.
- Therefore it is recommended a minimum of 426 resident/employee spaces be provided.
- It would be acceptable if a further reduction in car parking spaces was sought to provide additional bicycle parking spaces.
- At minimum, 6 changeroom / shower facilities should be provided. These should be located in facilities expected to be used by employees at the development.

Design and location of employee spaces and facilities
Employee and resident spaces appear to be generally adequately located and designed for the following reasons:

- Employee/resident bicycle parking is provided at Basement 2 and Basement 1 and Ground-Floor. Due to the steep ramps that provide access to the car park, it is envisioned most cyclists would choose to access the spaces via the lift shaft.
- All spaces appear to be provided within secure facilities, as required under standard AS2890.3.
- All secure facilities are located within reasonable proximity to lifts and other access points.

However, the following information / changes should be included, in revised plans:

- Walkways and storage area dimensions to demonstrate compliance with Australian Standard AS2890.3;
- At least 20% of bicycle spaces within each floor, to each basement provided as horizontal rails as per the requirements of AS2890.3.
- All additional spaces (as required above) located between Basement Levels 2 and Ground Floor.

Electric vehicles / share cars / other relevant topics?

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). Provision of EV charging points should be included in each basement. Additionally, to ensure the potential for 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.

Green Travel Plan

Given the development has a total non-residential floor area of more than 1,000sqm, pursuant to Clause 22.17-4 a Green Travel Plan (GTP) must be provided. The following information should be included:

(a) a description of the location in the context of alternative modes of transport;
(b) employee and resident welcome packs (e.g. provision of Myki/transport ticketing);
(c) the provision of real time passenger information displays for nearby stops within each lobby;

[4] *Category 6 of the BESS offers the following for best-practice guidance for resident bicycle parking rates: "As a rule of thumb, at least one bicycle space should be provided per dwelling for residential buildings."*
[5] *Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following best-practice guidance for bicycle parking rates: 'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area*

Attachment 6 - Strategic Transport Comments

(d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
(e) a designated 'manager' or 'champion' responsible for coordination and implementation;
(f) details of bicycle parking and bicycle routes;
(g) details of GTP funding and management responsibilities;
(h) security arrangements to access the employee bicycle storage spaces; and
(i) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
(j) Reference to a minimum 40A single phase electrical sub circuit should be installed to the basement levels for 'EV readiness'; and
(k) provisions for the Green Travel Plan to be updated not less than every 5 years.

Recommendations

The following should be shown on the plans before endorsement:

1. All inconsistencies between the development plans and the landscape plans resolved.
2. The taxi-rank adjacent the northern building on River Boulevard deleted.
3. The loading bay on River Boulevard deleted.
4. On-street bicycle parking along River Boulevard spread out to promote pedestrian permeability.
5. A continuous footpath adjacent the western elevation of the southern building.
6. Appropriate treatment of the vehicle crossovers and loading bays along Vickers Drive to minimise the likelihood of conflict with pedestrians.
7. Additional information regarding the 'loading area' at the south-west corner of the southern building, and conflict with pedestrians suitable addressed.
8. A minimum of 107 visitor bicycle parking spaces in a location accessible and convenient for visitor use.
9. A minimum of 426 resident/employee bicycle spaces. All the spaces must be within secure facilities. A minimum of 20% of the spaces at each level and within each basement must be provided as horizontal at ground spaces. All the spaces must be located at or between Basement 2 and ground-floor, and with reasonable proximity and access to:
    a. Building entrances and/or lift shafts;
    b. Both the north and southern ends of the development; and
    c. (For employee spaces) end of trip facilities, including showers and change rooms.
10. A minimum of six change-rooms / showers as 'end of trip' cyclist facilities.
11. Dimensions of bicycle storage spaces, and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority.
12. Provision of a number of electric vehicle charging facilities in each basement.
13. The provision of a minimum 40A single phase electrical sub circuit should be installed to all car park areas for the purpose of allowing easy installation of electric vehicle charging stations in the future.

A Green Travel Plan / An Amended Green Travel Plan should be provided with the information outlined previously.

Regards

Julian Wearne

Sustainable Transport Officer
Strategic Transport Unit

Attachment 7 - Wind peer review (Vipac)

Vipac Engineers and Scientists Limited

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City of Yarra

333 Bridge Road

Richmond, Victoria, 3121, Australia

09-03-2018

Ref: 30N-18-0050-TNT-639113-0

Attention: Sarah Thomas

Dear Sarah,

10 & 20 River Boulevard, Richmond - Peer Review

This peer review of the MEL Consultants Environmental Wind Speed Measurements report (MEL Consultants Report 39/17) is based on Vipac's experience as a wind-engineering consultancy.

Vipac have reviewed the wind test report and relative drawings provided (see the list of files in the attachment). Our comments are as follows:

- The MEL Consultants Environmental Wind Speed Measurements report has been prepared based on a 1:400 scaled model wind tunnel test. The report includes the following main Sections: Introduction, Environmental Wind Criteria, Model and Experimental Techniques, Discussion of Results and Conclusions. Detailed test data were presented in the Figures section. Attached to the report are two publications related to the pedestrian level wind assessment criteria.
- We have no issue with the criteria for wind environmental conditions developed in 1978 by W. H. Melbourne, which was adapted in this report. Vipac have no comment regarding the mentioned criteria based on 20% or 0.1% probability of occurrence, as they are not actually used in the assessment in the report.
- In the Model and Experimental Techniques section, a 300 m minimum radius proximity model was used and is substantially correct. The Category 3 exposure was used in the assessment; this was also appropriate.
- In the Discussion of Results section, the report clearly addressed the wind speed measurement results street by street around the development and podium roof as well as roof top terraces.
- The report assessed the wind conditions on podium roof and roof top terraces and found that these locations met Walking criterion as a minimum. Many areas would also meet the more stringent standing criterion. Vipac agree with the use of walking criterion as a minimum to assess the podium roof and rooftop terraces.

Attachment 7 - Wind peer review (Vipac)

- The Conclusions indicated that all test locations fulfil the recommended wind criteria for the basic configuration with amelioration strategies. The amelioration strategies can be found in Figure 5a on Page 21.
- The report used the upper ground level plan (with no entrances shown, see Figure 2 in the attachment) instead of the ground level plan. Upon review of the ground level plan, the main building entrances on River Blvd and Victoria Street, as well as shop entrance at River Blvd (see Figure 1 in the attachment), should be assessed against the standing criterion in Vipac's practice. Although the wind speeds at these locations were not measured in the report, from the closest measurement results (Locations 8, 9, and 10) Vipac can conclude that the entrances on River Blvd would fulfil standing criterion for all wind directions. For the entrance on Victoria Street, the closest measurement location is number 19, at which the measurement indicated all directions except the north fulfilled the standing criterion. The walking comfort criterion is fulfilled for the north direction. Due to the set-in entrance design, this entrance would be expected to have more quiet wind conditions than Location 19. As such, the front of this entrance would be deemed to fulfil standing criterion as well.

In conclusion, the MEL Consultants Environmental Wind Assessment used the proper model, experimental and analysis methodology to assess the wind effects on the pedestrian level spaces around the proposed development, podium roof and rooftop terraces in detail. The locations of high wind conditions have been identified and were rectified with wind control strategies. The conclusions are substantially valid.

Although they have not assessed the front areas of the entrances on River Blvd and Victoria Street, from the test results of the nearest locations, Vipac can estimate that these areas would have acceptable wind conditions.

Yours sincerely,

Vipac Engineers & Scientists Ltd

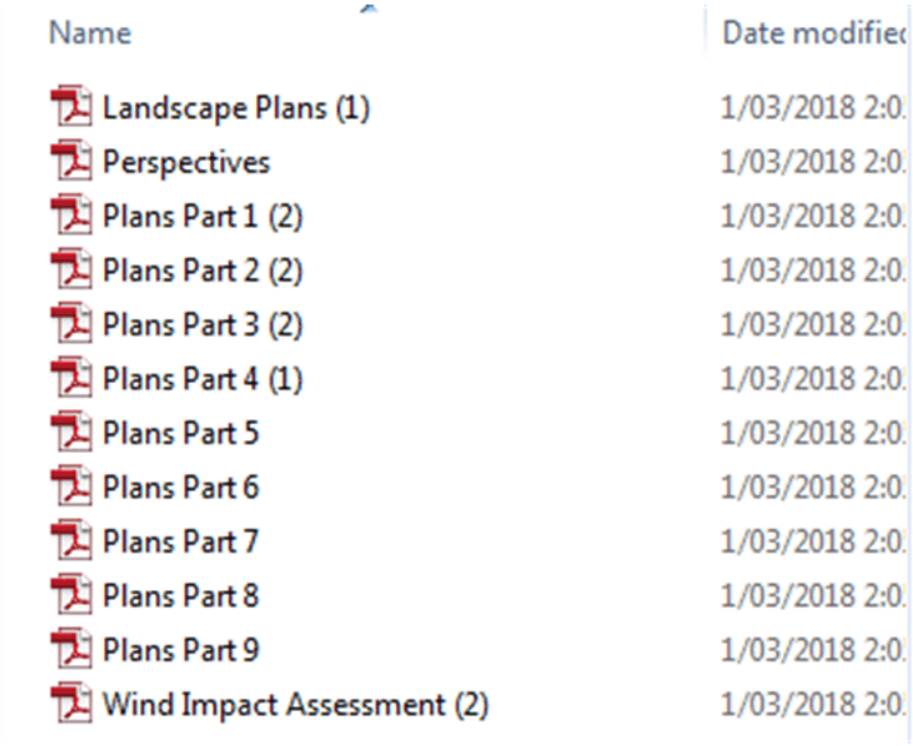
Zhuyun Xu
Senior Wind Engineer

Sophie Lamande
Wind Group Leader

Attachment 7 - Wind peer review (Vipac)

Attachments:

File list received



Name	Date modifie
Landscape Plans (1)	1/03/2018 2:0
Perspectives	1/03/2018 2:0
Plans Part 1 (2)	1/03/2018 2:0
Plans Part 2 (2)	1/03/2018 2:0
Plans Part 3 (2)	1/03/2018 2:0
Plans Part 4 (1)	1/03/2018 2:0
Plans Part 5	1/03/2018 2:0
Plans Part 6	1/03/2018 2:0
Plans Part 7	1/03/2018 2:0
Plans Part 8	1/03/2018 2:0
Plans Part 9	1/03/2018 2:0
Wind Impact Assessment (2)	1/03/2018 2:0

Attachment 7 - Wind peer review (Vipac)

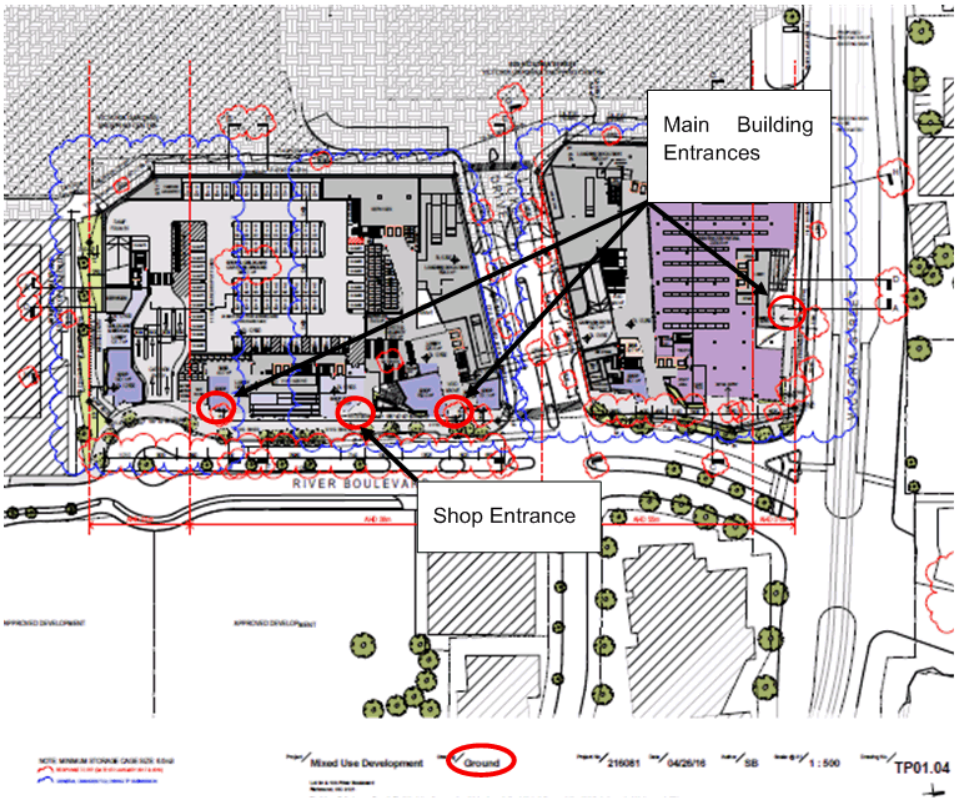


Figure 1: Building entrances at ground floor.

Attachment 7 - Wind peer review (Vipac)

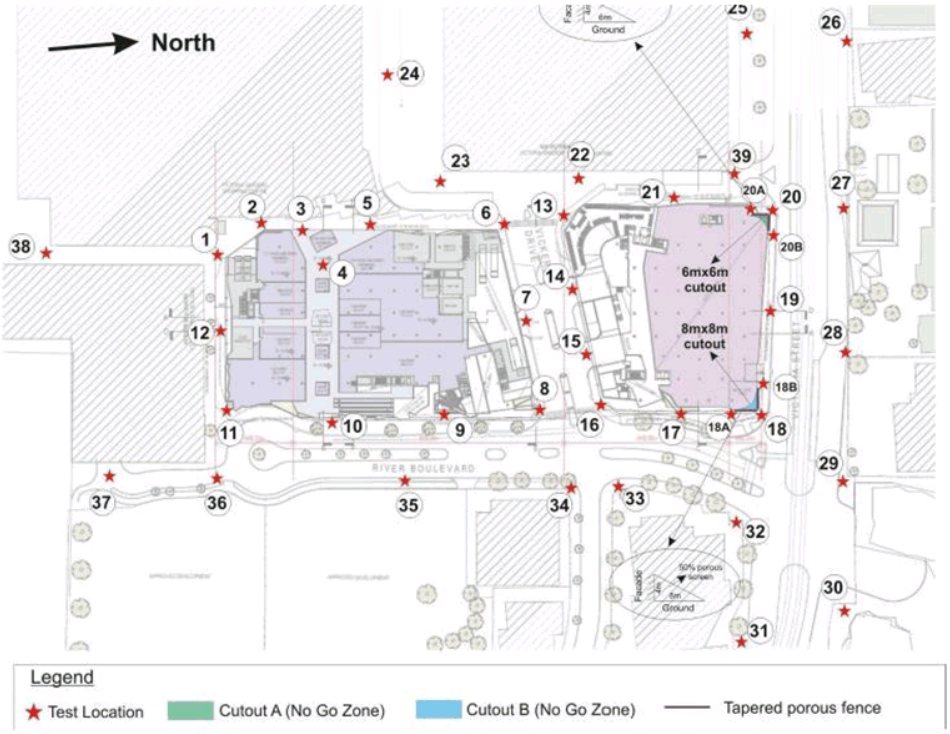


Figure 5a - Ground Level Test Locations with wind amelioration strategies

Figure 2: Measurement Locations in the report
Note: this is upper ground level in the drawing set provided

Attachment 8 - Open space advice

Memo

To: Sarah Thomas

Cc: Clare Lee, Carrie Lindsay, Paul Whitten and Glen Williames

From: Craig Lupton

Date: 4 April 2018

Subject: 10 and 20 River Boulevard Richmond

diverse

vibrant

exciting

inclusive

Hi Sarah

The streetscapes and Natural Values Team provides the following comments in relation to 10 and 20 River Boulevard, Richmond:

River Boulevard Street Tree Planting

- Given the sites proximity to the Yarra River, it is preferable that new trees are consistent with the dominant native species in the street [Rose Gum (*Angophora costata*)] and/or local indigenous trees that enhance urban biodiversity values .i.e. Yellow Box (*Eucalyptus Melliodora*) and Melbourne Yellow Gum (*Eucalyptus leucoxylon ssp. connata*). London Plane trees are not supported for any new tree planting.
- *Eucalyptus leucoxylon megalocarpa* 'Elite' (Large Fruited Yellow Gum) should be substituted with the local indigenous Melbourne Yellow Gum (*Eucalyptus leucoxylon ssp. connata*).
- On the west side of River Boulevard it is preferable to have regular spacing of street trees along the eastern edge of the site. It is also preferable not to position a tree in the small outstand at the Victoria St intersection so that pedestrian access to Victoria Street is enhanced.
- It is preferable to have more widely distributed bike parking to enable regular street tree alignment.
- There are currently five (5) London Plane trees in the centre median closest to Victoria Street (drawings only show 4 trees). There is a new tree proposed for the southern end of this median which is not supported as there is a street light in this location and a pedestrian link (also not on the drawings).
- It is recommended the proposed taxi rank is relocated as it is too close to the existing street trees (TP01.04).

Low Planting

- It would be preferable to limit any low planting to the areas closer to Victoria Street to provide an entrance statement to the development. The remaining tree planting could be standard footpath planting.

Attachment 8 - Open space advice

North South Pedestrian Link the Western Edge of the Site

- Two (2) additional trees are proposed. It may not be possible to plant one of these due to nearby gas meters (middle tree on landscape drawings pg.3).

Southern edge pedestrian link

- There is a new tree proposed at the western end. For consistency, it would be preferable that this is a palm tree to match existing palm species.

Victoria Street

- The 6.4m height from ground level to the canopy at Level 1 provides an opportunity to plant small footpath trees along the Victoria Street frontage. Native trees such as Water Gum (*Tristaniopsis laurina* 'Luscious') are preferable due to the proximity of the Yarra River.

Tree Protection

- A Tree Protection Management Plan (TMP), including a non-destructive exploratory root excavation for all street trees along the west boundary of the current carpark area is required.
- The TMP must also consider the canopies of trees along River Blvd.
- Council supports the removal of one juvenile Council tree at the south western end of River Blvd subject to the applicant covering reinstatement costs.
- There is one (1) London Plane tree in the Vickers Drive centre median on the applicants land. This tree may require a local law permit for removal if it meets the criteria for a 'significant tree' under General Local Law (2016).
- There are three (3) Poplars located in the south west corner that meet the criteria for a 'significant tree' and will therefore require a permit under General Local Law (2016).
- The Palms may require a local law permit for removal if they meet the criteria for a 'significant tree' and will therefore require a permit under General Local Law (2016).

Podium 1 Landscaping

- A concern with Podium 1 landscape is the extent of shade caused by the buildings. It appears as though there will be approximately two (2) hours of sun in summer and in winter the site will not get full sun coverage.

General Comments

- The species list requires a review to provide accurate names and mature heights/spreads.
- Water systems utilising on-site water must be shown and consider ongoing maintenance requirements.
- Concern for light availability to the remaining Palms on the south boundary (north of the neighbouring site) and the Pyrus on the west boundary (east of the neighbouring property).
- The tree planting spaces need to be defined to provide accurate soils areas, volumes and if planting spaces are planned to extend below hard landscape areas. This information will assist in assessing the viability of implementing strata cells or structural soils to optimise the growth zone for roots and to stabilise the tree.

Please let me know if you require any further information.

Kind Regards

Craig Lupton
Coordinator Streetscapes and Natural Values

Attachment 9 - External urban design advice

DAVID LOCK ASSOCIATES
TOWN PLANNING & URBAN DESIGN

10 & 20 River Boulevard, RICHMOND

Urban Design Referral

Date	3rd April 2018
Council Reference	PLN16/1156
To	Sarah Thomas
From	David Lock Associates

INTRODUCTION

In March 2018, the City of Yarra requested that David Lock Associates ('DLA') undertake an urban design assessment of a proposed Development Plan at 10 - 20 River Boulevard, Richmond (the 'subject site'). The proposed Development Plan seeks approval to facilitate the construction of a range of mixed use buildings that rise to a maximum building height of 13 storeys (inc. mezzanine).

In undertaking this assessment we have had regard to the following:

- The relevant provisions of the Yarra Planning Scheme (the 'Planning Scheme') and relevant Incorporated and Reference Documents, including:
  - The *'Victoria Gardens Urban Design Guidelines (1997)'*, including appended '*Victoria Gardens – Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area';*
  - The '*Victoria Street Activity Precinct Urban Design Framework (2004);*
  - *The 'Victoria Street East Precinct Richmond Urban Design Framework'* (November 2005); and
  - The adopted '*Victoria Street Structure Plan (2010)'*.
- The physical context of the subject site and wider area, including (but not limited to):
  - The existing Victoria Gardens Shopping Centre built form context west of the subject site;
  - The existing built form context north-east of the subject site at 677-681 Victoria Street, Abbotsford ('*Haven', 'Eden'* and '*Sanctuary'* development), comprised of residential built form that rises up to a maximum of approximately 10 storeys in height;
  - The existing built form context of Burnley Street west of the subject site, comprised of numerous residential developments in the order of seven residential storeys in height (including the SJB-designed 'A Place to Live' development at 522 Victoria Street); and
  - The emerging approved built form context of the subject site's wider area, including 647-649 Victoria Street, Abbotsford (10 storeys) and 25-35 River Boulevard, Richmond (8 storeys).
- The Development Plan prepared by RotheLowman Architects (Revision B, dated 17 January 2018 [post RFI]), including indicative development renders; and

Attachment 9 - External urban design advice

- The town planning report prepared by SJB Planning (December 2017).

ASSESSMENT

It is clear from our review of the above that the key urban design issues pertaining to the proposal are as follows:

- Is the proposal appropriate with respect to the existing and preferred future **character** of the eastern Victoria Street Major Activity Centre (MAC) environs?; and
- Will the proposal result in acceptable **public realm and offsite amenity impacts?**

These are addressed in turn.

CHARACTER

Context

The subject site is a large, vacant landholding comprising a total area of 1.4ha (approx.) located on the southern side of Victoria Street, Richmond, within the broader block bound by the Yarra River (to the east) and Burnley Street (to the west). The site abutted to the west by the Victoria Gardens Shopping Centre ('Victoria Gardens'), has a direct eastern street frontage to River Boulevard, and is dissected by Vickers Drive (which we understand to be a private road). A gentle slope runs NE-SW through the site.

In terms of abuttals, Victoria Gardens is a large commercial 'big box' regionally-significant shopping centre that presents to the public realm with an equivalent four storey commercial envelope. Victoria Gardens interfaces to the subject site with a mix of pedestrian entrances, ramped vehicle accessways and benign retail sideage, noting that the shopping complex sets back approximately 15m from Victoria Street itself. Victoria Street is located directly north of the subject site, which is a 30m (approx.) wide regionally-significant road reserve that forms the spine of the Victoria Street MAC. River Boulevard abuts the subject site for the entirety of the site's eastern interface, which is a 24m wide (approx.) local access cul-de-sac flanked by a mix of existing residential and commercial built form of approximately 4-5 storeys in height. Finally, a four storey commercial complex used for the purpose of 'Bae Systems' is located directly south of the subject site, across a privately-owned east-west public landscape linkage.

In terms of broader context, the subject site's broader area is clearly undergoing transformative built form change in the achievement of a preferred, intensive future character. The magnitude of development occurring in proximity to the subject site is such that the subject site effectively presents as one of the last 'remnant' development sites within the broader Victoria Street East precinct. The intensity of development occurring within proximity of the subject site is juxtaposed by the natural qualities of the Yarra River linear open space corridor, which is located approx. 150m east (and downslope) of the subject site.

Attachment 9 - External urban design advice

The mandate for transformative built form change in proximity to the subject site stems from the underling policy context of the subject site and broader area. The entirety of the subject site and all abutting properties are zoned *'Comprehensive Development Zone Schedule 1 (CDZ1 – Victoria Gardens Comprehensive Development)'*, which - of relevance from a character perspective - seeks to '*encourage the comprehensive redevelopment of land on the south side of Victoria Street between Burnley Street and the Yarra River'* and ensure that future development is compatible with future context. Clause 4.0 of the CDZ1 exempts buildings and works from requiring planning approval if it is generally in accordance with a Development Plan prepared and approved earlier, and Clause 10.0 of the CDZ1 clearly states that such a Development Plan must be generally in accordance with the '*Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area'* (the 'Precinct Plan').

Clause 17 of the CDZ1 identifies that a building or works must not exceed the height above AHD for any particular site as shown on the Precinct Plan, with the corresponding addendum to the 1997 Victoria Gardens Urban Design Guidelines clearly stating that RL heights are measured in relation to AHD. Both the CDZ1 and underpinning precinct plan therefore set an anticipated mandatory built form vision as follows:

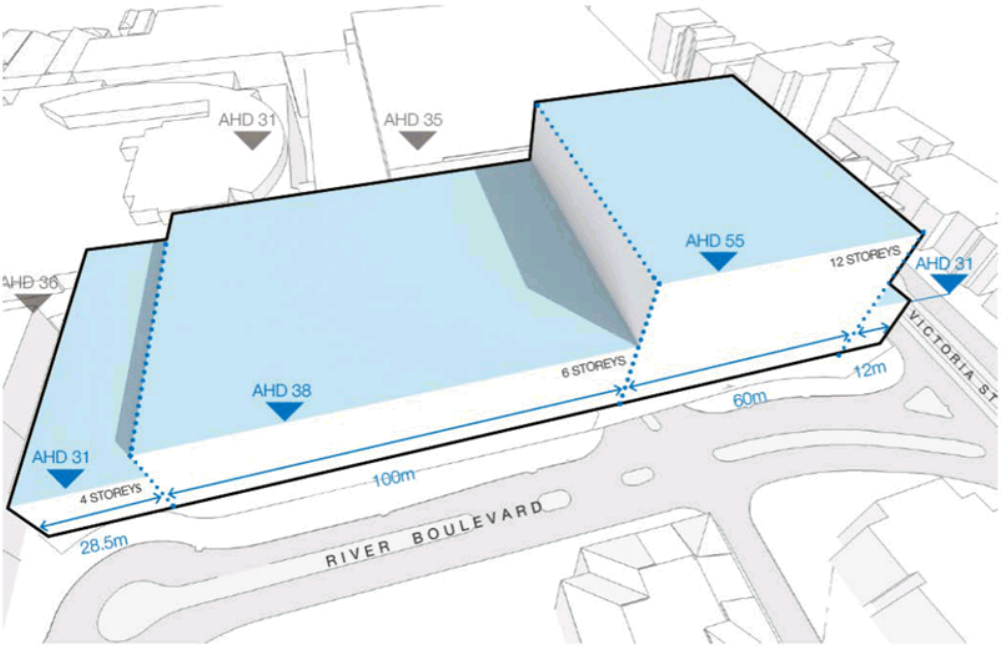


Figure 1 - Visual Illustration of Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area (Source: RotheLowman Architects)

In terms of overlays, the subject sites northern interface to Victoria Street is affected by Design and Development Overlay Schedule 2 '(*DDO2 – Main Roads and Boulevards'*) which – of relevance

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– seeks to recognise the importance of main roads to the image of the City. The site's remaining overlay is irrelevant from an urban design perspective (EAO).

The balance of the Planning Scheme generally directs the highest intensity of municipal built form change to Activity Centres (such as Victoria Street) and/or Strategic Redevelopment Sites (such as the subject site) - refer Clauses 21.03, 21.05 and 21.08 & 22.11. Specifically, Clause 21.08 identifies the subject site as being within the *'North Richmond'* neighbourhood (where a mix of uses within built form sympathetic to the Yarra River environs are encouraged), and Clause 22.11 seeks context-responsive built form outcomes that do not unreasonably impact upon views from the Yarra River Corridor.

Finally, the '*Victoria Gardens Urban Design Guidelines (1997)'* and – more recently – '*Victorian Urban Design Guidelines (2017)'* both articulate high level urban design aspirations, that combine with the overarching intent of the 'Victoria Street Structure Plan (2010)' to cement expectations for high quality urban design outcomes on sites such as the subject site.

Therefore, taken together, the physical location of the subject site and emerging built form condition of the subject site's broader area both support more intensive development on site in-principle, in the achievement of a preferred future built form character comprised of 'more intensive' built form. The site's CDZ1 (and underpinning 1997 Guidelines) provides the most useful policy guidance as to how best to achieve this.

Victoria Street Interface

As viewed from Victoria Street, the Development Plan seeks approval to present with a 5 storey commercially-used streetwall (including mezzanine) that rises to a maximum building height of 16.85m (approx.). Above this, the Development Plan seeks approval to rise to a total height of 13 storeys (40.9m – including mezzanine) massed between two residential towers set back approximately 10-15m from Victoria Street.

The starting point in the consideration of the Development Plan's interface to Victoria Street are the provisions of the Precinct Plan, which articulate a future character aspiration comprised of a 16.9m high street wall (RL31 minus an approximate corresponding NGL AHD of 14.1) with taller built form that rises to a maximum height of approximately 41.64m (RL55 minus an approximate corresponding NGL AHD of 13.36), set back 12m from a Victoria Street reference point that does not appear to align with the subject site's title boundary.

At the height and massing proposed, the Development Plan is directly consistent with the future character aspirations of the Precinct Plan insofar as it relates to Victoria Street. Importantly, the Development Plan's proposed street wall responds to the height datum of existing built form context in proximity to the subject site on the southern side of Victoria Street (Victoria Gardens as well as the 'Nova Building') in a manner that provides a greater sense of spatial definition to Victoria Street compared to existing context. Above this, the height of the tallest elements of the proposal's interface to Victoria Street are similarly consistent with the character aspirations of the

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Precinct Plan, in a manner that responds to the general scale and magnitude of existing and approved development within the subject site's portion of Victoria Street (including the 'Haven', 'Eden' and 'Sanctuary' development). This is supported.

Whilst we do note that the Development Plan seeks approval for small variations to the mandatory height aspirations of the CDZ1 and underpinning Precinct Plan (such as a 950mm high parapet to the proposed Victoria Street streetwall), the extent of discretion sought for the approval of each is generally consistent with dot point 2 of Clause 17 of the CDZ1 and is of limited character impact.

Significantly, the applicant's architectural resolution of the Development Plan's response to the Precinct Plan's envelope parameters has been skilfully handled. Insofar as the Development Plan relates to Victoria Street, the proposed 'horizontality' of the architectural expression responds to the broad allotment width characteristic of the southern side of Victoria Street in a manner that responds to the primary transient experience of this space at higher speeds by vehicle. Similarly, the proposed upper levels of the Development Plan's Victoria Street interface have been diffused into two distinct tower forms by way of an internal minimum inter-tower separation of 25.9 meters, which – when combined with the juxtaposing of materiality between 'tower' and 'base' y – results in a high quality and visually interesting architectural composition that is suitably responsive to the prominent location of the subject site within the broader Victoria Street streetscape and aspirations of DDO2.

The Development Plan's proposed interface Victoria Street is appropriate from a character perspective.

River Boulevard Interface

As viewed from River Boulevard, the Development Plan seeks approval to present a stepped building form that varies between approximately 40.75m (13 storeys) to 16.9m (4 storeys). A key difference between the Development Plan's proposed River Boulevard interface in comparison to Victoria Street is that no significant upper form setbacks are proposed, but rather a variation in materiality is relied upon to obtain a level of streetwall 'definition'.

Again, the starting point in the consideration of the Development Plan's interface to River Boulevard are the provisions of the Precinct Plan, which articulate a future character aspiration comprised of the 'sideage' of the aforementioned Victoria Street streetwall, the aforementioned tower form, a 'midrise' form up to 25.5m in height (RL38 minus an approximate corresponding NGL AHD of 12.5) and a 'lowrise' built form outcome within the south of the subject site up to approximately 18.5m in height (RL31 minus an approximate corresponding NGL AHD of 12.5). No street setbacks from River Boulevard are articulated within the Precinct Plan.

At the height and massing proposed, the Development Plan is directly consistent with the future character aspirations of the Precinct Plan insofar as it relates to River Boulevard. Importantly, the Development Plan's proposed prevailing street wall height of 4-7 storeys responds to the existing

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height datum evident within River Boulevard (including the four commercial storeys 'Bae Systems' development at the southern terminus of River Boulevard) in a manner achieves a comfortable prevailing 1:1 building-height-to-street-width relationship with River Boulevard (~24m wide). Importantly, where taller elements are proposed to the River Boulevard interface, we note that they have been massed contextually in a way that responds to the site's terminus location at the western end of Elaine Court.

As with the Development Plan's proposed interface to Victoria Street, again the architectural resolution of the Development Plan's streetscape interface has been ably handled by way of a well-resolved application of juxtaposing materials (tactile 'light and dark textured concrete finishing' [CF01 and CF02] as well as glazing) to achieve a clear distinction between 'base' and 'upper form'. In particular, the 'framing element' to the eastern (and western) elevations of the Development Plan's Victoria Street streetwall is elegant and simple and of particularly high design quality.

Whilst the resultant visual outcome is generally high quality and well-modulated, further consideration should be given to the sheer extent of concrete materiality proposed for the full height of the southernmost childcare 'nodule' of the Development Plan's proposed River Boulevard as a means of achieving a higher degree of architectural resolution at the southern terminus of River Boulevard. Refer also to the discussion on 'Public Realm Amenity' below.

Figure 2 – Indicative render view of the design resolution of the proposed childcare nodule to River Boulevard (Source: RotheLowman Architects)

Subject to this, the Development Plan's propose interface to River Boulevard is appropriate from a character perspective.

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DAVID LOCK ASSOCIATES
TOWN PLANNING & URBAN DESIGN

PUBLIC REALM AND OFFSITE AMENITY

Public Realm Amenity

The CDZ1 (and underpinning 1997 Urban Design Guidelines) combine with more 'recent' policy provisions (such as Clauses 15 and 22.11 of the Planning Scheme, as well as DDO2 and the Victorian Urban Design Guidelines [2017]) in seeking the achievement of a broad range of high quality public realm urban design outcomes.

In response, the proposal's Ground Floor program has been designed to appropriately respond to Victoria Street and River Boulevard by way of a mix of active commercial, retail and residential entry lobbies. The considered use of mezzanine levels assists in offsetting the difficulties associated with achieving Ground Floor public realm activation, the use of double height curtain glazing to the Victoria Gardens River Boulevard entrance is exceptionally legible, and the concentration of 'back of house' facilities to Vickers Drive is broadly logical and appropriate. However, the Development Plans' proposed relationship to the surrounding public realm could be enhanced through consideration of the following:

- Providing meaningful weather protection to the Victoria Street and River Boulevard public realms by way of architecturally integrated weather canopies (rather than intermittent cantilevered recesses). Canopies should seek to cover the full width of each of the subject site's street interfaces, extend no less than 750mm from the kerb line, and be situated no higher than 4m above the NGL of the public realm;

- Providing further information with respect to the pedestrian experience of Vickers Drive, above and beyond the elevation information provided at TP03.03. The applicant should be invited to prepare render views from River Boulevard and articulate in greater detail the active and passive wayfinding approaches to pedestrian movement through this space in the appurtenant Pedestrian Amenity and Access Plan (as per Clause 7.0 of the CDZ1);

- Rationalising the proposed 'shop' and 'childcare/medical lobby' within the south-east of the Development Plan's proposed Ground Floor program into a single, enlarged childcare lobby that benefits from a direct River Boulevard frontage;

- Introducing considered 'control points' to the proposed communal private open space as a means of preventing full, open public access; and

- Clarifying the specific mechanisms in which 'No General Pedestrian Access' is intended to be precluded to the services area west of the subject site, between the proposed Victoria Street streetwall and Victoria Gardens.

Design detail aside, the applicant's approach to 'funelling' pedestrian movements between Victoria Gardens and River Boulevard is logical, the extent of upper public realm activation and passive surveillance to both Victoria Street and River Boulevard is sound, and the extent of public

Attachment 9 - External urban design advice

realm Equinox overshadowing is of limited public realm amenity consequence. Importantly, the proposed Development Plan will not unreasonably impact upon the existing qualities and character of the Yarra River Corridor.

Private Realm (Offsite) Amenity

The subject site does not have any direct abuttals to residential developments, or properties located within a residential zone. Whilst a number of residential building are located to the east of the subject site across River Boulevard, all are sufficiently well separated by way of the road network with respect to overlooking, overshadowing and visual bulk commensurate with reasonable amenity expectations for CDZ-zoned properties in identified future change areas.

OTHER

With respect to equitable development, we are not of the opinion that any of the subject site's abutting properties are likely future development site's given their existing built form condition relative to the maximum mandatory building heights of the CDZ1 and underpinning precinct plan. In any event, any proposed residential use that is reliant on an abutting property for primary amenity is sufficiently set back from an equitable development perspective.

Finally, please also note that we have not considered any aspect of the proposed Development Plan from an internal amenity perspective, and make no commentary accordingly.

SUMMARY

In summary, the physical location of the subject site and emerging built form condition of the subject site's broader area both support more intensive development on site in-principle in the achievement of a preferred future built form character. The site's CDZ1 (and underpinning 1997 Guidelines) provide the most useful policy guidance as to how best to achieve this.

In effect, the urban design challenge before the applicant is to devise a Development Plan that 'evolves' the metric envelope provisions of the CDZ1 and Precinct Plan in a manner that is architecturally resolved and contextually responsive. Our opinion is that the Development Plan outcome before Council achieves this in principle.

Whilst fundamentally supportive of the applicant's Development Plan outcome in it's current form, we recommend the following minor design changes from an urban design perspective:

- **Further consider the design resolution of the proposed childcare nodule within the south of the Development Plan's River Boulevard interface. Consideration should be given to greater use of alternating materiality, and achieving greater activation and passive surveillance of River Boulevard at Level 1 and above;**

Attachment 9 - External urban design advice

DAVID LOCK ASSOCIATES
TOWN PLANNING & URBAN DESIGN

- **Provide meaningful weather protection to the Victoria Street and River Boulevard public realms by way of architecturally integrated weather canopies (rather than intermittent cantilevered recesses). Canopies should seek to cover the full width of each of the subject site's street interfaces, extend no less than 750mm from the kerb line, and be situated no higher than 4m above the NGL of the public realm;**

- **Provide further information with respect to the pedestrian experience of Vickers Drive, above and beyond the elevation information provided at TP03.03. The applicant should be invited to prepare render views from River Boulevard, and articulate the active and passive wayfinding approaches to pedestrian movement through this space in the appurtenant Pedestrian Amenity and Access Plan (as per Clause 7.0 of the CDZ1);**

- **Rationalise the proposed 'shop' and 'childcare/medical lobby' within the south-east of the Development Plan's proposed Ground Floor program into a single, enlarged childcare lobby that benefits from a direct River Boulevard frontage;**

- **Introduce considered 'control points' to the proposed communal private open space as a means of preventing full, open public access; and**

- **Provide further information regarding the intended mechanisms in which 'No General Pedestrian Access' is intended to be precluded to the services area west of the subject site, between the proposed Victoria Street streetwall and Victoria Gardens.**

Please do not hesitate to contact Brodie Blades on (03) 9682 8568 or at brodieb@dlaaust.com should you wish to discuss any aspect of the above further.

DAVID LOCK ASSOCIATES

Attachment 10 - Council Heritage Advice (extract of emails)
Council's Heritage Advisor advice

Email dated 15 May 2018:

There was a tramway shed in the north-east corner as per MMBW plan 1071, 1903. You can see the tram lines from Victoria Street so it might have been an engine shed for the cable tram, suggested by the presence of pits, or an overnight storage shed for trams. I will have a look on site tomorrow.

http://search.slv.vic.gov.au/primo_library/libweb/action/dlSearch.do?dscnt=1&onCampus=false&query=any%2Ccontains%2Cmmbw%20burnley%20victoria&bulkSize=20&tab=default_tab&group=ALL&vid=MAIN&institution=SLVPRIMO&fromLogin=true&search_scope=Everything

Email dated 16 May 2018:

I went to the site. It is basically an asphalted car park set above a battered (sloped) embankment up from Victoria St. While it might be at that level to connect to the Victoria Gardens car park and whatever else, it might also have been a quick and cheap job to disguise the bluestone plinth or footings of the tram building and leave it for someone else to deal with. I am waiting for HV to send me some standard words re a watching brief which I think is what might be required for an archaeologist as there is nothing visible on the surface. Will advise when I receive it.

Email dated 18 May 2018, once it was known that the site is a heritage inventory site, the Council planner asked '*Being on the Victorian Heritage Inventory- it looks like there are Heritage Vic Requirements*'. Council's Heritage Advisor returned an email on the same day '*No[w] that I have that piece of information – YES*'.

Attachment 11 - External traffic review (Cardno)

Our Ref: V180334:EK
Contact: Eric Kydd

26 April 2018

City of Yarra
PO Box 168
Richmond VIC 3121

Attention: Sarah Thomas

Cardno Victoria Pty Ltd
ABN 47 106 610 913

Level 4
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Dear Sarah,

10 AND 20 RIVER BOULEVARD, RICHMOND
TRAFFIC ENGINEERING PEER REVIEW

This letter has been prepared to review the proposed development at 10 and 20 River Boulevard, Richmond, in particular Transport Impact Assessment report prepared by GTA Consultants (Reference: V128260 – Draft B version, dated 19 December 2017).

The GTA report references plans (Project No. 216081, Drawing No.'s TP01.00 – TP01.17 rev A) and development schedule (TP00.00 rev A) prepared by Rothelowman generally dated 26 April 2016. This letter will review and address the proposed development in the context of this documentation.

We note that any traffic engineering content within the GTA report that has not been directly addressed in this letter (including *Appendices*) is otherwise generally supported by Cardno.

Peer Review of Transport Impact Assessment

Introduction

Background & Proposal

A summary of the proposed development has been included in Table 1-1 and is based on town planning drawings prepared by Rothelowman (Project Number: 216081, Drawing No.'s TP01.00 – TP01.17 rev A dated 26 April 2016).

Table 1-1 Development Schedule

Use	Description	Number / Size
Residential Dwellings	One bedroom	81 apartments
	Two bedroom	312 apartments
		10 duplex's
	Three bedroom	23 apartments
Total Residential Apartments		**426 dwellings**
Office		3,924.8 m^2
Medical Centre		551.1 m^2
Child Care Centre		100 children
Restricted Retail Premises		5513.8 m^2
Food & Drink Premises		858.6 m^2
Shop		3369.3 m^2

Australia • Belgium • Canada • Colombia • Ecuador • Germany • Indonesia • Kenya • Myanmar • New Zealand • Nigeria • Papua New Guinea • Peru • Philippines • Singapore • Timor-Leste • United Kingdom • United States • Operations in over 100 countries

Attachment 11 - External traffic review (Cardno)

We note that the development schedule provided in Table 1.1 of the GTA report generally mirrors the Development Summary provided by Rothelowman (TP00.00 rev A).

It is, however, noted that both the GTA report and Rothelowman Development Summary state that the proposed child care centre is able to accommodate up to 100 children, whereas plans indicate that a total of ten (10) rooms able to accommodate 12 children per room are proposed, equating to 120 children. This is to be clarified given the implications on statutory car and bicycle parking requirements.

Based on a review of town planning drawings, a total of **774 car parking spaces** are supplied on-site across ground floor and four basement levels, inclusive of 13 disabled spaces (refer page 1 of GTA report). Of these spaces, **348** are proposed across Lot 10 (10 River Boulevard) and **427** are proposed across Lot 9 (20 River Boulevard).

Additionally, a total of **346 bicycle parking spaces** are accurately represented in the Development Summary and Town Planning drawings. Of these spaces, 96 are presented in the form of ground-mounted horizontal hoops, with the remaining 250 bicycle parking spaces in the form of 'Ned Kelly' vertical wall-mounted racks.

We do, however, note the following with regard to proposed car and bicycle parking numbers:

- Plans indicate a total of 15 disabled bays are proposed (7 across basement levels and 8 at ground level) whereas the GTA report states that 13 spaces are provided; and
- Bicycle parking numbers may change given a number of wall-mounted racks are deemed non-compliant with AS 2890.3:2015, in particular regarding appropriate offsets to adjacent walls.

The adequacy of the proposed car and bicycle parking provisions, allocations and layouts will be discussed in the later stages of this letter.

Subject Site

The GTA report states *"The site of approximately 91,400sqm has frontages to…"* It appears this is a grammatical typing error, given Cardno's estimate of the combined Lot 9 and Lot 10 areas equates to approximately 14,000 m^2. This area is also referenced in the Planning Permit Application report prepared by SJB Planning dated December 2017.

Bicycle Parking & Associated Facilities

Cardno has reviewed Section 3 of the GTA report which relates to the development's bicycle considerations, offering the following comments with regard to provision, access and layout aspects:

Statutory Requirements

Bicycle Parking Provision

Cardno supports GTA's assessment of the statutory bicycle parking requirement generated by the proposed development as defined in Table 3.1 of the report, which indicates that the proposal generates the requirement to provide a total of 192 bicycle parking spaces on-site. Of these spaces, 124 are to be provided for employees/residents and the remaining 68 are allocated to visitors.

As it is proposed to supply 278 resident/employee spaces and 68 visitor spaces as part of the development, the proposed bicycle parking supply does indeed notably exceed the statutory requirements in this instance. Further, Cardno holds no reservations towards the *indicative* resident/staff bicycle parking allocation ratio proposed by the applicant.

It is, however, recommended that appropriate bicycle parking way-finding signage is provided to assist visitors in locating bicycle parking spaces located within Lot 9 – Ground Level car park. Visitor parking appears to have been generally provided in safe and conveniently accessible locations.

Associated Facilities

The GTA report state that, as a total of 39 staff spaces are required to be provided as part of the development, the proposal generates a statutory requirement of four change rooms/showers; this is agreed. The GTA report states that these have been provided within the development, yet we were able to locate only three (3) shower/changeroom facilities throughout the plans provided.

Bicycle Parking Layout & Access

Cardno is generally in agreement that the proposed bicycle parking layout has been designed in accordance with Australian Standard Parking Facilities Part 3: Bicycle Parking (AS 2890.3:2015). We do, however, note:

- The 3-4 easternmost ground mounted spaces along the southern wall within the secure bicycle store located on Lot 10 – Basement 2 do not appear to be provided with the mandatory 1.5m aisle width. It is recommended that these spaces be converted to vertical wall-mounted spaces, or the proposed arrangement be revisited.
- A number of bicycle parking spaces provided in the form of 'Ned Kelly' vertical wall-mounted racks within the Lot 9 – Ground Level secure bicycle store (typically at aisle ends) are positioned less that 500mm from adjacent walls. These offsets are to be amended.
- Clause 2.1 (e) within AS2890.3:2015 states:
  "…to include a minimum of 20% of ground level (horizontal) BPDs in any bicycle parking facility. This is to provide for those riders unable to lift a bicycle to a hanging BPD, and for parking of non-standard bicycles." The GTA report states that a minimum of 20% of the bicycle parking spaces are provided as horizontal on-ground spaces, in reference to the requirement specified under AS2890.3:2015. In this instance, GTA have assessed this requirement across the entire bicycle parking provision. In Cardno's experience, in some instances, the 20% requirement should be individually applied across each bicycle parking facility (i.e. secure bike stores across various levels).

Sustainable Transport Considerations

Mode Share Targets

Given the potential green travel plan initiatives proposed as part of the development and the subject site's proximity to public transport, walking and cycling amenities, Cardno is of the opinion that the proposed mode share targets outlined in Table 4.3 of the GTA report are appropriate in the context of the development. This is further supported by the various existing sustainable transport policies applicable to the site.

Car Parking Provision

Statutory Car Parking Requirements

Cardno supports GTA's assessment of the statutory car parking requirements for the proposed development, with alternative car parking rates adopted across several land uses listed under CDZ1 where applicable (in place of Clause 52.06-5 rates). Cardno is supportive of GTA's statement that the rates incorporated into the CDZ1 are somewhat dated and their validity in the context of the proposal ought to be verified.

It is agreed that, based on the above and the size and number of proposed new uses as outlined within Table 5.1 of the GTA report, the proposed development generates a statutory requirement to provide a total of **1,131 on-site car parking spaces**.

Further, based on the existing leasing agreement applicable to Lot 10 (having to provide a minimum of 161 car spaces on-site for the existing office development located at 680 Victoria Street), the proposed development generates a net requirement for the minimum provision of 1,292 car spaces on-site. Based on the proposed provision of on-site car parking, it is agreed that the application seeks a statutory car parking *reduction* for a total of **517 spaces**.

We do, however, note that the proposed number of seats provided as part of the various food and drink premises is not shown on the plans and appears to have been assumed (being 285 seats). The traffic report does not list any assumptions made in calculating the number of seats and therefore this number cannot be accurately quantified.

Decision Guidelines for Permit Applications

Resident Car Parking - ABS Car Ownership Rates

It is agreed that the rates sourced from ABS car ownership data from the 2006, 2011 and 2016 censuses indicate that car ownership rates in the Yarra LGA are *substantially* lower than those specified within the CDZ1 for dwelling uses (1.5 car spaces to *each* dwelling), likely due to recent changes in residential parking provision rates for new apartment developments.

The GTA report states that car parking ownership rates are broadly approaching the following levels:

- *One-bedroom dwelling: 0.7 to 0.75 vehicles per dwelling;*

- *Two-bedroom dwelling: 1.00 vehicle per dwelling; and*
- *Three-bedroom dwelling: 1.40 to 1.50 vehicles per dwelling.*

By way of comparison, Cardno's review of the latest set of ABS census data (2016) for the Yarra LGA identified some minor discrepancies relating to average car ownership, as highlighted in Table 1-2. Additionally, the Yarra LGA data has been cross-referenced with car ownership data sourced for the state suburb of Richmond (2016 census) and shown below.

Table 1-2 ABS Car Ownership Statistics (2016 Census) - Rate Comparisons

		Yarra LGA		Richmond
Type of Dwelling		**GTA Identified Rates**	**Cardno Identified Rates**	**Cardno Identified Rates**
One-bedroom Flat/Unit/Apartment	Average cars per dwelling	0.75	0.71	0.89
Two-bedroom Flat/Unit/Apartment		1.04	0.95	1.35
Three-bedroom Flat/Unit/Apartment		1.49	1.21	1.55

The summary of the identified rates provided in Table 1-2 indicates some similarities in car ownership rates recorded by GTA and Cardno across the 2016 census data, noting Cardno's rates recorded for Yarra LGA were found to be fractionally lower than those presented by GTA (albeit the average car ownership for three-bedroom dwellings). Conversely, the rates determined by Cardno for the state suburb of Richmond were considerably higher than all Yarra LGA rates presented, most notably represented in the average car ownership rates for two bedroom flats/units/apartments (a significant difference of 0.4 spaces per dwelling when compared to the Cardno rate sourced). It is noted that these were not presented for comparison in the GTA report.

Notwithstanding the above, upon review of the existing accessibility of existing public transport services in the immediate vicinity of the site, the census car ownership data presented by GTA and the constrained nature of the surrounding road network, Cardno agrees that the proposed development is expected to generate parking demands at a lower rate than those specified within the CDZ1 and derived from census data in recent years. As such, the proposed average rate of 0.75 spaces per dwelling is generally supported by Cardno, noting it generally mirrors rates recently adopted for similar developments within the Yarra LGA. Further, it is worth noting 2016 ABS car ownership data indicated that approximately 38% and 34% of one-bedroom flats/units/apartments in the Yarra LGA and state suburb of Richmond, respectively, do not own a private motor vehicle.

Residential Visitor Car Parking

In consideration of existing public transport amenities, proposed visitor bicycle parking provision and the proposed development's proximity to the Victoria Gardens Shopping Centre retail parking areas, the anticipated residential visitor demand rate for **0.04 spaces per dwelling** sourced from various parking surveys by GTA is considered appropriate by Cardno in this instance.

Cardno agrees that GTA's proposal to accommodate all anticipated residential demand within the adjacent shopping centre car park areas is reasonable given the existing availability identified during surveys undertaken in October 2017 (a peak occupancy of only 67% was identified).

Shop (including Food and Drink) Car Parking

Cardno is supportive of the proposed shop (including food and drink) rate of **3.0 spaces per 100 square metres** of "retail" floor area, with this demand rate reflective of peak demand rates derived at the adjacent shopping centre during surveys undertaken on a typical Saturday. Consequently, it is deemed appropriate that the development proposes to supply 127 on-site spaces to cater for the likely peak demands associated with these uses. Further, the likelihood of multi-purpose (shop-related) trips between the adjacent shopping centre and the development's shop uses further supports the reduced rate of 3.0 spaces per 100 square metres of leasable floor area as compared to the CDZ1 shop rate which calls for 4.5 spaces to be provided.

Office / Commercial Car Parking

Surveys of office developments located within the Yarra LGA previously undertaken by Cardno and other consultancies have indicated that a high proportion of employees are displaying a preference to choose alternative transport modes, despite available on-site parking being unconstrained in some instances. As noted by GTA, Cardno also observed an example of this during a recent site inspection, where the existing

Attachment 11 - External traffic review (Cardno)

Lot 10 at-grade car park currently provided to cater for a nearby office development was underutilised at 9:30am on a typical weekday.

Staff and visitors of the proposed office component are likely to choose to take alternative transport modes due to the site location with respect to sustainable transport modes. The site has excellent access to these modes and Melbourne's bicycle network. It is expected that a constrained parking environment will encourage this choice and a greater proportion of staff will choose alternative transport options. In constrained commercial parking situations, car parking demand is more accurately defined as a function of the on-site supply, rather than the floor area proposed.

Furthermore, as noted by GTA, it is unlikely that the development will have any effect on the on-street parking resources within the surrounding area given the existing restrictions in place are not designed to accommodate long-term demands.

Based on the above and in consideration of the various Council policies in effect, the proposed on-site parking provision of **2.0 spaces per 100 square metres** of floor area is considered to be consistent with Council strategies to strongly encourage the use of alternative transport modes. Cardno is of the opinion that this rate is therefore appropriate.

Restricted Retail Car Parking

GTA has adopted the CDZ1 rate of **2.0 spaces per 100 square metres** for proposed restricted retail land uses which is considered appropriate.

Childcare Car Parking

Given the land use is not specified under the CDZ1, Cardno agrees that it is appropriate to utilise the Clause 52.06-5 rate of **0.22 spaces per child** for the proposed childcare centre, generating the statutory requirement for 22 spaces on-site (if the final number of children equates to 100, not 120 as noted previously).

Although it seems generally rational to split the proposed on-site parking allocation equally between staff and parent drop-off/pick-up, the report fails to acknowledge the likely number of staff members at the childcare centre. The current proposed car parking supply could therefore potentially relate to an undersupply or oversupply of staff/parent parking.

Cardno is supportive of the proposed use of childcare centre spaces in being available to retail customers and residential visitors outside of childcare centre hours.

Medical Centre Car Parking

Cardno is supportive of GTA's proposal to adopt the Clause 52.06-5 Planning Scheme car parking rates for the proposed medical centre. Further, Cardno is supportive of medical centre spaces being available to retail customers and residential visitors outside of medical centre hours.

Sharing of Car Parking

Cardno is generally satisfied with the temporal demand assessment presented by GTA, noting the following:

- Section 5.2.1 of the GTA report states that the full statutory rate has been adopted for the proposed childcare centre use, yet Table 5.2 states that 11 spaces will be provided on-site. Further, it is difficult to determine whether the anticipated peak weekday demand for 11 spaces is appropriate given fluctuations in staff numbers during the day are unknown.
- Notwithstanding, the assessment of temporal demands presented appears to be generally conservative, noting GTA anticipates that all 161 spaces allocated to the existing leased office space will be occupied during the weekday peak. This is highly unlikely to be the case given the current level of underutilisation identified.

Disabled Car Parking

Based on an assessment of Part D3 to the Building Code of Australia, it is agreed that the various land uses contemplated as part of the proposed development generate a requirement for a minimum provision of seven (7) disabled parking spaces on-site.

Consequently, the proposed on-site provision of 13 as stated in the GTA report (or 15 spaces as shown within plans) is considered appropriate in this instance.

Car Parking & Vehicle Access Layout

Car Park Layout

Cardno has reviewed Section 6 of the GTA report which relates to the development's car park layout and access arrangements, offering the following comments for consideration:

Cardno is satisfied that the proposed car park layout has been generally designed in accordance with the relevant Planning Scheme and Australian Standard requirements, albeit noting:

- Car space L10 B2 006 is to be offset by 300mm from car space L10 B2 007; and
- In certain areas, shared zones between accessible bays are shown as overlapping (i.e. L10-B2 16 & 17) and could be considered non-compliant with AS requirements. It is, however, anticipated that these spaces will remain functional for their intended purpose providing at least 2.4m between spaces.

Vehicle Access Layout

- It is agreed that the proposed site access points have been designed in accordance with AS2890.1:2004 to accommodate two-way access;
- The angle required for inbound vehicles utilising the left lane appears relatively tight to negotiate and may potentially be difficult to manoeuvre. It is recommended a swept path analysis is undertaken to confirm comfortable site access; and
- Cardno is generally satisfied that the design of the access ramp and internal ramps including maximum grades is consistent with the guidelines within the Yarra Planning Scheme and Australian Standards.

Loading & Waste Collection

Statutory Requirements, Layout and Refuse Collection

We note Clause 52.07 was deleted from the Planning Scheme in January 2018. Clause 65 now has a decision guideline that requires the responsible authority to consider *"The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts."*

In consideration of the above with regard to the proposed loading and waste collection facilities, Cardno is satisfied that:

- Sufficient manoeuvring area appears to be provided within loading bays to allow for appropriate access manoeuvres by nominated loading/waste collection vehicles; and
- Swept path diagrams provided as Appendix B to the GTA report are deemed generally appropriate when considering manoeuvring pathways and clearance line offsets. Noting 300mm clearance lines have been shown however additional clearance appears to be catered for.

Regarding the proposed indented parallel loading bay/taxi zone on River Boulevard (fronting Lot 9), it is recommended GTA clarify the proposed space widths as these do not appear in accordance with Table 2.1 of AS 2890.5 – 1993.

Traffic Impact

Cardno has reviewed Section 8 of the GTA report which relates to the development's traffic considerations, offering the following comments for review.

Traffic Generation – Proposed Development

Retail (incl. Food & Drink) and Restricted Retail Traffic Generation

Cardno generally agrees with the statements made by GTA that *"as a shopping centre floor area increases, the resultant traffic generation rate decreases"* and *"…the additional floor area of an expanded centre typically generates traffic at a rate equal to approximately 40% (or less) of the existing rate".* Cardno typically adopts traffic generation rates of 20% of the existing rate, hence we agree the proposed rate is considered conservative in this instance, acknowledging that the existing traffic generation rate was derived in December (approaching Christmas holidays).

Further, given the development is anticipated to operate somewhat independently of the adjacent shopping centre, the likelihood of multipurpose trips (which in essence determines the percentage of the existing rate adopted) is typically less for developments of this nature when compared to shopping centre expansions. Consequently, the adopted traffic generation rate is considered appropriate in this instance.

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Residential Traffic Generation

GTA has derived a residential traffic generation rate from surveys of the nearby Green Square residential development located at 609-615 Victoria Street, Richmond, with rates of 0.16 movements per car space during morning and evening weekday peaks, and 0.10 movements per car space during the Saturday peak.

Cardno previously conducted traffic surveys to determine the traffic generation for the existing land uses within the Victoria Garden Precinct. The results indicated a traffic generation rate of 0.37 and 0.41 movements / dwelling for the AM and PM commuter peak hours respectively. These rates were later adopted in the Traffic & Transport Assessment report prepared by Cardno for the proposed residential development located at 647-649 Victoria Street, Richmond.

Further, surveys undertaken by Cardno at apartment complexes in Toorak, South Yarra, Jolimont and Beacon Cove have shown daily traffic generation rates ranging from 2.5 to 4.6 movements per apartment dwelling, with peak hour generation rates of between 0.25 and 0.5 vehicle movements per apartment dwelling with an allocated parking space.

It is noted, the residential traffic generation rates adopted by GTA are slightly lower than typical rates adopted by Cardno for developments similar in nature and location. Having said that, considering the site's proximity to public transport, walking and cycling amenities as well as the recent surveys undertaken by GTA at the Green Square development, the residential traffic generation rates put forward are not inconceivable.

Office Traffic Generation

The weekday traffic generation rates adopted by GTA (being 0.5 movements per car space) mirror case study data held on file by Cardno, and are therefore considered appropriate. Further, any traffic that is likely to be generated by the office component during weekends is not likely to occur during the Saturday peak.

Childcare Traffic Generation

The weekday AM and PM peak traffic generation rates adopted by GTA (being 0.85 movements per child) generally reflects rates nominated by the New South Wales Roads and Traffic Authority's Guide to Traffic Generating Developments (RTA Guide) as well as Cardno case study data. Further, we are generally satisfied that the lower traffic generation rate of 0.425 movements per child (i.e. 50% reduction) is considered appropriate in the context of the adjacent shopping centre (increased likelihood of multipurpose / internal trips).

Medical Centre Traffic Generation

Cardno have typically found an empirical assessment is required to determine traffic generation movements for practitioners at medical centres, given the way in which operating characteristics can vary between centres for a variety of reasons such as the nature of services offered, operating hours, consultation time brackets etc.

Typically, Cardno will conservatively assume that patient consultations may be conducted in all consulting rooms at times coincident with the AM & PM commuter peaks, with consultations assumed to be scheduled at intervals of 20 minutes, on average. Further, support staff are anticipated to arrive at work during the AM peak and depart during the PM peak, with practitioner arrival / departure times typically varying.

In the case of the proposed medical centre, adopting the above assessment would result in a total of 24 inbound and 24 outbound movements (48 total movements) generated during the weekday AM and PM peak periods. Similar movements would be anticipated during weekend peak times. It is noted that these movements do not account for staff arrivals and departures. Further, a discount would apply when considering internal and multipurpose trips however GTA's proposed 50% reduction of traffic could be considered relatively high, given the particular nature of the use.

Traffic Generation – Other Developments

Cardno are generally supportive of GTA's proposed traffic generation estimates outlined in Table 8.7, noting the residential traffic generation rate was derived from surveys at a nearby residential development similar in nature to the proposed development. It would appear that non-residential traffic generation estimates are also conservative during weekday and Saturday peak periods; these have likely been assumed as staff inbound and outbound movements in the AM and PM peak periods, respectively. The descriptions of each development (use and corresponding sizes) appear generally accurate.

Further, we generally agree that the nearby developments are anticipated to generate a total of 204 movements during the weekday AM and PM peak periods, and 132 movements during the Saturday peak whilst adopting the GTA traffic generation rates.

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We do however note that Cardno has recently prepared a car parking assessment in support of amended development plans for the site at 647-649 Victoria Street, Richmond (CG150406LET005_F01 dated 05/04/2018). As part of the amended planning permit application, it is understood an additional level of basement car parking is proposed, increasing the on-site supply to 203 spaces. This represents an overall increase of 57 spaces understood to be fully allocated to residents. Assuming GTA's derived traffic generation rates, a further nine (9) and six (6) traffic movements will be required to be distributed throughout the local road network during weekday and Saturday peak hours, respectively. Cardno respects that the planning permit amendment being sought would have been unbeknown to GTA at the time of preparing the traffic engineering report in question.

Traffic Distribution

We offer the following comments in relation to proposed traffic distribution assumptions adopted by GTA:

- In consideration of the factors described in the report, Cardno is satisfied that a reasonable directional distribution and assignment of traffic generated by the proposal has been adopted by GTA;
- The GTA traffic report states *"Of the vehicles travelling to and from the west for the Lots 9 and 10 developments only, it is further assumed that 50% of these vehicles will travel through the existing Centre car park from Burnley Street. This assumption is considered appropriate as vehicles are likely to travel via the fastest route, which in the peak hours will be via the existing shopping centre…"*. In this regard, Cardno considers the 50% assumption to be slightly high: factoring in additional internal centre movements will require travelling through further boom gates and considering the current operating conditions at the intersection of Victoria Street / Burnley Street / Walmer Street; and
- The directional splits between inbound and outbound movements as quoted by GTA in Table 8.8 are considered appropriate from Cardno's perspective. These percentage splits are consistent with case study data held on file and are commonly adopted by Cardno.

Future Traffic Volumes

Cardno has reviewed Section 8.5 of the GTA report which relates to future traffic volumes relating to the proposed development with regard to the signalised intersection of River Boulevard / Victoria Street / Acacia Place. It has been calculated that eastbound and westbound traffic distributions (30% eastbound and 70% westbound) have been adopted for the nearby developments.

Traffic Impact

Cardno has reviewed Section 8.6, Table 8.9 and Appendix C of the GTA report which relate to anticipated traffic impacts of the proposal, supported by results obtained from the SIDRA Intersection analysis undertaken by GTA.

In order to validate the accuracy of results quoted by GTA, Cardno have ran a SIDRA model, focusing on the post development PM peak period as the likely 'worst-case' scenario. It is noted that the accuracy of Cardno's reproduced model is limited to the available information. Discrepancies between the two models *may* be influenced by unknown inputs such as lane lengths, phase times and other model parameters.

Results of Cardno's SIDRA analysis comparison revealed similar outputs and negligible discrepancies in the degree of saturation, average delay and queue lengths and therefore we considered GTA's analysis and results appropriate. Overall, the intersection appears to currently operate under "acceptable" conditions (as per the table presented in Section 8.7) and is anticipated to continue to operate under similar conditions.

Additionally, we offer the following key items for consideration:

- The GTA report states *"The existing scenario has been tested assuming the existing phasing surveyed."* It is unsure whether only the cycle time was recorded or if phase-specific details were obtained. The model does not provide any information on the phasing sequence – this has been likely sourced from VicRoads Op Sheets; and
- Assuming this information was not supplied to GTA, the accuracy of phasing information *could* be cross-referenced against VicRoads IDM data if required.

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Controlled Access Assessment

Whilst Cardno is satisfied with the queuing analysis presented by GTA in Section 8.7 of the report, it is suggested calculation outputs are provided to validate the results. Additionally, any parameters used in the calculation should be detailed, or ideally the analysis spreadsheet provided as an appendix to the report.

Further, as previously noted the angle required for inbound vehicles utilising the left lane is relatively tight to negotiate and appears as though it may potentially be difficult to manoeuvre. A swept path analysis for this manoeuvre is recommended to confirm comfortable access.

We trust you find the above information satisfactory. Please feel free to get in touch should you require further clarification.

Yours sincerely,

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Attachment 12 - Services Contract Unit advice

From: Orr, Patrick
Sent: Tuesday, 3 April 2018 11:30 AM
To: Thomas, Sarah
Subject: RE: 10 and 20 River Boulevard

Hi Sarah,

The plan is not satisfactory from our perspective as we have no details regarding intended use of the medical facility and how that may impact those within the development. As you are the author of the plan, if you do not deem this as important upfront information, you may condition this information.

Regards,

Patrick Orr
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