



Agenda

Council Meeting

7.00pm, Tuesday 21 December 2021

Ms Teams

Council Meetings

Council Meetings are public forums where Councillors come together to meet as a Council and make decisions about important, strategic and other matters. The Mayor presides over all Council Meetings, and they are conducted in accordance with the City of Yarra Governance Rules 2020 and the Council Meetings Operations Policy.

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

There are two ways you can participate in the meeting.

Public Question Time

Yarra City Council welcomes questions from members of the community.

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the Mayor to ask your question, please come forward, take a seat at the microphone, state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- don't raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

Public submissions

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

- Speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

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

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

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (tel. 9205 5110).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

Order of business

1. **Acknowledgement of Country**
2. **Attendance, apologies and requests for leave of absence**
3. **Announcements**
4. **Declarations of conflict of interest**
5. **Confidential business reports**
6. **Confirmation of minutes**
7. **Public question time**
8. **Council business reports**
9. **Notices of motion**
10. **Petitions and joint letters**
11. **Questions without notice**
12. **Delegates' reports**
13. **General business**
14. **Urgent business**

1. Acknowledgment of Country

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

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

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

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

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

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

•	Cr Sophie Wade	Mayor
•	Cr Edward Crossland	Deputy Mayor
•	Cr Gabrielle de Vietri	Councillor
•	Cr Stephen Jolly	Councillor
•	Cr Herschel Landes	Councillor
•	Cr Claudia Nguyen	Councillor
•	Cr Bridgid O'Brien	Councillor
•	Cr Amanda Stone	Councillor

Council officers

•	Chris Leivers	Interim Chief Executive Officer
•	Brooke Colbert	Group Manager Advocacy and Engagement
•	Ivan Gilbert	Group Manager Chief Executive's Office
•	Lucas Gosling	Director City Works and Assets and Director Community Wellbeing
•	Gracie Karabinis	Group Manager People and Culture
•	Diarmuid McAlary	Director Corporate, Business and Finance
•	Bruce Phillips	Director Planning and Place Making
•	Rhys Thomas	Senior Governance Advisor
•	Mel Nikou	Governance Officer

Leave of absence

•	Cr Anab Mohamud	Councillor
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3. Announcements

An opportunity is provided for the Mayor to make any necessary announcements.

4. Declarations of conflict of interest (Councillors and staff)

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

5. Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information

Item

5.1 Borrowing from Treasury Corporation of Victoria

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains information that has been submitted on a commercial in confidence basis as part of a tender process.

6. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 7 December 2021 be confirmed.

7. Public question time

An opportunity is provided for questions from members of the public.

8. Council business reports

Item		Page	Rec. Page	Report Presenter
8.1	Elizabeth Street Protected Bike Lanes Trial	9	16	Simon Exon - Unit Manager Strategic Transport
8.2	Amendment C291yara - Bridge Road and Victoria Street built form provisions - Consideration of submissions	37	57	Leonie Kirkwood - Project and Policy Coordinator Strategic Planning
8.3	Amendment C293yara - Collingwood South DDO23 - Consideration of Submissions	385	402	Joerg Langeloh - Project and Policy Coordinator Strategic Planning
8.4	Long Term Use of 12 Peel Street, Collingwood	517	523	George Vass - Senior Coordinator Property Services
8.5	Burnley Gardens Cottage - Community Consultation on Review of Future Use of the Premises	527	530	Ivan Gilbert - Group Manager Chief Executive's Office

9. Notices of motion

Item		Page	Rec. Page	Report Presenter
9.1	Notice of Motion No. 16 of 2021 - Requirement for Councillors Attending Council Meetings to be Fully Vaccinated	563	563	Sophie Wade - Mayor
9.2	Notice of Motion No. 17 of 2021 - Burnley Golf Course	565	566	Gabrielle de Vietri - Councillor

10. Petitions and joint letters

An opportunity exists for any Councillor to table a petition or joint letter for Council's consideration.

11. Questions without notice

An opportunity is provided for Councillors to ask questions of the Mayor or Chief Executive Officer.

12. Delegate's reports

An opportunity is provided for Councillors to table or present a Delegate's Report.

13. General business

An opportunity is provided for Councillors to raise items of General Business for Council's consideration.

14. Urgent business

An opportunity is provided for the Chief Executive Officer to introduce items of Urgent Business.

8.1 Elizabeth Street Protected Bike Lanes Trial

Reference	D21/197506
Author	Simon Exon - Unit Manager Strategic Transport
Authoriser	Director Planning and Place Making

Purpose

1. For Council to consider extending the existing 12-month pilot trial of protected bike lanes on Elizabeth Street given the ongoing impacts on movement of persons due to the COVID-19 pandemic and also the significant difficulties with data collection.

Critical analysis

History and background

2. Elizabeth Street is designated as a 'strategic cycling corridor' by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
3. Protected (or separated) bike lanes on Elizabeth Street were first proposed in Council's 2010 Bicycle Strategy.
4. In December 2019, Council resolved to implement a 12-month trial of protected bike lanes on Elizabeth Street.
5. The 'Pilot and Trial' methodology (as detailed in that Council report) emphasised ongoing data collection and engagement with the community to assess how the trial is performing before a decision would be made on any permanent road design.
6. It is also noted that the 'Pilot and Trial' approach has been used as the first iteration of *possible* permanent protected bike lanes in this location using more permanent materials and landscaping.
7. The image below shows an image of the pilot and trial protected bike lanes outcome through the use of bollards and chevron paint lines to delineate the lanes.



Notes:

- (a) It is noted that the intention of any permanent protected bike lanes in this location, is to plant trees on the northern side of the roadway, between the separated bike lane (east bound) and the carriageway for vehicles (where the chevron lines are to the right hand side of the above image);
- (b) This would be tree plantings that, at semi maturity, would begin to provide some upper canopy, and hence shade and amenity improvements to this particular location;
- (c) The Elizabeth Street location was one of the identified areas in the adopted *Urban Forest Strategy (2017)* analysis of the need for tree plantings (upper canopy); and
- (d) The intent of any permanent works is that it comprise both protected bike lanes in each direction, with comfortable and safe space for cycling, and also the inclusion of vegetation.

The current Trial

- 8. The original intention was to deliver the trial project in April 2020. This was delayed due to practical matters associated with COVID-19 at that time, instead the trial was installed in July 2020.
- 9. The Council resolution stated that the installed trial design option would remain in situ between the conclusion of the trial at 12 months, and the production of a report to Council detailing its performance to inform decision making on any longer-term road treatment.
- 10. The resolution also stated that this report be produced as soon as practicable following the completion of the 12-month trial, but within six months of its completion.
- 11. The trial road configuration installed in July 2020 (in the specific layout as formally endorsed in December 2019) was again considered by Council in September 2020 (approximately three months after it was installed). This was in response to questions from some members of the local community regarding the rationale for certain aspects of the design. Some of these queries specifically related to the width of the protected bike lanes and why on-street car parking needed to be removed on the north side of the street to achieve these widths.
- 12. It is important to note that the protected bike lane widths are to create modern standard bike lanes. They are also compliant with the new draft State Government cycle design guidelines (yet to be formally released).
- 13. At this width, they provide the following benefits:
 - (a) enable cyclists of different speeds to pass each other;
 - (b) provide a more comfortable and safer riding environment;
 - (c) allow one cyclist to swerve around another cyclist in the event of a sudden stop due to an incident (a puncture or broken chain);
 - (d) increase the capacity of the bike lane;
 - (e) responds to feedback from cyclists using Wellington Street protected bike lanes (indicating that they should be wider for safety and passing);
 - (f) provide more space for cargo bikes, child trailers etc.;
 - (g) keep cyclists away from driver side car doors, and also away from the gutter and the drainage channel to the left; and
 - (h) allow cyclists to avoid any other debris in the bike lane (e.g. broken glass).
- 14. It is also noted that the requirement to remove parking along one side of this street was first acknowledged in the 2010 Council Bike Strategy; it was again acknowledged in the 2016 Council Bike Strategy Refresh.
- 15. Council resolved at the September 2020 meeting to continue with the trial design specifically as endorsed at the December 2019 meeting and installed three months prior in July 2020.

The evaluation phase

16. It is clear that pandemic lockdowns and anxieties of people around being exposed to COVID-19 have severely impacted everyone's lives in multiple ways, including the purpose of trips, distance of trips and way in which people travel. This has made assessing trials in any street environment in Melbourne very difficult.
17. The December 2019 Council resolution was made before COVID-19 occurred, and at that time, it was reasonable to assume that nothing would prevent data collection and other survey work from:
 - (a) being physically collected; and
 - (b) that the data collected would represent a normal ongoing situation of how infrastructure is used and performs to inform subsequent decision making.

Discussion

18. The pandemic is still ongoing, as are its impacts on transport and movement.
19. Data collection over the last 12 months has been very challenging with continual and sometimes extended lockdowns making any informed assessment of a trial in a 'normal ongoing day to day setting' impossible. For example, commuter cycling, train and tram numbers are significantly down across the whole of inner Melbourne, as hundreds of thousands of people employed at CBD offices have primarily been working from home.
20. Further, schools, universities, café's, shops, museums, galleries, hotels, sports stadiums and even children's playgrounds have also been closed with obvious impacts. It has been anticipated that once 80% of the population are vaccinated then most things will be able to open up in a COVID-19 safe way and will then be able to stay open. Some anxieties in persons will still no doubt exist for some time regarding travel modes.
21. Notwithstanding COVID-19 and the lockdowns, three quarterly rounds of data collections and survey work have been undertaken by independent consultants engaged by Council (see Attachment 1).
22. Quarterly reports providing a summary of the data collection have been provided to Councillors previously on Diligent Board software.
23. A pop-up event targeted at CALD communities was also completed in March 2021.
24. The '*Your Say Yarra*' page includes an interactive map of the project, which allows the community to add comments on the trial and is checked regularly by officers.
25. A fourth and final quarterly round of data collection was scheduled for July 2021, but has not been possible due to further lockdowns until some days ago.
26. The following statistical aspects are provided for information:
 - (a) there has been 317 contributions (including 12 attending the CALD interpreter assisted event in June); and
 - (b) 86% of those contributors were local to Richmond, Abbotsford or Collingwood.
27. Further, the analysis of key themes identified in these contributions highlighted:
 - (a) 28% expressed support for the project because of improved safety (includes reference to improved experience of females and child cyclists);
 - (b) 4% were advocating for the extension of trial area;
 - (c) 22% raised concerns related to perceived safety issues (majority relating to narrowness of parking lanes and driving lanes and sight lines at intersections);
 - (d) 8% expressing dissatisfaction around parking removal and less availability of parking;
 - (e) 19% expressed concern at the perceived lack of transparency in the consultation (majority advocating a need to be consulted prior to the installation of the trial infrastructure), and

- (f) the remainder related to issues out of the scope of this engagement.

28. From the data collected between lockdowns, the following observations, at this time, can be made:

- (a) the proportion of women and children cycling on Elizabeth Street has increased. This aligns with Council objectives to get a wider cross section of society cycling in Yarra;
- (b) peak hour cycle journeys have reduced although interpeak trips have also increased. This could be down due to COVID-19 and/or the provision of safe facilities which are used for a broader range of purposes throughout the day;
- (c) 575 people have so far participated in intercept surveys on Elizabeth Street across the three quarters. 71% of survey participants encompassing a wide range of people using Elizabeth Street for various purposes across various transport modes said that they were satisfied or very satisfied with the project. This is a positive number particularly given approximately 70% of all respondents had not cycled to Elizabeth Street when interviewed;
- (d) further segmentation of the data showed that those most likely to be unsatisfied or very unsatisfied with the project tended to be people primarily using cars as a mode of transport;
- (e) the average vehicle speeds are now slightly lower;
- (f) traffic volumes have varied for obvious reasons;

Note:

- (i) the traffic volumes were lower, but have trended upwards at various times of the year depending on the COVID-19 situation; and
- (ii) this trend is consistent with traffic volumes across inner-Melbourne. It is assumed this is because people are avoiding public transport due to physical distancing, it could also be because some people do not feel safe using a bicycle on Melbourne's roads and consequently choose to drive; and
- (g) three rounds of extensive on-street and off-street car parking surveys covering thousands of spaces have been undertaken to date. This has shown that parking is still available in the local area. (NB. it should be noted that finding on-street parking is a common challenge for a busy inner-city area and street space is finite).

29. It is also noted that since the installation in July 2020, a number of small adjustments have been made to the trial in response to community feedback; these include:

- (a) removal of some bollards to reduce street clutter;
- (b) additional signage;
- (c) changes to some car parking restrictions;
- (d) the installation of disability permit bay; and
- (e) improvements to visibility splays for cars entering Elizabeth Street from side streets.

Options

30. There are two options available to Council.

31. **Option 1 – determine a position on the protected bike lanes.**

32. **Option 1** is that Council resolves to make a decision on the trial as soon as is practically possible. There are 2 sub options outlined below for Council consideration.

33. This would need to use data that has been collected over the course of the previous 12 months during the height of the COVID-19 pandemic.

34. Under this scenario officers would report back to Council on permanent options for Elizabeth Street. These options would include:

- (a) Option 1(a): returning the road to its pre-trial design. That is, reinstallation of relatively narrow unprotected bike lanes next to parked cars (on both sides of the road) and passing traffic; and
- (b) Option 1 (b): installing permanent protected bike lanes, trees and other street treatments.

NB. There is significant capital funding required to complete the works in a permanent manner; and this would be subject to further reporting to Council. It is noted that any permanent protected bike lanes works is in the many hundred of thousand of dollars.

35. **Option 2 – determine to extend the trial due to COVID-19 impacts on evaluation**

36. **Option 2** is that Council resolves to extend the trial by 12 months (e.g. from the date that 80% of the Victorian population is fully vaccinated being November). This would then be post metropolitan wide lockdowns enabling for people's lives to return to some semblance of normality or a new post COVID-19 normality.

37. In this option, the evaluation processes would continue and provide a more realistic appraisal of the trial project to inform future decisions making by the Council. Officers would also explore opportunities for State Government to fund any permanent protected bike lane treatment on Elizabeth Street and report back as part of future discussions on treatments for this street.

NB. Some costs would be minor repair works to the road pavement as required which is anticipated to be approx. \$30K for a 12 months period.

Officer Recommendation on options

38. The officer recommendation is for Council to extend the trial (Option 2); so that more data can be collected for a solid 12-month period that is not peppered with lockdowns and significant disruptions to how people live and travel. It would also allow time for officers to pursue opportunities for State Government to help fund any permanent protected bike lanes in the future.

39. In Option 2, all aspects of how the trial currently operates, managed and monitored as agreed as part of the December 2019 resolution, would continue. This would include:

- (a) continuing with the specific existing design as installed in July 2020 (and endorsed by Council in December 2019 and endorsed again in October 2020);
- (b) continuing to authorise the Director, Planning and Place Making to instruct staff to make minor (or tweak type) adjustments to the trial where appropriate, and until Council forms an opinion on its future;
- (c) continuing the program of data collection and survey work;
- (d) continuing with a further pop up engagement event in the street in February 2022 targeted at the CALD community; and
- (e) officers continuing to keep Councillors informed on the above matters, including the survey and intercept data reports.

Community and stakeholder engagement

40. The formal Council meeting process provides an opportunity for external parties to comment on the topic of extending this existing protected bike lane trial. No other consultation has been undertaken on the specific topic of extending the trial.

41. Discussions have occurred with the City Works Division of Council to understand the road surface and trial infrastructure maintenance aspects should the trial be extended. The outcomes of these discussions are that a scheduled road re-sheet can be moved back as need be, without causing a significant asset management issue. Low cost patch ups (approx. \$ 30 K) to the road surface can also be undertaken as required over the next 12 months.

42. It is noted that the trial infrastructure (bollards, decals, signage and other things) is holding up relatively well and could remain in situ (with some patching as required), should the trial be extended by Council.
43. Council policies and procedures regarding CALD community consultation have been followed during the trial and would continue if the trial is extended by Council.
44. Further communication to the community would be implemented with all relevant stakeholders and residents to outline any extension of the trial or other decisions of Council.

Policy analysis

Alignment to Community Vision and Council Plan

45. The project is a pilot and trial of protected bike lanes in a particular street which is on a 'strategic cycling corridor'.
46. The Council Plan encourages the use of trials to improve safety in a specific environment.

Climate emergency and sustainability implications

47. Undertaking pilot and trials, and providing protected bike lanes to deliver infrastructure quickly, and relatively cheaply, to encourage cycling is consistent with a number Council's transport and Climate Emergency Plan objectives.

Community and social implications

48. There are not any known new social implications are associated with extending or not extending the trial.
49. Some community members have previously expressed concerns and implications of the trial. These were expressed in the September 2020 Council report and discussed at that meeting.

Economic development implications

50. No known economic implications associated specifically with extending the trial.
51. Some minor changes to the trial were made previously in response to feedback from a trader at the western end of the street.

Human rights and gender equality implications

52. There are no known specific human rights implications.
53. Some access, amenity and or economic issues have been expressed including from local religious organisations.
54. The intent of the pilot and trial, in part, is to encourage more usage of cycling as a means of accessing the city by all persons, including females and children, who at times, may be more anxious about cycling on roads with no protected lanes.

Operational analysis

Financial and resource impacts

55. The financial implications depend on the option being considered by Council. In this regard:
 - (a) the option of extending the trial for say 12 months (Option 2) would be the cost of incurring some minor road maintenance and material maintenance of approx. \$ 30 K to \$ 40 K; and
 - (b) the cost of returning the road to its pre-trial design would be approximately \$80 K (that is, to remove the trial infrastructure and reinstate the line-marking to the pre-trail condition).
56. It is highlighted that changing / rearranging road space with permanent works is very expensive – that is why a trial has occurred in the first instance for evaluation purposes.
57. It is noted for illustration, that the Wellington Street protected bike lanes (with concrete separator islands) was very expensive with a large component paid by State Government.

58. The cost of any permanent changes to install protected bike lanes in Elizabeth Street aligned to the cross section of the current trial, include the following:
- (a) a full resheet of the full road of some \$ 700 K; that needs to be done within the next few years in any event; it is currently scheduled for 23/24;
 - (b) any permanent protected bike infrastructure (e.g. concrete kerbs / tree installations / soil preparations for trees etc) would need to be subject to full design aspects being resolved and what standard of fittings Council may determine to use – in this regard, the full cost of permanent protected bike lane infrastructure could range from \$500 K to approx. \$ 1 M, or possibly more (tbd through design work and specific costings); and
 - (c) any other variations of the current profile of the trial project (e.g. any crossings) would also need to be costed.
59. Further rounds of data collection and intercept survey work would be required.

Legal Implications

60. There are no known legal implication of an extension to the trial due to current circumstances of COVID-19 lockdowns over an extended period.

Conclusion

61. The Elizabeth Street protected bike lane trial was installed as a pilot and trial in July 2020. This approval by Council included specific dimensions of the various lanes – the reasons were outlined in the previous reports.
62. This route is on the 'strategic cycle corridor' in and out of the central city area and importantly, joins up with the separated bike lanes in Albert Street, East Melbourne.
63. The pilot and trial was endorsed to run for 12 months with Council due to decide on a permanent treatment within six months of the conclusion of the trial.
64. The pilot and trial is to inform future decision making of Council, and if were to be made permanent by a Council decision, it would also enable some tree planting on the northern side of the roadway, between the carriageway and the bike lane, as a means of separation, but also to provide upper canopy trees once they achieve semi maturity. This would add to the ambience of the street and add shade to the street which is currently lacking.
65. Three rounds of quarterly data collection have been completed over a 12-month period that has been heavily disrupted due to COVID-19 lockdowns; a fourth and final round has not been possible due to continual lockdowns over many months since mid this year.
66. This report provides options for the Council consideration; with one option being to consider extending the trial. That option would enable additional data to be collected during a new COVID-19 normal to inform decision making on the future of the pilot and trial and what should be the permanent treatment for Elizabeth Street.
67. Council is asked to determine the future of the current pilot and trial protected bike lanes on Elizabeth Street, Richmond and provide direction to officers.

RECOMMENDATION

1. That Council:
 - (a) notes the contents of the officers report on the Elizabeth Street protected bike lanes pilot and trial; and
 - (b) notes the options outlined for Council consideration, including abandoning the trial, or continuing with the trial at this stage for a further period in order to assess its performance with additional data.
2. That Council, having noted the officer report and options presented, now determine a course of action regarding the current pilot and trial protected bike lanes in Elizabeth Street, Richmond in order to provide direction to Council officers.
3. That, if this pilot and trial of protected bike lanes on Elizabeth Street is to continue for a further period of time, Council resolve as follows:
 - (a) to retain the current layout and configuration of the project as it currently exists including the specific width of the cycling lanes to provide lanes with maximum safety and passing manoeuvres on a strategic cycling route;
 - (b) to authorise the Director, Planning and Place Making to instruct staff to make minor adjustments to the trial, where appropriate, until Council forms an opinion on its future;
 - (c) that officers continue with the program of data collection and survey work to inform future Council decisions;
 - (d) that officers arrange a further pop up engagement event in the street in February 2022 targeted at the CALD community to gather further community opinions;
 - (e) to continue to run and monitor the *Your Say Yarra* web page regarding this trial; and
 - (f) note that officers will continue to provide updates to Councillors once further survey results are received.

Attachments

- 1 [↓](#) Elizabeth Street Memo Q1
- 2 [↓](#) Elizabeth Street Memo Q2
- 3 [↓](#) Elizabeth Street Memo Q3

Attachment 1 - Elizabeth Street Memo Q1

MEMO



To: Mayor and Councillors

Councillor Gabrielle de Vietri
Councillor Anab Mohamud
Councillor Stephen Jolly
Councillor Amanda Stone
Councillor Bridgid O'Brien
Councillor Sophie Wade
Councillor Claudia Nguyen
Councillor Edward Crossland
Councillor Herschel Landes

CEO Executive

Chief Executive Officer
Director Corporate, Business and Finance
Director Planning and Place Making
Assistant Director Planning and Place Making
Director Community Wellbeing
Director City Works and Assets
Group Manager Chief Executive's Office
Group Manager People, Culture and Community
Acting Group Manager, Advocacy and Engagement

From: Bruce Phillips

Date: 28nd January, 2021

Subject: Elizabeth Street Bike Lane Project – Quarter 1 Survey Results

1. This memo updates Councilors on the pilot trial of protected bike lanes in Elizabeth Street following the completion of a comprehensive data collection exercise and on-street intercept surveys conducted in November 2020.

2. On 15 September 2020, Council resolved that:

... a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;

... further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and

... as part of the evaluations during this 12-month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.

Attachment 1 - Elizabeth Street Memo Q1

MEMO

**Background**

3. Elizabeth Street is designated as a strategic cycling corridor by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
4. There is a Council commitment to delivering protected bike lanes on Elizabeth Street in the Bike Strategy Refresh 2016 and as a pilot trial in the Climate Emergency Plan 2020. This project was originally scheduled for delivery by 2015 in the 2010-2015 Bike Strategy. Both these documents acknowledged that delivering protected bike lanes would require the removal of car parking on one side of the street.
5. The pilot trial was installed in July 2020 following a Council resolution in December 2019 to deliver the protected bike lanes in a timely manner as part of a regional cycling route. This trial consists of changes to linemarking and use of bollards to delineate the bike lanes. Previous Council reports provide the basis of the design including its widths and landscaping potential.
6. Upon installation some concerns were raised by some local residents regarding the design, and the trial delivery process using the iterative (pop-up) method. These concerns are detailed at length in the September 2020 council report are summarised as follows:
 - General objections to the removal of car parking from the northern side of Elizabeth Street
 - Access and convenience for loading, deliveries and pick up/drop offs
 - Public safety and perceived safety due to stated need to often park further away from their homes and the concerns stated regarding anti-social behaviour issues on or near Elizabeth Street
 - The width of the traffic lanes and space for emergency vehicles
 - The width of the parking bays and space for people getting in and out of cars
 - New parking restrictions and impacts on visitor parking in the evening
 - New parking restrictions and impacts on businesses generally during the day including medical practices and places of worship
 - Unsightly bollards and visual clutter
 - Sightlines for vehicles turning from some side streets
 - Difficulties for pedestrians crossing Elizabeth Street
7. These concerns were noted, considered and responded to in detail by officers via conversations with residents, the September 2020 council report and then via questions in the council chamber.
8. The project has also received a significant amount of praise by other community members. It has been seen as progressive and in line with what Council should be doing given its cycling policy objectives. Other feedback received supporting the trial is summarised as follows:
 - The protected bike lanes are a major upgrade
 - People feel far safer as they are away from car doors and passing traffic
 - The bike lanes are wide enough for a comfortable journey and allow overtaking and parents to ride side-by-side with children
 - Narrower traffic lanes encourage people to drive more slowly

General Observations about COVID-19 Impact on Travel

Attachment 1 - Elizabeth Street Memo Q1

MEMO



9. As with other parts of the economy, the global pandemic has led to rapid changes in transport trends in all Australian cities. During the Stage 2 lockdown, there was a sharp decline in movement across metropolitan Melbourne of all transport modes, particularly public transport. Since lockdown ended in November, there has been a steady increase in car use because it is perceived to be the safest way to travel around the city and maintain social distancing. This usage is expected to exceed pre-pandemic levels by at least 20 per cent until a vaccine is widely distributed to the general population.
10. Demand for active transport modes is also rising as people avoid public transport. There has already been a significant uptake in recreational cycling during the pandemic to add to the doubling of commuters cycling along some bike corridors in Yarra over the last 10 years. These trends represent a major challenge as these transport modes are competing for access to the same limited street space in Yarra.
11. It is still too early to predict the long-term impacts of COVID-19 on transport in Melbourne, however it is widely predicted that demand for walking and cycling will continue to rise. Some studies suggest that one third of people will not return to work in offices full time and will opt to continue to work from home more regularly.

Intercept Survey

12. An intercept survey was conducted of 180 individuals at random on Elizabeth Street by an independent consultant to understand how the community feel about the pilot trial of protected bike lanes. A broad cross-section of the community was surveyed including both younger and older persons, males, females, local residents, people passing through, pedestrians, cyclists, and car drivers.
13. The intercept surveys were undertaken in English. Every person who was approached at random spoke and understood English at an appropriate level, be it as a first or second language. 180 people of those approached then agreed to stop and participate in the survey. The experienced survey consultant did not believe that language and communication was a significant issue when undertaking the surveys.
14. The following paragraph and graph summarise the survey results.

Attachment 1 - Elizabeth Street Memo Q1

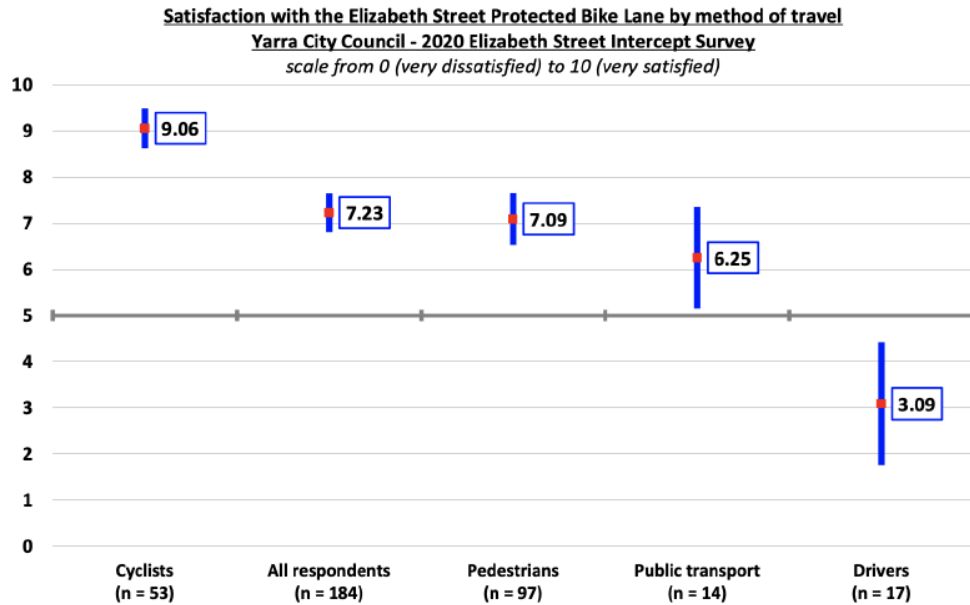


Diagram 1: Metropolis Research, November 2020

15. Most respondents were relatively local with 60% already being aware of the trial. Cyclists made up 28% of all the respondents and were extremely satisfied with the project scoring it 9.06 out of 10. The biggest reason for supporting the project was that people felt safer.
16. Overall 72% of all 180 respondents stated that they were satisfied or very satisfied with the project. Only 15% stated they were dissatisfied or very satisfied which is considered by officers to be a small relative number all things considered. Many of the dissatisfied respondents are people looking to park cars on Elizabeth Street. Parking supply has been reduced to make space for this project thereby making it more difficult to park, hence it was always highly unlikely that this particular segment would be supportive of the project.
17. The full consultant report with more detailed information and other key findings is provided at Attachment 1.

Attachment 1 - Elizabeth Street Memo Q1

MEMO

Cycling Volumes

18. Comprehensive cycling count data was collected by an independent consultant.
19. Key findings and comparisons are provided below. The data has been divided between the sections west and east of Lennox Street which is a key north-south feeder route to Elizabeth Street.

	KEY DATA & STATISTICS	FEBRUARY 2020 (Pre-Trial)	NOVEMBER 2020
ELIZABETH STREET WEST	Weekday Avg. Total No. Of People Cycling	686	384
	Commuter (Peak) Cycling Weekday Avg. %	61%	49%
	Weekend Bike Volume Total	380	399
	85% Speed Km/h	27.2	26.3
	Avg. Speed Km/h	22.1	21.6
ELIZABETH STREET EAST	Weekday Avg. Total No. Of People Cycling	391	311
	Commuter (Peak) Cycling Weekday Avg. %	58%	48%
	Weekend Bike Volume Total	351	319
	85% Speed Km/h	28	26.4
	Avg. Speed Km/h	23	20.6
DEMOGRAPHICS	Weekday Peak Avg. % Of Females Cycling	14%	23%
	Weekday Peak Avg. No. Of Children Cycling	2	13
	Weekday Peak Avg. % of Children Cycling	0.3%	4%

20. From the table the following should be noted:
- The volumes and speeds of cyclists travelling along Elizabeth Street have generally declined, especially for commuter cycling, due to COVID-19 rather than as a result of this project specifically;
 - There is now roughly an equal proportion of commuter and everyday cyclists during the week;
 - There is a greater proportion of people cycling for everyday activities than previously;
 - Weekend volumes have remained the same;
 - Cycling speeds have been reduced which reflects the uptake of everyday cycling and by a broader demographic; and,
 - The average number of woman and children during the weekday peaks has increased.
21. At this stage, it is difficult to quantify what the project has done to cyclist volumes due to COVID-19. However we will have a clearer picture when more surveys and counts are done as life in Melbourne hopefully returns to a post-COVID normal.

Attachment 1 - Elizabeth Street Memo Q1

MEMO

**Traffic Volumes and Speeds**

22. Daily traffic volumes on Elizabeth Street have decreased by nearly 30% compared to pre-pandemic baseline levels. Peak-hour traffic volumes have also decreased by around 35% while average traffic speeds have reduced by up to 7%. The table below summarises the key traffic data findings.

KEY TRAFFIC DATA	February 2020 (Pre-trial)	November 2020 (Q1)	Pre-Trial vs Q1 (%)
ELIZABETH STREET WEST			
Total Weekday Daily Avg. Traffic Volume	9837	6956	-29%
Total Avg. Daily Traffic Volume	8946	6400	-29%
Weekday Peak-Hour Avg. Traffic Volume	849	543	-36%
Total Average Traffic Speed (km/h)	32.4	32.4	0%
Total Heavy Vehicle % of Traffic	6.2	6.9	+11%
ELIZABETH STREET EAST			
Total Weekday Daily Avg. Traffic Volume	9711	7402	-24%
Total Avg. Daily Traffic Volume	9024	6710	-26%
Weekday Peak-Hour Avg. Traffic Volume	831	572	-31%
Total Average Traffic Speed (km/h)	32.7	30.5	-7%
Total Heavy Vehicle % of Traffic	5.2	2.7	-48%

Parking Occupancy

23. Extensive parking occupancy surveys were conducted on Elizabeth Street along with nearby on-street and off-street parking facilities by an independent consultant. In total, 1504 parking bays were surveyed. The outcome of the assessment is that parking is generally available albeit the provision is slightly reduced as a result of the need to remove car parking to deliver this project. As with everything else, COVID-19 has impacted demand for car parking.
24. The table below summarises the outputs of the parking surveys.

ELIZABETH STREET PARKING OCCUPANCY SURVEY PRE-TRIAL VS Q1 SUMMARY RESULTS TABLE				
LOCATION	DATA	FEBRUARY	NOVEMBER	CHANGE %
ELIZABETH STREET	TOTAL NO. PARKING BAYS	148	72	-51%
	AVG. OCCUPANCY %	74%	86%	+16%
NEARBY ON-STREET	TOTAL NO. PARKING BAYS	308	308	0%
	AVG. OCCUPANCY %	67%	52%	-21%
OFF-STREET	TOTAL NO. PARKING BAYS	1124	1124	0%
	AVG. OCCUPANCY %	53%	46%	-14%
TOTAL AREA	NO. OF PARKING BAYS	1580	1504	-5%
	AVG. OCCUPANCY %	58%	49%	-16%

Attachment 1 - Elizabeth Street Memo Q1

MEMO



25. The following observations are made based on the survey results:
 - a. Average parking occupancy on Elizabeth Street has increased which is as expected given the reduced parking provision on this street;
 - b. Almost 50% of all on-street parking bays within a short walking distance of Elizabeth Street are typically vacant, hence there continues to be parking availability in the area (particularly on Regent and Garfield Street); and,
 - c. Around 54% of all off-street parking bays are unoccupied at any one time. DHHS staff do not believe that this project has had a significant impact on DHHS residents with cars as they have allocated off-street parking.
26. Summary tables with more detailed information on the results of the parking occupancy survey are provided at Attachment 2.

Attachment 2 - Elizabeth Street Memo Q2

MEMO



To: Mayor and Councillors

Councillor Gabrielle de Vietri
Councillor Anab Mohamud
Councillor Stephen Jolly
Councillor Amanda Stone
Councillor Bridgid O'Brien
Councillor Sophie Wade
Councillor Claudia Nguyen
Councillor Edward Crossland
Councillor Herschel Landes

CEO Executive

Chief Executive Officer
Director Corporate, Business and Finance
Director Planning and Place Making
Assistant Director Planning and Place Making
Director Community Wellbeing
Director City Works and Assets
Group Manager Chief Executive's Office
Group Manager People, Culture and Community
Acting Group Manager, Advocacy and Engagement

From: Bruce Phillips and Simon Exon

Date: 18 March 2021

Subject: Elizabeth Street Bike Lane Project – Quarter 2 Survey Results

1. This memo updates Councillors on the pilot trial of protected bike lanes in Elizabeth Street following the completion of the Quarter 2 data collection in February 2021, which includes on-street intercept surveys, parking occupancy surveys, traffic counts and cyclist number surveys.
2. On 15 September 2020, Council resolved (in part) that:

... a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;

... further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and

... as part of the evaluations during this 12-month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.

Note: Further surveys will be conducted as part of the ongoing evaluation of the trial and reported to Councillors periodically. In this regard, the information in this memo needs to be read as an instalment of the evaluation to Councillors.

Attachment 2 - Elizabeth Street Memo Q2

MEMO



Background

3. Elizabeth Street is designated as a strategic cycling corridor by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
4. The pilot trial was installed in July 2020 following a Council resolution in December 2019 to deliver the protected bike lanes in a timely manner as part of a regional cycling route. This trial consists of changes to line marking and use of bollards to delineate the bike lanes.
5. Previous Council reports provide the basis of the design implemented including the various lane widths and the future landscaping potential if it is resolved that the trial is converted to a permanent arrangement. That is, the concept is to plant some street trees (for future upper canopy) between the east bound traffic lane and the east bound cycle lane in the wider buffer area currently on the ground as a painted buffer with the diagonal rubber strips and bollards.

Intercept Survey

6. An intercept survey was conducted of 235 individuals at random on Elizabeth Street over three days in the last week of February 2021. The intercept survey was undertaken by an independent consultant to understand how the community feel about the pilot trial of protected bike lanes. A broad cross-section of the community was surveyed including both younger and older persons, males, females, local residents, people passing through, pedestrians, cyclists, and car drivers.
7. The intercept surveys were undertaken in English. The vast majority of people who were approached at random spoke and understood English at an appropriate level, and 235 people agreed to stop and participate in the survey.
8. In-person pop up information sessions will be held in mid-April and will be tailored specifically to CALD communities, including interpreters in four key languages, to ensure Council obtains genuine and meaningful feedback on the trial from everyone in the community.
9. The survey results are summarised as follows.
10. Overall 68% of all 235 respondents stated that they were satisfied or very satisfied with the project. This is slightly less than during the November 2020 intercept survey which found 72% of all respondents were satisfied and very satisfied. The same pattern of satisfaction observed in this survey is consistent with the November 2020 survey, with all cyclists being very satisfied and some drivers being very dissatisfied.
11. Awareness of the trial went from 60% in November to 50% in February. This included a decline in the proportion of cyclists who were aware of the trial, down from 62% to 43%. This maybe due to an increase in use from a broader area as lockdown has eased, people coming from further afield are less likely to be aware of the intricacies of how a project has been delivered on a particular street.
12. The full consultant report with more detailed information and other key findings is provided at Attachment 1.

Attachment 2 - Elizabeth Street Memo Q2

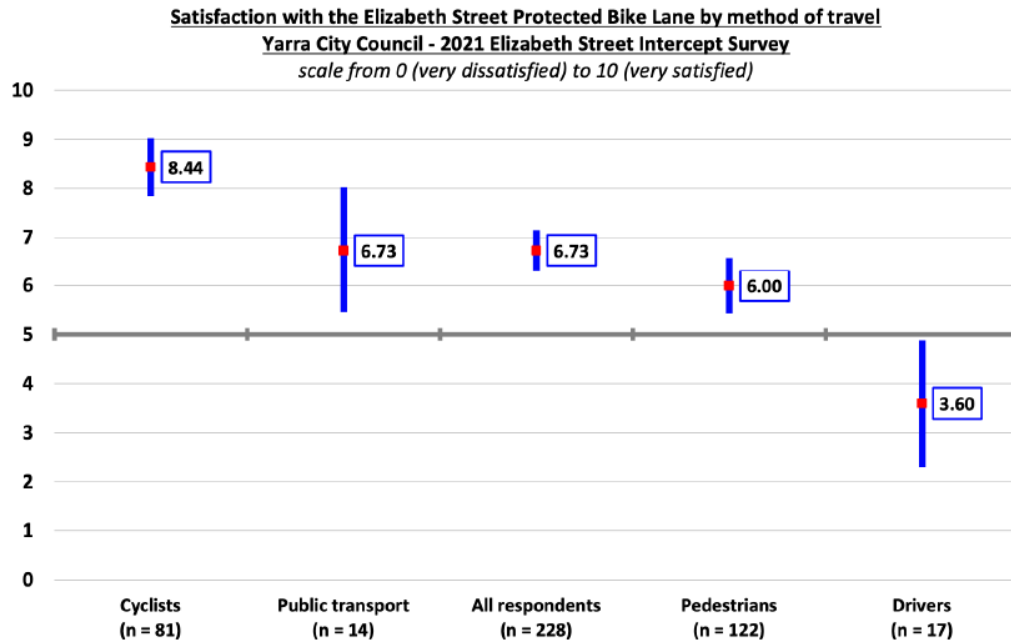


Diagram 1: Metropolis Research, February 2021

Cycling Volumes

13. Cycling count data was also collected by an independent consultant.
14. Key findings and comparisons between this quarter and the previous quarter are provided below. The data has been divided between the sections west and east of Lennox Street which is a key north-south feeder route to Elizabeth Street.

	KEY DATA & STATISTICS	FEB 2020 (Pre-Trial)	NOV 2020 (Q1)	FEB 2021 (Q2)	Q1 vs Q2 (%)
ELIZABETH ST WEST	Weekday Avg. Total No. Of People Cycling	686	384	492	+28%
	Commuter (Peak) Cycling Weekday Avg. %	61%	49%	52%	+6%
	Weekend Bike Volume Total	380	399	502	+26%
	85% Speed Km/h	27.2	26.3	24.8	-5%
	Avg. Speed Km/h	22.1	21.6	20.5	-5%
ELIZABETH ST EAST	Weekday Avg. Total No. Of People Cycling	391	311	226	-27%
	Commuter (Peak) Cycling Weekday Avg. %	58%	48%	53%	+10%
	Weekend Bike Volume Total	351	319	188	-41%

Attachment 2 - Elizabeth Street Memo Q2

MEMO



	85% Speed Km/h	28	26.4	29.5	+11%
	Avg. Speed Km/h	23	20.6	24	+16
DEMOGRAPHICS	Weekday Peak Avg. % Of Females Cycling	14%	23%	29%	+26%
	Weekday Peak Avg. No. Of Children Cycling	2	13	39	+200%
	Weekday Peak Avg. % of Children Cycling	0.3%	4%	5%	+25%

15. From the table the following should be noted:
- The volumes of cyclists travelling along the western section of Elizabeth Street has increased by 28% on weekdays and 26% on weekends;
 - The volumes of cyclists travelling along the eastern section has decreased by 27% on weekdays and decreased by 26% on weekends;
 - The proportion of commuter and everyday cyclists has not changed significantly since November 2020; and
 - The average number of woman and children during the weekday peaks has continued to increase since November 2020 and is significantly higher than numbers recorded prior to the trial commencing.
16. The increase in the number of people cycling along the western section and the decrease along the eastern section indicates that more people are connecting cycling via Lennox Street, Albert Street or Nicholson Street, and less people are continuing east of Lennox Street or accessing Elizabeth Street via Church Street or Baker Street.
17. COVID-19 outbreaks in early January and mid-February resulted in the State Government pausing the planned increase for office workers to return to work. Due to the direction for people to work from home if they are able to do so, it continues to be difficult to quantify how the project has influenced cyclist volumes due to COVID-19. From 27 February restrictions were revised to allow up to 75% of office workers to return to work. As such, it is expected that we will have a clearer picture when more surveys and counts are completed later this year.

Traffic Volumes and Speeds

18. Daily traffic volumes on Elizabeth Street have increased by nearly 20% compared to the Quarter 1 traffic counts. Peak-hour traffic volumes have also increased by around 24% while the average traffic speeds have remained relatively consistent. The table below summarises the key traffic data findings.

Attachment 2 - Elizabeth Street Memo Q2

MEMO



KEY TRAFFIC DATA	February 2020 (Pre-trial)	November 2020 (Q1)	Pre-Trial vs Q1 (%)	February 2021 (Q2)	Q1 vs Q2 (%)
ELIZABETH STREET WEST					
Total Weekday Daily Avg. Traffic Volume	9837	6956	-29%	7815	+12%
Total Avg. Daily Traffic Volume	8946	6400	-29%	7391	+15%
Weekday Peak-Hour Avg. Traffic Volume	849	543	-36%	665	+22%
Total Average Traffic Speed (km/h)	32.4	32.4	0%	30.8	-5%
Total Heavy Vehicle % of Traffic	6.2	6.9	+11%	3.2	-54%
ELIZABETH STREET EAST					
Total Weekday Daily Avg. Traffic Volume	9711	7402	-24%	8493	+15%
Total Avg. Daily Traffic Volume	9024	6710	-26%	8035	+20%
Weekday Peak-Hour Avg. Traffic Volume	831	572	-31%	709	+24%
Total Average Traffic Speed (km/h)	32.7	30.5	-7%	32	+5%
Total Heavy Vehicle % of Traffic	5.2	2.7	-48%	6.2	+130%

Parking Occupancy

19. Extensive parking occupancy surveys were conducted on Elizabeth Street along with nearby on-street and off-street parking facilities by an independent consultant. In total, 1504 parking bays were surveyed. The outcome of the Quarter 2 data is that parking is generally available and consistent with the Quarter 1 and pre-trial occupancy survey results.

Attachment 2 - Elizabeth Street Memo Q2

MEMO



20. The table below summarises the outputs of the parking surveys.

ELIZABETH STREET PARKING OCCUPANCY SURVEY PRE-TRIAL VS Q1 & Q2 SUMMARY RESULTS TABLE						
LOCATION	DATA	FEBRUARY 2020	NOVEMBER 2020	CHANGE %	FEBRUARY 2021	CHANGE %
ELIZABETH STREET	TOTAL NO. PARKING BAYS	148	72	-51%	72	0%
	AVG. OCCUPANCY %	74%	86%	+16%	82%	-5%
NEARBY ON-STREET	TOTAL NO. PARKING BAYS	308	308	0%	308	0%
	AVG. OCCUPANCY %	67%	52%	-21%	64%	+23%
OFF-STREET	TOTAL NO. PARKING BAYS	1124	1124	0%	1124	0%
	AVG. OCCUPANCY %	53%	46%	-14%	44%	-4%
TOTAL AREA	NO. OF PARKING BAYS	1580	1504	-5%	1504	0%
	AVG. OCCUPANCY %	58%	49%	-16%	50%	+2%

21. The following observations are made based on the survey results:
- Average parking occupancy on Elizabeth Street has decreased by 5% in comparison to the Quarter 1 survey, however the average parking occupancy on nearby on-street bays increased by 23%;
 - Approximately 35% of all on-street parking bays within a short walking distance of Elizabeth Street are typically vacant, hence there continues to be parking availability in the area; and,
 - Average occupancy of off-street parking bays decreased by 4%, with around 56% of all off-street parking bays unoccupied at any one time.
22. Summary tables with more detailed information on the results of the parking occupancy survey are provided at Attachment 2.

Attachment 3 - Elizabeth Street Memo Q3

MEMO



To: Mayor and Councillors

Councillor Gabrielle de Vietri
Councillor Anab Mohamud
Councillor Stephen Jolly
Councillor Amanda Stone
Councillor Bridgid O'Brien
Councillor Sophie Wade
Councillor Claudia Nguyen
Councillor Edward Crossland
Councillor Herschel Landes

CEO Executive

Chief Executive Officer
Director Corporate, Business and Finance
Director Planning and Place Making
Assistant Director Planning and Place Making
Director Community Wellbeing
Director City Works and Assets
Group Manager Chief Executive's Office
Group Manager People, Culture and Community
Acting Group Manager, Advocacy and Engagement

From: Bruce Phillips and Simon Exon

Date: 31 May 2021

Subject: Elizabeth Street Bike Lane Project – Quarter 3 Survey Results

1. This memo updates Councillors on the pilot trial of protected bike lanes in Elizabeth Street following the completion of the Quarter 3 data collection in April 2021 which includes on-street intercept surveys, a pop up CALD event, parking occupancy surveys, traffic and bike counts.
2. On 15 September 2020, Council resolved (in part) that:

... a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;

... further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and

... as part of the evaluations during this 12-month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.

Note: Further surveys and counts will be conducted as part of the ongoing evaluation of the trial and reported to Councillors periodically. In this regard, the information in this memo needs to be read as an instalment of the evaluation to Councillors.

Attachment 3 - Elizabeth Street Memo Q3

MEMO



Background

3. Elizabeth Street is designated as a strategic cycling corridor by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
4. The pilot trial was installed in July 2020 following a Council resolution in December 2019 to deliver the protected bike lanes in a timely manner as part of a regional cycling route. This trial consists of changes to linemarking and use of bollards to delineate the bike lanes.
5. Previous Council reports provide the basis of the design including the various lane widths and also the future landscaping potential if the trial is converted to a permanent arrangement (that is, the concept is to plant some street trees (for future upper canopy) between the eastbound traffic lane and the eastbound cycle lane in the wider buffer area currently on the ground as a painted buffer with the diagonal rubber separators and bollards).



Intercept Survey

6. An intercept survey was conducted of 160 individuals at random on Elizabeth Street over three days in the third week of April 2021. The intercept survey was undertaken by an independent consultant to understand how the community feel about the pilot trial of protected bike lanes. A broad cross-section of the community was surveyed including both younger and older persons, males, females, local residents, people passing through, pedestrians, cyclists, and car drivers.

Attachment 3 - Elizabeth Street Memo Q3

MEMO



7. The intercept surveys were undertaken in English. The majority of people who were approached at random spoke and understood English at an appropriate level, and 160 people of those approached then agreed to stop and participate in the survey. The consultant undertaking the surveys had deployed a fieldwork team on the project who spoke a range of languages other than English including Vietnamese, Cantonese, Mandarin, Spanish, Hindi, and other Indian languages.
8. In addition, an in-person pop up information session was also held in mid-April and was tailored specifically to CALD communities, including interpreters in four key languages, to ensure Council obtained genuine and meaningful feedback on the trial from everyone in the community. During the session some local residents raised concerns about the width of the traffic lanes, pedestrian safety crossing the road, and the removal of parking; particularly for visitors looking for a vacant bay on Elizabeth Street itself.
9. The following paragraphs and graph summarise the intercept survey results.
10. Overall 73% of all 160 respondents stated that they were satisfied or very satisfied with the project. This is slightly more than during the February 2021 intercept survey which found 68% of all respondents were satisfied and very satisfied. The same pattern of satisfaction observed in this survey is consistent with the November 2020 and February 2021 surveys, with cyclists generally being very satisfied and drivers very dissatisfied.
11. There was also a decline in the proportion of respondents who reported that they were aware of the trial, down from 60% in November and 50% in February to 41% in April. The proportion of cyclists who were aware of the trial remained at 43% while only 30% of those travelling by car were aware of the trial. This could be attributed to an increase in movement from outside the local area since COVID-19 restrictions have further been eased.
12. The full consultant report with more detailed information and other key findings is provided at Attachment 1.

Attachment 3 - Elizabeth Street Memo Q3

MEMO

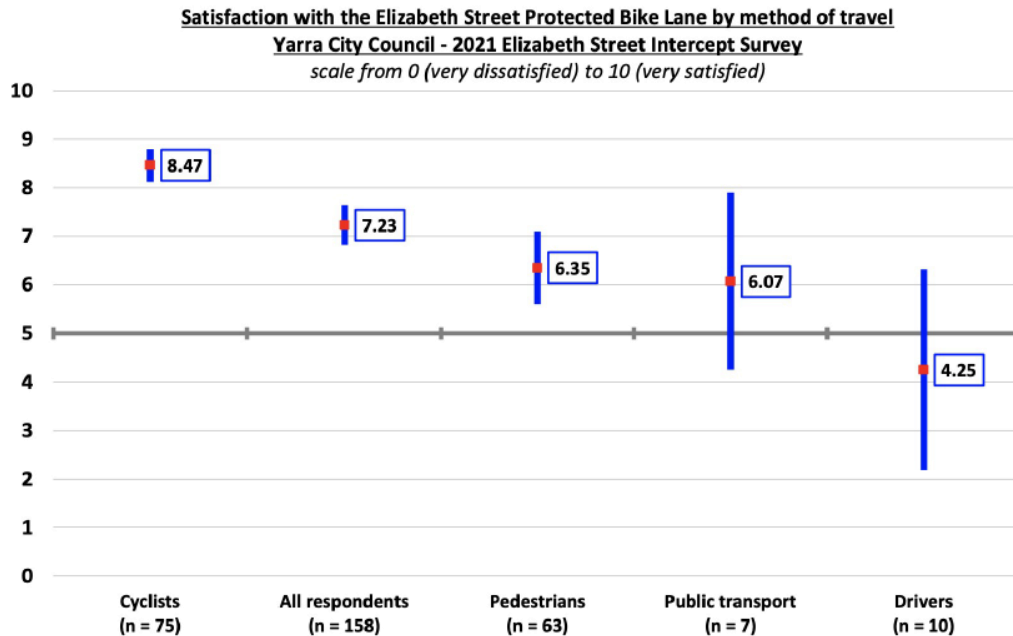


Diagram 1: Metropolis Research, April 2021

Cycling Volumes and Speeds

13. Updated cycling count data was also collected by an independent consultant.
14. Key findings and comparisons between the pre-trial and previous quarters are provided below. The data has been divided between the sections west and east of Lennox Street which is a key north-south feeder route to Elizabeth Street.

	KEY DATA & STATISTICS	FEB 2020 (Pre-Trial)	NOV 2020 (Q1)	FEB 2021 (Q2)	APR 2021 (Q3)
ELIZABETH ST WEST	Weekday Avg. Total No. Of People Cycling	686	384	492	489
	Commuter (Peak) Cycling Weekday Avg. %	61%	49%	53%	56%
	Weekend Bike Volume Total	380	399	502	416
	85% Speed Km/h	27.2	26.3	24.8	26.4
	Avg. Speed Km/h	22.1	21.6	20.5	21.8
ELIZABETH ST EAST	Weekday Avg. Total No. Of People Cycling	391	311	226	316
	Commuter (Peak) Cycling Weekday Avg. %	58%	48%	50%	53%

Attachment 3 - Elizabeth Street Memo Q3

MEMO



	Weekend Bike Volume Total	351	319	188	309
	85% Speed Km/h	28	26.4	29.5	27.3
	Avg. Speed Km/h	23	20.6	24	22.6
DEMOGRAPHICS	Weekday Peak Avg. % Of Females Cycling	14%	23%	29%	26%
	Weekday Peak Avg. No. Of Children Cycling	2	13	39	27
	Weekday Peak Avg. % of Children Cycling	0.3%	4.4%	5.5%	3.4%

15. From the table the following should be noted:
- The volumes of cyclists travelling along the western section of Elizabeth Street has remained the about the same as Quarter 2;
 - The volumes of cyclists travelling along the eastern section of Elizabeth Street has increased back up to Quarter 1 levels on weekdays and weekends after a decline in Quarter 2;
 - There has been a steady increase each quarter in the percentage of people cycling on both sections of Elizabeth Street during the peak hours; and
 - The average number of woman and children during the weekday peaks has decreased slightly in Quarter 3 but remains significantly higher than numbers recorded prior to the trial commencing.
16. The higher volumes of cyclists along the western section compared to the eastern section indicates that more people are still connecting by bike via Lennox Street, Albert Street or Nicholson Street, and less people are continuing east of Lennox Street or accessing Elizabeth Street via Church Street or Baker Street.
17. Due to more people working from home for various reasons, it continues to be difficult to quantify how the project has influenced cyclist volumes due to COVID-19. From April 9 density quotients were relaxed for businesses with COVIDSafe requirements and for up to 100% of office workers and professional services to return to work, for both public and private sectors. However, people are still choosing to work from home for the time being - particularly CBD office workers. Further easing of restrictions has been announced for May 28 onwards. As such, it is expected that we will have a clearer picture of cycling participation rates when the last bike counts are completed in June.

Traffic Volumes and Speeds

18. Daily traffic volumes on Elizabeth Street have continued to increase in Quarter 3 by around 8% compared to the Quarter 2 traffic counts and by around 22% compared to Q1. Peak-hour traffic volumes have also increased by around 7% in this quarter while the average traffic speeds have remained relatively consistent. The table below summarises the key traffic data findings.

KEY TRAFFIC DATA	February 2020 (Pre-trial)	November 2020 (Q1)	February 2021 (Q2)	April 2021 (Q3)	CHANGE % Q2 vs Q3
ELIZABETH STREET WEST					

Attachment 3 - Elizabeth Street Memo Q3

MEMO



Total Weekday Daily Avg. Traffic Volume	9837	6956	7815	8134	+4%
Total Avg. Daily Traffic Volume	8946	6400	7391	7739	+5%
Weekday Peak-Hour Avg. Traffic Volume	849	543	665	697	+5%
Total Average Traffic Speed (km/h)	32.4	32.4	30.8	31.3	+2%
Total Heavy Vehicle % of Traffic	6.2	6.9	3.2	5.9	+84%
ELIZABETH STREET EAST					
Total Weekday Daily Avg. Traffic Volume	9711	7402	8493	9388	+11%
Total Avg. Daily Traffic Volume	9024	6710	8035	8953	+11%
Weekday Peak-Hour Avg. Traffic Volume	831	572	709	766	+8%
Total Average Traffic Speed (km/h)	32.7	30.5	32	30.7	-4%
Total Heavy Vehicle % of Traffic	5.2	2.7	6.2	3.7	-40%

Parking Occupancy

19. Extensive parking occupancy surveys were conducted on Elizabeth Street along with nearby on-street and off-street parking facilities by an independent consultant in mid-April. In total, 1504 parking bays were surveyed. The outcome of the Quarter 3 data is that parking is generally available and consistent with the Quarter 1, Quarter 2 and pre-trial occupancy survey results.

Attachment 3 - Elizabeth Street Memo Q3

MEMO



20. The table below summarises the outputs of the parking surveys.

ELIZABETH STREET PARKING OCCUPANCY SURVEY PRE-TRIAL VS Q1, Q2 & Q3 SUMMARY RESULTS TABLE						
LOCATION	DATA	FEBRUARY 2020	NOVEMBER 2020	FEBRUARY 2021	APRIL 2021	CHANGE % Q2 vs Q3
ELIZABETH STREET	TOTAL NO. PARKING BAYS	148	72	72	72	0%
	AVG. OCCUPANCY %	74%	86%	82%	88%	+6%
NEARBY ON-STREET	TOTAL NO. PARKING BAYS	308	308	308	308	0%
	AVG. OCCUPANCY %	67%	52%	64%	64%	0%
OFF-STREET	TOTAL NO. PARKING BAYS	1124	1124	1124	1124	0%
	AVG. OCCUPANCY %	53%	46%	44%	47%	+3%
TOTAL AREA	NO. OF PARKING BAYS	1580	1504	1504	1504	0%
	AVG. OCCUPANCY %	58%	49%	50%	52%	+2%

21. The following observations are made based on the survey results:
- Average parking occupancy on Elizabeth Street has increased by 6% in comparison to the Quarter 2 survey, however the average parking occupancy on nearby on-street bays has remained the same;
 - Approximately 36% of all on-street parking bays within a short walking distance of Elizabeth Street are typically vacant, hence there continues to be parking availability in the area; and,
 - Average occupancy of off-street parking bays increased by 3%, with around 53% of all off-street parking bays unoccupied at any one time.
22. Summary tables with more detailed information on the results of the parking occupancy survey are provided in Attachment 2.

8.2 Amendment C291yara - Bridge Road and Victoria Street built form provisions - Consideration of submissions

Executive Summary

Purpose

The purpose of the report is for Council to consider the 118 submissions received following the public notification of draft Amendment C291yara and the officer responses to the issues raised.

The officers' recommendation is that Council requests the Minister for Planning to refer all submissions, the officer responses to submissions and the Council's *preferred* draft Amendment version, to the *Yarra Activity Centre Standing Advisory Committee*, as set out in the Terms of Reference of that Committee.

The report outlines the key officer recommendations for proposed changes (to the publicly notified draft Amendment C291yara documentation), to form the basis of Council's position at the *Yarra Activity Centre Standing Advisory Committee* hearing.

The report also outlines the process to notify land owners, occupiers and submitters affected by any recommended changes to the draft amendment to advise them of the position that Council proposes to take to the Standing Advisory Committee; and provide them with the opportunity to make a submission or further submission.

The next steps for advancing the amendment in accordance with the requirements of the Terms of Reference is also outlined.

Key Issues

With the expiry of the *interim Design and Development Overlay Schedules 21 and 22 (DDO21 and DDO22)* imminent, Council needs to continue to progress proposed *permanent* provisions in order to manage change, and provide as much certainty as possible about future development outcomes.

Council exhibited draft Amendment C291yara for 6 weeks between 14 September and 27 October 2021.

A total of 118 submissions were received. A number of the submissions seek competing changes to the amendment. Council cannot resolve these differences to the satisfaction of all submitters and hence a public hearing process is appropriate.

Under Stage 2 of the Terms of Reference (ToR) for the *Yarra Activity Centre Standing Advisory Committee* (Advisory Committee), Council needs to consider all submissions and:

"[...] provide a copy of all submissions received in response to notice and a detailed response to those submissions including a copy of council's preferred draft amendment in a request for the Minister to refer the proposal to the Advisory Committee."

The Minister for Planning would then consider the referral request, and once a decision is made, send a public letter of referral to the Advisory Committee Chair.

Officers recommend all submissions and the Council's preferred version of draft Amendment C291yara be requested to be referred to the Advisory Committee.

Financial Implications

There are substantial costs associated with the Advisory Committee process.

These include Advisory Committee costs and fees, legal representation and the engagement of urban design, heritage, planning, traffic and economic experts who will provide evidence on behalf of Council.

PROPOSAL

In summary, that Council:

- (a) request the Minister for Planning to refer all submissions, responses to submissions and Council's preferred draft to the Yarra Activity Centre Standing Advisory Committee as set out in the Terms of Reference;
- (b) adopts a position of support for draft Amendment C291yara, generally in accordance with the officer's response to the submissions, as contained in the officers' report and attachments; and
- (c) submits to the Advisory Committee that draft Amendment C291yara should be recommended for approval subject to the recommended changes contained within this report.

8.2 Amendment C291yara - Bridge Road and Victoria Street built form provisions - Consideration of submissions

Reference	D21/159747
Author	Leonie Kirkwood - Project and Planning Coordinator
Authoriser	Director Planning and Place Making

Purpose

1. The purpose of the report is for Council to consider:
 - (a) The submissions received following the public notification of draft Amendment C291yara;
 - (b) The officers' responses to the issues raised in the submissions;
 - (c) The officers' recommendation to request the Minister for Planning refer all submissions, response to submissions and Council's preferred draft Amendment to the *Yarra Activity Centre Standing Advisory Committee* as set out in the Terms of Reference;
 - (d) The key officer recommendations for proposed changes to the publicly notified draft Amendment C291yara documentation to form the basis of Council's position at the *Yarra Activity Centre Standing Advisory Committee* hearing;
 - (e) The process to notify any land owners, occupiers and submitters affected by any recommended changes to the draft amendment to advise them of the position Council proposes to take to the Standing Advisory Committee and provide them with the opportunity to make a submission or further submission; and
 - (f) The next steps for advancing the amendment in accordance with the requirements of the Terms of Reference.

Critical analysis

History and background

2. Council prepared draft Amendment C291yara to introduce permanent built form provisions for new development within the Bridge Road and Victoria Street Major Activity Centres.
3. As part of this process, Council engaged *MGS Architects* to provide urban design advice, *GJM Heritage* to provide heritage advice and *Traffix* to provide advice on vehicular access. This advice has formed the basis of the amendment.
4. The draft amendment aims to strike a balance between ensuring new buildings respond sensitively to heritage buildings, minimise their impacts on footpaths, parks and neighbouring residential areas whilst allowing commercial and mixed-use development.
5. It seeks to replace the interim 'Design and Development Overlay' provisions for Bridge Road - DDO21 and Victoria Street - DDO22 with ten (10) separate DDOs (Bridge Road DDO41- DDO45 and Victoria Street DDO46 – DDO50) within the Yarra Planning Scheme with *permanent* planning scheme provisions.
6. It also adds new local planning policy at Clause 21.12 which includes 'Preferred Future Character Statements' and policy covering built form, heritage, access and movement and public realm.
7. The Interim DDO21 and DDO22 which currently apply to the two centres were gazetted by the Minister for Planning, and became part of the Yarra Planning Scheme on 22 November 2018.
8. As these Interim DDO provisions expire on 30 June 2022, Council needs to continue to progress proposed *permanent* DDO provisions.

9. The permanent provisions are essential to put in place the on-going built form strategy for growth and change in both Victoria Street and Bridge Road 'Major Activity Centres' on a permanent basis.

Consideration of the amendment by a Standing Advisory Committee

10. To help speed up the progression of the Council planning scheme amendments, the Minister for Planning, in September 2020, expressed a willingness to consider appointing an Advisory Committee for the consideration of Planning Scheme Amendments.
11. Council resolved to pursue this new pathway for planning scheme amendments in March 2021.
12. Draft Amendment C291yara (the subject Amendment) was considered at the Council Meeting on 20 April 2021, where Council resolved to request the Minister for Planning to refer C291yara to this Advisory Committee.
13. A 'Terms of Reference' was signed by the Minister for Planning on 10 June 2021 and the Standing Advisory Committee was appointed on 9 August 2021. (The 'Terms of Reference' of this Committee is provided at Attachment 1.)

Exhibition

14. In accordance with the 'Terms of Reference' for the *Yarra Activity Centre Standing Advisory Committee* (the Committee), consent to prepare and exhibit a draft amendment for Bridge Road and Victoria Street (the first step in the process) was requested, and obtained prior to public notification of the Amendment.
15. The formal public notification period was from 14 September to 27 October 2021 (six weeks). See *Community and stakeholder engagement* for the details of the exhibition.

Discussion

Submissions received

16. A total of 118 submissions have been received, including one submission with 36 signatures.
17. Submissions were also received from seven interest and community groups:
 - (a) *Richmond Residents Against Inappropriate Development* (RAID);
 - (b) *Let's Enhance Gleadell Street Association Inc* (LEGS);
 - (c) *Collingwood Historical Society*;
 - (d) *Yarra Planning Coalition*;
 - (e) *Royal Historical Society of Victoria*;
 - (f) *Collingwood and Abbotsford Residents' Association Inc.*, and
 - (g) *The Queens Parade Heritage Planning and Traders Group*.
18. 22 submissions were received from land owners/developers (development interests).
19. The remainder of the submissions were received from individual residents / community members.
20. Submissions were received from along the length of Bridge Road and Victoria Street and the surrounding areas.
21. Submission 'hotspots' included:
 - (a) Around Victoria Street at:
 - (i) Regent / Little Hoddle Streets (DDO48), and
 - (ii) Wells / Baker / McKay Streets (DDO50); and
 - (b) Around Bridge Road at:

- (i) Neptune / Burnley Street (DDO44);
- (ii) Racecourse Heritage Precinct – east of the Officeworks site (DDO44);
- (iii) Dickens Street (DDO44);
- (iv) Hull Street (DDO41);
- (v) Bridge Road south between Lennox Street and Waltham Street (DDO41), and
- (vi) Church Street between Berry Street, Hodgson Terrace and Bridge Road. (DDO41)

22. 24 submissions were received from community groups, and also members of the community outside of the Bridge Road / Victoria Street area (e.g. closer to Swan Street or in other suburbs, or were from submitters who did not provide an address).

Next steps - Considering submissions

23. The current step in the Standing Advisory Committee process is the 'consideration of submissions'.
24. Following due process with many submissions, it is recommended that Council refers all submissions to the Standing Advisory Committee and requests that the Standing Advisory Committee hear submitters and provide its report, and recommendations, to both Council and the Minister for Planning for consideration.
25. Officers have analysed the various submissions, and have outlined the recommended changes which Council should submit for consideration by the Standing Advisory Committee.
26. Following the consideration of this report, officers recommend Council notifies any land owners and submitters affected by any recommended changes to the draft amendment to advise them of the position Council proposes to take to the Standing Advisory Committee; and provide them with the opportunity to make a submission or further submission. (See *Community and stakeholder engagement* for further details around this proposed process.)
27. It is important to note that a Directions Hearing is timetabled for mid-February 2022, with the Main Hearing to commence in early April 2022.
28. Following the conclusion of the hearings, the Advisory Committee would forward its report and recommendations to both the Minister for Planning and Council.
29. Council would then be in a position to receive the Advisory Committee report, and a further report from Council officers, and then resolve a position in order to provide its views to the Minister for Planning.

Issues raised

30. The key issues raised in submissions are summarised below.

Table 1: Key issues raised in submissions

Topic	Summary of issues raised
Accommodating growth	<ul style="list-style-type: none"> The need to accommodate future growth in the Bridge Road and Victoria Street Activity Centres was raised. Some submitters raised concerns about the need for growth, its impacts on character and heritage and the ability for infrastructure such as the public open space and public transport networks to accommodate the future population. Other submissions supported the role of the two activity centres as areas for growth. They commented that both are strategically located in relation to transport, employment and services and facilities. A small number of submissions questioned whether the impact of COVID19 on the growth has been taken into account.
Amenity and residential	<ul style="list-style-type: none"> Amenity issues and the impacts of future development on overlooking, visual bulk, noise, overshadowing were key themes in submissions.

Topic	Summary of issues raised
interfaces	<ul style="list-style-type: none"> • Submitters who generally live adjacent to land affected by the amendment have raised concerns that their private open space will be overshadowed by future development. • There have been several locations that have attracted a greater amount of submissions. Some of these were due to the orientation of their backyards/balconies to Bridge Road/Victoria Street, while others were from residents who live near development sites. These include Wells/Baker/McKay Street, Neptune Street, properties east of Officeworks (566 Bridge Road) and Regent/Little Hoddle Streets.
Building Heights	<ul style="list-style-type: none"> • Views differed on building heights. Some submitters considered proposed building heights are too tall and seek reduced heights. • Impacts on heritage buildings and on amenity were common reasons why lower heights were requested. • Land owners and development interests, in some cases, commented some of the heights are too low and do not reflect the strategic context they are situated in. Others supported the proposed heights. • Submissions also commented on the criteria to assess building heights over a preferred height. The submissions questioned whether the criteria were sufficiently linked to the built form.
Neighbourhood Character	<ul style="list-style-type: none"> • Some submitters did not think the built form outcomes proposed in the amendment aligned with the character of Richmond/Abbotsford. • Some expressed concerns “mid-rise” development and what this might mean.
Heritage	<ul style="list-style-type: none"> • A further theme was the impacts of potential development on heritage places, precincts and streetscapes. • Some submitters expressed the view that the scale of development behind heritage buildings would overwhelm and reduce their presence along Bridge Road and Victoria Street. • Many who raised this issue suggested lower building heights and/ greater upper level setbacks to heritage buildings to address this issue.
Views to landmarks	<ul style="list-style-type: none"> • Support for protecting views to landmarks was highlighted in some submissions. However other submitters questioned why other landmarks were not included. • Some land owners expressed concerns about the impacts of landmarks on their ability to develop their property.
Use of mandatory controls	<ul style="list-style-type: none"> • There was a mix of views around the application of ‘mandatory’ and ‘preferred’ planning scheme provisions. Some submitters supported the application of ‘mandatory’ controls. • Others recommended further application of ‘mandatory controls’ in certain locations or for specific issues. • Some land holders have questioned the application of ‘mandatory controls’ on their property. They have questioned the strategic justification of their application and argue that it limits the potential to provide housing/ employment within the activity centre.
Provision of public open space	<ul style="list-style-type: none"> • Submissions raised concerns about the lack of public open space in the Abbotsford/Richmond area and many submit that future developments will exacerbate this. They were concerned about the impact this will have on the liveability and local amenity of the area.
Amenity of and improvements to the public realm	<ul style="list-style-type: none"> • The need to protect the amenity of public spaces such as footpaths and public open space was supported in a number of submissions. • A small number submitted a ‘winter solstice’ control rather than ‘equinox control’ should be applied to address overshadowing.

Topic	Summary of issues raised
	<ul style="list-style-type: none"> Submissions also emphasised the importance of public realm as a result of increased development. They sought improvements such as increased greening, better links and new spaces.
Impacts of development on the commercial viability of businesses	<ul style="list-style-type: none"> The impacts of development on the viability of commercial/retail spaces was raised as an issue. The loss of shops and subsequent changes to character of the two streets was also raised.
Traffic (including the use of laneways for access)	<ul style="list-style-type: none"> Some submitters questioned the ability of the road network in Richmond and Abbotsford to accommodate future development and the traffic it would generate. In particular, the use of laneways and small streets for vehicular access was also raised in many submissions. A concentration of submissions on this issue were received from residents in: <ul style="list-style-type: none"> Wells/Baker/McKay Streets; Neptune / Burnley Streets; Regent / Little Hoddle Streets. Residents also expressed concerns about the impacts of development on pedestrian use, safety and character of laneways. They wished to retain lanes for pedestrians and active transport (walking and cycling).
Parking (on-street and off street)	<ul style="list-style-type: none"> Submitters commented that on-street parking was already difficult, particularly in adjoining side streets. Additional development would only worsen the problem. Concerns were also raised that the amendment does not address the amount of parking provided in developments, including visitor parking.
Consultation	<ul style="list-style-type: none"> A small number of submissions were critical of the exhibition process. Issues raised included: there was insufficient time to consider the material and make a submission; impacts of COVID on the ability for community to meet and discuss the amendment; as well as the formal process and technical nature of the amendment.
Other issues	<ul style="list-style-type: none"> Impacts on: <ul style="list-style-type: none"> property values and the need for compensation; views from private property; construction noise and traffic.
Drafting issues	<ul style="list-style-type: none"> A few submissions also raised specific issues around the drafting of the DDOs. Some submitters have suggested specific drafting and wording changes to the DDO.

Approach to submissions

31. Following the receipt of submissions, Council officers have considered all issues raised by submitters and undertaken additional analysis and modelling to investigate the following key issues:
- (a) Overshadowing – Some additional 3D testing was undertaken to better understand:
 - (i) the impacts on the proposed provision of overshadowing on private open space, especially those properties to the south of Bridge Road and Victoria Street, Officeworks site, 198 Burnley Street and Little Hoddle Street; and
 - (ii) any development implications of changes to the provisions.
 - (b) Traffic and access – Additional consultation was undertaken with Council’s traffic engineer and traffic consultant (*Traffix*) to review the access options for some of the ‘hotspots’.

Recommended responses to key issues from submissions

32. Responses to submissions are provided in two attachments:

- (a) Attachment 2 – provides a summary of the key issues raised in submissions (structured by topic), a response to the key issues and recommended changes to the draft amendment.
- (b) Attachment 3 – provides the detailed summary of individual submissions.

Note: The majority of issues identified in the individual submissions are addressed in the key / centre-wide issues table in Attachment 2. However, where an issue is very specific or has not been responded to in a key issue, a response and any recommended changes are provided in this table.

- 33. Both attachments identify potential changes to draft Amendment C291yara that would respond to the issues raised by submitters. Where changes are not recommended or considered necessary, the rationale for the approach in the amendment is provided.
- 34. Attachment 4 provides a tracked change version of the amendment with the proposed changes in response to submissions. It includes *DDO41-50, Clauses 21.11 and Clause 21.12*. It would form Council's *preferred* version that would be forwarded to the 'Standing Advisory Committee' for consideration.
- 35. Attachment 5 is a marked-up version of *Clause 11.03-1L – Activity Centres* showing the translation of Clause 21.12 into the new format policy. Noting this has involved some deletion of duplication and has sought to ensure the provisions focus on the two centres. This was a condition of the consent received from the Department of Environment, Land, Water and Planning to publicly notify the amendment.
- 36. The changes recommended to the draft Amendment C291yara, detailed in Attachments 2 and 3, include:

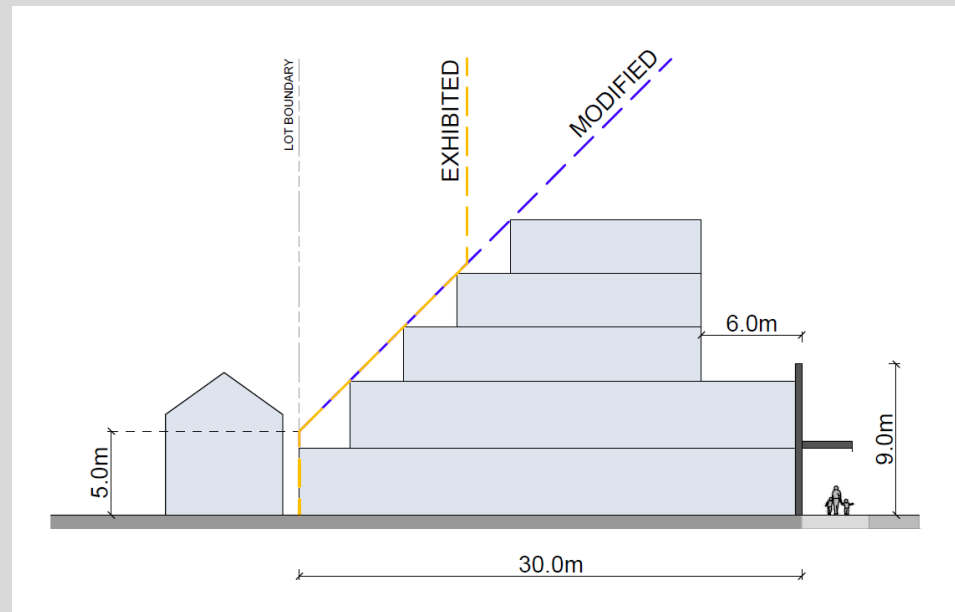
Table 2 – Changes recommended

Issues raised in submissions	Response and recommended changes
Amenity and residential interfaces	<p><u>Response:</u></p> <ul style="list-style-type: none"> Officers support changes to the rear setbacks for properties on the southern side of Bridge Road and Victoria Street and abutting two larger development sites to provide improved residential amenity to the rear. Changes are also proposed for sites abutting Little Hoddle Street where taller heights are permitted. Officers consider there is a need to provide greater protection for residential amenity in these locations given the east-west configuration of Bridge Road and Victoria Streets. Proposed changes would reduce overshadowing impacts and provide more certainty about the potential extent of overshadowing. A modified version of Figure 1 is proposed to apply in these locations. The modified residential interface would continue the 45° angle instead of capping it at 10 metres. The two diagrams below show the differences between the exhibited amendment and the proposed changes. The changes would mean that in a 5 storey development the upper-most level would be setback further than required in exhibited Figure 1.

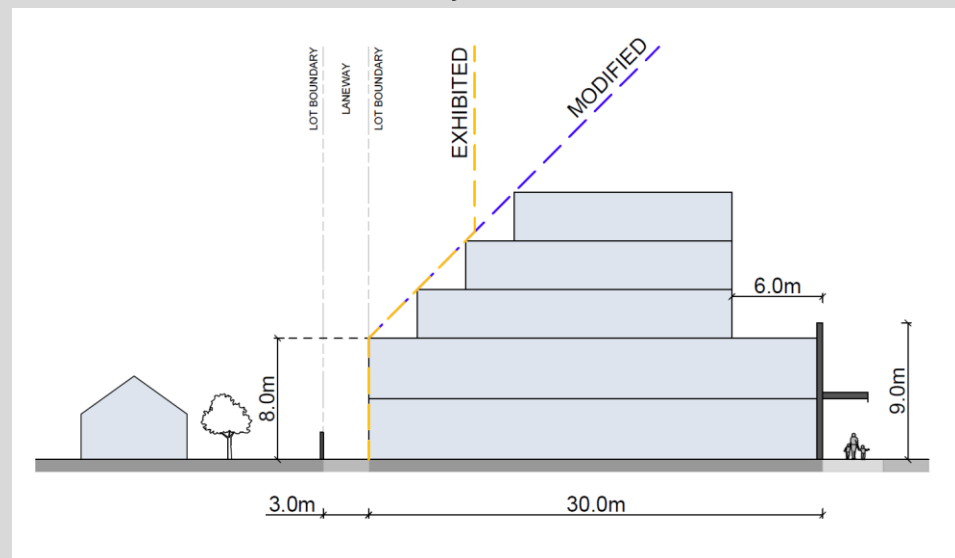
Issues raised
in submissions

Response and recommended changes

Residential interface - Direct abuttal (no laneway)



Residential interface - With laneway



- Some submissions have expressed a preference to make the residential interface requirements, mandatory. 'Mandatory controls' are not supported by officers in this instance in order to retain a level of flexibility and allow a response to specific site conditions and context.
- Additional changes are recommended to the requirements in the following locations:

Little Hoddle Street

- Increased upper level setbacks from the property boundaries on the eastern and western sides of Little Hoddle Street are recommended. It is proposed the upper level setbacks are increased from 4.5m from the centreline of the laneway to 6.5 metres from the property boundary. An additional 3 metre setback would apply to the upper most level of properties to the west.
- The intent of this change is to increase sunlight to Little Hoddle Street between 11am-1pm at the Equinox. Little Hoddle Street has a unique character number of creative industries, cafes and residences at street level. It has also been identified as a potential shared zone where pedestrians and vehicles would share the space.

Issues raised in submissions	Response and recommended changes
	<ul style="list-style-type: none"> It is acknowledged that this change would reduce the floorplates of sites on both sides of Little Hoddle Street, however, developable sites still remain given the 30 metres plus depth of the sites. <p><i>Properties to the south of 198 Burnley Street</i></p> <ul style="list-style-type: none"> Landscape setbacks of 3m and 1.3m are recommended to apply to southern boundaries of 198 Burnley Street. The setbacks reflect those approved in the planning permit for the site. The modified Figure 1 would also apply. These changes would improve potential overshadowing from a development to the north. However, it is noted that the property at 43 Neptune Street would be overshadowed by the wall of the heritage building directly to the north and east of the site. <p><i>Properties to the east and south of Officeworks (566 Bridge Road)</i></p> <ul style="list-style-type: none"> An increase to the landscape setback from 6 metres to 8 metres is recommended along the eastern boundary to reduce overshadowing of the Racecourse Heritage Precinct. The modified version of Figure 1 would apply to the eastern and southern boundaries. <p><u>Recommended changes:</u></p> <ul style="list-style-type: none"> In DDO 41, DDO42, DDO44, DDO48, DDO49, and DDO50, amend the DDO text and Plan 1 to apply a modified version of Figure 1 (new Figure 2) to the: <ul style="list-style-type: none"> interface of residential zoned and commercial properties on the southern side of Bridge Road and Victoria Street southern and eastern boundary of the Officeworks site (at 566 Bridge Road) southern boundary of 198 Burnley Street. <p>NOTE: Figure 1 as exhibited would continue to apply to other residential interfaces e.g. on the northern side of Bridge Road and Victoria Street.</p> <ul style="list-style-type: none"> In DDO44: <ul style="list-style-type: none"> apply an increased landscape setback to the eastern boundary of the Officeworks site (at 566 Bridge Road). Apply a landscape setback to the southern boundary of 198 Burnley Street. In DDO48, amend Interface I which applies to Little Hoddle Street and apply an increased upper level setback above the 11m street wall.
Commercial viability	<p><u>Response:</u></p> <ul style="list-style-type: none"> Officers note concerns about potential changes to the centres through development. The mix of shops or changes to the shopping strips is not something Council can control. However, Council's Economic Development Team works closely with trader groups and business associations, to seek ways to promote Yarra's retail and services precincts, with the key goal of retaining existing businesses. Submissions were concerned that the exhibited 6 metre upper level setbacks in the shopping strip when coupled with narrow sites would result in small unviable spaces. This is not an issue the DDO can easily address. However, it is proposed to include a requirement around shop widths. This requirement was included in DDO16 which applies to Queens Parade where similar concerns were expressed. <p><u>Recommended changes:</u></p> <ul style="list-style-type: none"> Include a new requirement which seeks to '<i>Ensure shopfront widths are not reduced to the extent they become commercially unviable.</i>'
Traffic (including the use of laneways for access)	<p><u>Response:</u></p> <ul style="list-style-type: none"> Access from and the role of laneways was raised in a large number of submissions.

Issues raised in submissions	Response and recommended changes
	<ul style="list-style-type: none"> • <i>Traffix Group</i> (consultants) has advised that while some of the laneways are narrow, they are not necessarily a substantial constraint to development and access can be managed. • They note that some are more suited to carry additional traffic than others. Laneways that have a dead end, or are not continuous, are more limited in their development potential. Some also lack splays at critical corners that limit their functionality or capacity. These constraints, however, do not mean that any additional traffic in the laneways is always unacceptable. • Many of these issues can be dealt with at the planning permit stage. For example, an applicant can apply for a reduction in car parking, including a reduction to zero. Additionally, where an applicant wants to provide parking, at permit stage an applicant could be required to provide a setback at the rear that accommodates turning vehicles. The way each site deals with parking based on the physical context of each site, can be dealt with at the planning permit stage. Any planning permit application will be accompanied by a traffic impact assessment report (a requirement of the DDO). • Officers have proposed changes to the Vehicle Access Requirements and plans in response to submissions. • The recommended changes include: <ul style="list-style-type: none"> – refine the role of the 'Access and Movement Plan' to focus on access to main roads managed by the Department of Transport and identified 'Green Streets'. This would entail removing some of the access notations on the 'Access and Movement Plans'. Access notations would be removed from side streets and laneways. – a new requirement which seeks to limit access from the main roads. – retaining the requirement that development should provide vehicular access from rear lanes or from side streets, however, this will be 'where possible'. • The 'Access and Movement Plans' will still include some traffic mitigation recommendations to assist future developments. • The rationale for directing access away from main roads and 'Green Streets' is to: <ul style="list-style-type: none"> – maintain Bridge Road and Victoria Street as pedestrian orientated shopping destinations. – ensure the efficiency and safety of main roads controlled by the Department of Transport, largely by minimising vehicle access on roads they manage, particularly where tram lines exist. – promote 'Green Streets' for pedestrians and cyclists; noting that vehicle access would impact on the pedestrian and cyclist environment if allowed in great numbers. • Officers recognise the diverse and complex nature of Yarra's laneway and side street network. The proposed change would mean that while access via side streets and laneways is preferred in many cases, it should be considered on a case by case basis. <p>Note: Car entry / egress points to developments from main roads with tram lines can cause encumbrances and delays to trams (from right hand turns), which DoT actively discourage.</p> • In addition, officers recommend adding a requirement which recognises the broader role of laneways for pedestrians as well as vehicles. <p><u>Recommended changes:</u></p> <ul style="list-style-type: none"> • In DDO41-50: <ul style="list-style-type: none"> – Include a requirement which clarifies the role of the main streets in the two centres and limits vehicular access off those roads.

Issues raised in submissions	Response and recommended changes
	<ul style="list-style-type: none"> – Amend Plan 2 – ‘Access and Movement Plans’ to remove the access notations for streets excepting main roads and ‘Green Streets’. (Noting the DDOs would still require development to provide vehicular access from rear lanes or from side streets, however this will be ‘where appropriate’.) – Include a requirement which seeks to improve the amenity and safety of laneways for vehicles <u>and</u> pedestrians. • In DDO44, add annotation indicating access to Burnley Street may be considered depending on the size of carpark and support from the Department of Transport.
<p>Updates to Preferred Character Statements and policy directions in Clause 21.12</p>	<p><u>Response:</u></p> <ul style="list-style-type: none"> • Several submissions suggested minor changes to <i>Clause 21.12 – Local Areas</i>. Most of these changes are not supported, for example, changing references to mid-rise development would not align with the DDOs. Other suggested changes are very detailed and location specific whereas the local policy provides high level precinct-wide direction. <p><u>Recommended changes:</u></p> <ul style="list-style-type: none"> • Minor changes have been made to Clause 21.12 in response to submissions, including referencing bike routes and updating the key of maps to identify the activity centre boundaries. • NOTE: A translation of Clause 21.12 into the new Planning Policy format has been undertaken and is at Attachment 5. This was a requirement of the letter of consent from the Department of Environment, Land, Water and Planning and will be presented to the Standing Advisory Committee.
<p>Drafting issues</p>	<p><u>Response:</u></p> <ul style="list-style-type: none"> • A few submissions also raised specific issues around the drafting of select DDOs. Some submitters have suggested specific drafting and wording changes to the DDOs. <p><u>Recommended changes:</u></p> <ul style="list-style-type: none"> • <i>Building height requirements - Criteria to assess preferred heights</i> Minor edits have been made to the criteria to provide more clarity and tighten up the wording. No change to the intent. NOTE: The letter of consent from the Department of Land, Water, Environment and Water identified the criteria as an issue the Minister will ask the Standing Advisory Committee to consider. • <i>Overshadowing requirement</i> – the format of this section has changed to enhance readability. No change to intent. • <i>Street Wall Requirement</i> – The requirement for a splay has been clarified to ensure it applies to the primary frontage and any side street rather than laneways. A requirement in the Vehicle Access Requirements addresses splays required for access. • <i>Reference documents</i> – Reference documents have been deleted to comply with Ministerial Direction on ‘Form and Content’. The built form and heritage reports are already listed in <i>Clause 21.11 – Reference Documents</i>.

37. A summary of the response to issues where no changes recommended to the draft Amendment C291yara are recommended, are detailed in Table 3 below. Attachments 2 and 3 provide a detailed response.

Table 3 - No changes recommended

Issues raised in submissions	Response
Accommodating growth	<ul style="list-style-type: none"> No change is recommended. The two streets are defined as 'Major Activity Centres' in <i>Plan Melbourne</i> and the exhibited DDOs achieve a balance between guiding change towards areas of lesser sensitivity/constraints and ensuring new development is sensitive towards heritage places and residential context. In terms of the impacts of COVID19 on growth, recent expert advice and current policy positions do not indicate that a change to the long-term outcomes that draft Amendment C291 aims to achieve is required. Despite the long-term impacts from COVID on housing and economic patterns for activity centres being uncertain at this stage, it is appropriate and reasonable to plan for growth as per Council's adopted housing strategy and spatial economic and employment strategy. Impacts on infrastructure such as community facilities, public transport are outside the scope of the draft Design and Development Overlay (DDO) amendment. Council, the State Government, and other agencies all have a role in responding to growth and the provision in the infrastructure.
Building Heights	<ul style="list-style-type: none"> No change to building heights are recommended. The building heights in the amendment strike an appropriate balance between development opportunity, heritage, public and private amenity.
Neighbourhood Character	<ul style="list-style-type: none"> A key objective of the amendment is to ensure that future change is properly managed to ensure distinguishing characteristics are retained and strengthened. This includes maintaining the prominence of the heritage street wall, retaining Bridge Road and Victoria Street as pedestrian focussed shopping destinations, protecting footpaths from overshadowing and ensuring new development transitions to the residential hinterland. The amendment identifies areas within each centre that can accommodate change and will develop a new character.
Street wall heights and upper level setbacks	<ul style="list-style-type: none"> The street wall heights and upper level setbacks in the exhibited DDOs are based on detailed analysis from an urban design and heritage point of view. In areas where there is consistent heritage streetscape and standalone heritage buildings, the requirements seek to retain the heritage street wall and ensure new development is responsive to its heritage context. Greater street wall heights are proposed in areas where a new built form character is identified. The upper level setbacks in the exhibited DDOs will ensure that a clear distinction between lower and upper levels is achieved, retain a pedestrian scale at street level and retain the prominence of heritage buildings.
Heritage Visibility of upper levels (setbacks and building heights)	<ul style="list-style-type: none"> Heritage matters have been carefully considered in preparing the proposed DDOs. The proposed DDOs seek to protect the heritage character of the centres with the majority of change concentrated in locations with fewer heritage constraints where a new built form character is sought. The exhibited DDOs include the necessary requirements to ensure new development responds sensitively towards heritage places. Officers consider the heights proposed for heritage buildings to be appropriate. Overall building heights have been tailored depending on the streetscape or individual building. Council's heritage consultant supported five storey development where the upper most level is set back to ensure the dominance of the street wall or the prominence of a key corner building.

Issues raised in submissions	Response
	<ul style="list-style-type: none"> Submitters commented that the same approach to building heights and upper level setbacks to Queens Parade should be adopted. Officers note that different circumstances applied to Queens Parade where three storeys was supported; in particular, the 60 metre width of Queens Parade making upper levels much more visible. The proposed mandatory six metre upper level setback would retain the majority of visible chimneys and visible roof form. The setbacks seek to retain the highly consistent two-storey built form and the visual prominence of the heritage street wall. The upper level setbacks have been strengthened for corner buildings in comparison to the <i>interim</i> DDOs. The exhibited DDOs also require a nine metre setback for the upper most level. The purpose of this setback is to enable taller built form and ensure it reads as a separate roof element.
Views to landmarks	<ul style="list-style-type: none"> Protection of key views to landmarks is a fundamental element of the amendment with 'mandatory controls' necessary to protect those views. The identification of additional views and landmarks is beyond the scope of the DDO amendment and would need to be addressed through a separate Planning Scheme Amendment process.
Use of mandatory controls	<ul style="list-style-type: none"> The DDOs contain a mix of 'mandatory controls' and 'preferred provisions'. Based on detailed analysis, the exhibited DDOs includes the 'mandatory controls' that are necessary to minimise impacts on heritage places, views to landmarks, sensitive residential interfaces and the public realm.
Amenity of the public realm	<ul style="list-style-type: none"> The quality of the public realm is a key element of Bridge Road and Victoria Street. Amendment C291yara includes a number of requirements to ensure a high quality public realm such as ground level uses and 'active edges' that activate the public realm, pedestrian scale street-wall heights, maintaining solar access to the southern footpaths and supporting 'Green Streets'. The DDOs apply equinox controls to key footpaths and public open spaces. The application of the winter solstice is not consistent with current planning policy and the approach taken in other DDOs. The exhibited DDOs include an application requirement for a desktop wind impact assessment to ensure new development does not result in adverse wind impacts.

38. The Design and Development Overlay (DDO) is a planning tool that is applied to areas which need specific requirements relating to the built form and design of new development. They set requirements for the height, form and the general design of buildings.
39. It is important to note that a DDO cannot act as a heritage control, manage land use or address other issues such as shop vacancies or housing affordability. It can only focus on built form and design.
40. A summary of the issues which are outside the scope of the amendment are detailed in Table 4 below.
41. These issues are dealt with through other mechanisms / processes or in some cases, are issues which can be addressed as part of the Planning Scheme, but are not within the scope of this Design and Development Overlay amendment. No changes are recommended in relation to these issues. Attachments 2 and 3 provide a detailed response.

Table 4 – Issues which are outside the scope of the amendment

Issues raised in submissions	Response
Rezoning of properties and	<ul style="list-style-type: none"> Draft Amendment C291yara only proposes to make changes to Design and Development Overlay provisions (DDO) and includes local policy.

removal of Public Acquisition Overlay	The main purpose of the amendment is to replace the interim DDOs with permanent provisions.
Parking (on-street and off-street)	<ul style="list-style-type: none"> On-street parking is generally managed through parking restrictions. Council undertakes Road Safety Studies (formerly known as Local Area Place Making Plans or LAPM) which consider parking as part of local movement issues. Off-street (on-site) parking rates are included in Clause 52.06 of the Yarra Planning Scheme. Parking within a development is addressed at the planning permit stage.
Provision of public open space	<ul style="list-style-type: none"> Amendment C286yara, which seeks to implement the recommendations of the <i>Yarra Open Space Strategy (2020)</i>, and update the public open space contribution rate for all subdivisions, will assist in addressing the issue. That Amendment is currently at Panel Hearing. Council also identifies opportunities for new public open spaces through other mechanisms outside the planning scheme e.g. road closures. It is also noted when considering draft Amendment C291 at the Council meeting on 21 April 2021, Council also resolved: <ul style="list-style-type: none"> <i>That Council intends to pursue a number of options for open space in the precinct, including the Judd St carpark, White Place and the Officeworks building in line with the Bridge Road Masterplan, and for the Council to make representations to the panel as to the possibility of green open space in these areas.</i> <p>This issue will be highlighted and the Standing Advisory Committee invited to respond.</p>
Noise – Businesses and residential	<ul style="list-style-type: none"> Noise issues are addressed through State Environmental Protection Policies and Council Local Laws. Planning Scheme Amendment C269, which seeks to update local policy in the Yarra Planning Scheme, is proposing to include new noise guidelines. Council await a Panel report following Panel Hearings in October this year. The Guidelines address noise from road traffic, rail and tram, commercial and industrial plant and equipment, music and patrons and noise from apartment developments.
Improvements to the public realm	<ul style="list-style-type: none"> Specific public realm improvements are outside the scope of the draft amendment. The exhibited DDOs include requirements to enhance and support the public realm in the two centres.
Public transport and cyclist infrastructure capacity	<ul style="list-style-type: none"> Council continually advocates for improved public transport services and pursues improvements to bicycle infrastructure.
Waste collection / emergency vehicles	<ul style="list-style-type: none"> This issue is outside the scope of the amendment. The MFB Guidelines set preferred parameters for emergency vehicle access. Waste collection is addressed at the planning permit assessment stage.
Environmentally sustainable development	<ul style="list-style-type: none"> Environmentally sustainable development is addressed in other parts of the Yarra Planning Scheme and would apply to development. There is a current project being pursued by Council to increase ESD standards within the Planning Scheme. Other ESD projects are being implemented outside the Planning Scheme.
Property values and compensation	<ul style="list-style-type: none"> Outside the scope of this amendment. The <i>Planning and Environment Act 1987</i> clearly sets out the matters which give rise to claims for compensation.
Views from private property	<ul style="list-style-type: none"> It is a well-established principle that views from a private property are not a planning issue and cannot be considered.

Construction issues	<ul style="list-style-type: none"> • Council has little control which sites are redeveloped and where construction occurs. • Construction issues such as noise, hours of operation and vehicle and waste management are generally managed through a Construction Management Plan, usually required as a condition on planning permits or through other permit and consent processes.
Community consultation	<ul style="list-style-type: none"> • Draft Amendment C291 was publicly exhibited for 6 weeks and notification efforts were extensive. • The pandemic meant information was available on-line rather than in Council offices, however, officers were available to assist. • Officers will continue to improve the quality of the information that is available when amendments are exhibited in the future.

DELWP Consent matters enabling exhibition of the Amendment

42. It is noteworthy that the consent letter from the Department of Environment, Land, Water and Planning to prepare and exhibit draft Amendment C291 included the following for Council to have regard to throughout the draft amendment process:
- Draft Amendment C291 includes a number of additional mandatory provisions when compared to the interim controls. Council should consider whether the capacity of the Activity Centre for future growth will be inappropriately comprised by the introduction of these controls. A revised Capacity Analysis may be required to support these provisions as part of the SAC process;*
 - The proposed changes to implement mandatory controls to all properties on the south side of Victoria Street, between Church and Johnson Streets (DDO50) will need to be strategically justified as part of the SAC process;*
 - Whether performance-based measures for the variation of discretionary height limits that do not have a nexus to built form outcomes are an appropriate use of planning tools, or result in duplication of material in other locations of the Yarra Planning Scheme;*
 - Preparation of a copy of where reference documents (Clause 21.11) will be located within the Yarra Planning Scheme when the Planning Policy Framework translation occurs.*
 - Prepare a version of Clause 11.03-1L (Activity Centres) showing where changes to Clause 21.12 will be located when the Planning Policy Framework translation occurs.*
43. These matters will also be subject to the Standing Advisory Committee hearing process.

Options

44. There are two options for Council to consider at this stage of the process:
- request the Minister for Planning refer Draft Amendment C291 to the *Yarra Activity Centres Standing Advisory Committee* appointed under Part 7, section 151 of the *Planning and Environment Act 1987*; or
 - abandon the Draft Amendment.
45. **Option 1 is recommended.** A range of views were expressed in relation to built form parameters, in particular the scale and height of development, heritage matters and access. The Standing Advisory Committee process will enable these views to be further expressed by submitters and considered by an independent body.
46. With the expiry of the interim DDO's at the end of June 2022, abandoning the amendment would mean there would be no specific built form provisions in place in both commercial areas (Major Activity Centres) after June 2022; as the Minister for Planning has indicated that he would be unlikely to further extend them without substantial progress on permanent provisions.

Community and stakeholder engagement

Exhibition of the amendment

47. Notice of Amendment C291yara included:

- (a) letter notification to all owners and occupiers in the DDO boundary and within 200m of land within the DDO41-50 boundary (approximately 20,000 letters);
(NOTE – 3,000 owners and occupiers, south of Bridge Road, between Coppin Street and the Yarra River were renotified during the process to clarify an error in a map which was included in the original notice);
- (b) letter notification of 300 owners and occupiers in the City of Melbourne on Punt Road / Hoddle Street (also within 200m of the proposed DDO's);
- (c) Notice in *The Age* (14 September 2021);
- (d) notification of Ministers prescribed by the Planning and Environment Act 1987 and other statutory bodies
- (e) Webpages on:
 - (i) Standing Advisory Committee process (including the Terms of Reference, a summary of the process and an informal information sheet)
 - (ii) Draft Amendment C291yara (<https://www.yarracity.vic.gov.au/amendmentC291yara>) which included:
 - a. formal amendment documents and background reports;
 - b. thirteen informal information sheets to describe the proposals in non-statutory language;
 - c. an interactive map to help search addresses;
 - d. Frequently Asked Questions;
 - e. contact details and information on how to make a submission, and
 - f. a separate web page for each Precinct/DDO.
- (f) Posts on social media (between 7 -12 October);
- (g) Article in *Yarra Life e-newsletter* and *Yarra Business news* (with 12,000 and 10,000 recipients respectively);
- (h) Direct emails to all of Yarra's Advisory Committees (including an invitation to meet);
- (i) Direct emails to the following community groups (including an invitation to meet):
 - (i) *Collingwood Historical Society*;
 - (ii) *Richmond & Burnley Historical Society*;
 - (iii) *National Trust*;
 - (iv) *Streets Alive Yarra*;
 - (v) *Several members of the Coalition of Yarra Community Groups*;
 - (vi) *Collingwood and Abbotsford Residents Association*;
 - (vii) *MSIR Resident Action Committee*;
 - (viii) *Richmond RAID (Residents Against Inappropriate Development)*;
 - (ix) *Richmond 3121*;
 - (x) *Yarra 3121*;
 - (xi) *Yarra Riverkeepers*;
 - (xii) *Yarra Climate Action Now*;

(xiii) *Bridge Road Traders Association, and*

(xiv) *Victoria Street Traders Association.*

48. COVID 19 and the resulting lockdowns of the Richmond Housing Estates meant that officers could not place posters in the buildings or use the DFFH Newsletter to communicate the amendment to residents in the Richmond Housing Estates as it was delayed.
49. To notify residents of the Estates:
- (a) messages containing a summary of the project, focussing on Victoria Street which was translated in five languages provided to Council's CALD Whatsapp group (48 recipients) and the Yarra Multicultural Services Network which has 184 members / organisations across Yarra); and
 - (b) an email with the translated project material was sent by the Department of Families, Fairness and Housing to approximately 170 residents in Richmond/Abbotsford.
50. Letters were also sent to the owners and occupiers of the following properties to advise them of changes to the amendment prior to the exhibition. These changes were necessary to fix errors in the version of the amendment presented to Council on 21 April 2021. The exhibited version of the amendment included the changes. Properties that were notified were:
- (a) 3 Rotherwood Street – during the review of the amendment by the Department of Environment, Land, Water and Planning on behalf of the Minister for Planning, a discrepancy was identified with the building height proposed for 3 Rotherwood Street;
 - (b) A further review found the proposed height would impact on the views to the Pelaco sign from the corner of Hoddle Street and Wellington Parade. The recommended height is to reduce the height from 18 metres to 11 metres;
 - (c) Corner properties in DDO42 (Bridge Road South) - the minimum upper level setback requirements for Interface E which applied to corner properties on Bridge Road was inadvertently included in Table 1 twice. Officers subsequently made changes to the DDO42 to correct this error (i.e. deletion of the incorrect row), and
 - (d) 25-33 Lithgow Street - the incorrect colouring of the interface was shown along the frontage of the properties at 25-33 Lithgow Street in Plan 1 – Height and Setback Map. The pink line along the frontage of the properties at 25-33 Lithgow Street, showing Interface G was changed to dark blue (Interface A).

Engagement data

51. Exhibition of the amendment was conducted entirely on-line:
- (a) officers received around 45 individual phone calls and email enquiries. These were frequently in-depth conversations about the amendment and what it meant for them;
 - (b) there were approximately 3,450 views of C291yara and the individual DDO pages. (2,736 were unique views);
 - (c) there were 500 views of the interactive map during the exhibition period;
 - (d) officers met on-line with eight individual property owners / residents across the two centres and one group of residents in and around Regent / Little Hoddle Street; and
 - (e) social media posts reached 3,700 subscribers – with 470 clicks. *YarraLife* reached 6,000 subscribers with 90 clicks.

Advising of proposed changes to the amendment for consideration by the Advisory Committee in response to submissions

52. If Council is of a mind to support the amendment, subject to the recommended changes as described in this report, Council should write to all land owners and occupiers affected by the changes to advise them of the position Council proposes to take to the Standing Advisory Committee.

53. The letter would provide a link to the meeting agenda where the recommended changes would be outlined in detail and where a copy of the Preferred Version of the amendment to be recommended to the Standing Advisory Committee could be viewed. The letter would advise that any further or new submissions on the *Preferred Version* of the amendment will be referred to the Standing Advisory Committee along with all submissions received to the amendment so far.
54. Note:
- It is very important to maintain progression of the amendment through the process and pursue the pre-set Committee hearing dates in April. This is critical in order to seek to achieve the approval of the permanent planning scheme provisions (with or without changes) for the two *Major Activity Centres* prior to the expiry of the current interim DDOs at the end of June 2022.

Policy analysis

Alignment to Community Vision and Council Plan

55. The draft amendment supports the following themes in the *Yarra 2036 Community Vision*:
- (a) *Priority 8.1 – Growing Sustainably – Advocate for development and planning design that shaped by and meets our community’s future needs; and*
 - (b) *Priority 8.2 – Growing Sustainably – Keep our heritage visible while we encourage innovative and sustainable growth.*
56. The draft amendment supports the following strategies in the *Council Plan 2021-2025*:
- (a) *Strategic Objective 3 – Local economy – ‘Manage access, safety and amenity to enhance people’s experience when visiting Yarra’; and*
 - (b) *Strategic Objective 4 – Place and nature – ‘Protect, promote and maintain our unique heritage and ensure development is sustainable’*

Climate emergency and sustainability implications

57. The draft amendment will help facilitate sustainable communities at a local level that have good access to employment, public transport and other amenities.
58. Policy and provisions elsewhere in the Yarra Planning Scheme respond to the climate emergency, namely the *Planning Policy Framework* and Council’s *Environmentally Sustainable Design Policy at Clause 22.17* and in the proposed *Local Policy Clause 15.02* (through Amendment C269) *Environmentally Sustainable Development (ESD)*.
59. Particular developments would need to meet the objectives contained in Clause 22.17.

Community and social implications

60. The recommended changes being considered respond to community submissions and aim to achieve a high-quality urban design outcome for the two Major Activity Centres while providing added certainty in relation to their future development potential.

Economic development implications

61. The amendment may provide further stimulus to the economic development for the two Major Activity centres.

Human rights and gender equality implications

62. There are no known human rights and gender equality implications.
63. The amendment complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Operational analysis

Financial and resource impacts

64. There are very substantial financial costs associated with the draft amendment process, including the Standing Advisory Committee process, legal representation and the engagement of experts such as urban design and heritage who will be required to provide evidence on behalf of Council. These costs are accounted for in Council's budget.

Legal Implications

65. The draft amendment is being progressed in accordance with the *Yarra Activity Centres Standing Advisory Committee Terms of Reference* issued by the Minister for Planning on 10 June 2021.

Conclusion

66. Council exhibited draft Amendment C291 proposing *permanent* planning scheme provisions relating to Design and Development provisions, and received a total of 118 submissions.
67. Submissions are seeking a variety of changes to the amendment; these include, amongst other aspects, changes in the height of future buildings and increased upper level setbacks to protect the heritage character of Bridge Road and Victoria Street, better addressing amenity concerns and the role of small streets and laneways in providing access to development. Many submissions contain different perspectives and suggestions / requests.
68. In response to submissions, officers have analysed the changes sought and now recommend certain changes to the exhibited amendment. These are explained in table formats in this report and in the Attachments.
69. The submissions received suggest a variety of alternative positions which Council cannot reconcile; therefore all submissions should be referred to the Standing Advisory Committee via the Minister for Planning for public hearings so that submitters may address their points of view to the Committee.
70. Additional notification of owners and occupiers affected by the recommended changes to the amendment, is recommended to inform them of key changes to the amendment which may affect them. This would enable them to lodge a further submission and address the Standing Advisory Committee.
71. It is important to note that the Standing Advisory Committee is already scheduled to commence on 17 February 2022 (Directions Hearing), with the Main Hearing to commence from the week commencing 4 April 2022.

RECOMMENDATION

1. That Council:
 - (a) notes the officer report in relation to Amendment C291yara and the submissions received in relation to the exhibition stage;
 - (b) receives, notes and formally considers all submissions received in response to the public notice of Draft Amendment C291yara, completed in accordance with Stage 1 of the *Yarra Activity Centres Standing Advisory Committee* Terms of Reference dated 10 June 2021;
 - (c) notes and endorses the officer responses to the issues raised by submissions as outlined in this report and Attachments 2 and 3;
 - (d) adopts the recommended changes to draft Amendment C291yara, as outlined in this report and Attachments 2, 3, 4 and 5 for the purposes of Council's advocacy position before the *Yarra Activity Centres Standing Advisory Committee*;
 - (e) refers all submissions, including new or modified submissions in response to the further notice described in paragraph (f), response to those submissions and preferred version of draft Amendment C291yara as outlined in (c) and (d) above, to the Minister for Planning with a request to refer the draft amendment to the Standing Advisory Committee in accordance with clause 28 of the *Yarra Activity Centres Standing Advisory Committee* Terms of Reference dated 10/06/2021;
 - (f) writes to all land owners and occupiers directly affected by the recommended changes depicted in paragraph (c) to the DDO schedules and to all submitters to:
 - (i) advise of Council's decision to request the Minister for Planning to refer Draft Amendment C291yara to the *Yarra Activity Centres Standing Advisory Committee*;
 - (ii) advise of Council's position as stated in paragraph (c); and
 - (iii) advise that if they make a submission in relation to the recommended changes depicted in paragraph (c) prior to the Standing Advisory Committee commencing its hearing into the draft Amendment C291yara, the new or varied submission will be referred to the Minister with a request that it be referred to the Standing Advisory Committee; and
 - (g) notes that officers will provide a further report to Council following the receipt of the Standing Advisory Committee Report.
2. That Council authorises the CEO to make any minor adjustments required to meet the intent of the above resolution.

Attachments

- 1 [↓](#) C291yara - Yarra Activity Centres Terms of Reference V2
- 2 [↓](#) C291yara - Combined centre-wide responses - Attachment 2
- 3 [↓](#) C291yara - Response to individual Submissions - Attachment 3
- 4 [↓](#) C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4
- 5 [↓](#) C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2



Terms of Reference

Yarra Activity Centres Standing Advisory Committee

Standing Advisory Committee appointed under Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister and Yarra City Council on referred planning matters and associated draft Yarra planning scheme provisions for activity centres and other areas of urban change.

Name

The Advisory Committee is to be known as the 'Yarra Activity Centres Standing Advisory Committee'.

1. The Advisory Committee is to have members with the following skills:
 - a. Strategic and statutory planning
 - b. Built form, heritage and urban design
 - c. Economic development and urban geography
 - d. Traffic and transport planning.
2. The Advisory Committee will include a Chair, a Deputy Chair and not less than two other appropriately qualified members.
3. The Advisory Committee may engage specialist advice as required.

Purpose

4. The purpose of the Committee is to provide timely advice to the Minister for Planning and Yarra City Council on any relevant matters referred to it relating to strategic and built form work undertaken in relation to its activity centres and other areas of urban change, and any associated draft planning scheme amendments..

Background

5. The City of Yarra is experiencing ongoing significant development pressure, primarily directed to activity centres, and other areas of urban change, such as the municipality's employment precincts.
6. The City of Yarra has a well-established network of activity centres, each with its own role and identity including:
 - a. Major activity centres of Bridge Road, Brunswick Street, Smith Street, Swan Street and Victoria Street which are identified in Plan Melbourne 2017-2050 and provide a wide range of goods and services, some serving larger sub-regional catchments.
 - b. Neighbourhood activity centres of Carlton North, Gertrude Street, Heidelberg Road Alphington, Johnston Street, Nicholson Street, North Fitzroy, North Fitzroy/Clifton Hill, Queens Parade, Rathdowne Street and St Georges Road which provide access to local goods, services and employment opportunities to serve the needs of the surrounding community.
 - c. Local activity centres which provide a more limited range of goods, services and employment opportunities and largely serve the adjoining local community.
7. Activity centres in the municipal area are experiencing development pressure with the addition of mid-rise commercial development and apartments. They will continue to accommodate most of the city's growth because of their proximity to transport infrastructure, shops and services making them the most suitable locations for development.
8. The City of Yarra has capacity for employment growth and the council is committed to supporting this growth in its employment areas in preference to residential development in these areas. There is an identified need to manage pressure for residential conversion of employment land to protect opportunities for economic growth. These areas include the municipality's health and education precincts, Cremorne and the Gipps Street precinct in Collingwood.



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Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2

Terms of Reference | **Yarra Activity Centres** Standing Advisory Committee

9. A key challenge in planning for this development pressure is the need to accommodate new development in a built form that is sensitive to the context of the area which includes heritage significance, character and scale of the surrounding area. This needs to be balanced with opportunities to allow for new built form character in major regeneration areas. Protecting heritage buildings and streetscapes while still allowing appropriate development is a key driver in the municipal area.
10. Yarra City Council has already set much of its high-level strategic direction for its city through the Yarra Housing Strategy and the Yarra Spatial, Economic and Employment Strategy, both of which were adopted in 2018. The council is currently seeking to implement these strategies by amending its Planning Policy Framework via Yarra Planning Scheme Amendment C269 which was exhibited between September to December 2020.
11. While the council has carried out a significant amount of strategic work in recent years and has successfully introduced built form and heritage controls to activity centres including Johnston Street and Queens Parade, there is a need to provide an appropriate planning framework for other areas and activity centres to provide certainty to the community and proponents about appropriate height, built form and decision criteria to manage new development. An initial list of areas the council has conducted built form analysis for is attached at Appendix A.
12. The objective of the Yarra Activity Centres Standing Advisory Committee is to provide consistent advice in a transparent, simpler, more timely and cost-efficient process on any proposed new planning provisions referred to it by the Minister.
13. It is important that this process complements the council's commitment to community engagement and addresses the requirements of section 4(2)(h) of the Act which outlines the critical standard for any planning approval process, which is to meet the objective of establishing a clear procedure for amending planning schemes, with appropriate public participation in decision making.
14. Where community engagement, formal or informal public notice or consultation under section 20(5) of the Act has occurred before or as part of the advisory committee process, planning scheme amendments for matters considered by the Committee may be recommended to be approved under the provisions of section 20(4) of the Act.

Method

15. The Minister for Planning may refer one or more proposals for changes to planning controls to the advisory committee, including, but not limited to those areas specified in Appendix A.
16. The Committee must comprise a quorum of at least two members, one of whom must be the Chair or the Deputy Chair, for any forums, hearings, meetings or workshops conducted by the advisory committee.
17. The Committee can undertake its proceedings in stages, including considering and reporting on any draft planning scheme amendments referred to it either separately or together.
18. The Committee may apply to the Minister for Planning to vary these Terms of Reference in any way it sees fit.
19. The Committee may conduct any briefing, forum, hearing, meeting or workshop by electronic means.
20. The Committee will be provided with a background information, material and reports by the Department of Environment, Land, Water and Planning (DELWP) and Yarra City Council, including:
 - a. Strategic work undertaken by the council for the activity centres subject to existing or proposed interim planning controls;
 - b. Recent panel reports and VCAT decisions in the City of Yarra and other places relevant to planning scheme provisions for the activity centres the Yarra City Council requests to be referred to the advisory committee; and
 - c. Other relevant strategic work undertaken by either council or DELWP.
21. The Committee may invite DELWP, the council and any other party to identify or address any preliminary matters through forums, meetings, workshops or written comments.

Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2

Stage 1 – Notice and submissions

22. Yarra City Council may seek the written consent of the Minister or the Minister's delegate to prepare and give notice of a draft planning scheme amendment.
23. As directed by the Minister, Yarra City Council will prepare and give notice of a draft planning scheme amendment and receive submissions. The Yarra City Council will consider all submissions and where possible seek to resolve issues with submitters prior to requesting matters be referred to the Committee.
24. When preparing documentation for public notice, the Yarra City Council must liaise with the Committee to agree to:
 - a. A Directions Hearing date
 - b. The public hearing dates

The agreed dates are to be included on all notices for public exhibition.

25. When preparing documentation for public notice, the Yarra City Council must liaise with DELWP to agree to:
 - a. The type of notice
 - b. The extent of notice
 - c. The public exhibition dates
26. The Advisory Committee is not expected to carry out any additional public referral or notice but may do so if it considers it to be appropriate.
27. Petitions and pro-forma letters will be treated as a single submission and only the first name to appear on the first page of the submission will receive correspondence on Advisory Committee matters.

Stage 2 - Referral

28. Once all submissions are considered by the council, it will provide a copy of all submissions received in response to notice and a detailed response to those submissions including a copy of council's preferred draft amendment in a request for the Minister to refer the proposal to the Advisory Committee.
29. The Minister will consider requests to refer planning matters to the Advisory Committee and may seek advice on any relevant strategic planning matters in the City of Yarra. Once a decision has been made, the Minister will provide a letter of referral to the Committee Chair, seeking its advice on particular matters or unresolved submissions and/or any other relevant matter. The letter of referral will be a public document.

Stage 3 – Hearings and consideration of planning scheme amendments

30. Following referral from the Minister, including receipt of submissions and Yarra City Council's response, the Advisory Committee may undertake any of the following:
 - a. a directions hearing
 - b. a public hearing and provide an opportunity for submitters to be heard
 - c. forums, meetings or workshops with one or more submitters or any other party
 - d. a review of submissions based 'on the papers'.
31. The Committee must conduct a hearing and provide an opportunity for submitters to be heard if requested by any submitter, including Yarra City Council.
32. The Committee must afford natural justice to all participants in the hearing.
33. The Committee may limit the time of parties appearing before it and may prohibit or regulate cross-examination.
34. The Committee must not consider submissions or evidence on a matter that a planning authority is prevented from considering under section 22(3) of the Act.

Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Stage 4 – Advisory committee report and recommendations

35. For each planning matter referred to it, the Advisory Committee must produce a written report for the Minister for Planning and Yarra City Council. The report must include:
 - a. consideration of the matters outlined in these Terms of Reference
 - b. an assessment of the proposed draft planning scheme amendment and any recommended changes to the proposed provisions
 - c. an assessment of submissions to the Committee and any other relevant matters raised in the course of the Committee process
 - d. advice on any relevant strategic planning matters
 - e. a recommendation on whether the draft planning scheme amendment is strategically justified and could be approved by the Minister without notice, using his powers under section 20(4) of the Act
 - f. a recommendation on whether the draft planning scheme amendment or any part of it should be subject to the requirements of sections 17, 18 and 19 and the regulations of the Act and processed as a 'standard' amendment
 - g. a record of the date, location, attendees and purpose of any forum, meeting or workshop it held.
 - h. a list of persons who made submissions to the Committee.
36. The Committee may address more than one draft amendment and/or relevant strategic planning matters and combine its assessment of the draft amendments in a report.
37. The Committee may inform itself in any way it sees fit, but must consider all relevant matters including but not limited to:
 - a. the provisions of the Act, including Ministerial Directions, advisory and practice notes and Plan Melbourne,
 - b. the provisions of the Yarra Planning Scheme, including any adopted plans, strategies or planning scheme amendments (including Yarra Amendment C269 and any panel report for the amendment),
 - c. all submissions and evidence received,
 - d. all relevant material provided to the it by all participating parties

Submissions and records of forums, meetings or workshops are public documents

38. The Committee must retain a library of any written submissions or other supporting documentation provided to it, or used or tabled in any forum, meeting or workshop, until a decision has been made on its report or five years has passed from the time of its appointment.
39. Any written submissions or other supporting documentation provided to the Advisory Committee must be available for public inspection until the submission of its report, unless the Advisory Committee specifically directs that the material is to remain 'in camera'.

Timing

40. The Committee is required to commence its process by issuing a written notice for the referral of a matter from the Minister to all submitters, Yarra City Council and DELWP no later than 10 business days from the date of any specific letter of referral received.
41. The Committee is required to submit each report to the Minister and Yarra City Council under Stage 3 no later than 40 business days from the final day of its proceedings, tabling of submissions or consultation process whichever is final.
42. Yarra City Council must release the report of the Advisory Committee online to the council's website within 10 days of its receipt.

Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Fee

43. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the Act.
44. The costs of the Committee and any associated public consultation notification will be met by Yarra City Council unless an alternative is specified in the letter of referral from the Minister to the Advisory Committee.



Richard Wynne MP
Minister for Planning

Date: 10 / 06 / 2021

Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Appendix A: Council built form work program areas

- Alexandra Parade
- Bridge Road
- Brunswick Street
- Collingwood South
- Cremorne
- Fitzroy West
- Gertrude Street
- Gipps Street
- Heidelberg Road
- Johnston Street
- Smith Street
- Victoria Parade
- Victoria Street

Attachment 1 - C291yara - Yarra Activity Centres Terms of Reference V2

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

The following information does not form part the Terms of Reference.

Project Management

- 1 Administrative and operational support to the Committee will be provided by:
Fiona van der Hoeven, Practice Leader, Strategic Planning, Yarra City Council, 9205 5156,
fiona.vanderhoeven@yarracity.vic.gov.au

Jason Close, Manager Planning Services, Statutory Planning Services, the Department of
Environment, Land, Water and Planning, 8392 5526, 0417 569 004, jason.close@delwp.vic.gov.au
and Pippa Magnuson, Senior Planner, Statutory Planning Services, the Department of Environment,
Land, Water and Planning, 8508 2099, pippa.magnuson@delwp.vic.gov.au
- 2 Day to day liaison for the advisory committee will be through Chris Brennan, Project Officer, of
Planning Panels Victoria on (03) 8392 5137 or planning.panels@delwp.vic.gov.au.

Attachment 2 - C291yara - Combined centre-wide responses - Attachment 2

Draft Amendment C291yara Response to key issues raised in submissions

Attachment 2

This document provides a response to the key and high level issues raised in submissions to Draft Amendment C291yara. It recommends appropriate changes to the amendment to respond to issues raised.

Attachment 3 summarises the 118 individual submissions and provides a response to specific issues which are not addressed under key issues.

This attachment addresses the following:

- | | |
|--|---|
| 1. Accommodating growth | 12. Laneways and traffic |
| 2. Application of mandatory controls | 13. Parking |
| 3. Building heights | 14. Public transport and cycling |
| 4. Street walls, upper level setbacks and landscape setbacks | 15. Environmentally sustainable development |
| 5. Protecting heritage values | 16. Impacts on shops and local traders |
| 6. Loss of neighbourhood character | 17. Construction issues |
| 7. Impacts on residential amenity | 18. Property values and compensation |
| 8. Loss of views from private property | 19. Community consultation |
| 9. Views to landmarks | 20. Transitional provisions |
| 10. Impacts on the public realm | 21. Drafting issues |
| 11. Provision of new public open space | 22. Clause 21.12 – Local Areas |

Attachment 2 - C291yara - Combined centre-wide responses - Attachment 2

1. Accommodating growth

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Activity centres are identified for growth (development interests):</u></p> <ul style="list-style-type: none"> The role of the two activity centres is as areas for growth. Both are strategically located in relation to transport, employment and services and facilities. <p><u>Activity centres are experiencing too much growth (resident interests):</u></p> <ul style="list-style-type: none"> Some submissions acknowledged a need for a degree of change to accommodate growth. The activity centres, especially Bridge Road, are absorbing too much growth. They should not bear an unreasonable proportion of new development in the municipality. Increased high rise development will have an adverse impact on the liveability of the neighbourhood and the Precinct will no longer be a good place to live. It will also have a detrimental impact on the heritage values of the centres, especially Bridge Road. <p><u>Ability of infrastructure to accommodate new development</u></p> <ul style="list-style-type: none"> Concerns were expressed about the ability of public transport, roads, public open space and community facilities to cater for increased population. Submitters commented that some facilities and services such as public transport were already at capacity by the time, they reach Richmond/Abbotsford. <p><u>Impacts of COVID on growth</u></p> <ul style="list-style-type: none"> The impacts of COVID-19 on the need for additional residential and employment growth was raised. It was commented that trends such as working from home were likely to continue and resulting in reduced need for office space. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change is recommended to the amendment. <p>Response and discussion:</p> <p><u>Bridge Road and Victoria Street Major Activity Centres</u></p> <ul style="list-style-type: none"> The Victoria Street and Bridge Road Major Activity Centres are two of the five designated major activity centres within the City of Yarra. Accordingly, they play an important role in accommodating a proportion of Melbourne's population and employment growth to achieve the directions of <i>Plan Melbourne 2017-2050</i>. Council's <i>Housing Strategy</i> (adopted in 2018) seeks to direct new housing to areas within or close to activity centres that have good access to public transport, open space and other services and limit housing growth in established residential areas, consistent with <i>Plan Melbourne</i>, State and local policy. The <i>Housing Strategy</i> (2018) identifies that of Yarra's major activity centres, Bridge Road and Victoria Street would accommodate a greater share of housing growth with an estimated 3,300 new dwellings by 2031 to be accommodated in the Victoria Street activity centre and an estimated 2,600 new dwellings in the Bridge Road activity centre. (Noting the supply is calculated for the entire activity centre and the DDOs do not apply to the entire activity centre.) The Strategy notes a large amount of development is already occurring along the western end of Bridge Road and the eastern end of Victoria Street (largely outside the DDO area). The <i>Yarra Spatial Economic and Employment Strategy 2018</i> seeks to support growth in retail and other employment uses in the two activity centres. It also supports the expansion of health-related employment and services in Yarra's health precincts. Bridge Road around the Epworth Hospital is identified as a health precinct in the SEES but also in Plan Melbourne. The SEES also seek to retain land in the Commercial 2 zone. It notes that Yarra's C2 zoned land supports a diversity of businesses and economic activity and, in general, is not required to support housing. The SEES also recognise the role of activity centres in terms of housing. As major activity centres, rather the neighbourhood activity centres, there are different expectations of change and growth. The amendment must be responsive to and consistent with the projected economic growth and population estimates and forecasts and plans for appropriate urban growth and renewal, consistent with State planning policy. However, this does not mean that major activity centres are locations for unlimited growth. Both <i>Plan Melbourne</i> and the Yarra Planning Scheme make it very clear that distinctive activity centres and the preservation of heritage fabric and public and private amenity are also important in Major Activity Centres. The proposed DDOs seek to provide a balance between heritage, sensitive residential interfaces and guiding change and facilitating development across the two activity centres. <p><u>Preferred locations for growth within the two centres</u></p> <ul style="list-style-type: none"> The existing character of the two activity centres varies quite significantly along each of their lengths. The amendment also differentiates the extent of change within the two themselves. The preferred locations for growth in the two centres:

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> - Precinct 3, parts of Precinct 4 (southern side) and Precinct 5 (northern side) in Victoria Street - Parts of Precinct 1 and Precinct 5 in Bridge Road. <p><u>Impacts of COVID on growth</u></p> <ul style="list-style-type: none"> • Council in its Part B Submission to the independent planning panel considering Planning Scheme Amendment C269yara – Rewrite of Local Policies provided commentary on the impacts of COVID-19. Council’s submission (on Page 127) noted: <ul style="list-style-type: none"> <i>The COVID-19 pandemic and its associated restrictions have had a significant impact on Victoria, including impacts on population growth and economic activity. As the pandemic is continuing to unfold, the ultimate short term and long term effects of COVID-19 are still uncertain.</i> • Council’s expert on capacity provided the following comments on the impacts of COVID 19. In terms of housing, <ul style="list-style-type: none"> <i>It is Mr Szafraniec’s opinion that the impacts of COVID-19, while still very uncertain, have likely reduced population and housing levels at 2036 by up to 6 per cent. This reduced demand will be particularly acute for the next 2 to 3 years. He also considers that the nature of housing demand is likely to have shifted, with a greater demand for larger dwellings (i.e. apartments with more bedrooms and space, and a shift to (semi) detached dwellings).</i> • In terms of employment growth, he considered: <ul style="list-style-type: none"> <i>although uncertain, it is also likely that post-COVID, the nature of demand for employment spaces and locations will also change to some degree. However, most trends are likely to be an acceleration of existing patterns and the fundamentals of Yarra’s economy and the need for employment space will largely remain; and</i> <i>there will be reduced demand for employment space in the short term (next 2-3 years) as a result of COVID-19, however, it is unclear how these effects from COVID-19 will impact Yarra in the medium to long term.</i> • Despite the long-term impacts from COVID on housing and economic patterns for activity centres being uncertain at this stage, it is appropriate and reasonable to plan for growth as per Council’s adopted Housing Strategy and Spatial Economic and Employment Strategy. • Given the current policy direction remains unchanged, the expert advice above and that land use and development planning needs to be undertaken with a long-term view, it is not considered the directions of draft Amendment C291yara need to be changed. <p><u>Capacity of roads, public transport and community facilities to accommodate new development</u></p> <ul style="list-style-type: none"> • The impacts of development on laneways and traffic and public transport are responded to in Sections 12. <i>Laneways and traffic</i> and 14. <i>Public transport and cycling</i>. The need for public open space is addressed in Section 11. <i>Provision of new public open space</i>. • In terms of the impacts of growth community facilities and services, Richmond and Abbotsford have a diverse population. It contains a mix of ages, cultures and household types and is not just single people or students. The area also provides for an increasing number of families. • Council delivers a wide range of services and programs. These include childcare, recreation facilities, libraries, arts and cultural initiatives, services for older persons and people living with a disability. The State Government provides a range

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<p>of health, housing and education services. Private providers also provide education, childcare and health care services in Yarra.</p> <ul style="list-style-type: none"> Council's provision of community facilities and services are guided by the <i>Council Plan</i>, <i>Community Infrastructure Plan</i>, <i>Open Space Strategy</i> and <i>Municipal Public Health and Wellbeing Plan</i>. These plans identify community needs, potential partnerships, advocacy opportunities and are reviewed to keep pace with changes in the community. As Council is not directly responsible for the provision of schools, etc, it advocates to the State Government on behalf of the Yarra community.

2. Application of mandatory controls

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> There was a mixture of requests for either greater application of mandatory controls and reducing mandatory controls across both centers. Generally, the preference was for mandatory, rather than discretionary controls for building heights throughout the precinct were from community submissions. This was on the basis that they would offer greater certainty and remove flexibility for exceeding height limits through the planning permit process. <p><u>Opposition to mandatory controls:</u></p> <ul style="list-style-type: none"> Objections to the proposed use of mandatory building heights, street-wall heights and upper level setbacks in some areas. These submitters objected to the use of mandatory building heights on the grounds that: <ul style="list-style-type: none"> This is inconsistent with Planning Practice Note 59 - The role of mandatory provisions in planning schemes The sites that are the interest of the submissions are not located in an area of any special or exceptional character There is no documented rationale that discretionary height controls will not achieve the desired outcome. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change is recommended to the amendment. The DDOs contain a mix of 'mandatory controls' and 'preferred provisions'. Based on detailed analysis, the exhibited DDOs includes the 'mandatory controls' that are necessary to minimise impacts on heritage places, views to landmarks, sensitive residential interfaces and the public realm. <p>Response and discussion:</p> <ul style="list-style-type: none"> Draft Amendment C291yara contains a mix of preferred and mandatory requirements. Mandatory requirements must be met by an application and a permit cannot be granted if it does not comply. These are applied only when they are seen as 'absolutely necessary' to achieve a certain built form outcome or where 'exceptional circumstances' warrant their introduction. Introduction of any mandatory requirements must be based on robust and comprehensive strategic work. Whereas preferred requirements mean a permit can be granted without an application specifically meeting a requirement set out in a DDO. These provide flexibility to respond to local context and unique urban conditions of a site or an area. All ten DDO schedules include some proposed mandatory controls which address necessary elements to the respective location. These include the application of: <ul style="list-style-type: none"> Mandatory maximum heights for heritage buildings and where there are consistent heritage streetscapes to reduce the visual impact of new development and better respect the heritage significance of the heritage forms. Mandatory minimum and maximum street wall heights to retain the existing heritage street wall and ensure infill development reinforces the street wall element. Mandatory upper level setbacks for standalone heritage buildings, heritage streetscape and key corners such as the intersection of Bridge with Church Street, Lennox or Coppin Streets to retain the prominence of the heritage street wall and heritage form. Mandatory maximum heights generally where development abuts sensitive residential interfaces.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> – Mandatory controls will constrain the future development potential of sites. – The mandatory height control is lower than some of the buildings within the precinct. <ul style="list-style-type: none"> • Submissions from landowners with property development aspirations expressed a strong preference for performance-based, rather than mandatory controls to allow for innovative design responses and to maximise development potential. <p><u>Support for mandatory controls:</u></p> <ul style="list-style-type: none"> • Submissions from residents and community groups expressed a strong support for mandatory controls. Mandatory controls were seen as an important tool in managing development on heritage building and to protect private and public amenity. • Some submissions requested that further mandatory controls be applied. 	<ul style="list-style-type: none"> – Mandatory requirements to prevent overshadowing of key public footpaths, including Bridge Road, Victoria Street, Church Street and Burnley Street. – Mandatory requirements, including some mandatory heights, to protect views to key landmarks, including the Richmond Town Hall, Pelaco Sign, St Ignatius Spire and belfry. <ul style="list-style-type: none"> • While the Victorian Planning system prefers the use of preferred requirements, guidance of the application of <i>mandatory controls</i> is provided in the Department of Environment, Land, Water and Planning's <i>Planning Practice Note 59</i> and <i>60</i>. • <i>Planning Practice Note 60</i> details that mandatory height and setback controls would only be considered in 'exceptional circumstances', where they are absolutely necessary to achieve the built form objectives or outcome identified within a comprehensive built form analysis. • Specifically, the Practice Notes requires that <i>mandatory controls</i> must: <ul style="list-style-type: none"> – be underpinned by comprehensive strategic work – be consistent with state policy – take into consideration recent development activity – provide capacity to accommodate growth. • The application of <i>mandatory controls</i> in Draft Amendment C291yara has been carefully considered and applied selectively and are not proposed to apply across all precincts and/or to all requirements within the proposed DDO schedules. • <i>Mandatory controls</i> are proposed in the draft DDOs where it is considered 'absolutely necessary' (in accordance with PPN59), and would apply to: <ul style="list-style-type: none"> – intact heritage streetscapes and heritage buildings – sites with sensitive interfaces with low scale residential properties – protect the southern footpaths of Victoria Street and Bridge Road from overshadowing – protect views to key landmarks. • Extensive strategic work has been undertaken and provides sufficient justification for the use of <i>mandatory controls</i>. Amendment C291yara has taken a similar approach to other amendments (C191, C220 and C231) in its approach to the application of selective mandatory controls. Both independent planning panels considering those amendments supported the approach taken by Council. <p><u>Application of additional mandatory controls</u></p> <ul style="list-style-type: none"> • Support for mandatory controls, particularly height controls and upper level setbacks to heritage buildings to offer certainty over the scale of future development was highlighted in a number of submissions from the community. • Some residents sought the wider application of mandatory controls especially on larger sites with redevelopment potential. All schedules include a set of criteria that a development would need to comply with to exceed a preferred height. It is also noted that the size of these sites mean that their impacts can be addressed on site. <p><u>Development impacts of mandatory controls</u></p> <ul style="list-style-type: none"> • Mandatory controls have not sought to unduly restrict development across the two centres. The centres will continue to provide for Yarra's housing and employment needs with appropriate locations accommodating greater levels of

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<p>growth. Noting developments in these areas are required to achieve design outcomes that will ensure the heritage character and amenity of the area is not compromised.</p> <ul style="list-style-type: none"> The amendment identifies areas where a new built form character is sought. In these areas, Council has proposed to apply mainly preferred provisions.

3. Building heights

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> A number of submissions (mainly from development interests) were supportive of the proposed building heights. Some development interests commented that heights were too low. They considered these heights would constrain the development potential of sites and did not adequately recognise their strategic context e.g. large parcels. Proposed heights are not supported [Note: C291yara does not propose increased heights in any areas above the interims]. Proposed building heights will: Increase the number of apartments, residents and traffic Reduce amenity to existing buildings. Further high rise buildings / taller buildings will create an environment with a lack of sunlight, wind tunnel and no outlook other than overlooking windows and no privacy. A number of submissions wanted to know the methodology for choosing the building height. Many submissions from resident/community interests sought lower heights. Some are concerned about the standard of living. Particular locations where building heights were identified (by residents) as an issue were: <ul style="list-style-type: none"> Officeworks Site 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change to building heights is recommended. The building heights in the amendment strike an appropriate balance between development opportunity, heritage, public and private amenity. Changes to the criteria to assess preferred heights in <i>Building height requirements</i> are recommended as follows: <ul style="list-style-type: none"> <i>provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.</i> <i>housing for diverse households' types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;</i> <i>communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and/or secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.</i> Changes to the heights of building services criteria in <i>Building height requirement</i> are recommended as follows: <p><i>Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:</i></p> <ul style="list-style-type: none"> <i>Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);</i> <i>The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm, etc; and</i> <i>The equipment/structures does not extend higher than 2.6 metres above the maximum building height.</i> <p>Response and discussion:</p> <ul style="list-style-type: none"> A key aim of Amendment C291yara is to apply height requirements and other built form outcomes on a permanent basis as the interim controls will lapse in June 2022. The application of permanent DDOs will provide greater certainty for all stakeholders regarding the scale and form of new development expected across the two centres. Building heights were informed by the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls</i> (April 2021) was undertaken by MGS Architects and the heritage work (<i>Built Form Review: Bridge Road and</i>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Wells Street/McKay Street Area north of Bridge Road between Lennox Street and Church Street (Hull Street) Hoddle Street. <p><u>Amenity Impact</u></p> <ul style="list-style-type: none"> Proposed building heights will: <ul style="list-style-type: none"> Increase the number of apartments, residents and traffic Reduce amenity to existing buildings. Further high rise buildings / taller buildings will create an environment with a lack of sunlight, wind tunnel and no outlook other than overlooking windows and no privacy. <p><u>Building height requirements - Criteria to exceed preferred heights</u></p> <ul style="list-style-type: none"> Assessment criteria is too onerous and result in a de facto mandatory height control. Concerns from residents around preferred heights i.e. seeming ease of exceeding them. <p><u>Comments on the criteria</u></p> <ul style="list-style-type: none"> <i>BESS</i> – Reference to BESS is a duplication of Clause 22.17. Remove these criteria. <i>Bicycle facilities</i> - Should be clarified that this is seeking the provision of these facilities in line with Clause 52.34 (bicycle facilities) or an alternative outcome. <i>Accessibility</i> - Should be linked to Standards B41 or D17 (where relevant) for clarity. <i>Communal / Secluded Open Space</i> - Notes the permanent control has a subtle difference with the interim control in that the interim controls accept either communal or private open space that exceeds the minimum in Clauses 55 or 58 where the preferred heights are exceeded. Suggests the provision of both exceeding either of these Clauses is excessive and unnecessary. 	<p><i>Victoria Street– Heritage Analysis and Recommendations</i>, April 2021) by GJM Heritage. These studies underpin Amendment C291 and DDO41-50 and provide the strategic justification for the amendment.</p> <ul style="list-style-type: none"> The interim heights (DDO21 and DDO22) were reviewed, and amended in specific locations, through sections and 3D modelling to ensure heights in each precinct: <ul style="list-style-type: none"> Reflect achievable height outcomes with regard to lot depth, and to a lesser extent width, with lower heights on shallow sites due to upper level setbacks and residential interface Respond to heritage design objectives to maintain the visual prominence of heritage streetscapes and heritage buildings Respond to sensitive residential interfaces with regard to visual bulk, overshadowing Align with updated overshadowing requirements which apply to the public realm Align with updated views to landmarks requirements. Building heights in Bridge Road and Victoria Street seek to ensure the scale of new development: <ul style="list-style-type: none"> is sensitive to the intact heritage streetscapes, clusters of heritage buildings and individual heritage buildings. contributes positively to the amenity, vibrancy and preferred built form character of each Precinct. achieves a transition down in scale to established residential areas. A range of building heights and setbacks are proposed to respond to the highly varied built form and land use contexts along Victoria Street and Bridge Road, including the surrounding heritage and built form context, interface conditions and site characteristics (size / depth): In Bridge Road, taller form is focused on north side of Precinct 1 – Bridge Road West (DDO41) between Lennox and Church Streets fronting Bridge Road and Precinct 5– Bridge Road East North (DDO45). In Victoria Street, taller form is focused Precinct 3– North Richmond Station (DDO48) and Precinct 5 – Victoria Street East Ends (DDO50) towards the east of Thompson Street. Maximum (preferred heights) of 28m-34m (8-10 storeys) are proposed for these areas. 40m or 12 storeys is proposed on the corner of Bridge Road and Church Street, Richmond Quarter Proposed building heights across the balance of the two centres are generally around five storeys (18m) with some areas of six storeys (21m). In some areas, lower heights of three and four storeys are proposed. For example, to protect low scale heritage terraces houses. The proposed controls generally adopt a ‘block-by-block’ approach rather than a site-specific ‘lot-by-lot’ approach. This has the advantage of accounting for greater development opportunities if lots are consolidated. (However, the retaining the fine grain pattern of the street would still be considered in any design.) A number of recent developments are either constructed, under construction or approved in each of the centres. The Bridge Road and Victoria Street Activity Centres - Review of Interim Built Form Controls (April 2021) also considered these existing and approved developments. The review resulted in some reductions in heights. However, these are not expected to significantly impact on dwelling supply – as few changes have been made to the preferred locations for growth in the two centres: <ul style="list-style-type: none"> Precinct 3 (North Richmond Station - DDO48), parts of Precinct 4 (southern side of Victoria Street East - DDO49) and Precinct 5 (northern side of Victoria Street East Ends - DDO50) in Victoria Street

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Height of building services</u></p> <ul style="list-style-type: none"> Unclear why the permitted service projections have been reduced from 3.6m to 2.6m where the 'tests' for these projections otherwise appears the same. This is unnecessary given the shadowing 'test'. For example, if services are higher than 2.6 metres, they may need be recessed further from the facades to meet the shadowing test, which in turn would minimise visibility. 	<ul style="list-style-type: none"> Parts of Precinct 1 (Bridge Road West - DDO41) and Precinct 5 (Bridge Road East North - DDO45) in Bridge Road. <p><u>Submissions requesting increases in heights:</u></p> <ul style="list-style-type: none"> In preparing the amendment, detailed analysis was undertaken to recognise the propensity for individual sites and areas to undergo renewal, including variance in scale, neighbourhood character and heritage. Accordingly, varying degrees of additional development are encouraged within the different areas of the centres. Building heights have determined using a block by block approach, except for individual heritage buildings. Increases in height on individual lots is generally not supported. In some areas, consistency of scale is a key driver. For example, the amendment has sought to apply consistent mandatory maximum heights in heritage streetscapes. In other areas, the application of preferred heights will allow a degree of design flexibility for example, for larger sites. Noting the DDOs require that proposals which exceed the preferred heights are assessed against the objectives in the DDO and other assessment criteria. Whether the height of a particular development proposal is appropriate would be the subject of detailed analysis at the planning permit stage. This assessment would ensure the development addresses key elements such as residential amenity and heritage impacts are considered. Some submissions requested height changes to reflect existing permits. Existing approvals and developments were one of the elements that was considered in the development of building heights. Some of these permits were approved before the interim controls were introduced. The proposed building heights give regard to these permits but ultimately a preferred height is determined on the basis of urban design advice and wider considerations across the centre. <p><u>Submissions requesting lower heights</u></p> <ul style="list-style-type: none"> State and local planning policy directs growth activity centres. In Yarra, this helps to reduce development pressure on the surrounding low scale residential areas. Submissions expressed concerns about impacts of heights of five storeys on heritage values and the heritage character of the street. This issue is discussed are addressed in Section 5 – <i>Protecting Heritage Values</i>. Concerns regarding the amenity of low-rise residential interfaces was also highlighted as reasons to reduce heights. Officer consider some of these concerns can be addressed by amending interface controls. See Section 7 – <i>Impacts on Residential Amenity</i>. Limiting a large proportion of sites within the two centres to 3 or 4 storeys or existing development would not demonstrate a well-considered and responsive approach to the development opportunities and constraints of each part of the two centres. It is important that proposed building heights are based on a clear rationale, which provides the strategic justification for planning provisions. See Section 1 - <i>Accommodating growth</i> for further information. <p><u>Location specific response</u></p> <p>NOTE: Heights around heritage buildings and heritage streetscapes are discussed in section 5 – <i>Protecting heritage values</i>. Attachment 3 (Response to individual submissions) provides a response to proposed building heights where they are raised for specific sites or blocks not covered in section 5 or below.</p> <p><i>Neptune Street / Burnley Street (DDO44)</i></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> The Commercial 2 zoned land on the south-western side of Burnley Street (188, 194, 196A, 198 and 200 Burnley Street, and 21 and 23 Neptune Street, Richmond) has been included in Precinct 4 and DDO44 as the area contains large sites with high development potential. The area is currently not covered by interim DDO21. Submissions supported the application of a Design and Development Overlay to these sites. However, views on the proposed height varied from supporting the proposed 21 metre height to seeking lower heights of three storeys. No change is recommended to the height proposed for these sites in DDO44. A preferred maximum building height of 21 metres (approximately six storeys) (in conjunction with other built form requirements) is appropriate for the site to ensure a balance between development opportunities and a respectful transition to residential area to the west and south of the site. It is also noted that there is a live planning permit at 198 Burnley Street, Richmond. The planning permit allows the construction of buildings up to 35 metres (approximately nine storeys). The approved development includes basement car parking and allows for offices, shops and restricted retail premises. <p><i>Officeworks site (566 Bridge Road – DDO44)</i></p> <ul style="list-style-type: none"> A preferred 18 metre height (approximately 5 storeys) applies to the Officeworks site. This height is unchanged from the interim controls. Submissions from the surrounding community generally sought lower heights. A submission on behalf of the landowner supports the proposed preferred height. No change is recommended to the height proposed for this site. The proposed height: <ul style="list-style-type: none"> avoids visually overwhelming the adjoining heritage fabric maintains a sense of openness within the street respect the character and amenity of the adjacent low-rise neighbourhood. Additional requirements are proposed apply to site including landscape setbacks apply to most boundaries. <p><i>Hoddle, Little Hoddle and Regent Streets (DDO48)</i></p> <ul style="list-style-type: none"> Heights of 34m are proposed in the area (no change from the interim DDO22). Varying positions were put by landowners of Hoddle Street properties and residents in Little Hoddle and Regent Streets. Development interests sought higher or more flexible heights, whereas residents are seeking lower heights, for example heights as low as three storeys. Residents strongly stressed the unique character of Little Hoddle Street as a location with street life, cafes, businesses such as creative industries and residences and their desire to retain this. The area is identified in the <i>Yarra Housing Strategy</i> as a preferred growth area and in the <i>Spatial Economic and Employment Strategy</i> (SEES) as an area where commercial development will occur fronting Hoddle Street. The area is also close to the North Richmond Train Station and Victoria Street itself. No change is recommended to the overall building height proposed for this area. Officers consider that proposed changes to the upper level setbacks outlined in section 7 – <i>Impacts on Residential amenity</i> will assist in ameliorating the amenity impacts raised by residents. See also section 12 – <i>Laneways and Traffic</i> for a response on vehicle access issues. <p><u>Building Height Requirements - Criteria to assess preferred heights</u></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> The letter of consent from the Department of Land, Water, Environment and Water identified the criteria as an issue the Minister will ask the Standing Advisory Committee to consider. Edits are proposed to provide more clarity and tighten up the wording. Changes are also proposed to ensure they align with other DDOs including DDO23 which is proposed as part of draft Amendment C293yara. <ul style="list-style-type: none"> <i>BESS</i> – The removal of this criterion is not supported. It strongly aligns with Council's priorities around ESS and is achievable by most development. <i>Housing diversity</i> – Additional information has been added describing what is sought in terms of housing diversity aligning with draft Amendment C293yara. <i>Bicycle facilities</i> – Criterion has been clarified to outline that the requirements in Clause 52.34 (bicycle facilities) should be exceeded aligning with draft Amendment C293yara. <i>Accessibility</i> – No change supported – the appropriate clause is referred to. <i>Communal / Secluded Open Space</i> – The two criteria will be put back together. This is consistent with other DDOs, including the interims. <p><u>Height of building services</u></p> <ul style="list-style-type: none"> The height of services has been reduced from 3.6m to 2.6m to reduce visibility. Building services such as lift over runs can be accommodated within 2.6m. The reduction in height also avoids the creation of essentially another floor in terms of the height of the building. Submissions also commented on the use of an etc in one the criteria. This is proposed to be removed to reduce ambiguity. Other changes are proposed to the building services criteria to align with draft Amendment C293yara and other provisions of draft Amendment C291. This includes the addition of areas of planting in the overshadowing criteria. The exemption re floor areas for solar panels has been expanded to include roof gardens.

4. Street walls, upper level setbacks and landscape setbacks

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Upper level setbacks and street walls</u></p> <ul style="list-style-type: none"> Many development interests do not support the 6m mandatory upper level setback. Residents want 10m upper level setback for heritage buildings. Some supported the interim DDOs setback requirements. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No changes are supported for street walls and upper level setbacks. See also Section 5 – <i>Protecting heritage values</i>. Changes are proposed for the Officeworks site, Burnley Street site and in Little Hoddle Street increase access to sunlight. See Section 7 – <i>Impacts on residential amenity</i>. <p>Response and discussion:</p> <p><u>Upper level setbacks and street walls</u></p>

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<ul style="list-style-type: none"> • Submissions did not comment on street walls except requirements around matching parapet heights of heritage buildings. Section 5 – <i>Protecting heritage values</i>. <p><u>Landscape and other building setbacks</u></p> <ul style="list-style-type: none"> • Many supported the ground level landscaped setback requirement. • Landowners objected to the ground level landscaped setback requirement. • Residents requested further landscaped setback on the Officeworks site, however, the landowner opposed to the setback requirements. 	<ul style="list-style-type: none"> • Upper level setbacks requirement plays an integral role in both maintaining the visual prominence of heritage and fine-grain streetscapes and supporting development where a new streetscape character is sought. • An appropriately balanced approach that ensures that upper level development does not overwhelm heritage buildings or the heritage and fine-grain streetscapes that are a defining feature of Bridge Road and Victoria Street while allowing for a taller new consistent street edge in areas of change. <p><i>Heritage buildings and heritage streetscapes</i></p> <ul style="list-style-type: none"> • See Section 5 – <i>Protecting heritage values</i>. <p><i>Areas of change</i></p> <ul style="list-style-type: none"> • In areas where a new built form is encouraged, reduced upper level setbacks are supported for infill buildings e.g. 4.5 metres. Some submissions commented that they wished to retain the lesser upper level setbacks which applied in the interim controls in these areas. • No change is supported. A 4.5 metre upper level setback was applied instead of 3 metres to provide an improved transition to heritage buildings where a 6 metre upper level setback is provided. This will reduce abrupt changes in upper level setbacks from 3m to 6m as currently permitted in the interim controls and ensure a more consistent character along the length of both corridors. In addition, on Bridge Road and Victoria Street, a 4.5 metre better aligns with the proposed overshadowing controls than a 3 metre setback. • The application of reduced upper level setback (in comparison to 6m applied other areas) is generally accompanied by higher street wall e.g. four storeys to optimise development potential. • Examples of areas where this has been applied is in Precinct 5 – Bridge Road East North (DDO45) in the Bridge Road Activity Centre and along Hoddle Street in Precinct 3 – North Richmond Station (DDO48) and Precinct 5 – Victoria Street East End (DDO50) in the Victoria Street Activity Centre. <p><u>Corner sites</u></p> <ul style="list-style-type: none"> • The proposed DDOs specify upper level setbacks on corner sites to address a gap in the existing DDO. Upper level setbacks were only specified in a small number of corner sites in the interim DDOs. • An analysis of each corner was undertaken. Upper level setbacks on side streets are proposed to provide an appropriate transition from the primary street while retaining the prominence of heritage buildings on corners. • On major corners with heritage buildings such as the intersection of Bridge with Church Street, Lennox or Coppin Streets, a mandatory 6m upper level setback is required. • For other corners, a new requirement has been added to address side streets. On these streets, a preferred upper level setback of 6m would apply on side streets where there is a heritage building. A 3m (preferred) applies for other buildings. • See Section 5 – <i>Protecting heritage values</i> for discussion on upper level setbacks on heritage corners. <p><u>Sightlines</u></p> <ul style="list-style-type: none"> • In line with other recent built form amendments (i.e. Johnston Street, Queens Parade and Swan Street), the various sightlines which sought to guide the visibility of upper levels have been removed (i.e. one-third; two-thirds sightline) and will be addressed through overall building heights and upper level setbacks. <p><u>Other setbacks - Front and side setbacks at ground level and above</u></p>
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	<ul style="list-style-type: none"> • The interim and proposed DDOs generally seek to ensure buildings are built to their front and side boundaries especially in heritage areas. • In areas where heritage is not a constraint, the proposed DDOs include a requirement which requires development to consider opportunities for increased ground floor and building setbacks to accommodate landscaping, outdoor dining, bike parking and building entrances. • Opportunities such as along Little Hoddle Street and in Victoria Street between Bond and Grosvenor Streets are identified in the proposed DDOs and two metre setbacks applied. • Landscape setbacks to the boundaries of the two potential redevelopment areas in DDO44 – the Officeworks site and land in the Commercial 2 Zone in Burnley Street.
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5. Protection of heritage values

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Maintain the importance of the heritage fabric</u></p> <ul style="list-style-type: none"> • An overarching theme was the importance of maintaining the prominence of the existing heritage fabric and the need to ensure that new development does not overwhelm the existing buildings and heritage streetscapes. • Some submissions expressed the importance of heritage is not only a matter of history, but as part and parcel of livability and neighbourhood character. It is 'like gold dust' and needs to be protected. • Submissions noted the objectives of most of the DDOs include support for retention of heritage streetscapes. But have not followed through in the requirements. • Many requested a more modest approach, based on widely accepted planning and conservation methods as set out in the Burra Charter. • Many expressed the view that the proposed heights would result in the loss of the heritage character and 	<p>Recommended position:</p> <ul style="list-style-type: none"> • No change is recommended to the amendment. Heritage matters have been carefully considered in preparing the proposed DDOs. <p>Response and discussion:</p> <ul style="list-style-type: none"> • GJM Heritage were engaged to provide heritage advice to inform the review of the interim DDOs and prepared the following reports to assist officers in preparing built form provisions and controls for the area: <ul style="list-style-type: none"> – <i>Built Form Review: Bridge Road – Heritage Analysis and Recommendations (April 2021)</i>; and – <i>Built Form Review: Victoria Street – Heritage Analysis and Recommendations (April 2021)</i>. • The heritage advice builds on and updates the <i>Victoria Street and Bridge Road Built Form Review Heritage Analysis & Recommendations</i> report prepared by GJM Heritage (GJM) dated 14 June 2018. • The two reports considered the built form parameters that are required to ensure the values of heritage places in the two activity centres are appropriately managed and protected. The advice promotes good heritage outcomes for development on land subject to, or abutting, the Heritage Overlay. • The heritage advice has informed MGS Architects' built form review and ensured that DDO provisions and controls appropriately respond to heritage fabric and values within Victoria Street and Bridge Road. • The two heritage reports provided refined advice which recommended: <ul style="list-style-type: none"> – reduced heights in some locations – some increases to upper level setbacks in some locations for the upper-most level of buildings over 15m.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p>significance of Bridge Road and parts of Victoria Street.</p> <ul style="list-style-type: none"> Concerns that the setbacks and heights proposed in the DDOs would actively encourage the destruction of around 70% of a typical heritage shop building. A number of submitters commented that the three storey height, which was supported for the retail core of Queens Parade, should be applied to properties in a Heritage Overlay. It was suggested that the design objectives should reflect these lower heights through the inclusion of a reference to “low to mid rise” when there are heritage buildings. Suggested wording was: <i>To support a low to mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas and above heritage buildings.</i> Particular concerns were expressed about the scale of development permitted in the following areas: <ul style="list-style-type: none"> Precinct 1 – Bridge Road West (DDO41) Precinct 2 – Bridge Road South (DDO42) Precinct 1 – Victoria Street West (DDO46) A contrary view from development interests was that the height of development for non-contributory buildings should not be limited by the heritage constraints which apply to other sites. Other submissions commented there is significant capacity for increased building height (above 18 metres) along the Bridge Road corridor whilst still retaining the visual prominence of heritage buildings, heritage streetscape, local landmarks. Submissions referenced the proposed permanent controls for Swan Street (Amendment C191) as well as other comparable activity centres with heritage qualities in Metropolitan Melbourne. <p><u>Visibility of upper levels</u></p>	<ul style="list-style-type: none"> It is important to note that a DDO cannot act as a heritage control. The main tool to protect heritage is the Heritage Overlay and Heritage policy within the planning scheme at Clause 22.02 and proposed new clauses at x. <p><u>Visibility of upper levels – Upper level setbacks and building heights</u></p> <ul style="list-style-type: none"> A 6m minimum mandatory upper level setback has been applied in areas with a consistent heritage character and for other stand-alone heritage buildings. It applies regardless of whether a building is heritage and whether it is contributory or individually significant. (This approach was supported in recent Planning Panel reports.) In addition, in areas with a consistent heritage character and for other standalone heritage buildings, a 9m upper level setback for heights above 15m is proposed to apply to the topmost level. This is to ensure the upper most level avoids visually dominating the heritage street wall and retains its visual prominence. Increased setbacks of 13m were applied between Judd and Church Streets along Bridge Road to reflect existing and emerging built form is necessary to moderate the taller built form in this area. It is also noted that the DDOs include criteria which identify where upper level setbacks behind in excess of the minimum upper level setback should be provided. The proposed DDOs also included a new requirement that <i>‘Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of building.’</i> Submissions from development interests were concerned that a mandatory minimum upper level setback applies to non-contributory buildings in these areas. They were concerned this reduces flexibility. The minimum mandatory setback ensures that all buildings in areas with a consistent heritage character create consistent upper level setback. Submissions from residents, community and other interest groups, expressed concerns that the amendment would undermine the heritage values of Bridge Road and Victoria Street. They considered that the significance of heritage buildings and the heritage streetscape would be lost; specifically, the intact buildings and heritage skyline which are key features of Bridge Road in particular. Their concerns related to the appropriateness of building heights and upper level setbacks, particularly in precincts with Heritage Overlays (i.e. Precincts 1, 2, 3 and 4 in Bridge Road and Precinct 1, 2 and 3 in Victoria Streets). Heights of three storeys were suggested in these submissions and in a few cases, four storeys. A number of submissions commented the approach adopted in Queens Parade of three storey heights and 8m upper level setbacks in the retail core should be applied in Bridge Road and Victoria Street. Significant testing was undertaken to ensure upper level setbacks do not overwhelm heritage buildings and streetscapes, ensuring they remain a prominent and defining element of Bridge Road and parts of Victoria Street. This was particularly the case in Precinct 2 in Bridge Road, a precinct with a very intact heritage streetscape. Elements such as roofs and the location of chimneys were also considered. Upper level setbacks of 6m with the uppermost storey set back were tested in areas where heritage is a key consideration. Other options including 8m and 10m were tested in Precinct 2 – Bridge Road. GJM Heritage has supported 6m upper level setbacks with the uppermost storey(s) set back and did not consider greater setbacks necessary.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Submissions from the community, residents and heritage interests: <ul style="list-style-type: none"> Identified the need to maintain the prominence of the existing buildings and reduce the visibility of new additions and upper level development. Considered the silhouette of parapets against the sky an important part of significance. Considered new development to the rear should not be visible from across the street. Were concerned the minimum 6 metre upper level setback would lead to facadism and not maintain enough heritage fabric. They were also concerned that the heritage would be overwhelmed by the new building behind. Proposed alternative setbacks of 8 and 10 metres. Noted the requirement for an additional setback of three metres for development over 15 metres, is preferred, not mandatory. One submitter considered the entire fabric of Individually significant heritage buildings must be retained. Submissions from development interests submitted that: <ul style="list-style-type: none"> The 6m upper level setback requirement should only be expressed as a mandatory requirement for heritage buildings. It should be a preferred / performance based requirement for properties which are graded 'not contributory'. A blanket setback from street walls removes the potential for innovative design solutions and articulation of the built form within the streetscape. Expressed concerns about the application of mandatory 6m upper level setbacks on corner sites. The additional setback requirement of 9 metres for buildings above 15 metres is unnecessary 	<ul style="list-style-type: none"> A mandatory 6m minimum upper level setback is necessary to protect the visual prominence of heritage buildings and heritage streetscapes. The 6m distance will retain the majority of visible chimneys and roof forms visible from the public realm (excluding laneways). This was coupled with a requirement that the uppermost level (or levels) should be set further back than the mid-level development to avoid visually dominating the heritage street wall (as encouraged at Clause 22.02-5.7.2). The upper-most level should be treated as a visually separate roof top element. The five-storey mandatory height limit was supported by Council's heritage expert to maintain the prominence of the heritage buildings within the streetscape, if the upper most level is set further back than the mid-level development. A number of submissions proposed the DDOs should mirror the provisions approved for Queens Parade in DDO. Officers note that different circumstances applied to Queens Parade where three storeys was supported; in particular, the 60 metre width of Queens Parade making upper levels much more visible. <p><u>Street wall</u></p> <ul style="list-style-type: none"> The proposed DDOs retain the approach in the interim DDOs for heritage buildings and streetscapes; that is: <ul style="list-style-type: none"> to retain the existing heritage street wall. ensure infill development does not exceed the height of the adjacent heritage street wall to achieve a consistent heritage street wall. A minimum height of 8m (change to the interim controls) and a maximum height of 11m (no change) would apply. Mandatory maximum controls are retained to ensure this significant element of the street is retained. New requirements in the proposed DDOs to address gaps in the interims, including: <ul style="list-style-type: none"> ensuring infill development adjoining a heritage building matches the parapet height of the adjoining building for a minimum of 6 metres in length on corner sites, where different street wall heights are nominated new development should "turn a corner" and apply the same street wall height along the side street depending on block depth. The key concern around street walls was in submissions from development interests. In particular, the requirement to match parapet heights for 6m. These submissions considered this requirement removes the ability for design innovation of built form. This approach has been adopted in a number of Council's recently approved and adopted DDOs. The intention is to ensure new built form responds to its immediate heritage context. The requirement is preferred, and other solutions could consider where they achieve a respectful outcome. <p><u>Impacts on surrounding heritage precincts</u></p> <ul style="list-style-type: none"> The impacts of development on surrounding heritage precincts was considered in preparing draft Amendment C291. For example, for the Officeworks site at 566 Bridge Road, the setting of and views from the Racecourse Heritage Precinct were considered as well side and rear interfaces to low rise residential areas in a Heritage Overlay. <p><u>Laneways</u></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p>given the openness of the streetscape, and the overall width of Bridge Road</p> <ul style="list-style-type: none"> The upper level setbacks should not be driven by the retention of roof form and chimneys - they are no longer relevant / may not be of heritage significance. <p><u>Street wall heights</u></p> <ul style="list-style-type: none"> A small number of submissions from development interests submitted that matching parapet heights of new development to adjoining heritage buildings removes the ability for design innovation of built form. Development can still respect adjoining significant and contributory heritage buildings without mimicking the heritage fabric. Recommends this requirement should be removed, as impacts on heritage are already assessed under the Heritage Overlay. <p><u>Impacts on surrounding heritage precincts</u></p> <ul style="list-style-type: none"> Residents in heritage areas which adjoin the two centres expressed concerns about the impact's development will have on the heritage values of their areas. Some commented that anything built opposite these areas should complement the heritage area. <p><u>Heritage character of Laneways</u></p> <ul style="list-style-type: none"> Submissions sought to retain the character of bluestone laneways. 	<ul style="list-style-type: none"> Laneways that are public roads are maintained in line with Council's Road Management Plan. Any reconstruction of a laneway by Council or as part of a redevelopment is undertaken in line with Council's Road Materials Policy and will consider any modern-day access needs. Amendment C269yara proposes to amend and update Council's local planning policies. <i>Clause 15.01-1L Urban Design</i> proposed in Amendment C269yara includes strategies that support the retention of laneways and bluestone.

6. Loss of neighbourhood character

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Submissions expressed concern that development permitted by the amendment would result the loss of character of the two centres. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change to the amendment is recommended.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> • Submissions commented that the character of Bridge Road had already changed substantially - especially at the western end where taller buildings had been constructed. • Concerns were expressed about the concept of 'mid-rise development'. • Some submissions commented that social and cultural aspects also contribute to the character of the two streets. • The need for a neighbourhood character study was also raised. 	<p>Response and discussion:</p> <ul style="list-style-type: none"> • Recent changes in Yarra reflect a global trend of people wanting to live closer to city centres to access employment, an inner city lifestyle, nightlife and vibrant places. (See also Section 1 - Accommodating Growth.) • Council's <i>Economic Development Strategy 2020-2025</i>, existing and proposed planning policy all seek to support and strengthen the vibrancy and local identity of Yarra's network of activity centres. • Submissions have identified a wide range of elements that for submitters contribute to the character of Bridge Road and Victoria Street. They include but are not limited to shops, public open space, heritage buildings, landmarks. • A DDO cannot include requirements to retain certain shops or land uses, social or cultural elements. It can only guide built form and design of new development. • The heritage and urban design analysis for two centres was comprehensive. (Neighbourhood character studies are generally undertaken for residential precincts and cover larger areas.) The exhibited DDOs were based on this work and includes design objectives, built form and design requirements and decision guidelines to manage future while ensuring new development responds to the main character elements of the two streets. • The amendment also proposes to insert new policy in the Local Area Policy at Clause 21.12. A key element of this are Preferred Future Character Statements for each precinct. The preferred character statements seek to describe the 'look' and 'feel' of each precinct. In some precincts, a new built form character is sought and in others, the existing character is key driver. • Clause 21.12 acknowledges that: <ul style="list-style-type: none"> <i>Bridge Road has seen substantial change and development over the past ten years. It is distinguished by a predominantly fine-grain streetscape and buildings of heritage value, particularly on the southern side of Bridge Road. This lower scale-built form is contrasted by taller midrise development to the north of Bridge Road between Punt Road and Church Street, including Richmond Plaza (currently under construction).</i> • Victoria Street has seen less redevelopment in the areas affected by the amendment (excepting close to the North Richmond Train Station.) Substantial redevelopment has occurred at the eastern end around Victoria Gardens. Clause 21.12 acknowledges key elements such as a character strongly influenced by its Vietnamese heritage and local community and its fine-grain built form interspersed with heritage buildings particularly on corner lots. • The amendment seeks to contribute positively to the amenity, vibrancy and preferred built form character of each precinct in Bridge Road and Victoria Street through requirements to: <ul style="list-style-type: none"> – maintain the prominence of the heritage street wall – retain Bridge Road and Victoria Street as pedestrian focused shopping destinations – protect footpaths from overshadowing – protect views to important Richmond landmarks. • Together, these requirements and guidelines will ensure that built form and design of new development responds to the main character elements of Bridge Road and Victoria Street. <p><i>Mid-rise development</i></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> Submissions expressed concerns about the concept of 'midrise'. Local policy at Clause 21.12 Local Areas and new policy in Amendment C269 seeks to promote a 'mid-rise scale' in Clause 11.03-1L Activity Centres. Policy does not provide a definition of 'midrise'. This is because what is 'low rise', 'midrise' or 'high rise' is a relative assessment of scale depending on the location of the site, its surrounds and its strategic context. The heights in the DDOs and objectives set out to describe the scale of development which forms mid-rise development in Bridge Road and Victoria Street. This is not uniform and varies in the different precincts. For example, in some precincts, lower mid-rise is sought. See section 3 – <i>Building heights</i> response.

7. Impacts on residential amenity (overlooking, overshadowing, visual bulk, noise)

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Strong concerns were expressed about the potential impacts of taller development on the low scale and well-established residential areas and dwellings to the side/rear. In addition, submitters who currently live in apartment buildings also raised amenity concerns. Submitter concerns included: <ul style="list-style-type: none"> loss of privacy through overlooking overshadowing of private open space, living areas and solar panels visual impacts of building bulk wind-tunnel effect in streets and laneways. A number submitted that the proposed setbacks in the amendment were not adequate to protect the amenity of residents which abutted the commercial strip. They consider Res Code Standard B17 – side and rear setbacks offer a better alternative. Concerns were raised regarding the height and setbacks along Little Hoddle Street and their impacts on residential amenity. Submitters notes that some properties are orientated towards Little Hoddle. <p><u>Noise</u></p>	<p>Recommended position:</p> <ul style="list-style-type: none"> The following changes are recommended to the Residential Interfaces and Interface I: <ul style="list-style-type: none"> Insert a new residential interface diagram and amend Plan 1 - Height and Interface Plans in DDO41, DDO42, DDO44, DDO47, DDO48, DDO49 and DDO50 to apply a new residential interface to the: <ul style="list-style-type: none"> residential properties predominately south of Bridge Road and Victoria Street southern and eastern boundaries of the Officeworks site at 566 Bridge Road southern and western boundaries of 180-220 Burnley Street adjacent to 244 Burnley Street and 43-59 Neptune Street. In DDO44, in addition to the above, amend Plan 1 - Height and Interface Plan in DDO44 to: <ul style="list-style-type: none"> Increase the 6m landscape setback applying to the eastern boundary of the Officeworks site at 566 Bridge Road to 8m. Apply a 3m landscape setback to 188-198 Burnley Street to the boundary adjacent to 244 Burnley Street. Apply a 1.3m landscape setback to 188-198 Burnley Street to the boundary adjacent to 2 Stratford Street, 55 and 57 Neptune Street. In DDO48: <ul style="list-style-type: none"> Amend Interface I in Table 1 - Street Wall Heights and Setbacks to: <ul style="list-style-type: none"> Increase the upper level setback from 4.5m from the centreline of the laneway to 6.5m from the boundary for properties with a boundary to Little Hoddle Street. Apply a 3m upper most setback to the upper most level of properties fronting Hoddle Street. To address a gap in the Commercial 2 Zoning, apply an additional requirement that requires: <i>Development in the Commercial 2 Zone should be setback from side and rear boundaries to ensure</i>

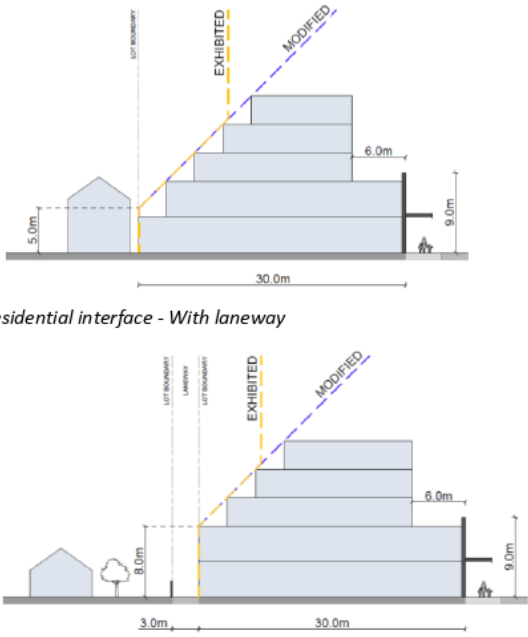
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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Closeness of apartments means that noise from gatherings on balconies carry easily to other nearby dwellings. Taller developments mean that noise is able to carry over the tops of surrounding lower developments. Concerned that neighboring properties would be impacted by commercial noises from nearby properties. <p><u>Waste Management</u></p> <ul style="list-style-type: none"> A submission raised concern over that new developments do not have proper waste management services and rubbish is commonly found on the surrounding area. 	<p><i>adequate daylight and minimise direct views to habitable rooms and private open space in the Mixed Use Zone.</i></p> <p>Response and discussion:</p> <ul style="list-style-type: none"> Minimising the impacts of overlooking, overshadowing and visual bulk caused by new development has been a key consideration of the draft DDOs. The draft DDOs address overlooking, overshadowing and visual bulk across a number of requirements. All 10 DDOs include a Design Objective which seeks: <ul style="list-style-type: none"> <i>To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.</i> The following requirements in the DDOs address amenity: <ul style="list-style-type: none"> <i>Interface to residential properties in NRZ or GRZ requirements:</i> <p>The requirement seeks to ensure: 'Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access'.</p> <p>The proposed DDOs apply Figure 1 which outlines the residential interfaces through boundary wall heights and building setbacks at the side or rear.</p> <p>The provisions apply where the proposed DDO areas adjoin land in the Neighbourhood Residential Zone (NRZ) and General Residential Zone (GRZ). The residential interface heights are determined by whether a laneway separates the properties from the proposed DDO area.</p> <p>The requirements are preferred (discretionary) to allow for the variety of conditions on adjacent sites. These include topography changes, changing floor to ceiling heights in heritage buildings and garages/outbuildings to the rear of residential properties outside of the overlay areas.</p> <i>Building separation requirements:</i> <p>Where no interface treatments are shown, to reduce the need for screening, allow for daylight access and create views to blue sky between buildings when viewed from the street, minimum setbacks are proposed at upper levels between buildings:</p> <ul style="list-style-type: none"> 4.5m to a balcony or habitable room window 3m to a commercial or non-habitable window. <p>The requirements in the interims were strengthened for buildings over 21m in height to reduce the impacts of taller buildings and retain views of blue sky.</p> <p>Requirements addressing buildings on the same site fill a gap in the interims DDOs.</p> <i>Interface I:</i> <p>In non-residential laneways, Interface I applies. It includes a preferred 4.5m upper level setback from the laneway centerline and a maximum street wall height of 11 metres applies.</p> In addition, a requirement to break up building mass on large sites has also been proposed.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> The provisions in the draft DDOs are also supported by policy and provisions elsewhere in the Planning Scheme: <ul style="list-style-type: none"> 'ResCode' at Clauses 54 and 55 of the Planning Scheme outlines the standards for residential development. ResCode applies to developments of up to four storeys and it only applies in residential zones (Neighbourhood Residential Zone, General Residential Zone and Mixed Use Zone). It does not apply in commercial zones. Clause 58 – Better Apartments applies in the Commercial 1 Zone and for apartment developments of 5 storeys or more. Any development in the Commercial 1 Zone must have <i>consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone</i>. Numerous existing policies in the Planning Scheme address residential amenity, including Clause 22.05 <i>Interface Uses Policy</i> provides guidance in assessing planning permits adjacent to residential areas and Clause 22.10 <i>Built Form and Design Policy</i> which applies to new development outside the Heritage Overlay. In addition, local planning policy is in the process of being updated through Planning Scheme Amendment C269yara, which includes policy to discourage overshadowing and protect internal amenity at proposed clause 15.01-2L. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> A number of residents submitted that the proposed setbacks in the amendment were not adequate to protect the amenity of residents which abutted the commercial strip. They consider Res Code Standard B17 – side and rear setbacks offers a better alternative. Overshadowing of private open space and solar panels was of particular concern to those abutting taller development. Under the draft DDOs, the overshadowing impacts of any development would be assessed on a case by case basis in any planning permit application, using provisions of the Planning Scheme such Clause 58 of Planning Scheme. <p><i>Interface to residential properties south of Bridge Road and Victoria Street</i></p> <ul style="list-style-type: none"> Officers consider there is a need to provide greater protection for residential amenity in these locations given the east-west configuration of Bridge Road and Victoria Streets. Proposed changes would reduce overshadowing impacts and provide more certainty about the potential extent of overshadowing. A modified version of Figure 1 is proposed to apply in these locations. The modified residential interface would continue the 45° angle instead of capping it at 10 metres. The two diagrams below show the differences between the exhibited amendment and the proposed changes. <p><i>Residential interface - Direct abuttal (no laneway)</i></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	 <p><i>Residential interface - With laneway</i></p> <ul style="list-style-type: none"> • The changes would mean that in a 5 storey development the upper-most level would be setback further than required in exhibited Figure 1. • This will ensure that overshadowing impacts are no greater than that of a two storey development to the north. • Some submissions have expressed a preference to make the residential interface requirements, mandatory. 'Mandatory controls' are not supported by officers in this instance in order to retain a level of flexibility and allow a response to specific site conditions and context. • Additional changes are recommended to the requirements in the other locations. See Location specific responses. <p><u>Privacy/Overlooking</u></p> <ul style="list-style-type: none"> • Submissions also expressed concerns about privacy and overlooking. • No specific changes are recommended to address overlooking or privacy. The exhibited DDOs include building separation and rear and side interface requirements. Additional built form requirements relating to overlooking within the DDOs are not necessary as they are addressed by the existing provisions in the Yarra Planning Scheme.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> Specifically overlooking is addressed by either Clause 54 (One dwelling on a lot), Clause 55 (two or more dwellings on a lot – ResCode) or Clause 58 (Apartment Developments), depending on how many dwellings are proposed. Clause 58.04-1 seeks to: <ul style="list-style-type: none"> <i>“Limit views into habitable room windows and private open space of new and existing dwellings.” Buildings should be set back from side and rear boundaries to “avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.”</i> Proposed local planning policy at Clauses 13.07-1L and 15.01-2L includes policy to discourage overlooking. <p><u>Separation requirements for taller buildings</u></p> <ul style="list-style-type: none"> Submissions commented that the building separation requirements for buildings over 21m will sterilise development and also duplicate the requirements in the Planning Scheme at Clause 58 – Apartment development. The separation requirements have been applied to provide more certainty around building separation to address a gap in Clause 58. The requirements seek to ensure that adequate distance is provided between buildings with the purpose of: <ul style="list-style-type: none"> Providing equitable sunlight access and daylighting to windows and habitable rooms within existing buildings and to future development on adjoining lots Ensuring appropriate levels of privacy and Minimising the need for screening Maximising outlook from within buildings. For taller buildings, greater separation is also required to: <ul style="list-style-type: none"> Manage off-site amenity impacts resulting from their greater form Reduce their visual impact on the lower scale street wall Clearly distinguishing higher built form as distinct vertical projections along the street - avoiding the cumulative effect of narrowly spaced adjacent development forming a ‘wall’ of upper storey form. The requirements allow for development on small and large sites. Setbacks to common boundaries allow larger site to achieve greater heights while preserving amenity to floorplates by ensuring outlook to side boundaries. Narrower lots retain the ability to build party walls to 21m to facilitate their development. No changes are recommended to these provisions. <p><u>Visual bulk</u></p> <ul style="list-style-type: none"> Some visual bulk is inevitable where development is taller than the existing dwellings. Various requirements in the DDOs, including the residential interface and building separation requirements will assist in the managing the impacts of taller buildings, Minimising visual bulk and retaining views of blue sky. Changes to Figure 1 and additional landscape and upper level setbacks in specific locations, to manage overshadowing impacts, will also assist in reducing visual bulk. <p><u>Waste Management</u></p> <ul style="list-style-type: none"> The issue of waste management is outside the scope of this amendment.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> • Clauses elsewhere in the Planning Scheme such as Clause 55.07 <i>Apartment Developments</i> address the issue. Clause 55.07 ensures the new developments have adequate waste management systems in place to meet the needs of their future residents or workers. • It is also noted that a planning permit application must include a waste management plan (WMP) that is prepared to the satisfaction of the responsible authority (typically Council). A WMP addresses public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. <p><u>Noise – Residential and business noise</u></p> <ul style="list-style-type: none"> • Managing noise issues is outside the scope of this amendment and is addressed through State Government legislation and elsewhere in the Planning Scheme. • Noise from businesses, entertainment venues, dwellings and construction are managed by through the <i>Environmental Protection Act 2017</i>, the <i>Environment Protection Regulations 2021</i> and State Environment Protection Policies. • Noise is also referenced elsewhere in the Yarra Planning Scheme, including: • Council's <i>Interfaces Uses Policy</i> at Clause 22.05 also assists in the management of noises from businesses. It ensures new non-residential use and development are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties. • Planning Scheme Amendment C269, which seeks to update local policy in the Yarra Planning Scheme, is proposing to include new noise guidelines. Council awaits a Panel report following Panel Hearings in October this year. • The Guidelines address noise from road traffic, rail and tram, commercial and industrial plant and equipment, music and patrons and noise from apartment developments. <p><u>Location specific responses</u></p> <p><i>Neptune / Burnley Streets (DDO44)</i></p> <ul style="list-style-type: none"> • In response to submissions, a series of changes were considered to reduce the impacts of overshadowing of these properties, including the approved planning permit for the site at 188-198 Burnley Street Richmond. There is currently a planning permit for the site that sets the building back from the southern and south western boundary. • Landscape setbacks of 3m and 1.3m are recommended to apply to southern boundaries of 198 Burnley Street. The setbacks reflect those approved in the planning permit for the site. The modified Figure 1 would also apply. • These changes would improve potential overshadowing from a development to the north. However, it is noted that the property at 43 Neptune Street would be overshadowed by the wall of the heritage building directly to the north and east of the site. • The proposed changes mean that at the Equinox, overshadowing beyond the southern boundary and south western boundaries from 11am is reduced. <p><i>Officeworks (566 Bridge Road – DDO44)</i></p> <ul style="list-style-type: none"> • An increase to the landscape setback from 6 metres to 8 metres is recommended along the eastern boundary to reduce overshadowing of the Racecourse Heritage Precinct. The modified version of Figure 1 would apply to the eastern and southern boundaries.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> The proposed changes reduce the extent of overshadowing to the east. Shadows would not extend beyond a shadow caused by a 1.8m fence at the Equinox. The application of the amended residential interface on the southern boundary (with no change to the landscape setback) would also reduce overshadowing to the apartment complex to the south. <p><i>Little Hoddle Street (DDO48)</i></p> <ul style="list-style-type: none"> Resident submissions from the area noted the amendment would cause overshadowing and amenity issues. Increased upper level setbacks from the property boundaries on the eastern and western sides of Little Hoddle Street are recommended. It is proposed the upper level setbacks are increased from 4.5m from the centreline of the laneway to 6.5 metres from the property boundary. An additional 3 metre setback would apply to the upper most level of properties to the west. The intent of this change is to increase sunlight to Little Hoddle Street between 11am-1pm at the Equinox. Little Hoddle Street has a unique character number of creative industries, cafes and residences at street level. It has also been identified as a potential shared zone where pedestrians and vehicles would share the space. It is acknowledged that this change would reduce the floorplates of sites on both sides of Little Hoddle Street, however, developable sites still remain given the 30 metres plus depth of the sites. An additional requirement is also recommended ensure considerations apply to the Commercial 2 Zone as the requirements for this zone to consider amenity are not the same as the Commercial 1 Zone. In the Commercial 2 Zone, there is a focus on the impacts of warehouse and industry uses.

8. Loss of views from private property

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Some submissions were concerned that new development would block existing views e.g. to landmarks such as the Pelaco building. Purchased property because of the views. Loss of views will lead to a reduction in property values. Some submission raised concern that taller development next to their property will block the views to the city or sky. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change to the amendment is recommended. <p>Response and discussion:</p> <ul style="list-style-type: none"> The planning system does not protect views from private property. The issue was dealt with by the High Court of Victoria in <i>Victoria Park Racing & Recreation Grounds Co Ltd v Taylor</i> [1937] HCA 45. The High Court held that a property owner does not own the views (spectacles) from his or her land. Justice Dixon stated: <i>"I find difficulty in attaching any precise meaning to the phrase 'property in a spectacle'. A "spectacle" cannot be "owned" in any ordinary sense of that word."</i> This planning principle has been substantiated through numerous VCAT decisions which have not given weight to a view from a private property.

9. Views to landmarks

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Submissions requesting additional views to landmarks to be protected</u></p> <ul style="list-style-type: none"> Some submissions requested additional views to the Pelaco sign, which include the following: <ul style="list-style-type: none"> view of the Pelaco sign at 172 Lennox Street view from Tram Stop 14 on the corner of Punt Road and Wellington Parade. View from Church Street between Berry and Hodgson Street. <p><u>Submissions requesting additional landmarks to be protected</u></p> <ul style="list-style-type: none"> Some submissions requested additional landmarks require protection which included the following: <ul style="list-style-type: none"> Malthouse, CUB Stack, North Richmond high rise The Cho Ben Thanh clock tower and Victoria Street Gateway. One submission suggested that there were views included for protection in the interim DDO21, but not in the proposed permanent DDOs <p><u>Submissions questioning the strategic justification of the selection of landmarks and views</u></p> <ul style="list-style-type: none"> Some submissions requested clarification around why landmarks and views to landmarks are included for protection and not others. Notes mandatory requirement to protect views of landmarks (Richmond Town Hall Clocktower and the spire and belfry of the St Ignatius Church) would naturally have different relevance and implications on different properties depending on site context. Suggests the permanent controls ought to be performance. <ul style="list-style-type: none"> Notes the nominated Views 1 and 2 to the Richmond Town Hall largely traverse the road reserve of Bridge Road and do not intersect with the Subject Site or other properties within Precinct 3 Bridge Road Central (as pictured below). 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change is recommended to the amendment. Removing requirements for views to landmarks in the proposed DDOs is not supported. Protection of key views to landmarks is a fundamental element of the amendment with 'mandatory controls' necessary to protect those views. <p>Response and discussion:</p> <ul style="list-style-type: none"> A key element of the C291yara is to ensure future development does not encroach into identified views to landmarks. The viewlines are supported in the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls</i> (April 2021) was undertaken by MGS Architects and the heritage work (<i>Built Form Review: Bridge Road and Victoria Street- Heritage Analysis and Recommendations</i>, April 2021) which informed the amendment. The specific views protected in Amendment C291yara include: <ul style="list-style-type: none"> Spire and belfry of St Ignatius Church from: <ul style="list-style-type: none"> the tram stops at the intersection of Victoria Street and Church Street; the north east corner of the Bridge Road and Church Street intersection; and Citizens Park – path around oval at Highett Street / Gleadell Street entry. Pelaco sign from: <ul style="list-style-type: none"> North East corner of Tram Stop 13 on Wellington Street; and The footpath on the north west corner of Wellington Parade and Hoddle Street. Richmond Town Hall Clocktower from: <ul style="list-style-type: none"> South West Corner of Lennox Street and Bridge Road; South East Corner of Burnley Street and Bridge Road; and Citizens Park at the Path around oval at Highett Street / Church Street entry and central entry from Highett Street Skipping Girl Sign from the south west corner of Leslie Street and Victoria Street. (Noting the view to the Skipping Girl sign would not be affected by development within the DDO.) The requirements (including building heights for sites affected by the viewlines) are proposed to be mandatory to protect these important views. Amendment C291yara retains all the views included in interims. However, because the amendment splits Bridge Road and Victoria Street into separate precincts, some of the view line requirements are split/ located in different DDOs. For example, the viewlines to the Richmond Town Hall from south-east corner of Burnley Street and Bridge Road intersection is located in DDO42. <p><u>Impacts on development</u></p> <ul style="list-style-type: none"> MGS Architects undertook substantial testing using cross sections and 3D-modelling. MGS Architects has worked closely with GJM Heritage to ensure the proposed provisions protect landmarks and views to landmarks while still allowing appropriate development.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Notes the prescribed street wall and upper level setback requirements will appropriately manage and protect views to these nominated landmarks. Suggests that protection of the Pelaco Sign and views to the Pelaco sign will have an impact on the overall height of development. 	<ul style="list-style-type: none"> To ensure a key view to the Pelaco is protected, testing resulted in the following changes to the requirements (or changes to the requirements that applied in the interim DDOs) which apply to properties which: <ul style="list-style-type: none"> 46-70 Bridge Road - 11m height 72 Bridge Road - mandatory 6m upper level setback on the western boundary 38-44 Bridge Road - 10m upper level setback 3 Rotherwood Street – 11m height. One submitter expressed strong concerns about the impacts of the viewlines on development. They questioned the strategic justification for the provisions. Officers consider the protection of key views to landmarks has a strong policy basis and is a fundamental element of the amendment with 'mandatory controls' necessary to protect those views. <p><u>Strategic justification</u></p> <ul style="list-style-type: none"> The views to landmarks identified in Amendment C291yara are identified in Proposed Clause 15.01-2L Landmarks Amendment (implemented through C269yara), the Interim DDOs and existing policy Clause 22.03. They were also informed by <i>The City of Yarra Landmark and Views Assessment</i> (Urban Ethos) October 2019. They were supported by the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls</i> (April 2021) was undertaken by MGS Architects and the heritage work (<i>Built Form Review: Bridge Road and Victoria Street– Heritage Analysis and Recommendations</i>, April 2021) by GJM Heritage. <p><u>Additional landmarks</u></p> <ul style="list-style-type: none"> Including additional landmarks and primary views to landmarks in the proposed policy is not sufficiently supported by evidence that reassesses the appropriateness of alternative views. The focus of the work conducted in relation to Amendment C291 has been on the protection of view to landmarks as identified in existing policy and Amendment C269. Council has recorded the additional landmarks and views that have been proposed by submitters. This could be subject to future work.

10. Impacts on the public realm

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Overshadowing of public open space</u></p> <ul style="list-style-type: none"> A small number of submissions considered the winter solstice (instead of the equinox controls) should apply to public open space in two activity centres. The submissions comments that with increased population, it is very important for the few small 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change to the amendment is recommended. <p>Response and discussion:</p> <ul style="list-style-type: none"> The protection of sunlight to these locations is considered very important to retain quality public spaces to ensure 'life and attraction' at the street level for residents, workers and visitors.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p>public parks and open areas to have winter sun. E.g. Butler Street Park, Lennox Street community garden.</p> <ul style="list-style-type: none"> Some suggested stronger wording for overshadowing requirements to protect public space and footpaths. Other submissions supported the use of equinox to measure / test overshadowing impacts. <p><u>Overshadowing of footpaths</u></p> <ul style="list-style-type: none"> Submissions also considered the winter solstice should apply to footpaths. <i>‘Vibrant street cafes need mid-winter sun.’</i> Development interests raised concerns about: <ul style="list-style-type: none"> mandatory controls apply preventing the overshadowing of the southern footpath of Victoria Street and Bridge Road. overshadowing requirements to protect Coppin Street and Lennox Street footpaths. They considered them unnecessary. One submitter did not support the change in the way the overshadowing was measured i.e. from 2/3m from the kerb. They considered this reduced the consideration of overshadowing. The submitter was also concerned that the amendment no longer protected the same footpaths as in the interims. <p><u>Wind impacts</u></p> <ul style="list-style-type: none"> A number of submissions raised concerns regarding wind impacts – both existing wind impacts and potential future wind impacts generated by future development. Residents, north of Bridge Road between Lennox Street and Church Street are concerned about wind impacts from taller developments. Submission from development interest suggests the requirement for a wind assessment should be removed as there is no design freedom within the DDO41 to propose alternative design responses that would provide for better outcomes. <p><u>Improvements to the public realm</u></p>	<ul style="list-style-type: none"> Amendment C291yara has added overshadowing protection for three public open spaces and identified ‘green streets’ within the two centres at the equinox (an addition to the interim DDOs). <p><u>Overshadowing of public open spaces</u></p> <ul style="list-style-type: none"> Overshadowing controls have been included in the amendment to prevent additional overshadowing of three small areas of public open space within the two activity centres - Alexander Reserve, Butler Street Park and the Victoria Street Gateway Triangle. The use of the Equinox to measure overshadowing aligns with current policy in the planning scheme at Clause 22.10 – Built Form and Design Policy and 22.12 – Public Open Space Contribution and with proposed updated policy in Clause 15.01-11 Urban design in Amendment C269. However proposed policy in Clause 22.12-4 as part of C286yara which is seeking to implement a new Public Open Space Contribution and local policy states that built form: <p><i>“Must have no additional overshadowing beyond any 9 metre built form height between 10am and 3pm on June 21.”</i> (NOTE - This is applicable to new public open spaces only.)</p> The <i>Urban Design Guidelines for Victoria</i> contain the following relevant Objective and associated guideline: <p><i>“Objective 5.1.3 To ensure buildings in activity centres provide equitable access to daylight and sunlight”, and</i> <i>“5.1.3a Locate and arrange the building to allow daylight and winter sun access to key public spaces and key established street spaces.”</i></p> Neither the exhibited DDOs nor Council’s Yarra Open Space Strategy as in Amendment C286yara identify certain open spaces as ‘key’. The public open spaces in Yarra are treated as being of equal importance. Further analysis was undertaken to understand the amount of overshadowing on the three spaces caused by the potential built form of exhibited DDOs at the winter solstice. No change to the overshadowing measure is recommended. It is not practicable to apply the winter solstice as a measure for assessing overshadowing of public open spaces in Bridge Road and Victoria Street Activity Centres, given that: <ul style="list-style-type: none"> the proposed policy in Clause 22.12-4 of C286yara applies to new public open spaces only significant to changes building height for development abutting Alexander Reserve would be required in DDO41 to minimise the overshadowing the changes would create an inconsistency with other DDOs in the Yarra Planning Scheme the September equinox is the common measure used in the Victorian Planning system to assess overshadowing. <p><u>Overshadowing of Bridge Road and Victoria Street footpaths</u></p> <ul style="list-style-type: none"> The proposed DDOs retain requirements to protect the footpaths of Bridge Road, Victoria Street and Burnley Streets as identified in interim DDO21 and 22. However, the overshadowing provisions are split between the different DDOs. Mandatory controls apply preventing the overshadowing of the southern footpath of Victoria Street and Bridge Road between 11am and 2pm at the equinox. The retention of the mandatory requirement preserves solar access and amenity to the primary street within the precinct.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Submissions also comments that the amendment should facilitate improvements to the public realm. 	<ul style="list-style-type: none"> The requirements are updated to: <ul style="list-style-type: none"> apply from 10am-2pm (consistent with the approach taken in Swan Street) replacing 11am-2pm. The extension to include the time period between 10am and 2pm at 22 September is consistent with the overshadowing controls being applied to Swan Street. apply to whole of the footpath rather than a distance of 3m from the kerb. Metric used (e.g. 3.0 metres from the kerb) allows for a significant encroachment zone for overshadowing. This is particularly problematic in Bridge Road and Victoria Street where footpaths vary greatly in width. This metric would mean that narrower footpaths could be completely overshadowed at specific times. Swan Street (C191) seeks to protect the full width of the footpath by using the following metric, 'from the property boundary to the existing kerb' to reflect the current width at the point of measure. The updated overshadowing requirements were tested and are achievable with the building heights specified in the proposed DDOs. Noting that where developments seek to exceed maximum preferred heights, upper levels may need to be set back. <p><u>Key pedestrian streets (Green Streets)</u></p> <ul style="list-style-type: none"> These streets provide (or could provide) important pedestrian and cycling connections to key local destinations such as: <ul style="list-style-type: none"> train stations, tram routes and shared paths; schools and educational facilities; community infrastructure, including childcare and community and health facilities; and Yarra River / Birrarung and other open space outside the centres. They may not currently prioritise pedestrian and/or cyclist movement over vehicles but could be upgraded in the future and enhanced as a key pedestrian and cycling route through footpath widening, canopy trees, seating and landscaping. Officers note that the DDOs themselves cannot compel Council or other parties to carry out works and create a green street; and in some cases, only apply to a small portion of the street. However, it does flag their potential and seeks to ensure buildings respond to this. In the proposed DDOs, it is proposed that the concept would be supported by overshadowing provisions that protect sunlight access to footpaths. A small number of submissions expressed concerns about the application of additional overshadowing requirements. Officers note that overshadowing provisions in the interim DDOs already apply to some streets which have been identified as 'green streets' (see below). The overshadowing provisions would only apply to the portion of the street affected by the DDO – not their entire length. They are also proposed as preferred requirements. <p><i>Victoria Street</i></p> <ul style="list-style-type: none"> Streets where overshadowing of the footpath at the equinox is already protected in Interim DDO are Church Street, Nicholson Street and Lennox Street. The additional streets that are proposed to be added include Charles Street, Shelley Street, Lithgow Street, Albert Street and Davison Street. <p><i>Bridge Road</i></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> Streets where overshadowing of the footpath at the equinox is already protected in Interim DDO - Lennox Street, Church Street and Burnley Street. The additional streets that are proposed to be added are Gleadell Street, Griffiths Street, Gardner Street and Coppin Street. <p><u>Improvements to the public realm</u></p> <ul style="list-style-type: none"> The quality of the public realm is a key element of Bridge Road and Victoria Street. The built form provisions proposed in the amendment place strong emphasis on new development that strengthens identity and place, creates a great place to live and is easily accessible for all. Requirements in the amendment to enhance the public realm include: <ul style="list-style-type: none"> Ground level uses and 'active edges' that activate the public realm Pedestrian scale street-wall heights Maintaining solar access to the southern footpaths Creating green streets Ensuring building heights and recessed upper level development do not overwhelm the street Achieving well-articulated building design on large sites to maintain a fine urban grain Locating vehicular access and car parking to the rear of sites. See also section 4 - <i>Street walls, upper level setbacks and landscape setbacks</i> for an outline of other requirements for setbacks which are proposed to apply. The provisions in the DDO are supported by policy and provisions elsewhere in the planning scheme such as Clause 22.10 <i>Built Form and Design Policy</i> which seeks to ensure ground level street frontage of new development should provide a high level of pedestrian amenity and visual interest. However, a DDO itself cannot directly require streetscape improvements. In some cases, opportunities are identified as part of a planning permit application. Specific project opportunities for additional public realm and access improvements are also identified in Council strategies such as the <i>Victoria Street Streetscape Master Plan</i>, <i>Bridge Road Streetscape Master Plan</i>, Road Safety Studies (formerly known as Local Area Place Making studies) and <i>Yarra Open Space Strategy</i>. Implementation of other improvements would be undertaken at a later date, following the development of a Capital Works Plan. These projects will be supported through ongoing infrastructure maintenance and upgrades, including to footpaths, street tree plantings and street lighting. <p><u>Wind</u></p> <ul style="list-style-type: none"> The draft DDOs include an application requirement: <p><i>'For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.'</i></p> This application requirement will ensure that planning applications for future developments are provided with sufficient wind impact information. This will ensure that the developments are designed to avoid negative wind impacts. This application requirement will also ensure that wind impacts are assessed on a case by case basis.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> Furthermore, existing local policy at clause 22.10 and proposed local policy at proposed Clause 15.01-1L (proposed as part of Planning Scheme Amendment C269yara) both encourage new development to minimise adverse wind impacts. In addition, standards addressing wind impacts are proposed for inclusion in the State-wide <i>Better Apartments Design Standards</i>. It is anticipated these would be included at Clause 58 of the Planning Scheme. Wind impact testing has not been undertaken for the centres. The DDOs provide the broad building envelop potential subdivision or consolidation of lots is the future which could result in different forms of development proposed. Wind studies are therefore considered appropriate at planning permit stage. Expert wind evidence provided to the Johnston Street Panel hearing (Amendment C220yara) identified that it was important to ensure upper levels are designed to avoid wind down-draughts. Amendment C291yara includes similar and in some cases greater upper level setbacks in both activity centres than what has been approved for Johnston Street. The amendment includes upper level building separation requirements. Officers consider that proposed upper level setbacks will assist in the management of wind effects.

11. Provision of new public open space

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Submitters raised concern about the impacts of new development and population increase on the liveability and local amenity of the area, including the provision of open space. Many submissions raise issue with the lack of public open space in the Abbotsford/Richmond area and many submit that future developments will exacerbate this. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change to the amendment is recommended. This matter is outside the scope of this amendment. Amendment C286yara, which seeks to implement the recommendations of the <i>Yarra Open Space Strategy (2020)</i> and update the public open space contribution rate for all subdivisions, will assist in addressing the issue. <p>Response and discussion:</p> <ul style="list-style-type: none"> The issue of increasing demand on Yarra's open space assets is highlighted by Council's <i>Open Space Strategy 2020</i> which identifies substantial residential and employment growth as a key issue for Yarra. The strategy identifies shortfalls of public open space in parts of Richmond and Abbotsford and indicates where this is required. While this issue is a key concern of the community, the purpose of a Design and Development Overlay is to guide future development to ensure good design, amenity and public realm outcomes. Typically, a DDO cannot seek new or increase public open space, there are other mechanisms in the Planning Scheme to address this. The exhibited DDOs do identify some potential locations for public open space in public road space which have been identified in various Yarra strategies such as the <i>Victoria Street Streetscape Masterplan</i>, <i>Bridge Road Streetscape Masterplan</i> and in the <i>Yarra Open Space Strategy</i>. Their location on public roads would not require the purchase of private land. They are identified in the DDOs as a flag to future development, promote opportunities for development to provide active frontages to them and to consider when considering traffic management. Council also resolved its meeting on 20 April 2020: <i>That Council intends to pursue a number of options for open space in the precinct, including the Judd St carpark, White Place and the Officeworks building in line with the Bridge Road Masterplan, and for the Council to make representations to the panel as to the possibility of green open space in these areas.</i>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> This issue will be highlighted, and the Standing Advisory Committee invited to respond. DDO41 also does not apply a height to the Judd Street carpark. This was amended to reflect its current use as a car park as per Council's resolution on 20 April 2020. The DDOs also include the concept of 'Green Streets' which provide (or could provide) important walking and cycling connections to key community infrastructure and open space outside the centre such as the Yarra River / Birrarung. The DDOs do not identify potential locations for public open space on private land. Clause 53.01 of the Yarra Planning Scheme is a critical planning mechanism to facilitate new public open space. The clause sets out the requirements for public open space contributions. Currently Yarra's public open space contribution requirement is set at 4.5% for all subdivision applications. This can either be a monetary or land contribution. Not every development can realistically accommodate new open space on their land. Clause 53.01 sets out a criteria of what and where new open space can be provided. Council is actively working to reduce pressure on Yarra's open space network. Council's adopted <i>Yarra Open Space Strategy 2020</i>, includes a number of recommendations to increase the provision of open space. For example, securing land on large redevelopment sites, conversion of government owned land and land acquisition where required. A recently approved amendment (C223yara) includes the provision of a new public open space along Doonside Street Richmond. Council is currently pursuing Planning Scheme Amendment C286yara (Public Open Space Contributions) which seeks to increase the rate of public open space contribution from the current rate of 4.5% to 10.1%. This will assist in providing increased public open space across the municipality, especially in under-served, former-industrial areas such as Collingwood South. Planning Scheme Amendment was recently publicly exhibited. An independent planning panel hearing is currently underway.

12. Laneways and traffic

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Impacts on the traffic network</u></p> <ul style="list-style-type: none"> Many submitters commented on the impacts of traffic that will be generated from the new development. Some commented that despite Council's encouragement of the use of active transport, people would still use cars. <p><u>Ability of laneways and small streets to carry traffic</u></p> <ul style="list-style-type: none"> A large number of submissions considered that additional development would create a lot of extra traffic in narrow streets and laneways which do not have the capacity to accommodate it. 	<p>Recommended position:</p> <ul style="list-style-type: none"> In DDO41-50: <ul style="list-style-type: none"> Include a requirement which clarifies the role of the main streets in the two centres and limits vehicular access off those roads. Amend Plan 2 – 'Access and Movement Plans' to remove the access notations for streets excepting main roads and 'Green Streets'. (Noting the DDOs would still require development to provide vehicular access from rear lanes or from side streets, however this will be 'where appropriate'.) Include a requirement which seeks to improve the amenity and safety of laneways for vehicles <u>and</u> pedestrians: <i>Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.</i>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Particular locations where submissions highlighted concerns were: <ul style="list-style-type: none"> Wells Street/McKay Street Little Hoddle Street Neptune Street Hull Street <p><u>Pedestrian use, safety and character of laneways</u></p> <ul style="list-style-type: none"> Residents want to retain lanes for pedestrians and active transport (walking and cycling). Some also commented that development of a scale proposed by the amendment would overwhelm the lanes which are an important part of the heritage fabric of the area. <p><u>Emergency vehicle access</u></p> <ul style="list-style-type: none"> Some submissions commented that laneway widths might limit access by the emergency services. <p><u>Waste collection</u></p> <ul style="list-style-type: none"> Waste collection in new developments not sufficient for their needs. There are not enough provisions to collect waste from new development. The ability of waste collection services to operate in narrow laneways was also identified as an issue. <p><u>Wells, McKay, Baker Streets</u></p> <ul style="list-style-type: none"> Concerned with vehicle access being provided from the rear lane of Victoria Street properties for the following reasons: <ul style="list-style-type: none"> Number of vehicle movements that would need to access Wells Street. Proposed traffic management solutions outlined in the Traffix Report to accommodate traffic movements. 	<ul style="list-style-type: none"> In DDO44, in Plan 2 Access and Movement add annotation indicating access to Burnley Street may be considered depending on the size of carpark and support from the Department of Transport. In DDO44, in Plan 2 Access and Movement remove the annotation indicating a <i>Potential Pedestrian Link</i> connecting the Office Works site and the Stawell Street Apartments (59-62 Stawell Street). In DDO50, in Plan 1 Height and Setback Plan label Wells Street on map. In DDO50, in Plan 2 Access and Movement show requirements for setbacks on the northern most section of Wells Street. <p>Response and discussion:</p> <p><u>Impacts on the traffic network</u></p> <ul style="list-style-type: none"> Future potential traffic generation from future development was discussed in a report prepared by Traffix Consultants. The report found that while the Abbotsford/Richmond road network was at near capacity at peak times, traffic impacts from future development are manageable. The report notes that while population has increased within the Richmond Statistical Local Area (SLA), traffic volumes in general, at peak times and at key intersections had fallen between 2007 and 2017 (page 40-41). The report highlights that there has been a transport modal shift away from private vehicles to public transport, cycling and walking in the Richmond SLA. It concludes that future traffic congestion is manageable for the following reasons: <ul style="list-style-type: none"> The activity centres are highly accessible by existing public transport services, which supports both residents and workers within the centre. This reduces reliance on private car travel. The activity centres benefit from close proximity to a number of other activity centres and the Melbourne CBD, all of which are readily accessible by alternative transport modes to a private car. The mix of land uses and local services within the activity centre support local living by residents. Planning Panels Victoria have considered future traffic generation for planning scheme amendments for Moreland City Council and acknowledged that “[...] future congestion should not stifle development [...]” and the “[...] challenge of managing the road network should not prevent the Amendment from progressing [...]”. <p><u>Traffic Safety</u></p> <ul style="list-style-type: none"> Traffic safety has been considered when preparing vehicle access requirements within the draft DDOs. For example, by minimising private property access points from main roads or providing for left in/left out access. Outside of the DDO, Council manages roads and traffic management investment through Road Safety Studies (formally called Local Area Place Making program - LAPM). The Road Safety Studies investigate areas within Yarra and provide recommendations for traffic upgrades and improvements. <p><u>Ability of laneways and small streets to carry traffic</u></p> <ul style="list-style-type: none"> Access from and the role of laneways was raised in a large number of submissions.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Access and Movement Plan in DDO50 does not acknowledge Wells Street and lane to the rear of the Victoria Street properties. <p><u>Burnley, Neptune, Stratford Streets</u></p> <ul style="list-style-type: none"> Many submissions raised issue with traffic congestion and the capacity of Neptune Street to accommodate further traffic. One submission commented that the Stawell/Bridge intersection was noticeably worse following the construction of a nearby apartment building. Submissions note it's a narrow street and only can allow for one car at a time, with the Bridge/Neptune intersection regularly being congested. Submissions from the area not parking an issue which would be exacerbated by future development. All submissions from this area recommend access from Neptune and Stratford Streets should be limited. Most submissions recommend Burnley Street as the preferred access point and point to the recent planning permit for 188-198 Burnley Street. One submissions were concerned about road safety. <p><u>Hoddle, Little Hoddle, Regent Streets</u></p> <ul style="list-style-type: none"> Submitters were concerned about the potential increased of traffic caused by future development. Submitters noted that there are already traffic problems. <ul style="list-style-type: none"> Elizabeth Street intersection Regent Street is currently used as a rat run Submitters raised issue with Little Hoddle Street acting as the preferred access for new development. Submitters commented that it was too narrow & used by pedestrians. Some submitter did not believe the landscape setback would address the issue. 	<ul style="list-style-type: none"> The Traffix Report also reviewed local streets and their ability to accommodate vehicle access. Traffix Group (consultants) has advised that while some of the laneways are narrow, they are not necessarily a substantial constraint to development and access can be managed. They note that some are more suited to carry additional traffic than others. Laneways that have a dead end, or are not continuous, are more limited in their development potential. Some also lack splays at critical corners that limit their functionality or capacity. These constraints, however, do not mean that any additional traffic in the laneways is always unacceptable. Many of these issues can be dealt with at the planning permit stage. For example, an applicant can apply for a reduction in car parking, including a reduction to zero. Additionally, where an applicant wants to provide parking, at permit stage an applicant could be required to provide a setback at the rear that accommodates turning vehicles. The way each site deals with parking based on the physical context of each site, can be dealt with at the planning permit stage. Where a laneway is constrained, the report makes traffic management recommendations such as one ways streets, identification of passing bays, corner splays and ground floor to allow for lane widening for traffic movement. These are reflected in the DDOs. Requirements within the DDOs include: <ul style="list-style-type: none"> require developments on laneways, where necessary, to provide setbacks or splays to facilitate vehicle movements and vehicle visibility prioritise pedestrian access to new buildings through well designed entrances provide vehicle access from laneways or secondary streets discourage vehicle access off Bridge Road and Victoria Street provide high standards of car parking and loading to minimise disruptions to the public realm. The draft DDOs also include Application Requirements require a traffic and parking report at the planning permit stage which requires consideration of the ongoing functionality of laneway/s. Officers have proposed changes to the Vehicle Access Requirements and plans in response to submissions. The recommended changes include: <ul style="list-style-type: none"> refining the role of the 'Access and Movement Plan' to focus on access to main roads managed by the Department of Transport and identified 'Green Streets'. This would entail removing some of the access notations on the 'Access and Movement Plans'. Access notations would be removed from side streets and laneways. a new requirement which seeks to limit access from the main roads. retaining the requirement that development should provide vehicular access from rear lanes or from side streets, however, this will be 'where appropriate'. The 'Access and Movement Plans' will still include some traffic mitigation recommendations to assist future developments. The rationale for directing access away from main roads and 'Green Streets' is to:

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> • Submissions did not think the amendment took into consideration the current use of Little Hoddle by pedestrians. • A submission from a landowner did not support the pedestrian link at the bottom of Little Hoddle. 	<ul style="list-style-type: none"> – maintain Bridge Road and Victoria Street as pedestrian orientated shopping destinations by limiting crossovers and reducing safety issues – retain heritage frontages along the two streets – ensure the efficiency and safety of main roads controlled by the Department of Transport, largely by minimising vehicle access on roads they manage, particularly where tram lines exist. – promote 'Green Streets' for pedestrians and cyclists; noting that vehicle access would impact on the pedestrian and cyclist environment if allowed in great numbers. <ul style="list-style-type: none"> • Officers recognise the diverse and complex nature of Yarra's laneway and side street network. The proposed change would mean that while access via side streets and laneways is preferred in many cases, it should be considered on a case by case basis. • Note: Car entry / egress points to developments from main roads with tram lines can cause encumbrances and delays to trams (from right hand turns), which DoT actively discourage. • In addition, officers recommend adding a requirement which recognises the broader role of laneways for pedestrians as well as vehicles. <p><u>Use of laneways for pedestrians</u></p> <ul style="list-style-type: none"> • Submissions emphasised the desire to retain pedestrian uses along Yarra's laneways. Submitters considered the use of laneways for vehicle access will inhibit this. • The DDO include requirements which acknowledge the need for pedestrian access from laneways and the need to ensure buildings are designed for pedestrian safety, however an additional requirement has been added emphasising the dual role of laneways. • The DDOs also identify some potential shared zones, noting a DDO cannot require general street improvements, only where they relate to development. Other improvements to laneways need to be undertaken outside the Planning Scheme. <p><u>Location specific responses</u></p> <ul style="list-style-type: none"> • See changes detailed above in relation to refinements to the focus of the <i>Access and Movement Plans</i> and changes to requirements across all DDOs. <p><i>Wells, McKay, Baker Streets (DDO50)</i></p> <ul style="list-style-type: none"> • The commercial properties within the DDO between Lambert and McKay Streets on Victoria Street are narrow – only 5 - 6 metres wide. This has considerable impact on vehicle access and will provide a natural constraint to car parking as they could only accommodate car stackers. Four sites would need to be amalgamated to accommodate more substantial parking. • Developments in Victoria Street could seek a significant or full waiver of car parking, which can be supported given the location and available transport options. These issues would be dealt with at the planning permit stage. • The <i>Access and Movement Plan</i> and the <i>Height and Setback Plan</i> in DDO50 has been updated to label Wells Street and show the rear lane for the properties between Lambert and McKay Streets.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> In addition, the plan will also show the need for ground floor setbacks on the northern most section of the street. This acknowledges that setbacks are needed if vehicle access is proposed. <p><i>Burnley, Neptune and Stratford Streets (DDO44)</i></p> <ul style="list-style-type: none"> Neptune and Stratford Streets are relatively narrow streets, and future development may place undue strain on surrounding residential amenity if not managed appropriately. Currently there is an approved planning permit for 188-242 Burnley Street that has access to Neptune, Stratford and Burnley Streets. The permit includes a series of conditions on how each vehicle entry point will operate. Burnley Street is a main arterial road. Generally, the Department of Transport 's preference is for vehicle access to be directed to side roads and rear laneways. It is unlikely they would support the designation of Burnley Street as 'preferred vehicle access'. However, officers recommend adding further guidance in DDO44 that would encourage consideration of vehicle access from Burnley Street in consultation with the Department of Transport. This would allow for a similar approach to what has already been undertaken for the permit for 188-242 Burnley Street. <p><i>Officeworks Potential Pedestrian Link (566 Bridge Road – DDO44)</i></p> <ul style="list-style-type: none"> The exhibited DDO44 included reference to a potential pedestrian link between 566 Bridge Road and 59-62 Stawell Street. This would have connected through to a private/communal walkway in between apartments buildings on 59-62 Stawell Street. Given that the link would have provided access to private property, it is recommended that the proposed pedestrian link for the site be removed. <p><i>Hoddle, Little Hoddle, Regent Streets</i></p> <ul style="list-style-type: none"> Given Hoddle Street is a main arterial road and the Department of Transport's preference for vehicle access to be directed to side roads and rear laneways. It is unlikely they would support a preferred vehicle access from Hoddle Street in any planning controls. Little Hoddle Street will need to provide vehicle access to properties along Hoddle Street. Traffic engineers consider that the aspiration for Little Hoddle Street to be used for both vehicle access and as a shared space should be achievable. Officers also note one of the largest sites (67-87 Hoddle Street) along Little Hoddle Street has connections through to Regent Street and could achieve its access from there. If this were to occur, it would help reduce pressure place less strain on Little Hoddle Street. Officers note the narrow width of the laneway will rely on setbacks to enable vehicles to pass when driving in opposite directions. The draft DDO48 requires future development along on Little Hoddle Street to be set back 2m at the rear. This would increase the width of Little Hoddle Street incrementally over time to 6.5m. This will ensure that there is ability for vehicles to pass each as the area develops. In addition, the parking requirements identify locations for passing bays and other ground floor setbacks. Any future application would need to provide a Traffic Management Plan as part of their application. This would need to be reviewed and approved by both Council and VicRoads. Officers also note that the southern corner of Elizabeth Street and Hoddle Street there is a Public Acquisition Overlay (PAO) placed on the land. The PAO enables the Department of Transport to acquire land for intersection improvements, in the event the Elizabeth/Hoddle Street intersection is not operating adequately.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<p><u>Emergency vehicle access</u></p> <ul style="list-style-type: none"> This issue is outside the scope of draft Amendment C291yara. Access for emergency service vehicles was raised in VCAT hearing <i>Ciullo v Yarra CC</i> [2016] VCAT 912 for the development of a dwelling at the rear of 304-308 Queens Parade. Member Cook regarded objectors' concerns as "<i>overstated and unproven in the planning process.</i>" She noted the MFB guidelines sit outside the planning scheme and are administered by a specialist authority. She also noted that "there is a process by which consent could be given by the relevant authority even if the preferred parameters were not met." The MFB Guidelines set preferred parameters for emergency vehicle access; they are not mandatory requirements. If the sole access to a property is via a narrow laneway that is below the width preferred by the MFB, alternative fire safety arrangements are made during the building permit process. A lack of access for fire trucks in laneways is not a reason to prohibit development along Queens Parade. Fire safety is something that is looked at under the building regulations under "Essential Safety Measures". <p><u>Waste collection</u></p> <ul style="list-style-type: none"> This issue is outside the scope of Amendment C291yara. Typically access for waste collection is dealt at the planning permit stage where more specific details are provided. Clause 55.07 <i>Apartment Developments</i> has requirements relating to the management of waste collection services. An application must include a waste management plan (WMP) that is prepared to the satisfaction of the responsible authority (typically Council). The WMP must: <i>'protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.'</i>

13. Parking (on-site and on street parking)

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Provision of on-site parking (including visitor parking)</u></p> <ul style="list-style-type: none"> Diverse views were aired about on-site parking in new developments. Some commented that full parking provision in developments should be mandatory, while another submitted that no parking should be provided. Concerns about the potential lack of visitor parking were also raised. One submitter submitted to change the parking rate requirement to include car parking minimums. <p><u>Impacts on on-street parking</u></p>	<p>Recommended position:</p> <ul style="list-style-type: none"> No change is recommended to the amendment. This issue is outside the scope of this amendment. <p>Response and discussion:</p> <p><u>On-site parking (including visitor parking)</u></p> <ul style="list-style-type: none"> Traffic and car parking impacts for individual developments are assessed on a case by case basis and usually require car parking and traffic impact assessments to be submitted as part of the planning permit process. At a strategic level, access and movement is considered in the preparation of DDOs. However, the rate of on-site parking is outside the scope of the amendment and the Design and Development Overlay (DDO) cannot manage car parking rates within new developments. Car parking rates are prescribed within the Yarra Planning Scheme. Currently Clause 52.06 <i>Car Parking</i> sets the rate of on-site car parking for commercial and residential developments.

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<ul style="list-style-type: none"> • Submitters commented that on-street parking was already difficult, particularly in adjoining side streets. Additional development would only worsen the problem. • A number of submitters also commented on resident parking permits. 	<ul style="list-style-type: none"> • The State Government recently made changes to visitor parking requirements within multi-unit developments through Amendment VC148. This included the removal of the requirement to provide visitor parking in new developments. The rationale for this is that it <i>'supports sustainable development by reducing car parking requirements in established commercial areas and within walking distance of high-quality public transport'</i> (VC148 Explanatory Report). • Council is currently progressing Amendment C269yara which aims to update Yarra's Local Planning Policies. Clause 18.02 proposes policies on road systems, car parking and sustainable transport that are intended to reduce the impact of private vehicle traffic and secure a sustainable transport system. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> • The management of on-street parking is a matter for Council and is outside the planning process. Council manages on-street parking as an area changes. • Council has developed a policy for reviewing parking restriction and avenues on how to propose changes to current restrictions. For example, proposing greater levels of permit parking on-streets. Council's <i>Parking Restrictions Guidelines</i> outlined the process to request a review of on-street parking restrictions on their streets. • It is also noted that all new developments following 2003 are not entitled to on-street car parking permits.
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14. Public transport and cycling

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> • Several submissions argued that the amendment and its background report should include consideration of broader transport issues: <ul style="list-style-type: none"> - Capacity of public transport, noting current public transport services are close to maximum capacity when they reach Richmond / Abbotsford - Promotion of alternate modes such as improving bike infrastructure or share cars. - Capacity of current bicycle routes/paths will be placed under further pressure from increased residents. 	<p>Recommended position:</p> <ul style="list-style-type: none"> • No change is recommended to the amendment. This matter is outside the scope of this amendment. Council continually advocates for improved public transport services and pursues improvements to bicycle infrastructure. <p>Response and discussion:</p> <p><u>Public Transport</u></p> <ul style="list-style-type: none"> • The provision of public transport services is the responsibility of the state government and relevant state-level agencies. Public transport services cannot be increased through a planning scheme amendment. A DDO is not the correct tool to increase bicycle infrastructure. • Council will continue to advocate for more frequent public transport services as part of its ongoing discussions with Public Transport Victoria. Council frequently advocates State Government for improvements to infrastructure such as transport in areas where increased density is anticipated. • The amendment directs housing growth to an area that is well serviced by public transport, cycle routes, services and jobs. All land affected by the proposed amendment is included within the Principal Public Transport Network (PTTN). The Principal Public Transport Network reflects the routes where high-quality public transport services are or will be provided. <p><u>Bike paths / routes and bike parking</u></p> <ul style="list-style-type: none"> • Pressure placed on cycling routes is outside the scope of the amendment, as a DDO cannot address cycle paths and other infrastructure. • Yarra has an extensive network of on-road and off-road bicycle routes. Yarra has one of the highest rates of cycling of any Council area in Australia. Council is planning and building upon its extensive cycle network to facilitate greater

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<p>uptake of cycling in the community. Recent bike works in Richmond have included the Elizabeth Street protected bike lane.</p> <ul style="list-style-type: none"> The draft DDOs include guidance on the design of bicycle parking within the <i>Pedestrian and Bicycle Access</i> requirement: <i>Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.</i> Noting other parts of the Planning Scheme at Clause 52.34 address bike parking and facilities within developments in detail.

15. Environmentally sustainable development

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Considers the amendment will contradict City of Yarra's commitment towards a key objective of sustainable urban development. Submits that taller development on the northern properties will impact on heating from solar panels during winter months. Recommends rear setbacks that retain solar access for neighbours and deep soil for plantings. 	<p>Council position:</p> <ul style="list-style-type: none"> This issue is outside the scope of the draft amendment. There is a current project being pursued by Council to work towards addressing the issue. No change is recommended to the amendment. <p>Response and discussion:</p> <ul style="list-style-type: none"> An individual DDO is not the right tool to prescribe environmental sustainability standards that should apply equally across the municipality. Other parts of the Yarra Planning Scheme will ensure that new development is built in a more sustainable way, namely the Planning Policy Framework and Council's Environmentally Sustainable Design Policy at Clause 22.17. Developments are required to take account of all policy and provisions in the planning scheme. Environmentally sustainable design (ESD) requirements are addressed when a planning application is lodged. Typically, Council's Statutory Planning Unit engages Council's ESD advisor to be involved in medium to large scale planning applications right from the start of the project. This is to ensure development's demonstrate best practice in ESD performance. Yarra's Climate Emergency Plan (CEP) recognises the importance of reducing greenhouse gas (net carbon) emissions from buildings and transport. Through the CEP, Council has committed to targets and actions to achieve zero carbon buildings. In addition, Yarra City Council is working with other CASBE member councils to pursue a planning scheme amendment that builds on the existing local ESD Policies held by numerous Victorian Councils. The Elevating ESD Targets Planning Policy Amendment project aims to deliver revised and elevated ESD targets, including targets for zero carbon development. <p><u>Greening developments and deep soil for plantings</u></p> <ul style="list-style-type: none"> The proposed DDOs that development with a frontage to a 'Green Street – key pedestrian/cycle route' identified in the DDO 'should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation'. The Planning Scheme at Clauses 55.03-8 (Landscaping) and Clause 55.07-4 (Deep soil areas and canopy trees) addresses landscaping requirements and deep soil areas. Requirements are proposed to be updated in 2021 Guidelines.

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	<ul style="list-style-type: none"> Existing policy at 22.10 Built Form and Design Policy encourages landscaping and greening. Updated policy at Clause 15.01-2L Building design (proposed as part of Amendment C269 which updates local planning policy in the Yarra Planning Scheme) also encourages <i>'the planting of trees and vegetation to increase their canopies and coverage to contribute to an urban forest'</i> and facilitates <i>'landscaping (including planting in deep soil, planter boxes, green walls and green roofs)'</i>. There are number of other strategies that sit outside the planning scheme (namely the Urban Forest Strategy, Nature Strategy, Yarra Open Space Strategy) that work towards mitigating heat island effect by increasing street tree canopy, providing new open spaces and protecting existing trees.
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16. Impacts on shops and local traders

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Concerned about the economic viability of the centres</u></p> <ul style="list-style-type: none"> A number of submissions comments on the decline of the two centres, particularly Victoria Street. The loss of shops and restaurants and high levels of vacancies in the centres, even before COVID19, was commented on. <p><u>Impacts of redevelopment on fine grain shops and restaurants</u></p> <ul style="list-style-type: none"> Some submissions suggested that the economic viability of shops could be "severely" compromised due to increased development in Bridge Road and Victoria Street. Submitters were concerned that the exhibited 6m upper level setbacks in the shopping strip when coupled with narrow sites would result in small unviable spaces. A number of submissions sought the retention of the traditional narrow width of shops and restaurants and fine grain character. Some submissions wished to discourage large scale new shops at ground level. <p><u>Floor to floor heights</u></p> <ul style="list-style-type: none"> DDO requires that the ground floor is 4m high. This should also apply to the first floor. <p><u>Servicing of shops and restaurants</u></p>	<p>Council position:</p> <ul style="list-style-type: none"> In DDO41-50, include a new requirement under <i>Design Quality</i> which seeks to <i>'Ensure shopfront widths are not reduced to the extent they become commercially unviable.'</i> <p>Response and discussion:</p> <p><u>Economic viability of the centres</u></p> <ul style="list-style-type: none"> Council's Economic Development Team works closely with trader groups and business associations, to devise ways to promote Yarra's retail and services precincts, with the key goal of retaining existing businesses. The team also collects and presents data and insights into the retail mix of a street, so that prospective businesses can identify opportunities, as well as understanding how competitive a street may be. This information is also made available to all real estate agents, to help keep them informed when identifying spaces for businesses. Amendment C291 includes proposed under Clause 21.12 under <i>"Economic Development"</i> supports the fine grain retail, dining and commercial precincts in Precincts 1 and 2 in Bridge Road Activity Centre in Precincts 1 and 2 and in Precincts 2 and 4 in Victoria Street. However, the Planning Scheme can only support and encourage various land uses. It cannot influence retail mix or deal with economic issues such as vacancies. <p><u>Impacts of redevelopment on fine grain shops and restaurants</u></p> <ul style="list-style-type: none"> Submitters were concerned that the built form controls in Bridge Road and Victoria Street when coupled with narrow sites would result in small unviable spaces. This is not an issue the DDO can easily address. Any retail space that is reconfigured as a result of development will need to be commercially viable. It is not specifically a planning consideration but the commercial reality for developers is that their retail spaces must be viable in order for them to be sold/leased. A requirement was included in DDO16 which applies to Queens Parade around this issue. Officers propose the same is included in the DDOs for Bridge Road and Victoria Street. <p><u>Floor to floor heights</u></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Some submissions identified the need to retain adequate rear access to accommodate loading and storage. Noting other submitters expressed concerns about businesses using rear laneways. 	<ul style="list-style-type: none"> The DDOs require a minimum ground floor height of 4 metres for the ground floor only to facilitate commercial and retail uses. This approach is consistent with other recent Council DDOs such as Amendment C231yara – Queens Parade, Amendment C191yara – Swan Street and draft Amendment C293 – Collingwood South. Except where there are new floors should maintain the interfloor height of the heritage buildings, there is flexibility in terms of floor to floor heights above the ground floor. <p><u>Servicing of shops and restaurants</u></p> <ul style="list-style-type: none"> Rear vehicle access will still be available for traders. The amendment will not remove. Access to properties will be determined as part of individual planning permit applications.

17. Construction issues

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> A small number of submissions raised concern regarding the long-term impacts during the construction of new buildings. Raised issues such as noise, dust, street closures and disruption as a result of new construction. 	<p>Recommended position:</p> <ul style="list-style-type: none"> Outside the scope of this amendment. No change is recommended. <p>Response and discussion:</p> <ul style="list-style-type: none"> Amenity impacts generated by the construction process are beyond the scope of this amendment and cannot be addressed in a DDOs Planning permits associated with larger-scale projects are required to provide a Construction Management Plan (CMP) to ensure that the proposed construction methods are in accordance with the requirements set out by Council's Construction Unit. A CMP usually addresses: <ul style="list-style-type: none"> public safety, amenity and site security operating hours noise and vibration controls air and dust management stormwater and sediment control waste and materials reuse and traffic management. <p><u>Construction Noise</u></p> <ul style="list-style-type: none"> Officers acknowledge the proximity of some residents to potential future development sites and expect there to be some noise if construction were to occur. The State Environment Protection Policy – Control of noise from industry, commerce and trade No. 1 (SEPP N-1)'s purpose is <i>"to protect people from commercial, industrial or trade noise that may affect the beneficial uses made of noise-sensitive areas while recognizing the reality of the existing land use structure in the Metropolitan Region"</i>. Any future development will have to comply with the guidelines set out in this State Policy.

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18. Property values and compensation

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Some submissions questioned whether residents would be compensated for the loss of value on their property. Submitter suggested that new developments that would comply with the DDO would devalue their property. Questioned how the amendment would improve property values in Richmond 	<p>Recommended position:</p> <ul style="list-style-type: none"> Outside the scope of this amendment. No change is recommended. <p>Response and discussion:</p> <ul style="list-style-type: none"> The economic effects relevant to the Amendment stage are those of a broad community nature rather than of an individual kind. On this issue, the Panel considered Stonnington Planning Scheme Amendment C270 at page 24 of its report noted: <i>"This Panel maintains the consistent view adopted by other panels that broader community effects, rather than private economic effects such as impacts upon land values or the individual financial circumstances of the landowner, are of particular relevance at the Amendment stage. The Melbourne C207 Panel conclusions on social and economic effects maintained that these impacts relate to the broader community, rather than personal impacts. Review by the Supreme Court in Dustday Investments Pty Ltd v Minister for Planning [2015] VSC101 (Dustday) did not find that the Melbourne C207 Panel had erred."</i> The <i>Planning and Environment Act 1987</i> clearly sets out the matters which give rise to claims for compensation. The compensation provisions of Section 98 of the Act do not include compensation for the loss in property values.

19. Community consultation

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> A small number of submissions were critical of the exhibition process. Comments included: <ul style="list-style-type: none"> There was insufficient time to consider the material and make a submission. COVID limited the ability for community to meet and discuss the amendment. Felt left out of the process. The matter is complex and difficult to understand. 	<p>Council position:</p> <ul style="list-style-type: none"> Noted. No change is recommended however officers will continue to improve the quality of the information that is available when amendments are exhibited in the future. <p>Response and discussion:</p> <ul style="list-style-type: none"> Draft Amendment C291 was considered at the Council Meeting on 20 April 2021, where Council resolved to request the Minister for Planning refer C291yara to an advisory committee. Terms of Reference for the Yarra Activity Centre Standing Advisory Committee sets out the process that Draft Amendment C291yara must follow. In line with the Terms of Reference, consent to prepare and exhibit a draft amendment for Bridge Road and Victoria Street (the first step in the process) was requested and obtained prior to exhibition.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> - The formal process and technical nature of the amendment makes it difficult for non-English speakers to participate. • Some submissions questioned the process and expressed concern that the community had not been involved in preparing built form recommendations. • A submitter expressed concerns that the interim DDOs were approved by the Minister for Planning with no consultation with landowners, and no independent review by a Panel. • Some submitters requested a site visit with officers to discuss the issues. 	<ul style="list-style-type: none"> • While Draft Amendment C291yara is not a formal amendment process under the <i>Planning and Environment Act 1987</i>, the exhibition process for the draft amendment mirrors key stages in the Act. • The formal exhibition period was from 14 September to 27 October 2021 (six weeks). An extension of a week was provided to members of the public who contacted officers and asked for one. The <i>Planning and Environment Act</i> at section 19 (4) (b) states an amendment must be exhibited for at least a month. • Council sent around 20,000 letters to landowners and occupiers in the DDO boundary and within 200m of land within the DDO41-50 boundary, including owners and occupiers in the City of Melbourne. (NOTE – 3,000 owners and occupiers, south of Bridge Road, between Coppin Street and the Yarra River were renotified during the process to clarify an error in a map which was included in the original notice.) • Emails and letters were sent to a range of community and other interest groups, neighbouring councils, government agencies and Prescribed Ministers to notify of the amendment and how to make a submission. Posts were also made to social media and other e-newsletters. • Comprehensive information on the amendment and Standing Advisory Committee was provided on tailored webpages. The webpages contained the formal amendment documents and background reports, thirteen informal information sheets to describe the proposals in non-statutory language, an interactive map to help search addresses, Frequently Asked Questions and contact details and information on how to make a submission. A separate webpage for provided for each Precinct/DDO. <p><u>Covid-19 Pandemic</u></p> <ul style="list-style-type: none"> • The Covid-19 pandemic limited ability of movement and socialisation, however, every effort was made to support the consultation process with the community. • In April 2020, changes were made to the <i>Planning and Environment Act 1987</i> to address planning processes affected by coronavirus (COVID-19) public health restrictions. The changes relate to consultation processes affected by social distancing requirements and the closure of state and local government offices to the public. • The changes meant that planning documents that were previously required to be physically available to view at state and local government offices are only required to be available for online inspection. This includes copies of planning scheme amendments and submissions and planning permit applications and objections. • All amendment material was made available on-line. While Council offices and Town Halls were closed throughout the exhibition period, paper copies or other ways of accessing the material could be made available. Council officers were available to answer. Officers received over 45 phone calls about the amendment and attended 6 (six) online meetings to discuss the amendment, one with a community group (Regent Street residents). • The on-line amendment material, social media and other posts were developed using plain English and residents were informed. For example, there were 3,450 views of C291 and the individual DDO pages. (2,736 were unique views). There were 500 views of the interactive map during the exhibition period. • During exhibition some submitters invited officers to visit their street / location. Officers were unable to make site visits due to COVID restrictions but have sought to ensure they are familiar with the areas of concern. <p><u>Lack of community involvement</u></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> The interim DDOs were approved by the Minister for Planning via a Ministerial amendment (via Clause 20(4) of the <i>Planning and Environment Act 1987</i>). Wider consultation has not been possible during the development of a proposed amendment given tight timeframes driven by the lapsing of the interim DDOs. A small number of landowners and residents have contacted officers during the operation of the interim provisions, identifying gaps / issues. This feedback was provided to the consultants reviewing the interim provisions. The exhibition of draft Amendment C291 is the opportunity for the community to have a say on the draft amendment. <p><u>Further opportunity to be involved in the process</u></p> <ul style="list-style-type: none"> Anyone who has made a submission to the Amendment will be have the opportunity to present their submission to the independent Standing Advisory Committee (SAC) which will consider the amendment. <p><u>Hard to reach groups</u></p> <ul style="list-style-type: none"> Amendments of this nature are complex and so the material provided included a lot of detail. Planning officers worked with Council's communications team to ensure the material was presented in plain English. A number of Information Sheets and Frequently Asked Questions (FAQs) were included on the webpage to help explain the process, some of the technical terms and what the amendment does. The consultation material included numbers to call for translations. Translated material in five languages was also available focusing on Victoria Street. The comprehensive nature of the submissions received would indicate that the vast majority of people had a reasonable understanding of what was being proposed.

20. Transitional provisions

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> Transitional provisions should be included for planning permits issued prior to the gazettal of the Amendment. They should be inserted to exempt or safeguard existing planning permits or 'live' planning applications from the proposed permanent controls. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change to the amendment is recommended. Transitional provisions have not been applied in other Yarra amendments which implement DDOs. <p>Response and discussion:</p> <ul style="list-style-type: none"> It is not proposed to apply transitional provisions to the DDOs. They have not been applied in Council's other recent amendments to implement DDOs. The interim DDOs have been in the Yarra Planning Scheme since November 2018.

21. Drafting issues

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Exemptions to Buildings and works</u></p> <ul style="list-style-type: none"> Queries the provisions in Clause 2.0 of the DDOs which appear to provide for inappropriate works to be able to be carried out without planning consideration. Such as ground floor extensions or potential reduction of windows or changes to shopfronts. <p><u>Reference to works - Building height and Street wall and Setback Requirements</u></p> <ul style="list-style-type: none"> Remove the word 'works' in Clauses reading 'A permit should only be granted to construct a building or construct or carry out works.' This is because the definition of works in the Scheme does not relate to buildings. Works is basically defined as changes to natural topography of the ground, so it is difficult to see how changes to the natural topography of the ground in the precinct is likely to cause an impact building heights and street wall setbacks which relate to built form. <p><u>Clarify the term 'Residentially zoned properties'</u></p> <ul style="list-style-type: none"> The term 'residentially zoned properties' should be further defined (as per the interim control) that it does not include land within the Mixed Use Zone. <p><u>Overshadowing requirements</u></p> <ul style="list-style-type: none"> Overshadowing requirements are inconsistent. One requirement refers to 'additional overshadowing' and the other doesn't. Reformat overshadowing requirements into a table to aid with readability. <p><u>Corner splays - Street Wall Requirements</u></p> <ul style="list-style-type: none"> Submits the following points contradict <ul style="list-style-type: none"> <i>a corner splay at minimum of 1 x 1 metre along the site's corner boundaries.'</i> <i>'Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any</i> 	<p>Recommended position:</p> <ul style="list-style-type: none"> The following changes to the provisions are recommended: <ul style="list-style-type: none"> <i>Overshadowing requirement</i> – The format of this section has changed to enhance readability and the term 'additional overshadowing' has been added where appropriate. <i>Street Wall Requirement</i> – The requirement for a splay has been clarified to ensure it applies to the primary frontage and any side street rather than laneways. A requirement in the Vehicle Access Requirements addresses splays required for access. It is proposed to read: <ul style="list-style-type: none"> <i>a corner splay at minimum of 1 x 1 metre at the sites of the site's primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.</i> <i>Design Quality Requirements</i> – The requirement for blank walls has been edited to remove the reference to permanent and temporarily visible. The intent of the requirement has been made clearer. It is proposed to read: <ul style="list-style-type: none"> <i>Development should avoid blank walls visible permanently or temporarily from the public realm. Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.</i> <i>Reference documents</i> – Reference documents have been deleted to comply with Ministerial Direction on 'Form and Content'. The built form and heritage reports are already listed in <i>Clause 21.11 – Reference Documents</i>. <p>Response and discussion:</p> <p><u>Exemptions to Buildings and works</u></p> <ul style="list-style-type: none"> Noted. The change is not supported. Any exemption under a DDO only applies to that schedule of the DDO. Permit triggers under a zone, Heritage Overlay or even another DDO if one applied would continue to apply. It is also noted that where a property is in a Heritage Overlay, a permit trigger would also be triggered for any proposed demolition works. <p><u>Reference to works - Building height and Street wall and Setback Requirements</u></p> <ul style="list-style-type: none"> Noted. This change is not supported. Works are intrinsically related to buildings because as you need to undertake works in order to construct a building. Removal of works would mean the clause differs from others in the Yarra Planning Scheme. <p><u>Clarify the term 'Residentially zoned properties'</u></p> <ul style="list-style-type: none"> The interim DDOs use the term residentially zoned land in several places. However, it is only defined as excluding the Mixed Use Zone in relation to residential interfaces where it states: <i>'Buildings must be set back from residentially zoned land (excluding Mixed Use Zone) as shown in Figure 1.'</i> <p><u>Overshadowing requirements</u></p> <ul style="list-style-type: none"> Overshadowing requirements where applicable have been made consistent and where referring to 'Green Streets' and public open space refer to 'additional overshadowing'. The readability of this section has been improved through the use of a table. In some cases, the table has not been seen as necessary. <p><u>Corner splays - Street Wall Requirements</u></p>

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><i>alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.'</i></p> <p><u>Replace 'good' with reasonable - Building Separation & Design Quality Requirements</u></p> <ul style="list-style-type: none"> In the following requirements: <ul style="list-style-type: none"> <i>'Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.'</i> <i>Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, reasonable daylight and views to the sky above the street wall.</i> The word 'good' should be replaced with 'reasonable' so the site context and planning controls can be considered. <p><u>Visual bulk and vehicle access - Interface to residential properties in NRZ or GRZ requirements</u></p> <ul style="list-style-type: none"> In the requirement: <ul style="list-style-type: none"> <i>Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.</i> 'Visual bulk' should be removed as it is a subjective measure. 'Vehicle accesses should be removed from this requirement as creates a direct conflict of interest between residential amenity and the mandate of DDO41. <p><u>Blank walls - Design Quality Requirements</u></p> <ul style="list-style-type: none"> In the requirement <i>'Development should avoid blank walls visible from the public realm'</i> the reference to 'temporary' should be clarified or removed. This has the implication of creating additional requirements for construction hoarding when being considered as part of the development application. 	<ul style="list-style-type: none"> Noted. The requirement in Street Wall Requirements has been rewritten to ensure it refers to the corner formed by the primary and secondary frontage and explicitly excludes the corners to laneways. Laneways would be addressed through the Vehicle Access Requirements. <p><u>Replace 'good' with reasonable - Building Separation & Design Quality Requirements</u></p> <ul style="list-style-type: none"> Noted. This change is not supported. The use of the term 'good' is consistent with other Yarra DDOs, for example the DDOs adopted for Swan Street in Amendment C191yara. Retaining high levels of amenity is an important element of the amendment. <p><u>Visual bulk and vehicle access - Interface to residential properties in NRZ or GRZ requirements</u></p> <ul style="list-style-type: none"> Visual bulk is a term which is used in many DDOs and planning policies where it is not specifically defined. It is an issue that should be considered in developments. The change is not supported. The comment that laneways are identified in the DDOs as preferred locations for vehicle access is noted. However, while some amenity impacts from cars using laneways and small streets is inevitable, issues such as light spillage and noise should be minimised where possible. The changes are not supported. <p><u>Blank walls - Design Quality Requirements</u></p> <ul style="list-style-type: none"> The removal of the terms 'permanently and temporarily' from the requirement is supported. Additional wording is proposed to be added to the requirement to be clear about the outcome sought i.e. all visible facades should detailed and avoid blank walls. <p><u>Maps</u></p> <ul style="list-style-type: none"> Comments on the maps are noted. Some changes are proposed to individual maps to improve readability. For example, in DDO41 and additional landmarks map has been created. <p><u>Reference documents</u></p> <ul style="list-style-type: none"> The change is supported. Reference documents are proposed deleted in all DDOs to comply with Ministerial Direction on 'Form and Content'. The built form and heritage reports are already listed in <i>Clause 21.11 – Reference Documents</i>. <p><u>Other issues</u></p> <ul style="list-style-type: none"> Additional issues are noted but no changes are proposed to the amendment.

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SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Maps</u></p> <ul style="list-style-type: none"> The maps / plans with the DDO schedules do not comply with the Ministerial Direction on Form and Content. Comments that the Plan 1 Heights and Interfaces in DDO41 is hard to read. Commented on the readability of setbacks on the maps. <p><u>Reference Documents</u></p> <ul style="list-style-type: none"> Remove reference documents from the DDOs. This does not comply with the Ministerial Direction on Form and Content. <p><u>Other issues</u></p> <ul style="list-style-type: none"> Numbering of clauses was also raised. The submitter commented that it did not comply with the Ministerial Direction on Form and Content. A further comment was made that some requirements should be relocated to planning policy. 	

22. Clause 21.12 – Local Areas

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<p><u>Format of Clause 21.12</u></p> <ul style="list-style-type: none"> Clause 21.12-2 does not conform with the format for policy requirements as the proposed structure as it does not satisfy the requirements in Annexure 3 of the Direction (Form and Content of Planning Schemes). <p><u>Bridge Road Activity Centre</u></p> <p><i>Vision</i></p> <ul style="list-style-type: none"> Suggests that the definition of midrise used through Clause 21.12 are unclear which may unreasonably and inappropriately limit the development potential of the site. <p><i>Economic development</i></p>	<p>Recommended position:</p> <ul style="list-style-type: none"> The following changes are proposed to Clause 21.12: <ul style="list-style-type: none"> Delete the clause numbers Update the centre maps to show the activity centre boundaries in the legend and 'Green Streets'. Reference the Precinct names as well as numbers throughout the policy. Amend the following policies to read: <ul style="list-style-type: none"> Support Precinct 1 - Bridge Road West and Precinct 2 - Bridge Road South as fine grain retail, dining and commercial precincts, <u>particularly where properties front Bridge Road and Church Street</u>. Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor, <u>particularly in Commercial 1 zoned land</u>. Maintain daylight and sunlight to the southern footpath of Bridge Road, identified 'Green streets' - key pedestrian/cycle routes <u>(as identified in Figure 1)</u> and public spaces <u>at Alexander Reserve</u>.

Attachment 2 - C291yara - Combined centre-wide responses - Attachment 2

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
<ul style="list-style-type: none"> The statements under Economic development should acknowledge not all of Precinct 1 is abutting Bridge Road (not all of Precinct 1 should have a focus for healthcare, retail, dining or commercial activities) 'Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor' assumes Precinct 1 only has lots facing Bridge Road (i.e. directing residential land uses to the upper floors where ground level residential uses would be acceptable on Hull Street, for example). <p><i>Built form and heritage</i></p> <ul style="list-style-type: none"> The "key view lines" identified in the last dot point are not defined. It is suggested this to be tied to the view lines shown in the DDOs. <p><i>Public realm</i></p> <ul style="list-style-type: none"> References to footpaths, Green streets and public open space & pedestrian links should link to the corresponding elements in the DDOs. <p><u>Victoria Street</u></p> <p><i>Public realm</i></p> <ul style="list-style-type: none"> References to footpaths, Green streets and public open space & pedestrian links should link to the corresponding elements in the DDOs. <p><u>Bridge Road and Victoria Street</u></p> <p><i>Maps</i></p> <ul style="list-style-type: none"> Add the activity centre boundaries to the key <p><i>Built form and heritage, Access and Movement and Public realm</i></p> <ul style="list-style-type: none"> Clause 21.12 should include a requirement for integration of cycle facilities into the built form, access and movement and public realm sections of the preferred future character policy to reinforce the DDO's. 	<ul style="list-style-type: none"> Maintain daylight and sunlight to the southern side of Victoria Street, and identified 'Green streets' - key pedestrian/cycle routes (shown in Figure 2) and public spaces at Butler Street Reserve and Victoria Street Gateway Reserve. Facilitate safe and accessible cycle routes within / through the centre ensuring they are integrated into the design of the public realm and any development. <p>Response and discussion:</p> <ul style="list-style-type: none"> Draft Amendment C291yara inserts new policy on both Victoria Street and Bridge Road Activity Centres in the Local Area Policy at Clause 21.12. This includes Preferred Future Character Statements and policy covering built form and heritage, access and movement and public realm. <p><u>Translation to Clause 11.03-1L</u></p> <ul style="list-style-type: none"> A condition of the consent from DELWP to publicly notify draft Amendment C291yara was that the policy at Clause 21.12 was translated into the new policy format. Officers have translated the policy into the version proposed in Amendment C269yara which is rewriting local policies in the Planning Scheme and has been recently been considered by an independent planning panel. The translation of the policy into the new format has meant the deletion of the context and vision. Duplication has also been removed and the preferred character statements have been converted into policy. A translation of the policy into Clause 11.03-1L is at Attachment 5. It includes the proposed changes to Clause 21.12. <p><u>Format of Clause 21.12</u></p> <ul style="list-style-type: none"> Format of the Bridge Road and Victoria Street Activity Centres generally follows the existing format of Clause 21.12 Johnston Street Activity Centre. However, the Sub- Clause numbers will be deleted. <p><u>Bridge Road Activity Centre</u></p> <p><i>Vision</i></p> <ul style="list-style-type: none"> The change is not supported. Policy and the DDOs define what are meant by mid-rise in the context of Bridge Road and Victoria Street. <p><i>Economic development</i></p> <ul style="list-style-type: none"> Agree with submission. Policy will be amended to make clear that not all of Precinct 1 should have a focus for healthcare, retail, dining or commercial activities. The policy would be amended to refer particularly to Bridge Road and Church Street. Likewise, the policy which seeks to <i>Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor</i>. Will be amended to focus on Commercial 1 Zones. <p><u>Built form and heritage</u></p>

Attachment 2 - C291yara - Combined centre-wide responses - Attachment 2

SUMMARY OF ISSUES RAISED	RESPONSE AND RECOMMENDED POSITION
	<ul style="list-style-type: none"> Generally, support submission in views to landmarks, the policy will be edited to be clearer that it seeks to protect identified primary views. <p><u>Bridge Road and Victoria Street</u></p> <p><i>Public realm</i></p> <ul style="list-style-type: none"> It is not considered that the policy needs to directly link to the DDO however edits to the text and maps are proposed to clearly identify the footpaths, Green streets and public open space. The names of the precincts however have been added to the text to help provide the link to the DDOs. <p><i>Maps</i></p> <ul style="list-style-type: none"> The activity centre boundary (red dash) which is shown on the map has been added to the map legend. Green streets have been added in both maps. <p><i>Cycling facilities and infrastructure</i></p> <ul style="list-style-type: none"> A policy is proposed to be added to Access and Movement in Bridge Road and Victoria Street acknowledging the importance of bike routes and the need to ensure buildings and the public realm in these centres are designed taking them into account. It is not considered necessary to repeat the issue in multiple sections.

Attachment 3 - C291yara - Response to individual Submissions - Attachment 3

Attachment 3

Draft Amendment C291yara Summary of individual submissions and response

The following table provides a summary of the individual submissions received to Amendment C291yara.

To comply with the requirements of the Planning and Environment Act 1987 and Privacy and Data Protection Act 2014 (PDP Act) Council has removed all personal information regarding a submitter (including their name) from the table below because this table will be published online as part of the Council report. Submitters can contact a strategic planning officer to find out their particular submission number if necessary.

Individual Responses:

SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
1	Resident DDO41 – Bridge Road West Moorhouse Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular the height to 23-29 Bridge Road. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Appreciates the need for future developments to accommodate Richmond's ongoing growth Submits that the maximum height of 21m is too high as it will block the sky when looking out of their south windows. Requests that this maximum height be decreased to 15m, in line with the buildings on the other side of the road. Notes a number of residents objected to the height of this building (which was proposed to be 10 storeys at the time, and with the original application approved at 6 storeys post VCAT mediation). Suggests the community also does not agree with the maximum building height of 21m. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes that the preferred access to 23 Bridge Rd is via the laneway. A tall building will mean more apartments and more people will use the laneway. This will be disruptive as it will result in an increase of noise from cars exiting and entering, as well as increased light entering their home from the car headlights at night. <p><u>Planning Applications</u></p> <ul style="list-style-type: none"> Requests an update on the development's amendment application, including sharing approved plans (if any). 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Proposed DDO41 retains the proposed height of 21m for property at 23-29 Bridge Road from interim DDO21. The rear interface requirements help to address the scale of development from residential development on the northern side of the laneways. The appropriateness of the height was considered as part of the amendment. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Planning Applications</u></p> <ul style="list-style-type: none"> This matter is outside the scope of this amendment. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
2	Resident – No specific reference to DDOs	<p><u>Clause 21.12</u></p> <ul style="list-style-type: none"> Notes that Clause 21.12 includes reference to vehicle and pedestrian access, movements and associated built form and public realm implications in the preferred future character. However, there is little reference to cycle lanes/ routes/ cycle parking facilities. Notes there are many cyclists in this area and often conflicts between pedestrians, vehicles and bikes with bikes parked along the Bridge Road and Victoria Street footpaths. Acknowledges that whilst the DDOs include some references to end of trip facilities close to green routes. 	<p><u>Clause 21.12</u></p> <ul style="list-style-type: none"> See section 14 - <i>Public transport and cycling</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

Attachment 3 - C291yara - Response to individual Submissions - Attachment 3

SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Recommends Clause 21.12 includes a requirement for integration of cycle facilities into the built form, access and movement and public realm sections of the preferred future character policy to reinforce the DDO's. 	
3	Resident - DDO50 -Victoria Street, East End, Wells Street, Richmond	<p><u>Maps in DDO50</u></p> <ul style="list-style-type: none"> Identifies that Wells Street is not listed as a residential street on the proposal – see highlights/circled area on the access and height plan of DDO50 which the submitter has attached. It shows that Wells Street is not labelled on either map. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Proposal shows 21m mandatory height limit along Victoria Street with access via Wells Street. Wells Street is within a Heritage Overlay. It is a very narrow street - only 4.2m. Notes there is no parking allowed in the street and even though it is two way. It is not possible for two cars to pass one another in the street. Notes the proposal to have entry to any development along Victoria Street in this section shows they would have to use Wells Street to access the rear of the property. There are six commercial buildings that have rear access via the laneway at the end of Wells Street. Concerned about commercial traffic, delivery vans and rubbish trucks. The residents have already complained to the Council about noise and access issues with the current level of non-residential cars. Cannot imagine what it would be like with apartment blocks to 21m and the increase of traffic. <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> Notes that one of the primary design objectives is: <i>To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.</i> Suggests this proposal will severely impact the residents' access to their properties and most certainly have an impact of visual bulk, overshadowing and potential overlooking of private open spaces and occupied house windows. Highlights the impacts on Numbers 2 & 3 Wells Street which have borders with the 4.5m laneway at the end of Wells Street. 	<p><u>Maps in DDO50</u></p> <ul style="list-style-type: none"> Noted - The Access and Movement Plan and Height Plan in DDO50 have been edited to identify Wells Street. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 2 – <i>Application of Mandatory controls</i> response. Note: <i>Laneways and Traffic</i> provides a specific response to Wells Street. <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on Residential Amenity</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> Plans 1 and 2 in DDO50 have been updated to show Wells Street.
	Resident - DDO50 -Victoria Street, East End, Wells Street Richmond	<p><u>Traffic</u></p> <ul style="list-style-type: none"> Wells Street is very narrow (4.2m wide). Notes there are 6 private residential houses who have off street parking that requires them to reverse in and out of the street and negotiate timings with garbage trucks and delivery trucks as two cars cannot pass one another in the street. Submits that a future development at 61 Baker Street will add a further 4 cars to navigate. Notes the Traffic Engineering Assessment: <ul style="list-style-type: none"> Suggests two-way traffic requires a width of at least 5.5m between kerbs/carriage ways or 6.1m between building walls. Proposes that Wells St becomes one-way between Baker Street and the laneway beside their house (5 Wells Street). All traffic after that would still need to negotiate two way traffic in a 4.2m wide street with 4 out of 5 houses and their driveways which obviously does not meet the minimum width. To exit Wells Street the proposal is to redirect traffic down the laneway beside 5 Wells Street and into MacKay Street. 	<p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note: Wells Street is specifically addressed in the Traffic response. <p><u>Building heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Consultation</u></p> <ul style="list-style-type: none"> See section 19 <i>Community consultation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

Attachment 3 - C291yara - Response to individual Submissions - Attachment 3

SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> The laneway beside 5 Wells Street is only 4.1m wide and reduces to 3m wide halfway along. This would be an extremely tight turn both into the laneway and out into McKay Street. Seriously concerned for the amount of traffic that would need to negotiate not just Wells Street but also the safety of their house as every vehicle (both private and commercial) would have to use this laneway. Notes the corner of Wells Street and the laneway beside 5 Wells Street does not have room to make a splay to allow traffic to turn this tight corner. Notes the recommendations in the Traffic Report proposing one-ways and redirection of traffic does not appear in the Draft Amendment C291yara. Questions if this mean that this proposal is not accepted? Supports this omission. Still concerned that Wells Street cannot cope with a large increase in traffic. Developments along Victoria Street in this section should have access via Victoria Street only. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Highlights a discrepancy about the height of the proposed developments. Notes the height limits along Victoria Street to the north of Eureka Street have been limited to 18m "to ensure sunlight access is provided to yards of residential properties on Eureka Street". Suggests this should also be considered for Wells Street - especially for properties 2 & 3 that abut the rear laneway. <p><u>Consultation</u></p> <ul style="list-style-type: none"> Suggests officers come out to Wells Street for a site visit to get a real perspective of their precious little street and the impact Victoria Street developments could have. 	
4	Resident- DDO40 – Bridge Road East Victoria Street, East End, Park Avenue Richmond	<p><u>Gateway to Richmond</u></p> <ul style="list-style-type: none"> Notes that a Gateways to Richmond has been discussed as places that need special consideration. <ul style="list-style-type: none"> Refers to the major art project at Victoria Street/Hoddle Street and park with sculpture at Bridge Road/Hoddle Street as examples. Both were developed to welcome people to Richmond and create a sense of place and pride. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Suggests 644-660 Bridge Road will become an island of high rise that will not readily articulate with the rest of Bridge Road due to the low rise of the "Richmond Racetrack" area that abuts it to the west. Recommends that small part of Bridge Road be kept to three levels except for 660 Bridge Road to be kept at ground level with current 3m road setback to Bridge Road. (It is two levels to the rear already). For the following reasons: <ul style="list-style-type: none"> To make it visually friendly gateway. To honour the O'Connell Park, The Boulevard exit and the Yarra River. To honour the Richmond racetrack development by not boxing it in. To avoid creating an island of highrise away from the rest of Bridge Road. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> References an attached a shadow diagram showing 11am and 2pm on 22nd of September. <ul style="list-style-type: none"> Notes the detrimental effects of a 18m height limit will have on their property and the six other residences along the laneway (References Diagram 1 in their submission which is of 2 Park Avenue Shadow Diagram drawn by the submitter) Suggests another option with same rear offsets but to a maximum height limit of 15m. (Diagram2 which is of the submitter's preferred option of building heights reflected in a shadow diagram drawn by the submitter) <ul style="list-style-type: none"> Notes this is only a difference of one floor. 	<p><u>Gateway to Richmond</u></p> <ul style="list-style-type: none"> This matter is outside the scope of the amendment. <p><u>Building heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on Residential amenity</i> response. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Environmentally Sustainable Development</u></p> <ul style="list-style-type: none"> See section 15 - <i>Environmentally sustainable development</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

Attachment 3 - C291yara - Response to individual Submissions - Attachment 3

SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Notes the existing offices, shop and pub that this area covers are predominantly 2 storeys at present. Notes this would still see a huge increase from two storeys to five storeys. Notes that at the time that 660 Bridge Road was extended, there was discussion about setbacks and height limits as it is the first building seen as you enter the city of Yarra. Notes it was decided single storey at street level was key, and to keep the approx. 3m setback at the front. It is now nicely hidden behind a garden bed as you exit Yarra Boulevard. References Photo 2 in Submission (which shows 660 Bridge Road - the corner of Yarra Boulevard and Bridge Road – submitter refers to blue sky above the building) Questions where is the consideration for 660 Bridge Road? Suggests an overwhelming façade to the gateway to Richmond coming from the river does not respect this position. Or respect the park directly over Bridge Road. Notes O'Connell reserve creates a natural setback from the river that residents use. Neither does it respect Richmond's main attractions, the Yarra river, and tourist drive - Yarra Boulevard. <p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Questions who is this design change for? It is not for the residents. What is the holistic story of this design, ie what exactly is Council trying to turn Bridge Road into? <p><u>Environmentally Sustainable Development</u></p> <ul style="list-style-type: none"> Is this new design promoting the “green” and caring credentials of the City of Yarra? 	
5	Owner Occupier - DDO45 – Bridge Road East North, River Street Richmond	<ul style="list-style-type: none"> Opposes DDO45 Bridge Road East North. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes car reliance still remains high in the Bridge Road area and surrounds. The traffic engineering assessment by Traffix Group does not indicate any reduction in statutory parking ratios. Identifies the proposed plans mention redirecting traffic away from Bridge Road and Victoria Street, but do not provide any concrete plans about keeping car numbers low. Appreciates the idea to introduce more commercial areas to Bridge Road East North but does not want more cars in the area creating congestion. Suggests it is not sufficient to only redirect traffic away from Bridge Road, but there needs to be considerations to keep Palmer Street and Murphy Street congestion free as well. Suggests traffic congestion does not only impact drivers, but it also impacts trams on Bridge Road as they share the road. <p><u>Parking</u></p> <ul style="list-style-type: none"> Does not want more cars taking up existing street parking in the neighbourhood. Suggests there needs to be plans limiting car parks in the new development, with more focus on encouraging use of public transport to reach the area. 	<p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Parking – On-street and off-street</u></p> <ul style="list-style-type: none"> See section 13 <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
6	Resident- DDO50 - Victoria Street, East End, Wells Street Richmond	<ul style="list-style-type: none"> Objects to the proposed development of the east end of Victoria Street. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Wells Street is a small cul de sac backing onto the shops in Victoria Street. The street is a quiet little community with a heritage character. Highlights this fact was upheld by a VCAT decision ten years ago prohibiting a development which would have destroyed the unique character of the area. 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. The key task of C291yara is to implement permanent built form provisions for Bridge Road and Victoria Street. The amendment does not propose any changes to other overlays or zones in the Planning Scheme.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Values the Heritage Overlay that assisted in keeping the street as it is. Strongly opposes any initiative to remove it. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes Wells Street is not marked on the plans showing the proposal. As a small street it is vulnerable to being repurposed as a driveway into underground car parks for the six storey building the plans will permit. States is totally unacceptable as the submitter states they are in negotiation with the council to end the commercial deliveries to the shops via Wells Street. Additional traffic would completely ruin the residential attraction of the area. Alarmed that traffic engineering assessment suggests the laneway beside Wells Street be used as an exit to Baker Street. The idea of the many large vehicles that use their street negotiating that narrow turn right at their front doorstep is extremely unrealistic. The laneway is very narrow and McKay Street is always densely parked so it takes a lot of manoeuvring to get out of the lane at the other end. Submits continuous noise and structural damage to properties and vehicles at both ends of the lane is not hard to imagine. <p><u>Building Height</u></p> <ul style="list-style-type: none"> Objects to buildings of six storeys being permitted along Victoria Street. Amenity impacts – Overshadowing and privacy Suggests such development would block out northern sun and diminish the light to the house and garden. New buildings would no doubt overlook their property, be visually displeasing and compromise their privacy. <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> Supports the goal of the proposal: <ul style="list-style-type: none"> To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts Questions whether that the plans as proposed will deliver that outcome to the residents of Wells Street. <p><u>Consultation</u></p> <ul style="list-style-type: none"> Notes the residents of Wells Street have discussed this proposal together and would be very happy to discuss it with you further at a site visit. 	<p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note: Wells Street is specifically addressed in the Traffic response. <p><u>Building heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building heights</i> response. <p><u>Amenity impacts</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Consultation</u></p> <ul style="list-style-type: none"> See section 18 - <i>Consultation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
7	Land Owner- DDO42 - Bridge Road South , Coppin Street Richmond	<p><u>Heritage</u></p> <ul style="list-style-type: none"> Supports the protection of heritage buildings as well as the height restrictions. Questions the two statements on the website for DDO42 – Bridge Road South: <ul style="list-style-type: none"> In DDO42, a maximum mandatory height of 5 storeys applies to ensure new development maintains the prominence of heritage buildings. Under DDO42, the heritage streetscape / street wall must be retained. Any new buildings should match the height of the Victorian buildings and should be between two and three storeys. Seeks clarification when a height limit of 5 storeys is applied vs the requirement to match the height of the Victorian buildings and therefore should be between two and three storeys. 	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> and section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
8	Resident - DDO50 - Victoria Street, East End, Wells Street Richmond	<p><u>Amenity impacts</u></p> <ul style="list-style-type: none"> Extremely concerned of the impact the potential development of Victoria Street would have on their standard of living. Considering one of the primary design objectives is: <ul style="list-style-type: none"> <i>"To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts."</i> <i>"to ensure sunlight access is provided to yards of residential properties"</i>. Submits this certainly wouldn't be the case for their property and not to be able to look out of their many windows and see an expanse of sky would affect our mental health. What attracted them to live in Wells Street over 30 years ago was the privacy of their substantial (for inner suburbs) north facing garden. Notes the through road ends at their house adding to their treasured unique peaceful living. Notes Council decided Wells Street should have a Heritage Overlay which seems to contradict with this future vision. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Submits Wells Street has traffic problems already because of the increased, despite being illegal, delivery vans to the Victoria Street commercial properties that back onto the laneway at the north end of Wells Street. Notes their pavement is barely wide enough for the rubbish bins. Has not seen pedestrians trying to walk along them. Questions safety issues if pedestrian traffic increases. Suggests that vehicles making a 90-degree left turn into the laneway alongside 5 Wells Street to exit the street is unrealistic and impractical. Despite the inevitable structural damage that would happen to the two dwellings that are built to the boundary, many vehicles are too long to be able to make this turn. Notes medium size commercial vehicles have to reverse up and down the street as they are unable to make right angle turns at the end laneway back into Wells Street. <p><u>Consultation</u></p> <ul style="list-style-type: none"> Requests having an opportunity to discuss these issues further at a public hearing and maybe a meeting on site beforehand could minimise some of the proposed recommendations. 	<p><u>Amenity impacts</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. Note: Wells Street is specifically addressed in the Traffic response. <p><u>Consultation</u></p> <ul style="list-style-type: none"> See section 19 - <i>Community consultation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
9	Resident- DDO50 - Victoria Street, East End, Baker Street Richmond	<ul style="list-style-type: none"> Vehemently object to the proposals of development for the East end of Victoria Street. <p><u>Building Heights and amenity</u></p> <ul style="list-style-type: none"> The proposed 21 metre height envelope on the south side of Victoria Street significantly impacts the amenity of residential properties along Baker Street and Wells Street resulting in: <ul style="list-style-type: none"> significantly reduced access to low winter light and sun providing thermal warmth; increased energy costs to provide heat during winter; and increasing environmental impact to compensate for the loss of natural thermal energy for properties along Wells Street and Baker Street. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Concerned about increased traffic and danger to pedestrians along Wells Street and on the east-west ROW between Wells Street and McKay Street given it is only 4.1m wide and reduces to 3m wide halfway along. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Submits this would be an extremely tight turn both into the laneway and out into MacKay Street. The sharp turn of traffic exposes high public risk to residents of Baker Street coming in and out of their rear parking spaces and pedestrian gates via the ROW due to vehicles turning quickly around whilst residents are navigating their vehicles in and out of their properties. Concerned for the amount of traffic that would need to negotiate Wells Street and the ROW behind the Baker Street properties. Significant safety concerns for pedestrian and in particular children walking as there is limited/no footpath along the ROW. Suggests that this proposal prioritizes over-development and vehicles ahead of pedestrians, especially young children who regularly walk and ride through Wells Street and the ROW on bikes and on foot. Notes a recently approved over-densified development at 61 Baker Street (facing onto Well Street) for 4 x 3 storey townhouses with a 4 x car shared access roller door directly accessed from Wells delivers a risk of serious concern for accidents between cars entering and leaving the garages of the approved 61 Baker Street townhouses. <p><u>Amenity impacts</u></p> <ul style="list-style-type: none"> Submits a lack of mitigation with regard to visual bulk of the proposed development envelope reducing the visual amenity of the neighbourhood. 	
10	Resident – DDO041 Bridge Road West DDO42 Bridge Road South DDO44 Bridge Road South East	<ul style="list-style-type: none"> Raises concerns with Amendment C291yara Built Form Provisions. Considerable changes are required to protect neighbourhood and streetscape character. <p><u>Building Heights</u></p> <p><i>DDO41 - Bridge Road West</i></p> <ul style="list-style-type: none"> Submits areas south of Bridge Road are potentially too high and are likely to impact on the amenity of residential areas. Submits residential amenity needs to be improved and retained. Recommends the following height limits: <ul style="list-style-type: none"> 21m areas are reduced to 15m 18m areas become 11m. 15m areas are reduced to be 11m i.e. Church St interface <p><i>DDO42 - Bridge Road South</i></p> <ul style="list-style-type: none"> Submits areas south of Bridge Road are potentially too high and are likely to impact on the amenity of residential areas. Recommends the following height limits: <ul style="list-style-type: none"> 18m areas are limited to 11m. Submits the streetscape character which is predominately 2 storeys should be retained and not impacted for Bridge Road South and Bridge Road East South. <p><i>DDO44 - Bridge Road East South</i></p> <ul style="list-style-type: none"> Areas south of Bridge Road are potentially too high and are likely to impact on the amenity of residential areas. Submits that residential amenity needs to be improved and retained. Raises particular concern is the major development sites i.e. Officeworks site or TPG/AAPT site. Recommends stronger limitations should occur on these sites to avoid impact to residential areas. Recommends the following for DDO44 	<p><u>Building Heights response</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Note: The Officeworks Site and Burnley Street sites are specifically addressed in <i>Building Heights</i> response. <p><u>Residential / street interfaces</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Vehicle access</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. Note Neptune has a specific response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> All areas that are suggested to become 21m. i.e. Neptune / Burnley major development site (AAPT / TPG site and surrounds) are limited to 11m Areas indicated to be 18m are reduced to 11m. <p><u>Residential / street interfaces</u></p> <ul style="list-style-type: none"> Interface C - Height limit reduced to 8m on south sides where it interacts with residential areas. <p><u>Vehicle access</u></p> <ul style="list-style-type: none"> Access and movement from AAPT/TPG site to be limited so that no vehicle movement can occur to the south via Neptune or Strafford Streets. Access to AAPT / TPG site to be stated as “Not supported” from Neptune Street, and all access to occur from Burnley Street. 	
11	Submitter - DDO44 – Bridge Road East South	<ul style="list-style-type: none"> Opposes draft Design and Development Overlay 44 (DDO44) as it relates to 21-23 Neptune Street and 188-200 Burnley Street. <p><u>Building Height</u></p> <ul style="list-style-type: none"> Recommends a reduction in the maximum height limit from 21 metres to 12 metres. Recommends cascading height limits (similar to those already set out – but more restrictive), rising progressively from 8 metres at the southern end of the properties (highlighted above) to 12 metres at the northern end of the properties. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Maximum height limit should be mandatory, rather than “preferred”. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Recommends further consideration be given to the traffic implications of increased density on the immediate surrounding streets, including: <ul style="list-style-type: none"> the impact on already extremely heavy traffic on Burnley Street between Bridge Road and Swan Street; and the impact on users of Neptune Street of the “preferred” use of Neptune Street for access to the properties. 	<p><u>Building heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and Traffic</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
12 (Part A)	Resident - DDO44 - Bridge Road East South - Fraser Street Richmond	<p><u>Consultation</u></p> <ul style="list-style-type: none"> Yarra City Council promotes and prides itself on inclusion. However the typical Yarra resident is ignored and completely forgotten. Concerned about residents who do not speak English as their first language, let alone have the ability to make complex and technical submissions to oppose or provide feedback to the Council on any matter. Notes a lack of trust, frustration and despair that Council will not fully consider any issues that arise. Council needs to play a strong advocacy role. Needs to do more than a technical tick box type of role. Must consider the inability and disadvantage for many of its residents and make decisions/promote on their behalf and ensure that the big organisations and their desire to simply make money is not given priority at the expense of the “mum/dad/family” resident. Property developers are interested in making money and moving onto the next project. In many cases, they are not residents and do not consider the impact their developments have on other residents. Property developers have the money and technical expertise which a “submission” type process is geared towards. It is important that Council make decisions which provide equality to both the residents and developers. This is not the case with the proposed changes. 	<p><u>Consultation</u></p> <ul style="list-style-type: none"> See section 18 - <i>Consultation</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Parking, Traffic and Transport</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and Traffic</i> response. See section 13 - <i>Parking</i> response. See section 14 - <i>Public transport and cycling</i> response. <p><u>Amenity</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Lack of public open space provision</u></p> <ul style="list-style-type: none"> See section 11 - <i>Provision of new public open space</i> response.

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		<ul style="list-style-type: none"> • 'Enough is enough.' At some point Council needs to stand up and represent the resident. Not the property developer. • Agrees there has been some development in Richmond which has been useful and part of a growth plan. This however is taking things too far. Council should simply not permit a massive development as such – <i>'this can be likened to squashing an elephant down a plug hole!'</i> • The majority of issues also apply to proposed plans to have allow for a 6 storey development for building on the edge of major roads such as Bridge Road. <p><u>DDO44 – Burnley Street</u></p> <p><u>Building Heights</u></p> <ul style="list-style-type: none"> • The approved nine storey development in Neptune Street is completely inconsistent with what other residents can do in surrounding streets. • If a development of 9 storeys can occur within a street, or in the neighbouring street other residents should also be able to do the same. (Prevented by residential zoning.) • Notes doesn't agree with a nine storey development – strongly opposes it. • Submits that three storey development might be more appropriate for Neptune Street and developments that border Bridge Road, for example. • If the developer can build upwards so must the resident be able to do the same to reach the light etc. Otherwise it will be completely biased towards the development with no consideration for the resident. • Residents in Neptune Street will step outside of their house and face a nine storey building. • Proposed setbacks will not compensate for the huge presence such a development will have. • The impact will also be felt in Fraser Street. Buildings past Burnley Street which are not as high as 9 storeys can still be viewed from Fraser Street. • New developments should be built consistent with what is already in the surrounding streets. Vacant land should not give a right to huge development. This is simply wrong and so is the zoning as outlined above. <p><u>Traffic</u></p> <ul style="list-style-type: none"> • Traffic congestion has been an ongoing issue within Fraser Street and Neptune Street. Already too much congestion. • Fraser Street was considered as a one way street but was not supported due to the increase in traffic in Neptune Street. • The proposed development gives absolutely no consideration to this problem – in fact it will make the streets almost impossible to navigate through. • The streets simply cannot accommodate a development in accordance with what is suggested. It is obscene. <p><u>Parking</u></p> <ul style="list-style-type: none"> • Parking is already problematic. • A common response from Council is that people who live in the development will not be able to park on the street. • This does not address the large amount of visitors to a development, and temporary parking by people who live in these areas within surrounding streets. <p><u>Amenity impacts</u></p> <ul style="list-style-type: none"> • The impacts on light and the overwhelming presence a 9 storey development will have in Neptune Street, Fraser Street and surrounding streets will be significant. 	<p>Recommended position:</p> <ul style="list-style-type: none"> • No change required to the Amendment.

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		<ul style="list-style-type: none"> Access to the light in the morning for Fraser Street properties will be replaced by an imposing building development. Neptune Street is not a major thoroughway etc – it is a small street and should be treated as such. It should be treated in the same manner as Fraser and Hunter Streets. <p><u>Lack of public open space provision</u></p> <ul style="list-style-type: none"> There is no mention of green spaces that are going to be introduced by the development. This is something that must be a part of any development. <p><u>Transport</u></p> <ul style="list-style-type: none"> The trams in Bridge Road are already (prior to Covid) very over crowded. Further development to the extent proposed will exacerbate this. 	
12 (Part A)	Resident- DDO44 - Bridge Road East South – Fraser Street Richmond	<p><u>Amenity</u></p> <ul style="list-style-type: none"> When a house is built next to another house, there is consideration of visual bulkage as well as the consideration of privacy (visibility). A 9 storey or 6 storey apartment would mean that people can easily look into backyards. This is something planning considers for direct neighbours. Therefore, an apartment in the next street should not be able to look into others' backyards and intrude on their privacy. Also notes such a huge development would create an eyesore in neighbouring streets. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Maintains the maximum height should be 3 storeys. Need to have sustainable streets and suburbs, not ones purely where money is made. A three storey development would still result in a significant increase in the density of the population. Six storeys is not the right solution or answer. <p><u>Other</u></p> <ul style="list-style-type: none"> Considers that any Councillors etc who are property developers should not have the ability to vote or influence a decision which involves development. This is a direct conflict of interest and should not be allowed under any circumstance. 	<p><u>Amenity</u></p> <ul style="list-style-type: none"> See Section 7 - <i>Impact on Amenity</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
13	Resident - DDO50 - Victoria Street, East End - McKay Street Richmond	<ul style="list-style-type: none"> Objects to DDO50 for Victoria Street. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits their property in McKay Street, Richmond will be affected by shading. <p><u>Parking</u></p> <ul style="list-style-type: none"> Questions what provision for parking could be made by the extent of developments being allowed for? 	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Parking</u></p> <ul style="list-style-type: none"> Car parking rates are set out in Clause 52.06 and a matter that is outside the scope of Amendment C269. Car parking impacts for individual developments are assessed on a case by case basis and usually require car parking assessments be submitted as part of the planning permit process. See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
14	Submitter- DDO44 - Bridge Road, East	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> Does not support any dwelling being more than three storeys in DD044 Bridge Road East South, specifically for Stawell Street which is currently occupied by Officeworks. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response.

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	South - Stawell Street Richmond	<ul style="list-style-type: none"> Defines three storeys as ground floor, 1st floor & 2nd floor only, starting from number 2 Stawell Street. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Notes the homes impacted currently rely on the morning sun and any development beyond 2-3 storeys would mean that these home receive no natural light. Could cause issues with dampness, mould and more. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes the significance and natural beauty of the old Victorian homes on Stawell Street. These were built in the early 1900's will be permanently lost. Submits anything built opposite these homes should look to compliment these heritage type homes. 	<ul style="list-style-type: none"> Note – <i>Building Heights</i> provides a specific response to the Officeworks site. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. The row of Victorian Homes at 2 – 28 Stawell Street are covered by HO481 and are graded "Contributory". <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
15	Submitter -DDO44 - Bridge Road, East South - Lennox Street Richmond	<ul style="list-style-type: none"> Opposes the proposed changes to the overlay schedules and amendment. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Notes that the following characteristics attracts people to Richmond: sport; food; and retail all borne from the heritage of decades of workers and migrants who lived here creating their own unique way of life. Suggests the aesthetic of the neighbourhood is what attracts people to live, buy into and socialise within it. Being built up with high density living dwellings will impact this greatly. Concerned that Richmond – in particular, Bridge Road West - will not reflect the essence of what makes the neighbourhood now ranked number 10 best suburbs globally. (Time Out 2021). Suggests that if developers take the opportunity to build dwellings to their full capacity of the amendment, the proposed DDOs will not speak to the social and cultural impacts that the potential developments will have. Submission includes a number of photos taken around the Bridge Road West area which show that the proposed amendment is flawed. Refers to the top of Chapel Street with its current high rise complexes and see a deserted, dark area – devoid of character and culture. Suggests this is true for the corner of Bumley Street and Victoria Street. Doubts the multi-storey Peppers complex currently being built down Bridge Road will reach full occupancy. <p><u>Landmarks</u></p> <ul style="list-style-type: none"> Supports the preservation of the views to the three landmark sites: <ul style="list-style-type: none"> The Pelaco Sign; Richmond Town Hall Clock Tower; and St Ignatius Church Spire and tower belfry Fifth photo that the submitter has attached which shows the Pelaco Sign and depicts the current view of a 5 storey dwelling next to it (172 Lennox Street) and the current view with 2 storey buildings down Bridge Road. The potential to build up to 5 storeys will block the view entirely. Submits this is also true for the third photo that the submitter attached of the Richmond Town Hall Clock tower. References the seventh photo that the submitter attached of the city skyline at the top of Lennox Street. Submits this view will be significantly narrowed with multi storey dwellings on either side of Bridge Road. Questions what was the process in which the three named sites for preserved views were determined? Why were others eliminated as not iconic to Richmond? 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Landmarks</u></p> <ul style="list-style-type: none"> See section 9 <i>Views to landmarks</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>On street parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Noise, Views and Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Compensation and Property values</u></p> <ul style="list-style-type: none"> See section 18 - <i>Property values and compensation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<p><u>Building heights</u></p> <ul style="list-style-type: none"> Objects to the potential number of up to 12 storey buildings to the area. Recommends the Committee revise down the number of levels, as set out by the amendment and to incorporate a social and cultural impact framework which future developers must adhere to. <p><u>Infrastructure</u></p> <ul style="list-style-type: none"> Suggests that the potential number of up-to 12 storey buildings means a further strain to infrastructure and costs to maintain this. Notes current residents will be penalised through increased council rates and other maintenance costs. How will the affordability for the current residents be maintained with this additional strain to maintain any new infrastructure required by the Council? (namely Council rates). <p><u>Parking</u></p> <ul style="list-style-type: none"> Submits residents will have nowhere to park. <p><u>Noise</u></p> <ul style="list-style-type: none"> Notes the noise levels of these buildings will greatly impact the residents next door to them. <p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Questions what is the need for this level of high density living apartments given the low occupancy rate of the CBD and decreasing population in Melbourne? What are the examples Council used as references for this level of development and what are the benefits of this building density? <p><u>Views</u></p> <ul style="list-style-type: none"> How will the current views by current residents be preserved to the city skyline, MCG and across the neighbourhood? <p><u>Property Values</u></p> <ul style="list-style-type: none"> How will the proposed changes and development potential, enhance the value of Richmond properties and not cheapen them by creating a ghetto of apartments? <p><u>Compensation</u></p> <ul style="list-style-type: none"> How will properties behind the 'front line' row of high density buildings be compensated? <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> What shadow will these buildings cast on properties? 	
16	Resident - DDO50 - Victoria Street, East End - Wells Street Richmond	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> Neighbour drew the potential for 21m development on Victoria Street which be accessed via Wells Street to their attention. Objects to this proposal. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes Wells Street is a one way street and it not wide enough to allow a two way traffic. Seriously concerned about the amount of traffic, noise, disruption coming into the street for this development to occur. Opposes development to be accessed via their street. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note: <i>Laneways and traffic</i> provides a specific response to Wells Street. <p><u>Site Visit</u></p> <ul style="list-style-type: none"> See section 19 - <i>Community consultation</i> response. <p>Recommended position:</p>

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		<ul style="list-style-type: none"> States that if people start accessing their street they plan to block them by parking their cars in the street. States they really need this issue to be resolved asap." <p><u>Site Visit</u></p> <ul style="list-style-type: none"> Requests that officers make time to come and visit Wells Street and make your own assessment. Requests officers to meet with residents to discuss this accessibility. 	<ul style="list-style-type: none"> No change required to the Amendment.
17	Resident - Draft DDO41 – Bridge Road West - Lennox Street Richmond	<ul style="list-style-type: none"> Concerned about Draft DDO41 – Bridge Road. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Concerned about further encroachment along the southern side of Lennox Street. Allowing for 21 metre tall developments behind the 18 metre tall proposed cap on Bridge Road sets a dangerous precedent. Questions if there can be guarantees that if this precedent is set, further encroachment won't occur outside the precinct boundary? Recommends (at a minimum) reducing the building heights at 193 and 195 Lennox Street and 1 to 10 Allowah Terrace. This will reassure all residents that this amendment doesn't signal that Richmond's future is simply high density, high rise developments. <p><u>Planning Permit Process</u></p> <ul style="list-style-type: none"> Questions whether if owners corporations, individual home owners or groups of owners are approached by developers with "deep pockets, can they trust the City of Yarra not to make planning concessions?" <p><u>Laneways</u></p> <ul style="list-style-type: none"> Notes many of the included areas under Draft DDO41 – Bridge Road West are serviced at the rear by narrow original laneways. Questions how practical is it for developers to achieve a 6 metre set-back, presumably underground car parking, and extremely narrow access for both construction and eventual residents? Notes they would despair to be a direct neighbouring property along this boundary anywhere. Questions if neighbouring residents are being compensated? <p><u>Heritage</u></p> <ul style="list-style-type: none"> Is it outlined anywhere that original bluestone laneways must be preserved? <p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes prior to COVID-19, Richmond roads were a bottleneck and public transport crammed. Questions what is the estimated number of dwellings and new residents if this amendment was to reach its maximum potential? Questions if existing facilities cope with this influx? Questions what will be the impact on ratepayers? <p><u>Landmarks</u></p> <ul style="list-style-type: none"> Concerned relates to the preservation of arguably Richmond's most iconic landmark – the Pelaco sign. Suggests preserving the view from Tram Stop 13 is not enough. Suggests the view should be preserved from Tram Stop 14 on the corner of Punt Road and Wellington Parade. Notes this stop actually marks the crossover point into Richmond. Thousands of car occupants look up at the hill to the sign as they idle at this intersection. <p><u>Neighbourhood Character</u></p>	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. The proposed DDO reduced heights on lots fronting Bridge Road between Lennox Street to Church Street from 21m to 18m as these lots are consistent with lots to the west of Lennox Street in terms of fine-grain and heritage. The 21m height is retained to the rear towards the Pelaco buildings. This provides an appropriate increase in scale to the taller Pelaco building. The land outside the DDO in this area is zoned Neighbourhood Residential Zone and General Residential Zone. These zones have mandatory height limits of 9m and 11m which apply. These heights are imbedded in the zone. It is noted a permit at 6 storeys has been granted for a substantial partial part of this area. Including 150-152 Bridge Road and 1-3 Allowah Terrace and 195 Lennox Street. <p><u>Planning Permit Process</u></p> <ul style="list-style-type: none"> The Yarra Planning Scheme sets out the provisions which are used to inform whether a planning permit should be granted or not. During the advertisement stage of a planning application, the public are permitted to make objections to the planning proposal. <p><u>Traffic and Laneways</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Landmarks</u></p> <ul style="list-style-type: none"> See section 9 - <i>Views to landmarks</i> response. Officers note that DDO41 seeks to protect the views from Tram Stop 13 but also the footpath on the north west corner of Wellington Parade and Hoddle Street. This view is not from the tram stop itself but is from footpath. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response.

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		<ul style="list-style-type: none"> Notes they purchased in Richmond a decade ago because it is a suburb with fabulous destinations in very close proximity to the city – without being the city. Have loved living here precisely because it is not (yet) overdeveloped. Fears it will end up being like pockets of South Yarra that have been devastated by high rise development – dark, cold and soulless. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
18	Resident - Draft DDO44 – Bridge Road East South, Stillman Street Richmond	<ul style="list-style-type: none"> Concerned about the implementation of DDO44. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Have lived there since September 2018 – a great place to live. Dealt with dark afternoons for 8 months of the year due to the construction of 203 Burnley street. Acknowledges this building was approved and built prior to their ownership. Concerned that other home owners and renters would face the same issues. <p><u>Views</u></p> <ul style="list-style-type: none"> Concerned about the loss of the magnificent view that residents in the area currently have of the low rise skyline of East Richmond/Burnley <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Opposes the proposal to allow developers to build 5-6 storeys at all locations in the “Bridge Road East South” and other parts of Richmond. Notes it’s time the skyline is kept at a reasonable level, the old cottages still stand with extensions and there are some newer developments such as mine which have kept it at a modest height. Notes that the skyline has been kept at a reasonable level and that the old cottages still stand with extensions with some newer developments such as the submitter’s which have been kept at a modest height. Notes this planning scheme says it is looking to allow 5-6 storeys. However every other building that has been approved and built in these areas are all 8 storeys? Where is the limit? Suggests these buildings should not have been allowed to even begin with. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Notes Yarra is stripping Richmond of its true heritage, a once poverty stricken suburb with all low rise houses, low rise factories, horse racing tracks. They would like to stay in Richmond, it’s a beautiful place to live, but doesn’t want to see it turn into an area full of mid to high rise apartments like Chapel street. Chapel street is a harsh space with no trees and no love and no business. Requests officers consider their proposal to not allow this change and that they can keep Richmond free of these mid rise monstrosities. Submits that the Richmond skyline is soon to be turned into a midrise area with no sunlight, no backyards and no sense of what living in Australia is all about. In Australia we strive to have the house with a backyard and sunlight throughout the day, this is the Aussie dream and one that has been lived by Richmond residence since the beginning. Suggests this push from developers and the Council to build higher in the area is purely driven by money and not by logic or the love that they have for this suburb. 	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Views</u></p> <ul style="list-style-type: none"> See section 8 - <i>Views from Private Property</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
19	Submitter- Draft DDO41 -50 – Abinger Place Richmond	<ul style="list-style-type: none"> Notes much of the proposal provides for the continuing development of the various specific neighbourhoods and cultures in their specific areas and this is well accommodated by the division into the specific DDO41 – 50. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response.

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		<p><u>Building Heights</u></p> <ul style="list-style-type: none"> Has a particular interest in the proposed envelopes and the impact of this on the surrounding environment. Concerned the heights of buildings are being explicitly expressed as a maximum mandated for each DDO in order to reduce the tendency for building creep, 'in the manner of the boiling frog'. Objects to the proposal where taller buildings of 8 to 12 storeys are encouraged in other areas where there are less heritage buildings or no neighbouring residential properties. Submits just because it is outside an activity or controlled area does not necessarily imply that there should be larger buildings permitted there. Suggests this approach is an invitation for developers to search for the areas, presently un-developed, and then over-develop them without any addressing of the overall neighbourhood impact, or the insidious creep of following developments outside the controlled areas. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Submits it is well known that the 6 metre set back is not sufficient to preserve the usefulness of the existing heritage building. Recommends the mandatory setback should be 10 metres. Suggests this enables the existing building to be actually used for something, rather than just being an awkward useless add-on to the new structure. 	<ul style="list-style-type: none"> Officers note that the amendment does not propose any changes to heights for residential and other land outside of the Activity Centre. Mandatory heights of 9m and 11m apply to land zoned Neighbourhood Residential Zone and General Residential Zone. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
20	Resident - Draft DDO42 Bridge Road South & DDO44 Bridge Road East South - Corsair Street Richmond	<ul style="list-style-type: none"> Opposes the current draft Planning Scheme Amendment C291yara Bridge Road Permanent Built Form Provisions. <p><u>Amenity</u></p> <ul style="list-style-type: none"> Concerned about potential overdevelopment of this area in terms of built form affecting amenity of neighbouring houses (i.e. visual bulk, overlooking, overshadowing) and noise pollution <p><u>DDO42</u></p> <ul style="list-style-type: none"> Submits the areas suggested to become 18m risks significant overshadowing and overlooking of surrounding residences. <p><u>DDO44</u></p> <ul style="list-style-type: none"> Agrees that the 188-198 Burnley Street site would benefit from redevelopment, with the current Heritage Overlay protected. However, the current proposal of up to 7-8 storeys is excessive and carries significant risk of overshadowing and overlooking surrounding properties and high-level congestion. Notes the recent proposed overdevelopment (PLN17-0370) of this site was met with strong community objection, largely due to overshadowing, overlooking, noise pollution, and effects on traffic congestion in the area. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Concerned about potential overdevelopment of this area the impact on traffic congestion in this area, which was a significant issue pre-COVID. Notes the majority of the streets that feed into Bridge Road and Burnley Street have parking on both sides of the road, allowing a single narrow lane of traffic to run through them. Even outside of peak times, and during the pandemic, there is not smooth flow of traffic. Drivers often have to pull over to allow cars coming in the opposite direction to pass. This is often difficult as there is limited space to do so due to parked cars on both sides. 	<p><u>Amenity</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note a specific response to Burnley Street/Neptune Street within section 12. <p><u>Public transport and Cycling/Bike paths</u></p> <ul style="list-style-type: none"> See section 14 - <i>Public transport and cycling</i> response. <p><u>Built form and Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Suggests this creates a densely populated community with few viable and safe transport options, and many still choose the inconvenience of reliance on cars, rather than an unreliable public transport system or dangerous cycling options. <p><i>DDO42</i></p> <ul style="list-style-type: none"> Submits they will also increase traffic to the area which current infrastructure does not support. <p><i>DDO44</i></p> <ul style="list-style-type: none"> Recommends access and movement from 188-198 Burnley Street should be limited so that there is no vehicle access via Neptune or Strafford Streets. This is due to significant congestion that is already present along these routes – it is particularly dangerous for cyclists who live in this area who have to avoid numerous parked cars (and potential car dooring) and navigate single lane traffic. Notes this access issue has previously been strongly opposed (PLN17-0370). Notes whilst Burnley Street is already congested at peak times as the major link for this area to the Burnley tunnel, Burnley Street is a main rather than residential road and would be more suited to increased traffic flow. <p><u>Public Transport</u></p> <ul style="list-style-type: none"> Notes while there are numerous public transit options supplying the area, these were often saturated at peak times pre-COVID. <p><u>Cycling/Bike Paths</u></p> <ul style="list-style-type: none"> Notes apart from the established bike paths (e.g. capital city trail), there are very few safe cycling paths in the Richmond area generally. Notes the major cycling routes are integrated with car lanes, trams and parked cars, creating generally unsafe riding conditions due to the persistent risk of being car doored (especially from Ubers, taxis etc. on a Friday/Saturday night), being forced into a narrow lane between trams and parked cars, or being forced into vehicular traffic due to merged cycling / car lanes. This includes recent developments, an example being the Swan Street X Punt Road redevelopment which now forces cyclists and cars to share a single, narrow lane under the Richmond Station bridge. <p><u>Building Heights</u></p> <p><i>DDO42</i></p> <ul style="list-style-type: none"> Suggests the streetscape character which is predominately 2 storeys should be retained and not impacted. Recommends that areas proposed to be restricted to 18m are limited to 12m. <p><i>DDO44</i></p> <ul style="list-style-type: none"> Recommends that areas proposed to be restricted to 21m are limited to 15m, and that areas proposed to be restricted to 18m are limited to 12m. 	
21	Resident - DDO44 – Bridge Road East South - Stawell Street	<p><u>Building Height</u></p> <ul style="list-style-type: none"> Recommends height restrictions on the Officeworks site of no more than 4 storeys (including ground floor commercial space) to reduce overshadowing of Stawell Street apartments at 61-69 Stawell Street and Racecourse Precinct. <p><u>Vehicle Access</u></p>	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Note – <i>Building Heights</i> provides a specific response to the Officeworks site. <p><u>Vehicle Access and Potential Pedestrian Links</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response.

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		<ul style="list-style-type: none"> Recommends preferred street access to the Officeworks site is to Bridge Road due to the already considerable amount of traffic congestion and parking issues on Stawell Street. <p><u>Potential Pedestrian Links</u></p> <ul style="list-style-type: none"> Recommends no direct access points or pathways to the adjoining apartment building at 61-69 Stawell Street. This would impose a direct security risk. 	<ul style="list-style-type: none"> See submission 69 for a response re the deletion of the pedestrian link. <p>Recommended position:</p> <ul style="list-style-type: none"> Remove the pedestrian link on the Officeworks site in DDO44.
22	Landowner - Draft DDO41 – Bridge Road West, Hull Street Richmond	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> Submits the preferred 15 metre maximum building height for development in Hull Street represents an underdevelopment of a reasonably sized landholding north of the Bridge Road Activity Centre, with minimal sensitive interfaces and no Heritage Overlay. Submits this is contrary to Plan Melbourne 2017-2050 and the housing and urban consolidation objectives of the Yarra Planning Scheme (including Clauses 11.03-1S, 11.03-1R, 16.01-1S and 16.01-1R). These encourage higher density housing in areas well serviced by public transport, services and infrastructure. <p><u>Clause 21-12-2 Bridge Road Activity Centre</u></p> <p><i>Economic Development</i></p> <ul style="list-style-type: none"> Recommends the statements should acknowledge that not all of Precinct 1 is abutting Bridge Road, with surrounding lots with no direct abuttal to Bridge Road providing opportunities for increased residential development (i.e. not all of Precinct 1 should have a focus for healthcare, retail, dining or commercial activities); Notes the statement ‘Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor’ assumes this Precinct only has lots fronting Bridge Road (i.e. directing residential land uses to the upper floors where ground level residential uses would be acceptable on Hull Street, for example); <p><i>Built Form and Housing</i></p> <ul style="list-style-type: none"> Notes the “key view lines” identified in the last dot point are not defined. Recommends this be tied to the view lines shown in the DDOs so the intention of this statement is clear. <p><i>Public Realm</i></p> <ul style="list-style-type: none"> Recommends the Green Streets and Potential Pedestrian Link objectives should link to the corresponding elements in the DDOs. <p><i>Maps</i></p> <ul style="list-style-type: none"> Submits the purpose of the red dotted outline (larger than the precinct boundaries) is not identified. It appears this is the ‘Activity Centre Boundary’ however this needs to be clarified. <p><u>Building Heights Requirements – Criteria for preferred heights</u></p> <ul style="list-style-type: none"> Supports the drafting of the permanent control in terms of ‘Building heights requirements’ where it now states that: <i>A permit should only be granted to construct a building or construct or carry out works... (Emphasis added.)</i> Submits many of the listed building height requirements are not practical to achieve in all circumstances, however building heights greater than the preferred may still be acceptable having regard to the site context and design response. <ul style="list-style-type: none"> On this basis supports a performance based assessment (i.e. not a mandatory discretion approach) for developments above the preferred height controls. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. 15m has been applied in Hull Street to provide a transition from the 8 storey development to the south and the lower scale residential areas to the north. 15m / 4 storeys reinforces the prevailing lower rise built form character which has developed in south side of Hull Street. <p><u>Clause 21.12</u></p> <ul style="list-style-type: none"> See section 22 - <i>Local Areas</i> response. <p><u>Building Heights Requirements – Preferred height criteria & building services</u></p> <ul style="list-style-type: none"> See section 3 - <i>Buildings Heights</i> response. <p><u>Building design Requirements – Ground floor height</u></p> <ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p><u>Overshadowing Requirements, Corner splay and DDO maps</u></p> <ul style="list-style-type: none"> See section 21- <i>Drafting issues</i> response. <p><u>Bridge Road and Victoria Street Activity Centre – Review of Interim Built Form Controls – Analysis and Recommendations</u></p> <ul style="list-style-type: none"> Noted. <p><u>Judd Street Carpark</u></p> <ul style="list-style-type: none"> On the 20 April 2021 Council resolved the following: “1 (c) (i) in proposed DDO41 - Precinct 1 Bridge Road West - Plan 1: Height and Interface Plan, remove the 28m maximum building height from 36 Thomas Street, Richmond (known as the Judd Street Car Park) and annotate the site as the ‘Judd Street Car Park’ to reflect its current use” <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Notes a performance based control with discretionary heights also accords with State Government Policy, in particular Planning Practice Note 60 – Height and Setback Controls for Activity Centres. Notes while a minimum 70% BESS score is an admirable environmentally suitable development outcome, the commitment of a developer to achieve a carbon neutral development should also be accepted as an alternative target when considering building heights greater than the preferred heights in the DDO. Submits this is in line with Council's Climate Emergency Plan and the Council Meeting resolution of 17 March 2020 which committed to pursuing a Zero Carbon Local Policy for new developments. Recommends the DDO be clarified if 'provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms' is seeking the provision of these facilities in line with Clause 52.34 of the Yarra Planning Scheme or an alternative outcome. Notes 'residentially zoned properties' is references throughout the proposed DDO. <ul style="list-style-type: none"> Recommends this should be further defined (as per the interim control) that this does not include land within the Mixed Use Zone. Suggests this is a drafting error in the proposed permanent DDO control and their client requests the exclusion of MUZ land be clarified where interfaces to 'residentially zoned land' are referenced. Notes the permanent control has a subtle difference with the interim control in that the interim controls accept either communal or private open space that exceeds the minimum in Clauses 55 or 58 where the preferred heights are exceeded. <ul style="list-style-type: none"> Suggests the provision of both exceeding either of these Clauses is excessive and unnecessary. <p><u>Building Heights Requirements – Building services</u></p> <ul style="list-style-type: none"> 'The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands etc' should define the time and period in which these shadows should not occur (e.g. between 10am and 2pm at the Equinox). Suggests the use of 'etc.' could also lead to uncertainty as all shadow considerations should be clearly listed. <ul style="list-style-type: none"> Further, the final dot point ('The equipment/structures does not extend higher than 2.6 metres above the maximum building height') is not necessary given the shadowing 'test'. If services (for example) are higher than 2.6 metres, they may need to be recessed further from the facades to meet the shadowing test, which in turn would minimise visibility. It is also unclear why the permitted services projections have been reduced from 3.6 metres to 2.6 metres where the 'tests' for these projections otherwise appears the same. <p><u>Corner Splay</u></p> <ul style="list-style-type: none"> Submits the following points contradict: <ul style="list-style-type: none"> a corner splay at minimum of 1 x 1 metre along the site's corner boundaries.' 'Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.' <p><u>Building Design Requirements – Ground floor heights</u></p> <ul style="list-style-type: none"> Submits the 4m ground floor height is not relevant for all sites within the proposed DDO41 area given not all lots front Bridge Road <p><u>Overshadowing Requirements – Additional overshadowing</u></p>	

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		<ul style="list-style-type: none"> Recommends "A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between..." should be clarified to replace 'overshadow' with 'any additional overshadowing'. <p><u>DDO Maps</u></p> <ul style="list-style-type: none"> In DDO41 – Bridge Road West - Notes setbacks on Plan 2 are not clearly shown. <p><u>Bridge Road and Victoria Street Activity Centre – Review of Interim Built Form Controls – Analysis and Recommendations</u></p> <ul style="list-style-type: none"> Notes their client's site at 2-6 Hull Street is not 'strata titled' (page 25) Notes pages 87, 90 and 91 of the Review of Interim Built Form Controls (along with the original David Lock and Associates Built Form Review) suggests 28 metres. <p><u>Judd Street car park</u></p> <ul style="list-style-type: none"> Notes Judd Street car park does not have a nominated preferred maximum building height in the proposed DDO. Assumes this is a clerical error that Council's own land is not subject to preferred built form controls in the permanent DDO. 	
23	Landowner- Draft DDO41 – Bridge Road West - Bridge Road Richmond	<p><u>Building Height</u></p> <ul style="list-style-type: none"> A preferred maximum 40 metre building height has been applied to the majority of the site, with 18m applied to the northern and southern segments of the site. The northern and southern segments are not dimensioned on Plan 1. The approved development already includes built form above the preferred 18 metre heights in these areas. Recommends the 'brown' transition areas need to be further refined to reflect the approved development currently under construction as per Planning Permit PLN11/0834. <p><u>DDO Boundary</u></p> <ul style="list-style-type: none"> Part of the site (Bank Street and part of the Cameron Street segment) is not within the preferred DDO41 or even the Activity Centre even though they are within the planning unit for Planning Permit PLN11/0834. <p><u>Street Wall</u></p> <ul style="list-style-type: none"> Included image of DDO map showing DDO21 with South Bridge Road – Type B interface circled and north and east (Cameron and Church Streets) – Type C interface The approved street wall exceeds the mandatory 8-11 metre street wall height in Interface B and C. The approved street wall exceeds the height of the adjoining heritage buildings and does not achieve the preferred requirement: <i>Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building'</i> Notes that the northern and southern portions of Church Street do not achieve the following requirement: <i>Preferred to match the parapet height of the adjoining heritage building, for a minimum length of 6 metre from the heritage building</i> Part of the laneway interfaces already exceeds a height of 11 metres outlined in Interface I. Notes the no preferred minimum side/rear wall setback; and 4.5 metre setback from centreline of laneway minimum upper-level setback in Interface I. <p><u>Upper Level Setback</u></p>	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response and section 21 - drafting issues. Existing approvals and developments were one of the elements that was considered in the development of building heights. Some of these permits were approved before the interim controls were introduced. The proposed building heights give regard to these permits but ultimately a preferred height is determined on the basis of urban design advice and wider considerations across the centre. <p><u>DDO boundary</u></p> <ul style="list-style-type: none"> The exhibited DDOs have largely been applied in line with the interim DDOs – noting an additional area in Burnley Street has been added. The submitter does not make clear of the reasons for the suggested addition – except is part of an approved planning permit. <p><u>Street Wall and Upper Level Setbacks</u></p> <ul style="list-style-type: none"> Existing approvals and developments were one of the elements that was considered in the development of built form provisions. The provisions give regard to these permits but ultimately were determined on the basis of urban design advice and wider considerations across the centre. <p><u>Corner Splay, Maps, residentially zoned properties</u></p> <ul style="list-style-type: none"> See section 21 - <i>Drafting response</i>. Residential interface has been amended. <p><u>Clause 21.12</u></p>

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		<ul style="list-style-type: none"> Notes the mandatory upper-level setback of 6 metre behind the Bridge Road façade and preferred zero metre street setback for Interface B. Sections are already approved behind the street frontage to retain the laneway entries from Bridge Road. Notes the zero street setback for Interface C. Notes the approved development has a northern and eastern upper level setback less than 6 metres which does not meet the Preferred minimum 6 metre upper level setback for Interface C. <p><u>DDO41 - Mapping</u></p> <ul style="list-style-type: none"> Notes Plan 1 is incorrect in that there is a laneway behind the Bank Street properties (i.e. should be 'laneway abuttal'). <p><u>Clause 21-12-2 Bridge Road Activity Centre</u></p> <p><i>Economic Development</i></p> <ul style="list-style-type: none"> Recommends the statements should acknowledge that not all of Precinct 1 is abutting Bridge Road, with surrounding lots with no direct abuttal to Bridge Road providing opportunities for increased residential development (i.e. not all of Precinct 1 should have a focus for healthcare, retail, dining or commercial activities); Notes the statement 'Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor' assumes this Precinct only has lots fronting Bridge Road (i.e. directing residential land uses to the upper floors where ground level residential uses would be acceptable on Hull Street, for example); <p><i>Built Form and Housing</i></p> <ul style="list-style-type: none"> Notes the "key view lines" identified in the last dot point are not defined. Recommends this be tied to the view lines shown in the DDOs so the intention is clear. <p><i>Public Realm</i></p> <ul style="list-style-type: none"> Recommends the Green Streets and Potential Pedestrian Link objectives should link to the corresponding elements in the DDOs. <p><i>Maps</i></p> <ul style="list-style-type: none"> Submits the purpose of the red dotted outline (larger than the precinct boundaries) is not identified. It appears this is the 'Activity Centre Boundary' however this needs to be clarified. <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> Recommends where the approved development already exceeds or does not comply with the mandatory and preferred heights and setbacks in the draft DDO, they either request transitional provisions are clearly incorporated into the DDO41, or the DDO41 be modified to align with the approved development which is nearing completion. <p><u>Building Heights Requirements - Preferred height criteria</u></p> <p><i>DDO41 – Bridge Road West</i></p> <ul style="list-style-type: none"> Supports the drafting of the permanent control in terms of 'Building heights requirements' where it now states that: <ul style="list-style-type: none"> <i>A permit should only be granted to construct a building or construct or carry out works... (Emphasis added.)</i> Submits many of the listed building height requirements are not practical to achieve in all circumstances, however building heights greater than the preferred may still be acceptable having regard to the site context and design response. 	<ul style="list-style-type: none"> See section 22 - <i>Local Areas</i> response. <p><u>Transitional provisions</u></p> <ul style="list-style-type: none"> See section 20 - <i>Transitional Provisions</i> response. <p><u>Building Heights Requirements – Criteria for preferred heights and services</u></p> <ul style="list-style-type: none"> See section 3 – <i>Building heights</i> response <p><u>Overshadowing Requirements</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Bridge Road and Victoria Street Activity Centre – Review of Interim Built Form Controls – Analysis and Recommendations</u></p> <ul style="list-style-type: none"> Comments re errors in the Built Form Review are noted. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Removal of the Public Acquisition Overlay & Rezoning</u></p> <ul style="list-style-type: none"> Requests for PAOs and rezoning are outside the scope of this amendment. The key task of C291yara is to implement permanent built form provisions for Bridge Road and Victoria Street. The amendment is does not make changes to other overlays or zones in the Planning Scheme. <p>Recommended position:</p> <ul style="list-style-type: none"> Residential Interface on Plan 1 has amended behind Bank Street to show a laneway.

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		<ul style="list-style-type: none"> On this basis supports a performance based assessment (i.e. not a mandatory discretion approach) for developments above the preferred height controls. Notes a performance based control with discretionary heights also accords with State Government Policy, in particular Planning Practice Note 60 – Height and Setback Controls for Activity Centres. <ul style="list-style-type: none"> Recommends the statement ‘<i>accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant)</i>’ should be linked to Standards B41 or D17 (where relevant) for clarity. Notes while a minimum 70% BESS score is an admirable environmentally suitable development outcome, the commitment of a developer to achieve a carbon neutral development should also be accepted as an alternative target when considering building heights greater than the preferred heights in the DDO. <ul style="list-style-type: none"> Submits this is in line with Council’s Climate Emergency Plan and the Council Meeting resolution of 17 March 2020 which committed to pursuing a Zero Carbon Local Policy for new developments. Recommends the DDO be clarified if ‘<i>provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms</i>’ is seeking the provision of these facilities in line with Clause 52.34 of the Yarra Planning Scheme or an alternative outcome. <p><u>Building Heights Requirements – Height of services</u></p> <ul style="list-style-type: none"> Re ‘<i>The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands etc</i>’ should define the time and period in which these shadows should not occur (e.g. between 10am and 2pm at the Equinox). <ul style="list-style-type: none"> Suggests the use of ‘etc.’ could also lead to uncertainty as all shadow considerations should be clearly listed. Further, the final dot point (‘The equipment/structures does not extend higher than 2.6 metres above the maximum building height’) is not necessary given the shadowing ‘test’. If services (for example) are higher than 2.6 metres, they may need to be recessed further from the facades to meet the shadowing test, which in turn would minimise visibility. It is also unclear why the permitted services projections have been reduced from 3.6 metres to 2.6 metres where the ‘tests’ for these projections otherwise appears the same. <p><u>DDO Drafting – Residentially zoned properties</u></p> <ul style="list-style-type: none"> Notes ‘residentially zoned properties’ is references throughout the proposed DDO. Recommends this should be further defined (as per the interim control) that this does not include land within the Mixed Use Zone. Suggests this is a drafting error in the proposed permanent DDO control and their client requests the exclusion of MUZ land be clarified where interfaces to ‘residentially zoned land’ are referenced. Notes the permanent control has a subtle difference with the interim control in that the interim controls accept either communal or private open space that exceeds the minimum in Clauses 55 or 58 where the preferred heights are exceeded. Suggests the provision of both exceeding either of these Clauses is excessive and unnecessary. <p><u>Street wall requirements - Corner Splay</u></p> <ul style="list-style-type: none"> Submits the following points contradict: <ul style="list-style-type: none"> <i>a corner splay at minimum of 1 x 1 metre along the site’s corner boundaries.’</i> <i>‘Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.’</i> <p><u>Building Separation Requirements – Good daylight</u></p>	

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		<ul style="list-style-type: none"> Notes the following: <i>'Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight'</i>, Recommends the word 'good' should be replaced with 'reasonable' so the site context and planning controls can be considered. 'Good daylight' is again mentioned in the 'Design Quality Requirements' section of the DDO and should be revised to 'reasonable daylight'. <p><u>Building Design Requirements & Street Wall and Setback Requirements – Ground floor heights</u></p> <ul style="list-style-type: none"> Submits <i>'Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint'</i> is not relevant for all sites within the proposed DDO41 area given not all lots front Bridge Road. Submits <i>The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity</i> is not relevant for all sites within the proposed DDO41 area given not all lots front Bridge Road. <p><u>Overshadowing Requirements</u></p> <ul style="list-style-type: none"> Recommends <i>"A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between..."</i> should be clarified to replace 'overshadow' with 'any additional overshadowing'. <p><u>Bridge Road and Victoria Street Activity Centre – Review of Interim Built Form Controls – Analysis and Recommendations</u></p> <ul style="list-style-type: none"> Page 18 "Existing" height maps continues to show pre-development conditions for the site. Page 19 doesn't correctly show the Bank Street properties as being part of the 'development site' given it's part of the planning unit under Planning Permit PLN11/0834. Page 21 doesn't correctly identify site as having more than three frontages (island site) given the lots have now been consolidated. Page 23 doesn't correctly identify laneway interfaces between main site and Bank Street properties. This plan also does not correctly include the Bank Street properties as being part of the main development site. Page 25 is unusual in that the Bank Street segment of the site is earmarked for 'high' development potential whereas the rest of the site is 'very high', given the development has already been approved under Planning Permit PLN11/0834. Page 91 does not correctly detail 'proposed planning envelopes' relating to the DDO41. This plan merges the DDO41 heights with approved developments and those pending or under construction. The plan also does not correctly identify that the Bank and Cameron Street segments of the 'main development' site are approved and under construction as per Planning Permit PLN11/0834. <p><u>Public Acquisition Overlay</u></p> <ul style="list-style-type: none"> Recommends that the Public Acquisition Overlay that applies to the properties on the north side of Bridge Road, west of Church Street is redundant and should be removed. The removal of the PAO is appropriate and strategically justified: <ul style="list-style-type: none"> Road widening works to Bridge Road at the corner of Church Street and Bridge Road have not been identified as planned or high priority works by VicRoads. As such, it can be assumed the widening of Bridge Road is not being contemplated within the short or medium term; 	

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		<ul style="list-style-type: none"> The PAO1 is located within an area also affected by the HO310. The widening of Bridge Road in this location would require the removal of individually significant heritage buildings which contribute to the heritage streetscape Bridge Road is highly valued for. Demolition of these buildings would be at odds with State and local policies which seek to retain and respect buildings of heritage significance, particularly those which contribute to the streetscape character of the Activity Centre; and The PAO1 was successfully removed from the neighbouring property 243-249A Bridge Road prior to its redevelopment in 2008, as it was considered by VicRoads to no longer be required. Logically, the presence of the PAO1 on the subject site is therefore also now considered redundant, as a portion of the PAO1 which originally was intended to serve the same purpose no longer exists. <p><u>Rezoning</u></p> <ul style="list-style-type: none"> Requests the segments of the site fronting Cameron and Bank Streets be re-zoned to the Commercial 1 Zone to allow consistency with the zoning of the majority of the site, reflect the approved development and land uses and to circumvent unnecessary administrative burdens presented by land being located within multiple zones. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Strongly opposes any mandatory controls in this Activity Centre. Having regard to Planning Practice Note 59 (The Role of Mandatory Provisions in Planning Schemes), mandatory provisions in this instance are not warranted as <ul style="list-style-type: none"> There is insufficient strategic support given the site's role as an Activity Centre. The mandatory provisions are not appropriate as they do not reflect the approved development on their client's site. The mandatory provisions do not provide for the preferred outcome, noting many of the mandatory street wall and setback requirements in the DDO41 are not achieved by Planning Permit PLN11/0834, which was issued at the direction of VCAT; and Submission 23- (C291) 6 / 6 SJB Planning SJB Planning Pty Ltd ACN 007 427 554. The drafting of the DDO is unclear and will likely lead to unreasonable administrative costs due to interpretation disputes between Council, applicants and the community. 	
24	Resident- Draft DDO42 – Bridge Road South - Neptune Street Richmond	<ul style="list-style-type: none"> Supports the proposed built form requirements in DDO44. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Submits allowing buildings taller than 21m would dominate the one and two storey residential streetscape and result in overshadowing. <p><u>Street Wall and Upper Level Setbacks</u></p> <ul style="list-style-type: none"> The proposed 8m street wall height is consistent with the taller houses on the street and the heritage buildings Notes the landscape setback allows for landscaping that would otherwise not be able to be accommodated within such a narrow street and provides further separation between commercial and residential buildings. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Recommends the 'preferred access' route should be via Burnley Street and not Neptune Street. Neptune Street is narrow and only allows for one car to pass at a time. It is a quiet, residential street with street cafes and a local pub frequented by residents. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Street Wall and Upper Level Setbacks</u></p> <ul style="list-style-type: none"> Noted. See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note: <i>Laneway and Traffic</i> provides a specific response about Burnley and Neptune Streets. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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25	Resident - DDO44 - Bridge Road East South - Dickens Street Richmond	<ul style="list-style-type: none"> Objects to the approval of Amendment C291yara in its current form. Concerned about 506, 508-510, 512, 514 and 516 Bridge Road which are immediate vicinity of properties on Dickens Street, zoned Neighbourhood Residential Zone - Schedule 1. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Notes the mandatory height limit of the Bridge Road properties would be 18 metres. Recommends the mandatory height limit be revised to be no more than the heights of the existing buildings; or, alternatively, any increase is limited to 15 metres. The setback interface requirements be increased so that no overshadowing of private open space on the NRZ Properties would be possible under the Amendment. Notes that local policy maintains that the City of Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development. Notes the Municipal Strategic Statement identifies that most of the municipality comprises one to two storey buildings. Suggests that it would be wholly inappropriate for any amendment to be approved which would allow the development of buildings of more than two storeys immediately adjacent to properties with the strictest planning controls in the municipality, such as the NRZ Properties. Submits the contrast in height between the single storey dwellings of the NRZ Properties and anything more than the existing buildings on the Subject Properties would be far too severe; an overdevelopment and an unacceptable outcome. <p><u>Visual bulk</u></p> <ul style="list-style-type: none"> Notes the setback interface would be as per Figure 1 to Schedule 44. Any development larger than the existing buildings on the subject properties would add visual bulk that would dominate the residential streetscape, as well as the skyline, along Dickens Street. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Notes comment from Council's Strategic Planning Unit that overshadowing of the NRZ properties' private open space would occur should a development of the maximum built height be constructed on the Subject Properties. Submits this outcome would be unacceptable given the relevant planning provisions. Notes the Bridge Road properties are zoned Commercial 1 Zone ("C1Z"). Important for any proposed development to respond appropriately to controls of the NRZ properties: <ul style="list-style-type: none"> Pursuant to Schedule (Clause) 34 of the C1Z provisions, any uses of land on the C1Z properties "must not detrimentally affect the amenity of the neighbourhood". By allowing the amendment to be approved in its current form, Council would be allowing developments that would significantly impact the amenity of the NRZ properties. Submits any development larger than the existing buildings on the Subject Properties would block natural light and sun to the NRZ properties and would overshadow the private open space of the NRZ properties. <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> Concerned that any developments permitted under the amendment could detrimentally affect the amenity of the NRZ properties by the emission of noise and possibly vibrations, smells and fumes. Excessive height and insufficient setbacks will simply increase these issues. Submits that the mandatory height limit and setback interface is the same for the properties zoned General Residential Zone is unacceptable. This demonstrates that the amendment has not properly considered the differing nature of the NRZ properties. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Visual bulk and Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes while the Bridge Road properties are not subject to a Heritage Overlay, the NRZ properties are. State policy provides that planning should: <ul style="list-style-type: none"> ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context; and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. To ensure the conservation of places of heritage significance, State policy encourages appropriate development that respects places with identified heritage values. Suggests the amendment does not appropriately respond to its surrounding landscape or sufficiently protecting or respecting the NRZ properties which hold significant heritage value. 	
26	Resident - DDO41 - Bridge Road West - Church Street Richmond	<p><u>Building Heights</u></p> <p><i>Precinct 1 Bridge Road West DDO41</i></p> <ul style="list-style-type: none"> Suggests the different sides of Bridge Road need to be treated differently. <p><i>North side of Bridge Road</i></p> <ul style="list-style-type: none"> Notes many of the blocks on north side of Bridge Road between Lennox Street and Church Street are very large. Land slopes away to the north and the east. There have been many large apartment developments on that section of Bridge Road. This makes sense because these large buildings do not pose any overshadowing of the housing stock to the north. Comments their bulk is in sympathy with the bulk of the hill on which they sit. It reflects to some degree the landform underneath. Notes "if the maximum height point of these developments is set back from Bridge Road – to a point north of Bridge Road it minimises their detrimental effect on, their overshadowing of the street and the buildings on the south side of Bridge Road, keeping more of and aspect to the sky above." <p><i>South-side of Bridge Road</i></p> <ul style="list-style-type: none"> Blocks on the south side of Bridge Road are generally much smaller. Buildings and shops are also for the most part two-storey. They generally abut dwellings to their south, many of which are one or two-storey. Suggests it would make sense to constrain any developments on this side of Bridge Road to take into account the amenity of the housing stock on their southern boundaries which would be affected by large buildings quite differently, and adversely, in a way that does not apply to their counterparts on the north side of Bridge Road. <p><i>Church Street between Berry Street and Hodgson Terrace</i></p> <ul style="list-style-type: none"> Notes the general considerations mentioned above about the treatment of the south side of Bridge Road also apply to this section of Church Street. Notes there is a transition from shops and buildings to normal, smaller scale housing. The building heights should reflect that transition in scale. Recommends maximum allowable heights should taper off from the corner of Bridge Road to lower maximum heights at Hodgson Terrace. Church Street still has a number of old buildings and a distinct character of its own quite different from that of Bridge Road. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Heights were reduced from 18m to 15m (approximately five storeys to four storeys) for the two properties on Church Street north of Berry Street. The purpose of this change is to provide an improved transition in scale towards the south and limit overshadowing outcomes to Alexander Reserve. There has been no change to heights applying south of Berry Street. 15m or approximately 4 storeys applies. <p><u>Views from Private Property</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> This is especially the case in that part of Church Street between Bridge Road and Swan Street where the churches and a number of grand old houses still set the tone. Suggests any apartment developments should be sympathetic to the general character of the street and the height and bulk of developments should be limited to allow for a gentle transition that supports and does not disturb that character. Notes Alexander Reserve is well used by residents of the surrounding areas, from the very young to the very old as well as by many who work in nearby areas. It is playground, lunch spot, a place to meet relax in the open air and etc. So again, the scale any development on that part of Church Street needs to pay attention to preserving that openness to the sky and the pleasantness of that little reserve. Suggests the DDO also needs to pay attention to the transition to and amenity of the mostly single storey housing stock to the west of that narrow reserve. Suggests tall building to their east would deprive them of the morning light and sun which is probably the best quality of both those natural effects. Recommends: <ul style="list-style-type: none"> in Church Street between Berry Street and Hodgson Terrace that height limits should be 11 metres rather than 15m and mandatory. In Church Street between Berry Street and Bridge Road that the proposed mandatory height limits of 18 metres be reduced to 15m. current proposed mandatory height limits of 15 metres should be reduced to 11m. <p><u>Views from private property</u></p> <p><i>Precinct 1 Bridge Road West, that section of Church Street between Berry Street and Hodgson Terrace</i></p> <ul style="list-style-type: none"> Notes from their upper west facing bedroom they can see the Pelaco sign above the building opposite. Suggests if the buildings between Berry Street and Hodgson Terrace were increased in height from their current two storey to the proposed 15 metres that would raise the horizon a very long way higher than the top of the sign. Notes while not fixated on having a view of sign, I'm mentioning it in regard to how much the height limit would alter the outlook from my position in the street. Suggests even an 11 metre height, a three storey building would result in losing a view of the Pelaco sign, "but it would close the street in much less." 	
27	Resident - DDO44 - Bridge Road East South, Dickens Street Richmond	<ul style="list-style-type: none"> Objects to the approval of Amendment C291yara in its current form. Concerned about 506, 508-510, 512, 514 and 516 Bridge Road which are immediate vicinity of properties on Dickens Street, zoned Neighbourhood Residential Zone - Schedule 1. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> A height limit of 18 metres would apply. Recommends the mandatory height limit of the Bridge Road properties is reduced to be no more than the heights of the existing buildings. Alternatively, any increase should be limited to 15 metres. The setback interface requirements should be increased so that no overshadowing of private open space on the NRZ properties is possible. Local policy maintains that the City of Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development. The Municipal Strategic Statement identifies that most of the municipality comprises one to two storey buildings. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Amenity Impacts - Visual bulk and Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Suggests that it would be wholly inappropriate for any amendment to be approved which would allow the development of buildings of more than two storeys immediately adjacent to properties with the strictest planning controls in the municipality, such as the NRZ properties. <p><u>Amenity Impacts – Visual bulk, overshadowing</u></p> <ul style="list-style-type: none"> Notes Figure 1 would apply. Any development larger than the existing buildings on the Bridge Road properties would add visual bulk that would dominate the residential streetscape, as well as the skyline, along Dickens Street. Notes comment from Council's Strategic Planning Unit that overshadowing of private open space would occur if the maximum height is achieved. This outcome would be unacceptable given the relevant planning provisions. The properties on Bridge Road are zoned Commercial 1 Zone ("C1Z"): <ul style="list-style-type: none"> Pursuant to Schedule (clause) 34 of the C1Z provisions, any uses of land on the C1Z properties "must not detrimentally affect the amenity of the neighbourhood". By allowing the amendment to be approved in its current form, Council would be allowing developments that would significantly impact the amenity of the NRZ properties. Submits any development larger than the existing buildings would block natural light and sun to the NRZ properties and would overshadow the private open space. Concerned about the emission of noise and possibly vibrations, smells and fumes. Excessive height and insufficient setbacks will simply increase these issues. Notes the mandatory height limit and setback interface is the properties abutting the General Residential Zone ("GRZ"). This is unacceptable and demonstrates that the amendment has not properly considered the differing nature of the NRZ properties. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes while the Bridge Road properties are not subject to a Heritage Overlay, whereas the NRZ Properties are. State policy provides that planning should: <ul style="list-style-type: none"> ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context; and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. To ensure the conservation of places of heritage significance, State policy encourages appropriate development that respects places with identified heritage values. Suggests the amendment is not appropriately responding to its surrounding landscape or sufficiently protecting or respecting the NRZ properties which hold significant heritage value. 	
28	Resident- DD050 - Victoria Street End - McKay Street Richmond	<ul style="list-style-type: none"> Objects to the Yarra City Council and asks that Council gives greater consideration to the height and overall scale of this proposed overlay. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Notes they have lived in McKay Street for 20 years and have seen a number of changes to the streetscape in this time. Notes back in 2001 the houses were all single storey and many of them in a rather dilapidated condition. But draw by the character and charm. Notes that most properties have virtually the same size block. All developments must meet the Clause 54 objectives - there are obvious limitations to what can and can't be built in the street. 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Amenity impacts - Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>On street Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response.

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		<ul style="list-style-type: none"> Notes from their street perspective, the clauses dealing with <i>Neighbourhood Character, Integration, and Building Height</i> have all been strictly adhered to. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Submits that DDO50 appears to be totally out of step with the very strict height limits imposed upon the houses in their streets. Suggests it seems as if these standards have been ignored in the preparation of the Draft Amendment. Notes the height limit proposed for buildings between Johnson and Lambert Streets would be 15 metres at the footpath & 21 metres just 4.5m back from the street! Notes this is three times the height of existing two-storey buildings such as Loi Loi and Crompton Cafe. Acknowledges there are reductions in height where these buildings have a frontage to a side street like mine, they are still alarmingly high at 11 metres. <p><u>Transition in heights</u></p> <ul style="list-style-type: none"> Suggests there appears to be little transition in building height at all here (submitter refers to attached elevations). <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> Notes they have been engaged to renovate several of these houses over recent years. Extensions have included simple ground floor and two-storey extensions. All of them have been designed with care, individuality and above all, a scale that respects the wishes of their immediate neighbour as well reflecting the existing street character. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Notes the Amendment also has no information on what impact shadows from a proposed development would have on properties in the adjacent streets. References an attached aerial view just south of Victoria St that indicates the impact of overshadowing from a 21m high development. Submits that nine houses whose rear yards would be shaded either at 10am or 2pm during September. Notes these shadows would extend 15 to 20m further south at midday in the middle of June. <p><u>On Street Car Parking</u></p> <ul style="list-style-type: none"> Suggests that if these developments become largely residential on the upper storeys, then their impact will likely extend to the number of available car parks on adjacent streets. Notes that off-street parking in McKay Street is already virtually impossible outside the 9am-5pm time period, with limited available spaces often occupied by restaurant patrons and reduced further by clearway time zones. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Suggests this will become untenable if the DDO50 is implemented in its current form and a large residential development is approved. Submits that access to and from their streets will become choked by cars leaving or arriving at these developments, particularly if the laneway to the south of 14 McKay Street is incorporated as part of any traffic management plan. Submits that a proposal by Council to use this laneway and Wells Street as points of access and egress is ill-conceived. Submits Wells Street is not wide enough for two cars to pass each other, and the laneway is too narrow to turn right into McKay Street. 	<p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
29	Resident- DDO44 - Bridge Road East South - Dickens Street Richmond	<ul style="list-style-type: none"> Objects to the approval of Amendment C291yara in its current form. Concerned about 506, 508-510, 512, 514 and 516 Bridge Road which are immediate vicinity of properties on Dickens Street, zoned Neighbourhood Residential Zone - Schedule 1. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> A height limit of 18 metres would apply. Recommends the mandatory height limit of the Bridge Road properties is reduced to be no more than the heights of the existing buildings. Alternatively, any increase should be limited to 15 metres. The setback interface requirements should be increased so that no overshadowing of private open space on the NRZ properties is possible. Local policy maintains that the City of Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development. The Municipal Strategic Statement identifies that most of the municipality comprises one to two storey buildings. Suggests that it would be wholly inappropriate for any amendment to be approved which would allow the development of buildings of more than two storeys immediately adjacent to properties with the strictest planning controls in the municipality, such as the NRZ properties. <p><u>Rear Interface – transition in heights</u></p> <ul style="list-style-type: none"> Notes the Figure 1 to Schedule 44 would apply. Submits any development larger than the existing buildings on the Bridge Road Properties would add visual bulk that would dominate the residential streetscape, as well as the skyline, along Dickens Street. Submits the contrast in height between the single storey dwellings of the NRZ properties and anything more than the existing buildings on the Bridge Road properties would be far too severe; an overdevelopment and an unacceptable outcome. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Notes comment from Council's Strategic Planning Unit that overshadowing of the NRZ properties' private open space would occur should a development of the maximum built height be constructed on the Subject Properties. Submits this outcome would be unacceptable given the relevant planning provisions. The Bridge Road properties are zoned Commercial 1 Zone and it is important they respond to the controls of the NRZ. <ul style="list-style-type: none"> Pursuant to Schedule (Clause) 34 of the C1Z provisions, any uses of land on the C1Z properties "must not detrimentally affect the amenity of the neighbourhood". By allowing the Amendment to be approved in its current form, Council would be allowing developments that would significantly impact the amenity of the NRZ Properties. Submits any development larger than the existing buildings on the Subject Properties would block natural light and sun to the NRZ properties and would overshadow the private open space of the NRZ properties. <p><u>Amenity Impacts</u></p> <ul style="list-style-type: none"> Concerned that any developments permitted under the Amendment could detrimentally affect the amenity of the NRZ properties by the emission of noise and possibly vibrations, smells and fumes. Excessive height and insufficient setbacks will simply increase these issues. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Rear Interface, Amenity impacts and Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Submits that the mandatory height limit and setback interface is the same for properties that are adjacent to properties zoned General Residential Zone. This is unacceptable and demonstrates that the amendment has not properly considered the differing nature of the NRZ properties <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes while the Bridge Road properties are not subject to a Heritage Overlay, the NRZ properties are. State policy provides that planning should: <ul style="list-style-type: none"> ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context; and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. To ensure the conservation of places of heritage significance, State policy encourages appropriate development that respects places with identified heritage values. Suggests the amendment is not appropriately responding to its surrounding landscape or sufficiently protecting or respecting the NRZ properties which hold significant heritage value. 	
30	Resident- DDO50 - Victoria Street End - McKay Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular the height of the properties north of McKay Street, Richmond (Proposed DDO50). <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> A large residential building at the corner of Victoria Street and McKay Street does not support the existing character. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> A large residential block of apartments at the corner of Victoria Street and McKay Street would aggravate the existing parking situation. <p><u>Traffic Congestion</u></p> <ul style="list-style-type: none"> Submits that existing traffic McKay Street is out of capacity as the road is being used as alternative route to other parts of Richmond and Hawthorn. This increase of traffic and traffic speed along McKay Street is slowly becoming a problem. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Demands for sunlight access during winter months. A 7-storey building would overshadow the adjacent properties during winter. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Requests that YCC considers amending the height proposed. 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p><u>Traffic Congestion</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
31	Resident- DDO44 - Bridge Road East South - Dickens Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular the height of the properties (506 - 516 Bridge Road) north of Dickens Street, Richmond (Proposed DDO44). <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that 18m tall buildings and with interface as per figure 1 of the DDO44 would overshadow the private open space and mentions that this is unacceptable. <p><u>Amenity issue (C1Z)</u></p> <ul style="list-style-type: none"> Submits that properties to the north are C1Z and any uses of land on the C1Z properties "must not detrimentally affect the amenity of the neighbourhood". Also mentions that this Planning Scheme Amendment would significantly impact the amenity of the NRZ properties. 	<p><u>Amenity issues (C1Z)</u></p> <p><u>Overshadowing</u></p> <p><u>Solar Panels</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Any development larger than the existing buildings would add visual bulk that would dominate the residential streetscape, as well as the skyline, along Dickens Street. Overshadowing and overlooking of private open space would disallow quiet enjoyment of these areas. Any developments permitted under the amendment could detrimentally affect the amenity of the NRZ properties by the emission of noise and possibly vibrations, smells and fumes. Excessive height and insufficient setbacks will simply increase these issues. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that any development larger than the existing buildings on the Bridge Road properties would block natural light and sun to the NRZ properties and would overshadow the private open space of the NRZ properties. Recommends any increase in the height limit permitted by the amendment, the mandatory height limit of the properties to the north of Dickens Street be limited to 15 metres and the setback interface requirements be increased so that no overshadowing of private open space on the NRZ properties would be possible under the Amendment. <p><u>Solar Panels</u></p> <ul style="list-style-type: none"> Submits that taller development on the northern properties will impact heating from solar panels during winter months. Mentions that this will contradict CoY's commitment towards a key objective of sustainable urban development. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Submits that the properties within NRZ are in Heritage Overlay and these should be protected. The amendment does not appropriately respond to its surrounding landscape or sufficiently protecting or respecting the NRZ properties which hold significant heritage value. Submits that the mandatory height limit and setback interface is the same as those properties that are adjacent to properties zoned General Residential Zone. This is unacceptable and demonstrates that the amendment has not properly considered the differing nature of the NRZ properties. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Recommends that the proposed mandatory height limit be revised to be no more than the heights of the existing buildings along Bridge Road (north of Dickens Street); alternatively should any increase in the height limit of the Subject Properties be permitted by the Amendment, the mandatory height limit of the Subject Properties be limited to 15 metres and the setback interface requirements be increased so that no overshadowing of private open space on the NRZ Properties would be possible under the Amendment. 	<p>Recommended position:</p> <p>No change required to the Amendment.</p>
32	Resident- DDO41 - Bridge Road West, DDO42 Bridge Road South & DDO44 Bridge Road South East - Neptune Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular the height of the properties within proposed DDO41, DDO42 and DDO44. <p><u>Building Height</u></p> <p><i>DDO41</i></p> <ul style="list-style-type: none"> Submits that areas south of Bridge Road are potentially too high and are likely to impact on the amenity of residential areas. Proposes following changes to the height <ul style="list-style-type: none"> 18 m reduced to 11 m 21 m reduced to 15 m 	<p><u>Building Heights (DDO41, DDO42 and DDO44) and Officeworks and TPG/AAPT sites</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Note – <i>Building Heights</i> provides a specific response to the Officeworks and TPG/AAPT sites. <p><u>Amenity</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response.

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		<ul style="list-style-type: none"> 15 m reduced to 11 m <p>DDO42</p> <ul style="list-style-type: none"> Submits that areas south of Bridge Road are potentially too high and are likely to impact on the amenity of residential areas. Proposes following change to the height <ul style="list-style-type: none"> 18 m reduced to 11 m <p>DDO44</p> <ul style="list-style-type: none"> Submits that areas south of Bridge Road are potentially too high and are likely to impact on the amenity of residential areas. Proposes following changes to the height <ul style="list-style-type: none"> 21 m reduced to 11 m 18 m reduced to 11 m <p>Suggests 'Interface C' height should be reduced to 8 m to the south adjacent to residential areas.</p> <p><u>Officeworks and TPG/AAPT sites</u></p> <ul style="list-style-type: none"> Suggests that Officeworks site or TPG/AAPT site should have stricter controls. <p><u>Amenity</u></p> <ul style="list-style-type: none"> Submits that residential amenity needs to be improved and retained. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Suggests that streetscape character of predominately 2 storeys should be retained. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Submits that all vehicle access to TPG/AAPT site should occur from Burnley Street. Access from Neptune Street is not supported. 	<p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note <i>Laneways and Traffic</i> provide a specific response in regards to Neptune Street. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
33	Resident - DDO44 - Bridge Road East South - Neptune Street Richmond	<ul style="list-style-type: none"> Generally, supports the Amendment C291yara (Proposed DDO44). <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that a 21 m building would overshadow the adjacent smaller residential properties. <p><u>Street Wall</u></p> <ul style="list-style-type: none"> Submits that proposed 8 m street wall is more in line with the existing houses and heritage buildings. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Submits that all vehicle access (preferred access) to commercial building should occur from Burnley Street rather than Neptune Street. <p><u>Greening Street</u></p> <ul style="list-style-type: none"> Submits that addition of street trees to Neptune Street would make the street more liveable, provide a better microclimate - provide shade and would allow for a better traffic management of cars trying to find a short cut during peak hours. <p><u>Climate Change</u></p> <ul style="list-style-type: none"> Submits that proposed changes as requested in the submission will align with City of Yarra's focus on Climate Change and sustainability. 	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Street Wall</u></p> <ul style="list-style-type: none"> Noted. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Greening Street</u></p> <ul style="list-style-type: none"> See section 11 - <i>Provision of new public open space</i> response. <p><u>Climate Change</u></p> <ul style="list-style-type: none"> See section 15 - <i>Environmentally sustainable development</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
34	Resident - DDO41 - Bridge Road West - Hull Street	<ul style="list-style-type: none"> Objects to Amendment C291yara (Proposed DDO41). <p><u>Height</u></p> <ul style="list-style-type: none"> Submits that all development should be limited to 8 storeys around north east part of DDO41. The height of buildings generally on the north side of Bridge Road West (DDO41) near the submitter's apartment is becoming excessive and obstructive. <p><u>Car Parking – Off Street</u></p> <ul style="list-style-type: none"> Require all new buildings to provide no less than 1.2 off-street car spaces per resident in residential and 0.8 off-street car spaces per staff member in commercial developments, and the sum of residential and commercial car space requirements for mixed-use developments. <p><u>Transport</u></p> <ul style="list-style-type: none"> Encourage bicycle and public transport use. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Off Street Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p><u>Transport</u></p> <ul style="list-style-type: none"> See section 14 - <i>Public transport and cycling</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
35	Resident - DDO41 - Bridge Road West, DDO42 - Bridge Road South, DDO43 - Bridge Road North, DDO44 - Bridge Road South East & DDO45 - Bridge Road East North - No Address specified	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular proposed DDO41-45 and Officeworks site. <p><u>Building height</u></p> <ul style="list-style-type: none"> Submits that a 12 storey building would be eye soaring on Officeworks site. It's excessive and will totally affect the heritage look of the area. Anything along this road (around Officeworks site) over 3 storeys will ruin the whole ambience and heritage facade of the area. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> There will be a huge impact on amount of sun and daylight to the houses behind these areas (Officeworks site), not to mention the invading people's privacy with these windows looking into their backwards and houses. <p><u>Amenity Impact</u></p> <ul style="list-style-type: none"> Submits that there will be negative impact on the environment, increase of traffic pollution and noise pollution. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Roads around this area are already congested with traffic and parking is a nightmare. <p><u>Other:</u></p> <p>Submits that council seems to be going against the outlines of development from the 2007 amendment.</p>	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Amenity Impact and Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>Other</u></p> <ul style="list-style-type: none"> The submission references to an Amendment from 2007. It is unclear which Amendment this is. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
36	Landowner - DDO41 - Bridge Road West - Lennox Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO41. <p><u>Height</u></p> <ul style="list-style-type: none"> The preferred overall building height(s) applying to the Precinct are too low, without proper justification, and would prejudice otherwise acceptable infill development outcomes. <p><u>Preferred height criteria</u></p> <ul style="list-style-type: none"> Submits that the criteria to be applied in assessing any exceedance of preferred maximum building heights is too onerous and results in a de facto mandatory height control. <p><u>Overshadowing of footpaths</u></p> <ul style="list-style-type: none"> Submits that overshadowing controls over Lennox Street impose an unnecessary and overly burdensome constraint on reasonable development outcomes in the Precinct. 	<p><u>Building Heights and Preferred Height Criteria</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Overshadowing of footpaths</u></p> <ul style="list-style-type: none"> See section 10 <i>Impacts on the public realm</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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37	Landowner - DDO41 - Bridge Road West - Bridge Road Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO41. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Opposing the mandatory proposed building height and mandatory setback requirement. This is unnecessarily onerous and does not allow for a design based performance standard approach to development. Submits that the height and setback to be 'preferred' rather than 'mandatory'. <p><u>Building Separation</u></p> <ul style="list-style-type: none"> Submits that the specification of internal amenity considerations including side walls is also misapplied to the DDO41 control and should be deleted. This is because amenity matters are already appropriately referenced under the Planning Scheme Clause 55 and Clause 58 and suggests that this is a duplication of controls. 	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Building Separation</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
38	Resident - DDO41 - Bridge Road West - Lennox Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to 12 storey buildings proposed in DDO41. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Proposes that the Committee revise down the number of levels across the dwellings, as set out by the amendment and to incorporate a social and cultural impact framework which future developers must adhere to. Submits that the proposed height of the buildings is too high. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> What is the need for this level of high-density living apartments given the low occupancy rate of the CBD and decreasing population in Melbourne? What are the examples you used as references for this level of development and what are the benefits of this building density? How will the proposed changes and development potential, enhance the value of Richmond properties? And not cheapen them by creating a ghetto of apartments? <p><u>Capacity of Infrastructure</u></p> <ul style="list-style-type: none"> How will the affordability for the current residents be maintained with this additional strain to maintain any new infrastructure required by the Council? – namely council rates. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> How will properties behind the 'front line' row of high-density buildings be compensated? And what shadow will these buildings cast on their properties? <p><u>Landmarks</u></p> <ul style="list-style-type: none"> What was the process in which the 3 named sites (The Pelaco Sign, Richmond Town Hall clock tower, St Ignatius Church spire and tower belfry) for preserved views were determined? And why were others eliminated as not iconic to Richmond? 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. A height of 28m (approximately 8 storeys) is proposed to apply in the area to the south (purple coloured on the map). DDO41 proposes a range of heights from 15m/4 storeys to 40m/12 storeys. It is noted that the 40m height is limited to the Richmond Quarter development that has an approved permit prior to this amendment and is currently being constructed. Most land along Bridge Road between Lennox and Church Street is 28m / 8 storeys. Lower heights of 18m and 15m transition north towards Hull Street. <p><u>Accommodating growth and capacity of infrastructure</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Landmarks</u></p> <ul style="list-style-type: none"> See section 9 - <i>Views to landmarks</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
39	Resident-All DDOs - Palmer Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, general submission. Has lived in Richmond for the last 25 years and is experiencing enormous growth in recent times. Not happy with the timing of the amendment due to pandemic. <p><u>Consultation</u></p> <ul style="list-style-type: none"> Due to pandemic and limited internet and IT access, the amendment should be postponed until after the State fully reopens. 	<p><u>Consultation</u></p> <ul style="list-style-type: none"> See section 19 <i>Community consultation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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40	Resident - DDO44 - Bridge Road South East - Stawell Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO44. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Opposes the height of the proposed buildings on: <ul style="list-style-type: none"> Stawell street - 18 metre Burnley/Neptune street – 21 metre. Recommends building height of 4-5 storeys. <p><u>Views</u></p> <ul style="list-style-type: none"> Submits that the height of the building will impact the views to Melbourne. <p><u>Property Values</u></p> <ul style="list-style-type: none"> Submits that the height of the building will de-value their property. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Submits that having a higher building built on the corner of Stawell Street and Bridge Road means more apartment dwellers, leading to more traffic using Stawell Street as a thoroughfare. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Views</u></p> <ul style="list-style-type: none"> See <i>Views from private property</i> response <p><u>Property Values</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
41	Landowner- DDO41 - Bridge Road West - Bridge Road Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to height proposed in DDO41. <p><u>Building Height</u></p> <ul style="list-style-type: none"> Submits that the submitter opposes the variation of height of the land at the corner of the Wustemenn Place and Bridge Road. Currently, imposes a maximum mandatory height limit of 21.0m over the land and all properties within that part of the precinct extending from Lennox Street (west) to Waltham Street (east). The amendment C291 proposes to introduce DD041 which will reduce the maximum mandatory height over this section of the Bridge Road corridor from 21m to 18m. The owner submits that this is inequitable, unfair and prejudices the redevelopment potential of these deeper properties. Submits that the greater depth of the adjoining properties at 146 & 148 in combination with an extensive abuttal to Wustemenn Place plus a connection to Kurnagar Place (leading to Lennox Street), provide a unique opportunity for redevelopment not possible on the predominantly shallower sites along this section of Bridge Road (refer current Application PLN21/0319). Recommends imposition of 18.0m maximum mandatory height limit over 148 Bridge Road be restricted to only that part of the land within the HO310 control area; and the current 21.0m maximum mandatory height limit be maintained over that part of the land within the HO332 control area. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Heights were reduced on lots fronting Bridge Road between Lennox Street to Church Street from 21m to 18m as these lots are consistent with lots to the west of Lennox Street in terms of fine-grain and heritage. The 21m height is retained to the rear towards the Pelaco buildings. This provides an appropriate increase in scale to the taller Pelaco building. It is not standard planning practice to apply two different heights to a single smaller site. Noting this approach been taken with the larger lot to the east. However on this site, there is a smaller finger of land fronting Bridge Road with a more substantive area to the south. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
42	Resident -DDO41 - Bridge Road West - Hull Street Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO41. <p><u>Privacy</u></p> <ul style="list-style-type: none"> Submits that the height of new developments has continued to grow and there seems to have been little regard for the privacy of existing residents during this period. <p><u>Building Height</u></p> <ul style="list-style-type: none"> Building height should be 4 storeys between Bosisto and Thomas Street. Proposed amendments do not treat residents of the Bridge Road West precinct equally and they cannot see any defensible arguments to support higher development height limits north of Bridge Road. They feel disadvantaged compared to rest of the Bridge Road residents. <p><u>View to Landmarks</u></p> <ul style="list-style-type: none"> States that all views to landmarks will be lost once all are developed around the submitters place. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Noting the proposed heights between Bosisto and Thomas Streets are 15m (4 storeys). <p><u>Amenity impacts - Noise, Overshadowing, Wind Impacts</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p><u>View to Landmarks</u></p> <ul style="list-style-type: none"> See section 9 - <i>Views to landmarks</i> response. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. <p><u>On Street Parking</u></p>

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		<ul style="list-style-type: none"> Submits that the height of the building will impact the views to landmarks. <p><u>Noise</u></p> <ul style="list-style-type: none"> Submitters are concerned that increasing the height limit north of Bridge Road will significantly increase noise levels in the precinct from gatherings on balconies and increased density in both people and traffic will also increase noise levels. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Submits that increasing the height limit north of Bridge Road will significantly increase density in the precinct which will lead to higher vehicle and foot traffic. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> Additional density will further impact the parking challenges in the precinct which is already out of capacity. <p><u>Overshadowing & Wind Impacts</u></p> <ul style="list-style-type: none"> Increasing the height limit north of Bridge Road will significantly reduce natural sunlight to the balconies of existing residents and increase the existing wind tunnel problem in the precinct. The submitters already experiencing these impacts from existing developments and the new proposed guidelines and will only make this worse. <p><u>Amenity – Light Pollution</u></p> <ul style="list-style-type: none"> States that artificial lighting from new higher storey developments could also potentially impact existing residents with their sleep. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Increasing the height limit north of Bridge Road will significantly impact the character and sense of community in the precinct. 	<ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
43	Landowner- DDO41 - Bridge Road West - Bridge Road Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO41. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Submits that the height of new developments should reflect the height of DDO21 which 21m rather than the new proposed 18 m. The Owner of the land has a planning permit issued for 20.2 m development. <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> DDO41 should include transitional provisions for planning permits issued prior to the gazettal of the Amendment, in order to: Provide for the fair and orderly development of land, one of the key objectives of planning Victoria. Provide certainty to developers, Council officers and third parties around Council's expectations with respect to future amendments to the Planning Permit and endorsed plans. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Existing approvals and developments were one of the elements that was considered in the development of building heights. Some of these permits were approved before the interim controls were introduced. The proposed building heights give regard to these permits but ultimately a preferred height is determined on the basis of urban design advice and wider considerations across the centre. <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> See section 20 - <i>Transitional Provisions</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
44	Landowner - DDO41 - Bridge Road South - Bridge Road Richmond	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO42. Mentions that the land size is 936 sqm (approx.), graded non-contributory heritage building, it has excellent accessibility and proximity to public transport, community infrastructure and Melbourne's Central City. 	<p><u>Strategic Justification of Amendment C291yara</u></p> <ul style="list-style-type: none"> The amendment was informed by the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls (April 2021)</i> was undertaken by MGS Architects and the heritage work (<i>Built Form Review: Bridge Road and</i>

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		<ul style="list-style-type: none"> The site is shown has 'high' development potential and 'infill' site in <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls - Analysis and Recommendations</i> (MGS Architects and Urban Circus, April 2021). <p><u>Strategic Justification for Amendment C291yara</u></p> <ul style="list-style-type: none"> Submits that the strategic work that seeks to underpin the Amendment, including the analysis and recommendations made in the various reference documents to the permanent controls, are highly (and overly) restrictive in their findings and do not offer the level of rigour that is necessary for permanent controls to be supported. Mentions that the interim DDO21 should carry little or no weight in preparing and assessing suitable permanent built form controls. Submits that the interim DDO21 will lead to what they respectfully consider to be an unreasonable outcome that underutilises the Subject Site and the Bridge Road Activity Centre. Submits that for the below reasons the interim controls should not act as 'leverage' for the permanent controls: The interim DDO21 includes no reference documents that provide a strategic planning foundation or urban design basis for the controls. There was no public exhibition. There was no independent scrutiny from a Panel Applied mandatory even though the site is not individually heritage significant which is shift from the recommendation of the Built Form Framework prepared by David Lock Associates dated June 2018. This Framework however specifically directs that the guidelines contained within "are intended to be translated to discretionary controls, except for those associated with significant heritage fabric, which provides a justification for mandatory maximum street wall height and upper level street setback controls" (the submitter emphasis). Submits that the proposed permanent controls are highly similar to the interim controls, and the strategic work to underpin the permanent controls appears to rely on and is premised upon the existence of the interim controls as a 'starting point', the submitter considers this approach is compromised and flawed. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Submits that the proposed building height limit of 18 metres is onerous and unreasonable, and is far too restrictive having regard to the strategic and physical context of the Subject Site. The building height metric of 18 metres is too low and should be increased to a building height in the order of 24-28 metres. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> Building height limits should be expressed as a preferred requirement, not mandatory. Upper level setback requirement should only be expressed as a mandatory requirement for heritage buildings, and otherwise should be expressed as a preferred requirement for properties graded non-contributory. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Separate upper level setback requirement of 9 metres for buildings above 15 metres should be deleted. <p><u>Transitional provisions</u></p> <ul style="list-style-type: none"> Submits to insert transitional provisions to exempt existing planning permits and 'live' planning applications from the permanent controls. 	<p><i>Victoria Street– Heritage Analysis and Recommendations, April 2021</i> by GJM Heritage. These works underpin Amendment C291 and DDO41-50 and provide the strategic justification for the amendment.</p> <ul style="list-style-type: none"> Use of the interim provisions as a starting point to inform permanent provision is a legitimate approach to take. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> See Section 20 - <i>Transitional provisions</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
45	Resident - DDO44 - Bridge Road East South - Neptune Street Richmond	<ul style="list-style-type: none"> Supports the Amendment C291yara, in particular to proposed DDO44 plus the inclusion of 188-192 Burnley Street. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that allowing buildings taller than 21m would dominate the one and two storey residential streetscape and result in overshadowing. <p><u>Street wall height</u></p> <ul style="list-style-type: none"> Supports that the proposed 8m street wall height on Neptune Street is consistent with the taller houses on the street and the heritage buildings. <p><u>Landscape setback</u></p> <ul style="list-style-type: none"> Supports that the landscape setback allows for landscaping that would otherwise not be able to be accommodated within such a narrow street and provides further separation between commercial and residential buildings. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Submits that all vehicle access (preferred access) to commercial building should occur from Burnley Street rather than Neptune Street. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> Submits that Neptune Street is narrow, and residents do not have off street parking so have to park on-street which further narrows the street. Additional parking requirement would be nightmare. 	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Note there is a specific response to overshadowing of Neptune Street properties within <i>Section 7 - Impacts on residential amenity</i>. <p><u>Street Wall Height</u></p> <ul style="list-style-type: none"> Noted. See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Landscape Setback</u></p> <ul style="list-style-type: none"> Noted. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note there is a specific response to managing vehicle access along Neptune Street within the response. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
46	Resident - DDO44 - Bridge Road East South - Burnley Street Richmond	<ul style="list-style-type: none"> Objects the Amendment C291yara, in particular to proposed DDO44. <p><u>Building Height</u></p> <ul style="list-style-type: none"> Submits that allowing 21m is too high. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that allowing buildings taller than 21m would result in overshadowing of the residential properties, as it is impacted by 203 Burnley Street. Requests to review the equinox overshadowing to winter solstice so that the residential properties have access to winter sunlight. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> There is not enough space for residents to park on Burnley Street. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Traffic is already out of capacity on Burnley Street. <p><u>Site contamination</u></p> <ul style="list-style-type: none"> Submits that the soil at that site (203 Burnley Street) is highly contaminated. <p><u>Property values</u></p> <ul style="list-style-type: none"> Submits that many residential and commercial building are vacant and local businesses are struggling. Such a development will impact or decrease the local property price. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Note there is a specific response to overshadowing of Neptune Street properties within the response. <p><u>On Street Parking and Traffic</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. Note there is a specific response to managing vehicle access along Neptune Street within the response. <p><u>Site Contamination</u></p> <ul style="list-style-type: none"> Land contamination is outside the scope of the Amendment. Contaminated land is managed under the Environmental Protection Act 2017, Planning and Environment Act 1987, and Ministerial Directions. Clause 13.04-15 Contaminated and potentially contaminated land ensure that contaminated and potentially contaminated land is used and developed safely. Recently the planning controls related to managing contaminated land have been updated through VC203. <p><u>Property Values</u></p>

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
			<ul style="list-style-type: none"> See Section 18 - <i>Property Values and Compensation</i> response. <p>Recommended position: No change required to the Amendment.</p>
47	Resident - DDO50 - Victoria Street East End - McKay Street Richmond	<ul style="list-style-type: none"> Objects the Amendment C291yara, in particular to proposed DDO50. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Submits that Plan 2: Access and Movement Plan in DDO50 makes no mention of how the buildings on Victoria Street between McKay and Lambert Streets will be accessed. This is the only part of the plan where this information is missing. This is interface area H which is only mentioned on plan 2 and nowhere else. <p><u>Traffic and On Street Parking</u></p> <ul style="list-style-type: none"> Wells Street is not suitable for two-way traffic. Allowing apartments will generate more cars and parking would be an issue. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Submits that Wells Street is recognised in the Victorian Heritage Database as being "of local historic and aesthetic significance to the City of Yarra" "historically significant as an example of the 'unplanned' or 'ad-hoc' residential subdivisions that were created during the land boom of the late nineteenth century. Typically, it comprises a short, effectively 'dead-end' street containing houses built close to the street frontage. The significance of the precinct is enhanced by its rarity value as one of the few relatively intact surviving examples in Richmond". Mentions that given the historical significance of the Wells Street precinct, it makes no sense to ruin the character by using it as the main access to multi storey developments on Victoria with the significant amount of traffic this will generate. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that extra height to the existing building to the north and north west will overshadow the properties and loss of light and views. <p><u>Building Height</u></p> <ul style="list-style-type: none"> 21 m will be three times of the existing height and mentions this additional height to be well out of proportion. The bulk of allowable developments is out of scale with the residential nature of the area these developments abut and appears to be out of step with the strict height limits that are imposed on the houses in their streets. 	<p><u>Vehicle Access, Traffic and On Street Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> and section 13 – <i>Parking</i> responses. Note there is a specific response to vehicle access and traffic in relation to the Wells Street and surrounding area. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Note there is a specific response to overshadowing of Wells Street and surrounding area properties within the response. <p><u>Building Height</u></p> <ul style="list-style-type: none"> See section 3 <i>Building heights</i> response. Note there is a response to amend the rear interface diagram to manage overshadowing impacts this will have an impact on the scale of buildings from the rear. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
48	Resident – Richmond	<ul style="list-style-type: none"> Objects the Amendment C291yara. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> Submits that car parking in Richmond is already incredibly difficult. Mentions that there are people who can't ride or travel by public transport, they should be considered. The submitter's work hours don't support using public transport, mainly because of safety reasons. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Submits that traffic is already out of capacity in Richmond and increasing the housing would deteriorate the situation. 	<p><u>On Street Parking and Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p>

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		<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Backyards should not be overshadowed and views to sunrise, sunset or city skyline to be maintained. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Submits that Richmond has unique character which is not found anywhere in Melbourne. 	<ul style="list-style-type: none"> No change required to the Amendment.
49	Resident- DDO41- Bridge Road West - Hull Street Richmond	<ul style="list-style-type: none"> Objects to proposed DDO41. DDO41 will adversely affect them and other residents and tenants in Bridge Road West. <p><u>Building heights</u></p> <ul style="list-style-type: none"> The new proposed planning guidelines would allow buildings up to 12 storeys. A recent planning application (PLN18/0700 – 203-207 Bridge Road) proposed a 12 storey building. Proposal was amended at VCAT due to objectors. Resulted in a height of 8 storeys. The developer was forced to consider the impact of the development on the dwellings in the immediate proximity, including but not limited to, privacy concerns of existing dwellings and shadows cast by the original proposed building height. Most of the north side of Bridge Road, excluding the Richmond Quarter development, is a mix of 1 to 5 storey buildings. A 12 storey building within this mix will significantly impact the character and sense of community in the precinct. Concerned that the proposed amendments do not treat residents of the Bridge Road West precinct equally. The residents north of Bridge Road are significantly disadvantaged by the proposed guidelines compared to other residents in Bridge Road West. No defensible arguments to support higher development height limits north of Bridge Road. <p><u>Privacy and other amenity impacts</u></p> <ul style="list-style-type: none"> Future developments north of Bridge Road must respect the privacy of dwellings and be in line with existing buildings, keeping with the streetscapes of the area, and not having a cluster of low rise and high rise buildings. If this proposal was to proceed, Clause 55.04-6, Overlooking and Clause 58.04-1, Building Setback, both outlining the requirement to limit views into habitable room windows of new and existing dwellings, would not be met. Development of this scale would not meet policy in Clause 22.07 Development Abutting Laneways -3 Policy which requires that <i>'Windows and balconies overlook laneways but do not unreasonably overlook private open space or habitable rooms on the opposite side of the laneway'</i> and <i>'Development respect the scale of the surrounding built form'</i>. For example if a 12 storey building was developed on the old factory site (formerly Best Corporation) on the south side of Hull Street between Bosisto and Thomas Streets, between the two four storey apartment blocks: <ul style="list-style-type: none"> The 12 storeys would be three times taller than the two existing apartment blocks. It would overlook those apartments severely impacting the privacy of the residents in the two apartment buildings. The privacy of the 1 and 2 storey dwellings across the street on the northern side of Hull Street and the apartment buildings on Leggo Place would be affected. <p><u>Noise</u></p> <ul style="list-style-type: none"> Closeness of apartments means that noise from gatherings on balconies carry easily to other nearby dwellings. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. A height of 28m (approximately 8 storeys) is proposed to apply in the area to the south (purple coloured on the map). DDO41 proposes a range of heights from 15m/4 storeys to 40m/12 storeys. It is noted that the 40m height is limited to the Richmond Quarter development that has an approved permit prior to this amendment and is currently being constructed. Most land along Bridge Road between Lennox and Church Street is 28m / 8 storeys. Lower heights of 18m and 15m transition north towards Hull Street. The planning permit PLN18/0700 – 203-207 Bridge Road mentioned in the submission was approved at 8 storeys or 27.8m (from roof level to ground floor). This aligns with the draft DDO41. <p><u>Privacy, Noise, Overshadowing, Wind Impacts and other amenity impacts</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Officers also acknowledge that further guidance is needed to ensure new developments in commercial land respect amenity of residential properties in MUZ or C1Z land. A proposed amendment is expanded in this response. <p><u>Traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. See section 13 <i>Parking</i> response. <p><u>Construction Noise</u></p> <ul style="list-style-type: none"> See section 17 <i>Construction issues</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

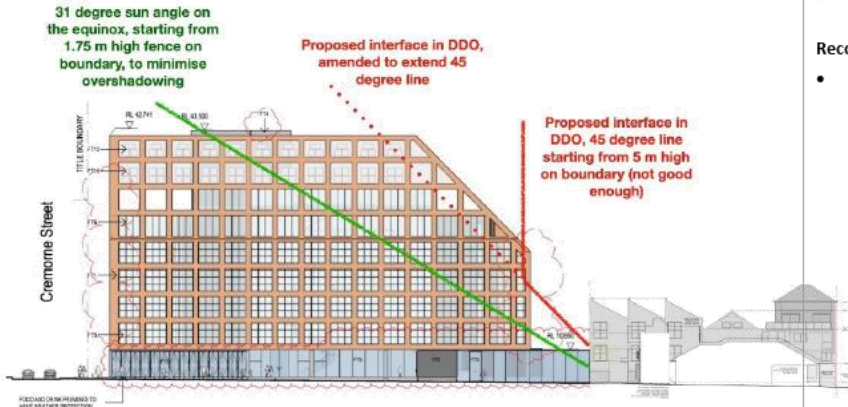
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		<ul style="list-style-type: none"> Development of 12 storeys would allow the noise to travel as the surrounding area consists of lower one to five storey buildings. <p><u>Construction noise</u></p> <ul style="list-style-type: none"> Construction of 207 Bridge Road 'Peppers Hotel' has been '<i>soul destroying for residents living and working from home</i>' during the construction period. Construction 6 days per week from 7am until 6pm at night. (Awoken by the workers every day at 5.30am.) This has impacted on their quality of life and personal wellbeing. Unsure how they will get through the next 12+ months of construction plus future developments that take place on Bridge Road/Leggo Place. No option to relocate or rent during construction. No one would rent the apartment because of noise. Submitter's financial situation is impacted if forced to move out. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Increased height limit north of Bridge Road will significantly reduce natural sunlight to the balconies and windows of existing dwellings. <p><u>Wind impacts</u></p> <ul style="list-style-type: none"> Increase the existing wind tunnel problem in the precinct. Already experiencing these impacts from existing developments and the new proposed guidelines and will only increase this issue. <p><u>Traffic and parking</u></p> <ul style="list-style-type: none"> Increased height north of Bridge Road will significantly increase densities in the precinct which will lead to higher vehicle and foot traffic. There are many narrow lanes in the precinct that provide access to residence carparks and as traffic increases there is a higher risk of accidents involving both vehicles and pedestrians. Leggo Place is an example of this. Traffic volumes have steadily grown with development in the area, and they have both had many near accident experiences, particularly at night. Additional density will further impact the parking challenges in the precinct. It is currently extremely difficult for existing residents with parking permits to find vacant car spots of their address. 	
50	Resident - DDO44 - Bridge Road East South - Neptune Street Richmond	<ul style="list-style-type: none"> Supports the Amendment C291yara, in particular to proposed DDO44 and the inclusion of 188-192 Burnley Street and other properties with dual frontages to Burnley Street and Neptune Street in the proposed DDO, however, opposes the proposed vehicle access provisions along Neptune Street. Supports the proposed building heights and interface to Neptune Street and it will provide an acceptable transition to the lower scale (predominantly one and two-storey) and sensitive residential street. Supports the landscape setback that has been included in the proposed interface, noting it increases separation from residential properties and the future developments on what is a very narrow residential street. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Submits that the major development sites with frontages to both Burnley Street and Neptune will generate 2000 vehicle movements per day. This would result in a fivefold increase in traffic on Neptune Street (currently Neptune Street carries approximately 560 vehicles movements per day). Submits that intersection from Neptune Street will be out of capacity. <p><u>On Street Parking</u></p>	<p><u>Vehicle Access, On Street Parking, Public Transport and Traffic Safety</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. See section 13 <i>Parking</i> response. See section 14 <i>Public transport and cycling</i> response. Note there is a specific response to traffic and access concerns relating to Neptune Street and surrounding areas. <p><u>Movement and Place</u></p> <ul style="list-style-type: none"> The amendment has not taken a 'Movement and Place' approach to land and streets within the DDO. The DDO addresses built form and does not address issues such as public realm improvements or the reconfiguration of road space. Action 6 of the Draft Inner Metro Land Use Framework proposes to '<i>Apply the Movement and Place Framework to the Inner Metro Region's arterial road network and allocate</i>

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		<ul style="list-style-type: none"> Allowing two-way traffic along Neptune Street might result in removal of street parking from one side which would further impact the car parking situation. <p><u>Public Transport</u></p> <ul style="list-style-type: none"> Questions whether Yarra Trams were consulted regarding the major development sites. <p><u>Traffic Safety</u></p> <ul style="list-style-type: none"> Bridge Road is one of the top five location in Melbourne for tram-motor vehicle collisions, and this Neptune St and Bridge Road is a high-risk location. <p><u>Movement & Place (M&P)</u></p> <ul style="list-style-type: none"> States it is disappointing that the "Traffic Engineering Assessment" prepared on behalf of Yarra Council to support the access planning in the proposed Bridge Road DDO did not adopt DoT's Movement & Place approach. The proposed designation of Neptune Street as the preferred access route for these major development sites is not aligned with M&P principles. 	<p><i>priorities for transport connector improvements such as improving road space allocation for public and active transport, identify priority streets for walking and cycling, and road management and use arrangements. This should include a focus on transport interchanges and transport corridors.'</i></p> <p><u>Traffic Safety</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. Safety issues have been considered when preparing vehicle access requirements within the draft DDOs. Directing vehicle access from main roads reduces the risk of traffic accidents while maintaining the efficiency of the road. It is important to provide a continuous safe environment for pedestrians at-grade along the Victoria Street and Bridge Road public realm. This can be achieved by minimising intermediate private property access points from main roads. In locations where side street or rear access is not possible, left in/left out access will minimise vehicle impacts and safety issues from new development. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
51	Resident - DDO48 - North Richmond Station - Little Hoddle Street Richmond	<ul style="list-style-type: none"> Objects the Amendment C291yara, in particular to proposed DDO48. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that allowing taller buildings along Hoddle Street would result in overshadowing of the residential property of the submitter who has access to the sunlight from the west. <p><u>Privacy</u></p> <ul style="list-style-type: none"> Submitter is concerned about their privacy from the taller building overlooking into their property. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Keen to see the historical character of their locale retained as there are many properties echoing the wonderful history of Richmond and Melbourne. States that the current scale of properties is nicely balanced with little mismatch between contiguous building mass and/or building context. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Submits that while they currently have some traffic management, parking congestion and vehicle safety issues in Little Hoddle Street, any marked increase in traffic volumes will undoubtedly create major traffic management and safety issues in the Street and wider locale. 	<p><u>Overshadowing and Privacy</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Note there is a specific response to Little Hoddle Street overshadowing impacts. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note there is a specific response to Little Hoddle Street traffic impacts. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
52	Resident - DDO41 - Bridge Road West, DDO42 - Bridge Road South, DDO43	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Submits that the commercial properties overshadow the residential properties, hence, the improvement to Figure 1 (in all the DDOs where applicable) is required. 	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response.

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	- Bridge Road North, DDO44 - Bridge Road South East - Wellington Street Cremorne	<ul style="list-style-type: none"> Suggests that Figure 1 should be changed so that the 45 degree line continues to extend 50 metres away from the boundary. Suggests that Figure 1 should be applicable to all commercial properties within 50 m of residential property. Submits the following recommendation:  <ul style="list-style-type: none"> Submits that the above image to minimise the effects of overshadowing and visual bulk. The 45 degree angle isn't as aggressive as the 31 degree angle of the sun at the equinox, so residential properties would still be accepting a compromise. 	<ul style="list-style-type: none"> Please note there are proposed amendments to the rear interface diagram to residential properties (Figure 1 in draft DDOs) which include an extension of the 45-degree angle. Officers note that the time used to assess overshadowing is addressed in the <i>Overshadowing</i> response. Officers note at those time the angle of the sun ranges between 41 and 52 degrees at the September equinox. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
53	Resident – All DDOs- Bridge Road - Mary Street Richmond	<ul style="list-style-type: none"> Objects the Amendment C291yara, in particular to Bridge Road (DDO41-45). <p><u>Building heights</u> <i>DDO41</i></p> <ul style="list-style-type: none"> Questions the prescribed height for the area via PDC for 272 Church Street. Submits that the height proposed by the DDOs only serves to drive over development creep into the residential areas. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Submits that the area bounded by Hodgson Terrace and Berry Street is a unique pocket of residential area. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Is concerned about overshadowing, especially during the winter months. Overshadowing provisions are too lenient. <p><u>Infrastructure</u></p> <ul style="list-style-type: none"> States that there is not enough infrastructure to accommodate more development. <p><u>Waste Management</u></p>	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Officers note the height for 272 Church Street is a preferred 15m (4 storeys). Officers note surrounding residential areas have existing mandatory height limit of 9m approximately two storeys. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Overshadowing and Waste Management</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>On Street Parking and Off Street Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. The construction of Council owned car parking is outside the scope of the amendment. Further discussion around traffic congestion and parking can be found in the response referenced.

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		<ul style="list-style-type: none"> Rubbish is dumped everywhere because there are no proper systems in these developments for the storage and collection of rubbish. Residents regularly have to ask council to collect rubbish dumped in this area. Submits that there is not enough provision for services such as access for garbage trucks, removal trucks, service areas for bins etc. <p><u>On street parking and off street parking</u></p> <ul style="list-style-type: none"> No real sustainable transport approaches have been taken but continue to allow people to get parking permits for new developments. They need to be built and marketed as no car developments. There is no off street car parking, however, the multi developments are still being approved. Requests to the Council to provide some sort of municipal car parking facilities to accommodate hospital workers, visitors, and for people who do late night shifts etc. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Concerned about facadism as some heritage buildings are left without keeping much heritage value after developers are allowed to build these heritage buildings. Concerned regarding the proposal on development next to the Town Hall on the post office, bank site. The submission argues that it will be inappropriate and overwhelm the building. <p><u>Provision of Open Space</u></p> <ul style="list-style-type: none"> Requests that council should buy and preserve these types of buildings (the post office site next to RTH) and use for open space. <p><u>Upper Level Setback</u></p> <ul style="list-style-type: none"> Submits that there is not enough setback provision within the DDOs where there isn't a heritage issue. <p><u>Landscaping</u></p> <ul style="list-style-type: none"> Submits that there is not enough landscaping to counter the heat island affect. There is not enough effort to integrate a better outcome for the public realm. <p><u>Amenity</u></p> <p>Submits that there is not enough protection for the amenity of existing businesses and residents.</p>	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Provision of Open Space</u></p> <ul style="list-style-type: none"> See section 11 <i>Provision of new public open space</i> response. While the provision of open space is outside the scope of the amendment, the draft DDOs include a series of controls to ensure views to landmarks (including the Richmond Town Hall) are protected. See section 9 - <i>Views to Landmarks</i> response. <p><u>Amenity</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. <p><u>Infrastructure</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Upper Level Setback</u></p> <ul style="list-style-type: none"> See section 4 - <i>Street walls and upper level setbacks</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
54	Landowner - DDO45 - Bridge Road East North & DDO50 - Victoria Street End - Bridge Road and Victoria Street Richmond	<ul style="list-style-type: none"> Objects the Amendment C291yara. In particular to 435-451, 483-485 Bridge Road, and 406 Victoria Street. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Supports the discretionary controls rather than the mandatory. Questions the justification for mandatory control on the above-mentioned sites. Submits that the tests contained within these practice notes for the application of mandatory provisions have not been met, and therefore, the built form requirements related to the above-mentioned sites and expressed in the proposed DDO45 and DDO50 should be discretionary rather than mandatory. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Supports the use of equinox as a means for testing overshadowing impacts. 	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Noted. This is consistent with the amendment. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
55	Landowner - DDO41 - Bridge Road West - Bridge Road	<ul style="list-style-type: none"> Objects to Amendment C291yara, in particular to proposed DDO41. Mentions that the land size is 532 sqm (approx.), graded as non-contributory heritage building, Submits that the site has limited sensitivity in terms of its relationship with residential properties at the rear. To the south is a laneway that is wider than usual (approx. 4.6m) and provides a generous buffer / separation from the existing dwellings beyond. To the east, the rear portion of the Subject Site (in part) shares a boundary with residentially zoned land, however the adjacent areas are occupied by car parking only. 	<p><u>Strategic Justification for Amendment C291yara</u></p> <ul style="list-style-type: none"> The amendment was informed by the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls (April 2021)</i> was undertaken by MGS Architects and the heritage work (<i>Built Form Review: Bridge Road and Victoria Street – Heritage Analysis and Recommendations</i>,

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		<ul style="list-style-type: none"> The site has excellent accessibility and proximity to public transport, community infrastructure and Melbourne's Central City. The site is shown as 'high' development potential and 'infill' site in <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls - Analysis and Recommendations</i> (MGS Architects and Urban Circus, April 2021). <p><u>Strategic Justification for Amendment C291yara</u></p> <ul style="list-style-type: none"> Submits that the strategic work that seeks to underpin the Amendment, including the analysis and recommendations made in the various reference documents to the permanent controls, are highly (and overly) restrictive in their findings and do not offer the level of rigour that is necessary for permanent controls to be supported. Mentions that the interim DDO21 should carry little or no weight in preparing and assessing suitable permanent built form controls. Submits that the interim DDO21 will lead to what they respectfully consider to be an unreasonable outcome that underutilises the Subject Site and the Bridge Road Activity Centre. Submits that for the below reasons the interim controls should not act as 'leverage' for the permanent controls: The interim DDO21 includes no reference documents that provide a strategic planning foundation or urban design basis for the controls. There was no public exhibition or no independent scrutiny from a Panel Applied mandatory even though the site is not individually heritage significant which were originally based upon strategic work by "independent experts" including (but not limited to) of the Built Form Framework prepared by David Lock Associates dated June 2018. This Framework however specifically directs that the guidelines contained within "are intended to be translated to discretionary controls, except for those associated with significant heritage fabric, which provides a justification for mandatory maximum street wall height and upper level street setback controls" (the submitter emphasis). Submits that the proposed permanent controls are highly similar to the interim controls, and the strategic work to underpin the permanent controls appears to rely on and is premised upon the existence of the interim controls as a 'starting point', considers this approach is compromised and flawed. <p><u>Building height</u></p> <ul style="list-style-type: none"> Submits that the proposed building height limit of 11 metres is highly onerous and unreasonable and is far too restrictive having regard to the strategic and physical context of the Subject Site. The interim DDO21 which permits a maximum building height of 15 metres is not consistent with the proposed DDO41 which reduces the maximum building height to 11 metres only. The building height metric of 11 metres is too low and should be increased to a building height in the order of 18 metres and preferred. <p><u>Views to Landmarks</u></p> <ul style="list-style-type: none"> Submits that the Statement of Significance associated with the Pelaco sign does not identify any specific viewpoints that are of significance. It notes: <ul style="list-style-type: none"> "The landmark status of the sign is enhanced by its prominent position on Richmond Hill and its high degree of visibility from both sides whether illuminated or not." Submits that the importance and justification given for the proposed locations of Views 1 and 2 is not sufficient and not substantiated in the reference documents. The views sought for protection may be said to be opportunistic in nature. There is no analysis offered in the reference documents that explores 'alternate' important views that are available to Pelaco sign from other locations. 	<p><i>April 2021</i>) by GJM Heritage. These works underpin Amendment C291 and DDO41-50 and provide the strategic justification for the amendment.</p> <ul style="list-style-type: none"> Use of the interim provisions as a starting point to inform permanent provision is a legitimate approach to take. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Views to landmarks</u></p> <ul style="list-style-type: none"> See Section 9 - <i>Views to Landmarks</i> response. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Transition provisions</u></p> <ul style="list-style-type: none"> See section 20 - <i>Transitional provisions</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> In relation to View 1, this is an extremely distant view of Pelaco sign that is in the order of 750-800 metres from the vantage point of Tram Stop 13. The visibility of the sign is very limited based on sheer distance. Questions whether this viewpoint can be reasonably appreciated and is attainable to average human eyesight. In relation to View 2 which is discussed in the reference document, they note: <ul style="list-style-type: none"> It is a significant distance of approx. 550 metres between the Pelaco sign from the vantage point. It is a transient space adjacent to an extremely busy road intersection (noise and fumes) and does not represent a particularly important destination or high amenity space. The public open space of Weedon Reserve is small in size, offers poor amenity and is mostly used for transient purposes. In any event, View 2 is not taken from within Weedon Reserve, instead it is taken at the corner intersection at a lower datum point which in turns further impacts the view line as it intersects with the Subject Site. That View 2 is claimed to be a 'gateway' to the City of Yarra offers little justification, and the notion of a gateway is 'abstract' in nature and would not in itself warrant the level of protection to Pelaco sign as sought. The approved multi-level development approval on Lennox Street will significantly impact the setting and experience of how the Pelaco sign is viewed in future (as pictured below). Once this approved development is constructed, the opportunity for views of Pelaco sign from further east along Bridge Road will be completely eroded / lost. The 3D modelling diagram shown in the reference document is significantly distorted and misleading. It does not represent a realistic or 'real life' view of Pelaco sign from View 2. This same distortion issue occurs in the photographs contained in the <i>Landmarks & Views Assessment (Ethos Urban, October 2019)</i>, which is relied upon as strategic work that underpins both the interim and permanent controls. The photographs contained in the background report grossly overemphasize and exaggerate the overall size and visibility of Pelaco sign from View 1 and View 2. Put simply, the imagery used in the reports are a 'zoomed in' photograph version view of Pelaco sign and are highly unlike the 'real' view. Submits that the landmark requirement relating to the protection of Pelaco sign from View 1 and View 2 should be removed (N.B. View 3 is not objected to), or alternately should be modified to apply to different view locations that are less impactful and restrictive on future development potential. <p><u>Strategic work</u></p> <ul style="list-style-type: none"> In relation to the other relevant reference document <i>Built Form Review: Bridge Road – Heritage Analysis and Recommendations</i> (GJM Heritage, April 2021), submits that the report incorrectly suggest local policy Clause 22.03 and no statutory weight should be given to Amendment C269yara documents. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> The building height limit should be expressed as a preferred requirement, not mandatory. <p><u>Transitional provision</u></p> <ul style="list-style-type: none"> Transitional provisions should be interested to exempt existing planning permits and 'live' planning applications from the permanent controls. 	
56	Resident - DDO44 - Bridge Road East South - Neptune Street	<ul style="list-style-type: none"> Notes they are impacted by Schedule 44 to the Design and Development Overlay (DDO44). In particular, the major development sites at 188-200 Burnley Street. Notes these sites include frontages to both Neptune Street and Burnley Street and were not included in the interim Bridge Road DDO. Supports the built form controls from a higher level in the DDO. 	<p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note there is a specific response to traffic and access concerns relating to Neptune Street and surrounding areas.

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		<ul style="list-style-type: none"> Supports the inclusion of the potential development sites with frontages to Burnley Street and Neptune Street in the proposed DDO. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Objects the proposed vehicle access provisions, which will directly impact the functionality, livability, and general wellbeing of those living on Neptune Street. Notes Neptune Street is a very compact street (approx 6.7m wide) and already suffers from a lack of greenery, on-street parking, and natural light (due to being overshadowed by 188-198 Burnley Street). Notes the intersection of Neptune Street and Bridge Road is already an area of concern, with so many cars coming in and out of Neptune Street during the day, making the intersection hard to enter and exit from during business hours. Suggests the designation of Neptune Street as a preferred access route is unsafe and inappropriate. Recommends the proposed DDO should be amended to designate Burnley Street as the preferred access route. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> Notes Neptune Street already suffers from a lack of on-street parking, meaning that it is always parked to the brim, and removes any possibility of 2-way traffic flow. This is unsafe for people getting in and out of parked vehicles, for cyclists, and for drivers. Suggests with the rise in retail, hospitality and commercial sites around the area, Neptune Street is already highly sought after as a parking destination by locals and visitors of the area every day of the week. Notes while fortunate to have off-street parking. Finds it hard to enter and exit their driveway safely at certain times of the day due to the high traffic flow up and down their street. 	<p><u>Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
57	Landowner - DDO41 - Bridge Road West - Bridge Road	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Requests that the mandatory height limit under DDO41 as proposed to be introduced by Amendment C291 Yara, be varied with regard to the subject land. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> The subject land is located on the south side of Bridge Road and is currently affected by the DDO21. It is included within Precinct 1 Bridge Road West. A maximum mandatory height limit of 21.0m applies to the land and all properties within that part of the precinct extending from Lennox Street (west) to Waltham Street (east). Notes properties along the south side of Bridge Road are generally shallow in depth and are also affected by the HO310 control. A few Bridge Road properties however have significantly greater depths, and extend beyond the HO310 control area boundary, continuing into the abutting HO332 control area. Notes the subject land is one such property as is the adjoining land to the east (148 Bridge Road that is owned by the Submitter), and the adjacent property on the opposite side of Wustemenn Place (150 Bridge Road). Amendment C291 proposes to introduce DDO41 which reduces the maximum mandatory height limit over the properties in this section of the Bridge Road corridor from 21.0m to 18.0m. Notes 150 Bridge Road however, the proposed 18.0m limit is only to be applied to the front portion of the land. Notes the current 21.0m limit will continue to apply to the rear portion of the land, coinciding with the interface between the HO310 and HO332 controls affecting the area. 	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Heights were reduced on lots fronting Bridge Road between Lennox Street to Church Street from 21m to 18m as these lots are consistent with lots to the west of Lennox Street in terms of fine-grain and heritage. The 21m height is retained to the rear towards the Pelaco buildings. This provides an appropriate increase in scale to the taller Pelaco building. It is not standard planning practice to apply two different heights to a single smaller site. Noting this approach been taken with the larger lot to the east. However on this site, there is a smaller finger of land fronting Bridge Road with a more substantive area to the south. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Suggests this is inequitable, unfair and prejudices the redevelopment potential of the subject property and the adjoining site at 148 Bridge Road. Recommends that Building Heights and Setbacks – Precinct 1 plan forming part of the amendment should be varied so that the north boundary of the 21.0m height limit for 146 (and for 148) coincides with that north boundary of the 21.0m height limit applying to the 150 Bridge Road property. The southern portions of all three properties would thereby continue to have the benefit of the 21.0m height limit. A uniform northern boundary to the 21.0m height limit is now considered preferable and would ensure that all buildings at that height would have a generous and consistent setback from Bridge Road. The more than adequate set back from Bridge Road for buildings up to 21.0m would ensure that the design and amenity objectives of the DDO41 control can be achieved, and that the uppermost storey of any building would not intrude into the Bridge Road heritage streetscape. The greater depth of the adjoining properties at 146 & 148 in combination with the former's connection to Kurnagar Place (leading to Lennox Street), plus the latter's extensive abuttal to Wustemenn Place; provide a unique opportunity for redevelopment consistent with the Municipal Planning Strategy and the Planning Policy Framework, which is not possible on the predominantly shallower sites along this section of Bridge Road (refer current Application PLN21/0319). 	
58	Resident-DDO41 - Bridge Road West - Arbinger Street Richmond	<ul style="list-style-type: none"> Opposes the amendment. Opposes the proposal as it relates to the south west section of Church street south of Berry Street. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Submits the proposal does not respect the heritage of the area. <p><u>Building Height</u></p> <ul style="list-style-type: none"> The proposal will allow excessive bulk in development having regard to the streetscape. Recommends a height limit of 4 storeys. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> Recommends a requirement for a setback of any development. <p><u>Overshadowing - Public Open Space</u></p> <ul style="list-style-type: none"> Proposal will allow significant overshadowing and visual intrusion of Ben Alexander Reserve. 	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Heights were reduced from 18m to 15m (approximately five storeys to four storeys) for the two properties on Church Street north of Berry Street. The purpose of this change is to provide an improved transition in scale towards the south and limit overshadowing outcomes to Alexander Reserve. There has been no change to heights applying south of Berry Street. 15m or approximately 4 storeys applies. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> See section 4 - <i>Upper Level Setbacks</i> response. <p><u>Overshadowing - Public Open Space</u></p> <ul style="list-style-type: none"> See section 10 <i>Impacts on the public realm</i> response. Overshadowing requirements at the Equinox are applied to Ben Alexander Reserve. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
59	Landowner - DDO43 - Bridge Road North - Bridge Road	<ul style="list-style-type: none"> Notes the Subject Site at 393-395 Bridge Road, Richmond is zoned Commercial 1 and is strategically located within the Bridge Road Major Activity Centre It is presently used as a car yard. It has a total area of approx. 752sqm. It is prominently positioned on the northwest corner of Bridge Road and Coppin Street. It has no heritage value as it is graded 'non-contributory' in the Incorporated Document City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8 revised March 2020. 	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Upper Level Setbacks</u></p>

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		<ul style="list-style-type: none"> It adjoins a substation at 393A Bridge Road to the immediate north with a 'contributory' heritage grading and adjoins a building to the west at 389 Bridge Road with a 'significant' heritage grading. It has limited sensitivity in terms of its relationship with adjacent residential properties at the rear. To the north is a laneway that acts as a buffer / separation from the existing dwellings beyond. Whilst the residentially zoned land to the rear features low scale housing, the adjacent /nearest dwelling includes blank walls at the interface. It has excellent accessibility and proximity to public transport, community infrastructure and Melbourne's Central City. Summarises the controls affecting the subject site: <ul style="list-style-type: none"> The Subject Site is located within Schedule 43 of the DDO relating to Precinct 3 Bridge Road Central, which replaces the interim Schedule 21 of the DDO. A mandatory, maximum building height of 18 metres. Bridge Road – Interface A: <ul style="list-style-type: none"> A mandatory street wall height requirement of maximum 11 metres and minimum 8 metres (noting the Subject Site has no heritage grading), as well as a preferred requirement to match the street wall height of an adjoining heritage building. A mandatory, minimum upper level street setback of 6 metres. For buildings above 15 metres this increases to a preferred requirement of 9 metres. Coppin Street: Interface C: <ul style="list-style-type: none"> A preferred street wall height requirement of maximum 11 metres and minimum 8 metres (noting the Subject Site has no heritage grading), as well as a preferred requirement to match the street wall height of an adjoining heritage building. A preferred minimum upper level setback of 6 metres. A mandatory overshadowing requirement that prevents shadows to the southern footpath of Bridge Road, as well as preferred overshadowing requirements that prevent shadows to the opposite footpath of Coppin Street (among other locations that do not affect the Subject Site). The above test applies at the September Equinox between the hours of 10am and 2pm. A preferred setback envelope that applies to residential interfaces. A preferred requirement for building separation from shared boundaries. A requirement relating to viewlines to landmarks including Richmond Town Hall and St Ignatius Church. Notes that the strategic potential of this highly accessible activity centre at the doorstep of Central City Melbourne is optimised and to ensure the realisation of broader Plan Melbourne objectives for housing intensification and employment growth <p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Suggests it is irrefutable that the Subject Site based on its strategic and physical settings, represents an excellent candidate for furthering metropolitan policy directives for the intensification of activity centres. Notes the Subject Site is identified as having 'very high' development potential in the reference document, specifically Map 2.12 of the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls - Analysis and Recommendations</i> Notes the Subject Site as an 'infill' site due to the absence of heritage fabric, which contrasts from a majority of properties on Bridge Road that have heritage gradings of contributory or significant. Suggests opportunity to develop the Subject Site, especially through the formulation of permanent built form controls to enable the highest and best outcome, should therefore not be squandered Notes the Subject Site will be severely affected by the Amendment. 	<ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Strategic Justification for Amendment C291yara</u></p> <ul style="list-style-type: none"> The amendment was informed by the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls (April 2021)</i> was undertaken by MGS Architects and the heritage work (<i>Built Form Review: Bridge Road and Victoria Street– Heritage Analysis and Recommendations, April 2021</i>) by GJM Heritage. These works underpin Amendment C291 and DDO41-50 and provide the strategic justification for the amendment. Use of the interim provisions as a starting point to inform permanent provision is a legitimate approach to take. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Heights have been determined on a block by block basis with multiple factors being taken into consideration when determining building heights. While overshadowing of footpaths is a factor in determining overall building heights it is not the sole metric. While the site is not within a Heritage Overlay, the application of mandatory heights has been determined by factors such as the heritage streetscape. The consistent application of requirements seeks to manage the scale of development on and around heritage buildings. See section 5 – <i>Heritage Response</i>. The application of mandatory controls is further explained in section 2 – <i>Application of Mandatory controls</i> response. <p><u>Landmarks</u></p> <ul style="list-style-type: none"> See section 9 - <i>Views to landmarks</i> response. <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> Noted. <p><u>Street Wall Heights</u></p> <ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response. This is further expanded on in the section 5 - <i>Protecting Heritage Values</i> response. The requirement for infill buildings to match the street wall height of adjacent heritage buildings is a preferred requirement. Variations to the requirements may be considered at the planning permit stage. <p><u>Transitional Provisions</u></p>

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		<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Notes the principal change sought by the permanent built form controls is the maximum building height limit is proposed to be mandatory (rather than preferred). Notes the proposed permanent controls are highly similar to the interim controls (e.g. the building height metric of 18 metres is unchanged and is proposed to be mandatory). Notes the strategic work to underpin the permanent controls appears to rely on and is premised upon the existence of the interim controls as a 'starting point', the submitter considers this approach is compromised and flawed. Submits the mandatory nature of the height control is not justified pursuant to PPN59 and will unduly limit future development and stifle design innovation. Submits the exhibited material does not make out the case for mandatory controls having regard to the 'high bar' that is set by PPN59. Submits each and every outcome can be appropriately managed and achieved with discretionary, performance based permanent controls (rather than inflexible, mandatory controls). Suggests the proposed permanent controls are inflexible, rigid and appear to seek a 'one size fits all' approach, which is flawed and unnecessary having regard to the intended outcomes. Notes the residential interface setback requirements of the permanent controls are discretionary in nature (not mandatory). This ensures, as appropriate, that specific site and contextual considerations can be examined on a case-by-case basis. Does not dispute the requirement to protect sunlight to nominated footpaths is not disputed in principle, however does not provide a sound or logical basis for the proposed mandatory building height limit of 18 metres Recommends max. building height limit should be expressed as a preferred requirement, not mandatory. Objects to the mandatory nature of the upper level setback requirement of 6 metres, as well the additional preferred setback requirement of 9 metres for buildings above 15 metres in height. Suggests this should only be mandatory for heritage graded buildings. Notes the Subject Site is graded as non-contributory. Performance based controls should be used in such circumstances that allow appropriate and limited upper level setback encroachments for elements of a development proposal that are above the street wall height. <p><u>Upper Level Setbacks</u></p> <ul style="list-style-type: none"> Notes a greater setback of 9 metres (instead of 6 metres) to Bridge Road applies to the uppermost level of buildings above 15 metres in height, and a new requirement applies to require the street wall height to match an adjoining heritage building for a min. length of 6 metres Submits that it would be appropriate 'in principle' to apply an upper level setback requirement in the permanent controls. Notes the permanent controls also differ from the interim controls by seeking an additional requirement for elements of a building above 15 metres in height to be further setback to 9 metres (instead of 6 metres). Notes this is expressed as a preferred requirement. Submits the additional setback requirement is unnecessary having regard to the openness of the streetscape, and the overall width of Bridge Road relative to the building heights (would easily comply with the 1:1 ratio of height vs street width). Objects to the preferred upper level setback requirement of 6 metres to Coppin Street. Submits this metric is excessive. 	<ul style="list-style-type: none"> See section 20 - <i>Transitional Provisions</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Notes the absence of heritage fabric and the corner location of the Subject Site, there is an opportunity to 'bookend' this key corner intersection with a more robust urban form. Suggests this outcome would be appropriate in urban design terms, and would not diminish or conflict with the desired objectives of Precinct 3 Bridge Road Central. Notes that the 'over-prescription' of built form controls can result in perverse an unintended design outcomes, especially in the case of imposing variable / stepped setback requirements that increase as the building height rises. This is often termed 'wedding cake' buildings, and unfortunately this is reflected in the 3D built form testing in the reference document (as pictured below). Recommends the upper level setback requirement to Bridge Road should only be expressed as a mandatory requirement for heritage buildings, and otherwise should be expressed as a preferred requirement for properties graded non-contributory. Recommends the additional preferred uppermost level setback requirement of 9 metres to Bridge Road for buildings above 15 metres should be deleted. Recommends the preferred upper level setback requirement of 6 metres to Coppin Street should be removed, or alternately reduced to a metric in the order of 3 metres. <p><u>Strategic Justification for Amendment C291yara</u></p> <ul style="list-style-type: none"> Suggests the exercise of developing and implementing permanent built form controls for this strategically important activity centre ought to: <ul style="list-style-type: none"> be reasonably focused on 'optimizing' and 'facilitating' the strategic potential of the activity centre; should consider the permanent controls with 'fresh eyes', rather than focus on how they compare or differ with the interim controls, bearing in mind the interim controls are in their submission flawed and should carry no weight. Notes it appears the proposed built form controls are largely reliant and predicated upon on the interim controls, and moreover, appear to be overly focused on 'curtailing' and 'capping' the growth and strategic potential of the activity centre. Suggests this may well lead to a range of lost opportunities and underutilization of prime activity centre land, which will come at a cost for the community and result in outcomes that are at odds with state and local planning policy should the 'optimal' housing growth and employment opportunities not be appropriately defined and realised by the permanent controls Notes the interim DDO21 was approved by the Minister at the request of Council on 15 November 2018 via Section 20(4) of the <i>Planning and Environment Act 1987</i> with no consultation to landowners, and moreover, there was no independent review by a Panel Submits interim DDO21 should carry little or no weight in preparing and assessing suitable permanent built form controls. Notes the interim controls do not properly and reasonably optimise the strategic potential of the activity centre Suggest the strategic justification provided for the interim controls is highly inadequate and their approval has not followed a proper planning scheme amendment process. Suggests the below reasons the interim controls should not act as 'leverage' for the permanent controls: <ul style="list-style-type: none"> The interim DDO21 includes no reference documents that provide a strategic planning foundation or urban design basis for the controls. There was no public exhibition or independent scrutiny from a Panel. In the material shown on the Council's website, it is suggested that the interim built form controls were originally based upon strategic work by "independent experts" including (but not limited to) the Built Form Framework prepared by David Lock Associates dated June 2018. This Framework however 	

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		<p>specifically directs that the guidelines contained within “are intended to be translated to discretionary controls, except for those associated with significant heritage fabric, which provides a justification for mandatory maximum street wall height and upper level street setback controls” (our emphasis). The approved version of the interim DDO21 that ensued is at odds with this advice as it applies a range of mandatory built form requirements (albeit not on the Subject Site).</p> <ul style="list-style-type: none"> Refers to the document <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls - Analysis and Recommendations</i> (MGS Architects and Urban Circus, April 2021) Notes in Section 1.1 (p.9) that the ‘Purpose and Scope’ of the report is to review and test the interim built form controls and provide recommendations for the permanent controls. Notes the methodology outlined at Section 1.2 makes further clear the emphasis placed on the interim controls. Suggests the reference document can therefore not be said to be an objective urban design analysis that is independent of the interim controls. It has not been approached with ‘fresh eyes’, and respectfully, appears to be compromised based upon the brief given to the consultant and subsequent approach taken Notes a number of background reports attempt to provide a level of strategic justification for the permanent controls Submit that the specific details and recommendations of these are objectionable, overly prescriptive and unreasonably onerous. Submits there is insufficient justification in urban design or heritage terms provided in the background documents <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Strongly objects to the proposed permanent, mandatory height control of 18 metres on the Subject Site. Suggests the proposed building height limit of 18 metres is onerous and unreasonable, and is far too restrictive having regard to the strategic and physical context of the Subject Site Suggests the permanent controls seek a mandatory height limit of 18 metres on the Subject Site is an unduly conservative limitation on future development considering the Subject Site is an excellent redevelopment prospect (that is given the highest possible rating of ‘very high’ development potential in the reference document) located within a Commercial 1 Zone and located within a Major Activity Centre on the fringe of Central City Melbourne Notes the primary rationale for the proposed building height limit on the Subject Site, and Precinct 3 Bridge Road Central more broadly, is related to the following design objective of DDO42 <i>“To support lower mid-rise development that retains the visual prominence of heritage buildings, heritage streetscape, local landmarks and the visual separation and openness between the Richmond Town Hall and other heritage buildings”.</i> Suggests there is significant capacity for increased building height (above 18 metres) on the Subject Site and along the Bridge Road corridor whilst still meeting the above outcome. Suggests implementation of mandatory street wall heights and mandatory upper level setbacks, which are a key feature of the permanent controls in the Amendment, are suitable ‘design tools’ to successfully meet the above objective. Suggests the maximum building height limit of 18 metres, however, could be reasonably increased without prejudicing the above objective. Notes there exists a ‘live’ 8 storey development approval located nearby to the west at 373-375 Bridge Road (not yet constructed). This development was granted by Planning Permit PLN16/0924 with the approval of Council, and will remain valid until 31 January 2023. 	

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		<ul style="list-style-type: none"> Notes this development approval is shown in the 3D built form testing contained in the reference documents (as pictured in Figure 5 and Figure 6 of their submission). Notes this approved development does not undermine the intended outcomes of the permanent controls, such as the stated objectives relating to preserving the heritage streetscape, preserving views of landmarks, protecting sunlight to footpaths, and transitioning to adjacent low rise residential areas. Suggests the approved development acts as a useful and reasonable example of how a taller built form outcome may be appropriate in Precinct 3 Bridge Road Central whilst still meeting the overarching objectives of DDO43 and the supporting reference documents. Suggests there is reasonable scope for additional building height if benchmarked against other examples in Yarra and other parts of metropolitan Melbourne. References the proposed permanent controls for Swan Street (Amendment C191) as well as other comparable activity centres with heritage qualities in metropolitan Melbourne, the overall height and scale of built form envisaged for Bridge Road is inadequate and represents an underutilisation. Notes that a 'theoretical' building height in the order of 38 metres (or 10 storeys) would not cast any shadow to the protected footpaths on the southern side of Bridge Road and the opposite footpath on Coppin Street between 10am and 2pm on 22 September, as specified in the DDO43. This is largely owing to the generous width of Bridge Road which limits propensity for shadows on the southern footpath at the September Equinox, and likewise for the footpath opposite Coppin Street. Notes building height limit of 18 metres bares no correlation with the shadow control and is not justifiable on overshadowing grounds. Notes the building height metric proposed (18m) is less than half of the permissible building height that would otherwise meet the prescribed shadow tests. This is a major misalignment. Submits the proposed permanent controls are at odds with the overall height and massing of this approved development, and undermines the proposed requirements of the permanent controls envisaged by the Amendment. Recommends the prescribed building height metric of 18 metres is too low and should be significantly increased to a building height in the order of 28-30 metres. <p><u>Landmarks</u></p> <ul style="list-style-type: none"> Notes mandatory requirement to protect views of landmarks (Richmond Town Hall Clocktower and the spire and belfry of the St Ignatius Church) would naturally have different relevance and implications on different properties depending on site context. Suggests the permanent controls ought to be performance. Notes the nominated Views 1 and 2 to the Richmond Town Hall largely traverse the road reserve of Bridge Road and do not intersect with the Subject Site or other properties within Precinct 3 Bridge Road Central (as pictured below). Notes the prescribed street wall and upper level setback requirements will appropriately manage and protect views to these nominated landmarks. <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> Notes preferred requirement to transition to low rise residential areas and minimise off-site impacts on residential properties is not disputed, however does not provide a justification for the proposed mandatory height limit. <p><u>Street Wall Heights</u></p> <ul style="list-style-type: none"> Submits the preferred requirement for the maximum street wall height to "match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building" is considered to be overly restrictive and unnecessary on heritage grounds. 	

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		<ul style="list-style-type: none"> especially so in the context of Precinct 3 Bridge Road Central, which has a less intact heritage street wall compared to other sections of Bridge Road such as Precincts 1 and 2. This is well reflected in the language used in the 'design objectives' of Precinct 3, which differ from Precincts 1 and 2 which specifically refers to <i>"the highly intact heritage street wall"</i> in the first design objective Submits the Subject Site being a corner lot, technically this preferred requirement (as quoted above) applies to both streetscapes of Bridge Road and Coppin Street due to the adjoining heritage graded buildings. This is despite the vastly differing characteristics of each streetscape, and in their submission this requirement should not apply to Coppin Street in particular as it is a side street only. Recommends the preferred requirement for the maximum street wall height to match the height of the adjoining heritage building for a minimum length of 6 metres from the heritage building should be removed, in particular to side streets (e.g. Coppin Street). <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> The Amendment does not presently offer transitional provisions that would exempt or safeguard existing planning permits or 'live' planning applications from the proposed permanent controls. The course of preparing a planning permit application for a multi-storey commercial development and it is intended this will be submitted to Council in the near future. The project will provide high quality, shared work spaces that will support growth of the economy and significant employment, whilst delivering an exemplary architectural addition to the Bridge Road streetscape and excellent in ESD. Notes the planning application has been prepared with a professional consultant team and will be made in good faith and has involved considerable expense and resources by their client. The absence of transitional provisions in the permanent controls would disadvantage the submitter's client and materially impact the planning application. States Council has not made out the case for how any existing permits or 'live' planning applications would prejudice or undermine the strategic vision for the activity centre. Recommends it would be appropriate for transitional provisions to be inserted to the DDO control which would ultimately serve the interests of fairness and equity, particularly for landowners that have purchased land and made planning applications in good faith. Recommends the insertion of transitional provisions to exempt existing planning permits and 'live' planning applications from the permanent controls. 	
60	Resident - DDO44 - Bridge Road East South - Neptune Street	<ul style="list-style-type: none"> Notes they are residents in a house with a heritage overlay, directly opposite one of the proposed entrances to an existing major development sites at 188-200 Burnley Street. These sites include frontages to both Neptune Street and Burnley Street and were not included in the interim Bridge Road DDO. Notes they are directly impacted by Schedule 44 to the Design and Development Overlay (DDO44). – and by this large development overall. Supports the built form controls in the DDO and support the inclusion of the potential development sites with frontages to Burnley Street and Neptune Street in the proposed DDO. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Strongly opposed to the proposed vehicle access provisions in the document. Suggests Burnley St is a two lane carriage-way with proper footpaths on both side. It is by far the more sensible option for the provision of access to these developments 	<p><u>Vehicle Access, Traffic and Traffic Safety</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note there is a specific response to the traffic concerns raised in submissions. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes Neptune St is a narrow 2-way street with parking on both sides which already makes it difficult to negotiate with the current levels of traffic. Entering and exiting from Corsair St (which is even tinier than Neptune St will be extremely difficult – and will create a severe impact on the resident who live in it – very close to the roadway itself. Repeated questionnaires to the residents regarding a possible one- way street option for Neptune St has been rejected every time. The plain and simple matter is that Neptune St is simply too small for this proposed access provision. It is as if the proposal is coming from people who have never spent any time on the street. <p><u>Traffic Safety</u></p> <ul style="list-style-type: none"> Exiting and entering the street from Bridge Road is already dangerous – made more so by the Trams that run on Bridge Road. Notes the road already has a high incidence of Tram/car accidents – and if traffic in Neptune St is increased fourfold (as the plans would seem to indicate) those numbers and the associated tragedies will only increase. <p><u>On Street Parking</u></p> <ul style="list-style-type: none"> Neptune Street is largely one and two storey individual homes without parking. Reducing parking on the street to enable great access for the proposed vehicle access provision will only result in greater stress on the already over-stressed neighbouring streets – and greater inconvenience for the residents. That's not a solution. 	
61	Landowner - DDO48 - North Richmond Station - Hoddle Street Richmond	<ul style="list-style-type: none"> The "site" at 35-41 Hoddle Street, Richmond occupies a corner location and is appropriately zoned and suited to accommodating intensive commercial development, likely for office development The site is unique to the rest of the precinct as the only substantially undeveloped corner site fronting Hoddle Street The conditions of the site are somewhat unique to the balance of the precinct which is predominantly a Victorian two storey street-wall precinct with scope for setback upper level redevelopment The Site is the only effectively undeveloped major redevelopment site in the precinct. It has no sensitive or heritage interfaces and presents an opportunity to mark and hold the corner to Hoddle Street and Elizabeth Street with an efficient commercial floorplate that supports local employment opportunities. <p><u>Building Height</u></p> <ul style="list-style-type: none"> The importance of Hoddle Street has already long been recognised (e.g. through DDO2) as a key boulevard. Suggests development needs to reinforce this and there is concern that the proposed changes could undermine this opportunity, and that collectively the cumulative effect of the multiple controls may unnecessarily compromise the viability of a commercial development on this important and prominent corner site. Submits the Amendment risks impacting the viability and developability of the Site, rather than strategically supporting the important opportunity for employment generating commercial space in a well serviced area and on a prominent and accessible site. <p><u>Upper Level Setbacks and Building Separation</u></p> <ul style="list-style-type: none"> Suggests upper level setback controls contemplated in the Amendment may be appropriate for the typical high street condition but care should be taken with applying the same requirements to this unique site, 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Upper Level Setbacks and Building Separation</u></p> <ul style="list-style-type: none"> A broader discussion regarding the application of upper level setbacks is discussed in the <i>Upper Level Setback</i> response. See section 4 – <i>Street wall and upper level setbacks</i> response. The proposed upper level setbacks are preferred and will allow a future application to justify any variances to DDO48. Noting changes to the upper level setback are proposed in response to amenity concerns – see Section 7 – <i>Impacts on Residential Amenity</i> response. Building separation requirements have been applied to assist managing taller form in areas of greater change. The rationale is highlighted in MGS's report (Page 55). <p><u>Street Wall Height</u></p> <ul style="list-style-type: none"> Noted. DDO48 includes the following clause that provides further direction where corner sites have two street wall heights: <i>On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street,</i>

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		<p>which warrants a discretionary / performance-based approach to future design response and assessment processes</p> <ul style="list-style-type: none"> • Suggests draft requirement for a 6m upper level setback from Elizabeth Street does not appear to have contextual regard to the site, in terms of both its corner condition and the existing 8-9 storey building to the east which has a 2m setback from Elizabeth Street • Submits the draft 4.5m upper level setback from Hoddle Street has no bearing in the physical context and it is unclear what the increase from the existing 3m discretionary control would achieve. • The controls assume an orthogonal design response, but the unique site conditions may warrant an alternative design that addresses the corner through curvature. • Questions the need for any building setback is queried (i.e. re: the draft proposal for a 4.5m setback from the laneway centreline – Interface I). • Notes this may be appropriate for other areas within the study area, but is not warranted for the Site given its specific context • i.e. in this regard the glazing line of the already redeveloped residential building to the east is setback 10m from the eastern boundary of the Site, thereby achieving spacing for daylight and outlook. • 9m is acceptable spacing between residential buildings, in the event of redevelopment of the site for commercial use 10m would be good spacing particularly considering different nature of the commercial use, daytime only office occupation etc. • Notes an increased upper level setback is also proposed (4.5m to boundary) to the southern boundary. • The upper level setback of 4.5m is conventionally adopted for equitable development to achieve minimum 9m spacing between residential interfaces. • The Site and land to the south is zoned Commercial 2 Zone where dwellings are prohibited and 9m spacing is not required. • Therefore, flexibility for either a boundary wall condition or the existing 3m setback requirement (which would provide adequate spacing and daylight for commercial office development) should be retained. • Recommends the draft controls require further review, with a less prescriptive approach preferred and warranted. Contextually the Site has less need to provide upper level setbacks relative to other parts of the study area. • Recommends the requirements for the 4.5m and 6m upper level setbacks have not been considered or justified and should be removed (i.e. in relation to the Site). • Recommends the existing 3m discretionary upper level setbacks to Hoddle Street and Elizabeth Street could reasonably be retained and without overcomplicating matters would provide Council with reasonable discretion and an appropriate frame for design development and assessment. • Recommends a 3m upper level setback could also be considered to the south common boundary to enable daylight between redeveloped commercial buildings, however this should be discretionary as a boundary wall condition could also be appropriate. • Recommends there should be no requirement for an upper level setback to the east given the existing considerable spacing to the existing re-developed site to the east (i.e. 10-14 Elizabeth Street). <p><u>Street Setback</u></p> <ul style="list-style-type: none"> • Submits the requirement for an effective road widening to suit access is something that needs to be studied and resolved, but a 1.5m widening would likely be sufficient given the existing width of Little Hoddle Street of approximately 6m, which is a reasonably generous starting point for a service lane <p><u>Bridge Road and Victoria Street Activity Centre – Review of Interim Built Form Controls – Analysis and Recommendations</u></p> <ul style="list-style-type: none"> • Submits there is confusion in relation to the massing shown for the site. 	<p><i>with a transition to the lower street wall height along the side street towards the rear interface.</i></p> <ul style="list-style-type: none"> • See section 4 – <i>Street wall and upper level setbacks</i> response for further information. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> • See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Bridge Road and Victoria Street Activity Centre – Review of Interim Built Form Controls – Analysis and Recommendations</u></p> <ul style="list-style-type: none"> • The modelling used property boundary data from the State Government DataMart. • DDO48 <i>Height Plan</i> shows the land at 31-45 Hoddle Street as smaller properties. • The modelling was based on these property boundaries. <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> • See section 20 - <i>Transitional provisions</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> • No change required to the Amendment.

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		<ul style="list-style-type: none"> Namely, a proposed discretionary 40m building height is suggested on page 135. Clarity is sought in this respect. The rationale for the application of the upper level setback controls (i.e. 'non heritage' & 'areas of change') is also unclear and does not appear to have been considered specific to the Site. The justification for these controls does not apply to the site (with reference to 'Interface C & D recommendations 6 & 7' – there is no surrounding heritage fabric, or sites that transition to a deeper upper level setback, and an increased setback would not achieve a consistent streetscape). <p><u>Street Wall Height</u></p> <ul style="list-style-type: none"> Suggests the controls set inconsistent street wall heights on the two principal frontages of the corner site – this may be able to be managed provided the discretionary nature of the controls is maintained and the need for flexibility acknowledged. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Recommends no mandatory elements / controls should be considered or proposed for the Site that could pre-suppose potential design outcomes. <p><u>Transitional Provisions</u></p> <ul style="list-style-type: none"> Recommends that transitional provisions be included for applications submitted before the outcome of the Amendment to enable consistency through design development and assessment. 	
62	Landowner - DDO48 - Garfield Street Richmond	<ul style="list-style-type: none"> Notes in recent years there has been extensive residential development around their property, to the north, south and east, all multi-storey with apparently diverse setbacks. The western end of Garfield Street is a small "precinct", abutting the railway embankment. Its character is largely established. There is limited vehicle traffic and very few pedestrians. <p><u>Upper Level Setback</u></p> <ul style="list-style-type: none"> Submits the only requirement should be that development of their property should be consistent with those nearby. Suggests it seems that there will now be constraints on the development of their property that did not apply to the surrounding properties, either because the new buildings are now present or simply because of new rules. For example, the recently constructed building on the other side of Garfield Street does not have a first upper level set back facing Garfield Street; nor does that building have any upper level set back on the western side facing the railway line. Similarly, the eastern boundary building does not have any upper level set back facing Garfield Street or their joint boundary. Recommends that their property should not be subject to more stringent rules than applied to the surrounding apartments. Suggests to apply such rules would do little if anything to enhance the ambience of the area. Submits that the minimum set back of 6 metres at the upper level facing Garfield Street is onerous, unnecessary and inconsistent with the recent developments nearby. Recommends a set back by at least 4.5 metres at upper levels on the other sides of their property is too stringent. These setbacks would reduce the upper level floor area disproportionately, given that their land area is just 975 square metres. Suggests there is no good reason for any upper level set back whatsoever on their western boundary which abuts a laneway and then the railway corridor. 	<p><u>Upper Level Setbacks</u></p> <ul style="list-style-type: none"> Interface C has been applied in areas of change that have narrower streets. In the case of Garfield Street which is 10m wide. A preferred 6 metre setback is an appropriate upper level setback to retain a consistent street wall height and upper level setback within precincts. The discretionary nature of control will allow flexibility during the planning permit stage. Building separation requirements have been applied to assist managing taller form in areas of greater change. The rationale is highlighted in MGS's report (Page 55). Officers acknowledge the location of the land next to the railways corridor. Building separation requirements would apply if the building exceeds 21m or a habitable window or balcony is proposed facing the boundary. These controls are discretionary. It may be considered appropriate at the planning permit stage to reduce the upper level setbacks when considering a proposed design. See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Mandatory Controls</u></p>

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		<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Notes the requirements are not mandatory, offers little reassurance, as the onus will be on to argue that they should not be applied. 	<ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
63	Landowner - DDO49 - Victoria Street East - Williams Street Abbotsford	<ul style="list-style-type: none"> “As a long term resident of Abbotsford (Precinct 4 of the Victoria Street activity centre), I have long hoped that the City of Yarra would develop planning regulations that would support the revitalisation of this increasingly run-down main street. Planning for people is what would be great.” <p><u>Public Safety</u></p> <ul style="list-style-type: none"> Suggests it is incorrect to say Victoria Street is 'a much loved Major Activity Centre. Notes it has been in decline for many years now and in the year before COVID lockdowns, over 40 shops between Hoddle St and Lithgow Street with 'for lease' signs in the windows Notes the street has long had the feel of a ghetto inhabited by “gangs of drug users and pushers, the mentally ill and the homeless”. Suggests over the last 5 years most people avoid the street, commenting on the fact that it is dirty and uninviting. Submits they know many who no longer come to the cafes and restaurants and other residents avoid Victoria Street altogether using Collingwood station and Hoddle street busses for public transport and shopping elsewhere. <p><u>Public Open Space</u></p> <ul style="list-style-type: none"> Submits there is scant reference to provision for essential environmental amenity to serve the proposed 5-12 storey commercial and residential developments. Suggests the experience of lockdowns illustrated the vital benefits of having access to public open space. Notes this area is without open air plazas and bereft of greenery and shade. Suggests planning must include improved amenity for those using the street. Pedestrians, visitors and residents need access to public open space where they feel safe. Notes Community is built where there are places for people to meet. This makes the street safer and more inviting. Notes the lost opportunities to create a vibrant, liveable suburb surround me. The incredible squandering of the beautiful asset of the Yarra riverside running parallel to Victoria does not engender optimism. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Questions the provision for 'low to lower mid-rise development' along Lithgow street. Is that 5 or ten storeys? <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes that heritage architecture is to be maintained but cannot see whether this is as a facade overbuilt by 5-12 storeys. Questions what is meant by development 'that retains the fabric of existing heritage buildings and provides a respectful transition to low-rise residential areas.' such as theirs? Suggests it appears to be an ambiguous generalisation open to interpretation. What does 'respectful mean to planners after all? <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Questions if a guarantee that their house in William street will not be overshadowed? <p><u>Neighbourhood Character</u></p>	<p><u>Public Safety.</u></p> <ul style="list-style-type: none"> The issue regarding public safety, homelessness and drug use within Victoria Street is beyond the scope of the amendment. The amendment will also facilitate new developments that will provide passive surveillance to the street, which should help provide for a safer street environment. <p><u>Public Open Space</u></p> <ul style="list-style-type: none"> See section 11 - <i>Provision of new public open space</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Building heights range between 11m (3 storey), 15m (4 storeys) and 18m (5 storeys) along Lithgow Street. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. The term <i>reference</i> is an accepted phrase to express how new development should respond to heritage buildings. The Office of the Victorian Government Architect expresses their interpretation of this term: <i>Good design should complement existing heritage buildings or conservation areas by respecting historic character, by adapting or contrasting it without overwhelming heritage values. Infill buildings should complement the existing built form and leave a valuable legacy for the future. The careful consideration of scale, massing, setbacks and fine-grain streetscapes is critical when designing within a heritage context. An informed design response relies on understanding heritage values and addressing opportunities and constraints that arise from these.</i> <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> No overshadowing of the submitters property will occur from any land that is covered by the DDO. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Hopes the objective of these proposals is actually to create 'a much loved Major Activity Centre' rather than approval to cement in an ugly, complex driven mainly by maximising rental to developers and rates return to council. 	
64	<p>Organisation (RAID) - DDO 41 - Bridge Road West DDO 42 - Bridge Road South DDO 43 - Bridge Road Central DDO44 - Bridge Road East South DDO45 - Bridge Road East North</p>	<ul style="list-style-type: none"> Richmond RAID welcomes the development of Amendment C291 and commends Council on the strategic planning and research that underpins this amendment. Supports these DDOs in general. Supports the design principles and objectives of: <ul style="list-style-type: none"> protection of the amenity of low scale residential areas adjacent to the Bridge Road Activity Centre; preservation of the Bridge Road heritage streetscape and measures to ensure that new development does not dominate this streetscape including creating a continuous street wall generally matching the heritage street wall height of 2-3 storeys, setbacks of 6 metres for development above the street wall, and further 3 metres setbacks for uppermost levels; spacing of new developments to avoid visual bulk; protecting sunlight access to the southern side of Bridge Road as well as Church Street and Lennox Street and other public spaces; maintenance of view lines to Richmond heritage landmarks - the Pelaco sign, the St Ignatius spire and belfry, and the pediment and clock tower of the Richmond Town Hall. <p><u>Mandatory Controls and Building Heights</u></p> <ul style="list-style-type: none"> Strongly support the use of mandatory maximum heights to achieve design objectives and protect residential amenity. Recognising that that the Bridge Road Activity Centre is a concentrated commercial strip with immediately abutting low-rise residential areas believes that careful consideration should be given to ensuring that maximum heights are appropriate and are adhered to in any future development. Strongly supports the mandatory height controls for the south side of Bridge Road, and welcomes the lower heights (11 – 15 metres) to the west to protect views to the iconic Pelaco sign. Concerned that the area immediately adjacent to the Reserve, on Church Street between Berry Street and Hodgson Terrace, has a proposed non-mandatory height of 15m. Height limits on this site should be made mandatory and preferably reduced to 11 metres. <p><u>DDO42 Bridge Road South</u></p> <ul style="list-style-type: none"> Supports the mandatory height limit of 18 metres and setbacks proposed for the south of Bridge Road between Church and Burnley Streets. <p><u>DDO43 Bridge Road Central</u></p> <ul style="list-style-type: none"> Supports the mandatory height limit of 18 metres and setbacks proposed along Bridge Road. Notes that for the section of Bridge Road east of the Richmond Town Hall to Griffiths Street, the 18-metre height limit is non-mandatory. Suggests this anomaly be corrected by making mandatory the 18-metre limit along this length of Bridge Road. Notes DDO43 identifies a site at 10 Griffiths Street, currently housing the NEUMA Church, and proposes a non-mandatory height of 28 metres for any new development. Submits this height would introduce an intrusive and inappropriate element into this important civic/community precinct. Recommends there should be a mandatory height limit of no more than 21 metres. 	<p><u>Building Heights and Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 3 <i>Building heights</i> response. See section 2 – <i>Application of Mandatory controls</i> response. Mandatory and height controls have been applied on a block by block basis depending on the context and outcomes sought. The rationale for applying mandatory controls is outlined in the above mention response. <i>Between Town Hall and Griffith Street</i> - North of the block between the Town Hall and Griffith Street the land is commercially zoned and does have sensitive residential interface. <i>Berry & Hodgson Street</i> - Heights were reduced from 18m to 15m (approximately five storeys to four storeys) for the two properties on Church Street north of Berry Street. The purpose of this change is to provide an improved transition in scale towards the south and limit overshadowing outcomes to Alexander Reserve. There has been no change to heights applying south of Berry Street. 15m or approximately 4 storeys applies. <p><u>Commercial Viability</u></p> <ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. <p><u>Building Heights (DDO41, DDO43, DDO44 and DDO45)</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Taller development, especially above 21m are subjected to building separation requirements to manage visual bulk. The draft DDOs include a range of policy direction that will also manage visual bulk and the design of taller form. This is outlined in the <i>Section 7 - Impacts on residential amenity</i> response. <p><u>DDO 43 Bridge Road Central</u></p> <ul style="list-style-type: none"> Noted <p><u>DDO44 Bridge Road East South</u></p> <ul style="list-style-type: none"> Noted <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<p><u>Commercial Viability</u></p> <ul style="list-style-type: none"> Suggests consideration must be given to the impact and implications of high-density residential development now occurring in the Bridge Road Activity Centre. These impacts include not only an increase of residential users of Bridge Road, but some negatives such as the loss of commercial activities, and in particular the replacement of retail with service industries, resulting in a less attractive street fronts and a less active streetscape. Strongly support design features that support a vibrant streetscape for all of Bridge Road <p><u>Overshadowing</u></p> <p><i>DDO41 Bridge Road West</i></p> <ul style="list-style-type: none"> Support the requirement that there be no increase in overshadowing of the Alexander Reserve. Notes it is a valued and well used site for children's activities and local social interaction. <p><u>Building Heights</u></p> <p><i>DDO41 Bridge Road West</i></p> <ul style="list-style-type: none"> Supports the maximum heights proposed for the north side of Bridge Road with the exception of: the western site at 23-29 Bridge Road which is proposed to be a non-mandatory height of 21 metres. This appears to be an anomaly given the site's proximity to the city gateway Urban Arts Square to the west and the block to the east between Moorhouse Street and Normanby Place with a mandatory 18-metre height limit. It is proposed a mandatory height limit of 18 metres be applied to the site. A 28-metre non-mandatory height for north side of Bridge Road between Lennox Street and the Coles Plaza. Richmond RAID acknowledges there are existing high rise developments in this section of Bridge Road, but believes this should be reduced to 21 or 24 metres. If this proposal is regarded as unacceptable, the 28-metre height should be made mandatory. <p><i>DDO44 Bridge Road East South</i></p> <ul style="list-style-type: none"> Submits the heights proposed for area appear to be appropriate. <p><i>DDO45 Bridge Road East North</i></p> <ul style="list-style-type: none"> Notes that DDO45 envisages higher developments for the north side of Bridge Road between Gardner and River Streets, 28 metres with the exception of 3 or 4 heritage buildings. Concerned that tall bulky developments could visually dominate this eastern gateway to the City of Yarra which currently reads as a green riverine entry. Recommends heights are decreased to 18 or 21 metres between Jones Place and River Street. <p><u>DDO 43 Bridge Road Central</u></p> <ul style="list-style-type: none"> Notes this section of Bridge Road is an important civic and community hub for the Richmond locality and the City of Yarra, housing the historic Richmond Town Hall, and adjacent to significant and well used community and educational facilities, including the new Richmond High School, Lynall Hall Community School, Richmond Leisure Centre, Richmond Union Bowls Club, Citizens' Park, and of course the busy Gleadell Street market which provides a model for the kind of social interaction that can occur in public spaces. <p><u>DDO44 Bridge Road East South</u></p> <ul style="list-style-type: none"> Notes the inclusion of the large development site at 188-198 Burnley Street in DDO44. 	

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		<ul style="list-style-type: none"> Support the objective that any new development be designed to ensure the visual prominence of local landmarks, former Flour Mill and Grain Store Complex, Bridge Hotel, heritage buildings and heritage streetscape. 	
65	Resident - DDO44 - Bridge Road East South - Neptune Street	<ul style="list-style-type: none"> Notes they are impacted by Schedule 44 to the Design and Development Overlay (DDO44). In particular, the major development sites at 188-200 Burnley Street. Notes these sites include frontages to both Neptune Street and Burnley Street and were not included in the interim Bridge Road DDO. Supports the built form controls in the DDO. Supports the inclusion of the potential development sites with frontages to Burnley Street and Neptune Street in the proposed DDO. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Opposes to the proposed vehicle access provisions in Neptune Street. 	<p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note there is a specific response to the Neptune Street access concerns raised by submissions in the response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
66	Landowner - DDO41 - Bridge Road West - Bridge Richmond	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> notes that according to the Using Victoria Planning Schemes, the Design and Development Overlay is: <i>principally intended to implement requirements based on a demonstrated need to control built form and the built environment. The intended built form outcome must be clearly stated, as must the way in which the imposed requirements will bring this about. Where possible, performance-based requirements should be used rather than prescriptive requirements</i> Submits that it does not provide entirely performance based requirements because of its prescriptive requirements on setbacks, building heights, matching parapet heights and imposing separation distances Submits the proposed DDO41 should not contain: <ul style="list-style-type: none"> mandatory maximum building heights mandatory street walls heights Suggests Council has not adequately demonstrated that there are exceptional circumstances existing on the entire southern side of Bridge Road that negate the ability for property owners from being able to provide responsive design solutions that respect the residential hinterland to the immediate south, especially on larger or deeper sites or on amalgamated lots that are not burdened by a significant or contributory heritage building. Submits that a blanket setback from street walls removes the potential for innovative design solutions and articulation of the built form within the streetscape. Submits that the controls should be performance based not perspective. <p><u>Form and Content of Planning Scheme</u></p> <ul style="list-style-type: none"> Submits the proposed amendment does not appear to comply with the <i>Ministerial Direction on the Form and Content of Planning Schemes (Direction)</i> in that: DDO41 does not confirm with the DDO schedule requirements as there does not appear to be allowance in the Direction for: <ul style="list-style-type: none"> the number of sub-clauses; the inclusion of reference documents; and the style and format of the plan and figures used. Clause 21.12-2 does not conform with the format for policy requirements as the proposed structure as it does not satisfy the requirements in Annexure 3 of the Direction; <p><u>Building Height</u></p>	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Form and Content of the Planning Scheme</u></p> <ul style="list-style-type: none"> See section 21 <i>Drafting issues</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Notes 242 Bridge Road Richmond forms part of the intact heritage streetscape that is covered by HO310. The approach to applying heights within DDO41 is outlined in the <i>Building Heights</i> response. <p><u>DDO Drafting</u></p> <ul style="list-style-type: none"> See section 21 - <i>Drafting issues</i> response. <p><u>Preferred height criteria</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Street Wall Requirements</u></p> <ul style="list-style-type: none"> The requirement for adjacent infill building to match the parapet height of the neighbouring heritage building has been informed by heritage advice. This has been expanded on the <i>Protecting Heritage Values</i> response. See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Building Separation Requirements</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Pedestrian Links</u></p> <ul style="list-style-type: none"> Promoting pedestrian permeability is considered good urban design practice, and will facilitate walkable communities in line with Plan Melbourne's 20 minute city approach.

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		<ul style="list-style-type: none"> • Recommends the height limit for the development of 242 Bridge Road is to be regarded in prescriptive terms as a mandatory maximum height, their Client submits that the maximum height must be increased to at least 22m to allow for the creation of the required 4m ground floor level and include an allowance for at least 3m for each upper floor. • Suggests a maximum height of 18m, a building will be overly restricted and may need to compromise the floor to ceilings heights which does not enable for adaptive design that can be reused for multiple uses in the future; <p><u>DDO Drafting</u></p> <ul style="list-style-type: none"> • Suggest the proposed DDO41 is overly complex and cumbersome in its structure and it should be fine tuned. • Suggests the built form outcomes are not clearly stated and the requirements are not clearly shown how they achieve the design objectives. • Suggests DDO41 is split into a couple of separate DDO's that the deal with specific issues that only apply to a handful of sites. <ul style="list-style-type: none"> - For example, the view lines to landmarks could be split into a separate DDO that is only recorded on the properties within the designated view lines and it could include all important view lines within the City of Yarra. - This would simplify DDO41 (and other DDO's) and make it clear which sites are most impacted by the view line corridors. • Recommends the removal of design requirements that read as policy guidance could be shifted into local policy as the concepts apply to multiple DDO's, this would reduce the repetition of materials in the Scheme; • Recommends consideration should be given to removing the reference to "works" under the building height requirements and street wall and setback requirements. <ul style="list-style-type: none"> - This is because the definition of works in the Scheme does not relate to buildings. - Works is basically defined as changes to natural topography of the ground, so it is difficult to see how changes to the natural topography of the ground in the precinct is likely to cause an impact building heights and street wall setbacks which relate to built form; • Suggests the consideration of architectural expression and achieving urban design and architectural excellence is subjective and in no way associated with performance based assessment of built form and it should not be mandated within the prescribed requirements of the DDO41. <ul style="list-style-type: none"> - This is because overly restrictive design requirements remove the potential for innovative design solutions that satisfy the design objectives of the DDO41 in a performance based approach. - These matters could inform the decision guidelines but they should not be design requirements; • Notes many of the controls and requirements in the DDO41 would be better suited to being listed as either a clear planning policy related to strategic outcomes or alternatively refined within the decision guidelines in order to remove the complexity and duplication throughout the Scheme; • Recommends the reference to 'temporary' when considering blank walls should be removed or clarified: <ul style="list-style-type: none"> - Could create additional requirements for construction hoarding as part of the development application. - Recommends the requirement could be clarified to exempt construction hoarding; <p><u>Preferred height criteria</u></p>	<ul style="list-style-type: none"> • Pedestrian links have been identified in locations in the draft DDOs for larger sites where it is feasible. This does not exclude sites that may be amalgamated in the future. • Pedestrian links are identified as potential links are indicative. <p><u>Rear Interface</u></p> <ul style="list-style-type: none"> • See Section 21 – <i>Drafting issues</i> response. • The term “visual bulk” is a commonly used urban design word and its regularly seen in planning controls including ResCode. • The <i>Access and Movement</i> plan within in the draft DDOs is used to provide guidance on the preferred location of vehicle access. The reference to <i>vehicle access</i> in the <i>Interface to residential properties in NRZ or GRZ</i> requirements clause is used in the context of amenity. <p><u>Wind</u></p> <ul style="list-style-type: none"> • See section 10 - <i>Impacts on the public realm</i> response. • The inclusion of the consideration of wind impacts is a feature of many DDOs within the Yarra Planning Scheme. <p>Recommended position:</p> <ul style="list-style-type: none"> • No change required to the Amendment.

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		<ul style="list-style-type: none"> • Recommends the requirements for the measure of environmentally sustainable design to BESS standards should also be removed. Duplicates requirements that are already in Clause 22.17 of the Scheme. Notes the imposition of designing buildings to BESS standards has nothing to do with built form and built environment outcomes. <p><u>Street Wall Requirements</u></p> <ul style="list-style-type: none"> • Submits matching parapet heights of new development to adjoining heritage buildings removes the ability for design innovation of built form that can still respect adjoining significant and contributory heritage buildings without mimicking the heritage fabric. • Recommends DDO41 should be amended to remove this requirement, as impacts on heritage is already assessed under the applicable Heritage Overlay; <p><u>Building Separation Requirements</u></p> <ul style="list-style-type: none"> • The retention of building separation requirements has the potential to sterilise and discriminate narrow sites that are bound by significant and contributory heritage buildings. • There is a need for more flexibility for site specific design performance based responses that satisfy the design objectives. <p><u>Overshadowing of footpaths</u></p> <ul style="list-style-type: none"> • Notes there appears to be significant duplication within the overshadowing requirements. • Recommends it could be reduced by use of a table instead. • Suggests a performance approach should be used as opposed to a prescriptive requirement. <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> • Submits the term 'visual bulk' is subjective. • Should be removed to allow for greater certainty for new development that complies with the heights and setback requirements. • Recommends the term "Vehicle Access" should be removed from this requirements because the DDO41 mandates that sites use rear access for vehicles to keep Bridge Road clear, this creates a direct conflict of interest between residential amenity of adjoining property and compliance with the mandate of DDO41. <p><u>Potential Pedestrian Links</u></p> <ul style="list-style-type: none"> • Recommends if the Council wish for increased public pedestrian connections, it should either consider a Public Acquisition Overlay to acquire the land for the connections or provide incentives that reward inclusion of public features by allowing for additional height or other benefits in appropriate locations. <p><u>Wind</u></p> <ul style="list-style-type: none"> • Suggests there is no justification for the provision of a wind study analysis for development over 15m. • Recommends this should be removed. • Notes if the Council is concerned with wind impacts, those impacts should be assessed by Council as part of the proposed built form outcomes that are being mandated in the proposed DDO41. • Suggests wind analysis should be used by the Council to justify that the proposed controls will not result in adverse wind impacts. • To require a wind impact study at the time of designing new proposals to the mandated requirements, is counter-intuitive as there is no design freedom within the DDO41 to propose alternative design responses (perhaps with greater height in some instances) that would provide for better outcomes. • The DDO41 mandates a built form outcome that is generic and prescribed formula based, which is more likely to result in adverse wind conditions within Bridge Road. 	

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		<ul style="list-style-type: none"> Wind studies should only be required as a tool to show how a proposed development can be different from the generic and contemplated (and assess) mandated built form, without causing any negative or adverse impacts. 	
67	Organisation (LEGS) - DDO43 - Bridge Road North	<p>DDO Drafting</p> <p><i>Design Objectives</i></p> <ul style="list-style-type: none"> Recommends amending design objectives to ensure the provision of and protection of access to public and private open space, references the following areas: in and adjacent to the Precinct, such as the Old Police Station, Richmond Union Bowling Club, Gleadell & Griffiths Streets, Palmer Street, ROW Lane, Heritage Buildings and other places and other buildings in and adjacent to the Precinct including Precinct 2 Bridge Road South. in the areas adjacent to the Centre Precinct, such as the Lynall Hall Community School, Richmond High School, Leo Barry Gym, Richmond Union Bowling Club, Citizens Park, and other places and other buildings in and proximate to the Activity Centre particular. Recommends the following Design Objectives: <i>To consider the amenity impacts on recreational, event and passive activities in public open space in and proximate to the Precinct, the Activity Centre and the surrounding Municipality and 20 Minute Neighbourhood.</i> <i>To consider the visibility and distance sights lines around and towards Heritage Buildings, Landmarks and significant places in and around the Precinct and the Activity Centre and the surrounding Municipality and 20 Minute Neighbourhood.</i> <p><i>Definitions</i></p> <ul style="list-style-type: none"> Recommends adding definitions that relate to the Design Objectives and in particular to events, recreational and passive activities in public open space Recommends amending public realm to include laneways <p><i>Building heights, Street wall and Setback, building separation and Vehicular Access requirements</i></p> <ul style="list-style-type: none"> Recommends similar to above design objective as relevant and not elsewhere covered <p><i>Views to landmarks requirements</i></p> <ul style="list-style-type: none"> Recommends particular emphasis on views during recreational, events and passive activities in public open space. Recommends add other Landmarks be added e.g. Malthouse, CUB Stack, North Richmond high rise. <p><i>Design Quality Requirements</i></p> <ul style="list-style-type: none"> Recommends adding references to contributions to amenity for recreational, events and passive activities in public open space on Green Streets Recommends including sight lines along Palmer Street and its extension toward Citizens Park <p>Decision guidelines</p> <ul style="list-style-type: none"> Recommends adding references to contribution to amenity for recreational, events and passive activities in public open space on Green Streets and other places and other buildings in and proximate to the Activity Centre and in particular Precinct 2 Bridge Road South. 	<p>DDO Drafting</p> <ul style="list-style-type: none"> Notes the drafting proposal. See section 21 - <i>Drafting issues</i> response. <p><i>Design Objectives</i></p> <ul style="list-style-type: none"> Form and content of planning schemes limits design objectives to a maximum of five. The draft DDOs do not apply controls to the land identified in the submission. The draft DDOs adequately address access to the mentioned places. The draft DDOs include a raft of measures to address amenity impacts on both private and public amenity. See the <i>Section 7 - Impacts on residential amenity and section 10 - Impacts on Public Spaces</i> response where it is expanded upon. Gleadell Street is a nominated Green Street. New development will need to contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation. The draft DDO's include a series of measures to protect views to landmarks, ensure heritage buildings, along with protecting the prominence of heritage corners. See <i>Protecting Heritage Values and View to Landmarks</i> response <p><i>Definitions</i></p> <ul style="list-style-type: none"> See section 9 - <i>Views to landmarks</i> response. See section 12 – <i>Laneways and Traffic</i> regarding the role of laneways and their inclusion in the public realm definition. <p><i>View to Landmarks</i></p> <ul style="list-style-type: none"> See section 9 <i>Views to landmarks</i> response. <p><i>Design Quality Requirements</i></p> <ul style="list-style-type: none"> See <i>View to Landmarks</i> response for the rationale of view points. The DDOs include adequate measures to ensure amenity of public open spaces are maintained. <p>Decision Guidelines</p> <ul style="list-style-type: none"> Contribution to the public realm and open spaces is well covered in the DDO along with references to connectivity to these places. <p>Recommended position:</p>

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68	Landowner- DDO41 - Bridge Road West - Bridge Road Richmond	<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Notes their submissions relates to draft DDO41 Bridge Road Richmond. Notes they live in the DUX building on the ground floor. Their windows and external balcony face east at the rear aspect DUX and near the corner of rear L shaped section. Concerned that increased heights of nearby buildings will either partially or completely block their view and sunlight. Suggests this would make their small apartment cold throughout the year. <p><u>Property Values</u></p> <ul style="list-style-type: none"> Notes it will devalue their property. Noting they are a retiree and not in a financial position to relocate again. 	<ul style="list-style-type: none"> No change required to the Amendment. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. If property faces east, it is noted there is a building already under construction (Richmond Quarter). To the west of the rear of the Dux Building the proposed heights are 15m/4 storeys (between Dux and the laneway). This will minimise any overshadowing on the rear L section of the Dux Building which is 8 storeys. The buildings to the west are also townhouses/apartments which reduces the likelihood of development in the immediate future. <p><u>Property Values</u></p> <ul style="list-style-type: none"> See section 18- <i>Property values and compensation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
69	Landowner - DDO44 - Bridge Road East South - Bridge Road	<ul style="list-style-type: none"> Supports the overall vision for the Bridge Road Major Activity Centre and considers that the Officeworks site has significant future redevelopment potential that will benefit the local community. This is reflected in Council's detailed built form modelling and analyses conducted by MGS Architects and Urban Circus which have resulted in the proposed DDO44 requirements <p><u>Strategic Redevelopment Site</u></p> <ul style="list-style-type: none"> Given the prominence of the Officeworks site location, which is in close proximity to the eastern gateway entry to the Activity Centre (coming from Hawthorn side), the submitter believes this redevelopment potential to be comparable to that of other "strategic redevelopment sites" identified in the current Local Planning Policy Framework across the municipality. Notes the Council's current re-write of local planning policies appears to have removed the concept of "strategic redevelopment site". Notes the redevelopment potential of the subject site is acknowledged in the draft design objectives under DDO44 by specification of "support taller development at 566 Bridge Road". Recommends the redevelopment potential of the Officeworks site is further acknowledged by Council and specifically referenced in the DDO4 and the local policy, to a level similar to the designation of "strategic redevelopment site" in the current Local Planning Policy Framework. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Supports the overall non-mandatory approach with built form requirements that would allow for design flexibility and architectural innovation for future developments. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Supports the overall building height (preferred 18 metres for the subject site) in the context of Bridge Road Major Activity Centres and the design principles. Understands that additional building height can be permitted subject to architectural and planning merits as specified under DDO44. Notes the applicable built form requirements to the subject site are primarily 'preferred', meaning variation to the preferred requirements could be permitted subject to justification. 	<p><u>Strategic Redevelopment Site</u></p> <ul style="list-style-type: none"> Council's position at the C269yara Planning Panel was to remove the concept of strategic redevelopment sites from our local policies. The term is not used in the draft DDOs. DDO44 gives proper recognition and built form guidance for the preferred outcome if redevelopment were to occur. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Noted. See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> The landscape setback provides a suitable buffer between the Commercial 2 Zone land and surrounding residential areas. Amendments to these landscape setbacks have been proposed in the <i>Impacts on Residential amenity</i> response. This has been in response to issues raised in submissions. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Vehicle access requirements set out in the DDO do not prohibit access from Bridge Road but highlight a preference. Rationale for vehicle access has been outlined in the <i>Laneways, Traffic and Parking</i> response.

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		<ul style="list-style-type: none"> A preferred requirement would represent a starting point in planning assessment, and the need to provide justification for variation would be burdened to the future permit applicant. <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> Notes the importance to respect the sensitive residential interface to the east and to the south. Suggests the “6 metres” landscaped setback requirement seems arbitrarily determined without any apparent justification. Notes that the apartment complex to the south is built to the common boundary, adjoining the existing Officeworks building also built to the southern boundary. Submits future redevelopment should also be allowed to be built to the common boundary to reflect the current built form, without unreasonable amenity impacts to the residential properties to the south and to the east. Recommends a greater level of flexibility in the built form requirements by: Removing the requirement for a “6-metre landscape setback” to the eastern and southern interface for the subject site. Permitting variation to the preferred built form requirement, subject to appropriate landscaping outcomes and consideration of amenity impacts. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Notes DDO44 proposes the following access requirements for the subject site: Access “not supported” along Bridge Road frontage. Access “preferred” along Stawell Street. Potential pedestrian link between the subject site and the apartment complex to the south at 59 Stawell Street. Generally, where access is provided to an arterial road, access should be limited to left-in/left-out. Notes the importance of mitigating traffic conflicts along Bridge Road, particularly as an arterial road with tram, car and bicycle traffic, asks Council to also take consideration of the existing vehicle access arrangements of the subject site with direct access to traffic of both directions along Bridge Road (as shown in Figure 1 below – submitter has provided a photo of entrance to Office works on Bridge Road with annotations over the top of it). Notes the subject site currently provides for a three-lane crossover to Bridge Road accommodate vehicle access from and to both directions. This is essential so that traffic travelling in an easterly direction from the CBD can enter the site and leave the site. There is a ‘Keep Clear’ zone in front of the crossover to facilitate vehicle access across the tram tracks. Notes parallel parking is currently permitted for customers visiting the commercial properties along Bridge Road, and that they are able to U-turn through a crossing over the tram tracks to egress from their parking spaces if they wish to drive in the opposite direction. Suggests future developments of the site should be allowed to utilise this existing crossing arrangement, without unreasonable traffic impact, subject to traffic engineering support and consent from the Department of Transport (as the transport authority of Bridge Road). Suggests a ‘left-in and left-out’ restriction will severely hamper vehicles wishing to enter the Officeworks site from the west or to egress the site towards Hawthorn. Recommends flexibility of access from Bridge Road and amend DDO44 “Plan 2: Access and Movement Plan” to permit vehicular access from Bridge Road for the subject site. <p><u>Potential Pedestrian Link</u></p>	<ul style="list-style-type: none"> Amendments to the <i>Access and Movement Plan</i> have been proposed in response to submissions. These have been outlined in the above-mentioned response. <p><u>Potential Pedestrian Link</u></p> <ul style="list-style-type: none"> Support change to amendment - Deletion of the pedestrian link. <p><u>Rezoning</u></p> <ul style="list-style-type: none"> Council has an adopted strategy to manage commercial and industrial land within Yarra – Spatial Economic and Employment Strategy (SEES). The SEES acknowledges that there is sufficient capacity within Yarra’s Activity Centres, Residential Land and Mixed Use Areas to accommodate Yarra’s housing within the next 15 years. The SEES does not support a rezoning: Strategic location near industrial land in Richmond East industrial precinct. Retain for employment uses. <p>Recommended position:</p> <ul style="list-style-type: none"> Remove pedestrian link from DDO44.

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		<ul style="list-style-type: none"> Notes the apartment complex to the south of the subject site is an enclosed private property with a central courtyard that acts as a communal open space for that development. Suggest there would be no direct public access to that central courtyard (see Figure 2 above – the submitter has provided an aerial photo of 59 Stawell Street, with annotations explaining the access arrangement). Notes the proposed potential pedestrian link would be a link between two private properties and would not necessarily facilitate the benefits of pedestrian connections across the public realm. Notes a pedestrian link between two private properties would also create management and practical issues in the future. Recommends Council to reconsider that potentially pedestrian link between the two private properties and remove the link for the subject site. <p><u>Rezoning</u></p> <ul style="list-style-type: none"> Notes Council's current policy is to retain the subject site in the current Commercial 2 Zone (C2Z) for employment generation purposes to support the local economy. Notes the importance of that policy. Questions if Council to be open to the ever-changing ways of people work and live, a change that has been accelerated by the global pandemic, which would have a significant impact on land use patterns in the future. The Bridge Road Major Activity Centre is designated by planning policies to play a significant role in future employment, housing and local amenities. Notes the subject site has significant capacity to contribute to that strategic role for the following reasons: The gateway location close to the eastern end of Bridge Road, which creates the potential for a future landmark development. The site is a stand-alone C2Z parcel currently with one single tenant. The site is surrounded by properties in the Commercial 1 Zone and residential zones where there are existing residential properties or where residential uses are permissible. The large size and dimensions of the site allows which could accommodate a large range and mix of complementary uses including, but not limited to, commercial, retail and residential (potentially including social and/or affordable housing) uses. Notes that a change of permissible land use is not part of the scope of Amendment C291yara, Questions whether Council to be open to a mixed-use future on this site in the longer term and would welcome the opportunity to collaborate with Council on the future planning of the site. 	
70	Resident-Bloomberg Street Abbotsford	<p>Opposes the amendment.</p> <p><u>Parking</u></p> <ul style="list-style-type: none"> Does not address current and future parking issues associated with the increase density and changing technology. Area is well served by the 'Green Travel Plan' [public transport, walking and cycling], but future development also needs to factor in the varied needs of the future residents. All development should have: mandatory visitors parking some private parking for residents some form of onsite electric charging for bicycles and or vehicles of residents and their visitors. 	<p><u>Parking</u></p> <ul style="list-style-type: none"> See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
71	Landowner- DDO41-Bridge Road West -	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Supports the use of discretionary rather than mandatory provisions. 	<p><u>Mandatory Controls</u></p>

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	Church Street, Richmond	<ul style="list-style-type: none"> Considers the amendment has had proper regard to Practice Notes 59 and 60. Agrees the built form provisions applied to the sites should be discretionary rather than mandatory. <p><u>Overshadowing of public realm and public open space</u></p> <ul style="list-style-type: none"> Supports use of Equinox to measure / test overshadowing impacts. <p><u>Rear interface - Interface I</u></p> <ul style="list-style-type: none"> Does not support the application of Interface I to the rear of the site. Creates a small podium to that frontage. Smaller than podium to Church and Berry Streets. Would create a confused architectural outcome. Should apply a street wall that is consistent with Church and Berry Streets – to create a more harmonious outcome. Notes a laneway separates the site from a park to the rear. Important that sites like this anchor the corner. Removal of Interface I would assist this. 	<ul style="list-style-type: none"> Noted. See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Overshadowing of public realm and public open space</u></p> <ul style="list-style-type: none"> Noted <p><u>Rear interface - Interface I</u></p> <ul style="list-style-type: none"> DDO41 provides guidance where corner sites have varied street wall heights: <i>On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface</i> <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
72	Resident- DDO44 - Bridge Road - Tudor Street	<p><u>Privacy</u></p> <ul style="list-style-type: none"> DDO44 does not provide any details about maintaining the privacy of the 75 properties which are directly affected. 100s of people will find themselves affected. 6m setback is not adequate to protect privacy. Racecourse Precinct is a unique highly sought after area with larger than normal blocks. Backyards are heavily utilised by residents (predominantly families). East facing windows/ balconies will reduce the privacy of these areas. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Lack of acknowledgement of properties to the east of any new development. Setbacks and overshadowing protections are focussed on Bridge Road and Burnley Street. Must enable access to sunlight for properties in the Racecourse Precinct. <p><u>On-site car parking</u></p> <ul style="list-style-type: none"> No details provided about parking on site. Couldn't find the requirements for parking for new dwellings on the website. (Need to make this easier to find.) Need to provide details of the proposed dwellings to car parking ratios. Any new developments with poor parking will impact on the limited parking available in Stawell Street, Tudor Street, Palmer Street, O'Connell Street, Jones Place, Whites Place and Type Street. Acknowledges bike parking and e-charging are worthwhile but most people who will be financially able to buy a dwelling will have at least one car. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes that the Racecourse Precinct is 'historically significant' to Yarra. (National Estate Register Criteria E1, A4) [Source – p126, Graeme Butler and Associates 2007] Findings of <i>City of Yarra Review of Heritage Overlay Areas 2007 Updated March 2013, Graeme Butler and Associates</i> (p10) acknowledges that 'past management of the Heritage Overlay Areas has been mixed in quality; and a number of identified significant elements has been lost through development'. Asks what requirements are in place to ensure any development is complementary to this prized precinct. 	<p><u>Privacy, Overshadowing and transition.</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Note there is a specific response to make changes to the Officeworks. <p><u>On-site parking and Traffic</u></p> <ul style="list-style-type: none"> See section 13 <i>Parking</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Notes the heights for the Officeworks site in DDO44 is 18m/5 storeys - not 9 storeys. Other heights in the precinct are 18m/5 storeys or 21m/6 storeys A transition means a development will gradually lower or reduce its visual prominence to the Racecourse Heritage Precinct. <p><u>Traffic</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. A traffic study will be required and reviewed as part of a planning permit application for the Officeworks site. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<p><u>Building heights</u></p> <ul style="list-style-type: none"> 9 storeys is significantly taller than any other building in the area. Given the residential aspect of this part of Bridge Road, changing aesthetic and skyline of the area, building height should be substantially lowered. Wishes to know what is meant by 'create high quality transition to the adjacent Racecourse Heritage Precinct' (DDO44 Objective). <p><u>Traffic</u></p> <ul style="list-style-type: none"> Asks how a new development will impact on traffic and how Council will manage peak hour traffic with development entering and existing Stawell and Type Streets. Clearways will not suffice. A full traffic audit and review should be undertaken and shared with residents. 	
73	Resident - DDO44 – Bridge Road - Neptune Street	<ul style="list-style-type: none"> Overall supports the built form controls in the DDO. Support the inclusion of 188-192 Burnley Street in the DDO. Concerned about potential restriction of natural light and increased overshadowing. Opposed to vehicle access provisions. <p><u>Building heights and setbacks to Neptune Street</u></p> <ul style="list-style-type: none"> Supports the building heights and interface to Neptune Street. Provides an acceptable transition to the lower scale and sensitive residential street. Supports the landscape setback as this increases the separation from residential properties and future developments on the narrow street. <p><u>Rear Interface and Overshadowing</u></p> <ul style="list-style-type: none"> Concerned about the potential for 5m wall on boundary (ie on the right of way off near Stratford Street). Will restrict natural light in habitable rooms and overshadow private open space. Requests a 3m landscape setback along this interface. <p><u>Vehicle Access</u></p> <ul style="list-style-type: none"> Opposes Neptune Street being designated as "access preferred" for vehicle access to and from the major development sites with frontages to both Burnley Street and Neptune Street. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Notes the sites will be large generators of traffic – up to 2,000 vehicle movements per day. Considers traffic surveys out of date because of increased deliveries, Uber Eats etc. Heavy traffic between 7am-10am. Five fold increase in traffic – street normally carries approximately 560vpd. Neptune Street is not a typical two-way two-lane street – narrow carriageway of 6.8m with parallel parking on both sides. Few passing opportunities. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Rear Interface and Overshadowing</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Note there is a specific response to the treatment of amenity issues and the Neptune Street area. <p><u>Vehicle Access and Traffic</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. Note there is a specific response to the treatment of access issues and the Neptune Street area. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
74	Landowner- DDO47 - Victoria Street And Butler Street, Richmond	<p><u>Rezoning</u></p> <ul style="list-style-type: none"> Consolidated holding of land strategically located off Victoria Street. Suited to accommodating intensive urban renewal. With current zoning, office development is likely. Consider the sites are more suited to mixed use development. Notes the amendment is focussed on built form, a zone such as the Mixed-Use Zone could also be considered as part of the amendment to provide greater flexibility to facilitate urban renewal. 	<p><u>Rezoning</u></p> <ul style="list-style-type: none"> Council has an adopted strategy to manage commercial and industrial land within Yarra – Spatial Economic and Employment Strategy (SEES). The SEES acknowledges that there is sufficient capacity within Yarra's Activity Centres, Residential Land and Mixed

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		<ul style="list-style-type: none"> This would also assist with the land use transition and interface further south to the General Residential Zone. Conditions are distinctly different to the balance of Victoria Street which is predominantly a Victorian two storey street-wall precinct with scope for setback upper level redevelopment. In contrast, these sites and others along Butler Street are undeveloped. Presents an opportunity for renewal to both support local employment opportunities whilst also allowing for the flexibility, or at least, should not preclude the opportunity to accommodate residential development. The controls contemplated in the amendment should provide greater flexibility to warrant a performance based approach to future design responses, including in respect to height and setbacks. 	<p>Use Areas to accommodate Yarra's housing within the next 15 years.</p> <ul style="list-style-type: none"> The SEES does not recommend a rezoning: Supports employment diversity; not needed for housing. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
75	Victoria Street Various DDOs - 297 Victoria Street, 367 Victoria Street and 401-407 Victoria Street, Abbotsford	<ul style="list-style-type: none"> These sites and the majority of sites along Victoria Street are undeveloped. Present an opportunity for renewal to both support local employment opportunities and increased residential dwelling densities variously supported by local and State planning policies. <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> The controls should provide greater flexibility to warrant a performance based approach to future design responses, including in respect to height and setbacks versus that of mandating predetermined massing as a blanket approach across the precinct. 	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
76	Resident- DDO44 - - Neptune Street	<ul style="list-style-type: none"> Concerned about major development sites at 188-200 Burnley Street. These sites include frontages to both Neptune Street and Burnley Street and were not included in the interim Bridge Road DDO. Supports the built form controls in the DDO. Supports inclusion of the potential development sites with frontages to Burnley Street and Neptune Street in the proposed DDO. <p><u>Vehicular access</u></p> <ul style="list-style-type: none"> The proposed preferred vehicle access via Neptune Street is of great concern. Opposed to those preferred access provisions. <p><u>Traffic</u></p> <ul style="list-style-type: none"> Neptune Street is already highly congested with traffic mostly limited to single lane / one-way movement. Does not accept that suitable and reasonable traffic management could somehow be safely employed to accommodate the intended / proposed traffic volumes. <p><u>Traffic Safety</u></p> <ul style="list-style-type: none"> Navigating in/out of driveways etc is currently very often a significant safety hazard on what is a very narrow carriageway. 	<p><u>Vehicle Access, Traffic Safety and Traffic</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. Note there is a specific response to the treatment of access issues and the Neptune Street area. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
77	Landowners -DDO41 – Bridge Road West - Bridge Road, Richmond	<ul style="list-style-type: none"> Property is currently in DDO21. Properties along the south side of Bridge Road are generally shallow in depth and are also affected by the HO310 control. A few Bridge Road properties have significantly greater depths with front portion of these properties in HO310 with the rear in HO332. (Subject site is one of these along with adjoining properties.) <p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> Requests the mandatory maximum height under DDO41 is varied for their property In DDO21, a maximum mandatory height limit of 21m applies to the land and all properties within the precinct extending from Lennox Street (west) to Waltham Street (east). 	<p><u>Mandatory Controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Notes property forms part of the intact heritage streetscape that is covered by HO310. Heights were reduced on lots fronting Bridge Road between Lennox Street to Church Street from 21m to 18m as these lots are consistent with lots to the west of Lennox Street in terms of fine-grain and heritage.

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		<p><u>Building heights</u></p> <ul style="list-style-type: none"> Amendment C291 reduces the maximum mandatory height over the properties in this section of the Bridge Road from 21m to 18m. For one these properties, 18m is proposed to apply to the front portion of the land. 21m, the current limit applies to the rear portion of the land. Boundary coincides with HO310 and HO332 boundary. Submits this is inequitable, unfair and prejudices the redevelopment potential of their property and the adjoining site. <i>Building Heights and Setbacks – Precinct 1 plan</i> should be varied so that 21m is applied to the rear portion of this site and its neighbour. The boundary between 18m and 21m should align with the site to the east where this already applies. The southern portions of all three properties would continue to have the benefit of the 21.0m height limit, and all buildings up to that height will have a generous and consistent setback from Bridge Road. This provides a more than adequate set back (>35m) from Bridge Road to ensure that the design and amenity objectives of DDO41 will be achieved, and that the upper-storey of any building would not intrude into the Bridge Road heritage streetscape. The greater depth of the adjoining properties in combination with connections to and direct abuttal of laneways provide a unique opportunity for redevelopment not possible on the predominantly shallower sites along this section of Bridge Road. 	<ul style="list-style-type: none"> The 21m height is retained to the rear towards the Pelaco buildings. This provides an appropriate increase in scale to the taller Pelaco building. It is not standard planning practice to apply two different heights to a single smaller site. Noting this approach been taken with the larger lot to the east. However on this site, there is a smaller finger of land fronting Bridge Road with a more substantive area to the south. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
78	Resident - DDO41 – Bridge Road West - Hull Street	<ul style="list-style-type: none"> Objects to proposed DDO41. DDO41 will adversely affect them and other residents and tenants in Bridge Road West. <p><u>Building heights</u></p> <ul style="list-style-type: none"> The new proposed planning guidelines would allow buildings up to 12 storeys. A recent planning application (PLN18/0700 – 203-207 Bridge Road) proposed a 12 storey building. Proposal was amended at VCAT due to objectors. Resulted in a height of 8 storeys. The developer was forced to consider the impact of the development on the dwellings in the immediate proximity, including but not limited to, privacy concerns of existing dwellings and shadows cast by the original proposed building height. Most of the north side of Bridge Road, excluding the Richmond Quarter development, is a mix of 1 to 5 storey buildings. A 12 storey building within this mix will significantly impact the character and sense of community in the precinct. Concerned that the proposed amendments do not treat residents of the Bridge Road West precinct equally. The residents north of Bridge Road are significantly disadvantaged by the proposed guidelines compared to other residents in Bridge Road West. No defensible arguments to support higher development height limits north of Bridge Road. <p><u>Privacy and other amenity impacts</u></p> <ul style="list-style-type: none"> Future developments north of Bridge Road must respect the privacy of dwellings and be in line with existing buildings, keeping with the streetscapes of the area, and not having a cluster of low rise and high rise buildings. If this proposal was to proceed, Clause 55.04-6, Overlooking and Clause 58.04-1, Building Setback, both outlining the requirement to limit views into habitable room windows of new and existing dwellings, would not be met. Development of this scale would not meet policy in Clause 22.07 Development Abutting Laneways -3 Policy which requires that 'Windows and balconies overlook laneways but do not unreasonably overlook 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. A proposed height of 28m (8 storeys) to the south of the 15m area in Hull Street and not 12 storeys. DDO41 proposes a range of heights from 15m/4 storeys to 40m/12 storeys. It is noted that the 40m height is limited to the Richmond Quarter development that has an approved permit prior to this amendment and is currently being constructed. Most land along Bridge Road between Lennox and Church Street is 28m / 8 storeys. Lower heights of 18m and 15m transition north towards Hull Street. The planning permit PLN18/0700 – 203-207 Bridge Road mentioned in the submission was approved at 8 storeys or 27.8m (from roof level to ground floor). This aligns with the draft DDO41. <p><u>Privacy, Noise, Overshadowing, Wind Impacts and other amenity impacts</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. See section 13 <i>Parking</i> response. <p><u>Construction Noise</u></p> <ul style="list-style-type: none"> See section 17 - <i>Construction issues</i> response.

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		<p><i>private open space or habitable rooms on the opposite side of the laneway' and 'Development respect the scale of the surrounding built form'.</i></p> <ul style="list-style-type: none"> For example if a 12 storey building was developed on the old factory site (formerly Best Corporation) on the south side of Hull Street between Bosisto and Thomas Streets, between the two four storey apartment blocks: The 12 storeys would be three times taller than the two existing apartment blocks. It would overlook those apartments severely impacting the privacy of the residents in the two apartment buildings. The privacy of the 1 and 2 storey dwellings across the street on the northern side of Hull Street and the apartment buildings on Leggo Place would be affected. <p><u>Noise</u></p> <ul style="list-style-type: none"> Closeness of apartments means that noise from gatherings on balconies carry easily to other nearby dwellings. Development of 12 storeys would allow the noise to travel as the surrounding area consists of lower one to five storey buildings. <p><u>Construction noise</u></p> <ul style="list-style-type: none"> Construction of 207 Bridge Road 'Peppers Hotel' has been '<i>soul destroying for residents living and working from home</i>' during the construction period. Construction 6 days per week from 7am until 6pm at night. (Awoken by the workers every day at 5.30am.) This has impacted on their quality of life and personal wellbeing. Unsure how they will get through the next 12+ months of construction plus future developments that take place on Bridge Road/Leggo Place. No option to relocate or rent during construction. No one would rent the apartment because of noise. Submitter's financial situation is impacted if forced to move out. <p><u>Overshadowing</u></p> <ul style="list-style-type: none"> Increased height limit north of Bridge Road will significantly reduce natural sunlight to the balconies and windows of existing dwellings. <p><u>Wind impacts</u></p> <ul style="list-style-type: none"> Increase the existing wind tunnel problem in the precinct. Already experiencing these impacts from existing developments and the new proposed guidelines and will only increase this issue. <p><u>Traffic and parking</u></p> <ul style="list-style-type: none"> Increased height north of Bridge Road will significantly increase densities in the precinct which will lead to higher vehicle and foot traffic. There are many narrow lanes in the precinct that provide access to residence car parks and as traffic increases there is a higher risk of accidents involving both vehicles and pedestrians. Leggo Place is an example of this. Traffic volumes have steadily grown with development in the area, and they have both had many near accident experiences, particularly at night. Additional density will further impact the parking challenges in the precinct. It is currently extremely difficult for existing residents with parking permits to find vacant car spots of their address. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
79	Resident - DDO44 – Bridge Road East	<p><u>Residential interface (to the south)</u></p> <ul style="list-style-type: none"> DDO44 - Bridge Road East South does not provide detailed design guidance for adjacent residential boundaries to commercial properties on Burnley Street, Richmond. 	<u>Residential interface (to the south)</u>

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	South - Burnley Street	<ul style="list-style-type: none"> Interface H applies. DDO advises to refer to the NRZ and includes a drawing that is difficult to understand. DDO44 requires that the development should not exceed Figure 1 of proposed DDOs (applicable to most DDOs). Diagram is not clear whether this refers to a rear lane or a street frontage or a main boundary between two properties. Suggests a specific interface should be created for the boundary between the commercial 2 zoned and residential properties. DDO44 only deals with interaction with the rear properties (east - west). Notes that the Information Sheet, which only refers to 188 -198 Burnley Street Richmond but doesn't include 198 - 242 Burnley (Commercial) and 244 Burnley Street (residential). If the already permitted development doesn't go ahead, then a future planning application could include: <ul style="list-style-type: none"> a 5m wall at the boundary (back from the boundary, the building would then not be able to cross the green line in Figure 1). A building built in that envelope will dominate over their residence Due to the potential development's position to the north, it may also restrict natural light and reduce light into their "habitable rooms" (bedrooms, living rooms etc). increase overshadowing into private open space (their courtyard/rear garden). A suitable transition from residential to commercial properties should be clearly articulated in the design framework. Recommendation: <ul style="list-style-type: none"> Apply an interface similar to Interface I. 4.5m setback from the boundary to recognise the presence of a habitable room window. Would allow residence to have natural light especially in the habitable bedroom and living rooms. Otherwise, it will increase overshadowing into their private open space. Maximum ground floor wall height at this 4.5m setback should be restricted to 5m. Notes that VCAT approved a ground level setback of 2.905m of the proposed Commercial Property (198 – 242 Burnley Street - Permit No.PLN17/0370) off the adjacent boundary to residential home of 244 Burnley Street, Richmond. Additional conditions include a provision of a security gate abutting Burnley Street within that setback to prevent potential security concerns and the southern wall to be architecturally treated. At minimum these should be included as part of any updated <i>Building Separation Requirements</i> specific to the interface. <p><u>Landscaping between Commercial 2 and residential properties</u></p> <ul style="list-style-type: none"> Requests a minimum of a 4.5m landscaping for the interface to separate the commercial building. This would mimic the current setup which has been like that for almost 60 years. <p><u>Street wall setback</u></p> <ul style="list-style-type: none"> Opposes zero metres setback for Interface C (non heritage) on Burnley Street. 'Building Height & Interfaces' Plan contradicts the table where it shows a blue dotted line for a 3m landscape setback, where as the table advises 0m, as above. Recommendation: <ul style="list-style-type: none"> Interface C to include a minimum of 3m front setback to include 198 - 242 Burnley Street. Note: The currently approved permit for 198 - 242 Burnley Street requires a 3m front setback with landscaping. <p><u>Street wall Height</u></p>	<ul style="list-style-type: none"> See the <i>Section 7 - Impacts on residential amenity</i> response. There are proposed changes to the residential interface requirements applicable to Burnley / Neptune Streets. <p><u>Landscaping between Commercial 2 and residential properties</u></p> <ul style="list-style-type: none"> Officers have proposed a new landscape setback to the interface with the south and south western properties. Refer to the specific section in <i>Section 7 - Impacts on residential amenity</i> response for more information. <p><u>Street wall setback</u></p> <ul style="list-style-type: none"> Table 1 of DDO44 includes reference to the 3m Landscape Setback. It is also shown on the <i>Height Plan</i>. <p><u>Street Wall and Upper Level Setbacks</u></p> <ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response. Interface C has been applied to arterial roads where there is no consistent heritage streetscape. 198-242 Burnley has a complex property boundary where multiple interfaces interact with each other. Any future development will need to transition towards residential developments. <p><u>Amenity impacts - Overlooking / privacy</u></p> <ul style="list-style-type: none"> See <i>section 7 - Impacts on residential amenity</i> response. The amendment does not change any requirements for screening that have been identified on the permit. DDOs do not include requirements for screening – this is dealt with through a planning permit. Noting some proposed changes to the Residential interface controls may address some amenity impacts. <p><u>Potential shop use on a commercial site</u></p> <ul style="list-style-type: none"> The amendment does not address land uses or affect the hours of operation for businesses. This is dealt with other parts of the scheme and through a planning permit process. The draft DDO would not change hours of operation. <p><u>Vehicular access</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. Note there is a specific response to Neptune Street access concerns raised in the submissions. Notes the approved permit at 198-242 Burnley Street, those conditions still apply. Notes the permit requirement that only emergency vehicles can access Stratford Street.

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		<ul style="list-style-type: none"> Opposes 11m maximum and 8 metres minimum street wall height for Interface C (non heritage) on Burnley Street. Allowing 8m does not match the proposed height in Figure 1 of proposed DDOs (applicable to most DDOs). Request a maximum of 5m combined with a 4.5m setback from the main boundary (see above). <p><u>Amenity impacts - Overlooking/Privacy</u></p> <ul style="list-style-type: none"> DDO44 states that it aims to ensure new developments minimise amenity impacts on the low scale residential neighbourhoods which abut the Precinct. This includes minimising overlooking, overshadowing and visual bulk. Planning Permit No.PLN17/0370) requires screening of any windows of the southern façade of the commercial development. This is required as there are habitable rooms on the interface between the residential and commercial properties. Outlook from the commercial property within at least 9m of any habitable room windows and private open areas must be screened to ensure resident's privacy. <p><u>Pedestrian and Vehicle Access – Stratford Street</u></p> <ul style="list-style-type: none"> Oppose the potential pedestrian link via Stratford Street. This small backstreet has effectively been a court for over 60 years. Allowing pedestrian thoroughfare through this area at any time, night and day, will seriously impact on residential safety. Should be no vehicular or pedestrian access from the commercial site into Stratford Street. Any access from the commercial property should be as per VCAT reference below and some form of security fencing/gates need to be included to ensure resident's safety. This entry should be strictly for emergency vehicle access only as per VCAT ruling (198 - 242 Burnley St - Permit No.PLN17/0370). <p><u>Potential shop use on commercial site</u></p> <ul style="list-style-type: none"> Retain the planning permit requirement specifying hours of operation for offices/shops within the commercial property. Hours of operation limited to 8am - 8pm Monday to Sunday for non-residential and non-office use such as shop use as per VCAT ruling (Permit No.PLN17/0370) <p><u>Vehicular access</u></p> <ul style="list-style-type: none"> Support vehicle access from Burnley Street only. Left in and left out. All commercial vehicles, including delivery vehicles, couriers, waste collections trucks and all private vehicles/motorcycles and bicycles/scooters of staff in offices and shops of the commercial building must access the site from the Burnley St vehicular access point as per VCAT ruling (198 - 242 Burnley St – Permit No.PLN17/0370) <p><u>Building heights</u></p> <ul style="list-style-type: none"> Opposes that DDO44 allows some commercial buildings at 6 levels along Burnley Street and some at 5 levels along Bridge Road. Why does DDO44 support different building levels in different areas? Recommendation: Apply a maximum of 5 storeys on both Bridge Road and Burnley Street to commercial properties. It would keep it the look and feel of the precinct consistent. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Preferred character statements</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Clause 21.12 consists of preferred future character statements and policies for both Centres. In total it is only 8 pages and is available on Council's website. <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. The residential interface requirements applies to land affected by DDO44 where an Interface H (direct or laneway) apply. Mandatory height controls still apply where future development is abutting or impacting Neighbourhood Residential or General Residential Zone. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> This would be beneficial to Burnley Street where the commercial property is adjacent to residential homes and will allow more light and less visual bulk. <p><u>Preferred character statements</u></p> <ul style="list-style-type: none"> Opposes the reference to a new mid-rise character (4-8 storeys) within Precincts 4 and 5 while ensuring tall buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight in Clause 21.11 on page 10. This should be changed to 5 storeys as a maximum and keep this consistent within Precincts 4 & 5. Was referred to Clause 21.11 for specific policies but it only has pages 1-15 Of 139 pages. Is there more information in relation to this? <p><u>Residential Interface</u></p> <ul style="list-style-type: none"> Asks whether this applies to the interface of residential and the commercial site? Asks whether the residential rules still apply for residential building permits or do the DDO44 changes affect the residential building rules? For example: Can you still build to 9m height under DDO44? 	
80	Landowner -DDO41 - Bridge Road West - Bridge Road	<ul style="list-style-type: none"> Objects to some parts of the amendment. Property located between Lennox Street and Waltham Streets – within (HO310) and is part of Predinct 1 Bridge Road West – DDO41. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Does not support Interface H - residential interfaces (direct abuttal). Notes that some of the sites may have already been developed, or have had permit approvals directly abutting residences, however it is unimaginable that DDO41 would encourage such development into the future when it also aims to make sure new development minimises its amenity impacts on the low scale residential neighbourhoods which are next to the activity centre. This includes minimising overlooking, overshadowing and visual bulk. Notes that as various adjacent sites have development potential under DDO41, this makes for an even more intense rather than a more scaled back interface. There are fewer points of separation within the area than in previous DDO. <p><u>Building heights</u></p> <ul style="list-style-type: none"> In DDO41, lower heights of 3 and 4 storeys apply in other areas on the south side of Bridge Road to protect views to the landmarks or to enable a step down to neighbouring residential areas. In interim DDO21, shops on the south side of Bridge Road between Waltham and Lennox Streets have a maximum mandatory building height of 21 metres. Under DDO41, this has been revised down to 18 metres. Therefore makes the following recommendations for the southside of Bridge Road, bound by Lennox Street and Peluso Place. Notes that where views of the Pelaco building are unencumbered (such as from the steps and footpath of the Richmond Town Hall), any new built form which meet the proposed mandatory heights will be visible and compete with the existing view of the Pelaco building and the sign which are noticeable and the dominant elements on the skyline. To date the south side of Bridge Road in DDO41 has not been the subject of higher built form behind the shops with one completed exception (at 172-174 Lennox Street Richmond and at a significant distance behind the Bridge Road shops). The creation of a canyon-like effect, as a consequence of higher development on both sides of the street, should be avoided. Notes that many of the largest and deepest lots on Bridge Road are located between Lennox and Church Streets. 	<p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. See section 2 – <i>Application of Mandatory controls</i> response. Heights were reduced on lots fronting Bridge Road between Lennox Street to Church Street from 21m to 18m as these lots are consistent with lots to the west of Lennox Street in terms of fine-grain and heritage. The 21m height is retained to the rear towards the Pelaco buildings. This provides an appropriate increase in scale to the taller Pelaco building. <p><u>Views to Landmarks</u></p> <ul style="list-style-type: none"> See section 9 - <i>Views to landmarks</i> response. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Impacts on public open space and footpaths</u></p> <ul style="list-style-type: none"> See section - 10 <i>Impacts on the public realm</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> On the south side of Bridge Road between Lennox and Church Street, in addition to the Bridge Road Precinct HO310 Heritage Overlay, an extensive Heritage overlay HO332 Richmond Hill Precinct also applies. Therefore suggests it would be reasonable to reduce further some of the maximum mandatory building heights within this heritage area. Recommendations for Allowah Terrace: <ul style="list-style-type: none"> Reduce height of all dwellings on Allowah Terrace (2, 4, 6, 8A, 8B, 10A and 10B Allowah Terrace inclusive) from proposed 21 metre mandatory height to 18 metres. Preference is for a maximum mandatory building height of 15 metres. Enables stepdown to neighbouring residential areas within HO332 Richmond Hill Precinct. Notes the single storey dwellings at 2 and 4 Allowah Terrace are both 'Contributory' heritage buildings. Recommendations for 193 and 193a Lennox Street: <ul style="list-style-type: none"> Reduce height from proposed 21 metre mandatory height to 18 metre height. Submitter's preference is for a maximum mandatory building height of 15 metres. These buildings are located within the HO332 Richmond Hill Precinct. Lowering their proposed mandatory height will help protect more of HO332 - Richmond Hill Precinct and also reduce competition within the skyline with the existing view of the Pelaco building and sign. 193 Lennox street single storey shop built over 100 years ago is graded 'Contributory'. <p><u>Views to landmarks</u></p> <ul style="list-style-type: none"> DDO41 also requires that buildings are designed to ensure views to the Pelaco Sign, the Richmond Town Hall Clocktower and the St Ignatius Church are retained. Supports retaining all of these important views, including all those views in interim DDO21. Further views of the Pelaco sign landmark should be protected. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> Considers it is not sufficiently consistent to say that any development above the heritage building to be pushed back by at least 6 metres. Stating it in this manner indicates that development above the heritage building can potentially start off at a minimum of 6 metres setback or any other setback for that matter. Submitter could not see any clear non-subjective methodology provided within the proposed DDO. This subjective methodology causes inconsistencies and is ambiguous. Interim DDO21 however, provides clear and non-subjective methodology by using angles/proportions. Supports the existing clauses in DDO21 to calculate setback for upper level development which utilise a site line of 1.7 metres above the footpath (on the opposite side of the street): <ul style="list-style-type: none"> This approach is transparent. Ensures the proposed development will achieve an appropriately recessive built form maintaining the prominence of the Bridge Road heritage streetscape, relative to the parapet height (consistent with the DDO21 design objectives). Notes parapet height varies significantly between a single storey and a 3 storey building. This needs to be taken into account when determining upper storey setbacks. Interface A - Minimum upper level setbacks are not supported: <ul style="list-style-type: none"> <i>Mandatory Requirement: 38-44 Bridge Road - 10mtrs, Elsewhere - 6mtrs</i> <i>Preferred Requirement: For buildings >15m, the uppermost level should be set back 9m minimum</i> These minimums should be greater, and in addition dependant on the height of parapet. 	

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		<ul style="list-style-type: none"> <i>Interface I</i> - Does not support the minimum upper level setback of 4.5 metres from the centreline laneway as a preferred requirement. It should be mandatory. <p><u>Impacts on public open space and footpaths</u></p> <ul style="list-style-type: none"> Recommends the overshadowing controls for Lennox Street, Church Street and Alexander Reserve should read: <ul style="list-style-type: none"> <i>A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.</i> Amendment deletes concept of measuring shadow 2 and 3 metre distances to the kerb for Lennox and Church Streets respectively. Comments that the overshadowing controls for Burnley Street in the interim DDO21 are not in C291. Appears that overshadowing will become more acceptable under C291yara when compared to the existing interim DDO21. Does not support this. <p><u>Views to landmarks</u></p> <ul style="list-style-type: none"> In Interim DDO21, development must maintain existing views to: <i>the tower belfry and spire of St Ignatius Cathedral.</i> It is currently also viewed from: <i>Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street</i> Does not support the omission of this view in Draft DDO41. Within Interim DDO21, development must maintain existing views to <i>'the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall'.</i> It is currently also viewed from: <ul style="list-style-type: none"> <i>South East Corner of Burnley Street and Bridge Road Intersection; and</i> <i>Citizens Park at the entrance from Highett and Gleadell Street intersection and the central entry from Highett Street.</i> Does not support the omission of these two views in Draft DDO41. Not all of the landmarks' current and existing view points within DDO21 will be maintained into the future. Concerned that development will not retain all these existing viewing points with a "clear sky" backdrop between the landmark and the proposed development which currently appear as view points under DDO21. <p><u>Laneways, traffic and parking</u></p> <ul style="list-style-type: none"> Whilst the requirements aim to provide a safe and accessible environment for everyone and to limit potential conflict between vehicle movements and pedestrians, submitter does not support the ingress and egress of a large volume of vehicles accessing these large developments in particular via laneways and very narrow 'laneway like' roads. Many roads marked as 'Access Preferred' are very narrow. Eg. Allowah Tce: <ul style="list-style-type: none"> Is only 2.62 metres wide at Bridge Road between the commercial buildings at 160 and 162 Bridge Road. There is no footpath in that segment along the length of these buildings. In addition, it has ten dwellings at the south end of it where its inhabitants would have to navigate bicycles and vehicles either by driving out (two-way) or walking out onto Bridge Road. 	

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		The reality is that such narrow roads marked as 'Access Preferred' can only safely cope with low volumes of a combination of pedestrians, vehicles and bicycles at any one time.	
81	Landowner – DDO44 - Bridge Road East - Burnley Street, Richmond	<ul style="list-style-type: none"> Impacted by DDO44 and by major development sites such as 188-200 Burnley Street and 198 - 242 Burnley Street. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Opposes six storey developments in Burnley Street as they do not provide a smooth transition with local residences. Six levels will dwarf residential properties. Supports 4 - 5 storeys as a maximum height to reduce visual bulk and maintain light in the street and keep the look and feel of the precinct consistent. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> High rise developments such as the proposed 198 -242 Burnley Street, are of particular concern. Concerned about overlooking issues into habitable bedrooms across the road. The proposed development is not included in DDO44 and should be added as it is directly opposite the submitter's property. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Increased built up commercial developments increase traffic congestion and reduce car parking availability along Burnley street. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
82	Resident – DDO44 Bridge Road South East – Longfield Street	<ul style="list-style-type: none"> Lives within the Racecourse Heritage Precinct. Property backs on to the current Officeworks site. Concerned about proposed new planning provisions: <ul style="list-style-type: none"> impact this could have on the heritage area. impacts on their property in regard to potential overshadowing, general amenity and lack of privacy / overlooking. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Proposed overall building height of 21m is excessive and inappropriate in this heritage residential area. The height is noted as discretionary – this raises further concern that it could well be approved higher. Definition in the planning provisions enables certain elements of the building to exceed this height. A development of this scale butting up to the single level heritage Racecourse Precinct will completely change the nature of the area. Smacks only of another poorly considered and inappropriate development for financial gain. Proposed planning provisions do not protect the history and heritage of this place which is special and a unique part of Richmond. <p><u>Landscape setbacks</u></p> <ul style="list-style-type: none"> The proposed setback of 6m for a development of this scale is not sufficient. Nothing in the provisions in relation to landscaping or screening via tall trees or any type of green separation between existing houses and such a large-scale high-rise development. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. A height of 18m is proposed for the Officeworks site adjacent to Racecourse Heritage Precinct and along Bridge Road. 21m is proposed for Burnley Street. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. Note specific response for further setbacks to Officeworks site. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
83	Landowners – DDO48 North Richmond Station –	<ul style="list-style-type: none"> Currently subject to DDO22. Large irregular shaped site with frontages to Hoddle and Regent Streets. <p><u>Rezoning Request</u></p> <ul style="list-style-type: none"> Site is currently in two zones. 	<p><u>Rezoning Request</u></p> <ul style="list-style-type: none"> Consideration of rezoning request is outside the scope of the amendment.

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	67-81 Hoddle Street & 84 Regent Street, Richmond	<ul style="list-style-type: none"> Amendment presents an opportunity to investigate the rezoning of the subject site so that it sits within a single zone, enabling coordinated redevelopment of the consolidated site. Current controls present constraints to the comprehensive redevelopment of the site due to conflicts within the provisions of the C2Z and the MUZ in terms of permissible uses. For example, 'Accommodation' is prohibited within the C2Z, whereas 'Dwelling' is as-of-right within the MUZ. Submits that a Mixed Use Zone represents the right 'fit' for the site for the following reasons: <ul style="list-style-type: none"> The site is already partly included within the Mixed Use Zone. Surrounding land to the east and south is included within the Mixed Use Zone. The land immediately to the north and south includes non-conforming uses (dwellings) within the Commercial 2 Zone which would also be more appropriately zoned Mixed Use. Suggests MUZ is applied to dwellings to the north and also directly to the south. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Acknowledges the 34m maximum height referenced in proposed DDO48 is discretionary. Submits it is capable of accommodating increased height: <ul style="list-style-type: none"> The combined site is large, indeed one of the largest in the precinct. The site is relatively unconstrained by sensitive interfaces, in particular to the south where shadows would fall. The site is located on a broad arterial road capable of accommodating taller buildings without adversely impacting the public realm or pedestrian environment. Given its strategic attributes, it presents an opportunity that should be maximised in terms of its development potential, and a greater preferred height than surrounding land (which is far more fragmented) is warranted. <ul style="list-style-type: none"> <u>Criteria for preferred heights</u> Support the re-structuring and re-wording of the building height requirements to specify and separate the requirements for commercial and residential development. Supports the updating of wording that could be interpreted as mandatory. <p><u>Upper level setbacks to Hoddle Street</u></p> <ul style="list-style-type: none"> Maintain the setback above street wall requirements within the current DDO22 (ie. 3m to Hoddle Street and 5m to Regent Street). There is no strategic basis for the increase reflected in the proposed DDO48. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> Generally supports the broad ambitions for the site and precinct including the proposed rezoning of the land, however objects to the introduction of mandatory built form controls of any kind. Notes that Planning Practice Note 59 states that: <ul style="list-style-type: none"> <i>A performance based planning scheme is able to accommodate variation, innovation, unforeseen uses and development or circumstances peculiar to a particular application to produce results beneficial to the community.</i> <i>Mandatory provisions in the VPP are the exception. The VPP process is primarily based on the principle that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.</i> No circumstances in this activity centre that warrant use of mandatory controls. Should be encouraging innovation and contemporary design in urban renewal areas. <p><u>Setback in Little Hoddle Street</u></p>	<ul style="list-style-type: none"> Council has an adopted strategy to manage commercial and industrial land within Yarra – Spatial Economic and Employment Strategy (SEES). The SEES acknowledges that there is sufficient capacity within Yarra's Activity Centres, Residential Land and Mixed Use Areas to accommodate Yarra's housing within the next 15 years. The SEES does not recommend a rezoning. <p><u>Building Heights and criteria for preferred heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Upper level setbacks to Hoddle Street</u></p> <ul style="list-style-type: none"> New interface D and building separation controls along Hoddle Street have been applied will ensure views to the sky between buildings. See section 4 – <i>Street wall and upper level setbacks</i> response re the new upper level setbacks and Section 7 re building separation requirements. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Setback in Little Hoddle Street</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response for a specific response for Little Hoddle Street. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. Notes specific response in submission for area. Note amendments will be made to correct error regarding the length of the 2m setback. <p>Recommended position:</p> <ul style="list-style-type: none"> Amend <i>Height and Setback Plan</i> in DDO48 to reduce the length of the 2m setback to align with property boundary.

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		<ul style="list-style-type: none"> Error in 'Plan 1: Height and Interface Plan' Plan' graphics depicting a 2m Setback interface at the Southern end of Little Hoddle Street extends past the end of Little Hoddle Street into private property. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Error in 'Plan 2: Access and Movement Plan' - it shows Potential Future Shared Zones which extend past the southern end of Little Hoddle Street into private property. Does not support the proposed Potential Pedestrian Links through the subject site. Any pedestrian links through the subject site are likely to have adverse effects, including diminished development potential and reduced security. Does not support the proposed Setbacks detailed on 'Plan 2: Access and Movement Plan'. The proposed Setbacks are proposed to have a disproportionate effect on the subject site due to the alignment of the existing title boundaries and on-site improvements. 	
84	Land owner DDO45 – Bridge Road North East – Bridge Road	<ul style="list-style-type: none"> Site would be affected by DDO45. Site would be subject to a preferred: <ul style="list-style-type: none"> maximum 28 metre building height; maximum 15 metre northern, western and southern street wall height 4.5 metre upper level setbacks. Notes that as exhibited, there is no substantial change in terms of built form outcomes between the current interim planning scheme controls and those proposed via Amendment C291. Supports the strategic direction of the amendment and the potential development outcomes for its landholding that it provides. It provides for an appropriate, fair, efficient, and sustainable land use and development framework for the Yarra community. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
85	Resident DDO50 Victoria Street East Ends McKay Street	<p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> 21 metres high development will overshadow the submitter's house. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Largely residential in the upper storeys will impact on the number of available car parks on adjacent street. Off-street parking will become even harder than it already is. 	<p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. See specific response for area in section 12. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
86	Resident DDO48 North Richmond Station Regent Street	<ul style="list-style-type: none"> Concerned about DDO48 and area bound by Hoddle Street, York Street, Regent Street and Elizabeth Street. The proposal will have a significant impact on the amenity and environment of Regent Street and Little Hoddle Street. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Concerned the proposed heights and setbacks will: <ul style="list-style-type: none"> cast the submitter and neighbours into darkness at all times of day and in all seasons, impacting on quality of life and mental health. eliminate all privacy of living areas from any commercial buildings erected on Hoddle Street and/or Regent Street. cause significant overshadowing of Little Hoddle Street given the narrow width of the street and impacting on amenity of residents and workers from the creative industries in the area. 	<p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. Notes specific response to submissions for the area. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. See specific response for the area in section 12. <p><u>Redevelopment of the childcare on Hoddle Street</u></p> <ul style="list-style-type: none"> Noted, the land use of a site beyond the scope of this Amendment.

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		<ul style="list-style-type: none"> Little Hoddle Street (despite its narrow width) forms the transition between commercial and mixed-use zones. Development in the Mixed Use Zone is predominantly residential, with over 100 houses/units in the area. DDO48 takes no consideration of the impacts on light, air and overshadowing that would occur for Regent Street and Little Hoddle Street and the adjacent properties. Allows for: <ul style="list-style-type: none"> the second highest street wall at the interface of Little Hoddle Street out of all proposed DDOs. (This is inappropriate given its narrow width and usage.) the second highest total building height limits out of all proposed DDOs. (This will lead to unreasonable amenity impacts and a level of density the area can't support.) Very limited setbacks on Little Hoddle Street (4.5m from the middle of the lane), exacerbating the issues above. Any development is likely to create a canyon along the length of Little Hoddle Street and exacerbate the 'rat run', which Regent Street has become. The requirement for a 2m widening of Little Hoddle Street at the ground level for new developments on the western side of Little Hoddle Street is unlikely to ameliorate these impacts. Recommendations: <ul style="list-style-type: none"> Amend the overall design objectives for DDO48 to recognise the unique community in Regent Street and Little Hoddle Street, including the contiguous terraced housing, predominantly residential mixed use, especially creative industries, heritage value and community use of the space. Remodel the street wall, setbacks and height limits. Cap building height on Hoddle Street and Regent Street at three storeys to recognise the narrow width of Little Hoddle Street and impacts on existing residents. Recommendations around amenity – Ensure the DDO includes requirements that: <ul style="list-style-type: none"> Retain a reasonable degree of sunlight to Regent Street and Little Hoddle Street and properties facing each street. This would likely require a more stepped form for buildings on either side of the lane (at reduced height and greater setbacks) while still allowing for increased density along Hoddle Street. Ensure development does not unreasonably prejudice the amenity of current buildings in the area through overshadowing. Require consideration of overlooking of properties. Consider the design quality of buildings facing the lane, to protect and promote the laneway character, including active edges for the rear of any commercial buildings fronting Hoddle Street. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Concerned that DDO48 will mean that there will be significantly greater traffic in the area. The proposed approach to the 2m widening of Little Hoddle Street does not address the large volume of traffic that would be introduced by a single sizeable commercial development on Hoddle Street, Regent St or Little Hoddle Street. The DDO does not take into account: <ul style="list-style-type: none"> pedestrian and community use of Little Hoddle Street and Regent Street pedestrian safety resident parking - parking is currently permitted in both streets and as such creates a single lane for traffic. 	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> ▪ rubbish bin collection - This is already a largely manual exercise for collectors based on access issues. ▪ Safety of the Elizabeth Street intersection was a significant issue for the community in the trial of bike lanes in Elizabeth Street. ▪ Large traffic volumes leaving Regent Street and Little Hoddle Streets will prevent cars being able to turn right into Little Hoddle Street from Elizabeth Street, potentially causing a flow-on effect to the Hoddle-Elizabeth intersection. ▪ Fire and emergency vehicle access and required turning circles would be impossible in either street - creating a fire/emergency safety risks for all residents. ▪ Recommendations: <ul style="list-style-type: none"> ▪ The traffic report should expressly protect community and pedestrian uses of Regent Street and Little Hoddle Street, and more thoroughly consider the volume of traffic that could reasonably be managed given the likely "opportunistic" nature of any widening. ▪ 2m widening (likely just at the southern end of Little Hoddle Street) is insufficient. ▪ This require reducing the overall density, additional widening over time, and including separation or a pathway for pedestrians on the eastern side of the lane including street furniture and planting to support safe community use. ▪ Traffic management be provided for Regent Street to avoid the 'short cut' to Elizabeth Street. (This seems to be caused by no right turn at Elizabeth Street to north bound traffic on Hoddle Street). <p><u>Redevelopment of the childcare on Hoddle Street</u></p> <ul style="list-style-type: none"> ▪ Guardian Child Day Care Centre (67/81 Hoddle Street) which backs onto Little Hoddle Street is an attractive development site. ▪ Concerned DDO48 will incentivise the termination of the childcare centres' lease. ▪ This would see this very busy day care centre disappear. Hundreds of families in the area rely on this centre. Alternate options are very limited. ▪ Believes that the social and political implications of any approvals should be closely considered. Community reaction would be extreme. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> ▪ Need to consider social and economic aspects. ▪ COVID pandemic has seen a significant shift in the way that people work. ▪ Resulted in significant developments in technology and the necessity for home working solutions for many staff who would normally occupy high rise commercial buildings. Has led to many commercial buildings standing empty. ▪ As restrictions ease, workforce polling is taking place across all industries, with an overwhelming employee driven preference for a permanent blended working model. ▪ Large organisations are listening to this and seeing the productivity, social and financial benefits to this new working model. This will and already is, seeing buildings being sold, leases ending and ultimately a reduced need for the volume of commercial premises. <p>DDO48 carries the risk of fuelling development of buildings which will stand empty, impact commercial property value and, where empty, add to Richmond's already numerous social and environmental issues.</p>	
87	Collingwood Historical Society Bridge Road Victoria Street	<ul style="list-style-type: none"> • Acknowledge the amount of work that has gone into the amendment. • Support its aim of protecting heritage and amenity while trying to accommodate appropriate growth. <p><u>Accommodating Growth</u></p>	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> • See section 1 - <i>Accommodating growth</i> response. <p><u>Neighbourhood character</u></p>

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		<ul style="list-style-type: none"> Believe the need for increased housing in the shopping strips has been overstated. Growth can be accommodated in a few larger scale developments eg Paper Mills and Gasworks sites with some large lots in Major Activity Centres but not at the expense of smaller scale heritage areas. Preferable for increased housing in areas near rather than on busy main streets. Yarra already has a strong 20 minute neighbourhood. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> Objectives need to reflect the concept of low to mid-rise development. Not just mid-rise. Traditional shopping strips should not be sacrificed to development that is too high. Greater height destroys neighbourhood character. Cites Queens Parade as a good example of three and four storey development in the shopping strip with higher development elsewhere. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Loss of amenity during construction (basement car parks etc) Impacts of overshadowing, overlooking and wind. <p><u>Impacts on Local Traders</u></p> <ul style="list-style-type: none"> New development above and behind traditional narrow shops and restaurants needs to ensure that they can remain viable: <ul style="list-style-type: none"> Retain the necessary width of the shop (ie not losing limited space due to the entrance to residential areas) Retaining adequate rear access for loading and storage Discouraging large scale new shops at ground level that interrupt the fine grain shopping strip. Areas can only provide minimal increased housing density and remain viable. <p><u>Impacts on public open space and footpaths (overshadowing and wind)</u></p> <ul style="list-style-type: none"> Winter solstice rather than equinox should apply to public open spaces With increased population, it is very important for the few small public parks and open areas to have winter sun. Eg Butler Street park, Lennox Street community garden. Vibrant street cafes need mid-winter sun. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> Notes the poor performance of discretionary (preferred) controls in Yarra's DDOs Reluctance of DELWP to accept permanent controls in Yarra's interim controls needs to be challenged for the permanent DDOs. <p><u>Heritage - DDO46</u></p> <ul style="list-style-type: none"> The Built Form Review Victoria Street, Abbotsford & Richmond (GJM 2021 p50) states for the heritage shops on the north side of Victoria St: <i>Ensure that any upper-level or infill development is subservient to the heritage fabric and is visually recessive in mass, scale and materiality.</i> This should be included as a design objective in the proposed DDOs. Consider the heights which are proposed for the heritage shops and back are likely to be too visible. Important view lines to this heritage strip include from the west side of Hoddle Street. Former Savings Bank provides a significant landmark on this corner. The DDO should ensure its fabric including its roof is retained. Location is highly visible given the width of Hoddle Street. Height should be reduced to three storeys (same as Queens Parade). 	<ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <u>Impact on amenity and residential development to the rear</u> See section 7 <i>Impacts on residential amenity</i> response. <u>Building Heights</u> See section 3 - <i>Building Heights</i> response. <u>Impacts on local traders</u> See section 16 - <i>Impacts on shops and local traders</i> response. <u>Impacts on public open space and footpaths (overshadowing and wind)</u> See section 10 - <i>Impacts on the public realm</i> response. <u>Mandatory controls</u> See section 2 – <i>Application of Mandatory controls</i> response. <u>Heritage - DDO46</u> See section 5- <i>Protecting heritage values</i> response. <u>DDO49 – 35-47 Lithgow Street</u> DDO49 proposes to reduce heights for this site from 18m to 15m. Built Form Review Victoria Street, Abbotsford & Richmond (GJM 2021 p83-84) states <ul style="list-style-type: none"> <i>Upper-level Setback: New roof-top development above the former Cordial Factory at 35-47 Lithgow Street should be informed by the individual characteristics of that building but should be set back from Lithgow Street.</i> <i>Building height: A 15m height limit to 35-47 Lithgow Street will protect the visual prominence of the former Cordial Factory and provide for an appropriate transition to surrounding single and two-storey scale heritage places.</i> <p><u>Vietnamese landmarks</u></p> <ul style="list-style-type: none"> This is outside the scope of the amendment. Built Form Review Victoria Street, Abbotsford & Richmond (GJM 2021 p46) states, <i>"structures (Victoria Street Gateway and Chợ Bến Thành) may ultimately warrant inclusion on the Heritage Overlay in the future, their recent construction makes placing their social or broader cultural value within an historical context difficult and it not recommended that heritage assessments are progressed at this stage".</i> <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Higher development above the shops could mean they lose their viability. <p><u>DDO49 – 35-47 Lithgow Street</u></p> <ul style="list-style-type: none"> Important nineteenth century industrial heritage complex – Schweppes Cordial Factory. Support the identification of this area as 'incremental change' (areas of change in Amendment C269). Diverse heritage buildings, including the rear tower and chimney should be respected in any redevelopment. The sites interface to Little Lithgow Street should retain any heritage street wall (and be included in Interface A.) Provides a good opportunity for development while retaining heritage fabric and respecting the low rise context. <p><u>Vietnamese landmarks</u></p> <ul style="list-style-type: none"> Questions whether the Cho Ben Thanh clock tower and Victoria Street Gateway are given enough recognition and protection. 	
88	Bridge Road	<ul style="list-style-type: none"> Opposes Amendment C291 <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Bridge Road's heritage and quirky buildings are a key element to its character. Apartment complexes built on top (especially where they are taller than the original buildings) will be detrimental to their community. 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
89	Resident Coppin Street Bridge Road	<p><u>Building heights</u></p> <ul style="list-style-type: none"> Strongly objects to the permissible heights suggested in this amendment. Wishes to see buildings no higher than 3 storeys. Very disappointed in the approach taken to Bridge Road which will be severely negatively impacted in sense and heritage by the building of high rise developments. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
90	Resident Coppin Street Bridge road	<ul style="list-style-type: none"> Opposes C291yara. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Opposes buildings that are 5-8 storeys. <p><u>Impacts on public open space and footpaths (overshadowing and wind)</u></p> <ul style="list-style-type: none"> Opposes buildings that overshadow shadow the street. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Opposes the destruction of heritage buildings. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Opposes buildings that look into neighbouring courtyards or house. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impacts on public open space and footpaths (overshadowing and wind)</u></p> <ul style="list-style-type: none"> See section 10 <i>Impacts on the public realm</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
91	Resident 24 McKean Street, Fitzroy North	<p><u>Setbacks</u></p> <ul style="list-style-type: none"> Objects to the setbacks that are proposed in all of the 10 DDOs of C291, for new development above existing commercial buildings in shopping strips and in particular existing heritage shop buildings. 	<p><u>Setbacks</u></p> <ul style="list-style-type: none"> See section 4 - <i>Street walls and upper level setbacks</i> response. <p><u>Impact on Local Traders</u></p>

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> • Recommends that upper level setbacks should be increased from a minimum of 6 metres to a minimum of 10 metres or the length of the principal roof whichever is the greater. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> • States that the proposed setbacks would result in leaving only a small amount of floor space for a business or shop at ground floor. • Suggests that a minimum of approximately 10 metres depth is required for the average width shop to function. <p><u>Heritage</u></p> <ul style="list-style-type: none"> • States that the proposed setbacks and heights of the amendment would result in a proliferation of facadism along Bridge and Victoria Street. • States that the setbacks and heights proposed in the DDOs would actively encourage the destruction of around 70% of a typical heritage shop building. • States that the first objective of many of the DDOs has not been achieved in the past and in many cases has resulted in blatant facadism, which is discouraged in Yarra's Heritage policy. <ul style="list-style-type: none"> ▪ <i>"To support lower mid-rise development that maintains the visual prominence of the highly intact heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscape."</i> • States that Amendment C231 – Queens Parade had an outcome that went some way towards potentially achieving a respectful outcome for its heritage buildings and heritage streetscape. The objective noted above should support <i>low rise</i> not <i>lower mid-rise</i> development. • Submitter has attached a cross section drawing which compare the proposed C291 setbacks and heights with the ones that were the outcome from C231. Submitter states that this is because Queens Parade shopping strip has a similar character to parts of Bridge Road and Victoria Street. <p><u>Building Height</u></p> <ul style="list-style-type: none"> • Objects to the heights that are proposed in all of the 10 DDOs of C291, for new development above existing commercial buildings in shopping strips and in particular existing heritage shop buildings. • Recommends that the overall height should be reduced to a mandatory maximum of 11 metres. • Notes that the maximum heights, minimum setbacks and rear setbacks put forward in C291 all exceed those determined at Queens Parade. • Supports any changes to C291 to bring it into line with the limits set at Queens Parade. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> • Objects to the proposed "preferred access" to new development above commercial use buildings being via 3 metre wide lane ways at the rear. • States that many of the DDOs state the preference for "preferred access" to new development from a rear lane rather than the street frontage and that in many cases this will not work due to increased traffic and the difficulty of cars and delivery vehicles turning from a 3m wide lane into a 5m wide rear yard. • Notes that some of the lanes are dead ends or have restricted access and that a 3 metre wide lane cannot cope with two way traffic. • States that this will then result in an alternative access being required, to the upper levels, from the street frontage. This in turn, will impact on the shop fronts and the main shop areas being severely restricted by a staircase enclosure or passage. • Suggests that the impact of alternative access being require will be commercially destructive on the 5 metre wide shop front business. 	<ul style="list-style-type: none"> • See section 16 - <i>Impacts on shops and local traders</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> • See section 5 - <i>Protecting heritage values</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> • See section 3 - <i>Building Heights</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> • See section 12 - <i>Laneways and traffic</i> response. • See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> • No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
92	Resident Bridge Road Victoria Street 32 Gore Street Fitzroy	<ul style="list-style-type: none"> Enjoys the current shopping amenity along both Bridge Road and Victoria Street. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> States that Bridge Road has a unique character with low-rise buildings of various architectural designs including verandahs and a lovely variety of building frontages that makes the area unique. States that to suggest the street should be dominated by mid to high rise buildings would kill the appeal of the street as it currently stands. Suggests that it would also lose its quirky character and be severely overshadowed for a good part of the year. States that similar planning amendments along Swan Street are also unsympathetic to the streetscape that exists. To line these activity centres with more and more high rise buildings brings only a negative impact to the residents, traders and visitors to the area. <p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Recommends that if council needs more residential or commercial space, to please provide it in keeping with the current streetscape by allowing a maximum of 3 storeys only and with a setback to avoid overshadowing and domination of the current buildings. 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
93	Resident Bridge Road	<p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes that they love and want to preserve the following about Bridge Road: <ul style="list-style-type: none"> Heritage shops and entire sections of intact heritage shops The verandahs and awnings around heritage shops, especially on the south side of Bridge road. Views of heritage shops – when looking down the south pavement from Burnley Street. Views of the Clock Tower of the town hall. Notes that they love and want to preserve the following about Victoria Street: <ul style="list-style-type: none"> Heritage shops and entire section of intact heritage shops. Views of heritage shops – when looking East and West from the Lennox street junction. Recommends that the archway entrance to Victoria Street be a landmark that is preserved, and views to it should be preserved. States that they don't want to see the following on Bridge Road and Victoria Street: <ul style="list-style-type: none"> Facadism – the destruction of heritage buildings Development above heritage shops Development that dwarf heritage buildings and reduces their prominence Recommends that there be no development or minimal development over heritage shops and that it should be recessed so that it is not visible from the street – states that this needs to be recessed by 8 metre, not 6 metre. Recommends that development over heritage should not exceed 3 storeys, in line with what was achieved for Queens Parade. Recommends that infill development should not exceed the height of heritage buildings, where there is large sections of infill on Victoria Street, there should be a transition without high blank walls. <p><u>Building Height</u></p> <ul style="list-style-type: none"> States that they don't want to see canyon, tunnel development that are built right up to the street boundary with high street walls. States that they don't want buildings over 5 storeys on Bridge Road and over 7 storeys on Victoria Street. <p><u>Impacts on public open space and footpaths (overshadowing and wind)</u></p> <ul style="list-style-type: none"> States that they don't to see shadowing of the street especially in winter. 	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impacts on public open space and footpaths (overshadowing and wind)</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. Green Streets are identified through the DDOs. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Recommends that both on the north side of Bridge road and Victoria Street, there should be no shadowing on the street in winter between 10am and 2pm, which means development in the north side of Bridge Road should not exceed 5 storeys (18 metres) and on Victoria Street should not exceed 7 storeys (24 metre) and should be recessed back appropriately. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Notes that they love and want to preserve the following about Bridge Road and Victoria Street: <ul style="list-style-type: none"> Sunlight along the activity centres, not just during summer (Summer equinox), or 4 hours in the day. Maintenance of fine grain shops and existing businesses which gives the neighbourhood its character. Shops that front onto the street, and interact with the public, activation at the pavement level Views of blue sky at the pavement level. States that they don't want to see the following on Bridge Road and Victoria Street: <ul style="list-style-type: none"> Dead pavements where there is no business interaction on the pavement Lack of greenery Buildings overlooking residential properties Wall of development with no airflow between buildings Recommends that buildings on both the north side of Bridge Road and Victoria Street should have gaps between them if they exceed 3 storeys (11m) Recommends that all commercial or mixed use developments need to provide for deep plantings, potentially at the rear of the property, which allows for green space between the development and residential dwellings. Recommends that all development between Bridge Road and Palmer Street provide a uniform section for greening to create green space on Palmer Street, this should extend from Gardner Street all the way to River Street (and across Burnley Street). Recommends that developers need to be responsible for streetscaping the pavement with planting and street furniture – community input to develop the streetscape along the north of Bridge Road and Victoria Street. 	
94	Resident Bridge Road	<p><u>Building Height</u></p> <ul style="list-style-type: none"> Objects to C291 which would allow buildings that are 5-8 storeys (or more) along Bridge Road on the basis that such development would destroy the current local community 'feel' and character of the Bridge Road shopping strip. <p><u>Impacts on public open space and footpaths</u></p> <ul style="list-style-type: none"> States that the proposed Amendment would enable inappropriate building developments that would do the following: <ul style="list-style-type: none"> create shadowing over public spaces visually dominate the precinct <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Create over-looking and shadowing over private open spaces <p><u>Heritage</u></p> <ul style="list-style-type: none"> obscure heritage views Amendment will destroy the heritage of the precinct. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impacts on public open space and footpaths</u></p> <ul style="list-style-type: none"> See section 10 <i>Impacts on the public realm</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
95	Resident	<p><u>Building Height</u></p>	<p><u>Building Heights</u></p>

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
	Bridge Road	<ul style="list-style-type: none"> Recommends that the amendment be changed so that buildings are no more than three storeys. Recommends that the amendment includes the following changes: <ul style="list-style-type: none"> Buildings are setback so that they don't overshadow the pavement. developments are setback so they are not visible from the main shopping strip. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Recommends that the amendment be changed so that buildings do not look into neighbouring building's units or courtyards. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> States that it is important to preserve what is unique about Bridge Road and that this proposed amendment does not do that. 	<ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
96	Resident Both Bridge Road & Victoria Street - Rathdowne Street Carlton North	<p><u>Building Height</u></p> <ul style="list-style-type: none"> Does not support C291's provisions to permit "mid-rise" development above heritage shopping strips. As it will detrimentally impact the small-scale commercial and retail opportunities. Notes that the narrow lots are important. Recommends that heights should be a mandatory maximum of 11m (three storeys) in heritage overlay areas. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Recommends that setbacks should be required to neighbouring properties to ensure sunlight access and privacy and minimal loss sky. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Notes that laneways are an important part of Yarra's rich streetscape. Recommends that the impact of development on laneways should be treated the same way as streets. States that access to all apartments should be required to be at the rear. <p><u>Clause 2.0 – Building and Works</u></p> <ul style="list-style-type: none"> Queries the provisions in Clause 2.0 of the DDOs which appear to provide for inappropriate works to be able to be carried out without planning consideration. Such as ground floor extensions or potential reduction of windows or changes to shopfronts. <p><u>Heritage</u></p> <ul style="list-style-type: none"> States that heritage is not only a matter of history, it is part and parcel of liveability and neighbourhood character. States that heritage places are like gold dust and need to be protected <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> Notes that Yarra's activity centres work because they have character, individuality, evidence of age and a bit of decay. Notes that Yarra's activity centres also have affordable small spaces for the quirky and small independent businesses and that these are the things which create the lifestyle in Yarra and attracts creative people that drives innovation. States that new development, even under the best planning system and controls cannot continue to deliver the above. States that activity centres are not the place for development. It important to maintain all existing shopfronts and commercial space. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 <i>Laneways and traffic</i> response. See section 13 <i>Parking</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Clause 2.0 Buildings and works</u></p> <ul style="list-style-type: none"> See section 21 - <i>Drafting issues</i> response. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
97	Resident Bridge Road and Victoria Street - Coleman Street Fitzroy North	<p><u>Clause 2.0 – Building and Works</u></p> <ul style="list-style-type: none"> Submits that they are concerned about the additional text in C291 DDOs in section 2.0 – Building and Works. Recommends that the text after the initial comma, starting “except for...” should be deleted. States that the additional text appears to lack specific strategic justification and that it doesn't appear in either the companion C293yara DDO, nor does it appear in the existing interim DDOs. Submits that the exclusions from a permit trigger are extraordinarily broad, and not particularly well defined, they list the following examples: <ul style="list-style-type: none"> The exclusion for the rear of sites up to 4m seems a broad ambit for permit-less construction and alterations, which should properly require some planning security. There seems to be no heritage override clause for any of the points in Clause 2.0 – recommends that heritage needs to be considered. The second- bullet point allows “amazing” alterations to a building façade – which obviously might be sensitive if it's heritage, but may also be culturally or commercially important even if not heritage. Notes that the point about C1Z and MUZ does not have restrictions around retention of commercial use, so if you have a transparent glazed residential lobby at the front of the building you don't even need to maintain commercial uses at the ground floor plane in a C1Z or MUZ. States that the above is contrary to a number of other Yarra policies and to the modelling assumptions in the YHS and SEES. States that the point is potentially worse than it first seems, as it says “...maintained as an entry or window with clear glazing...” which would mean potentially that a residential development in the commercial zone can inactivate an entire frontage (e.g. for a residential lobby) provided it features clear glazing. States that in the event that the entrance from a side lane, the main frontage need not have an entrance at all provided there's clear glazing as a feature. Submits that the text under Cl 2.0 “construction of an awning to an existing building that projects over a road” means that there is no need to consider heritage or shadowing or public amenity or public nuisance or anything else a permit process may look at. Submits that it is difficult to discern what the intent is with the drafting of the additional text. Recommends that Cl 2.0 Building and Works should read (as it did before and does in other DDOs) “A permit is required to construct a building or construct or carry out works”. 	<p><u>Clause 2.0 Buildings and works</u></p> <ul style="list-style-type: none"> See section 21 <i>Drafting issues</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
98	Resident Bridge Road Somerset Street Richmond	<p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Submits that they love the quirky, unique buildings along Bridge road that show the history of the city. Submits that they love the shady verandahs and being able to sit in the sun with views of blue sky, not obscured by buildings that shadow the Street. States that Bridge Road needs to be kept a pleasant place for residents and pedestrians to make Richmond a lively, liveable city for everyone. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Recommends that everything should be done to encourage pedestrians to use Bridge Road and reduce the traffic along the street as this would help reduce emissions and improve amenity for all residents. <p><u>Building Height</u></p>	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p>

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> States that they oppose the amendment as they don't want to see buildings that are 5-8 storeys high along Bridge Road, that are too close to the street and shadow the street. Recommends that buildings along Bridge Road are no more than 3 storeys high. Recommends that buildings be set back so that they don't overshadow the pavement. Recommends that developments are recessed so that they are not visible from the main shopping strip. <p><u>Heritage</u></p> <ul style="list-style-type: none"> States that they do not want to see the destruction of heritage, the quirky buildings and the uniqueness of Bridge Road. States that they don't want Bridge Road to become like Victoria Street near Burnley Street which has many large buildings on the street and is now like a wind tunnel with no sunlight reaching the pavement on the south side. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Recommends that buildings do not look into neighbouring courtyards or houses. 	<ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
99	Resident DDO48 North Richmond Station Regent Street	<p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Submits that as a home owner on Regent Street, they are concerned about the potential intrusion of large scale commercial and residential development in the area. States that they fear that value and pleasure of living in North Richmond would be severely diminished by this amendment. Suggests that large buildings would significantly change the streetscape, create additional traffic and congestion in already narrow one-way streets and have further negative ongoing effects on amenities and enjoyment. <p><u>Heritage</u></p> <p><u>DDO48</u></p> <ul style="list-style-type: none"> Submits that they are concerned about the preservation of heritage in the area. Notes that the Yarra City Council Heritage webpage (https://www.yarracity.vic.gov.au/the-area/heritage) states that "protecting and enhancing Yarra's heritage is important to us". Submits that the proposed planning amendment would have a negative impact on the tangible heritage features of North Richmond; further that they contradict the Council's heritage strategy particularly with respect to the requirement of "more control...needed around building heights and intensity of new development" (page 12, https://www.yarracity.vic.gov.au/-/media/files/ycc/the-area/heritage/heritage-strategy-2019-2030.pdf?a=en). <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> States that they are intimately familiar with the challenges of overlooking and overshadowing and the necessity that all residents be afforded privacy and sunlight. Submits that they are dismayed that the proposed amendment suggests that private commercial enterprise may not be held to the same standard by the council. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Submits that they are concerned that the character of the area will be negatively impacted by the proposed amendment. Asks Council to reconsider. 	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. See also the specific response re Little Hoddle / Regent Street in section 7. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
100	Yarra Planning coalition	<p><u>Accommodating Growth</u></p>	<p><u>Accommodating growth</u></p>

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
	DDO42 - Bridge Road South Richmond	<ul style="list-style-type: none"> Does not support the amendment's proposal to permit "mid-rise" development above the heritage shopping strips. Does not want Bridge Road & Victoria Street turned into canyons lined with apartments. Notes the example of Bridge Road west should serve as warning of the amenity and retail failure that will happen to the rest of these streets if this proposed amendment proceeds as planned. Instead they want to retain the small-scale commercial and retail opportunities that the many narrow lot sizes present. <p><u>Building heights</u></p> <ul style="list-style-type: none"> Recommends mandatory height limits of 11m (three storeys) in the heritage overlay areas. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> Suggests upper-level setbacks of 3–6m will achieve three things: create a canyon-like effect along these streets, particularly given the long views reduce ground-floor retail premises to unviable spaces destroy the heritage significance of the shopping strips by promoting facadism. Recommends a minimum setbacks of 10m or the principal roof form, whichever is the greater. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> Does not want to lose commercial space, nor destroy heritage shopfronts, in order to provide street access to upper-level apartments. Suggests rear access should be provided for residences and rear access should be maintained for ground-floor commercial premises. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Recommends rear setbacks that retain solar access for neighbours and deep soil for plantings. References an attached diagram shows the proposed rear setbacks for DDO42 (Bridge Road South) overlaid on the DDO 16 requirements for Queens Parade in Clifton Hill/Fitzroy North. Questions why should the residents behind Bridge Road and Victoria Street be forced to have less amenity than those behind Queens Parade? Notes in other precincts the proposed heights include discretionary limits of 21 and 24m, further reducing the amenity of neighbouring residences. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Recommends Yarra should embrace its laneways and not pretend that they're not part of the public realm. 	<ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> See section 4 - <i>Street walls and upper level setbacks</i> response. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
101	Resident DDO48- North Richmond Station Regent Street Richmond	<ul style="list-style-type: none"> Object to the Draft Planning Scheme Amendment C291yara, particularly in regards to DDO48 (North Richmond Station). <p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Concerned about the potential intrusion of large scale commercial and residential developments in the area. Concerned the value and pleasure of living in North Richmond would be severely diminished by these amendments; large buildings would significantly change the streetscape, create additional traffic and congestion in already narrow one-way streets and have further negative ongoing effects on amenities and enjoyment. <p><u>Heritage</u></p>	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Concerned about the preservation of heritage in the Council area. The Yarra City Council website states that “protecting and enhancing Yarra’s heritage is important to us” (https://www.yarracity.vic.gov.au/the-area/heritage). Suggests the proposed planning amendments would have a negative impact on the tangible heritage features of North Richmond; further, they contradict the Council’s heritage strategy, particularly with respect to the requirement of “more control... needed around buildings heights and intensity of new development” (page 12, https://www.yarracity.vic.gov.au/-/media/files/ycc/the-area/heritage/heritage-strategy-2019-2030.pdf?la=en). <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Noting recently been through the planning process with Yarra City Council for renovations of my own home, am intimately familiar with the challenges of overlooking and overshadowing and the necessity that all residents be afforded privacy and sunlight. Dismayed that the proposed amendment suggests that private commercial enterprise may not be held to the same standards by the council. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Concerned that the character of the area will be negatively impacted by the proposed amendment and ask the Council to reconsider. 	
102	Organisation (Royal Historical Society of Victoria) DDO41 – Bridge Road West and DDO42- Bridge Road South	<p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Concerned for several years that planning proposals for historic shopping strips have incentivised development that would ruin these streetscapes. Submit that the proposed amendment C291 presents the same problems as previous proposals. It is clear that, when citizens and residents are made aware of the implications of these proposals, they have expressed strong opposition, as with Queens Parade North Fitzroy. Suggests the amendment in its current form represents a planning approach based narrowly on maximising residential development. Submits that planning objectives should take cognizance of the importance of the heritage built form and of the need to preserve the vitality of the shopping strip. Suggests the stated aims of the DDOs under C291 are at odds with the reality of what the DDOs would produce in reality. In order to squeeze a little more housing into the narrow band between the residential areas and the shopping street, the amendment would ensure the loss of the vitality and of the cherished visual aspects of heritage shopping strips. <p><u>Housing Strategy</u></p> <ul style="list-style-type: none"> Submits that the proposed amendment as it stands would not make a significant contribution to population growth. Notes the housing study already tells us that 85 per cent of new dwellings will be supplied by the urban renewal and major redevelopment areas. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes Council has adopted the same approach that it has used in previous proposals for historic strip centres such as Johnson Street, and Swan Street. The proposed C291yara prescribes: <ul style="list-style-type: none"> A street wall of max 11 metres and minimum 8 metres or the height of adjoining heritage buildings An upper level setback of 6 metres 	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> – A variable overall height of 18 – 28 or more metres with the lower height often employed where there are significant strips of heritage buildings. <p><i>DDO41 - Bridge Road West</i></p> <ul style="list-style-type: none"> • Questions whatever slight increase in housing might be achieved in the long run, the historic character of these places, so beloved of the people of Yarra and beyond, will be quickly and completely ruined. • Requests Council and the Panel to adopt a more modest approach, based on widely accepted planning and conservation methods as set out in the Burra Charter. • Suggests this approach actively encourages the destruction of around 70% of the heritage building fabric. • Submits the new building would dominate the streetscape. Instead of the impression of a traditional Victorian and Edwardian shopping precinct, the shopper will be painfully aware of new building, with the heritage building cut off only six metres from its frontage, if any of the building remains other than the façade. • Notes the objectives of most of the DDOs include support for retention of heritage streetscapes. • Notes DDOs 41, 42 and 46, each of which covers precincts with considerable heritage components, all include the following objective: • <i>To support mid-rise development that maintains the visual prominence of the highly intact heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscape.</i> • Notes the other seven DDOs all include an objective that refers in some way to retaining the visual prominence of heritage buildings and/or streetscapes. It is important, in all these cases, to note the slippage from heritage buildings to 'heritage street wall', that is to façades. <p><i>Bridge Road South Precinct (DDO 42).</i></p> <ul style="list-style-type: none"> • Questions how a midrise building of 18 metres (five storeys) rising only six metres from the frontage respects 'the architectural form and qualities of heritage buildings and the heritage streetscape'. • The answer of course lies in the particular interpretation of the authors. • Submits that the ordinary citizen, a heritage streetscape is a street of heritage buildings. • To the authors of this objective this is clearly not the case. • Suggests all that is to be 'respected' here is 'the highly intact heritage street wall'. • Submits a street of heritage buildings has become a street of heritage façades, and, because these stand side to side and one cannot see sideways past them, the façade is all that matters. • Notes a setback of a further three metres is suggested for development over 15 metres, • Notes it is preferred, not mandatory. • Submits the result would be façadism. • Submits Bridge Road South Precinct is a good example of the problems posed by the amendment as it stands; it shows why encouraging mid-rise development in the historic parts of Activity Centres is fraught with problems. • Refers to Jim Holdsworth pointed out in his evidence to the Amendment C269 Panel Hearing: <ul style="list-style-type: none"> – <i>Yarra's strip centres aren't centres but linear corridors serving their parallel hinterlands. Yarra's suburbs are distinct, definable and distinguishable, unlike the homogenous lookalike subdivisions and drive-to malls of Melbourne's growth areas.</i> – <i>Commerce, industry and housing areas overlap and integrate, interwoven into a rich pattern which is the legacy of an era of few land-use controls. A built form and a residential density evolved which now defines the suburbs and neighbourhoods of Yarra and gives them their individuality, charm, quirkiness and, fortuitously, limited capacity for significant change (our emphasis).</i> • Suggests it would be hard to find an area less suited to intensification Bridge Road South Precinct. 	

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Notes the precinct is defined by multiple ownership of very narrow lots, generally with a frontage of around five metres. This makes it likely that consolidation will be required to produce economic projects, and this may take some time. Alternatively, if the lots were to be developed individually, this would produce a hodgepodge of apartments popping up here and there. Notes the lots are not especially long, varying in length from 20 to 45 metres with most about 30 metres, most have rear lanes, they adjoin the residential zone. Suggests setbacks better than those set out in the DDOs to handle the residential interface. Notes this is a relatively narrow strip in which to attempt intensification while also conserving heritage. Clearly something has to give, and in this example it is heritage conservation that is doing the giving. Questions the gains in development worth the price in loss of heritage? Recommends Council to adopt a more modest approach, based on the Burra Charter process. Notes the Burra charter starts any process by understanding what makes a place significant. In the case of a Victorian shop house, the public part of the shop would be the most significant, followed by the front 'living' room above it. These would be best conserved by retaining the principal roof, but a compromise position would be to retain at least the first ten metres. Elaborate parapets are a feature of most Victorian shop houses, so the silhouette against the sky that these create is an important part of significance. New development to the rear should not therefore be visible from across the street. Recommends an upper level setback equivalent to the principal roof or at least ten metres, with an 11-metre (3-storey) building behind. Submits that this approach would increase the residential component of these historic shopping strips while ensuring that the heritage component remains legible and continue to add to the enjoyment of the strip. At the same time, it would ensure viable, indeed exciting, shopping would add to the draw power of the precinct and thus increase the value of the redeveloped portions. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> Not only would heritage be lost, but also the economic viability of the shops would be severely compromised. Developers will wish to maximise the residential component, resulting in the risk— indeed the likelihood—that the retail component would be reduced to a kiosk of 5x6 metres, in most cases cut off from access to the service lane. Suggests this would result in the loss of many kinds of business. Suggests Cafés and bakeries, for example, would be unlikely to survive in such reduced spaces with no service access. Many other shops would find it hard to function in this environment. Suggests as a result, the variety of services would be severely constrained and the shopping strip would be handicapped in competition with shopping malls. Suggests the end result therefore would be to turn vibrant aspects of the economy into dead areas. 	
103	Resident All DDOs Coleman Street North Fitzroy	<ul style="list-style-type: none"> Supports everything in the Yarra Panning Coalition Submission, and whole-heartedly commend its contents to officers and the panel. <p><u>Design objectives</u></p> <ul style="list-style-type: none"> Recommends there should be the following additional design objective, for all DDOs which include a section of High Street shops. The primary role of these shopping centres remains commercial and cultural. 	<p><u>Design Objectives</u></p> <ul style="list-style-type: none"> Noted. No change to the amendment. <p><u>Buildings and Works</u></p> <ul style="list-style-type: none"> See section 21 - <i>Drafting issues</i> response. <p><u>Design Quality Requirements</u></p> <ul style="list-style-type: none"> See section 21 - <i>Drafting issues</i> response. <p><u>Impact on Local Traders</u></p>

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Any development within the Commercial 1 zone must demonstrate the measures included in the proposal to minimise the commercial impact on its adjacent commercial neighbours and deliver a net commercial benefit within the surrounding shopping strip. <p><u>Buildings and works</u></p> <ul style="list-style-type: none"> Suggests the current redrafted version of the Clause 2.0 included in the C291 DDOs, is misconceived. Recommends the interim DDO text and not supported by strategic underpinning in the review, so should be replaced with the text that is. Recommends the following changes to 2.0 Buildings and works <ul style="list-style-type: none"> Suggests this new text for clause 2.0 removes permit triggers, so the following would appear to be permitted without review. A competent planning lawyer will be able to identify more: <ul style="list-style-type: none"> A building façade, including a heritage façade, can be entirely replaced, provided 80% is clear glazing. It does not have to include a door. Any rear extension can be built, up to 4 metre high, no limit on site coverage. It is not clear how much demolition is permitted before a permit is triggered. Suggest the third dot point to allow an awning to project over a road, is possibly related to allowing for intrusion into a road or a laneway scaffolding for construction. My understanding is temporary awnings, during construction, are a building permit matter. If this third dot point is for a temporary building permit it should not be in a DDO. In a DDO this third dot point seems to remove the need of a permit trigger to construct permanent awnings over a road or laneway, with no limitation on materials, size or height. <p><u>Design Quality Requirements</u></p> <ul style="list-style-type: none"> Refers to the Bridge Road & Victoria Street Activity Centres Review of Interim Built Form Controls - 1.2 Methodology: For the purpose of testing, the following assumptions were undertaken to demonstrate likely achievable height outcomes and building separation for both controls: <ul style="list-style-type: none"> Narrow lots less than 5 metres in width would only be developed up to the street wall height owing to spatial limitations in accommodating lift cores, providing for adequate shared corridor widths and other internal amenity considerations. Notes this came up in C231, as another reason, why residential redevelopment of the 5m wide heritage shops is misconceived. Notes the Yarra Heritage Advice Committee submission highlighted the practical problems with redeveloping heritage shops as apartment blocks over a shop. Notes where you have a heritage shop front 5m wide, the yield lost to lifts, circulation space, fire stairs and a fire proof exit path outside of the building, leads to compromised amenity outcomes. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> Refers to the Bridge Road & Victoria Street Activity Centres Review of Interim Built Form Controls - 3.11 Design quality and architecture 4m Commercial floor to floor heights Commercial activity through minimum floor to floor height requirements of 4 metres at ground and first floor at a minimum where heritage considerations are not a constraint. It should be noted that this also relates to building adaptability to allow for adaption for a different use over time. Notes the SEES commercial space capacity modelling assumes 2 commercial floors in the C12 for shopping strips. 	<ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p><u>Strategic Justification</u></p> <ul style="list-style-type: none"> A key aim of the proposed DDO41-50 are to apply built form requirements on a permanent basis as the interim controls will lapse in June 2022. The interim controls were informed by the strategic work, including the <i>"Bridge Road - Victoria Street Built Form Framework"</i> prepared by David Lock Associates (June 2018)". The application of permanent DDOs will provide greater certainty for all stakeholders regarding the scale and form of new development expected across the two centres. The proposed DDO41-50 were informed by the <i>Bridge Road & Victoria Street Activity Centres - Review of Interim Built Form Controls</i> (April 2021) undertaken by MGS Architects, 3D modelling and testing of the interim and permanent controls by Urban Circus and the heritage work (<i>Built Form Review: Bridge Road and Victoria Street- Heritage Analysis and Recommendations, April 2021</i>) by GJM Heritage. These works underpin Amendment and DDO41-50 and provide the strategic justification for the amendment. See section 6 – <i>Loss of Neighbourhood Character</i> and section 5 – <i>Protecting Heritage Values</i> which addresses how we are protecting Yarra's neighbourhood character. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Recommends the C291yara DDOs need to be updated to require 4m floor to floor heights on both the ground floor and the 1st floor, not just the ground floor to meet the recommendation and modelling. <p><i>Monitoring Land Use Planning Outcomes: Assessment of Local Economic Impacts of Increased Residential Development in Activity Centres – DWELP Report 2018</i></p> <ul style="list-style-type: none"> Notes the State Government commissioned a report on the impact of medium and high rise residential developments in three activity centres. The activity centre judged most successful of the three activity centres studied was Oakleigh. Council looking after the Oakleigh shopping centre included in its DDO a guide for where retail vs commercial should be clustered in the activity centre. Suggests High Street Retail benefits from being beside other retail, not inactivated offices. The high street retail does benefit from the commercial, and residential being located with the wider activity centre. Submits C291yara does not address where residential & commercial should be encouraged to continue to cluster together within each activity centre, to maximise the benefits, enhancing the MAC as a destination. <p><i>Melbourne Industrial and Commercial Land Use Plan Inner Metro Region Framework Plan - Productivity</i></p> <ul style="list-style-type: none"> Bridge Road is a regionally significant commercial centre under Plan Melbourne. This is its primary, ongoing role. Residential is not listed as a future role or a strategic opportunity. Questions where is the strategic work demonstrating the policy support for large scale residential will not compromise, when both the Yarra Housing Strategy and the SEES identify the constant threat posed to businesses ability to thrive and grow? Notes the Inner Metro Plan does identify medium and high residential as part of the future role of the regionally significant Victoria Street MAC. <p><u>Strategic Justification</u></p> <ul style="list-style-type: none"> Refers to the Bridge Road & Victoria Street Activity Centres Review of Interim Built Form Controls - 1.3 Strategic context and key directions <ul style="list-style-type: none"> Support development, investment, and renewal in preferred locations within each centre. Establish well-defined preferred character statements for each precinct. Notes this was an issue raised in the C269 Amendment Panel. Notes the last Yarra wide neighbourhood character study was done in 1997 for C66. 	
104	Organisation (CARA) - Victoria Street - Mollison Street Abbotsford	<p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Recognises the need for more residents in Melbourne being able to reside close to public transport, their place of work, services and schools, and the pressure that this places on areas designated as activity centres. Suggests there is a balance to be achieved to ensure public amenity is retained and current and future residents can equally enjoy access to open space, sunlight into their homes and outdoor spaces, views of the sky and the heritage streetscapes and buildings which provide the rich social and cultural heritage of the area. Notes Yarra is subject to very substantial developments at the Australian Paper Mills site in Alphington and the Gasworks site in Fitzroy, which address the State government's requirement for increased population density. Suggests it is inappropriate to propose increased housing on top of Victoria Street, a busy thoroughfare jammed with public transport, cars and pedestrians, and lined primarily with single or two storey heritage shops. 	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Construction Issues</u></p> <ul style="list-style-type: none"> See section 17 - <i>Construction issues</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Impact on Local Traders</u></p>

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		<p><u>Heritage</u></p> <ul style="list-style-type: none"> Supports the proposal of the Collingwood Historical Society (CHS) that design objectives should be “low to mid rise”, with the following wording applying when there are heritage buildings: <ul style="list-style-type: none"> <i>To support a low to mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas and above heritage buildings.</i> The long-term value of traditional heritage shopping strips should not be sacrificed to the short-term gain of development that is too high. Notes the Queens Parade DDO provides a good example of a limit of three to four storey high development in the shopping strip with 8 metre setbacks for heritage buildings. <p><u>Construction Issues</u></p> <ul style="list-style-type: none"> Residents, workers and visitors are impacted by loss of amenity during construction (including footpath and street closures, construction of basement car parks, noise and dust). <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Notes the long-term loss of neighbourhood character. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Residents, workers and visitors are impacted by the long-term detrimental impacts of overshadowing, overlooking and creation of wind tunnels. <p><u>Impact on Local Traders</u></p> <ul style="list-style-type: none"> Suggests it is critical that any new development above and behind existing traditionally narrow-fronted shops and restaurants needs to ensure that they can remain viable through adoption of the following requirements: <ul style="list-style-type: none"> Retention of the necessary width of the shop (not carving out already limited space for entry to residential areas) Retention of adequate rear access to accommodate loading and storage. Discouragement of large-scale new shops at ground level that interrupt the rhythm of the fine grain shopping strip. Suggest the balance will be lost if the viability of the shops and restaurants is compromised to provide marginally increased housing density, which can be accommodated more effectively in the large-scale developments discussed previously. <p><u>Impacts on public open space and footpaths and provision of public open space</u></p> <ul style="list-style-type: none"> Abbotsford has been acknowledged as having very little public open space, resulting in Yarra Council’s advocacy for development of pocket parks, such as through conversion of road and car parking areas. Recommends open space should be created in close proximity to the developments for which open space contributions are being made. It is absolutely critical that for the future Yarra population living in increased urban density there is direct access to the small public parks and open areas with Winter sunshine. Supports the Collingwood Historical Society’s proposal that sunshine at the Winter solstice rather than at the equinox, be the standard guide for overshadowing of public places. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> Notes there has been poor performance in relation to discretionary controls in Yarra’s existing DDOs, it seems essential that there be mandatory controls. 	<ul style="list-style-type: none"> See section 16 - <i>Impacts on shops and local traders</i> response. <p><u>Impacts on public open space and footpaths</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<ul style="list-style-type: none"> Notes the reluctance of the DELWP to accept mandatory controls in Yarra's interim DDOs needs to be challenged in CARA's view when permanent DDOs are being formulated. 	
105	Resident Bridge Road	<p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> They believe inappropriate development will destroy the soul of Bridge Road, Richmond. <p><u>Building Height</u></p> <ul style="list-style-type: none"> Do not want to see anymore developments above 3 storeys high. High rise developments are destroying the aesthetic of Bridge Road and taking the focus off of the historic buildings that line the road. They are against high rise developments along Bridge Road as it blocks sunlight to the southern side, where people can enjoy outdoor breakfasts and coffee with the sun on them. They are taking away the sunlight will destroy the appeal and therefore businesses. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> Would like to see any future development to be made to be set back 5 metres from the street. <p><u>Rezoning</u></p> <ul style="list-style-type: none"> Against the rezoning of Bridge Road and its adjoining streets from commercial to residential. Separation of zones are needed for residents to be able to enjoy local bars without worrying about noise complaints and for residents to be able to enjoy peace away from the main roads. Suggests that rezoning from commercial to residential is going to kill the nightlife that makes Richmond so appealing for patrons and business. <p><u>Business Noise – Impact on Amenity</u></p> <ul style="list-style-type: none"> Notes that they live in a modern development on Coppin Street which has commercial tenants downstairs and that occasionally the café applies for a late night permit to serve alcohol until 1am. They state that this isn't fair to the residents surrounding the premises. Notes that there is also a 24 hour gym in the building and that the residents that occupy the apartments above complain about the noise of people keeping them awake. Combining residential and commercial areas is far from ideal for either parties. States that living in such high density area it is important that residents have place to go like Bridge Road, to enjoy late night activities without worrying about keeping people awake. 	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> See section 4 - <i>Street walls and upper level setbacks</i> response. <p><u>Rezoning</u></p> <ul style="list-style-type: none"> No rezonings are recommended in draft Amendment C291. The existing Commercial 1 Zone which applies to Bridge Road allows for retail, commercial and residential uses as does the Mixed Use Zone that applies to sites which are off Bridge Road. The uses that are allowed in these zones apply across the State. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
106	Resident Bridge Road and Victoria Street	<p><u>Heritage</u></p> <ul style="list-style-type: none"> Submits that they do not to see the following on Bridge Road and Victoria Street: <ul style="list-style-type: none"> Facadism and the destruction of heritage buildings Development above heritage shops Development that dwarf heritage buildings and reduces their prominence. <p><u>Bridge Road</u></p> <ul style="list-style-type: none"> Heritage shops and entire sections of intact heritage shops, including the awnings on the south side of Bridge Road should be preserved. <p><u>Victoria Street</u></p> <ul style="list-style-type: none"> Heritage shops and entire sections of intact heritage shops should be preserved – including near Church Street, where there is some really strong Vietnamese culture. The archway entrance should be a landmark that is preserved – including the views to it. <p><u>Impacts on public open space and footpaths</u></p>	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impacts on public open space and footpaths</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> They love and would like to preserve the ability being able to see the sky and not be in a wind tunnel for Victoria Street and Bridge Road. Love and would like to preserve the shops that front onto the street and interact with the public. They do not want to see canyon, tunnel development that are built right up to the street boundary with high street walls on Bridge Road and Victoria Street. Wish to see more greenery on Bridge Road and Victoria Street. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> States that they do not want buildings over 5 storeys on Bridge Road and over 7 Storeys on Victoria Street. 	
107	Resident DDO41 Bridge Road West DDO43 Bridge Road Central Judd Street	<ul style="list-style-type: none"> Expresses overall support for the Amendment. C291 has been well thought through and provides much-needed opportunities for development while imposing considerable restrictions to protect heritage, views etc. <p><u>Gleadell Street</u></p> <ul style="list-style-type: none"> Greater acknowledgment should be made in DDO43 of the aspirations of Council and many citizens (previously expressed in the Bridge Road Streetscape Masterplan) to develop Gleadell Street as a community hub. This has implications for any development on the street. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> Notes that there has been a social media campaign to encourage residents to object to C291yara largely with a view to blocking any development except very low-rise. There are many social, economic and environmental reasons to increase residential and commercial development in activity centres. Strongly opposes any attempts to further restrict development beyond the severe limitations already proposed. The social justice and fairness benefits of providing more opportunities for people to live in these great neighbourhoods, and to avoid keeping people out by excessive planning restrictions. Notes that development appropriate for the context (just a few km from the CBD therefore high-value land with great access to amenity) will bring great benefits to residents and businesses. Submits that they have experienced great outcomes from recent residential development within the DDO41 area, including their own apartment building. Notes that although the planning history has been chequered and the visual outcomes could have been better, the key outcome has been a great place to live for many hundreds of new residents who are now enthusiastically supporting local businesses and other local amenities. With the imminent occupation of Richmond Quarter and later Pepper's Hotel, Bridge Road west will be one of the most vibrant and flourishing neighbourhoods in Melbourne 	<p><u>Gleadell Street</u></p> <ul style="list-style-type: none"> The character of precinct 3 – Bridge Road Central (DDO43) is acknowledged in the future preferred character of Clause 21.12 Local Areas, it mentions: <i>Bridge Road Central is the civic and community heart of Bridge Road Activity Centre. The precinct is anchored by the Richmond Town Hall and forms a key activity node within Bridge Road adjoining the important open space, Citizens Park as well as recreational facilities, two high schools, childcare and maternal health. The Town Hall forecourt will be enhanced as a key public space providing a setting for the Town Hall and the former police station with Gleadell Street and Griffiths Street enhanced as greener and more pedestrian focussed streets linking Bridge Road to the precinct's civic and community facilities. The precinct will support new housing and employment within mid-rise development of varying heights, widths and character while retaining the prominence of clusters of heritage buildings. Key views to across the precinct from Citizens Park and the corner of Bridge Road and Church Street to the iconic Richmond landmarks, the Richmond Town Hall and St Ignatius' spire and belfry will be maintained.</i> It is noted DDOs can't control land uses, however, requirement for building setbacks and identified Green Streets will enhance the quality of the precinct. Council has recently undertaken consultation on Gleadell Street improvement with a view to improving the walkability and public realm of the street. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - Accommodating growth response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
108	Resident Bridge Road Dyer Street Richmond	<ul style="list-style-type: none"> Supports the general approach by Let Enhance Gleadell St (LEGS) and Streets Alive Yarra submissions – particularly on provisions regarding line of sight and overshadowing. <p><u>Building Heights and Neighbourhood Character</u></p> <ul style="list-style-type: none"> Places like Atlas Vinifera in Church Street have already noted they will be significantly affected through overshadowing by a ten floor building approved recently. Appears they will lose the ability to get sun into the back of the property and impact on outdoor wine tastings. Particularly concerned about the celebration of Yarra's iconic buildings by residents from where they live. Support a separate process relating to which buildings should be visible to as many residents as possible. States that the list in the amendment is too narrow. They are sure the Richmond and Burnley Historical Society will support such a stance, as does Streets Alive Yarra. 	<p><u>Building Heights and Neighbourhood Character</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. See section 6 - <i>Loss of neighbourhood character</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
109	Queen Parade Heritage Planning and Trader Group Bridge Road and Victoria Street	<p><u>Building Height</u></p> <ul style="list-style-type: none"> Does not support the amendment's proposal to permit "mid-rise" development above the heritage shopping strips. Do not want Bridge Road and Victoria Street turned into canyons lined with apartments. States that they want mandatory height limits of 11m (three storeys) in the Heritage Overlay areas. <p><u>Upper level setbacks</u></p> <ul style="list-style-type: none"> Upper-level setbacks of 3-6m will achieve the following: <ul style="list-style-type: none"> Canyon-like effect along these streets, particularly given the long views Reduce ground-floor retail premise to unviable spaces Destroy the heritage significance of the shopping strips by promoting facadism. Wants minimum setbacks of 10m or the principal roof form, whichever is the greater. <p><u>Rear interfaces</u></p> <ul style="list-style-type: none"> Rear setbacks that retain solar access for neighbours and deep soil for plantings. Submitter has attached a diagram which shows the proposed rear setbacks for DDO42 (Bridge Road South) overlaid on the DDO16 requirement for Queens Parade. Diagram shows that the proposed rear setback for Bridge Road South compared to that for Queens Parade. Questions what should the residents behind Bridge Road and Victoria Street be forced to have less amenity than those behind Queens Parade? <p><u>Impacts on local traders</u></p> <ul style="list-style-type: none"> States that the example of Bridge Road west should serve as warning of the amenity and retail failure that will happen to the rest of these streets if this proposed amendment proceeds as planned. Supports the retention of the small-scale commercial and retail opportunities that the many narrow lot sizes present. Do not want to lose commercial space nor destroy heritage shopfronts, in order to provide street access to upper-level apartment. Rear access should be provided for residences and rear access should be maintained for ground-floor commercial premises. <p><u>Laneways</u></p> <ul style="list-style-type: none"> Yara should embrace its laneways and not pretend that they're not part of the public realm. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Upper level setbacks</u></p> <ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response and section 5 – <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p><u>Impacts on local traders</u></p> <ul style="list-style-type: none"> See section 16 <i>Impacts on shops and local traders</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
110	Architect Victoria Street	<ul style="list-style-type: none"> Recommends the current sad situation is that serious development frauds are and should be aborted. <p><u>Impacts on local traders</u></p>	<p><u>Impacts on local traders</u></p> <ul style="list-style-type: none"> See section 16 <i>Impacts on shops and local traders</i> response.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
	Loyola Street Richmond	<ul style="list-style-type: none"> These recommendations have failed the basic fundamental expectation of a vibrant functioning activity centre; currently struggling to survive. Suggests without change, shops are closed and alternative uses are hard to establish and find. <p><u>Victoria Street West Precinct</u></p> <ul style="list-style-type: none"> Suggests the hub of an activity has always being the centre of a street not at the edges that are generally uninviting places, demur of pedestrian local traffic and visitors alike. Suggests that driving through intersection, crossing 10 lanes of a primary major arterial road; Hoddle Street is no place to be strolling with children and gazing at building fabrics of past era. Suggests this is contributing unused Bank building, established during the horse and cart days, at the North-West corner, where direct facing views, obliquely or otherwise cannot be realized nor sensed unintentionally by the naked eye of a pedestrian, car driver or tram passenger. Suggests this prominent building simply is in a very busy cloudy unsafe local; for decades has been uninhabited as it struggled to find a permanent user for its existence. <p><u>Accommodating Growth</u></p> <ul style="list-style-type: none"> Proposed requirements will further stifle a possible only viable resurgence of the northern side, by allowing transient higher populous density change. Short term affordable accommodation for students, tourist and the like can flourish here, this time permanently, that higher densities deliver and redevelopment can fulfill Suggests high densities implies taller buildings that encourage economic activity; an integral leading role in any strip shopping precinct resurgence of a built form guide. Submits the west end development will have positive spill over affects along the middle eastern part of the strip shopping centre where setbacks and heights do play a more conservative bigger part in this narrower width of the street. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> Mandatory requirements in most cases stifle the viability of activity centres. Flexibility allows change with less imposing controls and prevent the general trend of shutting down. Recommends mandatory heights be removed on western side of Victoria Street. Submits that prescriptive and mandatory recommendations can have an adverse effect and stifle the revitalization and liveability of an activity centre. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Submits heritage thinking needs to change drastically, roof forms and chimneys have passed their use by day scenario in Activity centres Recommends Yarra should actively encourage roof terrace gardens and open space that are located behind parapet paraphernalia. Suggests residential areas can still afford to deal with chimneys and roof forms. <p><u>Upper Level Setbacks</u></p> <ul style="list-style-type: none"> Recommends setbacks models should be non-prescriptive, if an active environment is to be encouraged. Recommends incentives are needed to regenerate sustainable viable economic scenarios ie larger floorplates, taller buildings and built to the side boundaries Notes there are examples of corner sites of contributing buildings where the secondary side extensions abut and frame a contributing building without imposing front street setbacks to the side street. Submits the setbacks proposed in this draft can only be described as foreign motherhood statements applicable to other urban areas not this Victoria street west precinct 1 in Yarra. 	<p><u>Victoria Street West Precinct</u></p> <ul style="list-style-type: none"> Noted. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Upper Level Setbacks</u></p> <ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. <p><u>Land Uses</u></p> <ul style="list-style-type: none"> Land Use is associated with the zone of the land. Outside the scope of the amendment. The amendment does not change / address land uses. <p><u>Amendment Number</u></p> <ul style="list-style-type: none"> C291yara is an automated Amendment number generated through DELWP's online 'Amendment Tracking System'. 'yara' stands for Yarra City Council, similar to an Amendment number for Melbourne Planning Scheme e.g. CXXXmelb where 'melb' stands for Melbourne City Council which is the Planning Authority. <p><u>Advisory Committee process</u></p> <ul style="list-style-type: none"> Noted. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Suggests a real development with zero setbacks on the narrow sites of this precinct had been proposed. Notes it depicted, addressed and tested in reality all the issues discussed that is far more accurate than a perceived model by the engaged consultants. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Recommends Hoddle Street northern building heights should be identical in heights to the Victoria street, southern Hoddle St. and mandatory heights removed on this western end. <p><u>Preferred Height Criteria</u></p> <ul style="list-style-type: none"> Submits floor heights must be suitable for the current standards & BESS best scores not the arbitrary high ceilings recommended, ignoring sustainability costs. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Recommends northern building extensions should abut the laneway and built on boundary full height to compensate for the excessive front upper level street setback of Victoria St with no consideration given to the wider flared intersection. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> Notes basement car parks have existed in consolidated large sites only, parking sometimes is available via the laneways at the rear of narrow shops Notes carparking waiver is the City's norm on most developments. Narrow sites are not suitable for basement excavations. Suggests Traffic engineers need to accept current experiences Recommends public and private parking should be addressed in a more consolidated way, where communal car parks are established in a location near the activity centre, incorporating a valet small vehicular transport system, transversing the centre on a hop on and off basis to each destination. <p><u>Land Use</u></p> <ul style="list-style-type: none"> Tested a scheme on behalf and along their client's expert opinion of a student accommodation. Suggest student accommodation could accommodate a transient mature higher education student population and the adjoining buildings can also developed back packers affordable hotel short term accommodation; Creating a Tourist niche around a public transport hub and a short walk to the renown international food places that Victoria St. is still known. Notes student accommodation is not dissimilar to the West end Swan St vibrant activity centre that has a targeted destination the sporting hub of Melbourne and Bridge Rd West end the medical hub of Epworth's hospital destination. Suggests a student accommodation provides an amenity that compliments and frames the heritage bank building in its totality while a simple slender tower at the rear. <p><u>Amendment Number</u></p> <ul style="list-style-type: none"> Notes Yarra spelled with a double 'rr' not single r. <p><u>Advisory Committee process</u></p> <ul style="list-style-type: none"> Serious evaluations must take place and not rush through an unacceptable amendments just to meet the Minister's deadline. 	
111	Resident All DDOs	<ul style="list-style-type: none"> Opposes all DDOs <p><u>Neighbourhood Character</u></p>	<p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Opposes C291 as it impacts their quality of life and overall streetscape of Bridge Road by allowing endless high rises to be erected. The amendment will change the character of the street and that it will crowd out any heritage feeling and old places that exist. During COVID, heritage buildings became white elephants and that proper thought and planning should go into this and not just to give in to property developers. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
112	Resident Bridge Road Lennox Street, Richmond	<p><u>Heritage</u></p> <ul style="list-style-type: none"> The effects of change have been mixed in impact. Feels that their part of Yarra is being adversely affected. Heritage is undervalued and that the community feel it is being eroded by overdevelopment and substandard design. The unique and intrinsic character that attracts those who live, work and visit Yarra is being replaced by a high-rise generic branded city, without history, unique character and amenity. Heritage cannot be rebuilt and that it must be valued and protected. Wants heritage protected and that doesn't want facadism. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> All individual character in Bridge Road should be retained as it is being lost. Bridge Road has always had a unique and individual presence. They want neighbourhood character protected. Recently Bridge Road has become dominated by gigantic built form intrusions and that they now avoid the area. Notes that Victoria Street needs social help and not more exploitation. Want designs that encourage community participation and respect for the local neighbourhood and the wider global picture not "bunkering in high rise development cut off from the street". <p><u>Role of laneways</u></p> <ul style="list-style-type: none"> Yarra's laneways need protection and should remain in the hands of the community and continue to be made publicly accessible. Survived COVID by using laneways to traverse my locality, rediscovering context history. Laneways are inner city open space and are amenity. <p><u>Impacts on streetscape and public realm</u></p> <ul style="list-style-type: none"> States that the practice of having the street face taken up with driveways into carparks destroy the street ambiance and continuity. Notes often the finished construction is driven by a desire to stretch planning requirements as far as possible rather than create a design of quality that sits well within the streetscape. Notes the 'ugly faux brick pyramid' in Cremome. States that fire services and power metre at street level also destroy the street ambiance and continuity and deactivate the street. Notes that shadows destroy amenity and that tall buildings create wind tunnels. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Recommends mid-rise on Bridge Road should be 3-4 storeys and high-rise should be 5-6 storeys. Buildings over 6 storeys belong in the CBD and not in Richmond. They want lower, smaller buildings that are well designed for purpose not a small as possible in order to make as big a profit as possible. 	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. <p><u>Role of laneways</u></p> <ul style="list-style-type: none"> See Section 12 - <i>Traffic and laneways</i> response. <p><u>Impact on public realm</u></p> <ul style="list-style-type: none"> See section 10 - <i>Impacts on the public realm</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. <p><u>Views to landmarks</u></p> <ul style="list-style-type: none"> See section 9 <i>Views to landmarks</i> response. <p><u>Environmentally sustainable development</u></p> <ul style="list-style-type: none"> See section 15 <i>Environmentally sustainable development</i> response. <p><u>Communication and fairness</u></p> <ul style="list-style-type: none"> The Planning Scheme Amendment is a statutory process under the <i>Planning and Environment Act 1987</i>. See section 19 <i>Community consultation</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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		<p><u>Views to landmarks</u></p> <ul style="list-style-type: none"> States that the most recognisable landmarks are being destroyed by the poorly design “make it big as we can” buildings. Notes that the Richmond Town Hall and its clock tower are being bullied into insignificance and that the beautiful heritage shop fronts at street level and first floor are progressively being overwhelmed. Notes that the Pelaco sign when viewed from the east is completely overwhelmed by the development at 172 Lennox Street. States that 172 Lennox Street has been designed as a 2D elevation in reality the tiered rear is massive and exceedingly ugly. <p><u>Parking</u></p> <ul style="list-style-type: none"> Notes that the practice of designing and building multi-level basement car parks encourages car use, rather than public transport. Parking should be provided only for the disabled and delivery, rather than to add extra profit to the construction. <p><u>Environmentally sustainable development</u></p> <ul style="list-style-type: none"> More green space needs to be included and an emphasis on repurposing of buildings. Recommends that green space needs to be designed at planning stage and made a requirement for city cooling. States that their garden is in danger of perishing due to overshadowing that would occur if a high-rise is built adjacent to it. States that there are too many green spaces being replaced with hard surfaced hot buildings. Recommends that green space needs to be a listed requirement of new developments. Suggests that Greens Councillors should prioritise green buildings. States that they want lower rise “green” buildings. States that they want to buildings re-purposed. <p><u>Communication and fairness</u></p> <ul style="list-style-type: none"> States that they want clarity about planning and honest, open communication with the Yarra Planning Department. Submits that many of the open to interpretation objectives and strategies are merely suggestions and that they do not feel confident that the City of Yarra will follow “the intent”. 	
113	Resident All DDOs Michael Street Fitzroy North	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> States that their understanding of the changes being proposed along Bridge Road and Victoria Street are being driven by the need for increased housing in the City of Yarra. Notes that housing stock will be required to accommodate future population growth. Opposes the development of increased housing in areas that will ruin City of Yarra’s heritage buildings. Notes that the density, size, abundance of public transport and location of activity centres, ensures that everybody is within a 20-minute walk of an activity centre. States that it is their belief that the location of any increased housing can be accommodated throughout the City of Yarra, without specially targeting the heritage buildings in the activity centres. <p><u>Heritage</u></p> <ul style="list-style-type: none"> Notes that the City of Yarra is the custodian of more than 70% of Victoria’s heritage buildings. States that it is important that heritage buildings, throughout the whole City of Yarra are protected. 	<p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 - <i>Impacts on residential amenity</i> response. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Notes that DDO16 – Queens Parade provides the basis for proper heritage protection and that if this can be achieved in one area of Yarra, then it can also be achieved throughout the whole municipality. The submitter recommends the following controls: <ul style="list-style-type: none"> Retain height of existing heritage façade If a heritage building has not been graded that building must be afforded full protection until a heritage assessment is undertaken and the building is graded. Where no heritage façade exists, development must be a minimum 8 metres and a maximum height of 11 metres (3 storeys/low-rise) for individually significant and contributory buildings. Individually significant heritage buildings must retain the fabric of the whole building. Contributory heritage buildings must have setbacks (from the front of the shop) not less than the two main rooms or a minimum of 10 metres. States that the documentation relating to C269, which tries to protect heritage buildings, is very difficult to follow. They believe the policy leaves much room for interpretation, unless mandatory controls are introduced to protect Yarra's heritage. <p><u>Mandatory controls</u></p> <ul style="list-style-type: none"> To ensure that heritage is protected in Yarra mandatory controls are required. <p><u>Residential interfaces</u></p> <ul style="list-style-type: none"> Rear setbacks must: <ul style="list-style-type: none"> retain solar access for neighbours and deep soil for plantings have 45 degree angle above 8 metres from rear boundary to laneway have 45 degree angle above 5 metres where there is no laneway Rear setbacks with a C12 interface must have a minimum 3 metre setback above 11 metres. All upper-level or infills must not dominate the heritage fabric and be visually recessive in bulk, scale and materials used. <p><u>Impacts on shops / commercial viability</u></p> <ul style="list-style-type: none"> Development of buildings behind the heritage shop must retain the necessary width of the current shop for deliveries, loading and storage. There should be no consolidation of the fine grain heritage shops. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Critical that any new development in activity centres do not create overshadowing and wind tunnels along the streets. Recommends that where intense development is to occur, public open spaces need to be provided. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> States that heritage laneways must be protected. Notes that if laneways are to be used to facilitate traffic then it must be the result of an individual owner giving up space at the back of their block to widen the lane to make turning easier. 	<p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
114	Resident DDO41 Bridge Road West Arbinger Street Richmond	<p>Opposes the amendment as it relates to the area south of Berry Street in Church Street, Richmond.</p> <p><u>Heritage</u></p> <ul style="list-style-type: none"> States that they oppose C291 because it fails to respect the heritage value of the area <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Opposes C291 because it permits a development of excessive bulk having regard to the streetscape. 	<p><u>Heritage</u></p> <ul style="list-style-type: none"> See section 5 - <i>Protecting heritage values</i> response. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<p>Overshadowing of public open space</p> <ul style="list-style-type: none"> It would also permit overshadowing and visual intrusion of Ben Alexander Reserve. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Recommends a height limit of no more than 4 storeys. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> Recommends that C291 provide for a setback for any proposed development. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Heights were reduced from 18m to 15m (approximately five storeys to four storeys) for the two properties on Church Street north of Berry Street. The purpose of this change is to provide an improved transition in scale towards the south and limit overshadowing outcomes to Alexander Reserve. There has been no change to heights applying south of Berry Street. 15m or approximately 4 storeys applies. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> DDOs have range of ground level and upper level setbacks requirement. See section 4 – <i>Street wall and upper level setbacks</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
115	Residents DDO48 North Richmond Station Regent Street, Richmond	<ul style="list-style-type: none"> Objects to DDO48 for the following reasons: <ul style="list-style-type: none"> DDO48 does not consider the amenity impacts for existing residential and commercial owners in Little Hoddle Street. Traffic planning for Little Hoddle Street is inadequate. Overall plan does not understand or protect the character of Little Hoddle Street and the community feel residing there. <p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> Their property is oriented towards Little Hoddle Street and they receive some limited light in the late afternoon from the north west in summer, over the existing properties on Hoddle Street. (The submitter as provided photos). Property is situated behind a developable site on Hoddle Street. Proposed height and setbacks will result in the following: <ul style="list-style-type: none"> Cast themselves and their neighbours into darkness at all times of day and in all seasons which would impact on their quality of life and mental health Overlooking of their bedroom and living area from any commercial buildings on Hoddle Street – worsen by the narrow width of Little Hoddle Street. Reliant on Little Hoddle Street for light and air, partially because their property has been built with no windows to the north or south to avoid overlooking neighbour's properties. Uncertain if under this amendment that they would receive the same consideration by any subsequent developments. Notes that despite the very narrow width of Little Hoddle Street and the transition between commercial and mixed-use zones that occurs along it, DDO48 seems to make no consideration of the light, air and overlooking on Little Hoddle Street and the adjacent properties including the following: <ul style="list-style-type: none"> Allowing for the second highest street wall out of all the proposed DDOs at the interfaces of Little Hoddle Street. The second highest total building height limits out of all the proposed DDOs, which will lead to unreasonable amenity impacts and a level of density the area can't support. 	<p><u>Impact on amenity and residential development to the rear</u></p> <ul style="list-style-type: none"> See section 7 <i>Impacts on residential amenity</i> response. A specific response on Little Hoddle Street is included in section 7. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> See section 12 - <i>Laneways and traffic</i> response. See section 13 - <i>Parking</i> response. A specific response to traffic issues in Little Hoddle Street is included in section 12. <p><u>Accommodating growth</u></p> <ul style="list-style-type: none"> See section 1 - <i>Accommodating growth</i> response. <p><u>Redevelopment of the childcare on Hoddle Street</u></p> <ul style="list-style-type: none"> See Submission 86. <p><u>Neighbourhood character</u></p> <ul style="list-style-type: none"> See section 6 - <i>Loss of neighbourhood character</i> response. See section 3 - <i>Building Heights</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Very limited setbacks (4.5m from the middle of the lane), which they state exacerbates the issues mentioned above. States that the amendment is likely to create a canyon along the length of the lanes. Notes that the requirement for a 2 metre widening of Little Hoddle Street at the ground level for new developments on the western side is unlikely to “ameliorate” the impacts. Recommends that the DDO requires consideration of overlooking of properties and the design quality of buildings facing the lane, to protect and promote the laneway character, including active edges for the rear of any commercial buildings fronting Hoddle Street. <p><u>Laneways, traffic and Parking</u></p> <ul style="list-style-type: none"> 2m widening of Little Hoddle Street in response to the traffic impacts of large-scale commercial development is “seriously” inadequate. Currently, Little Hoddle Street operates partially as a community and pedestrian space given the low traffic volume and speed from its narrow width. If one were to visit Little Hoddle Street on a weekday, that it is likely people will be seated outside the café, playing basketball, walking their dogs or children playing. Proposed DDO48 is likely to introduce many hundreds of cars per day into Little Hoddle Street, given the scale of development allowed for under the DDO and the inability for those cars to access via Hoddle Street. Pedestrian and community impacts have been largely disregarded in the traffic report. For a largely residential use lane – there is no pedestrian footpath in Little Hoddle Street. Traffic report ignores this lack of footpath. Treats Little Hoddle Street as a vehicle access lane. Recommends the provision for adequate footpaths to acknowledge the foot traffic. Challenges the adequacy of the laneway widening of 2m. Fails to consider pedestrian safety and community use of the lane. Also concerned about resident parking – states that parking is currently permitted and creates a single lane for traffic. Rubbish bin collection – notes that this is already a largely manual exercise for collectors based on access issues. The safety of the Elizabeth Street intersection – notes that it can be challenging to turn or out of Little Hoddle Street at times and that a large volume of traffic seeking to leave Little Hoddle Street will prevent cars being able to turn right into the lane from Elizabeth Street. Fire vehicle access and required turning circles would be impossible, creating a fire safety risks for all residents – states that these access issues are already experienced through weekly rubbish collection. Wishes that it is acknowledged that Little Hoddle Street cannot support the density of development proposed under DDO48 from a traffic or amenity perspective. <p><u>Accommodation growth</u></p> <p><i>COVID-19 Impact</i></p> <ul style="list-style-type: none"> Notes that the COVID-19 pandemic has seen significant shift in the way people work. There have been significant developments in technology and the necessity for working from home solutions for many staff. As restrictions ease, workforce polling is taking place, with an overwhelming employee driven preference for a permanent blended working model. States that this shift will and already is seeing buildings being sold, leases ending and ultimately as reduced need for the volume of commercial premises. 	

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Submits that DDO48 carries the risk of fuelling development of buildings which will stand empty, impact commercial property value and where empty add to Richmond's already numerous social and environmental issues. <p><u>Redevelopment of the childcare on Hoddle Street</u></p> <ul style="list-style-type: none"> DDO48 would incentivise the termination of the childcare centre's lease (67/81 Hoddle Street). Hundreds of families in the area rely on the centre and alternate options are limited. Commercial development of the site would undoubtedly see the busy day care centre disappear. Recommends that the social and political implications of any approvals should be closely considered, as they anticipate that the community's reaction would be extreme. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> Recommends that the overall design objectives for DDO48 are amended to recognise the unique community in Little Hoddle Street, including the continuous terraced housing, predominately residential mixed use, heritage value and community use of the space. Recommends there be more fine-grained consideration Little Hoddle Street under the DDO. Recommends that the street walls, setbacks and height limits be remodelled, based on recognising the narrow width of Little Hoddle Street and impacts on residents. Recommends that planning requirements retain a reasonable degree of sunlight to Little Hoddle Street and properties facing it. 	
116	Landowner DDO41 Bridge Road West and Victoria Street Church St Richmond	<ul style="list-style-type: none"> Their properties are within DDO21 and DDO22. 278-280 Church Street Richmond were constructed approximately 25 years ago 280 Church St Richmond was constructed initially followed by 278 Church Street two years later. Does not intend to carry out any building works on the site in the near future. <p><u>Street Wall</u></p> <ul style="list-style-type: none"> Recommends the allowable building wall height to Hodgson Terrace (278-280 Church Street Richmond) be 11 m before any setbacks takes place likewise to the western boundary the building was height to be at 11 m. Recommends the Berry Street, southern boundary should remain to the current design overlays Object to any reduction in wall height especially when on the other corner of Berry Street it will be to the current design overlays. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> Strongly objects to the height of 18m for 258-264 Church Street Richmond being reduced to 15m. It is not realistic when immediately across the road is currently a building of 23m and a building of 23m is proposed for the corner of Berry Street and Church Street. Prefers the current DDO. Objects given there are a number of buildings south of Bridge Road greater than 18m in height. e.g. Cubo apartments in Coppin Street. Other buildings to the east of Cubo apartments are 7 and 8 storeys high. North of Bridge Road across the road, buildings are at least 40m high. <p><u>Upper level setbacks</u></p> <ul style="list-style-type: none"> Six metre upper level setback from Church Street applies since the facade is of building significance [in a Heritage Overlay]. 6m from the corner the wall height to Berry Street will be as the existing wall height of the existing Church Street facade 	<p><u>Street Wall</u></p> <ul style="list-style-type: none"> Noted. DDO41 includes a requirement for street wall heights to turn a corner. <ul style="list-style-type: none"> <i>On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface</i> See section 4 – <i>Street wall and upper level setbacks</i> response. <p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. Heights were reduced from 18m to 15m (approximately five storeys to four storeys) for the two properties on Church Street north of Berry Street. The purpose of this change is to provide an improved transition in scale towards the south and limit overshadowing outcomes to Alexander Reserve. There has been no change to heights applying south of Berry Street. 15m or approximately 4 storeys applies. <p><u>Upper level setbacks</u></p> <ul style="list-style-type: none"> See section 4 – <i>Street wall and upper level setbacks</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

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SUB NO.	INTEREST	SUMMARY OF SUBMISSION	RESPONSE TO SUBMISSION
		<ul style="list-style-type: none"> Any further setbacks on Berry Street is not a realistic option and in case part of this site is sold it would be impossible to develop. The upper levels will be too narrow - not an option. 	
117	Landowner- Victoria Street Flockhart Street, Abbotsford.	<ul style="list-style-type: none"> Submits the amendment be abandoned insofar as it relates to Victoria Street. Seeking an outcome to provide an appropriate, fair, efficient and sustainable land use and development framework for the Yarra community. <p><u>Extent of Amendment</u></p> <ul style="list-style-type: none"> Notes their client's site falls outside of the amendment – as it is located north of Victoria Street. Amendment fails to have sufficient regard to the client's site context. The land north of Victoria Street is generally landlocked – Traffic report should have considered traffic impacts for the broader area. Background documents have omitted a number of properties north of Victoria Street, but has included additional properties along Hoddle Street which were not considered in the 2010 Structure Plan. Has missed an opportunity to build upon previous strategic work, including the Council's adopted <i>Victoria Street Structure Plan - 2010</i> which: <ul style="list-style-type: none"> Included the site within Activity Centre Area 9 'Mix of office and residential in new development and warehouse conversions'; and Included the site within a 'substantial change' area; Site was considered as part of the Victoria Street East 'Precinct' (see 2010 Structure Plan) - a distinct area compared to the SUB industrial/employment precinct further west. The site, compared to other Industrially Zoned land further west, has an immediate abuttal with the Yarra River and offers an opportunity to achieve broad policy objectives including an Abbotsford extension to the Main Yarra Trail. Before a DDO is considered for the activity centre, broader land use strategies be resolved. Notes that some of the built form controls may unreasonably limit or restrict future land use or development growth for the immediately abutting land north of Victoria Street. 	<p><u>Extent of the amendment</u></p> <ul style="list-style-type: none"> The submitter's site is outside the scope of the amendment. The review is focussed on land covered by the existing interim DDOs which are generally zoned Commercial 1 Zone, Commercial 2 Zone and Mixed Use Zone. (Noting additional areas were added eg Burnley Street.) The interim DDOs do not apply to the entire activity centre areas. The submitter's site is zoned Industrial 1 Zone (INZ1). These DDOs are not applied to INZ1 land. It is also outside the Victoria Street Activity Centre Boundary. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.
118	Development interest DDO49 – Victoria Street East Lithgow Street, Abbotsford	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> Mandatory building height and setback controls are not supported. Reduction in the height limit from 18m to 15m proposed for this site is not supported. <p><u>Neighbourhood Character – term 'mid-rise'</u></p> <ul style="list-style-type: none"> Notes both the Local policy (Clause 21.12) and the provisions of DDO49 rely on repeated use of the term "midrise". Definition of this term is not clear. This may unreasonably and inappropriately limit the development potential of the site. <p><u>Heritage Values</u></p> <ul style="list-style-type: none"> The Upper Level Requirements as drafted may be interpreted to encourage "the retention of roof forms and/or chimneys" regardless of the heritage significance of these components. 	<p><u>Building Heights</u></p> <ul style="list-style-type: none"> See section 3 - <i>Building Heights</i> response. See section 2 – <i>Application of Mandatory controls</i> response. <p><u>Neighbourhood Character</u></p> <ul style="list-style-type: none"> See section 6 – <i>Loss of neighbourhood character</i> section. <p><u>Heritage Values</u></p> <ul style="list-style-type: none"> See section 5 – <i>Protecting Heritage Values</i> response. <p>Recommended position:</p> <ul style="list-style-type: none"> No change required to the Amendment.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

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SCHEDULE 41 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO41.

BRIDGE ROAD ACTIVITY CENTRE – PRECINCT 1 BRIDGE ROAD WEST**1.0 Design objectives**

To support mid-rise development that maintains the visual prominence of the highly intact heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscape.

To support high quality taller development on the north side of Bridge Road between Lennox Street and Church Street which transitions to the adjacent low-rise residential neighbourhoods.

To ensure development retains view lines to the Pelaco Sign, the Richmond Town Hall Clocktower and the spire and belfry of St Ignatius Church.

To ensure development enhances the pedestrian experience through street activation and passive surveillance, the creation of new through-block links and protecting sunlight access to the southern side of Bridge Road, Church Street, Lennox Street and Alexander Reserve.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways.

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plans 1 and 2 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plans 1 and 2 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - ~~communal~~ open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

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Street wall and Setback Requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Bridge Road with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Bridge Road where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre along at the site's corner boundaries primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmark, the Former Napier Hotel at 2 Bridge Road.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

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Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 1 Bridge Road West

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	38-44 Bridge Road - 10 m Elsewhere - 6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface B		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	None specified	13m
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. Elsewhere - 0m
Minimum upper level setback	None specified	6m

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Built form	Mandatory requirement	Preferred requirement
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum for other buildings
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings.
Minimum upper level setback	72 Bridge Road on western boundary – 6m	6m for heritage 3m for other buildings
Interface F		
Maximum street wall height	None specified	8m
Maximum and minimum street wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m
Interface I		
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m from the centreline laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

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Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Bridge Road, measured from the property boundary to the existing kerb.

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

- ~~▪ any part of the opposite footpath of Lennox Street and Church Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting):~~

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

~~Alexander Reserve.~~

Table 2 - Overshadowing

<u>Location</u>	<u>Hours and dates</u>
<u>Any part of the opposite footpath of Lennox Street and Church Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting)</u>	<u>10am to 2pm at 22 September</u>
<u>Alexander Reserve</u>	<u>10am to 2pm at 22 September</u>

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H or Interface J on Plan 1) should not exceed the maximum heights and setbacks in Figure 1 of this schedule set out in Table 3.

Table 3 – Residential interfaces

<u>Residential Interface</u>	<u>Preferred requirement</u>
<u>Interface H</u>	<u>Heights and setbacks shown in Figure 1 of this schedule.</u>
<u>Interface J</u>	<u>Heights and setbacks shown in Figure 2 of this schedule.</u>

Views to landmarks requirements

A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmarks (as shown on Plan 4-2 and listed below):

- the Pelaco sign when viewed from:
 - Tram Stop 13 on Wellington Street immediately west of Simpson Street (View 1);
 - the footpath on the north west corner of Wellington Parade (View 2); and

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- south-west corner of intersection of Church Street and Hodgson Terrace (View 3).
- the tower belfry and spire of St Ignatius Cathedral when viewed from:
 - the tram stop at the intersection of Victoria Street and Church Street (View 1); and
 - the north east corner of the Bridge Road and Church Street intersection (View 2).
- the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:
 - south-west corner of Lennox Street and Bridge Road intersection (View 1).

Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible permanently or temporarily from the public realm. Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the facade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Bridge Road.

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule—Access and Movement Plan.

Where access is provided to an arterial road, access should-would be subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 2-3 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car

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park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2-3 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

[Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.](#)

Pedestrian and Bicycle Access [Requirements](#)

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 23.

Development should consider creating ground level publicly accessible pedestrian connections or linkages as shown on Plan 23.

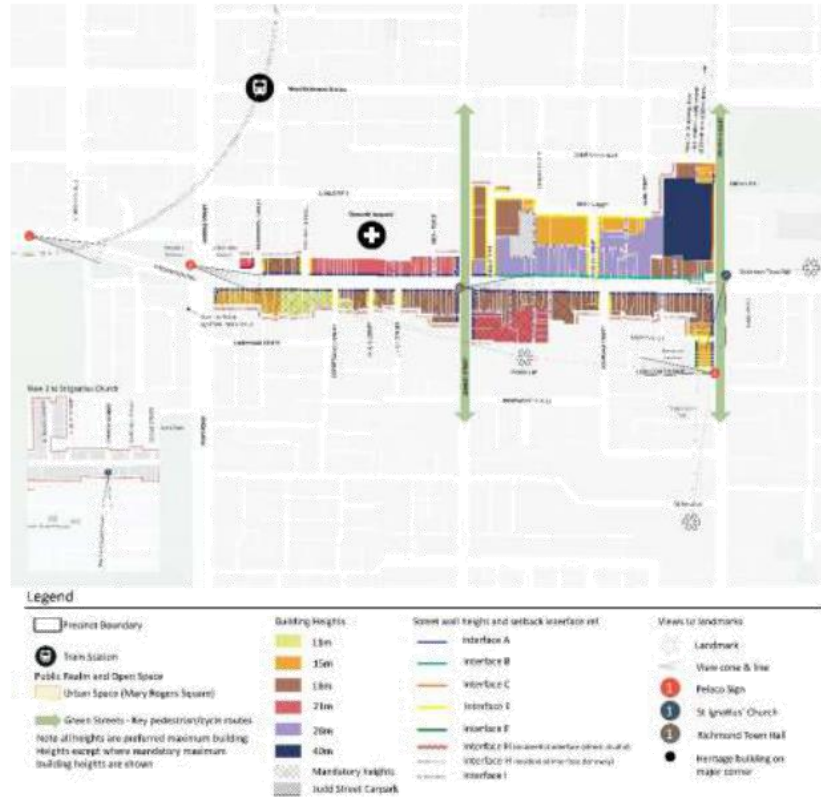
Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

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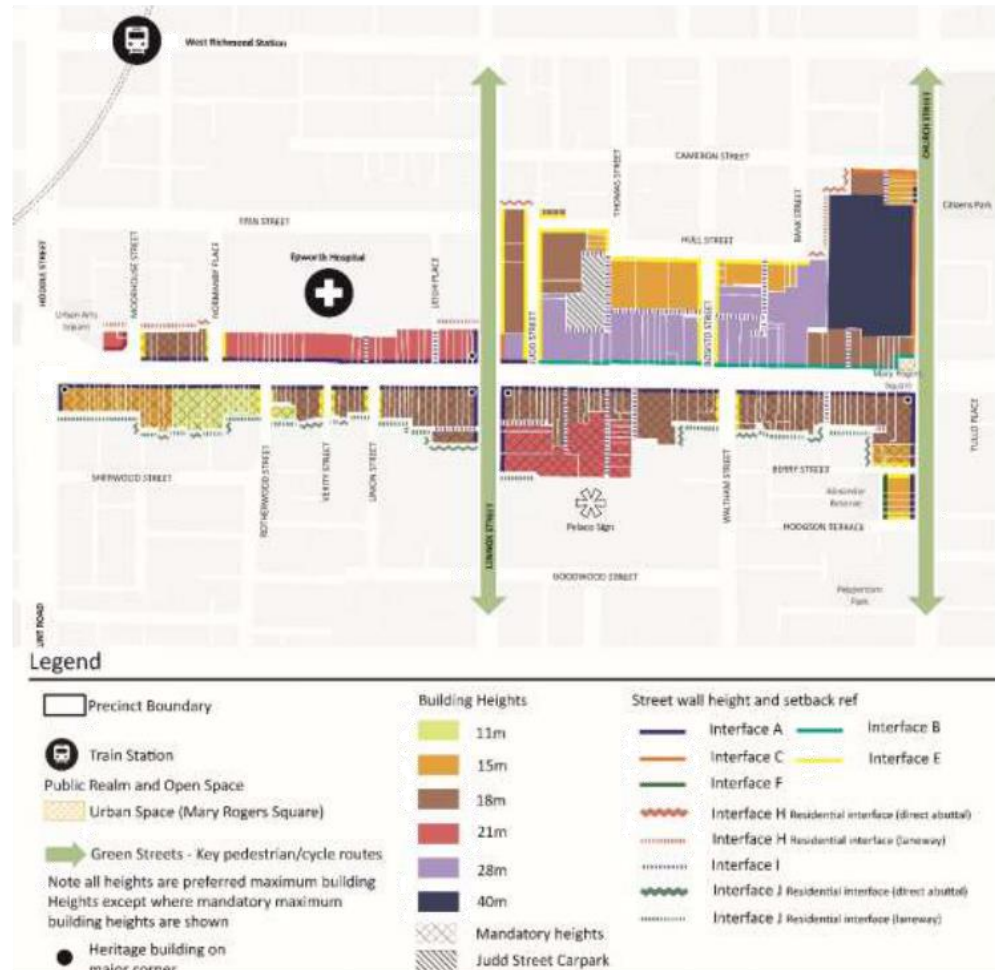
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Plan 1: Height and Interface Plan – Precinct 1 Bridge Road West



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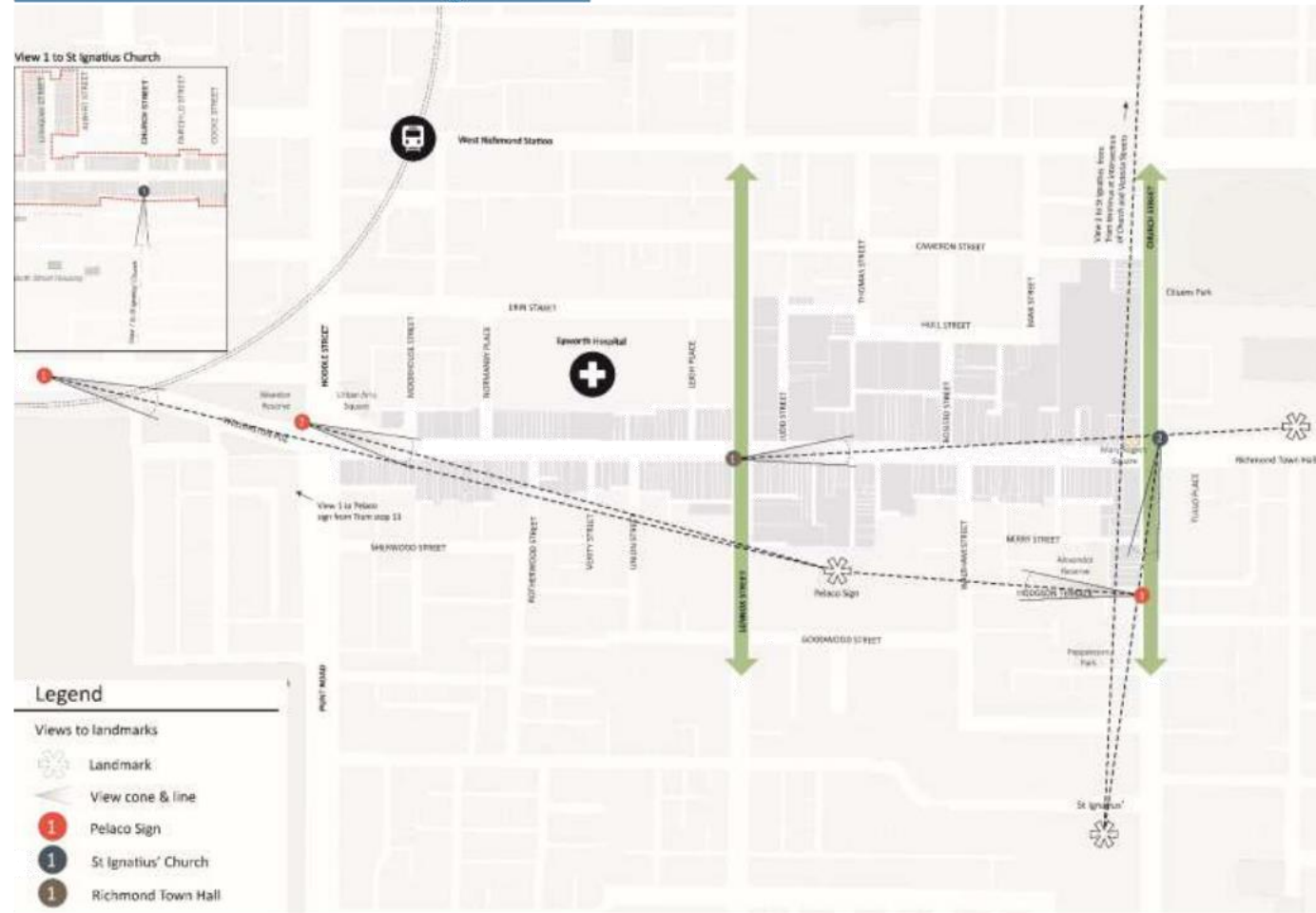
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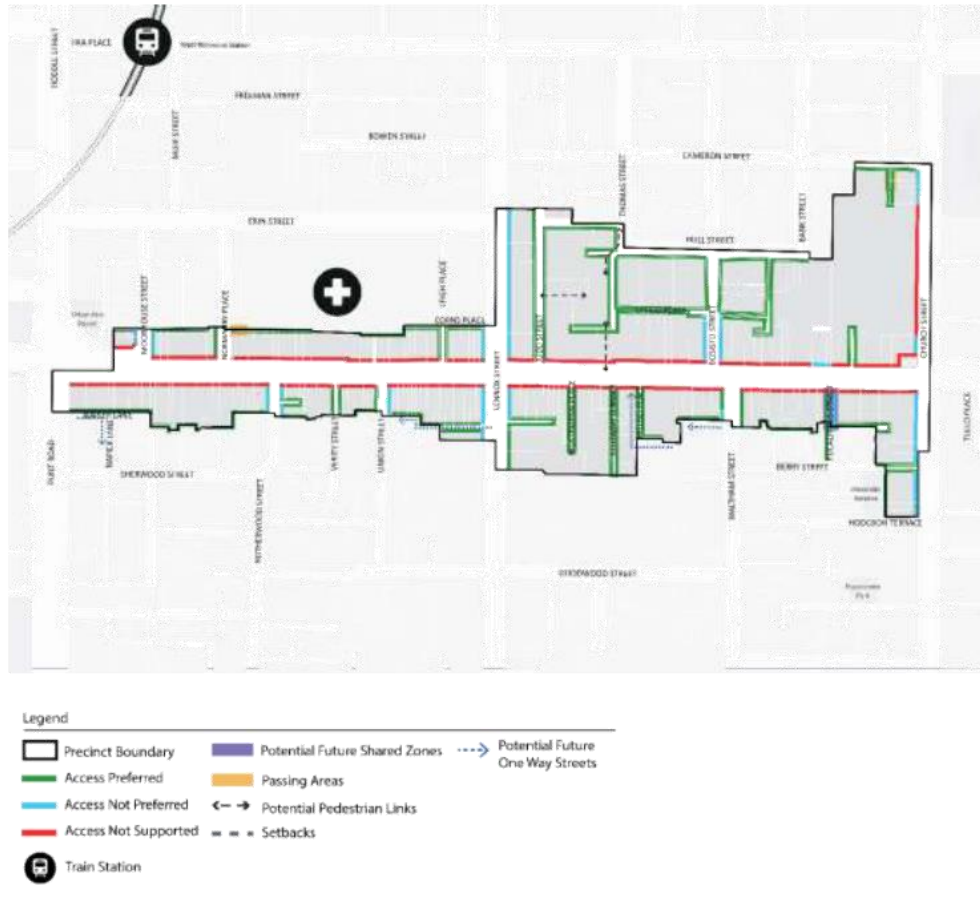
Plan 2: Landmarks Plan – Precinct 1 Bridge Road West



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Plan 23: Access and Movement Plan – Precinct 1 Bridge Road West



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NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

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3.0 Subdivision

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Bridge Road and from local streets.
- The prominence of the heritage street wall in the vistas along Bridge Road, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

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- The impact of the development on view lines to the Pelaco sign; the Richmond Town Hall; and the belfry and spire of the Ignatius' Cathedral.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development along Palmer Street when viewed from the north side of Palmer Street and the south side of Bridge Road.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- The impact of vehicular access arrangements on the operation of the tram routes along Bridge Road and Church Street.

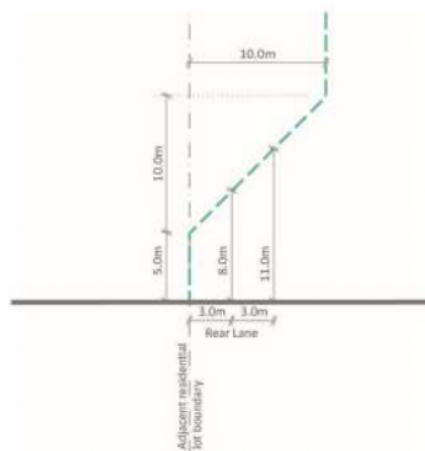
Reference documents

Bridge Road & Victoria Street Activity Centres—Review of Interim Built Form Controls—Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)

Built Form Review: Bridge Road—Heritage Analysis and Recommendations (GJM Heritage, April 2021)

Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)

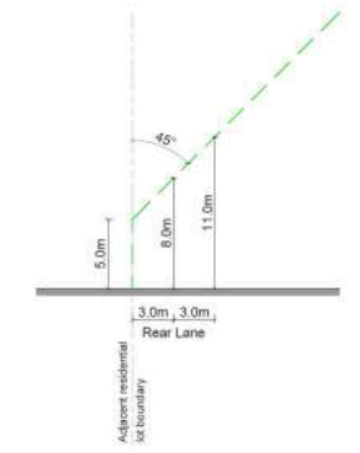
Figure 1 to Schedule 41 – Interface H to residential properties in NRZ or GRZ



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[Figure 2 to Schedule 41 – Interface J – to residential properties in NRZ or GRZ](#)



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SCHEDULE 42 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO42.

BRIDGE ROAD ACTIVITY CENTRE – PRECINCT 2 BRIDGE ROAD SOUTH**1.0 Design objectives**

To support lower mid-rise development that maintains the visual prominence of the highly intact heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscape.

To ensure development retains view lines to the Richmond Town Hall Clocktower and the spire and belfry of the St Ignatius Church.

To retain the visual prominence of the return facades of corner heritage buildings and local landmarks.

To ensure development enhances the pedestrian experience through street activation and passive surveillance along Bridge Road and side streets and protects sunlight access to Church Street and Burnley Street.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****Street wall and Setback Requirements**

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Bridge Road with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Bridge Road where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre along at the site's corner boundaries primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmarks - The Vine Hotel, 254 Bridge Road and the Spread Eagle Hotel, 372 Bridge Road.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks for Precinct 2 Bridge Road South

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m minimum	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. Elsewhere - 0m
Minimum upper level setback	None specified	6m minimum
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum for other buildings
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings.
Minimum upper level setback	None specified	6m minimum for heritage 3m minimum for other buildings
Interface I		

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Built form	Mandatory requirement	Preferred requirement
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m from centreline of laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Bridge Road, measured from the property boundary to the existing kerb.

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

- any part of the opposite footpath of Church Street, Gleadell Street, Griffiths Street, Gardner Street, Coppin Street (north of Bridge Road) and Bumley Street measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H or [interface J](#) on Plan 1) should not exceed the maximum heights and setbacks [set out in Table 3 in Figure 1 of this schedule](#).

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Residential Interface	Preferred requirement
Interface H	<u>Heights and setbacks shown in Figure 1 of this schedule.</u>
Interface J	<u>Heights and setbacks shown in Figure 2 of this schedule.</u>

Views to landmarks requirements

A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmarks (as shown on Plan 1 and listed below):

- the tower belfry and spire of St Ignatius Cathedral when viewed from:
 - the tram stop at the intersection of Victoria Street and Church Street (View 1);
 - the north east corner of the Bridge Road and Church Street intersection (View 2); and
 - Citizens Park at the entrance from Highett and Gleadell Street intersection (View 3).
- the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:
 - south-east corner of Burnley Street and Bridge Road intersection (View 2).

Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.

Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Bridge Road.

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Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule—Access and Movement Plan.

Where access is provided to an arterial road, access ~~should~~ would be subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 32 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Plan 1: Height and Interface Plan – Precinct 2 Bridge Road South



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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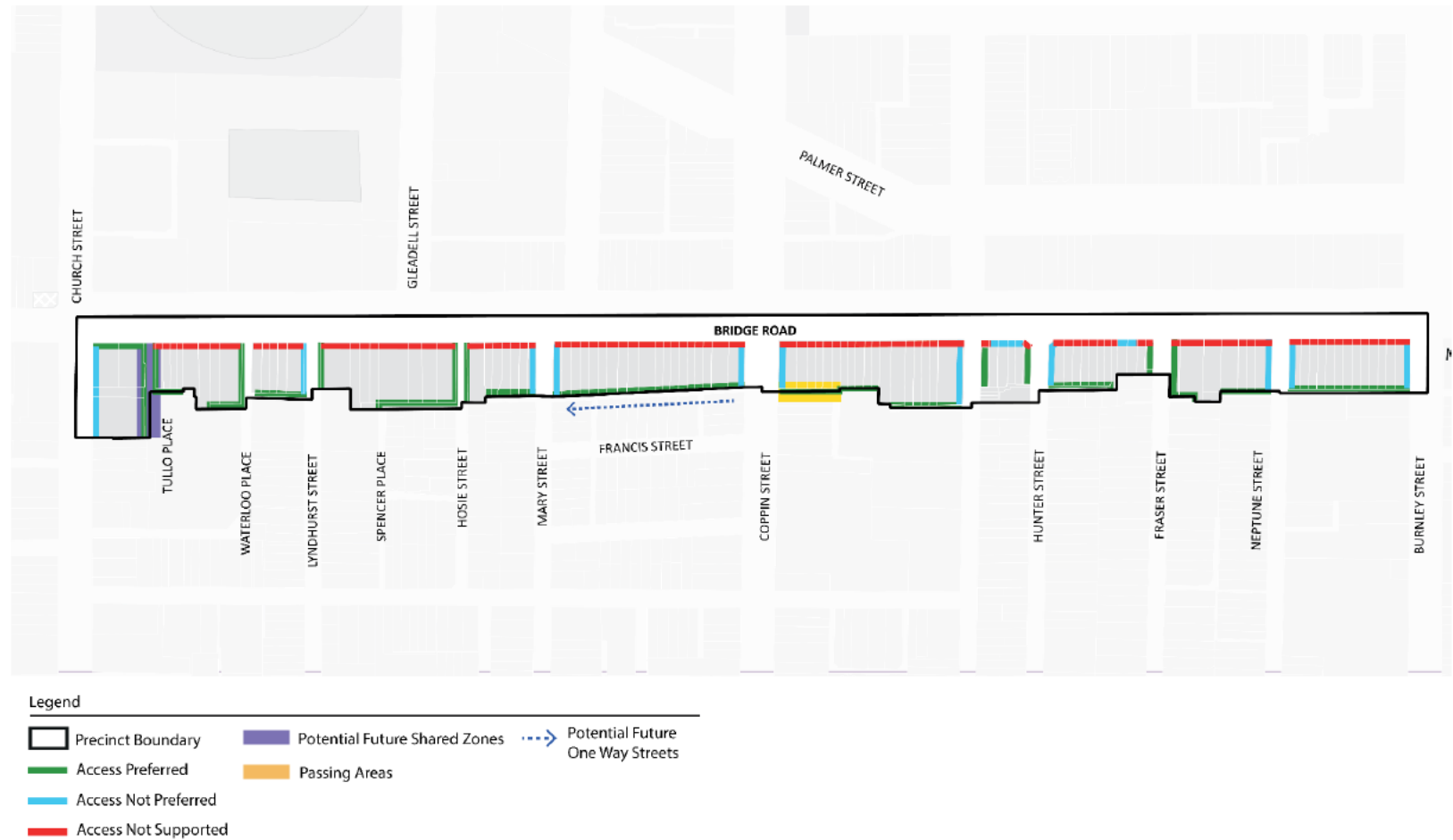
Plan 2: Access and Movement Plan – Precinct 2 Bridge Road South



NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****3.0 Subdivision**

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Bridge Road and from local streets.
- The prominence of the heritage street wall in the vistas along Bridge Road, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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- The impact of the development on view lines to the Pelaco sign; the Richmond Town Hall; and the belfry and spire of the Ignatius' Cathedral.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development along Palmer Street when viewed from the north side of Palmer Street and the south side of Bridge Road.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways
- The impact of vehicular access arrangements on the operation of the tram routes along Bridge Road and Church Street.

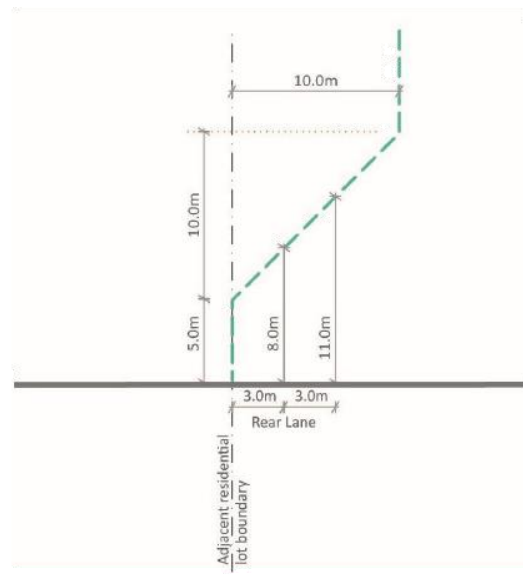
Reference documents

Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)

Built Form Review: Bridge Road – Heritage Analysis and Recommendations (GJM Heritage, April 2021)

Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)

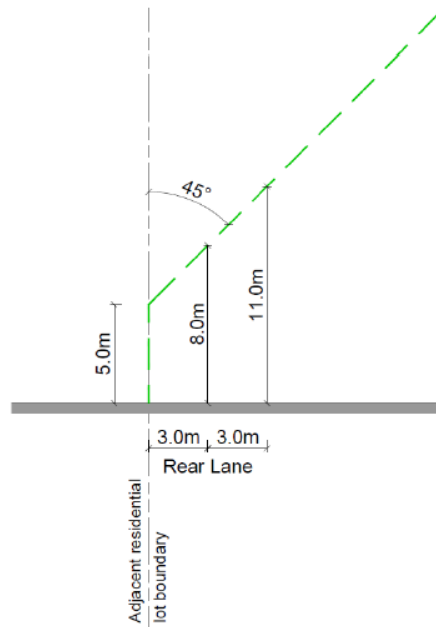
Figure 1 to Schedule 42 – Interface H to residential properties in NRZ or GRZ



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Figure 21 to Schedule 42 – Interface J – to residential properties in NRZ or GRZ



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SCHEDULE 43 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO43.

BRIDGE ROAD ACTIVITY CENTRE – PRECINCT 3 BRIDGE ROAD CENTRAL**1.0 Design objectives**

To support lower mid-rise development that retains the visual prominence of heritage buildings, heritage streetscape, local landmarks and the visual separation and openness between the Richmond Town Hall and other heritage buildings.

To support high quality taller development on large sites behind Bridge Road which activate the street frontage and contribute to the public realm.

To ensure development retains view lines to the Richmond Town Hall Clocktower and the spire and belfry of St Ignatius Church.

To ensure development enhances the pedestrian experience through street activation and passive surveillance along Bridge Road and its side streets and protects sunlight access to Church Street, Gleadell Street, Griffiths Street, Coppin Street and the southern side of Bridge Road.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plans 1A and 1B-2 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plans 1A and 1B-2 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plans 1A and 1B-2 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm-etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****Street wall and Setback Requirements**

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Bridge Road with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Bridge Road where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre along at the site's corner boundaries primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmark, the Former Richmond Police Station, 319-323 Bridge Road.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 3 Bridge Road Central

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface B		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	None specified	13m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. Elsewhere - 0m
Minimum upper level setback	None specified	6m minimum
Interface I		

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Built form	Mandatory requirement	Preferred requirement
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	17 Gleadell Street - 2m setback to the southern boundary
Minimum upper level setback	None specified	4.5m from the centreline laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plans **1A and 1B**:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Bridge Road, measured from the property boundary to the existing kerb.

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

- any part of the opposite footpath of Church Street, Gleadell Street, Griffiths Street, Gardner Street and Coppin Street (north of Bridge Road), measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H on Plans **1A and 1B**) should not exceed the maximum heights and setbacks in Figure 1 of this schedule.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****Views to landmarks requirements**

A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmarks (as shown on Plan 1A and 1B and listed below):

- the tower belfry and spire of St Ignatius Cathedral when viewed from:
 - the tram stop at the intersection of Victoria Street and Church Street (View 1);
 - the north east corner of the Bridge Road and Church Street intersection (View 2); and
 - Citizens Park at the entrance from Highett and Gleadell Street intersection (View 3).
- the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from:
 - south-west corner of Lennox Street and Bridge Road intersection (View 1);
 - south-east corner of Burnley Street and Bridge Road intersection (View 2); and
 - Citizens Park at the at Highett Street / Church Street entry and the central entry from Highett Street (Views 3 and 4).

Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.

Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the facade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plans 1A and 1B should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Bridge Road.

Development should provide vehicular access from rear lanes or from side streets, where possible in the preferred locations on Plan 2 of this schedule – Access and Movement Plan.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

Where access is provided to an arterial road, access ~~should~~ would be subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 32 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 32 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 23.

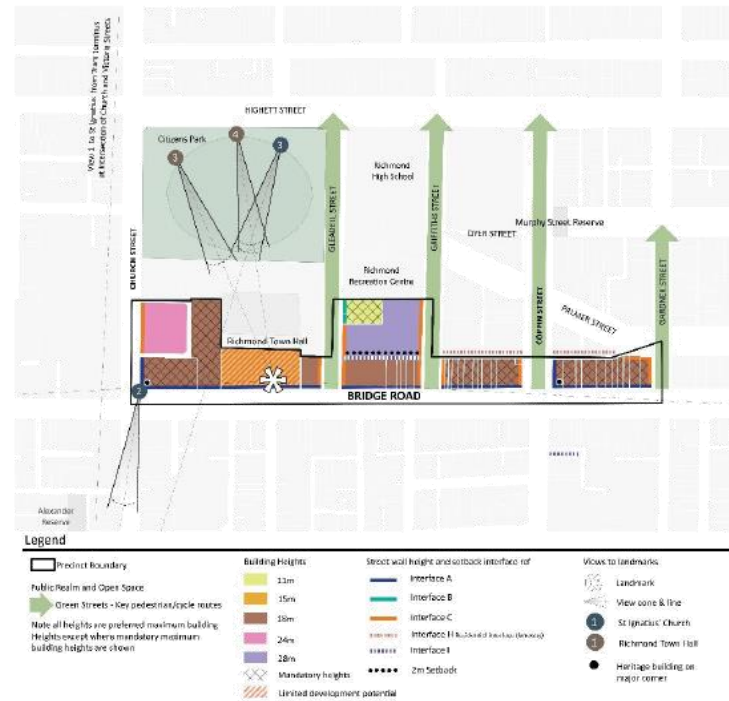
Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Plan 1A: Height and Interface Plan – Precinct 3 Bridge Road Central



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

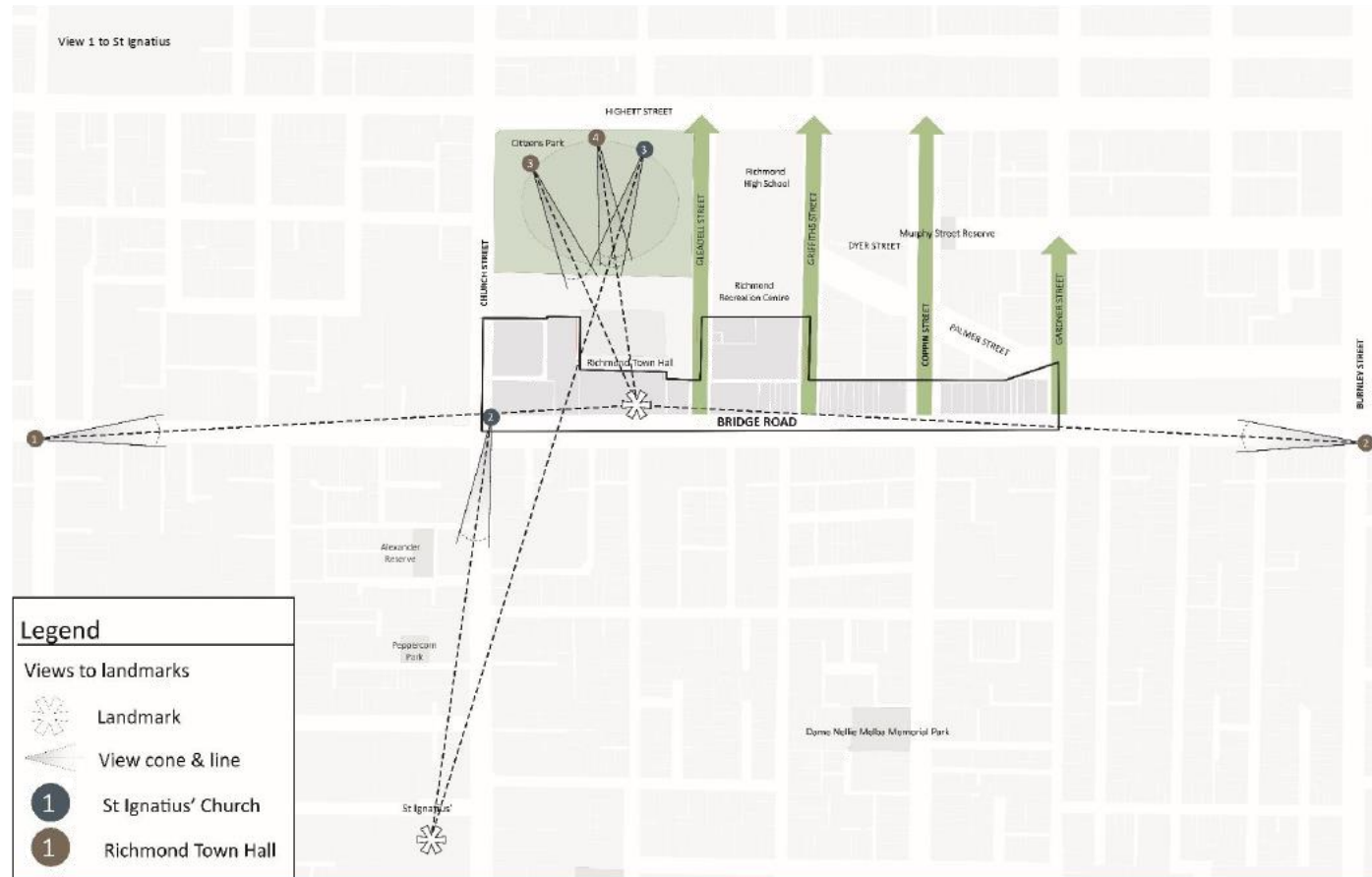
DRAFT AMENDMENT C291YARA

Plan 1B2: Height and Interface Plan (Viewlines) Landmarks Plan – Precinct 3 Bridge Road Central



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

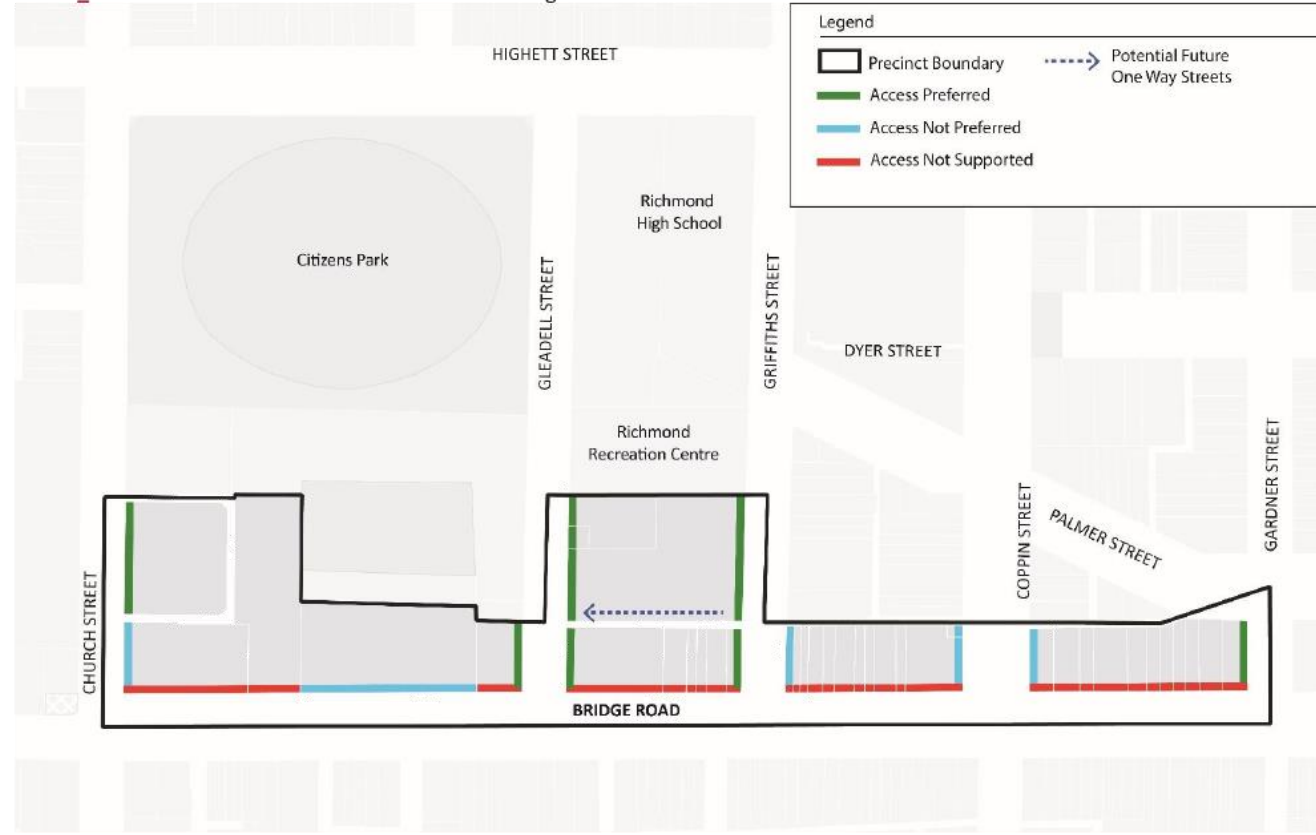
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Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Plan 23: Access and Movement Plan – Precinct 3 Bridge Road Central



NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Legend

- Precinct Boundary
- Access Preferred
- Access Not Preferred
- Access Not Supported
- ...> Potential Future One Way Streets

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

3.0 Subdivision

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Bridge Road and from local streets.
- The prominence of the heritage street wall in the vistas along Bridge Road, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

- The impact of the development on view lines to the Pelaco sign; the Richmond Town Hall; and the belfry and spire of the Ignatius' Cathedral.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development along Palmer Street when viewed from the north side of Palmer Street and the south side of Bridge Road.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways
- The impact of vehicular access arrangements on the operation of the tram routes along Bridge Road and Church Street.

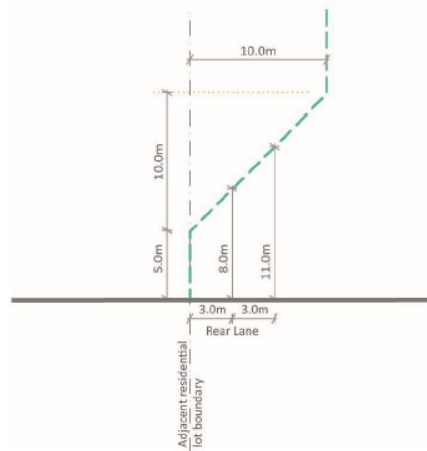
Reference documents

Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)

Built Form Review: Bridge Road – Heritage Analysis and Recommendations (GJM Heritage, April 2021)

Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)

Figure 1 to Schedule 43 – Interface **H** to residential properties in NRZ or GRZ



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SCHEDULE 44 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO44.

BRIDGE ROAD ACTIVITY CENTRE – PRECINCT 4 BRIDGE ROAD EAST SOUTH**1.0 Design objectives**

To support mid-rise development on Bridge Road that maintains and reinforces the prominence of the street wall character.

To support taller development at 566 Bridge Road and 188-198 Bumley Street that provides a high quality transition to the adjacent Racecourse Heritage Precinct and lower scale residential areas, creates engaging street frontages and provides physical and visual permeability through breaks in the built form.

To ensure development maintains the visual prominence of local landmarks, Former Flour Mill and Grain Store Complex and Bridge Hotel, heritage buildings and heritage streetscapes.

To ensure development enhances the pedestrian experience through street activation and passive surveillance and protects sunlight access to Bumley Street.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

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Street wall and Setback Requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Bridge Road with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Bridge Road where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre at along the site's ~~corner boundaries~~ primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmarks - the Former Flour Mill & Grain Store Complex, 534 Bridge Road (includes part 516-524 Bridge Road) and the Bridge Hotel, 642 Bridge Road.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

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Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 4 Bridge Road East South

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m minimum	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. 188 to 198 Burnley Street - 3m landscape setback minimum 566 Bridge Road - 2m landscape setback minimum Elsewhere - 0m
Minimum upper level setback	None specified	188 to 198 Burnley Street - 4.5m Elsewhere - 6m
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum for other buildings
Maximum and	None specified	Retain existing street wall setback for heritage buildings.

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Built form	Mandatory requirement	Preferred requirement
minimum street wall setback		566 Bridge Road - 2m landscape setback Elsewhere - 0m
Minimum upper level setback	None specified	6m for heritage buildings 3m for other buildings
Interface F		
Maximum street wall height	None specified	8m
Minimum street wall setback	None specified	566 Bridge Road - 2m landscape setback 188-198 Burnley Street & 21 & 23 Neptune Street – 2m landscape setback to non-heritage buildings Elsewhere - None specified
Minimum upper level setback	None specified	188-198 Burnley Street & 21 & 23 Neptune Street – 6m for heritage buildings Elsewhere - 4.5m
Interface I		
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m from the centreline laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

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Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Bridge Road, measured from the property boundary to the existing kerb.

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

- any part of the opposite footpath of Bumley Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H-J on Plan 1) should not exceed the maximum heights and setbacks in [Figure 1 of this schedule set out in Table 3](#).

Development at 566 Bridge Road should provide a 6m landscape setback to the eastern boundary with the Racecourse Heritage Precinct and to the southern boundary to 65 Stawell Street.

Table 3 – Residential interfaces

Residential Interface	Preferred requirement
Interface H	Heights and setbacks shown in Figure 1 of this schedule.
Interface J	Heights and setbacks shown in Figure 2 of this schedule.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

[Ensure shopfront widths are not reduced to the extent they become commercially unviable.](#)

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm. [Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.](#)

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

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Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Bridge Road.

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule – Access and Movement Plan.

Where access is provided to an arterial road, access ~~would should be~~ subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 2 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

Development should consider creating ground level publicly accessible pedestrian connections or linkages as shown on Plan 32.

Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

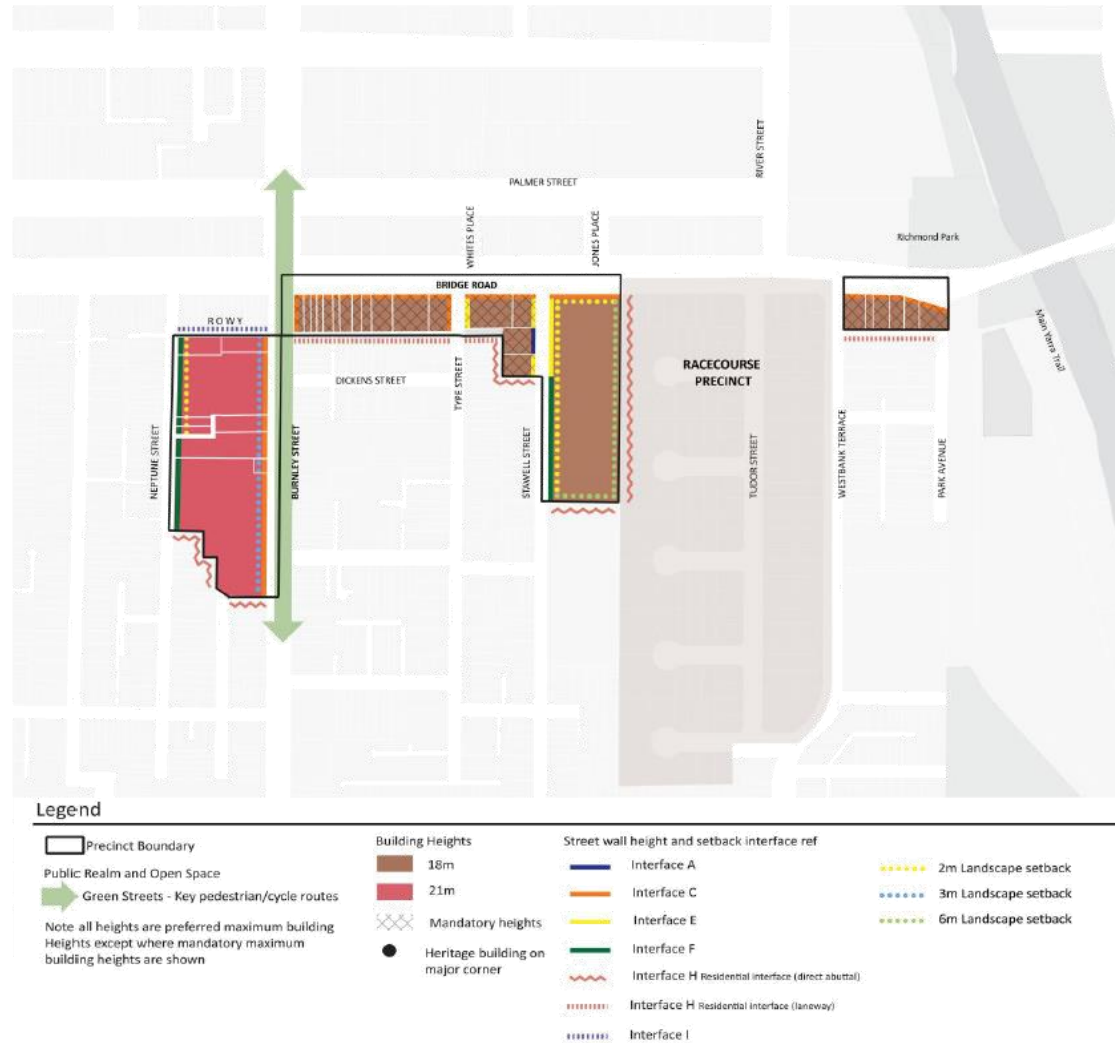
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Plan 1: Height and Interface Plan – Precinct 4 Bridge Road East South

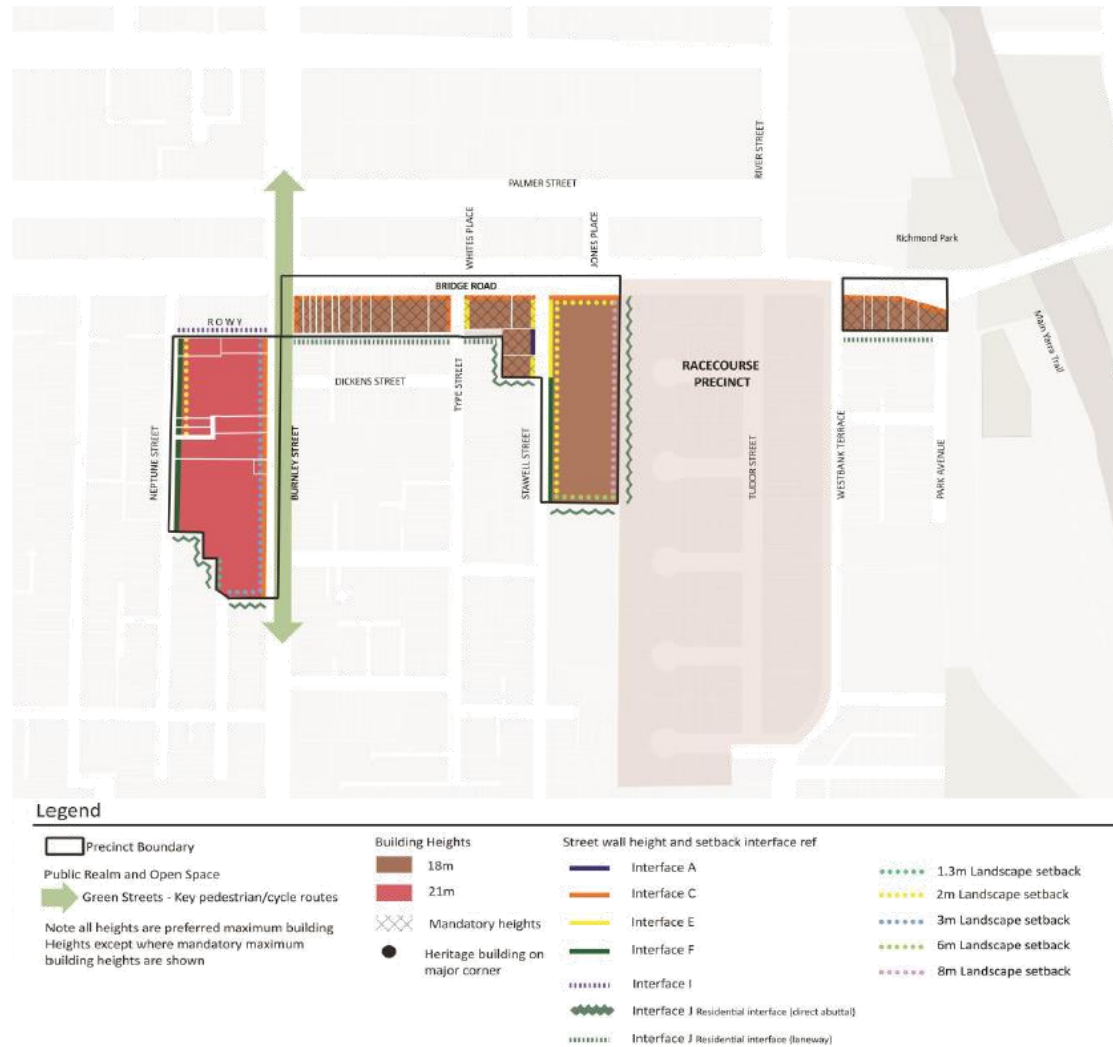
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Plan 2: Access and Movement Plan – Precinct 4 Bridge Road East South



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

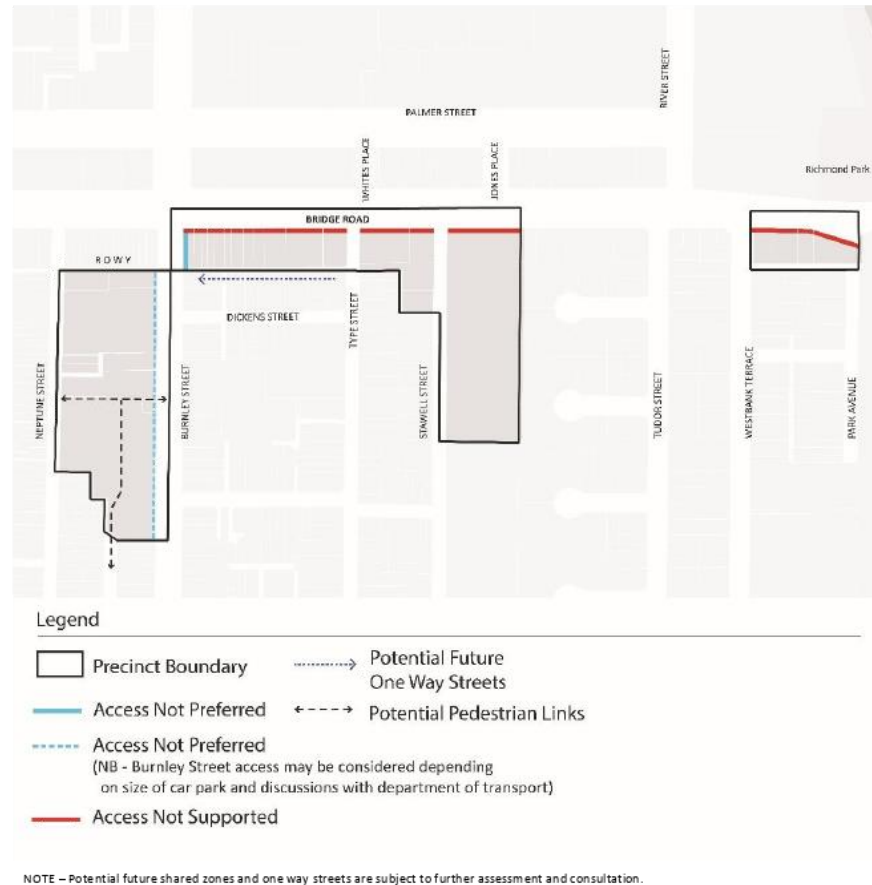
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Legend

	Precinct Boundary		Potential Future One Way Streets
	Access Preferred		Potential Pedestrian Links
	Access Not Preferred		
	Access Not Supported		

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3.0 Subdivision

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Bridge Road and from local streets.
- The prominence of the heritage street wall in the vistas along Bridge Road, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

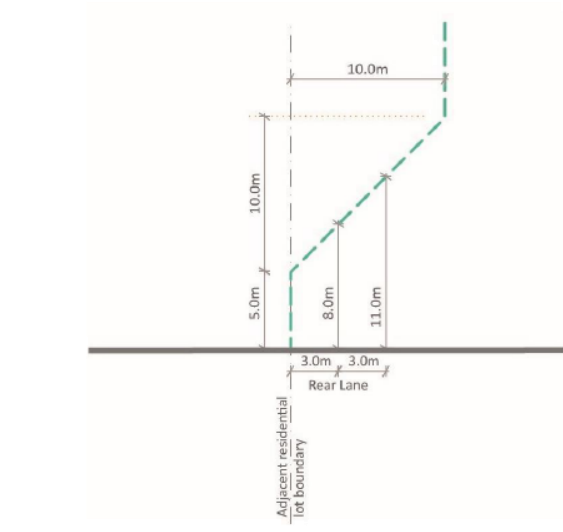
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- The impact of the development on view lines to the Pelaco sign; the Richmond Town Hall; and the belfry and spire of the Ignatius' Cathedral.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development along Palmer Street when viewed from the north side of Palmer Street and the south side of Bridge Road.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways
- The impact of vehicular access arrangements on the operation of the tram routes along Bridge Road and Church Street.

Reference documents

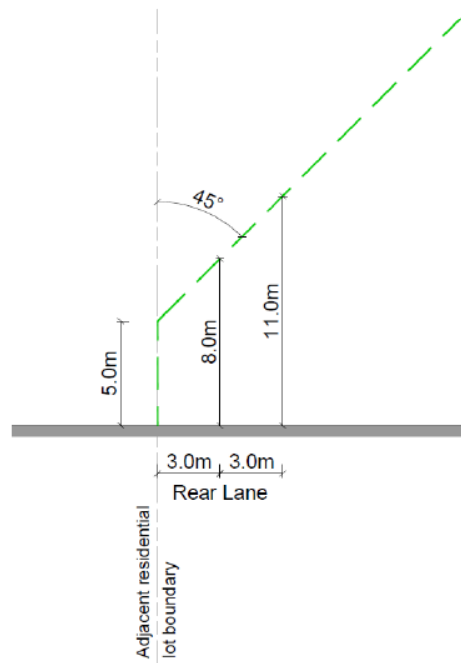
- *Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)*
- *Built Form Review: Bridge Road – Heritage Analysis and Recommendations (GJM Heritage, April 2021)*
- *Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)*

Figure 1 to Schedule 44 – Interface H – to residential properties in NRZ or GRZ

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Figure 1 to Schedule 44 – Interface J – to residential properties in NRZ or GRZ



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SCHEDULE 45 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO45.

BRIDGE ROAD ACTIVITY CENTRE – PRECINCT 5 BRIDGE ROAD EAST NORTH**1.0 Design objectives**

To support a new mid-rise character that creates a consistent taller built form edge on Bridge Road and Palmer Street and responds to the interface with industrial areas and low scale residential areas to the north.

To ensure development provides building separation and views to the sky above the street wall when viewed from the northern footpath of Palmer Street and/or the southern footpath of Bridge Road.

To ensure development maintains the visual prominence of the Royal Oak Hotel and other heritage buildings.

To ensure development enhances the pedestrian experience through street activation and surveillance and protecting sunlight access to the southern side of Bridge Road, Burnley Street and any potential future urban space at Whites Place.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

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A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Street wall and Setback Requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

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- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Bridge Road with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Bridge Road where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre along at the site's ~~corner boundaries~~ primary and secondary frontages. This does apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmark, Royal Oak Hotel, 527-533 Bridge Road.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

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- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 5 Bridge Road East North

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m minimum	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	None specified	6m minimum
Interface D		
Maximum street wall height	None specified	15m
Maximum and minimum street wall setback	None specified	0m
Minimum upper level setback	None specified	4.5m

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:

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- 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
- 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Bridge Road, measured from the property boundary to the existing kerb.

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

- any part of the opposite footpath of Burnley Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

[Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone should not exceed the maximum heights and setbacks in Figure 1 of this schedule.](#)

Views to landmarks requirements

A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmark (as shown on Plan 1 and listed below):

- the cornice and iron balustrade, clock stage, pyramidal roof and flag pole of the Richmond Town Hall when viewed from south-east corner of Burnley Street and Bridge Road intersection (View 2).

Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

[Ensure shopfront widths are not reduced to the extent they become commercially unviable.](#)

Development should:

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- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.

Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development should be designed to address the potential future urban space at Whites Place.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Bridge Road.

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule—Access and Movement Plan.

Where access is provided to an arterial road, access ~~would should~~ be subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 32 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 32 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

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Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

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Plan 1: Height and Interface Plan – Precinct 5 Bridge Road East North



Legend

Precinct Boundary	Building Heights	Street wall height and setback interface ref	Views to landmarks
Public Realm and Open Space	18m	Interface A	Landmark
Potential future urban space	28m	Interface C	View cone & line
Green Streets - Key pedestrian/cycle routes	Mandatory heights	Interface D	1 Richmond Town Hall
Note all heights are preferred maximum building Heights except where mandatory maximum building heights are shown			
		Heritage building on major corner	

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Plan 2: Access and Movement Plan – Precinct 5 Bridge Road East North

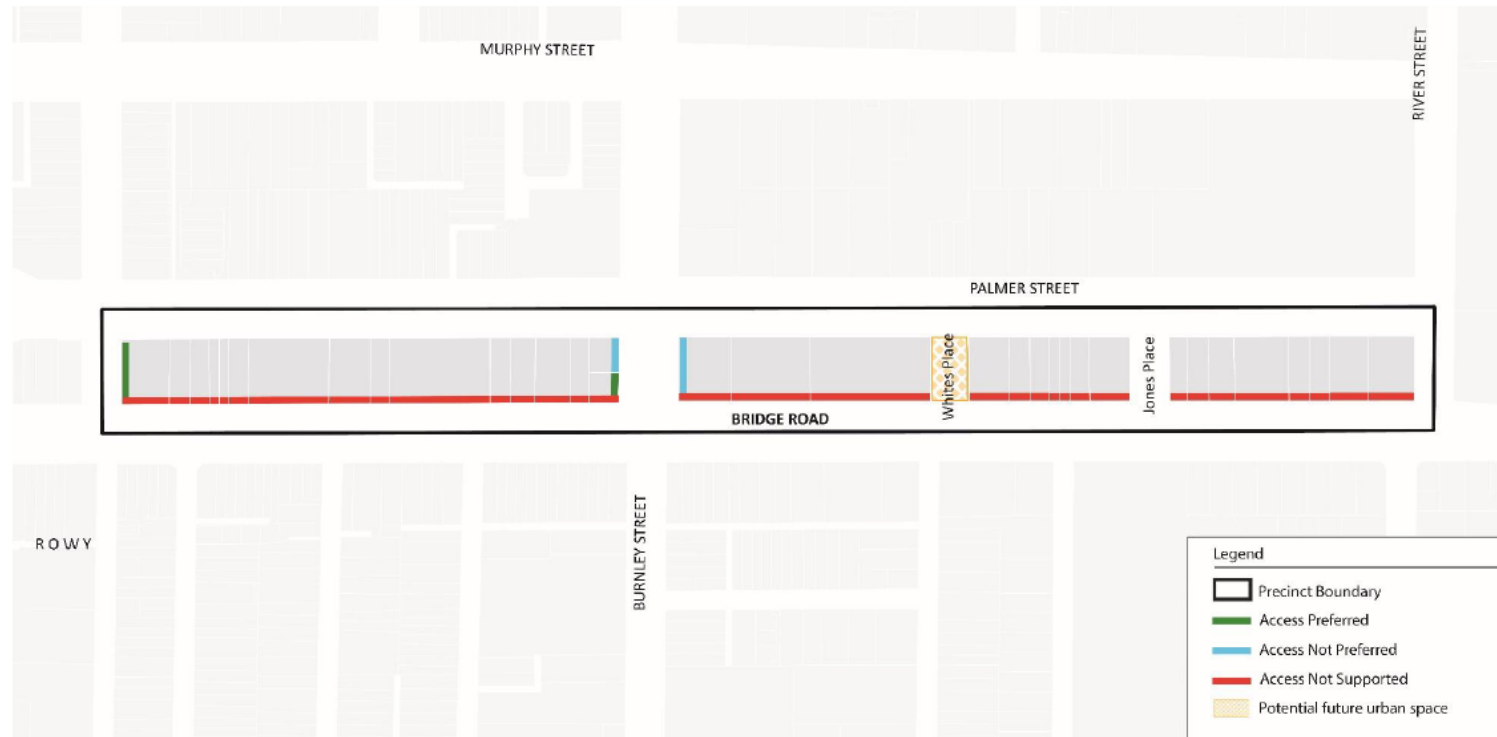


Legend

- Precinct Boundary
- Access Preferred
- Access Not Preferred
- Access Not Supported
- Potential future urban space

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NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

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None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Bridge Road and from local streets.
- The prominence of the heritage street wall in the vistas along Bridge Road, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

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- The impact of the development on view lines to the Pelaco sign; the Richmond Town Hall; and the belfry and spire of the Ignatius' Cathedral.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- The profile and impact of development along Palmer Street when viewed from the north side of Palmer Street and the south side of Bridge Road.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways
- The impact of vehicular access arrangements on the operation of the tram routes along Bridge Road and Church Street.

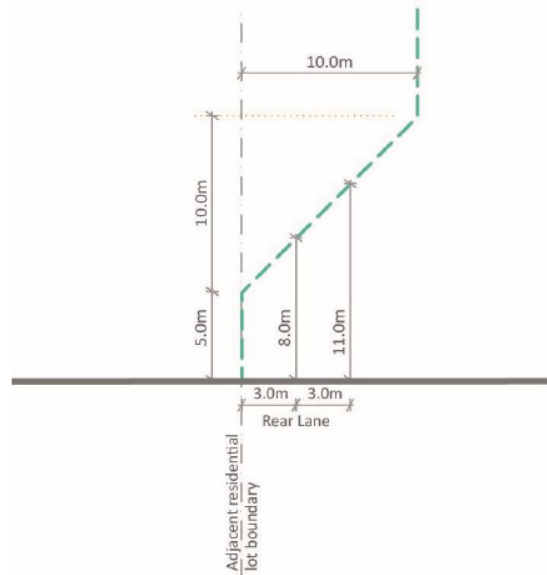
Reference documents

~~Bridge Road & Victoria Street Activity Centres—Review of Interim Built Form Controls—Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)~~

~~Built Form Review: Bridge Road—Heritage Analysis and Recommendations (GJM Heritage, April 2021)~~

~~Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Traffix Group, April 2021)~~

~~Figure 1 to Schedule 45—Interface H—to residential properties in NRZ or GRZ~~



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 Draft
C291yara

SCHEDULE 46 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO46.

VICTORIA STREET ACTIVITY CENTRE – PRECINCT 1 VICTORIA STREET WEST**1.0 Design objectives**

To support lower mid-rise development that maintains the prominence of the heritage street wall and local landmarks and respects the architectural form and qualities of heritage buildings and the heritage streetscape.

To enhance the prominent south-west corner of Hoddle and Victoria Streets through high quality taller development that creates a strong address to each street frontage.

To ensure development respects and appropriately transitions to the low scale heritage buildings in Regent Street.

To ensure development enhances the pedestrian experience through street activation and passive surveillance along Victoria Street and its side streets, including Little Hoddle Street and protects sunlight access to the southern side of Victoria Street and the open space opposite the Victoria Street Gateway.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

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A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types; including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm-etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Street wall and Setback Requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

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- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along the northern side of Victoria Street with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Victoria Street where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre along at the site's ~~corner boundaries~~ primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmark, the former State Savings Bank, 231 Victoria Street.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

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- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 1 Victoria Street West

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface D		
Maximum street wall height	None specified	15m
Maximum and minimum street wall setback	None specified	0m
Minimum upper level setback	None specified	4.5m
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m for other buildings
Maximum and minimum street wall setback	None specified	253-257 Victoria Street - 2m minimum setback along western boundary. Retain existing street wall setback for heritage buildings.
Minimum upper level setback	None specified	6m for heritage buildings 3m for other buildings
Interface G		
Maximum street wall height	Retain existing street wall height for heritage buildings.	Other buildings – Match the parapet or roof height of the adjacent heritage building
Maximum and minimum street wall setback	Retain existing street wall height for heritage buildings.	None specified
Minimum upper level setback	7m for heritage buildings	7m for other buildings
Interface I		

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Built form	Mandatory requirement	Preferred requirement
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	1-11 Hoddle Street - 2m setback on eastern boundary Elsewhere – 0m
Minimum upper level setback	None specified	4.5m from the centreline laneway 6.5m from eastern property boundary of 1-11 Hoddle Street An additional 3m setback at the uppermost level for development over 30m on the western side of Little Hoddle Street

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Victoria Street, measured from the property boundary to the existing kerb.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

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Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.
Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Victoria Street.

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule – Access and Movement Plan.
 Where access is provided to an arterial road, access ~~would should be~~ subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 2 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

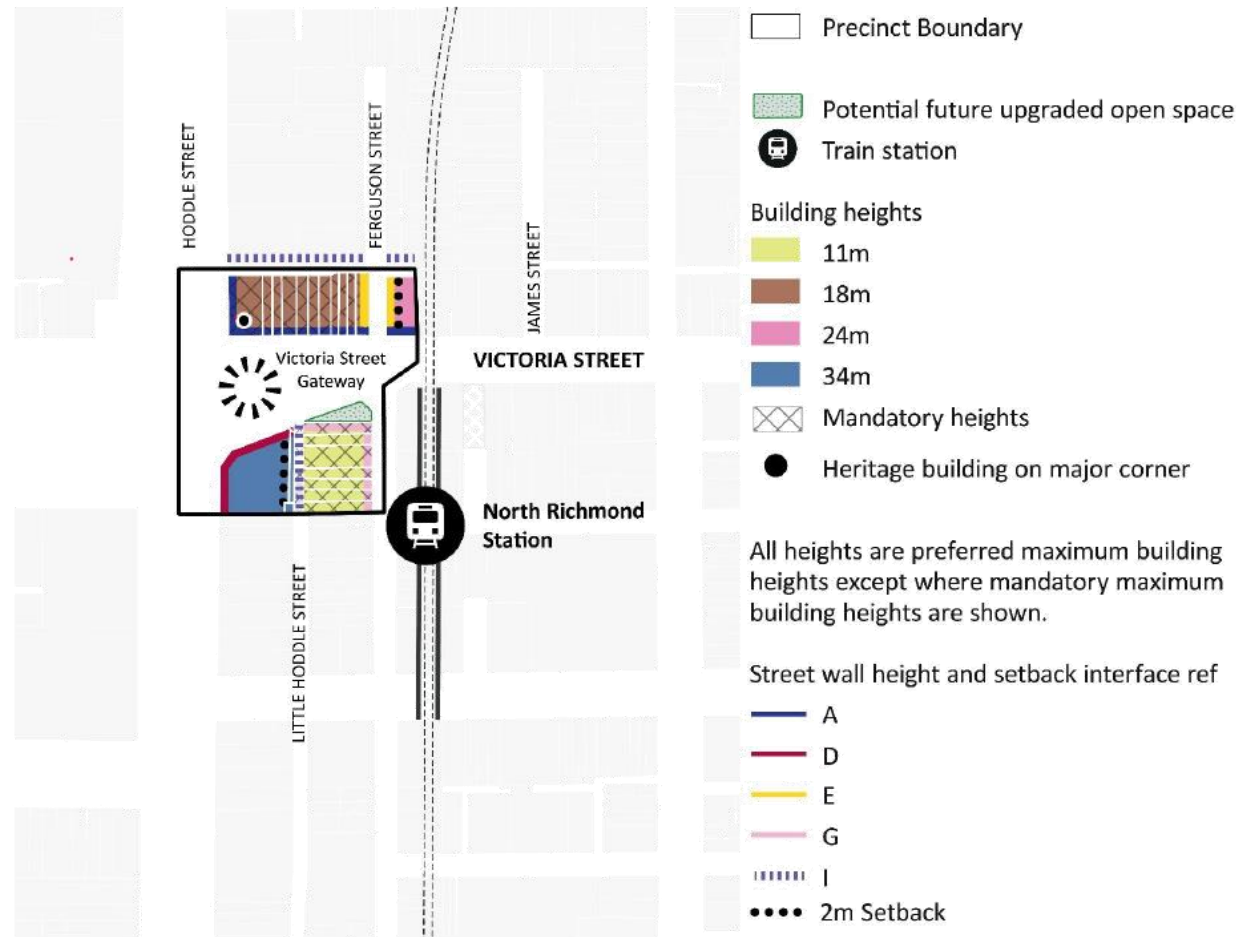
Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

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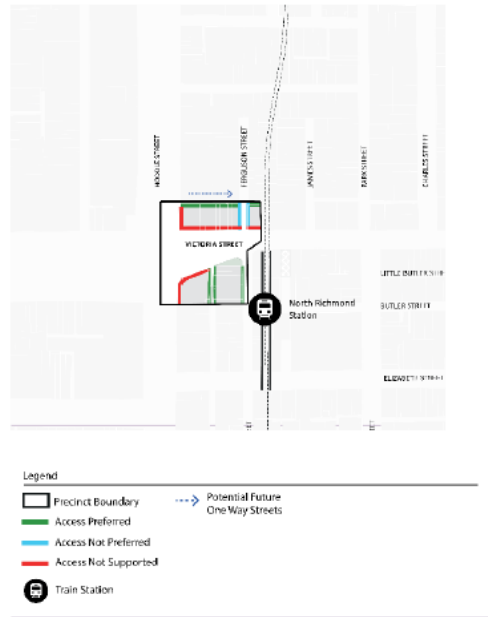
Plan 1: Height and Interface Plan – Precinct 1 Victoria Street West



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Plan 2: Access and Movement Plan – Precinct 1 Victoria Street West



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NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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3.0 Subdivision

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Victoria Street and from local streets.
- The prominence of the heritage street wall in the vistas along Victoria Street, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

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- The impact of the development on view lines to the Richmond Town Hall and Skipping Girl sign.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- The impact of vehicular access arrangements on the operation of the tram routes along Victoria Street and Church Street.

Reference documents

- ~~Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)~~
- ~~Built Form Review: Victoria Street – Heritage Analysis and Recommendations (GJM Heritage, April 2021)~~
- ~~Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)~~

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SCHEDULE 47 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO47.

VICTORIA STREET ACTIVITY CENTRE - PRECINCT 2 VICTORIA STREET CENTRAL**1.0 Design objectives**

To support mid-rise development that maintains and reinforces the prominence of the existing street wall and fine grain character and pattern of shops and restaurants along Victoria Street.

To ensure development respects the architectural form and qualities of heritage buildings, local landmarks and the heritage streetscape.

To support high quality new buildings adjoining North Richmond Station with mixed uses that activate and improve pedestrian connections to the station, including a potential future urban space at Jonas Street.

To ensure development enhances the pedestrian experience through street activation and passive surveillance along Victoria Street and its side streets, enhancing pedestrian connections to the North Richmond Station and protecting sunlight access to the southern side of Victoria Street, Shelley Street, Charles Street, Nicholson Street and the Butler Street Park.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge. In the case of a heritage building that is set back from the street, the height is measured from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****Street wall and Setback Requirements**

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Victoria Street with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Victoria Street where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre at along the site's ~~corner boundaries-primary and secondary frontages~~. This does not apply to corners where one of the frontages is a laneway

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmark, Former National Bank, 261 Victoria Street, Abbotsford.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 2 Victoria Street Central

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. Elsewhere - 0m
Minimum upper level setback	None specified	6m
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum for other buildings
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings.
Minimum upper level setback	None specified	6m minimum for heritage 3m minimum for other buildings
Interface I		

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Built form	Mandatory requirement	Preferred requirement
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m from the centreline laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Victoria Street, measured from the property boundary to the existing kerb.

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

- ~~▪ any part of the opposite footpath of Shelley Street, Charles Street, Nicholson Street and Church Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).~~

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

~~Butler Street Park.~~

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Table 2 – Overshadowing

<u>Location</u>	<u>Hours and dates</u>
<u>Any part of the opposite footpath of Shelley Street, Charles Street, Nicholson Street and Church Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).</u>	<u>10am to 2pm at 22 September</u>
<u>Butler Street Park.</u>	<u>10am to 2pm at 22 September</u>

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H on Plan 1) should not exceed the maximum heights and setbacks in Figure 1 of this schedule.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.

Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development should be designed to address the potential future urban space at Jonas Place.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Victoria Street.

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule—Access and Movement Plan.

Where access is provided to an arterial road, access ~~would should~~ be subject to Department of Transport approval and should be limited to left-in/left-out.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 2 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

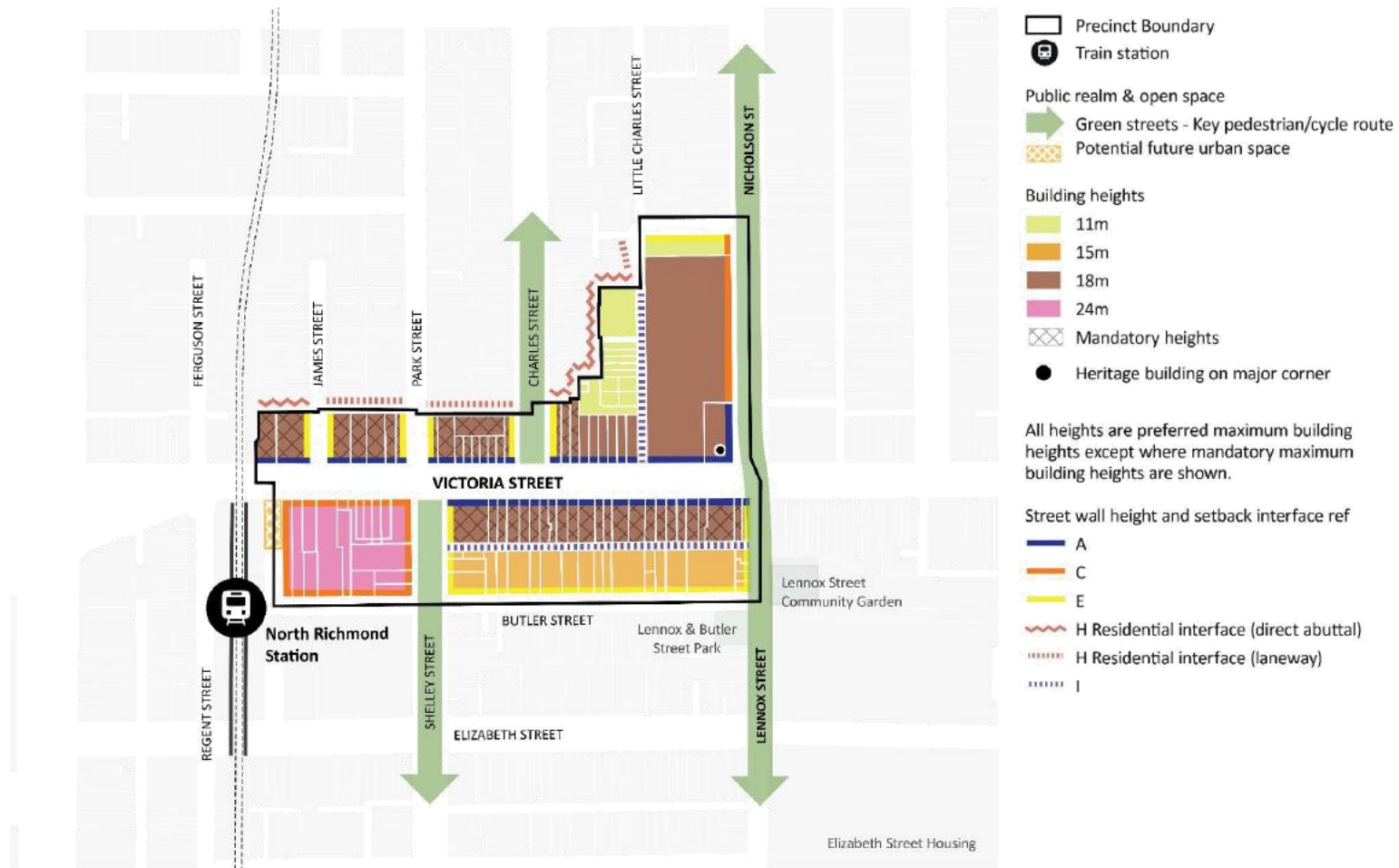
Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

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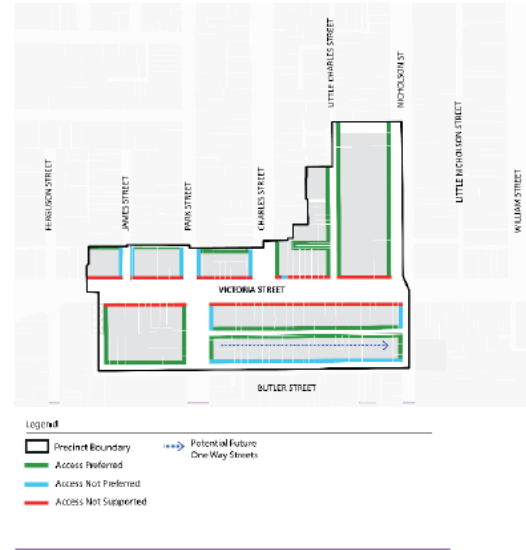
Plan 1: Height and Interface Plan – Precinct 2 Victoria Street Central



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

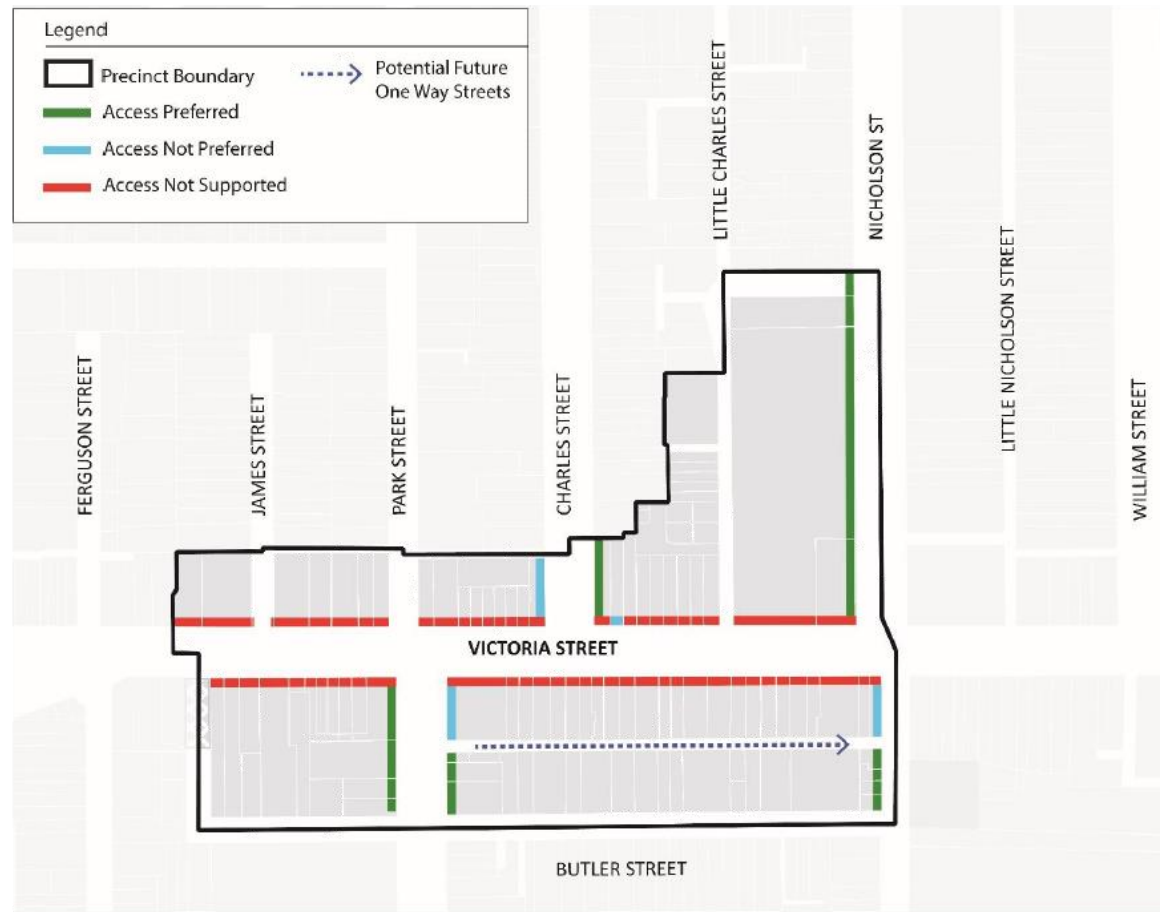
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Plan 2: Access and Movement Plan – Precinct 2 Victoria Street Central



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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3.0 Subdivision

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Victoria Street and from local streets.
- The prominence of the heritage street wall in the vistas along Victoria Street, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.

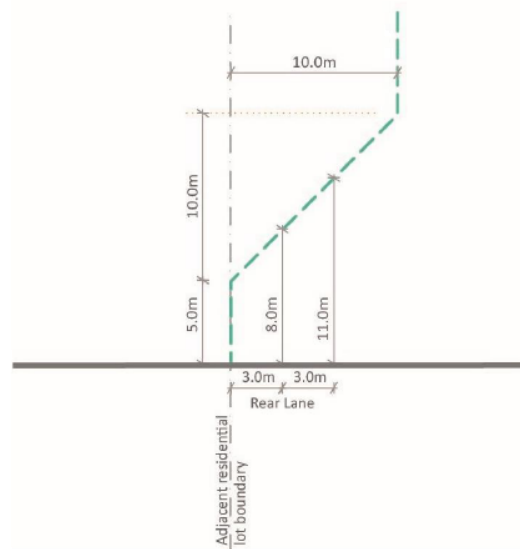
Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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- The impact of the development on view lines to the Richmond Town Hall and Skipping Girl sign.
- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- The impact of vehicular access arrangements on the operation of the tram routes along Victoria Street and Church Street.

Reference documents

- ~~Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)~~
- ~~Built Form Review: Victoria Street – Heritage Analysis and Recommendations (GJM Heritage, April 2021)~~
- ~~Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)~~

Figure 1 to Schedule 47 – Interface H to residential properties in NRZ or GRZ

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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SCHEDULE 48 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO48.

VICTORIA STREET ACTIVITY CENTRE - PRECINCT 3 NORTH RICHMOND STATION**1.0 Design objectives**

To promote quality building design and a new mid-rise character on Hoddle Street that reinforces the importance of the boulevard and improves its pedestrian environment and landscape character.

To support a new mid-rise character on Regent Street and on the larger sites east of the railway line with lower built form at the interfaces with streets and the adjoining low-rise residential areas.

To ensure development maintains the visual prominence of heritage buildings.

To ensure development enhances the pedestrian experience through street activation and passive surveillance to all streets, including Little Hoddle Street and the streets leading to the North Richmond Station and protects sunlight access to Elizabeth Street – a key pedestrian and cycling route.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types; including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - ~~communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and~~ or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

Street wall and Setback Requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

Where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre all along the site's ~~corner boundaries~~ primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 3 North Richmond Station

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. 12 Shelley Street and 33 Elizabeth Street - 2m minimum setback on western boundary. Elsewhere - 0m
Minimum upper level setback	None specified	6m
Interface D		
Maximum street wall height	None specified	15m
Maximum and minimum street wall setback	None specified	0m
Minimum upper level setback	None specified	4.5m
Interface I		

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Built form	Mandatory requirement	Preferred requirement
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	2m minimum setback along Little Hoddle Street to the eastern boundary of 15-25 Hoddle Street, 6-8 Elizabeth Street and 35-81 Hoddle Street and to the western boundary of 28-30 Regent Street, 31-33 Little Hoddle Street and 5 Elizabeth Street.
Minimum upper level setback	None specified	4.5m from the centreline laneway 6.5m from the property boundary An additional 3m setback at the uppermost level for development over 30m on the western side of Little Hoddle Street

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

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

- any part of the southern footpath of Elizabeth Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties [in NRZ or GRZ requirements](#)

Development should protect the amenity of existing residential properties [in the Neighbourhood Residential or General Residential Zones](#) in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Development in the Commercial 2 Zone should be setback from side and rear boundaries to ensure adequate daylight and minimise direct views to habitable rooms and private open space of dwellings in the Mixed Use Zone.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H or Interface J on Plan 1) should not exceed the maximum heights and setbacks in ~~Figure 1 of this schedule~~ set out in Table 3.

Table 3 – Residential interfaces

<u>Residential Interface</u>	<u>Preferred requirement</u>
<u>Interface H</u>	<u>Heights and setbacks shown in Figure 1 of this schedule.</u>
<u>Interface J</u>	<u>Heights and setbacks shown in Figure 2 of this schedule.</u>

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm. Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule – Access and Movement Plan.

Where access is provided to an arterial road, access should would be subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Development indicated in Plan 2 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

Development should consider creating ground level publicly accessible pedestrian connections or linkages as shown on Plan 2.

Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

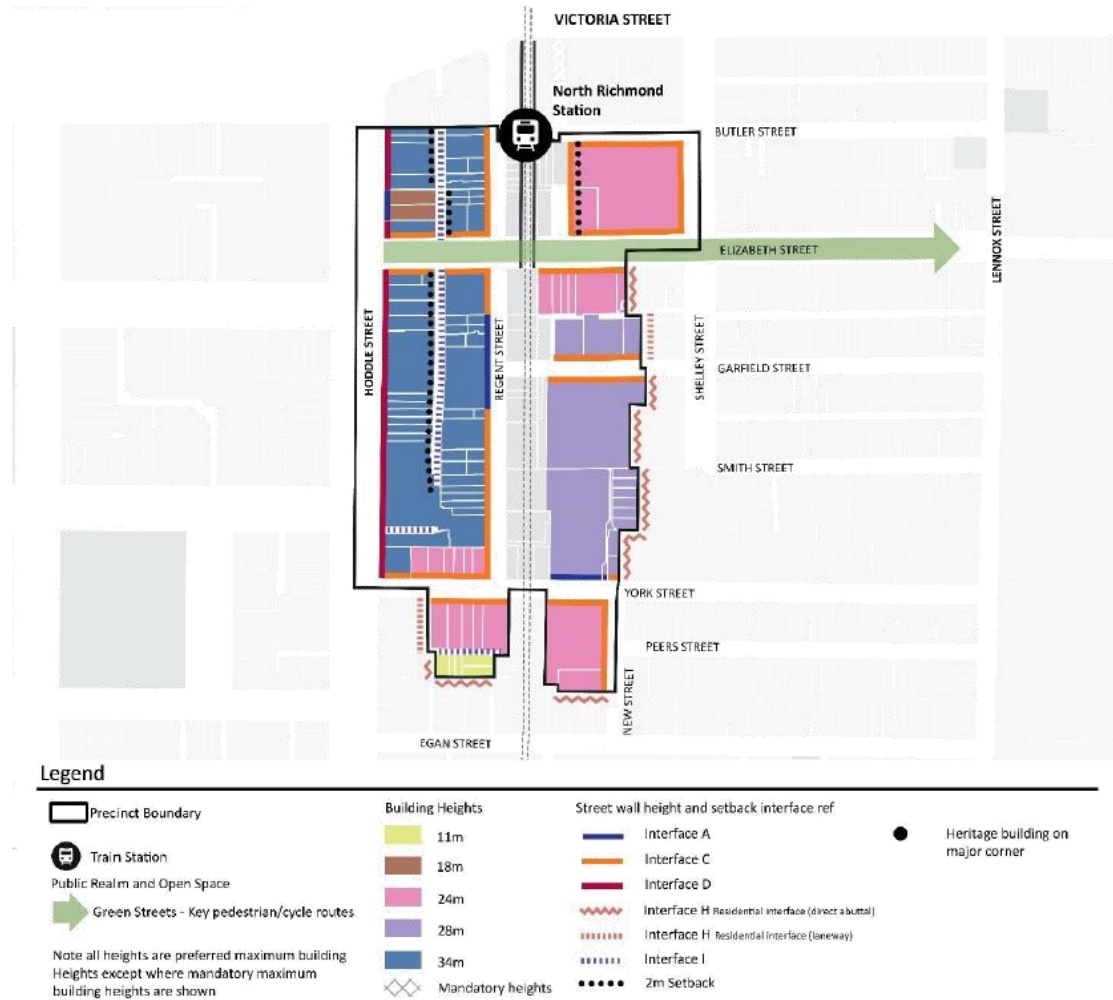
Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Plan 1: Height and Interface Plan – Precinct 3 North Richmond Station

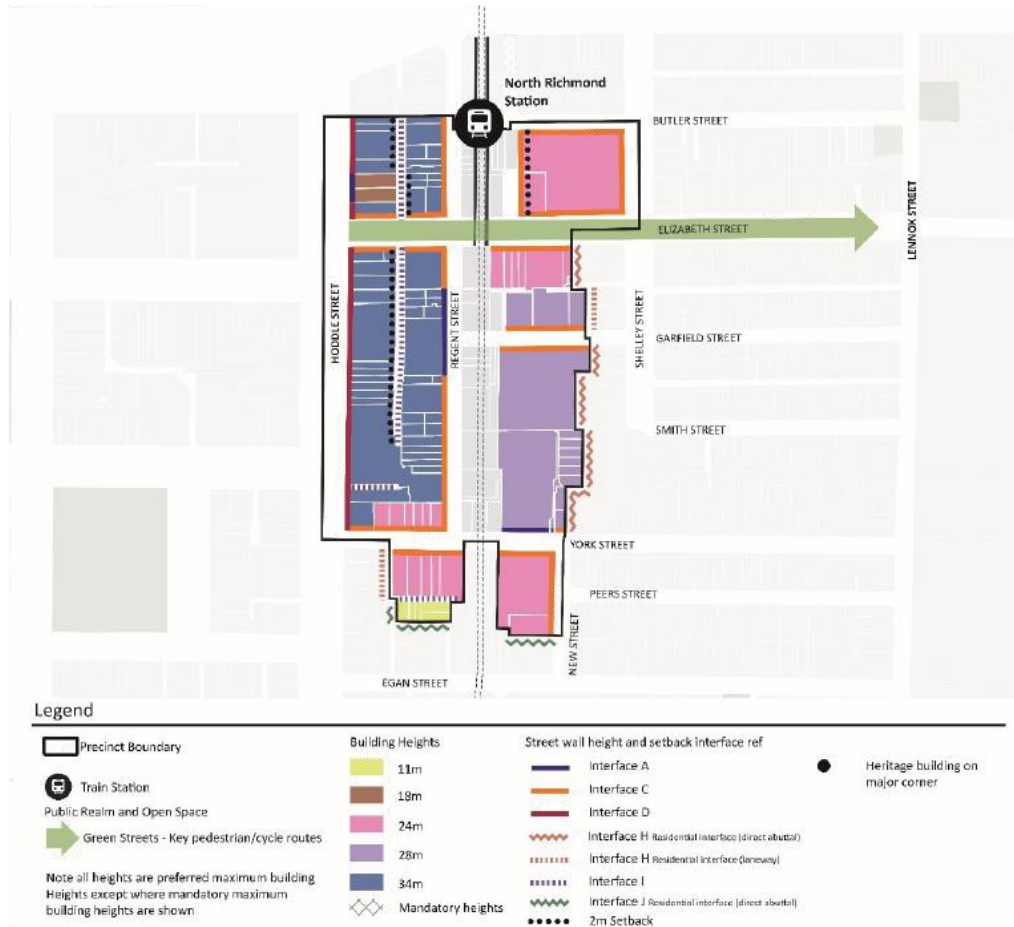
Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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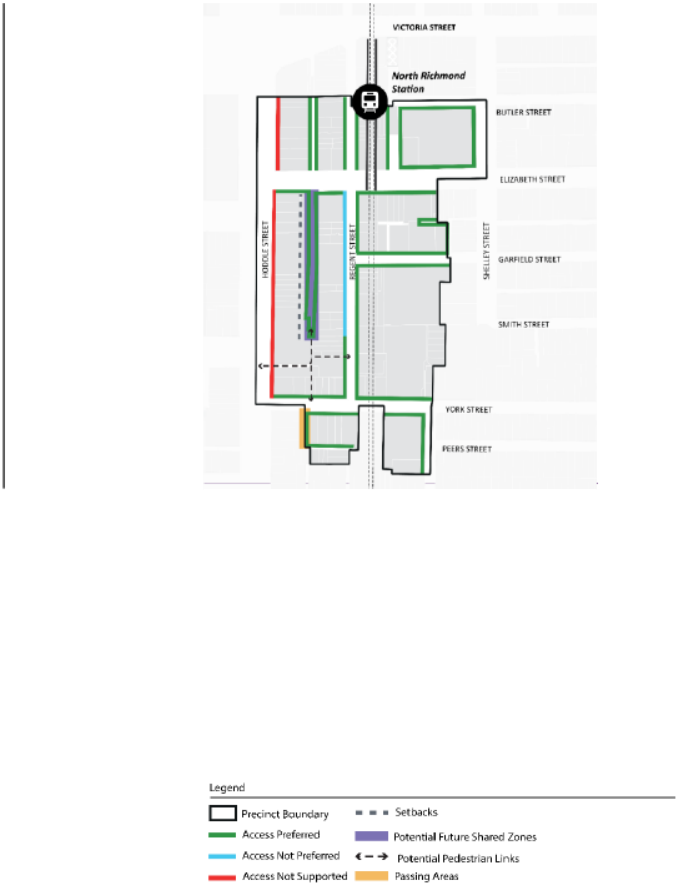


Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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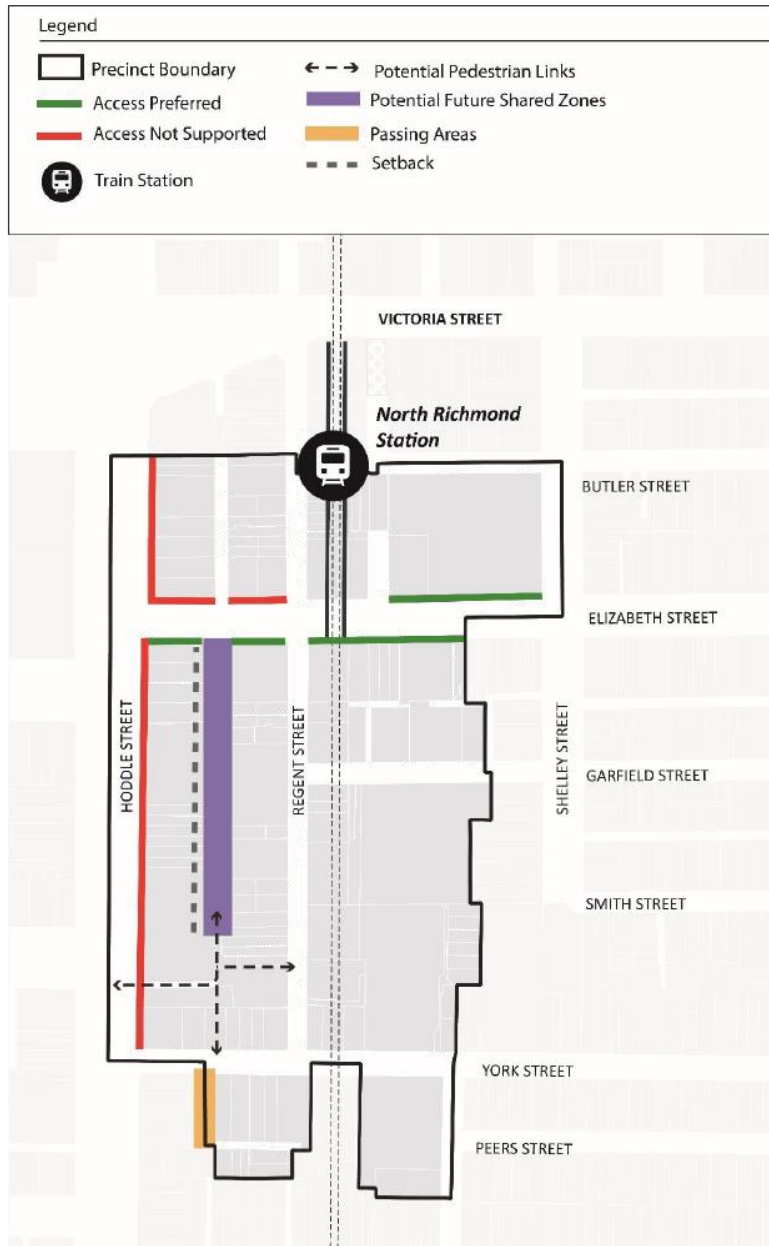
Plan 2: Access and Movement Plan – Precinct 3 North Richmond Station

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NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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3.0 Subdivision

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Victoria Street and from local streets.
- The prominence of the heritage street wall in the vistas along Victoria Street, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of the development on view lines to St Ignatius Church and Skipping Girl sign.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

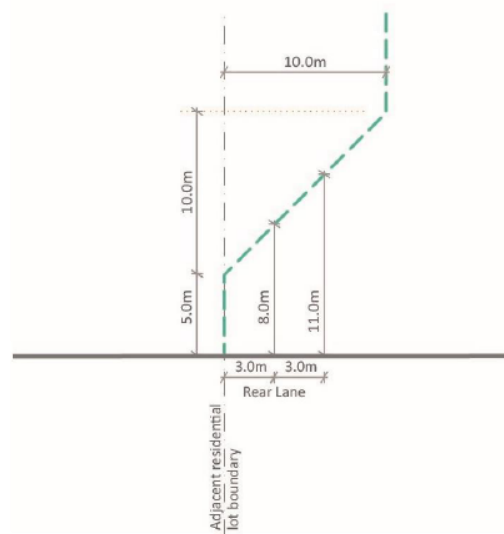
DRAFT AMENDMENT C291YARA

- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- The impact of vehicular access arrangements on the operation of the tram routes along Victoria Street and Church Street.

Reference documents

- ~~Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)~~
- ~~Built Form Review: Victoria Street – Heritage Analysis and Recommendations (GJM Heritage, April 2021)~~
- ~~Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)~~

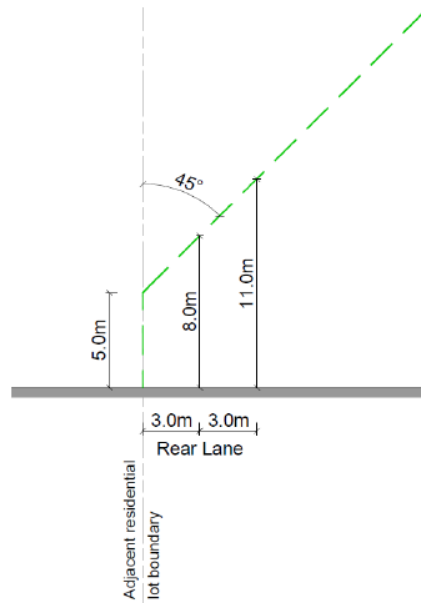
Figure 1 to Schedule 48 – Interface H – to residential properties in NRZ or GRZ



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Figure 2 to Schedule 41 – Interface J - to residential properties in NRZ or GRZ



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SCHEDULE 49 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO49.

VICTORIA STREET ACTIVITY CENTRE - PRECINCT 4 VICTORIA STREET EAST**1.0 Design objectives**

To support mid-rise development that maintains and reinforces the prominence of the existing street wall and fine grain character and pattern of shops and restaurants along Victoria Street.

To ensure development respects the architectural form and qualities of heritage buildings, local landmarks and the heritage streetscape in Victoria Street and along Lithgow Street.

To support a new mid rise character between Lennox Street and Church Street with high quality new buildings that activate and improve the public realm.

To ensure development enhances the pedestrian experience through street activation and passive surveillance on Victoria Street and its side streets, improved pedestrian connections from Victoria Street to Elizabeth Street and protecting sunlight access to the southern side of Victoria Street, Nicholson Street, Lithgow Street, Albert Street and Church Street.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm etc; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****Street wall and Setback Requirements**

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Victoria Street with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Victoria Street where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre at along the site's primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway. ~~corner boundaries~~.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmarks - the Former Duke of Albany Hotel, 323-325 Victoria Street and Former East Collingwood Hotel, 385 Victoria Street.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 4 Victoria Street East

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings	Elsewhere - 0m
Minimum upper level setback	25-33 Lithgow Street - 8m Elsewhere - 6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	None specified	6m
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m for other buildings
Maximum and minimum street wall setback	None specified	136 Lennox Street - 2m minimum setback to the western boundary Retain existing street wall setback for heritage buildings.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

Built form	Mandatory requirement	Preferred requirement
Minimum upper level setback	None specified	6m for heritage buildings 3m for other buildings
Interface I		
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m from the centreline laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Victoria Street, measured from the property boundary to the existing kerb.

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

- any part of the opposite footpath of Nicholson Street, Lithgow Street, Albert Street, Shelley Street and Church Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

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Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H or Interface J on Plan 1) should not exceed the maximum heights and setbacks ~~in Figure 1 of this schedule~~ set out in Table 3.

Table 3 – Residential interfaces

<u>Residential Interface</u>	<u>Preferred requirement</u>
<u>Interface H</u>	<u>Heights and setbacks shown in Figure 1 of this schedule.</u>
<u>Interface J</u>	<u>Heights and setbacks shown in Figure 2 of this schedule.</u>

Views to landmarks requirements

A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmarks:

- the tower belfry and spire of St Ignatius Cathedral when viewed from the tram stop at the intersection of Victoria Street and Church Street.

Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.

Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Victoria Street.

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Development should provide vehicular access from rear lanes or from side streets, ~~where appropriate, in the preferred locations on Plan 2 of this schedule—Access and Movement Plan.~~ Where access is provided to an arterial road, access ~~would should be~~ subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 2 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

Development should consider creating ground level publicly accessible pedestrian connections or linkages as shown on Plan 2.

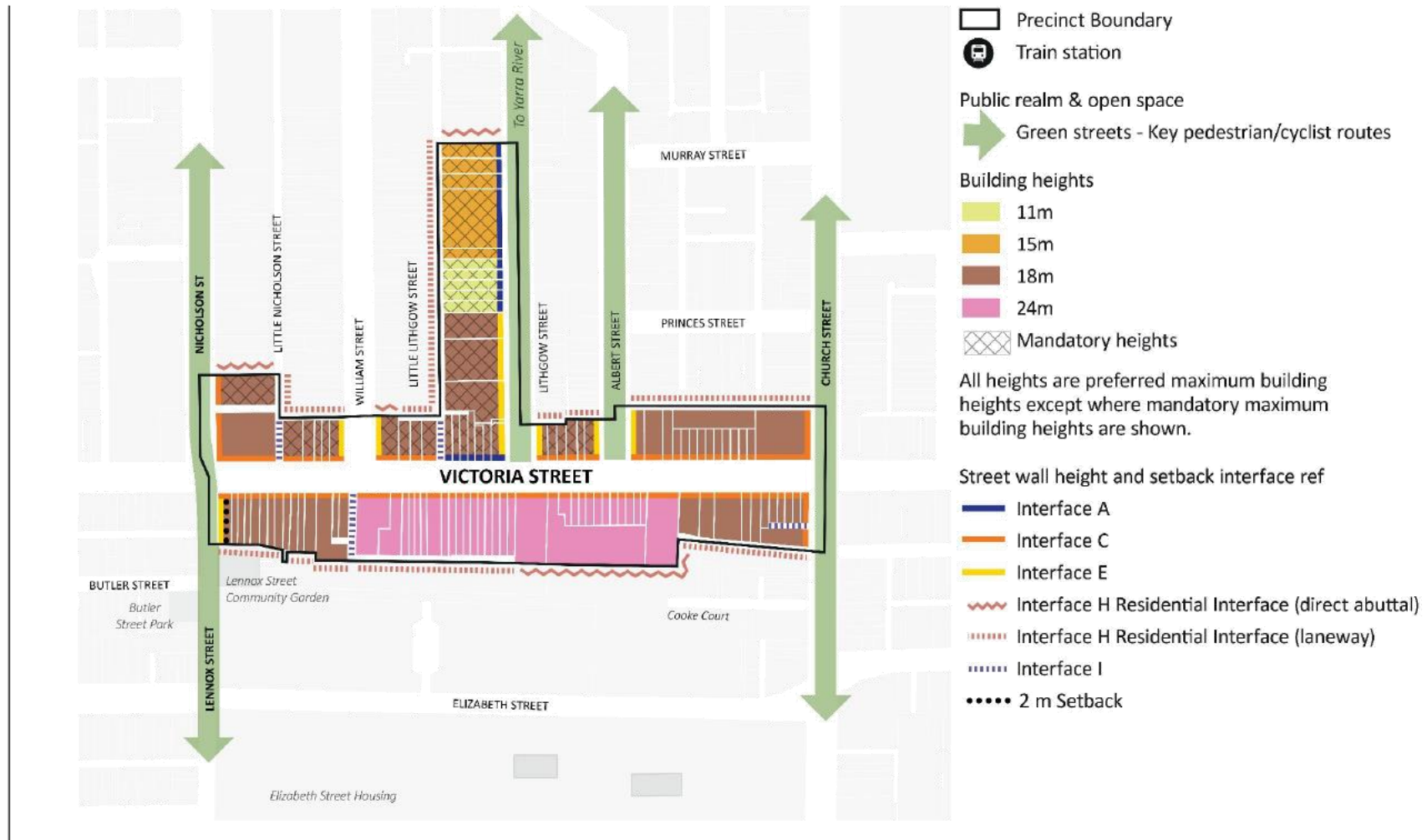
Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

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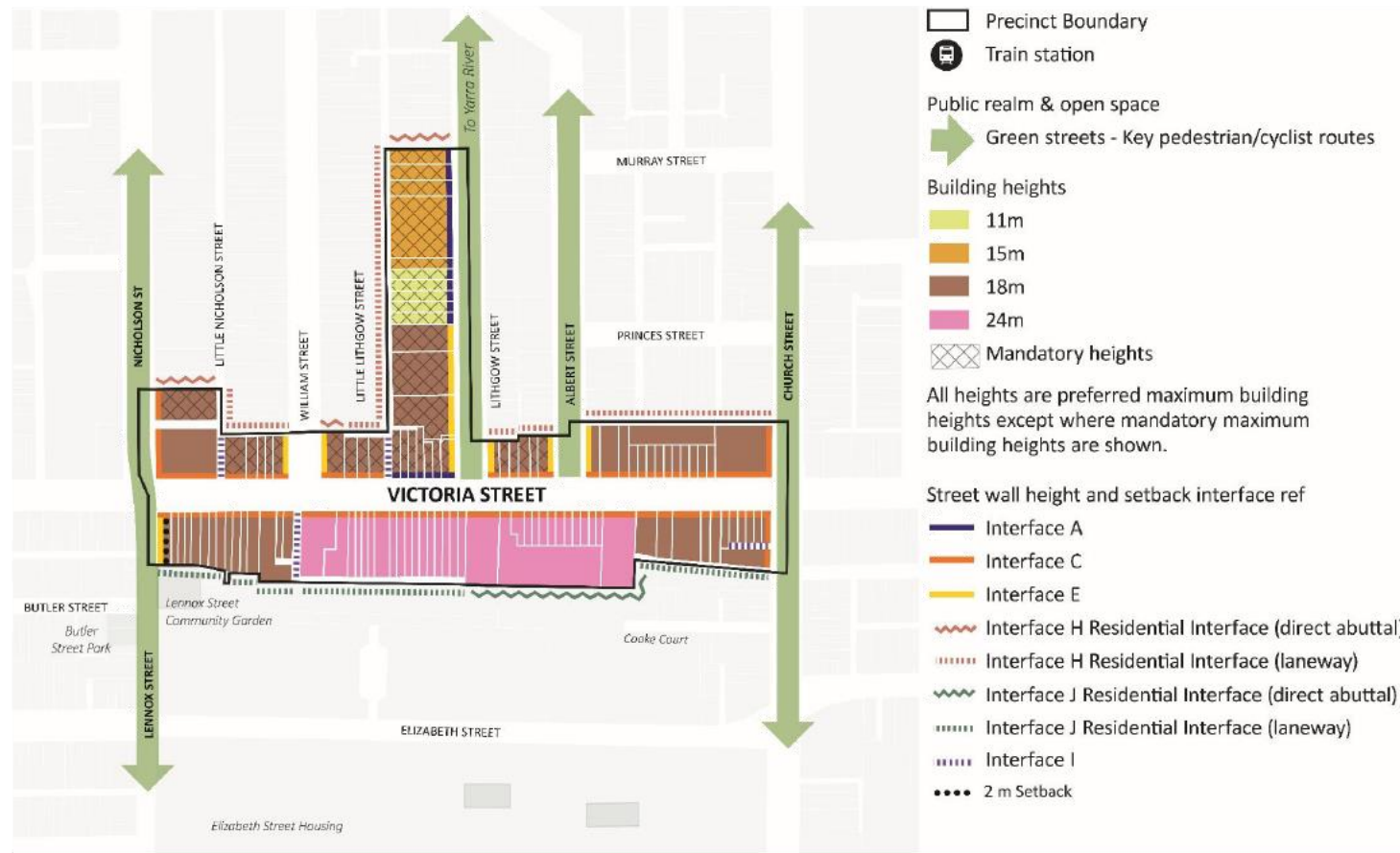
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Plan 1: Height and Interface Plan – Precinct 4 Victoria Street East



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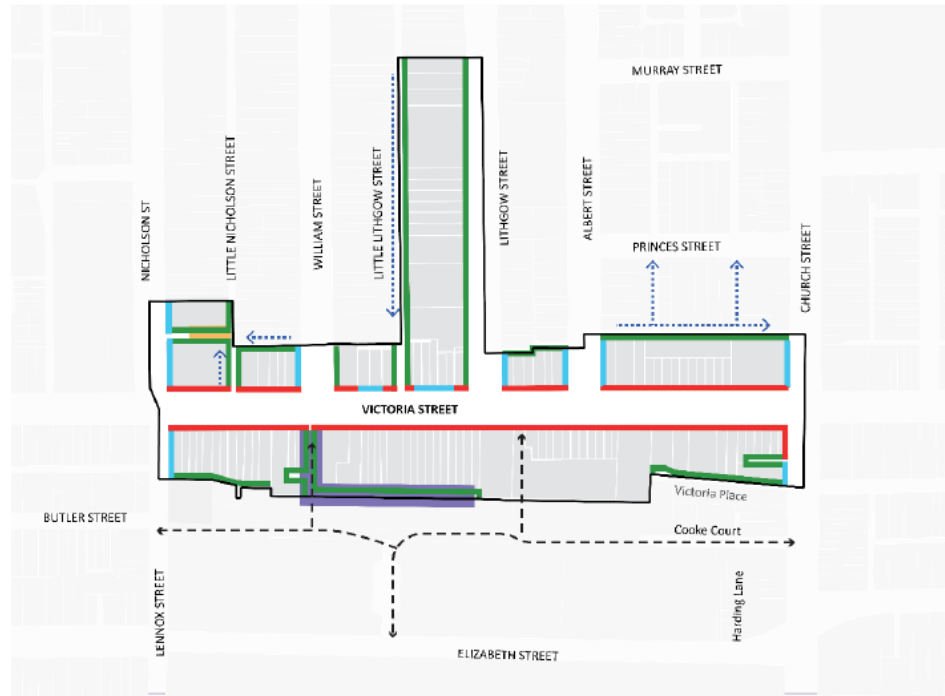
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Plan 2: Access and Movement Plan – Precinct 4 Victoria Street East

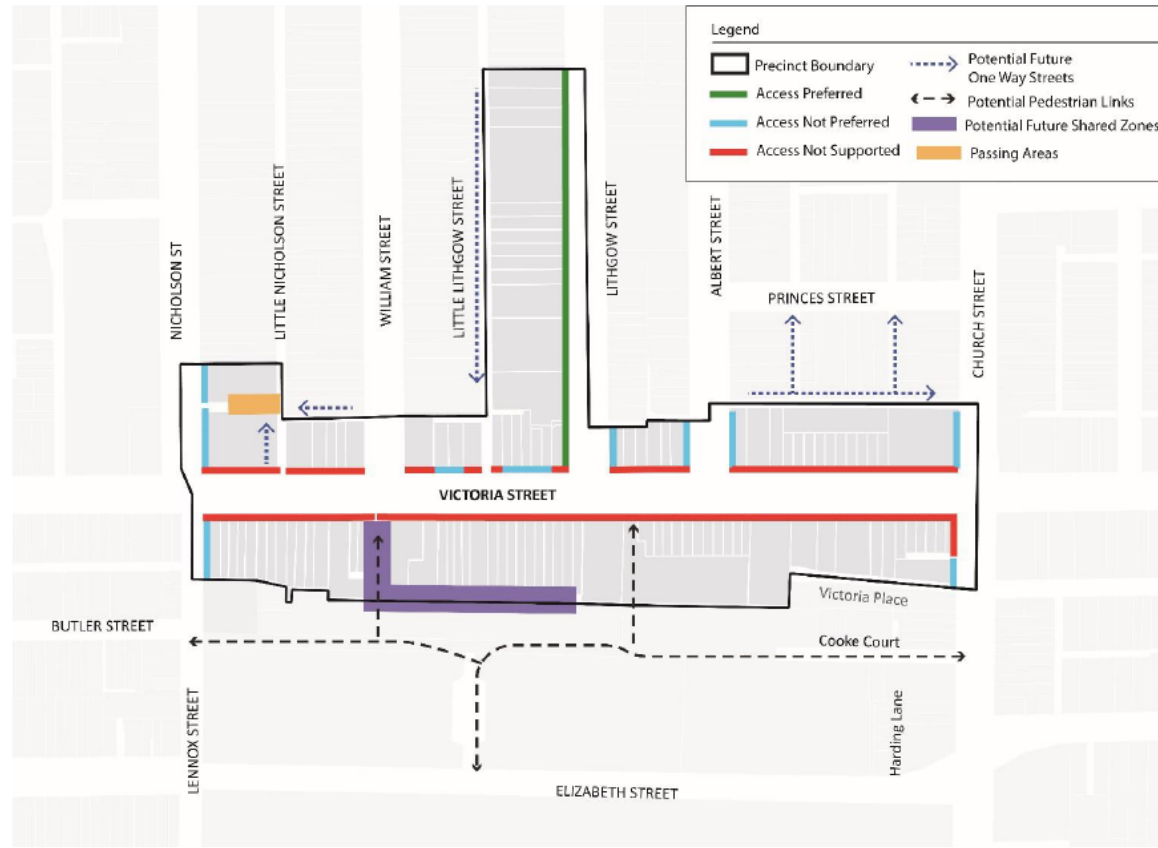


Legend

- | | |
|----------------------|----------------------------------|
| Precinct Boundary | Potential Future One Way Streets |
| Access Preferred | Potential Future Shared Zones |
| Access Not Preferred | Potential Pedestrian Links |
| Access Not Supported | Passing Areas |

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NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

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None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Victoria Street and from local streets.
- The prominence of the heritage street wall in the vistas along Victoria Street, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of the development on view lines to the St Ignatius Church and Skipping Girl sign.

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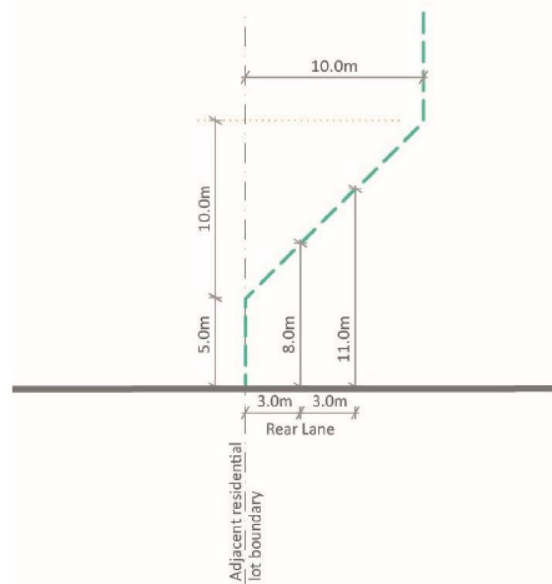
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- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- The impact of vehicular access arrangements on the operation of the tram routes along Victoria Street and Church Street.

Reference documents

- ~~Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)~~
- ~~Built Form Review: Victoria Street – Heritage Analysis and Recommendations (GJM Heritage, April 2021)~~
- ~~Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)~~

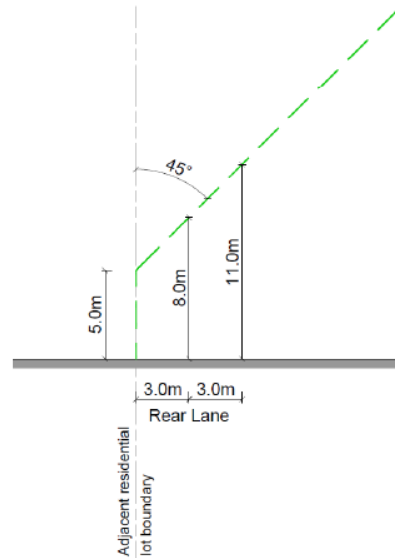
Figure 1 to Schedule 49 – Interface **H** – to residential properties in NRZ or GRZ



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Figure 2 to Schedule 41 – Interface J - to residential properties in NRZ or GRZ



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SCHEDULE 50 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO50.

VICTORIA STREET ACTIVITY CENTRE - PRECINCT 5 VICTORIA STREET EAST END

1.0 Design objectives

To support a new mid-rise character that creates a consistent taller built form edge on Victoria Street, matching the street wall of developments in the Victoria Street East Precinct, and responds to the interface with industrial areas and low scale residential areas.

To ensure development respects the architectural form and qualities of heritage buildings and the heritage streetscape in Victoria Street.

To ensure development on large and/or consolidated sites provides building separation and setbacks that offers views to the sky above the street wall when viewed from the opposite footpath of Victoria Street.

To ensure development enhances the pedestrian experience through street activation and passive surveillance, improved pedestrian connections from the Yarra River/Birrarung and protecting sunlight access to the south side of Victoria Street, Church Street and Davison Street.

To ensure development responds to sensitive interfaces by providing a suitable transition to low scale residential areas and minimising amenity impacts on residential properties including overlooking, overshadowing and visual bulk impacts.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works, except for:

- rear ground floor extensions no higher than 4 metres above natural ground level;
- an alteration to an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z and MUZ, at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing; and
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant or any building on the Victorian Heritage Register.

Laneway means a road reserve of a public road 9 metres or less in width.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Public realm means all streets and spaces open to the public but does not include laneways

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is setback from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

Upper level means development above the height of the street wall.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Table 1 and the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in Table 1 and the Height and Interface Plan 1 of this schedule.

Building heights requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing or overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types; including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision that achieves the standards in Clauses 55.07 and 58.05 (as relevant);
 - communal open space provision that exceeds the minimum standards in Clauses 55.07 and 58.03; and or
 - secluded private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.05.

Architectural features may exceed the preferred or mandatory height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels and green roofs);
- The equipment and/or structures do not cause additional overshadowing of private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm-ete; and
- The equipment/structures does not extend higher than 2.6 metres above the maximum building height.

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Street wall and Setback Requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street Wall Requirements

Development should achieve a continuous street wall along Victoria Street with no front setback to a street, unless the subject site contains a heritage building with an existing front setback or a street setback is specified.

In locations outside of Victoria Street where heritage is not a constraint, development should consider providing:

- ground level setbacks (and above) to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bike parking or landscaping. Ground level and above setbacks are strongly encouraged where they have been provided by nearby or neighbouring developments to achieve a consistent approach along a street frontage.
- a corner splay at minimum of 1 x 1 metre at along the site's ~~corner boundaries~~ primary and secondary frontages. This does not apply to corners where one of the frontages is a laneway.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

On corner sites where two different street wall heights are nominated, development should 'turn the corner' and continue the taller street wall height along the side street, with a transition to the lower street wall height along the side street towards the rear interface.

Upper Level Requirements

Development should:

- Incorporate an architectural expression at upper levels that is distinct from but complementary to the street wall.
- Be set back from the street wall to ensure that upper level additions as seen from the public realm do not detract from the character of the streetscape when viewed directly or obliquely along the street.
- contain upper level setbacks above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Upper level development for a development within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- retain the visual prominence of prominent corner buildings and local landmarks.
- avoid unarticulated façades that give a bulky appearance, especially from oblique views.
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Development adjoining a heritage building should match the upper level setback of the heritage building for a minimum of 6 metres in length.

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Upper level development above rows of identical or similar heritage buildings (such as terrace shops/residences) should be consistent in form, massing and façade treatment with any existing upper-level development above the same row of buildings.

For heritage buildings, upper level setbacks behind the street wall should be provided in excess of the minimum upper level setback where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building; and
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Table 1 - Street Wall Heights and Setbacks - Precinct 5 Victoria Street East End

Built form	Mandatory requirement	Preferred requirement
Interface A		
Maximum and minimum street wall height	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings.	Other buildings should match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	Retain existing street wall setback for heritage buildings.	0m
Minimum upper level setback	316-326 Victoria Street – 8m Elsewhere - 6m	For buildings >15m, the uppermost level should be set back 9m minimum
Interface C		
Maximum and minimum street wall height	None specified	Retain existing street wall height for heritage buildings. 11m maximum and 8 minimum for other buildings. Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings. 0m
Minimum upper level setback	None specified	6m
Interface D		
Maximum street wall height	None specified	15m
Maximum and minimum street wall setback	None specified	551 to 585 Victoria Street - 2m minimum setback to Victoria Street 0m – elsewhere.
Minimum upper level setback	None specified	4.5m
Interface E		
Maximum street wall height	None specified	Retain existing street wall height for heritage buildings.

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Built form	Mandatory requirement	Preferred requirement
		11m maximum for other buildings
Maximum and minimum street wall setback	None specified	Retain existing street wall setback for heritage buildings.
Minimum upper level setback	None specified	6m for heritage buildings 3m for other buildings
Interface F		
Maximum street wall height	None specified	8m
Maximum and minimum street wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m
Interface I		
Maximum side/rear wall height	None specified	11m
Minimum side/rear wall setback	None specified	None specified
Minimum upper level setback	None specified	4.5m from the centreline laneway

Building separation requirements

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Where development shares a common boundary and no interface treatment is shown in Plan 1:

- For building of less than or equal to 21 metres in height, upper level development should be set back a minimum of:
 - 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site.
 - 3.0 metres from the common boundary, where a commercial or non-habitable window facing the common boundary is proposed on the subject site.
- For buildings greater than 21 metres in height, any development above the street wall or 15 metres in height (whichever is greater) facing the common boundary should be set back a minimum of 4.5 metres from that boundary.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should be set back a minimum of:

- 9 metres from each other, where a habitable window or balcony is proposed; and
- 6 metres from each other where a commercial or non-habitable window is proposed.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10am and 2pm at 22nd September:

- any part of the southern footpath of Victoria Street, measured from the property boundary to the existing kerb.

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

- any part of the opposite footpath of Church Street and Davison Street, measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).

Interface to residential properties in NRZ or GRZ requirements

Development should protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development with an interface to a property in the Neighbourhood Residential Zone or General Residential Zone (shown as Interface H or Interface J on Plan 1) should not exceed the maximum heights and setbacks set out in Table 3 in Figure 1 of this schedule.

Table 3 – Residential interfaces

<u>Residential Interface</u>	<u>Preferred requirement</u>
<u>Interface H</u>	<u>Heights and setbacks shown in Figure 1 of this schedule.</u>
<u>Interface J</u>	<u>Heights and setbacks shown in Figure 2 of this schedule.</u>

Views to landmarks requirements

A permit must not be granted to construct a building or construct or carry out works that would encroach upon views to the identified architectural elements of the following landmark (as shown on Plan 1 and listed below):

- the Skipping Girl sign when viewed from the footpath on the western corner of Victoria Street and Leslie Street (View 1).

Development should provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Design Quality Requirements

Development should achieve urban design and architectural excellence.

Development in the Commercial 1 Zone and/or Mixed Use Zone should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where heritage elements are not a constraint.

Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Development should:

- Incorporate vertical articulation in the street wall and upper levels that reflects and aligns with the prevailing pattern of subdivision and buildings.
- Be expressed 'in the round' and provide detail on all façades.

Development should avoid blank walls visible ~~permanently or temporarily~~ from the public realm.

Where a solid external wall is unavoidable, walls should be detailed to provide an interesting appearance.

Development should ensure any walls visible from the public realm are designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Development should ensure taller buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook, good daylight and views to the sky above the street wall.

Development should break up buildings with a wide street frontage into smaller vertical sections or separate elements to provide breaks and modulation in the street facade.

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Development should provide for street activation at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.

Frontages at ground floor should incorporate awnings or verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Development with a frontage to a 'Green Street – key pedestrian/cycle route' identified on Plan 1 should contribute to urban greening by introducing trees, ground cover, vertical and rooftop vegetation.

Vehicular access requirements

Development should not provide vehicle access from Victoria Street.

Development should provide vehicular access from rear lanes or from side streets, where appropriate, in the preferred locations on Plan 2 of this schedule – Access and Movement Plan.

Where access is provided to an arterial road, access ~~would should~~ be subject to Department of Transport approval and should be limited to left-in/left-out.

Development with redundant vehicle access points must reinstate the kerb, line mark parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development indicated in Plan 2 as requiring a setback should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1m (including the existing laneway). Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In locations where potential one way streets are indicated on Plan 2 but have not been implemented, development should consider ground floor setbacks or provision of passing areas within sections of the lane allow for building services and car park access.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access or any alternative splay that facilitates movement by the B99 design vehicle, to the satisfaction of the Responsible Authority.

Car parking should be located within a basement or concealed from the public realm.

Development should enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.

Pedestrian and Bicycle Access Requirements

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone and avoid primary access from laneways. Where pedestrian access can only be provided from a laneway, the pedestrian entrance should be setback from the rear laneway or include a pedestrian refuge or landing and be well lit to enable safe access.

Development should facilitate the creation of a shared zone where properties abut a potential future shared zone as shown on Plan 2.

Pedestrian entrances should be clearly visible, secure and have an identifiable sense of address.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

Plan 1: Height and Interface Plan – Precinct 5 Victoria Street East End



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

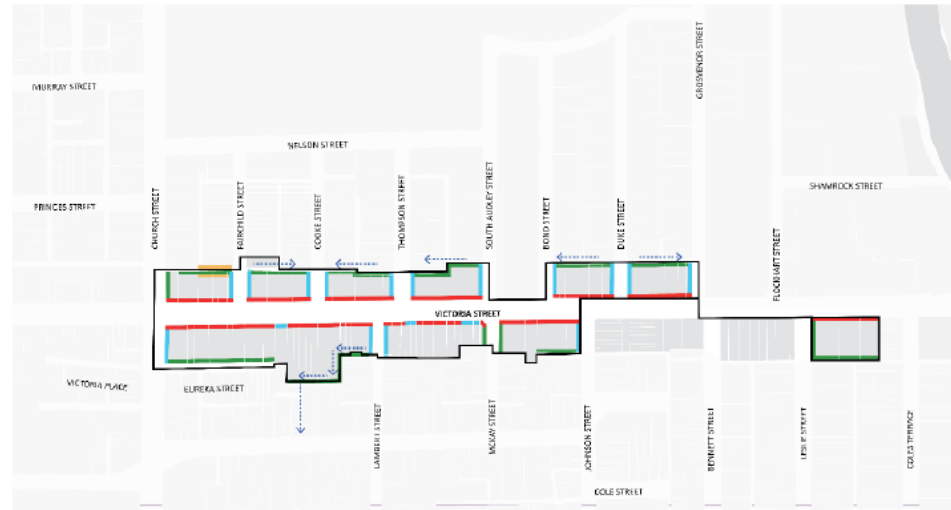
DRAFT AMENDMENT C291YARA



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA

Plan 2: Access and Movement Plan – Precinct 5 Victoria Street East End

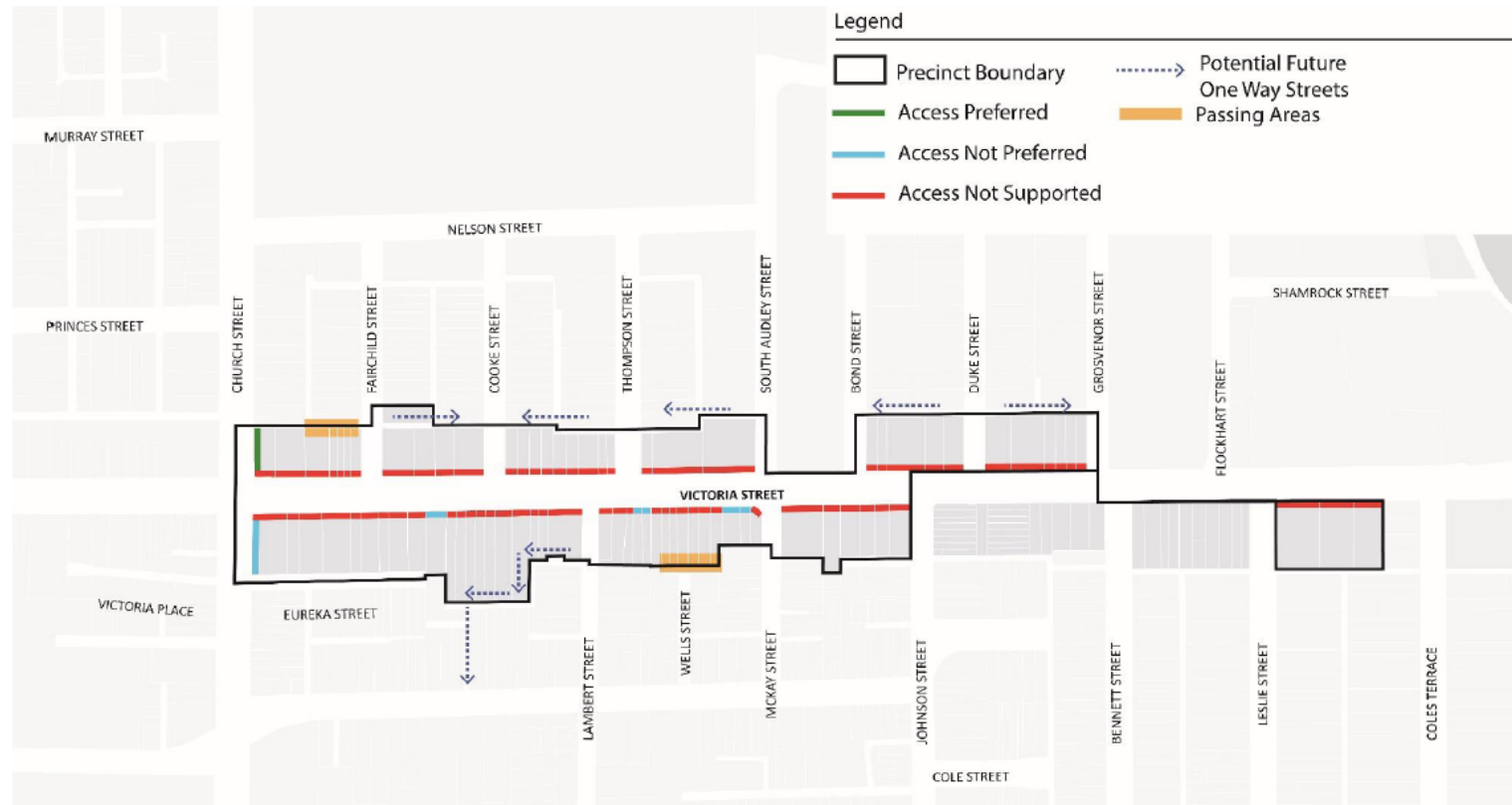


Legend

- Precinct Boundary
- Access Preferred
- Access Not Preferred
- Access Not Supported
- - - - -> Potential Future One-Way Streets
- Passing Areas

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

DRAFT AMENDMENT C291YARA



NOTE – Potential future shared zones and one way streets are subject to further assessment and consultation.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA****3.0 Subdivision**

None specified.

4.0 Advertising signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule.
- For development proposals for buildings over 15 metres in height should be accompanied by a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services),
 - reduces car dependence and promotes sustainable transport modes, and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

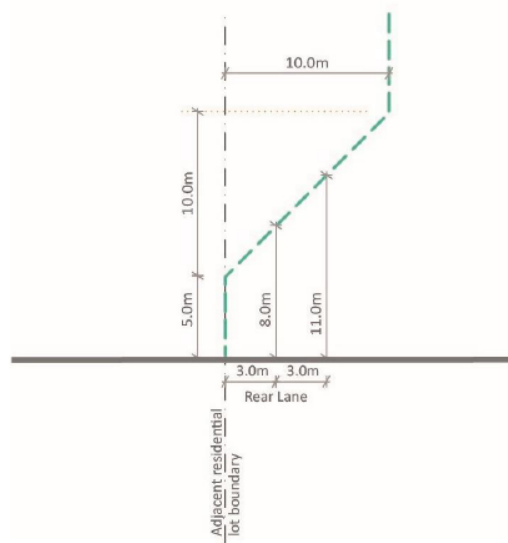
- Whether design excellence is achieved (including but not limited to building siting, scale, massing, articulation and materials).
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- Whether the overshadowing impacts of the development on opposite footpaths and public spaces are minimised.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Victoria Street and from local streets.
- The prominence of the heritage street wall in the vistas along Victoria Street, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of the development on view lines to the St Ignatius Church and Skipping Girl sign.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4**DRAFT AMENDMENT C291YARA**

- The design response at the interface with existing, low scale residential properties.
- If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance.
- Whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.
- The impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- The impact of vehicular access arrangements on the operation of the tram routes along Victoria Street and Church Street.

Reference documents

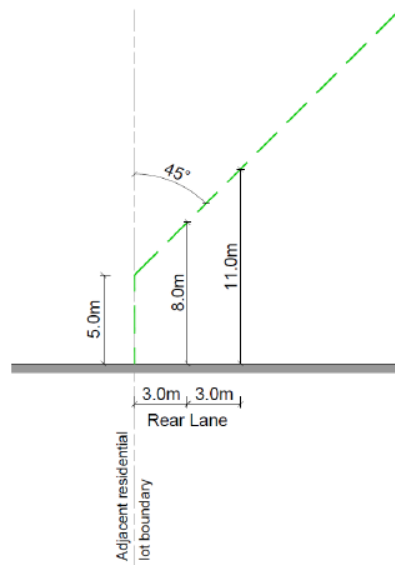
- ~~Bridge Road & Victoria Street Activity Centres – Review of Interim Built Form Controls – Analysis and Recommendations (MGS Architects and Urban Circus, April 2021)~~
- ~~Built Form Review: Victoria Street – Heritage Analysis and Recommendations (GJM Heritage, April 2021)~~
- ~~Traffic Engineering Assessment, Victoria Street and Bridge Road Activity Centres, Richmond (Trafix Group, April 2021)~~

Figure 1 to Schedule 50 – Interface H – to residential properties in NRZ or GRZ

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Figure 2 to Schedule 41 – Interface J - to residential properties in NRZ or GRZ



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AMENDMENT C291YARA

21.11 C291yara

REFERENCE DOCUMENTS

General

Council Plan 2005-2009.
Inner Melbourne Action Plan (October 2005).
Yarra City Council Access and Inclusion Policy (November 2004)
City of Yarra Access and Inclusion strategy 2004-2009
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Yarra Residential Interface Study 2001 (City of Yarra, 2001)

Accommodation and housing

Inner Regional Housing Statement (January 2006)
Retail, entertainment and the arts
Yarra City Council Arts and Cultural Plan, 2005-2009
Inner City Entertainment Precincts Taskforce “A Good Night for All”

Industry, office and commercial

Yarra Economic Development Strategy 2001-2004
Yarra Industrial and Business Land Strategy Review (Hansen Partnerships & Charter, Keck, Cramer, September 2004).

Parks, gardens and public open space

Yarra City Council Recreation Strategy Plan 2003/2008

Built Form

Heritage

Heritage Citation: 18-22 Derby Street, Collingwood, Anthemion Consultancies (2018)
Heritage Citation: 33-45 Derby Street, Collingwood, GJM Heritage (2018)
Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty. Ltd. (2018)
Collingwood Mixed Use Pocket, Heritage Assessment & Recommendations, GJM Heritage (2018)
Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020)
Swan Street Built Form Study Heritage Assessments & Analysis, October 2017 (GJM Heritage)
Yarra High Streets: Statements of Significance, October 2017 (GJM Heritage)
Heritage Citation: 112-124 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.
Heritage Citation: 20-60 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.
Heritage Gap Study: Review of Johnston Street East, Context Pty Ltd 2016.
Heritage Gap Study: Review of 17 Precincts Stage 2 Report, Context Pty Ltd 2014, revised 2016.
Heritage Review of Predefined Areas In Abbotsford & Collingwood Stage 2 Report, Context Pty Ltd 2015.
Heritage Gap Study: Review of Central Richmond, Stage 2 Final Report, Context Pty Ltd 2014.
City of Yarra Heritage Gaps Study – Smith Street South, Anthemion Consultancies 2014.

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AMENDMENT C291YARA

City of Yarra Heritage Gaps – 233-251 Victoria Street Abbotsford Anthemion Consultancies, 2012.

City of Yarra Heritage Gaps Stage Two, Graeme Butler and Associates 2009.

City of Yarra Heritage Gaps Stage One, Graeme Butler and Associates 2008.

City of Yarra Heritage Gaps Review One 2013 [Appendix A and B includes Statements of Significance] Incorporated Plan under the provisions of clause 43.01 Heritage Overlay - methodology report, Lovell Chen 2014.

City of Yarra Heritage Gaps Review Two 2013.

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World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens, Department of Planning and Community Development 2009.

City of Yarra Review of Heritage Overlay Areas [Appendix 7 includes Statements of Significance], Graeme Butler and Associates 2007 updated 2013.

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Development Guidelines for Heritage Places (City of Yarra, 1999).

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Protecting Archaeological Sites in Victoria, Heritage Victoria 1998.

The Burra Charter. Australian ICOMOS Charter for the Conservation of Places of Cultural Significance, as updated from time to time.

Fitzroy Urban Conservation Study Review, Allom Lovell and Associates 1992.

Collingwood Conservation Study, Andrew Ward and Associates 1989.

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City of Northcote Urban Conservation Study, Graeme Butler Architect 1982.

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Built form character

Urban Design Guidelines for the Yarra River Corridor (City of Yarra, 1998), as amended April 2004

City of Yarra Built Form Review 2003

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Transport

Yarra Strategic Transport Statement City of Yarra 2006

Encouraging and increasing walking strategy, City of Yarra 2005

Environmental Sustainability

The Yarra Environment Strategy: Our Sustainable Future (City of Yarra, November 2000).

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

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Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road: Consultant Report (Planisphere and Jones & Whitehead, June 2005).

Middle Yarra Concept Plan (Dept. of Planning and Urban Growth, Dept. of Conservation and Environment, 1990)

Lower Yarra (Punt Road to Dights Falls) Concept Plan (Ministry for Planning and Environment, 1986)

Lower Darebin Creek Concept Plan (Darebin Creek Co-ordinating Committee, 1995)

Merri Creek Management Plan (Merri Creek Management Committee, 1997)

Merri Creek Concept Plan (Draft) (Merri Creek Management Committee, 1997)

Yarra River Corridor Strategy (City of Yarra, 1999)

Yarra Catchment Action Plan (YarraCare, 1996)

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Herring Island Enhancement Plan (Acer Wargon Chapman and EDAW AUST, 1995)

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Yarra Bend Park Environmental Action Plan (Parks Victoria, April 2000)

Yarra Bend / Fairfield Area: Development Opportunities (Chris Dance Land Design and Fulcrum Town Planners, 1997)

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Neighbourhood Plans

Smith / Wellington Streets Mixed Use Precinct Urban Design Framework, March 2005

Victoria Street Activity Precinct Urban Design Framework, July 2004;

Victoria Street East Precinct, Richmond, Urban Design Framework prepared for the City of Yarra 16 November 2005 (mgs in association with Jones and Whitehead Pty Ltd)

Structure Plans and Local Area Plans

Johnston Street Local Area Plan, 2015

System Note: The following ordinance will be modified in Clause:21 MUNICIPAL STRATEGIC STATEMENT

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

YARRA PLANNING SCHEME

21.12-2 Bridge Road Activity Centre-1-20-
C291

Bridge Road has seen substantial change and development over the past ten years. It is distinguished by a predominantly fine-grain streetscape and buildings of heritage value, particularly on the southern side of Bridge Road. This lower scale-built form is contrasted by taller midrise development to the north of Bridge Road between Punt Road and Church Street, including Richmond Plaza (currently under construction).

It has an historic fabric of Bridge Road that is highly valued by the broader community.

Bridge Road provides an important health and civic role with the Epworth Hospital, Richmond Town Hall and other important civic and education uses.

Bridge Road enjoys high levels of access to the public transport network with tram routes operating on Bridge Road and Church Street and the railway line at the western peripheries.

The centre varies significantly along its length, with a cohesive and highly intact turn of the century 'High Street' with a prominent fine grain subdivision pattern, to a diverse and less historically intact retail and residential area towards the eastern end.

The activity centre features view a number of important Richmond landmarks, including the Richmond Town Hall Clock Tower, the Pelaco Sign and the spire of St Ignatius on the hill.

The preferred future character of each precinct reflects this diversity and supports the activity centre's role as a location for an extensive mix of retail, civic and commercial uses, and inner city living.

Figure 1 illustrates the boundary of the Bridge Road Major Activity Centre and some of the core precincts, which make up the centre:

- Precinct 1: Bridge Road West
- Precinct 2: Bridge Road South
- Precinct 3: Bridge Road Central
- Precinct 4: Bridge Road East South
- Precinct 5: Bridge Road East North

Noting the precincts do not cover the whole of the activity centre.

Vision

Bridge Road Activity Centre will continue to evolve as a vibrant and thriving mixed use centre that serves the day to day needs of the local residents and workers. It will feature well designed mid rise commercial and residential development whilst preserving the prominence of its intact heritage streetscape and buildings and maintaining amenity.

Local area implementation*Preferred Future Character*

- Ensure new development supports and contributes to the future preferred character of each precinct:

Precinct 1 – Bridge Road West is anchored by Epworth Hospital Health Precinct on Richmond Hill and the Richmond Plaza redevelopment on the corner of Bridge and Church Streets. This is complemented by a diverse mix of fine-grain retail, dining, offices and inner city living. The precinct's character and sense of place will continue to be defined by intact heritage streetscapes and heritage buildings along Bridge Road. This will be contrasted by taller built form in the Health Precinct and the newly established mid-rise character on the northern side of Bridge Road. The precinct will continue to be a focus for housing and employment growth within the activity centre with mid-rise development on larger infill sites on the north site between Lennox Street and Church Street and within the proximity of the Pelaco building, and lower scale development on narrow infill sites and shop-top redevelopment of heritage buildings.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

YARRA PLANNING SCHEME

Precinct 2 – Bridge Road South is a vibrant destination for dining, retail and services building on its distinctive heritage qualities. The precinct's character and sense of place is defined by its highly intact heritage streetscape with a consistent heritage street wall of largely two storey Victorian era retail and commercial buildings including distinctive corner buildings addressing Bridge Road and side streets. The precinct's sunny wide footpaths, fine-grain shopfronts and cafes with outdoor dining will provide activity and visual engagement for people on the street. The precinct will support lower midrise development on narrow infill sites and shoptop redevelopment of heritage buildings.

Precinct 3 – Bridge Road Central is the civic and community heart of Bridge Road Activity Centre. The precinct is anchored by the Richmond Town Hall and forms a key activity node within Bridge Road adjoining the important open space, Citizens Park as well as recreational facilities, two high schools, childcare and maternal health. The Town Hall forecourt will be enhanced as a key public space providing a setting for the Town Hall and the former police station with Gleadell Street and Griffiths Street enhanced as greener and more pedestrian focussed streets linking Bridge Road to the precinct's civic and community facilities. The precinct will support new housing and employment within mid-rise development of varying heights, widths and character while retaining the prominence of clusters of heritage buildings. Key views to across the precinct from Citizens Park and the corner of Bridge Road and Church Street to the iconic Richmond landmarks, the Richmond Town Hall and St Ignatius' spire and belfry will be maintained.

Precinct 4 – Bridge Road East South will be renewed as an employment focussed mixed-use and housing precinct. The prominence of the Former Flour Mill and Grain Store Complex (534-534A Bridge Road on the south-east corner of Bridge Road and Type Street will be maintained as a local landmark within the precinct. The precinct's character and sense of place will be transformed with well-designed midrise redevelopment of two large sites on Burnley Street and Stawell Street. This will comprisedemise of multiple buildings which offer views to the sky from the street and establishes a varied skyline when viewed from surrounding areas. The Stawell Street redevelopment will provide a high quality transition to the Racecourse Heritage Precinct through landscaped setbacks.

Precinct 5 – Bridge Road East North will be transformed into a diverse mixed-use precinct as a preferred location for housing and employment growth within Bridge Road Activity Centre. The prominence of the Royal Oak Hotel on the north-east corner of Bridge Road and Burnley Street will be maintained to mark the centre to the precinct from the south and west. Elsewhere, the precinct's character and sense of place will be redefined by well-designed midrise development of up to 8 storeys with breaks between upper levels of buildings that provide views to the sky from the street and establishes a varied skyline when viewed from surrounding areas. This renewal will support a greater mix of uses, including residential, retail, offices and services and provide higher levels of street activation and visual engagement with the treelined streets of Bridge Road and Palmer Street and the potential new open space on Whites Place.

Economic Development

- Support sensitive reuse and adaptation of existing heritage buildings for a range of retail, entertainment and commercial uses.
- Support Precincts 1 - Bridge Road West and Precinct 2 - Bridge Road South as fine grain retail, dining and commercial precincts, particularly where properties front Bridge Road and Church Street.
- Support Precinct 1- Bridge Road West as a major health precinct within inner city Melbourne.
- Support Precinct 3 - Bridge Road Central as a strong civic and education precinct.
- Retain a mix of commercial and offices uses on the Commercial 2 zoned land in Precinct 4.
- Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor, particularly in Commercial 1 zoned land.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

YARRA PLANNING SCHEME

- Facilitate a range of uses that cater for the everyday needs of residents, visitors and workers.
- Maintain and increase land uses that support street level activation and passive surveillance of the public realm.

Built Form and Heritage

- Provide for midrise development on the northern side of Precinct 1 - Bridge Road West (5 -12 storeys) that respects the heritage fabric and the adjoining low scale residential neighbourhoods.
- Retain the prominence of the intact heritage streetscape in Precinct 2 - Bridge Road South and Precinct 4 – Bridge Road South through well designed and visually recessive upper levels.
- Provide for a new midrise character (4-8 storeys) within large sites in Precincts 4 - Bridge Road East South (5-6 storeys) and Precinct 5 - Bridge Road East North (5-8 storeys) -while ensuring tall buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.
- Ensure individually significant and contributory heritage buildings are retained to conserve the intactness of the original heritage streetscape.
- Maintain an intimate pedestrian scale at street level along Bridge Road.
- Ensure development respects the consistency and intactness of the heritage streetscapes and the unique architectural form and qualities of heritage buildings within the activity centre.
- Protect key-identified primary views lines to the Pelaco Sign, Richmond Clock Tower and St Ignatius Church.

Access and Movement

- Facilitate safe vehicular access to and from new development through the provision of laneway widening and passing bays.
- Ensure that pedestrian movement is given priority along Bridge Road.
- Limit direct vehicular access onto Bridge Road, Church Street and Burnley Street.
- Facilitate new footpaths and shared zones to provide safe pedestrian access to buildings.
- Encourage the provision of vehicular access from either the side or rear of buildings.
- Facilitate safe and accessible cycle routes within / through the centre ensuring they are integrated into the design of the public realm and any development

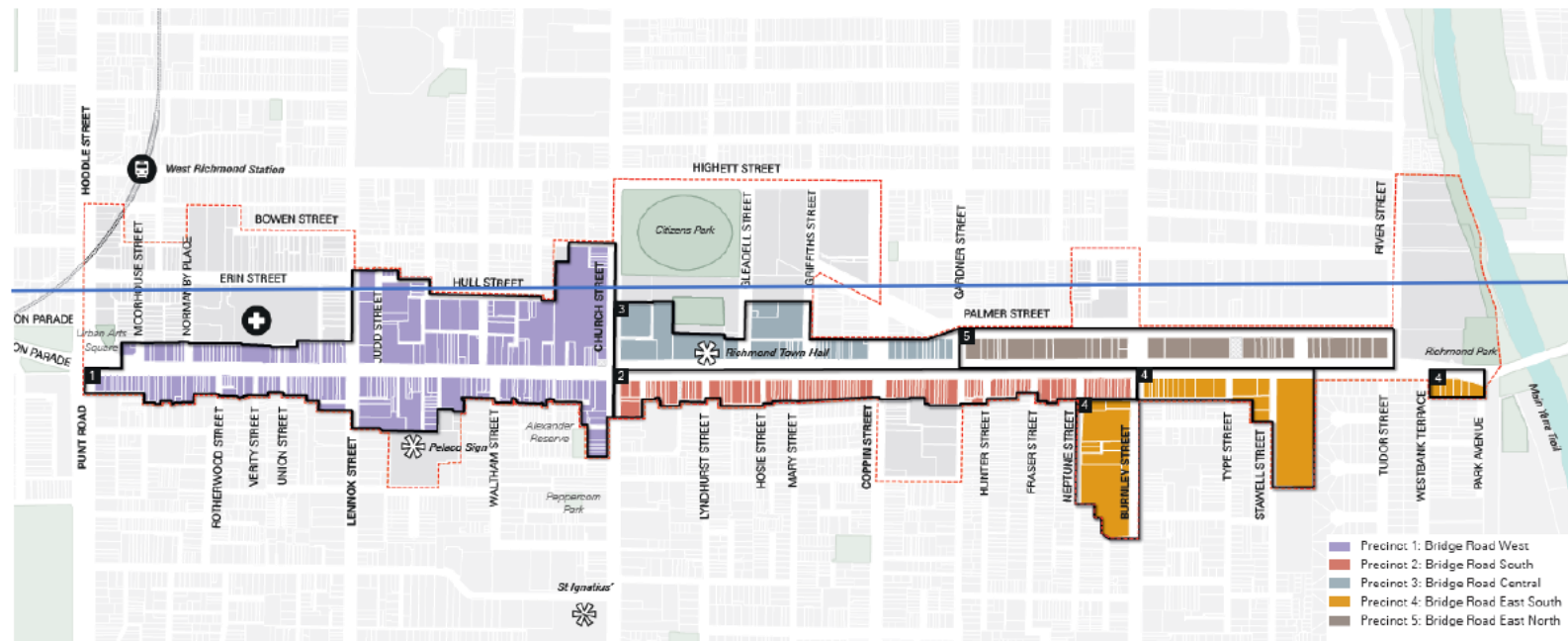
Public Realm

- Maintain daylight and sunlight to the southern footpath of Bridge Road, and identified 'Green streets' - key pedestrian/cycle routes (as identified in Figure 1) and public spaces at Alexander Reserve.
- Encourage enhancement of the amenity and appearance of the public realm.
- Facilitate new and improved pedestrian connections in Precinct 1 - Bridge Road West, north of Bridge Road and on large sites in Precinct 4 - Bridge Road East South.
- Ensure that new development provides adequate weather protection for footpaths along Bridge Road, Burnley Street, and Church Street.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

YARRA PLANNING SCHEME

Figure 2: Key precincts in the Bridge Road Activity Centre



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YARRA PLANNING SCHEME



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YARRA PLANNING SCHEME

21.12-3-1-20-
C291**Victoria Street Activity Centre**

Victoria Street is a much loved Major Activity Centre with a character strongly influenced by its Vietnamese heritage and local community.

Arrival at the activity centre from the west is defined clearly by a gateway plaza and the recognisable form of the railway bridge above the street while Victoria Gardens and recent residential developments to the east reflect larger historical industrial uses close the Yarra river interface.

The streetscape is characterised by fine-grain built form interspersed with heritage buildings particularly on corner lots and often connecting to green streets. An intact heritage streetscape to the west of the rail line includes retail hospitality venues often with outdoor dining and shopping with a northern aspect.

The activity centre is flanked by significant residential heritage precincts where transitions in built form ensure a balance between scale and renewal.

The renewal of the North Richmond public housing site will highlight the need to improve pedestrian permeability, facilitated by redevelopment opportunities along Victoria Street.

Current and ongoing industrial uses, such as the Carlton United Breweries site, close to the activity centre compliment the centre's role in providing diverse employment opportunities within the City of Yarra.

The preferred future character of each precinct will support the centre's diverse role as a location for a mix of retail and commercial uses coupled with inner city living.

The Plan in Figure 1 illustrates the boundary of the Victoria Street Major Activity Centre and some of the core precincts, which make up the centre:

- Precinct 1: Victoria Street West
- Precinct 2: Victoria Street Central
- Precinct 3: North Richmond Station
- Precinct 4: Victoria Street East
- Precinct 5: Victoria Street End

Noting the precincts do not cover the whole of the activity centre.

Vision

Victoria Street will continue to be a culturally diverse destination within the municipality. It will continue to evolve into a vibrant activity centre that serves the day to day needs of the local community whilst supporting employment, business and creative opportunities. The area will accommodate a diverse and growing population, with well located mid rise commercial and residential development.

Local area implementation*Preferred Future Character*

- Ensure new development supports and contributes to the future preferred character of each precinct:

Precinct 1 – Victoria Street West provides the entry to the activity centre from Victoria Parade. The distinctive sense of arrival is created by the Victoria Street Gateway and the narrowing street profile towards the elevated railway bridge. The precinct's character and sense of place is defined by the intact heritage streetscape on the northern side which is bookended by the prominent former State Savings Bank on the corner, and low-rise heritage dwellings along Regent Street. This will be complemented by mid-rise development on the south-eastern corner of the intersection of Hoddle and Victoria Streets creating a compact precinct of contrasting built form that places an emphasis on the architectural qualities of heritage buildings. The public realm of the precinct will be enhanced with a new high-quality pocket park at the Gateway Triangle.

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YARRA PLANNING SCHEME

Precinct 2 – Victoria Street Central will continue to be a vibrant destination for retail and cafes, restaurants and outdoor dining, enterprise and inner-city living. The precinct's character and sense of place will continue to be defined by its varied mix of intact heritage buildings and streetscapes, former industrial buildings which will be complemented by well-designed mid-rise development of varying scales. This will be achieved through lower midrise renewal above and behind existing shopfronts that retains the visual prominence of the heritage buildings and responds to lower scale residential areas on Butler Street, and well-designed taller mid-rise development adjacent to North Richmond station. The amenity and safety of the public realm of the precinct will be improved through an upgraded station entry space on Jonas Street and higher levels of street activation and passive surveillance to the station, streets and laneways within the precinct.

Precinct 3 – North Richmond Station will be dense mixed-use corridor and a focus of housing and employment growth situated on both sides of the railway line. The precinct's character and sense of place will be refined as former industrial buildings along Regent Street and around the North Richmond Station are developed for mid-rise development and well-designed taller commercial and office developments on Hoddle Street responding to its wider boulevard character. Future development will provide high-quality with higher levels of street activation, passive surveillance and visual engagement with the street to improve the amenity and safety for pedestrians, particularly for those travelling to and from North Richmond Station. This will be supported by upgrades to Little Hoddle Street as high amenity shared zone that strengthens pedestrian connections from Hoddle Street to Regent Street and the station. The scale of buildings will transition down in height towards lower scale residential areas to the south and east.

Precinct 4 – Victoria Street East will be renewed as a destination for retail, dining, and inner-city living. The precinct's character and sense of place will be defined by a consistent street wall comprising of a fine-grain pattern of shopfronts along Victoria Street with well-designed mid-rise development continuing this rhythm at the ground plane to provide higher levels of street activation and passive surveillance. Lithgow Street will support low to lower mid-rise development along that retains the fabric of existing heritage buildings and provides a respectful transition to low-rise residential areas. The amenity and walkability of the precinct for pedestrians will be enhanced through new and upgraded pedestrian connections between Victoria Street and Elizabeth Street which will provide green connections to future open spaces and the Elizabeth Street housing precinct.

Precinct 5 – Victoria Street End will continue to be a diverse mixed-use precinct consisting a range of retail, commercial and residential uses within new midrise developments of varying heights, widths and character. The precinct provides a transition to the taller mid-rise character in the Victoria Gardens Precincts. The character of this precinct will be defined by a diverse mix mid-rise development, including development of Victoria Era terraces, shops, and industrial heritage buildings and contemporary mixed-use buildings that are lower in scale than Victoria Gardens and its surrounding development.

Economic Development

- Support sensitive reuse and adaptation of existing heritage buildings for a range of retail, entertainment and commercial uses.
- Support Precincts ~~2 - Victoria Street Central~~ and ~~Precinct 4 - Victoria Street East~~ as Victoria Street's fine grain retail and dining precincts.
- Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor.
- Facilitate a range of uses that cater for the everyday needs of residents, visitors and workers.
- Maintain and increase land uses that support street level activation and passive surveillance of the public realm.

Built Form and Heritage

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YARRA PLANNING SCHEME

- Provide for new midrise development (5 -12 storeys) that respects the pockets of heritage fabric and the adjoining low scale residential neighbourhoods in Precincts 3 - North Richmond Station, Precinct 4 - Victoria Street East and Precinct 5 - Victoria Street East End.
- Provide for lower midrise development (3-6 storeys) in Precincts 1 - Victoria Street West and Precinct 2 - Victoria Street Central that respects the heritage fabric and the adjoining low scale residential neighbourhoods.
- Ensure development contributes to the evolution of Precinct 3 - North Richmond Station, Precinct 4 - Victoria Street East and Precinct 5 - Victoria Street East End into vibrant mixed-use precincts with built form that enhances the streetscape character.
- Ensure individually significant and contributory heritage buildings are retained to conserve the intactness of the original heritage streetscape.
- Maintain an intimate pedestrian scale at street level along Victoria Street.
- Ensure development respects a consistency and intactness the unique architectural form and qualities of heritage buildings within the activity centre.
- Ensure tall buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Access and Movement

- Facilitate widened laneways and new laneways to provide for safe vehicular access to and from new development.
- Ensure that pedestrian movement is given priority along Victoria Street and the streets around the North Richmond Station.
- Limit direct vehicular access ~~on~~ to Victoria Street and Church Street.
- Facilitate new footpaths and shared zones to provide safe pedestrian access to buildings.
- Encourage the provision of vehicular access from either the side or rear of buildings.
- Facilitate safe and accessible cycle routes within / through the centre ensuring they are integrated into the design of the public realm and any development.

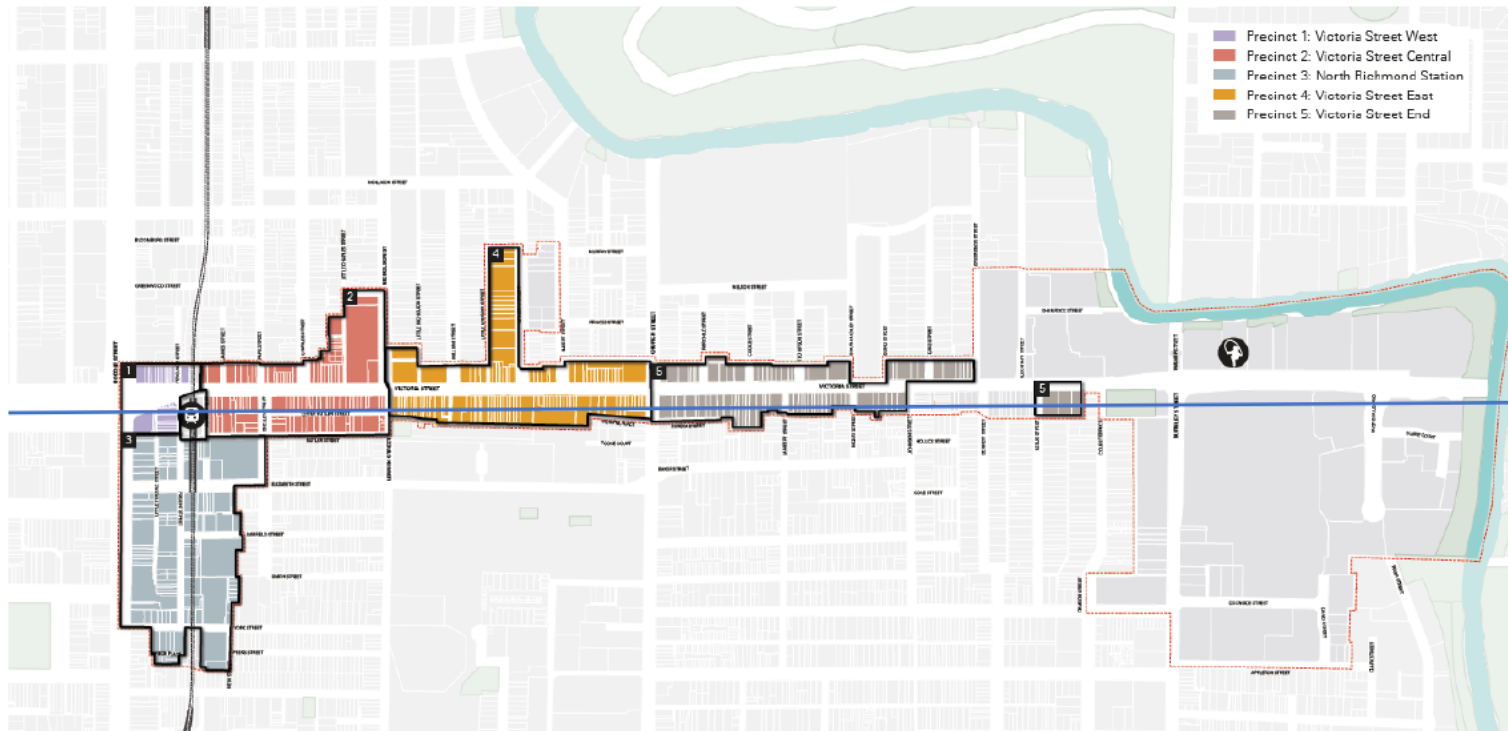
Public Realm

- Maintain daylight and sunlight to the southern side of Victoria Street, and identified 'Green streets' - key pedestrian/cycle routes (shown in Figure 2) - and public spaces at Butler Street Reserve and Victoria Street Gateway Reserve.
- Encourage enhancement of the amenity and appearance of the public realm.
- Facilitate new and improved pedestrian connections within Precinct 3 - North Richmond Station and within Precinct 4 - Victoria Street East from the DHHS housing sites.
- Ensure that new development provides adequate weather protection for footpaths along Victoria and Church Streets.

Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

YARRA PLANNING SCHEME

Figure 2: Key precincts in the Victoria Street Activity Centre



YARRA PLANNING SCHEME



Attachment 4 - C291yara - DDO41-50 - Clause 21.11 and 21.12 - Attachment 4

YARRA PLANNING SCHEME

Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

(BASED ON C269 PANEL VERSION)

NOTE - The content for Victoria Street and Bridge Road Major Activity Centres is proposed to be amended and replaced with the following. The non-track change text is the content from the Amendment C269yara panel hearing.

11.03-1L Activity Centres

Proposed C291yara

MAJOR ACTIVITY CENTRES***Bridge Road, Richmond***

Promote the metropolitan and local retail and commercial roles of the activity centre, including larger format retail at its eastern end.

Support the night-time economy, including the core entertainment precinct west of Burnley Street, while managing the amenity impacts associated with licensed premises.

Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor, particularly on Bridge Road and Church Street.

Maintain an intimate pedestrian scale at street level along Bridge Road.

Retain the visual prominence of the heritage streetscape west of Church Street and the south side of Bridge Road east of Church Street.

Ensure development respects the consistency and intactness of the heritage streetscapes and the unique architectural form and qualities of heritage buildings that help define the Bridge Road Activity Centre.

Limit direct vehicular access onto Bridge Road, Church Street and Burnley Street.

Promote Bridge Road activity centre as a walkable centre with new footpaths and shared zones to provide safe pedestrian access to buildings and new pedestrian connections.

Ensure that pedestrian movement is given priority along Bridge Road.

Protect primary views defined in the clause 15.01-2L to the spire of St Ignatius Cathedral, clocktower of Richmond town hall, and the Pelaco sign.

Maintain daylight and sunlight to the southern footpath of Bridge Road and identified 'Green streets' - key pedestrian/cycle routes (shown on Figure 1) and public spaces - Alexander Reserve.

Ensure that new development provides adequate weather protection for footpaths along Bridge Road, Burnley Street, and Church Street.

Facilitate safe and accessible cycle routes within / through the centre ensuring they are integrated into the design of the public realm and any development.

Precinct 1 - Bridge Road West

Support Precinct 1 - Bridge Road West as a location for housing and employment growth within the activity centre.

Promote a diverse mix of fine-grain retail, dining, offices and inner city living.

Support Epworth Hospital by supporting associated health and allied services to locate near the hospital

Retain the intact heritage streetscapes and heritage buildings in Bridge Road West.

Support taller built form in the Health Precinct and on the northern side of Bridge Road.

Support mid-rise development on larger infill sites on the north site between Lennox Street and Church Street and within the proximity of the Pelaco building with lower scale development on narrow infill sites and shop-top redevelopment of heritage buildings.

Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Ensure mid rise development on the northern side of Precinct 1 respects the heritage fabric and the adjoining low scale residential neighbourhoods.

Precinct 2 – Bridge Road South

Support Bridge Road South as a vibrant destination for dining, retail and services building on its distinctive heritage qualities.

Retain the highly intact heritage streetscape with a consistent heritage street wall of largely two storey Victorian era retail and commercial buildings, including distinctive corner buildings addressing Bridge Road and side streets.

Protect the precinct's wide footpaths from overshadowing.

Retain fine-grain shopfronts and cafes with outdoor dining to provide activity and visual engagement for people on the street.

Support lower midrise development on narrow infill sites and shoptop redevelopment of heritage buildings.

Retain the prominence of the intact heritage streetscape in Bridge Road South through well designed and visually recessive upper levels.

Precinct 3 - Bridge Road Central

Reinforce Bridge Road Central as the civic and community heart of Bridge Road Activity Centre.

Support Precinct 3 as a strong civic and education precinct and key activity node, anchored by the Richmond Town Hall adjoining the important open space, Citizens Park, recreation and community facilities.

Promote high quality public realm around Richmond Town Hall, to support its civic function.

Enhance the Town Hall forecourt as a key public space providing a setting for the Town Hall and the former police station.

Enhance Gleadell Street and Griffiths Street as greener and more pedestrian focussed streets linking Bridge Road to the precinct's civic and community facilities.

Support new housing and employment within mid-rise development of varying heights, widths and character while retaining the prominence of clusters of heritage buildings.

Precinct 4 – Bridge Road East South

Promote employment focussed mixed-use and housing development.

Maintain the -prominence of the Former Flour Mill and Grain Store Complex (534-534A Bridge Road on the south-east corner of Bridge Road and Type Street as a local landmark.

Promote well-designed midrise redevelopment on two large sites on Burnley Street and Stawell Street comprising of multiple buildings which offer views to the sky from the street and establishes a varied skyline when viewed from surrounding areas.

Ensure development on Stawell Street provides a high quality transition to the Racecourse Heritage Precinct through landscaped setbacks.

Retain a mix of commercial and offices uses on the Commercial 2 zoned land.

Provide for a new midrise character (5-6 storeys) within Bridge Road East South while ensuring tall buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Precinct 5 - Bridge Road East North

Transform Bridge Road East North into a diverse mixed-use precinct as a preferred location for housing and employment growth within the Bridge Road Activity Centre.

Retain the prominence of the Royal Oak Hotel on the north-east corner of Bridge Road and Burnley Street maintained to mark the centre to the precinct from the south and west.

Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Create a new built character defined by well-designed midrise development of 5 to 8 storeys with breaks between upper levels of buildings that provide views to the sky from the street and establishes a varied skyline when viewed from surrounding areas.

Promote a greater mix of uses, including residential, retail, offices and services.

Promote high levels of street activation and visual engagement with the treelined streets of Bridge Road and Palmer Street and the potential new open space on Whites Place.

Ensure tall buildings are well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Bridge Road Major Activity Centre Plan



Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Victoria Street, Abbotsford / Richmond

Promote the metropolitan and local retail and commercial roles of the activity centre.

Manage licensed premises and the precinct's prominent night-time economy including the core entertainment precinct west of Burnley Street.

Retain the visual prominence of the heritage buildings, on the north side of the street west of the railway line

Reinforce the concentration of height, density and mixed uses east of Burnley Street, to provide a visual mark to the east end of Victoria Street.

Facilitate opportunities for office and residential uses throughout the centre, principally above the ground floor on Victoria Street.

Encourage development west of Church Street to have low rise street walls.

Ensure pockets of heritage buildings and individual heritage buildings are retained.

Maintain an intimate pedestrian scale at street level along Victoria Street.

Limit direct vehicular access on to Victoria Street and Church Street.

Ensure that pedestrian movement is given priority along Victoria Street and the streets around the North Richmond Station.

Facilitate new and improved pedestrian connections to the DHHS housing sites.

Capitalise on future opportunities such as provision of open space and links to the Yarra River, provided by commercial and industrial areas in Abbotsford, including the Carlton and United Brewery site.

Maintain daylight and sunlight to the southern side of Victoria Street, Green Streets - key pedestrian/cycle routes (as shown on Figure 2) and public spaces, Butler Street Reserve and the Gateway Triangle.

Ensure that new development provides adequate weather protection for footpaths along Victoria and Church Streets.

Limit the installation of security shutters or other measures that reduce views into businesses on main retail strips to ensure that they are visually transparent.

Facilitate safe and accessible cycle routes within / through the centre ensuring they are integrated into the design of the public realm and any development.

Precinct 1 – Victoria Street West

Retain the visual prominence of the Victoria Street Gateway at the intersection with Hoddle Street.

Retain the visual prominence of the heritage buildings, on the north side of the street west of the railway line and low-rise heritage dwellings along Regent Street.

Support mid-rise development on the south-eastern corner of the intersection of Hoddle and Victoria Streets creating a compact precinct of contrasting built form that places an emphasis on the architectural qualities of heritage buildings.

Provide for lower midrise development for the remainder of the precinct that respects the heritage fabric and the adjoining low scale residential neighbourhoods.

Enhance the public realm of Victoria Street West with a new high-quality pocket park at the Gateway Triangle.

Precinct 2 – Victoria Street Central

Provide for lower midrise development (3-6 storeys) in Precinct 2 that respects the heritage fabric and the adjoining low scale residential neighbourhoods.

Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Support Victoria Street Central as a vibrant destination for retail and cafes, restaurants and outdoor dining, enterprise and inner-city living.

Support mid-rise development of varying scales which compliments the varied mix of intact heritage buildings and streetscapes and former industrial buildings.

Support lower midrise renewal above and behind existing shopfronts that retains the visual prominence of the heritage buildings and responds to lower scale residential areas on Butler Street, and well-designed taller mid-rise development adjacent to North Richmond station.

Facilitate an upgraded station entry space on Jonas Street to improve the amenity and safety of the public realm.

Promote high levels of street activation and passive surveillance to the station, streets and laneways within the precinct.

Support Victoria Street Centre as the centre's fine grain retail and dining precinct.

Provide for lower midrise development (3-6 storeys) in Precinct 2 that respects the heritage fabric and the adjoining low scale residential neighbourhoods.

Precinct 3 – North Richmond Station

Support Precinct 3- North Richmond Station as a dense mixed-use corridor and a focus of housing and employment growth situated on both sides of the railway line.

Support the redevelopment of former industrial buildings along Regent Street and around the North Richmond Station as mid-rise development Support taller built form adjacent to the North Richmond Station to promote accessibility to public transport.

Ensure well-designed taller commercial and office developments on Hoddle Street respond to its wide boulevard character.

Ensure development includes high levels of street activation, passive surveillance and visual engagement with the street to improve the amenity and safety for pedestrians, particularly for those travelling to and from North Richmond Station.

Support upgrades to Little Hoddle Street as high amenity shared zone that strengthens pedestrian connections from Hoddle Street to Regent Street and the station.

Transition the scale of buildings down in height towards lower scale residential areas to the south and east.

Ensure new midrise development (5 -10 storeys) respects the pockets of heritage fabric and the adjoining low scale residential neighbourhoods.

Precinct 4 – Victoria Street East

Support Victoria Street East as a destination for retail, dining, and inner-city living.

The precinct's character and sense of place will be fined by a consistent street wall comprising of a fine-grain pattern of shopfronts along Victoria Street with well-designed mid-rise development continuing this rhythm at the ground plane to provide higher levels of street activation and passive surveillance.

Support low to lower mid-rise development in Lithgow Street that retains the fabric of existing heritage buildings and provides a respectful transition to low-rise residential areas.

Enhance the amenity and walkability of the precinct for pedestrians through new and upgraded pedestrian connections between Victoria Street and Elizabeth Street which provide green connections to future open spaces and the Elizabeth Street housing precinct.

Ensure new midrise development (5-7 storeys) respects the pockets of heritage fabric and the adjoining low scale residential neighbourhoods.

Facilitate new and improved pedestrian connections Precinct 4 from the DHHS housing sites.

Precinct 5 – Victoria Street East End

Provide for new midrise development (4-7 storeys) that respects the pockets of heritage fabric and the adjoining low scale residential neighbourhoods in Precincts 5.

Ensure new development supports and contributes to the future preferred character of each precinct:

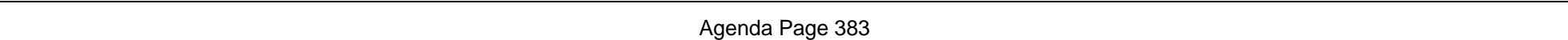
Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

Support Victoria Street End as a diverse mixed-use precinct consisting a range of retail, commercial and residential uses within new midrise developments of varying heights, widths and character.

Ensure development provides a transition to the taller mid-rise character in the Victoria Gardens Precincts.

Support a diversity of mid-rise development, including development of Victoria Era terraces, shops, and industrial heritage buildings and contemporary mixed-use buildings that are lower in scale than Victoria Gardens and its surrounding development.

Protect primary views, defined in the clause 15.01-2L, to the Skipping Girl sign.



Attachment 5 - C291yara - Clause 21.12 translated into 11 03-1L - Attachment 5

8.3 Amendment C293yara - Collingwood South DDO23 - Consideration of Submissions

Executive Summary

Purpose

The purpose of this report is for Council to consider:

- (a) the 102 submissions received following the exhibition of draft Amendment C293yara;
- (b) the officer's responses to the issues raised in the submissions;
- (c) the officers' recommendation to request the Minister for Planning to refer all submissions, response to submissions and Council's *preferred* draft to the *Yarra Activity Centre Standing Advisory Committee* as set out in the Terms of Reference;
- (d) the key officer recommendations for proposed changes to the exhibited draft Amendment C293yara documentation to form the basis of Council's position at a *Yarra Activity Centre Standing Advisory Committee*; and
- (e) the next steps for advancing the amendment in accordance with the requirement of the Terms of Reference.

Key Issues

With the expiry of interim Design and Development Overlay Schedule 23 (DDO23) imminent (end June 2022), Council needs to progress permanent provisions as soon as possible to manage change and provide as much certainty as possible about future development outcomes.

Council publicly notified draft Amendment C293yara for six weeks from 14 September to 27 October 2021. A total of 102 submissions were received.

A number of the submissions seek competing changes to the amendment. Council cannot resolve these differences to the satisfaction of all submitters.

Under Stage 2 of the Terms of Reference (ToR) for the *Yarra Activity Centre Standing Advisory Committee* (Advisory Committee), Council needs to consider all submissions and:

"[...] provide a copy of all submissions received in response to notice and a detailed response to those submissions including a copy of council's preferred draft amendment in a request for the Minister to refer the proposal to the Advisory Committee."

The Minister for Planning would then consider the referral request and once a decision is made, send a public letter of referral to the Advisory Committee Chair.

Officers recommend all submissions, response to submissions and *preferred* version of the draft Amendment C293yara be referred to the Advisory Committee.

Financial Implications

There are substantial costs associated with the Advisory Committee.

They include Advisory Committee costs and fees, legal representation and the engagement of experts, for example urban design, heritage, planning and traffic who provide evidence on behalf of Council.

PROPOSAL

In summary, the officers' recommendation is that Council:

- (a) request the Minister for Planning to refer all submissions, response to submissions and Council's preferred draft amendment to the Yarra Activity Centre Standing Advisory Committee as set out in the Terms of Reference;
- (b) adopts a position of support for draft Amendment C293yara in accordance with the officer's response to the submissions as contained in the officer's report and attachments; and
- (c) submits to the Advisory Committee that draft Amendment C293yara should be recommended for approval subject to the recommended changes contained within this report.

8.3 Amendment C293yara - Collingwood South DDO23 - Consideration of Submissions

Reference	D21/199723
Author	Joerg Langeloh - Project and Policy Coordinator
Authoriser	Director Planning and Place Making

Purpose

1. The purpose of this report is for Council to consider:
 - (a) the 102 submissions received following the exhibition of draft Amendment C293yara;
 - (b) the officer's responses to the issues raised in the submissions;
 - (c) the officer's recommendation to request the Minister for Planning to refer all submissions, response to submissions and Council's preferred draft Amendment C293yara to the *Yarra Activity Centre Standing Advisory Committee* as set out in the Terms of Reference;
 - (d) the key officer recommendations for proposed changes to the exhibited draft Amendment C293yara documentation to form the basis of Council's position at the *Yarra Activity Centre Standing Advisory Committee*; and
 - (e) the next steps for advancing the amendment in accordance with the requirement of the Terms of Reference.

Critical analysis

History and background

2. Amendment C250 introduced Interim DDO23 for the mixed-use zone precinct in Collingwood South on 22 November 2018.
3. Following two extensions to the expiry date, the current expiry date for the interim DDO is 30 June 2022.
4. As the interim DDO provisions expire on 30 June 2022, Council needs to continue to progress *permanent* provisions.
5. The *permanent* provisions are essential to put in place for the on-going built form strategy for best managing the growth and change in Collingwood South.
6. Draft Amendment C293yara seeks to:
 - (a) replace the current Interim Design and Development Overlay (known as DDO23) with a new *permanent* DDO23 for the Yarra Planning Scheme to guide built form in the Collingwood South (Mixed-Use) Precinct;
 - (b) delete the existing Design and Development Overlay that applies to Main Roads and Boulevards (DDO2) from the area that would be covered by the permanent DDO23, and
 - (c) amend Clause 21.11 Reference Documents to include the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018*, *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018* and *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021* as reference documents in the planning scheme.

Consideration of the amendment by a Standing Advisory Committee

7. To help speed up the progression of the Council planning scheme amendments, the Minister for Planning, in September 2020, expressed a willingness to consider appointing an Advisory Committee.
8. Council resolved to pursue this new pathway for planning scheme amendments in March 2021.
9. Draft Amendment C293yara was considered at the Council Meeting on 18 May 2021, where Council resolved to request the Minister for Planning refer Amendment C293yara to an Advisory Committee.
10. A Terms of Reference was signed by the Minister for Planning on 10 June 2021 and the *Yarra Activity Centre Standing Advisory Committee* (Advisory Committee) was appointed on 9 August 2021 (**refer to Attachment 4**).

Submissions received

11. In accordance with the Terms of Reference (ToR) the Minister for Planning consented to prepare and exhibit Amendment C293yara on 20 August 2021, subject to a number of administrative conditions.
12. Amendment C293yara was publicly exhibited for six weeks from 14 September to 27 October 2021. A total of 102 submissions were received:
 - (a) two were from a developer or planning consultant on behalf of a landowner;
 - (b) two were group submissions;
 - (c) four were from community groups: *South Smith Street Action Group*, *the 3068 Group*, *Yarra Planning Coalition* and *Queens Parade Heritage Planning and Traders Group*;
 - (d) 46 were proforma submissions; and
 - (e) 48 submissions were from individual community members.
13. The majority of submitters are located within the DDO23 notification area, some are located outside of the area, or did not provide an address.
14. The summary and responses to individual submissions is included at **Attachment 1**. The responses to commonly raised issues are included at **Attachment 2**.

Discussion

Previous changes to interim DDO23

15. In preparing the proposed DDO23 for exhibition, further heritage advice was sought from an external heritage expert. Yarra's Heritage Advisory Committee (HAC) also provided its advice.
16. As a result of the supplementary heritage report (Item 8.1, Attachment 3 to the Council Meeting Report, 18 May 2021), and the advice from the HAC, the exhibited DDO23 included:
 - (a) lowered overall building heights for pockets of consistent heritage and most sites adjoining heritage buildings (infill sites);
 - (b) 'mandatory controls' for upper level setbacks to all heritage places in DDO23; and
 - (c) 'mandatory controls' for overall building heights to pockets of consistent heritage in DDO23.
17. Based on review of recent planning scheme amendments and planning permit applications, the exhibited DDO23 also included improved objectives, requirements and decision guidelines in regards to:
 - (a) the character of the precinct;
 - (b) achieving pedestrian-oriented design at lower levels;

- (c) achieving better building design outcomes; and
- (d) clearer requirements for new development of heritage places.

Considering the submissions to Amendment C293yara

18. In response to submissions received during the exhibition, additional overshadowing testing was undertaken.
19. A key issue raised within the submissions is the impact of future developments unreasonably overshadowing public open spaces. Some submissions also requested that overshadowing impacts be measured at the winter solstice rather than September equinox. Officers worked with Hansen Partnership to test the impact and the modelling has informed responses to submissions.

Issues and submission summaries

20. This report discusses DDO23 in terms of the 'exhibited' version, unless it is specifically noted that another version is being discussed.
21. Below is a summary of key issues raised in submissions. Refer to the key **Attachments 1 and 2** for further summaries of submissions.

Table 1 Summary – 'key issues raised in submissions'

Theme and Sub-Themes	Key Issues raised in submissions
Public Open Space	
<i>Overshadowing Public Open Space</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> the exhibited building height provisions will result in future development unreasonably overshadowing Public Open Space. recommendations for overshadowing requirements should be measured against the winter solstice rather than the September equinox. Developments that have been recently constructed, recently approved or are currently under construction will result in unreasonable overshadowing to Public Open Space.
<i>The Need for More Public Open Space</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The Collingwood South area has insufficient Public Open Space to accommodate for existing residents/employees. The building height provisions in the exhibited DDO would result in substantial population growth which would exacerbate the shortage of Public Open Space in the area. Council needs to increase the amount of Public Open Space in the Collingwood South area.
Landscaping	
<i>Landscaping within private property</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Future development should include landscaping setbacks to provide for deep soil for tree planting, green frontages and green roofs.
<i>Landscaping with the public realm (trees)</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Existing street trees need to be protected and need to be considered by the exhibited DDO. Other landscaping opportunities need to be considered by the exhibited DDO.

Impacts to Footpaths and the Public Realm	
<i>Footpath Overshadowing</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The exhibited building height and street wall height controls would result in excessive overshadowing of footpaths.
<i>Wind Impacts</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The exhibited building height and street wall height controls would result in wind impacts to the public realm, reducing street-level amenity.
<i>Street Tree Overshadowing</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The exhibited building height and street wall height controls would result in overshadowing of street trees, affecting their health.
<i>Visual Bulk</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The exhibited building height and street wall height controls would result in visual bulk and a sense of enclosure when viewed from the street level. The exhibited building height and street wall height controls would create an overwhelming experience for pedestrians.
<i>Pedestrian Capacity on Footpaths</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The exhibited building height controls would result in pressure on the footpaths in the area due to increased pedestrian movements. Many streets in the area have narrow footpaths and cannot handle increased pedestrian activity.
Building Height	<p>A majority of issues raised in submissions under the Building Height theme were linked to multiple sub themes, these include the following examples:</p> <ul style="list-style-type: none"> building heights would be out of character with the Collingwood South area; building heights would unreasonably impact on existing heritage buildings and streetscapes; building heights would result in footpath overshadowing and wind impacts to the public realm; building heights would reduce daylight access; building heights would exacerbate the pressure of the small amount of Public Open Space in the area; building heights would increase population in the area, putting pressure on infrastructure, public transport and cyclist routes. many submissions stated designated building height controls should be lowered across the Collingwood South area. <p>Building height is discussed where relevant throughout this table.</p>
Street Wall Height	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Concerns that the street wall height controls in the exhibited DDO are too tall with requests for them to be lowered.
Upper Level Setbacks	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Concerns that the upper level setback requirements in the exhibited DDO are not sufficient enough, with requests for them to be increased. The term 'upper level' is not clearly defined.

Mandatory Versus Discretionary Requirements	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Concerns that discretionary requirements do not provide enough certainty about development outcomes and that developers use preferred heights (discretionary provisions) to seek additional building height. 'Mandatory controls' have been requested to be applied across all sites. 'Mandatory controls' have also been requested to be applied to all heritage sites and around all Public Open Spaces to ensure that they are protected. 'Mandatory controls' were not supported by two submissions, which stated that preferred provisions (discretionary) are more appropriate so as to enable a flexible design response.
Recent Developments	<p>Numerous submissions have cited concerns about recent constructed development, developments currently under construction and developments which have been approved. Examples of the associated issues include:</p> <ul style="list-style-type: none"> recent developments have negatively changed the neighbourhood character of the area; recent developments are too tall and create impacts such as overshadowing, loss of views, wind impacts and an overwhelming presence for pedestrians; recent developments have increased pressure on infrastructure, public transport, cyclist routes and Public Open Spaces, and recent developments feature poor architectural outcomes and use poor materials.
Heritage	
<i>Better protection of the heritage fabric</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Heritage buildings need to have better protections to ensure that they are retained and enhanced into the future The importance of heritage buildings needs to be recognised.
<i>New developments not being sensitive towards heritage places</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The building height provisions of the exhibited DDO would result in new development detracting from heritage buildings; Clearer objectives and 'mandatory controls' are needed to ensure new development does not overwhelm heritage buildings. New additions to heritage buildings need to be carefully and respectfully designed.
<i>Transition of new development to heritage buildings</i>	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Taller height controls within the exhibited DDO would result in poor transition towards heritage buildings.
Building Design / Design Standards Needed	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Further guidance is needed on the architectural design of new developments. Requirements for future development to include verandahs is needed to enhance the pedestrian experience.
DDO23 Does Not Retain the Existing Neighbourhood Character	<p>Examples of issues include:</p> <ul style="list-style-type: none"> Building height provisions of the exhibited DDO would result in new development that destroys the existing neighbourhood character of Collingwood South. There is a need for a neighbourhood character study to be undertaken.

Amenity Impacts	<p>Numerous submitters raised concerns with amenity impacts associated with the proposed building heights. Examples of these amenity impacts include:</p> <ul style="list-style-type: none"> • Loss of views, including from existing dwellings and also from communal facilities of apartment buildings. • Loss of daylight / sunlight from existing dwellings; • Overshadowing of balconies and areas of private open space; • Taller buildings would result in increased opportunities for overlooking into existing dwellings; • Amenity impacts would result in impacts to property values.
Amenity Impacts Associated with Construction Works	<p>A number of submissions raised concerns about amenity impacts associated with construction works. Examples of these impacts include:</p> <ul style="list-style-type: none"> • Noise impacts; • Air-borne dust and associated health impacts, and • Disruptions to traffic movements.
Traffic Increase	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • Concerns about the increased traffic generation associated with the taller building heights.
Public Transport and Cyclist Infrastructure Capacity	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • Public transport services are already at capacity and would be further impacted by increases in population or employment in the area. • Bicycle infrastructure would also be impacted by increased population density.
On-Street Parking	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • The impact of future developments on the availability of on-street car parking • On-street car parking is already difficult currently
Environmental Sustainability	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • Concerns that the exhibited DDO is not in alignment with Council's <i>Climate Emergency Plan</i> as increased development exacerbates urban heat island effect and increases greenhouse gas emissions. • The exhibited DDO should include requirements on environmental sustainability.
Economic Development	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • Concerns about new development affecting the economic diversity in the Collingwood South area, pushing out small independent businesses • Concerns that the character of Collingwood South will change over time with corporate businesses taking over independent businesses.
Community Consultation	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • Concerns about the lack of consultation with the local community. • Council using a 'top down' approach in preparing the amendment instead of utilising local knowledge.
Accommodating Growth	<p>Examples of issues include:</p> <ul style="list-style-type: none"> • The areas in Collingwood South that are covered by a Heritage Overlay should be designated as minimal change areas. • The population density being experienced in Collingwood South should be spread more evenly across the municipality.

COVID-19 Impacts not Considered	<p>Examples of issues include:</p> <ul style="list-style-type: none"> The impacts of COVID-19 need to be considered as it has reduced the demand for housing and economic growth in Collingwood South.
Unclear wording	<p>Examples of the issues include:</p> <ul style="list-style-type: none"> Request to add the words “maximum” to the legend of Map1 in regards to the “Mandatory Street Wall Heights” Request to add the words “mandatory maximum” in Clause 2.5 in regards to mandatory building heights to clarify the meaning. Request to add the words “preferred maximum” in Clause 2.5 to “Development should not exceed the building heights shown in Map 1.

Proposed changes to the Amendment C293yara recommended by officers to advocate as Council’s position at panel.

22. In preparing for the Advisory Committee, Council should recommend what changes (if any) should be made to the exhibited amendment. In this regard, officers are seeking the Councils considered opinion on the submissions via this report.
23. It is important to note that the recommended changes arise from the submissions or be in response to the submissions received.
24. Officers are proposing that the Council submission to the Advisory Committee include a number of changes to the exhibited amendment for specific consideration by the Advisory Committee in response to the submissions. The changes are outlined in Table 2.
25. Attachment 3 outlines the preferred version of DDO23 to advocate as Council’s position at the Advisory Committee hearing. NB. DDO23 included at Attachment 3 is marked up to illustrate the ‘post exhibition’ changes.

Table 2: Recommended changes in response to submissions

Issue Theme	Recommended changes in response to submissions
Overshadowing of public open space	<ul style="list-style-type: none"> Reduce the street wall height along the eastern boundary of Oxford Street Reserve from 14 metres to 11 metres (change reflected in Map 1 of preferred DDO23); and Amend the overshadowing requirement for public open spaces in Clause 2.6 as follows (changes in bold and strike through): <p><i>“Development should be designed to minimise not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September or for the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority:</i></p> <ul style="list-style-type: none"> <i>Cambridge Street Reserve (incl. any future extension of the reserve);</i> <i>Oxford Street Reserve;</i> <i>The outdoor space of Collingwood English Language School;</i> <i>Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.”</i>
Landscaping within private property	<p>Insert the following requirement in Clause 2.8 to ensure landscaping is integrated into the building design and provides for a softening of the building edge towards the public realm:</p> <p><i>“Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.”</i></p>

Economic Development	<p>Noting that land use cannot be controlled through a DDO, the following requirement is to be inserted into Clause 2.8 to ensure new development can accommodate different uses over time:</p> <p><i>“Building structures, layouts and non-residential unit sizes should be adaptable so as to allow for a variety of uses over time.”</i></p>
Other – Defining the term ‘upper level’	<p>Insert the additional definition at section 2.1:</p> <p><i>“Upper level means development above the height of the street wall.”</i></p>
Other – Insertion of the words ‘mandatory maximum’ ‘preferred maximum’	<p>Insert the words ‘mandatory maximum’ within the first requirement of Clause 2.3. The revised wording is as follows (changes in bold):</p> <p><i>“Development must not exceed the mandatory maximum street wall heights as shown in Map 1.”</i></p> <p>Insert the words ‘mandatory maximum’ within the first requirement of Clause 2.5. The revised wording is as follows (changes in bold):</p> <p><i>“Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.”</i></p> <p>Insert the words ‘preferred maximum’ within the second requirement of Clause 2.5. The revised wording is as follows (changes in bold):</p> <p><i>“Development should not exceed the preferred maximum building heights shown on Map 1.”</i></p>
Other – Insertion of the word ‘preferred maximum’ and ‘maximum’ to the legend of Map 1	<p>Change legend items of Map 1 in exhibited DDO23 as follows (changes in bold):</p> <ul style="list-style-type: none"> - Preferred Maximum Building Heights; - Mandatory Maximum Building Heights; - Mandatory Maximum Street Wall Heights;

Outside the scope

26. A number of submissions raised issues that are outside of the scope of the amendment and these are addressed in Table 3. The issues are either outside the function of the planning scheme, for example the management of on-street parking, or outside the scope of this amendment. Table 1 sets out those issues with a response explaining why the issue is out of scope. Also refer to Attachment 2.
27. The Design and Development Overlay (DDO) is a planning tool that is applied to areas which need specific requirements relating to the built form and design of new development. They set requirements for the height, form and the general design of buildings.
28. It is important to note that a DDO cannot act as a heritage control, manage land use or address other issues such as shop vacancies or housing affordability. It can only focus on built form and design.

Table 3: Issues outside of the scope of the amendment

Issue	Council response
Better protection of the heritage fabric	The heritage overlay is responsible for the protection of heritage places. Amendment C293yara does not propose to amend the heritage overlay.
Need for more public open space	Council is currently pursuing Amendment C286 which seeks to increase the public open space contributions associated with future developments from 4.5% to 10.1%. This is currently at a Panel Hearing.
Landscaping in public realm (trees)	Council has an Annual Tree Planting Program that work towards increasing street tree canopy within Council. As part of this program Council has planted number of new trees in and around the Collingwood South Precinct. Below are specific statistics for the three streets: <ul style="list-style-type: none"> • Cambridge Street – total of approximately 65 new trees planted (2012 and 2019); • Oxford Street – total of approximately 50 new trees planted (2009, 2012 and 2020); • Derby Street – total of approximately 25 new trees planted (2014 and 2020).
Footpaths/public realm	It is outside the scope of the amendment to require wider public footpaths. DDO23 does, however, includes requirements for development to enhance and support the precinct's public realm.
Loss of views from private properties	It is a well-established principle that views from a private property are not a planning issue and cannot be considered. Neither the Planning and Environment Act 1987 (Act) nor the current Yarra Planning Scheme seeks to protect views (save for key landmarks sought to be protected under clause 22.03 <i>Landmarks and Tall Structures</i> , or views from public areas of landmarks under recent DDOs introduced for activities centres).
Amenity impacts associated with construction works	Planning permits associated with larger-scale projects are required to provide a Construction Management Plan to ensure that the proposed construction methods are in accordance with the requirements set out by Council's Construction Unit. Noise and air pollution, health impacts and other amenity impacts generated by construction works are outside the scope of this amendment and are also outside of the scope of the planning system more broadly. Notwithstanding this, the concerns around construction-related amenity impacts have been forwarded to Council's Construction Unit for information.
Public Transport and Cyclist Infrastructure Capacity	Council continually advocates for improved public transport services and pursues improvements to bicycle infrastructure. Council will continue to advocate for more frequent public transport services as part of its ongoing discussions with DoT. Officers note that in late 2019, Council completed the separated bike lanes (Copenhagen-style bike lanes) along Wellington Street, which has improved cyclist safety and capacity between Victoria Parade and Johnston Street. Council is also working on a revised Transport Action Plan which will identify key capacity issues and outline how these could be addressed.

On-street parking	<p>The management of on-street parking cannot be addressed through a DDO.</p> <p>Council manages on-street parking as an area changes. Council has developed a policy for reviewing parking restrictions and avenues for proposing changes to existing restrictions. This is outlined in Council's <i>Parking Restrictions Guidelines</i>.</p> <p>It is noteworthy that all new developments following 2003 are not entitled to on-street car parking permits.</p> <p>The provision of car parking in new developments is guided by Clause 52.06 as well as Local Transport Policy at Clause 18 of the Yarra Planning Scheme, which encourages the prioritisation of sustainable modes of transport including cycling and public transport.</p>
Environmental Sustainability	<p>An individual DDO is not the right tool to introduce new or generally increase environmental sustainability standards for the municipality.</p> <p>Other parts of the Yarra Planning Scheme ensure that new development is built in a more sustainable way, namely the <i>Planning Policy Framework</i> and <i>Council's Environmentally Sustainable Design Policy at Clause 22.17</i>. Environmentally Sustainable Design (ESD) requirements are addressed when a planning application is lodged.</p> <p>There are number of other strategies that sit outside the planning scheme (namely the Urban Forest Strategy, Nature Strategy, Yarra Open Space Strategy) that work towards mitigating heat island effect by increasing street tree canopy, providing new open spaces and protecting existing trees.</p> <p>One of the key actions of the Urban Forest Strategy is the Annual Tree Planting Program. As part of the program there were number of new trees planted recently along Oxford Street, Cambridge Street, Mason Street and Little Oxford Street.</p> <p>At the Council Meeting on 17 March 2020, Council committed to progress a planning scheme amendment to implement a Zero Carbon Local Policy for new developments. This has also been committed to in our Climate Emergency Plan.</p> <p>As part of this Yarra City Council is working with other CASBE member Councils to pursue a planning scheme amendment that builds on the existing local ESD Policies held by numerous Victorian Councils.</p> <p>The <i>Elevating ESD Targets Planning Policy Amendment</i> project aims to deliver revised and elevated ESD targets, including targets for zero carbon development.</p>

No change to amendment in response to submissions

29. Amendment C293yara is not recommended for change in response to some of the issues raised in submissions as:
 - (a) the exhibited DDO is underpinned by significant strategic work and no further strategic justification was provided to support a change to the amendment;
 - (b) the DDO provisions already include provisions that address the issue;
 - (c) the application of 'mandatory controls' has been appropriately applied in accordance with Planning Practice Notes 59 and 60; and
 - (d) concerns relate to previous planning permits that predate the interim DDO controls.
30. This is summarised in Table 4 below and Attachments 1 and 2.

Table 4: No change to amendment in response to submissions

Issue	Response to submission
Building height	<p>The majority of taller buildings within DDO23 were approved before interim DDO23 was in place.</p> <p>Updated strategic work has already resulted in lowered and strengthened overall height requirements in comparison to the interim DDO23.</p> <p>The exhibited DDO23 provides a balance between heritage, amenity and guiding change and facilitating development in Collingwood South.</p>
Street wall height	<p>No change to Amendment (except for response to Overshadowing of Public Open Space for change to Oxford Street Reserve interface).</p> <p>The street wall heights in the exhibited DDO23 are based on detailed analysis and with respect to infill sites next to heritage places had already been adjusted from the interim DDO.</p>
Upper level setbacks	<p>The upper level setbacks in the exhibited DDO23 would ensure that a clear distinction between lower and upper levels is achieved and that a sense of openness is retained.</p> <p>Requirements for heritage places has already been strengthened from the interim DDO.</p> <p>This will assist to retain the key heritage elements and architectural features and to main the legibility of the three-dimensional form of the heritage place.</p>
Mandatory versus discretionary requirements	<p>Based on detailed analysis, the exhibited DDO23 includes the 'mandatory controls' that are necessary to minimise impacts on heritage places and the public realm.</p>
Recent developments	<p>The exhibited DDO23 relates to guiding future potential development and does not intend to achieve the same outcomes as previously approved developments that often predate the interim DDO23.</p>
New developments not being sensitive towards heritage places	<p>In comparison to the interim DDO, the exhibited DDO23 (proposed permanent provisions) includes reduced mandatory heights, mandatory upper level setbacks and numerous design requirements to ensure new development is sensitive towards heritage places in terms of built form transition and design. This has been based on expert heritage advice (GJM).</p>
Transition of new development to heritage buildings	<p>The exhibited DDO23 includes the necessary requirements to ensure new development responds sensitively towards heritage places. The requirements have been drafted on advice from GJM heritage expert.</p>
Building design / design standards needed	<p>The exhibited DDO23 includes building design requirements to ensure new development achieves a high-quality urban design outcome. The design objectives (clause 1) explicitly include reference to high quality design features and outcomes.</p>
DDO23 does not retain the character	<p>Detailed built form character elements were identified in the strategic work and were translated into the exhibited DDO23.</p> <p>Note: Social/cultural and land use-related character elements are outside the scope of a DDO.</p>

Amenity (general)	<p>The exhibited DDO23 includes requirements to ensure amenity impacts are limited.</p> <p>The requirement to consider overshadowing impacts on secluded private open spaces had already been strengthened in the exhibited DDO23 in comparison to the interim DDO23.</p>
Loss of sunlight / daylight and overshadowing of private open space	<p>The overshadowing requirements of exhibited DDO23 are strengthened since the interim DDO23.</p>
Overlooking	<p>Overlooking issues are addressed by existing requirements of the Yarra Planning Scheme.</p>
Wind impacts	<p>The exhibited DDO23 includes an application requirement for a desktop wind impact assessment to ensure new development does not result in adverse wind impacts.</p>
Traffic increase	<p>The exhibited DDO23 includes a number of built form provisions and design guidelines which would ensure the street network (including laneways) enables appropriate vehicle access and circulation.</p>
Community consultation	<p>Draft Amendment C293yara was publicly exhibited for 6 weeks and notification efforts were extensive.</p>
Accommodating growth	<p>Collingwood South is part of the Smith Street 'Major Activity Centre' and the DDO23 achieves a balance between guiding change towards areas of lesser sensitivity/constraints and ensuring new development is sensitive towards heritage places and residential context.</p>
COVID-19 Impacts not considered	<p>The State Government has not changed planning policy in relation to housing provision as a result of COVID.</p> <p>Despite the long-term impacts from COVID on housing and economic patterns for activity centres being uncertain, it is reasonable to plan as per Council's adopted housing strategy and spatial economic and employment strategy.</p>

DELWP Consent matter enabling exhibition of the Amendment

31. It is noteworthy that the consent letter to prepare and exhibit C293yara included the following for Council to have regard to throughout the draft amendment process:

- (a) *Whether the capacity of the area will be inappropriately compromised due to the mandatory controls in DDO23;*
- (b) *Whether performance-based measures for the variation of discretionary height limits that do not have a nexus to built form outcomes are an appropriate use of planning tools, or result in duplication of material in other locations of the Yarra Planning Scheme; and*
- (c) *Preparation of a copy of where reference documents (Clause 21.11) will be located within the Yarra Planning Scheme when the Planning Policy Framework translation occurs.*

32. These matters will also be subject to the Advisory Committee hearing process.

Options

33. There are two options that Council can consider.

34. **Option 1** – Request the Minister to refer C293 and the submissions to the Advisory Committee:
- (a) This option is recommended. The Committee was appointed by the Minister for Planning on 9 August 2021 to provide timely advice to the Minister and Yarra City Council on referred planning matters. It also provides an opportunity for submitters to be heard if requested by any submitter, including the Council; and
 - (b) It is critical for Council to make best use of the Advisory Committee to help process C293yara in an efficient manner.
35. **Option 2** –Abandon the amendment:
- (a) This approach is not recommended; and
 - (b) With the expiry date of the interim DDOs, abandoning the amendment would mean there would be no built form provisions in place after June 2022, as the Minister for Planning has indicated that he would be unlikely to further extend the interim without substantial progress on permanent provisions.

Next Steps

36. The next steps for this draft amendment are slightly different to the standard amendment process under the Planning and Environment Act. As per the *Yarra Activity Centres Standing Advisory Committee* Terms of Reference the next steps are set out below.
- (a) Council requests the Minister to refer the draft amendment and submissions to the Standing Advisory Committee;
 - (b) The Minister refers the draft amendment to the Standing Advisory Committee;
 - (c) The Committee must conduct a hearing and provide an opportunity for submitters to be heard if requested by any submitter, including Yarra City Council; and
 - (d) The following dates have been pre-set, pending Council's resolution:
 - (i) a Directions Hearing on 15 February 2022; and
 - (ii) the Public Hearing in the week commencing 22 March 2022.
37. Following the conclusion of the hearings, the Committee would forward its report and recommendations to both the Minister for Planning and Council.
38. Council would then consider the report and provide its views to the Minister.

Community and stakeholder engagement

Notification

39. Stage 1 in the Advisory Committee's Terms of Reference provide the framework for preparing and exhibiting a draft amendment.
40. As required, Council liaised with the Department of Environment, Land, Water and Planning (DELWP) and Planning Panels Victoria (PPV) and conducted an extensive exhibition effort.
41. As exhibition occurred during COVID-19 restrictions Council:
- (a) exhibited the draft amendment for six weeks from 14 September to 27 October 2021;
 - (b) published a new page on Council's website to explain the standing advisory committee process;
 - (c) published a specific Amendment C293yara page on Council's website which included Amendment documentation, information sheets in non-statutory language, online mapping search tool to help identify properties impacted by DDO23, frequently asked questions section, guidance on how to access translation service;

- (d) sent around 5,000 letters to all landowners and occupiers within 200 metres of the proposed DDO23 boundary. The letters included links to Council's C293yara website and the *Yarra Activity Centre Standing Advisory Committee* websites of *Planning Panels Victoria* (PPV);
- (e) published the notice of preparation of the Amendment C293yara in *The Age* newspaper on 14 September 2021;
- (f) distributed a feature in *Yarra Life* e-newsletter (approximately 12,200 receipts) and *Yarra Business news* on 6 October 2021 (approximately 10,000 receipts);
- (g) posted on social media platforms between 7 and 12 October to raise awareness, reached to approximately 3,700 subscribers;
- (h) emailed individuals who recently had expressed their interest in the Collingwood South area; community groups; and Yarra's advisory committees;
- (i) offered engagement through phone conversations and online meetings (due to COVID-19 restrictions); and
- (j) sent notifications to the Minister for Planning, DELWP and prescribed Ministers as usually required by the Planning and Environment Act, 1987.

Engagement data

42. Below are the details of the Amendment C293yara website usage:

- (a) between 12 September and 28 October, there were 769 total views, of which 644 were unique views (meaning 125 were repeat visits);
- (b) the average time spent on the website was approx. 10 minutes;
- (c) the main peak was within the first 7 days of the exhibition, coinciding with the sending of letters and newspaper advertisement;
- (d) smaller peaks occurred around the weekends and when a community group meeting was held; and
- (e) the imbedded mapping tool was used 316 times.

43. Below are the details of the posts shared on social media platforms:

- (a) a total of 470 views/clicks on the posts; and
- (b) 20 comments and 2 shares.

44. One-on-one interactions:

- (a) Council officers engaged with approximately 30 interested parties; and
- (b) Council officers received a request for two online meetings. One meeting was held on 14 October 2021 and one on 19 October 2021.

Policy analysis

Alignment to Community Vision and Council Plan

45. The draft amendment supports the following visions themes in the Yarra 2036 Community Vision:

- (a) Priority 8.1 - Growing Sustainably – Advocate for development and planning design that is shaped by and meets our community's future needs; and
- (b) Priority 8.2 - Growing Sustainably – Keep our heritage visible while we encourage innovative and sustainable growth.

46. The draft amendment supports the following strategies in the *Council Plan 2021-2025*:

- (a) Strategic Objective 3 - Local economy – 'Support Yarra's employment precincts and drive economic development opportunities'; and

- (b) Strategic Objective 4 - Place and nature – ‘Protect, promote and maintain our unique heritage and ensure development is sustainable’.

Climate emergency and sustainability implications

- 47. Amendment C293 will help facilitate sustainable communities at a local level that have good access to employment, public transport and other amenities.
- 48. Policy and provisions elsewhere in the Yarra Planning Scheme respond to the climate emergency, namely the *Planning Policy Framework* and *Council's Environmentally Sustainable Design Policy at Clause 22.17 Environmentally Sustainable Development (ESD)*.
- 49. Particular developments would need to meet the objectives contained in Clause 22.17.

Community and social implications

- 50. The recommended changes being considered respond to community submissions and aim to achieve a high-quality urban design outcome for the precinct while providing more certainty in relation to future development potential of the centre.

Economic development implications

- 51. The amendment may provide further stimulus to the economic development in the precinct. No other economic implications are apparent.

Human rights and gender equality implications

- 52. There are no known human rights and gender equality implications.
- 53. The amendment complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Operational analysis

Financial and resource impacts

- 54. There are very substantial financial costs associated with the draft amendment process, including the Advisory Committee process, legal representation and the engagement of experts such as urban design and heritage who provide evidence on behalf of Council.
- 55. These costs are accounted for in Council's budget.

Legal Implications

- 56. Amendment C293 was prepared and exhibited in accordance with the Advisory Committee's ToR as issued by the Minister for Planning on 10 June 2021.
- 57. There are no known legal implications of this amendment.

Conclusion

- 58. Amendment C293yara was exhibited for six weeks during which 102 submissions were received.
- 59. All submissions have been carefully considered, summarised and officers have prepared detailed responses (as in **Attachments 1 and 2**).
- 60. The recommended changes to Amendment C293yara as outlined in in this report are based on further investigation and careful consideration.
- 61. The recommended responses to submissions and Council's advocacy position for the Advisory Committee hearing are also outlined in **Attachments 1, 2 and 3**.
- 62. It is recommended to request the Minister for Planning refer Amendment C293yara to the Advisory Committee. This will allow for further consideration of the issues raised in submissions.

RECOMMENDATION

1. That Council:
 - (a) notes the officer report regarding Amendment C293yara in relation to the Collingwood South area;
 - (b) receives, notes and formally considers all submissions received in response to the public notice of draft amendment C293yara completed in accordance with Stage 1 of the Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10/06/2021;
 - (c) notes and endorses the officer response to the issues raised by submissions as outlined in this report and Attachments 1 and 2;
 - (d) adopts the recommended changes to draft Amendment C293yara, as outlined in this report and Attachments 1, 2 and 3 for the purposes of Council's advocacy position before the Yarra Activity Centres Standing Advisory Committee;
 - (e) refers all submissions, response to those submissions and preferred draft Amendment C293yara as outlined in (d) above to the Minister for Planning with a request to refer the draft amendment to the Standing Advisory Committee in accordance with Clause 28 of the Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10/06/2021;
 - (f) notes that officers will provide a further report to Council following the receipt of the Standing Advisory Committee Report; and
 - (g) authorise the CEO to make any minor adjustments required to meet the intent of Resolution 1 of this report.

Attachments

- 1 [↓](#) C293yara Individual Summaries and Responses to Submissions
- 2 [↓](#) C293yara Responses to Commonly Raised Issues
- 3 [↓](#) C293yara Preferred Design and Development Overlay 23
- 4 [↓](#) Yarra Activity Centres Standing Advisory Committee Terms of Reference

Attachment 1 - C293yara Individual Summaries and Responses to Submissions

Draft Amendment C293yara to the Yarra Planning Scheme

Summary of individual submissions and officer responses

The following table provides a summary of the submissions received to Draft Amendment C293yara and officer responses to issues raised in the submissions

To comply with the requirements of the *Planning and Environment Act 1987* and *Privacy and Data Protection Act 2014* (PDP Act) Council has removed all personal information regarding a submitter (including their name) from the table below because this table will be published online as part of the Council Report. Submitters can contact a strategic planning officer to find out their particular submission number if necessary.

The 'Responses to Commonly Raised Issues' document referred to in the response column below is in **Attachment 2** to the Council report.

The 'Preferred version of the Design and Development Overlay 23' referred to in the response column below is in **Attachment 3** to the Council report.

SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
1	Resident and Worker	<p><u>Recent Development</u></p> <p>1.1 Concerned about recent taller developments in Collingwood South and the need to stop taller developments in the future.</p> <p><u>Landscaping within private development</u></p> <p>1.2 Concerned that recent developments generally do not provide space at ground level for landscaping or green areas.</p> <p><u>Need for more public open space</u></p> <p>1.3 Urges Council to develop plans for additional public green space in Collingwood South, including the purchase of land for open space and the extensions of existing pocket parks. Specifically mentions the corner of Derby and Oxford Streets as a green space location that could be extended.</p>	<p><u>Recent Development</u></p> <p><u>Landscaping within private development</u></p> <p><u>Need for More Public Open Space</u></p>	<p><u>Recent Development</u></p> <p>1.1 Refer to topic no. 9 'Recent Developments' in Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Landscaping within private development</u></p> <p>1.2 Refer to topic no. 3.1 'Landscaping within private property' in Responses to Commonly Raised Issues. Recommended position: Change to draft amendment. To ensure new development integrates landscaping an additional requirement has been recommended.</p> <p><u>Need for More Public Open Space</u></p> <p>1.3 Refer to topic no. 2 'Need for More Public Open Space' in Responses to Commonly Raised Issues. With regard to the Council purchase of private land for conversion to Public Open Space, this is outside the scope of the draft amendment, however Council is currently pursuing Planning Scheme Amendment C286 which seeks to increase the public open space contributions associated with future developments from 4.5% to 10.1%. Recommended position: No change to the draft amendment.</p>
2	Resident	<p>2.1 Submits that in their opinion, the proposed height controls seek to value existing heritage and limit the scale of new buildings.</p> <p><u>Overshadowing of Cambridge Street Reserve</u></p> <p>2.2 Concerned that the approved development at the southeast corner of Cambridge and Peel Streets (8 storeys) will</p>	<p><u>Overshadowing of Cambridge Street Reserve</u></p> <p><u>Building Height</u></p>	<p>2.1 Noted.</p> <p><u>Overshadowing of Cambridge Street Reserve</u></p> <p>2.2 Refer to topic no. 1 'Overshadowing Public Open Space' in Responses to Commonly Raised Issues for a general response. Officer note that with regard to the request to reduce the height of the approved development at the southeast corner of Cambridge and Peel Streets (i.e. No. 33 Peel Street), this is</p>

Attachment 1 - C293yara Individual Summaries and Responses to Submissions

SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>excessively overshadow Cambridge Reserve (including its proposed extension). Recommends that the DDO be updated to reduce the height of this approved development if possible.</p> <p><u>Building Height</u></p> <p>2.3 Recommends that the DDO limit all large-scale builds to ensure that the area is not overwhelmed by concrete and wind tunnels.</p>		<p>outside of the scope of the amendment as an amendment is unable to , modify or revoke an existing planning permit. . As noted in the general submission issue response, Council is pursuing an extension to the Cambridge Street Reserve which will increase the size of the space and improve solar access.</p> <p>Recommended position: Change to the draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Building Height</u></p> <p>2.3 Refer to topic no. 5 'Building Height' in Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
3	Unknown	<p><u>The overarching intent of Draft Amendment C293yara</u></p> <p>3.1 Supports the overall intent of the draft amendment to prevent facadism and height issues that perceived in parts of Collingwood.</p> <p><u>Draft Amendment C293yara too late for Area 1</u></p> <p>3.2 Notes that most properties within Area 1 of DDO23 are either developed, under construction or have approval for robust buildings. Thus, states that the height controls of the DDO23 are too late for Area 1.</p> <p><u>Overshadowing of Cambridge Reserve</u></p> <p>3.3 Concerned about shadowing to Cambridge Reserve (including its proposed extension) as a result of the development currently under construction next to Cambridge Reserve.</p> <p><u>Planning application at 124 – 144 Wellington Street</u></p> <p>3.4 Refers to a current planning application at the above address which is proposed to be 14 stories. Concerned that if this development is approved, the ability of Council to deliver built form controls will be impacted.</p>	<p><u>Draft Amendment too late for Area 1</u></p> <p><u>Overshadowing of Cambridge Street Reserve</u></p> <p><u>Planning application at 124 – 144 Wellington Street</u></p>	<p>3.1 Noted</p> <p><u>Draft Amendment too late for Area 1</u></p> <p>3.2 The submitter refers to Area 1 within which there is only one recently constructed taller development (the six-storey apartment building at No. 20 Peel Street). Area 1 has not experienced a substantial degree of change at this stage and the majority of properties in Area 1 are yet to be developed. In contrast, the majority of properties within Area 3 how have taller development that has been recently constructed, is under construction or has been approved. This emerging character of taller development highlights the development pressure in the area and exemplifies the need for built form controls across the Collingwood South area. For further information, refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Cambridge Street Reserve</u></p> <p>3.3 Refer to topic no. 1 'Overshadowing Public Open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Planning application at 124 – 144 Wellington Street</u></p> <p>3.4 The submitter refers to a current planning application at 124 – 144 Wellington Street, however the correct address of this application is 128 – 144 Wellington Street. The site is located just outside the boundaries of the DDO23, at the south-eastern corner of Wellington and Gipps Streets. The application number is PLN19/0719 which proposes a 14-storey mixed use development. The application is subject to an upcoming VCAT hearing with Council officer maintaining a position of refusal (although Council no longer has decision-making powers as the application has been appealed to VCAT). The submitter's concern is noted.</p> <p>Recommended position: No change to the draft amendment.</p>
4	Unknown	<p><u>Building Height and Amenity Impacts</u></p> <p>4.1 Submits that Council need to do its best to keep heights and bulk to a minimum.</p>	<p><u>Building Height and Amenity Impacts</u></p>	<p><u>Building height and Amenity Impacts</u></p> <p>4.1-4.4 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p>

Attachment 1 - C293yara Individual Summaries and Responses to Submissions

SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>4.2 Height controls of four stories difficult to understand in a context where many houses are 1 and 2 stories.</p> <p>4.3 Building heights of recently built buildings in eastern section are too tall and create wind tunnels, block lights and generally affect amenity.</p> <p>4.4 Future development should be one or two storeys where a site is nearby existing buildings of 1 or two storeys to protect amenity.</p>		<p>Building Height: No change to the draft amendment.</p> <p>Amenity (General): No change to the draft amendment.</p>
5	Resident	<p><u>Support for Draft Amendment C293yara</u></p> <p>5.1 Supports the Draft Amendment to the Yarra Planning Scheme.</p> <p>5.2 Submits that the Draft Amendment strikes a balance between preserving neighbourhood character and increasing urban vibrancy.</p>		<p>5.1-5.2 Support for Draft Amendment C293yara has been noted.</p> <p>Recommended position: No change to the draft amendment.</p>
6	Resident	<p><u>The use of recommended and mandatory built form controls</u></p> <p>6.1 Notes that a significant number of sites have already been developed or are under construction.</p> <p>6.2 Concerned about the fact that sites that are yet to be developed are mainly provided with recommended height limits and setbacks. Concerned that developers do not apply for developments with the recommended heights.</p> <p>6.3 Without mandatory controls, the DDO23 offers little protection from taller development.</p> <p>6.4 Refers to Planning Practice Note 60 which encourages the use of discretionary controls over mandatory controls and submits that there is no justification for this position, rather advocating for the use of mandatory height and setback controls in Yarra.</p>	<p><u>Mandatory Versus Discretionary Requirements</u></p>	<p><u>Mandatory Versus Discretionary Requirements</u></p> <p>6.1-6.4 In their submission, the submitter refers to recommended height limits and setbacks. The more commonly used term is 'discretionary' or 'preferred'. Refer to topic no. 8 'Mandatory Versus Discretionary Requirements' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
7	Resident	<p><u>Building Height</u></p> <p>7.1 Concerned that the proposed building height limits are too high. Specifically concerned about the parcel of land bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets, which has a height limit of 27m and is within Area 3. Concerned that this height will result in high levels of overshadowing to Oxford Street Reserve, impacts to the heritage streetscape along Derby Street, significant impact on amenity of residents living in the Holme building (i.e. 68 Cambridge Street), exacerbation of the already unacceptable wind tunnel impacts at the corner of Langridge and Cambridge Streets.</p>	<p><u>Building Height</u></p> <p><u>Street Wall Height</u></p> <p><u>Population and Employment Projections</u></p>	<p><u>Building Height</u></p> <p>7.1-7.3 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>7.4 The Area designations within the exhibited DDO are based on detailed and extensive strategic work. The Collingwood Built Form Framework (Hansen, 2018), provides the following rationale for the designation of the Area 3 within the exhibited DDO:</p> <p><i>With the exceptions of the Peel and Vine Hotel buildings these urban blocks are devoid of heritage sensitives and comprise generally larger size lots. The Wellington Street frontage consists number of approvals ranging from 8-14 storey presenting an emerging new built form along the street and marking the junction of Wellington and Langridge Street movement corridors.</i></p>

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		<p>7.2 More generally, submits that the height limit for the above-mentioned parcel will further add to the residential density of the Collingwood South precinct and risk it becoming a mini Docklands.</p> <p>7.3 Submits the following recommended changes to the proposed DDO23 (outlined below at 7.4 – 7.7):</p> <p>7.4 Parcel bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets be removed from Area 3 and included in Area 2.</p> <p>7.5 The height limit in the above parcel be reduced to 14m to make it consistent with the heritage protections envisaged for both sides of Derby Street.</p> <p>7.6 For the land at the corner of Derby and Oxford Streets (directly east of the XO apartment building), reduce the height limit to 14 metres in order to avoid significantly impacting the amenity of existing residents in the XO apartment building.</p> <p>7.7 Generally lower the proposed 'setback heights' which in this area are directly on to the footpath.</p> <p><u>Population and employment projections</u></p> <p>7.8 Submits that projections need to be reset to account for the impacts of COVID-19.</p>		<p><i>The western 'island' block along Langridge Street presents a development opportunity that needs to respond sensitively to Derby Street and open space frontage. Cambridge Street comprises approvals with street wall and upper form typology that provides a clear street definition without visually dominating the streetscape. Developments along this street will follow the emerging development pattern while giving consideration to equitable development and public realm amenities. (p28)</i></p> <p>The properties bound by Oxford, Langridge, Cambridge and Derby Streets have larger lot sizes, a lack of heritage buildings and together function as an 'island block'. These characteristics are far more aligned with Area 3 than either Area 1 or 2. For these reasons, Area 3 is the most appropriate designation.</p> <p>Recommended position: No change to the draft amendment.</p> <p>7.5 This particular matter has been discussed in the Responses to Commonly Raised Issues – refer to topic no. 5 'Building Height'.</p> <p>Recommended position: No change to the draft amendment.</p> <p>7.6 The submitter is referring to No. 23 – 25 Derby Street, for which the exhibited DDO indicates a preferred maximum building height of 20m (six storeys). However, with regard to overshadowing, the amenity of the XO building (the existing seven storey apartment building on the opposite side of Oxford Street) will be protected by the mandatory footpath overshadowing requirement, which requires that no overshadowing occur on the western footpath of Oxford Street between the hours of 10am and 2pm on the equinox. This mandatory requirement will ensure that future development on 23 – 25 Derby Street will be designed to protect the amenity of both the western Oxford Street footpath and the apartments above it in the XO building. Refer to topic no. 5 'Building Height' for further information on this matter.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Street Wall Height</u></p> <p>7.7 It appears that the submitter here is referring to street wall heights rather than 'setback heights'. The maximum street wall heights indicated in the exhibited DDO are based upon extensive strategic work which has considered the heritage context and best practice urban design principles. There is no strategic justification to lower the maximum street wall heights across Collingwood South. Refer to topic No. 6 'Street Wall Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Population and employment projections</u></p> <p>7.8 Refer to topic no. 21 'Accommodating Growth' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
8	Resident	<p><u>Building Height</u></p> <p>8.1 Concerned that the building height and street wall height (14m – 4 storeys) proposed for 23 – 35 Derby Street (corner Derby and Oxford Streets) would excessively overshadow submitter's apartment. Also submits that the 14m street wall</p>	<p><u>Building Height and Street Wall Height</u></p>	<p><u>Building Height and Street Wall Height</u></p> <p>8.1-8.2 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues. In addition, the submitter refers to the 'proposed setbacks' of 11m / three storeys for No. 10 – 12 Derby Street. This appears to be referring to street wall height controls for this site as they relate to Langridge Street. The 11m street wall height to Langridge Street is relatively low and is based on detailed heritage</p>

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		<p>height would be inconsistent with the heritage buildings at 23 – 45 Derby Street are largely two stories.</p> <p>8.2 Submits that the proposed setbacks (11m, three-storey) for Nos. 10 – 22 Derby Street would result in an 11m wall height presenting to Langridge Street, which the submitter states would be another example of overdevelopment.</p> <p>8.3 Refers to the proposed heights for Nos. 4 – 8 Derby Street and states that the proposed building heights would ruin the pleasant and attractive aspect of the area.</p> <p><u>Overshadowing of Open Space</u></p> <p>8.4 With regard to 30 – 34 Oxford Street (entire block bound by Oxford, Derby, Langridge and Cambridge Streets), submits that the proposed street wall height (14m) and building height (27m) for this site would result in excessive overshadowing of the Oxford Street Reserve as well as the XO apartment building.</p> <p><u>Development under construction</u></p> <p>8.5 Refers to development under construction at No. 44 Oxford Street / 61 – 63 Cambridge Street is very tall and concerned that when complete, it will tower over the site at 30-34 Oxford Street which the submitter states is an attractive two-storey building which softens the look of the development under construction behind it.</p>	<p><u>Overshadowing of Public Open Space</u></p> <p><u>Development Under Construction</u></p>	<p>strategic work to ensure any future additions to this site do not overwhelm the existing heritage building that faces Derby Street. For further information, refer to topic no. 6 'Street Wall Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>8.3 For Nos. 4 – 8 Derby Street (all of which being heritage buildings), the exhibited DDO indicates a mandatory maximum height of 11m (3 storeys). This is a relatively low height control and is based on strategic heritage work and has been included in the exhibited DDO to ensure that any future additions to the heritage buildings are sensitive to the existing heritage buildings. For further information on building height, refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing Public Open Space</u></p> <p>8.4 Refer to topic no. 1 'Overshadowing Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Development Under Construction</u></p> <p>8.5 Refer to topic no. 9 'Recent Developments' and No. 14 'Amenity Impacts Associated with Construction Works' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
9	Unknown	<p><u>Support for Draft Amendment C293yara</u></p> <p>9.1 Submits a position of support for the amendment, highlighting the need for sensitivity to heritage buildings and retention of character for the precinct.</p> <p>9.2 Submits that the different aspect of the proposed DDO23 are supported entirely including footpaths, parks and extended street corners and requirements for street wall heights, setback requirements and other design guidelines.</p>		<p>9.1-9.2 Submitter's support for the draft amendment is noted.</p> <p>Recommended position: No change to the draft amendment.</p>
10	Property owner	<p><u>Building Height and Amenity Impacts</u></p> <p>10.1 Concerned about the proposed preferred height control for properties along Derby Street (up to 8 storeys) would result in excessive overshadowing to the submitter's property.</p> <p>10.2 Recommends that buildings along Derby Street do not exceed 6 storeys.</p> <p><u>Impacts to Property Value</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Impacts to Property Value</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p>10.1-10.2 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building Height: No change to the draft amendment.</p> <p>Amenity (General): No change to the draft amendment.</p>

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		<p>10.3 Submits that the above-mentioned height will also result in impacts to their property value.</p> <p><u>Construction on Open Space</u></p> <p>10.4 Concerned that the small park at the corner of Oxford and Derby Streets will be built on – this should be left as a green space.</p>	<p><u>Construction on Open Space</u></p>	<p><u>Impacts to Property Values</u></p> <p>10.3 Property values are not a planning issue. Refer to topic no. 24 'Property Values' in the Responses to Commonly Raised Issues for further detail.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Construction on Open Space</u></p> <p>10.4 The exhibited DDO does not allow for any construction over existing public open space. Officers note that this land is owned by Council.</p> <p>Recommended position: No change to the draft amendment.</p>
11	Resident	<p><u>Building Height and Amenity Impacts</u></p> <p>11.1 Concerned about the proposed height control for the parcels of land bound by Oxford, Derby, Langridge and Cambridge Streets. Specifically concerned about loss of CBD views and loss of privacy and daylight access.</p> <p>11.2 Notes that there are multiple 11-storey (and taller) buildings in the surrounding area, often close together which blocks light.</p> <p>11.3 Recommends that the parcels of land mentioned above should have a 14m maximum height.</p> <p><u>Public Open Space</u></p> <p>11.4 Submits that there has been no consideration given to public open space.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Public Open Space</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p>11.1-11.3 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Public Open Space</u></p> <p>11.4 Refer to topic no. 2 'Need for More Public Open Space' and no. 1 'Overshadowing of Public Open Spaces' of the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Need for More Public Open Space: No change to the draft amendment.</p> <p>Overshadowing Public Open Space: Change to the draft amendment. Refer to 'Preferred version of the Design and Development Overlay 23',</p>
12	Resident	<p><u>Recent Developments</u></p> <p>12.1 Concerned about impacts of existing developments in the area including wind impacts, increased pressure on the little amount of green spaces, overshadowing of streets results in a cold and dark environment.</p> <p><u>The overarching intent of Draft Amendment C293yara</u></p> <p>12.2 Concerned that the exhibited amendment will exacerbate the above identified issues and notes that any stakeholder who has a say in the amendment has an obligation to spend time in the area to experience the hostile conditions.</p> <p><u>Amenity Impacts</u></p> <p>12.3 Submits that the exhibited amendment will result in existing ratepayers being further impacted by loss of sunshine, light, outlook, views and the sky.</p> <p><u>Building Height</u></p>	<p><u>Recent Developments</u></p> <p><u>Amenity Impacts</u></p> <p><u>Building Height</u></p> <p><u>Need for More Public Open Space</u></p>	<p><u>Recent Developments</u></p> <p>12.1 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>The overarching intent of Draft Amendment C293yara</u></p> <p>12.2 Noted</p> <p><u>Amenity Impacts</u></p> <p>12.3 Refer to topic no. 13 'Amenity (General)' and the associated subtopics of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>12.4 Recommends that a height limit of 12-14 metres would minimise amenity impacts but also allow for a reasonable level of development.</p> <p><u>Public Open Space</u></p> <p>12.5 Recommends that more public open space should be provided in lieu of a more built environment.</p>		<p>12.4 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues. With respect to the suggested 12-14 metre height control for the entire Collingwood South area, this height is not appropriate for the following reasons:</p> <ul style="list-style-type: none"> - It would be contrary to the detailed strategic work undertaken and would fail to acknowledge the highly varied built form character of Collingwood South. - It would be contrary to the area's inclusion in the Smith Street Major Activity Centre. - There is no strategic justification for this recommendation. <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>12.5 Refer to topic no. 2 'Need for More Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
13	Resident	<p><u>Building Height and Heritage</u></p> <p>13.1 Concerned about proposed building heights, submitting that nine-storey developments adjoining heritage buildings and public parks would not be in the interest of the area or community.</p> <p><u>Building Diversity</u></p> <p>13.2 Concerned about the loss of building diversity in the area.</p> <p><u>Street Level Amenity</u></p> <p>13.3 Concerned about the lack of amenity on the street level.</p> <p><u>Need for More Public Open Space</u></p> <p>13.4 Concerned about the increasing population density in the area without increasing public space.</p>	<p><u>Building Height and Heritage</u></p> <p><u>Building Diversity</u></p> <p><u>Street Level Amenity</u></p> <p><u>Need for More Public Open Space</u></p>	<p><u>Building Height and Heritage</u></p> <p>13.1 Refer to topic no. 5 'Building Height' and topic no. 10 'Heritage' of the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building Height: No change to the draft amendment.</p> <p>Heritage: No change to the draft amendment</p> <p><u>Building Diversity</u></p> <p>13.2 Refer to topic no. 12 'DDO23 does not retain the character' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Street Level Amenity</u></p> <p>13.3 Street level amenity includes matters such as wind impacts and overshadowing of the public realm. Refer to topic no. 13.3 'Wind Impacts' and no. 4 'Footpaths / Public Realm' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>13.4 Refer to topic no. 2 'Need for More Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
14	Resident	<p><u>Building Height and Amenity Impacts</u></p> <p>14.1 Submits that the preferred maximum building height (27m) for the block bound by Oxford, Langridge, Cambridge and Derby Streets will have substantial amenity impacts on the existing residents of the Holme apartment building, including:</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p>14.1-14.2 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p>

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		<ul style="list-style-type: none"> - Facing off of residents into apartments across Cambridge Street - Overshadowing, blocking of light and sun, loss of views, outlook and sky - Impact on the communal facilities of the Holme apartment building which is used by over 300 residents. - Increased noise impacts <p>14.2 As residents and ratepayers, submitter seeks that the aforementioned height to be reduced to 14m, which it is submitted to be more liveable and acceptable to the community.</p> <p><u>Traffic</u></p> <p>14.3 Submits that adding an 11-floor building to the corner of Langridge and Cambridge Streets would result in increased traffic volumes.</p> <p><u>Need for More Public Open Space</u></p> <p>14.4 Submits that the exhibited amendment proposes a 3-4 fold population increase in the area without any provision of public open space.</p>	<p><u>Need for More Public Open Space</u></p>	<p>Building Height: No change to the draft amendment. Amenity Impacts: No change to the draft amendment.</p> <p><u>Traffic</u></p> <p>14.3 Refer to topic no. 15 'Traffic Increase' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>14.4 Refer to topic no. 2 'Need for More Public Open Space' of the Responses to Commonly Raised Issues in attachment 2. Recommended position: No change to the draft amendment.</p>
15	Resident	15.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Lack of Public Open Space</u></p>	15.1 Refer to response to submission No. 14.
16	Property Owner	16.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Lack of Public Open Space</u></p>	16.1 Refer to response to submission No. 14.
17	Property Owner	17.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. The only	<p><u>Building Height and Amenity Impacts</u></p>	17.1 Refer to response to submission No. 14.

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		difference to No. 14 is that the submitter specifies that they are the owner of a property at 68 Cambridge Street.	Traffic Lack of Public Open Space	
18	Resident	18.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14	Building Height and Amenity Impacts Traffic Lack of Public Open Space	18.1 Refer to response to submission No. 14.
19	Resident	19.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14	Building Height and Amenity Impacts Traffic Lack of Public Open Space	19.1 Refer to response to submission No. 14.
20	Resident	20.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14	Building Height and Amenity Impacts Traffic Lack of Public Open Space	20.1 Refer to response to submission No. 14.
21	Resident	21.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	Building Height and Amenity Impacts Traffic Lack of Public Open Space	21.1 Refer to response submission No. 14.

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22	Resident	<p><u>Submitter's history with the area</u></p> <p>22.1 Submitter outlines personal history with the area as well as Fitzroy.</p> <p><u>Recent Developments</u></p> <p>22.2 Submits that 75% of sites available for major construction in the area already have competed buildings with only seven sites remaining for major development. Therefore, submits that Council should look for lessons from existing developments before proceeding with this amendment.</p> <p>22.3 Submits that the GJM Heritage report did not acknowledge the V&V building adjacent to the Vine Hotel and that this is concerning.</p> <p>22.4 Submits that the GJM Heritage report is too focused on sightlines of buildings from the other side of the street and that this is concerning because it ignores the fact of the Collingwood slope and recent developments in the area now take up space on the eastern horizon when viewed from parts of Collingwood and Fitzroy.</p> <p>22.5 Submits that recent developments, (including the Home Building, 54 Wellington, Victoria and Vine, 88 Cambridge Street and the soon to be built 36 Wellington Street) are too tall in the Collingwood streetscape and now form a wall of taller development which is detrimental to the area.</p> <p>22.6 Submits that the C&L building is also too tall, at a height of 31.4m and also has design issues including poor use of materials, poor façade design and the use of a mural in an attempt to improve the presentation of the building.</p> <p>22.7 Submits that a different approach is required if we are to avoid an outcome like South Yarra or the northern end of Elizabeth Street.</p> <p><u>Need for expert independent review</u></p> <p>22.8 Recommends that an expert independent review is conducted on the performance of developments constructed to date against the proposed built form objectives.</p> <p>22.9 Area under review needs to be considered in the context of the broader area given that there are a number of proposed developments.</p> <p>22.10 Submits that consideration must also be given to the hotel developments and larger apartment developments within the Collingwood South area.</p> <p><u>Economic Viability</u></p>	<p><u>Recent Developments</u></p> <p><u>Need for expert independent review</u></p> <p><u>Economic Viability</u></p> <p><u>Public Transport Capacity</u></p> <p><u>Cycling Infrastructure</u></p> <p><u>Footpath Issues and Pedestrian Capacity</u></p> <p><u>Need for More Public Open Space</u></p> <p><u>Building Height</u></p> <p><u>Upper Level Setbacks</u></p> <p><u>Concerns Relating to Planning Application Procedures</u></p>	<p><u>Recent Developments</u></p> <p>22.2-22.7 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for Expert Independent Review</u></p> <p>22.8-22.10 The exhibited DDO is based on extensive and detailed strategic work undertaken by experts in the fields of urban design, heritage and traffic engineering. Furthermore, as part of the draft amendment process, an independent Standing Advisory Committee will be appointed by the State Government, which will ensure that an independent review (external to Council) is undertaken.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Economic Viability</u></p> <p>22.11 Refer to topic No. 19 'Economic Development' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended.</p> <p><u>Public Transport Capacity</u></p> <p>22.12 Refer to topic no. 16 'Public Transport and Cyclist Infrastructure Capacity' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Cycling Infrastructure</u></p> <p>22.13-22.14 Refer to topic no. 16 'Public Transport and Cyclist Infrastructure Capacity' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Footpath Issues and Pedestrian Capacity</u></p> <p>22.15-22.17 Refer to topic no. 4 'Footpaths/Public Realm' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>22.18-22.19 Refer to topic no.2 'Need for More Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>22.20 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Upper Level Setbacks</u></p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>22.11 Submits that there is a need to undertake further review of the economic viability of current developments, especially office developments in the post-COVID context, stating that many office developments may fail.</p> <p><u>Public Transport Capacity</u></p> <p>22.12 Submits that greater consideration needs to be given to public transport capacity, highlighting that public transport routes in the area were likely at full capacity pre-COVID. Submits that future office and residential developments will exacerbate this capacity issue further.</p> <p><u>Cycling Infrastructure</u></p> <p>22.13 Submits that cycling infrastructure is lacking in the area and that the Wellington Street Copenhagen-style bicycle lanes alone are not sufficient in meeting cyclist needs, especially when these lanes are interrupted by construction activity.</p> <p>22.14 Submits that additional cyclist infrastructure is needed and that a performance review should identify cycling infrastructure to service the existing and planned developments in the area. Submitter suggests an east-west Copenhagen-style lane to extend from Nicholson Street in Fitzroy to Nicholson Street in Abbotsford, linking to the Gipps Street bridge which then connects to the Yarra and Capital City Bike Trails.</p> <p><u>Footpath issues and pedestrian capacity</u></p> <p>22.15 Submits that footpath issues and hazards are created by construction activity, tree roots, tree plantings, poorly installed footpath infrastructure such as manholes etc.</p> <p>22.16 Submits that pedestrian traffic light crossings require excessive time to cross streets such as Victoria Parade and that future developments would exacerbate this issue.</p> <p>22.17 Submits that further pedestrian capacity / footpath analysis is required prior to approving future developments in the area.</p> <p><u>Public Open Space</u></p> <p>22.18 Concern about the lack of public open space in the Collingwood South area and that this will be exacerbated by future developments.</p> <p>22.19 Submits that Council's proposed extension of Cambridge Street Reserve is a positive step in the right direction but this is not enough, especially considering the developments currently being constructed in the area. To address this issue, the submitter suggests that the property to the east of Oxford Street Reserve be purchased by Council to be converted to public open space which would increase the size of Oxford Street Reserve by 50%.</p>		<p>22.21 Refer to topic no. 7 'Upper Level Setbacks' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Concerns Relating to Planning Application Procedures</u></p> <p>22.22 This issue is outside the scope of the draft amendment. Planning application procedures are governed by the <i>Planning & Environment Act 1987</i>, over which Yarra City Council does not have any jurisdiction.</p> <p>Recommended position: No change to the draft amendment.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p><u>Building Height</u> 22.20 Submits that a maximum height of 14m should be applied to limit further detriment to the area</p> <p><u>Upper Level Setbacks</u> 22.21 Submits that a requirement for a 45-degree setback from the top of the existing parapet of a building should be applied.</p> <p><u>Concerns Relating to Planning Application Procedures</u> 22.22 Submits scepticism about the planning process due to hearings being dominated by developers and their experts and legal teams.</p>		
23	Resident	23.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	23.1 Refer to response to submission No. 14.
24	Resident	24.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	24.1 Refer to response to submission No. 14.
25	Resident	25.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	25.1 Refer to response to submission No. 14.

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
26	Resident	26.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	26.1 Refer to response to submission No. 14.
27	Resident	27.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	27.1 Refer to response to submission No. 14.
28	Resident	28.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	28.1 Refer to response to submission No. 14.
29	Resident	29.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	29.1 Refer to response to submission No. 14.

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
30	Resident	30.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	30.1 Refer to response to submission No. 14.
31	Resident	<p>31.1 Submitter generally makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. The submitter, however, also makes the following additional submissions:</p> <p><u>Amenity Impacts</u></p> <p>31.2 Refers to overlooking as one of the amenity impacts associated with the designated preferred maximum building height for the block bound by Oxford, Langridge, Cambridge and Derby Streets;</p> <p><u>Rooftop Structures and Building Height</u></p> <p>31.3 Submits that the additional allowance for roof top structures would essentially allow for a 12-storey building (as opposed to an 11-storey building).</p> <p><u>Neighbourhood Character</u></p> <p>31.4 Submits that Amendment C293yara will also result in numerous additional buildings of a bulk and scale that is out of character with the heritage streetscapes</p> <p>31.5 Submits that the area will soon reflect the worst aspects of the over-developed sections of South Yarra. of Collingwood South and will destroy the essence of the area</p> <p><u>Need for More Public Open Space</u></p> <p>31.6 Submits that the amendment would be contrary to Council's aims regarding the provision of more open space and general amenity for the area.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p> <p>Additional Issues:</p> <p><u>Overlooking</u></p> <p><u>Rooftop Structures and Building Height</u></p> <p><u>Need for More Public Open Space</u></p>	<p>31.1 Refer to response to submission No. 14.</p> <p>With regard to the additional submissions made, the following responses are provided:</p> <p><u>Overlooking</u></p> <p>31.2 With specific regard to the issue of overlooking, this is addressed in the topic no. 13.2 'Overlooking' subsection of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Rooftop Structures and Building Height</u></p> <p>31.3 This concern is noted, however the exhibited DDO includes requirements to minimise the visibility and impact of rooftop structures, including requirements that they do not result in additional overshadowing, that they are not more than 2.6m above the proposed building height and that they occupy less than 50% of the roof area. The requirements will ensure roof structures are designed to have minimal views (or no views) from the public realm.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character</u></p> <p>31.4-31.5 Refer to the topic no. 12 'DDO23 does not retain the character' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the Amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>31.6 Refer to topic no. 2 'Need for More Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the Amendment.</p>
32	Resident	32.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u>	32.1 Refer to response to submission No. 14.

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
			Need for More Public Open Space	
33	Resident	<p>33.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. The submitter, however, also makes the following additional submissions:</p> <p>Amenity Impacts</p> <p>33.2 Refers to overlooking as one of the amenity impacts associated with the designated preferred maximum building height for the block bound by Oxford, Langridge, Cambridge and Derby Streets;</p> <p>Bicycle Path Capacity</p> <p>33.3 Submits that the Wellington Street protected bicycle path is already overloaded.</p> <p>Public Transport Capacity</p> <p>33.4 Submits that tram routes 86, 12 and 109 have limited capacity and were often overloaded pre-COVID-19.</p> <p>Accessibility</p> <p>33.5 Submitter emphasis that steps, some footpaths and crossing conditions are difficult to navigate for people with limited mobility.</p>	<p>Building Height and Amenity Impacts</p> <p>Traffic</p> <p>Need for More Public Open Space</p> <p>Additional Issues:</p> <p>Overlooking</p> <p>Bicycle Path Capacity</p> <p>Public Transport Capacity</p> <p>Accessibility</p>	<p>33.1 Refer to response to submission No. 14.</p> <p>With regard to the additional submissions made, the following responses are noted:</p> <p>Overlooking</p> <p>33.2 Refer to topic no. 13.2 'Overlooking' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>Bicycle Path Capacity</p> <p>33.3 Refer to topic no. 16 'Public Transport and Cyclist Infrastructure Capacity' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>Public Transport Capacity</p> <p>33.4 Refer to topic no. 16 'Public Transport and Cyclist Infrastructure Capacity' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>Accessibility</p> <p>33.5 The stated personal condition appears to relate to the issue of accessibility. This matter is already addressed by Clause 58 of the Yarra Planning Scheme, which is a state-wide planning provision with minimum requirements for wheelchair accessible apartment in new apartments. With regard to accessibility in the public realm, this is an issue that is outside the scope of the draft amendment, however Council has adopted the Access and Inclusion Strategy 2018 – 2024, which includes a Key Goal to improve accessibility to infrastructure, amenities and facilities.</p> <p>Recommended position: No change to the draft amendment.</p>
34	Property owner	<p>34.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.</p>	<p>Building Height and Amenity Impacts</p> <p>Traffic</p> <p>Need for More Public Open Space</p>	<p>34.1 Refer to response to submission No. 14.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
35	Resident	35.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	35.1 Refer to response to submission No. 14.
36	Resident	<u>Recent Developments</u> 36.1 Submits that recent developments between 10-12 storeys have resulted in amenity impacts particularly for residents living in lower levels of these buildings. Amenity impacts include loss of sunlight and privacy impacts. <u>Construction Impacts</u> 36.2 Submits that constructions works are creating amenity impacts including inhalation of fine particles, noise impacts (noting that construction starts at 7am every morning including Saturdays). <u>Distribution of Development across Yarra</u> 36.3 Submits that residents of Collingwood South are bearing the brunt of Yarra's development and this needs to be spread out more evenly across the Council.	<u>Recent Developments</u> <u>Construction Impacts</u> <u>Distribution of Development Across Yarra</u>	<u>Recent Developments</u> 36.1 Refer topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. <u>Construction Impacts</u> 36.2 Refer to topic no. 14 'Amenity Impacts Associated with Construction Works' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. <u>Distribution of Development Across Yarra City Council</u> 36.3 The Collingwood South area is located in the Mixed-Use Zone and forms part of the Smith Street Major Activity Centre. Given this context, the Yarra Planning Scheme (as well as Plan Melbourne 2017 – 2050) nominates Collingwood as an area for increased development density into the future. There are four other Major Activity Centres across Yarra (one in Fitzroy, one in Abbotsford and two in Richmond) and future development is anticipated to be spread out across these centres. Recent development pressure in Collingwood South highlights the need for permanent built form controls to be implemented for the area. Refer also to topic no. 21 'Accommodating Growth' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
37	Resident	<u>Traffic Impacts</u> 37.1 Concerned about generation of increase traffic in the area as a result of future development encouraged by Draft Amendment C293yara and concerned that this could lead to increased accidents and danger to pedestrians and cyclists – particularly children. <u>Green Space</u> 37.2 Submits that provision of green spaces is low for the area and that any further removal of vegetation for redevelopment would be unacceptable.	<u>Traffic Impacts</u> <u>Need for More Public Open Space / Landscaping</u>	<u>Traffic Impacts</u> 37.1 Refer to topic no. 15 'Traffic increase' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. <u>Need for More Public Open Space / Landscaping</u> 37.2 It is considered that by 'green space', the submitter is referring both to Public Open Space as well as landscaping and vegetation more generally. Refer to topic No. 2 'Need for More Public Open Space' and no 3.2 'Landscaping in Public Realm' in the Responses to Commonly Raised Submissions. Recommended position: Need for More Public Open Space: No change to the draft amendment. Landscaping in Public Realm: No change to the draft amendment.

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
38	Resident	38.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	38.1 Refer to response to submission No. 14.
39	Resident	39.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. The submitter, however, makes the following additional submissions : <u>Recent Development</u> 39.2 Highlights that overshadowing impacts are already being felt by residents as a result of recent development in the area. <u>Construction Impacts</u> 39.3 Submits that continuing long term construction impacts are being felt by residents including excessive construction noise, air borne health hazards and disruptions to vehicle access. Submitter notes that these impacts will be ongoing given recent approvals in the area. <u>Impacts to Property Value</u> 39.4 Submits that the designated preferred maximum, height of 27m for the block bound by Oxford, Langridge, Cambridge and Derby Streets would have a negative impact on the value of the submitter's property.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u> Additional Issues: <u>Recent Development</u> <u>Construction Impacts</u> <u>Impacts to Property Values</u>	39.1 Refer to response to submission No. 14. The responses to the additional issues are provided as follows: <u>Recent Developments</u> 39.2 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. <u>Construction Impacts</u> 39.3 Refer to topic no. 14 'Amenity Impacts Associated with Construction Works' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. <u>Impacts to Property Values</u> 39.4 Refer to topic no. 24 'Property Values' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
40	Resident and Trader	<u>Neighbourhood Character and economic activity</u> 40.1 Submits that the South Collingwood precinct has important social, cultural and economic significance to the community and further afield. 40.2 Submits that the unique style and history of the area must be retained and in order to do this, heights for the area must be in keeping with the existing height and rooflines of the area. 40.3 Recent developments in the area have not respected neighbourhood character.	<u>Economic Activity and Neighbourhood Character</u> <u>Development Along Laneways</u> <u>Heritage</u>	<u>Economic Activity and Neighbourhood Character</u> 40.1-40.4 Refer to topic no. 19 'Economic Development' and no. 12 'DDO23 does not retain the character' in the Responses to Commonly Raised Issues. Recommended position: Economic Development: Change to the draft amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended. Neighbourhood Character: No change to the draft amendment. <u>Development Along Laneways</u> 40.5 The exhibited DDO includes the following key built form control for development abutting laneways:

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		<p>40.4 Urges Council to ensure that the area continues to be a lively are into the future and states that the amendment does not contribute positively to local character.</p> <p><u>Development along Laneways</u></p> <p>40.5 Submits that heights and massing along laneways must be managed to preserve and enhance these spaces.</p> <p><u>Heritage</u></p> <p>40.6 Submits that the amendment will negatively affect the area's heritage value as it will bring about contemporary development into the heritage areas.</p> <p>40.7 Submits that the amendment will not respect heritage places and would detract from Yarra's historic fabric.</p> <p><u>Environmental Sustainability</u></p> <p>40.8 Submits that the amendment does not respond to climate change or environmental sustainability and therefore is not aligned with Yarra's statement of climate emergency.</p> <p><u>Public Open Space</u></p> <p>40.9 Submits that the amendment does not establish or improve upon a diverse network of public open space to meet community needs.</p>	<p><u>Environmental Sustainability</u></p> <p><u>Need for More Public Open Space</u></p>	<p><i>The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.</i></p> <p>11m is relative to three storeys. This will ensure that height and massing of future development taper down to a lower height towards a laneway interface. Thus, the exhibited DDO has considered laneway abuttal.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Heritage</u></p> <p>40.6-40.7 Refer to topic no. 10 'Heritage' and associated subsections in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Environmental Sustainability</u></p> <p>40.8 Refer to topic no. 18 'Environmental Sustainability' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>40.9 Refer to topic no. 2 'Need for More Public Open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
41	Resident	<p><u>Building Height</u></p> <p>41.1 Opposes any high-rise development as it will obstruct No. 68 Cambridge Street.</p> <p><u>Overshadowing Public Open Space</u></p> <p>41.2 Submits that a small park area will be completely overshadowed by high rise development.</p>	<p><u>Building Height</u></p> <p><u>Overshadowing Public Open Space</u></p>	<p><u>Building Height</u></p> <p>41.1 Refer to topic no. 15 'Traffic Increase' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing Public Open Space</u></p> <p>41.2 Refer to topic No. 1 'Overshadowing Public Open Space' in the Responses to Commonly Raised Submissions.</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended. Refer to 'Preferred version of the Design and Development Overlay 23'</p>
42	Resident	<p>42.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.</p> <p>42.2 The submitter makes the following additional submissions:</p> <p><u>Recent Development</u></p> <p>42.3 List the Victoria and Vine development, Lyf Hotel Collingwood development and the Hines 36 Wellington Street development as recent developments which are impacting on the amenity of residents.</p> <p><u>Loss of Views</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	<p>42.1 Refer to response to submission No. 14.</p> <p>The responses to the additional issues are provided as follows:</p> <p><u>Recent Developments</u></p> <p>42.3 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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		42.4 Highlights that the communal facility of the Holmes apartment building has views of the CBD and the Carlton REB.	Additional Issues <u>Recent Development</u> <u>Loss of Views</u>	<u>Loss of Views</u> 42.4 Refer to topic no. 13.4 'Loss of Views' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
43	Resident	43.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. 43.2 The submitter makes additional submissions that are the same as the additional submissions for submission no. 42 – see summaries at 42.3 and 42.4.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u> Additional Issues <u>Recent Development</u> <u>Loss of Views</u>	43.1 Refer to response to submission No. 14. 43.2 Refer to response to submission No. 42 (see 42.3 and 42.4 above).
44	Resident	44.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	44.1 Refer to response to submission No. 14.
45	Resident	45.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u>	45.1 Refer to response to submission No. 14.

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			Need for More Public Open Space	
46	Resident	<p>Overarching Intent of Draft Amendment C293yara</p> <p>46.1 Supportive of the proposed amendment as it seeks to create higher density living in areas such as South Collingwood, which are well serviced by public transport.</p> <p>Planning Scheme Amendment C286yara</p> <p>46.2 Also supportive of the proposed amendment when considering that Planning Scheme Amendment C286yara is seeking to ensure new development is accompanied with more green space.</p> <p>Critical of complaints from residents of the Holme apartment building</p> <p>46.3 Submits that given the Holme apartment building is the tallest building in the area, it blocked views of earlier residents when it was constructed. Thus, submits that it is hypocritical to oppose further development on these grounds.</p> <p>46.4 Submits that purchasers within the Holme apartment building should have been aware that the surrounding area was zoned for further development.</p>		<p>46.1 – 46.4 Whilst the submitter does not raise any specific issues against the draft amendment, Council notes the support from the submitter and all submissions made.</p>
47	Resident	<p>47.1 Supportive of intensive development in suitable areas within Collingwood South.</p> <p>Public Open Space</p> <p>47.2 Submits that public open space for recreation is not keeping pace with recent development. Notes that the Oxford Street Reserve has insufficient space for the community and that the Peel Street park is crowded and has insufficient seating.</p> <p>47.3 Submits that the community urgently needs more open parkland in the area that provides facilities including shaded seats, toilets and water stations.</p> <p>47.4 Submits that the area needs more open spaces for pets – states that a dog park take pressure off other open spaces in the area.</p> <p>Building Height and Building Design</p> <p>47.5 Highlights that the Holme apartment building was approved by VCAT given three factors:</p> <ul style="list-style-type: none"> - One: its island site, with all boundaries facing a street. - No private open space would be overshadowed - The high architectural standard of the development. <p>47.6 Submits that Council should uphold these principles when it comes to assessing sites for intensive development.</p>	<p>Need for More Public Open Space</p> <p>Building Height</p> <p>Overshadowing Public Open Space</p> <p>Privatisation of Public Open Space</p>	<p>Need for More Public Open Space</p> <p>47.2-47.4 Refer to topic no. 2 'Need for More Public Open Space' in the Responses to Commonly Raises Issues.</p> <p>Recommended position: No change to the draft amendment</p> <p>Building Height and Building Design</p> <p>47.5 – 47.6 Refer to topic no. 5 'Building Height' and no. 11 'Building Design/design standards needed' in the Responses to Commonly Raised issues.</p> <p>Recommended position:</p> <p>Building Height: No change to the draft amendment.</p> <p>Building Design: No change to the draft amendment.</p> <p>Overshadowing Public Open Space</p> <p>47.7 Refer to topic no. 1 'Overshadowing Public Open Spaces' in Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p>Privatisation of Public Open Space</p> <p>47.7 Applications for future developments are assessed in close detail on a case by case basis. Future development cannot be built upon public land. Furthermore, any provision of public open space as part of a future development would need to be provided in accordance with the design requirements of the proposed</p>

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		<p><u>Impacts to Public Open Space</u></p> <p>47.7 Submits that a further principle should be added – no detrimental impact to public open space, including overshadowing or the seeming incorporation of a public parkland into a private development.</p>		<p>policy associated with Planning Scheme Amendment C286. These requirements ensure future public open space provisions are designed well and are highly accessible by the public.</p> <p>Recommended position: No change to the draft amendment.</p>
48	Resident	<p>48.1 Submitter makes the same submissions as submitter No. 14. Refer to the submission summary for No. 14.</p> <p>48.2 In addition, the submitter references additional amenity impacts of potential health and wellness effects of residents.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Lack of Public Open Space</u></p> <p><u>Health Impacts</u></p>	<p>48.1 Refer to response to submission No. 14.</p> <p><u>Health Impacts</u></p> <p>48.2 Refer to topic no. 13 'Amenity (General)' and associated subtopics as well as no. 14 'Amenity Impacts Associated with Construction Works' in the Responses to Commonly Raised Issues.</p> <p>Recommended position</p> <p>Amenity (General): No change to the draft amendment.</p> <p>Amenity Impacts Associated with Construction Works: No change to the draft amendment.</p>
49	Resident	<p><u>Recent Developments</u></p> <p>49.1 Recently constructed developments have poor aesthetics and many streets in the area have lost their neighbourhood character with these developments creating amenity impacts such as visual bulk, overlooking and overshadowing.</p> <p><u>Public Open Space</u></p> <p>49.2 Submits that green spaces are important to the community and should be protected by updating the Draft Amendment to avoid tall buildings being built next to low rise buildings and the addition of more green spaces.</p> <p><u>Street setback Requirements and Overlooking</u></p> <p>49.3 Recommends that the following street setback requirement be updated: <i>Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneways.</i> Submits that this requirement should be updated to require setbacks from laneways also to preserve the privacy of the adjacent occupant.</p> <p><u>Building Height</u></p> <p>49.4 Opposed to the amendment because the recommended heights are too tall and will result in a sense of enclosure.</p> <p>49.5 Objects to the distribution of preferred height controls along Mason Street, noting that the majority of preferred heights near No. 13 Mason Street are either 11m or 8m, but the site</p>	<p><u>Recent Developments</u></p> <p><u>Overshadowing Public Open Space and the Need for More Public Open Space</u></p> <p><u>Street Setback Requirements and Overlooking</u></p> <p><u>Building Height</u></p> <p><u>Mandatory vs Discretionary Requirements</u></p>	<p><u>Recent Developments</u></p> <p>49.1 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing Public Open Space and the Need for More Public Open Space</u></p> <p>49.2 Refer to topic no. 1 'Overshadowing Public Open Spaces' and no. 2 'Need for More Public Open Space'.</p> <p>Recommended position:</p> <p>Overshadowing Public Open Space: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p>Need for More Public Open Space: No change to the draft amendment.</p> <p><u>Street Setback Requirements and Overlooking</u></p> <p>49.3 It appears that the submitter is requesting that laneways be included in this built form control. The exhibited DDO includes the following built form control that is specific to laneways:</p> <p>The submitter bases their recommendation on the preservation of privacy for adjacent occupants, which relates to the issue of overlooking. For a detailed response on the issue of overlooking, refer to topic no. 13.2 'Overlooking' in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Street setback requirements: No change to the draft amendment.</p> <p>Overlooking: No change to the draft amendment.</p>

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		<p>at 3-5 Mason Street (McDonalds Car Park) has a preferred height of 20m. Submits that this difference in heights is illogical.</p> <p>49.6 Objects to the preferred 40m, 30m and 27m height controls, noting that in some cases, these heights adjoin heritage buildings.</p> <p>49.7 Refers specifically to the southern end of Smith Street, with a number of multi-storey development applications in the area recently. Submits that a cap on heights for this area should be made to reflect the existing heights of the established buildings in this area.</p> <p>49.8 Recommends a three-storey limit for new development along Mason Street.</p> <p><u>Preferred Controls vs Mandatory Controls</u></p> <p>49.9 Concerned that the use of preferred height controls is frequently contested by developers at the planning stage and often go ahead because it is approved by VCAT.</p>		<p><u>Building Height</u></p> <p>49.4 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>49.5 The designated maximum height controls along Mason Street are lower in height – either 11m (3 storeys) or 14m (4 storeys). Mason Street is narrower than other streets in the Collingwood South area and includes low scale single dwellings on its southern side. The mandatory footpath overshadowing requirements will also limit building heights on the northern side of Mason Street, ensuring that future development does not overshadow the southern Mason Street footpath between 10am and 2pm on the September equinox.</p> <p>With respect to the site at 3-5 Mason Street, it appears that the submitter is referring to the large property known as 1-13 Victoria Parade, Collingwood. The northernmost section of this property has a frontage to Mason Street and is currently used as a private car park for the McDonalds Training Centre at No. 6-12 Mason Street. No. 1-13 Victoria Parade is covered by interim DDO39 and for the section of the property facing Mason Street, designates a preferred maximum height control of 17.6m (5 stories). This site is outside of the scope of the draft amendment, however the permanent version of the DDO39 will be exhibited to the community (Planning Scheme Amendment C288) in 2022, during which the community will be able to make submissions.</p> <p>For further information on how the designated building heights were devised, refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>49.6 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>49.7 Basing height control upon the height of existing buildings only would be an inappropriate outcome as it would fail to accommodate for growth close to employment, public transport, entertainment, services and facilities. Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues for further information on this matter.</p> <p>Recommended position: No change to the draft amendment.</p> <p>49.8 The exhibited DDO already has a maximum height control of 11m (3 stories) for sites on the southern side of Mason Street. For sites on the northern side of Mason Street (west of Oxford Street), a maximum height control of 11m (3 stories) would be inappropriate given the lack of heritage buildings and the larger lot sizes. Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues for further information on this matter.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Mandatory Vs Discretionary Requirements</u></p> <p>49.9 Refer to topic no. 8 'Mandatory Versus Discretionary Requirements' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
50	Resident	50.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	50.1 Refer to response to submission No. 14.
51	Resident	51.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	51.1 Refer to response to submission No. 14.
52	Resident	<p><u>Building Height and Neighbourhood Character</u></p> <p>52.1 Submits that the preferred maximum building height (27m) for the block bound by Oxford, Langridge, Cambridge and Derby Streets would result in a poor transition between new developments in the north / east and existing heritage properties to the south / west.</p> <p>52.2 Submits that the preferred maximum height of the above-mentioned block would not be respectful of the established built form character, referencing Clause 21.05-3 (Built Form Character).</p> <p>52.3 Recommendation for reduced height control for the above-mentioned block to be a maximum of 14m</p> <p><u>Building Height and Amenity Impacts</u></p> <p>52.4 Submits further that this height would result in amenity impacts to the surrounding residential properties as well as the Collingwood English Language School. Listed amenity impacts include visual bulk, overlooking and overshadowing.</p> <p><u>Need for More Public Open Space</u></p>	<p><u>Building Height and Neighbourhood Character</u></p> <p><u>Building Height and Amenity Impacts</u></p> <p><u>Need for More Public Open Space</u></p> <p><u>Overshadowing of Oxford Street Reserve</u></p>	<p><u>Building Height and Neighbourhood Character</u></p> <p>52.1-52.3 Refer to topic no. 5 'Building Height' and no. 12 'DDO23 does not retain the character' in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building Height: No change to the draft amendment.</p> <p>Neighbourhood Character: No change to the draft amendment.</p> <p><u>Building Height and Amenity Impacts</u></p> <p>52.4 Refer to topic no. 5 'Building Height' and no. 13 'Amenity(General)' in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building Height: No change to the draft amendment.</p> <p>Amenity Impacts: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>52.5-52.7 Refer to topic no. 2 'Need for More Public open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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		<p>52.5 References Clause 21.04-5 of the YPS to highlight the need for public open space in the inner-city and the need for an equitable system of open space contributions.</p> <p>52.6 Highlights that Collingwood has only 0.12 hectares of open space with 7.4% of the population of Yarra.</p> <p>52.7 Urges Council to look into other solutions including the purchase of land at 55 Cambridge St, 30 Derby St and 34 Oxford St to enable an extension of the Oxford Street Reserve. Alternatively urges Council to establish additional open space for another site within Areas 2 and 3 of Collingwood South.</p> <p><u>Overshadowing of Oxford Street Reserve</u></p> <p>52.8 Submits that the preferred height for the above-mentioned block would result in excessive overshadowing to the Oxford Street Reserve.</p>		<p><u>Overshadowing of Oxford Street Reserve</u></p> <p>52.8 Refer to topic no. 1 'Overshadowing Public Open Spaces' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p>
53	Resident	<p>53.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	<p>53.1 Refer to response to submission No. 14.</p>
54	Resident	<p>54.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	<p>54.1 Refer to response to submission No. 14.</p>
55	Resident	<p>55.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p>	<p>55.1 Refer to response to submission No. 14.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
			Need for More Public Open Space	
56	Resident and Business	<p>Heritage</p> <p>56.1 Values the interesting and diverse heritage of the area which contributes in encouraging diversity in the activity centre.</p> <p>56.2 Urges Council to give particular attention to the heritage areas which can be undermined by inappropriate developments. Wants the low-rise heritage buildings to be protected.</p> <p>Recent Development</p> <p>56.3 Concerned that the recently approved building heights (7 to 14 storeys) are too high and destroy the heritage environment.</p> <p>Building Height and Heritage</p> <p>56.4 Concerned that if developers are allowed to build more high-rise buildings the heritage buildings will be overwhelmed by new developments</p> <p>Economic diversity</p> <p>56.5 Concerned about the loss of economic diversity and small businesses. Specifically concerned that southern end of Smith Street which is a vibrant activity centre and is made of small businesses and entrepreneurs will be converted into bland multi-national business.</p>	<p>Heritage</p> <p>Recent Developments and Heritage</p> <p>Building Height and Heritage</p> <p>Economic Diversity</p>	<p>Heritage</p> <p>56.1 Noted</p> <p>56.2 Refer to topic no. 10 'Heritage' and associated subtopics of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p>Recent Developments and Heritage</p> <p>56.3 Refer to topic no. 9 'Recent Developments' and topic no. 10 'Heritage' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p>Building Height and Heritage</p> <p>56.4 Refer to topic no. 5 'Building Height' and topic no. 10 'Heritage of the Responses to Commonly Raised Issues'. Recommended position: No change to the draft amendment.</p> <p>Economic Diversity</p> <p>56.5 Refer to topic no. 19 'Economic Development' of the Responses to Commonly Raised Issues. With regard to concerns for southern end of Smith Street, this is outside the scope of the draft amendment as the exhibited DDO does not cover any parts of Smith Street. Planning Scheme Amendment C271 proposes to introduce permanent built form controls to Smith Street and this amendment will be exhibited in 2022, during which time submissions from the community can be made to Council. Recommended position: Change to the draft amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended</p>
57	Resident	<p>Building Height and Amenity Impacts</p> <p>57.1 Concerned that the designated preferred maximum building height (20m – 6 storeys) and street wall height (14m – 4 storeys) for 23 – 35 Derby Street (corner Derby and Oxford Streets) would excessively overshadow submitter's apartment.</p> <p>57.2 Concerned that the designated preferred maximum building height (27m – 9 storeys) and street wall height (14m- 4 storeys) for 30-34 Oxford Street would result in overshadowing of submitter's apartment.</p> <p>Overshadowing of Oxford Street Reserve</p> <p>57.3 Concerned that the designated preferred maximum building height (27m – 9 storeys) and street wall height (14m- 4</p>	<p>Building Height and Amenity Impacts</p> <p>Overshadowing of public open space</p>	<p>Building Height and Amenity Impacts</p> <p>57.1 Refer to the response at 7.6 above. Also refer to topic no. 5 'Building Height', no. 6 'Street Wall Height' and no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p>57.2 Refer to topic no. 13.1 'Loss of sunlight/ daylight and overshadowing of private open space' of the Responses to Commonly Raised Issues. Topic No. 5 'Building Height' and topic no. 6 'Street Wall Height' also provide a response to this issue. Recommended position: No change to the draft amendment.</p>

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		<p>storeys) for 30-34 Oxford Street would result in overshadowing of the Oxford Street Reserve.</p> <p>57.4 Acknowledges that Council put the Reserve to improve and enhance the area, however, the designated preferred maximum building heights will overshadow the reserve.</p> <p><u>Other</u></p> <p>57.5 Submits that the existing 2 storey building at 30-34 Oxford Street complements the Oxford Street Reserve and Derby Street streetscape.</p>		<p><u>Overshadowing of Oxford Street Reserve</u></p> <p>57.3 Refer to topic no. 1 'Overshadowing Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>57.4 Noted</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Other</u></p> <p>57.5 Noted.</p>
58	Resident	<p>58.1 Outlines that submitters moved to the area two years ago, attracted by its diversity, creativity, established community and controlled development.</p> <p><u>Recent Development</u></p> <p>58.2 Submits that recent high-rise developments are dwarfing existing houses with little consideration of their impact on existing housing.</p> <p>58.3 Concerned about amenity impacts from recent developments including loss of sunlight and dwarfing of the limited recreational space in the area.</p> <p><u>Construction Impacts</u></p> <p>58.4 Concerned about amenity impacts associated with construction works including noise and dust.</p> <p>58.5 Submits that the proposed amendment will exacerbate the above listed amenity impacts.</p>	<p><u>Recent Development</u></p> <p><u>Construction Impacts</u></p>	<p>58.1 Noted</p> <p><u>Recent Development</u></p> <p>58.2-58.3 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Construction Impacts</u></p> <p>58.4-58.5 Refer to topic no. 14 'Amenity Impacts Associated with Construction Works' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
59	Resident	<p><u>Building Height and Amenity Impacts</u></p> <p>59.1 Generally, support the proposed amendment but does not support the building height (20m) for 9, 11 and 13 Derby Street.</p> <p>59.2 The heights recommended on those properties will majorly impact the primary (or only) access to direct sunlight, views to sky from balcony and create privacy issues. This includes number of apartments in 27 Oxford Street (XO building), 15-25 Oxford Street and adjacent residential buildings.</p> <p>59.3 Recommends that the building height on these properties should be maintained to the current maximum two stories.</p>	<p><u>Building Height and Amenity Impacts</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p>59.1-59.2 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>59.3 The properties 9, 11 and 13 Derby Street are not covered by a Heritage Overlay and therefore these sites have more development potential than heritage buildings along Derby Street. To limit the height controls to only two storeys would be an unacceptable outcome as it would fail to respond to the area's inclusion in the Smith Street Major Activity Centre. For further information on how the height controls were devised, refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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60	Resident	<p>60.1 Generally, the submission provides recommendations to allow appropriate development while protecting and improving the valued character of the area.</p> <p><u>Recent Developments</u></p> <p>60.2 Concerned about quality of existing developments in the area including inactive street facades, overall appeal, out of scale with the neighbourhood. Notes that the developments have leveraged off the inherent attributes of the area to seek financial returns, however, have given little regard to limiting impacts and improving the local character.</p> <p>60.3 Acknowledges that Council is trying to protect the character of the area by introducing permanent controls. The controls are influenced by the heights of existing developments (27m to 40m).</p> <p><u>DDO's Design objectives</u></p> <p>60.4 Queries whether the objectives are listed in order of importance. Recommends providing more emphasis on objective no.4 about pedestrian-oriented design and protection of footpath and open spaces from loss of amenity. Submits that this has not been evident to date.</p> <p>60.5 Commends objective for minimising amenity impacts. However, cannot find statements to improve or add to the amenity of the area. Considers this should be an obligation for all new developments.</p> <p>60.6 Concerned that equitable development outcomes should be balanced with neighbourhood properties that are unlikely to be redeveloped.</p> <p>60.7 Recommends that new buildings must fit with the existing streetscape character and not be justified by higher forms being consistent with emerging trends in the area.</p> <p><u>Street Wall Height</u></p> <p>60.8 Supports the mandatory nature of the controls but not the recommended heights.</p> <p>60.9 The maximum street wall height throughout the DDO area should be mandatory or prescriptive to give certainty to the community. Notes that only 5 properties are identified in Map 1 to have mandatory street wall height</p> <p>60.10 Submits that the first sentence does not make it clear that the controls relate only to front street wall.</p> <p><u>Upper Level Setback</u></p> <p>60.11 Submits that the 6m initial setback is proposed but where the second setback is proposed there are no clear dimensions.</p> <p><u>Building Height</u></p> <p>60.12 Recommends that all building heights should be mandatory.</p>	<p><u>Recent Developments</u></p> <p><u>The use of discretionary and mandatory built form controls</u></p> <p><u>DDO's Design Objectives and Building Height</u></p> <p><u>Street Wall Height and Mandatory vs Discretionary Requirements</u></p> <p><u>Upper Level Setbacks</u></p> <p><u>Building Height and Mandatory Vs Discretionary Requirements</u></p> <p><u>Overshadowing public open spaces</u></p> <p><u>Building Separation, amenity and equitable development requirements</u></p> <p><u>Other Design Requirements</u></p>	<p>60.1 Noted</p> <p><u>Recent Developments</u></p> <p>60.2 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.</p> <p>60.3 Noted. The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (heritage places and approved permits). Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>DDO's Design objectives and Building Height</u></p> <p>60.4 A DDO must be read in its entirety. The objectives and all other requirements in the DDO are not listed in order of importance.</p> <p>60.5 Refer to topic no.3 'Landscaping', no.4 'Footpath/Public Realm', no. 13 'Amenity (General)' and associated subtopics and no. 11 'Building Design/design standards needed' of the Responses to Commonly Raised Issues.</p> <p>60.6 Outside the scope. Identifying individual properties that are unlikely to be redeveloped is outside the scope of this amendment and are also outside the scope of the planning system more broadly. A closer assessment of equitable development outcomes would be undertaken at the planning application stage for any future development.</p> <p>60.7 The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions, heritage places and approved permits heritage fabric, land uses and subdivision pattern. Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Street Wall Height and Mandatory vs Discretionary Requirements</u></p> <p>60.8 Refer to topic no. 6 'Street Wall Height' and no. 8 'Mandatory versus discretionary requirements'.</p> <p>60.9 The submitter clarifies that they are referring to street wall heights. Refer to topic no. 8 'Mandatory versus discretionary requirements' in the Responses to Commonly Raised Issues for further details.</p> <p>60.10 The exhibited DDO provides a definition for street-wall. It is under Section 2.1 <i>Definitions 'Street-wall'</i></p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Upper Level Setbacks</u></p> <p>60.11 A DDO must be read in its entirety. The exhibited DDO does not formally require a 'second upper level setback', rather at section 2.4 of the exhibited DDO, one of the upper level setback requirements states:</p> <p><i>Upper levels should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.</i></p> <p>This requirement is not formally introducing a second upper level setback requirement, rather it is in place to ensure that upper levels are designed to avoid an overly staggered, or 'wedding cake' typology which is widely considered to be a poor architectural outcome. This particular issue will be dealt with in detail when a planning application is lodged and will be determined by the local context. Refer also to topic no. 7 'Upper Level Setbacks'.</p>

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		<p>60.13 Notes that the second dot point used the term 'preferred building height' rather than 'preferred maximum building height' or something similar. The term is misused by planners to argue the building heights.</p> <p>60.14 Recommends that the additional conditions to exceed preferred heights such as environmental sustainability and end of trip facilities should be considered as a norm than considered as a higher standard. These conditions should have a much higher standard. Recommends that the additional conditions can include reduction of equipment structure on the roof from 50% to less than 20%.</p> <p>60.15 The requirement for no additional overshadowing to residential zoned properties seem irrelevant as there are no residential zones within the DDO area. Recommends to instead say 'properties with an existing residential use'.</p> <p>60.16 Recommends that the boundary of Area 3 should not include the land bound by Langridge Street, Derby Street, Cambridge Street and Oxford Street as it be higher than the forms in Area 1 and Area 2.</p> <p>60.17 Recommends changing the building height on north-west corner of Oxford Street and Langridge Street to 20m and north-west corner of Oxford Street and Derby Street to 14m to be consistent with the objective of building heights reducing with the topography from Wellington Street.</p> <p>60.18 Recommends the land designated for a preferred maximum building height of 20m on west side of Oxford Street (between Peel Street and Langridge Street) to be reduced to 14m. This is to ensure it responds appropriately to the context of mandatory 11m building heights.</p> <p>60.19 Recommends the land designated for a preferred maximum building height of 20m on west of Cambridge Street (between Peel Street and Langridge Street) to be transitioned from 14m at the northern end to 20m closer to Langridge Street on south.</p> <p><u>Overshadowing Public Open Space</u></p> <p>60.20 Recommends that the boundary of Area 3 should not include the land bound by Langridge Street, Derby Street, Cambridge Street and Oxford Street as it will overshadow Oxford Street park and be higher than the forms in Area 1 and Area 2.</p> <p>60.21 Notices that 33 Peel Street has recommended height of 20m potentially due to the planning permit on site. However, this will overshadow the Cambridge Street park.</p> <p>60.22 Recommends that overshadowing impacts should be considered for winter solstice (22 June) rather than the spring equinox (22 September) and should be mandatory controls.</p>	<p><u>Landscaping within private property</u></p>	<p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height and Mandatory Vs Discretionary Requirements</u></p> <p>60.12 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>60.13 The submission recommends a rewording change in Clause 2.5 to provide more clarity. The wording should be changed as suggested to increase clarity</p> <p>Recommended position: Change to draft amendment. Council recommends to amend the wording of the requirement from:</p> <p><i>"Development should not exceed the building heights shown on Map 1"</i></p> <p>To:</p> <p><i>"Development should not exceed the <u>preferred maximum</u> building heights shown on Map 1"</i></p> <p>60.14 Outside the scope. A DDO cannot change or increase standards for the entire planning scheme.</p> <p>Recommended position: No change to the draft amendment.</p> <p>60.15 No change recommended. The MUZ is considered as part of the suite of residential zones in Victoria.</p> <p>Recommended position: No change to the draft amendment.</p> <p>60.16 The Area designations within the exhibited DDO are based on detailed and extensive strategic work. The Collingwood Built Form Framework (Hansen, 2018) primarily defines the precinct by its heritage fabric, land uses and subdivision pattern. It designates the areas within the exhibited DDO based on the significant variation and diversity in the area (both lot attributes and existing built form).</p> <p>Recommended position: No change to the draft amendment.</p> <p>60.17-60.19 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing Public Open Space</u></p> <p>60.20-60.23 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Building Separation, amenity and equitable development requirements</u></p> <p>60.24 Refer to topic no. 8 'Mandatory versus Discretionary Requirements' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Other design requirements</u></p>

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		<p>60.23 Recommends that developments should not only minimise but avoid overshadowing of open spaces. <u>Building Separation, amenity and equitable requirements</u></p> <p>60.24 Recommends a mandatory form of control where application has to provide a design response that considers the future development opportunities of adjacent properties. <u>Other design requirements</u></p> <p>60.25 Recommends considering provision of verandas as it contributes in providing a pedestrian oriented and high-quality urban design outcome. <u>Landscaping</u></p> <p>60.26 Submits that provision of public open space, landscape setback (for deep tree planting) should be considered for decision guidelines.</p>		<p>60.25 Refer to topic no. 5 'Building Design' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Landscaping within Private Property</u></p> <p>60.26 Refer to topic no. 2 'Need for more Public Open Space' and no. 3.1 'Landscaping within private property' of the Responses to Commonly Raised Issues. Recommended position: Need for more public open space: No change to the draft amendment. Landscaping within private property: Change to draft amendment. To ensure new development integrates landscaping, an additional requirement has been recommended.</p>
61	Resident	<p>61.1 Submitter makes the same submissions as submission No. 14. Refer to submission No. 14 for details. Submitter makes the following submission: <u>Building Height and Construction Impacts</u></p> <p>61.2 Submits that the preferred maximum height of 27m for the block bound by Langridge, Cambridge, Derby and Oxford Streets would result in impacts to the physical and mental health of residents and impacts associated with construction works such as deteriorating physical and mental health, dangers of heavy machinery and vehicles.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Lack of Public Open Space</u></p> <p>Additional issue</p> <p><u>Building Height and Construction Impacts</u></p>	<p>61.1 Refer to individual response to Submission No. 14.</p> <p>The following response is provided to the additional issue.</p> <p><u>Building Height and Construction Impacts</u></p> <p>61.2 The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (heritage places and approved permits). Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues. Please also refer to topic no. 14 'Amenity impacts associated with construction works' in the Responses to Commonly Raised Issues. Recommended position: Building Height: No change to the draft amendment. Construction Impacts: No change to the draft amendment.</p>
62	Group of Residents	<p><u>Objectives</u></p> <p>62.1 Supports the objective of providing a balanced approach by guiding different levels of potential development across the Collingwood South Precinct.</p> <p>62.2 Support provision of DDO to guide built form and design requirements.</p> <p><u>Recent Developments</u></p>	<p><u>Recent Developments</u></p> <p><u>Building Height and Mandatory Vs Discretionary Requirements</u></p> <p><u>Amenity</u></p>	<p><u>Objectives</u></p> <p>62.1-62.2 Noted Recommended position: No change to the draft amendment.</p> <p><u>Recent Developments</u></p> <p>62.3 Refer to topic no. 9 'Recent Developments in the Responses to Commonly Raised Issues' Recommended position: No change to the draft amendment.</p> <p><u>Building Height and Mandatory vs Discretionary Requirements</u></p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>62.3 Acknowledges that the unique fabric, heritage buildings, public spaces and built form are already been negatively impacted.</p> <p><u>Building Height and Mandatory vs Discretionary Requirements</u></p> <p>62.4 Recommends that all heights should be mandatory.</p> <p>62.5 Recommends lower to moderate overall height range for Area 1 and 2 should be 3 to 5 storeys (depending on what is adjacent) and not 3 to 6 storeys</p> <p>62.6 Recommends Area 3 should have a height limitation of 8 storeys and not 8 to 12 storeys.</p> <p>62.7 Concerned about overdevelopment in the area.</p> <p><u>Amenity</u></p> <p>62.8 Concerned about:</p> <ul style="list-style-type: none"> Increased overshadowing Reduction in daylight and sunlight to neighbouring properties Obstruction of views Reduce amenity <p><u>Heritage</u></p> <p>62.9 Recommends protection of all pockets of heritage buildings to accommodate minimal change.</p> <p>62.10 Concerned about:</p> <ul style="list-style-type: none"> Damage heritage in the area Impact the neighbourhood character of the area <p><u>Traffic and Transport</u></p> <p>62.11 Concerned about obstruction to access</p> <p>62.12 Concerned about increase pressure on car parking</p> <p>62.13 Concerned about increase traffic congestion around the area</p> <p>62.14 Concerned about increase pressure on public transport and other infrastructure</p> <p><u>Other</u></p> <p>62.15 Concerned about:</p> <ul style="list-style-type: none"> Increase in security risks Increase in noise disturbance Decrease air quality 	<p><u>Protection of Heritage Fabric</u></p> <p><u>Traffic and Transport</u></p>	<p>62.4 Refer to topic no. 8 'Mandatory versus discretionary requirements' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>62.5-62.7 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Amenity</u></p> <p>62.8 Refer to topic no. 13 'Amenity (General)' and associated subsections in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Heritage</u></p> <p>62.9 Refer to topic no. 10 'Heritage' and associated subsections in general submission issue responses.</p> <p>62.10 Refer to topic no. 10 'Heritage' and no. 12 'DDO23 does not retain the character' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Traffic and Transport</u></p> <p>62.11 Outside the scope of this amendment. The obstruction of access is an enforcement matter.</p> <p>62.12 The provision of car parking in new developments is guided by Clause 52.06 as well as local transport policy at Clause 18 of the Yarra Planning Scheme which encourages the prioritisation of sustainable modes of transport including cycling and public transport. Also refer to topic no. 17 'On-Street Parking' in the Responses to Commonly Raised Issues.</p> <p>62.13 Refer to topic no. 15 'Traffic Increase' in the Responses to Commonly Raised Issues.</p> <p>62.14 Outside the scope. Refer to topic no. 16 'Public Transport and Cyclist Infrastructure Capacity' in general submission issue responses</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Other</u></p> <p>62.15 These issues are outside the scope of this amendment. It is noteworthy that the exhibited DDO23 includes design requirements to increase passive surveillance.</p> <p>Recommended position: No change to the draft amendment.</p>
63	Resident	<p><u>Construction Impacts</u></p> <p>63.1 Notes that large number of construction activities in the area and the pollution caused due to them. This has also led to number of health issues encouraging people to move out of the neighbourhood.</p> <p><u>Recent Developments</u></p> <p>63.2 Concerned about</p>	<p><u>Construction Impacts</u></p> <p><u>Recent Developments</u></p> <p><u>Need for More Public Space</u></p>	<p><u>Construction Impacts</u></p> <p>63.1 Refer to topic no. 14 'Amenity Impacts Associated with Construction Works' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Recent Developments</u></p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<ul style="list-style-type: none"> Lack of coordination of developments Sheer volume and density accommodated in a small area of South Collingwood without giving consideration to quality Developments of hotels further ruining the highly valued neighbourhood <p><u>Landscaping</u></p> <p>63.3 Concerned about</p> <ul style="list-style-type: none"> Lack of green spaces Lack of protection of developed trees which is rare in the area <p><u>Building Design</u></p> <p>63.4 Concerned about:</p> <ul style="list-style-type: none"> Low quality of developments driven by short term objectives Lack of larger integrated strategies for the neighbourhood Low quality of architectural solutions and extremely outdated models <p><u>Environmental Sustainability</u></p> <p>63.5 Concerned about lack of consideration to sustainability with particular concerns to materials used for construction that have high CO2 emissions and unhealthy materials.</p> <p><u>Amenity</u></p> <p>63.6 Concerned about obstruction to views, light and air.</p> <p>63.7 Submits that they would like to contribute with ideas and comments to improve the planning in the area.</p>	<p><u>Landscaping in Public Realm</u></p> <p><u>Building Design</u></p> <p><u>Environmental Sustainability</u></p> <p><u>Amenity</u></p> <p><u>Community Consultation</u></p>	<p>63.2 Refer to topic no. 9 'Recent Developments', no. 11 'Building design / design standard needed', no. 12 'DDO23 does not retain character', no. 21 'Accommodating growth' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Landscaping</u></p> <p>63.3 Refer to topic no. 2 'Need for More Public Space' and no. 3.2 'Landscaping in public realm' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Design</u></p> <p>63.4 Refer to topic no. 5 'Building design/design standards needed' of the Responses to Commonly Raised Issues. Additionally, a comprehensive built form framework was prepared for the Collingwood South precinct, which has informed the exhibited DDO23.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Environmental Sustainability</u></p> <p>63.5 Refer to topic no. 18 'Environmental Sustainability' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Amenity</u></p> <p>63.6 Refer to topic no. 13 'Amenity (General)' and associated subtopics, no. 13.4 'Loss of views' and no. 20 'Community Consultation' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
64	Resident	<p>64.1 Submitter makes the same submissions as submission No. 14. The submitter also makes following additional submissions:</p> <p><u>Impacts to Oxford Street Reserve</u></p> <p>64.2 Submits that the 27m height limit proposed for the properties bound by Oxford, Langridge, Cambridge and Derby Streets would result in adverse impacts on the Oxford Street Reserve.</p> <p><u>Impacts to Heritage Fabric</u></p> <p>64.3 Submits that the 27m height limit proposed for the properties bound by Oxford, Langridge, Cambridge and Derby Streets would encroach on heritage houses and buildings of Collingwood and would create stark changes in scale and density across the area.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p> <p>Additional issues:</p> <p><u>Impacts to Public Open Space</u></p>	<p>64.1 Refer to individual response to Submission No. 14.</p> <p>The following responses are made to the additional submissions:</p> <p><u>Impacts to Oxford Street Reserve</u></p> <p>64.2 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues. In addition, the exhibited DDO contains the following requirement at Clause 2.8 Other Design Requirements to ensure new development responds appropriately to public open space interface</p> <p><i>Development interfacing with areas of public open space should:</i></p> <ul style="list-style-type: none"> provide a suitable transition in scale to the interface with the public open space; ensure that development does not visually dominate the public open space; provide passive surveillance from lower and upper levels. <p>Recommended position: Change to draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
			<u>Impacts to Heritage Fabric</u>	<u>Impacts to Heritage Fabric</u> 64.3 Refer to topic no. 10.2 'New Development not being Sensitive Towards Heritage Places' and no. 10.3 'Transition of New Development to Heritage Buildings' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
65	Resident	65.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Lack of Public Open Space</u>	65.1 Refer to individual response to Submission No. 14.
66	Resident	<u>Building Height</u> 66.1 Submits the height of future development should be consistent with surrounding buildings. Specifically refers to the area behind No. 6-8 mason Street (McDonalds training centre) that has been given a height limit of 20m whereas the surrounding sites have been given 14m. Submits that this would result in a tower in the middle and would be a poor planning solution. <u>Protection of Heritage Fabric</u> 66.2 Submits that the preservation of heritage houses and building that contribute to neighbourhood character is an important matter. <u>Public Open Space</u> 66.3 Concerned about the lack of open space in the area and that the proposed height controls will result in winter overshadow of the existing small parks.	<u>Building Height</u> <u>Protection of Heritage Fabric</u> <u>Need for more Public Open Space</u>	<u>Building Height</u> 66.1 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues for detailed discussion on hoe the building height controls have been devised. With regard to the 'area behind 6-8 Mason Street', the submitter is referring to the rear half of No. 6-12 Mason Street. The front section of No. 6-12 Mason Street has been designated with a preferred maximum height control of 14m (four storeys), and the rear section of the site has been designated with a preferred maximum height control of 20m (six stories). This taller height control is due its significant distance from Mason Street, which means that development at this part of the site will be less visible from Mason Street. The mandatory footpath overshadowing requirements at section 2.6 of the exhibited DDO will ensure no shadowing of the southern mason Street footpath between 10am and 2pm on the September equinox. Furthermore, the building separation, amenity and equitable development requirements at section 2.7 of the exhibited DDO will ensure appropriate development response for this parcel with respect to abutting properties. Recommended position: No change to the draft amendment. <u>Protect Heritage</u> 66.2 Refer to topic no. 10.1 'Better Protection of Heritage Fabric' of the Responses to Commonly Raised issues. Recommended position: No change to the draft amendment. <u>Public Open Space</u> 66.3 Refer to topic no. 2 'Need for more Public Open Space' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
67	Trader	<u>Submitter's history with Yarra</u> 67.1 Outlines submitter's history with Yarra and the Collingwood South area, currently owning a natural medicine practice and enjoys participating as part of the community. <u>Recent Developments</u>	<u>Recent Developments</u> <u>Building Height</u>	67.1 Noted <u>Recent Developments</u> 67.2-67.5 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.

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		<p>67.2 Concerned about recent development applications in the area including a seven storey (plus plant) building next door.</p> <p>67.3 Submits that recent development approvals are often more than double the height of existing buildings with poor heritage outcomes and little positive contribution to the street.</p> <p>67.4 Submits that developers know how to work the planning process, ignoring the community's concerns about local character.</p> <p>67.5 Submits that recent developments continue to set higher and higher precedents.</p> <p><u>Building Height</u></p> <p>67.6 Submits that there is a need for "delightful density" – density that is liveable at a human scale. Recent developments in contrast are bad examples.</p>		<p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>67.6 Refer to topic no. 5 'Building Height' and no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
68	Resident	<p><u>Submitter's history with Collingwood</u></p> <p>68.1 Outlines submitters history with the area of Collingwood and submits that they understand and support urban renewal.</p> <p><u>Amenity</u></p> <p>68.2 Concerned about the impacts that the height limits would have on the level 9 communal facility / terrace of the Holme apartment building which has views of the CBD and solar access.</p> <p><u>Recent Development</u></p> <p>68.3 Development approvals have not respected the precinct character</p> <p>68.4 Submits that a 13-storey development running the length of a block and backing on to two-storey terraced houses should never be allowed again – refers to the example of the development under construction on Wellington Street which backs on to the low-rise streetscape of Cambridge Street.</p> <p><u>Future Development</u></p> <p>68.5 Submits that the pattern of speculative development needs to be halted as it is counter to orderly planning.</p> <p><u>Overshadowing of Public Open Space</u></p> <p>68.6 Pocket parks within Collingwood South should not be overshadowed during winter – the proposed building heights will allow this.</p>	<p><u>Amenity</u></p> <p><u>Recent Development</u></p> <p><u>Overshadowing of Public Open Space</u></p>	<p>68.1 Noted</p> <p><u>Amenity</u></p> <p>68.2 Refer to topic no. 13 'Amenity (General)' and associated subsections of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Recent Development</u></p> <p>68.3-68.4 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Future Development</u></p> <p>68.5 The purpose of the draft Amendment C293 is to introduce permanent built form and design requirements for the Collingwood South Precinct. The Amendment is informed by rigorous analysis and testing of urban design, heritage and traffic matters. The exhibited DDO23 aims to provide a balanced approach by guiding different levels of potential development across the area and to ensure that future development will be sensitive towards heritage buildings, minimising impact on sensitive residential interfaces and public spaces such as footpaths, open spaces and expanded street corners.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Public Open Space</u></p> <p>68.6 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position</p> <p>Building Height: No change to the draft amendment.</p>

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				Overshadowing of Public Open Spaces: Change to draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.
69	Resident	<p>69.1 Generally submits support for proposed planning controls in Collingwood South.</p> <p>69.2 Submits that the draft amendment documents should require less developments in the area.</p> <p><u>Recent Development</u></p> <p>69.3 Notes the recent developments in the area are too tall and create wind tunnel effects and construction noise.</p> <p><u>Building Design</u></p> <p>69.4 Submits that the draft amendment should require better design and building material features to ensure that buildings look good into the future.</p>	<p><u>Recent Development</u></p> <p><u>Building Design</u></p>	<p>69.1 Noted</p> <p>69.2 Noted</p> <p><u>Recent Development</u></p> <p>69.3 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Design</u></p> <p>69.4 Refer to topic no. 11 'Building design/ design standard needed', no. 3.1 'Landscaping within private property' and no.3.2 'Landscaping in public realm' sections of the Responses to Commonly Raised Issues.</p> <p>Recommended position</p> <p>Building Design and Landscaping in public realm: No change to the draft amendment.</p> <p>Landscaping within private property: Change to draft amendment. To ensure new development integrates landscaping, an additional requirement has been recommended.</p>
70	Resident	<p><u>Recent Development</u></p> <p>70.1 Recent developments ranging from 10-15 storeys are resulting in overshadowing (including overshadowing of recently installed solar panels at the submitters property) and also wind tunnels. Specifically references a 10-storey office development application at the corner of Smith and Derby Streets.</p> <p>70.2 Submits that recent developments are not sympathetic to the area and look dated not long after construction. Submits that new development should be of a high quality and acknowledge the area's history.</p> <p><u>Office Development</u></p> <p>70.3 Questions why office developments are needed when office buildings in the CBD are empty due to remote working.</p> <p><u>Building Height</u></p> <p>70.4 Recommends that building heights in the area should be a maximum of six stories and preferably three stories.</p>	<p><u>Recent Development</u></p> <p><u>Office Development</u></p> <p><u>Building Height</u></p>	<p><u>Recent Development</u></p> <p>70.1 -70.2 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues. It is noteworthy that some applications the submitters referred to are outside of the exhibited DDO23 area.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Office Developments</u></p> <p>70.3 Outside the scope. The purpose of a Design and Development Overlay (DDO) is to guide the built form and design of new development. Land use is controlled by planning zones rather than a DDO. The land within the Collingwood South precinct is zoned Mixed Use Zone. One of the purposes of the Mixed Use Zone is 'To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.'</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>70.4 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues. Applying a blanket height control is not an appropriate approach as height controls need to reflect the varying contexts, constraints and opportunities of each property.</p> <p>Recommended position: No change to the draft amendment.</p>
71	Resident	<p>71.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. The submitter also makes the following additional submissions:</p>	<p><u>Building Height and Amenity Impacts</u></p>	<p>71.1 Refer to individual response to Submission No. 14.</p> <p>The following responses are provided for the additional submissions:</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p><u>Amenity impacts</u></p> <p>71.2 With regard to the proposed preferred maximum building height of 27m for the block bound by Oxford, Langridge, Cambridge and Derby Street, shadow studies should be conducted to assess shadow impacts on residents of the Holme apartment building through the winter months until 5pm (and submitting that shadow testing in September until 2pm is not acceptable given that residents require light in the winter months as well).</p> <p><u>Need for Surveys</u></p> <p>71.3 Submits that Council should undertake surveys to understand what the community really wants from Council and what would make the area more liveable.</p> <p><u>Amount of Public Open Space</u></p> <p>71.4 Highlights that the lack of green space in the area is a critical issue, particularly with more developments under construction.</p> <p>71.5 Recommends that the entire block bound by Oxford, Langridge, Cambridge and Derby Streets be turned into an extension of Oxford Street Reserve in order to provide much needed green space for the area.</p> <p><u>Overshadowing of Oxford Street Reserve</u></p> <p>71.6 Submits that the proposed preferred maximum building height for the above-mentioned block will result in overshadowing to the Oxford Street Reserve pocket park.</p> <p><u>Public Transport</u></p> <p>71.7 Impacts on public transport capacity needs to be looked into, noting that trams are already full when they reach Collingwood South.</p> <p><u>On-Street Parking</u></p> <p>71.8 Impacts on on-street car parking availability needs to be looked into, especially given that residents of new developments are not entitled to parking permits from Council.</p> <p><u>Overdevelopment and Poorly Built Apartment Buildings</u></p> <p>71.9 Urges Council that the area should not become another South Yarra or Docklands that has an oversupply of poorly built apartment buildings with high vacancy rates.</p> <p>71.10 Submits that Council needs to think more about resident wellbeing.</p> <p><u>Impacts of COVID</u></p>	<p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p> <p>Additional submissions:</p> <p><u>Community Consultation</u></p> <p><u>Overshadowing of Oxford Street Reserve</u></p> <p><u>Public Transport</u></p> <p><u>On-Street Parking</u></p> <p><u>Building Design</u></p> <p><u>Building Height</u></p> <p><u>Apartment Design</u></p>	<p><u>Amenity impacts</u></p> <p>Refer to topic no. 13 'Amenity (General)' and no. 13.1 'Loss of sunlight / daylight and overshadowing of private open space' of the Responses to Commonly Raised Issues. The requirement to consider overshadowing impacts on secluded private open spaces had already been strengthened in the exhibited DDO23 in comparison to the interim DDO23.</p> <p>Recommended position: No change to the draft amendment</p> <p><u>Community Consultation</u></p> <p>71.2 Refer to topic no. 20 'Community Consultation' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment</p> <p><u>Need for More Public Open Space</u></p> <p>71.3 Refer to topic no. 2 'Need for more Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>71.4 With regard to the Council purchase of private land for conversion to Public Open Space, this is outside the scope of the draft amendment, however Council is currently pursuing Planning Scheme Amendment C286 which seeks to increase the public open space contributions associated with future developments from 4.5% to 10.1%.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Oxford Street Reserve</u></p> <p>71.5 Refer to topic no. 1 'Overshadowing Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Public Transport</u></p> <p>71.6 Refer to topic no. 16 'Public Transport and Cyclist Infrastructure Capacity' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>On-Street Parking</u></p> <p>71.7 Refer to topic no. 17 'On-Street Parking' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overdevelopment and Poorly Built Apartment Buildings</u></p> <p>71.9-71.10 Please refer to topic no. 5 'Building Height', no. 11 'Building design / design standards needed' and no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues. In addition, Clause 58 Apartment Developments of the Yarra the Planning Scheme sets objectives and standards to improve the quality of apartment developments.</p> <p>Recommended position: No change to the draft amendment</p>

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		71.11 Also notes that the needs of employees post-COVID have changes and this will mean more people spending more time at home working.		<p><u>Impacts of COVID</u></p> <p>71.11 Refer to topic no. 22 'COVID-19 impacts not considered' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
72	Resident	<p>72.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14. The submitter also makes the following additional submissions:</p> <p><u>Recent developments</u></p> <p>72.2 Highlights that having lived in Collingwood for 25 years, submitter is very concerned about recent developments in the area – submits it is very important that the area does not lose its character and become an overbuilt, windy and dark area – citing South Yarra as an example to avoid.</p> <p><u>Building Height and associated impacts</u></p> <p>72.3 With regard to the preferred maximum building height (27m) for the block bound by Oxford, Langridge, Cambridge and Derby Streets, submits that this will also result in impacts to vegetation in the area and increased traffic and parking issues in the area.</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p> <p>Additional submissions:</p> <p><u>Neighbourhood Character</u></p> <p><u>Building Height and Associated Traffic and Parking Issues</u></p>	<p>72.1 Refer to individual response to Submission No.14</p> <p><u>Recent Developments</u></p> <p>72.2 Refer to topic no. 12 'DDO23 does not retain the character' of the Responses to Commonly Raised Issues. The exhibited DDO includes requirements that will achieve high quality development that are designed to minimise amenity impacts, respond sensitively to heritage buildings and provide well resolved building separation. Please also refer to topic no. 5 'Building Height', no. 13.3 'Wind Impacts' and no. 4 'Footpath/ Public Realm' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height and associated traffic and parking issues</u></p> <p>72.3 The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (heritage places and approved permits). Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues. In addition, please refer to no. 3.2 'Landscaping in public realm', no. 15 'Traffic Increase' and no. 17 'On-Street parking' of the Responses to Commonly Raised Issues. In addition, car parking within private development is outside the scope of this amendment. The provision of car parking in new developments is guided by Clause 52.06 as well as local transport policy at Clause 18 of the Yarra Planning Scheme which encourages the prioritisation of sustainable modes of transport including cycling and public transport.</p> <p>Recommended position: No change to the draft amendment</p>
73	Resident	<p>72.4 Supports Draft Amendment C293yara, submitting that it is a positive step in allowing development while maintaining neighbourhood character.</p> <p>72.5 Provides specific support for the recommendations of the supplementary heritage report which recommends a reduction in the street wall height for sites that interface with heritage buildings and a mandatory minimum upper level setback of 6m for development to heritage buildings.</p> <p>72.6 Submits that Council should adopt a similar approach to other areas outside of the Collingwood South DDO (for example the C2Z land to the east of Wellington Street).</p>		<p>73.1 Noted</p> <p>73.2 Noted</p> <p>73.3 Noted</p> <p>Recommended position: No change to the draft amendment</p>
74	Resident	<p><u>Building Height and Amenity Impacts</u></p> <p>74.1 Submits that the proposed preferred maximum building height at No. 53 – 57 Cambridge Street (27m) will result in</p>	<p><u>Building Height and Amenity Impacts</u></p>	<p><u>Building Height and Amenity Impacts</u></p> <p>74.1 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues.</p>

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		<p>unacceptable overshadowing to the west-facing apartments of the building at 68 Cambridge Street.</p> <p>74.2 Submits that this above issue will also be exacerbated by the proposed street wall height of 6 levels for No. 53 – 57 Cambridge Street and proposed upper level setback of 3 m. Submits that these controls would result in only two hours of sunlight in warmer months.</p> <p>74.3 Submits that the above-mentioned controls would also result in substantial visual bulk impacts and wind impacts.</p> <p><u>Street Wall Height</u></p> <p>74.4 Suggests Council to identify existing street wall height and ensure future development does not exceed those.</p> <p>74.5 Submits that the street wall height may end up being more than 6 storeys due to the slope in the land at No. 53 – 57 Cambridge Street.</p> <p><u>Neighbourhood Character</u></p> <p>74.6 Submits that Council needs to ensure future development is guided to protect neighbourhood character and amenity, citing recent developments that have poor internal amenity and create wind impacts to the street – references the Yorkshire Brewery development, 132 Smith Street and 16 Northumberland Street as examples.</p> <p>74.7 References 107 Cambridge Street and 18 Peel Street as good examples of density without overwhelming the street.</p> <p>74.8 Urges Council to make sure that Collingwood South does not turn into another South Yarra which has building heights of up to 50 stories.</p> <p><u>Overshadowing of Oxford Street Reserve</u></p> <p>74.9 Submits that allowing for the overshadowing of Oxford Street Reserve would be a significant loss for the area.</p> <p>74.10 Suggests to make more stringent overshadowing requirements in Clause 2.6 (winter solstice instead of equinox)</p> <p><u>Mandatory vs Preferred Controls</u></p> <p>74.11 Submits that the draft amendment appears to contradict itself by allowing specific allowable heights on sites but then nominating vague preferred height ranges. Thus, submits that controls need to be mandatory to give confidence to the community.</p> <p><u>Community Involvement</u></p> <p>74.12 Suggests that Council should work with resident to ensure no impact on existing residents.</p>	<p><u>Wind Impacts</u></p> <p><u>Street Wall Height</u></p> <p><u>Neighbourhood Character</u></p> <p><u>Overshadowing of Public Open Space</u></p> <p><u>Community Consultation</u></p>	<p>74.2-74.3 Refer to topic no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Street Wall Height</u></p> <p>74.2 The street wall heights in the exhibited DDO23 are based on thorough analysis and urban design advice. Only a heritage overlay can protect existing built form/street walls. Also refer to topic no. 6 'Street Wall Height' in the Responses to Commonly Raised Issues</p> <p>74.3 As above.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character</u></p> <p>74.4 Refer to topic no. 5 'Building Height', no. 13 'Amenity (General)' and associated subtopics and no. 13.3 'Wind Impacts' of the Responses to Commonly Raised Issues.</p> <p>74.5 Noted.</p> <p>74.6 The exhibited DDO includes requirements that will achieve high quality development that are designed to minimise amenity impacts, respond sensitively to heritage buildings and provide well resolved building separation Please also refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Oxford Street Reserve</u></p> <p>74.9-74.10 Refer to topic no. 1 'Overshadowing Public Open Spaces' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Mandatory vs Preferred Controls</u></p> <p>74.11 Refer to topic no. 8 'Mandatory versus Discretionary Requirements' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Community Involvement</u></p> <p>74.12 Refer to topic no. 20 'Community Consultation' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
75	Resident	72.7 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Lack of Public Open Space</u>	75.1 Refer to individual response to Submission No.14
76	Developer	<u>Mandatory side and rear setback</u> 76.1 Submits that there is no proper justification to warrant mandatory side and rear boundary setback requirements. 76.2 This is contrary to Practice Note 59. 76.3 Recommends that land in such a major urban renewal area should be capable of being developed to its full potential and not unnecessarily impeded. Discretionary provisions allow for particular conditions of adjoining land to be taken into consideration. 76.4 Recommends that in some cases lesser setbacks than the stated minimum mandatory setbacks can provide a suitable development response. This is with reference to future development opportunities that considers outlook, daylight and solar access to windows as well as managing visual bulk. 76.5 Notes that 2-12 Cambridge Street is the only property that has a common boundary and a metre separation to a second boundary with a small lot which might not be able to accommodate any meaningful development. Hence, the 4.5m mandatory setback above upper level development is not justifiable at these two boundaries. There is a permit on the site which demonstrates the same. <u>Definition:</u> 76.6 The DDO does not define what is meant by 'upper level development'.	<u>Mandatory side and rear setback</u>	<u>Mandatory side and rear setback</u> 76.1-76.4 Refer to topic no. 8 'Mandatory versus Discretionary Requirements' and no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues. Clause 2.7 of the exhibited DDO23 ensures that good outcomes are achieved 76.5 Council acknowledges that there is an approved permit on No.2-12 Cambridge Street (PLN16/0941). The permit was issued in 2017 which is before the gazettal of interim DDO23 (prior to the introduction of the current interim DDO23). Clause 2.7 of the exhibited DDO23 ensures that good outcomes are achieved. Recommended position: No change to the draft amendment. <u>Definition:</u> 76.6 The exhibited DDO23 provides for a definition of 'upper level setbacks', but not one for upper level development. The current interim DDO23 includes and upper level development definition. Recommended position: Change to draft Amendment. It is recommended to include the upper level definition of the interim DDO23 into the permanent DDO23, as follows: <i><u>"Upper level development is development above the height of the street wall."</u></i>
77	Resident	<u>Lack of Public Open Spaces</u> 77.1 Concerned that the area is already very built up with lack of public parks and spaces for the community to exercise and leisure. Recommends that with population increase there should be more public parks. <u>Overshadowing of Open Space</u> 77.2 The existing pocket parks are important, however, there are overshadowing and overcrowding concerns. <u>Overshadowing of Streets</u>	<u>Need for More Public Open Space</u> <u>Overshadowing of Open Space</u> <u>Overshadowing of Streets</u>	<u>Lack of Public Open Space</u> 77.1 Refer to topic no. 2 'Need for more Public Open Spaces' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. <u>Overshadowing of Open Space</u> 77.2 Refer to topic no. 1 'Overshadowing Public Open Spaces' of the Responses to Commonly Raised Issues. Recommended position: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.

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		<p>77.3 Concerned that more high-rise developments would increasing overshadowing of streets.</p> <p><u>Environmental Sustainability</u></p> <p>77.4 Concerned that more buildings will increase the heat island effect which is already impacting the residents.</p> <p><u>Traffic and Transport</u></p> <p>77.5 Concerned about:</p> <ul style="list-style-type: none"> • Increase in road traffic. • access to underground car parks will further contribute in traffic • safety of pedestrians and cyclists <p>Recommends that Collingwood provides a friendly environment for active travel modes rather than cars.</p>	<p><u>Sustainability</u></p> <p><u>Traffic and Transport</u></p>	<p><u>Overshadowing of Streets</u></p> <p>77.3 Refer to topic no. 4 'Footpaths/Public Realm' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Environmental Sustainability</u></p> <p>77.4 Refer to topic no. 18 'Environmental Sustainability' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Traffic and Transport</u></p> <p>77.5 Refer to topic no. 15 'Traffic increase' of the Responses to Commonly Raised Issues. Car parking rates are assessed through Clause 52.06.</p> <p>Recommended position: No change to the draft amendment.</p>
78	Resident	<p><u>Submitter's History with the Area</u></p> <p>78.1 Submitter outlines their history with the area, noting that the historic character if the area was a reason for moving to it.</p> <p><u>Building Height and associated impacts</u></p> <p>78.2 Submits that new taller development should not be permitted near existing residential buildings as this will result in privacy impacts, and loss of sunlight.</p> <p>78.3 Submits that increased density would be result in crime, low amenity, a lack of parking and impact on capacity of public transport services.</p> <p>78.4 Submits that increased development in the area will also impact on the capacity of supermarkets, hospitals and schools</p> <p><u>Traffic</u></p> <p>78.5 Submits that new office developments across Wellington Street that will further increase the traffic.</p> <p><u>Recent Developments</u></p> <p>78.6 Submits that a number of recent developments in the area were constructed poorly with cladding and questions who is responsible for policing builders on these problematic developments.</p> <p><u>Construction Impacts</u></p> <p>78.7 Outlines that amenity impacts associated with construction and road maintenance are a big issue in the area, including noise, wind drafts and odours.</p> <p><u>Need for More Public Open Space</u></p> <p>78.8 Submits that more developments will result in more constraints on parks in the area and questions what the plans</p>	<p><u>Building Height and associated impacts</u></p> <p><u>Recent Developments</u></p> <p><u>Traffic</u></p> <p><u>Construction Impacts</u></p> <p><u>Public Open Space</u></p>	<p>78.1 Noted</p> <p><u>Building Height and associated impacts</u></p> <p>78.2 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues.</p> <p>78.3 Refer to topic no. 13 'Amenity (General)', no. 11 'Building design/design standards needed', no. 16 'Public Transport and Cyclist Infrastructure Capacity' and no. 17 'On-Street Parking' of the Responses to Commonly Raised Issues. In addition, car parking within private development is outside the scope of this amendment. The provision of car parking in new developments is guided by Clause 52.06 as well as local transport policy at Clause 18 of the Yarra Planning Scheme which encourages the prioritisation of sustainable modes of transport including cycling and public transport.</p> <p>78.4 Outside the scope. The purpose of a Design and Development Overlay (DDO) is to guide the built form and design of new development.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Traffic</u></p> <p>78.5 Refer to topic no. 15 'Traffic Increases' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Recent Developments</u></p> <p>78.6 Outside the scope of the amendment. The quality and safety of certain building materials or their installation cannot be enforced through a DDO and is a Building Code matter.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Construction Impacts</u></p> <p>78.7 Refer to topic no. 14 'Amenity Impacts Associated with Construction Works' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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		for parks in the area are. States that the proposed extension of the park at the corner of Peel and Cambridge Street is not really a park.		<u>Need for More Public Open Space</u> 78.8 Refer to topic no. 2 'Need for more Public Open Space' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
79	Resident	<p>79.1 Submitter outlines their personal history with the area, having lived nearby over the last thirty years, stating that they have witnessed a significant change to the Collingwood skyline in the last four years.</p> <p><u>Recent Development</u></p> <p>79.2 Submits that South Collingwood is a key social, cultural and economic precinct and is concerned that recent development trends have undermined the unique heritage character and community amenity of the area. Of particular concern is the number of high-rise buildings which impact the heritage character, the skyline and overshadows neighbouring properties and public spaces.</p> <p><u>Building Height</u></p> <p>79.3 Submits that there is a strong community sentiment that building heights in the area must be in keeping with existing heights and rooflines.</p> <p>79.4 Heights and massing on laneways must be managed so as to preserve and enhance the amenity of these spaces – including the laneways themselves.</p> <p>79.5 Submits that Council can encourage innovation and economic activity in Yarra together with sustainable development and low-cost housing. Submits that these outcomes can be achieved in a planning scheme that will restrict building height and protect amenity more explicitly.</p>	<p><u>Impacts to Heritage and Neighbourhood Character</u></p> <p><u>Building Height</u></p> <p><u>Built Form Abutting Laneways</u></p>	<p>79.1 Noted</p> <p><u>Recent Development</u></p> <p>79.2 Refer to topic no. 9 'Recent Developments' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>79.3 The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (heritage places and approved permits). The exhibited DDO23 aims to provide a balanced approach by guiding different levels of potential development across the area and to ensure that future development will be sensitive towards heritage buildings, minimising impact on sensitive residential interfaces and public spaces such as footpaths, open spaces and expanded street corners. Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues</p> <p>79.4 The exhibited DDO23 includes a requirement in Clause 2.8 'Other design requirements' which says, "<i>The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.</i>" Clause 2.7 "Building separation, amenity and equitable development requirements" provides for separation of upper level form from the boundary, including where the common boundary is a laneway.</p> <p>79.5 Refer to topic no. 18 'Environmental Sustainability', no. 19 'Economic Development' and no. 13 'Amenity (general)' and associated subtopics of the Responses to Commonly Raised Issues. An individual DDO is not the right tool to prescribe the type of housing model. The social and affordable housing mechanism is regulated at section 3AA of the <i>Planning and Environment Act 1987</i> and is voluntary at this point. The existing Yarra Planning Scheme supports provision of social and affordable housing and increase in public housing (Clause 16.01-2S). Local planning policy is in the process of being updated through Planning Scheme Amendment C269yara, which supports the same (Clause 16.01-4L Housing Affordability). The proposed policy sets a minimum target for affordable housing to ensure that the provision of affordable housing is considered as part of major developments from the outset and to reduce the need of case by case negotiation.</p> <p>Recommended position</p> <p>Environmental Sustainability and Amenity (General): No change to the draft amendment.</p> <p>Economic Development: Change to draft Amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended.</p>
80	Resident	<p><u>Building Height and Heritage</u></p> <p>80.1 Submits that any further major development of the area would be detrimental in particular the heritage houses on Cambridge and Derby Streets.</p> <p><u>Need for More Public Open Space</u></p>	<p><u>Building Height and Heritage</u></p> <p><u>Need for More Public Open Space</u></p>	<p><u>Building Height and Heritage</u></p> <p>80.1 The purpose of the draft Amendment C293 is to introduce permanent built form and design requirements for the Collingwood South Precinct. The Amendment is informed by rigorous analysis and testing of urban design, heritage and traffic matters. The exhibited DDO23 aims to provide a balanced approach by guiding different levels of potential development across the area and to ensure that future development will be</p>

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		<p>80.2 Submits that the area does not have enough open spaces / parks.</p> <p><u>Overshadowing of Public Open Space</u></p> <p>80.3 Submits that new development should not be overshadowing the little open space that exists.</p> <p><u>Parking</u></p> <p>80.4 Concerned about future developments and associated impacts to car parking availability</p>	<p><u>Overshadowing of Public Open Space</u></p> <p><u>Parking</u></p>	<p>sensitive towards heritage buildings, minimising impact on sensitive residential interfaces and public spaces such as footpaths, open spaces and expanded street corners.</p> <p>Regarding the heritage houses on Cambridge and Derby Street, the exhibited DDO reflects advice prepared by GJM Heritage-- <i>Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018 and Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021</i>. Their 2021 reports identifies the intact terraces on Cambridge and Derby Streets and provides recommendations to introduce more mandatory controls for heights and reductions in the overall height for the majority of properties on the eastern side of Cambridge Street (south of Derby Street) and properties on the western end of Derby Street (west of Derby Street). The exhibited DDO23 also includes upper level setback requirements above heritage fabric to retain the key heritage elements and to maintain the legibility of the three-dimensional form of the heritage place.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>80.2 Refer to topic no. 2 'Need for more Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Public Open Space</u></p> <p>80.3 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Parking</u></p> <p>80.4 Refer to topic no. 17 'On-Street parking' in the Responses to Commonly Raised Issues. In addition, car parking within private developments is outside the scope of this amendment. The provision of car parking in new developments is guided by Clause 52.06 as well as local transport policy at Clause 18 of the Yarra Planning Scheme which encourages the prioritisation of sustainable modes of transport including cycling and public transport.</p> <p>Recommended position: No change to the draft amendment.</p>
81	Community Group	<p><u>Need for More Public Open Space</u></p> <p>81.1 Submits that the area has very few parks and they are all small.</p> <p><u>Overshadowing Public Open Space</u></p> <p>81.2 Submits that no increased overshadowing should be permitted and that this should be a mandatory control. Submits that the DDO envelopes should be constrained to protect these parks with mandatory height limits.</p> <p>81.3 Submits that the area does not have enough open spaces / parks and new development should not be overshadowing the little open space that exists.</p>	<p><u>Need for More Public Open Space</u></p> <p><u>Overshadowing Public Open Space</u></p> <p><u>Overshadowing of Peel Street</u></p>	<p><u>Need for More Public Open Space</u></p> <p>81.1 Refer to topic no. 2 'Need for more Public Open Space' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Public Open Space</u></p> <p>81.1-81.2 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building Height: Change to the draft amendment.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p><u>Overshadowing of Peel Street</u></p> <p>81.4 Submits that Peel Street has a unique character and should be protected from overshadowing – highlights that the street is nominated as a Green Street in the Hansen Urban Design Report and should be protected from overshadowing to protect the mature and proposed trees.</p> <p><u>Support Local Businesses</u></p> <p>81.5 Submits that the DDO controls should support the small independent retailers in the area by avoiding residential entrances and services in shopping precincts.</p> <p><u>Verandahs</u></p> <p>81.6 Submits that verandahs should be encouraged, particularly along Wellington Street.</p> <p><u>Building Height</u></p> <p>81.7 Submits that a mandatory six-storey height limit would be consistent with the existing Foy and Gibson development and the building on the corner of Peel and Oxford Street that is displayed on Yarra City Council's webpage for this amendment.</p> <p><u>Protection of Heritage</u></p> <p>81.8 Submits that all heritage overlay areas should be designated as minimal change areas in line with the Burra Charter conservation principles.</p> <p><u>Community Involvement</u></p> <p>81.9 Submits that Council needs to find better ways to get input from the community – this should drive the amendment rather than developer profits or population targets.</p> <p><u>Character</u></p> <p>81.10 Submits that the industrial character of the area should be protected from 'glitzy' development.</p> <p><u>Protection of Views</u></p> <p>81.11 Submits that views of the Grace Darling Hotel and Robert Peel Hotel should be protected, particularly from silhouetting.</p>	<p><u>Support Local Businesses</u></p> <p><u>Building Height</u></p> <p><u>Verandahs</u></p> <p><u>Heritage</u></p> <p><u>Community Consultation</u></p> <p><u>Protection of Views</u></p>	<p>Overshadowing of Public Open Spaces: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Overshadowing of Peel Street</u></p> <p>81.4 Refer to topic no. 4 'Footpaths/Public Realm' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Support Local Businesses</u></p> <p>81.5 Refer to topic no. 19 'Economic Development' of the Responses to Commonly Raised Issues with regard to supporting businesses in the precinct. Additionally, residential uses in the Mixed Use Zone are permissible as it is a residential zone. Recommended position: Change to draft Amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended.</p> <p><u>Verandahs</u></p> <p>81.6 Refer to topic no. 115 'Building design/ design standard needed' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>81.7 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Heritage</u></p> <p>81.8 Refer to topic no. 10 'Heritage' and associated subtopics of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Community Involvement</u></p> <p>81.9 Refer to topic no. 20 'Community Consultation' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Character</u></p> <p>81.10 Refer to topic no. 12 'DDO23 does not retain the character' of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment</p> <p><u>Protection of Views</u></p>

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				<p>81.11 Refer to no 8 'Mandatory versus discretionary requirements' and responses under no 10 'Heritage' of the Responses to Commonly Raised Issues. It is noteworthy that the Grace Darling Hotel is not within the exhibited DDO23 area.</p> <p>Recommended position: No change to the draft amendment.</p>
82	Resident	<p><u>Building Height and Associated Impacts</u></p> <p>82.1 Submits that the proposed building heights are not acceptable and will result in the overshadowing of the area's heritage buildings, dwellings and streets.</p> <p>82.2 Submits that new buildings should not be taller than the ones they replace.</p> <p><u>Overshadowing of Public Open Space</u></p> <p>82.3 Submits that the proposed building height will result in the overshadowing of the area's pocket parks.</p> <p><u>Heritage</u></p> <p>82.4 Submits that existing buildings, where possible, should not be demolished or hollowed out.</p> <p><u>Neighbourhood Character</u></p> <p>82.5 Concerned that the 'soul of Collingwood' is being replaced by new developments. Urges Council to create a lasting legacy for a precinct where people can enjoy the streetscapes.</p>	<p><u>Building Height and Associated Impacts</u></p> <p><u>Overshadowing of Public Open Space</u></p> <p><u>Heritage</u></p> <p><u>Neighbourhood Character</u></p>	<p><u>Building Height and associated impacts</u></p> <p>82.1-82.2 The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (heritage places and approved permits). The exhibited DDO23 aims to provide a balanced approach by guiding different levels of potential development across the area ensuring that future development will be sensitive towards heritage buildings, minimising impact on sensitive residential interfaces and public spaces such as footpaths, open spaces and expanded street corners.</p> <p>Refer to topic no. 5 'Building Height', no. 13 'Amenity (General)' and associated subtopics and no.4 'Footpaths/Public Realm' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment</p> <p><u>Overshadowing of Public Open Space</u></p> <p>82.3 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Heritage</u></p> <p>82.4 Refer to topic no. 10 'Heritage' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character</u></p> <p>82.5 Refer to topic no. 12 'DDO23 does not retain the character' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment</p>
83	Resident	<p>83.1 Submitter makes the same submissions as submitter No. 14. Refer to the summary for submission No. 14.</p> <p>Additional submissions are as follows:</p> <p><u>Building Height</u></p> <p>83.2 In addition, the submitter also relates their concerns to the proposed height limit of 20m to the area bound by Cambridge, Langridge, Oxford and Peel Streets.</p> <p><u>Amenity</u></p> <p>83.3 The submitter also states that the proposed overshadowing and solar access requirements do not consider the residents living in the lower levels of west facing apartments at 88 Cambridge</p>	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	<p>83.1 Refer to individual response to Submission No. 14.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>83.2 The building height requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (such as heritage places and approved permits). Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment</p> <p><u>Amenity</u></p>

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		Street and the proposed building heights will impact the level 9 recreation facility of the building at 88 Cambridge Street.		83.3 Refer to topic no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.
84	Resident	72.8 Submitter makes the same submissions as submitter No. 83. Refer to the summary for submission No. 83.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	84.1 Refer to individual response to Submission No. 14 and Submission No.83.
85	Resident	72.9 Submitter makes the same submissions as submitter No. 83. Refer to the summary for submission No. 83.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	85.1 Refer to individual response to Submission No. 14 and Submission No.83.
86	Resident	<u>Heritage</u> 86.1 Submits that heritage buildings are an important part of the area and their contribution must not be destroyed. 86.2 Submits that additions to heritage buildings should be carefully and respectfully designed. 86.3 Submits that only architectural designs should be allowed, and an expert design review panel is needed to assess all applications because Council does not have these skills. <u>Building Height</u> 86.4 For area 1, submits that the corner of Peel and Oxford Streets should be no higher than 14m to keep the human scale opposite the park.	<u>Heritage</u> <u>Building Height</u> <u>Need for More Public Open Space and Landscaping</u>	<u>Heritage</u> 86.1 – 86.2 Refer to topic no. 10 'Heritage' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment. 86.3 These recommendations are outside the scope of the draft amendment. Council does not have power to refuse lodgement of planning applications produced by building designers / draftspersons (i.e. design professionals without a qualification in architecture). An expert design review panel is also outside the scope of the draft amendment. It should however be noted that Council's Statutory Planning Unit seek external urban design advice on larger-scale development applications. Recommended position: No change to the draft amendment. <u>Building Height</u> For a general response, refer to topic no 5 'Building Height' in the Responses to Commonly Raised Issues. 86.4 It is assumed that the submitter is referring to the property at 8 – 10 Peel Street, west of the Peel Street Park. This site is outside of the exhibited DDO area and is therefore outside of the scope of the amendment. A

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		<p>86.5 Also in area1, submits that the large area along Oxford, Langridge and Cambridge Streets should respect the heritage scale and diverse lot sizes within it – submits that the proposed 20m height recommended for the area will destroy its character.</p> <p>86.6 In area 2, submits that between Derby Street and Oxford Street, there should be nothing higher than 14m and Mason Street should have nothing higher than 11m opposite the small cottages on the southern side of the street. Submits that this area should be developing a scale to transition to Smith Street. Highlights that the area around Roberts Street is an example of what to avoid as it is intimidating, and wind swept.</p> <p>86.7 In area 3, submits that no heights should be higher than 20m except the areas designated 40m which already exists.</p> <p>86.8 Also in area 3, submits that Cambridge Street should maintain its low scale towards Victoria Parade, comparing it to Wellington Street, which already has a cavernous feeling with tall buildings.</p> <p>86.9 Also in area 3, submits that Wellington Street has enough high rise which has resulted in a cavernous and intimidating experience. Submits that sites on Wellington Street should have a maximum height of 20m.</p> <p>86.10 Also in area 3, submits that Derby Street should have lower heights to bring neighbourhood character to the area.</p> <p><u>Landscaping within private property</u></p> <p>86.11 Submits that new buildings should be required to provide green frontages and rooftops for recreation.</p> <p><u>Open Space/Greenery</u></p> <p>86.12 Submits that open space is in short supply and should be protected from overshadowing and taller development.</p> <p>86.13 Submits that street trees should be added to sections of Cambridge Street, Derby Street, Wellington Street and Oxford Street to provide shading, greenery, to mitigate urban heat island effect and prevent cars from speeding.</p> <p>86.14 Submits that a new pocket park could be added to Cambridge Street along Area 1 to soften the space and give some much-needed sitting and breathing space. This could have a connecting pathway in from Peel Street.</p>		<p>separate interim DDO currently applies to this land and the permanent version of this DDO is being pursued through Planning Scheme Amendment C270. If the submitter is referring to 22 Peel Street, this property is already developed with a six-storey apartment building and therefore reducing the maximum height control to 14m would be impractical.</p> <p>Recommended position: No change to the draft amendment.</p> <p>86.5 Concern noted, refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues for information on how the maximum building height controls were developed.</p> <p>Recommended position: No change to the draft amendment.</p> <p>86.6 There is no strategic justification for these recommended height reductions along Mason Street. Refer to the individual issue response at 49.5 above which deals with Mason Street. Refer also to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues for information on how the maximum building height controls were developed.</p> <p>Recommended position: No change to the draft amendment.</p> <p>86.7 In Area 3, the majority of properties have already been developed (or are under construction) with taller buildings. It would be impractical to nominate lower height controls for these properties. With regard to undeveloped properties in Area 3, this includes the properties bound by Oxford, Langridge, Cambridge and Derby Streets, for which the exhibited DDO has a preferred maximum height of 27m. Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues which provides further discussion on these properties.</p> <p>Recommended position: No change to the draft amendment.</p> <p>86.8 The exhibited DDO has lower maximum height controls for properties in the southern section of Cambridge Street (i.e. south of Derby Street), this includes mandatory maximum height controls of 11m (three stories) for most heritage buildings and a preferred maximum height of 14m (four stories) for non-heritage buildings and a small number of heritage buildings.</p> <p>Recommended position: No change to the draft amendment.</p> <p>86.9 Refer to response item no. 86.7 above.</p> <p>86.10 The maximum height controls shown in the exhibited DDO for Derby Street are based on extensive strategic work undertaken by experts in urban design and heritage. For the section of Derby Street in Area 2, the maximum height controls range from 11m (3 stories) to 20m (6 storeys), which will ensure that taller developments (such as those recently constructed in Area 3) are avoided along Derby Street. The properties bound by Oxford, Langridge, Cambridge and Derby Streets have a preferred maximum height control of 27m (8 stories) – this height control is specifically discussed in topic 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Landscaping within private property</u></p> <p>86.11 Refer to topic no. 3.1 'Landscaping within private property' in Responses to Commonly Raised Issues.</p>

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		<p>86.15 On Cambridge Street (between Derby Street and Langridge Street) submits that there should be additional greenery and sitting areas with car spaces reduced to add more parklets towards Derby Street and outside businesses in the heritage strip.</p> <p>86.16 In a subsequent email, submitter provides address and outlines past experience as a planner working for the State Government.</p>		<p>Recommended position: Change to draft Amendment. To ensure new development integrates landscaping an additional requirement has been recommended.</p> <p><u>Need for More Public Open Space and Greenery</u></p> <p>86.12 – 86.16 Refer to topic no. 2 ‘Need for More Public Open Space’ and no. 3.2 ‘Landscaping in public realm’ in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Need for More Public Open Space: No change to the draft amendment.</p> <p>Landscaping in public realm: No change to the draft amendment.</p>
87	Resident	<p><u>Share of Housing Provision in Yarra</u></p> <p>87.1 Submitter outlines that they live close to Collingwood South and that they have recently been involved in the Panel Hearing for Planning Scheme Amendment C269yara which has raised concerns about the heavy load that Yarra City Council is required to lift by State planning policies in relation to housing provision.</p> <p><u>Recent Developments</u></p> <p>87.2 Submitter is concerned about recent high-rise developments in Collingwood South, submitting that they have been approved without any additional amenity for the area, especially open space.</p> <p><u>Neighbourhood Character</u></p> <p>87.3 Submitter is concerned that the proposed amendment does not capture the true nature of Collingwood South and that it should contain a neighbourhood character description which drives the planning scheme to reflect the heritage character of the area, as well as the values of its community.</p> <p><u>Overshadowing Public Open Space</u></p> <p>87.4 Submits that design objectives should include a broader statement about the protection of the limited open space in the area.</p> <p>87.5 Overshadowing provisions should not permit any additional overshadowing of public open space at the winter solstice.</p> <p><u>Equitable Development</u></p> <p>87.6 The equitable development principle should be expanded to include the effects of any new proposal on adjoining developments already constructed (including the communal open space of an existing development).</p> <p><u>Solar access to residential zone</u></p>	<p><u>Share of Housing Provision in Yarra</u></p> <p><u>Recent Developments</u></p> <p><u>Neighbourhood Character</u></p> <p><u>Overshadowing Public Open Space</u></p> <p><u>Equitable Development</u></p> <p><u>Overshadowing</u></p> <p><u>Mandatory Controls vs Discretionary Controls</u></p> <p><u>Building Height</u></p>	<p><u>Share of Housing Provision in Yarra</u></p> <p>87.1 Concern noted; however, this issue is outside of the scope of the draft amendment. Notwithstanding this, it is relevant to highlight that other inner-city Councils are also experiencing substantial development pressure.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Recent Developments</u></p> <p>87.2 Refer to topic no. 9 ‘Recent Developments’ in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character</u></p> <p>87.3 Refer to topic no. 12 ‘DDO23 does not retain the character’ in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing Public Open Space</u></p> <p>87.4-87.5 Refer to topic no. 12 ‘DDO23 does not retain the character’ in the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Equitable Development</u></p> <p>87.6 The equitable development requirements under Clause 2.7 of the exhibited DDO do in fact refer to existing developments. The requirement has been provided below (emphasis in bold):</p> <p><i>Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development must:</i></p> <ul style="list-style-type: none"> • for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and

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		<p>87.7 Submits that the exhibited DDO protects the solar access of residentially-zoned properties, but the majority of new developments are zoned either commercial or mixed use.</p> <p><u>Mandatory versus Discretionary</u></p> <p>87.8 Submits that all height controls should be mandatory, outlining that it is not only heritage buildings that need mandatory controls. Submits that most of the reasons to allow a development to exceed the preferred height control are not aligned with what would be gained (for example end of trip facilities would not outweigh the impact of a development that is taller than the preferred height control).</p> <p><u>Building Height</u></p> <p>87.9 With regard to the block bound by Oxford, Langridge, Cambridge and Derby Streets, submits that this should be removed from Area 3 and instead put into Area 2.</p> <p>87.10 Submits that the preferred height of 27m for this block is too tall and should instead transition down to the Oxford Street Reserve with a maximum height of 14m. It should also not result in any new overshadowing of the Oxford Street Reserve at the winter solstice.</p> <p><u>Recent Development</u></p> <p>87.11 In conclusion submitter outlines that the exhibited DDO needs to protect and improve the neighbourhood of Collingwood South. In contrast, recent developments have done the opposite, and generated substantial amenity impacts including, loss of sunlight, wind and noise impacts and also the loss of views of the Dandenong's to the east.</p> <p>87.12 Highlights that the Council pamphlet for the amendment shows a six-storey development as an example of what the planning scheme achieves but submits that, in contrast, the taller Victoria & Vine development under construction currently is the reality.</p>		<p>▪ for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Amenity</u></p> <p>87.7 The Mixed Use Zone is part of the suite of residential zones. Refer to topic no. 13 'Amenity (General)' and associated subtopic no. 13.1 of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Mandatory Controls vs Discretionary Controls</u></p> <p>87.8 Refer to topic no. 8 'Mandatory Requirements Versus Discretionary Requirements' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>87.9 Refer to the individual response above at 7.4.</p> <p>87.10 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Recent Developments</u></p> <p>87.11-87.12 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
88	Resident	88.1 Submitter makes the same submissions as submitter No. 83. Refer to the summary for submission No. 83.	<p><u>Building Height and Amenity Impacts</u></p> <p><u>Traffic</u></p> <p><u>Need for More Public Open Space</u></p>	88.1 Refer to the response to submission no. 83.

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89	Resident	89.1 Submitter makes the same submissions as submitter No. 83. Refer to the summary for submission No. 83.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	89.1 Refer to the response to submission no. 83.
90	Resident	90.1 Submitter makes the same submissions as submitter No. 83. Refer to the summary for submission No. 83.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	90.1 Refer to the response to submission no. 83.
91	Resident	91.1 Submitter makes the same submissions as submitter No. 83. Refer to the summary for submission No. 83.	<u>Building Height and Amenity Impacts</u> <u>Traffic</u> <u>Need for More Public Open Space</u>	91.1 Refer to the response to submission no. 83.
92	Group of Residents	<p>92.1 Generally, the submission supports the concept of setting guidelines for future developments, however, it raises below concerns.</p> <p><u>Recent Developments</u></p> <p>92.2 Concerned about the heights of the recent developments which far exceed the existing buildings.</p> <p>92.3 Submits that current development has dwarfed the existing heritage buildings and changed the streetscape character of certain streets. Refers to development at 1-53 Wellington Street which overshadows and dominates the terraced homes on Cambridge Street.</p> <p><u>Building Height and Heritage</u></p>	<p><u>Recent Developments</u></p> <p><u>Building Height and Heritage</u></p> <p><u>Neighbourhood Character and Heritage</u></p> <p><u>Overshadowing of Public Open</u></p>	<p>92.1 Noted</p> <p><u>Recent Developments</u></p> <p>92.2-92.3 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Building Height and Heritage</u></p> <p>92.4-92.6 Refer to topic no. 5 'Building Height' and no. 10 'Heritage' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p>

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		<p>92.4 Concerned that the some of the preferred maximum building heights have mirrored the heights of recent developments.</p> <p>92.5 The height and scale of developments will have an adverse impact on the character and heritage of the area.</p> <p>92.6 Refers to the development at 18 Peel Street (corner of Peel Street and Oxford Street) which respects the heritage and height of Foy and Gibson Complex and is in harmony with the character of the street. The development also doesn't overshadow the Peel Street park.</p> <p><u>Amenity Impacts</u></p> <p>92.7 Concerned that the preferred maximum building heights and setbacks will reduce the natural light in most of the area, particularly 27 Oxford Street. Submits that the amendment does not take into consideration the narrow width of Oxford Street (on south of Derby Street). Refers to the designated preferred maximum building height of 20m (6 storeys plus a roof top) and a 14m street wall height with 4m setback for Nos 23-25 Derby Street.</p> <p>92.8 Concerned that the skyline of the area will be blocked.</p> <p>92.9 Concerned that high rise buildings will create a windy environment which would adversely impact outdoor cafes and eateries which are popular places for residents and visitors.</p> <p><u>Neighbourhood Character and Heritage</u></p> <p>92.10 Concerned that the high-rise developments will negatively contribute to the vibe and character of the area.</p> <p>92.11 Recommends that the heritage buildings in Derby Street, Oxford Street and Cambridge Street should be preserved as they enhance the history of the area.</p> <p>92.12 Concerned that allowing 14m development above heritage buildings will undermine the cultural and heritage character of the area.</p> <p><u>Overshadowing of parks and streets</u></p> <p>92.13 Concerned that the proposed amendment does not address issues of overshadowing to the streets and community areas (parks) including the winter sun.</p> <p>92.14 Concerned that the designated preferred maximum building height of 27m for the land bound by Langridge Street, Derby Street and Cambridge Street will have adverse impacts on Oxford Street park and overwhelm the area.</p> <p><u>Landscaping</u></p> <p>92.15 Concerned that developments do not provide any setbacks from the street to provide green spaces or wider footpath access to the residents. The proposed amendment does not address this concern.</p>	<p><u>Space and Streets</u></p> <p><u>Landscaping</u></p> <p><u>Need for More Public Open Space</u></p> <p><u>Environmental Sustainability</u></p>	<p><u>Amenity Impacts</u></p> <p>92.7-92.9 Refer to topic no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character and Heritage</u></p> <p>92.10-92.12 Refer to topic no. 12 'DDO23 does not retain the character' and no. 10 'Heritage' in the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Neighbourhood Character: No change to the draft amendment.</p> <p>Heritage: No change to the draft amendment.</p> <p><u>Overshadowing of Public Open Space and Streets</u></p> <p>92.13-92.14 Refer to topic no. 1 'Overshadowing Public Open Spaces' and no. 4 'Footpaths/Public Realm' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to the draft amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Landscaping</u></p> <p>92.15 Refer to topic no. 3.1 'Landscaping within private property' and no. 4 'Footpath/public realm' in the Responses to Commonly Raised Issues.</p> <p>Recommended position</p> <p>Landscaping within private property: Change to draft Amendment. To ensure new development integrates landscaping an additional requirement has been recommended.</p> <p>Footpath/public realm: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>92.16 Refer to topic no. 2 'Need for More Public Open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>92.17 Suggestion noted. The submissions will be passed on to Council's Open Space Unit so that they are aware of the concerns and suggestions raised from the community. Extending existing public open space is outside the scope of the draft amendment, however Council is aware of the public open space deficiencies in Collingwood and is working to address this. Refer to topic no. 2 'Need for More Public Open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Environmental Sustainability</u></p> <p>92.18 Refer to topic no. 18 'Environmental Sustainability' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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		<p><u>Need for More Public Open Space</u></p> <p>92.16 Concerned that there are no provisions for more green spaces in the area. Recommends that Council considers land acquisition a square or garden for the local community.</p> <p>92.17 Recommends Council to investigate extending Oxford Street park and include future developers to participate in the project.</p> <p><u>Environmental Sustainability</u></p> <p>92.18 Concerned that the amendment will go against Council's policy on climate change as increasing developments will lead to greater effect on greenhouse emissions.</p> <p><u>Other</u></p> <p>92.19 Recommends that the amendment should give prominence to other matters such as street landscaping, parking, traffic congestion, noise disturbance, privacy and waste disposal.</p> <p>92.20 Submits that residents of 27 Oxford Street would like to comment on future application on 23-25 Derby Street.</p>		<p><u>Other</u></p> <p>92.19 These suggestions are noted and responses to each item are generally covered in the Responses to Commonly Raised Issues. Each issue is responded to as per below:</p> <ul style="list-style-type: none"> - street landscaping: topic no. 3.2 'Landscaping in public realm' - parking: topic no 17 'On-Street Parking' - traffic congestions: topic no. 5 'Traffic Increase' - noise disturbance: Noise impacts are already covered by other parts of the Yarra Planning Scheme, including Clause 58, which has requirements for acoustic attenuation for new residential developments. Furthermore, Clause 53.06 has requirements for new residential developments to provide acoustic attenuation where located close to an existing live music venue. For any future land use requiring a planning permit (for example, a bar or café) the noise impacts would be carefully assessed and mitigated as part of the planning application process. - privacy: topic no. 13.2 'Overlooking'. - waste disposal: This is outside the scope of the draft amendment. The exhibited DDO seeks to introduce built form and design controls. For future development, Council considers matters such as loading, unloading and waste storage/collection at the planning application stage. For most development applications, a Waste Management Plan is required which is then assessed by Council's internal waste management team to ensure future developments manage waste effectively and with minimal impact on surrounding properties. <p>Recommended position: No change to the draft amendment.</p> <p>92.20 Noted. A planning application at 23-25 Derby Street would need to be advertised to the local community in accordance with the requirements of the <i>Planning & Environment Act 1987</i>.</p> <p>Recommended position: No change to the draft amendment.</p>
93	Resident	<p>93.1 Generally, the submission supports the concept of setting guidelines for future developments, however, it raises below concerns.</p> <p><u>Amenity Impacts</u></p> <p>93.2 Refers to overlooking as one of the amenity impacts associated with the designated preferred maximum building height of 20m with 6m setback (from centre of narrow section of Oxford Street).</p> <p>93.3 All the east facing apartments (50% of apartments) have entire frontage of glass. Concerned that if the land at 25 Derby Street is developed then the residents would have to constantly keep the curtains closed.</p> <p>93.4 Concerned about issue of sunlight access to balconies for personal enjoyment and for plants.</p> <p>93.5 Concerned about overshadowing of playground of Collingwood English Language School. Consideration needs to be given to access to sunny play area for children as many come from areas of challenging background.</p> <p><u>Building Height</u></p>	<p><u>Amenity Impacts</u></p> <p><u>Building Height</u></p> <p><u>Need for More Public Open Space</u></p>	<p>93.1 Noted</p> <p><u>Amenity Impacts</u></p> <p>93.2-93.4 Refer to topic no. 13 'Amenity (General)' and associated subtopics in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>93.5 The exhibited DDO includes a number of built form controls that will ensure minimal new overshadowing to the Collingwood English Language School. At section 2.6 of the exhibited DDO, the following requirement applies to the outdoor space of the Collingwood English Language School:</p> <p><i>Development should be designed to minimise overshadowing of the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority.</i></p> <p>In addition, section 2.8 of the exhibited DDO has a requirement that the rear interface of a development abutting a laneway should not exceed a height of 11m. Given that a laneway separates the Collingwood English Language School from the properties at 23 – 45 Derby Street, this built form control will indirectly result in reduced</p>

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		<p>93.6 Concerned that the designated preferred maximum building height of 6 storeys on the land bound by Oxford Street, Derby Street, Cambridge Street and the school.</p> <p>93.7 Concerned that the huge developments will further change the heritage character of the area and make it like a huge metropolis (central Singapore) and create wind tunnel effect, block natural light and generally affect the living environment.</p> <p><u>Green Space</u></p> <p>93.8 Submits that provision of green spaces is low for the area and the proposal does not allow for any additional green spaces.</p> <p><u>Other</u></p> <p>93.9 Concerned about other matters such as additional traffic, noise pollution.</p>		<p>overshadowing to the school. In summary, the exhibited DDO has been devised to protect the solar amenity of the outdoor spaces of the Collingwood English Language School.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>93.6 – 93.7 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>93.8 Refer to topic no. 2 'Need for More Public Open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Other</u></p> <p>93.9 Refer to the response at item 92.19 above.</p>
94	Resident	<p><u>Building Height</u></p> <p>94.1 Concerned that the designated preferred maximum building height of 20m and a 14m street wall height for east of Oxford Street and Derby Street is too high.</p> <p>94.2 Concerned that the 14m high street wall will block sun and natural light to the apartments that front Oxford Street on Levels 3 and 4.</p> <p>94.3 Concerned that the 20m height will block some natural light for apartments on Level 5 and 7.</p> <p>94.4 Submits that the width of Oxford Street (south of Derby Street) is narrow and that the buildings developed along this section of Oxford Street will be close to 27 Oxford Street.</p> <p>94.5 Concerned that designated preferred maximum building height of 27m and street wall height of 14m for the land bound by Derby Street, Cambridge Street and Langridge Street would result in overshadowing of the Oxford Street Reserve and the heritage buildings opposite on Derby Street.</p> <p>94.6 Recommends to redesignate this pocket of land from Area 3 to Area 2 and lower the building height.</p> <p><u>Green Space</u></p> <p>94.7 Submits that provision of green spaces is very limited in the area and with increase in population there will be greater need for green spaces.</p> <p>72.10 Recommends that the proposal gives consideration to provide additional green spaces.</p>	<p><u>Building Height</u></p> <p><u>Need for More Public Open Space</u></p>	<p><u>Building Height</u></p> <p>94.1-94.5 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>94.6 Refer to individual response above at 7.4.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Need for More Public Open Space</u></p> <p>94.7 Refer to topic no. 2 'Need for More Public Open Space' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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95	Resident and Property Owner	<p>95.1 Submitter requests to consider the technical matters made in Submission No. 92. The submitter also makes the following additional submissions.</p> <p>95.2 Concerned about the recent developments in the area which are an 'eyesore'.</p> <p>95.3 Recommends responding to the existing character of Collingwood by spreading the built form rather than overcrowding and creating building clusters.</p> <p>95.4 Concerned about the loss of view and impacts on property values.</p>	<p><u>Recent Developments</u></p> <p><u>Neighbourhood Character and Building Height</u></p> <p><u>Loss of Views and Impacts to Property Values</u></p>	<p>95.1 Refer to the responses to submission no. 92 above.</p> <p><u>Recent Developments</u> 95.2 Refer to topic no. 9 'Recent Developments' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character and Building Height</u> 95.3 Refer to topic no. 12 'DDO23 does not retain the character' and no. 5 'Building Height' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p> <p><u>Loss of Views and Impacts to Property Values</u> 95.4 Refer to topic no. 13.4 'Loss of Views' and no. 24 'Property values' in the Responses to Commonly Raised Issues. Recommended position: No change to the draft amendment.</p>
96	Resident	<p><u>Building Height</u></p> <p>96.1 Concerned about the designated buildings heights being too high.</p> <p>96.2 Concerned that the designated street wall heights in narrow streets are overwhelming.</p> <p>96.3 Submits that Map 1 legends should say 'mandatory maximum building height' and not 'mandatory building height'.</p> <p><u>Heritage and Neighbourhood Character</u></p> <p>96.4 Acknowledges that the heritage are a strong part of liveability and neighbourhood character of the area.</p> <p>96.5 Recommends protection of heritage places.</p> <p><u>Economic Diversity</u></p> <p>96.6 Acknowledges that the affordable small spaces are valuable and attract creative people and businesses.</p> <p>96.7 Concerned that the planning system and controls for new developments does not contribute in delivering and maintaining these spaces.</p> <p><u>Accommodating Growth</u></p> <p>96.8 Submits that post-Covid context has changed the way city functions and has reduced the pressure on population growth.</p>	<p><u>Building Height and Street Wall Height</u></p> <p><u>Heritage and Neighbourhood Character</u></p> <p><u>Economic Diversity</u></p> <p><u>Accommodating Growth</u></p>	<p><u>Building Height and Street Wall Height</u> 96.1 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues. Recommended position: Building Height: No change to the draft amendment. Street Wall Height: No change to the draft amendment.</p> <p>96.2 Refer to topic no. 6 'Street Wall Height' in the Responses to Commonly raised Issues. Recommended position: No change to the draft amendment.</p> <p>96.3 This recommendation is logical as the addition of the word 'maximum' would provide further clarity that the mandatory heights shown on the map relate to the maximum building height. Recommended position: Change to draft Amendment. Inclusion of the word 'maximum' on the legend to Map 1 so that the legend item reads 'mandatory maximum building height'</p> <p><u>Heritage and Neighbourhood Character</u> 96.4 Refer to topic no. 12 'DDO23 does not retain the character' and no. 5 'Building Height' in the Responses to Commonly Raised Issues. Recommended position: Heritage: No change to the draft amendment. Neighbourhood Character: No change to the draft amendment.</p> <p><u>Economic Diversity</u> 96.6 – 96.7 Refer to topic no. 19 'Economic Development' in the Responses to Commonly Raised Issues.</p>

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				<p>Recommended position: Change to draft Amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended.</p> <p><u>Accommodating Growth</u></p> <p>96.8 Refer to topic No. 21 'Accommodating Growth' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>
97	Community Group	<p>97.1 Supports a certain submission showing detail existing dwellings and making recommendations which we support.</p> <p><u>Matters raised in C269</u></p> <p>97.2 Reiterates the concerns raised in C269 with almost:</p> <ul style="list-style-type: none"> 69% concerned about character, neighbourhood, village feel and walkability 65% concerned about environment, trees, open spaces, overshadowing and wind, sunshine and blue skies 59% want height controls to limit development on and behind heritage buildings. <p><u>Community Consultation</u></p> <p>97.3 Concerned about the lack of consultation with the local community on Yarra amendments and DDOs.</p> <p>97.4 Submits that locals have a good understanding about the nuances of the neighbourhood and their input is essential to get the best outcome for the future.</p> <p>97.5 Recommends amendment to be based on community's values and expectations rather than development yields.</p> <p>97.6 Concerned that a 'top down' approach is being followed.</p> <p><u>Changes from Interim to permanent DDO</u></p> <p>97.7 Concerned about lack of clarity in changes of heights from interim DDO to permanent DDO.</p> <p><u>Heritage</u></p> <p>97.8 Recommends to protect the heritage places and spaces by providing clearer objectives and mandatory controls.</p> <p>97.9 Recommends all heritage overlay areas to be designated as minimal change in line with the Burra Charter conservation principles.</p> <p><u>Building Height</u></p> <p>97.10 Recommends that the unique character of the area should be preserved with low rise redevelopments.</p>	<p><u>Community Consultation</u></p> <p><u>Changes from Interim DDO to Permanent DDO</u></p> <p><u>Heritage</u></p> <p><u>Building Height</u></p> <p><u>Neighbourhood Character</u></p> <p><u>Amenity</u></p> <p><u>Overshadowing of public spaces</u></p> <p><u>Mandatory vs Preferred Controls</u></p> <p><u>Overshadowing of Peel Street</u></p> <p><u>Employment</u></p> <p><u>Upper Level Setbacks</u></p> <p><u>Architectural Design</u></p>	<p>97.1 Noted. The submitter is referring to advice that was provided by Yarra's Heritage Advisory Committee to officers to inform the proposed draft DDO23 for the Council Meeting on the 18 May 2021.</p> <p><u>Matters raised in C269</u></p> <p>97.2 Noted.</p> <p><u>Community Consultation</u></p> <p>97.3-97.6 Refer to topic no. 20 'Community Consultation' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Changes from Interim to permanent DDO</u></p> <p>97.7 GJM Heritage was engaged to review the currency of their previous built form recommendations (Section 8 of their Collingwood Mixed Use Pocket: Heritage Analysis & Recommendations (June 2018) report, to inform the drafting of permanent DDO provisions. GJM has provided a Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct (May 2021, Attachment 3) which, also informed the drafting of permanent DDO provisions. Overall, in comparison to the interim DDO23, the exhibited DDO23 includes clearer and stronger requirements which aligns with the Heritage Advisory Committee's and heritage report's advice on built form changes from May 2021. It provides more mandatory controls for heights and setbacks and generally lower heights on consistent heritage pockets. In addition to height and setback requirements, the proposed DDO23 includes a number of requirements for development on heritage buildings and infill development adjoining a heritage building to ensure that new buildings will be sensitive towards the heritage character of the area. The Council Meeting Report (18 May 2021) provides a detail table showing the recommended changes to the existing interim in the supplementary report. There is also a figure which spatially show how the recommendations have been translated into the exhibited DDO23.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Heritage</u></p> <p>97.8 Refer to topic no. 10.1 'Better protection of the heritage fabric' of the Responses to Commonly Raised Issues.</p> <p>97.9 Refer to topic no. 10.2 'New developments not being sensitive towards heritage places' and no. 10.3 'Transition of new development to heritage buildings' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p>

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		<p>97.11 Recommends a reduction in height to a six-storey mandatory height limit for the whole area. This is to ensure consistency with the existing Foy and Gibson redevelopment.</p> <p>97.12 Recommends building heights in Area 1 and 2 to not exceed 11m heritage cottages in the area. This is to ensure new development does not overwhelm and overshadow neighbouring cottages.</p> <p>97.13 Concerned about the preferred maximum building heights of 30-40m in Area 3 along Wellington Street between Victoria Parade and Langridge Street. This completely changes the character of the area and will have detrimental effect on the neighbourhood.</p> <p>97.14 Recommends reducing the preferred maximum building height of 27m in Langridge Street to be reduced.</p> <p><u>Character</u></p> <p>97.15 Recommends Council to conduct a neighbourhood character study.</p> <p>97.16 Recommends inclusion of a statement defining the area and its unique features that need to be conserved. Submits to also include clarifying the type of development that needs to ensure this occurs.</p> <p>97.17 Recommends protecting the industrial character of the area and enhance liveability.</p> <p><u>Amenity</u></p> <p>97.18 Recommends protection to sunlight and blue skies for all public and private open spaces.</p> <p><u>Overshadowing of public open spaces</u></p> <p>97.19 Recommends no additional overshadowing of all public parks (Peel, Cambridge and Langridge Street Reserve) as there are very few and small parks in the area.</p> <p>97.20 Recommends considering maximum sunlight into Cambridge Street Reserve as it is the largest green open space in the area and needs to remain attractive to the residents. Concerned about the preferred maximum building heights of 20 (6 storeys) on north and 30m (9 storeys) on east.</p> <p>97.21 Recommends lower height and mandatory controls around Cambridge Street Reserve to minimise overshadowing impacts.</p> <p><u>Mandatory Controls</u></p> <p>97.22 Recommends mandatory height limits around all parks.</p>	<p><u>Protection of views</u></p>	<p><u>Building Height</u></p> <p>97.10-97.11 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>97.12 Applying a blanket maximum height requirement of 11m for sites in area 1 and 2 would fail to acknowledge the wide differences in lot size, heritage fabric and development capacity found in areas 1 and 2. It would also fail to accommodate for growth in Collingwood South, which is part of the Smith Street Activity Centre. Lower height controls have been allocated to heritage buildings. Refer to topic no. 5 'Building Height' for more information on how the designated building height controls were devised.</p> <p>Recommended position: No change to the draft amendment.</p> <p>97.10-97.12 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Neighbourhood Character</u></p> <p>97.15 Refer to topic no. 12 'DDO23 does not retain the character' of the Responses to Commonly Raised Issues.</p> <p>97.16 The Collingwood South Mixed Use Zone area forms part of the Smith Street Major Activity Centre (MAC). The local planning policy is in the process of being updated through Planning Scheme Amendment C296yara, which describes the in proposed Clause 11.03-1L 'Activity Centres':</p> <p><i>"Encourage development that responds to the different built form conditions in Collingwood South precinct, with taller built form towards Wellington St and south of Peel Street and retain the visual dominance and integrity of the existing industrial warehouse buildings north of Peel Street."</i></p> <p><i>"Encourage employment through mixed use and commercial development, including in the mixed-use zoned land behind Smith Street."</i></p> <p>97.17 Refer to topic no. 10.1 'Better protection of the heritage fabric' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Amenity</u></p> <p>97.18 Refer to topic no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of public open spaces</u></p> <p>97.19-97.21 Refer to topic no. 1 'Overshadowing Public Open Spaces' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>Mandatory vs Preferred Controls</u></p>

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		<p><u>Overshadowing of Peel Street</u></p> <p>97.23 Recommends protecting Peel Street from overshadowing to protect the mature and proposed trees.</p> <p><u>Employment</u></p> <p>97.24 Acknowledges the contribution of heritage places for creative employment.</p> <p>97.25 Recommends for DDO controls to be able to support small scale businesses to diversify employment and support creative industries.</p> <p><u>Upper Level Setbacks</u></p> <p>97.26 Recommends all upper level setback above a street wall to be 10m for the whole area.</p> <p><u>Architectural Design</u></p> <p>97.27 Recommends encouraging verandahs along Wellington Street to provide amenity to pedestrians and assist with heat island effect.</p> <p>97.28 Recommends avoiding residential entrances and services in shopping precincts.</p> <p><u>Protection of views</u></p> <p>97.29 Recommends protecting views of the Grace Darling and Robert Peel Hotel from silhouetting.</p> <p><u>Other</u></p> <p>97.30 Concerned that Plan Melbourne 5.2.1 has not been used in the development of this DDO.</p> <p>97.31 Recommends providing a clear definition of low, mid and high rise.</p>		<p>97.22 Refer to topic no. 8 'Mandatory versus Discretionary Requirements' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Overshadowing of Peel Street</u></p> <p>97.23 Refer to topic no. 4 'Footpaths/Public Realm' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Employment</u></p> <p>97.24 Noted.</p> <p>97.25 Refer to topic no. 19 'Economic Development' of the Responses to Commonly Raised Issues. It is noteworthy that Yarra's <i>Arts and Culture Strategy</i> includes a number of objectives which aim to maintain and support Yarra's arts culture. For example, facilitating appropriate and affordable venues and spaces that are suitable for arts and culture activities and encouraging new developments to contribute to the creative industries sector.</p> <p>Recommended position: Change to draft Amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended</p> <p><u>Upper Level Setbacks</u></p> <p>97.26 Refer to topic no. 7 'Upper Level Setbacks' of the Responses to Commonly Raised Issues. Overall, the upper level setback recommendation aims to ensure that the heritage buildings retain their three-dimensional form, upper levels are visually recessive and do not overwhelm the heritage building and a strong sense of separation is achieved between upper levels and street walls.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Architectural Design</u></p> <p>97.27 Refer to topic no. 11 'Building design / design standard needed' of the Responses to Commonly Raised Issues.</p> <p>97.28 The Collingwood South precinct is in a Mixed Use Zone where residential uses are 'as of right'. Clause 2.8 of the exhibited DDO23 includes requirements to ensure that ground level spaces are capable of accommodating different uses over time and that a pedestrian-oriented design outcome is achieved.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Protection of views</u></p> <p>97.29 The existing Yarra Planning Scheme contains existing policy Clause 22.03 Landmarks. Council is updating the existing local policies in the Yarra Planning Scheme through Amendment C269. Please note there are numerous requirements and decision guidelines in the exhibited DDO23 that ensure that the heritage buildings retain their three-dimensional form, upper levels are visually recessive and do not overwhelm the heritage building and</p> <p>Recommended position: No change to the draft amendment.</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
				<p><u>Other</u></p> <p>97.30 All policy and provisions in the planning scheme (including DDOs) are required to take account the objectives and directions of <i>Plan Melbourne 2017-2050</i>.</p> <p>97.31 Outside the scope. The exhibited DDO does not use the terms 'low, mid and high rise'</p> <p>Recommended position: No change to the draft amendment.</p>
98	Community Group	<p>98.1 Recommends setting up a Design Review Panel to assess planning applications.</p> <p><u>Heritage</u></p> <p>98.2 Recommends to retain the heritage buildings and feel of the area.</p> <p><u>Building Height</u></p> <p>- Area 1</p> <p>98.3 Recommends that the building height on the corner of Peel and Oxford Street should be no higher than 14m.</p> <p>98.4 Concerned about the preferred maximum building height of 20m for the large area along Oxford St, Langridge St and Cambridge St. Recommends that heritage scale and diverse lot sizes should be taken into consideration.</p> <p>- Area 2</p> <p>98.5 Recommends heights in Derby Street and Oxford Street to be nothing over 14m and Mason Street 11m.</p> <p>98.6 Recommends area to provide appropriate scale and character that would transition to Smith Street. Refers to example of area behind Roberts Street as a bad example of a new neighbourhood.</p> <p>- Area 3</p> <p>98.7 Recommends maximum height in this area to be 20m except the designated 40m which already exists. This will allow for variation and change of skyline.</p> <p>98.8 Recommends lower heights along Derby Street to bring neighbourhood character to the area.</p> <p><u>Protection of existing Public Open Spaces</u></p> <p>98.9 Recommends protecting open spaces from overshadowing, massing and buildings overwhelming them.</p> <p><u>The Need for More Public Open Space</u></p> <p>98.10 Recommends provision of a new pocket park in Area 1.</p> <p><u>Landscaping within private property</u></p>	<p><u>Heritage</u></p> <p><u>Building Height</u></p> <p><u>Protection of Public Open Spaces</u></p> <p><u>The Need for More Public Open Space</u></p>	<p>98.1 Noted, however, this is outside the scope of the draft amendment.</p> <p><u>Heritage</u></p> <p>98.2 Refer to topic no. 10.1 'Better protection of the heritage fabric', no. 10.2 'New developments not being sensitive towards heritage places' and no. 10.3 'Transition of new development to heritage buildings' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height</u></p> <p>98.3 It is understood that the submitter is referring to the northeast corner of Peel and Oxford Streets, which is the land at No. 20 Peel Street. This site is already developed with a six-storey building so it would be illogical to impose a height limit for this site that is lower than the existing development.</p> <p>Recommended position: No change to the draft amendment.</p> <p>98.4 Refer to topic no. 5 'Building Height' of the Responses to Commonly Raised Issues</p> <p>Recommended position: No change to the draft amendment.</p> <p>98.5 With respect to the recommendation to make all heights a maximum of 14m along Derby and Oxford Streets, this would fail to acknowledge the wide variety in lot sizes, presence of heritage fabric and development capacity. For larger, non-heritage sites on these streets, it would also fail to accommodate growth for Collingwood South which is part of the Smith Street Major Activity Centre. Refer also to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues for further information on how the building height controls have been devised.</p> <p>With respect to recommendation to designate a maximum height control of 11m along Mason Street, this matter has been responded to at 49.8 above.</p> <p>Recommended position: No change to the draft amendment.</p> <p>98.6 Refer to topic no. 5 'Building Height' in the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p>98.7-98.8 Taller heights have been designated for area 3 to acknowledge the fact that Wellington Street and Langridge are the key movement corridors within the Collingwood South area. These heights are also reflective of conditions such as recently approved/ constructed development, the general lack of heritage constraints and the larger lot sizes. This is all based on extensive strategic work. Thus, there is no strategic justification to apply a</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>98.11 Recommends developments to include green frontages, roof tops for visual appeal, recreation and mitigating heat.</p> <p><u>Public Realm</u></p> <p>98.12 Recommends planting of trees along Cambridge Street, Oxford Street and Derby Street.</p> <p>98.13 Recommends provision of creative planting of trees and desk spaces to provide outdoor workspaces like Melbourne University.</p> <p><u>Other</u></p> <p>98.14 Recommends the area to provide good pedestrian amenity, cycling options and spaces for creative industries and small groups in Area 1.</p> <p>98.15 Recommends reducing the number of car parking spaces to provide more parklets towards Derby Street and outside businesses in heritage strip</p>		<p>blanket height control of 20m to Area 3. Refer to topic no. 5 'Building Height' for more information on how the height controls have been devised.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Protection of Public Open Spaces</u></p> <p>98.9 Refer to topic no. 1 'Overshadowing of Public Open Spaces' and no. 5 'Building Height' of the Responses to Commonly Raised Issues. In addition, the exhibited DDO contains the following requirement at Clause 2.8 Other Design Requirements to ensure new development responds appropriately to public open space interface</p> <p><i>Development interfacing with areas of public open space should:</i></p> <ul style="list-style-type: none"> • provide a suitable transition in scale to the interface with the public open space; • ensure that development does not visually dominate the public open space; • provide passive surveillance from lower and upper levels. <p>Recommended position: Change to draft Amendment. Following further investigation and strategic work, stronger controls pertaining to the overshadowing of Public Open Space have been recommended.</p> <p><u>New Public Open Space</u></p> <p>98.10 Refer to topic no. 2 'Need for more Public Open Spaces' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Landscaping within private property</u></p> <p>98.11 Refer to topic no. 3.1 'Landscaping within private property' of the Responses to Commonly Raised Issues</p> <p>Recommended position: Change to draft Amendment. To ensure new development integrates landscaping an additional requirement has been recommended.</p> <p><u>Public Realm</u></p> <p>98.12-98.13 Outside of the scope of the draft Amendment. Council has an Annual Tree Planting Program that work towards increasing street tree canopy within Council. As part of this program Council has planted number of new trees in and around the Collingwood South Precinct. Below are specific statistics for the three streets:</p> <ul style="list-style-type: none"> • Cambridge Street – total of approximately 65 new trees planted (2012 and 2019) • Oxford Street – total of approximately 50 new trees planted (2009, 2012 and 2020) • Derby Street – total of approximately 25 new trees planted (2014 and 2020) <p>Recommended position: No change to the draft amendment.</p> <p><u>Other</u></p> <p>98.14 Refer to topic no. 11 'Building design/ design standard needed', no. 16 'Public Transport and Cyclist Infrastructure Capacity' and no. 19 'Economic Development' of the Responses to Commonly Raised Issues.</p> <p>98.15 Refer to topic no. 17 'On-Street Parking' of the Responses to Commonly Raised Issues</p> <p>Recommended position</p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
				<p>Building Design, Public Transport and Cyclist Infrastructure Capacity and On-Street Parking: No change to the draft amendment.</p> <p>Economic Development: Change to the draft amendment. To ensure new development can accommodate different uses over time an additional requirement has been recommended.</p>
99	Resident	<p><u>Building Height and Amenity</u></p> <p>99.1 Concerned about the proposed preferred height control for properties along Derby Street (up to 8 storeys) would result in excessive overshadowing to the submitter's property and reduce the property value.</p> <p>99.2 Recommends that buildings along Derby Street do not exceed 6 storeys.</p> <p><u>Open Space</u></p> <p>99.3 Concerned that the small park at the corner of Oxford and Derby Streets will be built on – this should be left as a green space.</p>	<p><u>Building Height</u></p> <p><u>Public Open Space</u></p>	<p><u>Building Height</u></p> <p>99.1-99.2 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated amenity subsections of the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building height: No change to the draft amendment.</p> <p>Amenity: No change to the draft amendment.</p> <p><u>Public Open Space</u></p> <p>99.3 Oxford Street Reserve is a Council owned land and the amendment does recommend to build over the park.</p> <p>Recommended position: No change to the draft amendment.</p>
100	Landowner representative	<p>100.1 Generally supportive of the amendment.</p> <p><u>Rewording suggestion in Clause 2.5 Building Height Requirement</u></p> <p>100.2 The submission supports refinement of the interim requirements to be met to the satisfaction of the responsible authority when considering building heights that exceed those shown in Map 1. In particular, the submitter supports the introduction of a requirement that differentiates between the built form outcomes for differing land use typologies, e.g. a residential hotel as opposed to a residential building with dwellings.</p> <p>100.3 The submitter queries the introduction of a requirement that a proposal to exceed the preferred building height in Map 1 must achieve: - <i>'no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height'</i> should be replaced with <i>'no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height. The future development opportunity of residentially zoned property within DDO23 and the shadow cast by the resultant built form is to be considered as part of the proposed design response.'</i> The submission states it is unclear whether the intention of this requirement is to consider the existing condition or to also consider the future development opportunity of the potentially impacts property or properties.</p>	<p><u>Building Height</u></p> <p><u>Service Equipment</u></p> <p><u>Mandatory Versus Discretionary Requirements</u></p> <p><u>Upper Level Setbacks</u></p>	<p>100.1 Noted</p> <p><u>Rewording suggestion in section 2.5 Building Height Requirement</u></p> <p>100.2 Noted</p> <p>100.3 Overshadowing to residentially zoned properties has to be measured against the existing condition of a site which is covered under Clause 2.6 <i>Overshadowing and solar access requirements</i>. Clause 2.7 includes requirements which require new development to consider the future development opportunities of adjacent properties and to provide for equitable development outcome. Both matters are a separate issue and a planning application will have to consider a DDO in its entirety. Furthermore, the exhibited DDO23 includes an application requirement (under Clause 5.0 of the DDO) for:</p> <p><i>does the design respond to the interface with existing low-scale residential properties, including the overshadowing of secluded private open space;</i></p> <p>This application requirement will ensure that planning applications for future developments are provided with overshadowing assessment information. This will ensure that the developments are designed to respond sensitively to the residential zoned properties. This application requirement will also ensure that overshadowing is assessed on a case by case basis. Also please note the submitter says '...that a proposal to exceed the preferred building height in Map 1 must achieve', however, the DDO does not use the word must in this context.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Service equipment height in section 2.5</u></p> <p>100.4 The interim DDO23 states that <i>'The equipment does not extend higher than 3.6 metres above the maximum building height'</i>. The designated height in the exhibited DDO23 is 2.6 metre. This is in response to the concerns raised by the community. From a built form and design perspective a 3.6m equates to an additional storey.</p> <p>Recommended position: No change to the draft amendment.</p>

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		<p><u>Service equipment height in Clause 2.5</u></p> <p>100.4 The submission does not support the nominated height of 2.6m under Clause 2.5 that relates to the height of service equipment and/or structures that may exceed the preferred building height. It suggests that 2.6m will be insufficient for a lift inclusion of its overrun to carry passengers to a roof terrace or similar roof top destination. The submission recommends a height of 3.6-4m to be considered more realistic and achievable than 2.6m (noting that interim DDO23 nominates a height of 3.6m)</p> <p><u>Mandatory upper level setbacks at side and rear in Clause 2.7 Building separation, amenity and equitable development requirements</u></p> <p>100.5 The submission does not support the mandatory upper level setbacks under Clause 2.7 that relates to common boundary (side and rear boundaries). It is not clear why this requirement is 'absolute necessary' and does not provide flexibility to respond to local context and unique built form conditions of the land and/or precinct. The submission provides few examples and recommends changing 'must' to 'should' to the three upper level setback requirements.</p> <p><u>Rewording suggestion in Clause 2.3 Street wall height and front setback requirements</u></p> <p>100.6 The submission recommends a rewording change in Clause 2.3 to provide more clear differentiation between the mandatory and preferred street wall heights shown in Map1. It states that a similar structured requirement is made in Clause 2.5 Building Height Requirement. The below version is recommended (underline text to be introduced in the DDO)</p> <p><i>Development must not exceed the <u>mandatory</u> street wall heights as shown in Map 1</i></p>		<p><u>Mandatory upper level setbacks at side and rear in section 2.7 Building separation, amenity and equitable development requirements</u></p> <p>100.5 The mandatory setbacks in the exhibited DDO23 are based on rigorous analysis and testing of urban design, heritage and traffic matters. It aims to provide a balanced approach by guiding different levels of potential development across the area and to ensure the future development will be sensitive towards heritage buildings and minimise impacts on sensitive residential interfaces and public spaces. The exhibited DDO23 includes the following objective which relates generally to side and rear setback:</p> <p><i>To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.</i></p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Rewording suggestion in Clause 2.3 Street wall height and front setback requirements</u></p> <p>100.6 It appears that the submitter is actually referring to Clause 2.3 Street wall height and front setback requirement. It is noted that the wording of the requirement does not use the same wording than the legend item of Map 1. The wording should be changed as suggested to increase clarity.</p> <p>Recommended position: Change to draft Amendment. Council recommends to amend the wording of the requirement from:</p> <p><i>"Development must not exceed the street wall heights as shown in Map 1"</i></p> <p>To:</p> <p><i>"Development must not exceed the <u>mandatory</u> street wall heights as shown in Map 1"</i></p>
101	Resident	<p><u>Heritage</u></p> <p>101.1 Recommends to protect the heritage places and spaces by providing clearer objectives and mandatory controls.</p> <p><u>Accommodating Growth</u></p> <p>101.2 Recommends that increased housing should be accommodated throughout the City of Yarra and not only the heritage areas reserved for moderate and high change.</p> <p><u>Building Height</u></p> <p>101.3 Recommends building heights in Area 1 and 2 to not exceed 11m heritage cottages in the area. This is to ensure new development does not overwhelm and overshadow neighbouring cottages.</p>	<p><u>Heritage</u></p> <p><u>Accommodating Growth</u></p> <p><u>Building Height and Amenity</u></p> <p><u>Overshadowing of Cambridge Street Reserve</u></p>	<p><u>Heritage</u></p> <p>101.1 Refer to topic no. 10.1 'Better protection of the heritage fabric', no. 10.2 'New developments not being sensitive towards heritage places' and no. 10.3 'Transition of new development to heritage buildings' and no. 8 'Mandatory versus Discretionary Controls' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Accommodating Growth</u></p> <p>101.2 Refer to no. 21 'Accommodating growth' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Building Height and Amenity</u></p>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
		<p>101.4 Concerned about the preferred maximum building heights of 30-40m in Area 3 along Wellington Street and back on to 11m and 14m buildings. The designated mandatory 11m height limit demonstrates the importance of the buildings and the need for their protection.</p> <p><u>Overshadowing of Cambridge Street Reserve</u></p> <p>101.5 Recommends considering maximum sunlight into Cambridge Street Reserve as it is the largest green open space in the area and needs to remain attractive to the residents. Concerned about the preferred maximum building heights of 20 (6 storeys) on north and 30m (9 storeys) on east in Area 3.</p> <p><u>Upper Level Setbacks in Area 3</u></p> <p>101.6 Recommends all upper level setback to be minimum of 10m above 11m street wall in Area 3.</p>	<p><u>Upper Level Setbacks in Area 3</u></p>	<p>101.3-101.4 Refer to topic no. 5 'Building Height' and no. 13 'Amenity (General)' and associated subtopics of the Responses to Commonly Raised Issues.</p> <p>Recommended position:</p> <p>Building Height: No change to the draft amendment.</p> <p>Amenity: No change to the draft amendment.</p> <p><u>Overshadowing of Cambridge Street Reserve</u></p> <p>101.5 Refer to topic no.1 'Overshadowing Public Open Space' of the Responses to Commonly Raised Issues for a general response. With regard to the request to reduce the height of 20m on north of the reserve, please note there is an approved development on No. 33 Peel Street. All other sites adjoining Cambridge Street reserve which have a designated height of 30m are already been constructed prior to the introduction of the current interim DDO23. An approved Planning Permit cannot be modified or revoked by Council in accordance with the <i>Planning & Environment Act 1987</i>. Changing heights of constructed developments is outside of the scope of the amendment. As noted in the general submission issue response, Council is pursuing an extension to the Cambridge Street Reserve which will increase the size of the space and improve solar access.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Upper Level Setbacks in Area 3</u></p> <p>101.6 For a general response to the issue of upper level setbacks, see topic no. 7 'Upper Level Setbacks' in the Responses to Commonly Raised Issues. The setback requirements within the exhibited DDO23 are based rigorous analysis and testing of urban design, heritage and traffic matters. 10m setback and 11m street wall height in Area 3 is highly restrictive and requires strong justification for its use. The <i>Collingwood Built Form Framework</i>, June 2018 (prepared by Hansen Partnership) identifies below future character statement for Collingwood South precinct is</p> <p><i>The southern precinct is more mixed and can support stronger form to its main thoroughfares. In transition to more delicate street-based infill in the interior that can coexist with abutting remnant stock.</i></p> <p>It describes Area 3 as an area which generally comprises larger size lots that are devoid of heritage sensitivities, except for the Peel and Vine Hotel buildings. It acknowledges the recent approvals in Area 3 (referred as Wellington Street W2 in their report) presents an emerging new built form along the street and marks the junction of Wellington and Langridge Street key movement corridors. Cambridge Street is identified to comprise approvals with street wall and upper form typology that provides a clear street definition without visually dominating the streetscape. The work generally suggests that new developments in Area 3 should follow the emerging development pattern while giving consideration to equitable development and public realm amenities. The Built Form Framework report states that:</p> <p><i>"The visual distinction between street walls and upper levels is also important in relation to new street walls. A 6m setback to upper levels above a new street wall is also encouraged to:</i></p> <ul style="list-style-type: none"> <i>provide a clear separation between the street wall and upper forms;</i> <i>ensure new upper form do not visually dominate the streetscapes;</i> <i>create consistent upper level setbacks along streetscapes that comprise a mix of heritage and non-heritage forms; and</i> <i>reinforce the visual dominance of street walls.</i>

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SUB NO	INTEREST	SUMMARY OF SUBMISSION	SUBMISSION ISSUES	RESPONSE
				Recommended position: No change to the draft amendment.
102	Resident	<p><u>Building Height and setbacks</u></p> <p>102.1 Concerned that the preferred building height and setback would have adverse impact on the amenity, character and heritage significance of the area.</p> <p><u>Heritage</u></p> <p>102.2 Concerned that this contradicts with the purpose of the Heritage Overlay.</p> <p>102.3 Concerned that the upper levels of the development will overwhelm the heritage significance of the streetscape.</p> <p><u>Wind Impacts</u></p> <p>102.4 Concerned about wind tunnel effect, overshadowing impacts with loss of natural light and sunshine and subsequently impact the use of rare open spaces.</p> <p><u>Architectural Design</u></p> <p>102.5 Concerned about lack of architectural controls with particular concerns regarding material.</p> <p>102.6 Queries about lack of controls to maintain the topography of the precinct.</p> <p><u>Construction</u></p> <p>102.7 Concerned that the construction of multi-storey buildings is not discussed in the proposed amendment.</p> <p><u>Parking</u></p> <p>102.8 Concerned about increase pressure on car parking</p>	<p><u>Building Height and setbacks</u></p> <p><u>Heritage</u></p> <p><u>Wind Impacts</u></p> <p><u>Architectural Design</u></p> <p><u>Construction</u></p> <p><u>Parking</u></p>	<p><u>Building Height and Upper Level Setbacks</u></p> <p>102.1 The building height and upper level setback requirements within the exhibited DDO23 are the result of various parameters including the existing built form conditions (heritage places and approved permits). The exhibited DDO23 aims to provide a balanced approach by guiding different levels of potential development across the area and to ensure that future development will be sensitive towards heritage buildings, minimising impact on sensitive residential interfaces and public spaces such as footpaths, open spaces and expanded street corners. Refer to topic no. 5 'Building Height', no. 7 'Upper Level Setbacks', no. 13 'Amenity (General)' and no. 10 'Heritage' and associated subtopics of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Heritage</u></p> <p>102.2 Refer to topic no. 10.1 'Better protection of the heritage fabric' of the Responses to Commonly Raised Issues.</p> <p>102.3 Refer to topic no. 10.2 'New developments not being sensitive towards heritage places' and no. 10.3 'Transition of new development to heritage buildings' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Wind Impacts</u></p> <p>102.4 Refer to topic no. 13.3 'Wind Impacts' of the Responses to Commonly Raised Issues.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Architectural Design</u></p> <p>102.5 Refer to topic no. 11 'Building design / design standard needed' of the Responses to Commonly Raised Issues.</p> <p>102.6 The exhibited DDO23 includes an objective, requirement and decision guideline which will ensure that new developments respond appropriately to the topography of the area. The exhibited DDO23 includes the following objective which relates generally to this:</p> <p><i>"To ensure that the overall scale and form of new buildings is low- to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing."</i></p> <p>Below is the relevant requirement in Clause 2.8 'Other design requirement' in the exhibited DDO23:</p> <p><i>"respond to the topography of the east-west oriented streets through transition and 'stepping' of the ground floor to appropriately address the street."</i></p> <p>Developments are required to take account of all policy and provisions in the planning scheme. The issue of topography will be addressed in detail when a planning application is assessed. Below is the relevant Decision Guidelines in the exhibited DDO23:</p> <p><i>"how the proposal responds in terms of scale and transition to the sloping topography of the area"</i></p> <p>Recommended position: No change to the draft amendment.</p>

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				<p><u>Construction</u></p> <p>102.7 Outside the scope of the amendment. Construction works are outside the scope of this amendment and are also outside of the scope of the planning system more broadly. Planning permits associated with larger-scale projects are required to provide a Construction Management Plan to ensure that the proposed construction methods are in accordance with the requirements set out by Council's Construction Unit.</p> <p>Recommended position: No change to the draft amendment.</p> <p><u>Parking</u></p> <p>102.8 Refer to topic no. 17 'On-Street parking'. In addition, car parking within private development is outside the scope of this amendment. The provision of car parking in new developments is guided by Clause 52.06 as well as local transport policy at Clause 18 of the Yarra Planning Scheme which encourages the prioritisation of sustainable modes of transport including cycling and public transport.</p> <p>Recommended position: No change to the draft amendment.</p>

Attachment 2 - C293yara Responses to Commonly Raised Issues

Draft Amendment C293yara to the Yarra Planning Scheme

Officers responses to commonly raised issues in submissions

In relation to the Responses to Submissions Table below, it is also noted that it was not possible to repeat every issue or statement made by the Submitters verbatim. In cases where submissions raised overlapping or similar issues based on a specific theme, officers have summarised the issues raised and provided a thorough, consolidated response.

Note: Amendment or C293 means draft Amendment C293

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Attachment 2 - C293yara Responses to Commonly Raised Issues

1. Overshadowing of public open space

Recommended position

Change to the Amendment.

Issue

Numerous submissions raised concerns about future development unreasonably overshadowing public open space. Numerous submitters also call for overshadowing requirements to be measured against the winter solstice rather than the September equinox, as per the *Urban Design Guidelines for Victoria*.

Response

The *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership) highlights the importance of solar access to Public Open Space as follows:

"In inner urban areas such as Collingwood, access to sunlight is an important element. Therefore, the need to provide sufficient solar access to the public realm is vital to the 'life' of the street." (18)

There are various controls in the exhibited DDO23 which assist to minimise the amount of overshadowing of public open space. Next to the requirements for street wall heights, upper level setbacks and overall heights, Clause 2.6 states:

"Development should be designed to minimise overshadowing of the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority:

- *Cambridge Street Reserve (incl. any future extension of the reserve);*
- *Oxford Street Reserve*
- *The outdoor space of Collingwood English Language School*
- *Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable."*

Further analysis was undertaken to understand the amount of overshadowing caused by the potential built form of exhibited DDO23, measured at the equinox and the winter solstice.

Peel Street Reserve context

This reserve was not assessed for impacts from potential form in DDO23 as its northern and western boundaries are outside of the DDO and the eastern boundary is a road (Oxford Street).

Cambridge Street Reserve context

The current Cambridge Street Reserve is surrounded to the north and east by new development that is either constructed or under construction. Currently the reserve is subject to expansion over the road reserve to the west. Properties on the western side of Cambridge Street adjacent to the potential reserve extension are subject to the heritage overlay and have a mandatory upper level setback of 6 metres above the street wall and an overall height of 11 metres in the exhibited DDO23.

Attachment 2 - C293yara Responses to Commonly Raised Issues

Oxford Street Reserve context

The reserve is located between Langridge Street and Derby Street, with Oxford Street extending to its north and south. A double storey heritage place is located to its west (22 Derby Street) and a double storey office building to the east (30-34 Oxford Street).

Winter Solstice Assessment

Applying the *Urban Design Guidelines for Victoria* or the local policy as in proposed Clause 22.12-4 as part of C286yara:

The *Urban Design Guidelines for Victoria* contain the following relevant Objective and associated guideline:

“Objective 5.1.3 To ensure buildings in activity centres provide equitable access to daylight and sunlight”, and

“5.1.3a Locate and arrange the building to allow daylight and winter sun access to key public spaces and key established street spaces.” (18)

Neither the exhibited DDO23 nor Council's Yarra Open Space Strategy as in Amendment C286yara identify certain open spaces as 'key'. The public open spaces in Yarra are treated as being of equal importance.

The proposed policy in Clause 22.12-4 as part of C286yara states that built form:

“Must have no additional overshadowing beyond any 9 metre built form height between 10am and 3pm on June 21.”

This is applicable to new public open spaces only.

Overshadowing of reserves:

Cambridge Street Reserve

The assessment concluded that the existing conditions cause overshadowing to the reserve at the winter solstice between 10AM-2PM, which is unlikely to change in the near future given the recent nature of the constructed buildings to the east, north and north east. Minimising the overshadowing at the winter solstice would require to demolish existing buildings.

Oxford Street Reserve

Overshadowing of public open space from the existing conditions in Collingwood South is very significant at the winter solstice, particularly between 10-11AM (see Figure 1, solid purple line). The analysis demonstrated that additional overshadowing from potential form of DDO23 is minimal at 10AM (dashed purple line), as it is the existing buildings overshadow most of the park already. Minimising the relatively small amount of additional overshadowing caused by the potential form of DDO23 would mean to make significant changes to parts of DDO23, including to confine new development to the existing built form.

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Figure 1: 10AM Shadow comparison for Oxford Street Reserve



Figure 2: 11AM Shadow comparison for Oxford Street Reserve

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Given that:

- The Yarra Open Space Strategy does not distinguish between 'key' and other public open spaces;
- The proposed policy in Clause 22.12-4 of C286yara applies to new public open spaces only;
- Overshadowing from existing conditions is already very significant;
- Changes to DDO23 would have to be significant and/or require the demolition of existing structures to minimise overshadowing of Cambridge Street and Oxford Street Reserve, which would achieve minimal improvement to the overshadowing outcome; and
- the September equinox is the common measure used in the Victorian Planning system to assess overshadowing;

it is not practicable to apply the winter solstice as a measure for assessing overshadowing of public open spaces in the proposed DDO23.

Equinox Assessment

Cambridge Street Reserve

The potential for increase in overshadowing due to potential built form from the exhibited DDO23 practically does not need to be assessed. Buildings surrounding the reserve to the east and north are either constructed or under construction. The buildings to the western edge of the potential Cambridge Street Reserve extension are double storey heritage places. Development of mandatory maximum of 11 metres would not add additional overshadowing, likely due to the upper level setback.

Oxford Street Reserve

For the property at No. 30 – 34 Oxford Street (adjoining Oxford Street Reserve to the east) the exhibited DDO23 indicates a preferred maximum street wall height of 14 metres (four storeys), a preferred minimum upper level setback of 3 metres and an overall building height of 27 metres (8 storeys).

The property fronting 22 Derby Street (adjoining Oxford Street Reserve to the west) is subject to the heritage overlay. For the northern part of the 22 Derby Street, DDO23 indicates an 11 metre (3 storeys) street wall and mandatory overall building height of 11 metres.

Oxford Street Reserve has the highest potential for an increase in overshadowing in comparison to existing conditions. Particularly between 10AM-12PM new development could cast additional overshadowing to the reserve (see Figures 1 and 2, dashed orange line). The additional overshadowing is likely to affect seating areas in the reserve which located to the eastern half.

Testing indicates that the following changes to DDO23 would minimise overshadowing to the level of existing conditions at the equinox:

- Reduction of the street wall height from 14m to 11m along the eastern boundary of the reserve;
- Minor adjustments to the upper level form (various options likely).

As such, it is recommended to reduce the street wall height along the eastern edge of Oxford Street Reserve and to amend the requirement in Clause 2.6 of exhibited DDO23 that ensures that overshadowing to Oxford Street Reserve remains as per existing conditions, measured at the equinox.

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Conclusion

It is recommended to make the following changes to the exhibited DDO23:

- reduce the street wall height along the eastern boundary of Oxford Street Reserve from 14 metres to 11 metres; and to
- amend the overshadowing requirement for public open spaces in Clause 2.6 of DDO23 as follows (track changes shown):

*“Development should ~~be designed to minimise~~ **not increase the amount of** overshadowing **as caused by existing conditions, measured between 10am and 2pm on 22 September of for the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority:***

- Cambridge Street Reserve (incl. any future extension of the reserve);
- Oxford Street Reserve
- The outdoor space of Collingwood English Language School
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.”

2. Need for more public open space

Recommended position

No change to the Amendment. This issue is outside the scope of the amendment.

Issue

A majority of submissions raise issue with the lack of public open space in the Collingwood South, and many submit that future developments will exacerbate this.

Response

This issue is highlighted by Council's Open Space Strategy which states:

“Given the historical lack of provision of open space in Fitzroy, Collingwood and parts of Richmond, the smaller network of spaces is highly valued and well used in the high density areas. As urban densities continue to increase in these areas, these smaller spaces will become increasingly important to the resident and worker community living and working there, and the Strategy has identified opportunities to increase this network to better meet the existing and particularly forecast community open space needs. (36)”

The purpose of a design and development overlay, however, is to guide future development to ensure good design, amenity and public realm outcomes. It is not the appropriate planning tool to seek new or increase public open space. The correct planning tool is instead a public open space contribution requirement, which is at Clause 53.01 of the Yarra Planning Scheme. Pursuant to the schedule of this Clause, Yarra's current public open space contribution requirement is set at 4.5% for all subdivision applications.

Council is currently pursuing Planning Scheme Amendment C286yara (Public Open Space Contributions) which seeks to increase the rate of public open space contribution from the current rate of 4.5% to 10.1%. This will assist in providing increased public open space across the municipality, especially in under-serviced, former-industrial areas such as Collingwood South. Planning Scheme Amendment was recently exhibited to the community

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and Council is currently considering submissions. For more information about the amendment, see the following link:

<https://www.yarracity.vic.gov.au/the-area/planning-for-yarras-future/yarra-planning-scheme-and-amendments/current-amendments/amendment-c286-public-open-space-contributions>

In addition, Council is proposing a substantial extension to the Cambridge Street Reserve which will include new landscaping and play equipment.

Conclusion

This issue is outside the scope of the draft amendment. Amendment C286yara will assist to address the issue.

3. Landscaping

3.1. Landscaping within private property

Recommended position

Change to the Amendment.

Issue

Some submissions suggested that a landscaping requirement be included through landscape setbacks (for deep tree planting), green frontages and roof tops.

Response

Council is updating the existing local policies in the Yarra Planning Scheme through Amendment C269yara. Amendment C269yara proposes to introduce strategies through Clause 15.01-2L Building Design which relate to *Landscaping*, in particular:

- *Encourage the planting of trees and vegetation to increase their canopies and coverage to contribute to an urban forest;*
- *Facilitate landscaping (including planting in deep soil, planter boxes, green walls and green roofs) that: Promotes the on-going health of trees and vegetation that has been retained on site...*

As Collingwood South's history is predominantly industrial, it lacks areas for landscaping within the private realm. As it is changing towards a mixed-use area it also should provide for landscaping opportunities within the private realm to soften the otherwise harsher built form environment.

Conclusion

Insert the following requirement into Clause 2.8 of DDO23 to ensure landscaping is integrated into the building design and provides for a softening of the building edge to achieve a positive contribution towards the public realm:

"Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes."

3.2. Landscaping in public realm (trees)

Recommended position

No change to the Amendment. The issue is outside the scope of the amendment.

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Issue

A number of submissions raised concern about protection of developed trees and suggested giving consideration to planting street trees and other street landscaping opportunities.

Response

The purpose of a DDO is to guide the built form and design of new development. It is not an appropriate planning tool to provide guidance on street tree planting or landscaping in the public realm.

There are other strategies that sit outside the planning scheme (namely the Urban Forest Strategy, Nature Strategy, Yarra Open Space Strategy) that work towards increasing street tree canopy, providing new open spaces and protecting existing trees. Amendment C269 recognises Yarra's Urban Forest Strategy and includes new proposed policy in Clause 02.03 to achieve the vision of the Strategy such as the following policies:

Create a healthy and growing urban forest that includes all trees and plants in Yarra, by greening open spaces, streetscapes and buildings

Encourage the planting of trees and vegetation to increase their canopies and coverage to contribute to an urban forest

One of the key actions of the Urban Forest Strategy is the Annual Tree Planting Program. As part of the program there were a number of new trees recently planted along Oxford Street, Cambridge Street, Mason Street and Little Oxford Street.

Conclusion

The issue is outside the scope of the amendment.

4. Footpaths/public realm

Recommended position

No change to the Amendment. Specific public realm improvements are outside the scope of the amendment.

Issue

Some submissions have raised concern about the capacity of the footpaths and the need for new developments to provide wider footpaths and prioritise pedestrian oriented design.

Two submissions suggested the inclusion of setbacks from the street to provide landscaping and wider footpaths.

Response

The purpose of a design and development overlay is to guide the built form and design of new development on private land. A DDO can ensure that new development enhances and supports the surrounding public realm and the exhibited DDO23 includes a number of requirements which seek to enhance and support the precinct's public realm, including pedestrian oriented building design requirements.

The exhibited DDO23 includes the following requirement under Clause 2.3 *Street wall height and front setback requirements* to facilitate pedestrian safety and circulation:

"Development of non-heritage buildings on street corners should provide a corner splay at minimum of 1 x 1 metre at the site's corner boundaries"

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The exhibited DDO23 includes the mandatory requirements under Clause 2.6 *Overshadowing and solar access requirements* to protect opposite footpaths from overshadowing.

The exhibited DDO23 includes the following requirements under Clause 2.8 *Other design requirements* to facilitate setbacks to improve the public realm environment:

“Lower level of developments: [...]

- *should on sites abutting narrow footpaths of less than 1.8 metres, provide for front setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking.”*

There are further requirements under Clause 2.8 *Other Design Requirements* that aim to ensure that new developments achieve pedestrian-oriented, high quality urban design outcomes at lower and upper levels through street edge activation, and appropriate levels of façade articulation that reflect the character of the area.

Conclusion

Specific public realm improvements are outside the scope of the amendment, however the exhibited DDO23 does include requirements for development to enhance and support the precinct's public realm.

5. Building height

Recommended position

No change to the Amendment.

Issue

Many submissions have stated that proposed building heights are excessive and should be reduced. Heights in DDO23 were seen as being out of character, causing unreasonable overshadowing and amenity issues. A number of submissions call for reductions in height to a maximum of 14m. A smaller number of submissions recommend a maximum height of 11 metres (3 storeys).

Response

The building height requirements within the exhibited DDO23 are the result of various parameters. This included strong and detailed analysis of, but not limited to:

- the role of the centre within the City of Yarra;
- street widths;
- the role / function of the street, incl. land use;
- existing built form conditions, including heritage places and expert advice and approved permits;
- protection of public open space and footpaths; and
- previous planning scheme amendments.

These are explained in more detail across the following paragraphs. The combination of these parameters has informed the exhibited overall building heights in DDO23.

The role of the centre within Yarra City Council

The Collingwood South Mixed Use Zone area forms part of the Smith Street Major Activity Centre (MAC). Its inclusion within a MAC designates it as a key area for various activities and changes in accordance with the objectives of *Plan Melbourne 2017 - 2050*.

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The *Yarra Spatial Economic and Employment Strategy* 2018 seeks to support growth in retail and other employment uses in the two activity centres. The SEES also recognises the role of activity centres in terms of housing.

Council's *Housing Strategy* (2018) seeks to direct new housing to areas within or close to activity centres that have good access to public transport, open space and other services and limit housing growth in established residential areas, consistent with *Plan Melbourne*, State and local policy.

The MAC is further described in Clause 11.03-1L proposed by Amendment C269yara:

“Encourage development that responds to the different built form conditions in Collingwood South precinct, with taller built form towards Wellington St and south of Peel Street and retain the visual dominance and integrity of the existing industrial warehouse buildings north of Peel Street.”

“Encourage employment through mixed use and commercial development, including in the mixed-use zoned land behind Smith Street.”

Hence, the Collingwood South precinct has a role in delivering future housing and economic growth.

Street widths

In its *Collingwood Built Form Framework*, June 2018, Hansen Partnership concluded that a street width / overall height ratio of 1:1 be used as a basis to generally maintain a comfortable street environment. Generally, this means a wider street (i.e. Langridge Street) has a greater building height potential than narrower streets (i.e. Mason Street).

A ratio of 1:1.5 has been adopted for Wellington and Langridge Streets to acknowledge the existing (??) taller forms on these streets. This differentiation acknowledges existing new developments and/or planning permits and assists to define these two streets as the key movement corridors of Collingwood South.

The role / function of the street

Detailed strategic work has been undertaken to understand the role and function of the streets within Collingwood South. A differentiation solely based on street width should not be made given that most streets within the precinct are of equal or similar width. However, the streets within the Collingwood South do not have an equal role or function. As identified by the *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership), Wellington Street and Langridge Street are important movement corridors, and both are part of the Principal Bicycle Network. Other streets such as Cambridge, Oxford or Derby Street have a more local function. These have been allocated with comparatively lower building heights.

Conditions including heritage places and approved permits

Heritage places are an important factor that guide the overall height within certain areas of the exhibited DDO23. The *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, June 2018 and the *Supplementary Heritage Report Collingwood South Mixed Use Precinct*, May 2021 (both prepared by GJM Heritage) undertook a detailed assessment of the heritage context. The reports also provide built form recommendations for new development, which have been incorporated into the exhibited DDO23. Where the consistency of heritage places and/or their unique form requires it, mandatory maximum heights have been applied (i.e. Cambridge Street, south of Derby Street). Map 1 of the exhibited DDO23 shows that the majority of heritage places have been designated a mandatory maximum overall building height of 11m (three stories). The majority of infill sites adjacent to or surrounded by heritage places have been designated with lower preferred

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overall heights of either 14m (four stories) or 20m (six stories) to provide for an adequate transition in height.

In combination with street wall height and upper level setback requirements, DDO23 will ensure the overall height of new development is sensitive towards existing heritage places.

The area has a number of recent developments that are either constructed, under construction or approved. The *Collingwood South Built Form Framework* is reflective of these existing and approved developments, which is most relevant to Area 3.

Protection of public open space, footpaths and residential interfaces

The *Collingwood South Built Form Framework*, June 2018 highlights the importance of public open space and footpaths. A number of requirements have been recommended which are part of the exhibited DDO23. See the response to *Overshadowing Public Open Space* above for further detail.

The *Collingwood South Built Form Framework*, June 2018 also outlines the need to modify the profile of new development to respond to residential interfaces, particularly the lower-scale dwellings such as on the southern side of Mason Street. Building height controls are not the only controls that guide future development - the exhibited DDO23 also includes a number of controls and provisions to minimise amenity impacts on residential interfaces. Refer to the response to topic no 13 – Amenity (General) and associated subsections for further information on these.

Many submissions refer to potential heights for properties bound by Oxford, Langridge, Cambridge and Derby Streets. This block is located within Area 3 of the exhibited DDO23 and has been designated with a preferred maximum building height of 27m (8 stories). Submitters are concerned about the potential amenity impacts associated with this height and submit that a height of 14m (4 stories) should be adopted instead to minimise amenity impacts and provide a lower-scale response to these streets. A reduction to 14m (4 stories) for these sites would be an adverse outcome for the following reasons:

- A height of 14m for these sites would be contrary to the *Collingwood South Built Form Framework*, June 2018 which calls for Area 3 to be provided with taller built form given that land parcels are larger, heritage fabric in this area is less dominant and Langridge Street is a key movement corridor within Collingwood South;
- A height of 14m would be a substantial departure from the recent taller developments to the north (11 storeys), northeast (10 storeys) and east (15 storeys) despite conditions being very similar;
- The exhibited DDO23 already includes built form and design requirements that minimise amenity impacts to the public realm and existing properties (such as street wall height, upper level setback and overshadowing requirements).

In light of the above, there is no strategic justification to reduce the preferred height to 14m.

The exhibited DDO23 provides a balance between heritage, amenity and guiding change and facilitating development in Collingwood South. The tallest forms would be located within Area 3, infill sites need to provide a transition in height towards adjacent heritage places and consider the amenity of existing residential uses. Height of new development on most heritage places are mandatory and the lowest in the precinct.

A number of submissions also raise concern about the designated maximum building height control and maximum street wall height control for the land at No. 23-25 Derby Street. Submissions raise concerns about these height controls resulting in amenity impacts (such as overshadowing, loss of views and loss of daylight) to the existing apartment building at 27 Oxford Street (also known as the 'XO building'). The height controls for this site are:

- 20m maximum building height (six stories) and
- 14m maximum street wall height (four stories).

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These height requirements are based on extensive strategic work and highlight the lack of heritage places for this site. The height requirements also reference the 'XO building' (on the western side of Oxford Street) which has an overall height of eight storeys and a street wall height of four storeys. However, height requirements are not the only provision that will affect this site. For instance, the exhibited DDO23 has a mandatory control at section 2.6 which requires new development to not overshadow any part of the opposite footpath between 10am and 2pm on the September equinox. This control indirectly protects the amenity of the apartments of the XO building as the lowest of these are located at level 1 of the building, higher than the Oxford Street footpath. Future development at 23-25 Derby Street will need to be massed and designed in a manner that complies with this requirement.

Conclusion

The majority of taller buildings within DDO23 were approved before interim DDO23 was in place. Updated strategic work has already resulted in lowered and strengthened overall height requirements in comparison to the interim DDO23. The exhibited DDO23 provides a balance between heritage, amenity and guiding change and facilitating development in Collingwood South.

6. Street wall height

Recommended position

No change to Amendment (except for response to Overshadowing of Public Open Space for change to Oxford Street Reserve interface).

Issue

Some submissions raised concerns about the street wall heights being too tall and request lowering them from 14m to 11m for the block between the Oxford Street Reserve and Cambridge Street, south of Langridge Street and along the south side of Derby Street, east of Oxford Street.

Response

The *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership) acknowledges that due to the intersection of two key movement corridors and emerging new development, Area 3 can accommodate a comparatively more robust street wall height. As the topography of the Collingwood Slope rises, the street wall heights reduce from 20m to 14m. For the block east of Oxford Street Reserve up to Cambridge Street (south of Langridge Street), a street wall height of 14m (4 storeys) was recommended as appropriate.

Due to overshadowing analysis with regards to Oxford Street Reserve, the street wall adjoining the north eastern boundary of the reserve is proposed to be lowered to 11m (also see response to Overshadowing of Public Open Space).

Infill sites fronting the south side of Derby Street, east of Oxford Street, have very similar conditions to properties along the west side of Oxford Street. Hence, the street wall height of 14m (4 storeys) is the same either side of Oxford Street. The exhibited DDO23 includes a requirement to transition down towards an adjoining heritage street wall and to not exceed the adjoining heritage street wall height for a length of 6m along the frontage.

Conclusion

The street wall heights in the exhibited DDO23 are based on detailed analysis and with respect to infill sites next to heritage places had already been adjusted in comparison to the interim DDO.

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7. Upper level setbacks

Recommended position

No change to the Amendment.

Issue

Some submissions raised concerns that the upper level setbacks are not sufficient enough. The suggestion to increase upper level setbacks to 10m was raised.

Response

The setback requirements in Clause 2.4 of the exhibited DDO23 are strong and based on rigorous urban design and heritage analysis. The *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership) recommends applying an upper level setback of 6m minimum above the street wall (see page 19). The *Supplementary Heritage Report Collingwood South Mixed Use Precinct*, May 2021 (prepared by GJM Heritage) recommended to require a mandatory minimum of 6m to heritage places. It further recommended to include requirements that this may need to be exceeded to retain the 3-dimensional built form and/or principle roof form and/or front two rooms of the heritage place.

Due to Area 3 being less constrained by heritage fabric, containing larger allotments and influenced by previous planning permits and/or constructed new development, the area can accommodate a comparatively lesser upper level setback of 3 metres minimum.

A general 10m minimum upper level setback in the Collingwood South precinct would be excessive and is not supported by the strategic work that informed the exhibited DDO23.

Conclusion

The upper level setbacks in the exhibited DDO23 will ensure that a clear distinction between lower and upper levels is achieved and that a sense of openness is retained. Requirements for heritage places had already been strengthened in comparison to the interim DDO.

8. Mandatory versus discretionary requirements

Recommended position

No change to Amendment.

Issue

A number of submissions suggest mandatory requirements for all heritage places and around all open spaces to ensure protection of these places and provides certainty to the community. Submitters raised concerns with discretionary requirements, stating that preferred requirements are often disregarded by developers and variations are approved by VCAT without further benefit or consideration.

Some submitters supported mandatory controls for the whole Collingwood South precinct. Two submissions did not support the provision of mandatory controls.

Response

A mandatory control is one that must be met and where there is no opportunity to vary the requirement with a planning permit. Introduction of any mandatory requirements must be based on robust and comprehensive strategic work.

The application of mandatory requirements in the exhibited DDO23 has been carefully considered and applied selectively. They are not proposed to apply across all areas and/or

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to all requirements within the exhibited DDO23. The mandatory requirements included in the exhibited DDO23 are founded on comprehensive strategic work and are considered absolutely necessary to achieve the development outcomes sought for the precinct.

Mandatory controls have not sought to unduly restrict development in Collingwood South. The precinct will continue to provide for Yarra's housing and employment needs with appropriate locations accommodating higher levels of growth.

Council has sought mandatory controls in accordance with the criteria set out in Planning Practice Note 59 (PPN59) *The Role of Mandatory Provisions in the Planning Scheme* and Practice Note 60 (PPN60) *Height and setback controls for activity centres*. Mandatory requirements are applied only when they are seen as '*absolutely necessary*' to achieve the preferred built form outcome or where '*exceptional circumstances*' warrant their introduction.

Based on built form recommendations in the *Supplementary Heritage Report Collingwood South Mixed Use Precinct*, June 2021 (prepared by GJM Heritage), the exhibited DDO23 includes mandatory requirements in response to the below built form parameters:

- Street wall heights to infill sites between low-scale heritage places or on streets with consistent heritage places;
- Upper level setback above heritage fabric to retain the key heritage elements and architectural features and to maintain the legibility of the three-dimensional form of the heritage place;
- Overall height of new development above the heritage place to retain their legibility and to avoid new development dominating their generally modest scale.

Public space in Collingwood South is scarce and highly valued. To ensure the opposite footpath is protected from additional overshadowing at the equinox, a mandatory requirement has been applied to all streets, except for Little Oxford Street.

The approach where to apply mandatory controls in DDO23 is underpinned by recent Yarra planning scheme amendments, including C231yara (Queens Parade), C220yara (Johnston Street) and C191yara (Swan Street).

The Victorian Planning system prefers the use of preferred/discretionary requirements as they provide flexibility to respond to local context and unique urban conditions of a site or an area.

A preferred requirement means a permit can be granted without an application specifically meeting a requirement set out in a DDO. These provide flexibility to respond to local context and unique urban conditions of a site or an area. Most requirements are 'preferred' as a certain outcome can be reached in numerous ways and/or it is very difficult to be absolute about how a good outcome can be achieved.

The exhibited DDO23 contains preferred built form requirements where conditions do not necessitate a mandatory control. With some exceptions, this generally applies to infill sites and design requirements. Noting developments in these areas are required to achieve design outcomes that will ensure that heritage places, the precinct's character and amenity of the area is not compromised.

In comparison to the interim DDO23, the exhibited DDO23 has included a number of additional requirements for a development which attempts to exceed the preferred height control. These additional provisions require that the additional height will not result in any additional overshadowing of residentially zoned properties and that the provision of bicycle parking / end of trip facilities exceeds the minimum requirements of Clause 52.34.

Conclusion

Based on detailed analysis, the exhibited DDO23 includes the mandatory requirements that are necessary to minimise impacts on heritage places and the public realm. The exhibited DDO23 includes strengthened requirements for proposals that attempt to exceed the preferred height.

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9. Recent developments

Recommended position

No change to the Amendment.

Issue

A number of submissions have cited concerns about taller developments in the area that have either been recently constructed, are under construction or have been approved. Examples of the concerns include loss of neighbourhood character, amenity impacts, overwhelming of the public realm and poor design quality.

Response

The majority of the constructed developments were approved prior to the introduction of the current interim DDO23 and highlight both the development pressure in the area and also the need for permanent built form controls to be introduced.

Recent developments were considered in the *Collingwood Built Form Framework, June 2018* (prepared by Hansen Partnership) which is a key part of the strategic work that underpins Amendment C293yara. It should be noted that Area 3 is the area where most of the recent development has occurred.

Conclusion:

The exhibited DDO23 relates to guiding future potential development and does not intend to achieve the same outcomes as per previously approved developments that often predate the interim DDO23.

10. Heritage

10.1 Better protection of the heritage fabric

Recommended position

No change to the Amendment. This is outside the scope of the Amendment as the Heritage Overlay is responsible for the protection of heritage places.

Issue

Many submissions raised the importance of heritage places and the need to protect all heritage buildings.

Response

There is an important distinction between a Design and Development Overlay (DDO) and Heritage Overlay (HO). Within the Victorian Planning System, it is the role of the Heritage Overlay to protect places and buildings of heritage significance. A Design and Development Overlay (DDO) can only focus on built form and design aspects of future development and cannot act specifically as a heritage protection control.

Amendment C293yara does not propose to make changes to the heritage policy and/or Heritage Overlay.

Based on the *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations, June 2018* (prepared by GJM Heritage), Amendment C261yara introduced interim heritage overlays to new properties from 18-22 and 33-45 Derby Street, Collingwood, which were later made permanent through Amendment C245yara.

Conclusion

The heritage overlay is responsible for the protection of heritage places.

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10.2 New developments not being sensitive towards heritage places

Recommended position

No change to the Amendment.

Issue

A number of submissions raised concerns about new development detracting from heritage values, particularly the scale of new development overwhelming the heritage fabric. Some submissions recommended Council provide clearer objectives and mandatory controls to protect the heritage places.

Some submissions recommend areas within the Heritage Overlay to be designated as minimal change in line with the Burra Charter conservation principles and housing growth should be accommodated only in non-heritage areas.

A few submissions comment that new additions to heritage buildings should be carefully and respectfully designed.

Some submissions raise concern about the designated heights in the proposed DDO, particularly along Derby Street and Oxford Street. The submissions recommend a reduction in the overall height of sites along both streets to 14m to make both sides of Derby Street consistent and to ensure new developments responds appropriately to context of mandatory 11m heights along Oxford Street. The submissions also recommend reducing the 14m street wall height to respond to the two storey heritage buildings.

Response

The State Government requires local councils to address population and employment changes to meet their city's needs. Activity centres have been identified as appropriate areas to accommodate growth as they have good access to employment, public transport and other amenities. The Collingwood South precinct is part of the Smith Street Major Activity Centre. There needs to be a balanced approach in determining potential building heights to ensure the precinct can accommodate growth whilst also responding sensitively to heritage fabric.

The Amendment was informed by rigorous analysis and testing of urban design, heritage and traffic matters. The exhibited DDO23 reflects advice prepared by GJM Heritage—*Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018* and *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct*, May 2021. The purpose of the report was to help ensure that the *Collingwood South Built Form Framework*, June 2018, and the subsequent DDO23 appropriately responded to the heritage places and values of the Collingwood South precinct.

GJM's expert advice was prepared in the context of the Yarra Planning Scheme and the relevant Planning Practise Notes (PPNs):

- PPN1: Applying the Heritage Overlay (January 2018);
- PPN59: The role of mandatory provisions in the planning schemes (September 2018);
- PPN60: Height and setback controls for activity centres (September 2018).

The *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership), takes the findings and recommendations of GJM's 2018 heritage report into consideration.

A number of reports from Planning Panels Victoria (Panel) have informed the supplementary heritage advice, including (but not limited to):

- Yarra Planning Scheme Amendment C191 'Swan Street Activity Centre' (October 2020);

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- Yarra Planning Scheme Amendment C220 'Johnston Street Built Form Controls' (February 2019);
- Yarra Planning Scheme Amendment C231 'Queens Parade Built Form Review' (October 2019);
- Boroondara Planning Scheme Amendment C108 'Neighbourhood Centres and Commercial Corridors' (26 February 2014).

These panel reports are relevant as they consider the appropriateness of DDOs containing both mandatory controls and discretionary provisions within activity centres, including areas that are subject to a heritage overlay.

In comparison to the interim DDO23, the exhibited DDO23 includes clearer and stronger requirements which aligns with Yarra City Council's Heritage Advisory Committee's advice and GJM's supplementary heritage report from May 2021. The exhibited DDO23 includes mandatory controls for overall building heights, upper level setbacks in areas with more consistent heritage places and/or highly unique heritage forms. Further, the proposed DDO23 includes requirements for new development of heritage places and for infill development adjoining a heritage building to ensure that new buildings will be sensitive towards the heritage character of the area.

The overall building heights recommended in the exhibited DDO23 for *Areas 1 and 2* are lower to moderate overall building heights ranging from 11m-20m. This will ensure new development does not overwhelm the heritage places and transitions down towards them.

The objectives, requirements and decision guidelines of the exhibited DDO23 were informed by the character statement from the detailed built form framework and the built form recommendations from the heritage reports. The exhibited DDO23 includes the following objective which relates to this:

"To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings."

Below are some of the key requirements in the DDO23 that guide development of heritage places:

- Mandatory 6m upper level setbacks for most heritage places;
- Lower heights for most heritage places (majority mandatory 11m and a few preferred 14m) and adjoining infill sites;
- Street wall height of infill sites to be no higher than adjoining heritage parapet for a length of 6m;
- For infill sites match the front setbacks of adjoining heritage building (where relevant).

To ensure new development responds sensitively towards more unique heritage places, DDO23 includes the below requirements:

"For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:

- *it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;*
- *it would maintain the perception of the three-dimensional form and depth of the building;*

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- *a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street."*

This is further supported by existing planning policy at Clause 22.02 of the Yarra Planning Scheme applies to all land in the Heritage Overlay and give guidelines for new developments subject to the Heritage Overlay. In addition, local planning policy is in the process of being updated through Amendment C269yara, which proposes Clause 15.01-1L *Heritage*.

Conclusion

In comparison to the interim DDO, the exhibited DDO23 includes reduced mandatory heights, mandatory upper level setbacks and numerous design requirements to ensure new development is sensitive towards heritage places in terms of built form transition and design.

10.3 Transition of new development to heritage buildings

Recommended position

No change to the Amendment.

Issue

Some submissions have raised concerns about the taller maximum heights (40m, 30m and 27m), submitting that these would provide a poor transition between future development and heritage buildings.

Response

In comparison to the interim DDO, the exhibited DDO23 includes clearer and stronger built form requirements which aligns with the supplementary heritage report, May 2021. The supplementary heritage report recommended lower overall heights for heritage places in more consistent heritage settings (mandatory 11m) and adjoining infill sites (ranging between 14-20m).

In addition, the exhibited DDO23 includes a number of design requirements for development on heritage places and infill development adjoining a heritage place to ensure that new development will be sensitive towards the heritage place and character of the area.

The exhibited DDO23 includes the following objective which relates generally to transition to heritage buildings:

"To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings."

Below are some of the key requirements under Clause 2.3 'Street wall height and front setback requirements' that guide street wall height of development adjoining a heritage building:

"The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser. "

"Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages."

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“Development should not exceed other street wall heights as shown in Map 1, unless all the following requirements are met, to the satisfaction of the Responsible Authority:

- *the proposed street wall height provides a transition, scaling down to the interface with a heritage building; and*
- *the proposed street wall height does not overwhelm the adjoining heritage building and provides for an adequate transition towards it.”*

Developments are required to take account of all policy and provisions in the planning scheme. The issue of architectural design will be dealt in detail when a planning application is lodged. Below are some of Decision Guidelines in the exhibited DDO23 which requires developments to respond to this:

“Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;”

The *Collingwood Built Form Framework*, June 2018 highlights the importance of building design as follows:

“Larger sites may be able to accommodate for gradual transitions through recessive upper levels and transition in scale in response to abutting heritage forms. In order to avoid undesirable ‘wedding cake’ forms, minimal ‘steps’ in built form massing is encouraged.”

“Transitions in scale should as a minimum occur in paired levels. On sites which directly abut single storey heritage forms and existing private open spaces a more tempered built form transition is recommended to ensure new form sensitively responds to the existing abuttal.”

Council is updating the existing local policies in the Yarra Planning Scheme through Amendment C269. The Amendment proposes strategic directions and policies through 15.01-1L Urban Design which includes a section on *Development adjacent to land in a Heritage Overlay* and strategies to ensure new development are respectful and sympathetic to adjoining heritage buildings.

Conclusion

The exhibited DDO23 includes the necessary requirements to ensure new development responds sensitively towards heritage places.

11. Building design / design standards needed

Recommended position

No change to the Amendment.

Issue

A number of submissions suggest including guidance around the architectural design of future developments including elements such as material, façade design, pedestrian oriented design and local character.

Some submissions suggest provision of verandahs as it contributes in providing a pedestrian oriented and high-quality urban design outcome.

Response

Amendment C293yara deals with these issues comprehensively and is underpinned by extensive strategic work. The exhibited DDO23 includes the following objective which relates generally to design:

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“To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.”

The exhibited DDO23 includes several requirements under Clause 2.8 ‘Other Design Requirements’ that aim to ensure that new developments achieve pedestrian-oriented, high quality urban design outcomes through street edge activation, generous entry spaces in areas of narrow footpaths and appropriate levels of façade articulation that reflect the character of the area.

Requirements in Clause 2.9 ‘Access, parking and loading bay requirements’ aim to achieve a pedestrian-oriented outcome by ensuring new developments provide a safe and accessible environment for pedestrians and limit potential conflict between vehicle movements and pedestrian activity.

Below are some of Decision Guidelines in the exhibited DDO23 which developments are required to respond to:

- *“Whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;”*
- *“Whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;”*

The *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership) highlights the importance of building design as follows:

“To street frontages expansive blank walls should be avoided and where visible from within the public realm any blank walls need to be visually divided into small elements through architectural treatments to reduce visual mass. Fenestration patterns and facade solid to void proportions need to reflect the prevailing streetscape rhythm and presentation. New forms should ‘fit’ within the prevailing streetscape character. Avoid overly busy and complex architectural expressions”
(page 31)

The policy support for these elements is in existing Clause 21.05 Built Form and Clause 22.10 Built Form and Design Policy of the Yarra Planning Scheme. It aims to ensure new development makes a positive contribution to the context through high standards in architecture and urban design. In addition, local planning policy is in the process of being updated through Planning Scheme Amendment C269yara, which proposes strategic directions and policies (Clause 15.01-1L Urban Design; Clause 15.01-2L Building Design and Clause 15.03-1L Heritage) for developments to consider and respond to the existing built environment. The proposed Clause 15.03-1L Heritage, includes a section on *Commercial Heritage Places* and number of strategies to protect and provide verandahs where they are part of the heritage streetscape.

Conclusion

The exhibited DDO23 includes building design requirements to ensure new development achieves a high-quality urban design outcome.

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12. DDO23 does not retain the character

Recommended position

No change to the Amendment.

Issue

Some submissions raised concerns that the DDO23 would not retain the character of Collingwood South. The need for a neighbourhood character study was also raised. Some submissions referenced to local shops and social/cultural elements as part of the neighbourhood character.

Response

Neighbourhood character studies are generally undertaken for residential precincts and cover larger areas. The heritage and urban design analysis for Collingwood South is comprehensive and focusses on a part of the Smith Street Major Activity Centre.

The detailed strategic work has been undertaken to ensure new development within the exhibited DDO23 area reflects the key character elements of the Collingwood South precinct. The *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, June 2018, and the *Supplementary Heritage Report Collingwood South Mixed Use Precinct*, May 2021, (both prepared by GJM Heritage) undertook a detailed assessment of the heritage context. The *Collingwood Built Form Framework*, June 2018 (prepared by Hansen Partnership) undertook a detailed urban design analysis of the existing conditions and was informed by the above heritage reports. The exhibited DDO23 was based on this work and includes design objectives, built form and design requirements and decision guidelines to ensure that new development responds to the main character elements of Collingwood South.

The future character statement in the built form framework on page 16 says:

"Collingwood embodies Yarra's eclectic mix of heritage buildings and more contemporary commercial and apartment buildings from different periods, characterising it as a distinctly mixed precinct. From a heritage perspective, it comprises traditional warehouses of magnitude and broad width (side-by-side) with heritage cottages. It is an area that can absorb considerable change and variation in form through careful management of juxtapositions in form and sensitive transition to heritage buildings and streetscapes. The area is clearly divided into a northern precinct, with a robust industrial street presentation and a more granular southern district comprising a mixed domestic character.

The northern precinct and its predominately north-south oriented streetscapes is defined through Foy & Gibson buildings that establish architecturally impressive street wall and scale that should remain the dominant future character. This precinct can support complementary 'pop-up' forms above the traditional warehouse street walls and independent infill on north of Stanley Street.

The southern precinct is more mixed and can support stronger form to its main thoroughfares. In transition to more delicate street-based infill in the interior that can coexist with abutting remnant stock.

The entire precinct needs to be enhanced with improved public realm environment that provides a human scale and activated street life."

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The exhibited DDO23 would apply to the southern precinct in the above statement. For example, two design objectives of the exhibited DDO23 say:

“To ensure that the overall scale and form of new buildings is low- to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.”

and

“To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.”

Built form requirements of exhibited DDO23 will ensure the podium levels maintain a pedestrian scale and that upper level form are distinct from the podium levels below. In Clause 2.8 ‘Other design requirements’ the exhibited DDO23 includes requirements such as:

“Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:

- achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm;*
- creating a suitable ratio of solid and void elements that resemble the industrial past of the area;*
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features such as external shading devices, windowsills;*
- maintaining an appropriate level of design simplicity by avoiding overly busy façades that rely on a multitude of materials and colours; [...]*

Clause 2.8 includes further design requirements to guide the appearance of lower and upper levels. In its decision guidelines, the exhibited DDO23 it must be considered:

“[...] whether the requirements in Clauses 2.2-2.9 are met;

whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;

whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct;

whether heritage buildings on street corners retain their prominence when viewed from the opposite side of the primary and secondary street;

whether heritage buildings retain their three-dimensional form as viewed from the public realm;

whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;

whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;

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whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height; [...]"

Together, these requirements and guidelines will ensure that built form and design of new development responds to the main character elements of Collingwood South.

A DDO cannot make requirements to retain certain shops or land uses, social or cultural elements. It can only guide built form and design of new development.

Conclusion

Detailed built form character elements were identified in the strategic work and were translated into the exhibited DDO23. Social/cultural and land use-related character elements are outside the scope of a DDO.

13. Amenity (general)

Recommended position

No change to the Amendment.

Issue

Strong concerns were expressed by submitters about amenity impacts generated by taller development on occupants in dwellings, both in low-rise single dwellings and existing taller residential developments.

Submitter concerns included:

- loss of daylight / sunlight
- overshadowing of private open space
- wind impacts in the public realm
- overlooking

Response

The exhibited DDO23 includes the following objective which relates to amenity impacts:

"To ensure that the overall scale and form of new buildings is low- to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing."

The exhibited DDO23 also includes a number of built form requirements which seek to protect the amenity of existing dwellings, including:

- overshadowing requirements (Clause 2.6 of the exhibited DDO23);
- building separation requirements (Clause 2.7 of the exhibited DDO23);
- the rear interface requirement (Clause 2.8 of the exhibited DDO23) which prescribes a maximum rear boundary wall height of 11m for development abutting a laneway.

The exhibited DDO23 also includes the following decision guidelines which respond to amenity:

"whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings;"

"does the design respond to the interface with existing low-scale residential properties, including the overshadowing of secluded private open space;"

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These guidelines encourage a sensitive transition down to lower scale residential areas and limit amenity impacts. They also work in conjunction with more specific built form provisions of the exhibited DDO23 which are outlined in the following paragraphs.

Conclusion

The exhibited DDO23 includes requirements to ensure amenity impacts are limited. The requirement to consider overshadowing impacts on secluded private open spaces had already been strengthened in the exhibited DDO23 in comparison to the interim DDO23.

13.1 Loss of sunlight / daylight and overshadowing of private open space Recommended position

No change to the Amendment.

Issue

There are strong submitter concerns about impacts on overshadowing of private open space and loss of daylight and sunlight to dwellings.

Response

The exhibited DDO23 responds to this issue with the following requirement at Clause 2.6:

“Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land within a residential zone, including where separated by a laneway.”

This will require future development to satisfy the overshadowing objective of Clause 55, which is an existing provision within the Yarra Planning Scheme. The application of this requirement is a strong measure and will ensure a balanced outcome is achieved.

A number of submitters specifically refer to concerns about overshadowing of balconies within existing apartment buildings. The exhibited DDO23 indirectly protects the solar access of balconies through the following requirements at Clause 2.6 of the DDO:

“Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.”

“For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.”

By protecting the solar access of the opposite footpaths between 10am and 2pm on the equinox, balconies of an existing development would also be protected from overshadowing.

Balconies of existing developments along Little Oxford Street (which is narrower than other north-south streets in the DDO) are also protected with the following requirement:

“Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.”

In summary, the exhibited DDO includes extensive built form requirements to minimise overshadowing impacts to existing dwellings. These are further supported by existing planning policy at Clause 15.01-2S of the Yarra Planning Scheme which aims to minimise the detrimental impact of development on neighbouring properties, public realm and the natural environment, with potential impacts relating to overshadowing of secluded private open spaces, loss of daylight to windows and overlooking of sensitive areas. In addition, local planning policy is in the process of being updated through Planning Scheme

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Amendment C269yara, which includes policy to discourage overshadowing at proposed clause 15.01-2L.

Conclusion

The overshadowing requirements of DDO23 were strengthened since the interim DDO23 and are adequate to minimise negative impacts.

13.2 Overlooking

Recommended position

No change to the Amendment.

Issue

Many submissions highlight overlooking impacts from future development as a key issue. As outlined in the response to Amenity (General), the exhibited DDO includes a key objective which calls for new development to minimise amenity impacts on existing residential properties, including overlooking.

Response

The exhibited DDO23 includes equitable development / building separation requirements at Clause 2.7 which require new development to respond to existing windows on abutting lots.

Specific built form requirements relating to overlooking within the exhibited DDO23 are not necessary as these are addressed by existing provisions in the Yarra Planning Scheme. Specifically, overlooking is addressed by either Clause 54 (One dwelling on a lot), Clause 55 (two or more dwellings on a lot – ResCode) or Clause 58 (Apartment Developments), depending on how many dwellings are proposed.

Local planning policy is in the process of being updated through Planning Scheme Amendment C269yara, which includes policy to discourage overlooking at proposed Clauses 13.07-1L and 15.01-2L.

Conclusion

Overlooking issues are addressed by existing requirements of the Yarra Planning Scheme.

13.3 Wind impacts

Recommended position

No change to the Amendment.

Issue

A number of submissions have concerns regarding wind impacts – both existing wind impacts and potential wind impacts generated by future development.

Response

Expert wind evidence provided to the Johnston Street Panel hearing (Amendment C220yara) identified that it was important to ensure upper levels are sufficient to avoid wind down-draughts. Officers consider that proposed upper level setbacks will assist in the management of wind effects. Furthermore, the exhibited DDO23 includes an application requirement (under Clause 5.0 of the DDO) for:

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“A desktop wind assessment for a proposed development to assess the impact of wind on the:

- *safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing, and;*
- *the safety of and effects on cyclists travelling along bicycle routes that are next to the development.”*

This application requirement will ensure that planning applications for future developments are provided with sufficient wind impact information. This will ensure that the developments are designed to avoid negative wind impacts to both the public realm and to cyclists using bicycle routes. This application requirement will also ensure that wind impacts are assessed on a case by case basis.

The exhibited DDO23 includes a decision guideline (under Clause 6.0 of the DDO), which requires consideration of *“whether the development mitigates negative wind effects created by the development”*.

Furthermore, existing local policy at clause 22.10 and proposed local policy at proposed Clause 15.01-1L (proposed as part of Planning Scheme Amendment C269yara) both encourage new development to minimise adverse wind impacts.

Conclusion

The exhibited DDO23 includes an application requirement for a desktop wind impact assessment to ensure new development does not result in adverse wind impacts.

13.4 Loss of views

Recommended position

No change to the Amendment. Outside the scope of this amendment.

Issue

Many submissions raise concerns about the designated maximum building heights of certain properties and the associated loss of views, including views of the CBD skyline.

Response

It is a well-established principle that views from a private property are not a planning issue and cannot be considered.

Neither the Planning and Environment Act 1987 (Act) nor the Yarra Planning Scheme seeks to protect views (save for key landmarks sought to be protected under clause 22.03 Landmarks and Tall Structures or views from public areas of landmarks under recent DDOs introduced for activities centres).

The issue was dealt with by the High Court of Victoria in *Victoria Park Racing & Recreation Grounds Co Ltd v Taylor* [1937] HCA 45. The High Court held that a property owner does not own the views (spectacles) from his or her land. Justice Dixon stated:

“I find difficulty in attaching any precise meaning to the phrase ‘property in a spectacle’. A “spectacle” cannot be “owned” in any ordinary sense of that word.”

This planning principle is also substantiated through numerous VCAT decisions which do not give any weight to a view from a private property.

Conclusion

Outside the scope of this amendment.

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14. Amenity impacts associated with construction works

Recommended position

No change to the Amendment. Outside the scope of this amendment.

Issue

Some submissions raised concerns regarding negative amenity impacts due to the construction works.

Response

Planning permits associated with larger-scale projects are required to provide a Construction Management Plan to ensure that the proposed construction methods are in accordance with the requirements set out by Council's Construction Unit.

Noise and air pollution, health impacts and other amenity impacts generated by construction works are outside the scope of this amendment and are also outside of the scope of the planning system more broadly. Notwithstanding this, the concerns around construction-related amenity impacts will be forwarded to Council's Construction Unit for information.

Conclusion

Outside the scope of this amendment.

15. Traffic increase

Recommended position

No change to the Amendment.

Issue

A number of submissions raise concerns about the generation of increased traffic as a result of future development.

Response

The *Traffic Engineering Assessment Brunswick St and Smith St Activity Centres*, 2019 (prepared by Traffix Group) analysed traffic conditions and the suitability of roads and laneways across the activity centres in Fitzroy and Collingwood, including Collingwood South.

With regard to future potential traffic generation, Traffix' report found that the Collingwood South precinct (and more broadly across Fitzroy and Collingwood) have capacity for increased traffic. Specifically, at section 6.2 of the report, it is highlighted that the high number of small lots will likely result in lower levels of on-site car parking provision and therefore less impact on future traffic congestion. The report also highlights that most recent developments in the area have provided less car parking than the minimum prescribed by Clause 52.06. It is expected that this will continue into the future which also limits the impact on future traffic congestion.

A number of recommendations for future built form were made which have been incorporated into the exhibited DDO23. These traffic-based controls are at Clause 2.9 of the exhibited DDO23 and generally seek to:

- require developments on laneways, where necessary, to provide setbacks or splays to facilitate vehicle movements and vehicle visibility;
- prioritise pedestrian access to new buildings through well designed entrances;

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- provide vehicle access from laneways or secondary streets;
- discourage vehicle access off of Wellington or Langridge Streets;
- provide high standards of car parking and loading to minimise disruptions to the public realm;

These built form provisions will ensure future developments provide well-resolved vehicle access and movements on a site-by-site basis and ensure good outcomes for the public realm and pedestrians.

Furthermore, Planning Panels Victoria have considered future traffic generation for planning scheme amendments for Moreland City Council and acknowledged that “[...] *future congestion should not stifle development* [...]”¹ and the “[...] *challenge of managing the road network should not prevent the Amendment from progressing* [...]”². The exhibited DDO23 has included a number of built form provisions to facilitate orderly traffic movements and good design outcomes. Draft Amendment C293yara should not be interrupted due to concerns for future traffic congestion.

¹ Panel report for Moreland Amendment C123

² Panel report for Moreland Amendment C134

Conclusion

The exhibited DDO23 includes a number of built form provisions and design guidelines which will ensure the street network (including laneways) enable appropriate vehicle access and circulation.

16. Public transport and cyclist infrastructure capacity

Recommended position

No change to the Amendment. This is outside the scope of the amendment.

Issue

Some submissions stated that public transport services are at capacity and bicycle infrastructure should be increased.

Response

Public transport services cannot be increased through a planning scheme amendment. A DDO is not the correct tool to increase bicycle infrastructure.

Council will continue to advocate for more frequent public transport services as part of its ongoing discussions with Public Transport Victoria. Council frequently advocates State Government for improvements to infrastructure such as transport in areas where increased density is anticipated.

In late 2019, Council completed the Copenhagen-style bike lanes along Wellington Street, which has improved cyclist safety and capacity between Victoria Parade and Johnston Street. Council is also working on a revised Transport Action Plan which will identify key capacity issues and outline how these could be addressed.

Conclusion

This is outside the scope of the amendment. Council continually advocates for improved public transport services and pursues improvements to bicycle infrastructure.

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17. On-street parking

Recommended position

No change to the Amendment. This issue is outside the scope of this amendment.

Issue

A number of submissions raise concerns about the impact of future developments on the availability of on-street car parking.

Response

The management of on-street parking cannot be addressed through a DDO. Council manages on-street parking as an area changes. Council has developed a policy for reviewing parking restrictions and avenues for proposing changes to existing restrictions. This is outlined in Council's *Parking Restrictions Guidelines*.

It is noteworthy that all new developments following 2003 are not entitled to on-street car parking permits.

The provision of car parking in new developments is guided by Clause 52.06 as well as local transport policy at Clause 18 of the Yarra Planning Scheme which encourages the prioritisation of sustainable modes of transport including cycling and public transport.

Conclusion

This issue is outside the scope of this amendment.

18. Environmental sustainability

Recommended position

No change to the Amendment. This issue is outside the scope of the amendment.

Issue

Some submissions raised the issue of the amendment not aligning with Council's Climate Emergency Plan (CEP), as increased development exacerbates the heat island effect and increases greenhouse emissions.

Response

An individual DDO is not the right tool to introduce new or generally increase environmental sustainability standards for the municipality.

Other parts of the Yarra Planning Scheme will ensure that new development is built in a more sustainable way, namely the Planning Policy Framework and Council's Environmentally Sustainable Design Policy at Clause 22.17. Environmentally sustainable design (ESD) requirements are addressed when a planning application is lodged.

There are number of other strategies that sit outside the planning scheme (namely the Urban Forest Strategy, Nature Strategy, Yarra Open Space Strategy) that work towards mitigating heat island effect by increasing street tree canopy, providing new open spaces and protecting existing trees. One of the key actions of the Urban Forest Strategy is the Annual Tree Planting Program. As part of the program there were number of new trees planted recently along Oxford Street, Cambridge Street, Mason Street and Little Oxford Street.

At the [Council Meeting on 17 March 2020](#), Council committed to progress a planning scheme amendment to implement a Zero Carbon Local Policy for new developments. This has also been committed to in our [Climate Emergency Plan](#).

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Conclusion

This issue is outside the scope of the amendment. No change recommended. There is a current project being pursued by Council to work towards addressing the issue.

19. Economic development

Recommended position

Land use cannot be controlled through a DDO. It is recommended to include a requirement to ensure new development can accommodate various uses over time.

Issue

A few submissions raise concern about loss of economic diversity and small businesses which attracts creative uses and local businesses.

Response

The purpose of a Design and Development Overlay (DDO) is to guide the built form and design of new development. Land use is controlled by planning zones rather than a DDO. The land within the Collingwood South precinct is zoned Mixed Use Zone. One of the purposes of the Mixed Use Zone is *'To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.'*

The exhibited DDO23 includes the following requirement in Clause 2.8 *'Other Design Requirements'* to ensure the new development supports commercial activity in the precinct:

"Lower levels of development should be designed to accommodate commercial activity at the ground floor, incorporating a suitable commercial floor height of 4 metres floor to floor height."

At a policy level, a diverse economy is supported in existing planning policy at Clause 21.04 (Land Use) of the Yarra Planning Scheme which aims to achieve diversity of employment, maintain the long-term viability of activity centres and support the arts and arts venues. This is being updated through Planning Scheme Amendment C269yara, which includes Collingwood South precinct is part of the Smith Street Major Activity Centre. Clause 02.03 includes strategic directions to *"support and strengthen the vibrancy and local identity of Yarra's network of activity centres."* It includes the provision for a mix of uses and supporting opportunities to increase the number of creative industries.

Council's adopted Economic Development Strategy (which sits outside the planning scheme) provides a vision and set of actions to support existing businesses (including small businesses) and the creative industry through different grants, programs and initiatives.

Conclusion

Land use cannot be controlled through a DDO. To ensure new development can accommodate different uses over time, it is recommended to include the following requirement:

"Building structures, layouts and non-residential unit sizes should be adaptable so as to allow for a variety of uses over time."

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20. Community consultation

Recommended position

No change to the Amendment.

Issue

A few submissions raised concern about the lack of consultation with the local community and Council having followed a 'top down' approach in the preparation of the amendment instead of utilising local knowledge to get the best outcome for the future.

Response

The statutory provisions in the Yarra Activity Centre Standing Advisory Committee – Terms of Reference dated 10/6/2021 provide the framework for public exhibition.

The amendment was exhibited for six weeks. Webpages included a non-statutory description of the amendment, its background material and:

- a series of downloadable information brochures (including informal information sheets to describe the DDO23 in non-statutory language);
- an online mapping search tool;
- frequently asked questions (FAQ);
- contact details; and
- information on how to make a submission.

Council sent around 5,000 letters to landowners and occupiers with links to the C293 amendment website and the Yarra Activity Centre Standing Advisory Committee websites. Council also published the notice of preparation of the Amendment in The Age newspaper and distributed a feature in Yarra Life e-newsletter (approximately 12,200 recipients) and Yarra Business news (approximately 10,000 recipients). There were also posts on social media to raise awareness.

In addition, emails were sent to individuals who recently had expressed their interest in DDO's for the Collingwood South area, known community groups and representatives of all of Yarra's advisory committees to alert them about the exhibition and offered engagement through phone conversations and online meetings (due to COVID-19).

Through the exhibition period, Council officers engaged with a number of interested parties via phone conversations and had online meetings as requested.

Conclusion

Amendment C293 was publicly exhibited for 6 weeks and notification efforts were extensive.

21. Accommodating growth

Recommended position

No change to the Amendment.

Issue

Some submissions requested that heritage overlay areas should be considered minimal change and that change should be more distributed across the City of Yarra and less concentrated in areas like Collingwood South.

Response

The State Government requires local councils to address population and employment changes to meet their city's needs. Activity centres have been identified as appropriate

Attachment 2 - C293yara Responses to Commonly Raised Issues

areas to accommodate growth as they have good access to employment, public transport and other amenities.

The Collingwood South Mixed Use Precinct is part of the Smith Street Major Activity Centre within the City of Yarra. Major activity centres are required to play a significant role in achieving the directions of *Plan Melbourne 2017-2050* in relation to both housing and employment. Accordingly, Collingwood South plays an important role in accommodating a proportion of Melbourne's population and employment growth.

Council's Yarra *Housing Strategy* (adopted in 2018) seeks to direct new housing to areas within or close to activity centres that have good access to public transport, open space and other services and limit housing growth in established residential areas, consistent with *Plan Melbourne*, State and local policy. It identifies the Collingwood South precinct to accommodate a mix of 'high change' and 'incremental change', with pockets of heritage places accommodating lesser change.

The *Yarra Spatial Economic and Employment Strategy* 2018 seeks to support growth in retail and other employment uses in the two activity centres. The SEES also recognises the role of activity centres in terms of housing.

However, this does not mean that major activity centres are locations for unlimited growth. Both Plan Melbourne and the Yarra Planning Scheme make it very clear that distinctive activity centres and the preservation of heritage fabric and public and private amenity are also important in Major Activity Centres.

The exhibited DDO23 provides a balanced approach by guiding different levels of potential development across the precinct. It will ensure that new development will be sensitive towards heritage buildings, minimising impact on sensitive residential interfaces and public spaces such as footpaths, open spaces and expanded street corners. As discussed in the 'Building height' and 'Mandatory vs discretionary' responses, most heritage places in DDO23 are subject to a mandatory maximum building height of 11m.

Conclusion

Collingwood South is part of the Smith Street Major Activity Centre and the exhibited DDO23 achieves a balance between guiding change towards areas of lesser sensitivity/constraints and ensuring new development is sensitive towards heritage places and residential context.

22. COVID-19 impacts not considered

Recommended Position

No change to the Amendment.

Issue

It was raised that due to the impact of the COVID-19 pandemic the need to accommodate housing and economic growth in Collingwood South (and Yarra in general) was lessened.

Response

Council in its Part B Submission to the independent planning panel considering Planning Scheme Amendment C269yara – Rewrite of Local Policies provided commentary on the impacts of COVID-19. Council's submission (on Page 127) noted:

"The COVID-19 pandemic and its associated restrictions have had a significant impact on Victoria, including impacts on population growth and economic activity. As the pandemic is continuing to unfold, the ultimate short term and long term effects of COVID-19 are still uncertain."

Attachment 2 - C293yara Responses to Commonly Raised Issues

Council's expert on capacity provided the following comments on the impacts of COVID 19. In terms of housing,

"It is Mr Szafraniec's opinion that the impacts of COVID-19, while still very uncertain, have likely reduced population and housing levels at 2036 by up to 6 per cent. This reduced demand will be particularly acute for the next 2 to 3 years. He also considers that the nature of housing demand is likely to have shifted, with a greater demand for larger dwellings (i.e. apartments with more bedrooms and space, and a shift to (semi) detached dwellings)."

In terms of employment growth, he considered:

"[...] although uncertain, it is also likely that post-COVID, the nature of demand for employment spaces and locations will also change to some degree. However, most trends are likely to be an acceleration of existing patterns and the fundamentals of Yarra's economy and the need for employment space will largely remain; and there will be reduced demand for employment space in the short term (next 2-3 years) as a result of COVID-19, however, it is unclear how these effects from COVID-19 will impact Yarra in the medium to long term."

Also see the response to "Accommodating Growth".

Given the policy directions, expert advice above and that land use and development planning needs to be undertaken with a long-term view, the directions of C293 do not require to be changed.

Conclusion

Recent expert advice and current policy positions do not indicate that a change to the long-term outcomes that Amendment C293 is trying to achieve is required. Long-term impacts from COVID on housing and economic patterns for activity centres will remain uncertain in the short-term, which is not a basis to change the direction for C293yara.

23. Infrastructure capacity

Recommended position

No change to the Amendment. This is outside the scope of the amendment.

Issue

Concerns were raised about the ability of infrastructure to cater for the increase in activity/population.

Response

In terms of impacts on public transport, cycling, parking and open space, please refer to the responses for:

- Public Transport and Cyclist Infrastructure Capacity;
- Traffic;
- On-Street Parking;
- Need for more Public Open Space.

Population growth is occurring across Melbourne. Growth puts pressure on all services and providers are aware of the greatest pressure points and are planning new services accordingly.

Council delivers a wide range of services and programs. These include childcare, recreation facilities, libraries, arts and cultural initiatives, services for older persons and people living

Attachment 2 - C293yara Responses to Commonly Raised Issues

with a disability. The State Government provides a range of health, housing and education services. Private providers also provide education, childcare and health care services in Yarra.

Council's provision of community facilities and services are guided by the *Council Plan*, *Community Infrastructure Plan*, *Open Space Strategy* and *Municipal Public Health and Wellbeing Plan*. These plans identify community needs, potential partnerships, advocacy opportunities and are reviewed to keep pace with changes in the community. As Council is not directly responsible for the provision of schools, etc, it advocates to the State Government on behalf of the Yarra community.

Conclusion

This is outside the scope of the amendment.

24. Property values

Recommended position

No change to the Amendment. Outside the scope of this amendment.

Issue

Some submissions outline concerns about potential impacts to property values as a result of the exhibited DDO23.

Response

The economic effects relevant to the planning scheme amendment stage are those of a broad community nature rather than individual private property values. On this issue, the Panel for Stonnington Planning Scheme Amendment C270 noted at page 24 of its report:

*"This Panel maintains the consistent view adopted by other panels that broader community effects, rather than private economic effects such as impacts upon land values or the individual financial circumstances of the landowner, are of particular relevance at the Amendment stage. The Melbourne C207 Panel conclusions on social and economic effects maintained that these impacts relate to the broader community, rather than personal impacts. Review by the Supreme Court in *Dustday Investments Pty Ltd v Minister for Planning* [2015] VSC101 (*Dustday*) did not find that the Melbourne C207 Panel had erred."*

The *Planning and Environment Act 1987* clearly sets out the matters which give rise to claims for compensation. The compensation provisions of Section 98 of the Act do not include compensation for the loss in property values.

Conclusion

Outside the scope of this amendment.

Attachment 3 - C293yara Preferred Design and Development Overlay 23

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**

COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

1.0 Design objectives

To foster an emerging, contemporary, mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features that create a distinction between lower and upper levels.

To ensure that the overall scale and form of new buildings is low- to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.

To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

Street-wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Laneway means a road reserve, public highway or right of way 9 metres or less in width.

Rear interface is the rear wall of any proposed building or structure whether on the property boundary or set back from the property boundary.

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Attachment 3 - C293yara Preferred Design and Development Overlay 23

Street boundary means the boundary between the public street and the private property.

Upper level means development above the height of the street wall.

Commented [LJ1]: In response to Submission 76.6

Upper level setback means the minimum distance from development above the height of the street wall to the property boundary, including projections such as balconies, building services and architectural features.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant (including properties on the Victorian Heritage Register).

2.2 General Requirements

The requirements below apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must'.

2.3 Street wall height and front setback requirements

Development must not exceed the **mandatory maximum** street wall heights as shown in Map 1.

Commented [LJ2]: In response to Submission 100.6

Development should not exceed other street wall heights as shown in Map 1, unless all the following requirements are met, to the satisfaction of the Responsible Authority:

Changed Map 1 legend accordingly

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 of this schedule;
- the proposed street wall height provides a transition, scaling down to the interface with a heritage building; and
- the proposed street wall height does not overwhelm the adjoining heritage building and provides for an adequate transition towards it.

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.

Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages.

Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

The street wall on corner buildings should continue the main frontage street wall height for a minimum of 8 metres to the side street, with a transition in height to match the rear or side interface as required.

Development of non-heritage buildings on street corners should provide a corner splay at minimum of 1 x 1 metre at the site's corner boundaries.

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2.4 Upper level setback requirements

Upper levels above the street wall:

- must be set back by a minimum of 6 metres for heritage buildings;
- should be placed behind the front two rooms and/or principle roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood;
- should be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
- should be set back by a minimum of 6 metres for other development sites in Areas 1 and 2 as shown on Map 1;
- should be set back by a minimum of 3 metres for other development sites in Area 3 as shown on Map 1.

Upper levels should:

- be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
- contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.

For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building;
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

2.5 Building height requirements

Development on sites shown as hatched on Map 1 must not exceed the **mandatory maximum** building height shown on Map 1.

Development should not exceed the **preferred maximum** building heights shown on Map 1.

A permit should only be granted to construct a building or construct or carry out works which exceeds the building height shown in Map 1 where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome as a result of the proposed variation satisfies:
 - the Design Objectives in Clause 1.0;
 - the Overshadowing and Solar Access Requirements in Clause 2.6;

Commented [LJ3]: In response to Submission 96.3

Changed Map 1 legend accordingly

Commented [LJ4]: In response to Submission 60.13

Changed Map 1 legend accordingly

Attachment 3 - C293yara Preferred Design and Development Overlay 23

- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmental sustainable design measured as a minimum BESS project score of 70%.
 - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58m as relevant; and
 - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.

Architectural features may exceed the building height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the height provided that:

- the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
- the equipment/structures are no higher than 2.6 metres above the proposed building height; and
- the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

Attachment 3 - C293yara Preferred Design and Development Overlay 23

Map 1: Building and Street Wall Heights

Commented [L5]: Map updated as per recommended changes as in Clause 2.3 and 2.5 and in response to Response No.1 of the Responses to Commonly Raised Issues



2.6 Overshadowing and solar access requirements

Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land within a residential zone, including where separated by a laneway.

Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.

For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.

Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.

Attachment 3 - C293yara Preferred Design and Development Overlay 23

Development should not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm

- Cambridge Street Reserve (incl. any future extension of the reserve);
- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School;
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

Commented [LJ6]: Deleted "to the satisfaction of the Responsible Authority" as a development either increases overshadowing or it does not.

Commented [LJ7]: In response to submissions, see Response No. 1 of the Responses to Commonly Raised Issues

2.7 Building separation, amenity and equitable development requirements

An application for development should provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.

Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development must:

- for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- where buildings exceed 27 metres in height, the development above 27 metres be set back a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site.

Commented [LJ8]: Inserted missing word.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Where development consists of multiple buildings and/or separate upper levels, upper level development should:

- be set back a minimum of 9m from each other, where a habitable window or balcony is proposed; and
- be set back a minimum of 6m from each other where a commercial or non-habitable window is proposed.

2.8 Other design requirements

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

Attachment 3 - C293yara Preferred Design and Development Overlay 23

The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.

Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:

- achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm;
- creating a suitable ratio of solid and void elements that resemble the industrial past of the area;
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features such as external shading devices, windowsills;
- maintaining an appropriate level of design simplicity by avoiding overly busy façades that rely on a multitude of materials and colours;
- avoiding large expanses of glazing with a horizontal emphasis;
- not competing with the more elaborate detailing of the heritage building(s) on the subject site or an adjoining site;
- avoiding highly reflective glazing in openings of heritage buildings;
- maintaining existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings;
- encouraging the retention of solid built form behind retained heritage façades and avoid balconies behind existing openings; and
- ensuring projections such as balconies, building services, architectural features (other than shading devices, mouldings etc.) do not intrude into a setback and not dominate the façade.

Lower levels of development should:

- be designed to accommodate commercial activity at the ground floor, incorporating a suitable commercial floor height of 4 metres floor to floor height;
- building structures, layouts and non-residential unit sizes should be adaptable so as to allow for a variety of uses over time;
- avoid floor to ceiling glass with limited entries for large expanses of the ground floor;
- allow unobstructed views through openings into the ground floor of buildings;
- include fine grain design that engages the pedestrian and provides detail, articulation, depth, materiality and rhythm that contributes to a high-quality street interface and where appropriate integrates seating perches into street facades;
- on sites abutting narrow footpaths of less than 1.8 metres, provide for front setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking;

Commented [L9]: In response to submissions. See Response No. 3.1 of the Responses to Commonly Raised Issues

Commented [L10]: In response to submissions. See Response No. 19 of the Responses to Commonly Raised Issues

Attachment 3 - C293yara Preferred Design and Development Overlay 23

- locate building service entries/access doors and cabinets away from the primary street frontage, or where not possible, they should be sensitively designed to integrate into the façade of the building and complement the street frontage and character;
- respond to the topography of the east-west oriented streets through transition and “stepping” of the ground floor to appropriately address the street.

The design of upper levels of development should:

- be well-designed and articulated and where appropriate utilize design techniques such as architectural rebates of sufficient depth and / or a range of parapet heights to break up the building mass across sites with a wide frontage;
- distinguish between the lower and upper levels through materials and articulation, with visually lightweight materials and colours applied above the street wall;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Development should avoid blank walls visible to the public realm, including on side street frontages.

Side walls in a mid-block location which are visible permanently or temporarily from adjoining residential sites and/or the public realm should be designed to provide visual interest to passing pedestrians through colour, texture or finishes.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies and balustrades should not protrude into a street wall and upper level setback, as applicable.

Development interfacing with areas of public open space should:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels.

2.9 Access, parking and loading bay requirements

Pedestrian access to buildings should be achieved via streets and avoid primary access from laneways. Where pedestrian access from a laneway is appropriate, it should include a pedestrian refuge or landing.

Ensure pedestrian entrances are clearly visible, secure, be well lit and have an identifiable sense of address.

Residential and commercial pedestrian entrances should be distinguishable from each other.

The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and ventilated.

Attachment 3 - C293yara Preferred Design and Development Overlay 23

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be avoided.

At the intersection of laneways and footpaths, development to non-heritage buildings should provide a minimum 1 x 1 metre splay to ensure pedestrian safety.

Car parking should be located within a basement or concealed from the public realm.

Avoid separate entries for car parking entries and loading bays.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity and avoid adversely impacting the continuity of the public realm.

Vehicle ingress/egress points should be spaced apart from other existing and/or proposed ingress/egress points to avoid wide crossover points.

Development with redundant vehicle access points should reinstate the kerb, line-marked parking bays, and relocate any parking signs.

Development with laneway access may require a ground level set back in order to achieve practicable vehicle access. Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

Commented [L11]: Spelling correction.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access.

3.0 Subdivision

None specified.

4.0 Advertising

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- a site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule;
- a desktop wind effects assessment for the proposed development to assess the impact of wind on:

Attachment 3 - C293yara Preferred Design and Development Overlay 23

- the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing; and
- the safety and effects on cyclists travelling along bicycle routes that are next to development.
- a Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services);
 - reduces car dependence and promotes sustainable transport modes; and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

6.0 Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- whether the requirements in Clauses 2.2-2.9 are met;
- Whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;
- whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct;
- whether heritage buildings on street corners retain their prominence when viewed from the opposite side of the primary and secondary street;
- whether heritage buildings retain their three-dimensional form as viewed from the public realm;
- whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;
- whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;
- whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;
- whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;
- how the proposal responds in terms of scale and transition to the sloping topography of the area;
- whether proposed roof decks are set back from lower levels and are recessive in appearance;

Attachment 3 - C293yara Preferred Design and Development Overlay 23

- whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings;
- does the design respond to the interface with existing low-scale residential properties, including the overshadowing of secluded private open space;
- Whether proposed buildings and works will avoid overshadowing of footpaths and public open spaces;
- Whether the proposal has considered the equitable development rights of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design;
- whether the development mitigates negative wind effects created by the development;
- the impact of development on traffic and parking in the nearby area, including on the functionality of laneways; and
- whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.

Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference

Yarra Activity Centres Standing Advisory Committee

Standing Advisory Committee appointed under Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister and Yarra City Council on referred planning matters and associated draft Yarra planning scheme provisions for activity centres and other areas of urban change.

Name

The Advisory Committee is to be known as the 'Yarra Activity Centres Standing Advisory Committee'.

1. The Advisory Committee is to have members with the following skills:
 - a. Strategic and statutory planning
 - b. Built form, heritage and urban design
 - c. Economic development and urban geography
 - d. Traffic and transport planning.
2. The Advisory Committee will include a Chair, a Deputy Chair and not less than two other appropriately qualified members.
3. The Advisory Committee may engage specialist advice as required.

Purpose

4. The purpose of the Committee is to provide timely advice to the Minister for Planning and Yarra City Council on any relevant matters referred to it relating to strategic and built form work undertaken in relation to its activity centres and other areas of urban change, and any associated draft planning scheme amendments..

Background

5. The City of Yarra is experiencing ongoing significant development pressure, primarily directed to activity centres, and other areas of urban change, such as the municipality's employment precincts.
6. The City of Yarra has a well-established network of activity centres, each with its own role and identity including:
 - a. Major activity centres of Bridge Road, Brunswick Street, Smith Street, Swan Street and Victoria Street which are identified in Plan Melbourne 2017-2050 and provide a wide range of goods and services, some serving larger sub-regional catchments.
 - b. Neighbourhood activity centres of Carlton North, Gertrude Street, Heidelberg Road Alphington, Johnston Street, Nicholson Street, North Fitzroy, North Fitzroy/Clifton Hill, Queens Parade, Rathdowne Street and St Georges Road which provide access to local goods, services and employment opportunities to serve the needs of the surrounding community.
 - c. Local activity centres which provide a more limited range of goods, services and employment opportunities and largely serve the adjoining local community.
7. Activity centres in the municipal area are experiencing development pressure with the addition of mid-rise commercial development and apartments. They will continue to accommodate most of the city's growth because of their proximity to transport infrastructure, shops and services making them the most suitable locations for development.
8. The City of Yarra has capacity for employment growth and the council is committed to supporting this growth in its employment areas in preference to residential development in these areas. There is an identified need to manage pressure for residential conversion of employment land to protect opportunities for economic growth. These areas include the municipality's health and education precincts, Cremorne and the Gipps Street precinct in Collingwood.



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Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference | **Yarra Activity Centres Standing Advisory Committee**

9. A key challenge in planning for this development pressure is the need to accommodate new development in a built form that is sensitive to the context of the area which includes heritage significance, character and scale of the surrounding area. This needs to be balanced with opportunities to allow for new built form character in major regeneration areas. Protecting heritage buildings and streetscapes while still allowing appropriate development is a key driver in the municipal area.
10. Yarra City Council has already set much of its high-level strategic direction for its city through the Yarra Housing Strategy and the Yarra Spatial, Economic and Employment Strategy, both of which were adopted in 2018. The council is currently seeking to implement these strategies by amending its Planning Policy Framework via Yarra Planning Scheme Amendment C269 which was exhibited between September to December 2020.
11. While the council has carried out a significant amount of strategic work in recent years and has successfully introduced built form and heritage controls to activity centres including Johnston Street and Queens Parade, there is a need to provide an appropriate planning framework for other areas and activity centres to provide certainty to the community and proponents about appropriate height, built form and decision criteria to manage new development. An initial list of areas the council has conducted built form analysis for is attached at Appendix A.
12. The objective of the Yarra Activity Centres Standing Advisory Committee is to provide consistent advice in a transparent, simpler, more timely and cost-efficient process on any proposed new planning provisions referred to it by the Minister.
13. It is important that this process complements the council's commitment to community engagement and addresses the requirements of section 4(2)(h) of the Act which outlines the critical standard for any planning approval process, which is to meet the objective of establishing a clear procedure for amending planning schemes, with appropriate public participation in decision making.
14. Where community engagement, formal or informal public notice or consultation under section 20(5) of the Act has occurred before or as part of the advisory committee process, planning scheme amendments for matters considered by the Committee may be recommended to be approved under the provisions of section 20(4) of the Act.

Method

15. The Minister for Planning may refer one or more proposals for changes to planning controls to the advisory committee, including, but not limited to those areas specified in Appendix A.
16. The Committee must comprise a quorum of at least two members, one of whom must be the Chair or the Deputy Chair, for any forums, hearings, meetings or workshops conducted by the advisory committee.
17. The Committee can undertake its proceedings in stages, including considering and reporting on any draft planning scheme amendments referred to it either separately or together.
18. The Committee may apply to the Minister for Planning to vary these Terms of Reference in any way it sees fit.
19. The Committee may conduct any briefing, forum, hearing, meeting or workshop by electronic means.
20. The Committee will be provided with a background information, material and reports by the Department of Environment, Land, Water and Planning (DELWP) and Yarra City Council, including:
 - a. Strategic work undertaken by the council for the activity centres subject to existing or proposed interim planning controls;
 - b. Recent panel reports and VCAT decisions in the City of Yarra and other places relevant to planning scheme provisions for the activity centres the Yarra City Council requests to be referred to the advisory committee; and
 - c. Other relevant strategic work undertaken by either council or DELWP.
21. The Committee may invite DELWP, the council and any other party to identify or address any preliminary matters through forums, meetings, workshops or written comments.

Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Stage 1 – Notice and submissions

22. Yarra City Council may seek the written consent of the Minister or the Minister's delegate to prepare and give notice of a draft planning scheme amendment.
23. As directed by the Minister, Yarra City Council will prepare and give notice of a draft planning scheme amendment and receive submissions. The Yarra City Council will consider all submissions and where possible seek to resolve issues with submitters prior to requesting matters be referred to the Committee.
24. When preparing documentation for public notice, the Yarra City Council must liaise with the Committee to agree to:
 - a. A Directions Hearing date
 - b. The public hearing dates

The agreed dates are to be included on all notices for public exhibition.

25. When preparing documentation for public notice, the Yarra City Council must liaise with DELWP to agree to:
 - a. The type of notice
 - b. The extent of notice
 - c. The public exhibition dates
26. The Advisory Committee is not expected to carry out any additional public referral or notice but may do so if it considers it to be appropriate.
27. Petitions and pro-forma letters will be treated as a single submission and only the first name to appear on the first page of the submission will receive correspondence on Advisory Committee matters.

Stage 2 - Referral

28. Once all submissions are considered by the council, it will provide a copy of all submissions received in response to notice and a detailed response to those submissions including a copy of council's preferred draft amendment in a request for the Minister to refer the proposal to the Advisory Committee.
29. The Minister will consider requests to refer planning matters to the Advisory Committee and may seek advice on any relevant strategic planning matters in the City of Yarra. Once a decision has been made, the Minister will provide a letter of referral to the Committee Chair, seeking its advice on particular matters or unresolved submissions and/or any other relevant matter. The letter of referral will be a public document.

Stage 3 – Hearings and consideration of planning scheme amendments

30. Following referral from the Minister, including receipt of submissions and Yarra City Council's response, the Advisory Committee may undertake any of the following:
 - a. a directions hearing
 - b. a public hearing and provide an opportunity for submitters to be heard
 - c. forums, meetings or workshops with one or more submitters or any other party
 - d. a review of submissions based 'on the papers'.
31. The Committee must conduct a hearing and provide an opportunity for submitters to be heard if requested by any submitter, including Yarra City Council.
32. The Committee must afford natural justice to all participants in the hearing.
33. The Committee may limit the time of parties appearing before it and may prohibit or regulate cross-examination.
34. The Committee must not consider submissions or evidence on a matter that a planning authority is prevented from considering under section 22(3) of the Act.

Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Stage 4 – Advisory committee report and recommendations

35. For each planning matter referred to it, the Advisory Committee must produce a written report for the Minister for Planning and Yarra City Council. The report must include:
 - a. consideration of the matters outlined in these Terms of Reference
 - b. an assessment of the proposed draft planning scheme amendment and any recommended changes to the proposed provisions
 - c. an assessment of submissions to the Committee and any other relevant matters raised in the course of the Committee process
 - d. advice on any relevant strategic planning matters
 - e. a recommendation on whether the draft planning scheme amendment is strategically justified and could be approved by the Minister without notice, using his powers under section 20(4) of the Act
 - f. a recommendation on whether the draft planning scheme amendment or any part of it should be subject to the requirements of sections 17, 18 and 19 and the regulations of the Act and processed as a 'standard' amendment
 - g. a record of the date, location, attendees and purpose of any forum, meeting or workshop it held.
 - h. a list of persons who made submissions to the Committee.
36. The Committee may address more than one draft amendment and/or relevant strategic planning matters and combine its assessment of the draft amendments in a report.
37. The Committee may inform itself in any way it sees fit, but must consider all relevant matters including but not limited to:
 - a. the provisions of the Act, including Ministerial Directions, advisory and practice notes and Plan Melbourne,
 - b. the provisions of the Yarra Planning Scheme, including any adopted plans, strategies or planning scheme amendments (including Yarra Amendment C269 and any panel report for the amendment),
 - c. all submissions and evidence received,
 - d. all relevant material provided to the it by all participating parties

Submissions and records of forums, meetings or workshops are public documents

38. The Committee must retain a library of any written submissions or other supporting documentation provided to it, or used or tabled in any forum, meeting or workshop, until a decision has been made on its report or five years has passed from the time of its appointment.
39. Any written submissions or other supporting documentation provided to the Advisory Committee must be available for public inspection until the submission of its report, unless the Advisory Committee specifically directs that the material is to remain 'in camera'.

Timing

40. The Committee is required to commence its process by issuing a written notice for the referral of a matter from the Minister to all submitters, Yarra City Council and DELWP no later than 10 business days from the date of any specific letter of referral received.
41. The Committee is required to submit each report to the Minister and Yarra City Council under Stage 3 no later than 40 business days from the final day of its proceedings, tabling of submissions or consultation process whichever is final.
42. Yarra City Council must release the report of the Advisory Committee online to the council's website within 10 days of its receipt.

Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Fee

43. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the Act.
44. The costs of the Committee and any associated public consultation notification will be met by Yarra City Council unless an alternative is specified in the letter of referral from the Minister to the Advisory Committee.



Richard Wynne MP
Minister for Planning

Date: 10 / 06 / 2021

Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

Appendix A: Council built form work program areas

- Alexandra Parade
- Bridge Road
- Brunswick Street
- Collingwood South
- Cremorne
- Fitzroy West
- Gertrude Street
- Gipps Street
- Heidelberg Road
- Johnston Street
- Smith Street
- Victoria Parade
- Victoria Street

Attachment 4 - Yarra Activity Centres Standing Advisory Committee Terms of Reference

Terms of Reference | **Yarra Activity** Centres Standing Advisory Committee

The following information does not form part the Terms of Reference.

Project Management

- 1 Administrative and operational support to the Committee will be provided by:
Fiona van der Hoeven, Practice Leader, Strategic Planning, Yarra City Council, 9205 5156,
fiona.vanderhoeven@yarracity.vic.gov.au

Jason Close, Manager Planning Services, Statutory Planning Services, the Department of
Environment, Land, Water and Planning, 8392 5526, 0417 569 004, jason.close@delwp.vic.gov.au
and Pippa Magnuson, Senior Planner, Statutory Planning Services, the Department of Environment,
Land, Water and Planning, 8508 2099, pippa.magnuson@delwp.vic.gov.au
- 2 Day to day liaison for the advisory committee will be through Chris Brennan, Project Officer, of
Planning Panels Victoria on (03) 8392 5137 or planning.panels@delwp.vic.gov.au.

8.4 Long Term Use of 12 Peel Street, Collingwood

Reference	D21/199071
Author	George Vass - Senior Coordinator Property Services
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To seek Council support to:
 - (a) commence a two (2) stage bid process seeking expressions of interest for the use of building located at 12 Peel St , Collingwood based on a brief to invite submissions from not for profit organisations with or without capital contributions;
 - (b) outline key considerations in informing the brief and a future lease agreement; and
 - (c) outline the process and role of an assessment Panel, who will (subject to Council's endorsement of this proposal) subsequently provide Council with a recommendation at a future Council meeting.

Critical analysis

History and background

2. The Peel Street building (Building) is a former congregational church hall and caretaker's residence located on the corner of Peel Street and Lt Oxford Street, Collingwood. The Building occupies approximately 175 sqm of the south west corner of the Peel Street Park Land of 1,140 sq.m in area.
3. The internal area of the Building is approximately 144 sq.m and the entrance to the building is via a ramp at the rear of the building with all facilities located on the ground level and there are basic amenities, such as toilets and a small wet area.
4. The Building is obsolete with some historical and community value and is underutilised (currently with no permanent tenant or long-term outcome) largely because of the significant level of the capital required to repurpose the Building and the period required for a prospective long term tenant to fully-understand the works and funding required for repurposing to cater for their occupancy needs.
5. In the interim, Council succeeded in securing funding of \$100,000 from the State Government's Creative Neighbourhood Partnerships and Pilots Programme to provide some basic amenities to adapt the Building for low-income creative industry workers and provide a critical opportunity as 'a start-up' to test the idea for future projects/replication. Council sought expressions of interest for a temporary artist in residence program and is committed to an interim lease arrangement with the successful organisation (Kinaway) for a period up to 30 June 2023.
6. At the Councillor briefing session of 16 November 2021, and in relation to pursuing a long-term outcome, officers suggested that Council firstly considers a side by side desktop comparison of options for 12 Peel Street, Collingwood to understand the constraints, ability of Council's asset to yield a commercial return, risks associated with options and the likely criteria that Council would consider pertinent and consistent with Council's vision.
7. There is continuing demand from community-based organisations needing to find more permanent solutions to their accommodation needs. In line with the desire to 'sweat' Council's underutilised assets, the building located at Peel Street provides a good opportunity to test realisable solutions for Council to consider.

Discussion

8. The options presented below (although not exhaustive) have largely been identified because they each note a different risk profile, capacity for return and in some circumstances a tangible social return on investment by Council for its community. In this regard, it is envisaged that these learnings can be used to develop guidelines that form part of a Request for Expressions of Interest (REOI) document and, in particular, on:
- (a) Council's criteria for assessing the best use of the facility for the community;
 - (b) How capital contributions offered by prospective tenants will be evaluated;
 - (c) General conditions likely to be incorporated under a proposed lease;
 - (d) The key terms of reference of the panel assessment group; and
 - (e) How Council will obtain independent advice and maintain probity throughout the bid process.

Considerations and Options

The subject land and Option A (as the Base Case)

9. The Peel Street building (former Congregational Church hall and caretaker's residence) occupies the south west corner within the Peel Street Park (Park) of 1140 sq.m in area. The internal area of the Peel Street building is approximately 144 sq.m. The entrance to the building is via a ramp at the rear of the building with all facilities located on the ground level and there are basic amenities, such as toilets and a small wet area. Council is the registered proprietor of the park land that is described under plan of consolidation PC354532 D (refer to Attachment 1 – Plan of Park).
10. The park is a well-used community facility and zoned Mixed Use under the Yarra Planning Scheme and the Peel Street building is also the subject of a heritage overlay and Council continues to receive enquiries for the use and/or purchase of the Peel Street building for office, studio and food and beverage establishments in addition to the interest from Aboriginal Housing Victoria and the Fitzroy Learning Network and more recently the incoming tenant Kinaway under an interim lease arrangement.
11. With the securing of a Planning Permit, it would be possible for Council to subdivide the park and divest the Peel Street building (occupying approximately 175 sq.m) and with the benefit of an easement of access to the rear of the building, could achieve a sale price of between \$1.7M to \$2.1 M and particularly if there is sufficient confidence that a third level could reasonably be achieved within the existing building envelope. The subdivision and sale is likely to be a realisable option (Option A) and it would be prudent to reflect a reasonable market value of the Peel Street building (say \$1.7M until a certified valuation is obtained) as a cost in the preliminary assessment of all other options.

Option B – Improving the building to attract secure commercial tenants

12. A recent detailed assessment of the architectural concepts and the scope for repurposing 12 Peel Street has allowed officers to understand the extent and cost of landlord works that would be required to attract quality office and/or hospitality tenancies. Attachment 2 – (Commercial Use concept) provides a concept where by the 48 sq.m of the northern portion of the Peel Street building together with an outdoor area (perhaps under a licence arrangement) is used for hospitality while 96 sq.m of the GLF facing Peel Street and the existing 144 sq.m at L1 is used for office space or a studio.
13. As a landlord, the capital investment required by Council for such uses is in the order of \$1.3M to \$1.5M and commencing combined rental/s of \$140K to \$160K pa. would be reasonable for the unique location of this Building.
14. Using the higher capital outlay of \$1.5M in addition to the \$1.7M for the value of the site (A total of \$3.2M), a lower rental value of \$140K pa. provides a yield of 4.4% which may/may not be sufficient to cover the cost of capital to Council given the risk to Council under the circumstances.

Option C – Not for Profit Community Use with an Upfront Capital contribution

15. It is not uncommon for NFP organisations who are capable of securing funding to offer to allocate same towards the repurposing or renovating of a building and to seek an offset against rent and outgoings.
16. The entering into a lease for a peppercorn rental and for a lease period often up to a period of forty (40) years and with no break date clause will immediately erode the value of Council's investment if to be sold as a going concern and the question arises as to what may be the term/s offered by Council to ensure that the community can benefit from the NFP's funding and services.
17. A prudent way forward may be to include some wording about the basis of Council's approach in the REOI and this may include the need to establish an understanding about proposed tenant works that are specific to the tenants needs and in particular fit out needs and proposed works funded by the tenant on behalf of the landlord. It is the value of the landlord works funded by the NFP tenant that should be indexed and used to offset the rental and not the value of the funding overall.
18. In determining the appropriate rental (irrespective of offsetting) Council may consider a lower cost of capital; reflective of the lower risk on the value of the site and particularly where Council may also be a sponsor of the NFP already. Under this arrangement, it appears possible for the offsetting period to be less than 25 years providing Council with the ability to review the lease arrangement at the time.

Option D – The NFP Innovative Hub with no Upfront Capital contribution.

19. The current interim lease arrangement with Kinaway that is founded on Council's success in securing funding from the State Government's Creative Neighbourhood Partnerships and Pilots Programme is an example of an innovative venture to repurpose a suitable facility for low-income creative industry workers and provides a critical opportunity as 'a start-up' to test the idea for future projects/replication.
20. Council's support and investment for these type of programmes is critical and it is often difficult to determine whether the social return on investment for the community and the City should be given priority over significant capital funds provided to an NFP by Government for the much-needed upgrade of facilities. However, from a pragmatic perspective, it is important to consider the 'landlord improvements' to the facility that are covered by the tenant's funding, condition of the facility and residual amenities at the end of the lease term rather than the aggregate funding contribution of the NFP when assessing REOI submissions in this category.

Summary of Option characteristics

	Option A	Option B	Option C	Option D
<i>All figures are exclusive of GST</i>	<i>subdivide and sell</i>	<i>Improve and attract commercial tenants</i>	<i>NFP tenancy with capital offer</i>	<i>maintain with no major contribution from tenant</i>
Current Market Value (subdivided)	\$ 1.7M to \$2.1M			
Base Case Value		\$1.7M	\$1.7M	\$1.7M
YCC Capital/ investment required	\$30K	\$1.3M to \$1.5M	nil	\$350K
Tenant Capital investment required			\$1.35M to \$2.1M	

Rental income	Not applicable	\$140K-\$160K pa	Minimal offset by capital investment by tenant	\$20K to \$40K pa
Expected lease period		10+ years	20+ years	2+ years

Developing the guidelines for the Request for Expressions of Interest (REOI) and recommended process going forward

21. The subdivide and sell option (Option A) serves at the very least to establish an understanding of the value of a tangible resource required to support all other options. Council should firstly consider:
 - (a) The importance of maintaining ownership of the Peel Street building and the propensity for same to contribute to the public realm;
 - (b) The cost and risks associated with making a significant capital investment in the building to support commercial uses to improve the return; and
 - (c) Whether there is truly a lack of facilities/options for NFPs and innovative 'start-ups' to warrant the allocation of a desirable facility that can (subject to securing a planning permit) be subdivided and sold with moderate covenants.
22. If Council considers that divestment or repurposing the facility to attract commercial tenants should not be pursued, then the scope of the REOI should be limited to NFPs (with and without a capital contribution offering) and a two (2) stage bid process should be commenced in early 2022.
23. A two-stage bid process comprising:
 - (a) The first stage that involves an open public request inviting expressions of interest from NFPs to provide details about their organisation and services to the community, their interest and alignment with Council's objectives, interest in a lease at Peel Street and sources of funding (commencing in January 2022); and,
 - (b) The second stage that involves an invitation for selected submitters to provide a bid offer under controlled procurement conditions to ensure probity (commencing in February 2022).
24. The level of likely investment required to formally repurpose the Peel Street building introduces a degree of complexity and reluctance amongst bidders if commercial and community-oriented submissions are invited under one REOI with broad scope.

Criteria for assessing the best use of the facility for the community

25. Determining the best use of this facility from a pragmatic perspective, requires an understanding of:
 - (a) the strategic importance of Council maintaining the Peel Street building within Council's property portfolio;
 - (b) the building as an asset that confers ongoing obligations upon Council for essential safety measures so more than a peppercorn rental is required to cover Council's facility management costs as a landlord;
 - (c) the level of any capital contribution and more particularly an understanding of the scope of proposed works allowing Council to understand the residual position at the end of the lease and the amortisation of this residual value if it is to be offered as a credit to offset a reasonable rental over a defined period; and
 - (d) Any proposal under this option would also need to demonstrate the 'community benefit' of the occupancy. This may include but not be limited to:

- (i) The proposed tenant's alignment to Council's Strategies such as the Council plan;
 - (ii) Type and extent of services provided to members of the Yarra community including those experiencing vulnerability (at no or minimal cost);
 - (iii) Demonstrated ability to deliver on planned community outcomes; and
 - (iv) Extent and reach of planned services within the local community.
26. It is envisaged that a commitment to provide this information will be obtained from selected submitters during the bid process although it is unlikely that any submitter would be in a position to provide absolute certainty on all aspects until designs, cost estimates and their overall due diligence is completed, so sufficient lead time is required to perhaps under a memorandum of understanding or an agreement for lease, to finalise an arrangement.
27. However, while a pragmatic assessment is pertinent and largely overseen by the Property Services Unit who will recommend to the Panel Assessment Group (Panel) to commission and independent external review, the Panel is also responsible for developing the brief for the second bid stage following the REOI that could be considered by the Executive Management Team; providing guidance to the Panel.

General conditions likely to be incorporated under a proposed lease,

28. In order to provide certainty in process and particularly in the preconditions that must be satisfied to enter into a lease, it is suggested that a memorandum of understanding or an agreement for lease be entered into, with the preferred bidder.
29. In addition to the standard requirements, it is proposed that a lease includes:
- (a) A collateral service agreement clearly defining the services that will be offered to the community and performance benchmarking;
 - (b) A distinction between tenant fit out works and landlord works funded by the tenant (and the values);
 - (c) A rental amount that is indexed and that is made up of two (2) components as follows:
 - (i) A base component that covers costs that cannot be assigned by Council to the tenant and perhaps a discounted cost on capital; and,
 - (ii) A component that is offset by value of the landlord works funded by the tenant for the pay back term; and
 - (d) A licence agreement that may be required to support access/use of ancillary areas in the Park.

The Panel Assessment Group

30. It is suggested that the Panel Assessment Group (Panel) be represented by:
- (a) Director Community Wellbeing (Chair);
 - (b) Group Manager CEO Office (Corporate due diligence and probity);
 - (c) Business Unit Manager Arts, Culture and Venues;
 - (d) Manager Social Strategy and Community Development;
 - (e) Manager Building and Assets Management;
 - (f) Manager City Strategy; and
 - (g) Senior Coordinator Property Services (Lead).
31. It is also recommended that the Panel Group be expanded to invite a minimum of two (2) external independent members representing community organisations to assist the Panel in its assessment of submissions requiring an evaluation of the social return on investment of submitting organisations at the invitation and selection of the independent members be made by the Acting CEO and Director of Community Wellbeing.

32. The objectives of the Panel are as follows:

- (a) Prepare a Request for Expression of Interest (REOI) as part of a two (2) stage process to reflect the scope for the use of the Peel Street building authorised by Council;
- (b) Review submissions for alliance with Council's objectives and capacity and intention to satisfy guidelines and prepare a report for the Executive Management Team to consider a short list for the purpose of inviting selected organisations to submit a proposal and approval of the selection criteria to be issues to all selected organisations under tender conditions;
- (c) Participate in scheduled interviews with selected organisations;
- (d) Review the social return on investment against the selection criteria;
- (e) Review the financial assessment of bid offers by the Senior Coordinator Property Services and commission an independent review of the assessment without the participation of author; and
- (f) Prepare a concluding report for Council with a final recommendation for adoption.

Community and stakeholder engagement

33. Council will likely be asked to consider entering into a lease with a lease period exceeding ten (10) years and pursuant to S115 of the *Local Government Act 2020* will require Council to undertake a community consultation process prior to entering into an agreement. It is expected that the need for a community consultation process will be reflected in a memorandum of understanding as a prerequisite to the consideration of any agreement; notwithstanding that there is a need to have sufficient confidence that such an agreement can be concluded before it is represented to the community for consideration.

Policy analysis

Alignment to Community Vision and Council Plan

34. The two- stage bid process recommended and particularly the early review by the Panel will ensure that there is a belief in an alignment that is subsequently presented to the community.

Climate emergency and sustainability implications

35. Any future building works undertaken by a successful applicant, would need to comply with current standards which will improve the environmental performance of the building for its future use.

Community and social implications

36. Significant and to be determined as part of the process.

Economic development implications

37. Will depend on the scope of options that Council resolves to consider.

Human rights and gender equality implications

38. Not identified at this early stage.

Operational analysis

Financial and resource impacts

39. Significant hence support is sought to secure an equitable position under a lease arrangement.

Legal Implications

40. Not yet identified.

Conclusion

41. There is a significant level of interest to lease the Peel Street building for office, hospitality and community uses and it is unclear whether there is still an appetite to explore opportunities for affordable housing at this location. There is also interest in purchasing the site however this would require subdivision of the Park landholding that is zoned Mixed-Use.
42. The option of divesting the Peel Street building (Option A) is raised as a threshold consideration by Council and an alternative (Option B), would see the site repurposed to support commercial uses at a significant risk and cost to Council.
43. Option C and Option D describe the circumstances, expectations and implication of entering a lease with Not for Profit organisations and guidelines are provided as to a preferred approach and a two (2) stage bid process recommended to secure an equitable outcome.
44. Given:
 - (a) the interest and current opportunities from community- based organisations; and
 - (b) the capital outlay required in addition to the value of 12 Peel Street required to be allocated, the higher rental yield expected from repurposing for commercial use/s may not be sufficient to cover the cost of capital to Council given the risk.
45. Officers recommend that Council supports commencing a REOI process for the long-term lease of the 12 Peel Street building.

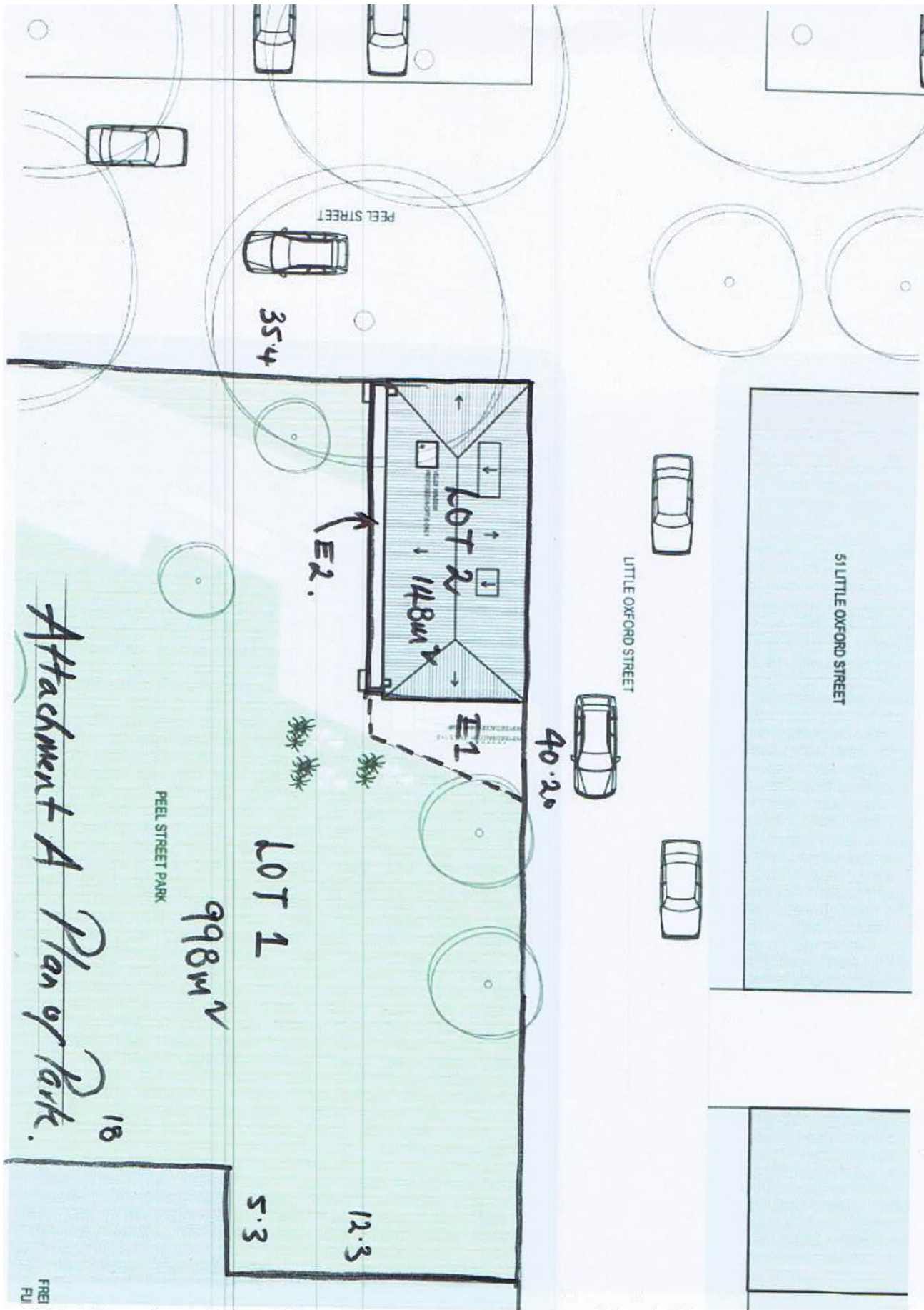
RECOMMEDATION

1. That Council:
 - (a) note the report; and
 - (b) authorises officers to commence a two (2) stage request for expressions of interest/ selective bid process for the 12 Peel Street building; inviting not for profit organisations (with or without capital funding) to participate.

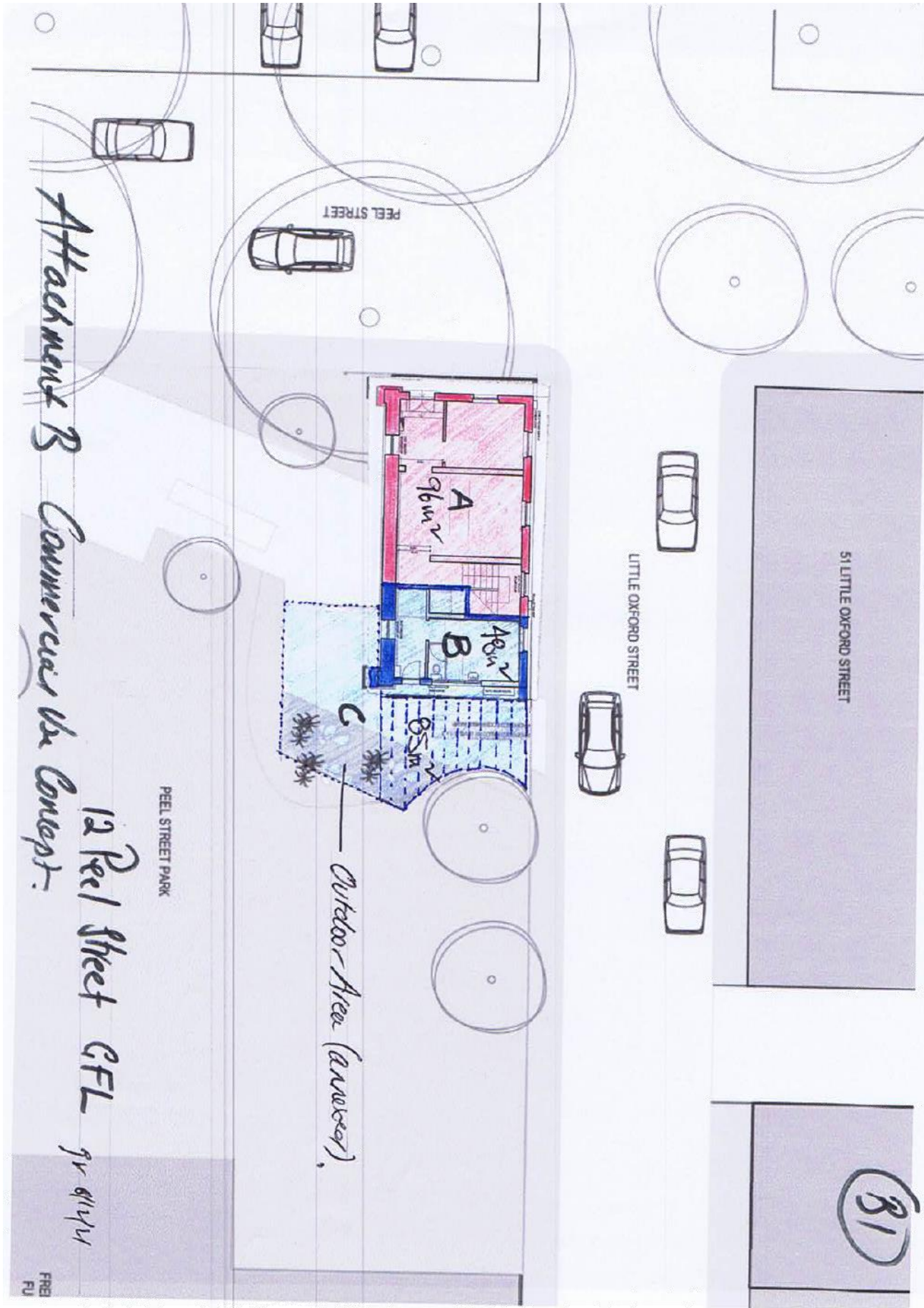
Attachments

- 1[d](#) Plan of Park
- 2[d](#) Commercial Concept

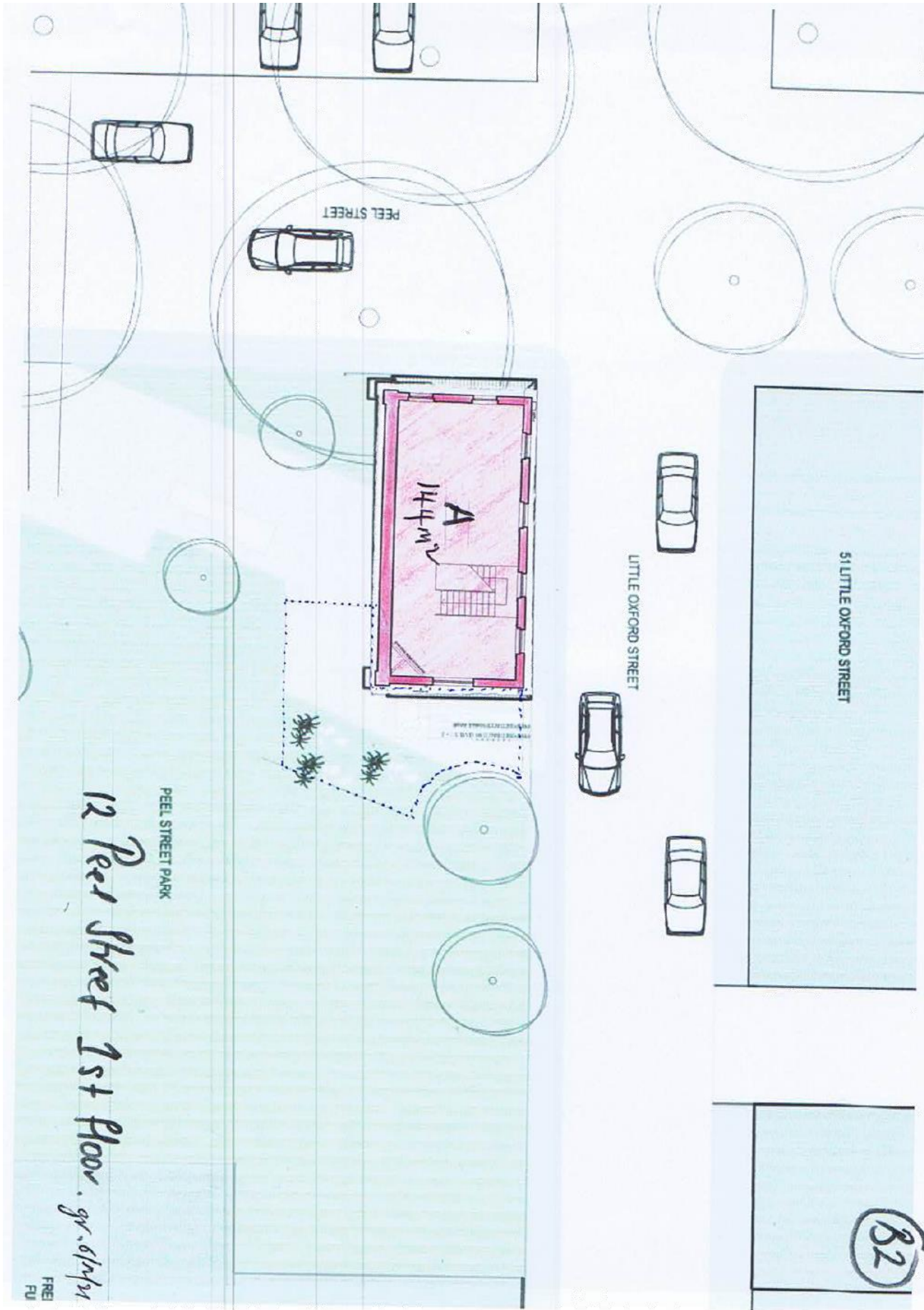
Attachment 1 - Plan of Park



Attachment 2 - Commercial Concept



Attachment 2 - Commercial Concept



8.5 Burnley Gardens Cottage - Community Consultation on Review of Future Use of the Premises

Reference	D21/202853
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To:
 - (a) firstly, note the responses/submissions received from the community consultation process on the possible future role and use of the historic Burnley Cottage in Burnley Gardens in response to Council's resolution noted below; and
 - (b) secondly, now consider the steps of:
 - (i) conducting a proposed workshop or workshops with Councillors, officers and key stakeholders to review the submissions and other outcomes of the initial consultation process, and then; and
 - (ii) developing an expression of interest process (or any other process that has come forward from the community consultation) for possible future use of the building.

Critical analysis

History and background

2. Council on 17 December 2019 resolved:
 1. *"That Council:*
 - (a) *note the report;*
 - (b) *approve the undertaking of a community consultation process to involve park users, community members, Councillors and officers to co-develop an expression of interest process (or any other process that may arise from the community consultation) for possible future use of the building;*
 - (c) *include after the initial consultation process a workshop or workshops with Councillors, officers and key stakeholders to review the submissions and other outcomes of the initial consultation process; and*
 - (d) *having regard to the heritage status of the premises, determine that demolition of Building 1 (1862) is non-negotiable / not possible and therefore is not to be included as an option for community consultation.*
 2. *That Officers report back to Council on the outcome of the community consultation process, including recommendations for Council consideration."*
3. Due to the impacts of the COVID lockdowns and staffing limitations, the community consultation was not able to be carried out until recently.

Discussion

4. Reference is made to:
 - (a) **Attachment 1**, which outlines the initial community engagement / consultation process; In this regard it is noted that 94% of respondents favoured the cottage be repurposed for a new use, with appropriate protection of the heritage elements;
 - (b) **Attachment 2**, listing of community submissions received on the question of the future purposing of the Burnley Cottage;

- (c) A range of ideas spanning community organisations, arts collectives, urban agriculture, local service clubs, community learning facilities, social enterprises through to a range of partnership ideas:
 - (i) Arts groups;
 - (ii) Richmond Scouts;
 - (iii) Hospitality (*a majority of submissions favoured a café component incorporated in the possible use*);
 - (iv) Local primary schools;
 - (v) Community garden groups;
 - (vi) Women's arts register;
 - (vii) Melbourne Girls, Richmond Music Academy or Richmond High school;
 - (viii) "Rotary Club of Richmond may be interested in facilitating this project following discussions with relevant community organizations.";
 - (ix) Charitable organisations;
 - (x) "Streat – what the social enterprise might be? They could probably raise the funds for the restoration too.";
 - (xi) Burnley Backyard; and
 - (xii) Richmond Community Learning Centre; and
- (d) **Attachment 3**, listing of several individual email submissions received re the consultation; and
- (e) **Attachment 4**, being copy of the floorplan and photographs of the interior/exterior of Burnley Cottage.

Options

- 5. To now, in accordance with Council's 2019 resolution, appoint some Councillors and some key stakeholders to join with Officers to:
 - (a) review the submissions and other outcomes of the initial consultation process; and then
 - (b) co-develop an expression of interest, for possible future use of the building.
- 6. In respect of key stake-holders, it is proposed to form a group of 11 and to select nine community representatives who reside locally and regularly use or may be impacted by the park's function with the further two positions included to ensure heritage and environmental perspectives are considered.
- 7. With regard to the representative group of nine, that it comprise three persons representing each of the following attitudinal responses:
 - (a) Advocating for hospitality opportunity be that a social enterprise or otherwise;
 - (b) Advocating for hospitality/ social enterprise combined with and/or supporting various community uses; and
 - (c) Community use alone.
- 8. In respect of Councillors, it is proposed to select say two Melba Ward Councillors to listen to, and take part in, discussion but not participate in final decisions on community recommendations.

Community and stakeholder engagement

- 9. The outcome of the community engagement is recorded in the referenced **Attachments 1, 2, 3 and 4**.

Policy analysis

Alignment to Community Vision and Council Plan

10. The facility could be a space to be shared and to connect community, business and culture whilst protecting and enjoying a piece of City heritage.

Climate emergency and sustainability implications

11. Not relevant to this report.

Community and social implications

12. The attached listings of community responses refer to a range of suggested aspirations re the future use of the Burnley Cottage. These include community related and social enterprise type uses.

Economic development implications

13. Not relevant to this report.

Human rights and gender equality implications

14. Not relevant to this report.

Operational analysis

Financial and resource impacts

15. The nature and format of an agreed future use will determine and guide the financial and / or resource impact on Council.

Legal Implications

16. There are no specific legal implications related to the current review process of the future use of the premises.

Conclusion

17. Council will require to consider the matter in the context of its December 2019 resolution as noted above and the following proposal is presented.
18. That Council:
 - (a) note the report;
 - (b) having regard to the strong indication of community support, determine to proceed with an Expression of Interest process to seek formal proposals on re-purpose the building;
 - (c) in accordance with Council's 2019 resolution, appoint Councillors and some key stakeholders to join with Officers to:
 - (a) review the submissions and other outcomes of the initial consultation process; and then; and
 - (b) co-develop an expression of interest, for possible future use of the building;
 - (d) in respect of key stake-holders, appoint a group of twelve and to select nine community representatives who reside locally and regularly use or may be impacted by the park's function with the further three positions being included to ensure heritage (two positions) and environmental perspectives (one position), are considered;
 - (e) appoint the three Melba Ward Councillors to listen to and take part in discussion, but not participate in final decisions on community recommendations; and
 - (f) report back to Council on the final co-developed process and proposed way forward for possible re-purposing of the Burnley Cottage building.

RECOMMENDATION

1. That Council:
 - (a) note the report;
 - (b) having regard to the strong indication of community support, determine to proceed with an Expression of Interest process to seek formal proposals on re-purposing of the building;
 - (c) in accordance with Council's 2019 resolution, appoint Councillors and some key stakeholders to join with Officers to:
 - (i) review the submissions and other outcomes of the initial consultation process; and then;
 - (ii) co-develop an expression of interest, for possible future use of the building;
 - (d) in respect of key stake-holders, appoint a group of twelve and to select nine community representatives who reside locally and regularly use or may be impacted by the park's function with the further three positions, included to ensure heritage (two positions) and environmental perspectives (one position) are considered;
 - (e) appoint the three Melba Ward Councillors to listen to and take part in discussion, but not participate in final decisions on community recommendations; and
 - (f) report back to Council on the final co-developed process and proposed way forward for possible re-purposing of the Burnley Cottage building.

Attachments

- 1 [↓](#) Attachment 1 - Burnley Cottage Consultation Engagement Summary.
- 2 [↓](#) Attachment 2 - Burnley Cottage Report Online Submissions
- 3 [↓](#) Attachment 3 - Burnley Cottage Individual Email Submissions
- 4 [↓](#) Attachment 4 - Burnley Cottage Plans 2013

Attachment 1 - Attachment 1 - Burnley Cottage Consultation Engagement Summary.

Attachment 1**Community Engagement Report****Burnley Cottage – future management****Engagement purpose**

- To understand community preferences and priorities for future use and management of heritage registered Burnley Cottage located in Burnley Park.
- To understand community expectations and priorities for an acceptable process to repurpose the building if it were to proceed for an expression of interest.

Engagement Stages and influence

External Stage 1 September/October 2021	Future stages TBD	Future stages TBD
Involve		

Engagement objectives – Stage one

- Ensure residents immediately local to the park are informed and engaged
- Ensure a broader range of interests and park users, Yarra trail users, Yarra residents and Yarra organisations are informed and engaged
- Encourage representation of different age groups and gender
- Clear communication of the options available and not available and what the community should expect next.

What did we ask?**Participants were asked:**

- Do you have a view on future options for Burnley Cottage?
 - The cottage remains as is (no community use or access but maintained for protection of structure and public)
 - The cottage is repurposed for a new use with appropriate protection of heritage elements
- Are there any important things you want to see protected emphasised or considered if the cottage takes on a new purpose?
- What sort of purpose or activities would you like to see the cottage used for?
- What types of organisations or businesses might be interested, suitable and able to deliver these types of uses or activities?

Methods included:

- Your Say Yarra page yoursayyarra.com.au/burnleycottage

Promoted via:

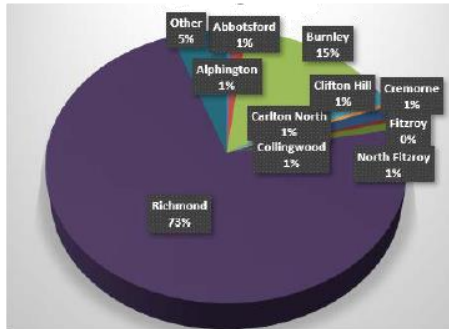
- Yarra life Enews
- Social media posts
- Email Campaign monitor to a range of organisations, local schools, service providers and current or potential park users and heritage interest groups
- Signage at the park
- Emails to Yarra advisory group members

Attachment 1 - Attachment 1 - Burnley Cottage Consultation Engagement Summary.

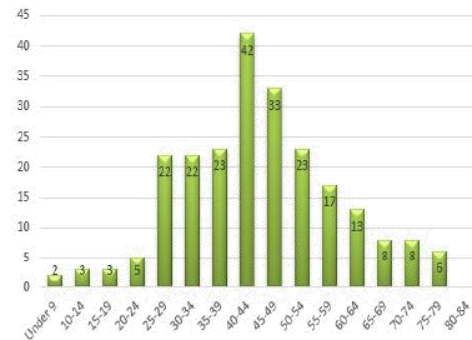
Who did we hear from?

- 217 Contributions through the Your Say Yarra project page
- 11 direct email responses

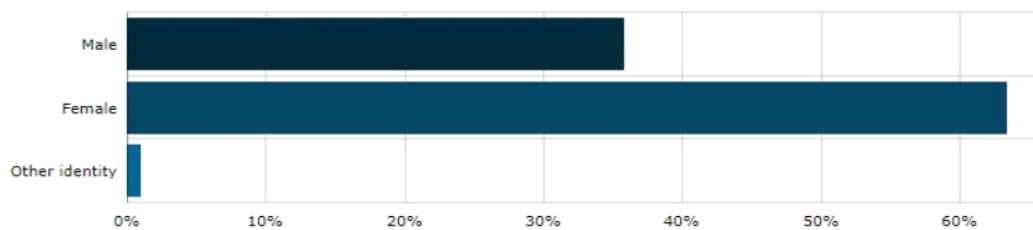
By location



By age group

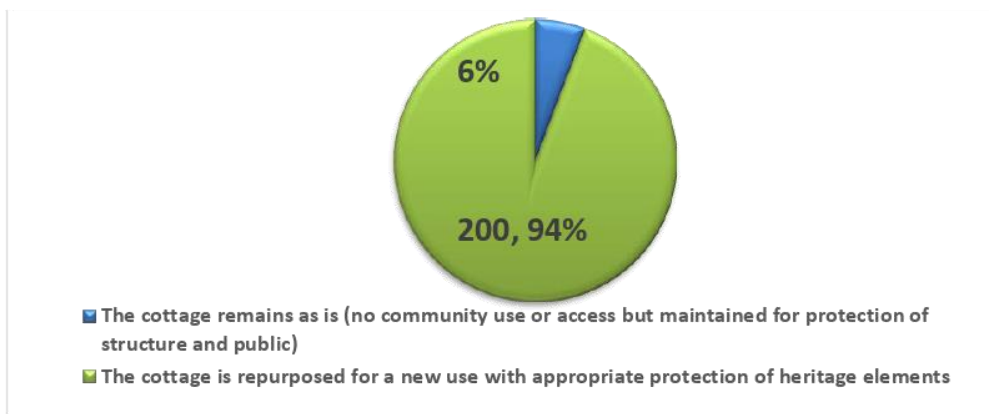


By Gender



What did we hear?

- Do you have a view on future options for Burnley Cottage?
 - The cottage remains as is (no community use or access but maintained for protection of structure and public)
 - The cottage is repurposed for a new use with appropriate protection of heritage elements



Attachment 1 - Attachment 1 - Burnley Cottage Consultation Engagement Summary.

Key themes	Examples
2. Are there any important things you want to see protected emphasised or considered if the cottage takes on a new purpose?	
Heritage conservation 42	<p><i>"The key historical features are preserved while ensuring the building can function as a space that support a range of creative activities and groups"</i></p> <p><i>"Just the heritage elements (chimney and original section)"</i></p> <p><i>"Building are to be used not looked at. Preserve the heritage but use it."</i></p>
Maintaining appearance and enhancing heritage facade 33	<i>"Obviously the building facade and original features. A beautiful planted native garden surrounding the cottage would really enhance the space and protect it more."</i>
Focus on benefits to the local community 22	<p><i>"That it becomes some type of hub for the local community and substantial number of locals that use this park"</i></p> <p><i>"Community garden and planting of orchards"</i></p>
Expand or protect and maintain open space and protect wildlife 16	<p><i>"We need to protect the off-leash dog area. It's crucial any development does not impede on the park available for community use."</i></p> <p><i>"Return the cottage to "green space" like it was before it was built - certainly not "repurposed" for commercial activities as previously attempted by council and opposed by the local community."</i></p>
Consider car/traffic/nearby streets, residents and businesses are not affected 9	<p><i>"To consider the extra people and cars that might eventuate."</i></p> <p><i>"The new purpose for this building should give no reason to attract people who need to drive and attempt to park nearby. Parking is already an issue. I live near Burnley Backyard and experience this parking crisis every weekend."</i></p>
Showcase its significant historical role 8	<i>"Information provided to the general public about the important and interesting role that the original 'Surveyor's Cottage' played in the development of inner Melbourne, plus the original nature of the land & Yarra & the story of its traditional owners."</i>

Attachment 1 - Attachment 1 - Burnley Cottage Consultation Engagement Summary.

Comments about nature of commercial use 7	<p><i>"Turn this into a cafe for locals and also a farmers markets on weekends"</i></p> <p><i>"No late night licences. Any activities to continue inside after 10pm weeknights & 11pm Fri & Sat. Allow local clubs to hire at a discounted rate"</i></p>
Aboriginal cultural significance 4 (including input in next question)	<p><i>"Having just read the history of the cottage, I think the Wurundjeri people MUST be involved in decision making. The cottage was central to European invasion only 50 years after the first fleet. There is a culturally significant site in the park"</i></p>
Other 8	<p><i>"Activate park, enhance safety, recognise that public asset and any venture should give back in some way"</i></p> <p><i>"I would like to see the outside kept as it is but cleaned up. The wood off the windows to allow natural light inside the cottage and build indoor toilets for customers to use."</i></p>
3. What sort of purpose or activities would you like to see the cottage used for?	
Eatery/ Café 130 (a lot of cross over combining community use)	<p><i>"The park is a great place to hang out with friends and dogs. The Cottage would work perfectly as a small cafe potentially as takeaway only, with a limited liquor licence (say from midday to 7pm)"</i></p> <p><i>"I would like to see a sensitive reuse for commercial opportunities, such as a cafe. Lease revenue could be reinvested into the building and the park, and the use would activate this area."</i></p> <p><i>"I believe that a cafe/ hospitality function would greatly assist the community. This could be a hybrid operation with other activities to stimulate activity around the building."</i></p> <p><i>"Cafe, kiosk, cyclist stop (pump, bike racks etc.)"</i></p> <p><i>"A cafe/small local produce store for use of the locals, families and dog owners and for facilitating meet ups in Burnley park."</i></p> <p><i>"Something similar to The Bike Shed at CERES. Where second hand bikes could be donated (saved from landfill), fixed by volunteers; and sold or donated to community organisations. Plus-initiate a Park Run group to bring people together, with a coffee shop."</i></p> <p><i>"A cafe. Sure, there are plenty of cafes around - but actually there are not ANY cafes in the middle of gardens in Yarra. There should be so we can enjoy the spaces that much more."</i></p>

Attachment 1 - Attachment 1 - Burnley Cottage Consultation Engagement Summary.

Community hub ideas 60 (a lot of cross over with hospitality ideas)	<p><i>"Community use such as an art space and an indigenous interpretive centre concentrating on the nearby Yarra river and adjoining lands."</i></p> <p><i>"We are considering this as a potential Richmond Scout Group hub for District meetings, as a Venturer/Rover den, Leaders meetings, Hike planning etc and also leased to community groups in the area."</i></p> <p><i>"Playgroups. Exercise classes. Living longer strength class. Conversation groups to support esl residents."</i></p> <p><i>"Art Gallery for local crafts people; Pergola; Part of a Yarra Walking Train with a sheltered area for when people are caught out in rain and where there can be historical photos of the surround's celebrating its heritage"</i></p> <p><i>"RCLC has been in communication with RCGG, RHS, Rotary and local residents and overwhelming the response is that the Cottage should be repurposed to support community engagement and participation as a community arts, events and storytelling space"</i></p>
Community garden/ enhanced park experience 10	<p><i>"Make parkland out of the site but if Heritage Victoria won't replace it with a plaque then make a rain shelter out of the original brick (heritage) part or something else of practical (non-commercial) use for park users"</i></p> <p><i>"A community garden similar to Burnley backyard"</i></p> <p><i>"Sheltered meeting area like the function of a gazebo"</i></p>
4. What types of organisations or businesses might be interested, suitable and able to deliver these types of uses or activities?	
<p>A range of ideas spanning community organisations, arts collectives, urban agriculture, local service clubs, community learning facilities, social enterprises through to a range of partnership ideas. For example:</p> <ul style="list-style-type: none"> • Arts groups • Richmond Scouts • Hospitality • Local primary schools • Community garden groups • Women's arts register • Melbourne Girls, Richmond Music Academy or Richmond High school • "Rotary Club of Richmond may be interested in facilitating this project following discussions with relevant community organizations." • Charitable organisations • "Streat - the social enterprise might be? They could probably raise the funds for the restoration too." • Burnley Backyard • Richmond Community Learning Centre <p>See attached for full more detailed proposals from specific organisations and businesses</p>	

Attachment 1 - Attachment 1 - Burnley Cottage Consultation Engagement Summary.

<p>5. If Council were to seek expressions of interest from external organisations or businesses what would make that process transparent and fair for you?</p>
<p>Key themes included:</p> <ul style="list-style-type: none"> • Online updates and updates in Yarra publications • Visible candidate selection/ open tender process • Close engagement with community, regular meetings and potentially community selection of providers • Visible business plans • Notices in park • Updates for nearby owners
<p>6. Would you like to be considered as a representative on any future reference group if it were to be established?</p>
<ul style="list-style-type: none"> • A total of 44 contributors indicated they might be interested in participating in any future reference group. • A further 63 indicated they may be interested and would like to know more detail.

Next Steps

- To be determined with all participants to date, as well as broader local community and interest groups to be regularly updated.

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Listing of On-Line Responses re Burnley Cottage Consultation.....						ATTACHMENT 2			
Suburb	Do you have a view on future options for Burnley Cottage?	Are there any important things you want to see protected, emphasised or considered if the cottage takes on a new purpose?	What sort of purpose or activities would you like to see the cottage used for?	What types of organisations or businesses might be interested, suitable and able to deliver these types of uses or activities?	If Council were to seek expressions of interest from external organisations or businesses what would make that process transparent and fair for you?	Would you like to be considered as a representative on any future reference group if it were to be established?			Anything else you'd like to tell us that isn't covered here?
	The cottage remains as is (no community use or access but maintained for protection of structure and public)	The cottage is repurposed for a new use with appropriate protection of heritage elements				yes	no	potentially, please contact me and I will decide when more details are available	
Richmond		1	Maintain external appearance	Family friendly cafe / restaurant to serve users of Burnley Park	Community focussed	Email updates to interested residents summarising EOs being considered			1 No
Richmond		1		A dog friendly cafe!				1	
North Fitzroy		1	A detailed conservation study should be carried out if this has not been done already. Then the building should be restored including removing of all non original fabric.	Community use such as an art space and an indigenous interpretive centre concentrating on the nearby Yarra river and adjoining lands. d the adjoining lands. So thatyt	Arts groups and local indigenous peoples groups	I would prefer that that Council retains ownership and full control of the site.			1 Once restored there should be a display of information about the history of the site for the public to view.
RICHMOND		1		Needs to be a space used by the community...for community projects...would like to see possibly kids and art in the space? As part of it, it could also have a small coffee kiosk...maybe something that funds the space	Think you need some kind of a social enterprise that runs programs - kids classes, a coffee kiosk - that funds the upkeep of the cottage	Want visibility of the business plan...what is being earned, how is any earnings being used to improve the space and provide community facilities			1 This building is heritage listed...it needs to be maintained...it needs a purpose that fits in with how people use the park, and revenue from that needs to go towards the maintenance of the space and the programs
Richmond		1	The Heritage Facade and external structure must remain the same, the use should only change the internal configuration.	I believe that a cafe/hospitality function would greatly assist the community. This could be a hybrid operation with other activities to stimulate activity around the building.	I have a vast network of local cafe operators and gym operators that could create a healthy, functional space to entice positive activity in the precinct.	An open tender that is broken into three phases. Phase 1 - Open ROI. Phase 2 - Council's preferred 5 operations/ operators. Phase 3 - A public vote with councillor support.	1		1 Lets properly activate this space! I appreciate it is on crown land and thus profit cannot be generated, but there would a multitude of entities that would want to enter into a lease. be
Richmond		1	Showcase the history and heritage	Cafe, gatherings	Hospitality	Public notice. Seek community endorsement via a vote on 2 or 3 approved options. I think great for the community to have the final say on council approved proposals.	1		
Richmond		1	No	Cafe with Eco mindset	One like serotonin	No preferences		1	
Richmond		1	External all weather protection for future users of or visitors to the cottage.	Hospitality, garden areas, indoor/outdoor workshops. The site is more visible and accessible to the community compared to other facilities that council rents out or manages.	Richmond community garden, private sector, council	Clear parameters on what is not in scope, what are non-negotiables, and impacts to be managed.	1		1 I'm sending a separate submission as well.
Hawthorn		1	Information provided to the general public about the important and interesting role that the original 'Surveyor's Cottage' played in the development of inner Melbourne, plus the original nature of the land & Yarra & the story of its traditional owners.	I think that the cottage could be used for community or profit making purposes, as long as the structure of the heritage part stays basically intact and the public land is preserved - e.g. no large carparks.	It could be a cafe or a special event location, or a clubhouse of some sort	Regular online updates to the general public, plus oversight by a local stakeholders group.			1 It's a real pity that there are no public signs in the park generally about its history, and this includes the location & use of the old Pic Nic Railway Station
RICHMOND		1	Any commercial business requiring access by car would be extremely detrimental. The park as it is, is both a very important community and natural history reserve: king parrots and eastern rosellas nesting and flying in the trees nearby. Protect the space	I would love to see it restored to the original building, with it's very important history somehow told on site. It would be a landmark, visited by many on foot as part of a Richmond heritage walk, also encompassing the Corroboree tree.	7National Trust; Gofund me so a community group or Council could restore and maintain it; a wealthy local philanthropist.	Correspondence visible on this website and notices of expressed interest posted in the park			1
Richmond		1	Please see my email and attachment to info@yarracity.vic.gov.au	Please see my email and attachment to info@yarracity.vic.gov.au	Please see my email and attachment to info@yarracity.vic.gov.au	Regular updates on the Burnley Cottage / City of Yarra Web Site			1 Please see my email and attachment to info@yarracity.vic.gov.au
Richmond		1	I would like to see its fundamental look maintained.	Cafe, kiosk, cyclist stop (pump, bike racks etc.)	Existing or new cafe operator.	Public tender		1	1 I think the council will need to find some funds to invest in this to make it work. It has already tendered unsuccessfully. Could its maintenance budget be brought forward to make it more attractive for an operator?

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Burnley			1	I would like to see the original cottage retained and restored. I would not be opposed to the later additions being removed. Some form of deck or pergola as an outdoor seating area to complement a small cafe in the original building could be very nice.	A pop-up style cafe? Something in association with the high number of dog owners that use this area?	Unsure.	Updates for nearby owners. A progress bulletin board on the site?			1	I don't oppose a cafe type use, and am aware of previous resistance to this. I don't think parking is a problem for that, as the majority of users would walk there or could park on the Boulevard.
RICHMOND		1		That the park is there for community benefit and recreation and is protected from commercialization. There are already two coffee shops within 500 to 800 meters of the cottage.	Art Gallery for local crafts people; Pergola; Part of a Yarra Walking Train with a sheltered area for when people are caught out in rain and where there can be historical photos of the surround's celebrating its heritage	The Girls School might be able to work with Council to create something of community benefit?	To be made aware the moment that commences as in I hope it has not already commenced and that this survey is being done in good faith.		1		I trust the newly elected Councillors will be true to their promises and that our Ward's Green Councillor especially will respect the idea of open spaces.
Richmond			1	The key historical features are preserved while ensuring the building can function as a space that support a range of creative activities and groups	RCLC has been in communication with RCGG, RRS, Rotary and local residents and overwhelming the response is that the Cottage should be repurposed to support community engagement and participation as a community arts, events and storytelling space; and supp	RCLC, RRS, RCGG, local schools, RMC, Rotary, We would also build on our existing relationship with Leand Lease to seek support for the redevelopment of the Cottage	That there is a clear understanding of what Councils priorities are for the Cottage and the Park. It is very difficult to respond more fully to this at the moment as we have not been able to access plans and have the building has not been open for view		1		As the manager of the local neighbourhood centre I have been hearing from local residents over a number of years how valuable the cottage as a local historical site and the potential it has to support community activity and engagement. The local commun
RICHMOND			1	The exterior should remain in place- no renovation unless interior. Surrounding parklands & grass must be reserved too.	Creative arts/ community centres that provide events like painting, music, etc.		Updates on social media, email, and on the Yarra City Council websites- where there is an option to subscribe to the details.			1	
Richmond			1	The history of the cottage dating back to the early new settlement of Richmond is extremely important to protect, as is its architecture which has been described as 'a tiny architectural gem'.	The usage of the site should blend its unique historical value and its significant potential public amenity.	It is vital that both the historic value is preserved (such as by renovation with public displays on the historic area) and public amenity is enhanced (such as through a hospitality business).	A transparent process including tender for use and lease. The business element could be used to fund the historical preservation and education element.			1	
Richmond			1	The external structure should be conserved possibly with sensitively designed internal alterations to accommodate the new purpose	Possibly a community hall, but other options could be considered. More importantly, the land immediately surrounding the building should be converted to a form of community garden.	All options ranging from not-for-profit community groups through to like minded commercial could fit well with an attached garden.	Advertising to residents and community interest groups and invitation to review and participate in key council decision points.			1	The form of the garden should be explored. There are many good options. Ideally it would incorporate elements of a traditional botanical garden (native garden perhaps) with a community veg and flower garden.
Richmond			1	A heritage assessment should be carried out for the inside of the cottage to determine if any internal elements should be protected.	I would like to see a sensitive reuse for commercial opportunities, such as a cafe. Lease revenue could be reinvested into the building and the park, and the use would activate this area.	Cafes, food and drink stores	Using you say yarra to engage the community on potential plans.			1	
Abbotsford			1	Not particularly	The park is a great place to hang out with friends and dogs. The Cottage would work perfectly as a small cafe potentially as takeaway only, with a limited liquor licence (say from midday to 7pm)	Whoever can operate a small cafe with takeaway alcohol	Have a paper with options presented to an ordinary council meeting for them to decide			1	
Burnley			1	No	Cafe or restaurant	Several local businesses	Highest rent			1	
Richmond			1	Entire cottage to be protected. No add ons	A community use, not commercial. Needs to be a group that is not hampered by lack of delivery access. Definitely not a cafe.	Scouts or like Burnley Backyard, running community classes etc	That you make public the options you are considering			1	Please do not consider a hospitality option as before. No overt signage on building, no change to content of exterior structure
Alphington			1		The cottage made a vocal point surrounded by an activated parklands	A local food system- farmers market, community garden etc etc	Discussion then tender process. Will also require some council funds		1		We have previously proposed local food initiatives in this part of CoP and would love to see it activated
Richmond			1	No	An amenities are for rough sleepers and people experiencing homelessness in the city of Yarra - with free shower facilities and change rooms	Vinies, Salvos, Brotherhood of St Laurence	Publicly available documents			1	

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond	1		The park available at all times as a green open space for rich and poor residents. Not developed commercially so that well heeled out of area people only are catered for. Not developed in a way that causes noise.	Playgroups. Exercise classes. Living longer strength class. Conversation groups to support elderly residents.	Neighbourhood house, Nearby schools. Yarra leisure. Yarra library.	That the parameters were set to ensure the park remains green space for ALL. COVID showed how important it was to have this for the enormous number of apartment dwellers. This no. will increase. Also work from home and intraday exercise will continue.	1		Use should be not for profit. Works should not increase the footprint. Consider demolishing the half that is not heritage. A plaque explaining the heritage, on the original footprint would honour the heritage, overdevelopment would destroy it.
Fitzroy North	1								
RICHMOND		1	No	Cafe	Cafe operator	Advertise		1	Our park offerings are poor compared to other municipalities - please invest in facilities like cafes and adventure parks that families want to use and enjoy. Most cafes in this area are not welcoming for young kids - kids are the future of our city.
Cremona		1	No	Cafe, restaurant, sports club, museum, history club	Cafe, restaurant, sports club, museum, history club	Process that clearly described costs to council (which should be zero or actually generate revenue)		1	I don't think the claim of heritage is justified. I think it can be demolished.
Abbotsford		1	I think the main thing is I'd like to see the cottage open to people in the community so they can see what's inside and get a sense of the building.	A cafe/small local produce store for use of the locals, families and dog owners and for facilitating meet ups in Burnley park.	Small/medium business owners, Melbourne hospo groups/companies	Perhaps when a business is short listed, having their submission be public so we can be reassured by their track record? Even if not involved in the choice, just knowing that they're not a dodgy company who will ruin the cottage.		1	
Richmond		1	No.	Lease to a private organization, cafe	Cafe - not an arts studio.	Open tender at market rates of course. Not connected to any Greens party		1	Nope
Richmond		1		I would support the use of the cottage as a cafe, bringing people to the park and a suitable use for a sociable place.	Cafe owner	Consultation as to the type of organisation or business and an opportunity provide feedback or input into decision-making		1	I would (and know that the Burnley Park community) would not support and would oppose any use of the Cottage that would significantly restrict dog off-leash areas at Burnley Park.
Richmond		1	The exterior of the cottage should be protected and the interior reconfigured as little as possible. The heritage elements, inside and out should be interfered with as little as possible but need to allow modern uses of an old space.	I propose a sizable community garden be established around the cottage. Richmond has an appalling lack of community gardening space, RCGG has a wait list of 12-18 months for a plot.	Look at groups that were involved in developing Yarra's Urban Agriculture Strategy ... 5,000 Acres comes to mind. The cottage could be used for classes, a cafe offering simple food, a small market selling produce from the garden.	Expressions of interest would be submitted to a reference group for consideration to determine the right outcome for the space.		1	This is a project the the City's Urban Agriculture Strategy could support to demonstrate the you are serious about the benefits of locally grown food and increasing opportunities for urban gardening in Yarra..
Richmond		1	the original features of the house (inside and outside)	Art workshops, archives/side nights, discussions, artist talks, artist-in-residence program, open studios	Women's Art Register	Regular EOI processes, determined by a committee from City of Yarra such as Yarra Arts/Room To Create	1		The Women's Art Register would be interested in relocating to the space and expanding our activities.
Richmond		1	Build a nice traditional English garden around it	Cafe	Privately operated venture, as the council isn't great at running things	Clearly tell us the options and the costs, don't hide things		1	
Richmond		1	Daytime business such as a cafe/bike shop MAY be ok if the building can be serviced from Yarra Blvd only. No servicing/traffic/parking for the venue to occur in surrounding streets under any circumstances. Streets are too narrow & local for deliveries etc	Community garden with Indigenous garden, community art & education space. Parking on Yarra Blvd only.	Daytime businesses only such as a cafe/bike shop may be ok but deliveries would need to come from access from Yarra Blvd only. Would not consider if local streets where kids play and dog walker access the park	Keep me notified via email and do not consider a business without consultation from the community. No after hours business, which was proposed last time.		1	Given the huge success of RCGG this is a precious opportunity to put forward a case for a community garden with indigenous focus to be established at the cottage. This would be a great outcome regardless of the final use of the building itself
Richmon		1	Keep the space as a community space. Improved gardens, creative art space, an indigenous area working with a local aboriginal group to incorporate storytelling etc	showcasing art projects, garden space, community activities, social enterprise that runs a coffee cart, music events	RCLC, schools, local community groups, gardeners, artists, NFP	newsletters, council feedback sessions, emails, vote			1 I would not like to see it run as a private business that did not bring value to the local community
Richmond		1	Keep the building and find a purpose for it.. haven't seen inside so don't know the options possible. A community garden around it would be great.	Maybe an arts precinct? And a community garden with an open orchard for free food would be terrific.	Arts collectives. Community Garden groups. Free food network	Advertise in the Yarra news. Public notices on the site. On your website. Transparency about who judges with vested interests declared.		1	Not really. Thanks for the opportunity. Let's find way of having more opportunities for free social engagement in Richmond
Richmond		1	I only want to see the cottage repurposed if the right purpose can be agreed on! Otherwise demolish all but the heritage section and seek grants for its restoration but not used.	If it has to be developed then a community focused group. The heritage part may be able to get a grant for restoration and the new part of the cottage demolished for more greenspace	Small gym/fitness group, community sporting/outdoor ed group, wildlife rescue/rehab group, Mens Shed or similar community use group. NO cafe or food facility unless hole in the wall and takeaway only during daylight hours only	That the actual use or purpose of the cottage and its footprint, times of use etc are all made available to the community to be voted on and approved prior to any tender process. That way any tender must be within the agreed guidelines for use etc.	1		Whatever happens to the building, it should not encroach on the park or its current uses by people and pets. It should also not be available after 6pm at the latest because of potential noise and disturbance issues, much the same as the sports pavilion

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FITZROY NORTH			1 Existing structure including window openings and important interior elements are protected.	Cafe, education & open community use	Urula Chandler Architects	Yes, but architecture & design if it's for a community use should be open tender	1			In many instances in Yarra new design work of existing or new public buildings could be more opened up to competitions and broader tenders to try and get a higher design outcome for our public buildings.
Richmond			1 I'm Secretary for the Richmond Community Garden Group. - we have a wait list over 12 months. Plus others who don't join the wait list due to the wait. We'd love to see a community garden. + planting of an orchard for free use.	The cottage looks naked - could Burnley College or Council invest in overseeing / starting the gardens? Both aesthetically pleasing & good for exercise.	Free food network, community garden groups, Burnley Horticultural College, Melbourne Girls College,	Respond to all who email with suggestions - summarise in the council newsletter and have the results on the website including the criteria by which it is judged.				1 The free food network and community gardening is gaining momentum as residents have less access to their own gardens. Maybe the cottage could also house an arts precinct?
Richmond			1 Heritage 'look' inside and out	Cafe/restaurant with outdoor dining, arts organisations (e.g. pottery classes), sporting club with canteen	Cafe/restaurant owners, artists who want to teach classes and sporting clubs	It is known that the business never owns the building and can only change it within heritage rules. No connection to any councillors - maybe a vote from Yarra residents		1		There are many examples in Sydney of buildings like this so maybe look and see what they have done to take lessons learned e.g. Bellevue Cottage at Blackwattle Bay, Dunbar House Watsons Bay
Burnley			1 not known at this stage	Possible use as a 'women's shed' or similar activity area. Activities sympathetic to current uses available at Burnley Backyard	Rotary Club of Richmond may be interested in facilitating this project following discussions with relevant community organizations.	The release of all relevant information and the development of a transparent process of discussion and application				1 Try and maintain some sensitivity to the original owners of the land on which the cottage stands
Richmond			1 want to see it open and accessible to people and users of the park and contribute to the experience	Hospitality and education venue for sustainability included, circular economy, reduced waste and renewable energy use as well as focus on those who use the park such as dog walkers	ag future Food System as displayed in Fed Square at the moment	an agreed scope as to what can be accommodated by the building and immediate surrounding area				1 I'm already involved in a hospitality company and would be interested to investigate this idea further with other companies in the sustainability and social enterprise space
Richmond			1	Something that encourages positive community mingling like a cafe		Keep it local				
Richmond			1 Something that adds to the diversity of the area e.g. a different type of eatery, a community facility that is not / is not able to be provided elsewhere in the area, something that is not so multi-purpose that any one purpose is undermined.	Hospitality, community garden, a portion of the facility that is for exclusive use of a mens' shed (ie not like Burnley Backyard which has a multi-use part-time space)	I loved the hospitality facility that was previously proposed.					1 Ensure diversity of views. Locals living on edge of the park very experienced at lobbying Council (to remove car park on the park, to retain Burnley Backyard, etc). Increasingly others are living in the area not so well organised to represent their views
Burnley			1	Cafe, function rooms, place for community groups to meet. It's sad that the last people that tried to create a new purpose for the cottage were rejected.				1		I think the wider community would've been happy with what was planned to go ahead last time but may not have had the chance to express that.
Burnley			1 Having just read the history of the cottage, I think the Wurundjeri people MUST be involved in decision making. The cottage was central to European invasion only 50 years after the first fleet. There is a culturally significant site in the park	A symbol of reflection and reconciliation. Perhaps a place to tell the true history of settlement in Richmond. And build a shared future? A place for Non-Aboriginal people to do our part in reconciliation	Reconciliation Australia	Open council meetings. Clear Terms of reference and criteria for submissions. Meaningful consultation				1 Ask Aboriginal people, what do they imagine it could be used for? With Yoo-rook Commission beginning, it is timely contribution to truth telling. The whole park could become involved in reconciliation - plants, sports ground, celebrations/mourning events
Richmond			1 Not a lot. Im not sure how much of the original cottage is intact. I don't suspect there is a lot. If additions were stripped away there may not be much.	Let it out as a coffee shop / take away food. It would be convenient to park users. This would generate income for the council	Commercial - coffee shop / take away foods	Expressions of interest by tender.		1		
Richmond			1 Protection of the lawns/gardens - new planting a cottage garden element, lighting for safety	Community activities like Art, Teen hub after school art, creative projects, All ages wellbeing (Yoga, Tai Chi, Chi Gong), Community training - see Spare Chair Cafe and Kew Neighbourhood house for ideas	Please keep it community based - RCLC	I think this is a public community space and should remain so via a Neighbourhood House. No external corporates other than as contracted through eg. Richmond Community Learning Centre				1 Please refer to Spare Chair Cafe and Kew Neighbourhood House - very successful and long standing community neighbourhood house.

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Richmond			1 I would like to see the cottage being used by various community groups for a range of public uses, especially cultural and educational.	This space could help bring community groups of different ages and backgrounds together for the sharing of culture and stories.	Indigenous cultural groups, school groups, community and neighbourhood houses and gardening groups.	If public meetings were held and interested parties (whether they be interested organisations or individuals) were regularly kept in the loop via email.	1			I would really like to see the building become part of a multipurpose space with a particular emphasis on indigenous and other cultural groups where children could visit and where a community, indigenous garden could be developed.
Richmond			1 Heritage elements staunchly protected and enhanced; genuine open-access for small groups; build and emphasise the indoor/outdoor opportunity given location and infrastructure of the cottage	A space for outdoor classes (http://mcgillengineers.com/farragut-outdoor-classroom-nominated-archid-award/) or small groups to convene regardless of weather. The picturesque setting and ability to create a kitchen where a cafe could open would be superb.	Primary schools, community groups, kindergartens, and general public	Make publicly available the full list of businesses that submitted bids, as well as make fully available business plans and architectural plans submitted from finalists (ie final 3-4 businesses under consideration) and comment on.	1			Burnley backyard cost is quite significant - the key to this space is making it functional but not formal in the sense you have to 'buck it'.
Carlton North			1 Pretext the heritage of the structure and gardens	Food beverage / bar restaurant	F&B			1		
Richmond			1 The community learns more about the history of the cottage itself.	I have lived in Richmond/Burnley my entire life and have seen the suburb transform dramatically. I think transforming the cottage into a coworking space and hub for podcasting recording would be terrific.	Entrepreneurial start-ups.	A business case is put together by interested parties.	1			I have the resources and ability to transform this space into a functional use that will benefit the suburb and the community. I am an funds management and real estate so I know how to create value as well for the council.
Richmond			1 The heritage look of Richmond is important and one of the reasons we bought into the area. Emphasis on the heritage look but repurpose to enhance the park area	Would love to see the cottage turned into a coffee shop where the beautiful windows could be turned into serving windows and then a mini cafe (like stables at Como)	Hospitality - you could do pop up cafes to support local. E.g circulate a different cafe each week to host the cafe (different food each week)	This isn't a concern - just want it to be functional and attract more people (e.g. an extra hospitality space) there isn't many great cafes in the area (they are more so down the other end of swan st and bridge rd)	1			Main reference is Stables of Como in Toorak - great for families and young people to enjoy a beautiful parkland
RICHMOND			1	Something similar to The Bike Shed at CERES. Where second hand bikes could be donated (swept from landfill), fixed by volunteers, and sold or donated to community organisations. Plus initiate a Park Run group to bring people together, with a coffee shop.						1 The park has been essential to my mental health during Covid, and seeing people walking their dogs or exercising was a wonderful break from the isolation of living alone. Would be great to allow people alone to connect, through Park Run and a small cafe??
Richmond			1	Commercial, Function, cafe, pub, musical performance space	Private or community	Not rushed though quietly		1		
Richmond			1 The exterior of the cottage should remain as is, i.e. colour and finish of the walls, roof and windows, although unattached additions to support the new use should be permitted (e.g. awnings or shades, seating, etc.).	Cafe/loosk		Public access to submissions from organisations/businesses and the ability to raise concerns or objections.		1		
Cremona			1 Historical Archaeological Report, Shared Values Assessment, in depth conservation study	Museum or Gallery, community space and/or play area for children	Heritage Consultants, Landscape architects,	Proper community consultation.	1			
Richmond			1 Any remaining significant historical elements to be preserved as much as feasible	think a cafe or small restaurant would be lovely. Or some kind of community use such as for scouts, or even as an event space for people to hire for parties- so many people in Richmond have houses too small for a child's birthday party.	Cafe businesses, scouts the local neighbourhood house	a sign out the front would be good, or an email, but out the front would ensure more people knew what was happening			1	
Richmond			1	Hospitality	Cafe					1
Richmond			1 The purpose should be in keeping with the purpose of the park - community recreation	Cafe or restaurant, but I know it would be difficult to get supplies there, as can't drive into the park, surrounding residents wouldn't like the extra vehicle traffic. It could be a neighbour house - that could be hired out to community groups	Any commercial organisations would need to provide community benefit, not just pure profit for the business.			1		

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Burnley			1	I don't mind whether the cottage remains as is or is repurposed as long as the heritage is protected.	I have always thought the cottage would be an amazing location for a cafe by day and/ or a restaurant by night. A cafe with outdoor seating would be a fantastic place for families - adults could eat and children could run around on the grass or play.	I'm not sure how onerous the fit out needs to be, but perhaps anyone wanting to open a cafe or restaurant.	Being able to view correspondence communicated via email.					1	Yarra would need to ensure it honours its commitment of free and available parking on Yarra Boulevard since the carpark was closed and ensure any operators were also able to have access to free parking on Yarra Boulevard.	
Burnley			1	Keep the original building	I would like to see it repurposed as a Neighbourhood house. I have use the Brunswick Neighbourhood house multiple times and believe the Cottage would be perfect for this use and purpose	Please keep it to for community use, mothers groups, birthday parties, educational seminars, craft groups, book clubs, etc. It would be a pay to hire space.	The council should not turn this into money making profit entity, the fit out and upkeep would be easily be made financially viable through bbq cook-ups in the park and through donations. The residents of 3121 really love where they live, let them enjoy		1				Please take the time to look at the Brunswick Neighbourhood house and how it was started up, this is a great example of what the Community cottage 3121 could and should be.	
Richmond			1		Cafe	Cafe	Small business					1		
RICHMOND			1	Benefits park and community	Community activities or sports	Scouts, sports, men's shed	Co design		1					
Richmond			1	To be fully restored to it's former glory.	Firstly it would make a fantastic extension to the Burnley Backyard garden plots project, which would also give the area surrounding it a clear purpose. The Richmond Historical Society could be relocated there. Even a toy library and community kitchen.	Richmond Historical Society, gardening groups, community engagement for kids	Full disclosure of tender processes and continual community consultation.		1				This is an opportunity to revitalise this part of Burnley Park and to give it it's own identity and special place.	
Richmond			1	Its heritage and its history	Provide an historical display to share the story of this building and its place in the history of the area. Invite local businesses to provide catering either regularly or for one-off events that feature the cottage.	An historical society, local community groups - e.g. neighbourhood houses, service groups such as Rotary/other. Local business	Provide information in the Yarra news and on the website. Include the long term planning in the Council's strategic plan.					1	Although the Council cannot provide any funds for the cottage in its current budget allocation, perhaps this could be considered in the future. Develop networks with educational groups e.g. Universities, schools, kindergartens, USA, community houses.	
RICHMOND			1									1		
RICHMOND			1	THE PEACE AND TRANQUILITY OF THE PARK - NOT ANOTHER CAFE - COMMUNITY USE	PLAY GROUP CENTRE - YOGA CENTRE - BRIDGE CLUB - ART WORKSHOP CLASSES - GARDENING WORKSHOPS - MULTI PURPOSE COMMUNITY CENTRE	NA	EMIAL COMMUNICATION OR NOTIFICATION IN PARK					1		
Richmond			1		We are considering this as a potential Richmond Scout Group hub for District meetings, as a Venturer/Rover den, Leaders meetings, Hike planning etc and also leased to community groups in the area.	Scouts and other community groups	Opportunities for consultation and presentation and community input and feedback. We represent around 80 families in the areas that are very keen to find a home for Richmond Scout Group.		1				We struggle to build our Venturers and Rovers as there is no inviting place for them to gather. A Scout hub in Burnley park gives us a local presence which would grow the movement providing many proven benefits to Yarra	
Burnley				Return the cottage to "green space" like it was before it was built - certainly not "repurposed" for commercial activities as previously attempted by council and opposed by the local community.	Make parkland out of the site but if Heritage Victoria won't replace it with a plaque then make a rain shelter out of the original brick (heritage) part or something else of practical (non-commercial) use for park users	NO COMMERCIAL ACTIVITIES IN PUBLIC PARKLAND - the park is very busy and should have more green space	Don't do it in the first place - unlike councils flawed attempt last time to introduce a cafe					1	The building (especially the weatherboard later additions) is an unnecessary eyesore in a wonderful park. It should be removed and the spot marked with a plaque if absolutely necessary by Heritage Victoria to mark where it stood.	
Richmond			1		Pop-up art gallery and shop, food and drink vendors	Art/Craft market organisers, cafe/restaurants owner	Run another surveys of selected options,						1	What I was suggesting is similar to what The National Trust had done at Como house. They have a small pop-up store / gallery that were run by Rose St Artists Market next to their cafe. They have different artists showing monthly. Something like that would
Richmond			1	Cottage is not expanded and stays true to its original appearance.	As a meeting spot for people. If this was to become a cafe, the cafe should be sustainable and give back to the community and have appropriate operating hours. I.e. daylight hours only.	Cafe, sporting studio, painting studio	Full access to applications and ability to give feedback on these.					1		
Richmond			1		Office for charitable organisation	Non-profit	Emails re terms of expressions of interest, applicants. Public council meeting(s) on proposals						1	
Richmond			1	The integrity of the original facade / exterior	What about a cafe / community centre whilst still retaining the integrity of the original building? There doesn't seem to be a lot of 'life' in that area of Richmond. Given the increa	Cafe / Community centre	Publicised in the local Yarra news magazine					1		

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Hawthorn East			1	Maintain the original structure.	Lease the space for 1. a cafe that can be used by park users and local residents or 2. gallery/studio facilities for local artists to work in and display/sell their works 3. open theatre/cinema venue	hospitality, creative arts	not sure			1		
Richmond			1	The external structure and facade should remain as it is given the history and heritage of the building.	I honestly believe the building would make a beautiful day time cafe or restaurant, this will draw the community to the park lands where they can enjoy the space, appreciate the building and its true history and the rent paid used to maintain park	I think a local who is looking to open a small hospitality business would be most suitable to run it as a cafe/restaurant and gallery space.	I think keeping the eligibility to a member of the local Richmond community who is looking to operate a small business within the Richmond community.	1				I would be most interested in the consideration process as I see this as being a great opportunity to establish a small hospitality business and using the rent to put back into city of yarra or the upkeep of the park lands.
Richmond			1	To consider the extra people and cars that might eventuate.	I would like to see the cottage become a family friendly cafe like Cubbyhouse Canteen in Armadale				1			
Richmond			1	The facade left	A cafe	Cafe	Complete transparency of the design and purpose pre build				1	
Cremona			1	-	A nice place for the community to gather. A cafe would be perfect!	Hospitality	I'd be fine without any heads up! I'd just like to see the local area vibing with people and potentially a local business.			1		-
Richmond			1	Modernise but protect the original look and feel of the cottage	Extern with potential community garden to build upon the nearby Burnley Backyard establishment. Outdoor and enclosed dining/cafe spaces	Cafe, restaurant, community oriented businesses	Tender process with plans and concepts accessible to residents and preferred organisation voted/selected by residents				1	
Richmond		1		No	None that infringes on the green space or use of the surrounding area by dogs	None	It shouldn't			1		The population is booming, we need more green space. We need more parks and more off leash dog parks. I'm concerned that turning this space into a cafe will infringe on the green space and ability for dogs to be off leash
Richmond			1		Drinks and food outlet - with a reduced impact compared to the previous plan		Yes			1		
Kew			1	N	Coffee	Coffee						
Richmond			1	community wellbeing activities coffee / picnic pacs	encourage outdoor activities	food drink picnic hamper	public tendering please			1		waste management and noise management part of the deal
Richmond			1		Cafe					1		
Richmond			1		Cafe					1		
Richmond			1	The outside facade	Cafe or canteen run from within or outside with a connection to the history of the cottage	commercial	Public notices in the park and outside the cottage				1	
Richmond		1			Community use only							
Colburg			1	Keep the structure of the building	Cafe	Cafe				1		
Templestowe			1		Art, Culture exposition, coffee place						1	
Richmond			1		Cafe					1		
South Yarra		1										
Canterbury			1	Keeping the cottages heritage features.	A Cafe where people can buy coffee at the park.		That those who are chosen are chosen on merit, not money or connections.			1		
Richmond			1		Cafe, food and drink service					1		
MALVERN EAST			1	Cafe	A great addition to the park for people to enjoy coffee/food outdoors.	Cafe				1		
Richmond			1	External structure & Heritage must be retained	Community use School Holiday projects, Local Music/ choir rehearsal space Develop a community garden around it, I do not know the dimensions etc how many people can use the space at any one time. Maintenance of property once it is repurposed is important.	Student functions associated with local schools, Local qualified teachers, musicians, horticulturalists, book clubs, and a myriad of other purposes could be thought of.	Holding public meetings after submissions are made. Residents/participants would need the opportunity to see the submissions before the meetings so they would be properly prepared.	1				This is a valuable community resource Perhaps there could be a proper management committee to oversee the management so as not to overburden a busy council and ensure local interests are preserved over the need for profit. Citizens should be responsible
Richmond			1	No	Cafe	Cafe	No opinion			1		
Burnley			1	The existing building should remain and any attached/extended building must be built in the same heritage design	Education centre for children to receive history of the area	City of Yarra				1		

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Richmond			1 All heritage aspects	Day hours Cafe/bar	Private business. Lease arrangement for use of building				1	
Richmond			1 I support the idea of an organisation or business using the space. I think community orgs should be prioritised over private business. I would like to see it become a space that everyone can access in an equitable manner (accessible, financially)	No light no lycra dance party would be cool!! Perhaps other types of exercise. It's a nice location for community healing groups like bereavement groups, recovery groups? Workshops, arts and craft workshops??		I would like them to identify how they (the org/business) would benefit from accessing the space and include financial benefits in that. I would also like to them to explain how they would ensure equitable access for diverse community members.				1
Princes Hill			1 Emphasis on arts and environment and community use	A community space that integrate the arts and environment	Local community environment group, artist residencies offered through Arts and Culture.	Normal process of EOI would be good Names of external panelists publicised.			1	Nothing.
Fitzroy			1 Respect the heritage but don't "overly protect". Bring it to life in a way that adds value to society today.	A cafe. Sure, there are plenty of cafes around - but actually there are not ANY cafes in the middle of gardens in Yarra. There should be so we can enjoy the spaces that much more.	Street - the social enterprise might be? They could probably raise the funds for the restoration too.	Surely the normal process the council goes through is enough? We need to trust the council planners to do their jobs - that is what they are there for!			1	Create something that will last and add value for 20 years. Not some whacky idea that will fall over as soon as the founder of the idea gets bored and moves on. A cafe would add value for years, well after the original manager moves on.
Clifton Hill			1	A community centre similar to North Carlton Railway Neighbourhood House	Small classes (e.g. yoga/art/language), event hire; community group meetings. Maybe a cafe or ice cream shop?				1	
Melbourne			1 Restoration	A museum/exhibition space with a focus on localised indigenous history - could be a great juxtaposition of a colonial structure with its own inherent history with site-specific indigenous history	Local heritage groups and indigenous groups				1	
Burnley			1 Keep building. Popular dog off leash area so keep that. But perhaps add a suitable deck and verandah.	Mental health break out space for Melbourne Girls College. Or a sound insulated music studio for band practice and lessons.	Melbourne Girls, Richmond Music Academy	tender		1		nup
Richmond			1 Local businesses protected	community hub / space, childrens learning space, community garden / veg patches - they are hard to come by in Richmond	Yarra council, kids music groups / activity groups, locals	made public			1	If this is turned into some kind of cafe or restaurant, please respect local established businesses and have opening hours after 3pm
Past resident of Burnley			1 The basic look and feel of the building as it is but made sure it is structurally sound.	I feel the proposal as set out for local people to access and small functions would be wonderful	A cafe, small function and catering service.	The normal open access to the public when tenders etc are called for.			1	Please contact the Richmond and Burnley Historical Society to access their support.
Burnley			1 Maintain its heritage and history in the decor and aesthetic	It would be great to see it as a cafe with community integration, so for example helping youths etc build their confidence and learn new skills in a cafe environment that they could translate to the real world.	Cafe	Expectations and transparent and their detailed plans of the site.			1	No.
Richmond			1 Being able to be admired and experienced by locals	Cafe would be ideal. Or HQ for a monthly market (a la Heidi gallery markets). Even if just seasonally run. Or a gallery or little museum with local Richmond info.	Food service/cafe owners. Gallery owners.	Options to read the topline suggestions and let council know my preferred.		1		I live and own nearby and want to see this succeed and bring new life to the park. Good luck!
Burnley			1	Community use.	Volunteer	Council brief			1	
Richmond			1 Not to expand beyond the original structure - we don't want to lose half the park to a huge new building.	I'd love a cafe there. It would be a lovely spot for a coffee with friends inside the park. There could be a paved or pebbled area for outdoor tables (on the path side of the cottage, so as not to interrupt the dog lawn area to the back of the cottage).	Cafe	No comments				1
Richmond			1 Building are to be used not looked at. Preserve the heritage but use it.	Cafe	Privately owned business	Put it to a tender process			1	Thanks- use the building
Richmond			1	Take away coffee/food similar to cubby house canteen in Armadale					1	
Richmond			1 The integrity of the building - maintain structure, heritage facade	A Pavilion - a summer house or other decorative building used as a shelter in a park or large garden. The pavilion cafe / eatery could service picnics, lawn games and open until early evening for twilight drinks	Cafes, outdoor games, restaurant, pub, restaurant, hospitality	Community engagement in planning process so locals have their say on the external organisation's plan			1	
Richmond			1						1	

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Richmond			1	No	I liked an earlier proposal to have the cottage used as a cafe.		The usual planning permissions and process.				1	An alternative use would be for the cottage to be available for hire for community groups, but I think they are already well catered for in this area given given the Burnley Backyard and Studio 1		
Richmond			1		A wellness and creative hub - yoga, meditation, painting, dance...						1			
Hawthorn			1	Heritage, public access, community use	It would be so lovely to have a cafe in a park. Maybe a room community groups or schools can rent too, would be a nice way of giving back to community in exchange for use of the building.	Could also be used by a charitable organisation looking for premisis to train people in cafe skills, add a vegie garden	Have information available on the website. A few posters up in the park with updates				1	I used to live in London next to a park with an old public toilet that had been repurposed into a cafe. It was a really lovely community meeting space. Had a toilet that could be used outside to cafe hours (eg for events) and a green roof for growing veg.		
Richmond			1	The history of the cottage is important. Having a benefit to the community is also pivotal.	Nursery perhaps using the local knowledge from the Malb Uni Burnley campus, art gallery/school, a place for creative individuals to share their talents with each other and the community, a cafe (more as a side rather than the main activity).	A social enterprise would be great to help support locals who are struggling to find work after this pandemic. Perhaps it could be a collaboration of two or more organisations that have complimentary offerings.	Perhaps create a long list for locals to vote on. Then this list of org's can provide more details for community consultation and a final decision is made.				1			
Burnley			1	A history sign	A community garden similar to Burnley backyard	Community gardening	Yes					1	Great work on consulting the community	
Burnley			1	The history of the building. Original structure. Location.	Dining/ food/ outdoor space around the building utilised.	Social enterprise like STREAT model	A panel or reference group with varied interests.					1		
Burnley			1	Flexible	It would be great to turn it into a cafe, restaurant, bar	Flexible	Flexible					1		
Richmond			1									1		
Richmond				It would be great to have a cafe or coffee shop with a usable hall to hire - burnley and Richmond lack cafes with outdoor space for kids.	Hall hire and cafe		Tender					1		
Richmond			1	Preserve the green grass park area.	Coffee shop and snacks when in the park	Cafe or restaurant or croquet / sports rental?	Cafe			1			The park is a respite for families in the area. Would want to maintain safety and aspects of playing in the surrounding grounds freely.	
HAWTHORN WEST			1		It would be a great cafe, or wellness centre	hospitality, wellness (yoga, massage, tai chi), pilates etc)						1		
Burnley			1	Turn this into a cafe for locals and also a farmers markets on weekends									1	
Collingwood			1	Internal heritage features	Cafe	Cafe						1	A cafe would be the best way to create a thriving community centre which is used and valued.	
Richmond			1		Snack bar, coffee shop, selling local homemade products, renting picnic chairs. Could be used for a "men's shed" or "women's shed" or for mending practice. Maybe linked to burnley backyard		Advertising the fact on social media and getting the message out. Put up posters etc					1		
Burnley			1	It is an historical asset of Richmond, should be retained 'as is' where possible.	There is a connection with local parks and gardens, was council nursery. Should develop community links with parks and gardens	Not businesses, it is a community asset. Community park groups, gardening groups, historical groups. Parks and assets do not exist to be profit centre's.	First, why can't council re-prioritise funding and turn it toward ongoing asset protection and sustainability? Too much is allocated to fringe activities and socially progressive lobby groups. That should not be a core council function.						1	
Richmond			1	The new purpose for this building should give no reason to attract people who need to drive and attempt to park nearby. Parking is already an issue. I live near Burnley Backyard and experience this parking crisis every weekend.	Alternative learning space for local schools.	Local schools such as Melbourne Girls College or Richmond High School	Publish /circulate the proposals to local community well in advance of decisions being made.						1	Restricted hours of operation should be enforced. This works for Burnley Backyard as it is highly used but is quiet by 6pm.
Richmond			1		social gathering and bring life to that part of the Richmond, also place for parents and spectators to relax and catch up during sporting events	cafe							1	encourage more sporting and activities in the area

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond			1 Retain heritage feel, but use for people enjoying the park	Cafe. Allow people to enjoy beautiful outdoor space with friends while dogs and kids can run around and play	Cafe	Public submissions			1	
Richmond			1 That the building is treated with appropriate respect	It would be a perfect coffee shop locale	Small cafe - coffee & snacks for those using the bike trail/ walking dog/ attending sports games					1
Hawthorn			1 Community value, aligned to environmental principles, maintaining aesthetic	Leasing items that allow improved sustainability (clean up tools, park equip) and increased quality of use of the park (Cubby house canteen example, children's parties, exercise providers, music space for concerts)	Indigenous, CERES type, Uni Melb (Burnley), local social enterprise, neighbourhood house/men's shed	Alignment to council vision, community reps on selection panel			1	
Richmond			1 Original building is retained and any development is considerate of the parks landscape	Cafe (restaurant) or venue	Food or drinks	Keep us up to date with the process				1
Richmond			1 Existing users of the park, dogs, access (parking and walking to and within the park), provide bicycle parking, heritage value	Social enterprise. A nursery connected to Burnley botanical gardens, cafe, a business that is both sustainable over the long term.	Social enterprise, cooperative or else a local business	Clarity on decision making process. Opportunity for input	1			
Richmond			1 The building structure and how it looks	An ice cream stand, or something you can hire out for events	Small, local businesses	Keep local community informed and allow input			1	
Richmond			1 No	Here are a few ideas: Lollyshop, dog grooming, cafe, animal rescue, bike repair, art classes, cooking school, Fitness classes, eco friendly ice cream shop,	Depends what idea	I'm not sure				1 I think an ice cream shop would be a great idea, it would make loads of money from people just walking around the park feeling hungry.
Richmond			1 Highlighting the historical features (through storytelling, interpretative design/comm), promoting the relative rarity of this building in Victoria.	Cafe (daytime only); museum with a small cafe attached; ice cream or gelato shop (summer months only)	Hospitality businesses (local only); historical organisations.	Clear and detailed plans for maintaining the historical features, and for any changes needed to repurpose.			1	This is a great idea I love this building and feel that it's a shame that people can't use it, and many don't know its history. I hope that whatever purpose or activities might be proposed aren't thwarted by the 'NIMBY' attitudes of some locals.
Richmond			1 Original style and appearance	Community room with sandpit toys!	Or a cafe	Yes				1
Richmond			1 Preserving heritage status	A cafe would be great. Also, space for entals for things like birthday parties or engagement parties	Something like StrEAT would be great	Being told of all business that are interested in the building and what they plan to do with it. Potential community vote on options.				1
Richmond			1 Ensure any modifications such as signage are sympathetic to the original character of the cottage.	Appropriate adaptive reuse could be a sporting club headquarters or facilities for a charity such as a soup kitchen.		Make the information available on the council website.				1
Richmond			1	Cafe/Restaurant	Groups who currently run multiple cafes/restaurants in Melb	Open EOI process. List of submissions posted on Council website post EOI close			1	
Richmond			1 I hope to see the interior architecture of the cottage as well as the various historical programs it served emphasised.	I'd like to see a plant cafe with a seed library that serves cafe drinks and food as well as selling local art, craft and plants, and shares seeds especially the ones significant to Yarra.	cafes, plant shops, yoga and meditation workshops, permaculture organisations, local artists and craftspeople, tourism tours	all interests to be listed and shown on a website and residents would vote for their preference				1
Richmond			1 The original part. Get rid of everything else	Sheltered meeting area like the function of a gazebo	Public	I don't think an external organisation or business should be involved.				1
Richmond			1						1	
Burnley			1 Best use of space, value to council	Cafe, function space for weddings ect, obviously noose restrictions for night functions & Friday Saturday only	Something that adds to the community, ability to buy a coffee at the park, extra bins managed as council ones are often overflowing	Community engagement such as this, perhaps a vote				1
Richmond		1	The peaceful sporty recreational nature of the park should be preserved. Freedom for the dogs. The potential noise pollution of any proposed use.	Yoga or Pilates would be aligned to the quiet recreational nature of the park however as mentioned I don't see any issue with it continuing to remain as is. It doesn't look like the current upkeep would be expensive.		All expressions of interest should be shared (signage, letterbox drop etc) and the community given ample time to provide feedback.				1 Use of this building for a cafe/restaurant would be unacceptable, so please let's not cover old ground (i.e. the community has already spoken on this)
Former Richmond resident			1	Like the Cubby House Canteen in Union st park malvern	Cubby house canteen cafes				1	
Burnley			1	cafe, community garden plots with cafe in house	cafe owners, local community garden groups or locals who want a garden plot.	Who, who they are funded by, who they represent...			1	Great to hear it is to be kept. Hope it is used well to serve/help/benefit the community.

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond			1	No	Cafe / restaurant	Cafe / restaurant	Publicly released tender		1		Would be optimal if you can structure a deal with a cafe / restaurant where 10-20% of the revenue generated is used to upgrade the park facilities over time to continue to make burnley park the best outdoor location in Richmond
Richmond			1	Weather board on the out side should stay, no add on and building should stay as in exterior	Cafe/Bar/Restaurant	Construction company	Yes		1		
Richmond			1	That it be used in a manner expressed by heritage and local government details/guidelines.	It needs to be used in a manner that is that of the people living near to it and people's using the area. Which is a large and varied group/s.	Being a local I want to see local faces filling positions of Trustee/Carer of the said property. I believe the cottage can be used as a Community House with basic horticulture to work along side the existing house on tudor/westbank tce. There are a number	Posting on the website any future plans regarding the cottage including plans to do any type of work on the said property. As I believe that there are residents that are living in the vicinity that would love to be i from now on and a mailout.future site				1 I came to Bellevue street straight from the Womens Hospital in 1972. I grew up in the street and played in this area all my childhood years. My parents never sold so i still own the home in Bellevue St and currently live there. I myself believe it to be a
RICHMOND			1	No	Hospitality	Hospitality	Display of top 3-5 options and then presentation of final option and why this option was chosen		1		No
Richmond			1	Building structure	Breakfast, lunch and dinner - pay what you like. Something like - Lentil As Anything					1	
Richmond			1	The current footprint of the cottage as a whole should be retained. As well as the historical features on the windows, doors etc.	I would see this as being a cafe or restaurant. It's a really high traffic area for families and the cottage would be a perfect space for hospitality. Otherwise, it could combine a retail purpose (see cheeky monkey swan and its combined florist cafe).	I recall a proposal years ago for someone to convert it into a cafe. Otherwise lots of local cafes might be interested in a shift.	There would need to be full disclosure of what changes the cottage would need to undergo and a full community consultation. Combine it with the business in exchange for community acceptance?			1	Don't let any NIMBY locals get you down! The placement is perfect for a local business. As well as that, there should be a clearer connection to the bike path were it to become a local hub.
Richmond			1	I'd like to see the solid iron weather board parts in particular protected that have the more interesting time related features like the chimneys. Some of the weather board sections don't have any really interesting historical features.	a space for an art space for artists workshops that could include drawing (the park setting would be a great setting for these types of activities). Printing facilities, printing presses and so on like the fire station print studio Armadale.	Community art groups and artists, retirees and art students including school students.	the biggest concern is more of the same eg. there are enough cafes in the area!				1 I think art space is something different and could serve a wide range of ages as well as compliment projects like the community garden.
Richmond			1	Obviously the building facade and original features. A beautiful planted native garden surrounding the cottage would really enhance the space and protect it more.	Community hire/use for meet ups or set up as a gallery space. A small kiosk run from the building to provide park goers with refreshments.	Small local hospitality business to run a kiosk or cafe from the cottage. Arts businesses for a gallery. Burnley backyard community garden society.	Yes			1	Burnley Cottage is a beautiful building that if utilised and refreshed would really enhance the surrounding park and community.
RICHMOND			1	Meeting place for young people of the suburb who are severely lacking in facilities	Scout Hall. The local Scout group has no fixed address and has to alternate between a school hall and outdoor events - having a hall for the local children to engage in meaningful connected activities would be amazing!	Cub/Scouts Australia	Community and Youth focused considerations.		1		It would make an AMAZING SCOUT HALL!
3121			1		drink/snack kiosk, cafe (similar to Cubbyhouse Canteen), community hire facility, toy/sporting equipment/outdoor activity library for all ages and for use while in the park	Daytime hospitality (cafe), nurseries, not for profit	advertise updates			1	
Richmond			1		Access for the local scout group to use	Scouts				1	
Richmond			1	Community needs	Community purposes	Scout hall, meeting space for community / sporting groups, hire for children's birthday parties, playgroups	I don't support putting the building into private hands. I would prefer to see it council run or run through a community organisation with the mandate to make the space available for the sort of community activities I have listed above			1	
Abbotsford			1		Local scout group hall	Richmond scout group				1	
Richmond			1	No	Please let the Richmond Scout Group use this hall. They facilitate nature connection and social responsibility for the children of Richmond.	Richmond Scout Group	Just solicit expressions of interest and host a meeting with potential groups. Maybe a few have schedules that would allow for sharing.			1	

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond			1	Outdoor seating around the cottage	Considering location it would make a great cafe/bar/restaurant, with indoor/outdoor seating all of which can be booked out for events.	Existing local cafe/bar/restaurant owners, or new start-ups.	An open RFP or EOI for public to see	1			There are limited options for cafe/bar/food outlets for park users, cyclists on the Blvd, walkers on the trail - this would make a great stop off. Consider sport clubs that use the blvd (cycle, triathlon and rowing clubs) for input
Richmond			1	That it does not add to parking issue in the area	Similar set up to Burnley Backyard - Given the high take-up of community garden spots at Burnley Backyard, could some the area adjacent to the cottage be used for additional plots.	I believe it needs to be managed by Council.	I don't believe an external organisation would take it on - unless it received significant funds for repairs and restorations. It would be difficult to operate a small scale business at break-even.		1		Given its historical significance, will it qualify for any State or Federal grants to assist in repairs?
Richmond			1			Richmond Scouts	Richmond Scouts			1	
HAWTHORN											TEST ONLY
Richmond			1	Green space around the building to be retained for park users and returned to users after the business is closed for the day	A community net for profit cafe with outside tables and shared that's dog friendly given the large pet owner community. Business to provide opportunities to train and give young people or vulnerable people work experience	Community enterprise or social community owned venture	Open tendered process based on requirement set by local community	1			
Richmond			1	The original is preserved	Community groups or activities	Not business. Groups which are open to all community members. Things like arts activities, book clubs etc	It would depend. I would rather a council driven activity that may be open to many groups	1			
Richmond			1	Aesthetic of the cottage	A cafe that employs disabled workers and other minority groups that find it difficult to find work in Melbourne	Alkira	A website with information regarding the project and future developments			1	
Hawthorn			1		Could be like a neighbour hood house, with a different day for various groups. ie monday is disability group, Tuesday is elderly cts group, Wednesday is food bank group etc	Disability groups, mental health programs, indigenous education about the area.					
Richmond 3121			1	Enhance the interior for meetings, coffee and the surrounds with typical landscape gardening	Connections with the area, Richmond Park, Picnic Station, Horticultural Aspects, Rockeries etc	History societies, Rotary, Friends of Burnley Gardens, Cultivating and Connecting,	Accessibility and contribution to the historical and sustainability of the area.	1			Thank you for the consultation
Richmond				The options you have proposed are too limiting. Demolition of the non-heritage elements to provide as much open space to the park.	a small artist in residence would be of value. No commercial uses, daylight hours only.	follow the leader - https://www.maribyrnong.vic.gov.au/arts-and-culture/Programs/Artists-in-residence/Artbox-Artist-in-Residence-Program	No commercial uses - have an annual artist in residence program to use the space as a workshop/gallery.	1			Question is the cottage in its entirety of heritage value? or is it just the brick section? I was under the impression that the northern timber section is of little heritage value. Demolition should be an option for the northern section.
RICHMOND			1	No restaurants or cafes please.	Exercise hub of indoor use as well as outdoor PT	Collective of PT, Yoga, Pilates professionals	Signage as what is there now and maybe a letterbox drop to adjoining properties?			1	It would be preferable that no additional public space is utilised as the park is well used at the moment due to Covid
Richmond			1	Just the heritage elements (chimney and original section)	Community use not commercial	Community groups and NGOs	All EOIs made public			1	
RICHMOND			1	Create a more vibrant park area. The more the better.	Restaurant and cafe.	Restaurants	Ensure that heritage considerations don't get all the way. This town needs to take more risks and promote vibrancy. Heritage sympathisers are the loud minority.	1			
Burnley		1		The cottage should not be used for commercial purposes, it is unneeded and will impact on park users and nearby streets.			Make it clear that commercial use is likely to be vigorously opposed as it was last time.				1
Burnley			1		I really liked the previous plan to repurpose it for a cafe or tea room.						1

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond				1	Ensure heritage features are protected. Protect the park land from being encroached upon	Community arts and wellbeing. Definitely not another cafe/restaurant as Richmond has enough of those and space on the main streets are unoccupied.	Schools, sporting clubs, health clubs, gym, yoga studios	Yes, however there should be guidelines, for example business hours, and no liquor licence allowed. I would feel unsafe if there were people drinking and walking through the park in the evening				1	Consider parking requirements, noise levels, health and safety of other using the park. I would not support any organisations wanting to take over too much space of the park land and change the rules for those already using it	
Burnley				1		I think it would be a good day care during the school holidays. This would benefit parents and young kids, but also teens who could spend their free time away from screens and with young kids.	Locals could hold fundraisers to pay for the projects and help with set up if they were able to.	Making all info about the project available upon request.					1	Since it would be volunteer run, it could be free to parents and carers. I think this would be great for our community because summer programs can be expensive, and having a free place for children would allow parents to work in peace without the cost.
Burnley				1		I think it would be a good day care during the school holidays. This would benefit parents and young kids, but also teens who could spend their free time away from screens and with young kids.	Locals could hold fundraisers to pay for the projects and help with set up if they were able to.	Making all info about the project available upon request.				1	Since it would be volunteer run, it could be free to parents and carers. I think this would be great for our community because summer programs can be expensive, and having a free place for children would allow parents to work in peace without the cost.	
Burnley				1	Buildings are meant to be used - it should never have been left for so long. We remember the poor couple who were denied by Council to turn it into a food and drink venue.	Food and drink, picnic basket hire, a focal point of the neighbourhood and to bring people to the area, helping our economy. Don't listen to the vocal locals who will complain about noise and litter. Bring it to life, accept that life is messy and noisy	Cafe owners, restaurant owners	No idea. Don't overthink it, get it done it's been too long already.				1		
Richmond				1	Building and cottage heritage	Cafe or venue								
Burnley				1	The external appearance.	Cafe / coffee shop		Not bothered					1	
Richmond				1	Activate park, enhance safety, recognise that public asset and any venture should give back in some way	Cafe, perhaps including space for groups to meet (ie mother's groups) and even cross purpose like personal training, picnic catering, dog meet sessions etc	Would be great if cafe supported a cause - so run by refugees, or training out of work people - similar to some other cafes across Melbourne (street, prahran mission etc)	Cross representative community panel to review proposals		1			Covid has changed the way locals use the park. This building should capture that change, and build on the local connections that have been forged over the last 2 years.	
Richmond					All green green areas remain public space. There is a good community spirit here. I do not want to see any loss of the precious little green space we have.	The park is already a wonderful community space. If using the building means losing the green space it should not be used for anything. We have a great community space at Burnley backyard and a new building for sport which is hugely under utilized.	Not a commercial venture as this would undoubtedly require the reduction of the green space around the building	An extended public consultation. A clear picture of the impact on the environment and ability for the whole community to use the space, not just those that can afford to purchase something from any business that might be proposed.					1	I do not think a commercial venture will be of any benefit to the community. We already have enough empty shops in bridge rd. We already have so little outdoor space for the kids. We do not need another cafe or function venue.
Burnley				1	No comment. Needs to look good and be a usable space for dance or martial arts etc.	Hire by the public as function space for community groups.	Yoga teachers, dance groups (eg calisthenics), jazz ballet etc	Criteria (sense of community, number of individuals using it, health or social benefits...etc) and ranking transparently available.					1	See example Hawthorn Citizens Youth Club (many community activities for all ages). http://www.hawthorncitizensyouthclub.org/
RICHMOND				1		Homelessness and domestic violence are significant issues, the cottage could be used as a wrap around centre including emergency accommodation. An audit of disused or under utilised buildings in the City of Yarra could be repurposed	Not for profit	Publicly available information including open tender processes with weighting towards First Nations and disability supports					1	Very pleased this is being raised and that the building will be given a purpose!
Richmond				1	Minimal loss of grasses area - the previous proposal with a driveway and parking would have dominated too much and given up precious community green space for the benefit of the proprietor. With deliveries, there could be a small crushed rock path for vehicle	Cafe or community space for hire (like Burnley House)	Cafe or community groups	Clear parameters - the last process seemed like the proposers were led down a garden path to be rejected at the end		1				

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond			1	The purpose should be in keeping with the quite amenity provided by the parkland - the last suggested repurpose was clearly going to be a reception centre with ability to hold large functions until late at night and quite out of keeping with surroundings.	smaller coffee/sandwich type cafe, modest outside deck, remove most of the weatherboard buildings - return those to parkland - make provision for cyclists to pull up.	Operators with existing similar business - one needs multiple cafes to turn a decent profit in that market & experience counts.	Don't say one thing, then provide a licence that allows something completely different like last time!	1		I believe you could combine some historical display elements given the history of the area, perhaps in the heritage element and the working area more in the weatherboard part but return some to parkland to assist general acceptance.
RICHMOND		1		No commercial use	No commercial use	None	Listen to the park users and local residents. No commercial use		1	No commercial use
Burnley			1	We need to protect the off leash dog area. It's crucial any development does not impede on the park available for community use.	Something not for profit would be ideal. Would hate to see it become a restaurant or cafe, because of the increased traffic and waste produced.	Not sure - just not a restaurant or cafe	Allow everyone to see the tender process, the proposals should be made up locally available		1	
Burnley		1			Community use only no commercial business					
Richmond			1	I would like to see the outside kept as it is but cleaned up. The wood off the windows to allow natural light inside the cottage and build indoor toilets for customers to use.	I think the cottage could be refurbished inside and converted into a Cafe with outdoor seating as well as indoor seating. A plaque about the history of the cottage displayed on the outside so people can stop and read it is a good idea.	Cafe but not a licensed one. The cottage should operate from 7 am to 4pm serving breakfast and lunch along with beverages but not alcoholic.	Get those organisations to contact persons of the community who put their ideas to council so they can be included.	1		I think a cafe is a great idea as there is a park nearby, people live within walking distance of the park and it will be good for the community. Some nice artwork would be nice on the outside of the building or a plaque stating its heritage.
RICHMOND		1		The following needs to be protected: the surrounding green space, the quiet chirping of birds, the ability of local residents to park out the front of where they live, to preserve it as a park for the local community, council fee payers o	I don't believe a commercial enterprise is viable due to car parking concerns within local streets as well as the addition noise and change to amenity around the house. It's important that the amenity of the valuable green space is preserved.	I don't see how a business could operate on the site, and it not take away green space and tranquility from the adjacent park areas.	Have the community vote on the tender documents that you intend to share to the business community as well as transparency on all other dealings in respect to the cottage	1		I find it challenging to understand how the council (other bodies) deem this to have heritage significance, yet the council itself isn't prepared to prioritise its restoration in line with its heritage status. This seems contradictory to me.
Richmond			1	Make any necessary repairs but keep the look	A cafe would be nice or something like a community house	Food businesses or council	Advertise similar to the board up at the moment		1	
Richmond			1	Sustainability, recycling	Farm Cafe using local 3123 produce with small farm on site or nursery. A place for locals to compost, recycle etc.	Cafes, bars			1	
Burnley			1	General feel of the cottage.	Cafe or restaurant	Hospitality	EOI campaign. Applicant must show community integration.		1	
Richmond			1	There should be a cafe there.	Cafe	Cafe			1	
3058			1	Brings social connection amongst community	Cafe/restaurant	Small business owners	Council meeting		1	
Burnley park					Cafe to activate local area and add amenity	Cafe			1	
Richmond			1		Cafe				1	I hope this time around council can see how repurposing this heritage building into a beautiful cafe, can bring our community together, serve our community (everyone loves a good coffee at a park) and create a vibrant space that everyone can enjoy.
Hawthorn					A nice cafe				1	
3123			1	the integrity of the building, the charm.	a cafe, a connection to a vegetable garden, a place for families, children, a good coffee, a good plant based, sustainable, gathering place great for community.	Private business.	Application process. a good board of decision makers. best for the future of Burnley park.		1	Important we re-build the health + happiness of our communities, strengthen connection.
Richmond			1	Used as a cafe					1	
Kensington			1	Cafe	Cafe	Cafe	Cafe			1
RICHMOND			1	Environment and surroundings	Cafe	Hospitality owners	Yes.		1	We initially completed the EOI a few years ago and were successful in the process. Council then retracted the opportunity because of councillors at the time voting against even though council presented the opportunity.
Hawthorn			1	Would love to see it keep its beautiful exterior	Food / drink - Cafe	Hospitality			1	

Attachment 2 - Attachment 2 - Burnley Cottage Report Online Submissions

Richmond			1 The colour of the building should remain white.	Cafe	Local residents and general public 7- days a week	public tender		1		The building has been left idle for way too long. If the building was turned into a Cafe the council will be able to gain revenue via rent.
Richmond			1 No late night licence. Any activities to continue inside after 10pm weeknights & 11pm Fri & Sat. Allow local clubs to hire at a discounted rate for	Cafe & Local sporting/community hub for young kids to hang out & feel safe	Local businesses. Support groups	Inform the community of potential business		1		
Richmond			1	Make it a cafe/ restaurant				1		
Richmond			1 The history needs to be emphasised	Cafe with a kid friendly focus	Restauranters	Yes				1 There is a similar kid's cafe in an Armadale park called Cubbyhole Canteen that was very popular.
Burnley			1 Proprietor/Onerous heritage demands will kill interest from seasoned and successful operators.	Cafe, bar. Day time only	Pet friendly cafe	If Yarra Council outsourced the EOI process.		1		
CLIFTON HILL			1	Servicing recreational park and cycle trail users	Cycle repair, recreational exercise company or cafe	-		1		
Richmond			1 That it becomes some type of hub for the local community and substantial number of locals that use this park	Definitely a cafe! Perhaps something with a sustainability purpose		yes		1		

Attachment 3 - Attachment 3 - Burnley Cottage Individual Email Submissions

Attachment 3

Burnley Gardens Cottage – Community Consultation on Review of Future Use of the Premises

Submitter No. Suburb	Submission	Comments
1. Richmond	<p>This building has not been in use for the entire time that I've lived in this area, which is more than 15 years. This is a great shame as there is potential for it to be a wonderful resource.</p> <p>As an artist who lives and works in the City of Yarra, my suggestion is that the City of Yarra should develop this building as an artists residency. This has the potential to attract artists from all over Australia and the world. Australia is a huge destination for artists. I recently spoke with staff at Collingwood Yards, Abbotsford Convent, Res Artis - and being able to host artists (local/international) in Richmond, would be amazing.</p> <p>I am happy to speak further with you. I have experience as an artist who has travelled extensively for my own residencies. I also co-curated a residency in Berlin for 12 months. There are many innovative formats for residencies with scope for paid residencies and bursaries. I hope that this is something that you might consider as Yarra is a very special destination.</p>	
2. Richmond	I would like submit a proposal for use of Burnley Cottage; it should be used for the Mental Health & Wellbeing of our Community.	

Attachment 3 - Attachment 3 - Burnley Cottage Individual Email Submissions

	<p>An excellent purpose targetted at developing a strong Pro Social Community and could be "BURNLEY SEL COMMUNITY COTTAGE".</p> <p>SEL standing for Social & Emotinal Learning. After Covid and increase in Mental Health challenges for a wide sector of our community it would be a safe haven and much needed space. It should be inclusive and embrace diversity in the community with a wide range of SEL of interest and accessible to all. There is very little dedicated to SEL & Mental Health for the wide community and Yarra City would be at the forefront of Social & Emotional Mental Health.</p> <p>There would need to be a resident Facilitator in attendance that could cover most of the SEL activities or supervise throughout the day. With the support of Council, I would certainly be well placed to be that person.</p> <p>Daily SEL activies could range from:</p> <ul style="list-style-type: none"> - Therapy Toys (Sensory Playground) - ideal for Neurodivergent groups and all Community at different times. Excellent for Self Regulation. - Community Classes in such things as Social Smarts, Emotional Colour Zones of Regulation, Kindness, Courage, Compassion, - Cultural Dance & Exercise including Modern Indigenous Dance (Multiculturilism) - An hour for Carers to rejuvenate and fill their energy cup - Meditation, Mindfulness & Yoga Hour everyday (open) - yoga matts needed. - Wellbeing Self Regulation activities for special interest groups like Art therapy - Specialist groups or classes as required. - Extended to outside activities as weather permits. <p>Building 1 Main Building should be a cleared space and sanctuary like for Wellbeing Activities Building or Section 2 should have table's chairs and materials for learning.</p> <p>Yarra City need this safe space for the Mental Health and inclusivity of a Diverse Community. Space and Shelter are the main things needed for Mental Health & Wellbeing and believe costs to have this to Council would be mininimal for a high community outcome. It should however be decked out to be a welcoming and peaceful place to be; whilst respecting the heritage features.</p>	
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Attachment 3 - Attachment 3 - Burnley Cottage Individual Email Submissions

	<p>Council could charge a fee for some activities and some could be free to the community. When not in use by the Community; special groups could hire the space.</p> <p>My background is as an Educator for past 30 years. I am a Self Regulation Expert (Prof. Shanker Method) MEHRET Centre and run their social media Aust & NZ I am a qualified childrens Yoga Teacher I am also continually study Phycology Subjects and finishing Mental Heath Dip. A professional Cultural Dancer & Cert 3/4 in Fitness</p> <p>I hope that Council will at this time consider the Mental Health & Wellbeing of the community and introduce a Social & Emotional Learning Hub which works to enrich a Pro Social Community. The Burnley Cottage would be an ideal serene and safe haven for this purpose.</p>	
<p>3. Richmond</p>	<p>Once again this has come up. Is it simply the wish to offset the cost of maintaining a useless building, or is the pressure coming from an interested outside party? Who will benefit from these activities I wonder?</p> <p>It is very difficult to think of any commercial use which would not involve extending the footprint of the building, providing vehicle access for deliveries, garbage pick-up etc, pressure to provide staff parking, space for garbage bins, etc, etc, which would inevitably have a severe negative impact on the Park. The reason the last proposal was ultimately rejected was that preserving the amenity of the Park outweighed providing a commercial opportunity for some entrepreneur to generate a profit from public open space.</p> <p>Even if these things can be minimised and the building is leased, there would be constant pressure from any prospective lessee to allow further expansion on the grounds that the business will not remain profitable and council needs to grant any request to protect its income from the lease.</p> <p>Most community (i.e non-profit) uses would require some or all of these things leading to a similar result, and of course most community organisations would not be able to satisfy the council need for revenue from the building.</p> <p>What is the actual heritage value of this building?</p> <p>As far as I am aware, only the brick room on the south-east corner of the building has any heritage value at all, and that is minimal.</p> <p>In a card we have from council (ref: 19504) it is claimed that the building is "Heritage Listed", but a quick check of the Heritage Victoria website shows that there is a heritage overlay over "Richmond Park" including Burnley Park (HO 299)</p>	

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	<p>but there is no mention of this building at all. What does Heritage Listed mean in this context? From memory a Heritage consultant's report from a few years ago was very lukewarm on the value of the building.</p> <p>If the building was not there, there is no way that council or anybody else who valued the parkland would countenance construction of any building on that spot for any commercial purpose.</p> <p>Is there any legal impediment to demolition of the whole building?</p> <p>If not, the entire thing should be demolished to the great benefit of the park by increasing available open space, plus saving Council the cost of maintaining a useless building.</p> <p>If this is not legally possible, then everything except the 19th century brick room on the SE corner should be demolished. The remaining brick structure could be retained as some sort of historical display with graphics printed on metal sheets and mounted to cover windows, and possibly the door. The inside could possibly be used for the type of storage which would not require regular vehicle access. Burnley Neighbourhood House, or the High School perhaps?</p> <p>If any lease is to be considered, the following conditions should be written into the EOI and any subsequent lease and strictly enforced:</p> <ul style="list-style-type: none"> • NO increase in footprint of building. Includes bin storage, bike racks, outside dining, car parking etc, etc. • NO vehicle entry into park for deliveries, garbage removal or any other routine activities. • Other vehicle entry, building maintenance for instance, to be strictly controlled • No sale or service of alcohol. <p>On a side note, if council were so concerned about heritage architecture, why did it allow demolition of the 4 houses in Swan St on the SE corner with Burnley St? I am not an expert in this field, but they certainly looked like no other houses I have seen around Richmond and I would think that they were nearly as old as the insignificant building in Burnley Park.</p> <p>Thank you for your consideration of this submission.</p>	
<p>4. Richmond</p>	<p>we recently read the „your say on the future of Burnley Cottage” sign in Burnley Park, and are happy to see some positive movement to use this iconic building and place.</p>	

Attachment 3 - Attachment 3 - Burnley Cottage Individual Email Submissions

	<p>Two years ago, we reached out to Council with the attached concept. At that time, we liaised with [REDACTED] as well as previous Council members to discuss our proposal. We were encouraged to wait until the new Council was in place before progressing further.</p> <p>We are very keen to explore use of the cottage to provide purpose for those in our community with limited employment options. The concept is similar to the All Things Equal café in Balaclava (as per below article).</p> <p>We think the local Richmond community would embrace this proposal, as the cottage would be a social enterprise providing skills development and training for young people with learning disabilities. As local residents ourselves, we have undertaken informal research with our neighbours and community contacts to test our proposal. Their response has been overwhelmingly positive, particularly as the cottage would remain part of the community and not commercialized.</p> <p>We strongly believe that by using local products and by supporting local Richmond suppliers, the proposed café would not only be well supported by the community but the café would become an iconic Richmond location.</p> <p>We would love to explain our idea more in detail.</p> <p>If you have any questions, do not hesitate to contact us.</p> <p>(Refer also Attachment 3(A) - proposal outline)</p>	
<p>5 Richmond</p>	<p>The Burnley cottage, as you have mentioned ,needs attention and the council has no budget. If the cafe which was planned for previously had gone ahead it would have been refurbished. The "kill joys" got their way and unfortunately the cafe that was planned was canned.</p> <p>I still believe a cafe would be a great asset to the park. and preserve the building. It is a delightful environment to enjoy lunch, a coffee and socialize. Parking was a reason given, but I see no reason why parking along the boulevard should be a problem and many locals would certainly walk as they do now. Community groups do not have the finances to renovate, it needs to be a commercial venture and apart from a cafe I cannot see any other retail or business venture succeeding. Look how many other retail businesses have closed.</p> <p>I don't hold out much hope that a cafe will happen but at least I've had my say..</p>	
<p>6 Richmond</p>	<p>Hi, I found the flyer about the repurposing of Burnley Cottage.</p>	

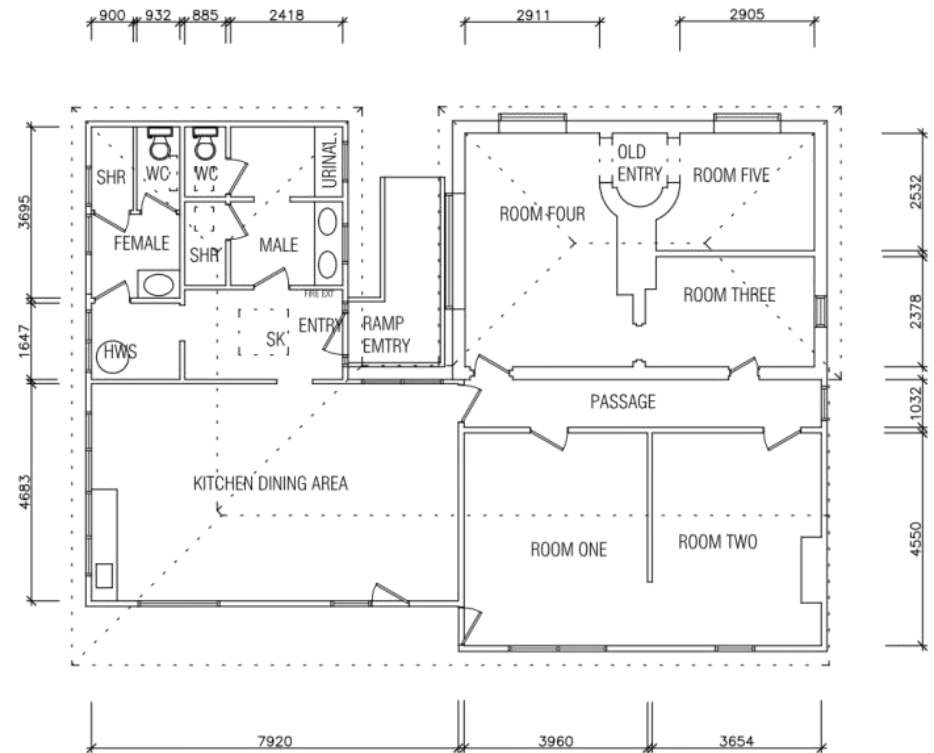
Attachment 3 - Attachment 3 - Burnley Cottage Individual Email Submissions


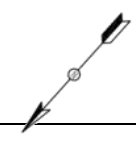

	<p>What about a café / community centre whilst still retaining the integrity of the original building? There doesn't seem to be a lot of 'life' in that area of Richmond. Given the increase in apartment developments, & the soon to be completed Ardency project, it would be quite timely to have a café to cater for that end of Burnley.</p>	
<p>7. Richmond</p>	<p>for what it is worth. It is absolutely shameful that Burnley Cottage has been allowed to sit unused for so long. For Council to seek help; advice; funding for this "public" building is just another slap in the face to residents because it is clearly not ideas for usage you seek, as previously, but sponsors. Take responsibility for your own, Yarra. As a ratepayer, it's embarrassing to see such an asset so mismanaged.</p> <p>Yarra Council claims to not have the funds to commit to Burnley Cottage, even though the budget is consistently in profit, rates are consistently increased and revenues are healthy, even in COVID-19 times.</p> <p>How wonderful it would be to see Yarra Council give back to the community and purpose Burnley Cottage as a community space for all generations of residents to enjoy and gather. A calendar of events that caters to everyone and benefits our community would be obvious. Burnley Cottage could easily be: A place to come and play table tennis, darts, cards? A place to see local artwork? A place to enjoy music - intimate concerts inside the building or festivals broadcast in the park? A place to experience different cultures and attend monthly market days to buy food and artefacts from different countries? A place to buy a sausage and meet the locals at a neighbourhood sausage sizzle/bbq? A venue to hold lectures or information sessions? A place to grab a hot or cold drink and a sandwich on the weekends? A venue for garage sales or buy/swap/sell meetings? A depot from which to hire recreational equipment such as outdoor games, basketballs, frisbees etc. for people in the park to enjoy?</p> <p>Clearly, such a list of suggestions as the one above could be almost endless and I have no doubt some of these ideas have already been discussed. By virtue of the simple fact that Burnley Cottage has remained dormant for such a long period under Yarra Council would suggest that the issue is a financial one. These suggestions could be money-generating, but as a local resident and ratepayer, I would urge Yarra Council to please consider the options available for Burnley Cottage in light of community usage and benefit as foremost.</p>	
<p>8. Richmond</p>	<p>Good morning Council Team</p> <p>Thank you for the opportunity to have a say regarding the future of the Burnley Cottage.</p>	

Attachment 3 - Attachment 3 - Burnley Cottage Individual Email Submissions

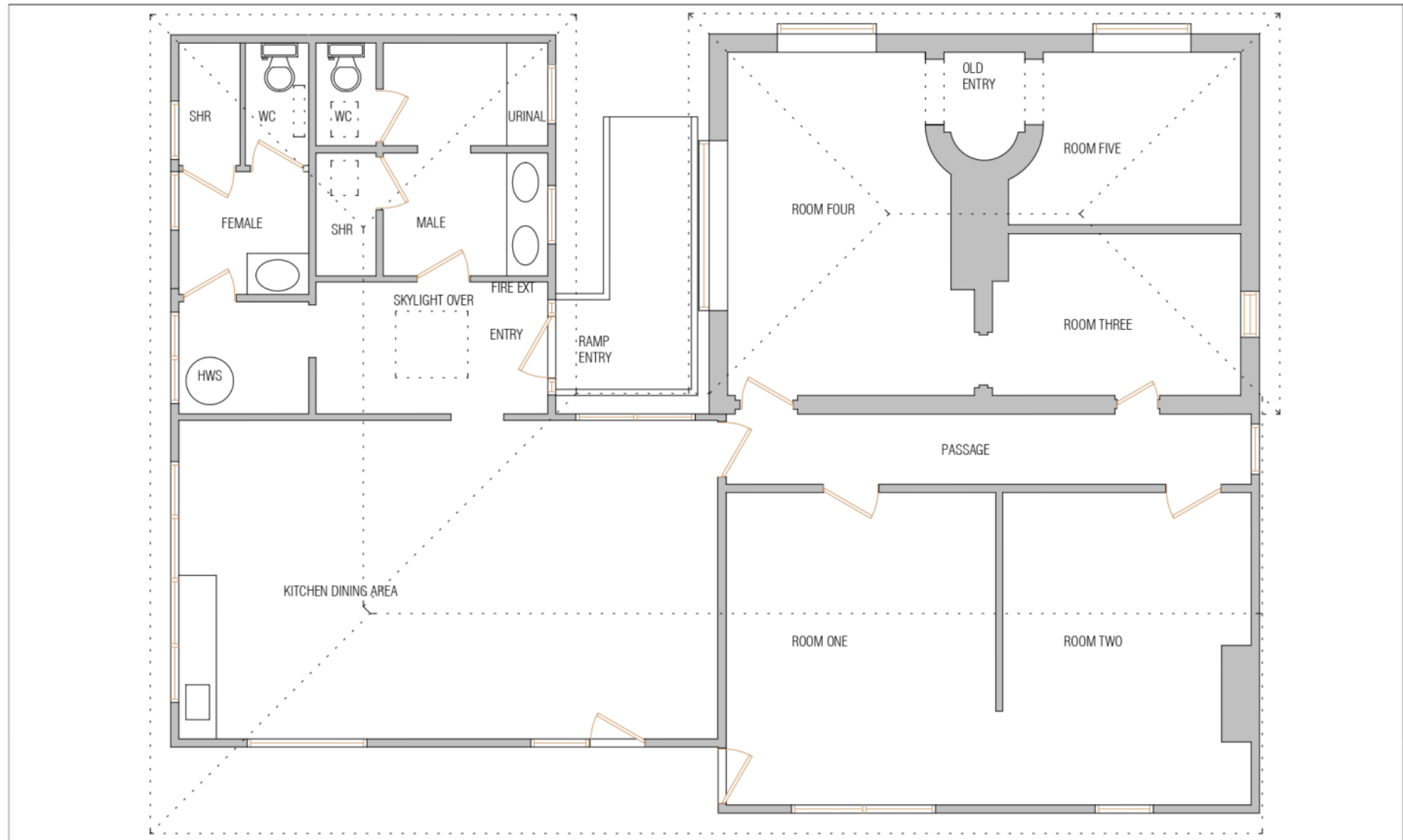
	<p>I live on the corner of Bendigo Street and [REDACTED], so the park is well used by us.</p> <p>I support re-purposing of the cottage as long as it doesn't create parking problems in Bellevue Street (perhaps it becomes only permit parking) as it is already very challenging to find a park.</p> <p>Secondly, I believe it is important that there are no noise/distruption issues as a result of the re-purposing of the cottage, for example, no night use with alcohol.</p>	
<p>9.</p> <p>Richmond</p>	<p>Thank you for the opportunity respond the Your Say Yarra questions regarding the Burnley Cottage.</p> <p>We have tried to keep our responses brief and directly address the questions asked, we have much enthusiasm for turning the cottage into valued community asset, so apologies if we have included a little more information than was necessary.</p> <p>Please let us know when the report is due to be presented to council as we are keen to see the broader community feedback council received.</p> <p>If you have any questions regarding our response, please don't hesitate to contact us on [REDACTED]</p> <p>(Refer also Attachment 3(B) - proposal outline)</p>	

Attachment 4 - Attachment 4 - Burnley Cottage Plans 2013



REV NO.	DATE	DETAILS	DRAWING STAGE		PROJECT: RESIDENCE AT BURNLEY PARK		DRAWING TITLE: EXISTING CONDITIONS	ALPHINGTON DRAFTING	
			ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH ALL RELEVANT CODES AND REGULATIONS WHETHER NOTED OR NOT.						
			<small> This document, the copyright therein, and the design represented herein, are, and shall remain the property of Catherine Ciavarella. It is to be used only for the purposes for which it was prepared and no part of it may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Catherine Ciavarella. This document is the property of Catherine Ciavarella. It is to be used only for the purposes for which it was prepared and no part of it may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Catherine Ciavarella. </small>				<small> SCALE: 1:100 DATE: JUNE 13 DRAWN BY: CC CHECKED BY: </small>	<small> SHEET NO. A02/02 ISSUE NO. 1 ORIGINAL SHEET SIZE: A3 FILE DWG NO. YARRA 00313 </small>	<small> CATHERINE CIAVARELLA REGISTRATION OP-AD 1828 PHONE: 041954 8344 EMAIL: alphingtondrafting@bigpond.com </small>

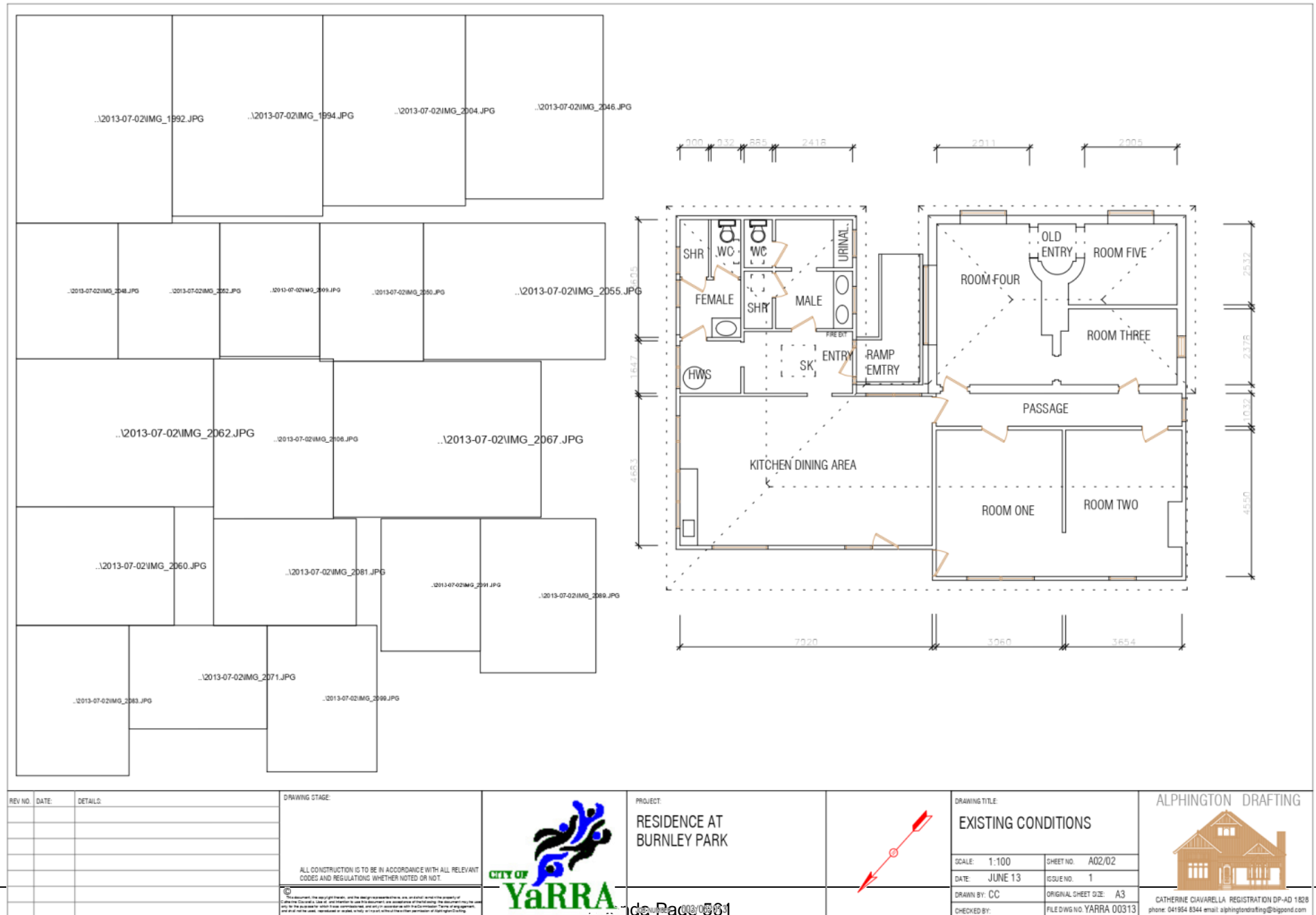
Attachment 4 - Attachment 4 - Burnley Cottage Plans 2013






REV NO	DATE	DETAILS	DRAWING STAGE	PROJECT	DRAWING TITLE	ALPHINGTON DRAFTING
				RESIDENCE AT BURNLEY PARK	EXISTING CONDITIONS	
					SCALE: 1:50	SHEET NO. A01/02
					DATE: JUNE 13	ISSUE NO. 1
					DRAWN BY: CC	ORIGINAL SHEET SIZE: A3
					CHECKED BY:	FILE DWG NO. YARRA 00313
						phone: 041954 8344 email: alphingtondrafting@bigpond.com

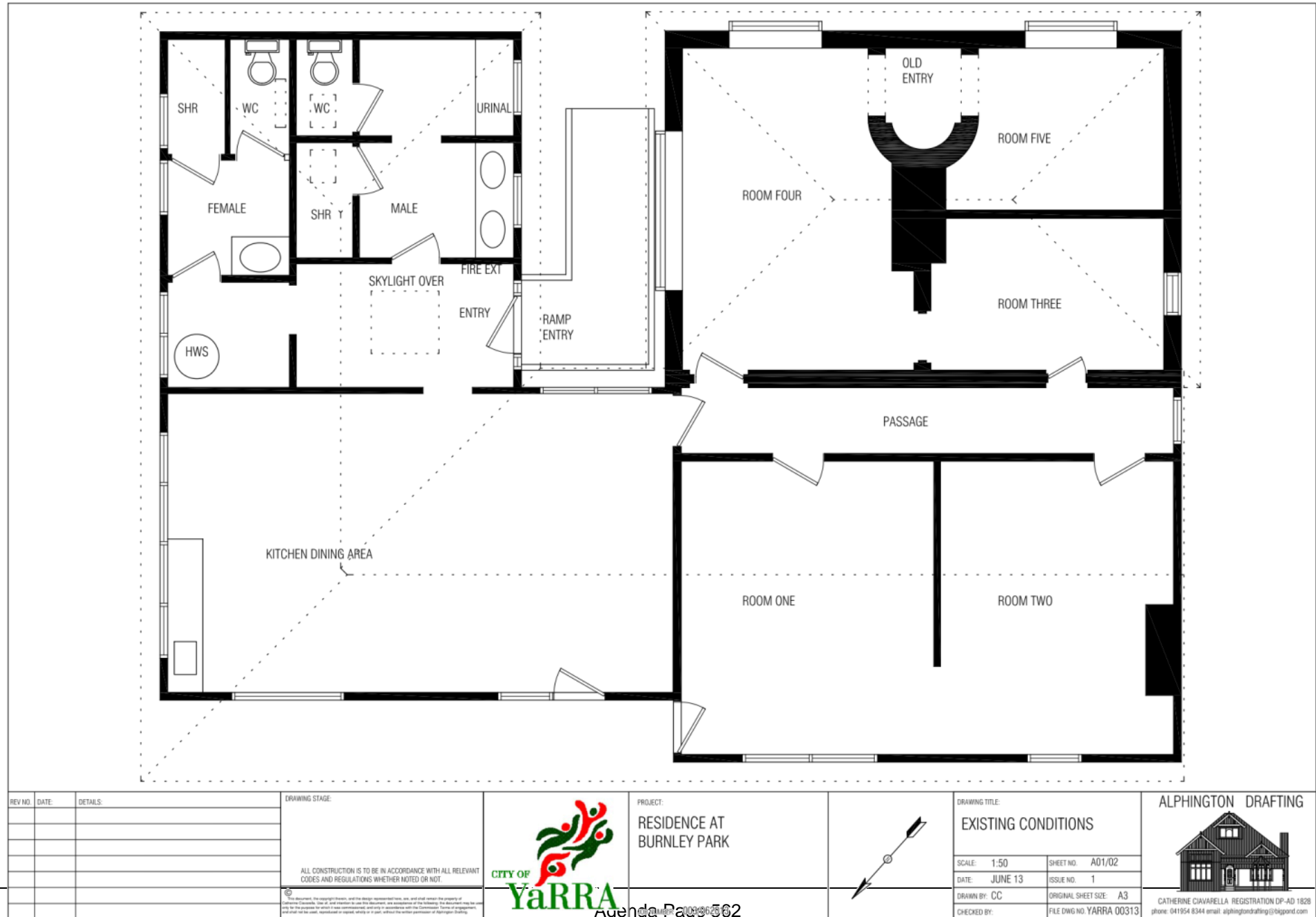


Attachment 4 - Attachment 4 - Burnley Cottage Plans 2013



REV NO.	DATE	DETAILS	DRAWING STAGE		PROJECT		DRAWING TITLE	ALPHINGTON DRAFTING
					RESIDENCE AT BURNLEY PARK		EXISTING CONDITIONS	
			ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH ALL RELEVANT CODES AND REGULATIONS WHETHER NOTED OR NOT.				SCALE: 1:100	SHEET NO. A02/02
							DATE: JUNE 13	ISSUE NO. 1
							DRAWN BY: CC	ORIGINAL SHEET SIZE: A3
							CHECKED BY:	FILED W/ NO. YARRA 00313
								CATHERINE CIAVARELLA REGISTRATION DP-AD 1828 phone 041954 8344 email alphingtondrafting@bigpond.com

Attachment 4 - Attachment 4 - Burnley Cottage Plans 2013



9.1 Notice of Motion No. 16 of 2021 - Requirement for Councillors Attending Council Meetings to be Fully Vaccinated

Reference	D21/203378
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

I, Councillor Sophie Wade, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 21 December 2021:

“That Council:

- (a) note correspondence from The Minister for Local Government advising:*
 - (i) that the Victorian state Parliament has passed a motion requiring all Members of Parliament to be fully vaccinated in order to attend Parliament as a further measure in in a suite of actions to keep Victorians as safe as possible during this global pandemic; and*
 - (ii) that Councils are able to pass resolutions on this matter in accordance with Division 2 of Part 3 of the Local Government Act 2020 and encourages all Councils to act in the best interests of their staff and communities by requiring all Councillors attending Council Meetings to be fully vaccinated;*
- (b) confirm that:*
 - (i) the current Yarra COVID-19 Vaccination Policy specifically covers Councillors working from Council facilities to be fully vaccinated; and*
 - (ii) the proposed Yarra COVID-19 Workplace Vaccination Policy requires members of the public accessing facilities, including Council Meetings to be fully vaccinated; and*
- (c) expresses support for the above policies.”*

RECOMMENDATION

- 1. That Council:
 - (a) note correspondence from The Minister for Local Government advising:
 - (i) that the Victorian state Parliament has passed a motion requiring all Members of Parliament to be fully vaccinated in order to attend Parliament as a further measure in in a suite of actions to keep Victorians as safe as possible during this global pandemic; and
 - (ii) that Councils are able to pass resolutions on this matter in accordance with Division 2 of Part 3 of the Local Government Act 2020 and encourages all Councils to act in the best interests of their staff and communities by requiring all Councillors attending Council Meetings to be fully vaccinated;
 - (b) confirms that:
 - (i) the current Yarra COVID-19 Vaccination Policy specifically covers Councillors working from Council facilities to be fully vaccinated; and
 - (ii) the proposed Yarra COVID-19 Workplace Vaccination Policy requires members of the public accessing facilities, including Council Meetings to be fully vaccinated; and
 - (c) expresses support for the above policies.

Attachments

There are no attachments for this report.

9.2 Notice of Motion No. 17 of 2021 - Burnley Golf Course

Reference	D21/203431
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

I, Councillor Gabrielle de Vietri, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 21 December 2021:

“That Council:

- (a) write to the local State Member for Richmond, The Hon Richard Wynne, and the Victorian Minister for Community Sport, The Hon Ros Spence, and The Hon Lily D'Ambrosio, the Victorian Minister for Energy, Environment and Climate Change:*
 - (i) explaining the background, as outlined below; and*
 - (ii) requesting that the State Government assist Council in funding the necessary works to ensure that the Burnley Golf Course no longer poses a serious and unacceptable risk from balls being hit beyond the boundary of the Golf Course and support the continuing role of Council as the Committee of Management for the Burnley Golf Course; and*
- (b) request a further report from Council Officers once a response from the State Government is received.”*

Background

Burnley Golf Course (BCG) is a significant and iconic community asset within the City of Yarra. It is extremely well used by industry standards, attracting approximately 40,000 visitors annually, a diverse range of users, two affiliated clubs (Burnley Women's Golf Club and the Burnley Golf Club) and a high level of customer satisfaction. Annually, on average, 25% of casual users at the BCG are Yarra residents, and the course attracts players from across Victoria, interstate and internationally.

However, the BCG has been under discussion for a number of years due to golf balls being hit beyond the boundaries onto surrounding roads, in particular the Monash Freeway, posing a serious and unacceptable risk and an ongoing liability to Council.

102 incidents of golf balls being hit beyond the BCG boundary have been reported since 2007. However, not all incidents are reported. By way of example, Transurban reported collecting 39 balls in one week during 2019.

The Burnley Golf Course is located on Crown Land, overseen by the State Government's Department of Environment, Land, Water and Planning. Yarra City Council is the Committee of Management. The Monash Freeway is State Government land and infrastructure, managed by Transurban; the Freeway was extended in 2007, reducing the distance between the golf course and the freeway, without any additional mitigation measures being implemented.

Efforts have been made by Council to mitigate the risks, including through installation of fencing in strategic locations, course redesign, such as tee and green relocations, hole redesign, strategic plantings and other course modifications. None of these have been effective in eliminating the risk of balls being hit beyond the BCG boundary.

On 4 February 2020, Council was presented with a report on the risks and options to mitigate these risks, following which Council undertook a community survey identifying options to mitigate the risk of balls landing on the freeway. Of the options considered, a high fencing treatment option was preferred by the largest majority of respondents. The cost of this option has been estimated to be \$6.5M. Other options, which did not appear to have the same level of support by respondents during consultation, but which potentially broaden the use of the facility have been costed; these include options of a course redesign to shorten some holes (reducing the need for perimeter fencing), adding a mini golf course and possibly adding a clubhouse and community facilities in future, however these options have been costed at an estimated range of \$5.5-\$8M+.

Yarra Council was subsequently invited by Sports and Recreation Victoria to apply for two separate grant rounds (an open grant round in April 2020 and a second round by invitation in February 2021), which would have funded 90% of the estimated cost for the redesign of the course to address the risk. Council was unsuccessful in both of these applications. Unfortunately, the unmitigated risk remains.

In the current COVID-19 environment, and with rate-capped finances, Council has limited funds to undertake capital projects. Council is currently unable to divert significant funds towards the construction of fencing or a course redesign and, may have to reconsider its approach to managing the site if the State Government were unable to contribute to funding the necessary risk mitigation works.

RECOMMENDATION

1. That Council:
 - (a) write to the local State Member for Richmond, The Hon Richard Wynne, and the Victorian Minister for Community Sport, The Hon Ros Spence, and The Hon Lily D'Ambrosio, the Victorian Minister for Energy, Environment and Climate Change:
 - (i) explaining the background, as outlined below; and
 - (ii) requesting that the State Government assist Council in funding the necessary works to ensure that the Burnley Golf Course no longer poses a serious and unacceptable risk from balls being hit beyond the boundary of the Golf Course and support the continuing role of Council as the Committee of Management for the Burnley Golf Course; and
 - (b) request a further report from Council Officers once a response from the State Government is received.

Attachments

There are no attachments for this report.