



# Agenda

## Council Meeting

7.00pm, Tuesday 25 January 2022

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 Anab Mohamud	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
• Felicity Macchion	Acting Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive’s Office
• Lucas Gosling	Director City Works and Assets
• 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

#### Municipal Monitor

• Yehudi Blacher	Municipal Monitor
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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**

Nil

#### **6. Confirmation of minutes**

##### **RECOMMENDATION**

That the minutes of the Council Meeting held on Tuesday 21 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	147 - 161 Elizabeth Street, Richmond - Big Housing Build	9	75	Mary Osman – Manager Statutory Planning
8.2	Proposed Alphington Cycling and Pedestrian Link and Yarra Planning Scheme Amendment C300yara	167	179	Althena Davidson – Manager City Strategy
8.3	Business Advisory Group Committee membership	211	213	Simon Osborne – Coordinator Economic Development
8.4	Appointment of Audit and Risk Committee chair	214	215	Rhys Thomas - Senior Governance Advisor
8.5	Appointment of Council delegates to the Metropolitan Transport Forum	216	218	Rhys Thomas - Senior Governance Advisor

## 9. Notices of motion

Item		Page	Rec. Page	Report Presenter
9.1	Notice of Motion No. 1 of 2022 - Matters Referenced in the Heritage Advisory Committees Delegate's Report December 2021	219	220	Bridgid O'Brien – 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.



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## 8.1 147 - 161 Elizabeth Street, Richmond - Big Housing Build

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### Executive Summary

#### Purpose

Planning Scheme Amendment VC190 was gazetted into the Yarra Planning Scheme on 1 December 2020. The Amendment introduced a new particular provision, Victoria's Big Housing Build, at clause 52.20.

Clause 52.20 removes the need for a planning permit to be obtained to develop a housing project if it is funded under Victoria's Big Housing Build and supported by the Director of Housing. Amendment VC190 also amends clause 72.01 to specify the Minister for Energy, Environment, and Climate Change (Minister for EECC) to be the responsible authority.

Homes Victoria is a new government agency that has been established to work across government, industry and the social housing sector to fast-track and deliver the projects proposed under Victoria's Big Housing Build.

On 26 November 2021, Council was formally invited to comment on a proposal by Homes Victoria to redevelop 147 – 161 Elizabeth Street (north side of Elizabeth Street forming part of the larger Richmond Housing Estate for one four storey, one five storey, one seven storey and one eight storey building comprising 144 dwellings both for social and affordable housing with associated car and bicycle parking facilities and ground floor non-residential uses proposed.

Specifically, Homes Victoria is seeking the Council's advice and referral comments that address any requirements of the Council's services, infrastructure, and any impacts the proposal has on Council's assets. Draft conditions that should be applied to any decision made by the Minister were also requested.

Homes Victoria requested feedback be provided by 16 December 2021, however, given the ongoing conversations and requests for additional information, Homes Victoria were advised that the proposal would be heard at the 25 January 2022 Council Meeting.

The report assesses the proposal against the provisions of Clause 52.20 and the Yarra Planning Scheme and recommends general support for the proposal subject to a number of changes.

Following consultation, Homes Victoria intends to submit a Big Housing Build application concerning the Richmond Housing Estate to the Minister for EECC (via the Department of Environment, Land, Water and Planning) for their assessment.

#### Key Planning Considerations

The key planning consideration for the proposal is the assessment of documents prepared by Homes Victoria in accordance with the provisions contained within Clause 52.20 – Victoria's Big Housing Build of the Yarra Planning Scheme.

#### Key Issues

The key issues for Council in considering the proposal relate to:

- (a) Policy and Strategic Support;
- (b) Use of the land;
- (c) Built form and urban design;

- (d) Off-Site Amenity impacts;
- (e) Development Standards for Dwellings and Buildings;
- (f) Development Standards for Apartments;
- (g) Car parking and traffic;
- (h) Bicycle facilities and strategic transport; and
- (i) Construction management; and
- (j) Potentially contaminated land.

### **Conclusion**

Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:

- (a) Clarification on a number of matters to ensure compliance with clause 52.20 (Victoria's Big Housing Build);
- (b) Provision of a Façade Strategy and Materials and Finishes Plan; and
- (c) Provision of an Operational Management Plan for the two non-housing uses ground floor to provide and oversee operational details.

**CONTACT OFFICER:** Mary Osman  
**TITLE:** Manager Statutory Planning  
**TEL:** 9205 5300

## 8.1 147 - 161 Elizabeth Street, Richmond - Big Housing Build

<b>Reference</b>	D21/203389
<b>Author</b>	Mary Osman - Manager Statutory Planning
<b>Authoriser</b>	Director Planning and Place Making

<b>Ward:</b>	Melba
<b>Proposal:</b>	Big Housing Build – 147 – 161 Elizabeth Street, Richmond
<b>Existing use:</b>	Currently Vacant, Richmond Public Housing Estate
<b>Applicant:</b>	Homes Victoria
<b>Zoning / Overlays:</b>	General Residential Zone – Schedule 3 Development Plan Overlay – Schedule 10 Development Contributions Plan Overlay – Schedule 1
<b>Date of Application:</b>	N/A
<b>Application Number:</b>	N/A

### Planning History

1. No relevant planning permit history.

### Background

2. At the Council meeting held 7 December 2021, Council passed a resolution the proposed development of the Richmond Housing Estate as part of the Big Housing Build program. The resolution is provided below and was communicated to the Chief Executive Officer of Homes Victoria, Minister Lily D'Ambrosio MP and the member for Richmond Richard Wynne MP on 10 December 2021:
  - (a) *Stating that it considers it essential that Yarra Council officers provide detailed input into the proposed development at 147 – 161 Elizabeth Street, Richmond, and that this requires the return of referral requests from a number of internal and external sources to be able to do so;*
  - (b) *Stating that the timeline provided for this input is unrealistic and that Council cannot provide this input by 16<sup>th</sup> December as requested; and*
  - (c) *Indicating that Council will in a position to provide thin input after the Council Meeting of 25<sup>th</sup> January, 2022 and request Homes Victoria to hold back formally lodging the plans with DELWP until it has received and considered the Yarra City Council feedback:*
3. On 27 October 2021, preliminary information was provided to Council that included:
  - (a) Draft Architectural Plans, prepared by KTA Architects dated 15 October 2021'
  - (b) Draft Sustainability Management Plan, prepared by WRAP Engineering dated 21 October 2021;
  - (c) Draft Acoustic Report, prepared by Marshall Day dated 15 October 2021;
  - (d) Draft Wind Impact Statement, prepared by Vipac dated 14 October 2021;
  - (e) Draft Traffic Impact Assessment, prepared by One Mile Grid dated 21 October 2021;
  - (f) Draft Waste Management Plan, prepared by One Mile Grid dated 21 October 2021;
  - (g) Draft Landscape Masterplan, prepared by Oculus no date;
  - (h) Draft Schematic Civil Sketch, prepared by Webber Design dated October 2021;

- (i) Draft Services Plan, prepared by Wrap Engineers dated 15 October 2021;
  - (j) Draft Building Regulatory Report, prepared by RBS Building Surveyors no date
4. A detailed request for additional information was sent to Homes Victoria on 9 November 2021.
5. On 26 November, Council was formally invited to comment on the proposal by Homes Victoria to redevelop 147 – 161 Elizabeth Street, Richmond (north side of Elizabeth Street – Richmond Housing Estate) for one four storey, one five storey, one seven storey and one eight storey building, comprising 144 dwellings (social and affordable) 76 car parks and 120 bicycle spaces. The formal consultation period for the project runs between 26 November 2021 and 16 December 2021.
6. Specifically, Homes Victoria sought the Council's advice and referral comments that address any requirements of the Council's services, infrastructure, and any impacts the proposal has on the Council's assets. Draft conditions that should be applied to any decision made by the Minister were also requested.
7. A copy of the plans and reports provided to Council on 26 November 2021 are available for download from the following web page: [Elizabeth Street, North Richmond housing | Engage Victoria](#).
8. On 30 November 2021, Council Officers were provided with shadow diagrams and on the 8 December 2021 apartment type layout plans that correspond with the floor plans which were omitted from the original application documentation. It is noted that not all requested information as outlined in the further information request dated 9 November 2021 has been submitted.
9. The application material comprises the following documents:
- (a) Architectural Plans, prepared by KTA Architects dated 11 November 2021;
  - (b) Architectural renders (no date);
  - (c) Landscape Masterplan, prepared by Oculus no date;
  - (d) Sustainability Management Plan, prepared by WRAP Engineering dated 12 November 2021;
  - (e) Arborist Report, prepared by Tree Logic dated 10 June 2021;
  - (f) Waste Management Plan, prepared by One Mile Grid dated 11 November 2021;
  - (g) Traffic Impact Assessment, prepared by One Mile Grid dated 11 November 2021;
  - (h) Wind Impact Statement, prepared by Vipac dated 12 November 2021; and
  - (i) Acoustic Report, prepared by Marshall Day dated 10 November 2021.
10. No planning report has been submitted with the application.
11. Subsequently, additional shadow diagrams and apartment layout plans were provided to Council.
12. These documents are included as attachments to this report. The assessments made within this report are based on the post consultation plans and reports.

### Planning Scheme Amendments

#### *Proposed Amendment C269*

13. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Planning Strategy and Local Policies within the Planning Policy Framework (PFF), consistent with the structure recently introduced by the State Government.



14. The amendment was on public exhibition between 20 August 2020 and 4 December 2020. Amendment C269 was adopted by Council on 3 August 2021. The panel hearing occurred in October 2021 and Council has now received the Panel Report which has now been made available to the public.
15. In relation to this current planning application, the following clauses are of most relevance:
  - (a) Clause 13.07-1L – Interfaces and Amenity;
  - (b) Clause 15.01-1L – Urban Design;
  - (c) Clause 15.01-2L – Building Design;
  - (d) Clause 15.01-2L – Landmarks;
  - (e) Clause 15.02-1L – Environmentally Sustainable Development;
  - (f) Clause 16.01-2L – Location of Residential Development;
  - (g) Clause 16.01-3L – Housing Diversity;
  - (h) Clause 16.01-4L – Housing Affordability;
  - (i) Clause 17.01-1L – Employment;
  - (j) Clause 18.02-1L – Sustainable Transport;
  - (k) Clause 18.02-3L – Road System;
  - (l) Clause 18.02-4L – Car Parking;
  - (m) Clause 19.02-6L – Public Open Space Contribution;
  - (n) Clause 19.03-2L – Development Contributions;
  - (o) Clause 19.03-3L – WSUD; and
  - (p) Clause 19.03-5L – Waste.
16. The above clauses are largely reflected in current planning policy and will not be contradictory to the proposed re-write of Clauses 21 and 22.

*Proposed Amendment C291*
17. Amendment C291 proposes to introduce permanent built form controls to Bridge Road and Victoria Street by introducing DDO41 – 45 applicable to Bridge Road and DDO46 – 50 applicable to Victoria Street and seeks to introduce new local policy at Clause 21.12.
18. Council on 21 December, 2021 considered a report and submissions received in relation to the Amendment; and resolved to request the Minister to refer the amendment to the *Yarra Activity Centres Standing Advisory Committee*.
19. Acknowledging that the subject site is not included within the DDO area, the DDO does provide guidance regarding future scale of development anticipated proximate to the subject site which outlines a preferred height of 24 metres.

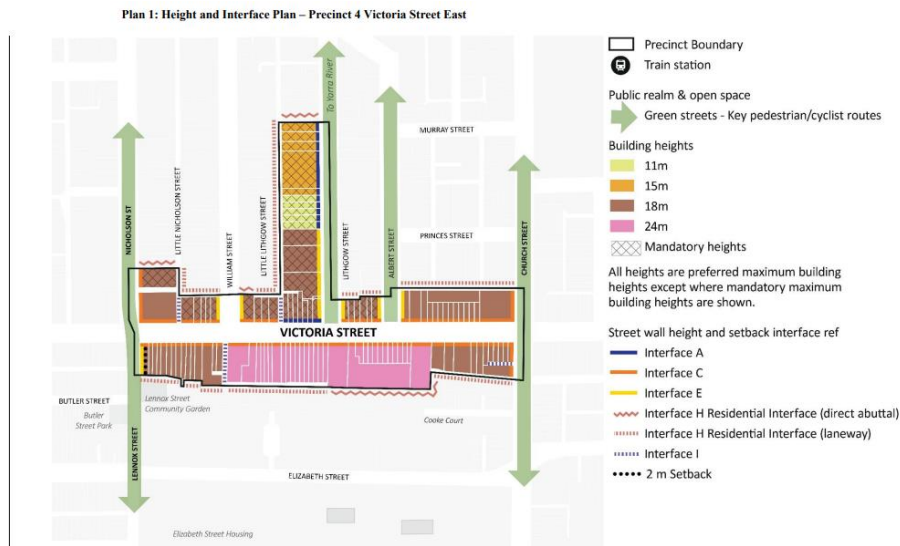


Image: Height and Interface Plan – Precinct 4 Victoria Street East – Proposed DDO49  
Source: Council report 21 December 2021

20. The proposed DDO also encourages a future through block link from Cooke Court to Victoria Street to aid in pedestrian movement throughout the precinct.

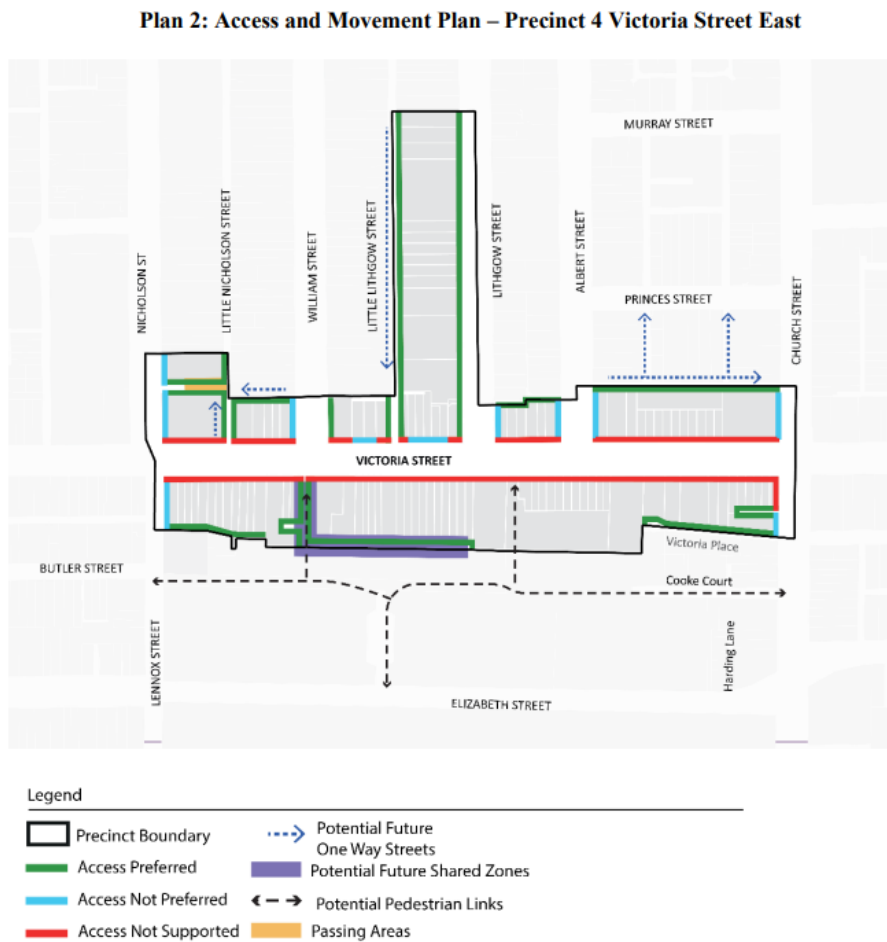


Image: Access and Movement Plan – Precinct 4 Victoria Street East – Proposed DDO49  
Source: Council report 21 December 2021

### Proposed Richmond Housing Estate Masterplan

21. Homes Victoria is preparing a draft Masterplan Framework that provides a high-level spatial vision for the broader Richmond Housing Estate. Engagement on the framework commenced in October 2021 and has included an initial briefing of City of Yarra Councillors and workshops with Council Officers.
22. The Masterplan Framework will be refined into a detailed master plan for the site in early 2022, with further opportunity for engagement with Council anticipated between February and March 2022. Community engagement on the draft master plan is scheduled for March 2022 with the completion of the plan by August 2022.
23. The master planning team from Homes Victoria has considered all existing and emerging City of Yarra strategic work, including the proposed amendment C291 including:
  - (a) Considering a mid-rise built form that matches the preferred heights along Victoria Street;
  - (b) Re-establishing a street network through Cooke Court, including opportunities for new pedestrian connections through to Victoria Street from the site;
  - (c) Ensuring buildings are setback from the Victoria Street southern boundary to achieve the building separation distances required by the draft DDO, and
  - (d) Ensuring access arrangements to any buildings on the site are consistent with the access and movement plan in the draft DDO – subject to further discussion regarding the proposed ‘potential future share zone’ identified on Plan 2.
24. Council has been advised that the proposal before Council was designed and has been coordinated with the development of the North Richmond Masterplan.

### Aboriginal Cultural Heritage Significance

25. The subject site is not included in an area as having cultural heritage sensitivity.

### Environmental Effects Statement

26. Homes Victoria has not provided Council with information on whether the proposed development activity requires an environment effects statement.
27. Applications for development that require an environment effects statement to be prepared pursuant to the *Environment Effects Act 1978* cannot be pursued pursuant to Clause 52.20.
28. In addition to the above, Clause 52.20-5 identifies that prior to the use or development commencing, a number of plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority (the Minister for EECC).
29. Relevantly, the following is required to be submitted:
  - (a) *If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:*
    - (i) *A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development; and*
    - (ii) *A copy of any report, plan or other document required to be prepared under those conditions.*
30. As such, confirmation should be provided that an environmental effects statement is not required to be prepared under the *Environment Effects Act 1978*.

### The Proposal

31. The application is for the development of the land on the north side of Elizabeth Street forming part of the larger Richmond Housing Estate.
32. Key features of the proposal include:

### New Buildings

33. Construction of four buildings forming two 'L' shaped building blocks known as Building 1 and Building 2.

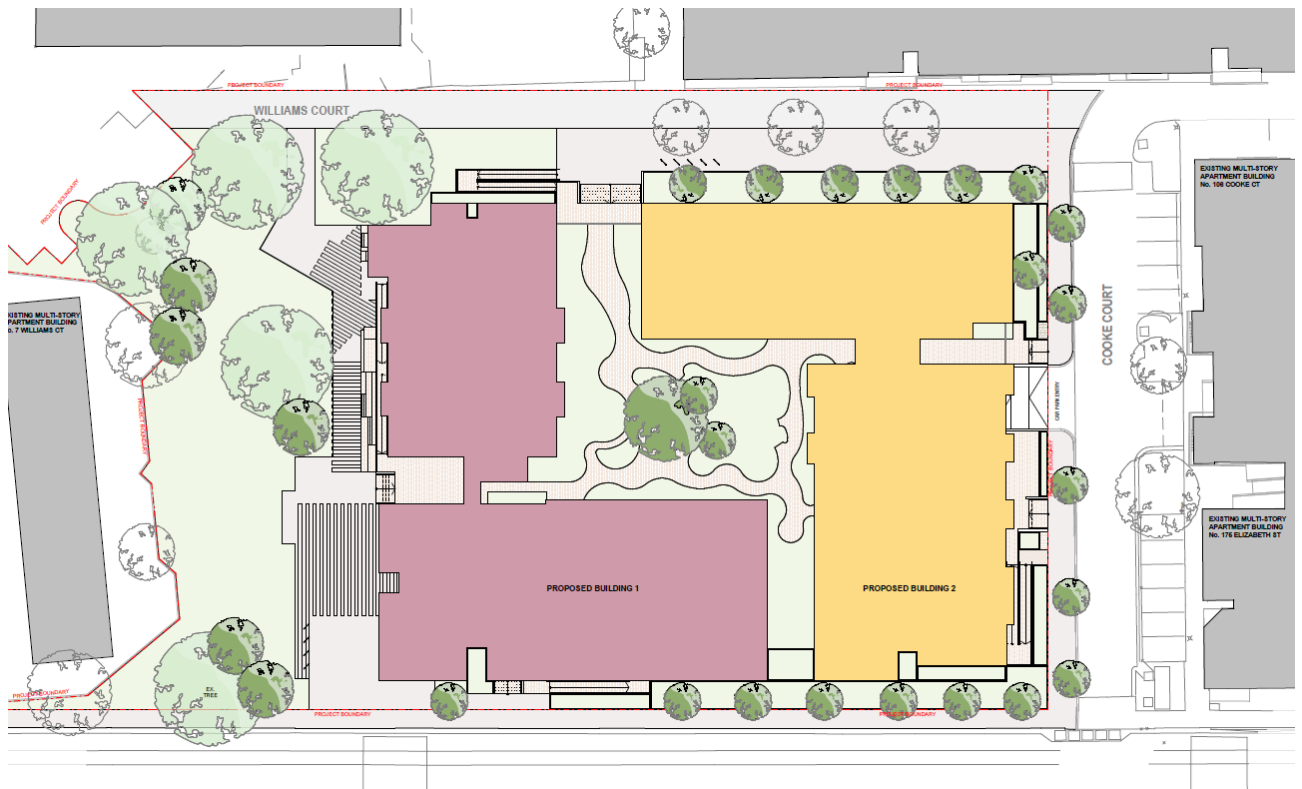


Image: Site Plan showing Building 1 and Building 2  
Source: Documentation provided by Homes Victoria

34. Building 1 within the eastern section of the allotment comprises two building sections, being 7 storey to Elizabeth Street reducing to 5 storey to the north. The two building sections are connected by a walkway. Building 1 will accommodate social housing.
35. Building 2 within the western section of the allotment also comprises two building sections, being 8 storey to Elizabeth Street reducing to 4 storey to the north. The two building sections are also connected by a walkway. Building 2 will accommodate affordable housing.
36. The plan below outlines the layout of the two buildings.





Image: Building 1 and Building 2

Source: Documentation provided by Homes Victoria

#### *Basement*

37. The application proposes a single basement level accessed from Lewis Court (incorrectly labelled on the plans as Cooke Court). 76 car parking spaces including 8 DDA compliant spaces are located within the basement. A range of service cupboards/rooms and the rainwater tank are also located in basement, along with a 97sqm void area providing opportunity for deep soil planting.

#### *Building 1 – Social Housing*

38. At ground level, the building will provide three lobby areas accessible from Elizabeth Street to the south, Williams Court to the north and from the open space to the east. Two 'ancillary use rooms' being 156sqm and 210sqm respectively face east towards the open space area (no information submitted regarding details of use). Bicycle parking for 50 bikes is located to south of the site orientated towards Elizabeth Street.
39. Six dwellings are located at this level, one orientated to Elizabeth, four dwellings orientated to the central courtyard and one with dual aspect to Williams Court and the central courtyard.
40. The upper levels are arranged in an 'L' shape with double loaded corridors with dwellings orientated to Elizabeth Street, Williams Court, central courtyard or open space to the east. A total of 72 dwellings are proposed including:
- (a) 43 x 1 bedroom
  - (b) 22 x 2 bedroom and
  - (c) 7 x 3 bedroom.
41. As identified, all dwellings in Building 1 are to be Social Housing.
42. The proposed Building 1 setbacks are as follows (limited dimensions on plans):
- (a) 3.0 metres to Elizabeth Street (stair and ramp access encroach into this setback); and

- (b) 12.0 metres to Williams Court (north edge) with stair and ramp access encroach into this setback.

- 43. The northern half of Building 1 will be five-storeys as orientated to Williams Court with the southern half seven storeys in height. The overall building height has not been dimensioned on the plans. Based on the Relative Levels (RLs) provided on the plans, the building will adopt an approximate overall height to the top of the lift core of 24 metres for the 7 storey component and 19.5 metres for the 5 storey component from the finished ground level.
- 44. Building 1 comprises recycled red pressed bricks at the lower levels with neutral and grey toned concrete for the levels above. A mix of powder coated aluminium and concrete balustrade/screening proposed for the balcony areas. Arched motif screens are proposed as accents to the building.



*Image: Renders of proposed Building 1 (left: Elizabeth Street looking west, right: view from open space area)  
Source: Documentation provided by Homes Victoria*

#### *Building 2*

- 45. At ground level, the building will provide two lobby areas accessible from Cooke Court separated by the vehicular entry/exit point and a service area. Bicycle parking for 52 bikes is located to the corner of Elizabeth Street and Leis Court.
- 46. Eight dwellings are located at this level, one orientated to Elizabeth, two dwellings orientated to the central courtyard and five orientated to Williams Court.
- 47. The upper levels are arranged in an 'L' shape with double loaded corridors with dwellings orientated to Elizabeth Street, Williams Court, central courtyard and Lewis Court. A total of 72 dwellings are proposed including:
  - (a) 43 x 1 bedroom;
  - (b) 25 x 2 bedroom; and
  - (c) 4 x 3 bedroom.
- 48. As identified, all dwellings in Building 1 are to be Affordable Housing.
- 49. The proposed Building 2 setbacks are as follows (limited dimensions on plans):
  - (a) 3.1 – 4.8 metres to Elizabeth Street (terrace encroaches into this setback);
  - (b) 3.7 - 4.5 metres to Lewis Court (stair and ramp access encroach into this setback); and
  - (c) 12.0 metres to Williams Court.
- 50. The northern half of Building 1 will be four-storeys as orientated to Williams Court with the southern half eight storeys in height. Based on the Relative Levels (RLs) provided on the plans, the building will adopt an approximate overall height to the top of the lift core of 30.9 metres for the 8 storey component and 16.3 metres for the 4 storey component from the finished ground level.

51. Building 2 comprises recycled red pressed bricks at the lower levels with arched motif and vertically expressed to the full eight level for part of the Elizabeth Street along with neutral toned concrete for remainder of the building above. A mix of powder coated aluminium and concrete balustrade/screening proposed for the balcony areas. Arched motif screens are proposed as accents to the building.



Image: Renders of proposed Building 2 (left: Elizabeth Street looking east, right: view from Cooke)  
Source: Documentation provided by Homes Victoria

### Landscape works

52. A landscape concept for the site has been submitted showing:
- (a) Perimeter planting along Elizabeth Street, Cook and Williams Court;
  - (b) Central courtyard with an area accommodating deep planting supporting large trees;
  - (c) Improvements to the green space to the east of the site including play equipment and new hard paved areas, and
  - (d) Removal of 5 existing trees.

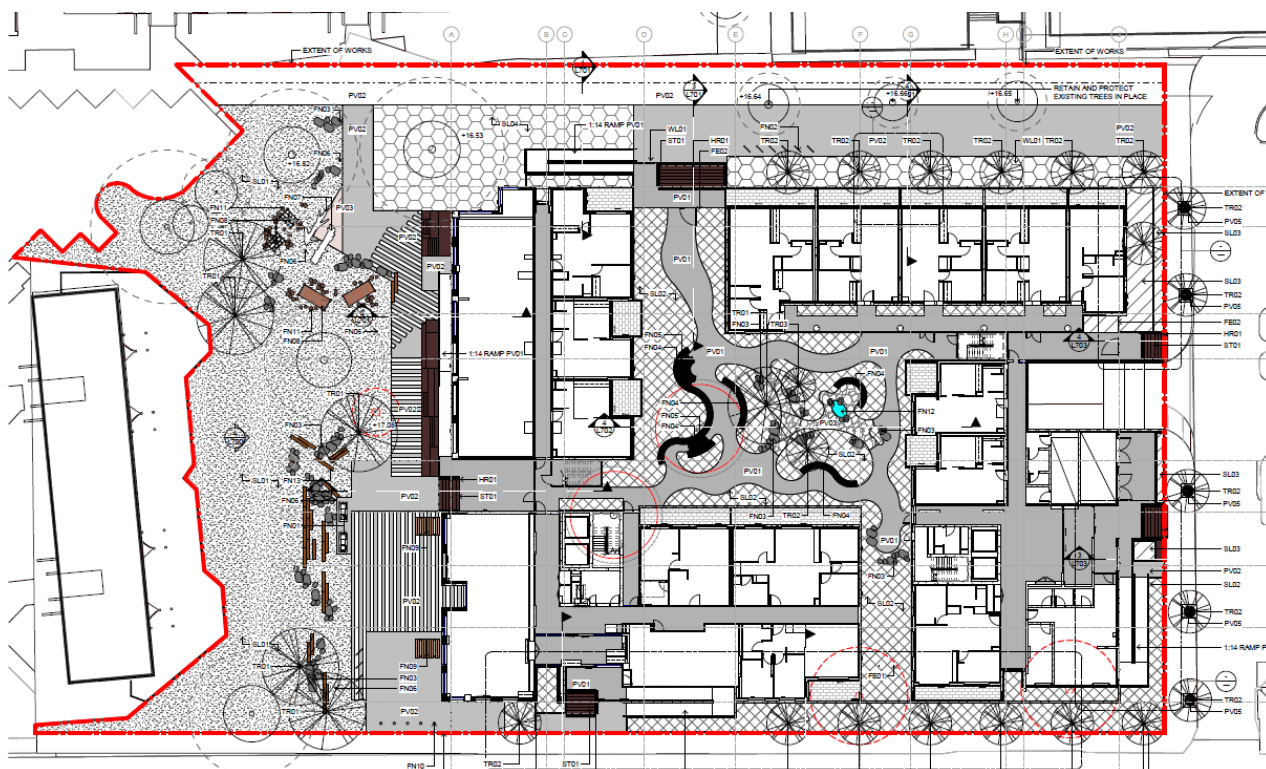


Image: Extent of Landscape works  
Source: Documentation provided by Homes Victoria





Image: Extent of Landscape works

Source: Documentation provided by Homes Victoria

## Existing Conditions

### Subject Site

53. The Richmond Housing Estate is a large parcel of land irregular in shape with frontages to Church Street to the east, Highett Street to the south, Lennox Street to the east and Elizabeth Street to both the north and south, as shown below (red star subject site, blue star broader Richmond Housing Estate):

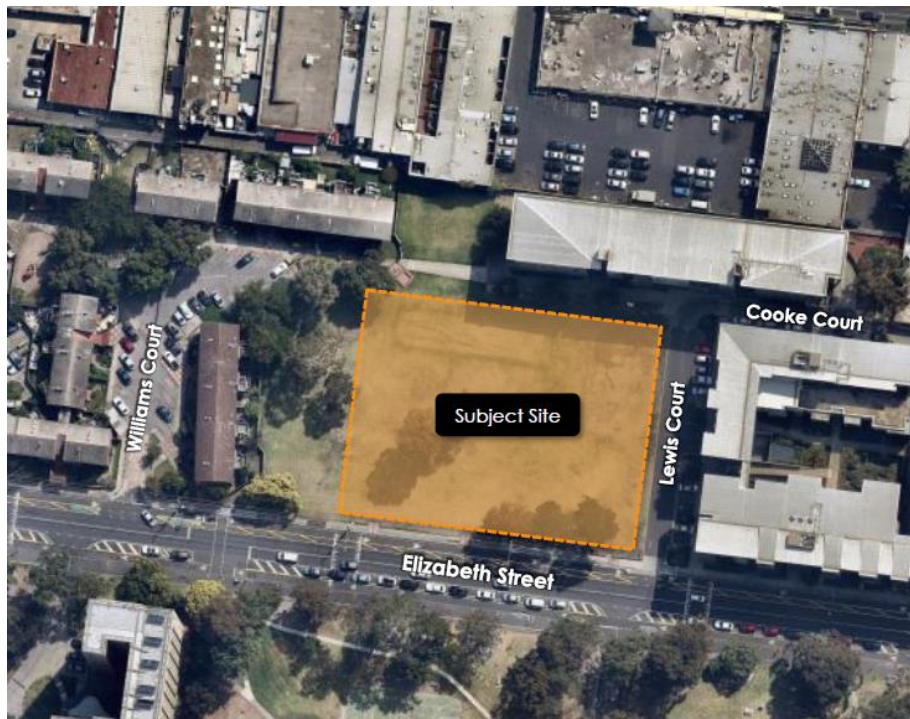


Image: Aerial imagery of the Richmond Housing Estate

Source: Urban Design referral



54. The site accommodates five residential towers of approximately 21-storeys in height amongst lower scale housing between 2 – 8 storeys.
55. The subject site is generally a rectangular shaped parcel of land at the northern end of the Richmond Housing Estate. The subject site has three street frontages Elizabeth Street to the south, Cooke Court to the west, Williams Court to the north and open space area to the east.
56. The subject site is shown below:



*Image: Aerial Photo – Subject site*

*Source: Documentation provided by Homes Victoria*

57. The site is currently vacant with some established vegetation. The documents submitted indicates that the subject site has an overall area of 6,373sqm.
58. The site is government owned and operated by the Department of Health and Human Services (DHHS). No titles have been submitted to Council for their review. As such, it is recommended that Homes Victoria undertake an assessment of the full and recent copies of applicable Titles to ascertain whether there are any restrictions registered (i.e. Restrictive Covenants or Section 173 Agreement). Should there be a restriction registered on Title/s, Homes Victoria must ensure that the proposal will not result in a breach of the restriction, as this may require the need for planning approval.

#### Surrounding Land

59. The surrounding land is mixed between commercial and residential uses.
60. To the partial north and east the subject site has an interface with the more recently developed office of housing social housing project approved by the Minister for Planning in 2011. The complex of four buildings generally 6 storey in height house approximately 200 dwellings. Interfacing with the subject site are a number of window and balconies. Lewis, Cooke and Williams Court provide a physical separation between the subject site and the existing dwellings.



*Image: subject site*

*Source: Urban Design Images taken from referral*

61. To the west of the site is a large open space area with existing semi mature trees. Further west are a series of three storey walk ups associated with the office of housing.



*Image: Open space and walk up flats*

*Source: Source: Urban Design Images taken from referral*

62. To the south of the site on the opposite side of Elizabeth Street is the large parcel of land associated with the Richmond Housing Estate accommodate high-rise housing up to 21 storeys surrounding by green space.



*Image: South side Elizabeth Street*

*Source: Urban Design Images taken from referral*

63. The subject site is located approximately 100m south of the Victoria Street Activity Centre. Public transport is located within close proximity along Church and Victoria Streets, which contains tram lines with access to central Melbourne.



64. It is also noted that trial separated bike lanes exist in Elizabeth Street which are shown in the photo's above. This trial is continuing following the recent Council determination in December 2021 with further survey work to be undertaken.

## Planning Scheme Provisions

### Zoning

65. This clause applies to the use or development of land that is:
- (a) Funded wholly or partly, under Victoria's Big Housing Build program; and
  - (b) Carried out by or on behalf of the Director of Housing.
66. Pursuant to clause 52.20-2, applications made under clause 52.20 are exempt from any requirement of the Scheme to obtain a permit or any provision of the Scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this clause 52.20 applies to if requirements of clause 52.20 are met.
67. Whilst the above exemption does not apply to a requirement in clauses 44.06, 45.03, 45.07, 45.08, 51.03 or 52.02, or in any schedule to those clauses, none of those specific clauses would apply to the development proposed.
68. Pursuant to clause 52.20-3:
- (a) *The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the responsible authority; and*
  - (b) *The use and development of land to be carried out to the satisfaction of the responsible authority must not commence until funding under Victoria's Big Housing Build program is approved.*
69. Pursuant to clause 52.20-4:
- (a) *Before the use or development commences:*
    - (i) *Public consultation, and consultation with the relevant municipal council, must be undertaken; and*
    - (ii) *A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the responsible authority.*
- The requirements of clause 52.20-4 must be undertaken to the satisfaction of the responsible authority and may be varied or waived by the responsible authority*
70. Native Vegetation requirements are listed at clause 52.20-8. Homes Victoria confirmed on 19 October 2021 that the site falls outside of the levy area. This will be discussed further, later under clause 52.17 (native vegetation).
71. Before the use and development commences, a number of plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority (the Minister for EECC). Council has not received a copy of all the plans, documents and information required to be submitted. This will be discussed within the report, where relevant.
72. In particular, however, a report that details how the proposed development responds to the development standards of clause 52.20-6 and clause 52.20-7 is required to be submitted. These clauses are embedded into the clause 52.20 provisions. The required report has not been provided to Council for their consideration. An assessment against these provisions is to be undertaken within this report by Council Officers.
73. Clause 52.20-6.7 provides modified car parking requirements. This will be discussed further, later under clause 52.06 (car parking).

74. Whilst the proposal is exempt from the Scheme requirements, the responsible authority (the Minister for EECC) must consider a submission prepared by Homes Victoria that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59.
75. As such, it is considered that the following provisions of the Scheme are relevant in the consideration of this proposal.

### Zoning

#### *Clause 32.08 – General Residential Zone*

76. The purposes of this zone are:
- (a) *To implement the Municipal Planning Strategy and the Planning Policy Framework;*
  - (b) *To encourage development that respects the neighbourhood character of the area;*
  - (c) *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport; and*
  - (d) *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*
77. Pursuant to clause 32.08-4, the minimum percentage of the lot to be set aside for garden area is 35%. The development does not comply with this requirement when considered within the confines of the boundaries of this application, but more broadly considering the entire estate would comply with this requirement.
78. Pursuant to clause 32.08-6, a permit is required to construct two or more dwellings on a lot.
79. Clause 32.08-6 states an apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.
80. Pursuant to clause 32.08-10, a building must not be constructed for use as a dwelling or residential building that exceeds a building height of 11 metres and 3 storeys.
81. It is unknown what use is proposed within the 366sqm of ground floor spaces noted as 'Non-Housing Use' on the plans and as such, it is unclear whether the proposed uses would be no permit required, permit required or prohibited. Details of the ground floor non-residential uses were requested from Homes Victoria and have not been provided. This will be discussed further, later.
82. In addition to the decision guidelines listed at clause 32.08-13 of the General Residential Zone, Schedule 3 to the Zone also includes the following decision guidelines:
- (a) *Whether a loss of amenity would result in varying the requirements of part 2.0 of this schedule;*
  - (b) *The amenity impact on surrounding land uses;*
  - (c) *Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 9 metres;*
  - (d) *Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area; and*
  - (e) *The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.*

### Overlays

#### *Clause 43.04 – Development Plan Overlay*

*(Schedule 10 – Richmond and Fitzroy Precinct*

83. The DPO-10 applies to the entire Richmond Housing Estate.
84. The vision for the control includes:
- (a) *To achieve a long term outcome of urban renewal and revitalisation for the Richmond Precinct and Fitzroy Precinct housing estates through a diversity of housing types;*
  - (b) *To facilitate the provision of housing in an area that benefits from excellent access to existing public transport, health and community services, retail services, employment and educational opportunities;*
  - (c) *To create a development that is affordable, accessible and well connected to the surrounding neighbourhood; and*
  - (d) *To achieve a built form outcome that demonstrates a high quality architectural response, implements innovative Environmentally Sustainable Design features, and provides a high standard of internal amenity.*

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

85. The Development Contributions Plan applies to the proposed additional office, retail and residential uses, requiring the developer to pay a cash contribution towards essential city infrastructure like roads and footpaths, as well as community facilities.
86. Pursuant to clause 4 of Schedule 1 to clause 45.06-1:
- (a) *No land or development is exempt from this Development Contributions Plan unless exempt by Legislation or Ministerial Direction or Legal Agreement with Yarra City Council or stated below. The following development is exempt from a development contribution:*
    - ...
    - (i) *Land developed for housing by or for the Department of Health and Human Services, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans of 11 October 2016. This applies to social housing development delivered by and for registered housing associations. This exemption does not apply to private dwellings developed by the Department of Health and Human Services or registered housing associations;*
    - ...
87. As such, the proposed development sought pursuant to Clause 52.20 would not trigger the requirements of the overlay.

Particular Provisions

*Clause 52.06 – Car parking*

88. Clause 52.06-1 requires that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land. Pursuant to Clause 52.06-3 a permit is required to reduce the number of car parking spaces required under this clause.
89. Pursuant to Clause 52.06-5, Column B of Table 1 applies if any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018). The subject site is shown as being within the Principal Public Transport Network Area and therefore Column B applies.
90. Before a requirement for car parking is reduced, the applicant must satisfy the Responsible Authority that the provision of car parking is justified having regard the decision guidelines at clause 52.06-6 of the Scheme. The provision of car parking is as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	86	1 space per dwelling	86	
Two-bedroom dwelling	47	1 space per dwelling	47	
Three-bedroom dwelling	11	2 spaces per dwelling	22	
<b>Total</b>			<b>155 Spaces</b>	<b>76 spaces</b>

91. For the proposed dwellings, pursuant to Clause 52.06 the application would be required to seek a total reduction of 79 car spaces.
92. Clause 52.20-6.7, however, modifies the above car parking rates to the following:
- (a) *a minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.*
93. This would result in the below requirement for car parking on the site in respect of the proposed dwellings:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	86	A minimum of 0.6 spaces for each dwelling	86	76
Two-bedroom dwelling	47			
Three-bedroom dwelling	11			
Total			86 spaces	76 spaces

94. The proposed development as it relates to the existing dwellings and proposed dwellings would still require a reduction in the car parking requirement contained within clause 52.20-6.7 of 10 spaces.
95. It is unknown what use is proposed within the 266sqm of ground floor spaces noted as 'Non Housing Use' on the plans and as such, car parking requirements cannot be determined for this use. Whilst details of this were requested from Homes Victoria, these have not been provided.

#### *Clause 52.34 – Bicycle Facilities*

96. Pursuant to clause 52.34, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The purpose of the policy is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces
97. Under the provisions of Clause 52.34-3 of the Scheme, the development's bicycle parking requirements are as follows:

Proposed Use	Quantity/ Size	Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	144	1 resident space per 5 dwellings	29 resident spaces	resident spaces
		1 visitor space per 10 dwellings for visitors	15 visitor spaces	18 visitor spaces

98. The development satisfies the resident requirement, however, if this clause were applicable to the development a reduction of visitor spaces would be required to be pursued.
99. Clause 52.34-4 provides design standard for bicycle spaces and signage.
100. The Traffic and Transport Assessment submitted following consultation (prepared by One Mile Group) identifies that *The Homes Victoria, Apartment Code – May 2020* (a document that has not been provided to Council) document sets out the following bicycle parking requirements:
- (a) 1 space for every dwelling without a car parking space;
  - (b) 1 space for every 5 dwellings for residents; and
  - (c) 1 space for every 10 dwellings for visitors.
101. The required bicycle parking pursuant to the above is as follows:

Proposed Use	Quantity/ Size	Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	144	1 resident space for every dwelling without a car parking space	78 resident spaces	102 resident spaces
		1 resident space per 5 dwellings		
		1 visitor space per 10 dwellings for visitors	14 visitor spaces	18 visitor spaces

102. This document has been requested by Council Officers; however, it has not been provided nor is referenced within Clause 52.20.
103. It is unknown what use is proposed within the 266sqm of ground floor spaces noted as 'Non Housing Use on the plans and as such, bicycle parking requirements cannot be determined for this use. Whilst details of this were requested from Homes Victoria, these have not been provided.

*Clause 52.17 Native Vegetation*

104. Previously Homes Victoria have confirmed that the proposed tree removal would be exempt from the requirements of this clause as the trees to be removed are considered to be 'planted vegetation' in accordance with the exemptions listed at clause 52.17-7.
105. As such, Homes Victoria also confirmed that the native vegetation requirements listed at clause 52.20-8 also do not apply to the proposal, this has been confirmed by Council's Coordinator – Open Space Services.
106. There is therefore no permit requirement nor assessment criteria for tree removal from the site pursuant to the Scheme.



*Clause 58 - Apartment Developments*

107. The provisions of Clause 58 apply to an application to construct or extend an apartment development if the development is five or more storeys within the General Residential Zone. A development must meet all of the objectives and should meet all of the standards of the Clause.
108. As identified earlier, the provisions of Clause 52.20 explicitly exempt an application from the requirements of Clause 58. Several standards of the clause have been embedded into Clause 52.20-7 and remain relevant to the assessment of the proposal.

*Clause 53.18 – Stormwater Management in Urban Development*

109. This clause applies to an application under a provision of a zone to construct a building or construct or carry out works. An application to construct a building or to construct or carry out works:
- (a) *Must meet all of the objectives of Clauses 53.18-5 and 53.18-6; and*
  - (b) *Should meet all of the standards of Clauses 53.18-5 and 53.18-6.*

General Provisions

*Clause 65 – Decision Guidelines*

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

*Clause 66.02-11 – Integrated public transport planning*

111. In accordance with Clause 66.02-11 of the Yarra Planning Scheme, an application to construct a building or to construct or carry out works for a residential development comprising 60 or more dwellings or lots must be referred to the Head, Transport for Victoria. The Head, Transport for Victoria, is a determining referral authority for this application.

Planning Policy Framework (PPF)

112. Relevant clauses are as follows:

*Clause 11 (Settlement)*

*Clause 11.01-1R (Settlement – Metropolitan Melbourne)*

113. Relevant strategies include:

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

*Clause 11.02 (Managing Growth)*

*Clause 11.02-1S (Supply of Urban Land)*

114. The objective is:

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

*Clause 11.03 (Planning for Places)*

*Clause 11.03-1S (Activity Centres)*

115. The relevant objectives of this clause include:

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

*Clause 13.04-1S (Contaminated and potentially contaminated land)*

116. The relevant objective of this clause is:

- (a) *To ensure contaminated and potentially contaminated land is used and developed safely.*

117. Relevant strategies are:

- (a) *Ensure contaminated or potentially contaminated land is or will be suitable for the proposed use, prior to the commencement of any use or development;*
- (b) *Protect sensitive uses including a residential use or use as childcare centre, kindergarten, pre-school centre, secondary school or children's playground from the effects of contamination; and*
- (c) *Facilitate the remediation of contaminated land to make the land suitable for future intended use or development.*

*Clause 13.05-1S (Noise abatement)*

118. The relevant objective of this clause is:

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

119. Noise abatement issues are measured against relevant State Environmental Protection Policy and other Environmental Protection Authority (EPA) regulations.

*Clause 13.07 (Amenity and Safety)*

*Clause 13.07-1S (Land use compatibility)*

120. The objective of this clause is:

- (a) *To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*

*Clause 15.01 (Built Environment and Heritage)*

*Clause 15.01-1S (Urban design)*

121. The relevant objective of this clause is:

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

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

122. The objective is:

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

*Clause 15.01-2S (Building design)*

123. The relevant objective of this clause is:

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

124. Relevant strategies of this clause are:

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

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

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

*Clause 15.01-4S (Healthy neighbourhoods)*

126. The objective is:

- (a) *To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

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

127. The strategy is:

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

*Clause 15.01-5S (Neighbourhood character)*

128. The relevant objective of this clause is:

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

129. Relevant strategies are:

- (a) *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character;*
- (b) *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing; and*
- (c) *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*

- (i) *Pattern of local urban structure and subdivision;*
- (ii) *Underlying natural landscape character and significant vegetation; and*
- (iii) *Neighbourhood character values and built form that reflect community identity.*

*Clause 15.02 (Sustainable Development)*

*Clause 15.02-1S (Energy and Resource Efficiency)*

130. The objective of this clause is:

- (a) *To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.*

*Clause 16.01 Residential Development*

*Clause 16.01-1S – Housing Supply*

131. The objective of this clause is '*To facilitate well-located, integrated and diverse housing that meets community needs.*'

*Clause 16.01-1R (Housing Supply – Metropolitan Melbourne)*

132. Strategies for this clause are:

- (a) *Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas; and*
- (b) *Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.*

*Clause 16.01-2S (Housing Affordability)*

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

134. Strategies of this clause are:

- (a) *Improve housing affordability by:*
  - (i) *Ensuring land supply continues to be sufficient to meet demand;*
  - (ii) *Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities;*
  - (iii) *Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community;*
  - (iv) *Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes;*
- (b) *Increase the supply of well-located affordable housing by:*
  - (i) *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.; and*
  - (ii) *Ensuring the redevelopment and renewal of public housing stock better meets community needs; and*
- (c) *Facilitate the delivery of social housing by identifying surplus government land suitable for housing.*

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

- (a) *Homes for Victorians - Affordability, Access and Choice (Victorian Government, 2017).*

136. Affordable Housing and Social Housing are defined within the above document as follows:

- (a) **Affordable Housing:** - Affordable housing is housing that is appropriate for the needs of a range of very low to moderate income households, and priced (whether mortgage repayments or rent) so these households are able to meet their other essential basic living costs;
- (b) **Social Housing:** - Social housing is an umbrella term that includes both public housing and community housing. Its provision usually involves some degree of subsidy;
- (c) **Public Housing:** - Housing owned and managed by the Director of Housing. The Government provides public housing to eligible disadvantaged Victorians including those unemployed, on low incomes, with a disability, with a mental illness or at risk of homelessness; and
- (d) **Community Housing:** - Housing owned or managed by community housing agencies for low income people, including those eligible for public housing. Community housing agencies are regulated by the Government.

Clause 16.01-4S – Housing affordability

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

Clause 17.02 – (Commercial)

Clause 17.02-1S – (Business)

138. The relevant objective of this clause is:

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

139. The relevant strategies of this clause is:

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

Clause 18.01 (Integrated Transport)

Clause 18.01-1S – (Land use and transport planning)

140. The objective of this clause is:

- (a) To create a safe and sustainable transport system by integrating land use and transport.

141. Relevant strategies to achieve this objective include:

- (a) Develop transport networks to support employment corridors that allow circumferential and radial movements;
- (b) Plan urban development to make jobs and community services more accessible by (as relevant):
  - (i) Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas;
  - (ii) Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas; and
  - (iii) Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments; and
- (c) Integrate public transport services and infrastructure into new development.

*Clause 18.02 (Movement Networks)*

*Clause 18.02-1S – (Sustainable personal transport)*

142. The relevant objectives of this clause is:

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

143. Relevant strategies of this policy are:

- (a) *Encourage the use of walking and cycling by creating environments that are safe and attractive;*
- (b) *Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters;*
- (c) *Ensure cycling routes and infrastructure are constructed early in new developments;*
- (d) *Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions;*
- (e) *Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles;*
- (f) *Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals;*
- (g) *Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions; and*
- (h) *Ensure provision of bicycle end-of-trip facilities in commercial buildings.*

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

144. Strategies of this policy are:

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

*Clause 18.02-2S (Public Transport)*

145. The objective of this clause is:

- (a) *To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

*Clause 18.02-2R (Principal Public Transport Network)*

146. A relevant strategy of this clause is to:

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

*Clause 18.02-4S – (Car Parking)*

147. The objective of this clause is:

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

148. A relevant strategy is:

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

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

*Municipal Strategic Statement (MSS)*

149. Relevant clauses are as follows:

*Clause 21.02 Municipal Profile*

150. As identified within the municipal profile, Yarra has the highest number of residents in public housing per capita in Victoria with 10.5% of the population in public housing.
151. The clause also identifies that in relation to built form *the large public housing estates provide a contrasting built form character of apartment buildings set in landscaped grounds.*

*Clause 21.04-1 Accommodation and Housing*

152. The objectives of this clause are:

- (a) *To accommodate forecast increases in population;*
- (b) *To retain a diverse population and household structure; and*
- (c) *To reduce potential amenity conflicts between residential and other uses.*

153. The clause acknowledges that the following forms of housing are currently under threat within Yarra, and where possible, must be retained:

- (a) *Housing appropriate for families with children;*
- (b) *A continued supply of good quality affordable housing;*
- (c) *This includes both existing housing stock and new development;*
- (d) *Rooming house accommodation; and*
- (e) *Private and public housing stock and residential care to cater for an ageing population.*

*Clause 21.04-3 Industry, office and commercial*

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

*Clause 21.05-2 Urban design*

155. The relevant objectives of this clause are:

- (a) *Objective 16 - To reinforce the existing urban framework of Yarra;*
- (b) *Objective 17 - To retain Yarra's identity as a low-rise urban form with pockets of higher development:*
- (i) *Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*
- a. *Significant upper level setbacks;*
- b. *Architectural design excellence;*
- c. *Best practice environmental sustainability objectives in design and construction;*
- d. *High quality restoration and adaptive re-use of heritage buildings;*
- e. *Positive contribution to the enhancement of the public domain;*
- f. *Provision of affordable housing;*
- (c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*



- (d) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;*
- (e) *Objective 21 - To enhance the built form character of Yarra's activity centres:*
  - (i) *Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and*
  - (ii) *Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres; and*
- (f) *Objective 22 - To encourage the provision of universal access in new development.*

*Clause 21.05-3 Built form character*

156. The general objective of this clause is:

- (a) *To maintain and strengthen the identified character of each type of identified built form within Yarra.*

157. The subject site is located within a non-residential area, where the built form objective is to *"improve the interface of development with the street"*.

158. The strategies to achieve the objective are to:

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

*Clause 21.05-4 Public environment*

159. The relevant objective and strategies of this clause are:

- (a) *Objective 28 - To provide a public environment that encourages community interaction and activity:*
  - (i) *Strategy 28.2 Ensure that buildings have a human scale at street level;*
  - (ii) *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment;*
  - (iii) *Strategy 28.5 Require new development to make a clear distinction between public and private spaces; and*
  - (iv) *Strategy 28.8 Encourage public art in new development.*

*Clause 21.06 Transport*

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

*Clause 21.06-1 Walking and cycling*

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

- (a) *Objective 30 - To provide safe and convenient bicycle environments:*
  - (i) *Strategy 30.2 Minimise vehicle crossovers on street frontages;*
- (b) *Objective 32 - To reduce the reliance on the private motor car; and*
- (c) *Objective 33 - To reduce the impact of traffic:*
  - (i) *Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road network.*

*Clause 21.07-1 Ecologically sustainable development*

162. The relevant objectives and strategies of this clause are:

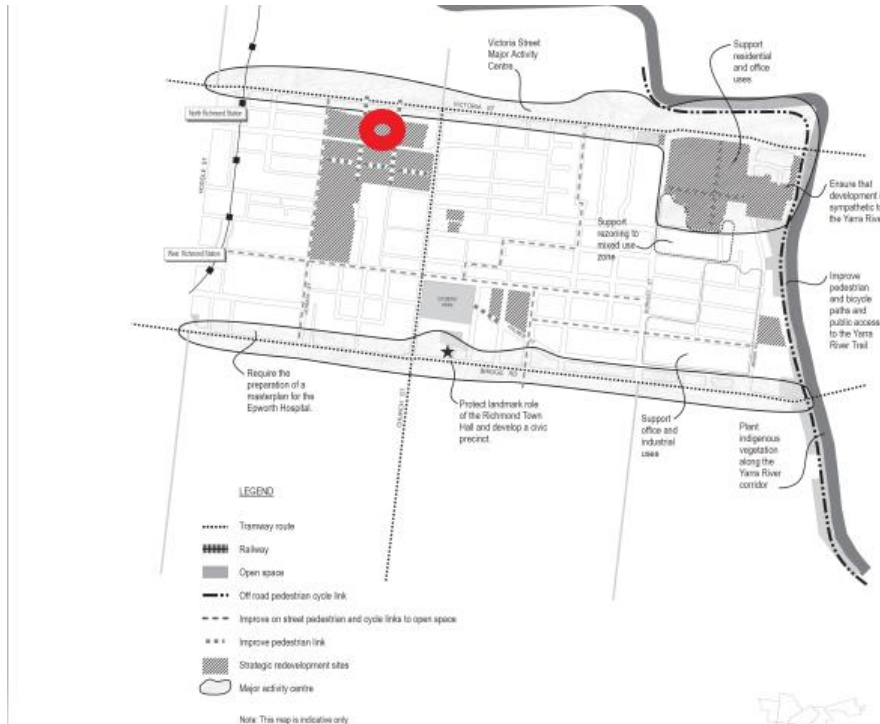
- (a) *Objective 34 – To promote ecologically sustainable development:*

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

**Clause 21.08 Neighbourhoods**

**Clause 21.08-5 North Richmond (area north of Bridge Road)**

163. As shown on the Neighbourhood Map, North Richmond (Figure 21) of clause 21.08-5, the Richmond Housing State is designated as a strategic redevelopment site. An extract of the Figure is provided below, with the subject site identified.



164. The Built form Character Map, North Richmond (Figure 22) of clause 21.08-5, identifies that the following built form outcomes are encouraged for the Richmond Housing Estate:
- (a) *Re-connect former public streets through the estate, where they have been closed; and*
  - (b) *Redevelop public street frontages with buildings that address the street, including location front doors and mail boxes on the street frontage where possible.*
165. The following relevant built form strategies in clause 21.05 include the following:
- (a) *Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type;*
  - (b) *Encouraging the redevelopment of the following strategic re-development sites in a way that contributes positively to the urban fabric and public domain of Yarra, and where within an identified built form character precinct, it respects the built form character of the area;*
- ...
- (i) *Site 3 – Richmond Housing Estate, block bounded by Highett, Elizabeth, Lennox and Church Streets; and*
- (c) *Creating or upgrading pedestrian links:*
- ...
- (i) *Through the Richmond Housing Estate.*

Relevant Local Policies

*Clause 22.01 (Discretionary Uses in the Residential 1 Zone)*

166. This policy applies to land in the Residential 1 Zone and the objective of the clause is: *to ensure that residential amenity is not adversely affected by non-residential uses.*
167. It is policy that:
- (a) *Existing buildings constructed for non-residential purposes are the preferred location for non-residential uses;*
  - (b) *Food and drink premises, places of assembly, places of worship and plant nurseries should have access to and adjoin a road in a Road Zone;*
  - (c) *Except on land adjoining and gaining direct access from a road in a Road Zone:*
    - (i) *all required car parking should be on-site;*
    - (ii) *the scale of the proposed use should be compatible with providing service to the local residential community;*
  - (d) *Hours of operation should be limited to 8am to 8pm except for convenience shop;*
  - (e) *New buildings and works should be consistent with the scale, bulk and character of the area; and*
  - (f) *Noise emissions should be compatible with a residential environment.*

*Clause 22.03 Landmarks and Tall Structures*

168. This policy applies to all development. Whilst the site is not within proximity to an identified sign or landmark within the policy, the following is relevant: *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

*Clause 22.05 Interfaces Uses Policy*

169. This policy applies to all development and use applications and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.
170. It is policy that:
- (a) *New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings; and*
  - (b) *New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.*
171. Decision guidelines at clause 22.05-6 include:
- (a) *Before deciding on an application for residential development, Council will consider as appropriate:*
    - (i) *The extent to which the proposed dwellings may be subject to unreasonable noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses; and*
    - (ii) *Whether the dwellings are designed or incorporate appropriate measures to minimise the impact of noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses; and*
  - (b) *Before deciding on an application for non-residential development, Council will consider as appropriate:*

- (i) *The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties; and*
- (ii) *Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.*

*Clause 22.10 Built Form and Design Policy*

172. The policy applies to all new development not included in a heritage overlay and comprises ten design elements that address the following issues: urban form and character; setbacks and building heights; street and public space quality; environmental sustainability; site coverage; on-site amenity; off-site amenity; landscaping and fencing; parking, traffic and access; and service infrastructure.

*Clause 22.12 Public Open Space Contribution*

173. The objectives of this clause are:

- (a) *To implement the Yarra Open Space Strategy;*
- (b) *To identify when and where land contributions for public open space are preferred over cash contributions; and*
- (c) *To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement.*

174. The subject site is in an area where land in lieu of cash is the preferred method of public open space contribution (area 3066C).

*Clause 22.13 - Residential Built Form Policy*

175. The subject site is identified as being located within a Residential in Grounds (Public Housing Estates) area which is described as *separate enclaves of residential development set in extensive grounds*. This area has the following design elements at Clause 22.13-3.4:

- (a) *Re-connect former public streets through the estate, where safe and practicable;*
- (b) *Redevelop public street frontages with buildings that address the street, including locating front doors and mail boxes on the street frontage where possible;*
- (c) *Overlook the street with windows and attractively designed building frontages;*
- (d) *Maintain line of sight between windows and the street; and*
- (e) *Use front fences that allow views into the site from the street.*

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

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

*Clause 22.17 Environmentally Sustainable Design*

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

## Advertising

178. Formal notice and review requirements are exempted under Clause 52.20-2, however, pursuant to Clause 52.20-4 the following is required before the use or development commences:
- (a) *Public consultation, and consultation with the relevant municipal council, must be undertaken; and*
  - (b) *A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the responsible authority.*
179. It is understood that during the formal consultation period (26 November 2021 and 16 December 2021) the owners/occupiers of properties proximate of the development site were notified of the proposal via mail.
180. The final consultation report to be provided to the responsible authority as identified above has not been provided to Council, however, the Phase 1 engagement report is available on the Engage Victoria website.
181. This report is dated November 2021 and discusses the findings of earlier engagement on the project, held between late September and early October. The report identified the following key themes of feedback were received:
- (a) *Housing:*
    - (i) *Support for commitments to well designed, sustainable, comfortable and energy efficient new homes;*
    - (ii) *Limit height of buildings on Elizabeth Street;*
    - (iii) *No loss of any public land to private housing;*
    - (iv) *Ensuring no 'two-tier' approach between existing and new housing;*
    - (v) *Seeking additional information regarding overshadowing to the north;*
  - (b) *Safety:*
    - (i) *Reduce stigma around the idea of the precinct being a 'dangerous area';*
    - (ii) *Ensure design avoided using large fences or creating areas that could facilitate unsafe behaviours;*
  - (c) *Open Spaces:*
    - (i) *Better quality open spaces;*
    - (ii) *improved safety and better connections;*
    - (iii) *more hedges, gardens and lower height plants to provide clear visibility and improve safety;*
    - (iv) *avoid fences and use gardens instead to separate areas;*
    - (v) *improvement of open spaces;*
    - (vi) *effective use of green spaces and connect them with playgrounds across the neighbourhood.*
  - (d) *Non-housing spaces;*
    - (i) *integration of housing with the surrounding neighbourhood;*
    - (ii) *opportunities for employment, social enterprise, and more activities;*
    - (iii) *opportunities for multicultural communities to be celebrated in the precinct;*
    - (iv) *parking and building heights, community gardens are important to the multicultural communities;*

- (v) *supportive of the opportunities that could be created by the new design, including:*
  - *creation of small neighbourhoods in the precinct;*
  - *that design and site activation enables a community that defines its own culture;*
  - *the chance to create greater community connections;*
  - *design and activity that has the potential to lift peoples' mental health;*
- (e) *Connection:*
  - (i) *removing the fence around the housing site and having a neighbourhood approach;*
  - (ii) *excited about walking and cycling through the area, using the community garden, and experiencing more integration;*
  - (iii) *supportive of the Big Housing Build in terms of the number of homes; and the linkage with Lennox Street walk up improvements; and*
  - (iv) *eager to see improved connectivity with Victoria Street and placemaking opportunities, such as the lantern festival.*

## Referrals

### External Referrals

182. In accordance with *Clause 52.30-6 Other pre-commencement requirements*, before the use or development commences the following, relevantly, is required to be prepared and submitted to the satisfaction of the responsible authority (the Minister for EECC):
- (a) *If the proposed use or development would require a permit but for the exemption in clause 52.30-3 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.*
183. The Head, Transport for Victoria would have been a determining referral authority for this application, pursuant to the following:
- (a) *In accordance with Clause 66.02-11 of the Yarra Planning Scheme, an application to construct a building or to construct or carry out works for a residential development comprising 60 or more dwellings or lots.*
184. No information has been submitted by Homes Victoria regarding this referral response. Prior to submission of the completed application to DELWP it is recommended that Homes Victoria ensure that this referral requirement is satisfied.

### Internal Referrals

185. The consultation documentation and post consultation documentation received on 26 November 2021 was referred to the following units within Council:
- (a) Urban Design Unit (public realm only);
  - (b) Open Space Unit;
  - (c) Strategic Planning Unit;
  - (d) Streetscapes and Natural Values Unit;
  - (e) Engineering Services Unit;
  - (f) Strategic Transport Unit;
  - (g) City Works Unit;
  - (h) Environmentally Sustainable Design (ESD) Advisor; and



- (i) Social Strategy Unit.

External Consultants

- (j) Acoustic Consultant (SLR Consultants);
- (k) Wind Consultant (MEL Consultants); and
- (l) Urban Design Consultant (Simon McPherson [Global South]).

186. Referral comments have been included as attachments to this report.

## OFFICER ASSESSMENT

187. The primary considerations for this application are as follows:

- (a) Policy and Strategic Support;
- (b) Use of the land;
- (c) Built form and urban design;
- (d) Off-Site Amenity impacts;
- (e) Development Standards for Dwellings and Buildings;
- (f) Development Standards for Apartments;
- (g) Car parking and traffic;
- (h) Bicycle facilities and strategic transport;
- (i) Construction management; and
- (j) Potentially contaminated land.

### Policy and Strategic Support

188. Clause 52.20 Victoria's Big Housing Build has been implemented to streamline and prioritise social and affording housing developments in order to support economic recovery and the boost Victoria's social housing supply by 10 per cent. This clause applies to the use or development of land that is:
- (a) Funded wholly or partly, under Victoria's Big Housing Build program; and
  - (b) Carried out by or on behalf of the Director of Housing.
189. Whilst the proposal is exempt from the Scheme requirements under the clause 52.20 pathway, subject to conditional confirmation of the above items, the responsible authority (the Minister for EECC) must consider a submission prepared by Homes Victoria that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59. As such, an assessment of the proposal against state and local policy is required.
190. The proposed development has strong strategic support at State and local level for the construction of social and affordable housing. The subject site is located within the GRZ, that includes a key purpose *to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport*.
191. Consistent with the zone, the use of the land for dwellings would not require a planning permit. The ground floor non-residential spaces will be discussed further, later in the report.
192. The site is well documented within local policy as being a strategic redevelopment site (Clause 21.08-5), with clause 21.04-1 identifying that higher density residential development are to be accommodated within strategic redevelopment sites. In direct support of the proposal, Clause 21.04-1 specifically supports the provision of affordable housing for people of all abilities in particular, in larger residential developments and on strategic redevelopment sites.



193. The proposal achieves a high level of compliance with the above with the subject site is well placed to accommodate increased housing growth.
194. As identified within Clause 21.02, Yarra has the highest number of residents in public housing per capita in Victoria with 10.5% of the population in public housing. Furthermore, the clause identifies that 85% of the additional housing growth to be accommodated within Yarra, as envisioned within Melbourne 2030, is to be provided on strategic redevelopment sites.
195. At a State level, Clause 16.01-2S encourages an increased supply of well-located affordable housing by facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts. Whilst no private housing is provided within this proposal, it is considered that the delivery of 144 social and affordable dwellings is well located in proximity to various services, activity centres and public transport options.
196. Furthermore, the proposed design and siting of the two buildings with a central open space area generally continues to meet the built form character of public housing estates as identified within Clause 21.01 of the municipal profile, which identifies housing estates as providing a contrasting built form character of apartment buildings set in landscaped grounds.
197. In respect of Amendment C269, the proposal would achieve a high level of compliance with the following objectives proposed within clause 16.01-4L (Housing Affordability):
- (a) *To facilitate the provision of affordable housing for key workers and social housing (public and affordable community housing), including new social housing and upgrades to existing social housing; and*
  - (b) *Support the provision of new public housing and upgrades to existing social housing (includes public housing).*
198. Having regard to the above, the proposed re-development of the site for the provision of social and affordable housing is considered to have strategic planning support, however regard must be had to the off-site amenity impacts and the appropriate scale of the proposal, based on the individual context and constraints of the land. This aspect will be discussed further, later in the report.

#### Use of the land

199. The General Residential Zone (GRZ) includes a key purpose *to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*
200. As previously identified, there are two non-residential spaces proposed at the ground floor level, as follows:
- (a) Building 1 – 210sqm within the ground floor north-western corner; and
  - (b) Building 1 – 156sqm within the ground floor south-western corner.
201. All of the above spaces are notated on the plans as being 'Non-Housing Use.' Whilst Council officers requested that the use be finalised with details provided, no details have been provided by Homes Victoria.
202. In accordance with *Clause 52.30-6 Other pre-commencement requirements*, before the use or development commences the following, relevantly, is required to be prepared and submitted to the satisfaction of the responsible authority (the Minister for EECC):
- (a) *A description of the proposed use including:*
    - (i) *The activities that will be carried out; and*
    - (ii) *The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.*

203. The above has not been provided to Council for their consideration.
204. The following information is included on the Engage Victoria website for the proposal:
- (a) *opportunities for employment, social enterprise, and more activities; and*
  - (b) *Opportunities for multicultural communities to be celebrated in the precinct.*
205. It is clear that the proposed use of these spaces is currently unresolved.
206. Clause 32.08-13 of the GRZ contains the following decision guidelines for non-residential uses and development:
- (a) *Whether the use or development is compatible with residential use;*
  - (b) *Whether the use generally serves local community needs;*
  - (c) *The scale and intensity of the use and development;*
  - (d) *The design, height, setback and appearance of the proposed buildings and works;*
  - (e) *The proposed landscaping;*
  - (f) *The provision of car and bicycle parking and associated accessways;*
  - (g) *Any proposed loading and refuse collection facilities; and*
  - (h) *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*
207. The relevant policies of the Discretionary Uses in the Residential 1 Zone at Clause 22.01-3 are as follows:
- (a) *It is policy that:*
    - (i) *Existing buildings constructed for non-residential purposes are the preferred location for non-residential uses;*
    - (ii) *Food and drink premises, places of assembly, places of worship and plant nurseries should have access to and adjoin a road in a Road Zone;*
    - (iii) *Except on land adjoining and gaining direct access from a road in a Road Zone:*
      - *all required car parking should be on-site;*
      - *the scale of the proposed use should be compatible with providing service to the local residential community;*
    - (iv) *New buildings and works should be consistent with the scale, bulk and character of the area;*
    - (v) *Hours of operation should be limited to 8am to 8pm except for convenience shop; and*
    - (vi) *Noise emissions should be compatible with a residential environment.*
208. It is clear from the above that insufficient information has been provided for Council to undertake an assessment of the proposed non-residential uses.
209. As such, in lieu of information regarding the proposed type of use, hours and operation of the use it is recommended that an operational management plan and acoustic report be provided addressing the items discussed above.
210. Council's Social Strategy Unit also raised concern with the lack of information provided on the non-residential use spaces, recommending that the uses be available to be accessed by the entire surrounding community to ensure that the project objectives of improving opportunities for integration and interaction are met. Information on this aspect can also be requested to be provided within the Operational Management Plan.
211. Conditions should also require the uses to be finalised and shown on the plans, with the hours of operation limited to 8am to 8pm in accordance with the requirements of clause 22.01. The following standard conditions should also be included:

- (a) *The provision of music and entertainment on the land must be at a background noise level;*
- (b) *Speakers external to the building must not be erected or used;*
- (c) *The amenity of the area must not be detrimentally affected by the use or development, including through:*
  - (i) *the transport of materials, goods or commodities to or from land;*
  - (ii) *the appearance of any buildings, works or materials;*
  - (iii) *the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or*
  - (iv) *the presence of vermin; and**to the satisfaction of the Responsible Authority.*
- (d) *The use and development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).*

212. In terms of the proposed buildings and works associated with the non-residential uses, given they are part of a larger building predominately for dwellings this will be discussed in the next section of the report. Similarly, waste requirements will also be discussed holistically later in the report. In regard to car parking requirements, traffic and bicycle parking will be discussed further, later in the report.

#### Built Form and Urban Design

213. It is pertinent that an assessment based upon the decision guidelines of the General Residential Zone at clause 32.08-13 and State and local planning policy at clauses 15.01-2 – Urban design principles; 21.05 – Urban design; 22.05 – Interface Uses Policy and 22.10 – Built form and design policy in addition to the relevant requirements of clause 52.20 – Victoria's Big Housing Build be undertaken.
214. All of the provisions and guidelines support development that responds to the existing or preferred neighbourhood character. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationship to nearby buildings.
- Height, scale and massing of the development*
215. The proposal as it presents to Elizabeth Street includes two buildings varying in scale between 7 and 8 storeys. The buildings then scale down to the north reducing to 5 and 4 storey. This is demonstrated within the below massing diagram:



Image: Building 1 and Building 2

Source: Documentation provided by Homes Victoria

216. This scale of the proposal is taller than adjoining developments to the west being the 3 storey walk up flats, but will be substantially lower in height than the existing high rise residential towers located to the south. To Elizabeth Street, the proposal will be two storeys taller than the more recently constructed 6 storey buildings to the north and east.
217. Council's external Urban Designer describes the context of the site as *'The area does not have a strongly defined built form character from my reading, but is highly varied and diverse, but generally visually robust in materials and configurations. The presence of green space between buildings is a clear aspect of the character, even if these spaces are underutilised and lacking in spatial definition and amenity'*.
218. The broader site is currently undergoing a masterplan process which is consistent with the sites identification as a strategic redevelopment site, there is no doubt that built form change will occur within this precinct.
219. With regard to policy direction under the Scheme, clause 21.05 – *Urban Design* contains Objective 17: *to retain Yarra's identity as a low-rise urban form with pockets of higher development.*
- (a) Strategy 17.2 reads as follows:
- Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*
- (i) *Significant upper level setbacks;*
  - (ii) *Architectural design excellence;*
  - (iii) *Best practice environmental sustainability objectives in design and construction;*

- (iv) *High quality restoration and adaptive re-use of heritage buildings;*
- (v) *Positive contribution to the enhancement of the public domain; and*
- (vi) *Provision of affordable housing.*

220. The site is designated as a strategic redevelopment site and therefore the above provides a benchmark against which the assessment of a permit application for a development of height above 5 – 6 storeys can be assessed against.
221. In terms of item (i) as listed above, the proposal provides setbacks around the proposed buildings. Whilst the upper levels do not adopt significant setbacks from the lower levels in a traditional sense, Council's external Urban Designer identifies that this design approach is consistent with existing built form.
222. The new buildings continue to provide a campus style development, where the buildings are set into the landscape adopting generous setbacks to the surrounding streets. This reduces the visual impact of the development, meeting the following relevant decision guideline of the GRZ3:
- (a) *Whether opportunities exist to avoid a building being visually obtrusive through the use of alternative building designs, particularly for developments with overall building heights in excess of 9 metres.*
223. Council's external Urban Designer was also complementary of the height, commenting that the overall height of up to eight storeys is acceptable for the following reasons:
- (a) *Existing contemporary buildings to the east and north which provide a suitable precedent for further mid-rise development in this precinct;*
  - (b) *Extensive space around/between buildings, and substantial street setbacks;*
  - (c) *Highly diverse built form context/character in this locality;*
  - (d) *Presence of much higher built form nearby; and*
  - (e) *7 – 8 levels (as proposed) is 'moderate mid-rise scale'.*
224. It is therefore considered that item (i) is met. In regards to (ii), (iii) and (v), these items are all considered to have been met and will be discussed later in the report. There is no existing heritage on site and as such item (iv) is not relevant to the proposal. As the development is exclusively for social and affordable housing it is considered that item (vi) is met.
225. It is considered that the proposed design response has considered all site constraints and opportunities, providing an overall height that will be complementary to the existing housing stock on site and making efficient use of the available area.





Image: Elizabeth Street View

Source: Documentation provided by Homes Victoria

### *Massing*

#### *Podium*

226. A true podium in the sense of definition between lower levels and upper levels being setback is not proposed by the application. The use of red brick as a defined edge to the buildings is wrapped around all buildings at varying heights creating a sense of a podium. This expression is supported by Councils external Urban Designer who concludes that: *'this provides a visual reference to a street wall and low-scale 'domestic' interface, and references the adjacent 3-storey brick buildings to the west'*.
227. This design response is considered acceptable.

#### *Building 1*

228. The massing of Building will be prominent from Elizabeth Street over the area of open space. The building will present a portion at 7 levels to the corner reducing to 5 storey as it interfaces mainly with the open space area.
229. The predominant frontage to the park will be occupied by one of the 'non housing use' spaces which will activate this area and hopefully provide a connection between the two spaces.
230. As outlined above, the upper levels of Building 1 are expressed in concrete with a series of windows and balconies with these interfaces contributing to passive surveillance.



*Image: Open Space View*

*Source: Documentation provided by Homes Victoria*

231. The proposed stepping down to the south by two storeys is welcomed and provides a built form transition to acknowledge the proximity of the second open space to the south of the site and the lower 3 storey form to the west.
232. No documentation has been submitted with this application but through the master planning discussions for the broader precinct, it has been suggested that better connections through to Victoria Street may be possible through this southern open space area. The rear of Building 1 has appropriately responded to this by providing an entry point from Cooke Court, scaling the development down in acknowledgement of this sensitive interface and ensured passive surveillance at the upper levels.



*Image: Open Space View (rear of Building 1)*

*Source: Documentation provided by Homes Victoria*



233. The massing of Building 1 is considered to be contextual to its surrounds.

*Building 2*

234. Building 2 is in part the tallest built form proposed on site being 8 storey at the intersection of Elizabeth Street and Lewis Court reducing in scale to 4 storey to the rear.



*Image: Building 2 (view Elizabeth Street and Lewis Court intersection)*

*Source: Documentation provided by Homes Victoria*

235. The scale relationship between the proposal and the neighbouring 6 storey building sits comfortably in the street while acknowledging a two storey transition in scale.
236. To the rear of the site where the building is reduced to 4 storey, a softer interface is presented with the abutting residential apartments separated in both instances by Lewis and Cooke Court.
237. The sheer walls are modulated through the use of windows and varying balustrade treatments including solid concrete or open metal treatments provide good passive surveillance to these publicly accessible areas.



*Image: Building 2 (Lewis Court view)*

*Source: Documentation provided by Homes Victoria*

*Architectural Quality*

238. The development is considered to be of high architectural quality and in that regard responds to the design objectives clauses 15.01-2 and 22.10-3.4. The contemporary design is appropriate and responds well to this part of Richmond. Council's external Urban Designer was complementary of the proposed architectural design and quality, making the following assessment:
- (a) *As outlined above, the facades are necessarily robust and relative simple in their expression, but effectively combine several elements and materials, including:*
    - (i) *Solid concrete balustrades to form horizontal banding;*
    - (ii) *Open metal palisade balustrades for more open expression;*
    - (iii) *Arched palisade screens which create a sense of depth or layering in the facades;*
    - (iv) *Vertical alignment or banding of windows, balconies and materials;*
    - (v) *Brickwork to lower levels, with concrete walling above, to reflect a 'street wall' element;*
    - (vi) *Double-height rectilinear 'arch' openings in the brickwork component at Ground Floor and Level 1;*
    - (vii) *Extensive glazing for visual 'openness' and access to daylight.*
  - (b) *These elements create an effective and responsive composition which references traditional mid-rise 'European' residential buildings. The facades generally appear welcoming, 'homely' and considered;*
239. Council's external designer, however, has expressed concern with the expression of the southern elevation of both buildings 1 and 2 namely in the 'austere presentation of the upper levels.



*Image: Elizabeth Street View (upper levels)  
Source: Documentation provided by Homes Victoria*

240. The advice suggests:
- (a) *The Elizabeth Street (south) frontage, however, which is the most publicly visible, has a distinctly more robust and rectilinear expression than the other facades, it lacks any arched expression or screening, and contains extensive concrete cladding at the upper levels.*
241. Following on the recommendation is for a condition to be included on any approval that would require the visual softening in the upper levels of Buildings 1 and 2, in keeping with the other facades, and to reduce the visual severity of this façade's expression.

242. Additionally the advice similarly suggests for the courtyard elevations:

- (a) *The communal courtyard elevations are also more austere in their expression, but contain a limited extent of arched screens to balconies in vertical bands. While there would be benefit in further articulating and 'softening' these internal courtyard facades, in response to the landscape design for the courtyard, I consider the presentation to be acceptable.*



Image: Elevation North Courtyard

Source: Documentation provided by Homes Victoria

243. While concluding that the above presentation is acceptable, a condition on any approval granted should include a requirement to soften the internal elevations to better respond to the landscape courtyard and to improve the visual amenity of the future occupants.
244. Not all of the proposed materials are labelled on the plans, and a detailed materials legend with images is not provided. Some materials as shown on the elevations are not clear when reference is made to the materials legend and as such a condition should require the detailed building elevations to be updated to nominate the proposed materials of the building.
245. Whilst the proposed external materials schedule provided an indication of the different materials and finishes proposed throughout the design, it is considered that the descriptions of each material is too broad. A façade strategy and materials and finishes schedule is to be submitted via condition to demonstrate:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid and upper level facade details;
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample schedule and coloured drawings outlining colours, materials and finishes specifying; and
  - (e) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This is to be provided through montages and renders from various vantage points.
246. This will ensure that the materials to be utilised for the development are reviewed prior to construction, with higher degree of detail provided to ensure they are of a high architectural quality in accordance with the plans submitted to date.

#### *Landmarks, Views and Vistas*

247. It is policy at clause 15.01-2S of the Scheme that important landmarks, views and vistas be protected or enhanced. The impact on long range views and vistas are only relevant where they form part of an identified character of an area (within planning policy) and typically apply to landscapes or natural features. This is not the case here.



248. Clause 21.08-5 specifies that a built form strategy of clause 21.05 includes: *maintain the visual St Ignatius Cathedral, Church Street Richmond.*
249. The proposed development does not compete with any identified landmarks given its location and is an acceptable response to the local policy direction under clause 22.03-4 of the Scheme.
- Light, Shade and Public Realm*
250. This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. In this respect, the proposal represents a significant improvement in streetscape, public space quality and perceived safety.
251. The Built form Character Map, North Richmond (Figure 22) of clause 21.08-5, identifies that the following built form outcomes are encouraged for the Richmond Housing Estate:
- (a) *Re-connect former public streets through the estate, where they have been closed; and*
  - (b) *Redevelop public street frontages with buildings that address the street, including location front doors and mail boxes on the street frontage where possible.*
252. Council is supportive of the construction of the proposed buildings and support the location of entries from all frontages. Through the activation of the ground floor to the open space area, and pedestrian entries to all frontage, the buildings will provide interaction at street level.
253. In respect of the improvements along each frontage, Councils internal Urban Design Unit and Strategic Planning required the following changes to the application to improve the sites broader connectivity with the precinct:
- (a) *Amendment C291 has identified this Elizabeth as a 'Green Street' where planting and landscaping should be encouraged this includes setback areas but also greening of buildings;*
  - (b) *Impact of shadowing of to the southern side of the footpath to Elizabeth street should be minimised;*
  - (c) *Identified future pedestrian links should be shown on plan, the siting and design of the proposal should account for the potential future link connecting Williams/Cooke Court with Victoria Street;*
  - (d) *Visual and physical connections between entrances and internal courtyard spaces could be improved to ensure welcoming and safe spaces;*
  - (e) *Consider locating a shared space to Cooke Court to further activate this space;*
  - (f) *Landscape plan to include existing streetscape features;*
  - (g) *Elizabeth Street footpath to be reinstated with all existing redundant cross overs to be removed and footpath, kerb and channel reinstated;*
  - (h) *A continuous footpath should be provided with adequate width and safety features (sight triangles) to ensure pedestrian safety;*
  - (i) *To Williams Court confirmation of trees to be retained and retention of all other public realm infrastructure including bins, seating and bicycle hoops), opportunity for improved function and amenity of these spaces through design;*
  - (j) *Seating along street frontages is supported, raised planters provide an opportunity for integrated seating with backrests and armrests; and*
  - (k) *Integration of public lighting and an overarching lighting strategy.*
254. These recommendations are all supported by the officer and will form conditions on any approval granted.

255. Council's Social Strategy Unit was critical of the proposed design, identifying that the proposed wayfinding through the site was unclear with restricted permeability through the site due to restricted sightlines. The Unit has concern with the location of the central courtyards commenting that this is concealed from the public realm and advising that *this poses a concern from a safety perspective*.
256. Council's external Urban Designer reviewed the site organisation and built form siting. In response to this concern, the Elizabeth Street entry is about 4.9m wide (scaled off the plans), when compared to the northern entry that has a width of about 9.0m wide, narrowing to 7.6m wide where the balcony encroaches. While the Elizabeth Street entry is narrower the advice is that given this is private entry and publicly accessible that design of this entry that provides sense of enclosure and protection from the south (including winds) for the courtyard is appropriate.
257. While officers generally accept this position, it is reasonable to improve sightlines for this entry by splaying the corners to the entry to provide a sense of openness while not impacting too greatly on the apartment layouts of the dwellings either side the entry. This should form a condition on any approval given.
258. Council's external Urban Designer has reviewed the ground floor frontages and is satisfied with the planning of these spaces:
- (a) *The Ground Floor frontages contain a combination of residential dwellings with balconies, non-residential spaces facing west, building entrances, and internal bicycle storage areas;*
  - (b) *The vehicle entrance and building services are consolidated in the east frontage to Cooke Court. This supports an appropriately high extent of active frontage across the four external interfaces of the development;*
  - (c) *The positioning of Ground Floor level at 1.4m above existing ground level, together with landscaped buffers along the frontages, provide an appropriate extent of separation and privacy for Ground Floor dwellings. The solid balustrades also support visual separation at Ground Floor, while the north-facing dwellings have higher front walls with curved profiles;*
  - (d) *I note that Ground Floor balconies and windows do not incorporate security screens or similar devices. I recognise that these interfaces reflect functional requirements, but I consider the proposed conditions appropriate from an urban design perspective, in balancing privacy and separation, with opportunities for passive surveillance and visual interaction with the public realm;*
  - (e) *The entrance gates to the communal courtyard are in steel palisade fencing with curved profiles. Together with the expression of arches in the east and west façades, and the inverted-arch front fences to the north frontage, these support visual softening and a 'domestic' or residential expression at the lower levels, and reference the arches in the neighbouring buildings to the north and east;*
  - (f) *The Ground Floor bicycle storage spaces have frontages combining clear glass and open 'hit and miss' brickwork, providing opportunities for visual interaction and 'light spill' to the outside; and*
  - (g) *The renders indicate that the southern 'non-residential space' will incorporate flexible canopies extending out from the façade, which provides a softer interface and opportunities for shading the west.*
259. The floor plans do not show the canopies and a condition will be included to show these on plans and elevations.
260. In terms of light and shade, the shadow diagrams submitted indicate that parts of the southern footpath of Elizabeth Street would be in shadow for most of the day clearing at about 2PM onwards.

261. Shadowing of the footpaths immediately outside of the subject site's boundaries are considered acceptable and a common occurrence. It would be difficult for any building of height to not result in additional overshadowing of the adjacent footpaths.
262. It is considered that the proposed overshadowing is acceptable, with regard to the immediate emerging built up context along the Elizabeth Street. Given the sites orientation, the buildings already being setback and the proposed landscape improvements to streetscape this is considered to be acceptable.
263. No issue was raised with off-site overshadowing by Council's internal or external Urban Designers.
264. Lastly, Objective 5.1.4 of the UDGv requires new buildings, albeit within activity centres, to minimise adverse wind effects. The application was accompanied by a desktop wind assessment prepared by Vipac Engineers and Scientists (Vipac), who provided the following summary of findings:
- (a) *Wind conditions in the ground level footpath areas and accessways would be expected to be within the walking criterion;*
  - (b) *The main entrances would be expected to be within the standing comfort criterion; and*
  - (c) *The terrace and balconies would be expected to be within the recommend walking comfort criterion. Additional recommendations were made if a more stringent wind criterion was desired.*
265. Vipac also recommended that a wind tunnel test be conducted to quantify the wind conditions and determine wind control measures wherever necessary.
266. Council's Wind Consultant (Mel Consultants) reviewed the proposal and generally agreed with the predictions and conclusions made, raising the following concerns:
- (a) *The Vipac desktop assessment identifies the approximately 6 level development on the north side of Williams Court and other buildings to the east would provide shielding for the northeast and east wind directions and MEL Consultants agree with the assessment of the shielding. We also agree it would have exposure to the southwest wind direction and, as Figure 9 indicates, the northerly wind directions around the west end of the building to the north. Vipac have identified that there will be adverse wind conditions at a number of locations, but have missed the north and south wind flow between Buildings B1 and B2. This narrow gap between the building would be expected to accelerate the wind flow and create adverse wind conditions in the area and adjacent to the entrance Vipac identified in Figure 8. Vipac's expectation of the walking comfort criterion in the public areas would be reasonable due to the comfort criteria being based on average tolerable wind conditions. We agree the wind flow within the development is complex and should be investigated by a wind tunnel model study, but we recommend the study should not be delayed until the Detailed Design stage of the development. The significant number of locations of concern identified by Vipac and the likely expectation of better than walking comfort wind conditions in the central courtyard, indicates the project should be wind tunnel tested during the planning stage; and*
  - (b) *Vipac have noted that the ground floor is very open and porous allowing air movement throughout the development. They further note the proposed features and air-locks at the southern and eastern entrances. Vipac assess the wind to pass through these openings in excessive for residents to feel unreasonably uncomfortable, but have not assessed the wind conditions against a comfort criterion. The air-locks use sliding style doors that have a separation of approximately 3m, which would be expected to cause the air-lock doors to be open simultaneously as pedestrians transit the area. The simultaneous opening of the air-lock doors results in the air-lock being ineffective for mitigating wind flow through the entrances. Therefore, MEL Consultants would be concerned that the wind conditions would not satisfy the standing criterion that would be targeted for lobby/entrance areas.*

267. It is acknowledged that Council's Wind Consultant advised that given the issues raised above, that a wind tunnel test should be undertaken prior to the grant of a permit and not as a condition. It is considered, however, that this should form a condition, with the plans required to be updated if any changes to the built form are required as this is different approvals process. Any updated plans would be required to be reviewed for compliance prior to endorsement and as such this approach is considered reasonable.
268. This is considered to be the best approach, considering that the wind mitigation measures proposed within the Vipac report require confirmation prior to being shown on the plans.
269. Conditions should require the above to be identified and addressed.
270. Lastly, Vipac recommends that the outdoor terraces/balconies achieve standing criterion, however, the discussion within the report identifies that walking criterion is expected to be achieved. The Vipac report also shows that walking criterion has been sought to be achieved for the communal open space areas which are intended to support a high level of recreational activities. The report prepared by Vipac also includes vague statements recommending porous high level screening without specifying where and how high.
271. With regard to the intended dwelling use of the private balconies and communal open space areas, it is considered that the development should meet sitting levels, rather than walking, within these spaces.
272. Wind impacts on a rooftop communal space were considered recently by the Tribunal in *SMA No. 17 Pty Ltd v Yarra CC* [2020] VCAT 1364. In that case, the Tribunal found:

*The key concerns relating to the wind impacts are in respect of the rooftop communal open space area. The evidence is that walking criterion is an acceptable outcome for this area. The Council does not agree, arguing that sitting criterion should be achieved.*

*The rooftop space is an important area and will make a notable contribution to residents' amenity given its size, proportions, landscaping, opportunity for views and solar access. It will provide an attractive option for occupants and their visitors as an alternative to the individual balconies.*

*According to the evidence, it is possible to create areas within the rooftop communal open space that achieve the sitting criteria, with reference being made to the use of vegetation and screens. We consider that an acceptable outcome would be achieved by ensuring that the designated sitting area (comprising a table and seating) is designed to meet the sitting criterion in order for occupants to experience comfortable conditions while in this part of the rooftop open space. This outcome would be conducive to the intended use and provide an acceptable level of amenity to encourage residents to occupy this area.*

273. The above case directly discusses wind impacts to communal areas and demonstrates that the communal areas should be afforded greater wind comfort. Furthermore, it is considered that private areas are worthy of the same, if not greater, protection to allow for acceptable amenity. Conditions will require this to be provided.

#### *Site Coverage*

274. No information has been submitted by the application, however it appears that the level of site coverage proposed complies with the maximum of 80 percent as directed by clause 22.10-3.6.

#### *Landscape architecture*

275. The proposal includes a landscape schematic design prepared by Oculus (no date). As outlined in the Open Space referral, there is insufficient information to assess the landscaping for this development.
276. Based on this lack of information, in lieu of comments regarding the concept, Council's Open Space Unit have suggested the following information be submitted:

- (a) *Show the type, location, quantity, height at maturity and botanical names of all proposed plants;*
- (b) *strongly recommend the surface material under the playspace area is reviewed. Currently the surface proposed is turf. The material under play equipment must meet required Australian Standards for impact attenuation. The play equipment must also meet relevant Australian Standards.*
- (c) *Detail showing the raised planting areas, dimensions and growing media and irrigation and drainage; and*
- (d) *Maintenance requirements (schedule) including tasks and duration.*

277. A full landscape condition should be included on any approval granted.

278. In regards to tree removal, Council's Compliance Unit have previously confirmed that no permit is required to be obtained pursuant to Council's General Local Law for the removal of any trees from the site, as follows:

- (a) *Significant Tree permits issued under the General Local Law are only issued to private land owners (individual or company) who have trees contained on their land which fit the description of a Significant Tree. 240 Wellington Street, Collingwood is listed under the ownership of Department of Health and Human Services (State Government owned) and therefore they are exempt from the requirement of gaining local government approval to prune or remove trees on DHHS property.*

279. The same would apply to the subject site and this too is in the ownership of Department of Health and Human Services (State Government owned) and therefore are exempt from the requirement of gaining local government approval to prune or remove trees on DHHS property.

280. The Arboricultural Assessment and Report, prepared by Treelogic (Executive Summary) dated 11 November 2021 should be updated to recognise this, as it incorrectly states a permit pursuant to Council's General Local Law is required.

281. As previously identified, no permit is required for tree removal pursuant to clause 52.17 (native vegetation) as the vegetation to be removed is planted vegetation.

282. Council's Streetscapes and Natural Values Unit have raised no concerns with regards to buildings and works in proximity to street trees. The Unit are satisfied with the proposed tree protection measures, commenting that the Arboricultural Assessment and Report, prepared by Treelogic dated 10 June 2021 and Executive Summary dated 11 November 2021 includes satisfactory tree protection measures for Council street trees.

283. This report also includes tree protection measures for the retained trees on site to ensure compliance with Australian Standard AS4970 'Protection of trees on development sites. The report does not include specific tree protection measures to ensure the viability of all retained trees. As such, a further condition should require the report to be updated to include specific tree protection measures for all retained trees.

284. A further condition of permit will therefore require the development to comply with the requirements of this report.

#### Off-Site Amenity Impacts

285. The relevant policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) and the decision guidelines of the GRZ3. As the site surrounds description identifies, there are dwellings located directly abutting the subject site to the east at No. 36 Vere Street and within the existing high rise residential tower within the south-west corner of the site. Dwellings are also located on the opposing side of Emerald Street to the east and Perry Street to the north.

286. The decision guidelines at Clause 22.05-6 specify that Council should consider (as appropriate):



- (a) *The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.*

287. The GRZ3 includes a decision guideline for the amenity impact on surrounding land uses to be considered.

*Noise*

288. Homes Victoria submitted an acoustic report to address noise impacts from the proposal on surrounding residential properties, as well as the residences within the development. Council's Acoustic Consultant In respect of noise generated from the non-residential uses, as previously discussed a separate Acoustic Report will be required to assess noise from these tenancies. Given no information has been provided on the intended future use this is considered reasonable to protect the surrounding residential amenity.

289. In respect of noise impacts from other sources, such as mechanical noise, car park entrance, this will be discussed further later in the report under clause 52.20-7.7 Noise impacts. In assessing noise to the proposed apartments it is considered that noise impacts to the surrounding area would also be addressed.

*Overshadowing and daylight to existing windows*

290. Applicable to the application, clause 52.20-6.12 overshadowing open space requires:

- (a) *Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September; and*
- (b) *If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.*

291. The proposed shadow diagrams show that no significant shadowing impact to the neighbouring residential building will occur with shadow falling on this building from 3PM onwards.

292. Consideration must also be given to the impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

293. A review of aerial imagery indicates that where existing rooftop solar energy facilities exist on the adjoining residential building they are located to the far east and would not be impacted.

294. In respect of daylight to existing windows, *clause 52.20-6.10 daylight to existing windows requires the following:*

- (a) *Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot; and*
- (b) *Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.*

295. The development meets (a) referenced above due to the setbacks provided to the adjoining buildings.

296. In respect of (b), the development includes 3 interfaces with habitable room windows being:

- (a) Building 2 east interface;
- (b) Building 2 north interface; and
- (c) Building 1 west interface.

297. Considering each interface in turn:

- (a) Building 2 interface to the east presents a maximum building height of 30.9 metres to the top of the plant and is separated from the habitable room windows by Cooke Court and setback approximately 20+ metres, this interface complies;
- (b) Building 2 interface to the north presents a maximum building height of approximately 16 metres (no dimension) and is separated from the habitable room windows by Williams/Cooke Court and setback approximately 12+ metres, this interface complies; and
- (c) Building 1 interface to the west presents a maximum building height of approximately 24 metres (no dimension) and is separated from the habitable room windows by a large open space area setback approximately 25+ metres, this interface complies.

*Fumes and air emissions, light spillage*

298. Given the nature of the proposed buildings, the majority of the floor area is enclosed and the use conducted indoors (with the exception of the outdoor balconies associated with the individual dwellings at varying levels). The proposed dwelling use does not require a planning permit in the GRZ and would not result in unreasonable air emissions nor light spill beyond what would typically be expected from a dwelling use.

299. In respect of the non-residential uses, these spaces are enclosed with the uses conducted indoors. As previously recommended, a condition will require the uses to operate between 8am and 8pm, limiting potential for adverse air emissions and light spillage.

*Visual bulk and overlooking*

300. In regards to visual bulk impacts, the most sensitive interface are the dwellings directly to the east and north. It is considered that within this built form context, with the site and overall Richmond Housing Estate forming part of a strategic redevelopment site, views from windows and open space areas to built form is not an unreasonable expectation.

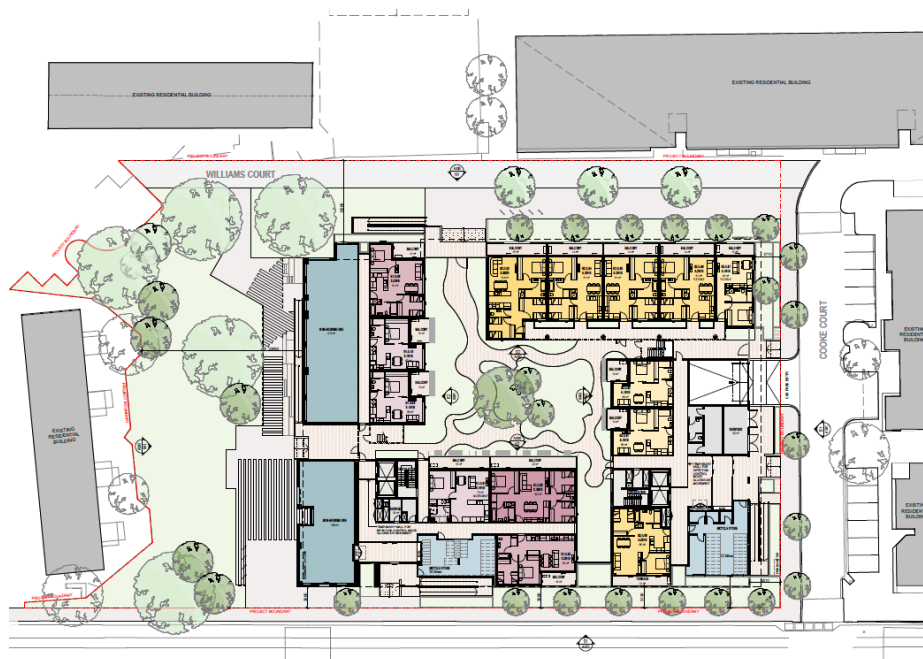


Image: Ground floor plan

Source: Documentation provided by Homes Victoria

301. Whilst views of the proposal will be possible, the separation distance far exceed any overlooking distances and is considered there are no off site amenity impacts from an overlooking or visual perspective.

*Equitable Development*

302. It is an accepted principle (that upper level setbacks where a common boundary is shared should *be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.*
303. It is clear that the proposed setbacks of Buildings 1 and 2 meet the above requirement, with setbacks to all boundaries exceeding 4.5 metres.

Development Standards for Dwellings and Buildings

304. The following clauses have been considered within the preceding section of this report, under 'Off-Site Amenity impacts:'

1. *Clause 52.20-6.10 Daylight to existing windows;*
2. *Clause 52.20-6.12 Overshadowing open space; and*
3. *Clause 52.20-6.13 Overlooking.*

305. The remaining clauses are assessed with regards to the plans in detail below:

*Clause 52.20-6.1 Infrastructure*

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

*Clause 52.20-6.2 Street Setback*

307. Where there is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner, a building is required to be setback the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.
308. Buildings 1 and 2 are setback 3 metres from Elizabeth Street and proposes landscaping including the planting of 7 trees within the setback.
309. Council's external Urban Designer reviewed the proposal street setbacks, commenting that they were acceptable.

*Clause 52.20-6.3 Permeability*

310. The clause requires the site area covered by pervious surfaces to be at least 20 per cent of the site. No documentation has been provided outlining this information, a condition will require compliance with this clause.

*Clause 52.20-6.4 Safety*

311. All residential entrances would be visible. Whilst the buildings adopt generous setbacks from these streets, the entrances would not be obscured or isolated from these streets. A condition has been included to improve the entrance from Elizabeth Street to provide greater visual connection between the central courtyard and the street.
312. In addition to the lighting plan required via condition for the communal areas as previously discussed under public realm, light and shade, a condition will require adequate lighting be provided to all pedestrian and vehicular entrances. The requirements of the clause are met.

*Clause 52.20-6.5 Access*

313. This clause requires the width of an access way or car parking space that fronts an existing street to not to exceed 33% of the street frontage, with no more than a single-width crossover provided for each dwelling fronting a street, and encourages the retention of on-street car parking spaces.
314. This clause does not necessarily apply to this application as the access point is from a private road. With a double-width crossover approximately 6 metres in width meets the requirements of the clause.

*Clause 52.20-6.6 Parking location*

315. A single basement car park is proposed to be accessed via Lewis Court. Access from the basement is proposed via lifts/stairs with a separate stand-alone set of stairs and lift providing a central connection to each Building 1 and 2. The parking provided is therefore considered to be conveniently located.
316. The GRZ3 requires consideration of the layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking. This aspect was reviewed by Council's external Urban Design Consultant who provided the following assessment:
- (a) *The location of car parking within basements below both buildings is strongly supported, recognising that this approach is likely to be more costly than above-ground parking. Basement parking reduces the building mass, and maximises opportunities for activation and passive surveillance at the lower levels of the buildings, as well as for useable outdoor space.*

*Clause 52.20-6.7 Car Parking*

317. This clause provides car parking requirements for dwellings, design standards for accessways, car parking spaces, gradients, mechanical car parking (not relevant), urban design, safety and landscaping in relation to car parking areas. These aspects will be discussed later in the report, under 'Car Parking and Traffic.'

*Clause 52.20-6.8 Side and rear setbacks*

318. Homes Victoria has previously advised that it was implied in the exemption outlined in the 'pre-commencement requirement' (Clause 52.20-5) that an apartment development is not required to meet the requirements of this clause.
319. This is considered reasonable, with the building height, massing and setbacks previously discussed and deemed to be acceptable earlier in this report.

*Clause 52.20-6.9 Walls on boundaries*

320. To meet the clause, any new wall constructed on the boundary should not abut the boundary for a length more than 10m plus 25 per cent of the remaining length of the boundary of an adjoining lot or where there are existing or simultaneously constructed walls abutting the boundary on an abutting lot, the length of those walls. The clause also includes walls that are located within 200mm of the boundary.
321. No walls on boundary are proposed.

*Clause 52.20-6.11 North-facing windows*

322. The proposed buildings are not positioned within 3 metres of any north-facing windows and as such, the requirements of this clause do not apply to the proposal.

*Clause 52.20-6.14 Noise impacts*

323. Homes Victoria identified previously that it was implied in the exemption outlined in the 'pre-commencement requirement' (Clause 52.20-5) that an apartment development is not required to meet the requirements of this clause.

324. Noise impacts will be discussed further, later in the report under *Clause 52.20-7.7 Noise impacts*.

*Clause 52.20-6.15 Daylight to new windows*

325. This clause provides design standards to ensure adequate access to daylight is provided to new habitable room windows. This clause, however, is conducive to townhouse style development. As such, daylight access to new windows will be discussed further, later in the report under *clause 52.20-7.15 Windows*.

*Clause 52.20-6.16 Private open space*

326. This clause is applicable to a dwelling other than an apartment. As all dwellings proposed are apartments, the private open space provisions will be discussed further, later in the report under *clause 52.20-7.10 Private open space*.

*Clause 52.20-6.17 Solar access to open space*

327. The clause requires private open space to be located on the north side of the dwelling if appropriate and for the southern boundary of secluded private open space to be set back from any wall on the north of the space at least  $(1 + 0.9h)$  metres, where 'h' is the height of the wall.
328. In respect of Building 1, the majority of the dwellings will be oriented to face east or west for the north/south component and for the Elizabeth Street section will face north into the internal courtyard or out to Elizabeth Street. This is considered acceptable and given the generous setbacks to each interface the apartments will receive adequate solar access throughout the day.
329. In respect of Building 2, all areas of secluded private open space areas are located primarily located to the street interfaces with the remainder facing west into the internal courtyard. This is considered acceptable for the reasons previously advanced in support of the design, massing and siting of the proposed buildings.

*Clause 52.20-6.18 Storage*

330. Homes Victoria identified previously that it was implied in the exemption outlined in the 'pre-commencement requirement' (Clause 52.20-5) that an apartment development is not required to meet the requirements of this clause.
331. Regardless, storage requirements for the apartments will be discussed further, later in the report under *clause 52.20-7.11 Storage*.

*Clause 52.20-6.19 Front fence*

332. No front fences are proposed for the development.
333. The ground floor plan indicates that the dwellings will be elevated from the street by 1.4metres affording privacy for the dwellings while also being located behind a 3-metre landscape buffer. This is considered an acceptable outcome.

*Clause 52.20-6.20 Common property*

334. The common property areas within the development are generally clearly delineated and would not create areas which were difficult to maintain into the future. The lobby and vehicle access areas are well conceived, as is the communal outdoor area.

*Clause 52.20-6.21 Site Services*

335. The location of site services is orientated to Cooke Court and would be acceptable, subject to conditions.
336. In respect of mailboxes, no information has been provided, a condition will require them to be shown on plan.
337. Bin and recycling enclosures are provided on each level and within the basement of each building. This will be discussed further, later in the report under *clause 52.20-7.12 Waste and recycling*.



### Development Standards for Apartments

338. The applicant provided apartment types to assist in the assessment of the application against the requirements of clause 52.20-7.

#### *Clause 52.20-7.1 Energy efficiency*

339. Development of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes reduces staff and visitors from relying on private vehicles.
340. Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.
341. Council's ESD Advisor reviewed the SMP and development plans, identifying that there were three items to be addressed.
- (a) *Stormwater tank volume and location on the architectural drawings be consistent with the SMP (2 x 30,000 litres);*
  - (b) *Update roof plan with the finalised PV KW capacity; and*
  - (c) *Details of the energy efficient domestic hot water system.*
342. The following recommendations as simple opportunities to improve the standard of ESD:
- (a) *All suitable and available roof space on Building 1, as well as the remainder of Building 2, have a solar PV array installed of a capacity that generates up the expected annual energy consumption;*
  - (b) *All residual electricity consumption needs, not generated onsite, be purchased from accredited renewable energy sources for a minimum of 10 years; and*
  - (c) *No reticulated gas be connected to the new buildings.*
343. The above can be required to be rectified within an updated SMP via condition.
- #### *Clause 52.20-7.2 Communal open space*
344. This clause requires a minimum area of 2.5sqm per dwelling or 250qm whichever is lesser.
345. The communal open space will service the residents of the proposed Buildings 1 and 2 (144 dwellings).
346. As such, 250sqm of communal open space is required. The plans show that the communal open space area is 510 sqm.
347. Furthermore, the clause requires communal open space to be located to:
- (a) *Provide passive surveillance opportunities, where appropriate;*
  - (b) *Provide outlook for as many dwellings as practicable;*
  - (c) *Avoid overlooking into habitable rooms and private open space of new dwellings;*
  - (d) *Minimise noise impacts to new and existing dwellings;*
  - (e) *Be designed to protect any natural features on the site;*
  - (f) *Maximise landscaping opportunities; and*
  - (g) *Be accessible, useable and capable of efficient management.*
348. The siting of the space ensures that there are multiple opportunities for passive surveillance of the space. Outlook is also maximised with the ground level dwellings provided with outlook to this space. The height, material and transparency of the fencing (for privacy) is not shown on the plans and will be required via condition.

349. Noise impacts are a concern and will be discussed later under clause 52.20-7.7 Noise impacts, otherwise the communal space is considered to be designed to protect natural features of the site, maximum landscaping opportunities and be accessible, useable and capable of efficient management.

*Clause 52.20-7.3 Solar access to communal outdoor open space*

350. The clause requires that:

- (a) *The communal outdoor open space should be located on the north side of a building, if appropriate; and*
- (b) *At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.*

351. It is recommended that the development demonstrate compliance with this requirement. This can be facilitated via condition.

*Clause 52.20-7.4 Deep soil and canopy trees*

352. General landscaping has been addressed earlier in the report, within *Landscape Architecture* section.

353. In addition to general landscaping, the clause identifies that developments should provide the deep soil areas and canopy trees specified within Table 5 which equates to 15% of the site area with a minimum dimension of 6 metres (956sqm).

354. The applicant has identified on the plans that 26% of the site area (1688sqm) is provided as deep soil area, exceeding the requirement of the clause.

355. In terms of the provision of trees, the Landscape plan identifies a number of trees but provides no planting schedule and therefore. No detail on the quantity or type of trees proposed has been provided. A condition has been included for this information to be provided.

*Clause 52.20-7.5 Integrated water and stormwater management*

356. According to the SMP, the application proposes the installation of 2 x 30,000 litre tanks.

357. The water tanks are to be located within the Basement, however the plans are not clear and a condition will require the location of the tanks to be shown on plans. This was also recommended by Council's ESD Advisor.

358. The STORM reports provided achieve a score of 115% for the site, which is in line with the policy direction under clause 22.16 – Stormwater Management (Water Sensitive Urban Design).

359. Council's ESD Advisor raised no concern with the proposed stormwater management proposed, subject to the location of the rainwater tanks is shown on plans and it is considered the requirements of clause 52.18 - Stormwater Management in Urban Development are met.

360. The proposal complies with the clause.

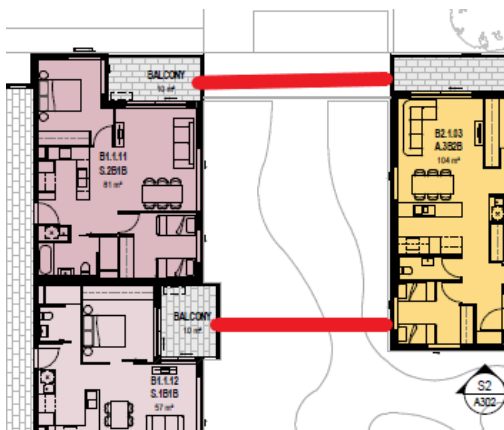
*Clause 52.20-7.6 Building setback*

361. As outlined earlier in this report the height and massing of the building are considered to achieve an acceptable design response to the character of the surrounding area. The orientation of the dwellings either facing surrounding streets or the internal communal open space provides a reasonable outlook from new dwellings as well as adequate daylight into habitable rooms. It also protects new dwellings from any future developments and provides appropriate internal amenity.

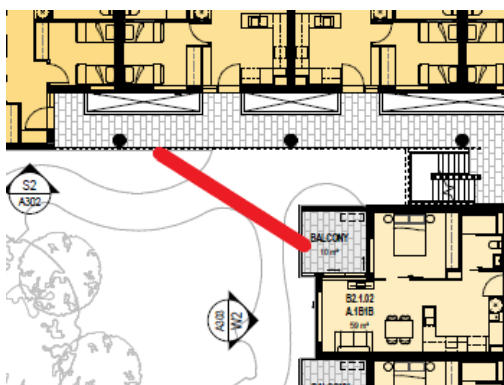
362. This clause aims to avoid direct views into habitable room windows and private open space of new and existing dwellings, thereby reducing the reliance on screening to inhibit these views. Overlooking concerns off-site have previously been discussed and deemed to be acceptable, via condition.

363. In relation to internal overlooking, there are concerns with the interface between the following dwellings, it is noted as there are no dimensions on the plans, these are best guess estimates:

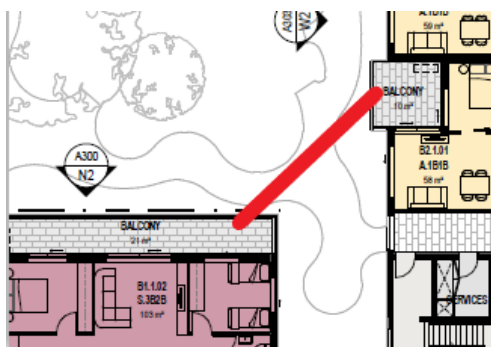
- (a) Apartments Building 1 – G.09, G.10, 1.11, 1.12, 2.11, 2.12, 3.11 and 3.12;



- (b) Apartments Building 2 – G.02, 1.02, 2.02 and 3.02;



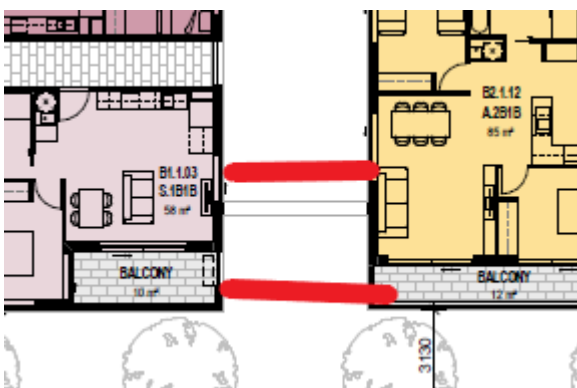
- (c) Apartments Building 1 – G.02, 1.02, 2.02, 3.02, 4.02, 5.02 and 6.02;



- (d) Apartments Building 1 – G.01, 1.01, 2.01, 3.01, 4.01, 5.01 and 6.01; and



(e) Apartments Building 1 – G.03, 1.03, 2.03, 3.03, 4.03, 5.03 and 6.03.



364. Conditions should require the above interfaces to achieve compliance with clause 52.20-6.13 overlooking.
365. A further condition should also require all screening between balconies to be identified as achieving a minimum height of 1.7 metres and being obscure glazed or of a solid material.
366. Whilst there are some concerns with overlooking from upper level apartment balconies into lower level apartment balconies it is noted that the requirements of clause 52.20 specifically exempt the proposal from meeting all requirements of Clause 58, including the internal views provision, and as such an assessment against this provision cannot be undertaken. Each lower level apartment will still maintain a reasonable amount of open space that would not be visible from the apartments above.

#### Clause 52.20-7.7 Noise impacts

367. The clause also requires noise sensitive rooms to be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
368. The application material outlines it is seeking to obtain the Green Star credit point 10.1 for internal noise levels meaning a higher level of internal attenuation for the dwellings.
369. Council Acoustic Consultant has raised concern with the lack of information specifically stating:
  - (a) *We agree that road traffic noise impacts to the site are likely to be moderately low. However, the combination of no actual road traffic noise assessment and no fixed advice for façade treatments is potentially risky. Either external noise impacts should be quantified by measurement and advice provided for addressing them, or reasonably conservative advice should be provided for addressing the likely level of road traffic noise (along with the basis for these conclusions). If it is still concluded that the internal levels are likely to be met with conventional glazing systems, advice should be provided in the report regarding the assumptions around conventional systems (e.g. the glazing and façade wall acoustic ratings assumed in the assessment).*

370. In response to mechanical services noise, the design criteria is considered to be appropriate however comments regarding confirmation of information is outstanding, with the acoustic advice requiring:
- (a) *The nominated design criteria are appropriate. We note that project related non-occupant mechanical plant (e.g. communal mechanical plant noise entering apartments via common shaft walls and the like) is required to comply with both Green Star / NR25 rating, and the Noise Protocol Part I effective internal noise limits. These limits are equal to the external noise limit, less 20 dB (i.e. 21 dBA on this project). It is not completely clear from the report whether the Noise Protocol Part I limits are proposed to be met by this noise; and*
  - (b) *The actual environmental noise limits for apartment air conditioning units are not identified. Background noise monitoring would need to be conducted at the quieter times that the equipment is proposed to operate in order to do this (e.g. late evening period and during the night). However, nuisance noise from this equipment tends to be low risk, and it would be reasonable for the limits to be confirmed, and design advice provided, during the detailed design phase.*
371. Comments also required further information regarding the car park entry and 'non-housing uses' depicted on the plans.
372. Council's Acoustic Consultant is generally satisfied with acoustic measure proposes subject to the following changes:
373. Dwellings on Level 1 are located above the ground floor non-residential spaces in both buildings with ground floor dwellings also in proximity, however, a previous recommended condition will require a specific acoustic report be prepared to address noise concerns from these spaces and as such, it is considered that this will be addressed.
- (a) *An explicit assessment of road traffic noise has not been provided. We recommend that road traffic noise is assessed and advice provided or, as a minimum, the consultant nominate conservative façade treatments for addressing the likely level of road traffic noise, and the basis for those conclusions. **The report should be updated with the information;***
  - (b) *Details of the background noise measurements conducted are not included in the report. While we accept the use of the presented background data for determining Noise Protocol Part I limits for planning purposes, we note noise from the use will need to comply with lower noise limits if they are determined. Background noise levels for the purpose of identifying noise limits in accordance with the EPA Residential Noise Regulations will also need to be determined (either by reference to appropriate existing data or measured). It would be reasonable for the noise limits to be confirmed, and design advice provided, during the detailed design phase;*
  - (c) *The report assesses noise from project mechanical plant to AS/NZS2107 internal levels and it is unclear whether this noise is also proposed to be assessed to the Noise Protocol Part I internal limits (formerly SEPP N-1), which are lower. **The report should be updated to confirm that the Noise Protocol limits will be met on the project for sound transmitted into apartments; and***
  - (d) *If the ground floor non-residential spaces are likely to produce intrusive noise (e.g. gym or café / bar / restaurant operating during the evening / night periods), an acoustic report should be prepared to address potential impacts.*
374. The above should therefore be provided within an updated Acoustic Report to ensure that all matters of acoustic concern are resolved prior to the commencement of construction, given changes to the design or materials utilised may be required.

#### *Clause 52.20-7.8 Accessibility*

375. To ensure the design of dwellings caters for people with limited mobility, the clause requires that at least 50% of new dwellings should provide:



- (a) A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom;
- (b) A clear path with a minimum width of 1.2m that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area;
- (c) A main bedroom with access to an adaptable bathroom; and
- (d) At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 7.

376. The applicant identifies that 100% of dwellings meet the above requirements.

377. In respect of Item (a), all openings are dimensioned at 1000mm for entrance and 900mm to main bedrooms.

378. In respect of Item (b), the accessible path of all apartments is satisfactory.

379. In respect of Item (c) it appears that all bedrooms have access to bathrooms. In respect of Item (d), it is not clear if the bathrooms are shown to meet all of the requirements of Table 7.

380. A condition will therefore require the plans be updated to demonstrate compliance with this clause. This is considered to be achievable, subject to additional features being shown and annotated.

*Clause 52.20-7.9 Building entry and circulation*

381. As identified within the assessment made against *clause 52.20-6.4 Safety*, the proposed primary residential entrances would be visible from all street frontages and the open space area. Whilst the buildings adopt generous setbacks from these streets, the entrances would not be obscured or isolated from these streets.

382. The internal corridors of both buildings will receive substantial access to natural ventilation and light, no dimension is shown on plan for the width of the corridor, a condition will require this to be shown on plan.

*Clause 52.20-7.10 Private open space*

383. Of relevance to this development, a dwelling should have provided space consisting of:

- (a) *An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or*
- (b) *An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or*
- (c) *A balcony with an area and dimensions specified in Table 8 and convenient access from a living room, or*

384. The area and dimensions specified within Table D8, are as follows:

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

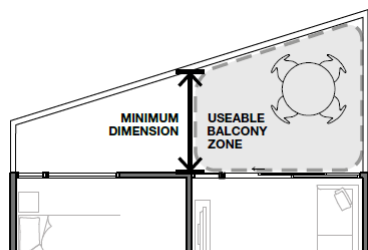
385. As a cooling unit is provided on most balconies, an additional 1.5sqm is required for these open space areas.

386. Guidance is also taken from the ADGV, which states:

- (a) *The additional area for an air conditioning unit does not need to meet the minimum balcony area;*

- (b) *The minimum area must be provided in a single useable space. Other balcony areas may be provided in addition; and*
- (c) *Where irregular shaped balconies are proposed, only the portion of the balcony which meets the minimum dimension will be calculated towards the minimum area.*

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



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

388. A review of the floor plans indicates that the following apartment types need to be reviewed:

- (a) Apartment types A-1B-3, S-1B-3, A-2B-1 all have balcony depths of 1.7m instead of 1.8m, this affects 17 dwellings;
- (b) Apartment types A-2B-3, S-2B-1, S-2B-4, S-2B-5 and S-2B-6 all have balcony depths of between 1.8 and 1.9m instead of 2.0m, this affects 19 dwelling;
- (c) Apartment types A-3B-1 and S-3B-1 all have balcony depths of 1.7m instead of 2.4m, this affects 11 dwellings; and
- (d) Apartment types A-4B-1 and S-4B -1 all have balcony depths of between 1.7m and 2.0m instead of 2.4m, this affects 2 dwellings.

389. While some of the non-compliances are small, this is a new construction and the standards should be met.

390. Additionally, the validity of the plans submitted is questioned as they show layouts for 4 bedroom dwellings, when none are proposed. It is suggested that a review of the submitted information is undertaken.

#### Clause 52.20-7.11 Storage

391. Of relevance to this development, the total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9 of this clause. This table specifies that:

- (a) *A one bedroom dwelling should have a total minimum storage volume of 10 cubic meters with a minimum storage volume within the dwelling of 5 cubic meters;*
- (b) *A two bedroom dwelling should have a total minimum storage volume of 14 cubic meters with a minimum storage volume within the dwelling of nine cubic meters; and*
- (c) *A three (or more) bedroom dwelling should have a total minimum storage volume of 18 cubic meters with a minimum storage volume within the dwelling of 12 cubic meters.*

392. The submitted layout plans which are not accurate show that all dwellings are provide with storage internal to each dwellings:

- (a) 1 bedroom – internal storage 10 – 13.10sqm;
- (b) 2 bedroom – internal storage 10.59 – 18.69sqm; and
- (c) 3 bedroom – internal storage 19.4 0 22.64 sqm.

393. The development would mostly comply with the requirements of the clause based on the information in the table. Conditions will require the internal volume of storage to be clearly shown on the apartment type layout plans, the volume of the external storage areas to be annotated and allocated to the applicable apartments.

*Clause 52.20-7.12 Waste and recycling*

394. The applicant submitted a Waste Management Plan (WMP) prepared by One Mile Grid dated 11 November 2021 that included the following key features:
- (a) Waste collection to be undertaken within the basement with a 6.4 metre mini loader;
  - (b) A three chute system (garbage, recycling and glass) provided to both Buildings 1 and 2 down to two bin rooms in the basement;
  - (c) Residents will be required to transfer garbage, recycling and glass into the western basement bin room;
  - (d) Separate storage room provided for hard waste, e-waste, and charity bins;
  - (e) All waste removal will be undertaken by a private contractor, once a week for garbage, recycling, glass and organics and on demand for the remaining;
  - (f) Building 1:
    - (i) 5 x 1,100litre bins for garbage, and 7 x 1,100litre bins for recycling, 2 x 660litre bins for glass, 1 x 660 litre and 12 x 240litre bins for organics, 1 x 240litre bin for E-Waste, 1 x 240litre bin for charity; and
    - (ii) An area of 4sqm is provided for hard waste; and
  - (g) Building 2:
    - (i) 4 x 1,100litre bins for garbage, and 6 x 1,100litre bins for recycling, 2 x 660litre bins for glass, 12 x 240litre bins for organics, 1 x 240litre bin for E-Waste, 1 x 240litre bin for charity; and
    - (ii) An area of 4sqm is provided for hard waste.
432. Council's City Works Unit reviewed the submitted WMP, raising the following issues to be rectified:
- (a) *Council does not offer a hard waste drop off service, please check website for items accepted at the recycling centre; and*
  - (b) *Please provide more information on how the proposed 3<sup>rd</sup> chute for the glass stream will function.*
433. In addition to the above, the following is also required to be addressed:
- (a) Waste generated by the non-residential uses and deletion of reference to cafe;
  - (b) Location of the bin wash area;
  - (c) Details of how the chute system designed for both buildings will be linked to the waste room; and
  - (d) The plans should be updated to accord with the WMP, such as showing the number and location of bins.
434. The above items can be addressed via conditions.
435. Council's engineering services unit have reviewed the swept path diagrams and confirm that:
- (a) The swept path diagrams for a 6.41 metre long waste collection vehicle entering and exiting the site via Elizabeth Street and Lewis Court and servicing the development, are considered satisfactory.

*Clause 52.20-7.13 Functional layout*

*Bedrooms*

436. This clause requires that main bedrooms should have a minimum width of 3m and minimum depth of 3.4m, with other bedrooms to be 3m x 3m in dimensions (any wardrobes should be additional to this).
437. All bedrooms provided throughout the development comply. Areas in addition to the minimum internal room dimensions have also been provided to accommodate wardrobes.

*Living areas*

438. The clause states that living areas (excluding dining and kitchen areas) for a studio and one bedroom dwelling should have a minimum width of 3.3 metres and area of 10sqm, for two or more bedroom dwellings, a minimum width of 3.6 metres, with a minimum area 12sqm is to be provided.
439. The clause is informed by Standard D24 of Clause 58. The way in which Standard D24 is interpreted, with particular reference to living area dimensions, was discussed in 631 Plenty Road Preston Pty Ltd v Darebin CC (Red Dot) [2018] VCAT 1849, in which Member Blackburn noted that Standard D24 should be interpreted as requiring a living area envelope to be provided within the broader open plan room. This envelope can be of any size, shape or orientation so long as it is of the relevant area, has the relevant minimum width and does not include the kitchen or dining areas of the broader open plan room. In addressing particular questions raised in this case, the Tribunal stated the following:

*[73] ...*

*The area immediately in front of some of the proposed galley kitchens cannot be included in the 'living area' where this space is needed for the use of the kitchen (e.g. space to open cupboards, refrigerators, ovens, stand at the sink etc); and*

*The 'minimum width' of the living area is the smaller of the two dimensions of that area (e.g. where the living area is depicted as a rectangle of 3.3 x 3 metres, then the minimum width is 3 metres, irrespective of the way in which the living area is oriented within the open plan room).*

440. A review of the apartment type layouts they appear to comply, however as the information is not accurate, a condition should therefore require all apartment types to be updated to demonstrate compliance with this clause.

*Clause 52.20-7.14 Room depth*

441. This clause requires that single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.
442. No information was provided regarding the floor to ceiling heights and no section drawings have been provided. Additionally, the layout plans submitted do not show the room depth and therefore an assessment against this provision cannot be undertaken.
443. Based on no information, a condition should therefore require compliance with this clause.

*Clause 52.20-7.15 Windows*

444. Based on a review of the plans, all habitable rooms within the proposed development contain a window within an external wall to the building.
445. There are many instances where the habitable rooms face out onto a balcony which is covered above. Given the setback provided between the two buildings and any adjacent building, it is considered that sufficient daylight will reach the room beyond.
446. This is confirmed by Council's ESD Officer, who opined that the development exhibited good access to daylight and natural ventilation.

**Clause 52.20-7.16 Natural ventilation**

447. The clause requires that at least 40 percent of dwellings should be provided with effective crossover ventilation that has a maximum breeze path through the dwelling of 18m and a minimum breeze path of 5m. The breeze path is to be measured between the ventilation openings on different orientations of the dwelling.
448. This information has not been provided to Council a condition should therefore require compliance with this clause.

**Clause 52.20-7.17 Integration with the street**

449. The site appropriately integrates with Elizabeth Street, Cooke/Lewis and Williams Court.
450. This has been assessed within the design section of the report.

**Car Parking and Traffic**

451. Under the provisions of Clause 52.20-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:
- (a) *A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building;*
  - (b) *Car parking for other land uses must be to the satisfaction of the responsible authority.*
  - (c) *Car spaces may be covered or uncovered; and*
  - (d) *If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.*
452. As such, the required car parking was determined to be as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	86	A minimum of 0.6 spaces for each dwelling	86	76
Two-bedroom dwelling	47			
Three-bedroom dwelling	11			
Total			86 spaces	76 spaces

453. The proposed development in respect of dwellings does not meet the requirements of clause 52.20-5, with a reduction of 10 spaces required. Council's Engineering Unit reviewed the revised rates provided within clause 52.20-5, providing the following assessment:
- (a) *One Mile Grid traffic engineering consultants have indicated that the on-site parking rates for the dwellings would be as follows:*
    - (i) *Social housing dwellings – 0.44 spaces/dwelling (30 spaces);*
    - (ii) *Affordable housing dwellings – 0.54 spaces/dwelling (37 spaces);*
    - (iii) *Dwelling (accessible) – 1.0 space/dwelling (8 spaces);*
  - (b) *For the social housing parking demand, One Mil Grid has referred to a previous study prepared by GTA Consultants - Review of Social Housing Car Parking Demands: Car Parking Studies (published 2017). The study indicated that for average car ownership social housing type dwellings in the inner metropolitan area was 0.36 spaces per dwelling. The proposed on-site car parking rate of 0.44 spaces per dwelling is considered appropriate; and*



- (c) *The on-site parking rate for the affordable housing type dwellings falls just below the 0.6 spaces per dwelling as specified in Clause 52.20. By comparison, Council had reviewed the affordable housing component of the GTV9 site (171 Stawell Street, Richmond) which had accepted an on-site parking rate of 0.24 spaces per dwelling. The proposed rate of 0.54 spaces per affordable housing type dwelling is also considered appropriate.*

454. As previously identified, it is unknown what use is proposed within the 266sqm of ground floor spaces noted as 'Non-Housing Use' on the plans and as such, car parking requirements cannot be determined for this use. Whilst details of this were requested from Homes Victoria, these have not been provided.
455. It is acknowledged that the submitted traffic report makes reference to a 154sqm café, the plans do not show a café being included in the application and a condition will require the traffic report be amended to reflect the actual non-residential uses and to correctly reflect the floor areas proposed.
456. It is therefore considered appropriate that further car parking be provided for employees. As conditions will require further detail to be provided on the use, the following condition should be implemented:
- (a) *Provision of additional car parking for employees of the ground floor non-residential uses to the satisfaction of the responsible authority.*

#### *Traffic*

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

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Residential (additional 76 spaces)	3.0 trips per dwelling per day (with a car space) 0.3 trips per space in each peak hour	336 trips	34 trips	34 trips

458. Council's Engineering Unit commented that the proposal would result in a net increase of 34 trips per peak hour, with the additional traffic utilising the existing road network.
459. Council's Traffic Engineers have confirmed that the traffic generated by the proposal is considered to be reasonable, is not unduly high and would not impact on the traffic operation of the surrounding road network.

#### *Access and layout*

460. Clause 52.20-6.7 Car Parking of the Scheme relates to the design of car parking areas and contains standards and requirements relating to access way, car parking spaces, gradients, mechanical parking, urban design, safety and landscaping.
461. These details, along with the proposed ramp designs have been reviewed by Council's Engineering Unit who is satisfied with the layout of the car parking area. Council's Engineering Unit has requested that the plans be revised to include the following details / dimensions:
- (a) Width of the car park entry to be dimensioned;
- (b) Details of wall to the north side of exit lane of the car park entry and driver pedestrian sight line triangles to be superimposed on the drawings;
- (c) Provision of sectional drawing of ramp detailing headroom clearance;
- (d) Dimensions of the width of the ramped accessway (wall to wall width) having a minimum dimension of 6.1 metres;

- (e) Provision of bollards to shared areas for pedestrian safety as required by AS/NZS 2890.6:2009;
- (f) Column depths and setbacks to be dimensioned on the plans; and
- (g) Details of the provision of a footpath on the western side of the development (Lewis Court). The width and cross-fall of the footpath should satisfy DDA requirements that are normally applied for new footpaths on public roads.

462. All items can be addressed by conditions.

463. Furthermore, the referral questions if a footpath is proposed for the west side of Lewis Court. The submitted landscape generally shows the construction of a footpath and as the entrance to Building 2 is from Lewis Court, a condition will require the construction of this footpath.

464. Several engineering conditions in regard to civil works, road asset protection, and construction management, impacts of assets on the proposed development and modification to car parking signage have been recommended. These conditions are considered standard and would have been included on any permit issued, if the development had been supported.

465. Overall, the proposed design and configuration of access and car parking areas are considered to achieve a satisfactory outcome and will be further improved with the above details requested by Council's Engineering Unit.

*Loading and unloading*

466. It is anticipated that loading and unloading for the non-residential uses would utilise either the existing on-street parking and loading bays, as identified within the applicants Traffic Report. Council's Engineering Unit raised no concern with the proposed loading and unloading arrangements.

Bicycle facilities and strategic transport

*Bicycle parking and facilities*

467. The application provides 102 resident bicycle spaces, exceeding the clause 52.34 statutory bicycle parking requirement (29 spaces required) and *The Homes Victoria, Apartment Code – May 2020* requirement (78 spaces required).

468. The application provides 18 visitor bicycle parking spaces exceeding both clause 52.34 statutory bicycle parking requirement and the requirement referenced within *The Homes Victoria, Apartment Code – May 2020* which require between 14 - 15 visitor spaces to be provided.

469. The application was referred to Council's Strategic Transport Unit, who have required the increased provision of bicycle parking to one per dwelling increasing provision from 102 to 144 resident spaces to meet best practice. The layout of bicycle parking was also deemed to be satisfactory. Concern was raised, however, with the bicycle parking not being provided in a secure facility as required by Clause 52.34-3 & Australian Standard AS2890.3.

470. Council's Strategic Transport Unit is satisfied with the location of the bike parking spaces and that the bicycle spaces are provided as two-tier bicycle rack and hanging wall rack however , suggest that a notation on the plans indicating the type of bicycle rack proposed and dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise be shown to the satisfaction of the responsible authority. This should form a condition of any approval.

471. In respect of the visitor bicycle parking spaces, Council's Strategic Transport recommended that a minimum of 28 visitor be provided. These spaces should be positioned in a location that is visible and easily accessible to visitors such as near the entrances at Elizabeth Street. The visitor spaces must be provided as a horizontal at-grade bicycle hoop and must be positioned in accordance with access and clearance requirements of AS2890.3. A condition can require this to be provided.

472. As previously identified, it is unknown what use is proposed within the 266sqm of ground floor spaces noted as 'non housing use' on the plans and as such, bicycle parking requirements cannot be determined for this use. Whilst details of this were requested from Homes Victoria, these have not been provided.
473. It is therefore considered appropriate that in addition to the above, further bicycle parking be provided for employees. As conditions will require further detail to be provided on the use, the following condition should be implemented:
- (a) *Provision of additional bicycle parking for employees of the ground floor non-residential uses in accordance with the requirements of AS2890.3 and to the satisfaction of the responsible authority.*
474. The proposed bicycle parking and facilities would be satisfactory, subject to conditions.

*Electric vehicles*

475. Council's Strategic Transport Officer reviewed the proposal and encouraged the applicant to electrically wire the car parking areas to be 'EV ready'. With no EV charging stations provided within the car parking area, this would ensure that the building is fitted with infrastructure to ensure that the building remains adaptable and able to be retrofitted in the future, if required. It is recommended that this be implemented into the design, the following condition should therefore be included:
- (a) *Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:*
- (i) *One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space; and*
- (ii) *A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand.*

Construction Management

476. Clause 52.20-5 identifies that prior to the use or development commencing, a number of plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority (the Minister for EECC).
477. Relevantly, the following is required to be submitted:
- (a) *A schedule of works and development including staging and the expected commencement and completion times; and*
- (b) *A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.*
478. Council has not received any information in regard to the above. It is imperative that matters of construction management be reviewed prior to the construction commencing to ensure that the construction is managed appropriately and to avoid adverse impacts to Council infrastructure, the current Elizabeth Street separated bike lane trial and the general amenity of the area.
479. As such, it is recommended that a construction management plan be required via condition.

Potentially contaminated land

480. Clause 52.20-5 identifies that prior to the use or development commencing, a number of plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority (the Minister for EECC).

481. Relevantly, the following is required to be submitted:

- (a) *A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.*

482. Council has not received any information in regard to the above. A review of the sites history utilising Victoria Unearthed, a State Government tool designed to provide information about land, groundwater, past business listings and contamination, indicates that the previous uses of land may result in the land being potentially contaminated.

483. While the land is not included within an Environmental Audit Overlay, given the intended sensitive use (dwellings), it is considered reasonable to introduce conditions for investigations to be made and rectification works to occur, if required especially as no information has been submitted with the application.

484. This will ensure that the objective of clause 13.04-1S (Contaminated and potentially contaminated land), to ensure that contaminated and potentially contaminated land is used and developed safely, is met.

485. It is recommended conditions be included to require a suitably qualified person to undertake preliminary investigations for the site with regard to the future use of the land and make recommendations accordingly.

486. The primary considerations for this application are as follows:

### Conclusion

487. It is recommended that Council advise Homes Victoria and the Department of Environment, Land, Water and Planning that the proposed development is supported, subject to several conditions as outlined below.

### RECOMMENDATION

That the Council resolves to advise Homes Victoria and the Department of Environment, Land, Water and Planning that it supports the Big Housing Build proposal at 147 – 161 Elizabeth Street, Richmond, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Kerstin Thompson Architects, dated 12 November 2021 but modified to show:

#### Additional Documents

- (a) Written confirmation that the project will be:
  - (i) Funded wholly or partly, under Victoria's Big Housing Build program; and
  - (ii) Carried out by or on behalf of the Director of Housing;
- (b) Written confirmation that an Environment Effects Statement is not required to be prepared under the Environment Effects Act 1978;
- (c) Written confirmation that a referral has been made to The Head, Transport for Victoria and any comments have been considered

#### Layout

- (d) Plans to correct incorrectly labelled Cooke Court as Lewis Court;

- (e) The use of the two non-residential ground floor tenancies finalised and shown;
- (f) All internal footpaths and pathways dimensioned, demonstrating adequate width for passing is provided;
- (g) Improved activation to Cooke Court this may include locating a 'non housing use' with frontage to the street.
- (h) Pedestrian entry to Elizabeth Street to be redesigned to improve sightlines into the central courtyard, this could include widening the open or playing the corners.
- (i) A minimum of 20% of the site is covered by pervious surfaces in compliance with 52.20-6.3;
- (j) Location of mailboxes;
- (k) Apartment type layout plans to be provided for each dwelling type, including variations, demonstrating compliance with clause 52.20-7.8;
- (l) Corridor widths to be dimensioned on plan;
- (m) Apartment type layout plans to be provided demonstrating compliance with clause 52.20-7.10;
- (n) Apartment Type layout plans updated to clearly show the location and volume of all storage (internal and external) demonstrating compliance with clause 52.20-7.11;
- (o) The apartment type layout plans updated to demonstrate compliance with:
  - (i) Clause 52.20-7.13 Functional Layout;
  - (ii) Clause 52.20-7.14 Room depth; and
  - (iii) 52.20-7.16 Natural ventilation;
- (p) rainwater tank locations and capacities to be no less than 2 x 30,000 litre tanks consistent with the SMP;
- (q) *Update roof plan with the finalised PV KW capacity consistent with the SMP;*

Built Form

- (r) The southern elevations of Buildings 1 and 2 (Elizabeth Street) to incorporate architecture treatment to in keeping with the other facades to reduce the visual severity of the upper levels;
- (s) The northern elevations of Buildings 1 and 2 (courtyard) to incorporate architecture treatment to in keeping with the other facades to better reflect the landscape courtyard design and reduce the visual severity of the upper levels;
- (t) The detailed building elevations to be updated to clearly nominate the proposed materials of all built form elements;
- (u) The service cupboard provided next to the car park entrance of Building 2 integrated into the design of the building;
- (v) Floor plans and elevations to shown flexible canopies to the 'non housing use' areas over the windows as depicted in the submitted renders;
- (w) The materiality of the fencing around ground floor apartments secluded private open space areas indicated, with a 25% transparency achieved and a height of 1.7 metres;
- (x) Shadow diagrams demonstrating compliance with the requirements of clause 52.20-6.12 (Overshadowing open space) with any modifications (including increased setback of the upper levels or a reduction in height) incorporated to achieve compliance shown;



- (y) Shadow diagrams demonstrating compliance with the requirements of clause 52.20-7.3 (Solar access to communal outdoor open space) with any modifications (including increased setback of the upper levels or a reduction in height) incorporated to achieve compliance shown;
- (z) Detailed diagrams demonstrating compliance with clause 52.20-6.13 overlooking between:
  - (i) Apartments Building 1 – G.09, G.10, 1.11, 1.12, 2.11, 2.12, 3.11 and 3.12;
  - (ii) Apartments Building 2 – G.02, 1.02, 2.02 and 3.02;
  - (iii) Apartments Building 1 – G.02, 1.02, 2.02, 3.02, 4.02, 5.02 and 6.02;
  - (iv) Apartments Building 1 – G.01, 1.01, 2.01, 3.01, 4.01, 5.01 and 6.01; and
  - (v) Apartment Building 1 – G.03, 1.03, 2.03, 3.03, 4.03, 5.03 and 6.03;
- (aa) All screening between balconies to be identified as achieving a minimum height of 1.7 metres and being obscure glazed or of a solid material;

#### Car Parking and Services

- (bb) Provision of additional car parking for employees of the ground floor non-residential uses to the satisfaction of the responsible authority;
- (cc) Width of the car park entry to be dimensioned;
- (dd) Details of wall to the north side of exit lane of the car park entry and driver pedestrian sight line triangles to be superimposed on the drawings;
- (ee) Provision of sectional drawing of ramp detailing headroom clearance;
- (ff) Dimensions of the width of the ramped accessway (wall to wall width) having a minimum dimension of 6.1 metres;
- (gg) Provision of bollards to shared areas for pedestrian safety as required by AS/NZS 2890.6:2009;
- (hh) Column depths and setbacks to be dimensioned on the plans;
- (ii) Details of the provision of a footpath on the western side of the development (Lewis Court). The width and cross-fall of the footpath should satisfy DDA requirements that are normally applied for new footpaths on public roads.
- (jj) A minimum of 144 resident bicycle spaces;
- (kk) a notation on the plans indicating the type of bicycle rack proposed and dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise be shown
- (ll) A minimum of 28 visitor bicycle spaces provided in a location easily accessible to visitors of the site. All visitor spaces should be provided as a horizontal bicycle rail and must meet clearance and access-way requirements of AS2890.3 or be otherwise to the satisfaction of the responsible authority;
- (mm) Provision of additional bicycle parking for employees of the ground floor non-residential uses in accordance with the requirements of AS2890.3 and to the satisfaction of the responsible authority;
- (nn) Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
  - (i) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space; and

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

Reports and Plans

- (oo) Any changes required by the Operational Management Plan (Ground Floor Non-Residential Uses) at Condition 10;
  - (pp) Any changes required by the amended Landscape Report at Condition 12;
  - (qq) Any changes required by the amended Arboricultural Assessment and Report at Condition 14;
  - (rr) Any changes required by the amended Sustainable Management Plan at Condition 16;
  - (ss) Any changes required by the amended Waste Management Plan at Condition 18;
  - (tt) Any changes required by the amended Acoustic Report at Condition 20;
  - (uu) Any changes required by the Non-Residential Uses Acoustic Report at Condition 22;
  - (vv) Any changes required by the amended Wind Report at Condition 24; and
  - (ww) Any changes required by the Lighting Plan at Condition 39.
2. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid and upper level facade details;
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample schedule and coloured drawings outlining colours, materials and finishes
  - (f) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This is to be provided through montages and renders from various vantage points.
3. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
4. As part of the ongoing progress and development of the site, Kerstin Thompson Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Use

- 5. Except with the prior written consent of the Responsible Authority, the non-residential uses authorised by this permit may only operate between the hours of 8am and 8pm.
- 6. The provision of music and entertainment on the land must be at a background noise level.
- 7. Speakers external to the building must not be erected or used.

8. The amenity of the area must not be detrimentally affected by the use or development, including through:
- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
9. The use and development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).

Operational Management Plan (Ground Floor Non-Residential Uses)

10. In conjunction with the submission of development plans under Condition 1, an Operational Management Plan for the three ground floor non-residential tenancies to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Operational Management Plan will be endorsed and will form part of this permit. The Operational Management Plan must include or show but is not limited to, the following:
- (a) A description of the proposed uses including the activities that will be carried out;
  - (b) The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation with details of how adverse impacts will be managed;
  - (c) The management of each use including the management of patrons;
  - (d) Demonstration that the use is compatible with residential use;
  - (e) Demonstration that the use generally serves local community needs;
  - (f) Discussion on the accessibility of the proposed non-residential spaces, providing details on how the spaces will improve opportunities for integration and integration with the surrounding area;
  - (g) Details on the provision of car and bicycle parking associated with the uses;
  - (h) Any proposed loading facilities required to support the uses; and
  - (i) The safety, efficiency and amenity effects of traffic to be generated by the proposal.
11. The provisions, recommendations and requirements of the endorsed Operational Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Report and Tree Protection

12. In conjunction with the submission of development plans under Condition 1, an amended Landscape Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Report must be generally in accordance with the Schematic Design prepared by Oculus and received by Council on 26 November 2021, but modified to include (or show):
- (a) Assess the proposal as amended pursuant to Condition 1;

- (b) Details of the provision of a footpath on the western side of the development (Lewis Court). The width and cross-fall of the footpath should satisfy DDA requirements that are normally applied for new footpaths on public roads;
  - (c) Confirmation of retention of at least 3 trees to Williams Court;
  - (d) Details of retention and or relocation of all other public realm infrastructure including bins, seating and bicycle hoops incorporated into an improved function and amenity plan for this space;
  - (e) Pedestrian movement plan detailing 'possible future connection from Williams/Cooke Court with Victoria Street;
  - (f) Detailed drawings showing connections between all entries/lobby areas with the public realm and internal courtyard;
  - (g) Detailed lighting strategy prepared in conjunction with Condition 41;
  - (h) Show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (i) Amended surface material under the playspace. The material under play equipment must meet required Australian Standards for impact attenuation;
  - (j) Details of the proposed play equipment also required to meet the relevant Australian Standards;
  - (k) All existing streetscape features;
  - (l) Details showing the raised planting areas, dimensions and growing media and irrigation and drainage;
  - (m) Details and design of all outdoor furniture, with chairs to incorporate backrests and armrests;
  - (n) Spot levels, dimensions and landscape section drawings;
  - (o) Details of any fencing/planting that will be implemented d;
  - (p) Provide a plant and landscape maintenance schedule – including tasks and frequency to maintain the landscape following the maintenance period. If there are specific maintenance access issues the methodology for these should be included; and
  - (q) Provide a Tree Plan demonstrating compliance with clause 52.20-7.4 Deep soil and canopy trees.
13. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.
14. In conjunction with the submission of development plans under Condition 1, an amended Arboricultural Assessment and Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Tree Management Plan will be endorsed and will form part of this permit. The amended Tree Management Plan must be generally in accordance with the Arboricultural Assessment and Report, prepared by Treelogic dated 10 June 2021, but modified to include (or show):

- (a) Updated to indicate no permit is required for tree removal pursuant to Council's General Local Law;
  - (b) A map clearly showing which trees are proposed to be retained; and
  - (c) Specific tree protection requirements to ensure the viability of all trees that will experience construction impacts, including during:
    - (i) pre-construction;
    - (ii) during construction; and
    - (iii) post construction.
15. The provisions, recommendations and requirements of the endorsed Arboricultural Assessment and Report must be complied with and implemented to the satisfaction of the Responsible Authority.

Sustainable Management Plan

16. In conjunction with the submission of development plans under Condition 1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by wrap Consulting engineers dated 1 November 2021., but modified to include or show:
- (a) Assess the proposal as amended pursuant to Condition 1;
  - (b) Stormwater tank volume and location on the architectural drawings be consistent with the SMP (2 x 30,000 litres);
  - (c) Update roof plan with the finalised PV KW capacity;
  - (d) Details of the energy efficient domestic hot water system;
  - (e) All suitable and available roof space on Building 1, as well as the remainder of Building 2, have a solar PV array installed of a capacity that generates up the expected annual energy consumption;
  - (f) All residual electricity consumption needs, not generated onsite, be purchased from accredited renewable energy sources for a minimum of 10 years; and
  - (g) No reticulated gas be connected to the new buildings.
17. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

18. In conjunction with the submission of development plans under Condition 1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Traffix Group dated October 2021, but modified to include:
- (a) Assess the proposal as amended pursuant to Condition 1;
  - (b) Update report to outline that Council does not offer a hard waste drop off service, please check website for items accepted at the recycling centre;
  - (c) Additional information on regarding the proposed 3<sup>rd</sup> chute for the glass stream and how this will function;



- (d) Location of the bin wash area;
  - (e) Details of how the chute system designed for both buildings will be linked to the waste room;
  - (f) The plans should be updated to accord with the WMP, such as showing the number and location of bins;
  - (g) An explanation of how risks associated with waste management will be managed and or provide any relevant risk assessments;
  - (h) Waste generated by the non-residential uses and management of non-residential waste and deletion of reference to cafe; and
  - (i) Location of the bin wash area for each building.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

20. In conjunction with the submission of development plans under Condition 1, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Report, prepared by Acoustic Logic dated 12 October 2021, but modified to include (or show, or address):
- (a) An assessment of road traffic noise. The assessment should identify that road traffic noise is assessed and advice provided or, as a minimum, the nomination of conservative façade treatments for addressing the likely level of road traffic noise;
  - (b) Details of the background noise measurements to determine compliance with Noise Protocol Part I limits and with the EPA Residential Noise Regulations; and
  - (c) Provision of environmental limits for apartment mechanical plant AS/NZS2107 with background noise measurements conducted based on relevant noise limits. Any additional advice for complying with the limits must be provided and demonstrate compliance with *the Noise Protocol Part I internal limits*.
21. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
22. In conjunction with the submission of development plans under Condition 1, a Non-Residential Uses Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Non-Residential Uses Acoustic Report will be endorsed and will form part of this permit. The report must assess the following:
- (a) any potential off-site noise impacts associated with the non-residential uses that may affect the new dwellings and existing dwellings, along with any design treatments that may be required to mitigate these impacts; and
  - (b) The acoustic report must make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority.
23. The provisions, recommendations and requirements of the endorsed Non-Residential Uses Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Report

24. In conjunction with the submission of development plans under Condition 1, an amended Wind Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit. The amended Wind Assessment must be generally in accordance with the Wind Assessment prepared by Wind Impact Assessment, prepared by Vipac dated 15 October 2021, but modified to include or show:
- (a) Assess the proposal as amended pursuant to Condition 1;
  - (b) Wind tunnel modelling to be undertaken to verify the findings of the desktop study, and amended to include:
    - (i) Demonstrate standing criterion is achieved for all building entrances clearly identified and shown;
    - (ii) Demonstrating walking criterion in the ground level footpath areas and accessways; and
    - (iii) Demonstrate sitting criterion is achieved for all dwelling balconies/terraces and communal open space areas.
25. The provisions, recommendations and requirements of the endorsed Wind Assessment Report (including wind tunnel modelling) must be implemented and complied with to the satisfaction of the Responsible Authority.

Environmental Audit

26. Before the construction of the development authorised by this permit commences, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
- (a) a description of previous land uses and activities on the land;
  - (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
  - (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
  - (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.
27. If the assessment required by condition 26 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
28. If the assessment required by condition 26 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (Certificate); or

- (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),

and the Certificate or Statement must be provided to the Responsible Authority.

29. If, pursuant to condition 28, a Statement is issued:

- (a) the development authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
- (b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (pre-commencement conditions);
- (c) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the pre-commencement conditions have been complied with must be submitted to the responsible authority;
- (d) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (Agreement). The Agreement must:
  - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
  - (ii) be executed before the sensitive use for which the land is being developed commences; and
- (e) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

#### Car parking

30. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number and location of car parking spaces allocated to each tenancy;
  - (b) the management of the car parking spaces and security arrangements for occupants of the development;
  - (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
  - (d) The number and allocation of storage spaces;
  - (e) policing arrangements and formal agreements;
  - (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.;
  - (g) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 18; and
  - (h) details regarding the management of loading and unloading of goods and materials.
31. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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

Road Infrastructure

33. Before the development commences, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be designed and constructed:
- (a) In accordance with any requirements or conditions imposed by Council;
  - (b) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
  - (c) At the Permit Holder's cost; and
  - (d) To the satisfaction of Council.
34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development (including trenching and excavation for utility service connections) must be reinstated:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
35. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
36. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures or service pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
37. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.
38. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:
- (a) at the permit holder's cost; and
  - (b) in a location and manner,
- to the satisfaction of the Responsible Authority.

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all redundant property drain outlets are to be demolished and reinstated with paving, and kerb and channel:

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

to the satisfaction of the Responsible Authority.

Lighting

40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:

- (a) located;
- (b) directed;
- (c) shielded; and
- (d) of limited intensity,

to the satisfaction of the Responsible Authority.

41. In conjunction with the submission of development plans under Condition 1 and Landscape Plans required under Condition 12, a Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Lighting Plan must address lighting along the frontages of Building A and Building B as well as the internal communal open space areas. When approved, the Lighting Plan will be endorsed and will form part of this permit. The Lighting Plan must provide for:

- (a) A lighting scheme designed for both public highway and new open public areas and open space within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1;
- (b) The control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting";
- (c) The locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
- (d) Lighting to all primary pedestrian access points to a residential property to satisfy at least level P4 as per AS 1158.3.1;
- (e) Lighting of all publicly accessible spaces;
- (f) A maintenance regime for the lighting scheme within the curtilage of the property; and
- (g) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.

42. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.

General

43. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
44. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.



45. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
46. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
47. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
48. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
49. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

Construction Management Plan

50. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;

- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.

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

- (i) using lower noise work practice and equipment;
  - (ii) the suitability of the land for the use of an electric crane;
  - (iii) silencing all mechanical plant by the best practical means using current technology;
  - (iv) fitting pneumatic tools with an effective silencer; and
  - (v) other relevant considerations; and
- (q) any site-specific requirements; and
- (r) During the construction:
- (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
  - (ii) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
  - (iii) vehicle borne material must not accumulate on the roads abutting the land;
  - (iv) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

51. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
52. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm; and
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time expiry

53. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;

- (b) the development is not completed within four years of the date of this permit; and
- (c) the non-residential uses are not commenced within five years of the date of this permit.

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

Notes:

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

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

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

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

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

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

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

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

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

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

## Attachments

- 1** [↓](#) Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)
- 2** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response
- 3** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Wind referral response
- 4** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response
- 5** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic Transport referral response
- 6** [↓](#) Big Housing Build Richmond - 147 - 161 Elizabeth Street, Richmond - Open space referral response
- 7** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response
- 8** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Social Strategy referral response
- 9** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - ESD referral response
- 10** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Internal Urban Design referral response
- 11** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response
- 12** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Waste referral response
- 13** [↓](#) Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Arborist referral response

<b>SITE</b>	
<b>OPEN SPACE</b>	
Outdoor Communal Open Space	510m <sup>2</sup>
<b>SITE AREA</b>	
Area	6,373m <sup>2</sup>
<b>DEEP SOIL PLANTING &amp; CANOPY COVER</b>	
Deep Soil Planting Area required	956m <sup>2</sup>
Deep Soil Planting Area provided	1,680m <sup>2</sup>
Canopy Cover Area required	1,125m <sup>2</sup>
Canopy Cover Area provided	1,305m <sup>2</sup>
<b>PARKING</b>	
<b>CAR PARKING</b>	
Car Spaces	60
Car Spaces (Accessible)	6
<b>Total</b>	<b>70</b>
<b>BICYCLE PARKING</b>	
Permeable Bicycle Spaces	15
Visitor Bicycle Spaces	15
<b>Total</b>	<b>30</b>

SOCIAL APARTMENT TYPES AND NUMBERS			
Apartment Type	Sub-Type	Conditional Type	No.
<b>One-Bedroom</b>	S-1B-1		18
	S-1B-2		11
	S-1B-3.1		6
	S-1B-3.2		6
	S-1B-4	Accessible	1
	S-1B-5	Accessible	1
<b>Total 1B</b>			43
<b>Two-Bedroom</b>	S-2B-1		1
	S-2B-2		5
	S-2B-3		4
	S-2B-4		4
	S-1B-5		8
	S-1B-6	Accessible	2
<b>Total 2B</b>			22
<b>Three-Bedroom</b>	S-3B-1		7
<b>Total 3B</b>			7
<b>Total Social Apartments</b>			72

AFFORDABLE APARTMENT TYPES AND NUMBERS			
Apartment Type	Sub-Type	Conditional Type	No.
One-Bedroom	A-1B-1		26
	A-1B-1.2		3
	A-1B-2		4
	A-1B-3		6
	A-1B-4	Accessible	4
Total 1B			43
Two-Bedroom	A-2B-1		12
	A-2B-2		5
	A-2B-3		6
	A-2B-4	Accessible	2
Total 2B			25
Three-Bedroom	A-3B-1		4
	Total 3B		4
Total Affordable Apartments			72

REFER TO A300 FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

<b>BJ</b>	BUTT JOINT
<b>COL</b>	COLUMN
<b>CJ</b>	CONTROL JOINT
<b>CL</b>	CENTRE LINE
<b>DP</b>	RAINWATER DOWNPIPE
<b>EJ</b>	EXPANSION JOINT
<b>FCL</b>	FINISHED CEILING LEVEL
<b>FEK</b>	FIRE EXTINGUISHER
<b>FFL</b>	FINISHED FLOOR LEVEL
<b>FHR</b>	FIRE HOSE REEL
<b>FHY</b>	FIRE HYDRANT
<b>FIPI</b>	FIRE INDICATOR PANEL
<b>FW</b>	FLOOR WASTE
<b>RL</b>	RELATIVE LEVEL
<b>SL</b>	STRUCTURAL SLAB LEVEL
<b>SJ</b>	SLIDING JOINT

[illegible]

A diagram showing a rectangular area. The top edge is labeled with '0' at the left end and '2' at the right end. To the right of the rectangle, there is a vertical line segment labeled '4m'.

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PROJECT R091 Richmond Housing Stage 1			
#1 147-101 ELIZABETH ST, RICHMOND			
FOR HOMES VICTORIA			
DATE 12.11.2021	DRAWN BY Author	DRAWING NO.	REV.
SCALE	PROJECT	A881	1
1:50	R091		
© 2021 Homes Victoria			
SKETCH DESIGN			





**Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)**

## \_\_GENERAL NOTES

REFER TO A000 FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

## ABBREVIATIONS

- BJ** BURT JOINT
- COL** COLUMN
- CJ** CONTROL JOINT
- CL** CENTRE LINE
- DP** DRAIN/INTER DRAINPIPE
- EF** EXPANSION JOINT
- FCL** FINISHED CEILING LEVEL
- FEK** FIRE EXTINGUISHER
- FFL** FINISHED FLOOR LEVEL
- FHR** FIRE HOSE REEL
- FHY** FIRE HYDRANT
- FIP** FIRE INDICATOR PANEL
- FW** FLOOR WHITE
- RL** RELATIVE LEVEL
- SL** STRUCTURAL SLAB LEVEL
- SJ** SLOJOME JOINT

## MATERIALS

BA1	BALLASTFILL - POWDER COAT ALUMINUM + PC
BA2	STEEL PLATE TO TOPPED LAG EDGES SHOWN
BA3	BALLASTFILL - CONCRETE OR GRS + HANDBL
BA4	BRICKWORK - REPAIR TO EXISTING BRICK
BA5	BRICKWORK - REBUILD (PRESSURE) + MBS
BA6	BRICKWORK - LAGGED BLACK
BA7	BRICK - PAINTED
CB	CONCRETE - GENERAL
CD	CONCRETE - COLOURED (CHD)
CE	CONCRETE - COLOURED (CHD)
CF	CONCRETE PRIMER
EN	ENTRY MATING
FA	FABRIC GARDNER
GA	THROUGH COLOURED FABRIC GEMENT SHEET
GL	GLASS DOUBLE GLAZED
GP	SPANDREL (GLAZED) - COLOUR CLEAR WITH
PO	POWDER COATED BACKDROP
LVI	POWDER COATED LOUVER
LVI	POWDER COATED LOUVER
MT	STAINLESS STEEL CARBON SCREEN
MT2	POWDER COAT ALUMINUM LOUVERED SCREEN
MT3	POWDER COAT STEEL FINISHING
MT4	POWDER COAT ALUMINUM LOUVERED GARAGE DOOR WITH VERTICAL FINISHING
MT5	POWDER COAT ALUMINUM LOUVERED GARAGE DOOR (FORMAL)
MT6	POWDER COAT ALUMINUM LOUVERED GARAGE DOOR - FIXED

PRELIMINARY  
NOT FOR CONSTRUCTION

A diagram showing a rectangular area. The top edge is labeled with '0' at the left end and '2' at the right end. To the right of the rectangle, there is a vertical line segment labeled '4m'.

**KTA**

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5/20/2012  
 BASEMENT PLAN

PROJECT  
RSH Richmond Housing Stage 1  
#1 147-151 ELIZABETH ST, RICHMOND  
FOR HOMES VICTORIA

DATE 12.11.2021	DRAWN BY Author	DRAWING NO.	REV.
SCALE 1:200(A3)	PROJECT RSH	A100	6

## SKETCH DESIGN



**Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)**



**Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)**





# Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)

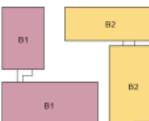








KEY PLAN



## ABBREVIATIONS

- BJ** BUTT JOINT
- COL** COLUMN
- CJ** CONTROL JOINT
- CL** CENTRE LINE
- DP** DRAIN/INTER DRAINPIPE
- EJ** EXPANSION JOINT
- FCL** FINISHED CEILING LEVEL
- FEX** FIRE EXTINGUISHER
- FFL** FINISHED FLOOR LEVEL
- FHR** FIRE HOSE REEL
- FHY** FIRE HYDRANT
- FIP** FIRE INDICATOR PANEL
- FW** FLOOR WASTE
- RL** RELATIVE LEVEL
- SSL** STRUCTURAL SLAB LEVEL
- SJ** SLOTTED JOINT

## MATERIALS

- [illegible]

PRELIMINARY  
NOT FOR CONSTRUCTION



\_\_\_KTA

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## Source Title

GA FLOOR PLAN LEVEL 5

PROJECT  
5024 Richmond Highway, Suite 1000, Alexandria, VA 22304-4402  
Tel: 703/835-8800 Fax: 703/835-8801  
www.alexandria.gov

67 147-961 ELIZABETH  
68 MONROE LUTHERA

DATE	DRAWN BY
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12.11.2021	Auftrag
SCALE	PROJECT

1 : 200 (A1)	RSBH
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## SKETCH DESIGN

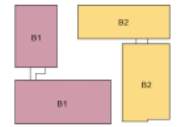
**Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)**



## \_\_GENERAL NOTES

REFER TO A300 FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

\_\_KEY PLAN



## ABBREVIATIONS

BJ	BUTT JOINT
COL	COLUMN
CJ	CONTROL JOINT
CL	CENTRE LINE
DJ	RAINWATER DOWNPIPE
EP	EXPANSION JOINT
FGL	FINISHED CEILING LEVEL
FRX	FIRE EXTINGUISHER
FTL	FINISHED FLOOR LEVEL
FRN	FIRE HOSE REEL
FHY	FIRE HYDRANT
FIP	FIRE INDICATOR PANEL
FW	FLOOR WASTE
RL	RELATIVE LEVEL
SL	STRUCTURAL SLAB LEVEL
SJ	SLIDING JOINT

## MATERIALS

- B11** BAULTURE, PLASTER COAT ALUMINUM + PG
- B12** BAULTURE, PLASTER COAT LASS-ESSES BROWN
- B13** BAULTURE, CONCRETE COAT (BROWN) + MINERAL
- B14** BROWN, RECYCLED-PRESSED RES
- B15** BROWN, RECYCLED-PRESSED RES + HBS
- B16** BROWN, GLAZED-BLACK
- B17** BROWN, PAINTS
- B18** CONCRETE, CEMENT
- B19** CONCRETE, COLOURED (BROWN)
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- B100** CONCRETE, COLOURED (BROWN)

PRELIMINARY  
NOT FOR CONSTRUCTION

A diagram showing a rectangular area. The top edge is labeled with '0' at the left end and '2' at the right end. To the right of the rectangle, there is a vertical dimension line labeled '4m'.

\_\_\_KTA

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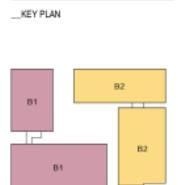
GA FLOOR PLAN LEVEL 6

PROJECT  
R2H Richmond Housing Stage 1  
#1 147-151 ELIZABETH ST, RICHMOND  
FOR HOMES VICTORIA

DATE 12/11/2021	DRAWN BY A. J. J.	DRAWING NO. A-167	REV. 6
SCALE 1 : 2000(A1)	PROJECT RUSH		

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SKETCH DESIGN



- ## ABBREVIATIONS
- |     |                        |
|-----|------------------------|
| B/J | BUFF JOINT             |
| COL | COLUMN                 |
| C/J | CONTROL JOINT          |
| CL  | CENTRE LINE            |
| DP  | RAHWATER DOWNPIPE      |
| EJ  | EXPANSION JOINT        |
| FCL | FINISHED CEILING LEVEL |
| FEL | FIRE EXTINGUISHER      |
| FFL | FINISHED FLOOR LEVEL   |
| FHR | FIRE HOLE REEL         |
| FHY | FIRE HYDRANT           |
| FP  | FIRE INDICATOR PANEL   |
| FR  | FLOOR RAISE            |
| RL  | RELATIVE LEVEL         |
| S/L | STRUCTURAL SLAB LEVEL  |
| SJC | SAUCER JOINT           |

- ## MATERIALS
- |       |   |
|-------|---|
| B&1   | BALTIMORE - POWER CORG ALUMINUM + PVC     |
| B&2   | BALTIMORE - EXPOSED BLADES/SHOES REINFORC |
| B&3   | BALTIMORE - POWER CORG (COP) - H&R        |
| B&4   | BALTIMORE - POWER CORG (COP) - H&R        |
| B&5   | BROWNS - GLAZED/SHOES REINFORC            |
| B&6   | BROWNS - GLAZED/SHOES REINFORC + H&R      |
| B&7   | BROWNS - GLAZED BLACK                     |
| B&8   | BROWNS - GLAZED/SHOES REINFORC + H&R      |
| B&9   | BROWNS - GLAZED                           |
| C&1   | CONCRETE - GENERAL                        |
| C&2   | CONCRETE - COLOURED                       |
| C&3   | CONCRETE - COLOURED (COP)                 |
| C&4   | COP                                       |
| D&1   | EXPERIMENTAL                              |
| D&2   | EXPERIMENTAL                              |
| D&3   | EXPERIMENTAL                              |
| D&4   | EXPERIMENTAL                              |
| D&5   | EXPERIMENTAL                              |
| D&6   | EXPERIMENTAL                              |
| D&7   | EXPERIMENTAL                              |
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| D&96  | EXPERIMENTAL                              |
| D&97  | EXPERIMENTAL                              |
| D&98  | EXPERIMENTAL                              |
| D&99  | EXPERIMENTAL                              |
| D&100 | EXPERIMENTAL                              |

PRELIMINARY  
NOT FOR CONSTRUCTION



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GA FLOOR PLAN LEVEL 7

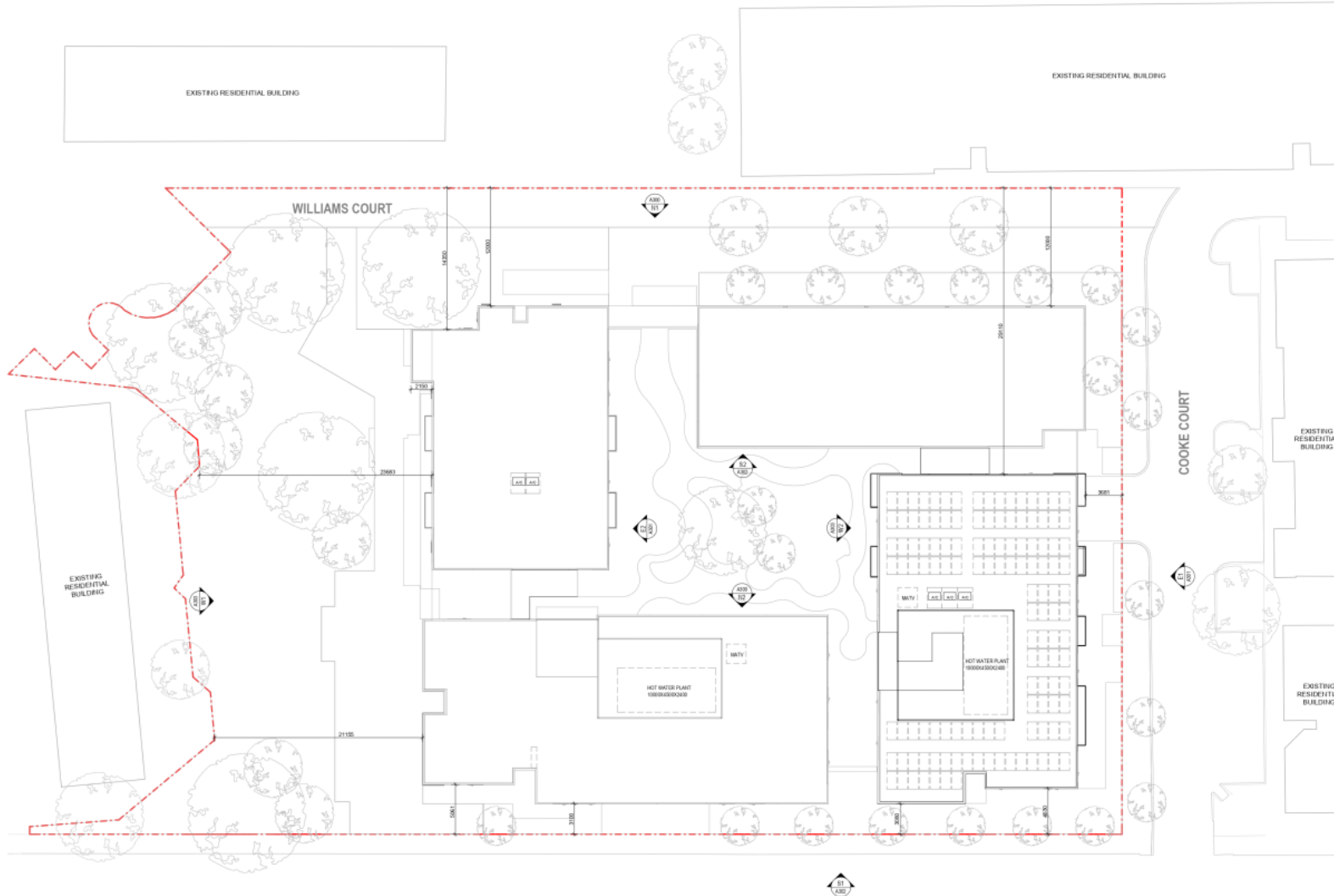
PROJECT  
R02H Richmond Housing Stage 1  
#1 147-151 ELIZABETH ST, RICHMOND  
FOR HOMER VICTORIA

DATE 12.11.2021	DRAWN BY Author	DRAWING NO.	REV.
SCALE 1 : 200 (A1)	PROJECT RSH	A108	6

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# SKETCH DESIGN

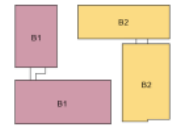
# Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)



## GENERAL NOTES

REFER TO ADD FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

## KEY PLAN



## ABBREVIATIONS

B1 BUILT JOINT  
 COL COLUMN  
 CJ CONTROL JOINT  
 CL CENTRE LINE  
 EP EXPANDED JOINT  
 EJ EXPANSION JOINT  
 FSL FINISHED GROUND LEVEL  
 FRK FIRE EXTRUDER  
 FL FINISHED FLOOR LEVEL  
 FHR FIRE HOSE REEL  
 FHR FIRE HOSE REEL  
 FIP FIRE INDICATOR PANEL  
 FW FLOOR WASTE  
 RL RELATIVE LEVEL  
 RSL STRUCTURAL SLAB LEVEL  
 SJ SLOTTED JOINT

## MATERIALS

B1 BUILT JOINT  
 B2 BUILT JOINT  
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## PRELIMINARY NOT FOR CONSTRUCTION

0 2 4m

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DRAWING TITLE  
 GA ROOF PLAN

PROJECT  
 R01 Richmond Housing Stage 1  
 41 HOT HOT ELIZABETH ST, RICHMOND  
 VIC 3121

DATE 12/11/2021  
 DRAWN BY A109  
 CHECKED BY A109  
 APPROVED BY A109

SKETCH DESIGN

# Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)



**(N1) ELEVATION - NORTH**  
(A10) SCALE 1:200

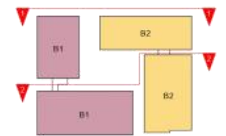


**(N2) ELEVATION - NORTH - COURTYARD**  
(A10) SCALE 1:200

## GENERAL NOTES

REFER TO ADD FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

## KEY PLAN



## ABBREVIATIONS

B1 BAY JOINT  
 COL COLUMN  
 CJ CONTROL JOINT  
 CL CENTRE LINE  
 EP EXPANDED JOINT  
 EJ EXPANSION JOINT  
 FSL FINISHED SLAB LEVEL  
 FRB FIRE EXTINGUISHER  
 FFL FINISHED FLOOR LEVEL  
 FHB FIRE HOSE REEL  
 FHW FIRE HYDRANT  
 FIP FIRE INDICATOR PANEL  
 FM FIRE MANTLE  
 RL RELATIVE LEVEL  
 RSL STRUCTURAL SLAB LEVEL  
 SJJ SILLING JOINT

## MATERIALS

B1 B1 BUILDING - POWDER COAT ALUMINIUM - F0  
 B2 B2 BUILDING - POWDER COAT ALUMINIUM - F0  
 B3 B3 BUILDING - POWDER COAT ALUMINIUM - F0  
 B4 B4 BUILDING - POWDER COAT ALUMINIUM - F0  
 B5 B5 BUILDING - POWDER COAT ALUMINIUM - F0  
 B6 B6 BUILDING - POWDER COAT ALUMINIUM - F0  
 B7 B7 BUILDING - POWDER COAT ALUMINIUM - F0  
 B8 B8 BUILDING - POWDER COAT ALUMINIUM - F0  
 B9 B9 BUILDING - POWDER COAT ALUMINIUM - F0  
 B10 B10 BUILDING - POWDER COAT ALUMINIUM - F0  
 B11 B11 BUILDING - POWDER COAT ALUMINIUM - F0  
 B12 B12 BUILDING - POWDER COAT ALUMINIUM - F0  
 B13 B13 BUILDING - POWDER COAT ALUMINIUM - F0  
 B14 B14 BUILDING - POWDER COAT ALUMINIUM - F0  
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 B33 B33 BUILDING - POWDER COAT ALUMINIUM - F0  
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 B35 B35 BUILDING - POWDER COAT ALUMINIUM - F0  
 B36 B36 BUILDING - POWDER COAT ALUMINIUM - F0  
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 B97 B97 BUILDING - POWDER COAT ALUMINIUM - F0  
 B98 B98 BUILDING - POWDER COAT ALUMINIUM - F0  
 B99 B99 BUILDING - POWDER COAT ALUMINIUM - F0  
 B100 B100 BUILDING - POWDER COAT ALUMINIUM - F0

## PRELIMINARY NOT FOR CONSTRUCTION



## KTA

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## COORDINATE

ELEVATIONS - NORTH

PROJECT

R01 Richmond Housing Stage 1

41 401-402 ELIZABETH ST, RICHMOND

STATE VICTORIA

DATE 12/11/2021

BY KTA

1:200 (A10)

SKETCH DESIGN



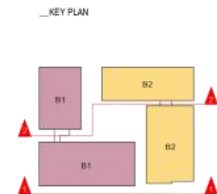


PROJECT			
RSH Midwood Housing Stage 1			
41	147-501 ELIZABETH ST., RICHMOND		
706	HOMES VICTORIA		
DATE	DESIGNED BY	DRAWING NO.	REV.
12.11.2021	Author	A381	5
SCALE	PROJECT		
1 : 2000 A3	RSH		

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**SKETCH DESIGN**





## ABBREVIATIONS

- |     |                        |
|-----|------------------------|
| BJ  | BUTT JOINT             |
| COL | COLUMN                 |
| CL  | CONTROL JOINT          |
| CL  | CENTRE LINE            |
| DJ  | DOWNHILL DRAINPIPE     |
| EP  | EXPANSION JOINT        |
| FCL | FINISHED CEILING LEVEL |
| FEX | FIRE EXTINGUISHER      |
| FFL | FINISHED FLOOR LEVEL   |
| FHN | FIRE HOSE REEL         |
| FHY | FIRE HYDRANT           |
| FIP | FIRE INDICATOR PANEL   |
| FL  | FLOOR WASTE            |
| RL  | RELATIVE LEVEL         |
| SL  | STRUCTURAL SLAB LEVEL  |
| SJ  | SILICONE JOINT         |

## MATERIALS

- B11 BAULTH/THANE - POWDER COAT ALUMINUM + PC
- B12 STYL PLATE TO EXPOSED GLASS EDGES BROWN
- B13 BAULTH/THANE - CONCRETE DIRT GREY + HANNO
- B14 BAULTH/THANE - REPAIR TO PRESTRESS BEDS
- B15 BROWN - REPELLENT-PIGMENTED GR + MMS
- B16 BROWN - GLAZED BLACK
- B17 BROWN - PAWERS
- C06 CONCRETE - GENERIC
- C07 CONCRETE - COLOURED (CRIB)
- C08 CONCRETE - COLOURED (CRIB)
- C09 CONCRETE PIER
- D8 ENTRY RAMP
- F4 F4 RAMPING
- F7 THROUGH COLOURED-BRASS CEMENT SHEET
- L1 GLAZING - DOUBLE CLEAR
- L2 GLAZING - GLAZING - DOUBLE CLEAR WITH
- P01 POWDER COATED BACKDROP
- L10 POWDER COATED LOGO
- L12 GLAZING - GLASS LOGO
- N1 STAINLESS STEEL CABLE GREEN
- W2 PIERED COAT ALUMINUM LAUNDRY GUESTS TO
- W3 PLANT AREA
- W10 POWDER COAT STEEL FINISHING
- W11 POWDER COAT AUTO TAIL STEEL GARAGE DOOR
- W12 GLASS VERTICAL DIVIDER
- M1 POWDER COAT ALUMINUM LOUNGE/FRANCY
- W13 POWDER COAT ALUMINUM LOUNGE/FRANCY
- P02 POWDER COAT ALUMINUM LAUNDRY/FRANCY
- S01 SCREEN - FIXED

PRELIMINARY  
NOT FOR CONSTRUCTION



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DRAWING TITLE  
 ELEVATIONS - SOUTH

PROJECT  
R2H Richmond Housing Stage 1  
#1 147-161 ELIZABETH ST, RICHMOND  
FR HOMES VICTORIA

DATE 12.11.2021	DRAWN BY Author	DRAWING NO.	REV.
SCALE	PROJECT	A302	5
1:2000 A3	RSB		

## SKETCH DESIGN

**Attachment 1 - Big Housing Build (Richmond) - Elizabeth Street, Richmond - Architectural Plans (Consultation Docs)**



W1 ELEVATION - WEST  
A101 SCALE 1 : 200

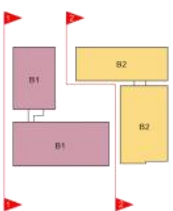


W2 ELEVATION - WEST - COURTYARD  
A101 SCALE: 1:200

## GENERAL NOTES

REFER TO ADD FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

\_\_KEY PLAN



## ABBREVIATIONS

- BJ** BURT JOINT
- COL** COLUMN
- CL** CONTROL JOINT
- CLV** CENTRE LINE
- CP** CRAWPATER DOWNPIPE
- EP** EXPANSION JOINT
- FBL** FINISHED CEILING LEVEL
- FBX** FIRE EXTINGUISHER
- FFL** FINISHED FLOOR LEVEL
- FHR** FIRE HOSE REEL
- FHY** FIRE HYDRANT
- FIP** FIRE INDICATOR PANEL
- FW** FLOOR WHITE
- RL** RELATIVE LEVEL
- SL** STRUCTURAL SLAB LEVEL
- SJ** SLOJOME JOINT

## MATERIALS

[illegible]

PRELIMINARY  
NOT FOR CONSTRUCTION



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kja@kenslinthompson.com  
www.kenslinthompson.com

**DRAINAGE TITLE**  
**ELEVATIONS - WEST**

PROJECT  
R2H Richmond Housing Stage 1  
41 147-151 ELIZABETH ST, RICHMOND  
104 HOMES VICTORIA

DATE 12.11.2021	DRAWN BY Author	DRAWING NO.	REV.
SCALE 1 : 2000 (A3)	PROJECT RISHI	A303	5

## SKETCH DESIGN



PROJECT			
RSH Richmond Housing Stage 1			
BY		147-951 ELIZABETH ST, RICHMOND	
FOR		HOME VICTORIA	
DATE	DRAWN BY	DRAWING NO.	REV.
12.11.2021	Author		
SCALE	REVISED		
1:500 (A1)	RSH	A900	2
A 100 (A1)			Copyright 2021
SKETCH DESIGN			



REFER TO A800 FOR GENERAL NOTES APPLICABLE TO THIS DRAWING.

BJ BUTT JOINT  
COL COLUMN  
CL CONTROL JOINT  
CL CENTRE LINE  
DP DRAIN/RAIN DOWNPIPE  
EP EXPANSION JOINT  
FCL FINISHED CEILING LEVEL  
FES FIRE EXTINGUISHER  
FPL FINISHED FLOOR LEVEL  
FHR FIRE HOSE REEL  
FHY FIRE HYDRANT  
FPI FIRE INDICATOR PANEL  
FR FLOOR RAINFALL  
RL RELATIVE LEVEL  
SL STRUCTURAL SLAB LEVEL  
SJ SILICONE JOINT

BAL	BALUSTRADE - POWDER COAT ALUMINUM + PC
BL	STEEL PLATE TO FINGER ON BL EDGE/BEHIND
BML	BALUSTRADE - CONCRETE FOR CURB + HANDRAIL
BRI	BROOKHOF - RECYCLED PRESSURE TREATED
BRL	BROOKHOF - RECYCLED PRESSURE T + MSL
BSP	BROOKHOF - GLAZED BLACK
BP	BROCK - FINISHER
C	CONCRETE - GENERAL
CGR	CONCRETE - COLORED GRAY (GRIND)
COR	CONCRETE - COLORED (GRIND)
CP	CONCRETE - FINISH
HE	HEAVY GALVALUT
PA	PAGE CLOTHES
FC	FABRIC COLORED
GL	GLASS (SMOOTH) FIBRE CEMENT SHEET
GL2	GLASS DOUBLE GLAZED
GL3	SPACERGLASS GLAZING-DOUBLE CLEAR WITH
GL4	SPACERGLASS GLAZING-DOUBLE CLEAR WITH
GL5	POWDER COAT (BAGFIN)
LX1	POWDER COAT (LX1)
LX2	POWDER COAT (LX2)
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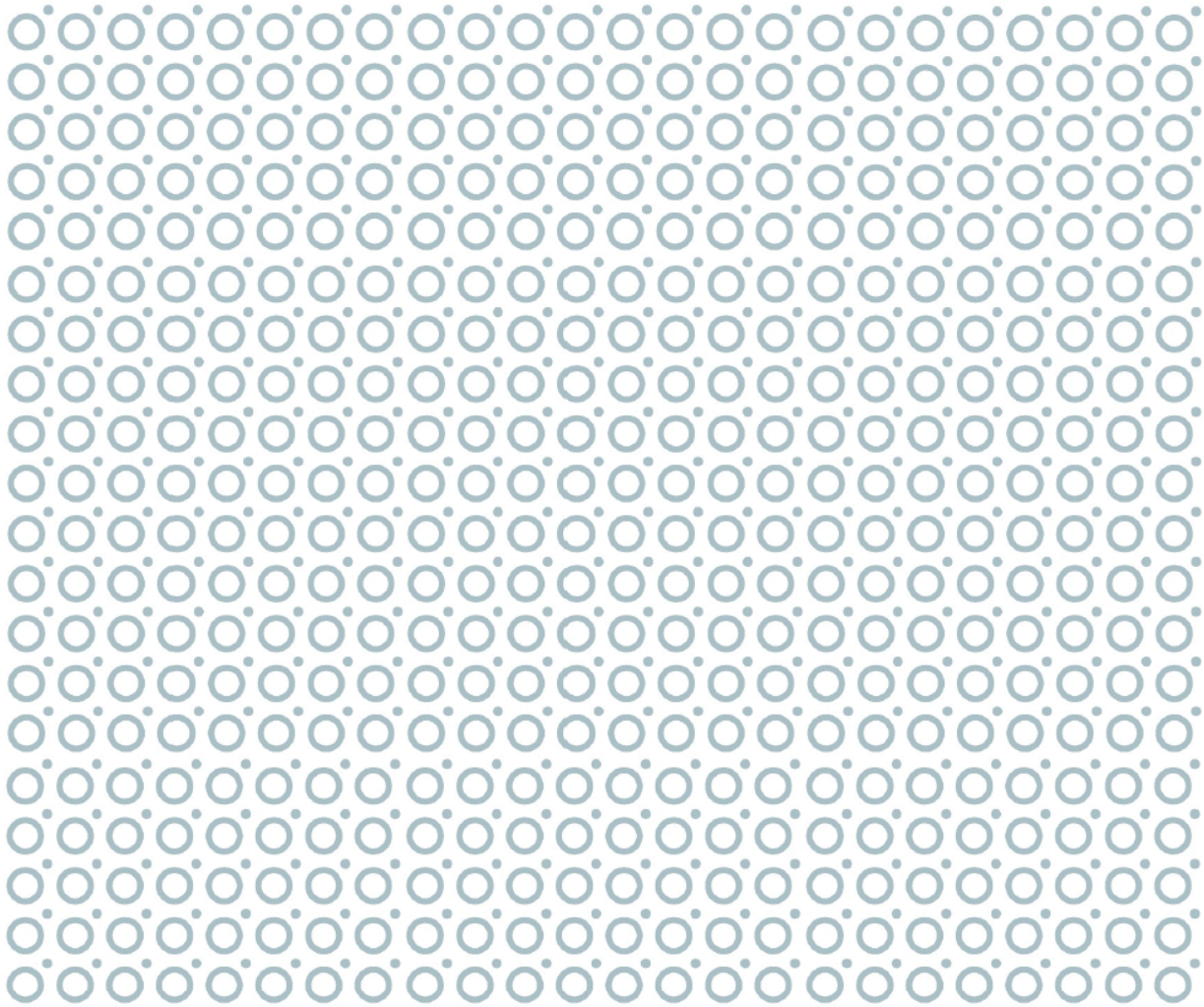
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SHADOW STUDIES - 22ND SEPTEMBER - 9PM-3PM

PROJECT RSH Richmond Housing Stage 1			
AT 547-101 ELIZABETH ST, RICHMOND			
FOR HOMES VICTORIA			
DATE 12/11/2021	DRAWN BY Author	DRAWN BY (NO.)	REV.
SCALE 1:500(A1)	PROJECT RSH	A901	2
A line paper			copyright 2021
SKETCH DESIGN			



**Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response**



**Urban Design Review**

Homes Victoria Big Housing Build (Richmond), 147-161 Elizabeth Street,  
Richmond (Consultation documents)

Prepared by Simon McPherson, for Yarra City Council

20 December 2021

## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### Table of Contents

<b>1.0 Introduction</b>	<b>3</b>
1.1 Process and involvement	3
1.2 Project context discussion	3
1.3 Qualifications and experience to prepare this Review	4
1.3.1 Qualifications and registrations	4
1.3.2 Experience	4
<b>2.0 Context</b>	<b>6</b>
2.1 Strategic context	6
2.1.1 Zoning	6
2.2 Review site and context	6
2.2.1 Existing conditions	6
2.2.2 Interfaces	7
2.3 The proposal	10
2.3.1 Outline	10
2.3.2 Land use distribution	10
2.3.3 Heights	10
2.3.4 Setbacks	11
<b>3.0 Review of the proposed development</b>	<b>12</b>
3.1 Is the site organisation and built form siting appropriate?	12
3.1.1 Guidance	12
3.1.2 Assessment	12
3.2 Is the land use mix appropriate?	13
3.2.1 Guidance	13
3.2.2 Assessment	13
3.3 Is the built form height and massing appropriate?	15
3.3.1 Guidance	15
3.3.2 Assessment: building height	15
3.3.3 Assessment: frontage heights / setbacks	16
3.4 Are the public realm interfaces / frontages appropriate?	16
3.4.1 Assessment	16
3.5 Is the architectural expression appropriate?	17
3.5.1 Assessment	17
<b>4.0 Conclusion</b>	<b>19</b>

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 1.0 Introduction

#### 1.1 Process and involvement

In December 2021 I was engaged by Yarra City Council and briefed by Council officers to prepare a report comprising urban design review and advice, regarding the proposed Homes Victoria 'Big Housing Build' development at 147-161 Elizabeth Street, Richmond.

In preparing this review, I have:

- Received and reviewed the Consultation plans and documents, as follows:
  - Cover letter (notification of formal consultation) from Homes Victoria to Yarra City Council, dated 25 November 2021;
  - Architectural plans (Kerstin Thompson Architects, dated 12/11/2021);
  - Architectural Renders package;
  - Landscape Plan (Oculus);
  - Landscape Plan Executive Summary;
- Reviewed **Clause 52.20 - Victoria's Big Housing Build** of the Yarra Planning Scheme, which applies to the review site and proposal;
- Visited the review site and locality on 11 December 2021. The photographs in this report are my own, except where noted otherwise.

#### 1.2 Project context discussion

I regularly prepare independent urban design reviews and advice for Yarra City Council, other Councils and private organisations, and each project/proposal is considered in its strategic and physical context.

However, this Homes Victoria proposal has particular characteristics which distinguish it from typical development applications, as follows:

- The proposed buildings are set within an existing Homes Victoria estate, amongst established buildings, open spaces and vegetation; rather than directly interfacing a streetscape and other privately-owned buildings, for example;
- The proposed residential use is specifically for social and affordable housing;
- It is a government project and not (presumably) driven by commercial/financial imperatives – i.e., the dwellings will not be sold privately and so are not targeted at the private market.

These characteristics inform the urban design response, in the way the buildings occupy the land, the configuration of spaces within buildings, the building forms and the external design expression.

I therefore make this review in recognition of these distinctive characteristics.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 1.3 Qualifications and experience to prepare this Review

#### 1.3.1 Qualifications and registrations

My academic qualifications are as follows:

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

My professional registrations and memberships are as follows:

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

I am engaged on the following professional organisations:

- Member, inaugural **Melbourne Design Review Panel** (City of Melbourne, 2021);
- Member, **Victorian Design Review Panel** (OVGA, since 2016);
- Member, **South Australian Design Review Panel** (ODASA, since 2011);
- Member, Latrobe University Design Review Panel (currently inactive);
- Global Advisor, United Nations Global Compact – Cities Programme (discontinued);
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand (discontinued).

#### 1.3.2 Experience

##### Professional experience

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

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

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

##### Project experience

My urban design experience includes the following projects:

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

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

- Urban Design Advice:
  - Eden/Haven/Sanctuary on the River, Abbotsford, for HAMPTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
  - Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
  - Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews:
  - Regular independent reviews of permit applications, for Councils including Melbourne, Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
  - Sunshine NEIC Urban Design Analysis and Framework Plans, for Brimbank City Council, in collaboration with Kinetica;
  - Footscray Built Form Review 2020, for Maribyrnong City Council;
  - Tarneit Major Town Centre: Economic Impact Assessment and Design Review 2018, for Wyndham City Council;
  - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
  - 1160 Sayers Road, Tarneit, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
  - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008;
  - Brighton Toyota Site UDF, for LEFTA Corporation;
  - Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
  - Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).
- Master Plans and Concept Designs
  - Sunshine Station Master Plan 2021, for Department of Transport, in collaboration with Development Victoria;
  - Revitalising Central Dandenong (Sites 11-15) Master Plan/Development Plan, for Capital Alliance and Development Victoria, 2021;
  - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
  - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
  - 433 Smith Street (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
  - Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
  - Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

### Experience preparing expert evidence

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

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 2.0 Context

#### 2.1 Strategic context

##### 2.1.1 Zoning

The review site is located on the northern side of Elizabeth Street, approximately mid-way between Church Street to the east and Lennox Street to the west.

It forms part of the extensive Homes Victoria precinct, which extends south of Elizabeth Street down to Highett Street, between Church Street and Lennox Street. To the north, it is interfaced by properties fronting Victoria Street, in the Commercial 1 Zone.

The land is situated within the **General Residential Zone – Schedule 3 (GRZ3) – Office of Housing Sites Over 2500sq.m & Selected Main Road Sites**. The purposes of the General Residential Zone include:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The GRZ3 Schedule requires consideration of:

- Amenity impacts of surrounding land uses;
- Avoiding visual obtrusion;
- Character of adjacent buildings, the streetscape or the area; and
- Layout and appearance of car parking areas.

The review site is not within or adjoining a Heritage Overlay.

No Design and Development Overlay applies to the review site.

#### 2.2 Review site and context

##### 2.2.1 Existing conditions

The review site is a generally rectangular area of land, with an irregular western edge. It is bounded by Elizabeth Street to the south, Cooke Court to the east, Williams Court to the north.

The site contains open lawn space with several mature trees.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response



Figure 01: Review site (grassed area) and adjacent buildings to the west, viewed from Elizabeth Street, looking north-west.



Figure 02: Review site (grassed area) and adjacent buildings to the north and east, viewed from Elizabeth Street, looking north.



Figure 03: Review site (grassed area) and adjacent buildings to the north (left) and east (right).



Figure 04: Existing built form north of the review site (foreground), including the rear concrete wall of 214-216 Victoria Street, which is immediately west of the laneway connecting to Victoria Street via a car park.

### 2.2.2 Interfaces

The site's interfaces are as follows:

- North:
  - Contemporary 6-storey residential building (on Homes Victoria land);
  - Williams Court (narrow lane/path);
  - Small open space interfacing to rear wall of 214-216 Victoria Street.
- East:
  - Cooke Court (roadway and parking);
  - Contemporary 6-storey residential buildings (on Homes Victoria land).
- South: Elizabeth Street, with high-rise Homes Victoria buildings opposite.
- West: Older 3-storey brick residential buildings (on Homes Victoria land).

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response



Figure 05: Elizabeth Street looking east, and the Homes Victoria precinct on the southern side of Elizabeth Street.



Figure 06: Elizabeth Street looking west from the review site, and the Homes Victoria precinct on the southern side of Elizabeth Street.



Figure 07: Elisabeth Street frontage (north side), west of the review site.



Figure 08: Homes Victoria buildings immediately west of the review site.



Figure 09: Elizabeth Street looking west from Church Street, towards the review site, behind the building at right.



Figure 10: Elizabeth Street at the intersection of Church Street, with existing homes Victoria building adjacent to the review site.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response



Figure 11: Victoria Street, north of the review site, looking west towards the CBD.



Figure 12: Victoria Street frontage with view to Homes Victoria buildings.



Figure 13: Victoria Street frontage with view to Homes Victoria building directly north of the review site, and the laneway connection through.



Figure 14: Cooke Court, looking west from Church Street, towards the Homes Victoria buildings located north and east of the review site.



Figure 15: Aerial photo of the review site (green rectangle, centre), in the context of Elizabeth Street (centre), Victoria Street to the north and Church Street to the east (image source: Google).

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 2.3 The proposal

#### 2.3.1 Outline

The proposed development comprises two new 'L-shaped' buildings enclosing a central courtyard (Building 1 to the west and south, and Building 2 to the north and east).

The buildings each comprise two connected components and varied heights, with a recess or 'break' in between.

#### 2.3.2 Land use distribution

The two buildings are positioned above a common single-level basement for car parking, accessed via a ramp from Cooke Court on the eastern side.

**Building 1** comprises a 5-level (northern component) and 7-level (southern component) building as follows:

- Ground Floor:
  - 'Non-Residential Use' spaces (2) facing west to the landscaped space;
  - Entry lobby with access from Elizabeth Street;
  - Bike storage;
  - Residential dwellings fronting Elizabeth Street and the proposed central courtyard.
- Levels 1-4: Residential dwellings around central lift/stair core;
- Levels 5-6: Residential dwellings (southern component only) with central lift/stair core.

**Building 2** comprises a 4-level (northern component) and 8-level (southern component) building as follows:

- Ground Floor:
  - Entry lobby with access from Cooke Court to the east;
  - Bike storage;
  - Services space and vehicle entrance to basement;
  - Residential dwellings.
- Levels 1-3: Residential dwellings with lift/stair core in the southern component;
- Levels 4-7: Residential dwellings with lift/stair core (southern component only).

#### 2.3.3 Heights

The Ground Floor level is raised approximately 1.4m above ground level in both buildings. This generally reflects the condition of the adjacent buildings to the east.

The Ground Floor floor-to-floor height is 4.0m.

Upper-level floor-to-floor heights are 3.28m.

##### **Building 1:**

5-level (northern component): 19.4m approx. to parapet

7-level (southern component): 26.0m approx. to parapet

##### **Building 2:**

4-level (northern component): 16.1m approx. to parapet

8-level (southern component): 29.3m approx. to parapet

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## **Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response**

### **2.3.4 Setbacks**

Building 1 is set back 3.1m from the Elizabeth Street boundary, with an increased setback of 5.06m at the western end.

Building 2 is set back 3.1m – 4.6m from the Elizabeth Street boundary.

The development therefore presents more recessive corners at both ends of the street frontage, through increased front setbacks.

Building 2 is set back 3.7m from the eastern site boundary interfacing to Cooke Court.

This establishes a separation distance from the existing buildings to the east of approximately 19.0m (scaled from the plans).

The buildings are set back 12.0 m from the northern site boundary, or about 13.8m (scaled from the plans) from the existing building to the north.

Building 1 is set back 28.3m from the nearest corner of the existing building to the west.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 3.0 Review of the proposed development

#### 3.1 Is the site organisation and built form siting appropriate?

##### 3.1.1 Guidance

**Clause 52.20** states that the street setback where there are existing buildings on both abutting allotments facing the same street, should be the same as the front wall of either of the existing buildings.

##### 3.1.2 Assessment

###### General arrangement

The buildings are sited in the generally rectangular site to enclose a new central courtyard space, measuring approximately 17m wide and 26m long (scaled from the plans).

This is an appropriate response to the site and interfaces, and provides a useable space for residents between the proposed buildings. This space appears to be gated, so is presumably for residents only, and not publicly accessible.

While the proposal creates a significant reduction in the amount of publicly accessible open space, the provision of a landscaped courtyard for residents provides a more amenable, enclosed and semi-private space, which may be more valuable to residents than the existing open space which lacks any sense of enclosure or amenity.

###### Building separation

The building separation distances to existing buildings to the north (13.8m), east (19m) and west (over 28m) are adequate at the building heights proposed, and do not present any overlooking/privacy issues.

Overshadowing is considered below.

###### Front setbacks

The front setbacks to Elizabeth Street of approximately 3m and increased setbacks at the corners appears to generally align with the front setbacks of the older buildings to the west (see Figure 7 above, and as indicated in the plans).

The contemporary building to the east is not fully shown in the plans, but this building has limited setbacks of approximately 1m from the footpath to the balcony edges, as shown below.



Figure 16: Elizabeth Street frontage immediately east of the review site, at 175-191 Elizabeth Street (image source: Google).

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

Therefore, the proposed development provides for increased front setbacks relative to this building, which provides a transition towards the west, away from Church Street, and also in response to the landscape grounds and large setback across Elizabeth Street.

The proposed front setback arrangement is compliant with Clause 52.20 and is therefore accepted.

**I therefore consider the proposed building siting to be appropriate.**

### Communal/public spaces

I understand that the area to the immediate west of the proposed Building 1 is proposed as a 'play street', although this is not identified in the plans or the landscape plans or landscape design statement/executive summary.

This incorporates coloured concrete pavement areas interfacing to the indoor community spaces, lawn areas, and an arrangement of outdoor wooden furniture and play items, between the proposed buildings and the existing buildings to the west.

The central communal courtyard provides a 'wavy' arrangement of planters, seating and tables.

I consider it appropriate to provide a combination of communal/semi-private spaces, and publicly accessible space and play facilities, which can be utilised by residents of other buildings nearby. These spaces will invite people and activity, which is beneficial in terms of safety, social opportunities and the character or 'feel' of the area.

The central communal courtyard is accessible from all four interfaces, and so is directly connected to the 'play street', which is interfaced by the two community room spaces in Building 1. It utilises the site's only non-trafficable interface, and so presents an appropriate arrangement of spaces and facilities.

## 3.2 Is the land use mix appropriate?

### 3.2.1 Guidance

The **General Residential Zone** encourages a diversity of housing types and housing growth in well-served locations, alongside community-focussed non-residential uses.

### 3.2.2 Assessment

#### Residential apartments

Building 1 provides for 72 no. social housing apartments, comprising 43 no. 1-bedroom units (60%), 22 no. 2-bedroom units (30%) and 7 no. 3-bedroom units (10%).

Building 2 provides for 72 no. affordable housing apartments, comprising 43 no. 1-bedroom units (60%), 25 no. 2-bedroom units (35%) and 4 no. 3-bedroom units (5%).

I recognise that this provision responds to specific Homes Victoria requirements. I also consider that the buildings reflect an acceptable level of housing diversity.

The proposed development represents housing growth, and provides for mixed apartments in varied mid-rise scale buildings, adjacent to existing low-rise and high-rise apartments in the area.

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## **Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response**

### **Other uses**

Building 1 incorporates two 'non-residential use' spaces. The proposed uses of these Ground Floor spaces are not specified in the plans. I assume they will be for community uses (e.g. meetings, classes and group activities).

I recognise that this type of flexible community-focused space can perform an important social function in high-density settings, and that this location is not suited to retail or hospitality tenancies, for example.

### **Car parking**

The location of car parking within a basement below both buildings is strongly supported, recognising that this approach is likely to be more costly than above-ground parking. Basement parking reduces the building mass, and maximises opportunities for activation and passive surveillance at the lower levels of the buildings, as well as for useable outdoor space.

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

I consider active frontages and interfaces in more detail below.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 3.3 Is the built form height and massing appropriate?

#### 3.3.1 Guidance

**Clause 52.20** seeks to facilitate development of housing projects, while avoiding unreasonable impacts on adjoining dwellings.

The **General Residential Zone** encourages development that respects the neighbourhood character, and encourages housing growth and diversity in well-serviced locations, alongside community-focussed non-residential uses.

#### 3.3.2 Assessment: building height

The local built form context comprises a range of building scales, with 3-storey forms to the west, 6-storey forms to the north and east, and multiple high-rise forms of over 20-storeys to the south. This context includes ageing high-rise and low-rise stock, and more contemporary mid-rise built form, and a variety of spaces between buildings, which typically (in public housing estates) lack definition or particular qualities or characteristics.

The area does not have a strongly defined built form character from my reading, but is highly varied and diverse, but generally visually robust in materials and configurations. The presence of green space between buildings is a clear aspect of the character, even if these spaces are underutilised and lacking in spatial definition and amenity.

Building 1 incorporates 4-storey and 7-storey forms, in response to the lower-scale existing buildings to the west. Building 2 incorporates 5-storey and 8-storey forms closer to the higher forms to the east.

Ground Floor level in both buildings is raised 1.4m above ground level to allow for a semi-basement arrangement, similar to the buildings to the east. This supports a degree of privacy and separation for the public realm for Ground Floor dwellings.

However, the southern 'non-residential use' space appears to be set at existing ground level, rather than the raised Ground Floor level, while the northern non-residential use space is at the elevated Ground Floor level.

The Plans do not include any cross-sections.

The higher forms (7 and 8 storeys) are positioned close to Elizabeth Street, with the lower-height forms to the north. This provides for lower-scale interfaces to existing buildings, and increased solar access from the north, to the proposed central courtyard, and dwellings within the southern building components.

While the two street frontage forms will be higher than the 6-storey built form to the immediate east, they are considered in the context of much higher buildings across Elizabeth Street to the south, and also lower buildings to the west.

I consider that this site/location can accommodate built form up to 8-storeys as proposed, based on:

- Existing contemporary buildings to the east and north which provide a suitable precedent for further mid-rise development in this precinct;
- Extensive space around/between buildings, and substantial street setbacks;
- Highly diverse built form context/character in this locality;
- Presence of much higher built form nearby;
- 7-8 levels (as proposed) is 'moderate' mid-rise scale;

**I therefore consider the proposed building heights to be appropriate in this context.**

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### 3.3.3 Assessment: frontage heights / setbacks

The buildings do not provide upper-level setbacks, to any of the frontages/interfaces, but retain a consistent footprint through all levels.

This is consistent with the local context. The neighbouring 6-storey buildings to the east and north also do not step back at upper levels.

I do not consider that buildings up to 8-storeys require upper-level setbacks in this context, and so consider the proposal acceptable in this regard.

The Elizabeth Street frontages incorporate an expression of a street wall or podium, through brickwork materiality at the lower 2-3 levels (and full height for part of Building 2), with concrete wall cladding above.

The brickwork extends around to the northern frontages at Ground Floor frontages and front courtyard walls.

This provides a visual reference to a street wall and low-scale 'domestic' interface, and references the adjacent 3-storey brick buildings to the west.

I consider materials and expression further below.

### 3.4 Are the public realm interfaces / frontages appropriate?

#### 3.4.1 Assessment

##### Ground Floor frontages

The Ground Floor frontages contain a combination of residential dwellings with balconies, non-residential spaces facing west, building entrances, and internal bicycle storage areas.

The vehicle entrance and building services are consolidated in the east frontage to Cooke Court. This supports an appropriately high extent of active frontage across the four external interfaces of the development.

The positioning of Ground Floor level at 1.4m above existing ground level, together with landscaped buffers along the frontages, provide an appropriate extent of separation and privacy for Ground Floor dwellings. The solid balustrades also support visual separation at Ground Floor, while the north-facing dwellings have higher front walls with curved profiles.

I note that Ground Floor balconies and windows do not incorporate security screens or similar devices. I recognise that these interfaces reflect functional requirements, but I consider the proposed conditions appropriate from an urban design perspective, in balancing privacy and separation, with opportunities for passive surveillance and visual interaction with the public realm.

The entrance gates to the communal courtyard are in steel palisade fencing with curved profiles. Together with the expression of arches in the east and west façades, and the inverted-arch front fences to the north frontage, these support visual softening and a 'domestic' or residential expression at the lower levels, and reference the arches in the neighbouring buildings to the north and east.

The Ground Floor bicycle storage spaces have frontages combining clear glass and open 'hit and miss' brickwork, providing opportunities for visual interaction and 'light spill' to the outside.

The renders indicate that the southern 'non residential space' will incorporate flexible canopies extending out from the façade, which provides a softer interface and opportunities for shading to the west.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### Upper-level frontages

At the upper levels, the dwellings combine clear glass windows and doors, with a mix of solid concrete or open metal balustrades. These interfaces provide further opportunities for passive surveillance and support a visually 'open' expression, which is appropriate.

**I therefore consider the frontages to be appropriate in supporting opportunities for passive surveillance and visual interaction with the public realm.**

### Overshadowing to the public realm

The shadow diagrams indicate that the proposed development will not significantly impact the neighbouring residential buildings, with only limited impact to the eastern building at 3pm at the equinox.

Elizabeth Street is overshadowed across the day, as is expected given its orientation relative to the proposed development, but the southern footpath receives sunlight for most of the afternoon at the equinox.

The central communal courtyard is overshadowed by the proposed buildings surrounding it but receives a reasonable extent of sunlight across the day, and is complemented in the afternoon by full sunlight to the 'play street' to the immediate west, when the courtyard is more impacted by shading.

**I therefore consider the extent of overshadowing to the public realm and communal spaces to be acceptable.**

## 3.5 Is the architectural expression appropriate?

### 3.5.1 Assessment

#### Facade configurations

As outlined above, the façades are necessarily robust and relatively simple in their expression, but effectively combine several elements and materials, including:

- Solid concrete balustrades to form horizontal banding;
- Open metal palisade balustrades for more open expression;
- Arched palisade screens which create a sense of depth or layering in the facades;
- Vertical alignment or banding of windows, balconies and materials;
- Brickwork to lower levels, with concrete walling above, to reflect a 'street wall' element;
- Double-height rectilinear 'arch' openings in the brickwork component at Ground Floor and Level 1;
- Extensive glazing for visual 'openness' and access to daylight.

These elements create an effective and responsive composition which references traditional mid-rise, 'European' residential buildings. The facades generally appear welcoming, 'homely' and considered.

The Elizabeth Street (south) frontage, however, which is the most publicly visible, has a distinctly more robust and rectilinear expression than the other facades, it lacks any arched expression or screening, and contains extensive concrete cladding at the upper levels.

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## Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response

### Recommendation:

While the south facades will receive very limited direct sunlight (so do not require shading or screening), I consider that further visual softening in the upper levels of Buildings 1 and 2 is warranted, in keeping with the other facades, and to reduce the visual severity of this façade's expression.

The communal courtyard elevations are also more austere in their expression, but contain a limited extent of arched screens to balconies in vertical bands. While there would be benefit in further articulating and 'softening' these internal courtyard facades, in response to the landscape design for the courtyard, I consider the presentation to be acceptable.

### Materials and colours

I support the application of brickwork to the facades to lower levels as noted above, and the metal balustrade/screen details generally, while concrete is acceptable at the upper levels as a less detailed and more simple material finish.

Upper-level concrete panels utilise 2-3 different colours/tones for variation, although the 'CON3' finished in the materials legend does not appear to be applied in the elevations anywhere (and is identified as the same finish as CON2). This requires clarification.

Based on this assessment, I consider the proposed architectural expression to be appropriate and effective, apart from the above recommendation.

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## **Attachment 2 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Urban Design referral response**

### **4.0 Conclusion**

The proposed Homes Victoria development at 147-161 Elizabeth Street, Richmond reflects a highly considered proposal for built form and public realm/landscape works in an established Homes Victoria precinct.

The proposal incorporates benefits for the resident community and public, and effective design initiatives, ranging from the site configuration and public space improvements, to residential amenity outcomes.

The proposal represents a comprehensive design approach which is demonstrably responsive to context on various levels, and which balances a specific brief/program, site challenges and appropriate design consideration.

I have made limited recommendations to further refine some aspects of the design.

I otherwise consider the proposal to be supportable from an Urban Design perspective.

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**Attachment 3 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Wind referral response**



**22 CLEELAND ROAD  
SOUTH OAKLEIGH VIC 3167  
AUSTRALIA**

(ACN 004 230 013)

Ref: 186-21-DE-REV-00

9 December 2021

City of Yarra  
PO Box 168  
Richmond VIC 3121

Attn: Mary Osman

Dear Mary,

**147-161 Elizabeth Street, Richmond  
Review of Vipac Wind Impact Assessment  
Vipac Document Number: 30N-21-0489-TNT-23111-1 dated 12 November 2021**

The review of the Vipac Wind Impact Statement is based on MEL Consultants' experience of wind flow around buildings and structures. This experience has been developed from a company experience of more than 50 years of desktop, wind tunnel, and full scale studies of environmental wind conditions in urban and sub-urban areas. No wind tunnel studies have been undertaken to support the review. Our comments are as follows:

- The Vipac Wind Impact Assessment has been prepared based on the experience of the consultancy and no wind tunnel testing by Vipac has been carried out to support the report. MEL Consultants have no issue with this approach for a desktop study as this is a common approach to provide architects, developers, and responsible authorities advice on the wind effects of the design.
- MEL Consultants have no issue with the Analysis Approach, Site Exposure, and Regional Wind Climate that have been used as the basis for the assessment. Vipac has clearly identified the process for the desktop assessment and this is consistent with the approach that MEL Consultants would take to prepare a desktop wind impact assessment. A clear description of the 147-161 Elizabeth

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### **Attachment 3 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Wind referral response**

2

Street, Richmond, development has been provided along with reference drawings which are listed in the Appendix of the report.

- The pedestrian safety and comfort criteria are the Capital City Zone and upcoming Better Apartment Design Standards and MEL Consultants have no issue with these criteria. The recommended criteria for the immediate surroundings streetscapes would be walking comfort and the standing criteria for the entrances to the building. The assessment clearly discusses the rationale for recommending the walking criterion for the terraces and there is no issue with this recommendation.
- The Vipac desktop assessment identifies the approximately 6 level development on the north side of Williams Court and other buildings to the east would provide shielding for the northeast and east wind directions and MEL Consultants agree with the assessment of the shielding. We also agree it would have exposure to the southwest wind direction and, as Figure 9 indicates, the northerly wind directions around the west end of the building to the north. Vipac have identified that there will be adverse wind conditions at a number of locations, but have missed the north and south wind flow between Buildings B1 and B2. This narrow gap between the building would be expected to accelerate the wind flow and create adverse wind conditions in the area and adjacent to the entrance Vipac identified in Figure 8. Vipac's expectation of the walking comfort criterion in the public areas would be reasonable due to the comfort criteria being based on average tolerable wind conditions. We agree the wind flow within the development is complex and should be investigated by a wind tunnel model study, but we recommend the study should not be delayed until the Detailed Design stage of the development. The significant number of locations of concern identified by Vipac and the likely expectation of better than walking comfort wind conditions in the central courtyard, indicates the project should be wind tunnel tested during the planning stage.
- Vipac have noted that the ground floor is very open and porous allowing air movement throughout the development. They further note the proposed features and air-locks at the southern and eastern entrances. Vipac assess the

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**Attachment 3 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Wind referral response**

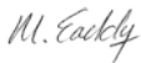
3

wind to pass through these openings in excessive for residents to feel unreasonably uncomfortable, but have not assessed the wind conditions against a comfort criterion. The air-locks use sliding style doors that have a separation of approximately 3m, which would be expected to cause the air-lock doors to be open simultaneously as pedestrians transit the area. The simultaneous opening of the air-lock doors results in the air-lock being ineffective for mitigating wind flow through the entrances. Therefore, MEL Consultants would be concerned that the wind conditions would not satisfy the standing criterion that would be targeted for lobby/entrance areas.

- Vipac have assessed the wind conditions on the private balconies as satisfying the walking comfort criterion. MEL Consultants have no issue with this assessment. This assessment should be confirmed

In conclusion, the Vipac Wind Impact Assessment has been prepared based on the consultant's experience of wind flow around buildings and structures. We have no issues with the Analysis Approach, Site Exposure, Regional Wind Climate, and description of the development used in the preparation of the assessment. This is consistent with the approach MEL Consultants would take to prepare a similar desktop environmental wind assessment. Vipac have identified a number of locations that may have high wind conditions, but would still satisfy the walking comfort criterion. A significant number of locations of concern have been identified by Vipac and along with the suggestion of a requirement of wind conditions better than walking comfort wind conditions in the central courtyard. Therefore, it is recommended that the project should be wind tunnel tested during the planning stage.

Yours sincerely,



M. Eaddy  
MEL Consultants Pty Ltd

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## Attachment 4 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response



21 December 2021

640.10090.07240-147-161 Elizabeth St Richmond 20211220.docx

Yarra City Council  
PO Box 168  
RICHMOND 3121

**Attention: Mary Osman**

Dear Mary

### 147-161 Elizabeth Street, Richmond Development Application Acoustic Review

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the proposed development at 147-161 Elizabeth Street, Richmond.

Details of the report are as follows.

- Title: Richmond Social Housing – Stage 1, Schematic Design report
- Reference: Rp 001 R02 20201034
- Date: 10 November 2021
- Prepared for: Kerstin Thompson Architects
- Prepared by: Marshall Day Acoustics (MDA)

The report has been prepared to support the planning application for the project and to provide preliminary design advice.

## 1 Background Information

*(Section 1 to 3 the acoustic report)*

The acoustically significant aspects of the proposal are identified as:

- Residential development comprising 4 separate buildings, 4 to 8 levels in height + basement
  - Common basement carparking
  - Ground level non-residential spaces and apartments
  - Apartments on all other levels
- The subject development is in a residential area.
- Site observations and measurements have not been conducted to confirm potential noise impacts to the subject development. However likely potential noise impacts are identified as:
  - Moderate levels of road traffic noise from Elizabeth, Victoria and Church Streets.

## Attachment 4 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response

Yarra City Council  
147-161 Elizabeth Street, Richmond  
Development Application Acoustic Review

SLR Ref: 640.10090.07240-147-161 Elizabeth St  
Richmond 20211221.docx  
Date: 21 December 2021

- Noise from existing commercial uses on Victoria Street (some of the proposed buildings will overlook these premises). MDA note that these businesses should comply with environmental noise legislation at existing surrounding residential premises.

**SLR Comments:** *The proposal and site context have been identified.*

*With respect to road traffic noise impacts, we agree that these are likely to be moderate given that Elizabeth Street is a reasonably minor through road, and the subject buildings will be at least 80 m from the nearest major road (Victoria Street).*

*With respect to commercial noise impacts, the subject buildings will be further from nearest commercial premises than existing apartments (which are also multilevel). Given these factors, we are satisfied that specific consideration of potential impacts is probably not essential.*

*The proposal is part of the Victoria's Big Housing Build and is seeking to obtain the available credit points under The Green Star Design and As-Built v1.3.*

## 2 Noise impacts to the subject development (road traffic noise)

### 2.1 Criteria

*(Sections 4.1, 5.3.1, 6.2 and 14.1 of the report)*

The project is not within an 'influence zone' as defined in Standard D16 and is therefore not required to comply with the internal noise levels set out in D16.

However, the project is seeking to obtain the Green Star credit point 10.1 Internal Noise Levels. This credit point will be obtained if internal ambient noise levels are not greater than 5 dBA above the lower figure in the relevant AS/NZS2107:2016 ranges, as provided in Table 2. This level is 40 dB  $L_{Aeq}$  for all habitable rooms. MDA state that the Standard does not define the measurement interval, but that they recommend assessing the typical worst case 30 minute period of the measurement interval to the identified criteria.

The criteria are to be met by noise ingress to a building, and noise generated within the building itself by non-occupant sources. Occupant services is further defined in the footnote to Table 9 of the report as excluding user controlled mechanical plant such as air conditioning and exhaust fans.

**SLR Comments:**

*Council typically recommend that the Standard D16 criteria of 40 dB  $L_{Aeq,16hr}$  in habitable rooms (day/evening), and 35 dB  $L_{Aeq,8hr}$  in bedrooms (night) are applied to all dwellings impacted by road traffic noise, not just those within a noise influence area.*

*However, the criteria proposed for this project, being 40 dB  $L_{Aeq,30 mins}$  in all habitable rooms, could be expected to be equivalent, or better than, the usual City of Yarra design criteria for road traffic noise (the day/evening criterion of 40 dB  $L_{Aeq,30 mins}$  is more onerous than 40 dB  $L_{Aeq,16hr}$  and the night criterion of 40 dB  $L_{Aeq,30 mins}$  for bedrooms is likely to be comparable to 35 dB  $L_{Aeq,16hr}$ ).*

## Attachment 4 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response

Yarra City Council  
147-161 Elizabeth Street, Richmond  
Development Application Acoustic Review

SLR Ref: 640.10090.07240-147-161 Elizabeth St  
Richmond 20211221.docx  
Date: 21 December 2021

### 2.2 Quantification of external noise impacts and construction advice for noise control

(Section 6.5 of the report)

External road traffic noise impacts have not been quantified and the report does not include advice for the façade. In Table 4 it is noted that the Green Star levels are likely to be met with conventional glazing systems.

**SLR Comments:** We agree that road traffic noise impacts to the site are likely to be moderately low. However, the combination of no actual road traffic noise assessment and no fixed advice for façade treatments is potentially risky. Either external noise impacts should be quantified by measurement and advice provided for addressing them, or reasonably conservative advice should be provided for addressing the likely level of road traffic noise (along with the basis for these conclusions). If it is still concluded that the internal levels are likely to be met with conventional glazing systems, advice should be provided in the report regarding the assumptions around conventional systems (e.g. the glazing and façade wall acoustic ratings assumed in the assessment).

### 3 Environmental Noise Limits

(Section 4.3 of the report)

The Noise Protocol Part I limits (previously SEPP N-1) have been determined from the calculated zoning levels and measured background noise levels. The measured background levels are noted to have been conducted by MDA in the vicinity of the subject site. The presented limits are equal to the zoning levels (i.e. background noise is classified as 'neutral').

**SLR Comments:** Our calculation of the Noise Protocol Part Zoning Levels are in agreement with MDA's. The details of the background noise measurements used to determine noise limits are not provided in the report. This information should be included for transparency. However, we acknowledge that the background noise levels look reasonable for the area, and that the zoning levels provide reasonable environmental noise limits on this project.

### 4 Control of Noise within the Development

#### 4.1 Architectural design criteria

(Sections 6.4 and 8.1 of the report)

The project is proposed to be designed to achieve the Greenstar credit point for Acoustic Separation (Credit 10.3C) and to meet the requirements of the National Construction Code (NCC) / Building Code of Australia (BCA).

The Green Star criteria for airborne acoustic separation are noted to be more onerous than the BCA and are identified as having implication for wall footprints.

**SLR Comments:** The presented criteria are correct. From a planning perspective, either of the criteria would be reasonable for the project.

#### 4.2 Architectural advice

(Sections 9 to 11 of the report)

Advice is provided for wall and floor constructions to comply with the identified design criteria.

## Attachment 4 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response

Yarra City Council  
147-161 Elizabeth Street, Richmond  
Development Application Acoustic Review

SLR Ref: 640.10090.07240-147-161 Elizabeth St  
Richmond 20211221.docx  
Date: 21 December 2021

**SLR Comments:** *The provided advice is reasonable and could be expected to achieve compliance with the identified criteria if implemented correctly.*

### 4.3 Building services noise criteria

*(Sections 4.3 and 14 of the report)*

Design criteria for noise from project mechanical plant to residential units within the development are provided in Table 9. Noise from non occupant plant (e.g. centralised plant noise through common walls) is proposed to be designed to achieve NR25 (The NR rating systems is a curve and internal levels in all measurement octave bands are required to be below the relevant reference curve. NR25 corresponds approximately to 30 dBA). Higher design levels – NR32 to 38 - are nominated for owner operated equipment such as air conditioners and exhaust fans.

Mechanical plant serving another apartment is noted to be required to be inaudible in any apartment during the night period, in accordance with the EPA Residential Noise Regulations. During the day and evening period, the plant is required to comply with background based targets of 'background + 5 dB'.

Centralised mechanical plant is required to comply with Noise Protocol, Part I limits.

**SLR Comment:** *The nominated design criteria are appropriate. We note that project related non-occupant mechanical plant (e.g. communal mechanical plant noise entering apartments via common shaft walls and the like) is required to comply with both Green Star / NR25 rating, and the Noise Protocol Part I effective internal noise limits. These limits are equal to the external noise limit, less 20 dB (i.e. 21 dBA on this project). It is not completely clear from the report whether the Noise Protocol Part I limits are proposed to be met by this noise.*

*The actual environmental noise limits for apartment air conditioning units are not identified. Background noise monitoring would need to be conducted at the quieter times that the equipment is proposed to operate in order to do this (e.g. late evening period and during the night). However, nuisance noise from this equipment tends to be low risk, and it would be reasonable for the limits to be confirmed, and design advice provided, during the detailed design phase.*

### 4.4 Building services advice

*(Section 14.2 of the report)*

A detailed review of noise from mechanical plant is proposed to be conducted as the design progresses.

**SLR Comments:** *It is reasonable to conduct the assessment of noise from this equipment during the detailed design phase.*

### 4.5 Hydraulic noise criteria

*(Section 14.1 of the report)*

Criteria for noise from hydraulic equipment, including pumps, water supply and drainage pipes are provided in Table 9. Acoustic separation between hydraulic pipework and apartments is also required to comply with the BCA.



## Attachment 4 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response

Yarra City Council  
147-161 Elizabeth Street, Richmond  
Development Application Acoustic Review

SLR Ref: 640.10090.07240-147-161 Elizabeth St  
Richmond 20211221.docx  
Date: 21 December 2021

**SLR Comment:** The nominated criteria are generally reasonable however we note that noise from any pumps on the project are also required to comply with the Noise Protocol effective indoor limits, being 20 dB less than the external noise limit.

### 4.6 Hydraulic noise control advice

(Section 10 of the report)

Advice is provided for controlling noise from hydraulic services.

**SLR Comment:** The provided advice is conceptual and can be expected to address most noise from most hydraulic services.

## 5 Carpark entry door

(Section 13 of the report)

Advice is provided for controlling noise from the carpark entrance gate. The advice included provision of vibration isolation to the installation and for a review of the design to be conducted prior to installation.

**SLR Comment:** The provided advice is reasonable and can be expected to manage noise from the equipment if implemented correctly. We note that specific noise criteria are not provided for the carpark entrance gate, however the equipment falls within the 'intermittent / non-occupant' category in Table 9, for which the nominated criteria is 25  $L_{Amax}$  dB. This design would provide for a good level of amenity.

## 6 Other Matters – Ground Level Non-housing spaces

There are large non-housing spaces on the ground floor of two buildings, and the use of these spaces is not identified on the plans or in the report. There is potential for use of these spaces to generate inappropriate levels of noise and/or vibration. If risky uses are proposed (e.g. gym or café / bar / restaurant operating during the evening / night periods) an acoustic report should be prepared to address potential impacts from the use.

## 7 Summary

SLR Consulting Australia has reviewed the acoustic report prepared to support the application for a residential development proposed for 147-161 Elizabeth Street, Richmond. The report generally addresses acoustic issues on the project, however we recommend the following changes:

- An explicit assessment of road traffic noise has not been provided. We recommend that road traffic noise is assessed and advice provided or, as a minimum, the consultant nominate conservative façade treatments for addressing the likely level of road traffic noise, and the basis for those conclusions. **The report should be updated with the information.**
- Details of the background noise measurements conducted are not included in the report. While we accept the use of the presented background data for determining Noise Protocol Part I limits for planning purposes, we note noise from the use will need to comply with lower noise limits if they are determined. Background noise levels for the purpose of identifying noise limits in accordance with the EPA Residential Noise Regulations will also need to be determined (either by reference to appropriate existing data or measured). It would be reasonable for the noise limits to be confirmed, and design advice provided, during the detailed design phase.

## Attachment 4 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Acoustic referral response

Yarra City Council  
147-161 Elizabeth Street, Richmond  
Development Application Acoustic Review

SLR Ref: 640.10090.07240-147-161 Elizabeth St  
Richmond 20211221.docx  
Date: 21 December 2021

- The report assesses noise from project mechanical plant to AS/NZS2107 internal levels and it is unclear whether this noise is also proposed to be assessed to the Noise Protocol Part I internal limits (formerly SEPP N-1), which are lower. **The report should be updated to confirm that the Noise Protocol limits will be met on the project for sound transmitted into apartments.**
- If the ground floor non-residential spaces are likely to produce intrusive noise (e.g. gym or café / bar / restaurant operating during the evening / night periods), an acoustic report should be prepared to address potential impacts.

Regards,



Dianne Williams  
Principal – Acoustics

Reviewed by JA

## Attachment 5 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic Transport referral response



# Planning Referral

**To:** Mary Osman  
**From:** Chloe Wright  
**Date:** 17/12/2021  
**Subject:** Strategic Transport Comments  
**Application No:** Big Build Housing, Richmond  
**Description:** Comments re Big Build Housing at Collingwood Housing Estate  
**Site Address:** 147 – 161 Elizabeth Street, Richmond

I refer to the proposed plans and Traffic report prepared by One Mile Grid in relation to the social and affordable housing development at 147 – 161 Elizabeth Street, Richmond. Council's Strategic Transport unit provides the following comments:

### Access and Safety

No access or safety issues have been identified.

### Bicycle Parking Provision

#### Statutory Requirement

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

Proposed Use	Quantity/ Size	Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	144 dwellings	1 resident space per 5 dwellings	29 resident spaces	
		1 visitor space per 10 dwellings for visitors	14 visitor spaces	
Café	154 sqm	1 employee space to each 300 sqm of leasable floor area	0 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area	0 visitor spaces	
Bicycle Parking Spaces Total			29 resident spaces	102 resident spaces
			14 visitor spaces	18 visitor spaces

### Adequacy of visitor spaces

The following comments are provided in relation to the provision of visitor spaces:

- 18 visitor bicycle spaces are proposed. Council's best practice rate<sup>1</sup> generates a recommendation of 36 visitor bicycle spaces.

<sup>1</sup> Category 6 of the Built Environment Sustainability Scorecard (BESS) recommends a rate of 0.25 visitor spaces to each dwelling.

## Attachment 5 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic Transport referral response

- It is recommended that an additional 10 visitor bicycle spaces are provided at the Elizabeth Street frontage of the site.
- Visitor bicycle spaces should be positioned in a location that is visible and easily accessible to visitors e.g. near entrances at Elizabeth Street.
- All visitor bicycle spaces must be provided as a horizontal at-grade bicycle hoop and must be positioned in accordance with access and clearance requirements of AS2890.3.

### Adequacy of resident spaces

#### *Number of spaces*

102 resident bicycle spaces are proposed, which does not meet Council's best practice rate<sup>2</sup> recommendation of 144 resident spaces.

The best practice rates for bicycle parking are recommended for multi-residential development in Yarra to support local and state planning policies and objectives to promote sustainable transport modes, including cycling. Additionally, the subject site is located in an inner-urban area with high cycling-to-work demand and is also located adjacent to a strategic cycling corridor (Elizabeth Street protected bicycle lanes).

#### *Design and location of resident spaces*

The following comments are provided in relation to the location and design of resident bike parking:

- All resident spaces are provided within two secure facilities at the ground floor of Building 1 and 2, with access via lobby entrances/ramps.
- Resident bicycle spaces are provided as two-tier bicycle rack and hanging wall racks. The type of rack is not noted on the plans, however, it appears that all racks within bike store 2 are two-tier racks and 42 two-tier racks are provided within building 1 bike store, which satisfies the AS2890.3 requirement for at least 20% of bicycle storage spaces to be provided as horizontal at ground-level spaces.
- Dimensions of bicycle spaces are not shown on the plans, however, the layout of bicycle spaces appears to be in accordance with access and clearance requirements of AS2890.3.
- It is recommended that the provision of resident bicycle parking is increased to at least 144 spaces in order to meet Council's best practice rate. Bicycle spaces should also be distributed across Building 1 and 2 in accordance with the number of dwellings within each building.

### **Electric Vehicles**

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). The Traffic Report notes '*several parking spaces can be provided with electric vehicle charging stations to accommodate electric vehicles.*'

Provision of EV charging stations within the car park is supported. Additionally, to allow for easy future provision for EV charging, it is recommended that all car parking bays should be electrically wired to be 'EV ready'. This does not mean car parking bays must be fitted with chargers, but that the underlying wiring infrastructure is in place to allow future owners and tenants to easily install a charger. For this purpose, the following should be installed:

- a) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
- b) A scalable load management system. This will ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand. Building electrical peak demand calculations can therefore be undertaken using the assessment methodology (AS/NZS3000:2018, clause 2.2.2.b.i), thus not increasing building electrical peak demand requirements beyond business as usual.

<sup>2</sup> Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following for best-practice guidance for resident bicycle parking rates: "As a rule of thumb, at least one bicycle space should be provided per dwelling for residential buildings".

## **Attachment 5 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic Transport referral response**

### ***Recommendations***

The following should be shown on the plans:

1. A minimum of 28 visitor bicycle spaces provided in a location easily accessible to visitors of the site. All visitor spaces should be provided as a horizontal bicycle rail and must meet clearance and access-way requirements of AS2890.3 or be otherwise to the satisfaction of the responsible authority.
2. A minimum of 144 resident bicycle spaces across the two buildings with the number of resident bicycle spaces distributed across Building 1 and 2 in accordance with the number of dwellings in each building.
3. Notations indicating the type of bicycle rack proposed and dimensions of bicycle spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority.
4. Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
  - a. One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.
  - b. A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand.

Regards

**Chloe Wright**

Sustainable Transport Officer  
Strategic Transport Unit

**Attachment 6 - Big Housing Build Richmond - 147 - 161 Elizabeth Street, Richmond - Open space referral response**



**Memo**

**To: Mary Osman**

**Cc:**

**From: Lisa Monaghan**

**Date: 20th December 2021**

**Subject: Big Housing Build Richmond**

Dear Mary,

I have reviewed the Schematic Design plans by Oculus (L001, L200, L900-903), and the Landscape Executive Summary, Council content manager Ref D21/189044, for building 2 development for the Big Housing Build, Richmond.

There is insufficient information in the schematic design drawings to assess the landscaping for this development.

**Planning permit condition**

5 a) Provide a plant schedule and planting plan with the following information including:

- (i) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - The planting plan and plant schedule provide all the required information.
- (ii) a legend containing key features, materials and surfaces;
  - This has been included and meets the condition, however it is strongly recommended the surface material under the playspace area is reviewed. Currently the surface proposed is turf. The material under play equipment must meet required Australian Standards for impact attenuation. The play equipment must also meet relevant Australian Standards.
- (iii) soil media and the dimensions for the planters;
  - A suitable detail is required showing the raised planting areas, dimensions and growing media and irrigation and drainage.
- (iv) maintenance schedule, tasks and duration;
  - information in relation to maintenance requirements and tasks has been included.

Please feel free to contact me if you would like me to clarify my comments (ph. 9426 1427).

Sincerely,

Lisa Monaghan

Open Space Planner

**Open Space Planning & Design**



# Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response



## MEMO

**To:** Mary Osman  
**From:** Mark Pisani  
**Date:** 17 December 2021  
**Subject:** Application No: Not Provided  
 Description: Big Housing Build (Richmond)  
 Site Address: 147-161 Elizabeth Street, Richmond

I refer to the above Planning Application received on 29 November 2021 in relation to the proposed Big Housing Build at 147-161 Elizabeth Street, Richmond. Council's Engineering Referral team provides the following information:

### Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Kerstin Thompson Architects	A001 <i>Development Summary</i>	1	12 November 2021
	A020 <i>Proposed Site Plan</i>	1	12 November 2021
	A100 <i>Basement Plan</i>	6	12 November 2021
	A101 <i>GA Ground Floor Plan</i>	6	12 November 2021
	A301 <i>Elevations - East</i>	5	12 November 2021
One Mile Grid	Executive Summary – Transport Impact Assessment		11 November 2021
	Transport Impact Assessment report		11 November 2021

## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

### CAR PARKING PROVISION

#### Proposed Development

Under the provisions of Clause 52.20-6.7 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwelling (Social Housing)	72	A minimum of 0.6 spaces for each dwelling	86	75
Dwelling (Affordable Housing)	72			
Total			86 spaces	75 spaces

The development would also be providing a food and drink premises, whose parking requirement is covered under Clause 52.06-5, as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Food and Drink (Café)	154 m <sup>2</sup>	3.5 spaces per 100 m <sup>2</sup> of leasable floor area	5	1
<b>Total</b>			<b>5 spaces</b>	<b>1 space</b>

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

### Car Parking Demand Assessment

Parking Demand Consideration	Details
<i>Parking Demand for the Dwellings</i>	<p>One Mile Grid traffic engineering consultants have indicated that the on-site parking rates for the dwellings would be as follows:</p> <ul style="list-style-type: none"> <li>▪ Social housing dwellings – 0.44 spaces/dwelling (30 spaces)</li> <li>▪ Affordable housing dwellings – 0.54 spaces/dwelling (37 spaces)</li> <li>▪ Dwelling (accessible) – 1.0 space/dwelling (8 spaces)</li> </ul> <p>For the social housing parking demand, One Mile Grid has referred to a previous study prepared by GTA Consultants - <i>Review of Social Housing Car Parking Demands: Car Parking Studies</i> (published 2017). The study indicated that for average car ownership social housing type dwellings in the inner metropolitan area was 0.36 spaces per dwelling. The proposed on-site car parking rate of 0.44 spaces per dwelling is considered appropriate.</p> <p>The on-site parking rate for the affordable housing type dwellings falls just below the 0.6 spaces per dwelling as specified in Clause 52.20. By comparison, Council had reviewed the affordable housing component of the GTV9 site (171 Stawell Street, Richmond) which had accepted an on-site parking rate of 0.24 spaces per dwelling. The proposed rate of 0.54 spaces per affordable housing type dwelling is also considered appropriate.</p>

## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

Parking Demand Consideration	Details
<i>Parking Demand for the Food and Drink Use</i>	For the parking demand of the café, a staff parking demand of 1.0 space per 100 square metres of floor area could be adopted. The proposed café would generate one to two staff parking spaces. Any customer parking would be generated off-site. The allocation of one space for the café use is considered appropriate.

- **Availability of Public Transport in the Locality of the Land.** The following public transport services can be accessed to and from the site by foot:
  - Church Street trams – 200 metre walk
  - Victoria Street trams – 220 metre walk
  - North Richmond railway station – 550 metre walk
- **Convenience of Pedestrian and Cyclist Access.** The site has good pedestrian access to public transport services, shops, supermarkets, essential facilities, places of employment and education. The site also has very good connectivity to the on-road bicycle network.

### Adequacy of Car Parking

From a traffic engineering perspective, the provision of parking for the proposed residential development is considered appropriate in the context of the site and the surrounding area. Geographically, the site is very well positioned in terms of public transport services and the Victoria Street activity centre. The site also has very easy access to Melbourne.

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

### TRAFFIC IMPACT

#### Trip Generation

The trip generation for the site adopted by One Mile Grid is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
<b>Social Housing</b>				
One-Bedroom (5 No.)	2.0 trips per dwelling per day	10	1	1
Two-Bedroom (22 No.)	3.0 trips per dwelling per day	66	7	7
Three-Bedroom (7 No.)	4.0 trips per dwelling per day	28	3	3
	Peak hour volumes are 10% of daily volumes			
<b>Affordable Housing</b>				
One-Bedroom (12 No.)	4.0 trips per dwelling per day	48	5	5
Two-Bedroom (25 No.)	6.0 trips per dwelling per day	150	14	14
Three-Bedroom (4 No.)	8.0 trips per dwelling per day	32	4	4
	Peak hour volumes are 10% of daily volumes			
<b>Café</b>	1.0 trip per space in each peak hour	2	1	1
<b>Total</b>		<b>336 trips</b>	<b>34 trips</b>	<b>34 trips</b>

## **Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response**

### **Traffic Impact of Key Intersections**

To assess the traffic impact of the development, One Mile Grid had analysed the following key intersections using the SIDRA intersection analysis program:

- Elizabeth Street/Church Street/Baker Street (signalised)
- Elizabeth Street/Lewis Court\* (unsignalised)
- Elizabeth Street/Williams Court\* (unsignalised)
- Elizabeth Street/Anderson Street\* (unsignalised)
- Elizabeth Street/Lennox Street (signalised)

\* Private roads.

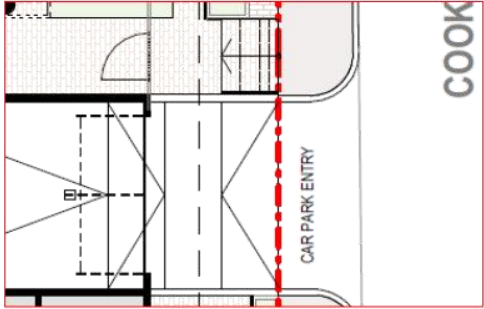

The traffic distribution assumptions made by One Mile Grid for the post development traffic movements are based on existing traffic distribution patterns.

The results of the post-development modelling during the AM and PM peak hours suggest that the intersections are expected to operate satisfactorily without adversely impacting on Elizabeth Street, Lennox Street or Church Street. SIDRA modelling works well under free flowing traffic conditions and may have limitations, such as queuing of downstream traffic (along major roads).

We are satisfied that traffic generated the proposed development will not be detrimental to the traffic operation of the surrounding road network.

## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

### DEVELOPMENT LAYOUT DESIGN Layout Design Assessment

Item	Assessment
<b>Access Arrangements</b>	
Development Entrance Via Lewis Court	The width of the car park entry has not been dimensioned on the drawings.
Visibility	<p>On the north side of the exit lane of the car park entry, there appears to be a wall obstructing driver sight lines of pedestrians, as shown below:</p>  <p>Above: Plan View of entrance</p>  <p>Above: North Elevation showing wall</p>
Headroom Clearance	No section of the accessway has been provided and the headroom clearance has not been specified.
Internal Ramped Accessway	The wall-to-wall width of the ramped accessway has not been dimensioned.
<b>Car Parking Modules</b>	
At-grade Parking Spaces	The dimensions of the car parking spaces (2.6 to 2.9 metres by 4.9 metres) satisfy Clause 52.20-6.7 – <i>Car parking spaces</i> .
Accessible Parking Spaces	The dimensions of the accessible parking spaces and shared areas (each 2.4 metres by 5.4 metres) satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009. Bollards have not been provided for the shared areas.

## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

Item	Assessment
Aisles	The widths of the aisles range from 5.708 metres to 7.106 metres and satisfy <i>Table 2: Minimum dimensions of car parking spaces and accessways</i> in Clause 52.20-6.7.
Column Depths and Setbacks	Not dimensioned on the drawings.
Clearances to Walls	Not dimensioned on the drawings.
<b>Gradients</b>	
Ramp Grade for First 5.0 metres inside Property	From the property line, the ramp profile comprises a 2.0 metre lone upward grade of 1 in 8, followed by a flat section (not dimensioned) and a downward 1 in 8 ramp grade. The entrance would be providing an apex type treatment, which would satisfy the ramp grade requirement for the first 5.0 metres inside the property.
Ramp Grades and Changes of Grade	The ramp grades and changes of grade satisfy <i>Table 3 Ramp Gradients</i> of Clause 52.20-6.7.
<b>Swept Path Assessment</b>	
Vehicle Entry and Exit Movements Elizabeth Street/Lewis Court	The swept path diagrams of an entering and exiting B99 design vehicle at Elizabeth Street/Lewis Court intersection are considered satisfactory.
Vehicle Entry and Exit Movements Car Park Entry	The swept path diagrams of an entering and exiting B99 design vehicle at the development entrance off Lewis Court are considered satisfactory.
Vehicle Turning Movements Car Parking Spaces	The swept path diagrams of a B85 design vehicle entering and exiting the parking spaces throughout the basement car park are considered satisfactory.
Waste Collection Vehicle Movements	The swept path diagrams for a 6.41 metre long waste collection vehicle entering and exiting the site via Elizabeth Street and Lewis Court and servicing the development, are considered satisfactory.
<b>Other Items</b>	
Vehicle Crossing	Although Lewis Court is a private road, the Engineering Referral team recommends that the vehicle crossing servicing the basement car park be constructed to Council's Standard Drawings and requirements to ensure that vehicles can enter and exit the site satisfactorily.
Vehicle Crossing Ground Clearance	A vehicle crossing ground clearance check is to be undertaken by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out (Please see under ' <i>Engineering Advice for Design Items to be Addressed by the Applicant</i> ' section).
Numbering of Parking Spaces	The parking spaces have been numbered.
Annotation on Drawings	Lewis Court (the north-south aligned private road) has been erroneously labelled as Cooke Court on the drawings.
Construction of Footpath – West Side of Lewis Court	The west side of Lewis Court currently has no footpath (Please see appended aerial photo image). No details have been provided by the applicant relating to the construction of a footpath.



## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

### Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Development Entrance Via Lewis Court	The development entrance is to be dimensioned on the drawings
Visibility	The architect is to confirm whether the wall adjacent to the exit lane of the car park entry is not obstructing visibility of pedestrians. The pedestrian sight triangle should be superimposed on the drawings.
Headroom Clearance	To be depicted on a section drawing to be prepared of the ramped accessway and basement car park.
Internal Ramped Accessway	The wall-to-wall width of the ramped accessway is to be dimensioned and have a width of no less than 6.1 metres as required by the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Accessible Parking Spaces	Bollards are to be shown for the shared areas as required by AS/NZS 2890.6:2009.
Column Setbacks and Depths	Columns depths and setbacks from the aisles are to be dimensioned. The positions of the columns are to satisfy <i>Diagram 1 Clearance to car parking spaces</i> of Clause 52.20-6.7.
Clearances	Clearances for spaces abutting walls should not be less than 300 mm.
Vehicle Crossing Ground Clearance	<p><u>Ground Clearance Check</u></p> <p>To assist the applicant, a Vehicle Crossing Information Sheet has been appended to this memo. The ground clearance check requires the applicant to obtain a number of spot levels out on site which includes the reduced level 2.0 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement – in this case, Lewis Court.</p> <p>These levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development.</p>
Numbering of Spaces	Parking spaces should be numbered in order for easier identification
Annotation on Drawings	'Cooke Court' should be replaced with 'Lewis Court' on the drawings (for the north-south aligned private road abutting the east side of the development).
Construction of Footpath	Details of the provision of a footpath on the eastern side of the development should be provided by the applicant. As Lewis Court is a private road, the applicant would confirm the arrangements for the construction of a footpath abutting the eastern boundary of the site from the owner/manager of the road. The width and cross-fall of the footpath should satisfy DDA requirements that are normally applied for new footpaths on public roads.

## **Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response**

### **GENERAL ENGINEERING CONDITIONS**

#### **Vehicle Crossing**

Before the development commences, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be designed and constructed:

- In accordance with any requirements or conditions imposed by Council.
- Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
- At the Permit Holder's cost; and
- To the satisfaction of Council.

#### **Road Asset Protection**

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

#### **Construction Management Plan**

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

#### **Impact of Assets on Proposed Development**

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

#### **Discharge of Water from Development**

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

#### **Removal, Adjustment, Changing or Relocation of Parking Restriction Signs**

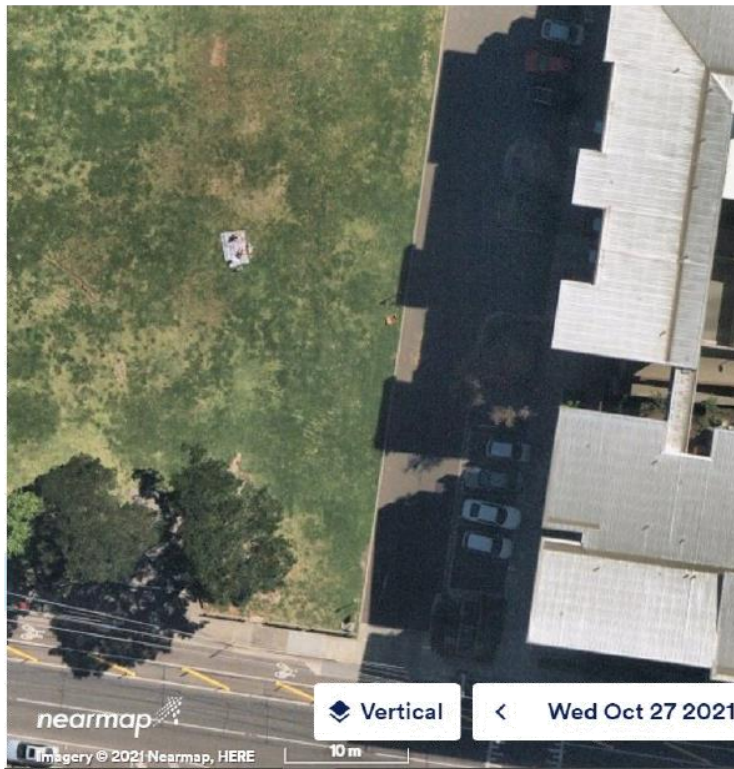
- No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.
- Any on-street parking reinstated as a result of development works must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

## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

### ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

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

### LEWIS COURT - AERIAL PHOTO IMAGE



Left: No footpath has been provided on the west side of Lewis Court. As Lewis Court is a private road, the applicant is to confirm footpath construction and arrangements to be made with the owner/manager of the road.

## Attachment 7 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Engineering referral response

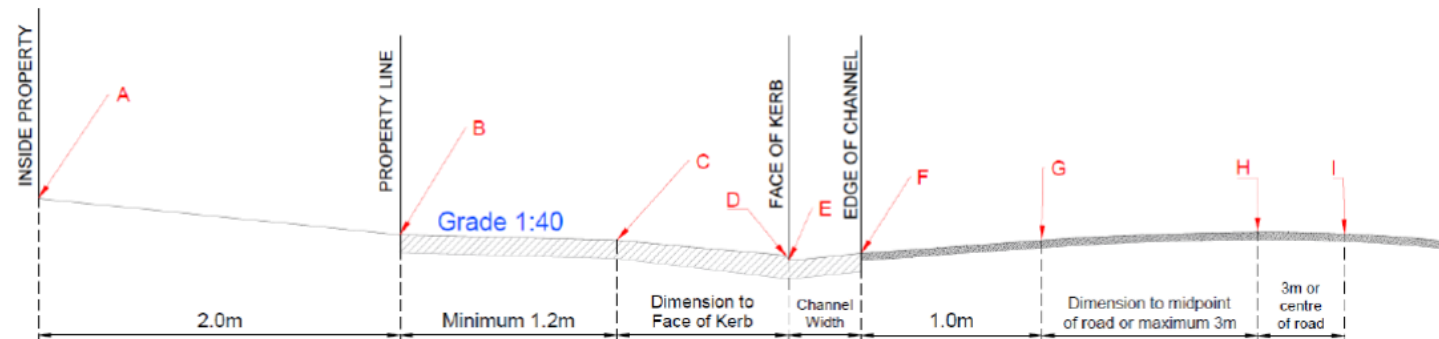
### Vehicle Crossing – Cross Section



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

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

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



**Attachment 8 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Social Strategy referral response**



# MeMO

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TO: Statutory Planning (Michelle King)

FROM: Social Strategy (Julia Bennett-Mitrovski, Malcolm McCall)

DATE: 17 December 2021

ADDRESS: 147 – 161 Elizabeth Street, Richmond VIC 3121

DESCRIPTION: The Victorian Government's Big Build Project – Richmond Housing Estate

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Social Strategy have been requested to comment on the proposal from a social planning perspective.

**COMMENTS (17 December 2021)**

- Yarra City Council has a longstanding interest in and commitment to increasing and improving social and affordable housing and will continue to position itself as a leading local government in this space.
- Social Strategy supports the provision of additional social housing, including in its capacity as a partner and facilitator and through strategic advocacy to State and Commonwealth governments.
- Council's overarching strategy related to social and affordable housing is to ensure a diverse population by increasing the supply of social and affordable housing suitable to households at various income levels and requirements.
- In relation to the proposal at Richmond, Social Strategy suggest the following for consideration and further investigation:
  - The redevelopment should ensure an adequate mixture of dwelling types are included in the new build, including in relation to bedrooms, to secure suitability for a range of occupants, from single households through to large families.
  - Adequate design and layout of each dwelling should meet and exceed minimum accessibility requirements. It is also strongly advocated that each dwelling should be equipped with an area of private open space, a laundry situated within the dwelling, access to at least one onsite car space\* per dwelling, adequate access to daylight and be responsive to best practice environmentally sustainable design (including with regard to climate control).
  - When considering the integration of the development and site with the peripheral and wider Richmond community, consideration should be made to the provision of community spaces and whether they are intended to be accessible to the general public.



# **Attachment 8 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Social Strategy referral response**

- It remains unclear as to the mixture of uses intended for the identified 'non-housing use' floor areas included in the ground floor of each new building – i.e. if some of the objectives of the project include greater integration of the use and built form with the surrounds, improved opportunities for interaction, and improved general accessibility and permeability, it is recommended that these uses be available to be accessed by the entire surrounding community.
- The proposed wayfinding through the site appears unfulfilled and potentially a missed opportunity to promote greater integration, passive surveillance and the generation of positive activity throughout the site and general precinct. Restricted permeability (and accessibility) to the site poses some concern from a community safety perspective. The design appears to have given minimal attention to improving or 'opening up' sightlines throughout the site from surrounding streets into the internal courtyard, with lots of hard and narrow edges remaining, minimising the opportunity for peripheral views (and potentially detrimentally impacting upon perceptions of safety).
- It remains unclear as to the proposed wayfinding/peripheral views and passive surveillance opportunities when considering the passageway through the entire site, for example, if meandering through the development site from the southeast (Elizabeth Street) to the north-west (Williams Court). It is noted that the passage through the site between Building B1 (pink) and B2 (orange) appears to be quite narrow and without opportunity to see who is approaching/who is located in the central courtyard, which poses a concern from a community safety perspective. It is recommended that a design response be considered - at the very least at the ground floor level - to improve this sightline as pedestrians approach the internal courtyard from the south. The red lines below indicate a potential improved sightline through the passageway through to the central courtyard, while recognising the need to reconfigure the floor plans of these dwellings.



- There is a missed opportunity with the proposed positioning of the internal courtyard and narrow passageways providing access – as the centre point remains almost entirely concealed from the public realm (behind the new buildings). It is recommended that through increasing the long views through the design (perhaps similar to the suggestion



**Attachment 8 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Social Strategy referral response**

above), this could enable positive 'glimpses' of these spaces from the streets surrounding the site, with the potential generation of positive sentiment from the visual perception of activity in these spaces.

- The current proposal misses some opportunities to facilitate positive activity, interactions, passive long-view surveillance through the site, and general social cohesion through its approach to design, way-finding and place-making. It appears that it is quite an insular and privatised design with minimal focus on the wider context including integration with the precinct and surrounding community, which may miss an opportunity to foster community connection and cohesion.

**Attachment 9 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - ESD referral response**



# MeMO

---

**TO:** Mary Osman  
**FROM:** Euan Williamson, ESD Advisor  
**DATE:** 20.12.2021  
**SUBJECT:** 147-161 Elizabeth Street Social Housing Proposal

Mary,

I have reviewed the SMP from Wrap Consulting Engineering (prepared 12<sup>th</sup> Nov 2021) and architectural drawings prepared by Kerstin Thompson Architects (also prepared 12<sup>th</sup> Nov). Overall, I find the ESD standard proposed is acceptable with a few minor items that should be addressed:

- Please notate the stormwater tank volume and location on the architectural drawings, consistent with the SMP (2 X 30,000 litres).
- Please update the roof plans with the finalised solar PV kW capacity.
- Please provide details of the 'energy efficient' domestic hot water system proposed in an updated SMP.

The following ESD performance standards have been proposed that are supported for a project of this nature:

- 5 Star certified Green Star rating
- Average 7 Star NatHERS thermal efficiency ratings
- Good access to daylight and natural ventilation
- Good standard of cooling loads and reasonable shading strategy.
- All electric build, efficient fabric and services with onsite solar generation, therefore making a zero carbon performance standard possible.

I also would like to make the following recommendations as simple opportunities to improve the standard of ESD.

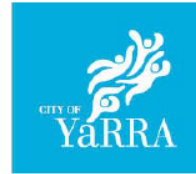
- Recommend that all suitable and available roof space on Building 1, as well as the remainder of Building 2, have a solar PV array installed of a capacity that generates up to the expected annual energy consumption.
- Recommend all residual electricity consumption needs, not generated onsite, be purchased from accredited renewable energy sources for a minimum of ten years.
- Recommend that no reticulated gas be connected to the new buildings.

If you or the applicants would like to discuss this further, please contact me.  
Euan.

**Euan Williamson**  
Environmentally Sustainable Development Advisor  
Planning and Place Making

# Attachment 10 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Internal Urban Design referral response

## MEMO




---

**To:** Statutory Planning  
**From:** Urban Design  
**Date:** 20 December 2021  
**Site Address:** 147-161 Elizabeth Street, Richmond  
**Description:** Big Housing Build

---

### COMMENTS SOUGHT

Urban Design and Open Space comments have been sought on the above proposal. These comments are provided on consultation material including Landscape Plans (Oculus, November 2021) and Architectural Plans (KTA, 12 November 2021).

---

### URBAN DESIGN COMMENTS

The development comprises one four storey, one five storey, one seven storey, and one eight storey building with a central courtyard. A total of 144 dwellings are proposed (72 social and 72 affordable apartments) and 366sqm of 'non-housing use'.

The site has frontages to Elizabeth Street (south), Cooke Court (east) and Williams Court (north), an east west pedestrian link. Existing residential buildings in the immediate context range in height from three storeys (brick walk up buildings) to the west and more recent six storey development to the north east.

#### Site Layout

##### Precinct Connections

- Draft Amendment C291 proposes to apply Design and Development Overlay – Schedule 49 (DDO49 Victoria Street East) to the section of the Victoria Street Activity Centre north of the subject site, replacing interim DDO22. DDO49 includes an Access and Movement Plan, nominating preferred vehicular access requirements, potential shared zones, and pedestrian links. Including a north south pedestrian link, connecting Victoria Street to Williams/Cooke Court immediately northeast of the subject site (aligning with the existing building - 3 Cooke Court).
- A through link to Victoria Street would increase the permeability of the precinct, the block between Lennox Street (west) and Church Street (west) extends approximately 400m. It is noted that this relies

## Attachment 10 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Internal Urban Design referral response

on coordination with private landowners. The siting and design of the proposal should account for the potential for this link, considering sight lines, building entrance locations and other public infrastructure to maximise accessibility and safety.

### Entrances and Internal Courtyard

- There are limited open sightlines through the site and to the internal courtyard, as a result of the raised ground floor level and site configuration. While the raised levels require extensive ramps and stairs, it also affords dwellings at ground level additional privacy and raised planters provide a defined building edge at the street interface.
- The visual and physical connection between entrance spaces and the internal courtyard could be improved. The design of foyer entry threshold spaces should be welcoming and safe, providing:
  - Strong visual connection between street and internal spaces
  - High quality security screens and fences (height, level of permeability, materiality)
  - Incorporation of seating where appropriate
- The interface between ground level apartment habitable rooms and the central communal residential courtyard is sensitive and should be considered carefully. Window treatments and landscaping should ensure residential privacy while maintaining surveillance.

### **Ground Floor Interface**

- The use of the two 'non-residential' ground floor spaces are to be specified. Community uses that extended across day-early evening, providing activation to the adjoining external spaces are supported.
- Limited ground floor active uses are proposed to interface with Cooke Court. Suggest providing some additional community active uses in addition to bicycle storage within Building 2 (South). The existing building fronting Cooke Court is largely inactive at ground and at grade car parking results in a poor streetscape outcome.

### **Streetscapes & Public Realm Infrastructure**

#### Footpaths and Access

- Existing streetscape features are to be included on the Landscape Plan and Ground Floor Plan. The existing footpath treatment along Elizabeth Street is inconsistent. It is recommended that the footpath be reinstated with standard materials. The existing crossover is to be removed and footpath, kerb and channel reinstated.
- All external and internal footpath widths should be dimensioned, demonstrating adequate width is provided. Tactiles and handrails should not encroach into footpaths as indicated along the Cooke Court interface (Building 2).
- To ensure pedestrian safety, a continuous footpath should be provided along Cooke Street, consider alternative treatments to the car park entrance to delineate pedestrian priority and ensure adequate sight lines are provided (subject to Engineering approval).

## **Attachment 10 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Internal Urban Design referral response**

### Public Realm Amenity and Fixtures

- It is proposed to retain and protect three of the four existing trees along Williams Court. Other public realm infrastructure (bins, seating and bicycle hoops) along this edge is proposed to be removed, no provision has been made for relocation. The extent of this area is to be hardscaped (concrete pavers and flagstone pavers) with additional tree planting. There is potential to improve the function, amenity, and quality of the space (having regard to the adjacent ground floor sensitive uses).
- A total of 18 bicycle spaces are provided, across two locations. Reconsider the overall provision in relation to the shortfall (12 spaces) from the removal of existing hoops along Williams Court and the distribution of parking across the site in relation to proposed 'other' uses and residential entrances.
- Seating along street frontages is supported, raised planters provide an opportunity to integrate seating provide resting points. Consideration should be given to providing some backrests and armrests to improve accessibility and seating should be wholly contained within the site boundary. Locate seating in relation to less sensitive uses such as resident bicycle parking and entrances.
- Further information is required in relation to public realm lighting, the precinct would benefit from an overarching integrated lighting strategy.

## Attachment 11 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response

**From:** Kirkwood, Leonie <Leonie.Kirkwood@yarracity.vic.gov.au>  
**Sent:** Tuesday, 21 December 2021 12:01 PM  
**To:** Osman, Mary <Mary.Osman@yarracity.vic.gov.au>  
**Cc:** Faruque, Mir <Mir.Faruque@yarracity.vic.gov.au>; Everett, Kyle <Kyle.Everett@yarracity.vic.gov.au>; Stratton, Lucy <Lucy.Stratton@yarracity.vic.gov.au>  
**Subject:** FW: Big Housing Build (Richmond) – 147 – 161 Elizabeth Street, Richmond - Urban Design, Streetscapes & Natural Values, Open Space & Strategic Planning referral

Hi Mary – Here are some comments from Strategic Planning. Hope they assist.

### Comments from Strategic Planning

The site at 147-161 Elizabeth Street is not directly within the area affected by draft Amendment C291yara which proposes permanent built form provisions for Victoria Street.

However there are three key elements that have emerged from the strategic work for Victoria Street and its surrounds which are relevant and should be considered in the redevelopment of this key site in Elizabeth Street:

- Creation of a green street along Elizabeth Street
- Promotion a mid-rise scale of buildings
- Encouraging safe connection and pedestrian links to tie the buildings in their surrounds.

### Green link along Elizabeth Street

- Draft Amendment C291yara includes the concept of 'Green Streets'. These streets provide (or could provide) important pedestrian and cycling connections to key local destinations such as train stations, tram routes and shared paths; schools and educational facilities; community infrastructure; 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.
- The part of Elizabeth Street that is included in draft Amendment C291 has been identified as a potential 'Green Street' and it follows that the rest of the street should reflect this.
- In proposed DDO48, an overshadowing requirement applies to the southern footpath of Elizabeth Street. It requires that development should not overshadow the southern footpath at the Equinox – 22 September between 10am and 2pm measured from the property boundary to the existing kerb (including any opposite kerb outstands, seating and/or planting).
- Strategic planning officers consider this approach should be applied along the length of the Elizabeth Street.
- It is unclear from the overshadowing diagrams provided whether footpaths on the southern side are overshadowed. The road boundary / footpath are unclear. Strategic Planning considers the development should be amended to ensure southern footpaths are not overshadowed between 10am-2pm at 22 September.
- The proposed DDO also requires that '*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.*'



## **Attachment 11 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response**

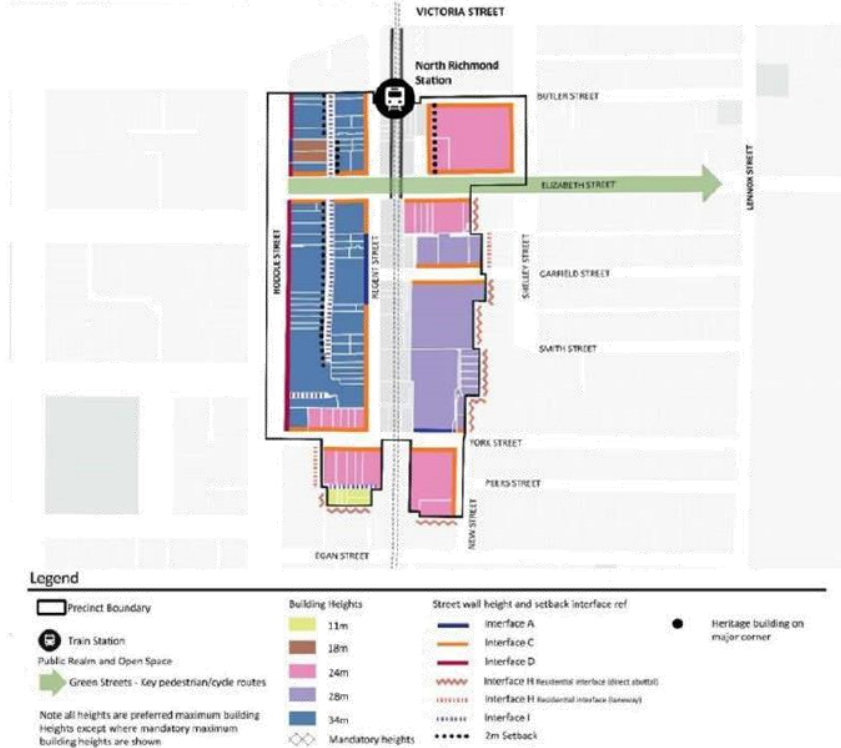
- Some of this is achieved through the proposed landscape setbacks to Elizabeth Street, however further greening of the building itself could be considered.

### **Mid-rise scale of buildings**

- In Elizabeth Street, DDO48 supports building heights of 34m west of Regent Street and building heights of 24m east of the railway line and west of Shelley Street.
- The proposed DDOs apply a street wall of 8-11m with an upper level setback of 6m (Interface C).
- DDO49 which applies to the north of the site proposes heights of 24m directly north of the proposed development.

# Attachment 11 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response

Plan 1: Height and Interface Plan – Precinct 3 North Richmond Station



Plan 1: Height and Interface Plan – Precinct 4 Victoria Street East



## Attachment 11 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response

- Heights of seven and eight storeys (ie 23m and 27m excluding the roof) fronting Elizabeth Street are generally in line with draft Amendment C291 and are supported.
- Lower heights of four and five storeys (ie 14m and 17m) are provided to the north to transition to existing 6 storey buildings in Cooke Court.
- The major area where the design departs from the built form proposed for the western end of Elizabeth Street is the absence of a two to three storey street wall with the upper levels set back. The proposed development is a sheer 7 storeys fronting Elizabeth Street with no street wall. It is noted the use of materials differentiates between the first x storeys and upper levels. However the sheer wall (albeit with balconies and recesses) could dominate the street. Refer to comments from Urban Design on these elements.
- Breaking up of built form is generally supported and aligns with requirements in the proposed DDOs to:

*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.*

- The built form proposed for the western end of Victoria Street (in DDO48) promotes development which is built to the front boundary. The proposed development differs from this and includes varied setbacks of 3-5m from the street. However it is noted the context east of Lennox St a landscaped setback in front of the buildings is supported and aligns with the concept of the 'Green Streets' described above.
- A further element of the proposed DDOs is the need for street activation and passive surveillance. In the proposed DDOs:

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

The development provides for balconies and courtyards and entrances facing Elizabeth Street and Williams Court to the rear. Surveillance of the internal courtyard is also provided.

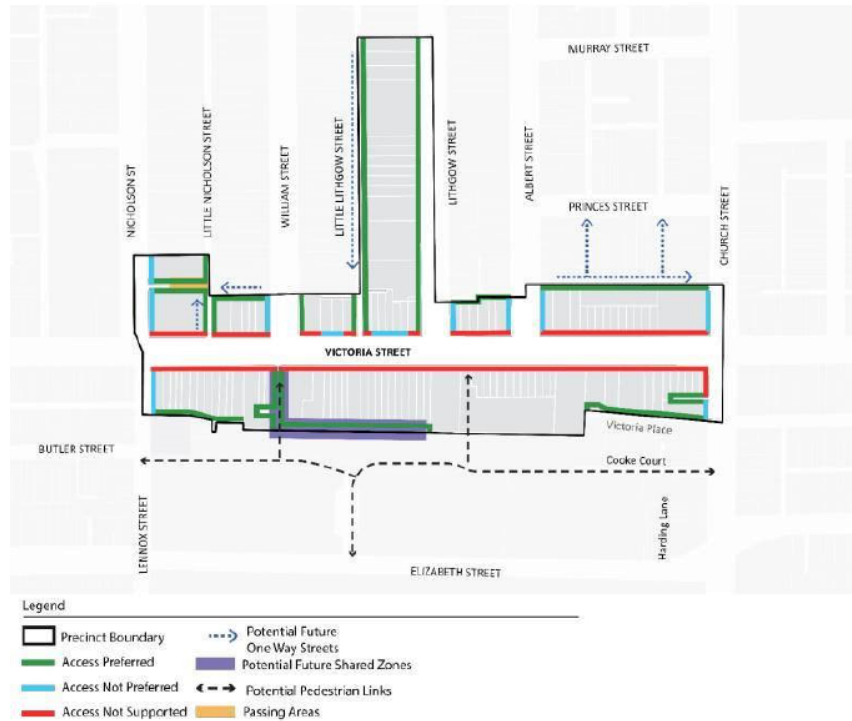
### Connections and pedestrian links

- The development of connections through to Victoria Street and creating a permeable and walkable environment was also an element of the Victoria Street strategic work informing draft Amendment C291.
- The MGS Review of Interim Built Form Controls for Victoria Street and proposed DDO49 identify an opportunity to improve:
  - east-west connections from Cooke Court along Williams Court
  - northern connections to Victoria Street past 3 Cooke Court via the Cho Ben Thanh development.

See Access and Movement Plan from proposed DDO49 below.

# **Attachment 11 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response**

**Plan 2: Access and Movement Plan – Precinct 4 Victoria Street East**



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

- While the site boundary excludes Williams Court, Strategic planning considers these linkages should be highlighted on plans.
- Strategic Planning officers strongly supports the realisation of these pedestrian links and urge Homes Victoria to ensure these opportunities for connections are not lost.

**Leonie Kirkwood**  
**Project and Policy Coordinator**  
**City Strategy**

P.O.Box 168, Richmond VIC 3121

T (03) 9205 5027

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W [yarracity.vic.gov.au](http://yarracity.vic.gov.au)

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**Attachment 11 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Strategic referral response**



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

## Attachment 12 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Waste referral response

**From:** Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>

**Sent:** Tuesday, 14 December 2021 10:52 AM

**To:** Osman, Mary <Mary.Osman@yarracity.vic.gov.au>

**Subject:** RE: Big Housing Build (Richmond) – 147 – 161 Elizabeth Street, Richmond - Engineering, Strategic Transport & City Works referral

Hi Mary,

The waste management plan for the Big Housing Build (Richmond) – 147 – 161 Elizabeth Street, Richmond authored by One Mile Grid and dated 11/11/2021 is not satisfactory from a City Works Branch's perspective.

Issues to be rectified include, but may not be limited to the following:

1. Council does not offer a hard waste drop off service, please check website for items accepted at the recycling centre.
2. Please provide more information on how the proposed 3<sup>rd</sup> chute for the glass stream will function

Regards,

Atha Athanasi  
Contract Management Officer

Service Contracts and Waste Services - City Works Branch

168 Roseneath St CLIFTON HILL VIC 3068

T (03) 9205 5547 F (03) 8417 6666

[Atha.Athanasi@yarracity.vic.gov.au](mailto:Atha.Athanasi@yarracity.vic.gov.au)

[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)

Follow us on [Facebook](#), [Instagram](#) and [Twitter](#)



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



## Attachment 13 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Arborist referral response

**From:** Williames, Glen <Glen.Williames@yarracity.vic.gov.au>  
**Sent:** Wednesday, 8 December 2021 9:55 AM  
**To:** Osman, Mary <Mary.Osman@yarracity.vic.gov.au>  
**Cc:** King, Michelle <Michelle.King@yarracity.vic.gov.au>  
**Subject:** RE: Big Housing Build (Richmond) – 147 – 161 Elizabeth Street, Richmond - Urban Design, Streetscapes & Natural Values, Open Space & Strategic Planning referral

Hi Mary,

As per the advice below form compliance, this site is exempt from requiring a permit to remove trees.

*Section 39.3 states:*

*The requirement to obtain a permit under sub-clause 39.1 does not apply:*

*39.3.1 Where a person cuts, trims or prunes a tree to ensure compliance with any other provision of this or any other statutory authority*

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Yarra City Council

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### PART 14 – TREE PROTECTION

#### 39. Significant Trees

- 39.1 A person must not, without a permit, remove, damage, destroy or lop a significant tree.
- 39.2 In deciding whether to grant a permit under sub-clause 39.1, the Council must have regard to the *procedure and protocols manual*.
- 39.3 The requirement to obtain a *permit* under sub-clause 39.1 does not apply:
  - 39.3.1 where a person cuts, trims or prunes a tree to ensure compliance with any other provision of this or any other statutory authority; or
  - 39.3.2 where Council is lopping, destroying, damaging or removing a significant tree that is a Council tree.
- 39.4 If a significant tree is removed, damaged, destroyed or lopped, the owner of the land on which the significant tree is located is guilty of an offence, whether or not the person who actually interfered with the tree is identified or prosecuted.

*To clarify this, State Government (or in this instance, Department of Health and Human Services) is a Statutory Authority in which does not require the Significant Tree Removal/Pruning Permit.*

*Significant Tree permits issued under the General Local Law are only issued to private land owners (individual or company) who have trees contained on their land which fit the description of a Significant Tree.*

*240 Wellington Street, Collingwood is listed under the ownership of Department of Health and Human Services (State Government owned) and therefore they are exempt from the requirement of gaining local government approval to prune or remove trees on DHHS property.*

I am satisfied with all other tree protection measures for the Council owned trees.

**Glen Williames**  
Coordinator - Open Space Services

**Attachment 13 - Big Housing Build (Richmond) - 147 - 161 Elizabeth Street, Richmond - Arborist referral response**

City Works

PO BOX 168 Richmond VIC 3121

T (03) 9205 5765

E [glen.williames@yarracity.vic.gov.au](mailto:glen.williames@yarracity.vic.gov.au)

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## 8.2 Proposed Alphington Cycling and Pedestrian Link and Yarra Planning Scheme Amendment C300yara

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### Executive Summary

#### Purpose

For Council to consider a draft submission to the Department of Transport on the proposed Alphington cycling and pedestrian link project and proposed Amendment C300yara.

#### Key Issues

The Department of Transport has invited Council to comment on the proposed Alphington cycling and pedestrian link project, Planning Scheme Amendment C300yara and planning approval process by Monday 31 January 2022. The Department of Transport is also seeking feedback from the public by this deadline.

The \$9.1 million project, funded and led by the State Government, proposes to connect Alphington to the Darebin Creek Trail via Farm Road. The project would deliver the Alphington community a direct link to Darebin Creek Trail and improve connections to off-road trails.

Ministerial Amendment 300yara proposes to facilitate and fast track the project by:

- (a) applying the *Public Acquisition Overlay (PAO5)* to allow for the reservation and future acquisition of the land;
- (b) applying the *Specific Controls Overlay (SCO17)* to allow for the use and development of the land in accordance with the Alphington Link Incorporated Document, November 2021; and
- (c) introducing the *Alphington Link Incorporated Document, November 2021* into the Yarra Planning Scheme.

Officers have reviewed the documentation supplied by the Department of Transport and prepared a draft submission which outlines a proposed Council position.

Overall, the strategic intent of the Project and the Amendment aligns with Yarra's Community Vision, Council Plan, planning policy framework and other adopted strategies. In principle, strategic support is provided given the likely public benefits the Alphington Link would provide to the community.

However, insufficient information has been provided for Council Officers to undertake a full and proper assessment of the design of the proposed Project. As such, the submission recommends this information is conditioned in the Incorporated Document proposed via the Amendment. The submission also includes several other recommendations.

#### Financial Implications

There are no financial implications in receiving this report and providing a submission to the Department of Transport.

#### PROPOSAL

To provide a summary of the proposed Alphington cycling and pedestrian link project and planning provision changes proposed via Planning Scheme Amendment C300yara.

To outline the contents of a proposed submission to the Department of Transport in response to their letter, dated 8 December 2021.

To provide a draft submission for Council's consideration.

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## 8.2 Proposed Alphington Cycling and Pedestrian Link and Yarra Planning Scheme Amendment C300yara

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<b>Reference</b>	D22/645
<b>Author</b>	Alayna Chapman - Senior Strategic Planner
<b>Authoriser</b>	Director Planning and Place Making

---

### Purpose

1. The purpose of this report is to:
  - (a) provide a summary of the proposed Alphington cycling and pedestrian link project, Planning Scheme Amendment C300yara and planning approval process; and
  - (b) outline the contents of a proposed submission to the Department of Transport (DoT) in response to their letter, dated 8 December 2021.

### Critical analysis

#### History and background

#### **Alphington cycling and pedestrian link project**

2. Since 2018, Officers have met periodically with representatives from DoT to discuss potential alignment options for a new local Alphington link to the existing 1.8km Darebin Creek Trail.
3. At the last meeting on 29 October 2021, DoT outlined their preferred location for the pedestrian and cycle link and the planning scheme amendment process. Officers were provided with a draft concept design at this meeting.
4. On 17 November 2021, the Minister for Roads and Road Safety, the Hon. Ben Carroll publicly announced the preferred location (refer to Figure 1) of the new Alphington cycling and pedestrian link (**Project**).
5. In a letter, dated 8 December 2021, DoT invited Council to comment on the proposed Project, Planning Scheme Amendment C300yara (**Amendment**) and planning approval process by Monday 31 January 2022 (see Attachment 1). DoT is also seeking feedback from the public by this deadline.



Figure 1: Aerial image showing the preferred location of the Project (image source: DoT).



The proposal

6. The \$9.1 million Project, funded and led by the State Government, proposes to connect Alphington to the Darebin Creek Trail via Farm Road.
7. The detailed designs for the Project have not been provided to Council or made public. Indicative 3D images of the design are available on the Project website (refer to Figures 2 & 3).



*Figure 2: an artist's impression of the shared path and bridge from the Darebin Creek Trail (image source: DoT).*



*Figure 3: An artist's impression of the bridge over La Trobe Golf Course (image source: DoT).*

8. Based on the information provided by DoT, Council officers understand that the proposed Project involves:

- (a) constructing an approximately 125m long and 4m wide pedestrian and cyclist path, from the south-eastern end of Farm Road, over land to be acquired by the State Government from the Latrobe Golf Club (**Club**) to the Darebin Creek Trail. The shared path includes an elevated bridge and at grade sections (involving cut and fill); and
  - (b) realignment of the existing golf course access track between the Club driving range and the clubhouse and car park.
9. The proposed concrete bridge would traverse the Club for approximately 65m with a maximum width of 4m. The proposed realignment of the Golf Club's existing access track would be under the middle span of the bridge, with an approximately 4m wide and 3m vertical clearance to maintain access to the Golf Club.
10. While detailed designs have not been provided, officers note that the supporting document, *Arboricultural Impact Assessment for Department of Transport Assessment of trees at Latrobe Golf Club, Alphington*, Homewood Consulting Pty Ltd, 8 December 2021 acknowledges that the Project will likely involve the removal of four trees – it states as follows:
- (a) one native tree classified as 'low retention value'. The health of the tree is classified as dead;
  - (b) one indigenous tree classified as 'medium retention value'. The health of the tree is classified as good;
  - (c) one indigenous tree classified as 'low retention value'. The health of the tree is classified as poor; and
  - (d) one indigenous tree classified as 'high retention value'. The health of the tree is classified as good.
11. Officers continue to have ongoing discussions with DoT regarding who is responsible for the ongoing management and maintenance of the proposed public shared path and bridge once the works are finished.

The proposed planning scheme amendment approval process

12. Following the conclusion of the consultation period at the end of January, DoT intends to submit the Amendment to the Minister for Planning and request that he consider using the powers under Section 20(4) of the *Planning and Environment Act 1987* (**Act**), approve the Amendment. This power exempts the Minister from the usual notice and exhibition requirements in respect of the amendment. The decision to exercise this power of exemption rests with the Minister.
13. As a 'ministerial' class of amendment, the Minister for Planning would be the *Planning Authority* for the Amendment (and not Council).
14. Specifically, the Amendment proposes to:
- (a) apply the Public Acquisition Overlay (**PA05**) to allow for the reservation and future acquisition of the land;
  - (b) apply the Specific Controls Overlay (**SCO17**) to allow for the use and development of the land in accordance with the *Alphington Link Incorporated Document, November 2021* (**Incorporated Document**); and
  - (c) introduce the Incorporated Document into the Yarra Planning Scheme.
15. Technical documents supporting the Amendment include:
- (a) *Arboricultural Impact Assessment for Department of Transport Assessment of trees at Latrobe Golf Club, Alphington*, Homewood Consulting Pty Ltd, 8 December 2021 (**Arboricultural Assessment and Report**);
  - (b) *Alphington Link from Farm Road to Darebin Yarra Trail Cultural Heritage Assessment and Implications for Development*, Andrew Long and Associates, 10 December 2021, (**Aboriginal Cultural Heritage Assessment**); and



- (c) *Flora and Fauna Assessment & Impact Analysis Darebin Creek Trail: Alphington Link*, Practical Ecology, 10 December 2021 (**Flora and Fauna Assessment**).

16. It is noted that these supporting documents relate to the physical impacts of the Project. They do not comment on the planning provisions proposed via the Amendment.
17. No planning report has been submitted with the Amendment. The strategic assessment and justification for the Amendment are outlined in its proposed Explanatory Report (see Attachment 1).

### Existing conditions

18. The Project is to be primarily located on land currently owned by the Latrobe Golf Club. The land consists of an existing gravel golf access path, some mature trees, shrubs, and grassed open space. The project also applies to parts of Farm Road, Alphington managed by Council and the elevated, recently completed Darebin Creek Trail, managed by DoT.
19. The Darebin Creek Trail provides an important strategic connection between several walking and cycling routes. It is used by approximately 230,000 people cycling every year.
20. The Project land is situated between the club driving range (approximately 2ha) to the north and a large, asphalt car park and brick clubhouse to the south. Beyond the clubhouse is an 18-hole golf course (approximately 37ha) located along a low-lying floodplain area of the Yarra River. The course includes sparse mature and small trees, shrubs, and grasses.
21. Immediately west of the Project land is an established, low scale residential area. To the east, beyond the Trail, is the Darebin Creek and corridors of native vegetation.

### Current planning framework

22. Several existing planning controls apply to the land affected by the Project (in part or fully).

#### Zones:

- (a) Neighbourhood Residential Zone - Schedule 2 (**NRZ2**);
- (b) Special Use Zone– Schedule 1 (**SUZ1**); and
- (c) Urban Floodway Zone (**UFZ**).

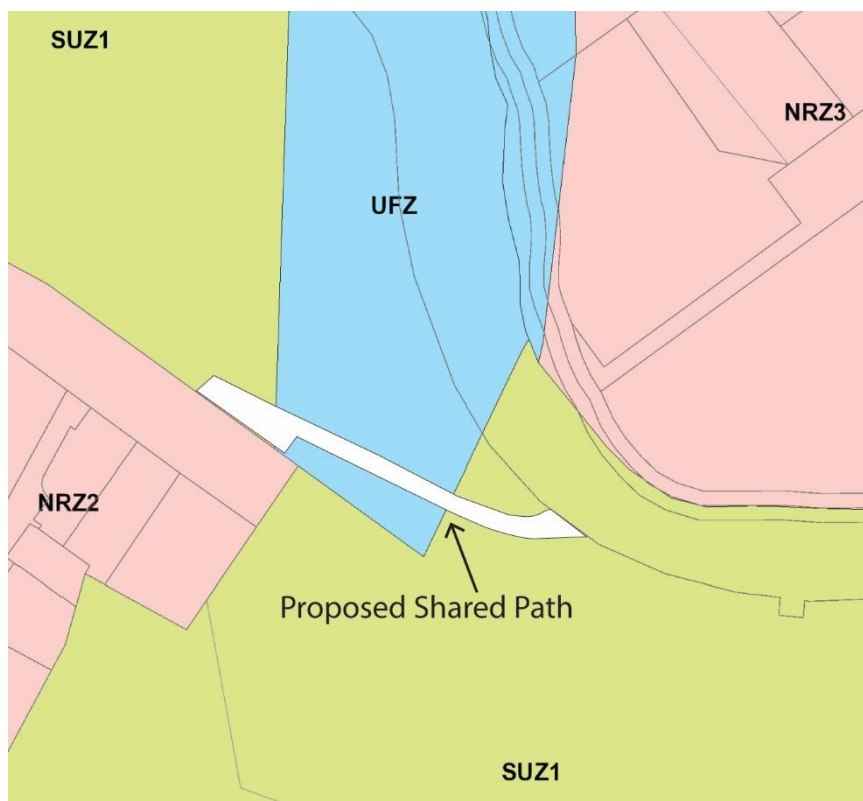


Figure 4: Zone map, with the preferred location of the shared path shown in white.

Overlays:

- (a) Environmental Significance Overlay – Schedule 3 (**ESO3**, full coverage);
- (b) Significant Landscape Overlay – Schedule 1 (**SLO1**, full coverage);
- (c) Design and Development Overlay – Schedule 1-A (**DDO1-A**, partial coverage);
- (d) Land Subject to Inundation Overlay (**LSIO**, partial coverage);
- (e) Development Contributions Plan Overlay (**DCPO**, full coverage); and
- (f) Public Acquisition Overlay 2 (**PAO2**, partial coverage along the Darebin Creek Trail).

23. No changes to the existing zones or overlays are proposed by DoT.

Other strategic considerations

24. The Project is in an area of Aboriginal Cultural Heritage Sensitivity.
25. Given the Project may have implications on cultural heritage, DoT sought an Aboriginal Cultural Heritage Assessment, listed above as a supporting document. The Assessment determined that a Cultural Heritage Management Plan (**CHMP**) was not required for the Project as the ground disturbance would be limited and would comply with the requirements of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*.
26. The adopted *Yarra Open Space Strategy 2020* designates the Club as a 'publicly accessible private open space' that contributes to the open space system. It notes that, while not a replacement for public open space, golf courses contribute to the natural and unbuilt quality of the landscape, have some benefits in mitigating the urban heat island effect associated with climate change, and contribute to the environmental values and landscape character of an area.

Discussion

27. Given Council is a key stakeholder, Council's views on the Project and Amendment should be known and considered by the State Government.
28. A draft submission to DoT has been prepared for Council's consideration (see Attachments 2 and 3). The draft submission acknowledges that the Project is required to provide direct access from the Alphington to the Darebin Creek Trail, without the community having to circumvent the Club.
29. Overall, the Project and Amendment generally align with the Community Vision, Council Plan, planning policy framework and other adopted strategies of Council. In principle support is proposed in the submission, contingent on DoT considering and addressing all submissions received and several changes recommended to the proposed '*Incorporated Document*'.
30. It is considered that these recommended changes would provide a stronger basis for the assessment of future use and development of the land for the Project, thereby providing greater certainty and consistency for all participants in the process.
31. Below are strategic considerations, grouped under several key themes.

**Alphington Link Project**

32. DoT has not provided Council with the detailed designs for the Project or an urban design and landscape plan. As such YCC officers cannot comment specifically or support the design proposal at this stage. However, officers can comment on the strategic intent of the project and its preferred location.

Preferred location

33. The 1.8km Darebin Trail shared path was constructed by the State Government in 2018, following 25 years of community campaigning. Previous plans included a path connection into Alphington south off Heidelberg Road to facilitate local access onto the trail network. This would have provided direct access for Alphington Primary School, the Alphington Paper Mill development site, and residents. However, this was not included in the final designs and was not constructed with the rest of the project in 2018.
34. Currently, the most direct route for Alphington residents to access the Darebin Creek Trail is via Sparks Reserve in Ivanhoe or from the other end of the trail in Kew East. For some local Alphington residents, accessing the Darebin Creek Trail involves travelling along the busy Heidelberg Road. The Yarra adopted *Open Space Strategy 2020* highlights this issue.
35. Officers consider that the Project would deliver the Alphington community a required link to Darebin Creek Trail and improve connections to many kilometres of off-road trails including the Main Yarra Trail, Anniversary Trail and Capital City Trail.
36. The Project would also provide easier and safer access for children to travel to and from schools in the local area. It would also offer a safer off-road option to commute to the city and other centres such as the Latrobe National Employment and Innovation Cluster, encouraging the take up of active transport modes.
37. More broadly, the Project aligns with State Government strategic plans, particularly: *Towards Zero Strategy 2016-20*; *Plan Melbourne 2017-50*; and DoT's strategic plan, *Simple, Connected Journeys 2019-23*.
38. While officers provide 'in principle' strategic support for the Project and its preferred location, all efforts should be made by DoT to retain and protect the four Indigenous and Native trees proposed for removal, where safe to do so. Council greatly values native and indigenous trees (both as single trees and in high densities) as important habitats for wildlife. Generally, large indigenous trees with hollows are scarce across the municipality.
39. In addition to the above, it is also the strong preference of officers for DoT to manage and maintain the Project once the works are finished, given the Project is being led and funded by DoT (who also manage the remainder of the Darebin Creek Trail) and the Project is of metropolitan significance.

*Officer recommendation*

40. It is recommended that Council provide 'in principle' strategic support for the Project and its preferred location.
41. However, it is also recommended that Council includes in its submission to DoT that all efforts should be made by DoT to retain and protect the four trees proposed for removal, where safe to do so throughout the proposed works.
42. Furthermore, it should be stated that Council believe that DoT should be responsible for the ongoing management and maintenance of the Alphington public shared path and bridge.

**Amendment C300yara**

The proposed ministerial amendment process

43. Under Section 20 (4) of the Act, the Minister for Planning may exempt himself from any of the notification requirements of Sections 17, 18 and 19 of the Act, and the Regulations. A 'ministerial' amendment is considered an expedited amendment process. DoT seeks the use of this power by applying to the Minister for Planning to approve the Amendment.
44. When considering the Amendment, the Minister for Planning would need to consider the criteria outlined in the *Ministerial Powers of Intervention in Planning and Heritage Matters - November 2004 (PPN29)*.
45. Officers consider that the Amendment would generally meet the criteria set out in PPN29, including that compliance with any of the usual Amendment notification requirements is not warranted because:

- (a) DoT have initiated an extensive public consultation process (refer to the Community and stakeholder engagement section of this report for the list of engagement activities) in respect of the proposed Project and Amendment (including exhibition of the proposed draft planning scheme amendment documentation), with submissions due on 31 January 2021; and
  - (b) upon the conclusion of the consultation period, the views of those individuals and stakeholders who participated in the public process would be known by DoT and the Minister for Planning.
46. Furthermore, the interests of the community make such an exemption appropriate because the prompt approval of the Amendment would:
- (a) immediately reserve land for a public purpose and ensure that any changes to the use or development of the land by the Club do not prejudice the purpose for which the land is to be acquired; and
  - (b) facilitate the delivery of a public project in an area of demonstrated need. Further, the timely delivery of this project would result in a range of benefits to the local community and would also result in improved pedestrian and cycling infrastructure.
47. Officers recommend that support, however, for the proposed ministerial amendment process should be contingent on DoT considering all submissions received in the preparation of the Project and Amendment and for all these submissions to be forwarded to the Minister for Planning as part of the Amendment request.
48. Officers note that the Minister for Planning could still decide to consult further with the community before giving himself an exemption under Section 20(5) of the Act.

*Officer recommendation*

49. It is recommended that Council support the ministerial amendment process proposed for the Amendment, subject to DoT considering all submissions received in the preparation of the Project and Amendment and for all these submissions to be forwarded (in accordance with the *Privacy and Data Protection Act 2014*) to the Minister for Planning as part of the Amendment request.

The proposed Public Acquisition Overlay (PAO5)

50. The purpose of a Public Acquisition Overlay (**PAO**) is to identify and reserve land for a public purpose.
51. Under usual circumstances, the PAO requires a permit to use, develop (including demolition) and/or subdivide the land to which it applies.
52. In Victoria, if land is to be compulsorily acquired for a public purpose (and not through negotiation), it must be 'reserved' under a planning scheme through its inclusion in a PAO before the acquisition process can commence (the Project land is proposed to be compulsorily acquired by the State Government from the Golf Club).
53. The compulsory acquisition process would be undertaken by DoT, in accordance with the *Land Acquisition and Compensation Act 1986*. This process can only occur once the land has been reserved under the PAO5. As DoT is the acquiring authority, the land would be reserved for 'road' purposes.
54. Officers note that there can be a lengthy period between the recognition that an area would be needed for a public purpose and the actual acquisition of that land. If DoT determines that the land is no longer required, the public acquisition overlay must be removed.
55. Given this statutory framework, officers consider that PAO5 would facilitate the delivery of the Project by:
- (a) reserving the land for a public purpose, being infrastructure in the form of a shared use path to the Darebin Creek Trail, in accordance with s. 6(2)(c) of the Act;

- (b) having the effect of reserving land under the *Land Acquisition and Compensation Act 1986*;
- (c) ensuring that any change to the use or development of the Club land does not prejudice the purpose of the reservation;
- (d) identifying the land as proposed to be acquired by the Head, Transport for Victoria (a legal entity of the Department of Transport); and
- (e) designating the Head, Transport for Victoria as the acquiring authority for the land.

56. PAO5 is proposed to apply to approximately 1,038 square metres of land. While the detailed design plans have not been provided to Council for the Project, YCC officers understand that the curtilage of the PAO5 would provide an appropriate buffer around the Project to allow for design flexibility.

*Officer recommendation*

57. Officers submit that the PAO5 is the most appropriate planning tool to facilitate the acquisition of the land for the Project. No changes are recommended to the proposed PAO5 ordinance or map.

The proposed Specific Controls Overlay (SCO17).

58. The purpose of the Specific Control Overlay (**SCO**) is to achieve a particular land use and development outcome (that may otherwise be prohibited or restricted under other provisions of the planning scheme) in extraordinary circumstances. Land affected by the SCO can be used or developed in accordance with a specific control contained in an associated incorporated document.

59. DoT proposes to apply SCO17 to allow for the use and development of the land in accordance with the *Incorporated Document*.

60. Officers note that specific controls are often used to facilitate State Government led road infrastructure projects in a streamlined way. An existing example in Yarra is the specific control in the *North East Link Project Incorporated Document, December 2019*.

61. It is considered that the SCO17 would allow the Project to be undertaken in accordance with the specific control contained within the *Incorporated document*.

*Officer recommendation*

62. Officers support the application of SCO17 to the land. No changes are recommended to the proposed SCO17 ordinance or map.

The proposed Alphington Link Incorporated Document, November 2021

63. The *Incorporated Document* is proposed to be introduced into Schedule to Clause 45.01 (SCO17) and the Schedule to Clause 72.04 of the Yarra Planning Scheme.

64. The *Incorporated Document* specifies that the land affected by the Project (as shown on the planning scheme map SCO4) may be used and developed in accordance with the specific control.

65. The purpose of the specific control in the *Incorporated Document* is to facilitate the Project efficiently and effectively by:

- (a) exempting the Project from existing planning permit requirements and prohibitions; and
- (b) providing conditions that must be met (unless specified otherwise) before undertaking the use and development of the land for the Project.

*Exemptions from planning requirements*

66. The specific control proposes to exempt the Project from all planning provisions that may prohibit, restrict, or regulate the use or development of land. This means that a planning permit would not be required to use and develop the land for the Project.

67. Officers understand that if the *Incorporated Document* was approved and introduced into the Yarra Planning Scheme along with proposed PAO5, a planning permit would not be required under the PAO.
68. Officers consider the exemption necessary to allow the timely facilitation of a project that would provide net community benefit. The likely public benefits would, on balance, outweigh the impacts of the exemption from planning requirements.
69. Furthermore, the *Incorporated Document* includes a set of conditions that must be met and approved (unless specified otherwise) before buildings and works commence.

*Use and development conditions*

70. Most of the conditions in the proposed *Incorporated Document* relate to plans and documents that must be prepared to the satisfaction of the Minister for Planning (as the Minister is the Planning Authority) and in consultation with Council. These conditions provide a 'supplementary' framework to help manage the environmental and amenity impacts of the Project.
71. Officers largely support these conditions. However, as noted above, insufficient information has been provided for Council Officers to undertake a full assessment of the specific design of the proposed Project.
72. As such, in lieu of information regarding the design of the Project, officers believe that the following information be included in the *Incorporated Document*:
- (a) a Detailed Civil and Drainage Design Plan prepared to the satisfaction of the Yarra City Council;
  - (b) existing traffic data and post construction traffic data to be collected and provided to the Yarra City Council;
  - (c) an Urban Design Landscape Plan prepared to the satisfaction of the Minister for Planning and in consultation with the Yarra City Council and the relevant floodplain management authority;
  - (d) a detailed Structural Design and Geotechnical Report prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council and relevant floodplain management authority;
  - (e) a Public Lighting Plan, prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council; and
  - (f) a Construction Management Plan prepared to the satisfaction of the Yarra City Council.
73. For clarification purposes and project transparency, officers also recommend that the *Incorporated Document* is amended:
- (a) to require that the approved plans are available on a clearly identifiable Project website from the date of approval and must remain available on such website for at least two years after the commencement of operation of the Project;
  - (b) to include a figure or map showing the Incorporated document boundary; and
  - (c) to correct errors, spelling, and grammar.
74. Refer to Attachment 3 to view the tracked changed version of the *Incorporated Document* which officers propose to include as part of the submission.
75. These suggested changes and additional conditions would ensure (amongst other things):
- (a) the fair, orderly, economic and sustainable use, and development of the land;
  - (b) an efficient, and safe living, recreational and working environment; and
  - (c) the achievement of planning objectives through positive actions by responsible authorities and planning authorities.



*Officer recommendation*

76. It is recommended that Council support the proposed project exemptions from planning scheme requirements subject to the recommended changes to the *Incorporate Document*.

Options

77. There are two options that Council can consider:

- Option 1. provide DoT with Council's submission to the Project and Amendment. This option is recommended. The Project would deliver the Alphington community a required link to Darebin Creek Trail and improve connections to many kilometres of off-road trails including the Main Yarra Trail, Anniversary Trail and Capital City Trail; and
- Option 2. do not proceed with submitting to DoT. A 'do nothing' approach is not recommended as proposed changes to the documentation is recommended.

**Community and stakeholder engagement**

78. No external consultation has been undertaken by Council. However, DoT has carried out the following engagement activities on the proposed Project and Amendment:
- (a) on the 22 November 2021, a meeting was held with the Stakeholder Reference Group to provide an update on the Project, outline the planning approval path and outline the upcoming community consultation;
  - (b) in mid-November 2021, a community information flyer (see Attachment 4) was sent out to residents (approximately 4,200 homes);
  - (c) in mid-November 2021, DoT door-knocked homes in the vicinity of Farm Road and Lucerne Crescent;
  - (d) DoT facilitated a direct, targeted social media campaign advertising the proposed design and the community information sessions;
  - (e) on 8 and 9 December 2021, two online information sessions were held to share designs and take feedback from interested community members; and
  - (f) on 8 December 2021, a letter of formal notification on the preparation Yarra Planning Scheme Amendment was mailed to the above catchment, inviting parties (including Council) to provide formal feedback to the Amendment (available via the VicRoads Project website). Relevant documents were also mailed to residents on Farm Road/Lucerne Crescent.
79. It is noted that DoT is still engaging with the local community members directly (email, phone calls, and site meetings). Notification and consultation on the Project and Amendment concludes on 31 January 2022.

**Policy analysis**

Alignment to Community Vision and Council Plan

80. The plan is broadly aligned with the *Yarra 2036 Community Vision*. It responds in the following way:
- (a) Theme 1 – Strong and vibrant community;
  - (b) Theme 4 – Environmental sustainability; and
  - (c) Theme 8 – Growing Sustainability.
81. It is also aligned with the *Council Plan 2021-2025*, particularly to the following Strategic Objectives:
- (a) Climate and environment – Yarra seeks to urgently mitigate climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same;

- (b) Place and nature – Yarra’s public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature; and
- (c) Transport and movement – Yarra’s transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected.

#### Climate emergency and sustainability implications

- 82. A Flora and Fauna Assessment has been prepared and identifies the ecological and biodiversity values of the Project area.
- 83. An Arboricultural Assessment and Report has also been prepared. It outlines tree protection measures to be implemented during the design and construction of the Project to allow for the retention of trees.
- 84. As required by the *Incorporated Document*, an offset would need to be secured for the removal of native vegetation in accordance with the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DELWP 2017). Council’s Senior Biodiversity Officer, City Works Unit has confirmed that:

*The conditions relating to native vegetation removal and securing an offset to compensate for the loss of biodiversity are adequately covered in the Incorporated Document.*
- 85. However, as noted it is the YCC officers preference that all efforts should be made by DoT to retain and protect the four Indigenous and Native trees proposed for removal where it is safe to do so.
- 86. The *Incorporated Document* also requires the preparation of a Tree Management Plan to ensure buildings and works within the vicinity of vegetation protected under Clause 42.01 and Clause 42.03 of the planning scheme is appropriately managed to the satisfaction of the Minister for Planning.
- 87. The *Incorporated Document* requires the preparation and approval of an Environment Management Framework (EMF). An EMF would provide a transparent and integrated governance framework to manage the amenity and environmental effects of the Project. The design and construction of the Project should be required to be carried out in accordance with the approved EMF.
- 88. The Project and Amendment supports the actions of the *Yarra Climate Emergency Plan 2020-2024*, including providing a sound strategic basis for improving and facilitating active transport infrastructure.

#### Community and social implications

- 89. Consultation by DoT is being carried out to understand the views of the community. The community would benefit from the proposed link through improved access to jobs, services, and facilities.
- 90. Active transport would be facilitated, and the pedestrian and cyclist user experience would be greatly improved through safer, faster, more convenient, and well-designed infrastructure.
- 91. It is considered that the Project and Amendment are consistent with the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*. An Aboriginal Cultural Heritage Assessment has been prepared which determined that a CHMP is not required for the Project.

#### Economic development implications

- 92. There are no specific economic implications known.

#### Human rights and gender equality implications

- 93. There are no known human rights and gender equality implications.

## Operational analysis

### Financial and resource impacts

94. There are no financial implications in making a submission to DoT on the Project and Amendment.
95. The ongoing maintenance of the proposed pathway is a topic and discussions are continuing.

### Legal Implications

96. There are no anticipated legal implications for Council in making a submission to DoT.
97. Once the Amendment is finalised, and if approved by the Minister for Planning, the proposed planning provisions would be included in the Yarra Planning Scheme.

## Conclusion

98. DoT is currently undertaking an extensive public consultation process on the proposed Project, Amendment, and planning approval process to understand the views of Council and the community.
99. Overall, the strategic intent of the Project and Amendment aligns with Yarra's Community Vision, Council Plan, planning policy framework and other adopted strategies and 'in principle' strategic support is provided.
100. The Project would provide for enhanced active transport infrastructure that would support the sustainability, wellness, and economic prosperity of the local community. The Amendment also makes proper use of the Victoria Planning Provisions and is consistent with the *Ministerial Direction: The Form and Content of Planning Schemes*.
101. The public benefits of the Project and Amendment have been sufficiently demonstrated to a point where Council can support, in principle, the proposed project and amendment.
102. It is recommended that Council advise DoT, via the attached submission (see Attachments 2 and 3), that the proposed Project, Amendment and planning approval process are supported 'in principle', subject to the recommendations outlined in this report and Attachments 2 and 3.

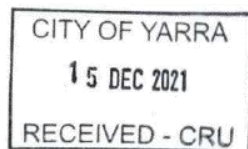
## RECOMMENDATION

1. That Council notes the:
  - (a) officer report outlining the Alphington Link Project and Amendment C300yara currently on exhibition by the Department of Transport;
  - (b) broad alignment of the proposed Alphington Link Project and Amendment C300yara with Council strategies and policies; and
  - (c) submission in Attachments 2 and 3 to advise the Department of Transport of Council's 'in principle' support of the proposed Alphington Link Project and Amendment C300yara, subject to recommendations.
2. That Council endorse the submission in Attachments 2 and 3 to be submitted to the Department of Transport.
3. That Officers continue to advocate on Council's behalf regarding the specific recommendations identified in the submission.
4. That Council further advise the Department of Transport that it considers that the State Government should be responsible for the future maintenance of the proposed pathway as part of the metropolitan cycling trail.

## Attachments

- 1 [↓](#) Letter of notification from DoT
- 2 [↓](#) Yarra's submission to the proposed Alphington Link Project and associated Amendment
- 3 [↓](#) Draft Incorporated Document - tracked version
- 4 [↓](#) DoT project brochure

# Attachment 1 - Letter of notification from DoT



Dear Vijaya Vaidyanath,

12 Lakeside Drive  
Burwood East VIC 3151  
vicroads.vic.gov.au

**YARRA PLANNING SCHEME AMENDMENT C300YARA  
APPLICATION OF A PUBLIC ACQUISITION OVERLAY, SPECIFIC CONTROLS OVERLAY  
AND INTRODUCTION OF AN INCORPORATED DOCUMENT TITLED 'ALPHINGTON LINK  
INCORPORATED DOCUMENT, NOVEMBER 2021' TO FACILITATE THE ALPHINGTON LINK**

The Department of Transport (DoT) wishes to formally notify Yarra City Council of the preparation of Yarra Planning Scheme Amendment C300yara and seeks a written response, detailing any views that Council may have on the project or the proposed planning approval process.

Attached to this letter is the information that forms the Amendment (amendment explanatory report, incorporated document, and maps).

Further details on the project can also be found online at  
<https://www.vicroads.vic.gov.au/planning-and-projects/melbourne-road-projects/alphington-link>.

Please provide your comments on the Amendment in writing by close of business **Monday 31 January 2022**. Alternatively, you can send your feedback via email to [mse\\_mail@roads.vic.gov.au](mailto:mse_mail@roads.vic.gov.au) with the subject line 'Alphington Link Feedback'.

Thank you for your ongoing engagement in this matter.

## Background to the Amendment

DoT is currently planning for the delivery of the Alphington Link, which will provide a safer pedestrian and cyclist connection for the residents of Alphington to the existing 1.8-kilometre Darebin Creek Trail.

To achieve this, DoT is proposing to apply a Public Acquisition Overlay (PAO) and a Specific Controls Overlay (SCO) to the area of land required for the delivery of the Alphington Link. The area proposed for inclusion in the PAO is approximately 1,038 square metres in size and is located on Latrobe Golf Club land, at the eastern end of Farm Road, Alphington.

Specifically, the purpose of the PAO will be:

- To reserve the land for a public purpose, being infrastructure in the form of a shared user path to the Darebin Creek Trail;
- To ensure that any change to the use or development of the land does not prejudice the purpose of the reservation;
- To identify the land as proposed to be acquired by the Head, Transport for Victoria (a legal entity of the Department of Transport); and



## Attachment 1 - Letter of notification from DoT

- To designate the Head, Transport for Victoria as the acquiring authority for the land.

The SCO will allow the works of the land to be undertaken in accordance with the project specific control contained within the 'Alphington Link Incorporated Document, November 2021' (Incorporated Document). The proposed SCO and Incorporated Document will only apply for the purpose of delivering the Alphington Link.

### Proposed planning approval process

DoT intends to submit the Amendment to the Minister for Planning and request that he consider using the powers under section 20(4) of the *Planning and Environment Act 1987*. This power exempts the Minister from the usual notice and exhibition requirements in respect of the amendment.

The decision to exercise this power of exemption rests with the Minister for Planning. It is important that your views are known as the Minister for Planning will consider whether or not the planning scheme amendment will give effect to an outcome where the issues have been reasonably considered and the views of affected parties are known.

After 31 January 2022, DoT intends to submit the Amendment to the Minister for Planning and request that he consider using the power under section 20(4) of the *Planning and Environment Act 1987* to approve the Amendment.

If you have any questions or you would like to discuss the Amendment, please contact Haifeng Xie, Team Leader Project Development at [haifeng.xie@roads.vic.gov.au](mailto:haifeng.xie@roads.vic.gov.au).

Yours sincerely



**VINCE PUNARO**  
EXECUTIVE DIRECTOR METROPOLITAN SOUTH EAST REGION  
08/12/2021

Encl:

1. Explanatory Report – Yarra Amendment C300yara
2. Alphington Link Incorporated Document, November 2021
3. PAO Map – Yarra Amendment C300yara
4. SCO Map – Yarra Amendment C300yara



## Attachment 1 - Letter of notification from DoT

Planning and Environment Act 1987

## YARRA PLANNING SCHEME

## AMENDMENT C300yara

## EXPLANATORY REPORT

## Who is the planning authority?

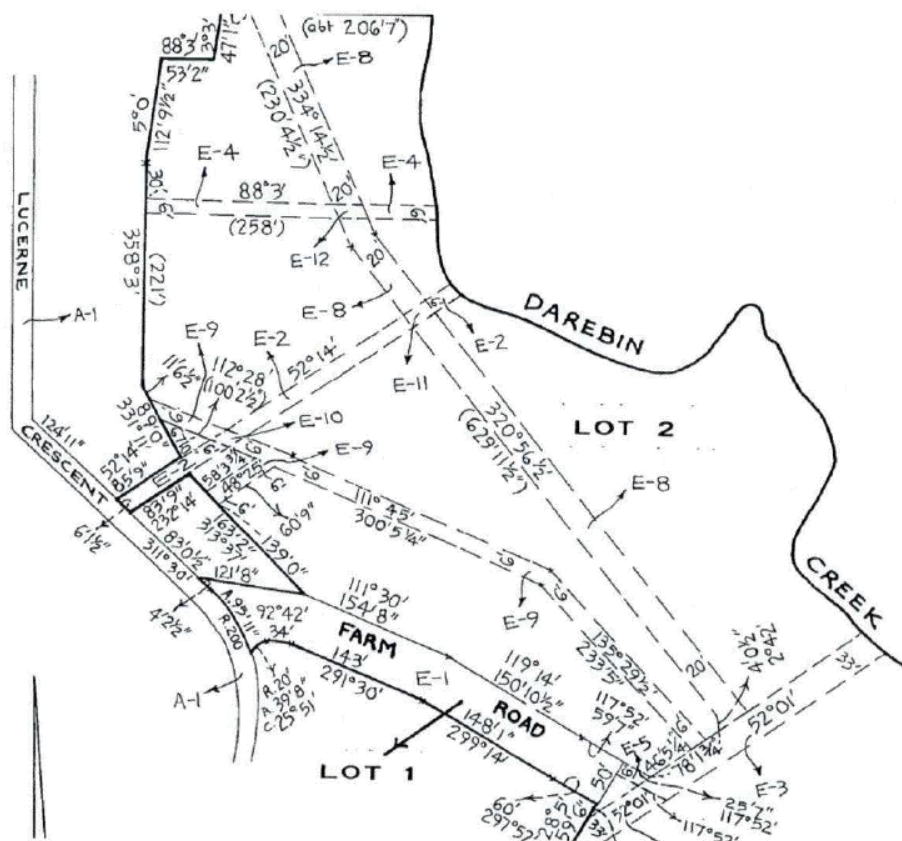
This amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The amendment has been made at the request of Department of Transport (DoT).

## Land affected by the amendment

The amendment applies to a portion of the following parcels of land:

- Lot 1 on Title Plan 86884B (Farm Road, Alphington)
- Lot 2 on Title Plan 86884B (Farm Road, Alphington)



## Attachment 1 - Letter of notification from DoT

### What the amendment does

The amendment applies the Public Acquisition Overlay (PAO) and a Specific Controls Overlay (SCO) to a portion of the land parcels at the south-eastern end of Farm Road, located immediately adjacent to the entrance of the Latrobe Golf Course, and extending south-east to connect with the Darebin Creek Trail.

The amendment:

- Applies the Public Acquisition Overlay (PAO5) to land required for the Alphington Link and amends Planning Scheme Map No.4 PAO accordingly, to allow for the reservation and future acquisition of land required to deliver the Project.
- Applies the Specific Controls Overlay (SCO17) to the Project Area, to allow for the use and development of the land in accordance with the *Alphington Link Incorporated Document* (November 2021).
- Amends the Schedule to Clause 72.03 (What does this Scheme Consist of?) to insert reference to the new Planning Scheme Map No.4 SCO.
- Amends the Schedule to Clause 72.04 (Table of Documents incorporated in this Planning Scheme) to include reference to the *Alphington Link Incorporated Document* (November 2021).

### Strategic assessment of the amendment

#### Why is the amendment required?

The amendment is required to facilitate the delivery of the Alphington Link Project.

The most direct route for Alphington residents to access the Darebin Creek Trail at present is via Sparks Reserve in Ivanhoe or from the other end of the trail in Kew East. For some local Alphington residents, accessing the Darebin Creek Trail involves travelling along the busy Heidelberg Road.

The Project will deliver a shared use path link for the Alphington community to access the Darebin Trail and improve connections to more than 600 kilometres of off-road trails including the Main Yarra Trail, Anniversary Trail and Capital City Trail. The link will also provide easier and safer access for school children to travel to and from schools in the local area, as well as a safer off-road option to commute to the city and other centres such as the Latrobe Employment Cluster.

The amendment will assist with facilitating the delivery of the project more effectively and efficiently. The timely delivery of this project will result in a range of benefits to the local community and Melbourne more broadly, and will also result in improved pedestrian and cycling infrastructure.

The Alphington Link Project aligns with state government strategic plans, particularly; Towards Zero Strategy 2016-20; Plan Melbourne 2017-50; and DoT's strategic plan, Simple, Connected Journeys 2019-23.

#### How does the amendment implement the objectives of planning in Victoria?

The amendment seeks to implement the following relevant objectives as outlined at Section 4 of the *Planning & Environment Act 1987*:

## Attachment 1 - Letter of notification from DoT

- (a) *To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (e) *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*
- (f) *To facilitate development in accordance with the objectives set out in paragraphs (a), (c), and (e).*
- (g) *To balance the present and future interests of all Victorians.*

The amendment implements these objectives by:

- *Facilitating a project that will increase the capability and reliability of Melbourne's transport network to support the State's growing population and urban development.*
- *Connecting the Alphington suburb to the Darebin Creek Trail and facilitating sustainable transport.*
- *Ensuring the timely delivery of key infrastructure to benefit the community through safer and more efficient routes.*
- *Implementing key upgrades to pedestrian and cycling infrastructure, which underpins the sustainability, health, and recreational needs of Victorians.*

**How does the amendment address any environmental, social and economic effects?**

### **Environmental Effects**

The incorporated document requires the preparation of an Environmental Management Framework (EMF). This framework will need to outline measures to reduce and manage environmental and amenity impacts during construction.

An Arboricultural Assessment and Report has also been prepared, outlining tree protection measures to be implemented during the design and construction of the project to allow for the retention of trees. The Tree Protection Zones for every tree has also been identified and has informed the design of the project.

The proposal will include the removal of four (4) trees:

- one (1) native tree, dead and classified as "low retention value" as per the aforementioned arboricultural report;
- two (2) indigenous trees, classified as "low retention value" as per the report;
- one (1) indigenous tree classified as "high retention value" in the report.

A Flora and Fauna Assessment has been prepared that has identified the ecological and biodiversity values of the project area. The amount of native vegetation requiring removal as assessed by the report has been contained through careful design to minimise environmental impacts.

As required by the incorporated document, an offset will need to be secured for the removal of native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) (the Guidelines) to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP).

The incorporated document also requires the preparation of a Tree Management Plan to ensure buildings and works within the vicinity of vegetation protected under Clause 42.01 and Clause 42.03 of the planning scheme is appropriately managed to the satisfaction of the Minister for Planning.



## Attachment 1 - Letter of notification from DoT

Generally, improving and facilitating active transport has significant environmental benefits as it encourages sustainable means of transport and has the potential to reduce the usage of cars.

### **Social Effects**

Consultation has been carried out to understand the views of the community. The community will benefit from the proposed link through improved and fastest access to jobs, services, and facilities. Active transport will be facilitated, and the pedestrian and cyclist user experience will be greatly improved through safer, faster, more convenient, and well-designed infrastructure.

### **Economic Effects**

The project will result in a more efficient transport system which is vitally important for ensuring economic prosperity. Greater access will be provided to employment opportunities and services.

### **Does the amendment address relevant bushfire risk?**

The amendment is not expected to increase bushfire risk within the area. If anything, the link will help facilitate the movements of cyclists and pedestrians during fire risk periods.

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with the following relevant Ministerial Directions:

- **Ministerial Direction No. 9 - Metropolitan Planning Strategy:** notably it will contribute to improve access to jobs across Melbourne and closer to where people live; improve local travel options to support 20-minute neighbourhoods; create a city of 20-minute neighbourhoods and create neighbourhoods that support safe communities and healthy lifestyles.
- **Ministerial Direction No. 11 - Strategic Assessment of Amendments:** the amendment documentation has been prepared in accordance with the strategic assessment guidelines.
- **Ministerial Direction No. 21 - Golf Course Redevelopment:** whilst the amendment is proposing to only redevelop a small part of an established golf course, it will have a significant positive impact for the community.
- **Ministerial Direction - Form and Content of Planning Schemes:** the amendment is consistent with the form and content of planning schemes.

### **How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The PPF contains a range of State policies that are relevant to this amendment.

**Clause 11: Settlement** seeks to promote the sustainable growth and development of Victoria through, amongst other things, a network of settlements that are well connected to jobs, services, and infrastructure.

## Attachment 1 - Letter of notification from DoT

Of particular relevance are the following strategies:

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities (Clause 11.01-1S).

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development (Clause 11.02-1S).

In response, the amendment will facilitate a project that will provide additional transportation infrastructure and will support transportation and economic linkages. Active transport infrastructure will be improved to enable a more efficient and safe transport network to support the continued growth of Melbourne..

**Clause 12: Environmental and Landscape Values** seeks to ensure planning protects ecological systems and the biodiversity they support through sustainable development. Clause 12.01 in particular seeks to ensure there is no net loss to biodiversity as a result of the removal of native vegetation

Of particular relevance are the following strategies:

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

Avoid the removal, destruction or lopping of native vegetation.

Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation (Clause 12.01-2S).

In response, the project design has sought to avoid and minimise the removal of native vegetation and impacts on habitat as much as possible. Where the removal of native vegetation is unavoidable, offsets will be required in accordance with the Guidelines to ensure no net loss to biodiversity as a result of the project.

**Clause 17: Economic Development** seeks to strengthen and diversify the economy, as well as to facilitate growth and improve access to jobs

Of particular relevance are the following strategies:

Improve access to jobs closer to where people live (Clause 17.01-1S).

Seek to ensure that tourism facilities have access to suitable transport (Clause 17.04-1S).

In response, the project will improve travel times and as a consequence, increase access to employment opportunities. The improved connection will also ensure a better connection to the tourism assets of the surrounding areas (including the different parks and museums).

**Clause 18: Transport** seeks to ensure that land use and transport planning are integrated to create a safe and sustainable transport system that provides access to social and economic opportunities. The road system is to be managed and integrated appropriately by ensuring that existing infrastructure is upgraded in response to community need and development.

Of particular relevance are the following strategies:

*Develop integrated and accessible transport networks to connect people to jobs and services and goods to market (Clause 18.01-1S).*

*Incorporate the provision of public transport, cycling and walking infrastructure in all major new state and local government road projects (Clause 18.01-2S).*



## Attachment 1 - Letter of notification from DoT

*Make better use of roads for all road users through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and taxis) and specific freight routes (Clause 18.02-3S).*

*Selectively expand and upgrade the road network to provide for:*

*Ensure access to jobs and services in growth areas and outer suburban areas by improving roads for all road users (Clause 18.02-3S).*

**Clause 19: Infrastructure** seeks the timely provision of infrastructure in response to the community's need.

Of particular relevance are the following strategy:

*Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns (Clause 19.03-2S).*

In response to Clause 18 and 19, the project will provide for an improved transport network that will increase connectivity and access.

The project will improve integrated transport options by upgrading pedestrian and cycling infrastructure along a major road corridor to ensure access by all users. In particular, the project will improve the safety of notably the local residents by enabling them to avoid the busy and non-appropriate Heidelberg Road.

### **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The LPPF contains a range of policies that are relevant to this amendment.

**Clause 21.03: Vision** seeks to amongst other things encourage people to walk, cycle and use public transport for the journey to work.

**Clause 21.06: Transport** seeks to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives.

**Clause 21.07: Environmental Sustainability** defines as critical the need to reduce greenhouse gas emissions and improve air quality, minimise water use, protect important vegetation and waterways, and reduce waste.

**Clause 22.08: Protection of Biodiversity** applies to land covered by an ESO. It seeks notably to protect and enhance Yarra's natural biodiversity and manage sites to allow for the natural regeneration of indigenous vegetation.

In response to these policies, it is noted that:

The project will provide for enhanced active transport infrastructure that will support the sustainability, wellness and economic prosperity of the local community.

The incorporated document requires the preparation and approval of an EMF that will include an overarching framework for site and works specific measures to reduce and manage environmental and amenity effects during construction of the project.

The project has sought to avoid and minimise vegetation removal as much as possible. The incorporated document requires the offsetting of all native vegetation removed to accommodate the project. The preparation of a Tree Management Plan will also be required.

### **How does the amendment support or implement the Municipal Planning Strategy?**

Not applicable as the Yarra Planning Scheme does not include a MPS at Clause 02.



## Attachment 1 - Letter of notification from DoT

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions and is consistent with the Ministerial Direction: The Form and Content of Planning Schemes. The SCO is to be applied in circumstances where a specific land use and development outcome is sought. The associated incorporated document outlines specific controls and conditions to manage the development of the land for the road infrastructure. These controls are commonly used to facilitate road infrastructure projects in a streamlined way.

It is submitted that the PAO is the most appropriate planning tool to facilitate the acquisition of the land for the purposes of the Alphington Link.

### **How does the amendment address the views of any relevant agency?**

Consultation has occurred with key authorities and agencies such as Yarra City Council, the Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water.

### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is consistent with the *Transport Integration Act 2010*. Consistent with the powers conferred on it by the Act, the amendment will ensure DoT can carry out its functions and responsibilities more efficiently and effectively.

The amendment seeks to implement a number of the objectives outlined at Part 2 Division 2 of the Act by:

- Increasing access to jobs and services through improved transport infrastructure (Section 8: Social and Economic Inclusion).
- Reducing travel times through increased efficiencies in the transport system that will support economic prosperity (Section 9: Economic Prosperity).
- Taking an 'avoid and minimise' approach to the removal of native vegetation to appropriately manage impacts to
- Biodiversity, fauna habitats, and environmental and landscape significance (Section 10: Environmental Sustainability).
- Supporting the integration of transport and land use planning by increasing access to residences, employment, markets, and services (Section 11: Integration of Transport and Land Use).
- Having regard to the future development of the area and the implications for the transport system (Section 11: Integration of Transport and Land Use).
- Supporting the efficiency and optimisation of the active transport network through a connection that will reduce journey times and increase safety (Section 12: Efficiency, Coordination and Reliability and Section 13: Safety and Health and Wellbeing).

Consistent with the powers conferred on it by the Act, the amendment will ensure the Department of Transport can carry out its functions and responsibilities, which includes the compulsory acquisition of land as defined at section 64G.

### **Does the amendment address relevant requirements of the Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2018?**

The amendment is consistent with of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*. Cultural Heritage advice was sought and a Cultural Heritage

## Attachment 1 - Letter of notification from DoT

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Assessment has determined that a Cultural Heritage Management Plan (CHMP) was not required for the project as the ground disturbance will be limited and will comply with the requirements of both Acts.

### **Resource and administrative costs**

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is not considered to have any significant impacts on the resourcing and administrative costs of the responsible authority.

#### **Where you may inspect this amendment**

The amendment is available for public inspection free of charge at the Department of Environment, Land, Water and Planning website at

<https://www.planning.vic.gov.au/schemes-and-amendments/browse-amendments>

**Attachment 1 - Letter of notification from DoT**

## **Alphington Link**

**Incorporated Document**  
**November 2021**

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## Attachment 1 - Letter of notification from DoT

### 1.0 INTRODUCTION

This document is an incorporated document in the Schedule to Clause 45.01 and the Schedule to Clause 72.04 of the Yarra Planning Scheme (planning scheme).

Despite any provision to the contrary in the planning scheme, the land specified in Clause 3.0 of this document may be used and developed in accordance with the specific control in Clause 4.0 of this document.

### 2.0 PURPOSE

The purpose of the specific control in this document is to facilitate the Alphington Link (The project).

The Alphington Link involves constructing a shared pedestrian and cyclist pathway approximately 125 metres long and 4 metres wide, from the south-eastern end of Farm Road Alphington, over land to be acquired from the Latrobe Golf Course, to connect to the Darebin Creek Trail. The shared pathway will involve sections of elevated bridge in addition to at grade sections involving cut and fill.

### 3.0 LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

The specific control in Clauses 4.0 and 5.0 of this document applies to the land required for works and removal of vegetation necessary for the delivery of the project (the project area), as shown on the planning scheme map SC05.

### 4.0 SPECIFIC CONTROL

#### 4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the planning scheme, no planning permit is required for, and no provision in the planning scheme operates to prohibit, restrict, or regulate the use or development of land for the purposes of the project.

The project includes but is not limited to the following:

- a) Buildings and works including the construction of a shared path, earthworks for the construction of earthen embankments to support either end of the path, construction of retaining walls to support the embankments, and construction of a bridge to support the central part of the shared path.
- b) Construction of fences and barriers alongside the shared path to minimise unauthorised entry of shared path users to the Golf Club, and to protect users of the shared path from being hit by golf balls.
- c) Construction of the Latrobe Golf Club access track, which will include realignment of the track and retaining wall to allow access beneath the shared use bridge.
- d) Installation and extension of an existing flood warning system at the recently completed Darebin Creek Trail Link to incorporate the Alphington Link.
- e) The removal, destruction and lopping of trees and the removal of vegetation, including native vegetation.



## Attachment 1 - Letter of notification from DoT

- f) Ancillary activities including, but not limited to:
  - i. Creating and using lay down areas for construction purposes.
  - ii. Stockpiling of excavation material.
  - iii. Constructing and using temporary site workshops and storage, administration and amenities buildings.
  - iv. Installing, relocating, modifying and upgrading services and utilities.
  - v. Constructing and using temporary access tracks, diversion roads and vehicle parking areas.
  - vi. Constructing temporary fences, temporary site barriers and site security.
  - vii. Constructing or carrying out works to excavate land, create shared user path, bridge, Golf Club access track, alter drainage and landscaping.
  - viii. Earthworks including cutting and spoil removal, and formation of drainage works.
  - ix. Displaying construction, directional and business identification signs.

### 4.2 CONDITIONS

The use, development and vegetation removal permitted by this document must be undertaken in accordance with the following conditions:

#### Environmental Management Framework

- 4.2.1 An Environmental Management Framework (EMF) must be prepared to the satisfaction of the Minister for Planning. The EMF must be prepared in consultation with Yarra City Council. The EMF must include:
  - a) A summary of key construction methodologies.
  - b) An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - c) A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - d) A summary of the consultation that informed the preparation of the EMF and a summary of the proposed ongoing engagement activities with Yarra City Council, the community, and other stakeholders during construction of the project, including enquiries and complaints management.

#### Native Vegetation

- 4.2.2 Prior to the removal, destruction or lopping of native vegetation, information about that native vegetation in accordance with Application Requirements 1, 5 and 9 of the *Guidelines for removal, destruction or lopping of native vegetation* (DELWP, December 2017) (Guidelines) must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP). The information provided to the Secretary to DELWP must include information about any native vegetation that has been, or is to be, removed under Clause 4.3.
- 4.2.3 Prior to removal of native vegetation, the biodiversity impacts from the removal of that native vegetation must be offset in accordance with the Guidelines.
- 4.2.4 Evidence that the required offset has been secured must be provided to the satisfaction

## Attachment 1 - Letter of notification from DoT

of the Secretary to DELWP.

- 4.2.5 The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

### Flood management

- 4.2.6 Buildings and works on land within the Land Subject to Inundation Overlay must be undertaken to the satisfaction of the relevant floodplain management authority.

### Landscape Plan

- 4.2.7 A Landscape Plan must be prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council and Melbourne Water.

### Tree Management Plan

- 4.2.8 A Tree management Plan must be prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council.

### Other Conditions

- 4.2.9 Unless otherwise stated, the plans and other documents listed in Clause 4.2 must be approved prior to the commencement of works. Plans and other documents may be prepared and approved for separate components or stages of the project, but each plan or other document must be approved before commencement of works for that component or stage.
- 4.2.10 The plans and other documents may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan or other document is satisfactory or whether to consent to an amendment to a plan or other document, the Minister for Planning may seek the views of the Yarra City Council or any other relevant authority.
- 4.2.11 The use and development of the project land must be undertaken generally in accordance with the approved plans and documents.

## **4.3 PREPATORY USE AND DEVELOPMENT**

- 4.3.1 The following buildings and works may be undertaken and the project area may be used in the following manner before the plans and other documents listed in Clause 4.2 are approved:
- e) Works associated with investigating, testing and surveying land.
  - f) Creation and use of construction access points, accessways and working platforms.
  - g) Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
  - h) Construction and use of temporary car parking.
  - i) Construction or installation of environment and traffic controls, including designated



## Attachment 1 - Letter of notification from DoT

'no-go' zones.

- j) Construction, protection, modification, removal or relocation of utility services, overhead and associated infrastructure.
- k) The removal, destruction or lopping of native vegetation to the minimum extent necessary to enable preparatory works, to the satisfaction of the Minister for Planning. Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the project and, if required, native vegetation offsets must be provided in accordance with the Guidelines except as otherwise agreed by the Secretary of DELWP.

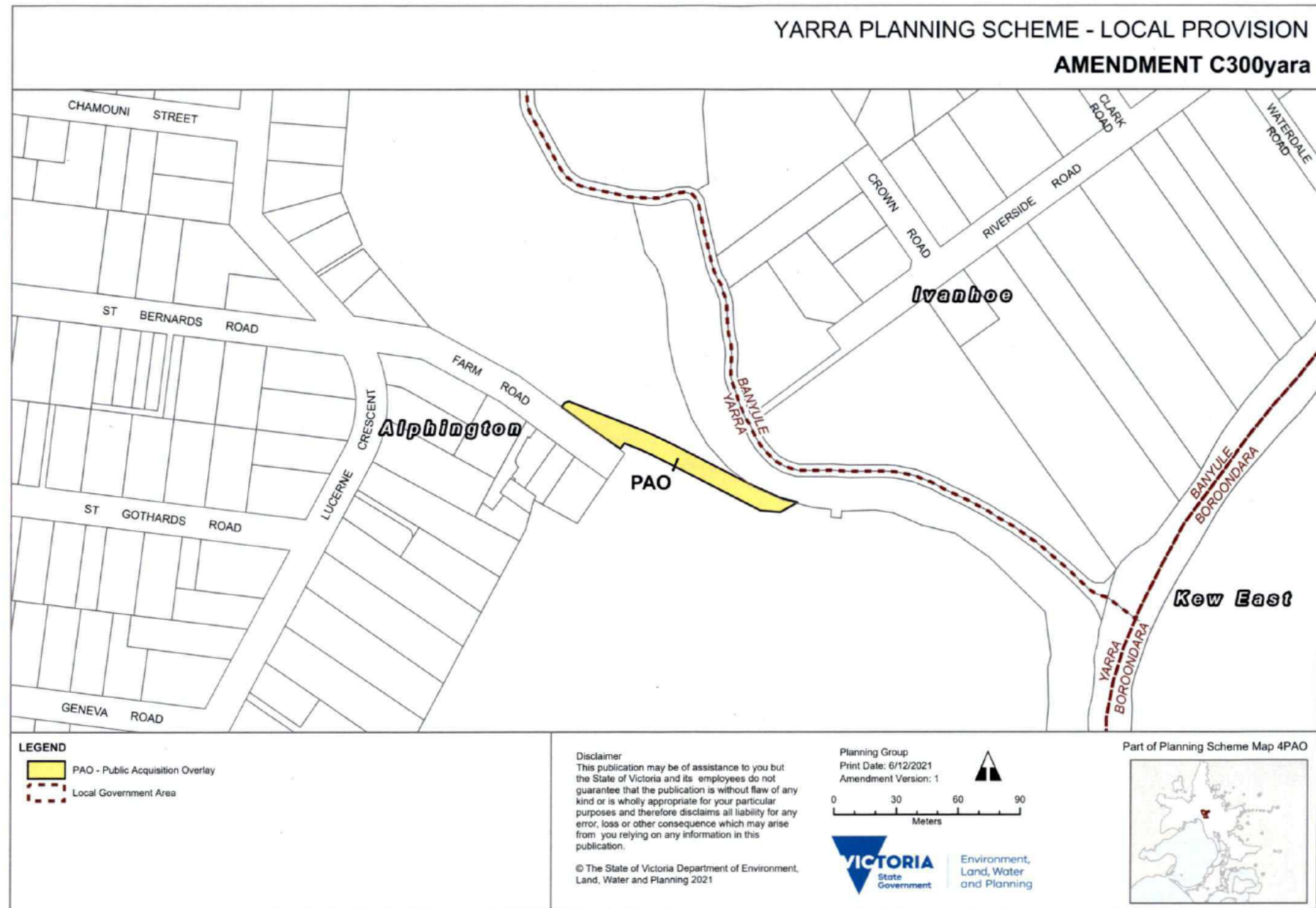
### 5.0 EXPIRY

The control in this document expires if any of the following circumstances apply:

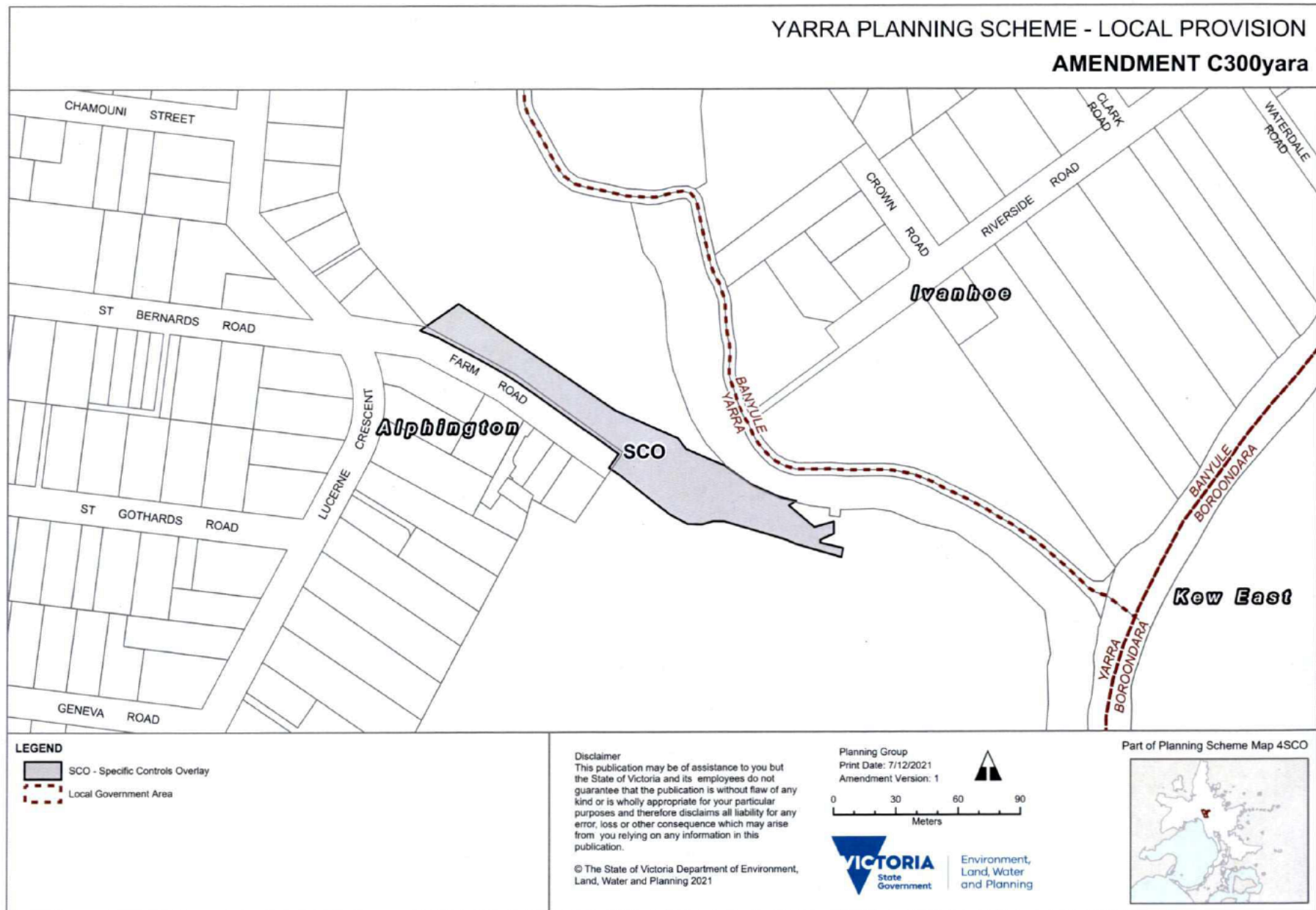
- a) The development allowed by this control, including native vegetation removal and preparatory works, is not started within two years of the date of the gazettal of Amendment C300yara.
- b) The development allowed by this control is not completed within five years of the date of the gazettal of Amendment C300yara.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

Attachment 1 - Letter of notification from DoT



Attachment 1 - Letter of notification from DoT



In reply please quote reference

**Reference:** XXXX

**Contact:** Bruce Phillips, Director, Planning and Place Making

XX January 2022

Vince Punaro  
Executive Director Metropolitan South East Region  
VicRoads  
12 Lakeside Drive  
BURWOOD EAST VIC 3151

Dear Vince Punaro

**Subject: Alphington Cycle and Pedestrian Link**

Thank you for your letter dated 8 December 2021 and the opportunity to provide Yarra City Council's views on the proposed Alphington cycling and pedestrian link (Project), Planning Scheme Amendment C300yara and the planning approval process.

On 25 January 2022 Ordinary Council Meeting, Yarra City Council passed a resolution to submit to the Department of Transport (DoT) on the proposal.

While the Project's detailed designs have not been made public, Council understands that the proposed Project involves:

- (a) constructing an approximately 125m long and 4m wide shared path and bridge, from the south-eastern end of Farm Road, over land to be compulsorily acquired from the Latrobe Golf Club (Club) to the Darebin Creek Trail;
- (b) realignment of the existing golf course access track between the Club driving range and the clubhouse and car park; and
- (c) Removal of four trees (three indigenous and one native).

Yarra City Council also understands that Ministerial Amendment 300yara proposes to facilitate and fast track the project by:

- (a) applying the Public Acquisition Overlay (PAO5) to allow for the reservation and future acquisition of the land;
- (b) applying the Specific Controls Overlay (SCO17) to allow for the use and development of the land in accordance with the *Alphington Link Incorporated Document, November 2021* (Incorporated Document); and
- (c) introducing the Incorporated Document into the Yarra Planning Scheme.

Yarra City Council provides in principle support for the proposed Project, Amendment C300yara and the planning approval process, given the likely public benefits of the proposal. However, Yarra City Council's support is contingent on DoT noting and considering the below recommendations. It is considered that these recommendations would provide a stronger basis for the assessment of future use and development of the

land for the Project, thereby providing greater certainty and consistency for all participants in the process.

#### The proposed Alphington cycling and pedestrian link

Yarra City Council considers that the Project would deliver the Alphington community a required link to Darebin Creek Trail and improve connections to more than 600 kilometres of off-road trails including the Main Yarra Trail, Anniversary Trail and Capital City Trail.

While Yarra City Council provides in principle strategic support for the Project and its preferred location, all efforts should be made by DoT to retain and protect the four indigenous and native trees proposed for removal, where safe to do so.

Furthermore, Yarra City Council believes that DoT should be responsible for the ongoing management and maintenance of the Alphington public shared path and bridge once the works are finished.

#### The proposed ministerial amendment process

Yarra City Council understands that following the conclusion of the consultation period on 31 January 2022, DoT intends to request that the Minister for Planning, under s. 20(4) of the *Planning and Environment Act 1987*, approve Amendment C300yara.

Yarra City Council considers that the Amendment would generally meet the criteria set out in the *Ministerial Powers of Intervention in Planning and Heritage Matters - November 2004* (PPN29), including that compliance with any of the usual Amendment notification requirements is not warranted because:

- (a) DoT has initiated an extensive public consultation process in respect of the proposed Project and Amendment C300yara; and
- (b) upon the conclusion of the consultation period, the views of those individuals and stakeholders who participated in the public process will be understood by DoT and the Minister for Planning.

Furthermore, the interests of the community make such an exemption appropriate because the prompt approval of the Amendment would:

- (a) immediately reserve land for a public purpose and ensure that any changes to the use or development of the land by the Club do not prejudice the purpose for which the land is to be acquired; and
- (b) facilitate the delivery of a public project in an area of demonstrated need. The timely delivery of this project will result in a range of benefits to the local community and will also result in improved pedestrian and cycling infrastructure.

However, Yarra City Council's support for the proposed ministerial amendment process is contingent on DoT considering all submissions received in the preparation of the Project and Amendment C300yara and for all these submissions to be forwarded (in accordance with the *Privacy and Data Protection Act 2014*) to the Minister for Planning as part of the Amendment request.

#### The proposed Alphington Link Incorporated Document, November 2021

The Incorporated Document specifies that the land affected by the Project may be used and developed in accordance with the specific control.

Yarra City Council understands that the purpose of the specific control in the Incorporated Document is to facilitate the Project efficiently and effectively by:

- (a) exempting the Project from planning provisions that may prohibit, restrict, or regulate the use or development of land; and



- (b) providing conditions that must be met (unless specified otherwise) before undertaking the use and development of the land for the Project.

Yarra City Council largely supports the conditions listed in the Incorporated Document. However, insufficient information has been provided for Yarra City Council to undertake a full assessment of the design of the proposed Project.

As such, in lieu of information regarding the design of the Project, Yarra City Council submits that the following information be included in the Incorporated Document:

- (a) a Detailed Civil and Drainage Design Plan prepared to the satisfaction of the Yarra City Council;
- (b) existing traffic data and post construction traffic data to be collected and provided to the Yarra City Council;
- (c) an Urban Design Landscape Plan prepared to the satisfaction of the Minister for Planning and in consultation with the Yarra City Council and the relevant floodplain management authority;
- (d) a detailed Structural Design and Geotechnical Report prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council and the relevant floodplain management authority;
- (e) a Public Lighting Plan, prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council; and
- (f) a Construction Management Plan prepared to the satisfaction of the Yarra City Council.

For clarification purposes and project transparency, Yarra City Council also recommends that the Incorporated Document is amended:

- (a) to require that the approved plans are available on a clearly identifiable project website from the date of approval and must remain available on such website for at least two years after the commencement of operation of the Project;
- (b) to include a figure or map showing the Incorporated Document boundary; and
- (c) to correct errors, spelling, and grammar.

Please refer to the enclosed tracked changed version of the Incorporated Document for details.

### Conclusion

I trust that you will appropriately consider and respond to Yarra's submission.

If you have any further questions, please do not hesitate to contact Bruce Phillips, Director Planning and Place Making, at [Bruce.Phillips@yarracity.vic.gov.au](mailto:Bruce.Phillips@yarracity.vic.gov.au).

Yours faithfully

**Cr Sophie Wade**  
Mayor  
Yarra City Council

Encl:

1. Draft Incorporated Document – City of Yarra recommended changes



## Alphington Link

**Incorporated Document**

**~~November 2021~~ January 2022**

## Attachment 3 - Draft Incorporated Document - tracked version

### 1.0 INTRODUCTION

This document is an incorporated document in the Schedule to Clause 45.01 and the Schedule to Clause 72.04 of the Yarra Planning Scheme (**P**lanning **S**scheme).

Despite any provision to the contrary in the planning scheme, the land specified in Clause 3.0 of this document may be used and developed in accordance with the specific control in Clause 4.0 of this document.

### 2.0 PURPOSE

The purpose of the specific control in this document is to facilitate the Alphington Link (The **P**project).

The Alphington Link involves constructing a shared pedestrian and cyclist pathway approximately 125 metres long and 4 metres wide, from the south-eastern end of Farm Road Alphington, over land to be acquired from the Latrobe Golf Course, to connect to the Darebin Creek Trail. The shared pathway will involve sections of elevated bridge in addition to at grade sections involving cut and fill.

### 3.0 LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

The specific control in Clauses 4.0 and 5.0 of this document applies to the land required for works and removal of vegetation necessary for the delivery of the **P**project (the **P**project **A**area), as shown on the planning scheme map **SC****O****405**.

### 4.0 SPECIFIC CONTROL

#### 4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the planning scheme, no planning permit is required for, and no provision in the planning scheme operates to prohibit, restrict, or regulate the use or development of land for the purposes of the **P**project.

The **P**project includes but is not limited to the following:

- a) Buildings and works including the construction of a shared path, earthworks for the construction of earthen embankments to support either end of the path, construction of retaining walls to support the embankments, and construction of a bridge to support the central part of the shared path.
- b) Construction of fences and barriers alongside the shared path to minimise unauthorised entry of shared path users to the **La Trobe** Golf Club, and to protect users of the shared path from being hit by golf balls.
- c) Construction of the Latrobe Golf Club access track, which will include realignment of the track and retaining wall to allow access beneath the shared use bridge.
- d) Installation and extension of an existing flood warning system at the **recently-completed** Darebin Creek Trail Link to incorporate the Alphington Link.
- e) The removal, destruction and lopping of trees and the removal of vegetation, including native vegetation.

## Attachment 3 - Draft Incorporated Document - tracked version

- f) Ancillary activities including, but not limited to:
  - i. Creating and using lay down areas for construction purposes.
  - ii. Stockpiling of excavation material.
  - iii. Constructing and using temporary site workshops and storage, administration and amenities buildings.
  - iv. Installing, relocating, modifying and upgrading services and utilities.
  - v. Constructing and using temporary access tracks, diversion roads and vehicle parking areas.
  - vi. Constructing temporary fences, temporary site barriers and site security.
  - vii. Constructing or carrying out works to excavate land, create shared user path, bridge, Golf Club access track, alter drainage and landscaping.
  - viii. Earthworks including cutting and spoil removal, and formation of drainage works.
  - ix. Displaying construction, directional and business identification signs.

### 4.2 CONDITIONS

The use, development and vegetation removal permitted by this document must be undertaken in accordance with the following conditions:

#### Environmental Management Framework

- 4.2.1 An Environmental Management Framework (EMF) must be prepared to the satisfaction of the Minister for Planning. The EMF must be prepared in consultation with Yarra City Council. The EMF must include:
  - a) A summary of key construction methodologies.
  - b) An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - c) A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - d) A summary of the consultation that informed the preparation of the EMF and a summary of the proposed ongoing engagement activities with Yarra City Council, the community, and other stakeholders during the construction of the Pproject, including enquiries and complaints management.

#### Native Vegetation

- 4.2.2 Prior to the removal, destruction or lopping of native vegetation, information about that native vegetation in accordance with Application Requirements 1, 5 and 9 of the *Guidelines for removal, destruction or lopping of native vegetation* (DELWP, December 2017) (Guidelines) must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP). The information provided to the Secretary to DELWP must include information about any native vegetation that has been, or is to be, removed under Clause 4.3.
- 4.2.3 Prior to the removal of native vegetation, the biodiversity impacts from the removal of that native vegetation must be offset in accordance with the Guidelines.
- 4.2.4 Evidence that the required offset has been secured must be provided to the satisfaction

## Attachment 3 - Draft Incorporated Document - tracked version

of the Secretary to DELWP.

4.2.5 The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

4.2.5

### Flood Management

4.2.6 Buildings and works on land within the Land Subject to Inundation Overlay must be undertaken to the satisfaction of the relevant floodplain management authority.

### Roads and Drainage Conditions

4.2.7 Prior to the commencement of buildings and works (excluding preparatory buildings and works under Clause 4.4), a Detailed Civil and Drainage Design (DCDD) plan must be prepared to the satisfaction of the Yarra City Council and include, but not limited to, the following:

- a) Any works proposed within the Farm Road Reserve, including existing and proposed levels and layout.
- b) Layout and levels of existing Yarra City Council's stormwater drainage infrastructure in proximity of the works.
- c) Any proposed alterations, or additions, to Yarra City Council's stormwater drainage infrastructure including (but not limited to pits, pipes, channels and retaining structures).
- d) Management of surface stormwater.
- e) Any works to any land and/ or structures that is proposed to be vested with Yarra City Council at the completion of the Project.
- f) Any signage and line-marking.

### Traffic Conditions

4.2.8 Existing traffic data and post construction traffic data (including pedestrian, cyclist, and vehicle data) for Farm Road to be collected and provided to the Yarra City Council.

### Urban Design and Landscape Plan

4.2.9 Prior to the commencement of development of permanent above-ground structures (excluding preparatory buildings and works under Clause 4.4), an Urban Design Landscape Plan (UDLP) must be prepared to the satisfaction of the Minister for Planning, prepared in consultation with the Yarra City Council and the relevant floodplain management authority.

4.2.10 The UDLP must show the final design for the Project and include, where relevant:

- a) A site layout plan that shows the location of permanent above-ground structures (including but not limited to the proposed bridge, pathways, and floodwalls).

# Attachment 3 - Draft Incorporated Document - tracked version

- b) Architectural plans, including sections and elevations, with materials and finishes.
- a) ~~Landscape plans, including sections and elevations, with plant species and A-~~  
~~Landscape Plan must be prepared to the satisfaction of the Minister for Planning,~~  
~~having regard to the views of the Yarra City Council and Melbourne Water.~~  
~~A~~  
~~Landscape Plan must be prepared to the satisfaction of the Minister for Planning,~~  
~~having regard to the views of the Yarra City Council and Melbourne Water.~~
- c) the locations of any new light poles and/or luminaires.
- d) The boundary of the Project land and location of areas to be used for construction.

4.2.11 The UDLP must be accompanied by an explanation demonstrating how the UDLP is would comply with the approved EMF.

4.2.12 Prior to the submission of the UDLP to the Minister for Planning for approval, the final UDLP must be provided to the Yarra City Council for consultation.

4.2.13 The use and development of the Project must be carried out generally in accordance with the approved UDLP.

## Structural Design and Geotechnical Report

4.2.14 Prior to the commencement of buildings and works (excluding preparatory buildings and works under Clause 4.4), a detailed Structural Design and Geotechnical Report (SDGR) must be prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council and the relevant floodplain management authority.

## Public Lighting Plan

4.2.15 A Public Lighting Plan (PLP) must be prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council. The PLP must demonstrate:

- a) that future lighting conditions of the Project Area comply with Australian Standard AS 1158 and Australian Standard AS 4282.
- b) that the locations of any new light poles do not obstruct vehicular access into private properties.

## Construction Management Plan

4.2.16 Prior to the commencement of buildings and works, a Construction Management Plan (CMP) must be prepared to the satisfaction of the Yarra City Council. The CMP must include:

- a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure.
- b) Works necessary to protect road and other infrastructure.
- c) Remediation of any damage to road and other infrastructure.
- d) Containment of dust, dirt and mud within the land and method and frequency of clean

### Attachment 3 - Draft Incorporated Document - tracked version

up procedures to prevent the accumulation of dust, dirt and mud outside the land.

- e) Facilities for vehicle washing, which must be located on the land.
- f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.
- g) Management of any environmental hazards including.
- h) The construction program.
- i) Preferred arrangements for trucks delivering to the land, including delivery, and unloading points and expected duration and frequency.
- j) Parking facilities for construction workers.
- k) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan.
- l) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
- m) An emergency contact, that is available 24 hours per day for residents and Yarra City Council in the event of relevant queries or problems experienced.
- n) The provision of a Traffic Management Plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
- o) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008.

b) —  
e) —

#### Tree Management Plan

4.2.64.2.17 A Tree ~~M~~management Plan must be prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council.

#### Other Conditions

4.2.74.2.18 Unless otherwise stated, the plans and other documents listed in Clause 4.2 must be approved prior to the commencement of works. Plans and other documents may be prepared and approved for separate components or stages of the ~~P~~project, but each plan or other document must be approved before the commencement of works for that component or stage.

4.2.84.2.19 The plans and other documents may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan or other document is satisfactory or whether to consent to an amendment to a plan or other document, the Minister for Planning may seek the views



## Attachment 3 - Draft Incorporated Document - tracked version

of the Yarra City Council or any other relevant authority.

~~4.2.20~~ The use and development of the ~~P~~project ~~A~~area land must be undertaken generally in accordance with the approved plans and documents.

### **4.3 AVAILABILITY OF APPROVED PLANS AND DOCUMENTS**

~~4.2.9~~ The plans and other documents listed in Clause 4.2 must be available on a clearly identifiable Project website from the date of approval and must remain available on such website for at least two years after the commencement of operation of the Project.

~~4.2.10~~4.3.1

### **4.3.4.4 PREPARATORY USE AND DEVELOPMENT**

~~4.3.14~~4.1 ~~Unless otherwise stated, t~~The following buildings and works may be undertaken and the ~~P~~project ~~A~~area may be used in the following manner before the plans and other documents listed in Clause 4.2 are approved:

- e) Works associated with investigating, testing and surveying land.
- f) Creation and use of construction access points, accessways and working platforms.
- g) Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- h) Construction and use of temporary car parking.
- i) Construction or installation of environment and traffic controls, including designated 'no-go' zones.
- j) Construction, protection, modification, removal or relocation of utility services, overhead and associated infrastructure.

~~k)~~ The removal, destruction or lopping of native vegetation to the minimum extent necessary to enable preparatory works, to the satisfaction of the Minister for Planning. Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the ~~P~~project and, if required, native vegetation offsets must be provided in accordance with the Guidelines except as otherwise agreed by the Secretary of DELWP.

~~l)~~k)

### **4.05.0 5.0 EXPIRY**

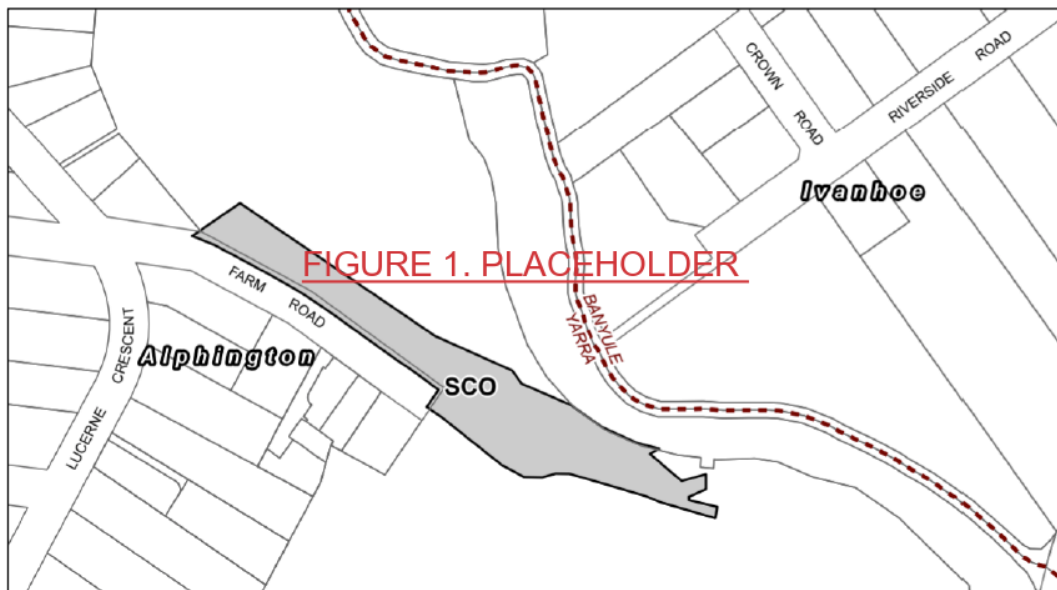
The control in this document expires if any of the following circumstances apply:

- a) The development allowed by this control, including native vegetation removal and preparatory works, is not started within two years of the date of the gazettal of Amendment C300yara.
- b) The development allowed by this control is not completed within five years of the date of the gazettal of Amendment C300yara.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

Attachment 3 - Draft Incorporated Document - tracked version

Figure 1: Incorporated document boundary



## Attachment 4 - DoT project brochure

Connecting  
our communities

# Alphington Link

## Active transport initiative

Project update  
November 2021



Artist's impression: Alphington Link

The Victorian Government is investing \$9.1 million to plan and develop a direct connection from Alphington to the Darebin Creek Trail – the Alphington Link.

**This active transport initiative will connect the local Alphington community to more than 600kms of off-road shared paths.**

### About the project

To better connect the local Alphington community to the Darebin Creek trail and Melbourne's strategic cycling network, we're building a new 3.5 metre wide clear path that will take pedestrians and cyclists safely over Latrobe Golf Club land.

The 120 metre long link will start from Farm Road and connect in with the Darebin Creek trail, ensuring the local community will no longer need to use busy Heidelberg Road to access the trail.

We're also looking to install a raised pedestrian crossing on Farm Road to provide a safe entrance onto the bridge.

### The alignment

Since 2018, we've been investigating potential alignment options to connect the Alphington community to the Darebin Creek Trail.

To help support these investigations, a stakeholder reference group was formed, exploring options to determine the most appropriate alignment.

We've also been working with key stakeholders such as Council, Alphington Grammar School, Melbourne Water and Latrobe Golf Club throughout the development of the project.

Visit [vicroads.vic.gov.au](https://vicroads.vic.gov.au)



## Attachment 4 - DoT project brochure

We considered options such as:

- creating an Old Heidelberg Road link
- traversing the perimeter of the Latrobe Golf Course driving range
- installing a shared user path adjacent to Heidelberg Road, and
- creating a link from the end of View Street over the Yarra River.

### What we've heard

Since 2018, some of the key needs we've heard from the community are:

- to provide a safe and direct route
- to avoid making cyclists use busy Heidelberg Road
- to make it easy and accessible for students to ride to school.

The option supported by key stakeholders and the community was the direct route from Farm Road, through Latrobe Golf Club land to the Darebin Creek trail.

### Planning and delivery

To be able to deliver this important local active transport initiative, we had to make an amendment to the *Cultural and Recreational Land Act 1963 (CARLA)*.

This was an important milestone to streamline the delivery of the project.

To ensure that we continue to progress this important community project we're also requesting the Minister for Planning amend the existing planning scheme under Section 20(4) of the *Planning and Environment Act 1987*, without usual notice requirements.

To view the planning documents, visit the Alphington Link project webpage.

There's several ways you can provide feedback, including:

- taking part in one of our online information sessions in December, where you can ask questions and provide feedback
- visiting the VicRoads project webpage and filling in our online feedback form.

### Find out more

Search the VicRoads website for 'Alphington Link' or email us.

**Email:** [mse\\_mail@roads.vic.gov.au](mailto:mse_mail@roads.vic.gov.au)

**Visit:** [vicroads.vic.gov.au](http://vicroads.vic.gov.au)

### Have your say

**Community feedback** will play an important role in the development and delivery of the Alphington Link.

**Online information sessions**  
If you'd like to participate in one of our online information sessions, head to the Alphington Link project webpage and register via the EventBrite link.

During these information sessions, you'll have the opportunity to view our designs and artist's impressions of the Alphington Link, ask questions and provide feedback.

The sessions are being held:

- Wednesday 8 December 2021, between 6pm and 7.30pm
- Thursday 9 December 2021, between 6pm and 7.30pm

We'll be collecting feedback from the community until 31 January 2022.



Artist's impression: Approaching the Alphington Link from the Darebin Creek Trail



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## 8.3 Business Advisory Group Committee membership

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<b>Reference</b>	D22/8370
<b>Author</b>	Simon Osborne - Senior Project Officer - Retail, Tourism and Marketing
<b>Authoriser</b>	Director Planning and Place Making

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### Purpose

1. To inform Council that a public Expression of Interest (EOI) process has been completed, as required, to recruit new members to the Business Advisory Group ("BAG").
2. To seek Council's endorsement of the proposed new members.

### Critical analysis

#### History and background

3. The Terms of Reference state that the purpose of the BAG is to create and maintain a forum for business representatives, to provide Council with feedback and practical advice regarding ways in which Council can engage with and further assist key sectors within the business community.
4. The objectives of the BAG are to provide considered advice and recommendations to Council:
  - (a) on the local economy and industry specific challenges and opportunities that effect the local business community;
  - (b) that help shape the development, implementation, and promotion of Council's Economic Development Strategy;
  - (c) on policies and strategic objectives concerning Yarra's business community; and
  - (d) on how best to engage the business community on matters of significance to the whole of Yarra community.
5. The term of the appointment is four (4) years, unless a member resigns from their position.
6. The membership consists of sixteen (16) members who are local business proprietors, property owners and/or employee based in Yarra, and two (2) Councillors (appointed annually).
7. Due to five members resigning from their positions due no longer having a business located in Yarra, or for personal reasons, along with two members completing the maximum of four years on the BAG, there were seven vacant positions that were required to be filled.

#### Discussion

8. Nominations were open from Friday 12 November 2021 through to Friday 26 November 2021.
9. Council sought applications among any interested Yarra business having regard to the existing composition of the group and the following key elements:
  - (a) Local business proprietor, property owner and/or employee based in Yarra;
  - (b) Representation across the municipality;
  - (c) Representation of different size businesses;
  - (d) Representation of different business sectors;
  - (e) Representation of gender, cultural background and diverse lived experiences;

- (f) Business experience, skills and relevant network connections; and
- (g) A strong interest in the ongoing development of a prosperous economy in Yarra.
- 10. The Selection Panel (“the Panel”) comprised of three Officers: the Coordinator of Economic Development, Senior Project Officer – Retail and Tourism, and an Economic Development officer.
- 11. Council received 41 applications for the seven positions available. The Panel was extremely impressed with the diversity of knowledge, experience, skills, and community representation reflected in the applications.
- 12. Applications were assessed individually against the above criteria (point 9) and the Panel then reviewed the overall mix and potential membership. Consideration was also given to age, gender, cultural background and lived experience to ensure that the membership is as representative as possible of the Yarra business community.
- 13. While all applicants responded well, the proposed seven members selected, provided comprehensive responses and showed clear understanding and capacity to meet the objectives of being a member of the BAG.

#### Options

- 14. Forty-two applications were received for the seven vacant positions. The Panel has reviewed and assessed the applications based on their skills, knowledge, experience, demographic and cultural profile, and ability to represent and assist Council in advising direction and providing feedback regarding the local economy.
- 15. Officers recommend Council support the appointment of seven nominees.
- 16. The names of the recommended applicants, together with their expertise and experience is provided at confidential **Attachment One**.

#### Community and stakeholder engagement

- 17. In line with the *Appointment of Members to Council Committees Procedure*, Council officers placed an EOI within the Business Newsletter that is received by 10,500+ businesses:
  - (a) summarising the purpose of the BAG;
  - (b) noting any desired attributes or skills of interested community or other non-Councillor representatives;
  - (c) inviting expressions of interest from suitably qualified or experienced persons seeking to be considered; and
  - (d) noting that Council will, following consideration of EOI's received, formally resolve to appoint the selected members.
- 18. The Governance Unit provided advice and support on the requirements of the public EOI process.

#### Policy analysis

##### Alignment to Community Vision and Council Plan

- 19. The Council Plan 2021 – 2025 and Economic Development Strategy 2020 – 2025, both speak to the promotion of Yarra as an attractive location for economic activity for both small business and larger industries, and the facilitation of local partnerships which create and promote a range of learning, employment and other pathway opportunities for businesses, workers, and residents.

##### Climate emergency and sustainability implications

- 20. There are no climate emergency or sustainability implications associated with the report.



### Community and social implications

21. The membership has been chosen to reflect the social diversity of the Yarra business community from the applications received.

### Economic development implications

22. The appointment of the new members will strengthen the advisory group by providing fresh ideas, different points of view and invaluable feedback.

### Human rights and gender equality implications

23. The appointment of proposed members ensures a balance of gender representation on the BAG.

## Operational analysis

### Financial and resource impacts

24. There are no financial or resource impacts associated with this report.

### Legal Implications

25. There are no legal implications associated with this report.

## Conclusion

26. The Selection Panel have undertaken a public EOI process to recruit new members to the BAG in accordance with the Terms of Reference and Council's requirements relating to community advisory committees.
27. The community responded with 42 applications for the seven vacant positions. A diversity of skills, experience, business type and size is apparent in the applications proposed for the BAG.

## RECOMMENDATION

1. That Council appoint the following persons to the seven vacant positions on the Business Advisory Group:
  - (a) \_\_\_\_\_;
  - (b) \_\_\_\_\_;
  - (c) \_\_\_\_\_;
  - (d) \_\_\_\_\_;
  - (e) \_\_\_\_\_;
  - (f) \_\_\_\_\_; and
  - (g) \_\_\_\_\_.
2. That officers write to all members of the community who expressed interest, advising of this decision and thank them for applying to be members of the Business Advisory Group.

## Attachments

- 1 Business Advisory Group candidate details - *Confidential*

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## 8.4 Appointment of Audit and Risk Committee chair

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<b>Reference</b>	D21/185306
<b>Author</b>	Rhys Thomas - Senior Governance Advisor
<b>Authoriser</b>	Director Corporate, Business and Finance

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### Purpose

1. This report seeks Council approval for the appointment of the Audit and Risk Committee chair for 2022.

### Critical analysis

#### History and background

2. On 1 September 2020, Council dissolved the Audit Committee and established an Audit and Risk Committee in its place. This change was made in response to the making of the Local Government Act 2020.
3. The Charter of the Audit and Risk Committee requires that an annual appointment of the committee chair be made by Council.

#### Discussion

4. The Audit and Risk Committee Charter states that “The Chairperson of the Committee will be an independent member and will be appointed by the Audit Committee annually. The nomination for the position of Chairperson will be submitted to Council for approval.”
5. The three current external Independent Members are:
  - (a) David Ashmore – appointed 2015;
  - (b) Helen Lanyon – appointed 2017; and
  - (c) Kylie Maher – appointed 2021.
6. By circular resolution of 13 December 2021, The Audit and Risk Committee nominated David Ashmore as its nominee for the position of chair throughout 2022. Mr Ashmore joined the former Audit Committee in September 2015 and held the position of chair in 2016, 2017 and 2018. Following the conclusion of his term as chair, he remained a member of the committee, and was appointed to its successor, the Audit and Risk Committee, in September 2020.

#### Options

7. With the committee chair nomination already having been ratified by the committee, it is not open to Council to resolve to make a different appointment.
8. Should Council determine a course of action other than set out in the recommendation is warranted, a resolution to send the matters back to the Audit and Risk Committee for further consideration would be the appropriate mechanism.

### Community and stakeholder engagement

9. Aside from consideration of the appointment of the 2022 chair by the Audit and Risk Committee, no community or stakeholder engagement was undertaken in developing this report.

## Policy analysis

### Alignment to Council Plan

10. The City of Yarra Council Plan 2021-2025 contains the Strategic Objective “*Democracy and Governance*”, which is underpinned by the strategy “*Practice good governance, transparency and accountable planning and decision-making*”.
11. The public appointment of the Audit and Risk Committee chair is consistent with this commitment.

### Climate emergency and sustainability implications

12. There are no climate emergency or sustainability implications arising from this report.

### Community and social implications

13. There are no community or social implications arising from this report.

### Economic development implications

14. There are no economic development implications arising from this report.

### Human rights and gender equality implications

15. There are no human rights or gender equality implications arising from this report.

## Operational analysis

### Financial and resource impacts

16. There are no financial impacts of this report.

### Legal Implications

17. The Audit Committee is an advisory committee to Council and the Committee Charter, as adopted by Council, requires Council to report annually to Council.

## Conclusion

18. This report recommends that Council appoints the committee’s nomination (David Ashmore) as the committee chair for 2022.

## RECOMMENDATION

1. That Council:
  - (a) appoint David Ashmore as the Audit and Risk Committee Chair for 2022; and
  - (b) thank the Audit and Risk Committee for its contribution to good governance at the City of Yarra throughout 2021.

## Attachments

There are no attachments for this report.

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## 8.5 Appointment of Council delegates to the Metropolitan Transport Forum

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<b>Reference</b>	D22/5219
<b>Author</b>	Rhys Thomas - Senior Governance Advisor
<b>Authoriser</b>	Group Manager Chief Executive's Office

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### Purpose

1. To appoint Councillors as delegates to the Metropolitan Transport Forum for the 2021/2022 Council year.

### Critical analysis

#### History and background

2. In order to assist the Council to undertake its extensive range of functions, Council has established a number of Advisory Committees, to which it appoints both Councillors and community representatives; and appointed delegates to represent it on a range of external organisations.
3. Appointments to these committees were made at the Council meeting of 16 November 2021 (adjourned to 23 November 2021) and 7 December 2021, but a change is required in relation to the appointment to the Metropolitan Transport Forum.

#### Discussion

4. The Metropolitan Transport Forum is an advocacy group comprising members from Melbourne metropolitan local government, associate members representing transport companies, and participants from the State Government and environment groups. The role of the forum is to develop recommendations pertaining to transport in Melbourne, with particular emphasis on advocating for improved public transport.
5. At the Council meeting of 16 November 2021 (adjourned to 23 November 2021), Council appointed Cr de Vietri as its representative, with Cr Stone as its alternative representative.
6. Following discussions with Councillors, this report proposes the rescission of that decision, and the appointment of alternative delegates to the forum.

#### Process

7. Before considering the officer's recommendation, Council should seek nominations for the 2021/2022 vacancies.
8. Where the number of nominations exceeds the number of appointments Council intends to make, Council is required to conduct an election to determine which candidates shall be presented for ratification. The process for these elections is set out in the City of Yarra Governance Rules 2020 and is conducted using the procedure for electing the Mayor set out at Chapter Two, Part A.
9. In summary, this process is as follows:
  - (a) any number of Councillors may be nominated for each vacancy;
  - (b) no seconder is required;
  - (c) the nominee must consent to their nomination;
  - (d) Councillors present shall vote by a show of hands;
  - (e) in the event that no candidate receives a majority, candidates shall be eliminated in accordance with the provisions of the Governance Rules 2020; and

- (f) in the event of an election being required for a Committee with multiple vacancies, an election shall be conducted for the first vacancy, then a further election for the second vacancy, and so on.
- 10. Following the conduct of any election or elections as required, Council then ratifies these outcomes (together with the appointment of representatives where the number of nominations matched the number of vacancies) in accordance with the officer's recommendation.

#### Options

- 11. There are no options presented in this report.

#### Community and stakeholder engagement

- 12. No community engagement has been undertaken in the development of this report.

#### Policy analysis

##### Alignment to Community Vision and Council Plan

- 13. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *"informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy."*
- 14. The City of Yarra Council Plan 2021-2025 commits Council to *"provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making"* and to *"practice good governance, transparency and accountable planning and decision-making."*
- 15. The ongoing operation of community advisory committees and the appointment of Councillors to all committees in an open and transparent process underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council's ongoing commitment to good governance.

##### Climate emergency and sustainability implications

- 16. No climate emergency implications are presented in this report.

##### Community and social implications

- 17. No community or social implications are presented in this report.

##### Economic development implications

- 18. No economic development implications are presented in this report.

##### Human rights and gender equity implications

- 19. No human rights or gender equity implications are presented in this report.

#### Operational analysis

##### Financial and resource impacts

- 20. The financial and resource impacts of operating the committee set out in this report are minimal and included in the operational budgets of the relevant Council programs.

##### Legal Implications

- 21. The recommendation of this report has been structured to ensure that committee members are lawfully appointed in accordance with the relevant provisions of the Metropolitan Transport Forum.

#### Conclusion

- 22. This report recommends the appointment of delegates to the Metropolitan Transport Forum.

## RECOMMENDATION

1. That Council rescind the decision at the Council meeting of 16 November 2021 to appoint Cr de Vietri and Cr Stone (substitute) to the Metropolitan Transport Forum, and instead appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ (substitute) for the 2021/2022 Council year.

## Attachments

There are no attachments for this report.



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## 9.1 Notice of Motion No. 1 of 2022 - Matters Referenced in the Heritage Advisory Committees Delegate's Report December 2021

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<b>Reference</b>	D22/10552
<b>Author</b>	Mel Nikou - Administration Officer - Governance Support
<b>Authoriser</b>	Group Manager Chief Executive's Office

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I, Councillor Bridgid O'Brien, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 25 January 2022:

*"That in relation to the following items referenced in the Heritage Advisory Committee Delegate's December 2021 report, Council:*

- (a) Re Owner's Obligations in Heritage Overlay Areas:*
  - (i) writes to all real estate agencies operating in Yarra to note that pre-sale works must be undertaken in accordance with Heritage Overlay requirements, including that permits must be sought for works as required;*
  - (ii) prepares a "Dos and Don'ts" for various aspects of works on heritage properties citing good and bad examples to guide the community about what should be done and what is good practice; and*
  - (iii) includes a regular column on heritage in Yarra News and / or Yarra's E-newsletter;*
- (b) Re Burnley Cottage:*
  - (i) Puts in place, appropriate measures during any works undertaken at the cottage, to manage any unlisted archaeological objects that may be discovered; and*
- (c) Re Interpretation strategy and signage design for the Gas and Fuel site:*
  - (i) Advocate for HAC representatives and a local community member to be included in discussions for the development of an interpretation strategy and signage design for the Gas and Fuel site."*

## RECOMMENDATION

1. That in relation to the following items referenced in the Heritage Advisory Committee Delegate's December 2021 report, Council:
  - (a) Re Owner's Obligations in Heritage Overlay Areas:
    - (i) writes to all real estate agencies operating in Yarra to note that pre-sale works must be undertaken in accordance with Heritage Overlay requirements, including that permits must be sought for works as required;
    - (ii) prepares a "Dos and Don'ts" for various aspects of works on heritage properties citing good and bad examples to guide the community about what should be done and what is good practice; and
    - (iii) includes a regular column on heritage in Yarra News and / or Yarra's E-newsletter;
  - (b) Re Burnley Cottage:
    - (i) Puts in place, appropriate measures during any works undertaken at the cottage, to manage any unlisted archaeological objects that may be discovered; and
  - (c) Re Interpretation strategy and signage design for the Gas and Fuel site:
    - (i) Advocate for HAC representatives and a local community member to be included in discussions for the development of an interpretation strategy and signage design for the Gas and Fuel site.

## Attachments

There are no attachments for this report.