



# Agenda

## Planning Decisions Committee

6.30pm, Wednesday 10 February 2021

TEAMS

## The Planning Decisions Committee

The Planning Decisions Committee is a delegated committee of Council with full authority to make decisions in relation to planning applications and certain heritage referrals. The committee is made up of three Councillors who are rostered on a quarterly basis.

### Participating in the Meeting

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

There is an opportunity for both applicants and objectors to make a submission to Council in relation to each matter presented for consideration at the meeting.

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. Simply raise your hand and the 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 chair;
- confine your submission to the planning permit under consideration;
- If possible, explain your preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

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

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

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

### Arrangements to ensure our meetings are accessible to the public

Planning Decisions Committee meetings are held at the Richmond Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (via the entry foyer).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop and receiver accessory is available by arrangement (tel. 9205 5110).
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available.



## 1. Appointment of Chair

Councillors are required to appoint a meeting chair in accordance with the City of Yarra Governance Rules 2020.

## 2. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

## 3. Attendance, apologies and requests for leave of absence

Anticipated attendees:

### Councillors

Cr Anab Mohamud

Cr Claudia Nguyen

Cr Sophie Wade (substitute for Cr Stone)

### Council officers

Amy Hodgen (Senior Co-Ordinator Statutory Planning)

Chris Stathis (Senior Statutory Planner)

Rhys Thomas (Senior Governance Advisor)

Cindi Johnston (Governance Officer)

## 4. Declarations of conflict of interest

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

## 5. Confirmation of Minutes

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.

## 6. Committee business reports

Item		Page	Rec. Page
6.1	PLN20/0359 - 4000/9 Robert St Collingwood VIC 3066 - Construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building with an associated reduction to the statutory car parking rate	5	41
6.2	PLN20/0420 - 487 - 491 Swan Street Richmond - Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.	137	178
6.3	PLN20/0479 - 2 Francis Street Richmond - Construction of a two storey dwelling with a roof top terrace	275	299



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- 6.1 PLN20/0359 - 4000/9 Robert St Collingwood VIC 3066 - Construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building with an associated reduction to the statutory car parking rate**
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## **Executive Summary**

### **Purpose**

1. This report provides Council with an assessment of a planning permit application submitted for 4000/9 Robert St Collingwood, which seeks approval for PLN20/0359 - 4000/9 Robert St Collingwood VIC 3066 - Construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building with an associated reduction to the statutory car parking rate. The report recommends approval, subject to conditions.

### **Key Planning Considerations**

2. Key planning considerations include:
  - (a) Built form bulk and massing (Clause 22.10)
  - (b) Apartment Developments (Clause 58);
  - (c) Interface Uses Policy (Clause 22.05); and
  - (d) Car parking provision (Clauses 52.06)

### **Key Issues**

3. The key issues for Council in considering the proposal relate to:
  - (a) Policy and strategic support;
  - (b) Built form;
  - (c) Clause 58;
  - (d) Off-site amenity impacts;
  - (e) Car parking provisions; and
  - (f) Objector concerns.

### **Submissions Received**

4. Twenty five objections were received to the application, these can be summarised as:
  - (a) Construction implications noise, traffic etc.
  - (b) Loss of views
  - (c) Heritage
  - (d) Amenity (off-site, on-site, overlooking, overshadowing, loss of light);
  - (e) Decreased property values
  - (f) Strain on common services e.g waste, gym etc.
  - (g) Traffic and car parking;

### **Conclusion**

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

**CONTACT OFFICER:** Robert Galpin  
**TITLE:** Statutory Planner  
**TEL:** 9205 5139





2. The development was completed in 2015 and has been occupied since.

### Background

3. The proposal seeks to construct two new dwellings on top of the existing level 4 podium associated with the north-western building of the site. The additional dwellings will be accessed via the fifth floor of the existing development and rely on the existing infrastructure approved under Planning Permit PLN11/0750 such as;
- (a) The existing waste collection system
  - (b) The existing rainwater harvesting system
  - (c) The existing gas/electricity connection.
4. The two dwellings have been provided with excess car parking and storage cages located within the existing basement of the development.
5. The application was received by Council on 1 June 2020 and additional information was received on 21 September 2020. The application was advertised on 24 September 2020 and twenty five (25) objections were received.
6. Whilst the advertising process was occurring, Council sought and received formal referral advice from internal departments within Council, including the Traffic Engineering Unit and Council's ESD Advisor.
7. The assessment in this report is based on advertised plans submitted to Council on 21 September 2020
8. Permit No.: P32363 was granted on 16 October 2020 by Heritage Victoria for the proposed works subject to the following design change conditions.
- (a) *Prior to the commencement of any of the works approved by this permit, a set of construction-ready architectural drawings, including a material and finishes schedule is to be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The drawings must:*
    - i. *generally be in accordance with the architectural drawings by Hayball, referred to above;*
    - ii. *be revised to set the west façade of the addition a minimum of 1.5 metres back from the west elevation of the existing four-storey apartment building (at 9 Robert Street, Collingwood), unless otherwise agreed to by the Executive Director, Heritage Victoria. Any variation to this requirement is subject to the provision of visual analysis to demonstrate that the change does not increase the visibility of the addition in views of the brew tower beyond what is approved under this permit.*
9. A copy of the permit has been included as an attachment. Plans to comply with the conditions have not yet been endorsed.

### Planning Scheme Amendment C238

10. On 01 February 2021, the Minister for Planning formally gazetted Planning Scheme Amendment C238, which introduces a Development Contributions Plan Overlay over the entire municipality. This overlay requires developers to pay a contribution towards essential city infrastructure like roads and footpaths, as well as community facilities. The requirements of this provision have immediate effect. A condition and a note have been included in the recommendation to require the development contributions to be met prior to commencement of the development.



## The Proposal

11. The application seeks approval for the construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building located to the northwest of the site (overall height of six storeys) with an associated reduction to the statutory car parking rate.

### General

12. Construction of a 2 storey addition to be located on top of the existing four storey building located to the north west of the site bordering Mansard Lane to the west and Robert Street to the North. The addition will have a maximum height of 6.16m above the existing 12.23m high roof level resulting in a maximum building height of 18.66m.
13. The proposal is set back from the roof below and all title boundaries as follows:
  - (a) 1.4 – 2.4m from the north,
  - (b) 550mm – 3.7m from the west,
  - (c) 3.7m from the south and
  - (d) approximately 6m from the adjacent apartment tower to the east.
14. Balconies with balustrading are proposed within the northern, southern and part of the western setbacks. A landscaped garden area including covered deck are proposed within the eastern setback providing access to the dwellings from level five of the adjacent eastern building.
15. The building design would encompass a contemporary form with similar material palette to the existing development. Finished in a mix of timber, powder coated aluminium panels in 'pewter pearl' and 'white', and aluminium framed glazing.



*Image 1: The proposed additions as viewed from the north west.*

### Use

16. A total of 2 dwellings (no permit required use) with both dwellings split level constructed over levels 5 and 6 consisting of:
  - (a) One 2 bedroom dwelling plus study
  - (b) One 3 bedroom dwelling
17. Each dwelling has been supplied one car space within the existing basement;

18. External storage and bicycle parking is provided in the form of basement storage cages. A basement plan has not been included as part of this application and will be required to be provided via a condition of permit, if one is to issue.

### Buildings and Works

#### *Level 4*

19. The ground floor of the dwelling will contain an open plan kitchen/living/dining, a bathroom and master bedroom with ensuite.
20. The ground floor of the dwelling will contain an open plan kitchen/living/dining, a bathroom and two bedrooms.
21. Both dwellings have their pedestrian entrance on the eastern side, connecting to the corridor and lift lobby of the existing 14 storey building to the east via a semi open walkway with a pergola cover. Full height screens are to be provided to the sides of the walkway to prevent overlooking to the adjacent apartments of the 14 storey building. The remainder of the podium between the proposed dwellings and the 14 storey building is to be landscaped.

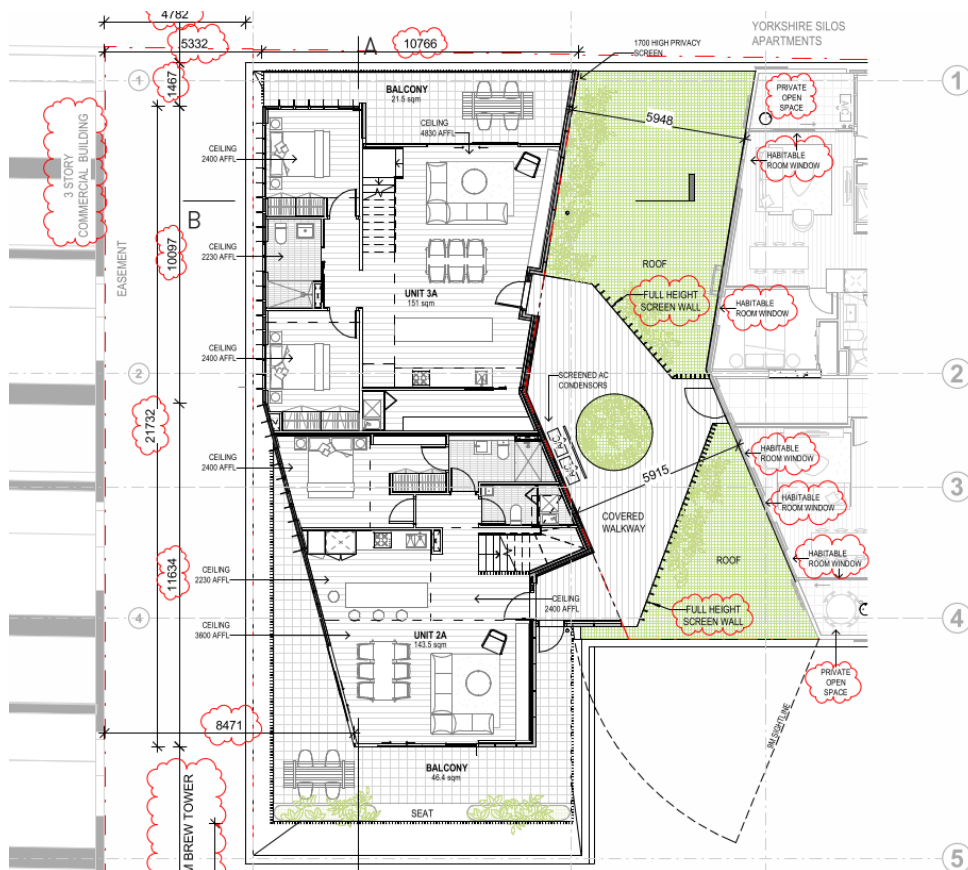


Image 2: the proposed level 5 (ground floor of the proposed dwellings)

#### *Level 5*

22. The proposed sixth storey will generally follow the footprint of the below, except for the southern portion of Dwelling 2A, which is set back an additional 4.07m from the level below.
23. At this level, Dwelling 2A will contain a master bedroom with study nook, ensuite and walk in robe at the upper level. Dwelling 2 will include a large void space above the living room below and a master bedroom with ensuite, walk in robe and retreat.

### Roof Plan

24. The proposal will incorporate a slight skillion roof form sloping from west to east, with no rooftop services proposed.

## Existing Conditions

### Subject Site

25. The subject site forms part of the broader Yorkshire Brewery development site, which is located on the southern side of Robert Street in Collingwood. More broadly, the Yorkshire Brewery development is located 35 metres east of Wellington Street and approximately 365 metres west of Hoddle Street, in Collingwood. The Yorkshire Brewery development consists of retained heritage buildings and modern multi-storey buildings up to seventeen storeys in height containing 349 dwellings.
26. The site has been developed pursuant to Planning Permit PLN11/0750 which allowed;  
*“to use and develop the land for the construction of buildings and works; use of part of the land for as a food and drink premises (café) and a convenience shop (deli); reduction in the car parking requirements associated with dwellings, a food and drinks premises (café) and convenience shop (deli), waiver of the loading bay requirement; waiver of the bicycle change room requirement”*
27. The existing Yorkshire Brewery development incorporates two basement levels and 4 residential towers ranging in height from 4 storeys to 17 storeys. With newer components located to the north of the site and original heritage fabric, such as the brew tower and stables are located towards the south of the site.
28. The subject site is host to a four-level podium within the north western corner of the site (the location for the proposed additions) known as Lot S5 on PS 411166X of 1-21 Robert Street Collingwood. The mixed use building that has been developed with dwellings (apartments) and a shop tenancy. Two larger tower elements are located directly to the east forming part of the same building.



The architectural drawings include a side elevation and a section view. The side elevation shows a multi-story building with a grid of windows and a dark base. The section view shows the building's footprint and internal structure, with a callout indicating the 'Subject site'.

Agenda Page 12

### Surrounding Land

29. Land surrounding the subject site to the north, east and south is zoned Commercial 2, with the subject site and the land located directly to the west towards Wellington Street and on the western side of Wellington Street zoned Mixed Use.
30. The area surrounding the roof form of the subject additions is dominated by the larger Yorkshire Brewery development. Directly below the is a four storey podium building containing dwellings on each floor, which have an outlook facing either south towards Brewery Lane, north towards Robert Street or west towards Mansard Lane.
31. To the east of the subject site, a residential tower rises up to fourteen storeys from the four storey podium with dwellings facing each interface. Further east is a 17 storey residential tower. Bordering the Yorkshire Brewery development site to the north is Robert Street, a one-way, east bound road connecting Wellington Street in the west to Rockeby Street in the east.
32. To the south is the original brew tower, which has been converted to residential uses with five dwellings in total located on the floors above the ground floor food and drink premises. To the south of the brew tower is a four storey building containing more dwellings, with some having an outlook and balconies to the north towards the food and drink premises and its associated outdoor seating area.
33. To the south east of the subject site is a ten storey residential building. This building includes dwellings with an outlook to the west towards the brew tower. Further east, Brewery Lane makes a right angle turn in a southerly direction and separates the ten storey building from the main seventeen storey residential tower located to the east within the Yorkshire Brewery development.
34. Further south, the Yorkshire Brewery development site is bordered by Waterloo Road, a one-way, east bound road connecting Wellington Street to Rokeby Street. The southern side of Waterloo Road opposite the Yorkshire Brewery development consists of two to four storey commercial buildings, which appear to be used as offices.
35. To the west of the subject site is Mansard Lane, a one-way, south bound road connecting Robert Street in the north with Waterloo Road in the south.
36. Further west, across Mansard Lane, is the rear of two buildings that front Wellington Street further west. The three storey building on the south-east corner of Wellington Street and Robert Street contains commercial uses and car parking on the ground floor and dwellings above at the first floor and a mezzanine. This building contains habitable room windows and balconies facing towards the subject site at first and second (mezzanine) floors.
37. To the north, across Robert Street, is a three storey building on the north-east corner of Wellington Street and Waterloo Road. This contains entirely commercial uses.

### Planning Scheme Provisions

#### Zoning

##### *Mixed Use Zone*

38. The subject site is zoned Mixed Use Zone (MUZ). The following provisions apply:
  - (a) Pursuant to *Clause 32.04-2* of the Yarra Planning Scheme (the Scheme) a dwelling is identified as 'Section 1 - Permit not required' use. Therefore a planning permit is not required for the proposed dwellings.
  - (b) Pursuant to *Clause 32.04-6* of the Scheme, a planning permit is required to construct two or more dwellings on a lot.



- (c) An apartment development of five or more storeys, excluding a basement, must meet the requirements of *Clause 58* of the Scheme. Pursuant to *Clause 73.01* (General terms) of the Scheme, an apartment is defined as *a dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwelling*. Given the two proposed townhouses meet this definition, they must be assessed under *Clause 58*.
- (d) Pursuant to *Clause 32.04-11* of the Scheme, *a building must not be constructed that exceeds the maximum building height specified in a schedule to this zone*. There is no maximum building height requirement in the schedule to the zone.

## Overlays

### *Heritage Overlay*

39. The subject site is affected by the *Heritage Overlay (Schedule 141)*.

- (a) Schedule 141 to the Heritage Overlay (1-21 Robert Street & 88 Wellington Street Collingwood) specifies that the heritage place is included on the Victorian Heritage Register under the Heritage Act 2017 (Reference No. H807).
- (b) Pursuant to *Clause 43.01-3* (Heritage Overlay), *no permit is required under this overlay:*  
*To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.*
- (c) Pursuant to *Clause 43.01-2* (Places in the Victorian Heritage Register), *a heritage place which is included in the Victorian Heritage Register is subject to the requirements of the Heritage Act 2017.*
- (d) Therefore, no permit is required for the proposed works under the heritage overlay. As such a heritage assessment will not be undertaken within this report. Heritage matters will be considered by Heritage Victoria.

### *Design and Development Overlay (Schedule 2)*

40. The site is located within the DDO2. Pursuant to *Clause 43.02-2* of the Scheme, a planning permit is required to construct a building or construct or carry out works within this overlay.
41. Schedule 2 to the DDO specifically relates to Main Roads and Boulevards. Specific design objectives are:
- (a) *To recognise the importance of main roads to the image of the City.*
  - (b) *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
  - (c) *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
  - (d) *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
  - (e) *To encourage high quality contemporary architecture.*
  - (f) *To encourage urban design that provides for a high level of community safety and comfort.*
  - (g) *To limit visual clutter.*
  - (h) *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

### *Environmental Audit Overlay*

42. Pursuant to Clause 45.03-1 of the Scheme, before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:
- (a) *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
  - (b) *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*
43. As the proposed development includes dwellings, a sensitive use, the requirements of this overlay apply. A note is contained on the existing permit to ensure the permit holder is aware that these obligations must be met.
44. A planning permit is not required for works under the overlay.

### *Development Contributions Plan Overlay*

45. The subject site is also located within the Development Contributions Plan Overlay (Schedule 1).
46. Pursuant to Clause 45.06-1 a permit granted must;
- (a) Be consistent with the provisions of the relevant development contributions plan.
  - (b) Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay
47. As the proposed development is not exempt from a development contribution a condition and a note have been included in the recommendation to require the development contributions to be met prior to commencement of the development.
48. A planning permit is not required for works under the overlay

### Particular Provisions

#### *Clause 52.06 (Car Parking)*

49. The number of car parking spaces required under *Clause 52.06-5* of the Scheme must be provided to the satisfaction of the Responsible Authority. A planning permit is required for a reduction in the number of car parking spaces.
50. The following table identifies the car parking requirement under *Clause 52.06-5*, the provision on site, and the subsequent reduction:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces On-site	Reduction Required
3 (or more) x bedroom dwelling (including studies)	2	2 spaces per dwelling	4	2	2

51. For the purposes of a Clause 52.06 assessment both dwellings have been assessed as being 3 bedroom dwellings, noting that standard includes both bedrooms and studies. The study of dwelling 2A is connected to the bedroom and is unlikely to be used as a separate bedroom, nevertheless a more conservative assessment has been undertaken.
52. With 2 car parking spaces provided on-site, the proposal seeks a total reduction of 2 car spaces.

*Clause 53.18 – Stormwater Management Urban Development*

53. Pursuant to Clause 53.18-1 This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works.
54. Clause 53.18-5 (Stormwater management objectives for buildings and works) seeks to encourage;
  - (a) *stormwater management that maximises the retention and reuse of stormwater.*
  - (b) *development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site*

*Clause 52.34 – Bicycle facilities*

55. Pursuant to *Clause 52.34-3*, in developments of four or more storeys, 1 resident bicycle parking space should be provided for every 5 dwellings (rounded up), plus 1 visitor space for every 10 dwellings as seen in the table below.

Use	Rate	No. required on-site	No. provided on-site
2 x dwellings	1 space per every 5 dwellings 1 space for visitors to every 10 dwellings for developments	1	2
<b>Totals</b>		<b>1</b>	<b>2</b>

56. The proposal is to meet the bicycle parking rate. However, it is noted that the basement plan showing the location for the bicycle spaces has not been provided and will need to be included as a condition of any permit that issues.

*Clause 58 Apartment Developments*

57. Clause 58 applies to applications to construct an apartment development within a Mixed Use Zone. This clause seeks to encourage apartment development that provides reasonable standards of amenity for existing and new residents and to encourage apartment development that is responsive to the site and surrounding area.

[General Provisions](#)

*Clause 65 - Decision Guidelines*

58. 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 several matters.

Amongst other things, the Responsible Authority must consider the relevant State and Local Planning policy Frameworks, as well as the purpose of the zone, overlay or any other provision.

Planning Policy Framework (PPF)

59. Relevant clauses are as follows:

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

60. Relevant strategies include;

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

*Clause 11.02 (Managing Growth)*

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

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

*Clause 11.03-2S – Growth Areas*

62. The objective of this clause is:

- (a) *To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.*

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

63. The objective is *to ensure that potentially contaminated land is suitable for its intended future use and that contaminated land is used safely.*

*Clause 13.05-1S (Noise abatement)*

64. The objective is *to assist the control of noise effects on sensitive land uses; while the strategy is to ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

*Clause 13.07 (Amenity and Safety)*

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

65. The objective is *to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.*

*Clause 15.01 (Built Environment and Heritage)*

66. This clause outlines the following guidelines;

- (a) *Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.*

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

*Clause 15.01-1S (Urban design)*

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

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

68. *The objective is to create distinctive and liveable city with quality design and amenity.*

*Clause 15.01-2S (Building Design)*

69. *The objective is to achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

70. *The strategies of this clause are:*

- (a) *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
- (b) *Ensure development responds and contributes to the strategic and cultural context of its location.*
- (c) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- (d) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- (e) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- (f) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
- (g) *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*

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

72. *The strategy is to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.*

*Clause 15.01-5S (Neighbourhood character)*

73. *The objective is to recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

74. *Strategies are:*



- (a) *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
- (b) *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
  - 1. *Pattern of local urban structure and subdivision.*
  - 2. *Underlying natural landscape character and significant vegetation.*
  - 3. *Heritage values and built form that reflect community identity.*

*Clause 15.02 (Sustainable Development)*

*Clause 15.02-1S (Energy and resource efficiency)*

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

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

76. The objective is *to promote the use of sustainable personal transport.* Relevant strategies include:
- (a) *Encourage the use of walking and cycling by creating environments that are safe and attractive.*
  - (b) *Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.*
  - (c) *Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.*
  - (d) *Ensure provision of bicycle end-of-trip facilities in commercial buildings*

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

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

*Clause 18.02-2S (Public Transport)*

78. The objective is *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)*

79. A relevant strategy of this clause is *to 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)*

80. The objective is *to ensure an adequate supply of car parking that is appropriately designed and located.*

81. A relevant strategy is to *protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*

Local Planning Policy Framework (LPPF)

82. The following LPPF provisions of the Scheme are relevant:

*Clause 21.04 (Land Use)*

83. Relevant objectives and strategies include;

- (a) *Objective 1 To accommodate forecast increases in population.*
  - i. *Strategy 1.1 Ensure that new residential development has proper regard for the strategies applicable to the neighbourhood in question identified in clause 21.08;*
  - ii. *Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*
- (b) *Objective 2 To retain a diverse population and household structure;*
  - i. *Support the provision of affordable housing for people of all abilities particularly in larger residential developments and on Strategic Redevelopment Sites; and*
- (c) *Objective 3 To reduce potential amenity conflicts between residential and other uses.*

*Clause 21.05-2 (Urban design)*

84. The relevant objectives and strategies are:

85. The relevant objectives and strategies of this clause is:

- (a) *Objective 16 To reinforce the existing urban framework of Yarra.*
- (b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
  - (i) *Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*
    - *Significant upper level setbacks*
    - *Architectural design excellence*
    - *Best practice environmental sustainability objectives in design and construction*
    - *High quality restoration and adaptive re-use of heritage buildings*
    - *Positive contribution to the enhancement of the public domain*
    - *Provision of affordable housing.*
- (c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern.*
- (d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.*
- (e) *Objective 21 To enhance the built form character of Yarra's activity centres.*
- (f) *Objective 22 To encourage the provision of universal access in new development.*

*Clause 21.05-4 (Public environment)*

86. The relevant objective and strategies are:

- (a) *Objective 28 To provide a public environment that encourages community interaction and activity:*
  - 1. *Strategy 28.1 Encourage universal access to all new public spaces and buildings.*
  - 2. *Strategy 28.2 Ensure that buildings have a human scale at street level.*
  - 3. *Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.*

*Clause 21.06 (Transport)*

87. 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)*

88. The relevant objective and strategy include:

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

*Clause 21.06-2 (Public transport)*

89. Relevant objectives and strategies include;

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

*Clause 21.06-3 (The road system and parking)*

90. Relevant objectives is *objective 32: To reduce the reliance on the private motor car.*

*Clause 21.07-1 (Environmentally sustainable development)*

91. The relevant objective and strategy of this clause is:

- (a) *Objective 34 To promote ecologically sustainable development*
  - 1. *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*

92. Clause 21.08-5 describes Collingwood in the following way:

- (a) Much of Collingwood is industrial in character with the residential precincts surrounded by or interspersed with industrial buildings.

93. Within Figure 13 of Clause 21.08-5, the subject site is identified as being a Strategic Redevelopment Site. Figure 14 of Clause 21.08-5 shows the site as being within a non-residential area where the guiding urban design principle is to *'improve the interface of development with the street'*.

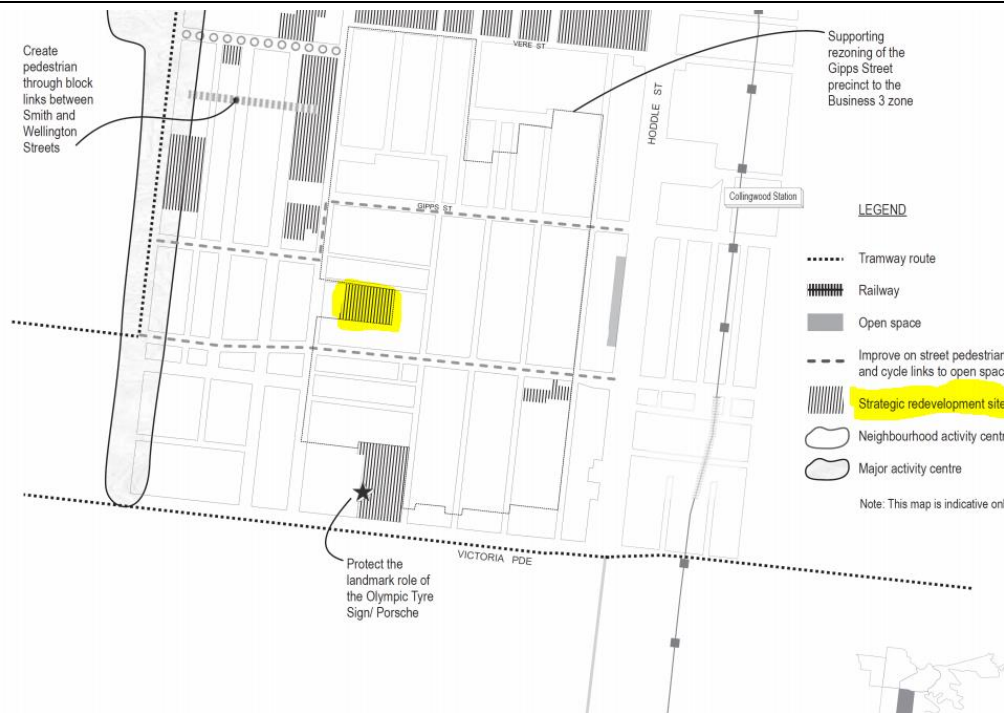


Image 5: extract from the Map of Collingwood (Figure 13 of 21.08-5) identifying the subject site as a strategic redevelopment site.

### Relevant Local Policies

#### *Clause 22.05 (Interface Uses Policy)*

94. The relevant policy is:

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

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

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

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

*Clause 22.17 (Environmentally Sustainable Design)*

96. 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

97. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 1,146 letters sent to surrounding owners and occupiers and by signs displayed on site. Council received 25 objections, the grounds of which are summarised as follows):
- (a) Construction implications noise, traffic etc.
  - (b) Loss of views
  - (c) Heritage
  - (d) Amenity (off-site, on-site, overlooking, overshadowing, loss of light);
  - (e) Decreased property values
  - (f) Strain on common services e.g waste, gym etc.
  - (g) Traffic and car parking;

## Referrals

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

### External Referrals

99. The application was not required to be referred to any external authorities under the provisions of the Scheme

### Internal Referrals

100. The application was referred to the following units within Council:
- (a) ESD
  - (b) Engineering
  - (c) City Works
101. Referral comments have been included as attachments to this report.

## OFFICER ASSESSMENT

102. The primary considerations for this application are as follows:
- (a) Policy and strategic support;
  - (b) Built form;
  - (c) Clause 58;
  - (d) Off-site amenity impacts;
  - (e) Car parking provisions; and
  - (f) Objector concerns.



### Policy and Strategic Support

103. The subject site is located within a MUZ, which purpose includes to provide housing at higher densities. Consistent with the zone, the use of the land for dwellings do not require a planning permit and only the buildings and works are triggered under this zone. This indicates strong strategic support for residential uses within the precinct. It is considered that the proposed development achieves the various land use and development objectives outlined in the Scheme and is in accordance with relevant State and local planning policies applicable to the redevelopment of sites within areas such as this.
104. The site also forms part of the former Yorkshire Brewery, which is identified within Council's MSS as a Strategic Redevelopment Site. Specifically, clause 21.08-6 encourages redevelopment of the site that *'contributes positively to the urban fabric and public domain of Yarra.'*
105. More intensive development of the site is further supported at a State level, specifically a strategy of Clause 16.01-1S (Integrated Housing) seeks to *'Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land'*. Clause 21.04-1 (Accommodation and housing) seeks to accommodate the majority of new development on strategic redevelopment sites.
106. State and local policies encourage the concentration of development in and around activity centres, with more intense development on sites well connected to public transport, thereby ensuring the efficient use of existing infrastructure. The subject site is within proximity (approximately 300m) to the Smith Street Activity Centre, which provides a wide range of retailing, services and food and drink premises with good public transport links. This ensures that the site is well serviced by local infrastructure and commercial offerings.
107. The site is well connected to public transport opportunities, with trams along Smith Street, Victoria Parade and Gertrude Street, and bus services along Johnston Street and Hoddle Street, encouraging the use of alternative modes of transport to and from the site and reducing reliance on motor vehicles, as encouraged by *Clauses 18.02 (Transport), 21.03 (Vision), 21.06-3 (The road system and parking) and 21.07 (Environmental sustainability)*.
108. Finally, Clause 21.04-4 of the Scheme encourages new developments to provide for a diversity of housing types. The proposal for two contemporary, generous 2 and 3 bedroom dwellings within an inner city location will offer higher density homes of high architectural quality and will contribute to the diversity of housing in the area.

### Built Form

109. The primary built form considerations for the proposed development are the decision guidelines at *Clause 32.04-6 (Mixed Use Zone)*, policy at *Clause 15 (Built Environment and Heritage)*, *Clause 21.05 (Built Form)* and *Clause 43.02 Design and Development Overlay – Schedule 2 (Main Roads and Boulevards)*. As the subject site is listed on the Victorian Heritage Register, heritage considerations are not applicable as previously discussed. All of the applicable provisions and guidelines support a development outcome that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations for the area. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationship to adjoining buildings.

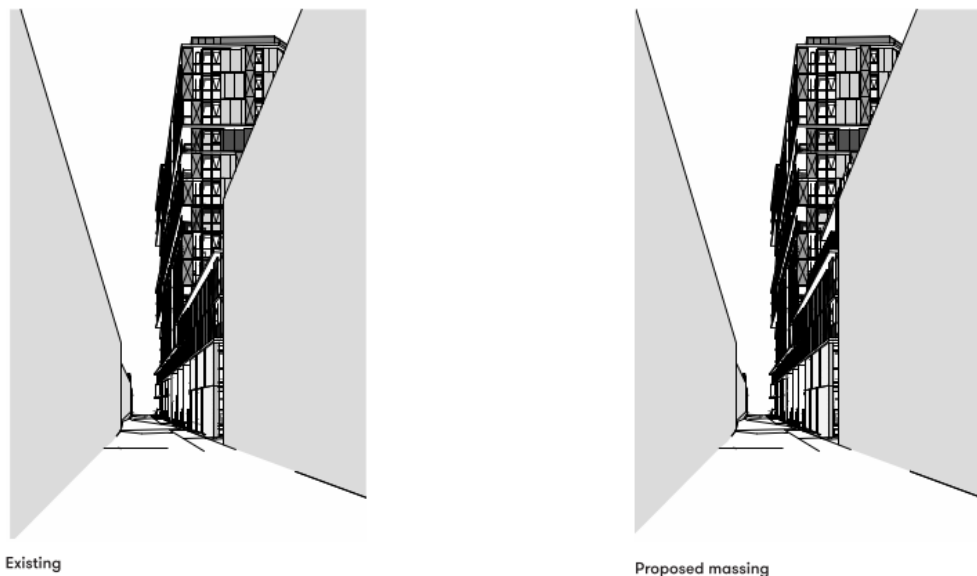
### *Height*

110. The development proposes additional built-form increasing the height of the building to six-storeys. The existing four storey podium is 12.23m in height, with the additional two storeys resulting in a total maximum height of 18.66m.
111. As previously discussed, the proposed height is similar to the emerging heights found in surrounding sites, with the increasing scale of these buildings subsequently resulting in the transformation of a historically low-rise context into a pocket of higher development.
112. The proposed a mid-rise response of 6 storey on this site is generally consistent existing and emerging heights within the area as outlined, the building height is supportable subject to further consideration of off-site amenity impacts.

### *Massing*

113. The development will be set back from Robert Street by a minimum of 1.47m and as such will not increase the height of the existing four storey street wall. Given the height of the existing street wall and the narrow width of Robert Street, this additional built form will be scarcely visible and will not dominate the immediate Robert Street streetscape.

View from Robert street



*Image 6: Views of the proposed additions from Robert Street (eastward)*

114. The additions will be set back from the Mansard Lane interface by 550mm (with the proposed fins encroaching this setback) for a length of 10.11m and to the maximum 6 storey 18.66m height to the north-west before raking away from the laneway to the south west with a maximum setback of 2.37m at the sixth floor and 3.5m at the fifth floor, which extends further to the south. With the proposed raked wall, inclusion of fins and balustrading and a mixture of materials the proposed design provides a good degree of articulation to the massing of to the west.
115. To the south, the fifth floor will be set back 4m from the lower roof form and 10m from the brew tower. The sixth floor will incorporate an additional 4.07m setback located 8.07m from the lower fourth floor roof form and 14.07m from the brew tower. This will ensure that the mass of the addition will have limited visibility from the lower central courtyard/public space located at the base of the brew tower.

View from Existing Courtyard



Existing



Proposed massing

*Image 7: The proposed works as viewed from the courtyard*

116. To the east, the bulk of the built form will be set back 6.2m from the adjoining 14 storey tower. A 2.9m high pergola above the pedestrian walkway will link the new dwellings to the existing tower and will be located centrally within the roof area. This will ensure that the mass of the new addition will read as a separate element from the existing 14 storey tower to the east.
117. The development has responded well to the context of the surrounding built form, with setbacks provided to all interfaces allowing for visual separation from all adjoining built form elements. In particular, the rear setbacks are appropriately respectful of the abutting brew tower to the south. Combined with the degree of visual interest provided to all external elevations, along with the prevalence of high levels of built form within the streetscape, the proposal is in an appropriate outcome. On this basis, the setbacks proposed for the development are supported.

*Architectural quality*

118. Policy at clause 15.01-2S encourages high standards in architecture and urban design, whilst clause 21.05-2 seeks to ensure that new development contributes positively to Yarra's urban fabric.
119. As noted earlier, an increasing degree of modern, higher built form is visible within immediate vicinity, with these contemporary developments providing robust designs utilising straight lines and flat roof forms. The proposal responds well to these characteristics, incorporating a moderate skillion roof, vertical fins and balustrading.
120. The development has incorporated a two tone metal cladding as the dominant material, complementary to that applied to the adjacent Yorkshire Brewery towers, with timber elements including the inside of shrouding and glazing. The design has incorporated vertical-rectangular window formats consistent with the broader Yorkshire Brewery development. The proposed development also proposes a mix of glazing and various materials, with setbacks and projections also ensuring a high degree of visual interest.
121. Whilst Council is largely supportive of the design and materials proposed, the proposed northern portion of the eastern wall constructed of uniform 'white satin paneling does not provide a great deal of visual interest when viewed from the balconies and habitable room windows of the apartments to the east.

As discussed within the landscaping assessment and offsite amenity impacts, a condition of any permit that issues will require that a landscape plan is submitted incorporating screening vegetation along the exposed two storey northern portion of the wall, such as small to medium trees and/or climbers (if feasible). This will assist in softening the appearance of the wall.

### *Light and Shade*

122. Overshadowing to the public realm will be limited, with shadows only affecting 8sqm or 2.4% of the ground level central communal courtyard at 1pm. A significant portion of the communal courtyard will continue to receive solar access during the mid-day hours ensuring the space remains serviceable. The limited duration of overshadowing affecting the communal courtyard is an acceptable outcome and will not result in unreasonable impacts to the public realm.



*Image 8: The extent of overshadowing to the courtyard at 1pm*

### [Clause 58](#)

#### *Standard D1 – Urban context*

123. The purpose of this Standard is to ensure that the design responds to the existing urban context and contributes to a preferred future development of the area, while also responding to the features of the site and the surrounding built form. This aspect has been discussed in detail earlier within this assessment and this Standard is considered to be met.

#### *Standard D2 – Residential Policies*

124. As outlined within the Strategic Policy section of this report, the proposed development has strong policy support under the MUZ and local policies of the Scheme, being identified as a strategic redevelopment site. The site can clearly support a reasonable degree of higher density residential development, based on its proximity to public transport, community infrastructure and services. The Standard is met.

*Standard D3 – Dwelling diversity*

125. The provision of a diverse housing stock assists in achieving broader strategic goals by promoting housing choice, adaptability and encouraging a diverse range of people within a neighbourhood, including families. The proposed additional dwellings within the existing development allows for a greater variety of dwellings and ensures that the Standard is met.

*Standard D4 - Infrastructure*

126. The proposal is located within an existing commercial and residential area with established utility services and infrastructure. There is no evidence to suggest that the proposed development would impact on the operation of these existing services and therefore the purpose of the Standard is considered to be met.

*Standard D5 – Integration with the street*

127. The proposed development will provide a positive interface to adjoining streets and laneways, incorporating balconies and glazing to front both Robert Street and Brewery Lane allowing for additional passive surveillance opportunities.

*Standard D6 – Energy efficiency*

The orientation of the subject site, with street frontages to Robert Street, Mansard Lane and Brewery Lane ensure that the proposed dwellings will have excellent access to daylight with windows to the east, west north and south whilst meeting the required NatHERS cooling loads. Only Dwelling 2 will have a north-facing balcony, however Dwelling 1 will have a sufficiently deep balcony ensuring direct sunlight opportunities within these spaces. Both dwellings have good access to natural ventilation with north, east, west and south-facing windows.

128. The originally advertised SMP (dated 25 May 2020 and prepared by Ark Resources) was referred to Council's ESD Officer for comment. This SMP was found to be generally acceptable, with the development incorporating a number of positive ESD outcomes into its design, as follows;
- (a) A BESS score of 54%;
  - (b) 6.5 Star NatHERS thermal energy rating.
  - (c) Cooling loads meet the BADS maximum cooling load threshold (<30MJ/m2).
  - (d) Vertical shading fins and spandrel panels will ensure west facing glazing does not overheat the dwellings.
  - (e) 7,000 litres of rainwater storage connected to toilet flushing and planter box irrigation.
  - (f) Good access to daylight and natural ventilation.
129. Council's ESD Officer provided the following recommendations in order to improve the proposed conditions:
- (a) Recommend including an onsite solar PV array to match, or contribute to, the annual energy demands of the two dwellings. The west and northern aspects might both be suitable for this purpose.
  - (b) Efficient 5 Star gas hot water is proposed, reconsider the natural gas connections to the dwellings and specify high efficiency electric heat pump hot water and electric induction stovetops.
  - (c) Recommend ongoing Green Power electricity purchasing for the life of the building.
130. Council's ESD Officer requested further clarification on the following items stating;



- (a) The 7,000 litres of rainwater storage cannot be identified on the architectural drawings. Please update the drawings set to clearly show tank(s) location, volume and re-use connections.
  - (b) Roof area on easterly side of the new dwellings appears to be a green roof but there is no information in the SMP regarding this. Please confirm this is the intention. The City of Yarra strongly encourages green roofs, walls and facades. If this area is proposed as a green roof, please also provide additional information describing the green roof's substrate profile, vegetation selection and drainage/engineering to ensure this feature functions correctly.
131. With regards to the locations of the rainwater tanks, the applicant has advised that the tanks had been deleted from the plans as the proposed storm water treatment methods have since been revised. With the current proposal seeking to connect the new dwellings to the existing rainwater harvesting infrastructure within the development. The existing development is provided with two rainwater tanks totalling 75,000L within the existing basement. A condition of any permit will subsequently require an updated SMP report is provided demonstrating the existing system will be able to accommodate the additional dwellings whilst maintaining a satisfactory STORM rating.
132. The applicant also advised that the eastern portion of the existing roof is proposed to be landscaped. This information was relayed to Council's ESD Advisor who was supportive of the landscaped roof noting that the addition of vegetation will reduce heat and water runoff. A condition of any permit will require that a landscape plan is submitted.
133. With regard to Council's ESD Advisor's comments regarding the provision of natural gas, the applicant advised that it was not possible as the dwellings will be relying on the existing building services. Council's ESD Advisor further advised that gas hot water was acceptable given the integration with building services. A condition requiring the SMP to be updated to clarify this will be included on any permit issued.
134. Council's ESD advisor however noted that there was no technical reason not to install a solar PV array on the roof of the proposed additions, noting the unimpeded northern and western aspects of the roof form could allow for a considerable solar output. The provision of PV panels would also negate a need to purchase ongoing green power. A condition requiring an updated SMP and plans incorporating a PV array to be installed on the roof form will be included on any permit issued.
135. Overall, it is considered that subject to the conditions discussed above, the proposed development would exceed best practice in environmentally sustainable development in accordance with the overarching objectives under *Clause 22.17 (Environmentally sustainable development)* of the Scheme.

*Standard D7 – Communal open space*

136. This Standard only applies to developments which propose forty (40) or more dwellings and therefore does not apply to this proposal.

*Standard D8 – Solar access to communal open space*

137. Aside from the pedestrian access from the existing building, no communal open space is proposed as part of this development.

*Standard D9 – Safety*

138. The Standard encourages that dwelling entries should not be obscured or isolated from the street or internal access ways. The dwellings will be accessed via the main pedestrian entrance and lobby servicing the existing building at street level.

139. The Standard also recommends that *developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways*. The proposal seeks to incorporate a walkway with a covered pergola, from the existing building servicing the dwellings. This walkway will be partially open allowing for natural daylight and ventilation.
140. Overall, the development achieves a satisfactory outcome against the objective of this Standard.

*Standard D10 – Landscaping*

141. Given the MUZ, proximity to a C2Z, and the warehouse/factory uses, landscaping and vegetation does not form a large part of the characteristic of the immediately abutting sites. However, the development aims to provide some landscaping to the east of the existing fourth level roof form and subject site.
142. Standard A10 requires the landscape layout and design to:
- (a) Be responsive to the site context.
  - (b) Protect any predominant landscape features of the area.
  - (c) Consider the soil type and drainage patterns of the site and integrate planting and water management.
  - (d) Allow for intended vegetation growth and structural protection of buildings.
  - (e) In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
  - (f) Provide a safe, attractive and functional environment for residents.
  - (g) Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
  - (h) Maximise deep soil areas for planting of canopy trees.
  - (i) Development should provide the deep soil areas and canopy trees specified in Table D2. If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:
    - i. Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
    - ii. Vegetated planters, green roofs or green facades.
143. The advertised plans show indicative landscaping to the north east and south east of the existing roof form as well as a planter within the new walkway serving the dwellings. Given the rooftop location deep soil planting is not feasible however the proposal generally meets the above requirements utilising otherwise unused roof space. Providing an attractive outlook to residents. The proposed green roof will also contribute to heat absorption as identified by Council's ESD Advisor.
144. As previously discussed, a condition of the permit will require a landscaping screen to the northern portion of the eastern wall. As will be discussed in response to offsite amenity impacts, Access to these landscaped areas either side of the pedestrian walkway should also be restricted from public access to ensure the privacy of the adjoining residents on the podium level to the east. Ongoing access by body corporate for maintenance purposes will however be required.
145. A condition requiring a landscape plan demonstrating the provision of screening vegetation along the northern two storey portion of the east-facing wall, such as small to medium trees and/or climbers (if feasible) as well as information regarding how the landscaped areas will be accessed for maintenance will be included within any permit issued.

*Standard D11 – Access*

146. This objective and Standard seek to ensure that the number of vehicle crossovers respects the character of the street, whilst maximising the retention of on-street car parking. The proposed development does not seek to introduce any new crossovers relying on the existing basement car park. Therefore, there will be no changes to the current conditions.
147. Further to the above, a standard condition will require a Construction Management Plan (CMP) to be prepared prior to the commencement of the development. This will ensure that any emissions and road disruptions during construction will be appropriately managed.

*Standard D12 – Parking location*

148. The on-site car parking for 2 apartments will be provided in the existing basement car park. The location of the residential parking will provide secure access to the residential lobby, achieving the objective to provide “convenient” parking for residents.

*Standard D13 – Integrated water and stormwater management*

149. Decision guidelines of this Standard encourage the use of alternative water sources such as rainwater, stormwater and recycled water, and encourage proposals to facilitate stormwater collection, utilisation and infiltration within the development. Further, buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
150. As previously discussed, the application proposes to connect the new dwellings to the existing rainwater harvesting system. A condition of the permit will require that the supplied SMP is updated to reflect this ensuring that a satisfactory STORM rating is achieved. As required by Council’s WSUD policy, as well as the Standard and *Clause 22.16 (Stormwater management)* of the Scheme.

*Standard D14 – Building setbacks*

151. This Standard seeks to ensure that building setbacks respond to the surrounding context of the site and allow adequate internal and off-site amenity to be achieved. As discussed earlier in the report, the proposed development respects the existing and emerging built form within the immediate area and thereby, the proposal integrates with the surrounding neighbourhood character.
152. Adequate outlooks for each dwelling are provided fronting the north and south, with both apartments receiving adequate daylight from north, south, west and east-facing windows. The individual internal layouts of each dwelling, as will be discussed in detail later within this assessment, are considered appropriate.
153. There are no sensitive interfaces located to the north, as such there are no overlooking implications from the northern windows of balcony of Dwelling 2. To the south habitable room windows located within the converted brew tower are screened with opaque glazing ensuring there will no views from the south facing balcony of Dwelling 2.
154. To the west on the opposite side of Mansard Lane is a series of first floor dwellings above the ground floor commercial uses. These dwellings incorporate east facing habitable room windows and Juliet balconies fronting the subject site. It is noted on the plans that the three storey building to the west (on the corner of Robert Street) has been incorrectly referred to as a commercial building. A condition of the permit will subsequently require the residential use and habitable room windows associated with these dwellings to be reflected on the plans. Views into these windows may also be obtainable from the west facing habitable room windows of dwelling 1 and 2 and the associated balconies.

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157. There may also be views from the covered walkway, however, as this is intended as a transitional space, screening is not considered to be required. Nevertheless, the full height screen wall will minimise direct views to these spaces.

158. The arrangement of the north and south-facing balconies ensures there are no internal views available between dwellings. Compliant with the objective of Standard D15 (Internal views objective) at Clause 58 of the Yarra Planning Scheme.



*Standard D16 – Noise impacts*

159. This Standard aims to contain noise sources in developments that may affect existing dwellings, whilst protecting residents from any external and internal noise sources. In this instance, the proposed development is not located in proximity to any noise generating areas as listed under Table D3 of this Standard. Noise sensitive rooms (such as living areas and bedrooms) are located to avoid noise impacts from mechanical plants, lifts, building services, car parking, communal areas and other dwellings. The standard is to be considered met.

*Standard D17 – Accessibility objective*

160. This Standard requires the following:

- (a) *At least 50 per cent of dwellings should have:*
1. *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.*
  2. *A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.*
  3. *A main bedroom with access to an adaptable bathroom.*
  4. *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.*

161. The ground floor of Dwelling 2 meets all of the above requirements, thereby meeting the requirements on the Standard.

*Standard D18 – Building entry and circulation*

162. The proposal will rely on the existing residential lobby and passageway of the existing development with the two dwellings to be accessed via level 5.
163. The new entrance to the two dwellings will incorporate a walkway with a pergola cover that is partially open to the sky ensuring natural light and ventilation with no building services obstructing the area. The objectives under this Standard are met.

*Standard D19 – Private open space*

164. The Standard notes that 2 x bedroom and 3 x bedroom dwelling should be provided with secluded private open space (**SPOS**) of 8sqm and a minimum width of 2m and 12sqm and a minimum width of 2.4m, respectively. Sizes of the proposed balconies exceed the minimum area required and comply with the respective minimum widths based on the number of bedrooms. In its current form, both dwellings meet these requirements.
165. Sliding doors are provided to all areas of open space, ensuring that they are not compromised by an outward opening door. In addition, as required by the Standard, there are no planter boxes or A/C units within these terrace spaces that encroach into these minimum dimensions. Therefore, the proposal meets the requirements of this Standard.

*Standard D20 – Storage*

166. The Standard notes that 2 x bedroom dwelling should be provided with a total minimum storage volume and a minimum storage volume within the dwelling of 14m<sup>3</sup> and 9m<sup>3</sup>. A 3 x bedroom dwelling should be provided with 18m<sup>3</sup> and 12m<sup>3</sup>, respectively.
167. As outlined in the plans between ALS\_05.00 and ALS\_05.01, each of the proposed dwellings would exceed the total storage requirement of this Standard, internally within the apartments.

In addition, both dwellings will be provided with external storage cages within the basement. A condition of the permit will require that a basement plan demonstrating the location/allocation of these cages is provided. This will also need to demonstrate that the distribution of cages does not remove storage cages allocated to existing dwellings pursuant to the permit requirements of Planning Permit PLN11/0750 for the wider Yorkshire Brewery site.

*Standard D21 – Common property*

168. The common property areas within the development are clearly delineated being the access area and walkway and landscaped roof area to the east of the subject site. However as previously discussed within the landscaping assessment, it is presently unclear how the green roof will be accessed and maintained. A condition of the permit will require that the access arrangements for this area are confirmed as well as an annotation confirming this area is noted as being non-trafficable other than for maintenance purposes only. Subject to such conditions it is considered that the standard can adequately be met.

*Standard D22 – Site services*

169. The proposed dwellings will rely on the existing site services within the broader development.

*Standard D23 – Waste and recycling*

170. The proposed dwellings will rely on the existing shared refuse room provided in the basement level, with this space easily accessible from the apartments. An updated Waste Management Plan has been supplied indicating that the additional waste generated by the two additional dwellings could be accommodated within the existing provisions without requiring any changes to the existing number of bins, storage area or collection frequency. This Waste Management Plan (WMP) dated 25 August 2020 and prepared by Leigh Design has been reviewed by Council's City Works Department and deemed satisfactory.

*Standard D24 – Functional layout*

*Living areas*

171. Table D8 within this Standard states that living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified below;
- (a) 2 or more bedroom dwelling – minimum width 3.6m, with a minimum area 12sqm.

172. Both apartments meet the requirements of this Standard.

*Bedrooms*

173. This Standard notes that main bedrooms and all other bedrooms should have a minimum width and a minimum depth of 3m and 3.4qm, 3m and 3sqm, respectively.
174. The current proposed additions are largely compliant with the bedroom dimensions required under this Standard. The ground floor bedroom of Dwelling 2A is marginally non-compliant with the minimum dimensions due to the rake of the western wall. The bedroom is however a secondary bedroom, with the main bedroom fully compliant with Standard D24. The non-compliant bedroom is also of a generous size incorporating an additional transitional space and open robe giving it a total area of 13sqm excluding the robes as illustrated in the image below. A variation to the Standard is subsequently considered appropriate.

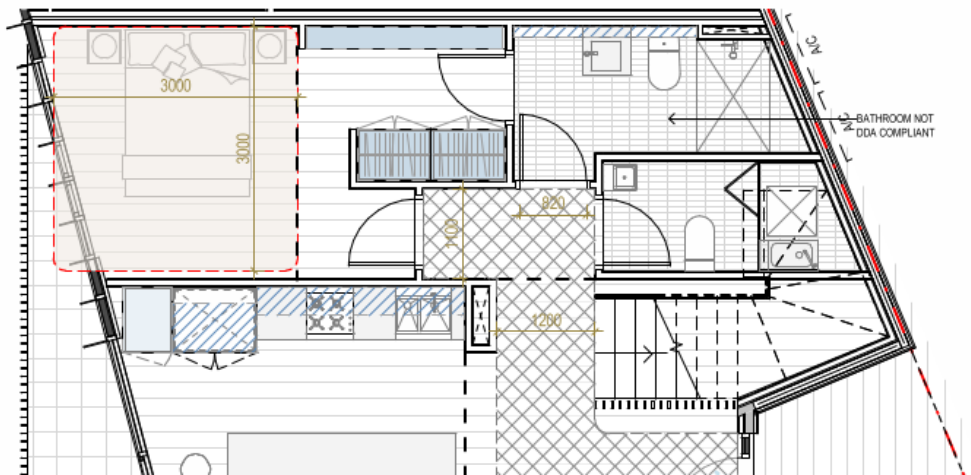


Image 10: The second bedroom of dwelling 2A.

166. If the proposed first floor study of Dwelling 2A is used as a third bedroom, it would also fall short of the above requirements. However, as a study it is acceptable. It is also reasonable for a generous study to form part of a new dwelling proposal, particularly through increased working from home arrangements brought about by Covid-19 restrictions.

#### *Standard D25 – Room depth*

175. Standard requires that all single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The standard also notes that the depth of a single aspect, open-plan, habitable room may be increased to 9m, if the following requirements are met:
- (a) *The room combines the living area, dining area and kitchen;*
  - (b) *The kitchen is located furthest from the window; and*
  - (c) *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level.*

176. Both dwellings benefitted from dual aspect outlooks with the Dwelling 1 living/kitchen/dining room and first floor bedroom having windows to the west and south. Dwelling 2 incorporates 1 dual aspect bedroom at each ground and first floor. Where single aspect rooms are proposed the above requirements are met in both dwellings.

#### *Standard D26 – Windows*

177. All habitable rooms within the proposed development contain a window within an external wall to the building allowing for adequate daylight. The Standard is met

#### *Standard D27 – Natural ventilation*

178. A good degree of natural ventilation is provided for both dwellings, with cross-ventilation opportunities provided within the living rooms, the supplied breeze paths shown within Dwelling 2A require ventilation via the front door, this is not considered appropriate. Breeze paths should be via windows or doors to a secure private open space, rather than a front door which is unlikely to be kept open. A condition of the permit will require that breeze paths are updated and the operability of all windows is clearly detailed on the apartment floor plans. Subject to conditions the Standard is expected to be achieved.

#### Offsite Amenity Impacts

179. *Clause 15.01-2S* of the Scheme aims to provide building design that minimises the detrimental impact of development on neighbouring properties, the public realm and the natural environment, with potential impacts relating to overshadowing of SPOS, loss of daylight to windows, visual bulk and overlooking of sensitive areas. The relevant policy framework for amenity considerations is contained within *Clause 22.05 (Interface uses policy)* of the Scheme.
180. As shown earlier in the report, the site abuts land within the C2Z to the north (across Robert Street), with the broader Yorkshire Development site and 3 storey building to the west zoned Mixed Use. The abutting site to the west is used for commercial purposes at ground floor level and dwellings at the first and second floor. The building is built to the title boundaries and located on the opposite side of Mansard Lane.
181. Dwellings are additionally located to the east of the fourth floor roof form within the existing apartment tower. The converted brew tower to the south also incorporates residential uses at the upper levels.
182. Decision guidelines at *Clause 22.05-6* specify that Council should consider (as appropriate); *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.*

*Setbacks and visual bulk*

183. As outlined earlier in the report, the proposed development would be visible from various points along Wellington Street, Robert Street and Waterloo Street. However, it is considered that the 6 storey height with recessed upper levels would not result in an overwhelming or visually dominant building. The setbacks at the upper levels of the building, combined with the extent of glazing and terrace spaces, this design response is an acceptable response to the current context of the site. As discussed earlier in report, the six storey height will continue to be read within the context of the adjoining 14 and 17 storey towers to the east.
184. As previously noted, the first floor dwellings located on the opposite side of Mansard Lane have not been identified on the plans. These dwellings incorporate a row of east facing habitable room windows and first and second floor mezzanine level fronting the subject site. The proposal seeks to increase the height of the existing western wall by an additional 6.16m. Given the windows presently front the existing western wall associated with the four storey portion of the existing development, the proposed additions to be located above will not dramatically alter the outlook from these windows as shown within Image 6 below. The 4.78m minimum setback between the additions and the windows will ensure that the wall is not visually intrusive when viewed from these windows. Furthermore, the use of a number of different materials (various glazing, panelling and fins) would provide an appropriate level of articulation of the development when viewed from across the laneway.



*Image 11: The relationship of the proposed addition with the surrounding buildings to the east and west (as viewed from the north).*

185. The proposed addition will also incorporate a new built form fronting the eastern outlook of the existing apartments within the development. The new 5.57m high wall will be set back approximately 6m from the existing fifth level apartments, except for the 2.95m high single level entry and associated screening which is setback between 1.2m and 4.1m from the adjacent habitable room windows. The proposed setbacks are considered appropriate and will not result in an unreasonable level of visual bulk when viewed from the east. Whilst various materials are used to the southern portion of the eastern wall including timber and aluminium panelling, the northern portion of the wall is uniformly constructed of 'white satin' aluminium panelling. As previously discussed, a condition of the permit will require that a landscape plan incorporating small to medium tree plantings and/or climbing screening to the northern portion of the eastern wall will be required To assist in breaking up the mass of the wall and provide some visual softening.
186. To the south, the upper floors of the brew tower incorporate dwellings with habitable room windows fronting the subject site. The proposal will be set back 10m at the fifth floor level and 14.7m at the sixth floor level. These substantial setbacks will ensure that the proposal will not constitute an unreasonable level of bulk when viewed from the south.
187. Abutting the subject site to the north on the opposite side of Robert Street is a double-storey commercial building housing various commercial uses (factory/warehouse/offices). Given that this is not a sensitive interface and is unlikely to be developed into a residential use into the future (given the Commercial 2 Zone), the proposed six-storey height is acceptable.

*Daylight and solar access to habitable room windows*

188. As noted previously, the HRWs of the first and second floor mezzanine windows located on the opposite side of Mansard Lane are located at a distance of at least 5.33m from new built form. Given the walls presently face the existing four storey building and the substantial separation between the two developments it is not anticipated that the additional height of the addition will unreasonably restrict daylight and solar access to these windows.

*Overshadowing*

189. Overshadowing to public areas has previously discussed within the built form assessment of the report. The nearest adjoining areas of SPOS are located to the east in the form of the balconies associated with the fourth floor apartments. The shadow diagrams supplied by the applicant indicate that the proposal will not result in any additional overshadowing to these balconies between the hours of 9am and 3pm at the September 22 equinox.
190. It also noted that the first floor dwellings located to the west of the subject site are fitted with Juliet balconies. These balconies with a maximum depth of approximately 400mm are not considered useful for the purpose of outdoor recreation and subsequently not considered POS.

*Overlooking*

191. Overlooking from the dwellings has been discussed previously within the Clause 58 assessment under Standard D14.
192. The green roof areas, if used as open space, could impact upon the privacy of the existing dwellings on the podium to the east. To address this a condition of the permit will require a full height gate be provided within the opening between the pergola structure and Dwelling 2A will be included on the permit. In addition, a condition will also require that a note be added to the plans indicating that the green roof is only to be accessed for maintenance purposes. As previously discussed within the landscaping assessment a condition requiring a landscaping and maintenance plan will require that the landscaped area is accessible to the owners corporation for maintenance only

*Noise*

193. It is considered that the residential use of the proposal is unlikely to result in unacceptable noise emissions to nearby properties given the nature of residential use generally not creating significant noise levels. The proposed air conditioning units have not been located near any habitable room windows or areas of SPOS and are appropriately screened, as such will not result in unreasonable levels of noise to the surrounding residential uses.

*Wind*

194. A Wind Assessment was not undertaken as part of the proposal. This is acceptable, as the proposed height of the development is similar to that of other buildings found within the immediate area with the neighbouring buildings ranging from two to seventeen stories in height. Wind impacts are generally of more concern when a proposed development is significantly higher than surrounding built form.
195. Nonetheless, the setbacks and western wall rake and fins above the four-storey podium will provide a degree of articulation which would combat wind impacts by removing sheer walls to the facade. Landscaping and balustrades surrounding the terrace will also alleviate unreasonable wind impacts within these spaces.



Parking, traffic and bicycle parking

*Car parking*

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces On-site	Reduction Required
3 x bedroom dwelling	2	2 spaces per dwelling	4	2	2

197. The dwellings have been provided with surplus car parking spaces located in the existing basement. It is noted that these car spaces were initially assigned to two, one-bedroom apartments (1201E and 1207E) which were both sold without a car space. This approach is not contrary to the requirements of planning permit PLN11/0750, as this only required two and three bedroom dwellings to be provided with at least one car space under Condition 21(d).
198. Based on the table above, the development requires a waiver of 2 car spaces to the statutory car parking rate. 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 to the assessment requirements of *Clause 52.06-6*.

*Car parking reduction*

199. The reduction in car parking being sought by the proposal is supported by the following:
- (a) The site is located within 350m from tram services along Smith Street, Gertrude Street and Victoria Parade. Bus Services located on Hoddle Street are also located approximately 360m from the subject site and Collingwood Train Station within 550m. This offers convenient alternative modes of transport to residents and visitors and is expected to reduce the overall impact on the local car parking conditions;
  - (b) The site has immediate access to on-street bicycle lanes within Wellington Street.
  - (c) The site has convenient access to shops, businesses, essential facilities and amenities and will thereby reduce resident reliance on private vehicle use/ownership;
  - (d) The broader Yorkshire development has an existing car share pod.
  - (e) Future residents would be aware of the limitations of car parking before occupying the dwellings and given the lack of available long stay parking, would be unlikely to choose to resident within these apartments if they require accommodation of more than one car.
  - (f) The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use;
200. The reduction in the car parking requirement associated with the dwelling use is considered appropriate in the context of the development and the surrounding area.

### *Traffic Generation*

201. GTA Consultants has supplied a traffic assessment report noting that the proposed two additional dwellings represent less than 1% of all dwellings within the broader development site and serviced by the existing dual level basement, anticipating that there is not expected to be any significant variation to the current conditions.
202. Council's engineering services unit considers the volume of traffic generated by the proposal would not have a significant impact on the operation of Robert Street or the surrounding roads.

### *Bicycle Parking*

203. As outlined earlier in the report, the proposed development is required to provide a total of two resident bicycle spaces under clause 52.34 of the Scheme. The broader development site currently incorporates 88 bicycle spaces for the existing 349 dwellings. The applicant has confirmed that whilst no additional formal bicycle parking can be accommodated within the existing basement, bicycles can be stored within the basement storage provisions provided to each dwelling. This approach is generally considered acceptable however a condition of the permit will require that the location and dimensions of the storage units are shown on the plans, demonstrating that a bicycle can be reasonably accommodated.

### Objector concerns

204. The objector concerns are outlined and discussed below:

- (a) *Design and overdevelopment (height, scale, bulk).*

Matters relating to height, scale and bulk are discussed at paragraphs 109 to 117.

- (b) *Heritage impacts*

The proposal is listed on the Victoria Heritage Register as such heritage considerations to be addressed via a separate application process with Heritage Victoria.

- (c) *Off-site amenity (visual bulk, daylight/solar access to windows, overshadowing, overlooking);*

Visual bulk is discussed in paragraph 183 to 187. Daylight/Solar access to windows have been discussed in paragraph 188. Overshadowing and overlooking have been discussed in paragraphs 122 and 189 to 190.

- (d) *Car parking, traffic impacts and pedestrian safety;*

Car parking, traffic impacts have been discussed in paragraphs 196 to 202

- (e) *Issues during construction (noise, traffic);*

This will be managed by via a conditional requirement for a Construction Management Plan (CMP), to be approved by Council's Construction Management Unit.

- (f) *Loss of views*

The Victorian Civil and Administrative Tribunal has consistently found that although impact upon views can be considered amongst the amenity impacts of a proposal, there cannot be considered a right to any particular view. In the absence of particular planning controls which might require the protection of, or sharing of views, loss of views is usually afforded very limited weight.

This is especially the case where a view is obtained across adjoining land and the views are not afforded any special consideration in a planning control. In this case the development is not considered to intrude unreasonably upon the skyline to reduce the amenity of neighbours through their outlook or access to daylight.

Whilst it is recognised that views may form part of residential amenity, the Tribunal has consistently held that there is no legal entitlement to a view.

(g) *Strain on common services e.g waste.*

Waste management has been discussed within paragraph 170

(h) *Reduced property values.*

VCAT has consistently found that property values are speculative and not a planning consideration. Fluctuations in property prices are not a relevant consideration when assessing an application under the provisions of the *Planning & Environment Act* (1987), nor the Yarra Planning Scheme.

## Conclusion

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

## RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN20/0359 construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building located to the northwest of the site (overall height of six storeys) with an associated reduction to the statutory car parking rate.at No.4000/9 Robert Street Collingwood VIC 3066, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans prepared by Hayball, dated 16.07.2020 (ALS\_01.01 – ALS\_05.01) but modified to show the following:
  - (a) The first floor and mezzanine residential use and habitable room windows associated with the building to the west shown on the plans.
  - (b) Confirm the maintenance access arrangements to the landscaped roof area, with an annotation that the full length of the walkway is to be enclosed with locked gate, accessible for maintenance purposes only.
  - (c) The eastern screen to the north-facing terrace of Dwelling 3A dimensioned on the eastern elevation as a minimum of 1.7m above the balcony finished floor level.
  - (d) The west facing windows and balconies screened (to a height of 1.7m from the internal FFL with a maximum of 25% permeability) to prevent views into any habitable room windows located within 9m.
  - (e) The eastern balcony of Dwelling 2A screened (to a height of 1.7m from the internal FFL with a maximum of 25% permeability) to prevent views into any habitable room windows and areas of secluded private open space located within 9m.
  - (f) A basement/ground floor plan showing the allocation/location of the storage/bicycle cages and car parks assigned to each dwelling, ensuring that the distribution of storage cages does not remove storage cages allocated to existing dwellings pursuant to the permit requirements of Planning Permit PLN11/0750.

- (g) the location and dimensions of the basement storage units demonstrating that a bicycle can be reasonably accommodated.
  - (h) Design changes to implement recommendations of the Sustainable Management Plan Condition No. 3 of this permit;
  - (i) Cross-ventilation breeze paths for Dwelling 2A in accordance with Standard D27 of Clause 58.07-4 of the Yarra Planning Scheme, to be provided via windows and/or external sliding doors where these are to a secure private open space.
  - (j) The operability of windows clearly detailed on the apartment floor plans
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### **Sustainable Management Plan**

3. Before the plans under Condition 1 are endorsed, 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 Sustainable Management Plan will be endorsed and will form part of this permit. The Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 25 May 2020, but modified to include the following:
- (a) All design changes required under Condition 1 of this permit.
  - (b) Inclusion of an onsite solar PV array to match, or contribute to, the annual energy demands of the two dwellings.
  - (c) Reference to the existing gas connection associated with the broader development.
  - (d) An updated STORM report demonstrating the existing basement rainwater harvesting system will be able to accommodate the additional dwellings whilst maintaining a satisfactory STORM rating
4. The provisions, recommendation and requirements of the plans and endorsed Sustainable Development Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Landscape Plan**

5. Before the plans under Condition 1 are endorsed, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) Provide a plant schedule and planting plan with the following information including:
    - (i) Screening vegetation along the northern two storey portion of the east-facing wall, such as small to medium trees and/or climbers (if feasible).
    - (ii) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
    - (iii) a legend containing key features, materials and surfaces;
    - (iv) soil media and the dimensions for the planters;
    - (v) information on irrigation and drainage systems;
    - (vi) maintenance schedule, tasks and duration;
    - (vii) Load bearing weights for the building to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass proposed.

to the satisfaction of the Responsible Authority.

6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
8. 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.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the full re-sheeting of the footpath at the front of the property if required by Council):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
10. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;

- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

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

11. During the construction:

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

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

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

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

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

15. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

16. 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.



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.

This application was not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

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.

No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices.

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

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

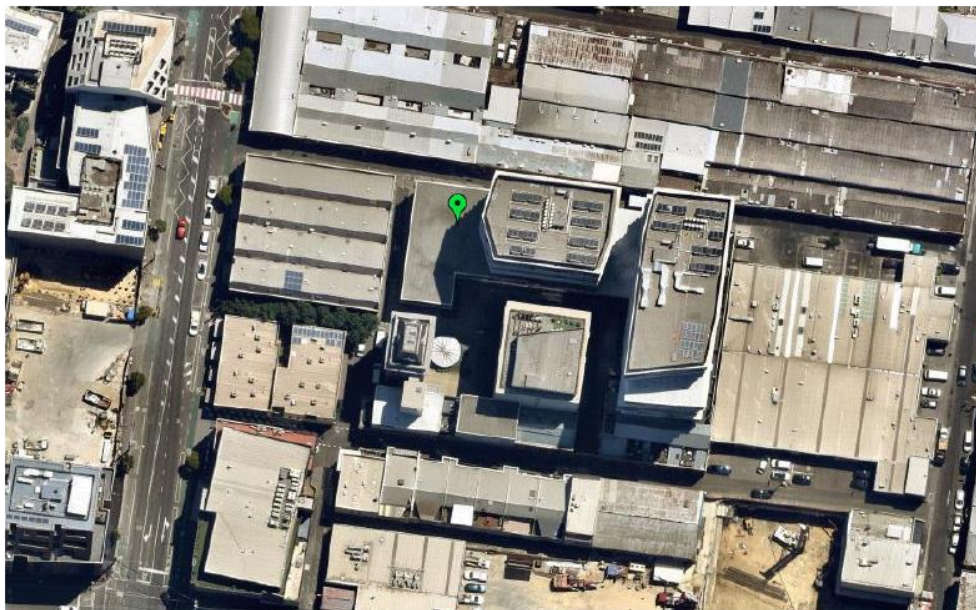
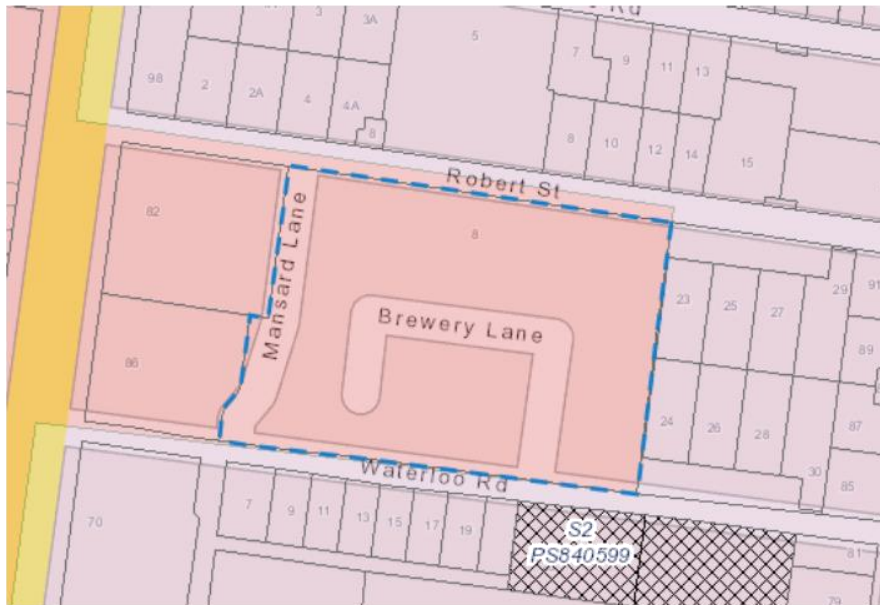
Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

## Attachments

- 1 Site Location Plan
- 2 Advertised Plans Part 1
- 3 Advertised Plans Part 2
- 4 Sustainable Design Assessment
- 5 ESD Referral Comments
- 6 Additional ESD Referral Comments
- 7 Engineering Referral Comments
- 8 Waste Referral Comments
- 9 Heritage Victoria Permit

## Attachment 1 - Site Location Plan

**Subject Land: 4000/9 Robert St Collingwood**  **North**   **Subject Site**



**Attachment 2 - Advertised Plans Part 1**

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SMA Projects  
24 August 2020

Project No  
2194

# Yorkshire Brewery

## Lot S5 1-21 Robert Street, Collingwood

### Design Report

hayball

## Attachment 2 - Advertised Plans Part 1



## Attachment 2 - Advertised Plans Part 1

<b>01</b>	<b>Urban Context</b>	<b>4</b>
01	Introduction and Site Context	5
<b>02</b>	<b>Design Response</b>	<b>6</b>
01	Development Summary	7
02	Form Analysis	8
03	Design Principles	9
04	View Analysis	10
05	Proposed Design	15
06	Materiality	16
07	Shadow Analysis	17
<b>03</b>	<b>Architectural Drawings</b>	<b>18</b>

# 01

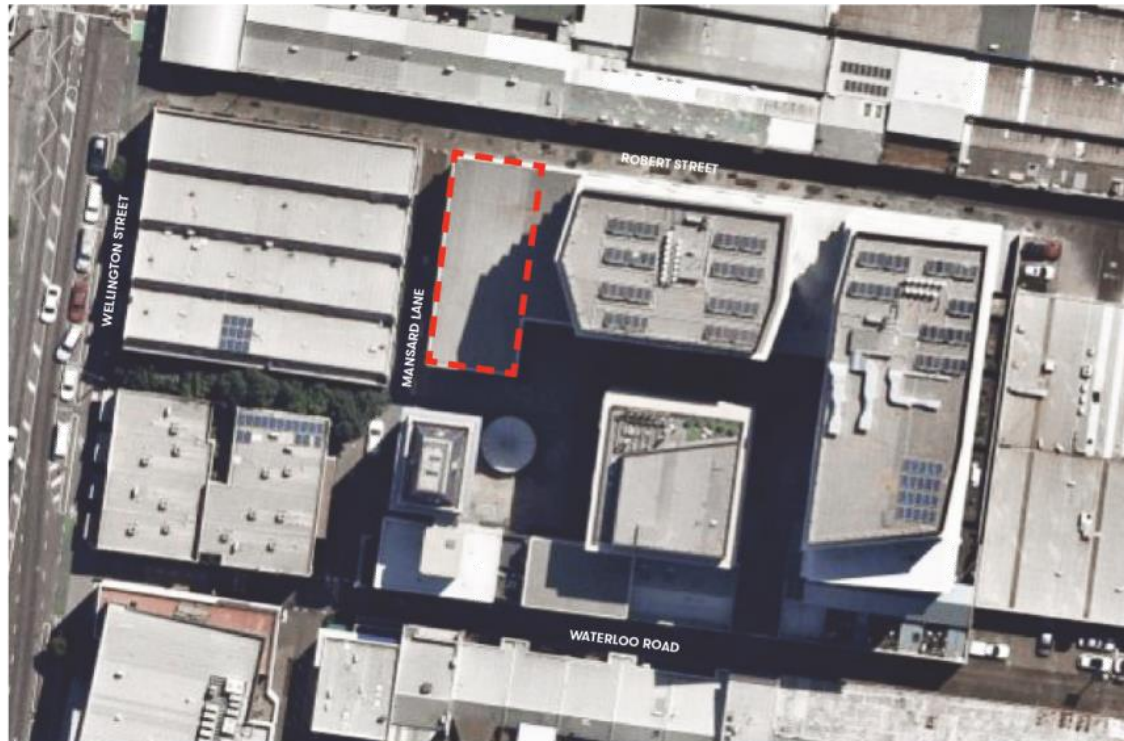
# Urban Context



## Attachment 2 - Advertised Plans Part 1

### 01 Urban Context

#### 01 Introduction and Site context



This document has been prepared for the City of Yarra and Heritage Victoria in relation to the development of Lot S5, 1-21 Robert Street, Collingwood.

The proposal for the site includes two additional two level apartments that complement the adjacent contemporary Yorkshire Brewery apartments whilst respecting the heritage listed former Yorkshire Brewery Tower.

The proposed development will maintain a contemporary design language and adopt a similar material palette to the adjacent Yorkshire Brewery apartments whilst the overall form has been considered to ensure that setbacks and site lines to the heritage listed brew tower are maintained in addition to minimising further overshadowing to the existing central courtyard.

# 02

# Design Response

Attachment 2 - Advertised Plans Part 1

- 02 Design Response
- 01 Development Summary



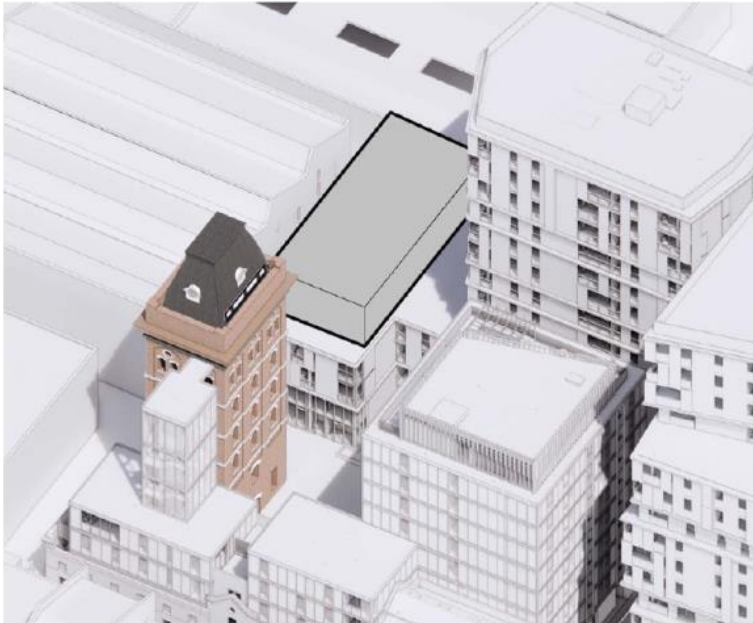
DEVELOPMENT SUMMARY

m <sup>2</sup>	295.8	DEVELOPMENT SITE AREA SQM
	400.2	GFA SQM
	43.3	COMMUNAL EXTERNAL AREA SQM
	2	APARTMENTS
		APARTMENT TYPE MIX
	50% 1	2 BED (2A) 143.5 SQM (area) 46.4 SQM (pos)
	50% 1	3 BED (3A) 151 SQM (area) 21.5 SQM (pos)
	100%	CROSS VENTILATED APARTMENTS
	50%	ACCESSIBLE APARTMENTS (ENTRY LEVEL ONLY)
	2	BASEMENT CAR PARKS

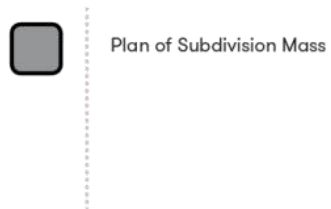
## Attachment 2 - Advertised Plans Part 1

02 Design Response

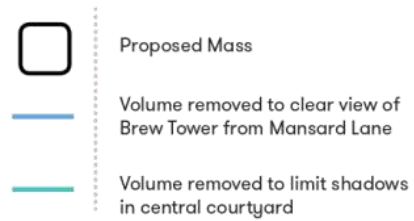
02 Form Analysis



### LEGEND



### LEGEND





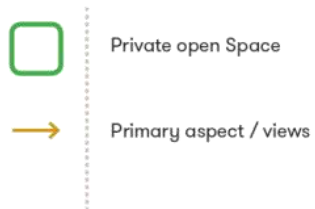
## Attachment 2 - Advertised Plans Part 1

02 Design Response

03 Design Principles



DIRECT VIEWS & PRIVATE OPEN SPACE



PROVIDE SHADING AND SHELTER

## Attachment 2 - Advertised Plans Part 1

02 Design Response

04 View Analysis

View from Robert street



Existing



Proposed massing



## Attachment 2 - Advertised Plans Part 1

02 Design Response

04 View Analysis

View from Mansard Lane and Robert Street



Existing



Proposed massing

## Attachment 2 - Advertised Plans Part 1

### 02 Design Response

### 04 View Analysis

View from Mansard Lane and Brewery Lane



Existing



Proposed massing

## Attachment 2 - Advertised Plans Part 1

### 02 Design Response

### 04 View Analysis

#### View from Mansard Lane



Existing



Proposed massing

## Attachment 2 - Advertised Plans Part 1

### 02 Design Response

### 04 View Analysis

#### View from Existing Courtyard



Existing



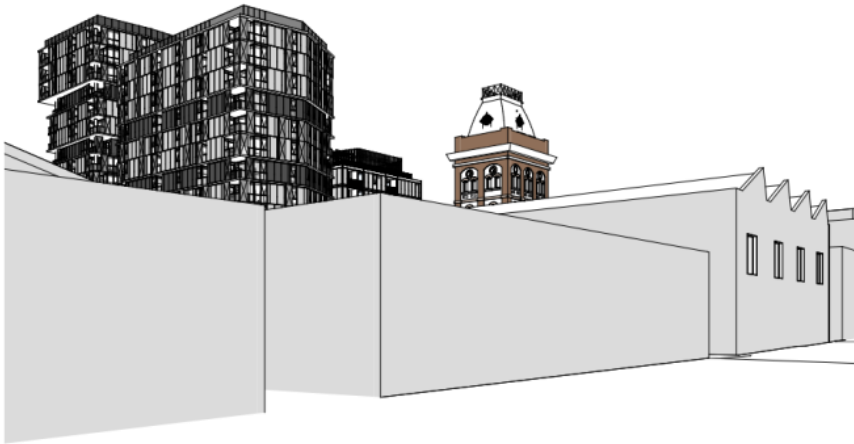
Proposed massing

## Attachment 2 - Advertised Plans Part 1

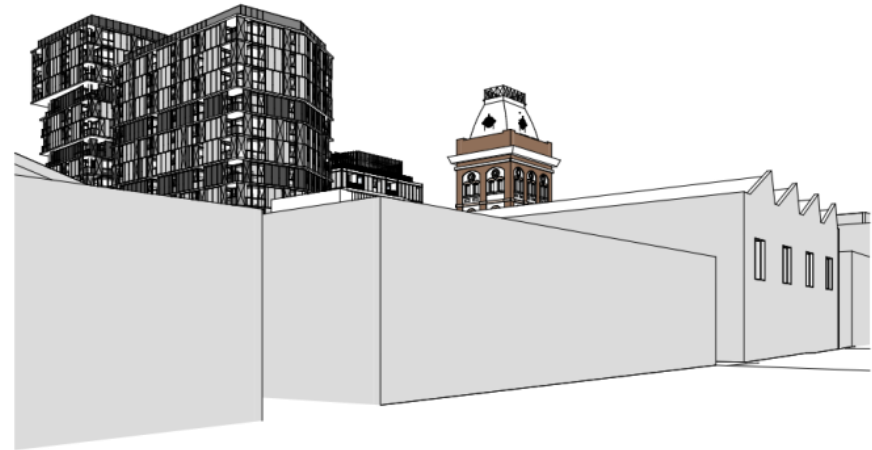
### 02 Design Response

### 04 View Analysis

View from Wellington and Peel streets



Existing



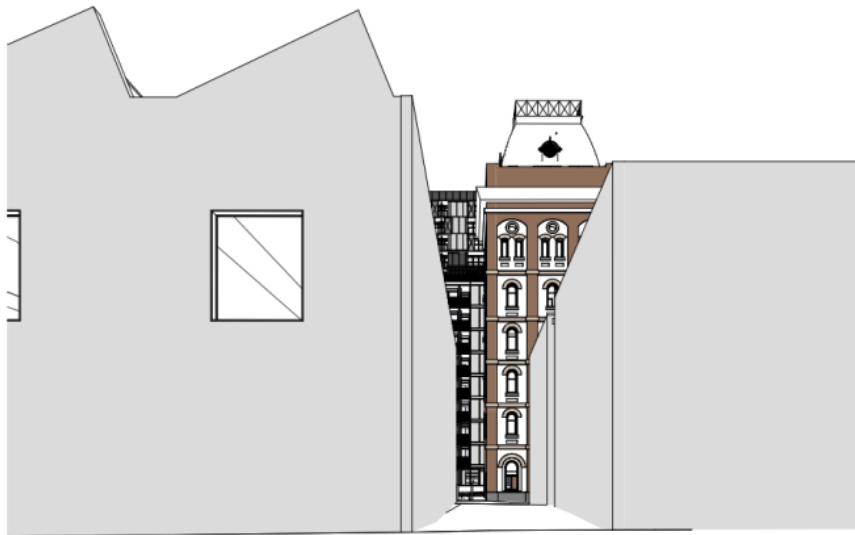
Proposed massing

## Attachment 2 - Advertised Plans Part 1

### 02 Design Response

### 04 View Analysis

View from Wellington street and Brewery Lane



Existing



Proposed massing



## Attachment 3 - Advertised Plans Part 2

02 Design Response

05 Proposed Design



## Attachment 3 - Advertised Plans Part 2

### 02 Design Response

### 06 Materiality



## Attachment 3 - Advertised Plans Part 2

### 02 Design Response

### 07 Shadow Analysis

#### Shadow analysis for the maximum extent of Lot S5 to match Silos Level 6

Shadow analysis has been undertaken as shown to determine the impact of the maximum extent of Lot S5 on the Brew Courtyard.

As a result the maximum built form has been reduced with a reduced height zone for a balcony / terrace.

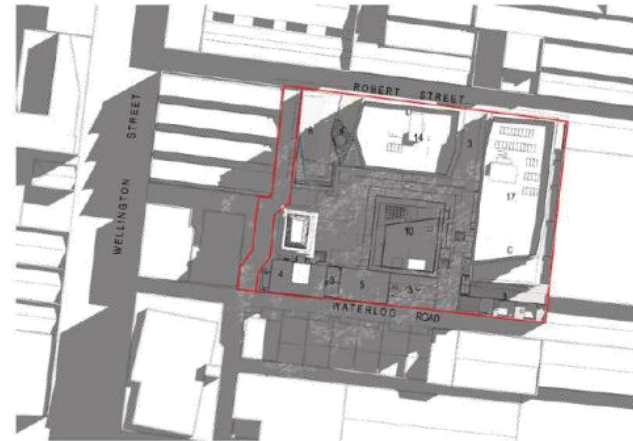
Courtyard zone shadowed by existing buildings



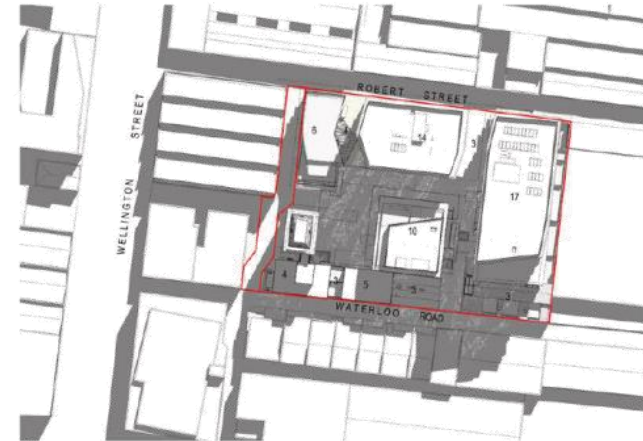
Additional shadowing to courtyard



Note extent of additional overshadowing to Mansard Ln has been shown for reference only.



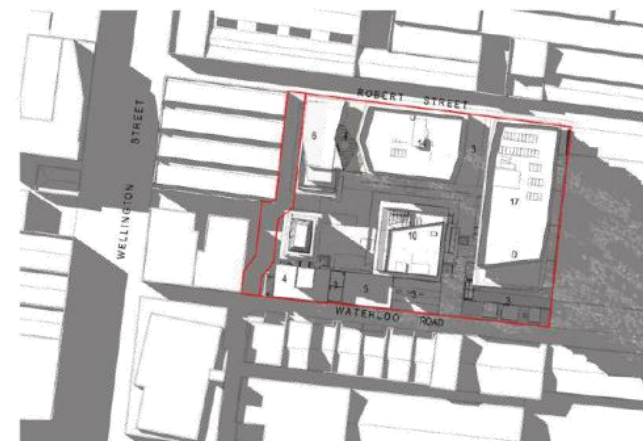
Equinox 9am 22 September  
NTS



Equinox 11am 22 September  
NTS



Equinox 1pm 22 September  
NTS



Equinox 3pm 22 September  
NTS

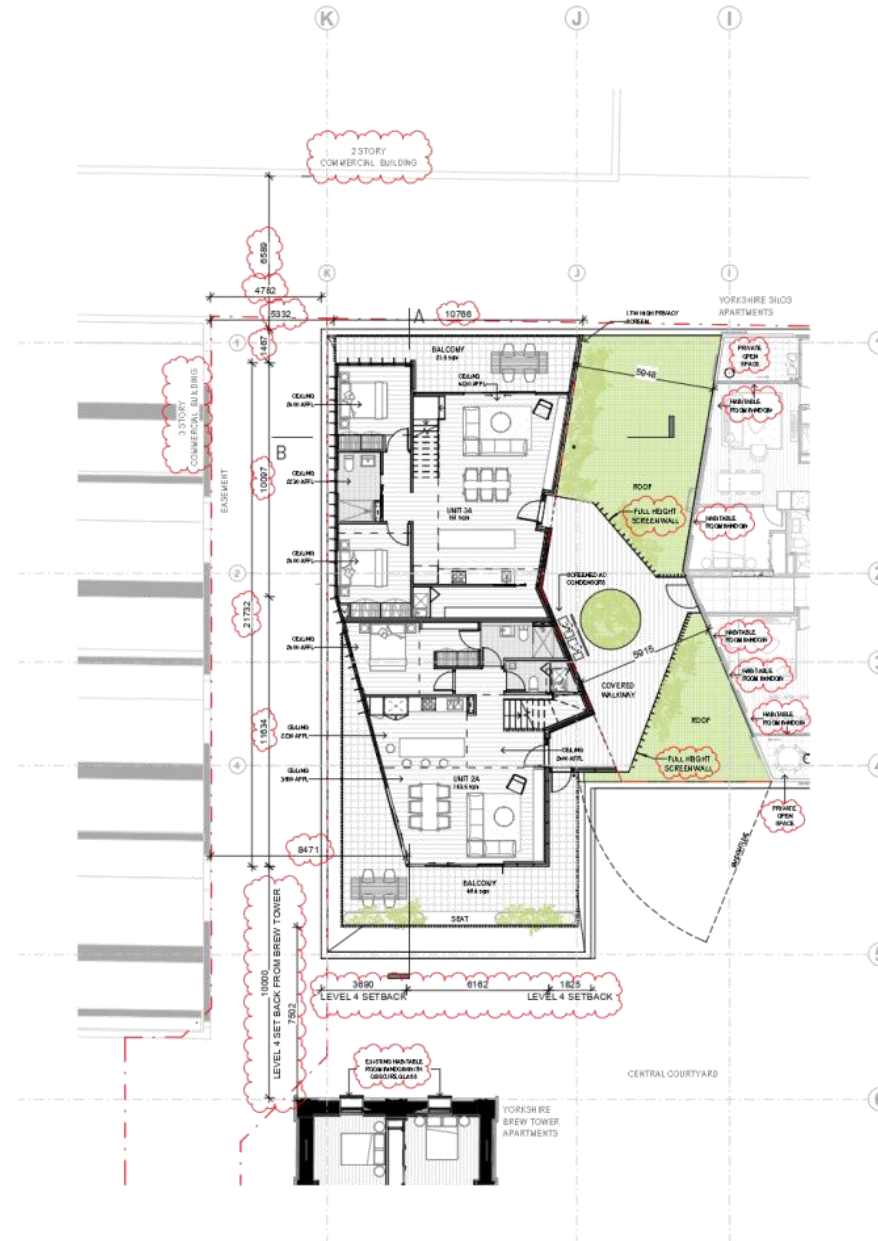
# 03

# Architectural Drawings





### Attachment 3 - Advertised Plans Part 2

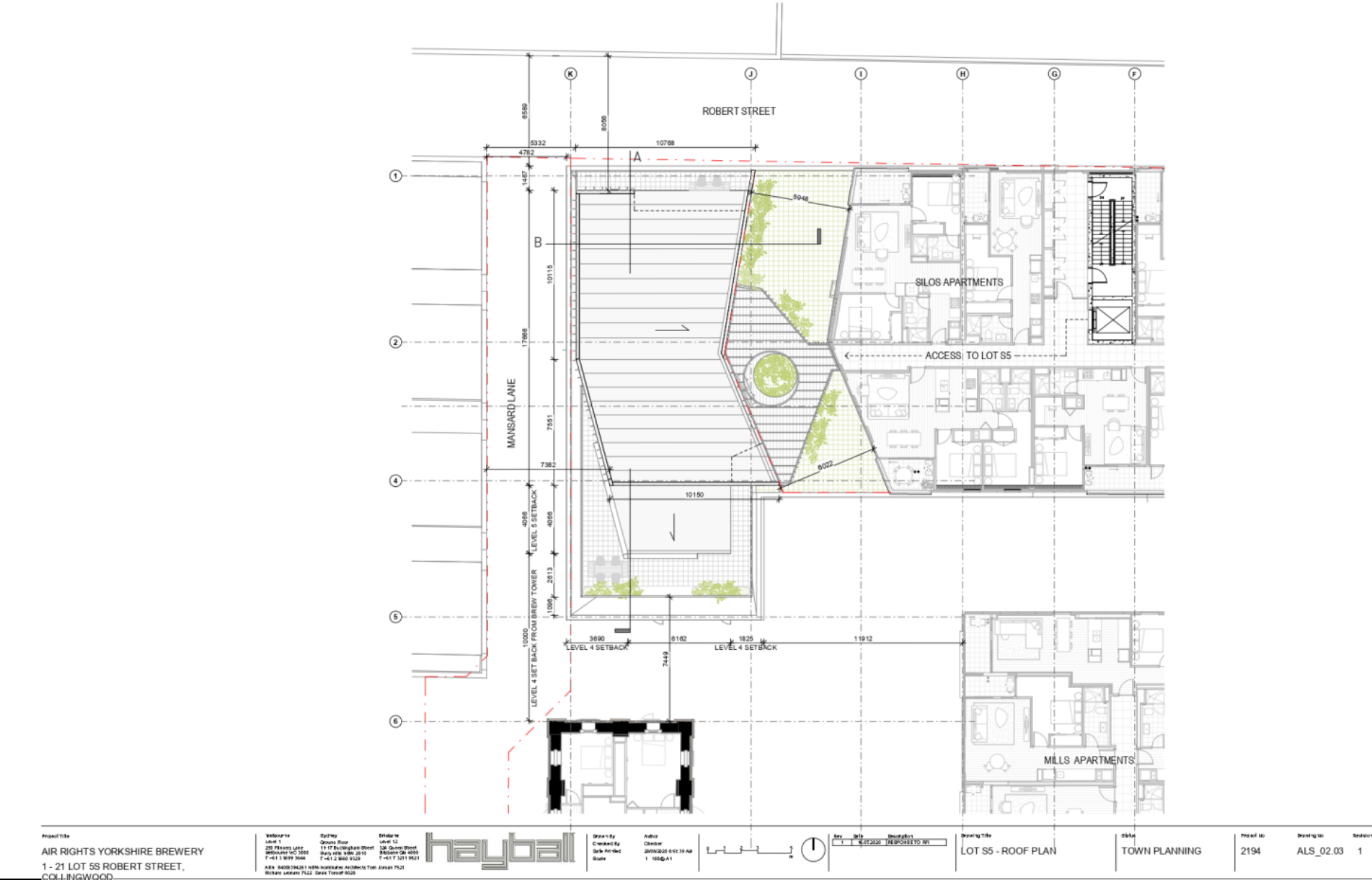


Project Title		Address		Owner		Drawn By		Author		Rev		Drawing Title		State		Project No		Drawing No		Revision												
AIR RIGHTS YORKSHIRE BREWERY		209 Flaxton Lane Colliingwood VIC 3086 T +61 3 9099 3666		Level 12 11 Fl Flaxton Lane Suite 1000 T +61 3 9099 3666 F +61 3 9099 3666		Hayball		Created By Date Entered 1 1000-A1		Created Date Entered 1 1000-A1		<table><thead><tr><th>Rev</th><th>Date</th><th>Description</th></tr></thead><tbody><tr><td>1</td><td>20/07/2018</td><td>ISSUED FOR PERMIT</td></tr><tr><td>2</td><td>30/07/2018</td><td>REVISIONS TO PERMIT</td></tr></tbody></table>		Rev	Date	Description	1	20/07/2018	ISSUED FOR PERMIT	2	30/07/2018	REVISIONS TO PERMIT	LOT 55 - PLAN ENTRY LEVEL (LEVEL 4)		TOWN PLANNING		2194		ALS_02.01		2	
Rev	Date	Description																														
1	20/07/2018	ISSUED FOR PERMIT																														
2	30/07/2018	REVISIONS TO PERMIT																														
1 - 21 LOT SS ROBERT STREET, COLLINGWOOD		ABB 3400019620 is a fully licensed Architects Firm located 7521 Rockdale Avenue Pk VIC 3086																														





Attachment 3 - Advertised Plans Part 2

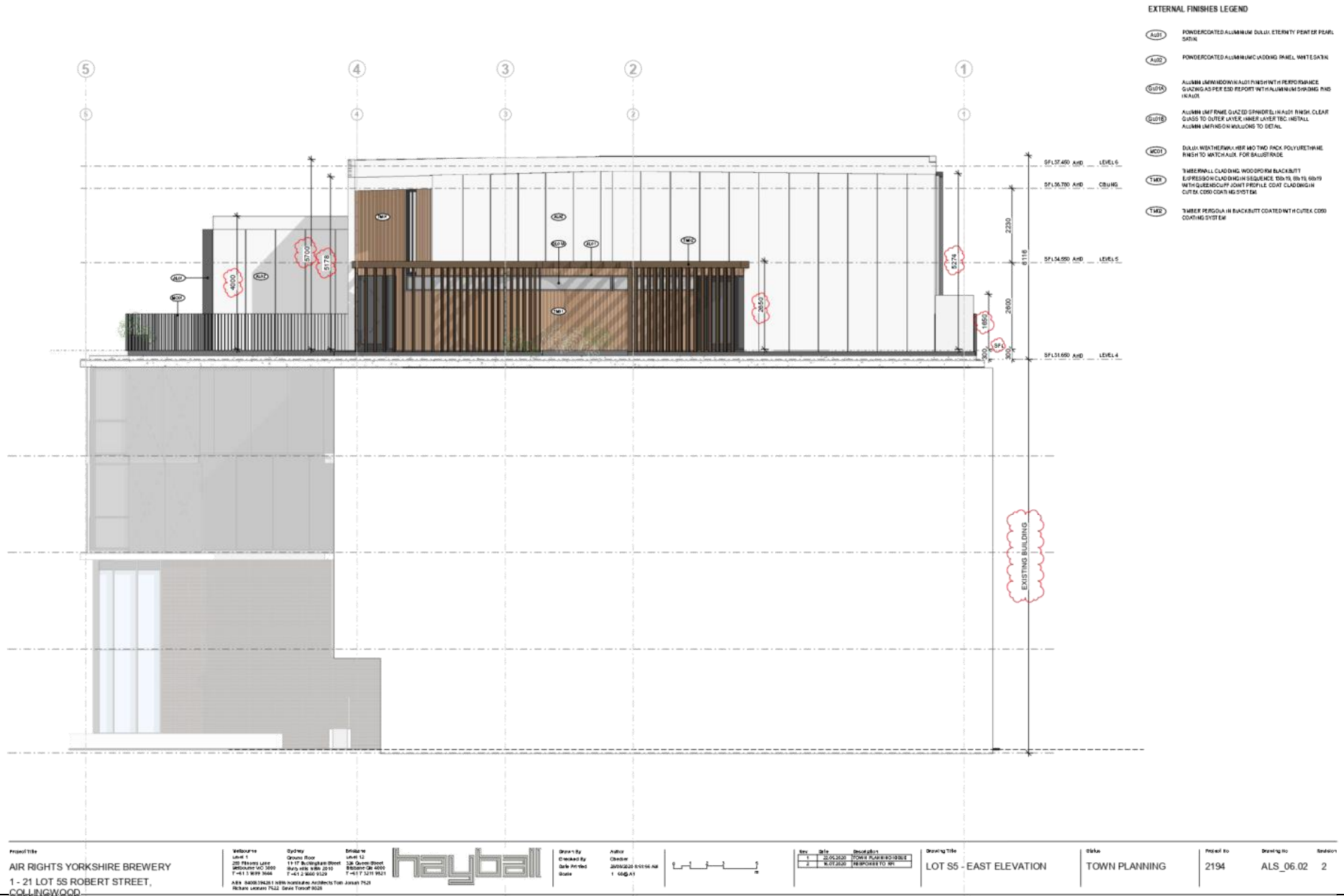




**Bulleted/Contractors shall verify job dimensions before any job commences. If given dimensions shall take precedence over scales work. Work shall also conform to the specification, other drawings and job dimensions. All shop drawings shall be submitted to the Architect/Consultant. No modifications shall be made prior to the return of inspection shop drawings signed by the Architect/Consultant. © Copyright 2006 All rights reserved.**



Attachment 3 - Advertised Plans Part 2



Attachment 3 - Advertised Plans Part 2

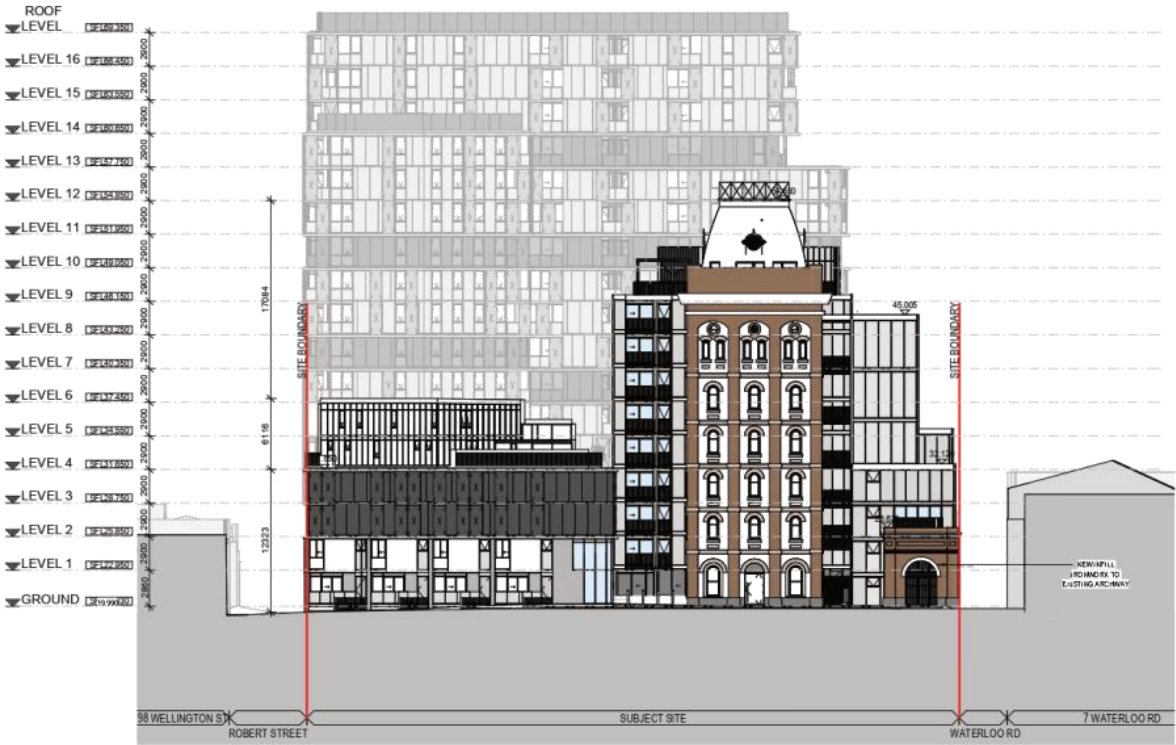


Attachment 3 - Advertised Plans Part 2





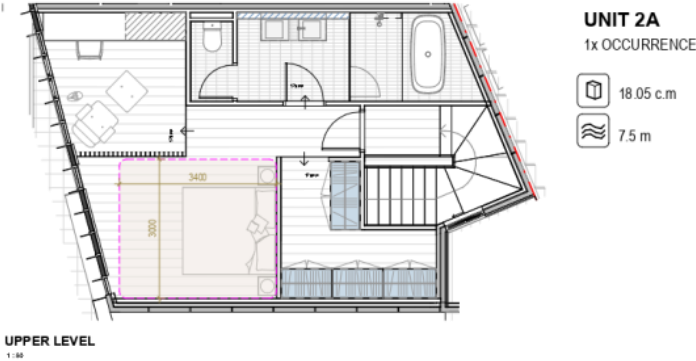
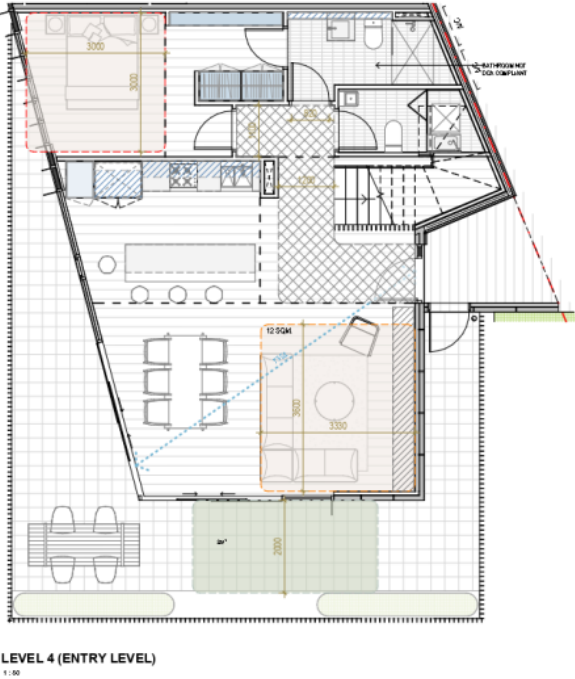
Attachment 3 - Advertised Plans Part 2



Project Title	Volume	Sheet No.	Drawn by	Checked by	Scale	Rev	Date	Description	Drawing Title	Status	Project No.	Drawing No.	Revision
AIR RIGHTS YORKSHIRE BREWERY 1 - 21 LOT 5S ROBERT STREET, COLLINGWOOD	Volume 1 215 Wellington Street Wellington VIC 3160 T +61 3 9599 3646 A/B: 54000/1420/1/1000 Richard Lennan/PAUL David Thomas/PAUL	Sheet No. 11-17 Esplanade Street Shepparton VIC 3620 T +61 3 9600 9329 A/B: 54000/1420/1/1000 Richard Lennan/PAUL David Thomas/PAUL	Drawn by Checked by Scale	Checked by Scale	Scale	Rev	Date	Description	WEST ELEVATION WITH CONTEXT	TOWN PLANNING	2194	ALS_06.05	

External Contractors shall verify all dimensions before any job commences. If any dimensions shall be found to be incorrect, the Architect/Consultant shall be notified immediately. All shop drawings shall be submitted to the Architect/Consultant for approval prior to the start of construction. All shop drawings shall be signed by the Architect/Consultant. © Copyright 2008. All rights reserved.

Attachment 3 - Advertised Plans Part 2

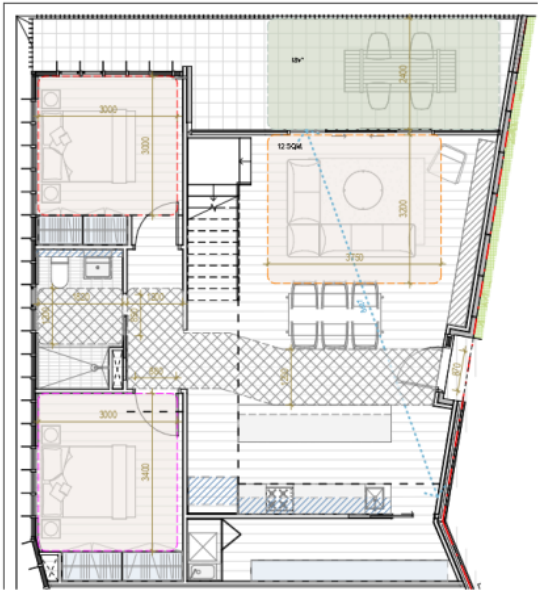


- STORAGE VOLUME  
COMPLY WITH B.A.D.S
- ACCESSIBILITY  
COMPLY WITH B.A.D.S
- BREEZE PATH LENGTH  
COMPLY WITH B.A.D.S
- STORAGE 2.25M HIGH
- STORAGE 2.4M HIGH
- STORAGE 0.70M HIGH
- OVERHEAD STORAGE  
0.70M HIGH
- STORAGE 0.5M HIGH
- USABLE BALCONY AREA:  
8.92M FOR 1-2 BED,  
12.92M FOR 3 BED  
APARTMENTS
- BREEZE PATH
- BEDROOM & LIVING AREAS
- BED ONE: 3.6x0.0
- BED 3.0x0.0
- LIVING
- 1.2m CLEAR PATH

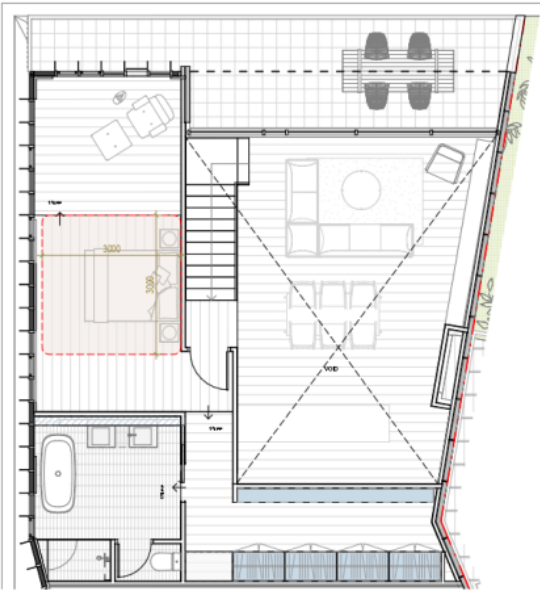
Project Title	Yellowstone Level 1 200 Pittwater Lane Pittwater NSW 2090 T +61 3 989 3664	Sydney Olympic Road 19-17 Buckingham Street Sydney NSW 2010 T +61 2 9605 9329	Brisbane Level 12 128 Queen Street Brisbane QLD 4000 T +61 7 3211 9521	Drawn by Checked by Scale	Author Checked 2024/02/20 10:29:44 AM 1:50Q.A1	Rev	Date	Description	Drawing Title	Discipline	Project No	Drawing No	Revision
AIR RIGHTS YORKSHIRE BREWERY 1 - 21 LOT 5S ROBERT STREET, COLLINGWOOD									BADS ASSESSMENT	TOWN PLANNING	2194	ALS_05.00	

Bidders/Contractors shall verify all dimensions before any job commences. Figures dimensions shall take precedence over scales work. Work shall also conform to the specification other drawings and job alterations. All shop drawings shall be submitted to the Architect/Consultant for review and approval prior to their use. All shop drawings shall be signed by the Architect/Consultant. © Copyright 2024. All rights reserved.

Attachment 3 - Advertised Plans Part 2



LEVEL 4 (ENTRY LEVEL)  
1 : 80



UPPER LEVEL  
1 : 80

UNIT 3A  
1x OCCURRENCE

- 23.93 c.m
- 8.4 m
- to entry level

- STORAGE VOLUME COMPLY WITH B.A.D.S
- ACCESSIBILITY COMPLY WITH B.A.D.S
- BREEZE PATH LENGTH COMPLY WITH B.A.D.S
- STORAGE 2.25M HIGH
- STORAGE 2.4M HIGH
- STORAGE 0.70M HIGH
- OVERHEAD STORAGE 0.70M HIGH
- STORAGE 0.6M HIGH
- USABLE BALCONY AREA: 8.92M FOR 1-2 BED, 12.92M FOR 3 BED APARTMENTS
- BREEZE PATH
- BEDROOM & LIVING AREAS
- BED ONE: 3.6x3.0
- BED 3.0x3.0
- LIVING
- 1.2m CLEAR PATH

Project Title	Yellowstone	Sydney	Brisbane	Drawn by	Author	Rev	Date	Description	Drawing Title	Discipline	Project No	Drawing No	Revision
AIR RIGHTS YORKSHIRE BREWERY 1 - 21 LOT 5S ROBERT STREET, COLLINGWOOD	Level 1 200 Pittwater Lane Sydney NSW 2060 T +61 3 989 3664	Office Floor 19-17 Buckingham Street Sydney NSW 2010 T +61 2 9605 9329	Level 12 128 Queen Street Brisbane QLD 4000 T +61 7 3271 9521	Drawn by Checked by Scale: As Shown	Author Checked 2024/02/20 10:29:46 AM 1 - 000-A1				BADS ASSESSMENT	TOWN PLANNING	2194	ALS_05.01	

Bidders/Contractors shall verify all dimensions before any job commences. Figures dimensions shall take precedence over scales work. Work shall also conform to the specification other drawings and job alterations. All shop drawings shall be submitted to the Architect/Consultant for review and approval prior to their use. Shop drawings shall be signed by the Architect/Consultant. © Copyright 2024. All rights reserved.

## Attachment 3 - Advertised Plans Part 2

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hayball

**Attachment 4 - Sustainable Design Assessment**

**PROPOSED MULTI-RESIDENTIAL DEVELOPMENT**

Lot S5 1-21 Robert Street  
Collingwood

**SUSTAINABLE MANAGEMENT PLAN &  
WATER SENSITIVE URBAN DESIGN RESPONSE**

**FOR  
SMA PROJECTS**

25 May 2020

File 622C



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### CONTENTS

1.	INTRODUCTION .....	4
2.	SITE DESCRIPTION .....	4
3.	SUMMARY OF KEY ESD INITIATIVES .....	5
3.1.	BUILT ENVIRONMENT SUSTAINABILITY SCORECARD (BESS) .....	6
3.2.	ENERGY RATINGS .....	7
4.	SUSTAINABLE DESIGN INITIATIVES AND SYSTEMS .....	8
5.	IMPLEMENTATION STRATEGY .....	12
6.	CONCLUSION.....	13

### APPENDICES

APPENDIX A.	STORM REPORT .....	14
APPENDIX B.	BESS RESULTS .....	16
APPENDIX C.	RAINWATER HARVESTING .....	30
APPENDIX D.	WSUD MAINTENANCE MANUAL.....	32
APPENDIX E.	ENERGY RATING ASSUMPTIONS .....	34



**Attachment 4 - Sustainable Design Assessment**

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

Issue	Date	Prepared	Approved	Status
A	18 May 2020	HM / LD	JT	Draft
B	25 May 2020	HM / LD	JT	Final

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## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### 1. Introduction

Ark Resources has been engaged by SMA Projects to provide advice in relation to environmentally sustainable development outcomes from the proposed development at Lot S5 1-21 Robert Street.

This Sustainable Management Plan has been prepared to meet the Application Requirements of Clauses 19.03-3S and 22.17 (Environmentally Sustainable Development) of the City of Yarra Planning Scheme. This report demonstrates how the development meets the policy objectives of Clauses 22.17-2, 22.17-4, and 22.16 (WSUD Policy).

This report contains a summary of:

- Environmental objectives adopted for the development
- Sustainable design initiatives integrated into the design of the project.

Performance outcomes in this report are based on

- Discussions and correspondence with:
  - Robert Murphy and Robert Paolino, SMA Projects
- Architectural drawings prepared by Hayball set out below:

Description	Drawing No.	Revision	Date
Lot S5 - Site Plan	ALS_01.01	-	24/04/2020
Lot S5 - Plan Layouts	ALS_02.01	-	24/04/2020
Lot S5 Sections	ALS_06.11	-	24/04/2020
Lot S5 Elevations	ALS_06.01	-	24/04/2020
Lot S5 Elevations	ALS_06.02	-	24/04/2020
BADS Assessment	ALS_05.00	-	24/04/2020
BADS Assessment	ALS_05.01	-	24/04/2020

### 2. Site Description

The proposed development comprises two additional two-level apartments to the existing Yorkshire Brewery development. The new apartments will have access from Level 4 of the Silos Apartments. Lot S5 apartments contain a total of 5 bedrooms and it is anticipated that approximately 7 people will reside there.

The development is located within the City of Yarra. The total site area is approximately 284 m<sup>2</sup>. The surrounding buildings are a mix of residential and industrial use.

An image of the site and the surrounding locale is provided below.

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

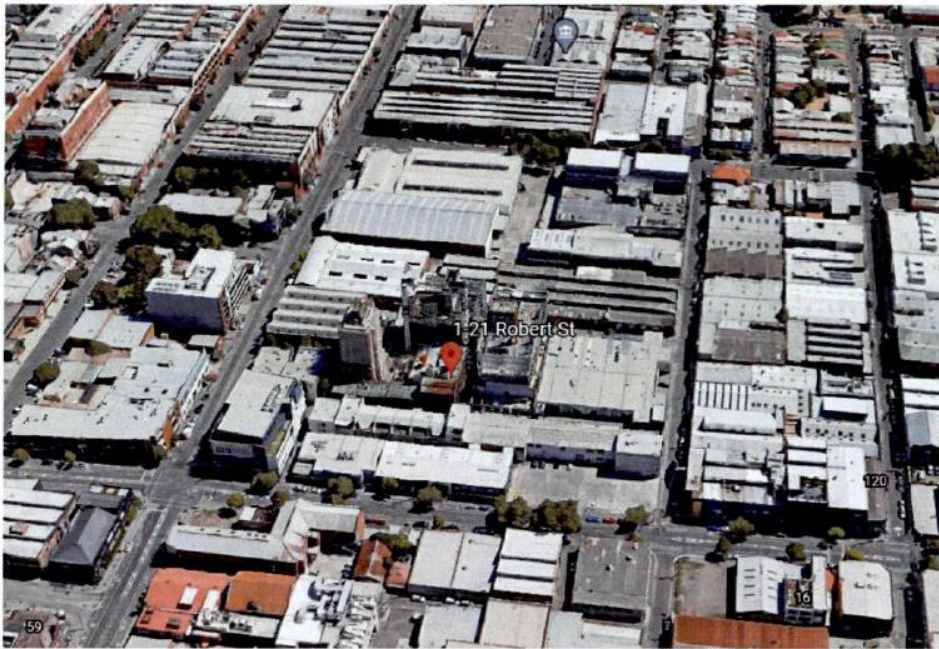


Image accessed October 2018 ©Google Maps

### 3. Summary of Key ESD Initiatives

A detailed analysis has been undertaken in order to nominate the ESD initiatives required and confirm the performance outcomes achieved. The results of this analysis are set out in the remainder of this report.

The following key sustainable design initiatives have been incorporated into this project:

- Rainwater harvesting system for toilet flushing and irrigation;
- High-performance glazing and energy efficient building services, appliances and fixtures; and
- Environmentally preferable internal finishes.

An assessment of sustainable design outcomes of the proposed development has been undertaken with BESS, STORM and FirstRate benchmarking tools. The information presented in this report demonstrates that:

- The development will achieve a minimum average NatHERS energy rating of 6.5 stars.
- The combination of design features and services initiatives meets all the standards of the BESS sustainability assessment tool.
- The rainwater harvesting system is predicted to result in an annual mains water saving of 44 kL;
- The development meets the Best Practice standard for stormwater quality.

The results of the performance assessment are summarised below.



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### 3.1. Built Environment Sustainability Scorecard (BESS)

The BESS assessment tool for new projects was developed by the Council Alliance for a Sustainable Built Environment (CASBE).

The BESS tool provides an objective performance based analysis of *nine* key sustainable building design categories at the planning permit stage of the building lifecycle.

BESS is widely regarded as an appropriate sustainability assessment tool for both residential and non-residential development projects. Since its launch, several Victorian councils including Banyule, Bass Coast, Bayside, Bendigo, Brimbank, Darebin, Dandenong, Geelong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Monash, Moonee Valley, Moreland, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges have adopted BESS.

The BESS tool builds on the NCC energy efficiency measures and provides a framework for assessing building performance outcomes in relation to:

- Management
- Water
- Energy
- Stormwater
- Indoor Environment Quality
- Transport
- Waste
- Urban Ecology
- Innovation

BESS scores for the development are summarised in the following table.

Element	Required Score	Project Score	Compliance
Management	0%	43%	Yes
Water	50%	57%	Yes
Energy	50%	53%	Yes
Stormwater	100%	100%	Yes
Indoor Environment Quality	50%	100%	Yes
Transport	0%	0%	Yes
Waste	0%	50%	Yes
Urban Ecology	0%	0%	Yes
Innovation	0%	0%	Yes
<b>Project BESS Score</b>	<b>50%</b>	<b>54%</b>	<b>Yes</b>

The project meets the standard required for *water, energy, stormwater and Indoor Environment Quality*. The project also meets the 50% BESS Score required to demonstrate Best Practice.

Please refer Appendix A for details of the STORM results and Appendix B for the BESS Report.

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### 3.2. Energy Ratings

FirstRate5 Version 5.3.0 (3.21) energy ratings have been undertaken and results are provided in the table below.

Apartment	Star Rating	Energy Demand (MJ/m <sup>2</sup> )		
		Total	Heating	Cooling
Apartment 3A	6.7	91.2	61.3	29.9
Apartment 2A	6.3	103.9	84.4	19.5
<b>Estimated Development Average</b>	<b>6.5</b>	<b>97.6</b>	<b>72.9</b>	<b>24.7</b>

The results of the modelling confirm that a cooling load average of less than 30 MJ/m<sup>2</sup> has been met [NatHERS Climate Zone 21 Melbourne] and therefore meet the energy efficiency objectives set out in clause 58.03-1 of the Planning Scheme.

The results of the modelling confirm that the average heating load of less than 88 MJ/m<sup>2</sup> and the average cooling load of less than 36 MJ/m<sup>2</sup> for the development has been met [NatHERS Climate Zone 21 Melbourne]. The heating load does not exceed 120 MJ/m<sup>2</sup> and the cooling load does not exceed 62 MJ/m<sup>2</sup> for each apartment. Therefore, the development meets the energy efficiency objectives set out in NCC 2019 for Class 2 dwellings.

Please refer to Appendix E for details of energy ratings and building construction assumptions.

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

## 4. Sustainable Design Initiatives and Systems

Issue	Performance Commitments / Description	Comments
<b>Water</b>		
Water Efficiency	<p>The following water efficient fittings and appliances will be specified to all dwellings:</p> <ul style="list-style-type: none"> <li>• WELS 3 star showers (&gt;6 but &lt;=7.5 litres/minute)</li> <li>• Contemporary bath</li> <li>• WELS 4 star toilets (4.5/3 litre flush)</li> <li>• WELS 5 star kitchen taps</li> <li>• WELS 5 star basin taps (5 litres/minute)</li> <li>• WELS 5 star dishwashers</li> </ul>	Water using fixtures and appliances will be specified during design development in accordance with this water efficiency performance standard.
Rainwater Harvesting	<p>A rainwater harvesting system will be installed comprising:</p> <ul style="list-style-type: none"> <li>• Rainwater harvesting from all roof areas (catchment area of approx. 249m<sup>2</sup>);</li> <li>• A total storage volume of 7,000 litres;</li> <li>• Re-use of water for toilet flushing in all toilets; and</li> <li>• Re-use of water for planter box irrigation</li> </ul>	<p>Rainwater modelling indicates that this system will provide an estimated annual mains water saving of 44 kL and a supply reliability of 100% from toilet flushing and irrigation.</p> <p>Please refer to Appendix C for details of predicted harvested rainwater volumes and Appendix D for an indicative maintenance program.</p>
Water Efficient Landscaping	<p>Where appropriate, water sensitive landscape design will be incorporated into the development by specifying a combination of the following:</p> <ul style="list-style-type: none"> <li>• Drought tolerant and/or indigenous plant species that are best suited to local climate;</li> <li>• Automated drip irrigation system; and</li> <li>• Re-use of harvested rainwater for irrigation</li> </ul>	These initiatives will ensure efficient use of water and also reduce the total potable water used for landscape works.



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

Issue	Performance Commitments / Description	Comments
<b>Energy</b>		
Apartment Energy Ratings	The development will achieve an average energy rating of 6.5 stars.	The development energy rating achieved exceeds the NCC 2019 energy efficiency requirements for Class 2 dwellings. Refer to Appendix G for details of building fabric assumptions.
Heating & Cooling	Space heating and cooling for living areas will be provided by reverse cycle heat pumps with 4 stars for both heating and cooling.	Efficient reverse cycle units in conjunction with a thermally efficient building envelope are considered to be an environmentally acceptable method of space conditioning.
Domestic Hot Water	Domestic hot water will be provided by individual 5 star gas instantaneous units	
Lighting	Energy efficient lighting systems will be installed throughout the development including: <ul style="list-style-type: none"> <li>LED lighting generally designed to achieve a maximum lighting power density of at least 20% lower than required by Table J6.2a of the NCC; and</li> <li>LED external lighting.</li> </ul>	Note that external lighting for the development will be designed with the objective of preventing light spill to the night sky.
<b>Stormwater Management</b>		
Stormwater Quality	The development achieves a STORM score of 104% because of the rainwater harvesting system described under the 'Water' category in this report.	The STORM score attained demonstrates that the development attains the Best Practice Standard for Urban Stormwater.  The development therefore meets the WSUD objectives set out in Clause 22-16 of the Yarra Planning Scheme. Refer to Appendix A for the STORM report.
<b>Indoor Environment Quality</b>		
Natural Ventilation & Daylight	The building has been designed to ensure that all living rooms and bedrooms have access to natural ventilation and daylight via operable windows along the façade.	These features will improve comfort and amenity for residents and reduce peak energy demand and greenhouse emissions arising from mechanical cooling.

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

Issue	Performance Commitments / Description	Comments
Daylight Access	Daylight compliance has been determined using BESS deemed to satisfy criteria and the room profiling calculator. The overall result is that 100% of living rooms and 100% of bedrooms satisfy the BESS measures for daylight access, achieving a daylight factor greater than 0.5%.	
Volatile Organic Compounds	All interior paints, adhesives and sealants will be Low VOC type to improve indoor environmental quality for residents.	Low VOC paints, adhesives and sealants will be specified to meet the requirements of Credit 13.1 of the Green Star Design & As Built Tool Version 1.2.
<b>Sustainable Transport</b>		
Bicycle Facilities	Bicycle storage facilities are provided in storage lockers located in the basement.	Note that the bicycle facilities provided exceed the ratio set out in Clause 52.34 of the Yarra City Planning Scheme.
Walkability & Public Transport Access	<p>The site attains a Walk Score® of 99 out of 100 which is defined as 'Walker's Paradise', and a Transit Score of 89 out of 100 which is defined as 'Excellent Transit'.</p> <p>The site has numerous amenities within a walking distance (&lt;300m) such as grocery stores, cafés and shops including the Smith Street precinct. Building occupants won't require a car to run daily errands. Numerous parks are located in the local surrounding area as well as childcare facilities and schools.</p> <p>The site is also within close proximity of convenient public transportation options including:</p> <ul style="list-style-type: none"> <li>Tram routes: 86 Bundoora RMIT – Docklands (300m), 12 St Kilda – Victoria Gardens (400m), 109 Port Melbourne – Box Hill (400m);</li> <li>Train Station: Collingwood Station, Hurstbridge – City Line (600m); and</li> <li>Bus routes: numerous bus routes using Queen Victoria Parade (&lt;400m).</li> </ul>	The location of the development will facilitate walking and public transport in lieu of private vehicle use.



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

Issue	Performance Commitments / Description	Comments
<b>Waste Management</b>		
Operational Waste Management	Lot S5 apartment residents will be able to utilise the waste management facilities provided in the existing brewery development.	For details of waste generation rates and collection logistics, refer to the endorsed Waste Management Plan prepared by Leigh Design.
Construction Waste Minimisation	<p>A target recycling rate of 80% of construction and demolition waste has been adopted for the construction phase of the development to minimise the volume of waste to landfill.</p> <p>This will be achieved by the development of a comprehensive waste minimisation strategy including:</p> <ul style="list-style-type: none"> <li>• Separation of all commercially viable recyclable waste streams;</li> <li>• Training in waste minimisation for all site staff and contractors to form part of site induction training;</li> <li>• Record keeping of landfill waste and recyclable stream volumes to track performance against the 80% recyclable target; and</li> <li>• Quarterly reporting of volumes and percentages for each waste stream.</li> </ul>	A dedicated recycling contractor will be engaged to facilitate separation of commercially viable recyclable waste streams in accordance with the target adopted.
<b>Building Materials</b>		
Environmentally Preferable Materials	<p>The following environmentally preferable materials will be specified with the objective of reducing off-site environmental impacts and improving indoor environmental quality for residents:</p> <ul style="list-style-type: none"> <li>• All feature timber will be recycled or from accredited sustainably harvested plantation sources (FSC or AFS); and</li> <li>• All interior paints will be low VOC type</li> </ul>	Timber products will be specified in accordance with the requirements of Credit 20.2 of the Green Star Design & As Built Tool Version 1.2.

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### 5. Implementation Strategy

The ESD initiatives set out in this report will be coordinated by the Project Manager in conjunction with the following project design team members:

- Architect
- Thermal Performance Assessor
- Building Services Consultant
- Waste Management Consultant

An implementation schedule is set out in the following table.

ESD Initiative Implementation Schedule				
#	Initiative	Requirement	Responsibility	Stage
	Coordination of Initiatives	Full implementation	Project Manager	All
1	Water Efficiency	Specify fixtures in accordance with nominated WELS star ratings	Architect	Design Development
2	Rainwater Harvesting	Design and specify rainwater harvesting system including toilet flushing & automated irrigation system	Building Services Engineer	Design Development
3	Landscaping	Specify water efficient landscaping and irrigation	Landscape architect	Design Development
4	Apartment Energy Ratings	Prepare NatHERS ratings for NCC certification	Thermal Performance Assessor	Design Development
5	Heating & Cooling	Specify units in accordance with nominated MEPS star ratings	Building Services Engineer	Design Development
6	Hot Water	Specify nominated hot water systems	Building Services Engineer	Design Development
7	Lighting	Specify nominated energy efficient lighting types and automated controls	Building Services Engineer	Design Development
8	Environmentally Preferable Materials	Specify materials in accordance with nominated schedule.	Architect	Design Development
9	Construction Waste Minimisation	Prepare construction waste minimisation plan	ESD consultant	Design Development

**Attachment 4 - Sustainable Design Assessment**

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

## 6. Conclusion

This report sets out a range of sustainable design features, which are integrated into the design and specification of the proposed development, to improve environmental outcomes during occupation.

In terms of performance outcomes, the analysis presented in this report demonstrates that the proposed development:

- Attains an overall BESS score of 54% and passes the mandatory water, energy, stormwater and indoor environment quality elements;
- Achieves a 6.5 average star rating for the apartments
- Attains the *Best Practice* standard for urban stormwater quality

Accordingly, the sustainable design outcomes from the proposed development are adequate for a residential development of this scale and are consistent with the objectives set out in Clauses 19.03-3S and 22.17 (ESD Policy) of the Yarra Planning Scheme.



Jan Talacko  
Director

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

## Appendix A. STORM Report



## STORM Rating Report

TransactionID: 957259  
 Municipality: YARRA  
 Rainfall Station: YARRA  
 Address: Lot S5, 1-21 Robert Street

Collingwood  
 VIC 3066

Assessor: HM  
 Development Type: Residential - Multiunit  
 Allotment Site (m2): 284.00  
 STORM Rating %: 104

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Roof + Balcony Areas	249.00	Rainwater Tank	7,000.00	5	118.10	97.90
Remaining Impervious	34.00	None	0.00	0	0.00	0.00

Date Generated: 07-May-2020

Program Version: 1.0.0



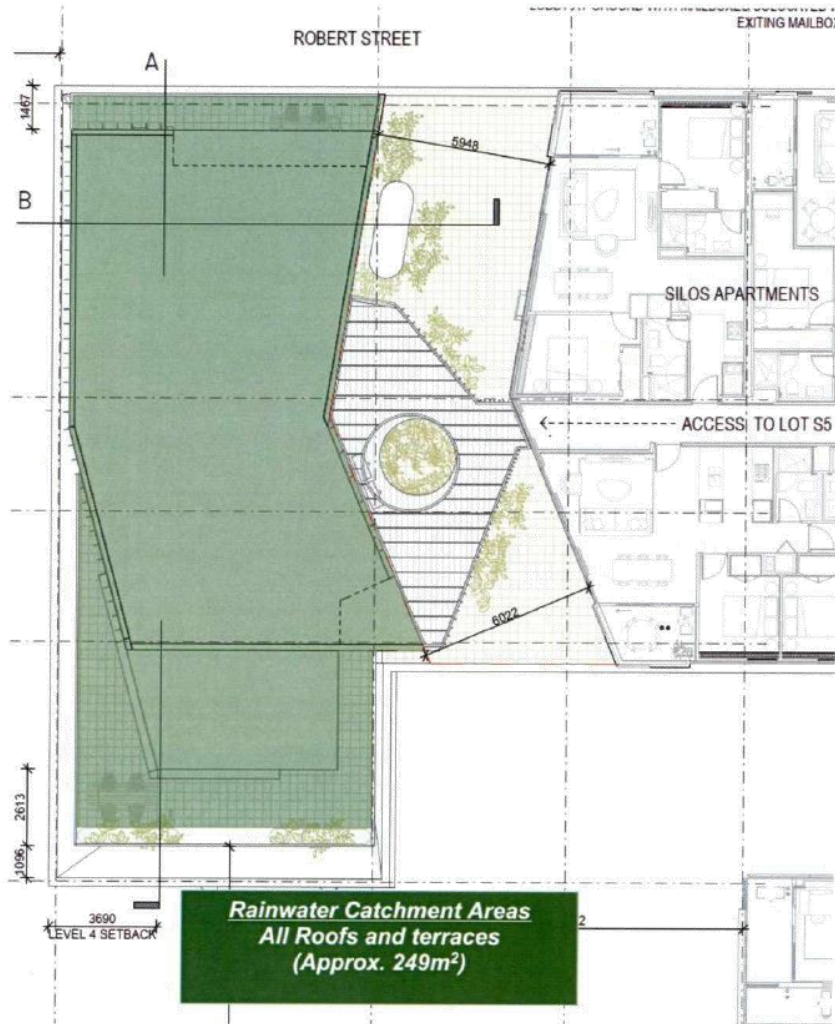
# Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

## RAINWATER CATCHMENT AREA



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### Appendix B. BESS Results

Lot S5 1-21 Robert St, Collingwood 3066 Collingwood

Site area: 284 m<sup>2</sup> · Building Floor Area: 259 m<sup>2</sup> ·

Date of Assessment: 25 May 2020 ·

Version: V4, 1.6.2-B.274 ·

Applicant: hm@arkresources.com.au

Project Identifier

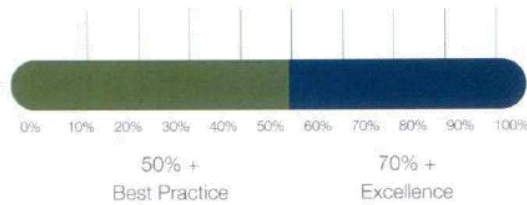
24FE74C5

Published

<http://bess.net.au/projects/24FE74C5-V1>

Your BESS score is

+ 54%



% of Total	Category	Score	Pass
2 %	Management	43 %	
5 %	Water	57 %	✓
15 %	Energy	53 %	✓
14 %	Stormwater	100 %	✓
16 %	IEQ	100 %	✓
0 %	Transport	0 %	
3 %	Waste	50 %	
0 %	Urban Ecology	0 %	
0 %	Innovation	0 %	

## Attachment 4 - Sustainable Design Assessment

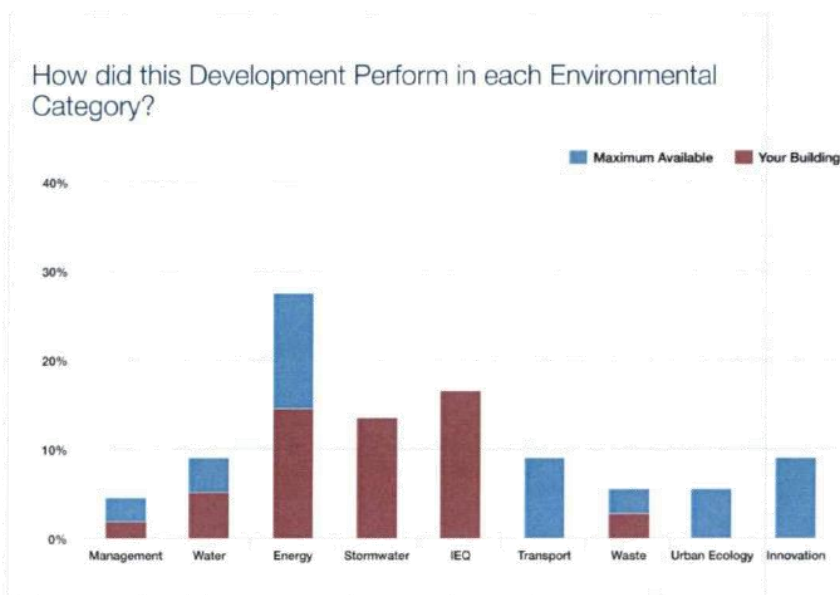
Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

BESS - Lot S5 1-21 Robert St, Collingwood VIC 3066, Australia

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Sustainable design commitments by category

2 of 16

25/05/2020, 3:57 pm

File: 622C

17

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Lot S5 1-21 Robert Street

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25 May 2020

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The sustainable design commitments for this project are listed below. These are to be incorporated into the design documentation and subsequently implemented.

## Management

43% - contributing 2% to overall score

Credit	Disabled	Scoped out	Score
Management 2.2 Thermal Performance Modelling - Multi-Dwelling Residential			100 %
Management 3.1 Metering			100 %
Management 3.3 Metering			N/A

Management 2.2 Thermal Performance Modelling - Multi-Dwelling Residential

100%

**Score Contribution** This credit contributes 28.6% towards this section's score

**Aim** To encourage and recognise developments that have used modelling to inform passive design at the early design stage

### Questions

Have preliminary NatHERS ratings been undertaken for all thermally unique dwellings?

Yes

Management 3.1 Metering

100%

**Score Contribution** This credit contributes 14.3% towards this section's score

**Aim** To provide building users with information that allows monitoring of energy and water consumption

### Questions

Have utility meters been provided for all individual dwellings?

Yes

Management 3.3 Metering

N/A

This credit was scoped out: NA

**Aim** To provide building users with information that allows monitoring of energy and water consumption

3 of 16

25/05/2020, 3:57 pm

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

BESS - Lot S5 1-21 Robert St, Collingwood VIC 3066, Australia

<https://bess.net.au/projects/24FE74C5-V1/report-print>

The sustainable design commitments for this project are listed below. These are to be incorporated into the design documentation and subsequently implemented.

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43% - contributing 2% to overall score

Credit	Disabled	Scoped out	Score
Management 2.2 Thermal Performance Modelling - Multi-Dwelling Residential			100 %
Management 3.1 Metering			100 %
Management 3.3 Metering			N/A

Management 2.2 Thermal Performance Modelling - Multi-Dwelling Residential

100%

**Score Contribution** This credit contributes 28.6% towards this section's score.

**Aim** To encourage and recognise developments that have used modelling to inform passive design at the early design stage.

### Questions

Have preliminary NatHERS ratings been undertaken for all thermally unique dwellings?

Yes

Management 3.1 Metering

100%

**Score Contribution** This credit contributes 14.3% towards this section's score.

**Aim** To provide building users with information that allows monitoring of energy and water consumption.

### Questions

Have utility meters been provided for all individual dwellings?

Yes

Management 3.3 Metering

N/A

This credit was scoped out: NA

**Aim** To provide building users with information that allows monitoring of energy and water consumption.

3 of 16

25/05/2020, 3:57 pm

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19

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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

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		RWT
What is the total roof area connected to the rainwater tank?	Square Metres	249.0
Tank Size	Litres	7000.0
Irrigation area connected to tank	Square Metres	3.4
Is connected irrigation area a water efficient garden?		Yes

Water 1.1 Potable water use reduction 40%

**Score Contribution** This credit contributes 71.4% towards this section's score.

**Aim** Water 1.1 Potable water use reduction (interior uses) What is the reduction in total water use due to efficient fixtures, appliances, and rainwater use? To achieve points in this credit there must be >25% potable water reduction. You are using the built in calculation tools. This credit is calculated from information you have entered above.

**Criteria** What is the reduction in total potable water use due to efficient fixtures, appliances, rainwater use and recycled water use? To achieve points in this credit there must be >25% potable water reduction.

Calculations

Reference (kL)

379

Proposed (excluding rainwater and recycled water use) (kL)

312

Rainwater or recycled water supplied (Internal + External) (kL)

34

Proposed (including rainwater and recycled water use) (kL)

277

% Reduction in Potable Water Consumption Percentage %

26 %

Water 3.1 Water Efficient Landscaping 100%

**Score Contribution** This credit contributes 14.3% towards this section's score.

**Aim** Are water efficiency principles used for landscaped areas? This includes low water use plant selection (e.g. xeriscaping). Note: food producing landscape areas and irrigation areas connected to rainwater or an alternative water source are excluded from this section.

Questions

5 of 16

25/05/2020, 3:57 pm



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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

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Will water efficient landscaping be installed?

Yes

## Water 4.1 Building Systems Water Use Reduction

100%

## Score Contribution

This credit contributes 14.3% towards this section's score.

## Aim

Will the project minimise water use for building systems such as evaporative cooling and fire testing systems?

## Questions

Where applicable, have measures been taken to reduce potable water consumption by &gt;80% in the buildings air-conditioning chillers and when testing fire safety systems?

Yes

## Energy

53% - contributing 15% to overall score

Credit	Disabled	Scoped out	Score
Energy 1.2 Thermal Performance Rating - Residential			17 %
Energy 2.1 Greenhouse Gas Emissions			100 %
Energy 2.3 Electricity Consumption			100 %
Energy 2.4 Gas Consumption			100 %
Energy 3.1 Carpark Ventilation			N/A
Energy 3.2 Hot Water			100 %
Energy 3.6 Internal Lighting - Residential Multiple Dwellings			100 %

## Dwellings Energy Approaches

What approach do you want to use for Energy? Use the built in calculation tools

Are you installing a solar photovoltaic (PV) system? No

Are you installing any other renewable energy system(s)? No

Gas supplied into building Natural Gas

## Dwelling Energy Profiles

	Apartment 2A	Apartment 3A
Below the floor is	Another Occupancy	Another Occupancy
Above the ceiling is	Outside	Another Occupancy

6 of 16

25/05/2020, 3:57 pm

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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

BESS - Lot S5 1-21 Robert St, Collingwood VIC 3066, Australia

<https://bess.net.au/projects/24FE74C5-V1/report-print>

	Apartment 2A	Apartment 3A
Exposed sides	3	3
NatHERS Annual Energy Loads - Heat MJ/sqm	84.4	61.3
NatHERS Annual Energy Loads - Cool MJ/sqm	19.5	29.9
NatHERS star rating	6.3	6.7
Type of Heating System	D Reverse cycle space	D Reverse cycle space
Heating System Efficiency	4 Star	4 Star
Type of Cooling System	Refrigerative space	Refrigerative space
Cooling System Efficiency	4 Stars	4 Stars
Type of Hot Water System	I Gas Instantaneous 5 star	I Gas Instantaneous 5 star
Central Hot Water System	No	No
Clothes Line	A No drying facilities	A No drying facilities
Clothes Dryer	A No clothes dryer	A No clothes dryer

## Energy 1.2 Thermal Performance Rating - Residential

17%

## Score Contribution

This credit contributes 31.6% towards this section's score.

## Aim

Reduce reliance on mechanical systems to achieve thermal comfort in summer and winter - improving comfort, reducing greenhouse gas emissions, energy consumption, and maintenance costs.

## Criteria

What is the average NatHERS rating?

## Calculations

Average NATHERS Rating (Weighted) Stars

6.5

## Energy 2.1 Greenhouse Gas Emissions

100%

## Score Contribution

This credit contributes 10.5% towards this section's score.

## Aim

Reduce the building's greenhouse gas emissions

## Criteria

Are greenhouse gas emissions &gt;10% below the benchmark?

## Calculations

Reference Building with Reference Services (BCA only) kg CO<sub>2</sub>

13260.1

Proposed Building with Proposed Services (Actual Building) kg CO<sub>2</sub>

7 of 16

25/05/2020, 3:57 pm

# Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

BESS - Lot S5 1-21 Robert St, Collingwood VIC 3066, Australia

<https://bess.net.au/projects/24FE74C5-V1/report-print>

5652.9

% Reduction in GHG Emissions Percentage %

57 %

## Energy 2.3 Electricity Consumption

100%

**Score Contribution** This credit contributes 10.5% towards this section's score.

**Aim** Reduce consumption of electricity

**Criteria** Is the annual electricity consumption >10% below the benchmark?

### Calculations

Reference kWh

10716.2

Proposed kWh

3962.5

Improvement Percentage %

63 %

## Energy 2.4 Gas Consumption

100%

**Score Contribution** This credit contributes 10.5% towards this section's score.

**Aim** Reduce consumption of gas

**Criteria** Is the annual gas consumption >10% below the benchmark?

### Calculations

Reference MJ

34898.8

Proposed MJ

27492.2

Improvement Percentage %

21 %

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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

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<https://bess.net.au/projects/24FE74C5-V1/report-print>

### Energy 3.1 Carpark Ventilation

N/A

This credit was scoped out: No carpark within the scope of works.

### Energy 3.2 Hot Water

100%

#### Score Contribution

This credit contributes 5.3% towards this section's score.

#### Criteria

Does the hot water system use &gt;10% less energy (gas and electricity) than the reference case?

#### Calculations

Reference kWh

9694.1

Proposed kWh

7763.6

Improvement Percentage %

19 %

### Energy 3.6 Internal Lighting - Residential Multiple Dwellings

100%

#### Score Contribution

This credit contributes 10.5% towards this section's score.

#### Aim

Reduce energy consumption associated with internal lighting.

#### Questions

Is the maximum illumination power density (W/m<sup>2</sup>) in at least 90% of the relevant Building Class at least 20% lower than required by Table J6.2a of the NCC BCA (2019) Volume 1 Section J (Class 2 to 9) and clause 3.12.5.5 NCC BCA (2019) Volume 2 (Class 1 and 10)?

Yes

## Stormwater

100% - contributing 14% to overall score

#### Credit

Disabled Scoped out Score

#### Stormwater 1.1 Stormwater Treatment

100 %

Which stormwater modelling are you using?

Melbourne Water STORM tool

9 of 16

25/05/2020, 3:57 pm

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24

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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

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## Stormwater 1.1 Stormwater Treatment

100%

**Score Contribution** This credit contributes 100.0% towards this section's score.

**Aim** To achieve best practice stormwater quality objectives through reduction of pollutant load (suspended solids, nitrogen and phosphorus)

**Criteria** Has best practice stormwater management been demonstrated?

## Questions

STORM score achieved

104

## Calculations

Min STORM Score

100

## IEQ

100% - contributing 16% to overall score

Credit	Disabled	Scoped out	Score
IEQ 1.1 Daylight Access - Living Areas			100 %
IEQ 1.2 Daylight Access - Bedrooms			100 %
IEQ 1.3 Winter Sunlight			100 %
IEQ 1.5 Daylight Access - Minimal Internal Bedrooms			100 %
IEQ 2.1 Effective Natural Ventilation			100 %
Use the BESS Deemed to Satisfy (DtS) method for IEQ?			No
Are all living areas and bedrooms less than 8m deep (5m if south facing)?			No
Do all living areas and bedrooms have a floor-to-ceiling height of at least 2.7m?			No
Does all glazing to living areas achieve at least 60% Visible Light Transmittance (VLT)?			No
Do all living areas have an external facing window (not into a courtyard, light well or other major obstruction)?			No
Does the building(s) comply with the requirements of the building separation tables?			No
What approach do you want to use for IEQ?			Use the built in calculation tools

Please provide the following room profiling information below.

Apartment 2A,  
Compliant LivingApartment 2A, Compliant  
Bedroom

Apartment 2A, 2A

10 of 16

25/05/2020, 3:57 pm

File: 622C

25

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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

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	Apartment 2A, Compliant Living	Apartment 2A, Compliant Bedroom	Apartment 2A, 2A
Name	Compliant Living	Compliant Bedroom	2A
Room Designation	Living	Bedroom	Bedroom
Quantity	2	2	1
Auto-Pass	Yes	Yes	No
Room Floor Area Square Metres	-	-	11.4
Vertical Angle Angle (degrees)	-	-	90.0
Horizontal Angle Angle (degrees)	-	-	136.0
Window Area Square Metres	-	-	5.0
Window Orientation	-	-	West
Glass Type	-	-	Clear Low-E Double (VLT 0.73)
	Apartment 2A, 2A	Apartment 2A, 3A	
Name	2A	3A	
Room Designation	Bedroom	Bedroom	
Quantity	1	1	
Auto-Pass	No	No	
Room Floor Area Square Metres	25.0	10.7	
Vertical Angle Angle (degrees)	90.0	90.0	
Horizontal Angle Angle (degrees)	148.0	113.0	
Window Area Square Metres	7.0	3.0	
Window Orientation	West	West	
Glass Type	Clear Low-E Double (VLT 0.73)	Clear Low-E Double (VLT 0.73)	

IEQ 1.1 Daylight Access - Living Areas 100%

**Score Contribution** This credit contributes 27.3% towards this section's score

**Aim** To provide a high level of amenity and energy efficiency through design for natural light.

**Criteria** What % of living areas achieve a daylight factor greater than 1%

## Calculations

Calculated percentage Percentage %

100 %

11 of 16

25/05/2020, 3:57 pm



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

BESS - Lot S5 1-21 Robert St, Collingwood VIC 3066, Australia

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## IEQ 1.2 Daylight Access - Bedrooms

100%

<b>Score Contribution</b>	This credit contributes 27.3% towards this section's score.
<b>Aim</b>	To provide a high level of amenity and energy efficiency through design for natural light.
<b>Criteria</b>	What % of bedrooms achieve a daylight factor greater than 0.5%

## Calculations

Calculated percentage Percentage %

100 %

## IEQ 1.3 Winter Sunlight

100%

<b>Score Contribution</b>	This credit contributes 9.1% towards this section's score.
<b>Aim</b>	To provide a high level of amenity and reduce need for artificial heating in winter.

## Questions

Do 70% of dwellings receive at least 3 hours of direct sunlight in all Living areas between 9am and 3pm in mid-winter?

Yes

## IEQ 1.5 Daylight Access - Minimal Internal Bedrooms

100%

<b>Score Contribution</b>	This credit contributes 9.1% towards this section's score.
<b>Aim</b>	To provide a high level of amenity and energy efficiency through design for natural light and ventilation.

## Questions

Do at least 90% of dwellings have an external window in all bedrooms?

Yes

## IEQ 2.1 Effective Natural Ventilation

100%

<b>Score Contribution</b>	This credit contributes 27.3% towards this section's score.
<b>Aim</b>	To provide fresh air and passive cooling opportunities.
<b>Criteria</b>	What % of dwellings are effectively naturally ventilated?

12 of 16

25/05/2020, 3:57 pm

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

BESS - Lot S5 1-21 Robert St, Collingwood VIC 3066, Australia

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Questions

% Achieved ?

100 %

## Transport

0% - contributing 0% to overall score

Credit	Disabled	Scoped out	Score
Transport 1.2 Bicycle Parking - Residential Visitor			N/A
Transport 2.1 Electric Vehicle Infrastructure			N/A
Transport 2.2 Car Share Scheme			N/A
Transport 2.3 Motorbikes / Mopeds			N/A

Transport 1.2 Bicycle Parking - Residential Visitor

N/A

This credit was scoped out: Not enough dwellings.

This credit was disabled: Not enough dwellings.

**Aim** To encourage and recognise initiatives that facilitate cycling.

**Criteria** Is there at least one visitor bicycle space per 5 dwellings?

Transport 2.1 Electric Vehicle Infrastructure

N/A

This credit was scoped out: No parking provided.

**Aim** To facilitate the expansion of infrastructure to support electric vehicle charging.

Transport 2.2 Car Share Scheme

N/A

This credit was scoped out: No parking provided.

**Aim** To encourage and recognise initiatives that help to minimise the use of private passenger vehicles.

13 of 16

25/05/2020, 3:57 pm

File: 622C

28

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Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

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## Transport 2.3 Motorbikes / Mopeds

N/A

This credit was scoped out: No parking provided

**Aim** To encourage and recognise initiatives that help to minimise the use of private passenger cars

## Waste

50% - contributing 3% to overall score

Credit	Disabled	Scoped out	Score
Waste 1.1 - Construction Waste - Building Re-Use			N/A
Waste 2.2 - Operational Waste - Convenience of Recycling			100 %
Waste 1.1 - Construction Waste - Building Re-Use			N/A

This credit was scoped out: NA

**Aim** To recognise developments that re-use materials on-site

Waste 2.2 - Operational Waste - Convenience of Recycling	100%
--	------

**Score Contribution** This credit contributes 50.0% towards this section's score.

**Aim** To minimise recyclable material going to landfill

## Questions

Are the recycling facilities at least as convenient for occupants as facilities for general waste?

Yes

## Urban Ecology

0% - contributing 0% to overall score

## Innovation

0% - contributing 0% to overall score

14 of 16

25/05/2020, 3:57 pm

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

## Appendix C. Rainwater Harvesting

Property  
Version

Lot S5 1-21 Robert St, Collingwood

box 1

## Inputs

PPL **7**  
 Flush/Person/Day **5**  
 Litres/Flush **3.3**  
 Total Daily usage (litres) **115.5**

Recalc, update  
pivot, table  
and graphs

Roof area (m2) **249**  
 Collection Efficiency **5%**  
 Tank Capacity (litres) **7,000**

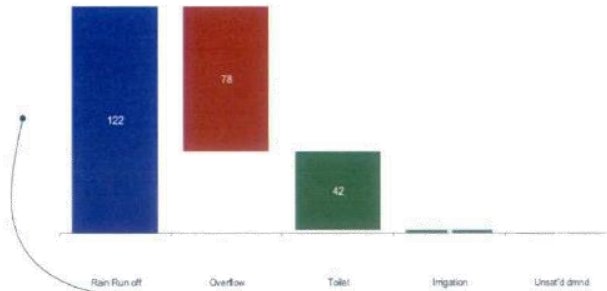
Irrigation Area (m2) **3**  
 Toff if Total Rain (mm) **10**  
 in the last **5** days

## Irrigation Schedule

	l/m2	S	M	T	W	Th	Fr	S
Jan	10		y			y		
Feb	10		y			y		
Mar	10		y			y		
Apr	5		y					
May	5			y				
Jun	5			y				
Jul	5				y			
Aug	5				y			
Sep	5					y		
Oct	5					y		
Nov	10						y	
Dec	10		y				y	

box 2

## System components (kls per year)



box 3

## System components (kls per year) based on 12 years of actual historical daily rainfall

12 years of Averages (k l)													Total
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Rain Run off	8	11	7	11	10	9	8	11	9	12	12	13	122
Overflow	(4)	(8)	(3)	(7)	(7)	(5)	(5)	(8)	(6)	(8)	(9)	(9)	(78)
Rain Water saved	4	3	4	4	4	4	4	3	4	4	4	3	44
Toilet	(4)	(3)	(4)	(3)	(4)	(3)	(4)	(4)	(3)	(4)	(3)	(4)	(42)
(Shortfall)/Surplus before Irrigation	1	(0)	0	1	0	0	0	(0)	0	0	0	(0)	2
Irrigation	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(1)
Unsatisfied Demand	0	(9)	(8)	1	(0)	0	0	(6)	0	0	(8)	(6)	0

Actual Years (k l)													Total
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	
Rain Run off	85	138	144	149	143	94	117	147	140	104	100	99	1,460
Overflow	(39)	(93)	(101)	(106)	(99)	(52)	(71)	(103)	(97)	(60)	(56)	(55)	(933)
Rain Water saved	46	45	44	43	44	41	45	44	43	44	44	44	527
Toilet	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(506)
(Shortfall)/Surplus before Irrigation	4	3	2	1	2	(1)	3	2	0	2	2	1	21
Irrigation	(2)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(2)	(2)	(17)
Unsatisfied Demand	3	2	0	(1)	0	(2)	1	1	(1)	0	0	(6)	4

box 4

## Reliability of supply (daily demand met)- Tank size what ifs

Tank	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Overall
1k	66%	81%	64%	83%	84%	91%	95%	93%	89%	92%	86%	78%	83%
2k	81%	96%	82%	95%	97%	99%	100%	100%	99%	97%	99%	92%	95%
5k	95%	99%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	99%
10k	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
20k	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
50k	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
100k	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
200k	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

File: 622C

30

©Ark Resources



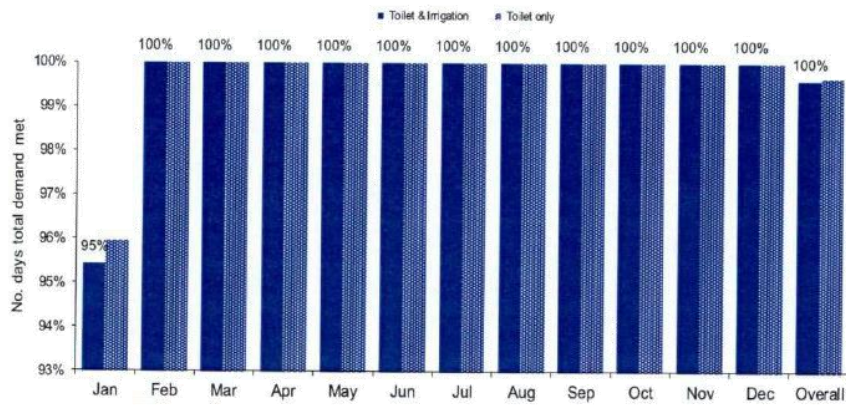
# Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

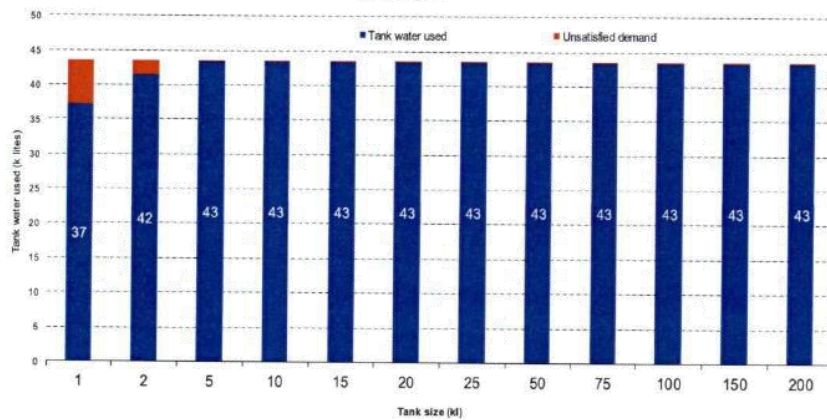
Sustainable Management Plan

25 May 2020

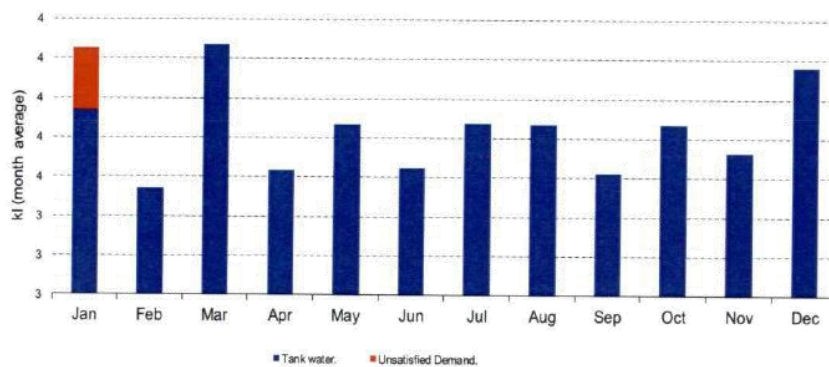
Graph 2 - Reliability of supply from tank (average across 12 years)



Graph 3 - Tank water used (per year) V Tank size  
Kls per year



Graph 4 - Tank water used v unsatisfied demand  
by month (kls per month)



File: 622C

31

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## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### Appendix D. WSUD Maintenance Manual

#### Rainwater Harvesting System Maintenance Program

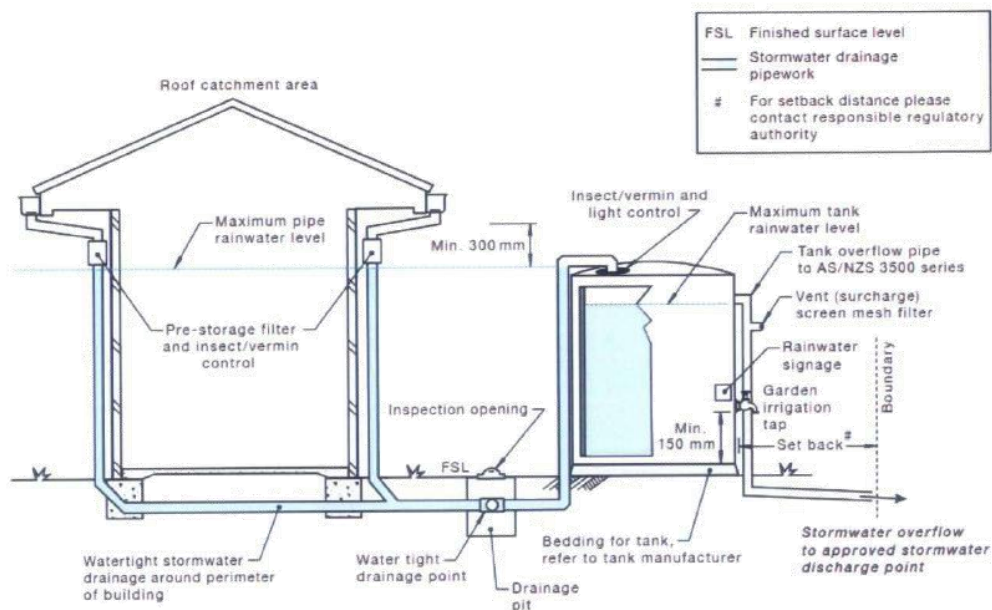
Once installed, a systematic maintenance program will be implemented by the owner's corporation maintenance contractor to ensure the rainwater harvesting system operates as designed and water quality is maintained.

The scope of the maintenance program will include inspection and rectification of issues associated with:

- Roof gutters and downpipes
- First flush screens and filtration devices
- Pumps
- Distribution pipework and reticulation systems
- Overflow systems

Inspections of the system and any maintenance works required will be undertaken on a quarterly basis or as per manufacturers guidelines.

The rainwater harvesting system will be installed in accordance with the guidelines set out in the Rainwater Design & Installation Handbook published by the National Water Commission<sup>1</sup>. A schematic diagram of the rainwater tank installation is provided below.



<sup>1</sup> Rainwater Design & Installation Handbook, National Water Commission, 2008



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

**Maintenance Checklist**

Rainwater Tank Element	Inspection Item	Y/N	Likely Maintenance Task
Roof gutters and downpipes	Is there leaf litter or debris in the gutters?		Remove by hand and dispose responsibly
First flush diverter	Is there anything blocking the first flush diverter (Leaves etc.)?		Remove by hand and dispose responsibly
Potable mains back up device	Is the potable mains back up switch operating correctly?		Repair or replace device. Consider a manual switching device.
Mesh cover	Has the mesh cover deteriorated or have any holes in it?		Replace mesh cover.
Tank volume	Is there large amounts of sediment or debris sitting in the bottom of the tank, reducing the volume available in the tank to store water?		Remove sediment and dispose responsibly.
Pump	Is the pump working effectively? Have you heard it on a regular basis?		Check the potable mains back up is not permanently on. Repair or replace pump.
Pipes and taps	Are pipes and taps leaking?		Repair as needed.
Overflow	Is the overflow clear and connected to the storm water network?		Remove blockages and/or restore connections to stormwater network.

Maintenance Frequency												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
All tasks	x			x			x			x		

## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

## Appendix E. Energy Rating Assumptions

## E.1 Building Materials

Element	Description	Added R Value
Floor Type	Concrete slab above neighbour (Level 4) Suspended timber construction (Upper level)	
Floor Insulation	No insulation	
Wall Insulation	Lightweight party walls: Insulation R 1.5	R 1.5
	Lightweight clad walls (Timber and Metal cladding): Insulation R 2.5	R 2.5
	Glass spandrel walls: Insulation R 2.5	R 2.5
Roof Insulation	Metal Deck roof including skylight shafts: R 5.0 bulk insulation to ceiling; Anticon 60 to roof R 1.3	Roof R1.3 Ceiling R 5.0
Window Frames	Aluminium frames and Aluminium thermally broken frames to all windows and glazed doors as below	
External Shading	Screens and shading as per elevations	

## NOTES

1. The added insulation R value must be equal to or higher than that specified above to meet the energy
2. All insulation specified for construction must meet Fire Engineer requirements

## E.2 Glazing

Glazing Type		Window System Values		Location
Capral – 419 Flushline Series Fixed		U	SHGC	
Specified Glazing	CAP -059-071 Double Glazed 24mm InsulglassMax 564-Air	2.7	0.26	Unit 3A all except Kitchen/Living, pantry
Energy rating Software equivalent	CAP-055-50 419 Flushline Double glazed 8.38mm CPGy37/12Argon gap/6mm Clear	2.70	0.26	
Capral – 35 Series Awning Window		U	SHGC	
CAP 051-07 Double Glazed 24mm InsulglassMax 564-Air		4.4	0.20	Unit 3A

File: 622C

34

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## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

Capral – 900 Series Sliding Door	U	SHGC	
CAP-057-19 Double Glazed Sliding door 24mm InsulglassMax 564-Air	2.69	0.25	Unit 3A all except Kitchen/Living

Glazing Type	Description	Window System Values		Location
Capral – Thermally Broken Futureline 440 Series Fixed		U	SHGC	
Specified Glazing	CAP-113-03 Double glazed 24mm Insulglass Max 564 - Air	2.00	0.25	Unit 2A, Unit 3A Kitchen/Living, pantry only
Energy Rating Software Equivalent	THC-050-09 Series EC75TB Fixed Double glazed 6mm Performa/12mm Argon gap/6mm Clear	2.08	0.26	
Capral – Thermally Broken Futureline 54W Series Awning		U	SHGC	
Specified Glazing	CAP-116-03 Double glazed 24mm Insulglass Max 564 - Air	2.90	0.19	Unit 2A
Capral – Thermally Broken Futureline Lift & Slide Door		U	SHGC	
Specified Glazing	CAP-133-03 Double glazed 24mm Insulglass Max 564 - Air	2.40	0.19	Unit 2A, Unit 3A Kitchen/Living only
Energy Rating Software Equivalent	GJA-068-10 GJames Type 448 TB AL door DG 6mm DLE55(S2)Azur/12mm Air gap/6m Clear	2.46	0.19	

## NOTE

The energy rating software accredited by the Australian Building Codes Board contains a relatively limited library of window systems. When the glazing systems specified are not available in the software, the protocol requires that the glazing type which most closely matches the specified glazing is selected for the purpose of calculating the energy rating.

The table above sets out the glazing specified for the purposes of calculating the energy rating.

The whole of window U – Value must be equal or lower than the energy rating software value and the whole of window SHGC – Value must be within +/-5% of the energy rating software value.



## Attachment 4 - Sustainable Design Assessment

Lot S5 1-21 Robert Street

Sustainable Management Plan

25 May 2020

### E.3 General Rating Assumptions

Item	Details
<b>Floor Coverings</b>	<ul style="list-style-type: none"> <li>• Tiles to bathrooms,</li> <li>• Carpet to bedrooms,</li> <li>• Timber boards to kitchen, living and all other areas</li> </ul>
<b>Window Coverings</b>	<ul style="list-style-type: none"> <li>• Holland blinds to all windows. (Regulation Mode)<sup>2</sup></li> </ul>
<b>Draught Proofing</b>	<ul style="list-style-type: none"> <li>• Weather strips to all entry &amp; external doors and windows.</li> <li>• Seal all exhaust fans.</li> </ul>
<b>Down lights</b>	<ul style="list-style-type: none"> <li>• Recessed down lights in ceiling /roof space to be fitted with fire proof unvented down light covers (external roof areas only) to provide air tightness and contact with insulation</li> </ul>
<b>General</b>	<ul style="list-style-type: none"> <li>• All party walls are classed as neighbour walls.</li> </ul>
<b>Shading</b>	<ul style="list-style-type: none"> <li>• Overshadowing from adjoining buildings has been incorporated into the energy ratings</li> </ul>
<b>Ceiling Calculation</b>	<ul style="list-style-type: none"> <li>• Calculation for loss of ceiling insulation due to down lights, exhaust fans, ceiling speakers etc. have been incorporated into the energy rating where applicable</li> </ul>

### NOTES

1. Changes to any of the above stated specifications may affect energy performance and invalidate the energy ratings detailed in this report.
2. Sealing of gaps and cracks: inadequate sealing of gaps and cracks can negatively affect the energy performance of a dwelling. Provide sealing in accordance with NCC 2019 Part J3.

<sup>2</sup> Holland blinds are assumed as required by VBA Practice Note 55 (Clause 5.2). This assumption is for regulatory purposes only.

**Attachment 4 - Sustainable Design Assessment**



## **Former Yorkshire Brewery**

---

### **Heritage Impact Statement**

88 Wellington Street and 1-21 Robert Street,  
Collingwood

May 2020

Prepared by

**LOVELL CHEN**



Prepared for

SMA Projects

## Attachment 5 - ESD Referral Comments



# MeMO

**TO:** Robert Galpin

**cc:**

**FROM:** Euan Williamson, ESD Advisor

**DATE:** 05.01.2021

**SUBJECT:** PLN20/0359 – 9 Robert Street, Collingwood  
ESD referral

Rob,  
I have reviewed the SMP (25<sup>th</sup> May 2020) and the set of architectural drawings (prepared by Hayball 24<sup>th</sup> August 2020). In summary, the standard of ESD meets Council's 'best practice' standards, with no major outstanding issues. Some minor additional information is requested and some additional improvements have been identified.

The following proposed ESD features are noted:

- 6.5 Star NatHERS thermal energy rating.
- Cooling loads meet the BADA maximum cooling load threshold (<30MJ/m<sup>2</sup>).
- Vertical shading fins and spandrel panels will ensure west facing glazing does not overheat the dwellings.
- 7,000 litres of rainwater storage connected to toilet flushing and planter box irrigation.
- Good access to daylight and natural ventilation.

The following items of additional information are requested:

- The 7,000 litres of rainwater storage cannot be identified on the architectural drawings. Please update the drawings set to clearly show tank(s) location, volume and re-use connections.
- Roof area on easterly side of the new dwellings appears to be a green roof but there is no information in the SMP regarding this. Please confirm this is the intention. The City of Yarra strongly encourages green roofs, walls and facades. If this area is proposed as a green roof, please also provide additional information describing the green roof's substrate profile, vegetation selection and drainage/engineering to ensure this feature functions correctly.

The following opportunities have been identified to improve the standard of ESD:

- Recommend including an onsite solar PV array to match, or contribute to, the annual energy demands of the two dwellings. The west and northern aspects might both be suitable for this purpose.
- Efficient 5 Star gas hot water is proposed, reconsider the natural gas connections to the dwellings and specify high efficiency electric heat pump hot water and electric induction stovetops.
- Recommend ongoing Green Power electricity purchasing for the life of the building.

If you or the applicant would like to discuss my comments or recommendations, please don't hesitate to contact me.

**Euan Williamson**

Environmentally Sustainable Development Advisor

City of Yarra PO Box 168 Richmond 3121

T (03) 9205 5366 F (03) 8417 6666

E [euan.williamson@yarracity.vic.gov.au](mailto:euan.williamson@yarracity.vic.gov.au)

W [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)



## Attachment 6 - Additional ESD Referral Comments

### Galpin, Robert

---

**From:** Williamson, Euan  
**Sent:** Wednesday, 13 January 2021 2:10 PM  
**To:** Galpin, Robert  
**Subject:** RE: referral Yorkshire brewery - PLN20/0359

Thanks Rob,

- Yes accept a landscape plan. Green roofs are different to landscaping on a roof, and we would accept either. At this stage.
- Yes update SMP to reference integration with existing stormwater system.
- Good news on accepting Green Power. Please include in updated SMP.
- I'm happy to accept gas hot water given the integration with building services. Clarify this in updated SMP please.
- 'Considering' solar PV seems 'OK', but it there's no technical reason not to install then I think we should give a nudge and condition it on permit.
- Yes removing the fins will increase cooling load. We will need to see an updated SMP with cooling loads under the 30MJ/m2 threshold reflecting this change in building envelope.

Seems relatively straight forward,  
 Euan.

---

**From:** Galpin, Robert  
**Sent:** Wednesday, 13 January 2021 11:47 AM  
**To:** Williamson, Euan <Euan.Williamson@yarracity.vic.gov.au>  
**Subject:** FW: referral Yorkshire brewery - PLN20/0359

Hi Euan,

See the attached email chain regarding ESD notes.

In summary the two permit crossover I was trying to avoid has occurred in regard to the STORM water assessment. They will be relying on the existing tanks within the building as per Ari's Amendment application.

In addition I don't think a green roof is proposed but rather landscaping? This is not the same thing is it? Should we condition a plan as suggested?

Also I think we should require the supplied SMP to be updated to delete reference to the 7,000L tanks and simply reference is will be connected to the existing infrastructure?

Do you have any concerns with regards to any of the other constraints they have identified?

Finally they have had to remove a number of the west facing fins as required by Heritage Victoria could this potentially have an impacts on the cooling loads?

Thanks again.

**Robert Galpin**  
 Senior Statutory Planner  
 STATUTORY PLANNING

## Attachment 6 - Additional ESD Referral Comments

City of Yarra PO Box 168 Richmond 3121  
ABN 98 394 086 520

T (03) 9205 5139  
E [Robert.Galpin@yarracity.vic.gov.au](mailto:Robert.Galpin@yarracity.vic.gov.au)  
W [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)  
Follow us on [Facebook](#), [Instagram](#) and [Twitter](#)

---

**From:** Williamson, Euan  
**Sent:** Friday, 8 January 2021 12:21 PM  
**To:** Galpin, Robert <[Robert.Galpin@yarracity.vic.gov.au](mailto:Robert.Galpin@yarracity.vic.gov.au)>  
**Subject:** RE: referral Yorkshire brewery - PLN20/0359

Rob,  
Please find attached my ESD Referral response for this proposal.  
If you or the applicant would like to discuss my comments or recommendations further, please contact me.  
Euan.

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

City of Yarra  
PO Box 168 Richmond 3121  
T (03) 9205 5366 F (03) 8417 6666  
E [Euan.Williamson@yarracity.vic.gov.au](mailto:Euan.Williamson@yarracity.vic.gov.au)  
W [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)  
Follow us on [Facebook](#), [Instagram](#) and [Twitter](#)



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

---

**From:** Galpin, Robert  
**Sent:** Monday, 21 December 2020 3:28 PM  
**To:** Williamson, Euan <[Euan.Williamson@yarracity.vic.gov.au](mailto:Euan.Williamson@yarracity.vic.gov.au)>  
**Subject:** referral Yorkshire brewery - PLN20/0359

Hi Euan,

As discussed can you please confirm is the attached SMP is up to scratch.

Kind regards

## Attachment 6 - Additional ESD Referral Comments

**Robert Galpin**

Senior Statutory Planner

STATUTORY PLANNING

City of Yarra PO Box 168 Richmond 3121

ABN 98 394 086 520

**T** (03) 9205 5139

**E** [Robert.Galpin@yarracity.vic.gov.au](mailto:Robert.Galpin@yarracity.vic.gov.au)

**W** [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)

Follow us on [Facebook](#), [Instagram](#) and [Twitter](#)

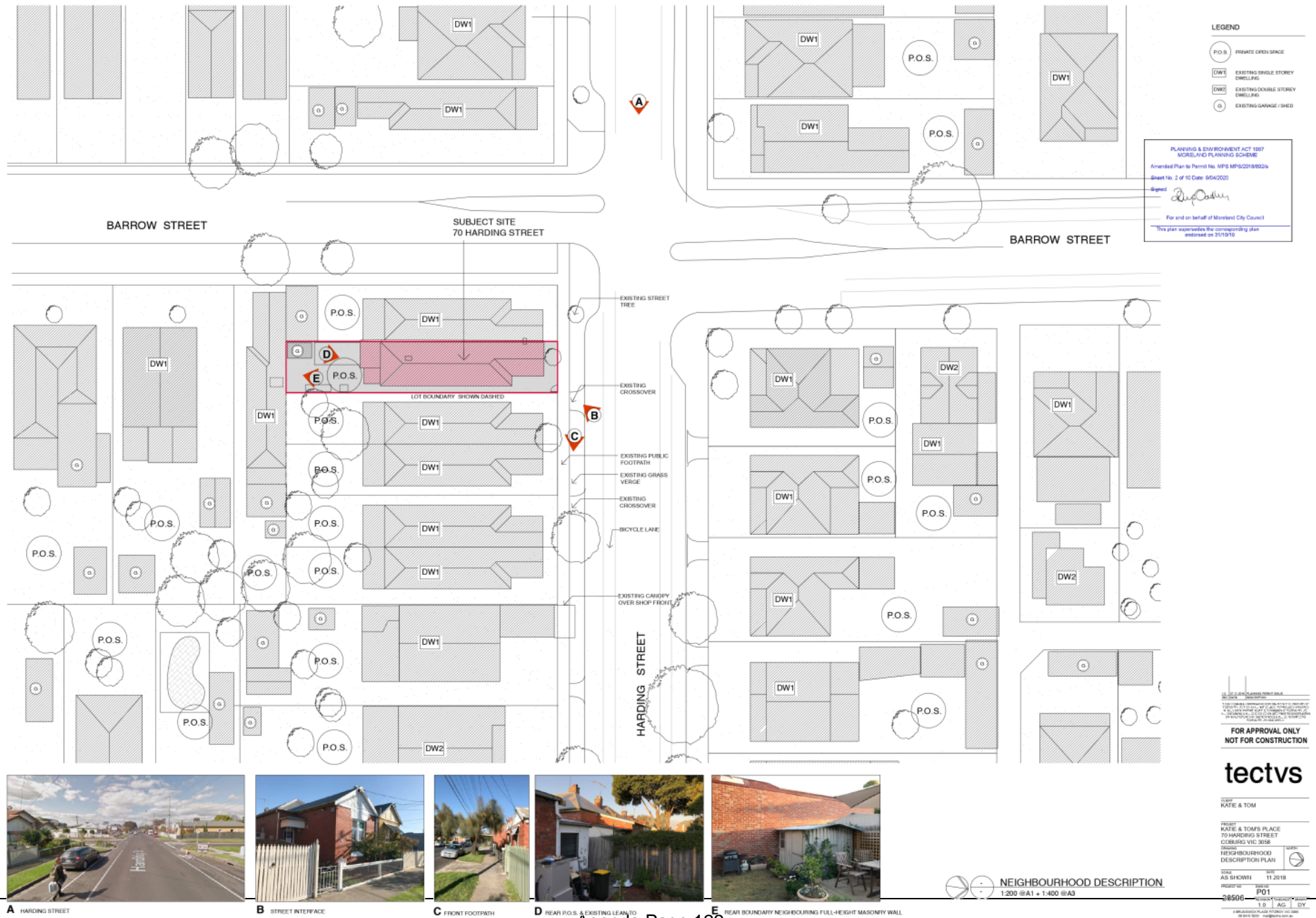
# Attachment 7 - Engineering Referral Comments



LOCATION PLAN  
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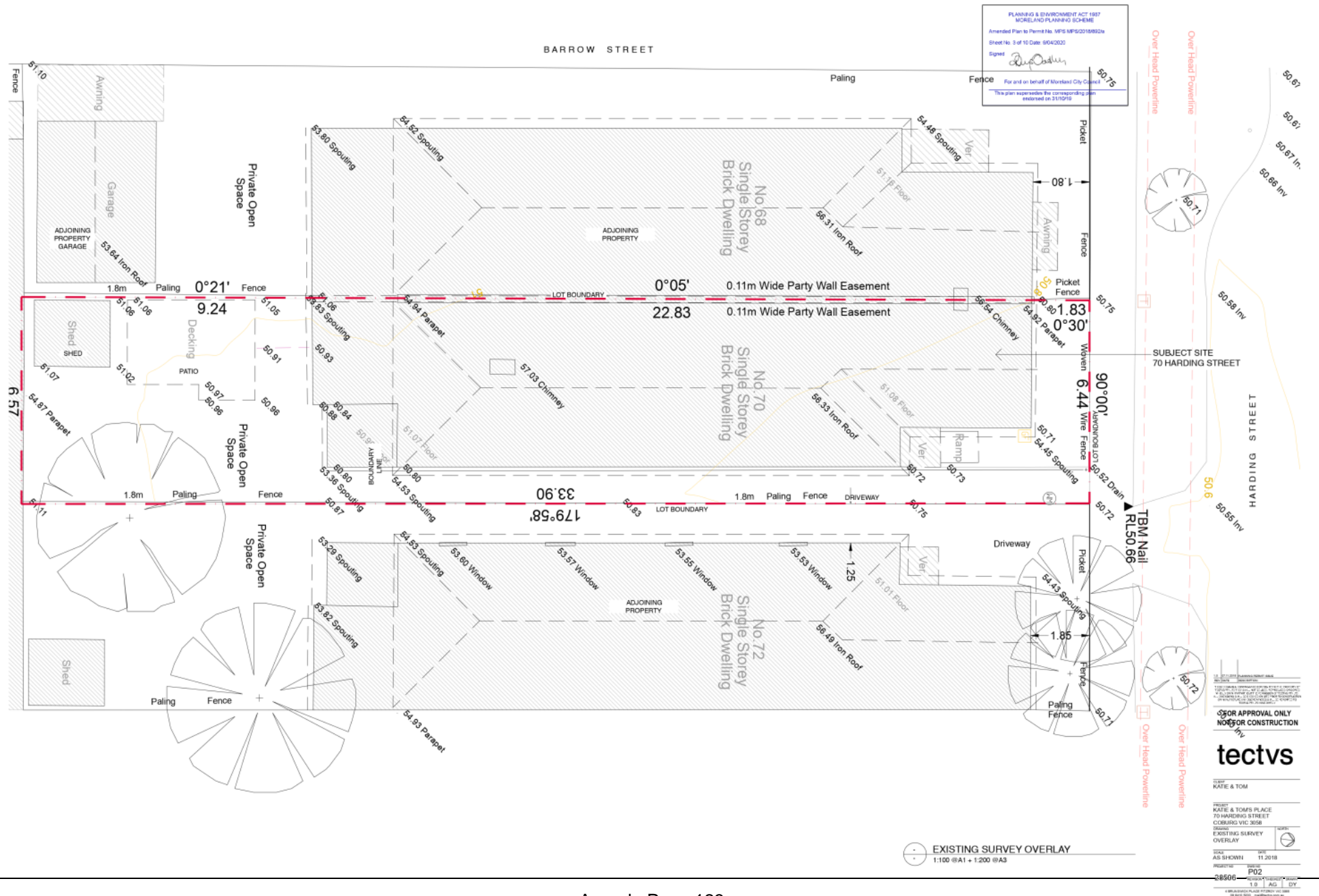
**tectvs**  
KATIE + TOM'S PLACE  
70 HARDING STREET  
COBURG VIC 3086  
08/07/2020  
PLANNING PERMIT ISSUE  
SECONDARY AMENDMENT

# Attachment 7 - Engineering Referral Comments



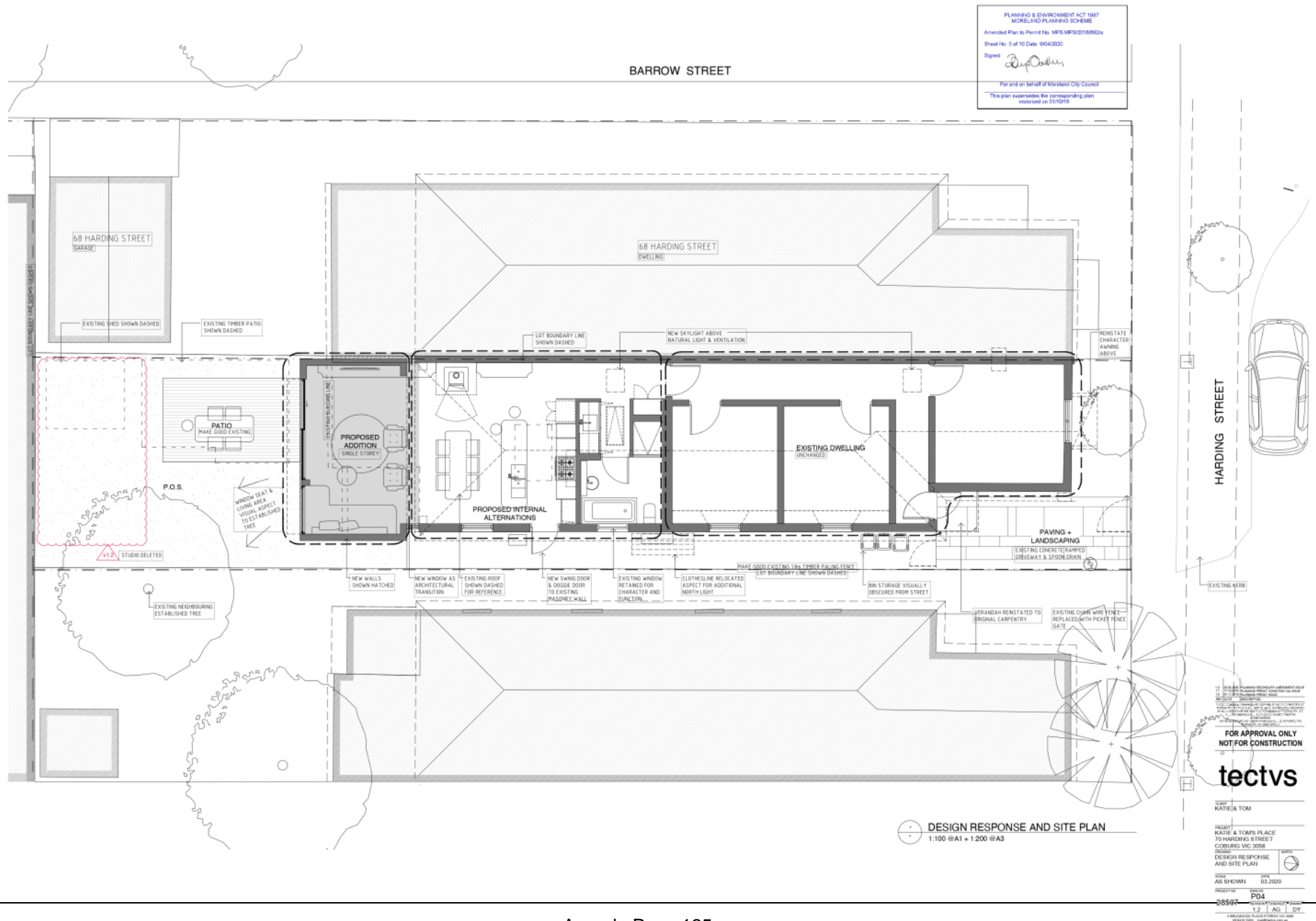


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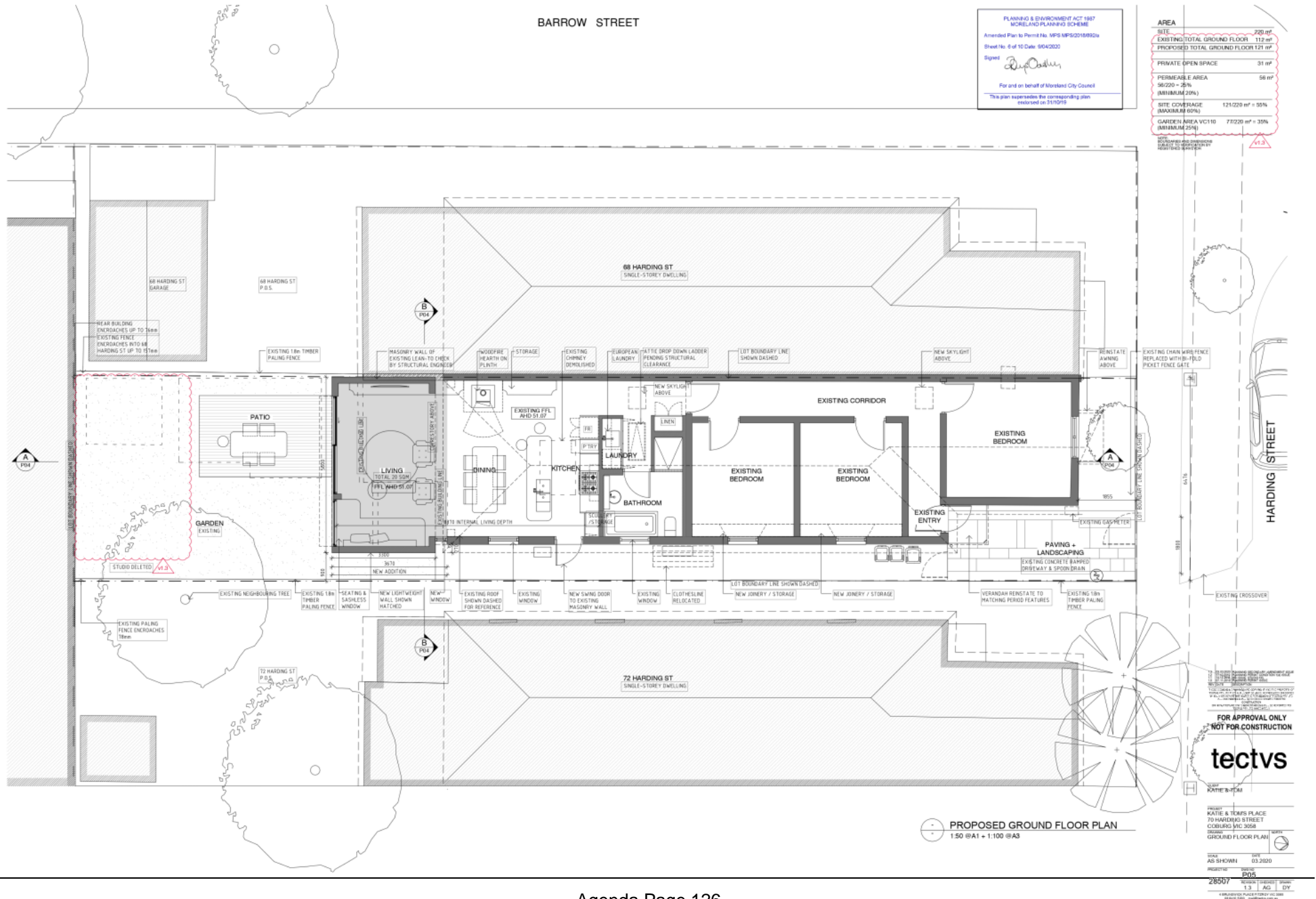


## Attachment 7 - Engineering Referral Comments

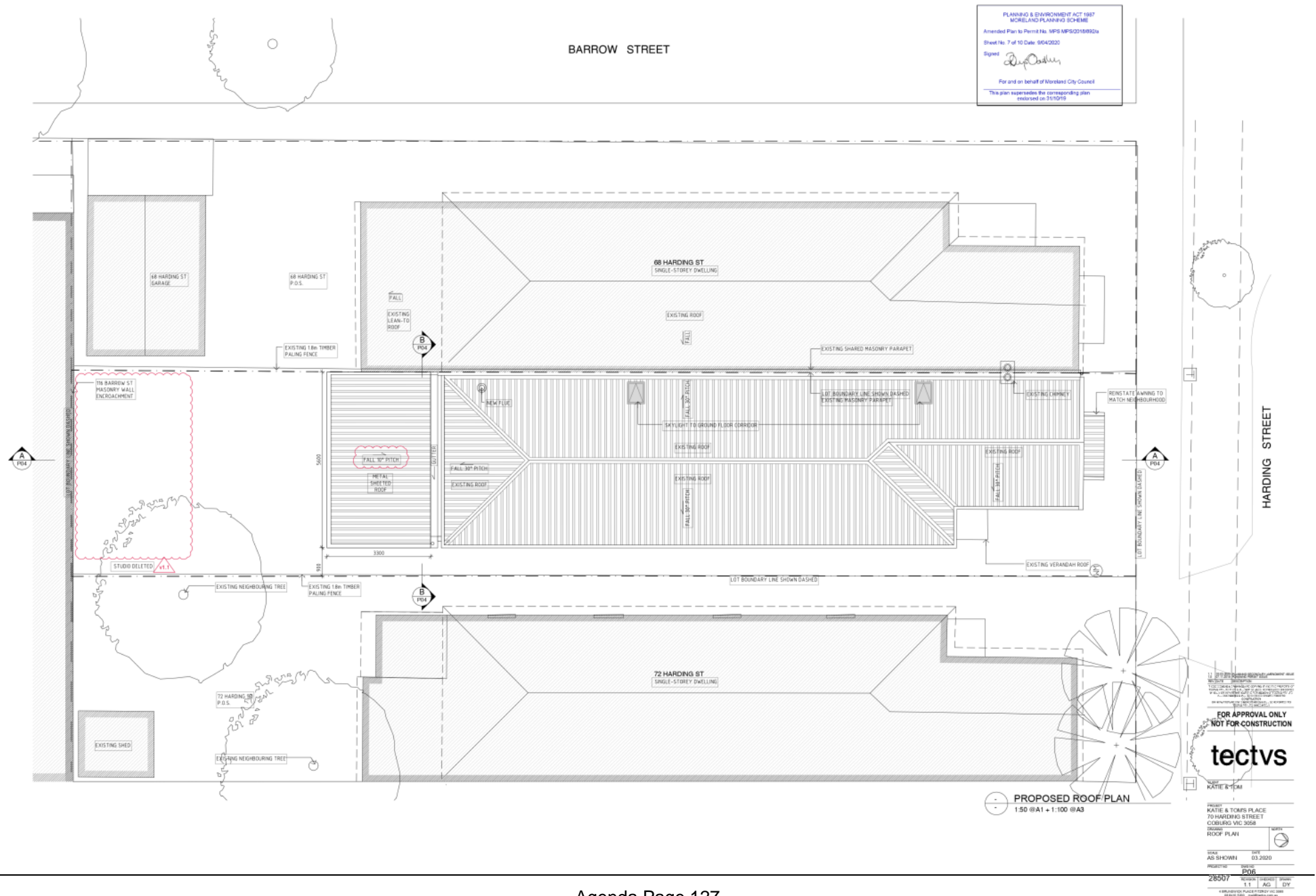




## Attachment 7 - Engineering Referral Comments



# Attachment 7 - Engineering Referral Comments

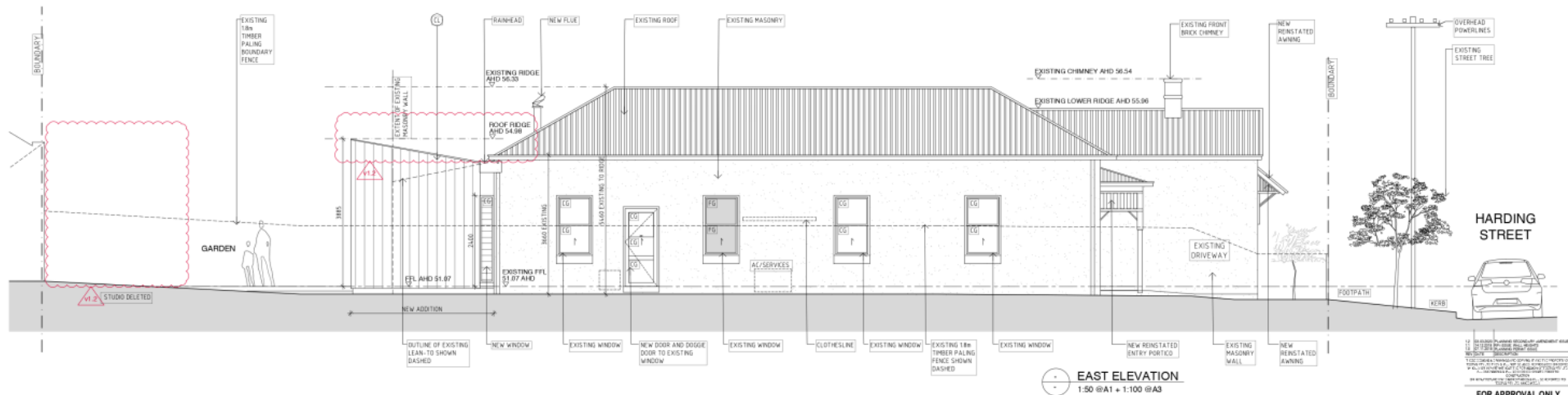
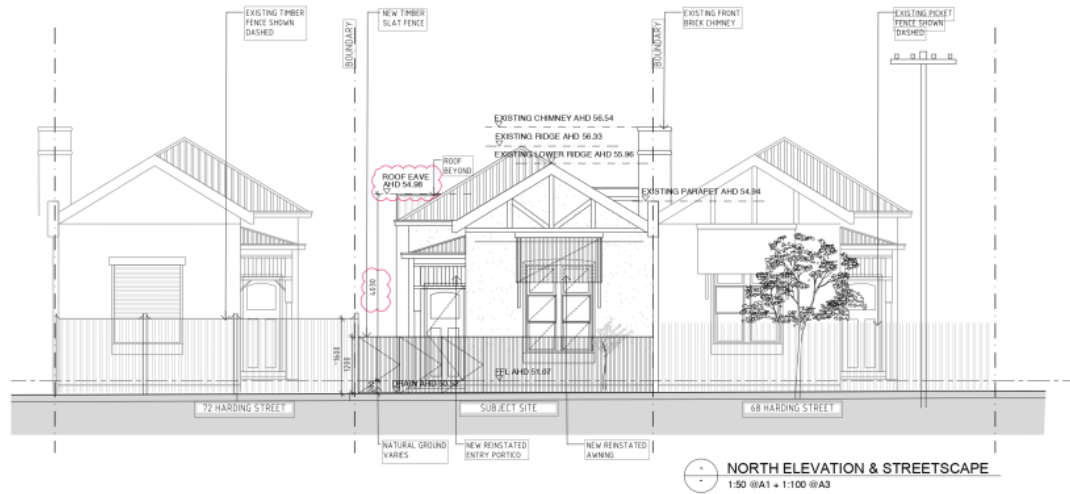




# Attachment 7 - Engineering Referral Comments

PLANNING & ENVIRONMENT ACT 1987  
MORLELAND PLANNING SCHEME  
Amended Plan to Permit No. MPS/2018/0520x  
Sheet No. 8 of 10 Date: 06/04/2020  
Signed: *[Signature]*  
For and on behalf of Morleland City Council  
This plan supersedes the corresponding plan  
issued on 31/10/19

**LEGEND**  
(AL) ANODISED ALUMINIUM FRAME  
(L) SHEET CLADDING  
(M) EXISTING MASONRY  
(G) CLEAR GLAZING  
(FG) TRANSLUCENT GLAZING



1:50 @A1 + 1:100 @A3  
FOR APPROVAL ONLY  
NOT FOR CONSTRUCTION

**tectvs**

OWNER  
KATIE & TOM

PROJECT  
KATIE & TOM'S PLACE  
70 HARDING STREET  
COBURG VIC 3058  
DESIGN  
ELEVATIONS 1

SCALE  
AS SHOWN DATE  
03.2020

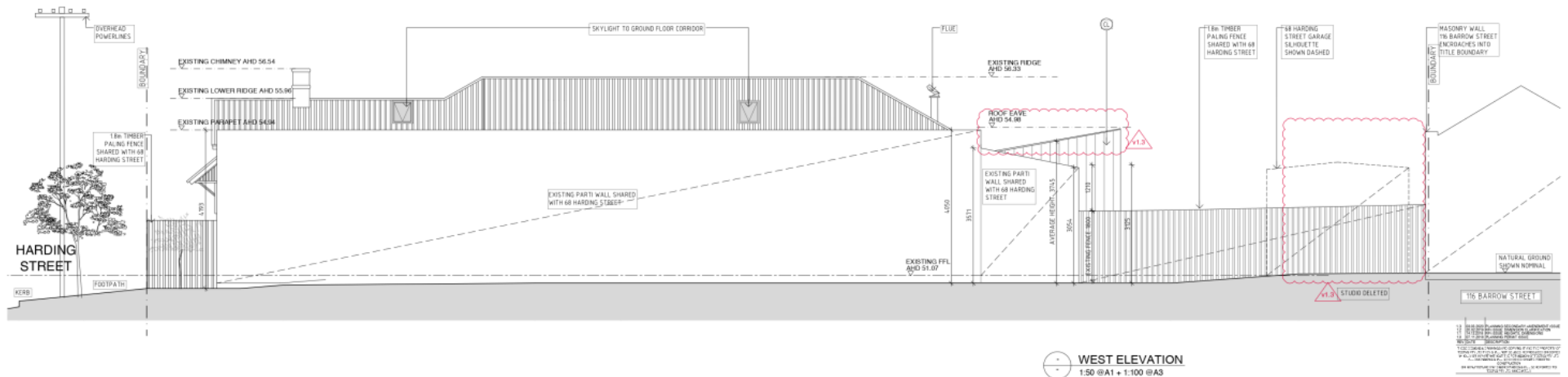
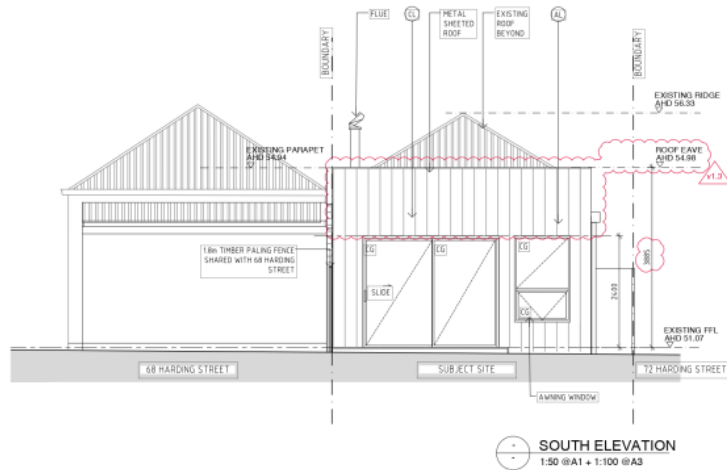
PROJECT NO.  
28507  
DATE  
03.2020  
DRAWN  
KATIE & TOM  
CHECKED  
KATIE & TOM  
DATE  
03.2020  
BY  
KATIE & TOM  
DATE  
03.2020

# Attachment 7 - Engineering Referral Comments

PLANNING & ENVIRONMENT ACT 1987  
MORLELAND PLANNING SCHEME  
Amended Plan to Permit No. MPS/2018/0020x  
Sheet No. 6 of 10 Date: 05/04/2020  
Signed: *[Signature]*  
For and on behalf of Morleland City Council  
This plan supersedes the corresponding plan  
issued on 31/10/19

**LEGEND**

- AL ANODISED ALUMINIUM FRAME
- CL SHEET CLADDING
- BD EXISTING MASONRY
- CG CLEAR GLAZING
- FG TRANSLUCENT GLAZING



FOR APPROVAL ONLY  
NOT FOR CONSTRUCTION

**tectvs**

DESIGNER  
KATIE & TOM

PROJECT  
KATIE & TOM'S PLACE  
70 HARDING STREET  
COBURG VIC 3058

DATE  
03/2020

PROJECT NO.  
28507

DATE  
03/2020

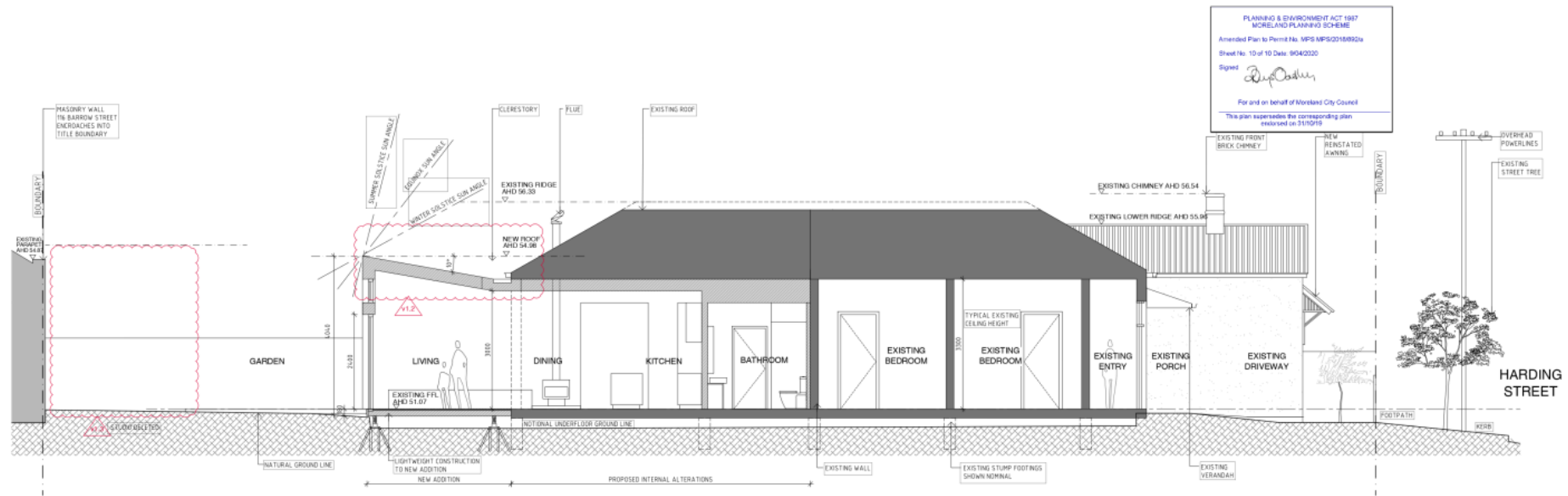
PROJECT NO.  
28507

DATE  
03/2020

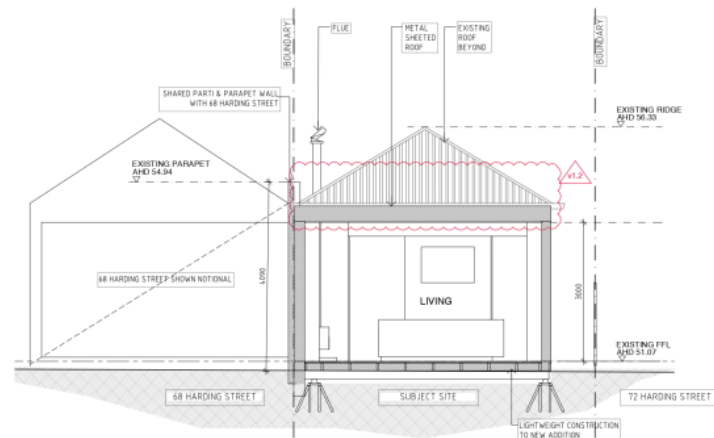
PROJECT NO.  
28507

DATE  
03/2020

# Attachment 7 - Engineering Referral Comments



**SECTION A - A**  
1:50 @A1 + 1:100 @A3



**SECTION B - B**  
1:50 @A1 + 1:100 @A3

FOR APPROVAL ONLY  
NOT FOR CONSTRUCTION

**tectvs**

NAME  
KATIE & TOM

PROJECT  
KATIE & TOM'S PLACE  
70 HARDING STREET  
COBURG VIC 3058

SECTION  
SECTIONS

SCALE  
AS SHOWN DATE  
11.2018

PROJECT NO.  
28506

REVISION  
1.2 AG 1.01

## Attachment 8 - Waste Referral Comments

### Galpin, Robert

---

**From:** Athanasi, Atha  
**Sent:** Tuesday, 24 November 2020 3:53 PM  
**To:** Hasiotis, Ariadne  
**Subject:** RE: WMP Referral - PLN11/0750.01 - 1 - 21 Robert Street Collingwood - Revised WMP

Hi Ariadne,

The waste management plan for 1 - 21 Robert Street, Collingwood authored by Leigh Design and dated 25/8/20 is satisfactory from a City Works Branch's perspective.

Let me know if you require anything further.

Regards,

Atha Athanasi  
 Contract Management Officer

Yarra 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.

---

**From:** Hasiotis, Ariadne  
**Sent:** Wednesday, 11 November 2020 10:29 AM  
**To:** Athanasi, Atha <[Atha.Athanasi@yarracity.vic.gov.au](mailto:Atha.Athanasi@yarracity.vic.gov.au)>  
**Subject:** WMP Referral - PLN11/0750.01 - 1 - 21 Robert Street Collingwood - Revised WMP

Good Morning Atha,

**Application No.:** PLN11/0750  
**Address:** 1 - 21 Robert Street Collingwood

An amendment application has recently been lodged for the previously approved mixed use development at the above address.

The changes generally seek to;

## Attachment 8 - Waste Referral Comments

- Include an additional two apartments are proposed at the Yorkshire Brewery mixed-use development (no changes to waste storage location or pickup)

A revised Waste Management Plan (WMP) has subsequently been provided.

Could the supplied Waste Management Plan please be reviewed – Advice is sought on whether the revised Waste Management Plan is satisfactory.

Please see the following documents located in Trim;

Document	Trim reference
The revised WMP Report prepared by Leigh Design dated 25 August 2020	D20/146288
The revised plans dated 24 August 2020	D20/145173 & D20/145174
The previously endorsed Waste Management Plan	D15/16227
The previously endorsed plans	D18/162514

Any questions please let me know.

Kind regards,

**Ariadne Hasiotis**

Statutory Planner

Planning and Placemaking

City of Yarra PO Box 168 Richmond 3121

T: (03) 9205 5046

E: [ariadne.hasiotis@yarracity.vic.gov.au](mailto:ariadne.hasiotis@yarracity.vic.gov.au)

W: [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)

ABN: 98 394 086 520

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*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, present and emerging.*



## Attachment 9 - Heritage Victoria Permit



Department of Environment,  
Land, Water & Planning

8 Nicholson Street  
PO BOX 500  
East Melbourne Victoria 8002  
Telephone: 03 7022 6390  
[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)  
DX210098

Permit Application No: P32363

File No: FOL/15/21786 [ 1 - 3 ]

Mr Robert Paolino  
SMA No. 14 Pty. Ltd.  
Suite 2, Level 2, 51-65 Clarke Street  
SOUTHBANK VIC 3006

Dear Mr Paolino

**RE: PERMIT APPLICATION P32363 - FORMER YORKSHIRE BREWERY, 88 WELLINGTON STREET and 1-21 ROBERT STREET COLLINGWOOD (H0807)**

Thank you for your permit application to undertake works or activities at the above registered place.

After assessing your application against ss101(2) and 101(3) of the *Heritage Act 2017* (the Act), the Executive Director, Heritage Victoria has determined to issue a permit with conditions under s102 of the Act (see enclosed). Please read the conditions of the permit carefully.

If you feel any of the conditions are unsatisfactory, you may make a written request to the Heritage Council of Victoria to review the decision. A review against conditions of the permit must be lodged with the Heritage Council within 60 days of this letter. Review forms can be obtained online at: [www.heritage.vic.gov.au/permits/permit-decisions](http://www.heritage.vic.gov.au/permits/permit-decisions) or by phoning the Heritage Council Hearings Officer on (03) 9194 0868.

Please note that the works must be carried out in accordance with the permit and you must give Heritage Victoria five working days' notice of the commencement of the approved works.

Please contact the Statutory Support Team, Heritage Victoria on (03) 7022 6370 or by email at [heritage.permits@delwp.vic.gov.au](mailto:heritage.permits@delwp.vic.gov.au) if you wish to discuss this permit further.

Yours sincerely

**EMILY MCLEAN**

Manager Statutory Approvals  
Heritage Victoria

(As delegate for the Executive Director, Heritage Victoria pursuant to the Instrument of Delegation)

16 October 2020

### Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water & Planning, PO Box 500, East Melbourne, VIC 8002. Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 2017 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 94 of the Heritage Act 2017.



## Attachment 9 - Heritage Victoria Permit

<hr/> <p style="text-align: center;"><b>HERITAGE PERMIT</b></p> <p style="text-align: center;"><b>GRANTED UNDER SECTION 102 OF THE HERITAGE ACT 2017</b></p> <hr/>	<p><b>Permit No.:</b> P32363</p> <p><b>Applicant/s:</b> Mr Robert Paolino SMA No. 14 Pty. Ltd. Suite 2, Level 2, 51-65 Clarke Street SOUTHBANK VIC 3006</p>
<b>NAME OF PLACE/OBJECT:</b>	<b>FORMER YORKSHIRE BREWERY</b>
<b>HERITAGE REGISTER NUMBER:</b>	<b>H0807</b>
<b>LOCATION OF PLACE/OBJECT:</b>	88 WELLINGTON STREET and 1-21 ROBERT STREET COLLINGWOOD

**THE PERMIT ALLOWS:** *construction of a two-storey addition above the existing four-storey apartment building (at 9 Robert Street, Collingwood) immediately north of the brew tower, generally in accordance with the following documents:*

- **ARCHITECTURAL DRAWINGS, PREPARED BY HAYBALL, DATED 16 JULY 2020**
  - **ALS\_01.01 REV 2 – LOT S5-SITE PLAN**
  - **ALS\_02.01 REV 2 – LOT S5-PLAN ENTRY LEVEL (LEVEL 4)**
  - **ALS\_02.02 REV 2 – LOT S5-PLAN UPPER LEVEL**
  - **ALS\_02.03 REV 1 – LOT S5-ROOF PLAN**
  - **ALS\_06.11 REV 2 – LOT S5-SECTIONS**
  - **ALS\_06.01 REV 2 - LOT S5-NORTH ELEVATION**
  - **ALS\_06.02 REV 2 - LOT S5-EAST ELEVATION**
  - **ALS\_06.03 REV 2 - LOT S5-SOUTH ELEVATION**
  - **ALS\_06.04 REV 2 - LOT S5-WEST ELEVATION**
  - **ALS\_06.05 REV 2 - LOT S5-WEST ELEVATION WITH CONTEXT**

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. The permission granted for this permit shall expire if one of the following circumstances applies: the permitted works have not commenced within two (2) years of the original date of issue of this permit, or are not completed within four (4) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
2. Prior to the commencement of any of the works approved by this permit, a set of construction-ready architectural drawings, including a material and finishes schedule is to be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The drawings must:
  - 2.1. generally be in accordance with the architectural drawings by Hayball, referred to above;
  - 2.2. be revised to set the west façade of the addition a minimum of 1.5 metres back from the west elevation of the existing four-storey apartment building (at 9 Robert Street, Collingwood), unless otherwise agreed to by the Executive Director, Heritage Victoria. Any variation to this requirement is subject to the provision of visual analysis to demonstrate that the change does not increase the visibility of the addition in views of the brew tower beyond what is approved under this permit.
3. Any minor changes to the approved works as a result of design development or site conditions must be approved in writing by the Executive Director, Heritage Victoria prior to their implementation.

## Attachment 9 - Heritage Victoria Permit

4. Prior to the commencement of any of the works approved by this permit, a Construction Management Plan (the Plan) must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection methods for the heritage place during the undertaking of the works and a work site layout plan.
5. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
6. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place/object. However, if other previously hidden original or inaccessible details of the object or place are uncovered, any works that may affect such items must immediately cease. The Executive Director, Heritage Victoria must be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
7. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
8. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

**NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.**

**TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF 120 PENALTY UNITS (\$19,826 AS AT JULY 2019) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$99,132 AS AT JULY 2019) UNDER s104 THE HERITAGE ACT 2017.**

**WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$793,056 AS AT JULY 2019) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,586,122 AS AT JULY 2019) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE HERITAGE ACT 2017.**

**THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.**

<b>Date Issued:</b>  16 October 2020	<b>Signed on behalf of the Executive Director, Heritage Victoria:</b>    <b>Emily McLean Manager Statutory Approvals</b>	
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## Attachment 9 - Heritage Victoria Permit

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### IMPORTANT INFORMATION ABOUT THIS PERMIT

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#### WHAT HAS BEEN DECIDED?

The Executive Director, Heritage Victoria has issued a permit under s102 of the *Heritage Act 2017*.

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#### WHEN DOES THE PERMIT BEGIN?

The permit operates from the day the permit is signed by the Executive Director, Heritage Victoria or their delegate.

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#### WHEN DOES A PERMIT EXPIRE?

A permit expires if -

- \* the development or any stage of it does not start within the time specified in the permit; or
- \* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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#### WHAT ABOUT REVIEW OF THE DETERMINATION?

The applicant or the owner of a registered place or registered object may ask the Heritage Council of Victoria to review any condition of a permit imposed by the Executive Director, Heritage Victoria on a permit issued under s102 of the *Heritage Act 2017*.

A request must -

- \* be in writing; and.
- \* be lodged within 60 days after the permit is issued.

Review request forms can be downloaded at:

[www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/](http://www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/)

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**6.2      PLN20/0420 - 487 - 491 Swan Street Richmond - Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.**

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## **Executive Summary**

### **Purpose**

1. This report provides Council with an assessment of planning application PLN20/0420 which is for the construction of a five-storey building (plus basement and roof terrace for office (no permit required for use) and a reduction in the car parking requirements. The report recommends approval subject to conditions.

### **Key Planning Considerations**

2. Key planning considerations include:
  - (a) Clause 15.01 – Urban Environment – Higher Density Guidelines;
  - (b) Clause 22.10 – Built Form and Design Policy;
  - (c) Clause 34.01 – Commercial 1 Zone, and;
  - (d) Clause 43.07 – Design and Development Overlay (Schedule 17)

### **Key Issues**

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

### **Submissions Received**

4. Fourteen (14) objections were received to the application, the grounds of which can be summarised as:
  - (a) Vehicle access off the rear laneway (and associated safety concerns);
  - (b) Impacts to on-street car parking availability;
  - (c) Off-site amenity impacts including overlooking, overshadowing, loss of daylight and visual bulk;
  - (d) Inappropriate building height;
  - (e) Impacts to the nearby heritage precincts;
  - (f) Inappropriate use of materials including excessive extent of glazing;
  - (g) Building proposed outside of title boundaries, and;
  - (h) Application should not be decided prior to the Planning Panel decision associated with Planning Scheme Amendment C191.

### **Conclusion**

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported subject to the following key recommendations:
  - (a) Materials and façade improvements shown on the sketch plans, and;
  - (b) All works kept within title boundaries.

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



## 6.2 [PLN20/0420 - 487 - 491 Swan Street Richmond - Construction of a five-storey building \(plus basement and roof terrace\) for office \(no permit required for use\) and a reduction in the car parking requirements.](#)

<b>Reference</b>	D21/2073
<b>Author</b>	Chris Stathis - Senior Statutory Planner
<b>Authoriser</b>	Senior Coordinator Statutory Planning

<b>Ward:</b>	Melba Ward
<b>Proposal:</b>	Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.
<b>Existing use:</b>	Office
<b>Applicant:</b>	Cadre Property Group
<b>Zoning / Overlays:</b>	Commercial 1 Zone / Design and Development Overlay (Schedules 2, 5 and 17)
<b>Date of Application:</b>	26 June 2020
<b>Application Number:</b>	PLN20/0420

### Planning History

- The subject site has the following planning history:
  - Planning Permit PL02/0584 was issued on 30 October 2002 for the use of the land as a *Dental surgery and a reduction in associated parking requirements.*

#### [Lodgement of sketch plans](#)

- On 14 December 2020, the applicant submitted sketch plans in response to comments received from Council's Urban Design Unit. Key changes shown on the sketch plans include:
  - White metal cladding at the street walls replaced with raw concrete;
  - Increasing the proportion of brick applied to the east-facing wall of the recess to Swan Street (as opposed to a combination of brick and rebated concrete);
  - Metal cladding added to upper levels (third and fourth floor) and extent of glazing reduced (including at ground floor);
  - Provision of climber plants incorporated into the upper levels (south and west);
  - Increase in the extent of climber plants at the ground floor western wall;
  - Provision of double-hung windows to west elevation;
  - Provision of 1.5m high overlooking mesh screens added to the north elevation of third and fourth floor and roof terrace;
  - Raw concrete with rebates at south-east corner replaced with grey bricks at ground, first and second floors; and
  - Deletion of the east-facing glass wall at roof level located between the stairwell and lift overrun, and its replacement with glass balustrading.
- The applicant advised in their lodgement of the sketch plans that in addition to the deletion of the east-facing glass wall at roof level, a pergola had been added with the following note: *(note it is open and on elevation you can see a line between stair and lift core).* However, no floor plans were submitted that show a pergola.

### Planning Scheme Amendment C191

4. On 15 December 2020, Council adopted Planning Scheme Amendment 'C191yara' which relates to the permanent built form controls associated with the Swan Street Major Activity Centre (MAC), which, under the current Yarra Planning Scheme ('the Scheme') relates to the interim Design and Development Overlay (Schedule 17).
5. The Planning Scheme Amendment has not yet been gazetted, however given that it has been adopted by Council it is considered to be seriously entertained. The subject site is located within Precinct 4 of the Swan Street MAC. The Planning Scheme Amendment will incorporate built form controls for Precinct 4 into a new Schedule 28 to the Design and Development Overlay (DDO28). Throughout this report, the interim control and the proposed control will be referred to as DDO17 and DDO28 respectively.

### Planning Scheme Amendment C238

6. On 01 February 2021, the Minister for Planning formally gazetted Planning Scheme Amendment C238, which introduces a Development Contributions Plan Overlay over the entire municipality. This overlay requires developers to pay a contribution towards essential city infrastructure like roads and footpaths, as well as community facilities. The requirements of this provision have immediate effect. A condition and a note have been included in the recommendation to require the development contributions to be met prior to commencement of the development.

## The Proposal

7. The proposal is for the construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements. The proposal can be described in more detail as follows:

#### Use

- (a) The application proposes to use the land for office, with a net floor area of 1,574sqm. A planning permit is not required for the use of the land.

#### Development

##### *General*

- (b) The application proposes a three-storey street wall (across all building facades) with upper level setbacks of 5m to Swan Street, and 3m to Belgravia Street. The upper levels of the northern façade are staggered in a 45 degree angle from the laneway to the north.
- (c) A total of 27 car spaces are proposed;
- (d) A total of 18 employee and 4 visitor bicycle spaces are proposed;
- (e) Lift core is located centrally within the building and stairwell located to the south of lift core;

##### *Building Height*

- (f) The overall building height proposed is 18m, with roof level services protruding between 0.86m to 3.6m above this height;
- (g) The following street wall heights are proposed:
  - (i) 10.71m (Swan Street), and;
  - (ii) 10.6m (Belgravia Street and rear laneway);
- (h) The application proposes an eastern boundary wall height of 10.6m;

##### *Basement*

- (i) A basement level will be accessed via the rear laneway at the eastern edge of the northern boundary, with the following features:
  - (i) 26 car parking spaces (some within a car stacker system);

- (ii) Services area; and
- (iii) 7,000L rainwater tank located underneath car space No. 15.

*Ground Floor*

- (j) The ground level will be largely constructed to all boundaries save for the following components:
  - (i) Foyer (located in the south-eastern corner of the site, set back 3.8m from Swan Street.
  - (ii) Small pedestrian splay (1.41m by 1.41m) located at the south-western corner of the site;
  - (iii) Open area associated with accessible car space located at the north-western corner of the site;
  - (iv) Vehicle access roller door set back 2.28m from the rear laneway, located in the north-east corner of the site.
- (k) The southern section of the ground floor provides an office area (177sqm) in the south-west corner of the site and a lobby area towards the south-east corner of the lot (which acts as the principal pedestrian entrance);
- (l) The central and northern section of the site includes a bicycle storage and end of trip area with 18 employee bicycle spaces, four visitor bicycle spaces, six shower / change rooms and 28 lockers.
- (m) Along the rear laneway, vehicle access to the basement would be provided via a ramp at the eastern end of the northern boundary;
- (n) Ground floor services include a booster cupboard located on the Swan Street frontage and substation and refuse room located on the Belgravia Street frontage.

*First and Second Floor*

- (o) Both levels feature roughly the same configuration, constructed to all site boundaries except for the south-eastern recess (setback to Swan Street of 1.8m). The first floor has 483sqm and the second floor has 488sqm of office area.

*Third Floor*

- (p) At third floor the development provides setbacks of 5m from Swan Street (with a 36sq.m. terrace setback 1.95m from the southern title boundary), 3m from Belgravia Street, and an eastern side setback of 3m. The northern façade is set back 2.52m from the northern title boundary with a 21sq.m. north-facing open terrace constructed to the northern boundary. The terrace features a 0.6m wide planter box along the northern edge of the terrace. The third floor has 231sqm of office area.

*Fourth Floor*

- (q) With an office floor area of 190sqm, the fourth floor maintains the same upper level setbacks as the third floor except for the northern façade which has a setback of 6.02m from the rear laneway. A 31sqm north-facing terrace is provided at this level, which is set back 2.54m from the rear laneway and provided with a 0.78m wide planter box along the northern edge.

*Roof Level*

- (r) A roof terrace (106sqm) is provided above fourth floor, with setbacks of 9.79m from Swan Street, 4m from Belgravia Street, and 6.02m from the rear laneway. The lift overrun and stairs are also located at roof level, towards the eastern boundary, both set back 3m from the eastern boundary. The roof terrace has 1m wide planter boxes along the western, northern and part of the eastern edges. To the south of the roof terrace is a service area with 1.4m high screens along its edges. The service area has setbacks of 6.69m from Swan Street, 4m from Belgravia Street and 3.8m from the eastern boundary.

*Materials and finishes*

- (s) The development proposes a mix of concrete (both raw and panel concrete with rebates), brick, render and metal cladding;
- (t) Panel concrete with rebates is predominantly expressed at the eastern boundary wall and sections of the east-facing upper levels;
- (u) Brick is applied in a mid-grey colour at ground, first and second floors at the south-eastern portion of the building;
- (v) White metal cladding is applied across the south, west and northern facades of the podium, save for:
  - (i) the ground floor, north-facing wall which fronts the rear laneway and is finished in a dark grey coloured render, and;
  - (ii) raw concrete used at the ground floor of the southern façade.
- (w) A high proportion of glazing is applied across the entire development, save for the eastern boundary wall.

8. Three-dimensional perspective of the development are provided below at Figure 1.



**Figure 1:** 3D perspectives of the proposed development, viewed from Swan Street (left) and Belgravia Street (right) – Application Material

## Existing Conditions

### Subject Site

- 9. The subject site is rectangular in shape and located on the north-eastern corner of Belgravia and Swan Streets, in Richmond. The site has a frontage to Swan Street of 18.06 metres, a depth of 30.48 metres and a total site area of 550 square metres. The subject site abuts a rear laneway along the northern title boundary.
- 10. The subject site is currently developed with a three-storey office development most likely constructed during the 1980s. The ground and first floor of the building are constructed flush to all title boundaries apart from the south-east corner, providing a hard edge to Swan and Belgravia Streets as well as the rear laneway. The second floor is located towards the southern end of the site with a Swan Street setback ranging between 1.5m - 4.5m. The building is constructed of what appears to be aluminium composite panels as well as brick, with a high proportion of metal-framed glazing across the southern and western facades.
- 11. Vehicle access to the site is currently gained via a double-width crossover off Belgravia Street and the northern half of the ground floor has an internal car parking area with a total of 12 car spaces.
- 12. The site at ground floor is currently used as a dental surgery (as approved by Planning Permit PL02/0584). The first and second floors are used for office.
- 13. The subject site is legally described as Lot 1 on Registered Plan of Strata Subdivision 036611Q and is not affected by any easements or covenants.





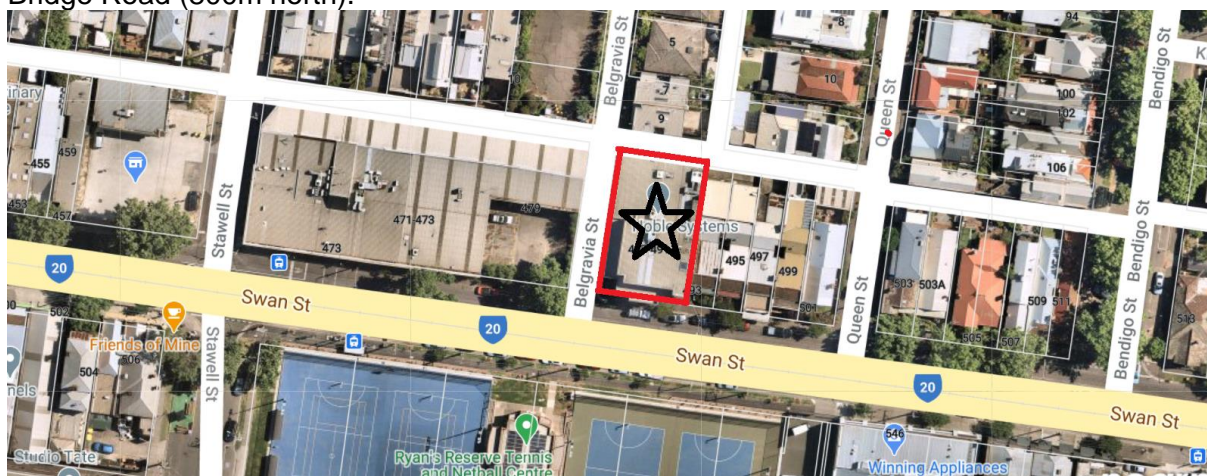
**Figure 2:** Subject site viewed from Swan Street (Google StreetView, June 2019)



**Figure 3:** Subject site viewed from corner of Swan and Belgravia Streets (Google StreetView, June 2019)

### Surrounding Land

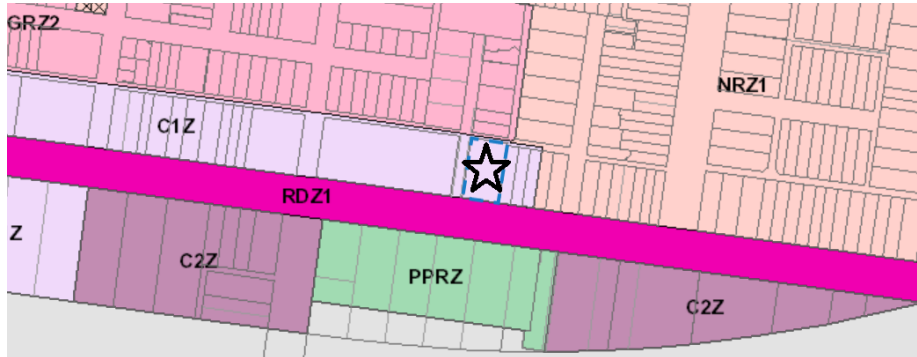
14. The surrounding land is defined by commercial offerings within the Swan Street Major Activity Centre (MAC), which is a business and retailing strip within the City of Yarra. The activity centre runs from Punt Road in the west to the rail overpass in the east and provides a range of business types, including offices, shops, restaurants and bars, interspersed with a number of dwellings.
15. Public transport is readily available to the site with immediate access to the tram services on Swan Street as well as Burnley Railway Station (250m southeast) and tram services along Bridge Road (800m north).



**Figure 4:** The subject site and surrounding land (Nearmap, November 2020).

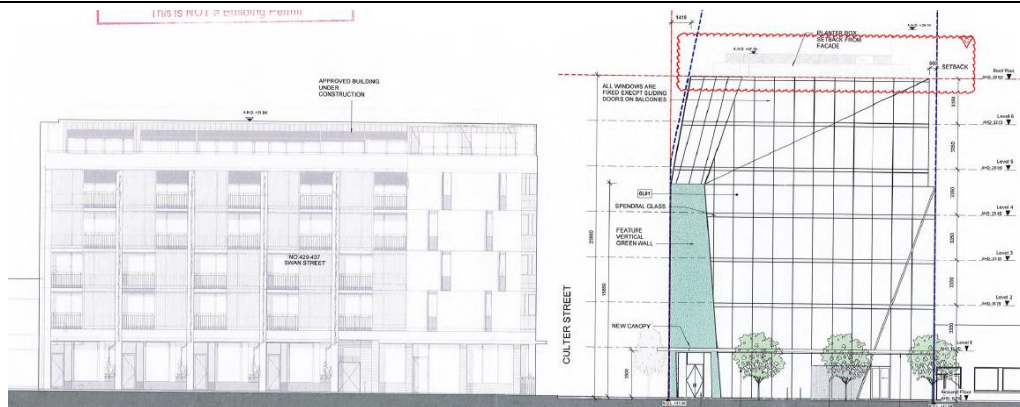


16. The subject site is located in the Commercial 1 Zone (C1Z) with properties to the west and immediately east along Swan Street also zoned as such. The Neighbourhood Residential Zone (NRZ1) is further east and northeast, the General Residential Zone (GRZ2) is to the northwest and the Public Park and Recreation Zone (PPRZ) to the south (associated with Ryan Reserve Tennis and Netball Centre). Other than this section of PPRZ, land on the southern side of Swan Street is zoned Commercial 2 Zone (C2Z) in this part of the MAC.

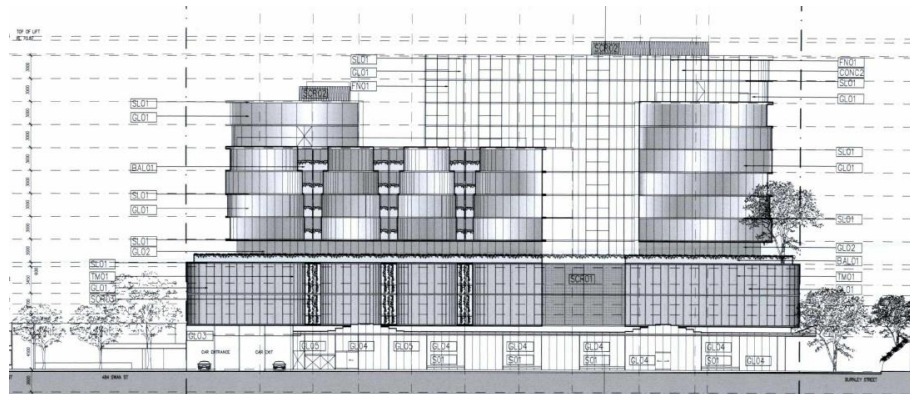


**Figure 5:** Zoning context of the subject site.

17. This section of Swan Street is typified by low-rise, one-three storey buildings used for showrooms, office or warehouses. The majority of the buildings are constructed flush to Swan Street and of the post-war or late 20<sup>th</sup> century eras. The area also has as an emergent character of mid-rise contemporary developments of up to 12 storeys, which provide contemporary architectural responses, typically with rectilinear forms and materials including concrete, metal cladding and facades with high proportions of glazing. Examples of this emergent character include the following:
- (a) A seven-storey office development approved under Planning Permit PLN18/0403 located at No. 439 – 443 Swan Street (150m west of the subject site). The approved proposal includes a five-storey street wall with two upper levels atop. Construction has not yet commenced.
  - (b) A part three, part six-storey, mixed-use development approved under Planning Permit PLN14/1205 located at Nos. 429 – 437 Swan Street and 16 – 26 Farmer Street (200m west of the subject site). The development has a five-storey street wall to Swan Street with one upper-level storey and has been completed within the last 12 months. The northern section of that site (Nos. 16 – 26 Farmer Street) is the three-storey component of the development, featuring townhouses that present to Farmer Street.
  - (c) A twelve-storey mixed-use development approved under Planning Permit PLN17/0448 located at Nos. 484-486 Swan Street, Burnley (200m southwest of the subject site). Construction for this development has not yet commenced.
  - (d) A twelve-storey mixed-use development approved under Planning Permit PLN15/0057 at Nos. 462-482 Swan Street, Burnley (250 southwest of the subject site). Construction for this development has not yet commenced.
  - (e) A three-storey (plus roof terrace) development of three townhouses located at No. 28 Farmer Street, Richmond, approximately 180m northwest of the subject site and located within the GRZ2. The development is complete and was approved under Planning Permit PLN16/1138.



**Figure 7:** The six-storey mixed use development at No. 429 – 437 Swan Street (left) and the six-storey office development located at No. 439 – 443 Swan Street (Council Endorsed Plans)

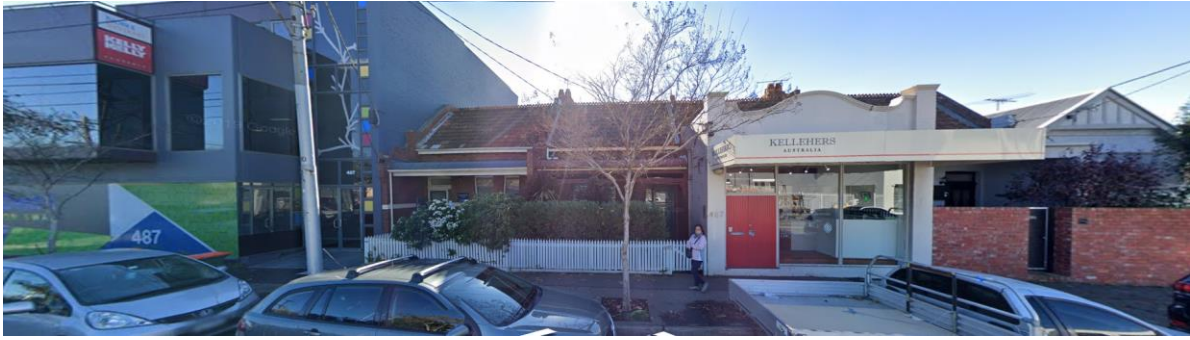


**Figure 8:** Swan Street Elevation of the 12-storey mixed use development approved at No. 462 – 482 Swan Street (Application material)



**Figure 9:** Three-storey townhouses, corner of Farmer and Cutter Streets (Google Street View, June 2019)

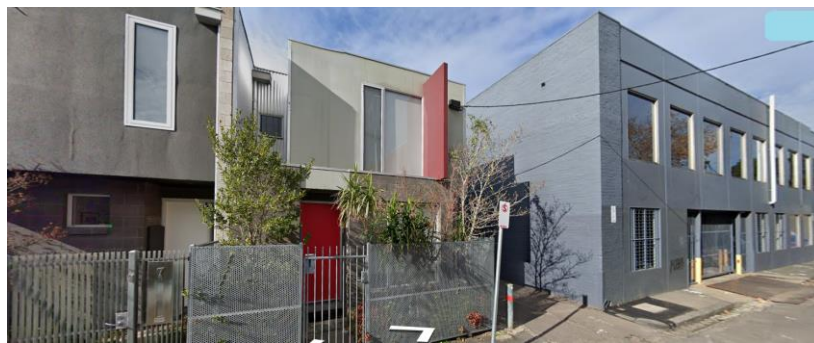
18. To the immediate east is No. 493 Swan Street, an Edwardian-era, single-storey brick terrace building which is constructed flush to the common boundary with the subject site. The building has a street setback of approximately 4m (front wall) and 2.5m (front verandah) and a rear setback which provides car parking accessed off the rear laneway. The site is used as an office for an accounting firm and has no windows located opposite the subject site. The building is listed as 'contributory' to the Bendigo Street Heritage Precinct (Schedule 309 to the Heritage Overlay) which extends further east to include the three other buildings that form part of the row of Edwardian terraces. No. 495 Swan Street is also zoned C1Z and used as an office. No. 495 Swan Street has a western light court with windows located opposite the subject site.



**Figure 10:** Heritage buildings to the east of the site (Google Street View, June 2019)

19. To the immediate north is a 3.05m wide laneway which runs east-west from Park Grove to Burnley Street. The width of the laneway increases to 3.9m towards the east of the subject site. To the north of the laneway is No. 9 Belgravia Street, which is a double-storey concrete / composite panel townhouse constructed in the early 2,000s (approved under Planning Permit 991203).

The dwelling has a ground floor area of secluded private open space (SPOS) which takes up the easternmost portion of the site. The dwelling has habitable room windows located opposite the subject site. Further north is No. 7 Belgravia Street which is a similar townhouse (constructed as part of the same development) and has a similar area of SPOS as No. 9, but does not have any habitable room windows located opposite the subject site.



**Figure 11:** No. 9 Belgravia Street (centre) and the subject site (right). (Google Street View, June 2019)

20. To the immediate west is Belgravia Street, which is approximately 6m wide (inclusive of the two narrow footpaths on either side of the roadway). The street is a no-through road and is two-way for traffic where it abuts the subject site. However, to the north of the subject site the street narrows to one-way to allow for on-street car parking on the eastern side of the road. The street terminates roughly 50m north of the subject site.
21. To the west of Belgravia Street is No. 471 – 473 Swan Street, a large site that extends west to Stawell Street that is developed with a double-storey commercial building of the post-war era. The building is constructed of a mix of materials including red brick, concrete and metal cladding. The building covers the majority of the site save for an open car parking area that is located in the south-east corner of the site. Vehicle access to the site is gained off Swan Street via a double-width vehicle crossover. The site has recently been used as an office for a number of different radio stations, however it appears that the building is currently vacant.
22. To the north-west of the subject site (beyond Belgravia Street) are four vacant parcels of land associated with No. 10 Belgravia Street. Four planning applications are currently being assessed by Council for a total of 10, three-storey townhouses across the four sites. A decision is yet to be made on these applications at the time of writing.
23. To the immediate south of the subject site is Swan Street, an east-west arterial road with a road reserve width of approximately 20 metres that carries four lanes of traffic, with tram lines sharing the middle two lanes and the two outside lanes accommodating parallel car parking outside of clearway times.



On each side of the road is a footpath (approximately 3 metres wide). Swan Street provides an east-west connection linking the suburbs east of the City of Yarra with the CBD, intersecting with major arterials Burnley Street, Church Street and Punt Road.

24. Further south (beyond Swan Street) is Ryans Reserve, which is a netball and tennis recreational facility that is operated by Yarra City Council. The site comprises four open courts that can be adapted for either tennis or netball as well as a central building which includes change rooms and toilets.

## Planning Scheme Provisions

### Zoning

#### *Commercial 1 Zone*

25. Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required for the use of the land for office.
26. Pursuant to Clause 34.01-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

### Overlays

#### *Design and Development Overlay (Schedule 2) – Main Roads and Boulevards*

27. Pursuant to Clause 43.02-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

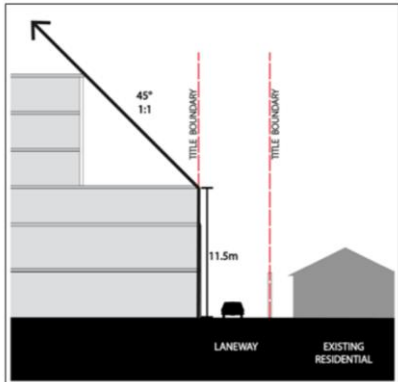
#### *Design and Development Overlay (Schedule 5)*

28. Under Clause 43.02 of the Scheme, a planning permit is not required for the use of the land or for buildings and works. Pursuant to Section 4.0 of the Schedule and the Schedule to Clause 66.06, where a permit is required for the development of the land (in this case under the C1Z), notice of the application must be given to the Environment Protection Authority (EPA), Transurban City Link, and the Roads Corporation (VicRoads). The application was referred in accordance with this provision and comments (where submitted to Council) are provided in the referrals section of this report.

#### *Design and Development Overlay (Schedule 17) – Swan Street Activity Centre*

29. Pursuant to Clause 43.02-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works. The following built form controls apply to the subject site, which is located in Precinct 4 (Burnley Station) of the Swan Street MAC:

Item	Control
Building height (mandatory)	18m maximum
Street wall height - Swan Street (preferred)	11m or the parapet height of the adjoining individually significant or contributory building if higher than 11m
Upper level setback - Swan Street (preferred)	8m minimum 5m minimum Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7metres (on the opposite side of the street).
Street wall setback - Swan Street (mandatory)	0m
Street wall height - Belgravia Street (preferred)	11m minimum

Street wall setback - Belgravia Street (preferred)	0m
Upper level setback - Belgravia Street (preferred)	3m minimum
Rear interface requirements (preferred)	<p>Type I, which prescribes a maximum boundary wall height of 11.5m with upper levels set back at a 45-degree angle in accordance with Fig. 1 of DDO17, provided below</p>  <p>The diagram illustrates a building profile with a 45-degree setback line. A vertical line indicates a maximum boundary wall height of 11.5m. The building is situated adjacent to a 'LANEWAY' and an 'EXISTING RESIDENTIAL' building. The setback is shown as a 45-degree angle from the vertical, with a 1:1 slope indicated. The diagram is labeled 'TITLE BOUNDARY' and 'TITLE BOUNDARY'.</p>
Eastern Side interface requirements (preferred)	<p>Type I, which prescribes a maximum boundary wall height of 11.5m with upper levels set back at a 45-degree angle in accordance with Fig. 1 of DDO17, provided above</p>

30. The DDO17 also has a number of design directives relating to the public realm experience, vehicle access, materiality and the response to nearby heritage buildings. These will be articulated where relevant through the assessment section of this report.
31. As previously outlined, the current DDO17 is an interim control which expires on 15 October 2021. As stated earlier in the report, Council adopted Planning Scheme Amendment C191 on 15 December 2020 with changes recommended by Planning Panels Victoria (the Panel). The amendment has not yet been gazetted by the Planning Minister, however the amendment is considered to be a 'seriously entertained' amendment given that it has been adopted by Council.
32. As relevant to the subject site, the Planning Scheme Amendment will introduce a new Schedule 28 to the Design and Development Overlay (DDO28). With regards to the subject site, the principal changes proposed by the Council-adopted DDO28 are the following:
  - (a) a preferred upper level setback of 6m from Swan Street (currently a preferred 5m), and;
  - (b) deletion of the eastern interface requirements, and replacement with a preferred street wall setback of 0m and a preferred upper level setback of 0m.

### Particular Provisions

#### *Clause 52.06 – Car Parking*

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



Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Office	1574sq.m. net floor area	3 car parking spaces per 100sq.m. of net floor area	47	27	20

34. As shown in the table above, the development requires a planning permit for a car parking reduction pursuant to Clause 52.06-3. A reduction of 20 spaces is sought.

*Clause 52.34 – Bicycle facilities*

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

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Surplus
Office	1574sq.m. net floor area	<i>Employee spaces</i> 1 space to each 300m <sup>2</sup> net floor area (if the net floor area exceeds 1000m <sup>2</sup> )	5	18	Surplus of 13
		<i>Visitor spaces</i> 1 visitor space to each 1000sq.m. of net floor area (if the net floor area exceeds 1000m <sup>2</sup> )	2	4	Surplus of 2
		<i>Showers / Change Rooms</i> 1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	2	6	Surplus of 4

36. As detailed in the above table, the proposal provides a surplus of 13 employee spaces, 2 visitor spaces and 4 showers / change rooms. As such, a planning permit is not triggered under this provision.

[General Provisions](#)

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

[Planning Policy Framework \(PPF\)](#)

38. Relevant clauses are as follows:

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

39. Relevant strategies include;

(a) *Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.*

- (b) *Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.*

*Clause 11.02 (Managing Growth)*

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

40. The objective is:

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

*Clause 11.03 (Planning for Places)*

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

41. Relevant strategies are:

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

*Clause 15.01 (Built Environment and Heritage)*

42. This clause outlines the following guidelines;

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

*Clause 15.01-1S (Urban design)*

43. The objective is:

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

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

44. The objective is:

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

*Clause 15.01-2S (Building Design)*

45. The objective is:

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

46. The strategies of this clause are:

- (a) *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
- (b) *Ensure development responds and contributes to the strategic and cultural context of its location.*
- (c) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- (d) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- (e) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- (f) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
- (g) *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*

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

47. 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)*

48. The objective is:

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

49. Strategies are:

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

*Clause 15.02 (Sustainable Development)*

*Clause 15.02-1S (Energy and resource efficiency)*

50. The objective is:

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

*Clause 17 (Economic development)*

51. The clause states:

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

*Clause 17.01-1S (Diversified economy)*

52. The objective is:

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

53. Relevant strategies are:

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

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

54. Strategies include:

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

*Clause 17.02-1S (Business)*

55. The objective is:

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

56. Relevant strategies include:

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

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

57. The objective is:

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

58. Relevant strategies are:

- (a) *Encourage the use of walking and cycling by creating environments that are safe and attractive.*  
(b) *Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.*  
(c) *Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.*  
(d) *Ensure provision of bicycle end-of-trip facilities in commercial buildings*

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

59. Strategies of this policy are:

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

*Clause 18.02-2S (Public Transport)*

60. The objective is:

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

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

61. 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)*

62. The objective is:

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

63. A relevant strategy is:

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

Local Planning Policy Framework (LPPF)

64. Relevant clauses are as follows:

*Clause 21.04-2 (Activity Centres)*

65. Relevant strategies include:

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

*Clause 21.04-3 (Industry, office and commercial)*

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

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

*Clause 21.05-2 (Urban design)*

68. The relevant objectives and strategies are:

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



- (f) *Objective 22 To encourage the provision of universal access in new development.*

*Clause 21.05-4 (Public environment)*

69. The relevant objective and strategies are:

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

*Clause 21.05-3 (Built form character)*

70. The relevant objective is:

- (a) *Objective 27 To improve the interface of development with the street in non-residential areas.*

*Clause 21.06-1 (Walking and cycling)*

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

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

*Clause 21.06-2 (Public transport)*

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

*Clause 21.06-3 (The road system and parking)*

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

*Clause 21.07-1 (Environmentally sustainable development)*

72. The relevant objective of this clause is:

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

*Clause 21.08-10 Neighbourhoods (Central Richmond)*

73. At Figure 24 of the clause, the Built Form Character Map shows that the subject site is located within a main road precinct, an objective of which is to *maintain the hard edge of the strip.*

[Relevant Local Policies](#)

74. Relevant clauses are as follows:

*Clause 22.05 (Interface Uses Policy)*

75. The relevant policy is:

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

*Clause 22.07 (Development abutting laneways)*

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

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

*Clause 22.10 (Built form and design policy)*

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

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

78. The policy has the following objectives:

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

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

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

- (a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*
- (b) *Currently, these water quality performance objectives require:*
  - (i) *Suspended Solids - 80% retention of typical urban annual load*
  - (ii) *Total Nitrogen - 45% retention of typical urban annual load*
  - (iii) *Total Phosphorus - 45% retention of typical urban annual load*
  - (iv) *Litter - 70% reduction of typical urban annual load*
- (c) *To promote the use of water sensitive urban design, including stormwater re-use.*
- (d) *To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.*

- (e) *To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.*
- (f) *To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well being.*

*Clause 22.17 (Environmentally Sustainable Design)*

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

[Other Documents](#)

*Urban Design Guidelines for Victoria (DELWP)*

81. These are policy guidelines within the Planning Policy Framework of the Victoria Planning Provisions which, where relevant, must be considered when assessing the design and built form of new development. The guidelines use best practice knowledge and advice underpinned by sound evidence.

[Advertising](#)

82. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 260 letters sent to surrounding owners and occupiers and by a sign displayed on site. Council received 14 objections, the grounds of which are summarised as follows:
- (a) Vehicle access off the rear laneway (and associated safety concerns)
  - (b) Impacts to on-street car parking availability;
  - (c) Off-site amenity impacts including overlooking, overshadowing, loss of daylight and visual bulk;
  - (d) Inappropriate building height;
  - (e) Impacts to the nearby heritage precincts;
  - (f) Inappropriate use of materials including excessive extent of glazing;
  - (g) Building proposed outside of title boundaries;
  - (h) Application should not be decided prior to the Planning Panel decision associated with Planning Scheme Amendment C191
83. A planning consultation meeting was not held due to public health risks associated with the Coronavirus pandemic.

[Referrals](#)

84. All referral comments are based on the decision plans (i.e. advertised plans) except for the second round urban design comments, which are based upon the sketch plans submitted by the applicant.

[External Referrals](#)

85. No external referrals were required by the application. However, pursuant to the requirements of Schedule 5 to the Design and Development Overlay, notice was provided to the following authorities:
- (a) Transurban – no response received.

- (b) VicRoads – response received; no objection.

86. Referral responses/comments have been included as attachments to this report.

#### Internal Referrals

87. The application was referred to the following units within Council:

- (a) Engineering Services Unit;
- (b) ESD Advisor;
- (c) Waste Unit;
- (d) Strategic Planning Unit;
- (e) Strategic Transport Unit; and
- (f) Urban Design Unit.

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

## OFFICER ASSESSMENT

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

- (a) Policy and strategic support;
- (b) Built form;
- (c) On-site amenity;
- (d) Off-site amenity impacts;
- (e) Car parking, vehicle access, traffic, loading and waste;
- (f) Bicycle facilities; and
- (g) Objector concerns.

#### Policy and Strategic Support

90. The proposed development achieves the various land use and development objectives outlined in the Scheme and is in accordance with relevant State and local planning policies applicable to the redevelopment of sites within areas such as this. The subject site is located within the Swan Street MAC, which provides a wide range of retailing, services and food and drinks premises with good public transport links. This ensures that the site is well serviced by local infrastructure and commercial offerings.
91. The subject site is located within the Commercial 1 Zone (C2Z), a key purpose of which is *to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses*. The proposed office use is a Section 1 use (no permit required) which indicates strong strategic support for the proposed office.
92. With regard to the proposed development of the site, State and local policies encourage the concentration of development in and around activity centres with more intense development on sites well-connected to public transport, thereby ensuring efficient use of existing infrastructure and fostering diverse employment opportunities. The site is well connected to public transport, with trams along Swan Street, and with proximity to Burnley Railway Station, encouraging the use of alternative modes of transport to and from the site and reducing reliance on motor vehicles as encouraged by clauses 18.02 (Transport), 21.03 (Vision), 21.06-3 (the road system and parking) and 21.07 (Environmental Sustainability).
93. The proposal is highly consistent with the purpose of the zone and strategic intent for this area that seek to encourage intensification of commercial uses and provision of diverse employment opportunities.

94. Whilst there is a high degree of strategic and policy support for the proposal, the identified policy support for more intensive development needs to be balanced with built form guidance at Clauses 15.01, 21.05-2 and 22.10 of the Scheme which call for development that appropriately responds to the surrounding context and urban character which in this case is commercial but with a residential interface to the north of the site. Furthermore, the DDO17 and Council-adopted DDO28 provide clear requirements for new development in the Swan Street MAC which will be discussed throughout this report.
95. The scale of the proposed development at five storeys (plus a roof top terrace), appropriately responds to the site context and surrounding built form with no unreasonable overshadowing, visual bulk or overlooking impacts on nearby residential land (to be discussed in detail later in the report). A number of critical architectural improvements will be required, using the sketch plans submitted to Council.
96. As will be discussed in detail within this report, it is considered that the proposal achieves a good balance of State and local policy objectives in relation to high quality developments and the reasonable protection of amenity to sensitive interfaces.

#### Built Form

97. This section of the report considers the built form of the proposed development and is guided principally by the DDO17 at Clause 43.02-17. This assessment is also based upon the decision guidelines of the Commercial 1 Zone at clause 34.01-7 and State and local planning policy at clauses 15.01-2 – Urban design principles; 21.05 – Urban design; 22.05 – Interface Uses Policy, 22.07 – Development abutting laneways policy and 22.10 – Built form and design policy.
98. These provisions and policies seek a development that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations of the area. Particular regard must be given to the site context, building height, massing, architectural response, the pedestrian experience and the development's interface with sensitive uses. These will be considered in the following paragraphs.

#### *Site Context*

99. As outlined earlier within this report, built form in the immediate area is mixed, with an emergence of contemporary, higher-scale development evident in the commercially-zoned strip along Swan Street (particularly to the west of the subject site). These developments are interspersed throughout a streetscape that is defined by hard-edged commercial buildings, typically provided with modest (if any) street setbacks. East along Swan Street, the C1Z continues for three properties (being Nos. 493 – 497 Swan Street), however these are single-storey Edwardian-era terraces that form part of the Bendigo Street Heritage Precinct. As such, the proposal must respond appropriately to this immediate heritage context, which will be discussed in a following section of the report.
100. To the north on the opposite side of the laneway, land is residential and defined by dwellings of one-three stories situated on narrow allotment. The most proximate dwelling is No. 9 Belgravia Street, which has an area of SPOS at ground level to the east. Clauses 22.05, 22.10 and the decision guidelines of the zone require that new development respond appropriately to sensitive residential interfaces.
101. The proposal has responded through a 10.6m high northern boundary wall with upper levels setback in a 45 degree angle in accordance with the rear interface controls of the DDO17 for development abutting a residential zone (with laneway). This design response acknowledges the rear laneway as the border between the commercially zoned land along Swan Street and the residential context to the north. A more detailed assessment of amenity impacts to the residential interfaces will be provided in a latter section of this report.



102. As outlined previously, there is no dispute that strategically the subject site is well-located for a higher-density development, being located in the C1Z within the Swan Street MAC, and with excellent access to cycling networks, public transport, services and facilities. Based on these attributes, it is a reasonable expectation that this site will experience intensification in use and development.

*Heritage*

103. The subject site is not affected by a heritage overlay and as such, no consideration is warranted for the proposed demolition of the existing building on site (as this does not trigger a planning permit). However, immediately east of the subject site is an intact row of single-storey Edwardian, red-brick terraces. The DDO17 provides the following relevant general directives for new development abutting heritage-protected buildings:
- (a) *ensure the façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s);*
  - (b) *respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s);*
  - (c) *avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts*
104. The DDO17 also provides the following relevant directives for upper level development on sites abutting heritage buildings:
- (a) *be visually recessive and not visually dominate the heritage building and the heritage streetscape;*
  - (b) *utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades*
  - (c) *incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape*
  - (d) *be articulated to reflect the fine grained character of the streetscape.*
105. The general massing of the street wall is respectful of the eastern heritage buildings, with a setback in the street wall provided at the eastern end of the Swan Street frontage. This part of the street wall is set back 1.8m from Swan Street which lines up with the front verandahs of the heritage buildings and allows for appropriate view lines to the nearest heritage building at No. 493 Swan Street. Glazing across the Swan Street podium wall is largely of vertical-rectangular formats, reflective of the fenestration of the heritage buildings to the east as seen in the image provided below by the applicant in the sketch plans.



**Figure 12:** Swan Street podium response to the eastern heritage buildings (applicant submission – sketch plans)

106. This recessed section of the street wall is also composed of grey brick (as opposed to concrete panels and metal cladding which makes up the remainder of the building) which references the brick of the heritage buildings to the east. This material change also references the fine-grained subdivision of the heritage buildings by making a vertical delineation when combined with the street setback, which are situated on narrow allotments.

Council's Heritage Advisor recommended that a sample of this grey brick be provided, or alternatively change the colour to a purple grey. A condition will require the former.

107. The upper levels have been designed with a 3m eastern side setback and simple material selection of glazing and concrete. As such, the upper levels will not compete with the heritage buildings to the east. Council's Heritage Advisor recommended that the raw concrete panels with rebates at the lift overrun, stairwell and east and west elevations be replaced with smooth render and painted in a mid-grey colour. This recommendation will not be pursued for the following reasons:
- (a) Views of the eastern walls from the public realm will be obscured by the continuous, attached roof forms of the buildings to the east, all of which have shallow street setbacks;
  - (b) The sketch plans improve the heritage response by increasing the proportion of brick applied to the east-facing wall of the recess to Swan Street (as opposed to a combination of brick and rebated concrete) which makes the more visible section of the building along Swan Street more responsive to the east-abutting heritage buildings.
  - (c) The rebates in the concrete are not particularly deep but help to break up the visual massing. This is also an appropriate material treatment as painted facades need to be maintained and are more susceptible to disrepair and graffiti.
108. Furthermore, Council's Heritage Adviser was supportive of the building and its heritage interface and setbacks, especially as the proposal reflects the existing building and that "reasonable steps" have been taken by way of setbacks to accommodate the additional two levels as unobtrusively as possible.
109. In light of the above considerations, the proposed development is considered to appropriately respond to its heritage context. Subject to the conditions as discussed above in relation to the sketch plans, these represent an improvement from a heritage perspective, most notably the reduced proportion of glazing at the Swan Street podium wall (and corresponding increase in proportion of masonry materials). Whilst not raised specifically by Council's Heritage Advisor, this is a better heritage outcome as it is more respectful of the solid to void ratios of the heritage buildings and it reduces extent of reflective surfaces which can detract from the significance of a heritage precinct. Therefore, the sketch plans represent improvements from a heritage perspective and in accordance with local heritage policy at clause 22.02.

#### *Building Height*

110. The development proposes a solid built-form height ranging from three stories (podium) up to five stories (overall height). The development satisfies all built form controls of the DDO17 as well as the Council-adopted DDO28 as shown in the table below:

Item	DDO17	DDO28	Proposal	Complies?
Mandatory maximum building height	18m	18m	18m	Yes
Preferred max. street wall height (Swan Street)	11m	11m	10.71m	Yes
Preferred max. street wall height (Belgravia Street)	11m	11m	10.6m	Yes
Preferred eastern interface (boundary wall height)	11.5m	N/A	10.6m	Yes
Preferred rear interface (boundary wall height)	11.5m	11.5m	10.6m	Yes



115. Council's Urban Design Unit and Strategic Planning Unit (upon review of the decision plans) both recommended that the visual bulk associated with the rooftop services (including lift overrun and stairwell) be addressed. The sketch plans have addressed this by deleting the east-facing glass wall located between the lift overrun and stairwell. As such a condition will require this detail from the sketch plan to be included in the development.
116. In relation to the sketch plans, while the applicant stated in their email of 14 December 2020 that a pergola was proposed this has not been shown on any plans and no details have been provided and therefore cannot be considered.
117. Based on these considerations, the proposed building height as well as rooftop services are supportable subject to further consideration of off-site amenity impacts.

*Massing*

118. The massing of the proposed development follows the setbacks set out by the DDO17 built form controls with a three-storey podium base (with 0m street walls to Swan and Belgravia Streets). The upper levels step back from the podium with setbacks of 5m (Swan Street) and 3m (Belgravia Street as well as the eastern boundary). At the rear interface, a 10.6m high northern boundary wall is proposed, above which the upper levels apply a 45 degree rake away from the rear laneway.

Item	DDO17	DDO28	Proposal	Complies?
Preferred min. upper level setback (Swan St)	5m	6m	5m	Yes (DDO17) No (DDO28)
Mandatory street wall setback (Swan St)	0m	0m	0m	Yes
Preferred min. upper level setback (Belgravia St)	3m	3m	3m	Yes
Preferred street wall setback (Belgravia St)	0m	0m	0m	Yes
Preferred rear interface massing	11.5m plus upper levels raked at a 45 degree angle	11.5m plus upper levels raked at a 45 degree angle	10.6m plus upper levels raked at a 45 degree angle	Yes
Preferred upper level massing (east)	11.5m plus upper levels raked at a 45 degree angle	0m setback for both podium and upper level	10.6m with upper levels set back 3m	No (DDO17) Yes (DDO28)

119. As shown in the table above, the proposal complies with all built form controls of the DDO17 except for the preferred massing requirements for the eastern interface. The DDO17 incorrectly assumes that the eastern interface is residential and therefore recommends the same preferred controls as rear interface requirements (11.5m plus 45 degrees at upper levels). Council's Strategic Planning Unit have confirmed this error of the DDO17 and highlighted that this error has been addressed in the Council-adopted DDO28.
120. The application also complies with all of the built form controls proposed by Council-adopted DDO28, except for the minimum upper level setback of 6m from Swan Street (instead of 5m as per the DDO17). Any assessment must be made against the existing controls which is clearly compliant. However, given there is a "seriously entertained" amendment, there must also be an assessment against the proposed controls. The upper level setback is not a mandatory control and the context of the site and the proposed development must be taken into account. The proposed 5m upper level setback from Swan Street is supported for the following reasons:



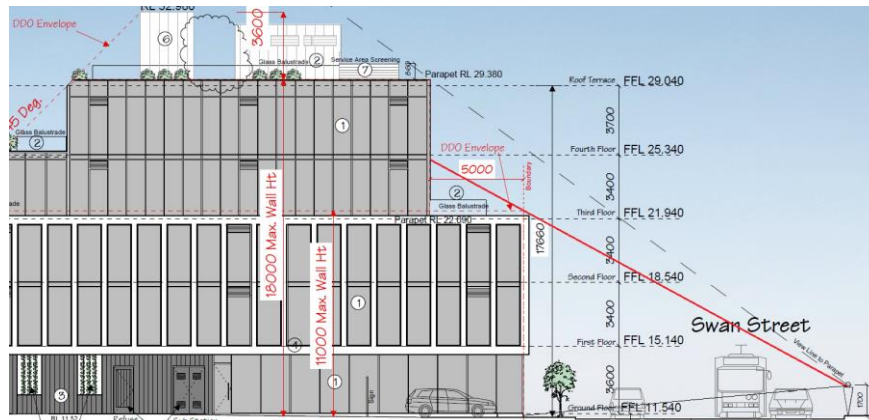
- (a) The application proposes only two upper level storeys (maximum of 5 storeys in an area which encourages greater height) and therefore these will not overwhelm the streetscape or the podium base (three storeys);
- (b) The upper levels comply with the vertical angle controls of the DDO17 (see following paragraph);
- (c) The façade and material improvements shown on the sketch plans will make the podium more dominant in the visual hierarchy and will therefore assist the upper levels in appearing as a lightweight, recessive element of the building.

121. The application proposes a south-facing terrace at third floor, with the southern balustrade setback 1.95m from Swan Street. This balustrade therefore does not comply with the preferred upper level setback of the DDO17 (5m) or the Council-adopted DDO28. The balustrade, however will generally have minimal views from the street given that it will be set back behind the podium wall and is of clear glass construction at a maximum height of 11.7m. As seen in figure 14 below, the balustrade or terrace area will not be visible from the opposite side of Swan Street.

122. Further to the above, the DDO17 has a preferred control for upper levels that:

*Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).*

123. This vertical angle assessment has been undertaken below at figure 14. The proportion of the upper levels that will be visible to the figure on the opposite side of Swan Street is 22%, significantly less than the 33.33% (one third) prescribed by the DDO17. The proposal thus complies with this control, giving evidence to the recessive massing of the upper levels. The Council-adopted DDO28 does not include this built form control.



**Figure 14:** Extent of upper level visibility expressed by red line and dashed black line, when viewed on opposite side of Swan Street (Application material, edited by Planning Officer)

- 124. Whilst the proposed massing is found to be generally satisfactory, the application includes works outside of title boundary – a 300mm wall protrusion along the northern, western and southern boundaries at first and second floor.
- 125. In some cases, architectural features and other non-structural items such as external shading devices can protrude outside title boundaries (subject to Council approval). However the proposal seeks entire, full-length walls to protrude outside of title boundaries. This is a poor urban design outcome that privatises the public realm, which is a critical issue in this inner-city context where streets are often narrow (such as Belgravia Street, which is only 6m wide). Council's Urban Design Unit recommended that these elements be set back within title boundaries.



126. In addition, Council's Engineering Services Unit objected to the extent to which the walls protrude outside the northern title boundary and into the laneway. For these reasons, a condition will require all works to be located within title boundaries. The condition will stipulate that external shading devices are exempt from this condition (subject to the satisfaction of Council). This will ensure that the podium levels can be provided with external shading devices as recommended by Council's ESD Advisor.
127. Other than the works outside of title boundaries, Council's Urban Design Unit was supportive of the proposed massing. In light of the above findings, the proposed massing is supported, subject to a condition for all works to be located inside title boundaries.

*Public realm and pedestrian spaces*

128. This principle requires the design of interfaces between buildings and public spaces to enhance the visual and social experience of the use. This outcome has been achieved at ground level, with a high degree of glazing along the Swan Street and Belgravia Street frontages, allowing views between the ground floor office area and the street. The principal pedestrian entry point has also been provided along Swan Street in the recess towards the south-east corner, which together with the front landscaping will provide a high level of street activation along Swan Street in accordance with policy objectives of clause 22.10 and the DDO17. This recessed area to the south of the principal pedestrian entrance will also provide space for visitors and employees of the building to circulate prior to exiting onto Swan Street therefore ensuring uninterrupted pedestrian access along Swan Street. This is also true of the proposed ground floor splay at the corner of Swan and Belgravia Streets. Council's Urban Design Unit concurred and found that:

*The public realm interface along Swan Street and Belgravia Street frontages is generally supported, with good level of transparency and activation to both streets. The splay on the corner of the intersection will provide more space for pedestrians. These factors will contribute in improving the public realm environment and hence are supported.*



**Figure 15:** Ground floor setback at the principal pedestrian entrance on Swan Street. (Application material)

129. A small portion of the Swan Street frontage has been reserved for a booster cupboard and the northern sections of the ground floor Belgravia Street frontage have been allocated for waste storage and substation. This is appropriate as they have been located efficiently across each frontage, with active frontages dominating both the ground floor response to both Swan and Belgravia Streets.
130. Vehicle access has been provided off the rear laneway (both the basement entry and the single at-grade car space). This ensures that vehicles do not interrupt the pedestrian experience along the site's two street frontages at Swan and Belgravia Streets and allows the majority of these to be dedicated to active frontages as previously described.

In addition, the existing, double-width vehicle crossover to Belgravia Street will be removed which further improves the pedestrian realm as encouraged by the DDO17. This detail is already shown on the ground floor plan, however a standard condition will stipulate the requirements for footpath reinstatement as recommended by Council's Engineering Services Unit.

131. Vehicle access from the rear laneway is also supported by the DDO17, which prohibits access off Swan Street but encourages access off either the laneway or Belgravia (as shown in the green lines at figure 15 below). The DDO17 further calls for vehicle access to occur *to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity*. As will be discussed in a later section of this report, Council's Engineering Services Unit confirmed that vehicle access from the laneway is supported.



**Figure 16:** Excerpt from DDO17 showing vehicle access from rear laneway is preferred.

132. Furthermore, the design response has provided generous setbacks to the laneway at ground floor. This includes a 2.28m-deep setback at the basement entry point which will have the dual effect of widening the width of the laneway at this location and also providing a refuge point for pedestrians when not in use by vehicles. A splay is also proposed at the north-west corner which will enable simpler vehicle movements for drivers as well as improve visibility at the intersection of the rear laneway and Belgravia Street. For these reasons, vehicle access of the laneway is considered to be the optimal response in terms of design, vehicle movements and pedestrian safety, and is supported.
133. Council's Engineering Services Unit recommended that all utility cabinet doors that open outwards onto Swan Street or Belgravia Street be designed to swing at 180-degrees and be latched on to the wall when servicing. This will ensure that service cupboard doors do not conflict with pedestrian movements. A notation confirming this will be required by condition.
134. Based on the above considerations, the presentation of the development to the public realm is well designed and will provide a positive interface with the street.

#### *Architectural quality*

135. Policy at clause 15.01-2S encourages high standards in architecture and urban design, whilst clause 22.10 encourages the design of new development to respect (amongst others) the pattern, spatial characteristics, fenestration, roof form and materials if the surrounding area.
136. As noted earlier, an increasing degree of contemporary, higher built form is emerging in this precinct of the Swan Street MAC. These developments provide robust, rectilinear designs, straight lines, high proportions of glazing across facades, and roof forms that are either flat or pitched in a contemporary fashion.

137. The application (decision plans) proposes metal cladding to be used across the majority of the podium facades in a white colour with a high proportion of vertical-rectangular fenestration at first and second floor. Glazing to Swan Street and Belgravia Street at ground floor is composed of full-height windows. Brick in a light-grey colour is proposed to the section of the podium associated with the principal pedestrian entrance setback. At upper levels, a mix of simple glazing and concrete panels with patterned rebates is proposed.
138. The architectural outcome shown by the decision plans (i.e. the advertised plans) is not fully supported given the following:
- (a) Proportion of glazing across the southern and western facades of the street wall is excessive, resulting in an overly lightweight appearance;
  - (b) The use of metal cladding at the street walls exacerbates the issue identified above; and
  - (c) Upper levels lack visual articulation.
139. Council's Urban Design Unit also raised concerns about the architectural quality of the proposal and made the following recommendations:
- (a) *Improve the overall architectural composition of the built form to be more sympathetic to prevalent streetscape character. Use more brick along all frontages, particularly Swan Street and Belgravia Street;*
  - (b) *Provide more articulation for upper levels;*
  - (c) *Reduce the extent of glazing in the overall design, particularly the third and fourth level;*
  - (d) *Integrate the design of roof terrace with the overall design;*
  - (e) *Increase the extent of vertical greenery along Belgravia Street.*
140. In response to these comments the applicant submitted sketch plans on 14 December 2020 which show the following architectural changes:
- (a) White metal cladding at the street walls replaced with concrete;
  - (b) Extent of glazing at street walls reduced, including at ground floor;
  - (c) Provision of additional brick to the east-facing wall of the Swan Street recessed section;
  - (d) Provision of climber plants and metal cladding incorporated into the upper levels (and associated reduction in glazing);
  - (e) Increase in the extent of climber plants at the ground floor western wall;
  - (f) Deletion of the east-facing glass wall at roof level located between the stairwell and lift overrun, and its replacement with glass balustrading;
141. The sketch plans are shown and compared to the decision plan scheme at figures 17 and 18 below.



Figure 17: Swan Street perspectives of the decision plan scheme





**Figure 18:** Swan Street perspectives of the sketch plan scheme.

142. These material, glazing and landscaping changes are considered to provide a significant improvement to the architectural outcome. More specifically:
  - (a) The use of concrete at the podium levels, with reduced glazing provides a robust, podium base for the development;
  - (b) The provision of metal cladding and landscaping into the upper levels will provide visual articulation and will break up the form of these levels. These changes continue to provide a lightweight appearance for the upper levels in accordance with the DDO17;
  - (c) The increased extent of landscaping to the ground floor western wall will add further visual interest to the Belgravia Street frontage;
  - (d) Deletion of the eastern glass wall at roof level will reduce the visibility of the rooftop components.
143. Council's Urban Design Unit reviewed the sketch plans and found them to be generally satisfactory, however made the following recommendations:
  - (a) *A landscape plan needs to be conditioned to ensure that planters are maintained and planned appropriately (including details of the support/climbing frames shown on the upper levels of the building).*
  - (b) *Clarify the metal materials at the upper levels shown on the renders (ie, window frames/mullions).*
  - (c) *The concrete framed elements that form the first and second floors of podium's facade are still shown to project beyond the property boundary on the north, west, and south sides (with the north side projecting over the roadway) and not addressed by the sketch plans. The permit should be conditioned to ensure all building elements are contained within the property boundary.*
144. With regard to (a), this is discussed in the following paragraph. With regard to (b) and (c), these will be required by condition.

#### *Landscaping*

145. The development provides modest landscaping, including a planter at ground floor in front of the principal pedestrian entrance, vertical climbers along the western ground floor wall (adjacent to the at-grade car space) and planter boxes along the edges of the terraces proposed across the development, including at roof level. This extent of landscaping is considered appropriate in this commercial context where landscaping does not contribute to the character of the area.
146. The terrace planter boxes will soften the appearance of the northern façade, mitigating visual bulk impacts to the northern residential interface. The ground floor planter at the principal pedestrian entrance will provide visual interest to the public realm and assist in 'announcing' the pedestrian entrance. The climbing plants to the western façade at ground floor provide some visual interest, however Council's Urban Design Unit recommended that the extent of this planting be extended to further improve the response to Belgravia Street.

147. Whilst the proposed landscaping arrangement is generally supported, the submitted sketch plans show a number of landscaping improvements including:
- (a) Proportion of climbing plants to ground floor western façade increased (as recommended by Council's Urban Design Unit);
  - (b) Upper levels provided with climbing plants incorporated into the façade to provide visual articulation.
148. These changes are considered to be improvements and will be included by way of condition. The application does not include a landscape plan. This is needed to ensure that the landscaping outcome can be fully realised and maintained effectively with an appropriate selection of plant species. As such, a condition will require that a landscape plan be included to show the sketch plan landscaping outcome. This is consistent with advice from Council's Urban Design Unit who recommended that a landscape plan be conditioned. The sketch plans show deletion of the planters to the terraces. This is poor outcome and is not supported. Therefore, the landscape plan condition will require planting provided to the terraces as per the decision plans and a further condition requiring details of maintenance/watering etc. which will ensure that the landscaping is maintained.

*Site coverage*

149. The majority of the land will be covered in built form, with the exception of the south-east corner (measuring 1.8m by 4.5m). Whilst the development does not achieve the encouraged maximum site coverage of 80% in accordance with Clause 22.10, this is acceptable given the proposed site coverage is similar to that existing on site, and to commercial buildings in proximity to the land, with intensive development a characteristic of the Swan Street MAC. The proposed site coverage is also consistent with the objectives of the DDO17 and Council-adopted DDO28 which calls for street walls with 0m street setbacks. Further, the provision of landscaping across the Swan Street frontage, together with the setback at the principal pedestrian entrance will help to 'open up' the built form when viewed from Swan Street.

*Laneway Abuttal*

150. Clause 22.07 of the scheme aims to maintain the unique character of laneways, ensure that development abutting laneways respects the scale of surrounding built form and that vehicle access via laneways will not detrimentally impact other users of the laneway.
151. The subject site abuts a narrow laneway to the north which provides a 'back of house' context. As outlined throughout this report, the proposed vehicle access from the laneway is supported by both DDO17, Council-adopted DDO28 and Council's Engineering Services Unit. The design response provides setbacks at the northeast and northwest corners of the site at ground floor which will effectively widen these parts of the rear laneway and improve vehicle movements and visibility, consistent with Clause 22.07.
152. Council's Engineering Services Unit have assessed the at-grade car space and the basement ramp and found them to be acceptable. This will be expanded upon in a latter section of this report, however it clarifies that vehicle access will not pose an unreasonable safety or access issue to other users of the laneway.
153. In terms of passive surveillance opportunities, there are no active frontages presenting to the laneway at ground floor. This however is supported given the extent of glazing proposed across the northern façade of the first and second floors (as well as the north-facing terraces at third and fourth floors), together will provide a sense of passive surveillance to the laneway without resulting in any unreasonable overlooking impacts (as discussed in the off-site amenity section of this report).



154. The at-grade car space (which is open to the public realm) will be fitted with motion sensor lighting to ensure that the space does not contribute to perceptions of an unsafe laneway environment. A condition will require details of this lighting to ensure that it does not result in any unreasonable light spill to the surrounding area.

*Light and shade*

155. The general overshadowing controls of the DDO17 state that a permit cannot be granted for development that overshadows the southern footpath of Swan Street between the hours of 10am and 2pm on the September equinox. For precinct 4 of the Swan Street MAC, the DDO17 prescribes that development must maintain solar access to Ryan's Reserve as follows:
- (a) Beyond 16m of the eastern boundary of the reserve from 10am onwards on 22 September; and
  - (b) At the western boundary of the reserve until 2pm on 22 September.
156. The submitted shadow diagrams show that the development will not overshadow the southern footpath of Swan Street of Ryan's Reserve between the equinox hours of 9am and 3pm, and therefore confirms compliance with the overshadowing controls of the DDO17. For these reasons, the development will not unduly affect solar access amenity to the public realm.

On Site Amenity

157. The development is considered to achieve a good level of internal amenity through the following:
- (a) provision of a suite of ESD features which include a rainwater tank and excellent daylight access with the majority of office space provided with daylight from the northern, eastern and southern aspects,
  - (b) third and fourth floors provided with balconies and a large roof terrace provided with landscaped planters along the northern and western edges of the terrace;
  - (c) bicycle parking for both employees and visitors and end of trip facilities for employees.
158. With regards to the wider ESD features proposed for the development; rainwater will be captured for irrigation use through a 7,000L rainwater tank, energy efficient lighting and water efficient fixtures / taps will be installed and sustainable products will be used throughout the design. These features (amongst others) achieve a BESS score of 57%, with a score of 50% signifying 'best practice'.
159. To further increase the development's energy efficiency (and to ensure that the development will actually achieve the stated BESS score), Council's ESD Advisor recommended a number of modifications and additions to the design as well as the Sustainability Management Plan (SMP). These include the following:
- (a) The absence of external shading indicates a potential heat gain issue in summer and subsequent heating loads for the HVAC (Heating, Ventilation and Air Conditioning) system. Clarify shading strategy for the north, east and west facades.
  - (b) Clarify provision of outdoor air to office spaces on all levels to reduce the reliance on mechanical ventilation.
  - (c) Please provide VLT (Visual Light Transmittance) used for daylight calculations.
  - (d) Articulate low-VOC thresholds (Volatile Organic Compounds), and strategy to minimise formaldehyde.
  - (e) Provide a JV3 assessment with details regarding improvements against a reference building (NCC 2019), services and GHG (Green House Gas) emissions.
  - (f) Clarify inconsistency in source of irrigation water and consider a strategy to reduce landscape water needs.

- (g) Provide calculations to illustrate that post-development stormwater quality levels will not exceed pre-development.
- (h) Clarify recycled content (by weight or cost) for both and consider additional materials that can use post-consumer content (i.e. bulk insulation).
- (i) Reword to remove indication that embodied carbon can be naturally offset during operation (it requires actual purchased offsets) and consider conducting an LCA (Life Cycle Assessment) to assess reduction in embodied carbon associated with the strategy.
- (j) Clarify that timber will be recycled or from accredited sustainably harvested plantation sources (Forest Stewardship Council or Australian Forestry Standard).
- (k) Include car share details within Green Travel Plan (and Building Users Guide).
- (l) Provide a separate Green Travel Plan with performance targets and monitoring and reporting components included.
- (m) Provide a Landscape Plan that articulate irrigation, maintenance and planting schedule of vegetation proposed.
- (n) Provide a statement as to how the development respond to, and minimises the urban heat island effect – and consider a lighter palette for external finishes and additional vegetation to provide cooling benefits.

160. These improvements and updates can be included as conditions for an updated SMP. A number of the above recommendations require updates to the plans. Item (a) requires external shading devices across the north, east and western facades, where glazing is proposed. Item (b) requires clarification of the extent of operable windows across all floors. A condition will ensure that all details associated with the endorsed SMP be included on the development plans. Item (j) requests a Green Travel Plan – this is not required for this scale of development and will not be pursued. Item (m) requests a landscape plan. This has been addressed in the landscaping section of this report.

#### Off-Site Amenity Impacts

161. Clause 15.01-2S of the Scheme and the general design objectives of the DDO17 aim to provide building design that minimises the detrimental impacts on neighbouring properties, the public realm and the natural environment, with potential impacts relating to overshadowing of SPOS, loss of daylight to windows, visual bulk and overlooking of sensitive areas. The relevant policy framework for amenity considerations is contained within clauses 22.05 and 22.10 as well as the decision guidelines of the Commercial 1 Zone at Clause 34.01-7 and the DDO17 at Clause 43.02-17.

162. As previously identified, the subject site has commercial interfaces to the west (opposite Belgravia Street) and immediately east. To the south is a Council recreational facility (beyond Swan Street). To the north is residentially-zoned land, the closest dwelling to the subject site being No. 9 Belgravia Street.

#### *Daylight to windows*

163. The closest habitable room windows addressing the subject site are the south-facing windows of No. 9 – Belgravia Street, which have a minimum setback of approximately 3.8 metres from the proposal's northern boundary wall. The application proposes a 10.6m high wall at the northern boundary with upper levels stepped back from the northern boundary at a 45 degree angle. This complies with the rear interface requirements set out in the DDO17 (and Council-adopted DDO28) for residential interface with an existing laneway, which allows for a maximum northern boundary wall height of 11.5m (plus upper levels set back at a 45 degree angle).

164. In doing so, the south-facing windows of No. 9 Belgravia Street will be provided with appropriate daylight access. In addition, these windows already face a two-storey wall on the boundary, therefore the difference will be negligible.

165. Furthermore, the design response features light colour treatments and glazing across the northern boundary wall at first and second floors which will reflect daylight into the affected windows. In light of the above, the habitable room windows of the No. 9 Belgravia Street will not be unreasonably impacted with regard to daylight access.

*Overshadowing*

166. Although not strictly applicable in this instance, Standard B21 of Clause 55 notes:
- (a) *Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September; and*
  - (b) *If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.*
167. Given the lack of dwellings to the east, west or south of the subject site, the proposed development does not result in any new overshadowing to secluded private open space of any nearby dwellings.

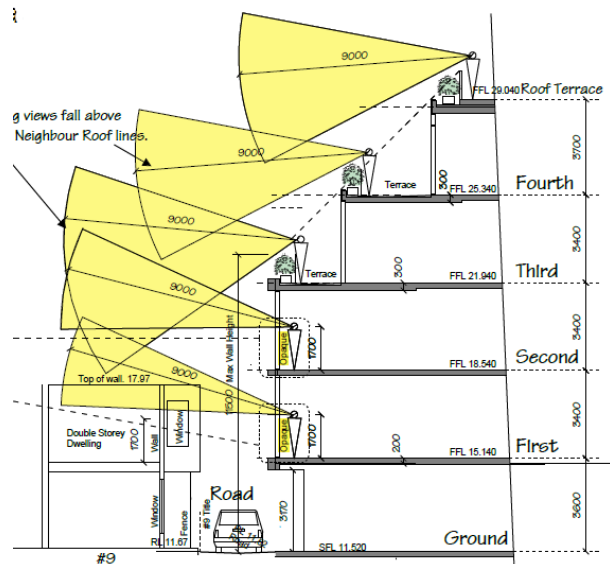
*Overlooking*

168. Standard B22 of Clause 55 (ResCode) of the Scheme includes requirements for managing overlooking, and requires that:

*A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.*

169. The strict application of the Standard is not required in this instance because the proposal is for an office development and is therefore not required to satisfy the objectives contained within Clause 55 (ResCode). However, in the absence of any other test, the Standard can be used as a decision guideline for measuring overlooking impacts.
170. The closest habitable room windows and SPOS within proximity to the subject site are associated with No. 9 Belgravia Street which are located within 9m of the subject site. Other proximate dwellings with habitable room windows and areas of SPOS include No. 7 Belgravia Street and No. 12 Queen Street, however the windows and SPOS of these dwellings are not located within a 9m / 45 degree arc of the subject site. Given this site context, the northern interface is the critical area for assessment of overlooking.
171. The northern façade has been appropriately designed to limit overlooking impacts. Specifically:
- (a) The majority of the northern boundary windows provided with obscure glazing to a height of 1.7m above finished floor level at first and second floor. This will ensure no overlooking into the HRWs and SPOS of No. 9 Belgravia Street (although a condition will require that this screening is fixed to a sill height of 1.7m to ensure that they are not operable). A small western portion of the northern boundary windows has been left unscreened, however this is appropriate as there are no sensitive interfaces opposite this area (views would be limited to the front yard of No. 9 Belgravia Street, Belgravia Street itself and to the vacant blocks to the north-west).

- (b) The northern terrace at third floor has been provided with a 0.6m deep planter box along the northern boundary. This mitigates downward views, as shown at figure 18 below.
- (c) Similarly to the above, the northern terrace at fourth floor has been provided with a 0.78m deep planter box which will also mitigate downward views.
- (d) The roof terrace will be provided with a 1m-wide planter box strip along the northern and western edges (and part of the eastern edge) of the terrace which will mitigate downward views.



**Figure 19:** Section illustrating mitigation of overlooking into No. 9 Belgravia Street (Application material)

- 172. The proposed development thus complies with the overlooking objective and as such, no unreasonable overlooking impacts will result from the proposal.
- 173. The sketch plans have provided additional screening along the northern façade (1.5m high screens with angled components). These are not supported for the following reasons:
  - (a) The decision plan scheme provides appropriate mitigation of overlooking as described above; and
  - (b) The sketch plan screening protrudes outside the rear interface requirements as prescribed by the DDO17 and would therefore result in unacceptable visual bulk impacts and impacts on the public realm.

#### *Visual Bulk*

- 174. A variety of measures have been incorporated into the development to assist in limiting visual bulk impacts from adjacent sites. These include the sloped built form which graduates in height from north to south as well as the provision of landscaping across the upper levels of the northern façade. Whilst views of the proposal will be possible from No. 9 Belgravia Street as well as other dwellings in the surrounding area, the design response to the northern façade of the development allows for appropriate mitigation at this boundary between residential and commercial zoning. The sketch plans also show increased façade articulation at the upper levels of the southern and western facades which will further minimise visual bulk impacts to the public realm and further afield.

*Wind Impacts*

175. Wind impacts relate to the public realm, with a particular focus on potential impacts to pedestrians using the public realm. A wind assessment was not undertaken as part of the proposal as the proposed height of the development is a maximum of two storeys higher than the existing building on site, and a maximum of three storeys higher than the nearby double-storey buildings to the north (No. 9 Belgravia) and the west (No. 471 – 473 Swan Street). The upper levels are setback from the podium which ensure that any wind impacts at the upper levels are mitigated by the podium level and do not further impact the public realm. In addition, landscaping and terraces at the upper levels of the northern façade will also mitigate unreasonable wind impacts to the east.

*Equitable Development*

176. To ensure the 'fair, orderly, economic and sustainable development of land' in accordance with the objective of the *Planning and Environment Act* (1987), matters of equitable development must be considered. Both the DDO17 and Council-adopted DDO28 require upper levels to be provided with a building separation of at least 3m where windows are proposed in a commercial development.
177. In this instance, the site is separated from land to the south by Swan Street and to the west by Belgravia Street. Both of these roadways are sufficiently wide (20m and 6m respectively) to ensure reasonable equitable development opportunities for land to the south and west (regardless of the built form proposal).
178. Land to the north is located within the General Residential Zone, which has a mandatory maximum building height of three stories and are separated from the subject site by the 3m-wide rear laneway. In light of this context, the proposed development will not unreasonably affect equitable development opportunities to the northern properties.
179. The site to the east (No. 493 Swan Street), is located within the Commercial 1 Zone with heritage controls; as such it is anticipated that the site could potentially achieve up to three-storeys as a rear addition to the existing building. The proposed development has responded to the eastern interface with a blank concrete wall at ground, first and second floors which is a non-sensitive interface to No. 493 Swan Street. This will ensure their equitable development opportunities. At third and fourth floor, the development is set back 3m from the eastern boundary and provided with east-facing windows. This building separation is in accordance with the requirements of the DDO17 and Council-adopted DDO28 for a commercial building and will provide appropriate equitable development opportunities to the east.

Car parking, vehicle access, traffic, loading and waste

*Provision of car parking*

180. The proposed development would provide a total of 27 on-site car parking spaces; 26 at basement level and one accessible car space at ground level. Pursuant to Table 1 of Clause 52.06-5, the applicable required provision is 3 spaces per 100sqm of net floor area. As previously outlined, this triggers a car parking reduction of 20 spaces.
181. The proposed car parking provision (and associated car parking reduction) are supported for the following reasons:
- (a) On-street car parking in the surrounding area consists largely of 1 hour, 2 hour and permit-restricted spaces. Swan Street also has clearway restrictions during peak traffic times. The lack of long-stay car parking in the surrounding area will significantly reduce employee car parking demand associated with the proposed development. In the event of visitors arriving to the site by vehicle, the high turnover rate of the 1 and 2 hour car spaces will enable visitors to park near the site.



Further, the permit-restricted spaces in the area will continue to protect car parking availability for existing, permit-holding residents.

- (b) The site has excellent access to public transport, including tram services on Swan Street (direct access) as well as Burnley Railway Station (300m) south-west, both of which are within walking distance.
- (c) The provision of bicycle infrastructure in the surrounding area, including the Main Yarra Trail (500m east) which is a highly utilised commuter route for cyclists. The area also has shared lane markings for bicycles including on Swan and Burnley Streets. Further, the proposal provides in-excess of the bicycle space requirements prescribed by the Scheme. These measures (as well as the proposed end of trip facilities) will encourage employees to arrive via bicycle. The provision of externally-accessible bicycle spaces along Belgravia Street will similarly encourage visitors to ride to the development;
- (d) Local planning policy at clauses 18.02, 21.03, 21.06-3 and 21.07 encourages reduced rates of car parking provision for development sites within close proximity to public transport routes and activity centres.
- (e) Traffic is a key issue affecting the road network, particularly in Cremorne and southern Richmond. By providing a lower rate of on-site car spaces, it will ensure that the development does not generate any unreasonable increase in traffic levels for the surrounding road network.
- (f) Council's Engineering Services Unit reviewed the proposed car parking provision and raised no issue to the proposed reduction, stating that it is appropriate for the site which *is ideally located with regard to sustainable transport alternatives*. Further, Council's Engineering Services Unit highlighted that the proposed car parking provision (at a rate of 1.71 car spaces per 100sqm of floor area) is greater than that of other office developments recently approved by Council in Cremorne and Collingwood which ranged from 0.54-0.89 spaces per 100sqm floor area.

#### *Vehicle Access*

- 182. The application seeks to provide access to the basement car parking area via a single width access door and ramp located in the northeast corner of the site (accessed off the rear laneway). Visibility for vehicle ingress and egress has been provided in the form of a convex mirror located at the western side of the entrance of the basement car park. The basement plan shows a car stacker system with a central accessway (minimum width 6.4m) and a convex mirror in the southeast corner of the basement to enhance visibility within the basement. A single, at-grade, accessible car space is provided at the northwest corner of the site (to be accessed off the rear laneway).
- 183. Other than requesting additional information to be shown on the plans or minor layout changes, Council's Engineering Services Unit did not raise any issues with vehicle access and safety. Further, the relatively low number of on-site car spaces will provide an acceptable outcome with regards to vehicle access and safety outcomes.
- 184. Council's Engineering Services Unit were largely supportive of the proposed access arrangements, with minor changes and additional details required as follows:
  - (a) The width of the roller door is to be dimensioned on the drawings;
  - (b) The roadway for the vehicle accessway is to be widened to a minimum of 3.3 metres if a wall is on one side of the accessway and 3.6 metres if a wall is on both sides of the accessway to satisfy *AS/NZS 2890.1:2004*.
  - (c) The location of the convex mirrors are to be depicted on the drawings
  - (d) Headroom clearance at the roller door is to be dimensioned on the drawings.

- (e) The column depths and setbacks adjacent to the regular car spaces are to be dimensioned on the drawings, and are to be designed to comply with *Figure 5.2 Design Envelope Around Parked Vehicle to be Kept Clear of Columns, Walls and Obstructions* of AS/NZS 2890.1:2004.
- (f) Column depths and setbacks dimensioned on the drawings to satisfy AS/NZS 2890.1:2004.
- (g) Car spaces allocated as 'small car spaces' are to be labelled on the drawings;
- (h) To demonstrate the provision of the 40 mm lip from the edge of the laneway to the finished floor level of the front edge of the slab at ground level, the applicant must prepare a 1 in 20 scale cross-sectional drawing showing the reduced level of the north and south edge of the laneway, the centreline of the laneway, and the finished floor level of the slab. 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.
- (i) The architectural feature along the frontage of the laneway must not project more than 240 millimetres beyond the street alignment. In this instance, the architectural feature would project 300 millimetres beyond the street alignment which does not comply with the *Building Regulation 2018 – Reg 99*.
- (j) All utility cabinet doors that open outwards onto a Public Highway are to be designed to swing at 180-degrees and be latched onto the wall when being serviced.
- (k) The swept path analysis for a 6.4 metre Mini-Rear Loader entering the laneway off Queen Street is to be re-submitted to Council. The analysis should include the existing on-street parking spaces along the west side of Queen Street.

185. All of the above items can be achieved by condition which will ensure appropriate and safe vehicle access.

186. A number of additional recommendations were made by Council's Engineering Services Unit; these relate to various infrastructure requirements immediately surrounding the site that should be undertaken to Council's satisfaction and at the Permit Holder's cost, as follows:

- (a) The kerb and channel along the property's Swan Street and Belgravia Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- (b) The footpath immediately outside the property's Swan Street and Belgravia Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- (c) The half-width road pavement of Swan Street (from the edge of the tramway to the north kerb) along the property frontage must be profiled (grounded by 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- (d) The full-width road pavement of the laneway along the property frontage must be profiled (grounded by 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- (e) All road markings are to be reinstated following the completion of the pavement works in Swan Street and Belgravia Street to Council's satisfaction and at the Permit Holder's cost.
- (f) All portions of redundant vehicle crossing along the Belgravia Street road frontage must be demolished and reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- (g) 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.

- (h) 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.
- (i) 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.
- (j) 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.
- (k) Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- (l) 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.
- (m) The car stacker devices must be installed, operated and maintained in accordance with the manufacturer's specifications and requirements.
- (n) No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices.

187. The majority of these additional recommendations can be appropriately captured under general infrastructure, drainage and construction management conditions and/or notes that are usually placed on a permit of this type. With regards to item (c), this recommendation will not be pursued. It would be unreasonable to require re-sheeting of Swan Street as the proposal does not seek vehicle access from Swan Street. Furthermore, Swan Street is zoned Road Zone, Category 1 which means that the Victorian Government is responsible for maintenance of this roadway.

*Traffic*

188. Council's Engineering Services Unit found that the proposed development would likely result in 14 individual trips in the morning peak and 14 in the evening peak (adopting a traffic generation of 0.5 trips per space per peak hour). Council's Engineering Services found that these were not unduly high and would not pose adverse impacts on the surrounding road network.

189. Furthermore, the application has located vehicle access from the rear laneway. This is considered to be the preferred location with respect to pedestrian and traffic safety, as encouraged by the DDO17. The design response will improve traffic movements along the rear laneway by providing two publicly-accessible portions of the site – one at the northeast corner and one at the northwest corner. The former will effectively widen the laneway width by 2.28m and provide a pedestrian refuge when not in use by vehicles and the latter will facilitate safer vehicle movements and visibility at the intersection of Belgravia Street and the rear laneway.

*Loading, unloading and waste*

190. The Scheme does not provide any requirements for loading bays, rather Council must consider loading and unloading as relevant to the application. A loading bay has not been provided as part of the development.  
This is considered to be an acceptable outcome given that the development is associated with an office use. Goods will not be sold on site which ensures that the development will not impose any unreasonable loading requirements to Swan Street or Belgravia Street.

191. Waste will be collected on Belgravia Street via a private collection service which will ensure that Swan Street remains unaffected by stationary waste vehicles during collection. Swept path diagrams have been provided to demonstrate that a small waste collection vehicle can access the site in a forward-moving motion (no reversing required) via Queen Street, the rear laneway and then Belgravia Street.

Council's Engineering Services Unit recommended that the on-street car spaces on Queen Street be shown on the entry swept path diagram for the waste vehicle. This can be achieved by condition, although it is noted that on-street car spaces will not affect the swept path diagram as there is a garage on the western side of Queen Street which prevents vehicles from parking to the south of the laneway entrance on Queen Street.

192. The submitted Waste Management Plan (WMP) and the plans show an externally-accessible waste storage area on site located at ground floor along Belgravia Street. The WMP has been assessed by Council's Civil Works Unit, who raised a number of issues that need to be addressed, as follows:
- (a) *A clause must be included in the plan regarding potential review into the service if operational requirements change.*
  - (b) *Any reference in the WMP to a drainage point for bin wash down must be clear that it is connected to sewerage and not stormwater.*
  - (c) *The proposed collection point is currently a no stopping zone, approval must be sought from the appropriate business unit.*
  - (d) *The bin storage area should be expanded to include storage of any hard waste the site may produce.*
193. With regard to items (a), (b) and (d), these recommendations can be included as conditions for a revised WMP. As the changes will require changes to the ground floor layout, a condition is also recommended for the development plans to be revised to accommodate any relevant changes required by the endorsed WMP. With regards to item (c), this item will not be pursued because this is something that is dealt with outside of the planning process.

#### Bicycle Facilities

194. With regards to visitor spaces, the development will provide 4 publicly accessible spaces (hanging wall racks) in the northwest corner of the lot at ground floor. This is in-excess of the statutory requirements (2) outlined in Clause 52.34. Council's Strategic Transport Unit also outlined that the provision of visitor spaces exceeds Yarra's best practice rates (3 spaces) and was thus supportive of the visitor space provision. However, Council's Strategic Transport Unit highlighted that all visitor spaces must be provided as a horizontal bicycle rail (in accordance with Australian Standard 2890.3) and recommended that in order to achieve this, the four vertical spaces should be converted into two spaces as follows:
- (a) one horizontal space located to the north of the at-grade shared space, and;
  - (b) one horizontal space located on the Swan Street footpath outside the subject site.
195. This recommendation is reasonable as horizontal spaces are more accessible for visitors and are more visually 'legible' as visitor spaces (horizontal spaces can appear to be for private use only, discouraging their use by visitors). The recommendation will thus be included by condition.
196. With regards to employee bicycle spaces, the development proposes 18 horizontal spaces which exceeds the statutory requirements outlined in Clause 52.34 (5 spaces) as well as Council's best practice rate (16 spaces).

The development also proposes adequate end-of trip facilities for employees, of which Council's Strategic Transport Unit confirmed exceedance of Council's best practice rates. Whilst the employee provision is generally supported, Council's Strategic Transport Unit highlighted that the development fails to comply with Australian Standard 2890.3 in that 100% of employee spaces are vertical (whereas the Standard requires a minimum 20% of spaces be vertical to encourage accessibility). This matter will be addressed by way of condition.

197. Council's Strategic Transport Unit also recommended that the ground floor plan be updated to provide a notation for details on the product type and the specifications for the bicycle spaces. This will be achieved by way of condition. The Unit recommended that the Traffic Report be updated with these details, however Traffic Reports are not endorsed documents and therefore this particular recommendation will not be pursued (all of the information will be captured on the plans by way of condition, as discussed above).

#### Other Matters

198. As stated earlier in the report, the applicant advised in their lodgement of the sketch plans that in addition to the deletion of the east-facing glass wall at roof level, a pergola had been added with the following note: (*note it is open and on elevation you can see a line between stair and lift core*). However no floor plans or any other details were submitted that show a pergola.
199. Given that no details of this structure have been provided, no assessment of this structure has been undertaken as the decision plans being assessed do not show any structure on the roof terrace other than the lift overrun and the stairs. Should the applicant wish to include additional structures, this would need to be formally included in the application. As this has not been applied for, any reference to the sketch plans will relate only to those elements which are to be incorporated (ie. changes to materials/ glazing proportions).

#### Objector Concerns

200. Objectors concerns are addressed as follows:

- (a) *Vehicle access off the rear laneway (and associated safety concerns)*  
This has been discussed at paragraphs 130-133 and 181-189.
- (b) *Impacts to on-street car parking availability;*  
This has been discussed at paragraphs 180-181.
- (c) *Off-site amenity impacts including overlooking, overshadowing, loss of daylight and visual bulk;*  
This has been discussed at paragraphs 161-179.
- (d) *Inappropriate building height;*  
This has been discussed at paragraphs 110-117.
- (e) *Impacts to the nearby heritage precincts;*  
This has been discussed at paragraphs 103-109.
- (f) *Inappropriate use of materials including excessive extent of glazing;*  
This has been discussed at paragraphs 135-144.
- (g) *Building proposed outside of title boundaries;*  
This has been discussed at paragraphs 124–127.
- (h) *Application should not be decided prior to the Planning Panel decision associated with Planning Scheme Amendment C191*  
At the time of notice, the Planning Panel decision for Planning Scheme Amendment C191 had not been released. However since that time, the decision was released to Council (and the public) and Council have now adopted the amendment with the Planning Panel's recommendations incorporated. This has been discussed throughout the report.



## RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN20/0420 for the construction of a five-storey building (plus basement of roof terrace) for office (no permit required for use) and a reduction in the car parking requirements at 487 – 491 Swan Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans must 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 'Architects and Project Co-ordinators' (dated 10 September 2020) but modified to show:
  - (a) The following changes only, as per the sketch plans prepared by 'Architects and Project Co-ordinators' (dated 10 December 2020):
    - (i) Provision of concrete to the street wall facades;
    - (ii) Reduction in the extent of glazing to the street wall facades;
    - (iii) Provision of brick to the east-facing return wall of the Swan Street street wall;
    - (iv) Increased use of metal cladding and climber plantings to upper levels;
    - (v) Increased proportion of landscaping to the ground floor, west-facing wall;
    - (vi) Provision of climber plantings to the upper level facades;
    - (vii) Deletion of the east-facing glazed wall at roof level (with no additional structures between the lift overrun and stairs), and;
    - (viii) Double-hung windows to west elevation.

But further modified to show:

- (b) clarify extent of natural ventilation across all levels;
- (c) provision of external shading devices to the northern, eastern and western facades at first floor to fourth floor;
- (d) all works within title boundary (other than external shading devices);
- (e) materials schedule updated to show all materials including materials shown on sketch plans and with a sample of the brick proposed;
- (f) elevations to accurately show all materials;
- (g) clarify material shown adjacent to landscaping at upper levels shown on the sketch plans referenced at condition 1(a);
- (h) motion sensor lighting provided to the at-grade car parking and surrounding areas at ground floor, with design features to minimise light spill;
- (i) north-facing obscure glass at levels 1 and 2 to be shown as fixed below 1.7m;
- (j) The width of the rear roller door dimensioned;
- (k) The roadway of the vehicle accessway widened to a minimum of 3.3m where a wall is on one side and a minimum of 3.6m where a wall is on both sides to satisfy AS/NZS 2890.1:2004;
- (l) Location of the convex mirrors depicted;
- (m) Headroom clearance at the rear roller door depicted;
- (n) Notate all car spaces allocated as 'small car spaces';
- (o) Column depths and setbacks adjacent to regular car spaces dimensioned on the basement plan to comply with *Figure 5.2 Design Envelope Around Parked Vehicle Kept Clear of Columns, Walls and Obstructions* of AS/NZS 2890.1:2004.

- (p) Cross-sectional drawing (1:20 scale) showing the reduced level of the north and south edges of the rear laneway, the centre line of the laneway and the finished floor level of the slab. The drawing must show a ground clearance check for a B99-standard vehicle with the provision of a 40mm lip from the southern edge of the laneway to the finished floor level of the front edge of the slab at ground level.
  - (q) Notation to state that the service cabinet doors opening onto Swan Street and Belgravia Street must swing 180-degrees and be latched to the building when opened;
  - (r) Swept path diagram for a waste vehicle entering the rear laneway off Queen Street updated to show the location of on-street car spaces on the western side of Queen Street;
  - (s) Deletion of the four visitor bicycle spaces and replacement with one horizontal visitor bicycle space and one additional horizontal visitor bicycle space to be located on the Swan Street footpath in a location to the satisfaction of the Responsible Authority.
  - (t) Notation to the ground floor plan to provide details on the product type and specification of the employee bicycle spaces;
  - (u) A minimum of 20% of the 18 employee bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
  - (v) Any change required by the endorsed Sustainability Management Plan (as required by condition 3), where relevant to show on the plans;
  - (w) Any change required by the endorsed Landscape Plan (as required by condition 5), where relevant to show on the plans;
  - (x) Any change required by the endorsed Waste Management Plan (as required by condition 7), where relevant to show on the plans;
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### **Sustainability Management Plan**

3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by EcoResults, (dated 11 June 2020) but modified to include;
- (a) Clarify shading strategy for the north, east and west facades
  - (b) Clarify extent of natural ventilation;
  - (c) Provide VLT (Visual Light Transmittance) used for daylight calculations.
  - (d) Articulate low-VOC thresholds (Volatile Organic Compounds), and strategy to minimise formaldehyde.
  - (e) Provide a JV3 assessment with details regarding improvements against a reference building (NCC 2019), services and GHG (Green House Gas) emissions.
  - (f) Clarify inconsistency in source of irrigation water and consider a strategy to reduce landscape water needs.
  - (g) Provide calculations to illustrate that post-development stormwater quality levels will not exceed pre-development.
  - (h) Clarify recycled content (by weight or cost) for both and consider additional materials that can use post-consumer content (i.e. bulk insulation).
  - (i) Reword to remove indication that embodied carbon can be naturally offset during operation (it requires actual purchased offsets) and commit to conducting an LCA (Life Cycle Assessment) to assess reduction in embodied carbon associated with the strategy.

- (j) Clarify that timber will be recycled or from accredited sustainably harvested plantation sources (Forest Stewardship Council or Australian Forestry Standard).
- (k) Include car share details within Green Travel Plan (and Building Users Guide).
- (l) Provide a statement as to how the development respond to, and minimises the urban heat island effect – and consider a lighter palette for external finishes and additional vegetation to provide cooling benefits.

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

### **Landscape Plan**

5. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must show all landscaping shown by the decision plans (produced by 'Architects and Project Co-ordinators' and dated 10 September 2020) but modified to include:

- (a) The following changes in accordance with the sketch plans received by Council on 14 December 2020 (produced by 'Architects and Project Co-ordinators', dated 10 December 2020):
  - (i) Additional landscaping to the ground floor western façade;
  - (ii) Integration of climber plantings to the upper levels.
- (b) Show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (c) Indicate the location of all areas to be covered by lawn or other surface;
- (d) Provide a specification of works to be undertaken prior to planting.

to the satisfaction of the Responsible Authority.

6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

7. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by RB Waste Consulting Service dated 11 June 2020, but modified to include:

- (a) Commitment for review into the waste service if operational requirements change.
- (b) Confirmation that any drainage point for bin wash down must be connected to sewerage and not stormwater.
- (c) The bin storage area expanded to include storage of hard waste.

8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Infrastructure**

10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing within the Belgravia Street frontage must be demolished and reinstated as standard footpath and kerb and channel:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including the footpath along the property's Swan Street and Belgravia Street frontages, with these footpaths to be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

### **General**

13. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. 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.
15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
17. 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.

18. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

### **Construction Management Plan**

19. 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.
    - (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.
20. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
21. 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.
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.



## **Permit Expiry**

22. 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;

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 5095 to confirm.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's building services on 9205 5095 for further information.

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

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

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.

All future employees working within the development approved under this permit will not be permitted to obtain employee car parking permits.

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

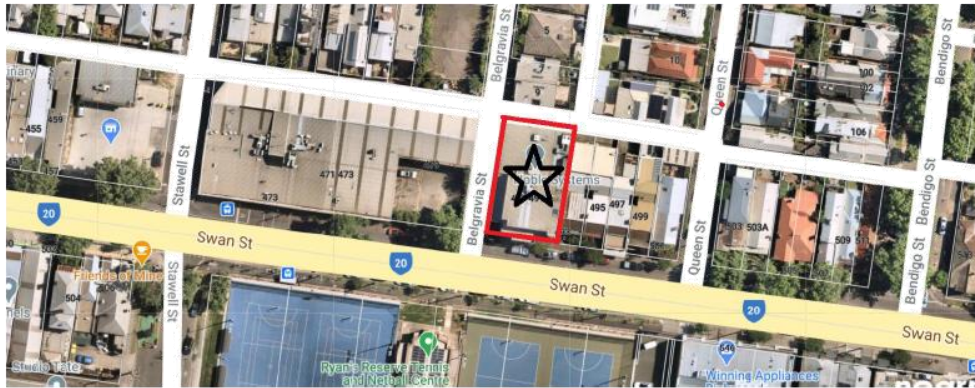
## **Attachments**

- 1 PLN20/0420 - PDC Attachment - Locality Plan
- 2 PLN20/0420 - PDC Attachment - Plans
- 3 PLN20/0420 - PDC Attachment - Sketch Plans
- 4 PLN20/0420 - PDC Attachment - ESD Comments
- 5 PLN20/0420 - PDC Attachment - Strategic Transport Comments

- 6** PLN20/0420 - PDC Attachment - Engineering Comments
- 7** PLN20/0420 - PDC Attachment - Heritage Comments
- 8** PLN20/0420 - PDC Attachment - Strategic Planning Comments
- 9** PLN20/0420 - PDC Attachment - Urban Design Comments (Decision Plans)
- 10** PLN20/0420 - PDC Attachment - Urban Design Comments (Sketch Plans)

**Attachment 1 - PLN20/0420 - PDC Attachment - Locality Plan**

**PLN20/0420 – 487 – 491 Swan Street Richmond – Locality Plan**



## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

### Drawing Schedule

TP1	Existing Site Conditions Plan
TP2	Site Analysis Photo Study- Sheet 1
TP3	Site Analysis Photo Study- Sheet 2
TP4	Site Analysis Plan
TP5	Design Response Plan
TP6	Demolition Plan
TP7	Basement Floor Plan-Site Context
TP7A	Basement Floor Plan
TP8	Ground Floor Plan - Site Context
TP8A	Ground Floor Plan
TP9	First Floor Plan - Site Context
TP9A	First Floor Plan
TP10	Second Floor Plan - Site Context
TP10A	Second Floor Plan
TP11	Third Floor Plan - Site Context
TP11A	Third Floor Plan
TP12	Fourth Floor Plan - Site Context
TP12A	Fourth Floor Plan
TP13	Roof /Roof Terrace Plan - Site Context
TP13A	Roof /Roof Terrace Plan
TP14	Upper Roof Plan - Site Context
TP14A	Upper Roof Plan
TP15	South Elevation
TP16	West Elevation
TP17	North Elevation
TP18	East Elevation
TP19	To be advised
TP20	Section A-A
TP21	Section B-B
TP22	Section C-C
TP23	Shadow diagrams 22 September
TP24	Overlooking diagram
TP25	Finishes Schedule & SMP Details

### Area Schedule

	Gross	Net Including Amenities & circulation	Terrace	Cars	Bikes	Visitor Bikes
Roof	34sqm		106sqm			
Fourth	234sqm	190sqm	31sqm			
Third	276sqm	231sqm	57sqm			
Second	540sqm	488sqm				
First	540sqm	483sqm				
Ground	510sqm	320sqm		1	18	4
Basement	550sqm			26		
	2684sqm	1712sqm	194sqm	27	18	4

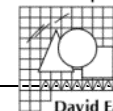
Client :-

**Cadre Property Group**

Address :-

**487 Swan St, Richmond**

10th September 2020 Rev B



**Architects & Project  
Co-ordinators** PTY. LTD.  
No. 1 Sanders Place, Richmond, 3121

David Earle 0412 88 88 20 9421 2788





# Attachment 2 - PLN20/0420 - PDC Attachment - Plans



Photo 1- View of 487 Swan St looking East



Photo 2- View of 487 Swan St looking North



Photo 1- View of 487 Swan St looking West



Photo 1- View of 487 Swan St looking East



Photo 5 - Belgravia St. looking North



Photo 6 - Belgravia St. looking North



Photo 7 - Belgravia St. looking North



Photo 8 - Belgravia St. looking South



Photo 9- #7 & #9 Belgravia St. looking North/East



Photo 10 - Rear of #471 Swan St looking West

Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**

Drawing :-  
**Photo Study Sheet 1**  
Drawing # :- Rev:-  
**TP2**  
Date:-  
15th June 2020

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apcodesign@ozemail.com.au  
**David Earle** 0412 88 88 20 9421 2788

Refer to Sheet TP1 for Photo locations

**Attachment 2 - PLN20/0420 - PDC Attachment - Plans**



Photo 11- View looking East at #487 Swan rear



Photo 12- Looking East along Road



Photo 13 - Southern Courtyard of #9 Belgravia St.



Photo 14- Rear of #9 Belgravia St



Photo 15- Looking West along Road



Photo 16 - #7 & #9 Belgravia St. rear, looking North West



Photo 17- #487 Swan Looking West



Photo 18- Looking North along Road



Photo 19- #493 & #495 Swan St Rear looking South

Refer to Sheet TP1 for Photo locations

Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**

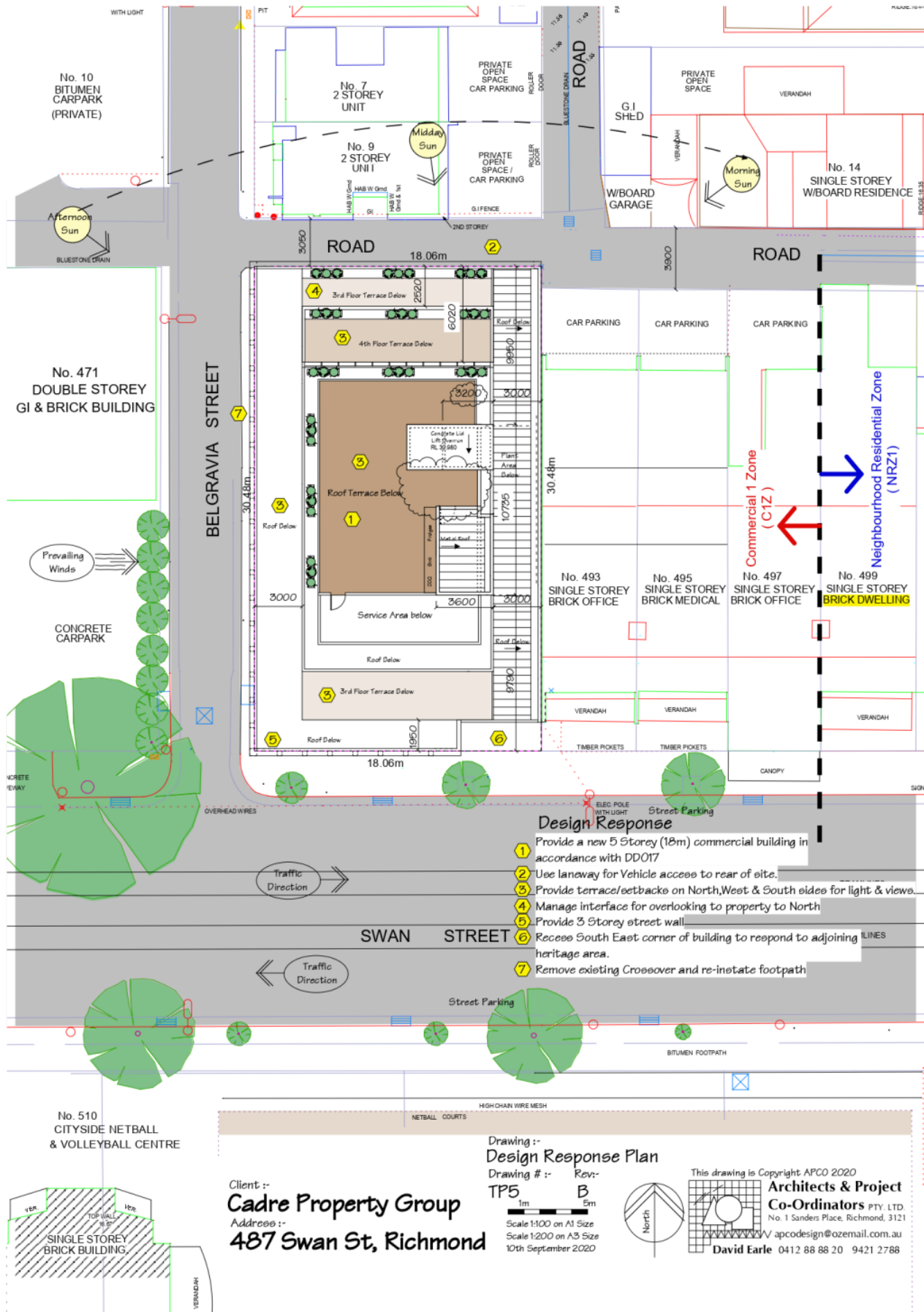
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**Photo Study Sheet 2**  
Drawing # :- Rev:-  
**TP3**  
Date:-  
15th June 2020

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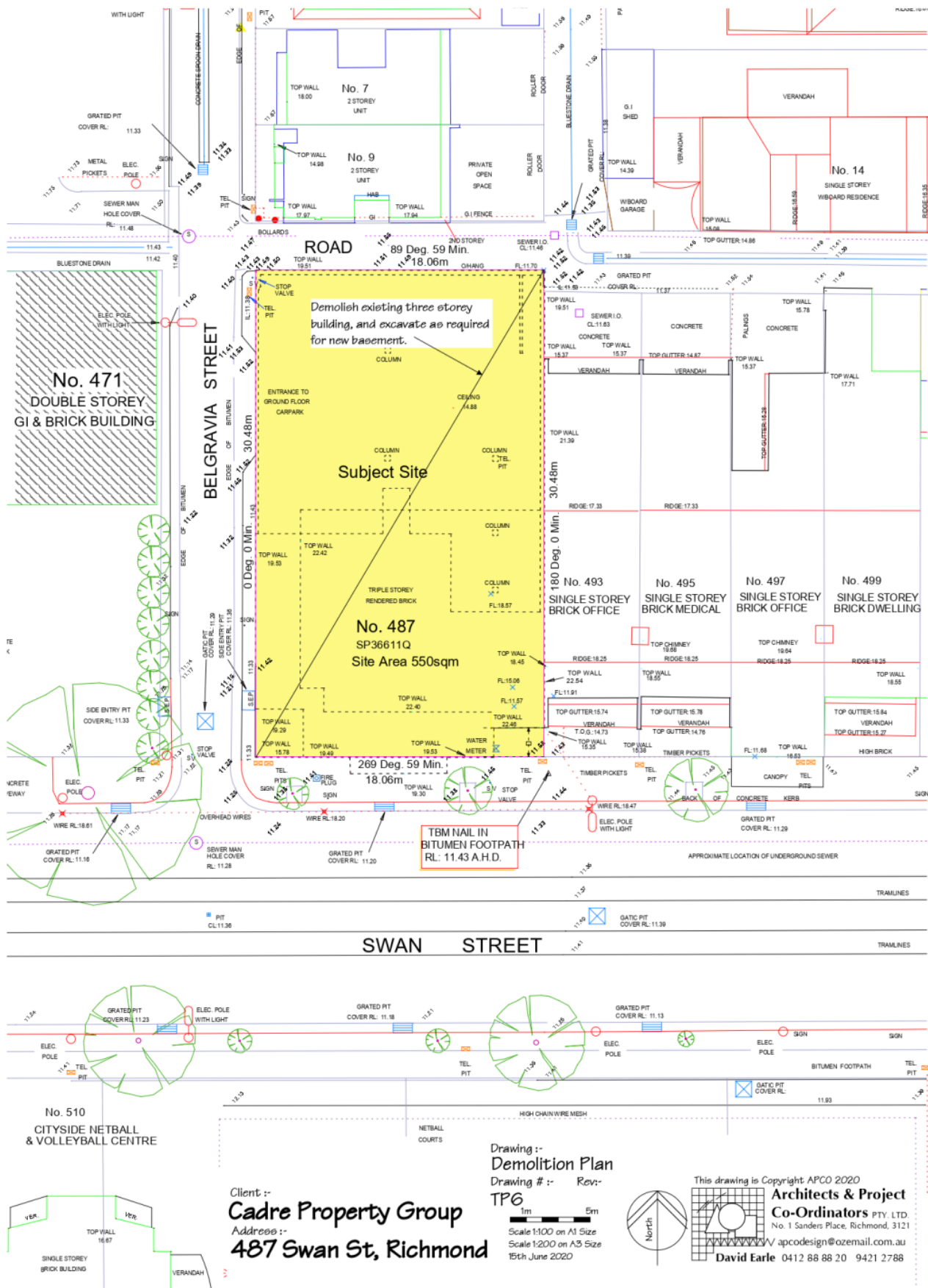




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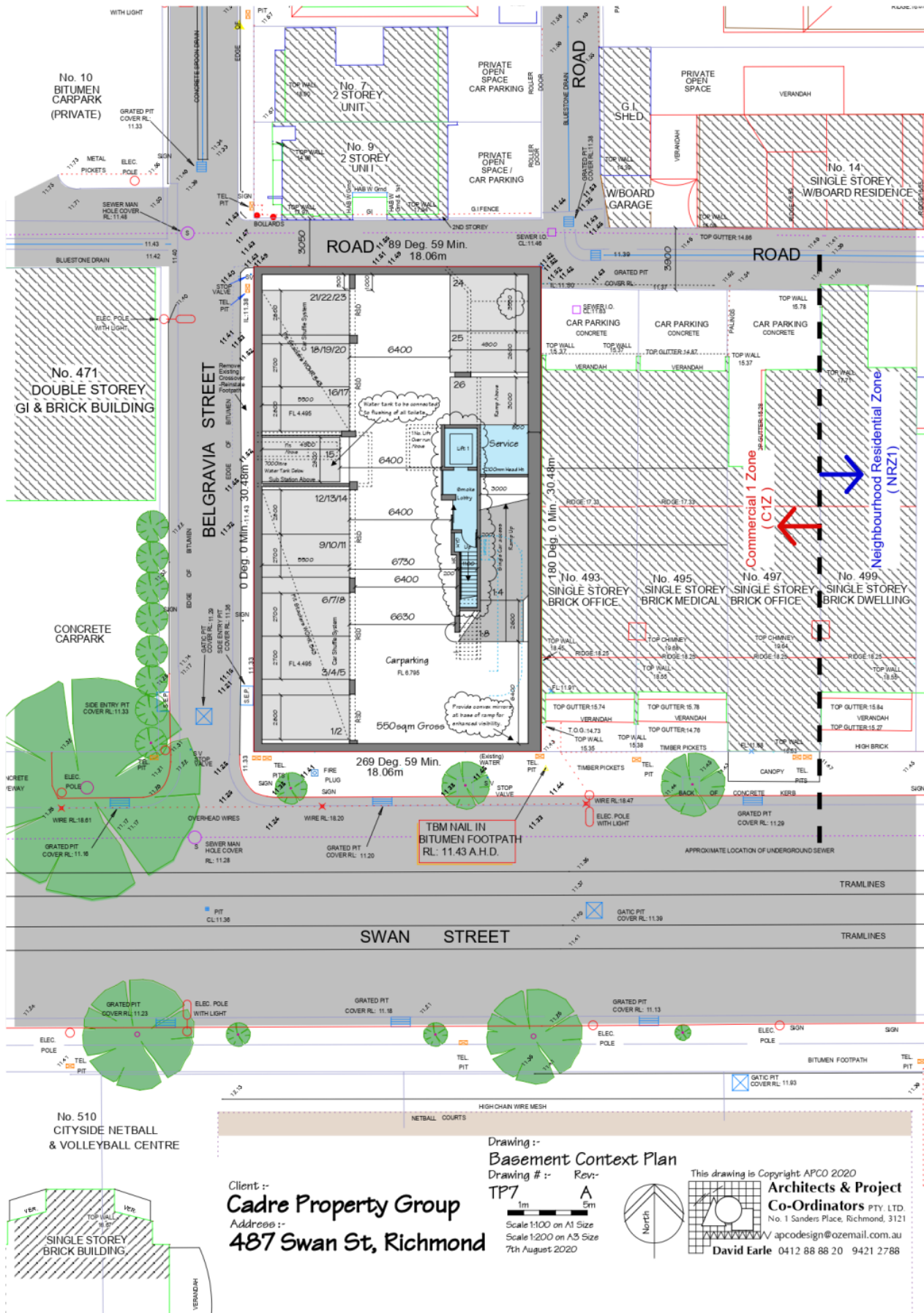


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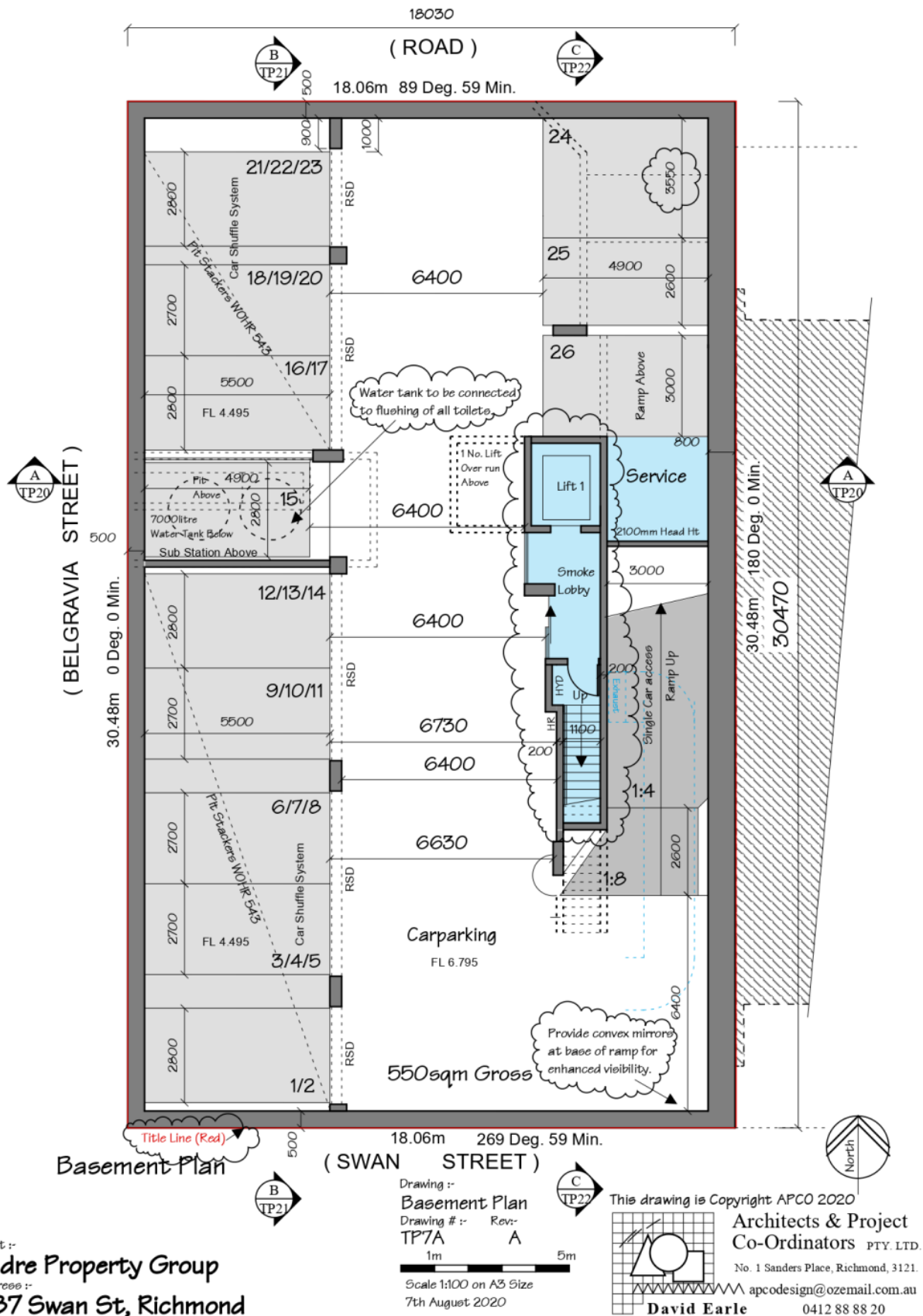


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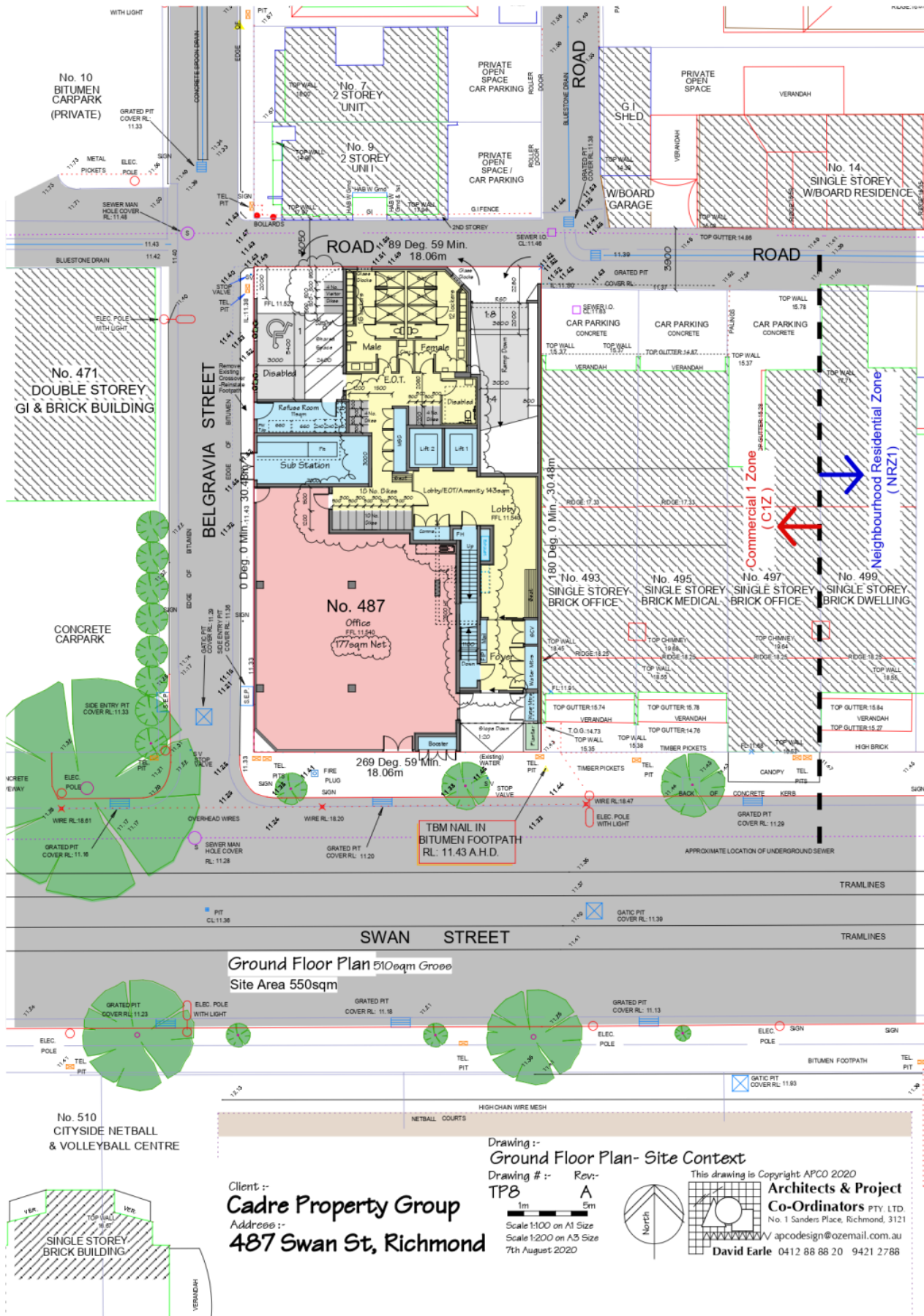


# Attachment 2 - PLN20/0420 - PDC Attachment - Plans

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Attachment 2 - PLN20/0420 - PDC Attachment - Plans

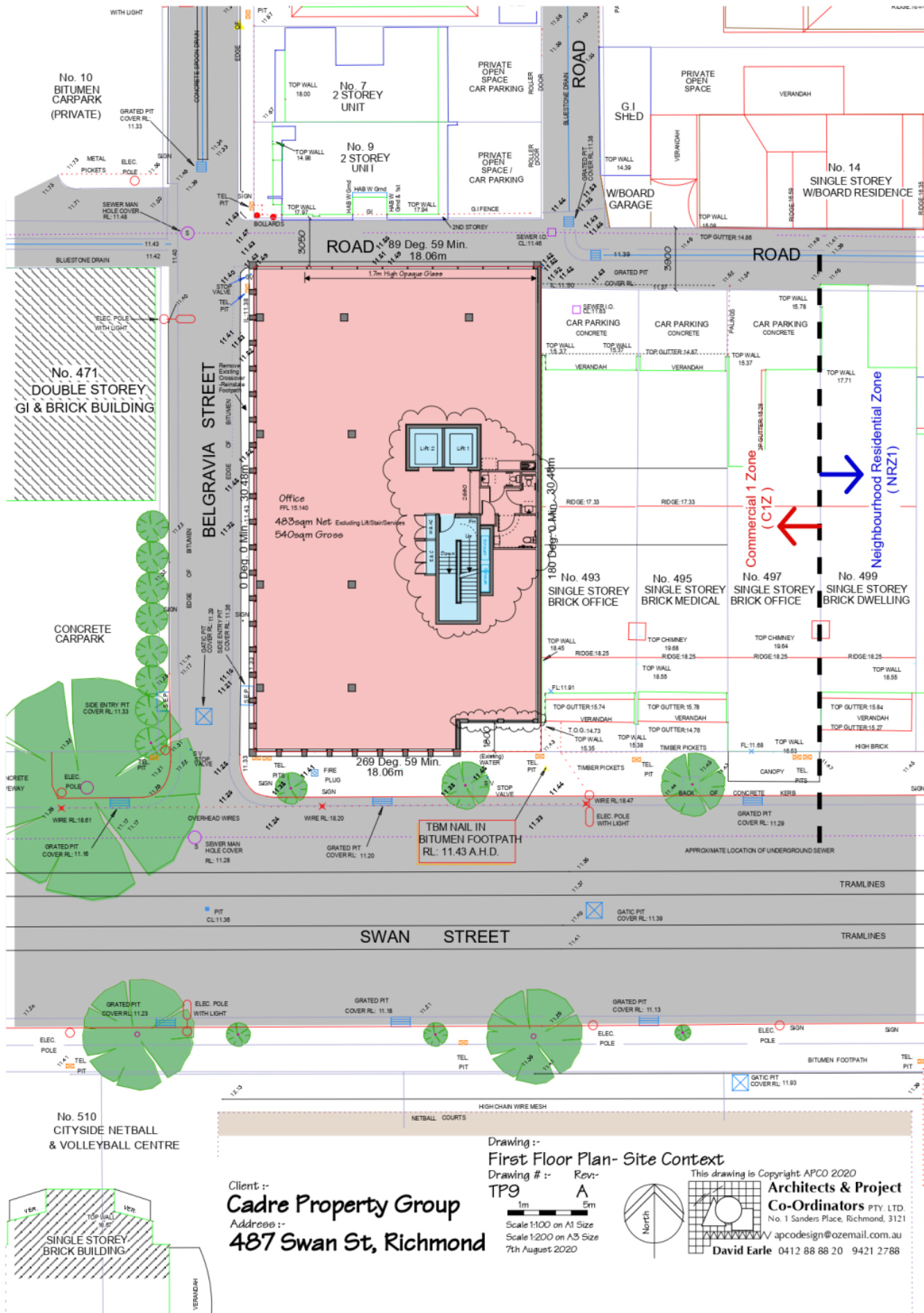




Refer to sheet TP25 for details. Boundary - - - - - Adj. Property Fence



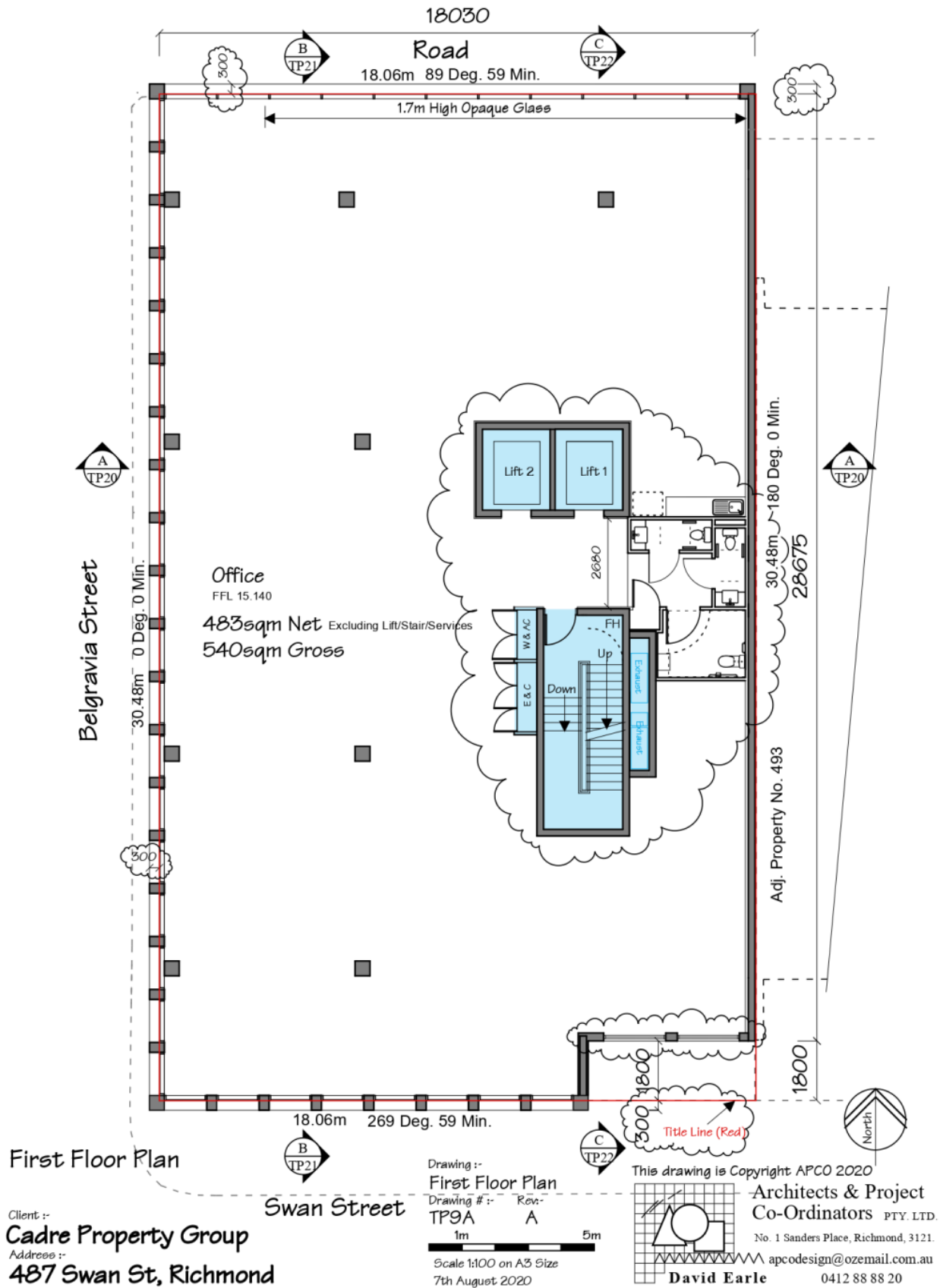
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# Attachment 2 - PLN20/0420 - PDC Attachment - Plans

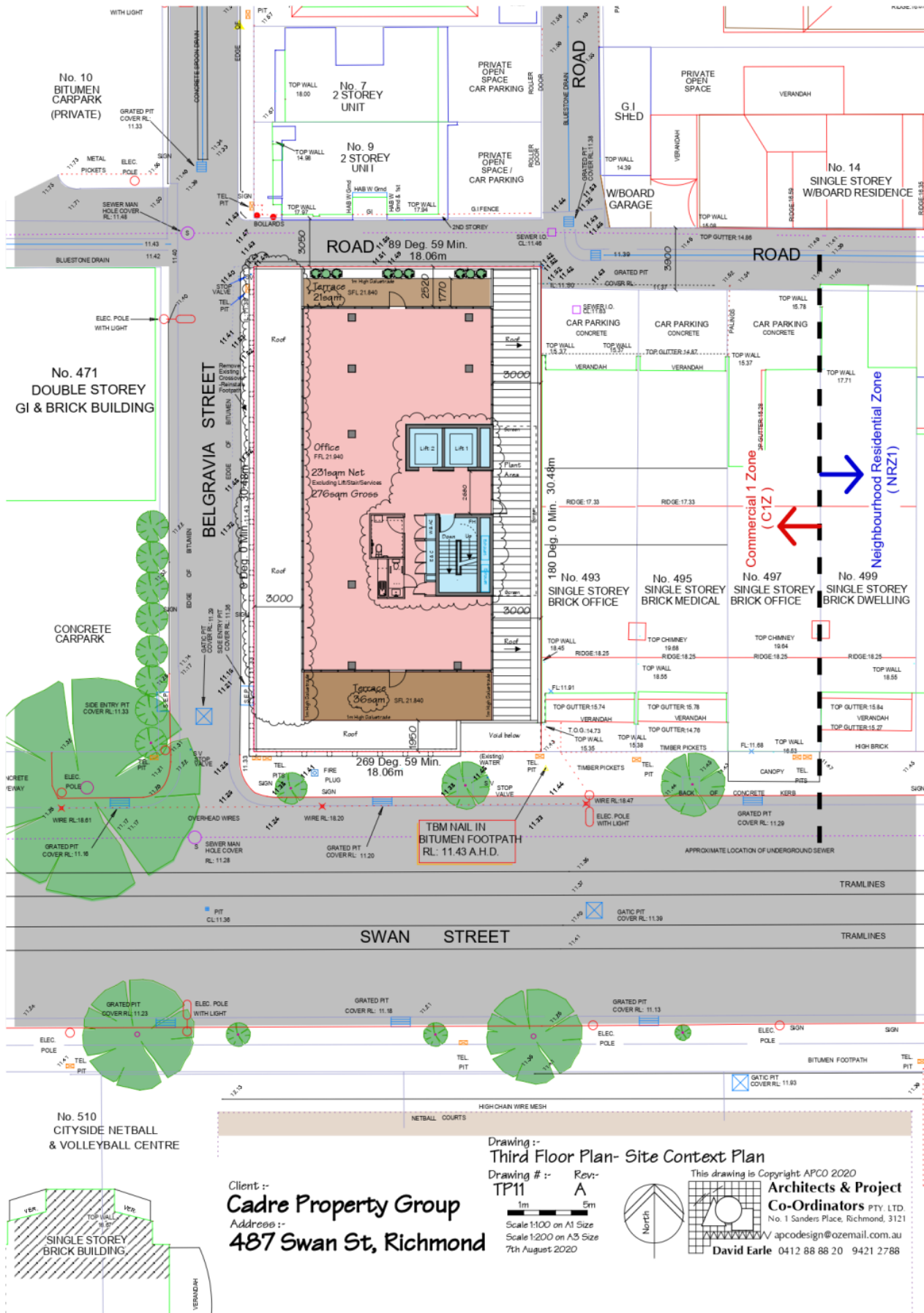
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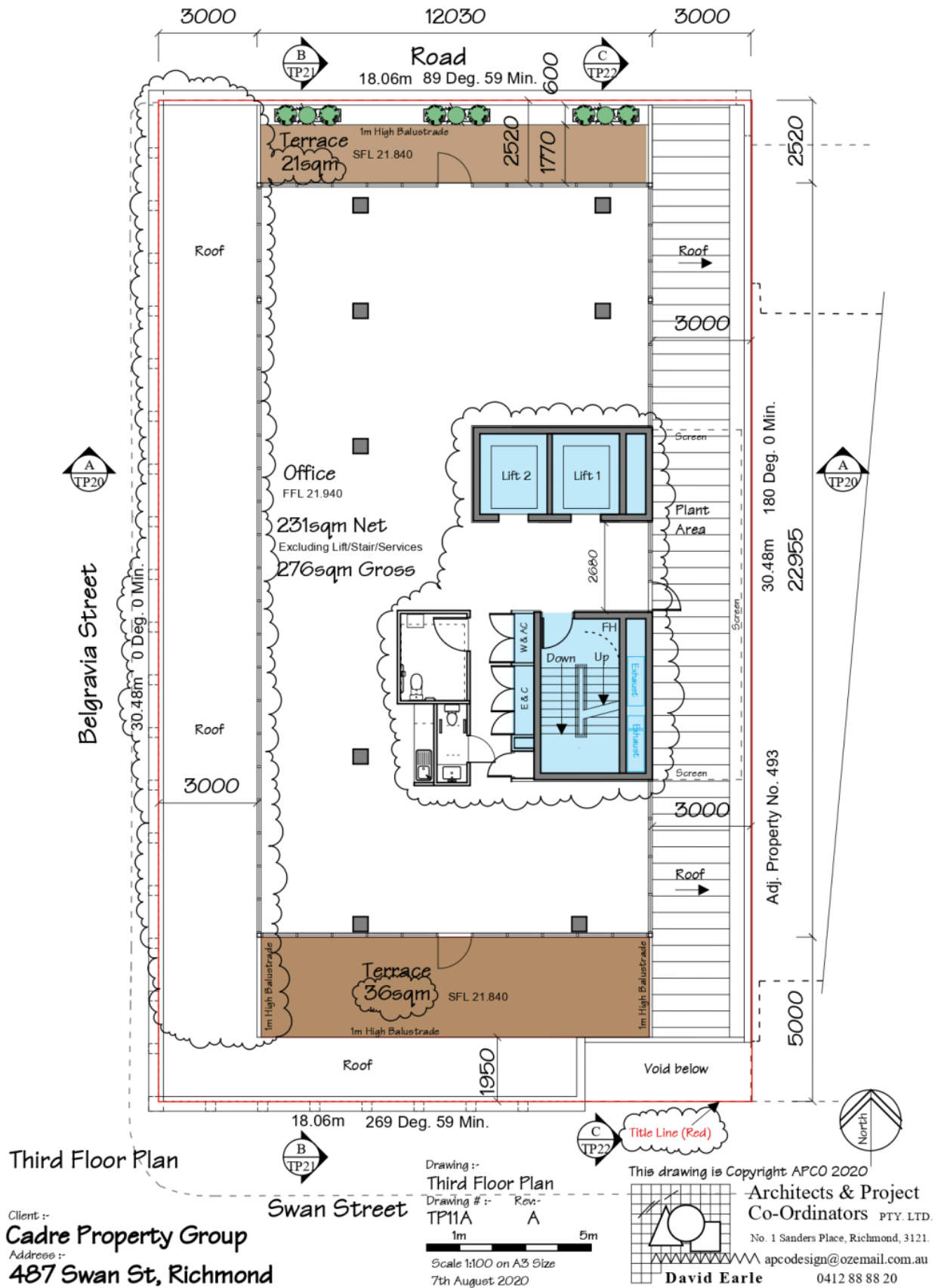
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Attachment 2 - PLN20/0420 - PDC Attachment - Plans



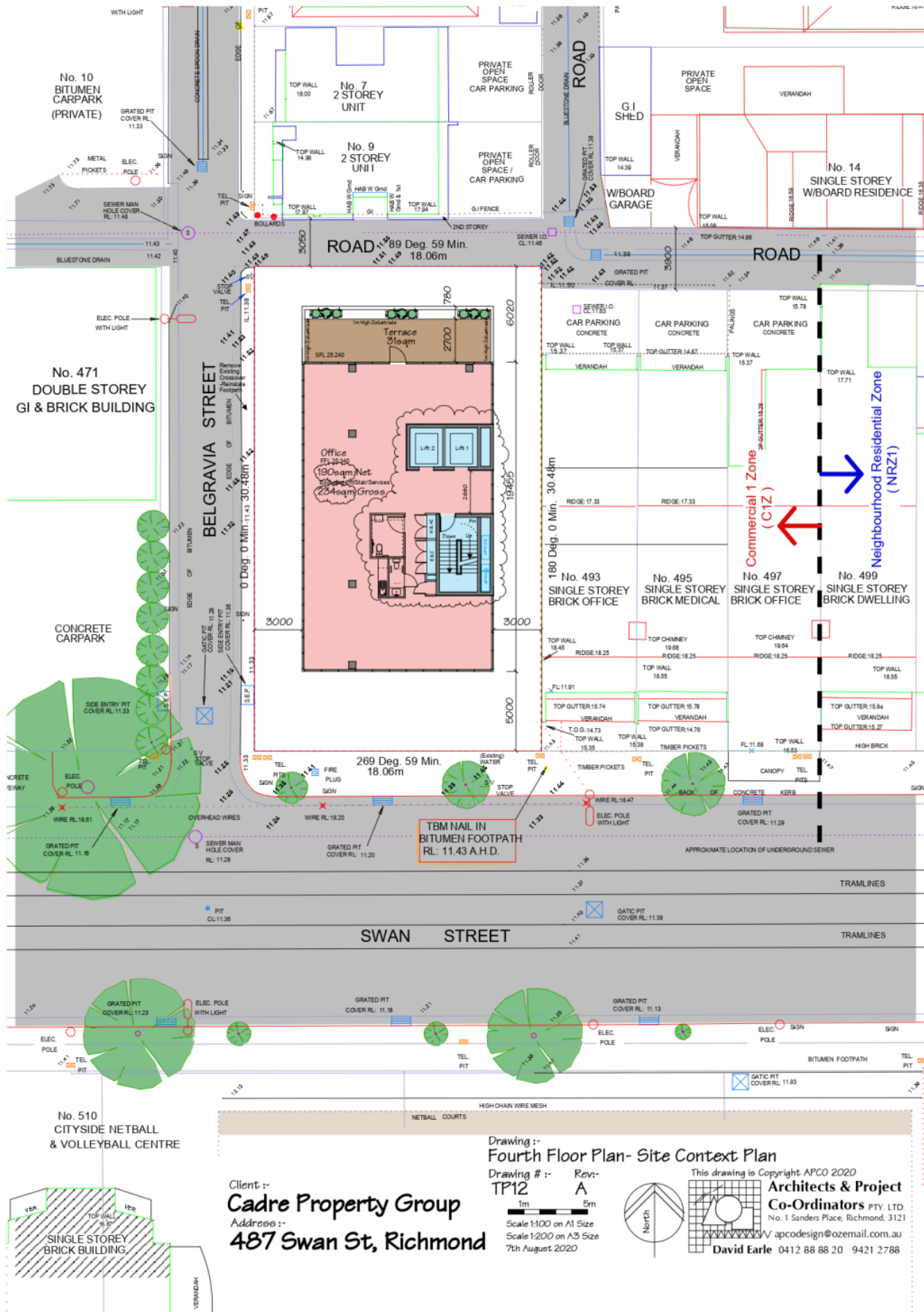
# Attachment 2 - PLN20/0420 - PDC Attachment - Plans

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Attachment 2 - PLN20/0420 - PDC Attachment - Plans



3000 12030 3000

Road

18.06m 89 Deg. 59 Min.

780

2700

6020

1m High Balustrade

Terrace 31sqm

SFL 25.240

1m High Balustrade

Office

FFL 25.340

190sqm Net

Excluded Lift/Stair/Services

234sqm Gross

Lift 2

Lift 1

2680

19455

30.48m 0 Deg. 0 Min.

Belgravia Street

3000

3000

5000

18.06m 269 Deg. 59 Min.

Title Line (Red)

Fourth Floor Plan

Drawing :- Fourth Floor Plan

This drawing is Co...

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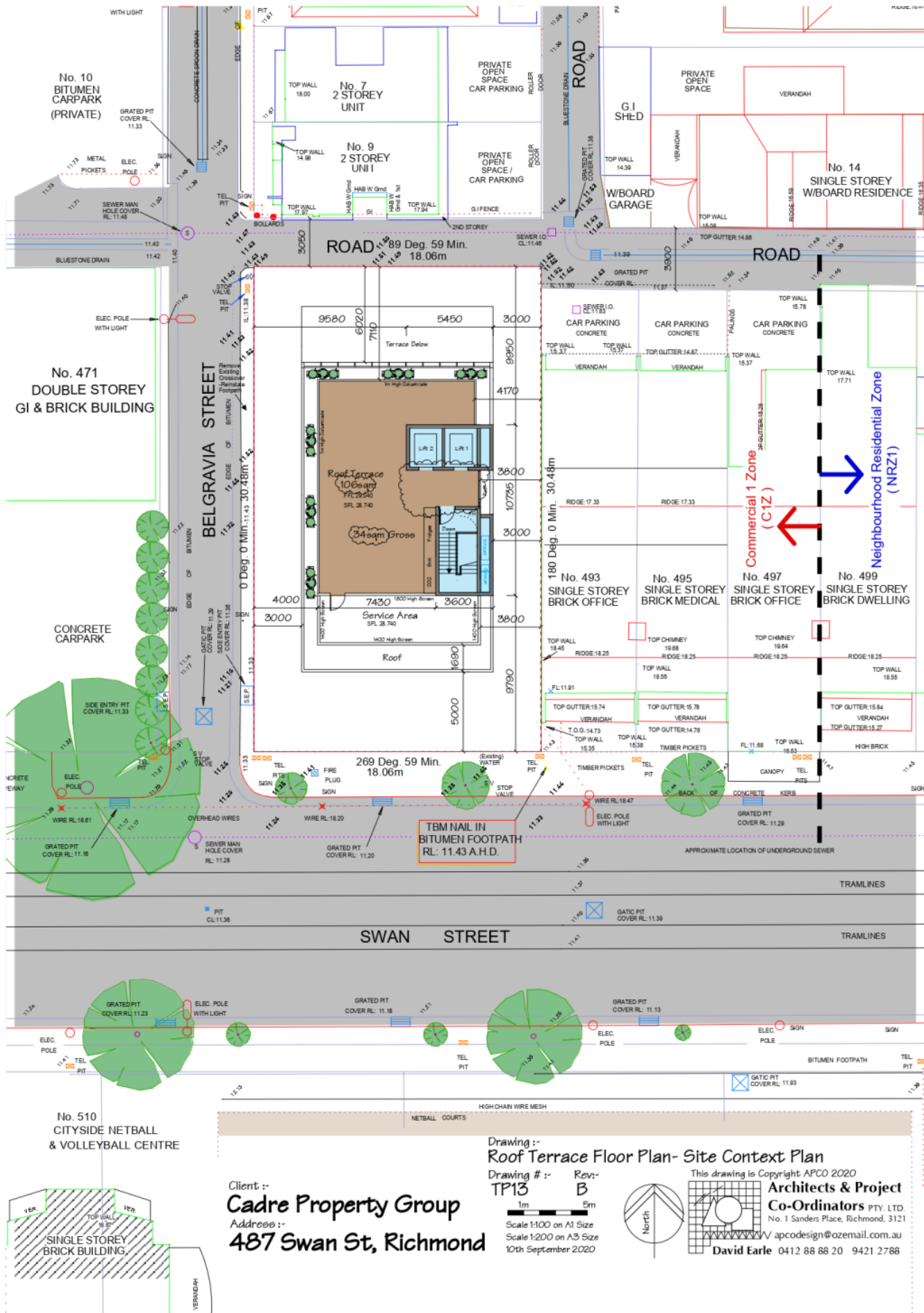
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Co-Ordinators** PTY. LTD.

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apcodesign@ozemail.com.au

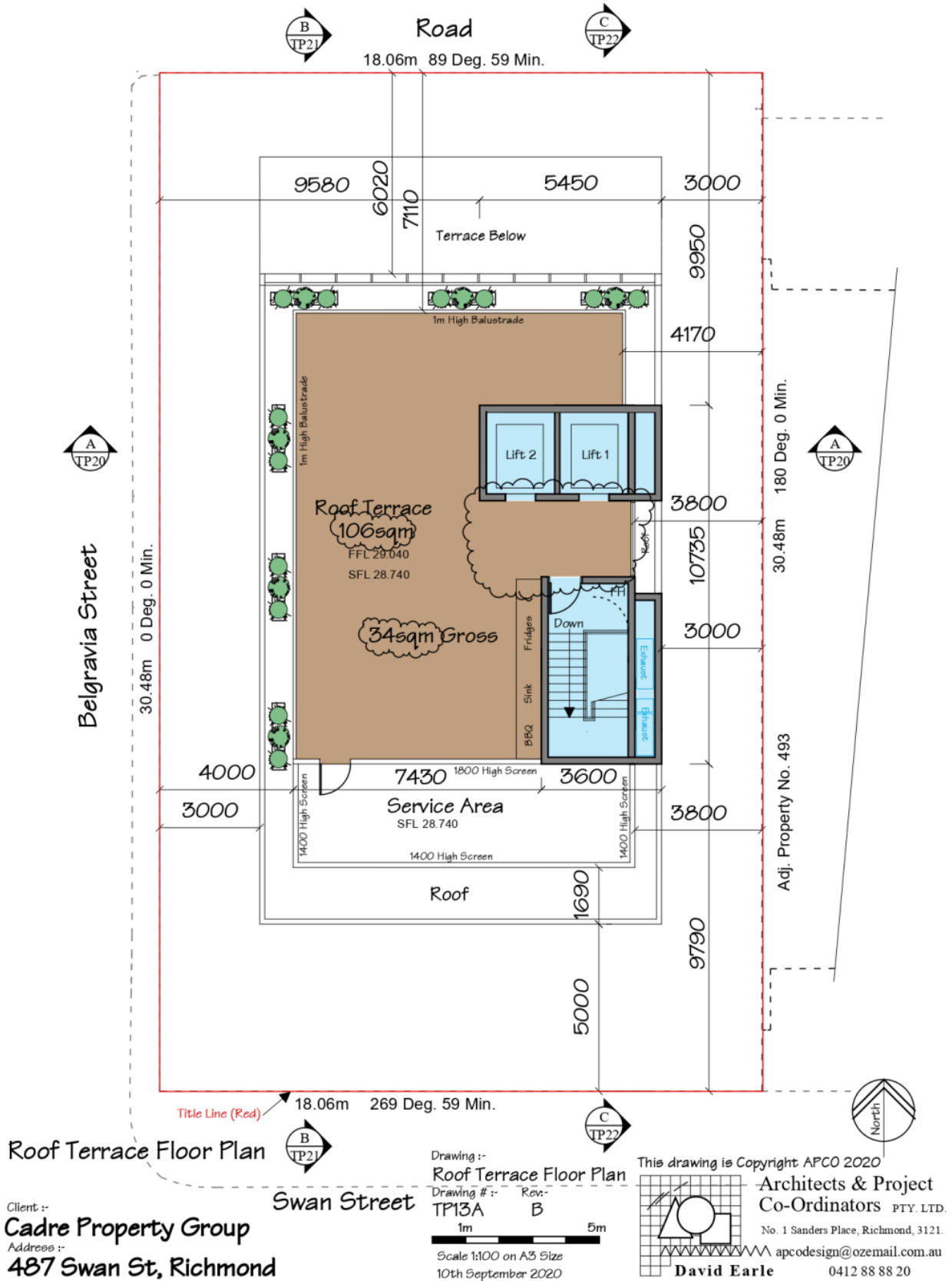
**David Earle** 0412 88 88 20

Attachment 2 - PLN20/0420 - PDC Attachment - Plans

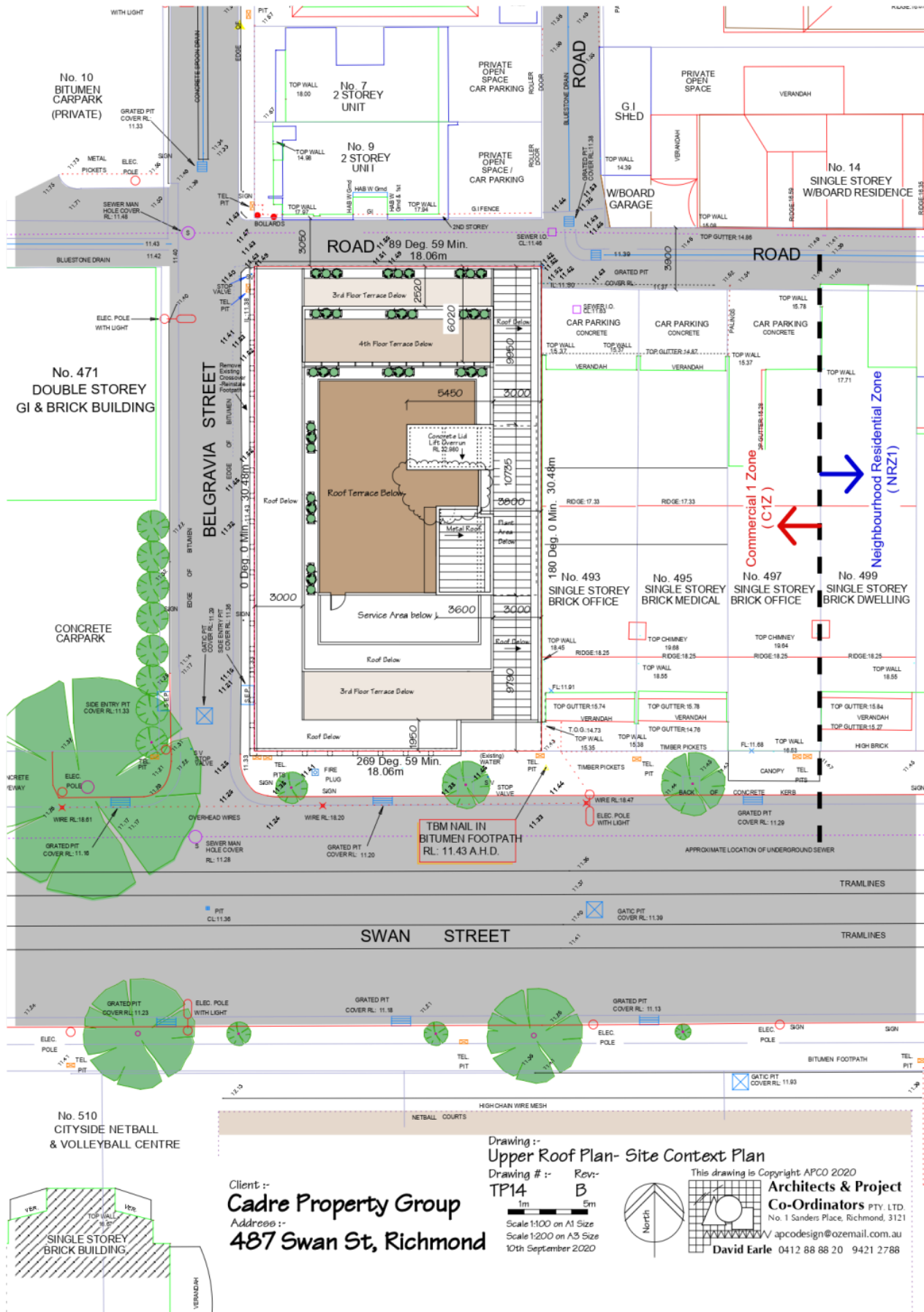


# Attachment 2 - PLN20/0420 - PDC Attachment - Plans

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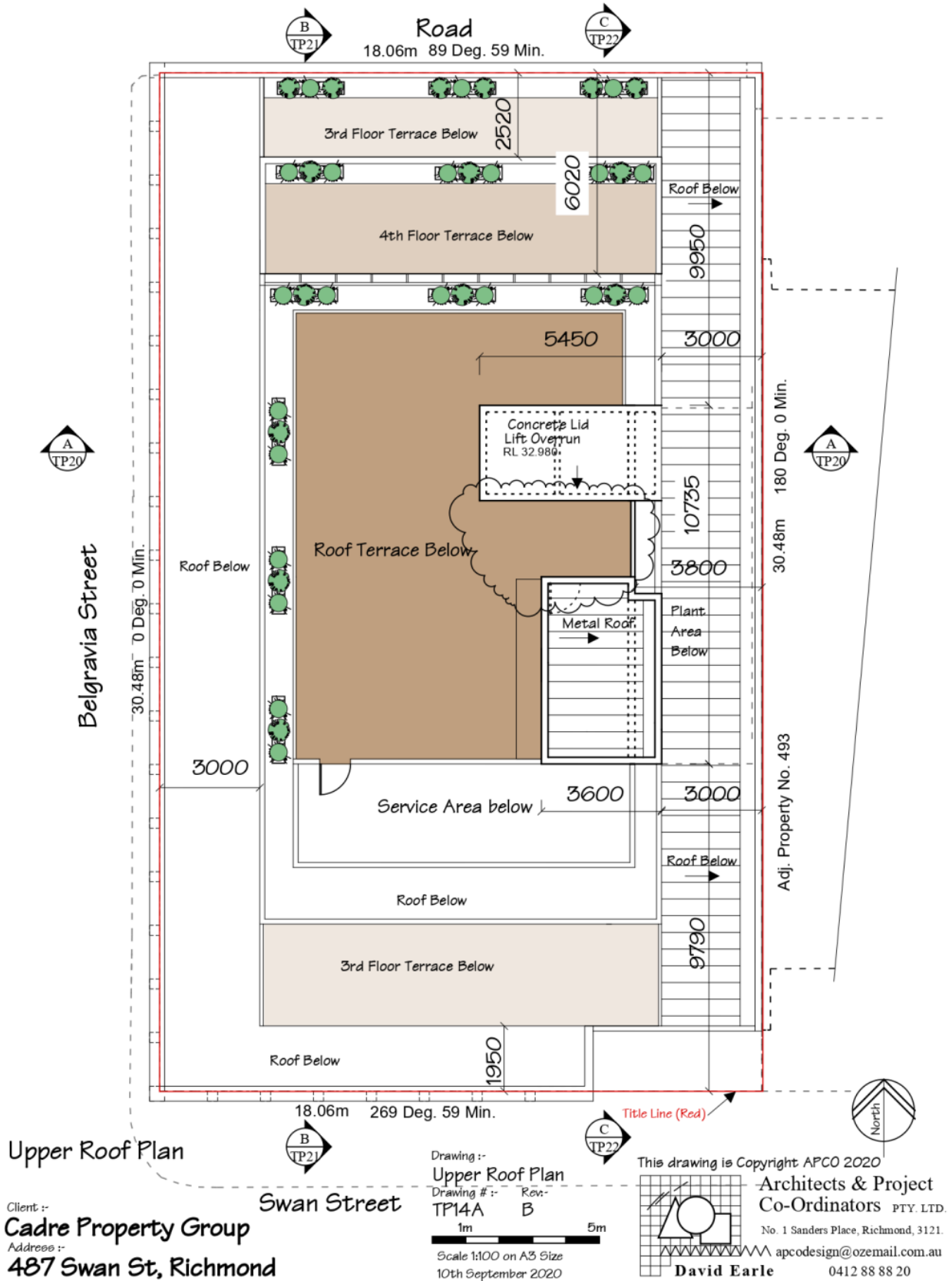
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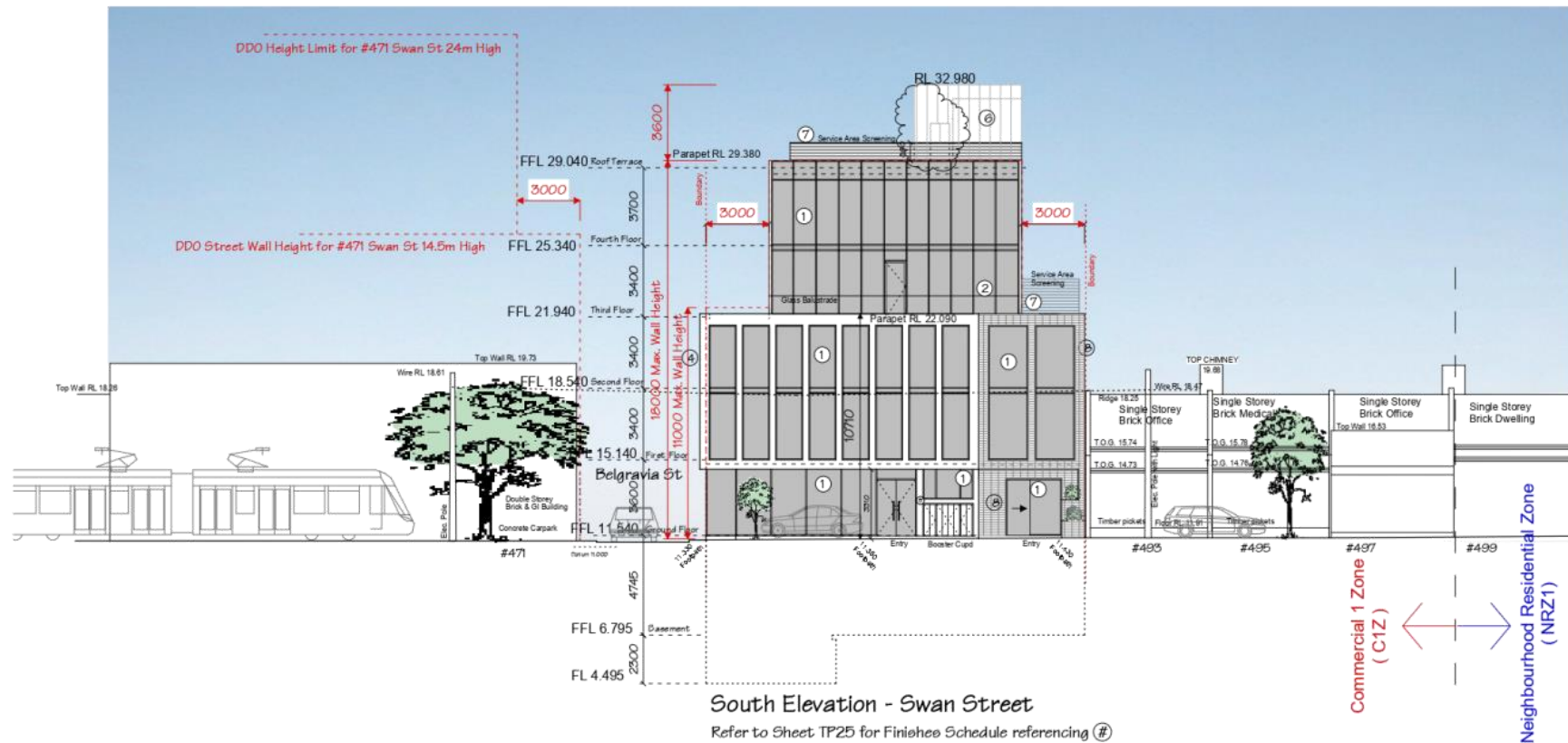
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## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

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Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**

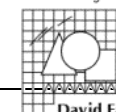
Drawing :-  
**South Elevation**

Drawing # :-  
**TP15**

Rev:-  
**B**

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10th September 2020

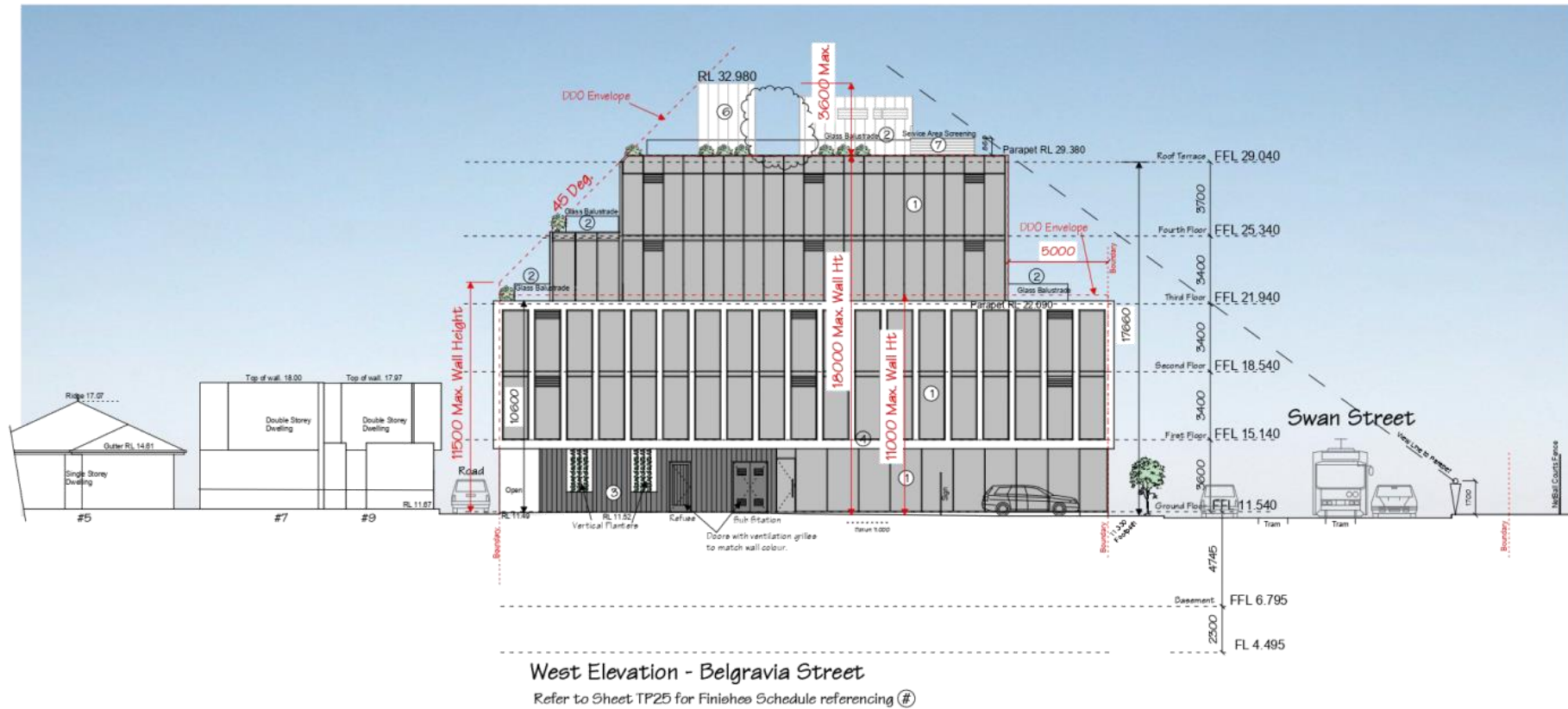
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## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

These plans & elevations are to be read in conjunction with the report prepared by Ecoresults #2020-2156-SMP. Refer to sheet TP25 for details.



----- Represents DDO overlay setback

Drawing :-  
West Elevation

Drawing # :- Rev:-  
TP16 B

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10th September 2020

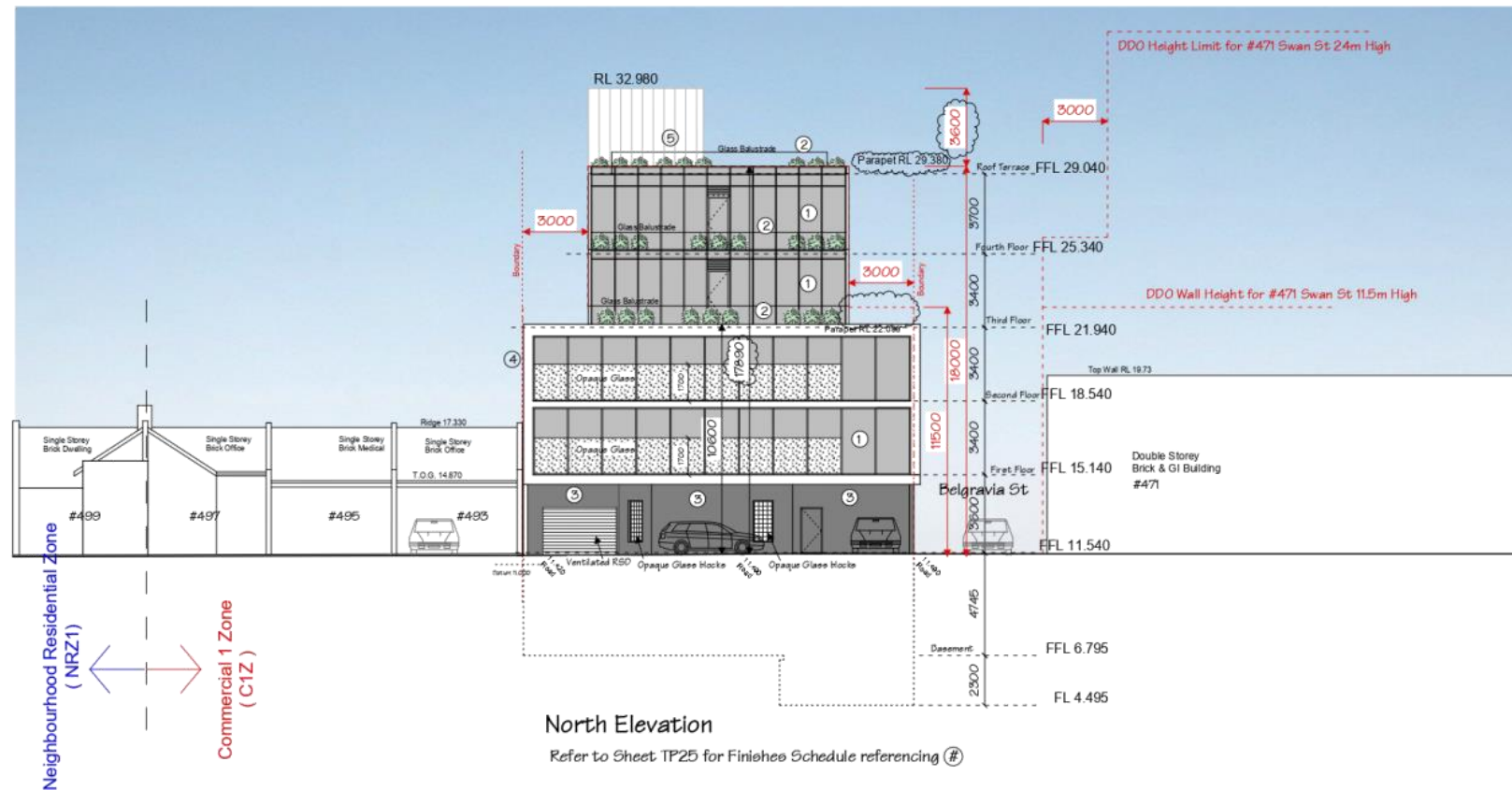
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Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**

## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

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Client :-

**Cadre Property Group**

Address :-

**487 Swan St, Richmond**

Drawing :-

**North Elevation**

Drawing # :- Rev:-

**TP17 A**

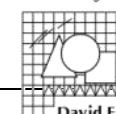
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7th August 2020

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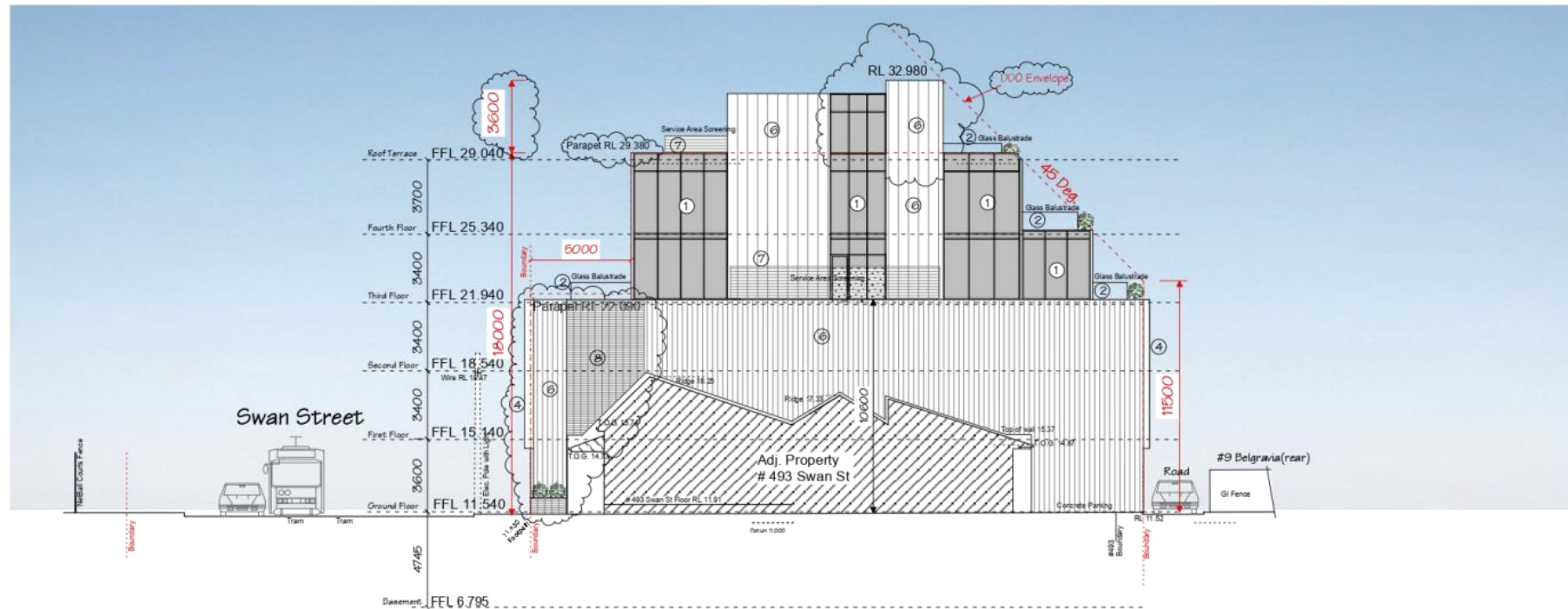


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## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

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East Elevation

Refer to Sheet TP25 for Finishes Schedule referencing (#)

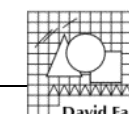
--- Represents DDO overlay setback

Drawing :-  
East Elevation

Drawing # :- Rev:-  
TP18 A

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7th August 2020

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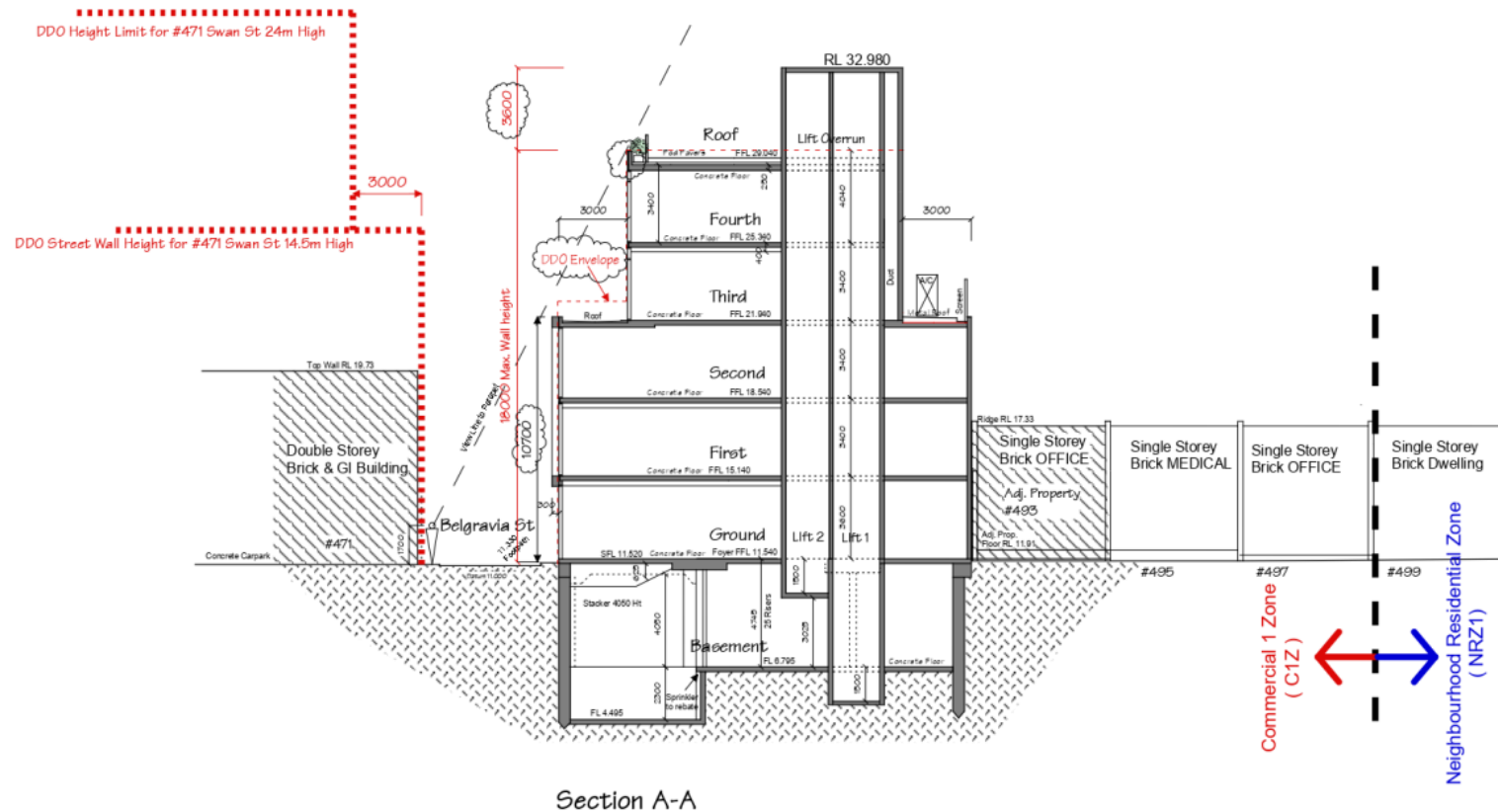


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David Earle 0412 88 88 20 9421 2788

Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**



These plans & elevations are to be read in conjunction with the report prepared by Ecoresults #2020-2156-SMP. Refer to sheet TP25 for details.



Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**

Drawing :-  
Section A-A  
Drawing # :- Rev:-  
TP20 A  
1m 5m  
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Scale 1:200 on A3 Size  
7th August 2020

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**David Earle** 0412 88 88 20 9421 2788

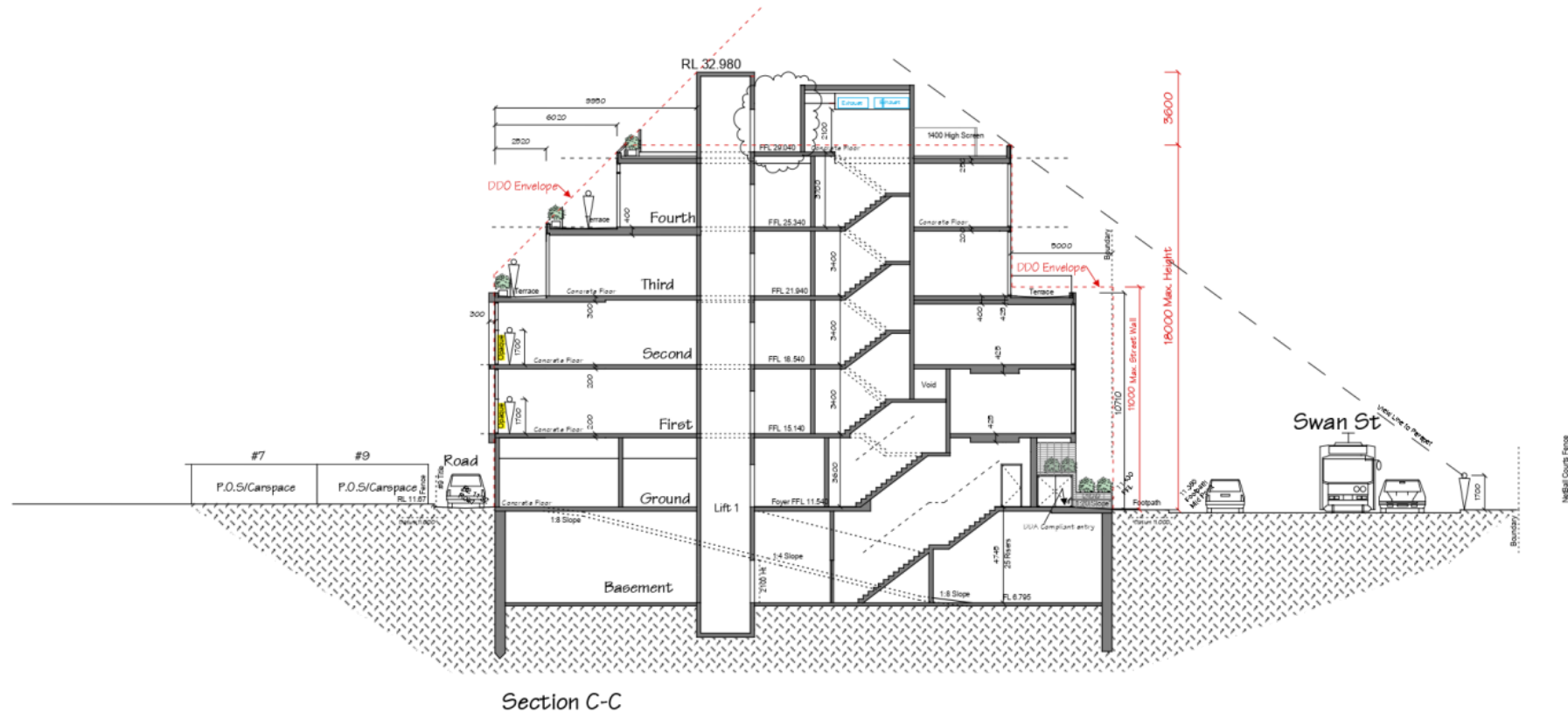
**Section B-B**

Architectural section B-B of a four-story building. The section shows the building's footprint, floor levels (Ground, First, Second, Third, Fourth), and roof structure. Key features include a water tank on the roof, a substation, a rear carpark, and various rooms like a refuse room and storage. The building is situated on a sloping site with a road and other dwellings nearby. Dimensions and elevations are provided throughout the drawing.

Agenda Page 214

## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

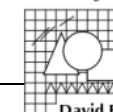
These plans & elevations are to be read in conjunction with the report prepared by Ecoresults #2020-2156-SMP. Refer to sheet TP25 for details.



Client :-  
**Cadre Property Group**  
 Address :-  
**487 Swan St, Richmond**

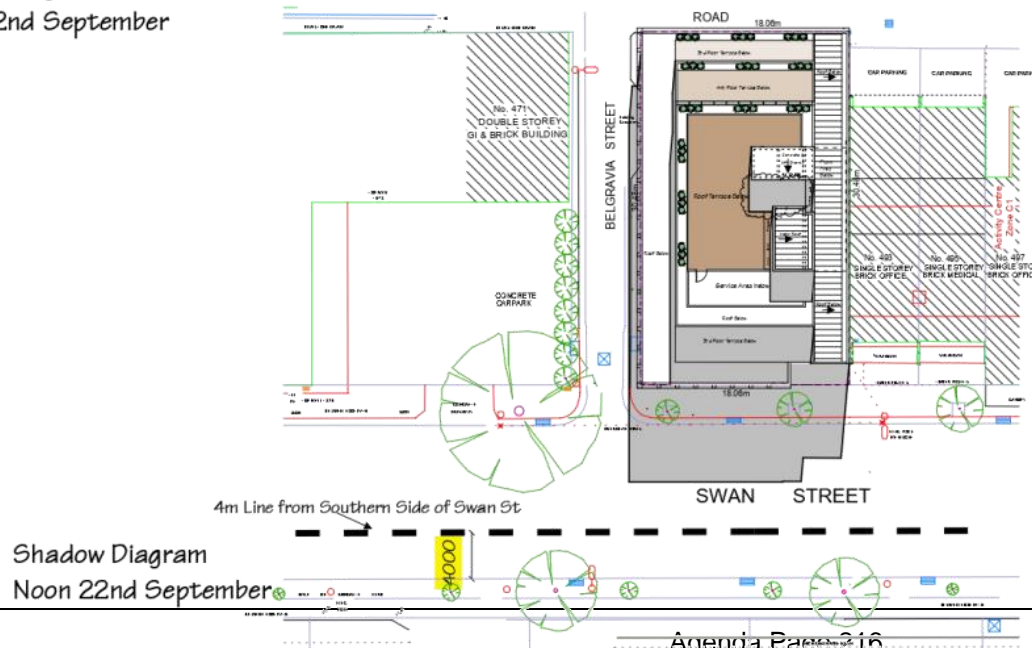
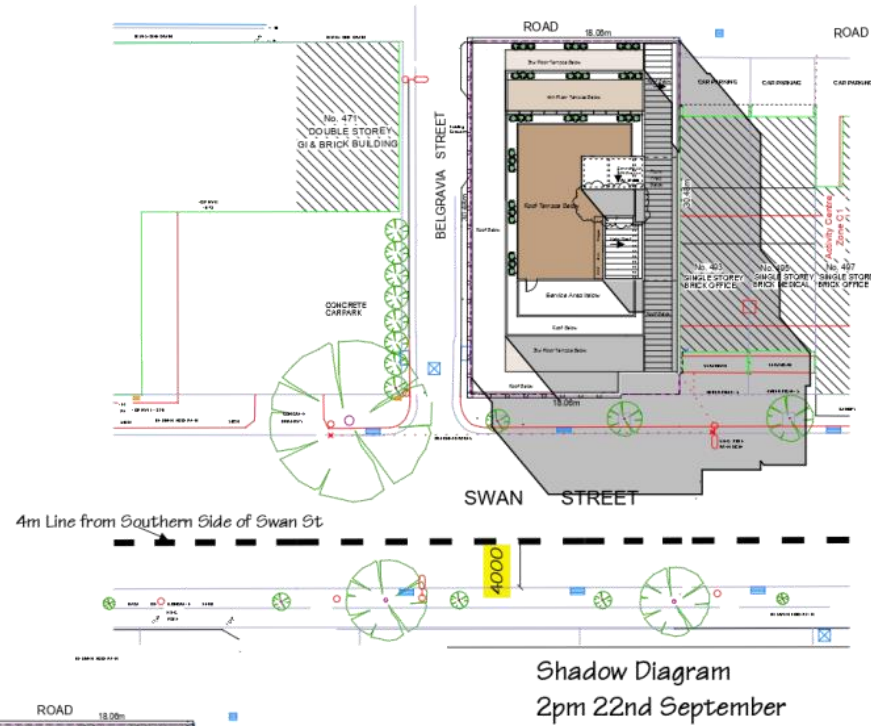
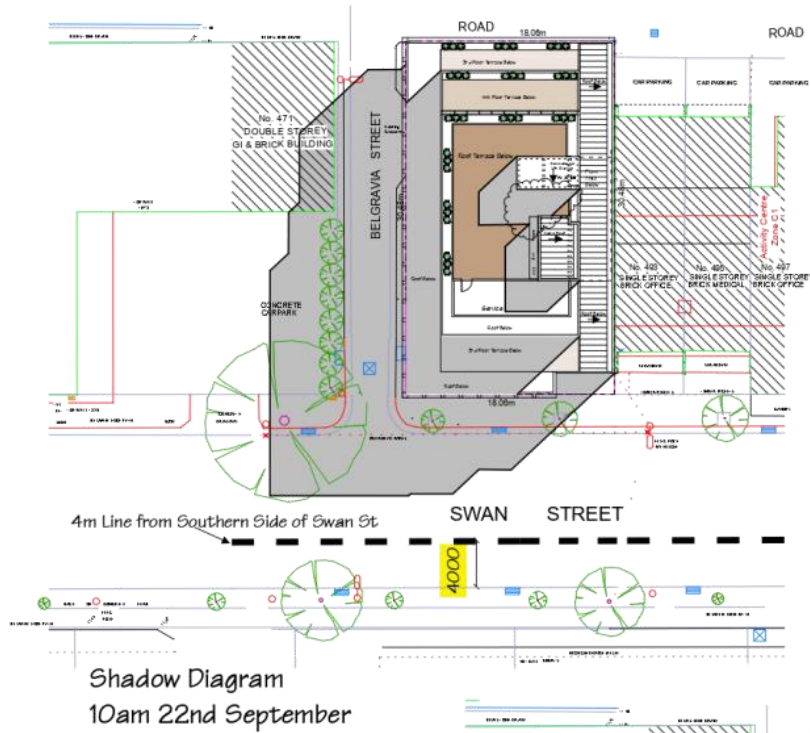
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 Drawing # :- Rev:-  
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 10th September 2020

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**David Earle** 0412 88 88 20 9421 2788

# Attachment 2 - PLN20/0420 - PDC Attachment - Plans



Drawing :-  
Shadow Diagrams  
-22nd September

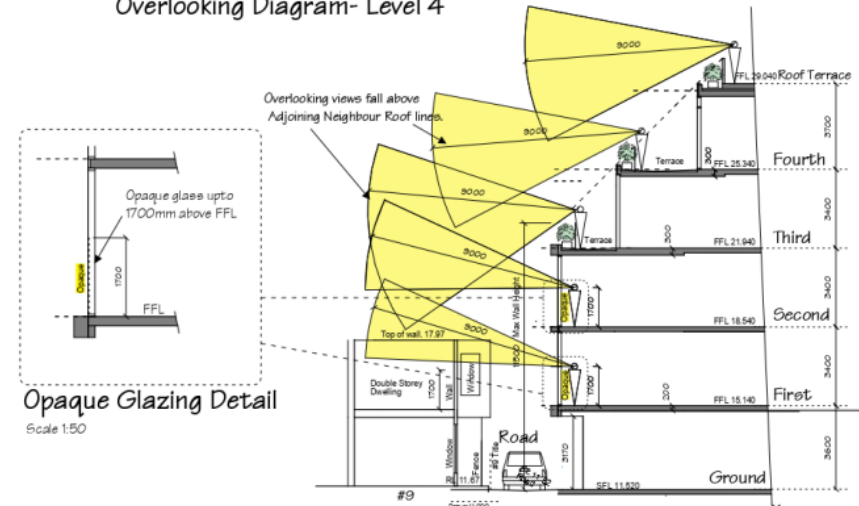
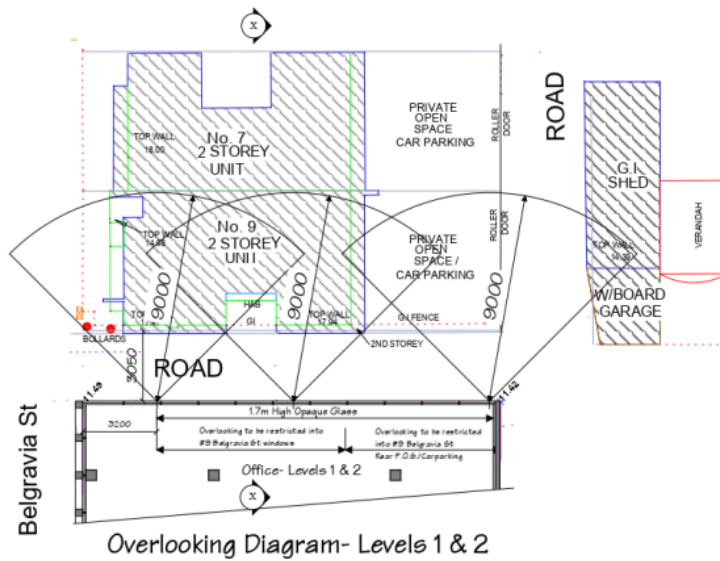
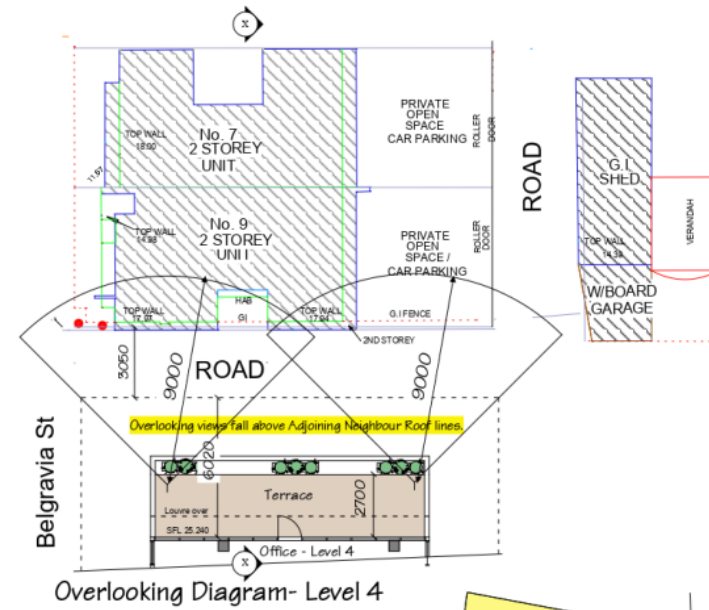
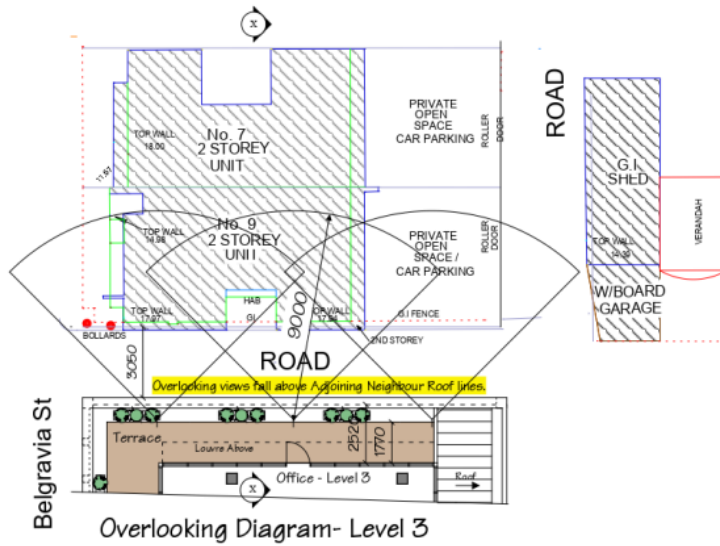
Drawing # :-  
TP23 Rev-  
B

Scale 1:200 on A1 Size  
Scale 1:400 on A3 Size  
10th September 2020

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No. 1 Sanders Place, Richmond, 3121  
apcocodeign@ozemail.com.au  
David Earle 0412 88 88 20 9421 2788



# Attachment 2 - PLN20/0420 - PDC Attachment - Plans



Section X-X

Drawing :-  
Overlooking Diagram

Drawing # :- Rev:-  
TP24

Scale 1:100 on A1 Size  
Scale 1:200 on A3 Size  
15th June 2020

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Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**



## Attachment 2 - PLN20/0420 - PDC Attachment - Plans

### Finishes Schedule

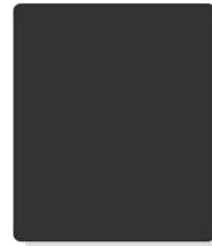
Refer to Sheets TP15, TP16, TP17 & TP18 for Elevations.



① Silver/Grey Glass with Aluminium frames



② Clear Glass balustrade



③ Dark Grey Render Finish



④ White Metal Cladding



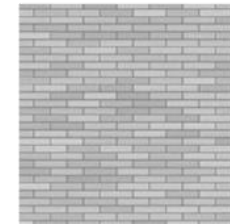
⑤ Raw Concrete panel



⑥ Raw Concrete panel with rebates



⑦ Silver Metal Screen



⑧ Grey Bricks

### SMP - Details

-To be read in conjunction with the report prepared by Ecocoreulte #2020-2156-SMP.

Lighting	-LED downlights and other high efficiency light fittings to be used throughout ( not incandescent or halogen) -The maximum illumination power density (W/eqm) in at least 90% of the relevant Building Class will be at least 20% lower than required by the Table J6.2a of the Building Code of Australia (BCA) Volume 1. -Lighting controls for common and external areas will be on a time schedule to reduce ongoing running costs
Energy	-A commitment has been made for a JV3 assessment to be conducted at building approval stage which will show 10% improvement on the NCC minimums.
HVAC	-All heating and cooling systems within one Star, or Co-efficient of Performance (CoP) & Energy Ratios (EER) 85% or better than the most efficient equivalent capacity unit available.
Water	-5 Star WELS rated taps. - 4 Star rated toilets connected to rainwater tanks
HWS	-Water efficient shower heads (flow between 7.5 and 9.0 L/min.) -All water heating systems must be within one Star, or 85% or better than the most efficient equivalent capacity unit available
WSUD	-7,000 Litre rainwater tank(s) for toilet flushing - See detailed WSUD measures required to achieve the STORM score
Transport	-18 Secure & 4 Visitor bike parking spaces to be provided
Waste	-An 80% Commitment to recycle construction waste
Glazing	-All external windows to meet the NCC Section J & the relevant Australian Standards
Hazardous	-Low VOC paints and adhesives to be used throughout the development
Materials & VOC	
Carpark Exhaust	-Carpark with natural ventilation or CO monitoring system

Client :-

**Cadre Property Group**

Address :-

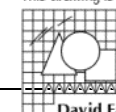
**487 Swan St, Richmond**

Drawing :-  
**Finishes Schedule &  
SMP Details**

Drawing # :- Rev:-  
**TP25 A**

7th August 2020

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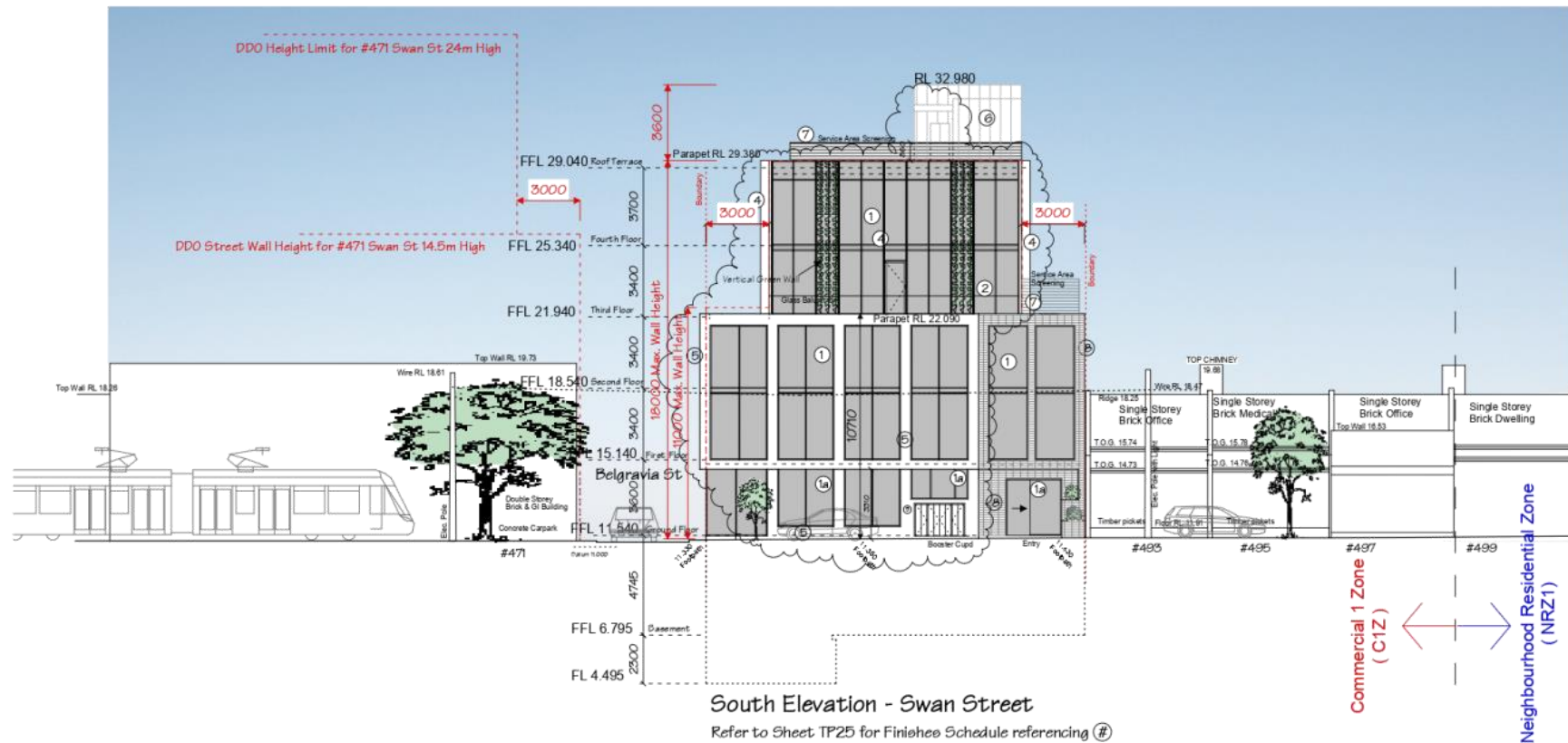


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### Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans

These plans & elevations are to be read in conjunction with the report prepared by Ecoresults #2020-2156-SMP. Refer to sheet TP25 for details.



----- Represents DDO overlay setback

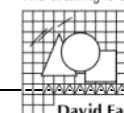
Drawing :-  
South Elevation

Drawing # :- Rev:-  
TP15 C

1m 5m  
Scale 1:100 on A1 Size  
Scale 1:200 on A3 Size  
10th December 2020

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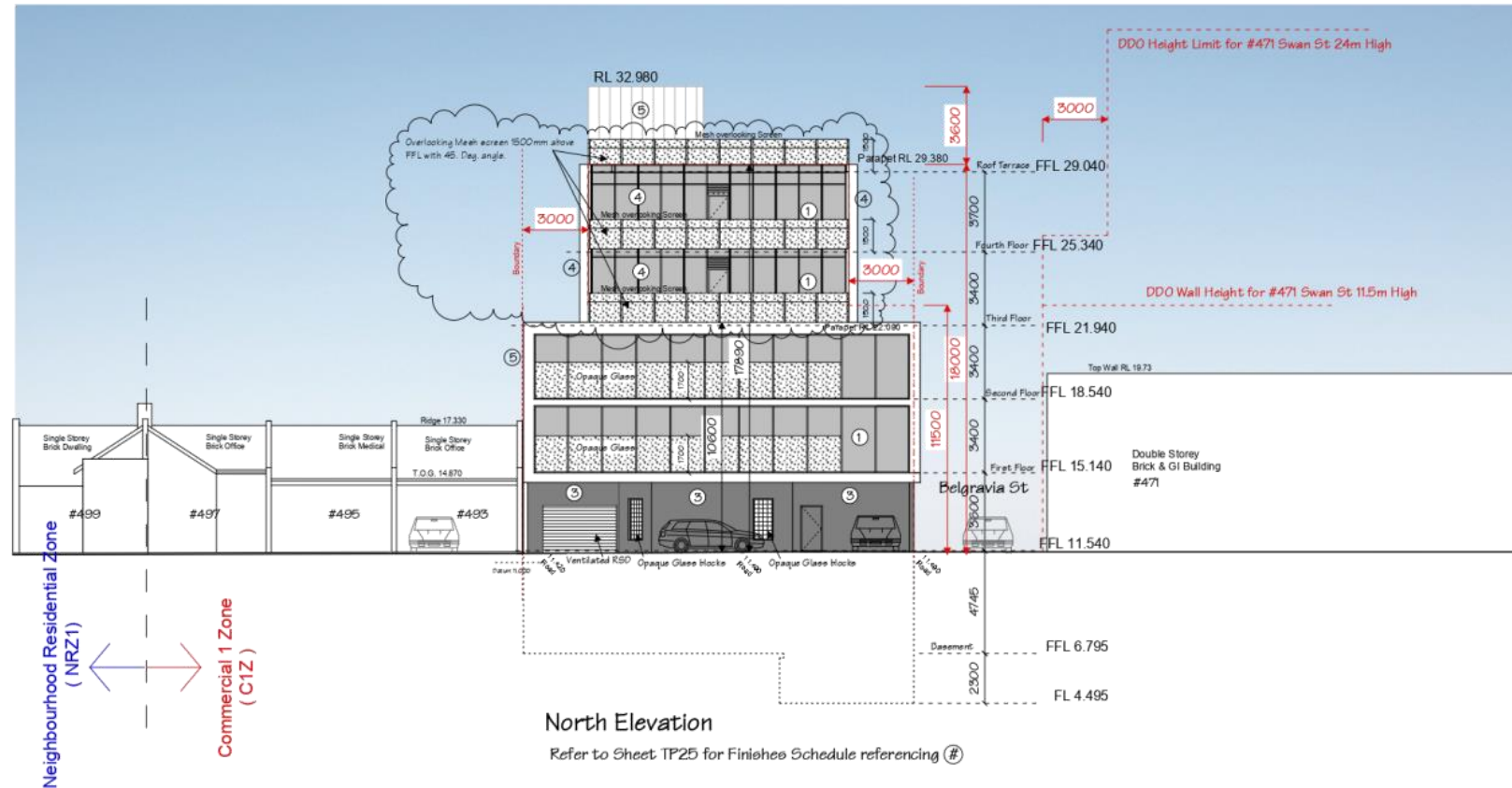
Client :-  
Cadre Property Group  
Address :-  
487 Swan St, Richmond

Refer to Sheet TP25 for Finished Schedule referencing (#)

Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**

# Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans

These plans & elevations are to be read in conjunction with the report prepared by Ecoresults #2020-2156-SMP. Refer to sheet TP25 for details.



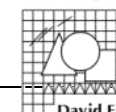
----- Represents DDO overlay setback

Drawing :-  
North Elevation

Drawing # :- Rev:-  
TP17 B

Scale 1:100 on A1 Size  
Scale 1:200 on A3 Size  
10th December 2020

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Client :-

**Cadre Property Group**

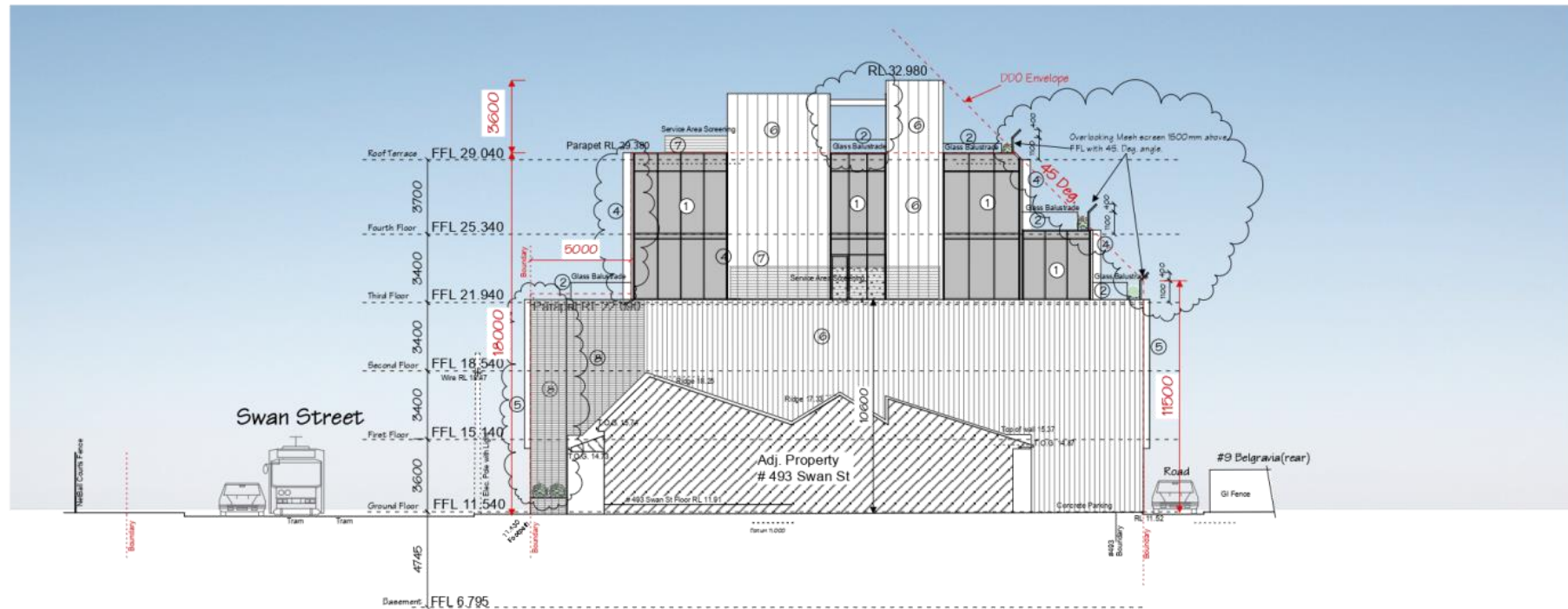
Address :-

**487 Swan St, Richmond**



# Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans

These plans & elevations are to be read in conjunction with the report prepared by Ecoresults #2020-2156-SMP. Refer to sheet TP25 for details.



East Elevation

Refer to Sheet TP25 for Finishes Schedule referencing (#)

----- Represents DDO overlay setback

Drawing :-  
East Elevation

Drawing # :- Rev:-  
TP18 C

1m 5m  
Scale 1:100 on A1 Size  
Scale 1:200 on A3 Size  
10th December 2020

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Client :-  
**Cadre Property Group**  
Address :-  
**487 Swan St, Richmond**



**Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans**



**Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans**





**Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans**



**Attachment 3 - PLN20/0420 - PDC Attachment - Sketch Plans**



## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



### ESD in the Planning Permit Application Process

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

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

As detailed in Clause 22.17, this application is a 'large' planning application as it meets the category *Non-residential 1. 1,000m<sup>2</sup> or greater*.

### What is a Sustainable Management Plan (SMP)?

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

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

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

### Assessment Process:

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



## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

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



#### Table of Contents

Assessment Summary:.....	3
1. Indoor Environment Quality (IEQ) .....	5
2. Energy Efficiency .....	6
3. Water Efficiency.....	8
4. Stormwater Management.....	9
5. Building Materials .....	10
6. Transport .....	11
7. Waste Management .....	12
8. Urban Ecology .....	13
9. Innovation .....	14
10. Construction and Building Management .....	15
Applicant Response Guidelines .....	16

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



## Assessment Summary:

Responsible Planner:	Chris Stathis
ESD Advisor:	Gavin Ashley
Date:	21.10.2020
Subject Site:	PLN20/0420 487-491 Swan Street, Richmond VIC 3121
Site Area:	Approx. ZZZm <sup>2</sup>
Project Description:	5-storey building comprising of a basement carpark, ground floor mixed use, four levels of commercial office space and a rooftop terrace.
Pre-application meeting(s):	Unknown.
Documents Reviewed:	<ul style="list-style-type: none"> <li>o Sustainability Management Plan [11.06.20], EcoResults Consultants</li> <li>o Architectural Plans [Rev A – 07.08.20], Architects &amp; Project Co-Ordinators Pty Ltd</li> <li>o Waste Management Plan [11.06.20], RB Waste Consulting Service</li> </ul>

**The standard of the ESD does not meet Council's Environmental Sustainable Design (ESD) standards.** Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met.

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

**(1) Applicant ESD Commitments:**

- The proposal achieves a BESS score of 57% representing best practice.
- Daylight calculations indicate adequate access to daylight (i.e. third floor 69.3% of nominated area with a DF>2.0).
- All floors feature passive surveillance onto the street frontage of Swan Street (views).
- The proposal is all-electric (gas free), with commitment to meet NCC 2019 minimum requirements.
- Energy efficient lighting 20% improvement on NCC lighting power densities.
- Water efficient fixtures and taps.
- A STORM report with a 104% STORM score has been submitted that demonstrates best practice and relies on ~366m<sup>2</sup> of roof connected to a 7,000-litre rainwater tank to service toilet flushing throughout.
- The proposal includes 18x secure bicycle parking spaces for employees, 4x for visitors and EoT facilities in the form of 3x male showers, and 3x female showers and separate changerooms and lockers.
- A commitment has been made to recycle or reuse 80% (by mass) of demolition or construction waste.
- The proposed development will feature landscaped terraces to the upper level office tenancies and a landscaped roof terrace.
- Building User Guide will be provided to building occupants with the intent to reduce energy and water consumption.

**(2) Application ESD Deficiencies:**

- The absence of external shading indicates a potential heat gain issue in summer and subsequent heating loads for the HVAC system. Clarify shading strategy for the north, east and west facades.

**(3) Outstanding Information:**

Sustainable Management Plan - Referral Assessment  
Yarra City Council, City Development

Page 3 of 16

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



- Clarify provision of outdoor air to office spaces on all levels to reduce the reliance on mechanical ventilation.
- Please provide VLT used for daylight calculations.
- Articulate low-VOC thresholds, and strategy to minimise formaldehyde.
- Provide a JV3 assessment with details regarding improvements against a reference building (NCC 2019), services and GHG emissions.
- Clarify inconsistency in source of irrigation water and consider a strategy to reduce landscape water needs.
- Provide calculations to illustrate that post-development stormwater quality levels will not exceed pre-development.
- Clarify recycled content (by weight or cost) for both and consider additional materials that can use post-consumer content (i.e. bulk insulation).
- Reword to remove indication that embodied carbon can be naturally offset during operation (it requires actual purchased offsets) and consider conducting an LCA to assess reduction in embodied carbon associated with the strategy.
- Clarify that timber will be recycled or from accredited sustainably harvested plantation sources (FSC or AFS).
- Include car share details within Green Travel Plan (and Building Users Guide).
- Provide a separate Green Travel Plan with performance targets and monitoring and reporting components included.
- Provide a Landscape Plan that articulate irrigation, maintenance and planting schedule of vegetation proposed.
- Provide a statement as to how the development respond to, and minimises the urban heat island effect – and consider a lighter palette for external finishes and additional vegetation to provide cooling benefits.

**(4) ESD Improvement Opportunities**

- Consider increasing tank size, as 64% tank reliability indicates the building will still rely on potable water.
- Consider conducting an LCA, or providing more information on the embodied carbon.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider pipes, cabling, flooring to do not contain PVC or meeting best practice guidelines for PVC.
- Consider providing some charging stations or wiring for future.
- Consider a green roof or wall to improve the ecological value of this site.
- Consider Head contractor to be ISO 14001 accredited.

**Further Recommendations:**

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

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 1. Indoor Environment Quality (IEQ)

### Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	No information has been provided.	Clarify provision of outdoor air to office spaces on all levels to reduce the reliance on mechanical ventilation.	3
Daylight & Solar Access	Hand drawn Green Star calculations indicate the ground floor office achieves DF>2.0 for 51.3% of nominated floor area, with this increasing to 69.3% on level 3. BESS report claims 60% with DF>2.0.	Please provide VLT used for calculations.	3
External Views	All floors feature passive surveillance onto the street frontage of Swan Street, and upper levels look out onto vegetated terraces on level 3 & 4.	Satisfactory.	1
Hazardous Materials and VOC	Low VOC paints and adhesives are specified, however no mention of formaldehyde.	Articulate low-VOC thresholds, and strategy to minimise formaldehyde.	3
Thermal Comfort	Mechanical ventilation and building fabric, however minimal details.	See above regarding provision of natural ventilation. Clarify building fabric properties (insulation, glazing etc.) and provide an external shading strategy that protects the façade.	2

### \* Council Assessment Ratings:

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

### References and useful information:

SDAPP Fact Sheet: [1. Indoor Environment Quality](#)  
 Good Environmental Choice Australia Standards [www.geca.org.au](http://www.geca.org.au)  
 Australian Green Procurement [www.greenprocurement.org](http://www.greenprocurement.org)  
 Residential Flat Design Code [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)  
 Your Home [www.yourhome.gov.au](http://www.yourhome.gov.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 2. Energy Efficiency

### Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
NCC Energy Efficiency Requirements Exceeded	The SMP indicates compliance with NCC 2019 and commits to a JV3 assessment, however the BESS report (credit 2.3) states preliminary modelling has already been conducted.	Clarify, and provide a JV3 assessment with details regarding improvements against a reference building (NCC 2019), services and GHG emissions.	3
Thermal Performance	12% claimed against credit 1.1 in BESS indicates no improvement associated with building design.	Clarify and provide details of building fabric and performance in JV3 assessment.	3
Greenhouse Gas Emissions	The BESS report indicates a 50% reduction in GHG emissions.	Provide calculations within JV3 to support this claim.	3
Hot Water System	No system details provided, however 100% claimed in BESS credit 3.2	Consider using a heat pump, and clarify usage and improvement over NCC 2019 in JV3 assessment.	4
Peak Energy Demand	100% claimed for BESS credit 2.2.	Include details within JV3 assessment to support claim/credit.	3
Effective Shading	The SMP identifies that NO shading devices are proposed at this time.	The absence of external shading indicates a potential heat gain issue in summer and subsequent heating loads for the HVAC system. Clarify shading strategy for the north, east and west facades.	2
Efficient HVAC system	No system details provided.	Consider 3 pipe VRF, and include details within JV3 assessment.	4
Car Park Ventilation	CO monitoring.	Satisfactory.	1
Efficient Lighting	At least 20% improvement in LPD claimed.	Satisfactory.	1
Electricity Generation	The proposal does not include rooftop solar PV.	Consider a small PV system as a shade structure for roof top terrace.	4
Other	-	-	

### \* Council Assessment Ratings:

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

### References and useful information:

SDAPP Fact Sheet: [2. Energy Efficiency](#)  
 House Energy Rating [www.makeyourhomegreen.vic.gov.au](http://www.makeyourhomegreen.vic.gov.au)  
 Building Code Australia [www.abcb.gov.au](http://www.abcb.gov.au)  
 Window Efficiency Rating Scheme (WERS) [www.wers.net](http://www.wers.net)  
 Minimum Energy Performance Standards (MEPS) [www.energyrating.gov.au](http://www.energyrating.gov.au)



**Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments**

Energy Efficiency [www.resourcesmart.vic.gov.au](http://www.resourcesmart.vic.gov.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

### 3. Water Efficiency

**Objectives:**

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising Amenity Water Demand	Minimum WELS star rating of fixtures: • Taps: 5 star • Toilets: 4 star • Showers: 3 star	Satisfactory.	1
Water for Toilet Flushing	A 7,000-litre rainwater tank assists with toilet flushing throughout.	Satisfactory.	1
Water Meter	Each tenancy will have its own water meter.	Satisfactory.	1
Landscape Irrigation	Water sensitive landscape design is not claimed in the BESS report (credit 3.1). However, the SMP claims irrigation serviced by rainwater tank.	Clarify inconsistency in source of irrigation water, and consider a strategy to reduce landscape water needs.	3
Other	-	-	

**\* Council Assessment Ratings:**

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

**References and useful information:**

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

Water Efficient Labelling Scheme (WELS) [www.waterrating.gov.au](http://www.waterrating.gov.au)

Water Services Association of Australia [www.wsaa.asn.au](http://www.wsaa.asn.au)

Water Tank Requirement [www.makeyourhomegreen.vic.gov.au](http://www.makeyourhomegreen.vic.gov.au)

Melbourne Water STORM calculator [www.storm.melbournewater.com.au](http://www.storm.melbournewater.com.au)

Sustainable Landscaping [www.ourwater.vic.gov.au](http://www.ourwater.vic.gov.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 4. Stormwater Management

### Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
STORM Rating	A STORM report with a 104% STORM score has been submitted that demonstrates best practice and relies on ~366m <sup>2</sup> of roof connected to a 7,000-litre rainwater tank to service toilet flushing throughout.	Satisfactory.	1
Discharge to Sewer	The SMP claims the rainwater tanks and reuse 'ensures most water is used onsite'.	Provide calculations to illustrate that post-development levels will not exceed pre-development.	3
Stormwater Diversion	The STORM report indicates a roof catchment area of 366 m <sup>2</sup> and planter boxes of 15 m <sup>2</sup> .	Satisfactory.	1
Stormwater Detention	7,000-litre rainwater tank.	Satisfactory.	1
Stormwater Treatment	Rainwater tank and planter boxes acting as buffer strips.	Satisfactory.	1
Others	-	-	-

### \* Council Assessment Ratings:

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

### References and useful information:

SDAPP Fact Sheet: [4. Stormwater Management](#)  
 Melbourne Water STORM calculator [www.storm.melbournewater.com.au](http://www.storm.melbournewater.com.au)  
 Water Sensitive Urban Design Principles [www.melbournewater.com.au](http://www.melbournewater.com.au)  
 Environmental Protection Authority Victoria [www.epa.vic.gov.au](http://www.epa.vic.gov.au)  
 Water Services Association of Australia [www.wsaa.asn.au](http://www.wsaa.asn.au)  
 Sustainable Landscaping [www.ourwater.vic.gov.au](http://www.ourwater.vic.gov.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 5. Building Materials

**Objectives:**

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Reuse of Recycled Materials	The SMP recommends concrete with 20% recycled (or by-product) content, and claims colour bond most likely contains 20% recycled content.	Clarify recycled content (by weight or cost) for both, and consider additional materials that can use post-consumer content (i.e. bulk insulation).	3
Embodied Energy of Concrete and Steel	The SMP claims concrete's passive qualities offset its embodied carbon (which is incorrect), and mentions the recycled content of colour bond.	Reword to remove indication that embodied carbon can be naturally offset during operation (it requires actual purchased offsets), and consider conducting an LCA to assess reduction in embodied carbon associated with the strategy.	3
Sustainable Timber	No information has been provided.	Clarify that timber will be recycled or from accredited sustainably harvested plantation sources (FSC or AFS).	3
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
PVC	No information has been provided.	Consider pipes, cabling, flooring to do not contain PVC or meeting best practice guidelines for PVC.	4

**\* Council Assessment Ratings:**

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

**References and useful information:**

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

Building Materials, Technical Manuals [www.yourhome.gov.au](http://www.yourhome.gov.au)

Embodied Energy Technical Manual [www.yourhome.gov.au](http://www.yourhome.gov.au)

Good Environmental Choice Australia Standards [www.geca.org.au](http://www.geca.org.au)

Forest Stewardship Council Certification Scheme [www.fsc.org](http://www.fsc.org)

Australian Green Procurement [www.greenprocurement.org](http://www.greenprocurement.org)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 6. Transport

**Objectives:**

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking for 26 cars in basement, and 1 DDA space on ground level.	Satisfactory.	1
Bike Parking Spaces	18 bike parking spaces for employees, plus 4 bike parking spaces for visitors.	Satisfactory.	1
End of Trip Facilities	End of trip facilities have been provided in the form of 3x male and 3x female showers and separate changerooms and lockers.	Satisfactory.	1
Car Share Facilities	The SMP claims that information on car-share services will be provided to building occupants.	Include details within Green Travel Plan (and Building Users Guide).	3
Electric vehicle charging	No information has been provided.	Consider providing some charging stations or wiring for future.	4
Green Travel Plan	Item 6 (transport) attempts to include the GTP within it, however lacks detail.	Provide a separate Green Travel Plan with performance targets and monitoring and reporting components included.	3

**\* Council Assessment Ratings:**

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

**References and useful information:**

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

Off-setting Car Emissions Options [www.greenfleet.com.au](http://www.greenfleet.com.au)

Sustainable Transport [www.transport.vic.gov.au/doi/internet/icy.nsf](http://www.transport.vic.gov.au/doi/internet/icy.nsf)

Car share options [www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/](http://www.yarracity.vic.gov.au/Parking-roads-and-transport/Transport-Services/Carsharing/)

Bicycle Victoria [www.bv.com.au](http://www.bv.com.au)



## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 7. Waste Management

### Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	The SMP identifies a target to recycle 80% of demolition and construction waste, and prepare a 'construction waste minimisation plan' prior to construction.	Satisfactory.	1
Operational Waste Management	An operational Waste Management Plan has been provided, and a waste room is located on the ground level.	Satisfactory.	1
Storage Spaces for Recycling and Green Waste	Recycling and organic waste included within waste room provision.	Satisfactory.	1
Others	-	-	-

### \* Council Assessment Ratings:

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

### References and useful information:

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

Construction and Waste Management [www.sustainability.vic.gov.au](http://www.sustainability.vic.gov.au)

Preparing a WMP [www.epa.vic.gov.au](http://www.epa.vic.gov.au)

Waste and Recycling [www.resourcesmart.vic.gov.au](http://www.resourcesmart.vic.gov.au)

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

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

Waste reduction in office buildings (2002) [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 8. Urban Ecology

### Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	N/A
Maintaining / Enhancing Ecological Value	The proposed development will feature landscaped terraces to the upper level office tenancies and a landscaped roof terrace.	Provide a Landscape Plan that articulate irrigation, maintenance and planting schedule of vegetation proposed.	3
Heat Island Effect	No information has been provided.	Provide a statement as to how the development respond to, and minimises the urban heat island effect – and consider a lighter palette for external finishes and additional vegetation to provide cooling benefits.	3
Other		-	
Green wall, roofs, facades	No information has been provided.	Consider a green roof or wall to improve the ecological value of this site.	4

### \* Council Assessment Ratings:

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

### References and useful information:

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

Department of Sustainability and Environment [www.dse.vic.gov.au](http://www.dse.vic.gov.au)

Australian Research Centre for Urban Ecology [www.arcue.botany.unimelb.edu.au](http://www.arcue.botany.unimelb.edu.au)

Greening Australia [www.greeningaustralia.org.au](http://www.greeningaustralia.org.au)

Green Roof Technical Manual [www.yourhome.gov.au](http://www.yourhome.gov.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 9. Innovation

**Objective:**

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Significant Enhancement to the Environmental Performance	No innovation credits claimed in BESS.	Satisfactory.	1
Innovative Social Improvements	-	-	-
New Technology	-	-	-
New Design Approach	-	-	-
Others	-	-	-

**\* Council Assessment Ratings:**

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

**References and useful information:**

SDAPP Fact Sheet: [9. Innovation](#)  
 Green Building Council Australia [www.gbca.org.au](http://www.gbca.org.au)  
 Victorian Eco Innovation lab [www.ecoinnovationlab.com](http://www.ecoinnovationlab.com)  
 Business Victoria [www.business.vic.gov.au](http://www.business.vic.gov.au)  
 Environment Design Guide [www.environmentdesignguide.com.au](http://www.environmentdesignguide.com.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

## 10. Construction and Building Management

**Objective:**

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Building Tuning	Commission and tune all equipment in accordance with performance standards/targets.	Satisfactory.	1
Building Users Guide	A Building Users Guide explaining optimal usage of building services to minimise energy and water consumption.	Satisfactory.	1
Contractor has Valid ISO14001 Accreditation	No information has been provided.	Consider Head contractor to be ISO 14001 accredited.	4
Construction Management Plan	While the process and targets surrounding demolition and construction are eluded too, no Environmental Management Plan is indicated.	Consider that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.	4
Others	-	-	-

**\* Council Assessment Ratings:**

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

**References and useful information:**

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

ASHRAE and CIBSE Commissioning handbooks

International Organization for standardization – ISO14001 – Environmental Management Systems

Keeping Our Stormwater Clean – A Builder's Guide [www.melbournewater.com.au](http://www.melbournewater.com.au)

## Attachment 4 - PLN20/0420 - PDC Attachment - ESD Comments

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



## Applicant Response Guidelines

### Project Information:

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

### Environmental Categories:

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

### Objectives:

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

### Issues:

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

### Assessment Method Description:

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

### Benchmarks Description:

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

### How does the proposal comply with the benchmarks?

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

### ESD Matters on Architectural Drawings:

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



## Attachment 5 - PLN20/0420 - PDC Attachment - Strategic Transport Comments



# Planning Referral

**To:** Chris Stathis  
**From:** Chloe Wright  
**Date:** 27/10/2020  
**Subject:** Strategic Transport Comments  
**Application No:** PLN20/0420  
**Description:** Five-storey office development with a reduction in the car parking requirements.  
**Site Address:** 487 – 491 Swan Street, Richmond

I refer to the above Planning Application and the accompanying Traffic report prepared by Quantum Traffic in relation to the proposed development at 487 – 491 Swan Street, Richmond. Council's Strategic Transport unit provides the following information:

## 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	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	1,574 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	5 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	2 visitor spaces	
Bicycle Parking Spaces Total			5 employee spaces	18 employee spaces
			2 visitor spaces	4 visitor spaces
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	1 shower / change room	6 showers / change rooms

### Adequacy of visitor spaces

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

- 4 visitor spaces are proposed, which exceeds Council's best-practice rate<sup>1</sup> recommendation of 3 visitor spaces.

<sup>1</sup> Category 6 of the Built Environment Sustainability Scorecard (BESS) recommends 1 visitor space to each 500sqm of office floor space.

## Attachment 5 - PLN20/0420 - PDC Attachment - Strategic Transport Comments

- All of the visitor spaces are provided as a hanging wall rack. Pursuant with AS2890.3, all visitor bicycle spaces should be provided as a horizontal bicycle rail.
- There appears to be sufficient space at the Swan Street footpath for one bicycle hoop. Providing one bicycle hoop at the Swan Street footpath and one bicycle hoop at the area currently proposed for visitor bicycle parking would be an acceptable outcome.
- The bicycle hoop at Swan Street should be installed as per Council's Urban Design standard for bike hoops (attached).

### Adequacy of employee spaces

#### *Number of spaces*

18 employee spaces are proposed, which exceeds Council's best practice rate<sup>2</sup> recommendation of 16 employee spaces.

#### *Design and location of employee spaces and facilities*

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

- All employee bicycle spaces are provided within a secure facility at the ground floor, with access via the entry lobby at Swan Street or from the laneway at the rear of the site.
- All employee bicycle spaces appear to be hanging wall racks (based off the dimensions noted on the plans) however the Traffic Report notes 4 horizontal at-grade spaces are being provided to meet the AS2890.3 requirement for at least 20% of bicycle storage spaces to be provided as horizontal at ground-level spaces.
- The proposed types of bicycle racks should be noted on the plans and the product specifications should be attached to the Traffic report. It is also noted that a previous revision of the ground floor plan is attached to the Traffic report.
- The layout of the employee bicycle parking area appears to comply with access requirements of AS2890.3.
- Six shower / change rooms and 28 lockers are provided for employees, which exceeds the best practice recommendation.

### Electric Vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). To allow for easy future provision for electric vehicle charging, it is recommended that car parking areas should be electrically wired to be 'EV ready' to enable future installation of EV charging.

### Green Travel Plan

Given the development has a total non-residential floor area of more than 1,000sqm, pursuant to Clause 22.17-4 a Green Travel Plan (GTP) must be provided. The following information should be included:

- a) Description of the location in the context of alternative modes of transport;
- b) Employee welcome packs (e.g. provision of Myki/transport ticketing);
- c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
- d) A designated 'manager' or 'champion' responsible for co-ordination and implementation;
- e) Details of bicycle parking and bicycle routes;
- f) Details of Green Travel funding and management responsibilities;
- g) The types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
- h) Security arrangements to access the employee bicycle storage spaces;
- i) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
- j) Provisions for the GTP to be updated not less than every five years.

<sup>2</sup> Category 6 of the SDAPP offers the following for best-practice guidance for employee office rates: 'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area

## **Attachment 5 - PLN20/0420 - PDC Attachment - Strategic Transport Comments**

### ***Recommendations***

The following should be shown on the plans before endorsement:

1. At minimum 20% of employee bicycle spaces must be provided as a horizontal at-grade bicycle rail.
2. All visitor bicycle spaces provided as a horizontal bicycle rail and positioned in accordance with clearance and access-way requirements of AS2890.3 or be otherwise to the satisfaction of the responsible authority.

A Green Travel Plan should be provided with the information outlined previously.

Regards

**Chloe Wright**

Sustainable Transport Officer  
Strategic Transport Unit

## Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments



## MEMO

**To:** Chris Stathis  
**From:** Artemis Bacani  
**Date:** 10 November 2020  
**Subject:** Application No: PLN20/0420  
 Description: Office Development  
 Site Address: 487-491 Swan Street, Richmond

I refer to the above Planning Application received on 2 October 2020 in relation to the proposed development at 487-491 Swan Street, Richmond. Council's Civil Engineering unit provides the following information:

## Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Quantum Traffic	<i>Traffic Impact Assessment Report</i>	A (Final)	12 June 2020
Architects & Project Co-Ordinators Pty Ltd	TP7A <i>Basement Plan</i>	A	7 August 2020
	TP8A <i>Ground Floor Plan</i>	A	7 August 2020
	TP21 <i>Section B-B</i>	B	10 September 2020
	TP22 <i>Section C-C</i>	B	10 September 2020
RB Waste Consulting Service	<i>Waste Management Plan</i>		11 June 2020

**CAR PARKING PROVISION**  
**Proposed Development**

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

Proposed Use	Quantity/Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	1,574 m <sup>2</sup>	3 spaces per 100 m <sup>2</sup> of net floor area	47	27

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

A reduction of 20 spaces in the car parking requirement is sought for this development.

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

## Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments

### Car Parking Demand Assessment

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

- *Parking Demand for Office Use.*

The proposed office development would have an on-site parking rate of 1.71 spaces per 100 square metres of floor area. Throughout the municipality, a number of developments have been approved with reduced office rates, as shown in the following table:

Development Site	Approved Office Parking Rate
60-88 Cremorne Street, Cremorne PLN17/0626 issued 21 June 2018	0.72 spaces per 100 m <sup>2</sup> (200 on-site spaces; 27,653 m <sup>2</sup> )
51 Langridge Street, Collingwood PLN17/0332 (Amended) issued 18 May 2018	0.54 spaces per 100 m <sup>2</sup> (18 on-site spaces; 3,335 m <sup>2</sup> )
2-16 Northumberland Street PLN16/0435 issued 14 June 2017	0.89 spaces per 100 m <sup>2</sup> (135 on-site spaces; 15,300 m <sup>2</sup> )

The proposed on-site office parking rate of 1.71 spaces per 100 square metres of floor area is higher compared to the above rates and is considered appropriate, having regard to the site's good accessibility to public transport services and proximity to Melbourne.

- *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:

- Swan Street trams – 45 metre walk
- Burnley railway station – 240 metre walk
- Bridge Road trams – 800 metre walk
- Church Street trams – 1,000 metre walk
- East Richmond railway station – 1,140 metre walk

- *Multi-Purpose Trips within the Area.*

Visitors to the site might combine their visit by engaging in other activities or business whilst in the area.

- *Convenience of Pedestrian and Cyclist Access.*

The site is easily accessible by pedestrians and bicycles.

### Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

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

- *Availability of Car Parking.*

It is noted that the spot parking surveys were undertaken during the COVID-19 pandemic Stage-4 restrictions. Quantum Traffic had undertaken an on-street spot parking occupancy survey of the surrounding area on Tuesday 2 June 2020 at 10am, 11am, 12pm, and 1pm. The survey area of 75 publicly available parking spaces was identified. The results of the survey recorded that the peak parking occupancy had occurred at 1.00pm with 38 spaces occupied or 51 % of capacity. Although the survey results indicate there is capacity in the surrounding streets to accommodate the shortage of car parking for the development, due to the potential impact of the COVID-19 pandemic on the demand for on-street car parking. The short-stay restrictions that operate in the surrounding streets provide regular turnover of parking throughout the day enabling visitors and clients to park near the site.



## Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments

### - Relevant Local Policy or Incorporated Document.

The proposed development is considered to be in line with the objectives contained in C Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

### Adequacy of Car Parking

From a traffic engineering perspective, the reduction of car spaces associated with this development is considered appropriate in the context of the development and the surrounding area.

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

## TRAFFIC GENERATION

### Trip Generation

The traffic generation for the site adopted by Quantum Traffic is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Volume	Peak Hour	
			AM	PM
Office (27 spaces)	- 0.5 trips per space during each peak hour period.	157	14	14

The traffic volumes generated by the site are not unduly high and should not have a detrimental impact on the traffic operation of the surrounding road network.

## DEVELOPMENT LAYOUT DESIGN

### Layout Design Assessment

Item	Assessment
<b>Access Arrangements</b>	
Development Entrance – Via Laneway	The width of the garage door to the car parking area is not dimensioned on the drawings.
Vehicle Accessway Width	<p>The top section of the vehicle accessway consists of a 3.0 metre wide roadway with a section of wall along the west side. The width of the kerb along the east side of the accessway is not dimensioned. The 3.0 metre wide roadway does not satisfy AS/NZS 2890.1:2004.</p> <p>The bottom section of the vehicle accessway consists of a 3.0 metre wide roadway and a wall on both sides of the accessway. The 3.0 metre wide roadway does not satisfy AS/NZS 2890.1:2004.</p>
Visibility	The applicant has proposed a convex mirror on the west side of the vehicle entrance. The position of the convex mirror has not been depicted on the drawings.
Headroom Clearance – At the Roller Door	The headroom clearance at the garage door is not dimensioned on the drawings.

**Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments**

Item	Assessment
<b>Car Parking Modules and Mechanical Parking</b>	
Regular Car Spaces	The dimensions of the regular car spaces of 2.6 metres by 4.9 metres satisfies <i>Design standard 2 – Car parking spaces</i> .
Car Stacker Device	The car parking for this development would be accommodated using the Klaus Trendvario 4300. This device is available with a minimum platform width of 2.5 metres and a platform length of 5.7 metres to accommodate a B85 design vehicle.
Floor to Ceiling Height	The basement car park floor to ceiling height clearance is 4.05 metres. This car stacker model has a variant with dimensions which can be accommodated inside the basement.
Pit Depth	The car stacker pit has a depth of 2.30 metres. This car stacker model has a variant with dimensions which can be accommodated inside the car stacker pit.
Vehicle Clearance Height	This stacker model has a variant which provides at least 25 percent of the mechanical car parking with a vehicle height of at least 1.80 metres to satisfy <i>Design standard 4 – Mechanical parking</i> .
Accessible Car Space	The accessible car space on the ground level measures 3.0 metres by 5.4 metres and the adjacent shared area measures 2.4 metres by 5.4 metres to satisfy <i>AS/NZS 2890.6</i>
Aisle	A minimum aisle width of 6.4 metres is provided to satisfy <i>Design standard 2 – Car parking spaces</i> .
Column Depths and Setbacks	The column depth and setback are not dimensioned on the drawings.
Clearances to Walls	Car spaces located adjacent to a wall have been provided with a minimum 300 millimetre clearance to satisfy <i>AS/NZS 2890.1:2004</i>
Small Car Space	Car spaces for allocated as a 'small car spaces are not labelled on the drawings.
Vehicle Turning Movements – Car Stacker Platform	The swept path diagrams for a B85 design vehicle satisfactorily demonstrates entry and exit movements to and from the stacker platform. It is noted that the swept path for the car stacker space at the north end of the car park is insufficient for a B85 design vehicle. The applicant has proposed to allocate this car stacker space as a 'small car space'. The Engineering unit supports this proposal.
<b>Gradients</b>	
Ramp Grade for First 5.0 metres inside Property	The first 2.28 metres inside the property is flat. This is followed by a 1 in 8 ramp section of 2.0 metres and followed by a 1 in 4 section. Overall, the ramp grade for the first 5.0 metres inside the property is considered adequate and satisfies <i>Design standard 3 – Gradients</i> .
Ramp Grades and Changes of Grade	The ramp grades and the changes of grade for the ramped accessway also satisfies <i>Design standard 3 – Gradients</i> .

**Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments**

Item	Assessment
<b>Other</b>	
Proposed Vehicle Access – Via Laneway	To demonstrate the provision of the 40 mm lip from the edge of the laneway to the finished floor level of the front edge of the slab at ground level, the applicant must prepare a cross sectional drawing showing the reduced level of the north and south edge of the laneway, the centreline of the laneway, the edges and invert of the bluestone channel on both sides of the laneway, and the finished floor level of the slab.
Waste Collection Arrangement – Swept Path Analysis	The swept path analysis for a 6.4 metre Mini-Rear Loader entering the laneway off Queen Street is to be re- submitted to Council. The analysis should include the existing on-street parking spaces along the west side of Queen Street.

**Design Items to be Addressed**

Item	Details
Width of Roller Door	The width of the roller door is to be dimensioned on the drawings.
Vehicle Accessway Width	The roadway for the vehicle accessway is to be widened to a minimum of 3.3 metres if a wall is on one side of the accessway and 3.6 metres if a wall is on both sides of the accessway to satisfy AS/NZS 2890.1:2004.
Visibility	The location of the convex mirror is to be depicted on the drawings.
Headroom Clearance – At the Roller Door	The headroom clearance at the roller door is to be dimensioned on the drawings.
Column Depths and Setbacks	The column depths and setbacks adjacent to the regular car spaces are to be dimensioned on the drawings, and are to be designed to comply with <i>Figure 5.2 Design Envelope Around Parked Vehicle to be Kept Clear of Columns, Walls and Obstructions</i> of AS/NZS 2890.1:2004.
Small Car Space	Car spaces allocated as a 'small car space' are to be labelled on the drawings.
Proposed Vehicle Access – Via Laneway	<p>To demonstrate the provision of the 40 mm lip from the edge of the laneway to the finished floor level of the front edge of the slab at ground level, the applicant must prepare a 1 in 20 scale cross-sectional drawing showing the reduced level of the north and south edge of the laneway, the centreline of the laneway, and the finished floor level of the slab.</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> <p>Providing the ground clearance check early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.</p>
Bicycle Considerations	The bicycle requirements for this development are to be referred to Council's Strategic Transport unit for assessment.

**Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments**

Item	Details
Projection of Architectural Feature beyond the Street Alignment	The architectural feature along the frontage of the laneway must not project more than 240 millimetres beyond the street alignment. In this instance, the architectural feature would project 300 millimetres beyond the street alignment which does not comply with the <i>Building Regulation 2018 – Reg 99</i> .  The projection of the architectural feature along the Belgravia Street and Swan Street road frontages are considered adequate and complies with the <i>Building Regulation 2018 – Reg 101</i> .
Utility Cabinet Doors	All utility cabinet doors that open outwards onto a Public Highway are to be designed to swing at 180-degrees and be latched onto the wall when being serviced.
Waste Collection Arrangement – Swept Path Analysis	The swept path analysis for a 6.4 metre Mini-Rear Loader entering the laneway off Queen Street is to be re- submitted to Council. The analysis should include the existing on-street parking spaces along the west wide of Queen Street.

**ENGINEERING CONDITIONS****Civil Works**

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

- The kerb and channel along the property's Swan Street and Belgravia Street road frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Swan Street and Belgravia Street road frontages must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- The half-width road pavement of Swan Street (from the edge of the tramway to the north kerb) along the property frontage must be profiled (grounded by 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- The half-width road pavement of Belgravia Street (from the centre line of the road to the east kerb) along the property frontage must be profiled (grounded by 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- The full-width road pavement of the laneway along the property frontage must be profiled (grounded by 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- All road markings are to be reinstated following the completion of the pavement works in Swan Street and Belgravia Street to Council's satisfaction and at the Permit Holder's cost.
- All portions of redundant vehicle crossing along the Belgravia Street road frontage must be demolished and reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost.

**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.

## Attachment 6 - PLN20/0420 - PDC Attachment - Engineering Comments

### 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.

### Car Stacker Device

- The car stacker devices must be installed, operated and maintained in accordance with the manufacturer's specifications and requirements.
- No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices.

### 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.
Clearances to Electrical Assets	Overhead power lines run along the north side of <b>Swan Street</b> , close to the property boundary.  The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, <i>Building design near powerlines</i> , which can be obtained from their website:  <a href="http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs">http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs</a>
Tree Protection	The applicant is to liaise with Council's Open Space unit regarding the protection of the street trees along the property's Swan Street road frontage.



## Attachment 7 - PLN20/0420 - PDC Attachment - Heritage Comments

### City of Yarra Heritage Advice

**Application No.:** PLN20/0420

**Address of Property:** 487-491 Swan Street, Richmond

**Planner:** Chris Stathis

**Yarra Planning Scheme References:** Clauses 43.01, 21.05 and 22.02.

**Heritage Overlay No.** The site is not covered by a Heritage Overlay but it abuts the Bendigo Street Precinct. (HO 309)

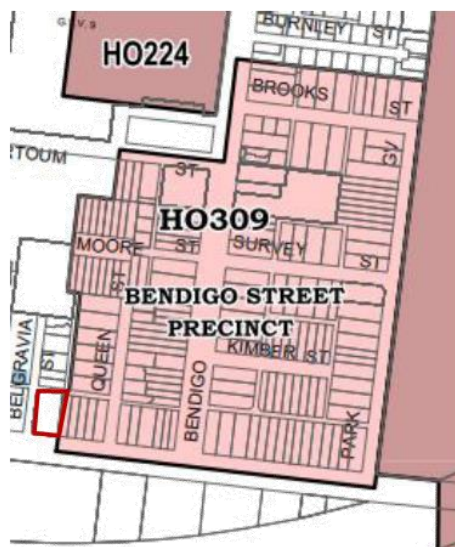


Figure 1 Heritage Overlay map.

#### Level of significance

Not significant.

The salient points of the Statement of Significance for the Bendigo Street Precinct are:

##### Main development era

The main development era evident in the heritage overlay is that of the Victorian and Edwardian-eras, ....

## Attachment 7 - PLN20/0420 - PDC Attachment - Heritage Comments

### Contributory elements

The contributory buildings in the Bendigo Street Heritage Overlay Area include mainly (but not exclusively) small attached and detached Victorian-era and Edwardian-era one-storey houses, but with some well preserved residential examples from the immediate post First-War era, having typically:

- Pitched gabled or hipped roofs, with some façade parapets;
- One storey wall heights;
- Weatherboard, face brick (red, bichrome and polychrome), bluestone, or stucco walls;
- Corrugated iron roof cladding, Marseilles pattern terra-cotta tiles, with some slate roofing;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Post-supported verandah or porch elements facing the street;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, originally bordered by typically timber picket front fences or wire fences (inter-war) of around 1m height; also
- Corner shops and residences with large display windows and zero boundary setbacks.

### Why is it significant

The Bendigo Street Heritage Overlay Area is significant for:

- Its substantially intact single-storey Victorian-era housing that varies between modest and ornate;
- Edwardian house examples, particularly in Swan and Moore Streets, being both typical and highly decorated Edwardian dwelling types, complemented by the significant Edwardian-era former Wertheim Piano Factory;
- The retention of early materials and elements in the public domain, such as street construction, and the retention of many bluestone laneways;
- The demonstration of a typical 19th century suburban area with its attached and detached housing stock and corner shops, that has been subsequently lost in other parts of the inner suburbs; and
- The consistency of building scale and setbacks, creating cohesive and homogeneous streetscapes that are enhanced by mature plane tree avenue plantings. [Emphasis added.]

### Proposal

It is proposed to demolish the existing building and to construct a five level building and roof terrace above a basement.

### Drawing Numbers

A set of architectural drawings marked "Cadre Property Group" prepared David Earle Architects & Project Co-ordinators as per Council's website.

## Attachment 7 - PLN20/0420 - PDC Attachment - Heritage Comments

### Context Description

The site is located on the north-east corner of Swan and Belgravia Streets. The existing building is a three storey concrete panel building. On the north-west corner of Swan and Belgravia Streets is a two storey industrial/showroom building. Opposite the site are netball courts and sundry structures.

Abutting the site is a group of four single storey Edwardian cottages, one having been converted to a shop c.1920s and some Edwardian cottages extending eastwards to the corner of Queen Street. The distinctive features of the cottages are: continuous transverse ridge embellished by terracotta cresting, broken by dividing parapets, chimneys, verandahs and façades.



Figure 2 The existing building proposed to be demolished.



Figure 3 The row of cottages.

## Attachment 7 - PLN20/0420 - PDC Attachment - Heritage Comments



Figure 4 The first three cottages, including the shop conversion.

Swan Street is a somewhat mixed streetscape with virtually no heritage places on the north side between Charles Street and the Bendigo Street Precinct other than for some individual sites and the south boundary of the Burnley Street Precinct (HO 474). As a consequence there are some four, maybe five, level buildings along Swan Street but most do not abut heritage buildings.

### Assessment of Proposed Works

#### Demolition

It is proposed to demolish the existing building. As it is not covered by a Heritage Overlay, this is acceptable.

#### Proposed works

##### *Built form (height/setbacks)*

##### *Setbacks*

Other than for a small rebate in the south-east corner, no setbacks are proposed on the west, south or east sides for the Ground to Second floor (Level 3) which is appropriate in this location.

At the Third floor (Level 4) a 3 metre setback is proposed along the west and east sides and also a 1.95 metre setback, in front of a terrace, along the south side (façade).

At the Fourth floor the side setbacks remain the same but the south (façade) setback is increased to 5 metres.

The setbacks to the roof terrace above are also variously increased more than on the Fourth floor (Level 5).

##### *Height*

The maximum wall height to the roof parapet is 18 metres and to the top of the stair it is 21.6 metres. The height to the top of the podium parapet is 11 metres.

## Attachment 7 - PLN20/0420 - PDC Attachment - Heritage Comments

Insofar as the interface of the new building with the cottages is concerned Ground to Second Floor (Level 3) is equivalent to existing conditions. Above the podium, the east side setback of 3 metres assists in keeping the Third and Fourth floors (Levels 4 and 5) away from the cottages. The Service Area Screening is visible in elevation but it is set back 9.79 metres (Refer to TP11A, rev. A and TP13A, rev. B).

### *Façade design and Colours/materials*

The podium façade is articulated into two components which are then further articulated by fenestration, presumably to reflect the widths of the cottages. The long proportions of the fenestration also reflect the vertical line of the cottage parapets which divide the row.

The Third and Fourth floor (Levels 4 and 5) treatments are also broken up into vertically narrow panels which reflect those below, although they will be less visible along Swan Street.

Despite the setback and limited visibility from Swan Street, the raw concrete panel with rebates (6) for the lift shaft and stair is likely to be unaesthetic and a more aesthetic treatment is preferred. Likewise for the east and west elevations. The use of these materials along the east elevation on the boundary with the cottages is unacceptable as it will be highly visible and a smooth render, more or less as existing, is required. Preferably it should be painted/coated in a mid grey colour.

Depending upon the actual sample the grey brick stack bond strip (8) on the east elevation and the façade trim may be acceptable, but a continuous smooth render surface is more appropriate and similar to existing on the east elevation. On the façade the brick for the trim could be a different colour e.g. purple grey.

### **Recommendation / Comments:**

The proposal has the advantage that a similar condition exists up to the Second floor (Level 3) as is proposed and above that reasonable steps have been taken by way of setbacks to accommodate the additional two levels as unobtrusively as possible. The façade design and that to Belgravia Street are also a reasonable response to the context.

Approved but subject to:

Delete the raw concrete panel with rebates (6) for the lift shaft, stair, and the east and west elevations and use smooth render. Preferably it should be painted/coated in a mid grey colour.

Provide a sample of the grey brick (8) proposed on the east elevation otherwise consider a purple grey brick.

### **Signed:**



Robyn Riddett  
**Director – Anthemion Consultancies**  
**Date:** 8 December, 2020.



## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

### PLANNING APPLICATION REFERRAL TO STRATEGIC PLANNING

#### Strategic planning comments

Strategic Planning comments are provided below.

The comments in this assessment focus compliance with interim Design and Development Overlay 17 (DDO17). Additionally, this referral also provides comments assessing the proposal against the panel preferred version of DDO28 (proposed permanent controls for Swan St). They do not provide commentary on other sections of the planning scheme or fully assess the internal amenity impacts of the application.

#### Development details

<b>Property address</b>	<b>487-491 Swan Street, Richmond</b>
<b>Application number</b>	<b>PLN20/0420</b>
<b>Referral prepared by</b>	Kate Johnson
<b>Description</b>	Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.
<b>Relevant amendment &amp; status</b>	<p><b>Approved interim controls</b></p> <p>In October 2018, the Minister for Planning approved Amendment C263. This amendment introduces new planning controls to the Swan Street Major Activity Centre.</p> <p>Schedule 17 to Clause 43.02 – Design and Development Overlay applies to the site.</p> <p>No transitional provisions apply.</p> <p><b>Permanent controls</b></p> <p>The Amendment C191 proposes to introduce a Design and Development Overlay to the area (Schedule 17 to the Design and Development Overlay) on a permanent basis.</p> <p>Amendment C191 also proposes to:</p> <ul style="list-style-type: none"> <li>• Rezone properties within the Commercial 2 Zone to the Commercial 1 Zone.</li> <li>• Apply the Environmental Audit Overlay to some sites being rezoned from the Commercial 2 Zone to Commercial 1 Zone.</li> <li>• Introduce a new local area policy at Clause 21.12 of the Yarra Planning Scheme.</li> <li>• Apply the Heritage Overlay to 15 places.</li> <li>• Remove 4 places from the Heritage Overlay.</li> <li>• Regrade 3 places as 'not contributory' to the broader heritage precinct.</li> <li>• Remove 57 Swan Street (the Corner Hotel) from the Richmond Hill Precinct (HO332) and include it as an individually significant place within the Swan Street Precinct (HO335).</li> <li>• Correct a number of historical mapping errors.</li> </ul> <p>Am C191 has been through the Planning Panels Victoria process and the subsequent Panel Report has recently been released. Council is currently in the process of considering the Panel Report.</p>
<b>Existing and proposed controls</b>	<ul style="list-style-type: none"> <li>• Commercial 1 Zone (C1Z)</li> </ul>

**Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments**

	<ul style="list-style-type: none"> <li>• Design and Development Overlay Schedule 2 (DDO2)</li> <li>• Design and Development Overlay Schedule 5 (DDO5)</li> <li>• Design and Development Overlay Schedule 17 (DDO17)</li> </ul>
<b>Subject Site</b>	

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

### Strategic Planning comments – Summary

- At the time of writing the Panel Report for Am C191 Swan Street, which seeks to implement the permanent DDO controls over the Swan Street Activity Centre, was recently released. This referral has included commentary assessing the proposal against the Panels preferred version of the DDO (DDO28) as well as against the current interim controls (DDO17). It is important to note the Panel version of DDO28 has not yet been formally considered by Council or adopted.
- The proposal generally complies with the requirements set out in DDO17. This includes building height, street wall height, street wall setback, overshadowing and vehicle and pedestrian access requirements.
- The main concerns of the proposal include the roof services, street wall, upper level setback and heritage design requirements.
- While the roof services meet the additional height limit of 3.6m maximum above the building height, the mass and size of roof area covered is of concern. The roof services add considerable visual bulk to the proposal and appear to visually dominate the upper levels. It is viewed that the roof services should be altered to be more recessive in nature with potential opportunities for screening of some elements.
- The proposal meets the street wall height requirements however it is the continuous materiality which contributes to the lack of a fine grain street wall in line with the surrounding heritage streetscape. Currently the street wall appears to dominate the fine grain heritage streetscape found to the east. It is viewed that 'breaking up' the street wall into portions and utilising differing materials would better reflect the streetscape.
- It is noted that upper level setback (to the glass balustrade on the third floor) is 1.95m, significantly lower than the preferred 5m minimum stated for Swan Street. As the upper level setback as defined in '2.1 Definitions' is to the balustrade the proposal does not comply. However, as this is a preferred requirement and the balustrade is translucent it is viewed that this is an acceptable outcome.
- While the proposal does not sit within the Heritage Overlay, it is immediately adjoining a contributory graded heritage building and the Bendigo Street Heritage Precinct, therefore the heritage design requirements apply. There is some concern regarding the extensive use of glass in the proposal which does not fit with the heritage streetscape and does not meet the requirement to avoid large expanses of glazing. Also see the comments regarding the visual mass of the roof services and the street wall which also visually dominate and detract from the heritage streetscape. Council's Urban Design Unit and Heritage Advisor will be able to provide more detailed comments on these design issues.

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

## Assessment of compliance with built form requirements

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
<b>Building height</b>	<p>Mandatory: 18m (approximately 5 storeys) (excluding lift, plant and services)</p> <p>Non-structural elements that project above the building must meet all the following criteria:</p> <ul style="list-style-type: none"> <li>The total roof area occupied by the equipment (other than solar panels) is minimised;</li> <li>The service equipment is located in a position on the roof so as to minimise its visibility;</li> <li>The non-structural elements and service equipment minimise additional overshadowing of neighbouring properties and public spaces;</li> <li>The equipment does not extend higher than 3.6 metres above the maximum building height; and</li> <li>The non-structural elements and equipment are integrated into the design of the building to the satisfaction of the responsible authority.</li> </ul>	<p>18m (excluding lift, plant and services) (5 storeys)</p> <p>21.6m (including lift, plant and services).</p>	<p>The proposal at 18m or 5 stories <b>complies</b> with the mandatory maximum building height requirement of 18m in DDO17, as exhibited and recommended by the Panel in their report.</p> <p>The DDO provides an exemption for lift, plant, equipment and services from the overall height if specific criteria are met. This includes a maximum additional height of 3.6m above the maximum building height.</p> <p>The proposal's non-structural elements project 3.6m above the maximum building height therefore exactly meet the requirement outlined in section 2.1 <i>Definitions</i> in DDO17 for non-structural elements. The finish appears to be 'raw concrete panel with rebates' as utilised on other sections of the building.</p> <p>While the non-structural elements are within the specified 3.6m requirement, they add significant visual bulk to the roof and take up a large portion of the total roof floor area. Due to the large mass of these non-structural elements they have increased visibility. It is viewed that the mass of the roof equipment should be reduced to minimise visual impact. They may also be opportunities to provide screening to some of these elements.</p> <p>See below section 'Heritage Design Requirements' for related comments.</p> <p><b>C191 Panel Report – Panel preferred DDO</b></p> <p>Proposal <b>complies</b> with the building height requirement of DDO28 as no changes to building heights are proposed.</p> <p>The issue with the bulk of the non- structural roof elements remains the same as stated above.</p>

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
Street wall height	<p><u>Swan Street</u>  <b>Preferred:</b>            11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m.            8m minimum            Match the parapet height of the taller adjoining heritage building.</p> <p><u>Belgravia Street</u>  <b>Preferred:</b>            11m minimum.</p> <p>A permit cannot be granted which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:</p> <ul style="list-style-type: none"> <li>The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule,</li> <li>The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.</li> </ul>	<p><u>Swan Street</u>            10.71m</p> <p><u>Belgravia Street</u>            10.7m</p>	<p>The proposed street wall height of 10.71m along Swan Street <b>complies</b> with the preferred 11m maximum street wall height in DDO28.</p> <p>The proposed street wall height of 10.7m along Belgravia Street <b>does not comply</b> with the preferred 11m minimum street wall height. It is important to note the word 'minimum' is an error and is being corrected in DDO28 to 'maximum' therefore the street wall height is acceptable and does meet the desired requirement.</p> <ul style="list-style-type: none"> <li>Design objectives – Of the five design objectives, two key objectives are relevant:               <ul style="list-style-type: none"> <li><i>To support a new mid-rise scale built form character with the lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment</i></li> <li><i>To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.</i></li> </ul> </li> </ul> <p>The other objectives are not directly relevant to the consideration of the street wall height. Noting the site is adjoining a contributory heritage site.</p> <p>The ground level office does not maintain an active, fine grain, commercial street interface as is characterised by the Swan Street Activity Centre. In particular, it does not reflect the fine grain character of the nearby Burnley Street Heritage Precinct and adjoining Bendigo Street Heritage Precinct. The continuous, glass street wall does not achieve the streetscape character of the precincts.</p> <p>There is room to 'break up' the street wall into portions of differing materiality to better integrate the proposal with the surrounding heritage and built form character.</p> <p>Precinct 4 Design Requirements - Of the six design objectives, one key objective is relevant:</p>



## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
			<ul style="list-style-type: none"> <li>Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.</li> </ul> <p>The development provides an appropriate transition in street wall height from the taller street wall found to the west down to the single storey street wall to the east which sits within the Bendigo Street Heritage precinct.</p> <p>The proposal's street wall appears to maintain the existing floor plates of the heritage building found to the east in the Bendigo Street Heritage precinct.</p> <p>See below section 'Heritage design requirements' for further related comments.</p> <p><b>C191 Panel Report – Panel preferred DDO</b></p> <p>Swan Street – <b>complies</b>. No changes to the street wall height are proposed.</p> <p>Belgravia Street – <b>complies</b>. The '11m minimum' height is changed to '11m maximum' in the Panel's preferred DDO28, therefore the proposal complies with its 10.7m street wall.</p>
<b>Street wall Setback</b>	<p><u>Swan Street</u> <b>Mandatory:</b> 0m</p> <p><u>Belgravia Street</u> <b>Preferred:</b> 0m</p> <p>A permit cannot be granted which exceeds the relevant preferred maximum street wall height and/or</p>	<p><u>Swan Street</u> 0m</p> <p><u>Belgravia Street</u> 0m</p>	<p>The proposed 0m street wall setbacks along Swan Street and Belgravia Street <b>comply</b> with the mandatory and preferred 0m street wall setbacks in DDO17.</p> <ul style="list-style-type: none"> <li>Design objectives – Of the five design objectives, one key objectives is relevant: <ul style="list-style-type: none"> <li>To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street</li> </ul> </li> </ul> <p>The other objectives are not directly relevant to the consideration of the</p>

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
	<p>reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:</p> <ul style="list-style-type: none"> <li>The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule,</li> <li>The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.</li> </ul>		<p>street wall height. Noting the site is not a heritage site.</p> <p>Buildings in Precinct 4 are typically built to the front street boundary. Maintaining a consistent street wall is supported in the Built Form Framework in order to create continuous activity along Swan Street and create greater containment in the streetscape. The proposal maintains the 0m setback found along much of Swan Street, continuing the commercial character of the area.</p> <p><b><u>C191 Panel Report – Panel preferred DDO</u></b></p> <p>Swan Street – <b>complies</b>. No changes to the street wall setback are proposed.</p> <p>Belgravia Street – <b>complies</b>. No changes to the street wall setback are proposed.</p>
Upper lever setback	<p><u>Swan Street</u> <b>Preferred:</b> Minimum 5m elsewhere.</p> <p>Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</p> <p><u>Belgravia Street</u> <b>Preferred:</b> 3m minimum elsewhere.</p> <p>A permit cannot be granted which exceeds the relevant preferred</p>	<p><u>Swan Street</u> 1.95m to glass balustrade at level 4. 5m to building at level 4.</p> <p><u>Belgravia Street</u> 3m</p>	<p>The development's upper-level setback along Swan Street is 1.95m and <b>does not comply</b> with the preferred minimum upper level setback of 5m. The 1.95m upper level setback on the third floor is to a 1m high glass balustrade surrounding a terrace. The actual building is set back 5m at this level.</p> <p>Setback is defined in section '2.1 Definitions' as <i>the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features, to the boundary</i>.</p> <p>Therefore the balustrade and terrace is considered the building façade from which the upper level setback distance is measured.</p> <p>However, using the 1.95m setback, the development still meets the preferred sightline test. Additionally, as the glass balustrade is translucent it will have minimal impact to the eye. Therefore it is viewed the 1.95m setback to the glass balustrade and total 5m setback to the building on the third floor is an acceptable outcome.</p>

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
	<p>maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:</p> <ul style="list-style-type: none"> <li>The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule,</li> <li>The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.</li> </ul>		<p>The development's upper-level setback along Belgravia Street is 3m and as such <b>complies</b> with the minimum upper-level setback of 3m in DDO17.</p> <ul style="list-style-type: none"> <li>Design objectives – Of the five design objectives, two key objectives are relevant: <ul style="list-style-type: none"> <li>To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street.</li> <li>To support a new mid-rise scale built form character with the lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian-friendly environment.</li> </ul> </li> </ul> <p>The proposal overall reinforces and responds to the street wall edge.</p> <p>See below section 'Heritage design requirements' for related comments.</p> <p><b>C191 Panel Report – Panel preferred DDO</b></p> <p>Swan Street – <b>does not comply</b>. The Swan Street upper level setback is increased to a minimum of 6m and therefore the proposal does not comply with the requirement.</p> <p>Belgravia Street – <b>complies</b>. No changes to the Belgravia Street upper level setback are proposed.</p>
Heritage Design Requirements	<p><u>Infill Buildings and Development Adjoining a Heritage Building</u></p> <p><b>Building facades and street frontages</b></p> <p><b>Mandatory:</b></p>		<p>The subject site is not within a heritage overlay but is immediately adjoining 493 Swan Street, a 'contributory' graded single storey attached brick office which is within HO309 – Bendigo Street Heritage Precinct.</p> <p>The heritage design requirements are therefore relevant as the development is a <i>new building on land immediately adjoining a</i></p>

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
	<p>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay and of new buildings on land immediately adjoining a heritage building must:</p> <ul style="list-style-type: none"> <li>ensure the façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)</li> <li>respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s)</li> <li>avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building.</li> </ul> <p><b>Upper Levels (above street wall height)</b></p> <p><b>Mandatory:</b></p> <p>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must:</p>		<p><i>heritage building.</i></p> <p><u>Building facades and street frontages</u></p> <p>It appears the proposal <b>partially complies</b> with the heritage design requirements for building façades and street frontages of development adjoining a heritage building.</p> <p>The development appears to respect the existing floor plate of the adjoining heritage building and provide a suitable transition from the taller street wall height to the west.</p> <p>The new development consists of a modern façade which is easily read as separate and does not compete with the more elaborate heritage building/s to the east of the site. The majority of the building façade will be 'silver/grey glass with aluminium frames'.</p> <p>The extensive use of this material does not meet the requirement to avoid large expanses of glazing. Additionally, it creates a continuous, glass street wall which does not reflect the fine grain character of the adjoining Bendigo Street Heritage Precinct to the east (see 'street wall' section for further comments).</p> <p>Council's heritage advisor would be better placed to provide further comments on the assessment of the material in relation to the adjoining heritage building and Bendigo Street Heritage Precinct.</p> <p>It does not appear that the proposal includes any canopy/veranda therefore it does not maintain the canopy height of the heritage streetscape found to the east.</p> <p><u>Upper Levels (above street wall height)</u></p> <p>The proposal <b>partially complies</b> with the relevant heritage design requirements for upper levels.</p> <p>From the plans provided it appears the proposal uses visually lightweight materials at the upper levels that are distinctly different</p>

## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
	<ul style="list-style-type: none"> <li>be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’</li> <li>utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades</li> <li>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li>be articulated to reflect the fine grained character of the streetscape</li> </ul>		<p>from the nearby heritage buildings. Noting the materials were somewhat difficult to assess from the plans provided.</p> <p>The proposal uses simple architectural detailing that does not detract from the heritage streetscape to the east.</p> <p>As discussed in the section ‘building height’, the significant mass of the non-structural elements located on the roof increase the visual bulk of the proposal and should be reduced in size. This will further assist with the transition down to the single story contributory building to the east and reduce the visual domination of the proposal to the Bendigo Street Heritage Precinct.</p> <p>As noted throughout these comments, the proposal does not reflect the fine grain character of the streetscape, particularly at the upper levels with solid glass walls. Different use of materials and other techniques should be incorporated to achieve a finer grained character.</p> <p><b><u>C191 Panel Report – Panel preferred DDO</u></b></p> <p>The proposal <b>does not comply</b> with these panel preferred design requirements. Refer to the comments directly above for explanation.</p>
Overshadowing	<p><b>Mandatory:</b> Development must maintain solar access to Ryan’s Reserve as follows:</p> <ul style="list-style-type: none"> <li>Beyond 16m of the eastern boundary of the reserve from 10am onwards on 22 September</li> <li>At the western boundary of the reserve until 2pm on 22 September.</li> </ul> <p><b>Preferred:</b></p>	<p>Does not overshadow any part of Ryan’s Reserve.</p> <p>Does not overshadow any part of the southern footpath of Swan Street.</p>	<p>The proposal <b>complies</b> with the overshadowing requirements in DDO17.</p> <p>It does not overshadow Ryan’s Reserve or the southern footpath of Swan Street from 10am to 2pm on 22 September.</p> <p><b><u>C191 Panel Report – Panel preferred DDO</u></b></p> <p>The proposal <b>complies</b> with the panel preferred DDO28 overshadowing requirements.</p>



## Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
	<p>A permit cannot be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:</p> <ul style="list-style-type: none"> <li>any part of the southern footpath of Swan Street measured as 4.0m from the southern road boundary of Swan Street,</li> </ul> <p>A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the overshadowing requirements specified in Clause 2.3 of this schedule unless the resultant overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority</p>		
<b>Vehicle and pedestrian access</b>	<p>Development must provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule except in locations identified as “Left in - Left Out Access Permitted” in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule.</p> <p>Vehicle ingress and egress into development, including loading facilities and building servicing, must be designed to ensure a high-quality pedestrian</p>	<p>Vehicle access and movements have been located to the northeaster corner of the subject site.</p> <p>Vehicle access is located off the rear laneway.</p>	<p>The proposal <b>complies</b> with the requirements as the rear laneway is designated as a preferred vehicle access street.</p> <p>The vehicle access point has been located to maintain a pedestrian-friendly environment. Swan Street is the main entry point for the office building and Belgravia Street has a secondary entrance for the ground floor office as well as to the sub station and refuse room.</p> <p><b><u>C191 Panel Report – Panel preferred DDO</u></b></p> <p>The proposal <b>complies</b> with the panel preferred DDO28 vehicle and pedestrian access requirements which remain unchanged.</p>

# **Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments**

Built form requirements	Amendment C263 – DDO17	Proposal	Assessment of proposal
	<p>amenity and limit potential conflict between vehicle movements and pedestrian activity.</p> <p>Pedestrian access to buildings, including upper-level apartments, must be from a street or a shared zone shown on the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance must be setback from the rear laneway and well-lit to enable safe access.</p>		

**Attachment 8 - PLN20/0420 - PDC Attachment - Strategic Planning Comments**

**Attachment 9 - PLN20/0420 - PDC Attachment - Urban Design Comments (Decision Plans)**

# MeMO

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TO: Chris Stathis (Statutory Planning)  
 FROM: Amruta Pandhe (Urban Design)  
 DATE: 11 November 2020  
 SUBJECT: 487-491 Swan Street, Richmond VIC  
 APPLICATION NO: PLN20/0420  
 DESCRIPTION: Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.

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**COMMENTS SOUGHT**

Urban Design comments have been sought on following matters:

- Height and massing
- Architectural and materiality
- Public realm interface
- Architectural features which project 300mm outside title boundaries

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The comments are based on Architectural Plans and Urban Context Report prepared by Architects & Project Co-Ordinators.

**COMMENTS SUMMARY**

The proposal is not supported in its current form. In summary, the following changes are recommended to make the proposal more acceptable from an urban design perspective and enhance the existing character of Swan Street. The rationale behind these changes is explained in more detail overleaf.

- Improve the overall architectural composition of the built form to be more sympathetic to prevalent streetscape character. Use more brick along all frontages, particularly Swan Street and Belgravia Street;
- Provide more articulation for upper levels;
- Reduce the extent of glazing in the overall design, particularly the third and fourth level;
- Integrate the design of roof terrace with the overall design;
- Increase the extent of vertical greenery along Belgravia Street

There are no known planned/approved capital works around the subject site which are being led by the Urban Design team.

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**URBAN DESIGN FEEDBACK**

Additional details and amendments that are required on the drawings are discussed in the relevant sections below and overleaf.

**1. Height and massing**

The subject site is within the Swan Street Activity Centre Design and Development Overlay (DDO 17) which provides guidelines for heights and setbacks. The DDO recommends a mandatory height of 18m and the proposed overall height is 18m which is supported.

## Attachment 9 - PLN20/0420 - PDC Attachment - Urban Design Comments (Decision Plans)

The proposed upper level setbacks meet the DDO requirements. From an urban design perspective the overall height and massing of the proposed development is supported.

### 2. Architectural and Materiality

The overall architecture of the form needs to give consideration in integrating the proposed development with the prevalent streetscape character. The design of ground floor, podium level and top level create three distinctly different styles which is not supported. It is recommended that the overall architectural composition should give consideration to three-dimensional form when viewed from public realm. The design of upper levels needs more articulation to reduce the overall massing of the material.

The development proposes too much glazing which will make the development draw too much attention to itself and not respect the surrounding streetscape character. The large expanses of glazing also does not contribute in providing an engaging and interesting form. It is acknowledged that the development proposes brick along the eastern end which contributes in providing some level of transition to the heritage buildings. The design will further benefit by using more brick along all frontages, particularly Swan Street and Belgravia Street.

The design and material proposed for the roof terrace is making it very visible from the eastern section of Swan Street. It is recommended that the lift core and stairwell is integrated within the building design to ensure it is less visible from the surrounding.

Please clarify what material will be used for service cabinets.

### 3. Public realm interface

The development proposes pedestrian entrances from Swan Street and Belgravia Street and vehicular entrance from the road at the rear. The public realm interface along Swan Street and Belgravia Street frontages is generally supported, with good level of transparency and activation to both streets. The splay on the corner of the intersection will provide more space for pedestrians. These factors will contribute in improving the public realm environment and hence are supported.

Along Belgravia Street frontage the development proposes secondary pedestrian access to the ground floor office, service cabinets and side wall of parking area. There are some planters integrated in the façade, however, the design will benefit if the extent of vertical greenery is increased (as shown below). This will reduce the extent of blank wall along this interface and make a meaningful contribution to the street environment. It is important to ensure that any landscape treatment and structures do not obstruct any sight lines of drivers.



*Belgravia Street Elevation*

The applicant needs to demonstrate that there is a seamless transition between the footpath grading and entry areas along Swan Street and Belgravia Street. Any height different between footpath and entry doors should be resolved through grading of the paving to ensure no steps are required. It need to be clearly demonstrated that all relevant Australian Standards are met including but not limited to relevant access and



## Attachment 9 - PLN20/0420 - PDC Attachment - Urban Design Comments (Decision Plans)

mobility standards. The ground floor plan needs to show existing and proposed levels and spot heights, including but not limited to finished floor levels of buildings and proposed footpath grading.

#### **4. Architectural features which project 300mm outside title boundaries**

Any architectural features outside title boundaries are not supported.

#### **5. Streetscape and Capital Works**

All pavements along Swan Street and Belgravia Street are to be reinstated as asphalt footpaths with concrete kerbs and channels for the full length of the site as per *City of Yarra's Infrastructure – Road Materials Policy*. All redundant vehicle crossovers are to be demolished. Proposed kerbs and channels, vehicle crossovers and pedestrian kerb crossing to be shown on drawings as per *Yarra Standard Drawings*. Notes to be added on the drawings.

There are no known planned/approved capital works around the subject site which are being led by the Urban Design team.



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**6.3 PLN20/0479 - 2 Francis Street Richmond - Construction of a two storey dwelling with a roof top terrace**

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## **Executive Summary**

### **Purpose**

1. This report provides Council with an assessment of an application at No. 2 Francis Street, Richmond, for construction of a two storey dwelling with a roof top terrace. The report recommends approval of the application subject to conditions.

### **Key Planning Considerations**

2. Key planning considerations include:
  - (a) Clause 22.10 – Built Form and Design Policy; and
  - (b) Clause 54 – ResCode.

### **Key Issues**

3. The key issues for Council in considering the proposal relate to:
  - (a) Urban design;
  - (b) Clause 54;
  - (c) Car Parking / Development Abutting Laneways, and;
  - (d) Objector concerns.

### **Submissions Received**

4. Six objections were received to the application, these can be summarised as:
  - (a) Design issues including lack of consistency with neighbourhood character, height of the development and visual bulk from the street;
  - (b) Off-site amenity impacts including overlooking, overshadowing, reduction of daylight to habitable room windows, visual bulk, noise and amenity impacts associated with the front balcony, roof top terrace and the AC unit;
  - (c) Impact on existing solar energy facilities caused by shadowing from the development;
  - (d) Car parking concerns including insufficient turning space in the laneway and narrowness of roller door;
  - (e) Concerns regarding the potential to create a second dwelling at the first floor with the side entry and floorplan;
  - (f) Safety concerns regarding the side entry door.

### **Conclusion**

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

**CONTACT OFFICER:** Ariadne Hasiotis  
**TITLE:** Statutory Planner  
**TEL:** 9205 5046

## 6.3 [PLN20/0479 - 2 Francis Street Richmond - Construction of a two storey dwelling with a roof top terrace](#)

<b>Reference</b>	D21/9267
<b>Author</b>	Ariadne Hasiotis - Statutory Planner
<b>Authoriser</b>	Senior Coordinator Statutory Planning

<b>Ward:</b>	Melba
<b>Proposal:</b>	Construction of a two storey dwelling with a roof top terrace
<b>Existing use:</b>	Dwelling
<b>Applicant:</b>	Hooke Architecture Pty Ltd
<b>Zoning / Overlays:</b>	General Residential Zone (Schedule 2) / Development Contributions Plan Overlay
<b>Date of Application:</b>	15 July 2020
<b>Application Number:</b>	PLN20/0479

### Planning History

1. There is no planning history for the subject site.

### Background

2. The application was received by Council on 15 July 2020, with additional information received on 11 September 2020 and 21 September 2020. The application was advertised in October 2020, with six (6) objections received. A consultation meeting was not held due to the State of Emergency declared by the Victorian Government in response to the COVID-19 pandemic.

#### *Submission of updated shadow diagrams*

3. The permit Applicant submitted updated shadow diagrams on 22 January 2021 for the Officer assessment as the original submission of shadow diagrams (received by Council on 11 September 2020) do not take into account the 3D pitch roof forms of the development and the neighbouring dwelling, which therefore inaccurately represented the extent of shadowing to neighbouring solar panels. The shadow diagrams received 22 January 2021 have been used for this assessment report and are contained within the attachments to this report.

#### [Planning Scheme Amendment C238](#)

4. On 01 February 2021, the Minister for Planning formally gazetted Planning Scheme Amendment C238, which introduces a Development Contributions Plan Overlay over the entire municipality. This overlay requires developers to pay a contribution towards essential city infrastructure like roads and footpaths, as well as community facilities. The requirements of this provision have immediate effect. However, a replacement building or dwelling is exempt from these requirements, and as such does not apply to this application.

### The Proposal

5. The application is for the construction of a double storey dwelling with a roof top terrace. Further details of the proposal are as follows:
  - (a) New dwelling to accommodate:

- (i) Ground floor: an open-plan dining, kitchen and living area, office, bathroom, bedroom and ensuite;
- (ii) First floor: Bedroom 2, walk-in-robe, ensuite, bathroom, kitchenette and a living room with a front balcony located above the front yard and a roof hatch opening to terrace;
- (iii) A roof top terrace, accessed from the first floor via a roof hatch.
- (b) The dwelling provides main access via the front entry door (sliding doors) from Francis Street, as well as a secondary side entry door accessed via the western abutting laneway.
- (c) The dwelling includes an open car space at the rear of the site, to be accessed off the western abutting laneway. The car space has dimensions of 5m long by 3m wide, and the roller door to the car space is 3.5m wide.
- (d) The application seeks a building footprint with:
  - (i) A minimum street setback of 2.43m and maximum street setback of 2.82m (scaled);
  - (ii) Double-storey wall constructed flush to the western boundary for a length of 14.68m.
  - (iii) A single-storey wall constructed flush to the eastern boundary for a length of 13.65m. The first floor of the dwelling is set back 1.35m from the eastern boundary.
  - (iv) Rear setbacks of 3.46m – 3.83m at ground floor and 2.63m (scaled) – 2.9m at first floor.
  - (v) Roof top terrace: set back 7.7m – 7.9m (scaled) from the front (north) boundary, western privacy screen constructed flush to the western boundary for a length of 4.73m, the eastern screen is set back 2.5m from the eastern boundary (scaled) and rear set back of 7.63m – 7.78m (scaled).
- (e) Provision of the following private open space:
  - (i) 17.86sqm associated with the roof top terrace (primary SPOS);
  - (ii) 21.08sqm at ground floor within the rear setback of the lot (doubles as an open car space);
  - (iii) 14.88sqm at ground floor within the front setback of the lot;
  - (iv) 4sqm associated with the first-floor front balcony.
- (f) Overall height of 7.83m (scaled). (It is noted that the maximum height of the development is not dimensioned on the western elevation above natural ground level, which will be addressed via a permit condition).
- (g) Provision of a rain water tank with a capacity of 3000L (underground within the front setback).
- (h) Provision of solar panels on the first floor roof and skylights on the ground floor roof.
- (i) Front fencing and pedestrian gate to be constructed of solid bladed steel posts (1.5m high) with 70% visual permeability.

#### Design, Materials and Finishes

- (j) New dwelling to feature an asymmetrical gabled roof and rectangular fenestration.
- (k) The following materials:
  - (i) Brickwork with unrefined textured look to ground floor walls;



- (ii) Profiled Colorbond steel cladding in a charcoal colour (Colour: Monument) to first floor walls and roof.

## Existing Conditions

### Subject Site

6. The subject site is located on the southern side of Francis Street, between Coppin Street to the east and Mary Street to the west, in Richmond. Francis Street is a one-way street with traffic traversing in an easterly direction.
7. The site is rectangular, with a frontage to Francis Street of 6.25m and a depth of 19.96m yielding an overall site area of approximately 124sqm. The site is bound to the west by an un-named bluestone laneway.
8. The site is occupied by a single-storey, weatherboard dwelling with a front verandah, a hipped roof with corrugated iron sheeting, and a low brick and wrought iron front fence with wrought iron gate. The dwelling has street setbacks of 2m – 2.14m (front wall) and 0.9m (front verandah) with a small garden in the front setback. The dwelling has the following side and rear boundary setbacks:
  - (a) Built to the west title boundary for a length of 15.2m.
  - (b) Approximately 1.78m from the eastern side boundary (northern portion of the dwelling), with the southern portion constructed flush to the eastern side boundary.
  - (c) Approximately 2.2m – 2.74m from the southern (rear) boundary, with an outbuilding constructed flush to the rear (southern) and eastern side boundary in the south-east corner of the lot.
9. The dwelling features secluded private open space (**SPOS**) towards the rear (south) of the lot, and a side pedestrian gate provides access to the SPOS from the abutting laneway.



Figure 1: Subject site as viewed from Francis Street (Google StreetView, June 2019)

10. The title provided with the application does not show any covenants or easements.

### Surrounding Land

11. The area immediately surrounding the subject site is an established residential precinct, and is characterised by:

- (a) Single (and some double storey) weatherboard dwellings retained from the Victorian-era, with hip and gable roof forms. However, Francis Street is not covered by a Heritage Overlay.
  - (b) An existing and emerging character of two-storey contemporary in-fill developments, with articulated facades through the use of mixed palettes of materials and finishes including render, brick, steel and glazing. Roof top terraces atop contemporary developments are also interspersed in the surrounding area, including Nos. 12 and 12A Francis Street and No. 12 Mary Street.
  - (c) The pattern of street setbacks in the surrounding area varies, and generally ranges from 1.75m to 4m. There is also a row of dwellings constructed with zero street setbacks to Francis Street, along the eastern end (Nos. 12 to 16 Francis Street).
12. Immediately to the east of the subject site is No. 4 Francis Street, a two-storey attic-style dwelling of timber weatherboard construction with a gabled corrugated iron roof and front verandah. There are seven solar panels along the western roof hip, and four solar panels along the eastern roof hip. These appear to have been installed between April and August 2019 (Based upon Nearmap imagery). The dwelling has street setbacks of 1.75m – 2.1m (front wall) and 0.72m – 1m (front verandah). The dwelling is constructed to the common boundary with the subject site for a length of approximately 13m. The dwelling has an area of approximately 39sqm of SPOS to the rear.
13. To the south of the site is No.1 Sheedy Street, a two-storey contemporary dwelling with a rendered finish, which fronts Sheedy Street to the south. The rear private open space (**POS**) areas of No.1 Sheedy Street face the subject site, in the form of SPOS at ground level and a balcony at first floor level. The dwelling also has POS in the form of a first floor balcony fronting Sheedy Street. The dwelling has a rear setback from the common boundary with the subject of 4.76m – 5.1m (rear wall) and 2.9m – 3.1m (balcony). There are north-facing habitable room windows (**HRW**) at first floor and ground floor which are set back approximately 4.88m from the common boundary. A roller door is located towards the rear of the lot which provides side access from the abutting laneway. A 1.8m high paling fence separates No.1 Sheedy Street with the subject site.
14. To the south-east of the site is No.3 Sheedy Street. There is a small courtyard at the rear of the site, the eastern portion is covered by a Perspex roof, and the rest of the courtyard is open to the sky. This hasn't been drawn correctly on the plans and correction of this discrepancy will be addressed via a permit condition. A permit condition will also require the HRWs at No.3 Sheedy Street be shown on the plans.
15. To the west of the site is a 2.99m laneway, and across the laneway are the rear of dwellings fronting Mary Street to the west, known as No. 9 Mary Street, No. 11 Mary Street and No. 13 Mary Street (north to south). Each property is developed with a single dwelling and will be discussed in turn.

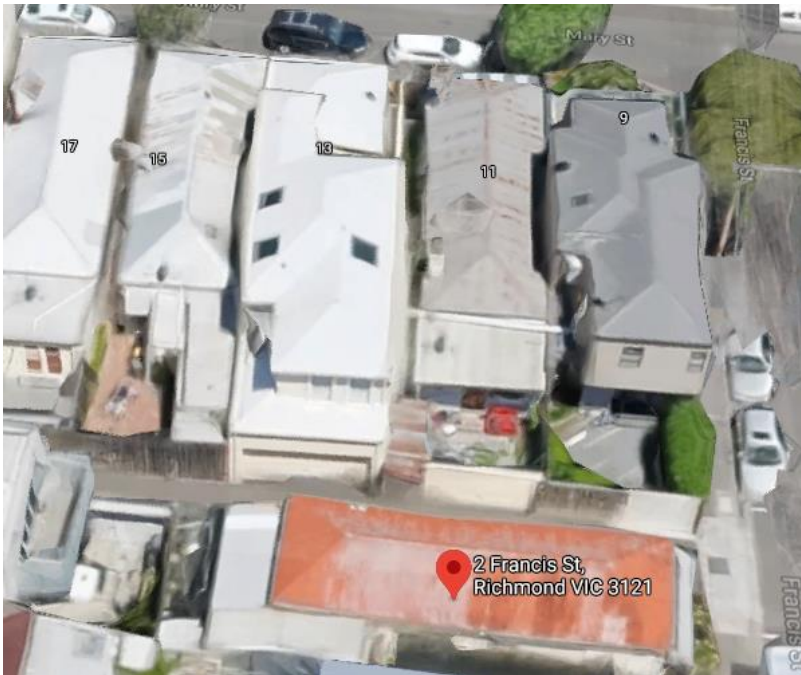


Figure 2: The western interface with dwellings facing west to Mary Street

- (a) No.9 Mary Street (the most northern property) is developed with a two-storey contemporary dwelling, constructed with black brick and render. The dwelling has two storey boundary walls constructed to both side boundaries. The first floor of the dwelling cantilevers over the ground floor elevation at the rear, so that the first floor of No. 9 Mary Street is set back 4.8m – 5m from the rear title boundary. Habitable room windows face the subject site from ground and first floor. The dwelling has an area of approximately 29sqm of SPOS at the rear, and a 2m high fence is constructed along the rear boundary, facing the laneway.
  - (b) No. 11 Mary Street is developed with a single storey dwelling of weatherboard construction. The dwelling has a rear set back of approximately 6m from the rear title boundary. A roofed verandah projects off the rear wall of the dwelling, and beneath the verandah are two HRWs which face the subject site. The dwelling has an area of approximately 16sqm of SPOS at the rear, and there is an outbuilding (shed) constructed in the south-east corner of the lot. A roller door is located at the rear boundary, providing rear access from the abutting laneway.
  - (c) No.13 Mary Street is developed with a two-storey dwelling of weatherboard construction. The dwelling is constructed to the north, south and east (rear) title boundaries at the rear of the site. There are two HRWs at first floor level which face the subject site, set back approximately 1m from the rear title boundary (exact setback is unknown). There is a roller door located at the rear boundary, providing rear access from the abutting laneway.
16. To the north is Francis Street, and across the street is No. 1 Francis Street, a double-storey, dwelling of timber weatherboard construction, with a hipped corrugated iron roof and front verandah. Beneath the verandah are two habitable room windows which face the subject site.



Figure 3: The subject site and surrounding land (Nearmap, November 2020)

## Planning Scheme Provisions

### Zoning

17. The subject site is zoned General Residential Zone (Schedule 2). The following provisions apply:
  - (a) Pursuant to Clause 32.08-2, a planning permit is not required to use the land as a dwelling.
  - (b) Pursuant to Clause 32.08-5, a planning permit is required to:
    - (i) Construct one dwelling on a lot of less than 300 square metres. As the lot is 124sqm in area, a permit is required to construct a dwelling. The requirements of Clause 54 apply.
    - (ii) Construct a front fence with a height of greater than 1.5m. As the proposed front fence is 1.5m in height, no permit is required.
  - (c) Pursuant to Clause 32.08-4, the garden requirements do not apply to this application given that the subject site is less than 400sqm.
  - (d) Pursuant to Clause 32.08-10, a maximum building height of 9m applies (as specified within Schedule 2 to the General Residential Zone). The proposal seeks an overall height of 7.83m and therefore satisfies this requirement.
  - (e) Pursuant to Clause 32.08-10, a maximum of three storeys applies. The proposal is for a two-storey dwelling with a roof top terrace, and therefore satisfies this requirement.

### Overlays

#### *Clause 45.06 – Development Contributions Plan Overlay*

18. As discussed in the background section, all the municipality is now covered by a Development Contributions Plan Overlay. However, pursuant to the Schedule to the Overlay, the requirements of this Overlay do not apply to the replacement of a building.



### Particular Provisions

#### *Clause 52.06 – Car Parking*

19. The proposal provides one car space on site – an open car space at the rear. This satisfies the car parking requirements prescribed by Clause 52.06-5 for a two bedroom dwelling. Thus a planning permit for a car parking reduction is not triggered by the application.

#### *Clause 54 – One Dwelling on a Lot*

20. Pursuant to Clause 54 of the Scheme this provision applies to an application to construct a dwelling on a lot less than 500sqm. A development must meet the objectives of Clause 54.

### General Provisions

21. Clause 65 – Decision Guidelines

#### Planning Policy Framework (PPF)

##### *Municipal Strategic Statement (MSS)*

22. Relevant clauses are as follows:
- (a) Clause 15.01-1S – Urban Design
  - (b) Clause 15.01-1R – Urban design – Metropolitan Melbourne
  - (c) Clause 15.01-2S – Building Design
  - (d) Clause 15.01-5S – Neighbourhood Character
  - (e) Clause 16.01 – Residential development

##### *Local Planning Policy Framework (LPPF)*

23. Relevant clauses are as follows:
- (a) Clause 21.04-1 – Accommodation and Housing
  - (b) Clause 21.05-2 – Urban Design
  - (c) Clause 21.05-3 - Built form character
  - (d) Clause 21.07-1 – Environmentally sustainable development
  - (e) Clause 21.08-1 – Central Richmond (between Swan Street and Bridge Road)

##### *Relevant Local Policies*

24. Relevant clauses are as follows:
- (a) Clause 22.07 – Development Abutting Laneways
  - (b) Clause 22.10 – Built Form and Design Policy
  - (c) Clause 22.13 – Residential Built Form Policy
  - (d) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

### Advertising

25. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 21 letters sent to surrounding owners and occupiers and by two signs displayed on site. Council received 6 objections, the grounds of which are summarised as follows):
- (a) Design issues including lack of consistency with neighbourhood character, height of the development and visual bulk from the street;
  - (b) Off-site amenity impacts including overlooking, overshadowing, reduction of daylight to habitable room windows, visual bulk, noise and amenity impacts associated with the front balcony, roof top terrace and the AC unit;
  - (c) Impact on existing solar energy facilities caused by shadowing from the development;



- (d) Car parking concerns including insufficient turning space in the laneway and narrowness of roller door;
  - (e) Concerns regarding the potential to create a second dwelling at the first floor with the side entry and floorplan;
  - (f) Safety concerns regarding the side entry door.
26. A planning consultation meeting was not held due to the State of Emergency declared by the Victorian Government in response to the COVID-19 pandemic.

## Referrals

### External Referrals

27. The application was not required to be referred externally under the Scheme.

### Internal Referrals

28. The application was referred to the following internal departments and their recommendations are contained below:
- (a) *Engineering Services Unit*
  - (b) *Urban Design Unit*
29. Referral comments have been included as attachments to this report.

## OFFICER ASSESSMENT

30. The primary considerations for this application are as follows:
- (a) Urban design;
  - (b) Clause 54;
  - (c) Car Parking / Development Abutting Laneways; and;
  - (d) Objector concerns.

### Urban Design

31. Yarra's local planning policy framework provides detailed urban design and built form direction for sites outside the Heritage Overlay. The subject site is located within the *Inner Suburban Residential* built form category pursuant to Figure 24 of Clause 21.08 (Neighbourhoods), which is described at Clause 22.13-3.2 as *built form dominated areas with small gardens (if any) and minimal front and side setbacks*.
32. The surrounding neighbourhood presents a mix of urban character and architectural elements, including weatherboard and brick dwellings retained from the Victorian era, as well as an emerging character of two storey contemporary and modern in-fill development with mixed palettes of materials and finishes. The proposal provides a contemporary design that is considered to be appropriate in the context of the site, and adequately responds to the surrounding neighbourhood character context in the following ways:
- (a) The height of the development, that being 7.83m, is appropriate and comparable to heights of dwellings within the surrounding area, in accordance with local policy design objectives at Clause 22.10-3.3.
  - (b) Local policy at Clause 22.10-3.3 encourages new development which abuts a laneway to be no higher than 2 storeys. The proposed development is a maximum of 2 storeys with a roof top terrace (which is not a 'storey' as per the definition at Clause 73.01), thereby complying with local policy.

- (c) The front setbacks are consistent with the existing pattern of front setbacks in the street, that being approximately 1.75 to 4m, in accordance with local policy at Clause 22.13-3.2. Further, the front setback to the street is sufficient and allows for soft landscaping within the front Private Open Space (POS), in accordance with local policy design guidelines at Clause 22.10-3.3.
  - (d) The proposed site coverage of 76% accords with local policy at Clause 22.10-3.6 which encourages new development to not exceed a maximum site coverage of 80% of the site area.
  - (e) The proposed mix of surface treatments including textured brickwork at ground level, Colorbond steel cladding (charcoal colour) to first floor walls and roof as well as glazing, creates an articulated aesthetic presenting to the street, breaks down the scale and minimises visual bulk, in accordance with local policy at Clause 22.10-3.3.
  - (f) The proposal creates a positive street interface through a visible entry, an appropriate level of transparent treatment (glazing) to the front elevation at ground and first floor and with a 1.5m high visually permeable front fence (bladed steel posts with 70% visual permeability) thus allowing views into the site from the street, all in accordance with local policy at Clause 22.10-3.4.
33. The application was reviewed by Council's Urban Design Unit and the proposal was supported subject to the following recommendations:
- (a) *Delete or significantly reduce the solid wing wall from the front balcony;*
  - (b) *Review the design of the fence and carpark entry between the back yard and the lane so as to make a positive contribution to the overall design; and*
  - (c) *Review the heights of the front fence and the fence between the back yard and the lane.*
34. With regard to (a) above, the referral comments note that the wing wall creates an unduly solid form close to the front boundary, and that by removing or significantly reducing the solid wing wall, the balcony will present as a light-weight secondary element. This recommendation will be pursued and included on the permit as a condition.
35. The recommendation to review the design of the fence and car park entry between the back yard and the lane will not be pursued. The referral comments note that the Zinalume roller shutter is an unattractive element and that the 3m height of the fence between the back yard and the lane is unnecessarily high and that these components should be reviewed. However, the use of Zinalume is an appropriate material for a roller shutter, and, as acknowledged in the referral comments, there are precedents for this in the laneway. There is no permit trigger for side boundary fencing under the Zone and with regards to height, there are no height requirements in the Scheme for side boundary fences, and as such the proposed 3m high fence abutting the laneway is acceptable. Further, the fence is located down the laneway with minimal visibility from Francis Street and as such the design of the fence, whilst considered acceptable, will not appreciably impact the overall design of the development when viewed from the street.
36. The recommendation to review the height of the front fence will not be pursued. The proposed front fence is a maximum height of 1.5m which is consistent with the Rescode maximum fence height requirements for front fences (and therefore does not require a permit under the Zone). As previously discussed above, the proposed front fence is visually permeable (constructed of bladed steel posts with 70% visual permeability) which will allow views into the site from the street and is acceptable.

Clause 54

37. Clause 54 comprises 19 design objectives and standards to guide the assessment of new residential development. Given the site's location within a built up inner city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. The following objectives are not relevant to this application:
- (a) *Standard A8 – Significant trees objective* – no significant trees will be affected.
  - (b) *Standard A13 – North facing windows objectives* – there are no north-facing habitable room windows within 3m of the subject site.
  - (c) *Standard A20 – Front fence* – not relevant as no permit is required for the front fence (given that the height does not exceed 1.5m).

*Standard 1 – Neighbourhood character and Standard A19 – design detail objectives*

38. Much of the neighbourhood character is defined by urban design and built form objectives within local policy and has been discussed in the above section of this report. As previously discussed, the surrounding area has an existing and emerging character of two storey modern and contemporary dwellings, including some with roof top terraces, as well as single and double storey dwellings retained from the Victorian era. High site coverage and construction of walls on boundaries is a very common characteristic for the neighbourhood, given the small and narrow lot sizes, with most dwellings being built to at least one side boundary. Considering this context, the proposal appropriately responds to the character of the area.
39. The proposal incorporates contemporary design detailing including an asymmetric gabled roof, textured brickwork to the ground floor walls, Colorbond steel in a charcoal colour to the first floor walls and roof, and rectangular fenestration across the development. The Urban Design Unit is generally supportive of the building design details, and subject to a condition as outlined in the Urban Design section of this report, it is considered that the design detailing of the development is appropriate.

*Standard A2 – Integration with the street objective*

40. The purpose of this objective is to integrate the layout of the development with the street. The proposal is considered to satisfy this objective given:
- (a) The dwelling is proposed to front Francis Street.
  - (b) The main entrance for pedestrian access will be provided via Francis Street.
  - (c) The dwelling will encourage passive surveillance of the public realm through habitable room windows at the street frontage.

*Standard A3 – Street Setback Objective*

41. As no street setback distance is specified in Schedule 2 of the General Residential Zone, the street setback as specified in Table 1 of Clause 54.03-1 applies. Table 1 states that the minimum setback from the front street should be *the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.*
42. The eastern adjoining property (No. 4 Francis Street) has a street setback of 1.75m – 2.1m (scaled). The front wall of the dwelling has a proposed street setback of 2.43m – 2.82m, however, given that the height of the front balcony exceeds 3.6m, the street setback of the balcony is therefore included in the assessment.

43. The setback of the front balcony from the street is 1.3m – 1.53m which does not comply with the Standard however the variation is supported given that the non-compliance relates to the first floor balcony which, subject to condition as outlined in the Urban Design section of this report, will visually present as a lightweight secondary element to the built form when viewed from the street. Further, the pattern of street setbacks in the surrounding area are generally inconsistent and range from 1.75m to 4m, as such the proposed street setbacks of the development are in keeping with this pattern.

*Standard A4 – Building height objective*

44. The building height, as specified in Schedule 2 of the General Residential Zone, must not exceed 9 metres. The maximum height of the extension measured to the top of the terrace screen is 7.83 metres (scaled) above NGL and therefore complies with the Standard. As previously mentioned, the maximum building height is not dimensioned on the western elevation above NGL, which will be addressed via a permit condition.

*Standard A5 – Site coverage objective*

45. As no minimum site coverage is specified in Schedule 2 of the General Residential Zone, the maximum site coverage under the Standard of 60% applies.
46. The proposal has an overall site coverage of 76% (an area of 95sqm). This fails to comply with the Standard, but the variation (16%) is supported give:
- (a) The proposed site coverage satisfies local policy at Clause 22.10-3.6, which acknowledges the built-up, inner-city context and prescribes a maximum site coverage of 80%.
  - (b) The subject site is located within an inner city area where smaller lot sizes and high site coverage is a prominent characteristic (and evidenced within the immediate surrounds), and therefore respects the existing neighbourhood character and will meet the objective.
  - (c) The design response has provided appropriate street setbacks and rear private open space area, as discussed in the respective sections of this report.

*Standard A6 – Permeability objective*

47. As no minimum permeability is specified in Schedule 2 of the General Residential Zone, pervious surfaces must cover at least 20% of the site. The proposed development will result in site permeability of 24% or an area of 29.8sqm (scaled), and as such meets the requirements of the Standard. It is noted that the plans state 30% permeability, which is assumed to include the area beneath the first floor front balcony and the area beneath the cantilevered first floor towards the rear of the site, however by definition these areas are not to be included in the permeability calculations, as such a condition of permit will require correction of the proposed area of permeability to be shown on the plans.
48. Further, the proposal has shown a STORM score of 124% through the provision of a 3,000L rainwater tank and in accordance with local policy at Clause 22.16. The plans show the capacity and location of the tank, however there are no notations to clarify the connection of the rainwater tank. A condition will require a notation to state that the tank will be connected to toilets for flushing.

*Standard A7 – Energy efficiency protection objectives*

49. This objective requires that new development is designed to maximise energy efficiency through both design and technology. The proposal is considered to meet this objective in the following ways:

- (a) A high degree of window openings (including large north-facing glazing, and skylights) to ensure daylight access across both floors and will likely reduce the need for artificial lighting.
  - (b) The balcony will act as a shading device to the north-facing ground floor windows and the application of a roof above the first floor balcony will protect the north-facing windows from direct sunlight and reduce heat gain during summer months.
50. With regard to the extent of natural ventilation of the dwelling, it is noted that a number of the habitable room windows do not appear to be operable, with Bedroom 2 not showing any operable windows, which limits natural ventilation and may increase the need for artificial cooling. As such a condition of permit will require an operable window to be provided to all habitable rooms.
51. The dwelling is designed so that the upper level and roof top terrace abuts the western laneway so as to not unreasonably reduce daylight or sunlight access to neighbouring dwellings. The aerial imagery (pictured below) shows existing solar panels to the roof of no. 4 Francis Street to the east. The dwelling has seven solar panels along the western section of hipped roof, and four solar panels along the eastern section.



Figure 4: Solar panels at No. 4 Francis Street (Nearthmap, November 2020)

52. As previously outlined in the 'Background' section of this report, the permit Applicant submitted updated shadow diagrams on 22 January 2021 for the Officer assessment as the original submission of shadow diagrams (received by Council on 11 September 2020, and which were part of the advertised set of plans) do not take into account the 3D pitch roof forms of the development and the neighbouring dwelling, which therefore inaccurately depict the extent of shadowing to neighbouring solar panels covering the majority of the western section of roof at 2pm, and almost the entire roof form of No.4 Francis Street at 3pm as



shown below.



Figure 5: Advertised shadow diagrams at 2pm (left) and 3pm (right) which do not take into account 3D built form and roof form and inaccurately depict shadowing to the roof at No.4 Francis Street

53. The corrected shadow diagrams show that the proposed development does not result in shadowing to these solar energy facilities, rather, the diagrams show that the shadows cast to the western portion of roof at 9am and the shadows cast to the eastern portion of roof at 3pm, are existing shadows cast from the roof ridge of No. 4 Francis St.

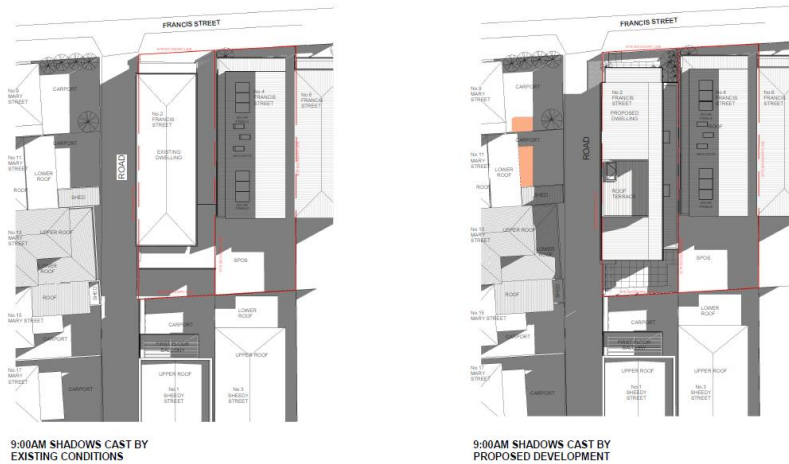


Figure 6: Existing and proposed shadow diagrams at 9pm at the September Equinox



Figure 7: Existing and proposed shadow diagrams at 3pm at the September Equinox

*Standard A10 – Side and rear setbacks objective*

54. The purpose of this objective is to *ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings*. The development has been assessed against the Standard in the following table:

Wall	Proposed max. wall height	Setback required	Setback proposed	Shortfall/Surplus	Complies?
Ground floor Bedroom southern (rear) wall	3.4m *	1.00m	3.46m	+2.46m	Yes
First floor Bedroom 2 southern (rear) wall (wall height measured from NGL to the top of the roof ridge)	6.77m	2.90m	2.63m* – 2.9m*	+0.27 to 0.00m	Yes
First floor eastern wall	5.56m	2.18m	1.35m	-0.83m	No
East facing screen to roof top terrace (wall height measured from NGL to the top of the frosted glass screen)	7.59m *	3.67m	2.5m *	-1.17m	No
South facing screen to roof top terrace (wall height measured from NGL to the top of the 1.7m high screen)	7.5m *	3.58m	7.63m – 7.78m*	+4.05m to +4.20m	Yes

\* scaled dimensions

55. A permit condition will require the first floor and roof top terrace side and rear setbacks, which have been scaled above, to be dimensioned on the plans.
56. The table above highlights that the proposal mostly complies with the Standard, apart from two instances of noncompliance – the first floor eastern wall, and east facing screen to the roof top terrace. These variations to the standard are considered acceptable for the following reasons:
- (a) The east facing screen to the roof top terrace is located opposite the first floor level of No. 4 Francis Street where there are no habitable room windows which face the subject site. As such there will be no unreasonable amenity impacts on daylight to existing windows or visual bulk.
  - (b) The rear portion of the first floor eastern wall of the dwelling is located opposite the SPOS at No.4 Francis Street, and is slightly non-compliant with the setback requirements (by 0.83m). This may result in visual bulk impacts to the eastern SPOS however, the design response of the eastern interface incorporates the use of varied and lightweight materials (colorbond cladding (charcoal colour) at first floor and textured brickwork (muted colour) at ground floor), combined with the cantilevered first floor which extends beyond the ground floor at the rear (as shown pictured below). This will break down the scale and provides a visual break to limit any unreasonable visual



- (b) The non-compliant ground floor eastern wall on boundary abuts an existing wall at the east adjoining property (No. 4 Francis Street) for the most part, and only a 2.75m portion of wall at a maximum height of 3.5m (scaled) will face the sensitive SPOS, with the remaining 3.46m length of the lot (along the shared title boundary with the subject site) to remain free of built form. As such, the SPOS at No. 4 Francis Street will not be unreasonably impacted.
- (c) The design response has located the non-compliant double storey and roof top level on-boundary walls to the western side of the site, abutting the 2.99m wide laneway which minimises off-site amenity impacts including visual bulk to the immediate adjoining neighbour to the east (No. 4 Francis Street), and given the 2.99m separation provided by the laneway, the proposal will not result in unreasonable amenity impacts, including visual bulk, to the western abutting properties.
- (d) The amenity of the habitable room windows on abutting properties to the west will not be unreasonably impacted with regards to daylight access, as will be assessed in the following section of this report).
- (e) Overshadowing impacts to the SPOS areas of abutting properties to the west, and to the SPOS of the eastern adjoining dwelling are not unreasonably impacted as a result of the proposal, (overshadowing will be fully assessed later in this report).



Figure 9: Aerial imagery of subject site and surrounds (Nearmap, November 2020)

*Standard A12 – Daylight to habitable room windows objective*

- 59. The Standard requires that *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.*
- 60. To the south (No.1 Sheedy Street), there are HRWs at ground floor level and first floor level which face the subject site. The maximum height of the new southern wall of the subject dwelling opposite the existing HRWs is 6.77m, this wall height would require a minimum setback of 3.385m. Given that the new southern wall is set back 2.63m – 2.9m from the common boundary and the HRWs are setback a further 4.88m from the common boundary, the proposal is therefore compliant the Standard.
- 61. To the west, there are HRWs at Nos. 9, 11 and 13 Mary Street which face the subject site, these will be discussed in turn below:

- (a) *No. 9 Mary Street* – there are HRWs at ground floor level and first floor level which face the subject site. The height of the new western boundary wall of the subject dwelling opposite the existing HRWs is a maximum of 5.9m (scaled), this wall height would require a minimum setback of 2.95m. Given that No.9 Mary Street is separated from the subject site by a 2.99m wide laneway, the proposal therefore meets the Standard.
- (b) *No.11 Mary Street* – there are two ground floor HRWs which face the subject site. The height of the new wall of the subject dwelling opposite the existing HRWs is a maximum of 7.83m (scaled - to the top of the roof top terrace screening), this wall height would require a minimum setback of 3.915m. Given that No.11 Mary Street is separated from the subject site by a 2.99m wide laneway and the HRWs are setback a further (approximately) 6m (scaled) from the title boundary, the proposal is therefore compliant with the Standard.
- (c) *No. 13 Mary Street* – there are two first floor HRWs which face the subject site. The HRWs are within a 55 degree arc facing the proposed roof top terrace at the subject site, as such, the height of the new wall of the subject dwelling opposite the existing HRWs is a maximum of 7.83m above NGL (scaled - to the top of the roof top terrace screening).

Standard A12 states that *where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.*

The height of the finished floor level of the room containing the windows at No. 13 Mary Street is unknown, however for the purpose of this assessment, the standard/average first floor level height of 3m will be used as an estimation. As such the height of the new wall of the subject dwelling to the top of the roof top terrace screening, above the (estimated) FFL of the first floor HRWs at No. 13 Mary Street is 4.83m, which would require a minimum setback of 2.415m. Given that No. 13 Mary Street is separated from the subject site by a 2.99m wide laneway and the first floor HRWs are setback further from the title boundary, the proposal is therefore sufficiently compliant with the Standard.



Figure 10: First floor windows at No. 13 Mary Street (Google StreetView)



*Standard A14 – Overshadowing open space objective*

62. The Standard requires that *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. 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.*

63.

Time	Dwelling Impacted	Area of SPOS	Shadowed (Existing)	Additional Shadow	Shadowed (Proposed)
9am	9 Mary St	29sqm	17.8sqm	2sqm	19.8sqm
9am	11 Mary St	16sqm	12.4sqm	3.6sqm	16sqm
11am	1 Sheedy St	21sqm	9sqm	1.3sqm	10.3sqm
12pm	1 Sheedy St	21sqm	8sqm	2.5sqm	10.5sqm
1pm	1 Sheedy St	21sqm	8.9sqm	3sqm	11.9sqm
2pm	1 Sheedy St	21sqm	10.3sqm	1.4sqm	11.7sqm
2pm	4 Francis St	39sqm	28sqm	1sqm	29sqm
3pm	1 Sheedy St	21sqm	12sqm	0.3sqm	12.3sqm
3pm	4 Francis St	39sqm	29.5sqm	6.3sqm	35.8sqm

It is noted that some of the additional shadow figures (in sqm) as scaled for this assessment (and as shown in the table above) slightly greater than the figures shown on the submitted shadow diagrams, in each case by less than 0.6sqm, and is likely as a result of the submitted shadow diagram figures being rounded to whole numbers, rather than to one decimal place. This marginal difference does not impact the shadowing assessment. The figures shown in the table above will be used for the overshadowing assessment below.

64. The proposal does not comply with the overshadowing open space Standard, given that sunlight to the SPOS of No. 9 Mary St, No. 11 Mary St, No.1 Sheedy St and No. 4 Francis St is reduced as a result of the proposal, and these dwellings will not receive five hours of sunlight to 75 per cent of the respective SPOS areas between 9am and 3pm at the September Equinox.
65. However, given the inner city context where lot sizes are small, some overshadowing is likely to occur and meeting the Standard can be impracticable. The test is whether the policy objective is achieved if the Standard is not, and whether the amount of additional overshadowing is reasonable for the site context.
66. The identified variations to the Standard are supported for the following reasons:

*No. 9 Mary Street*

- (a) No. 9 Mary Street will not be unreasonably affected by new equinox shadows as they are limited to only 2sqm of additional shadowing at 9am, and solar access to the SPOS will be completely unaffected by the proposal by 10am.

*No. 11 Mary Street*

- (b) Solar access to the private open space of No. 11 Mary Street is only affected by the proposal at 9am, and is an area of 3.6sqm, which results in 100% shadowing to the SPOS at this time. However, the SPOS will be completely unaffected by shadowing from the proposal beyond 9am.

The dwelling will continue to receive a sufficient amount of direct northern solar access to the SPOS between the key hours of 11am to 1pm (between 9sqm to 11sqm).

*No. 1 Sheedy Street*

- (c) Given the north-south orientation of the subject site, the dwelling to the South, No. 1 Sheedy Street will receive additional shadowing to its SPOS between the hours of 11am to 3pm. The new equinox shadows cast by the proposal is a minimum of 0.3sqm of at 3pm, and a maximum of 3sqm at 1pm, which is not considered to be unreasonable.
- (d) The SPOS will retain consistent solar access ranging from 5sqm – 8 sqm across the entire 9am – 3pm period.
- (e) The dwelling also enjoys an alternative areas of private open space in the form of two balconies (one north-facing and one south-facing) at first floor. These would be unaffected by the proposal.

*No. 4 Mary Street*

- (f) Additional shadow cast by the proposal at No. 4 Mary Street is limited to the hours of 2pm to 3pm. At 2pm the new shadows cast by the proposal is 1sqm, and at 3pm, the SPOS will receive 6.3sqm of additional shadowing. Solar access to the SPOS of No. 4 Mary Street will be completely unaffected by the proposal from 9am to 1pm.
- (g) The SPOS will receive limited shadow impacts during the first 5 hours of the day in the assessment period (between the hours of 9am to 2pm), and the extent of overshadowing for the last hour in the assessment period (6.3sqm at 3pm) is not unreasonable.

*No. 3 Sheedy Street*

- (h) As previously outlined within the 'Surrounding Land' section of this report, there is a small courtyard at the rear of no. 3 Sheedy Street, the eastern portion is covered by a Perspex roof, and the rest of the courtyard is open to the sky, which will be conditioned to be shown correctly on the plans. The hours in which shadowing to the rear courtyard is to occur is between 2-3pm, however the existing shadow diagrams show that these areas are already cast by shadowing in existing conditions, for the times when shadow is created.

67. More generally, the design response has considered the amenity of adjoining properties by locating robust built form away from the immediately adjoining areas of SPOS to the east and to the south. Further, the variation is supported given the prevalence of narrow lots in the surrounding area where dwellings are typically not provided with the solar access that would comply with the Standard. The area also has good access to public open space, including Citizens Park and Dame Nellie Melba Memorial Park both of which are within 300 – 450m of the subject site.
68. Overall, and on balance, it is considered that overshadowing caused by the proposal to the secluded private open space of the neighbouring dwellings, is not unreasonable and is compliant with the policy objective which is to ensure that buildings do not unreasonably overshadow existing secluded private open space.

*Standard A15 – Overlooking objective*

69. Standard A15 of the overlooking objective states that *a habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio*. The proposed dwelling in part complies with the Standard, however there are some instances of non-compliance, all of which will be detailed below:

### Ground floor

- (a) The ground floor windows at the rear of the dwelling are not required to be screened as the ground floor level is lower than 800mm above natural ground level and the side and rear boundaries will feature visual barriers (i.e. fencing) with minimum heights of 1.8m.

### First floor

- (b) The west-facing window to the first floor living room has not been screened, and has views into the rear SPOS at No. 9 Mary Street, across the laneway. As such, a condition of permit will require this window to be appropriately screened to comply with the A15 Overlooking Standard.
- (c) The west-facing window to the staircase and corridor are not screened, however the overlooking objective does not apply to these windows as they are associated with non-habitable rooms.
- (d) The west-facing window associated with Bedroom 2 (which wraps around the dwelling along the west and south elevation) has not been screened and has views into the first floor east-facing HRWs at No. 13 Mary Street, and the SPOS at No. 15 Mary Street, across the laneway. As such, a condition of permit will require this window to be appropriately screened to comply with the A15 Overlooking Standard.
- (e) The two south-facing windows associated with Bedroom 2 have not been screened and have direct views into the SPOS of the southern adjoining dwelling (No. 1 Sheedy Street), and as shown highlighted in the image below, may have oblique views into the SPOS at No. 3 Sheedy Street (to the south-east), as well as the SPOS at No. 15 Mary Street (south-west). As such, a condition of permit will require these windows to be appropriately screened to comply with the A15 Overlooking Standard. It is noted that the HRWS to No.3 Sheedy Street have not been shown on the plans, which will also be addressed via a permit condition.



Figure 11: Overlooking diagram showing 9 metre radius from HRWs, Roof terrace and balcony (Applicant submission)

- (f) The two east-facing windows to Bedroom 2 which overlook the eastern adjoining SPOS are appropriately screened, whereby the northernmost window is screened with frosted glass to 1.7m above floor level, and the southernmost window is entirely screened with frosted glass. To ensure full compliance with the A15 Standard, a permit condition will require these HRWs are “fixed obscure glazing to 1.7m above the finished floor level”.

- (g) The east-facing window to the ensuite is screened with frosted glass to 1.7m above floor level (scaled) and operable, however the overlooking objective does not apply to this window as it is associated with a non-habitable room.
- (h) The east-facing window to the kitchenette is not screened and is not required to be screened as it does not have views to any habitable room windows or areas of SPOS at the eastern adjoining lot within a 9m / 45 degree arc.
- (i) The first-floor, north-facing windows of the living room have not been screened. This complies with the Standard as these windows face the street and there are no habitable room windows or areas of SPOS an adjoining lots within a 9m / 45 degree arc.

*First floor balcony*

- (j) The first floor balcony does not propose screening to the north (front) or west elevations of the balcony, and has a solid wing wall along the eastern elevation. As previously discussed within the 'Urban Design' section of this report, to address urban design concerns regarding visual bulk to the street, a permit condition will require the eastern solid wing wall to be deleted or significantly reduced. The north and east elevations of the balcony are not required to be screened as there are no habitable room windows or areas of SPOS within a 9m / 45 degree arc to the north and east. However, to the west, there are views from the balcony into the rear SPOS at No. 9 Mary Street, across the laneway. Therefore, a condition will require that the western elevation of the balcony to be screened to comply with the A15 Overlooking Standard.

*Roof terrace*

- (k) To meet the Standard, the roof terrace should have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. The submitted town planning report states that 'the roof garden will be provided with a 1.7m privacy screen to all four sides', however this is not clearly or accurately shown on the plans. The proposed roof plan has a notation which states '1100mm privacy screen' along the western side of the roof terrace, which does not comply with the Standard and is inconsistent with the west elevation which shows a perforated metal screen to 1.7m above finished floor level. This inconsistency will be addressed via a permit condition. The east elevation shows frosted glass screening to 1.7m above finished floor level, to ensure full compliance with the A15 Standard the plans should specify that the screen is "fixed" and "no more than 25% transparent", which will be addressed via a condition. Further, the screening to the north and south elevations of the roof terrace are not clearly shown on the elevations, nor are they shown on the proposed roof plan. As such, a condition of permit will require all elevations and the proposed roof plan to show the roof terrace screening to comply with the A15 Overlooking Standard.

*Standard A16 – Daylight to new windows objective*

- 70. The decision plans show that all new habitable room windows (save for the windows along the western elevation) will be provided with light courts that exceed the minimum specifications as set out by this Standard (minimum area of 3sqm with a minimum dimension of 1m). Whilst the windows along the western elevation do not technically provide a light court as they are on the boundary, they do however face onto a public laneway which will allow for daylight access to these windows.

*Standard A17 – Private open space objective*

71. Standard A17 requires that a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres.  
At least one part of the private open space should consist of SPOS with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.
72. The proposal provides a total of 57.82sqm of open space across four separate areas, as follows:
- (a) Ground floor: 14.88sqm within the front setback, with a minimum dimension of 2.4m and direct access of the ground floor open plan living and dining area;
  - (b) Ground floor (SPOS): 21.08sqm within the rear setback (which also doubles as an open car space), with a minimum dimension of 3.4sqm and with convenient access from the ground floor living space via the office and also accessed from the ground floor Bedroom. Given that this rear setback area is required for car parking provision at the site, it is not relied upon for open space given the provision of other open space areas across the development.
  - (c) First floor: 4sqm associated with the first floor front balcony, with a minimum dimension of 1.11m and convenient access of the first floor living area;
  - (d) Roof top terrace (SPOS): 17.86sqm associated with the roof top terrace, with a minimum dimension of 3.8m and accessed via a roof hatch from the first floor living space.
73. The proposal does not strictly meet the Standard as there is not a single area of SPOS of at least 25sqm, and requires a variation to the SPOS areas. It is recognised that it is not practical to achieve full compliance with the standard given the inner-city context and the size of the site being only 124sqm. Given that there are four proposed areas of open space across the development, all of which are either directly or conveniently accessible from living areas, and with the roof terrace providing a minimum dimension which exceeds 3m, it is considered that the usability of the SPOS areas are appropriate and will provide the residents with a good level of amenity.
74. Lastly, the dwelling is only a 6 minute walk from Citizens Park and 4 minute walk to Dame Nellie Melba Memorial which are large public open space areas within proximity to the subject site, and will compensate for the variation sought to the standard. In consideration of the above, the private open space objective is achieved.

*Standard A18 – Solar access to open space objective*

75. The primary SPOS is provided at the roof top terrace. The Standard requires *the southern boundary of SPOS to be set back from any wall on the north of the space at least  $(2 + 0.9h)$  metres, where 'h' is the height of the wall*. The northern screen of the roof terrace is 1.7m in height, which would require the southern screen to be set back 3.53m. The southern screen to the roof terrace is set back 4.7m from the northern screen, thus complying with the Standard. As previously discussed, a permit condition will require the 1.7m high screens to all elevations of the roof top terrace to be clearly shown on the plans.
76. In addition, the proposal provides POS within the front (northern) setback and a north-facing first floor balcony.

[Car Parking / Development Abutting Laneways](#)

77. The proposed dwelling includes an open car space at the rear of the site, to be accessed via the western abutting laneway, which has a width of 3m.



The dimensions of the proposed open car space comply with Design Standard 2 of Clause 52.06 in that it has a length of 5m and a width of 3m. Council's Engineering Services Unit reviewed the proposal and made the following comments:

- (a) the minimum width for the roller door should be 4.5m;
- (b) the finished floor level of the car space must be 40mm higher than the laneway;
- (c) the plans should remove wording 'backyard' and replace with 'car space';
- (d) a cross section should be provided to show the ground clearance for a B85 design vehicle, showing the east-west edge of the laneway, the invert level of the bluestone spoon drain in the laneway and the top edge of the internal concrete slab (plans show permeable pavement) and 2m inside the concrete slab (permeable pavement).

78. The above items will be addressed via permit conditions. Regarding (a) above, the door width must be widened so that a B85 design vehicle would have sufficient turning movements off the laneway. Turning graph figure 5.4 from *AS/NZS 2890.1.2004* states that a laneway width of 3m would require a minimum doorway width of 4.5m for a B85 Design vehicle. It is acknowledged that the site is constricted in terms of size, so widening the doorway to meet the requirement of a minimum width of 4.5m may require a slight design change at the condition 1 stage, such as reducing the size of the ground floor office area (the south-western section of built form) to allow for a widened doorway.
79. In accordance with policy at Clause 22.07-3 (Development abutting laneways), the plans show that the proposed car space and the associated roller door at the rear of the site are confined within the title boundaries of the subject site and will not protrude into the laneway and will not obstruct access to other properties which abut the laneway. However, the first-floor guttering and window shrouding are shown on the plans to extend into the laneway. As advised by Council's Engineering Unit, the building regulations 2018 (regulation No.99) requires that an architectural feature on a building on a narrow street (in this case a laneway), must not project beyond the street alignment. Given the narrowness of the laneway, the Engineering Unit confirms that no part of the building can encroach over the laneway, which will be addressed via a permit condition.
80. With regard to the proposed side pedestrian entrance, concerns were raised at the preliminary stage of the application (further information letter dated 4 August 2020) that a transitional space for the proposed secondary entrance to the laneway had not been provided and to ensure pedestrian safety, it was recommended that a recessed portico/landing was provided. This recommendation was not pursued by the Applicant, as the decision plans show the side pedestrian entrance to be located flush to the western property line, with a sliding security door. However, a portico landing would cause issues in this location as the projection into the laneway would obstruct vehicle access and would not comply with the building regulations 2018 (regulation No.99), as specified above. Council's Engineering Services Unit reviewed this element of the proposal and advised that it is a safety issue if a pedestrian walks into the traffic lane (laneway), and that the doorway should be recessed by 1.2m from the property line, in accordance with the Building Regulations 2018. This will be addressed via a permit condition.

#### Objector concerns

81. Objector concerns have been discussed throughout the report as follows:
- (a) *Design issues including lack of consistency with neighbourhood character, height of the development and visual bulk from the street;*  
These matters have been discussed at paragraphs 31 - 36 and 38-39.
  - (b) *Off-site amenity impacts including overlooking, overshadowing, reduction of daylight to habitable room windows, visual bulk, noise and amenity impacts associated with the front balcony, roof top terrace and the AC unit;*

Overlooking has been discussed under *Standard A15 Overlooking objective* at paragraph 69.

Overshadowing has been discussed under *Standard A14 Overshadowing open space objective* have been discussed at paragraphs 62-68.

Daylight to existing windows have been discussed under *Standard A12 Daylight to habitable room windows objective* at paragraphs 59-61.

Matters regarding visual bulk have been discussed at paragraphs 56 and 58.

With regards to noise, given the proposed development, including SPOS, roof terrace and front balcony, will be used for residential purposes, it is considered that there will be no unreasonable off-site acoustic amenity impacts to the surrounding residential area. Further, there is no permit requirement for an air-conditioning unit. Any noise associated with an air-condition unit is consistent with the permitted residential use.

- (c) *Impact on existing solar energy facilities caused by shadowing from the development;*  
These matters have been discussed at paragraphs 51-53.

- (d) *Car parking concerns including insufficient turning space in the laneway and narrowness of roller door;*

Matters regarding car parking arrangements have been discussed at paragraphs 77-79.

- (e) *Concerns regarding the potential to create a second dwelling at the first floor with the side entry and floorplan;*

The decision plans show that the staircase configuration is completely internal to the dwelling, as such the first floor can only be accessed from within the dwelling and it is not shown to be separated or partitioned to create a separate entry to the first floor.

A 'second dwelling on a lot' is a separate permit trigger and not in accordance with what has been assessed. As such, the following note to be added to any permit issued:

*The dwelling has been assessed under Clause 54 (single dwelling on a lot) of the Yarra Planning Scheme. The first floor of the dwelling is not permitted to function as a second dwelling on the lot.*

- (f) *Safety concerns regarding the side entry door.*

This matter has been discussed at paragraph 80.

## Conclusion

The proposal is considered to be acceptable having regard to the relevant State and Local policies, Clause 54 (ResCode) and the relevant urban design considerations outlined in the above assessment and should therefore, be approved, subject to conditions.

## RECOMMENDATION

That the Planning Decisions Committee resolves to issue a Notice of Decision (NOD) to Grant Planning Permit PLN20/0479 for the construction of a two storey dwelling with a roof top terrace at No. 2 Francis Street, Richmond, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit.

The plans must generally be in accordance with the decision plans prepared by Hooke Architecture TP01 – TP03 and TP09 Rev A dated 11 September 2020, and TP04 – TP08 Rev B dated 18 September 2020, but modified to show the following:

- (a) The maximum height of the development to be dimensioned on the western elevation above natural ground level.
- (b) The rear courtyard area at No.3 Sheedy Street to be accurately shown on the plans.
- (c) Habitable room windows at No.3 Sheedy Street facing the subject site to be shown on the plans.
- (d) Delete or significantly reduce the eastern solid wing wall from the front balcony.
- (e) Correction of the proposed pervious area / permeability to be shown on the plans (as % and sqm) i.e. excluding the area covered by the first floor front balcony.
- (f) The proposed ground floor plan to include a notation to state that the rainwater tank will be connected to toilets for flushing.
- (g) An operable window to be provided to all habitable rooms, to comply with Standard A7 (Energy Efficiency Protection Objectives) of the Yarra Planning Scheme.
- (h) First floor and roof top terrace side and rear setbacks from title boundaries to be dimensioned on the plans.
- (i) The east-facing windows to Bedroom 2 to state “fixed obscure glazing to 1.7m above the finished floor level” on the east elevation and materials legend.
- (j) The proposed roof plan and elevations updated to show screening to all four sides of the roof top terrace with fixed external screens to at least 1.7 metres above floor level of the roof terrace and be no more than 25 per cent transparent.
- (k) The following to be screened to comply with Clause 54.04-6 (Overlooking) of the Yarra Planning Scheme:
  - (i) The south-facing and west-facing windows to Bedroom 2 and the west-facing window to the first floor living room;
  - (ii) The western edge of the front balcony.
- (l) The width of the roller door increased to a minimum of 4.5 metres.
- (m) The finished floor level of the car space to be set 40mm higher than the laneway.
- (n) Delete annotation ‘backyard’ within the rear setback and replace with ‘car space’.
- (o) Demonstrate ground clearance for a B85 design vehicle by providing a fully dimensioned cross section of the internal slab and laneway (that runs along the centre of the car space) showing:
  - (i) the level at the east-west edge of the laneway;
  - (ii) the invert level of the bluestone spoon drain in the laneway;
  - (iii) the top edge of the internal slab of the car space;
  - (iv) 2 metres inside the internal slab of the car space.
- (p) The side pedestrian doorway to be recessed by 1.2m from the property line.
- (q) No part of the building to encroach or extend over the laneway.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to limit 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.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
7. The permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

The dwelling has been assessed under Clause 54 (single dwelling on a lot) of the Yarra Planning Scheme. The first floor of the dwelling is not permitted to function as a second dwelling on the lot.

## Attachments

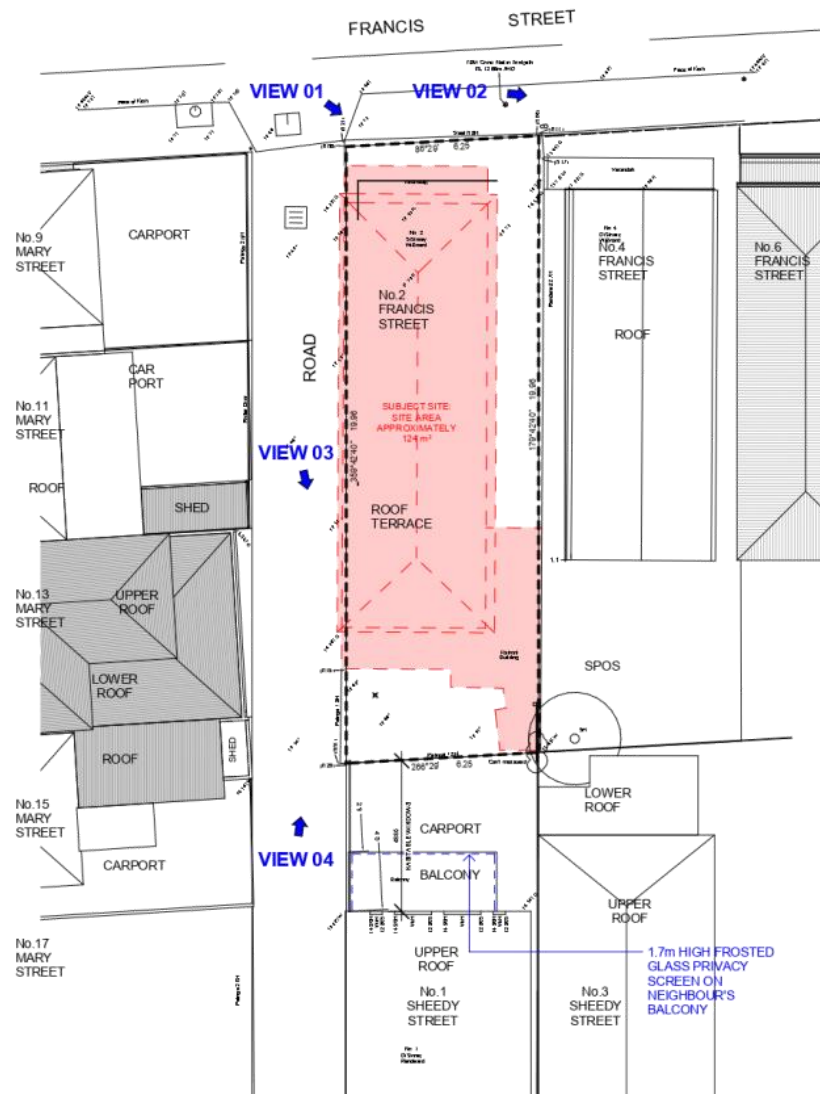
- 1 PLN20/0479 - 2 Francis Street Richmond - Locality Plan
- 2 PLN20/0479 - 2 Francis Street Richmond - Decision Plans
- 3 PLN20/0479 - 2 Francis Street Richmond - Engineering Referral Comments (Updated)
- 4 PLN20/0479 - 2 Francis Street Richmond - Urban Design Referral Comments



**Attachment 1 - PLN20/0479 - 2 Francis Street Richmond - Locality Plan**



# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



**LEGEND:**

[---] SITE BOUNDARY

[---] EXTENT OF DEMOLITION:

SINGLE STOREY WEATHERBOARD HOUSE INCLUDING OUTBUILDINGS, PAVING AND FENCES TO BE DEMOLISHED.



**STREET VIEW 01**  
STREET VIEW OF SUBJECT SITE:  
EXISTING WEATHERBOARD DWELLING



**STREET VIEW 02**  
VIEW OF DISTANT MULTISTOREY RESIDENTIAL  
BUILDINGS.



**STREET VIEW 03**  
RENDERED DOUBLE STOREY BUILDING



**STREET VIEW 04**  
VIEW OF LANEWAY BESIDE SUBJECT SITE

**HOOKE ARCHITECTURE**

Unit 9, NO. 3 Bromham Place, RICHMOND  
Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**SITE ANALYSIS &  
DEMOLITION PLAN**

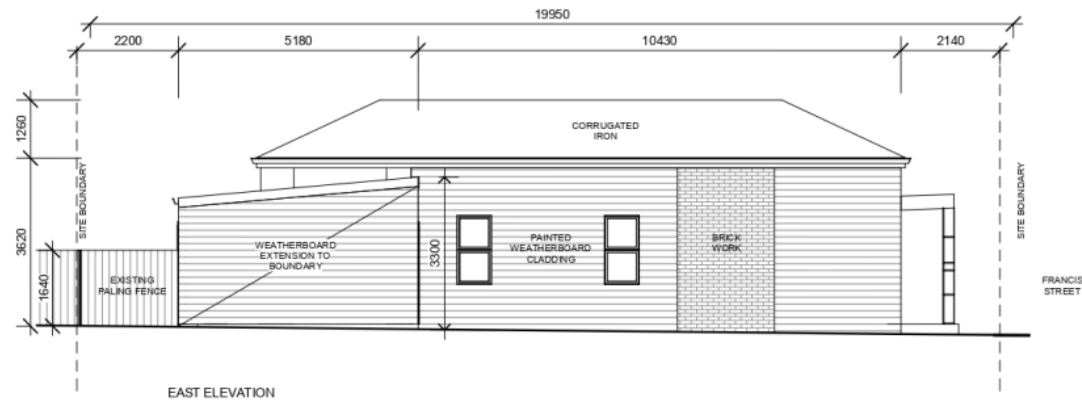
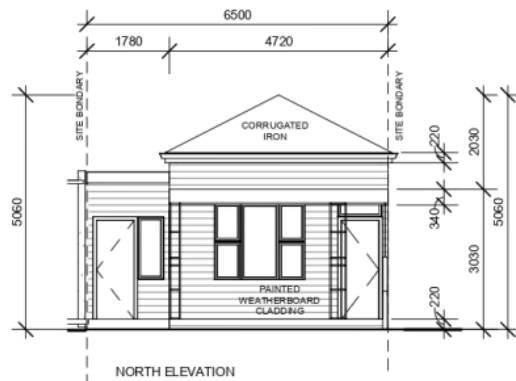
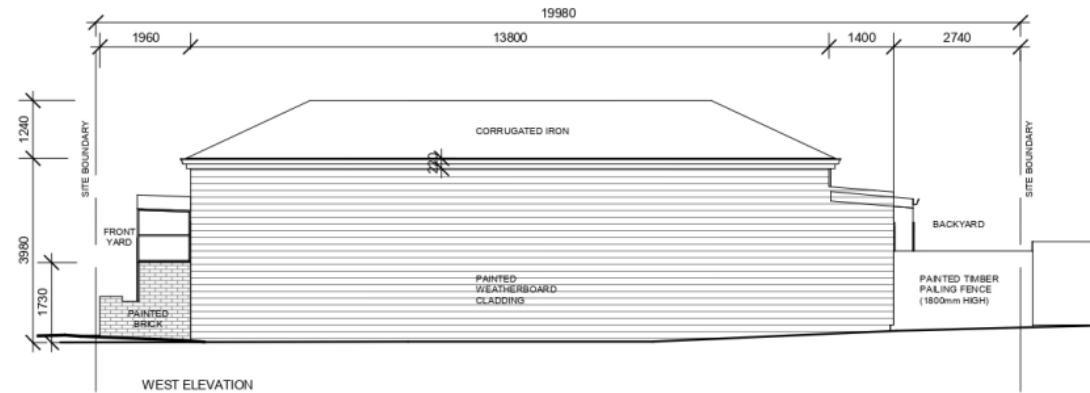
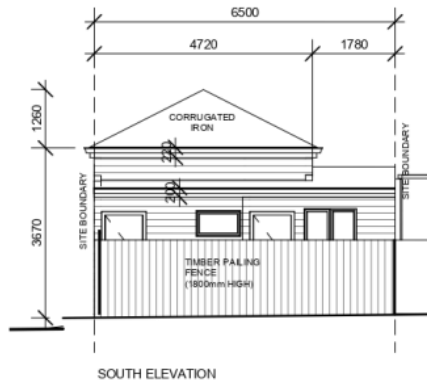
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DRAWING NO.: **TP-01**  
PROJECT NO.: **2004**

DATE: 11/09/2020 REVISION NO: A

Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



HOOKE ARCHITECTURE

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CLIENT: ANDREW HALE

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2 FRANCIS STREET RICHMOND VIC 3121

EXISTING ELEVATIONS

DRAWING NO.: TP-02  
PROJECT NO. 2004

SCALE: 1:100 @A3

DATE: 11/09/2020 REVISION NO: A



# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans

## NO. 1, 3 & 5 Francis Street

These are single storey Victorian Timber (weatherboard) worker's cottages. They have a consistent appearance and scale with heritage features. The form and setback from Francis St. is also consistent (approx. 3m) with small formal gardens behind picket fences.

## NO. 4 Francis Street

The form and scale of this dwelling is consistent with other new houses in the area although it has no apparent vehicular access or on-site carparking space. The form is reflective of the Victorian Worker's cottage although the heritage details have been stripped away and replaced with a simpler and more functional style. The scale is consistent with that of No. 9 Mary St.

## NO. 6-8 Francis Street

These two houses are similar to No. 1, No. 3, and No. 5 Francis St. in that they are relatively intact single fronted Victorian workers cottages with picket fences and front gardens

## DESIGN RESPONSE:

The objective with the design has been to balance amenity, lifestyle and functionality with a sense of solidarity with the surrounding neighbourhood. The character of the street is clearly Victorian however it is being progressively replaced with newer homes and other forms of dwellings. The design aims to make a valuable contribution to the preservation of the core characteristics and values of the precinct.

## SURROUNDING NEIGHBOURHOOD CHARACTER:

The subject site is surrounded by single dwellings.

Most dwellings resemble the Late Victorian Cottage style defined by painted weatherboard cladding and corrugate steel roofing. With their signature front metal roof porches with held up by cast iron columns and decorated by lacework, these houses have been preserved or restored along Francis Street. The style is known for corrugated steel roofing forming a hip and valley style or traditional gable. Most dwellings sit on their long blocks of land and placed to provide a private open space at the rear of the house and a small porch at the front with a decorative 1200mm high timber paling fence. These dwellings do not require crossovers and most of resident cars are parked on-street.

General front setbacks are around 1800mm from boundary and side setbacks are generally 800mm-900mm.

## PROPOSED DESIGN KEY FEATURES:

The proposed two-story house at No.2 will respect the existing Victorian scale and height lines and will take visual elements and materiality from its adjoining neighbors.

For example, the proposed use of brick veneer at ground level will continue the external wall of the house in No.9. The proposed brick type will have an unrefined textured look embracing the old periodic style of the Late Victorian cottage. Regarding the proposed roof, steel color bond cladding will form a traditional gable roof with a high ridge like the adjoining house at No.4 Francis St.

Like most of the dwellings, the proposed house will have its front and rear open spaces. A new front courtyard will align with the existing front setback continuing the northern aspect of front open spaces along Francis Street.



## NO. 7 Mary Street:

Typical single storey single fronted Victorian weatherboard worker's cottage with a pitched colourbond steel roof. This style and scale of house is typical of the precinct. The front and side setback distances are minimal. The boundary to Francis St. is a sideage and has a 2m high paling fence for 90% of its length.

## NO. 9 Mary Street:

A contemporary two storey dwelling with masonry walls at ground level. The first floor structure has a painted render finish and the roof is a pitched colourbond steel structure consistent with many others in the neighbourhood. The dominant feature is the built form with a substantial solid wall without windows along the street boundary.

## LEGEND:

--- 9 METRE OVERLOOKING ZONE  
SPOS = SECLUDED PRIVATE OPEN SPACE

## DEVELOPMENT SUMMARY:

SITE AREA: 124m <sup>2</sup>	
<b>EXISTING DWELLING:</b>	<b>PROPOSED DWELLING:</b>
TOTAL BUILDING AREA: 88m <sup>2</sup> SITE COVERAGE: 70%	TOTAL BUILDING AREA: 95m <sup>2</sup> SITE COVERAGE: 76%
TOTAL PERVIOUS AREA: 17m <sup>2</sup> PERMEABILITY: 13%	TOTAL PERVIOUS AREA: 38m <sup>2</sup> PERMEABILITY: 30%
TOTAL PRIVATE OPEN SPACE (m <sup>2</sup> ): 44m <sup>2</sup> TOTAL PRIVATE OPEN SPACE (%): 35%	TOTAL PRIVATE OPEN SPACE (m <sup>2</sup> ): 61m <sup>2</sup> TOTAL PRIVATE OPEN SPACE (%): 49% (incl. BALCONY AND ROOF TERRACE)

## HOKE ARCHITECTURE

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Email: mail@hookearch.com.au

CLIENT: ANDREW HALE

PROJECT: HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121

## DESIGN RESPONSE LAYOUT

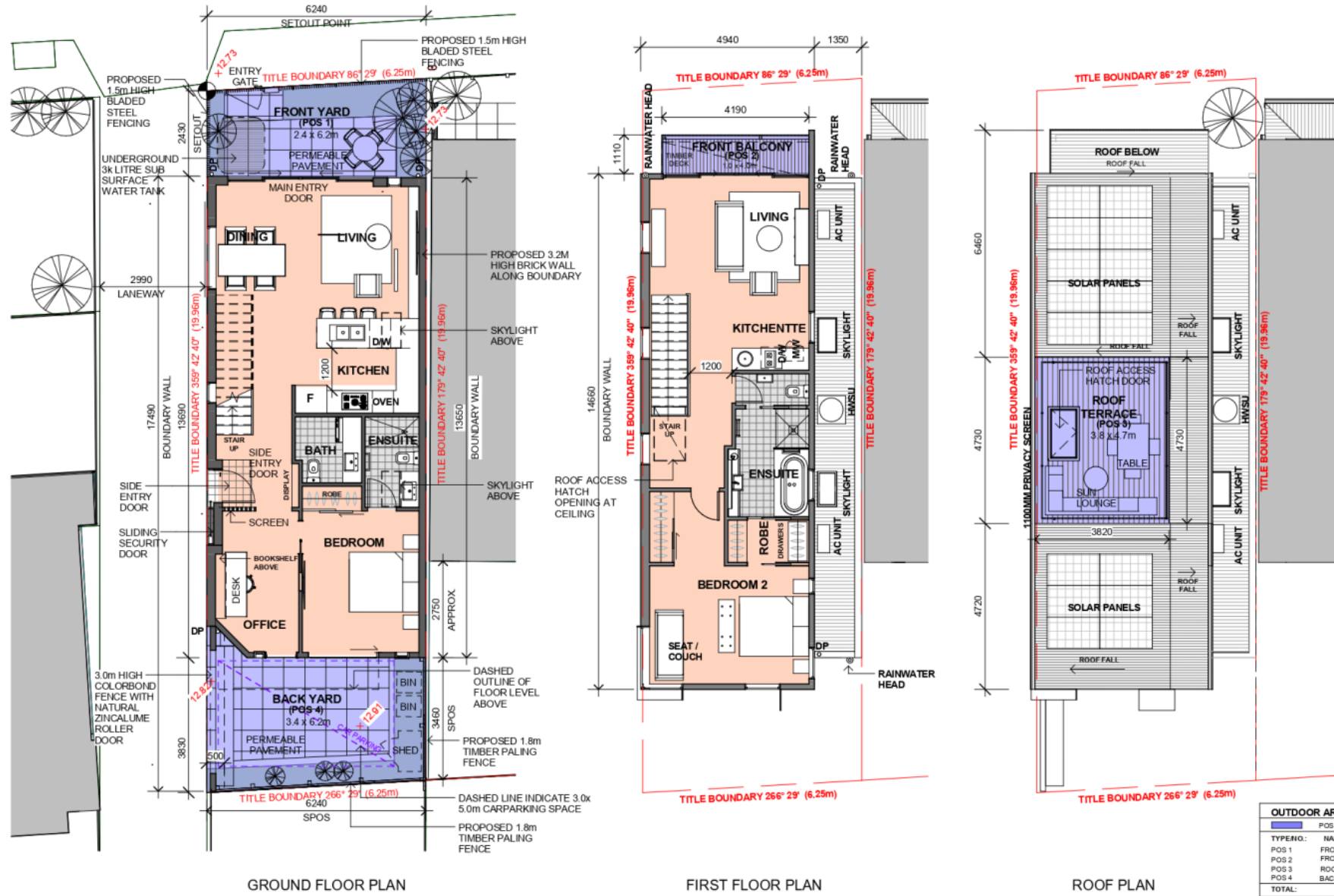
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DRAWING NO.: TP-03  
PROJECT NO.: 2004

DATE: 11/09/2020 REVISION NO: A

# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



**HOOKE ARCHITECTURE**

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Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**FLOOR PLANS**

SCALE: 1:100 @A3



DRAWING NO.: **TP-04**  
PROJECT NO. **2004**

DATE: 18/09/2020 REVISION NO: **B**



# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



**HOOKE ARCHITECTURE**

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Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**PROPOSED ELEVATIONS**


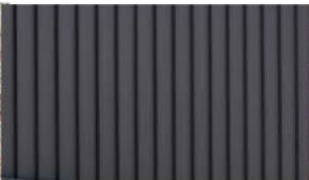

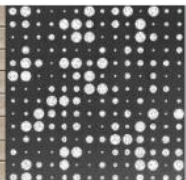




DRAWING NO.: **TP-07**  
PROJECT NO.: **2004**

SCALE: 1:100 @A3

DATE: 18/09/2020 REVISION NO: B

Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



BR	ST-01	TM	PF	ST-03	GL-01	ST-02	ST-04
							
BRICKWORK WITH UNREFINED TEXTURED LOOK	PROFILED COLORBOND EXTERNAL STEEL CLADDING COLOR: MONUMENT	TIMBER DECKING	PERFORATED METAL PRIVACY SCREEN BALUSTRADING TO ROOF TERRACE AND SECURITY DOOR. Max. 25% TRANSPARENCY	FLAT COLORBOND EXTERNAL STEEL CLADDING COLOR: SHALE GREY	FROSTED GLASS TO SELECTED WINDOWS AND SCREENING	COLOR TO: - FENCES - BLAUSTRADES - GLAZING FRAMES, - FASCIA, AND GUTTERS. COLOR: COLORBOND MONUMENT	ZINCALUME STEEL LOOK TO ROLLER SHUTTER

**HOOKE ARCHITECTURE**

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CLIENT: **ANDREW HALE**

PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

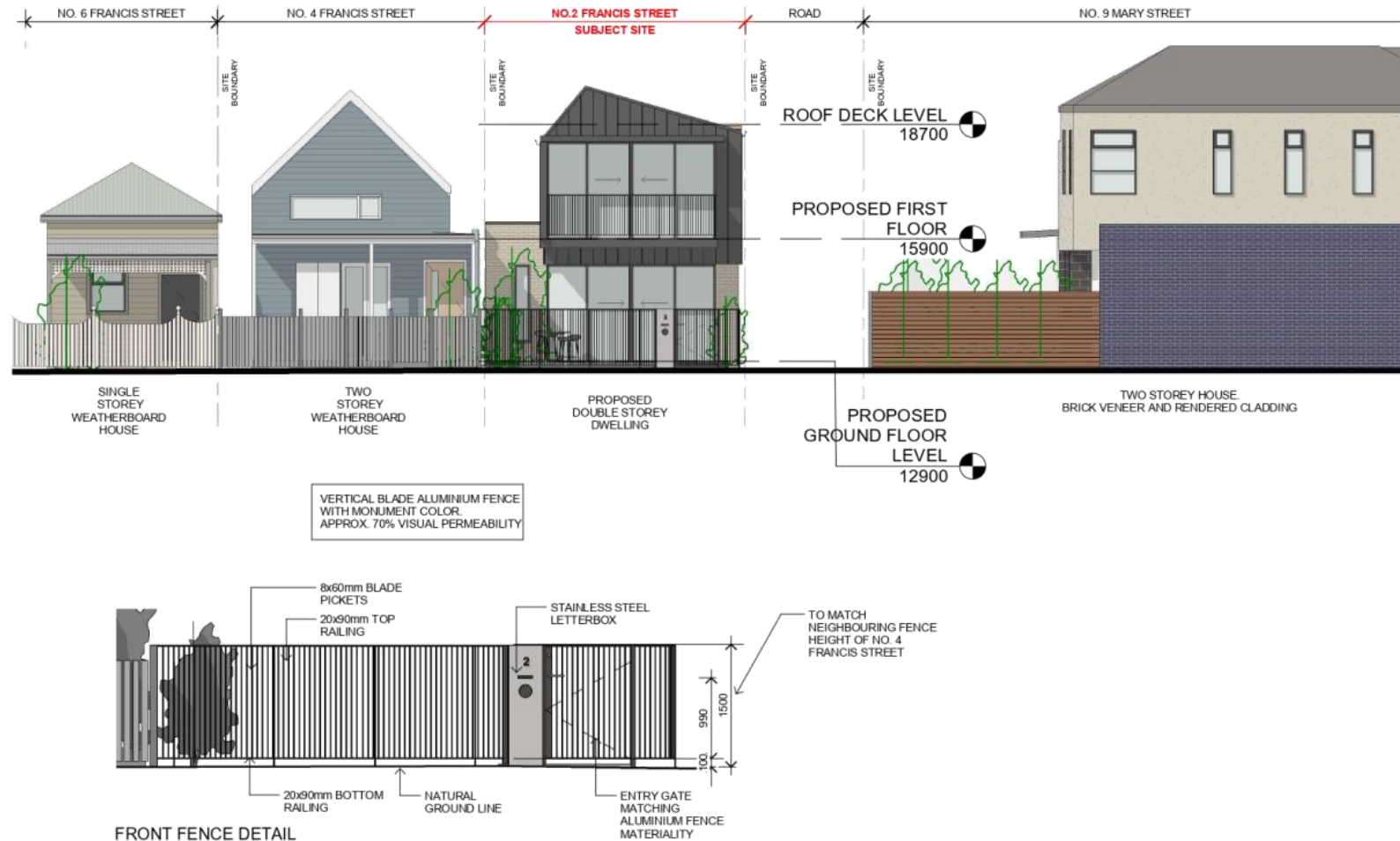
**ARTIST IMPRESSION AND MATERIALITY**

SCALE: @A3

DRAWING NO.: **TP-08**  
PROJECT NO. **2004**

DATE: 18/09/2020 REVISION NO: B

Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



HOOKE ARCHITECTURE

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2 FRANCIS STREET RICHMOND VIC 3121

STREET ELEVATION

DRAWING NO.: TP-09  
PROJECT NO. 2004

SCALE: As indicated @A3

DATE: 11/09/2020 REVISION NO: A

**Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans****STORM Rating Report**

TransactionID: 1005179  
 Municipality: YARRA  
 Rainfall Station: YARRA  
 Address: 2 Francis St., Richmond  
 Normanby Road  
 3121  
 VIC 3101  
 Assessor: Andrew John Hale  
 Development Type: Residential - Dwelling  
 Allotment Site (m2): 120.00  
 STORM Rating %: 124

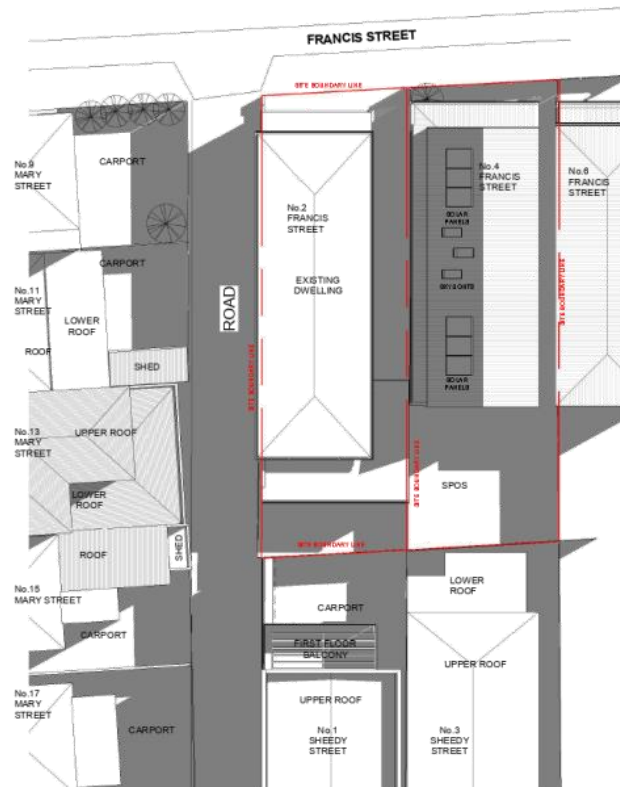
Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
roof to tank	90.00	Rainwater Tank	3,000.00	2	124.00	97.30
roof to raingarden	0.00	Raingarden 100mm	0.00	0	0.00	0.00

Date Generated: 10-Aug-2020

Program Version: 1.0.0



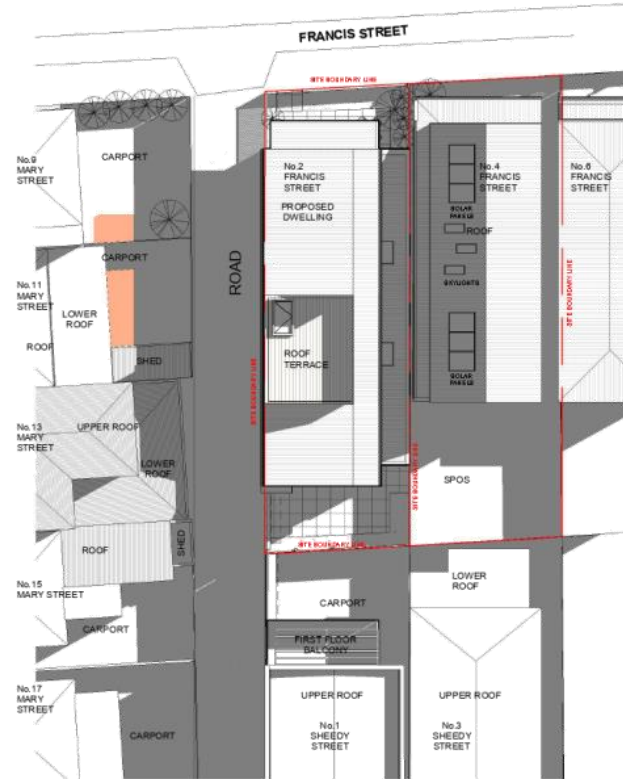
# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



9:00AM SHADOWS CAST BY EXISTING CONDITIONS

LEGEND:

SHADOWS CAST AT SEPTEMBER 22



9:00AM SHADOWS CAST BY PROPOSED DEVELOPMENT

LEGEND:

SHADOWS CAST AT SEPTEMBER 22

SHADOWS CAST BY PROPOSED DEVELOPMENT ENCROACHING ONTO NEIGHBOURING PROPERTY

NO.9 MARY STREET	2m²	6% OF NEIGHBOUR'S CARPORT
NO.11 MARY STREET	3m²	16% OF NEIGHBOUR'S CARPORT

HOKE ARCHITECTURE

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2 FRANCIS STREET RICHMOND VIC 3121

SHADOW DIAGRAMS AT 9AM



DRAWING NO.: TP-07

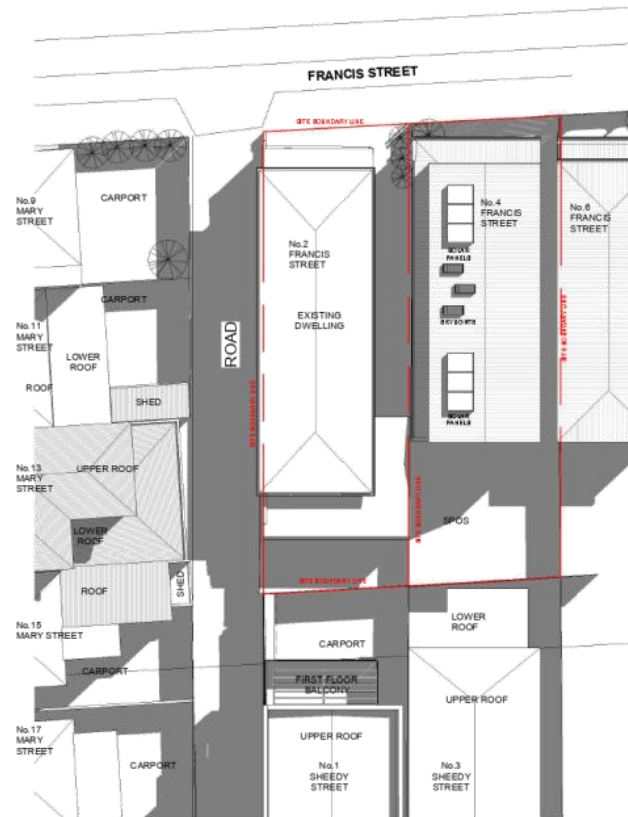
PROJECT NO. 2004

DATE: 21/01/21

REVISION NO. B



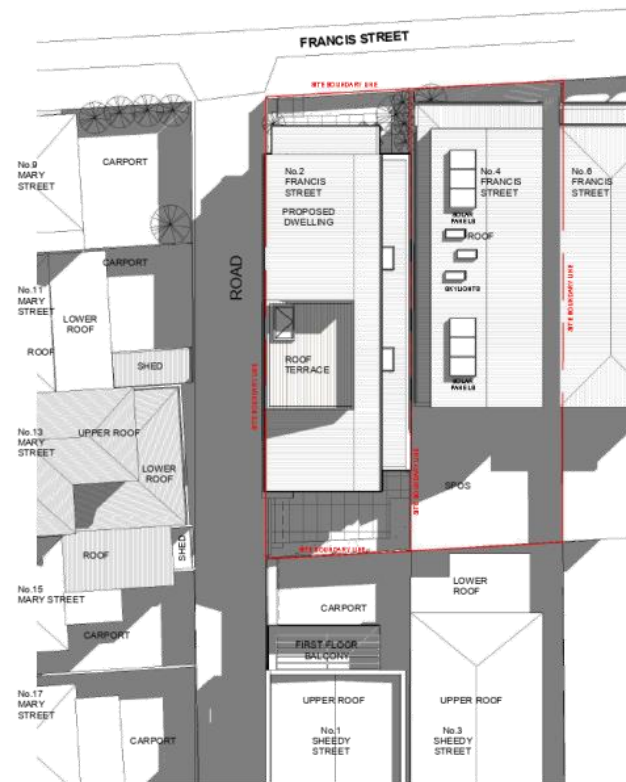
# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



10:00AM SHADOWS CAST BY  
EXISTING CONDITIONS

LEGEND:

SHADOWS CAST AT  
SEPTEMBER 22



10:00AM SHADOWS CAST BY  
PROPOSED DEVELOPMENT

LEGEND:

SHADOWS CAST AT  
SEPTEMBER 22

SHADOWS CAST BY PROPOSED DEVELOPMENT  
ENCROACHING ONTO NEIGHBOURING PROPERTY

NOTE: NO ENCROACHING SHADOWS TO ANY  
NEIGHBOURING PROPERTY AT 10:00 AM

HOOKE ARCHITECTURE

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Email: mail@hookearch.com.au

CLIENT: ANDREW HALE

PROJECT: HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121

SHADOW DIAGRAMS AT 10AM



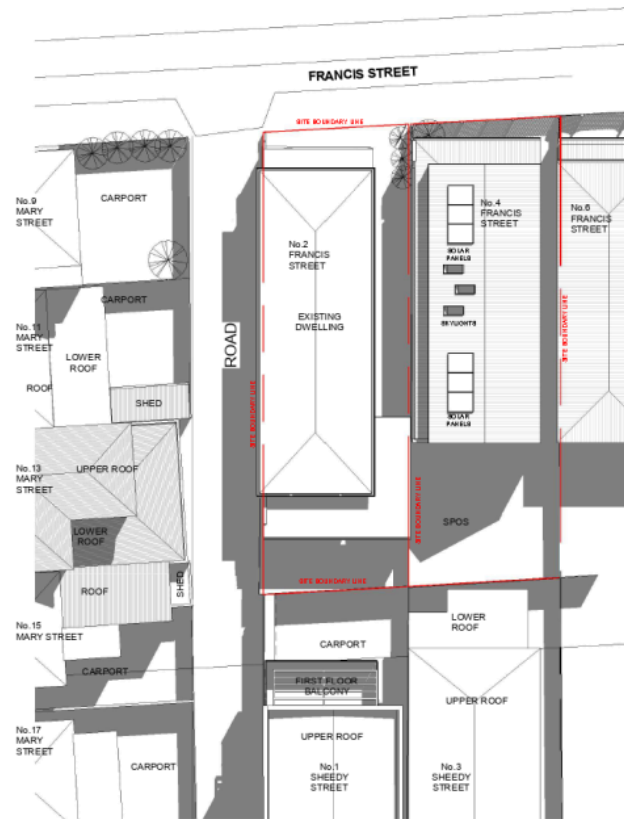
DRAWING NO.: TP-07A

PROJECT NO. 2004

DATE: 22/01/21

REVISION NO.

# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



**HOOKE ARCHITECTURE**  
Unit 9, NO. 3 Bromham Place, RICHMOND  
Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

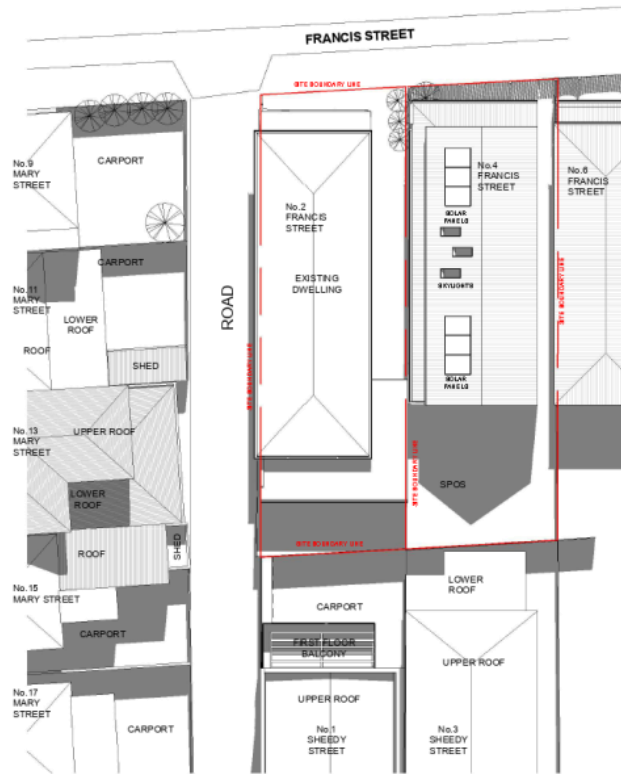
PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**SHADOW DIAGRAMS AT 11AM**



DRAWING NO.: **TP-07B**  
PROJECT NO.: **2004**  
DATE: 22/01/21 REVISION NO.

# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



12:00PM SHADOWS CAST BY  
EXISTING CONDITIONS

LEGEND:  
SHADOWS CAST AT  
SEPTEMBER 22



12:00PM SHADOWS CAST BY  
PROPOSED DEVELOPMENT

LEGEND:  
SHADOWS CAST AT  
SEPTEMBER 22  
SHADOWS CAST BY PROPOSED DEVELOPMENT  
ENCROACHING ONTO NEIGHBOURING PROPERTY  
NO.1 SHEEDY STREET 2m² 6% OF NEIGHBOUR'S CARPORT

**HOOKE ARCHITECTURE**  
Unit 9, NO. 3 Bromham Place, RICHMOND  
Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

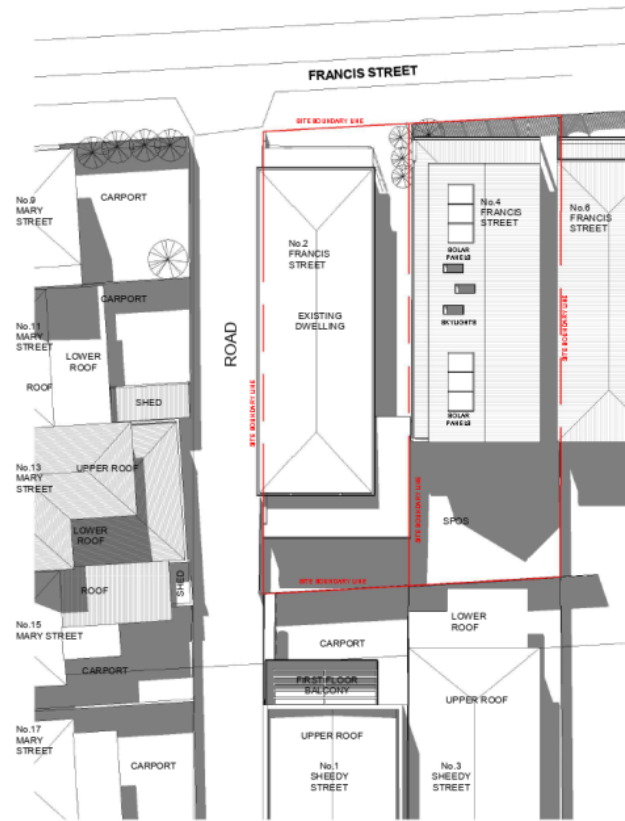
PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**SHADOW DIAGRAMS AT 12PM**



DRAWING NO.: **TP-07C**  
PROJECT NO. **2004**  
DATE: 22/01/21 REVISION NO.

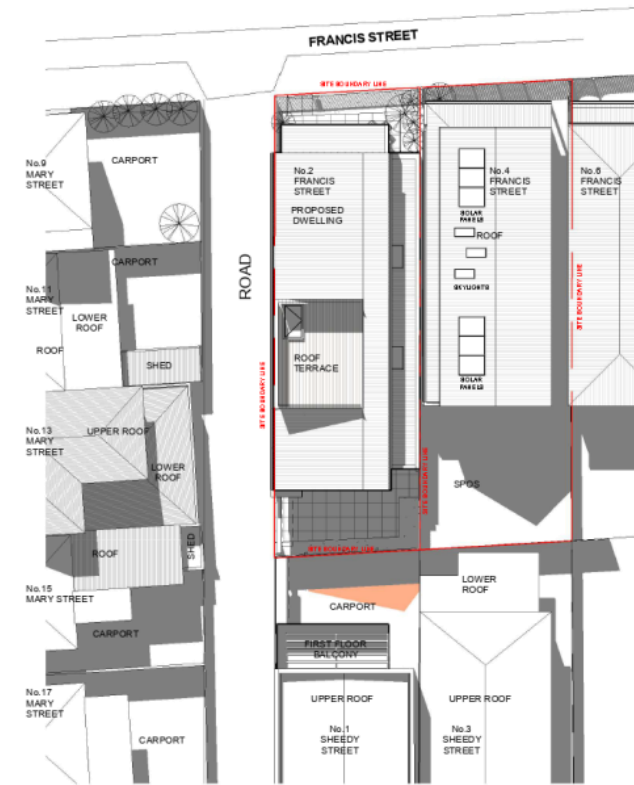
# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



1:00PM SHADOWS CAST BY  
EXISTING CONDITIONS

LEGEND:

SHADOWS CAST AT  
SEPTEMBER 22



1:00PM SHADOWS CAST BY  
PROPOSED DEVELOPMENT

LEGEND:

SHADOWS CAST AT  
SEPTEMBER 22

SHADOWS CAST BY PROPOSED DEVELOPMENT  
ENCROACHING ONTO NEIGHBOURING PROPERTY

NO.1 SHEEDY STREET | 3m<sup>2</sup> | 10% OF NEIGHBOUR'S CARPORT

**HOOKE ARCHITECTURE**

Unit 9, NO. 3 Bromham Place, RICHMOND  
Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**SHADOW DIAGRAMS AT 1PM**



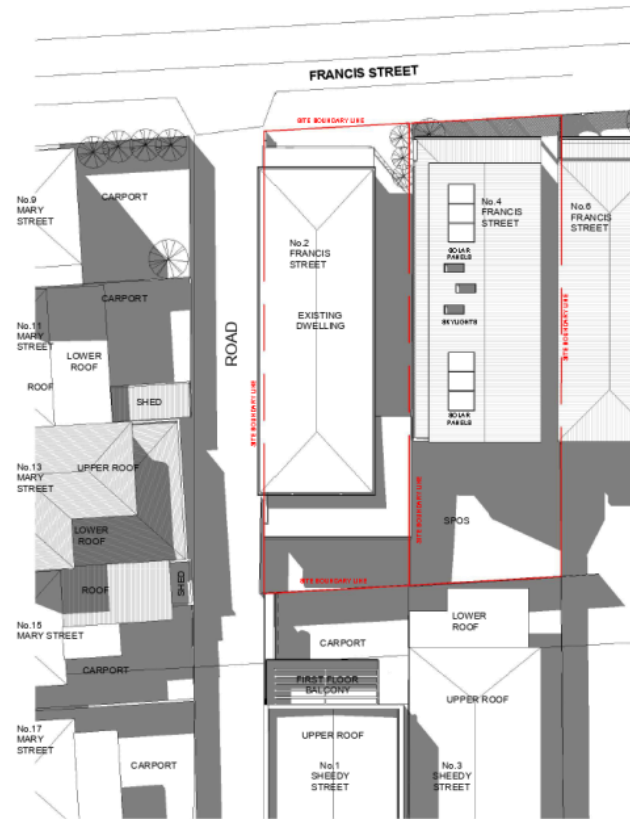
DRAWING NO.: **TP-07D**

PROJECT NO.: **2004**

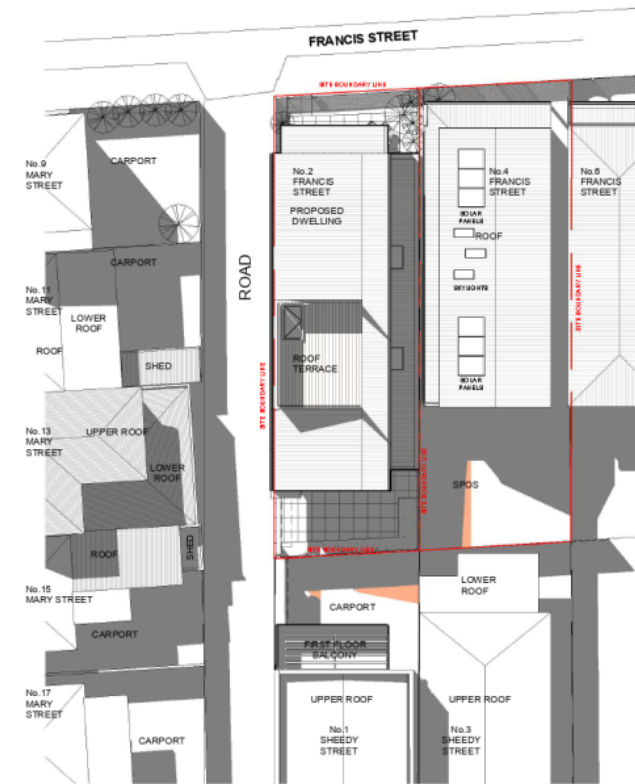
DATE: 22/01/21

REVISION NO.

# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



2:00PM SHADOWS CAST BY EXISTING CONDITIONS



2:00PM SHADOWS CAST BY PROPOSED DEVELOPMENT

LEGEND:		
	SHADOWS CAST AT SEPTEMBER 22	
	SHADOWS CAST BY PROPOSED DEVELOPMENT ENCROACHING ONTO NEIGHBOURING PROPERTY	
NO.1 SHEEDY STREET	1m²	3% OF NEIGHBOUR'S CARPORT
NO.4 FRANCIS STREET	1m²	2% OF NEIGHBOUR'S SPOS

**HOOKE ARCHITECTURE**  
Unit 9, NO. 3 Bromham Place, RICHMOND  
Tel: 03 9428 2566  
Email: mail@hookearch.com.au

CLIENT: **ANDREW HALE**

PROJECT: **HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

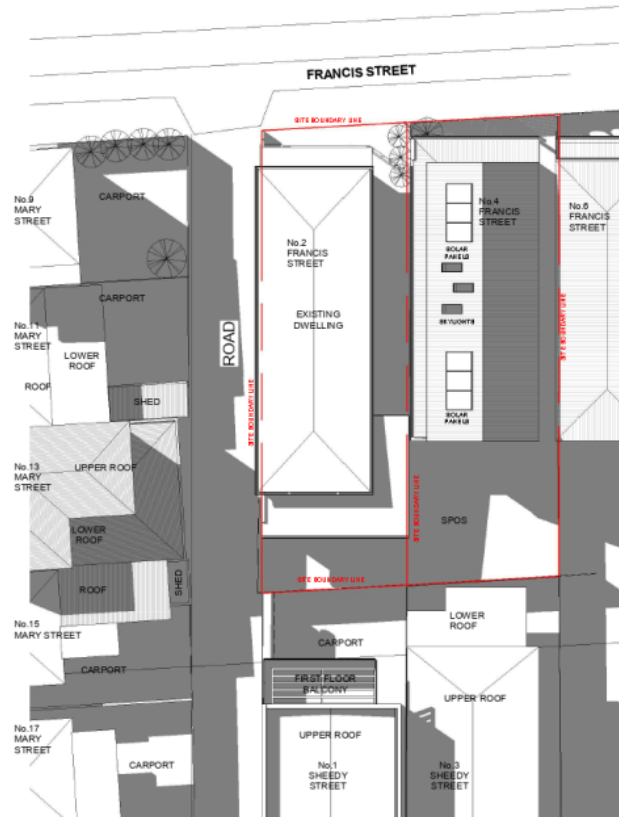
**SHADOW DIAGRAMS AT 2PM**



DRAWING NO.: **TP-07E**  
PROJECT NO.: **2004**  
DATE: 22/01/21 REVISION NO.



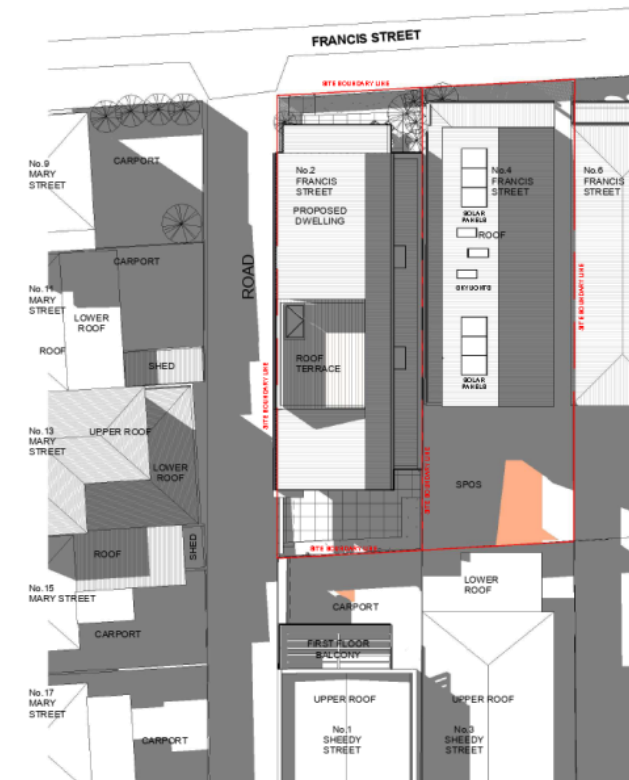
# Attachment 2 - PLN20/0479 - 2 Francis Street Richmond - Decision Plans



3:00PM SHADOWS CAST BY EXISTING CONDITIONS

**LEGEND:**

	SHADOWS CAST AT SEPTEMBER 22
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3:00PM SHADOWS CAST BY PROPOSED DEVELOPMENT

**LEGEND:**

	SHADOWS CAST AT SEPTEMBER 22	
	SHADOWS CAST BY PROPOSED DEVELOPMENT ENCRoACHING ONTO NEIGHBOURING PROPERTY	
NO.1 SHEEDY STREET	0.2m²	0.6% OF NEIGHBOUR'S CARPORT
NO.4 FRANCIS STREET	6m²	15% OF NEIGHBOUR'S SPOS

**HOOKE ARCHITECTURE**  
Unit 9, NO. 3 Bromham Place, RICHMOND  
Tel: 03 9428 2566  
Email: mail@hookearch.com.au

**CLIENT: ANDREW HALE**

**PROJECT: HALE RESIDENCE  
2 FRANCIS STREET RICHMOND VIC 3121**

**SHADOW DIAGRAMS AT 3PM**



**DRAWING NO.: TP-07F**  
**PROJECT NO. 2004**  
DATE: 22/01/21  
REVISION NO.

**Attachment 3 - PLN20/0479 - 2 Francis Street Richmond - Engineering Referral Comments (Updated)**



**URBAN PLANNING FILE NOTE**

**Date:** 29 October 2020  
**Property Address:** 2 Francis Street, Richmond  
**Application No:** PLN20/0479  
**Officer:** Ariadne Hasiotis  
**Subject:** Engineering comments regarding rear car parking space and access via the laneway  
**Attendees:** Lev, Daniel, Artemis, Ariadne

**COMMENTS:**

- 4.5m minimum width for the roller door
- The FFL of the car port must be 40mm higher than the laneway
- Remove wording "backyard" and replace with "car space"
- Will need to provide a cross section to show the ground clearance for a B85 design vehicle, would require the east-west edge of the laneway, the invert level of the bluestone spoon drain in the laneway and the top edge of the internal concrete slab and 2m inside the concrete slab.

**Date:** 21 January 2021  
**Property Address:** 2 Francis Street, Richmond  
**Application No:** PLN20/0479  
**Subject:** Engineering comments regarding the side pedestrian entrance.  
**Attendees:** Lev, Artemis, Ariadne

**COMMENTS:**

- It is a safety issue if a pedestrian walks into the traffic lane (laneway), it is preferred for the doorway to be recessed by 1.2m from the property line, in accordance with the building regulations 2018.

**Date:** 2 February 2021  
**Property Address:** 2 Francis Street, Richmond  
**Application No:** PLN20/0479  
**Subject:** Engineering comments regarding built form projections over laneway and further comments regarding car access via laneway  
**Attendees:** Artemis, Ariadne

**COMMENTS:**

- Under the building regulations 2018 (Regulation No.99), an architectural feature on a building on a narrow street (in this case a laneway), must not project beyond the

**Attachment 3 - PLN20/0479 - 2 Francis Street Richmond - Engineering Referral Comments  
(Updated)**

street alignment. Given the narrowness of the laneway, no part of the building can encroach over the laneway.

- The door width must be widened so that a B85 design vehicle would have sufficient turning movements off the laneway. Turning graph figure 5.4 from *AS/NZS 2890.1.2004* states that a laneway width of 3m would require a minimum doorway width of 4.5m for a B85 Design vehicle.



**Statutory Planner  
Yarra City Council**

## Attachment 4 - PLN20/0479 - 2 Francis Street Richmond - Urban Design Referral Comments



# MeMO

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TO: Ariadne Hasiotis  
 FROM: David Pryor  
 DATE: 16 October 2020  
 SUBJECT: 2 Francis Street Richmond  
 APPLICATION NO: PLN20/0479  
 DESCRIPTION: Construction of a two storey dwelling with a roof top terrace

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## COMMENTS SOUGHT

Urban Design comments have been sought on:

- Whether the height and setbacks/massing are acceptable with the policy and physical context;
- Whether the architecture and materials & finishes are acceptable with the policy and physical context; and
- Any other relevant matters.

*These comments are based on the Revision B plans with issue date 18/09/2020. The advice is limited to urban design issues, and does not address ESD, amenity or heritage, for example.*

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## COMMENTS SUMMARY

The proposal is supported. In summary, the following changes are recommended to improve the proposal from an urban design perspective. The rationale behind these changes is explained in more detail overleaf.

- Delete or significantly reduce the solid wing wall from the front balcony;
  - Review the design of the fence and carpark entry between the back yard and the lane so as to make a positive contribution to the overall design; and
  - Review the heights of the front fence and the fence between the back yard and the lane.
- 

## SITE & CONTEXT

The site is zoned GRZ2. No relevant overlays apply. The MSS at Clause 21.08 of the Planning Scheme designates the character area as Inner Suburban Residential, where development should:

- Maintain the existing pattern of front setbacks; and
- Limit variations in height to a maximum of one storey compared to the adjacent properties, on single house sites/ small development sites in areas with generally consistent building heights.

Heights in the area are predominantly one and two storeys. Two-storey dwellings are common along the south side of Francis St but buildings on the north side all present as single-storey dwellings with pitched roofs. Small front and side setbacks are typical.

## Attachment 4 - PLN20/0479 - 2 Francis Street Richmond - Urban Design Referral Comments

A single storey weatherboard house currently occupies the site, which faces north and adjoins a lane to the west.

The west side of the lane is adjoined by the back yards and carports of houses facing west onto Mary St. #9 Mary St is a two storey house with zero setback from Francis St. Adjoining to the east is a recent modestly-scaled 2-storey dwelling with a relatively steep gabled roof.

The lane is about 40m long, connecting to Sheedy St to the south. Solid 2-storey walls about the lane on both sides at its south end.

### URBAN DESIGN FEEDBACK

#### Built Form and Massing

The proposed building extends the full width of the site at ground floor level, with setbacks from the front and rear boundaries. The first floor aligns with the ground floor at the north and west, with a 1.35m setback from the east boundary and a rear setback of approximately 2.7m.

Drawing TP-09 shows a progressive increase in height and bulk along the south side of Francis St from 6 Francis St to 9 Mary St, with the subject proposal making a positive contribution to this transition. This is supported.

The proposed front setback averages about 2.6m to the wall face, 1.5m to the balcony, which extends across about 70% of the site width. This is slightly more than the front setback of 4 Francis St to the east, which is two storeys high with a verandah but no balcony. Similarly, it is slightly more than the front setback of the existing house. The front setbacks are supported, provided the balcony presents as a lightweight element comparable to the verandahs which are typical in the streetscape.

A solid wall encloses the balcony on the east side and folds across to provide a roof above it. The roof is supported, noting that it provides effective sunshading to a north-facing window. However, the wing wall creates an unduly solid form close to the front boundary. The balcony design should be reviewed, deleting the solid wing wall (or at least reducing it significantly) so that the balcony presents as a light-weight secondary element.

A 4.73m long roof terrace is proposed, surrounded by 1.7m high screens reaching a height of about 7.8m above the lane (7.5m above ground floor level). The roof terrace is located near the centre of the west boundary, minimising its impact on neighbours to the east and south as well as on views from Francis St. It does however impact on the lane and on residents on the west side of the lane.

Guidelines under Clause 22.10 include "*New development which abuts a laneway should be no higher than 2 storeys ...*". While the roof terrace screen does extend above the second storey, reasonable steps have been taken to minimise its impact, including its limited length, the avoidance of a stair enclosure, colouring to match the adjacent roof and the wall below, and the use of 70% open screening. Overall, the proposal's impact on the lane would be comparable to that of the dwellings at the south end of the lane, and is considered acceptable.

In summary, the proposed heights, setbacks and massing are considered acceptable except for the solidity of the front balcony.

#### Building Design

The building is divided into a brick lower storey and a light-weight upper storey clad in black steel decking. This breaks down the scale somewhat and avoids large areas of uniform material. An



**Attachment 4 - PLN20/0479 - 2 Francis Street Richmond - Urban Design Referral Comments**

asymmetrical gabled roof is proposed; no design rationale has been offered for this, but the outcome is effective, balancing responsiveness to context with interest and distinctiveness.

The bricks are described as “unrefined and textured”; this would contribute a tactile quality at pedestrian level, and is supported. The profile of the ST-01 wall cladding has not been stated; it should be a clean profile similar to the image on TP-08 (a flat surface with simple, well-spaced ribs).

The design of the fence between the back yard and the lane is discussed below. The proposed finishes are otherwise supported.

**Public Realm Interface**

Drawing TP-09 notes the front fence as matching the neighbouring fence height at 4 Francis St, but draws it higher. While a 1.5m height would be consistent with ResCode, the slightly lower height of #4 would be preferable.

The avoidance of carparking at the front of the site is supported. The provision of carpark access from the side lane is reasonable, noting that most other dwellings adjoining the lane have carpark access from it.

The Zincalume roller shutter accessing the back yard is an unattractive element; while it is acknowledged that there are precedents in the lane for this, it is recommended that this component be reviewed so as to make a positive contribution to the overall design of the development; consideration should be given, for example, to matching the finish of the carpark access door to that of the adjoining fence, and/or utilising the same finish as the roof deck screening so that each of these finishes contributes to an overall composition.

The proposed 3m height of the fence between the back yard and the lane seems unnecessarily high, and should be reviewed.

The treatment of the carparking area – an unroofed space with permeable paving – is supported as it facilitates a range of uses for this back-yard space.