Agenda

Planning Decisions Committee

6.30pm, Wednesday 24 February 2021

MS Teams

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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 Herschel Landes
Cr Bridgid O'Brien
Cr Gabrielle de Vietri

Council officers

Julian Larkins (Co-Ordinator Statutory Planning)
Michelle King (Principal 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	PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond	5	69
6.2	PLN19/0224 - 48 Oxford Street, Collingwood	151	209
6.3	77 Victoria Parade & 9 Brunswick Street, Fitzroy - Heritage Victoria Amendment	274	282

6.1 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond

Executive Summary

Purpose

1. This report provides Council with an assessment of Planning Amendment Application PLN14/0571.01 at 452-456 Bridge Road and 1-3 Fraser Street, Richmond which seeks to increase the site area to include No. 3 Fraser Street, with subsequent increases to built form, retail floor areas, on-site car parking and bicycle parking spaces and dwelling numbers and a reduction in the statutory car parking rate. The report recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 15.01-1S – Urban design;
   (b) Clause 21.05 – Built Form;
   (c) Clause 21.05-2 – Urban design;
   (d) Clause 22.10 – Built form and design policy;
   (e) Clause 22.13 – Residential Built Form Policy;
   (f) Clause 32.08 – General Residential Zone;
   (g) Clause 43.02-2 – Design and Development Overlay;
   (h) Clause 52.06 –Car parking;
   (i) Clause 55 – Two dwellings on a lot.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Policy and strategic support;
   (b) Built Form and Design;
   (c) Clause 55;
   (d) Car parking/Traffic/Bicycle parking/Waste; and,
   (e) Objector concerns.

Submissions Received

4. Council received a total of 19 objections to the amendment, these can be summarised as:
   (a) Excessive scale of 6-storey building;
   (b) Heritage concerns;
   (c) Off-site amenity impacts (visual bulk, overshadowing (including overshadowing of solar panels), overlooking, loss of daylight and residential noise);
   (d) Internal amenity issues based on size of apartments;
   (e) Car parking impacts in surrounding streets;
   (f) Additional traffic will cause congestion in the surrounding streets;
   (g) Lack of end-of-trip facilities for bicycles;
   (h) Lack of loading facilities;
   (i) Potential inaccuracies in the Traffic Impact Assessment;
   (j) Waste collection on Fraser Street;
   (k) Concerns with excavation of the land.

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) All south-facing windows and balconies within 9m of the habitable room windows and secluded private open space of No. 7 Fraser Street to be screened in accordance with Clause 55.04-6 (Standard B22 – Overlooking objective) of the Yarra Planning Scheme.

CONTACT OFFICER: **Lara Fiscalini**
TITLE: **Principal Planner**
TEL: **9205 5372**

6.1 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond

Reference	D20/170805
Author	Lara Fiscalini - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	Melba Ward
Proposal:	Amendment to Planning Permit PLN14/0571 to increase the site area to include No. 3 Fraser Street, with subsequent increases to built form, retail floor areas, on-site car parking and bicycle parking spaces and dwelling numbers and a reduction in the statutory car parking rate.
Existing use:	Vacant commercial/Residential
Applicant:	NEA Developments
Zoning / Overlays:	Commercial 1 Zone/General Residential Zone (Schedule 2) Heritage Overlay/Design and Development Overlay (Schedule 21)
Date of Application:	20 December 2019
Application Number:	PLN14/0571.01

Planning History

1. Planning Application PLN14/0571 was submitted to Council on 27 June 2014 for development and use of the land for partial demolition and the construction of a six-storey building containing 27 dwellings and 2 retail premises, including a reduction in the car parking requirement and a waiver of the bicycle and loading bay requirements. The application was advertised and a total of 20 objections were received.

2. In May 2015, Council was notified of a Section 79 appeal to the Victorian Civil and Administrative Tribunal [VCAT] against Council's failure to determine the application within the prescribed time (60 days).

3. On 14 October 2015, Council's Internal Development Approvals Committee (IDAC) formed a position of support (with conditions), with this position circulated to the Tribunal and all objectors.

4. The application was subject to a VCAT hearing, taking place over 3 days on 26 & 27 October 2015 and 17 June 2016. On 2 August 2016, the Tribunal (VCAT Reference no. P885/2015), affirmed Council's position. A Planning Permit was issued on 2 August 2016.

5. An extension to this permit was granted on 30 July 2018, specifying that the development must now commence no later than 2 August 2021 and must be completed no later than 2 August 2022. The use must commence no later than 2 August 2022. Plans were endorsed in December 2019; however, works are yet to commence on site.

Planning Scheme Amendments

Amendment VC110

6. Planning Scheme Amendment VC110 was gazetted on 27 March 2017. Of relevance to this application, the Amendment made the following changes to Clause 32.08 – General Residential Zone, as follows;

(a) Insert a new sub clause specifying a minimum garden area requirement: Clause 32.08-4 (Construction or extension of a dwelling or residential building);
(b) Specify a mandatory default maximum building height requirement: Clause 32.08-10 (Maximum building height requirement for a dwelling or residential building); and,
(c) Insert a new sub clause specifying transitional provisions for requirements introduced by Amendment VC110: Clause 32.08-15 (Transitional provisions).

Amendment VC136

7. Planning Scheme Amendment VC136 was gazetted on 13 April 2017 and introduced state-wide planning requirements for apartment developments and changes to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria. This amendment brought into effect Clause 58, commonly referred to as the *Better Apartment Design Standards (BADS)*. Clause 58 operates similar to ResCode in that a development must meet all of the objectives and should meet all of the standards.

8. Pursuant to Clause 32.08-6, Clause 58 does not apply to an application for an amendment to a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136. As the permit was issued prior to amendment VC136, Clause 58 does not apply.

Amendment C248

9. Planning Scheme Amendment C248 was gazetted on 15 November 2018, with this Amendment introducing Schedule 21 to Clause 43.02 – Design and Development Overlay (DDO). Schedule 21 applies to the Bridge Road Activity Centre and provides direction with regards to appropriate upper floor setbacks and maximum building heights (amongst other items).

10. With particular reference to the subject site, Schedule 1 designates a mandatory maximum building height of 18m (excluding exemptions) and a mandatory 6m setback from the street wall of the heritage frontage.

11. More broadly, Schedule 21 introduces precinct design requirements, which for Bridge Road South includes directing development to:
    (a) retain the visual prominence of heritage buildings in the streetscape and the significant 'high street' streetscape in the vista along the Bridge Road;
    (b) retain the visual prominence of the return facades of comer buildings;
    (c) be consistent in form, massing and façade treatment as existing upper level development (where this exists) for any upper level development behind rows of identical or similar residences;
    (d) maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street; and
    (e) maintain a sense of openness along Bridge Road and Church Street.

Amendment VC142

12. Planning Scheme Amendment VC142 was gazetted on 16 January 2018. This amendment removed planning permit requirements relating to the loading and unloading of vehicles by deleting Clauses 52.07 (Loading and unloading of vehicles), 93.11 (Loading and unloading facilities) and 92.05 (Table 3 Classes of application under particular provisions – loading and unloading of vehicles).

Amendment VC148

13. Planning Scheme Amendment VC148 was gazetted on 31 July 2018. This amendment altered Clause 52.06 (Car parking) to change the planning permit requirements and number of spaces to be provided in certain circumstances, by introducing incorporated document Principal Public Transport Network Area Maps (State Government of Victoria, 2018) into the Scheme. This change subsequently removed the requirements to provide residential visitor parking spaces for dwellings.

Amendment C238

14. Planning Scheme Amendment C238 was gazetted on 1 February 2021. The Amendment inserts Clause 45.06 (Development Contributions Plan Overlay) into the Scheme, inserts a new Schedule 1 to the Development Contributions Plan Overlay (DCPO1) into the Scheme; applies the DCPO1 to all land in the City of Yarra; replaces the Schedule to Clause 72.03 with a new Schedule to update the list of maps forming part of the Scheme and replaces the Schedule to Clause 72.04 with a new Schedule to incorporate the Yarra Development Contributions Plan 2017 (HillPDA, April 2019).

Background

15. The amendment to Planning Permit PLN14/0571 was submitted on 19 December 2019. This amendment seeks to alter the approved proposal, largely due to the inclusion of No. 3 Fraser Street into the overall development site. The original amendment plans generally included the following changes to the current endorsed plans;
    - (a) Increased built form to the south of the approved development to encompass the site at No. 3 Fraser Street, in the form of 5 townhouses;
    - (b) Increased overall number of dwellings from 27 to 32;
    - (c) Increased overall number of car parking spaces from 24 (22 residential/2 commercial) to 32 (residential only);
    - (d) Retail floor space of 149sqm altered to 2 x food and drink premises with total floor area of 260sqm;
    - (e) Subsequent rearrangement of the ground floor layout (waste storage/bicycle parking/car parking etc.);
    - (f) Increase in the extent of basement beneath the proposed townhouses to accommodate all previous ground floor car parking spaces and additional spaces;
    - (g) Reduction in the following setbacks to Bridge Road;
        - (i) Second-floor balcony setback reduced from 7m to 6.22m (average) and façade setback reduced from 10.7m to 8.22m (average);
        - (ii) Third-floor balcony setback reduced from 9m-9.4m to 6.2m (average) and façade setback reduced from 10.7m to 8.22m (average);
        - (iii) Fourth-floor balcony setback reduced from 9m-9.4m to 6.2m (average) and façade setback reduced from 10.7m to 8.22m (average);
        - (iv) Fifth-floor balcony setback reduced from 9m to 6.7m and façade setback reduced from 15m to 8.8m.
    - (h) Subsequent increase in apartment sizes fronting Bridge Road and amended internal layouts;
    - (i) Increased size to south-facing apartments at Levels 3-5, removing the ‘staggered’ angled rear setbacks at these levels;
    - (j) Increased height to Unit 1 (addressing Fraser Street) from 2 to 3-storey;
    - (k) No change to maximum building height of 19.9m;
    - (l) Amendments to materiality;
        - (i) Areas of light grey render replaced by bronze aluminium cladding;
        - (ii) Areas of white render replaced by bluestone tile; and,
        - (iii) The addition of treated timber cladding around balcony doorways on northern elevation.

16. At the time of submission of the amendment, Council raised concerns with the reduced setbacks proposed to Bridge Road at the upper levels of the development. Whilst it was acknowledged that the proposed reduction in setbacks aligned with parameters outlined in Schedule 21 to the DDO (with the introduction of this DDO discussed earlier), these reductions were not supported by Council's Strategic Planning Unit and Heritage Advisor, with the following comments received from Strategic Planning;

    (a) *The reduced setback adversely impacts streetscape and heritage outcomes sought by the DDO by increasing the building's mass when viewed from the public realm (especially from the west). It also results in a built form that dominates the undeveloped portion of the heritage building and its return façade on the corner of Fraser Street. In addition, the reduced upper level setbacks also increase the visibility of the new floor plate and balconies through the historic openings of the building façade – adding to the appearance of facadism. This is not supported. This case, meeting the minimum requirement has not achieved an appropriate outcome.*

17. Heritage comments also noted;

    (a) *The setbacks comply with DDO21 but are less than approved by Planning permit PLN14/0571. With regard to the Decision Guidelines in DDO21 the profile and impact of the development on the vista along Bridge Road will be adverse and the upper level development above the heritage street wall will not be visually recessive, it will be visually intrusive, and will dominate and potentially visually overwhelm the heritage buildings by drawing attention to it and away from them.*

18. The amendment was advertised, with a total of 19 objections received.

19. In response to these objections and Council's concerns, amended plans under Section 57A of the *Planning and Environment Act* 1987 (the Act) were submitted by the Applicant on 15 December 2020. These plans included the following modifications to the development;
    (a) The original front setbacks of the upper levels to Bridge Road, as approved in the original planning permit, were reinstated;
    (b) The 1.6m high metal blade picket fence extending along the Fraser Street frontages reduced in height to 1.1m;
    (c) The areas of bronze aluminium cladding replaced with light grey render throughout the development;
    (d) Materiality changes to the façades of the Fraser Street townhouses, with the bluestone tiles replaced with a combination of barestone cladding and white standing seam cladding;
    (e) Additional changes to the facades of the Fraser Street townhouses, including relocation of windows and increased articulation to walls;
    (f) Setback of the southern wall of Townhouse 1 (TH1) from the southern boundary increased from between 1.1m & 1.223m to 1.445m & 1.523m, with a steel pergola located above this setback;
    (g) A reduction of one car parking space (from 32 to 31 residential spaces);
    (h) One additional residential bicycle space (increase from 33 to 34), with the layout of the horizontal bicycle spaces adjacent to the townhouses amended.

20. As none of the alterations resulted in any additional material detriment to surrounding sites, a formal exemption from advertising was granted at an internal Development Assessment Panel on 2 February 2021. The amended plans were circulated to all objectors with the invitation to this meeting.

21. These plans form the decision plans for this amendment.

The Proposal

22. The amended development will retain the following elements that have already been approved under the original planning permit;

    (a) The extent of demolition of the existing buildings and structures on site. It is noted that only a ground floor demolition plan has been submitted with the amended documents, with the notations referring to the retention of two sections of walls along the western boundary not included. A first-floor demolition plan has not been submitted with the amendment. The Applicant has confirmed that the amendment seeks no alteration to the extent of demolition already approved under the original permit. To ensure that the amended plans clearly demonstrate this, a condition of the amended permit will require the submission of ground and first-floor demolition plans that are consistent with the endorsed demolition plans.

    (b) The dwelling/commercial entries from Bridge Road and location of internal lift and staircase to the residential component.

    (c) The location of the vehicle entrance on Fraser Street.

    (d) The height of the approved development, excluding services (19.9m). It is highlighted that the previous service screens above roof height were not clearly depicted on the endorsed elevations/sections.

    (e) The setbacks of each level from Bridge Road.

    (f) The layouts and general floor areas (with very minor changes due to design details) of Units addressing Bridge Road.

23. The following changes to the approved development are being sought;

    (a) The demolition of the dwelling and all structures/fencing at No. 3 Fraser Street.

    (b) The addition of a basement level. This level will include a ramp for pedestrian access to the residential lift/stairs, along with a 28-car stacking pit, 3 at-grade car parking spaces and a 25kL rainwater tank. The basement level will be located beneath the sites associated with Nos. 1 & 3 Fraser Street.

    (c) The 2 x retail premises addressing Bridge Road (total floor area of 149sqm) will alter to 2 x food and drink premises (total floor area of 260sqm).

    (d) The layout of the residential storage units, bicycle spaces and bin storage at the rear of the commercial components will alter, with all car parking at ground level removed.

    (e) The following alterations will occur to approved apartments within the 6-storey building;
        (i) Unit 7 – reduced from 2 bedrooms to 1 bedroom, with the previous second bedroom reverted into floor area for TH5;
        (ii) Units 11, 12, 13, 17, 18, 19 – balconies increased marginally in scale;
        (iii) Unit 23 – increased from 1 bedroom to 2 bedrooms, with overall size of internal/balcony floor area increased further to the south;
        (iv) Units 24 & 25 – Living/kitchen areas and balconies increased in scale;
        (v) Unit 27 – Increased from 2 bedrooms to 3 bedrooms, with substantial increase in overall floor area (79sqm to 148sqm). Balcony increased by 10sqm;
        (vi) Substantial increase in roof top plant area.

(f) The increased floor areas at the southern end of the development result in altered built form from an angled arrangement to a more symmetrical design. Figure 1 demonstrates the amended rear setbacks, with the red line indicating the previously approved envelope of the development.

Figure 1: Comparison of approved and amended rear setbacks

(g) The layout of Unit 1 addressing Fraser Street will alter at all levels, increasing from 2 to 3-storeys and from 1 to 3 bedrooms.

(h) The addition of 5 townhouses, along with additional bicycle storage and bin storage facilities within the sites associated with Nos. 1 & 3 Fraser Street. The townhouses will 'wrap' around the edges of these sites, with an internal connection to the basement garage and storage units to the north.

(i) A 1.1m high metal picket fence will extend along the Fraser Street boundary, with separate entrances provided for Unit 1 and TH1 within this frontage.

(j) A shared accessway/mailbox will be located directly adjacent to the site's southern boundary; this path will provide access to TH2-TH5. A 1.8m high timber paling fence with black paint finish will extend along the southern and eastern boundaries.

24. The layout and site context of the individual townhouses are outlined below.

Townhouse 1 (TH1)

(a) TH1 will abut the southern wall of Unit 1, with a setback of 2.5m from Fraser Street and between 1.44m and 1.52m from the southern boundary at ground level. Private open space (POS) will be located within the front setback, consistent with the setback and location of POS provided for Unit 1. An open-plan living arrangement will be located at ground level.

(b) The first-floor setback from the front boundary will reduce to 1.68m at this level, with the majority of the southern wall matching the setbacks below. Two bedrooms and a bathroom will be located at this level.

(c) One bedroom will be located at second-floor; this level will be set back 1.7m from the Fraser Street boundary and approximately 2.6m from the southern boundary. A small balcony (5sqm) will adjoin the bedroom to the north.

Townhouse 2 (TH2)

(d) This dwelling will adjoin the eastern wall of TH1 and be oriented to address the southern boundary, with setbacks of 1.38m and 2.95m from this interface. One bedroom/bathroom will be located at ground level, along with a study nook and laundry cupboard. A small courtyard sits adjacent to the bedroom and shared pathway, with a larger area of SPOS (16sqm) on the northern side of the dwelling.

(e) Two bedrooms and bathrooms will be located at first-floor, with the southern setback matching the ground floor setback below. The northern wall of TH2 (and TH1 & TH3), will be separated by 4.54m from the south-facing balconies of Units 5, 6 & 7 within the approved development to the north.

(f) The second-floor will comprise an open-plan living/kitchen, with a balcony adjoining the southern wall. The balcony will be 7sqm and will be set back 1.65m from the southern boundary.

Townhouse 3 (TH3)

(g) The layout of TH3 is consistent with TH2, with a setback of 1.09m from the southern boundary at ground level and a matching setback at first-floor. The south-facing balcony at second-floor will have a minimum set back of 1.52m from the southern boundary (as measured by Council's Planning Officer).

Townhouse 4 (TH4)

(h) This dwelling sits in the south-east corner of the site, with SPOS located within the southern and eastern setbacks from the respective boundaries. The setback of the southern wall from the southern boundary ranges from 1.80m to 3m, with the eastern wall set back 1.25m from the eastern boundary at ground level. Open-plan living arrangements are located at this level.

(i) The first-floor will be setback a maximum of 2.75m from the southern boundary and 1.97m from the eastern boundary, with part of this level extending above the internal ground floor walkway to abut the wall of TH3. Two bedrooms and bathrooms are located at this level.

(j) The maximum second-floor setbacks from the east and south boundaries will increase to 2.78m and 4.48m respectively, with one bedroom and bathroom at this level.

Townhouse 5 (TH5)

(k) TH5 adjoins the northern wall of TH4 and extends along the northern boundary of No. 1 Fraser Street for a length of 7.16m. This dwelling is set back 1.2m from the eastern boundary at ground level, with SPOS located within this setback. A bedroom/bathroom are located at this level, along with a study nook and laundry cupboard.

(l) At first-floor, this dwelling will be set back 3.16m from the eastern boundary, with a balcony encroaching 2m into this setback. The dwelling will extend over a section of the internal ground floor walkway, with the western wall abutting Unit 7 at this level. An open-plan living arrangement with direct access to the balcony will be provided.

(m) The second-floor will mirror the level below with regards to envelope, and will contain two bedrooms and bathrooms. A third room is also proposed; it is not clear whether this room is a study or walk-in-robe. This will be addressed later within this report.

25. Materials and finishes

(a) The materials for the proposed townhouses include the following;
   (i) Barestone cladding;
   (ii) Grey brickwork;
   (iii) White standing seam cladding;
   (iv) White render detailing;
   (v) Vertical metal fins.

Amendments to permit wording

26. To facilitate this amendment, the address of the Planning Permit would be amended to include the site at No. 3 Fraser Street. Due to the changes implemented by Planning Scheme Amendment VC148, which removed the requirements for visitor car parking and on-site loading, the permit preamble will be updated to reflect this. The current preamble will be altered from;

(a) *Demolition, alterations and a six storey addition containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings; reduction of the standard car parking requirement to zero for the residential visitors and the retail premises; and waiver of the loading bay requirement in accordance with the endorsed plans.*

To

(b) *Demolition, alterations and a six-storey addition **and townhouses** containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings and the retail premises in accordance with the endorsed plans.*

27. Other matters

(a) It is noted that there are a number of dimensions/setbacks missing from the decision plans, with the Relative Levels (RL) on the elevations primarily relating to the approved 6-storey development and not to the new townhouses. For the purposes of this assessment, Council Officers have calculated all necessary heights and setbacks, with these referenced throughout the report.

(b) To ensure that all details are consistent and clearly shown on the plans, a condition will be added to any permit issued requiring all necessary dimensions (floor heights and overall heights from natural ground level) and setbacks of the townhouses at all levels from all adjacent boundaries, be included on the plans. The depths of all balconies associated with the townhouses will also be required.

(c) There are also a number of inconsistencies with the plans that require correcting. These include the following;
   (i) Area of ground-floor courtyard of TH3 (specifies 28sqm of open space instead of 13.8sqm);
   (ii) Layout of TH5 on TP23 – Courtyard South Elevation (specifies living area at ground level instead of bedroom);
   (iii) Inconsistent Unit numbers (in approved 6-storey development) shown in Section B-B;

(iv) Inconsistent second-floor setback of TH2 balcony from southern boundary shown in TP06 & TP16.

(d) These aspects, and any other inconsistencies, must be updated via conditions of the permit.

Existing Conditions

Subject Site

28. There have been no physical changes to the land since the original permit was issued, with the only alteration being the incorporation of No. 3 Fraser Street into the subject site. As demonstrated in Figure 2, the Bridge Road sites are located within the Commercial 1 Zone (C1Z) with the sites addressing Fraser Street within the General Residential Zone (GRZ).

Figure 2: Zoning of land (extracted from VicPlan 3/2/2021)

29. No. 3 Fraser Street is approximately 300sqm in overall area, with a frontage to Fraser Street of 10m and a site depth of 30m.

30. This site extends along the southern section of the original site and contains a single-storey weatherboard dwelling, setback 4.2m from Fraser Street. The dwelling has a corrugated iron hipped/gable roof form and is setback 1m-1.4m from the common boundary. A driveway is located to the south of the dwelling, accessed via a single crossover. Secluded private open space (SPOS) is located to the rear (east) of the dwelling. Images of the subject site are provided in Figures 3, 4 & 5.

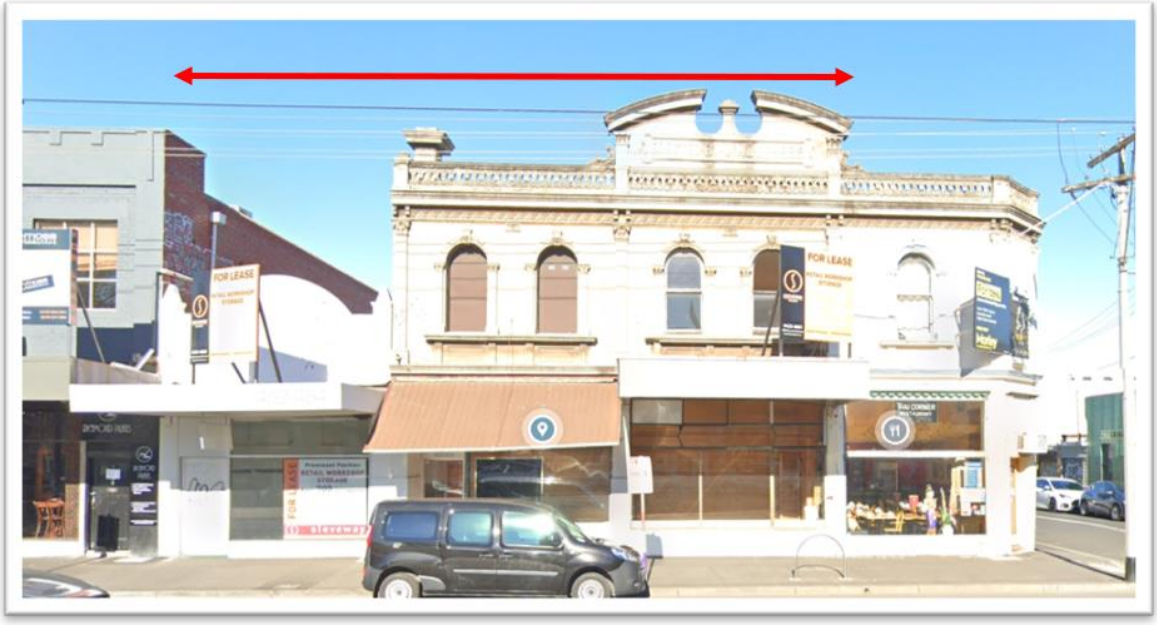


Figure 3: Nos. 452, 454 & 456 Bridge Road (extract from Google Earth 1/2/2021)

Figure 4: No. 1 Fraser Street (extract from Google Earth 1/2/2021)

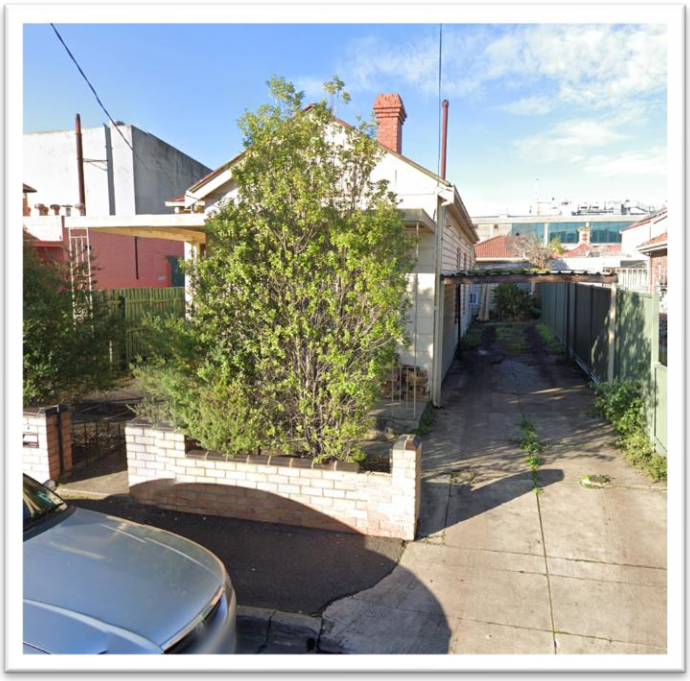


Figure 5: No. 3 Fraser Street (extract from Google Earth 1/2/2021)

31. No restrictions or restrictive covenants affect the subject land.

Surrounding Land

32. There are no changes to the surrounding land as discussed in the original officer report, with the only alteration being the inclusion of sites adjacent to No. 3 Fraser Street.

33. No. 7 Fraser Street adjoins the site to the south and contains a single-storey brick dwelling, set back 2.75m from the front boundary. The dwelling forms part of an attached pair with No. 9 Fraser Street, which incorporates a modern two-storey extension to the rear. A driveway extends along the northern side of the dwelling, adjacent to the shared boundary with No. 3 Fraser Street.

34. A number of north-facing windows address the subject site, with SPOS to the east. A single-storey shed is located within the south-east corner of the land.

35. To the east, No. 3 Fraser Street abuts the rear boundaries of Nos. 4 & 6 Neptune Street (with the current approved development located directly adjacent to the rear boundaries of Nos. 2 & 4 Neptune Street).

36. Nearmap records indicate that the dwelling at No. 4 Neptune Street was demolished between August and December 2019. This site benefits from a planning permit (PLN18/0265, dated 13 February 2019) for the development of the site to provide a triple-storey dwelling. As evident in Figure 6, construction of this dwelling is underway.

Figure 6: No. 4 Neptune Street

37. No. 6 Neptune Street contains a single-storey brick dwelling, with a limited area of SPOS directly adjacent to the subject site.

38. Directly opposite No. 3 Fraser Street to the west is No. 10 Fraser Street, a single-storey brick dwelling with a generous front setback.

Legislation Provisions

39. The amendment has been requested pursuant to Section 72 of the *Planning and Environment Act 1987* (the Act).

40. Section 72 of the Act states:
    (a) *A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.*
    (b) *This section does not apply to—*
        (i) *a permit or a part of a permit issued at the direction of the Tribunal, if the Tribunal has directed under section 85 that the responsible authority must not amend that permit or that part of the permit (as the case requires); or*
        (ii) *a permit issued under Division 6.*

41. The planning permit was issued on 2 August 2016. The Tribunal has not directed that the responsible authority must not amend the permit, nor was the permit issued under Division 6 of the Act.

42. Section 73 of the Act states that Sections 47 to 62 of the Act apply to the amendment application. This allows the Responsible Authority to apply the abovementioned sections of the Act to the amendment application as if it was an application for a permit.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

43. The site is included in two zones. The Bridge Road allotment and carriageway easement is included in the Commercial 1 Zone (C1Z).

44. The purpose of the C1Z is as follows;

    (a) *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
    (b) *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
    (c) *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

45. Pursuant to the table of uses at clause 34.04-1 of the Scheme, a retail premises is a Section 1 'as-of-right' use (with the 'food and drink premises' nested under 'retail premises' at clause 73.04-11) and a dwelling is a Section 2 'permit required' use if the frontage at ground level exceeds 2m. As the residential entrance on Bridge Road is 2.4m wide, a planning permit is required for the use of the site for dwellings.

46. Pursuant to clause 34.01-4 of the Scheme, a permit is required to construct a building or construct or carry out works in the C1Z. This clause contains transitional provisions that note clause 58 does not apply to:
    (a) An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136 (13/04/2017). On this basis, Clause 58 does not apply to the apartments within the 6-storey component of the development, with the original permit issued on 2 August 2016.

General Residential Zone (Schedule 2)

47. The Fraser Street sites are included in the General Residential Zone (Schedule 2), with the purpose of the GRZ as follows;
    (a) *To implement the Municipal Planning Strategy and the Planning Policy Framework;*
    (b) *To encourage development that respects the neighbourhood character of the area;*
    (c) *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport;*
    (d) *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

48. Pursuant to clause 32.08-1 of the Scheme, a dwelling is a Section 1 'as-of-right' use.

49. Pursuant to clause 32.08-4 of the Scheme, a planning permit is required to construct two or more dwellings on a lot.

50. Clause 55 is applicable to the proposed townhouses, being less than five-storeys in height.

51. An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58. Transitional provisions at clause 32.08.6 note that Clause 58 does not apply to an application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

52. Clause 32.08-4 specifies a minimum garden area requirement on sites greater than 400sqm, however transitional provisions also apply in this instance, with an exemption for an application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110 (27/03/2017).

53. Pursuant to clause 32.08-10 and Schedule 2 to the GRZ, a building must not be constructed for use as a dwelling that;
    (a) Exceeds 9m in height; and

(b) Contains more than 3 storeys at any point.

54. The proposed townhouses do not exceed 9m or contain more than 3-storeys at any point. However, a number of the apartments within the 6-storey component of the development, which have already been approved, will extend further to the south, thereby encroaching into the GRZ. These areas of built form will not comply with the mandatory height requirements outlined in Clause 32.08-10.

55. It is noted that Clause 32.09-15 does not contain transitional provisions for amendments to existing permits. However, developments which were approved before the mandatory height controls were introduced, enjoy an 'accrued right' as determined in a number of VCAT cases, and therefore Council has the ability to consider further changes that would not otherwise comply with the current zone restrictions. This outcome is based on findings within *Caydon High Street Development Pty Ltd v Darebin CC [2017] VCAT 1422* in which the permit applicant submitted that the Tribunal has the power to amend an existing permit that already exceeds the maximum height/storey limit under the current controls, subject to such an outcome being supported on the planning merits and accrued rights within the existing permit.

56. As outlined in paragraph 39 of this decision;

[39] On numerous occasions, the Tribunal has held that a permit can lawfully be amended so as to permit alteration to or expansion of an approved use or development that would otherwise be prohibited under the current planning scheme controls. The recent decision of the Tribunal in Gembrook Pines Pty Ltd v Glen Eira CC. further confirms the existence of accrued rights and opportunities for lawful amendment of the original permission in these circumstances.

57. In the above-mentioned *Gembrook Pines Pty Ltd v Glen Eira CC (Red Dot) [2016] VCAT 537,* Member Wright QC noted the following;

[23] Applying the purposive approach the right retained by a permit under s.28(2) Interpretation of Legislation Act could allow changes to the permitted development that do not alter or increase land use conflict.

58. Further to this, Member Gisbon stated in *Callea Property Developments Pty Ltd v Wyndham CC [2014] VCAT 466;*

[53] It is the amendments that form the subject matter of the application and the decision. Accordingly, it is necessary to consider the ways in which the amendment will differ from the permit in its existing form (including any plans under the permit). It is in this context that any changes to the planning controls subsequent to the grant of the permit may be relevant. In other words, do the changes to the permit make changes that would now be contrary to the changes in the planning scheme? If so, this may lend weight to rejecting those changes. On the other hand, if aspects of the existing permit or endorsed plans are already contrary to changes in the planning scheme and the changes to the permit do not alter this, there is less reason to reject those changes. I find that the permit may be amended even though the development does not comply with the planning scheme.

[65] In considering an amendment to a permit, the decision should focus on the changes proposed by the application. Where aspects of an existing permit do not comply with the current provisions of the planning scheme and the proposed changes do not alter that non-compliance, then little weight should be placed on the non-compliance when exercising discretion whether to allow the amendments. The question of weight may be different if the existing permit is compliant, but the changes will result in non-compliance.

59. With regard to the increase in height being sought by the amendment, a section of the approved 6-storey development already encroaches into the GRZ to the south. The section of the building that will encroach further into this zone is greatest at the upper levels (Levels 5 & 6) with the southern end of Level 4 already substantially within this zone. However, on balance, most of the new built form proposed within the GRZ is associated with the townhouses and therefore complying with the mandatory requirements.
This allows for an acceptable transition in height to the residential land further to the south and ensures that the additional higher built form will result in limited impacts to these adjacent sites. These elements will be discussed in detail later within this report, however based on the discussion above, it is regarded that the proposed amendments have 'accrued rights' and can therefore be considered within the zone.

Road Zone

60. Pursuant to clause 36.04-2 of the Scheme, a planning permit is required to construct or carry out works for a use in Section 2 of Clause 36.04-1. New awnings above the Bridge Road footpath are proposed; as these awnings are associated with retail premises, which are a Section 2 use as outlined above, a planning permit is required.

61. Decision guidelines at clause 36.04-3 state that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider;
    (a) *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
    (b) *The views of the relevant road authority.*
    (c) *The effect of the proposal on the operation of the road and on public safety.*

62. The original proposal was referred to VicRoads, with no objections received.

Overlays

Design and Development Overlay (Schedule 21)

63. 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 sites at Nos. 452-456 Bridge Road are located within Schedule 21 – Bridge Road Activity Centre, which contains the following general design objectives;
    (a) *To support a midrise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas.*
    (b) *To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and land mark buildings in the streetscape;*
    (c) *To maintain a prominent streetwall character along Bridge Road with new development at upper levels setback, visually recessive and clearly distinct;*
    (d) *To provide a comfortable level of street enclosure, maintain solar access to key footpaths, and ensure a high quality built form interface to all streets and public spaces;*
    (e) *To minimise amenity impacts on residential properties adjoining the Bridge Road Activity Centre including overlooking, overshadowing and visual bulk impacts.*

64. Nos. 1-3 Fraser Street are not located within the Design and Development Overlay.

65. The requirements of this schedule cease to have effect after 30 June 2021.

Clause 43.01 Heritage Overlay – Schedule 310 Bridge Road Precinct, Richmond (HO310)

66. Pursuant to Clause 43.01-1 of the Scheme, a planning permit is required for demolition works and to construct a building or construct or carry out works. External paint controls apply to the HO310 Precinct.

67. Nos. 452-454 Bridge Road are double-storey buildings, constructed 1889, and are listed as being "Individually significant" in *Appendix 8, City of Yarra Review of Heritage Overlay Areas 2007, Rev. Mar. 2011.*

68. No. 456 Bridge Road is a single-storey masonry shop constructed 1900-1915 which is listed as being "Contributory".

69. Nos. 1-3 Fraser Street are not located within the heritage overlay.

Development Contributions Plan Overlay (Schedule 1)

70. 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.

71. 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.

72. A planning permit is not required for works under the overlay

Particular Provisions

Clause 52.06 – Car Parking

73. The site is located within the Principal Public Transport Network Area, therefore the parking rates in Column B of Clause 52.06-5 apply. Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Endorsed Proposal			**Amended Proposal**		
Proposed Use	**Car Parking Requirement**	**Car Parking Provision**	**Proposed Use**	**Car Parking Requirement**	**Car Parking Provision**
19 One-Bedroom Dwellings	19	22	18 One-bedroom dwellings	18	31
8 Two-Bedroom Dwellings	8		7 Two-bedroom dwellings	7	
0 Three-Bedroom Dwellings	-		7 Three bedroom dwellings	14	
Residential Visitors*	5	0		0	0
Retail (149sqm)	6	2	Food and drink premises (260sqm)	9	0
	38 spaces	**24 spaces**		**48 spaces**	**31 spaces**

74. With a total of 31 on-site car parking spaces being proposed, a formal reduction of 17 spaces is required. The original planning permit approved a reduction of 14 spaces. On this basis, pursuant to Clause 52.06-3 of the Scheme, an additional reduction in the statutory car parking rate of 3 spaces is required as part of this amendment.

Clause 52.34 - Bicycle facilities

75. Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage are provided on the land. The following table identifies the bicycle parking requirement under Clause 52.34-3 and the provision on site.

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	32 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	6 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	3 visitor spaces	
Shop	260 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	0 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	0 visitor spaces	
Bicycle Parking Spaces Total			**6 resident spaces**	**34 resident spaces**
			3 visitor spaces	**0 visitor spaces**

76. The proposal includes a total of 34 residential bicycle spaces, thereby exceeding the minimum statutory requirement.

Clause 53.18 – Stormwater Management in Urban Development

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

Clause 55 – Two or more dwellings on a lot

78. This clause applies to two or more dwellings on a lot. A development should meet all the standards and must meet all the objectives.

General Provisions

Clause 65 – Decision Guidelines

79. Clause 65.01 of the Scheme decision guidelines are relevant to this application and require consideration to be given to a variety of matters including, but not limited to, the State Planning Policy Framework [SPPF], Local Planning Policy Framework [LPPF], the Municipal Strategic Statement [MSS], local planning policies, any matter required to be considered in the zone, overlay or other provision, the orderly planning of the area and the effect on the amenity of the area.

Planning Policy Framework (PPF)

Clause 11.01-1S – Settlement

80. The objective of this clause is;
    (a) *To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Clause 11.02-1S – Supply of urban land

81. The objective of this clause is;
    (a) *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Clause 11.03-1R – Activity centres – Metropolitan Melbourne

82. Relevant strategies include;
    (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 13.05-1S – Noise abatement

83. The objective of this clause is;
    (a) *To assist the control of noise effects on sensitive land uses.*

Clause 15.01-1S – Urban design

84. The objective of this clause is;
    (a) *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

Clause 15.01-2S – Building design

85. The objective of this clause is;
    (a) *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

86. Relevant strategies include;
    (a) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment;*
    (b) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm;*
    (c) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*

Clause 15.01-5S – Neighbourhood character

87. The objective of this clause is;
    (a) *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

Clause 15.02-1S – Energy and resource efficiency

88. The objective of this clause is;

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

Clause 15.03-1S – Heritage conservation

89. The objective of this clause is;
    (a) *To ensure the conservation of places of heritage significance.*

Clause 16.01-1R – Housing supply – Metropolitan Melbourne

90. Relevant strategies include;
    (a) *Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are;*
        (i) *In and around the Central City;*
        (ii) *Areas for residential growth;*
        (iii) *Metropolitan activity centres and major activity centres.*
    (b) *Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne;*
    (c) *Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport;*
    (d) *Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.*

Clause 18.02-1S – Sustainable personal transport

91. The objective of this clause is;
    (a) *To promote the use of sustainable personal transport.*

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

92. Relevant strategies include;
    (a) *Improve local travel options for walking and cycling to support 20 minute neighbourhoods.*

Clause 18.02-2S – Public Transport

93. *The objective of this clause is;*
    (a) *To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

Clause 18.02-4S – Car Parking

94. The objective of this clause is;
    (a) *To ensure an adequate supply of car parking that is appropriately designed and located.*

Local Planning Policy Framework (LPPF)

Municipal Strategic Strategy

Clause 21.05 – Built Form

95. Relevant objectives and strategies include;
    (a) *Objective 14 – To protect and enhance Yarra's heritage places*
        (i) *Strategy 14.3 – Protect the heritage skyline of heritage precincts*

(ii) *Strategy 14.6 – Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*

Clause 21.05-2 – Urban design

96. Relevant objectives and strategies include;
    (a) *Objective16 – To reinforce the existing urban framework of Yarra*
        (i) *Strategy 16.2 – Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*
    (b) *Objective 17 – To retain Yarra's identity as a low-rise urban form with pockets of higher development.*

Clause 21.05-3 – Built form character

97. The Fraser Street sites are located within the *Inner Suburban Residential area. This are is defined as; built form dominated residential areas with small gardens (if any) and minimal front and side setbacks*

98. The relevant objective is;
    (a) *To maintain and strengthen the identified character of each type of identified built form within Yarra.*

Clause 21.06 – Transport
Clause 21.06-1 – Walking and Cycling

99. Relevant objectives and strategies include;
    (a) *Objective 30 – To provide safe and convenient pedestrian and bicycle environments;*
        (i) *Strategy 30.2 - Minimise vehicle crossovers on street frontages;*
        (ii) *Strategy 30.3 – Use rear laneway access to reduce vehicle crossovers.*

Clause 21.06-2 – Public transport

100. The relevant objective is;
    (a) *Objective 31 – To facilitate public transport usage*

Clause 21.06-3 – The road system and parking

101. The relevant objective is;
    (a) *Objective 32 – To reduce the reliance on the private motor car*

Clause 21.07-1 – Environmentally sustainable development

102. Relevant objectives and strategies include;
    (a) *Objective 34 – To promote environmentally sustainable development.*
        (i) *Strategy 34.01 – 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.*

103. *Clause 21.08-10 Central Richmond*
    (a) Under Figure 23: *Neighbourhood Map- Central Richmond,* the site is included with the Bridge Road MAC.

(b) Pursuant to Figure 24: Built Form Character Map- Central Richmond, the Bridge Road allotment and carriageway is included in the Heritage Overlay area. The relevant strategy for Heritage Overlay areas is to *ensure that development does not adversely affect the significance of the heritage place.*

(c) Pursuant to Figure 24: Built Form Character Map- Central Richmond, the Fraser Street allotment is included in the *Inner Suburban Residential Area*. The relevant strategies for the *Inner Suburban Residential Areas* are:

(i) *Maintain the existing pattern of front setbacks;*

(ii) *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.*

Relevant Local Policies

Clause 22.05 Interface uses policy

104. Amongst other things, this policy applies to applications for use or development within the Residential 1 Zone where the subject site is within 30 metres of a Business or Industrial Zone.

105. The relevant policy objectives are:

(a) *To enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes*; and

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

Clause 22.10 Built form and design policy

106. This policy applies to all new development not included in a heritage overlay and relates to the Fraser Street allotment. The relevant objectives of this policy are:

(a) *Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.*

(b) *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*

(c) *Limit the impact of new development on the amenity of surrounding land, particularly residential land.*

(d) *Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.*

(e) *Create a positive interface between the private domain and public spaces.*

(f) *Encourage environmentally sustainable development.*

107. The Clause includes various design objectives and guidelines that can be implemented to achieve the above objectives, including:

(a) *Urban form and character.*

(b) *Setbacks and building heights.*

(c) *Street and public space quality;*

(d) *Environmental sustainability;*

(e) *Site coverage;*

(f) *On-site amenity;*

(g) *Off-site amenity;*

(h) *Landscaping and fencing;*

(i) *Parking, traffic and access;* and

(j) *Service infrastructure.*

Clause 22.12 Public Open Space Contribution policy

108. The Public Open Space Contribution policy applies to mixed use proposals incorporating residential uses and proposals incorporating residential subdivision. The policy provides selection criteria for where land contributions for public open space are preferred over cash contributions. Given the site does not meet this criteria, a cash contribution will be required at the subdivision stage.

Clause 22.13 Residential Built Form Policy

109. This policy applies to residential areas not covered by the Heritage Overlay and refers to the Built Form Character Type as set out in the Built Form Character Maps under Clause 21.08. In this instance it applies to the Fraser Street allotment only.

110. The objectives of this policy are:
    (a) *To limit the impact of new development on surrounding land, particularly on low rise residential areas;* and
    (b) *To respond to and strengthen the distinct character of different parts of Yarra.*

111. In accordance with the policy, the *Inner Suburban Residential areas* are characterised as *built form dominated residential areas with small gardens (if any) and minimal front and side setbacks*.

112. The policy directs Council to assess the application against the various design response guidelines specific to the *Inner Suburban Residential areas*, with specific reference to the Fraser Street allotment.

Clause 22.16 (Stormwater Management (Water Sensitive Urban Design)

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

Clause 22.17 (Environmentally Sustainable Design)

114. This policy applies to (as relevant) the development of a non-residential building with a gross floor area of more than 1000sqm. 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

115. The application was advertised under the provisions of Section 52 of the *Planning & Environment Act 1987* (the Act) by letters sent to surrounding owners and occupiers and the display of two signs, one facing Bridge Road and one facing Fraser Street.

116. A total of 19 objections were received. The grounds of objection can be summarised as follows:
    (a) Excessive scale of 6-storey building;
    (b) Heritage concerns;
    (c) Off-site amenity impacts (visual bulk, overshadowing (including overshadowing of solar panels), overlooking, loss of daylight and residential noise);
    (d) Internal amenity issues based on size of apartments;
    (e) Car parking impacts in surrounding streets;
    (f) Additional traffic will cause congestion in the surrounding streets;
    (g) Lack of end-of-trip facilities for bicycles;
    (h) Lack of loading facilities;

(i) Potential inaccuracies in the Traffic Impact Assessment;
(j) Waste collection on Fraser Street; and,
(k) Concerns with excavation of the land.

117. Amended plans under Section 57A of the Act were submitted on 15 December 2020. The amendments are listed in paragraph 19 of this report. As none of the alterations to the plans resulted in additional material detriment to surrounding sites, a formal exemption from advertising was granted at an internal Development Approval Panel on 2 February 2021. The amended plans were circulated to all objectors with the invitation to this meeting.

Referrals

118. The referral comments are predominantly based on the original plans, with additional referral comments received from Council's Urban Design Team and Strategic Transport Unit on the amended (decision) plans.

Internal Referrals

119. The application was referred to the following internal departments;
(a) Engineering Services Unit;
(b) Urban Design;
(c) Environmental Sustainable Development (ESD);
(d) Strategic Transport Unit;
(e) Heritage Advisor;
(f) Open Space;
(g) Streetscapes and Natural Values;
(h) Strategic Planning Unit; and
(i) City Works (Waste Management).

120. The amendment was referred externally to SLR Acoustic Consultants.

121. All referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

122. The primary considerations for this application are:
(a) Policy and strategic support;
(b) Built form (DDO21/GRZ)
(c) Clause 55;
(d) Car parking/Traffic/Bicycle parking/Waste;
(e) Amendments to the planning permit; and,
(f) Objector concerns

Policy and Strategic Support

123. The subject site is located in a neighbourhood where an intensity of development is encouraged, being within the Bridge Road Major Activity Centre (MAC), which provides a wide range of local convenience retailing, restaurants and cafes with good public transport links and employment opportunities. This ensures that the site is well serviced by local infrastructure and community services.

124. The proposed development achieves a sound level of compliance with relevant state and local planning policies applicable to the redevelopment of sites within areas such as this. New development in the area is evident, particularly along the northern side of Bridge Road and to the west of Church Street, with the C1Z encouraging an increased supply of housing within well serviced urban areas and activity centres.

125. Clause 11 (Settlement) sets a clear direction for urban consolidation, with Clause 11.01-2 (Activity centre planning) encouraging a diversity of housing types at higher densities in activity centres. In this regard, an increase in the supply of housing is encouraged as indicated in clause 11.02-1 (Supply of urban land), clause 11.04-2 (Housing choice and affordability) and clause 16.01-2 (Location of residential development), with the objective of the latter *"to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport".*

126. The increased size of the site provides a good opportunity for additional housing, with the proposed townhouses allowing for greater density whilst providing an appropriate transition in scale to low-rise residential neighbourhoods to the south. Given these attributes, the addition of five townhouses is supported.

127. The amendment also seeks to alter the approved 'retail' use of the commercial components addressing Bridge Road to 'food and drink premises'. This use does not require a planning permit within the C1Z and is an appropriate outcome, adding to the diversity of the activity centre and ensuring that an active frontage to the commercial strip will be maintained.

<u>Built Form</u>

Design and Development Overlay (Schedule 21)

128. As outlined earlier, the decision plans result in no alterations to the height or front setbacks of the approved 6-storey element of the development, with the apartments addressing Bridge Road also remaining unaltered with regards to floor layouts and bedroom numbers. This section of the proposal (Nos. 452-456 Bridge Road) is located within Schedule 21 of the Design and Development Overlay (DDO), which was introduced into the Scheme on 15 November 2018, following the approval of the original planning permit. This overlay does not cover the proposed new townhouses within the Fraser Street sites.

129. Schedule 21 applies to the Bridge Road Activity Centre and provides direction with regards to appropriate upper floor setbacks and maximum building heights. Design objectives outlined in this schedule seek the following;

    (a) *To support a midrise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas;*
    (b) *To ensure that new development respects the values of heritage buildings and maintains the prominence of the heritage streetscape, heritage buildings and landmark buildings in the streetscape;*
    (c) *To maintain a prominent streetwall character along Bridge Road with new development at upper levels setback, visually recessive and clearly distinct.*

130. Whilst the section of development covered by the DDO will not alter; as this overlay does not contain any transitional provisions, a brief assessment of the approved development will be undertaken to ascertain whether the design objectives outlined above have been met.

131. The subject site is located within Precinct 2 – Bridge Road South. As relevant, development in this precinct must;

    (a) *Retain the visual prominence of heritage buildings in the streetscape and the significant 'High Street' streetscape in the vista along Bridge Road;*
    (b) *Maintain and reinforce the prominence of the streetwall character of Bridge Road and Church Street;*
    (c) *Maintain a sense of openness along Bridge Road and Church Street.*

132. To achieve this, a mandatory building height of 18m has been specified for this precinct. The approved development achieves an overall height (with the exclusion of services) of 19.9m, however the approved height will not be altered. Given this height was approved prior to the introduction of the DDO, and as the height is a relatively limited increase on the current provisions, this outcome is acceptable.

133. It is noted that a dimension on the western elevation specifies the maximum height of the building will extend to 20.1m, however it is not clear whether this measurement is taken from Natural Ground Level (NGL). A condition of any permit issued will ensure that the maximum height of the building (excluding services) will not exceed the approved height at any point.

134. In DDO21, roof plant and equipment are not included in the overall height if the following specifications are met
    (a) The total roof area occupied by the service equipment (other than solar panels) is minimised;
    (b) The service equipment is located in a position on the roof so as to minimise its visibility;
    (c) The non-structural elements and service equipment do not cause additional overshadowing of secluded private open space of neighbouring residential zoned properties and public spaces;
    (d) The non-structural elements and service equipment do not extend higher than 3.6m above the maximum building height; and
    (e) The non-structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

135. The proposed amended plans increase the height of the services from 0.7m to 1.8m above the roof height. Both the endorsed plans and proposed amended plans comply with the height for services which must not exceed 3.6m above the maximum building height. The service area is set back in excess of 20m from the front boundary, and this area has been screened so to limit visibility to all equipment. The specifications outlined above have been met.

136. With regards to setbacks, the DDO specifies a mandatory 6m setback from the facades of individually significant heritage buildings. The approved development incorporates the following setbacks at the upper levels;
    (a) Second floor – 7m (balcony) & 10.7m (façade);
    (b) Third & fourth floors – 9.-9.4m (balcony) & 10.7m (façade);
    (c) Fifth-floor – 9m (balcony) & 15m (façade).

137. The approved setbacks comfortably meet the mandatory 6m setback now specified in the DDO. Whilst the original amendment plans sought to reduce these setbacks (with the reduced setbacks still complying with the DDO requirements) this outcome was not supported, with Council's Strategic Planner noting the following;

    (a) *Merely meeting the minimum requirement of 6m has not achieved an appropriate outcome. Officers consider 9m achieves a better streetscape and heritage outcome and meets the Precinct 2 design requirements……. The reduced upper level setback brings the building more forward towards the street than the previous design and makes the upper level development more prominent. In particular, Strategic planning considers the greatest setbacks better retained the visual prominence of the return façade on the corner building.*

138. In addition to these comments, it is highlighted that the original front setbacks were supported by the Tribunal when the current planning permit was approved, with paragraph 27 of *NEA Developments Pty Ltd v Yarra CC [2016] VCAT 1286* stating;

(a) *[27] We have decided that the north wall of the fifth-floor upper level should be set back 15 metres from Bridge Road as was suggested by the Council. This means the fifth floor will sit 6.0 metres behind the north wall frame of the third and fourth floors Bridge Road elevation, as a smaller and recessed element.*

139. Based on these comments, the Applicant submitted amended plans which now form the decision plans, with the original front setbacks from Bridge Road reinstated. This outcome is supported.

140. The DDO also considers building separation requirements, noting that a development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk. The DDO states that where development shares a common boundary, upper level development must;
    (a) Be set back a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed;
    (b) Be set back a minimum of 3m from the common boundary where a commercial or non-habitable window is proposed.

141. The assessment of the original application provided a detailed consideration of visual bulk and outlook; however, these elements were largely applied to the relationship of the proposal with the low-scale residential developments to the south and south-east. This relationship will alter, given the addition of 3-storey townhouses along this interface, with these aspects discussed later within the Clause 55 assessment.

142. With regards to the 6-storey component of the development that is located within the DDO, the building will largely abut both side boundaries (east and west) to the fourth floor, with the exception of a lightcourt (measuring 3.19m x 5m) that abuts the eastern boundary at the building's midpoint. The setback of this lightcourt from the eastern boundary will comply with the 3m setback outlined above, given there are no habitable room windows directly opposite the shared boundary wall.

143. A lightcourt measuring 2.98m deep x 2.96m wide will be set back from the western boundary; the only window directly addressing the western boundary is associated with a laundry at fifth floor. Given this room is non-habitable and the window is finished with opaque glazing, the slight variation (0.02m) to the 3m required setback is inconsequential.

144. The upper-most level will incorporate side setbacks. At this level, the balconies of Units 26 & 27 will be built to each boundary, with setbacks ranging from 1m to 1.6m for the east and west walls. However, in both instances, the principal section of each balcony will be oriented to face north and south, ensuring that future built form on adjacent sites to the east and west will not greatly impede outlook from these balconies.

145. It is noted that the east and west elevations show the balcony balustrades to be composed of obscure glazing. This outcome is not supported, with the use of on-boundary glazing potentially limiting development opportunities on adjacent sites. Future built form directly abutting this glazing could result in unreasonable impacts on daylight and visual issues to the adjacent balconies. To mitigate this, a permit condition will ensure that the balustrade material along the east and west elevations of both balconies will be amended to a solid finish.

146. The majority of habitable room windows will be oriented either north or south; ensuring that outlook and daylight to these rooms can be maintained, and equitable development of adjacent sites will not be unreasonably affected. Whilst one bedroom associated with Unit 27 relies solely on an east-facing window/door; the area of glazing is generous, and the window is set back 1.6m from the eastern boundary.

Based on the current specifications of the DDO, if the site to the east is developed in the future, it would be limited in height to 18m, with this being less than the height of the proposed bedroom wall. This would ensure that daylight could still permeate this window to a degree, even if a wall is built to this shared boundary. This outcome is considered acceptable.

147. Given the above assessment, the development is considered to achieve the relevant design objectives of Schedule 21 to the DDO.

Works in the GRZ

148. As outlined earlier in this report, minor alterations to a number of apartments on the southern side of the development will occur, with increased floor areas associated with these apartments located within the GRZ. It is highlighted that a section at the rear of the development already encroached into the GRZ when previously approved. When the original permit was issued, the GRZ did not contain mandatory height provisions. However, Amendment VC110 (2017) introduced mandatory height requirements at Clause 32.08-10, with new dwellings in the zone to be no higher than 9m, or 3-storeys at any point.

149. Whilst Clause 32.08-15 allows transitional provisions for developments approved prior to the inclusion of this requirement, amendments to these permits are not exempt. The issue of 'accrued rights' was discussed earlier, with a number of Tribunal decisions concluding that if the approved development was already contrary to current provisions of the Scheme, and the changes to the proposal do not alter that, then there is less reason to reject these changes. Instead, the focus should be on the merit of the changes, and whether the proposed changes result in additional or unreasonable off-site amenity impacts to adjacent land.

150. In this instance, it is considered that the alterations to the apartments within the 6-storey component will not result in any unreasonable additional detriment to the residential land to the south. This is assisted by the inclusion of No. 3 Fraser Street into the development site, which allows for an articulated transition in height from the higher built form in the north to the low-scale residential neighbourhood in the south. The additional built form associated with the 6-storey component is demonstrated by the red line in Figure 7. The 3-storey townhouses, which comply with the GRZ mandatory height controls, provide this transition and allow for a graduated height reduction along the Fraser Street streetscape. These townhouses also provide a buffer between the higher development to the low-scale residential sites to the south.

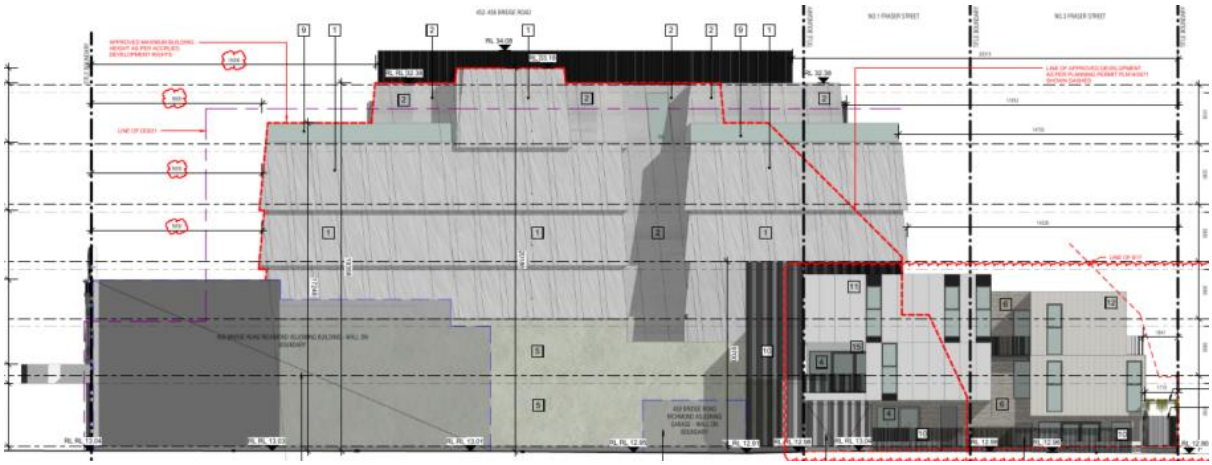


Figure 7: Approved and proposed southern setbacks (West elevation)

151. The increased floor plans of the approved apartments will not result in any unreasonable overlooking, loss of daylight, noise or overshadowing impacts to adjacent sites (to be discussed in more detail later within this report). On this basis, the increased built form associated with the 6-storey component is considered to be an acceptable outcome, and the sections of apartments that exceed the mandatory height requirements of the GRZ are supported.

152. It is noted that the height of Unit 1 has increased from the approved plans, with a second floor increasing this dwelling from 2 to 3-storeys. As measured at Drawing TP23; this dwelling will extend to an overall height of 9m. This dwelling is located within the GRZ.

153. The original VCAT decision for this development, *NEA Developments Pty Ltd v Yarra CC [2016] VCAT 1286,* was not supportive of this Unit at a height of 3-storeys; this being the original height of Unit 1 being sought in the initial development. Paragraph 31 of this decision states;

[31] We considered deleting this unit entirely but are concerned that this will create a dead space that will detract from the Fraser Street streetscape. So we have decided that the third level of this unit should be deleted to reduce the prominence of the building structure in the streetscape. In doing so, we do not wish to see any changes to the layout and appearance of the lower two levels. This means this will be a small one-bedroom unit.

154. This decision was based on the premise that the single-storey dwelling at No. 3 Fraser Street was to be retained, thereby creating an unreasonable transition in height from Unit 1 to the single-storey dwelling to the south. The inclusion of No. 3 Fraser Street into the development site, and the proposal to construct 3-storey townhouses in its place, will alter the height transitions along this streetscape. The graduation in height that is now more important to consider is that between the proposed townhouses and the single-storey dwelling at No. 7 Fraser Street. This transition will be considered later within this assessment.

155. Based on the altered context of proposed built form along the western boundary, an increased height for Unit 1 is considered reasonable, particularly as this dwelling meets the mandatory height requirements outlined in the zone.

Amendments to the apartments

156. As outlined earlier, Clause 58 does not apply to an application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

157. As part of the original assessment, the apartments were considered under design principles of Clause 15.01, the built form and design objectives at Clause 22.10 and the 2004 *DSE Guidelines for Higher Density Residential Development (HDRD).* The following aspects were discussed under paragraphs 249-420 of the original report:
   (a) Site context, the public realm and site responsive design, landmarks, light and shade;
   (b) Energy and resource efficiency, architectural quality, landscape architecture;
   (c) On-site amenity: building layout, indoor living quality, circulation and services, private open space;
   (d) Off-site amenity: visual bulk and outlook, overlooking, sunlight and daylight access, noise; and,
   (e) Car parking, bicycle parking, traffic impact and loading facilities.

158. The amendment seeks minor changes to the internal layout of some dwellings, with alterations as outlined below sought to the following apartments;
   (a) Increase in balcony sizes to Units 11, 12, 13, 17, 18 & 19.
   (b) Unit 23 increased from 1 to 2 bedrooms;
   (c) Unit 27 increased from 2 to 3 bedrooms;

(d) Units 24 & 25 increased in overall floor area.

159. Whilst Clause 58 technically does not apply to these amendments, Council Officers have borrowed from the provisions of Clause 58 to assist in measuring the acceptability of internal amenity for future occupants. Aspects such as private open space, functional layout and room depths will be discussed in turn.

Private open space

160. Whilst not technically applicable in this instance, Standard D19 of Clause 58 provides the following requirements for minimum balcony sizes.

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

161. Units 11, 12, 13, 17, 18 & 19 contain a mix of 1- and 2-bedrooms apartments; the increased balconies for all of these dwellings are either 14sqm or 15sqm, with minimum dimensions of 2.96m.

162. Unit 23 has increased from 1 to 2 bedrooms; this apartment has a balcony of 14sqm with a minimum dimension of 2.96m. Unit 27, increased from 2 to 3 bedrooms, will have a balcony of 59sqm and minimum dimension of 2.9m. Units 24 & 25 have also increased in overall size, whilst maintaining 1 bedroom for both. These dwellings have respective balconies of 14sqm and 15sqm, with minimum dimensions of 2.96m. In all apartments, the areas and dimensions outlined in the above table would be met.

Storage

163. Whilst not technically applicable in this instance, Standard D20 of Clause 58 encourages each dwelling to have convenient access to usable and secure storage space in accordance with Table D6 (below)

Table D6 Storage

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

164. The amended plans include separate storage cages for each apartment at ground level; these cages range in size from 3.1sqm to 3.6sqm. The plans do not specify where internal storage is located for each apartment. It is not clear whether additional storage will be provided for Units 23 & 27, however as both of these apartments will increase in bedroom numbers as part of this amendment, this is considered to be a reasonable expectation. Using the table above as guidance, a condition can specify that a minimum of 9 cubic metres of internal storage be provided for Unit 23 & a minimum of 12 cubic metres of internal storage be provided for Unit 27.

Functional layout

165. To ensure that the amended apartments are provided with acceptable internal amenity, the relevant specifications of Standard D24 in Clause 58 will be used for guidance.

Bedrooms

166. Table D7 within Standard D24 states that the main bedroom should have minimum dimensions of 3.4m x 3m with remaining bedrooms of 3m x 3m. This is to exclude wardrobes. The new bedrooms to Units 23 & 27 comply with these measurements.

Living areas

167. Table D8 within Standard D24 specifies a minimum area of 10sqm and width of 3.3m be provided for one-bedroom dwellings, and a minimum area of 12sqm with a minimum width of 3.6m for two or more-bedroom dwellings. This is to exclude kitchen and dining areas. Units 23 & 27 have both increased in bedroom numbers, with the overall internal size of Units 24 & 25 increasing as part of this amendment (with no changes to bedroom numbers).

168. As demonstrated in Figures 8 & 9, Units 24 and 27 comply with these dimensions, with Unit 25 consistent with the dimensions outlined in Unit 24. However, Unit 23 fails to meet the requirements, with a living-room floor area of 8.3sqm (2.6m x 3.2m). The amendment seeks to increase the existing number of bedrooms for this dwelling from 1 to 2, with the amended living area also failing to comply with the requirements of a 1-bedroom dwelling if clause 58 was applicable. Even with this clause technically not relevant, the overall size of 8.3sqm is not considered to result in acceptable internal amenity for this dwelling as a 2-bedroom apartment.

169. On this basis, a permit condition will require this apartment to revert to a 1-bedroom dwelling, with a minimum living area of 10sqm and minimum dimensions of 3.3m.

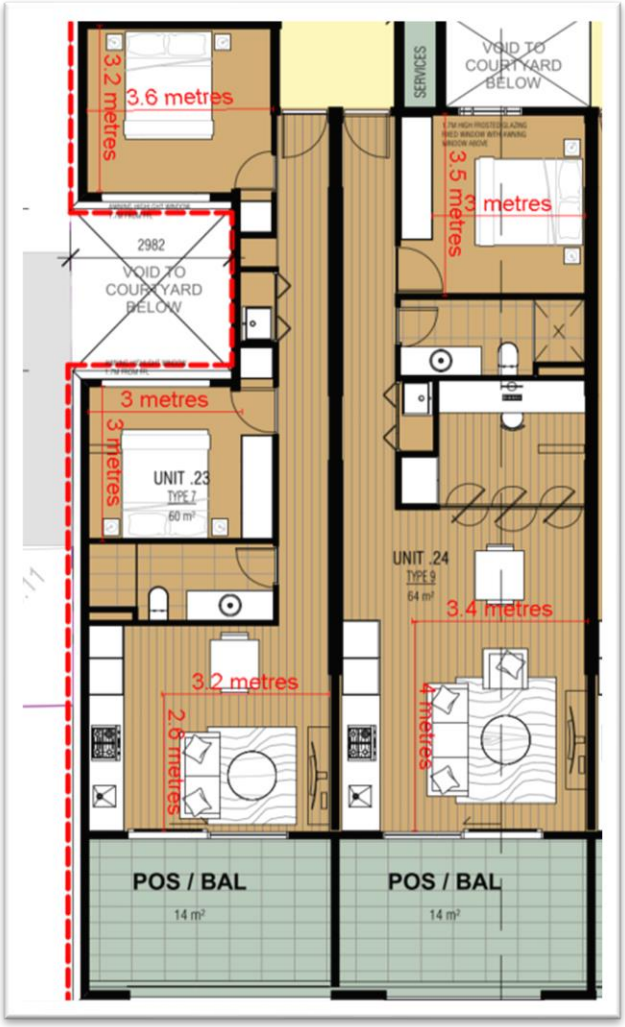


Figure 8: Areas for Units 23 & 24

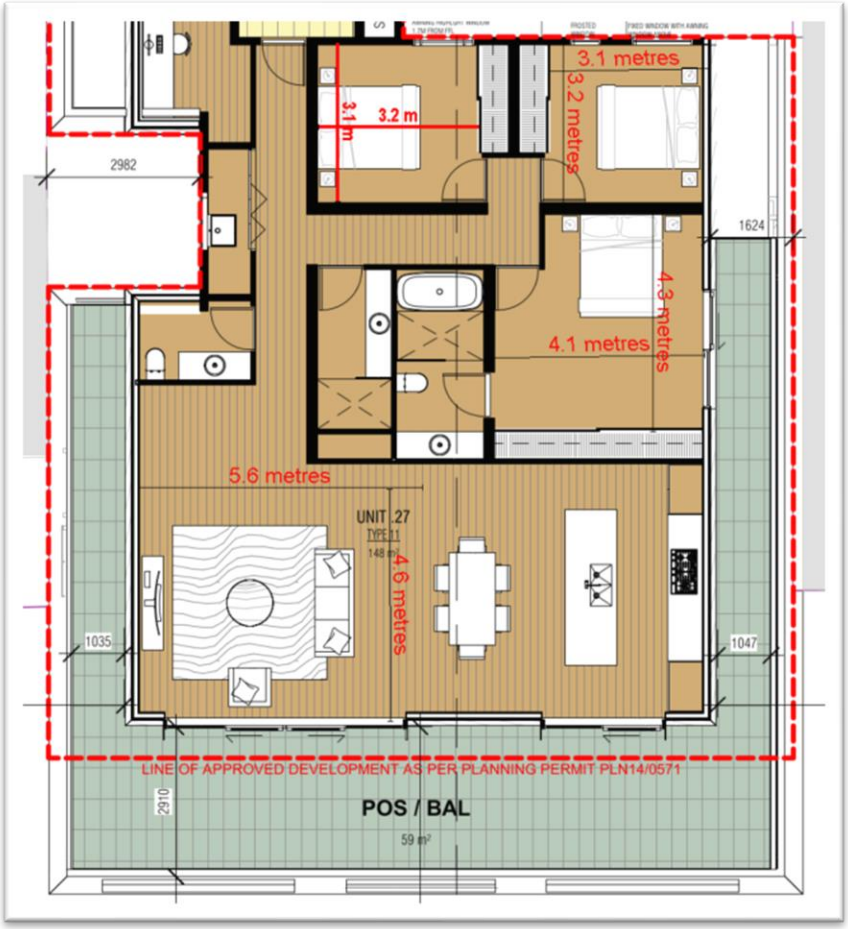


Figure 9: Unit 27 living areas

170. It is noted that Unit 17, directly below this apartment, has previously been approved as a 2-bedroom dwelling with the same living area of 8.3sqm. As no changes to the internal floor area of this dwelling are being sought as part of this amendment, this apartment is not able to be considered.

Room depth

171. Units 24 & 25 have room depths of 8.7m as a result of the amendment. These dwellings have floor to ceiling heights of 2.8m. As demonstrated in Figure 10; the space furthest from the window has been designated as a separate ‘study area’. As this area is able to be integrated into the principal living room, and as the main living area and kitchen will receive adequate daylight, this outcome is acceptable.

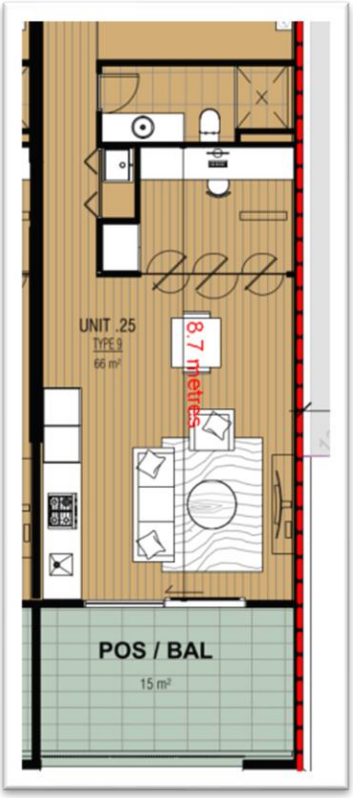


Figure 10: Room depth and layout of Unit 25

Windows

172. To achieve acceptable internal amenity all habitable room windows should have a window to an external wall of a building. In all apartments, all bedrooms and living rooms will have access to a window within an external wall. As noted earlier, separate study areas have been provided to Units 24 & 25 (with this layout also approved in Units 12, 13, 18 & 19 in the levels below). These areas do not have direct access to a window, however as they have the ability to be integrated into the main living area (via adjustable screens shown in Figure 11), this outcome is considered acceptable.

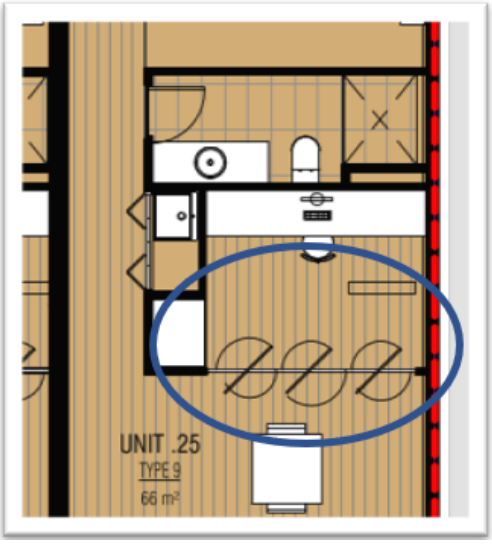


Figure 11: Study layout

173. In contrast, a separate study is proposed for Unit 27. Figure 12 demonstrates that access to this room is not clearly shown on the plans, with no window provided for this space. It is considered that a window could be incorporated into the southern wall. A permit condition will facilitate this, along with amended plans to clearly demonstrate how this room will be accessed.

Figure 12: Study layout for Unit 27

Clause 55

174. Clause 55 comprises design objectives and standards to guide the assessment of new residential development less than 5-storeys, with the townhouses and the changes to Unit 1 to be assessed under this Clause. Given the site's location within a built-up inner city residential area, strict application of the Standards are not always appropriate, whether the proposal meets the objective is the relevant test. The following objectives are not relevant to this amendment:
    (a) *Dwelling diversity objective* – The standard applies to ten or more dwellings (the amendment only applies to 6 dwellings).
    (b) *Open space objective* – No communal open space is proposed.
    (c) *Communal open space objective* – There is no communal open space on site.
    (d) *Solar access to communal outdoor open space objective* – There is no communal open space on site.

175. The remaining objectives and Standards are assessed in detail below. Clause 22.10 (Built form and design policy) and Clause 22.13 (Residential built form policy) will also be referenced where relevant.

Neighbourhood character and design detail objectives

176. These objectives seek to encourage design that respects the existing neighbourhood character or contributes to a preferred neighbourhood character by promoting development that responds to the features of the site and the surrounding area. In this instance, Fraser Street is the relevant streetscape that provides guidance on existing and emerging characteristics within the locale, with the proposed townhouses addressing this interface.

177. There are a variety of built form typologies in the immediate area, ranging from modern double-storey infill developments, 3-4-storey 1970's apartments and single-storey heritage dwellings. A growing number of contemporary dwellings are interspersed throughout traditional housing stock. Directly opposite the site to the west is a contemporary double-storey development with a high, cantilevered upper floor set above a recessed car space. A similar modern design is also found at No. 11 Fraser Street, in the form of 2 double-storey townhouses.

Small front setbacks and a variety of front fence designs and heights are found along both sides of the street. The mixture of housing types is demonstrated in the images below.

Figure 13: No. 7 Fraser Street

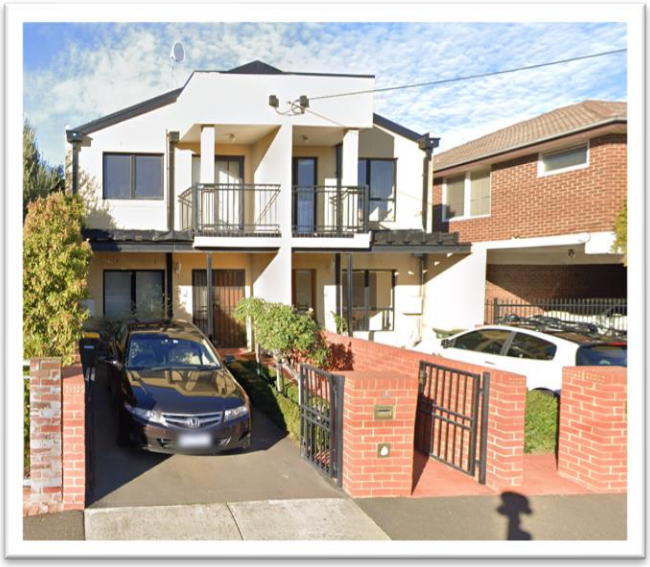


Figure 14: No. 11 Fraser Street

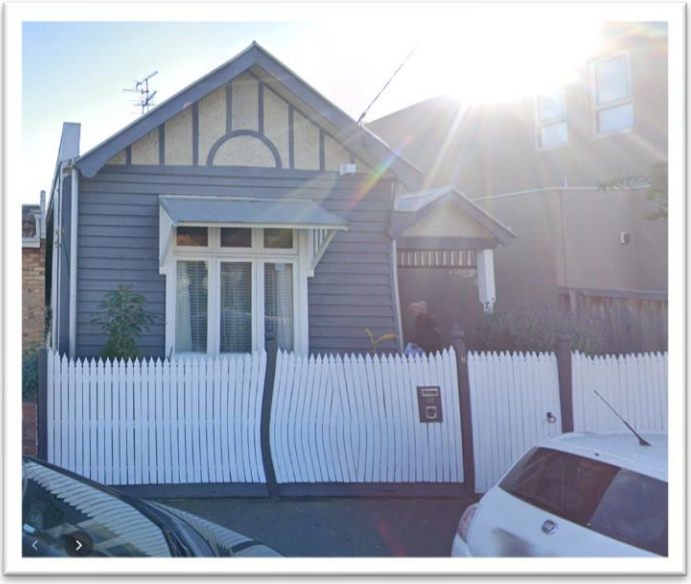


Figure 15: No. 8 Fraser Street

Figure 16: No. 4 Fraser Street

178. Clause 21.08 *Neighbourhoods* (Central Richmond) and Clause 22.13 *Residential Built Form Policy* (Inner Suburban Residential) provide guidance on design outcomes that may be considered appropriate for the site. In accordance with the policy, the *Inner Suburban Residential areas* are characterised as *built form dominated residential areas with small gardens (if any) and minimal front and side setbacks*.

179. Of particular relevance, Clause 21.08 and 22.13 encourage the following:
    (a) *Maintain the existing pattern of front setbacks.*
    (b) *Landscape the front setback in a style that reinforces the garden character (if any) of the streetscape.*
    (c) *Where the general pattern of development includes gaps between buildings, include a setback on at least one side of the building.*
    (d) *Orient buildings at right angles to the street frontage.*

(e) *Provide front fencing that is open (unless the building is zero front setback).*
(f) *On single house sites in areas with generally consistent building heights, limit variations in height to a maximum of one storey compared to the adjacent properties.*

180. It is considered that the amendment satisfies these requirements, including the provision of side setbacks, orienting the buildings at a right angle to the street, provision of open front fencing and the provision of landscaping to reinforce the existing garden character of the street. At ground level, the front setbacks of Unit 1 and TH1 reflect the general setback pattern to the south, with the height of these dwellings reducing in scale towards the southern boundary.

181. In the VCAT decision which approved the original development, concerns were raised about the proposed height of Unit 1 addressing Fraser Street, with the decision reducing the height of this dwelling from 3 to 2-storeys. This was based on the proposed height being too large and prominent within the Fraser Street streetscape, given this dwelling would be the only higher element of built form at the northern end of Fraser Street, with direct abuttal to a single-storey dwelling at No. 3 Fraser Street.

182. The amended plans seek to re-introduce the 3-storey height of this Unit, with TH1 to the south also a maximum of 3-storeys. TH1 replaces the previous single-storey dwelling on this site, and provides additional higher built form at this end of the street. TH1 will have a direct interface with the single-storey dwelling at No. 7 Fraser Street. Whilst this townhouse will have an overall height of 3-storeys, the lower level will be partly subterrain, lowering the visible height of this dwelling even further. In addition to this, the southern wall has been tapered away from the southern boundary, with the additional setback of the upper level creating a lower form that provides a more sympathetic transition in height to the southern dwelling. Further to this, the separation provided by the proposed setbacks within the subject site and the existing driveway to the south create a generous space between the two buildings. This is consistent with the design objectives outlined in Clause 22.13 and allow the higher built form to successfully integrate with the existing lower-scale residential streetscape to the south.

183. The design guidelines at Clause 22.13-3.2 encourage a setback on at least one side of the building where gaps between buildings are found within the established streetscape. The southern wall of TH1 is set back from the southern boundary and tapered in height, creating a transition to the single-storey dwelling to the south. The graduated height of the dwellings towards the south is demonstrated in Figure 17.

Figure 17: Townhouse design

184. Given the amended context of the development, with two dwellings extending to a height of 3-storeys and a generous gap provided to the south; the increase in height of Unit 1 back to 3-storeys is considered acceptable. This outcome allows higher built form along Bridge Road to transition as it moves to the south, with the approved development to the rear (3-storey dwelling at No. 4 Neptune Street) indicating that this outcome is occurring within similar contexts in surrounding streets.

185. The proposed dwellings adopt contemporary design features, with vertical window openings, a symmetrical scale and flat roof forms. The contemporary response integrates well with the emerging contemporary character of the streetscape, with this character likely to increase given the lack of heritage overlay affecting land to the south.

186. With regards to the overall design of the dwellings, Council's Urban Designer raised a number of concerns with the original response, highlighting that additional articulation via the use of façade recesses, materiality changes and adjusted window locations could assist in improving the appearance of the townhouses as they address Fraser Street.

187. The amended plans incorporated a number of these recommendations, with a balcony inset into the façade of Unit 1 and a greater variety of materials introduced. These changes, along with the relocation of a number of window openings, result in a vertical separation between the two dwellings, which responds positively to the fine-grain character of Fraser Street.

188. All of these alterations, including the lighter colour palette, were supported from an Urban Design perspective. Whilst a reduction in the variety of different materials was recommended, this amendment is not considered necessary, with the current proposal providing a good degree of articulation along the separate frontages and the use of different material clearly differentiating the two dwellings.

189. On balance, the design of the townhouses is considered to provide a good degree of façade articulation and detailing, with the scale, proportions and roof forms responding to existing and emerging contemporary buildings in the streetscape.

Residential policy objectives

190. There is a high level of State and Local policy support for medium density housing and a diversity of housing in well serviced areas such as this location. The objective and Standard are satisfied.

Infrastructure objectives

191. The proposal is located within an existing residential area with existing utility services and infrastructure. There is no evidence to suggest that the proposed development would overload or impact the operation of these existing services. The objective and Standard are satisfied.

Integration with the street objective

192. In compliance with this Standard, the dwellings that are visible from Fraser Street (Unit 1 & TH1) will be oriented to address the street interface, with no high front fence proposed. This will provide an active street frontage, with further passive surveillance opportunities achieved via upper level windows and balconies within the dwelling facades. Accordingly, the objectives of the Standard are met.

Street setback objective

193. The side wall of No. 450 Bridge Road directly abuts the boundary with Fraser Street, with a single-storey garage at the rear of this site also extending to the Fraser Street boundary. The dwelling to the south, at No. 7 Fraser Street, is set back 2.75m from this boundary.

194. The development seeks an average setback of 2.5m from Fraser Street at ground level for both Unit 1 and TH1. This setback is consistent with setbacks further to the south along Fraser Street. At first floor, the setback of Unit 1 will reduce to 0.4m, thereby essentially resulting in an on-boundary wall. This is consistent with the location of the first-floor wall already approved under this permit. The first-floor setback of TH1 will be a minimum of 1.68m. The second floor facades of Unit 1 and TH1 will be set back 0.4m and 1.7m from the Fraser Street boundary respectively.

195. These setbacks respond to the existing context within this section of Fraser Street, with the minimal front setback of Unit 1 reflecting the on-boundary construction in the C1Z to the north, and the greater setbacks of TH1 creating a transition to the increased setbacks to the south.

196. Based on this, it is considered that the front setbacks proposed to Fraser Street at all levels are reasonably respectful of the streetscape, in accordance with the objective, and a variation to the Standard is acceptable.

Building height objective

197. Standard B7 states that the maximum building height should not exceed the maximum height specified in the zone. Pursuant to Clause 32.08-10 and Schedule 2 of the GRZ, the dwellings must not exceed 9m in height and must contain no more than 3 storeys at any point.

198. The plan/elevations do not clearly specify the individual heights of the new dwellings, however based on Council Officer calculations, they range between 9m (Unit 1) to 7.6m (TH5) above natural ground level (NGL). A condition of the permit will require overall heights of all 6 dwellings to be clearly referenced on the relevant elevations. Based on this confirmation, the development would meet the requirements of Clause 32.08-10 of the Scheme.

Site coverage objective

199. The town planning report submitted with the amendment indicates that the proposed site coverage of the townhouse component will be 76%, thereby exceeding the maximum 60% prescribed by the Standard. Whilst the Standard is not met, it is evident that the extent of built form is consistent with that found in adjacent and surrounding properties in the immediate area and is therefore considered to be reasonably in keeping with neighbourhood character.

200. The direct abuttal with commercial sites to the north, which predominantly exhibit higher site coverage, allows additional site coverage to sit comfortably in the streetscape. On this basis, a variation to the Standard is considered acceptable.

Permeability and Stormwater Management objectives

201. The site will comprise limited permeability, however the objectives of these Standards also seek that when non-compliance is proposed, it should be demonstrated that the proposed low site permeability would not place undue strain on existing storm water drainage infrastructure. The Sustainable Management Plan (SMP) indicates that water captured from the various roof and balcony sections can be directly diverted to a 25,000L rainwater storage tank. The stored rainwater will be connected to all toilets within the development and will achieve a STORM rating of 108%.

202. To confirm this outcome, a condition will require a notation to be added to the basement plan (TP03) stating the tank will be connected to all toilets, allowing for the re-use of stormwater on site and allowing for it to be largely diverted from the storm water drainage system. On this basis, the proposal is acceptable. These outcomes also satisfy Council's Stormwater Management (*Water Sensitive Urban Design*) Policy at Clause 22.16 and Stormwater Management in Urban Development at Clause 53.18 of the Scheme.

Energy Efficiency objectives

203. A Sustainable Management Plan (SMP) prepared by Sustainable Development Consultants (dated 25/4/2019) was endorsed as required via Condition 3 of the original planning permit. This condition required the updated SMP to include information on the STORM assessment (with a minimum score of 104% achieved), the NatHERS NCC Standard (with a commitment of 7.1-star average) and confirmation that 27 residential bicycle spaces and 5 visitor bicycle spaces will be provided. The SMP met this condition and was subsequently endorsed.

204. An amended SMP (prepared by Sustainable Development Consultants and dated April 2020) was submitted with the amended application. This SMP was reviewed by Council's ESD Advisor, who confirmed that the following commitments and measures would be incorporated into the amended proposal;
   (a) A minimum area weighted average of 7.5 Star NatHERS rating will be achieved for the apartments;
   (b) A Building Maintenance Guide (BMG) and Building Users Guide (BUG) will be developed for the ongoing maintenance and operation of the building;
   (c) An Environmental Management Plan (EMP) will be provided;
   (d) Material selection will reduce use of VOC's, and formaldehyde content;
   (e) The lighting power densities will be reduced by at least 10% from NCC 2016, with lighting in common and commercial areas to be controlled by time clocks, daylight and/or motion sensors;
   (f) Heating and cooling within the development will be provided by energy efficient air conditioners within one-star energy rating of the best available for the dwellings and an EER>3.2 and COP>3.5 for commercial tenancies;
   (g) Hot water for the development will be provided via a central gas condensing boiler(s) with a minimum efficiency of 90%;
   (h) A 4kW rooftop solar PV is proposed, producing approximately 5,000kWh of renewable energy per year;
   (i) 33 bicycle storage spaces will be provided for residents, with an additional 5 spaces provided outside the entrance. It is noted that the 5 visitor spaces are not shown on the plans; this aspect of the proposal will be discussed within the 'bicycle parking' section of this report;
   (j) A STORM report with a 108% STORM score has been submitted that demonstrates best practice and relies on 729 m2 of roof connected to 25,000 litres of rainwater tank storage used for toilet flushing;
   (k) Water efficiency considerations for HVAC heat rejection and Fire protection System testing;
   (l) The Portland cement content will be reduced by 30% (to the approval of structural engineer), by mass, across all concrete in the development, as compared to a reference case;
   (m) 95% of all steel used to come from a 'Responsible Steel Maker' in addition to a 5% reduction in the mass of steel used for concrete reinforcing;
   (n) All thermal bulk insulation will be sourced with 20% minimum recycled content;
   (o) 90% of demolition and construction waste to be diverted from landfill; and,
   (p) A rainwater tank and filtration system will be provided to ensure that the post-development peak event discharge from the site does not exceed the pre- development peak event discharge.

205. This review also highlighted some deficiencies and outstanding information, however as the apartment component has already been approved, it is noted that the changes recommended by Council's ESD Advisor can only apply to the amendments being sought as part of this application. Of these recommendations, it is considered reasonable that the following additions/amendments can be sought to increase the energy efficiency of the overall development;
    (a) Increase reduction of lighting power densities to 20%;
    (b) Include within the EMP a target to reuse or recycle >80% of demolition and construction waste (divert from landfill);
    (c) Provide organic waste facilities for the food and drink premises;
    (d) Clarify provision of boilers;
    (e) Confirm reduction in peak energy demand associated with building fabric and services proposed;
    (f) Clarify provision of CO_2 monitoring for carpark ventilation;
    (g) Clarify timber by weight or cost to be reused/recycled; and,
    (h) Consider providing some charging stations or wiring for future charging facilities.

206. All of these recommendations, including the provision of charging stations for the at-grade car parking spaces, will be required via an updated SMP and permit conditions.

Safety objective

207. Unit 1 and TH1 will be directly accessible from Fraser Street, with clearly identifiable and separate entrances. A communal entrance to the remaining townhouses will be located adjacent to the southern boundary, with a separate gate defining this space and a steel pergola above the entrance providing further identification for the entrance.

208. Views along the internal accessway to the townhouses will be available from TH2 & TH3, however the plans do not indicate whether sufficient lighting of this space will be provided. A permit condition will require all lighting to be shown on the plans, with this lighting to be appropriately baffled so as to not impact the proposed dwelling or the existing dwelling to the south.

Landscaping objectives

209. A degree of landscaping is proposed within the front setbacks of Unit 1 and TH1, as well as the already approved landscaping proposed within the 6-storey development. A Landscape Plan, prepared by John Patrick Landscape Architects and dated 24/7/2019 (Revision B) was endorsed as part of the original permit and included in the overall endorsed set of plans. An amended version of this plan was not submitted with the amendment package; this will be required via a separate permit condition, along with a condition ensuring that ongoing maintenance of all landscaping will be undertaken.

210. The proposed landscaping works were reviewed by Council's Open Space Unit, who requested that the following information be included within the amended Landscape Plan;

    (a) Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;
    (b) Planting plans showing plant locations and quantities;
    (c) A legend containing key features, materials and surfaces; and,
    (d) Details of any raised planter beds including height, width, depth and materials.

211. In addition, it was highlighted that load bearing weights for the building need to be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter box and plant mass proposed.

212. All of these items will be required via an updated Landscape Plan within the amended planning permit.

213. Further to this, there are two mature street trees located directly adjacent to the site on Fraser Street. These trees were not considered in the original application; however, the plans indicate that both of these trees will be retained. To ensure they are appropriately protected, a Tree Management Plan will be required via a permit condition. Council's Natural Values and Streetscapes Unit have also indicated that a tree protection bond for each tree will be required in the event that they are impacted. The bond amount has been specified at a total of $10,000. An additional condition will facilitate this.

Access and Parking location objectives

214. The approved location of the vehicle crossover on Fraser Street will not alter as part of the amendment.

Side and rear setbacks objective

215. Standard B18 seeks 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. As noted earlier within this report, many dimensions associated with the townhouses are missing from the plans, with a permit condition added to address this. To ensure that a detailed assessment can be undertaken, calculations were taken by the Planning Officer, with proposed heights shown above natural ground level (NGL). These calculations are demonstrated in Figures 18 & 19.

Figure 18: Heights along the southern elevation (TH1 – TH4)

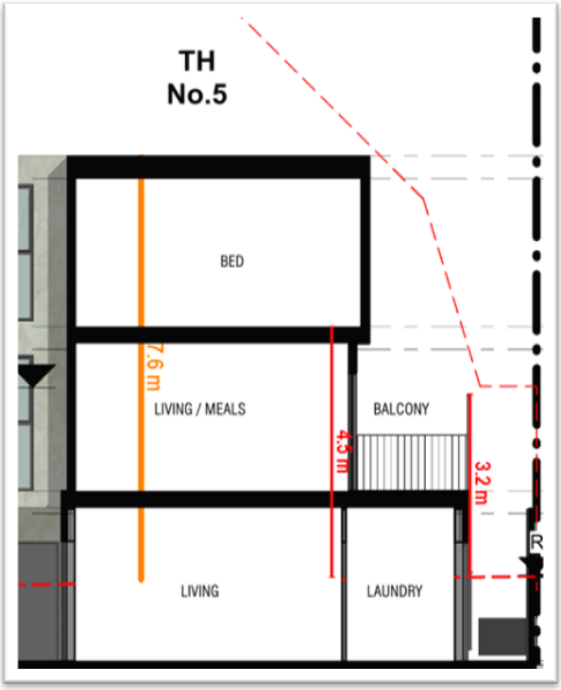


Figure 19: Height of eastern walls (TH5)

216. The following table outlines the setback dimensions from boundaries that are specified by Standard B18 and confirms whether each proposed wall will comply with these requirements.

Ground				
	Proposed Max. Wall Height	**Proposed Setback**	**ResCode Requirement**	**Complies?**
South – TH1	2.3m	1.44m – 1.52m	1m	Yes
South – TH2	2.2m	1.38m	1m	Yes
South – TH3	2.1m	1.09m	1m	Yes
South – TH4	1.9m	1.8m – 3m	1m	Yes
East – TH4	1.9m	1.25m	1m	Yes
East – TH5	3.2m (including balcony balustrade)	1.2m	1m	Yes
First-Floor				
	Proposed Max. Wall Height	**Proposed Setback**	**ResCode Requirement**	**Complies?**
South – TH1	5.3m	1.7m	1.51m	Yes
South – TH2	5.1m	2.9m	1.45m	Yes
South – TH3	5.1m	2.9m	1.45m	Yes
South – TH4	5m	2.7m	1.42m	Yes
East – TH4	5m	1.97m	1.42m	Yes
East – TH5	4.5m	3.16m	1.27m	Yes
Second-Floor				
South – TH1	8.6m	2.6m	3.69m	No
South – TH2	5.7m – height of balcony balustrade 8.2m (wall)	1.65m (balcony) 2.93m (wall)	1.63m (balcony) 3.29m (wall)	Yes No
South – TH3	5.7m – height of balcony balustrade 8m (wall)	1.6m (balcony) 2.9m (wall)	1.63m (balcony) 3.09m	No No
South – TH4	8m	4.48m	3.09m	Yes
East – TH4	8m	2.78m	3.09m	No
East – TH5	7.6m	2.94m	2.69m	Yes

Southern interface

217. As demonstrated above, all of the walls at ground and first-floor meet the setback requirements outlined in the Standard. The only areas of non-compliance are restricted to the second-floor walls of TH1, TH2 & TH3, with these areas of non-compliance limited to the top corner of the upper-floor (the setback line is demonstrated in Figure 20).

Figure 20: required setback line from the southern boundary

218. Whilst a number of windows address these walls in the dwelling to the south, a driveway extends along the northern boundary of the adjacent site. This driveway has an average width of 3.8m, thereby providing a substantial buffer between the adjacent windows and the new sections of wall. On this basis, and given the limited extent of non-compliance proposed, a variation to the Standard is acceptable. The degree of separation will ensure that no unreasonable visual impacts from the southern walls of the townhouses will affect the site to the south.

219. Further to this, the south-east corner of TH4 has been provided with a greater setback that does comply with the Standard. This reduces associated impacts to the southern SPOS accordingly.

Eastern interface

220. The amended layout of the development will address 3 separate sites to the east; Nos. 2, 4 & 6 Neptune Street. Areas of SPOS associated with these sites will form the interface with the proposal, with the eastern walls of TH4 & TH5 facing this land. As outlined in the table above, the setbacks provided to the ground and first-floor walls will comply with the Standard. The only area of non-compliance is limited to the second-floor wall of TH4 (Figure 21).

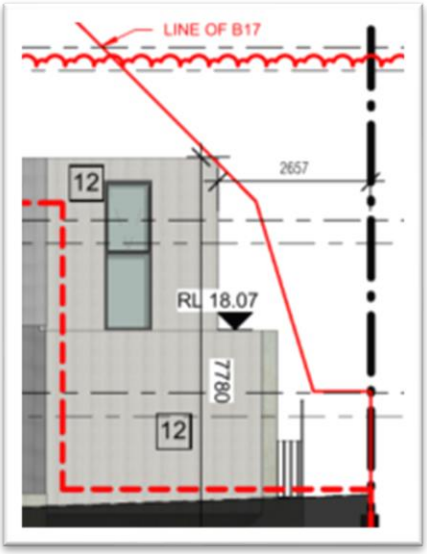


Figure 21: required setback line from the eastern boundary

221. As with the southern setback, the area of non-compliance to the east is extremely limited and is restricted to the upper-most corner of the top floor. Areas of SPOS within the adjacent sites to the east provide a generous degree of visual separation between these walls and the neighbouring land. It is therefore not considered that unreasonable impacts will occur to any of these sites and a slight variation to the Standard is acceptable.

Walls on boundaries objective

222. The only alteration to on-boundary walls will be an extension to the length of height of walls along the northern boundary of No. 1 Fraser Street, with this wall abutting the southern boundary of No. 458-460 Bridge Road. The amended plans will increase the length of this wall at ground and first-floor and add an additional storey of height.

223. This wall will have direct abuttal with an existing 2-storey wall that extends along the full length of this boundary, with the existing wall associated with the commercial premises to the north. On this basis, the proposed height and length of this wall will not result in any unreasonable off-site amenity impacts to the adjacent site.

Daylight to existing windows objective

224. This Standard requires new walls to allow for a minimum 3sqm and 1m wide lightcourt to existing habitable windows in adjacent dwelling. Where walls exceed 3m in height, the proposed walls must be setback at least 50% the height of the new wall. The new section of development has an interface with 4 sites; No. 7 Fraser Street to the south, and Nos. 2, 4 & 6 Neptune Street to the east. Each interface will be discussed in turn.

225. There are four windows located within the northern wall of No. 7 Fraser Street; these windows are set back 3.87m from the shared boundary. This setback ensures that the first part of the Standard is met. The highest section of new wall opposite these windows will be approximately 8.2m (TH2), thereby requiring a setback of 4.1m to meet the remainder of the Standard. With setbacks in the range of 6.7m, compliance is achieved.

226. West-facing windows are located in the rear wall of No. 6 Neptune Street; these windows are set back 4.25m from the shared boundary, with a total setback of 7m for the 8m high wall associated with TH4. The Standard is comfortably met.

227. The Standard is also met for windows associated with Nos. 2 & 4 Neptune Street. A 7.6m high wall (TH5) is set back an overall distance of 10.94m from rear windows at No. 2 Neptune Street, with setbacks ranging from 10.78m to 10.94m for the west-facing windows of No. 4 Neptune Street. As the walls opposite these windows will be a maximum height of 8m, compliance is achieved in all instances.

North-facing windows objectives

228. This Standard does not apply, with the north-facing windows associated with No. 7 Fraser Street in excess of 3m from the southern boundary of the subject site (Figure 22). Irrespective of this, the setbacks proposed to the southern walls of the townhouses have been designed with the adjoining context in mind and will ensure that adequate sunlight will continue to access these windows.

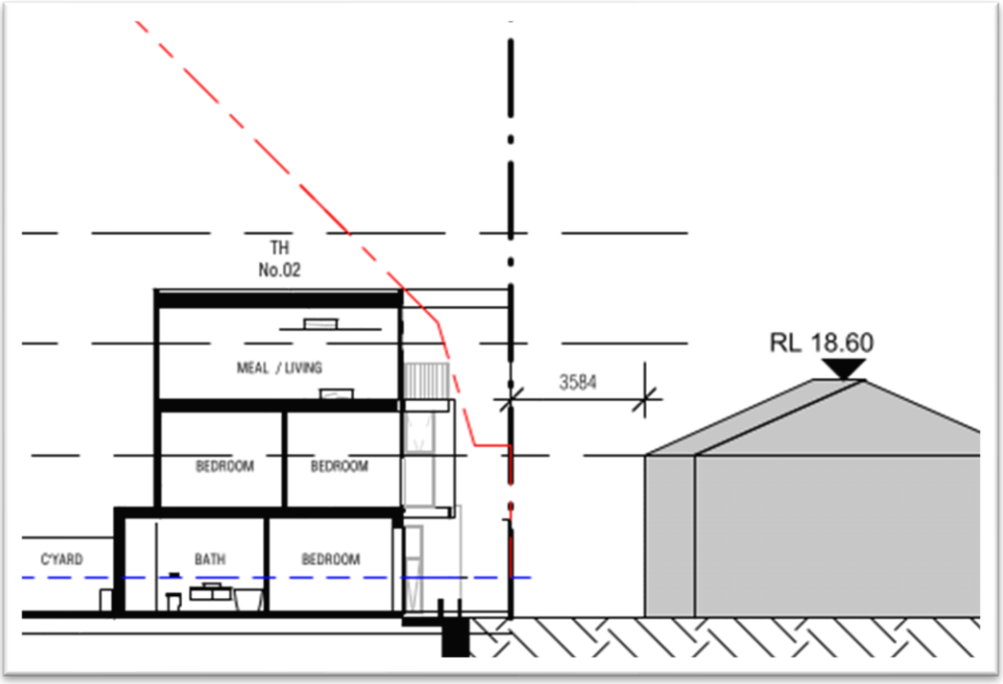


Figure 22: Setback of north-facing windows within No. 7 Fraser Street

Overshadowing open space objective

229. The Standard requires that at least 75%, or 40sqm with a minimum dimension of 3m, (whichever is the lesser area of the neighbouring SPOS) should receive a minimum of 5 hours of sunlight between 9am and 3pm on 22 September. If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this Standard, the amount of sunlight should not be further reduced.

230. Four separate areas of SPOS surround the site, with No. 7 Fraser Street and No. 6 Neptune Street to the south-east, No. 4 Neptune Street to the east and No. 2 Neptune Street to the north-east. Given the location of these sites, additional shadows from the development will not affect any parts of the SPOS until 1pm. Each site will be discussed separately below.

231. No. 7 Fraser Street has an area of 120sqm at the rear of the dwelling, with a driveway and an outbuilding abutting its northern boundary. At no time throughout the day will shadows affect the principal area of SPOS, with all shadows falling either within the driveway or on the roof of the shed. This is demonstrated in the images below.

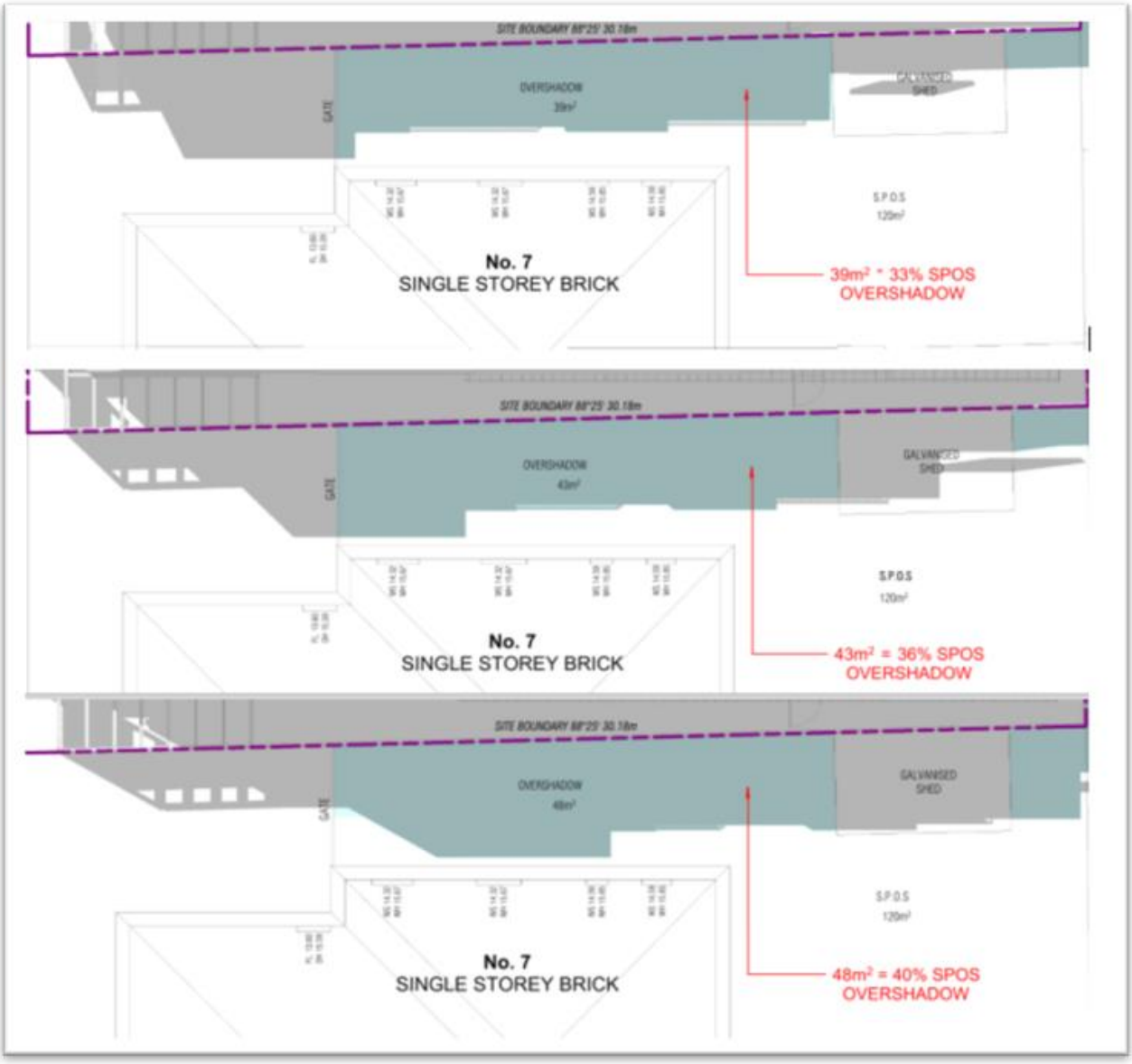


Figure 23: 1pm, 2pm, 3pm shadows at No. 7 Fraser Street

232. Additional shadows within the sites at Nos. 2, 4 & 6 Neptune Street will be minimal at 1pm, with these shadows increasing at 2pm. This outcome ensures that these areas of SPOS will have minimal, if any, impacts for 4 hours between 9am and 3pm on 22 September. More substantial impacts will occur from 2pm onwards.

233. At this time, 53% of the SPOS associated with No. 6 Neptune Street will be overshadowed, with this increasing to 73% by 3pm. This outcome is demonstrated in Figure 24. Whilst this outcome exceeds the Standard, it is considered reasonable, given the lack of shadows affecting this space throughout the entire morning until 1pm. Further to this, the area of shadow is restricted to the rear of this space at 2pm, ensuring that the land directly adjacent to the rear of the dwelling (and usually being the most useable area of SPOS) will remain unaffected. While there will be a noticeable increase in shadowing at 2pm, the impact is minimised by the full compliance of the new townhouses with the side setback requirements from No. 6 Neptune Street. Noting this inner-city location, where 3 storey development is supported via the General Residential Zone, additional overshadowing is to be expected.

234. Council Officer calculations confirm that the additional shadows at 2pm and 3pm are not caused by the increased floor area of the 6 storey building, but rather will be caused by the new townhouses, with any new shadows cast by the increased floor area of the 6-storey building falling within the shadows cast by the townhouses.

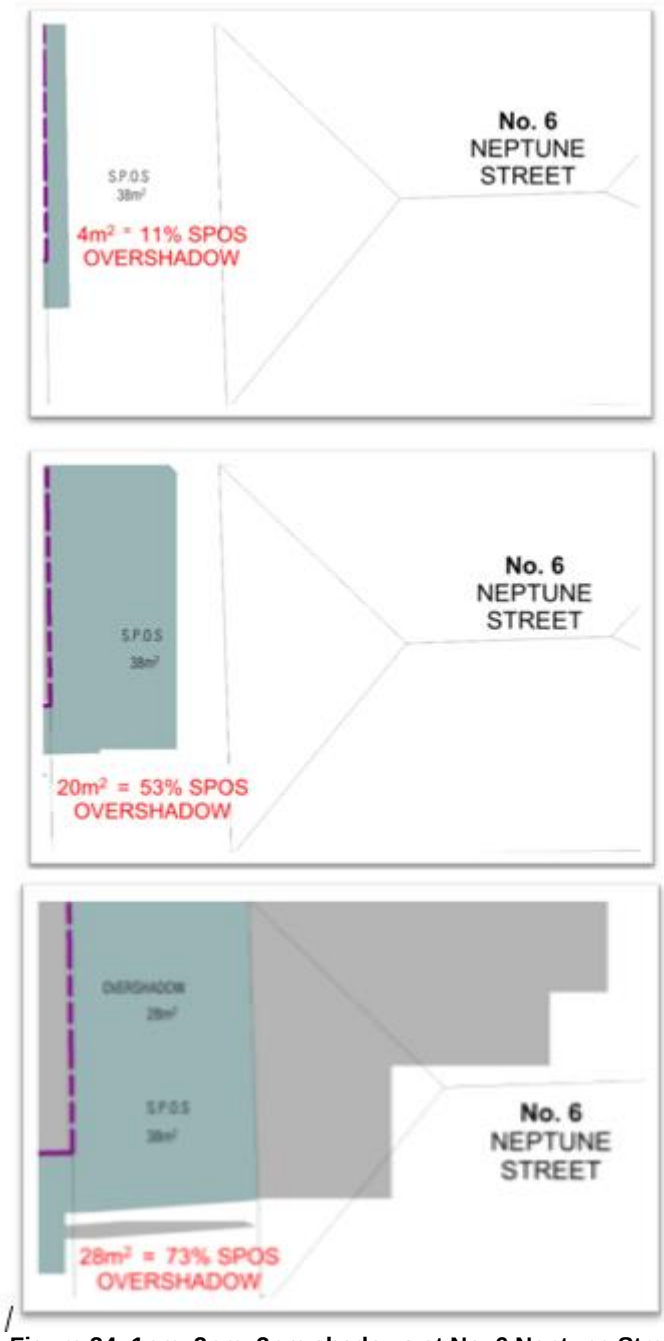


Figure 24: 1pm, 2pm, 3pm shadows at No. 6 Neptune Street

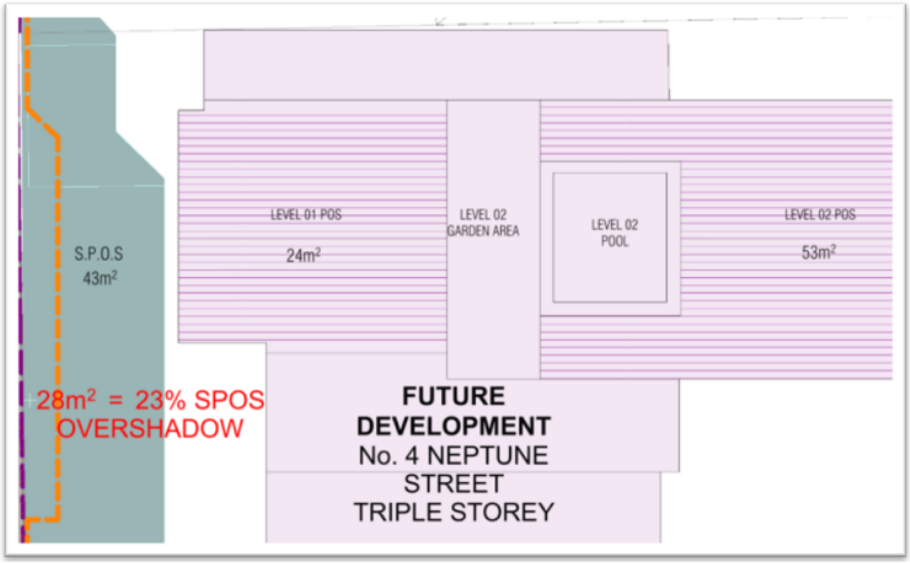
235. The aerial photograph at Figure 25 demonstrates the limited size of the SPOS at No. 6 Neptune Street, with an outbuilding located in one corner, and the built form having a minimum setback from the rear boundary. Given this limited extent of open space, the existing amenity would already be compromised, and it would be extremely difficult to allow compliant development adjacent to this space without further impacts on shadows occurring. The existing fence surrounding this space would already overshadow a significant area by 3pm; the shadow diagrams do not demonstrate these existing impacts.

236. No. 6 Neptune Street benefits from the proximity of a number of generous areas of public open space, with Citizens Park approximately 200m to the west, and Yarra River Parklands approximately 500m to the east. Based on the above, with emphasis placed on the compliance with other relevant Standards within Clause 55 by the proposed townhouses, the additional extent of overshadowing at 2pm and 3pm is considered to be a reasonable response.

Figure 25: SPOS of No. 6 Neptune Street

237. Similarly, the shadows affecting No. 4 Neptune Street will be minimal at 1pm. Endorsed plans for the dwelling under construction on this site indicate that the main area of SPOS for this dwelling is located at first-floor, with a 24sqm deck directly adjacent to the principal living space at this level. In addition, a 53sqm roof terrace is located on the second-floor of this dwelling. As demonstrated in Figure 26, no part of these areas of SPOS will be affected by shadows at 2pm. This ensures that the Standard is met.

238. Whilst shadows will impact the first-floor deck of this dwelling at 3pm, the majority of the roof terrace will remain unaffected at this time (Figure 26). As demonstrated in this image by the purple line; the previously endorsed 6-storey development already cast shadow in this area of the site at 3pm, with the amended design resulting in relatively minor increases. The minimal change to these circumstances is considered acceptable.



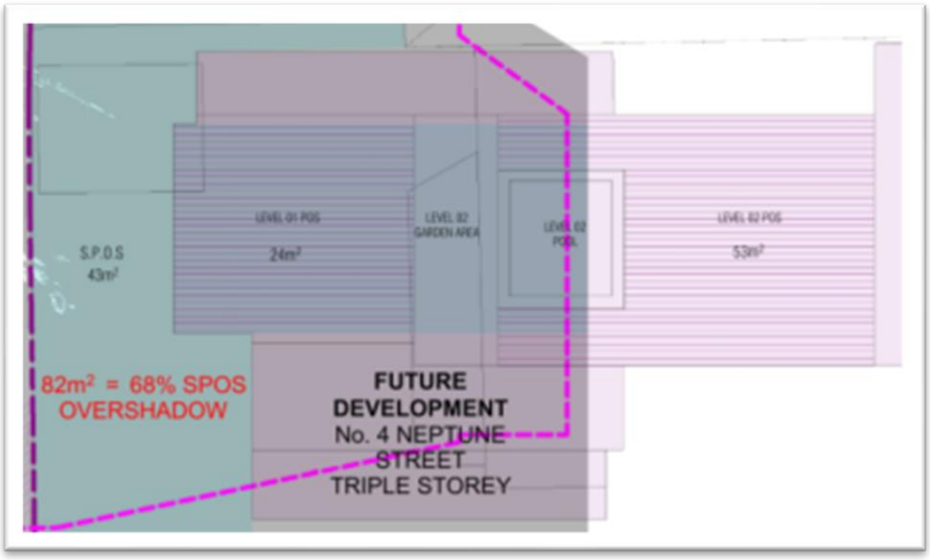


Figure 26: 2pm, 3pm shadows at No. 4 Neptune Street

239. At 2pm, only 11% of SPOS at No. 2 Neptune Street will be affected by shadows from the proposed development. This outcome is demonstrated at Figure 27 and ensures that the Standard is met. Whilst this area will be almost fully in shade by 3pm, as with the site at No. 4 Neptune Street, the increase in shadows at this time is relatively minor when compared to what was previously endorsed. Given the limited shadows affecting this space until 2pm on the equinox, this outcome is considered acceptable.

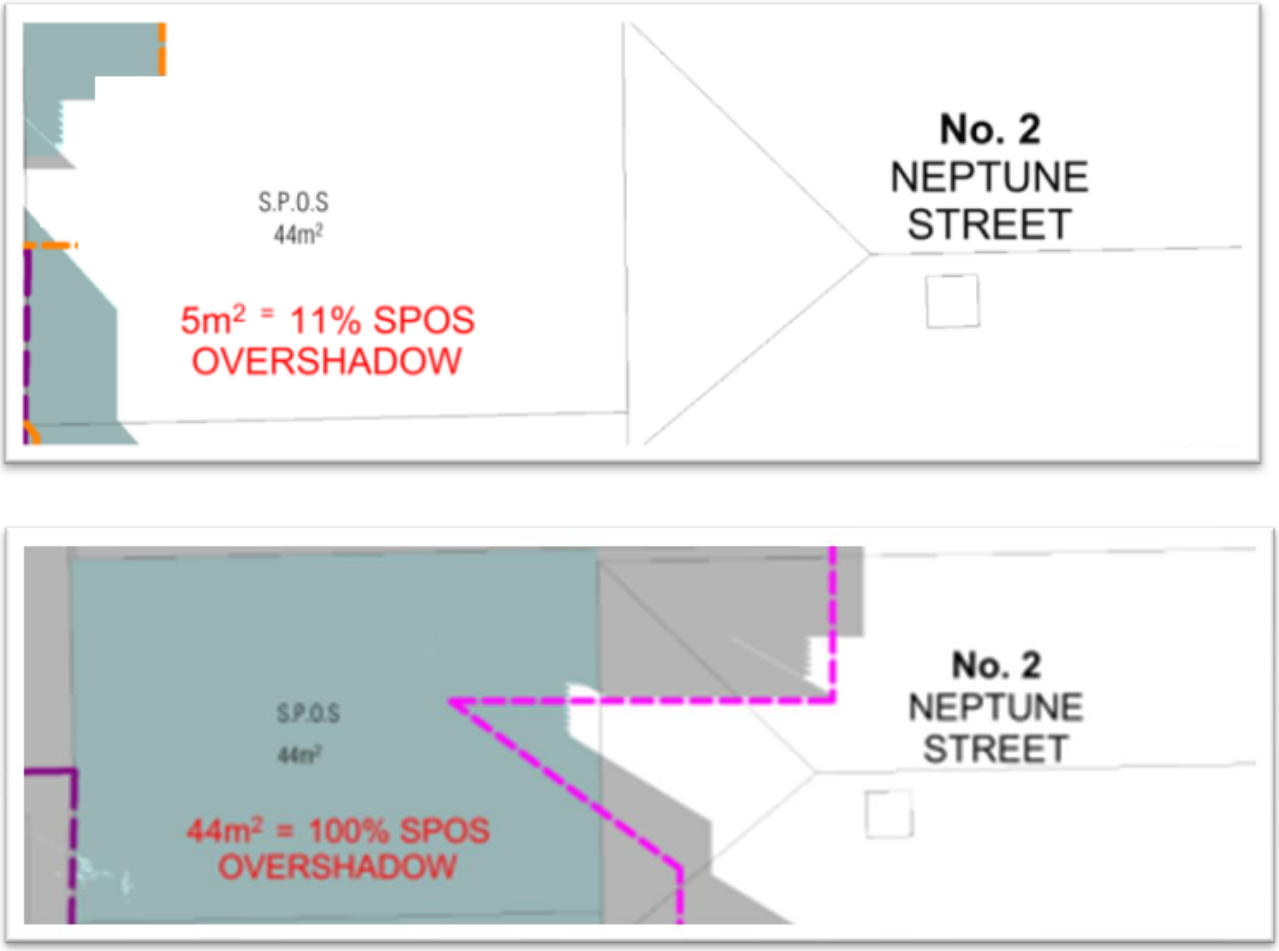


Figure 27: 2pm, 3pm shadows at No. 2 Neptune Street

Overlooking and internal views objectives

240. Standard B22 notes that a habitable room window (HRW), balcony, terrace, deck or patio should be located and designed to avoid direct views into the SPOS of an existing dwelling within a horizontal distance of 9m, with views 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 1.7m above floor level.

241. Potential overlooking from the new townhouses is possible to HRWs and SPOS to the south, at No. 7 Fraser Street. There appear to be no mitigation measures incorporated into any of the south-facing windows or balconies associated with the four townhouses adjacent to the southern boundary, with a number of habitable room windows and balconies on all levels of these new dwellings. Direct views, within 9m, would be available into the north-facing HRWs of No. 7 Fraser Street, with potential views also available to the SPOS.

242. To ensure that unreasonable overlooking to this site is restricted, all proposed windows and balconies within 9m of these features must be screened in accordance with the Standard. A condition will facilitate this outcome.

243. With regards to views into the SPOS of the 3 sites to the east, the plans indicate that all east-facing HRWs will be finished with obscure glazing to a height of 1.7m above the floor level of each room, with the upper section of each window to be operable. To ensure that the Standard is met, a condition will be added to the permit to confirm that the obscure glazing has a maximum transparency of 25%, and the 1.7m section of windows is fixed.

244. The first-floor east-facing balcony of TH5 has a 1.7m high screen extending along its eastern perimeter, with a maximum transparency of 25%. A notation confirming this has been included on the eastern elevation; to allow for consistency, the same notation will be required on the relevant floor plan. A condition will facilitate this.

Internal views

245. To limit views into the SPOS and HRW of dwellings and residential buildings within a development, Standard B23 notes that windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling directly below and within the same development.

246. Given the proximity between south-facing balconies of the approved apartments and north-facing HRWs of the new townhouses (4.5m at first-floor and 4.3m at second-floor), internal overlooking opportunities exist. To mitigate this, all of the first and second-floor windows in the townhouses will be finished with obscure glazing, either to 1.7m high, or for the entire window (Figure 28). As with Standard B22, a permit condition will ensure that all parts of the obscured windows are fixed.

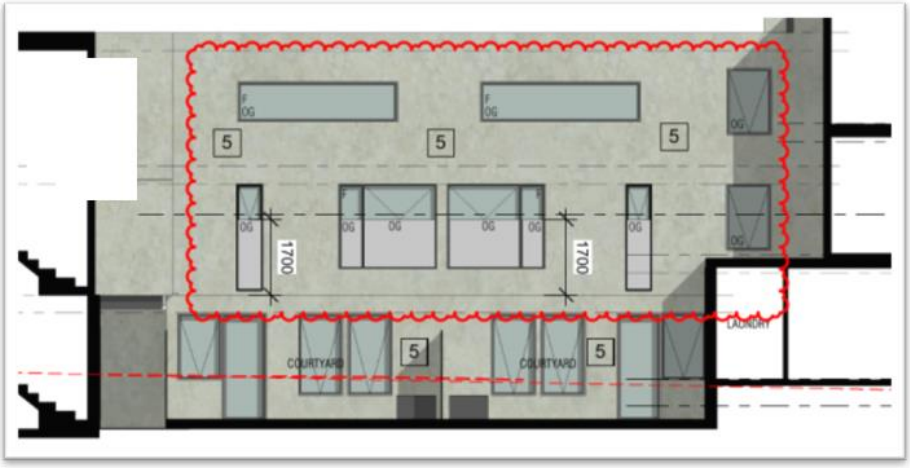


Figure 28: Northern elevation of townhouses

247. The treatment to these windows will also ensure that downward views from the townhouses will not affect the ground level courtyards associated with TH2 & TH3. However, such views may be possible from the apartments in the 6-storey component of the approved development. To ensure that Standard B23 is met, these balconies should be designed to prevent overlooking of more than 50% of the SPOS of these townhouses. A condition will facilitate this outcome.

Noise impacts objective

248. An acoustic report was endorsed as part of the original permit (Condition 5), with this report prepared by Acoustical Design and dated 8 November 2019. An amended report, dated 4 May 2020, was submitted to reflect the proposed changes to the development. This report was reviewed on behalf of Council by SLR Acoustics, who confirmed that there are '*no acoustic issues of concern. The proposed changes will have no significant implications for acoustics. The acoustic report has been changed/updated in minor ways, but not such that the outcome is affected'.*

249. Standard B24 notes that noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. All of the services associated with the 6-storey development will be located within a designated roof-top services area. Individual air-conditioning units for the townhouses will be located at ground level, within each separate area of open space. This outcome is acceptable.

Accessibility objective

250. The entrances of individual townhouses are easily accessible via a shared pedestrian path along the site's southern boundary, with accessible entry also available to Unit 1. Steps to the front entrance of TH1 will not allow accessible entry to this dwelling., thereby not meeting the requirements of this objective. This outcome is considered acceptable in this instance, with all of the apartments in the 6-storey component of the development to be single-level and accessible to people with limited mobility.

Dwelling entry objective

251. Each townhouse will contain separate entries, with a communal entrance provided for TH2-TH5. The entrance from Fraser Street will be clearly visible from the adjacent public realm, as will the separate entrances for Unit 1 and TH1. A sense of address, with transitional space around each entrance, will be provided for each dwelling within the development.

Daylight to new windows objective

252. The Standard requires a HRW to face an outdoor space clear to the sky or a light court with a minimum of 3sqm and minimum 1m dimension clear to the sky, not including land on an abutting lot. All the proposed living rooms and bedrooms within the new dwellings will achieve this outcome, with the exception of one room within the upper level of TH5 (Figure 29).

253. The proposed use of this room is not clear. As there is no opportunity for a window to be incorporated into any of the walls of this room (with all walls constructed to the boundary or another wall), it must either be designated as a 'non-habitable' space on the plans (i.e. walk-in-robe), or it must be removed from the floorplan. A permit condition will facilitate this.

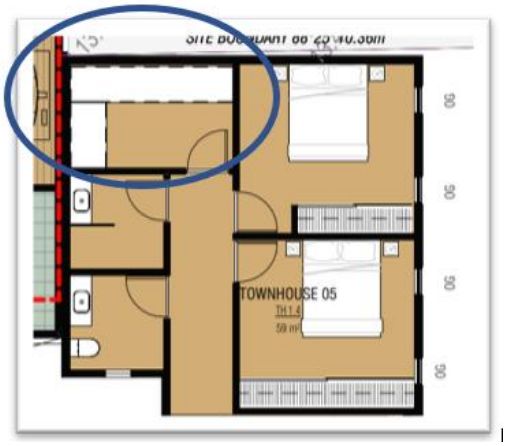


Figure 29: TH5 layout

Private open space and solar access to open space objectives

254. The Standard specifies that a dwelling should be provided with an area of 40sqm, with one part of the POS to consist of SPOS at the side or rear of the dwelling with a minimum area of 25sqm, a minimum dimension of 3m and convenient access from a living room, or a balcony of 8sqm, with a minimum width of 1.6m and convenient access from a living room. The following areas of open space are provided for each dwelling;

(a) Unit 1;
  (i) Ground level – 11sqm (width of 2.5m);
  (ii) First-floor balcony – 8sqm (width of 1.98m)
(b) TH1;
  (i) Ground level – 17sqm (width of 2.5m);
  (ii) Second-floor balcony – 5sqm
(c) TH2;
  (i) Ground level – 16sqm (width of 2.6m) & 4sqm;
  (ii) Second-floor balcony – 7sqm (width of 1.6m);
(d) TH3;
  (i) Ground level – 13.8sqm (the plans incorrectly note 28sqm) and 4sqm;
  (ii) Second-floor balcony – 7sqm (width of 1.6m);
(e) TH4;
  (i) Ground level – 32sqm (width of 3m);
(f) TH5;
  (i) Ground level – 10sqm
  (ii) First-floor – 17sqm (width of 1.9m).

255. The dwellings that achieve compliance with this Standard include Unit 1, TH4 & TH5. Whilst TH1 has an area of open space of 17sqm; this space is located within the front setback of the site and is not secluded. A secondary area of open space for this dwelling has been provided at second-floor, with a 5sqm balcony accessible from the master bedroom.

Whilst the lack of privacy for the ground floor courtyard is not ideal, it is acknowledged that any open space addressing the street even at the upper levels could be easily viewed from the public realm. In this instance, the front fence will afford a degree of privacy and the location of the open space provides a good connection with the principal living areas of the dwelling. This outcome is considered acceptable.

256. The balconies of TH2 & TH4 fall short of the Standard by 1sqm. However, these dwellings are also provided with supplementary areas of open space in the form of courtyards or balconies, with at least one area of open space for each dwelling benefiting from direct access from the primary living areas.

257. When combined, these spaces are of adequate area and dimensions to cater to the outdoor passive recreation and service needs of the residents, generally in accordance with the decision guidelines. A variation to the Standard is considered acceptable in this regard.

258. Given the location of the new dwellings on the southern side of the site, it is difficult for all areas of open space to receive direct solar access. It is still considered however that each area of open space will have acceptable amenity and access to daylight.

Storage objective

259. The plans do not specify any internal or external storage areas for the townhouses. Standard B30 specifies that each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space. A permit condition can be added to ensure this is provided.

Front fences objective

260. In compliance with this policy, the front fence extending along Fraser Street will have a maximum height of 1.1m and be composed of metal pickets, thereby providing a visually permeable design.

Common property & site services objectives

261. The common property on site is appropriately located to allow for easy maintenance and is practically designed to facilitate Body Corporate Management. A communal mail area will be provided for the townhouses directly adjacent to the shared entrance, with a separate residential bin storage room dedicated to townhouse use provided at the rear of the shared walkway.

<u>Car parking, bicycle parking, traffic impacts & waste</u>

262. Pursuant to clause 52.06-5 of the Scheme, the following car parking requirements apply to the development:

Endorsed Proposal			**Amended Proposal**		
Proposed Use	**Car Parking Requirement**	**Car Parking Provision**	**Proposed Use**	**Car Parking Requirement**	**Car Parking Provision**
19 One-Bedroom Dwellings	19	22	18 One-bedroom dwellings	18	31

8 Two-Bedroom Dwellings	8		7 Two-bedroom dwellings	7	
0 Three-Bedroom Dwellings	-		7 Three bedroom dwellings	14	
Residential Visitors*	5	0		0	0
Retail (149sqm)	6	2	Food and drink premises (260sqm)	9	0
	38 spaces	**24 spaces**		**48 spaces**	**31 spaces**

263. With a total of 31 on-site car parking spaces proposed, a formal reduction of 17 spaces is required. The original planning permit approved a reduction of 14 spaces. On this basis, an additional reduction in the statutory car parking rate of 3 spaces is required to be considered as part of this amendment.

Food and drink premises

264. No parking would be provided for the food and drink premises. In their review of car parking demand, Council Engineers noted that a staff parking rate of 1 space/100sqm of floor area could be adopted to determine likely staff parking generation. This is based on experience in the municipality with similar establishments. This would equate to a parking demand of two to three spaces. Given the constrained nature of long-term on-street parking, employees would be inclined to use public transport, ride a bicycle or walk to the development. The provision of no parking spaces for the food and drink premises within an activity centre is considered acceptable and it is anticipated that short-term customer parking demand can be accommodated in the locality.

265. In addition, the excellent access to public transport options will encourage sustainable travel options for residents and customers. This will assist in reducing the impact on car parking demand in the area; with it expected that a significant proportion of visitors and customers to the site will be shoppers, diners, workers and those living in the area and who are already visiting the Bridge Road MAC. Therefore, the expected demand for parking will be less than the sum of the individual demands for each premises/dwelling and the proposal will benefit from a sharing of parking resources with existing uses in the area.

Residential parking

266. The Traffic and Transport Assessment, prepared by Impact Traffic Engineering (dated 6 May 2020), proposes to allocate the 32 residential car parking spaces as follows;
    (a) 11 spaces to the 18 one-bedroom dwellings - 11 one-bedroom dwellings allocated 1 space;
    (b) 5 spaces to the 6 two-bedroom dwellings - 5 two-bedroom dwellings allocated space; and
    (c) 16 spaces to the 8 three-bedroom dwellings - 2 spaces to each three-bedroom dwellings.

267. It is noted however that the decision plans reduce the number of on-site car spaces to 31, and contain the following breakdown of dwellings;
    (a) 18 one-bedroom dwellings;
    (b) 7 two-bedroom dwellings; and,
    (c) 7 three-bedroom dwellings.

268. Section 3.5 of the traffic report outlines car ownership statistics for 'flats, units and apartments' within Richmond and the associated LGA (Yarra), as recorded through the Australian Bureau of Statistics (ABS) in the 2016 Census. These statistics indicate that 34% of residents in one-bedroom apartments do not own a vehicle, compared to 24% and 25% in two and three-bedroom dwellings respectively. It is therefore considered reasonable for the majority of car parking spaces to be allocated to all two and three-bedroom dwellings.

269. Overall, it is expected the proposed use and development will not have an adverse impact on the car parking conditions in the area and the number of car spaces provided will be sufficient to meet resident demands.

270. Council's Engineering Unit raised no objection in this regard and raised no concerns with the findings provided in the submitted Traffic and Transport Assessment. For the reasons provided in the above assessment and based on the support of Council's Engineering Unit, the proposed reduction of an additional 3 residential car spaces is considered acceptable.

Car parking layout

271. The approved location of the vehicle entrance via Fraser Street will be maintained as part of the amendment, with two pedestrian sight triangles satisfying Design Standard 1 – Accessways of Clause 52.06-9. The traffic report indicates that vegetation within the southern splay is to be maintained no higher than 900mm as required by Design standard 1. Whilst a notation on the ground floor plan confirms this, this specification will be added to the amended Landscape Plan, to ensure that the species proposed in the front setback of Unit 1 meets these height requirements.

272. Internally, the dimensions and gradient of the proposed basement ramp, access aisles, at-grade car parking spaces and column depths/setbacks were all assessed to be satisfactory by Council Engineers. It was highlighted that car space 32 was deleted in Appendix B of the traffic report and has subsequently been removed from the basement plan. Council engineers were supportive of the removal of this car space, as it provides a more suitable turn-out area for vehicles utlising the car stackers.

273. Two further requirements and recommendations were provided by Council's Engineers, as follows;
    (a) The headroom clearance at the development entrance and at the critical point within the ramp (i.e. – the minimum headroom clearance from the surface of the ramp to the underside of the of the first floor slab) have not been dimensioned on the drawings; (see Figure 30 for location of this requirement) and,

Figure 30: Location of dimension required

(b) A Traffic signal system (Stop/Go arrangement) should be implemented to help regulate vehicle movements into and out of the development. For this system, one lantern should be placed at the development entrance (for cars entering the development), with a second lantern to be located in the basement at the base of the ramp.

274. These can be facilitated via permit conditions.

275. In addition to these features, it is highlighted that Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). This aspect has been addressed within the 'energy efficiency' section of this report, with a condition ensuring that the three at-grade car parking spaces have access to EV charging points.

Bicycle parking

276. The current planning permit includes a condition that 27 residential bicycle spaces must be provided (Condition 1(i)), which equated to one space per dwelling. The amended number of spaces is outlined in the table below.

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	32 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	6 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	3 visitor spaces	
Shop	260 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	0 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	0 visitor spaces	
Bicycle Parking Spaces Total			**6 resident spaces**	**34 resident spaces**
			3 visitor spaces	**0 visitor spaces**

Residential spaces

277. The provision of 34 residential spaces meets the best practice rate of 32 spaces recommended for the development. With regards to layout, 28 wall racks are provided across two locations at the ground floor, with access via an internal walkway and ramp from the Bridge Road entrance and Fraser Street entrance. An additional 6 horizontal bicycle spaces are proposed within the internal walkway adjacant to the townhouses.

278. Council's Strategic Transport Unit assessed both the original and amended location of these spaces, and noted that none appear to be located within a secure facility. Pursuant to Clause 52.34-3 & Australian Standard AS2890.3, bicycle spaces must be provided in a bicycle locker, or in a lockable compound (i.e. access is with a swipe card or key). It was therefore recommended in the original advice (based on the original plans as opposed to the decision plans) that all residential bicycle parking be consolidated into one secure facility at the ground floor, with the dimensions of the wall hanging bicycle spaces and access ways to be in accordance with the clearance requirements of AS2890.3. It was also recommended in the original advice that at least 6 spaces should be provided as horizontal bicycle racks.

279. Whist the amended plans increased the number of horizontal spaces from 5 to 6, the bicycle spaces continue to be provided within 3 to 4 separate areas, with none of these areas secure. In this instance, Council's Strategic Transport Officer slightly amended their advice by stating that a maximum of 2 secure storage facilities could be acceptable, given the layout of the principal development and the rear townhouses; however the provision of secure parking facilities is still required. A permit condition will ensure this occurs

Visitor spaces

280. The current planning permit includes a specific condition (Condition 17) to provide 5 visitor spaces on the Bridge Road footpath '*if agreed to by the Council'*. The amendment does not include any visitor spaces on or off-site. Council's best practice rate generates a recommendation of 8 visitor bicycle spaces for the development.

281. Council's Strategic Transport Officer noted that there is an existing bicycle hoop providing 2 bicycle spaces on the Bridge Road footpath directly outside the development, and highlights that there is currently insufficient space on both the Bridge Road and Fraser Street footpaths to accommodate additional bike hoops. On this basis, a full reduction in visitor spaces was considered to be acceptable. To reflect this, Condition 17 will be removed from the permit.

Traffic Impact

282. Council's Engineering Unit raised no concern with regard to traffic in the local area given that the expected traffic generated by the amended development would not be unduly high. According to the traffic impact statement submitted with the application, the overall increased number of dwellings (32) would generate a total of 160 vehicle trips per day, with 16 vehicle trips in each peak hour. It is not considered that this additoinal traffic would adversely impact the traffic operation of Fraser Street or any of the surrounding streets.

Waste

283. The development plans have been amended to incorporate separate waste storage areas for the apartments, retail premises and townhouses, with individual waste storage areas for Unit 1 and TH1 addressing Fraser Street. All waste will be hidden from external view. An amended Waste Management Plan (WMP) was submitted, with this document noting that all waste will be collected from Fraser Street by a private contractor. This is consistent with the previous outcome, whereby all waste for the 6-storey development was to be collected by a private contractor on Fraser Street. The amended WMP was deemed satisfactory by Council's City Works Unit, who did not raise issue with the method or location of waste collection for the development.

284. Condition 9 of the current permit references a previous WMP and includes requirements for this document to be updated. To ensure consistency, Condition 9 will be amended to remove reference to the previous WMP and ensure that the amended WMP (prepared by Leigh Design and dated 3 April 2020) is endorsed as part of the amended permit.

285. As outlined earlier, Planning Scheme Amendment VC142 (introduced into the Scheme on 16 January 2018) removed Clause 52.07 and subsequently removed all loading and unloading requirements for new developments. The approved development relied on on-street loading facilities, with no designated loading space provided on-site. Council Engineers continue to support this outcome.

<u>Amendments to the planning permit</u>

286. To facilitate the proposed changes to the permit, the following alterations to the permit preamble and specific conditions will be required. These are outlined in detail below.

287. The permit preamble amended from;

    (a) *Demolition, alterations and a six storey addition containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings; reduction of the standard car parking requirement to zero for the residential visitors and the retail premises; and waiver of the loading bay requirement in accordance with the endorsed plans.*

288. To;

    (a) *Demolition, alterations and a six storey addition **and townhouses** containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings and the retail premises in accordance with the endorsed plans.*

289. All Condition 1 requirements deleted and replaced with those discussed throughout this report.

290. Condition 3 amended from;

    (a) *Before the use and development commences, a 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 SMP must include;*
        (i) *A STORM assessment, with this assessment achieving a minimum of 100% compliance.*
        (ii) *A commitment to exceeding the minimum 6 star NatHERS NCC standard.*
        (iii) *A commitment to providing 27 bicycle parking spaces on site and 5 visitor bicycle parking spaces off-site (subject to Council consent).*

291. To;

    (a) *Before the use and 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 Sustainable Design Consultants and dated April 2020, but modified to include or show:*
        (i) *Increase reduction of lighting power densities to 20%;*
        (ii) *A target to reuse or recycle >80% of demolition and construction waste (divert from landfill) included in the Environmental Management Plan;*
        (iii) *Organic waste facilities for the food and drink premises;*
        (iv) *Clarify provision of boilers;*
        (v) *Confirm reduction in peak energy demand associated with building fabric and services proposed;*
        (vi) *Clarify provision of CO monitoring for carpark ventilation;*
        (vii) *Clarify timber by weight or cost to be reused/recycled; and,*
        (viii) *EV charging stations provided for the 3 at-grade car parking spaces.*

292. Condition 6 amended from;

    (a) *The Acoustic Report prepared by Mr Tardio dated 4 February 2016 is to be endorsed and the findings and recommendations contained therein will then form part of this permit.*

293. To;

(a) *The Acoustic Report prepared by Acoustical Design dated 4 May 2020 to be endorsed and the findings and recommendations contained therein will then form part of this permit.*

294. Condition 9 amended from;

(a) *Before the use and 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 amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 13 August 2014, but modified to include:*
   (i) *An amended layout of the waste storage area as shown in the amended plan identified as TP04, Revision F, dated 11.01.2016; and*
   (ii) *The waste storage area to include waste storage for the two retail premises.*

295. To;

(a) *The provisions, recommendations and requirements of the endorsed Waste Management Plan (prepared by Leigh Design and dated 3 April 2020) must be implemented and complied with to the satisfaction of the Responsible Authority.*

296. The deletion of Condition 17, which reads;

(a) *Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, bike racks to accommodate 5 bicycles must be installed on the Bridge Road footpath if agreed to by the Council at the permit holder's cost to the satisfaction of the Responsible Authority.*

297. The following additional conditions to be added to the permit;

298. *Before the use and development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the endorsed Landscape Plan prepared by John Patrick Landscape Architects and dated 24 July 2019, but modified to include*
   (a) *The inclusion of No. 3 Fraser Street;*
   (b) *Include a proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacings;*
   (c) *Confirm that the vegetation within the visibility splay of Unit 1 will not exceed 900mm in height;*
   (d) *Include planting plans showing plant locations and quantities;*
   (e) *Include a legend containing key features, materials and surfaces; Provide details of any raised planter beds including height, width, depth and materials.*
   (f) *indicate the location of all areas to be covered by lawn or other surface materials;*
   (g) *Ensure that load bearing weights for the building will be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter box and plant mass proposed; and,*
   (h) *provide a specification of works to be undertaken prior to planting, to the satisfaction of the Responsible Authority.*

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

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

300. *Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:*
(a) *the protection of the two trees on Fraser Street adjacent to the site frontage;*
    (i) *pre-construction;*
    (ii) *during construction; and*
    (iii) *post construction*
(b) *the provision of any barriers;*
(c) *any pruning necessary; and*
(d) *watering and maintenance regimes,*
to the satisfaction of the Responsible Authority.

301. *Before the development commences, the permit holder must provide an Asset Protection Bond of $10,000 (ex GST) for the trees in Fraser Street adjacent to the site frontage of the development to the Responsible Authority. The security bond:*
(a) *must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;*
(b) *may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and*
(c) *in accordance with the requirements of this permit; or*
(d) *otherwise to the satisfaction of the Responsible Authority.*

302. *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.*

<u>Objector issues</u>

303. The majority of objections raised have been addressed in the assessment section of this report, as follows;

Excessive scale of 6-storey building;

304. The height of the existing approved 6-storey building will not increase, with this component of the development approved under the original planning permit.

Heritage concerns;

305. The area of development located within the heritage overlay will not alter as a result of this amendment, with all conservation works to the Bridge Road facades endorsed under the original planning permit to be retained.

Off-site amenity impacts (visual bulk, overshadowing (including overshadowing of solar panels), overlooking, loss of daylight and residential noise);

306. These issues have been discussed in paragraphs XX to XX of this report.

Internal amenity issues based on size of apartments;

307. These issues have been discussed in paragraphs XX to XX of this report.

Car parking impacts in surrounding streets;

308. These issues have been discussed in paragraphs XX to XX of this report.

Additional traffic will cause congestion in the surrounding streets;

309. These issues have been discussed in paragraphs XX to XX of this report.

Lack of end-of-trip facilities for bicycles;

310. These issues have been discussed in paragraphs XX to XX of this report.

Lack of loading facilities;

311. It is expected that loading and unloading activities can be adequately catered for at the Bridge Road frontage in association with the designated 'Loading Zone' similar to other businesses in the area.

Potential inaccuracies in the Traffic Impact Assessment;

312. The objection raises concerns with incorrect speed limits noted, incorrect distances to tram stops, incorrect on-site car parking spaces and removal of car share facilities. The issues raised will not result in any alteration to the assessment undertaken as part of this report, with Council Engineers aware of the current circumstances surrounding the site.

Waste collection on Fraser Street will cause congestion;

313. This is consistent with the previous outcome, whereby all waste for the 6-storey development was to be collected by a private contractor on Fraser Street. The amended WMP was deemed satisfactory by Council's City Works Unit, who did not raise issue with the method or location of waste collection for the development.

Concerns with excavation of the land.

314. Whilst this issue is primarily a building issue, a Construction Management Plan has been added as a condition of the planning permit.

Conclusion

315. Based on the above report, the proposal is considered to meet the relevant elements of the Yarra Planning Scheme. Subject to the conditions outlined below, the proposal is recommended for approval.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN14/0571 for demolition, alterations and a six-storey addition and townhouses containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings and the retail premises in accordance with the endorsed plans. at 452-456 Bridge Road and 1-3 Fraser Street, Richmond, 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 two copies must be provided. The plans must be generally in accordance with the plans numbered TP02 – TP24 (inclusive) dated 25 November 2019 and prepared by KUD, but modified to show;

   (a) An amended ground and first-floor demolition plan, including all demolition works and retained elements as outlined in the endorsed plans, along with the proposed demolition of No. 3 Fraser Street;
   (b) All relevant elevations amended to include the overall heights from natural ground level (NGL) of Unit 1 and all proposed townhouses;
   (c) The setbacks from all levels of the townhouses from the eastern and southern boundaries to be consistently shown on all floor plans and elevations;
   (d) The depth of all balconies proposed for the townhouses to be shown on the floor plans;
   (e) Any inaccuracies on the plans to be corrected, including but not limited to;
      (i) The floor area calculation of the ground-floor courtyard of TH3;
      (ii) The layout of Townhouse 5 on Drawing TP23 – Courtyard South elevation;
      (iii) The Unit numbers of the approved development on Section B-B;
   (f) No part of the amended 6-storey building (excluding services) to be higher than the approved 6-storey development;
   (g) The balcony balustrades along the east and west perimeters of the fifth-floor to be composed of a solid material;
   (h) A minimum of 9 cubic metres of internal storage be provided for Unit 23 & a minimum of 12 cubic metres of internal storage be provided for Unit 27;
   (i) The minimum storage requirements outlined at Clause 55.05-6 (Standard B30 – Storage) to be provided for all townhouses;
   (j) The second bedroom for Unit 23 to be deleted, with the living area to be a minimum of 10sqm with a minimum dimension of 3.3m;
   (k) The provision of a south-facing window for the study of Unit 27, with internal access to this room demonstrated on the plans;
   (l) A notation confirming that the rainwater tank in the basement will be connected to toilets within the development;
   (m) All south-facing windows and balconies within 9m of the habitable room windows and secluded private open space of No. 7 Fraser Street to be screened in accordance with Clause 55.04-6 (Standard B22 – Overlooking objective) of the Yarra Planning Scheme, with an overlooking diagram submitted to demonstrate the windows and balconies within this 9m radius;
   (n) A notation confirming that all sections of obscure glazed windows (to a height of 1.7m above finished floor level) to be shown as being fixed;
   (o) A notation on the first floor plan confirming that the material of the screen along the eastern and southern perimeter of the balcony of Townhouse 5 will have a maximum transparency of 25%;
   (p) Confirmation that Clause 55.04-7 (Standard B23-Internal views objective) will be met from the balconies of all south-facing apartments into the ground-floor courtyards of Townhouses 2 & 3;
   (q) The unlabelled room in townhouse 5 to be either designated as a non-habitable space (i.e. walk-in-robe) or removed from the plans;
   (r) EV charging stations to be provided for the 3 at-grade car parking spaces;
   (s) The headroom clearance at the development entrance, from the surface of the ramp to the underside of the first-floor slab, to be dimensioned;
   (t) The introduction of a traffic signal system (Stop/Go arrangement) with one signal proximate to the vehicle entrance and the second at the base of the ramp, within the basement level;
   (u) The residential bicycle parking areas to be consolidated into a maximum of 2 separate storage spaces, with these areas to be secure and to comply with the requirements of Australian Standard AS2890.3;

(v) Any changes as required by the endorsed Sustainable Management Plan at Condition 3;
(w) Any changes as required by the endorsed Landscape Plan at Condition 8.

2 The development and use 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 use and 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 Sustainable Design Consultants and dated April 2020, but modified to include or show:
(a) Increase reduction of lighting power densities to 20%;
(b) A target to reuse or recycle >80% of demolition and construction waste (divert from landfill) included in the Environmental Management Plan;
(c) Organic waste facilities for the food and drink premises;
(d) Clarify provision of boilers;
(e) Confirm reduction in peak energy demand associated with building fabric and services proposed;
(f) Clarify provision of CO monitoring for carpark ventilation;
(g) Clarify timber by weight or cost to be reused/recycled; and,
(h) EV charging stations provided for the 3 at-grade car parking spaces.

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.

Acoustic Report

5 The Acoustic Report prepared by Acoustical Design dated 4 May 2020 to be endorsed and the findings and recommendations contained therein will then form part of this permit.

6 The use and/or development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

Waste Management Plan

7 The provisions, recommendations and requirements of the endorsed Waste Management Plan (prepared by Leigh Design and dated 3 April 2020) must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

8 Before the use and development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the endorsed Landscape Plan prepared by John Patrick Landscape Architects and dated 24 July 2019, but modified to include
(a) The inclusion of No. 3 Fraser Street;
(b) Include a proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacings;

(c) Confirm that the vegetation within the visibility splay of Unit 1 will not exceed 900mm in height;
(d) Include planting plans showing plant locations and quantities;
(e) Include a legend containing key features, materials and surfaces;
(f) Provide details of any raised planter beds including height, width, depth and materials.
(g) indicate the location of all areas to be covered by lawn or other surface materials;
(h) Ensure that load bearing weights for the building will be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter box and plant mass proposed; and,
(i) provide a specification of works to be undertaken prior to planting,
to the satisfaction of the Responsible Authority.

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

Tree Management Plan

10 Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
(a) the protection of the two trees on Fraser Street adjacent to the site frontage;
  (i) pre-construction;
  (ii) during construction; and
  (iii) post construction
(b) the provision of any barriers;
(c) any pruning necessary; and
(d) watering and maintenance regimes,
(e) to the satisfaction of the Responsible Authority.

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

12 Before the development commences, the permit holder must provide an Asset Protection Bond of $10,000 (ex GST) for the trees in Fraser Street adjacent to the site frontage of the development to the Responsible Authority. The security bond:
(a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
(b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
(c) in accordance with the requirements of this permit; or
(d) otherwise to the satisfaction of the Responsible Authority.

Infrastructure

13 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.

14 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.

15 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
(a) at the permit holder's cost; and
(b) to the satisfaction of the Responsible Authority.

General

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

17 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 car park, and dwelling entrances must be provided. Lighting must be:
(a) located;
(b) directed;
(c) shielded; and
(d) of limited intensity,
to the satisfaction of the Responsible Authority.

18 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 and thereafter maintained to the satisfaction of the Responsible Authority.

19 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer’s specifications by a suitably qualified person and in accordance with the acoustic engineering recommendations in the endorsed acoustic report at condition 6 to the satisfaction of the Responsible Authority.

20 The car stackers shown on the endorsed plans must be maintained by a suitably qualified person; and to the satisfaction of the Responsible Authority.

21 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

Development Contribution Plan

22 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

23 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
- (b) before 9.00 am or after 3.00 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.

24 Before the use and 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 (as appropriate):
- (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; and
- (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.

Permit Expiry

25 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.
(c) the use is not commenced within five years from the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act* 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

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

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

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

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

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 PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

2 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Urban Design advice on amended plans

3 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Urban Design

4 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Street trees and natural values

5 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

6 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Open Space and Design

7 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

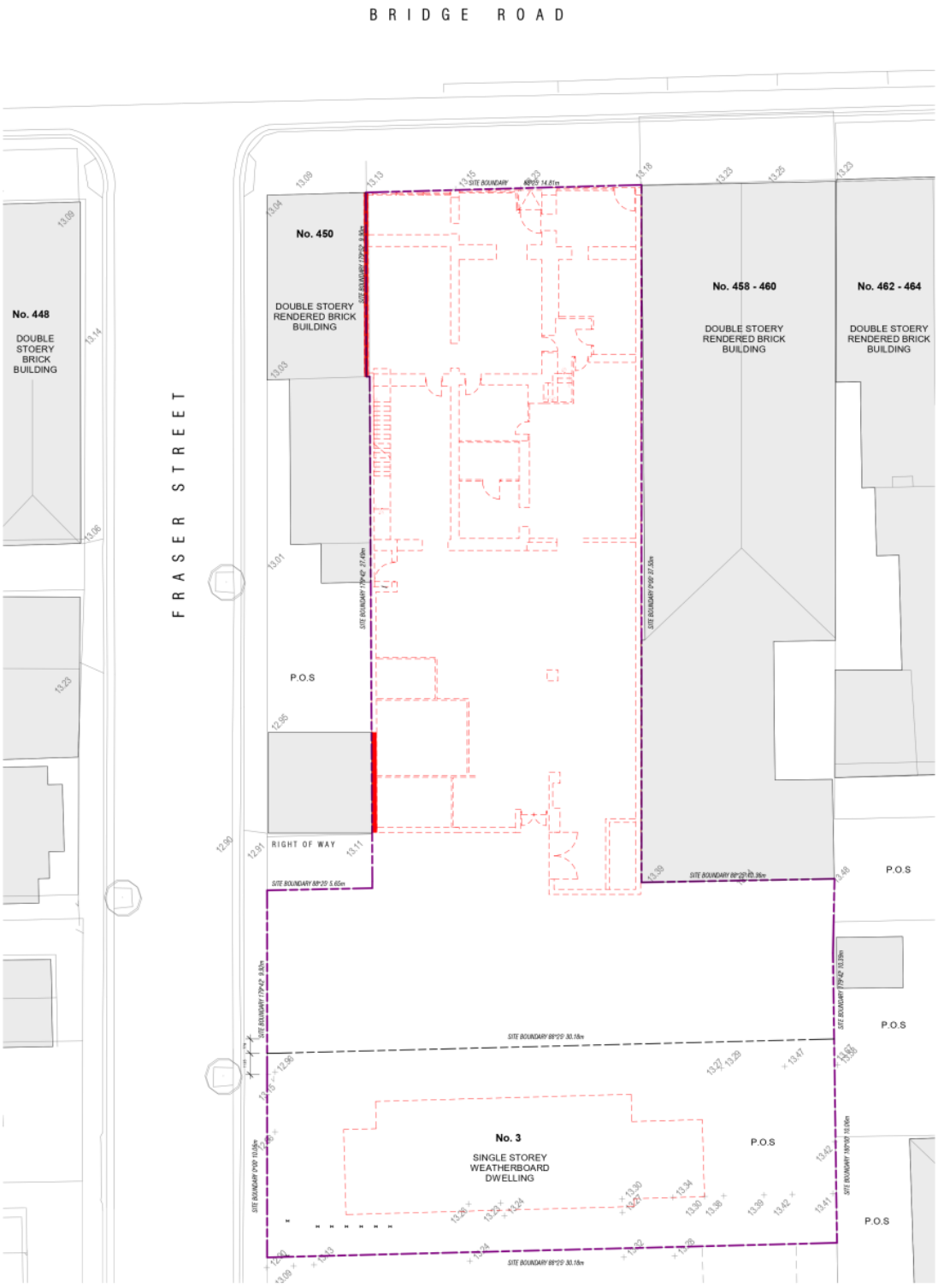
8 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - ESD

9 PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - City Works

10 PLN14/0571.01 - 452 – 456 Bridge Road & 1 – 3 Fraser Street, Richmond - Strategic Transport

11 PLN14/0571.01 - 452 - 456 Bridge Road & 1 - 3 Fraser Street Richmond - Engineering

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



2 DEMOLITION PLAN
1 : 100

Revision	Issue	Checked	Date
C	FURTHER INFORMATION	KUD	2020.04.06

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TP - TOWN PLANNING
SK - SCHEMATIC DESIGN
DD - DESIGN DEVELOPMENT

FURTHER INFORMATION

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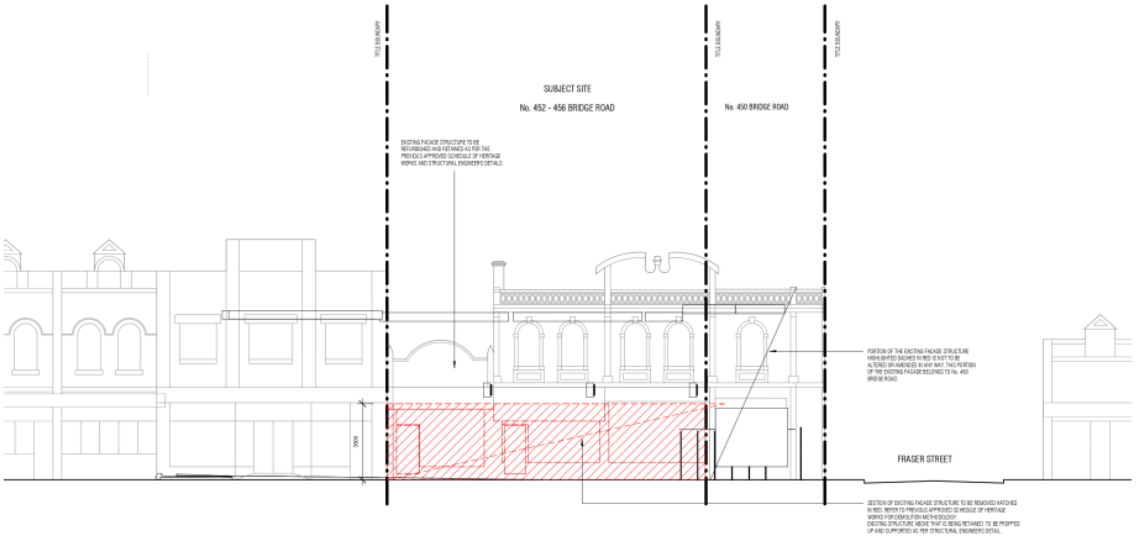
PROJECT No: 12-0002

TITLE: Ground Floor Demolition Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS 1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	C	TP02	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



1 FACADE DEMOLITION
1 : 100

Revision	Issue	Checked	Date
C	FURTHER INFORMATION	KUD	2020.04.06

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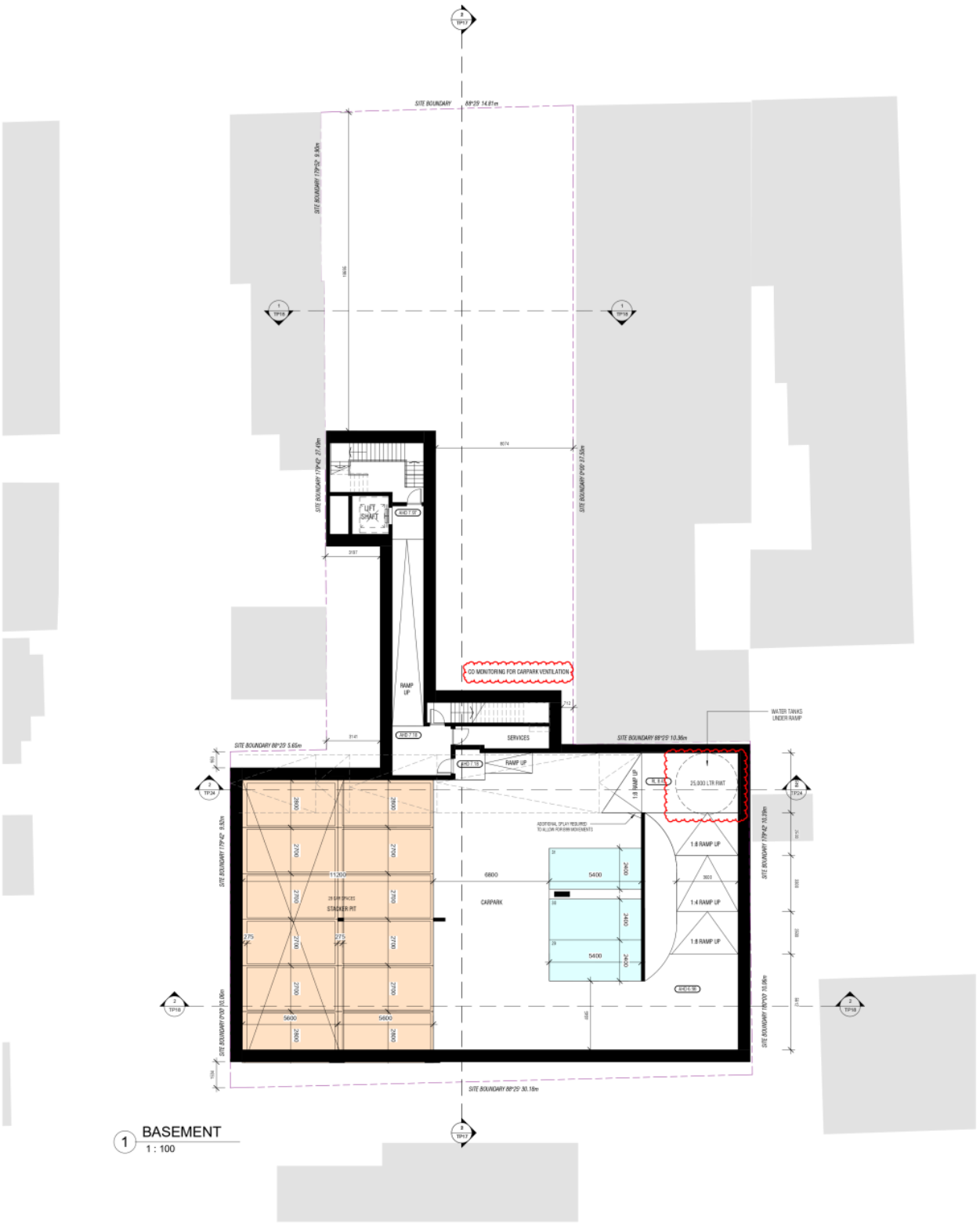
PROJECT No: 12-0002

TITLE: Facade Elevation Demolition
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	Author	1 : 100@A1	C	TP02.1	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



1 BASEMENT
1 : 100

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
D	FURTHER INFORMATION	KUD	2020.06.02
E	FURTHER INFORMATION	KUD	2020.11.19

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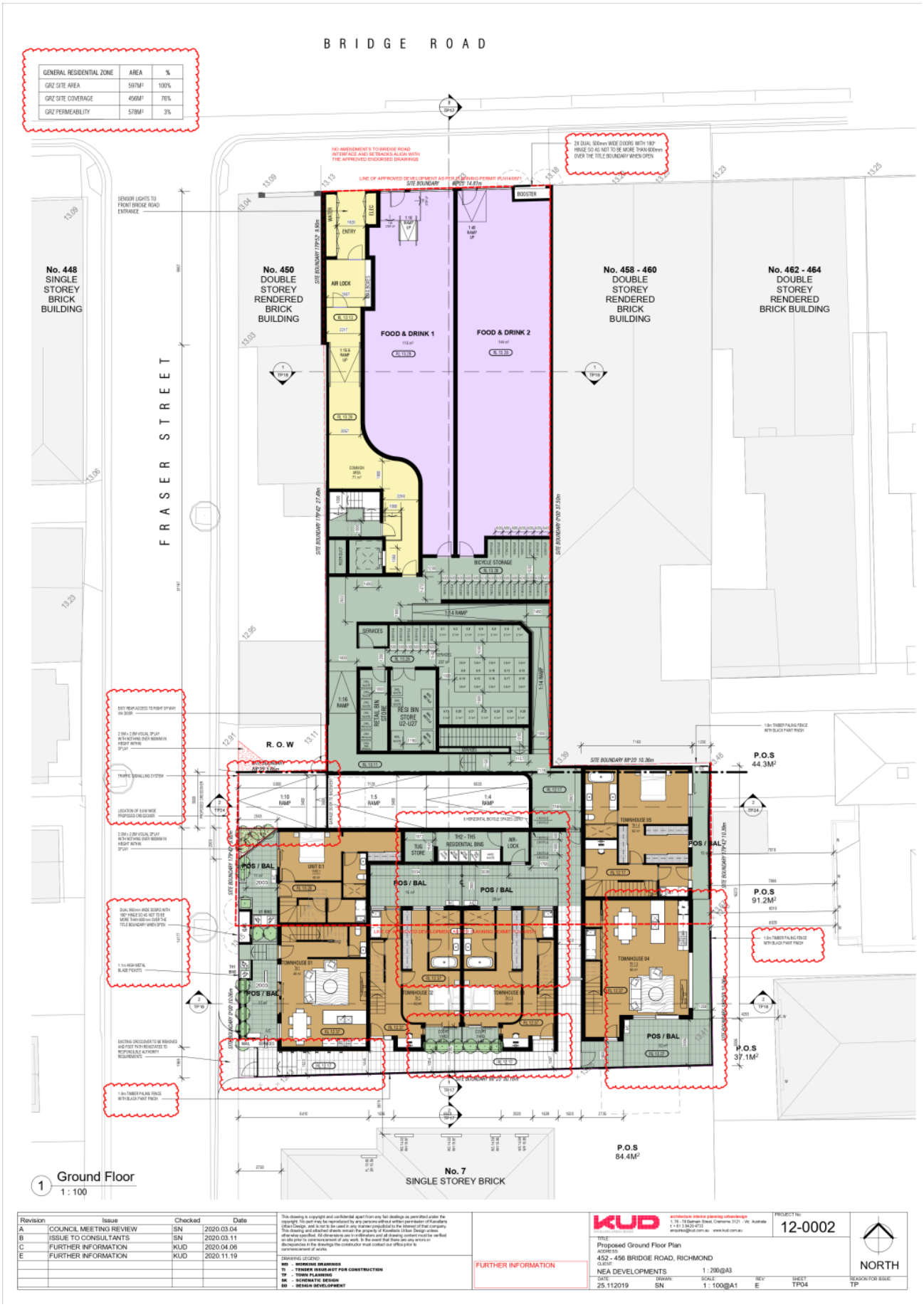
PROJECT No: 12-0002

TITLE: Proposed Basement Floor Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	E	TP03	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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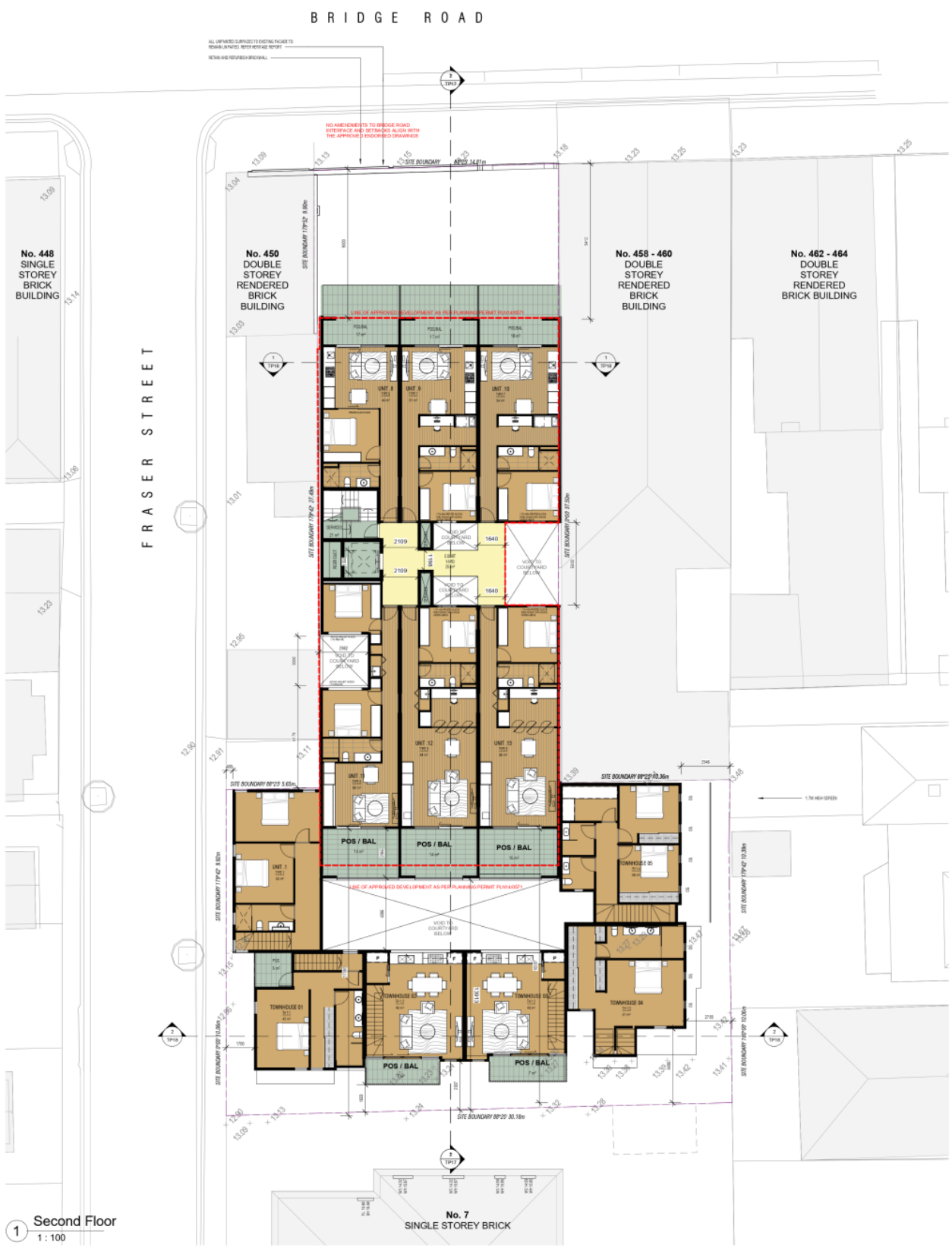
PROJECT No: 12-0002

TITLE: Proposed First Floor Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	E	TP05	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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enquiries@kud.com.au www.kud.com.au

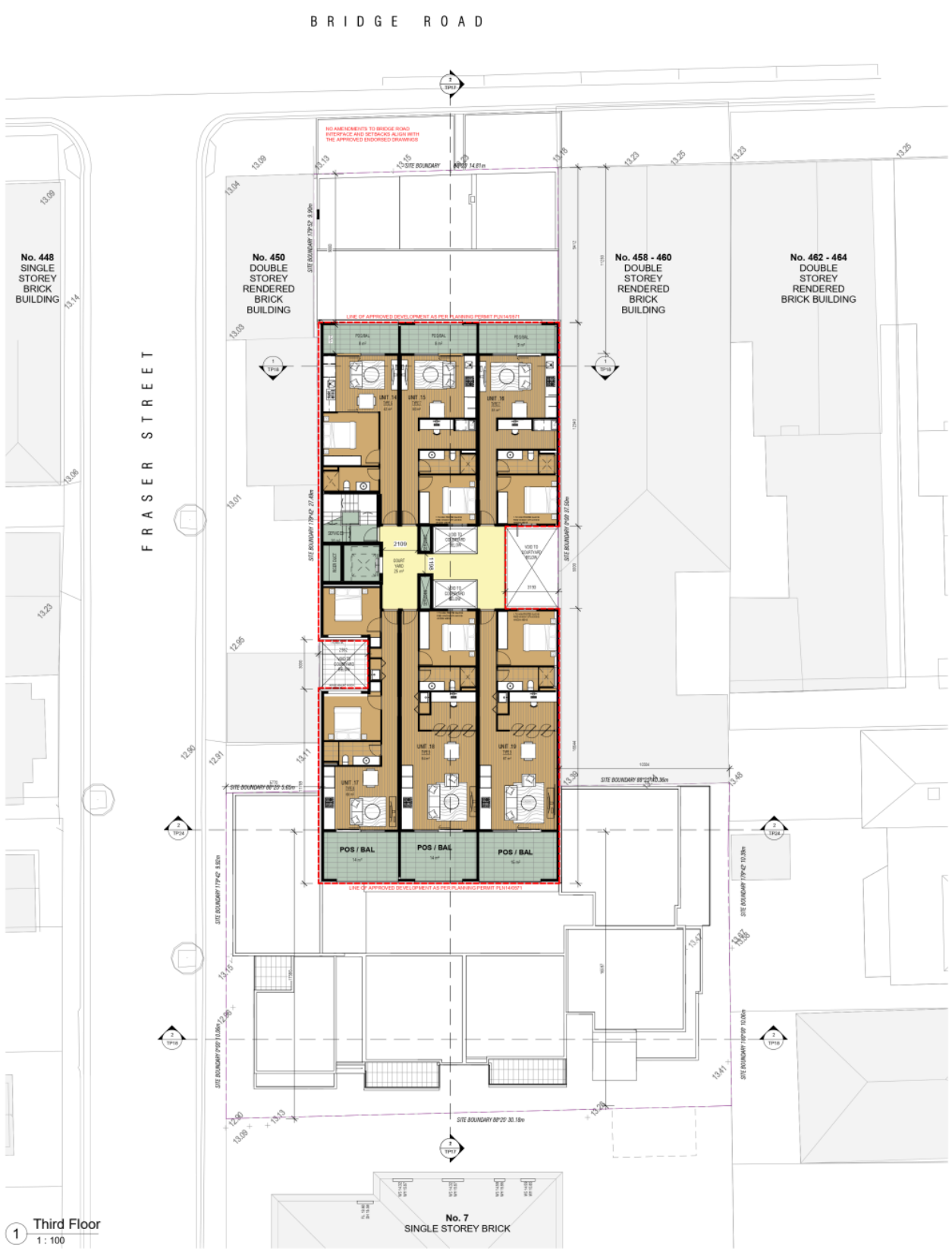
PROJECT No: 12-0002

TITLE: Proposed Second Floor Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	E	TP06	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

FURTHER INFORMATION

KUD architecture interior planning urbandesign

PROJECT No: 12-0002

TITLE: Proposed Third Floor Plan

ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND

CLIENT: NEA DEVELOPMENTS

1 : 200@A3

DATE: 25.112019 | DRAWN: SN | SCALE: 1 : 100@A1 | REV: E | SHEET: TP07 | REASON FOR ISSUE: TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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DD - DESIGN DEVELOPMENT

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PROJECT No: 12-0002

TITLE: Proposed Fourth Floor Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	E	TP08	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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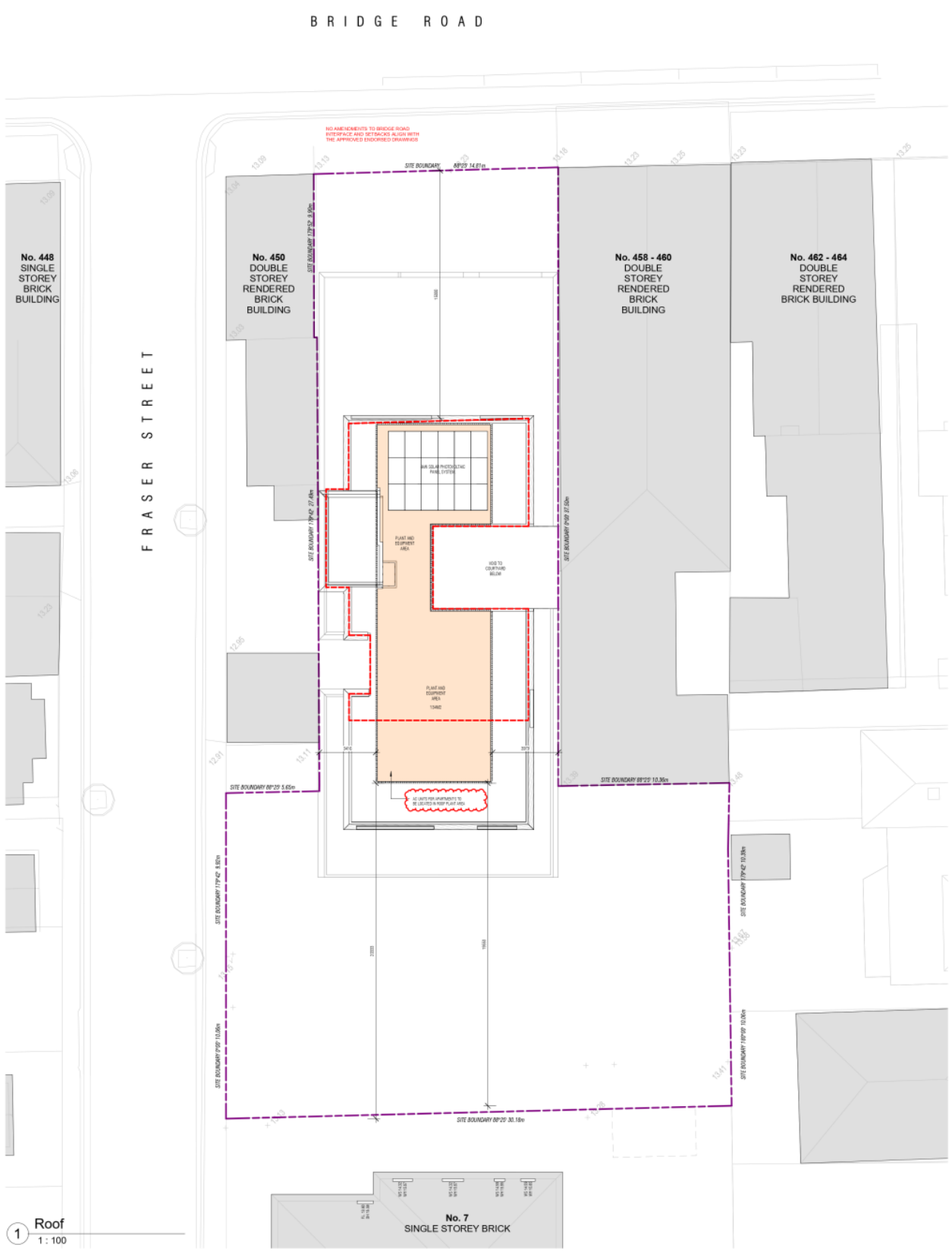
PROJECT No: 12-0002

TITLE: Proposed Fifth Floor Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	E	TP09	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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enquiries@kud.com.au www.kud.com.au

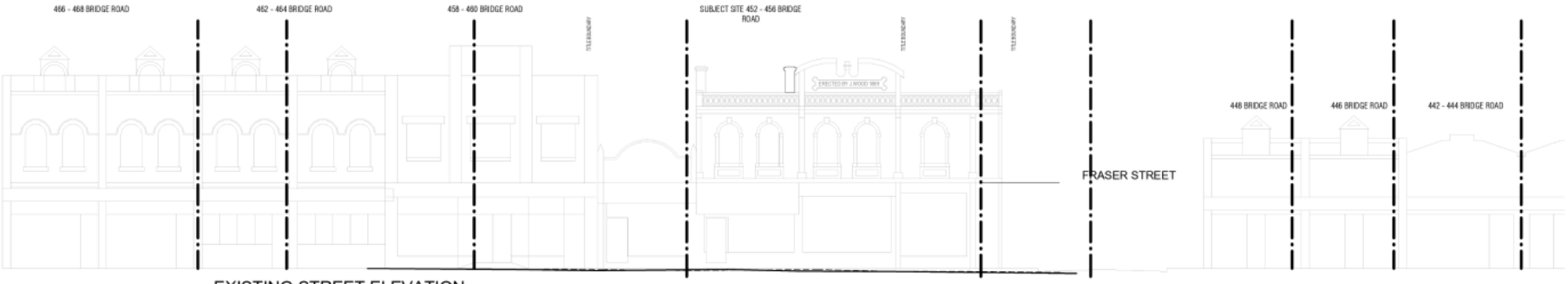
PROJECT No: 12-0002

TITLE: Proposed Roof Plan
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE	DRAWN	SCALE	REV	SHEET	REASON FOR ISSUE
25.112019	Author	1 : 100@A1	E	TP10	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



1 EXISTING STREET ELEVATION
1 : 100

2 PROPOSED STREET ELEVATION
1 : 100

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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PROJECT No: 12-0002

TITLE: Street Elevations
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS

DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 100@A1	E	TP14	TP

1 : 200@A3

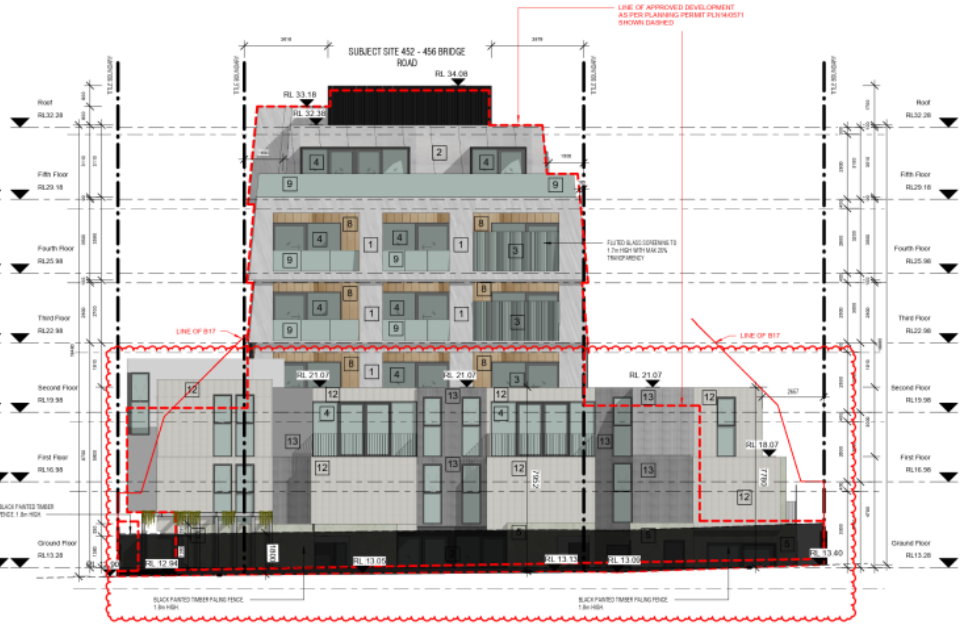
NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

MATERIAL SCHEDULE

1	SILVER METAL CLADDING
2	LIGHT GREY RENDER WITH EXPRESSION JOINTS
3	OBSCURE GLAZING / FLUTTED GLASS
4	CLEAR GLAZING
5	CONCRETE LOOK RENDER
6	GREY BRICKWORK
7	BLOCK WORK
8	TREATED TIMBER CLADDING/ LINING
9	CLEAR GLASS BLAUSTRADE
10	VERTICAL METAL FINS
11	BARESTONE CLADDING
12	WHITE STANDING SEAM CLADDING
13	BLACK STANDING SEAM CLADDING
14	MIRROR
15	WHITE RENDER

1 PROPOSED NORTH ELEVATION
1 : 100



2 PROPOSED SOUTH ELEVATION
1 : 100

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
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C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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DRAWING LEGEND
DRAWING STATUS
TI - TENDER ISSUE-NOT FOR CONSTRUCTION
TP - TOWN PLANNING
SK - SCHEMATIC DESIGN
DD - DESIGN DEVELOPMENT

FURTHER INFORMATION

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PROJECT No: 12-0002

TITLE: Proposed Elevations
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS

DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 200@A3 As indicated@A1	E	TP15	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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DRAWING LEGEND
—WORKING DRAWINGS—
TI - TENDER ISSUE-NOT FOR CONSTRUCTION
TP - TOWN PLANNING
SK - SCHEMATIC DESIGN
DD - DESIGN DEVELOPMENT

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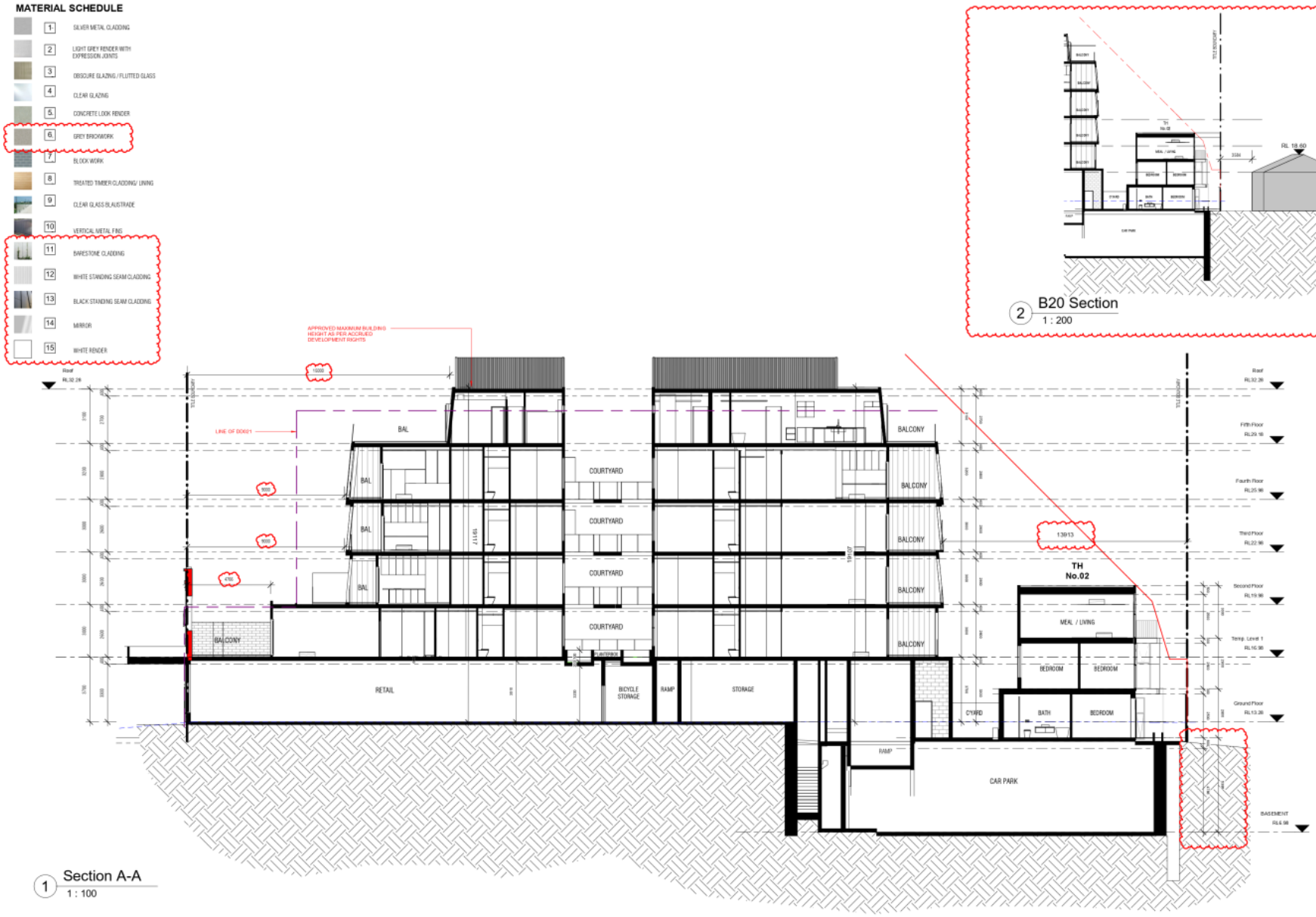
PROJECT No: 12-0002

TITLE: Proposed Elevations 04
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	As indicated@A1	E	TP16	TP

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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DRAWING LEGEND
DD — DEVELOPED DRAWINGS
TI - TENDER ISSUE-NOT FOR CONSTRUCTION
TP - TOWN PLANNING
SK - SCHEMATIC DESIGN
DD - DESIGN DEVELOPMENT

FURTHER INFORMATION

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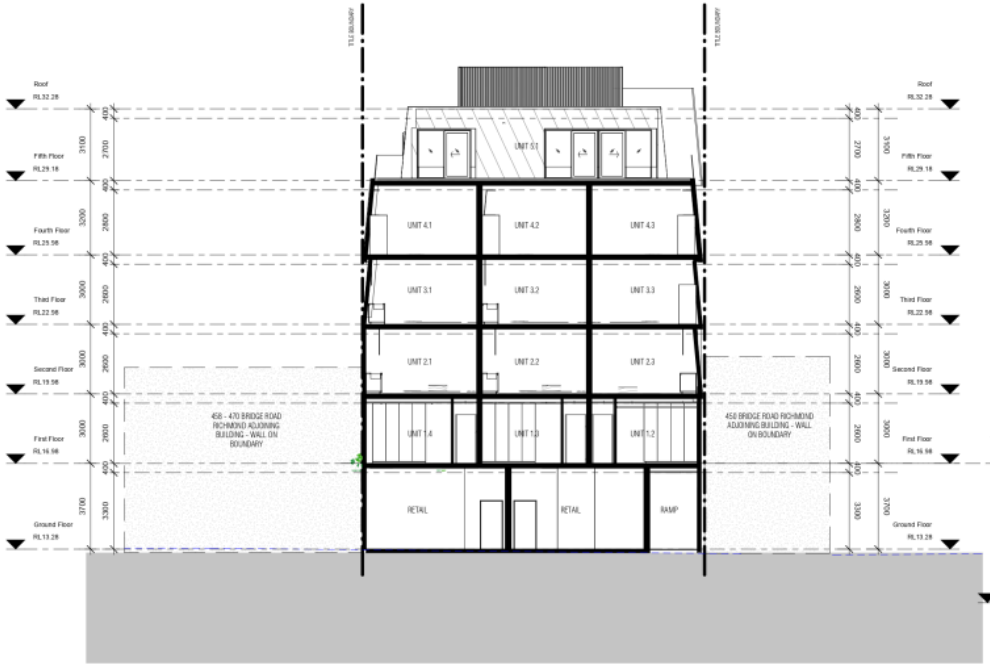
PROJECT No: 12-0002

TITLE: Proposed Section 01
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS

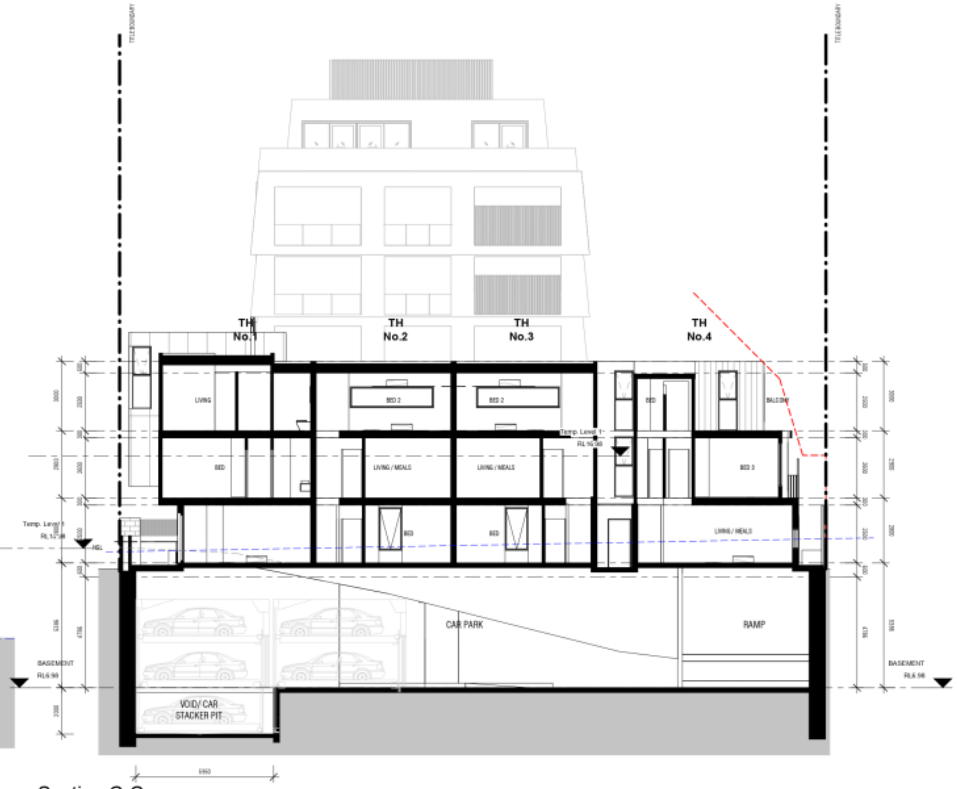
DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 200@A3 As indicated@A1	E	TP17	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



1 Section B-B
1 : 100



2 Section C-C
1 : 100

Revision	Issue	Checked	Date
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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PROJECT No: 12-0002

TITLE: Proposed Section 02
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS

DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 100@A1	E	TP18	TP

1 : 200@A3

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

MATERIAL SCHEDULE

1 - SILVER METAL CLADDING

2 - BRONZE COLOURED ALUMINIUM CLADDING

3 - OBSCURE GLAZING / FLUTTED GLASS

4 - CLEAR GLAZING

5 - CONCRETE LOOK RENDER

6 - GREY BRICKWORK

7 - BLOCK WORK

8 - TREATED TIMBER CLADDING/ LINING

9 - CLEAR GLASS BLAUSTRADE

10 - VERTICAL METAL FINS

11 BARESTONE CLADDING

12 WHITE STANDING SEAM CLADDING

13 BLACK STANDING SEAM CLADDING

14 MIRROR

15 WHITE RENDER

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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PROJECT No: 12-0002

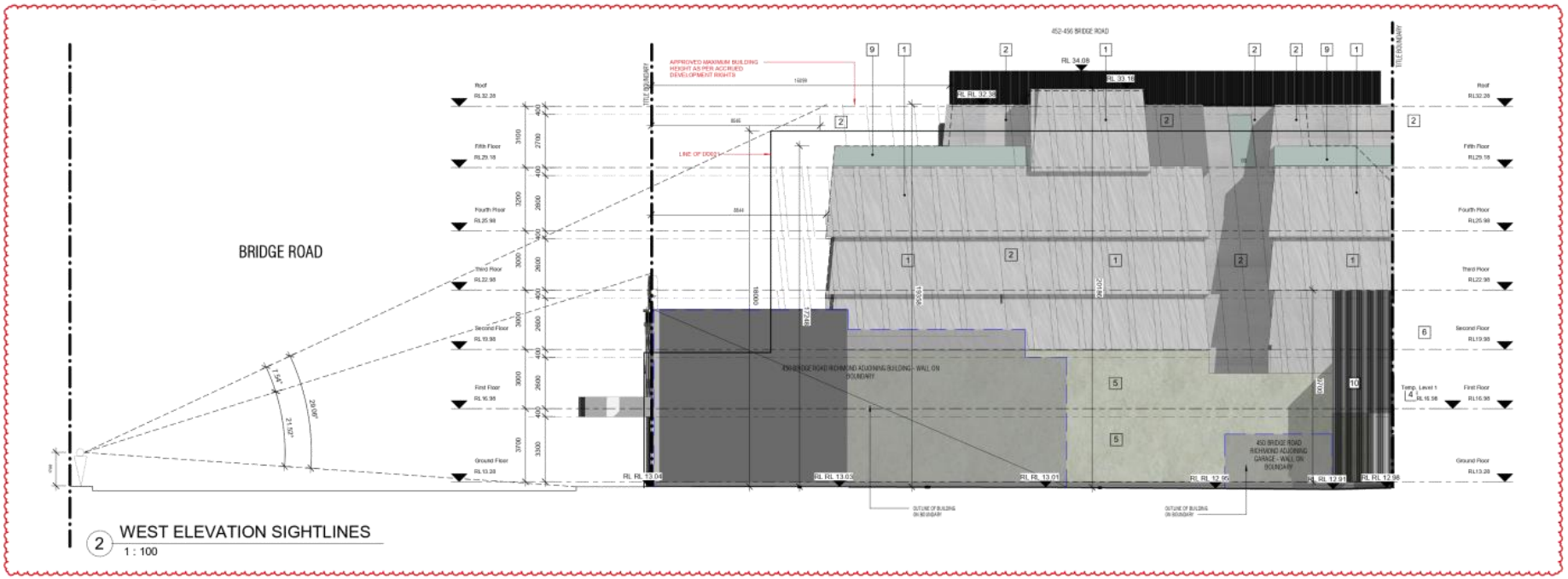
TITLE: Proposed Material Schedule
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS

DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 50@A1	E	TP20	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

1 NORTH ELEVATION - R.O.W
1 : 100



2 WEST ELEVATION SIGHTLINES
1 : 100

Revision	Issue	Checked	Date
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06

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ISSUED DRAWINGS
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PROJECT No: 12-0002

TITLE: Proposed North Elevation - R.O.W
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS
1 : 200@A3

DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 100@A1	C	TP21	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans

2 COURTYARD - SOUTH ELEVATION
1 : 100

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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DRAWING LEGEND
—REQUIRED DRAWINGS—
TI - TENDER ISSUE-NOT FOR CONSTRUCTION
TP - TOWN PLANNING
SK - SCHEMATIC DESIGN
DD - DESIGN DEVELOPMENT

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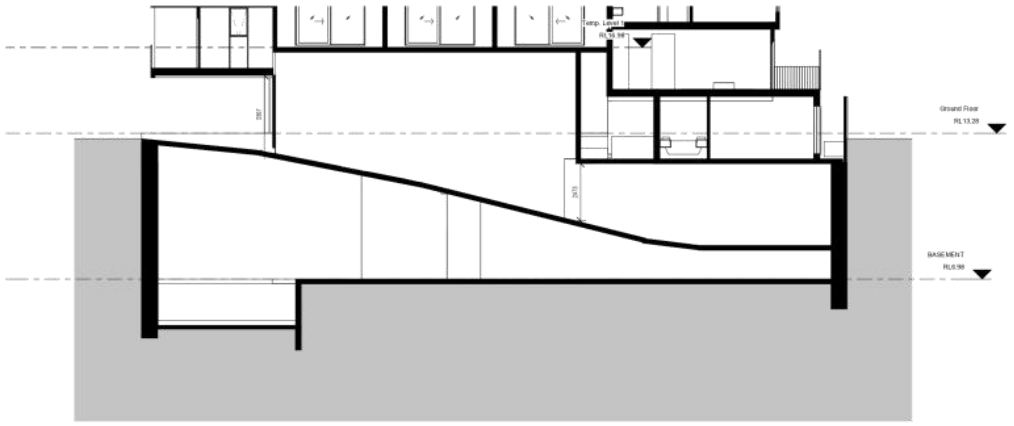
PROJECT No: 12-0002

TITLE:
COURTYARD - SOUTH ELEVATION
ADDRESS:
452 - 456 BRIDGE ROAD, RICHMOND
CLIENT:
NEA DEVELOPMENTS 1 : 200@A3

DATE:	DRAWN:	SCALE:	REV:	SHEET:	REASON FOR ISSUE:
25.112019	SN	1 : 100@A1	E	TP23	TP

NORTH

Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



2 RAMP SECTION
1 : 100

1 COURTYARD - NORTH ELEVATION
1 : 100

Revision	Issue	Checked	Date
A	COUNCIL MEETING REVIEW	SN	2020.03.04
B	ISSUE TO CONSULTANTS	SN	2020.03.11
C	FURTHER INFORMATION	KUD	2020.04.06
E	FURTHER INFORMATION	KUD	2020.11.19

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TP - TOWN PLANNING
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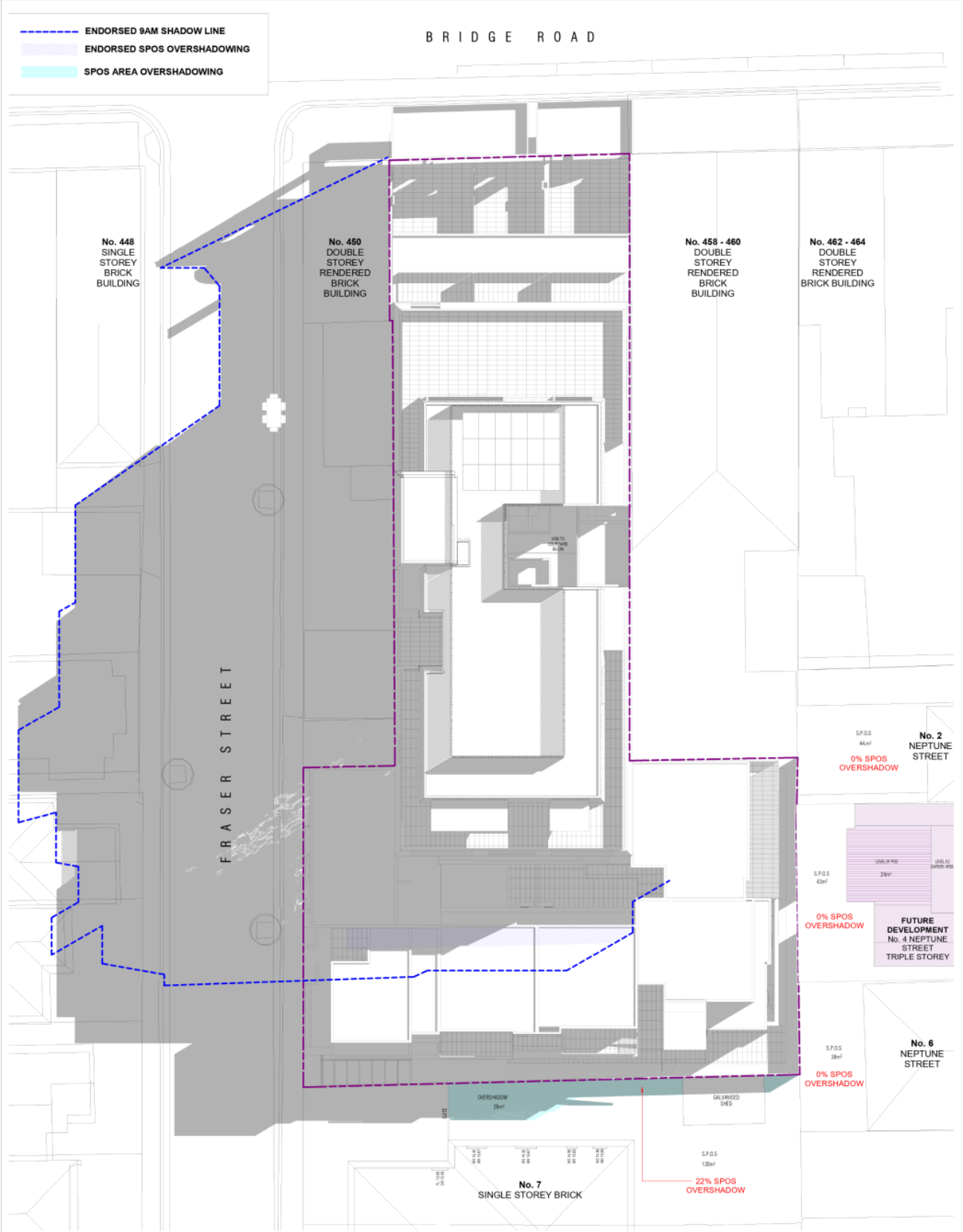
PROJECT No: 12-0002

TITLE: COURTYARD - NORTH ELEVATION
ADDRESS: 452 - 456 BRIDGE ROAD, RICHMOND
CLIENT: NEA DEVELOPMENTS 1 : 200@A3

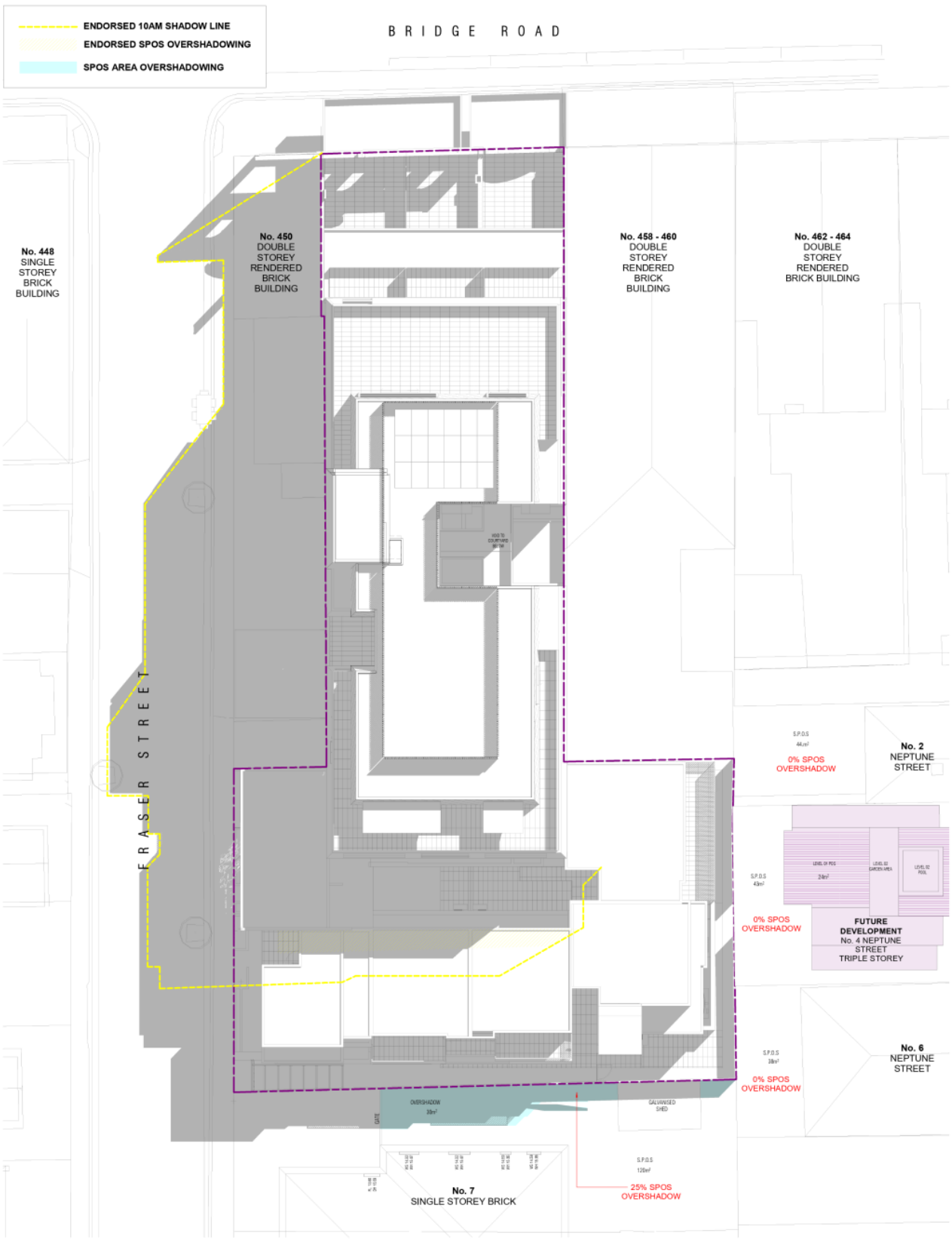
DATE	DRAWN	SCALE	REV.	SHEET	REASON FOR ISSUE
25.112019	SN	1 : 100@A1	E	TP24	TP

NORTH

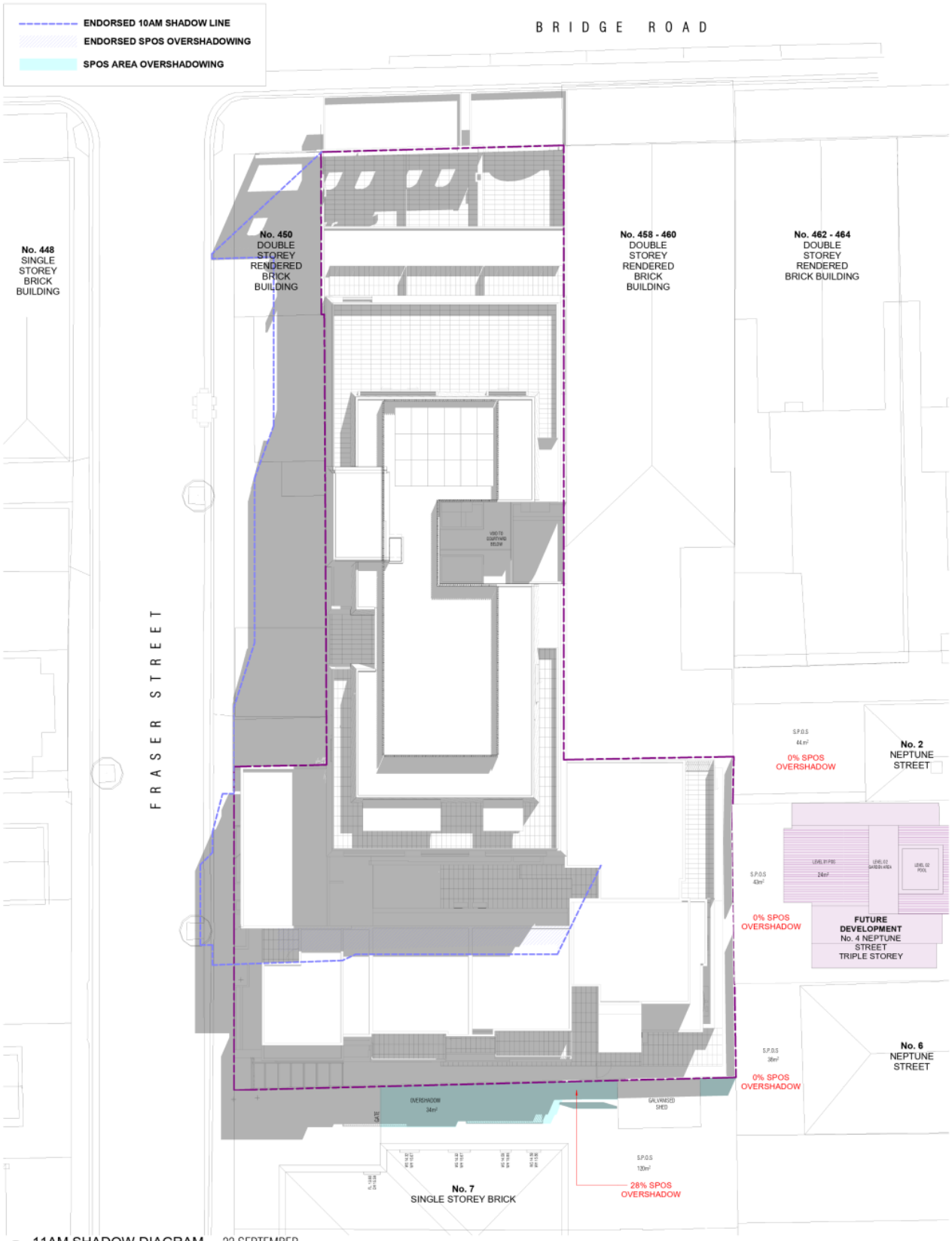
Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



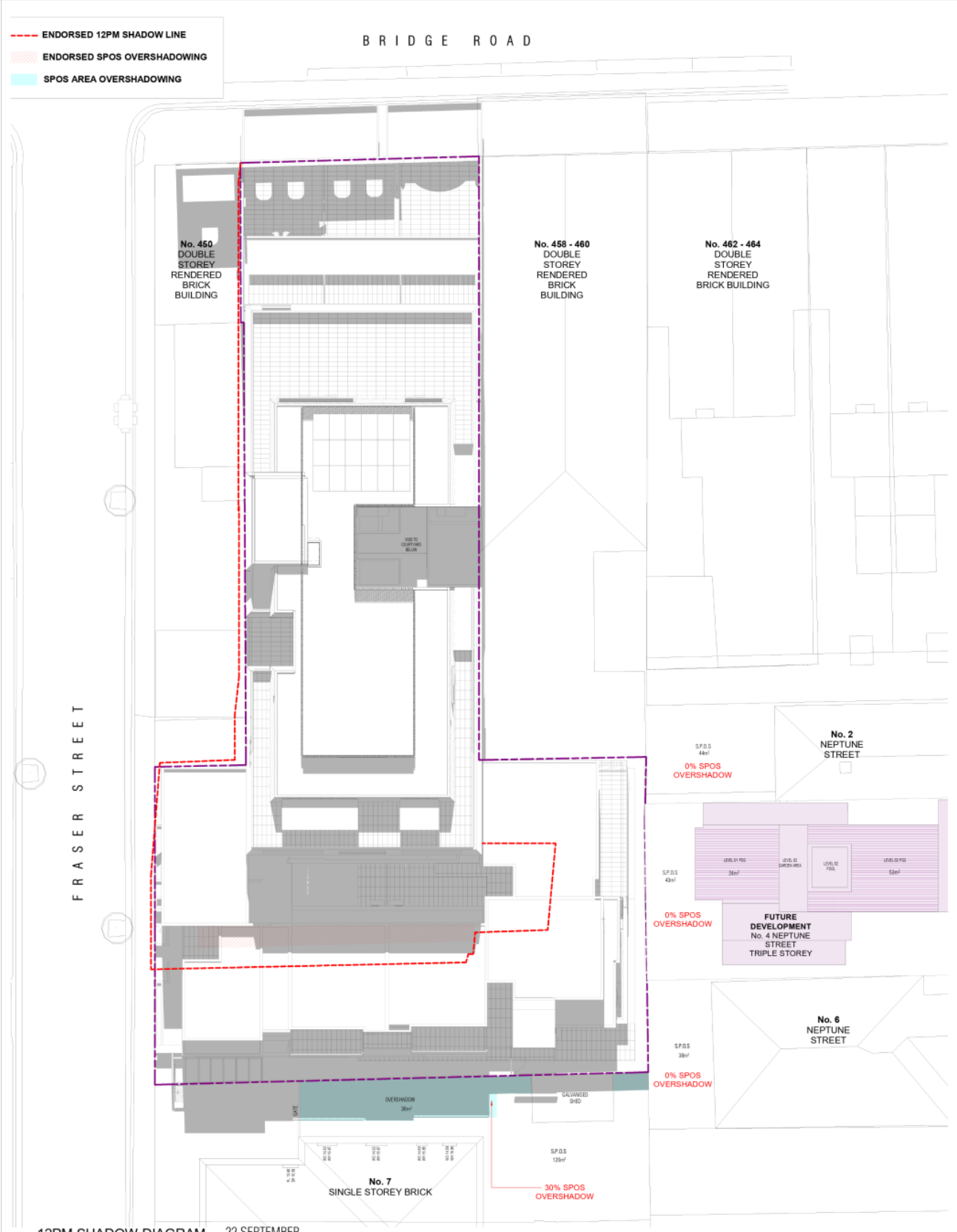
Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



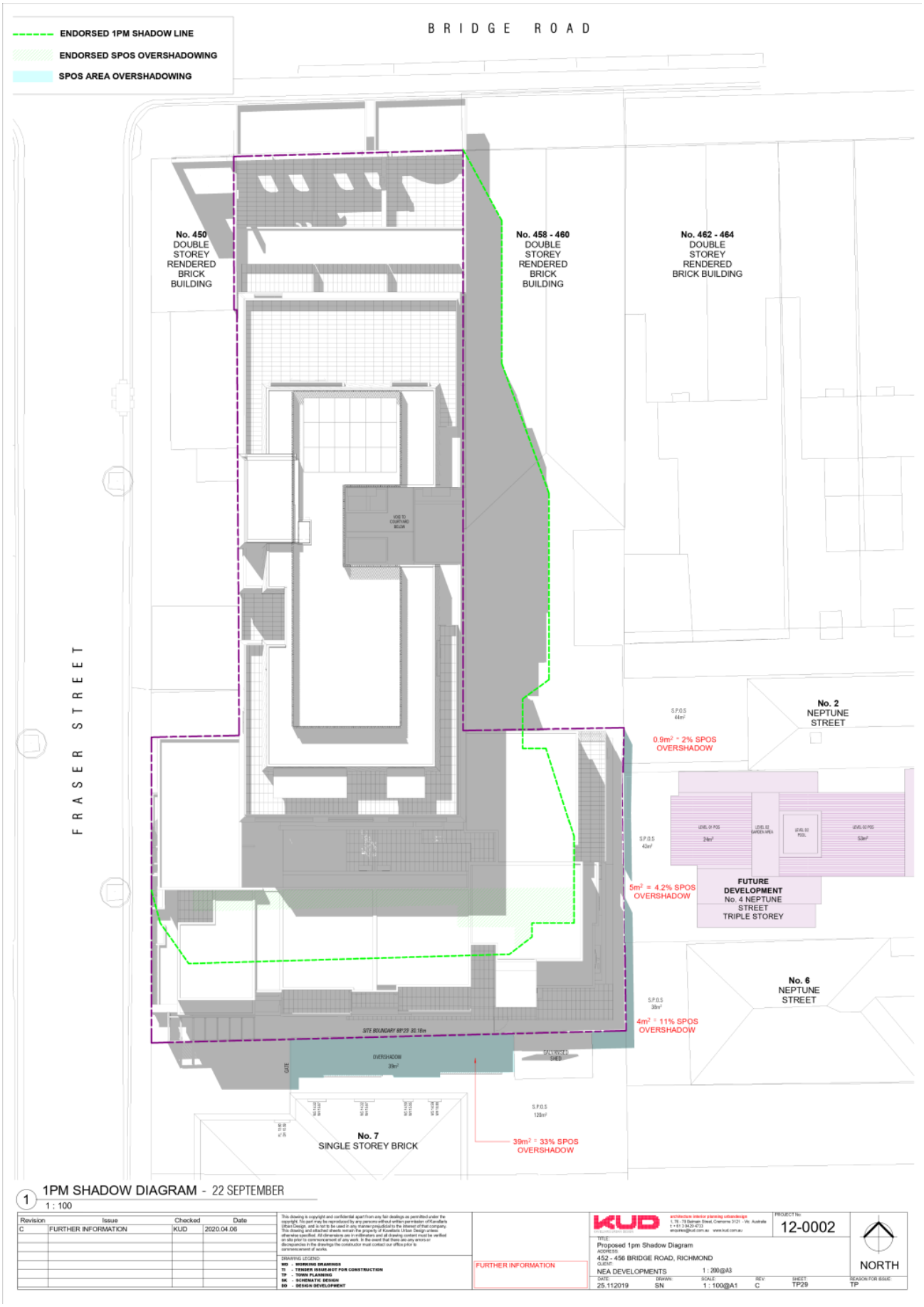
Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



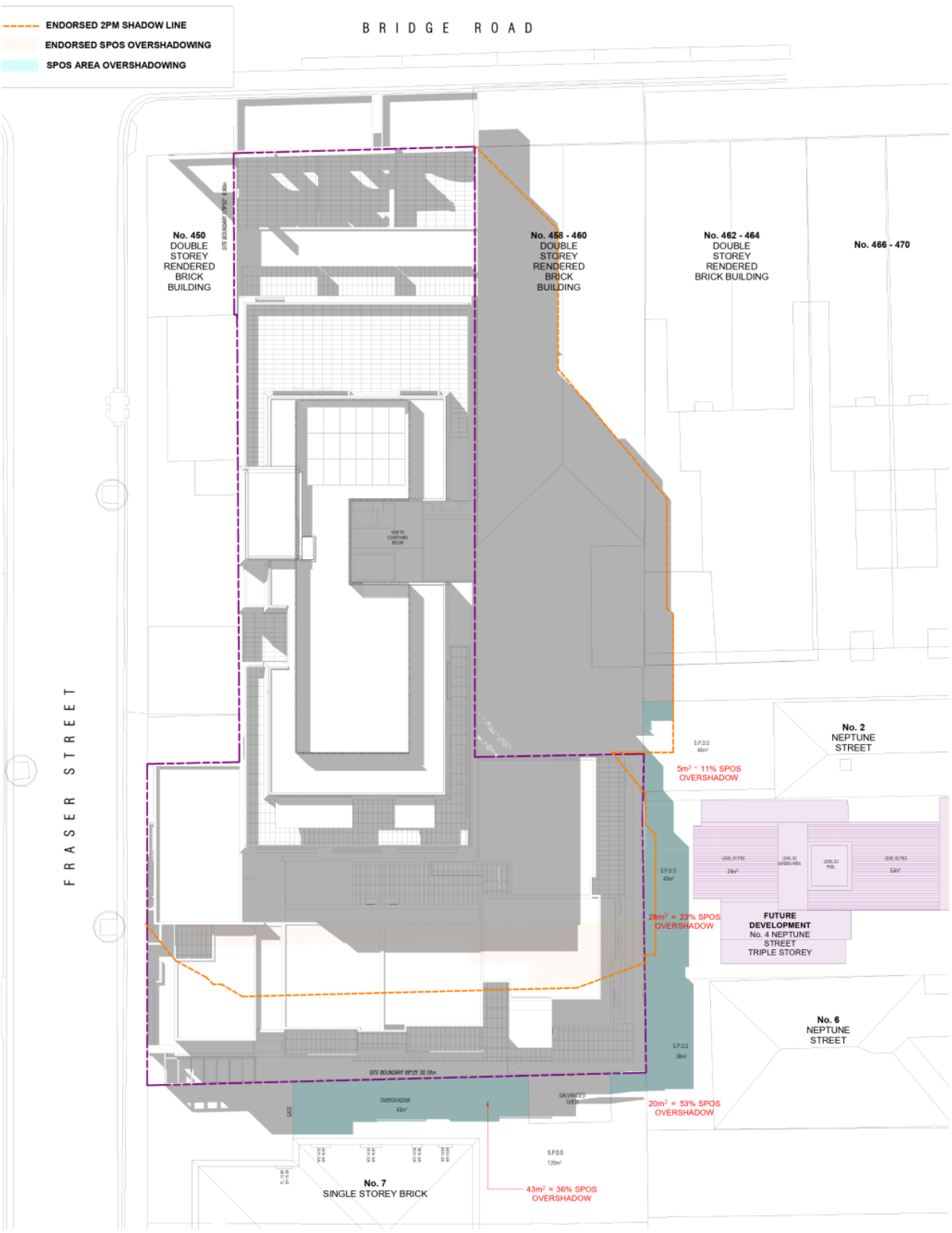
Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



Attachment 1 - PLN14/0531.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Decision Plans



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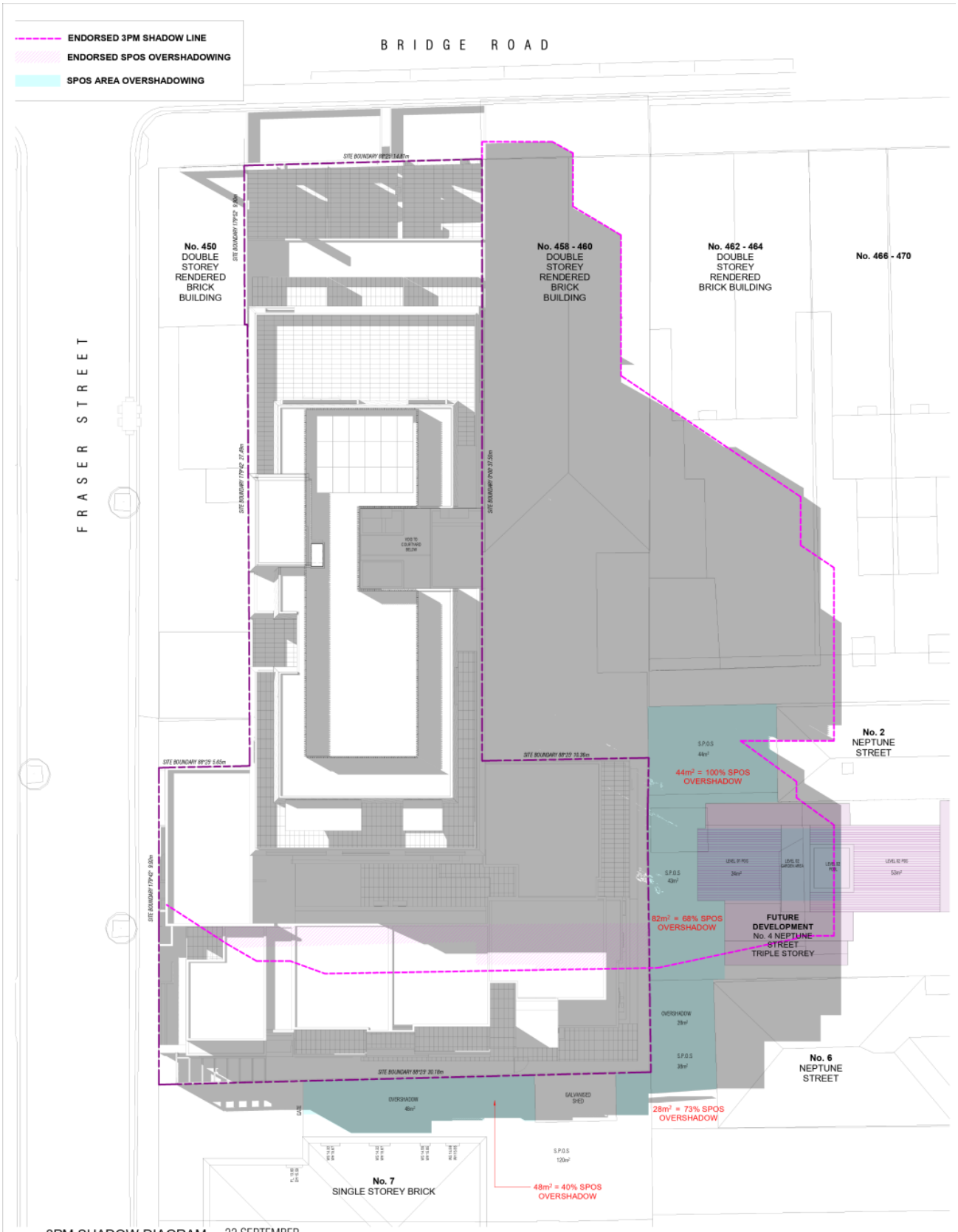


Attachment 2 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Urban Design advice on amended plans

CITY OF YARRA **File Note**

Date: 2 December 2020;

Property Address: 452-456 Bridge Road & 1-3 Fraser Street, Richmond;

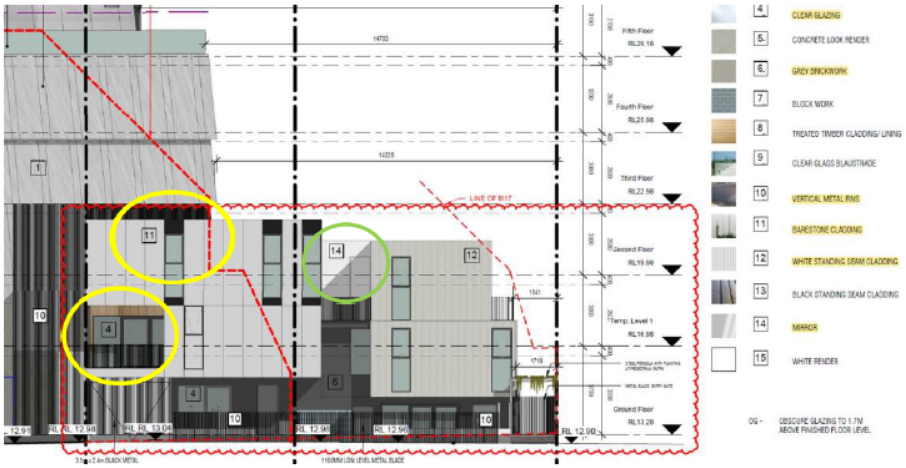
Comments on amended plans;

The addition of balcony, expansion of existing balcony and reduction in fence height is supported.

The use of lighter shade is supported. The use of barestone cladding and white standing seam cladding is supported as it will help provide subtle difference between the two units. However, the proposal presents too many variation in the architectural treatment and material (highlighted below) along the street frontage. The design will benefit if there are lesser variations along Fraser Street frontage.

Don't support Mirror (green circle). Also what is the brown and black coloured material (yellow circle)?

They have landscaping shown on the ground floor so hopefully that that happens on ground. That will make the street interface much better.



Amruta Pandhe
Urban Designer
City Strategy

Attachment 3 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Urban Design

CITY OF YaRRA **File Note**

Date: 18 June 2020;

Property Address: 452-456 Bridge Road & 1-3 Fraser Street, Richmond;

Comments on plans;

Below are my recommendations:

- The architecture of the western façade does not appear like a main street frontage. It looks more like a side wall. The large portion of blank wall along the street frontage is not acceptable. It is recommended to provide more articulation in the form and larger window openings to provide visual interest. Explore provision of balcony fronting the street for townhouse 01.
- The design will benefit if unit 01 and townhouse 01 are read as separate units with subtle differences in material or architecture. This is ensure the development responds to the fine grain character of Fraser Street.
- The architectural design and material along west and south elevations should give consideration to three-dimensional form when viewed from public realm.
- Do not support the 0.4m upper level setback as it does not respond appropriately to the streetscape character and provides a visually dominant form that draws too much attention to itself. It is recommended to increase the upper level setbacks.
- The provision of direct pedestrian entry to Townhouse 01 and Unit 01 is supported.
- The main pedestrian entrance on the southern end is not legible. The development needs to provide a clear, wider and legible pedestrian entrance that enables safe pedestrian access and a sense of address to the development. Please provide details of the material of the door. I would prefer a more transparent/translucent material.
- The 1.6m high fence all along the frontage is not acceptable as it will creates a very negative public realm environment. It is recommended to provide some low level fencing along the frontage. The material of the fence is supported.
- The use of bluestone till is not supported as it is not sympathetic to the surrounding and provides a visually dominant form. The design will benefit by exploring some other material that has more texture and also by using lighter shades to respond appropriately to the surrounding context.

Amruta Pandhe
Urban Designer
City Strategy

Attachment 4 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Street trees and natural values

CITY OF YaRRA **File Note**

Open Space comments on Street Trees

Date: 29 January 2021

Property Address: 452-456 Bridge Road & 1-3 Fraser Street, Richmond

COMMENTS:

Street trees on Fraser Street.

Both Angophora's are valued at $3,585.00 each; total value $7170.00.
I would set the tree protection bond at $10,000.

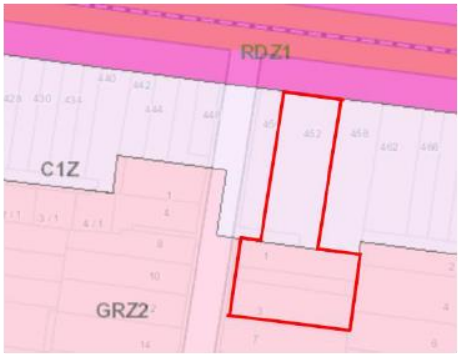
Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

PLANNING APPLICATION REFERRAL TO STRATEGIC PLANNING
Strategic Planning comments

Strategic Planning comments are provided below.

The comments in this assessment focus compliance with Design and Development Overlay 21 (DDO21). They do not provide commentary on other sections of the planning scheme or fully assess the internal amenity impacts of the application.

Development details

Property address	452-456 Bridge Road and 1-3 Fraser Street, Richmond 
Application number	**PLN14/0571.01**
Referral prepared by	Kate Johnson, Strategic Planner
Date of referral	7 June 2020
Description	Amendment to Planning Permit PLN14/0571 NB - The original planning permit was approved by VCAT and is dated 2 August 2016. It was granted before DDO21 applied. The original permit allowed for the demolition, alterations and a six storey addition containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings; reduction of the standard car parking requirement to zero for the residential visitors and the retail premises; and waiver of the loading bay requirement in accordance with the endorsed plans. The amendment proposes to increase the site area to include No. 3 Fraser Street, with subsequent increases to built form, retail floor areas, on-site car parking and bicycle parking spaces and dwelling numbers (5 new townhouses) and a reduction in car parking.
Relevant amendment & status	**Interim** Interim controls (Schedule 21 to the Design and Development Overlay - DDO21) were approved on 15 November 2018 via Amendment C248. These interim controls are in effect until 1 October 2020. **Permanent**

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

	Development of a structure plan (or equivalent strategy) for Bridge Road will inform the permanent controls. The current interim controls provide the basis for the preparation of the structure plan. Permanent controls are proposed to be introduced through a full amendment process, once the structure plan is complete.
Existing and proposed controls	**452-456 Bridge Road** C1Z DDO21 (Precinct 2 - Bridge Road South) HO310 (Nos. 452 and 454 Bridge Road are graded 'individually significant' and No. 456 Bridge Road is graded 'contributory') **1-3 Fraser Street** GRZ2

Strategic Planning comments – Summary

The proposed development at 452-456 Bridge Road and 1-3 Fraser Street, Richmond partially complies with the interim controls (noting the original permit was approved before the interim DDO applied).

A detailed analysis against the requirements in DDO21 can be found in the table and further comments below.

The overall building height of 19-19.9m does not meet the mandatory height limit of 18m. However this element is not proposed to be changed.

The key issue relates to the decrease of the upper level setbacks and subsequent impacts on the heritage buildings and façade design requirements. The amended plans reduce the upper level setback above the street wall from 9.4m to 6.22m (measured at the centre of the site). It is noted that on the westernmost side of the front façade, the upper level setback is less than 6m ie 5.7m on the second and third floors.

The reduced setback adversely impacts streetscape and heritage outcomes sought by the DDO by increasing the building's mass when viewed from the public realm (especially from the west). It also results in a built form that dominates the undeveloped portion of the heritage building and its return façade on the corner of Fraser Street. In addition, the reduced upper level setbacks also increase the visibility of the new floor plate and balconies through the historic openings of the building façade – adding to the appearance of facadism. This is not supported. This case, meeting the minimum requirement has not achieved an appropriate outcome.

Other comments:

- The requirements in DDO21 are preferred unless the DDO includes the word 'must' plus the wording that "a permit cannot be granted to vary…" or is described as "mandatory".
- Views to landmarks requirement – Not applicable.
- Vehicular access requirement – Vehicular access to the development will be from Fraser Street. Pedestrian access will be from entrances on Bridge Road and Fraser Street.
- There appears to be an error with the plans. The *Existing Street Elevation* shows the wrong properties as the subject site.

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Building Heights and Setbacks – Precinct 2

MAXIMUM STREET WALL HEIGHTS & MINIMUM UPPER LEVEL STREET SETBACKS (ALL PREFERRED EXCEPT WHERE NOTED)

RETAIN HERITAGE FRONTAGE OR 11m STREET WALL (WHERE THERE IS NO HERITAGE FRONTAGE) WITH A 6m SETBACK ABOVE. (MANDATORY FOR INDIVIDUALY SIGNIFICANT BUILDINGS AND SIGNIFICANT HERITAGE STREETSCAPES)

11m STREET WALL WITH 5m SETBACK ABOVE (EXCEPT WITHIN 5M OF A HERITAGE PROPERTY, WHERE A 6m PREFERRED SETBACK IS REQUIRED)

MAXIMUM BUILDING HEIGHTS

18.0m

MANDATORY HEIGHTS

ALL HEIGHTS ARE PREFERRED MAXIMUM BUILDING HEIGHTS EXCEPT WHERE MANDATORY MAXIMUM BUILDING HEIGHTS ARE SHOWN

KEY PRECINCT LANDMARK

SIGNIFICANT HERITAGE STREETSCAPES

THE MAXIMUM BUILDING HEIGHT MAY NOT BE ACHIEVABLE ON ALL SITES. BUILDING HEIGHTS MUST ADDRESS SETBACK REQUIREMENTS.

Assessment of compliance with built form requirements

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
Building height	**Mandatory:** 18m The mandatory and the preferred building height and street wall requirements are set out in the relevant precinct Building Heights and Setbacks Plans. Buildings or works must not exceed the maximum building height and street wall height shown in the relevant precinct Building Heights and Setbacks Plans. A permit cannot be granted to vary a building height shown as a mandatory building height in the relevant precinct Building Heights and Setbacks Plan.	Varies: approx. 19m - 19.9m or 6 storeys.	**Does not comply** **452-456 Bridge Road** A mandatory maximum building height of 18m applies in this part of Precinct 2. A height of approximately 19-19.9m (6 storeys) is proposed. This does not comply with DDO21, however this permit was approved prior to the approval of DDO21. No change is proposed through the proposed amendments to the permit. In DDO21, roof plant and equipment is not included in the overall height. The DDO includes specific criteria for any plant rooms, lift overruns etc. in 2.1 Definitions. The proposed amended plans increase the height of the services from 0.7m to 1.8m above the roof height. Both the endorsed plans and proposed amended plans comply with the height for services which must not exceed 3.6m above the maximum building height. However it is not clear if the proposed changes comply with the floor area and overshadowing requirements. The floor area proposed for plant and equipment appears to have been substantially increased. No area in metres square have been indicated on either sets of plans. **1-3 Fraser Street (GRZ2 outside DDO21)** A mandatory height of 9 metres applies to 1-3 Fraser Street, the portion of the site located in Schedule 2 to the General Residential Zone. (The

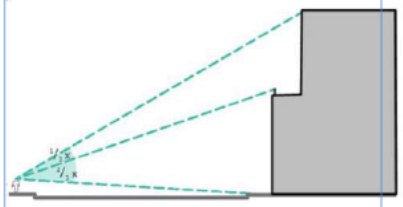
[1] NB – Development may not comply with DDO21 as it was approved in 2016. This referral provides an assessment of the endorsed and proposed amended plans against the DDO21 and the degree of compliance / non-compliance.

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
			mandatory maximum height was introduced via Amendment C176 in April 2015. The Schedule to GRZ provides transition provisions which exclude any application made before the date of approval. The original application was received in June 2014. It therefore meets this criteria and was exempt from the mandatory height.) However the amended design substantially increases the degree of non-compliance with the 9m mandatory height in the GRZ2 (see West Elevation). The third and fourth floors protrude further into 1 Fraser Street. The additional encroachment into the General Residential Zone is not supported, however it is noted its impacts, including visual bulk are slightly offset by the inclusion of 3 Fraser Street in the development site.
Street wall height	**Mandatory:** Retain heritage frontage or 11m street wall where there is no heritage frontage. (Mandatory for individually significant buildings and heritage streetscapes.) A permit cannot be granted to vary a street wall height shown as a mandatory street wall height in the relevant precinct Building Heights and Setbacks Plan.	Heritage frontage retained Street wall varies: Single storey building at 456 Bridge Road – 6.7m Double storey buildings at 452-454 Bridge Road – 8.74m	**Complies** The frontage of the property along Bridge Road is a 'significant heritage streetscape' where it is mandatory to retain the heritage frontages. The development retains the heritage frontages of 452 and 454 Bridge Road (graded individually significant) and 456 Bridge Road (graded contributory).
Upper lever setback	**Mandatory:** 6m setback above heritage frontage (mandatory for individually significant buildings and significant heritage streetscapes). A permit cannot be granted to vary a setback shown as a mandatory	Approximately 6.22m setback behind the heritage façade from the second floor (Reduced from 9m in endorsed plans)	**Partially complies** The upper level setback above the street wall has been substantially reduced in the amended plans from 9.4m to between 5.7m (westernmost side of the building) to 6.4m (easternmost side of the building), with an average of 6.2m when measured at the centre of the building. While the amended plans generally comply with the minimum mandatory upper, the reduction to 6m (or less than 6m) is not

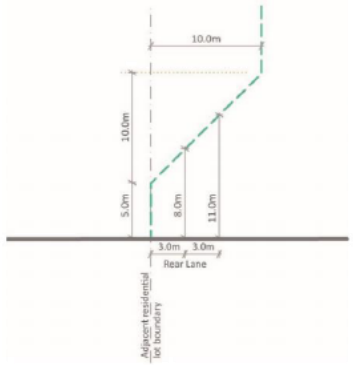
Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
	setback in the relevant precinct Building Heights and Setbacks Plan. **Preferred:** All development must adopt the same setback for at least 75% of the height of the proposed built form above the front street wall to avoid repetitive stepped form. Development adjoining a heritage building must match the upper level setback of the adjoining heritage building.		supported. Merely meeting the minimum requirement of 6m has not achieved an appropriate outcome. Officers consider 9m achieves a better streetscape and heritage outcome and meets the Precinct 2 design requirements. Specifically to: • *'retain the visual prominence of heritage buildings in the streetscape and the significant 'High Street' streetscape in the vista along the Bridge Road;'* • *'retain the visual prominence of the return facades of corner buildings;'* and • *maintain and reinforce the prominence of the street wall character of Bridge Road and Church Street;* As the subject site is located one property from the corner of Fraser Street, views looking east towards this corner will be more affected than views from the west. The reduced upper level setback brings the building more forward towards the street than the previous design and makes the upper level development more prominent. In particular, Strategic planning considers the greatest setbacks better retained the visual prominence of the return façade on the corner building. (However we defer to the views of Council's Heritage Advisor on this matter.) Officers also consider that a 9m setback better retains three-dimensional form of the heritage buildings, including the abutting portion of the corner heritage building. The development complies with the requirement that 75 percent of the height above the street wall adopts the same setback. The purpose of this control is to avoid a stepped façade above the street wall.

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
Upper-level setback (view lines)	**Preferred:** Development on Bridge Road in Precinct 2, 3 and 4: • must occupy no more than one third of the vertical angle defined by the whole building in the view from a sight line at a height of 1.7 metres above the footpath (on the opposite side of the street) – see Figure 3. 		**Unable to assess** The plans do not include a diagram showing whether the development complies.
Interfaces to neighbouring residential properties	**Preferred:** Buildings must be set back from residentially zoned land (excluding Mixed Use Zone).	Development built to the boundary from residentially zoned land to a height of approximately 19m.	**Does not comply** Where there is no lane, the DDO permits development up to 5m in height to be built to a residential boundary with development progressively setback to a height of 15m. The development does not comply with this requirement where it abuts residentially zoned land (ie there is no transition in height at the boundary between sites in the C1Z and GRZ2). However given the residentially zoned properties at 1-3 Fraser Street are part of the development site, this is considered acceptable.

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
			Strategic Planning has not assessed the amenity impacts of the development on the adjoining residential properties in Fraser and Neptune Streets.
Building separation	**Preferred:** • Must consider the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk. • Upper level – minimum 4.5m from the common boundary where habitable window or balcony proposed • Upper level – 3m from the common boundary where commercial or non-habitable window proposed • Laneway – as above (measured from the centre of laneway)	The development is proposed to be built to the boundary on its common boundaries above the street wall up to including Level 4. Windows and balconies are not proposed along common boundaries except on Level 5.	**Partially complies** The development is proposed to be built to the boundaries for all floors up to and including the fourth floor (in both the endorsed and proposed amended plans). This complies with the DDO. Both versions propose balconies on the fifth floor on the eastern boundary with 458-460 Bridge Road which do not comply with the requirement (preferred) for a 4.5m setback from a common boundary for a habitable room window or balcony. DDO. However the proposed amended plans now appear to include windows located 1.0m-1.6m from the common boundary, whereas the endorsed plans presented a blank wall with no windows set back 1.5m from the common boundary. The endorsed plans and proposed amended plans also show clear glass balustrading on this boundary on the fifth floor. The changes to the fifth floor do not adequately consider the prospect of a development on the adjoining boundary which could potentially be built to a height of 18m directly abutting this clear balustrade. Plans should be

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
			provided showing how amenity is retained for dwellings on the fifth floor should a development on the adjoining site occur. Strategic Planning has not assessed the amenity impacts of the development on the adjoining residential properties in Fraser and Neptune Streets.
Overshadowing	**Mandatory:** Must not overshadow any part of the following between 11 am and 2 pm on 22nd September: • the southern footpath of Bridge Road to a distance of 3.0 metres **Preferred:** Must not overshadow any part of the following between 11 am and 2 pm on 22nd September: • the opposite footpath of Lennox Street to a distance of 2.0 metres • the opposite footpath of Church Street to a distance of 3.0 metres • the opposite footpath of Burnley Street to a distance of 2.0 metres from the kerb	The development does not overshadow any part of Bridge Road, Lennox Street, Church Street, or Burnley Street between 11 am and 2 pm on 22nd September.	**Complies** The development does not overshadow any footpath of the streets outlined in DDO21 and complies with the requirement.
Building design	**Preferred:** Development must: • incorporate vertical articulation in the street wall that reflects the prevailing pattern of subdivision and buildings;		**Partially complies** The street wall is comprised of two heritage buildings. The part of the development at 452-454 Bridge Road comprises two-thirds of the façade of 1889 (Victorian) heritage building. No substantive changes are proposed to the heritage street wall and existing pattern of subdivision and buildings is retained. It is regrettable the remaining portion of the heritage building at

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
	• allow for commercial activity at the ground and first floor (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint; • incorporate awnings over the footpath on commercial zoned land for the full width of the lot, continuous with any adjoining awning; • be expressed in the round and provide detail on facades when viewed from all directions; • incorporate an architectural expression at upper levels that is distinct from but complimentary to the street wall.		450 Bridge Road could not be included in the design, however it is understood the owner of this property was not interested. The proposal does not meet the requirement for commercial activity at the first floor and does not achieve the minimum floor to floor height: • The endorsed and amended plans provide for commercial activity at the ground floor but not the first floor which has been designed as dwellings. However the amended plans increase the retail / commercial floor area at the ground floor from 159sqm to 260sqm. This increase is supported. • Both the ground floor height at 3.7 metres and the first floor at 3 metres do not comply with the preferred height of 4 metres. It is unclear if the 3.7m ground floor height reflects the existing ceiling height in the heritage buildings. Strategic Planning defers to Council's Heritage Advisor comment on the appropriateness of awnings. The side walls (eastern and western elevations) of the development will be highly visible from Bridge Road and Fraser Street until development constructed on either side. Elevations provide show the use of various materials and finishes which add visual interest to this facade. The Urban Design Unit will be better able to provide advice on this element of the design. The design of the upper levels is visually distinct from the heritage wall as it adopts different textures and finishes. (See comments below on building design at the upper levels.)
Heritage building design: **Building facades and street frontages**	**Preferred:** **Contributory or individually significant buildings** • avoid highly reflective glazing in historic openings		**Does not comply** While Strategic Planning defers to comments made by Council's Heritage Adviser, it offers the following comments. The proposed development does not retain the existing floor plates of the heritage buildings for the properties along Bridge Road. Balconies are

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
	• encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings • maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.		visible through the existing historic openings as is the new floor plate. Windows and walls also cut through these openings. This increases the appearance of facadism. While both these elements of the design were approved as part of the endorsed plans, the reduction in the upper level setbacks makes the new floor levels and balconies appear more prominent. The reflectivity of the glazing has not been assessed by Strategic Planning.
Heritage building design: **Upper Levels (above street wall height)**	**Preferred:** Development within a heritage overlay and on land immediately adjoining a heritage building must: • be visually recessive and not visually dominate the heritage building and the heritage streetscape • retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism' • utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades • incorporate simple architectural detailing that does not detract from significant elements of the		**Partially complies** The Urban Design Unit will be better placed to comment on the impact of materials and finishes proposed for the upper levels. However for the most part, the light coloured articulated upper floors read as separate from the heritage façade. However the impacts of the bronze coloured aluminium material on the upper levels of the front façade is more unclear. The potential impacts of the finishes on the highly visible and prominent western elevation (side wall) are also noted. However the key concern with the proposed amended plans is that development is the impact of the reduced upper level setback. Strategic planning considers this reduces the three dimensional form of the heritage building when viewed from the public realm and detracts from the heritage buildings and historic streetscape in this precinct. (See comments above in Upper level setbacks) Based on the plans provided, the proposed development appears to reflect the fine grain character of the streetscape.

Attachment 5 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Strategic Planning

Built form requirements	DDO21-2	Proposal	Assessment of proposal[1]
	heritage building and the heritage streetscape • be articulated to reflect the fine-grained character of the streetscape.		

Leonie Kirkwood & Kate Johnson
Strategic Planning
9 August 2020

Attachment 6 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Open Space and Design

CITY OF YaRRA **File Note**

Open Space Planning and Design

Date: 8 July 2020

Property Address: 452-456 Bridge Road & 1-3 Fraser Street, Richmond

COMMENTS:

The conditions that we would require are the same as usual, however would apply to the ground level redesign -

Planting Plans & Plant Schedules

Planting plans and plant schedules would be required containing the following information -

- Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;
- Planting plans showing plant locations and quantities;
- A legend containing key features, materials and surfaces;
- Details of any raised planter beds including height, width, depth and materials;

Load bearing weights for the building need to be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter box and plant mass proposed.

Regards,

Kevin Ayrey

Landscape Architect
Open Space Planning and Design

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

City of Yarra

Heritage Advice

Application No.: PLN14/0571.01

Address of Property: 452-456 Bridge Road, Richmond and 1 – 3 Fraser Street, Richmond

Planner: Lara Fiscalini

I provided heritage advice in relation to an earlier proposal for this site and also in relation to permit conditions. Information contained in earlier advice is included here as relevant and this advice and the earlier advice should be read in conjunction. This advice principally addresses setbacks from Bridge Road, colours and materials and other aspects of the façade to Bridge Road.

I understand that there is a planning permit for partial demolition and alterations to the existing buildings, and construction of a six-storey building.

Yarra Planning Scheme References: Clauses 43.01, 21.05, 22.02 and DDO21

Heritage Overlay No. HO310 **Precinct**: Bridge Road, Richmond.

Level of significance

Nos. 452-456 Bridge Road are double storey shops, constructed 1889, and are listed as being "Individually significant". Together with No. 450 Bridge Road, they form a group of three. No. 450 Bridge Road is not part of the development site.

No. 456 Bridge Road is a single-storey masonry shop constructed 1900-1915 which is listed as being "Contributory".
(Appendix 8, *City of Yarra Review of Heritage Overlay Areas 2007, Rev. Mar. 2011)*)

The salient points of the Statement of Significance are:

> As a main thoroughfare from Melbourne to the eastern suburbs by the mid 1850s, retail and service trades concentrated at the west end of Bridge Road
>
> **Main development era**
>
> Bridge Road Heritage Overlay Area, Richmond is a predominantly 19th and early 20th century commercial strip.
>
> ***Why is it significant***
>
> As one Richmond's principle thoroughfares that leads to the first bridge to connect Richmond to Hawthorn, retaining many Victorian-era shops;
>
> As an important commercial precinct in Richmond, particularly expressive of the 19th and early 20th centuries and incorporating Richmond's civic hub;
>
> For the architectural continuity and high integrity of upper level façades to their construction date;

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

For the good and distinctive examples of Victorian and Edwardian-era architectural styles and ornamentation as evocative of the street's premier role in Richmond

For the architecturally significant examples of shop buildings from the 1920s and 1930s that relate well to the dominant Victorian-era and Edwardian-era scale and character;

For the contribution of individually significant or well preserved buildings that express a range of key development periods in the street and the City.

Previous heritage advice, *inter alia*, was that "*Together the three [Woods'] buildings make a significant contribution to Bridge Road as a prominent example of a Victorian commercial building with a large central broken pediment above a decorative balustraded parapet.*"

Proposal

It is proposed to demolish everything behind the Bridge Road façade of Nos. 452, 454 and 456 Bridge Road but retaining the chimney(s). It is then proposed to construct 6 levels, above a basement on the No. 1 – 3 Fraser Street portion, with retail and the residential entrance at the Ground floor fronting Bridge Road, and residential units above.

Drawing Numbers

A set of architectural drawings marked TP Issue, prepared KUD (Kavellaris Urban Design, as per Council's website.

Heritage Impact Statement prepared by Extent Heritage Advisors, undated but marked "Version: Final", and with no Council date stamp.

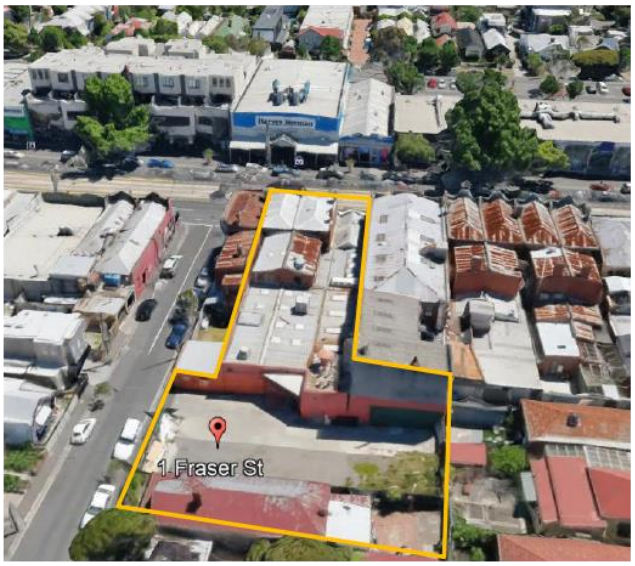


Figure 1: The broader site: Nos. 452-456 Bridge Road, Richmond and 1 – 3 Fraser Street, Richmond.

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

Context Description

The site is located on the south side of Bridge Road, on the flat, east of the Town Hall. Part of Bridge Road contained within the Heritage Overlay has been subject to recent development, mostly west of Church Street on the north side where development has been able to take advantage of the slope down the hill towards the north. Deep setbacks from Bridge Road have held upper levels back to reduce the visual intrusion in the Bridge Road Streetscape. This has also been assisted by the comparatively narrow width of Bridge Road as compared with the wider carriageway on the flat east of Church Street.

Assessment of Proposed Works

Demolition

The amount of demolition proposed now appears to be similar, or the same, as proposed previously and as approved. I do not have the endorsed plans to hand.

Figure 2 The site comprises the single storey white shop on the left and the two double-storey shops with unpainted rendered façades. Photographed 2014.

Proposed works

Built form (height/setbacks)

Setbacks

There are zero setbacks at the Ground floor which is appropriate.

At the First floor the setback of the elevation from the Bridge Road frontage is 4.538 – 4.766 – 4.522 - 4.979 metres which is noted as being on the "Line of approved development as per Planning permit PLN14/0571". As such it is acceptable.

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

However, within this setback are balconies/terraces. The Decision Guidelines in DDO21 *inter alia* state, *viz.*: "If roof decks are proposed above the street wall, whether they are set back and are recessive in appearance". The lack of any setback behind the retained façade (Nos. 452 – 454 and No. 456 Bridge Road) will enable rooftop paraphernalia to be visible from Bridge Road which will emphasise the fact that only the façade has been retained. There should be a non-trafficable area behind the façade of say 2 – 3 metres.

At the Second floor the setback is 5.994 - 6.222 – 6.403 metres to balcony balustrades which is shown as being approximately 500 – 740 mm forward of the "Line of approved development as per Planning permit PLN14/0571". The setbacks to Bridge Road should not be reduced. The setback to the elevation is 7.996 – 8.225 - 8.405 metres which is deeper than those approved by Planning permit PLN14/0571.

The setbacks at the Third floor are the same as the Second floor but are less than approved by Planning permit PLN14/0571. At the very least the setbacks should be as per those approved and preferably similar to those west of Church Street so as to achieve a degree of consistency throughout the heritage precinct i.e. along the Bridge Road streetscape.

The Fourth floor is the same as the Third floor.

The setback to the elevation at the Fifth floor is 8.571 – 8.800 – 8.981 metres which is the same as approved by Planning permit PLN14/0571. Into these setbacks a balcony projects by 2.047 metres. There should be nothing in this setback other than as has been approved. At this level there are also west and east side setbacks of 1.038 and 1.052 metres which are not unacceptable.

As shown on TP-16 the setbacks comply with DDO21 but are less than approved by Planning permit PLN14/0571. With regard to the Decision Guidelines in DDO21 the profile and impact of the development on the vista along Bridge Road will be adverse and the upper level development above the heritage street wall will not be visually recessive, it will be visually intrusive, and will dominate and potentially visually overwhelm the heritage buildings by drawing attention to it and away from them.

Height

The overall height is 20.6 metres and to the height of the roof it is 18.9 metres.

The maximum building height for Precinct 2 is shown as 18 metres which is also mandatory. There is a note on TP 16 "Approved maximum building height as per accrued development rights". I am not sure what the implications of this are.

It is to be noted that in views from the north side of Bridge Road towards the development site from an easterly and westerly direction, the upper levels will be prominent in the streetscape and the 2.6 metres will result in a noticeable visual intrusion on the skyline and streetscape. The proposal does not comply with Cl. 21.05, Strategy 14.3 Protect the heritage skyline of heritage precincts and Strategy 14.5 Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

Notwithstanding compliance with the setbacks in DDO21, given the location of the development site in the flat and open part of Bridge Road, as compared with west of Church Street, the upper levels will not be visually recessive and will visually dominate the heritage building and this part of the heritage streetscape. This was noted by VCAT, *viz.*:

> The site is located on the south side of Bridge Road where there has been less new development thus far;

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

> The site is located in a wider section of Bridge Road, which increases the potential visibility of a new addition behind the Bridge Road heritage frontage; (NEA Developments Pty Ltd v Yarra CC. VCAT Reference NO. P1906/2013 Permit Application No. PLN12/1017). Para. 6.

This description is still apt.

In Bridge Road west of Church Street on the north side, upper level development has consistently achieved a setback of approximately 13 – 15 metres and there have been VCAT Decisions which supported this. The result is that in the narrower part of Bridge Road these levels have been held back so as to retain the heritage buildings, sometimes *in toto,* and their primacy along the street frontage, and also to hold them back from the principal viewline along Bridge Road i.e. they effectively form a layer further back. This is in stark contrast to the subject site where approximately 6 – 8 metre setbacks are proposed in a part of Bridge Road where the topography is flat, the streetscape is wide and open and where it has a reasonably uninterrupted skyline which will be impacted upon.

What is proposed is a poor heritage outcome. The proposal will not retain vistas, including their setting, of heritage places i.e. the Individually significant building(s) and the heritage streetscape and will not preserve the scale and pattern of the Bridge Road streetscape. (Cl. 22.02-4) Furthermore, the proposal is not respectful of the pattern, rhythm, orientation to the street, spatial characteristics … and heritage character of the surrounding historic streetscape. It will not be visually recessive and will dominate the heritage place and the part of the Bridge Road streetscape in which it is located. Any consideration of the architectural integrity and context of the heritage place has not addressed the salient heritage issues appropriately. (Cl. 22.02-5.7.1)

Façade design

While the façade has been articulated into three sections, presumably to respond to the fine grain of the heritage buildings, the overall composition is blocky and heavy and will be a distracting background to the heritage façade and its pediment.

Colours/materials

Previous materials such as Corten steel and mirrored cladding were considered to be inappropriate and were considered by VCAT to be a major design failing, particularly the reflective components of the cladding. (NEA Developments Pty Ltd v Yarra CC. VCAT Reference No. P1906/2013, Permit Application No. PLN12/1017). Date of order: 22 January, 2014. Paras. 10-13. (NEA Developments Pty Ltd v Yarra CC. VCAT Reference No. P885/2015, Permit Application No. PLN14/0571). Date of [interim] order 11 December, 2015. Paras. 24 – 31. (NEA Developments Pty Ltd v Yarra CC. VCAT Reference No. P885/2015, Permit Application No. PLN12/1017). Date of final order: 2 August, 2016. Paras. 26 – 27.

Proposed façade materials and colours now include *viz*.:

1. Silver metal cladding.

This is a generic description and the degree of reflectivity and similarity to previously proposed reflective cladding is not clear. A sample must be provided for further assessment.

2. Bronze coloured aluminium cladding.

A brown (Corten steel) colour for the top level was not supported by VCAT and it appears that the proposed use of bronze coloured aluminium is a substitute for the previously proposed Corten steel. The top level needs to blend in against the remainder of the building and be a

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

minimally visible element on the skyline as a result of a light and recessive neutral colour (grey) rather than an eye-catching feature. This colour is not approved. A sample of an appropriate proposed colour and material must be provided for further assessment.

8 Treated Timber Cladding Lining

My previous advice was to "Only use timber in a sheltered position where it must also have a protective edge. Detailed drawings showing how this will be done must be submitted to the satisfaction of Council". No drawings to my knowledge were ever submitted.

While treated timber is less likely to weather, as compared with nearby unsightly examples on the south side of Bridge Road, Bridge Road is noted for masonry façades and examples of timber, other than for joinery, is significantly lacking. Another material is to be selected and a sample of an appropriate proposed colour and material must be provided for further assessment.

9 Clear glass balustrade.

Clear glass balustrades were supported by VCAT and they are acceptable.

Proposed materials and colours for visible portions of the east and west elevations include *viz.*:

1. Silver metal cladding.

The same comments as above are applicable.

2. Bronze coloured aluminium cladding.

The same comments as above are applicable.

Proposed materials and colours for the plant and equipment area:

The cladding is shown as a black colour, possibly raised seam metal, but there is nothing in the Materials Schedule which matches this. The material is not numbered on TP15. On the West elevation (TP16) and on the East elevation it is shown as "2" (Bronze coloured aluminium cladding). This is obviously an error which needs to be corrected and clarified. On TP23 it is numbered "10" – Vertical metal fins which in comparison with the graphic on TP16 would appear to not be the case. This needs to be clarified. In any event the use of "black" against the skyline will not be visually recessive and a lighter colour needs to be selected.

The Heritage Design Guidelines in DDO21 require utilisation of "visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades". This has not been achieved particularly in relation to colour and finish (reflectivity).

Shopfronts

The shopfronts, with plinths, are acceptable other than for "7" Block Work. Is this intended to be exposed concrete block/brick work or it it to be rendered? It needs to be rendered and painted.

No colours or materials have been indicated for the fire booster cupboard. This was requested in my previous advice and it needs to be specified to the satisfaction of the Responsible Authority.

Street canopy

There appear to be two separate canopies proposed over the Bridge Road pavement (TP05). TP 05 shows the break in front of the façade of No. 454 Bridge Road instead of on the boundary between it and No. 456 Bridge Road. Given that Nos. 452 – 454 are two shops in a group of three and that no. 456 Bridge Road is clearly a separate building, any break in a street canopy should be on the boundary.

On TP15 the colours and materials are indicated by a dash. This conveys no idea of what is proposed and details of the canopy depth, materials and colours (fascia and soffit) must be provided for further assessment by the Responsible Authority.

Conservation Works

The notes on TP14 are inadequate. The full scope of works set out in the report by Bryce Raworth, previously assessed and approved, must be undertaken and any amended Planning permit should be updated if necessary to require this.

Recommendation / Comments:

Not approved in its current form.

While the building setbacks meet the requirements of DDO21 which I note expires after 1 October, 2020, in part they are less than those approved by Planning permit PLN14/0571. In addition, the lack of any setback for the roof deck behind the retained façade does not meet the requirements of the Decision Guidelines in DDO21.

The overall height appears to exceed the maximum building height for Precinct 2 set out in DDO21 which is 18 metres. This needs to be clarified in the light of "Approved maximum building height as per accrued development rights".

The proposal does not comply with Cl. 21.05, Strategy 14.3 and Strategy 14.5, Cl. 22.02-4 and Cl. 22.02-5.7.1. It will be counter to, indeed a significant departure from, what has been achieved further west on the north side of Bridge Road which is acceptable. At the very least the setbacks should be as those approved by Planning permit PLN14/0571 and preferably be similar to those which are west of Church Street. As proposed it will result in a poor heritage outcome as discussed above. Setbacks and building height need to be re-addressed.

The colours and materials palette has had insufficient regard to VCAT Decisions which focussed, *inter alia*, on this matter. These need to be addressed in the light of VCAT commentary.

Include a non-trafficable area at the First floor behind the retained façade (Nos. 452 – 454 and No. 456 Bridge Road) to a depth of say 2 – 3 metres.

Revise the overall façade composition to be less blocky and heavy.

Provide samples of Materials 1, 2 and 8 for further assessment.

Clarify the proposed materials and colours exactly for the plant and equipment area and provide a sample or identification which can be used to accurately assess the impacts of the colours and materials.

Attachment 7 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - Heritage comments

Clarify what is intended by "7" Block Work to the shopfronts. It needs to be rendered and painted.

Provide colours and materials for the fire booster cupboard and specified to the satisfaction of the Responsible Authority.

Provide details of the canopy depth, materials and colours (fascia and soffit) for further assessment by the Responsible Authority.

The full scope of works set out in the report by Bryce Raworth, previously assessed and approved, must be undertaken and any amended Planning permit should be updated if necessary to require this.

Signed:

Robyn Riddett
Director – Anthemion Consultancies

Date: 11 September, 2020, Rev. 29 September, 2020.

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. 1,000m² or greater*.

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

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

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

Assessment Process:

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

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 ... 7
4. Stormwater Management ... 8
5. Building Materials ... 9
6. Transport ... 10
7. Waste Management ... 11
8. Urban Ecology ... 12
9. Innovation ... 13
10. Construction and Building Management ... 14
Applicant Response Guidelines ... 15

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:	Lara Fiscalini
ESD Advisor:	Gavin Ashley
Date:	29.06.2020
Subject Site:	*PLN14/0571.01* 452-456 Bridge Road, Richmond VIC 3121
Site Area:	Approx. 1,153 m²
Project Description:	6 storey building comprising a basement car park, ground floor mixed-use and 5 levels of residential development (32 dwellings total).
Pre-application meeting(s):	Unknown.
Documents Reviewed:	- Sustainability Management Plan [V1 – April 2019], Sustainable Development Consultants - Sustainability Management Plan [V2.a – April 2020], Sustainable Development Consultants - Town Planning Drawings [Rev C – 06.04.2020], Kavellaris Urban Design

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:

- A minimum area weighted average of 7.5 Star NatHERS rating will be achieved for the apartments.
- Commissioning and tuning to all nominated building systems.
- Both a Building Maintenance Guide (BMG) and Building Users Guide (BUG) will be developed for the ongoing maintenance and operation of the building.
- Metering and monitoring strategy applied
- Main contractor will implement a project-specific Environmental Management Plan (EMP).
- Material selection to reduce use of VOC's, and formaldehyde content.
- Lighting power densities will be reduced by at least 10% from NCC 2016, with lighting in common and commercial areas to be controlled by time clocks, daylight and/or motion sensors.
- Heating and cooling within the development will be provided by energy efficient air conditioners within one-star energy rating of the best available for the dwellings and an EER>3.2 and COP>3.5 for commercial tenancies.
- Hot water for the development will be provided via a central gas condensing boiler(s) with a minimum efficiency of 90%.
- A 4kW rooftop solar PV proposed, producing approximately 5,000kWh of renewable energy per year.
- 33 bicycle storage spaces will be provided for residents on the ground level, with an additional 5 spaces provided outside the entrance.
- A STORM report with a 108% STORM score has been submitted that demonstrates best practice and relies on 729 m² of roof connected to 25,000 litres of rainwater tank storage used for toilet flushing.
- Water efficiency considerations for HVAC heat rejection and Fire protection System testing.
- The Portland cement content will be reduced by 30% (to the approval of structural engineer), by mass, across all concrete in the development, as compared to a reference case.

- 95% of all steel used to come from a 'Responsible Steel Maker' in addition to a 5% reduction in the mass of steel used for concrete reinforcing.
- All thermal bulk insulation will be sourced with 20% minimum recycled content.
- 90% of demolition and construction waste to be diverted from landfill.
- A rainwater tank and filtration system will be provided to ensure that the post- development peak event discharge from the site does not exceed the pre- development peak event discharge.

(2) Application ESD Deficiencies:

- Increase reduction of lighting power densities to 20%.
- Include within EMP a target to reuse or recycling >80% of demolition and construction waste (divert from landfill).
- For a residential development this size, with food & beverage uses – organic waste provision is highly recommended – which generally makes up 40% of traditional general waste volumes.

(3) Outstanding Information:

- Provide ventilation breeze pathways for all dwelling types and consider reconfiguring unit 3 & 4 to remove bedrooms without external windows (TP05-C).
- Clarify provision of boiler(s), and consider using a heat pump.
- Confirm reduction in peak energy demand associated with building fabric and services proposed.
- Clarify provision of CO monitoring for carpark ventilation.
- Clarify provision of rainwater storage, as plans only show 2x 6,000 L tanks in basement (TP03) – not 1x 25,000 L tank.
- Clarify timber by weight or cost to be reused/recycled.
- Clarify provision of at-grade parking and update documentation accordingly.
- Clarify provision, and location of 5x visitor bicycle parking spaces.
- Clarify various bins on plans, and strategy for managing operational waste.
- Provide planting schedule of native vegetation to be provided.
- Provide a statement relating to the developments impact on urban heat and how additional vegetation, shade, or material selection (SRI>50) can mitigate this.

(4) ESD Improvement Opportunities

- Consider shade awnings to north and east facing windows to reduce summer heat gain.
- Consider increasing water storage capacity/strategy to service landscape irrigation needs to further reduce potable water consumption.
- Consider calculating embodied carbon reduction from concrete and steel strategies against reference case mentioned.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider providing a DDA WC/shower to serve as EOT and service food & beverage premises WC needs.
- Consider providing some charging stations or wiring for future (i.e. for the 4x at-grade parking spaces).
- Consider a green roof, wall or façade (i.e. climbers) to improve the ecological value of this site – particularly for street-facing facades or internal courtyards.

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.

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	All living spaces have access to external sliding doors, and while most bedrooms have operable windows – unit 3 & 4 contains bedrooms with no external windows.	Provide ventilation breeze pathways for all dwelling types and consider reconfiguring unit 3 & 4 to remove bedrooms without external windows (TP05-C).	3
Daylight & Solar Access	72% of bedrooms with DF>0.5, 69% of living areas with DF>1.0, and 25% of commercial areas with DF>2.0 – with VLT between 0.40-0.60.	Overall daylight access is impaired, however the already endorsed development includes the poorest performing with the town houses performing adequately.	1
External Views	All living spaces have access to external views. Some bedrooms however have no windows.	Satisfactory.	1
Hazardous Materials and VOC	All internal sealants and paints, adhesives, and carpets will be low VOC, and 95% of all engineered timber products will be E0 in terms of formaldehyde.	Satisfactory.	1
Thermal Comfort	Mixed mode ventilation, double glazing, and insulation.	Satisfactory.	1

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 1. Indoor Environment Quality
Good Environmental Choice Australia Standards www.geca.org.au
Australian Green Procurement www.greenprocurement.org
Residential Flat Design Code www.planning.nsw.gov.au
Your Home www.yourhome.gov.au

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	A sample of FirstRate5 results have been provided, indicating an area-weighted average NatHERS rating of 7.5 – with all dwellings >10% better than minimum requirements (i.e. 5.5-stars for apartments). (SMP, p. 31).	Satisfactory.	1
Thermal Performance	Area weighted average of 7.5-stars supported by building fabric assumptions, with average energy consumption at 66.84 MJ/m². (SMP, p. 29)	Satisfactory	1
Greenhouse Gas Emissions	No information is provided; however, the rooftop solar PV system is predicted to generate 5,000kWh / annum.	Satisfactory	1
Hot Water System	Hot water for the development will be provided via a central gas condensing boiler(s) with a minimum efficiency of 90%.	Clarify provision of boiler(s), and consider using a heat pump.	3/4
Peak Energy Demand	No information has been provided.	Confirm reduction in peak energy demand associated with building fabric and services proposed.	3
Effective Shading	External balconies on the north façade provide adequate shade, with minimal windows on the east and west façade.	Consider shade awnings to north and east facing windows to reduce summer heat gain.	4
Efficient HVAC system	Energy efficient air conditioners within one-star energy rating of the best available for the dwellings and an EER>3.2 and COP>3.5 for commercial tenancies. (SMP, p. 18).	Satisfactory.	1
Car Park Ventilation	No information has been provided.	Clarify provision of CO monitoring for carpark ventilation.	3
Efficient Lighting	Lighting power densities will be reduced by at least 10% from NCC 2016. (SMP, p. 14)	Increase reduction of lighting power densities to 20%.	2
Electricity Generation	A 4kW rooftop solar PV system is proposed, capable of generating 5,000kWh / annum.	Satisfactory.	1
Other	-	-	

*** Council Assessment Ratings:**

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

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

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 • Dishwashers 5 star	Satisfactory.	1
Water for Toilet Flushing	The SMP (and STORM report) identify 25,000 litres of rainwater tank storage used for toilet flushing.	Clarify provision of rainwater storage, as plans only show 2x 6,000 L tanks in basement (TP03) – not 1x 25,000 L tank.	3
Water Meter	All dwellings and commercial tenancies in the development will have separate meters for potable water consumption.	Satisfactory.	1
Landscape Irrigation	Irrigated areas will be designed with efficient subsurface drip irrigation.	Consider increasing water storage capacity/strategy to service landscape irrigation needs to further reduce potable water consumption.	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: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
Water Services Association of Australia www.wsaa.asn.au
Water Tank Requirement www.makeyourhomegreen.vic.gov.au
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Sustainable Landscaping www.ourwater.vic.gov.au

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 108% STORM score has been submitted that demonstrates best practice and relies on 729 m² of roof connected to 25,000 litres of rainwater tank storage used for toilet flushing.	1x 25,000 L tank indicated in STORM report and SMP, however plans show 2x 6,000 L rainwater tanks in the basement (TP03). Clarify provision of rainwater storage and amend STORM report accordingly.	3
Discharge to Sewer	A rainwater tank and filtration system will be provided to ensure that the post- development peak event discharge from the site does not exceed the pre- development peak event discharge.	Good – however need to clarify provision of rainwater tank size.	1
Stormwater Diversion	A total area of 729 m² is diverted to the rainwater storage tanks, with an additional 4 m² as permeable landscaping.	Satisfactory.	1
Stormwater Detention	Misalignment between rainwater storage capacity.	See comments above and clarify provision.	1
Stormwater Treatment	Treatment in the form of rainwater tanks (to be clarified). The SMP also identifies a number of strategies during the construction phase to aid with stormwater treatment (Gravel sausages, silt fences and rumble grids).	See above comments.	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
Water Sensitive Urban Design Principles www.melbournewater.com.au
Environmental Protection Authority Victoria www.epa.vic.gov.au
Water Services Association of Australia www.wsaa.asn.au
Sustainable Landscaping www.ourwater.vic.gov.au

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	All thermal bulk insulation will be sourced with 20% minimum recycled content, with timber to be certified or from reused/recycled source. In addition, the mix water for all concrete used will contain at least 50% captured or reclaimed water.	Good. Clarify timber by weight or cost to be reused/recycled.	3
Embodied Energy of Concrete and Steel	The Portland cement content will be reduced by 30% (to the approval of structural engineer), by mass, across all concrete in the development, as compared to a reference case. For steel, 95% to come from a 'responsible steel maker' and aiming to reduce steel reinforcing by 5%.	Good. Consider calculating embodied carbon reduction from concrete and steel strategies against reference case mentioned.	4
Sustainable Timber	95% of timber will be recycled or from accredited sustainably harvested plantation sources (FSC or AFS).	Satisfactory.	1
Design for Disassembly	No information has been provided.	Consider a small pallet of materials and construction techniques that can assist in disassembly.	4
PVC	At least 90% of all cable, pipe, floor and blind products installed in the building (by cost) will not contain PVC or be from an ISO 14001 manufacturer.	Satisfactory.	1

*** Council Assessment Ratings:**

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

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

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	The SMP identifies the provision of 31 car parks in the basement (28x stacker, 3x at-grade), however 32 are identified on the plans (TP03) (28x stacker, 4x at-grade).	Clarify provision of at-grade parking and update documentation accordingly.	3
Bike Parking Spaces	The SMP proposes 33 bicycle parking spaces for apartments, plus 5 bike bicycle spaces for visitors – however the plans only show 33 bicycle parking spaces on the GF (TP04).	Clarify provision, and location of 5x visitor bicycle parking spaces.	3
End of Trip Facilities	End of trip facilities have not been provided.	Consider providing a DDA WC/shower to serve as EOT and service food & beverage premises WC needs.	4
Car Share Facilities	No information has been provided.		
Electric vehicle charging	No information has been provided.	Consider providing some charging stations or wiring for future (i.e. for the 4x at-grade parking spaces).	4
Green Travel Plan	A Green Travel plan has not been provided.	Satisfactory – not required.	1

*** Council Assessment Ratings:**

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

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

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	Main contractor to implement a project-specific Environmental Management Plan (EMP).	Include within EMP a target to reuse or recycling >80% of demolition and construction waste (divert from landfill).	2
Operational Waste Management	The development will include separate, clearly marked collection bins and storage containers for the different waste streams: landfill, recycling and at least one other stream (e.g. organic, e-waste, batteries etc.).	For a residential development this size, with food & beverage uses – organic waste provision is highly recommended – which generally makes up 40% of traditional general waste volumes.	2
Storage Spaces for Recycling and Green Waste	Multiple bin areas are shown on the ground floor for commercial, residential, and townhouses (TP04), however delineation between general and recycling, and the collection point(s) is unclear.	Clarify various bins on plans, and strategy for managing operational waste.	3
Others			

*** Council Assessment Ratings:**

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

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

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	The land has been previously built on; therefore, there is no environmental degradation of environmental attributes due to the development of the site.		N/A
Maintaining / Enhancing Ecological Value	The inclusion of planted native vegetation for the proposed landscaping will provide an increase in ecological value when compared to the buildings presently occupying the existing site.	Provide planting schedule of native vegetation to be provided.	3
Heat Island Effect	No information has been provided.	Provide a statement relating to the developments impact on urban heat and how additional vegetation, shade, or material selection (SRI>50) can mitigate this,.	3
Other			
Green wall, roofs, facades	No information has been provided.	Consider a green roof, wall or façade (i.e. climbers) to improve the ecological value of this site – particularly for street-facing facades or internal courtyards.	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
Australian Research Centre for Urban Ecology www.arcue.botany.unimelb.edu.au
Greening Australia www.greeningaustralia.org.au
Green Roof Technical Manual www.yourhome.gov.au

9. Innovation

Objective:

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

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

*** Council Assessment Ratings:**

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

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

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	Documented targets will be set for the environmental performance of the building with monitoring required, and building knowledge transferred from the design team and contractor to building manager and staff.	Satisfactory.	1
Building Users Guide	A user-friendly Building User Guide (BUG) will be produced with all relevant information geared towards the specific building occupant	Satisfactory.	1
Contractor has Valid ISO14001 Accreditation	A formal Environmental Management System (EMS) will be created for the site and certified by a third-party organisation that provides compliance to ISO14001 Standards.	Satisfactory.	1
Construction Management Plan	Main contractor will implement a project-specific Environmental Management Plan (EMP)	Include >80% reuse and recycle target for demolition and construction waste.	2
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

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 9 - PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond - City Works

CITY OF YaRRA **File Note**

City Works - Waste

Date: 18 June 2020

Property Address: 452-456 Bridge Road & 1-3 Fraser Street, Richmond

COMMENTS:

The waste management plan for 452-456 Bridge Road & 1-3 Fraser Street, Richmond authored by Leigh Design and dated 3/4/2020 is satisfactory from a City Works Branch's perspective.

Atha Athanasi
Contract Management Officer

City of Yarra – City Works Depot

Attachment 10 - PLN14/0571.01 - 452 – 456 Bridge Road & 1 – 3 Fraser Street, Richmond - Strategic Transport

CITY OF YARRA

Planning Referral

To:	Lara Fiscalini
From:	Chloe Wright
Date:	30/06/2020
Subject:	Strategic Transport Comments
Application No:	PLN14/0571.01
Description:	Amendment for approved five-storey residential building with food and drink premises at the ground floor
Site Address	452 – 456 Bridge Road and 1 – 3 Fraser Street, Richmond

I refer to the above application referred on 11/06/2020, and the accompanying Traffic report prepared by Impact Traffic Engineering in relation to the proposed development at 452 – 456 Bridge Road and 1 – 3 Fraser 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
Dwellings	32 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	6 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	3 visitor spaces	
Shop	260 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	0 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	0 visitor spaces	
Bicycle Parking Spaces Total			**6 resident spaces**	**33 resident spaces**
			3 visitor spaces	**0 visitor spaces**

Adequacy of visitor spaces

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

- No visitor bicycle parking is proposed. Council's best practice rate generates a recommendation of 8 visitor bicycle spaces for the development.

- It is noted that there is an existing bicycle hoop providing 2 bicycle spaces at the Bridge Road footpath outside the development. It is also noted that there appears to be insufficient space at the Bridge Road footpath or Fraser Street footpath to accommodate additional bike hoops.
- As such, a reduction in visitor spaces is considered acceptable. This is consistent with the previous endorsed plans, which provided 27 bicycle spaces for 27 dwellings.

Adequacy of resident / employee spaces

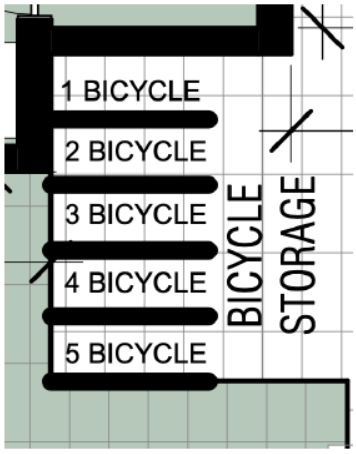
Number of spaces

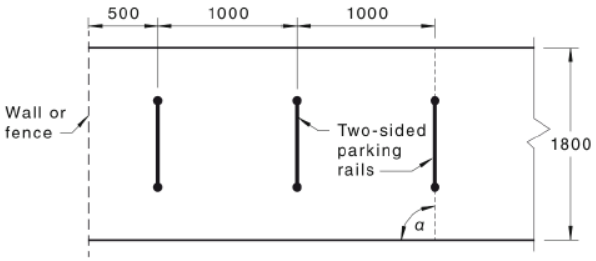
33 residential spaces are provided, which meets the best practice rate of 32 spaces recommended for development. It is noted that there is a minor inconsistency between the plans (which show 33 bicycle spaces) and the traffic report (which notes 32 bicycle spaces).

Design and location of resident / employee spaces and facilities

The following comments are provided in relation to the design and location of residential bicycle parking:

- 28 wall racks are provided across two locations at the ground floor, with access via an internal walkway and ramp from the Bridge Road entrance and Fraser Street entrance. An additional 5 horizontal bicycle spaces are proposed at a separate area within an internal walkway;
- The residential bicycle parking is not provided within a secure facility. Pursuant to Clause 52.34-3 & Australian Standard AS2890.3 bicycle spaces must be provided in a bicycle locker, or in a lockable compound (i.e. access is with a swipe card or key).
- It is recommended that all residential bicycle parking is consolidated into a secure facility at the ground floor.
- The wall hanging bicycle spaces and access ways appear to be in accordance with the clearance requirements of AS2890.3;
- It is unclear if the proposed horizontal spaces (shown below) meet layout requirements of AS2890.3, as the length of this area appears to be 2500mm. Notations indicating the bicycle racks and bicycle envelope should be documented to demonstrate compliance.
- In order to meet the AS2890.3 requirement for 20% of spaces to be horizontal at-grade spaces, at least 6 spaces should be provided as a horizontal bicycle rack.





Horizontal bicycle spaces shown on plans and layout requirements as per AS2890.3

Electric vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). Whilst it is acceptable no EV charging points are installed during construction, 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'.

Attachment 10 - PLN14/0571.01 - 452 – 456 Bridge Road & 1 – 3 Fraser Street, Richmond - Strategic Transport

Recommendations

The following should be shown on the plans before endorsement:

1. A minimum of 32 residential bicycle spaces must be provided within a minimum of two secure storage areas at the ground floor.
2. At minimum 20% of residential bicycle spaces must be provided as horizontal bicycle rails.
3. Notations indicating dimensions of the residential bicycle spaces and access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority.

Regards

Chloe Wright

Sustainable Transport Officer
Strategic Transport Unit

Attachment 11 - PLN14/0571.01 - 452 - 456 Bridge Road & 1 - 3 Fraser Street Richmond - Engineering

CITY OF YARRA

MEMO

To:	**Lara Fiscalini**	
From:	**Mark Pisani**	
Date:	**22 July 2020**	
Subject:	**Application No:**	**PLN14/0571.01**
	Description:	**Amendment**
	Site Address:	**452-456 Bridge Road and 1-3 Fraser Street, Richmond**

I refer to the above Planning Application received on 2 June 2020 in relation to the proposed development at 452-456 Bridge Road and 1-3 Fraser Street, Richmond. Council's Civil Engineering unit provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
KUD Architecture	TP03 *Proposed Basement Floor Plan*	D	6 February 2020
	TP04 *Proposed Ground Floor Plan*	C	4 June 2020
	TP05 *Proposed First Floor Plan*	C	4 June 2020
	TP17 *Proposed Section 01*	C	4 June 2020
	TP18 *Proposed Section 02*	C	4 June 2020
	TP21 *Proposed North Elevation – R.O.W.*	C	4 June 2020
	TP23 *Courtyard – South Evaluation*	C	4 June 2020
	TP24 *Courtyard – North Evaluation*	C	4 June 2020
	TP32 *Comparison Plans – L0 & L1*	C	4 June 2020
Impact Traffic Engineering	*Traffic and transport Assessment* report	FINAL 01	6 May 2020

CAR PARKING PROVISION

	Endorsed Proposal		Amended Proposal	
Proposed Use	**Quantity/ Size**	**Car Parking Provision**	**Quantity/ Size**	**Car Parking Provision**
One-Bedroom Dwellings	19	22	18	11
Two-Bedroom Dwellings	8		6	5
Three-Bedroom Dwellings	-		8	16
Residential Visitors*	27 dwellings	0		
Retail (2 tenancies)	149 m^2	2	260 m^2	0
	Total	**24 spaces**		**32 spaces**

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* Since the site is located within the Principal Public Transport Network Area, the residential visitor parking requirement does not apply.

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

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

Parking Demand Consideration	Details
Parking Demand for the Dwellings	Impact Traffic has sourced average car ownership data for flat-type dwellings in Richmond from the 2016 ABS Census, and are summarised below: ▪ One-bedroom dwelling: 0.75 cars per dwelling ▪ Two-bedroom dwelling: 0.98 cars per dwelling ▪ Three-bedroom dwelling: 1.14 cars per dwelling It is proposed that the one-bedroom dwellings would be provided with parking at a rate of at a rate of 0.61 spaces per dwelling and the two-bedroom dwellings would be provided at 0.83 spaces per dwelling. The three-bedroom dwelling would each have toe spaces per dwelling. In the 2016 Census, it is recognised that some dwellings do not own a car. Providing a proportion of one- and two-bedroom dwellings without a car parking space is not uncommon. The site has its frontage on an activity centre and has very links to public transport. We consider the parking provision for the residential dwellings to be appropriate.
Parking Demand for the Retail Tenancies	No parking would be provided for the retail tenancies. To determine the likely staff parking generation, a staff parking rate of 1 space/100 m^2 of floor area could be adopted. This would adequate to a parking demand of two to three spaces. Given that it would be impractical to park on-street, employees would be inclined to use public transport, ride a bicycle or walk to the development. The provision of no parking spaces for the retail use within an activity centre is considered acceptable.

Adequacy of Car Parking
From a traffic engineering perspective, the provision of car parking for the dwellings and no parking for the retail use at this site is considered appropriate in the context of the development and the surrounding area. The car parking demand rates for the dwellings are fairly consistent with the endorsed proposal. The site is very well positioned in terms of public transport nodes and the on-road bicycle network. The operation of the development should not adversely impact existing on-street parking conditions in the area.

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

TRAFFIC IMPACT

Trip Generation

The trip generation for the site adopted by Impact Traffic is as follows:

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Residential (32 dwellings)	5.0 vehicle trips per dwelling per day Peak hour traffic volumes are 10% of daily traffic.	160	16	16

The traffic volumes generated by the amended proposal are not unduly high and should not adversely impact the traffic operation of Fraser Street or any of the surrounding streets.

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance Via Fraser Street	Consistent with the endorsed proposal.
Visibility	The two pedestrian sight triangles (each measuring 2.0 metres by 2.5 metres) satisfy *Design Standard 1 – Accessways* of Clause 52.06-9. Vegetation within the south splay is to be maintained no higher than 900 mm as required by *Design standard 1*.
Headroom Clearances	The headroom clearance at the development entrance and at the critical point within the ramp (i.e. – the minimum headroom clearance from the surface of the ramp to the underside of the of the first floor slab) have not been dimensioned on the drawings.
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the at-grade parking spaces (2.4 metres by 5.4 metres) satisfy AS/NZS 2890.1:2004.
Accessible Parking Space	Not applicable for this development.
Aisles	The 6.8 metre wide aisle satisfies AS/NZS 2890.1:2004.
Column Depths and Setbacks	The setback and dimensions of the column in between spaces 30 and 31 have not been provided. A check of the column's position using the Trapeze plan management tool indicates the front corners of the column encroach the parking space clearance envelopes by a very small amount (please see appended diagram). We are satisfied the column does not impact vehicle turning movements into and out of these spaces.
Gradients	
Ramp Grade for First 5.0 metres inside Property	The ramp for the first 5.0 metres inside the development has a grade of 1 in 10, which satisfies *Design standard 3: Gradients*.

Attachment 11 - PLN14/0571.01 - 452 - 456 Bridge Road & 1 - 3 Fraser Street Richmond - Engineering

Item	Assessment
Ramp Grades and Changes of Grade	The grades and changes of grade satisfy *Table 3 Ramp Gradients* of Clause 52.06-9.
Other Items	
Deletion/Relocation of Space 32 Appendix B of Impact Traffic report	In Appendix B of the Impact Traffic report, space 32 appears to have been deleted or relocated. No details or supporting information has been provided, however it appears that the deletion of the space is to provide a turn-out area for a vehicle entering the end stacker space and for a motorist accessing space 31. We are supportive of the deletion or removal of space 32. The *Proposed Basement Floor Plan* (Revision D) has not been updated.
Loading Arrangements	Consistent with the endorsed proposal (i.e. – loading to occur on-street by small vans or small commercial vehicles).
Traffic Signal System	Unlike an office development which has a regimented pattern of traffic movements and a greater disparity in its directional splits, a motorist from a residential development would have a greater probability of encountering an oncoming motorist along the single lane accessway. A traffic signal system (Stop/Go arrangement) should be implemented to help regulate vehicle movements into and out of the development.
Swept Path Analysis	
Vehicle Entry and Exit Movements Via Fraser Street DG-01-02*	The swept path diagrams for a B99 design vehicle entering and exiting the development via Fraser Street are considered satisfactory.
Circulation within Ramp DG-01-04	The swept path diagrams for the B99 design vehicle circulating the single lane curved ramp are considered satisfactory.
Vehicle Turning Movements DG-01-05 DG-01-06 DG-01-07	The swept path diagrams for the B85 design vehicle entering and exiting the stacker platforms and the at-grade parking spaces via the single lane curved ramp are considered satisfactory.

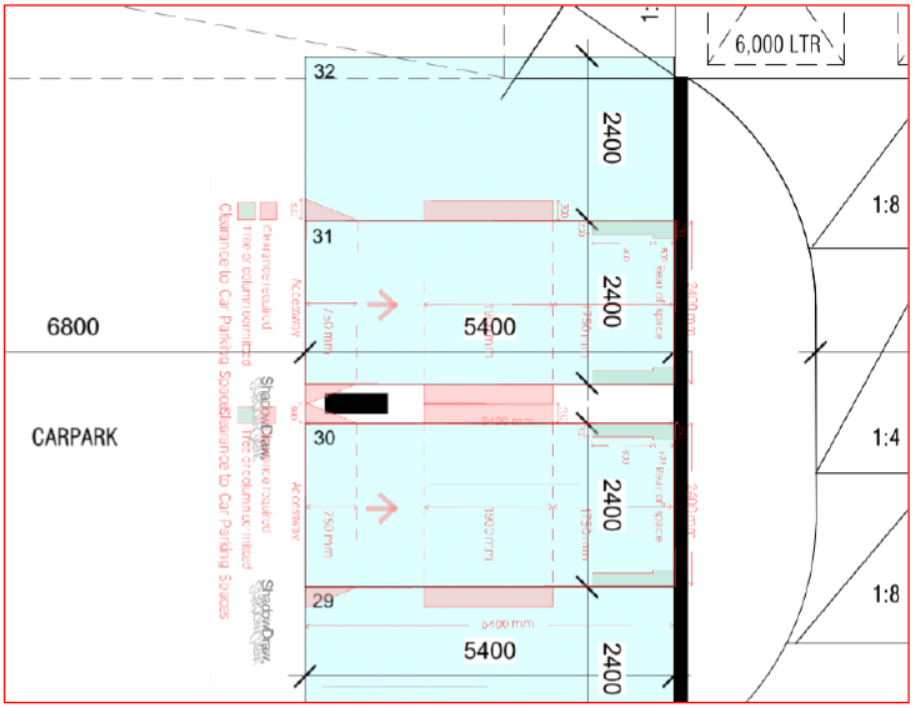
* Impact Traffic Engineering swept path diagram drawing number.

Design Items to be Addressed

Item	Details
Headroom Clearance	The headroom clearances at the development entrance and at the critical point along the ramped accessway are to be shown on a section drawing.
Deletion/Relocation of Space 32	To be reflected on the *Proposed Basement Floor Plan*.
Splay at Top of Curved Ramp	The top of the ramp should be splayed/flared as suggested by Impact Traffic Engineering.
Traffic Signal System	To be incorporated to regulate vehicle movements into and out of the development.

Attachment 11 - PLN14/0571.01 - 452 - 456 Bridge Road & 1 - 3 Fraser Street Richmond - Engineering

CLEARNACE TO CAR PARKING SPACES – SPACES 30 AND 31



6.2 PLN19/0224 - 48 Oxford Street, Collingwood

Executive Summary

Purpose

1. This report provides an assessment of the proposal at No. 48 Oxford Street, Collingwood for the construction of a six-storey mixed-use building containing a food and drinks premises (cafe), office and dwellings (permit required for office use only, hours of operation: 8am to 6pm, Monday to Friday) with a roof top terrace and reduction of the car parking requirements associated with the office use.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 15.01 – Urban Environment;
   (b) Clause 22.05 – Interface uses policy;
   (c) Clause 32.04 – Mixed Use Zone;
   (d) Clause 43.07 – Design and Development Overlay (Schedule 23);
   (e) Clause 52.06 – Car Parking; and
   (f) Clause 58 – Apartment Developments.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Policy and strategic support;
   (b) Use of the land as office;
   (c) Built form and design;
   (d) Off-site amenity impacts;
   (e) On-site amenity, including Clause 58;
   (f) Car parking and traffic; and
   (g) Objector concerns.

Submissions Received

4. Twelve objections were received to the application, these can be summarised as:

   (a) Height and mass of the development is inconsistent with the neighbourhood character;
   (b) The proposal is an overdevelopment of the site;
   (c) The sheer side walls, architectural style and materials proposed are not in keeping with the surrounding area;
   (d) The proposal is unsympathetic to the surrounding heritage character;
   (e) Future occupants will have a poor level of internal amenity;
   (f) Loss of daylight and privacy;
   (g) Unacceptable noise, visual bulk, wind impacts and overshadowing to the surrounds;
   (h) The development will result in unequitable outcomes;
   (i) Visual intrusion caused by the external staircase and accumulative development in the area;
   (j) Not enough car parks provided on-site, the on-street car parking is already at capacity and cannot cater to overflow from development;
   (k) Car stackers are inefficient and will not be utilised;
   (l) Too many cafes and apartments in the area;
   (m) Concern the consultant reports do not provide enough information;
   (n) Decrease in property values and revenue of existing cafes; and
   (o) Pressure on infrastructure.

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) A Façade Strategy and Materials and Finishes Plan.
   (b) Post occupational acoustic testing demonstrating compliance of the car stackers with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing and proposed dwellings.

CONTACT OFFICER: **Michelle King**
TITLE: **Principal Planner**
TEL: **9205 5333**

6.2 PLN19/0224 - 48 Oxford Street, Collingwood

Reference	D21/6338
Author	Michelle King - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	Langridge
Proposal:	Construction of a six-storey mixed-use building containing a food and drinks premises (cafe), office and dwellings (permit required for office use only, hours of operation: 8am to 6pm, Monday to Friday) with a roof top terrace and reduction of the car parking requirements associated with the office use
Existing use:	Single storey commercial building
Applicant:	Tract Consultants Pty Ltd
Zoning / Overlays:	Mixed Use Zone (MUZ) Design and Development Overlay, Schedule 23 (DDO23) Environmental Audit Overlay (EAO) Development Contributions Plan Overlay, Schedule 1 (DCPO1)
Date of Application:	15/04/2019
Application Number:	PLN19/0224

Planning History

1. Planning permit PLN12/0943 was issued on 9 May 2013 for the development of the land for the construction of one dwelling and a reduction in car parking requirements. This permit was not acted upon and has since lapsed.

Background

<u>Lodgement of Section 50 Plans (3 April 2020)</u>

2. In response to concerns raised by Council's planning officers and internal referrals, amended plans were submitted under Section 50 of the *Planning and Environment Act 1987* (the Act). The key changes are as follows:

   (a) Reduction of floor-to-ceiling height of Level 4 to 2.7m;
   (b) Reduction of parapet height to not exceed 20 metres; and
   (c) Increased setback of rooftop planters from building edge.

3. The above changes resulted in the development meeting the preferred building height of 20 metres stipulated for the site pursuant to the DDO23.

<u>Lodgement of Section 50 Plans (24 July 2020)</u>

4. In response to concerns raised by Council's planning officers and internal referrals, amended plans were submitted under Section 50 of the Act. The key changes are as follows:

   (a) Increased upper level setback to 6 metres (previously 4 metres);
   (b) Podium design amended to introduce two distinct forms;
   (c) Introduction of a light court along the southern boundary including associated internal reconfigurations;
   (d) Realignment of the lift core; and

(e) Introduction of a separate pedestrian entrance from driveway (previously shared with driveway).

5. The above changes resulted in the development meeting the preferred upper level setback of 6 metres stipulated for the site pursuant to the DDO23.

The Proposal

6. The proposal is to construct a six-storey mixed-use building containing a food and drinks premises (cafe), office and dwellings (permit required for office use only, hours of operation: 8am to 6pm, Monday to Friday) with a roof top terrace and reduction of the car parking requirements associated with the office use. Key features of the proposal include:

Use and layout

7. At the ground floor, the building contains a food and drinks premises (café) of 25sqm. An enclosed outdoor area associated with the café is proposed along Oxford Street with the café accessed from the main pedestrian access to Oxford Street. No permit is required for this use.

8. The ground floor also includes a bin store room, secure bicycle parking for five bicycles, lift access, external stair access and the vehicular access which connects to a car turning area and a car stacker system for 8 vehicles.

9. Five office tenancies are located on the first (99sqm), second (70sqm), third (115sqm) and fourth to fifth floors (110sqm per floor). The office tenancies are shown on the plans as 'Commercial Tenancy,' this annotation should be modified to 'office' by condition to remove any ambiguity as to the commercial use sought pursuant to this application. A planning permit is required for the use of the land for office and hours of operation Monday to Friday 8am to 6pm, are proposed.

10. Two dwellings are proposed on the first floor (two bedroom) and second floor (one bedroom). No permit is required for this use.

11. The rooftop incorporates a communal roof terrace (30sqm) and green roof.

Construction

Demolition (no permit required)

12. All structures on site, excluding the existing wall approximately 9.4 metre in length located along the northern boundary to the rear, are to be demolished.

13. The existing vehicle crossover that extends along the width of the site is also proposed to be demolished and reinstated as footpath, curb and channel except for the proposed single-width crossover.

14. A portion of the northern boundary fence is shown to be demolished outside of title boundaries. This has not been applied for, and a condition will be included requiring the fence where on No. 50 Oxford Street to be retained.

Ground Floor

15. The podium is built to the Oxford Street boundary for a length of 4.7 metres from the southern boundary, before the building splays back from the street to adopt a 3 metre setback (for a length of 4.4 metres), to then abut the northern boundary. The vehicular access is accessed from the setback area. The pedestrian entrance is accessed from the splayed building frontage.

16. Whilst the podium is shown to be built to the northern boundary for a length of 4.53 metres on the ground floor plan. However, this is an error as the podium is to be built along the northern boundary for a length of 7.5 metres, in accordance with the northern elevation.

17. Behind this, the lobby area will be setback a minimum 3.32 metres from the northern boundary. The existing approximate 9.4 metre long northern on-boundary wall toward the rear of the site is to be retained, as previously identified. A new 1.8 metre high paling fence is proposed between the new and retained on-boundary walls.

18. The building is built to the length of the eastern (rear) and southern boundaries.

First Floor

19. The podium adopts the same setbacks as the ground floor along Oxford Street. The podium is built to the northern boundary for a length of 6.87 metres. A 0.9 metre planter is shown behind the podium, although the planter is actually 0.6m wide in accordance with the northern elevation.

20. Beyond the planter, an external stair is located 0.55 metres from the northern boundary for a length of 4.9 metres before the building adopts a 3 metre setback to the northern boundary for the remainder of the development. A 0.4 metre wide planter box extends into this setback along the balcony edge. A raised planter is located between the retained boundary wall and the balcony, for a length of 6.5 metres.

21. The building is built to the eastern (rear) boundary for approximately 8.4 metres. The building is built to the southern boundary with the exception of a 3.75 metre wide lightcourt, setback 12.97 metres from the front boundary.

Second Floor

22. The development adopts the same front setback and southern and rear boundary construction as described in relation to the first floor.

23. The podium is now setback from the northern boundary by 4.4 metres for a length of 3 metres, where a planter is accommodated. To the east of this, the building is setback from the northern boundary by 3 metres for a length of 3.9 metres (including a 0.3 metre planter box). A terrace associated with a dwelling is located in this setback area.

24. Behind this, the external stair is located 0.55 metres from the northern boundary for a length of 4.9 metres before the building adopts a 3 metre setback to the northern boundary for the remainder of the development. A 0.4 metre wide planter box extends into this setback along the balcony edge.

Third Floor

25. Above the podium, this floor is setback 6 metres from the front boundary. A terrace is located within the setback area, above the third storey podium.

26. To the north, the development is setback 3 metres from the northern boundary with the exception of the external stair as described in relation to the floors below. A 0.4 metre wide planter box extends into this setback along the balcony edge to the east of the exposed stair.

27. The development adopts the same rear and southern boundary construction as described in relation to the second floor, however, the depth of the lightwell is reduced to 2.2 metres.

Fourth Floor

28. This floor is setback 6 metres from the front boundary and 3 metres from the northern boundary with the exception of the external stair as described in relation to the floors below. A 0.4 metre wide planter box extends into this setback along the balcony edge to the east of the exposed stair.

29. The development adopts the same rear and southern boundary construction as described in relation to the third floor.

Fifth Floor

30. This floor is setback 6 metres from the front boundary and 3 metres from the northern boundary with the exception of the central area which is setback 7.6 metres. A spiral staircase provides access to the roof terrace from this level.

31. The development adopts the same rear and southern boundary construction as described in relation to the third floor.

Rooftop Terrace

32. A green roof and roof terrace are located above the built form, with the roof terrace located within the eastern portion of the roof form.

Elevations

33. To Oxford Street, a part two and part three storey podium with overall heights of 6.85 metres to 10.5 metres is proposed.

34. The building will be six storeys with an overall height of 20 metres, with a roof terrace level proposed above.

Materials and finishes

35. The primary material palette consists of honed finish bluestone (Stone_01), ceramic cladding (Ceramic_01), textured cement render (Render_01), and textured cladding panels (Panel_01). Metal is utilised for planters (Metal_02 and Metal_03), horizontal blades (Metal_03), vehicle and pedestrian gates (Metal_02) and the feature olive green external stair (Metal_01).

Figure: Render of proposed development
Source: Applicant Documentation (Site Context Report)

Existing Conditions

Subject Site

36. The subject site is located on the eastern side of Oxford Street, approximately 70m south of the intersection with Peel Street, and approximately 55m north of the intersection with Langridge Street.

37. The site is identified as Lot 1 on Title Plan 15808D. The rectangular shaped allotment has a frontage to Oxford Street of 11.28 metres and a depth of 28.42 metres, yielding a total site area of 321sqm.

Figure: Aerial photograph of No. 48 Oxford Street, Collingwood
Source: Nearmap, image capture date: 8 November 2020

38. Currently the site is occupied by a single storey building used most recently as an office. The building is setback 1m from the north for a length of 13 metres and is then constructed to the boundary for the remaining length of the lot. The building is constructed to the south and rear boundaries and is setback 5.567m from the west boundary (Oxford Street).

39. There is an existing vehicular crossover interfacing with Oxford Street spanning the full width of the site with car parking accommodated within the front setback.

Figure: No. 48 Oxford Street, Collingwood
Source: Officer Image, taken 14 November 2019

Title Documents

40. The title submitted with the application does not show any covenants, restrictions or easements.

Surrounding Land

41. The site is approximately 120 metres east of Smith Street, a Major Activity Centre (MAC), containing a wide range of retail, entertainment, dining and service offerings. As identified later in the report, Yarra Planning Scheme Amendment C269 seeks to include the Collingwood Mixed Use precinct within the Smith Street MAC. The site is located west of the Collingwood Gipps Street precinct, a major employment precinct. A tram route is accessible from Smith Street providing access to the CBD and Bundoora.

42. The built form types in the area are mixed. Evident in the area are buildings industrial in nature reflective of the area's historic uses; intermixed with remnant workers cottages, modern residential developments and warehouse residential conversions. This area has experienced substantial growth and a shift toward a more residential focus, encouraged by the Mixed Use Zone of the land. One and two storey buildings are being replaced with 6 to 13 storey buildings.

43. The subject site is located within a Mixed Use Zone (MUZ) and the existing development in the wider area is mixed, as described above, consisting of residential, commercial and industrial uses resulting in diverse built form. The surrounding area and zoning is shown below.

Figure: The subject site and surrounding land shown as MUZ, with C1Z to the west
Source: DELWP

Figure: Aerial photograph of the subject site and surrounding built form
Source: Nearmap image capture date: 8 November 2020

44. The site's immediate interfaces are as follows:

45. Abutting the site to the north is No. 50 Oxford Street, a semi-attached double storey Victorian-era dwelling which forms one of a pair of dwellings. This dwelling is constructed to its northern boundary and is setback approximately 0.8 metres from the south boundary. The dwelling is setback 3 metres from the west boundary with Oxford Street. The site's secluded private open space is located within the rear setback. This dwelling, along with the adjoining northern property (No. 52 Oxford Street) are identified as being 'individually significant' to Schedule 123 of the Heritage Overlay.

46. Abutting the site to the east is No. 67-77 Cambridge Street, a single storey brick warehouse constructed to the western (common) boundary. This building is generally constructed to both northern and southern side boundaries. To the south of this site, at No. 65 Cambridge Street, is a double storey commercial building which is built to its western boundary.

47. To the immediate south of the subject site is a single storey brick warehouse used as a food and drinks premises (café). This building is generally constructed to all title boundaries with the exception of a setback within the south-western corner.

48. To the south of this site, is a development site comprising No. 42-44 Oxford Street, No. 61-63 Cambridge Street and No. 16-20 Langridge Street where an 11 storey building comprising a food and drinks premises, shop, dwellings and a residential hotel is currently under construction pursuant to Planning Permit PLN18/0497. The existing building fronting Oxford and Cambridge Streets is identified as being 'individually significant' to Schedule 417 of the Heritage Overlay.

49. The western elevation of this development, where facing Oxford Street, is shown below. The retained individually significant heritage building is shown as the red brick building.

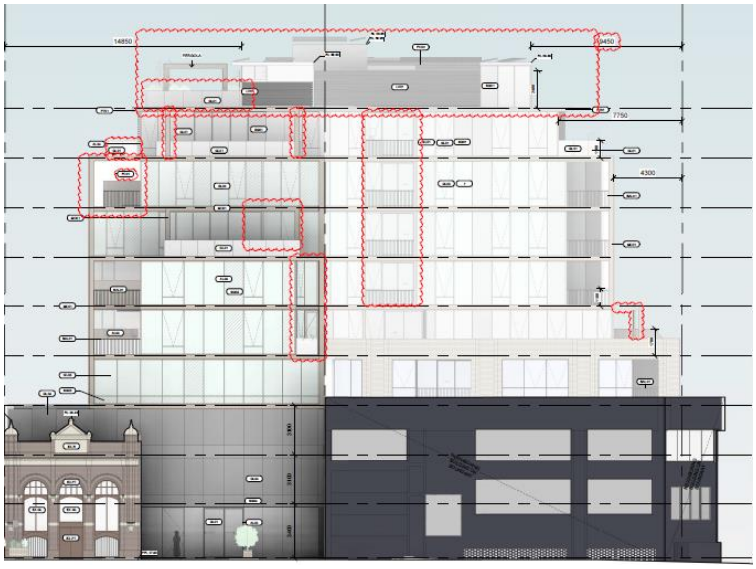


Figure: Oxford Street elevation of proposal approved pursuant to PLN18/0497
Source: Endorsed plans of PLN18/0497

50. The endorsed façade strategy of Planning Permit PLN18/0497 provides a street perspective of the development, when viewed from Oxford Street, provided in the figure below.

Figure: Oxford Street perspective of proposal approved pursuant to PLN18/0497
Source: Endorsed façade strategy of PLN18/0497

West

51. The western side of Oxford Street is an eclectic mix of residential and commercial buildings ranging between single and three storeys in height and from varying construction eras. The majority of buildings have boundary-to-boundary construction, punctuated by windows, balconies at upper levels and roller doors at ground floor.

Figure: Photomontage of the western side of Oxford Street
Source: Officer Images, taken 14 November 2019

52. Where opposite the subject site, No. 57 - 63 Oxford Street are built to the street boundary and are used as dwellings. These dwellings are identified as being 'individually significant' to Schedule 125 of the Heritage Overlay.

Broader area

53. The Collingwood area is currently going through a period of transition from lower scale buildings to higher density development. In addition to the approvals identified above, there have been several approvals within the Collingwood Mixed Use precinct.

54. Recently constructed developments within proximity to the site are as follows:
    (a) No. 7 & 9-15 Little Oxford Street (9 storeys);
    (b) No. 195 Wellington Street (10 storeys);
    (c) No. 109 Wellington Street (9 storeys);
    (d) No. 73 - 77 Wellington Street (10 storeys);
    (e) No. 15 – 21 Derby Street and No. 27 – 29 Oxford Street (8 storeys); and
    (f) No. 61 – 71 Wellington Street and No. 37 – 39 Langridge Street (13 storeys).

55. Other recently approved larger scale developments in the vicinity that have commenced construction or recently received planning permits include:
    (a) PLN18/0497 – 42-44 Oxford Street, 61-63 Cambridge Street and 16-20 Langridge Street (11 storeys);
    (b) PLN15/1083 – No. 72 - 94 Cambridge Street (10 storeys); and
    (c) PLN17/1059 – No. 33 Peel Street (8 storeys).

56. The above constructed, under construction, and recently approved planning applications show that Collingwood is an area which is undergoing transition with larger scale developments.

Planning Scheme Provisions

Zoning

Clause 32.04 – Mixed Use Zone (MUZ)

57. The purposes of this zone are:

    (a) *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
    (b) *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
    (c) *To provide for housing at higher densities.*
    (d) *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
    (e) *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

58. The use of the site for a food and drinks premises does not require a permit because the total leasable floor area does not exceed 150sqm. The use of the site for a dwelling does not require a permit pursuant to clause 32.04-2.

59. The use of the site for an office requires a planning permit under clause 32.04-2 because the total leasable floor area exceeds 250sqm.

60. Pursuant to clause 32.04-6, a permit is required to construct two or more dwellings on a lot.

61. Clause 32.04-6 states an apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

62. Pursuant to clause 32.04-8, a permit is required to construct a building or construct or carry out works for a use in section 2 of clause 32.04-2.

Overlays

Clause 43.02 – Design and Development Overlay
(Schedule 23 – Collingwood South (Mixed-Use) Precinct) (DDO23)

63. The site is located within the DDO23. 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.

64. This Schedule relates to the Collingwood South Mixed Use Precinct with the site located within Area 1. The general design objectives of this Schedule are as follows:

    (a) *To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.*

    (b) *To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties , including visual bulk, overlooking and overshadowing.*

    (c) *To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.*

    (d) *To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.*

    (e) *To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.*

65. This Schedule contains preferred parameters to guide future built form outcomes within the precinct. An excerpt of the Building Heights Framework Plan is provided below, with the subject site identified.

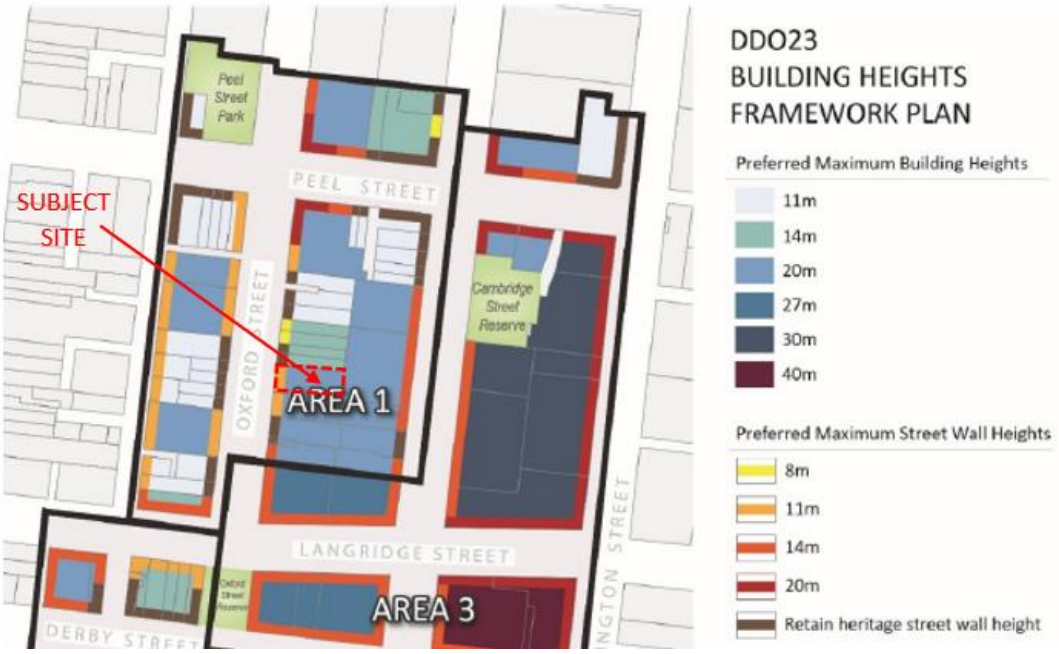


Figure: Excerpt from Plan 1 of the DDO23, highlighting the subject site
Source: Design and Development Overlay, Schedule 23

66. The built form parameters that apply to the subject site are outlined below:

    (a) Overall building height (preferred):
        (i) 20m (definition excludes some non-structural elements such as lift overruns).

    (b) Street wall height to Oxford Street (preferred):
        (i) 11m maximum.

    (c) Upper Level setbacks to Oxford Street (preferred):
        (i) Minimum 6m.

67. For streets that extend in a north-south direction, development must not overshadow the eastern and western footpaths to a distance of 2 metres from the kerb on September 22.

68. The following design requirements apply:

    (a) *The street frontage of development must:*
        (i) provide a prominent, well-articulated street-wall edge that provides a distinction between the lower and the upper levels of the building;
        (ii) address all street frontages and, where heritage elements are not a constraint, incorporate design elements/features that contribute to an engaging streetscape, avoiding blank walls and provide active frontages, where appropriate to the proposed use at ground level;
        (iii) be designed to accommodate (or can be adapted to accommodate) commercial activity at the ground floor incorporating a suitable commercial floor height, where heritage elements are not a constraint;
        (iv) locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building;
        (v) respond to the topography of the east-west oriented streets through transition and "stepping" of the ground floor to appropriately address the street.

    (b) *The design of upper levels of development must:*
        (i) be well-designed and articulated to break up the building mass across sites with a wide frontage;

(ii) distinguish between the lower and upper levels through materials and articulation;
(iii) be designed so that side walls are articulated and read as part of the overall. building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape;
(iv) provide passive surveillance of adjacent streets and public open space.

69. As referenced under Building separation, amenity and equitable development requirements:

(a) *An application for development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.*
(b) *Where development shares a common boundary, upper level development must:*
(c) *be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed*
(d) *be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.*

70. In respect of vehicle access and car parking requirements, development must be designed to:
(a) *avoid providing vehicle access from Wellington Street and provide access from a side street or laneway where practical;*
(b) *provide car parking in a basement. Where basement car parking is not possible, it must be concealed within the building envelope;*
(c) *avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.*
(d) *Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone. Where pedestrian access can only be provided from a laneway, the pedestrian entrance must be setback from the laneway and be well lit to enable safe access.*

71. The following decision guidelines apply to an application for a permit under this clause, and must be considered, as appropriate:

(a) *Whether the Built Form Requirements in Clause 2.0 are met.*
(b) *Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay).*
(c) *Whether the proposal has considered the development rights/potential of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design.*
(d) *Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site though a suitable transition in scale of street-wall, upper level setbacks and building height.*
(e) *How the proposal responds in terms of scale and transition to the sloping topography of the area.*
(f) *The design response at the interface with existing low-scale residential properties, including the overshadowing of secluded private open space.*
(g) *Whether the proposal provides a high quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm.*
(h) *How any proposed buildings and works will impact on solar access to footpaths and public open spaces.*
(i) *The wind effects created by the development.*

Clause 45.03 – Environmental Audit Overlay (EAO)

72. Pursuant to Clause 45.03-1 of the Scheme, the following requirements apply:

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.*

73. The use of the site for dwellings are sensitive uses and the requirements of this overlay are therefore applicable to the application.

Clause 45.06 – Development Contributions Plan Overlay (Schedule 1)

74. The Development Contributions Plan applies to the proposed additional office, retail and residential uses, requiring the developer to pay a cash contribution towards essential city infrastructure like roads and footpaths, as well as community facilities.

75. 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

76. A planning permit is not required for works under the overlay.

Particular Provisions

Clause 52.06 – Car parking

77. Clause 52.06-1 requires that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land. Pursuant to Clause 52.06-3 a permit is required to reduce the number of car parking spaces required under this clause.

78. Pursuant to Clause 52.06-5, Column B of Table 1 applies if any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018). The subject site is shown as being within the Principal Public Transport Network Area and therefore Column B applies.

79. Before a requirement for car parking is reduced, the applicant must satisfy the Responsible Authority that the provision of car parking is justified having regard the decision guidelines at clause 52.06-6 of the Scheme. The provision of car parking is as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	1	1 space per dwelling	1	1
Two-bedroom dwelling	1	1 space per dwelling	1	1
Office	504 m^2	3 spaces per 100 m^2 of net floor area	15	6
Food and Drink	25 m^2	3.5 spaces per 100 m^2 of leasable floor area	0	0

Total	**17 Spaces**	**8 Spaces**

80. A total of 8 car spaces are proposed on site, therefore the application seeks a total reduction of 9 car spaces associated with the office use only.

Clause 52.34 – Bicycle Facilities

81. Pursuant to clause 52.34, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. The purpose of the policy is to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Dwellings	2 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	0 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	0 visitor spaces	
Office (other than specified in the table)	504 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	0 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 visitor spaces	
Food and drink	25 sqm	1 employee space to each 100 sqm of net floor area	0 employee spaces	
		1 visitor space to each 50 sqm of net floor area	0 visitor spaces	
Bicycle Parking Spaces Total			**0 resident / employee spaces**	**5 resident / employee spaces**
			0 visitor spaces	**0 visitor spaces**
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces		**0 showers / change rooms**	**0 showers / change rooms**

83. The development is not required to provide any resident, employee or visitor bicycle spaces. With five resident/employee spaces provided within the development, the statutory requirement is exceeded.

84. Clause 52.34-4 provides design standard for bicycle spaces and signage.

Clause 58 - Apartment Developments

85. The provisions of Clause 58 apply to an application to construct or extend an apartment development if the development is five or more storeys within the Mixed Use Zone. A development must meet all of the objectives and should meet all of the standards of the Clause.

Clause 53.18 – Stormwater Management in Urban Development

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

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

General Provisions

Clause 65 – Decision Guidelines

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

Planning Policy Framework (PPF)

88. Relevant clauses are as follows:

    Clause 11 (Settlement)
    Clause 11.01-1R (Settlement – Metropolitan Melbourne)

89. 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)

90. The objective is:

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

    Clause 11.03 (Planning for Places)
    Clause 11.03-1S (Activity Centres)

91. The relevant objectives of this clause include:

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

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

92. 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 13.04-1S (Contaminated and potentially contaminated land)

93. The relevant objective of this clause is:

(a) *To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.*

94. Relevant strategies are:

(a) *Require applicants to provide adequate information on the potential for contamination to have adverse effects on future land use if the subject land is known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel.*

(b) *Facilitate the remediation of contaminated land, particularly on sites in developed areas with potential for residential development.*

Clause 13.05-1S (Noise abatement)

95. The relevant objective of this clause is:

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

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

Clause 13.07 (Amenity and Safety)
Clause 13.07-1S (Land use compatibility)

97. The objective of this clause is:

(a) *To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.*

Clause 15.01 (Built Environment and Heritage)
Clause 15.01-1S (Urban design)

98. The relevant objective of this clause is:

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

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

99. The objective is:

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

    Clause 15.01-2S (Building design)

100. The relevant objective of this clause is:

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

101. Relevant strategies of this clause are:

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

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

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

    Clause 15.01-4S (Healthy neighbourhoods)

103. 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 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)

104. 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)

105. The relevant objective of this clause is:

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

106. Relevant 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 Efficiency)

107. The objective of this clause is:

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

Clause 16.01 Residential Development
Clause 16.01-1S – Integrated housing

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

Clause 16.01-1R – Integrated housing- Metropolitan Melbourne

109. Strategies for this clause are:

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

Clause 16.01-2S Location of residential development

110. The objective of this clause is:

    (a) *To locate new housing in designated locations that offer good access to jobs, services and transport.*

111. Relevant strategies for this clause are:

    (a) *Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.*
    (b) *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
    (c) *Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.*
    (d) *Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.*

(e) *Identify opportunities for increased residential densities to help consolidate urban areas.*

Clause 16.01-2R – Housing opportunity areas- Metropolitan Melbourne

112. Relevant strategies for this clause are:

(a) *Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.*
(b) *Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:*
  (i) In and around the Central City.
  (ii) Urban-renewal precincts and sites.
  (iii) Areas for residential growth.
  (iv) Areas for greyfield renewal, particularly through opportunities for land consolidation.
  (v) Areas designated as National Employment and Innovation Clusters.
  (vi) Metropolitan activity centres and major activity centres.
  (vii) Neighbourhood activity centres - especially those with good public transport connections.
  (viii) Areas near existing and proposed railway stations that can support transit oriented development.
(c) *Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.*

Clause 16.01-3S – Housing diversity

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

114. Strategies of this policy are:

(a) *Ensure housing stock matches changing demand by widening housing choice.*
(b) *Facilitate diverse housing that offers choice and meets changing household needs through:*
  (i) A mix of housing types.
  (ii) Adaptable internal dwelling design.
  (iii) Universal design.
(c) *Encourage the development of well-designed medium-density housing that:*
  (i) Respects the neighbourhood character.
  (ii) Improves housing choice.
  (iii) Makes better use of existing infrastructure.
  (iv) Improves energy efficiency of housing.
(d) *Support opportunities for a range of income groups to choose housing in well-serviced locations.*
(e) *Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

Clause 16.01-3R – Housing diversity - Metropolitan Melbourne

115. The strategy of this policy is:

(a) *Create mixed-use neighbourhoods at varying densities that offer more choice in housing*

Clause 16.01-4S – Housing affordability

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

Clause 17.01 – (Employment)
Clause 17.01-1S – (Diversified economy)

117. The objective of this clause is:

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

118. The relevant strategies of this clause are:

(a) *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
(b) *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
(c) *Improve access to jobs closer to where people live.*

Clause 17.02 – (Commercial)
Clause 17.02-1S – (Business)

119. The relevant objective of this clause is:

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

120. The relevant strategies of this clause is:

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

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

121. The objective of this clause is:

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

122. Relevant strategies to achieve this objective include:

(a) *Develop transport networks to support employment corridors that allow circumferential and radial movements.*

(b) *Plan urban development to make jobs and community services more accessible by (as relevant):*

(i) Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
(ii) Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
(iii) Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.

(c) *Integrate public transport services and infrastructure into new development.*

Clause 18.02 (Movement Networks)
Clause 18.02-1S – (Sustainable personal transport)

123. The relevant objectives of this clause is:

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

124. Relevant strategies of this policy are:

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

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

125. 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)

126. The objective of this clause is:

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

Clause 18.02-2R (Principal Public Transport Network)

127. 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)

128. The objective of this clause is:

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

129. A relevant strategy is:

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

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement (MSS)

130. Relevant clauses are as follows:

Clause 21.04-1 Accommodation and Housing

131. The objectives of this clause are:

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

Clause 21.04-2 Activity Centres

132. The relevant objectives of this clause are:

(a) *To maintain the long term viability of activity centres.*

133. A relevant strategy is:

(a) *Permit residential development that does not compromise the business function of activity centres.*

Clause 21.04-3 Industry, office and commercial

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

Clause 21.05-2 Urban design

135. The relevant objectives of this clause are:

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

(c) *Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern;*
(d) *Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric;*
(e) *Objective 21 - To enhance the built form character of Yarra's activity centres;*
  (i) Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and
  (ii) Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.
(f) *Objective 22 - To encourage the provision of universal access in new development.*

Clause 21.05-3 Built form character

136. The general objective of this clause is:

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

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

138. The strategies to achieve the objective are to:

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

Clause 21.05-4 Public environment

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

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

Clause 21.06 Transport

140. 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

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

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

Clause 21.07-1 Ecologically sustainable development

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

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

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

Clause 21.08 Neighbourhoods
Clause 21.08-5 Collingwood

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

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

(b) South of Johnston Street is a large area of public housing generally comprising large blocks of apartments set in grounds.

(c) To the south of Johnston Street development is Victorian overlaid with subsequent periods of development. This part of Collingwood is varied in built form and character, ranging from large Victorian factory buildings to small pockets of low rise residential development. The most outstanding feature of the precinct is the Foy and Gibson complex of retail and warehouse of buildings which belong to the suburb's commercial past. The buildings have large dominating built forms with rhythmic facade design. They are imposing and visually cohesive.

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

144. The following relevant built form strategies in clause 21.05 include the following:

(a) In the precinct bounded by Johnston Street, Wellington Street, Victoria Parade and Smith Street (including both sides of Smith Street depicted as the 'Smith Street Major Activity Centre' in the Built Form Character Map).
(i) Maintaining the varied profile of the skyline and the built form character of Smith Street.
(ii) Ensuring that no new development presents as a dominating built form along Smith Street.
(iii) Retaining the prominence of the key 'icon' (landmark) buildings in the Smith Street streetscape such as Pattersons, Safeway, Post Office.
(iv) Maintaining the Foy and Gibson complex of buildings as a large dominating visually cohesive group of buildings.
(v) Retaining the uniformity of the streetscapes associated with the Foy and Gibson buildings.
(vi) Ensuring new development respects the scale of adjoining existing clusters of low rise residential development.

Relevant Local Policies

Clause 22.03 Landmarks and Tall Structures

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

Clause 22.05 Interfaces Uses Policy

146. This policy applies to all development and use applications and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

147. It is policy that:

    (a) *New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.*

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

148. Decision guidelines at clause 22.05-6 include:

    (a) *Before deciding on an application for residential development, Council will consider as appropriate:*

        (i) The extent to which the proposed dwellings may be subject to unreasonable noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

        (ii) Whether the dwellings are designed or incorporate appropriate measures to minimise the impact of noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

    (b) *Before deciding on an application for non-residential development, Council will consider as appropriate:*

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

        (ii) Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.

Clause 22.10 Built Form and Design Policy

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

Clause 22.12 Public Open Space Contribution

150. The objectives of this clause are:

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

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

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

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

Clause 22.17 Environmentally Sustainable Design

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

Other Relevant Documents

Plan Melbourne

154. The plan outlines the vision for Melbourne's growth to the year 2050. It seeks to define what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city's growth. It is a blueprint for Melbourne's future prosperity, liveability and sustainability.

155. It is policy to create mixed-use neighbourhoods at varying densities to offer more choice in housing and create opportunities for local businesses and new jobs whilst also delivering better access to local services and facilities. It is acknowledged that the application of the Mixed Use Zone can facilitate diverse housing and a greater mix of uses at varying densities.

156. In respect of commercial use, the plan identifies the following:

(a) *Between now and 2031 it is estimated that approximately 11.9 million square metres of commercial floorspace will be required across metropolitan Melbourne to meet projected demand.*

Of this total, 57 per cent would be required for office uses.

Yarra Planning Scheme Amendment C269 – Rewrite of Local Policies

157. Amendment C269 proposes to introduce new and revised local planning policies into the Yarra Planning Scheme. The amendment was on public exhibition between 20 August 2020 and 4 December 2020.

158. The revised local planning policy seeks to include the Collingwood Mixed Use precinct within the Smith Street, Collingwood / Fitzroy Major Activity Centre. The following relevant strategies for the revised Major Activity Centre are provided below:

    (a) *Encourage development that responds to the different built form conditions in Collingwood South precinct, with taller built form towards Wellington St and south of Peel Street and retain the visual dominance and integrity of the existing industrial warehouse buildings north of Peel Street.*

    (b) *Encourage employment through mixed use and commercial development, including in the mixed use zoned land behind Smith Street.*

Advertising

159. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 900 letters sent to surrounding owners and occupiers and by a sign displayed on site. Council received 12 objections, the grounds of which are summarised as follows:

    (a) Height and mass of the development is inconsistent with the neighbourhood character;
    (b) The proposal is an overdevelopment of the site;
    (c) The sheer side walls, architectural style and materials proposed are not in keeping with the surrounding area;
    (d) The proposal is unsympathetic to the surrounding heritage character;
    (e) Future occupants will have a poor level of internal amenity;
    (f) Loss of daylight and privacy;
    (g) Unacceptable noise, visual bulk, wind impacts and overshadowing to the surrounds;
    (h) The development will result in unequitable outcomes;
    (i) Visual intrusion caused by the external staircase and accumulative development in the area;
    (j) Not enough car parks provided on-site, the on-street car parking is already at capacity and cannot cater to overflow from development;
    (k) Car stackers are inefficient and will not be utilised;
    (l) Too many cafes and apartments in the area;
    (m) Concern the consultant reports do not provide enough information;
    (n) Decrease in property values and revenue of existing cafes; and
    (o) Pressure on infrastructure.

160. No consultation meeting was held as a result of the state of emergency declared in Victoria and the current health advice related to the COVID-19 pandemic.

Referrals

161. The application was referred to the following units within Council and external consultants:
    (a) Open Space Unit;
    (b) Streetscapes and Natural Values Unit;
    (c) Urban Design Unit;
    (d) Engineering Unit;
    (e) Strategic Transport Unit;
    (f) City Works Unit;
    (g) ESD Advisor;

(h) Heritage Advisor; and
(i) Acoustic Consultant (SLR Consultants).

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

OFFICER ASSESSMENT

163. The primary considerations for this application are as follows:
(a) Policy and strategic support;
(b) Use of the land as office;
(c) Built form and design;
(d) Off-site amenity impacts;
(e) On-site amenity, including Clause 58;
(f) Car parking and traffic;
(g) Bicycle facilities and strategic transport;
(h) Development Contributions;
(i) Environmental Audit Overlay; and
(j) Objector concerns.

Policy and Strategic Support

164. The proposal satisfies the various land use and development objectives within the PPF, providing an acceptable level of compliance with the relevant policies within the Scheme, and is considered to provide a positive strategic opportunity for development within a well-resourced inner-urban environment.

165. The MUZ which applies to the site is readily acknowledged as a zone capable of accommodating a greater density and higher built form, subject to individual site constraints. This is already evidenced in the former factory and warehouse buildings which have been converted into residential units, amongst other uses in the surrounding area.

166. The purposes of the MUZ include an objective to provide for higher density residential development and also to provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. The State Government has given a clear directive for the MUZ to include high density developments. Additionally, Clauses 11.06-2 and 16.01-4 of the Scheme encourages a diversity of housing types and commercial uses in and around activity centres.

167. State and Local Policies (such as clause 16.01-2) encourage the concentration of development near activity centres and intensifying development on sites well connected to public transport such as the subject site. It is clear that this part of Collingwood is undergoing change and there is strong State policy support for increased density in this area as shown through Clause 16.01-3 (amongst others). As previously identified, Planning Scheme Amendment C269 seeks to include the subject site and surrounding MUZ land within the Smith Street MAC.

168. Policy encourages the concentration of higher density developments in established areas and supports proposals which achieve the urban growth objectives at clause 11.02-1 through the provision of a mixed-use development on land close to existing transport corridors and services. In this instance the site is located close to several public transport options with trams operating along Smith Street and Victoria Parade as well as bus routes along the latter. Yarra's Copenhagen style bicycle lanes are located along Wellington Street to the east and provide a better-connected journey for cyclists.

169. The site is located in an area suitable for redevelopment, with a proposed built form that generally includes some elements of the diverse pattern of urban form in the neighbourhood, creates a new built form character and would result in no unreasonable off-site amenity impacts particularly due to the strategic location and policy direction for higher density built form within the MUZ. This will be discussed in detail later in the report.

170. Having regard to the above, the proposed development of the site for a greater provision of floor area for office, retail and dwellings is considered to have strategic planning support, however regard must be had to the appropriate scale of the proposal, based on the individual context and constraints of the land. This aspect of the development will be discussed below.

Use of the land as Office

171. The office use within the development requires planning permission pursuant to the requirements of the MUZ. Clause 22.05 (*Interface Uses Policy*) requires new non-residential use and development within the MUZ to be designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.

172. The use of the site predominantly as an office building is supported by the Planning Policy Framework and the objectives of the zone, as outlined previously, and promotes urban consolidation within proximity to an activity centre that is well serviced by existing infrastructure and services.

173. The applicant has provided indicative staff numbers for the office as part of the application material, advising that the occupant numbers would comply with building regulations (1 worker per 10sqm of office area). This would equate to approximately 49 staff members and is considered acceptable for a proposal of this size and scale. This will not form a condition as it is likely the total area available would be reduced once internal fit-outs are undertaken. In addition, off-site amenity impacts are largely caused by hours of operation, noise and car parking, all of which will be considered within this report.

174. In relation to the proposed hours of operation, guidance is drawn from clause 22.01 (*Discretionary Uses in a Residential 1 Zone*) which stipulates that permit required uses in a Residential 1 Zone (e.g. Neighbourhood and General Residential Zones) should have hours of operation limited to 8am to 8pm. Considering these hours are supported by the Scheme in purely residential areas and with regard to the location of this application within a MUZ, where commercial uses are encouraged, the proposed hours of operation between 8am and 6pm, Monday to Friday, are considered reasonable. A condition will therefore be included to restrict the office use to these hours and days.

175. The proposed office use is largely considered to generate minimal off-site amenity impacts, given the limited hours of operation and surrounding context and is unlikely to cause unreasonable noise, odour, visual or other impacts to adjacent land. However, this will be discussed later in the report under 'Off-Site Amenity Impacts'.

176. A condition will also be included to limit delivery hours to Council's standard delivery times to ensure deliveries are undertaken at appropriate times.

Built Form and Design

177. This section of the report considers the built form of the proposed development and is guided principally by the DDO23. This assessment is also based upon the decision guidelines of the Mixed Use Zone at clause 32.04-14 and State and local planning policy at clauses 15.01-2 – Urban design principles; 21.05 – Urban design; 22.05 – Interface Uses Policy and 22.10 – Built form and design policy.

178. All of the provisions and guidelines support development that responds to the existing or preferred neighbourhood character. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationship to nearby buildings.

Heritage

179. 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 north of the subject site is a pair of double-storey terrace houses, designated as "individually significant" to Schedule 123 of the Heritage Overlay (50-52 Oxford Street, Collingwood).

180. Further south, No. 44 Oxford street is designated as "individually significant" to the Heritage Overlay, Schedule 417 (63 Cambridge Street including 44 Oxford Street, Collingwood). Whilst the buildings on the opposing side of Oxford Street also contain significant heritage, these do not inform the immediate context given the separation provided by the street itself.

181. The DDO23 provides the following relevant general directives for new development adjacent to a heritage building:

    (a) *provide a transition in height at the interface (side or rear boundary) with the heritage building;*
    (b) *ensure that façade treatments are simple and do not compete with the detailing of the adjacent heritage building(s);*
    (c) *incorporate simple architectural detailing that does not detract from significant elements of the heritage building;*
    (d) *be visually recessive;*
    (e) *be articulated to reflect the fine grained character of the streetscape, where this is a prominent feature.*

182. As the development complies with the preferred height and upper level setback of the DDO provisions, the development is not required to satisfy the above requirements. Notwithstanding, consideration must be given to the relationship the proposed building will have with the significant heritage immediately abutting the site to the north.

183. The general massing of the street wall is respectful of the northern heritage buildings, with a setback in the street wall provided at the northern end of the Oxford Street frontage. This part of the street wall is set back 3 metres from Oxford Street which aligns with the front façade of No. 50 Oxford Street and allows for appropriate view lines to the adjacent heritage building. Council's Urban Design Unit were also supportive of this aspect, commenting the following:

    (a) *The transitional component of the street wall to the north, steps down to two storeys (6.85m) and is setback 3m from the Oxford Street frontage, providing a sense of openness and transition to the adjacent two storey heritage form.*

184. Whilst glazing is proposed within the top northern corner of the two-storey street wall as a series of porthole windows inset into the masonry wall, they are arranged in a rectangular fashion that integrates well with the rectangular window proportions of the property at No. 50 Oxford Street. Council's Heritage Advisor raised no issue with the transition to the neighbouring heritage buildings, nor with the porthole windows.

185. This recessed section of the street wall is also composed of masonry bluestone whilst the on-boundary podium will be constructed in white render. This material change 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.

186. The upper levels are generally designed to adopt a 3m northern side setback. Whilst the development has an active façade along this elevation, the adopted setback will ensure that the upper levels will not compete with the heritage buildings to the north and be read as a backdrop of more intense development as anticipated within the precinct.

187. To the south, it is anticipated that the adjoining property would be developed with similar massing and proportions as the proposed development, to ensure a transition is provided to the individually significant heritage façade at No. 44 Oxford Street. It is considered that the proposed development does not preclude this being achieved for the neighbouring site.

188. Council's Heritage Advisor reviewed the proposal, advising that the proposed height and setbacks were acceptable. The following recommendations were made, in regard to the design detail of the building:

    (a) *Emphasise the window framing to the Commercial tenancy more but do not make it too bold or overwhelming.*

    (b) *Change the Levels 5 and 6 window to be is in three equal parts.*

    (c) *Samples are required of Ceramic 01, timber-look material and Panel 01 "Textured façade cladding" for approval by the Responsible Authority. As stated previously, if a sample cannot be provided then the exact manufacturer's catalogue details and Website address and/or a physical address in Yarra where it has been used is acceptable.*

    (d) *I recommended previously that as landscape is a significant aspect of the design, an Incorporated Landscape Plan, or similar mechanism, should be developed to ensure that the actual landscape elements are maintained to an appropriate standards and as envisaged by the landscape design. I am not sure if this has been done.*

189. In respect of item (a) and (b), the proportions of the fenestration and framing have been reviewed by Council's Urban Design Unit who raised no issue with these aspects. These windows are clearly associated with new built form and located on the southern side of the development to ensure they are not visually competitive with the adjoining heritage to the north. As such, it is considered further design resolution is not required.

190. In respect of item (c), a detailed façade strategy will be required via condition with this aspect discussed further under 'architectural quality.' Lastly, regarding item (d), landscaping will be discussed further under 'landscape architecture'.
Height, scale and massing of the development

191. The proposed building will extend to a maximum height of six storeys which equates to a building height of 20 metres, with the planter boxes and balustrading associated with the green roof and terrace areas 0.8 metres above. The proposed street wall with be two to three storeys, 6.85 metres to 10.5 metres in height. The development satisfies all preferred built form controls of the DDO23 as shown in the table below:

Item	DDO23	Proposal	Complies?
Preferred maximum building height	20m	20m	Yes
Preferred max. street wall height (Oxford Street)	11m	6.85m – 10.5m	Yes
Preferred upper level street setback	6m	6m	Yes

192. As demonstrated above, the development complies with all height and street setback controls set out in the DDO23.

193. The proposed building will be taller than immediately adjoining sites however, there are other taller buildings currently under construction in the nearby vicinity such as No. 42-44 Oxford Street, No. 61-63 Cambridge Street and No. 16-20 Langridge Street (11 storeys).

194. There is no dispute that strategically, the subject site is appropriately located for a higher-density residential development, being located within proximity to a MAC (and proposed to be included within a MAC as per Amendment C269), within a Mixed Use Zone with excellent access to public transport, services and facilities.

195. It would be a reasonable expectation that this site would experience intensification in use and development, and this is reflected within the DDO23 which applies to the site and identifies a preferred height of 20 metres. The DDO23 acknowledges the sensitivity of the sites to the north, which have been designated with preferred heights of 14 metres.

196. The proposed development will thus act as a transition between the higher forms under construction and constructed to the south, to heritage buildings immediately north along Oxford Street. Council's Urban Design Unit were also satisfied with the proposed building height and street wall height, confirming that they comply with the DDO23 controls.

197. As identified, the planter boxes and balustrading associated with the green roof and terrace protrude above the maximum building height control by 0.8 metres. As stated within the DDO23:

    (a) *Building height does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:*
        (i) Less than 50% of the roof area is occupied by the equipment (other than solar panels);
        (ii) Any equipment is located in a position on the roof so as to avoid additional overshadowing of either public or private open space, or windows to habitable rooms of an adjacent property;
        (iii) Any equipment does not extend higher than 3.6 metres above the proposed height of the building; and
        (iv) Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

198. All of the above criteria are satisfied. The applicant submitted the following plan to demonstrate that the planter boxes and balustrading which exceed the maximum height (shaded in pink/purple) do not occupy greater than 50% of the site.

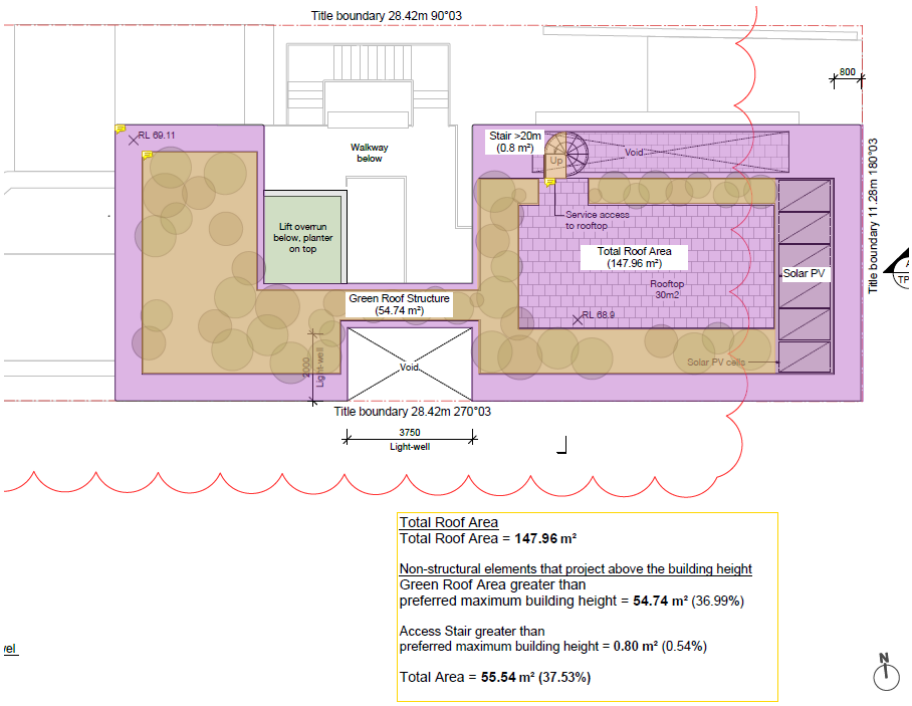


Figure: Roof Plan identifying area covered by structures exceeding the 20m preferred building height
Source: Applicant documentation

199. In addition, the planter boxes and balustrading will be setback from the boundaries by a minimum 0.8 metres and would not increase overshadowing to key sensitive areas, exceed a height of 3.6 metres above the 20 metres and successfully integrates with the overall building.

200. In terms of massing, the development has been carefully considered with regards to the existing Oxford Street streetscape on the eastern side of the street. The design acknowledges that the street includes varied built form character, including significant heritage buildings.

201. The development has been designed to provide a minimum 3 metre setback to the north, where abutting significant heritage buildings, and built to the southern and eastern boundaries. Building to the southern boundary will allow future development on No. 46 Oxford Street to be built to the common boundary and provide adequate separation to the heritage building to the south at No. 42-44 Oxford Street. This is indicated as an outline in the Oxford Street elevation below, also showing the building envelope currently under construction at the southern end of the street:

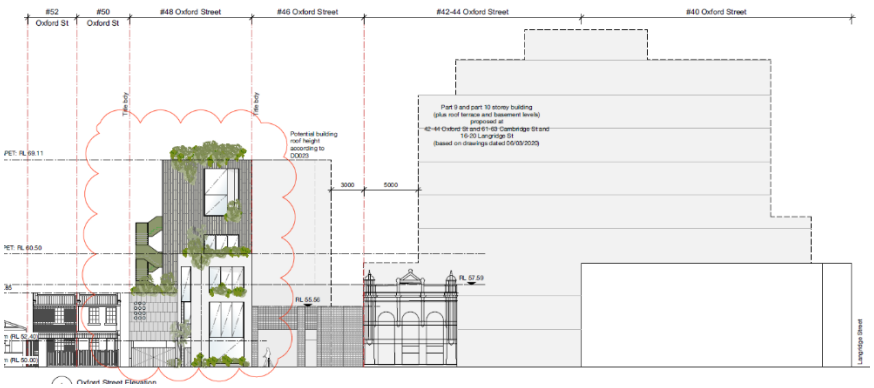


Figure: Oxford Street elevation
Source: Applicant documentation

202. This will also allow any future development to the east to build to the common boundary, as views between buildings at the rear interface are not a characteristic of the area.

203. When considering the minimum 3 metre setback from the northern boundary, this is acceptable with regard to the minimal lot widths in this section of Oxford Street and the future heights envisioned for the properties to the north. This aspect will be discussed further in regards to off-site amenity impacts and equitable development. From an urban design and massing perspective, the setback is acceptable.

204. Whilst the northern podium form and external stair encroach into this minimum 3 metre setback to the north, the northern podium form has been setback from the street with an overall height of two storeys to provide transition within the site to the heritage properties.

205. Whilst two-storeys on the boundary in this location, it is considered that the height adequately integrates with the existing buildings to the north. The proposed, unenclosed, external stair will be setback in excess of 10 metres from the street and will therefore be read as a separate lightweight feature in the streetscape and does not extend to the full height of the building to provide further transition. This is also acceptable.

206. The podium does not exceed the preferred podium height as referenced within the DDO23 and as previously identified, provides an appropriate transition to the heritage buildings to the north due to the two-storey component setback from the street along the northern boundary. Council's Urban Design Unit was supportive of the massing of the podium, providing the following assessment:

    (a) *The increased podium height, considered in conjunction with the increased upper level setback is appropriate and achieves the transitional interface height sought to heritage buildings. The proportional relationship between 2-3 storey base and upper levels, ensures a clear distinction between lower and upper which is reinforced through materiality and finish.*

207. It is clear that the proposed 6 metre upper level setback provides an appropriate distinction between the street wall and the upper forms. In addition to the preferred upper level setback requirement, the DDO23 requires upper level development to:

    (a) *be well-designed and articulated to break up the building mass across sites with a wide frontage;*
    (b) *distinguish between the lower and upper levels through materials and articulation;*
    (c) *be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape;*
    (d) *provide passive surveillance of adjacent streets and public open space.*

208. The subject site does not have a wide frontage, the design has been articulated to break up the building mass to provide a fine grain response to the street, referencing the remnant heritage dwellings within the immediate vicinity. The lower and upper levels are clearly differentiated and articulated through materials and massing.

209. The compliant upper level setback of 6 metres will ensure that the bulk of the building massing will be read as a separate element, a backdrop to the predominant street wall heights informed by the remnant heritage that is slated for retention in accordance with the requirements of the DDO23.

210. A decision guideline of the DDO23 requires consideration of how the proposal responds in terms of scale and transition to the sloping topography of the area. As the fall of the land is from west to east, the sloping topography will not be highly discernible as it applies to this development. The ground floor has been designed to manage the slope.

211. Abrupt height transitions are an emerging character in the Collingwood area and hence the policy encouragement at Clause 22.10-3.3 to scale down to lower built form cannot be applied without discernment, as this would substantially impede development potential without regard to broader considerations in an area that is undergoing substantial transition from lower built form to much higher built form. The DDO23 is clear and unambiguous in the type and level of development that is to be accommodated within this Mixed Use precinct.

Architectural Quality

212. The development is considered of high architectural quality and in that regard responds to the design objectives clauses 15.01-2 and 22.10-3.4. The contemporary design is appropriate and responds well to this part of Collingwood. Council's Urban Design Unit was complementary of the proposed architectural design and quality, making the following assessment:

    (a) *The primary material palette consists of honed finish bluestone (Stone_01), ceramic cladding (Ceramic_01), textured cement render (Render_01), and textured cladding panels (Panel_01). Metal is utilised for planters (Metal_02 and Metal_03), horizontal blades (Metal_03), vehicle and pedestrian gates (Metal_02) and the feature olive green external stair (Metal_01).*
    (b) *The relatively limited number of façade materials is effective and smaller details, such as window reveals and recesses (Brick_01 and Timber_01) and expressed framing adding depth and interest. The revised proportions and openings to the podium results is a well-articulated response to the immediate and broader conditions.*
    (c) *All relevant material details have been provided based on previous comments. Overall the proposed architectural design expression is well resolved and visually interesting while not dominating the adjacent heritage. The heavier bluestone and render podium base and light weight textural ceramic upper levels, distinguishing between the lower and upper levels.*

213. Council's Urban Design Unit did not raise any issues with the proposed materiality and design of the building. It is considered that the patterning and variation in materials associated with the eastern and southern on-boundary walls is a successful intervention to break down the building massing of the side boundary walls that would be prominent until the adjoining properties develop. Whilst the on-boundary walls are to be constructed of a differing material, it is considered that all facades of the building adopt a similar architectural language.

214. The proposed design is considered overall to be of a high architectural standard, offering a modern built form that revitalises the street frontage which presently provides limited interaction between the building and public realm.

215. Whilst a vehicle crossover is proposed to service the car park at the northern end of the allotment, this is an improvement on the existing conditions where the vehicle crossover spans the entire width of the side and provides access to 4 car parking spaces which sit in front of the building thereby limiting interaction. The proposal provides a high level of interaction with the street through the location of the café and inset courtyard at the ground floor.

216. The ground floor plan references a 'retractable security mesh curtain' that would close the courtyard within the front setback to the street. No details of this screen are provided. Details of this material will be required via condition to ensure that the security mesh curtain is visually permeable and integrates with the overall development.

217. The proposed materials schedule provides an indication of the different finishes proposed throughout the design however, it is considered that the descriptions of each material are broad. It is considered that a façade strategy and materials and finishes schedule be submitted to include the points referenced above and to demonstrate:

(a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;
(b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
(c) information about how the façade will be maintained, including any vegetation; and
(d) a materials schedule and coloured drawings outlining colours, materials and finishes, including additional details on the following:
    (i) The ground floor 'retractable security mesh curtain' to the street-facing opening of the café courtyard, ensuring the material is visually permeable and integrates with the overall development.

218. This will ensure that the materials to be utilised for the development are reviewed prior to construction, with a greater degree of detail provided to ensure they are of a high architectural quality in accordance with the plans submitted to date. This would also alleviate the concerns previously highlighted by Council's Heritage Advisor in regards to materials.

Landmarks, Views and Vistas

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

220. The proposed development does not compete with any identified landmarks given its location and is considered to be an acceptable response to the local policy direction under clause 22.03-4 of the Scheme.

Light, Shade and Public Realm

221. Planning policy encourages the design of interfaces between buildings and public spaces to enhance the visual and social experience of the user. In this respect, the proposal represents an improvement in streetscape, public space quality and perceived safety.

222. Furthermore, a decision guideline of the DDO23 requires consideration of the following:

(a) *Whether the proposal provides a high quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm.*

223. The following guidance is also provided for the street frontage of new development, requiring the development to:

(a) *provide a prominent, well-articulated street-wall edge that provides a distinction between the lower and the upper levels of the building;*
(b) *address all street frontages and, where heritage elements are not a constraint, incorporate design elements/features that contribute to an engaging streetscape, avoiding blank walls and provide active frontages, where appropriate to the proposed use at ground level;*
(c) *be designed to accommodate (or can be adapted to accommodate) commercial activity at the ground floor incorporating a suitable commercial floor height, where heritage elements are not a constraint;*
(d) *locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building;*
(e) *respond to the topography of the east-west oriented streets through transition and "stepping" of the ground floor to appropriately address the street.*

224. Council's internal Urban Design Unit was supportive of the ground floor interface to Oxford Street, commenting:

    (a) *The pedestrian entrance corridor borders the vehicle driveway and is secure and separate. This access point also provides access to the café dining space. The entrance gate location provides sufficient refuge space to the vehicular driveway and is enhanced through landscaping.*
    (b) *The inclusion of a café tenancy (25sqm) at ground level is supported, with outdoor enclosed sunken seating area occupying a good portion of the street frontage.*
    (c) *As per previous comments, the configuration of parking bays on Oxford Street as subject to approval from Council's Parking Management Unit.*

225. The site presently contributes little to the street having mirrored glazing, with car parking and vehicle crossovers across the entire frontage. The proposal provides an active frontage and where car parking access is provided, the development includes visually permeable materials to ensure that there is a degree of visible activity behind the car park entrance gate.

226. The proposed services have been located away from the primary street, around the lift core. This ensures that the vehicular entrance, pedestrian entrance and café are easily identifiable and provided with a high degree of visibility within the streetscape.

227. The reinstatement of the footpath will provide an enhanced pedestrian experience and offer opportunities for increased on-street parking and street tree planting. Council's Urban Design Unit flagged that the indicative car parking as shown in front of the site has not received formal approval. This is consistent with the advice of the Council's Engineering Unit who commented that any on-street parking reinstated as a result of the development must be approved by Council's Parking Management Unit. This process is not initiated during the planning stage and would form part of the post planning obligations.

228. Council's Streetscapes and Natural Values Unit did not require street tree planting to form part of the conditions of approval and commented that tree planting opportunities for this property would be assessed as part of infill post development.

229. Uniquely, the floorplate of each level has been designed with generous floor-to-ceiling heights to enable adaption from residential to commercial uses throughout the life of the building.

230. A decision guideline of the DDO23 requires consideration of how buildings and works will impact solar access to footpaths and public open spaces. Shadow diagrams submitted identify that the opposing Oxford Street footpath is not shadowed between the hours of 10am and 2pm on the 22 September, in accordance with the requirements of the DDO23.

231. Lastly, Objective 5.1.4 of the Urban Design Guidelines for Victoria (UDGV) requires new buildings within activity centres to minimise adverse wind effects. Furthermore, a key decision guideline of the DDO23 is the wind effects created by the development. A wind assessment was not undertaken as part of the proposal given the height of the development does not exceed 20 metres.

Site Coverage

232. The level of site coverage proposed is above the maximum of 80 percent as directed by clause 22.10-3.6, with 81% site coverage as identified by the applicant. With regard to the existing level of site coverage in the surrounding (and immediate) area and within zoning that encourages higher density development (MUZ), the proposed site coverage is acceptable. Commercial buildings in this precinct traditionally have high levels of site coverage with this characteristic being evident throughout Collingwood.

Landscape architecture

233. The proposal includes significant amounts of landscaping which have been incorporated as part of the overall design of the building.

234. Council's Open Space Unit reviewed an earlier version of the landscape plans (dated 12/11/2019) identifying several items that were required to be addressed in an updated landscape plan. The updated landscape plan submitted with the second Section 50 amendment, forming the decision plans, was not updated to include these details as follows:

Planting Plans & Plant Schedules

(a) *At this stage the design is concept stage only. There are no specific issues with the plants suggested, however the trees proposed for levels 1, 4, 5, and 6 – Ceiba speciosa 'Silk Floss Tree' – are normally a large tree and it is unclear how much soil volume is being provided in the planters. We have concerns about this tree species in relation to their size, stability and suitability for elevated platforms. Further information/ precedents on these trees being used in elevated planters, with suitable stability support, is requested prior to approving the inclusion of this species.*

(b) *Planting plans and plant schedules would be required containing the following information:*
   - *(i) Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;*
   - *(ii) Planting plans showing plant locations and quantities;*
   - *(iii) A legend containing key features, materials and surfaces;*
   - *(iv) Details of any raised planter beds including height, width and materials;*

Details

(c) *The planter details provided show some information, but further details about planter dimensions, soil depths and materiality are needed.*

Irrigation and Maintenance notes

(d) *Notes on irrigation and maintenance would also be required -*
   - *(i) Information on irrigation and drainage systems*
   - *(ii) Notes on the maintenance schedule, tasks and duration*

(e) *Load bearing weights for the building need to be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter and plant mass proposed.*

235. Therefore, the outstanding information raised in the Open Space Unit's initial review is relevant to the current proposal and will be required via condition.

Off-Site Amenity Impacts

236. The relevant policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) and the decision guidelines of the DDO23. As the site surrounds description identifies, there are dwellings located directly abutting the subject site to the north at No. 50 and 52 Oxford Street. To the south, at No. 42-44 Oxford Street, No. 61-63 Cambridge Street and No. 16-20 Langridge Street, an 11 storey building (comprising a food and drinks premises, shop, dwellings and a residential hotel) is under construction. On the opposing side of Oxford Street, there are a series of single storey dwellings.

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

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

238. Furthermore, a decision guideline of the DDO23 requires consideration of the following:

(a) *The design response at the interface with existing low-scale residential properties, including the overshadowing of secluded private open space.*

Noise

239. Policy at Clause 22.05 of the Scheme seeks to ensure new commercial development is adequately managed having regard to its proximity to residential uses.

240. The proposal is unlikely to result in unacceptable noise emissions to the nearby residential properties given there are two dwellings proposed, with the remainder of the building to be used for offices (subject to consideration of hours and sleep disturbance criteria). Due to the nature of the office use there will be minimal noise generated by pedestrian activity, with this activity limited to weekdays between 8am and 6pm.

241. The applicant submitted an acoustic report to address noise impacts from the proposal on surrounding residential properties. The acoustic report assessed the noise from mechanical plant and car stackers. Council's Acoustic consultant reviewed the acoustic report, suggesting the following be included as conditions:

(a) *A SEPP N-1 assessment be provided of car stacker noise, taking into consideration the likely duration of use of the equipment during the day, evening and night periods. The assessment should include all noise emitted from the plant during an operational cycle, as well as noise from the hydraulic pump and motor. The assessment could be provided as part of the 'further review' of car stacker noise proposed by WMG once the stacker is selected.*

(b) *Post construction testing be conducted following commissioning of the equipment to demonstrate compliance with both sleep disturbance targets and SEPP N-1, at all sensitive receiver locations. The requirement for testing could be included as a statement in the updated report, or as a permit condition. Any such condition should clarify that all noise from operation of the car stacker is required to comply with SEPP N-1.*

242. A condition will be included requiring the report to be updated prior to construction to ensure that all of the information requested within item (a) be provided and satisfied prior to the development occurring. A post-construction acoustic report will also be required to ensure that the mechanical plant, including car stackers, has adequately been addressed.

243. Regarding the food and drinks premises use and noise from any plant and equipment, compliance with both SEPP N-1 and SEPP N-2 is required.

244. The development includes a number of terraces that provide additional amenity for the proposed office tenancies. As these terraces are linked directly to the office use, a condition will be included to ensure that these terraces are not used outside of the office hours permitted by any permit issued (e.g. only utilised between 8am and 6pm, Monday to Friday).

Overshadowing and daylight to existing windows

245. 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.*

246. In respect of overshadowing to the dwellings currently under construction at No. 42-44 Oxford Street, No. 61-63 Cambridge Street and No. 16-20 Langridge Street, the overshadowing diagrams indicate that shadows cast by the development would fall short of the building, which is setback from its northern boundary by 5 metres, between 10am and 12pm. No overshadowing to these dwellings would occur.

247. Given the lack of dwellings to the east or west of the subject site, the proposed development does not result in any overshadowing to existing secluded private open space of any nearby dwellings. And the dwelling to the north cannot be overshadowed by the proposed development (being to the south of the dwelling).

248. In respect of daylight to existing windows, there is one south-facing ground floor window associated with No. 50 Oxford Street that faces the subject site. Where facing the subject site at the ground floor, the window interfaces with the accessway and a proposed 1.8 metre high fence. The external staircase is proposed above, at Levels 1 to 4.

249. Whilst the proposed external stair positioned opposite this window is not ideal, it is acceptable given the room benefits from the provision of additional daylight from skylights above and the window would largely be shadowed currently, due to its south-facing orientation.

Fumes and air emissions, light spillage

250. A permit is required for the office use only. The majority of the office space is enclosed and the use conducted indoors (with the exception of the outdoor terraces). The proposed use is not considered to result in unreasonable air emissions, with light spill from the upper level offices limited due to the nature of the use that is proposed to operate between 8am and 6pm on weekdays only. As stated earlier a condition will ensure the terraces to the offices are not used outside of these hours. There would be no fumes associated with the office use.

Visual bulk and overlooking

251. In regards to visual bulk impacts, the most sensitive interface are the dwellings directly to the north that have secluded private open space areas to the rear of their properties. It is considered that within this built form context, views from windows and open space areas to built form is not an unreasonable expectation.

252. Whilst views of the proposal will be possible from both No. 50 and No. 52 Oxford Street, where opposite the sensitive secluded private open space area, the existing 4.75 metre high on-boundary wall has been retained that would mitigate views upwards.

253. The design response to the northern façade of the development allows for appropriate mitigation at this boundary to existing lower scale dwellings, noting that the Collingwood Mixed Use precinct is slated for intensification and substantial change.

254. With regard to visual bulk to the dwellings on the opposite side of Oxford Street and those further afield, it is considered that the taller form is well setback from the street, in excess of 6 metres, to mitigate visual bulk.

The dwellings to the south currently under construction are adequately separated from the site to mitigate visual bulk, and, given these dwellings are within an 11 storey building it is considered views from these apartments to other taller forms would be an expectation within the area.

255. In relation to overlooking, it is an accepted principle that overlooking only occurs between habitable rooms (i.e. bedrooms and living rooms) and private open spaces within a 9 metre radius and 45 degree arc. Regardless, clause 22.05 does require non-residential development to be designed to minimise the potential for unreasonable overlooking.

256. With the location of residential uses, overlooking to the north is to be considered as the dwellings on the opposing side of Oxford Street and those under construction to the south are in excess of 9 metres from the site.

257. At the ground floor, there are no windows facing north. Whilst not required, the boundary walls (existing and proposed) and the 1.8 metre high fencing between would adequately screen passive views.

258. The external stair and walkway are not habitable and are not areas where people will congregate for extended periods of time. Therefore, these circulation spaces will not be required to be screened.

259. For clarity, overlooking for the upper levels will be discussed in relation to the portion on the west side of the stair and the portion on the east side of the stair.

Western portion

260. At Level 01, obscure glazing is to be applied to the east-facing office window of the office tenancy proposed within the podium. A condition will require a section be provided to confirm this. Whilst the southern half of the window is operable, it is considered that the external stair and the 0.6 metre wide planter would screen views from this window to the north-east. A further condition can request this be demonstrated.

261. At Level 02, the floor plan shows that a 1700mm screen is to be applied to the eastern edge of the Level 02 dwelling terrace. No details of the screen have been provided, a condition will be included to ensure the screen is fixed and be a maximum of 25% transparent.

262. Views from the northern unscreened balcony edge would fall onto the blank wall opposite. There would be no views into the south-facing window of the adjoining dwelling nor the secluded private open space.

263. At Level 03, 04 and 05 it is unclear whether the north-facing windows of the office tenancies would have a view into the south-facing window of the dwelling to the north. It is expected that views to this window would be obscured by the staircase, however, a condition will require detailed diagrams be submitted confirming this (keeping in mind that office is not a habitable room and is not required to be screened).

Eastern portion

264. The balcony of the Level 01 dwelling is screened by a 125mm wide low balustrade positioned 0.9 metres above the finished floor level and a 400mm wide angled screen positioned 1.2 metres above the finished floor level. As the below diagram indicates, this would largely screen views to the SPOS area to the north due to the retained on-boundary wall.

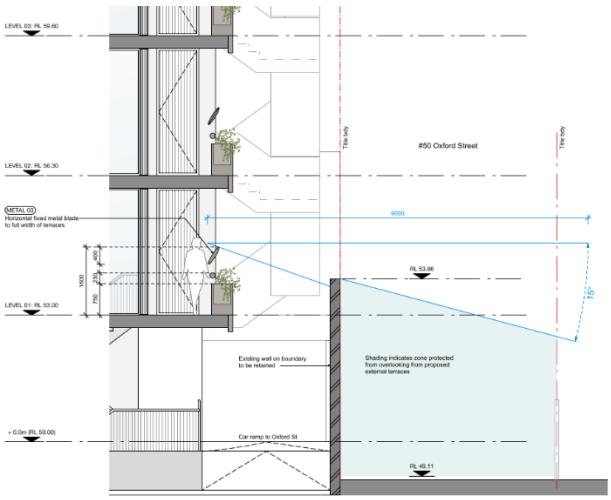


Figure: Overlooking diagram
Source: Applicant documentation

265. There is, however, a portion of the balcony that is not opposite the existing on boundary wall and in this location, there would be clear views to the adjoining SPOS area. A condition should therefore require this balcony to be screened.

266. The north-facing office balconies at Levels 02 to Level 04 employ the same screening technique as described above, however due to the height of these levels views downwards are successfully screened, as shown below. Views are also obscured from the roof terrace when looking north, due to the width of the planter along the northern edge combined with the setback, as shown below.

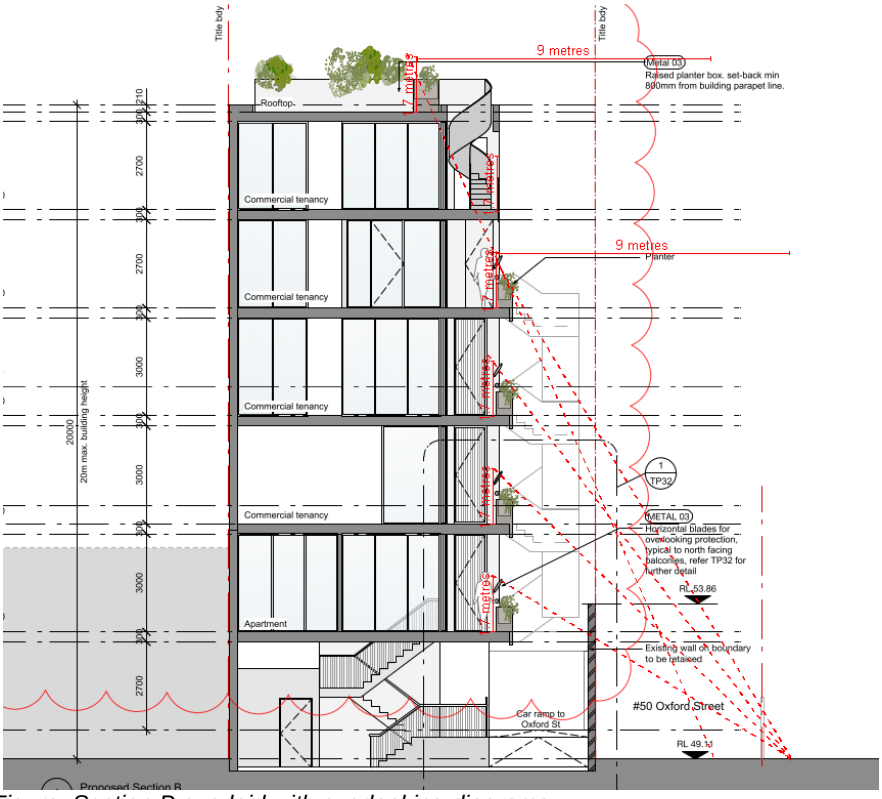


Figure: Section B overlaid with overlooking diagrams
Source: Applicant documentation, annotated utilising Objective Trapeze (plan scaling and drawing program)

267. In respect of the north-facing windows and balcony of level 05, it is considered that whilst views downwards would be distorted given the distance between the level and the ground floor secluded private open space areas some overlooking intervention is required to limit overlooking. A condition will facilitate this.

Equitable Development

268. To ensure the 'fair, orderly, economic and sustainable development of land' in accordance with the objective of the Act, matters of equitable development should be considered. Furthermore, a decision guideline of the DDO23 requires consideration of the following:

    (a) *Whether the proposal has considered the development rights/potential of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design.*

269. Further to the above, the DDO23 prescribes upper levels setbacks where a common boundary is shared, as follows:

    (i) be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed
    (ii) be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.

270. It is considered likely that all adjoining sites will be developed in the future given the strategic direction for this mixed use precinct.

271. The direct abuttal of the eastern (rear) wall along the boundary with No. 67-77 Cambridge Street will allow any new building to build 'hard-up' against this wall. Given the overall size of this adjoining allotment this is considered satisfactory.

272. In respect of equitable development to the south, the proposal is built to the boundary with the exception of a 3.75 metre wide by minimum 2.2 metre deep light court, setback 12.97 metres from the Oxford Street frontage. This provides opportunity for the adjoining site at No. 46 Oxford Street to build 'hard up' against this wall and to mirror the light court.

273. The dimensions of the light court have been increased from previous iterations of the design to which Council's ESD Advisor raised issue. Council's ESD Advisor reviewed the decision plans noting that the light court now provides a satisfactory equitable development scenario.

274. Further to the above, whilst there is glazing associated with the southern elevation of the light court this glazing is not setback by 3 metres as referenced within the DDO23. However as these windows are associated with a corridor, are obscure glazed and not the main components of the office building, the reduced setback is considered appropriate.

275. Similarly, the Level 03 commercial terrace and roof terraces are setback from the southern boundary by 1.1 metres and 2.2 metres respectively and do not meet the recommended 3 metres for commercial windows. With regard to the locations of these terraces, it is considered that a setback of 3 metres, is required to the south. Being on the north side of No. 46 Oxford Street would ensure any future development of the site to the south would not cause any overshadowing to these terraces. Any built form built adjacent to these terraces would also not be cause for concern in respect of visual bulk given the use by commercial tenants and not residential apartments.

276. Regarding the northern adjoining property, the minimum upper level setback of 3 metres to all commercial windows and commercial balconies is considered acceptable. Whilst the DDO23 makes reference to balconies being located 4.5 metres from a boundary, it is considered this would be overly restrictive when applied to commercial balconies.

277. In respect of the residential windows and balconies, consideration must be given to the Level 01 dwelling and the Level 02 dwelling.

278. The north-facing windows associated with the Level 01 dwelling are setback 4.5 metres from the northern boundary and would therefore comply with the requirements of the DDO23. The north-facing balcony, however, is setback 3 metres from the northern boundary and would not meet the recommended requirement to achieve a 4.5 metre setback.

279. Options have been investigated to setback the balcony further, however even with the deletion of a bedroom given the limited site width this cannot be achieved. It is considered that the balcony has been adequately screened, albeit via condition, to ensure any development on the adjoining property would not be prejudiced by the proximity of this dwelling.

280. The north-facing windows associated with the Level 02 dwelling are setback 3 metres from the northern boundary, with the balcony within this setback area against the northern boundary. Whilst this does not accord with the requirements of the DDO23 it is considered the location of this dwelling is opposite the front portion of the adjoining two-storey dwelling to the north, to which an individually significant heritage designation applies. Any future development of this site would be to the rear, and as such there would not be a conflicting interface where this dwelling is located.

On-Site Amenity, including Clause 58

281. Clause 58 comprises design objectives and standards to guide the assessment of new residential development. Given the site's location within a built up inner city mixed use area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. As supplementary guidance, the UDGV and ADGV are also of relevance.

282. The applicant provided apartment types and an assessment table as part of the application to assist in the assessment of the application against the standards of Clause 58.

283. The objectives and standards are assessed in detail below:

Standard D1 – Urban context objective

284. This is addressed within the *Built form and design* section of this report. The standard and objective are met.

Standard D2 – Residential policy objectives

285. This is addressed within the *Strategic Justification* section of this report. The standard and objective are met.

Standard D3 – Dwelling diversity

286. This Standard is not applicable for developments with fewer than 10 dwellings.

Standard D4 – Infrastructure

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

Standard D5 – Integration with the street

288. The proposed development will adequately integrate with the street. The proposal will reduce the extent of the existing vehicle crossover along Oxford Street to enhance the public realm and provide for an increased pedestrian circulation space in front of the new building.

289. The design of the development incorporates high levels of glazing/openings to the street which enhance its interface with the public realm. The proposal does not include any high fencing. Overall, the proposal complies with both the standard and the objective

Standard D6 – Energy efficiency

290. Redevelopment of the site located in an existing built up area would make efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes reduces staff and visitors from relying on private vehicles.

291. Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme, encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management.

292. Council's ESD Advisor reviewed the submitted SMP and the development plans identifying one ESD deficiency. The end of trip facilities within the development were lacking with a recommendation for one unisex shower to be provided for commercial spaces. This was confirmed by Council's Strategic Transport Unit, who also recommended one shower and change room facility be provided. This will be discussed further, later in the report.

293. The NatHERS ratings provided within the SMP for both dwellings demonstrate all cooling loads do not exceed the 30MJ/m2 threshold, complying with the Standard.

Standard D7 – Communal open space

294. This Standard only applies to developments which propose forty (40) or more dwellings. Notwithstanding the above, the proposal provides a 30sqm roof top terrace. Given the roof top terrace is accessed internally from the office tenancy of Level 05, it is not considered to be applicable to the residential component.

Standard D8 - Solar access to communal outdoor open space objective

295. As identified, the roof top terrace is not applicable to the residential component.

Standard D9 - Safety

296. The proposed residential entrance would be visible from Oxford Street and is not obscured or isolated from the street,. A condition will require adequate lighting be provided to all pedestrian and vehicular entrances. The standard and objective is met.

Standard D10 - Landscaping

297. This has been addressed earlier in the report. Given the size of the site below 750sqm, there is no requirement for deep soil areas or canopy trees to be provided. The standard is met.

Standard D11 – Access

298. The proposal is reducing the extent of the existing crossover (currently across the entire frontage) to a single width crossover to Oxford Street and will be 3.6m in width. With an overall frontage of 11.28m, this equates to less than 40 percent of the street frontage which complies with the standard. In reducing the extent of the existing crossover, the development provides an opportunity for greater on-street car parking to be accommodated on Oxford Street.

299. Access for service, emergency and delivery vehicles is available from the street. The Standard and Objective is met.

Standard D12 – Parking location

300. The location of parking at the rear of the land is considered to achieve an acceptable design response. Internal access is provided from the ground floor stacker to the lobby area.

301. An objective of this Standard is to protect residents from vehicular noise within developments. One apartment will be located at first floor above the car stacker system. It is unclear whether this apartment will be unreasonably impacted by noise generated from this mechanical equipment.

302. To ensure that such amenity impacts are managed effectively, a condition will require the acoustic report to be updated to assess noise impacts to the dwellings within the subject development, from the car stacker system. This report will be required to demonstrate that the operation of the proposed car stacker will not result in unreasonable amenity impacts to the residents within the development and offer solutions if they are found to do so. This complies with the objective and the standard.

Standard D13 – Integrated water and stormwater management

303. The Sustainable Management Plan (SMP) prepared by Urban Digestor and dated 27 July 2020 indicates that a 2,500L rainwater tank connected to all toilets in the building and 10sqm of rainwater gardens (this is in reference to the green roof areas) will be provided within the development.

304. The STORM report provided with the application achieves a score of 100%, which is in line with the policy direction under clause 22.16 – *Stormwater Management (Water Sensitive Urban Design).* This complies with the objective and the standard.

305. The development plans however, show the installation of a 4,000L rainwater collection tank. This would enhance the STORM score as referenced above. A condition will require the SMP to be updated to reference the 4,000L rainwater tank.

Standard D14 – Building setbacks

306. As outlined earlier in this report the height and massing of the building are considered to achieve an acceptable design response to the character of the surrounding area. The use of screening and the northern and western setbacks will ensure the proposal provides a reasonable outlook from new dwellings as well as adequate daylight into habitable rooms. It also protects new dwellings from any future developments and provides appropriate internal amenity.

307. This Standard aims to avoid direct views into habitable room windows and private open space of new and existing dwellings, thereby reducing the reliance on screening to inhibit these views. This has previously been discussed.

Standard D15 – Internal views

308. It is considered views from the balcony of the Level 02 apartment into the lower level balcony of the Level 01 apartment would be obscured by the 1.7 metre high and 25% maximum transparent screen along the eastern edge of the Level 02 apartment balcony.

Standard D16 – Noise impacts

309. The proposed development would not be located in proximity to a noise influence area specified in Table D3 to this Standard, with the busiest road near the site being Wellington Street. According to VicRoads, Wellington Street is not a road that generates in excess of 40,000 Annual Average Daily Traffic Volume, thus does not meet the threshold for a noise influence area in Table D3 of this Standard.

310. The dwelling on Level 01 has been located above the car stacker and both dwellings are located in between other commercial tenancies.

311. As previously identified the report will be required to ensure an assessment is provided regarding the car stacker system and apartments located within the development. This should further be amended to include any potential any potential on-site and off-site noise impacts that may affect the new dwellings, along with any design treatments that may be required to mitigate these impacts. This will ensure compliance with *Clause 22.05 Interface Uses Policy*, which seeks to enable the development of new residential uses within activity centres and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes.

Standard D17 – Accessibility objective

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

    (a) *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom;*
    (b) *A clear path with a minimum width of 1.2m that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area;*
    (c) *A main bedroom with access to an adaptable bathroom;*
    (d) *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.*

313. The applicant's 'BADS apartment plans' indicate that both dwellings would comply. Upon reviewing the plans, the following has been determined:
    (a) Both dwellings provide a clear width of a minimum 850mm at the entrance to the dwelling and main bedroom.
    (b) A clear path of 1.2 metres connecting the dwelling entrance to the main bedroom, the adaptable bathroom and the living area is provided.

314. Whilst the clear path for the Level 01 apartment would encroach into the area designated for the living area, the minimum dimension of 3.6 metres for living rooms can still be achieved with the 1.2 metre clear path as indicated below:

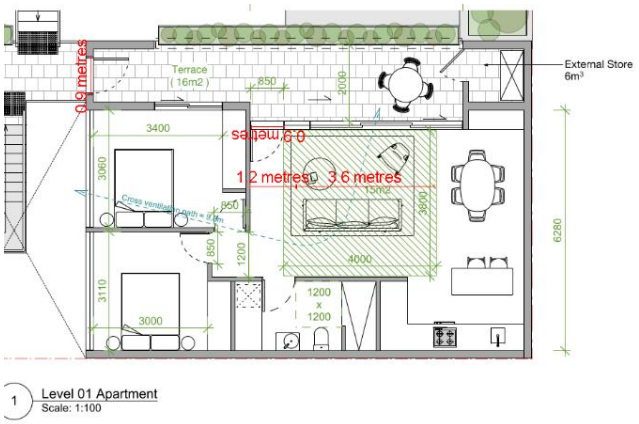


Figure: Annotated Level 01 Apartment Plan

Source: Applicant documentation, annotations made using 'Objective Trapeze,' a plan assessment program

315. This will be updated on the plans via condition.

316. For both dwellings one bathroom which is adaptable is provided. The bathrooms have been designed to meet the requirements of Design Option A as specified in Table D4, with the following assessment made:
    - *(i)* A clear 850mm wide door opening has been provided;
    - *(ii)* A sliding door is provided;
    - *(iii)* A circulation area that is 1.2 metres by 1.2 metres is provided in front of the shower and toilet, clear of the toilet and basin;
    - *(iv)* A clear path with a minimum width of 900mm is provided from the door opening to the circulation area;
    - (v) The shower is not identified as a hobless, step free shower. This can be facilitated by condition; and
    - (vi) The toilet is not located in the corner of the bathroom in respect of both apartments. In accordance with the ADGV this is permissible where adjacent to a 0.7 metre long nib wall. This is achievable for both bathrooms and should form a condition.

Standard D18 – Building entry and circulation

317. The proposed entrance to the residential and commercial tenancies would be visible within views along Oxford Street and would provide an adequate sense of address and identity for the building.

318. Within the development, apartments will have their own entry at the relevant levels which will be directly accessible from the walkway via a short corridor. Due to the open nature of the stairwell along the northern side of the development, adequate access to daylight and ventilation will be provided.

Standard D19 – Private open space

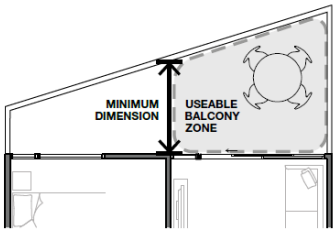
319. Of relevance to this development, a dwelling should provide balconies meeting the dimensions outlined in Table 5 of this Standard. This table specifies that:

    (a) *A one bedroom dwelling should have access to a balcony with a minimum area of 8sqm and minimum dimension of 1.8m, with convenient access from a living room*
    (b) *A two bedroom dwelling should have access to a balcony with a minimum area of 8sqm and minimum dimension of 2m, with convenient access from a living room*

320. Guidance is taken from the ADGV, which states:

    (a) *The additional area for an air conditioning unit does not need to meet the minimum balcony area.*
    (b) *The minimum area must be provided in a single useable space. Other balcony areas may be provided in addition.*
    (c) *Where irregular shaped balconies are proposed, only the portion of the balcony which meets the minimum dimension will be calculated towards the minimum area.*

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



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

322. All apartment types comply with the area and dimension requirements of the standard, as follows:
    (a) Level 01 two bedroom apartment: A balcony 11sqm in area (2m x 5.58m); and
    (b) Level 02 one bedroom apartment: A balcony 10sqm in area (3m x 3.86m).

323. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5sqm. The SMP submitted with the application indicates that reverse cycle air conditioners will be provided for the dwellings. These are not shown on the drawings and will be required to be shown via condition. If the units were provided on the balconies, this would still result in the balconies achieving the required minimum 8sqm.

Standard D20 – Storage

324. Of relevance to this development, the total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 6 of this Standard. This table specifies that:

    (a) *A one bedroom dwelling should have a total minimum storage volume of 10 cubic meters with a minimum storage volume within the dwelling of 5 cubic meters.*
    (b) *A two bedroom dwelling should have a total minimum storage volume of 14 cubic meters with a minimum storage volume within the dwelling of nine cubic meters.*

325. Both apartments meet the requirement for storage as indicated on the 'BADS apartment plans'. The two bedroom dwelling on Level 01 provides 15m^3 of internal storage and complies. The one bedroom dwelling on Level 02 provides 10.5m^3 of internal storage and complies.

326. A condition will require the plans to be updated to show the location of the internal storage to ensure it is indeed provided.

Standard D21 – Common property

327. The common property areas within the development are clearly delineated and would not create areas which were difficult to maintain into the future. The building entrance and vehicle access areas are well conceived and are generally cohesive with the overall building design and are therefore considered to be in line with the objectives of this Standard.

Standard D22 – Site services

328. Site services would be located within the building with services and the mailboxes located around the entry lobby. This location is acceptable.

Standard D23 – Waste and recycling

329. The applicant submitted a Waste Management Plan (WMP) prepared by Leigh Design and dated 16 July 2020 that included the following key features:

    (a) Provision of a waste storage room within the ground floor for both the commercial and residential components, including:

(i) Residential component: 1 x 120 litre garbage bin and 1 x 240 litre recycling bin intended for Council collection.
(ii) Commercial component: 2 x 240 litre garbage bin, 1 x 240 litre recycling bin and 1 x 240 litre food recycling bin intended for private collection.

(b) Provision of a hard rubbish area, noted as 2sqm in area in the WMP, within the bicycle storage area.

(c) All waste will need to be transferred from individual tenancies to the bin store, in person.

(d) All waste collection is intended to be undertaken from the Oxford Street frontage. For Council collection, the operator shall transfer the residential bins from the bin store to the kerbside, returning the bins once collection has taken place. For the private collection, the collector's assistant will transfer bins to the truck, and back. The food recycling bin is to be collected at call, whereas the balance of the commercial waste will be collected twice per week.

330. Council's City Works Unit reviewed the submitted WMP, raising the following issues to be rectified:

(a) *The waste room is not large enough to form an effective waste system.*
(b) *A dedicated hard waste area should be included in the bin room.*
(c) *How will the site ensure separation of private and Council services if they are to have a combination at the site.*

331. The above items will be addressed via conditions. Furthermore, a condition will ensure that the provisions, recommendation and requirements of the endorsed WMP be implemented and complied with.

332. In addition to the above, it is acknowledged that due to changes in waste service systems recently announced by the State Government the site must consider how the 4 waste streams (food/green waste, glass, comingled recycle and landfill waste) will be managed and ensure adequate space for extra bins that will be required. This can be incorporated as a condition.

Standard D24 – Functional layout objective

Bedrooms

333. This standard requires that main bedrooms should have a minimum width of 3m and minimum depth of 3.4m, with other bedrooms to be 3m x 3m in dimensions (any wardrobes should be additional to this).

334. All bedrooms provided within the development meet the standard requirement.

Living areas

335. The standard states that living areas (excluding dining and kitchen areas) for a studio and one bedroom dwelling should have a minimum width of 3.3 metres and area of 10sqm, for two or more bedroom dwellings, a minimum width of 3.6 metres, with a minimum area 12sqm is to be provided.

336. The two bedroom dwelling on Level 01 provides an area of 15sqm (3.8m x 4m) and complies. When considering the 1.2 metre wide accessible pathway, as previously identified, the minimum living area of 13.7sqm (3.6m x 3.8) would still comply. The one bedroom dwelling on Level 02 provides an area of 15sqm (3.4m x 4.6m) and complies.

Standard D25 – Room depth

337. This standard requires that single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. With a floor-to-ceiling height of 3 metres and maximum room depth of 6.28 metres (single-aspect living room of the Level 01 apartment), the development meets the Standard requirement.

Standard D26 – Windows

338. All habitable rooms within the proposed development contain a window within an external wall to the building. There are instances of living rooms facing onto a balcony which is covered above. However, given the substantial setbacks adopted from the northern boundary it is considered sufficient daylight will reach the room beyond.

Standard D27 – Natural ventilation

339. The standard requires that at least 40 percent of dwellings should be provided with effective crossover ventilation that has a maximum breeze path through the dwelling of 18m and a minimum breeze path of 5m.

340. As shown on the 'BADS apartment plans,' both dwellings are shown to comply with the Standard requirement. The total per cent of compliance would be 100%, complying with the Standard.

Commercial uses on-site amenity

341. In terms of internal amenity for the proposed commercial uses (café and office space), the following is provided, noting that ESD and waste with regard to the mixed-use nature of the building have been adequately discussed above.

Daylight and Ventilation

342. As outlined within the SMP, all offices and apartments will have cross-flow ventilation facilitated by openings on two facades. Council's ESD Advisor raised no issue with the ventilation of the commercial areas.

343. The daylight investigation provided within the SMP demonstrated that the project achieved a 2% daylight factor for 60% of the ground floor retail area and 75% of the office floor area. This meets the BESS standards that require a daylight factor of 2% for at least 30% of floor area, Council's ESD Advisor raised no issue with the daylight modelling provided. Council's ESD Officer identified that the development had good access to daylight for both the office and apartment components.

Circulation Spaces

344. The main pedestrian entrances to all tenancies, including the café, offices and dwellings are from an entrance located off the vehicular accessway, splayed to face Oxford Street. Whilst direct access to the café from Oxford Street is not provided, this is considered satisfactory due to the large window facing Oxford Street that would adequately activate and identify the space.

345. The commercial uses are oriented to activate Oxford Street. Within the development, the majority of the office tenancies will have their own entry at the relevant levels which will be directly accessible from the walkway via a short corridor. Due to the open nature of the stairwell along the northern side of the development, adequate access to daylight and ventilation will be provided.

346. Whilst the Level 05 office space is accessed from an internal stairway provided from the Level 04 office space this is not considered to be uncommon, it is likely one tenant would occupy both levels.

Facilities

347. The plans submitted show the indicative detail of the office areas (e.g. kitchen area and wash closet) and these are satisfactory for the limited commercial floor spaces provided. A 30sqm roof terrace is provided with direct access from a spiral staircase at Level 05 with each office tenancy also provided with balconies facing Oxford Street or north.

348. Bicycle parking is incorporated into the design, at the ground floor to cater to the commercial tenancies. This will be discussed, further later in the report, and deemed to be satisfactory subject to conditions.

Car Parking and Traffic

349. Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the developments parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
One-bedroom dwelling	1	1 space per dwelling	1	1
Two-bedroom dwelling	1	1 space per dwelling	1	1
Office	504 m^2	3 spaces per 100 m^2 of net floor area	15	6
Food and Drink	25 m^2	3.5 spaces per 100 m^2 of leasable floor area	0	0
		Total	**17 Spaces**	**8 Spaces**

350. A total of 8 car spaces are proposed on site, therefore the application seeks a reduction of 9 car spaces associated with the office use only.

351. Given the nature of the mixed-use development, a condition will require a detailed car parking management plan to be supplied to clearly outline the provision of car parking to each dwelling/tenancy, amongst other things.

Parking Availability

352. The applicant's traffic engineers, O'Brien Traffic, conducted an occupancy survey of the surrounding streets on Tuesday 23 October 2018 between 8:00am and 12:00pm. The survey area encompassed sections of Langridge Street, Oxford Street, Derby Street, Little Oxford Street, Peel Street and Cambridge Street. Council's Senior Traffic Engineer confirmed that the times and extent of the survey are acceptable.

353. The parking survey found an inventory of 334 publicly available parking spaces. The parking survey determined that on-street parking in the vicinity of the subject site is heavily utilised with a minimum of 3 long-term spaces and 4 short-term parking spaces observed as available on a typical weekday.

354. Council's Traffic Engineers confirmed that the availability of short-stay parking would provide regular turnover throughout the day, thereby allowing customers and clients to park near the site or access the site via alternative transport modes. The limited availability of long-term on-street parking would discourage employees from driving to work and encourage them to travel by alternative forms of transport.

Parking Demand

355. With regards to the car parking demand generated by the proposed office use, it is acknowledged that the statutory car parking rates outlined in the Scheme are conservative when applied in this instance, given the inner-city location of the subject site and proximity to alternative transport means.

356. It is well documented through recent decisions made by the Victorian Civil and Administrative Tribunal (VCAT) that modal shifts to reduce the reliance on the use of private motor vehicles is not only welcomed, but required, to ensure that a holistic planning approach to commercial precincts that are designated for greater change is applied.

357. A VCAT decision *Grocon (Northumberland St) Developer Pty Ltd v Yarra CC* [2017] VCAT 753 regarding an office development at No. 2 – 16 Northumberland Street, Collingwood, discusses this specific precinct with regard to supporting a significant reduction in car parking (386 car parking spaces) with the following assessment made:

> *[54] We have concluded that the reduced car parking provision is justified in the circumstances of this application. In doing so, we have had regard to the location within an inner city environment that is earmarked as an employment precinct, with convenient access to a range of alternative transport modes and a constrained supply of on-street parking. We consider that the reduced parking provision will not compromise the viability of the development or precinct, nor will it result in an unacceptable demand for on-street parking, given the saturated conditions that are presently experienced.*
>
> *[55] We agree that employees who are not allocated a car space will utilise alternative transport modes rather than attempt to seek out long term parking in the surrounding street network. This may well include walking to the site for persons who reside in the nearby residential and mixed-use areas. To constrain development of the land for a purpose that is in accordance with the zone purpose on the basis of car parking provision would not be consistent with the policy framework when read as a whole. This includes policies aimed at fostering economic development, employment and environmental sustainability. We reach this conclusion mindful of the site's strategic and physical context and its accessibility by a range of transport modes. In a different context without the level of policy support and more remote from alternative transport modes, there may be less justification for a reduction of the magnitude proposed here.*

358. Further to the above decision, in the VCAT Red Dot Decision *Ronge v Moreland CC [2017]* VCAT 550 the Tribunal made the following key statements:

> *Our roads are already congested and will be unimaginably so if a 'business-as-usual' approach is accepted through until 2050. The stark reality is that the way people move around Melbourne will have to radically change, particularly in suburbs so well served by different modes of public transport and where cycling and walking are practical alternatives to car based travel.*
>
> *A car parking demand assessment is called for by Clause 52.06-6 when there is an intention to provide less car parking than that required by Clause 52.06-5.*
>
> *However, discussion around existing patterns of car parking is considered to be of marginal value given the strong policy imperatives about relying less on motor vehicles and more on public transport, walking and cycling. Census data from 2011 or 2016 is simply a snapshot in time, a base point, but such data should not be given much weight in determining what number of car spaces should be provided in future, for dwellings with different bedroom numbers.*
>
> *Policy tells us the future must be different.*
>
> *Oversupplying parking, whether or not to comply with Clause 52.06, has the real potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling.*
>
> *One of the significant benefits of providing less car parking is a lower volume of vehicle movements and hence a reduced increase in traffic movements on the road network.*

Based upon the findings within this recent decision, it would be inappropriate to merely adopt current car parking trends for the proposed development. Consideration needs to be given to the context and opportunities to encourage sustainable transport alternatives.

359. Based upon the findings within these decisions, it would be inappropriate to merely adopt current car parking trends for the proposed development. Consideration needs to be given to the context and opportunities to encourage sustainable transport alternatives.

360. In support of the reduced car parking on-site for the office use, examples of existing offices within the City of Yarra with reduced on-site car parking were provided by Council Engineers. Details of these offices are provided as follows:

Development Site	Approved Office Parking Rate
Collingwood	
71-93 Gipps Street PLN16/1150 issued 30 August 2017	0.96 spaces per 100 m^2 (86 on-site spaces; 8,923 m^2)
2-16 Northumberland Street PLN16/1150 issued 14 June 2017	0.89 spaces per 100 m^2 (135 on-site spaces; 15,300 m^2)

361. The proposed development results in the provision of car parking at a rate of 1.19 per 100sqm. Whilst higher than the examples provided above, the subject site proposes significantly less overall commercial office floor space. The higher provision of car parking would ensure each tenancy is adequately provided for and the provision of car parking at this rate would encourage a modal shift from private vehicle use to more sustainable travel.

362. Specifically, in relation to the particular benefits of the site location, the reduction being sought by the proposal is further supported by the following:

(a) The site has excellent access to the public transport network, bicycle facilities and a wide range of retail, dining and commercial services within the Smith Street MAC and Gertrude and Johnston Street NACs, which in turn will reduce the dependence on private vehicle by future employees;

(b) The proposal includes secure bicycle parking spaces in excess of rates specified within the Scheme. Additional bicycle parking will also be required, as discussed later within the report. Future residents, employees and visitors would be able to take advantage of the Copenhagen bike lanes along Wellington Street;

(c) Office land uses are particularly conducive to alternative transport modes given that trips typically occur within peak hour when public transport services are most frequent. The regularity and familiarity of the journey is also a factor that encourages alternative travel modes. Employees are also more likely to cycle to avoid peak hour traffic delays.

(d) There is limited on-street parking in the area, with restrictive parking controls acting as a disincentive for employees to travel to work by car. Occupant or visitor parking permits will not be issued for the development and building tenants would be entering leases aware of the on-site parking availability. Therefore, businesses with a high reliance on car parking are unlikely to take up a lease at the site.

(e) Visitors would likely be aware of the car parking constraints in the area or otherwise be made aware by the occupants of the building, thus also encouraging use of alternative modes such as public transport, cycling or taxis/rideshare;

(f) Council's Engineering Unit are supportive of the application on the basis that it is in line with the objectives of Council's *Strategic Transport Statement* noting that the site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site parking would discourage private motor vehicle use.

Traffic

363. For the eight car parking spaces accommodated on-site, Council's Engineering Unit quantified peak hour volumes of 5 vehicle movements both within the morning and afternoon peak. The Engineering Unit identified the applicant's traffic report specified peak hour volumes of an additional 6 vehicle movements both within the morning and afternoon peak.

364. Council's Engineering Unit confirmed that the additional traffic volume, as anticipated in their review and the higher rate as anticipated by the applicant, is not unduly high and would not adversely impact on the traffic operation of Oxford Street and the surrounding road network.

Access and Layout

365. Clause 52.06-9 (Design standards for car parking) of the Scheme relates to the design of car parking areas and contains 7 standards and requirements relating to access way, car parking spaces, gradients, mechanical parking, urban design, safety and landscaping.

366. These details, along with the proposed car stackers have been reviewed by Council's Engineering Unit who are satisfied with the layout of the car parking area. Council's Engineering Unit has requested that the plans be revised to include the following details / dimensions that could be addressed by way of conditions:

(a) Pedestrian sight triangles are to be superimposed at the development entrance in accordance with *Design standard 1*. Where visibility is restricted, convex mirrors are to be installed.

(b) The floor to ceiling height of the car stacker device is to be dimensioned on the drawings with confirmation that the Trendvario 4300-200 model type can be accommodated for this development.

367. Several engineering conditions in regards to civil works, road asset protection, and construction management, impacts of assets on the proposed development and modification to car parking signage have been recommended. These conditions are considered standard and will be included as conditions.

368. The DDO23 requires, relevantly, development to be designed to provide car parking in a basement or concealed within the building envelope and to avoid providing recessed parking spaces at the ground floor level of the buildings and onsite parking spaces at the front of the property. The proposed design meets this criteria, concealing the parking at the rear of the site and removing the existing recessed parking area at the front of the property.

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

Loading and unloading

370. With regards to the proposed on-site uses, it is not considered that an on-site loading bay is required. It is anticipated that loading associated with these uses will be infrequent and undertaken by smaller trucks/vans that can utilise the nearest public on-street Loading Zone (on the east side of Oxford Street, south of Peel Street) or public parking within the area.

371. A condition can require deliveries and waste collections to be undertaken in accordance with the times prescribed by Council's Local Law.

Bicycle Facilities and Strategic Transport

Bicycle parking and facilities

372. As outlined earlier in the report, under Clause 52.34 of the Scheme, the proposed development is not required to provide any resident, employee or visitor bicycle parking. However, a total of 5 resident/employee bicycle spaces are provided within the bike store on the ground floor. Whilst exceeding the Scheme requirements, Council's Strategic Transport Unit identified that the development did not meet the rate outlined in Category 6 of the Built Environment Sustainability Scorecard (BESS), which recommends a total of 2 residential spaces and 6 employee spaces.

373. Given the proposed reduction in car parking sought specifically for the office use, it is considered that the development should meet the best practice rate and this can be facilitated via condition for eight bicycle spaces to be provided on site.

374. Council's Strategic Transport Unit raised concern with access to the bicycle parking room from the driveway and recommended direct access from the building entrance at Oxford Street be provided. It is considered that the low vehicle movements anticipated to be generated by the development would not pose an unreasonable risk and therefore the current arrangement is satisfactory.

375. The following was also requested to be shown by the Strategic Transport Unit:
    (a) Notations demonstrating the dimensions of bicycle storage spaces and relevant access ways comply with Australian Standard AS2890.3.
    (b) At least 20% of bicycle spaces to be horizontal at-grade to accord with Australian Standard AS2890.3.
    (c) Provision of a minimum 1 shower and change room to support staff to cycle to work.

376. The above are considered reasonable and will be implemented via condition. The detailed car parking management plan previously referenced can also require that 2 bicycle spaces be provided to residents and 6 bicycle spaces to employees.

377. To accord with the best practice rate for visitor parking as outlined within BESS, Council's Strategic Transport Unit recommended one bicycle hoop, providing space for two bicycles, be provided on the Oxford Street frontage. This is considered reasonable and can be facilitated via condition.

Electric vehicles

378. One EV space is shown to be provided within the stacker system. Council's Strategic Transport Officer reviewed the proposal and recommended the car parking area be electrically wired to be 'EV ready' to allow for easy future provision of electric vehicle charging. This is considered appropriate and can be facilitated via condition.

Development Contributions

379. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject site is located within Charge Area 6 (Collingwood) and a community infrastructure levy is applicable to the two additional dwellings whilst the development infrastructure levy is applicable to the two additional dwellings as well as the additional retail and office floor space.

380. A condition will be included outlining the requirements for the payment of the development infrastructure levy whilst a note will be included outlining the requirements for the payment of the community infrastructure levy, in accordance with the relevant statutory requirements for each levy type.

381. Lastly, in accordance with the requirements of Clause 22.12 (Public Open Space Contribution) of the Scheme a note will be added to any permit issued reminding the applicant that a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

Environmental Audit Overlay

382. The Environmental Audit Overlay (EAO) applies to the subject site. As noted in *Architype Australia Pty Ltd v Yarra CC* (includes Summary) (Red Dot) [2010] VCAT 497 (31 March 2010) the requirements of the EAO apply independently and do not trigger a planning permit. Therefore the requirements of the EAO do not form permit conditions but would form a note to ensure the permit holder is aware of their obligations under the provision.

Objector Concerns

383. Many of the objector issues have been discussed within the body of the report as shown below. Outstanding issues raised are addressed as follows:

(a) *Height and mass of the development is inconsistent with the neighbourhood character.*
(b) *The development is an overdevelopment of the site.*
(c) *The sheer side walls, architectural style and materials proposed are not in keeping with the surrounding area.*
(d) *The proposal is unsympathetic to the surrounding heritage character.*

The above built form considerations are discussed within paragraphs 179 to 232.

(e) *Future occupants will have a poor level of internal amenity.*
(f) *Loss of daylight, privacy and unreasonable overlooking.*
(g) *Unacceptable noise, visual bulk, wind impacts and overshadowing to the surrounds.*
(h) *The development will result in unequitable outcomes.*
(i) *Visual intrusion caused by the external staircase and accumulative development in the area.*

The above off-site amenity considerations are discussed within paragraphs 236 to 280, with on-site amenity considerations discussed within paragraphs 281 to 348.

(j) *Not enough car parks provided on-site, the on-street car parking is already at capacity and cannot cater to overflow from development.*
(k) *Car stackers are inefficient and will not be utilised.*

Car parking and traffic considerations are discussed within paragraphs 352 to 364. In regards to the concern with car stackers, car stackers are a recognised form of car parking used to meet car parking requirements and have been approved on numerous occasions by Council and the Victorian Civil Administrative Tribunal (VCAT).

(l) *Too many cafes and apartments in the area.*

It is evident that the area displays characteristics of a densified, inner-city location where higher-density development including a range of uses is slated to occur. The proposed food and drinks premises (café) and dwelling land uses are as-of-right uses under the provisions of the Mixed Use Zone.

(m) *Concern the consultant reports do not provide enough information.*

The consultant reports provide adequate information to enable an assessment, with any outstanding information requested via condition.

(n) *Decrease in property values and revenue of existing cafes.*

Fluctuations in property prices are not a relevant consideration in assessing an application under the provisions of the *Planning & Environment Act* 1987 or the Yarra Planning Scheme.

The proposed food and drinks premises (café) land use is as-of-right under the Mixed Use Zone. Only the development, office use and car parking reduction can be considered through this application.

The purpose of the zone encourages a range of land use activities. That there is a similar use to that proposed in proximity of the site is not adequate justification to refuse the application. The decision guidelines of the Yarra Planning Scheme and *Planning and Environment Act* 1987 do not accommodate consideration of lost income arising as a result of new development and competing land uses.

(o) *Pressure on infrastructure.*

This is discussed within paragraph 287. It is considered that the development is well placed in regards to existing infrastructure and would not unreasonable overload existing infrastructure services.

Conclusion

384. The proposed development is considered to demonstrate a high level of compliance with policy objectives contained within the Planning Policy Framework and Municipal Strategic Statement. Notably, the proposal achieves the State Government's urban consolidation objectives and a high level of compliance with the requirements of the Mixed Use Zone and Schedule 23 to the Design and Development Overlay.

385. The proposal, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit be issued for the Construction of a mixed-use building, use of the land for office and reduction of the car parking requirements at 48 Oxford Street, Collingwood generally in accordance with the plans noted previously as the "decision plans" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Design Office, Sheets TP01 – TP05, TP07 – TP11, TP20 – TP24, TP30 – TP32 and TP40 dated 24/07/2020 and TP06 dated 16/10/2018 but modified to show:

   <u>Layout</u>
   (a) The notation 'Commercial tenancy' modified to 'office' on all levels.
   (b) The portion of the boundary fence located on No. 50 Oxford Street shown to be retained.

(c) The ground floor northern on-boundary wall associated with the podium to be 7.5 metres in length, in accordance with the northern elevation.
(d) The first floor planter box to the rear of the podium, where abutting the northern boundary, reduced to 0.6 metres in width, in accordance with the northern elevation.
(e) A sectional diagram demonstrating that the east-facing Level 01 window of the commercial tenancy is obscure glazed.
(f) Detailed diagrams demonstrating the development limits overlooking to the south-facing window and secluded private open space of No. 50 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the operable portion of the east-facing window of the Level 01 office tenancy. Any additional screening measures used to achieve compliance are to be shown.
(g) The 1700mm high screen on the eastern edge of the Level 02 dwelling balcony to be fixed with a maximum 25% transparency.
(h) Detailed diagrams demonstrating the development limits overlooking to the south-facing window of No. 50 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the north-facing windows of office tenancies, on the western side of the central stair, at Levels 03, 04 and 05. Any additional screening measures used to achieve compliance are to be shown.
(i) Detailed diagrams demonstrating the development limits overlooking to the secluded private open spaces of No. 50 and 52 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the north-facing balcony Level 01 dwelling balcony and the north-facing windows and balcony of the Level 05 office terrace (east of the lift overrun). Any additional screening measures used to achieve compliance are to be shown.
(j) Location of the heating/cooling unit for each dwelling.
(k) The 'BADS apartment plans' on TP40 updated to show:
    (i) A minimum 1.2 metre clear path connecting the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. The living area may be reduced to accommodate, remaining compliant with Standard D24 – Functional layout objective of the Scheme.
    (ii) The showers of each apartment noted as hobless (step free).
    (iii) The toilet is to be adjacent to a 0.7 metre in length nib wall (between the toilet and shower).
    (iv) the location of the internal storage as notated.

<u>Car Parking and Services</u>

(l) Pedestrian sight line triangles superimposed at the development entrance in accordance with *Design standard 1*. Convex mirrors are to be installed where visibility is restricted.
(m) The floor-to-ceiling height of the car stacker device dimensioned with confirmation the Trendvario 4300-200 model type is to be utilised.
(n) A minimum of 8 employee/resident bicycle spaces located within a secure compound on the ground floor, provided in accordance with the requirements of AS23890.3 (including a minimum 20% of racks horizontal at grade) with dimensions of bicycle spaces and access way dimensioned.
(o) Provision of a minimum 1 shower and change room.
(p) One bicycle hoop located on Oxford Street in accordance with Council's Street Furniture Details 01: Bicycle Hoops.
(q) A notation confirming that all car parking areas will be electrically wired to be 'EV ready'.
(r) Any changes required by the Landscape Plan at Condition 5.
(s) Any changes required by the amended Sustainable Management Plan at Condition 7;
(t) Any changes required by the amended Acoustic Report at Condition 9;
(u) Any changes required by the amended Waste Management Plan at Condition 13;

2. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:

(a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;
(b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
(c) information about how the façade will be maintained, including any vegetation; and
(d) a materials schedule and coloured drawings outlining colours, materials and finishes, including additional details on the ground floor 'retractable security mesh curtain' to the street-facing opening of the café courtyard, ensuring the material is visually permeable and integrates with the overall development.

3. 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.

4. As part of the ongoing progress and development of the site, Design Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

(a) oversee design and construction of the development; and
(b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

<u>Landscape Plan</u>

5. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plans prepared by Eckersley Garden Architecture, drawing number GAR0000-00-01 - GAR0000-00-03 and GAR0000-00-05 - GAR0000-00-08 dated 23 July 2020 and GAR0000-00-04 dated 12 Nov 2019, but modified to include (or show):

(a) Details on the soil volume, stability support and precents provided for the proposed Ceiba speciosa 'Silk Floss Tree.'
(b) Planting plans and plant schedules containing the following information:
    (i) Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;
    (ii) Planting plans showing plant locations and quantities;
    (iii) A legend containing key features, materials and surfaces;
    (iv) Details of any raised planter beds including height, width and materials;
(c) The planter details updated to include further details about planter dimensions, soil depths and materiality.
(d) Notes on irrigation and maintenance, including:
    (i) Information on irrigation and drainage systems
    (ii) Notes on the maintenance schedule, tasks and duration
(e) Notation indicating the load bearing weights for the building have been checked and confirmed by a suitably qualified structural engineers against the saturated bulk density of soil media, planter 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.

Sustainable Management Plan

7. 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 Urban Digester dated 27 July 2020 but modified to include or show:

(a) Assess the proposal as amended pursuant to Condition 1.
(b) Reference to a 4,000 litre rainwater tank.

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

Acoustic Report

9. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Watson Moss Growcott and dated 24 July 2020, but modified to include or show:

(a) A SEPP N-1 assessment be provided of car stacker noise, taking into consideration the likely duration of use of the equipment during the day, evening and night periods. The assessment is to be based on the chosen car stacker model and include all noise emitted from the plant during an operational cycle, as well as noise from the hydraulic pump and motor.
(b) An assessment of potential on-site and off-site noise impacts that may affect the new dwellings, including from mechanical plant and commercial premises within the subject development. Additional measures to achieve compliance is to be outlined and shown, if required.

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

11. Following completion of the development, and prior to its occupation, an Acoustic Report to the satisfaction of the responsible authority must be submitted to, and be approved by, the responsible authority. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must demonstrate:

(a) Compliance of the mechanical plant, car park entrance door and car stackers with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings and dwellings proposed within the development.

When approved, the Acoustic Report will be endorsed and will then form part of this permit.

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

Waste Management Plan

13. 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 amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 16 July 2020, but modified to include or show:

    (a) Assess the proposal as amended pursuant to Condition 1.
    (b) The waste room to be of an area that allows an effective waste system.
    (c) The hard waste area to be provided within the bin room.
    (d) Details of how the site will ensure separation of private and Council services.
    (e) Provision of bins for four waste streams (food/green waste, glass, comingled recycle and landfill waste), both for the residential and commercial components, including details of how the waste will be separated and ensuring adequate space for extra bins that will be required is included.

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

15. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Use

16. Except with the prior written consent of the Responsible Authority, the office use authorised by this permit may only operate between the following hours:

    (a) Monday to Friday: 8:00am – 6:00pm.

17. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 16.

18. The amenity of the area must not be detrimentally affected by the use or development, including through:

    (a) the transport of materials, goods or commodities to or from land;
    (b) the appearance of any buildings, works or materials;
    (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
    (d) the presence of vermin.

    to the satisfaction of the Responsible Authority.

Car parking

19. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address the following:

    (a) the number of car parking spaces allocated to each tenancy;
    (b) one car space allocated to each dwelling;

(c) details of way-finding, cleaning and security of end of trip bicycle facilities;
(d) provision of two secure bicycle spaces for residents and six secure bicycle spaces for employees;
(e) any policing arrangements and formal agreements; and
(f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.

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

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

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

    to the satisfaction of the Responsible Authority.

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

23. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

24. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

<u>Lighting</u>

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian and vehicular entrances must be provided within the property boundary. Lighting must be:
    (a) located;
    (b) directed;
    (c) shielded; and
    (d) of limited intensity,

    to the satisfaction of the Responsible Authority.

<u>General</u>

26. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

27. 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.

28. 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.

29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

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

31. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

32. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

33. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

<u>Road Infrastructure</u>

34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be designed and constructed:
    (a) In accordance with any requirements or conditions imposed by Council.
    (b) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
    (c) At the Permit Holder's cost; and
    (d) To the satisfaction of Council.

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing spanning the width of the property frontage (with the exception of the new vehicle crossover) must be demolished and re-instated as standard footpath and kerb and channel:

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

36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development (including trenching and excavation for utility service connections) must be reinstated:
    (a) at the permit holder's cost,
    (b) to the satisfaction of the Responsible Authority.

37. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

38. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures or service pits necessary to facilitate the development must be undertaken:
    (a) at the permit holder's cost; and
    (b) to the satisfaction of the Responsible Authority.

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, one bicycle hoop (two spaces) must be installed on Oxford Street:

    (a) at the permit holder's cost;
    (b) in accordance with Street Furniture Details 01: Bicycle Hoops; and
    (c) in a location and manner,

    to the satisfaction of the Responsible Authority.

Development Infrastructure Levy

41. 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

42. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;

    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;
        (vi) washing of concrete trucks and other vehicles and machinery; and
        (vii) spillage from refuelling cranes and other vehicles and machinery;
    (i) the construction program;
    (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
    (k) parking facilities for construction workers;
    (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
    (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;

(n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
(o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
(p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
    (i) using lower noise work practice and equipment;
    (ii) the suitability of the land for the use of an electric crane;
    (iii) silencing all mechanical plant by the best practical means using current technology;
    (iv) fitting pneumatic tools with an effective silencer;
    (v) other relevant considerations.
(q) any site-specific requirements.

43. 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.

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

45. 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.

<u>Time Expiry</u>

46. 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;
    (c) the office use is not commenced within five years of the date of this permit.

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

Notes:

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

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5555 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 5555 for further information.

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

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

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

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

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

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

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

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

Community Infrastructure Levy

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.

Public Open Space Contribution

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

Environmental Audit Overlay

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.

Attachments

1 PLN19/0224 - 48 Oxford Street Collingwood - Site Plan

2 PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 1

3 PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 2

4 PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 3

5 PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4

6 PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5

7 PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 6

8 PLN19/0224 - 48 Oxford Street Collingwood - Open Space Unit

9 PLN19/0224 - 48 Oxford Street Collingwood - Streetscapes and Natural Values Unit

10 PLN19/0224 - 48 Oxford Street Collingwood - Urban Design Unit

11 PLN19/0224 - 48 Oxford Street Collingwood - Engineering Unit

12 PLN19/0224 - 48 Oxford Street Collingwood - Strategic Transport Unit

13 PLN19/0224 - 48 Oxford Street Collingwood - City Works Unit

14 PLN19/0224 - 48 Oxford Street Collingwood - ESD Advisor

15 PLN19/0224 - 48 Oxford Street Collingwood - Heritage Advisor

16 PLN19/0224 - 48 Oxford Street Collingwood - Acoustic Consultant (SLR)

Attachment 1 - PLN19/0224 - 48 Oxford Street Collingwood - Site Plan

ATTACHMENT 1

SUBJECT LAND: 48 Oxford Street, Collingwood

North

Attachment 2 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 1

A349_48 Oxford Street

Planning application

DRAWINGS LIST

TP01 Cover Page

TP02 Existing Site/Roof Plan
TP03 Existing West Elevation - Site images

TP04 Proposed Site/Roof Plan

TP05 Proposed Ground Floor Plan - Level 00
TP06 Proposed Floor Plan - Level 01
TP07 Proposed Floor Plan - Level 02
TP08 Proposed Floor Plan - Level 03
TP09 Proposed Floor Plan - Level 04
TP10 Proposed Floor Plan - Level 05
TP11 Proposed Rooftop Plan

TP20 Proposed West Elevation - Oxford Street
TP21 Proposed North Elevation
TP22 Proposed East Elevation
TP23 Proposed South Elevation
TP24 Proposed Streetscape Elevation

TP30 Proposed Section
TP31 Proposed Section
TP32 Section detail

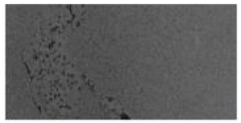
TP40 BADS apartment plans

TP50 Shadow diagrams
TP51 Shadow diagrams - Including proposed neighbouring development

TP60 Proposed view
TP61 Proposed view
TP62 Proposed view

SITE AERIAL PHOTO

MATERIALS



STONE_01

Bluestone
Diamond sawn and grit blasted stone cladding panels
Nom. 900x450mm

CERAMIC_01
Ceramic Tiled Rainscreen

Colour: Warm Grey
Finish: Natural Texture
Size: 1100-2700mmH x 150-250mmW (varies)

METAL_01
Metal Coating

Colour: Oxytech Olive Green
Finish: Matt

METAL_02
Metal Coating

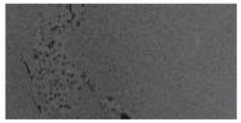
Colour: Dulux Monument
Finish: Matt

METAL_03
Metal Coating

Colour: Dulux Grey Nurse
Finish: Matt

GLASS_01
Glazing Generally

Clear glass



STONE_02

Bluestone
Diamond sawn external pavers
Nom. 600x300

RENDER_01
Textured cement render

Colour: Warm mid-grey

TIMBER_01
Timber Composite Cladding

Colour: Charcoal grey

BRICK_01
Brick

Colour: Grey
Finish: Natural Texture
Size: Nom. 240x50mm

PANEL_01
Cementious Textured Coated Cladding Panel

Colour: Warm Grey
Finish: Natural
Size: 3000mmH x 1200mmW
3000mmH x 600mmW

GLASS_02
Glazing Generally

Obscured glass

DesignOffice

designoffice.com.au

6 Hotham Street Collingwood Victoria 3066 Australia
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This drawing is to be read in conjunction with the full DesignOffice drawing set, DesignOffice schedules and other consultants drawings or documents, discrepancies, errors or omissions found within or between DesignOffice documents, or in relation to other consultants documents are to be reported immediately to DesignOffice for clarification.

All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all relevant local authorities and to the satisfaction of the relevant authorities, good trade practice and, where appropriate, in accordance with manufacturers instructions.

Do not scale from these drawings. Figures dimensions only are to be used, if in doubt, ask. All dimensions are shown in finished wall, floor and ceiling levels. Contractors must verify all dimensions on site and report any or all discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any changes made to the fabrication or installation which these drawings must be approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services requires to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items, not yet specified, (i.e. all pipes, hydrants, switches, handrails etc) are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

Drawings show design intent only. Contractor must take responsibility for structural integrity, are safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as follows on drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
Cover page

Drawing Number: TP01
Revision: 2

Town Planning

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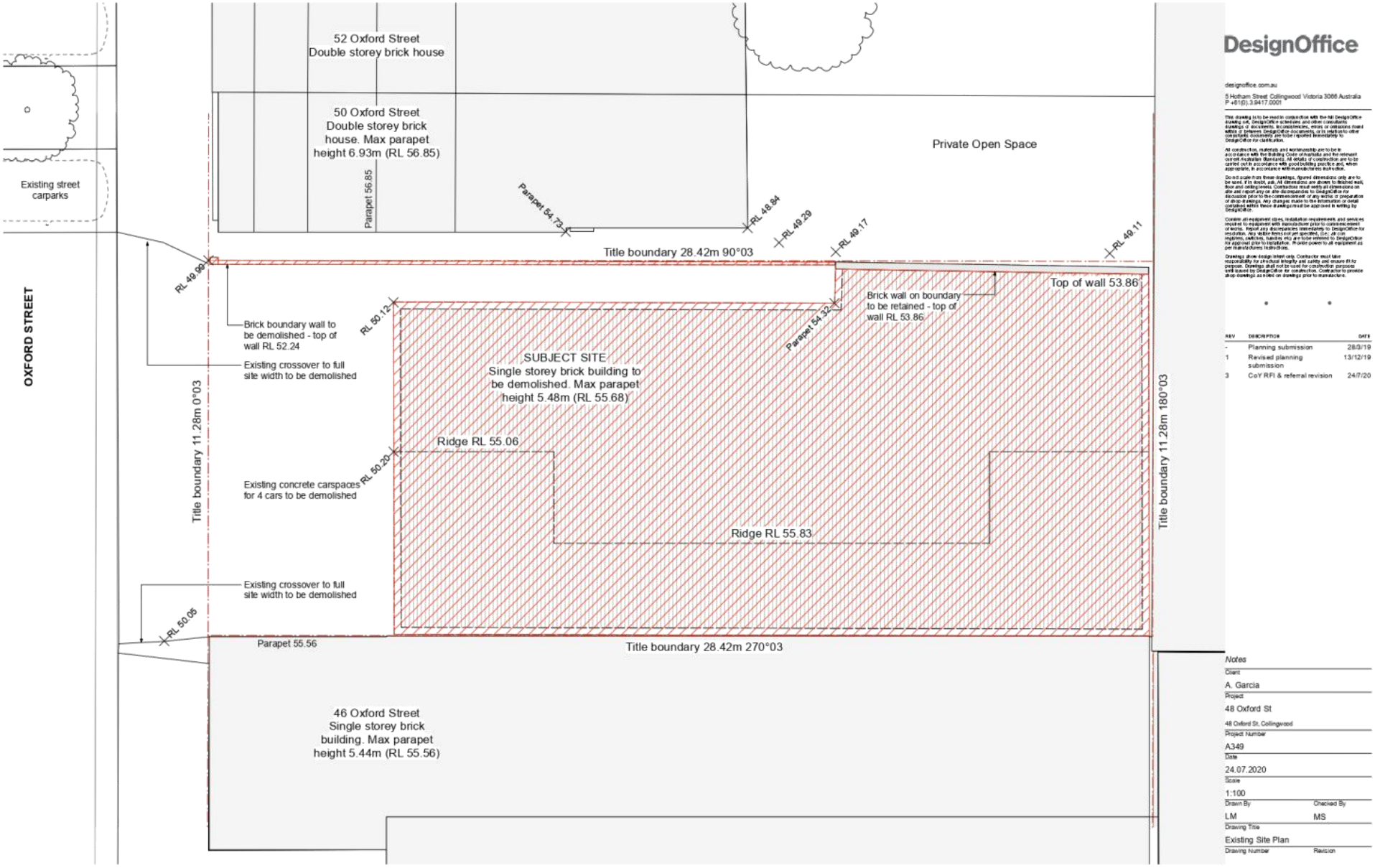
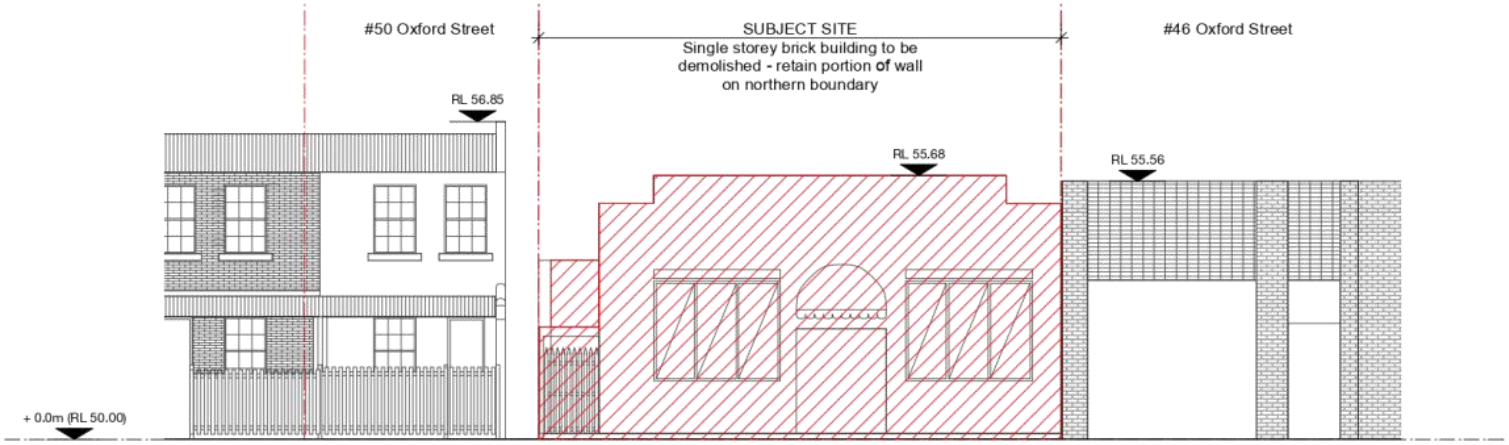
Attachment 3 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 2



Attachment 4 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 3



1 Existing Elevation - Oxford St
Scale: 1:100

2 Site Photo - Oxford St

DesignOffice

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This drawing is to be read in conjunction with the full DesignOffice drawing set, DesignOffice schedules and other consultants drawings or documents, inconsistencies, errors or omissions found within or between DesignOffice documents, or in relation to other consultants documents are to be reported immediately to DesignOffice for clarification.

All construction materials are workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all safety and construction practice for certain Australian Standards, good building practice and, where appropriate, in accordance with manufacturers instructions.

Do not scale from these drawings. Figures dimensions only are to be used, if in doubt, ask. All dimensions are shown to finishes wall, floor and ceiling levels. Contractors must verify all dimensions on site and report any or all discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any changes made to the fabrication of shop drawings which have standings must be approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services routes to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items, not yet specified, (i.e. all pipes, hydrants, switches, handrails etc) are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

Drawings show design intent only. Contractor must take responsibility for structural integrity and safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as follows on drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revision	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St
48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
Existing West Elevation

Drawing Number: TP03
Revision: 2

Town Planning

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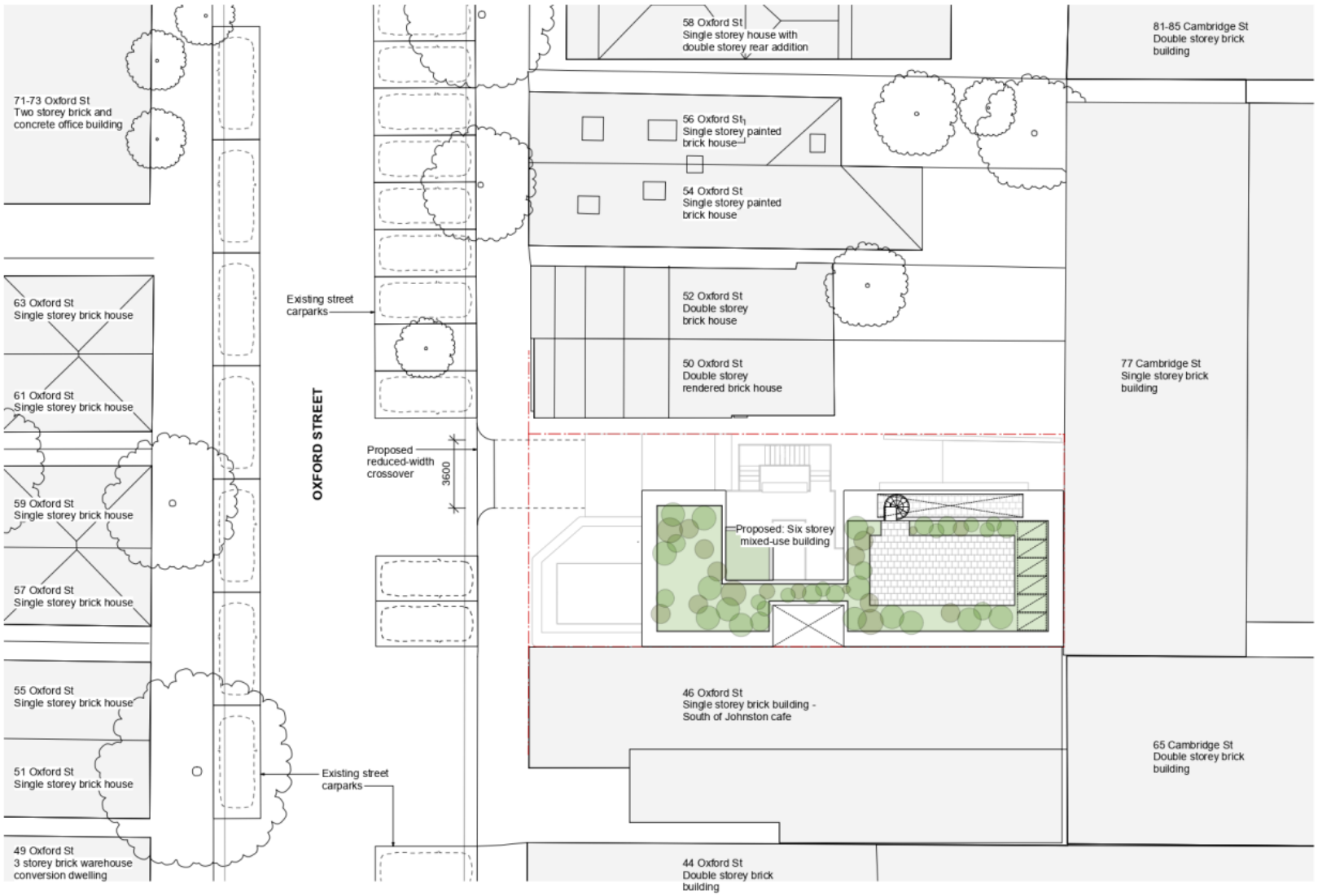
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed Rooftop Level
Scale: 1:200

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6 Hotham Street Collingwood Victoria 3066 Australia
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This drawing is to be read in conjunction with the full DesignOffice drawing set. DesignOffice schedules, also other consultants drawings or documents, inconsistencies, errors or omissions found within or between DesignOffice documents, or in relation to other consultants documents are to be reported immediately to DesignOffice for clarification.

All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards. All setout and construction prior to commencement of work, shall be verified on site by contractor, where appropriate, in accordance with manufacturers instruction.

Do not scale from these drawings. Figures dimensions only are to be used. If in doubt, ask. All dimensions are shown to finished wall, floor and ceiling levels. Contractors must verify all dimensions on site and report any or all discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any changes made to the fabrication of items contained within these drawings must be approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services requires to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items not yet specified, i.e. all pipe hygiene, switches, handrails etc are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

Drawings show design intent only. Contractor must take responsibility for structural integrity, are safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as follows on drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
Proposed Site Plan

Drawing Number: TP04
Revision: 2

Town Planning

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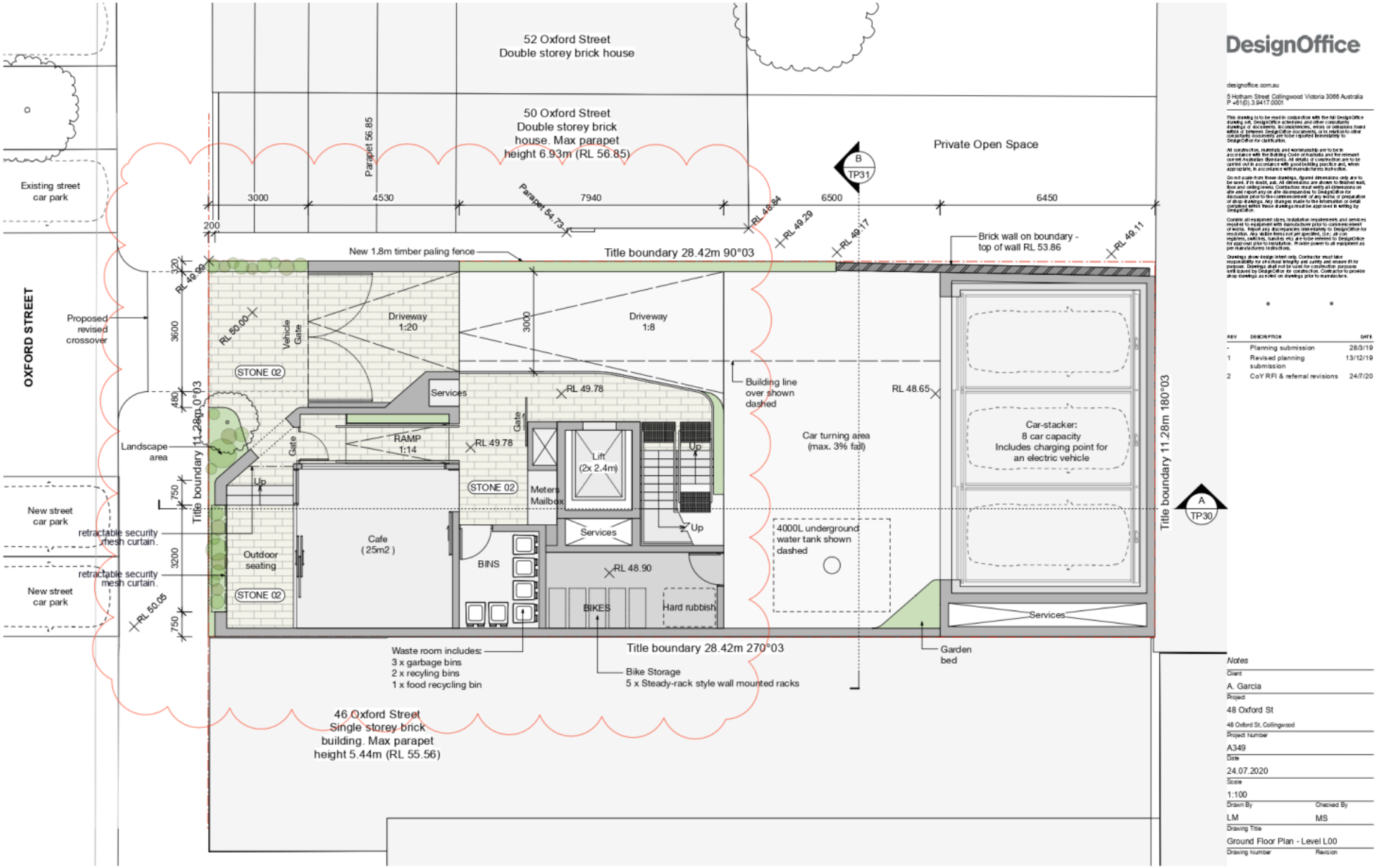
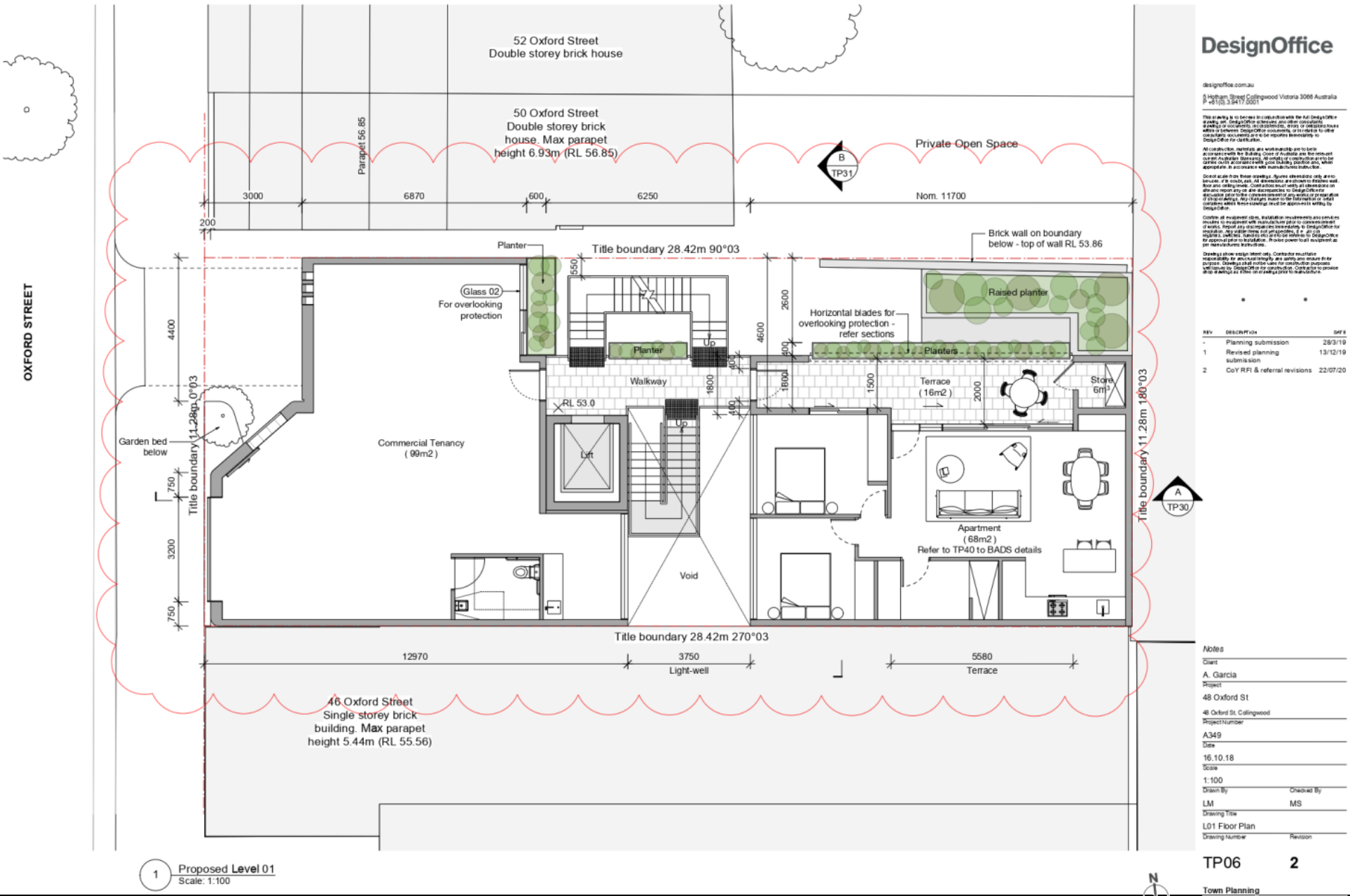
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4

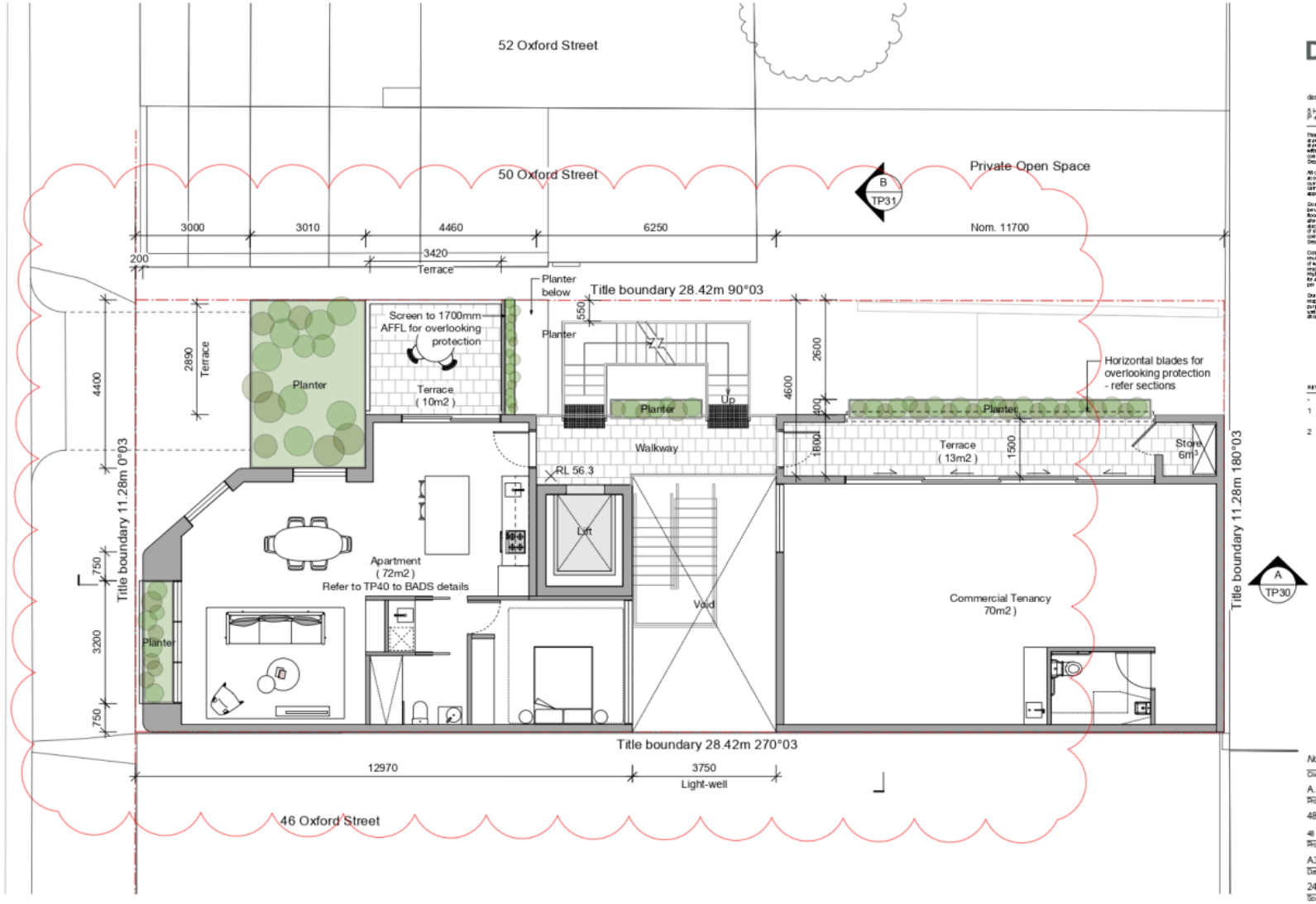


1 Proposed Ground Floor Plan - Level 00
Scale: 1:100

Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed Level 02
Scale: 1:100

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All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all safety and occupational codes and to comply with manufacturers specifications, guidelines and instructions, where appropriate. Be accordance with manufacturers instruction.

Do not scale from these drawings. Figures dimensions only are to be used. If in doubt, ask. All dimensions are shown in finishes wall, floor and ceiling levels. Contractors must verify all dimensions on site and report any or all discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any changes made to the fabrication of items contained within these drawings must be approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services requires to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items not pre-specified, i.e. all pipes, hydrants, switches, handrails etc are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

Drawings show design intent only. Contractor must take responsibility for structural integrity, fire safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as 3 files on drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St
48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
L02 Floor Plan

Drawing Number: TP07
Revision: 2

Town Planning

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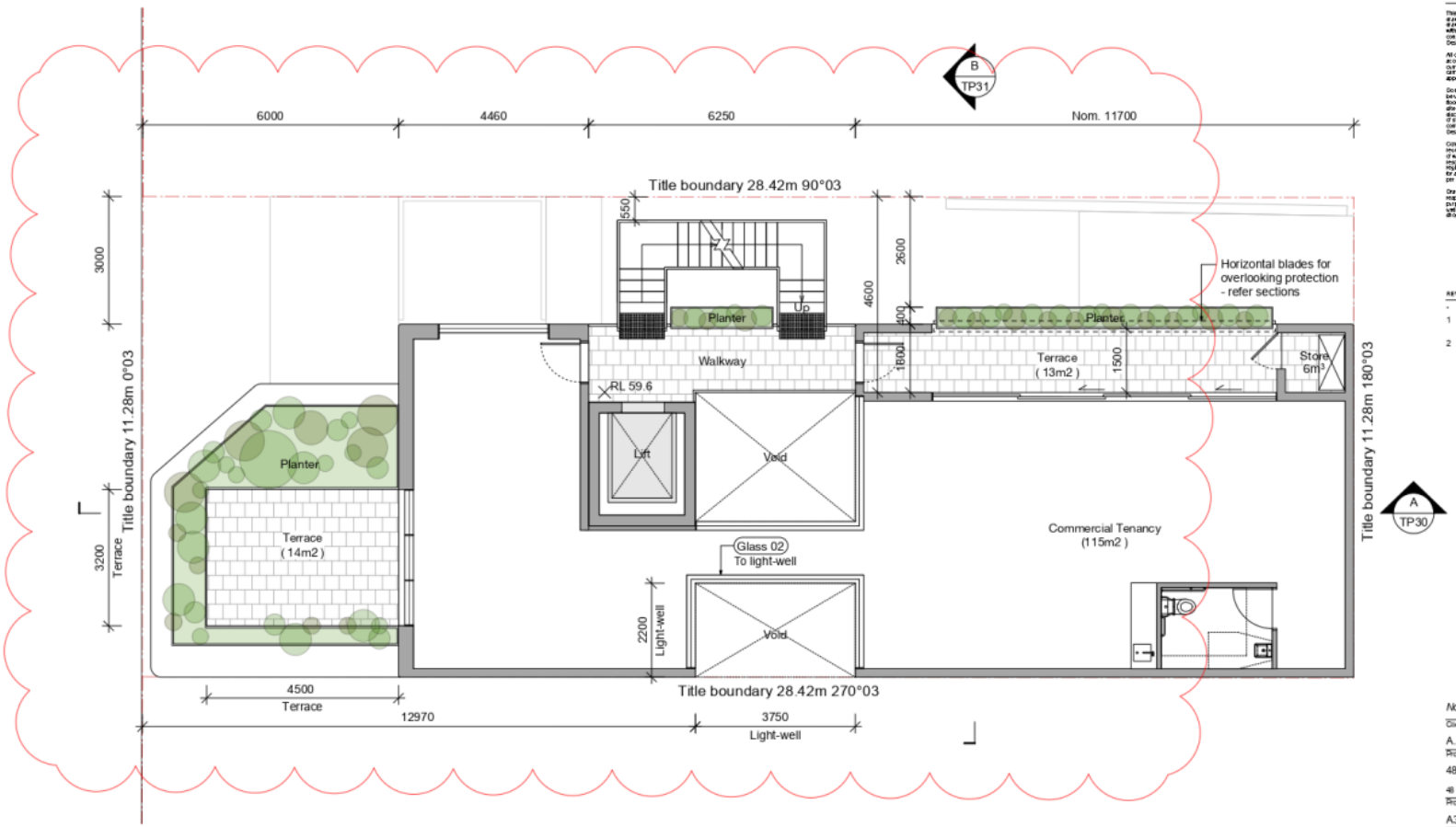
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed Level 03
Scale: 1:100

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All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all safety requirements and to be carried out in a tradesmanlike manner, to good trade practice and, where appropriate, in accordance with manufacturers instruction.

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Drawings show design intent only. Contractor must take responsibility for structural integrity, and safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as follows: all drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St
48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
L03 Floor Plan

Drawing Number: TP08
Revision: 2

Town Planning

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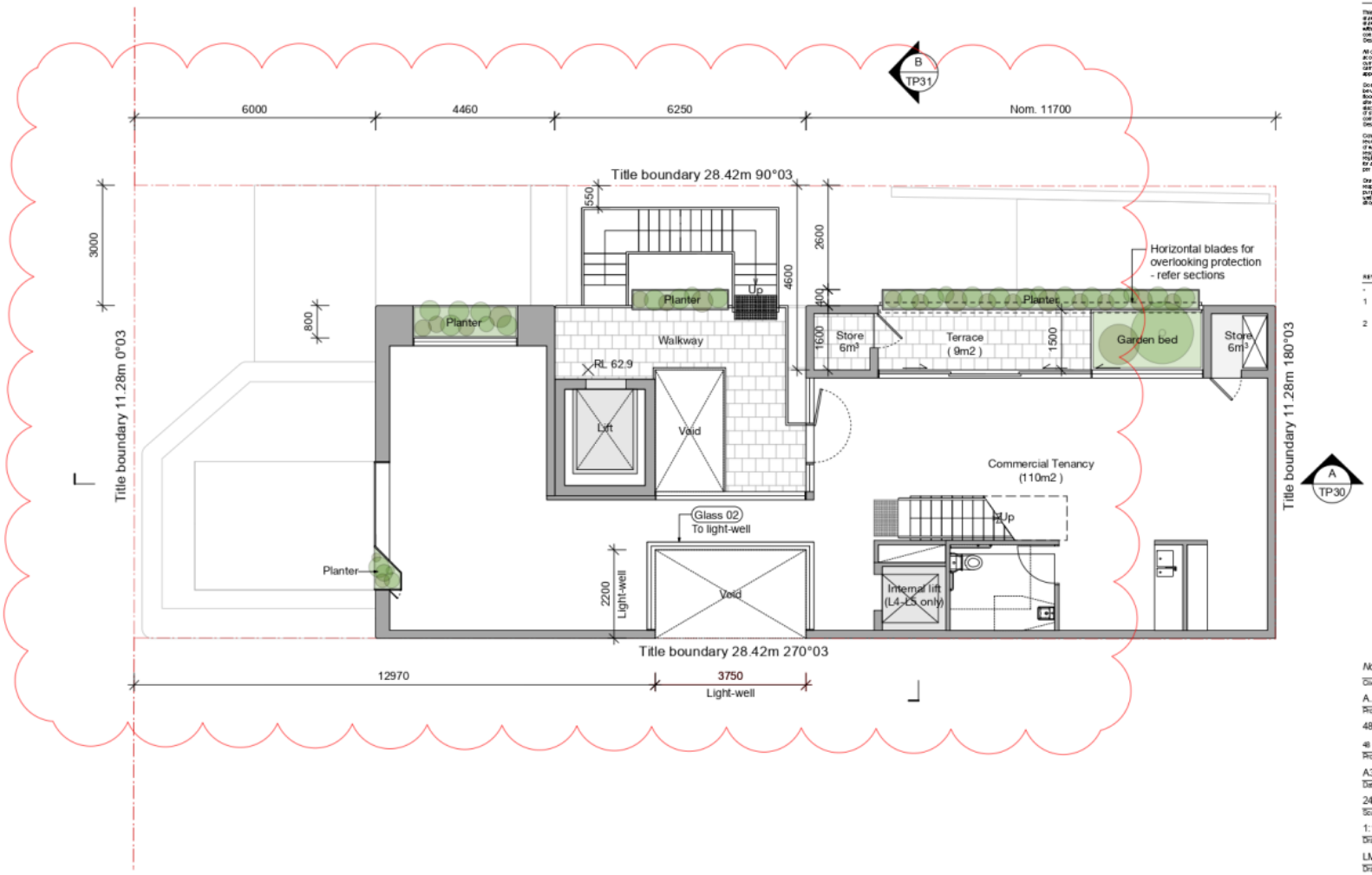
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed Level 04
Scale: 1:100

DesignOffice

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Drawings show design intent only. Contractor must take responsibility for structural integrity, are safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as follows or drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
L04 Floor Plan

Drawing Number: TP09
Revision: 2

Town Planning

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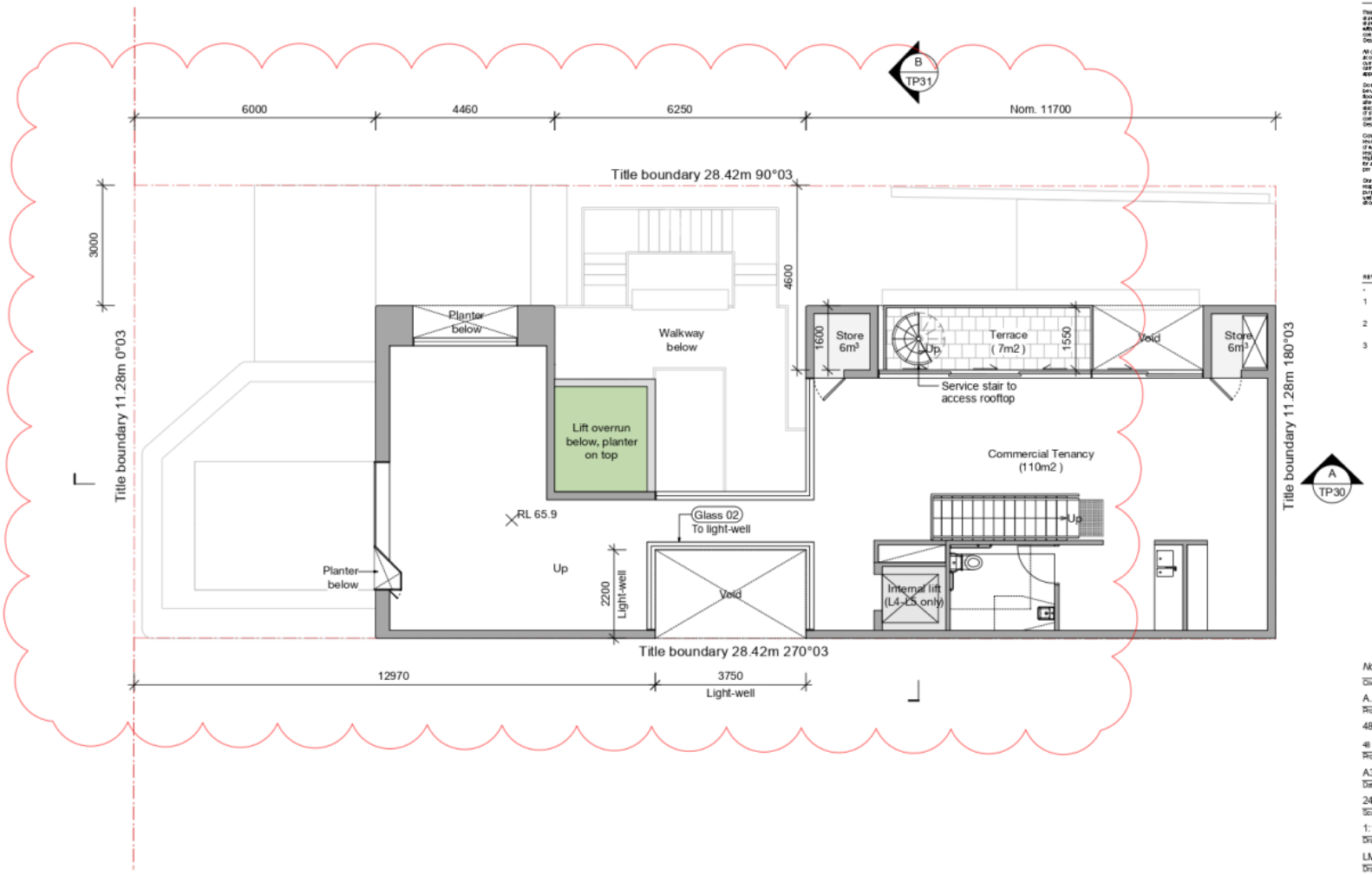
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed Level 05
Scale: 1:100

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St
48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
L05 Floor Plan

Drawing Number: TP10
Revision: 3

Town Planning

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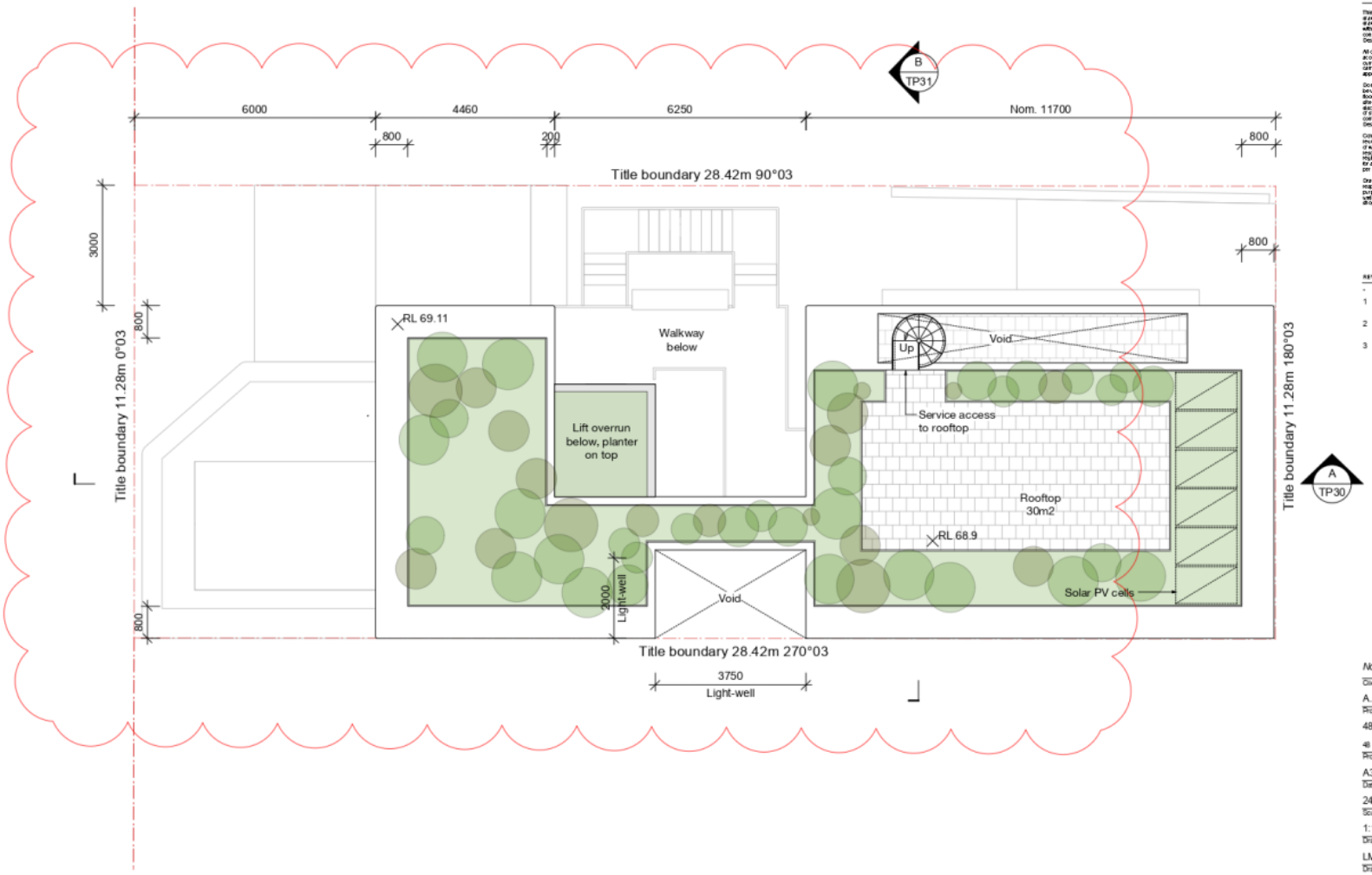
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed Rooftop Level
Scale: 1:100

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6 Hotham Street Collingwood Victoria 3066 Australia
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This drawing is to be read in conjunction with the full DesignOffice drawing set, DesignOffice schedules, also other consultants drawings or documents, inconsistencies, errors or omissions found within or between DesignOffice documents, or in relation to other consultants documents are to be reported immediately to DesignOffice for clarification.

All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all safety and construction practice for OH&S, Australian Standards, good building practice and, where appropriate, in accordance with manufacturers instruction.

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
L06 | Rooftop Floor Plan

Drawing Number: TP11
Revision: 3

Information Only

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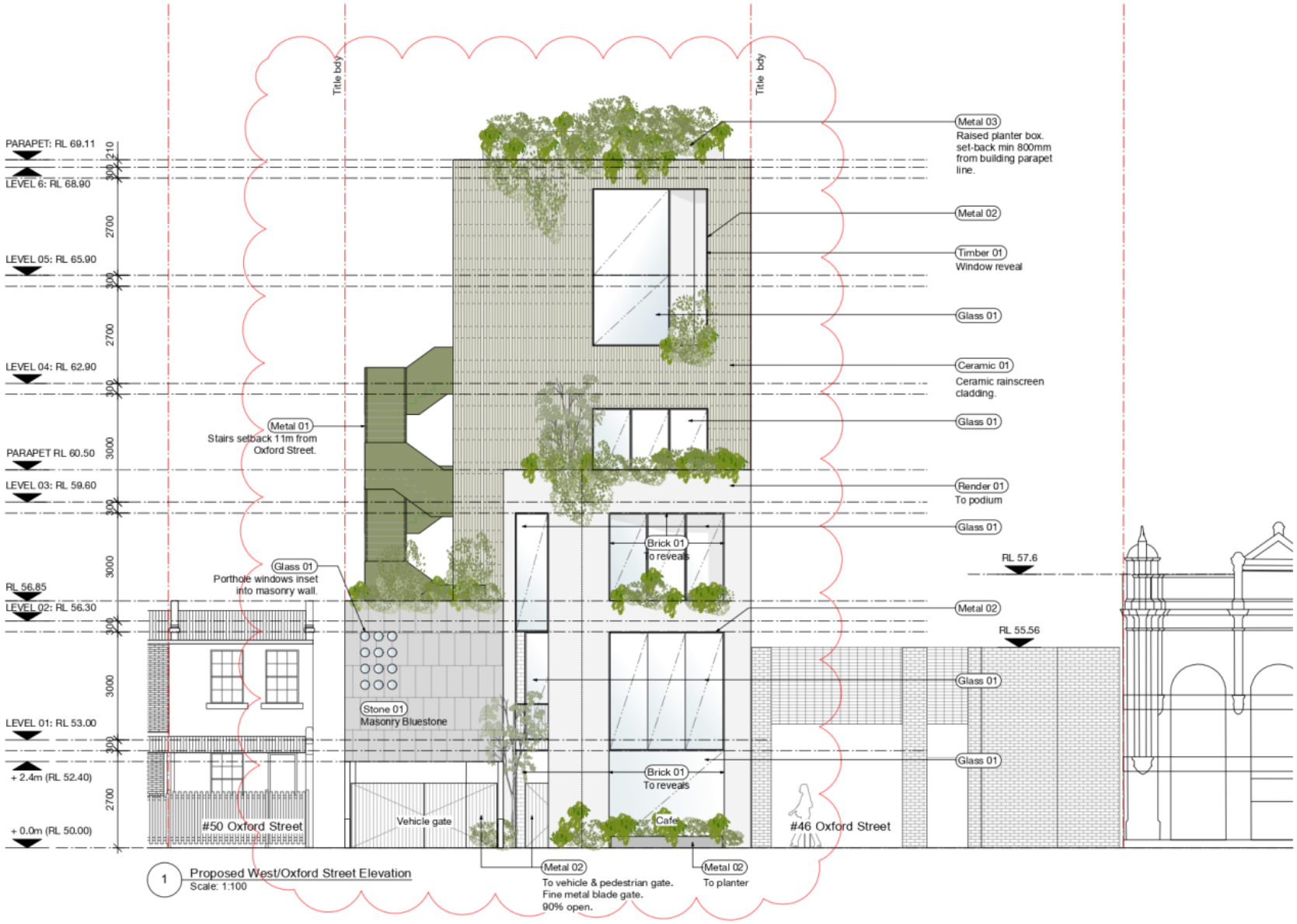
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Proposed West/Oxford Street Elevation
Scale: 1:100

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All construction materials and workmanship are to be to the relevant Australian Standards, Codes of Australia and the relevant current building regulations, all safety requirements and to be carried out to a trade standard, good quality workmanship and, where appropriate, in accordance with manufacturers instructions.

Do not scale from these drawings. Figures dimensions only are to be used. If in doubt, ask. All dimensions are shown to finishes wall, floor and ceiling levels. Contractors must verify all dimensions on site and report any or all discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any changes made to the fabrication of shop drawings which have not been approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services requires to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items not yet specified, i.e. all pipes, hydrants, switches, handrails etc are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
West Elevation

Drawing Number: TP20
Revision: 3

Town Planning

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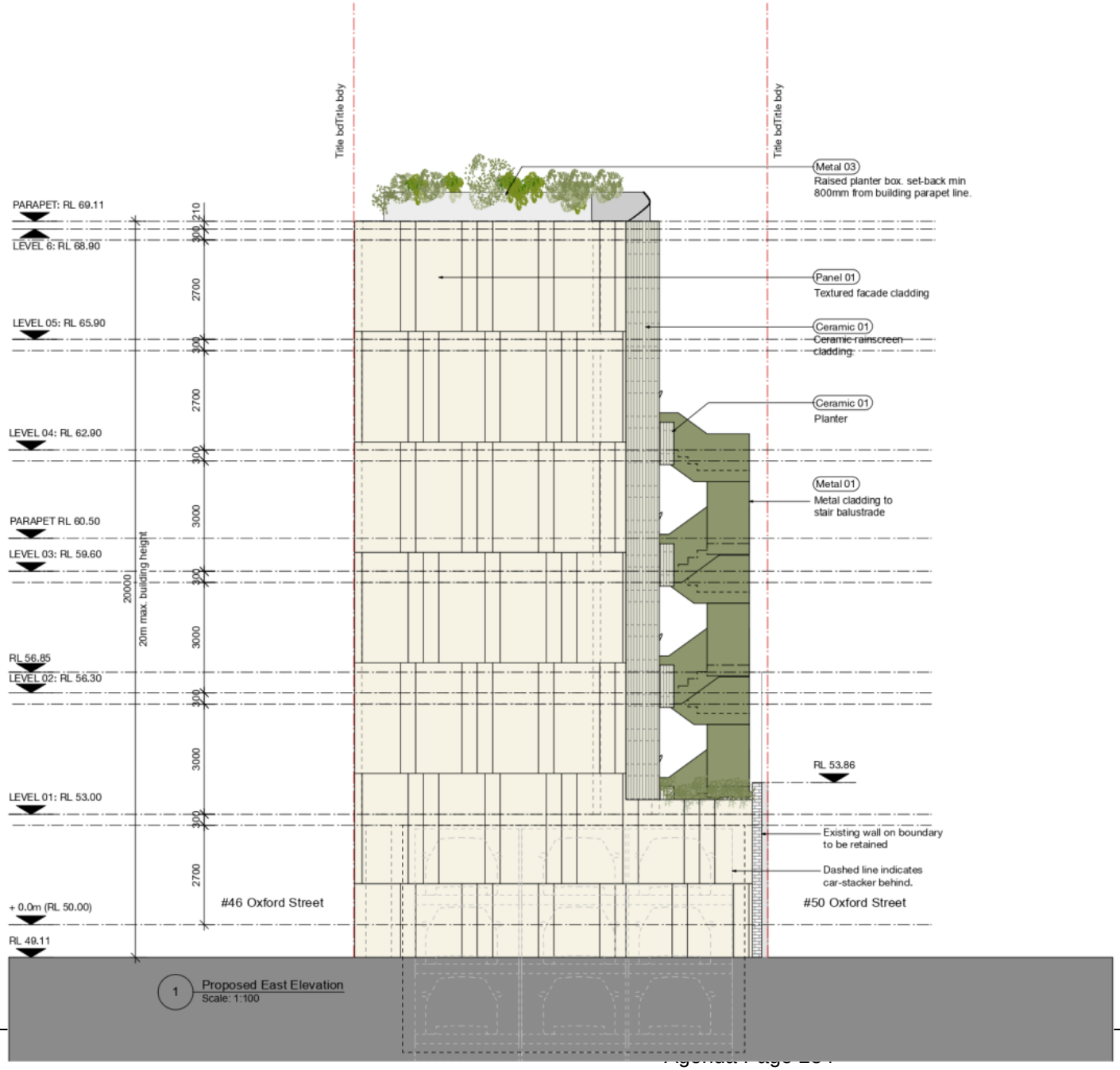
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4

Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



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All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all relevant local authorities and to comply with manufacturers specifications, good trade practice and, where appropriate, in accordance with manufacturers instruction.

Do not scale from these drawings. Figures dimensions only are to be used, if in doubt, ask. All dimensions are shown in finished wall, floor and ceiling levels. Contractors must verify all dimensions on site and report any on site discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any changes made to the fabrication of detail contained within these drawings must be approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services requires to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items not yet specified, i.e. all pipe hydraulic, switches, handrails etc are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

Drawings show design intent only. Contractor must take responsibility for structural integrity, are safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to provide shop drawings as follows on drawings prior to fabrication.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
East Elevation

Drawing Number: TP22
Revision: 3

Town Planning

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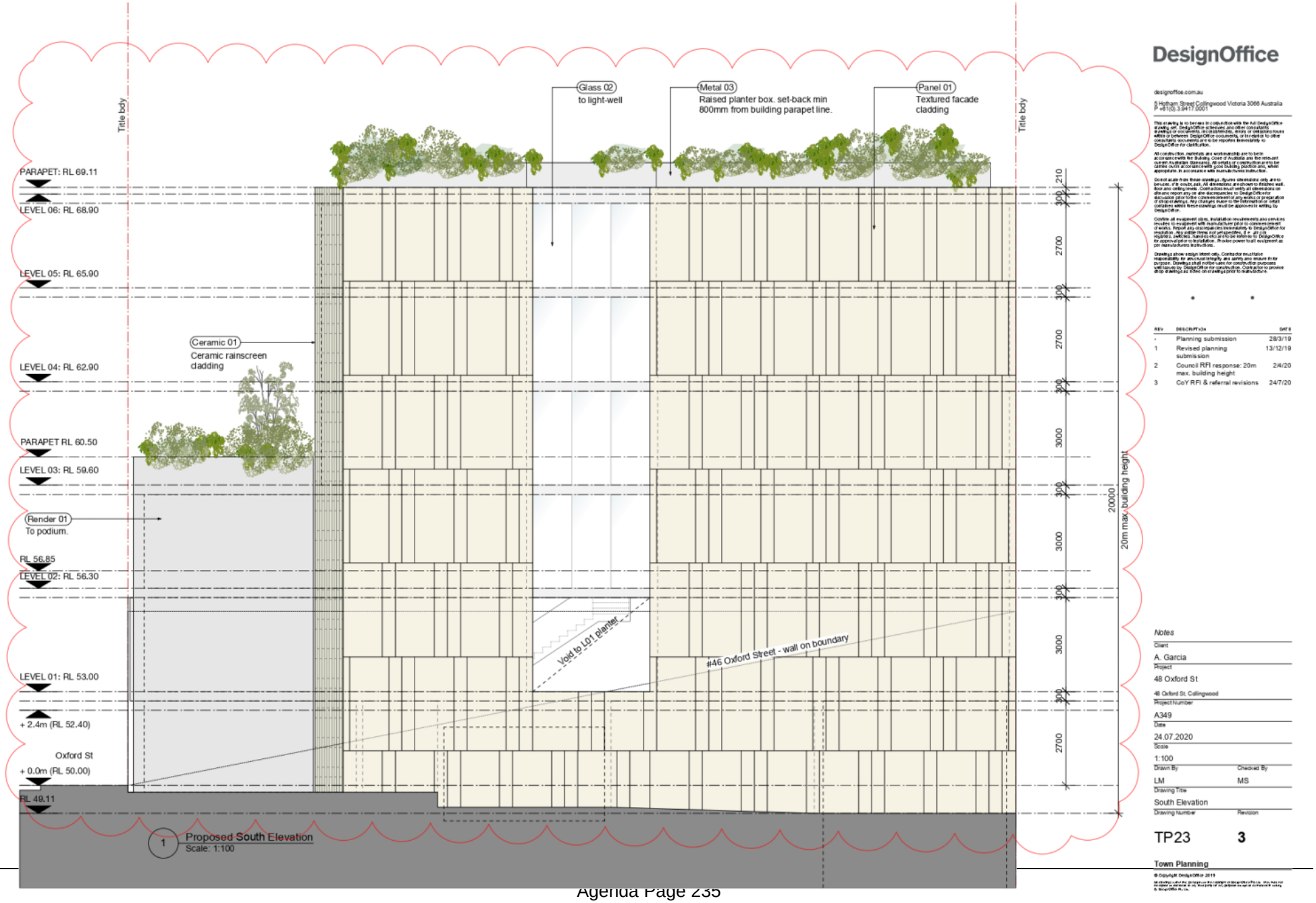
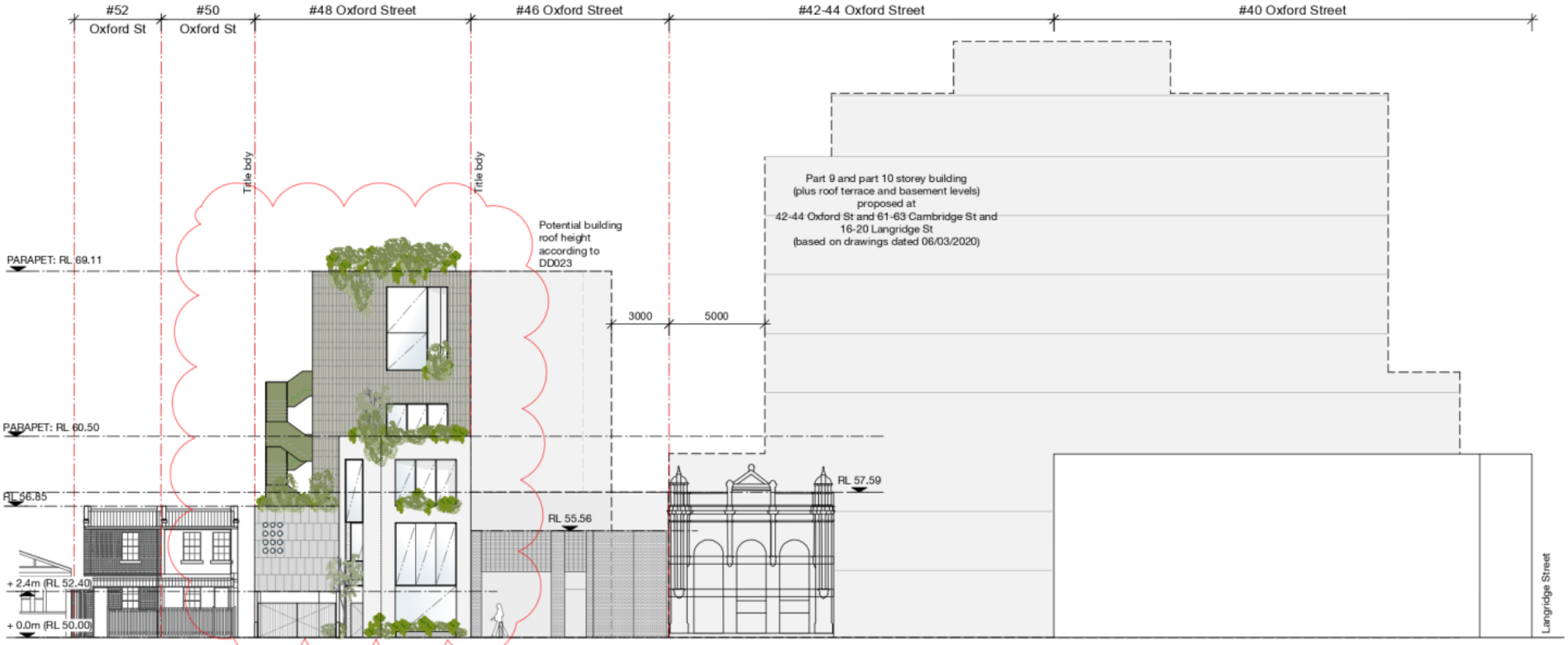
Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



Attachment 5 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 4



1 Oxford Street Elevation
Scale: 1:200

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5 Hotham Street Collingwood Victoria 3066 Australia
P +61(0)3 9417 0001

This drawing is to be read in conjunction with the full DesignOffice drawing set, DesignOffice submission and other consultants' drawings or documents, inconsistencies, errors or omissions must be reported immediately to DesignOffice for clarification.

All construction, materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards. All details of construction are to be carried out in accordance with good building practice and, where appropriate, in accordance with manufacturer's instructions.

Do not scale from these drawings. Figured dimensions only are to be used. Min. 20dB, adj. All dimensions are shown to finished wall, floor and ceiling levels. Contractor must verify all dimensions on site and report any on site discrepancies to DesignOffice for discussion prior to the commencement of any works or preparation of shop drawings. Any drawings issued to the contractor or detail initiated within these drawing need to be approved in writing by DesignOffice.

Confirm all equipment sizes, installation requirements and services required to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items not yet specified, i.e. air con registers, switches, fixtures etc are to be referred to DesignOffice for approval prior to installation. Provider responsible for coordinating all equipment to be installed in this project.

Drawings show design intent only. Contractor must take responsibility for structural integrity and safety and ensure fit for purpose. Drawings shall not be used for construction purposes until issued by DesignOffice for construction. Contractor to verify all dimensions on site and report any discrepancies in drawings as notes on drawings prior to manufacture/construction.

REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client: A. Garcia
Project: 48 Oxford St
48 Oxford St, Collingwood
Date: 24.07.2020
Scale: 1:200
Drawn By: LM
Checked By: MS

Project Number: A349
Drawing Title: Oxford St Elevation
Drawing Number: TP24
Revision: 3
Town Planning

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Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5

1 Proposed Section A
Scale: 1:100

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Confirm all equipment sizes, installation requirements and services requires to equipment with manufacturer prior to commencement of works. Report any discrepancies immediately to DesignOffice for resolution. Any visible items not yet specified, i.e. all pipe hydraulic, switches, handrails etc are to be referred to DesignOffice for approval prior to installation. Provide power to all equipment as per manufacturers instructions.

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
Section A

Drawing Number: TP30
Revision: 3

Town Planning

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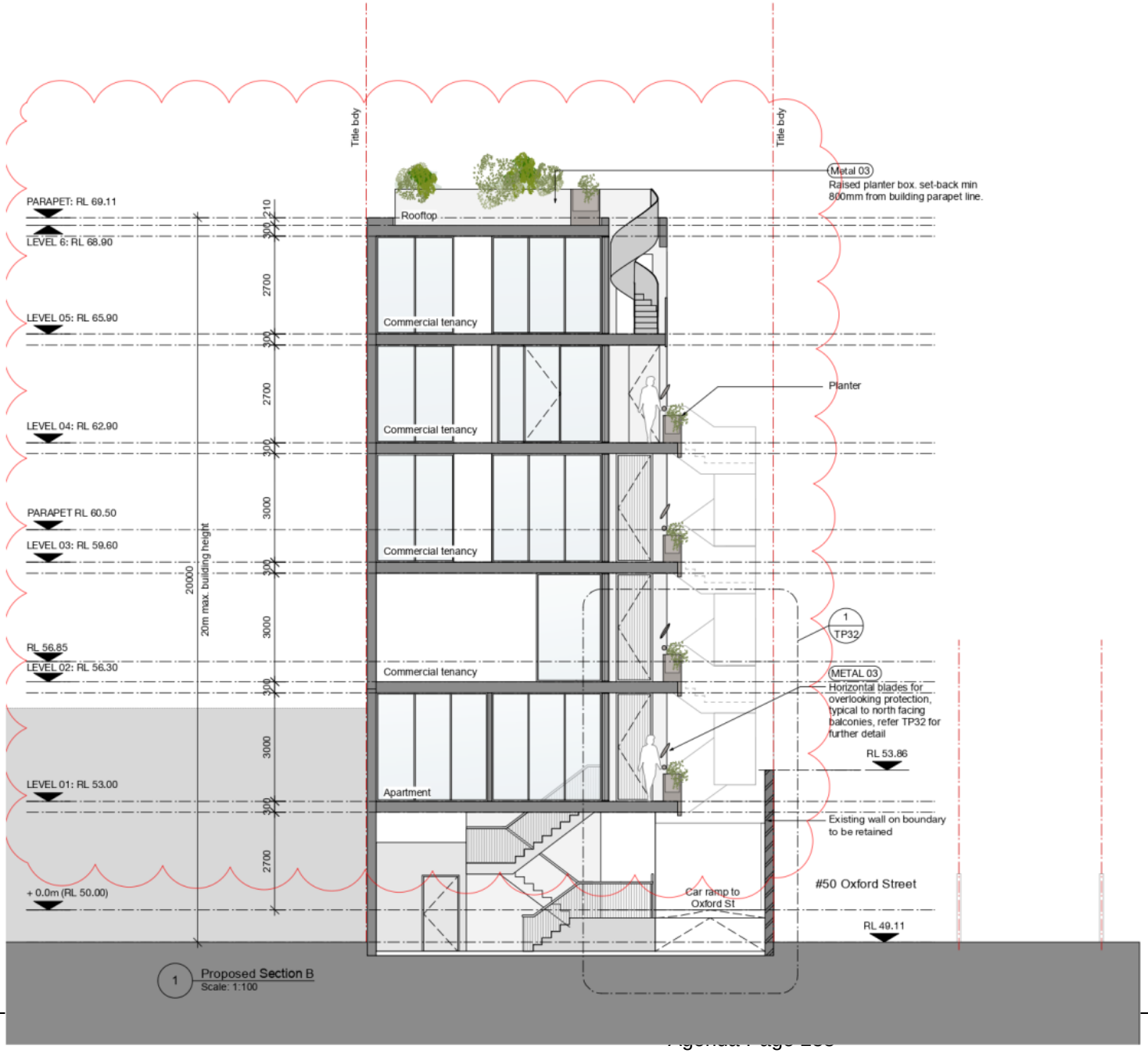
Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5



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All construction materials and workmanship are to be in accordance with the Building Code of Australia and the relevant current Australian Standards, all relevant manufacturer and trade specifications, and to the satisfaction of the local council and, where appropriate, in accordance with manufacturers instruction.

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	Council RFI response: 20m max. building height	2/4/20
3	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:100

Drawn By: LM
Checked By: MS

Drawing Title
Section B

Drawing Number: TP31
Revision: 3

Town Planning

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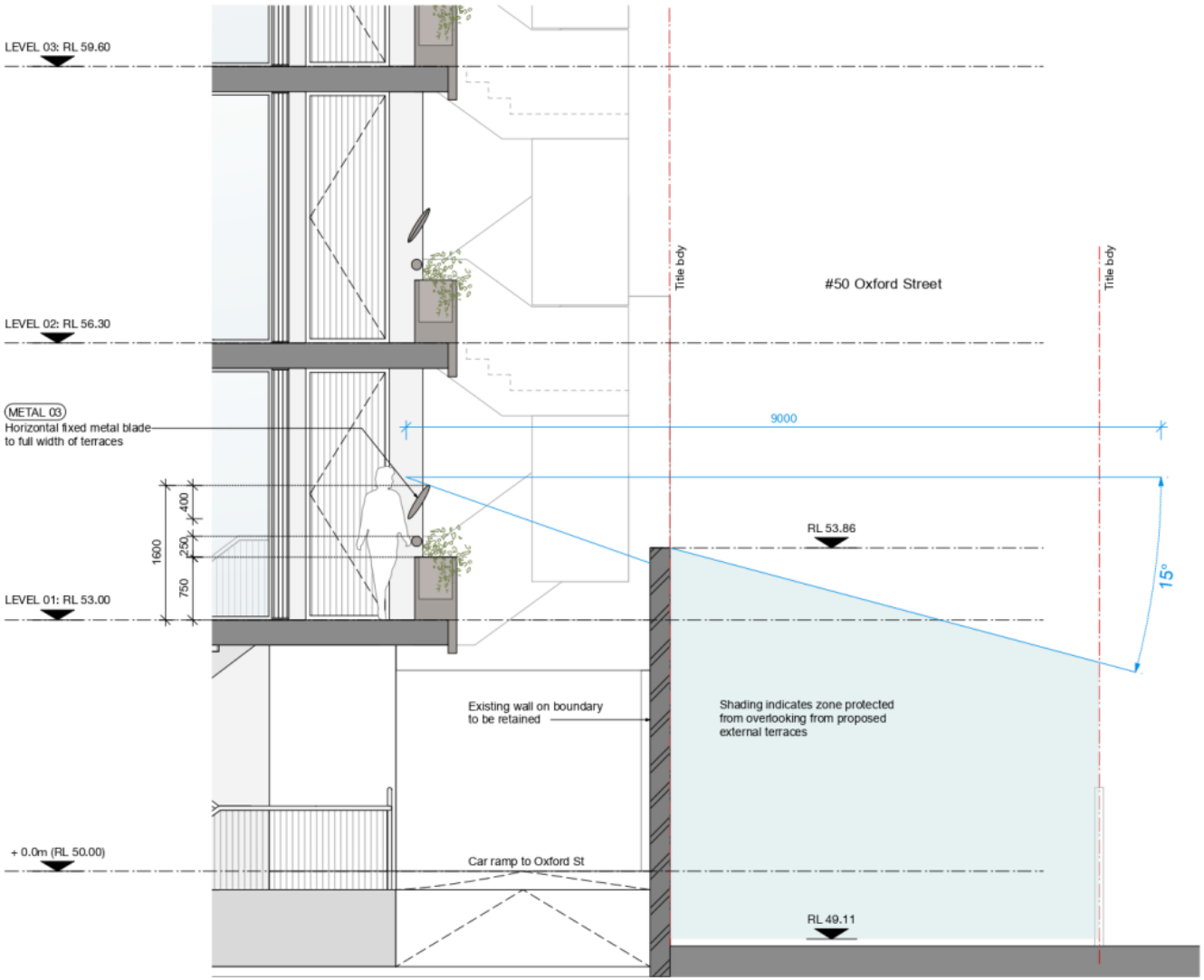
Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5



1 Section detail
Scale: 1:50

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
1:50

Drawn By: LM
Checked By: MS

Drawing Title
Section detail

Drawing Number: TP32
Revision: 2

Town Planning

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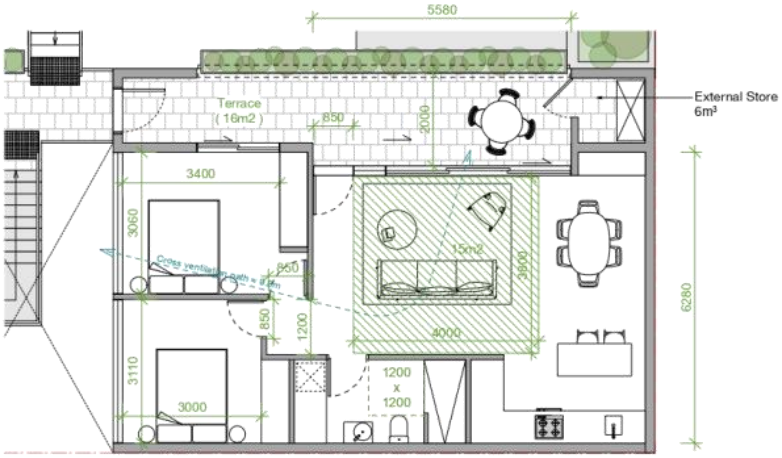
Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5



1 Level 01 Apartment
Scale: 1:100

LEVEL 01 APARTMENT (2 Bedroom)

Room depth: Ceiling height 3m, max room depth 6.3m

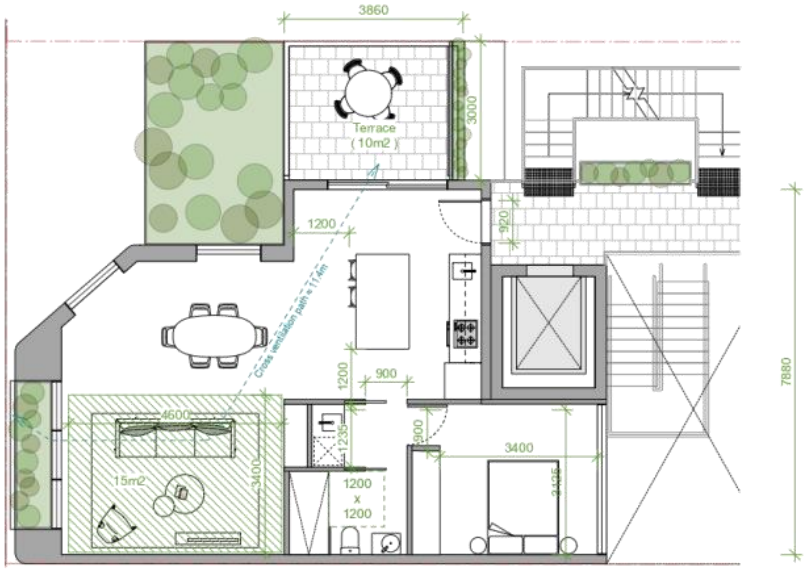
Total storage allowance: 20.5m³

Internal storage: 15m³

Natural ventilation achieved: Yes

Private Open space: 12m²

Accessible/adaptable: Yes



1 Level 02 Apartment
Scale: 1:100

LEVEL 02 APARTMENT (1 Bedroom)

Room depth: Ceiling height 3m, max room depth 8.8m

Total storage allowance: 10.2m³

Internal storage: 10.5m³

Natural ventilation achieved: Yes

Private Open space: 10m²

Accessible/adaptable: Yes

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
3	CoY RFI & referral revisions	24/7/20

Notes

Client: A. Garcia

Project: 48 Oxford St

48 Oxford St, Collingwood

Project Number: A349

Date: 24.07.2020

Scale: 1:100

Drawn By: LM

Checked By: MS

Drawing Title: BADS apartment plans

Drawing Number: TP40

Revision: 3

Town Planning

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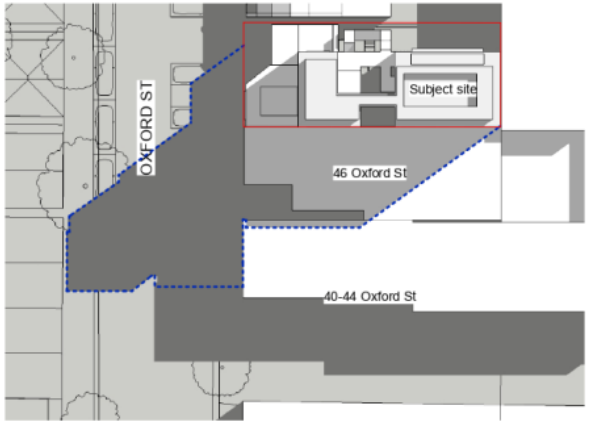
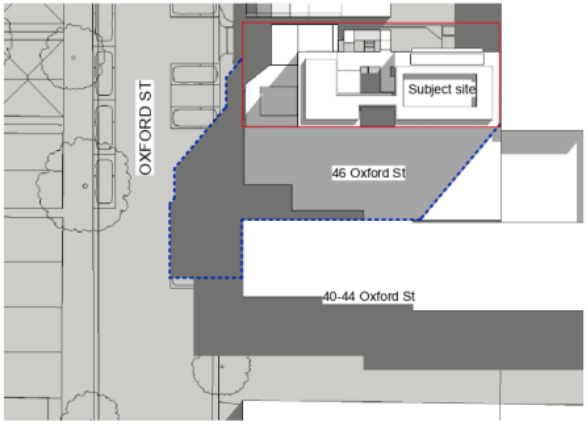
Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5



1 9am (22 September)
1:500



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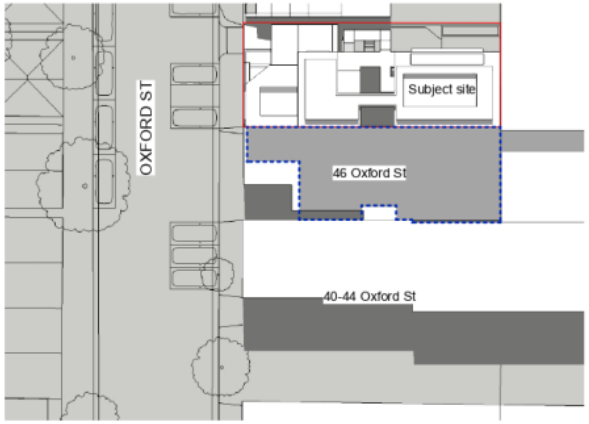

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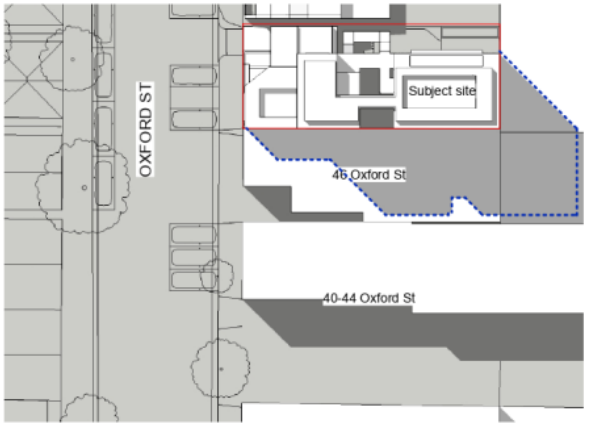

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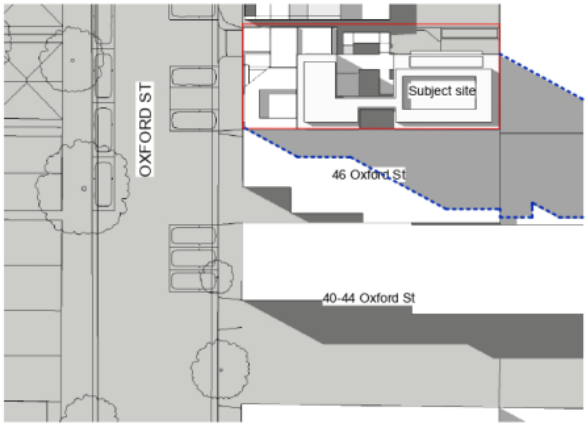

5 3pm (22 September)
1:500

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Rev	Description	Date	
-	Planning submission	28/3/19	Notes
1	Revised planning submission	13/12/19	
2	Council RFI response: 20m max. building height	2/4/20	
3	CoY RFI & referral revisions	24/7/20	

Client: A. Garcia
Project: 48 Oxford St
48 Oxford St, Collingwood
Date: 24.07.2020
Scale: 1:200
Drawn By: LM
Checked By: MS

Project Number: A349
Drawing Title: Shadow diagrams
Drawing Number: TP50
Revision: 3
Town Planning

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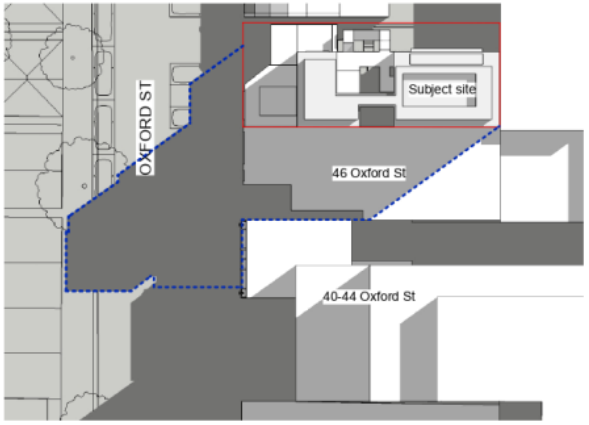
Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5



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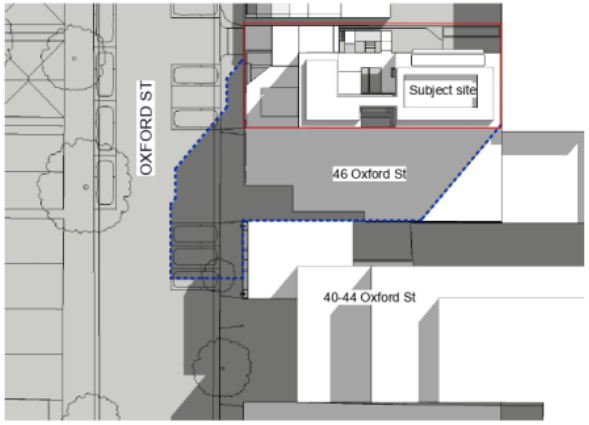

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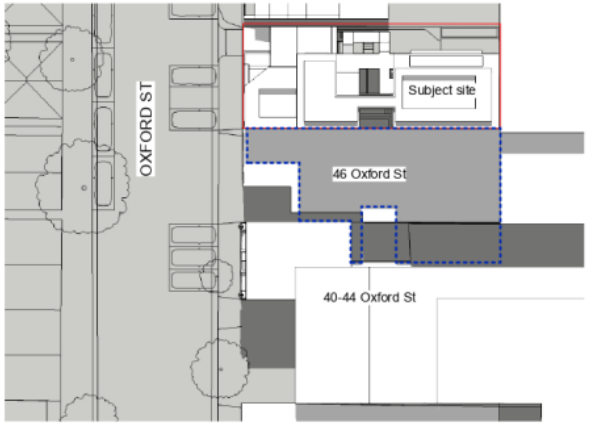

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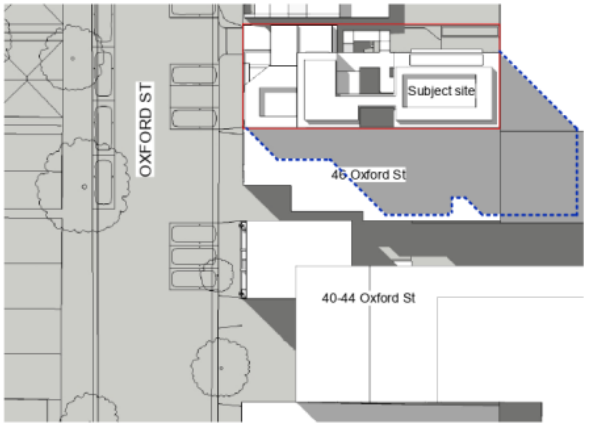

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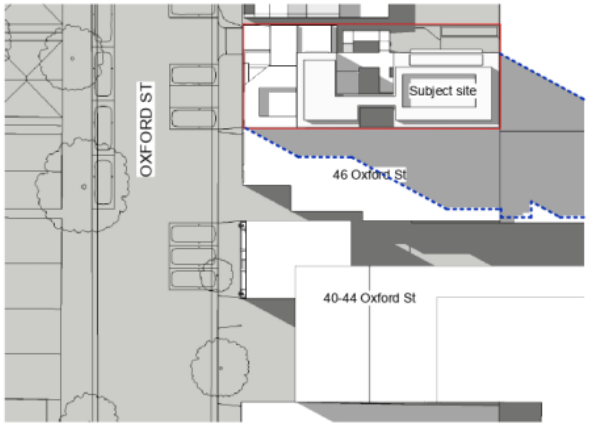

5 3pm (22 September)
1:500

N

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REV	DESCRIPTION	DATE	
-	Planning submission	28/3/19	Notes
1	Revised planning submission	13/12/19	
2	Council RFI response: 20m max building height	2/4/20	
3	CoY RFI & referral revisions	24/7/20	

Client: A. Garcia
Project: 48 Oxford St
48 Oxford St, Collingwood
Date: 24.07.2020
Scale: 1:200
Drawn By: LM
Checked By: MS

Project Number: A349
Drawing Title: Shadows with prop. adj. development
Drawing Number: TP51
Revision: 3
Town Planning

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Attachment 6 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 5

1 Proposed view from Oxford Street

Note: Potential future neighbouring building massing (under DD023) shown shaded grey

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REV	DESCRIPTION	DATE
-	Planning submission	28/3/19
1	Revised planning submission	13/12/19
2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
N.T.S.

Drawn By: LM
Checked By: MS

Drawing Title
Proposed view

Drawing Number: TP60
Revision: 2

Town Planning

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Attachment 7 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 6

1 Proposed Streetfront View

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2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
N.T.S.

Drawn By: LM
Checked By: MS

Drawing Title
Proposed View

Drawing Number: TP61
Revision: 2

Town Planning

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Attachment 7 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 6

1 Proposed Streetfront View

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2	CoY RFI & referral revisions	24/7/20

Notes

Client
A. Garcia

Project
48 Oxford St

48 Oxford St, Collingwood

Project Number
A349

Date
24.07.2020

Scale
N.T.S.

Drawn By: LM
Checked By: MS

Drawing Title
Proposed View

Drawing Number: TP62
Revision: 2

Town Planning

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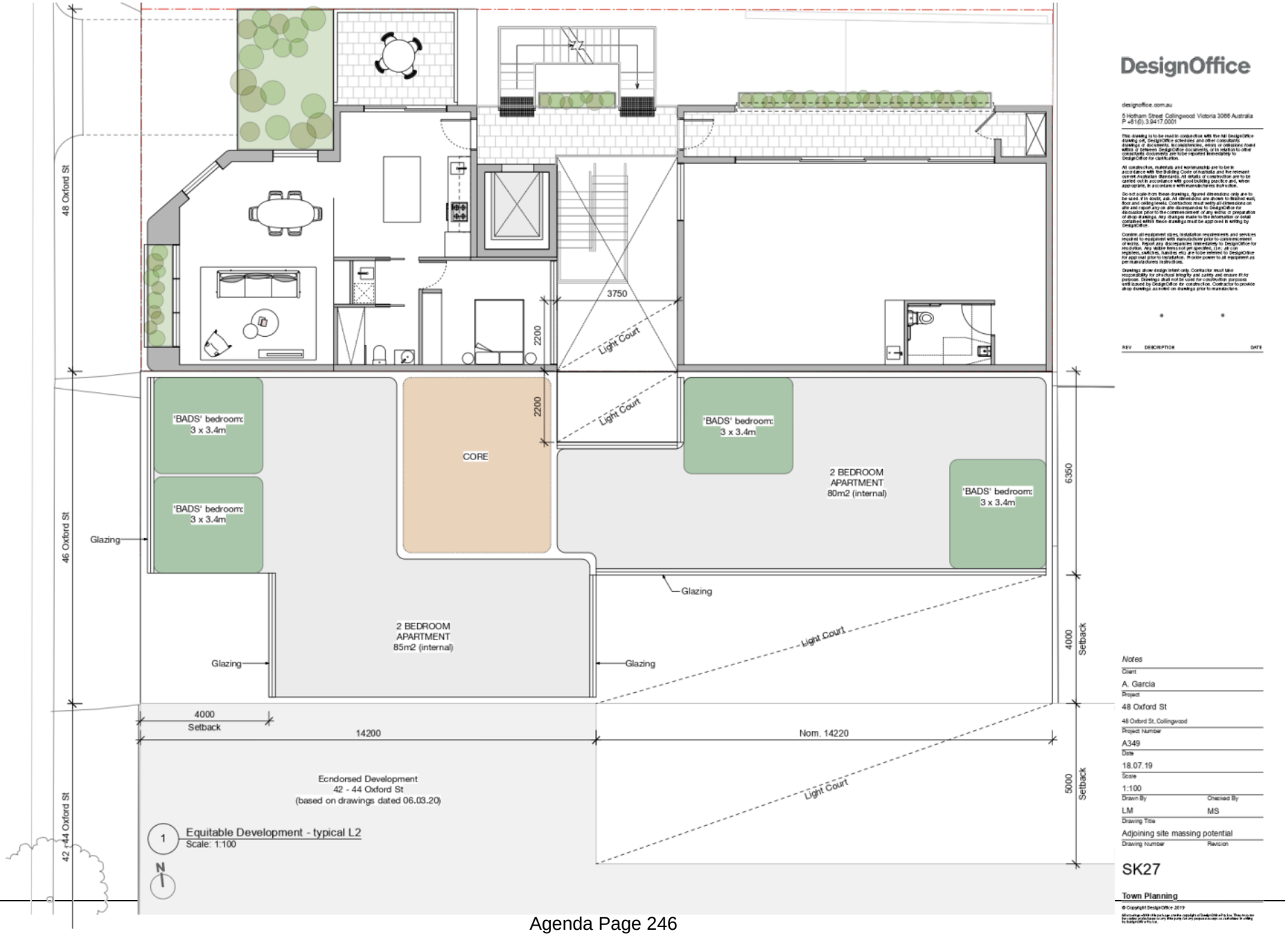
Attachment 7 - PLN19/0224 - 48 Oxford Street Collingwood - Plans Part 6



Attachment 8 - PLN19/0224 - 48 Oxford Street Collingwood - Open Space Unit

CITY OF YARRA

Memo

To:	**Michelle King**
Cc:	**Julia Mardjuki;**
From:	**Kevin Ayrey**
Date:	**16th June 2020**
Subject:	**PLN19/0224 – 48 Oxford Street, Collingwood - open space feedback**

Dear Michelle,

I have reviewed the Landscape Concept for 48 Oxford Street, Collingwood, as provided by Eckersley Garden Architecture, dated 12/11/2019.

Landscaping and planting is shown on the ground level, levels 1-5, and on the rooftop (level 6). The landscaping consists of containerised plants in various sized planters.

Planting Plans & Plant Schedules

At this stage the design is concept stage only. There are no specific issues with the plants suggested, however the trees proposed for levels 1, 4, 5, and 6 – *Ceiba speciosa* 'Silk Floss Tree' – are normally a large tree and it is unclear how much soil volume is being provided in the planters. We have concerns about this tree species in relation to their size, stability and suitability for elevated platforms. Further information/ precendents on these trees being used in elevated planters, with suitable stability support, is requested prior to approving the inclusion of this species.

Planting plans and plant schedules would be required containing the following information -

- Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;
- Planting plans showing plant locations and quantities;
- A legend containing key features, materials and surfaces;
- Details of any raised planter beds including height, width and materials;

Details

The planter details provided show some information, but further details about planter dimensions, soil depths and materiality are needed.

Irrigation and Maintenance notes

Notes on irrigation and maintenance would also be required -

- Information on irrigation and drainage systems
- Notes on the maintenance schedule, tasks and duration

Load bearing weights for the building need to be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter and plant mass proposed.

Attachment 8 - PLN19/0224 - 48 Oxford Street Collingwood - Open Space Unit

Please feel free to contact me if you would like me to clarify my comments.

Sincerely

Kevin Ayrey

Landscape Architect

Open Space Planning & Design

Attachment 9 - PLN19/0224 - 48 Oxford Street Collingwood - Streetscapes and Natural Values Unit

King, Michelle

From: Williames, Glen
Sent: Tuesday, 25 August 2020 2:09 PM
To: King, Michelle
Subject: RE: PLN19/0224 - 48 Oxford Street, Collingwood - Streetscapes and Natural Values referral

Hi Michelle,

We will assess tree planting opportunities as part of infill post development.

Glen Williames
Coordinator - Open Space Services
City Works

PO BOX 168 Richmond VIC 3121
T (03) 9205 5765
E glen.williames@yarracity.vic.gov.au
W yarracity.vic.gov.au
Follow us on Facebook, Instagram and Twitter

From: King, Michelle
Sent: Monday, 24 August 2020 9:16 AM
To: Williames, Glen <Glen.Williames@yarracity.vic.gov.au>
Subject: PLN19/0224 - 48 Oxford Street, Collingwood - Streetscapes and Natural Values referral

Morning Glen,

I hope you're well and had a nice weekend.

Application No:.PLN19/0224
Address: 48 Oxford Street, Collingwood
Proposal: Construction of a six-storey mixed-use building containing a food and drinks premises (cafe), office and dwellings (permit required for office use only, hours of operation: 8am to 6pm, Monday to Friday) with a roof top terrace and reduction of the car parking requirements associated with the office use

As a result of the above development the crossover across the entire frontage is proposed to be reinstated, with one single width crossover proposed. This may be an opportunity for street tree planting, could you please review and

Attachment 9 - PLN19/0224 - 48 Oxford Street Collingwood - Streetscapes and Natural Values Unit

advise? I don't think there will be impact to surrounding street trees but if there are any issues you foresee please also let me know.

All documents can be found at the following web address:

https://www.yarracity.vic.gov.au/services/planning-and-development/planning-applications/advertised-planning-applications/2020/08/14/pln190224

Kind regards,

Michelle

Michelle King
Principal Planner
Planning and Placemaking

PO BOX 168 Richmond VIC
T (03) 9205 5333
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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 and present.

Attachment 10 - PLN19/0224 - 48 Oxford Street Collingwood - Urban Design Unit

CITY OF YARRA

MeMO

TO:	Michelle King (Statutory Planning)
FROM:	Lucy Stratton (Urban Design)
DATE:	13 October 2020
SUBJECT:	48 Oxford Street, Collingwood
APPLICATION NO:	PLN19/0224 (S20 Amendment)
DESCRIPTION:	Construction of a six (6) storey mixed-use building.

COMMENTS SOUGHT

Proposed presentation of the development, interface to adjoining properties, setbacks and massing as well as the proposed materials and finishes and overall built form and articulation within the surrounding context. Comments are based on the plans with issue date 24 July 2020 (Revision 3, Design Office).

COMMENTS SUMMARY

The amended proposal has successfully responded to previous urban design comments provided. The changes to the massing and composition are consistent with the built form requirements (overall height, podium height and upper level setback) of Design and Development Overlay Schedule 23 (DDO23 Area 1).

URBAN DESIGN FEEDBACK

Height and Massing

- The proposed development extends to 6 storeys plus landscaped rooftop terrace. The Ground Floor is 3.3m in height (floor to floor), and Levels 1 to 5 are 3m. At a maximum total building height of 20m, the application does not seek to exceed the preferred maximum building height requirements of DDO23.
- The podium form is broken into two distinct elements, in response to the differing immediate adjacencies to the north and south. To the south the three storey podium has a maximum height of 10.5m, an alternative massing response to the previous scheme that proposed a 2 storey podium height for the length of the frontage. The transitional component of the street wall to the north, steps down to two storeys (6.85m) and is setback 3m from the Oxford Street frontage, providing a sense of openness and transition to the adjacent two storey heritage form. The upper level setback has been increased to 6m above the Oxford Street podium, from the previous tapered 4-6m. As a result the proposal meets the preferred upper setback of DDO23.
- The increased podium height, considered in conjunction with the increased upper level setback is appropriate and achieves the transitional interface height sought to heritage buildings. The proportional relationship between 2-3 storey base and upper levels, ensures a clear distinction between lower and upper which is reinforced through materiality and finish.

Architecture and Design Detail

- The primary material palette consists of honed finish bluestone (Stone_01), ceramic cladding (Ceramic_01), textured cement render (Render_01), and textured cladding panels (Panel_01). Metal is utilised for planters (Metal_02 and Metal_03), horizontal blades (Metal_03), vehicle and pedestrian gates (Metal_02) and the feature olive green external stair (Metal_01).

- The relatively limited number of façade materials is effective and smaller details, such as window reveals and recesses (Brick_01 and Timber_01) and expressed framing adding depth and interest. The revised proportions and openings to the podium results is a well-articulated response to the immediate and broader conditions.
- All relevant material details have been provided based on previous comments. Overall the proposed architectural design expression is well resolved and visually interesting while not dominating the adjacent heritage. The heavier bluestone and render podium base and light weight textural ceramic upper levels, distinguishing between the lower and upper levels.

Public Realm & Streetscapes

- The pedestrian entrance corridor borders the vehicle driveway and is secure and separate. This access point also provides access to the café dining space. The entrance gate location provides sufficient refuge space to the vehicular driveway and is enhanced through landscaping.
- The inclusion of a café tenancy (25sqm) at ground level is supported, with outdoor enclosed sunken seating area occupying a good portion of the street frontage.
- As per previous comments, the configuration of parking bays on Oxford Street as subject to approval from Council's Parking Management Unit.

Attachment 11 - PLN19/0224 - 48 Oxford Street Collingwood - Engineering Unit

CITY OF YARRA

MEMO

To:	**Michelle King**	
From:	**Mark Pisani**	
Date:	**2 October 2020**	
Subject:	**Application No:**	**PLN19/0224**
	Description:	**Mixed Use Development**
	Site Address:	**48 Oxford Street, Collingwood**

I refer to the above Planning Application received on 13 May 2019 in relation to the proposed development at 48 Oxford Street, Collingwood. Council's Civil Engineering unit provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Design Office	TP05 *Proposed Ground Floor Plan – Level 00*	2	24 July 2020
	TP06 *Proposed Level 01*	2	22 July 2020
	TP20 *Proposed West/Oxford Street Elevation*	3	24 July 2020
	TP30 *Proposed Section A*	4	24 July 2020
O'Brien Traffic	*Traffic Impact Assessment* report		23 July 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
One-bedroom dwelling	1	1 space per dwelling	1	1
Two-bedroom dwelling	1	1 space per dwelling	1	1
Office	504 m²	3 spaces per 100 m² of net floor area	15	6
Food and Drink	25 m²	3.5 spaces per 100 m² of leasable floor area	0	0
		Total	**17 Spaces**	**8 Spaces**

* Since the site is located within the Principal Public Transport Network Area, the parking rates in Column B of Clause 52.06-5 now apply.
To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

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

- *Parking Demand for Office Use*. The site would be providing six on-site office parking spaces, which equates to a rate of 1.19 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
Collingwood	
71-93 Gipps Street PLN16/1150 issued 30 August 2017	0.96 spaces per 100 m^2 (86 on-site spaces; 8,923 m^2)
2-16 Northumberland Street PLN16/1150 issued 14 June 2017	0.89 spaces per 100 m^2 (135 on-site spaces; 15,300 m^2)

  The proposed on-site office parking rate of 1.19 spaces is considered appropriate, having regarding 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 site is within walking distance of tram services operating along Smith Street-Gertrude Street and Victoria Parade.
- *Multi-Purpose Trips within the Area*. Visitors and clients visiting the office and food and drink premises might combine their visit by engaging in other activities or business whilst in the area.

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*. O'Brien Traffic conducted an on-street parking occupancy survey of the surrounding area on Tuesday 23 October 2018 between 8:00am and 12:00pm. The survey area encompassed sections of Langridge Street, Oxford Street, Derby Street, Little Oxford Street, Peel Street and Cambridge Street. The extent and duration of the survey are considered appropriate for this development. An inventory of 334 publicly available spaces was identified. The results of the survey indicate that the peak parking occupancy had occurred at 10.30am and at 12:00pm, with only three stay-stay parking spaces vacant in the study area. Similarly, the demand for long-stay on-street parking was also very high. The on-street parking demand in the area surrounding the development was almost at saturation point.
- *Relevant Local Policy or Incorporated Document*. The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. 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 waiver of parking associated with the office is considered appropriate in the context of the development and the surrounding area. The very high

demand for on-street parking would be a disincentive for office employees to commute to and from the site by private motor vehicle. Employees who do not have access to an on-site car parking space would need to make other travel arrangements, such as take public transport or ride a bicycle.

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

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

Proposed Use	Adopted Traffic Generation Rate	Daily Traffic	Peak Hour	
			AM	PM
Residential (2 dwellings)	3 trips per dwelling per day Peak hour traffic would be 10% of daily volume	6	2*	2
Office (6 spaces)	0.5 trips per space in each peak hour Daily traffic: 3.25 trips per space	20*	3	3
	Total	**26 trips**	**5 trips**	**5 trips**

* Peak and daily traffic volumes have been rounded up to the nearest integer.

O'Brien Traffic had adopted a rate of 75% of on-site parking spaces would generate a trip in each peak hour, which would result in 6 trips per peak hour. This approach is also considered reasonable.

The traffic volumes generated by the site are low and should not adversely impact the traffic operation of Oxford Street.

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The development entrance has a width of 3.6 metres at the property line and satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Visibility	Pedestrian sight triangles have not been provided in accordance with *Design standard 1 – Accessways* of Clause 52.06-9. This item remains outstanding.
Headroom Clearance	The minimum headroom clearance of 2.7 metres satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Mechanical Parking	
Car Stacker Device	The development would be using the Klaus Multiparking Trendvario 4300 car stacker (model type has not been specified by the applicant). All on-site parking would be contained within this stacker device. The stacker has a length of 5.7 metres and a useable platform width of 2.6 metres.
Floor to Ceiling Height	Not dimensioned on the drawings.
Vehicle Clearance Height	O'Brien Traffic has indicated that the stacker to be selected needs to have a headroom clearance of 3.8 metres and a pit depth of 2.0 metres. The car stacker model suitable for these measurements would be the Trendvario 4300-200 model type. This would satisfy *Design standard 4: Mechanical parking* of Clause 52.06-9 in terms of providing vehicle clearance heights of no less than 1.8 metres for at least 25% of stacker spaces.
Gradients	
Ramp Grade for First 5.0 metres inside Property	The ramp profile comprises: a flat section for the first 3.0 metres inside the building line, followed by a 1 in 20 section for a distance of 4.53 metres. The overall ramp grade for the first 5.0 metres inside the property satisfies *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and changes of grade satisfy *Table 3 Ramp Gradients* of Clause 52.06-9.
Other Items	
Loading Arrangements	Deliveries to the development could be undertaken in the nearest public on-street Loading Zone. One Loading Zone is located on the east side of Oxford Street, just south of Peel Street.
Vehicle Turning Movements	The swept path diagrams for the B85 design vehicle entering and exiting the car stacker platforms are considered satisfactory.

Design Items to be Addressed

Item	Details
Visibility	Pedestrian sight triangles are to be superimposed at the development entrance in accordance with *Design standard 1*. Where visibility is restricted, convex mirrors are to be installed.
Floor to Ceiling Height	To be dimensioned on the drawings. The architect is to confirm that the Trendvario 4300-200 model type can be accommodated for this development.

ENGINEERING CONDITIONS
Civil Works

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

- The existing vehicle crossing, which spans across the entire property frontage, must be demolished. A new vehicle crossing for the entrance shall be constructed and the remainder of the frontage shall be reinstated with paving, kerb and channel to Council's satisfaction. All these works shall be funded by the Permit Holder.

Vehicle Crossing

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

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

Road Asset Protection

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

Construction Management Plan

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

Impact of Assets on Proposed Development

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

Discharge of Water from Development

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

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

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

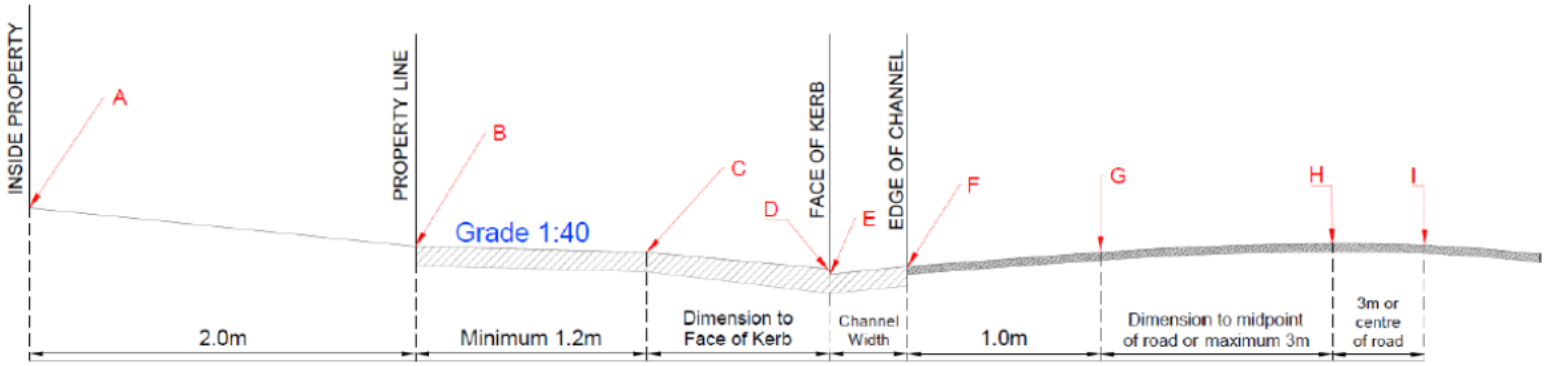
Attachment 11 - PLN19/0224 - 48 Oxford Street Collingwood - Engineering Unit

Vehicle Crossing – Cross Section

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

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

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



Attachment 12 - PLN19/0224 - 48 Oxford Street Collingwood - Strategic Transport Unit

Planning Referral

To:	Michelle King
From:	Chloe Wright
Date:	08/09/2020
Subject:	Strategic Transport Comments
Application No:	PLN19/0224
Description:	Construction of a six-storey mixed-use building containing a food and drinks premises (cafe), office and dwellings with a roof top terrace and reduction of the car parking requirements associated with the office use.
Site Address	48 Oxford Street, Collingwood

I refer to the above Planning Application and the accompanying Traffic report prepared by O'Brien Traffic in relation to the proposed development at 48 Oxford Street, Collingwood. 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
Dwellings	2 dwellings	In developments of four or more storeys, 1 resident space to each 5 dwellings	0 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 dwellings	0 visitor spaces	
Office (other than specified in the table)	504 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	0 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 visitor spaces	
Cafe	25 sqm	1 employee space to each 100 sqm of net floor area	0 employee spaces	
		1 visitor space to each 50 sqm of net floor area	0 visitor spaces	
Bicycle Parking Spaces Total			**0 resident / employee spaces**	**5 resident / employee spaces**
			0 visitor spaces	**0 visitor spaces**

Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**0 showers / change rooms**	**0 showers / change rooms**

Adequacy of visitor spaces

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

- No visitor spaces are proposed. Council's best-practice rate recommends a rate of 0.25 visitor spaces to each dwelling and 1 visitor space to each 500sqm of office floor space.
- As such, it is recommended that 1 bike hoop (providing 2 visitor bicycle spaces) is provided at the Oxford Street footpath. The bike hoop should be positioned parallel to the kerb to maintain a 1.5 – 1.8m path for pedestrians.
- The bike hoop must be provided as per Council's Urban Design standard bike hoop detail (attached).

Adequacy of employee / resident spaces

Number of spaces

5 resident / employee spaces are proposed, which does not meet Council's best practice rate[1], which recommends a total of 2 resident spaces and 6 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:

- Employee / resident bicycle spaces are provided within a secure facility at the ground floor, which is supported. However, access to the bicycle parking area is only provided via the driveway and car parking area. It is recommended that direct access is provided from the building entrance at Oxford Street to provide a more convenient and safe access arrangement to the bicycle parking area.
- All employee / resident bicycle spaces are provided as hanging wall racks. As per AS2890.3 at least 20% of bicycle storage spaces must be provided as horizontal at ground-level spaces. As such, at least 1 bicycle hoop should be provided as this would provide an alternative / easier parking option for heavier bicycles such as electric bikes.
- Dimensions of the bicycle parking area clearances are not noted on the plans and it appears that the required aisle width of 1500mm (as per AS2890.3) is not provided. It is recommended that the hanging wall racks are provided as a 'Ned Kelly' style rack, and that dimensions of all bicycle parking spaces and clearances are documented on the plans to demonstrate compliance with AS2890.3.
- No shower / change rooms are provided for employees. Whilst the scale of the office does not trigger a requirement for shower / change rooms, it is recommended that at least 1 shower / change room is provided to support staff to cycle to work.

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.

Recommendations

The following should be shown on the plans before endorsement:

[1] *Category 6 of the SDAPP offers the following for best-practice guidance for resident bicycle parking rates: "As a rule of thumb, at least one bicycle space should be provided per dwelling for residential buildings"* and the following 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 12 - PLN19/0224 - 48 Oxford Street Collingwood - Strategic Transport Unit

1. A minimum of 2 visitor bicycle spaces at the Oxford Street footpath. Visitor spaces should be provided as a horizontal bicycle rail and must meet clearance and access-way requirements of AS2890.3 or be otherwise to the satisfaction of the responsible authority.
2. A minimum of 8 employee / resident bicycle spaces within a secure facility. At minimum 20% of bicycle spaces must be provided as a horizontal bicycle rail.
3. At least one shower / change room for employees.
4. Notations indicating the dimensions of bicycle storage spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3 or be otherwise to the satisfaction of the responsible authority.

Regards

Chloe Wright
Sustainable Transport Officer
Strategic Transport Unit

Attachment 13 - PLN19/0224 - 48 Oxford Street Collingwood - City Works Unit

King, Michelle

From: Athanasi, Atha
Sent: Monday, 7 September 2020 3:17 PM
To: King, Michelle
Subject: RE: PLN19/0224 - 48 Oxford Street, Collingwood - waste re-referral

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Michelle,

The waste management plan for 48 Oxford Street, Collingwood authored by Leigh Design and dated 16/7/20 is not satisfactory from a City Works branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. The waste room is not large enough to form an effective waste system.
2. A dedicated hard waste area should be included in the bin room.
3. How will the site ensure separation of private and Council services if they are to have a combination at the site.

Regards,

Atha Athanasi
Contract Management Officer

City of Yarra – City Works Depot
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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 and present.

From: King, Michelle
Sent: Monday, 24 August 2020 8:57 AM
To: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Subject: PLN19/0224 - 48 Oxford Street, Collingwood - waste re-referral

Morning Atha,

Application No:.PLN19/0224
Address: 48 Oxford Street, Collingwood

Attachment 13 - PLN19/0224 - 48 Oxford Street Collingwood - City Works Unit

Proposal: Construction of a six-storey mixed-use building containing a food and drinks premises (cafe), office and dwellings (permit required for office use only, hours of operation: 8am to 6pm, Monday to Friday) with a roof top terrace and reduction of the car parking requirements associated with the office use

The applicants have amended their WMP and the overall development.

Could you please review and advise if the WMP is now satisfactory.

The application is now on advertising and all docs can be obtained from:

https://www.yarracity.vic.gov.au/services/planning-and-development/planning-applications/advertised-planning-applications/2020/08/14/pln190224

Many thanks,

Michelle

Michelle King
Principal Planner
Planning and Placemaking

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Attachment 14 - PLN19/0224 - 48 Oxford Street Collingwood - ESD Advisor

CITY OF YaRRA

MeMO

TO:	**Michelle King**
cc:	
FROM:	**Gavin Ashley, ESD Advisor**
DATE:	**21.09.2020**
SUBJECT:	**48 Oxford Street, Collingwood VIC 3066**

Dear Michelle,

I have reviewed the amended SDA (Urban Digestor, 27.07.20), WMP (Leigh Design, 16.07.20), Landscape Plan (Eckersley Garden Archiecture, 23.07.20) and Architectural Plans (Design Office, 24.07.20) against previous ESD advice from Council (dated 14.05.20 & 09.08.19) for the above property which responds to minor amendments to design and ESD comittments with an assessment beloiw (in *italics*).

Previous ESD advice (dated 14.05.20) highlighted the issue of equitable development for neighbouring 46 Oxford Street, suggesting modifications to the void on the south-side including:

- Make it at least 2.2m deep and 3.5m long
  - *Satisfactory - The amended void is 2.2m x 3.75m from level 3 to 6 (rooftop).*
- Push the void / light court deeper into the building to create the opportunity for daylight access to future bedrooms in a hypothetical rear apartment
  - *Satisfactory - The void / light court is approximately 12.97m from the Oxford Street frontage compared to the previous depth of 10.46m allowing greater solar access for bedrooms in a hypothetical rear apartment.*
- Apply the proposed void / light court to all levels except for the Ground Floor (rather than just the upper two levels)
  - *Satisfactory. The void / light court begins from level 3 (with voids beneath).*

Previous ESD advice (dated 09.08.19) raised the following:

- End of trip facilities are lacking. Provide at least one unisex shower for commercial spaces.
  - *Unsatisfactory – the amended design does not include EoT facilities for commercial occupants. At a minimum, provide showers within the unisex bathrooms provided in commercial tenancies.*
- Provide clarity on what the water tank will be connected to. BESS states it will be connected to toilets. Provide clarity in the SDA.
  - *Satisfactory – the SDA articulates the watertank will be connected for flushing toilets throughout.*
- Heating and cooling system should be within one star of best available.
  - *Satisafctory – the SDA includes this comittment.*
- Waste management plan mentioned in SDA not provided. Please provide the waste management plan to clarify the allocation of bins on ground floor.
  - *Satisfactory – A Waste Management Plan has been submitted (which includes organics).*
- Provide further information on the depths of planters to ensure that they support the greenery, including trees that are indicated on the plans. Currently insufficient evidence to support this.
  - *Satisfactory – The depths of various planting areas are outlined in the Landscape Plan.*
- Provide a preliminary NatHERS for the apartment on L03 to support the average 6.5 star rating.

Attachment 14 - PLN19/0224 - 48 Oxford Street Collingwood - ESD Advisor

- *Satisfactory – While the design has been amended with this apartment no longer on lv3, preliminary energy modelling has been provided for Unit 1 (6.1 stars) and 2 (6.8 stars).*

- Green roof noted in the SDA should be shown on the plans.
  - *Satisfactory. Green roof identified on plans and Lanscape Plan.*
- Provide clarity on hot water system to be used. If heat pump is considered provide information on the rating.
  - *Satisfactory – The SDA identifies a (min) 6-star gas instantaneous system.*

Overall the proposed changes and SDA are considered appropirate within the City of Yarra's development context, with the remaining concern regarding the lack of shower facilities for office workers.

Cheers,
Gavin

Gavin Ashley
Environmental Sustainable Development Advisor
City of Yarra PO Box 168 Richmond 3121
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Attachment 15 - PLN19/0224 - 48 Oxford Street Collingwood - Heritage Advisor

City of Yarra
Heritage Advice – Amended Plans (Rev, 2 and 3)

Application No.: PLN19/0224

Address: No. 48 Oxford Street, Collingwood

Planner: Michelle King

I provided advice on 27 August, 2019 and 4 April, 2020. Information in the previous advice and which remains relevant is not necessarily repeated here. All sets of advice are intended to be read in conjunction.

Yarra Planning Scheme References: Clauses 43.02 and DD0 23.

Heritage Overlay No. Nil. **Precinct: Nil.**

Level of significance

Not included in a Heritage Overlay.

Heritage Overlay Map

The development site is in part of Oxford Street which contains 12 individual heritage places and its distinctive heritage nature is derived from the early cottages on the Collingwood Slope and which are probably some of the earliest in Collingwood, and indeed Yarra. It is a discrete low-rise heritage streetscape which has high heritage value. Also refer to more expansive comments in previous advice.

Proposal

Demolition of the existing single-storey c.1950-60s factory/showroom building and construction of a six level building.

Drawing Numbers

13 pages of drawings, prepared by Design Office and marked Rev. 2 or Rev. 3 and with no Council date stamp.

Assessment of Proposed Works

Context

Refer to previous advice.

Demolition

There are no heritage concerns regarding demolition.

Proposed works

I understand that the development is no longer required to meet the Design Objectives and Heritage Building Design Requirements of DDO23 schedule.

Setbacks

The Ground floor setback is acceptable.

My previous advice records that at "Level 1 there is a deep setback (6 metres to a terrace) at the north end, zero setback at the south and with a small rebate (600 mm) on the south boundary". The Rev. 2 drawing shows a 3 metre setback at the north end, a splayed wall and then a zero setback to the south end and the small rebate. Given the context this is acceptable.

My previous advice records that at Level 2 the north terrace had been deleted thus increasing the setback to approximately 10.460 metres. The Rev. 2 plan shows a setback of 3 metres to a planter and 6.01 metres to a terrace behind it and 9.43 metres to a screen. It is not obvious why the setback has been reduced but given that there will be little measurable impact it is not unacceptable.

Level 3 now has a setback of 6 metres, including a planter and a terrace, on the south side and a setback of over 10.46 metres (10.5 metres?) on the north side. This is acceptable.

Levels 4 and 5 are the same as Level 3 but without the south terrace and planter. This is acceptable.

The setbacks are acceptable from a heritage perspective.

Height

The overall height in the order of 20 metres is acceptable.

Façade Design, Colours materials

The proposed building on the development site will be exposed above the street wall and will be highly prominent in views along Oxford Street from Langridge Street to the south, Peel Street and possibly from Stanley Street to the north.

My previous concerns, which remain, are:

The window element to the Commercial Tenancy at Level 1 presents as a large reflective single pane of glass. The framing needs to be somewhat more emphatic.

The windows on the south side are all divided into three equal sections whereas the window at Levels 5 and 6 is asymmetrical. It is preferred that it is in three equal parts as below.

I note that Ceramic 01 (Ceramic rainscreen cladding) is to be used on the façade and the North elevation. I noted that on the Materials Schedule it appeared acceptable and requested samples for approval by the Responsible Authority. I have not seen any samples. The bluestone portion, including oculus windows, appears acceptable but clarification of the finish of the bluestone is required. Is it honed, polished or ?

Timber 01 is to be used in the façade window reveals. Is it timber or timber look? I requested a sample of a timber-look material previously but I have not seen any.

The South elevation will also be highly visible and is proposed to be clad mostly in Panel 01 "Textured façade cladding". Given the prominence of this elevation in views from the south along Oxford Street and given that only a graphic of it has been included in the Materials Schedule, I am unsure as to how it will actually appear. I previously requested a sample for approval by the Responsible Authority but I have not seen any. The treatment of this elevation may need to be revisited.

Recommendation / Comments:

While noting improvements, the proposal is approved but subject to the following aspects which need further consideration.

As advised previously, the proposed building will be the first intervention in this block of Oxford Street since the c.1960-70s while noting that other permits are also now active. While the presentation to Oxford Street has improved further refinement is required as discussed above as this block (the context) has high historical and aesthetic value.

Emphasise the window framing to the Commercial tenancy more but do not make it too bold or overwhelming..

Change the Levels 5 and 6 window to be is in three equal parts.

Samples are required of Ceramic 01, timber-look material and Panel 01 "Textured façade cladding" for approval by the Responsible Authority. As stated previously, if a sample cannot be provided then the exact manufacturer's catalogue details and Website address and/or a physical address in Yarra where it has been used is acceptable.

I recommended previously that as landscape is a significant aspect of the design, an Incorporated Landscape Plan, or similar mechanism, should be developed to ensure that the actual landscape elements are maintained to an appropriate standardsand as envisaged by the landscape design. I am not sure if this has been done.

Signed:

Robyn Riddett
Director – Anthemion Consultancies
Date: 26 January, 2021

17 November 2020

640.10090.06410 48 Oxford St Collingwood 20201117.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Michelle King

Dear Michelle

48 Oxford Street, Collingwood
Development Application Acoustic Review
PLN 19/0224

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the revised acoustic assessment report prepared for the mixed use development proposed for 48 Oxford Street, Collingwood.

Details of the report are as follows:

- Title: Proposed Mixed Use Building, 48 Oxford Street, Collingwood. Acoustic Report: Response to Request for Further Information
- Reference: Ref. 12526-2jg
- Date: 24 July 2020
- Prepared for: Design Office Australia
- Prepared by: Watson Moss Growcott Acoustics (WMG)

The report has been updated to address prepared modifications to the design, and the issues raised by SLR in our review dated 28 April 2020.

The original acoustic report was prepared to address RFI item 18 from Yarra city Council (reproduced below):

> *18. An acoustic report prepared by a qualified acoustic engineer outlining specific noise attenuation measures to ensure that surrounding and proposed dwellings are not adversely impacted upon by mechanical plant equipment noise/mechanical car stacker and vehicle noise from the proposed development.*

1 Revised plans

The acoustic report has been updated to reference the July 2020 architectural plans for the project, however there are no changes to the advice provided in the report.

Based on our review of the original and current plans, the changes to the design do not have any implications for acoustics, and we agree that updates to the advice in the acoustic report is not required.

SLR Consulting Australia Pty Ltd Level 11, 176 Wellington Parade East Melbourne VIC 3002 Australia
T: +61 3 9249 9400 E: melbourne@slrconsulting.com
www.slrconsulting.com ABN 29 001 584 612

2 SLR Requests

The issues raised by SLR in the summary section of our review, and the extent to which they have been addressed in the revised acoustic report, are discussed below. The issues are all related to the car stackers, which are proposed to be installed in a semi-enclosed space in close proximity to an existing dwelling.

2.1 SEPP N-1 Assessment

SLR RFI: *A SEPP N-1 assessment be provided of car stacker noise, taking into consideration the likely duration of use of the equipment during the day, evening and night periods. Consideration should be given to the rear yard as well as to the south facing habitable room window of 50 Oxford Street, and to 61 Oxford Street.*

Updated report Section 7.2: A SEPP N-1 assessment of noise from the car stacker is provided in Section 7.2.2 of the report. The assessment is based on noise from an untreated hydraulic pump associated with the equipment (noise data provided in Section 7.2.1). In its untreated state, the equipment incurs a 5 dB tonal penalty and is predicted to exceed SEPP N-1 at the nearest noise sensitive receiver. Conceptual advice for addressing noise from the equipment is provided in Section 7.2.3. Additionally, WMG recommend that a further review be undertaken during the detailed design phase to ensure that emissions from the specific car stacker proposed for installation are addressed.

SLR Comments*: The provided assessment does not include noise generated by all aspects of the carstacker (eg. movement and impact of trays etc.). This noise can contribute to the SEPP N-1 assessable level, particularly when contribution for noise character (typically impulsiveness) is taken into consideration. It is recommended that either the report be updated to include assessment of all noise components of the equipment as could occur during an operational cycle, or that the further review proposed by WMG include an assessment of all noise from the equipment.*

2.2 Barrier

SLR FRI: *If a fence between 48 and 50 Oxford Street is required for noise control, a specification should be provided in the report for an acoustic fence.*

Report Section 7.3: Provided (this information was also included in the original report).

2.3 Post construction Testing

SLR RFI: *Post construction testing be conducted following commissioning of the equipment to demonstrate compliance with both sleep disturbance targets and SEPP N-1, at all sensitive receiver locations.*

SLR Comment: This requirement is not included in the acoustic report, however it could be included as a permit condition. If included as a permit condition the condition should clearly state that all noise from the car stacker is to be assessed to SEPP N-1.

3 Summary

A review of the revised acoustic report prepared for the mixed use development proposed for 48 Oxford Street Richmond is provided above. The report generally addresses the Council RFI and the matters raised by SLR, however the following matters have not been addressed:

- A SEPP N-1 assessment be provided of car stacker noise, taking into consideration the likely duration of use of the equipment during the day, evening and night periods. The assessment should include all noise emitted from the plant during an operational cycle, as well as noise from the hydraulic pump and motor. The assessment could be provided as part of the 'further review' of car stacker noise proposed by WMG once the stacker is selected.
- Post construction testing be conducted following commissioning of the equipment to demonstrate compliance with both sleep disturbance targets and SEPP N-1, at all sensitive receiver locations. The requirement for testing could be included as a statement in the updated report, or as a permit condition. Any such condition should clarify that all noise from operation of the car stacker is required to comply with SEPP N-1.

Regards,

Dianne Williams
Principal – Acoustics

Checked/Authorised by: JA

6.3 77 Victoria Parade & 9 Brunswick Street, Fitzroy - Heritage Victoria Amendment

Executive Summary

Purpose

1. Council has been provided with a copy of an amendment application from Heritage Victoria (HV) for the part demolition of the former Eastem Hill Hotel at No. 77 Victoria Parade, Fitzroy (VHR H0816) and Dodgshun House (Formerly Edensor) at No. 9 Brunswick Street, Fitzroy (VHR H1706) and construction of a multi-storey building associated with the proposed expansion of the St Vincent's Private Hospital.

2. Notice of the amendment has been provided under s105(4)(b) of the *Heritage Act* 2017 (the Act) which states,
   (a) On receiving a request under subsection (1), the Executive Director must notify the responsible authority for the area in which the registered place or registered object in respect of which the permit is issued is situated and, if the responsible authority is not a municipal council, the relevant municipal council.

3. As such, the Act only requires Council to be notified, and there is no accompanying provision for a written submission to be made. HV have stated that Council may provide comments if they wish, however they are unlikely to be given the same weight as a referral response in the determination of a permit application.

4. This report provides Council with information regarding the proposed amendment and makes recommendations for a response to HV.

Submissions Received

5. N/A

Conclusion

6. Based on the following report, the proposal should be supported.

CONTACT OFFICER: **Lara Fiscalini**
TITLE: **Principal Planner**
TEL: **9205 5372**

6.3 77 Victoria Parade & 9 Brunswick Street, Fitzroy - Heritage Victoria Amendment

Reference	D21/11955
Author	Lara Fiscalini - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	Nicholls
Proposal:	To amend two existing permits to allow the staging of development
Existing use:	St Vincent's Private Hospital
Applicant:	St Vincent's Private Hospital Ltd
Zoning / Overlays:	Commercial 1 Zone/Mixed Use Zone Design and Development Overlay (Schedule 2) Heritage Overlay Development Contributions Plan Overlay
Date of Application:	22 January 2021
Application Number:	PPE21/0013 & PPE21/0014

Background

1. The application includes two separate sites included in the Victorian Heritage Register (VHR) under the *Heritage Act* 2017;

   (a) Eastern Hill Hotel at No. 77 Victoria Parade Fitzroy (VHR H0816);
   (b) Dodgshun House (formerly Edensor) at 9 Brunswick Street Fitzroy (VHR H1706).

2. Heritage Permits have been issued by HV for both sites. The permits allow the following;

   (a) Permit No. P27681 – No. 77 Victoria Parade, Fitzroy. The permit allows – *Partial demolition and construction of part of a new building of 11 levels plus basements on the registered land.* The permit was issued on 29 March 2019.
   (b) Permit No. P27682 – No. 9 Brunswick Street, Fitzroy. The permit allows – *Demolition of sections of parts of the brick wall along the southern boundary of Dodgshun House and a small portable outbuilding to the rear of Dodgshun House, part construction of new building of 11 levels plus basements and landscaping to the south of Dodgshun House.* This permit was also issued on 29 March 2019.

3. Both these heritage permits have been included as attachments to this report.

4. The St Vincent's Private Hospital redevelopment project proposes an expansion of the hospital, with a substantial new hospital building to be constructed. The expansion is intended to provide capacity for additional hospital facilities and services.

5. The proposed works include demolition of several existing buildings on the site, partial demolition of other buildings and the construction of an 11-storey building, plus roof plant. The new building will be located immediately to the east of, and be connected back to, the existing 1970s hospital building; it will also adjoin the western side of No. 77 Victoria Parade and a portion of the western end of No. 9 Brunswick Street.

6. A planning permit has also been issued for these works. Planning Permit PLN16/0925 for *development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site* was issued by Council on 11 August 2017, with amendments to this permit approved on 1 May 2018 and 3 April 2020. Plans associated with this permit were endorsed in April 2020. This permit remains valid, expiring 11 August 2021 for commencement.

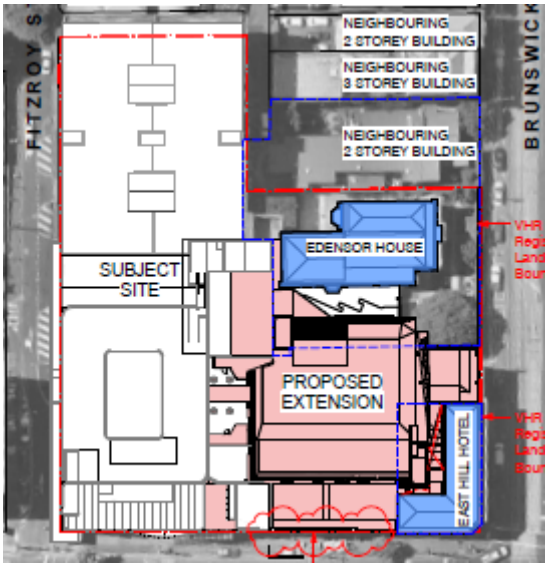


Figure 1: Subject sites (in blue) and proposed addition (in pink)

The Proposal

7. The proposal seeks to amend both permits to allow for the staging of documentation and works, and an amendment to the time expiry of both permits. The changes to the conditions are outlined as follows;

   (a) Amended Condition 1 of P27681 and Condition 7 of P27682 to increase the time expiry of both permits.

   (b) Amended Condition 2.3 of both permits to allow works to occur in 2 phases (*Early Works* and *Main Works Stage 1*), with subsequent amendments to the required Construction Management Plans.

   (c) Amended Condition 2.4 of both permits to allow the following documentation/works to form part of the *Main Works Stage 1*; Permit P27681 - Final details of all connections to the heritage building, including the glazed roof, new lift and tower and Permit P27682 - Details of the proposed new link structure between Dodgshun House and the new building.

   (d) Amended Condition 2.5 of both permits to allow for construction drawings associated with each phase to be submitted and approved prior to the commencement of works associated with the relevant phase.

   (e) Amended Condition 2.6 of both permits to allow final external material and finishes schedule for the new tower and podium be submitted prior to the commencement of *Main Works Stage 1*.

   (f) Amended Condition 2.9 of Permit 27682 to allow for the submission and approval of a landscape plan prior to the commencement of the *Main Works Stage 1*.

   (g) Amended Condition 3 of both permits to allow final details of the Heritage Interpretation Plan to be approved within six (6) years from the date of issue (as opposed to 4 years).

Existing Conditions

Subject Site

8. The subject sites form part of the St Vincent's Private Hospital complex of buildings, which includes the block bound by Fitzroy Street to the west, Victoria Parade to the south and Brunswick Street to the east, in Fitzroy.

9. More specifically, the subject sites relevant to this report are limited to the blue highlighted buildings as shown in Figure 1, identified as the former Eastern Hill Hotel at No. 77 Victoria Parade, Fitzroy (VHR HO816) and Dodgshun House (Formerly Edensor) at No. 9 Brunswick Street, Fitzroy (VHR HO1706).

10. The Eastern Hill Hotel is located on the north-west intersection of Victoria Parade and Brunswick Street. It is a three-storey rendered brick and bluestone building constructed on a U-shaped plan. The southern and eastern wings address Victoria Parade and Brunswick Street respectively. A western wing is not visible from the street. The three wings enclose a partially open courtyard. The principal elevations to Brunswick Street and Victoria Parade feature classical detailing over three levels with a splayed corner (Figure 2).

Figure 2: No. 77 Victoria Parade

11. Internally the building has been extensively altered in the course of its adaptation for use as medical consulting suites. The western wing of the former hotel was extended when it was acquired by the hospital, connecting the hotel to adjacent hospital buildings.

12. No. 9 Brunswick Street is located on the western side of Brunswick Street, and contains a two-storey rendered brick mansion residence. The facade incorporates arcades at ground and first floor level set behind an elaborate two-storey portico (Figure 3). A tall brick wall extends along the front boundary of the site and returns along the bluestone laneway to its south.

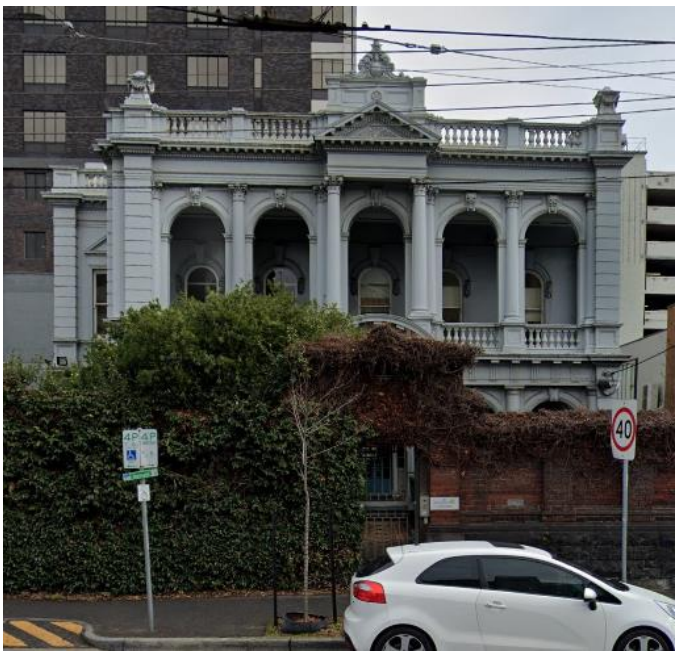


Figure 3: No. 9 Brunswick Street

Surrounding Land

13. The sites are surrounded by prominent heritage buildings, such as the VHR-registered c.1893 Eastern Hill Fire Station to the south-west and post-war buildings such as the c.1980s Royal Victorian Eye and Ear Hospital to the south.

14. Large-scale contemporary developments associated with St Vincent's Public and Private hospitals characterise the streetscapes to the west. Directly to the west, No. 77 Victoria Parade adjoins the St Vincent's Private Hospital Ancillary Services Building, at 75 Victoria Parade. This is a four-storey building, with simply detailed openings, a plain rendered façade and a flat modern roof.

15. Buildings associated with the Australian Catholic University at a variety of scales are located to the east of both sites. These include the recent two-storey development at 81-89 Victoria Street, opposite the subject site and the 10-11-storey Daniel Mannix Building and multi-storey carpark alongside to its north and east respectively.

16. Immediately to its north, No. 77 Victoria Parade abuts No. 5 Brunswick Street, a three-storey rendered building which forms part of the broader hospital campus. A laneway extends along the northern side of this site, with No. 9 Brunswick Street extending along the northern side of the laneway.

17. To the north of No. 9 Brunswick Street is De Paul House, a two-storey modern infill development.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

18. A planning permit is required pursuant to clause 34.01-04 to construct a building or construct or carry out works.

Planning Permit PLN16/0925 for *development of the land for construction of a multi storey building as an extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site* was issued by Council on 11 August 2017.

19. A planning permit is not required for the hospital use as it benefits from established existing use rights.

Mixed Use Zone

20. A planning permit is required pursuant to clause 32.04-8 to construct a building or construct or carry out works. A planning permit is not required for the hospital use as it benefits from established existing use rights.

Overlays

Heritage Overlay

21. Pursuant to clause 43.01-1, a permit is required to demolish or remove a building and to construct a building or construct or carry out works. A planning permit is not required for the hospital use as it benefits from establishing existing use rights planning permit.

22. No. 77 Brunswick Street is located within Schedule 190 of the Heritage Overlay, with No. 9 Brunswick Street located within Schedule 150.

23. As both sites are included on the Heritage Register, Heritage Victoria is the decision maker pursuant to the heritage Clause 43.01-2 of the Yarra Planning Scheme.

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

24. Pursuant to clause 43.02-2 a permit is required to construct a building or construct and carry out works. As mentioned, Planning Permit PLN16/0925 was issued by Council on 11 August 2017 for these works.

Development Contributions Plan Overlay (Schedule 1)

25. 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.

26. A planning permit is not required for works under the overlay.

Advertising

27. N/A

Referrals

28. N/A

OFFICER ASSESSMENT

29. Changes to the conditions as sought will be discussed in turn.

Condition 1 of P27681 and Condition 7 of P27682 (Time Expiry)

30. These conditions note; *This permit shall expire if the permitted works have not commenced within two (2) years of the date of issue of this permit, and are not completed within four (4) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.*

31. Both permits were issued on 29 March 2019 and therefore works are required to commence by 29 March 2021 and be completed by 29 March 2023.

32. The applicant notes that there has been a delay in mobilisation and documentation and as a result works are yet to commence. The amendment is seeking to amend the permit to allow for the commencement of works within three (3) years of the original date of issue and for works to be completed within six (6) years from the date of issue. This would allow works to commence by 29 March 2022 and be completed by 29 March 2025.

33. Given the scale of the development, this increase in time is considered reasonable. This is further supported by the delays caused by Covid 19 throughout 2020. As this is the first request by the applicant to extend the time expiry of the permit, and given the extenuating circumstances, Council Officers support this amendment.

Condition 2.3 of P27681 and P27682 (Construction Management Plan)

34. This amendment seeks to allow works associated with both permits to occur in 2 phases (*Early Works* and *Main Works Stage 1*), with subsequent amendments to the required Construction Management Plan (CMP). The breakdown of works proposed under each separate stage are outlined below.

Early works:
(a) Demolition works;
(b) Bulk excavation and site retention works;
(c) Piling;
(d) Retention and battering of retained fabric;
(e) Construction of shell space for basement levels and ground floor carpark;
(f) Base services, including undergrounding of power poles and diversion / removal of redundant sewer line, services diversions;
(g) Structural and services enabling works to facilitate the construction of the new Hospital Tower;
(h) Decommission of gas, water, sewer and electrical services including termination and removal of pipes and cables; installation of temporary or rerouted services;
(i) Relocation of existing emergency oxygen (located adjacent to Dodgshun House) to Basement Carpark
.

Main Works Stage 1:
(j) Construction of the new tower;
(k) Construction of roof between new tower and former Eastern Hill Hotel, new lift and link to Dodgshun House;
(l) Conservation works to the exterior of former Eastern Hill Hotel and Dodgshun House;
(m) Internal refurbishment works to former Eastern Hill Hotel;
(n) Installation of new gas, water, sewer and electrical services;
(o) Installation of signage and external lighting;
(p) Landscaping works;
(q) Installation of heritage interpretation.

35. The applicant notes that the 2 phases may be undertaken by separate contractors. A CMP is required to be prepared by the contractor engaged to undertake the works under each phase. This amendment therefore also seeks to allow for a separate CMP to be prepared and endorsed prior to the commencement of works for each of the phases.

36. The amendment notes that the vast majority of recording, reporting and protection works relevant to the heritage fabric would be included in the first CMP (i.e. That for Early Works), given these works include demolition and retention/battering of the retained fabric.

37. This amendment is considered acceptable, given the extensive scale of the combined demolition and construction works involved. The works outlined in the separate phases are generally clearly delineated into 'demolition' and 'construction' works, with the construction works proposed in the *Early Works* phase designed to provide the site preparation and ground work for the large-scale construction works proposed in *Main Works Stage 1* (i.e. the construction of shell space for basement levels and ground floor carpark and the provision of services). It appears reasonable that these works would be undertaken by different contractors, and therefore is considered acceptable that separate CMPs are provided for each phase of the works. This will allow each CMP to focus in more detail on the specific works proposed within each phase.

Condition 2.4 of P27681 and P27682 (Details of heritage building connections)

38. Amended Condition 2.4 of both permits seeks to allow the following documentation/works to form part of the *Main Works Stage 1*;
    (a) Permit P27681 - Final details of all connections to the heritage building, including the glazed roof, new lift and tower;
    (b) Permit P27682 - Details of the proposed new link structure between Dodgshun House and the new building.

39. As this documentation is associated with the construction works proposed for both buildings, and does not require any documentation of demolition works, this outcome is acceptable.

Condition 2.5 of P27681 and P27682 (Final construction drawings)

40. This amendment seeks to allow for construction drawings associated with each phase to be submitted and approved prior to the commencement of works associated with the relevant phase.

41. This outcome is considered acceptable, with the proposed works for each phase clearly outlined.

Condition 2.6 of P27681 and P27682 (Final materials and finishes schedule)

42. This amendment seeks to allow the final external material and finishes schedule for the new tower and podium to be submitted prior to the commencement of *Main Works Stage 1*. As the *Early Works* phase focuses on demolition works only, this outcome is considered acceptable.

Condition 2.9 of P27682 (Landscape Plan)

43. This amendment seeks to allow for the submission and approval of a landscape plan prior to the commencement of the *Main Works Stage 1*. As with the amendment above, the landscaping works would not be included with demolition works, therefore it is acceptable for the final landscaping outcomes to be approved concurrently to the undertaking of the early works associated with both permits.

Condition 3 of P27681 and P27682 (Final details of Heritage Interpretation Plan)

44. This condition of both permits notes that the final details of the proposed heritage interpretation, including content, design, materials and locations, must be approved and implemented within four (4) years of the date of the permit. This amendment seeks to increase this time expiry to six (6) years from the date of issue.
This aligns with the request to amend the overall time expiry of both permits and given the reasons outlined earlier, this request is considered appropriate.

45. It is noted that the Permit Officer from HV indicated that Heritage Victoria 'have a level of comfort with the proposal to allow documentation to be endorsed prior to the commencement of *Early Works* and *Main Works* phases. To fully assess this outcome, HV requested further details on which works are to be included within each phase. This breakdown has been included in paragraph 30 of this report.

46. The delineation provided between the demolition and 'site-preparation' works outlined in the *Early Works* phase, and the construction and landscaping works provided in the *Main Works Stage 1* phase, will allow for a clear approach to be undertaken in the overall development of the site.

Conclusion

47. It is considered that the proposed amendments to the permit conditions are a reasonable outcome and will continue to allow for the orderly development of the site in a staged manner. The amendments will not result in any detriment to the heritage significance of the site. The amendments as outlined should therefore be supported in their current form.

RECOMMENDATION

1. That Council;

   (a) Note the officer's report in relation to the Heritage Victoria permits regarding the St Vincent's Private Hospital Site.
   (b) Authorise officers to write to Heritage Victoria advising support for the amendment of the conditions of Planning Permits P27681 and P27682 at No. 77 Victoria Parade and No. 9 Brunswick Street, Fitzroy.

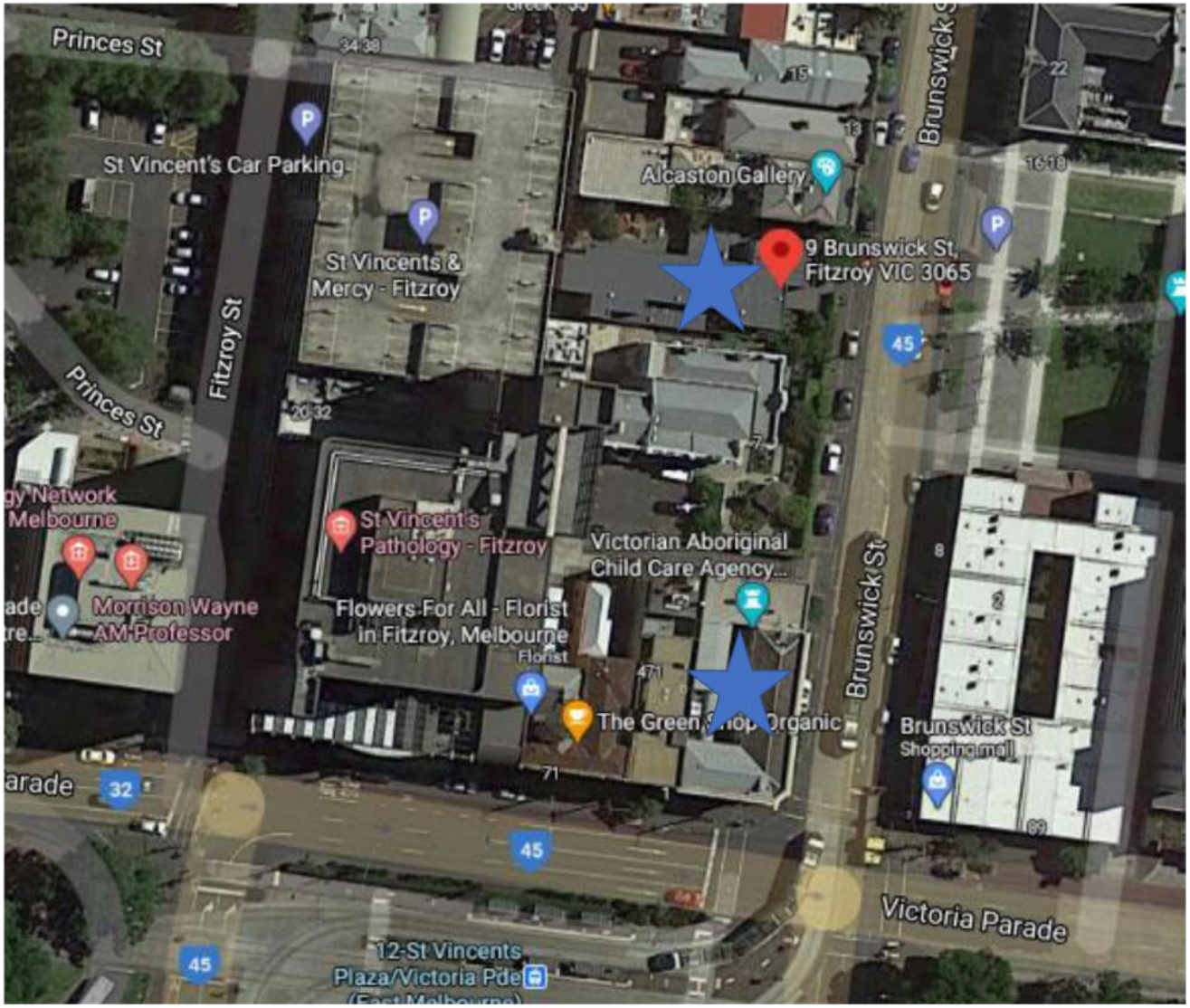
Attachments

1 PPE21/0013 - 77 Victoria Parade & 9 Brunswick Street, Fitzroy - Site Map

2 PPE21/0013 - 77 Victoria Parade, Fitzroy - Heritage Victoria Permit

3 PPE21/0014 - 9 Brunswick Street, Fitzroy - Heritage Victoria Permit

Attachment 1 - PPE21/0013 - 77 Victoria Parade & 9 Brunswick Street, Fitzroy - Site Map



Attachment 2 - PPE21/0013 - 77 Victoria Parade, Fitzroy - Heritage Victoria Permit

Heritage Act 2017

HERITAGE PERMIT GRANTED UNDER SECTION 102 OF THE HERITAGE ACT 2017

Permit No.: P27681

Owner: St Vincent's Healthcare LTD
c/o 340 Level 5 Albert Street
East Melbourne VIC 3002

NAME OF PLACE/OBJECT: **FORMER EASTERN HILL HOTEL**

HERITAGE REGISTER NUMBER: **H0816**

LOCATION OF PLACE/OBJECT: 77 VICTORIA PARADE FITZROY

THE PERMIT ALLOWS: ***Partial demolition and construction of part of a new building of 11 levels plus basements on the registered land generally in accordance with the following documents:***
Revised plans prepared by Billard Leece Partnerships Pty Ltd Architects & Urban Planners 18/12/2018:
AA00-0001;
AA03-0001, 0011, 0051, 0054 and 0057;
AA05-0000, AA05-0001, AA05-0101 to 1001 and AA05-B101;
AA06-0000;
AA07-0000 to 0002, AA07-0101 to 1101, AA07-B101 and AA07-B201;
AA08-0001 to 0004 and AA08-2001;
AA96-1001 to 1004; and,
AA97-0000 to 0003, AA97-0008 to 0011.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. This permit shall expire if the permitted works have not commenced within two (2) years of the date of issue of this permit, and are not completed within four (4) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.

Archaeology

1. Prior to the commencement of any sub-surface works an **Historical Archaeological Assessment** report that identifies whether the works may impact any potentially significant historical archaeological remains. If the report identifies potential impact on significant historical archaeological remains, a historical archaeological program must be approved in writing by, and completed to the satisfaction of, the Executive Director, Heritage Victoria, prior to the commencement of any works approved by this permit.

Financial Security

2. Prior to the commencement of any works approved by this permit the following must be approved in writing by the Executive Director, Heritage Victoria:

2.1. An unconditional **Bank Guarantee** made out to the Heritage Council (ABN 87 967 501 331) for the estimated cost of the conservation works included in the conservation schedule approved under condition 2.8. The period of validity of the Bank Guarantee is to be unspecified. The Bank Guarantee will forfeit to the **Heritage Council of Victoria** if the approved works are not completed (including works required by permit conditions) to the satisfaction of the Executive Director, Heritage Victoria, within the permit validity period.

2.2. The name of the heritage consultant engaged to fulfil the requirements of condition 2.8.

Attachment 2 - PPE21/0013 - 77 Victoria Parade, Fitzroy - Heritage Victoria Permit

New Development

2.3. Construction Management Plan (the Plan). The Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection and monitoring methods for the former Eastern Hill Hotel during the undertaking of the works, a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites.* The plan must also include the process for recording the demolition of the west wing to ensure that any extant early fabric is identified and recorded. The Plan must also include a dilapidation report (including images) for the former Eastern Hill Hotel to record its condition prior to the commencement of works approved by this permit. Once endorsed the plan becomes part of the permit.

2.4. Final details of all connections to the heritage building, including the glazed roof, new lift and tower.

2.5. Final construction drawings.

2.6. Final external material and finishes schedule for the new tower and podium.

Conservation

2.7. An **archival quality photographic survey** of the former Eastern Hill Hotel. The survey must be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note 'Photographic Recording for Heritage Places and Objects'. The approved survey must be lodged with the La Trobe Picture Collection, State Library of Victoria and a copy of the lodgement receipt must be submitted to the Executive Director, Heritage Victoria.

2.8. A costed **Conservation Schedule** of internal and external conservation and repair works to the former Eastern Hill Hotel prepared by the consultant approved under condition 2.2. The schedule must also include remediation works to the southern wing associated with the proposed demolition of the western wing.

2.9. When approved by the Executive Director, Heritage Victoria, the schedule will be endorsed as part of this permit and must be implemented within the permit validity period.

2.10. A **Heritage Interpretation Plan** prepared by a suitability qualified interpretation specialist that includes permanent and fixed interpretation of the history and heritage significance of the former Eastern Hill Hotel. When approved by the Executive Director, Heritage Victoria, the plan will be endorsed as part of this permit and must be implemented within the permit validity period.

3. Final details of the proposed interpretation including content, design, materials and locations must be approved and implemented within four (4) years of the date of this permit.

4. At the completion of all works approved by this permit (including works required by permit conditions) a final dilapidation report must be approved in writing by the Executive Director Heritage Victoria. The report must compare the condition of the former Eastern Hill Hotel pre-work and post-work and include recommendations for any repair works required to rectify any damage that might have occurred because of the adjacent development. When approved by the Executive Director, Heritage Victoria, the report will be endorsed as part of this permit and all recommendations must be implemented within the permit validity period.

Signage and Lighting

5. A **Signage Plan** for all new signage, including but not limited to way-finding and identification signage must be approved by the Executive Director, Heritage Victoria, prior to installation.

6. An **External Lighting Plan** for all new lighting to the new tower and the former Eastern Hill Hotel must be approved by the Executive Director, Heritage Victoria, prior to installation.

Attachment 2 - PPE21/0013 - 77 Victoria Parade, Fitzroy - Heritage Victoria Permit

Heritage Act 2017

Standard Conditions

7. The Executive Director is to be given five working days' notice of the intention to commence the approved works.
8. 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.
9. 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.
10. 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 ($19,028 AS AT NOVEMBER 2017) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS ($95,142 AS AT NOVEMBER 2017) UNDER SECTION 104 THE HERITAGE ACT 2017 (THE ACT).

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS ($761,136 AS AT NOVEMBER 2017) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS ($1,522,272 AS AT NOVEMBER 2017) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE ACT.

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.

Date Issued:	Signed on behalf of the Executive Director, Heritage Victoria:	
29.3.19		HERITAGE VICTORIA HERITAGE VICTORIA HERITAGE VICTORIA

Permit No.: P27681

Page | 3

Attachment 2 - PPE21/0013 - 77 Victoria Parade, Fitzroy - Heritage Victoria Permit

Heritage Act 2017

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director has issued a permit under section 102 of the ***Heritage Act 2017***.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit.

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.

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 on a permit issued under Section 102 of the Heritage Act 2017.

A request must -

* be in writing; and.
* be lodged within 6o days after the permit is issued.

Review request forms can be downloaded at:
http://heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/

Attachment 3 - PPE21/0014 - 9 Brunswick Street, Fitzroy - Heritage Victoria Permit

Heritage Act 2017

HERITAGE PERMIT GRANTED UNDER SECTION 102 OF THE HERITAGE ACT 2017

Permit No.: P27682

Owner: The Roman Catholic Trusts Corporation for the Diocese of Melbourne
PO Box 146
East Melbourne VIC 3002

NAME OF PLACE/OBJECT: **DODGSHUN HOUSE**

HERITAGE REGISTER NUMBER: **H1706**

LOCATION OF PLACE/OBJECT: 9 BRUNSWICK STREET FITZROY

THE PERMIT ALLOWS: ***Demolition of sections of parts of the brick wall along the southern boundary of Dodgshun House and a small portable outbuilding to the rear of Dodgshun House, part construction of new building of 11 levels plus basements and landscaping to the south of Dodshun House, generally in accordance with the following documents:***
Revised plans prepared by Billard Leece Partnerships Pty Ltd Architects & Urban Planners 18/12/2018:
AA00-0001;
AA03-0001, 0011, 0051, 0054 and 0057;
AA05-0000, AA05-0001, AA05-0101 to 1001 and AA05-B101;
AA06-0000;
AA07-0000 to 0002, AA07-0101 to 1101, AA07-B101 and AA07-B201;
AA08-0001 to 0004 and AA08-2001;
AA96-1001 to 1004;
AA97-0000 to 0003, AA97-0008 to 0011;

Revised Entry Court Proposal prepared by LBA Design (13 pages, undated).

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Archaeology

1. Prior to the commencement of any sub-surface works an **Historical Archaeological Assessment** report that identifies whether the works may impact any potentially significant historical archaeological remains. If the report identifies potential impact on significant historical archaeological remains, a historical archaeological program must be approved in writing by, and completed to the satisfaction of, the Executive Director, Heritage Victoria, prior to the commencement of any works approved by this permit.

Financial Security

2. Prior to the commencement of any works approved by this permit the following must be approved in writing by the Executive Director, Heritage Victoria:

2.1. An unconditional **Bank Guarantee** made out to the Heritage Council (ABN 87 967 501 331) for the estimated cost of the conservation works included in the conservation schedule approved under condition 2.8. The period of validity of the Bank Guarantee is to be unspecified. The Bank Guarantee will forfeit to the **Heritage Council of Victoria** if the approved works are not completed (including works required by permit conditions) to the satisfaction of the Executive Director, Heritage Victoria, within the permit validity period.

Attachment 3 - PPE21/0014 - 9 Brunswick Street, Fitzroy - Heritage Victoria Permit

2.2. The name of the heritage consultant engaged to fulfil the requirements of condition 2.8.

New Development

2.3. Construction Management Plan (the Plan). The Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection and monitoring methods for Dodgshun House, including the brick boundary wall, during the undertaking of the works, a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites.*

The Plan must also include a dilapidation report (including images) for Dodgshun House and the brick boundary wall to record their condition prior to the commencement of works approved by this permit. Once endorsed the plan becomes part of the permit.

2.4. Details of the proposed new link structure between Dodgshun House and the new building.

2.5. Final construction drawings.

2.6. Final external material and finishes schedule for the new tower and podium.

Conservation

2.7. An **archival quality photographic survey** of Dodgshun House and its setting. The survey must be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note 'Photographic Recording for Heritage Places and Objects'. The approved survey must be lodged with the La Trobe Picture Collection, State Library of Victoria and a copy of the lodgement receipt must be submitted to the Executive Director, Heritage Victoria.

2.8. A costed **Conservation Schedule** of external conservation and repair works to Dodgshun House and the brick boundary wall prepared by the consultant approved under condition 2.2. When approved by the Executive Director, Heritage Victoria, the schedule will be endorsed as part of this permit and must be implemented within the permit validity period.

2.9. An existing and proposed **Landscape Plan** that analyses historical evidence and the existing conditions to determine the most appropriate landscape design for Dodgshun House. When approved by the Executive Director, Heritage Victoria, the landscape plan will be endorsed as part of this permit and must be implemented within the permit validity period.

2.10. A **Heritage Interpretation Plan** prepared by a suitability qualified interpretation specialist that includes permanent and fixed interpretation of the history and heritage significance of the Dodgshun House. When approved by the Executive Director, Heritage Victoria, the plan will be endorsed as part of this permit and must be implemented within the permit validity period.

3. Final details of the proposed interpretation including content, design, materials and locations must be approved and implemented within four (4) years of the date of this permit.

4. At the completion of all works approved by this permit (including works required by permit conditions) a final dilapidation report must be approved in writing by the Executive Director Heritage Victoria. The report must compare the condition of the Dodgshun House and the retained garden brick wall pre-work and post-work and include recommendations for any repair works required to rectify any damage that might have occurred because of the adjacent development. When approved by the Executive Director, Heritage Victoria, the report will be endorsed as part of this permit and all recommendations must be implemented within the permit validity period.

Signage and Lighting

5. A **Signage Plan** for all new signage, including but not limited to way-finding and identification signage must be approved by the Executive Director, Heritage Victoria, prior to installation.

Attachment 3 - PPE21/0014 - 9 Brunswick Street, Fitzroy - Heritage Victoria Permit

6. An **External Lighting Plan** for all new lighting to the new tower, podium and the surrounding landscape around Dodsghun House must be approved by the Executive Director, Heritage Victoria, prior to installation.

Standard Conditions

7. This permit shall expire if the permitted works have not commenced within two (2) years of the date of issue of this permit, and are not completed within four (4) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
8. The Executive Director is to be given five working days' notice of the intention to commence the approved works.
9. 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.
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Date Issued:	Signed on behalf of the Executive Director, Heritage Victoria:	HERITAGE VICTORIA HERITAGE VICTORIA HERITAGE VICTORIA
29. 3. 19		

Attachment 3 - PPE21/0014 - 9 Brunswick Street, Fitzroy - Heritage Victoria Permit

Heritage Act 2017

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