

Agenda

Planning Decisions Committee

6.30pm, Wednesday 17 November 2021

MICROSOFT 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 chair will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the chair;
- confine your submission to the planning permit under consideration;
- If possible, explain your preferred decision in relation to a permit application (refusing,
- granting or granting with conditions) and set out any requested permit conditions
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

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

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

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

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

Arrangements to ensure our meetings are accessible to the public

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

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

1. Appointment of Chair

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

2. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

3. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

Cr Anab Mohamud
Cr Claudia Nguyen
Cr Amanda Stone

Council officers

Danielle Connell (Senior Coordinator Statutory Planning)
John Theodosakis (Principal Planner)
Gary O'Reilly (Senior 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

RECOMMENDATION

That the minutes of the Planning Decisions Committee held on Wednesday 27 October 2021 be confirmed.

6. Committee business reports

Item		Page	Rec. Page
6.1	PLN20/0868 - 173 -177 Barkly Avenue, Burnley	5	58
6.2	PLN20/0882 - 471-473 Swan Street, Richmond	442	506
6.3	PLN13/0483.05 - 16-18 River Street Richmond	665	687
6.4	PLN20/0456 (Title B), PLN20/0457 (Title C), PLN20/0458 (Title D) and PLN20/0459 (Title A) - 10 Belgravia Street Richmond	752	787
6.5	PLN21/0331 - 32 Spensley Street Clifton Hill	1012	1029
6.6	PLN21/0184 - 14-18 Smith Street, Collingwood [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]		

6.1 PLN20/0868 - 173 -177 Barkly Avenue, Burnley

Executive Summary

Purpose

1. This report provides an assessment of the proposal at property No. 173 – 177 Barkly Avenue, in Burnley for the development of the land with a multi--storey building; use as a food and drink premises (permit required use), restricted retail and office; alterations to access to a Road Zone (Category 1) and a reduction in the car parking requirement of the Yarra Planning Scheme.

Key Issues

2. Key planning considerations include:

   (a) Use (Clause 34.02-1);
   (b) Built form (Clauses 15, 21.05, 22.10, 34.02-7 and 43.02);
   (c) Interface uses policy (Clause 22.05); and
   (d) Car Parking and Bicycle Provision (Clauses 52.06 and 52.34) of the Yarra Planning Scheme.

Key Issues

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

   (a) Policy and Strategic Support;
   (b) Food and Drink Premises Use;
   (c) Built form and Urban Design;
   (d) On-site amenity including Environmentally Sustainable Design;
   (e) Off-site amenity including Waste Management;
   (f) Car parking and traffic;
   (g) Bicycle facilities and strategic transport; and
   (h) Objector concerns.

Submissions Received

4. At the time of writing, 165 objections were received to the application, these can be summarised as:

   (a) Built form and design:

      (i) Height and mass of the development is inconsistent with the neighbourhood character and policy and should be reduced to either “six”, “four” “three” or “two” stories.
      (ii) The height is at odds with the height in the maximum height permitted in the General Residential Zone, and at Schedule 17 of the Design and Development Overlay.
      (iii) The development is an overdevelopment of the site and will impact the skyline.
      (iv) Inadequate upper level setbacks to ameliorate visual bulk.
      (v) The proposal does not support the Significant Landscape Overlay over the Yarra River corridor.
      (vi) Development is at odds with the lower scale heritage and residential areas, including Council’s heritage policy and “cultural significance” of the site.

(vii) The proposal does not result in an acceptable ESD response.

(b) Use and Off-site amenity impacts:

(i) Unacceptable visual bulk.
(ii) Overshadowing of the public realm and surrounding residences.
(iii) Overlooking / loss of privacy.
(iv) Noise impacts and air pollution.
(v) Light spill on surrounding properties.
(vi) Wind impacts.

(c) Traffic and Car parking:

(i) The on-site car parking provision will cause traffic congestion and is excessive.
(ii) Reliance on traffic through surrounding streets.
(iii) Increased pressure on on-street car parking.
(iv) Safety issues as a result of the location of the driveway and addition of “400 extra car movements in Burnley per day”.
(v) The reduction in the car parking requirement should not be supported.
(vi) Disruption to the surrounding area outside of typical work hours as a result of deliveries and trucks.

(d) Other:

(i) Surrounding infrastructure cannot support the development and will require an upgrade (i.e. crossing to the bicycle path from Gibdon Street, provision of further facilities in the Golden Square Bicentennial Park to name a few).
(ii) Property damage to surrounding properties during construction.
(iii) The construction of the basement car park will impact the water table.
(iv) Disruption to traffic during construction.
(v) Emissions from site during construction.
(vi) Contrary to the Permit applicant’s assertion in the town planning report, Barkly Avenue is not used for car parking.
(vii) Light spillage on adjoining properties.
(viii) Result in an impact on the health and well-being of residents.
(ix) Litter with particular regard to an influx of cigarette butts on the street.
(x) The development is proposed above basalt clay.
(xi) The demographic of the area is principally made up of “families”.
(xii) Potential conversion of the food and drink premises into a “bar”.
(xiii) The development will create a precedence.
(xiv) The development would devalue the area.

5. Some Objectors have also incorrectly referred to the development as a residential development.

6. Four (4) letters of support were also received to the application, that can be summarised as:

(i) The development would increase the value of the area.
(ii) The existing site is an eye sore and is in need of redevelopment.
(iii) The food and drink premises is a welcomed addition to the area.
(iv) The development is well considered to the north with off-sets and terraces that reduce the bulk and shadows.
(v) The development will increase the density in the area and hence revenue whilst taking advantage of the ample transport infrastructure provided.
(vi) The office space is welcomed as a distribution across the municipality and shift away from primarily being located within the CBD.

Conclusion

7. 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 (amongst others):

   (a) The terrace in the north-west corner at Level 2 deleted.
   (b) The terrace in the north-west corner of Level 4 to be deleted and the Level 4 and 5 walls to be set back a minimum distance of 16.4m from the northern boundary.

CONTACT OFFICER: **John Theodosakis**
TITLE: **Principal Planner**
TEL: **9205 5307**

6.1 PLN20/0868 - 173 -177 Barkly Avenue, Burnley

Reference	D21/139419
Author	John Theodosakis - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	**Melba**
Proposal:	**Development of the land with a multi - storey building; use as a food and drink premises (permit required use), restricted retail and office; alterations to access to a Road Zone (Category 1) and a reduction in the car parking requirement of the Yarra Planning Scheme.**
Existing use:	**Restricted Retail – Bathroom and kitchen fittings**
Applicant:	**Joe Fisher – Human Habitats**
Zoning / Overlays:	**Commercial 2 / Design and Development Overlay (Schedules 2 and 5) / Development Contributions Plan Overlay / Significant Landscape Overlay**
Date of Application:	**30 November 2020**
Application Number:	**PLN20/0868**

Background

Previous applications

1. There is no previous planning history of any relevance to this site.

Planning Scheme Amendments

Planning Scheme Amendment C238

2. Amendment C238 was introduced into the Yarra Planning Scheme on 01 February 2021. This amendment inserts Clause 45.06 (Development Contributions Plan Overlay) with Schedule 1 into the Scheme. This overlay applies to all land in the City of Yarra (note: there are some exempted sites including schools DHHS properties and public hospitals) and it applies to all new development where there is an increase in the number of dwellings and/or an increase in retail, commercial and industrial floor space. It requires a monetary contribution from the developer. This application is not exempt because the proposal would increase commercial floor space. Appropriate permit conditions will be included on any permit to issue.

Planning Scheme Amendment C269

3. The amendment proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 of the Yarra Planning Scheme with a Municipal Planning Strategy and local policies within the Planning Policy Framework (PPF), consistent with the structure introduced by Amendment VC148.

4. The amendment was recently adopted by Council at its meeting on 3 August 2021. Whilst the amendment has a wide scope and includes numerous changes to specific local planning policies (including those related to built form, heritage and amenity), it does not include any significant changes that would otherwise dictate a different position to the proposed development as a result of the assessment within this report.

Application process

5. The application was lodged on 30th November 2020, and further information subsequently requested on 22nd December 2020. The request was satisfied on 19th February 2021 and the application was then advertised with 665 letters being sent on 27th April 2021. Notice was also sent to the City of Stonnington. At the time of writing this report, 165 objections have been received.

6. Whilst this process was occurring, Officers sought and received advice (amongst other advice sought externally) from Council's internal units including Environmental Sustainable Design (ESD), City Works Unit, Engineering Unit, Urban Design and Strategic Transport. Referral advice is an attachment to this report.

7. Most recently, the permit applicant submitted "Without Prejudice Sketch Plans" received by Council on 26th October 2021 that detail changes in response to the comments provided by Council's Engineers with regard to the location of columns and gradients of ramps within the basement car park to ensure vehicle safety. The changes have resulted in a further reduction of four car spaces, hence reducing these from a total of 213 to 209 spaces and compensating the loss with an increase in motorbike spaces by increasing these from 18 to 21.

8. The "Without Prejudice Sketch Plans" have been further reviewed by Council's Engineer, who has provided further comments in support of the changes.

9. The "Without Prejudice Sketch Plans" whist not formally submitted, will be considered for the purpose of this assessment, particularly as these are considered to improve the basement carpark layout. These plans have also been circulated to all objector parties with the invites to the meeting.

The Proposal

10. The application proposes to develop the land at No. 173 – 177 Barkly Avenue, Burnley with the construction of an eight (8) storey building (plus service plant area), use of the land for a food and drink premises (permit required use), restricted retail and office, alterations to access to a Road Zone (Category 1) and a reduction in the associated car parking requirement of the Yarra Planning Scheme.

11. The key elements of the development can be summarised as follows:

Use(s)

(a) The following uses and designated areas are proposed:
    (i) A total of 746sq.m. of restricted retail area (permit not required use) at the ground floor spread across 4 tenancies with operating hours of 7am to 10pm, Monday to Sunday;
    (ii) A food and drink premises - cafe (permit required use) in excess of 112sq.m. at the ground floor with operating hours of 7am to 10pm, Monday to Sunday; and
    (iii) 11,724sq.m. of office (permit not required use) spread across Levels 1 to 7.

Development

(b) Construction of an eight (8) storey (plus plant roof area) building with a three-level basement across the majority of the site.
(c) The height of the building is proposed at 32.4m to the roof above Level 7, 34.2m to the highest point of the saw tooth roof form above, and 37.4m to the highest point of the lift shaft all above the natural ground level (NGL) as detailed and based on the Drawing No. TP260 – Section 1.
(d) The building will include a six-storey podium to Adam Street and Barkly Avenue with the levels above reading as a cap where these become more recessive.

Building massing and setbacks to Adam Street (West)

(e) To the west, the building would generally be hard-edged to Adam Street except for walls associated with the food and drinks premises and the Level 1 office immediately above, setback a minimum 959mm and further setback at Level 1 to make accommodate a void.
(f) Levels 1 to 5 would extend to the western boundary, and the walls at Level 6 and 7 would be setback between 2.74m and 3.65m from the boundary.
(g) The podium as measured above the NGL will have a height of 24.6m.

Building massing and setbacks to Barkly Avenue (South)

(h) To the south, the building would be hard-edged to Barkly Avenue from the ground through to Level 5, with the exception of walls at Level 2 and above, in the mid-section of the elevation, setback to include a 3.8m wide terrace and mid-break, with a length of 11.14m.
(i) Level 6 and 7 would be setback between 2.61m and 3m at the corners, and primarily setback between 3.8m and approximately 6.5m from the boundary.
(j) The podium as measured above the NGL will have a height of 24.5m.

Building massing and setbacks to the North (residential interface)

(k) To the north, the building will be setback between:

  (i) Ground level - 6.13m and 19.3m;
  (ii) Level 1- 6.13m and 19.21m;
  (iii) Levels 2 and 3 - 10m and 16.37m;
  (iv) Levels 4 and 5 - 12m and 16.43m; and
  (v) Levels 6 and 7 - 21.9m.

(l) Level 2, 4 and 6 would contain terraces that would extend into the setbacks by up to 11.2m (i.e. the north-west terrace at Level 4).
(m) The roof plant will be set back a minimum 27.86m from the boundary.
(n) The on-boundary wall across the northern boundary would be reconstructed like-for-like (i.e. of masonry and at an identical height as that existing).

Building massing and setbacks to the East

(o) To the east, the building would extend across the shared boundary for its full length at the ground floor, and would be constructed for its most part to the shared boundary at Levels 1 to 5, with the exception of a lightwell comprised of a minimum setback of 2.87m from the boundary for a length of 11.48m.
(p) Above, Levels 6 and 7 would be setback between 3.24m and 3.84m from the shared boundary.

Layout

(q) The ground floor would include all waste services (hard waste, restricted retail / café waste and office and general waste), service rooms (i.e. communications room and fire hydrant sprinkler control room, fire tank room, stores, a substation and building maintenance office), service amenities and lifts.
(r) The ground floor would provide a loading bay accessed via a crossover to Barkly Avenue with dimensions that can adequately accommodate vehicles of up to 6.4m in length and 160 bicycle spaces and end-of-trip (EOT) facilities adjacent to a generously sized courtyard in the northern setback.
(s) The food and drink premises (café) would be located south of the vehicle entrance to the basement in the north-west corner of the site and would be directly accessed from Adam Street via an open pedestrian pathway to its northern side.
(t) The restricted retail premises would occupy a significant portion of the south-west area of the ground floor and would be accessed via a lobby located to the south of the food and drink premises (café).
(u) The basement car park will provide up to 213 car spaces and 18 motorbike spaces, including services associated with a rain-water tank with a 30,000lt capacity.
(v) The office area(s) would be spread across Levels 1 to 7 with service amenities and lifts.

Materials and Finishes

(w) The podium (i.e. ground to Level 5) to the west and south (Adam Street and Barkly Avenue respectively), will comprise a combination of glazing and a framing element constructed of a combination of new and recycled masonry in a grid composition (see Figure 1).
(x) Above the podium, Levels 6 and 7 would be constructed of a combination of glazing and precast concrete and would support a saw-tooth roof form.
(y) The northern elevation would also comprise of glazing and a combination of new and recycled masonry, with the latter applied to the walls of the food and drink premises (café) and to every second level horizontally.
(z) The on-boundary walls to the east would be constructed of pre-cast concrete panels, with the remainder constructed of glazing.
(aa) The podium is rectilinear in form and will comprise of glazing to the restricted retail area, with the glazing applied to the shop front of the food and drink premise applied in the shape of a gable pentagon (see Figure 2).
(bb) The ground floor will contain sitting areas, landscaping opportunities and an emphasised building entrance that will include a pedestrian arcade / lobby.



Figure 1: Proposed frontage as seen from the Adam Street and Barkly Avenue intersection (extracted from p.28 of the permit applicant's town planning report).



Figure 2. Proposed frontage of food and drinks premises as seen from the Adam Street (extracted from p.31 of the permit applicant's town planning report).

ESD Features

(cc) The development would incorporate the following ESD commitments:

(i) All major common areas and individual tenancies will be sub-metered to allow for better user control over their own individual needs in terms of energy and water consumption;

(ii) A STORM report with a score of 126% demonstrating best practice relying on 1,450sq.m. of roof connected to 30,000 litres of rainwater storage connected to irrigation and toilet flushing for 30% of amenities, and an additional 745sq.m. of terrace areas directed to an 8sq.m. raingarden;
(iii) A 60kWp solar PV array to contribute to onsite electricity consumption;
(iv) 132 secure bicycle parking spaces for use by office and retail workers, and 28 publicly accessible spaces provided, in addition to EOT in the form of 16 showers and 132 lockers;
(v) Electric vehicle charging points provided to at least 5% of all parking spaces in the development;
(vi) All building elements forming part of the building's thermal envelope will exceed the deemed-to-satisfy requirements of NCC 2019 Section J by at least 10%;
(vii) The base-building services will be all-electric, with heating and hot water provided by heat pumps instead of gas boilers (SMP, p. 11);
(viii) At least 6% of the project's value will consist of sustainable products (reused, recycled content, EPDs or third-party certification);
(ix) A construction waste management plan for the project and will divert at least 90% of all demolition and construction waste from landfill.
(x) At least 13% of the site area will be covered by vegetation.

Existing Conditions –

Subject Site

12. The subject site is located at the north-east corner of the Adam Street and Barkly Avenue intersection in Burnley, and north of the City Southern Link / Monash Freeway. The site is a rectangular allotment with the site boundaries as follows:

(a) North boundary (shared): 49.91m
(b) West boundary (Adam Street): 58.68m
(c) East boundary (shared): 59.25m
(d) South boundary (Barkly Avenue): 49.83m



Figure 3. Existing site condition (extracted from p.3 of the permit applicant's town planning report).

13. The subject site has an overall area of approximately 2,944sq.m. and is occupied by a red masonry building that occupies approximately 65% of the site area. The building has the typical characteristics of a traditional industrial and warehouse inner city building with red masonry walls and a saw-tooth roof form. The building is set back from both Adam Street and Barkly Avenue, with several car spaces and a substation located within these front setbacks. A high masonry wall extends across the Adam Street boundary with a pedestrian entrance located to Barkly Avenue. The building is used for restricted retail (i.e. sale of bathroom and kitchen fittings) and provides s showroom / display accessed from Barkly Avenue.

Restrictive Covenants

14. The subject site is legally described as Lot 1 on Registered Plan of Subdivision 613840L and is affected by one boundary wall easement that extends across the eastern shared boundary. The land gradient falls as it progresses to the south.

Surrounding Land

15. The subject site is located near the interface between the City of Yarra and neighboring municipality of the City of Stonnington (south of the Yarra River), in Burnley. Burnley is a pocket located east of Richmond generally bounded by the Yarra River to the south and east and largely containing a residential area. Swan Street is the closest Activity Centre, being located approximately 450m to the north of the subject site.

16. The area is provided with public transport options with the Burnley Railway station located on the south side of Swan Street approximately 350m north-west of the site. Trams service Swan Street, 450m north of the subject site (see Figure 4).

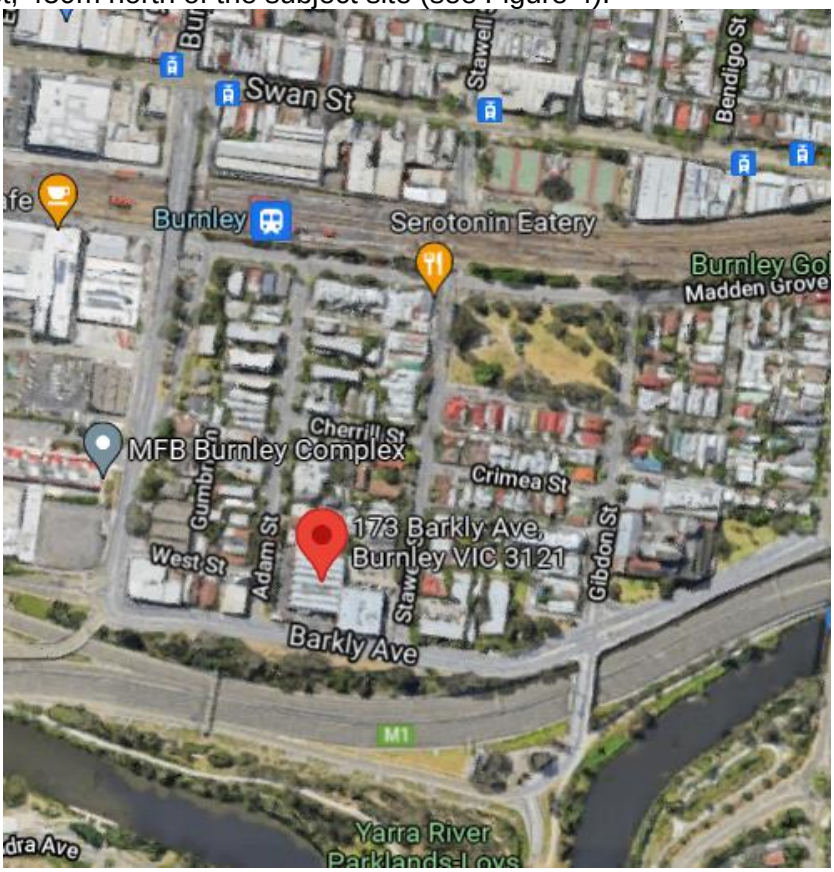


Figure 4. Aerial extracted from Google - Location of subject site identified with red pin.

17. Zoning in the area is a combination of industrial and Commercial 2, and Neighbourhood and General Residential with the latter demarcating the immediate difference in land use to the north of the subject site. The site combined with that to the immediate east and properties west of Adam Street, through to the north-east corner of the Burnley Street (including several on the east side of Burnley Street north of that corner allotment) and Barkly Avenue intersection, are zoned Commercial 2 (see Figure 5).

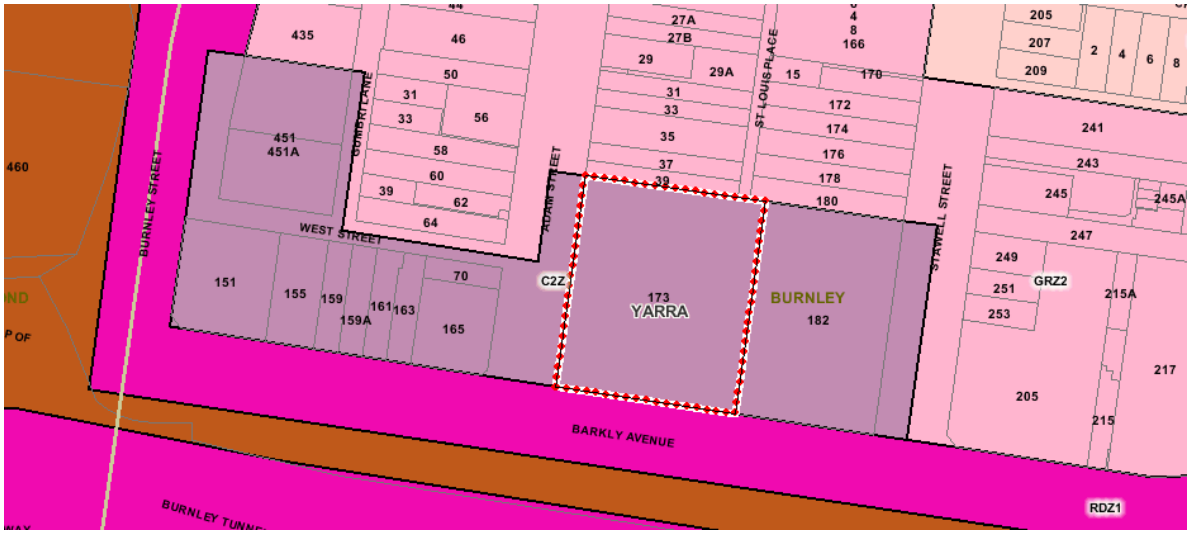


Figure 5. Zone map identifying the Subject Site and surrounding properties zoned Commercial 2 (extracted from Planning Maps Online - http://services.land.vic.gov.au/maps)





Figure 6. Dwellings to the immediate north zoned of the subject site facing Adam Street zoned General Residential (extracted from Council's external consultant's urban design report p. 9).

18. Occupying the site to the immediate north of the subject site and addressed to Adam Street, is a single-storey, single fronted, painted brick, Victorian-era dwelling with a hipped galvanised iron roof. The front fence is a solid painted brick fence. The existing dwelling is setback 5.5m from the front title boundary with the verandah encroaching 1.3m into the setback. The dwelling has been extended at the rear in accordance with Planning Permit No. PL09/0609 and has on boundary wall lengths of 27.2m to the north and south (the latter abutting the shared boundary with the subject site). Private open space is located to the east of the dwelling. This dwelling is zoned General Residential. A tall red masonry wall / fence extends across the shared boundary that is intended to be reconstructed like-for-like.

19. Further north and also addressed to Adam Street, are dwellings that have a consistent subdivision and building footprint pattern that continues through to Cherrill Street and beyond. St Louis Place is located to the rear (east) of these dwellings, separating these from the dwellings fronting onto Stawell Street and terminating at the northern boundary of the subject site. St Louis Place generally provides rear pedestrian and vehicle access to dwellings addressed to both Stawell and Adam Streets, including entrance to the subject site via a doorway. The dwellings are zoned General Resdiential.

20. Adam Street to the west has a varied streetscape character, consisting of a mix of single storey Victorian and Edwardian dwellings (often attached); circa 1960s-1970s brick walk-up flats (typically 3-4 storeys); and contemporary townhouse infill developments (typically two storeys), including a four-storey office building and two storey commercial building on the west side of Adam Street, directly opposite the subject site.



Figure 7. Commercial building directly opposite subject site zoned Commercial 2 (extracted from Council's external consultant's urban design report p. 11).

21. The north-east corner of the subject site has an abuttal with a small portion of secluded private open space associated with a single-storey dwelling fronting onto Stawell Street to the east (No.180 Stawell Street). The dwelling is of weatherboard construction, is set back 4.4m from the east boundary (Stawell Street) and provides a verandah in the front setback. The dwelling is set back 19m from the rear and does not present any on-boundary wall to the south, where the boundary is shared with the subject site. There are two sheds located on this site; one in the north-west pocket of the site and one on the south boundary. This dwelling is zoned General Resdiential.

22. Stawell Street also exhibits a varied streetscape character, consisting of a mix of single-storey, Victorian and Edwardian dwellings, walk-up-flats and contemporary infill developments (see Figure 4).



Figure 8. Existing conditions looking north-west from the south-east along Barkly Avenue (extracted from p.8 of the permit applicant's town planning report).

23. The subject site has an immediate abuttal with a double-storey office building (see Figure 7) to the east, that extends to the south (Barkly Avenue) and west (shared) site boundaries. A gated car park located on the northern side of the site (accessed via Stawell Street). This site, like the subject site, is zoned Commercial 2.

24. Barkly Avenue is to the south of the subject site and opposite is an embankment, namely the Barkly Avenue Reserve, beyond which is the Monash Freeway / Citylink (toll road) and Yarra River. Further south is the Yarra River environs and on the opposite side of this is the municipality of the City of Stonnington. Barkly Avenue, and Burnley Street further are within a Road Zone Category 1.

25. Parallel parking is available on the western sides of Adam and Stawell Streets and 60 degree angle parking is on their eastern side. Parking on the west side is limited to two hours from 7am to 7pm, Monday to Saturday and parking on the east side is limited to four hours from 7am to 7pm. Further north, there is permit only parking located on the eastern side of both streets.

Planning Scheme Provisions

Zoning

Clause 34.02 – Commercial 2 Zone

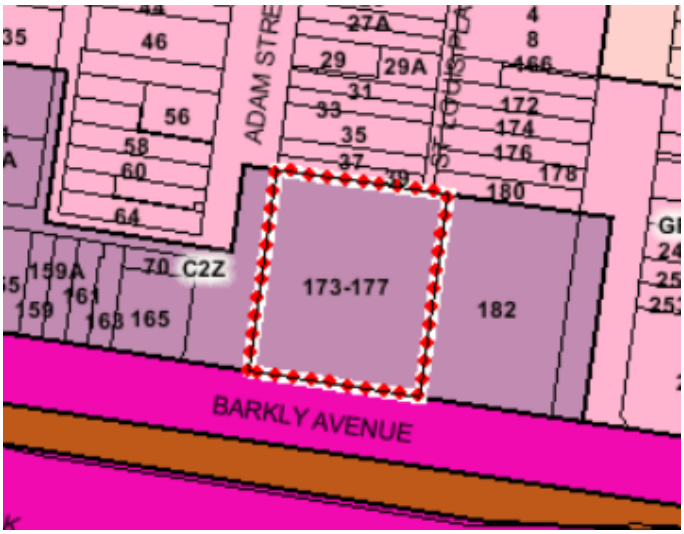


Figure 9: Subject site is zoned Commercial 2 - coloured purple

26. The site is located within the Commercial 2 Zone (C2Z). The purpose of the C2Z is as follows:

    (c) *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
    (d) *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
    (e) *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

27. Pursuant to clause 34.02-1 of the Scheme, 'office' and 'restricted retail premises' are a Section 1 – permit not required uses and therefore do not require a planning permit. The 'food and drink premises' is a Section 2 - permit required use as it exceeds 100sq.m.

28. Pursuant to Clause 34.02-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

29. Pursuant to Clause 34.02-6 of the Scheme: An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

30. The site is located within 30m from a residential zone (i.e. that to the immediate north) and advertising of this application was triggered by the need for a planning permit for the development, the food and drinks premises (café) and associated reduction in the car parking requirement.

Overlays

Clause 43.02 – Design and Development Overlay – Schedules 2 and 5

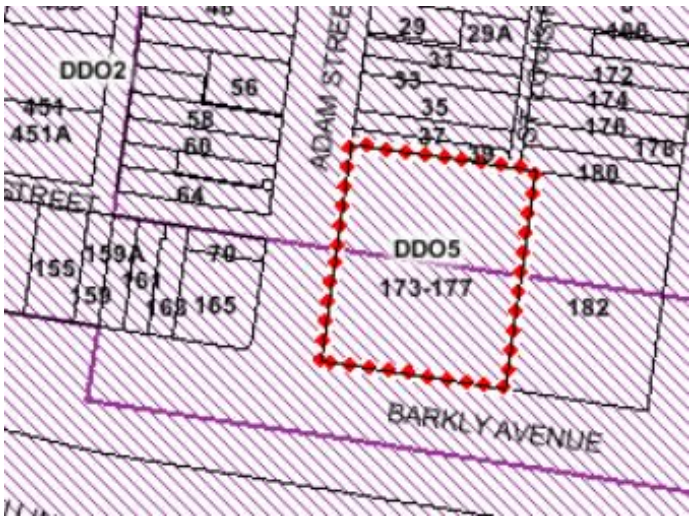


Figure 10: Subject site – Design and Development Overlay – Schedules 2 and 5

31. The subject site is covered by a Design and Development Overlay (DDO). The purpose of the DDO is:

    (a) *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

32. Pursuant to Clause 43.02-2 of the Scheme a planning permit is required for the construction of a building or the construction or carrying out of works.

33. The site is subject to the requirements at Schedule 2 to the Design and Development Overlay as these relate to Main Roads and Boulevards. More specifically, the schedule provides the following relevant design objectives:

    (a) *To encourage high quality contemporary architecture.*
    (b) *To encourage urban design that provides for a high level of community safety and comfort.*
    (c) *To limit visual clutter.*
    (d) *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

34. Schedule 5 (City Link Exhaust Stack Environs) specifically exempts buildings and works from requiring a planning permit. Pursuant to clause 43.02 of the Scheme, where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1) (c) of the Planning and Environment Act 1987 to the person or body specified as a person or body to be notified in clause 66.06 or a schedule to that clause.

35. A planning permit is required for buildings and works under the C2Z. Notice of the application must therefore be given to the Environment Protection Authority, Transurban City Link Limited and the Roads Corporation (VicRoads). Their comments are provided in the Referrals section of this report.

36. With regard to the EPA Yarra has entered into an agreement with the EPA regarding the requirement for notice to be given to the EPA under Clause 43.02, Schedule 5 – City Link Exhaust Stack Environs, of the Yarra Planning Scheme. The agreement is to exempt certain applications from being required to be referred to the EPA. These applications are:

    (a) An application to use land or for the construction of a building or the construction or carrying out of works does not require notice to be given to the EPA if the following requirements are met:

        (i) *The title boundary of the subject site is more than 50 metres from the centre of the Burnley Tunnel exhaust stack (located at Barclay Ave. Richmond. Latitude -37.8295434, Longitude 145.0018514); and*
        (ii) *The proposed building height is less than 10 stories or 30 metres, whichever is lesser. Regardless of clause 3(a) of this Agreement, an application for carrying out of works specified in clause 62.02-2 of the Yarra Planning Scheme (even if a permit is specifically required for any of these matters) does not require notice to be given to the EPA.*

37. In this instance the development is less then 10 stories and as such did not require referral to the EPA. The site is also located in excess of 50m of the Burnley Tunnel in Richmond.

Significant Landscape Overlay - Schedule 1 – Yarra (Birrarung) River Corridor Environs

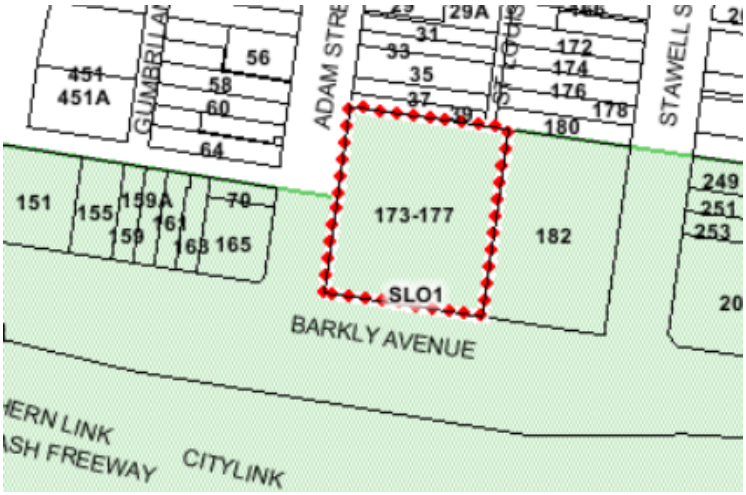


Figure 11: Subject site – Significant Landscape Overlay – Schedule 1

38. Pursuant to Clause 42.03-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required. In this instance, a planing permit is required for the development. A planning permit is required to remove, destroy or lop any vegetation.

39. This Schedule contains the following landscape character objectives (amongst others):

    (a) *To retain vegetation that contributes to landscape character, heritage values or neighbourhood character;*
    (b) *To maintain and protect linear public open space and provide for secluded areas of public open space with access to the river where appropriate;*

(c) *To encourage the co-location or clustering of buildings, jetties and mooring facilities on public land;*
(d) *To encourage bicycle and shared paths that are safe, well located and require minimal earthworks and vegetation removal;* and
(e) *To ensure fencing within close proximity to the Yarra River is low in scale, visually permeable and does not contrast with the natural landscape character.*

Development Contributions Overlay

40. The subject site is affected by the Development Contributions Plan Overlay (DCPO) – Schedule 1. Pursuant to Clause 45.06-1 of the Scheme a permit granted in the DCPO 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.

41. Schedule 1 to the DCPO does not include any exemptions for the proposal and therefore the requirements of the DCPO1 are applicable and the relevant contribution must be paid if a permit were to issue.

Aboriginal cultural heritage

42. The site is also within 500m of the Yarra and therefore, the impact of the proposal on the Aboriginal Cultural Heritage significance of the land must be considered.

43. The permit applicant submitted a report titled *Significant Ground Disturbance,* authored by Dr Tim Stone (Geomorphologist and Heritage Advisor) and dated September 2020.

44. The report provides the following conclusion / position:

(a) construction of the proposed mixed-use commercial building including underground car park at 173-177 Barkly Avenue, Burnley be allowed to proceed without any further Aboriginal or historic cultural heritage investigation, or CHMP. The reason is that the land proposed for development has been subject to significant ground disturbance previously and is not an area of cultural heritage sensitivity that requires a CHMP.
(b) Salta Properties Pty. Ltd. has the option of undertaking a voluntary CHMP for the proposed development.
(c) In the extremely unlikely event that items of Aboriginal cultural heritage are uncovered during the course of development, all work at the subject site should cease and the developer, or its contractors, must contact the Heritage Advisor or AV for advice. It is an offence under the Aboriginal Heritage Act 2006 to harm Aboriginal cultural heritage without written authorization.

45. Reviewing the material and the extent of works historically across the site, this position is accepted. However, a recommendation for a mitigation strategy in the event that the site is identified as an Aboriginal Heritage Site during the construction phase will be adopted by way of condition.

Particular Provisions

Clause 52.06 – Car parking

46. 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.

47. Pursuant to Clause 52.06-3 a permit is required to reduce the number of car parking spaces required under this clause.

48. Pursuant to Clause 52.06-5, Column B of Table 1 applies if any part of the land is identifies 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.

49. 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.

50. The following table identifies the car parking requirement under Clause 52.06-5 and the provision on site.

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required (rounded down to the nearest whole number)	No. of Spaces Allocated
Office	11,724 sq.m.	3 spaces per 100sq.m. of net floor area	350	187
Restricted Retail	746 sq.m.	2.5 spaces per 100sq.m. of leasable floor area	18	26
Food and drink premises (Café)	112 sq.m.	3.5 spaces per 100sq.m. of leasable floor area	4	0
		Total	**372**	**213**

51. A total of 213 car spaces are proposed on site, therefore the application seeks a reduction of 159 car spaces.

Clause 52.29 - Land adjacent to a Road Zone Category 1, or a public acquisition overlay for a Category 1 Road

52. Pursuant to Clause 52.29-2 of the Scheme, a planning permit is required to alter a road in a Road Zone Category 1. The application proposes to construct a new crossover to Barkly Avenue (over the footpath), thus a permit is required for this component.

53. Clause 52.29-4 require the application to be referred to the VicRoads / Department of Transport who provided comments and raised no objection to the proposal.

Clause 52.34 – Bicycle Facilities

54. 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

55. 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
Office (other than specified in the table)	11,724 sq.m.	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	39 employee spaces
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	12 visitor spaces.
Retail (includes restricted retail and food and drink premises (café) as these are nested together	746 sq.m. and 112 sq.m. – combined total of 858 sq.m.	1 to each 300 sq m of leasable floor area. 1 visitor space to each 500 sqm of leasable floor area.	2 1
Bicycle Parking Spaces Total			**41 employee spaces** **13 visitor spaces**
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces		4 showers / change rooms

56. The development proposes a total of 160 bicycle spaces with at least 28 of those spaces accessible to visitors with EOT facilities located on the ground floor with up to 11 showers, all linked to change rooms, including 132 lockers in the change rooms. As such the bicycle requirements are above and beyond the statutory requirements of the Scheme.

57. Clause 52.34-4 provides the design standard for bicycle spaces and signage

Clause 53.18 – Stormwater Management in Urban Development

58. The purpose of this clause is to ensure that stormwater in urban development, including retention and reuse is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

General Provisions

Clause 65 – Decision Guidelines

59. 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. An assessment of the application against the relevant sections of the Scheme is offered in further in this report.

Clause 66.02 – Use and Development Referrals

60. In accordance with Clause 66.02-11 of the Yarra Planning Scheme, an application to construct a building or to construct or carry out works for an office building that provides an area in excess of 10,000sq.m. must be referred to the Head, Transport for Victoria. The Head, Transport for Victoria, is a determining referral authority for this application.

Planning Policy Framework (PPF)

61. Relevant clauses are as follows:

Clause 11.01-1R – Settlement – Metropolitan Melbourne

62. The relevant strategies of this clause are:

(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

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

Clause 13.05 – Noise

Clause 13.05-1S - Noise abatement

64. The relevant objective of this clause is "*to assist the control of noise effects on sensitive land uses".*

65. 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

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

Clause 15.01 - Built Environment and Heritage

Clause 15.01-1S - Urban design

67. The relevant objective of this clause is *"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

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

Clause 15.01-2S - Building design

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

70. Relevant strategies of this clause are:

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

71. This clause also states that planning must consider (as relevant), the *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).*

Clause 15.01-4S - Healthy neighbourhoods

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

Clause 15.01-4R - Healthy neighbourhoods - Metropolitan Melbourne

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

Clause 15.01-5S - Neighbourhood character

74. The relevant objective of this clause is *"to recognise, support and protect neighbourhood character, cultural identity, and sense of place".*

Clause 15.02 - Sustainable Development

Clause 15.02-1S - Energy Efficiency

75. The objective of this clause is *"to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions".*

Clause 17.01 – Employment

Clause 17.01-1S – Diversified economy

76. The objective of this clause is *"to strengthen and diversify the economy".*

77. 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

78. The relevant objective of this clause is *"to encourage development that meets the communities' needs for retail, entertainment, office and other commercial services".*

79. 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 18.02 - Movement Networks

Clause 18.02-1S – Sustainable personal transport

80. The relevant objectives of this clause is *"to promote the use of sustainable personal transport".*

81. 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

82. 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

83. The objective of this clause is *"to facilitate greater use of public transport and promote increased development close to high-quality public transport routes".*

Clause 18.02-2R - Principal Public Transport Network

84. A relevant strategy of this clause is to *"maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect".*

Clause 18.02-4S – Car Parking

85. The objective of this clause is *"to ensure an adequate supply of car parking that is appropriately designed and located".*

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

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement (MSS)

87. The relevant policies in the Municipal Strategic Statement can be described as follows:

Clause 21.03 – Vision

88. The relevant sections of this Clause are:

    (a) *Yarra will have increased opportunities for employment;*
    (b) *The complex land use mix characteristic of the inner city will provide for a range of activities to meet the needs of the community;*
    (c) *Yarra's exciting retail strip shopping centres will provide for the needs of local residents, and attract people from across Melbourne; and*
    (d) *Most people will walk, cycle and use public transport for the journey to work.*

Clause 21.04-3- Industry, office and commercial

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

Clause 21.05-2 – Urban Design

90. The relevant objectives of this Clause are:

    (a) *To reinforce the existing urban framework of Yarra;*

(b) *To retain Yarra's identity as a low-rise urban form with pockets of higher development;*
(c) *To ensure that new development contributes positively to Yarra's urban fabric; and*
(d) *To enhance the built form character of Yarra's activity centres.*

Clause 21.05-3 – Built Form Character

91. A relevant objective of this Clause is *"to maintain and strengthen the identified character of each type of identified built form within Yarra".*

Clause 21.05-4 – Public Environment

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

(a) *Objective 28 - To a provide a public environment that encourages community interaction and activity:*

(i) *Strategy 28.1 - Encourage universal access to all new public spaces and buildings.*
(ii) *Strategy 28.2 - Ensure that buildings have a human scale at street level.*
(iii) *Strategy 28.3 - Require buildings and public spaces to provide a safe and attractive public environment.*
(iv) *Strategy 28.5 - Require new development to make a clear distinction between public and private spaces.*
(v) *Strategy 28.8 - Encourage public art in new development.*

Clause 21.06 – Transport

93. This policy recognises that Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives.

94. Parking availability is important for many people, however in Yarra unrestricted car use and parking is neither practical nor achievable. Car parking will be managed to optimise its use and to encourage sustainable transport options.

95. Relevant objectives and strategies of this clause are as follows:

(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.*
(b) *Objective 31 – To facilitate public transport usage.*
(c) *Objective 32 – To reduce the reliance on the private motor car.*
(d) *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

96. The relevant objective is *"to promote ecologically sustainable development".*

97. A relevant strategy of this clause is Strategy 34.1 which is to *"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 21.08-2 Neighbourhoods – Burnley, Cremorne, South Richmond

98. The neighbourhood character statement for this area at Clause 21.08-2 states:

    (a) *This area includes the visually and historically significant silos which host the also significant Nylex Plastics clock and temperature indicator. Views of and to these Melbourne landmarks need to be protected.*
    (b) *This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered.*
    (c) *The Barkly industrial precinct, south of Swan Street and west of Burnley Street, has the opportunity to establish itself as a new business employment node. This should include a mix of industrial and related activities as well as service business and offices.*
    (d) *On the east side of the neighbourhood is an important open space and recreation area along the Yarra River, also the University of Melbourne Horticultural College and Botanica office park.*

99. Figure 7 shows the subject site in an area marked as one which should be supported for *industry, offices and service business.*

100. Figure 14 shows the subject site is a '*non-residential area'* where the built form character objective is to improve the interface of development with the street.

Relevant Local Policies

Clause 22.05 – Interfaces Uses Policy

101. This policy applies to all development and land 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.

102. It is policy that *"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".*

103. Decision guidelines at clause 22.05-6 include that *"before deciding on an application for non-residential development, Council will 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.*
    (b) *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 22.07 – Development Abutting Laneways

104. This clause has the following objectives:

    (a) *To provide an environment which has a feeling of safety for users of the laneway.*
    (b) *To ensure that development along a laneway acknowledges the unique character of the laneway.*

(c) *To ensure that where development is accessed off a laneway, all services can be provided to the development.*
(d) *To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

Clause 22.10 Built form and design policy

105. This policy applies to all new development not included in a Heritage Overlay. The relevant objectives of this policy are to:

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

Clause 22.16 Stormwater Management - Water Sensitive Urban Design

106. 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

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

Other Documents

Urban Design Guidelines for Victoria (DELWP)

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

Yarra Business and Industrial Land Study (2012)

109. The Yarra Business and Industrial Land Strategy (BILS) was adopted by Council in June 2012. This strategy sets out a 10-15 year direction for Yarra's business and industrial areas, and aims to ensure that its local residents have access to high quality employment opportunities and that the municipality can retain a vibrant local economy.

110. The subject site is identified as being within a 'Core Industrial or Business Node' (CIB). CIB's are identified as relatively large (approximately 2 hectares or greater in area) and consolidated industrial or business nodes. Internal areas of the nodes provide opportunities for a range of businesses to operate with minimal sensitive interfaces.

111. The site is identified specifically within Precinct 'CIB 11 – Burnley Node (includes the Yarra River interface) of the BILS.

Plan Melbourne

112. Released in May 2017, Plan Melbourne 2017-2050 (Plan Melbourne) outlines the key strategic directions with regard to the provision of housing and commercial activity within Melbourne's urban areas. The strategic outcomes outlined in the document are required to be considered as part of Council's decision-making process and include (inter-alia):

    (a) Outcome 1: *'Melbourne is a productive city that attracts investment, supports innovation and creates jobs.'*
        (i) Direction 1.2 of Plan Melbourne is to *'Improve access to jobs across Melbourne and closer to where people live'.*
    (b) The strategy promotes '20-minute neighborhoods' where there is access to local shops, schools, parks, jobs and a range of community services within a 20 minute trip from your front door.

Spatial Economic and Employment Strategy

113. The Spatial Economic and Employment Strategy (SEES) was adopted by Council in September 2018 and includes 6 directions which will inform future policy for the Scheme.

114. The strategic direction contained within the SEES supersedes that contained within the Yarra Business and Industrial Land Strategy (BILS), adopted by Council in June 2012.

115. The strategic direction for land zoned C2 is that it is retained.

116. Accordingly, the strategically located C2 zoned land provides the following functions:

    (a) *Supports established business areas and serve a useful economic and employment function;*
    (b) *Contributes to the economic diversity of the Yarra economy; and*
    (c) *Offers locations for different land uses and businesses.*

117. C2 zoned precincts that fall into this category includes areas adjacent to Yarra's three industrial precincts at Abbotsford (Victoria Crescent/CUB), Richmond East (Palmer Street) and Burnley South, and C2 zoned land at Church Street North.

Advertising

118. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 665 letters sent to surrounding owners and occupiers and by three signs displayed, with two to Adam Street and the one to Barkly Avenue. 165 objections were received to the application, these can be summarised as:

    (a) Built form and design:

        (i) Height and mass of the development is inconsistent with the neighbourhood character and policy and should be reduced to either "six", "four" "three" or "two" stories.
        (ii) The height is at odds with the height in the maximum height permitted in the General Residential Zone, and at Schedule 17 of the Design and Development Overlay.
        (iii) The development is an overdevelopment of the site and will impact the skyline.
        (iv) Inadequate upper level setbacks to ameliorate visual bulk.
        (v) The proposal does not support the Significant Landscape Overlay over the Yarra River corridor.

(vi) Development is at odds with the lower scale heritage and residential areas, including Council's heritage policy and "cultural significance" of the site.
(vii) The proposal does not result in an acceptable ESD response.

(b) Use and Off-site amenity impacts:

(i) Unacceptable visual bulk.
(ii) Overshadowing of the public realm and surrounding residences.
(iii) Overlooking / loss of privacy.
(iv) Noise impacts and air pollution.
(v) Light spill on surrounding properties.
(vi) Wind impacts.

(c) Traffic and Car parking:

(i) The on-site car parking provision will cause traffic congestion and is excessive.
(ii) Reliance on traffic through surrounding streets.
(iii) Increased pressure on on-street car parking.
(iv) Safety issues as a result of the location of the driveway and addition of "400 extra car movements in Burnley per day".
(v) The reduction in the car parking requirement should not be supported.
(vi) Disruption to the surrounding area outside of typical work hours as a result of deliveries and trucks.

(d) Other:

(i) Surrounding infrastructure cannot support the development and will require an upgrade (i.e. crossing to the bicycle path from Gibdon Street, provision of further facilities in the Golden Square Bicentennial Park to name a few).
(ii) Property damage to surrounding properties during construction.
(iii) The construction of the basement car park will impact the water table.
(iv) Disruption to traffic during construction.
(v) Emissions from site during construction.
(vi) Contrary to the Permit applicant's assertion in the town planning report, Barkly Avenue is not used for car parking.
(vii) Light spillage on adjoining properties.
(viii) Result in an impact on the health and well-being of residents.
(ix) Litter with particular regard to an influx of cigarette butts on the street.
(x) The development is proposed above basalt clay.
(xi) The demographic of the area is principally made up of "families".
(xii) Potential conversion of the food and drink premises into a "bar".
(xiii) The development will create a precedence.
(xiv) The development would devalue the area.

119. Some Objectors have also incorrectly referred to the development as a residential development.

120. Four (4) letters of support were also received to the application, that can be summarised as:

(i) The development would increase the value of the area.
(ii) The existing site is an eye sore and is in need of redevelopment.
(iii) The food and drink premises is a welcomed addition to the area.
(iv) The development is well considered to the north with off-sets and terraces that reduce the bulk and shadows.
(v) The development will increase the density in the area and hence revenue whilst taking advantage of the ample transport infrastructure provided.

(vi) The office space is welcomed as a distribution across the municipality and shift away from primarily being located within the CBD.

121. Due to the volume of objections received and Government restrictions related to COVID-19, a planning consultation was not held. However, the planning officer overseeing the application has been available via phone and email to residents wishing to discuss the matter further.

122. The "Sketch" plans were not re-advertised given that these simply address the advice provided by Council's Engineers in relation to the layout of the basement car park. However, the plans have been circulated to the Objectors with their invitation to this meeting via email.

Referrals

External Referrals

123. The application was referred to the following authorities:

(a) Department of Transport; and
(b) CityLink.

124. No objection to the application was received however and no request for further conditions was made. The response has been included as an attachment to this report.

Internal Referrals

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

(a) Urban Design Unit (public realm only);
(b) Engineering Unit;
(c) Strategic Transport Unit;
(d) City Works Unit;
(e) Open Space Unit; and
(f) ESD Advisor.

External Consultants

126. The application was referred to the following external consultants:

(a) Urban Design (Global South);
(b) Wind (Vipac Engineers and Scientists Ltd.);
(c) Traffic Engineers (Traffix Group); and
(d) Acoustic Consultants (SLR Consulting Pty. Ltd.).

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

OFFICER ASSESSMENT

The primary considerations for this application are as follows:

(a) Policy and Strategic justification;
(b) Land Use;
(c) Built Form – Urban Design;
(d) On-site Amenity (ESD);
(e) Off-site Amenity;
(f) Traffic, access and car parking;
(g) Waste Management/Loading;
(h) Other Matters; and

(i) Objector's concerns.

Policy and Strategic Justification

128. The proposal has strong strategic support at a State and local level. The C2Z which applies to the site is capable of accommodating greater density and higher built form, subject to individual site constraints.

129. State and local policies (such as clauses 11.02-1S and 21.04-3) encourage the concentration of development near activity centres (with the Swan Street Major Activity Centre located approximately 450m north), diversifying employment opportunities and more intense development on sites well connected to public transport.

130. Pursuant to State policy at clause 17, economic development is to be fostered by *'…providing land, facilitating decisions and resolving land use conflicts, so that each region may built on its strengths and achieve its economic potential'.* At a local level, the Municipal Strategic Statement at Clause 21.04-3 seeks to *'increase the number and diversity of local employment opportunities'.* The proposal will support economic opportunities in a highly accessible, service-rich area. The varied uses proposed will increase employment opportunities. The proposal is complementary to the surrounding area due to the site's location and is not expected to pose interface conflict issues that cannot be managed via permit conditions.

131. Council's recent SEES document, seeks to retain the zone. The proposal is a hybrid of all this aspect and to this extent will comfortably knit into this culture of variation of use within the precinct as a transition into the C2Z from the northern residential interface.

132. The C2Z has the objective of encouraging development of commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services. The office and restricted retail uses do not require a planning permit (indicating strong strategic support). The food and drinks premises (café) requires a planning permit because of its area exceeding 100sq.m. (by only 12sq.m.) that will be considered under the following heading.

133. In regard to the proposed built form, local and state policies encourage the concentration of development in and around activity centres but also intensifying development on sites that are specifically zoned to be tailored to accommodate development that is well connected to public transport and therefore ensuring the efficient use of existing infrastructure, which is also an important facet of Clause 65.

134. The application proposes the construction of an eight-storey building (plus roof plant area) in an area that has potential for an increase in development (particularly when relating this to the area of the subject site). The proposal is highly consistent with the purpose of the zone and strategic intent for this part of the area as related to the C2Z.

135. The site's proximity to public transport would encourage the use of alternative modes of transport to and from the site rather than reliance on motor vehicles (whilst it is acknowledged that the site will have a high onsite car parking provision), complying with clauses 21.03 – Vision; 18.02-2S – Public Transport; and 21.06 –Transport of the Scheme.

136. While there may be strong strategic direction as indicated in the above paragraphs for intensified development and a car parking reduction on the subject site, the built form policy and direction under clauses 22.05 – *Interface uses* and Clause 15 - *Built Environment and Heritage*, Clause 21.05 - *Built Form* and Clause 22.10 - *Built form and design policy* of the Scheme also outline that consideration must be given to the design of the building and its interfaces with the surrounding area.

137. The size of the subject site allows for a more robust development. However, more intensive growth, whilst strongly supported by policy, must respond to existing conditions and be tempered to respect the existing neighbourhood and the site's relationship with adjoining built form in terms of producing a reasonable scale and ameliorate or reduce off-site amenity impacts, in this instance the residential interface to the north that is zoned General R. These factors will be discussed in turn.

Land Use

138. The use of the site as a mixed-use building containing restricted retail, office and a food and drink premises (café) is supported by both State and Local policy, as outlined previously within the *Policy and Strategic Justification* section.

139. Additionally, the zoning of the land being C2Z includes the objective of encouraging development of commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

140. The office use, and restricted retail do not require a planning permit in the C2Z. The food and drinks premises (café) requires planning permission as detailed earlier in this report.

141. With regard to permit required aspects of the proposal related to use, it is considered to support the economic growth of the area, without competing with surrounding land uses. In fact, the food and drinks premises (café) is likely to attract people working and living in the area, and depending on the nature of the restricted retail component, may attract people from other areas which is a comparable condition to that existing so far as the restricted retail component is concerned.

142. The food and drinks premises (café) is located at the ground floor with access from Adam Street with hours of 7am to 10pm, 7 days a week. Whilst these operating hours are commensurate with sleep noise disturbance criteria managing some of the impacts pertaining to the dwellings to the immediate north of the subject site, fronting Adam and Stawell Streets of any consequent pedestrian foot traffic into the late night hours, Council's Acoustic consultant, namely SLR Consulting Pty. Ltd. indicated support for the land use with a time restriction on the outdoor areas for patrons to 7am to 6pm, Monday to Friday unless a patron noise assessment is provided. A condition will impose the time restriction on the outdoor areas

143. SLR Consulting also requested time restrictions on the outdoor terraces of the offices. However time restrictions on the terraces cannot be imposed as the terraces are associated with the office use which is as-of-right under the zone and does not require a planning permit.

144. The mixed use function of the building supports the purpose of the zone, and the objectives and strategies outlined earlier. In considering land use applications within a C2Z also requires consideration of the following matters:

    (a) The effect of existing uses on the proposed use
    (b) The drainage of the land
    (c) The availability and connection to services; and
    (d) The effect of traffic to be generated

145. With respect to drainage and services, there is no evidence that the subject site cannot connect to the existing drainage networks and services. The effect of traffic generation will be discussed later in the report. The impact on existing uses requires further discussion because land uses are residential to the north and any new development must adequately manage offsite impacts.

Clause 22.05 (Interface Uses Policy) requires new non-residential use and development within Commercial Zones to be designed to minimise noise and visual amenity impacts upon nearby, existing residential properties as well as requiring building design to ensure that the ongoing viability of surrounding industrial and commercial properties is not impacted through the introduction of more sensitive land uses.

146. Broadly speaking, the food and drinks premises (café) (being the only permit required use) supports the intent of both the PPF and LPPFs whilst being complementary to the incorporated uses that do not require a planning permit, and those already existing in the immediate area that is also comprised of offices and restricted retail. It is considered that the proposal will enhance existing uses in the area (particularly commercial) by maintaining and providing an ongoing restricted retail premises at the ground floor and a food and drink premises (café) with a more respectful primary land use being the office use. The subject site is also at the book-end of Adam Street and south of land zoned General Residential, and adjacent to a Road Zone and opposite a freeway that collectively serve to ameliorate any impact on the dwellings to the north.

Built form - Urban Design

147. In considering the design and built form of the proposed development, the most relevant aspects of the Scheme are provided at Clause 15 (Built Environment and Heritage), Clause 21.05 (Built Form) and Clause 22.10 (Built form and design policy).

148. Particular regard must be given to the acceptability of the design in terms of height and massing, street setbacks and relationship to nearby buildings, and particularly to dwellings to the north. This assessment will also consider the building design response to ESD considerations with applicable policy Clause 22.16 (Stormwater Management), Clause 22.17 (Environmentally Sustainable Development).

Context

149. The existing character of the surrounding area is predominantly one and two storeys in height with taller built forms interspersed at a more-broader spectrum. Most commercial buildings are hard edged to the street, and dwellings are generally recessive.

150. The direct interfaces to the subject site includes blank masonry walls of a two-storey commercial building to the east, and a single storey masonry on boundary wall / fence that extends across the northern boundary, with dwellings adjacent to that fronting Adam and Stawell Streets. Adam Street and Barkly Avenue are located to the west and south, respectively.

151. The subject site, together with land to the east and directly opposite the subject site, on the opposite side of Adam Street is zoned C2. The dwellings to the immediate north are single-storey and have their secluded private open spaces located within their rear setback, adjacent the subject site. It is evident that the proposal adhered to the zoning of the land through the development of the site with commercial uses which are largely as-of-right to the zone with the exception of a food and drinks premises (café) requiring a planning permit because of its floor area.

152. The proposed eight storey building would be taller than the buildings immediately interfacing the site and those in the broader area. However, this is consistent with the strategic direction provided by policy in this area and is contextually responsive as is evidenced by the assessment provided in relation to off-site amenity. Given the site's commercial zoning it is also expected that higher built form than the residential areas to the north will occur, especially if development is to achieve State and Local strategic policy of increased development and employment opportunities near activity centres and public transport as outlined earlier in this report.

While this may be the case, the site's context requires careful consideration against the built form objectives of the Scheme and the residential interface to the north (being the only sensitive interface to this site).

New development

Height, scale and massing of the development

153. It is important for any assessment of building height and neighbourhood character to balance the range of influencing factors affecting this area, including policy provisions, existing height characteristics of nearby built form and preferred future character development of the area.

154. The Scheme provides guidance to assist in determining whether the proposed height is acceptable within the site context. In relation to the PPF, building heights are best derived from specific design objectives; the aspirations for urban consolidation and issues of minimising adverse off-site amenity impacts rather than outlining arbitrary height limits, particularly for this site.

155. With regard to policy direction under the Scheme, clause 21.05 – *Urban Design* contains Objective 17: *to retain Yarra's identity as a low-rise urban form with pockets of higher development.*

156. The site has the characteristics of a strategic redevelopment site as a result of its zoning, location in excess of 100m from the Yarra River Corridor, transport options, its generous area, limited sensitive interfaces, and location at the bookend of Adam Street. As such Strategy 17.2 at Clause 21.05 will be used as a guide to assess the proposal. Strategy 17.2 provides the following in relation to strategic redevelopment sites:

    (a) *Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*

        (i) *Significant upper level setbacks*
        (ii) *Architectural design excellence*
        (iii) *Best practice environmental sustainability objectives in design and construction*
        (iv) *High quality restoration and adaptive re-use of heritage buildings*
        (v) *Positive contribution to the enhancement of the public domain*
        (vi) *Provision of affordable housing*

157. Based on the policy above, the proposed development must be able to demonstrate specific benefits to gain policy support for a height which is more than six (6) storeys.

158. It is considered that the height for the proposed building can be supported in light of the policy guidance under Strategy 17.2 with the development proposing significant upper-level setbacks to the north, architectural design excellence, best practise ESD outcomes and positive contributions to the public realm as follows:

    (a) The proposed building would provide significant upper level setbacks to the north (the only sensitive interface) ranging between 6.13m and 19.3m at the ground floor, 6.13m and 19.21m at Level 1, 10m and 16.37m at Levels 2 and 3, 12m and 16.43m at Levels 4 and 5; and 21.9m at Levels 6 and 7.
    (b) The development is considered of high architectural quality with regard to the design and built form materials and in that regard responds to the design objectives at clause 15.01-2. The contemporary design is appropriate and responds well to this part of Burnley;

(c) Council's ESD advisor has commented that the application largely meets council's best practise standards for ESD outcomes, and any deficiencies can be addressed by condition; and

(d) The design detail and overall choice of materials are supported, given the solid to void ratio, varied approach to the façade with the masonry framing element that will provide a podium of up to six stories (an element making some reference to the height referenced at Strategy 17.2) to Adam Street and Barkly Avenue with a generous display of glazing and consequent activation of the street, that will make a positive contribution to the public realm.

159. These elements will be expanded upon in the following sections of this report but indicate that the height of the proposed building is supportable at eight storeys under the policy direction at clause 21.05 of the Scheme. Whilst, it is acknowledged that the proposal would be the tallest building in the immediate surrounding area and that there is not a clear emerging redevelopment context in this location, visibility is not a reason to refuse a development. The Tribunal in Rowcliffe *Pty Ltd v Stonnington CC* [2004] VCAT 46 (29 January 2004 makes this point explicit:

[54] If mere visibility becomes the test across metropolitan Melbourne, then it will be virtually impossible to construct buildings above the prevailing scale. This, in turn, would render it impossible to achieve the clearly stated urban consolidation objectives expressed in the Planning Scheme, objectives which Clause 11 requires us "to give effect to". The Tribunal rejects the notion that, because some of the buildings would be visible above the existing built form, they are therefore unacceptable. Rather, the test is whether the proposal is complementary to the surrounding area, and of a scale that can be assimilated without unreasonably disturbing the surrounding built environment.

160. With the above in mind, the proposal creates a façade that will be six-storeys with recessive upper levels and whilst greater in height than surrounding buildings, the zoning of the land and the site's book-end location produce a context that lends itself to a more robust built form. It is considered that the design has been well considered in relation to its context, by locating the building off the northern boundary and offering generous setbacks to the residential hinterland to the immediate north.

161. Urban design advice was sought externally from Global South that was generally supportive of greater development on the site and acknowledged that that context dictates a higher-density development. However, the transitional relationship with the adjoining dwelling to the north, was deemed too abrupt and overwhelming, and a recommendation was made to increase the upper level setbacks to be more recessive and provide a more contained visual response such as that at Figure 12 below:

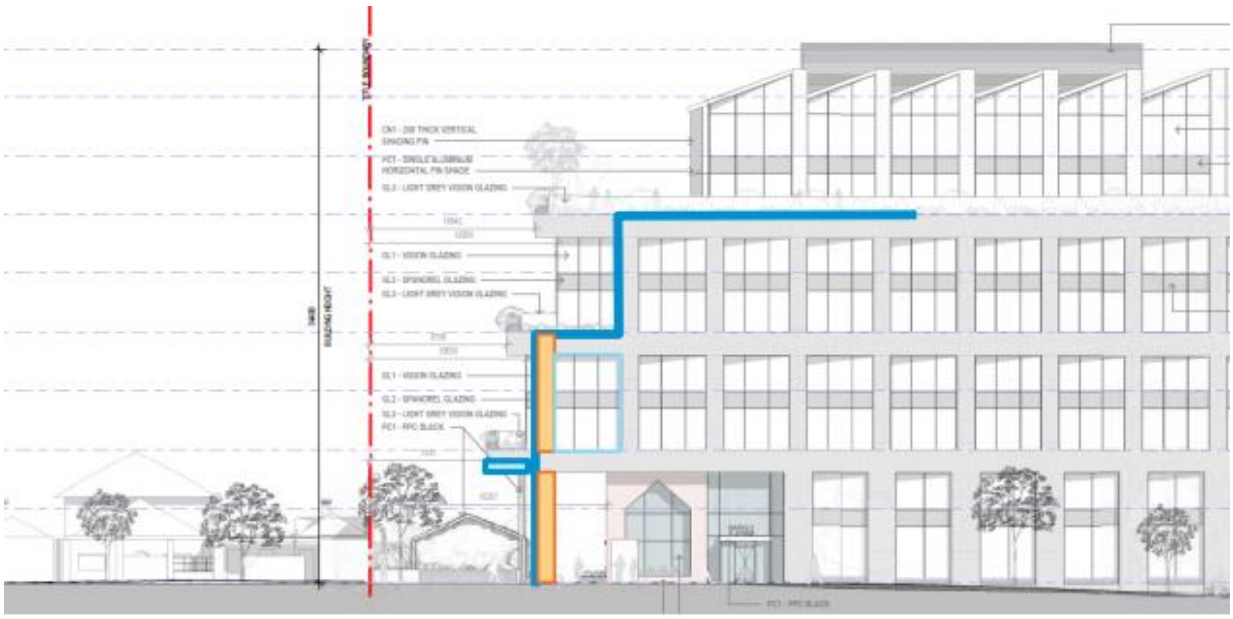
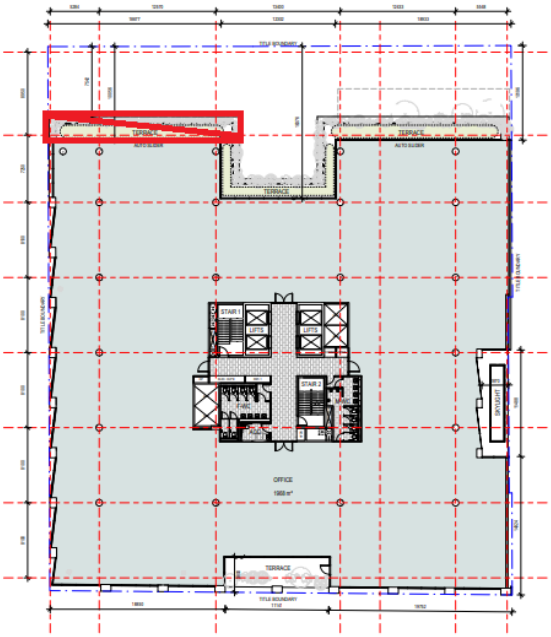


Figure 12: Excerpt from West Elevation (drawing TP250) with indication of recommended building profile to northern interface (blue outline) by Council's external Urban Designer.

162. This variation would result in an increased setback at Levels 4 and 5 (See Figure 13) in the north-west corner (also can be identified as the "western wing" of the "H" shaped layout on level 2 and 4) so that the setback of 16.4m at these levels is continuous through to Adam Street. The terrace at Level 2 for the length in the western wing of the layout would also be deleted and the portion of terrace at Level 4 in the north-west corner would also be deleted to follow the setback. Another recommendation made was the accompaniment of a lightweight and/or glazed canopy extension to the north above the Ground or Level 1 (as depicted at Figure 12) for further articulation. These elements can be addressed with conditions.

Level 2



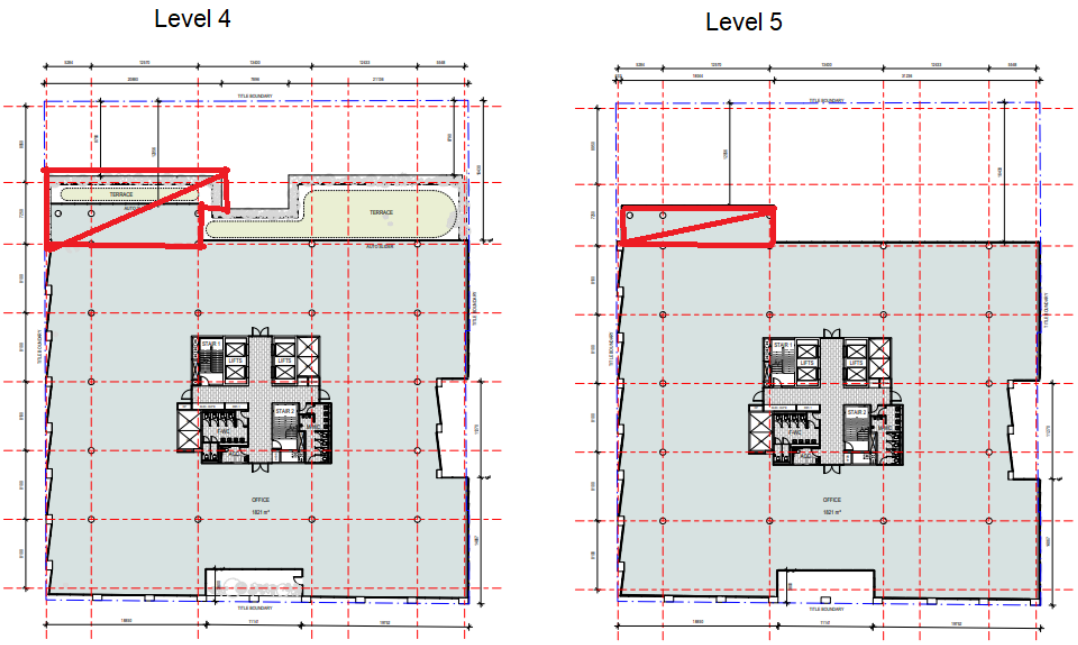


Figure 13: Areas at Levels 2, 4 ("western" wing) and 5 referred to as the required to be redesigned to meet the recommendation made by Council's external Urban Design Consultant.

163. To the west, fronting Adam Street and east, fronting Barkly Avenue, the building would be framed to give the impression of a six-storey podium which has been accepted as a positive attribute of the building by Global South. This element provides a gridded façade that reduces the development to a human scale when viewed from Adam Street and Barkly Avenue. This is considered to achieve the policy direction under clause 22.10-3.4 – *Street and Public Space Quality* of the Scheme which requires developments to provide pedestrian/human scaled designs at street level. It suffices to state that there is no reason to indicate that a six-storey, gridded podium effect is unacceptable in this particular instance.

164. Global South made some further observations and recommended that the development be further improved through a lightweight or glazed canopy over the footpath to both street frontages above the ground floor to reduce the visual scale of the frontages. This element can also be addressed by way of a condition.

165. The ground floor façade includes large expanses of glazing increasing the activation of the building at a human scale. The entrance to the pedestrian walkway to the north of the food and drinks premises will provide a clear line of sight and in this regard, the development has also responded to the policy direction under Clause 21.05-4 (Public Environment) of the Scheme. However, Global South recommended that the gates at the rear of the food and drink premises be brought to the Adam Street interface to secure the site when closed. This also aligns with Council's internal Urban Design Unit's comments in relation to the public realm and will be adopted by way of a condition.

166. The on-boundary street walls and setbacks of upper levels adopted have been supported by Global South. The adjoining site to the east will have the ability to be developed with reciprocal setback conditions (and hence associated equitable development opportunities discussed further later under its own heading). The following concluding comments were provided as relevant to the support of the scale, massing and height of the building:

(a) The proposed development at 173-177 Barkly Street represents a strategically-appropriate intensification of commercial activity in an established commercial location, but outside an activity centre, and interfacing to residential areas. It is a considered design response to the commercial/industrial context, and addresses the subject land's varied contextual conditions through built form massing and profiles, while also contributing to the public realm through enhanced, activated frontages to both streets.

(b) The design establishes a relatively high 6-storey street wall condition to the street frontages, but stepping down towards the northern residential interface, and with two upper levels set back and with a distinct, lighter expression reflecting an industrial roof form.

(c) This approach establishes an appropriately robust, grounded main building form, which holds the street edges, supported by red brickwork reflecting the local context.

(d) The northern interface to low-scale, fine-grain residential development requires an effective transition in building form and scale. While the proposal provides a setback profile, more open expression and incremental stepping-back from this interface, I consider that this part of the proposed building requires further design resolution, and increased upper-level setbacks, to support a more responsive interface and transition.

(e) Apart from this aspect and other 'detailed' design recommendation set out above, I consider the proposal to be generally supportable from an urban design perspective.

The Public Realm and Pedestrian Spaces

167. Clause 22.10-3.4 (Street and Public Space Quality) aims to ensure that ground level façade treatments interface positively with the street, by enhancing the pedestrian experience and creating attractive and active interfaces with the public domain. This can be achieved by designing development to provide a high level of pedestrian amenity and visual interest, by incorporating well-defined entries at ground level and installing glazed areas which allow permeability into the interior space.

168. The building provides an attractive and open ground level frontage with large expanses of glazing above a graduating plinth to Adam Street and a 900mm high plinth to Barkly Avenue. This outcome is supported by both external and internal urban design advice and provides an inviting space for pedestrians and building occupants, thereby achieving the objective at Clause 22.10-3.4 (Street and Public Space quality) of the Scheme, which is to '*create attractive and active interfaces with the public domain whilst maintaining a sense of public space'*.

169. Council's internal Urban Design unit made some further recommendations that can be included as conditions relating to locations of the vehicle entrance gates, provision of an external lighting strategy, with further comments made for improvements to the Adam Street kerb outstand and provision of street trees. These recommendations can be facilitated via conditions should a permit be issued. The relocation of the visitor bike hoops closest to Adam Street and to a location away from the courtyard will not be conditioned as these are considered to be located in an easily accessible area for visitors and Council's Strategic Transport Unit is supportive of the location.

170. Council's Urban Design Unit also highlighted that the footpath areas outside of the subject site's title boundary must be constructed of asphalt. This will further provide clear delineation between public and private space, as well as for ease of maintenance of underground services. On this basis, the full extent of the footpath along the property frontage to Adam Street and Barkly Avenue is to be reinstated as asphalt surface and charcoal coloured concrete kerb and channel, as per Yarra Standard Drawings and at the cost of the permit holder. If a permit is to issue, these items can be specified via a condition.

171. The locations of crossovers will provide an outcome consistent with strategies at Clause 15.01-1S (Urban design) and clause 21.06 (Transport), which aim to respectively; '*ensure the interface between the private and public realm protects and enhances personal safety* and '*minimise vehicle crossovers on street frontages'.* If a permit is issued, a condition can specify that all of the redundant crossovers will be reinstated with Council standard footpaths, kerb and channels. It is also highlighted that Barkly Avenue is managed by the Department of Transport who have not asked for any further conditions to be included with regard to road or footpath openings.

172. Overall the proposal's integration with the public realm provides a positive outcome and is supported with regard to its intended use of space and public environment. This is further enhanced by the landscaping opportunities incorporated and discussed under the heading below.

Landscaping

173. Council's Urban Design Unit has requested a monetary contribution for the provision of four new street trees along Adam Street that will be captured by way of a condition. A separate condition will also require the submission of a Tree Management Plan that details the Tree Protection Zones of existing Council Street trees outside the property's frontage.

174. The landscaping proposed (as prepared by Site Image Landscape Architects) within the development itself, across the northern boundary and within the courtyard and ground floor and within the northern setback with a framing element that would extend above the vehicle entrance (see Figure 14), and that at the upper levels, will enhance the internal amenity of the building for future occupants. This integrated landscaping will also improve the visual appearance of the building from the public realm particularly to the north and more sensitive, interface where opposite the dwellings to the north. If a permit were to issue, a condition requiring the endorsement of this material can be included noting that this will need to be updated to reflect any plans required by way of any Condition 1 requirement including comments provided by Council's Open Space Unit.



Figure 14: Excerpt from Deep Planting Section showing the landscaping treatment within the northern setback visible from Adam Street.

175. Council's Biodiversity Officer provided the following comments:

(a) Yarra's Significant Landscape Overlay [LSO1 – Yarra (Birrarung) River Corridor Environs] provides the guideline for the responsible authority to consider how proposed vegetation species match the local plant communities, in this case Volcanic Plains Bioregion Ecological Vegetation Class (EVC) is EVC 55 – Plains Grassy Woodland.

(b) Whilst the proposed planting palette includes many Australian native plants, it does not align with the Plains Grassy Woodland EVC. Evidence of how the proposed planting palette aligns with the Plains Grassy Woodland EVC should be provided, or the planting palette modified to include relevant local indigenous species.

176. The items identified can be addressed with a condition requiring amended Landscape Plans to be submitted concurrent with any amended plans requested as a consequence of other conditions detailed in earlier sections of this report.

Landmarks, Views and Vistas

177. It is policy at clause 15.01-2 (Urban design principles) of the Scheme that important landmarks, views and vistas be protected or enhanced, or where appropriate, created by new additions to the built form. The proposed development does not compete with any identified landmarks given its location and is considered to be an acceptable response to the policy direction under clause 22.03-4 (Landmarks and tall structures) of the Scheme. The proposed building would not result in the loss of any significant view lines to heritage buildings and/or landmarks. This is also compliant with a relevant decision guideline at Clause 42.03-5 of the Scheme associated with the Significant Landscape Overlay.

Consolidation of Sites and Empty Sites

178. The subject site is somewhat under-utilised and provides a purpose-built commercial building that is generally open in its floor plate and single level, but comparable to a double-storey building. The existing building will be replaced with built form that is encouraged by the policy within the Scheme, as discussed in this report, and where some hard edged development to the street is a desired outcome.

Light and Shade

179. The subject site is located in a predominantly residential area, where whilst some degree of overshadowing within the public realm is inevitable due to the hard-edged built form character along Barkly Avenue, it is critical that this not impact and cast over the Yarra River. In response to this, the permit applicant provided shadow diagrams at the Winter Solstice, being the worst-case scenario that clearly show no shadow impact over the Yarra River (see Figure 15).

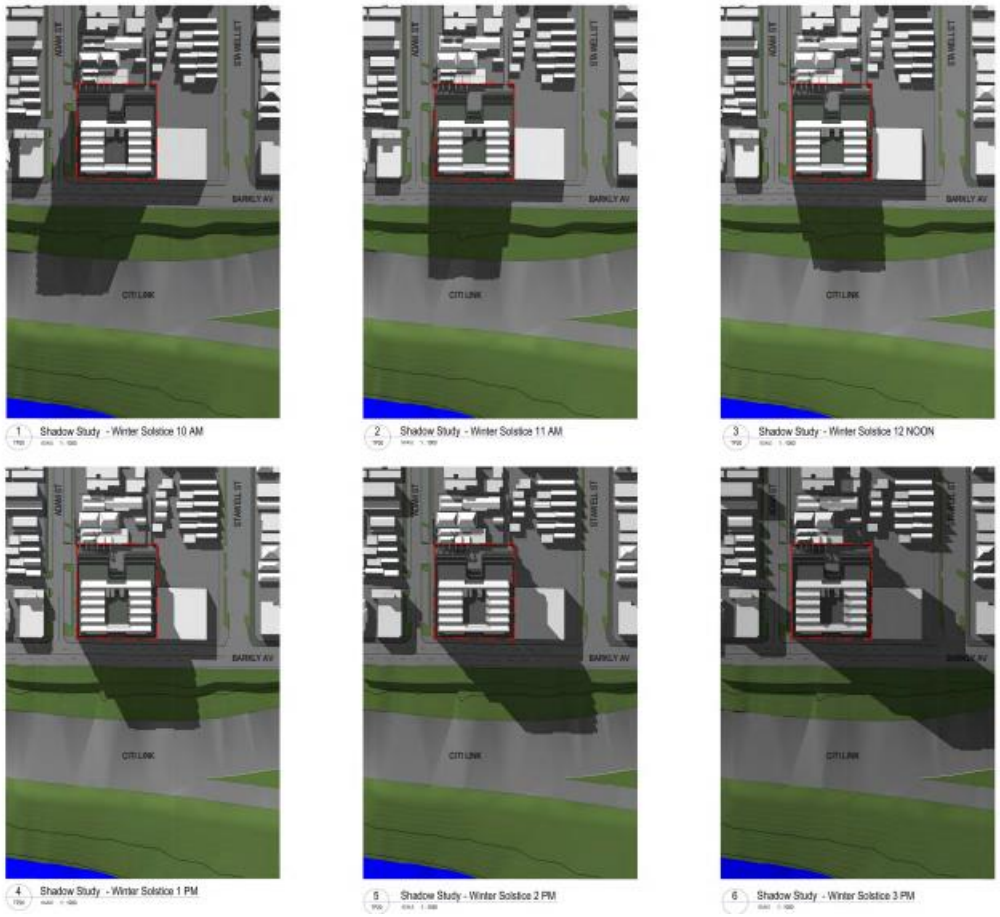


Figure 15: Shadows cast at the Winter Solstice.

180. With regard to the above and given that the shadow does not extend into the Yarra River, the shadow over the public domain (limited to Barkly Avenue and the Monash Freeway / CityLink toll road), is supported under the provisions of the Scheme, and more specifically to the relevant provision associated with the Significant Landscape Overlay. The subject site is located over 100m north of the Yarra River embankment and will not have any impact on its environment. The Adam Street footpath will be cast in shadow up until 11am which is unavoidable given the orientation of the site. Adam Street is located to the west and will continue to benefit from the western sun after 11am.

Site Coverage

181. Design objectives at Clause 22.10-3.6 aim to ensure that the site coverage of new development complements the desired neighbourhood character of the area and responds to the features of the site. The new building will extend to at least 95% (i.e. the basement) of the site. This level of site coverage is consistent with existing built form within the area and is considered to be an appropriate outcome. Site coverage is considered to be appropriate and consistent with typical commercial buildings in a broader context that accommodate predominantly hard-edged built form with little or no areas of open space or landscaping.

Laneway Interface

182. St Louis Place has the characteristics of a laneway given its narrow width and typified by the rear outbuildings and provision of fences associated with secluded private open spaces associated with dwellings fronting onto Adam and Stawell Streets. St Louis Place terminates at the northern boundary of the subject site, and given the recessive nature of the proposed building, there is no impact on St Louis Place.

The plans show a masonry wall / fence with a pedestrian entrance along the length where adjacent to St Louis Place which is consistent with the existing condition. The plans lack in detail in relation to identifying the height of the northern wall / fence and the details of the gate and further conditions can require these details.

Architectural Quality

183. The proposal provides a well-considered response that makes reference to the existing warehouse buildings including that existing on the subject site. The elevations are expressed in a robust manner but doesn't attempt to replicate a "typical" tower with fenestration. Rather the on-boundary walls will be constructed of a combination of glazing and a gridded frame element to both streets that is intended to articulate and provide shading to internal office areas. The on-boundary walls to the east will be constructed of angled precast concrete panels with the walls recessed constructed of glazing.

184. The brutalist approach can be adequately absorbed by the surrounding context because of the site's location at the end of Adam Street, and south of land zoned General Residential, including the hard-edged construction of the adjoining eastern building and those fronting onto Barkly Avenue, west of Adam Street. A section of the eastern boundary wall appears to extend beyond the title boundaries and can be addressed with a condition confining the building to the site's title boundaries at all times.

185. The distribution of finishes is supported and is considered to provide articulation worthy of support. It is also considered that overall, the building is adequately animated to each elevation by the adopted solid-to void ratio and with a fine-grained rhythm along the street frontage that will facilitate for a well resolved public environment with excellent levels of interaction and passive surveillance. The proposed architectural response speaks to its commercial use and function, and the transition to the north will be further addressed by way of condition to ameliorate and soften the building's relationship with the dwelling to the immediate north. The eastern elevation has taken a greater solid ratio in order to facilitate an equitable development opportunity tailored to the eastern site with a combination of solid walls, a light-well and setbacks adopted at the upper most levels. This is considered to be an acceptable interim solution given that the likelihood of the adjoining site being developed in the future.

186. With all of the above in mind, it is considered that the proposed development achieves a high level of architectural quality and provides an appealing aesthetic and visually interesting design response. If a planning permit is to issue, a comprehensive façade strategy can be added as a permit condition, along with the requirement for on-going architect involvement with the project to ensure this high level of quality is maintained.

187. Further reasons for policy support are as follows:

    (a) The proposed building is broken down across each elevation with varied elements as outlined in previous paragraphs, including a transitional setback response to the north that will be further improved by way of condition;
    (b) The development responds to the design objectives at Clause 15.01-2S with a contemporary design that is appropriate and responds well to this part of Burnley zoned C2;
    (c) Council's ESD advisor supports the proposal and acknowledges the positive commitments embedded into the scheme (deficiencies will be discussed in detail later in this assessment);
    (d) The design detail and overall choice of materials are supported, given the solid to void ratio and hence degree of transparency and varied juxtaposition of windows, walls across each elevation, and hence is well articulated and modulated;

(e) Landscaping has been incorporated within the northern setbacks and within the terraces, with the ground level that will provide easily identifiable entry points public courtyard for easy access into the site for patrons, customers and staff; and
(f) The development avoids car parking at street level through the provision of basement car parking (discussed further in a later heading).

On-site amenity (ESD)

Daylight and ventilation

188. The development is considered to provide a good level of amenity and indoor environmental quality. Specifically, this is achieved through good access to daylight for each level through a generous display of fenestration.

189. The development will include mechanical ventilation but Council's ESD advisor requires the plans to be updated to include operable windows. Energy efficiency initiatives have been included at Section 2.4 of the SMP authored by Wrap Engineering Pty. Ltd. and dated 26 November 2020, with the design of mechanical ventilation designed to provide additional 50% of outside air in accordance with ventilation controls. Whilst this is considered to adequately respond to this aspect and it is an agreed to position, that in office developments of this size, operable windows are not a key contributor to ventilation, a condition will encourage the permit holder to explore opportunities for operable windows.

190. The design incorporates terraces that, whilst will be reduced in size due to the increase setbacks required to be applied to the north-west corner of the building, will adequately take advantage of the northern orientation. Each floor level would be provided with service amenities accessible to staff with lifts and a stairwell. The masonry gridded framing element would also serve to shade the western side of the building because it has recessive pockets with the overhang that will provide some shade across the western elevation from the harsh afternoon sun. This has been accepted by Council's ESD advisor as an appropriate response. The northern top-most level would also have an overhanging eave that will further shade the building at this level.

Circulation Spaces

191. The entrances from Adam Street, provide primary access to the building and more specifically to the lobby area associated with the office component that has lifts, stairs servicing the upper levels, and service amenities associated with the building. The main entrances are provided with adequate sightlines from Adam Street so people can see both in and out when entering or leaving. The circulation spaces in their configuration, afford an excellent level of amenity to future building occupants that have seen back-of-house services (i.e. entrance to the loading bay, bin store, substation, fire hydrant and sprinkler rooms and fire booster to name a few) provided in the south-east corner where facing Barkly Avenue and adjacent to the commercial building to the east. This arrangement of services is supported.

192. Council's Urban Design consultant raised a query around the access and security arrangements for the site (as previously discussed) in order of mitigating any risk associated with an unsafe environment that may be created by the location of the sliding gate to the courtyard outside of operating hours. A condition will require this to be relocated to Adam Street.

Further concerns were raised with regard to the lack of clarity around vehicle access gate location to the basement car park and lack of a lighting strategy that will also be addressed with conditions.

Facilities

193. Adequate facilities in terms of service amenities are provided at each level for all occupants of the building. Bicycle parking and end-of-trip facilities are also incorporated into the scheme. Outdoor areas in the northern setback have also been provided and will further enhance the on-site amenity and staff enjoyment of the building.

Environmentally Sustainable Design (ESD)

194. 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. Council's ESD Advisor has acknowledged the commitments embedded into the scheme and has identified the following deficiencies with regard to the SMP authored by Wrap Engineering Pty. Ltd. and dated 26 November 2020:

Application ESD Deficiencies:

(a) *Given that organic waste makes up to 40% of general waste, and the office component is expected to generate 8,712-L of general waste per week, there is a need to extend organic waste management to the office component. Revise strategy and amend WMP accordingly*.
(b) While all valuable initiatives, we recommend reducing reliance on the following credits for the 5-star rating. Ultra-low VOC paints, Financial transparency, and Grounds keeping practices from the GS pathway and focus on other credits such as 25.1 Heat Island Effect Reduction as mentioned above.

Outstanding Information:

(a) Clarify provision of outdoor air to office spaces on all levels, and consider the inclusion of operable windows throughout (particularly onto vegetated levels) to reduce reliance on mechanical systems.
(b) Clarify VLT. The SMP mentions '>50%' and 'at least 45%'.
(c) As above, clarify and consider provision of operable windows for natural ventilation.
(d) Provide a preliminary JV3 report to support energy claim – and note rooftop plans to include solar absorptance specifications.
(e) Include details of energy reductions in preliminary JV3 report.
(f) Include details of GHG emission reductions in preliminary JV3 report.
(g) Include details of HWS in preliminary JV3 report.
(h) Include details of solar PV generation and demand reduction, and reinstate credit if the proposal performs accordingly.
(i) Clarify HVAC system design and include details in preliminary JV3 report.
(j) Confirm PV system size, and include generation details in preliminary JV3 report.
(k) Prior to construction, confirm the project value adhering to the recycling target, and clarify % of recycled materials proposed.
(l) Amend GTP to include reference to provision of EV charging infrastructure.
(m) Provide a statement as to how the development responds to, and mitigates urban heat. Consider alternatives to the exposed masonry (i.e. brick) ground floor component there is risk of heat gain which may require additional response (i.e. climbing vegetation along the façade). In addition, identify SRI values of external materials.

195. Council's ESD Advisor also recommended that further information be provided relating to glazing and insulation specifications, ventilation with operable windows (as discussed and where possible), calculations and daylight modelling, energy use of solar PV, PVC content by weight or cost, strategy around organic waste (captured as a deficiency), and readily shown AV charging points for vehicles with further ESD improvement opportunities specified as follows:

(a) *Consider an approach to concrete that reduces Portland cement content via recycled aggregates or Ground-granulated blast-furnace slag (GGBFS).*
(b) *Consider a small pallet of materials and construction techniques that can assist in disassembly.*
(c) *Consider partnering with a car-share provider to locate a pod outside or within the site for convenience to staff.*
(d) *Satisfactory, however consider pre-wiring additional spaces for EV charging to future proof the development.*
(e) *Consider a green roof or wall to improve the ecological value of this site.*

196. The items identified can be addressed with a condition requiring an amended SMP to be submitted concurrent with any amended plans requested as a consequence of other conditions detailed in earlier sections of this report.

197. The standard condition which requires an implementation report to confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan will also be included.

198. Further, it must also be acknowledged that the redevelopment of the site is located in an existing built-up area and will make efficient use of existing infrastructure and services. The proximity of the subject site to public transport modes would also reduce reliance on use of private vehicles with further discussion on this under a separate heading.

Wind impacts

199. A qualitative wind assessment titled “Environmental Wind Speed measurements on a Wind Tunnel Model of the 173 Barkly Avenue Development, Burnley” was prepared and authored by MEL Consultants dated February 2020 was undertaken as part of the proposal. The report analysed the wind impacts at a total of 43 locations comprised of streetscapes, building entrances and terraces. The report concluded that the building has been shown to pass the standing criterion as a whole with the terraces again, passing the same criterion and even better. The only recommendation of this report related to the Level 6 terrace that requires a 2m high balustrade to pass the standing criterion. This element will be conditioned to be shown on the northern elevation.

200. The report was peer reviewed by VIPAC Engineers and Scientists Pty. Ltd. consultants who responded with comments in support of the findings and were comfortable with the wind mitigation measures incorporated subject to further analysis to verify a siting criterion being the more appropriate measure for the seating areas north of the food and drinks premises (café). Their advice has been attached to this report and as both are highly reputable firms, Council can be comfortable that both recommendations can be conditioned if a permit were to issue.

Off-site amenity

201. The policy framework for external amenity considerations is contained within Clauses 22.10-3.8 – (Off-site amenity) and 22.05 (Interface uses policy*)*. Clause 22.10-3.8 (Off-Site Amenity) outlines objectives and decision guidelines for considering whether a development has adequate regard to the site’s context and surrounding pattern of development. Following is an assessment of the development against the potential off-site amenity impacts.

202. The subject site is zoned Commercial 2, as are the properties on the immediate opposite side of Adam Street to the west and that to the immediate east. Sites to the north are zoned General Residential, containing dwellings fronting Adam and Stawell Streets. As such, the most sensitive interfaces are the dwellings to the north that also have their associated areas of secluded private open space located to their east and west sides, and within 9m of the subject site.

Whilst this is the case, the appropriateness of amenity impacts (i.e. noise, visual bulk, overlooking and overshadowing) to the northern dwellings need to be considered within their strategic context, with the subject site zoned Commercial 2. This issue is further discussed within the Tribunal matter of *Calodoukas v Moreland CC* [2012] VCAT 180:

> *[13] …owners of residential properties next to a business or industrial zone cannot realistically expect the same level of residential amenity as someone residing in the middle of a purely residential area. Similarly, owners of commercial or industrial sites abutting residential properties cannot expect the same opportunities as owners of sites well removed from residential areas.*

203. With the above in mind the following assessment is provided:

Visual bulk and overlooking

204. With the west, south and east and interfaces being to commercial buildings and to the street, which are largely built to boundaries, the development would not be subject to unreasonable visual bulk impacts, particularly when considering the site area, location at the bookend of Adam Street, with Barkly Avenue to the south. Additionally, the site would not result in unreasonable overlooking. The proposed development includes offices at its upper levels where there are secluded areas of private open space to the north and therefore overlooking is a relevant consideration.

205. Acknowledging the above, a condition will require a plan notation confirming that the Level 1 terrace in the north east is non-trafficable and that the Level 2 terrace is screened to a height of 1.7m above the floor level if located within 9m of the northern boundary (as it is uncertain given the distance and location of the planter box along the northern perimeter of the terrace) as relevant.

Overshadowing

206. As discussed earlier in the report, the proposed development would increase the shadow impact into the public domain to the west and south. The secluded area of private open space to the north are protected by their sheer location and orientation and will not be impacted by the shadows cast.

Noise

207. In respect to amenity impacts, Clause 22.05 (Interface Uses Policy) of the Scheme seeks to ensure that new non-residential uses do not unreasonably impact dwellings including through noise, light spill, emissions and rubbish. The closest purpose-built dwellings are located to the immediate north, facing Adam and Stawell Street.

208. In attempting to address the noise volumes produced as a consequence of the proposal, the permit applicant provided an acoustic report prepared and authored by Cogent Acoustics and dated 22 September 2020. The report was peer reviewed by SLR Consulting Pty. Ltd. The following comments were provided that in summary (extracted from p.6 of their review):

> *(a) SLR have carried out a review of the acoustic report prepared to address noise to and from the commercial development proposed for 173-177 Barkly Street, Burnley. The report demonstrates that there are no acoustic reasons preventing the project from proceeding. However, a number of matters are not fully addressed in the current report and will require attention in the future:*
>
> > *(i) An indicative traffic noise assessment has been provided using data obtained from a different site. Cogent propose to update the assessment with appropriate noise data once road traffic has normalised following the COVID-19 lockdowns.*

SLR agrees that a reassessment is appropriate. We recommend that traffic measurements are made closer to the subject development, at an elevated location with a line of sight to the freeway.

(ii) Background noise levels for the determination of noise limits have not been measured. It is recommended that background noise levels in the residential area are measured post lockdown, to ensure that the identified environmental noise limits are correct. This could be undertaken during the detailed design phase of the project as part of the detailed mechanical plant review (see below).

(iii) A detailed assessment of noise from mechanical plant is proposed to be undertaken during the detailed design phase of the project. SLR agrees that an assessment is necessary for a development of this size in such close proximity to dwellings. Noise from the carpark entrance gate should also be designed to comply with both Publication 1826 and sleep disturbance criteria.

(iv) An assessment of music noise assessment from the café is recommended if music is not restricted to background levels indoors only, during the day/evening period. The following matters are not addressed in the report, and could be managed via condition:

a. Use of the café outdoor area by patrons should be restricted to 7 am to 6 pm Monday to Friday unless a patron noise assessment is provided.

b. Use of the north facing office terraces should be restricted to 7 am to 6 pm Monday to Friday unless an acoustic report is prepared demonstrating that noise impacts are acceptable.

(v) The updated report should reference the current environmental noise legislation.

209. Based on the above, a condition can require an amended acoustic report to address all of the above matters relating to a further review of traffic noise, background and mechanical noise volumes post COVID-19 lockdown (which is being implemented at the time of writing), including a requirement for the car park entrance to comply with the relevant publication and sleep disturbance criteria. A further condition will require that music associated with the food and drinks premise (café) is limited to background music internally, with hours in the outdoor café area and terraces capped at the times specified by SLR Consulting Pty. Ltd.

210. A condition will also require compliance of at all times with the noise limits specified in the Environment Protection Regulations under the EnvironmentProtection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) as may be amended from time to time.

Fumes and air emissions, light spillage

211. All uses will be conducted indoors (with the exception of the outdoor terraces and service provided to the outdoor customers of the food and drinks premises (cafe). The proposal is not considered to result in unreasonable air emissions, and light spill will be addressed with a condition requiring a public lighting plan. The public lighting plan will be required to address light spillage within the curtilage of the property, including the northern interface where opposite land zoned general residential.

Equitable Development

212. To ensure the fair, orderly, economic and sustainable development of land, matters of equitable development should be considered in accordance with the objectives of planning in Victoria as set out in Section 4(1) of the *Planning and Environment Act 1987*. The objectives of Clause 21.05-2 of the Scheme include a requirement for development to take into account the opportunities for development on adjoining land (Strategy 20.2).

213. New development should ensure that areas can develop with an equitable access to outlook and sunlight, while the possible future development of adjoining sites should be considered and allow, as best as possible, for an equitable spread of development potential throughout an area.

214. In this respect, the proposed design utilises Adam Street and Barkly Avenue for primary outlooks and connection points through the development, and has included significant and generous setbacks to the north (acknowledging the residential interface) at the upper levels that will also provide primary outlooks over adjoining sites and beyond. These setbacks will be further increased as per the recommendation discussed earlier in the report.

215. To the east, the proposed development accommodates hard-edged on-boundary walls up to Level 5 with a light-court in the centre and setbacks ranging between 3.24m and 3.84m at Levels 6 and 7. If the adjoining site to the east (which is of similar size in area to the subject site with similar constraints and development potential) were to be developed, this would be able to replicate the condition and construct up against these walls at the lower levels. As such, the development potential of this site is not compromised with a share of equitable development opportunities to daylight, and northern solar access given the orientation and sizes of these lots.

Traffic, access and car parking

216. The applicant is seeking a statutory parking reduction of 159 car parking spaces, with 213 on-site car parking spaces proposed. Council Officers raised concerns with the on-site parking provision as this is in excess of other typical office developments approved in inner city areas. To support the reduction in the statutory rate, a Traffic and Transport assessment was undertaken by Impact Traffic Engineering Pty. Ltd. and dated 27th November 2020, with parking availability in the neighbourhood also reviewed.

Parking Availability

217. On-street parking in this part of Burnley is high during business hours with the surrounding area blanketed in time-based parking restrictions, with few pockets of unrestricted parking. Council's engineers have indicated that the high parking demand in the surrounding streets would be a disincentive for employees to drive.

218. It is an agreed position that the surrounding area has ample transport contextually supporting a development of this scale in the inner city. Hence, the initial response by Council Officers has always been one that encouraged a reduced onsite parking provision. The availability of alternative transport methods will be discussed in turn, noting that Council's Engineers and the Traffix Group engaged to provide further advice on car parking, have provided comments in support of the onsite car parking provision. Their comments have informed the position put to Council.

Parking Demand

219. In support of the reduced car parking on-site, examples of existing uses within the City of Yarra with reduced on-site car parking rates (primarily offices) were provided by Councils Traffic Engineers. Details of these development sites provided as follows:

Development Site	Approved Office Parking Rate
506 and 507-510 Church Street, Cremorne PLN17/0278 issued 11 January 2018	1.09 spaces per 100 m^2
198 – 242 Burnley Street, Richmond PLN17/0370 issued 06 June 2018	1.51 spaces per 100 m^2

2 – 16 Northumberland Street, Collingwood PLN16/0435 issued 14 June 2017	0.89 spaces per 100 m^2

220. Council's Traffic Engineers provided the following comments in relation to the office use and food and drinks premises (café) with car parking provision and a permit requirement (noting that the restricted retail component would be similar in its operations as per the existing condition):

Parking Demand Consideration	Details
Parking Demand for the Office Use	On-site office parking would be provided at a rate of 1.60 spaces per 100 square metres of floor area. Office developments throughout the municipality have been approved by Council with reduced rates. A few examples include: ▪ 506 & 508-510 Church Street, Cremorne – 1.09 spaces/100 m^2 ▪ 198-242 Burnley Street, Richmond – 1.51 spaces/100 m^2 ▪ 2-16 Northumberland Street, Collingwood – 0.89 spaces/100m^2 The proposed office parking rate of 1.60 spaces per 100 square metres of floor area is considered appropriate as the site has good access to public transport and seeks to encourage more sustainable forms of transport.
Parking Demand for the Food and Drink Use	To assess the car parking demand of the retail use, a staff parking rate of 1.0 space per 100 square metres of floor area could be adopted. This would equate to a staff parking demand of one space. Both customer parking (short-stay) and staff parking (long-stay) would be generated off-site.

221. Specifically in relation to the particular benefits of the site location with regard to the reduced rate of on-site car parking, Council's Traffic Engineers have indicated that:

(a) There is ample public transport, with trams located on Swan Street and the Burnley Railway Station approximately 450m and 350m to the north and north-west of the site, respectively, and within walking distance.
(b) 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 a high turnover of parking on the street and use of alternative modes such as cycling; and
(c) 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.

222. The above comments have been further supported by a peer review authored by the Traffix Group and dated 15th September 2021, who were engaged for a second opinion on matters relating to the onsite parking provision. Their advice is an attachment to this report. The following comments are extracted from that advice that summarise their position:

(a) We are satisfied that the proposal has not neglected other transport options to provide additional car parking.

(b) Some of the other approved office developments cited in Table 2 are located closer to public transport stops, have access to more public transport services or are more readily walkable from nearby residential areas. This site is a little more isolated by the Yarra River and not located in the 'heart' of a large Activity Centre.
(c) This site has less challenges in terms of traffic congestion compared to Cremorne. While located near a congested freeway interchange, it does mean that trips from further afield are not extending substantially into arterial or local roads within the City of Yarra.
(d) In our opinion, the car parking rate proposed strikes a reasonable balance between the key objectives of encouraging sustainable transport and the transport context of the subject site. Accordingly, the level of car parking proposed is generally supported.

Traffic

223. Whilst noting the above, Council's Engineering Services Unit, raised concerns with the base traffic conditions for peak hour traffic volumes into and out of Adam Street from Barkly Avenue in the permit applicant's traffic report that were based on assumptions rather than actual surveyed traffic data due to the COVID19 lockdown. In order to provide a more reliable and accurate analysis of the intersection, Council's Engineering Services Unit requested the applicant to conduct peak hour turning movement counts for the base traffic conditions (amongst other matters relating to the location of columns and gradients of ramps within the basement car park to ensure vehicle safety).

224. In an effort to address this matter, the permit applicant submitted a written response authored by Impact Traffic Engineering Pty. Ltd. and dated 21 October 2021 (accompanying the "Sketch" plans) that stated:

(a) Our ability to undertake credible and representative traffic volumes studies has been affected by the ongoing lock down restrictions.
(b) Notwithstanding, we are confident that the volumes adopted in our assessment are robust and are expected to represent an overestimate of volumes at this intersection.
(c) We note that in determining the estimated volumes, we sourced SCAT Data at Barkly Avenue / City Link Toll Road Intersection. These flows were adopted as baseline through volumes, with no discounts applied for existing turning movements.
(d) We have then allowed an additional 100 trips to / from Barkly Ave. At this volume level the intersection performs at a level ranked 'Excellent', with minimal queues and delays during both peak periods. Whilst we are satisfied that the above volumes provide a robust basis to inform decision making, we have undertaken a sensitivity analysis, and doubled the trips that arrive / depart from Barkley Ave, i.e. 200 trips to / from Barkly Avenue. The outcome of this assessment is comparable.
(e) The intersection continues to operate at conditions rated as 'good', with motorists on Adam Street experiencing manageable average delays (50 seconds) and queues (34 metres). We are satisfied that the proposed development will not adversely impact on the performance of the Adam Street/Barkly Avenue intersection.

225. Based on the above, the permit applicant's traffic engineer applied a more conservative approach to qualify the traffic movements during the lockdown period. The written response together with the "Sketch" plans was reviewed by Council's Engineering Services Unit who provided the following comments in response to this matter:

(a) The Engineering Referral team has reviewed the traffic impact assessment made by Impact Traffic Engineering and acknowledges that the traffic volumes adopted are considered appropriate. We also acknowledge that the COVID-19 pandemic has impacted on the ability to undertake counts and obtain representative data. Impact Traffic Engineering have obtained volumes from SCAT data of Barkly Avenue/City Link Toll Road intersection as well as add 100 trips to the Barkly Avenue approach.

(b) The results of the SIDRA analysis, based on the data adopted and on the traffic generated by the proposal, indicates that the Barkly Avenue/Adam Street intersection will operate satisfactorily under post development conditions.

(c) In light of the above, we are satisfied with the traffic impact assessment made by Impact Traffic Engineering.

Access and layout

226. 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.

227. These details, along with the proposed ramp designs as per the original application drawings were reviewed by Council's Engineering Services Unit who were satisfied with the layout of the car parking area. Council's Engineering Services Unit provided additional comments in relation to the "Sketch" plans indicating that "*in instances where full compliance with Diagram 1 Clearance to car parking spaces of Clause 52.06-9 or the Australian/New Zealand Standard AS/NZS 2890.1:2004 cannot be practically achieved with respect to column positions, it is considered acceptable to designate the affected parking spaces as Small Car Spaces. The practice of designating non-compliant spaces as Small Car Spaces has been applied to and adopted by many larger scale developments across the municipality. In this case, some 8% of spaces are affected – a small proportion of spaces. It should be noted that designating spaces as Small Car Spaces is used to assist motorists and is not regulatory (i.e. – enforced)".*

228. A condition can be adopted requiring the non-compliant car spaces (i.e. Basement 1 – Bays 7, 8, 57, 59, 60 and 62, Basement 2 – Bays 71, 72, 125, 127, 128 and 130 and Basement 3 – Bays 200, 202, 203, 204 and 205) to be adapted as small car spaces, with all other matters outstanding also addressed (i.e. sight triangle at the ground floor and head room clearances clearly shown, including ramp grades, and ground clearances of the two new vehicle crossings).

229. Several engineering conditions regarding the vehicle crossing, civil works, road asset protection, and construction management, impacts of assets on the proposed development, reinstatement of redundant vehicle crossings and modification to car parking signage have also been recommended. These conditions are considered standard and can also be included on any permit issued. It will also form a condition of permit that the plans be updated to show the reinstatement of curbs where existing vehicle crossovers are being made redundant and reconfigured.

230. Other matters relating to the rationalisation of the kerb outstands and provision of trees, including further review of the angled street parking on Adam Street including stormwater discharge and footpath reconstruction can also be addressed with conditions.

231. It was also identified that at the south end of St Louis Place (a north-south aligned laneway) there is an existing sewer vent located close the northern boundary of the site that could potentially be problematic for occupants/employees of the upper levels of the new building. Council's Engineers have recommended that the developer liaise with the relevant water authority regarding the sewer vent and its proximity to development as if active, the fumes may be problematic for the upper levels of the development. This can be addressed as a note to the permit holder.

232. Council's Engineers also sought details relating to the purpose of the pedestrian entrance to St Louis Place, however this is an existing condition and for Councils Officer's its not a question of purpose but rather a requirement for extra detail to be shown on the plans for clarity ad for endorsement purposes.

233. 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.

Electric vehicles

234. The ESD commitments include provision of electric vehicle charging points provided to at least 5% of all parking spaces in the development with further opportunity for future upgrades available. Council's ESD advisor expressed support for this arrangement and requested additional spaces to be pre-wired as an improvement opportunity, and the Green Travel Plan updated to include reference to the EV charging infrastructure. These elements can also be addressed with conditions.

Bicycle parking

235. The application was referred to Council's Strategic Transport Unit, who was supportive of the bicycle parking provision as it exceeds the requirements of the Scheme. In addition to this, the development also exceeds Council's best practice rate recommendation of 120 employee spaces. The following comments were provided in relation to the location and design of employee bike parking:

(a) *All employee spaces are provided within a secure facility at the ground floor, with access via courtyard and entry at Adam Street.*
(b) *Dimensions of bicycle spaces are not shown on the plans; however, the layout appears to be in accordance with clearance and access requirements of AS2890.3.*
(c) *24 bicycle spaces are provided as horizontal spaces, which satisfies the AS2890.3 requirement for at least 20% of employee bicycle storage spaces to be provided as horizontal at ground-level spaces.*
(d) *11 shower / change rooms and 166 lockers are provided for employees within an end of trip facilities area adjacent to the bicycle parking area, which meets Council's best practice recommendation.*

236. Council's Strategic Transport Unit made reference to the EV charging points that have already been referenced as an ESD commitment and can be further conditioned into the drawings. A recommendation made relating to wayfinding signage directing visitors to the visitor bicycle parking at the ground floor that can be addressed with a condition. It is noted that the 166 lockers referenced is incorrect and should be 132.

Green Travel Plan (GTP)

237. A Green Travel Plan was provided and peer reviewed by Council's Strategic Transport Unit who indicated that this is adequate and can be endorsed without further change. However, Council's ESD Advisor has indicated that this be modified to include details relating to the EV charging infrastructure. As such, a condition can require an amended GTP to include this detail.

Waste Management and Loading

238. A Waste Management Plan (WMP) was submitted by the Applicant in association with the original application plans advertised. This was reviewed by Council's City Works Branch, who indicated that it was not satisfactory and required this to be amended to address the following:

(a) In order to assess whether enough space has been allocated to form an effective waste system please include the total footprint of the bins allocated and the space available in the bin storage room in M^2
(b) How will hard waste be managed?

(c) How will e-waste be managed?
(d) Food waste diversion should be included for the entire complex.
(e) Due to changes in waste services announced by the State Government in 2020, the site must consider how the fourth waste stream will be managed in the future (Glass separation).
(f) Please detail the bin store plan showing path of access, hard waste and e-waste area etc;
(g) Please provide more detail on the collection process and include relevant Risk assessments.
(h) All diagrams pertaining to the management of waste should be included in the WMP including the swept path diagram.

239. The above items can be addressed with a condition requiring the submission of an amended WMP.

240. It is highlighted that the development will rely on a private waste contractor with waste collection undertaken from within the building at the ground level via the loading bay that has a separate entrance to Barkly Avenue. Council's Engineer has recommended that the vehicle crossing to Barkly Avenue is widened to a minimum 4.5m and will be addressed with a condition.

Other Matters

241. The plans, on closer review, show walls that extend beyond the title boundaries, particularly those to the east. A condition will require the development to be confined to the site's title boundaries with no encroachment beyond the title boundaries.

Objector concerns.

(a) Built form and design:

(i) Height and mass of the development is inconsistent with the neighbourhood character and policy and should be reduced to either "six", "four" "three" or "two" stories.
(ii) The height is at odds with the height in the maximum height permitted in the General Residential Zone, and at Schedule 17 of the Design and Development Overlay.
(iii) The development is an overdevelopment of the site and will impact the skyline.
(iv) Inadequate upper level setbacks to ameliorate visual bulk.
(v) The proposal does not support the Significant Landscape Overlay over the Yarra River corridor.
(vi) Development is at odds with the lower scale heritage and residential areas, including Council's heritage policy and "cultural significance" of the site.
(vii) The proposal does not result in an acceptable ESD response.

242. Built form and massing (including height and design) is discussed within paragraphs 147 to 163. The design subject to conditions detailed within the body of the assessment will achieve, on balance, an acceptable planning outcome on land zoned Commercial 2. The site is not subject to heritage controls and the building is considered to have adopted adequate setbacks particularly to the northern residential interface, that will provide an appropriate and reasonable built form outcome. The transition will be further improved with additional setbacks that have been discussed at paragraphs 161 to 166. The development will add another building to the skyline of Burnley but will not impact any view of any identified landmark at Clause 22.03-4 of the Scheme.
To the contrary, the development provides a good ESD response that will be further improved with the conditions detailed earlier. This position is informed by Council's ESD advisor's advice.

(b) Use and Off-site amenity impacts:

(i) Unacceptable visual bulk.
(ii) Overshadowing of the public realm and surrounding residences.
(iii) Overlooking / loss of privacy.
(iv) Noise impacts and air pollution.
(v) Light spill on surrounding properties.
(vi) Wind impacts.

243. Off-site amenity impacts to neighbouring residential properties in terms of overlooking, noise and overshadowing have been addressed at paragraphs 201 to 210. Light spill has been discussed at 211 and will be further addressed with a condition. Wind impacts have also been discussed at paragraphs 199 to 200.

(b) Traffic and Car parking:

(i) The on-site car parking provision will cause traffic congestion and is excessive.
(ii) Reliance on traffic through surrounding streets.
(iii) Increased pressure on on-street car parking.
(iv) Safety issues as a result of the location of the driveway and addition of “400 extra car movements in Burnley per day”.
(v) The reduction in the car parking requirement should not be supported.
(vi) Disruption to the surrounding area outside of typical work hours as a result of deliveries and trucks.

244. Traffic and car parking has been addressed at paragraphs 216 to 234.

(c) Other:

(i) Surrounding infrastructure cannot support the development and will require an upgrade (i.e. crossing to the bicycle path from Gibdon Street, provision of further facilities in the Golden Square Bicentennial Park to name a few).
(ii) Property damage to surrounding properties during construction.
(iii) The construction of the basement car park will impact the water table.
(iv) Disruption to traffic during construction.
(v) Emissions from site during construction.
(vi) Contrary to the Permit applicant’s assertion in the town planning report, Barkly Avenue is not used for car parking.
(vii) Result in an impact on the health and well-being of residents.
(viii) Litter with particular regard to an influx of cigarette butts on the street.
(ix) The development is proposed above basalt clay.
(x) The demographic of the area is principally made up of “families”.
(xi) Potential conversion of the food and drink premises into a “bar”.
(xii) The development will create a precedence.
(xiii) The development would devalue the area.

245. The development is considered to be well sited in terms of its location with readily available resources and services and within proximity to the Melbourne CBD.

246. Conditions will require Construction Management Plan addressing matters of construction and excavation (including and not limited to any damage to surrounding properties). Comments have been provided by the Department of Transport in association with CityLink and no geotechnical concerns have been raised with the excavation (i.e. with regard to the water table, and basalt clay surface of the site).

It is also acknowledged that Barkly Avenue does not provided on-street parking during the day and the site does not specifically rely on this. Councils Engineering Unit has not indicated that the development would overload existing infrastructure services.

247. It is unlawful to throw litter on the street and is a policing matter. The "family" demographic of the area can continue to be sustained through the existing conditions. Changes to the café would be subject to further planning permission and hence further review, and whilst precedence is not a planning consideration, every application is considered on its merits. In this instance the substantially large site combined with its zone, that is capable of offering the transition and setbacks (further improved with conditions) to the northern residential interface justifies the adopted building height. Devaluation of properties is not a planning consideration.

Conclusion

248. 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.

249. The proposed development, subject to the conditions recommended, is an acceptable planning outcome that demonstrates clear compliance with the relevant Council policies and should therefore be supported.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Development Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN20/0868 for the development of the land with a multi - storey building; use as a food and drink premises; alterations to access to a Road Zone (Category 1) and a reduction in the car parking requirement of the Yarra Planning Scheme at 173 – 177 Barkly Avenue, Burnley subject to the following conditions:

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 received by Council on 28th April 2021 and prepared by Gray Puksand and labelled TP00, TP001, TP003, TP004, TP005, TP006, TP008, TP009, TP011, TP012, TP013, TP014, TP015, TP016, TP017, TP018, TP019, TP020, TP110, TP111, TP200, TP209, TP210, TP211, TP212, TP213, TP214, TP215, TP216, TP217, TP218, TP219, TP220, TP250, TP251, TP260, TP262, TP263, TP280, TP300 and TP301 but modified to show:

   Built Form

   (a) The changes shown to the basement levels as per the "Without Prejudice Sketch Plans" received by Council on 26th October 2021 with regard to the location of columns.
   (b) The terrace in the north-west corner at Level 2 deleted.
   (c) The terrace in the north-west corner of Level 4 to be deleted and the Level 4 and 5 walls to be set back a minimum distance of 16.4m from the northern boundary.
   (d) A plan notation confirming Level 1 planted area is non-trafficable.

(e) Level 2 terrace screened to a height of 1.7m above the finished floor level and 25% transparency (minimum) if any of its trafficable area is located within 9m of the seclude private open spaces of dwellings to the north.
(f) A fully dimensioned northern elevation of the on-boundary wall to the north with any opening into the subject site from St Louis Place clearly depicted.
(g) The provision of wayfinding signage directing visitors to the visitor bicycle parking at the ground floor.
(h) Provision of a lightweight or glazed canopy over the footpath to both street frontages above the ground floor.
(i) The gates at the rear of the food and drinks premises (café) brought forward and closer to Adam Street to avoid the creation of a deep alcove.
(j) The ground floor plan updated to clearly show the vehicle access gate associated with the basement car park.
(k) The headroom clearance within the car park levels are to be dimensioned on the drawings.
(l) The ground floor plan to include all sightlines between vehicles and pedestrian access points to the basement car park.
(m) The depth and setback of columns within the carpark dimensioned on the drawings.
(n) The ramp grades, changes of grades, and length of each grade section within the car park levels are to be shown on the diagrams, including all vehicle crossing ground clearances.
(o) A plan notation confirming that any service cabinet door opening onto a Public Highway must swing 180-degrees and be latched to the building when opened.
(p) Small car spaces to be identified.

<u>Reports and Plans</u>

(q) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (condition 3) (where relevant to show on plans).
(r) Any requirement of the endorsed Acoustic Report (condition 5) (where relevant to show on plans).
(s) Any requirement of the endorsed Landscape Plan (condition 7) (where relevant to show on plans).
(t) Any requirement of the endorsed Tree Management Plan (condition 9) (where relevant to show on plans).
(u) Any requirement of the endorsed Sustainable Management Plan (condition 11) (where relevant to show on plans).
(v) Any requirement of the endorsed Wind Assessment Report (condition 14) (where relevant to show on plans).
(w) Any requirement of the endorsed Green Travel Plan (condition 16) (where relevant to show on plans).
(x) Any requirement of the endorsed Waste Management Plan (condition 19) (where relevant to show on plans).
(y) Any requirement of the endorsed Public Lighting Plan (condition 22) (where relevant to show on plans).
(z) Any requirement of the endorsed Car Park Management Plan (condition 25) (where relevant to show on plans).
(aa) Any requirement of the endorsed Public Realm Plans / Road Infrastructure (condition 32) (where relevant to show on plans).

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Façade Strategy and Materials and Finishes Plan

3. 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 or 1:50 illustrating typical podium and tower details, entries and doors;
    (b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form; and
    (c) A materials schedule coloured drawings and renders outlining colours, materials (including glare and reflectivity levels from glazing at lower and upper levels at both close and long range spectrums to the natural environs) and finishes and graffiti proofing of walls to the street, including doors, perforations and upper levels (where necessary).

Ongoing architect involvement

4. As part of the ongoing progress and development of the site, Gray Puksand 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.

Amended Acoustic Report Required

5. 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 Cogent Acoustics and dated 22 September 2020, but modified to include (or show, or address):

    (a) Traffic measurements closer to the subject development, at an elevated location with a line of sight to the freeway.
    (b) Background noise levels in the residential area to ensure that the identified environmental noise limits are correct.
    (c) A detailed assessment of all noise from mechanical plant, including the carpark entrance.

    The acoustic report must make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority.

Ongoing Acoustic Report Requirement

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

Landscape Plan

7. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must be generally in accordance with that prepared by Site Image Landscape Architects and dated November 2020 and modified to:

    (a) Show the type, location, quantity, height at maturity and botanical names of all proposed plants whilst addressing:

        (i) Yarra's Significant Landscape Overlay [LSO1 – Yarra (Birrarung) River Corridor Environs] and how proposed vegetation species match the local plant communities, in this case Volcanic Plains Bioregion Ecological Vegetation Class (EVC) is EVC 55 – Plains Grassy Woodland.
        (ii) How the proposed planting palette aligns with the Plains Grassy Woodland EVC should be provided, or the planting palette modified to include relevant local indigenous species.

    (b) Provide information on all planter beds, including the depths and widths, as well as information on soil media, drainage and irrigation.
    (c) Provide a specification of works to be undertaken prior to planting.
    (d) Confirm the mulch used on higher levels is a wind tolerant material.
    (e) Include maintenance schedules and requirements.

    to the satisfaction of the Responsible Authority.

Ongoing Landscape Plan Requirement

8. Before the buildings 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.

Tree Management Plan

9. In conjunction with the submission of development plans under Condition 1, 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 street trees along Adam Street and Barkly Avenue with regard to the protection of these trees during:

        (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.

Ongoing Tree Management Plan Requirement

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

Amended Sustainable Management Plan

11. In conjunction with the submission of development plans under Condition 1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wrap Engineering Pty. Ltd. and dated 26 November 2020 but modified to include or show:

    (a) Assess the proposal as amended pursuant to Condition 1.
    (b) The extension of organic waste management to the office component.
    (c) Operable windows where these can facilitate for improved natural ventilation and provision of breeze paths identified to demonstrate this and a reduced reliance on mechanical systems.
    (d) Clarify VLT. The SMP mentions '>50%' and 'at least 45%'.
    (e) A preliminary JV3 report to support energy claim and include details relating to energy reductions, HWS, and solar PV generation, with a further note on the rooftop plans to include solar absorptance specifications.
    (f) Clarify HVAC system design and include details in preliminary JV3 report.
    (g) Confirm PV system size, and include generation details in preliminary JV3 report.
    (h) Clarification of % of recycled materials proposed.
    (i) A written statement as to how the development responds to and mitigates urban heat with SRI values of external materials included.
    (j) Consideration of an approach to concrete that reduces Portland cement content via recycled aggregates or Ground-granulated blast-furnace slag (GGBFS).
    (k) Consideration of a small pallet of materials and construction techniques that can assist in disassembly.
    (l) Consideration of partnering with a car-share provider to locate a pod outside or within the site for convenience to staff.
    (m) Consideration of pre-wiring additional spaces for EV charging to future proof the development.
    (n) Consideration of a green roof or wall to further improve the ecological value of this site.

Prior to occupation Sustainable Management Plan Requirement

12. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.

Ongoing Sustainable Management Plan Requirement

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

Amended Wind Impact Assessment Required

14. In conjunction with the submission of development plans under Condition 1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the "Environmental Wind Speed measurements on a Wind Tunnel Model of the 173 Barkly Avenue Development, Burnley" prepared and authored by MEL Consultants dated February 2020, but modified to:

    (a) Assess the proposal as amended pursuant to Condition 1.
    (b) The Level 6 terrace balustrade extended to a minimum 2m height above the floor level.
    (c) Further analysis to verify the application of a sitting criterion for the seating areas north of the food and drinks premises (café) and the courtyard area.

Ongoing Wind Assessment Requirement

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

Amended Green Travel Plan

16. In conjunction with the submission of development plans under Condition 1, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Impact Traffic Engineering Pty. Ltd, but modified to reference:

    (a) The proposal as amended pursuant to Condition 1.
    (b) EV charging infrastructure.

17. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Ongoing Green Travel Plan Requirement

18. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

19. In conjunction with the submission of development plans under Condition 1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by COVA Thinking Pty. Ltd. and dated 11 September 2020 (Revision 33), but modified to include:

(a) Reference to the proposal as amended pursuant to Condition 1.
(b) Include the total footprint of the bins allocated and the space available in the bin storage room in square metres.
(c) Details and management of hard waste and e-waste.
(d) Details of food waste diversion for the entire complex.
(e) Details of the management of a waste stream dedicated to glass.
(f) The bin store plan showing path of access, hard waste and e-waste area etc.
(g) Detail all collection processes and include relevant Risk assessments.
(h) Diagrams pertaining to the management of waste including the swept path diagram.

20. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Ongoing Waste Management Plan Requirement

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

Public Lighting Plan Required

22. Before the development commences, a Public Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along Adam Street and Barkly Avenue, including the northern, residential interface. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for (as relevant):

    (a) A lighting scheme designed for both public highway and new open public area/road/open space within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1.
    (b) The control of light spillage into the windows of existing residences to comply with the requirements of AS 4282 – 2019," Control of the obtrusive effects of outdoor lighting".
    (c) The locations of any new light poles so as not to obstruct access into private garages/off and on street parking places.
    (d) A maintenance regime for the lighting scheme within the curtilage of the property.
    (e) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.

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

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

    to the satisfaction of the Responsible Authority.

Ongoing Public Lighting Plan Requirement

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

Car Park Management Plan Required

25. Before the use commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

    (a) the number and location of car parking spaces allocated to the office use (if any);
    (b) any tandem parking spaces allocated to a single tenancy;
    (c) the number and location of car spaces for shared use, including time of shared use;
    (d) details of way-finding, cleaning and security of end of trip bicycle facilities;
    (e) policing arrangements and formal agreements;
    (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
    (g) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 19; and
    (h) details regarding the management of loading and unloading of goods and materials.

Ongoing Car Park Management Plan Requirement

26. 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.

Land Use Conditions - Food and drinks premises (cafe).

27. Except with the prior written consent of the Responsible Authority, the food and drinks premises (café) authorised by this permit may only operate between the hours of 7am to 10pm, 7 days a week.

28. Except with the prior written consent of the Responsible Authority, the outdoor areas for patrons of the food and drinks premises (café) authorised by this permit may only operate between the hours of 7am to 6pm, 7 days a week.

29. The provision of music on the land must be at a background noise level.

30. Speakers external to the building must not be erected or used.

31. 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.

Public Realm Plan(s) / Works / Road Infrastructure / Street trees

32. Prior to the occupation of the building or by such later date as is approved by the Responsible Authority, a Public Realm Works plan prepared 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 then form part of the permit. The Public Realm Works plan must show the works associated with:

    (a) All pedestrian, vehicle and bicycle footpaths, crossings, roads, drainage, infrastructure works and connections and associated landscaping (external to buildings).
    (b) Include all paving materials with footpath areas outside and for the length of the subject site constructed of asphalt, surface grading and drainage and all existing/proposed fixtures such as paving, trees and the improvements to the Adam Street kerb outstand.

(c) The kerb outstand to the north of the vehicle entrance to Adam Street redesigned to not extend into the adjacent property's street frontage and to maximise on-street car parking.

33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the works shown on the endorsed Public Realm Plan must be carried out and completed to the satisfaction of the Responsible Authority.

34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services, the footpaths along the property's Adam Street and Barkly Avenue (service road) frontages must be reconstructed (including kerb and channel):

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

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the full width road pavement of the Adam Street and Barkly Avenue outside the property's frontage must be profiled and re-sheeted:

(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 must be reinstated:

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

37. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or 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.

38. 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

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 development commences, the permit holder must make a one-off contribution of $4,148 to the Responsible Authority to be used for four new street tree plantings that are required as a result of the development.

General

41. 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.

42. Except with the prior written consent of the Responsible Authority, 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.

43. The use/development must comply at all times with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).

44. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

45. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

46. Before the 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.

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

48. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Developer Contribution Plan

49. Prior to the commencement of the development:

    (a) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan; or
    (b) the Owner must enter into an agreement with Yarra City Council to pay the amount of the Development Infrastructure within a time specified in the agreement.

Construction Management Plan

50. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

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

(b) works necessary to protect road and other infrastructure;
(c) remediation of any damage to road and other infrastructure;
(d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
(e) facilities for vehicle washing, which must be located on the land;
(f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
(g) site security;
(h) management of any environmental hazards including, but not limited to,:
    (i) contaminated soil;
    (ii) materials and waste;
    (iii) dust;
    (iv) stormwater contamination from run-off and wash-waters;
    (v) sediment from the land on roads;
    (vi) washing of concrete trucks and other vehicles and machinery; and
    (vii) spillage from refuelling cranes and other vehicles and machinery;
(i) the construction program;
(j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
(k) parking facilities for construction workers;
(l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
(m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
(n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
(o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
(p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.
    In preparing the Noise and Vibration Management Plan, consideration must be given to:
    (i) using lower noise work practice and equipment;
    (ii) the suitability of the land for the use of an electric crane;
    (iii) silencing all mechanical plant by the best practical means using current technology;
    (iv) fitting pneumatic tools with an effective silencer;
    (v) other relevant considerations; and
(q) any site-specific requirements.

During the construction:

(r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
(s) 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;
(t) vehicle borne material must not accumulate on the roads abutting the land;
(u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Ongoing Construction Management Plan Requirement

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

Cultural Heritage

52. In the event that the site is identified as an Aboriginal Heritage Site during the construction phase, the mitigation strategy as detailed within the *Significant Ground Disturbance,* authored by Dr Tim Stone (Geomorphologist and Heritage Advisor) and dated September 2020 at page 17 must be undertaken.

Construction Times

53. 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; or
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time expiry

54. This permit will expire if:

    (a) the development is not commenced within two years of the date of this permit;
    (b) the development is not completed within four years of the date of this permit; and
    (c) the food and drink premises (café) is not commenced within five years from 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.

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 business (whether as owners, lessees/tenants, occupiers / staff) within the development approved under this permit, will not be permitted to obtain, business 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.

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.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

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.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website: http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs

Attachments

1 PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1

2 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 2

3 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3

4 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Shadow Studies

5 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

6 PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan

7 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic Assessment Report

8 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Waste Management Plan

9 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Wind Impact Assessment

10 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Landscape Plans

11 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Green Travel Plan

12 PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

13 PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Offer provided by Permit Applicant

14 PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic impact statement relating to without prejudice sketch plans in response to Council's Engineer's advice / comments.

15 PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Sketch plans

16 PLN20 0868 - 173 - 177 Barkly Avenue Burnley - Engineering comments on Applicant's Response (i.e. without prejudcie sketch plans) to Traffic Engineering items.

Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1

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Sheet List - Town Planning	
Sheet Number	Sheet Name
TP00	COVER SHEET
TP001	ARCHITECTURAL STATEMENT
TP002	SITE ANALYSIS
TP003	SITE SURROUNDINGS
TP004	PHOTOS - BARKLY AVE
TP005	PHOTOS - ADAM ST
TP006	LOCATION PLAN
TP007	SITE PHOTOS
TP008	URBAN RESPONSE
TP009	MATERIALITY
TP011	ARTISTS IMPRESSIONS
TP012	ARTISTS IMPRESSIONS
TP013	ARTISTS IMPRESSIONS
TP014	ARTISTS IMPRESSIONS
TP015	ARTISTS IMPRESSIONS
TP016	ARTISTS IMPRESSIONS
TP017	ARTISTS IMPRESSIONS
TP018	ARTISTS IMPRESSIONS
TP019	ARTISTS IMPRESSIONS
TP020	ARTISTS IMPRESSIONS
TP010	SITE SURVEY
TP011	DEMOLITION PLAN
TP050	PROPOSED SITE PLAN
TP089	BASEMENT 3 PLAN
TP010	BASEMENT 2 PLAN
TP011	BASEMENT 1 PLAN
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TP013	LEVEL 1
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TP017	LEVEL 5
TP018	LEVEL 6
TP019	LEVEL 7
TP020	ROOF LEVEL
TP050	NORTH & WEST ELEVATIONS
TP051	SOUTH & EAST ELEVATIONS
TP060	SECTION 1
TP062	DEEP PLANTING SECTION
TP063	EOT ENTRANCE ELEVATION
TP080	EXTERNAL MATERIALS
TP080	SHADOW STUDIES - WINTER (9am-12pm)
TP081	SHADOW STUDIES - SUMMER (1pm-3pm)



DEVELOPMENT SUMARY

	GFA	NLA	COURTYARD / TERRACES	COMMON AREAS	CAR SPACES	BIKE SPACES	MOTOR BIKE SPACES
BASEMENT 3	2,725m²				75		6
BASEMENT 2	2,725m²				70		5
BASEMENT 1	2,751m²				66 + 2 (ACCESSIBLE)		7
GROUND	2,296m²			233m²		160	
GROUND - FOOD & BEVERAGE		98m²	286m²				
GROUND - RESTRICTED RETAIL		746m²					
LEVEL 1 - OFFICE	2,289m²	1,825m²		66m²			
LEVEL 2 - OFFICE	2,444m²	1,959m²	128m²	66m²			
LEVEL 3 - OFFICE	2,276m²	1,965m²		66m²			
LEVEL 4 - OFFICE	2,426m²	1,811m²	262m²	66m²			
LEVEL 5 - OFFICE	2,120m²	1,811m²		66m²			
LEVEL 6 - OFFICE	2,157m²	1,157m²	711m²	66m²			
LEVEL 7 - OFFICE	1,416m²	1,153m²		66m²			
TOTAL	25,625m²	12,529m²	1,387m²	695m²	213	160	18

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REV	DESCRIPTION	DATE

PROJECT NO 118266
DRAWN Author
CHECKED Checker
APPROVED Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

COVER SHEET

DWG # TP00 REV

Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1

ARCHITECTURAL STATEMENT

A Commercial Campus inspired by the transformation of the workplace and its evolution from the industrial past through technological present to wellbeing future:

MUSCLE - BRAIN – HEART

The ground plane of the campus is organised as a neighbourhood with paths and courtyards that connect the streets with the different habitants of this development. It promotes an engaging interface between internal and external, private and public spaces.

The buildings are grounded, with materiality and scale establishing a direct dialogue with the surrounding urban morphology. Building mass is pushed away from the northern side of the site allowing the communal ground plain to be bathed in sunlight. This also increases the quality of visual amenity to the northern neighbouring homes and retains the privacy to their open spaces.

The one- and two-story volumes that define the communal courtyard retain the rhythm that forms the character of the residential streets as it transitions to the commercial language of Barkley Avenue.

- The entrance to the carpark is a volume defined by a pergola-like structure to be read as a garage/car port rather than a ramp to a basement.

- A two-storey construction made by reusing existing red bricks is to house food and beverage/coworking spaces promotes social engagement of the building's tenants and wider community;

- In the north-eastern corner of the courtyard a shed like construction reusing the existing red brick houses the End Of Trip and Well being facilities with direct connection to the courtyard; The use of recycled bricks is proposed for the unique smaller structures as well as hardscaping, including seats and planter boxes.

The application of this brick in a new development is intended to contribute to a visual connection to the site's history, and provide a textural and tactile presence to those who use these spaces.
The main commercial spaces reside within a single building whose mass is broken up in scale and language to address the multiple interfaces it interacts with - the pedestrian, the transient and the skyline. The regular, structural language of an industrial building is kept on the street frontage.

At ground levels where it engages with the pedestrian, the façade is set back with columns appearing deep and grounded. Here the space between columns is infilled with planters and seats to soften and provide amenity to pedestrians using this path.

On the intermediate levels, the grid is kept in line with the ground levels, with the building reading as a singular cohesive volume. As it turns into the northern façade it softens with a curvilinear form and landscaped balconies.

Recessive from the main form, but not hidden, the top floors create a volume that engages with the upcoming new skyline that is starting to appear in nearby Church Street. The concrete and glass volumes play on the simple, saw tooth roofed factories and warehouses that have lived in this part of Melbourne.

The proposed development incorporates shifts in scale and language that are contextual responses to a site that sits in great proximity to the Victorian grid and scale of single dwellings, whilst celebrating Richmond's adaptive character to the changes it has undergone through time as a suburb that gets closer and closer to the Central Business District of Melbourne.



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REV	DESCRIPTION	DATE

PROJECT NO 118256
DRAWN Author
CHECKED Checker
APPROVED Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

ARCHITECTURAL STATEMENT

DWG # TP001 REV

SCALE @ A1

Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1

SITE ANALYSIS - MOVEMENT



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REV	DESCRIPTION	DATE

PROJECT NO 118266
DRAWN Author
CHECKED Checker
APPROVED Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

SITE ANALYSIS

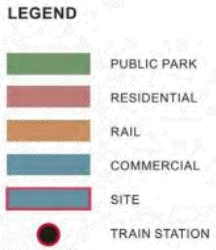
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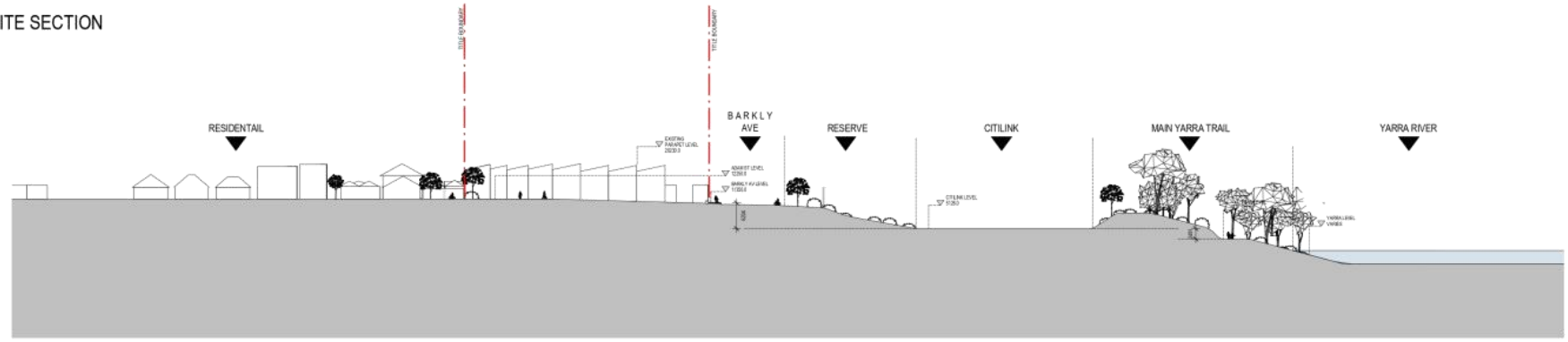
Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1

SITE SURROUNDINGS





SITE SECTION



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173-182 Barkly Avenue, Burnley VIC

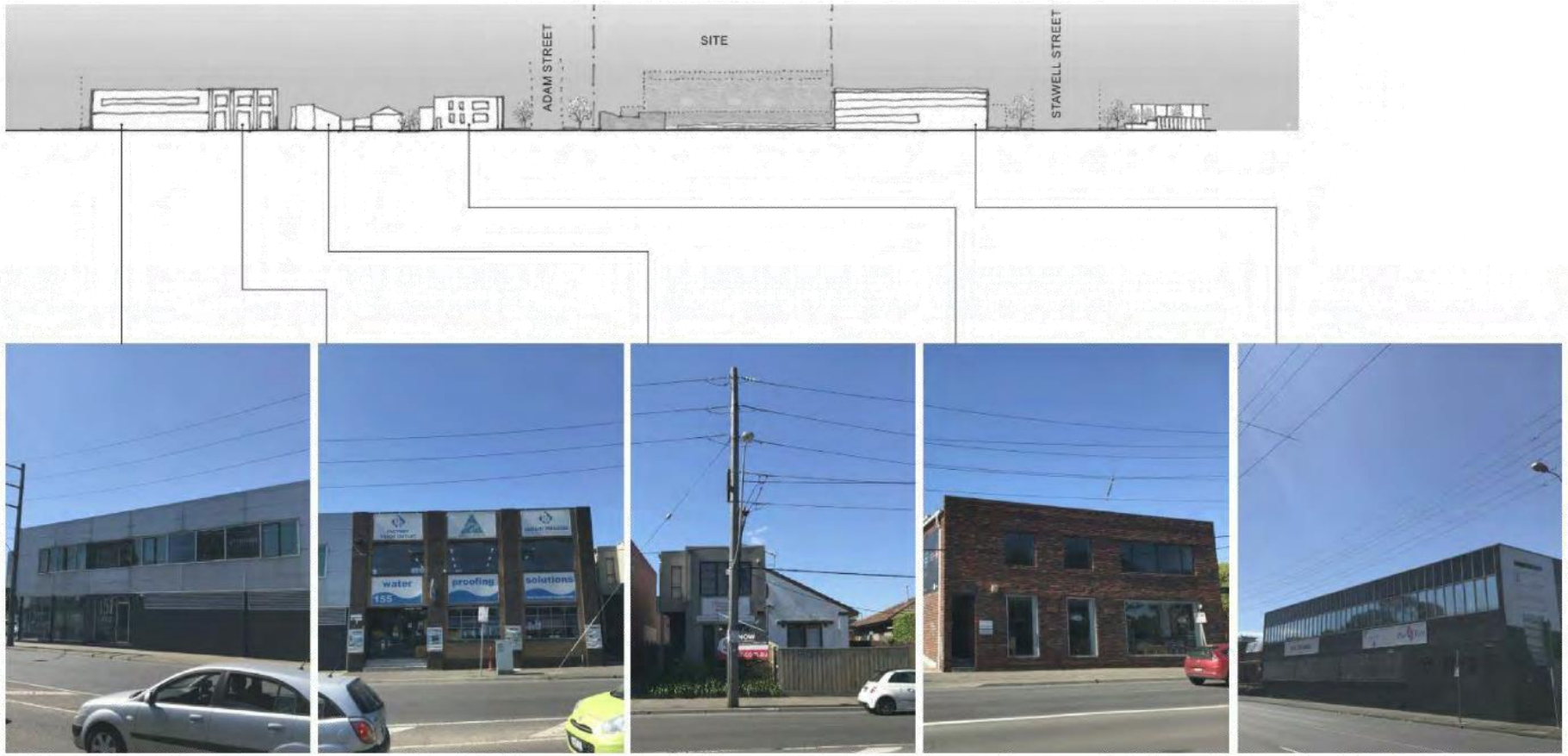
SITE SURROUNDINGS

DWG # TP003 REV

SCALE @ A1 1 : 500

Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1

SITE PHOTOS - BARKLY AVENUE



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PROJECT NO	118266
DRAWN	Author
CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

PHOTOS - BARKLY AV.

DWG # TP004 REV

SCALE @ A1

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SITE PHOTOS - ADAM



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PHOTOS - ADAM ST

DWG # TP005 REV

SCALE @ A1

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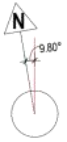


1 SITE LOCATION
31 SCALE 1 : 1000

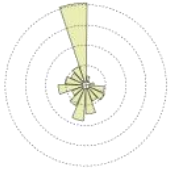


2 SITE LOCATION ENLARGED AREA
31 SCALE 1 : 500

PROJECT NORTH



WIND ROSE



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CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

LOCATION PLAN

DWG # TP006 REV

SCALE @ A1 As indicated

Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1



1



3



2



4

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REV	DESCRIPTION	DATE

PROJECT NO	118266
DRAWN	Author
CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

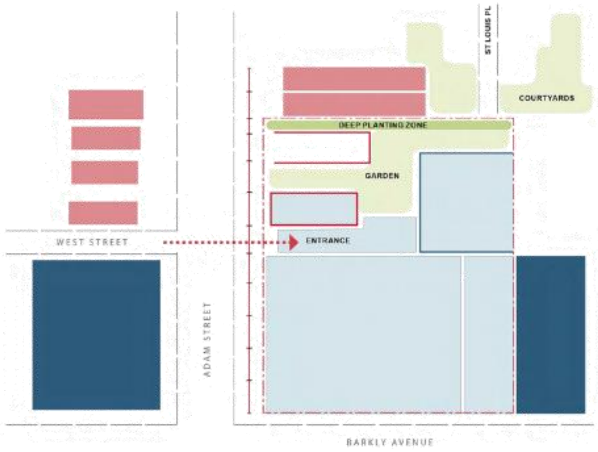
173-182 Barkly Avenue, Burnley VIC

SITE PHOTOS

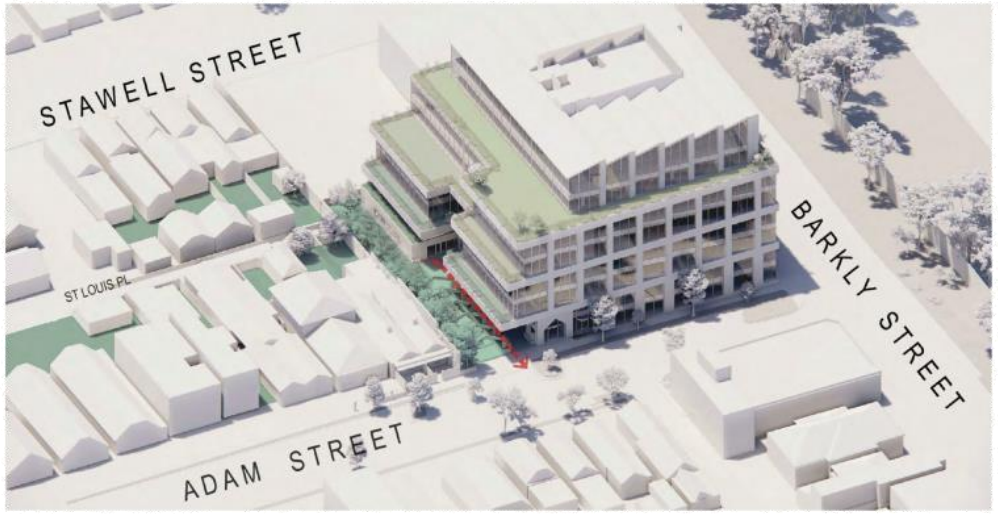
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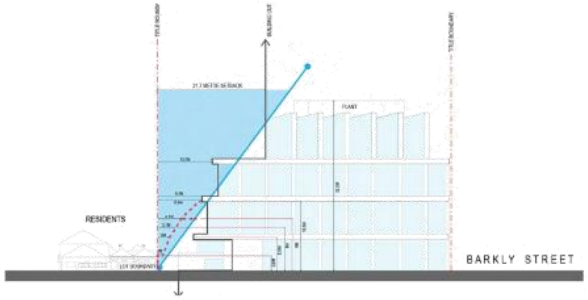
Attachment 1 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley Decision Plans Part 1



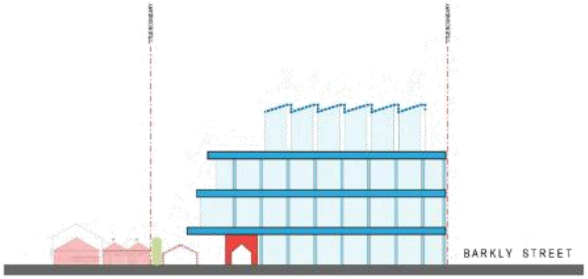
ARTICULATE BUILDING ELEMENTS TO SUBDIVISION GRAIN



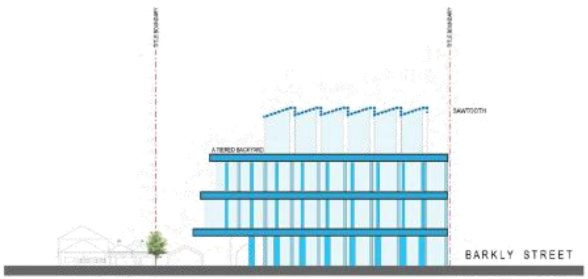
GREEN CORRIDOR – A TERRACED BACKYARD



RESIDENTIAL INTERFACE



STREETSCAPE



NEW COMMERCIAL SKYLINE – REFERENCE INDUSTRIAL PAST

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REV DESCRIPTION DATE

PROJECT NO 118266
DRAWN Author
CHECKED Checker
APPROVED Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

URBAN RESPONCE

DWG # TP008 REV

SCALE @ A1

Attachment 2 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 2



NEW BRICK



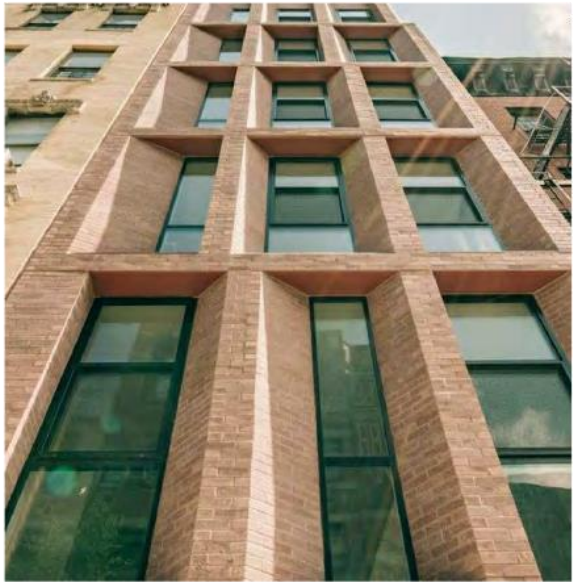
RECYCLED BRICK



CONCRETE



GLASS







PRECEDENT IMAGES

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173-182 Barkly Avenue, Burnley VIC

MATERIALITY

DWG # TP009 REV

SCALE @ A1

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CORNER OF ADAM STREET AND BARKLY AVENUE (DUSK)

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173-182 Barkly Avenue, Burnley VIC

ARTISTS IMPRESSIONS

DWG # TP011 REV

SCALE @ A1

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VIEW SOUTH FROM ADAM STREET

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APPROVED Approver

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173-182 Barkly Avenue, Burnley VIC

ARTISTS IMPRESSIONS

DWG # TP012 REV

SCALE @ A1

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SOUTHERN ELEVATION)

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173-182 Barkly Avenue, Burnley VIC

ARTISTS IMPRESSIONS

DWG # TP013 REV

SCALE @ A1

Attachment 2 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 2



VIEW FROM 180 STAWELL ST BACK YARD



VIEW FROM ST. LOUIS PL LANEWAY

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ARTISTS IMPRESSIONS

DWG # TP014 REV

SCALE @ A1

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173-182 Barkly Avenue, Burnley VIC

ARTISTS IMPRESSIONS

DWG # TP015 REV

SCALE @ A1

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ENTRANCE TO COURTYARD

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173-182 Barkly Avenue, Burnley VIC

ARTISTS IMPRESSIONS

DWG # TP016 REV

SCALE @ A1

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COURTYARD VIEW TO LOBBY AND CAFÉ

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173-182 Barkly Avenue, Burnley VIC

ARTISTS IMPRESSIONS

DWG # TP017 REV

SCALE @ A1

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COURTYARD VIEW TO LOBBY AND END OF TRIP

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ARTISTS IMPRESSIONS

DWG # TP018 REV

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BARKLEY STREET PHOTO MONTAGE

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ARTISTS IMPRESSIONS

DWG # TP019 REV

SCALE @ A1

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ARTISTS IMPRESSIONS

DWG # TP020 REV

SCALE @ A1

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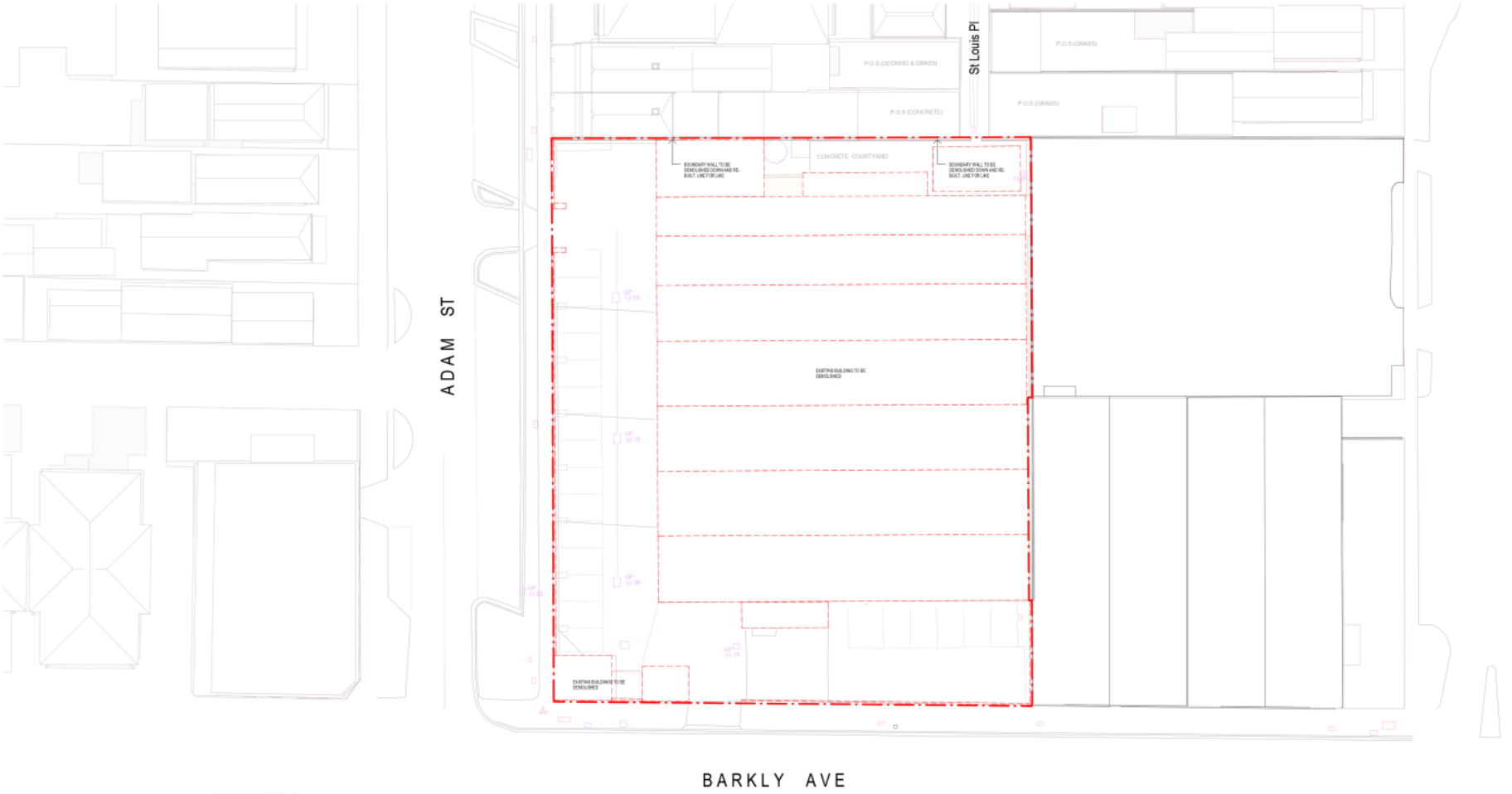
173-182 Barkly Avenue, Burnley VIC

SITE SURVEY

DWG # TP110 REV

SCALE @ A1 1 : 200

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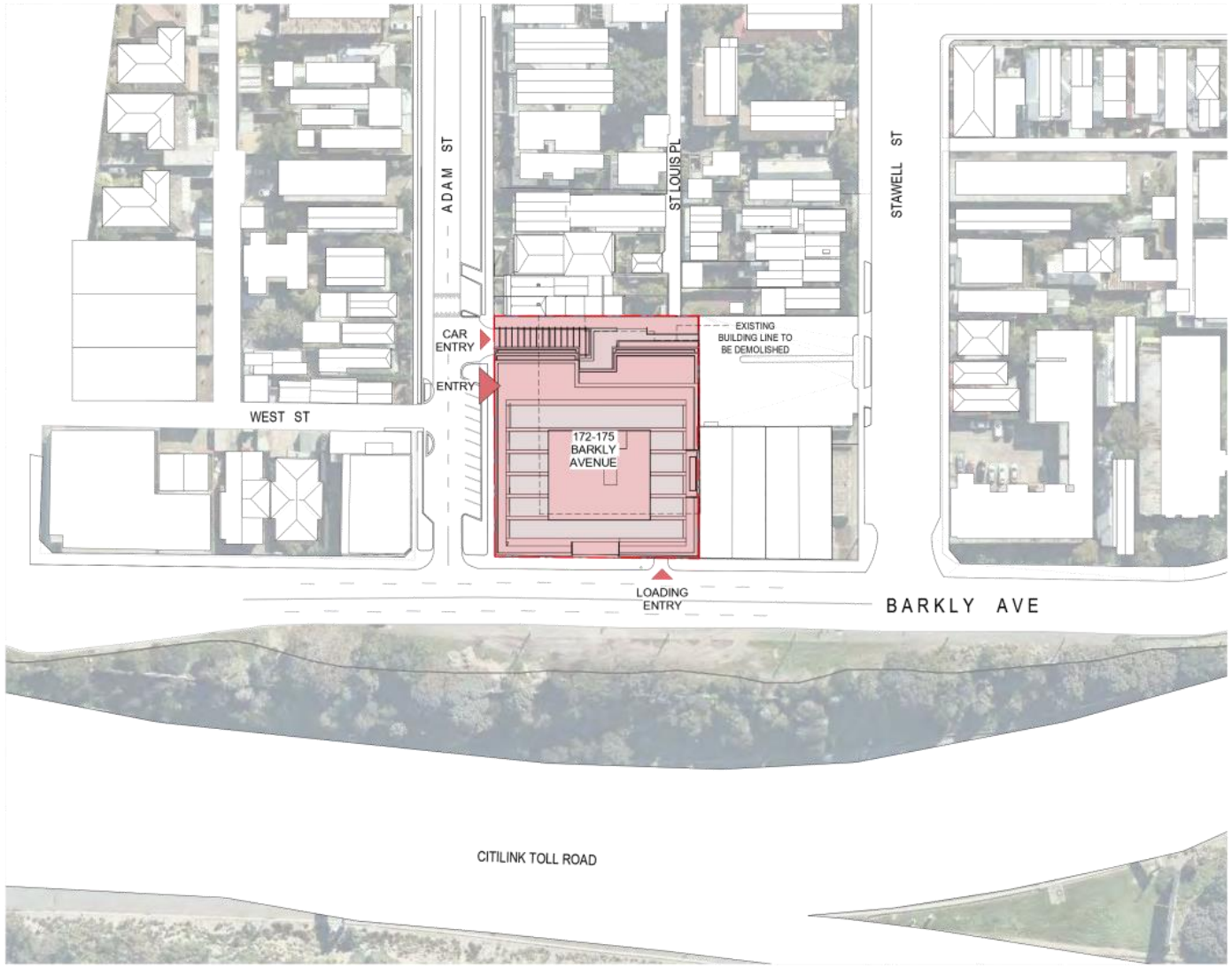
173-182 Barkly Avenue, Burnley VIC

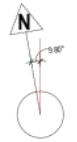
DEMOLITION PLAN

DWG # TP111 REV

SCALE @ A1 1 : 200

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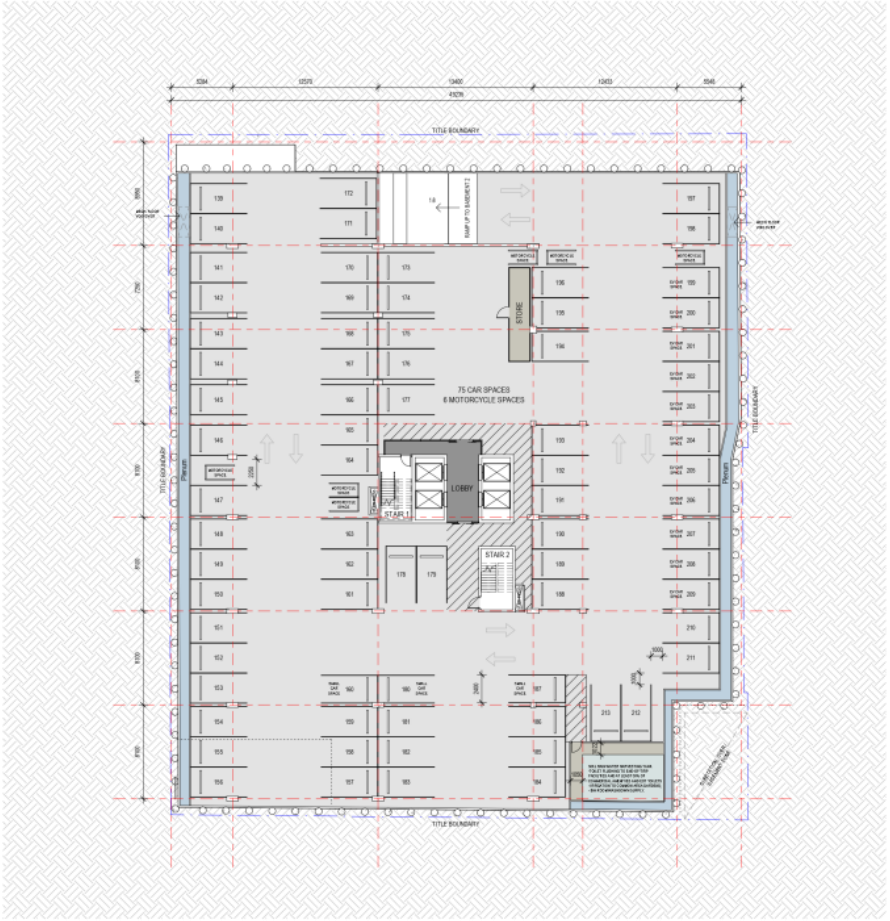
173-182 Barkly Avenue, Burnley VIC

PROPOSED SITE PLAN

DWG # **TP200** REV

SCALE @ A1 1 : 500

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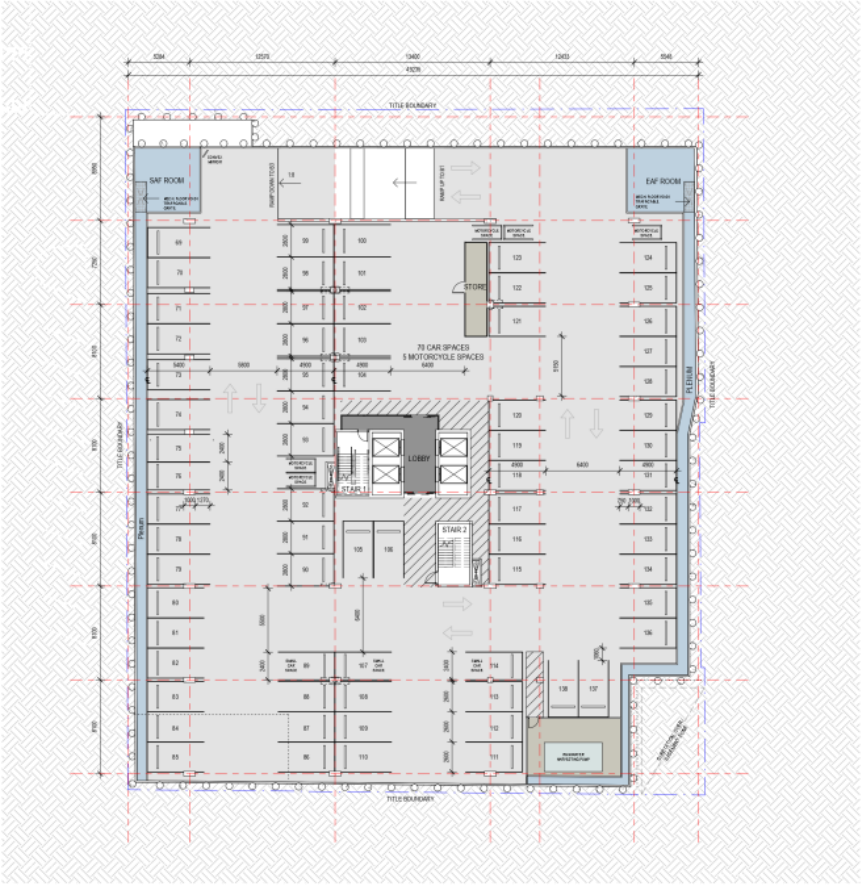
173-182 Barkly Avenue, Burnley VIC

BASEMENT 3 PLAN

DWG # TP209 REV

SCALE @ A1 1 : 200

Attachment 2 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 2



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DRAWN	Author
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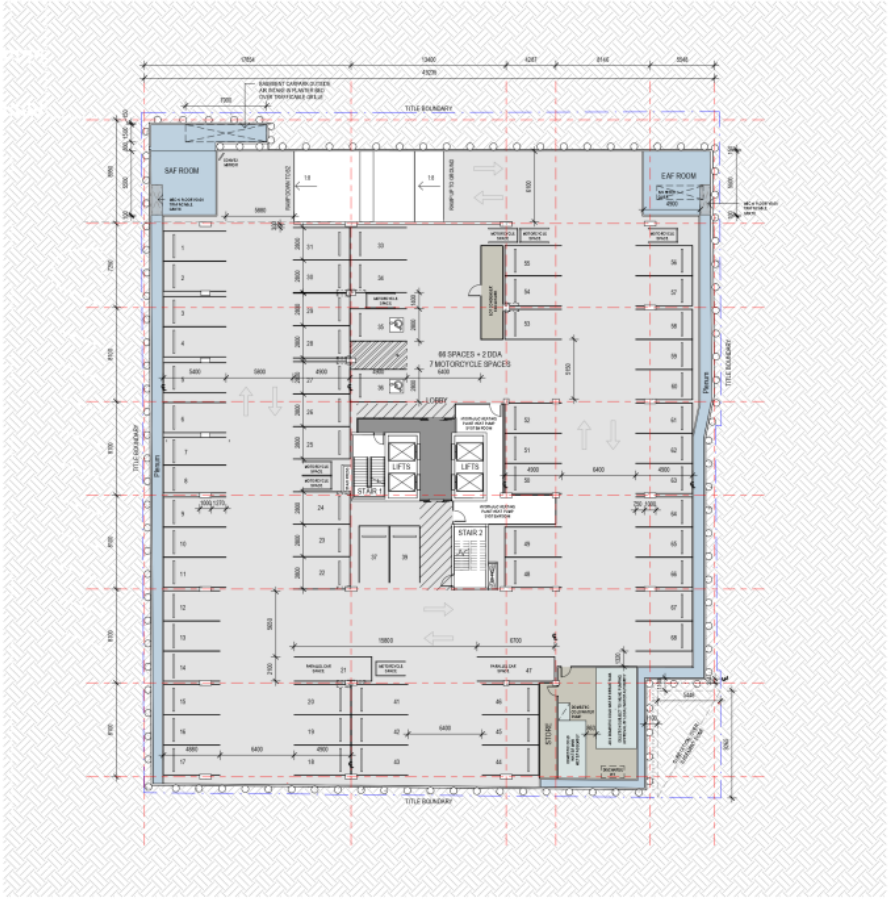
173-182 Barkly Avenue, Burnley VIC

BASEMENT 2 PLAN

DWG # TP210 REV

SCALE @ A1 1 : 200

Attachment 2 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 2



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APPROVED	Approver

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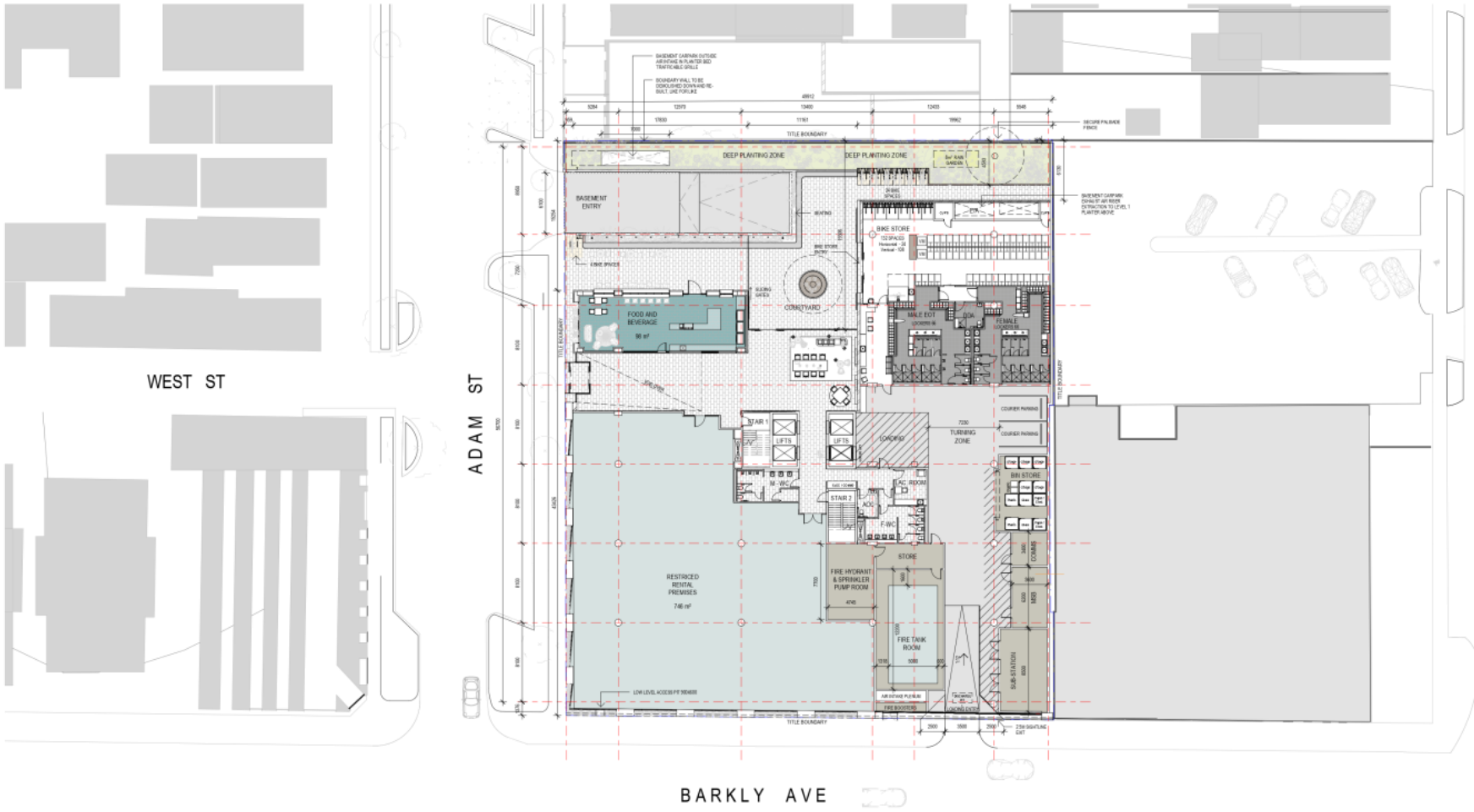
173-182 Barkly Avenue, Burnley VIC

BASEMENT 1 PLAN

DWG # TP211 REV

SCALE @ A1 1 : 200

Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



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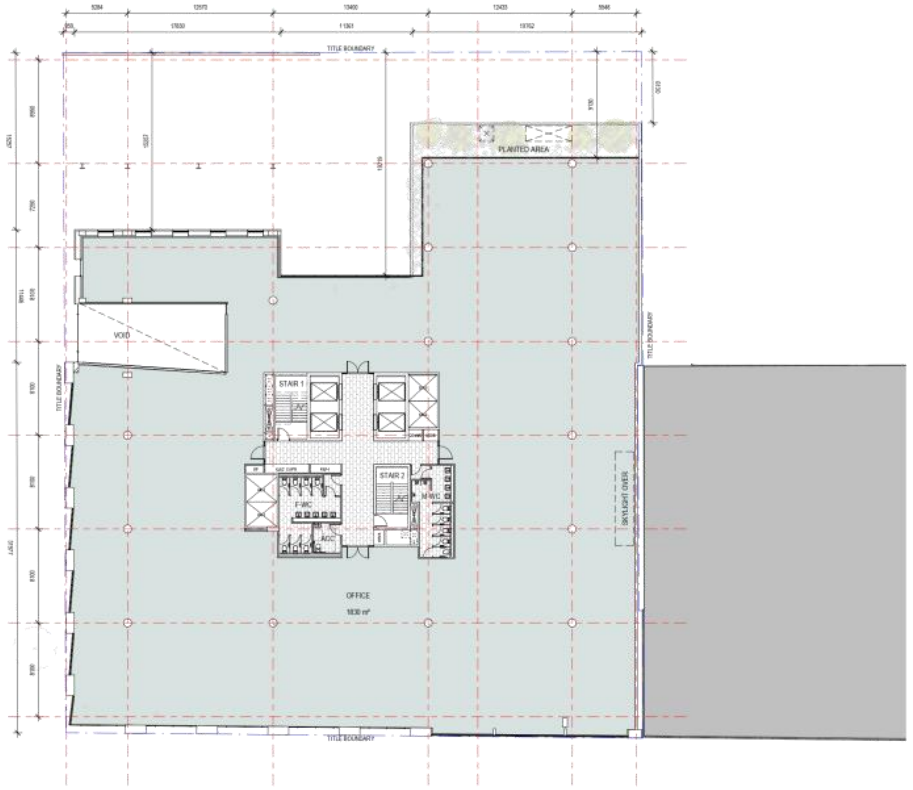
173-182 Barkly Avenue, Burnley VIC

GROUND LEVEL PLAN

DWG # TP212 REV

SCALE @ A1 1 : 200

Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



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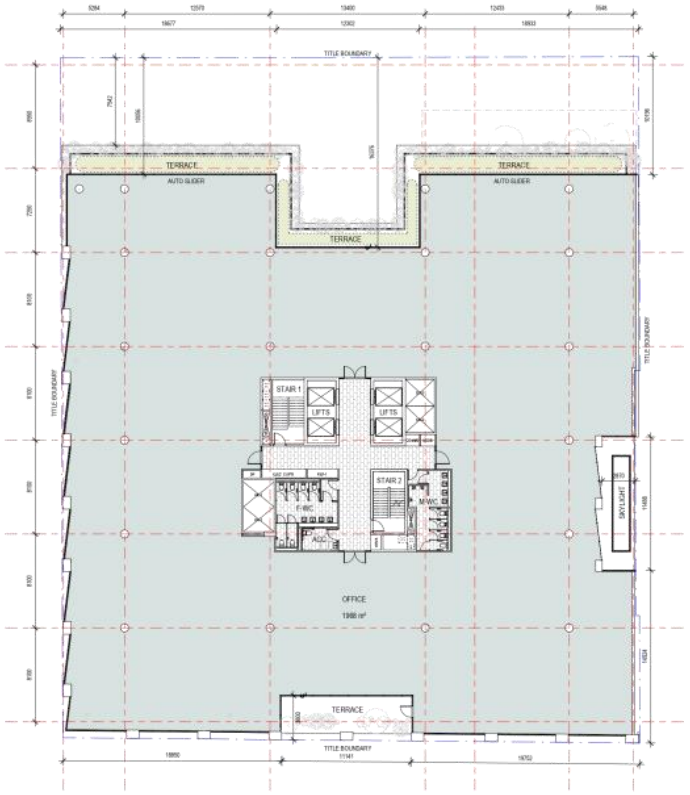
173-182 Barkly Avenue, Burnley VIC

LEVEL 1

DWG # TP213 REV

SCALE @ A1 1 : 200

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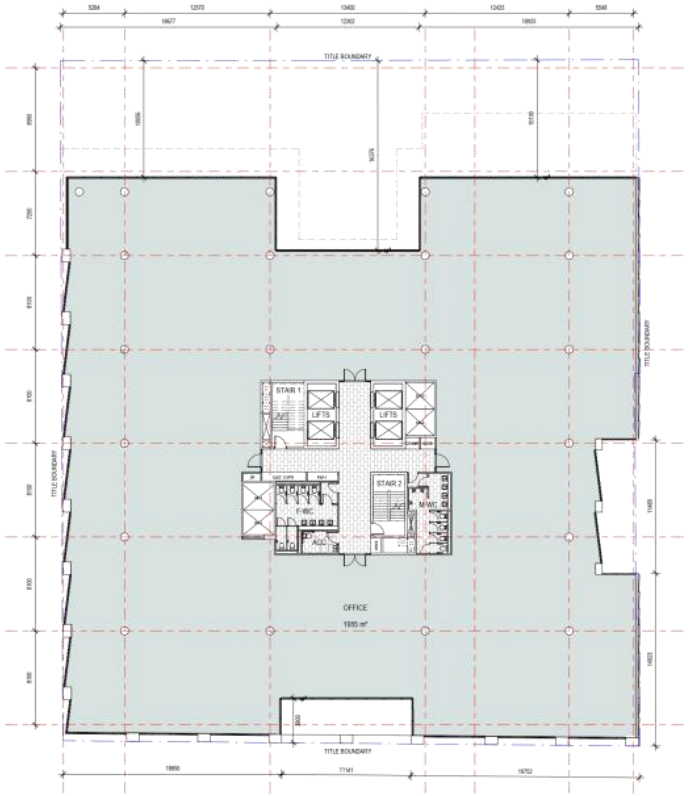
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LEVEL 2

DWG # TP214 REV

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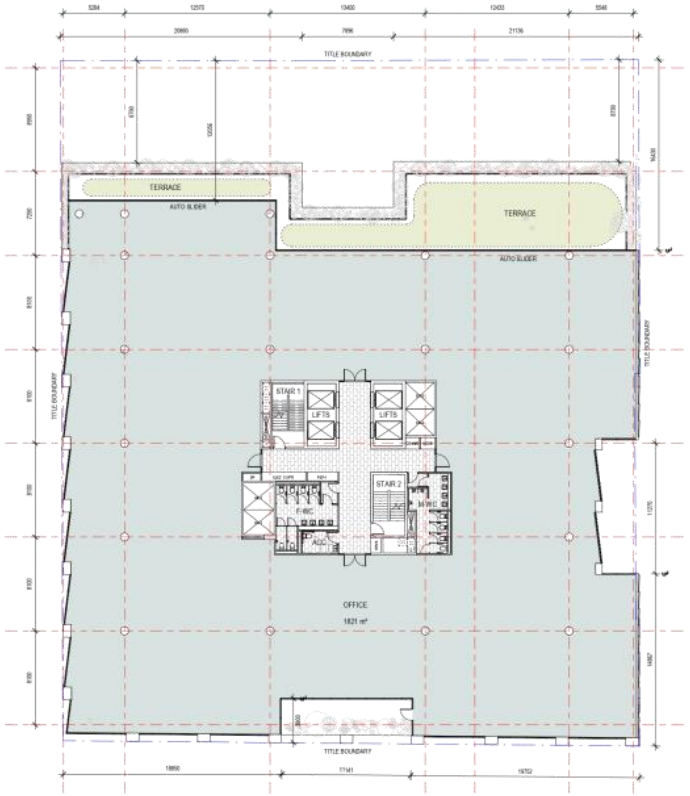
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LEVEL 3

DWG # TP215 REV

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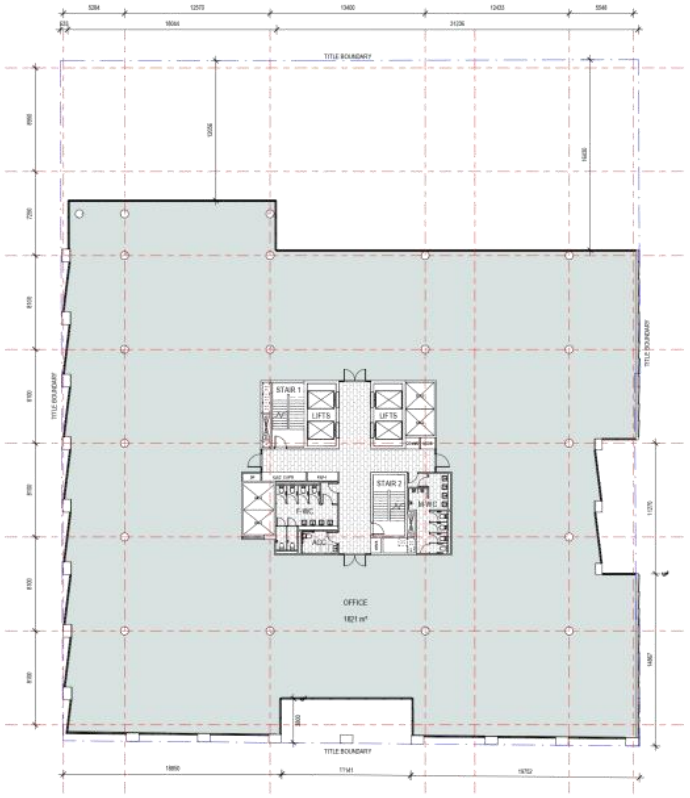
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LEVEL 4

DWG # TP216 REV

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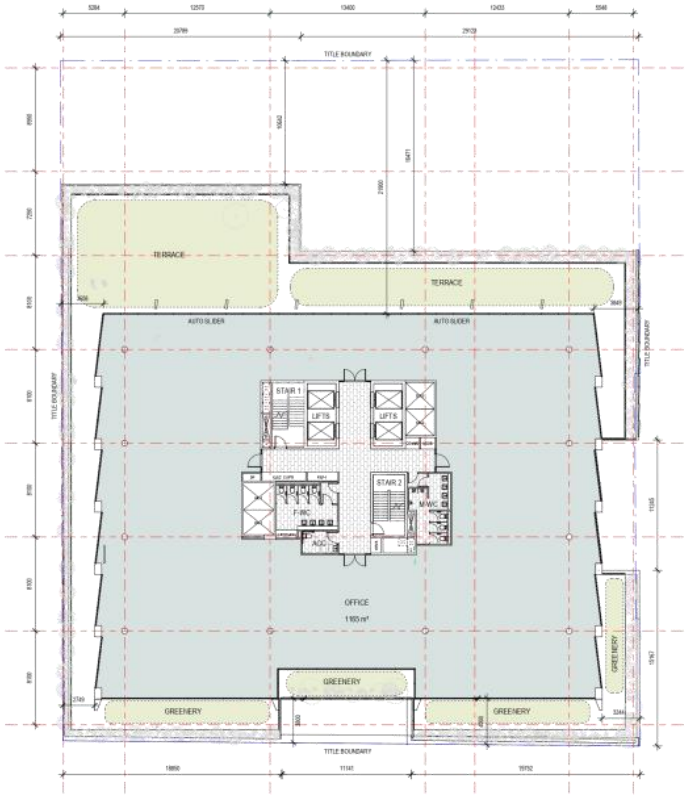
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LEVEL 5

DWG # TP217 REV

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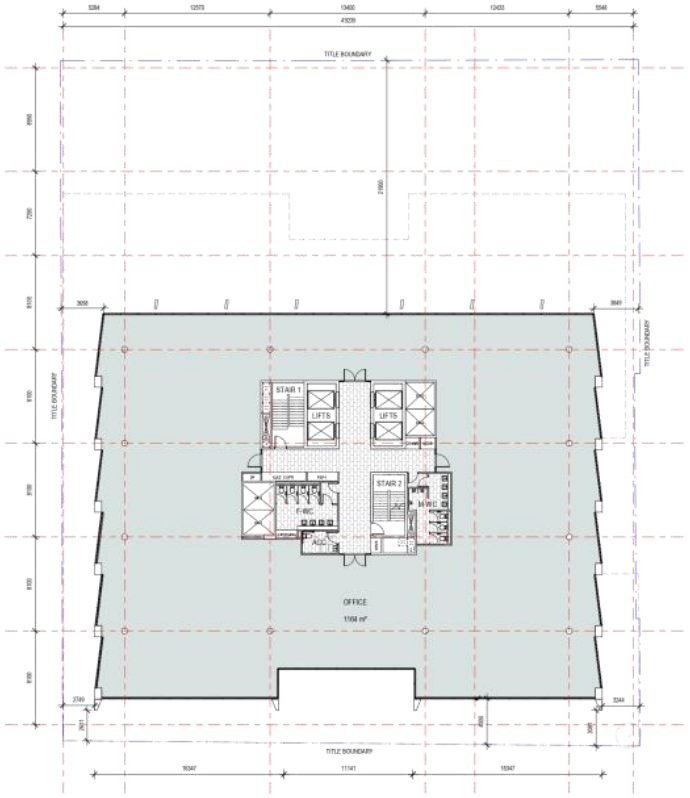
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LEVEL 6

DWG # TP218 REV

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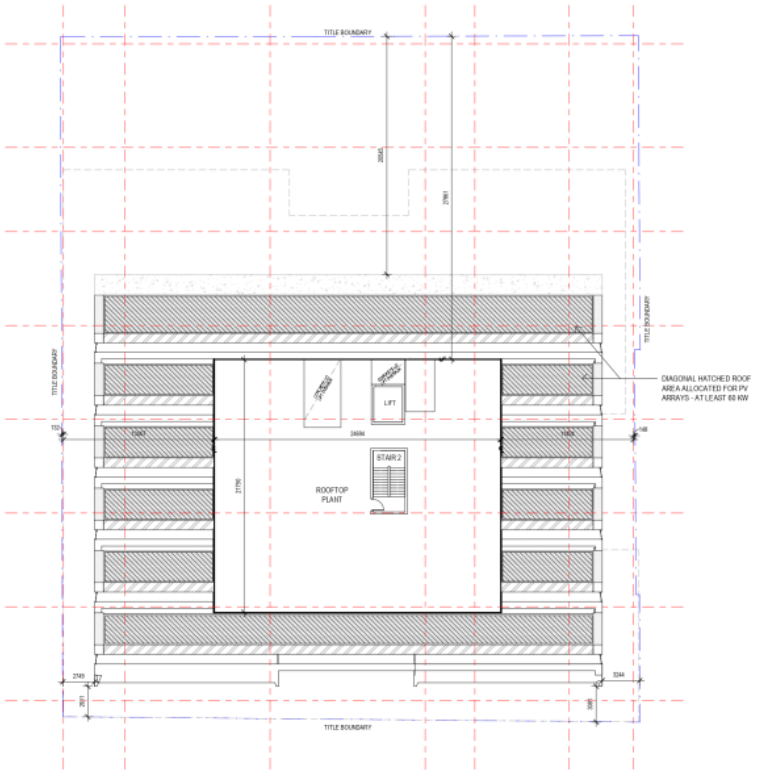
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LEVEL 7

DWG # TP219 REV

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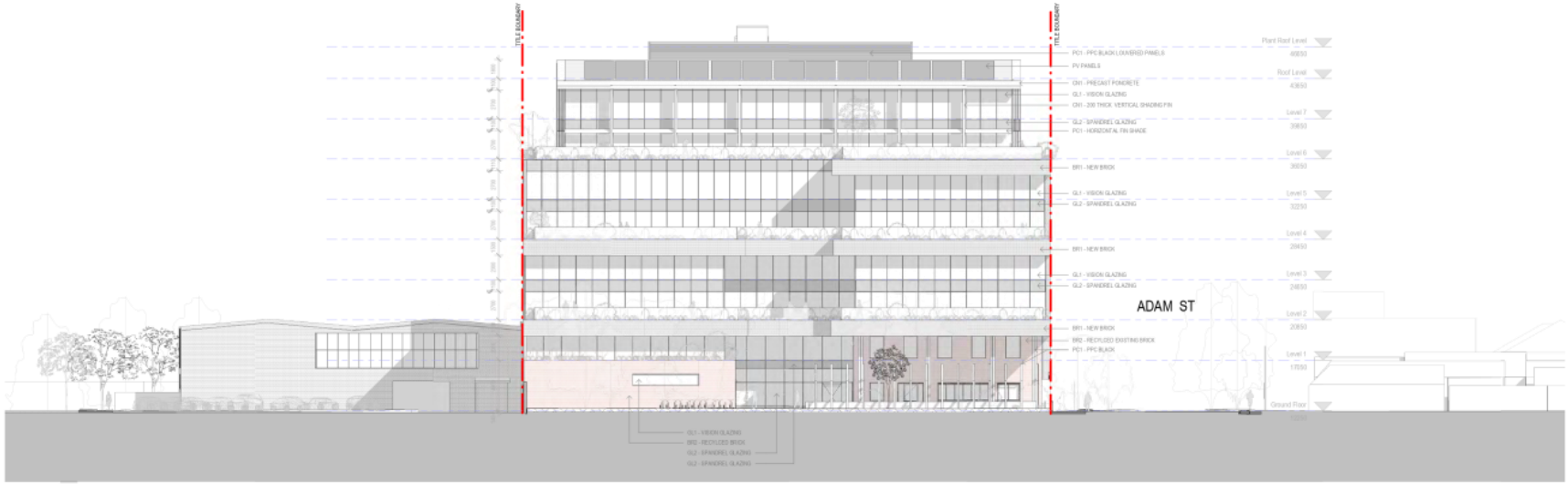
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ROOF LEVEL

DWG # TP220 REV

SCALE @ A1 1 : 200

Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



1 North Elevation
A4x SCALE 1:200



2 West Elevation
A4x SCALE 1:200

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173-182 Barkly Avenue, Burnley VIC

NORTH & WEST ELEVATIONS

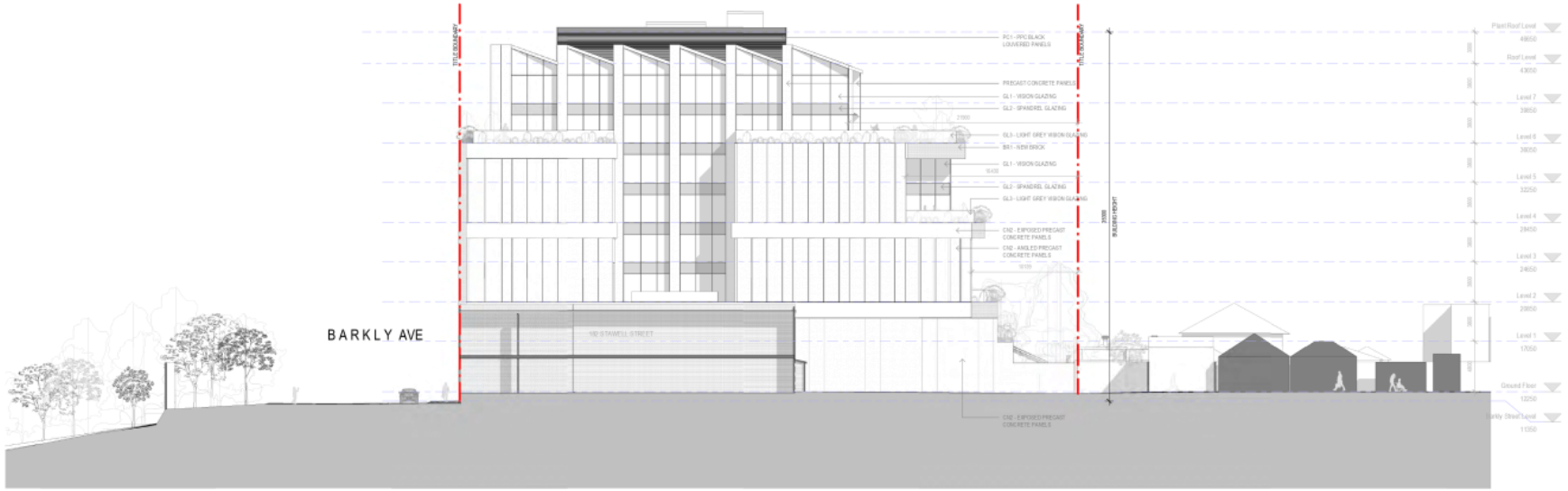
DWG # TP250 REV

SCALE @ A1 1 : 200

Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



2 South Elevation
A4x SCALE 1 : 200



1 East Elevation
A4x SCALE 1 : 200

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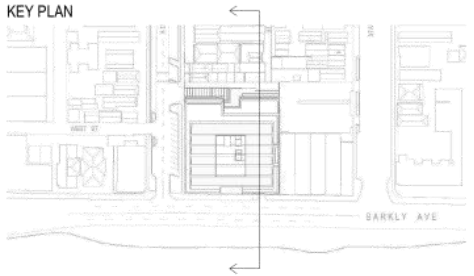
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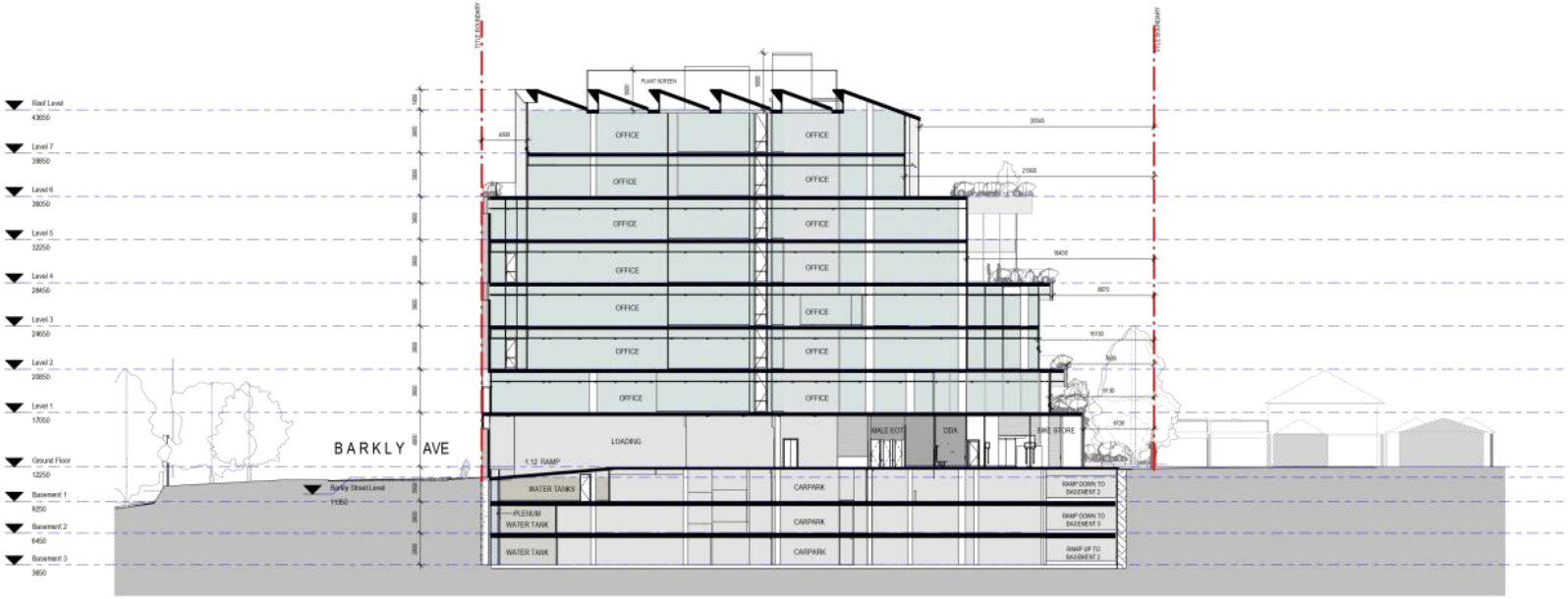
SOUTH & EAST ELEVATIONS

DWG # TP251 REV

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PROJECT NO	118266
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CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

SECTION 1

DWG # TP260 REV

SCALE @ A1 1 : 200

Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



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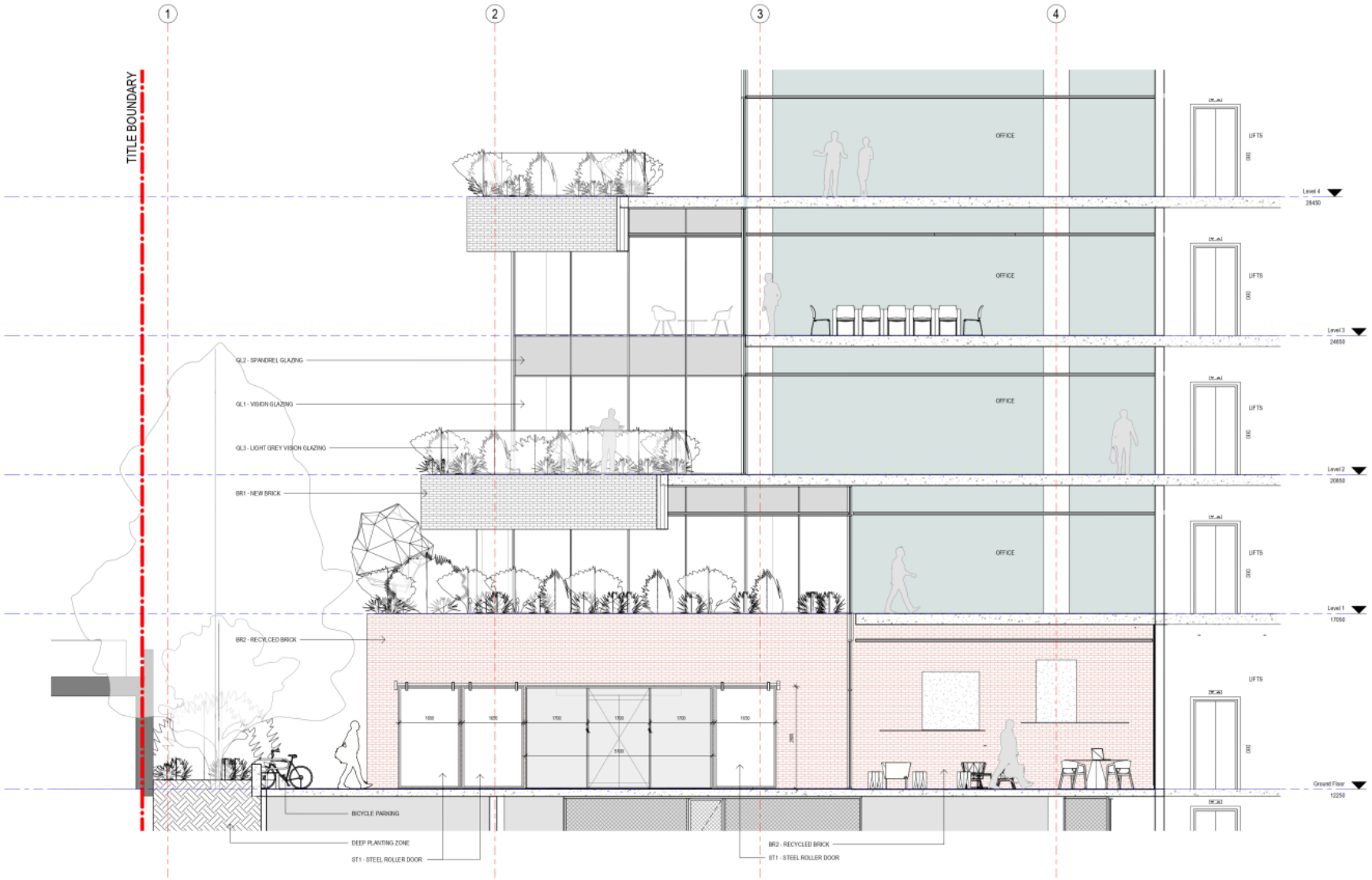
173-182 Barkly Avenue, Burnley VIC

DEEP PLANTING SECTION

DWG # TP262 REV

SCALE @ A1

Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



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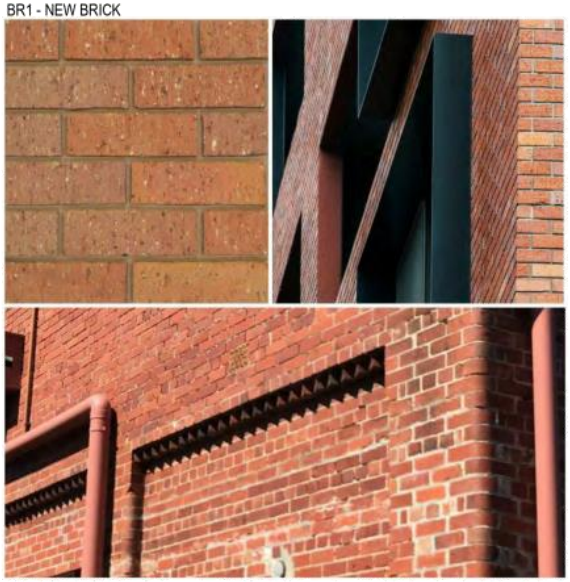
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DWG # TP263 REV

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Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3

BR1 - NEW BRICK



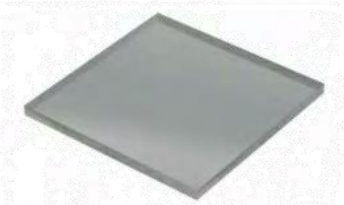
BR2 - RECYCLED BRICK



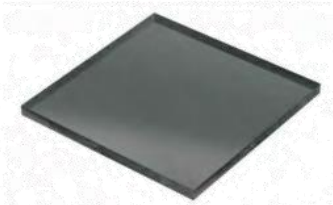
PC1 - BLACK POWDERCOAT (HORIZONTAL LOUVRE PANEL EXAMPLE)



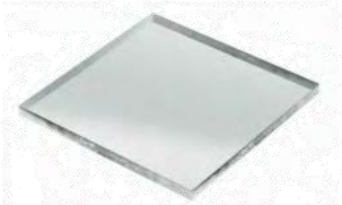
CN1 - PRECAST CONCRETE PANELS



GL1 - VISION GLAZING



GL2 - SPANDREL PANEL GLAZING



GL3 - LIGHT GREY VISION GLAZING



ST1 - WEATHERED STEEL

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BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

EXTERNAL MATERIALS

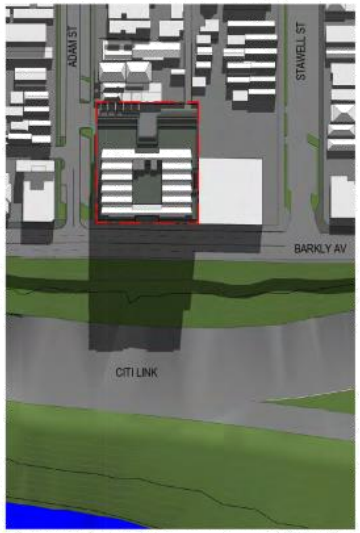
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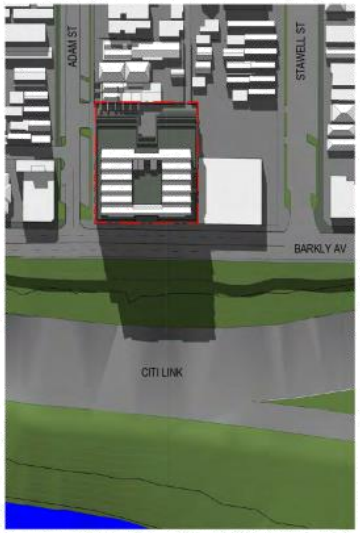
Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



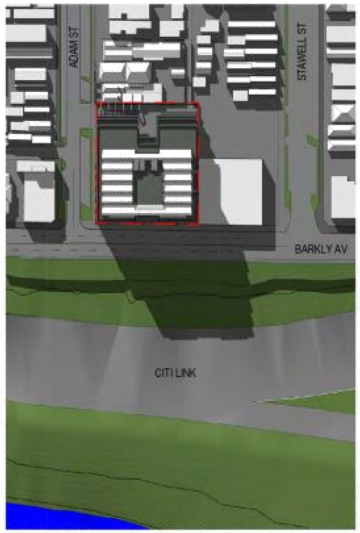
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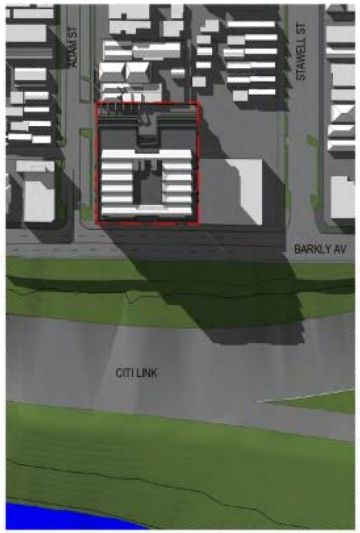
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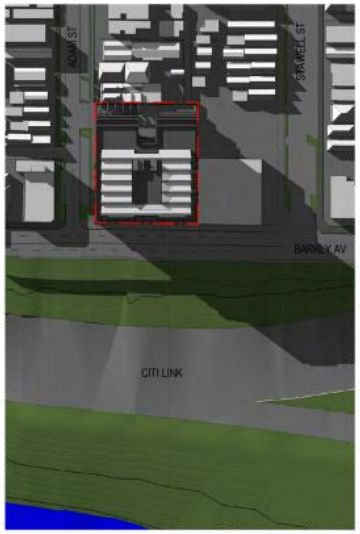
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4 TP20 Shadow Study - Winter Solstice 1 PM
SCALE 1 : 1000



5 TP20 Shadow Study - Winter Solstice 2 PM
SCALE 1 : 1000



6 TP20 Shadow Study - Winter Solstice 3 PM
SCALE 1 : 1000

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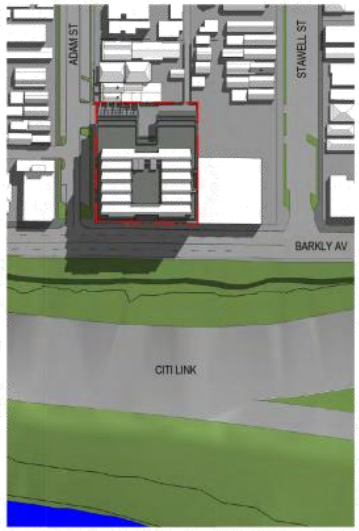
173-182 Barkly Avenue, Burnley VIC

SHADOW STUDIES - WINTER (9am-12pm)

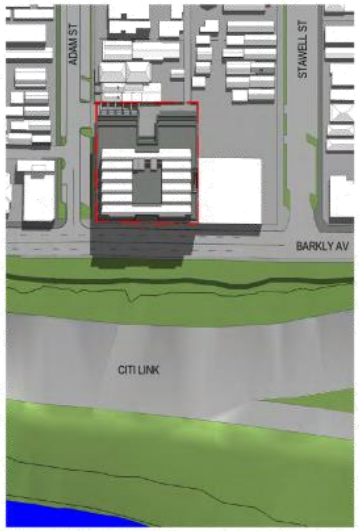
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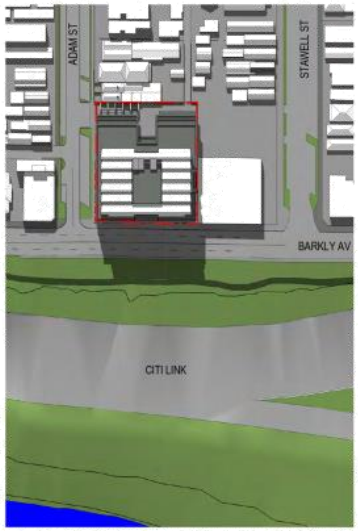
Attachment 3 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Decision Plans Part 3



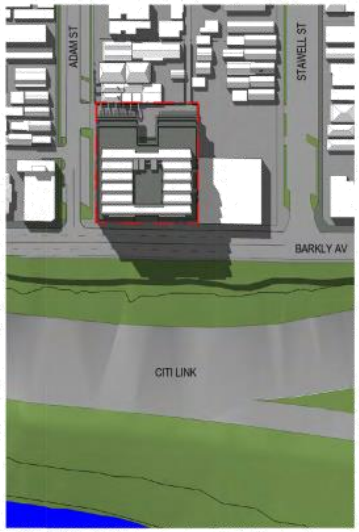
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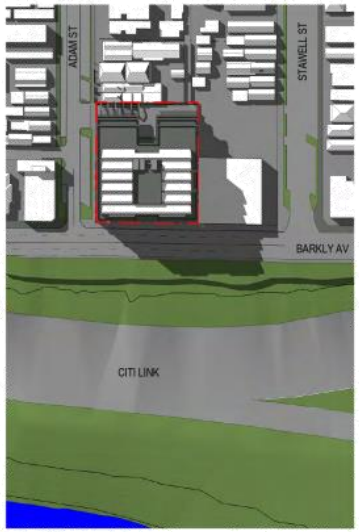
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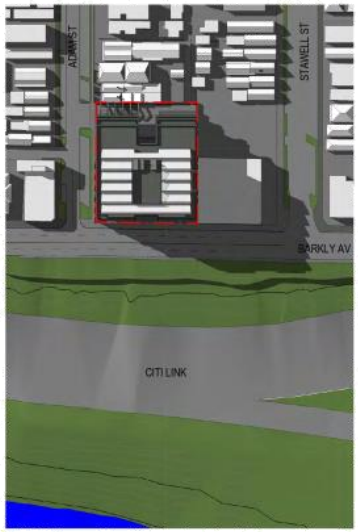
3 Shadow Study - Spring Equinox 12 NOON



4 Shadow Study - Spring Equinox 1 PM



5 Shadow Study - Spring Equinox 2 PM



6 Shadow Study - Spring Equinox 3 PM

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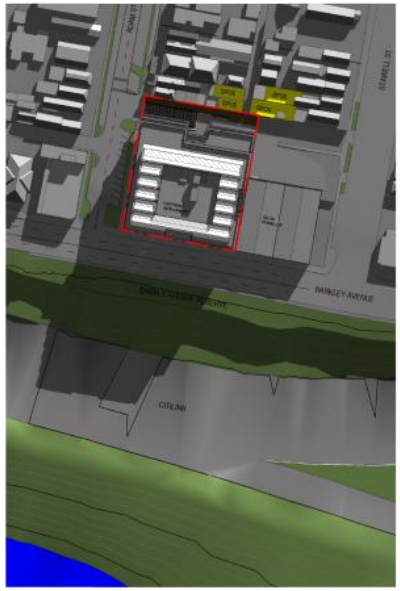
173-182 Barkly Avenue, Burnley VIC

SHADOW STUDIES - SUMMER (1pm-3pm)

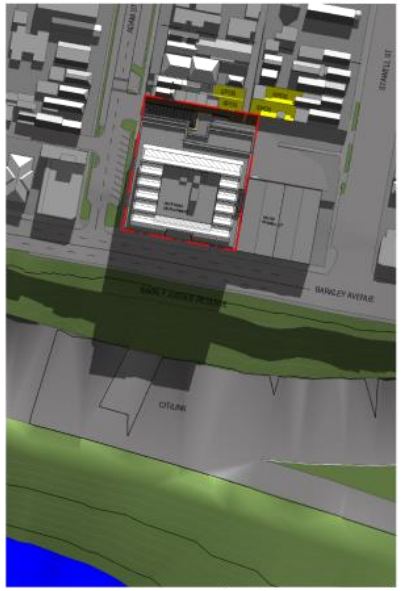
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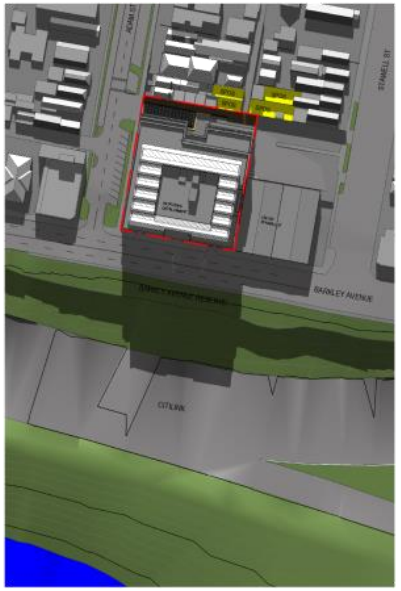
Attachment 4 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Shadow Studies



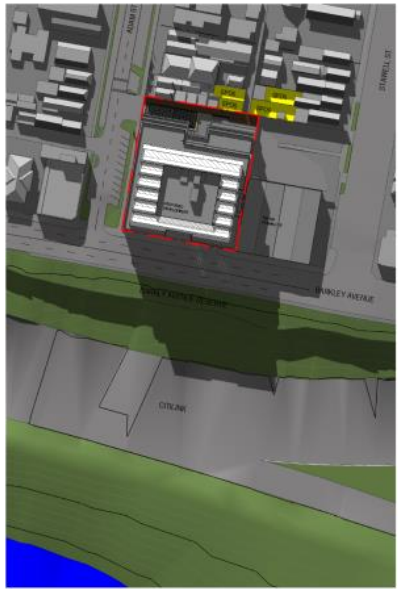
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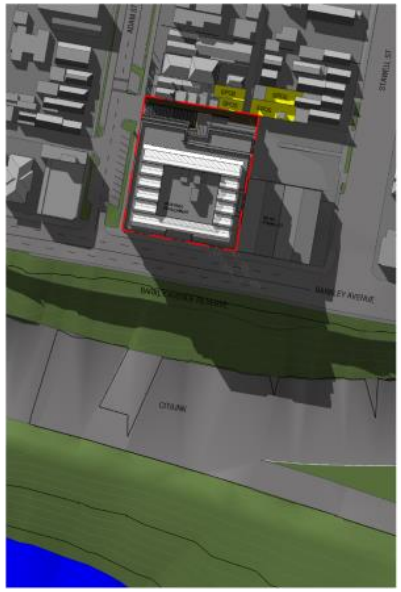
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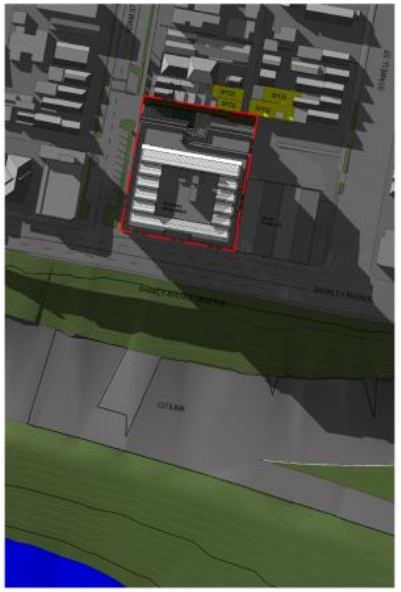
3 TP250 Shadow Study - 22 JUN 12 NOON
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4 TP250 Shadow Study - 22 JUN 1PM
SCALE 1 : 1000



5 TP250 Shadow Study - 22 JUN 2PM
SCALE 1 : 1000



6 TP250 Shadow Study - 22 JUN 3PM
SCALE 1 : 1000

KEY

SPOS

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NSW Nominated Architects Scott Moylan 7147 Craig Saltmarsh 6369

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173-182 Barkly Avenue, Burnley VIC

SHADOW STUDIES - WINTER

DWG # TP300 REV

SCALE @ A1 As indicated

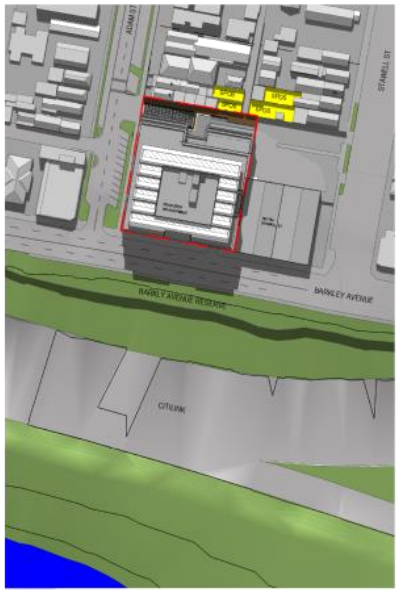
Attachment 4 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Shadow Studies



1 TP250 Shadow Study - 22 SEPT 10AM
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2 TP250 Shadow Study - 22 SEPT 11AM
SCALE 1 : 1000



3 TP250 Shadow Study - 22 SEPT 12 NOON
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6 TP250 Shadow Study - 22 SEPT 3PM
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BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

SHADOW STUDIES - SUMMER

DWG # TP301 REV

SCALE @ A1 As indicated

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

173-177 BARKLY AVENUE, BURNLEY:

SIGNIFICANT GROUND DISTURBANCE ASSESSMENT

Salta Properties Pty. Ltd.

by

Dr. Tim Stone
Geomorphologist and Heritage Advisor
P.O. Box 1068
Carlton, Vic. 3053
mob: 0429 496607

September 2020

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

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1. INTRODUCTION

Salta Properties Pty. Ltd. proposes to construct a mixed-use commercial building including underground car park on previously developed commercial/industrial premises located at 173-177 Barkly Avenue, Burnley near the edge of the Melbourne CBD (Figure 1). Appendix A contains ground level plans of the proposed development.

Figure 2 is a feature and level survey plan that shows existing conditions. Currently, the subject site is occupied by a single storey brick warehouse, with a single storey brick outbuilding and brick substation in the south west corner. The Barkly Avenue and Adam Street sides of the buildings are completely surfaced for car parking. Garden space is limited to a small area of Astro turf in the north east corner.

The subject site fronts Barkly Avenue, which is a four-lane feeder road connecting to the Monash Freeway. The nature strip is completely paved. The property boundary on the Adams Street side is marked by the brick façade of an earlier building, which adjoins a concrete footpath. Above and below-ground services to the subject site include a power line, gas, water and sewer mains and Telstra cables.

1.1 Aims of this assessment

As part of the planning process for the proposed development, Salta Properties Pty. Ltd. asked Heritage Advisor and geomorphologist Dr. Tim Stone to consider:

- whether or not the site (173-177 Barkly Street, Burnley) has been subject to significant ground disturbance as defined under the *Aboriginal Heritage Regulations* 2018;
- whether or not a Cultural Heritage Management Plan (CHMP) is required for the proposed development and the reasons for that conclusion.

The significant ground disturbance (SGD) assessment that follows is guided by Aboriginal Victoria's (AV) practice note for demonstrating SGD (Appendix B). Importantly, this note identifies geomorphologists as having the necessary expertise to determine SGD. Dr Tim Stone is a qualified geomorphologist, with a PhD in soil science, as well as being a qualified archaeologist and Heritage Advisor (Appendix C).

Resources utilised in undertaking the SGD assessment include historical records, early photographs and historical to current aerial imagery. Records of geotechnical investigations were also examined and interpreted to determine the geomorphology of the landform and nature of the surface and subsurface.

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report



Figure 1. Location of subject site at 173-177 Barkly Avenue, Burnley in its urban setting

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

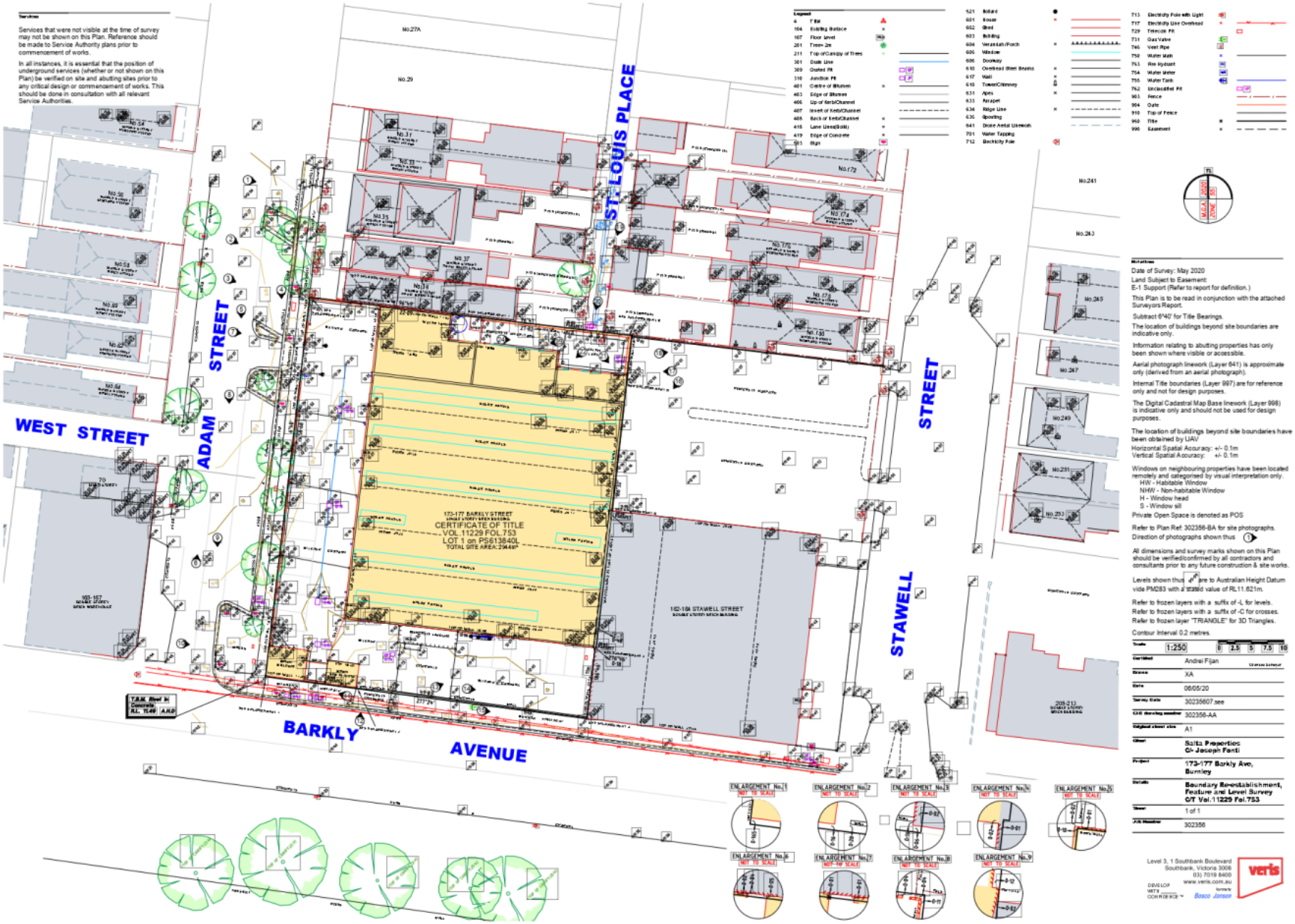


Figure 2. Feature and level survey plan showing existing conditions at 173-177 Barkly Avenue, Burnley

Heritage Victoria's site records were also checked for historic sites as was the local planning scheme of the City of Yarra.

Dr Tim Stone undertook a field investigation of the subject site on 24 September, 2020.

2. STATUTORY PROTECTION

All Victorian registered and unregistered Aboriginal cultural heritage sites are protected by the State's *Aboriginal Heritage Act* 2006 (commenced May 28th, 2007). This Act prohibits harm to any Aboriginal cultural heritage site, place or object unless in accordance with an approved CHMP or cultural heritage permit.

The Victorian State Government instrumentality that administers this Act is AV. All legislation relevant to the discovery of human remains is subordinate to the *Coroners Act* 1985.

2.1 *Aboriginal Heritage Act* 2006

The *Aboriginal Heritage Act* 2006 and *Aboriginal Heritage Regulations* 2018 are of particular relevance to the proposed development. A core component of this Act is the preparation of CHMPs, which are required under certain circumstances for high impact activities that require statutory authorisation under the Victorian Planning Provisions. CHMPs must meet prescribed standards and be approved before they can be used to support permit applications to local government or other agencies.

The Act also establishes the Aboriginal Heritage Council, which invites Aboriginal community groups with cultural heritage interests in particular parts of the State to become Registered Aboriginal Parties (RAPs). The RAP(s) may elect to evaluate a CHMP in place of AV. Currently, there is no RAP for the Burnley area and AV is responsible for evaluating CHMPs for this area.

The regulations can be used to determine if a CHMP is required for planning approval. Significant ground disturbance is a key consideration in urban areas, where past development has largely destroyed cultural heritage. The regulations also detail the standards expected of a CHMP and fees payable under the Act.

Importantly, penalties for offences under the Act have increased significantly for individuals and corporations since 1 August, 2016.

3. BACKGROUND ARCHAEOLOGY

Previous archaeological studies of sites in the Port Phillip Bay region have demonstrated Aboriginal occupation dating back at least 20,000 years. The oldest archaeological site in the region is at Keilor west of Melbourne where human remains were unearthed in 1940 (Bowler, 1976). The river terrace deposits at this site also contain the bones of extinct giant marsupials or 'megafauna' in association with Aboriginal stone artefacts (Duncan, 2001). However, none of the evidence suggests that Aboriginal people had hunted the megafauna or had butchered them for food.

The majority of Aboriginal sites in southern Victoria have been recorded along the coast. These date from about 6,000 years ago when sea levels stabilised near their present levels following the melting of the glaciers and ice-caps. Excavations of shell midden deposits have shown how shellfish gathering patterns and technology changed over this period (e.g. Coutts *et al,* 1976). These changes are usually interpreted by archaeologists as responses to changing environmental conditions. Characteristic stone artefacts of the period were burins, backed blades and geometric microliths. The most commonly used raw materials were quartz, silcrete and quartzite.

Most Aboriginal sites in the hinterland are also probably no older than a few thousand years. One of the most significant is the Mount William Axe Quarry located near Lancefield (McBryde, 1984). This is a site where Aboriginal people have extracted diorite or 'greenstone' for the manufacture and trade of stone axe heads. Ground edge axe heads from this quarry have been found throughout Victoria and as far afield as Broken Hill in N.S.W. The Aboriginal people who lived in the Port Phillip Bay region probably manufactured grindstones and axes from basalt procured from surface outcrops around Berwick and Cranbourne (Thomas et al. 1967:55).

Presland (1983) and du Cros (1989) have identified salient features of the archaeological record of the Melbourne area. Surface scatters of flaked stone artefacts are the most common site type. These stone assemblages are dominated by flakes and flaked pieces mostly struck from silcrete and chert. Few formalised tool types have been recorded. Scarred trees are also well represented around Melbourne. The densest concentrations of sites in Melbourne's inner south east are along the Yarra River near its confluence with Merri Creek. Sites have also been identified on some of the surrounding scoria cones and lava shields such as Mounts Atkinson and Kororoit (see also Vines, 1995).

3.1 Aboriginal sites at 173-177 Barkly Avenue

According to the Victoria Aboriginal Heritage Register (VAHR), no Aboriginal sites are located at 173-177 Barkly Avenue, Burnley. The closest known Aboriginal site is the Burnley Corroboree Tree located ~700 m north east of the subject site, north of Swan Street. The proposed development will not impact this tree.

3.2 Historic sites at 173-177 Barkly Avenue

Heritage Victoria's Heritage Register and Heritage Inventory do not list any historic sites on the subject site at 173-177 Barkly Avenue, Burnley.

Furthermore, no part of the subject site is covered by any heritage overlays of the City of Yarra local planning scheme.

4. HISTORICAL BACKGROUND

According to the DELWP Biodiversity Interactive Map pre-1750, the subject site was entirely 'Plains Grassy Woodland' prior to colonisation. European history began soon after the voyages of Bass and Flinders in 1798. The first Europeans to enter the region were either shipwreck survivors or sealers and whalers. They brought fatal diseases such as smallpox and influenza which over the next 30 years at least halved the Aboriginal population (Butlin, 1983). In 1835, John Batman founded Melbourne on the Yarra River, by which time the Aboriginal population had diminished in numbers.

Early European impacts included clearing of the Plains Grassy Woodland, with a view to creating pasture and fuel for burning. By early 1837, squatters had occupied land up to 40 km inland of the shore of Port Phillip Bay (James, 1985). Burnley was reserved for use by the Crown (e.g. horse paddocks). In 1850, the Crown began subdividing and selling this land, with the first sales of land in Burnley and Richmond in 1850.

Barkly Avenue was originally named Berlin Street (Figure 3). The riverfront south of Berlin Street was quarried for bluestone (Allom Lovell and Associates, 1998). The largest quarry is now Barkly Gardens (Barkly Square) established in 1865. The land to the east was occupied by a stonebreaking mill, a fellmongers, a quarry and the Borough Abattoirs. The subject site was part of this industrial area, with workers' cottages built on adjoining land to the north (Figure 3). As a consequence of this development, most of the area including the subject site is covered by built structures or paved surfaces.

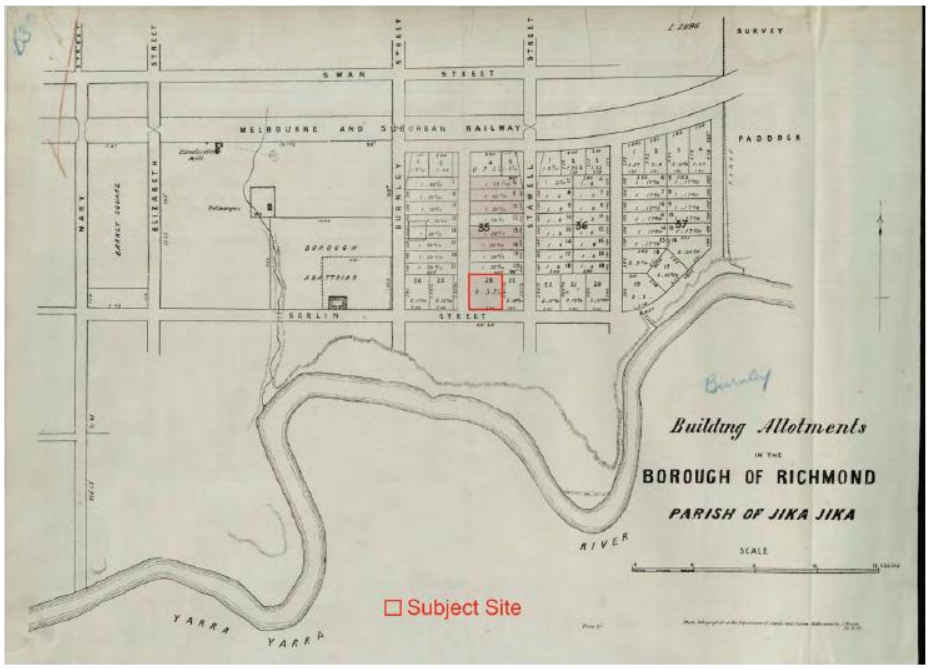


Figure 3. Location of subject site on 1865 plan of survey (lithographed in 1879).



Figure 4. Aerial image of subject site taken in 1945 (Melbourne 1945 interactive map).

From the 1860s, local factories manufactured everything from clothing to pipe organs. It is highly likely that the subject site shaded pink by the surveyor in Figure 3 was a factory of some sort. However, there is no known record of its early use or the origin of the 'heritage bricks' used in its construction and still extant at the site.

Figure 4 shows the subject site in 1945. The layout of the site is little different from today and possibly unchanged from the 1860s, with the exception of alterations/additions to the roofscape and outbuildings. Construction of this factory would have required levelling of the landform and excavation for floors and foundations. Certainly, no part of the subject site retains any trace of the original land surface from this imagery.

Salta Properties Pty. Ltd. acquired the subject site in 2019. Since 2009, the 'heritage style showroom/office has been used as the Roger Sellers Plumbing and Bathroom Centre. Before that, the site was occupied by Telstra for more than a decade.

Aerial imagery taken in 2019 shows a green space in the north east corner of the subject site that could be misconstrued as garden space and therefore possibly a remnant of the original land surface (Figure 5). However, it is Astro turf laid some time between 2006 and 2019 over what was once a concrete pavement (Figure 6).

5. ABORIGINAL HERITAGE REGULATIONS 2018

The *Aboriginal Heritage Regulations* 2018 that accompany the *Aboriginal Heritage Act* 2006 are particularly relevant and stringent. Under regulation 7, a CHMP is required for a proposed activity, if:

> (a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
>
> (b) all or part of the activity is a high impact activity.

According to Regulation 26, any land within 200 metres of a waterway (not subject to significant ground disturbance) is an area of cultural heritage sensitivity. AV online maps identify land within 200 m of the Yarra River as an area of cultural heritage sensitivity. This land incudes the subject site at 173-177 Barkly Avenue, Burnley.

The second prerequisite (b) may be met under Regulation 46:



Figure 5. Recent aerial image showing green space in north east corner.



Figure 6. Aerial image taken in 2006. No green space anywhere on subject site.

(1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the carrying out of works -

(a) would result in significant ground disturbance; and

(b) is for, or associated with, the use of the land for any one or more of the following purposes –

(iii) a car park;

(xvii) an office;

(xxiii) a retail premises.

It may also be met under Regulation 58:

(1) The use of land for a purpose specified in regulation 46(1)(b) is a high impact activity if a statutory authorisation is required to change the use of land for that purpose.

In this case, the proposed development requires statutory authorisation from the City of Yarra prior to construction. However, under Regulation 58(4):

Despite subregulations (1), (2) and (3), if the whole of the activity area for an activity referred to in subregulation (1), (2) and (3) has been subject to significant ground disturbance, that activity is not a high impact activity.

5.1 Significant ground disturbance

If an area of cultural heritage sensitivity has been subject to SGD, the disturbed part is no longer an area of cultural heritage sensitivity. SGD is defined by the *Aboriginal Heritage Regulations* 2018 as disturbance of:

(a) the topsoil or surface rock layer of the ground; or

(b) a waterway-

by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.

Under Regulation 26(2), 'if part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity'.

5.1.1 Levels of inquiry

AV has produced a practice note for determining SGD (see Appendix B). This practice note is based on VCAT's determinations about significant ground disturbance in the *Mainstay* case (VCAT Ref: P1020/2008) and *Colquhouns & Ors vs Yarra SC* (VCAT Ref: P1204/2010). The following determination for 173-177 Barkly Avenue, Burnley is guided by these deliberations.

Of particular relevance in the present case is *Azzure Investment Group Pty Ltd vs Mornington Peninsula Shire Council* (VCAT Ref: P722/2009), which is reproduced in full in Appendix D. The *Azzure* case is relevant because it involved land that had been extensively developed, serviced and used over an extended period of time. VCAT accepted comparative and contextual information to establish that SGD had occurred on this lot rather than the 'hard' evidence of aerial photography, public records, archaeological or geomorphological investigation or oral history of machine use.

According to the AV and VCAT, the words *disturbance, topsoil, surface rock layer, machinery, grading, excavating, digging, dredging, ploughing* (other than *deep ripping*) are not defined in the regulations and therefore have their ordinary meanings. Topsoil and surface rock layer is of particular relevance to the proposed development because past development has truncated this at the subject site (see Section 6.3 below). VCAT use the Macquarie Dictionary to define topsoil as 'simply the surface or upper part of the soil' and state that 'disturbance to the topsoil could therefore arise through a relatively limited interference at limited depth'.

VCAT further determined that 'topsoil or surface rock layer' include the former topsoil or former surface rock layer if that topsoil or surface rock layer is a naturally occurring surface level *that is readily ascertainable* (my emphasis) and does not include the current topsoil or current surface rock layer if established by the mere filling of land.

For SGD to have occurred on the topsoil or surface rock layer, machinery must have been used. If machinery has been used to grade, excavate, dig, dredge or deep rip the topsoil or surface rock layer of an area, it will constitute SGD of that area.

The onus rests with the planning permit applicant to prove that there has been SGD. The standard of proof required should be enough to satisfy a planning decision maker that

there has been SGD on the balance of probabilities rather than proof beyond doubt. Mere assertion of disturbance by an applicant or landowner has little weight.

Notwithstanding the burden of proof on the applicant, AV submitted to VCAT that there should be no hard and fast rules on what information should be required to satisfy a planning decision maker that SGD has occurred and cautioned against guidelines that might create unreasonable obligations on applicants or responsible authorities. VCAT agreed. The level of inquiry, and the information required, will depend on the circumstances of each case.

As a result of these deliberations, VCAT proposed four levels of inquiry and that assessment of SGD should be dealt with at lowest applicable level. These levels are summarised by AV as follows:

Level 1 – Common knowledge

The fact that land has been subject to SGD may be common knowledge. Very little or no additional information should be required from the responsible authority. For example, common knowledge about the redevelopment of a petrol filling station with extensive underground storage tanks.

Level 2 – Publicly available records

If the existence of SGD is not common knowledge, a responsible authority may be able to provide assistance from its own records about prior development and use of land, or advise the applicant about other publicly available records, including aerial photographs. These documents may allow a reasonable inference to be made that the land has been subject to SGD. In such event, no further inquiries or information would be needed by the responsible authority. The particular records and facts relied upon should be noted by the responsible authority as a matter of record.

Level 3 – Further information from applicant

If common knowledge or publicly available records, do not provide sufficient evidence of SGD, the applicant may need to present further evidence either voluntarily or following a formal request from the responsible authority. Further evidence could consist of land use history documents, old maps or photographs of the land, or statements by former landowners or occupiers. Statements should be provided by statutory declaration or similar means.

Level 4 - Expert advice or opinion

If these levels of inquiry do not provide sufficient evidence of SGD (or as an alternative to Level 3), the applicant may submit or be asked to submit a professional report with expert advice or opinion from a person with appropriate skills and experience. Depending on the circumstances, this may involve a site inspection and/or a review of primary documents. If there is sufficient uncertainty, some preliminary sub-surface excavation may be warranted.

VCAT and AV anticipate that a level 1 or 2 inquiry should be sufficient to determine SGD and that a level 3 or 4 inquiry should not be required as a matter of course. In terms of expertise, AV regard geomorphologists as suitable to undertake any high level inquiry. In this case, the author (and Heritage Advisor) is a geomorphologist, with a MSc and PhD specifically in soil stratigraphy.

6. SIGNIFICANT GROUND DISTURBANCE ASSESSMENT

Common knowledge (Level 1), publicly available records (Level 2) and expert geomorphological advice based on field investigation (Level 4) demonstrate that all of 173-177 Barkly Avenue, Burnley has been subject to SGD. Figure 1 shows the urban context of the subject site, its shape, size, condition and configuration including existing buildings, access driveways and paved car parks between the buildings and street fronts (see also Plate 1). Section 6.3 describes the physical evidence for SGD in detail.

6.1 Level 1 (common knowledge)

It is common knowledge that 173-77 Barkly Avenue, Burnley is an existing commercial building in a long-established industrial area, with all the above and below-ground services usually associated with an address in the Melbourne metropolitan area. The site history is that of an intensively developed factory site and consequently the original ground surface is no longer recognisable on any part of it. Modification of the original ground surface by machinery is evident from the ground surface, where previous development including construction of the original factory building, outbuildings, paved car parks/driveways and other modified surfaces has impacted 100 % of the subject site. Furthermore, the graded and levelled subsoil that comprises the site has been further cut for the installation of above and below-ground services.

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Plate 1. 173-177 Barkly Avenue subject site.

6.2 Level 2 (publically available records)

Publically available records (Level 2) in the form of historical maps, photos and aerial imagery confirm this past development, which is otherwise common knowledge. The aerial image taken in 1945 is particularly instructive because it shows the subject site completely built on and paved, and little different to today (Figure 4). No part of the original landform is visible on this image or any subsequent images.

The subject site and surrounds would have been subject to land clearing initially followed by levelling, with the mechanical assistance of horse-drawn machinery (scoops) and steam-powered traction and stationary machinery (rollers, shovels, graders; Historical Construction Equipment Association, 2016). From 1945, any modifications to the surface of this built environment would have involved light and heavy earthmoving machinery, for levelling, excavation, trenching and shaping (Haycroft, 2000).

On the basis of these publically available records, it is possible to reasonably conclude that 100 % of the subject site has been subject to SGD.

6.3 Level 4 (expert advice or opinion)

Golder Associates Pty. Ltd. (2019) prepared a preliminary geotechnical investigation report for the subject site, which included two boreholes on opposite sides of the property sunk to a maximum depth of 9.95 m. Appendix E contains a map showing the borehole locations and the available logs (BH01-02). Geomorphologist and Soil Scientist Dr. Tim Stone examined these records as part of a Level 4 inquiry. He also investigated the site for first-hand evidence of SGD.

Geologically, the subject site is identified as part of the Quaternary-age Newer Volcanics. This unit typically comprises weathered basalt rock overlain by residual basaltic clay. In its 'natural state', the topsoil formed at the surface of this geological unit would be a black or dark grey earth, with a clay content as high as 60 %. This topsoil is often described as 'clay loam' because it is not entirely clay and is mixed with biogenic materials, chiefly humus. Beneath this topsoil (A horizon) would be residual and/or illuvial basaltic clay (B horizon) and below that weathered basalt rocks.

The borehole logs in Appendix E show a surface layer of 'fill' abruptly resting on residual basaltic clay. The fill in BH01 went to a depth of 0.9 m and comprised a layer of asphalt overlying a layer of gravel road subgrade (crushed rock) and below that a layer of clay fill. The fill in BH02 went only to 0.3 m and was the same but did not include the lowermost clay fill layer. In both boreholes, the fill was underlain by 'a layer of firm to

stiff clay inferred to be residual basalt derived from the complete weathering of the underlying basalt' (Golder Associates Pty. Ltd., 2019). This subsoil unit went to 5.8 m in BH01 and 0.9 m in BH02 before weathered basalt was encountered.

In neither of these borehole logs is there evidence that the fill rests on any natural topsoil. In both, the change from fill to residual basaltic clay is abrupt and this change is to 100 % clay (high plasticity in BH02), which indicates a truncated land surface far from any topsoil that may have once been present. Certainly, no clay loam was recorded nor could it be following ~150 years of intensive development on the site.

Since the subject site has no vestige of the original land surface, Geomorphologist and Soil Scientist Dr. Tim Stone was unable to conduct his own subsurface investigation. Even the green space in north east corner of the site is artificial (Astro turf) However, surface indications and the results of Golder and Associates Pty. Ltd. (2019) are clear. The site has been subject to SGD in its entirety.

As a consequence of complete removal of the original soil profile, the risk of Aboriginal cultural heritage being present at the subject site is extremely low.

6.4 Is a CHMP required?

Level 1 and 2 inquiries show that 100 % of the subject site at 173-177 Barkly Avenue, Burnley has been subject to SGD. Expert advice (Level 4) based on geomorphological investigation of the subject site confirms this common knowledge and the historical record. The SGD was caused by:

- land levelling by horse-drawn machinery (scoops) and steam-powered traction and stationary machinery (rollers, shovels, graders);
- excavating footings for building construction;
- excavating footings for asphalt and concrete slab floors;
- excavation of trenches for water, sewer and gas pipes and telecommunication cables by heavy trenching equipment;
- excavating to construct concrete driveways and paved pathways;
- digging footings for property boundary fences.

A CHMP would have been required for the proposed development if the subject site was in an area of cultural heritage sensitivity (see Section 5). However, no part of the subject

site is in an area of cultural heritage sensitivity, in accordance with regulation 26(2) of the *Aboriginal Heritage Regulations* 2018, which states:

> 'if part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity'.

Accordingly, a CHMP under Section 46 of the *Aboriginal Heritage Act* 2006 is not required prior to development of the subject site.

7. HISTORIC HERITAGE OBLIGATIONS

No part of the subject site is listed with Heritage Victoria or the City of Yarra for its historic heritage significance and the potential for significant historical archaeological items is low for the same reasons of SGD. Accordingly, there is no requirement for detailed historical assessment prior to development.

8. RECOMMENDATIONS

Based on the results of this assessment, it is recommended that:

- construction of the proposed mixed-use commercial building including underground car park at 173-177 Barkly Avenue, Burnley be allowed to proceed without any further Aboriginal or historic cultural heritage investigation, or CHMP. The reason is that the land proposed for development has been subject to significant ground disturbance previously and is not an area of cultural heritage sensitivity that requires a CHMP.
- Salta Properties Pty. Ltd. has the option of undertaking a *voluntary* CHMP for the proposed development.
- In the extremely unlikely event that items of Aboriginal cultural heritage are uncovered during the course of development, all work at the subject site should cease and the developer, or its contractors, must contact the Heritage Advisor or AV for advice. It is an offence under the *Aboriginal Heritage Act* 2006 to harm Aboriginal cultural heritage without written authorization.

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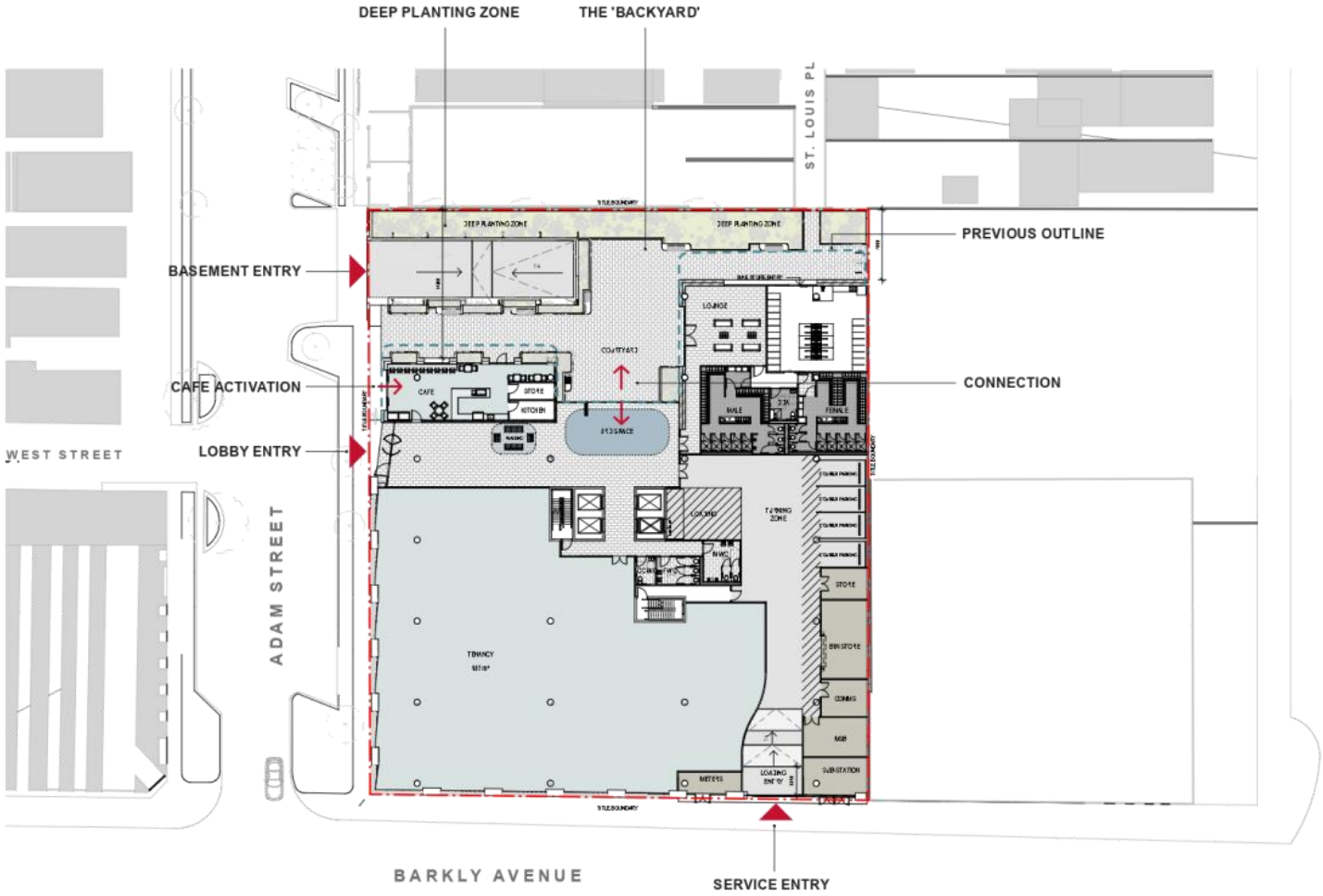
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APPENDIX A

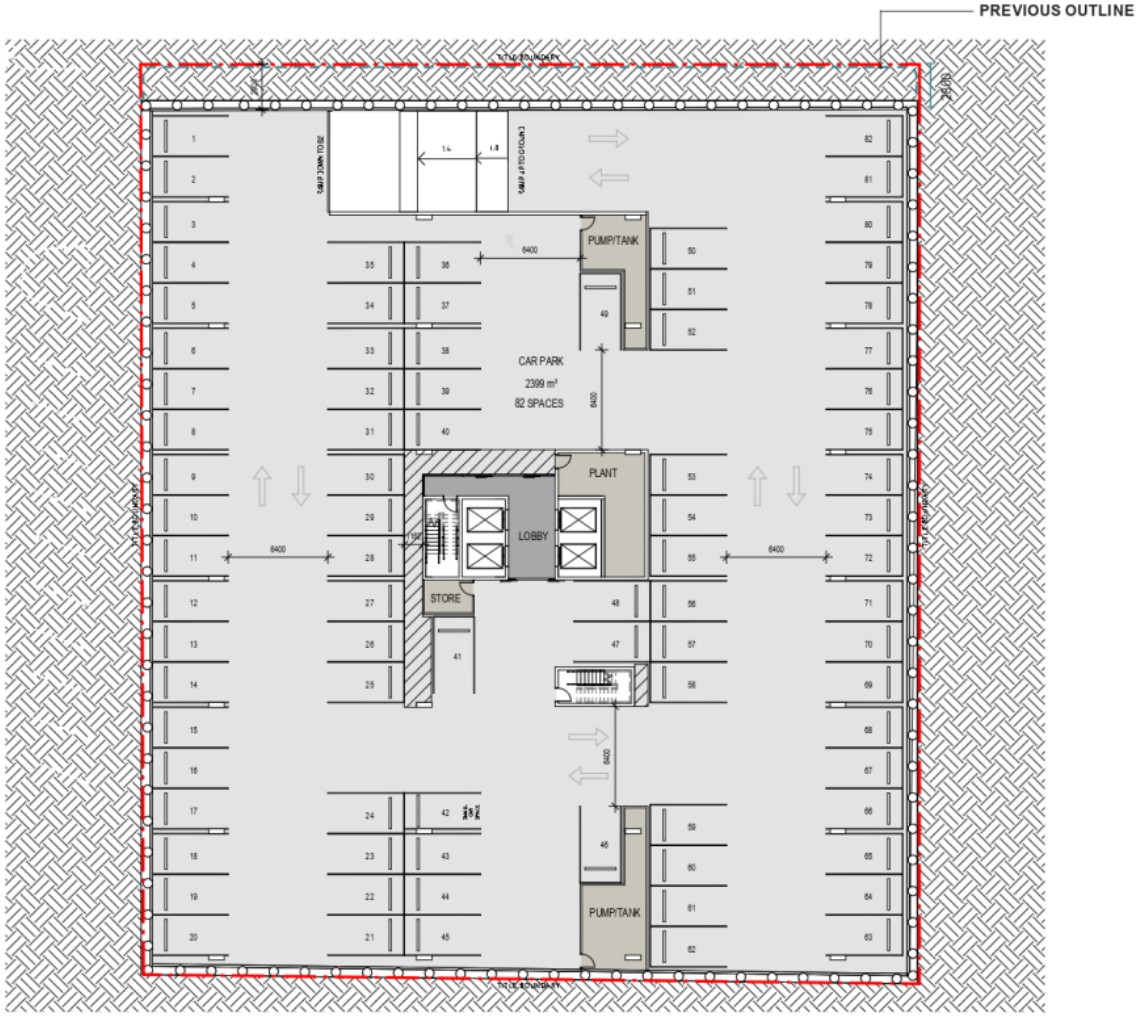
Ground Level Plans of Proposed Development

SITE PLAN


DEEP PLANTING ZONE
THE 'BACKYARD'
ST. LOUIS PL
PREVIOUS OUTLINE
BASEMENT ENTRY
CAFE ACTIVATION
CONNECTION
LOBBY ENTRY
WEST STREET
ADAM STREET
BARKLY AVENUE
SERVICE ENTRY

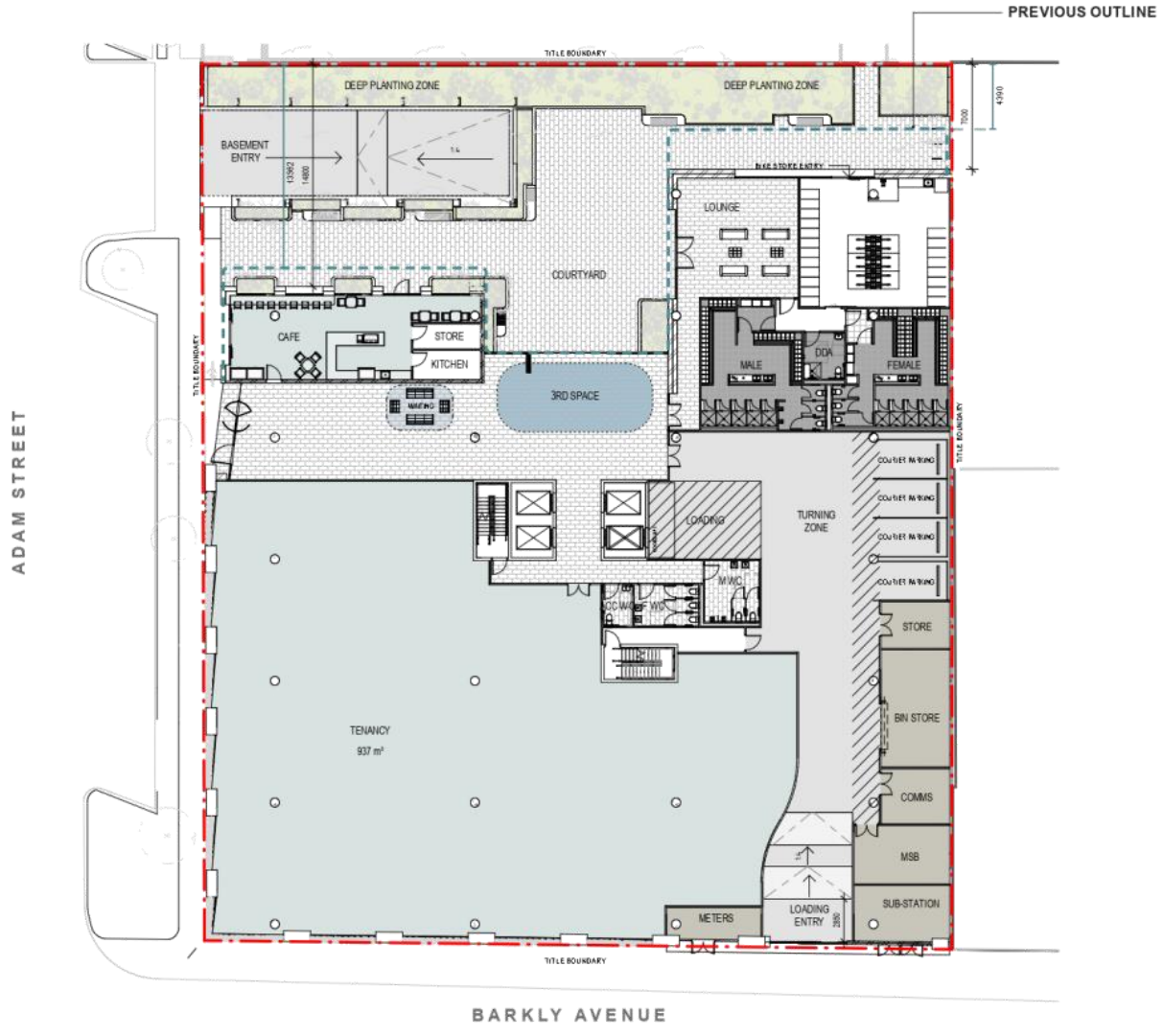
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BASEMENT 1 PLAN



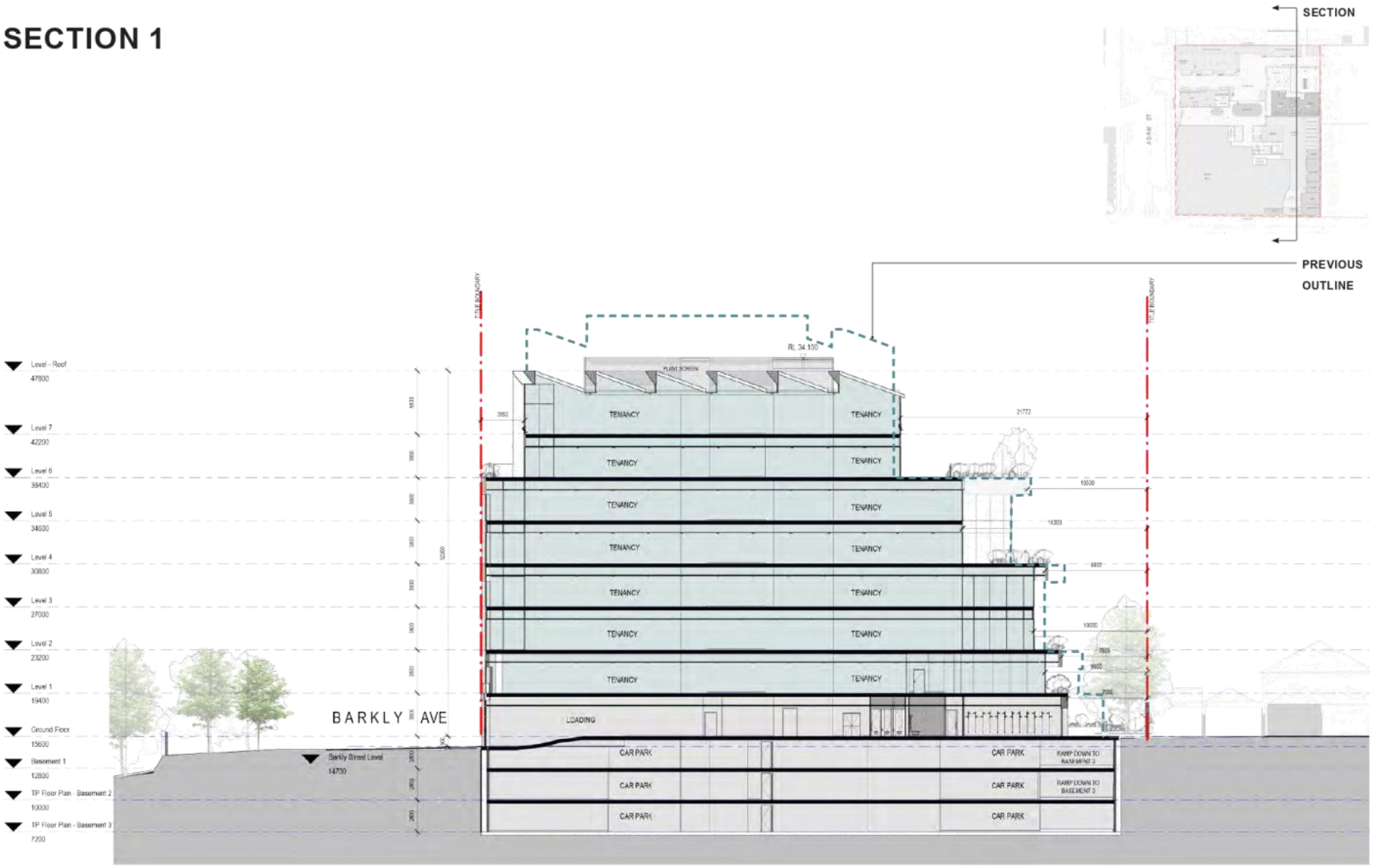
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GROUND FLOOR PLAN



Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

SECTION 1



APPENDIX B

AV Significant Ground Disturbance Practice Note

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

Aboriginal Heritage Act 2006

Practice Note: Significant Ground Disturbance

This Practice Note provides guidance about the meaning of **significant ground disturbance** as it relates to requirements to prepare Cultural Heritage Management Plans under the *Aboriginal Heritage Act 2006**.

The Practice Note covers:

- when a Cultural Heritage Management Plan is required
- why significant ground disturbance should be assessed
- what significant ground disturbance means
- who needs to provide proof
- how to determine significant ground disturbance
- who can determine this
- what is the role of the responsible authority
- how Aboriginal cultural heritage is protected in areas of significant ground disturbance.

Background

The *Aboriginal Heritage Act 2006* (the Act) and Aboriginal Heritage Regulations 2007 (the Regulations) provide protection in Victoria for all Aboriginal places, objects and human remains regardless of their inclusion on the Victorian Aboriginal Heritage Register or whether they are located on public or private land.

When is a Cultural Heritage Management Plan required?

A Cultural Heritage Management Plan ("Management Plan") is required for an activity (i.e. the use or development of land) if the activity:

- is a high impact activity
- falls in whole or in part within an area of cultural heritage sensitivity.

The terms 'high impact activity' and 'cultural heritage sensitivity' are defined in the Regulations.

A Management Plan must also be prepared when an activity requires an Environmental Effects Statement, or when directed by the Minister for Aboriginal Affairs.

High impact activities are categories of activity that are generally regarded as more likely to harm Aboriginal cultural heritage. Most high impact activities provided for in the Regulations are subject to a requirement that the activity results in significant ground disturbance. The term 'significant ground disturbance' is defined in the Regulations.

ABORIGINAL VICTORIA

Areas of cultural heritage sensitivity are landforms and land categories that are generally regarded as more likely to contain Aboriginal cultural heritage. A registered Aboriginal cultural heritage place is also an area of cultural heritage sensitivity.

If part of an area of cultural heritage sensitivity (other than a cave) has been subject to significant ground disturbance that part is not an area of cultural heritage sensitivity.

If a Management Plan is required for an activity it must be approved before the sponsor can obtain any necessary statutory authorisation for the activity and/or before the activity can start. For more information about Cultural Heritage Management Plans see Aboriginal Victoria's (AV) website:

http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-cultural-heritage/cultural-heritage-management-plans.

Why should significant ground disturbance be assessed?

It is important to assess significant ground disturbance when considering whether a Management Plan is required because:

- A Management Plan does not need to be prepared for a high impact activity if all the area of cultural heritage sensitivity within the activity area has been subject to significant ground disturbance.
- Some types of activity will not be a high impact activity, meaning a Management Plan would not need to be prepared, if the activity does not cause significant ground disturbance.

The Regulations specify the landforms and land categories that are areas of cultural heritage sensitivity. Areas of cultural heritage sensitivity are displayed in a series of maps available on AV's website. The areas delineated on these maps however do not take account of the past history of land use and development that may have caused significant ground disturbance in localised areas.

How is significant ground disturbance defined?

'Significant ground disturbance' is defined in r.4 of the Regulations as meaning disturbance of –

a) the topsoil or surface rock layer of the ground; or

b) a waterway –

by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.

The words 'disturbance', 'topsoil', 'surface rock layer', 'machinery', 'grading', 'excavating', 'digging', 'dredging', 'ploughing' (other than deep ripping) are not defined in the regulations and therefore have their ordinary meanings.

The Victorian Civil and Administrative Tribunal (VCAT) has determined that the words "topsoil or surface rock layer" include the former topsoil or former surface rock layer if that topsoil or surface rock layer is a naturally occurring surface level that is readily ascertainable and does not include the current topsoil or current surface rock layer if established by the mere filling of the land.

Ploughing (other than deep ripping) to any depth is not significant ground disturbance. Deep ripping is defined in the regulations to mean 'ploughing of soil using a ripper or subsoil cultivation tool to a depth of 60 centimetres or more'. None of the words used in this definition are defined, and therefore have their ordinary meanings. VCAT has determined that a ripper or subsoil cultivation tool must be distinguished from conventional ploughs or topsoil cultivation tools such as disc ploughs or rotary hoes which are not sufficient to show significant ground disturbance.

Deep ripping will result in significant ground disturbance regardless of the degree of disturbance caused to the topsoil or surface rock layer of the ground.

Who needs to provide proof that land has been subject to significant ground disturbance?

The burden of proving that an area has been subject to significant ground disturbance rests with the applicant for a statutory authorisation for the activity (or the sponsor of the activity). The responsible authority may assist by providing the applicant access to any relevant records it has about past land use and development.

How can a sponsor determine whether significant ground disturbance has occurred?

The responsible authority should require evidence of support for claims that there has been significant ground disturbance of an area. The levels of inquiry outlined below provide some guidance about what information should be required to satisfy a responsible authority (depending on the circumstances of each case) that significant ground disturbance has occurred. The levels of inquiry are listed in order of the level of detail that may be required. An assessment of whether significant ground disturbance has occurred should be dealt with at the lowest possible level in order to avoid unnecessary delay or cost to applicants.

Little weight should be given to mere assertions by applicants or land owners that an activity area has been subject to significant ground disturbance.

Level 1 – Common knowledge

The fact that land has been subject to significant ground disturbance may be common knowledge. Very little or no additional information should be required from the responsible authority.

For example, common knowledge about the redevelopment of a petrol station with extensive underground storage tanks.

Level 2 – Publicly available records

If the existence of significant ground disturbance is not common knowledge, a responsible authority may be able to provide assistance from its own records about prior development and use of land, or advise the applicant about other publicly available records, including aerial photographs.

These documents may allow a reasonable inference to be made that the land has been subject to significant ground disturbance.

In such event, no further inquiries or information would be needed by the responsible authority. The particular records and facts relied upon should be noted by the responsible authority as a matter of record.

For example, a former quarry site subsequently filled, but where the public records show the area of past excavation.

Level 3 – Further information

If 'common knowledge' or 'publicly available records' do not provide sufficient information about the occurrence of significant ground disturbance, the applicant may need to present further evidence either voluntarily or following a formal request

from the responsible authority. Further evidence could consist of land use history documents, old maps or photographs of the land or statements by former landowners or occupiers. Statements should be provided by statutory declaration or similar means.

For example, the construction of a former dam on a farm.

Level 4 – Expert advice or opinion

If these levels of inquiry do not provide sufficient evidence of significant ground disturbance (or as an alternative to level 3), the applicant may submit or be asked to submit a professional report with expert advice or opinion from a person with appropriate skills and experience.

Depending on the circumstances, this may involve a site inspection and/or a review of primary documents. If there is sufficient uncertainty some preliminary sub-surface excavation or geotechnical investigation may be warranted.

An expert report should comply with VCAT's practice note on expert evidence.

The responsible authority must be reasonably satisfied that the standard of proof presented by the applicant shows that all of the land in question has been subject to significant ground disturbance.

A level 1 or 2 inquiry will commonly provide sufficient information as to whether or not the activity area has been subject to significant ground disturbance, and a level 3 or 4 inquiry should not be required as a matter of course.

There will be cases when the responsible authority is simply not persuaded or where there remains genuine doubt about significance ground disturbance regardless of the level of inquiry. In these circumstances the default position is that a Management Plan is required. This is in line with the purpose of the Act and Regulations to provide for the protection of Aboriginal cultural heritage in Victoria.

Who can provide expert advice about significant ground disturbance?

A person needs to have expertise to decide, based upon an inspection of the land or interpreting primary documents, whether the land has been subject to significant ground disturbance.

A cultural heritage advisor may not necessarily have this expertise. Under section 189 of the Act, an advisor must have a qualification directly relevant to the management of Aboriginal cultural heritage such as 'anthropology, archaeology or history' or have extensive experience or knowledge in relation to the management of heritage. An advisor appropriately qualified in archaeology may be able to assist where excavation is required to determine significant ground disturbance.

Other experts such as a land surveyor, geomorphologist or civil engineer could also have the necessary expertise (depending on the circumstances). For example, a civil engineer should have the qualifications and experience to determine the extent of previous engineering works along a watercourse or road, and therefore the extent of significant ground disturbance.

What is the role of the responsible authority?

The responsible authority determines whether a Management Plan is required for an activity. It may require the applicant to provide information to satisfy it that an area has been subject to significant ground disturbance.

Evaluating information relating to the occurrence of significant ground disturbance may be critical in deciding whether a Management Plan is required and therefore whether a statutory authorisation can be granted. This question should be resolved at an early stage in planning a proposed development. Applicants for statutory authorisations and the responsible authority should therefore seek to agree at an early stage about whether a Management Plan is required. In the event of a dispute this can be brought without delay to VCAT for resolution. The responsible authority should take care to document the steps taken in each case.

What if Aboriginal cultural heritage is discovered in an area determined to have been subject to significant ground disturbance?

It is possible that there are Aboriginal cultural heritage places, objects or human remains within areas determined to no longer be areas of cultural heritage sensitivity due to significant ground disturbance. It is also possible that Aboriginal cultural heritage could be harmed by activities which do not amount to high impact activities.

These Aboriginal places are still protected under the Act. In particular, it is an offence under sections 27 and 28 of the Act to harm Aboriginal cultural heritage unless acting in accordance with a Cultural Heritage Permit or approved Cultural Heritage Management Plan (regardless of whether a Management Plan was required).

** This Practice Note is based on VCAT's determination about significant ground disturbance. For further details see VCAT, Reference No. P1020/2008 – Mainstay Australia vs Mornington Peninsula SC and Reference No. P1204/2010 – Colquhouns & Ors vs Yarra SC.*

APPENDIX C

Curriculum Vitae of Dr Tim Stone

DR. TIM STONE

Principal Consultant (archaeology and geomorphology)

Tim Stone Pty Ltd

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Qualifications

Bachelor of Arts (combined Honours) Department of Geography and Department of Prehistory and Anthropology, the Australian National University, 1986.

Master of Science, Department of Geography, the Australian National University, 1993.

Doctor of Philosophy, School of Earth Sciences, the University of Melbourne, 2006.

Expertise

Dr. Tim Stone is a Senior Consultant Archaeologist and Geomorphologist with over 30 years of experience. He holds Bachelor and Masters degrees both from the Australian National University and a PhD from the University of Melbourne. His Masters research developed methods for distinguishing Aboriginal shell middens from natural shoreline deposits. The soils and landforms of the Murray Basin were the subject of his PhD. As a Consultant Archaeologist and Geomorphologist he has completed over 600 management reports for a range of developments in most Australian States. In Victoria he is a recognized Heritage Advisor under the *Aboriginal Heritage Act* 2006 and routinely undertakes cultural heritage assessments including Cultural Heritage Management Plans (CHMPs) for developers across the State. During the course of this work he has established good relationships with local Aboriginal communities and the various authorities. A sample of past projects is listed below.

Select CHMPs

- Industrial subdivision 29-39 Encore Avenue, Somerton
- Sewage Pump Station Development, Rockbank
- Colac Water Supply Upgrade Project, Barongarook

- Golden Plains Food Production Precinct Water Infrastructure Stage 1 Extension
- Anglesea-Aireys Inlet Water Pipeline and Pump Station
- Sorrento Area A6 Pressure Sewerage System, Sorrento
- Bannockburn Pump Station Upgrade and Rising Main Replacement
- O'Hallorans Road Rising Main, Lara West
- Colac Water Reclamation Plant Upgrade
- Odour Management Facility, Browns Road, Boneo
- Loch to Nyora Sewer Rising Main, South Gippsland
- Janefield Rising Main Realignment, Bundoora
- Northern Towns Water Supply Pipeline Project, South Gippsland
- Armstrong Creek Recycled Water Main and Trunk Sewer, Geelong
- Wonthaggi Wastewater Treatment Plant Extension
- Warehouse Development 13 Clancy Road, Mount Evelyn
- Multi-unit residential development 26-28 Warranwood Road, Warranwood
- Multi-unit residential development 70 Stanley Road, Keysborough
- Residential development 121 Rymer Avenue, Safety Beach
- Apollo Bay Bulk Water Storage
- Lynbrook Drainage Channel and Culverts
- Waterford Water and Sewer Infrastructure, Melton South
- Venus Bay Saline Outfall Pipeline
- Tarwin River Water Supply Main, Leongatha South
- Kinglake West Sustainable Sewerage Project
- M360 Diamond Creek Crossing Water Pipeline Replacement, Hurstbridge
- Berwick Select Entry School, Berwick
- Banksia Street Wetland, Heidelberg
- Lyndhurst Primary School, Lyndhurst
- Mill Park Lakes East Primary School, South Morang
- Tarneit Central School, Tarneit
- Miller Road Emergency Relief Structure, Heathmont
- Yering Recycled Water Main Alignment, Lilydale
- Aurora-Craigieburn Transfer System, North Epping
- Eumemmering Creek Wetlands, Dandenong South

Select Cultural Heritage Due Diligence Assessments

- Peninsula ECO Transfer Main Pipe Track and Boneo STP
- Belgrave and Selby Backlog Sewerage Project
- Augusta Street Contingency Storage Tank, Mount Martha
- Grant Street SPS, Emergency Storage and Rising Main, Bacchus Marsh
- Armstrong Creek Trunk Sewer and Water Main, Geelong
- Foster Winter Storage Wastewater Lagoons and Land Irrigation
- Northern Towns Water Supply Pipeline, Leongatha
- Poowong, Loch and Nyora Sewerage Scheme
- Mernda South Rising Main
- Warrandyte Backlog Sewerage Project
- Amaroo Branch Sewer Kalkallo
- Coburg Stormwater Harvesting Project
- Harvest Home Road PRS and RWM, Epping North
- Findons Creek Branch Sewer, North Epping

International experience

Physical Cultural Resources Adviser to Nam Theun 2 Dam Project, Peoples Democratic Republic of Laos, 2004.

Select publications

Stone, T. 1991. Megapode mounds and archaeology in northern Australia. *The Emu*, 91:255-256.

Stone, T. 1995. Shell mound formation in coastal northern Australia. *Marine Geology*, 129:77-100.

Stone, T. and Cupper, M. 2003. Last Glacial Maximum ages for robust humans at Kow Swamp, southern Australia. *Journal of Human Evolution*, 45:99-111.

Stone, T. 2004. Robust and gracile. *Australasian Science*, 25 (2):18-20.

Stone, T. 2006. Last glacial cycle hydrological change at Lake Tyrrell, south east Australia. *Quaternary Research*, 66:176-181.

Stone, T. 2006. The late Holocene origin of the modern Murray River course, southeastern Australia. *The Holocene*, 16:771-778.

APPENDIX D

Azzure

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

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RED DOT DECISION SUMMARY

The practice of VCAT is to designate cases of interest as 'Red Dot Decisions'. A summary is published and the reasons why the decision is of interest or significance are identified. The full text of the decision follows. This Red Dot Summary does not form part of the decision or reasons for decision.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

ADMINISTRATIVE DIVISION

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P722/2009
PERMIT APPLICATION NO. P08/3193

IN THE MATTER OF Azzure Investment Group Pty Ltd v Mornington Peninsula Shire Council

BEFORE Mark Dwyer, Deputy President

NATURE OF CASE	When Cultural Heritage Management Plan required under *Aboriginal Heritage Act* 2006
REASONS WHY DECISION IS OF INTEREST OR SIGNIFICANCE	
LEGISLATION – interpretation or application of legislative or regulatory provision	*Aboriginal Heritage Regulations 2007* rr 6, 28; whether Cultural Heritage Management Plan required; activity on land within 200 metres of high water mark; whether land subject to previous 'significant ground disturbance'.
LAW, PRACTICE OR PROCEDURE – issue of interpretation or application	difficulties with level of inquiry, available evidence, and standard of proof; *Mainstay v Mornington Peninsula SC* considered.
ANALYSIS – exposition of how to asses an issue or matters to consider	difficulties in application of CHMP requirements to small developed sites; whether 'part' of land still in area of cultural heritage sensitivity; use of comparative and contextual approach for small lots.
CHANGE TO LEGISLATION OR VPPS - whether change to VPPs or statutory provisions is required or desirable	Regulatory clarification would be desirable to address practical difficulties and anomalies exposed in the *Mainstay* decision and this decision, particularly for 'significant ground disturbance'

SUMMARY

This decision relates to the question whether a Cultural Heritage Management Plan (**CHMP**) is required under the *Aboriginal Heritage Regulations* 2007 (**AH Regulations**).

The decision is a useful companion piece to the decision in *Mainstay Australia Pty Ltd v Mornington Peninsula Shire Council (Red Dot)* [2009] VCAT 145, and further addresses difficulties in the application of the AH Regulations to determine whether land has been subject to past 'significant ground disturbance'. In this decision, no CHMP was required.

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This case involved a relatively small (840 m²) lot in an established urban area where the lot had been extensively developed, serviced and used over an extended period of time. There was however no 'smoking gun' evidence available from aerial photographs, public records, archaeological or geomorphological investigation, or oral testimony that firmly established past 'significant ground disturbance' as strictly defined – i.e. disturbance of topsoil by machinery in the course of grading or excavation etc.

The Tribunal accepted evidence that 'significant ground disturbance' for the lot could nonetheless still be established to a sufficient level of satisfaction in this case from other comparative and contextual information. This included the urban context within which the land is situated; the timing of subdivision; the shape, size, topography and configuration of lots in the subdivision; the actual development of dwellings and outbuildings and the pattern of use over time; the provision of underground drainage and services; the style and configuration of the house and garden; and the lack of remnant vegetation.

The comparative and contextual information must still reasonably satisfy the decision maker that the relevant land has been disturbed in the past by machinery in the course of grading, excavating, digging, dredging or deep ripping (other than ploughing) – i.e the definition in the AH Regulations must still be met. However, in the absence of a single item of proof, the contextual approach may assist in achieving this level of satisfaction through a reasonable inquiry and examination of a range of relevant information (none of which is necessarily conclusive in itself) and 'joining the dots' to reach a common sense conclusion from the available information. In this case, a reasonable level of analysis of these factors disclosed extensive site coverage by buildings and works, a prior underground septic system and other services. There was also some comparative research disclosing mechanical grading of similar lots in the area at the time of subdivision. The combination of factors in this case made it likely that the whole site had been subject to 'significant ground disturbance' over time.

A planning decision maker still needs to be reasonably satisfied, on the balance of probabilities based on the information in a given case, that 'significant ground disturbance' (as defined) has occurred. However, the balance of probabilities does not require proof beyond doubt. The level of inquiry, and information required, to satisfy a decision maker will depend on the circumstances of each case. In relation to a relatively small intensively developed urban lot (as here), the required level of inquiry or information required might therefore be more limited as compared with that required for a sparsely developed larger site. The acceptance of this view does not affect the principles that underscored the decision in *Mainstay*.

The use of a comparative or contextual approach to the consideration of 'significant ground disturbance' is not without difficulty in practice, but it may provide a useful mechanism to deal with smaller developed lots, for example, up to a traditional 'quarter-acre' block or 0.1 hectares in size. The decision however recommends regulatory clarification to create greater certainty for permit applicants and responsible authorities for matters arising under the AH Regulations in relation to 'significant ground disturbance'.

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VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

ADMINISTRATIVE DIVISION

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P722/2009
PERMIT APPLICATION NO. P08/3193

CATCHWORDS

Aboriginal Heritage Regulations 2007 rr 6, 28; whether Cultural Heritage Management Plan required; proposed activity on land within 200 metres of high water mark of coastal waters; whether land subject to previous significant ground disturbance; whether 'part' of land still in area of cultural heritage sensitivity; *Mainstay v Mornington Peninsula SC* considered; difficulties with available evidence; difficulties in application of CHMP requirements to small developed urban lots; use of comparative and contextual approach.

APPLICANT	Azzure Investment Group Pty Ltd
RESPONDENT/ RESPONSIBLE AUTHORITY	Mornington Peninsula Shire Council
SUBJECT LAND	1807-1829 Point Nepean Road TOOTGAROOK VIC
WHERE HELD	55 King Street, Melbourne
BEFORE	Mark Dwyer, Deputy President
HEARING TYPE	Hearing
DATE OF HEARING	17 July 2009
DATE OF ORDER	14 August 2009
CITATION	Azzure Investment Group Pty Ltd v Mornington Peninsula SC (includes Summary) (Red Dot) [2009] VCAT 1600

ORDER

1 On the preliminary question, I find that:

- The land has been the subject of significant ground disturbance, and the proposed activity in this proceeding falls within the exemption under Regulation 28(2) of the *Aboriginal Heritage Regulations* 2007; and
- A Cultural Heritage Management Plan is not required under the *Aboriginal Heritage Act* 2006 and the *Aboriginal Heritage Regulations* 2007 for the proposed activity.

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2 The proceeding is adjourned to an administrative mention on 28 August 2009. By that date, the parties must advise the Tribunal in writing whether the matter is ready to be listed for a hearing, or whether further procedural orders or directions are required.

Mark Dwyer
Deputy President

APPEARANCES:

For the Applicant	Ms Tania Cincotta, solicitor, of Best Hooper, Solicitors. The applicant called the following witness: • Mr Andrew Long, heritage consultant
For the Responsible Authority	Ms Elisa de Wit, solicitor, of Deacons, Solicitors.

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REASONS

What is this proceeding about?

1 The applicant, Azzure Investment Group Pty Ltd, made application for a planning permit for the development and use of land at 1807-1829 Point Nepean Road, Tootgarook for a service station and associated uses.

2 The main proceeding before the Tribunal comprises an application by the applicant under s 79 of the *Planning and Environment Act* 1987, seeking to review the 'failure' of the responsible authority to decide the permit application within the prescribed period.

3 Following a practice day hearing, the matter has been referred to me for a hearing and decision on the preliminary question of whether a Cultural Heritage Management Plan (**CHMP**) is required under the *Aboriginal Heritage Act* 2006 (**AH Act**) and the *Aboriginal Heritage Regulations 2007* (**AH Regulations**) for the proposed activity.

Introductory comments

4 In *Mainstay Australia Pty Ltd v Mornington Peninsula SC (Red Dot)*[1], Member Naylor and I set out some principles to assist in the determination of when a CHMP is required. In that case, a CHMP was required. In *Tsourounakis v Ballarat CC (Red Dot)*[2], I applied these same principles, which in that case led to a conclusion that a CHMP was not required. A similar issue arose for consideration in *Alesci Lawyers v Mornington Peninsula SC*[3], where a CHMP was required.

5 In all of those cases, as here, the determining factor was whether all of the land in the activity area had been subject to past 'significant ground disturbance'. Those cases, as here, turned on the level of inquiry and the quality of the available evidence in each case to establish whether significant ground disturbance had occurred.

6 It is perhaps an interesting addendum to the decision in *Mainstay* that:

- Aboriginal Affairs Victoria has now embodied much of the *Mainstay* decision in a practice note; and
- Despite the misgivings of some of the parties in *Mainstay* about the CHMP requirement, the CHMP ultimately undertaken did reveal the existence of stone artefacts within the proposed activity area. The approved CHMP was able to consider the significance and

1 [2009] VCAT 145
2 [2009] VCAT 905
3 [2009] VCAT 1110

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consequences of this discovery, and permission was given for the area to be disturbed[4].

7 In *Mainstay*, Member Naylor and I had highlighted some potential difficulties and anomalies in the application of the AH Act and the AH Regulations on the issue of 'significant ground disturbance'. This present case exposes further difficulties and anomalies that might warrant regulatory reform if the requirements for CHMP's are to operate effectively in practice.

Is a Cultural Heritage Management Plan required in this case?

8 Regulation 6 of the AH Regulations indicates that a CHMP is required for an activity if:

- all or part of the activity area for the activity is an "area of cultural heritage sensitivity"; and
- all or part of the activity is a "high impact activity".

9 In the present case, as in *Mainstay*, the application of the AH Regulations is straightforward in all but one respect. It is agreed that:

- The development proposed by Azzure is not a generally exempt activity under the AH Act or AH Regulations.
- The proposed development is a high impact activity. Under r 43(1)(b)(xxi) of the AH Regulations, the construction of buildings and works for use as a service station is a high impact activity.
- Subject to the issue of significant ground disturbance, the subject land is in an area of cultural heritage sensitivity. Under r 28(1) of the AH Regulations, land within 200m of the high water mark of the coastal waters of Victoria in an area of cultural heritage sensitivity. It is common ground that the land is within 200m of the high water mark of Port Phillip Bay.

10 Regulation 28(2) of the AH Regulations however provides as follows:

> 28(2) If part of the land specified in subregulation (1) has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

11 It follows from r 28(2) that, if all parts of the land in this proceeding have been the subject of significant ground disturbance, then none of the land will be deemed to be in an area of cultural sensitivity, and no CHMP will be required even though all other criteria for a CHMP are met.

12 In this case, the proposed activity area for the service station comprises 3 separate parcels of land:

[4] This information was provided, in part, by the responsible authority in this proceeding. The Tribunal is also aware of this outcome, as a matter of public record, from the 'merits' hearing in *Mainstay* that followed the completion of the CHMP.

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- 1807-1815 Point Nepean Road comprises shops and a concrete carpark;
- 1819-1827 Point Nepean Road comprises a skating rink and amusement centre;
- 1829 Point Nepean Road comprises a dwelling and outbuilding.

13 It was common ground that the first two parcels of land have been subject to significant ground disturbance through their past use and development. The whole of the land in both parcels has been entirely covered with buildings and paved surfaces for many years. Whilst it does not automatically follow that past site coverage by buildings and paved areas equates to 'significant ground disturbance', I am content on the facts of this case to endorse the responsible authority's acceptance of past significant ground disturbance for these two parcels of land.

14 The question in this case is thus limited to whether the land at 1829 Point Nepean Road has been similarly disturbed[5].

15 As indicated in *Mainstay*, whether land has been subject to significant ground disturbance is essentially a question of fact, to be determined by evidence. The burden rests with the applicant to establish (on the balance of probabilities) that land has been subject to prior significant ground disturbance. It should perhaps be emphasised that the responsible authority and Tribunal do not have a 'merits' discretion to waive a CHMP requirement even if it appears unnecessary, undesirable or anomalous in the circumstances of a particular case. In the absence of sufficient evidence to establish 'significant ground disturbance' (and assuming the other requirements of the AH Regulations apply), the default is that a CHMP is required for the proposed activity.

16 The term 'significant ground disturbance' is defined in the AH Regulations, and discussed at some length in *Mainstay*. It requires, for this case, that the applicant establish, on the balance of probabilities, that the topsoil or surface layer at 1829 Point Nepean Road has been disturbed in the past by machinery in the course of grading, excavating, digging, dredging or deep ripping (other than ploughing). However, apart from deep ripping, there is no 'depth' criterion set for disturbance by other means, so the past mechanical disturbance to the topsoil need not necessarily be to significant depth.

17 In this case, the applicants purported to satisfy the burden and standard of proof through the evidence of a cultural heritage adviser – Mr Andrew Long. I have no reason to doubt Mr Long's significant expertise in cultural

[5] An issue was raised by the applicant in this case as to whether part of the land at 1829 Point Nepean Road was outside the activity area, as it did not form part of the development area or 'planning unit' for the service station development. This would further limit the part of the land where 'significant ground disturbance' needed to be established. However, the activity are is not at all clear from the application material, and the land description in the permit application. Given my finding on other issues, it is unnecessary to finally decide this issue in this case.

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heritage. However, as noted in *Mainstay*, a cultural heritage adviser may not always have the requisite experience to determine whether past significant ground disturbance has occurred as a matter of established fact.

18 Mr Long noted he had not undertaken any testing or subsurface excavation to establish past ground disturbance. Indeed, he also readily conceded that there was no 'smoking gun' evidence available from aerial photographs, public records, archaeological or geomorphological investigation, or oral testimony that firmly established past 'significant ground disturbance' as strictly defined – i.e. disturbance of topsoil by machinery in the course of grading or excavation etc.

19 Accepting the difficulties arising from the way in which the AH Regulations are formulated, Mr Long's evidence was that significant ground disturbance could nonetheless still be established to a sufficient level of satisfaction, on the balance of probabilities, from other comparative and contextual information. This included the urban context in which the land is situated; the timing of subdivision; the shape, size, topography and configuration of lots in the subdivision; the actual development of dwellings and outbuildings and the pattern of use over time; the provision of underground drainage and services; the style and configuration of the house and garden; and the extent or lack of remnant vegetation.

20 In the present case, historical records show there were 14 lots in the original subdivision, all on relatively level ground and of a similar and relatively small size. The land and immediate area presents as medium density urban land in an established urban area. 1829 Point Nepean Road is approx. 840 m² in area, with much of the land covered by a dilapidated dwelling erected on stumps, and an outbuilding. There is no remnant vegetation. There is a small front and rear yard, mostly now overgrown but with some evidence of a typical suburban yard and garden. The lot is serviced with water and sewer (indicating underground services across the block, and particularly in the front yard). The Council indicated that there is known to have been an underground septic tank on the land in the past, although its exact location is unclear. From an examination of the site, its likely location is in the rear yard (indicating disturbance in that area).

21 Mr Long's conclusion was that it is reasonable to infer from this intensive development and long use of a relatively small urban lot as a residence that there has been significant ground disturbance through grading, excavation, site clearance, digging, servicing, and development over time.

22 The key absence in the analysis thusfar, arising from the definition in the AH Regulations, is any clear evidence that the disturbance arose *by machinery*. Mr Long had researched this issue and was satisfied that subdivisions in this area in the mid-20th century had commonly utilised mechanical grading, and there is comparative evidence of this in a proximate subdivision. It is also likely that the installation of the septic tank, drainage lines and later services would have involved mechanical

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excavation. Whilst this research is perhaps 'indefinite testimony' that would be insufficient, by itself, to establish significant ground disturbance (as defined), it forms part of the overall comparative and contextual information to support the conclusion reached in this case.

23 Whilst I have some reservations with how Mr Long's approach might be applied more broadly in practice, I agree with his analysis and its application to a relatively small suburban lot in *this* case.

24 However, even accepting this approach, there still remains another potential difficulty or anomaly stemming from the present wording of the AH Regulations. Under several of the AH Regulations, if any *part* of the land has been subject to significant ground disturbance, that *part* is not an area of cultural heritage sensitivity. The AH Regulations provide no assistance as to what may constitute a 'part' of the land. The consequence is that even if most of a parcel of land has been significantly disturbed, but some small part is undisturbed, that undisturbed part remains an area of cultural heritage sensitivity, and a CHMP is required for the whole proposed activity. For larger sites (such as in the *Mainstay* or *Alesci* cases), this would seem to be an intended and desirable outcome – i.e. there is still a material undisturbed portion of the land that is arguably still of cultural heritage sensitivity and still warrants the preparation of a CHMP.

25 For smaller sites, such a strict approach is anomalous and potentially absurd. For example, if say 1% of the 840m^2 lot here (or, say, only a few square metres adjacent to the boundary or in the middle of a suburban backyard) has no clear evidence of mechanical disturbance, should this lead to a conclusion that this small or isolated area is still an area of cultural heritage significance. The consequence is that a CHMP is then required for the whole activity on the land, leading potentially to enormous cost and delay to a permit applicant for no obvious gain.

26 I am not convinced that the legislation intended such an outcome. Adopting modern principles of statutory interpretation and a purposive and contextual approach, I think it self-evident that the reference in the AH Regulations to a 'part' of the land must read as meaning a *material* part of the land. In the absence of regulatory clarification, the difficulty lies in where decision makers should draw the line as to what is material, and leaves the matter in a state of some uncertainty. If say 1% is an immaterial 'part', what about 2%? Or 5%? Or three tiny areas totalling 5%? The materiality of even a very small part of land may be a matter of fact and degree in the circumstances of a particular case.

27 The use of the comparative and contextual approach for a small lot helps to address this dilemma. A reasonable level of inquiry of the contextual factors above might reasonably satisfy a decision maker on the balance of probabilities in a given case (as here) that the whole of the small lot has been subject to 'significant ground disturbance'. This standard of proof may

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be met without there being absolute proof beyond doubt of mechanical disturbance by grading, excavation etc of every square metre of the lot.

28 In my view, for smaller subdivided urban lots (say, up to a standard 'quarter acre' block, or perhaps 0.1 hectare in size), I think it is possible for a decision maker to be satisfied, on the 'balance of probabilities', based on a comparative and contextual approach, that there has been significant ground disturbance of that entire lot for the purpose of the AH Regulations. This does not mean that all small urban lots should automatically be considered to have been the subject of past significant ground disturbance. However, in an established urban area, where a reasonable level of inquiry establishes that a lot has have been extensively developed, serviced and used over an extended period with significant site coverage by buildings and works, likely mechanical grading or levelling as part of the subdivision, underground servicing, and with small yards or garden areas showing little or no signs of remnant vegetation or undisturbed ground, a finding of 'significant ground disturbance' of the entire lot is certainly open.

29 It is should perhaps be emphasised that this approach does not entitle the decision maker to ignore the essential elements of the definition of 'significant ground disturbance' in the AH Regulations. The comparative and contextual information must still reasonably satisfy the decision maker that the relevant land has been disturbed in the past by machinery in the course of grading, excavating, digging, dredging or deep ripping (other than ploughing). However, in the absence of a single item of proof, the contextual approach may assist in achieving this level of satisfaction through a reasonable inquiry and examination of a range of relevant information (none of which is necessarily conclusive in itself) and 'joining the dots' to reach a common sense conclusion from the available information. In this case, the site coverage of buildings and works on a small block, the research of likely mechanical disturbance through grading, the underground servicing, the old septic system etc all lead reasonably to a conclusion that the has been 'significant ground disturbance' here.

30 The acceptance of this view does not affect the principles that underscored the decision in *Mainstay*. Member Naylor and I had noted in that case that the level of inquiry, and information required to satisfy the decision maker, will depend on the circumstances of each case. The standard of proof is on the 'balance of probabilities' – not proof beyond doubt. There must be sufficient information, objectively considered, to persuade the decision maker to a reasonable level of satisfaction in a given case that there has been significant ground disturbance. In my view, the level of inquiry, and information required, for a small developed urban lot might therefore be relatively more limited as compared with a sparsely developed larger site.

31 As also noted in *Mainstay*, the Aboriginal Affairs Victoria submission in that case had supported a view that there should be no hard and fast rules on what information should be required to satisfy a planning decision maker that significant ground disturbance has occurred, and cautioned against

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strict guidelines that might create unreasonable obligations on permit applicants or responsible authorities. This decision, as with *Mainstay*, endorses and attempt to give effect to that sentiment.

32 Moreover, the land in *Mainstay* was very different to here. It was a large site, many hectares in size, comparatively undeveloped as a low-density residential block on the outskirts of a developed area, and where a relatively large proportion of the land was clearly undisturbed for the purpose of the AH Regulations. [Indeed, Mr Long concurred with the finding that a CHMP was reasonably required in *Mainstay* even on his contextual approach.]. The differentiating factors in the present case before me are the small lot size and the intensity of development and use within a clearly urban context.

33 As indicated earlier, in this case Mr Long conceded there had been no testing or subsurface excavation as part of his investigation. That may well have been helpful. However, I do not consider it an essential part of a reasonable level of inquiry for a small developed urban lot. Given the views I have set out above, an test result indicating no significant disturbance of an isolated part of a small lot, or an inconclusive test result about whether any disturbance was mechanical, would not have changed the outcome in this case. In this case, the outcome is reached by a contextual approach to the entire lot rather than a physical examination of every square metre of the land. This outcome can be differentiated from the outcome in the *Alesci* case. Despite archaeological evidence there that 90% of the land had been significantly disturbed, the land in *Alesci* was over 2.2 hectares in size and the remaining 10% was still a material part of the land for which a CHMP requirement was warranted. Equally, in *Mainstay*, the test dig results were highly relevant, as objective evidence of significant ground disturbance was otherwise lacking for the large undeveloped area across the central part of that land. The limited and inconclusive test results there raised (rather than resolved) doubts about past disturbance, and thus reinforced the finding and CHMP requirement. Again, the differentiating factors in the present case before me are the small lot size and the intensity of development and use within a clearly urban context.

34 In this case, based upon the comparative and contextual response by Mr Long and the other information provided by the parties by way of submission, I am satisfied on the balance of probabilities that the land has been subject to past significant ground disturbance.

35 It follows that the specific exemption in Regulation 28(2) of the AH Regulations is made out in this case, and the land at 1807-1829 Point Nepean Road, Tootgarook is not to be characterised as being within an area of cultural heritage sensitivity. It therefore also follows, for the purpose of r 6, that a CHMP is not required for the proposed activity[6].

[6] It is perhaps worth noting the likelihood of aboriginal cultural heritage existing on the land is not directly relevant to whether a CHMP is required. The obligations under the AH Act continue to apply to the land if aboriginal cultural heritage exists or is discovered on the land in the future.

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Signed by AustLII

36 In reaching this view, I make no criticism of the responsible authority. It had reached its view that a CHMP was required, based on an earlier and less detailed report from Mr Long that had not addressed the *Mainstay* principles, and in a still emerging regulatory environment where the AH Regulations are difficult to apply in practice. The responsible authority had attempted to carefully apply the *Mainstay* principles. Had I been called upon to decide the matter based on Mr Long's limited first report, I would have reached a similar view to the responsible authority.

37 To provide greater certainty to responsible authorities and permit applicants, there is perhaps a need for some regulatory clarification to address the anomalies and difficulties exposed in *Mainstay* and this decision, and other practical difficulties that might be arising in practice with the AH Regulations. It may be, for example, that there should be a clear exemption created for smaller urban lots up to a certain size, or where certain criteria are met, to avoid the difficulties in establishing significant ground disturbance by machinery across an entire lot. Equally, if a stricter approach is intended by the AH Regulations, contrary to the approach adopted in this case, that too should be clarified. These are matters of policy beyond the Tribunal's decision-making role in this case.

Consequences for existing 'failure' application

38 The responsible authority had raised a secondary question of jurisdiction. If a CHMP was required, the responsible authority contended that the s 79 application to the Tribunal is premature and should be struck out, as the prescribed time within which the responsible authority must make its decision has not expired having regard to s 52 of the AH Act. The applicant did not address the issue at length, and sought the opportunity to do so only if a CHMP was required.

39 Given my finding on the preliminary question, it is unnecessary to decide this secondary question in this case. It is potentially an issue of some significance, and I am aware that the Tribunal may shortly be called upon to decide it as a 'live' issue in another proceeding. It is however another matter worthy of regulatory clarification to provide certainty and to avoid possibly unintended procedural consequences emerging from the new legislation.

40 Given no CHMP is required here, this s 79 application can clearly proceed, and the proceeding will be referred to an administrative mention to determine its future conduct.

Mark Dwyer
Deputy President

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APPENDIX E

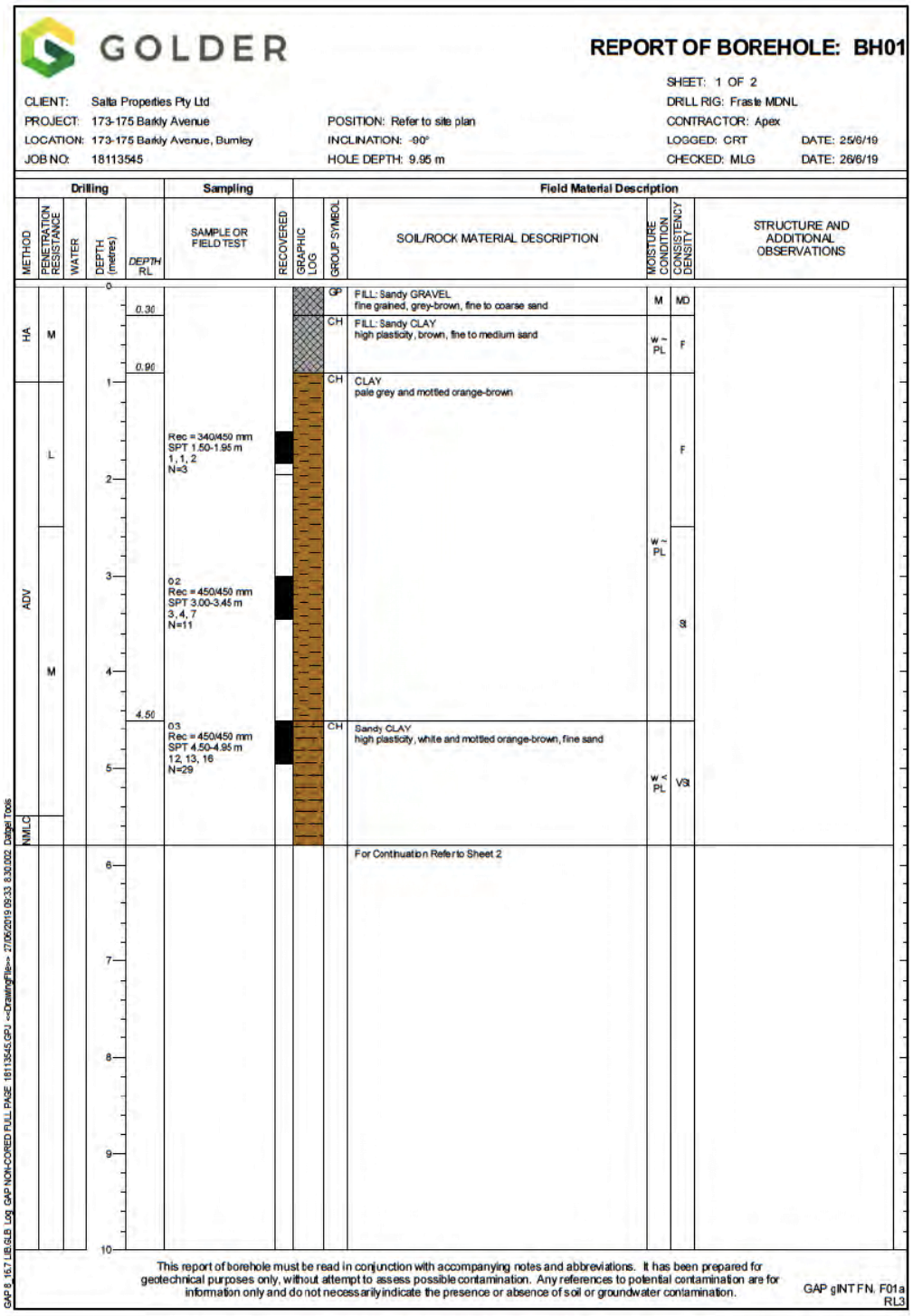
Borehole Logs from Golder and Associates Pty. Ltd. (2019)

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report



GOLDER	CLIENT	Salta Properties Pty Ltd		PROJECT	173-175 Barkly Avenue, Burnley
	DRAWN	CRT	DATE 26/06/2019	TITLE	Figure 1: Site Plan - Approximate borehole locations
	CHECK	MLG	DATE 27/06/2019		
	PROJECT	18113545	REVISION 0		

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report



GOLDER

REPORT OF BOREHOLE: BH01

SHEET: 1 OF 2
DRILL RIG: Frasle MDNL
CONTRACTOR: Apex
LOGGED: CRT DATE: 25/6/19
CHECKED: MLG DATE: 26/6/19

CLIENT: Salta Properties Pty Ltd
PROJECT: 173-175 Barkly Avenue
LOCATION: 173-175 Barkly Avenue, Burnley
JOB NO: 18113545
POSITION: Refer to site plan
INCLINATION: -90°
HOLE DEPTH: 9.95 m

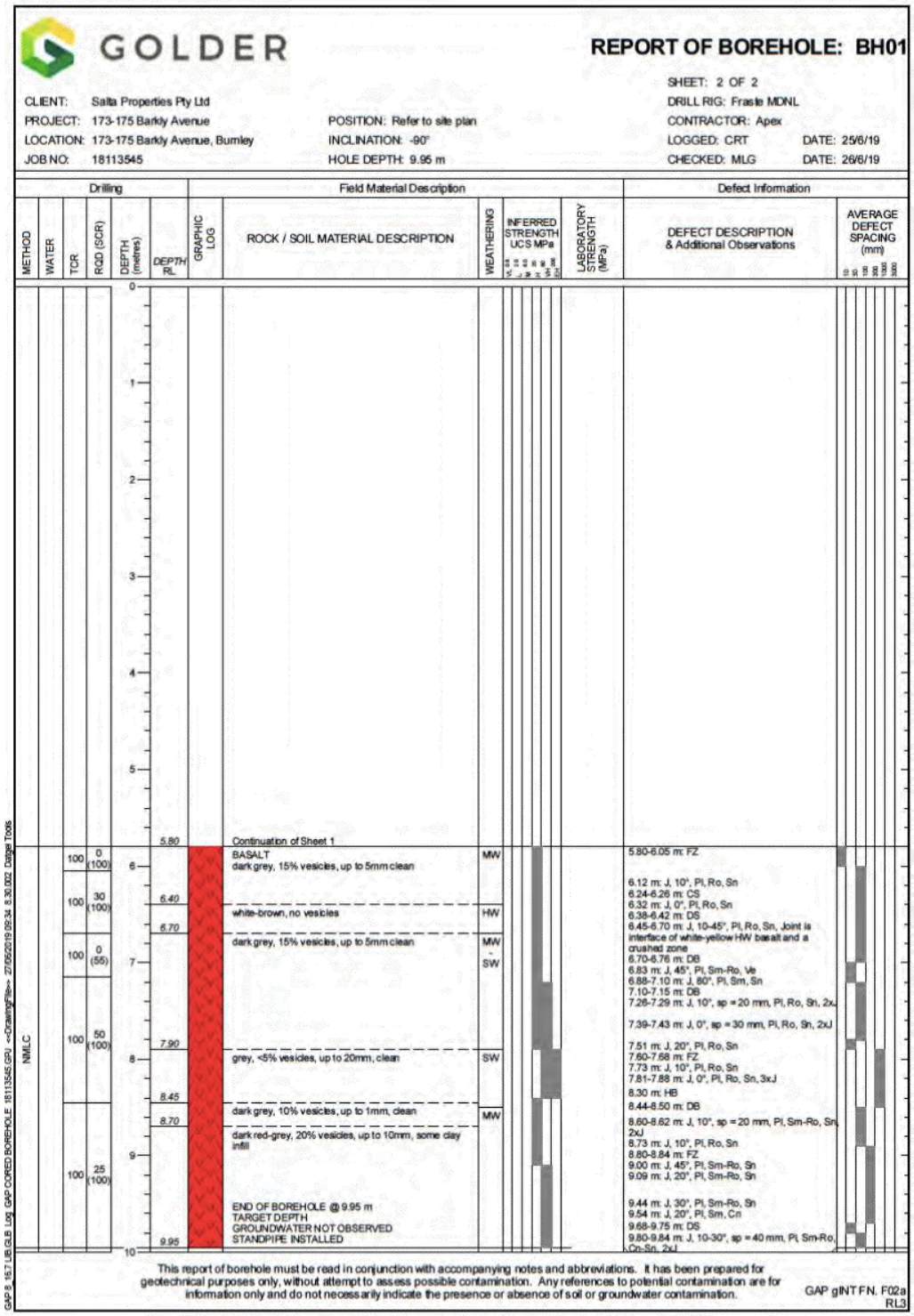
Drilling				Sampling		Field Material Description				
METHOD	PENETRATION RESISTANCE	WATER	DEPTH (metres) / DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED	GRAPHIC LOG	GROUP SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION	MOISTURE CONDITION	CONSISTENCY / DENSITY	STRUCTURE AND ADDITIONAL OBSERVATIONS
HA	M		0 – 0.30				GP	FILL: Sandy GRAVEL fine grained, grey-brown, fine to coarse sand	M	MD	
HA	M		0.30 – 0.90				CH	FILL: Sandy CLAY high plasticity, brown, fine to medium sand	w ~ PL	F	
ADV	L		0.90 – 4.50	Rec = 340/450 mm SPT 1.50-1.95 m 1, 1, 2 N=3			CH	CLAY pale grey and mottled orange-brown	w ~ PL	F	
ADV	M			02 Rec = 450/450 mm SPT 3.00-3.45 m 3, 4, 7 N=11						St	
ADV	M		4.50	03 Rec = 450/450 mm SPT 4.50-4.95 m 12, 13, 16 N=29			CH	Sandy CLAY high plasticity, white and mottled orange-brown, fine sand	w < PL	VSt	
NMLC								For Continuation Refer to Sheet 2			

This report of borehole must be read in conjunction with accompanying notes and abbreviations. It has been prepared for geotechnical purposes only, without attempt to assess possible contamination. Any references to potential contamination are for information only and do not necessarily indicate the presence or absence of soil or groundwater contamination.

GAP gINT FN. F01a RL3

GAP 8_16.7 LIB.GLB Log GAP NON-CORED FULL PAGE 18113545.GPJ <<DrawingFile>> 27/06/2019 09:33 8.30.002 Datgel Tools

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report



GOLDER

REPORT OF BOREHOLE: BH01

SHEET: 2 OF 2
DRILL RIG: Frasle MDNL
CONTRACTOR: Apex
LOGGED: CRT DATE: 25/6/19
CHECKED: MLG DATE: 26/6/19

CLIENT: Salta Properties Pty Ltd
PROJECT: 173-175 Barkly Avenue
LOCATION: 173-175 Barkly Avenue, Burnley
JOB NO: 18113545
POSITION: Refer to site plan
INCLINATION: -90°
HOLE DEPTH: 9.95 m

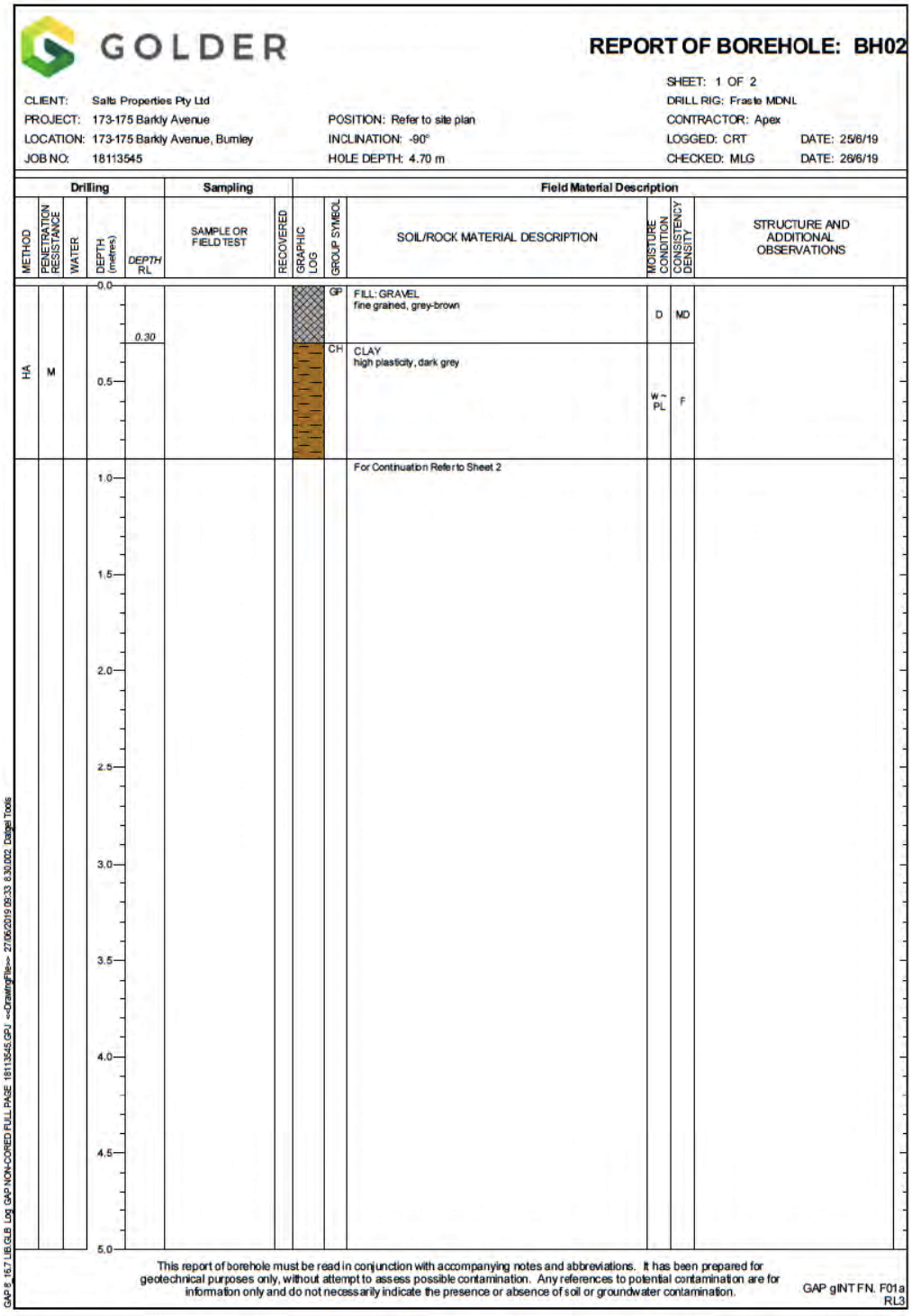
Drilling						Field Material Description				Defect Information	
METHOD	WATER	TCR	RQD (SCR)	DEPTH (metres)	DEPTH RL	GRAPHIC LOG	ROCK / SOIL MATERIAL DESCRIPTION	WEATHERING	INFERRED STRENGTH UCS MPa	DEFECT DESCRIPTION & Additional Observations	AVERAGE DEFECT SPACING (mm)
NMLC		100	0 (100)	6	5.80		Continuation of Sheet 1				
		100	30 (100)		6.40		BASALT dark grey, 15% vesicles, up to 5mm clean	MW		5.80-6.05 m: FZ 6.12 m: J, 10°, Pl, Ro, Sn 6.24-6.26 m: CS 6.32 m: J, 0°, Pl, Ro, Sn 6.38-6.42 m: DS 6.45-6.70 m: J, 10-45°, Pl, Ro, Sn, Joint is interface of white-yellow HW basalt and a crushed zone 6.70-6.76 m: DB 6.83 m: J, 45°, Pl, Sm-Ro, Ve 6.88-7.10 m: J, 80°, Pl, Sm, Sn 7.10-7.15 m: DB 7.26-7.29 m: J, 10°, sp = 20 mm, Pl, Ro, Sn, 2xJ 7.39-7.43 m: J, 0°, sp = 30 mm, Pl, Ro, Sn, 2xJ 7.51 m: J, 20°, Pl, Ro, Sn 7.60-7.68 m: FZ 7.73 m: J, 10°, Pl, Ro, Sn 7.81-7.88 m: J, 0°, Pl, Ro, Sn, 3xJ 8.30 m: HB 8.44-8.50 m: DB 8.60-8.62 m: J, 10°, sp = 20 mm, Pl, Sm-Ro, Sn, 2xJ 8.73 m: J, 10°, Pl, Ro, Sn 8.80-8.84 m: FZ 9.00 m: J, 45°, Pl, Sm-Ro, Sn 9.09 m: J, 20°, Pl, Sm-Ro, Sn 9.44 m: J, 30°, Pl, Sm-Ro, Sn 9.54 m: J, 20°, Pl, Sm, Cn 9.68-9.75 m: DS 9.80-9.84 m: J, 10-30°, sp = 40 mm, Pl, Sm-Ro, Co-Sn, 2xJ	
							white-brown, no vesicles	HW			
		100	0 (55)	7	6.70		dark grey, 15% vesicles, up to 5mm clean	MW - SW			
		100	50 (100)		7.90		grey, <5% vesicles, up to 20mm, clean	SW			
				8	8.45		dark grey, 10% vesicles, up to 1mm, clean	MW			
		100	25 (100)	9	8.70		dark red-grey, 20% vesicles, up to 10mm, some clay infill				
				10	9.95		END OF BOREHOLE @ 9.95 m TARGET DEPTH GROUNDWATER NOT OBSERVED STANDPIPE INSTALLED				

This report of borehole must be read in conjunction with accompanying notes and abbreviations. It has been prepared for geotechnical purposes only, without attempt to assess possible contamination. Any references to potential contamination are for information only and do not necessarily indicate the presence or absence of soil or groundwater contamination.

GAP gINT FN. F02a RL3

GAP 8_167 LIB.GLB Log GAP CORED BOREHOLE 18113545.GPJ <<DrawingFile>> 27/05/2019 09:34 8.30.002 Datgel Tools

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report



GOLDER

REPORT OF BOREHOLE: BH02

SHEET: 1 OF 2
DRILL RIG: Frasta MDNL
CONTRACTOR: Apex

CLIENT: Salta Properties Pty Ltd
PROJECT: 173-175 Barkly Avenue
LOCATION: 173-175 Barkly Avenue, Burnley
JOB NO: 18113545

POSITION: Refer to site plan
INCLINATION: -90°
HOLE DEPTH: 4.70 m

LOGGED: CRT DATE: 25/6/19
CHECKED: MLG DATE: 26/6/19

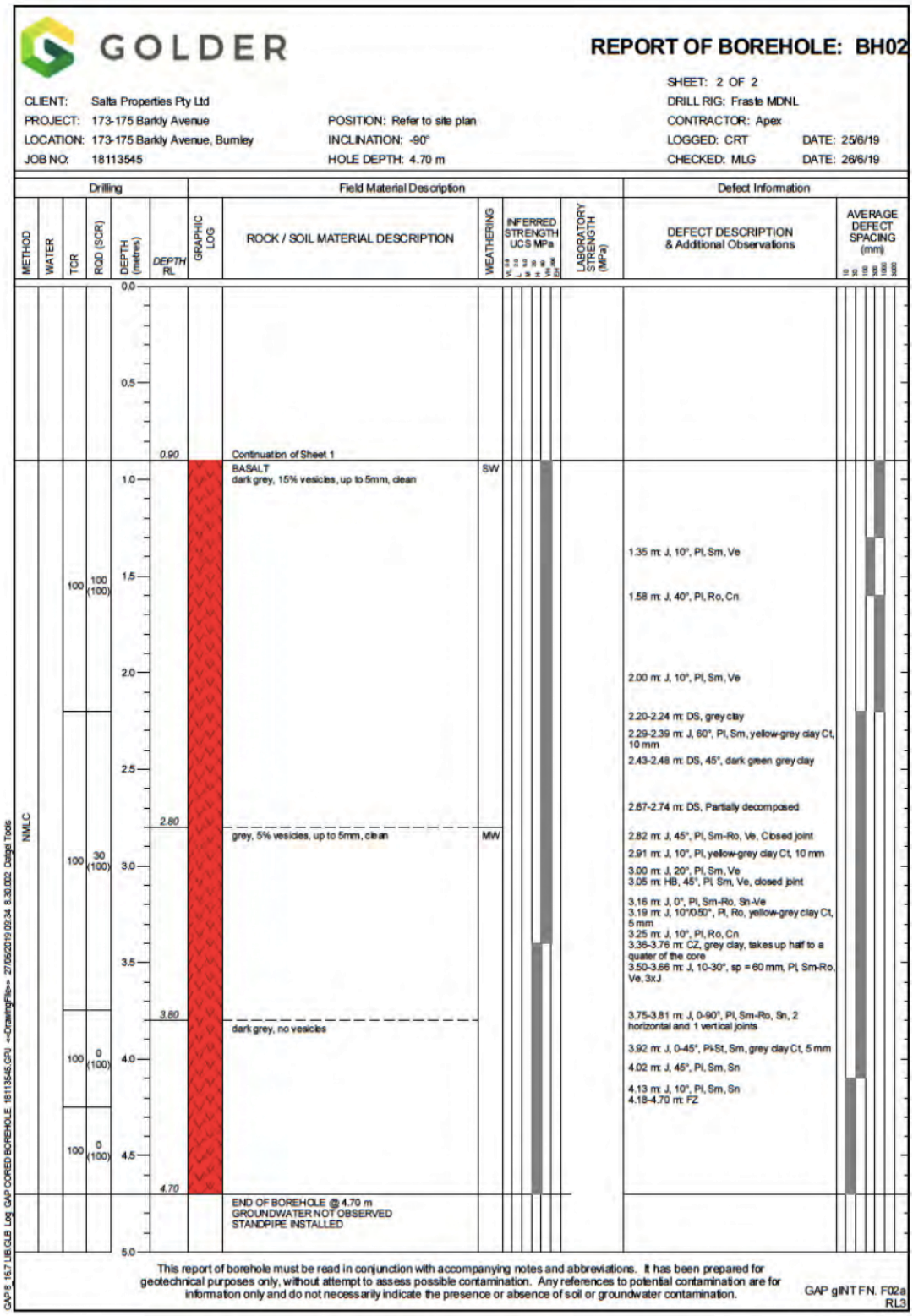
Drilling					Sampling		Field Material Description				
METHOD	PENETRATION RESISTANCE	WATER	DEPTH (metres)	DEPTH RL	SAMPLE OR FIELD TEST	RECOVERED	GRAPHIC LOG	GROUP SYMBOL	SOIL/ROCK MATERIAL DESCRIPTION	MOISTURE CONDITION	CONSISTENCY DENSITY	STRUCTURE AND ADDITIONAL OBSERVATIONS
			0.0					GP	FILL: GRAVEL fine grained, grey-brown	D	MD	
				0.30								
HA	M		0.5					CH	CLAY high plasticity, dark grey	w ~ PL	F	
			1.0						For Continuation Refer to Sheet 2			
			1.5									
			2.0									
			2.5									
			3.0									
			3.5									
			4.0									
			4.5									
			5.0									

This report of borehole must be read in conjunction with accompanying notes and abbreviations. It has been prepared for geotechnical purposes only, without attempt to assess possible contamination. Any references to potential contamination are for information only and do not necessarily indicate the presence or absence of soil or groundwater contamination.

GAP gINT FN. F01a RL3

GAP 8 15.7 UB.GLB Log GAP NON-CORED FULL PAGE 18113545.GPJ <<DrawingFile>> 27/06/2019 09:33 8.30.002 Datgel Tools

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report



GOLDER

REPORT OF BOREHOLE: BH02

SHEET: 2 OF 2
DRILL RIG: Fraste MDNL
CONTRACTOR: Apex
LOGGED: CRT DATE: 25/6/19
CHECKED: MLG DATE: 26/6/19

CLIENT: Salta Properties Pty Ltd
PROJECT: 173-175 Barkly Avenue
LOCATION: 173-175 Barkly Avenue, Burnley
JOB NO: 18113545
POSITION: Refer to site plan
INCLINATION: -90°
HOLE DEPTH: 4.70 m

Drilling						Field Material Description				Defect Information	
METHOD	WATER	TCR	RQD (SCR)	DEPTH (metres)	DEPTH RL	GRAPHIC LOG	ROCK / SOIL MATERIAL DESCRIPTION	WEATHERING	INFERRED STRENGTH UCS MPa	DEFECT DESCRIPTION & Additional Observations	AVERAGE DEFECT SPACING (mm)
NMLC		100	100 (100)	0.0							
				0.5							
					0.90		Continuation of Sheet 1				
		100	100 (100)	1.0			BASALT dark grey, 15% vesicles, up to 5mm, clean	SW		1.35 m: J, 10°, Pl, Sm, Ve 1.58 m: J, 40°, Pl, Ro, Cn 2.00 m: J, 10°, Pl, Sm, Ve 2.20-2.24 m: DS, grey clay 2.29-2.39 m: J, 60°, Pl, Sm, yellow-grey clay Ct, 10 mm 2.43-2.48 m: DS, 45°, dark green grey clay 2.67-2.74 m: DS, Partially decomposed	
				1.5							
				2.0							
				2.5							
					2.80		grey, 5% vesicles, up to 5mm, clean	MW		2.82 m: J, 45°, Pl, Sm-Ro, Ve, Closed joint 2.91 m: J, 10°, Pl, yellow-grey clay Ct, 10 mm 3.00 m: J, 20°, Pl, Sm, Ve 3.05 m: HB, 45°, Pl, Sm, Ve, closed joint 3.16 m: J, 0°, Pl, Sm-Ro, Sn-Ve 3.19 m: J, 10°/050°, Pl, Ro, yellow-grey clay Ct, 5 mm 3.25 m: J, 10°, Pl, Ro, Cn 3.36-3.76 m: CZ, grey clay, takes up half to a quater of the core 3.50-3.66 m: J, 10-30°, sp = 60 mm, Pl, Sm-Ro, Ve, 3xJ	
		100	30 (100)	3.0							
				3.5							
					3.80		dark grey, no vesicles			3.75-3.81 m: J, 0-90°, Pl, Sm-Ro, Sn, 2 horizontal and 1 vertical joints 3.92 m: J, 0-45°, Pl-St, Sm, grey clay Ct, 5 mm 4.02 m: J, 45°, Pl, Sm, Sn 4.13 m: J, 10°, Pl, Sm, Sn 4.18-4.70 m: FZ	
		100	0 (100)	4.0							
		100	0 (100)	4.5							
					4.70						
				5.0			END OF BOREHOLE @ 4.70 m GROUNDWATER NOT OBSERVED STANDPIPE INSTALLED				

This report of borehole must be read in conjunction with accompanying notes and abbreviations. It has been prepared for geotechnical purposes only, without attempt to assess possible contamination. Any references to potential contamination are for information only and do not necessarily indicate the presence or absence of soil or groundwater contamination.

GAP gINT FN. F02a RL3

GAP 8.1.7.1.0 GLB Log GAP CORED BOREHOLE 18113545.GPJ <<DrawingFile>> 27/06/2019 09:34 8.30.000 Datgel Tools

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

GOLDER

CLIENT Salta Properties Pty Ltd
JOB No. 18113545 DEPTH 5.5 m – 10.0 m
JOB 173-175 Barkly Avenue, Burnley CORE TYPE NMLC
BOREHOLE BH01 DATE 25/6/19



CLIENT
Salta Properties Pty Ltd

PROJECT
173-175 Barkley Avenue– Preliminary Geotechnical investigation

CONSULTANT
GOLDER

YYYY-MM-DD 2019-06-26
PREPARED CRT

BOREHOLE BH01 CORE PHOTOGRAPHS
1 of 1

PROJECT NO. 18113545

Attachment 5 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Significant Ground Disturbance Report

GOLDER

CLIENT Salta Properties Pty Ltd
JOB No. 18113545 DEPTH 0.9 m – 4.7 m
JOB 173-175 Barkly Avenue, Burnley CORE TYPE NMLC
BOREHOLE BH02 DATE 25/6/19



CLIENT
Salta Properties Pty Ltd

PROJECT
173-175 Barkley Avenue– Preliminary Geotechnical investigation

CONSULTANT
GOLDER

YYYY-MM-DD 2019-06-26
PREPARED CRT

BOREHOLE BH02 CORE PHOTOGRAPHS
1 of 1

PROJECT NO. 18113545

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan

wrap consulting engineering



173-177 Barkly Avenue, Burnley

SUSTAINABILITY MANAGEMENT PLAN

WRAP Engineering Pty Ltd
ACN: 612 992 720 T: 03 9428 7987
E: info@wrapengineering.com.au
www.wrapengineering.com.au

Date: 26 November 2020
Project Number: 20316
Revision: 02

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan

DOCUMENT PROPERTIES

DOCUMENT FOR:	Salta Properties Attn: Joseph Fonti
DOCUMENT BY:	WRAP Engineering Pty Ltd 132 Chestnut Street, Cremorne, Victoria 3121
DATE:	26 November 2020
DESCRIPTION:	Sustainability Management Plan
PROJECT SITE:	173-177 Barkly Avenue Burnley, Victoria
PROJECT NUMBER:	20316

DOCUMENT AMENDMENTS

REVISION	DETAILS	AUTHOR/S	DATE	ISSUED BY
01	Draft issue for review	Ruchita Panchal	22/10/2020	Damon Cuming
02	Final issue for town planning	Ruchita Panchal	26/11/2020	Damon Cuming

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan

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1 INTRODUCTION

This Sustainability Management Plan (SMP) has been prepared to assist the design, construction and operation of the proposed commercial development at 173-177 Barkly Avenue, Burnley, to achieve a range of best-practice sustainable development objectives.

WRAP Engineering have assessed the proposed plans and provided input to the design team.

This SMP captures initiatives necessary to ensure that the development meets the sustainability requirements of the City of Yarra, in particular the ESD requirements of the following Planning Clauses:

- 22.17 "Environmentally Sustainable Development".
- 22.16 "Stormwater Management (Water Sensitive Urban Design)"

1.1 SITE DESCRIPTION

The site at 173-177 Barkly Avenue, Burnley has an area of approximately 3,000m^2 and is located approximately 5.6km South-East of the Melbourne CBD.

The site is currently occupied by a single-storey brick building which will be demolished prior to construction of the proposed development.



Figure 1: Aerial view of the site location (Source: Nearmap)

1.2 DEVELOPMENT SUMMARY

The proposed development will consist of the following:

- Basement levels B3-B1: Car parking & building services.
- Ground floor: Main entry, cafe, restricted rental premises, end-of-trip facilities, loading zone, bicycle storage, loading area, building services.
- Levels 1-7: Commercial office.
- Roof: Services plant.

1.3 COUNCIL PLANNING REQUIREMENTS

The City of Yarra expects new developments to be designed, built and maintained at a level that reflects best practice sustainable development outcomes. The ESD response will need to ensure that the design meets sustainability targets in the areas of energy reduction, water use reduction and water sensitive urban design, indoor environment quality, materials selection, transportation, waste management and urban ecology.

The council's Planning Scheme also encourages the use of relevant ESD tools to assess the proposed development. For this project, the following tools will be used:

- Green Star – a holistic sustainability assessment tool; and
- Melbourne Water STORM – a stormwater assessment tool.

This SMP incorporates initiatives to ensure that the council's ESD requirements are satisfied by addressing the Green Star categories, demonstrating that council's objectives will be achieved, and using relevant and appropriate ESD assessment tools.

1.4 REFERENCE DOCUMENTATION

This SMP should be read in conjunction with the other relevant documentation included within the development's town planning submission to council. These documents may include the following:

- Architectural documentation
- Landscape plans
- Waste Management Plan
- Traffic engineer's report, transport plan, green travel plan or similar.

2 ESD ASSESSMENT

The following sections outline the ESD assessment which has been completed for the project. The assessment is presented within the Green Star categories, and for each item following information is provided:

1. A short description of the ESD initiative and/or the project's design response;
2. The nominated party responsible for implementation of the initiative; and
3. The stage of the project at which implementation could be demonstrated.

Within this assessment, the level of detail that has been provided is generally in proportion to what is appropriate or practicable at this early stage of design. This is described or explained within each item, with future commitments included as appropriate.

Based on the current Green Star benchmarking assessment, the project is currently on target to achieve the equivalent to 60 Green Star points. A 5 Star Green Star rating is equivalent to 60 points or above.

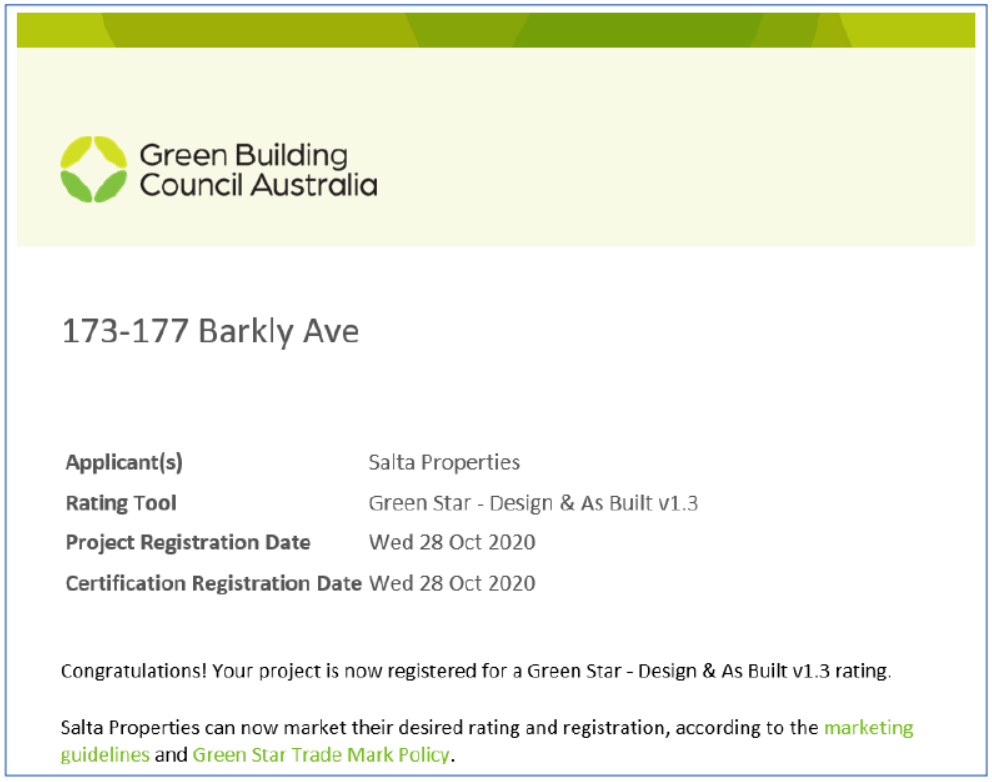
2.1 CERTIFIED GREEN STAR RATING

In addition to demonstrating the project's potential to achieve a Green Star rating, the developer is committing to achieve real and independently assessed environmental outcomes by targeting a **certified 5 Star Green Star As-Built certification** using the Green Star Design and As-Built v1.3 rating system.

The specific Green Star pathway which is eventually adopted and then certified is likely to be generally in accordance with the pathway as outlined within this SMP, however the project team reserves the right to modify the Green Star pathway through the design and construction stages.

At this stage it is the project's intent that a Design Review submission will not be undertaken. A Design Review is an optional rating that may be completed by projects targeting an As-Built rating, but it is not compulsory.

The project is registered with the GBCA, refer to details below.



Green Building Council Australia

173-177 Barkly Ave

Applicant(s)	Salta Properties
Rating Tool	Green Star - Design & As Built v1.3
Project Registration Date	Wed 28 Oct 2020
Certification Registration Date	Wed 28 Oct 2020

Congratulations! Your project is now registered for a Green Star - Design & As Built v1.3 rating.

Salta Properties can now market their desired rating and registration, according to the marketing guidelines and Green Star Trade Mark Policy.

Figure 2: Confirmation of GBCA registration

2.2 CONSTRUCTION AND BUILDING MANAGEMENT

2.2.1 OBJECTIVES:

- *To encourage a holistic and integrated design and construction process and ongoing high performance.*
- *To ensure waste avoidance, reuse and recycling during the operation stages of development.*

2.2.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Green Star Professional WRAP Engineering are engaged for the project to provide advice, support and information related to Green Star and sustainable design.	Developer	Initiation
Environmental Targets The building owner will set environmental targets for water and energy, and monitor the performance of the building against those targets.	Developer	Operation

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ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Services & Maintainability Review The project team will complete a services & maintainability review prior to construction.	Developer	Contract Documentation
Building Systems Commissioning Comprehensive building systems commissioning will be completed in accordance with best practice standards.	Contractor	Construction
Air-Tightness Testing Air-tightness testing will be undertaken to target a permeability rate of not more than 5 $m^3/h/m^2$ @ 50 Pa.	Contractor	Construction
Building Tuning The building owner will implement a building tuning process for at least the first 12 months after occupation.	Developer	Occupation
Independent Commissioning An Independent Commissioning Agent will be engaged during the design phase to advise, monitor and verify the commissioning and tuning processes.	Developer	Contract Documentation
Climate Adaptation A climate risk assessment and adaptation plan will be prepared for the project, and the building's design will respond to all of the high-risk items identified.	Developer	Design Development
Building Information Prior to occupancy, a package of building information will be developed and handed over to the building manager. This will include as-built drawings, operations and maintenance manuals, and supplier and warranty details.	Contractor	Construction
Building User Guide Prior to occupancy, a Building User Guide (BUG) will be developed for use by the residents. The BUG will use non-technical language help facilitate more sustainable behaviour by building occupants and more efficient use of the building systems.	Developer	Construction
Environmental Building Performance The building owner will commit to set targets and measure results for the environmental performance of the building.	Developer	Operation
End-of-Life Waste Performance The building owner will commit to reduce demolition waste at the end of life of interior fit-outs and base-building areas.	Developer	Operation
Energy Metering – Electricity and Gas All tenancies will be provided with individual authority meters, and all major base-building systems will be individually sub-metered to allow for effective building tuning.	Services Engineer	Contract Documentation
Water Metering All tenancies will be provided with individual authority meters, and all major base-building systems will be individually sub-metered to allow for effective building tuning.	Services Engineer	Contract Documentation

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Monitoring Systems A monitoring system will be implemented to automatically capture and process the data produced by the energy and water meters.	Services Engineer	Contract Documentation
Construction Environmental Management The contractor will prepare and implement a Best Practice project-specific EMP at the start of construction. The EMP will be developed in accordance with the NSW Environmental Management Systems Guidelines or equivalent.	Contractor	Construction
Contractor Environmental Management The contractor engaged for the construction will hold ISO14001 certification.	Contractor	Construction
Contractor Staff Support The contractor will promote positive mental and physical health outcomes of site activities and culture of site workers, and enhance site workers' knowledge on sustainable practices through education programs.	Contractor	Construction
Operational Waste A dedicated storage area will be provided for the separation and collection of recyclable waste, located in a convenient location. Recycling facilities will be separated from general waste, but will be located next to each other. Provisions will be made for the inclusion of both waste and recycling receptacles within the development to help encourage occupants to separate their waste at the earliest point of disposal. Refer to the project's Waste Management Plan for full details of the proposed recycling facilities.	Architect	Contract Documentation

2.3 INDOOR ENVIRONMENT QUALITY

2.3.1 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.*

2.3.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Volatile Organic Compounds All paints, adhesives and sealants and carpets will not exceed the limits outlined in Appendix A.	Architect Services Engineer	Contract Documentation
Formaldehyde All engineered wood products will have 'low' formaldehyde emissions, certified as E0 or better, or will not exceed the limits outlined in Appendix A.	Architect	Contract Documentation

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Ventilation System The mechanical ventilation system will be designed to mitigate the entry of outdoor pollutants, provide easy access for maintenance, and will be cleaned prior to occupation.	Services Engineer Contractor	Construction
Daylight High-VLT (> 50%) glazing will be specified for the development. A Green Star daylight assessment has been completed for the project, refer to Appendix B. The preliminary assessment shows that the project is on track to achieve high levels of daylight to at least 30% of the lettable floor areas.	Architect	Contract Documentation
External Views A Green Star views assessment has been completed for the project, refer to Appendix C. The preliminary assessment shows that the project is on track to achieve high quality external views to at least 72% of the lettable floor areas.	Architect	Design Development
Effective Ventilation The mechanical ventilation system will be designed to provide additional 50% of outside air, in accordance with AS1668.2, and CO_2 control to 800 PPM.	Services Engineer	Contract Documentation
Acoustic Comfort The building will be designed to achieve acoustic comfort in accordance with the Green Star criteria: - Minimise noise from the building systems and ingress from external noise sources; - Reduce reverberation to a level suitable to the activities in the space; and - Minimise cross-talk between rooms.	Architect Services Engineer	Contract Documentation
Thermal Comfort The development will include **low-e double glazing** and will be mechanically air-conditioned throughout all primary and secondary spaces.	Architect ESD Consultant	Contract Documentation
Artificial Lighting The lighting design throughout project will ensure that the minimum illuminance levels and uniformity are in accordance with the requirements of AS1680	Services Engineer	Contract Documentation

2.4 ENERGY EFFICIENCY

2.4.1 OBJECTIVES:

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

2.4.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Building Envelope All building elements forming part of the building's thermal envelope will exceed the deemed-to-satisfy requirements of NCC 2019 Section J by at least 10%, and all roofs will have a solar absorptance of at least 0.05 less than the maximum allowable value under Part J1.3.	Architect	Contract Documentation
Heating and Cooling Systems The project will implement an energy efficient heating and cooling system, exceeding the requirements of NCC Section J 2019 as follows: - Fan power: 15% lower than Part J5.4 - Pumps: 10% lower than Part J5.7 - Unitary A/C: 5% lower EER than Part J5.11	Services Engineer	Contract Documentation
Fuel Switching The base-building services will be all-electric, with heating and hot water provided by heat pumps instead of gas boilers.	Services Engineer	Contract Documentation
Domestic Hot Water The project will implement an energy efficient electric heat pump central hot water system.	Services Engineer	Contract Documentation
Solar PV The project will provide at least 60kW of solar panels, with potential accommodation to increase this amount during detailed coordination at the design development phase of the project.	Architect Services Engineer	Contract Documentation
Artificial Lighting The lighting design throughout the development will be at least 10% more energy efficient than the NCC 2019 Part J6 requirements.	Services Engineer	Contract Documentation
Vertical Transportation The project will implement an energy efficient class A or B lifts according to ISO 25745-2	Services Engineer	Contract Documentation
Car Park Ventilation The project will achieve energy reductions in the car park ventilation system by using carbon monoxide sensors.	Services Engineer	Contract Documentation

2.5 TRANSPORT

2.5.1 OBJECTIVES:

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

2.5.2 DEVELOPMENT RESPONSE

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ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Active Transport Facilities The development will include the following facilities to support active transport: - 132 secure bicycle parking spaces for use by office and retail workers; - Change facilities, including 16 showers and 132 lockers; and - 28 publicly accessible bicycle parking spaces for use by visitors.	Architect	Contract Documentation
Access to Public Transport The development is located in Burnley, with excellent access to trains, trams and buses. It scores a Transit Score of 75 out of 100.	n/a	
Walking Access to Amenities The development is a "**very walkable**", achieving a Walk Score of 81 out of 100.	n/a	
Electric Vehicle Charging The development will support the use of electric vehicles by providing electric vehicle charging points to at least 5% of all parking spaces in the development.	Architect Services Engineer	Contract Documentation

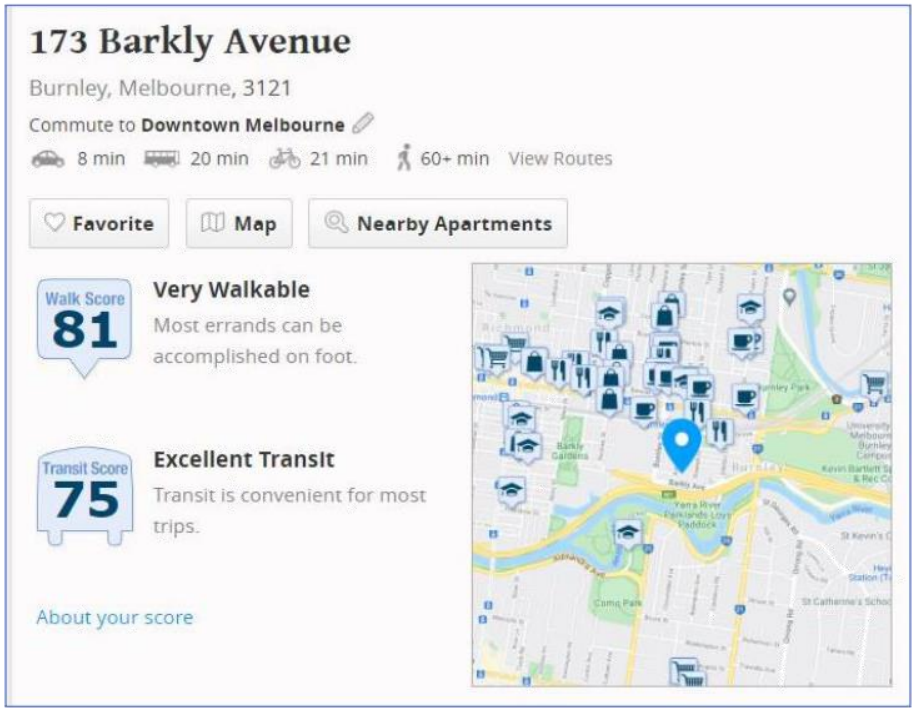


Figure 3: Walk Score and Transit Score for the site location

2.6 WATER EFFICIENCY

2.6.1 OBJECTIVES:

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

2.6.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Water Fixtures and Fittings The following Water Efficiency Labelling Scheme (WELS) star ratings will be specified: - Toilets: 4 Star; - Urinals: 5 Star; - Taps (bathroom and kitchen): 5 Star; and - Showerheads: 3 Star (≤7.5 L/min).	Architect	Contract Documentation

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Water Efficient Appliances Where domestic appliances are installed or provided by the developer, they will be within one star of the best available and comparable type of appliance, as per the WELS program. This may include dishwashers or washing machines.	Architect	Contract Documentation
Rainwater Collection and Reuse Rainwater harvesting for non-potable uses will be implemented as a water saving initiative. The details of this system for this development are as follows: - Rainwater tank size: 30 kL - Rainwater tank location: Basement - Roof catchment area: Approximately 1,450 m^2 - Rainwater usage: - Toilet flushing to end-of-trip facilities and at least 30% of commercial amenities; - Irrigation to common area gardens; and - Bin room washdown supply. Refer to Appendix C for details.	Architect Services Engineer	Contract Documentation
Landscape Irrigation Common area landscaping will be supplied from the rainwater system and will use generally use water-efficient drip irrigation where appropriate. Landscape design will include a mixture of drought tolerant native and exotic species.	Services Engineer Landscape	Contract Documentation
Waterless HVAC All HVAC systems will use air-cooled heat rejection systems.	Services Engineer	Contract Documentation
Fire System Test Water The fire water test system will not expel water for testing, or the fire systems will include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on site.	Services Engineer	Contract Documentation

2.7 BUILDING MATERIALS

2.7.1 OBJECTIVES:

- *To minimise the environmental impacts materials used by encouraging the use of materials with a favourable lifecycle assessment based on the following factors:*
  - *Fate of material*
  - *Recycling/Reuse*
  - *Embodied energy*
  - *Biodiversity*
  - *Human health*
  - *Environmental toxicity*
  - *Environmental responsibility.*
- *To ensure waste avoidance, reuse and recycling during the construction stages of development.*

2.7.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
PVC At least 90% of all flooring, pipes, cables and blinds used in the project will be GBCA approved Best Practice PVC or PVC-alternative materials.	Contractor	Construction
Timber At least 95% of timber used in the project will be reused or will be from FSC or PEFC certified forests.	Contractor	Construction
Steel - At least 95% of all structural steel used in the project will be sourced from a Responsible Steel Maker; and - At least 60% of reinforcing steel used in the project will be produced using energy-reducing processed in its manufacture.	Contractor	Construction
Sustainable Products At least 6% of the project's value will consist of sustainable products, with one or more of the following sustainability attributes: - Reused Products; - Recycled Content Products; - Environmental Product Declarations; - Third-Party Certification; or Stewardship Programs.	Architect Contractor	Construction
Construction Waste Management The contractor will prepare a construction waste management plan for the project and will divert at least 90% of all demolition and construction waste from landfill.	Contractor	Construction

2.8 URBAN ECOLOGY

2.8.1 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.*
- *To minimise the urban heat island effect.*
- *To remediate contaminated and hazardous sites and existing buildings.*

2.8.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Vegetation At least 13% of the site area will be covered by vegetation. Refer to the landscape plans for further details.	Landscape	Contract Documentation

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Contamination and Hazardous Materials The project will assess the existing site for contamination and any existing buildings will be assessed for asbestos, lead and PCB's. Any contamination or hazardous materials will be safely remediated and cleared in accordance with relevant standards.	Contractor	Construction

2.9 EMISSIONS & STORMWATER MANAGEMENT

2.9.1 OBJECTIVES:

- *To reduce the impact of stormwater run-off.*
- *To improve the water quality of stormwater run-off.*
- *To achieve best practice stormwater quality outcomes.*
- *To incorporate water sensitive urban design principles.*
- *To reduce impacts to wildlife due to light pollution.*
- *To reduce risk of harmful microbes in HVAC systems.*
- *To reduce ozone layer depletion.*

2.9.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Stormwater Pollution Reduction The project will achieve a Best Practice stormwater pollution reduction outcome by achieving a STORM score of at least 100%. Refer to Appendix D for details.	Architect Services Engineer	Contract Documentation
Stormwater Discharge Post-development peak discharge will not exceed the pre-development peak discharge rate.	Civil Engineer	Contract Documentation
Light Pollution The lighting design will minimise light pollution to neighbours and the night sky through compliance with AS4282 and ensuring that no external light fittings have an upward light output ratio greater than 5%.	Services Engineer	Contract Documentation
Microbial Control All HVAC systems will use air-cooled heat rejection systems.	Services Engineer	Contract Documentation
Insulation All insulants will have zero ozone depletion potential (ODP).	Contractor	Construction
Refrigerants All HVAC refrigerants used in the development will be selected to have an Ozone Depletion Potential (ODP) of zero.	Services Engineer	Contract Documentation

2.10 INNOVATION

2.10.1 OBJECTIVES:

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

2.10.2 DEVELOPMENT RESPONSE

ESD INITIATIVE	RESPONSIBILITY & IMPLEMENTATION	PROJECT STAGE
Soft Landings Commissioning The project will be designed, built, commissioned and tuned by adopting a 'soft landings' commissioning framework.	Architect Contractor	Contract Documentation
Ultra-Low VOC Paints At least 50% of all paints used in the base-building works will be Ultra-Low VOC (<5 g/L).	Architect	Contract Documentation
Air-Tightness Testing The building will be air-tightness tested and will achieve a permeability result of less than 5 $m^3/h/m^2$ @ 50 Pa.	Architect Contractor	Construction
Financial Transparency The developer will commit to participate in yearly GBCA reporting and provide financial transparency for the project.	Developer	Construction
Green Cleaning Cleaning services in accordance to a green cleaning policy applicable to all common areas.	Developer	Operation
Groundskeeping Practices Groundskeeping in accordance to a sustainable groundskeeping policy applicable to all common areas.	Landscape Developer	Operation
Procurement and Purchasing Sustainable procurement framework will be used for the procurement of consumables and refurbishment materials.	Developer	Operation
BREEAM: Design for Robustness Exposed elements of the building and landscape areas to be adequately protected to minimise replacement and optimising material.	Developer	Contract Documentation

3 GREEN STAR ASSESSMENT

A summary of the Green Star results is presented on the following pages.

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Green Star - Design & As Built v1.3

		Core Points Available	Total Score: Targeted
Project:	173-177 Barkly Avenue, Burnley		
Targeted Rating:	5 Star Certified (60+ points)	100	61
Date:	26/11/2020		

wrap consulting engineering

CATEGORY / CREDIT	CODE	CREDIT CRITERIA	POINTS AVAILABLE	POINTS TARGETED	RESPONSIBILITY	NOTES
Management			14			
Green Star Accredited Professional	1.1	Accredited Professional	1	1	ESD	
Commissioning and Tuning	2.0	Environmental Performance Targets	-	Complies	CLIENT ESD SERVICES	
	2.1	Services and Maintainability Review	1	1	CLIENT	
	2.2	Building Commissioning	1	1	CONTRACTOR SERVICES	
	2.3	Building Systems Tuning	1	1		
	2.4	Independent Commissioning Agent	1	1	CLIENT	
Adaptation and Resilience	3.1	Implementation of a Climate Adaptation Plan	2	2	CLIENT	
Building Information	4.1	Building Information	1	1	CLIENT	
Commitment to Performance	5.1	Environmental Building Performance	1	1	CLIENT	
	5.2	End of Life Waste Performance	1	1		
Metering and Monitoring	6.0	Metering	-	Complies	SERVICES	
	6.1	Monitoring Systems	1	1		
Responsible Construction Practices	7.0	Environmental Management Plan	-	Complies	CONTRACTOR	
	7.1	Environmental Management System	1	1		
	7.2	High Quality Staff Support	1	1		
Operational Waste	8B	Prescriptive Pathway: Facilities	1	1	ARCHITECT WASTE CONSULTANT	
Total			14	14		

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Green Star - Design & As Built v1.3

		Core Points Available	Total Score: Targeted
Project:	173-177 Barkly Avenue, Burnley		
Targeted Rating:	5 Star Certified (60+ points)	100	61
Date:	26/11/2020		

CATEGORY / CREDIT	CODE	CREDIT CRITERIA	POINTS AVAILABLE	POINTS TARGETED	RESPONSIBILITY	NOTES
Indoor Environment Quality			17			
Indoor Air Quality	9.1	Ventilation System Attributes	1	1	SERVICES	
	9.2	Provision of Outdoor Air	2	1		Mech-vented spaces to have 50% additional OIA above AS1668.2.
	9.3	Exhaust or Elimination of Pollutants	1	1		
Acoustic Comfort	10.1	Internal Noise Levels	1	1	ACOUSTIC	
	10.2	Reverberation	1	1		
	10.3	Acoustic Separation	1	1		
Lighting Comfort	11.0	Minimum Lighting Comfort	-	Complies	SERVICES	
	11.1 General Illuminance and Glare Reduction	11.1.1 General Illuminance	1	1		
		11.1.2 Glare Reduction				
	11.2	Surface Illuminance	1			Credit not targeted
	11.3	Localised Lighting Control	1			Credit not targeted
Visual Comfort	12.0	Glare Reduction	-	Complies	ESD ARCHITECT	
	12.1	Daylight	2			
	12.2	Views	1	1		
Indoor Pollutants	13.1 Paints, Adhesives, Sealants and Carpets	13.1.1 Paints, Adhesives and Sealants	1	1	ARCHITECT CONTRACTOR	
		13.1.2 Carpets				
	13.2	Engineered Wood Products	1	1		
Thermal Comfort	14.1	Thermal Comfort	1	1	ARCHITECT SERVICES	
	14.2	Advanced Thermal Comfort	1			Credit not targeted
Total			17	11		

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Green Star - Design & As Built v1.3

		Core Points Available	Total Score: Targeted
Project:	173-177 Barkly Avenue, Burnley		
Targeted Rating:	5 Star Certified (60+ points)	100	61
Date:	26/11/2020		

CATEGORY / CREDIT	CODE	CREDIT CRITERIA	POINTS AVAILABLE	POINTS TARGETED	RESPONSIBILITY	NOTES
Energy			22			
Greenhouse Gas Emissions	15A.0	Conditional Requirement: Prescriptive Pathway	-	Complies	-	
	15A.1	Building Envelope	1	1	ARCHITECT	
	15A.2	Wall-Glazing Construction and Retail Display Glazing	1			Credit not targeted
	15A.3	Lighting	1	1	SERVICES	
	15A.4	Ventilation and Air Conditioning	1	1		
	15A.5	Domestic Hot Water	1	1		
	15A.6	Transition Plan	1		CLIENT	Credit not targeted
	15A.7	Fuel Switching	1	1	SERVICES	
	15A.8	On-Site Storage	1			Credit not targeted
	15A.9	Vertical Transportation	1	1		
	15A.10	Off-Site Renewables	5		CLIENT	Credit not targeted
Peak Electricity Demand Reduction	16A	Prescriptive Pathway: On-Site Energy Generation	1		SERVICES	To be checked in DD based on PV array size and the building's maximum demand
Total			**11**	**6**		
Transport			10			
Sustainable Transport	17B.1	Access by Public Transport	3	1	-	Estimated score based on proximity to trams and trains.
	17B.2	Reduced Car Parking Provision	1		-	Credit not targeted
	17B.3	Low Emission Vehicle Infrastucture	1	1	SERVICES	
	17B.4	Active Transport Facilities	1	1	ARCHITECT	
	17B.5	Walkable Neighbourhoods	1	1	-	Walkscore = 81
Total			**7**	**4**		
Water			12			
Potable Water	18B.1	Sanitary Fixture Efficiency	1	1	ARCHITECT	
	18B.2	Rainwater Reuse	1	1	SERVICES	
	18B.3	Heat Rejection	2	2		
	18B.4	Landscape Irrigation	1	1	LANDSCAPE	
	18B.5	Fire Protection System Test Water	1	1	SERVICES	
Total			**6**	**6**		

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Green Star - Design & As Built v1.3

Project:	173-177 Barkly Avenue, Burnley	Core Points Available	Total Score: Targeted
Targeted Rating:	5 Star Certified (60+ points)	100	61
Date:	26/11/2020		

CATEGORY / CREDIT	CODE	CREDIT CRITERIA	POINTS AVAILABLE	POINTS TARGETED	RESPONSIBILITY	NOTES
Materials			14			
Life Cycle Impacts	19B.1 Concrete	19B.1.1 Portland Cement Reduction	2		STRUCTURAL CONTRACTOR	Credit not targeted
		19B.1.2 Water Reduction	0.5			Credit not targeted
		19B.1.3 Aggregates Reduction	0.5			Credit not targeted
	19B.2 Steel	B. Reduced Use of Steel Reinforcement	1		STRUCTURAL	Credit not targeted
	19B.3	Building Reuse	2		-	Credit not targeted
			2			Credit not targeted
	19B.4	Structural Timber	-		-	Credit not targeted
			3			Credit not targeted
Responsible Building Materials	20.1	Structural and Reinforcing Steel	-	Complies	CONTRACTOR	
			1	1		
	20.2	Timber	1	1	ARCHITECT CONTRACTOR	
	20.3	Permanent Formwork, Pipes, Flooring, Blinds and Cables	1	1	ARCHITECT CONTRACTOR	
Sustainable Products	21.1	Product Transparency and Sustainability	3	2	ARCHITECT CONTRACTOR	
Construction and Demolition Waste	22.0	Reporting Accuracy	-	Complies	CONTRACTOR	
	22B	Percentage Benchmark	1	1		
Total			12	6		

Land Use & Ecology			6			
Ecological Value	23.0	Endangered, Threatened or Vulnerable Species	-	Complies	-	
	23.1	Ecological Value	3		LANDSCAPE	Credit not targeted
Sustainable Sites	24.0	Conditional Requirement	-	Complies	-	
	24.1	Reuse of Land	1	1	-	
	24.2	Contamination and Hazardous Materials	1	1	CLIENT CONTRACTOR	
Heat Island Effect	25.1	Heat Island Effect Reduction	1		ARCHITECT LANDSCAPE	Credit not targeted
Total			6	2		

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Green Star - Design & As Built v1.3

		Core Points Available	Total Score: Targeted
Project:	173-177 Barkly Avenue, Burnley		
Targeted Rating:	5 Star Certified (60+ points)	100	61
Date:	26/11/2020		

CATEGORY / CREDIT	CODE	CREDIT CRITERIA	POINTS AVAILABLE	POINTS TARGETED	RESPONSIBILITY	NOTES
Emissions			5			
Stormwater	26.1	Stormwater Peak Discharge	1	1	CIVIL	
	26.2	Stormwater Pollution Targets	1	1		
Light Pollution	27.0	Light Pollution to Neighbouring Bodies	-	Complies	SERVICES	
	27.1	Light Pollution to Night Sky	1	1		
Microbial Control	28	Legionella Impacts from Cooling Systems	1	1	SERVICES	
Refrigerant Impacts	29.1	Refrigerants Impacts	1		SERVICES	Credit not targeted
Total			5	4		
Innovation			10			
Innovative Technology or Process	30A	Innovative Technology or Process	10			
Market Transformation	30B	Market Transformation		1		- Soft Landings commissioning
Improving on Green Star Benchmarks	30C	Improving on Green Star Benchmarks		2		- Ultra low VOC paints - Air-tightness "Normal"
Innovation Challenge	30D	Innovation Challenge		1		- Financial Transparency
Global Sustainability	30E	Global Sustainability		4		- BREEAM Design for Robustness - Green Star Performance: Green Cleaning - Green Star Performance: Procurement and Purchasing - Green Star Performance: Groundskeeping
Total			10	8		

TOTALS	AVAILABLE	TARGETED
CORE POINTS	100	53.0
CATEGORY PERCENTAGE SCORE		53.0
INNOVATION POINTS	10	8.0
TOTAL SCORE TARGETED		61.0

APPENDIX A – VOC & FORMALDEHYDE LIMITS

VOC LIMITS – PAINTS, ADHESIVES & SEALANTS

PRODUCT CATEGORY	MAX. TVOC (g/L OF READY TO USE PRODUCT)
General purpose adhesives and sealants	50
Interior wall and ceiling paint, all sheen levels	16
Trim, varnishes and wood stains	75
Primers, sealers and prep coats	65
One and two pack performance coatings for floors	140
Acoustic sealants, architectural sealant, waterproofing membranes and sealant, fire retardant sealants and adhesives	250
Structural glazing adhesive, wood flooring and laminate adhesives and sealants	100

VOC LIMITS – CARPETS

COMPLIANCE OPTIONS	COMPLIANCE CRITERIA
A – PRODUCT CERTIFICATION	The product is certified under a recognised Product Certification Scheme (listed on the GBCA website http://new.gbca.org.au/product-certification-schemes/) or other recognised standards. The certificate must be current at the time of project registration or submission and list the relevant product name and model.
B – LABORATORY TESTING	ASTM D5116: - Total VOC limit: 0.5mg/m^2 per hour, & - 4-PC limit: 0.05mg/m^2 per hour ISO 16000 / EN 13419: - TVOC at three days: 0.5mg/m^2 per hour ISO 10580 / ISO/TC 219 (Document N238): - TVOC at 24 hours: 0.5mg/m^2 per hour

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FORMALDEHYDE LIMITS

TEST PROTOCOL	EMISSION LIMIT/ UNIT OF MEASUREMENT
AS/NZS 2269:2004, testing procedure AS/NZS 2098.11:2005 method 10 for Plywood	≤1mg/ L
AS/NZS 1859.1:2004 - Particle Board, with use of testing procedure AS/NZS 4266.16:2004 method 16	≤1.5 mg/L
AS/NZS 1859.2:2004 - MDF, with use of testing procedure AS/NZS 4266.16:2004 method 16	≤1mg/ L
AS/NZS 4357.4 - Laminated Veneer Lumber (LVL)	≤1mg/ L
Japanese Agricultural Standard MAFF Notification No.701 Appendix Clause 3 (11) - LVL	≤1mg/ L
JIS A 5908:2003- Particle Board and Plywood, with use of testing procedure JIS A 1460	≤1mg/ L
JIS A 5905:2003 - MDF, with use of testing procedure JIS A 1460	≤1mg/ L
JIS A1901 (not applicable to Plywood, applicable to high pressure laminates and compact laminates)	≤0.1 mg/m^{2}hr
ASTM D5116 (applicable to high pressure laminates and compact laminates)	≤0.1 mg/m^{2}hr
ISO 16000 part 9, 10 and 11 (also known as EN 13419), applicable to high pressure laminates and compact laminates	≤0.1 mg/m^{2}hr (at 3 days)
ASTM D6007	≤0.12mg/m^3
ASTM E1333	≤0.12mg/m^3
EN 717-1 (also known as DIN EN 717-1)	≤0.12mg/m^3
EN 717-2 (also known as DIN EN 717-2)	≤3.5mg/m^{2}hr

APPENDIX B – DAYLIGHT ASSESSMENT

A daylight assessment of the building's primary and secondary spaces has been completed in accordance with the GBCA *Green Star Daylight Hand and Views Calculation Guide*, to estimate the areas which will receive a daylight factor of at least 2%.

Under this assessment methodology, there is a requirement that the project must specify glazing with Visible Light Transmission (VLT) at least 40%. For this project, glazing with a high higher VLT (at least 45%) will be specified, hence ***the results for this assessment presented below are deemed to be conservative compared to the real daylight factor outcome which will be achieved***.

LEVEL	OCCUPIED FLOOR AREA (m^2)	DAYLIGHT COMPLIANT AREA (m^2)
Ground	835.5	273
Level 1	1830	362
Level 2	1968	540
Level 3	1955	541
Level 4	1821	515.5
Level 5	1821	515.5
Level 6	1165	536.5
Level 7	1164	536.5
Total	**12559.5**	**3820**
Overall Compliance	**30%**	

Results Summary:

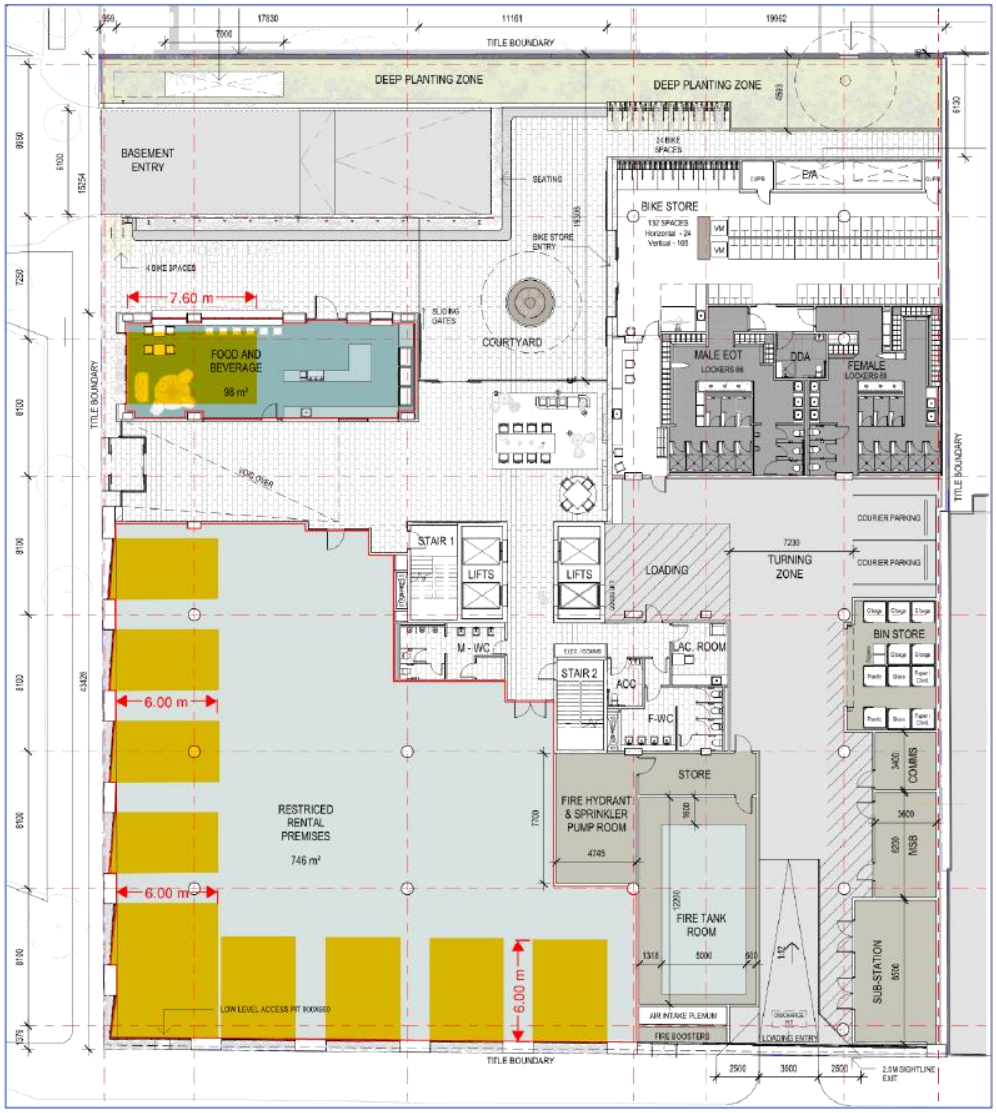
SDAPP Best Practice Target	30%
Green Star Targets	40% (1 point) 60% (2 points)
Preliminary Assessment Result	30%
Result	**PASS – 0 Points**

Comments on Daylight Assessment

This assessment has been prepared, generally in accordance with the methodology as outlined within the Green Star Daylight Hand and Views Calculation Guide, with some daylight levels around the light well areas estimated based on experience. We also note that the daylight benefits as provided by the clerestory windows on Level 7 of the building have not been considered, hence we consider this assessment overall to be conservative.

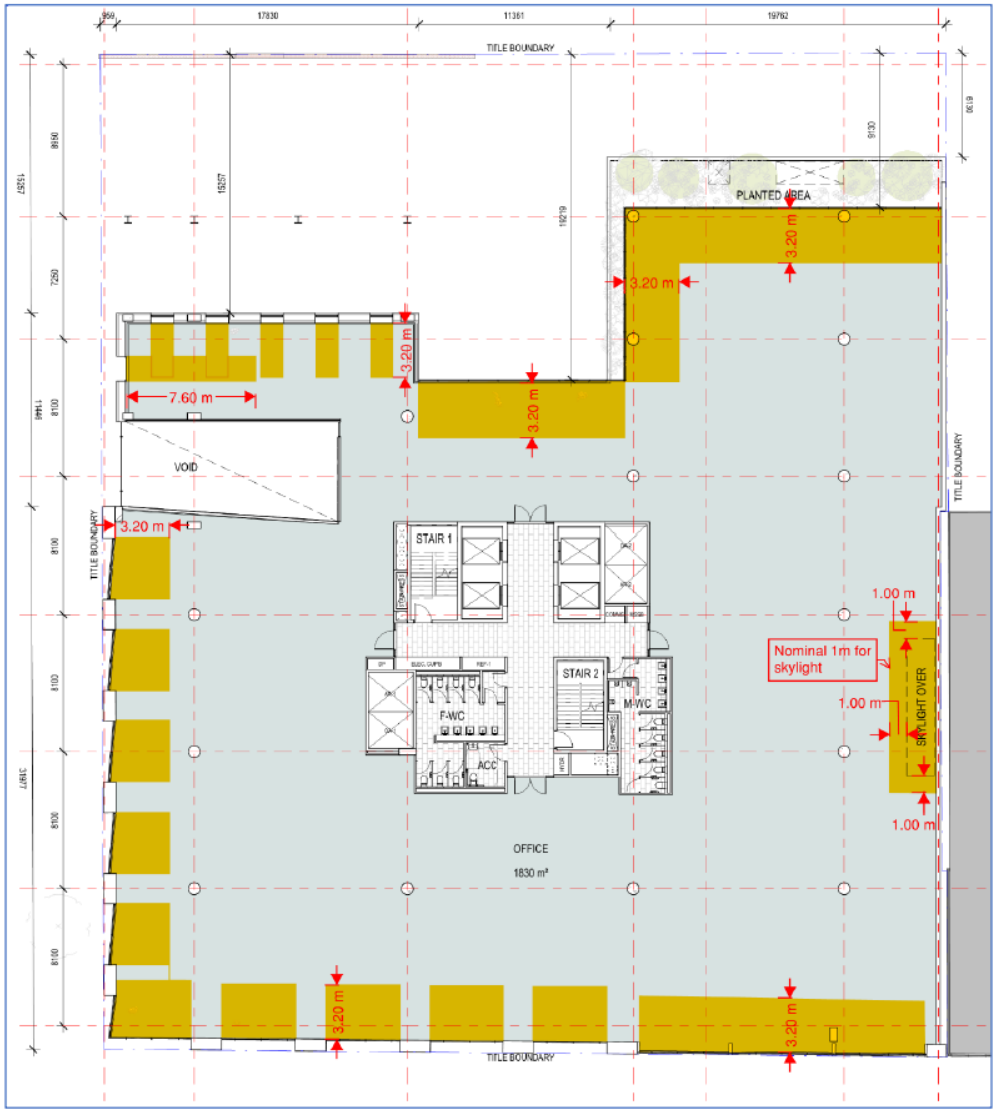
Images of the daylight "zone of compliance" levels are presented below:

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Ground Level

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 1

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



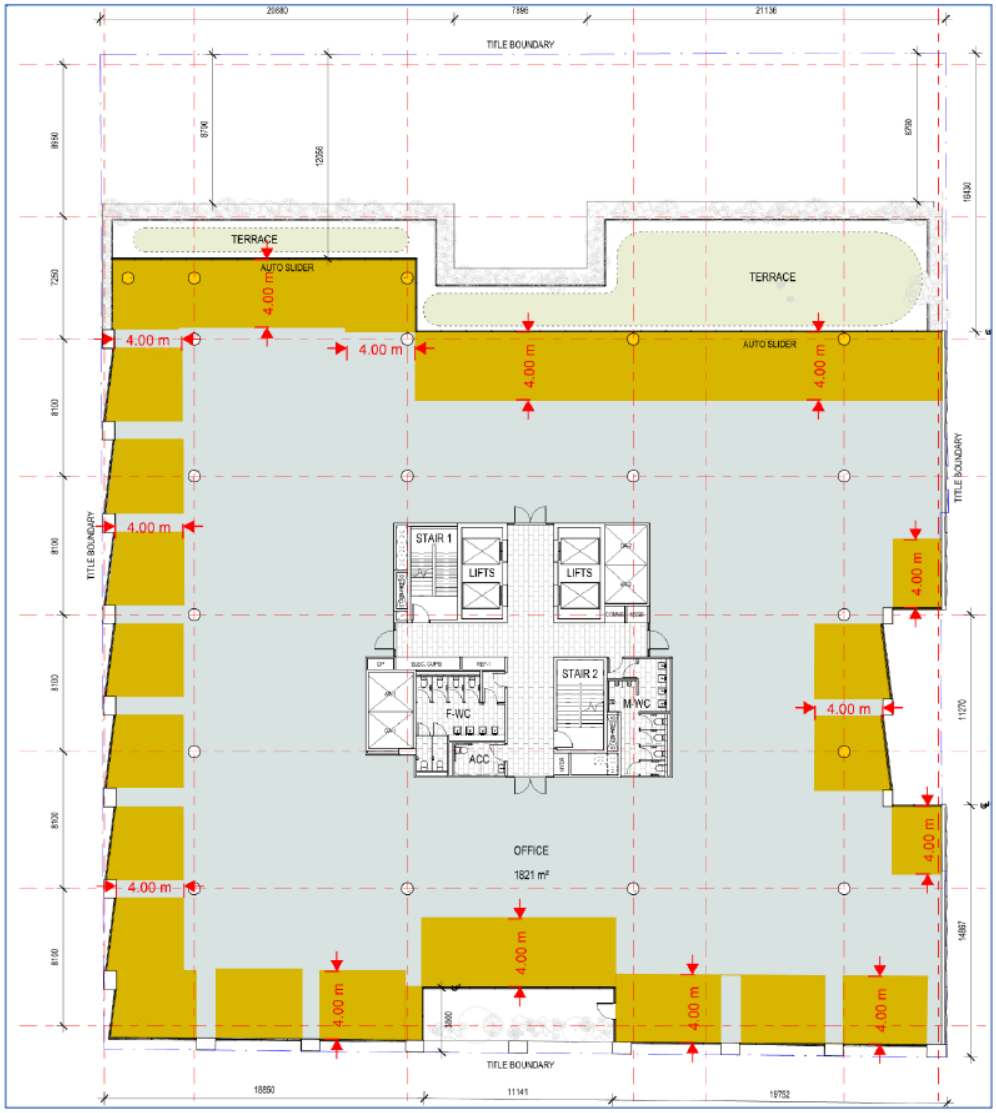
Level 2

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 3

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



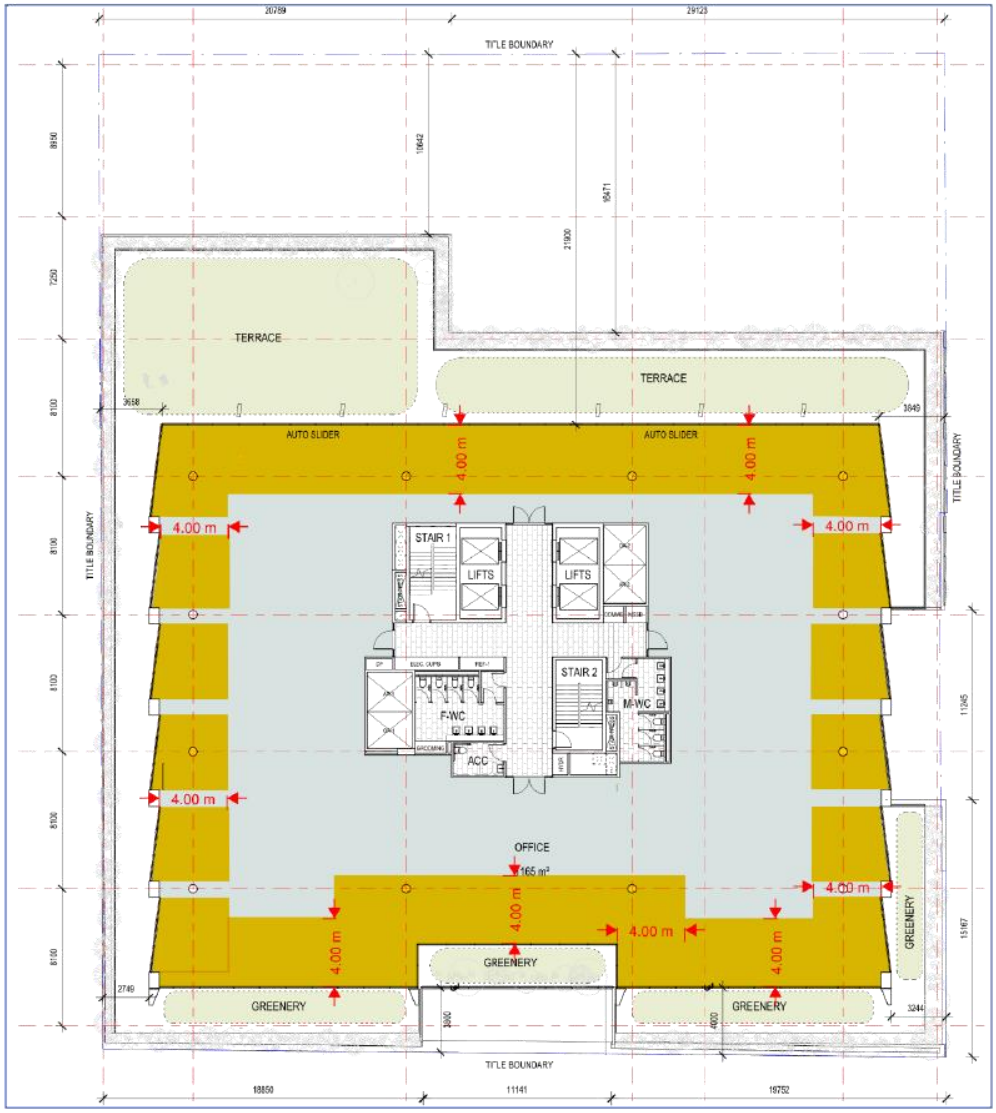
Level 4

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 5

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 6

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 7

APPENDIX C – VIEWS ASSESSMENT

A views assessment of the building's primary spaces has been completed in accordance with the GBCA *Green Star Daylight Hand and Views Calculation Guide*, to estimate the areas which will receive high quality external views.

The results for this assessment presented below:

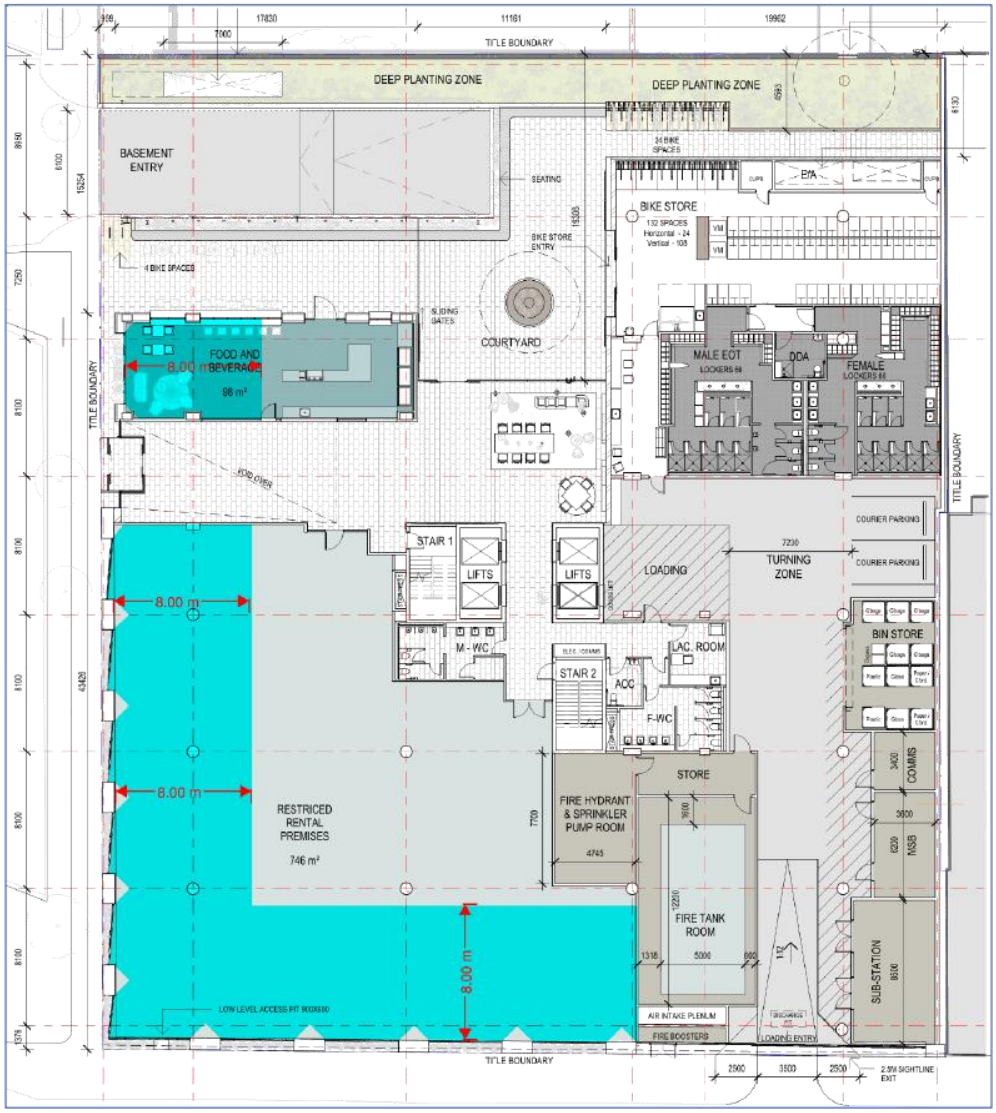
LEVEL	OCCUPIED FLOOR AREA (m^2)	VIEWS COMPLIANT AREA (m^2)
Ground	835.5	464.5
Level 1	1830	1020
Level 2	1968	1489
Level 3	1955	1489.5
Level 4	1821	1350
Level 5	1821	1350
Level 6	1165	935.5
Level 7	1164	935.5
Total	**12559.5**	**9034**
Overall Compliance	**72%**	

Results Summary:

Green Star Target	60% (1 point)
Preliminary Assessment Result	72%
Result	**1 Points**

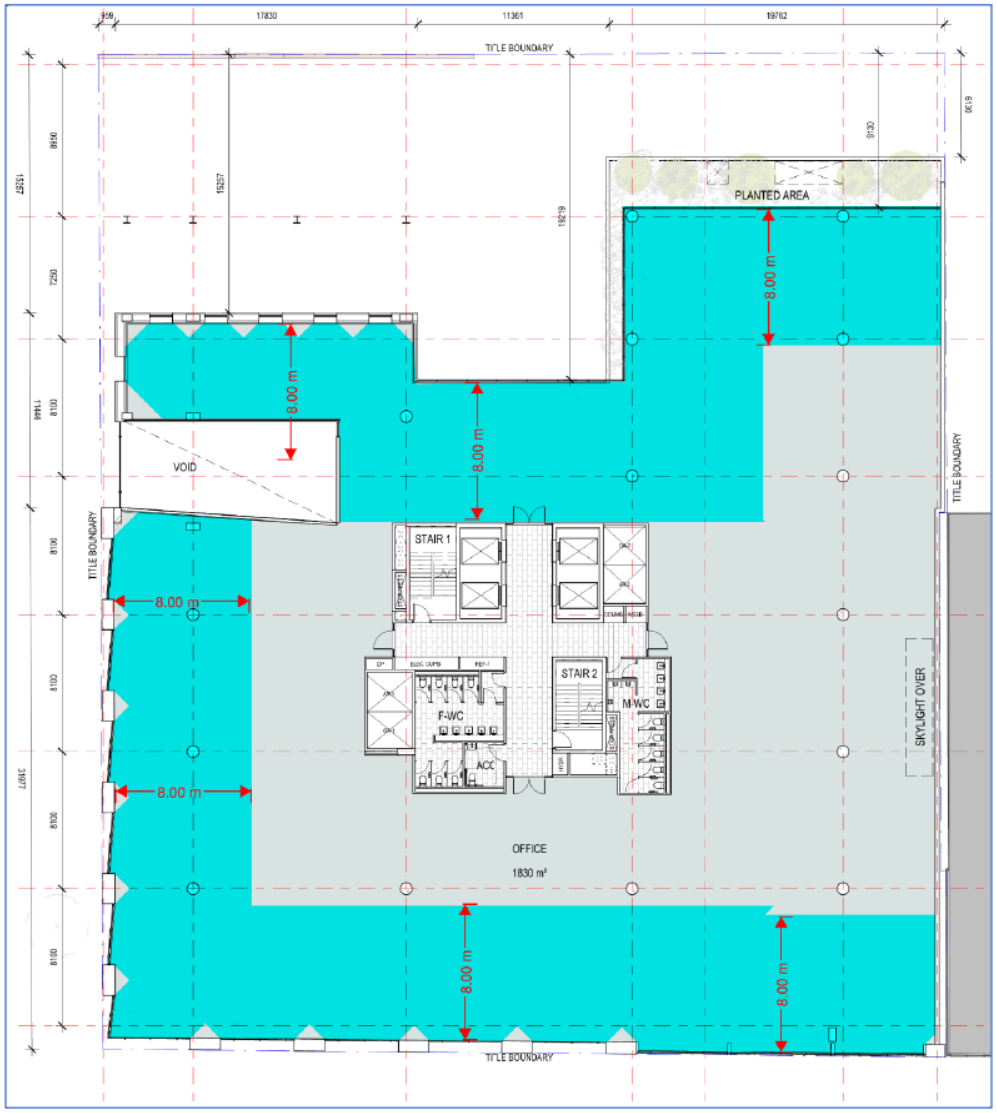
Images of the views "zone of compliance" levels are presented below:

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



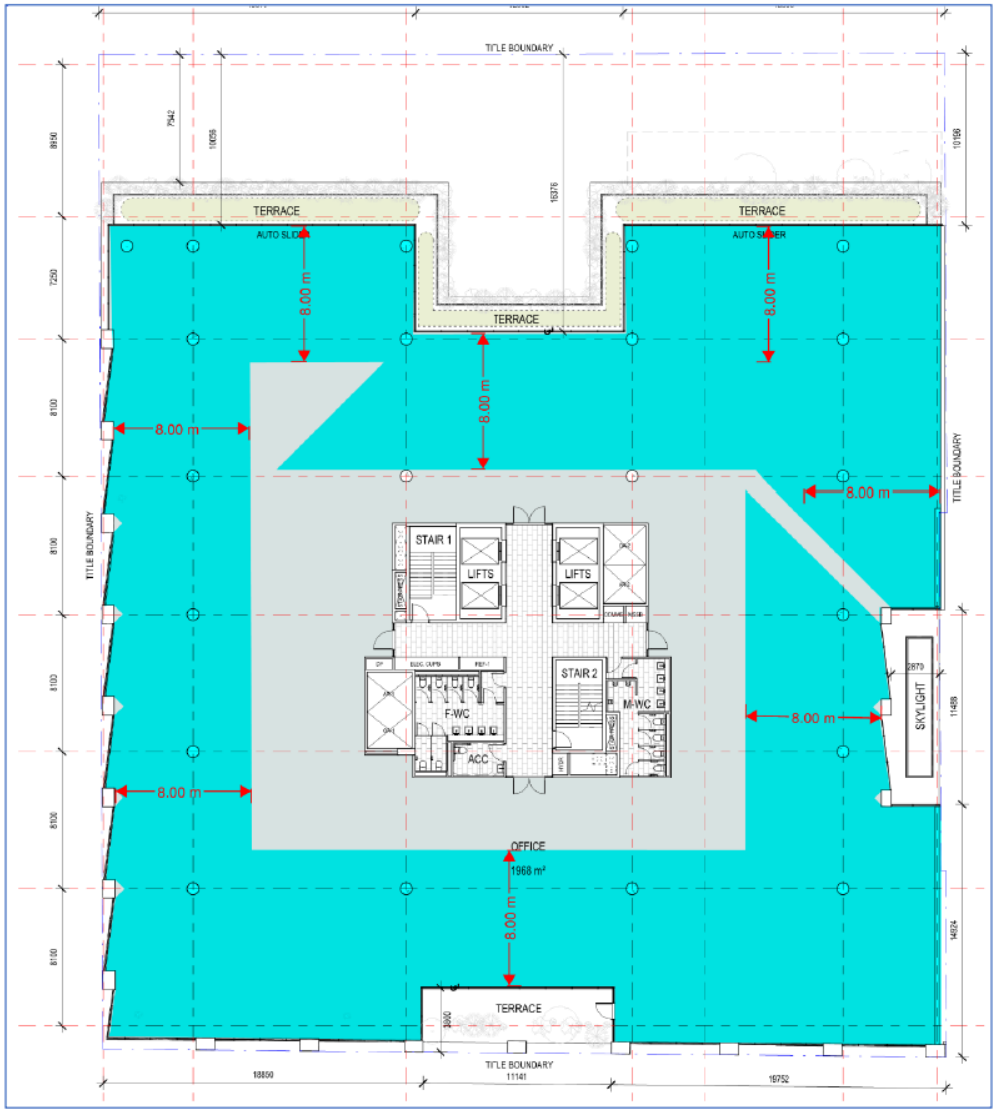
Ground Level

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



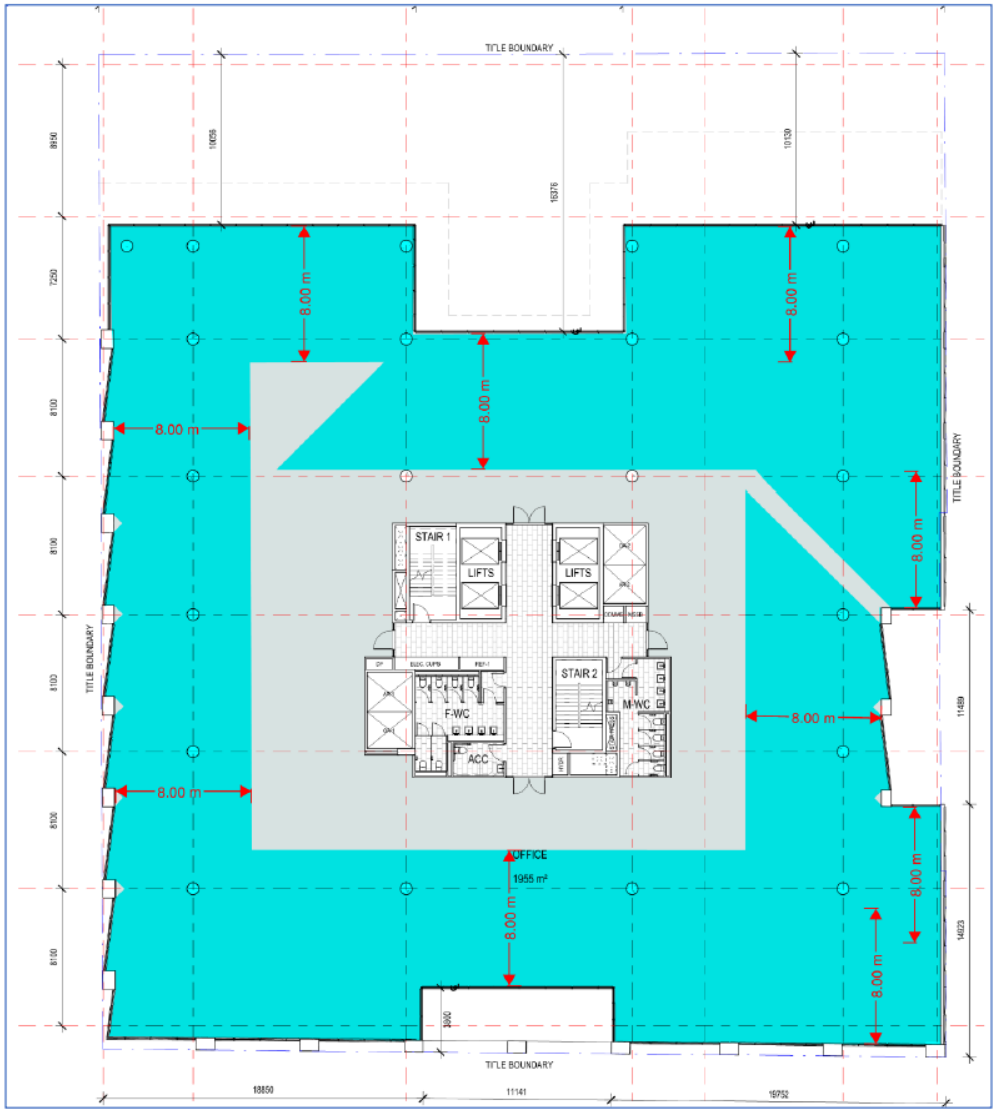
Level 1

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



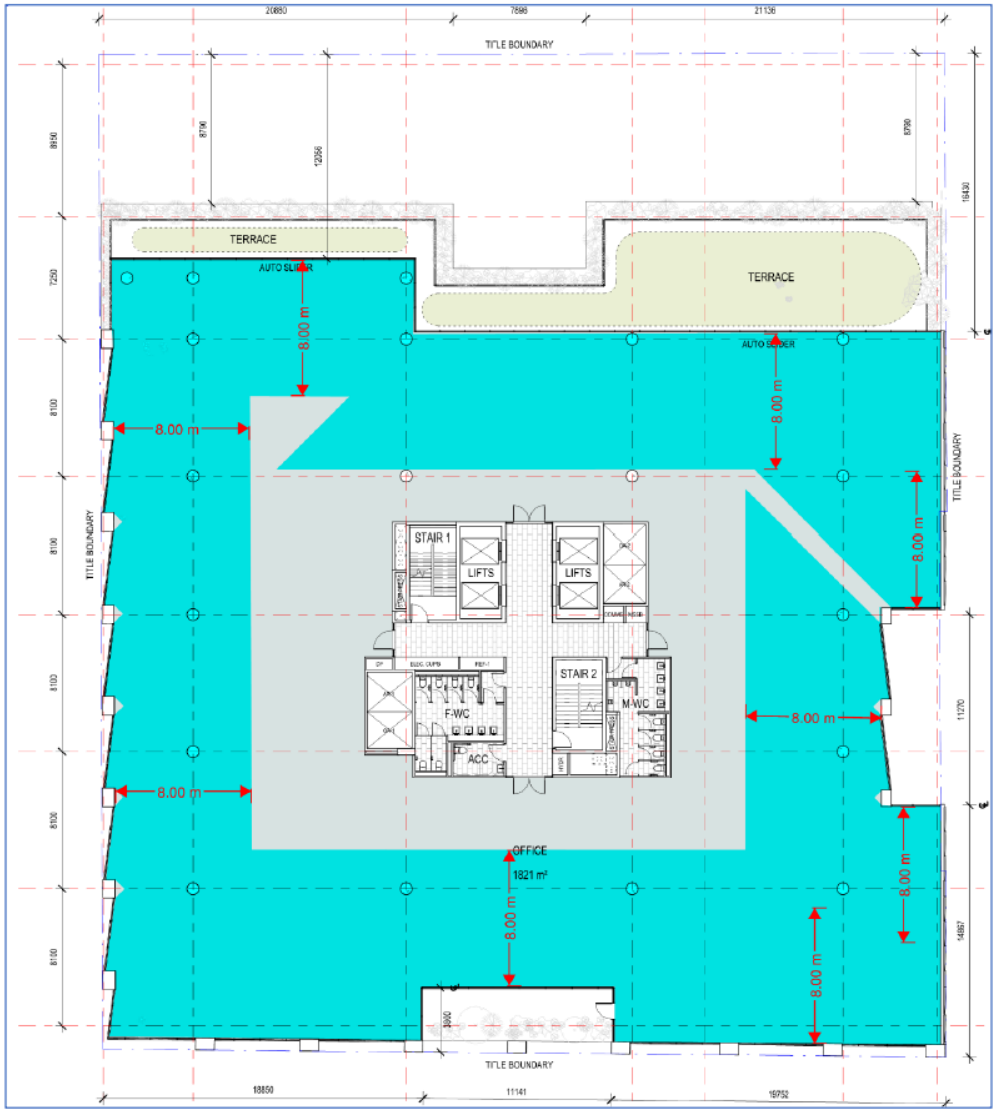
Level 2

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



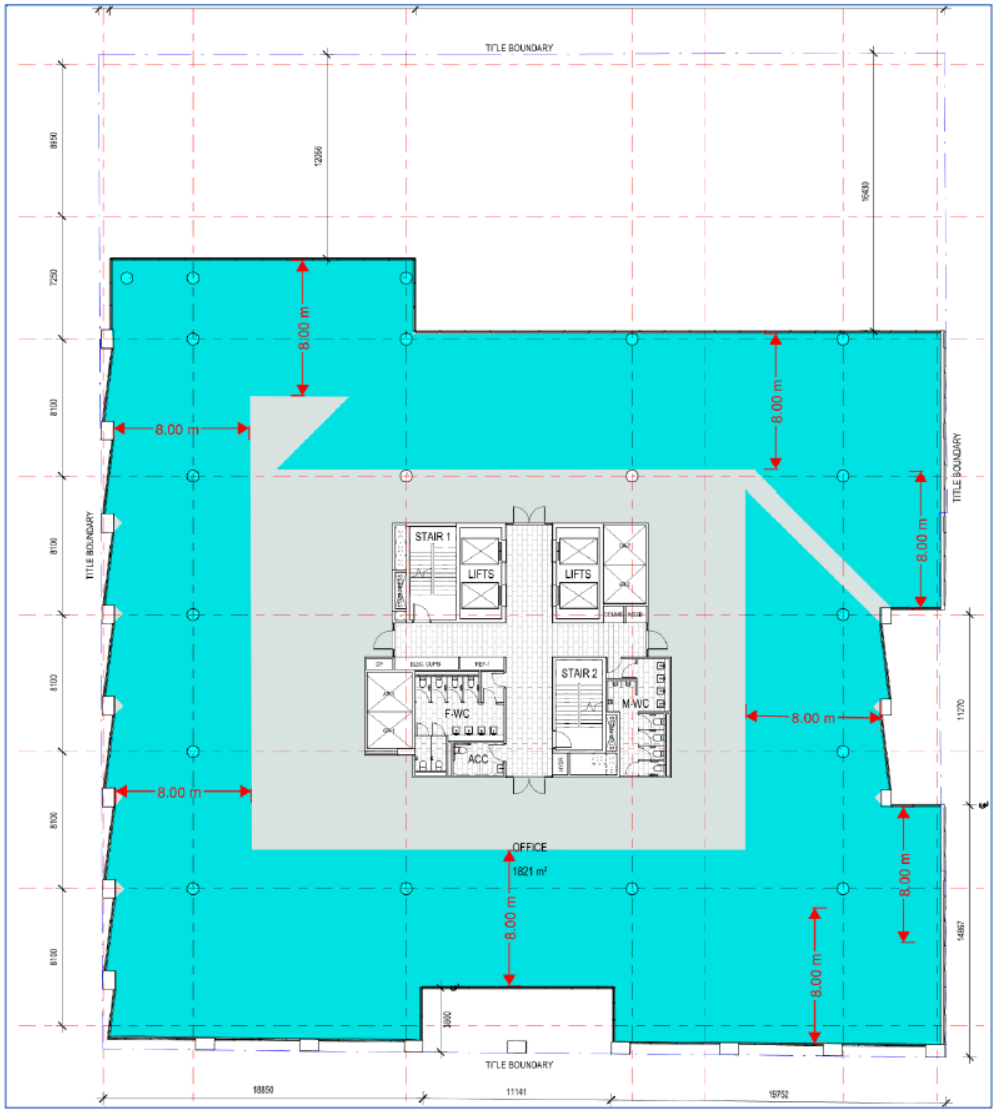
Level 3

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



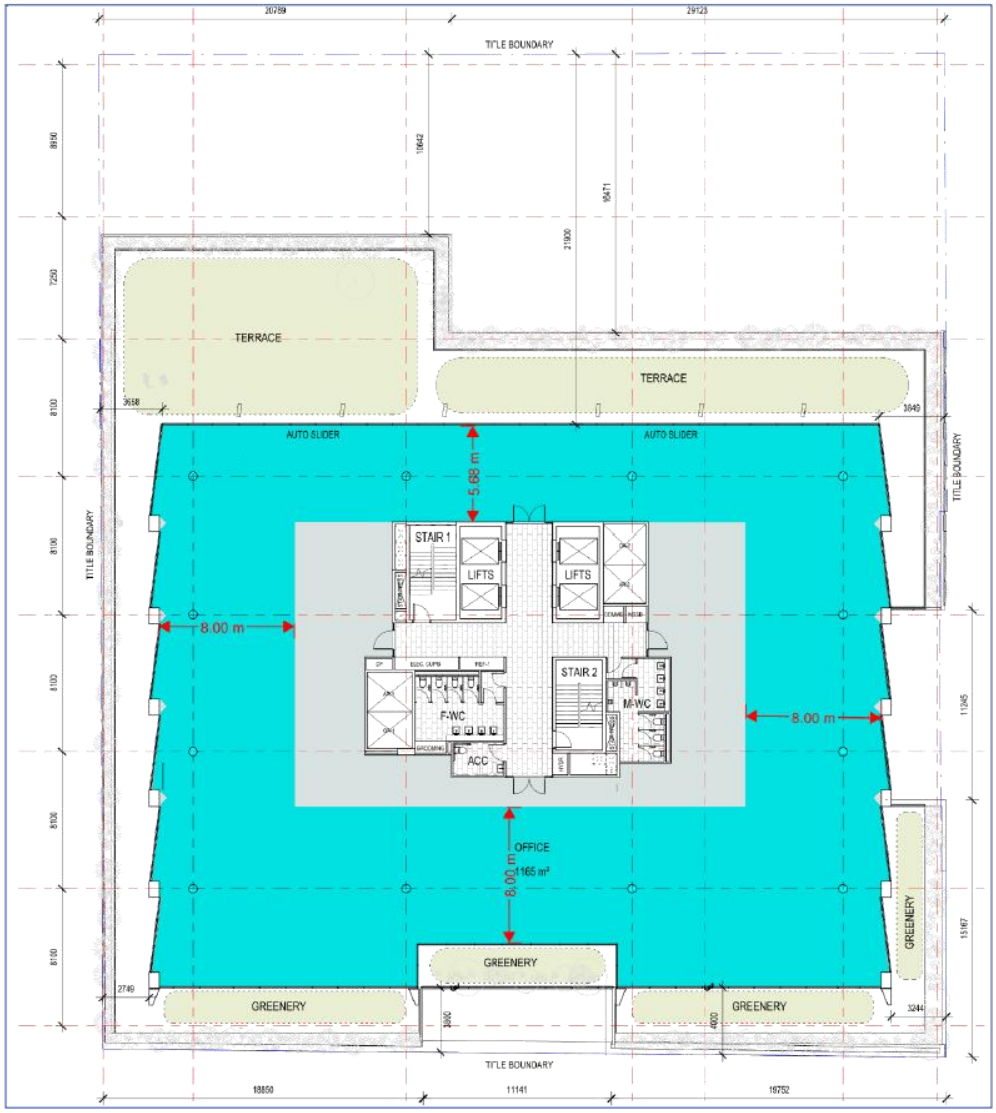
Level 4

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



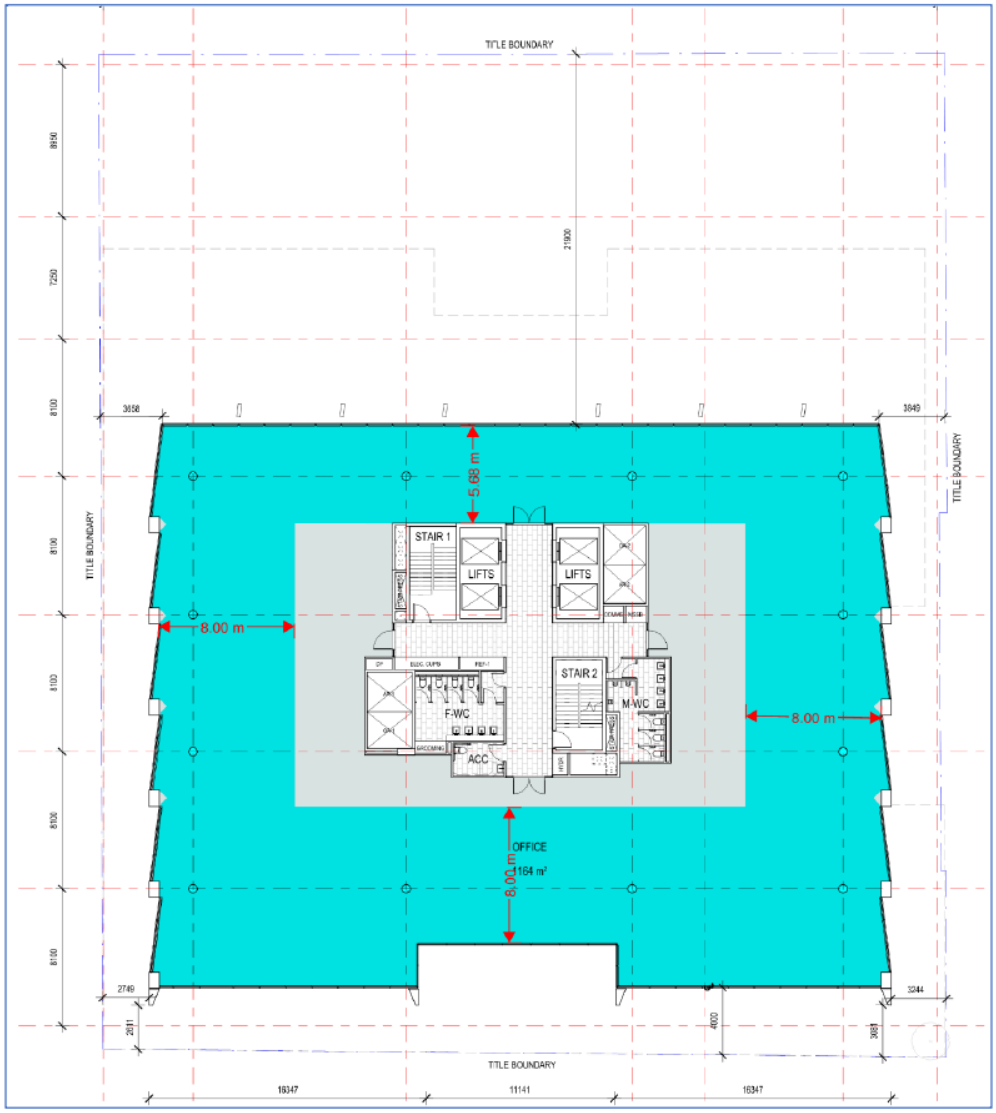
Level 5

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 6

Attachment 6 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley -Sustainability Management Plan



Level 7

APPENDIX D – STORMWATER ASSESSMENT

OVERVIEW

Under clause 22.16 of the City of Yarra Planning Scheme, "Stormwater Management (Water Sensitive Urban Design)", the proposed development is required to demonstrate, as part of its town planning application, its ability to meet the water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, Victorian Stormwater Committee 1999.

In response to this, the Water Sensitive Urban Design Response proposed for this development has been assessed using the Melbourne Water *STORM* software.

The preliminary stormwater treatment proposed for this development achieves best practice performance objectives outlined in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999) to achieve the objectives of the State Environment Protection Policy (Water of Victoria).

General considerations and potential maintenance activities for the proposed WSUD response have been outlined in this report. The final detailing of the systems will be agreed with the civil and hydraulic design consultants.

General measures to be considered by the building contractor to minimise stormwater pollution during construction have also been included.

BASIS OF ASSESSMENT

Clause 22.16 of the City of Yarra Planning Scheme aims to achieve improved stormwater quality. The policy is based on the best practice performance objectives outlined in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999) to achieve the objectives of the State Environment Protection Policy (Water of Victoria). These performance objectives are:

- Suspended solids - 80% retention of typical urban annual load
- Total Nitrogen – 45% retention of typical urban annual load
- Total Phosphorus – 45% retention of typical urban annual load
- Litter – 70% reduction of typical urban annual load.

The policy also aims to promote use of Water Sensitive Urban Design (WSUD) strategies as well as stormwater re-use, minimise peak stormwater flows and pollutants, and mitigate the detrimental effect of development on downstream waterways.

In accordance with the requirements outlined in Clause 22.16-4, the application must address the following:

- Site layout plan showing location of proposed stormwater treatment measures;
- A report outlining how the application achieves the objectives of the policy;
- Design details, such as cross sections, to assess the technical effectiveness of the proposed stormwater treatment measures;
- A Site Management Plan which details how the site will be managed through construction; and

- A maintenance programme setting out future operational and maintenance arrangements.

PERFORMANCE MEASUREMENT TOOL

The Water Sensitive Urban Design Response proposed for this development has been assessed using the Melbourne Water software STORM.

DEVELOPMENT RESPONSE – WSUD

A summary of the development's WSUD response is presented below:

STORMWATER TREATMENT	TREATMENT DESCRIPTION AND DETAILS
Treatment #1 – Rainwater Harvesting	- 1x 30 kL rainwater tank, located in Basement. Refer to architectural plans. - Roof catchment area of approximately 1450 m^2 collecting into rainwater tank. - Captured rainwater used for toilet flushing (end-of-trip facilities and at least 30% of commercial office levels), landscape irrigation and bin room washdown.
Treatment #2 – Raingarden	- 8 m^2 raingarden, located on ground level. - Catchment area of approximately 745 m^2 (upper terraces) draining to raingarden.

STORM ASSESSMENT RESULTS

Based on the stormwater treatment details described above, the development achieves a STORM score of 126%.

Melbourne Water **STORM Rating Report**

TransactionID:	1069194
Municipality:	YARRA
Rainfall Station:	YARRA
Address:	173 Barkly Avenue
	Burnley
	VIC 3121
Assessor:	WRAP Engineering
Development Type:	Commercial/Retail
Allotment Site (m2):	2,940.00
STORM Rating %:	126

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Rainwater Tank	725.00	Rainwater Tank	15,000.00	100	157.40	78.00
Rainwater Tank 2	725.00	Rainwater Tank	15,000.00	100	157.40	78.00
Raingarden	745.00	Raingarden 300mm	8.00	0	121.20	0.00
Untreated	341.00	None	0.00	0	0.00	0.00

Figure 4: STORM rating report results and inputs

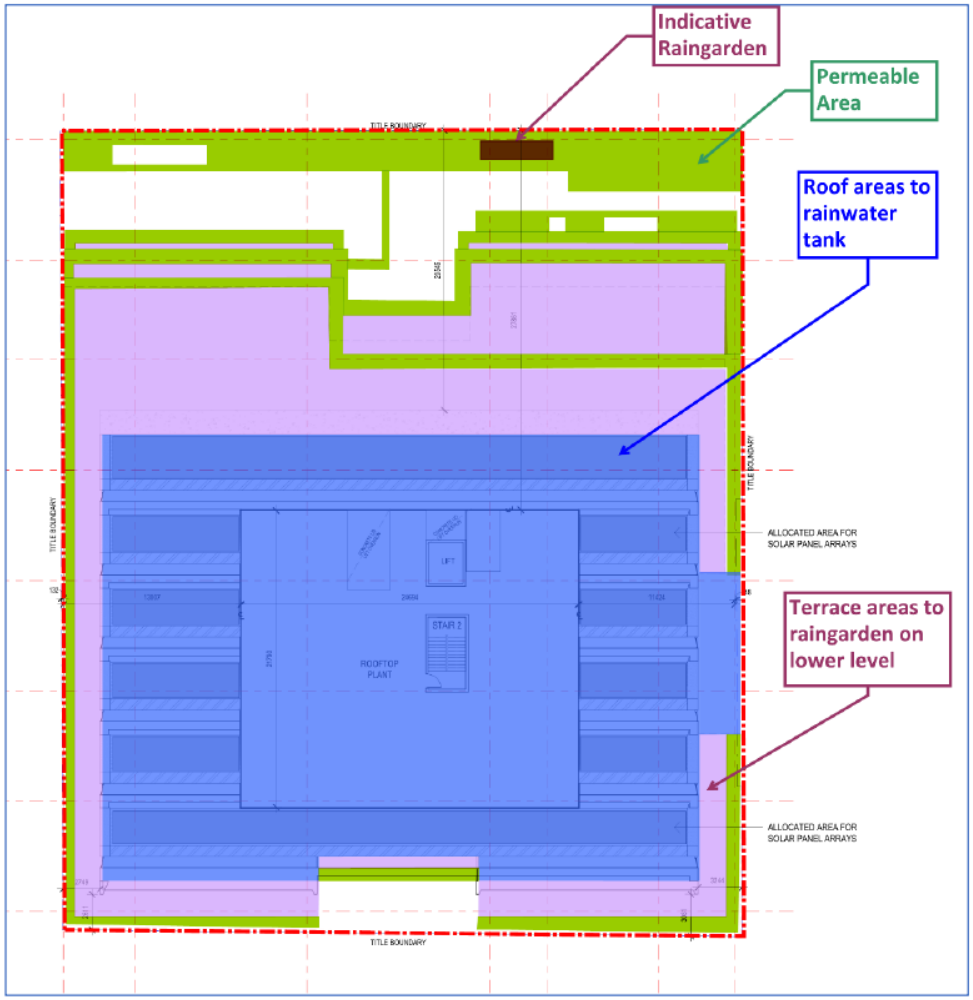


Figure 5: Site plan marked-up showing proposed catchment areas

RAINWATER TANK DESIGN & INSTALLATION CONSIDERATIONS

Rainwater tanks provide flow retention capacity and storage for reuse. They reduce stormwater run-off, decrease the demand of potable water and allow particle settlement within the tank, thus treating rainwater. General considerations for rainwater tank systems design and potential maintenance activities include:

- Incorporating a first flush device to the rainwater collection system. First flush devices divert the initial most polluted portion of water runoff.
- Automated switches to divert water supply from the tank to mains need to be incorporated.
- Connection to toilets ensure water tanks are run down on a daily basis, leaving spare capacity for new rainwater collection.

STORMWATER RUNOFF TREATMENT DURING THE CONSTRUCTION STAGE

Stormwater management in the construction stage will be required to minimise the likelihood of contaminating stormwater discharge from the site and reducing the velocity of the flows generated from the development as it is being constructed.

Stormwater management will form a part of the contractor's EMP, and it will need to specifically address the following objectives:

1. Prevent discharge of contaminated stormwater;
2. Prevent impact on offsite surface or groundwater due to construction works; and
3. Slow down stormwater flows during heavy rainfall.

The EMP should consider the following specific items in relation to stormwater management:

- Storage of materials, chemicals and construction waste must be well clear of site drainage lines or other infrastructure;
- Immediate clean-up of chemical spills;
- Soil and dust containment;
- Regular cleaning of roadways and other impervious surfaces;
- Install sediment or silt traps around stormwater drain points;
- Prevent stormwater from adjacent properties entering the site;
- Capping/bunding of piles of contaminated materials or soil;
- Inspect and clean all sediment filters and traps after heavy rains; and
- Regularly evaluate site stormwater management systems for effectiveness.

More information is available from Melbourne Water booklet "*Keeping Our Stormwater Clean – A Builder's Guide*".

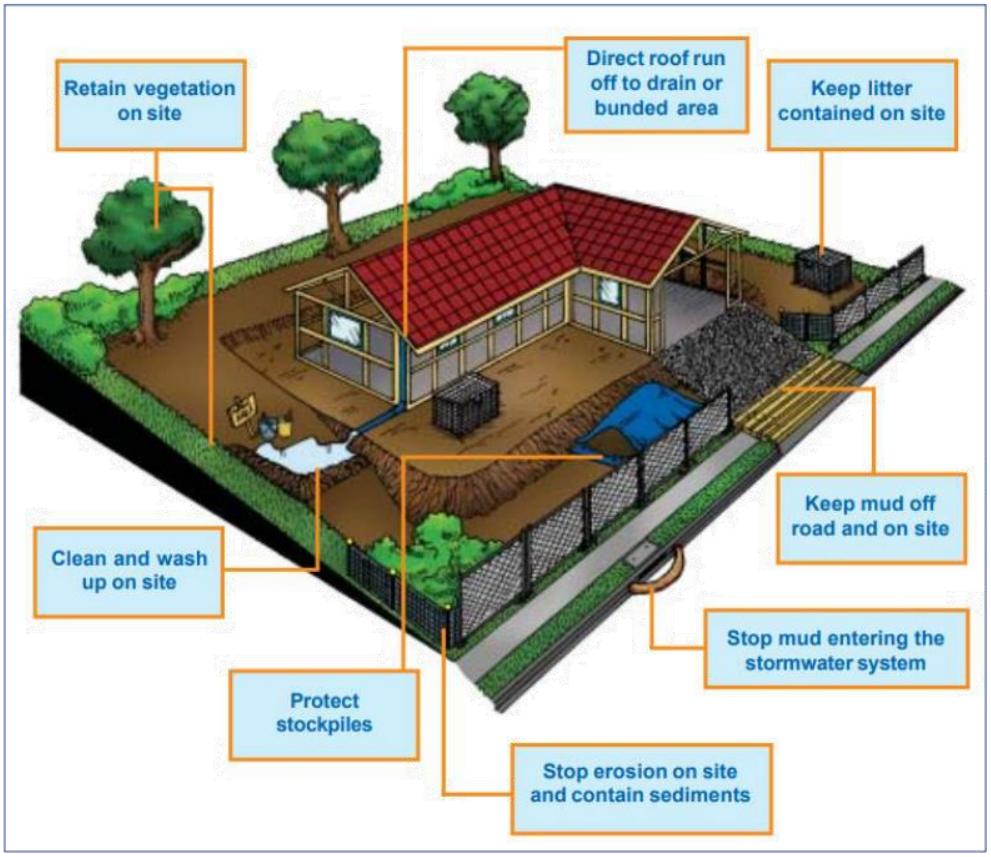


Figure 6: Site stormwater management considerations. Source: Melbourne Water – Keeping Our Stormwater Clean: A Builder's Guide

STORMWATER MAINTENANCE PROGRAMME

The proposed rainwater harvesting system will be maintained in accordance with the manufacturer's requirements. The building owner, body corporate or facility manager will be responsible for undertaking the routine maintenance and ensuring that the system is operating as designed.

The following specific maintenance activities will be required as a minimum:

- Roof and other rainfall collection areas are to be inspected regularly, at minimum every 3 months, to ensure they are kept free of pollutants, leaves and other debris;
- First flush devices should be cleaned at least every 6 months; and
- Routine maintenance as specified by the manufacturers for the hardware; pumps, tanks and filters.

Sludge layers and biofilms can be formed in the tanks walls. If water colour and smell become an issue, professional tank cleaners should be engaged.

RAINGARDEN MAINTENANCE PROGRAMME

A maintenance program will be implemented by the building's maintenance contractor to ensure the any installed raingardens operate as designed and water quality and filtration performance are maintained. The scope of the maintenance program will include inspection and rectification of issues associated with the raingarden soil, pipework, plants and gravel/pebbles.

Inspections of the raingarden system and any maintenance works required will be undertaken in accordance with the following general guidelines:

ANNUAL MAINTENANCE:

- Inspect and clean mulch layer as needed
- Check for litter, leaves and sediment, and remove as needed
- Check for erosion and gouging, rectify as needed

3-MONTHLY MAINTENANCE:

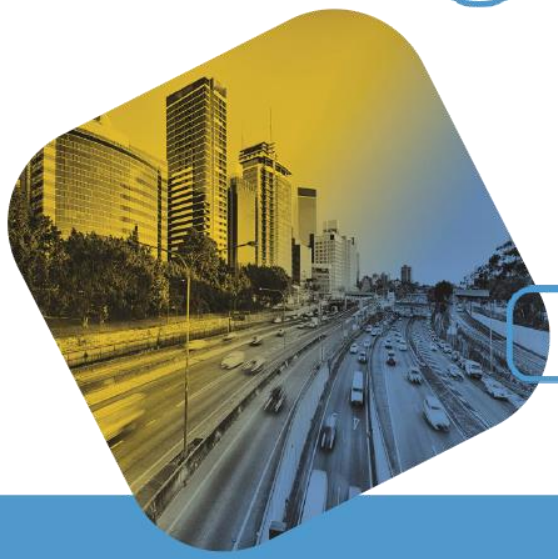
- Check plant health, replace unhealthy plants as needed
- Remove weeds by hand – do not use herbicides
- Check that all pipes are flowing freely and that raingarden is infiltrating properly
- Check for and remove any surface litter and leaves
- Redistribute or top up mulch layer as needed

AFTER MAJOR STORMS OR HEAVY RAIN:

- Undertake general visual inspection and rectify as needed
- Check for litter, leaves and sediment, and remove as needed

37°49'48.5"S
145°00'29.3"E

Mixed Use Development: 173-177 Barkly Avenue, Burnley



Traffic and Transport Assessment

27 November 2020
Prepared for 173-177 Barkly Avenue Pty Ltd

IMP200850TTA01F01.docx

Impact

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1 IMPACT® Snap Shot

Development Proposition		
Location	37°49'48.5"S 145°00'29.3"E	173-177 Barkly Avenue, Burnley
Use	Mixed-Use Development	
Yield	Office: 11,685 sq.m NLA Restricted Retail: 746 sq.m NLA Retail / Cafe: 98 sq.m NLA	
Car Parking	213 parking spaces (incl 2 Accessible Spaces)	
Motorcycle Parking	18 spaces	
Bicycle Parking	160 bicycle spaces & 11 showers and associated changerooms / lockers	

Statutory Controls	
Particular Provisions	Clause 52.06 - Car Parking
Requirement vs Provision	436 parking spaces required 213 parking spaces provided
Adequacy of Provision	The 'business as usual' approach to parking demand assessments is typically informed by a 'predict and provide' methodology which leverages current behaviour to inform future considerations. It has been set out[1] that the 'business as usual' approach needs to be reconsidered especially within Activity Centres and locations that are well served by a range of public transport services, where cycling and walking is a practical alternative to car travel, and where local policy advocates for car parking to be managed to optimise its use and encourage sustainable transport options. In this regard, the proposed development seeks to provide car parking at the statutory rate for the restricted retail use. Parking at a rate below the statutory and empirical rate is planned for the office and retail /food and drink use. Specifically, 187 spaces are to be provided for the office use with no car parking to be allocated for retail / food and drink use. This provision for the office use equates to a rate of approximately 1.60 space per 100 sq.m of office. Noting the character of the surrounding area, this provision is considered satisfactory for the following reasons: — The subject site is easily accessible via sustainable transport options such as heavy rail, light rail, and active transport such as cycling. These diverse modes will provide staff and visitors alternate and viable options to the motor vehicle.

[1] Ronge v Moreland CC [2017] VCAT 550) & Vincent Corporation Pty Ltd v Moreland CC (Includes Summary) (Red Dot) [2015] VCAT 2049

	— On street car parking in the locality of the subject site is constrained, specifically, parking is restricted to short to medium term parking. These restrictions preclude the use of on street car parking for office staff, as they typically seek all day (long term) parking opportunities. The constrained on-street parking conditions would therefore serve as a disincentive for employees to drive to work. Due to the constrained nature of on-street parking in the surrounding area, the limited availability / access to off-street commercial car parking and the accessibility to public transport services, we expect that parking demand will be constrained, with employees taking up sustainable transport modes to travel to and from work. This outcome would also be assisted by the implementation of a Green Travel Plan, a outline of which is included as Appendix C. We can conclude that an adequate number of spaces are provided to cater for the projected demand. Accordingly, the development proposition satisfies the purpose of Clause 52.06, specifically: — To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. — To support sustainable transport alternatives to the motor car.
Design	The proposed car park and accessways have been assessed and determined to have satisfied the relevant design guidelines. Accordingly, the proposal satisfies the purpose of Clause 52.06, specifically: — To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.34 - Bicycle Facilities

Requirement vs Provision	54 bicycle parking spaces required. 132 bicycle spaces provided.
Adequacy of Provision	The provision exceeds the statutory requirement and will help encourage cycling as a mode of transport to / from the subject site. We can conclude that bicycle parking provided as part of this development satisfies the purpose of Clause 52.34, specifically: — To encourage cycling as a mode of transport, and provide secure, accessible and convenient bicycle parking spaces
Design	Assessed against Clause 52.34 and determined to have satisfied the relevant design guidelines.

Clause 52.29 - Access to Road in a Road Zone

Requirement	Barkly Avenue is a road in a Road Zone Category 1, and the proposal seeks to alter access to/from Barkly Avenue, specifically, the proposal seeks to alter the existing access to Barkly Avenue by relocating the existing access to a location further east. This relocated access is intended to be restricted to left in / left out, and only available for use by commercial / service vehicles.

	A permit is therefore required.
Alignment with Municipal Planning Policy	The subject site is zoned Commercial 2. Clause 34.02 of the City of Yarra Planning Scheme identified that amongst other items, the purpose of this zone is to: — Ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses. Specifically, at Clause 34.02-2 the provisions in the planning scheme require that a use must not detrimentally affect the amenity of the neighbourhood, including through the: — Transport of materials, goods or commodities to or from the land. To address this amenity consideration, the proposal seeks an outcome that directs all service / commercial vehicle traffic volumes to Barkly Avenue. This outcome is supported by City of Yarra.
Effect on the operation of the road	The proposal seeks to alter the existing access to Barkly Avenue by relocating the existing access to a location further east. This relocated access is intended to be restricted to left in / left out, and only available for use by commercial / service vehicles. This outcome reduces impacts on the performance of Barkly Avenue, and improves public safety on the road network. These improvements are realised noting that under existing conditions, the access point to Barkly Avenue accommodates fully directional access for both commuter and commercial / service vehicles. Accordingly, a reduced number of traffic volumes are anticipated at the Barkly Avenue access point, with this reduced number of volumes now restricted to left in / left out only. This results in improved road performance and public safety outcomes.
Effect on Public Safety	As part of the proposal, the design of the accessway to the loading area is designed in manner that all design criteria set out in Clause 52.06-9 associated with accessways to and from a road in a Road Zone have been satisfied, specifically: — If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction. Design Response: The accessway is designed so that all commercial vehicles cars can exit the site in a forward direction. Refer Swept Paths provided in Appendix A. — Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone. Design Response: The access is designed at a width of 3.5 metres. The access to the loading area will only service 4 loading vehicles. Commercial vehicles trips to an office development are low. Given that loading activity can be managed via loading management plan. It is unlikely that a regular scenario would happen where inbound and outbound vehicle movements occur at the same time.

	— If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway. Design Response: Access to the loading bays spaces is setback more than 6 metres from the road carriageway. — Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. Design Response: A corner splay extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage has been provided on both sides of the loading accessway. To this end, the proposal is not expected to have any adverse effects on the operation of Swan Street on public safety.
Traffic Considerations	
Traffic Generation	The proposal is expected to generate approximately 94 movements in the AM & 103 movements in the PM peak.
Traffic Impact	An assessment of the Barkly Avenue / Adam Street intersection has been undertaken using SIDRA software. The results of the SIDRA analysis show that post development: Barkly Avenue: Will continue to operate at conditions that are similar to existing conditions, with the projected development traffic having no detrimental impact on performance. Queues and delays will remain minimal during both peak periods. Adam Street: Will continue to operate at conditions that are similar to existing conditions, with the projected development traffic having no detrimental impact on performance. Queues and delays will remain manageable during both peak periods Overall, the model confirms that motorists will continue to experience manageable delays & queues during the AM and PM peak periods.
Conclusion	

— The proposed development satisfies relevant statutory requirements and where the statutory requirements are not explicitly met, the development is deemed to satisfy decision guidelines that allow for a reduction or waiver of the said requirement.

— There are no traffic and transport grounds that should prohibit the issue of a permit.

2 Introduction

2.1 Engagement

IMPACT® have been engaged by 173-177 Barkly Avenue Pty Ltd to undertake a Traffic and Transport Impact Assessment for the proposed mixed use development at 173-177 Barkly Avenue, Burnley.

2.2 Scope of Engagement

This Traffic and Transport Impact Assessment has been prepared to accompany a town planning submission.

In preparing this assessment we have referenced the following:

- Development plans prepared by Gray Puksand;
- City of Yarra Planning Scheme, specifically:
  - Clause 21.06: Transport
  - Clause 52.06: Car Parking
  - Clause 52.29: Land Adjacent to A Road Zone, Category 1
  - Clause 52.34: Bicycle Facilities
- Australian Standard AS2890.1:2004: Off Street Parking
- Australian Standard AS2890.6:2009: Off Street Parking for people with disabilities
- Australian Standard AS2890.3:2015: Parking Facilities - Bicycle Parking

3 Existing Conditions

3.1 Location

The subject site is located at the north east corner of the Barkly Avenue / Adam Street intersection. The site as illustrated at Figure 1 has frontages to Adam Street to the west and Barkly Avenue to the south.

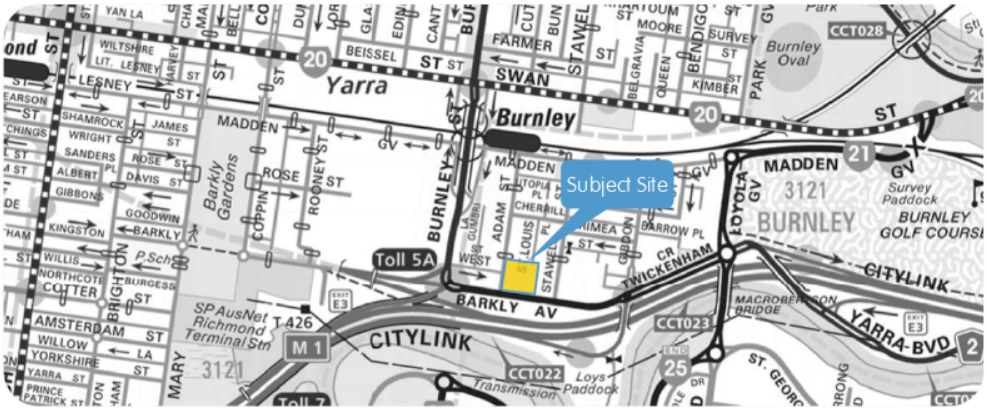


Figure 1 Location of Subject Site

The site is symmetrical in shape. Land use in the area is a mix of commercial and residential, with commercial to the east and west, and residential to the north. Notably, Burnley Railway Station is located some 350 metres north from the subject site.

3.2 Planning Zone

As illustrated in Figure 2, the subject site is located within the Commercial 2 Zone (C2Z).

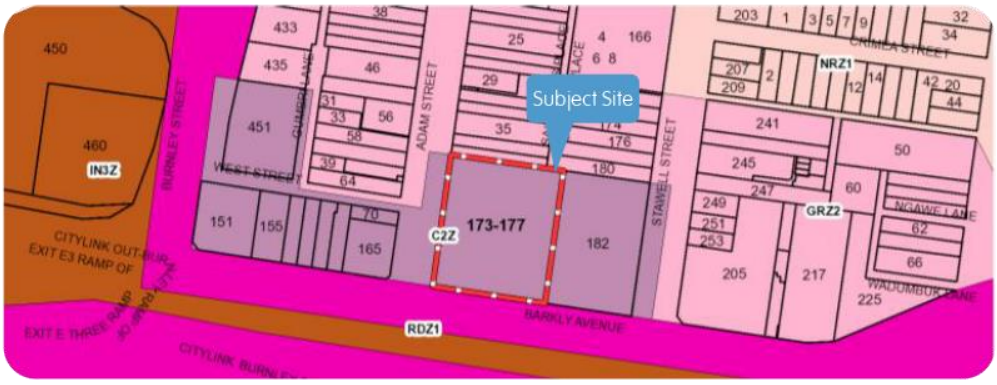


Figure 2 Land Use Planning Zone

The purpose of the Commercial 2 Zone is to, amongst other items to:

- Encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- Ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

3.3 Road Network

3.3.1 Barkly Avenue

Classified as state arterial road, and is aligned in an east-west direction, Barkly Avenue operates with a carriageway that accommodates, two traffic lanes in each direction.

Kerbside parallel parking is permitted along the northern kerb as is unrestricted between 9:00am and 4:30pm (Monday - Friday). Between 4:30pm and 9:00am (Monday - Friday), No stopping restrictions apply. The footpath on the northern side is signed as shared path between pedestrians and cyclist.

Its typical cross section is shown at Figure 3.



Figure 3 Views of Barkly Street facing west towards the subject site

3.3.2 Adam Street

Classified as local road and aligned in a north-south direction, Adam Street operates with a carriageway that accommodates, one traffic lane in each direction, flanked by 60 degree kerb side parking along the eastern side and parallel parking along the western side.

A view of Adam Street looking south and north from adjacent the subject site is shown at Figure 4 and Figure 5 respectively.



Figure 4 Views of Adam Street facing south adjacent the subject site.



Figure 5 Views of Adam Street facing north adjacent the subject site

Along the eastern kerb side a mix of time restricted and permit zone restrictions apply. Specifically, along the site frontage 4 hour time restrictions apply between 7am - 7pm (Monday to Saturday), beyond the site frontage to the north, permit zones apply.

Along the western kerb side a mix of time restricted and loading zone apply. A single loading zone is provided. This loading zone is located the southern end of Adam Street (adjacent to the neighbouring commercial use) and is not time restricted. The loading zone is applicable on Monday - Friday. The balance of parking along the western kerb side are managed with 2 hour time restrictions applicable between 7am - 7pm (Monday to Saturday).

To the north of the subject a series of speed humps are constructed on the carriageway, as part of the local area traffic management intended to discourage non-essential traffic through the residential areas, as well as moderate vehicle speeds along Adam Street.

3.4 Sustainable Transport

The subject site is easily accessible via numerous sustainable transport options, specifically bicycle, train and tram services. Figure 6 shows the subject site in the context of existing public transport routes, on-road bicycle facilities, off-road bicycle and pedestrian shared paths, and car share facilities.

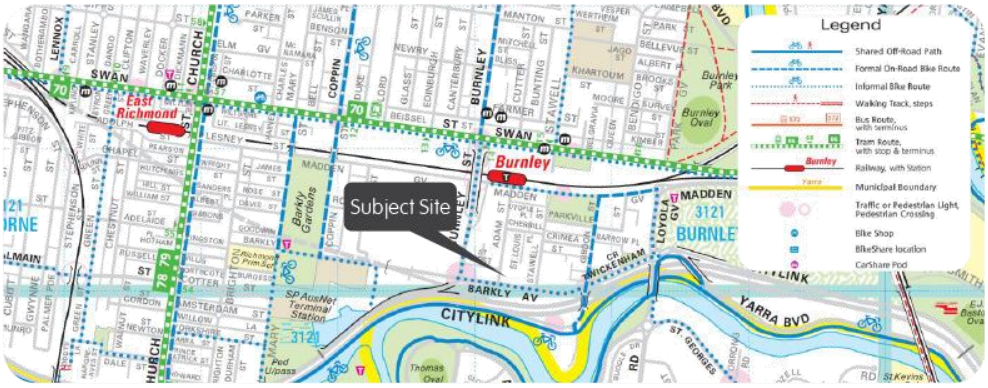


Figure 6 City of Yarra Travel Smart Map

3.4.1 Public Transport

The site is well connected to public transport being a short walk to Burnley Railway Station and tram services along Swan Street. These services are summarised at Table 1.

Table 1 Public Transport Options

Service	Route	Description	Nearest Stop	Walking Distance
Train		Alamein, Belgrave, Glen Waverly and Lilydale	Burnley Railway Station	350 m
Tram	70	Waterfront City Docklands - Wattle Park	Swan St / Burnley St	400 m

In recognition of the sites accessibility via public transport services, the subject site is included within the State Principal Public Transport Network Area as illustrated at Figure 7.

The Principal Public Transport Network reflects the routes where high-quality public transport services are or will be provided. This network is intended to support integrated transport and land use planning by encouraging more diverse and dense development near high-quality public transport to help support public transport usage.

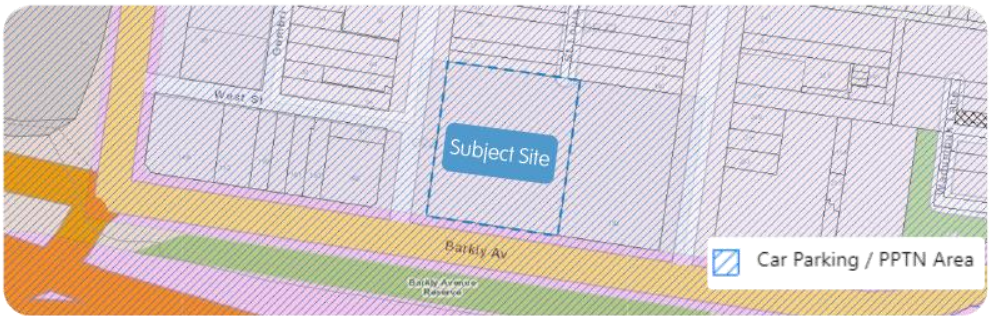


Figure 7 Principal Public Transport Network Areas (Yarra)

3.4.2 Bicycle Network

The site is easily accessible via Melbourne's extensive bicycle network. Notably, the Main Yarra Trail is accessible from Gibbon Street located some 200 metres to the east of the subject site.

The Main Yarra Trail is are classified in Council's Strategic Municipal Corridor and connect to other corridors in the north, south, east and west as illustrated in Figure 8.



Figure 8 Bicycle Network Plan

These corridors as demonstrated above and in the Strava Heat Map[2] provided at Figure 9 provide cyclists with connections to cycling paths and trails throughout the Metropolitan Melbourne area.

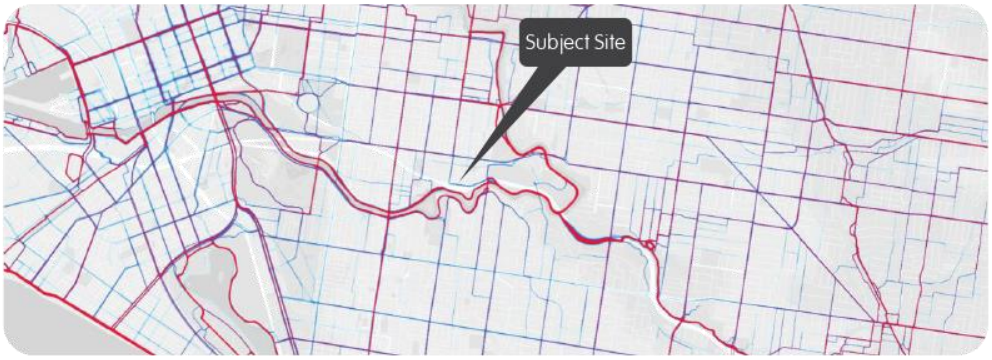


Figure 9 Strava Heatmap

[2] Visualization of public data from users of the Strava application.

4 Development Proposition

4.1 Use and Yield

A mixed-use development comprising office and retail is planned on the subject site. Specifically, the development contemplates:

Office:	11,685 sq.m
Restricted Retail	746 sq.m
Food & Drink:	98 sq.m

4.2 Parking

4.2.1 Cars

Car parking is proposed in three (3) basement level car parks, comprising a total of 213 car parking spaces, including 2 DDA spaces.

4.2.2 Motor Cycles

A total of 18 motor cycle spaces are planned within the basement levels.

4.2.3 Bicycles

A total of 160 bicycle spaces are planned, comprising, 132 spaces for staff and 29 spaces for visitors.

The staff spaces are to be provided within a secure bicycle storage area on ground level. Within this end of trip area, a total of 132 spaces are proposed comprising 108 vertical and 24 horizontal spaces. In addition, 8 showers are proposed, and associated change and locker facilities.

Visitor spaces are located in common areas on the ground level, with a total of 28 spaces planned. All spaces will be horizontal spaces.

4.3 Access Arrangements

4.3.1 Cars & Motor Cycles

Access to the basement level car park areas will be provided via Adam Street. The access is located towards the north west corner.

4.3.2 Bicycles

Access to the bicycle parking area for both staff and visitors is planned from Adam Street

4.4 Loading Arrangements

A designated loading area is provided on site. The loading area is located in the south eastern quadrant of the ground floor with access afforded via Barkly Avenue.

This loading area will also serve as a waste collection area for the office / retail use.

5 Statutory Controls

The relevant traffic and transportation Statutory Controls are:

Local Policy Framework

- Clause 21.06 - Transport
- Strategic Transport Statement
- City of Yarra Council Plan

Particular Provisions

- Clause 52.06 - Car Parking
- Clause 52.29 - Land Adjacent to a Road Zone
- Clause 52.34 - Bicycle Facilities

5.1 Clause 21.06 - Transport

Clause 21.06 of the Yarra Planning Scheme details the City of Yarra's transport related objectives and strategies. Clause 21.06 acknowledges that the City of Yarra needs to reduce car dependence by promoting walking, cycling and public transport use as viable and preferable alternatives.

Clause 21.06 lists four objectives as follows:

Objective 30: To provide safe and convenient pedestrian and bicycle environments;

Objective 31: To facilitate public transport usage;

Objective 32: To reduce the reliance on the private motor car; and

Objective 33: To reduce the impact of traffic.

Notably, Council acknowledges that whilst parking availability is important for many people, in Yarra, unrestricted car use and parking is neither practical nor achievable.

Accordingly, it is Council's intention that car parking be managed to optimise its use and to encourage sustainable transport options.

5.2 City of Yarra Strategic Transport Statement

The Strategic Transport Statement is a document prepared by the City of Yarra in 2006 which addresses the access needs of Yarra's community whilst minimising the impact of cars. The Strategic Transport Statement has a stated vision as follows:

> To create a city which is accessible to everyone irrespective of levels of personal mobility and where a fulfilling life can be had without the need for a car

The Strategic Transport Statement lists seven key Strategic Transport Objectives to achieve the above vision as follows:

1. Create a city which is a great and safe place to walk and increase the numbers of those walking in Yarra.
2. Create the most bicycle friendly city in Australia and increase the numbers of those cycling in Yarra.
3. Advocate for increased performance of public transport across Melbourne and thereby reduce the number of car trips and through traffic by both Yarra and non-Yarra residents.
4. Ensure that any new road construction is not in conflict with encouraging more sustainable transport use.
5. Ensure Council's response to parking demand is based on Yarra's parking hierarchy and sustainable transport principles.
6. Work to limit freight movement to arterial roads and freeways within Yarra and work to reduce freight movement through Yarra.

7. Encourage Council staff to use more sustainable transport for their travel and increase the capacity of the Council as a whole to respond to and initiate positive actions to further strategic transport objectives 1 - 6.

5.3 City of Yarra Council Plan

The City of Yarra Council Plan (2017 - 2021) which is currently under draft review, proposes several objectives for the municipality, including:

> Objective 6: City of Yarra, a place where Connectivity and travel options are environmentally sustainable, integrated, and well-designed

To help achieve this objective, Council have listed several strategies that they wish to implement over the next five years, including:

- Investigate and implement effective parking management options
- Develop and promote pedestrian and bicycle infrastructure that encourages alternate modes of transport, improves safety and connectedness

5.4 Clause 52.06 - Car Parking

5.4.1 Purpose

The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

5.4.2 Provision and Design Requirements

To satisfy the above purpose, Clause 52.06 of the City of Yarra Planning Scheme specifies requirements relating to the provision and design of car parking as follows:

5.4.3 Design Standard for Car Parking - Clause 52.06 - 9

We have assessed the proposed car parking design and access arrangements against the requirements of Clause 52.06-9 of the City of Yarra Planning Scheme.

Our findings are as follows:

5.4.3.1 Design Standard 1 - Accessways

Requirements		Design Response	Status
Accessways Must:			
1	Be at least 3 metres wide.	Accessway is designed with a minimum width of 3 metres.	**Comply**
2	Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide	At changes of direction, the accessway is at least 4.2 metres wide.	**Comply**
3	Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	Not a public car park.	**N/A**
4	Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	A height clearance of at least 2.2 metres is provided within the basement car parks.	**Comply**
5	If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction	All cars are able to exit the site in a forward direction.	**Comply**
6	Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.	Accessway is at least 6.1 metres wide.	**Comply**
7	Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	An area at least 50 percent clear of visual obstructions has been provided adjacent the egress lane of the car parking area.	**Comply**
8	If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.	Access to the car parking area is not from a Road Zone.	**N/A**
9	If entry to the car spaces is from a road, the width of the road accessway may include the road.	No car spaces are accessed from a road.	**N/A**

5.4.3.2 Design Standard 2 - Car Parking Spaces

	Requirements	Design Response	Status
1	Car parking spaces and accessways must have the minimum dimensions in Table 2 of Clause 52.06-5.	5 parking modules have been adopted. As follows: Module 1: Width of 2.6 metres, length of 4.9 metres and accessed from an aisle at least 6.4 metres wide Module 2: Width of 2.8 metres, length of 4.9 metres and accessed from an aisle at least 5.8 metres wide Module 3: Width of 2.4m, length of 5.4m and accessed from an aisle at least 5.8m wide. Module 4: Parallel spaces. 2.1m wide x 6.7 metres long and accessed from an aisle of 5.65 metres. Module 5: Small Car Space. 2.4 metre wide x 4.9 metres long and accessed from an aisle of at least 6.4 metres.	**Module 1 & 2 comply with Table 2 of Cl 52.06-54** **Module 3 & 4 comply with AS2890.1:2004** **Module 5 is a mix of Cl52.06 & AS2890.1** **Design is functional and acceptable.**
2	A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 other than: A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1 of the design standard A structure, which may project into the space if it is at least 2.1 metres above the space	Basement 3: 20 Spaces located mainly along the eastern and western ends of the car park have columns located in the door opening area. Basement 2: 20 Spaces located mainly along the eastern and western ends of the car park have columns located in the door opening area. Basement 1: 20 Spaces located mainly along the eastern and western ends of the car park have columns located in the door opening area. Note: Due to structural requirements, it is often difficult to obtain full compliance for multilevel car parks below multi-storey buildings. Importantly, spaces within the car park will be used for office related trips. These trips are typically single occupant trips. Thus, full compliance with door opening for all doors would not compromise their usability.	**Non-Compliant: Considered Satisfactory**
6	Disabled car parking spaces must be designed in accordance with AS 2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm	Disabled car parking spaces have been designed in accordance with AS2890.6-2009.	**Comply**

5.4.3.3 Design Standard 3 - Gradients

	Requirements	Design Response	Status
1	Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.	Gradient is flat within 5 metres of the site frontage.	**Comply**
2	Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.	The maximum grade proposed is 1:4, in accordance with Table 3.	**Comply**
3	Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming	Appropriate transitions have been used to prevent vehicles scraping or bottoming	**Comply**
4	Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.	Appropriate transitions have been used to prevent vehicles scraping or bottoming	**Comply**

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

5.4.4 Motor Cycle Parking - AS2890.1:2004

Clause 2.4.7 of the Australian Standard AS2890.1:2004 requires motorcycle spaces to be designed at 1.2m wide x 2.5m long.

The proposed 18 motor cycle spaces are designed to comply with the requirements at AS2890.1:2004

5.4.5 Conclusion - Car Park Design

The proposed car park and accessways have been assessed and determined to have satisfied the relevant design guidelines.

Accordingly, the proposal satisfies the purpose of Clause 52.06, specifically:

— To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

5.4.6 Car Parking Provision Requirements - Clause 52.06-5

Table 1 to Clause 52.06-05 of the Yarra Planning Scheme provides rates for various land uses. The following rates apply to the various uses contemplated on the site:

Office	3 spaces to every 100 sq.m leasable floor area
Restricted Retail	2.5 spaces to every 100 sq.m leasable floor area
Retail / Food and Drink	3.5 spaces to every 100 sq.m leasable floor area

Application of the above rates yields a requirement for a total of 436 on-site parking spaces, comprising

Office	408 spaces
Restricted Retail	26 spaces
Retail / Food and Drink	2 spaces

5.4.7 Proposed Provision

A total provision of **213 spaces** is proposed on-site. It is intended to allocate:

Office	187 spaces
Restricted Retail	26 spaces
Retail / Food and Drink	Nil (0) spaces

The proposed allocation results in parking being provided below the statutory requirement for the office and retail / food and drink uses.

Accordingly, the proposal seeks approval to reduce the number of parking spaces required under Clause 52.06-5.

5.4.8 Application Requirements and Decision Guidelines to Reduce Car Parking Requirement

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

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposal and must also address the following matters, to the satisfaction of the responsible authority.

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plans.

- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On-street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On-street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.

Considering the foregoing, we have undertaken the following car parking demand assessment which outlines our expectations of likely parking demand for the office and retail uses.

5.4.9 Car Park Demand Assessment

5.4.9.1 Preamble

The 'business as usual' approach to parking demand assessments is typically informed by a demand satisfaction 'predict and provide' methodology which leverages current behaviour to inform future considerations.

This approach is characterised by mandatory minimum parking requirements, with each development (land use) expected to provide its own parking. The intent being that motorists should nearly always be able to easily find convenient, free parking at every destination.

Under this 'predict and provide' approach, parking planning is based on the premise that the 'parking problem' means 'inadequate supply', and consequently:

1. More parking is better.
2. Every destination should satisfy its own parking needs (minimum ratios).
3. Car parks should never fill.
4. Parking should always be free or subsidised or incorporated into building costs.

However, there is an increasing trend towards more efficient use of existing transport infrastructure as an alternative to expanding roads and parking facilities, incorporated in a technique known as travel demand management (TDM).

TDM emphasises the movement of people and goods, rather than motor vehicles, and gives priority to more efficient travel and communication modes (such as walking, cycling, car sharing, public transport and telecommuting), particularly under congested conditions[3].

5.4.9.2 Application of TDM in Land Use Applications

It has been set out[4] that the 'business as usual' approach needs to be reconsidered especially within Activity Centres and locations that are well served by a range of public transport services, where cycling and walking is a practical alternative to car travel, and where local policy advocates for car parking to be managed to optimise its use and encourage sustainable transport options.

Ronge v Moreland CC [2017] VCAT 550 & Vincent Corporation Pty Ltd v Moreland CC (Includes Summary) (Red Dot) [2015] VCAT 2049 are two VCAT Decision of Significance that signal this change in the consideration of parking provision.

The key highlights of these decisions as they relate to parking are reproduced below:

The Ronge v Moreland CC [2017] VCAT 550

This decision was classified as a 'Red Dot' decision i.e. a decision of interest or significance, on the basis of:

Policy - interpretation or application of policy:

- Plan Melbourne 2017-2050 and State and local policy concerning car parking, traffic and shift to other travel modes.

Practice or Procedure - consideration of individual instance or systemic issues

- Necessity to reduce reliance on car based travel

Analysis - exposition of how to asses an issue or matters to consider

- Car parking and traffic

Specifically, the tribunal summarises the key matters as follows:

> The recently released Plan Melbourne 2017-2050 is predicting that Melbourne's population will increase from approximately 5 million to 8 million people over the next 33 years. An additional 1.6 million dwellings will be required to house the extra population.
>
> State and local planning policies are already acknowledging the change that is required in the way in which people travel with Plan Melbourne 2017-2050 and State policies referring to 20-minute neighbourhoods and greater reliance on walking and cycling. At the municipal level, Moreland has long been recognised as being at the forefront of encouraging less reliance on car based transport. For example, the Moreland Integrated Transport Strategy 2010 includes a key principle that walking and cycling are the preferred modes of transport.
>
> 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.

[3] Austroads Guide to Traffic Management Part 11: Parking

[4] Ronge v Moreland CC [2017] VCAT 550) & Vincent Corporation Pty Ltd v Moreland CC (Includes Summary) (Red Dot) [2015] VCAT 2049

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.

Vincent Corporation Pty Ltd v Moreland CC (Includes Summary) (Red Dot) [2015] VCAT 2049

This decision was classified as a 'Red Dot' decision i.e. a decision of interest or significance, on the basis of:

Nature of Case:

- A reduction of on-site car parking to zero in major activity centre.

Practice or Procedure - consideration of individual instance or systemic issues

- Considers the relevant tests for reducing on-site car parking in accordance with Clause 52.06 in conjunction with the State and local planning policy framework, particularly for sites in inner city activity centres. Summarises principles applied by the Tribunal in applications under Clause 52.06 to reduce on-site car parking provision

Specifically, the tribunal summarises the key matters as follows:

The decision discusses current policies for car parking and the consideration of both demand and supply management as sought by State policy for integrated transport and the application of this in the assessment of car parking in inner city activity centres such as Brunswick. The decision also reviews a number of other similar recent cases of the Tribunal, deriving some common themes in the consideration of reducing car parking rates in larger, particularly inner city, activity centres. These are:

a. Parking across an activity centre needs to be addressed in a centre wide manner.
b. Providing or restricting parking through the planning scheme, only forms one part of the overall management of car parking demand and supply in these centres.
c. There are a number of alternative means of travel emerging. Most notable of these are share car arrangements and increased bicycle use, including electric bicycles. These have grown extensively in use in the past 10 years. Their impact on empirical demand is not yet known. Policies to minimise car dependency suggest it should lead to less demand.
d. In areas of existing restricted on-street parking, the supply of on-street spaces for future occupants of a proposal is not particularly relevant to the assessment. In these locations, on-street road management restrictions can ensure future residents of a proposal are not able to rely on any spare capacity in on-street parking.
e. While a current empirical demand may exist not every site can, or needs to, meet this demand. Some sites may have limited capacity to meet car parking needs, particularly small or constrained sites.
f. A proposal for a reduced resident parking provision needs to consider:
    i. Access to public transport, in timing, diversity of routes and frequency.
    ii. Walkable access from the site to shops and facilities that provide for the daily needs of residents.
    iii. Access to other transport options including good bicycle infrastructure and walkable access to publicly available shared use cars.
g. As with any proposal, a decision to reduce parking ultimately must be tested on its own merits with competing issues balanced to achieve net community benefit. Any potential adverse impacts from parking on-street will need to be assessed against the benefits a proposal may bring to the community where car parking forms only one part of a use or development proposal.

These decisions of significance have influenced the assessment of parking provision for various land use proposals and informed decision making by Responsible Authorities and the Tribunal.

5.4.9.3 Empirical Assessment

Retail & Food and Drink

In the context of the mixed-use development, the food and drink tenancy will draw a majority of its customers from walk up traffic either from the office tenancies within the development or neighbouring businesses.

Thus, parking need only be considered for staff. In this regard, staff demand for these uses is typically generated at a rate of approximately 1 space per 100 sq.m.

The provision of parking for the retail and food and drink staff would in this context represent 'business as usual' approach to parking management.

Office

The statutory parking provision rate of 3.0 spaces per 100 sq.m typically aligns with parking demand in unconstrained scenarios in suburban and outer suburban areas.

In inner city locations, demand rates lower than 3.0 spaces per 100 sq.m are common place.

Case studies undertaken by **IMPACT®** over a 5 day period at an 11,407 sq.m office development at 40 River Boulevard, Richmond revealed that the office had 372 spaces on site, and was generating a demand for up to 199 spaces, which equates to a rate of 1.74 spaces per 100 sq.m.

We note that whilst the case study site is located in an inner city location and with reasonable access to public transport via light rail services, the case study site does not have direct access to heavy rail. Accordingly, in a location like the subject site, lower rates would be expected due to higher levels of access and connectivity to high quality public transport services.

5.4.10 Responsible Authority Considerations

The 'business as usual' approach to parking demand assessments is typically informed by a demand satisfaction 'predict and provide' methodology which leverages current behaviour to inform future considerations.

Whilst this approach has its merits, especially in suburban locations, it has been argued[5] that the 'business as usual' approach needs to be reconsidered especially in locations that are well served by a range of heavy and light rail services, where cycling and walking is a practical alternative to car travel, and where local policy advocates for car parking to be managed to optimise its use and encourage sustainable transport options.

In this regard, the proposed development seeks to provide car parking at a rate below the statutory and empirical rate. Specifically, 187 spaces are planned which for the office use equates to a rate of approximately 1.60 space per 100 sq.m.

Noting the character of the surrounding area, this provision is considered satisfactory for the following reasons:

- The subject site is easily accessible via sustainable transport options such as heavy rail, light rail, and active transport such as cycling. These diverse modes will provide staff and visitors alternate and viable options to the motor vehicle.
- On street car parking in the locality of the subject site is constrained, specifically, parking is restricted to short to medium term parking. These restrictions preclude the use of on street car parking for office staff, as they typically seek all day (long term) parking opportunities. The constrained on-street parking conditions would therefore serve as a disincentive for employees to drive to work.

Due to the constrained nature of on-street parking in the surrounding area, the limited availability / access to off-street commercial car parking and the accessibility to public transport services, we expect that parking demand will be constrained, with employees taking up sustainable transport modes to travel to and from work.

This outcome would also be assisted by the implementation of a Green Travel Plan, an outline of which provided at Appendix C.

[5] Ronge v Moreland CC [2017] VCAT 550

Furthermore, we note that a number of mixed-use developments that share similar attributes to the proposed development have been approved by Council and VCAT with parking provision at rates below statutory and empirical rates.

These sites are summarised in Table 2 below.

Table 2 Recently Approved Similar Mixed-Use Developments

Development	Yield / Use	Walking Distance to Train	Walking Distance to Tram	Supported Car Parking Rate
506-510 Church St, Cremorne	21,955sq.m office/shop	150 metres	150 metres	1.06 spaces per 100 sq.m
484-486 Swan St, Richmond	18,595sq.m office/retail	150 metres	150 metres	0.82 spaces per 100 sq.m
2-16 Northumberland St, Collingwood	15,473sq.m office /shop	700 metres	250 metres	0.88 spaces per 100 sq.m
459 Church Street, Richmond	17,131 sq.m Office / Retail	150 Metres	150 Metres	1.01 spaces per 100 sq.m
480 Swan Street, Richmond	33.678 sq.m Office / Retail	50 metres	10 Metres	0.66 spaces per 100 sq.m

The intention is to allocate parking at a rate of 1.60 spaces per 100 sq.m. This provision is below the statutory and empirical rates.

Recognising the sustainable transport merits of the site, this outcome maintains the momentum in this locality of prioritising sustainable transport in lieu of private motor vehicle travel as prescribed in local policy.

5.4.11 Disabled Car Parking (DDA) Requirements

The Building Code of Australia (BCA) outlines parking provision requirements for people with disabilities. The BCA requires disabled parking be provided at the following rates:

Office: 1 space for every 100 car parking spaces or part thereof;

Restricted Retail / Food & Drink: 1 space for every 50 car parking spaces or part thereof; and

The proposed development therefore triggers a requirement for three (3) DDA compliant parking bays.

A total of two (2) DDA compliant parking bays are planned on Basement Level 1. It is recommended that an additional disabled bay is provided to satisfy the BCA requirements. This bay could be located in the position shown at

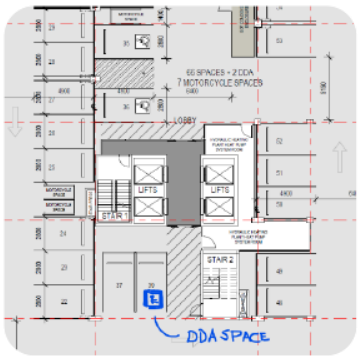


Figure 10 Proposed DDA Parking Bay

5.4.12 Conclusion - Car Parking Provision

We can conclude that an adequate number of spaces are provided to cater for the projected demand.

Accordingly, the development proposition satisfies the purpose of Clause 52.06, specifically:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.

5.5 Clause 52.34 - Bicycle Facilities

5.5.1 Purpose

The purpose of Clause 52.34 is to encourage cycling as a mode of transport, and provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

5.5.2 Provision Requirements - Clause 52.34.3

5.5.2.1 Bicycle Spaces

To satisfy the above purpose, Clause 52.34-3 of the City of Yarra Planning Scheme specifies the bicycle parking provision requirements for a variety of different uses within Table 1.

Rates applicable to the proposed uses are:

Office:	Employees:	1 space to each 300 sq.m floor area
	Visitors:	1 space to each 1,000 sq.m floor area
Retail:	Employees:	1 space to each 300 sq.m floor area
	Visitors:	1 space to each 500 sq.m floor area

Based on the above, the development generates a requirement for 54 bicycle parking spaces, comprising:

Office:	Employees:	38 spaces
	Visitors:	12 spaces
Retail:	Employees:	3 spaces
	Visitors:	2 spaces

5.5.2.2 End of Trip Facilities: Shower / Change Rooms

Clause 52.34 requires that If 5 or more employee bicycle spaces are required, 1 shower should be provided for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.

Based on this rate, the development triggers a requirement for **5 shower / change room facilities**.

5.5.3 Proposed Provision

A total of 160 bicycle spaces are planned, comprising, 132 spaces for staff and 29 spaces for visitors.

The staff spaces are to be provided within a secure bicycle storage area on ground level, including 11 showers and associated change and locker facilities.

A total of 52 horizontal spaces will be provided. This equates to 32.5% of the total provision. This exceeds the 20% requirement prescribed at Australian Standard AS2890.3:2015.

5.5.4 Adequacy of Proposed Provision

The proposed provision comfortably exceeds the statutory requirement for bicycle parking and will contribute positively to encouraging cycling as a mode of transport to the site.

5.5.5 Design Requirements

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

5.5.6 Design

The bicycle spaces are to be provided in the form of proprietary vertical and horizontal racks designed to satisfy the relevant standards.

Details of the nominated products are provided as Appendix B.

5.5.7 Conclusion - Bicycle Parking

We can conclude that bicycle parking provided as part of this development satisfies the purpose of Clause 52.34, specifically:

- To encourage cycling as a mode of transport, and provide secure, accessible and convenient bicycle parking spaces.

5.6 Clause 52.29 - Land Adjacent to a Road Zone

5.6.1 Purpose

The purpose of Clause 52.29 is to:

- Ensure appropriate access to identified roads; and
- Ensure appropriate subdivision of land adjacent to identified roads.

5.6.2 Permit Requirement

A permit is required to:

- Create or alter access to:
  - A road in a Road Zone Category 1

Barkly Avenue is a road in a Road Zone Category 1, and the proposal seeks to alter access to/from Barkly Avenue, specifically, the proposal seeks to alter the existing access to Barkly Avenue by relocating the existing access to a location further east. This relocated access is intended to be restricted to left in / left out, and only available for use by commercial / service vehicles.

A permit is therefore required.

5.6.3 Decision Guidelines

Before deciding, the Responsible Authority must consider:

- The State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The view of the relevant road authority
- The effect of the proposal on the operation of the road and on public safety
- Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.

5.6.4 Response to Decision Guidelines

5.6.4.1 Municipal Planning Strategy

The subject site is zoned Commercial 2. Clause 34.02 of the City of Yarra Planning Scheme identified that amongst other items, the purpose of this zone is to:

- Ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Specifically, at Clause 34.02-2 the provisions in the planning scheme require that a use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.

To address this amenity consideration, the proposal seeks an outcome that directs all service / commercial vehicle traffic volumes to Barkly Avenue.

This outcome is supported by City of Yarra.

5.6.4.2 Effect of the Proposal on the Operation of the Road

The proposal seeks to alter the existing access to Barkly Avenue by relocating the existing access to a location further east. This relocated access is intended to be restricted to left in / left out, and only available for use by commercial / service vehicles.

This outcome reduces impacts on the performance of Barkly Avenue, and improves public safety on the road network.

These improvements are realised noting that under existing conditions, the access point to Barkly Avenue accommodates fully directional access for both commuter and commercial / service vehicles.

Accordingly, a reduced number of traffic volumes are anticipated at the Barkly Avenue access point, with this reduced number of volumes now restricted to left in / left out only.

This results in improved road performance and public safety outcomes.

5.6.4.3 Effect of the Proposal on Public Safety

As part of the proposal, the design of the accessway to the loading area is designed in manner that all design criteria set out in Clause 52.06-9 associated with accessways to and from a road in a Road Zone have been satisfied, specifically:

- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.

  Design Response: The accessway is designed so that all commercial vehicles cars can exit the site in a forward direction. Refer Swept Paths provided in Appendix A.

- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.

  Design Response: The access is designed at a width of 3.5 metres. The access to the loading area will only service 4 loading vehicles. Commercial vehicles trips to an office and restricted retail tenancy of the scale planed are low. Given that loading activity can be managed via a loading management plan. It is unlikely that a regular scenario would happen where inbound and outbound vehicle movements occur at the same time.

- If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

  Design Response: Access to the loading bays spaces is setback more than 6 metres from the road carriageway.

- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road.

  Design Response: A corner splay extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage has been provided on both sides of the loading accessway.

To this end, the proposal is not expected to have any adverse effects on the operation of Barkly Avenue or on public safety.

5.6.5 Conclusion - Access to a Road in a Road Zone

We have assessed the merits of the proposal to have commercial vehicle access via Barkly Avenue, and do not expect the development to have any adverse effects on the operation of Barkly Avenue or on public safety.

Accordingly, the proposal satisfies the purpose of Clause 52.29, specifically:

- To ensure appropriate access to identified roads; and
- To ensure appropriate subdivision of land adjacent to identified roads.

5.7 Loading Considerations (Clause 65.01)

5.7.1 Loading Requirements and Objectives

To address the adequacy of loading for new developments, the City of Yarra Planning Scheme specifies the following:

- Clause 65.01 - The responsible authority must consider, as appropriate, the adequacy of loading and loading facilities and any associated amenity, traffic flow and road safety impacts.

5.7.2 Adequacy of Proposed Loading Facilities

In response to the above, we note that:

- Small cafe tenancy, such as that proposed at ground level typically undertake loading infrequently, by smaller vehicles, such as vans and utes.
- We expect loading for the commercial component of the development to be undertaken infrequently, typically associated with the occupation and vacation of tenancies.
- Thereafter a majority of loading deliveries will be associated with waste collection vehicles.

The development plans make allowance for loading area which is to be accessed directly from Barkly Avenue.

Swept paths (provided attached as Appendix B) demonstrate that vehicles up to 6.4 metres in length are able to access this loading area.

It is our expectation that this is more than adequate to cater to the occasional loading requirements of the office and retail tenancies as well as the waste movements associated with waste collection vehicles.

5.7.3 Waste Collection

The waste management plan recommends that private waste collection service using a 6.4 metre small rigid vehicle.

Swept paths attached as Appendix A, demonstrate that a 6.4 metre small rigid service vehicle can access the waste storage facilities located within the designated loading area.

We are therefore satisfied that sufficient room has been provided to cater for the recommended waste collection vehicle.

6 Traffic Considerations

6.1 Traffic Generation

6.1.1 Office Use

Traffic generation for office developments is typically accepted as a function of car parking provision and is most accurately determined as a rate per car parking space.

IMPACT® have undertaken case studies at office / commercial properties located at 223 Victoria Crescent and 71 Victoria Crescent, Abbotsford. These developments are also located within the City of Yarra, proximate to Train and Tram services (less than 500 metres walking distance).

The studies revealed the following AM and PM peak rates:

223 Victoria Crescent, Abbotsford	90 car spaces	AM Peak: 0.47 movements per space
		PM Peak: 0.27 movements per space
71 Victoria Crescent, Abbotsford	127 car spaces	AM Peak: 0.46 movements per space
		PM Peak: 0.35 movements per space

Noting the above, we have adopted the following rates for our assessment:

- AM Peak 0.5 movements per space
- PM Peak 0.35 movements per space

In addition, it is generally accepted that 10% of peak traffic will be generated in the counter peak direction.

For the 187 spaces allocated to the office use, and applying the higher rate of 0.5 movements per spaces for both AM and PM peak yields peak hour movements as follows:

AM Peak Period: **94 vehicle movements**

- Inbound 85 vehicle movements
- Outbound 9 vehicle movements

PM Peak Period: **94 vehicle movements**

- Inbound 9 vehicle movements
- Outbound 85 vehicle movements

6.1.2 Restricted Retail

Studies undertaken by Hyder Consulting on behalf of RMS (NSW) in March 2009 revealed that Restricted Retail tenancies in metropolitan locations can be expected to generate AM and PM peak volumes at the following rates:

- AM Peak Network AM Peak is outside Opening Hours
- PM Peak 0.81 - 1.21 trips per 100 sq.m

Application of these rates to the 746 sq.m Restricted Retail tenancy equates to:

AM Peak	Nil (0) trips
PM Peak	up to 9 trips

6.2 Traffic Distribution

Traffic generated to / from the subject site is anticipated to be distributed predominately to / from Barkly Avenue via its intersection with Adams Street.

At the time of publishing this report community behaviours both locally and broadly were influenced by Local, State and Federal Government directives relating to physical distancing as result of the COVID 19 pandemic.

Thus, traffic movement studies could not be undertaken at the intersection of Barkly Avenue and Adam Street.

Notwithstanding, the Barkley Avenue / Adam Street Intersection is located 90 metres east of the signalised intersection between City Link Exit Ramps / Barkley Avenue / Burnley Street.

Data has been sourced from the Department of Transport SCAT system for 14th November 2019. This data reveals the typical peak hour volumes as summarised at Figure 11.

Volumes to / from Adam Street cannot be conclusively quantified. For the purpose of this assessment an estimate is derived. The following considerations inform the estimate:

- Adam Street is contained within a 20 metre road reservation and can be classified as an Access Street - Level 2. This road classification has an environmental capacity of 2,000 - 3,000 vehicles per day, with peak hour volumes typically at 10% of the daily volumes, thus, between 200 - 300.
- Adam Street contains a series of speed humps, which are provided, as part of the local area traffic management intended to discourage non-essential traffic through the residential areas, as well as moderate vehicle speeds along Adam Street.
- Adam Street serves a predominant residential land use for which AM peak volumes comprise a bias towards outbound and during the PM peak, volumes comprise a bias towards inbound.

Recognising the sustainable transport merits of the locality, with Burnley Station and Swan Street trams easily accessible, base volumes on Adam Street are expected to be low. For the purpose of this assessment, it is forecast that up to 100 trips could be expected, with a 70 / 30 bias in the peak direction adopted.

Accordingly, the estimated base line volumes are summarised at Figure 11.

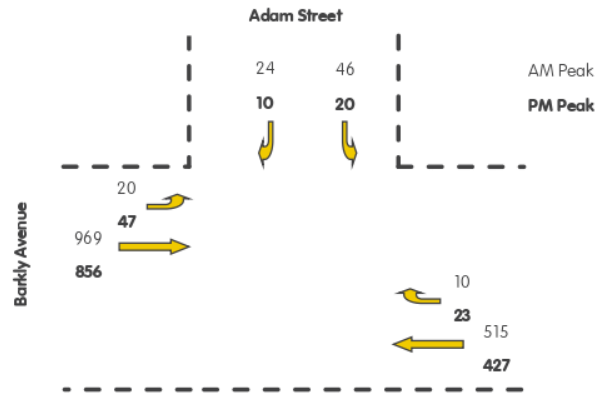


Figure 11 Base Conditions Peak Hour Traffic Volumes

The proposed development is projected to generate 66 additional trips during the peak periods. It is forecast that these additional volumes will be distributed as per the prevailing traffic distribution patterns along Barkly Avenue. A graphical representation of the peak hour vehicle movements to / from the subject site are presented at Figure 12.



Figure 12 Peak Hour Development Volumes

The volumes at Figure 12 have been superimposed on the baseline volumes to derive the anticipate post development peak volumes. These forecast volumes are summarised at Figure 13.

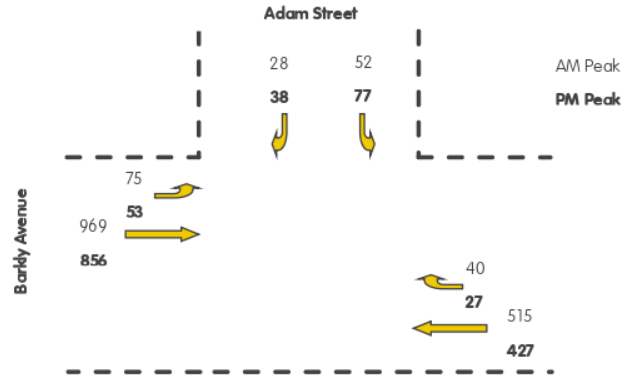


Figure 13 Forecast Post Development Peak Hour Traffic Volumes

6.3 Traffic Impact

6.3.1 Intersection Analysis

The operation of the Barkly Avenue / Adam Street intersection was analysed using SIDRA Intersection 9. Critical outputs of this network analysis software are:

Degree of Saturation (D.O.S.) - Defined as the ratio of the volume of traffic observed making a movement compared to the maximum capacity for that movement. These are rated as follows:

D.O.S.	Rating
Up to 0.6	Excellent
0.6 to 0.7	Very Good
0.7 to 0.8	Good

0.8 to 0.9	Fair
0.9 to 1.0	Poor
Above 1.0	Very Poor

A degree of saturation (D.O.S) greater than 1.0 indicates oversaturated conditions.

In evaluating intersection performance during capacity analysis and design the target maximum degree of saturation of the critical (maximum) movement is:

Signalised intersection: 0.9 (desirable) and 0.95 (maximum)

Unsignalised intersection: 0.8 (desirable) and 0.85 (maximum).

95th Percentile (95%ile) Queue - Defined as the maximum queue length, in metres, that can be expected in 95% of observed queue lengths in the peak hour; and

Average Delay - Defined as the delay time, in seconds, which can be expected over all vehicles making a movement in the peak hour.

The analysis is based on the modelled layout shown in Figure 14.

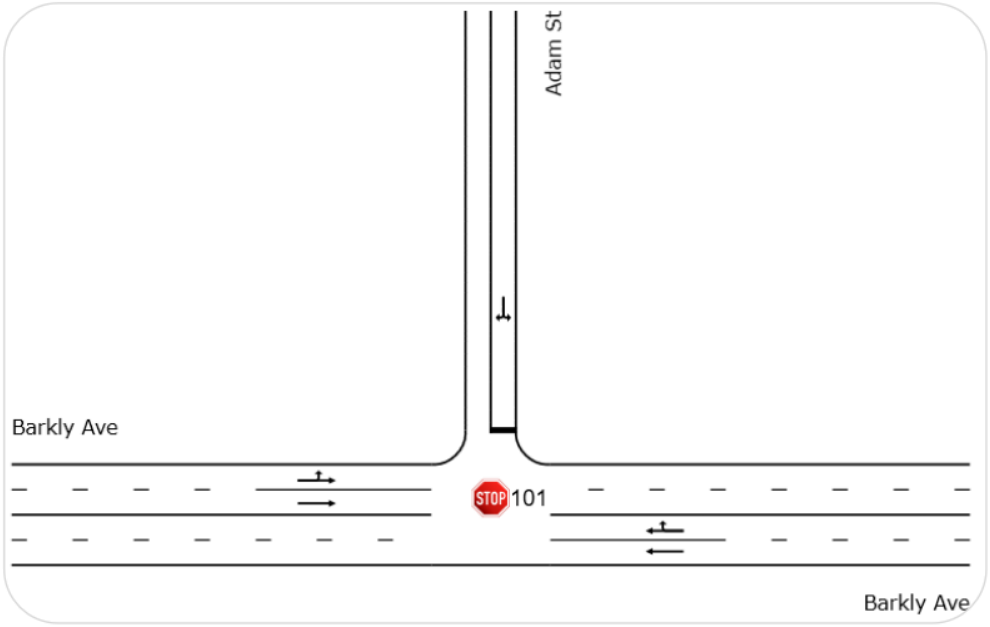


Figure 14 Geometry of Modelled Intersection

The results of the analysis are summarised in Table 3.

Table 3 Summary - Post Development SIDRA Intersection 9

	Approach	Degree of Saturation	95th%ile Queue	Average Delay
	Existing			
AM Peak	East	0.15	2 metres	1 seconds
	North	0.32	9 metres	26 seconds
	West	0.28	0 metres	0 seconds

PM Peak	East	0.14	4 metres	1 seconds
	North	0.10	2 metres	18 seconds
	West	0.25	0 metres	0 seconds
Post Development				
AM Peak	East	0.19	7 metres	3 seconds
	North	0.40	12 metres	31 seconds
	West	0.29	0 metres	0 seconds
PM Peak	East	0.14	4 metres	2 seconds
	North	0.39	13 metres	23 seconds
	West	0.25	0 metres	0 seconds

The results of the SIDRA analysis show that post development:

Barkly Avenue: Will continue to operate at conditions that are similar to existing conditions, with the projected development traffic having no detrimental impact on performance. Queues and delays will remain minimal during both peak periods.

Adam Street: Will continue to operate at conditions that are similar to existing conditions, with the projected development traffic having no detrimental impact on performance. Queues and delays will remain manageable during both peak periods

Overall, the model confirms that motorists will continue to experience manageable delays & queues during the AM and PM peak periods.

6.4 Conclusion - Traffic Impacts

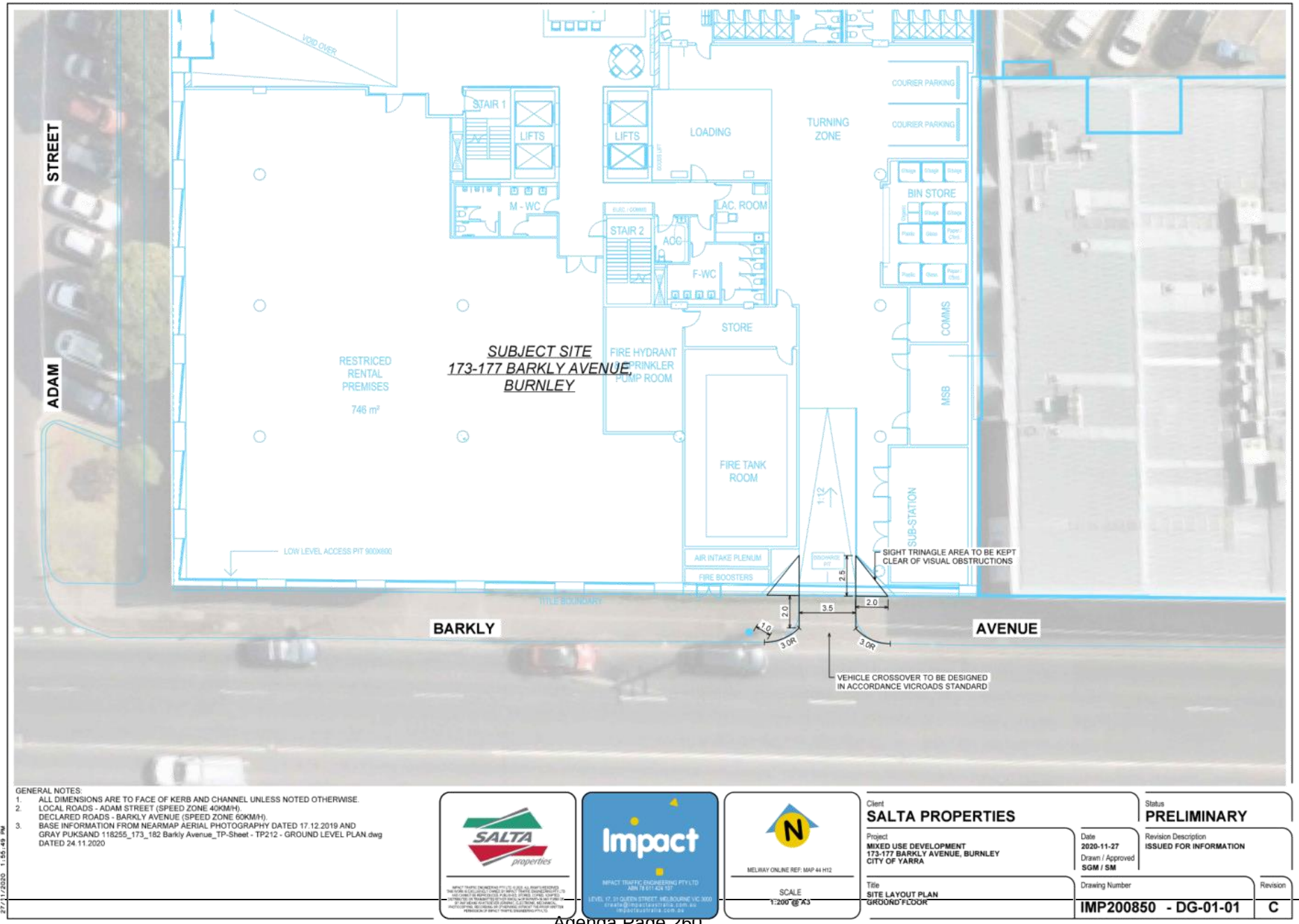
The foregoing assessment confirms that the proposed development will have minimal impacts to the adjacent road network.

Importantly the intersection of Barkly Avenue and Adam Street has ample capacity to comfortably accommodate the number of movements generated by the proposed development with ample spare capacity remaining to accommodate additional traffic if and when generated by other development.

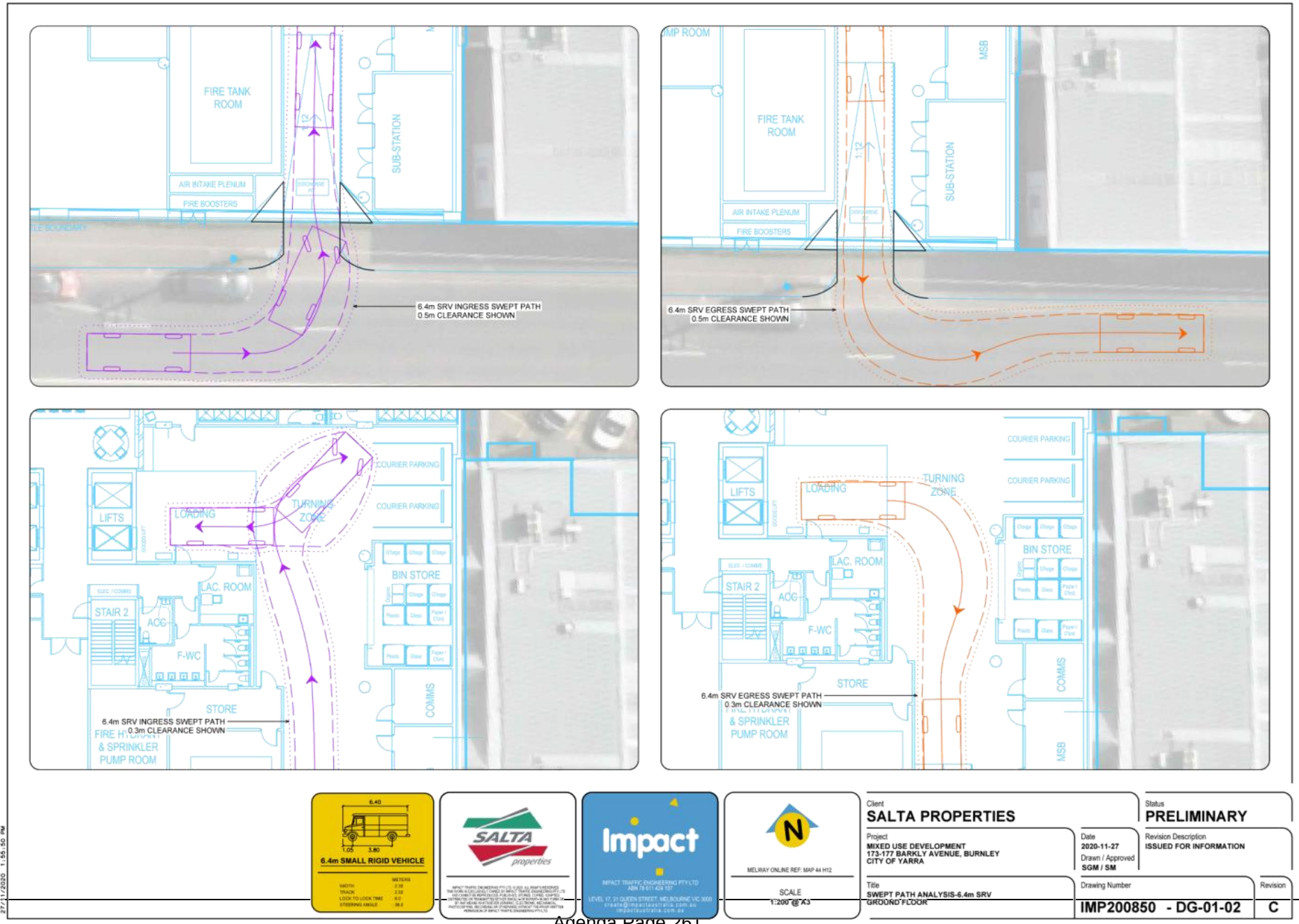
APPENDIX A
Swept Path Analysis

—6.4m Medium Rigid Design Vehicle

Attachment 7 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic Assessment Report



Attachment 7 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic Assessment Report



APPENDIX B
Bicycle Parking Specifications

Leda Securabike - Compact Bicycle Rack
Leda Space Saver - Single, Double & Wall mounted
Bicycle Network - Arc de Triomphe

Arc de Triomphe™



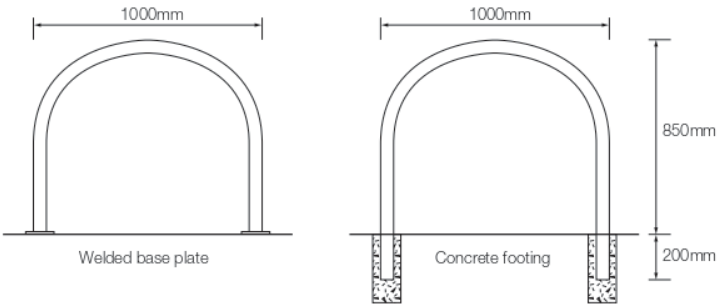
Galvanised finish / Stainless Steel finish

Features



- Each rail supports two adult bikes in an upright position
- Can be either bolted to a concrete slab or concreted in situ
- Available in stainless steel or galvanised steel
- Provides the ability to lock both wheels and frame
- Suitable for foyers and entry areas

Dimensions



Specifications

Material options

- Galvanised (Duragal)
- 316 Marine grade stainless steel

Fixing options

- Welded flange - Bolt on
- In situ

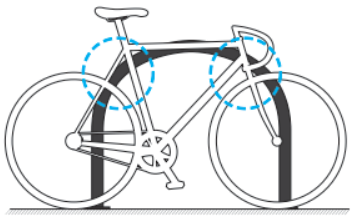
Recommended fasteners

- Galvanised Dynabolts (M10 x 65mm)
- Stainless Dynabolts (M10 x 65mm)
- Shear Nut security fasteners

Dimensions

1000mm [w] x 850mm [h]

Locking Points



V4.1 - 1/05/2017 | Specification may be subject to change without notice. ©Bicycle Network

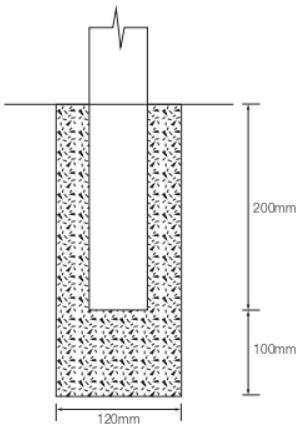
BICYCLE NETWORK BIKE PARKING

DESIGN. SUPPLY. INSTALL.

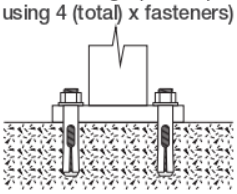
Bicycle Network ABN 41 026 835 903
p. 1300 727 563 e. parking@bicyclenetwork.com.au bikeparking.com.au
VIC Level 4, 246 Bourke Street, Melbourne VIC 3000 NSW 234 Crown Street, Darlinghurst NSW 2010
TAS 210 Collins Street, Hobart TAS 7000 NT Suite 5, 18-20 Cavenagh Street, Darwin 0800

Fixing options

In situ (Concrete footing)

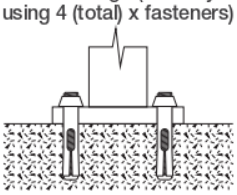


Welded flange (Bolt on)
using 4 (total) x fasteners)



Shown with M10 x 65mm fastener

Welded flange (Security heads)
using 4 (total) x fasteners)

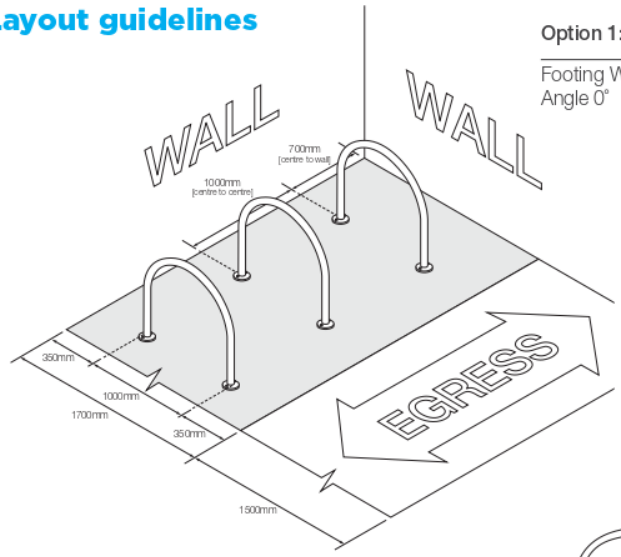


Shown with M10 x 65mm Shear Nuts

Layout guidelines

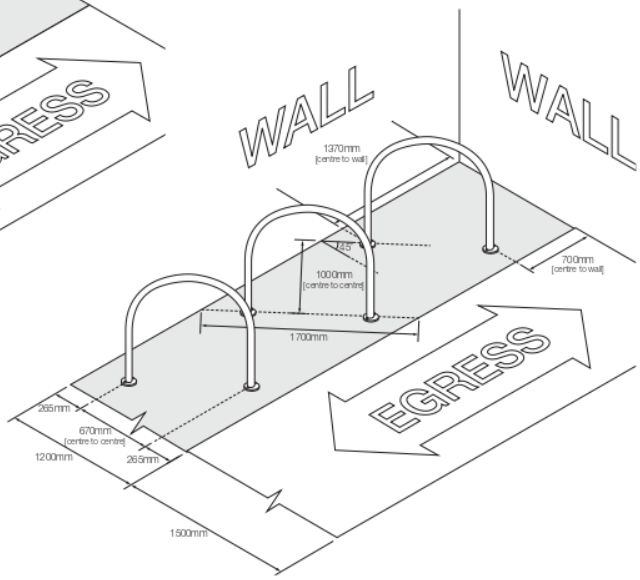
Option 1:

Footing Width 1700mm
Angle 0°

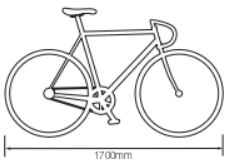


Option 2:

Footing Width 1200mm
Angle 45°



Typical Bicycle Length



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p. 1300 727 563 e. parking@bicyclenetwork.com.au bikeparking.com.au
VIC Level 4, 246 Bourke Street, Melbourne VIC 3000 NSW 234 Crown Street, Darlinghurst NSW 2010
TAS 210 Collins Street, Hobart TAS 7000 NT Suite 5, 18-20 Cavenagh Street, Darwin 0800

Bicycle Racks > Horizontal

Product Range

1300 780 450

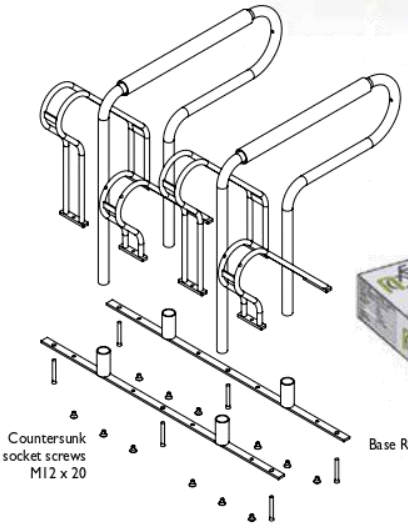
Compact CBR4SC
Flat Pack

CBR4SC
Powder Coated
CBR4SCG
Hot Dipped Galvanised

Thousands installed



OUR MOST POPULAR RACK

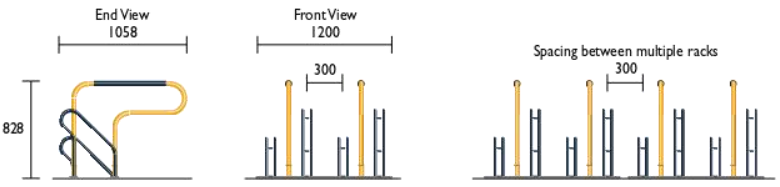


The Compact Security Bicycle Rack is supplied in flatpack for do-it-yourself installation. Security Rails and Wheel Supports are supplied unattached and can be quickly bolted to the Base Rail to provide Single, Double Sided or Angled units.



Supplied in Flatpack (1055 x 855 x 145mm)





Material Specifications (General)
Rails 32NB (38.0) x 1.5mm Pipe / Powder coated / Hot dipped galvanised finish
Supports Ø19 x 1.2mm Pipe / Powder coated / Hot dipped galvanised finish

SECURITY CLASS 3

Bicycle Racks > Vertical

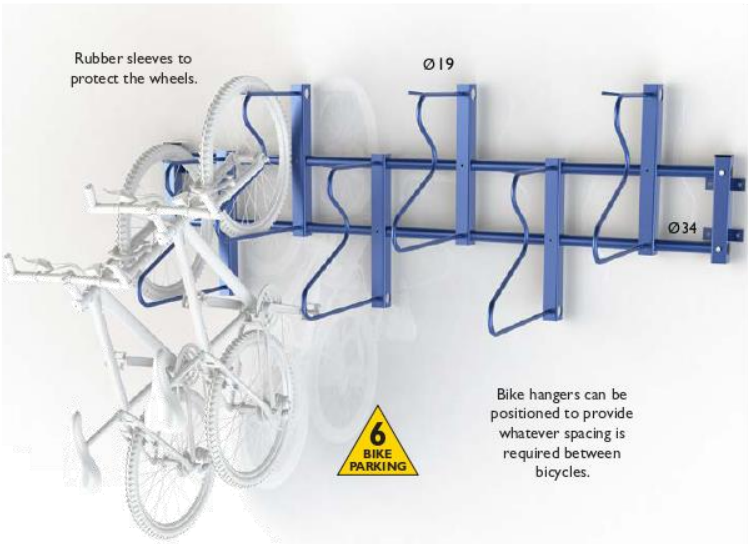
Product Range

1300 780 450

BRV6WM
Wall Mount

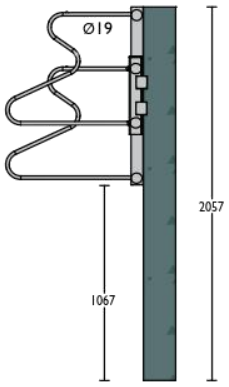
Space Saver Rack
Wall mounted single sided. Versatility of the design allows to park more bikes in allocated area.

Comes in flat pack for easy assembly onsite & reduced transportation costs.

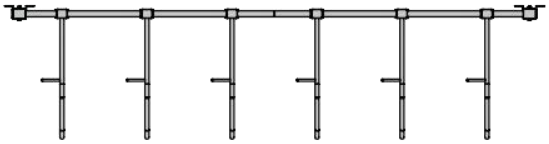


PLEASE NOTE:
This product comes in galvanised finish as standard. However, it can be powder coated in a range of colours at an additional cost to suit requirements.

Side View

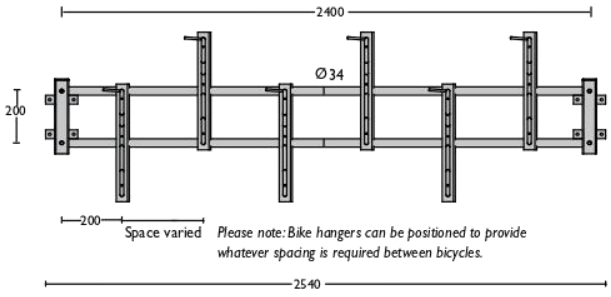


Top View



NEW SPACE SAVER RACK

Front View



Material Specifications (General)
34 x 3mm Beam / 60 x 30 x 2mm Angle
19 OD x 1.2mm Rail / Hot dipped galvanised

SECURITY CLASS 3

Attachment 7 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic Assessment Report

Product Range

✆ 1300 780 450

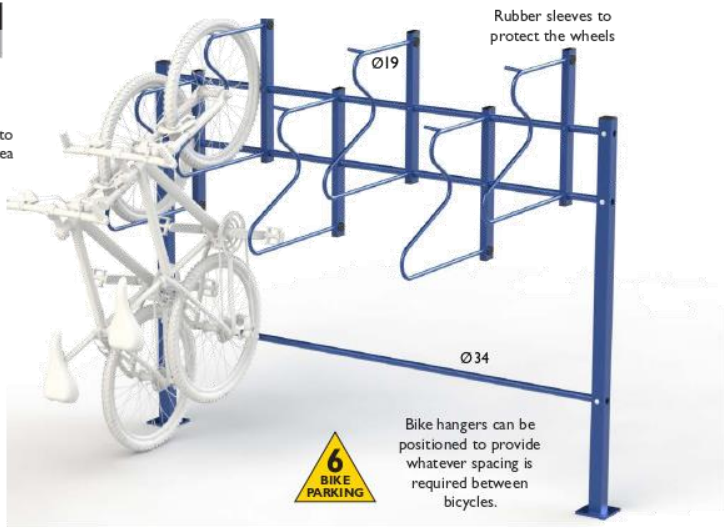
Bicycle Racks > Vertical

BRV6
Post Mount

Space Saver Rack
Post mounted single sided. Versatility of the design allows to park more bikes in allocated area than horizontal racks.

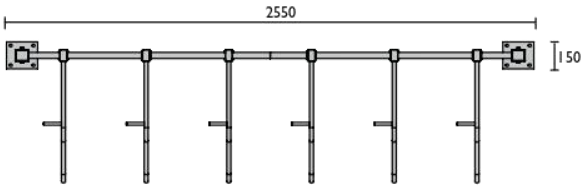
Comes in flat pack for easy assembly onsite & reduced transportation costs.

PLEASE NOTE:
This product comes in galvanised finish as standard. However, it can be powder coated in a range of colours at an additional cost to suit requirements.

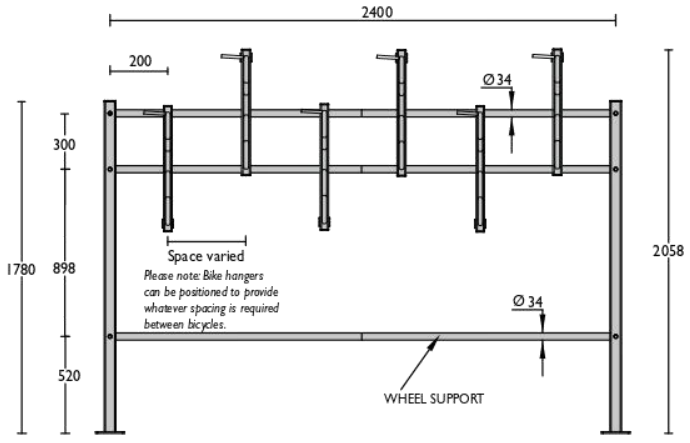


NEW SPACE SAVER RACK

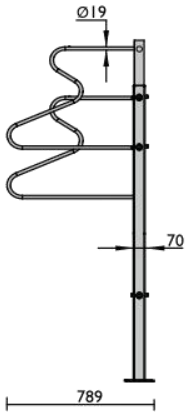
Top View



Front View



Side View



Material Specifications (General)
70 x 70 x 2.5mm Post / 34 x 3mm Beam / 60 x 30 x 2mm Angle
19 OD x 1.2mm Rail / Hot dipped galvanised

SECURITY CLASS 3

Bicycle Racks > Vertical

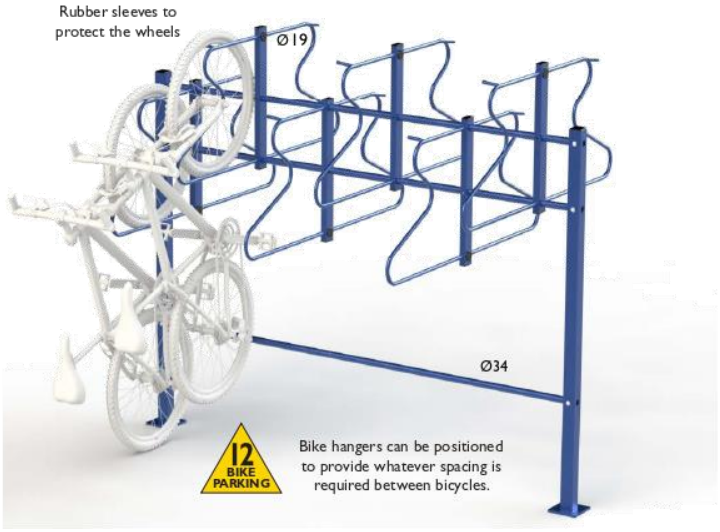
Product Range

1300 780 450

BRV12
Post Mount

Space Saver Rack
Post mounted double sided. Versatility of the design allows to park more bikes in allocated area than horizontal racks.

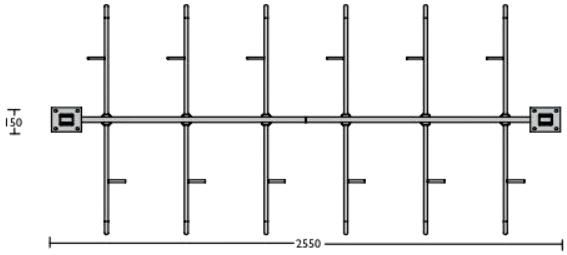
Comes in flat pack for easy assembly onsite & reduced transportation costs.



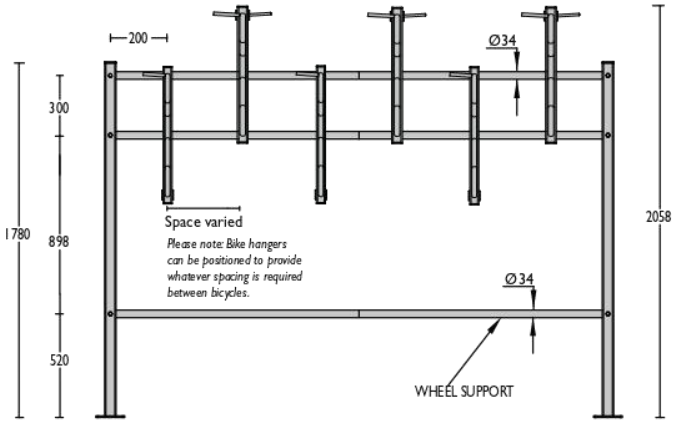
PLEASE NOTE:
This product comes in galvanised finish as standard. However, it can be powder coated in a range of colours at an additional cost to suit requirements.

NEW SPACE SAVER RACK

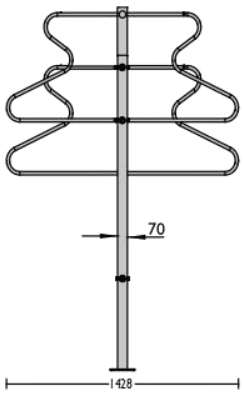
Top View



Front View



Side View



Material Specifications (General)
70 x 70 x 2.5mm Post / 34 x 3mm Beam / 60 x 30 x 2mm Angle
19 OD x 1.2mm Rail / Hot dipped galvanised

SECURITY CLASS 3

APPENDIX C
Outline Green Travel Plan

PREAMBLE

A Green Travel Plan (GTP) sets out measures that aim to manage car dependency and encourage the use of sustainable transport modes, with the objective of permanently changing travel mode behaviour.

Travel behaviour change programs are an ongoing process and cannot strictly be broken into short term and long-term initiatives or adopted successfully without consultation with staff members.

Accordingly, the options set out below are options for consideration that would need to include a mix of:

Design Features

- These are physical features that will / could be provided as part of the development. These features would contribute positively by providing the necessary infrastructure to contribute to sustainable transport behaviour change programs

Operational Initiatives

- These are operational strategies that are co-developed with staff and implemented to encourage the use of non-private motor vehicles

A combination of the above features and initiatives could be implemented to assist with encouraging travel behaviour change for staff at the proposed development.

The Interventions selected would be subject to consultation and agreement between relevant stakeholders.

Options for consideration include:

Cycling	
Design Features	
Provision of secure, accessible and convenient cycling facilities in excess of the statutory requirement.	
Provision of future ready cycling facilities, for example, Electric Bicycle Parking Facilities	
Operational Initiatives	
Access to up to date route maps of bicycle networks (on road and off road) to assist with journey planning. These could include: 1. Cycling guides provided by Council; 2. Google Maps; or 3. Propriety applications such as Strava	
Access to up to date regulations, requirements and cycling etiquette of use to the bicycle network infrastructure. These could include: 1. Rules on riding on shared paths; 2. Rules on riding on the road. A valuable resource for this information would be www.bicyclenetwork.com.au	
For new cyclists, provide the opportunity for staff to participate in a salary package scheme, where the operator leverages scales of economy to negotiate and purchase commuter bicycles on their behalf at a reduced cost.	
Form a committee whose purpose is to create and sustain an active transport culture. This could take the form of creating and sustaining initiatives such as: 1. Bicycle User Groups (BUG's). These groups could include a Buddy Group where experienced cyclists buddy a novice to ride the best / safest route to the site. 2. Participation in events such as Ride to Workday, World Environment Day etc, including ancillary activities such as morning teas or breakfasts, guest speakers, demonstrations etc;	

3. Negotiate a servicing discount for staff at a local bike shop or sports gear store	
Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides	
Walking	
Operational Features	
Encourage walking through participation in events such as Walktober	
Set up walking groups that encourage lunchtime walks or walking to or from work or train station	
Run a workplace challenge to encourage active travel e.g. staff walking challenge using pedometers so people can keep count of steps walked, graphs or charts of staff progress for healthy competition	
Access to up to date route maps of walking networks to assist with journey planning. These could include: 1. Cycling guides provided by Council; 2. Google Maps; or 3. Propriety applications such as Strava	
Provide umbrellas and wet weather gear for staff that walk to work or in reception for use during day time hours.	
Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides	
Public Transport	
Operational Features	
Access to up to date public transport route & timetable data in the locality. These could include: 1. Application such as PTV's Journey planner. 2. Google Maps;	
For new public transport users, provide the opportunity for staff to secure discounted fares. This could be done by the centre signing up to the **myki Commuter Club**. This would allow the centre access to yearly myki passes for their staff at a 10% discount. These discounts could be passed on to their staff for purchase, including via a salary package scheme	
Form a committee whose purpose is to create and sustain a public transport culture. This could take the form of creating and sustaining initiatives such as: 1. Lunchtime talks on public transport education to promote what is available and service changes where available	
Provide information on how to purchase Myki's, associated costs, and latest technology such as Myki Pass - digital myki on Android phones	
Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides	
Cars	
Design Features	
Provide less car parking for staff use than is the statutory requirement.	
Surrender any on street parking permits provided to the site that enable staff to park on street without penalty.	

Operational Features	
Form a committee whose purpose is to create and sustain behaviour change in motorists. This could take the form of creating and sustaining initiatives such as: 1. Organise a car pool postcode morning tea to match up potential car share partners 2. Set up a ride-matching system on a board in the staff room so staff interested in carpooling can link up 3. Provide a car pool guide to staff with hints on how to successfully car pool with colleagues, as well as some basic guidelines to follow. Guidelines could be what the organisation put in place, hints and tips could be around what other employees suggest works well outside of what is set in the guidelines	
Provide recognition for those that use active and sustainable travel at an event or in a newsletter	
Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides	

The above initiatives would require ongoing and dynamic interventions to achieve successful outcomes.

A review and reporting mechanism would be an important process in the strategy to determine if targets are being met. Where targets are not being met, strategies would be tailored as required to focus on these discrete areas.

In order to monitor the success of the Green Travel Initiatives a 3 stage monitoring system would be recommended.

Elected representatives of staff would be assigned as Travel Co-ordinators of the Travel Plan. The co-ordinators would be responsible for:

- Organising the monitoring of the performance of the Travel Plan against the targets that have been agreed.
- Reviewing the occupancy / use (and abuse) of the facilities that are provided on site, for example, cycle racks and motorcar parking spaces, clothes lockers, and travel information etc.
- Reviewing the operational success or failure of the plan and produce a review report highlighting successful initiatives and also areas that require improvement.

The suggested 3 stage monitoring program is outlined below:

Stage 1

- Stage 1, would involve a questionnaire survey of staff at the beginning of the process. The survey will be useful to collect information on the travel characteristics of the occupants of the site and assist in gauging interest in the various Green Travel initiatives and to seek ideas for other Green Travel initiatives.

Stage 2

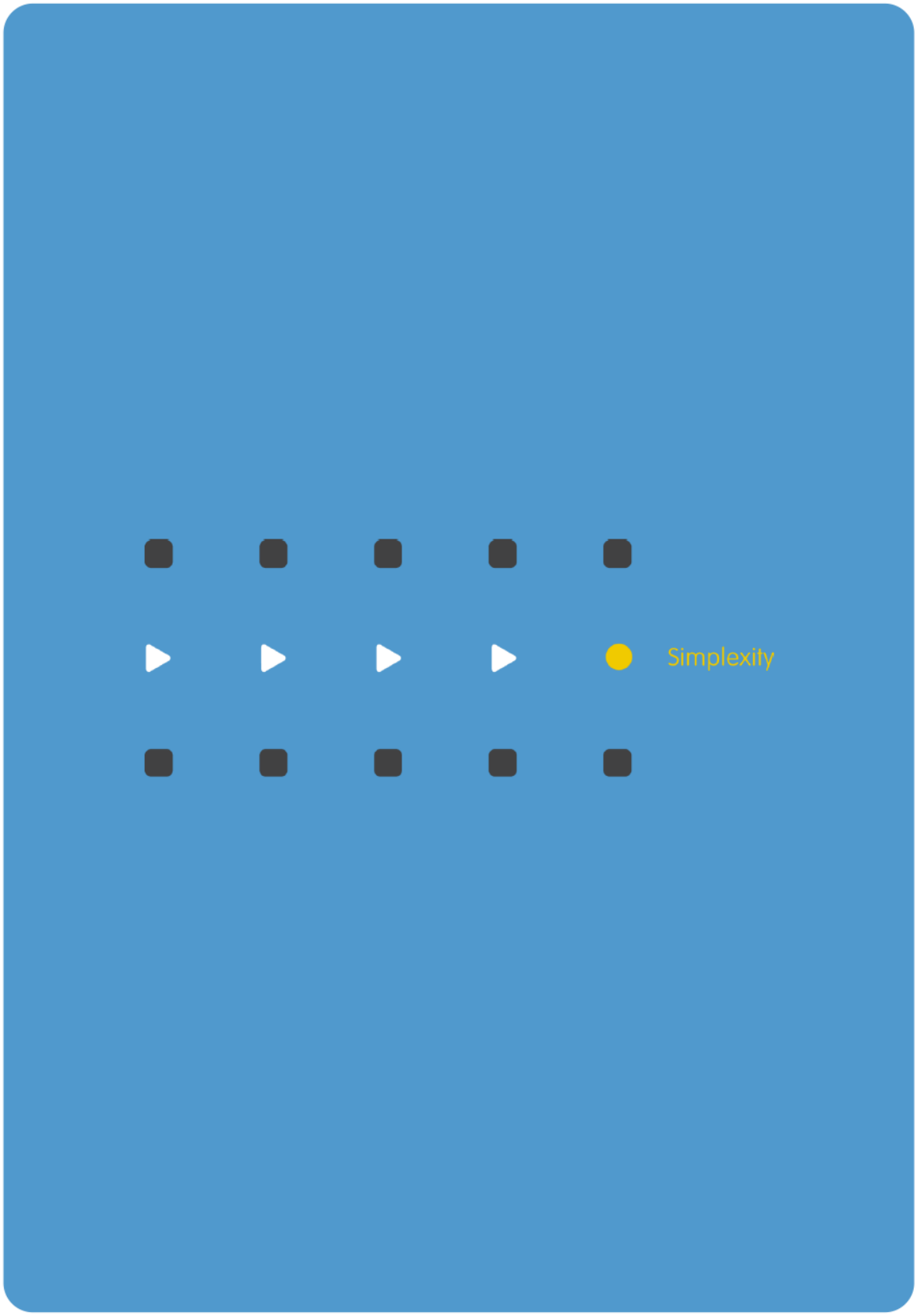
- Stage 2, would involve a questionnaire and feedback form to be filled out by staff 3 months after occupation, in order to determine what Green Travel initiatives are working and which are not.

Stage 3

- Stage 3, would be the monitoring component of the plan which would be undertaken 6-12 months after occupation. This questionnaire would test the success rate of the various initiatives and help rework programs to suit the needs of staff.

It is expected that the above stages would form the basis of a continuous monitoring program to gauge the effectiveness of the travel plan.

Attachment 7 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic Assessment Report



Attachment 8 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Waste Management Plan

173-177 Barkly Avenue, Burnley

WASTE MANAGEMENT PLAN

FOR SALTA PROPERTIES PTY LTD

Project No: 4640.032
27 November 2020
REVISION 1

COVA

COVA A4 Standard Document (F100 04)
Revision 33 • 11 September 2020

WASTE MANAGEMENT PLAN FOR SALTA PROPERTIES PTY LTD

173-177 Barkly Avenue, Burnley

DOCUMENT ISSUE AUTHORISATION

PROJECT: Waste Management Plan – 173-177 Barkly Avenue, Burnley
PROJECT NO: 4640.032
AUTHOR: Carly Clark – Principal Environmental Scientist (BSc.), CEnvP, CEnvP SC 40054
REVIEWER: Carmelo Ribaudo – Business Unit Manager Building & Property

DATE	PURPOSE OF ISSUE/NATURE OF REVISION	REV	REVIEWED BY	ISSUE AUTHORISED BY
7/10/2020	Preliminary Report to Client	Draft	CR	CR
27/10/2020	Revised Draft to Client	Draft 1	CC	CC
10/11/2020	Revised Draft to Client, revising the waste streams	Draft 2	CC	CC
26/11/2020	Issued as Final	FINAL	CC	CC
27/11/2020	Revised to ground floor areas and ground floor uses	Rev 1	CC	CC

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Email: cova@covathinking.com

WASTE MANAGEMENT PLAN FOR SALTA PROPERTIES PTY LTD

173-177 Barkly Avenue, Burnley

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2. WASTE MANAGEMENT PLAN 2
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APPENDICES

Appendix A – Planning Property Report

1. INTRODUCTION

1.1 BACKGROUND

Salta Properties (Salta) is constructing a new multi-purpose office complex on Barkly Avenue in Burnley. The complex will consist of three levels of basement car park and plant areas, ground floor café, courtyard and amenities, and seven upper levels of office and landscaped terraces.

This Waste Management Plan (WMP) is designed to ensure compliance with State and local Council requirements pertaining to the management of waste generated from a multi-purpose commercial complex. The WMP has been prepared in accordance with Sustainability Victoria's *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, 2018* as a component of the planning application to be submitted to the Yarra City Council.

1.2 SITE DETAILS

The multi-purpose complex is located at 173-177 Barkly Avenue, Burnley, Victoria (the 'Site'), approximately 6 km south-east of the Melbourne Central Business District. The land surrounding the Site is a mix of commercial (to the east and west), general residential (to the north) and Barkley Avenue (to the south). Industrial zoning boarders the southern side of Barkly Avenue with the Burnley Tunnel (Industrial Zone 3) further south. The Planning Property Report is attached in Appendix A.

The Site location and details are summarised in Table 1.

Table 1 – Site Details

ITEM	DETAIL
Location:	173-177 Barkly Avenue, Burnley, Victoria, 3121
Title Reference:	Lot 1 on Plan of Subdivision 613840 (1\PS613840)
Zoning:	Commercial Zone 2 (C2Z) under the Yarra Planning Scheme
Land Use:	Multi-purpose commercial complex
Municipality	Yarra City Council
Number of Buildings:	One
Number of Levels:	Eleven levels: • Three levels of basement carpark and plant areas • Ground floor café, courtyard, amenities • Seven upper levels of commercial office and landscaped terraces
Land Area:	2,925 m² (approximately)
Building Gross Floor Area:	• Ground floor café – 98 m² (net floor area) • Ground floor restricted retail (non-food) – 746 m² (net floor area) • Ground floor common areas – 2,296 m² • Level 1-7 – 15,128 m²
External Gross Floor Area:	• Carpark (basement 1-3 and ground) – 8,201 m²
Days of Operation:	• Café – 7 days/week • Restricted retail – 7 days/week • Office – 5 days/week

2. WASTE MANAGEMENT PLAN

2.1 GENERAL

The potential for environmental harm or nuisance as a result of inadequately managed commercial waste includes the following:

- Reduced visual amenity;
- Increased fire hazard;
- Accumulations of waste will attract and harbour vermin and introduced pests;
- Creation of areas that could be unsafe;
- Unnecessary disposal of materials that could be recycled or reused; and
- Odour, particularly from organic (i.e. food) wastes.

Waste streams from the multi-purpose commercial complex (including a café) are likely to include:

- General waste (garbage);
- Paper and cardboard;
- Comingled recycling; and
- Organic (food) waste.

2.2 WASTE HIERARCHY

The wastes hierarchy (Figure 1) is one of eleven principles of environment protection contained in the *Environment Protection Act 1970*. The wastes hierarchy is an order of preference and states that waste should be managed in accordance with the hierarchy, with avoidance being the most preferred option and disposal being the least[1].

Waste from the multi-purpose commercial complex will be recycled where possible. Non-recyclable wastes will be disposed of to landfill.

[1] http://www.epa.vic.gov.au/your-environment/waste



Figure 1 – Waste Hierarchy[1]

2.3 WASTE GENERATION

For the purpose of the WMP, waste streams will include general waste (garbage), recycling (paper and cardboard); comingled recycling and organic waste (food).

Waste generation rates for the multi-purpose commercial complex have been calculated in Table 2. No waste generation has been assumed for the carpark (basement 1-3 and ground floors).

Table 2 – Waste Generation Rates

WASTE TYPE	WASTE GENERATION RATE (L/100m²/day)[A]	DAYS OF OPERATION (days)	WASTE GENERATION RATE (L/100m²/week)	GROSS FLOOR AREA (m²)	WASTE GENERATION RATE (L/week)
Office Space					
Garbage	10	5	50	17,424[B]	8,712
Recycling	10		50		8,712
Café Space					
Garbage	300	7	2,100	98	2,058
Recycling	200		1,400		1,372
Organics[C]	42 L/day		73 L/FTE/week	4 FTE	292
Restricted Retail Space (non-food)					
Garbage	50	7	350	746	2,611
Recycling	50		350		2,611

A – based on the waste generation rates Sustainability Victoria's *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, 2018.*

B – Made up of: 2,296 m² for the ground floor common areas and 15,128 m² for the seven floors (Level 1 to Level 8).

C – Based on a waste generation rate of 73 L/FTE/week for metro Melbourne and assumes 4 full time equivalent (FTE) staff per week working within the café.

2.4 WASTE HANDLING

2.4.1 OFFICE

The office space will be provided with separate bins of 10 L/100m² for the temporary storage of garbage, paper and cardboard and comingled recycling (i.e. three by 10 L bins per 100m²). These bins will be emptied by cleaners on a daily basis into separate 1,100 L bins (as appropriate) to be located in a dedicated area on the ground floor (yet to be determined).

The 1,100 L bins will be emptied at the frequency specified in Table 3 by a private contractor. Only full bins will be collected.

2.4.2 CAFÉ

The café will be provided with separate 100L bins for the temporary storage of garbage, paper and cardboard and comingled recycling (i.e. three by 100L bins per 100m²) and one 40 L bin for the temporary storage of organic waste. These bins will be emptied by staff up to three times per day (i.e. 300 L/100m² of garbage is generated per day) into separate 1,100 L, 770 L and 240 L bins (as appropriate) to be located in a dedicated area on the ground floor (yet to be determined).

The 240 L, 770 L and 1,100 L bins will be emptied at the frequency specified in Table 3 by a private contractor. With the exception of the organics bin, only full bins will be collected.

2.4.3 RESTRICTED RETAIL (NON-FOOD)

The restricted retail space will be provided with separate bins of 50 L/100m² for the temporary storage of garbage, paper and cardboard and comingled recycling (i.e. three by 50 L bins per 100m²). These bins will be emptied by cleaners on a daily basis into separate 1,100 L and 770 L bins (as appropriate) to be located in a dedicated area on the ground floor (yet to be determined).

The 1,100 L and 770 L bins will be emptied at the frequency specified in Table 3 by a private contractor. Only full bins will be collected.

2.5 BIN DETAILS

Bin details are provided in Table 3.

As per AS 4123.7[2], the following bin colours are specified:

- General waste (garbage) bins – dark green or black body with a red lid;
- Paper and cardboard – dark green or black body with a blue lid;
- Comingled recycling – dark green or black body with a yellow lid;
- Green organics – dark green or black body with a lime green lid;

Bins will be provided by private supplier.

[2] *Mobile waste containers - Colours, markings, and designation requirements*, Standards Australia (AS 4123.7).

Table 3 – Bin Details

BIN TYPE	WASTE GENERATION RATE (L/100m²/WEEK)[A]	VOLUME OF WASTE GENERATED (L/WEEK)[B]	BIN SIZE (L)[D]	BIN QUANTITY	COLLECTIONS PER WEEK	WEEKLY CAPACITY (L/WEEK)
Office Space						
Garbage	50	8,800	1,100	4	2	8,800
Recycling - paper and cardboard	25[C]	4,400	1,100	2	2	4,400
Comingled recycling	25[C]	4,400	1,100	2	2	4,400
Café Space						
Garbage	2,100	2,100	1,100	1	2	2,200
Recycling - paper and cardboard	700[C]	700	770	1	1	770
Comingled recycling	700[C]	700	770	1	1	770
Organics	73 L/FTE/week	300[E]	240	1	2	480
Restricted Retail Space (non-food)						
Garbage	350	2,700	1,100	2	2	4,400
Recycling - paper and cardboard	175[C]	1,400	770	1	2	1,540
Comingled recycling	175[C]	1,400	770	1	2	1,540

A – based on the waste generation rates in Section 2.3 and assuming a 5 day/week operation (office) and 7 day/week operation (café and restricted retail).

B – based on the GFA/NLA in Section 2.3 [office = 15,128 m²; ground floor common area = 2,296 m²; café = 98 m² and restricted retail = 746 m²] and rounded up.

C – based on an approximate split of the total waste generation rates for co-mingled recycling given in Section 2.3.

D – typical 1,100 L bin dimensions are 1.47m (H) x 1.37m (W) x 1.25m (D), with an approximate footprint of 1.7m²; typical 770 L bin dimensions are 1.43m (H) x 1.37m (W) x 1.10m (D), with an approximate footprint of 1.5m²; typical 240 L bin dimensions are 1.08m (H) x 0.58m (W) x 0.74m (D), with an approximate footprint of 0.5m².

E – based on the waste generation rates in Section 2.3, 4 FTE in the café and a 7 day/week operation.

2.6 BIN STORAGE

The 240 L, 770 L and 1,100 L bins will be located in a dedicated waste storage area on the ground floor (yet to be determined). The bins will require an area (excluding circulation) of:

- Garbage – 12 m² (7 x 1,100 L bins);
- Paper and cardboard – 6.5 m² (2 x 770 L and 2 x 1,100 L bins);
- Comingled recycling – 6.5 m² (2 x 770 L and 2 x 1,100 L bins);
- Organics – 0.5 m² (1 x 240 L bins).

The area of the dedicated waste room /area will meet the above requirements (including circulation).

Ventilation will be provided in accordance with the Building Code of Australia and AS/NZS 1668.1[3] as appropriate.

Acoustic requirements will comply with the Building Code of Australia and AS/NZS 2107[4].

Bins will be closed to reduce odour and prevent vermin and the storage area will be kept free of clutter and dumped waste.

Bins will be washed out by the cleaners as required.

2.7 WASTE SIGNAGE

In accordance with Sustainability Victoria's *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, 2018*, bins will be clearly labelled to distinguish between rubbish and recycling. Example signage is provided in Figure 2.

[3] *The use of ventilation and air conditioning in buildings - Mechanical ventilation in buildings*, Standards Australia (AS/NZS 1668.2).
[4] *Acoustics - Recommended design sound levels and reverberation times for building interiors*, Standards Australia (AS/NZS 2107).



Figure 2 – Waste Signage

2.8 WASTE COLLECTION

Bins will be emptied by private contractor at the frequencies listed in Table 3.

Collection vehicle swept paths will be prepared once the layout of the complex and location of the dedicated waste storage area are finalised. The swept paths will need to demonstrate adequate access to and egress from the waste storage area.

The waste collection contractor will likely be provided with swipe card access to the waste room and building management will ensure adequate access at collection times. The bins will be returned immediately once emptied.

3. GREEN STAR OPERATIONAL WASTE CRITERIA

Compliance with Green Star Credit 8 (Operational Waste) criteria is demonstrated through the prescriptive deemed-to-satisfy option as detailed in Table 4.

The WMP has been prepared in accordance with Sustainability Victoria's *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, 2018.*

Table 4 – Demonstration of Green Star Compliance

CREDIT NO.	CREDIT CRITERIA	DEMONSTRATED COMPLIANCE
8B.1	Separation of Waste Streams: *Bins or containers are provided for general public use that allow for separation of the applicable waste streams.*	Section 2.4 - separate bins provided for the temporary storage of garbage, paper and cardboard and comingled recycling (i.e. three by 10L bins per 100m²) within the office space. Separate bins provided for the temporary storage of garbage, paper and cardboard and comingled recycling and organics (i.e. three by 100L and one by 40L) within the café space. Separate bins provided for the temporary storage of garbage, paper and cardboard and comingled recycling (i.e. three by 50L bins per 100m²) within the restricted retail (non-food) space. Section 2.7 - bins clearly labelled to distinguish between rubbish, recycling and organic waste.
8B.2	Dedicated Waste Storage Area: *A dedicated, sufficiently sized storage area for the separation and collection of various waste streams is provided.*	Section 2.5 – waste generation rates (and collection frequencies) calculated based on figures provided in Sustainability Victoria's *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, 2018.* Section 2.6 - separate bins located in a dedicated waste storage room on the ground floor of the building (i.e. garbage, paper & cardboard, comingled recycling and organics).
8B.3	Access to Waste Storage Area: *Best practice access requirements for waste collection.*	Section 2.8 - collection vehicle swept paths will be prepared and will demonstrate adequate access to and egress from the waste storage room once the location is determined (as per Sustainability Victoria's *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, 2018).*

4. CONCLUSION

Based on the information detailed in the preceding Sections of this WMP, the waste requirements proposed for the multi-purpose commercial complex include:

- Office Space:
  - 4 x 1,100 L garbage bins collected twice per week;
  - 2 x 1,100 L paper and cardboard bins collected twice per week; and
  - 2 x 1,100 L comingled recycling bins collected twice per week.
- Café:
  - 1 x 1,100 L garbage bin collected twice per week;
  - 1 x 770 L paper and cardboard bin collected once per week;
  - 1 x 770 L comingled recycling bin collected once per week; and
  - 1 x 240 L organics bin collected twice per week.
- Restricted Retail Space (non-food):
  - 2 x 1,100 L garbage bins collected twice per week;
  - 2 x 770 L paper and cardboard bins collected twice per week; and
  - 2 x 770 L comingled recycling bins collected twice per week.

Please note the assumptions in Section 2.3.

Compliance with Green Star Credit 8 (Operational Waste) criteria has been demonstrated through the prescriptive deemed-to-satisfy option as detailed in Table 4.



WASTE MANAGEMENT PLAN FOR SALTA PROPERTIES PTY LTD

173-177 Barkly Avenue, Burnley

Appendix A – Planning Property Report

ENVIRONMENTAL WIND SPEED MEASUREMENTS ON A WIND TUNNEL MODEL OF THE 173 BARKLY AVENUE DEVELOPMENT, BURNLEY

By
M. Hapsari, A. Pane, E. Chong
&
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SUMMARY

A wind tunnel study has been conducted on a 1/400 scale model of the proposed 173 Barkly Avenue Development, Burnley. The model of the Development within surrounding buildings, was tested in a simulated upstream boundary layer of the natural wind to determine likely environmental wind conditions. These wind conditions have been related to the freestream mean wind speed at a reference height of 300m and compared with criteria developed for the Melbourne region as a function of wind direction.

It has been shown that for the Proposed Configuration with a wind mitigation feature, the wind conditions in the streetscapes that surround the development passed the walking criterion or better and passed the safety criterion. The wind conditions outside all main building entrances have been shown to pass the standing criterion.

The wind conditions for the Proposed Configuration on the Level 2, 4, and 6 terraces have been shown to pass the standing criterion or better. However, the Level 6 terrace required a 2m high balustrade to pass the standing criterion.

The wind conditions for the Existing Configuration at relevant Test Locations around the Development have been presented for comparison.

Report 06-21-WT-ENV-00
February 2021

173 BARKLY AVENUE DEVELOPMENT, BURNLEY
ENVIRONMENTAL WIND TUNNEL MODELLING

MEL CONSULTANTS REPORT NO: **06-21-WT-ENV-00**

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1. INTRODUCTION

The proposed development at 173 Barkly Avenue, Burnley would be 7 level building of approximately 35m high. The proposed development will be used as an office building and retail at the ground level. The development would also include an outdoor seating area on the ground level and terraces on the upper levels. The development site is located on the northeast corner of Adam Street and Barkly Avenue intersection. Pedestrian access to the building would be via Adam Street.

A wind tunnel model study was commissioned by Human Habitats to undertake measurements of environmental wind conditions around the proposed development and, if necessary, to develop wind amelioration features to achieve conditions satisfying the recommended environmental wind criteria.

These tests were carried out in the MEL Consultants 400kW Boundary Layer Wind Tunnel during February 2021.

2. ENVIRONMENTAL WIND CRITERIA

The advancement of wind tunnel testing techniques, using large boundary layer flows to simulate the natural wind, has facilitated the prediction of wind speeds likely to be induced around a development. To assess whether the predicted wind conditions are likely to be acceptable or not, some form of criteria are required. The Department of Environment, Land, Water and Planning (DELWP) has developed wind comfort criteria for the assessment of the wind conditions for apartment developments in Victoria. These are known as the Better Apartment Design (BAD) Standards. The criteria associated with the Better Apartment Design Standards is becoming common across Victoria, thus they have been selected for this study of the commercial development. The definition of the criteria is as follows:

Unsafe wind conditions means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.

Comfortable wind conditions means a mean wind speed for all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

- 3 metres/second for sitting areas
- 4 metres/second for standing areas
- 5 metres/second for walking areas

Mean wind speed means the maximum of:

- Hourly mean wind speed, or
- Gust equivalent mean wind speed (3 second gust wind speed divided by 1.85)

The above criteria are pass/fail criteria as they only assess the summation of probabilities of exceedance across all wind directions to determine whether a location passes or fails the threshold criterion i.e. the criteria assess the average wind conditions. There may be cases that the Test Locations pass the all directions combined criterion but still fail the same criterion when applied correctly for a particular wind direction. For completeness,

this report will provide data for each Test Location as a function of wind direction in Appendix A.

The Melbourne Planning scheme, from which these Better Apartments Design Guidelines criteria originate, does not provide any methodology or worked example as how to obtain the 'from all wind directions combined'. Therefore, to obtain the probability for all wind directions combined we will apply the methodology described in Melbourne (1978) to determine the probability for all wind directions. It has recently (July 2018) been defined in the Victoria Planning Panel Hearing for Fishermans Bend by S Brennan SC (Acting for the Minister's Office) that the all directions probability is a summation of the exceedances of each wind direction.

The Melbourne Planning Scheme uses the definition of mean wind speed as based on the hourly wind speed so the probabilities will be determined from the hourly wind data for an applicable automatic weather station for the Melbourne. The probability data used have been corrected for the approach terrain at the location of the automatic weather station and referenced to 10m in Terrain Category 2. This is the standard reference height of AS/NZS1270.2:2011.

2.1 Suggested Pedestrian Comfort Criteria.

The 173 Barkly Avenue Development has pedestrian footpath areas along Adam Street and Barkly Avenue, entrance on Adam Street, a courtyard, and upper level terraces. Therefore, the following wind criteria are suggested:

- Pedestrian transit areas — Walking Criterion
- Pedestrian footpath in front of setback entries — Walking Criterion
- Main Building/Tenancy entrances — Standing Criterion
- Ground Level outdoor sitting areas (elective) — Standing Criterion
- Upper Level terraces — Walking Criterion

The activation of the public realm external to the site would depend on the existing wind conditions in the streetscapes that are often beyond the control of the proposed development. For cases where the existing wind conditions in the public realm external to the site are on or above the walking criterion, then the proposed development should not have any adverse wind effects in these areas.

The wind conditions on ground level outdoor areas and upper level terraces have been recommended to satisfy the standing and walking criteria as these spaces could be considered elective when external conditions would be perceived as acceptable for the desired activity. Users of these terraces will need to be educated on the wind effects and loose objects should not be left unattended in outdoor areas.

3. MODEL AND EXPERIMENTAL TECHNIQUES

A 1/400 scale model of the 173 Barkly Avenue Development was constructed from digital information provided by Gray Puksand Architects and dated 2 February, 2021.

The model of the 173 Barkly Avenue Development and surrounding buildings was tested in a model of the natural wind generated by flow over roughness elements augmented by vorticity generators at the beginning of the wind tunnel working section. The basic natural wind model was for flow over suburban terrain, the characteristics of which are given in Figure 1. The surrounding wind tunnel model of all significant buildings, out to a minimum radius of 400m, modified the approach wind model for the presence of the surrounding buildings.

The techniques used to investigate the environmental wind conditions and the method of determining the local criteria are given in detail in Reference 2. In these tests measurements in the development areas are inside separated regions and peak velocity squared ratios were required to make conclusions about likely wind conditions. In summary, measurements were made of the peak gust wind velocity with a hot wire anemometer at various stations and expressed as a squared ratio with the mean wind velocity at a scaled reference height of 300m. This gives the peak velocity squared ratio

$$\left|\frac{\hat{V}_{local}}{\bar{V}_{300m}}\right|^2$$

Wind tunnel velocity measurements were made for an equivalent 1 hour period in full scale and filtered to provide an equivalent full scale 3 second gust wind speed. Photographs of the model as tested in the wind tunnel are shown in Figures 2 and 3.

The wind tunnel study has been undertaken to exceed the requirements of the Australasian Wind Engineering Society Quality Assurance Manual for Wind Tunnel Studies.

4. DISCUSSION OF RESULTS

Velocity measurements were made at various locations around the 173 Barkly Avenue Development for different wind directions at 22.5° intervals for the following model configurations:

- Existing Configuration
- Proposed Configuration
- Proposed Configuration with mitigation strategies

The Existing Configuration is defined as the buildings that currently exist on the site. The Proposed Configuration for the proposed 173 Barkly Avenue Development was as defined by drawings provided by Gray Puksand Architects, dated 2 February, 2021. No existing or proposed trees have been included for wind mitigation.

Velocity measurements were made at various locations around the 173 Barkly Avenue Development for different wind directions at 22.5° intervals. As discussed in Section 2, the Better Apartments Design Standards wind comfort criteria are pass/fail criteria based on an assessment of the summation of probabilities for all wind directions combined. Therefore, to assess the wind conditions the exceedances will be presented in tabular form in Tables 1 – 5. For completeness these data are also provided in Appendix A as a function of wind direction and compared with the pedestrian criteria based on gust wind speeds. The Ground and Terrace Test Locations are shown in Figures 5a and 5b.

4.1 Summaries of Discussion

A summary of the highest wind conditions at each Test Location for all wind directions in the surrounding streetscapes have been summarised using a colour code system in the following figures:

Existing Configuration	Figure 6a
Proposed Configuration – Ground Level	Figure 6b
Proposed Configuration – Upper Level Terraces	Figure 6c
Proposed Configuration with mitigation strategies – Ground Level	Figure 6d
Proposed Configuration with mitigation strategies – Upper Level Terraces	Figure 6e

Different colours have been used to represent the wind criteria achieved at the respective Test Locations.

4.2 Barkly Avenue (Figures A2-A4)

The wind conditions for the Proposed Configuration along Barkly Avenue (Test Locations 1-10) have been shown to pass the walking comfort criterion or better for all Test Locations.

These criteria achieved have been presented in Table 1 as well as the data for the Existing Configuration.

The wind conditions are a function of wind direction based on the gust criteria for Melbourne are presented in Appendix A. It is noted that at each Test Location the directional specific wind conditions may be higher than those of the tabulated results for all wind directions.

Table 1: Pedestrian Wind Comfort and Safety – Barkly Avenue

Test Location	Configuration	Wind Comfort Criteria			
		Sitting	Standing	Walking	Safety
1	Existing	11.5%	4.5%	1.7%	Pass
	Proposed	15.4%	6.4%	2.4%	Pass
2	Existing	26.1%	13.4%	6.4%	Pass
	Proposed	39.1%	23.6%	12.6%	Pass
3	Existing	38.4%	22.9%	12.8%	Pass
	Proposed	37.9%	23.2%	12.9%	Pass
4	Existing	14.9%	6.4%	2.3%	Pass
	Proposed	17.6%	7.7%	3.3%	Pass
5	Existing	20.0%	9.6%	3.7%	Pass
	Proposed	19.6%	9.0%	3.7%	Pass
6	Existing	27.2%	13.8%	6.5%	Pass
	Proposed	44.3%	29.4%	18.4%	Pass
7	Existing	41.2%	25.9%	14.8%	Pass
	Proposed	43.1%	27.9%	16.5%	Pass
8	Existing	23.5%	12.1%	5.5%	Pass
	Proposed	35.3%	20.3%	11.5%	Pass
9	Existing	20.8%	9.5%	3.8%	Pass
	Proposed	34.6%	21.2%	12.1%	Pass
10	Existing	19.5%	7.8%	2.7%	Pass
	Proposed	35.8%	22.1%	12.8%	Pass

Note: Orange – Fail Criterion (≥20%)
Green – Pass Criterion (<20%)

4.3 Adam Street (Figures A4-A6)

The wind conditions for the Proposed Configuration along Adam Street (Test Locations 11-14, 14a, 15, and16) have been shown to pass the walking comfort criterion or better, except for Test Location 14a which failed the safety criterion. The wind conditions at Test Location 15 passed the standing criterion, suitable for building entrances.

To mitigate the high wind conditions exceedance at Test Location 14a, a wind mitigation feature has been investigated on the north side of the food and beverage courtyard. This wind mitigation feature would be 16m wide, 6m high, and have a minimum 50% solidity (see Figure 6e and 7). The wind conditions for Proposed Configuration with wind mitigation feature have been shown to pass the standing criterion for Test Location 14a. For completeness, a Test Location 14b at the corner of the wind mitigation feature was studied and have been shown to also pass the standing criterion.

These criteria achieved have been presented in Table 2 as well as the data for the Existing Configuration.

The wind conditions are a function of wind direction based on the gust criteria for Melbourne are presented in Appendix A. It is noted that at each Test Location the directional specific wind conditions may be higher than those of the tabulated results for all wind directions.

Table 2: Pedestrian Wind Comfort and Safety – Adam Street

Test Location	Configuration	Wind Comfort Criteria			
		Sitting	Standing	Walking	Safety
11	Existing	20.3%	11.1%	6.3%	Pass
	Proposed	20.8%	9.5%	3.8%	Pass
12	Existing	20.3%	10.7%	5.0%	Pass
	Proposed	33.9%	18.7%	10.6%	Pass
13	Existing	33.2%	17.7%	9.4%	Pass
	Proposed	27.8%	14.0%	6.6%	Pass
14	Existing	26.2%	15.1%	8.9%	Pass
	Proposed	28.3%	13.4%	5.6%	Pass
14a	Existing	26.2%	15.1%	8.9%	Pass
	Proposed	41.0%	29.4%	20.4%	FAIL
	Proposed + Mitigation Strategies	20.8%	9.3%	3.8%	Pass
14b	Proposed + Migation Strategies	28.5%	15.3%	7.4%	Pass
15	Existing	22.8%	12.8%	6.9%	Pass
	Proposed	23.7%	11.0%	4.6%	Pass
16	Existing	22.0%	13.3%	7.6%	Pass
	Proposed	38.1%	23.5%	13.5%	Pass

Note: Orange – Fail Criterion (≥20%)

Green – Pass Criterion (<20%)

4.4 Courtyard (Figures A6-A7)

The wind conditions for the Proposed Configuration at the courtyard (Test Locations 17-22) have been shown to pass the standing comfort criterion or better for all Test Locations. The wind conditions at Test Location 21 have been shown to pass the sitting criterion and suitable for building entrance. The wind conditions at Test Location 19 were also tested for the Proposed Configuration with wind mitigation feature and have been shown to remain within the standing criterion.

These criteria achieved have been presented in Table 3 as well as the data for the Existing Configuration. Test Locations 17-21 are located in the footprint of an existing building, hence Existing Configuration wind conditions are not studied.

The wind conditions are a function of wind direction based on the gust criteria for Melbourne are presented in Appendix A. It is noted that at each Test Location the directional specific wind conditions may be higher than those of the tabulated results for all wind directions.

Table 3: Pedestrian Wind Comfort and Safety – Courtyard

Test Location	Configuration	Wind Comfort Criteria			
		Sitting	Standing	Walking	Safety
17	Existing	N/A	N/A	N/A	N/A
	Proposed	14.6%	6.1%	2.3%	Pass
18	Existing	N/A	N/A	N/A	N/A
	Proposed	27.1%	15.7%	8.9%	Pass
19	Existing	N/A	N/A	N/A	N/A
	Proposed	26.0%	15.9%	9.2%	Pass
	Proposed + Mitigation Strategies	24.2%	15.6%	10.0%	Pass
20	Existing	N/A	N/A	N/A	N/A
	Proposed	18.8%	10.0%	5.3%	Pass
21	Existing	N/A	N/A	N/A	N/A
	Proposed	2.1%	0.2%	0.0%	Pass
22	Existing	21.4%	9.4%	3.5%	Pass
	Proposed	29.2%	16.5%	9.0%	Pass

Note: Orange – Fail Criterion (≥20%)
Green – Pass Criterion (<20%)

4.5 Stawell Street (Figures A8-A9)

The wind conditions for the Proposed Configuration along Stawell Street (Test Locations 23-29) have been shown to pass the standing comfort criterion or better for all Test Locations.

These criteria achieved have been presented in Table 4 as well as the data for the Existing Configuration.

The wind conditions are a function of wind direction based on the gust criteria for Melbourne are presented in Appendix A. It is noted that at each Test Location the directional specific wind conditions may be higher than those of the tabulated results for all wind directions.

Table 4: Pedestrian Wind Comfort and Safety – Stawell Street

Test Location	Configuration	Wind Comfort Criteria			
		Sitting	Standing	Walking	Safety
23	Existing	16.9%	5.4%	1.4%	Pass
	Proposed	32.6%	18.7%	11.3%	Pass
24	Existing	8.5%	3.2%	0.9%	Pass
	Proposed	4.9%	0.9%	0.1%	Pass
25	Existing	28.6%	13.9%	5.9%	Pass
	Proposed	28.2%	15.1%	7.7%	Pass
26	Existing	30.3%	15.8%	7.9%	Pass
	Proposed	34.6%	19.1%	10.2%	Pass
27	Existing	18.2%	7.7%	2.8%	Pass
	Proposed	22.2%	9.2%	3.5%	Pass
28	Existing	30.5%	16.8%	9.0%	Pass
	Proposed	29.2%	15.9%	6.9%	Pass
29	Existing	30.6%	16.6%	7.9%	Pass
	Proposed	22.6%	11.3%	4.9%	Pass

Note: Orange – Fail Criterion (≥20%)
Green – Pass Criterion (<20%)

4.6 Residential properties north of the development (Figure A10)

The wind conditions for the Proposed Configuration on the residential properties north of the development (Test Locations 30-33) have been shown to be relatively similar to the Existing Configuration and pass the sitting criterion or for all Test Locations.

These criteria achieved have been presented in Table 5 as well as the data for the Existing Configuration.

Table 5: Pedestrian Wind Comfort and Safety – Residential properties north of the development

Test Location	Configuration	Wind Comfort Criteria			
		Sitting	Standing	Walking	Safety
30	Existing	1.1%	0.2%	0.0%	Pass
	Proposed	5.1%	1.2%	0.2%	Pass
31	Existing	0.4%	0.0%	0.0%	Pass
	Proposed	1.8%	0.2%	0.0%	Pass
32	Existing	0.9%	0.0%	0.0%	Pass
	Proposed	3.3%	0.9%	0.3%	Pass
33	Existing	1.2%	0.2%	0.0%	Pass
	Proposed	6.5%	1.2%	0.1%	Pass

Note: Orange – Fail Criterion (≥20%)
Green – Pass Criterion (<20%)

4.7 Upper Level Terraces (Figures A11-A13)

The wind conditions for the Proposed Configuration at all Test Locations on the upper level terraces have been tested with 1.2m high balustrade.

The wind conditions for the Proposed Configuration on the Level 2 terraces (Test Location T1-3) have been shown to satisfy the sitting criterion.

The wind conditions for the Proposed Configuration on Level 4 terraces (Test Location T4-5) have been shown to satisfy the sitting criterion.

The wind conditions for the Proposed Configuration on Level 6 have been shown to satisfy the standing criterion or better at Test Location T8-10 and fail the safety criterion at Test Location T7. To mitigate the high wind conditions at Test Location T7, 2m high balustrade was added at the west and southwest side of the terrace (see Figure 6f). The wind conditions for the Proposed Configuration with mitigation strategies at Test Location T7 have been shown to satisfy the sitting criterion.

These criteria achieved have been presented in Table 6.

The wind conditions are a function of wind direction based on the gust criteria for Melbourne are presented in Appendix A. It is noted that at each Test Location the directional specific wind conditions may be higher than those of the tabulated results for all wind directions.

Table 6: Pedestrian Wind Comfort and Safety – Upper Level Terraces

Test Location	Configuration	Wind Comfort Criteria			
		Sitting	Standing	Walking	Safety
T1	Proposed	13.5%	6.1%	2.9%	Pass
T2	Proposed	17.8%	10.6%	5.8%	Pass
T3	Proposed	1.3%	0.2%	0.0%	Pass
T4	Proposed	17.7%	9.6%	4.7%	Pass
T5	Proposed	5.1%	1.2%	0.2%	Pass
T6	Proposed	14.4%	7.4%	3.2%	Pass
T7	Proposed	35.3%	21.8%	14.0%	FAIL
	Proposed + mitigation strategies	27.6%	15.7%	9.2%	Pass
T8	Proposed	31.5%	17.5%	9.6%	Pass
T9	Proposed	16.7%	7.8%	3.7%	Pass
T10	Proposed	17.4%	7.9%	3.4%	Pass

Note: Orange – Fail Criterion (≥20%)
Green – Pass Criterion (<20%)

5. CONCLUSIONS

A wind tunnel study has been conducted on a 1/400 scale model of the proposed 173 Barkly Avenue Development, Burnley. The model of the Development within surrounding buildings, was tested in a simulated upstream boundary layer of the natural wind to determine likely environmental wind conditions. These wind conditions have been related to the freestream mean wind speed at a reference height of 300m and compared with criteria developed for the Melbourne region as a function of wind direction.

It has been shown that for the Proposed Configuration with a wind mitigation feature, the wind conditions in the streetscapes that surround the development passed the walking criterion or better and passed the safety criterion. The wind conditions outside all main building entrances have been shown to pass the standing criterion.

The wind conditions for the Proposed Configuration on the Level 2, 4, and 6 terraces have been shown to pass the standing criterion or better. However, the Level 6 terrace required a 2m high balustrade to pass the standing criterion.

The wind conditions for the Existing Configuration at relevant Test Locations around the Development have been presented for comparison.

Prepared by:

M. Hapsari

Authorised by:

M. Eaddy

MEL CONSULTANTS

February 2020

REFERENCES

1. W. H. Melbourne, Criteria for environmental wind conditions, Journal of Industrial Aerodynamics, Volume 3, 1978, pp. 241-249
2. W. H. Melbourne, Wind environment studies in Australia, Journal of Industrial Aerodynamics, Volume 3, 1978, pp. 201-214

FIGURES

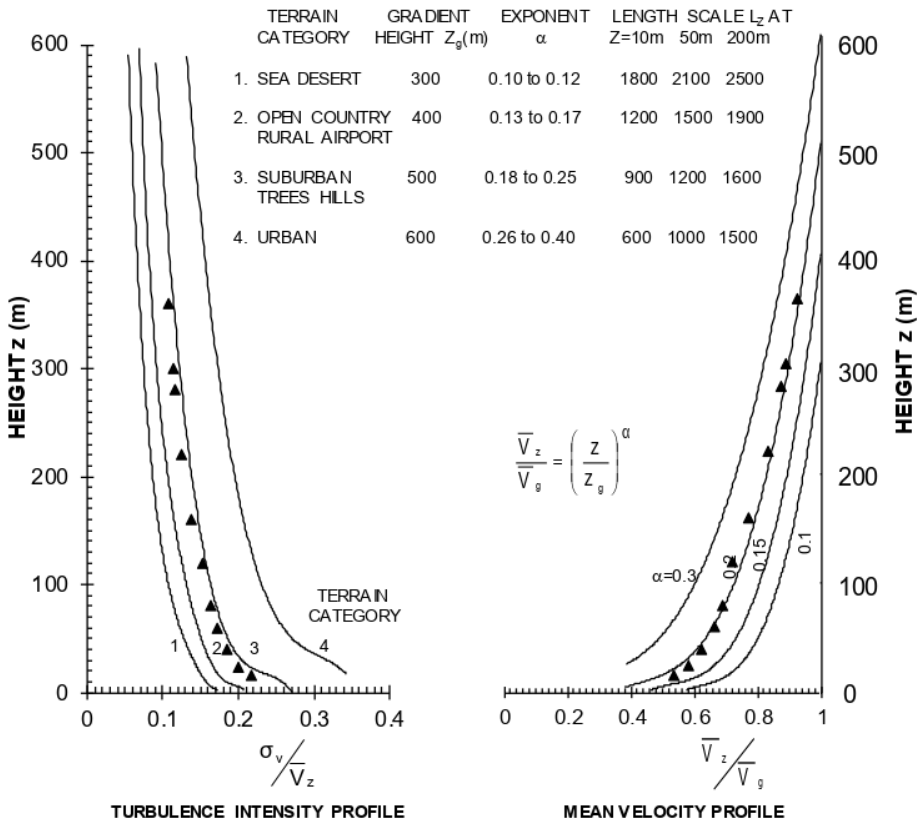


Figure 2 - 1/400 scale TC3 boundary layer turbulence intensity and mean velocity profiles in the MEL Consultants Boundary Layer Wind Tunnel 4.8m x 2.2m working section, scaled to full scale dimensions.



Figure 3 – View from the south of the 1/400 scale proposed configuration model of the 173 Barkly Avenue Development in the wind tunnel.



Figure 4 – View from the southeast of the 1/400 scale proposed Configuration model of the 173 Barkly Avenue Development in the wind tunnel.



Figure 5a - Ground Level Test Locations for the 173 Barkly Avenue Development.

Attachment 9 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Wind Impact Assessment



Figure 5b - Terrace Test Locations for the 173 Barkly Avenue Development.



Figure 6a - Summary of Ground Level wind conditions for the Existing Conditions for 360° of wind direction.



Figure 6b - Summary of Ground Level wind conditions for the Proposed Configuration for 360° of wind direction.

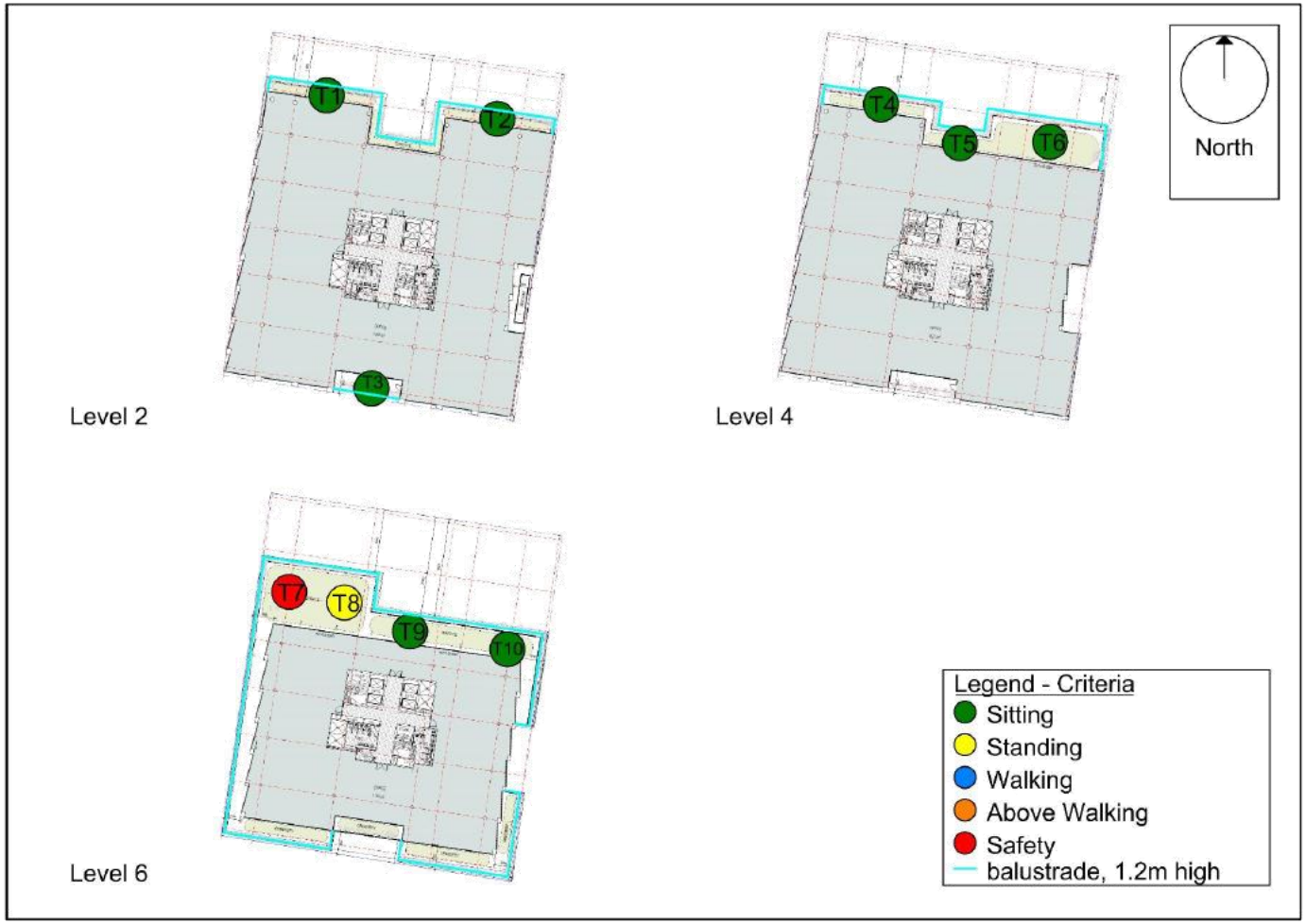


Figure 6c - Summary of Terraces wind conditions for the Proposed Configuration for 360° of wind direction.



Figure 6d - Summary of Ground Level wind conditions for the Proposed Configuration with mitigation strategies for 360° of wind direction.



Figure 6e - Summary of Terraces wind conditions for the Proposed Configuration with mitigation strategies for 360° of wind direction.



Figure 7 - West elevation view showing location and dimension of wind mitigation feature for the Proposed Configuration with mitigation strategies.

APPENDIX A – GUST CRITERIA PLOTS

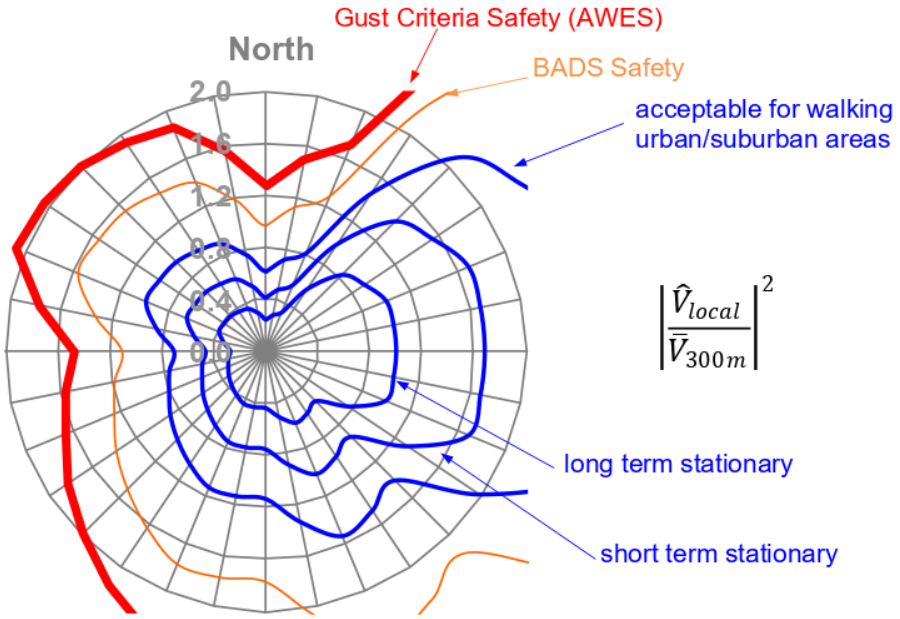


Figure A1 - Environmental wind criteria for Melbourne as a function of wind direction based on a 3 second gust (0.1% probability of exceedance)

BARKLY STREET COMMERCIAL

173-182 BARKLY AVENUE, BURNLEY VIC 3121

LANDSCAPE PLANNING PACKAGE

NOVEMBER 2020

DRAWING INDEX

LP000	COVER SHEET
LP001	SITE PLAN
LP101	LANDSCAPE PLAN 01 GROUND FLOOR
LP102	LANDSCAPE PLAN 02 LEVEL 1
LP103	LANDSCAPE PLAN 03 LEVEL 2
LP104	LANDSCAPE PLAN 04 LEVEL 4
LP105	LANDSCAPE PLAN 05 LEVEL 6
LP201	SECTIONS/ DETAILS
LP301	MATERIALS PALETTE 01
LP302	MATERIALS PALETTE 02

SITE IMAGE

Site Image Landscape Architects (VIC) 149 Drummond Street Carlton VIC 3053 Australia | T +61 3 9329 4633

Attachment 10 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Landscape Plans



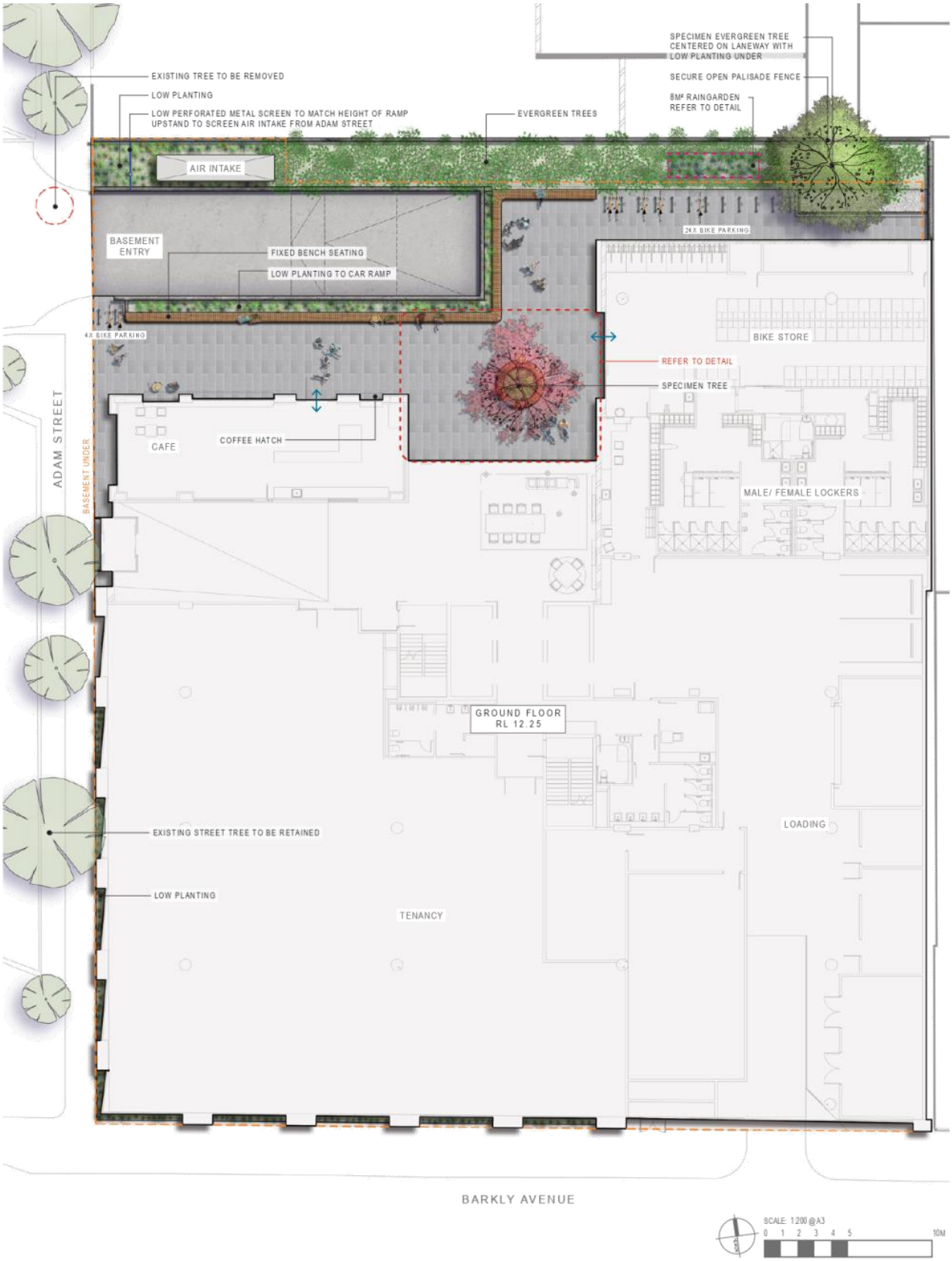
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SITE PLAN

CLIENT	SALTA PROPERTIES	DRAWING NUMBER	LP001
ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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LANDSCAPE PLAN 02 | LEVEL 1

CLIENT	SALTA PROPERTIES	DRAWING NUMBER	LP102
ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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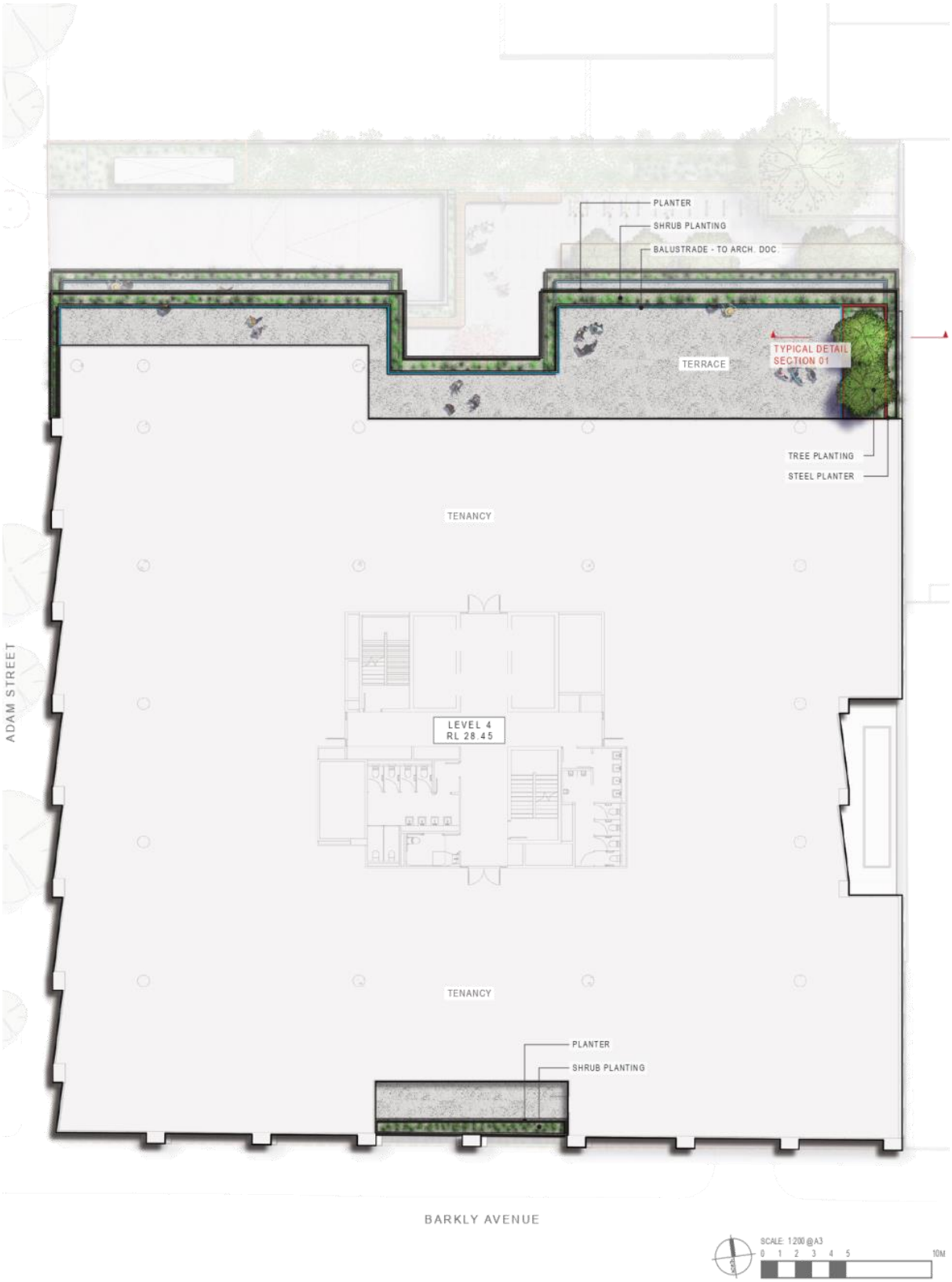
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LANDSCAPE PLAN 03 | LEVEL 2

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ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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LANDSCAPE PLAN 04 | LEVEL 4

CLIENT	SALTA PROPERTIES	DRAWING NUMBER	LP104
ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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Attachment 10 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Landscape Plans



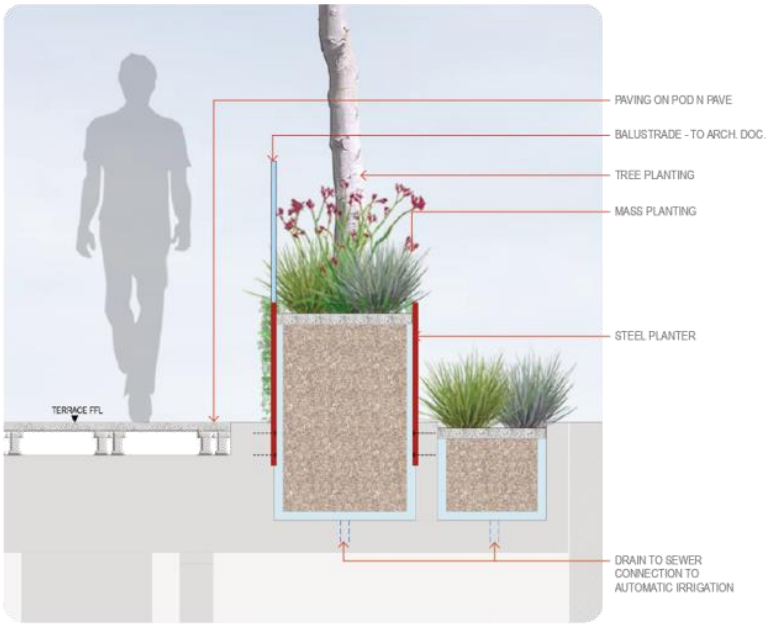
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LANDSCAPE PLAN 05 | LEVEL 6

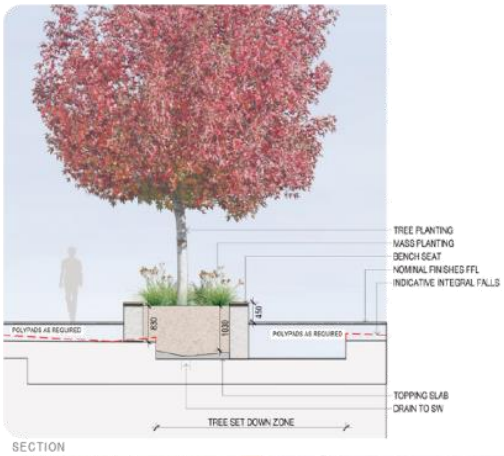
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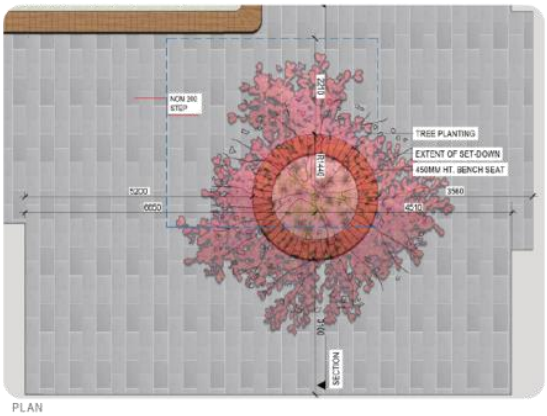
Attachment 10 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Landscape Plans



TYPICAL SECTION DETAIL 01
TERRACE STEEL PLANTER
SCALE: 1:20 @ A3

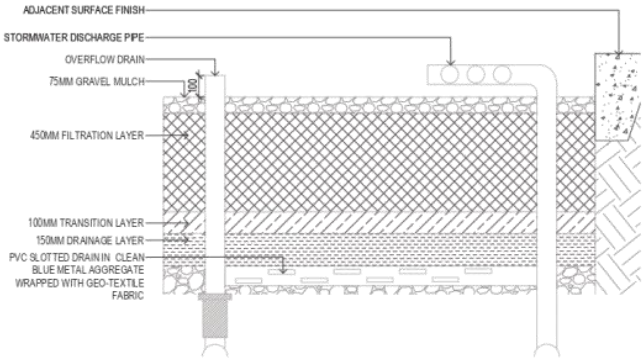


SECTION



PLAN

GROUND FLOOR TREE SET DOWN
SCALE: 1:100 @ A3



RAINGARDEN DETAIL
SCALE: 1:10 @ A3

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SECTIONS/ DETAILS

CLIENT	SALTA PROPERTIES	DRAWING NUMBER	LP201
ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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Attachment 10 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Landscape Plans

PLANT MATERIALS

TREES | GROUND FLOOR



Hymenosporum flavum
NATIVE FRANGIPANI



Melia azedarach
WHITE CEDAR



Tristaniopsis laurina
WATER GUM

MASS PLANTING | GROUND FLOOR



Anigozanthos flavidus 'Yellow Gem'
YELLOW KANGAROO PAW



Dianella caerulea
BLUE FLAX LILY



Doryanthes excelsa
GYMEA LILY



Goodenia ovata
HOP GOODENIA



Lomandra longifolia 'Tanika'
LOMANDRA TANIKA

TREES | TERRACES



Citrus x limon 'Eureka'
LEMON



Elaeocarpus reticulatus
BLUEBERRY ASH

MASS PLANTING | TERRACES



Anigozanthos flavidus 'Big Red'
RED KANGAROO PAW



Helichrysum petiolare
LICORICE PLANT



Limonium perezii
SEA LAVENDER



Scaevola 'Fan Magic Spellbinder'
FAN FLOWER

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MATERIALS PALETTE 01

CLIENT	SALTA PROPERTIES	DRAWING NUMBER	LP301
ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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Attachment 10 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Landscape Plans

HARDSCAPE MATERIALS

SURFACE FINISHES & FIXTURES | GROUND FLOOR



SEGEMENTAL PAVING



LOOSE GRAVEL



TIMBER BENCH SEAT



BIKE HOOP



PERFORATED METAL SCREEN PANEL (EXAMPLE ONLY)
SUPPLIER: LOCKER GROUP (PH: 8791 1000)
PRODUCT: PERFORATED ECLIPSE 600
COLOUR: SATIN BLACK

SURFACE FINISHES & FIXTURES | TERRACES



PAVERS ON POD N PAVE



STEEL PLANTER



CONCRETE PLANTER

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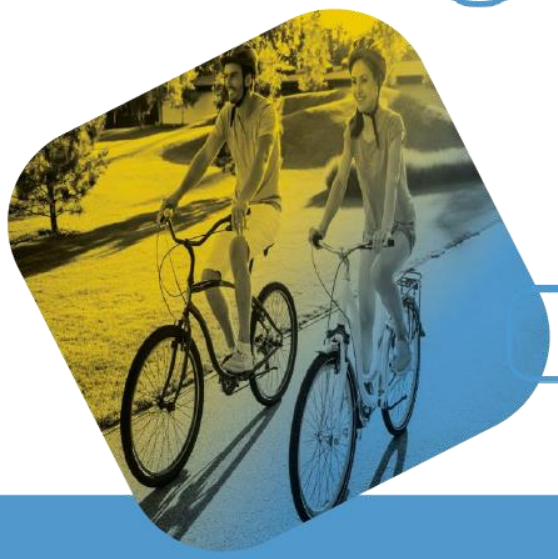
BARKLY STREET COMMERCIAL
MATERIALS PALETTE 02

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ARCHITECT	GRAY PUKSAND	ISSUE	A
SITE IMAGE JOB NUMBER	SM20399	DATE	26.11.2020

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37°49'48.5"S
145°00'29.3"E

Mixed-Use Development: 173-177 Barkly Avenue, Burnley



DRAFT

Green Travel Plan

8 February 2021
Prepared for 173-177 Barkly Avenue Pty Ltd

IMP200850GTP01D01.docx

Impact

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Report Title	Mixed-Use Development: 173-177 Barkly Avenue, Burnley
Report Reference	IMP200850GTP01D01.docx
Date of Issue	8 February 2021
Approved By	John-Paul Maina

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Document Control

Version	Date	Author
DRAFT 01	8 February 2021	Jake Townley

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Figure 7 Car Share Location 11

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APPENDIX A Outline Action Plan
APPENDIX B Questionnaire Surveys

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1 Introduction

1.1 Engagement

IMPACT® have been engaged by 173-177 Barkly Avenue Pty Ltd to prepare a Green Travel Plan for the proposed mixed-use development located at 173-177 Barkly Avenue, Burnley.

1.2 Scope of Engagement

This Green Travel Plan has been prepared to supplement a Traffic & Transport Impact Assessment in support of the proposed mixed-use development. In preparing this Green Travel Plan we have referenced the following:

- Development plans prepared by Gray Puksand;
- City of Yarra Planning Scheme.
- Australian Bureau of Statistics Census Data (2016); and
- Other web-based sources as referenced in the body of this report.

2 Development Proposition

2.1 General

A mixed-use development comprising office, retail, and food and drink premises are planned on the subject site. Specifically, the development contemplates:

Office: 11,685 sq.m

Restricted Retail: 746 sq.m

Food & Drink: 98 sq.m

2.2 Parking and Access

Car parking is proposed in three (3) basement level car parks, comprising a total of 213 car parking spaces, including 2 DDA spaces. The development also proposes a total of 18 motorcycle spaces within the basement levels.

Access to the basement level car park area will be provided via Adam Street. The access is located towards the north west corner.

2.3 Bicycle Facilities

A total of 160 bicycle spaces are planned, comprising 132 spaces for staff and 29 spaces for visitors.

The staff spaces are to be provided within a secure bicycle storage area on ground level. Within this end of trip area, a total of 132 spaces are proposed comprising 108 vertical and 24 horizontal spaces. In addition, eight (8) showers are proposed, and associated change and locker facilities.

Visitor spaces are located in common area on the ground level, with a total of 28 spaces planned. All spaces will be horizontal spaces.

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3 Sustainable Transport Planning

3.1 Overview

A Green Travel Plan is one of a suite of tools available to assist with Sustainable Transport Planning.

A Green Travel Plan can be defined as a package of site-specific measures implemented to promote and maximise the use of more sustainable modes of travel.

Typically, green travel plans support walking, cycling, public transport and car sharing, which are encouraged via a range of actions, promotional campaigns and incentives, and can deliver a range of benefits to employers, employees, visitors of a development by:

- Reducing the need to provide parking (reducing costs associated with providing parking and helping to create more affordable development outcomes);
- Contribute to corporate social responsibility relating to the triple bottom line, and improve corporate image as an innovative and environmentally-aware organisation;
- Help to appeal to a new generation of professionals who prioritise location and lifestyle over car ownership;
- Help to attract and retain staff (reducing costs associated with staff turnover);
- Contribute to a healthier, happier and more active workplace (reducing costs associated with sick days and an unhealthy, unproductive workforce);
- Create opportunities for healthier lifestyles and more vibrant, cohesive and accessible communities;
- Provide staff and residents with potential travel cost savings;

In preparing a Green Travel Plan, the plan should have regard to the following essential elements[1]:



Site Audit and Data Collection To understand Base Conditions;

Objectives and targets To define the direction and purpose of the travel plan. Targets should be specific, measurable, achievable and time-bound;

Actions To help achieve the objectives. Should provide incentives for using sustainable transport modes;

Promoting and Marketing Communication strategy to get the message to the target audience;

Commitment of resources This would including financial support and human resources to allow for implementation, monitoring, review and continual improvement of the travel plan;

Monitoring and Review process Aimed at setting out a systematic approach to measuring the impact of the travel plan;

Governance support Includes appointment of a Travel Plan Coordinator or Committee.

[1] City of Sydney & UK Department for Transport

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4 Site Specific Transport Assessment

4.1 Location

The subject site is located at the north east corner of the Barkly Avenue / Adam Street intersection. The site as illustrated at Figure 1 has frontages to Adam Street to the west and Barkly Avenue to the south.

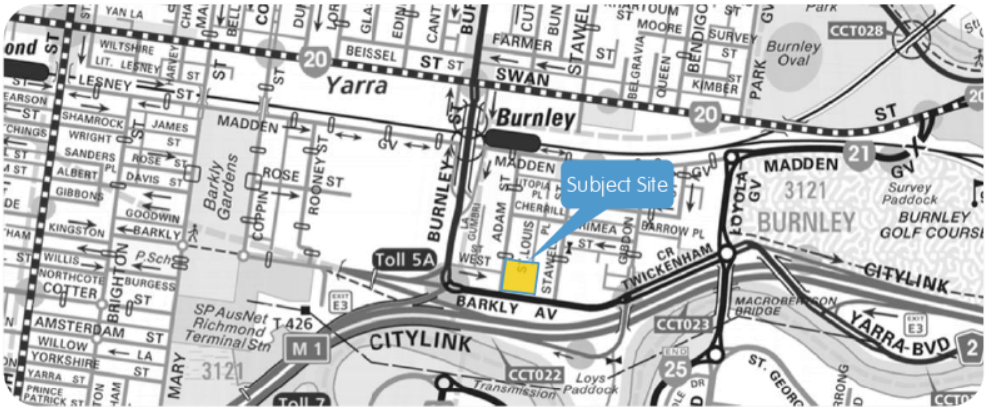


Figure 1 Location of Subject Site

The site is symmetrical in shape. Land use in the area is a mix of commercial and residential, with commercial to the east and west, and residential to the north. Notably, Burnley Railway Station is located some 350 metres north from the subject site.

4.2 Public Transport

The site is well connected to public transport being a short walk to Burnley Railway Station and tram services along Swan Street. These services are summarised at Table 1.

Table 1 Public Transport Options

Service	Route	Description	Nearest Stop	Walking Distance
Train		Alamein, Belgrave, Glen Waverly and Lilydale	Burnley Railway Station	350 m
Tram	70	Waterfront City Docklands - Wattle Park	Swan St / Burnley St	400 m

As illustrated in Figure 2 overleaf, the site has a Transit Score of 75 indicating that the subject site is in a location where transit is convenient for most trips[2].

[2] Walkscore: https://www.walkscore.com/score/173-barkly-ave-burnley-vic-australia

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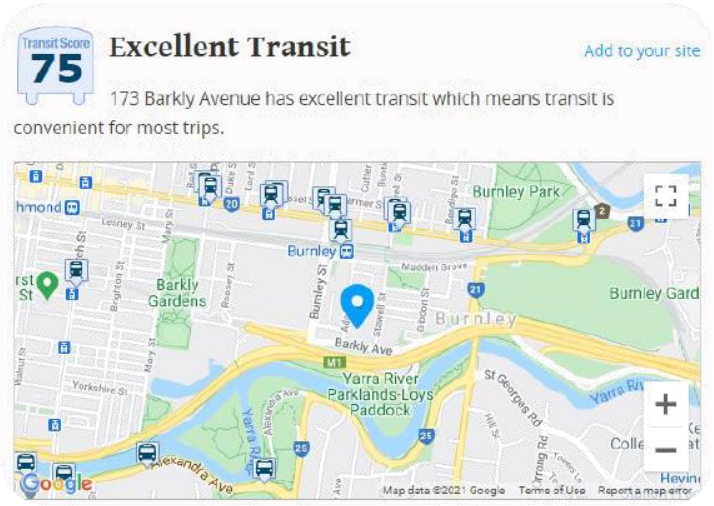


Figure 2 Transit Score Results

4.3 Cycling

The site is easily accessible via Melbourne's extensive bicycle network. Notably, the Main Yarra Trail is accessible from Gibbon Street located some 200 metres to the east of the subject site.

The Main Yarra Trail is classified in Council's Strategic Municipal Corridor and connect to other corridors in the north, south, east and west as illustrated in Figure 3.

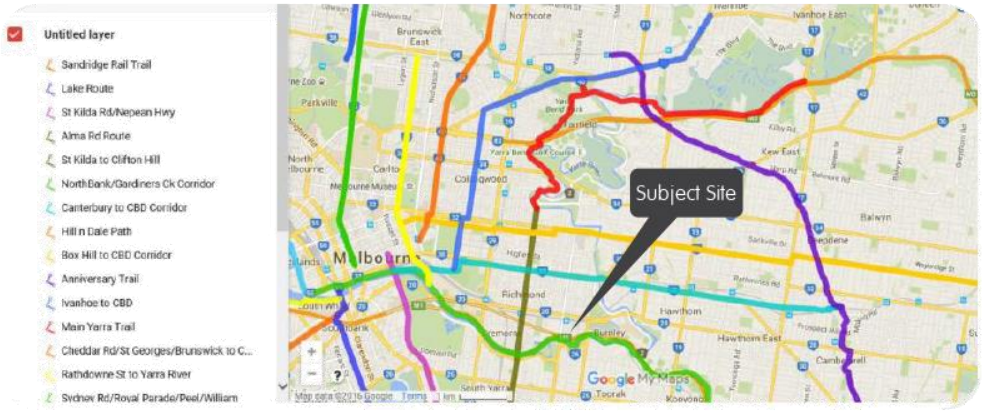


Figure 3 Bicycle Network Plan

These corridors as demonstrated above provide cyclists with good connections to cycling paths and trails throughout the Metropolitan Melbourne area.

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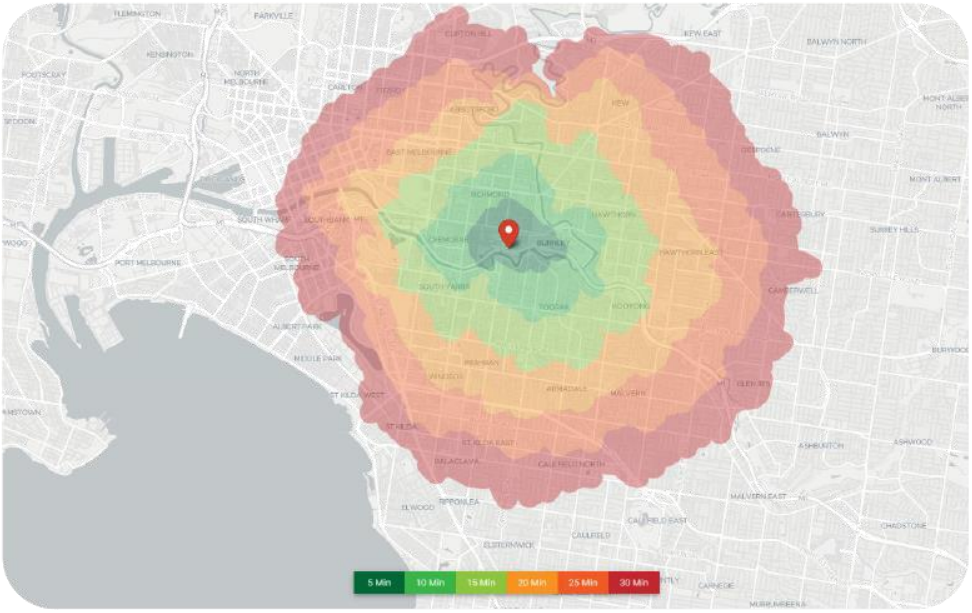


Figure 4 30 Minute Cycling Catchment

The catchment plan shows that within 30 minutes, a cyclist can travel from the site to:

- North Clifton Hill / Fitzroy / Kew
- South St Kilda / Caulfield North
- West Docklands / South Wharf / South Melbourne
- East Hawthorn East / Canterbury

4.4 Walking

The site connected to an extensive network of formal footpaths, and as illustrated in Figure 5 the site has a WalkScore of 81 and is described as Very Walkable which means most errands can be accomplished on foot[3].

This network of footpaths provides an extensive 30 minute walking catchment to the site as demonstrated in Figure 6.

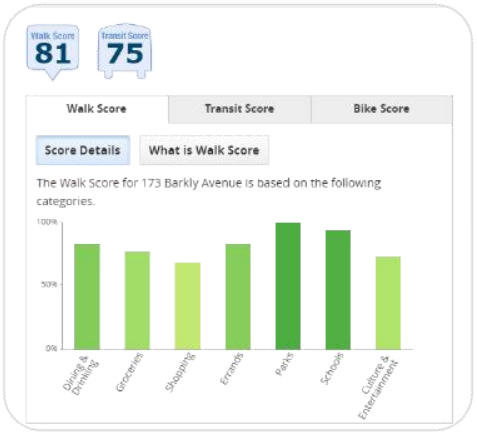
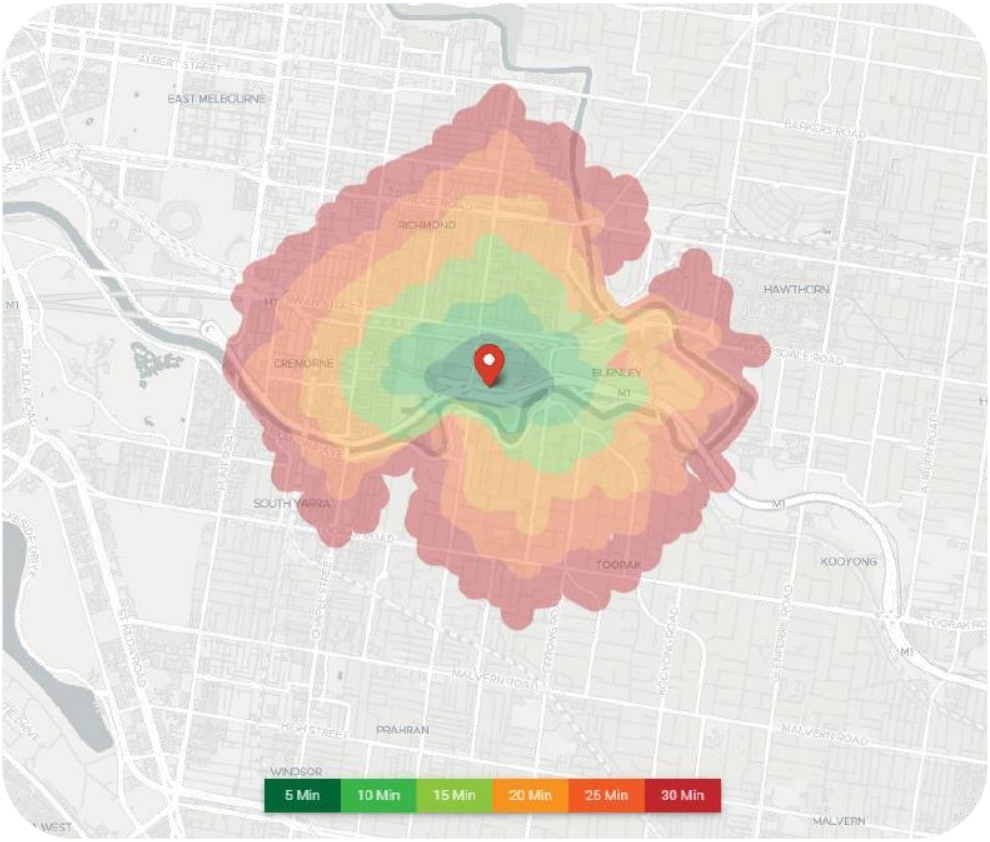


Figure 5 Walk Score Results

[3] Walkscore: https://www.walkscore.com/score/173-barkly-ave-burnley-vic-australia



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Figure 6 **30 Minute Walking Catchment**

The catchment plan shows that within 30 minutes, a pedestrian can travel from the site to:

- North — Abbotsford
- South — South Yarra
- West — East Melbourne
- East — Toorak / Hawthorn

4.5 Car Share Facilities

Car sharing services provide cars on demand, for rent either by the hour or by the day. To use the service, one must register with a car share company, pay a fee and book a car either by phone or on the internet. Cars are picked up and dropped off at designated car share bays.

This service is provided as an ideal choice for people living or working in inner city locations where other modes of transport such as walking, cycling, trams and buses are available. It is also considered a suitable option for people who don't need a car every day or want to get rid of a second car.

The subject site is located a short distance to a number of car sharing services operated by Go Get Flexi Car and car next door.

The location of the car share services relative to the subject site is illustrated in Figure 7.

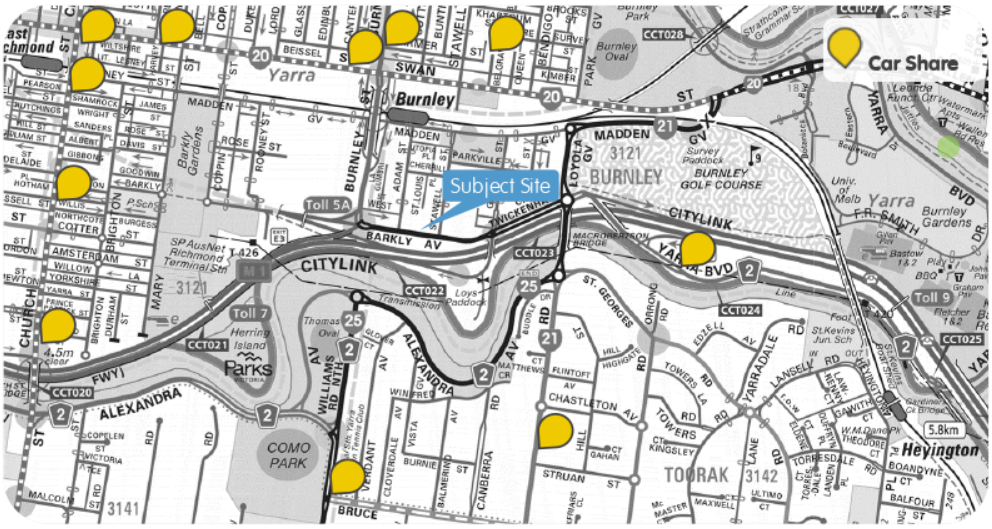


Figure 7 Car Share Location

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5 Green Travel Plan

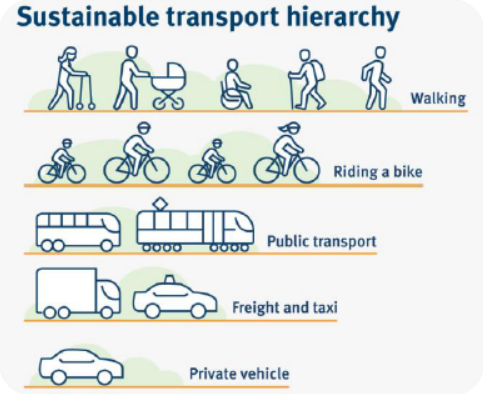
5.1 Objectives

A Green Travel Plan (GTP) sets out measures that aim to manage car dependency and encourage the use of sustainable transport modes. with the objective of permanently changing travel mode behaviour.

Specifically, a GTP seeks to encourage people to adopt a sustainable transport mindset with a preference for:

- Walking;
- Cycling;
- Public transport;
- Carpooling / ride share services

In lieu of single occupant car trips.



5.2 Targets

To inform baseline transport mode statistics, reference is made to Australian Bureau of Statistics, Journey to Work data as summarised in Table 2.

Table 2 Journey to Work Data (Based on place of work) - 2016 Census Data

% Mode of Travel for 'journey to work' trips	Work within the City of Yarra	Work within Inner Melbourne (avg)
Car (as driver)	56%	52%
Car (as passenger)	3%	3%
Public Transport	27%	34%
Cycling	5%	3%
Walking	7%	5%
Other Transport	2%	3%

This data indicates that despite its inner-city location, there is a heavy reliance on private motor vehicle trips to and from work within the City of Yarra.

The subject site has excellent access to public transport services (train and tram) as well as excellent connectivity to Melbourne's extensive bicycle network.

It is therefore suggested that the following targets are set for this development:

Staff

- 70% of commuter trips (staff) to/from the site be undertaken by sustainable transport modes
  - Mode share of at least 40% for trips by public transport;
  - Mode share of at least 15% for trips by bicycle; and
  - Mode share of at least 15% for walking tips.

To assist with meeting these targets the following design and operational features / opportunities will be leveraged by the building manager.

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5.3 Design Features

5.3.1 Cycling Facilities

The development has a statutory requirement to provide 54 bicycle spaces and 5 shower / change room facilities.

To encourage cycling as a mode of transport, the development contemplates A total of 160 bicycle spaces.

Specifically:

- A secure bicycle storage area is contemplated on ground level. Within this end of trip area, a total of 160 spaces are proposed comprising 108 vertical and 24 horizontal spaces. These spaces are to be supplemented by 28 horizontal bicycle spaces within the common are on the ground level.

  A total of 52 spaces are planned as horizontal spaces. This equates to 36% of the total provision. This exceeds the 20% requirement prescribed at Australian Standard AS2890.3:2015.

- 11 showers are proposed, and associated change and locker facilities. The provision of secure, accessible and convenient cycling facilities in excess of the statutory requirement will contribute positively to encouraging cycling as a mode of transport.

5.3.2 Car Parking

The commercial component of the proposed development has a statutory requirement to provide 436 parking spaces.

To manage car dependency and encourage the use of sustainable transport modes, only 213 spaces are planned on site for this use.

Note:

Parking in the locality both on street and off street is not readily available for occupants of the subject site. Specifically:

- Parking in the nearby streets is subject to time restrictions which are enforced by Council officers. These spaces are therefore not suitable for staff, as they require long term parking opportunities.

The under provision of on-site car parking will contribute positively to efforts to support sustainable transport alternatives to the motor car.

5.3.3 Public Transport

The proposal will include the provision of real time passenger information displays for nearby public transport stops within each lobby.

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5.4 Operational Opportunities

As detailed in the outline action plans provided within Appendix A and in subsequent sections of this report, various operational strategies would be implemented to encourage the use of non-private motor vehicles.

The outline action plan included in this report sets out actions and incentives that would be undertaken / provided and is subject to agreement by the building manager and Council.

The operational strategies would include:

5.4.1 Sustainable Transport - Information Pack

To inform staff of alternative travel options and encourage their use, the Building Manager in collaboration with the Tenant is to provide a Sustainable Transport Pack to staff that will include:

- Information about the development (design features relating to bicycle facilities, and allocation of car parking facilities);
- City of Yarra TravelSmart Map

  This Travel Smart Map (included as Appendix C) provides baseline details relating to:

  - Bicycle and Pedestrian accessibility.
  - Public Transport, including Information on how and where to purchase/top-up Myki, including Mobile Myki;
  - Services, including shopping, recreational and educational with suitable non-car based transport options;
  - Links to relevant Green Travel, public transport and local services websites.

Note:

To ensure staff have access to current, and real time sustainable transport data relating to tram, train and bus timetables, and location of existing and proposed share car schemes, bicycle parking facilities, tram stops, taxi ranks, railway stations, bus stops and bicycle paths, tenants will install a tablet / ipad or similar in the staff break rooms.

These devices would be pre-programmed with sustainable transport applications such as PTV app / Tram Tracker app and other resources and shall serve as the sustainable transport hub for up to date and real time sustainable transport information.

5.4.2 Creating and sustaining an active transport (walking / cycling) culture:

The building manager, in conjunction with the respective tenants would form a committee whose purpose is to create and sustain an active transport culture (cycling and walking).

Given that the site is well connected to the bicycle network, the committee would seek to create and sustain membership to initiatives such as, Bicycle User Groups (BUG's).

These groups would include a Buddy Group where experienced cyclists buddy a novice to ride the best / safest route to the site.

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5.4.3 Discouraging Single Occupant Motor Vehicle Travel

Initiatives aimed at discouraging the reliance of motor vehicles would be implemented and would include the following targeted measures:

5.4.3.1 Staff Measures

1. Provide sustainable transport allowances for staff who surrender car parking permits. This would take the form of:

    - Public Transport:

        a. The respective tenant signing up to the **myki Commuter Club**. This would allow each tenant to buy yearly myki passes for their staff at a 10% discount and then offer these passes to their staff for purchase at the discounted rate, either directly of via a salary package scheme.

        b. The respective tenant preloading Myki Cards with **1 Month travel credit**. This would encourage staff to try out Public Transport at subsidised cost and assist with developing the right habits in the formative stages of their occupancy.

    - Cycling:

        a. Staff that live locally or that are amenable to cycling as a mode of travel to and from work would be invited to participate in a salary package scheme, where the employer leverages scales of economy and purchases commuter bicycles on their behalf at a reduced cost.

2. Set up a car pooling database. This would take the form of:

    - Tenants (or the Building Manager) maintaining a database that actively fosters a culture that allows staff that live in the same locality to connect and car pool. To encourage this outcome, on-site parking spaces would be allocated to the benefit of carpooling staff.

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5.4.4 Strategic Marketing

5.4.4.1 New and Existing Staff

Staff should be introduced and immersed in to sustainable transport through regular induction programs.

These induction sessions should provide an opportunity, where staff who have not yet established sustainable travel habits receive information on efficient and cost-effective transport options.

5.4.4.2 Promotional Functions / Events

The Building Manager would maintain an ongoing focus on promotional functions aimed at raising awareness, motivating people to try alternatives to the car and rewarding people who travel by methods other than the car, and to reach people that may not be receptive to marketing or who are not active information seekers.

These promotions would include but are not limited to walk to work day, ride to work day, or other events specific to the needs of the centre.

It is worth noting however that travel behaviour change programs are an ongoing process and cannot strictly be broken into short term and long term initiatives.

Note:

The coordination, implementation and funding for the Green Travel Plan will be the responsibility of the Building Manager in collaboration with tenants with the intent to achieve:

- Reductions in car usage (particularly single occupancy journeys) and increased use of public transport, walking and cycling;
- Increase awareness of sustainable transport options to new and ongoing staff and visitors;
- Implement travel/behaviour change strategies and use surveys to monitor changes in attitudes and reported behaviour.

To determine if targets are being met (and establish a modal split for the development), a monitoring process will need to be implemented. This process will establish travel patterns, mode splits and distances travelled by occupants of the site.

Where targets are not being met, strategies would be tailored as required to focus on these discrete areas.

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6 Monitoring Program

In order to monitor the success of the aforementioned Green Travel Initiatives, a 3 stage monitoring system would be implemented.

Elected representatives of staff and customer/visitors would be assigned as Travel Co-ordinators of the Travel Plan. The co-ordinators would be responsible for:

- Organising the monitoring of the performance of the Travel Plan against the targets that have been agreed.
- Reviewing the occupancy / use (and abuse) of the facilities that are provided on site, for example, cycle racks and motorcar parking spaces, clothes lockers, and travel information etc.
- Reviewing the operational success or failure of the plan and produce a review report highlighting successful initiatives and also areas that require improvement.
    - This review report would be issued to Council on every 5 years and would form the platform of an updated Travel Plan.

The suggested 3 stage monitoring program is outlined below:

6.1 Stage 1

Stage 1 would involve a questionnaire survey of staff and visitors/customers during the occupation of the site. The survey will be useful to collect information on the travel characteristics of the occupants of the site and assist in gauging interest in the various Green Travel initiatives and to seek ideas for other Green Travel initiatives.

A pro forma for the Stage 1 questionnaire is shown attached as Appendix B.

6.2 Stage 2

Stage 2 would involve a questionnaire and feedback form to be filled out by Staff, 3 months after occupation, in order to determine what Green Travel initiatives are working and which are not.

A pro forma for the Stage 2 questionnaire is shown attached as Appendix B

6.3 Stage 3

Stage 3 would be the monitoring component of the plan which would be undertaken 6-12 months after occupation. This questionnaire would test the success rate of the various initiatives and help rework programs to suit the needs of staff, visitors and parents.

A pro forma for the Stage 3 questionnaire is shown attached as Appendix B.

It is expected that the above stages would form the basis of a continuous monitoring program to gauge the effectiveness of the travel plan.

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APPENDIX A
Outline Action Plan

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- Provided as Guide to Inform Discussions between Tenant, Building Manager & Transport Committee
- Nominated Budgets are Indicative Only & Subject to Tenant, Building Manager & Transport Committee Input.

GENERAL ACTIONS			
Operational Initiatives			
Promotions including: — An events calendar: 3-4 events per year. Best coordinated in conjunction with state wide events such as Ride to Work Day, World Environment Day, National Walk to Work Day. — Plan for lunch, morning teas or breakfasts, guest speakers, demonstrations etc;			
	Timeline	Estimated Budget	Responsibility
	Ongoing	Included in below estimates	Tenant & Transport Committee
Cycling			
Tenant Initiatives			
Direct staff to access to up to date route maps of bicycle networks (on road and off road) to assist with journey planning. These could include: 1. Cycling guides provided by Council; 2. Google Maps; or Propriety applications such as Strava			
Direct staff to access to up to date regulations, requirements and cycling etiquette of use to the bicycle network infrastructure. These could include: 1. Rules on riding on shared paths; 2. Rules on riding on the road. A valuable resource for this information would be www.bicyclenetwork.com.au			
For new cyclists, provide the opportunity for staff to participate in a salary package scheme, where the operator leverages scales of economy to negotiate and purchase commuter bicycles on their behalf at a reduced cost.			
Form a committee whose purpose is to create and sustain an active transport culture. This could take the form of creating and sustaining initiatives such as: 1. Bicycle User Groups (BUG's). These groups could include a Buddy Group where experienced cyclists buddy a novice to ride the best / safest route to the site. 2. Participation in events such as Ride to Workday, World Environment Day etc, including ancillary activities such as morning teas or breakfasts, guest speakers, demonstrations etc; 3. Negotiate a servicing discount for staff at a local bike shop or sports gear store			
Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides			
	Timeline	Estimated Budget	Responsibility
	Ongoing	$5,000 / Year	Tenant & Transport Committee
Walking			
Tenant Initiatives			
Encourage walking through participation in events such as Walktober			
Set up walking groups that encourage lunchtime walks or walking to or from work or train station			
Run a workplace challenge to encourage active travel e.g. staff walking challenge using pedometers so people can keep count of steps walked, graphs or charts of staff progress for healthy competition			
Access to up to date route maps of walking networks to assist with journey planning. These could include: 1. Cycling guides provided by Council; 2. Google Maps; or Propriety applications such as Strava			

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Provide umbrellas and wet weather gear for staff that walk to work or in reception for use during day time hours.

Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides

Timeline	Estimated Budget	Responsibility
Ongoing	$5,000 / Year	Tenant & Transport Committee

Public Transport

Tenant Initiatives

Direct Staff to access up to date public transport route & timetable data in the locality via:

1. Application such as PTV's Journey planner.
2. Google Maps;

Provide access to Tram, train and bus timetables in prominent locations within the building and break rooms. This could include leveraging digital platforms via tablet devices that are located in break out rooms that are pre-loaded with applications such as PTV's Journey planner.

For new public transport users, provide the opportunity for staff to secure discounted fares.
This could be done by the Tenant signing up to the **myki Commuter Club**. This would allow access to yearly myki passes for their staff at a 10% discount. These discounts could be passed on to staff for purchase, including via a salary package scheme

Create a committee whose purpose is to create and sustain a public transport culture. This could take the form of creating and sustaining initiatives such as:

- Lunchtime talks on public transport education to promote what is available and service changes where available

Provide information on how to purchase Myki's, associated costs, and latest technology such as Myki Pass - digital myki on Android phones

Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides

Timeline	Estimated Budget	Responsibility
Ongoing	$5,000 / Year	Tenant & Transport Committee

Cars

Tenant Initiatives

Form a committee whose purpose is to create and sustain behaviour change in motorists. This could take the form of creating and sustaining initiatives such as:

1. Organise a car pool postcode morning tea to match up potential car share partners
2. Set up a ride-matching system on a board in the staff room so staff interested in carpooling can link up
3. Provide a car pool guide to staff with hints on how to successfully car pool with colleagues, as well as some basic guidelines to follow.
4. Educate staff of the cost savings & environment benefits of active transport in comparison with car ownership & travel;

Provide recognition for those that use active and sustainable travel at an event or in a newsletter

Offer personalised travel advice to interested staff via journey planners or relevant TravelSmart Guides

Timeline	Estimated Budget	Responsibility
Ongoing	$5,000 / Year	Tenant & Transport Committee

DRAFT

APPENDIX B
Questionnaire Surveys

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Questionnaire **Green Travel Survey** **Stage 1**

Date.....

1 Are you a member of Staff or Customer/Visitor?

Staff	
Visitor	

2 How do you plan to travel to and from the site?

Bicycle		Walk	
Tram		Train	
Bus		Motorcycle	
Car as Driver		Car as Passenger	

3 If you plan to travel by car, either as driver or passenger, what reasonable initiatives could be introduced to encourage you to use more sustainable modes of travel.

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Thank you for your feedback.

Questionnaire **Green Travel Survey** **Stage 2**

Date.....

1 Are you a member of Staff or Customer/Visitor?

Staff	
Visitor	

2 How do you travel to and from the site?

Bicycle		Walk	
Tram		Train	
Bus		Motorcycle	
Car as Driver		Car as Passenger	

3 If you travel by car, either as driver or passenger, have you considered any of the sustainable travel information provided to you regarding alternative travel modes?

4 Has this information been useful and what additional information would you require to allow you to consider alternative transport options?

Thank you for your feedback.

Questionnaire **Green Travel Survey** **Stage 3**

DRAFT

Date.....

1 Are you a member of Staff, Customer/Visitor or Parent?

Staff	
Visitor	

2 How do you travel to and from the site?

Bicycle		Walk	
Tram		Train	
Bus		Motorcycle	
Car as Driver		Car as Passenger	

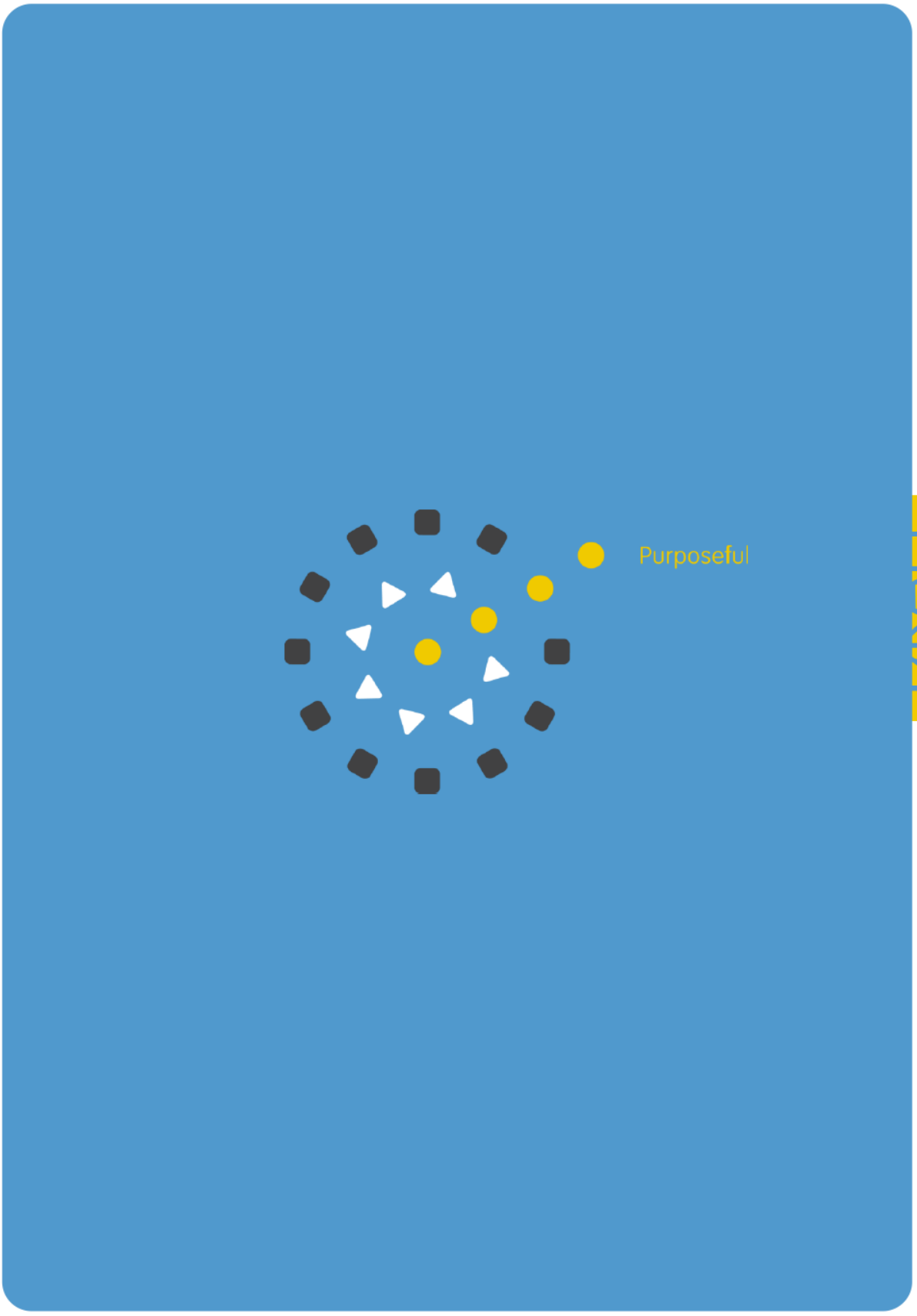
3 Has this mode of travel changed since you first came to the site, and if so what influenced the change?

4 What reasonable improvements can be made to enhance the appeal of alternative transport options to the site.

Thank you for your feedback.

DRAFT

Attachment 11 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Green Travel Plan



Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

10 September 2021,

Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Dear Mr. Theodosakis,

PLANNING APPLICATION NO.:	**PLN20/0868**
DEPARTMENT REFERENCE NO:	**PPR 36224/21**
PROPERTY ADDRESS:	**173-177 BARKLY AVENUE, BURNLEY VIC 3121**

Section 55 – No Objection

Thank you for your referral of the above application to the Head, Transport for Victoria under Section 55 of the *Planning and Environment Act 1987.*

The Head, Transport for Victoria in consultation with CityLink has considered this application and does not object to the grant of a permit.

Please forward a copy of any decision to this office as required under the *Planning and Environment Act 1987*.

Should you have any enquiries regarding this matter, please contact Gillian Menegas on 9313-1148 or Gillian.Menegas@roads.vic.gov.au.

Yours sincerely

Gillian Menegas

Gillian Menegas
SENIOR PLANNER- Statutory Planning Referrals Metro North West Region
Under delegation from the Head, Transport for Victoria
10/09/2021

VICTORIA State Government

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

MEMO

To:	John Theodosakis (Statutory Planning)
From:	Christian Lundh (Urban Design)
Date:	4 May 2021
Site Address:	173-177 Barkly Avenue, Burnley
Application No:	PLN20/0868
Description:	Application for demolition and construction of an 8-story building including 3 levels of underground car parking, compromising office and retail tenancies.

COMMENTS SOUGHT

Urban Design comments have been sought on following matters:

- Public realm interface to Barkly Avenue and Adam Street; and
- Whether there are any capital works approved or proposed within the area of the subject site.

These comments are provided on Plans;

- *Landscape Planning Package. prepared by Site Image, dated November 2020;*
- *Town Planning Report (S50 Update), prepared by Human Habitats dated 28 March 2021; and*
- *Architectural ground plan, prepared by Gray Puksand, dated 21 March 2021.*

The extent of this review is limited to the proposed development's integration with the streetscape and public realm and excludes landscaping within the building and rooftop landscapes.

COMMENTS SUMMARY

The proposal is not supported in its current form. The following recommendations and clarifications are required to strengthen the proposal from an Urban Design perspective. The rationale behind these changes is explained in detail overleaf.

- Modifications to Adam Street to improve the streetscape integration and connectivity with the subject site proposal.
- Repositioning of gates to the internal courtyard.
- Reconstruction of all footpaths adjacent to the subject site in asphalt.
- Provide updated ground plans and landscape plans for Council review.

There are no known planned/approved capital works around the site being led by the Urban Design Team.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Additional Information Required

The following details are required on the drawings:

- Footpath dimensions.
- The exact location of the existing streetscape fixtures, survey to be overlaid on ground level landscape and architectural plans.
- Verification of the number of on-street parking numbers, noting that existing bays are not line marked.
- Drainage including any side entry pits.

Additional details required on the drawings are set out in the relevant sections below.

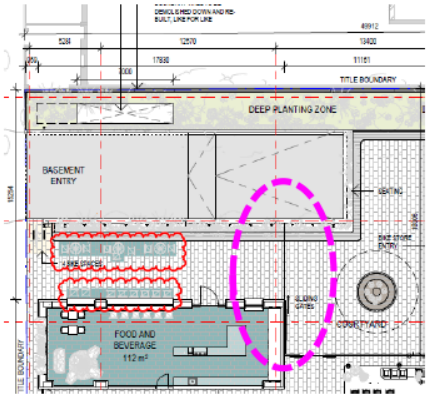
URBAN DESIGN COMMENTS

Ground Floor Interface

The Barkly Street ground floor interface is in principle supported. The Adam Street ground floor interface will require further design modifications prior to being acceptable from an urban design perspective, including but not limited to items listed below and overleaf (also refer Council engineering services comments for additional details).

Pedestrian and Vehicular Entrances

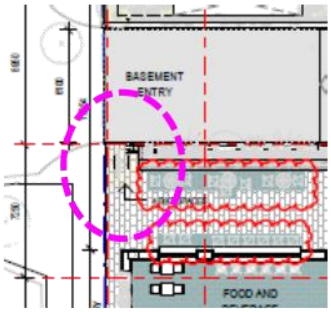
- Loading entry form Barkly Street; confirm location of the gate as it is not clearly shown on plans.
- Basement car park entry; confirmation of the location of the gate. Gate location cannot be identified on the plans. Concern that if the gate is located at the lower end of the entry ramp an un-safe space for potential loitering will be created.
- Repositioning the sliding gate to the courtyard to be located closer to Adam Street to reduce the depth of the 'afterhours' accessible courtyard space and the potential un-safe environment this may create.
    - Preferred that the gates are both located close to the subject site boundary on Adam Street, creating a continuous interface to the street.



- Further details and information required for the building external lighting strategy, especially pedestrian lighting along the courtyard / streetscape / car park entry interfaces, noting that the proposed arbour structure over the carpark entry may reduce the amount of natural light entering these spaces.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

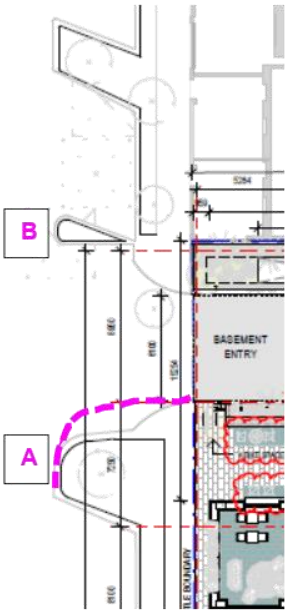
- Relocation of the proposed visitor bike hoops to a more suitable location away from the courtyard entrance threshold, concern that parked bicycles may obstruct the footpath and the courtyard entrance.



Adam Street Improvements

Requested streetscape / infrastructure / public realm improvements along the subject site interface to Adam Street (also refer to Council engineering comments for further comments);

- Redesign to maximize the existing kerb outstand **(A)** south of the basement car park entry as indicated in screenshot below;
- Review of the proposed kerb outstand **(B)**, Noting that if a kerb outstand will be proposed then its full extent must be accommodated for in front of the subject site and not extend into the adjacent property's street frontage;
- Provide swept path testing to the basement car park entry to demonstrate that kerb outstands along Adam Street have been maximized.



Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

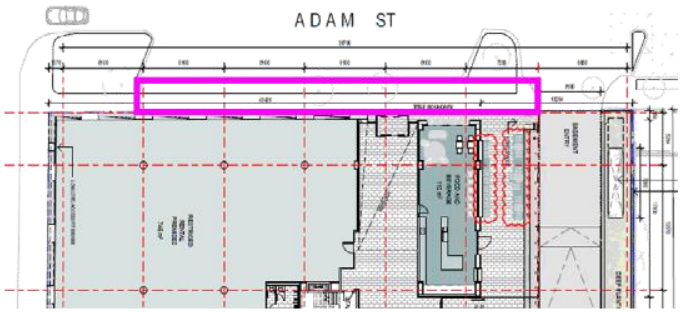
- Drainage re-design including but not limited to the removal of the open channel currently dividing the existing kerb outstand and the footpath/naturestrip in lieu of underground drainage infrastructure, creating a seamless transition between the footpath and the outstand and also eliminating potential trip hazards.
- If a kerb outstand is proposed to the north of the basement car park entry, then similar drainage approach should be applied.



- Review of angled parking arrangement along Adam Street and integrate a minimum 1 no. on road street tree, refer further notes under the Street Trees Planting section.

Pavements

- Replacement of redundant crossover on Barkly Avenue with asphalt paving, kerb and channel in accordance with Council standards.
- Confirm paving material along slivers between the building and footpaths.
- All footpaths adjacent to the property must be reconstructed in asphalt in accordance with Council standards.
- Improve connectivity and safety for pedestrians traversing between parking bays and into the site by installation of asphalt surfacing along the currently grassed nature strip (refer indicative extent in screenshot below).
    - Approximately 1m on either side of any existing or proposed tree trunks to be compacted gravel to Council satisfaction, updated ground plan and landscape plan to be provided for Council review.



- Further details are requested regarding the following items;
    - Proposed interface details for paving within the subject site boundary and abutting footpaths / crossover to ensure seamless surface transitions are achieved; and

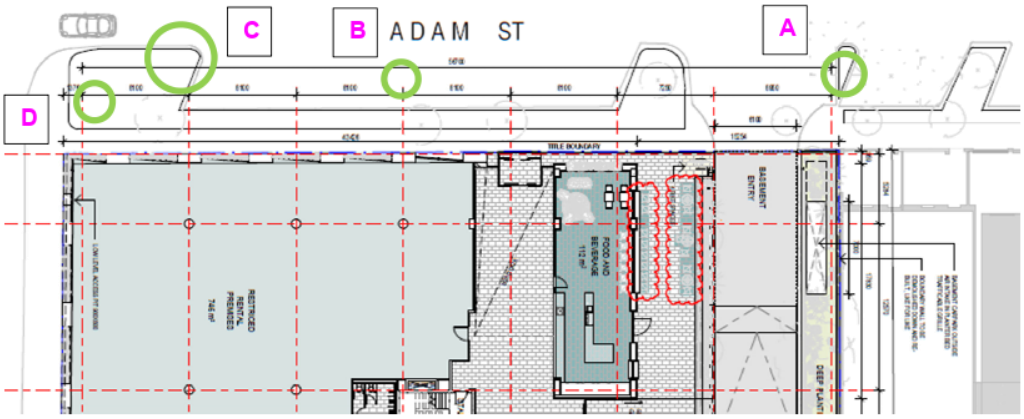
- Show all proposed and existing levels and proposed drainage design for the courtyard, especially relating to the streetscape interfaces; and
- All proposed pavement to comply with relevant Australian Standards including slip resistance.

Street Tree Planting

The applicant is requested to contribute to the cost of four (4) new street tree, which would cover tree sourcing, planting and 2 years of maintenance. The approximate cost of a roadside tree is $1,037 per tree. Hence, the applicant is requested to make a contribution of $4,148.

Council's tree planting contractor will source and plant the street tree. However, please keep Council updated as the project progresses so when the plans are approved Council can ensure trees are placed on order in time for completion.

- The below plan shows the approximate location of the new trees.
  A. Tree in potential on-street cut out or alternatively in reconfigured proposed kerb outstand;
  B. Tree in on street cut out.
  C. Large canopy tree in north west corner of the existing outstand, clear of overhead cables and sightlines; and
  D. Medium size tree in south east corner of existing outstand, clear of overhead cables and sightlines.
- Tree protection plan must be submitted to Council for review.
- Note that trees managed by the Council must be protected during any construction activities in accordance with the Australian Standard for the Protection of Trees on Development Sites (AS 4970-2009).
- Any proposed works within a Tree Protection Zone (TPZ) must have approval from Council arborist before commencement.



Low-Cover Planting

- Provide landscape plan for Council review that show all proposed low cover planting in kerb outstands, noting that the existing grass in the most southern outstand by Barkly Avenue is to be retained and be made good if required.
- Proposed plant species are to match existing species planted in outstands along Adam Street. Provide list of proposed plant species for Council review.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

CITY OF YARRA

MEMO

To: John Theodosakis

From: Mark Pisani

Date: 10 May 2021

Subject: Application No: PLN20/0868
Description: Mixed Use Development
Site Address: 173-177 Barkly Avenue, Burnley

I refer to the above Planning Application received on 16 March 2021 in relation to the proposed development at 173-177 Barkly Avenue, Burnley. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Gray Puksand	TP006 *Location Plan* TP110 *Site Survey* TP209 *Basement 3 Plan* TP210 *Basement 2 Plan* TP211 *Basement 1 Plan* TP212 *Ground Level Plan* TP260 *Section 1*		Not dated Not dated Not dated Not dated Not dated Not dated Not dated
Impact Traffic Engineering	*Traffic and Transport Assessment* report	Final	27 November 2020

CAR PARKING PROVISION
Proposed Development
Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	11,685 m²	3.0 spaces per 100 m² of net floor area	350	187
Restricted Retail	746 m²	2.5 spaces per 100 m² of leasable floor area	18	26
Food and Drink	98 m²	3.5 spaces per 100 m² of leasable floor area	3	0
		Total	**371 spaces**	**213 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 Consideration	Details
Parking Demand for the Office Use	On-site office parking would be provided at a rate of 1.60 spaces per 100 square metres of floor area. Office developments throughout the municipality have been approved by Council with reduced rates. A few examples include: ▪ 506 & 508-510 Church Street, Cremorne – 1.09 spaces/100 m² ▪ 198-242 Burnley Street, Richmond – 1.51 spaces/100 m² ▪ 2-16 Northumberland Street, Collingwood – 0.89 spaces/100m² The proposed office parking rate of 1.60 spaces per 100 square metres of floor area is considered appropriate as the site has good access to public transport and seeks to encourage more sustainable forms of transport.
Parking Demand for the Food and Drink Use	To assess the car parking demand of the retail use, a staff parking rate of 1.0 space per 100 square metres of floor area could be adopted. This would equate to a staff parking demand of one space. Both customer parking (short-stay) and staff parking (long-stay) would be generated off-site.

- *Availability of Public Transport in the Locality of the Land*. The following public transport services can be accessed to and from the site by foot:
  - Swan Street trams – 450 metre walk
  - Burnley railway Station – 350 metre walk
- *Multi-Purpose Trips within the Area*. Clients and customers to the office, restricted retail and and food and drink premises might combine their visit by engaging in other activities or business whilst in the area.
- *Convenience of Pedestrian and Cyclist Access*. The site has good pedestrian access to public transport nodes and other nearby businesses. The site also has good access to the on- and off-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand
Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- *Availability of Car Parking*. On-street parking in this part of Burnley is high during business hours. The area surrounding the subject site is mostly blanketed in time based parking restrictions, with few pockets of unrestricted parking. The high parking demand in the surrounding streets would be a disincentive for employees to drive.
- *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.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Adequacy of Car Parking
From a traffic engineering perspective, the waiver of parking associated with the office and food and drink uses is considered appropriate in the context of the development and the surrounding area. The on-site parking provision is fairly consistent with office developments that have been approved throughout the municipality. The site has access to more sustainable forms of transport.

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

TRAFFIC IMPACT
Trip Generation
The trip generation for the site adopted by Impact Traffic Engineering is as follows:

Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Office (187 spaces)	0.5 trips per space in each peak hour	94 trips	94 trips
Restricted Retail (746 m^2)	0.81 to 1.21 trips/100 m^2 of floor area in PM peak hour (source: empirical rate from a study made on behalf of NSW Road and Maritime Services)	0*	9 trips**
	Total	**94 trips**	**103 trips**

* The AM peak hour traffic for the restricted retail use is distributed outside of normal AM peak operating times.

** Upper end of the traffic generation rate.

Traffic Impact of the Adam Street/Barkly Avenue Intersection
To assess the traffic impact of the Adam Street/Barkly Avenue intersection, Impact Traffic Engineering has undertaken a SIDRA analysis.

The base traffic conditions for peak hour traffic volumes into and out of the Adam Street from Barkly Avenue are based on assumptions rather than actual surveyed traffic data. In order to provide a more reliable and accurate analysis of the intersection, the applicant is to conduct peak hour turning movement counts for the base traffic conditions.

The SIDRA analysis is to be revised and resubmitted to Council for review.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance – Adam Street	The development entrance has a width of 6.1 metres and satisfies the Australian/New Zealand Standard AS/NZS 890.1:2004.
Visibility	A pedestrian triangle has not been superimposed at the exit lane of the entrance.
Headroom Clearance	Not dimensioned on the drawings.
Internal Ramped Accessways	The 6.1 metre wall-to-wall widths of the internal ramped accessways satisfy AS/NZS 2890.1:2004.
Car Parking Modules	
At-grade Parking Spaces	The dimensions of the car parking spaces (2.4 to 2.8 metres by 4.9 to 5.4 metres) satisfy Design standard 2: Car parking spaces of Clause 52.06-9 and the Australian/New Zealand Standard AS/NZS 2890.1:2004 (where applicable).
Parallel Parking Spaces	The dimensions of the parallel parking spaces (2.1 metres by 6.7 metres) satisfy AS/NZS 2890.1:2004.
Small Car Spaces	The 2.4 metre widths of the Small Car spaces satisfy AS/NZS 2890.1:2004.
Accessible Parking Space	With the exception of the lengths (which satisfy Design standard 2), the accessible parking spaces and shared area satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009.
Aisles	The aisle widths range from 5.8 to 6.4 metres and satisfy *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Positions	The positions of several columns throughout the three levels of basement car park are non-compliant. Please see appended diagrams identifying the non-compliant columns and the affected parking spaces.
Clearances to Walls	Clearances of no less than 300 mm have been provided to spaces abutting walls, which satisfy *Design standard 2*.
Gradients	
Ramp Grade for First 5.0 metres inside Property	Grades have not been specified.
Ramp Grades and Changes of Grade	Grades have not been specified.
Other Items	
Loading Arrangements	An on-site loading bay and vehicle turn-out area have been provided at ground level off Barkly Avenue. The loading bay has not been dimensioned. The accessway leading to the loading area has a width of 3.5 metres and contains two sight triangles as required by *Design standard 1 - Accessways*.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Item	Assessment
Loading Bay – Vehicle Ingress and Egress Movements IMP200850 DG-01-02* Rev C	The swept path diagrams for a 6.4 metre long Small Rigid Vehicle entering and exiting the loading bay and the loading entrance via Barkly Avenue are considered satisfactory. The vehicle crossing servicing the loading area should be widened to 4.5 metres.
Basement 3 Plan	The parking spaces and aisles have not been dimensioned in Basement 3 Plan.
Vehicle Crossing Ground Clearance – Adam Street and Barkly Avenue frontages	The existing vehicle crossing on the east side of Adam Street is to be demolished and reconstructed with a new vehicle crossing. A vehicle crossing ground clearance check is to be undertaken by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out (Please see under '*Engineering Advice for Design Items to be Addressed by the Applicant*' section). Similarly, the vehicle crossing fronting Barkly Avenue will also require a ground clearance check.

* Impact Traffic Engineering swept path diagram drawing number

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Visibility	A pedestrian sign triangle should be imposed on the drawings for the exit lane. Does the exit lane have visibility of pedestrians?
Headroom Clearance	The minimum headroom clearance should be dimensioned on the drawings.
Column Positions	The positions of several columns within the car parking levels are non-compliant, and would impact on car door opening (please see appended diagrams). These columns should be repositioned such that they comply with *Diagram 1 Clearances to car parking spaces* of Clause 52.06-9 or alternatively, the car parking design should be reconfigured/redesigned to achieve column position compliance. We do not accept the current car parking design as it contains so many non-compliant columns.
Ramp Grade for First 5.0 metres inside Property	The grades within the first 5.0 metres are to be dimensioned on the drawings.
Ramp Grades and Changes of Grade	All ramp grade lengths are to be clearly dimensioned and labelled with the grades.
Basement 3 Plan	Parking space and aisle dimensions are to be provided within Basement 3 Plan.
Vehicle Crossing Ground Clearance – Adam Street and Barkly Avenue *(continued….)*	To assist the applicant, a Vehicle Crossing Information Sheet has been appended to this memo. The ground clearance check requires the applicant to obtain a number of spot levels out on site which includes the reduced level 2.0 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement – in this case, both Adam Street and Mason Street.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Item	Details
(continued….)	These levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development. Providing the ground clearance check early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.
Vehicle Crossing for Loading Facility – Barkly Avenue	The vehicle crossing servicing the loading bay on Barkly Avenue is to be widened to 4.5 metres.

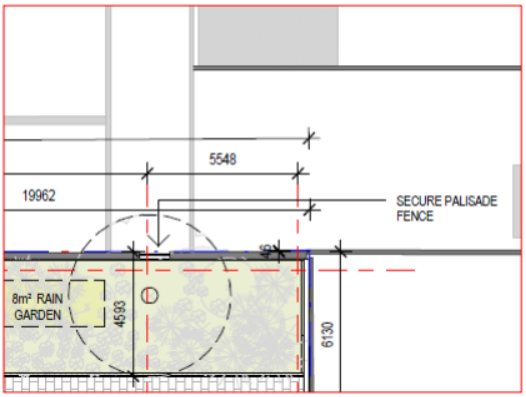
INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets	The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site. It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.
Adam Street	
Kerb Extensions/Outstands On-street Parking Configuration (Design advice provided in consultation with Council's Urban Design team)	The applicant is to incorporate the following into the design: ▪ Rationalise and maximise kerb outstands adjacent to the main vehicular entrance underground car park entry/crossover on Adam Street. Potential to remove the northern 'tear drop' shaped outstand and integrate one on-road street tree in cut out. ▪ Review of angle parking arrangement on Adam Street and (south of the car park entry), and integrate minimum 1 No. on-road street tree in cut out. Individual parking bays are not be line marked. ▪ Remove the existing exposed channels between kerb outstands and footpath (trip hazards). This may necessitate the provision of underground drainage to capture any ponding of water at the kerb outstands. ▪ Improve pedestrian connectivity from angled parking bays to the main entrance/courtyard/café by paving the narrow nature strip and leaving approximately 1.0 metre on either side from trunk of existing trees to be gravel surfacing. This applies to the section on Adam Street from the south end of the new vehicle crossing to the kerb outstand just north of Barkly Avenue.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Item	Details
Drainage	
Stormwater Discharge Catchment Analysis (Design advice provided by the Civil Infrastructure team)	The applicant is to undertake the following: ▪ The stormwater discharge from the development must be directed to the subsurface pits adjacent to the development along either Adam Street or Barkley Avenue. ▪ If a direct connection to a pit is unachievable, an outfall drain and associated pits must be constructed to transfer the stormwater to the discharge location. ▪ A catchment analysis and capacity assessment must be undertaken on the drainage infrastructure receiving the stormwater discharge. If the system is under capacity the relevant upgrades must be completed on the downstream drainage infrastructure, as required. ▪ Remove all existing drainage discharge locations along the kerbs adjacent to the property boundary. All pipes and kerb adaptors within the road reserve must be decommissioned and removed. Reinstatement of the affected area will require replacement of full panels/sections of footpath and/or kerb and channel i.e. from joint to joint. ▪ Runoff from all ground floor surface areas must be captured within the property and redirected to the allocated legal point of discharge.
Footpaths Adjacent to the Development	
Footpath Reconstruction Crossfalls Internal Finished Floor Levels adjacent to Footpaths (Design advice provided by the Civil Infrastructure team)	The demolition of the existing building, the construction of the new building and the occupation of the footpaths by plant and heavy equipment will impact on the footpaths and deteriorate their condition. The applicant is to undertake the following: ▪ All footpaths adjacent to the property must be reconstructed in asphalt in accordance with Council standards. ▪ The footpath must be constructed in compliance with DDA requirements: maximum crossfall – 1:33 for asphalt and 1:40 for concrete (vehicle crossover). ▪ Internal finished floor levels (FFL) must be aligned to the proposed DDA compliant footpath levels at the interface with the property boundary. ▪ Existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades.
St Louis Place	
Sewer Vent – South End of St Louis Place	At the south end of St Louis Place (a north-south aligned laneway) there is an existing sewer vent located close the northern boundary of the site. The sewer vent could potentially be problematic for occupants/employees of the upper levels of the new building. The developer should liaise with the relevant water authority regarding the sewer vent and its proximity to development. If the vent is still active, measures should be taken by the developer to ensure that fumes do not waft into the new building.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Item	Details
Opening at South End of St Louis Place/Northern Boundary of Site	On the Ground Level Plan, there appears to be a pedestrian opening at the development's abuttal to the south end of St Louis Place. Clarification as to purpose of this opening is sought. 
Other Items	
Detailed Engineering Design Drawings	Detailed engineering design drawings of all infrastructure surrounding the site are to be submitted to Council for assessment and approval.
Redundant Vehicle Crossings	Redundant vehicle crossings are to be demolished and reinstated with paving, kerb and channel.

ENGINEERING CONDITIONS
Civil Works

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

- The footpaths along the property's Adam Street and Barkly Avenue frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpaths must have cross-falls of 1 in 40 for concrete, 1 in 33 for asphalt or unless otherwise specified by Council.
- A catchment analysis and capacity of the existing drainage infrastructure receiving stormwater discharge from the development is to be undertaken by the Permit Holder to Council's satisfaction. If the existing drainage surrounding the site is under capacity, the Permit Holder is to upgrade the downstream drainage infrastructure to accommodate discharge from the site, to Council's satisfaction and at the Permit Holder's cost.
- All redundant vehicle crossings are to be demolished and reinstated with paving, and kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- All redundant property drain outlets are to be demolished and reinstated with paving, and kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- Detailed engineering design drawings of all infrastructure works are to be submitted to Council for assessment and approval.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Vehicle Crossings

Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossings must be designed and constructed:

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

Road Asset Protection

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

Construction Management Plan

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

Impact of Assets on Proposed Development

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

Discharge of Water from Development

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

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

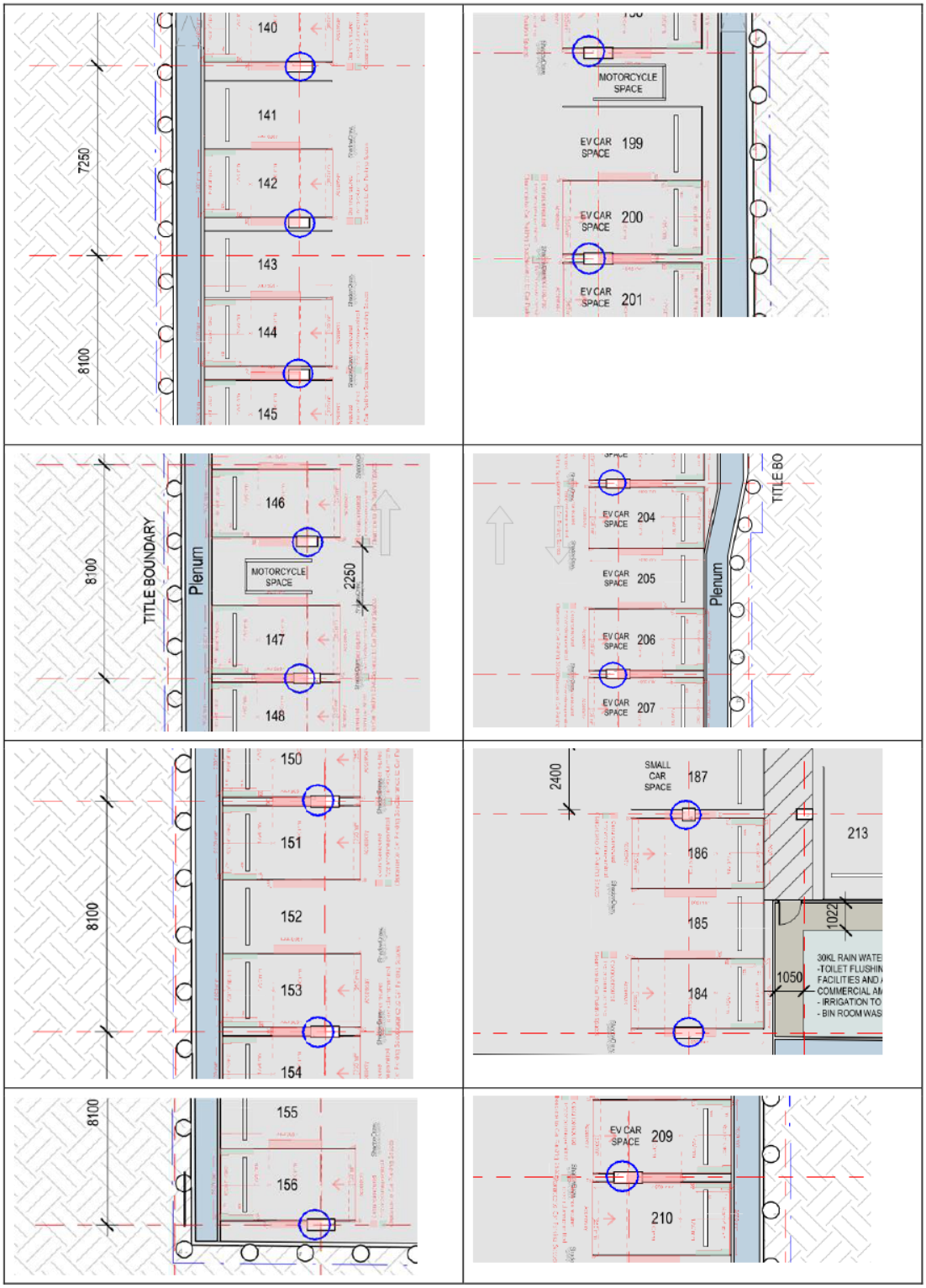
Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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.

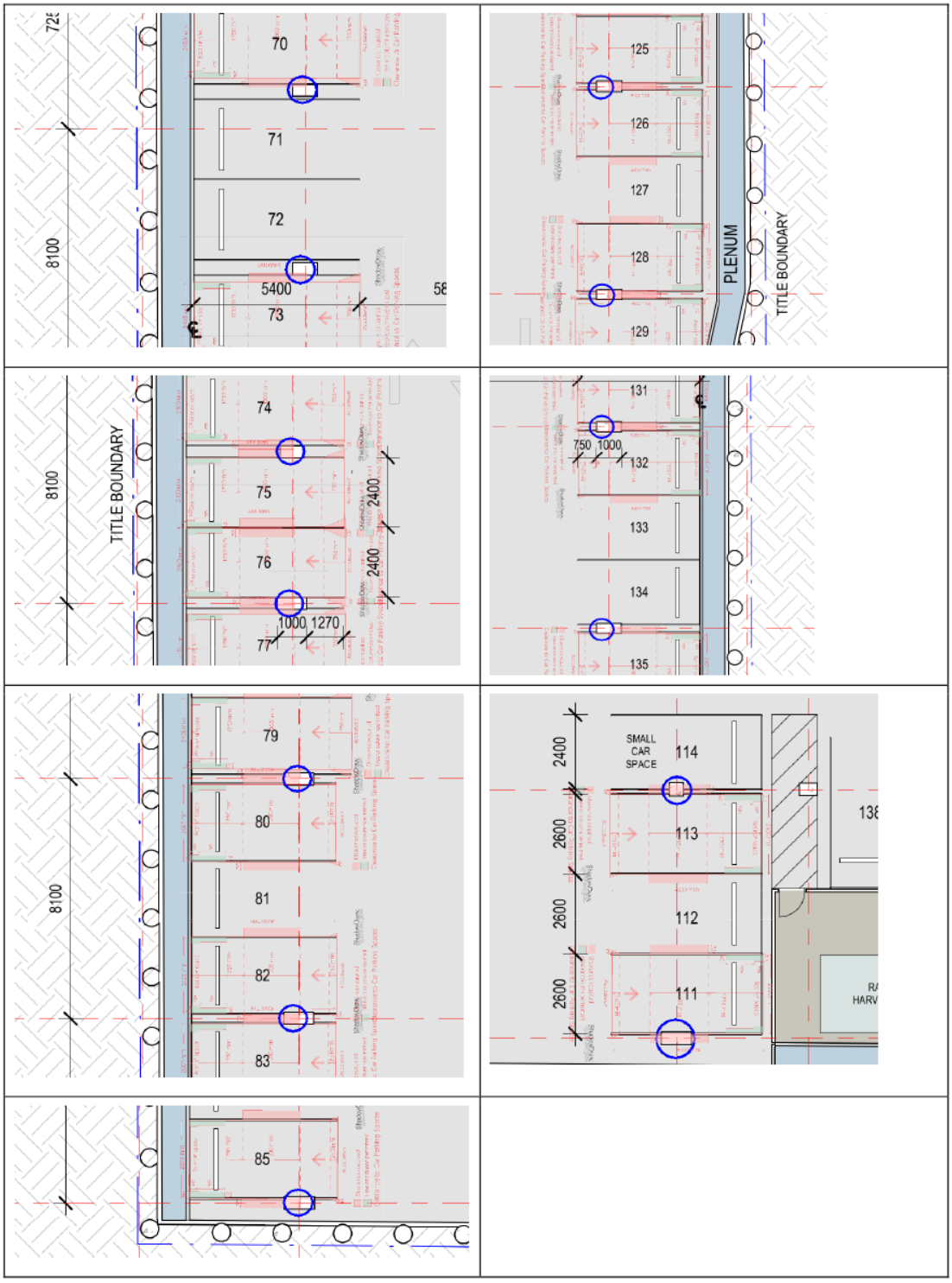
Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Non-Compliant Columns – Basement 3



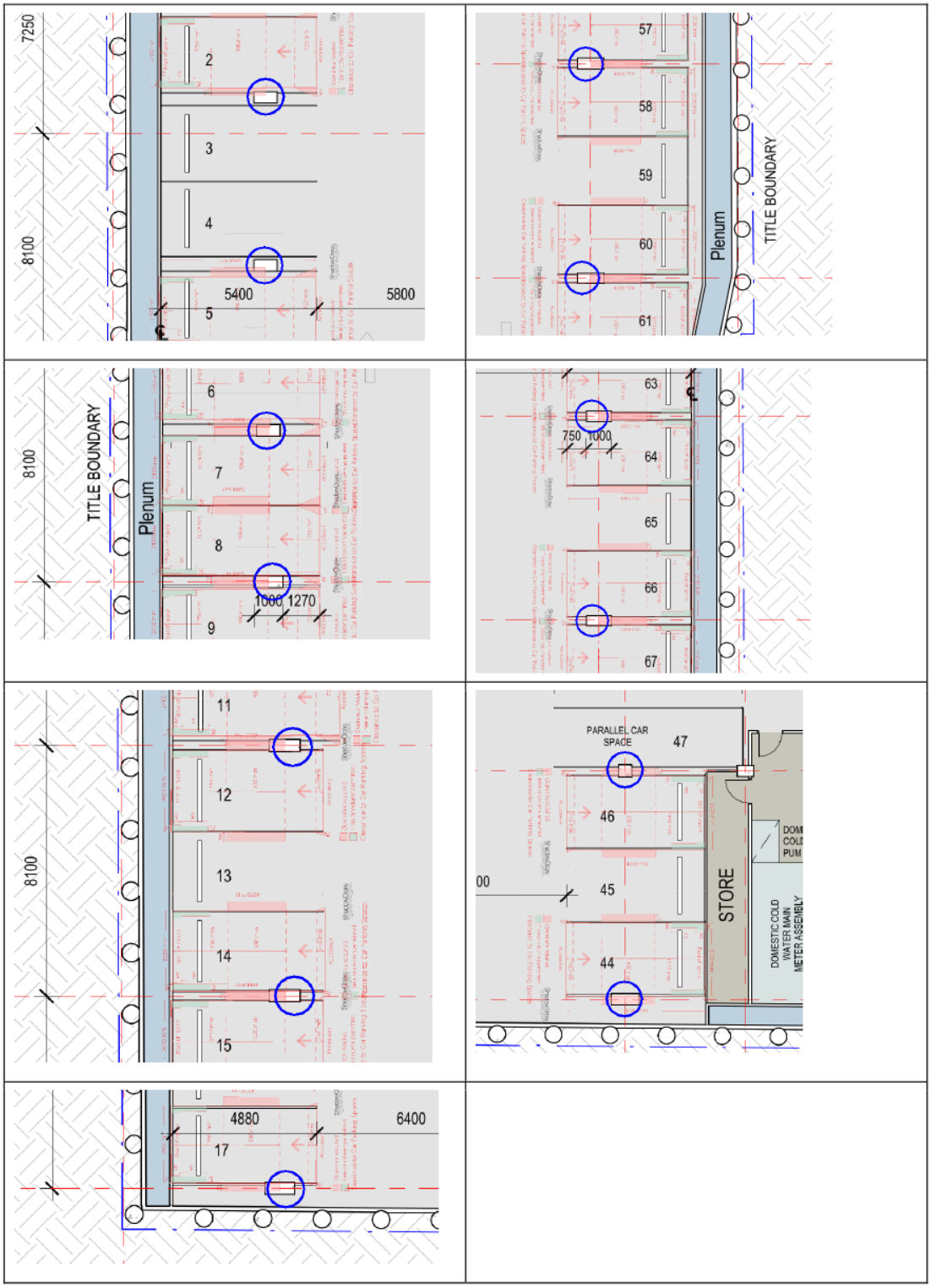
Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Non-Compliant Columns – Basement 2



Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Non-Compliant Columns – Basement 1



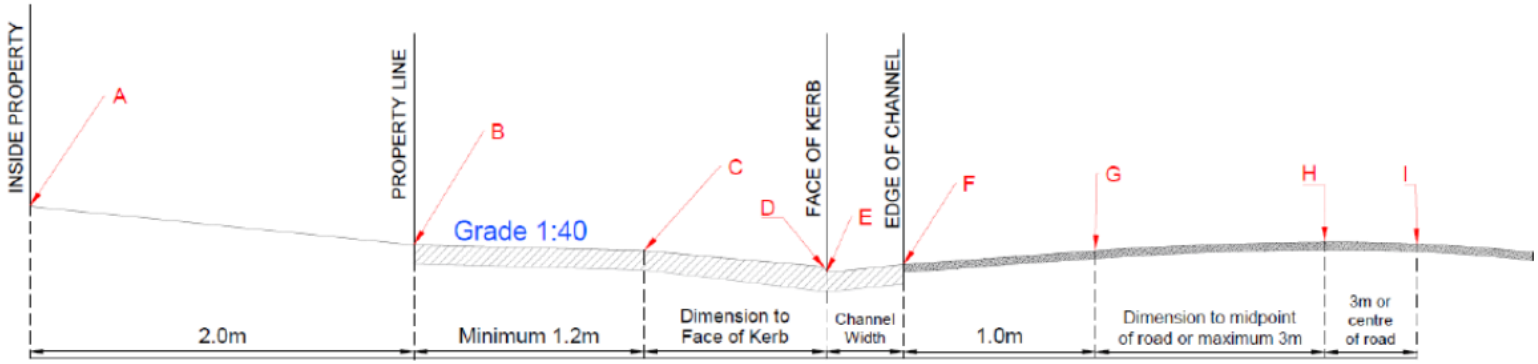
Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Hi John,

The Plan is incomplete, it must be updated and submitted for review once all relevant details associated with waste management are known. I have reviewed the document in its current form and offer the following.

The waste management plan for 173 - 177 Barkly Avenue, Burnley authored by Cova and dated 27/11/2020 is not satisfactory from a City Works Branch's perspective.
Issues to be rectified include, but may not be limited to the following:

1. In order to assess whether enough space has been allocated to form an effective waste system please include the total footprint of the bins allocated and the space available in the bin storage room in M^2
2. How will hard waste be managed?
3. How will e-waste be managed?
4. Food waste diversion should be included for the entire complex.
5. Due to changes in waste services announced by the State Government in 2020, the site must consider how the fourth waste stream will be managed in the future (Glass separation).
6. Please detail the bin store plan showing path of access, hard waste and e-waste area etc;
7. Please provide more detail on the collection process and include relevant Risk assessments.
8. All diagrams pertaining to the management of waste should be included in the WMP including the swept path diagram.

Regards,

Atha Athanasi
Contract Management Officer

Yarra Waste Services - City Works Branch
168 Roseneath St CLIFTON HILL VIC 3068
T (03) 9205 5547 F (03) 8417 6666
Atha.Athanasi@yarracity.vic.gov.au
www.yarracity.vic.gov.au
Follow us on Facebook, Instagram and Twitter

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Memo

To:	**John Theodosakis**
Cc:	**Kevin Ayrey**
From:	**Craig Lupton**
Date:	**9 June 2021**
Subject:	**173 - 177 Barkly Avenue, Burnley – Biodiversity Comments**

Dear John,

I have reviewed the plans by Site Image Landscape Architects (revision A – 26/11/2020) for the above planning application and provide the following comments:

Yarra's Significant Landscape Overlay [LSO1 – Yarra (Birrarung) River Corridor Environs] provides the guideline for the responsible authority to consider how proposed vegetation species match the local plant communities, in this case Volcanic Plains Bioregion Ecological Vegetation Class (EVC) is EVC 55 – Plains Grassy Woodland.

Whilst the proposed planting palette includes many Australian native plants, it does not align with the Plains Grassy Woodland EVC. Evidence of how the proposed planting palette aligns with the Plains Grassy Woodland EVC should be provided, or the planting palette modified to include relevant local indigenous species.

Please do not hesitate to contact me if you would like any further information on 9205 5727.

Yours Sincerely,

Craig Lupton
Senior Biodiversity Officer
City Works

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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-r*esidential 1. 1,000m^2 or greater*.

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

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

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

Assessment Process:

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



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Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council



Assessment Summary:

Responsible Planner:	John Theodosakis
ESD Advisor:	Gavin Ashley
Date:	31.05.2021
Subject Site:	PLN20/0868 173-177 Barkly Avenue, Burnley VIC 3121
Site Area:	Approx. 3,000 m²
Project Description:	8 storey building comprising 3 levels of basement carparking, ground floor mixed use and 7 levels of commercial office space.
Pre-application meeting(s):	Unknown.
Documents Reviewed:	• Sustainability Management Plan (Rev 02 – 26.11.20) by Wrap Consulting Engineering • Architectural Plans (not dated) by Gray Puksand • Green Travel Plan (Rev 01 – 08.02.21) by Impact Traffic Engineering • Waste Management Plan (Rev 01 – 27.11.20) by COVA Thinking Pty Ltd • Landscape Plan (Iss A – 26.11.20) by Site Image Landscape Architects

The standard of the ESD does not meet Council's Environmental Sustainable Design (ESD) standards. Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met.

Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are addressed in an updated SMP report and are clearly shown on Condition 1 drawings. ESD improvement opportunities (4) have been summarised as a recommendation to the applicant.

(1) Applicant ESD Commitments:

- The development has committed to achieving 5-star Green Star certification (SMP, p. 6).
- Comprehensive building systems commissioning will be completed in accordance with best practice standards, and a service & maintainability report will be prepared (SMP, p. 8).
- Air-tightness testing will be undertaken to target a permeability rate of not more than 5 m3/h/m2 @ 50 Pa (SMP, p. 8).
- All tenancies will be provided with individual authority meters, and all major base-building systems will be individually sub- metered to allow for effective building tuning (SMP, p. 8).
- The (ISO 14001 certified) contractor will prepare and implement a Best Practice project-specific EMP at the start of construction.
- Specifications around formaldehyde, PVC and VOC materials and products (SMP, p. 9).
- All building elements forming part of the building's thermal envelope will exceed the deemed-to-satisfy requirements of NCC 2019 Section J by at least 10% (SMP, p. 11).
- The base-building services will be all-electric, with heating and hot water provided by heat pumps instead of gas boilers (SMP, p. 11).
- A 60kW rooftop solar PV system is proposed (SMP, p. 11).
- 132 secure bicycle parking spaces for use by office and retail workers, and 28 publicly accessible spaces provided, in addition to EoT in the form of 16 showers and 132 lockers (SMP, p. 12).
- Electric vehicle charging points provided to at least 5% of all parking spaces in the development (SMP, p. 12).
- A STORM report with a 126% STORM score has been submitted that demonstrates best practice and relies on ~1,450 m² of roof connected to 30,000 litres of rainwater storage connected to irrigation and toilet flushing for 30% of amenities, and an additional 745 m² of terrace areas directed to an 8 m² raingarden (SMP, p. 45).

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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



- At least 6% of the project's value will consist of sustainable products (reused, recycled content, EPDs or third-party certification) (SMP, p. 15).
- A construction waste management plan for the project and will divert at least 90% of all demolition and construction waste from landfill (SMP, p. 15).
- At least 13% of the site area will be covered by vegetation (SMP, p. 15).

(2) Application ESD Deficiencies:

- Given that organic waste makes up to 40% of general waste, and the office component is expected to generate 8,712-L of general waste per week, there is a need to extend organic waste management to the office component. Revise strategy and amend WMP accordingly.
- While all valuable initiatives, we recommend reducing reliance on the following credits for the 5-star rating. Ultra-low VOC paints, Financial transparency, and Grounds keeping practices from the GS pathway and focus on other credits such as 25.1 Heat Island Effect Reduction as mentioned above.

(3) Outstanding Information:

- Clarify provision of outdoor air to office spaces on all levels, and consider the inclusion of operable windows throughout (particularly onto vegetated levels) to reduce reliance on mechanical systems.
- Clarify VLT. The SMP mentions '>50%' and 'at least 45%'.
- As above, clarify and consider provision of operable windows for natural ventilation.
- Provide a preliminary JV3 report to support energy claim – and note rooftop plans to include solar absorptance specifications.
- Include details of energy reductions in preliminary JV3 report.
- Include details of GHG emission reductions in preliminary JV3 report.
- Include details of HWS in preliminary JV3 report.
- Include details of solar PV generation and demand reduction, and reinstate credit if the proposal performs accordingly.
- Clarify HVAC system design and include details in preliminary JV3 report.
- Confirm PV system size, and include generation details in preliminary JV3 report.
- Prior to construction, confirm the project value adhering to the recycling target, and clarify % of recycled materials proposed.
- Amend GTP to include reference to provision of EV charging infrastructure.
- Provide a statement as to how the development responds to, and mitigates urban heat. Consider alternatives to the exposed masonry (i.e. brick) ground floor component there is risk of heat gain which may require additional response (i.e. climbing vegetation along the façade). In addition, identify SRI values of external materials.

(4) ESD Improvement Opportunities

- Consider an approach to concrete that reduces Portland cement content via recycled aggregates or Ground-granulated blast-furnace slag (GGBFS).
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider partnering with a car-share provider to locate a pod outside or within the site for convenience to staff.
- Satisfactory, however consider pre-wiring additional spaces for EV charging to future proof the development.
- Consider a green roof or wall to improve the ecological value of this site.

Further Recommendations:

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

1. Indoor Environment Quality (IEQ)

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	No information regarding natural ventilation, however the mechanical ventilation system will be designed to provide additional 50% of outside air, in accordance with AS1668.2, and CO2 control to 800 PPM (SMP, p. 10)	Clarify provision of outdoor air to office spaces on all levels, and consider the inclusion of operable windows throughout (particularly onto vegetated levels) to reduce reliance on mechanical systems.	3
Daylight & Solar Access	30% of area achieving DF>2.0 with a VLT of 'at least' 0.45 (SMP, p. 26).	Clarify VLT. The SMP mentions '>50%' and 'at least 45%'.	3
External Views	A views assessment provided indicates 72% of occupied floor area has access to high quality views (SMP, p. 35).	Satisfactory.	1
Hazardous Materials and VOC	All paints, adhesives and sealants and carpets will not exceed the limits outlined in Appendix A (in line with GBCA guidelines) (SMP, p. 24).	Satisfactory.	1
Thermal Comfort	Mechanical ventilation, low-e double glazing and shading via an articulated façade.	As above, clarify and consider provision of operable windows for natural ventilation.	3

*** Council Assessment Ratings:**

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

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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	All building elements forming part of the building's thermal envelope will exceed the deemed-to-satisfy requirements of NCC 2019 Section J by at least 10%, and all roofs will have a solar absorptance of at least 0.05 less than the maximum allowable value under Part J1.3 (SMP, p. 11).	Provide a preliminary JV3 report to support energy claim – and note rooftop plans to include solar absorptance specifications.	3
Thermal Performance	No information has been provided.	Include details of energy reductions in preliminary JV3 report.	3
Greenhouse Gas Emissions	No information has been provided.	Include details of GHG emission reductions in preliminary JV3 report.	3
Hot Water System	The project will implement an energy efficient electric heat pump central hot water system (SMP, p. 11).	Include details of HWS in preliminary JV3 report.	3
Peak Energy Demand	GS credit 16A for peak electricity demand reduction is not targeted, and to be checked in Detailed Design based on PV size (SMP, p. 21).	Include details of solar PV generation and demand reduction, and reinstate credit if the proposal performs accordingly.	3
Effective Shading	External shading provided via articulated façade and an overhanging eave for the top level facing north.	Satisfactory.	1
Efficient HVAC system	Heating & cooling systems will exceed NCC section J 2019 by 15% (fan power), 10% (pumps), and 5% (A/C EER) (SMP, p. 11).	Clarify HVAC system design and include details in preliminary JV3 report.	3
Car Park Ventilation	The project will achieve energy reductions in the car park ventilation system by using carbon monoxide sensors (SMP, p. 11).	Satisfactory.	1
Efficient Lighting	The lighting design throughout the development will be at least 10% more energy efficient than the NCC 2019 Part J6 requirements (SMP, p. 11).	Satisfactory.	1
Electricity Generation	The project will provide at least 60kW of solar panels, with potential accommodation to increase this amount during detailed coordination at the design development phase of the project (SMP, p. 11).	Confirm PV system size, and include generation details in preliminary JV3 report.	3
Other	-	-	

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 2. Energy Efficiency
House Energy Rating www.makeyourhomegreen.vic.gov.au

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Building Code Australia www.abcb.gov.au
Window Efficiency Rating Scheme (WERS) www.wers.net
Minimum Energy Performance Standards (MEPS) www.energyrating.gov.au
Energy Efficiency www.resourcesmart.vic.gov.au

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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: (SMP, p. 13) • Taps: 5 star • Toilets: 4 star • Showers: 3 star • Dishwashers 5 star	Satisfactory.	1
Water for Toilet Flushing	30,000-litres of rainwater storage used for toilet flushing (end-of-trip facilities and at least 30% of commercial office levels) (SMP, p. 45).	Satisfactory.	1
Water Meter	All tenancies will be provided with individual authority meters, and all major base-building systems will be individually sub- metered to allow for effective building tuning (SMP, p. 8).	Satisfactory.	1
Landscape Irrigation	Common area (drought tolerant native and exotic) landscaping will be supplied from the rainwater system and will use generally use water-efficient drip irrigation where appropriate (SMP, p. 14).	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: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
Water Services Association of Australia www.wsaa.asn.au
Water Tank Requirement www.makeyourhomegreen.vic.gov.au
Melbourne Water STORM calculator www.storm.melbournewater.com.au
Sustainable Landscaping www.ourwater.vic.gov.au

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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 126% STORM score has been submitted that demonstrates best practice and relies on ~1,450 m² of roof connected to 30,000 litres of rainwater storage connected to irrigation and toilet flushing for 30% of amenities, and an additional 745 m² of terrace areas directed to an 8 m² raingarden (SMP, p. 45).	Satisfactory.	1
Discharge to Sewer	Post-development peak discharge will not exceed the pre- development peak discharge rate (SMP, p. 16).	Satisfactory	1
Stormwater Diversion	A rooftop catchment of 1,450 m² diverts stormwater to the 30,000-L rainwater tank (SMP, p. 46).	Satisfactory.	1
Stormwater Detention	A 30,000-L rainwater tank is located in basement 3 (TP209).	Satisfactory.	1
Stormwater Treatment	Captured stormwater is used for flushing, with an additional 745 of trafficable terraces directed to an 8 m² raingarden before discharge, leaving 341 m² untreated (SMP, p. 45).	Satisfactory.	1
Others	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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	At least 6% of the project's value will consist of sustainable products (reused, recycled content, EPDs or third-party certification) (SMP, p. 15).	Prior to construction, confirm the project value adhering to the recycling target, and clarify % of recycled materials proposed.	3
Embodied Energy of Concrete and Steel	At least 95% of all structural steel used in the project will be sourced from a Responsible Steel Maker; and at least 60% of reinforcing steel used in the project will be produced using energy-reducing processed in its manufacture (SMP, p. 15).	Consider an approach to concrete that reduces Portland cement content via recycled aggregates or Ground-granulated blast-furnace slag (GGBFS).	4
Sustainable Timber	At least 95% of timber used in the project will be reused or will be from FSC or PEFC certified forests (SMP, p. 15).	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 flooring, pipes, cables and blinds used in the project will be GBCA approved Best Practice PVC or PVC- alternative materials (SMP, p. 15).	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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

6. Transport

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Minimising the Provision of Car Parks	Car parking for 213 cars proposed in three basement levels (TP00).	Satisfactory.	1
Bike Parking Spaces	132 secure bicycle parking spaces for use by office and retail workers, and 28 publicly accessible spaces provided (SMP, p. 12 & TP212).	Satisfactory.	1
End of Trip Facilities	End of trip facilities have been provided in the form of 16 showers and 132 lockers (SMP, p. 12).	Satisfactory.	1
Car Share Facilities	Car share locations are identified in the Green Travel Plan, however are not within convenient proximity to the subject site (GTP, p. 11).	Consider partnering with a car-share provider to locate a pod outside or within the site for convenience to staff.	4
Electric vehicle charging	The development will support the use of electric vehicles by providing electric vehicle charging points to at least 5% of all parking spaces in the development (SMP, p. 12)., with 11 EV parking spaces indicated in basement 3 (TP00).	Satisfactory, however consider pre-wiring additional spaces for EV charging to future proof the development.	4
Green Travel Plan	A Green Travel plan has been provided.	Amend GTP to include reference to provision of EV charging infrastructure.	3

*** Council Assessment Ratings:**

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

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

7. Waste Management

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Construction Waste Management	The contractor will prepare a construction waste management plan for the project and will divert at least 90% of all demolition and construction waste from landfill (SMP, p. 15).	Satisfactory.	1
Operational Waste Management	An operational Waste Management Plan has been provided, along with spatial provision for waste management with a bin storage room located on the ground floor (TP212).	Satisfactory.	1
Storage Spaces for Recycling and Green Waste	The WMP considers recycling throughout, however only indicates organic waste for the food & beverage use on the ground floor (WMP, p. 4).	Given that organic waste makes up to 40% of general waste, and the office component is expected to generate 8,712-L of general waste per week, there is a need to extend organic waste management to the office component. Revise strategy and amend WMP accordingly.	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: 7. Waste Management
Construction and Waste Management www.sustainability.vic.gov.au
Preparing a WMP www.epa.vic.gov.au
Waste and Recycling www.resourcesmart.vic.gov.au
Better Practice Guide for Waste Management in Multi-Unit Dwellings (2002)
www.environment.nsw.gov.au
Waste reduction in office buildings (2002) www.environment.nsw.gov.au

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

8. Urban Ecology

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
On Site Topsoil Retention	There is no productive topsoil on this site.	-	N/A
Maintaining / Enhancing Ecological Value	At least 13% of the site area will be covered by vegetation, with provision on ground floor, level 1, 2, 4, and 6 (Landscape Plan).	Satisfactory.	1
Heat Island Effect	No information has been provided.	Provide a statement as to how the development responds to, and mitigates urban heat. Consider alternatives to the exposed masonry (i.e. brick) ground floor component there is risk of heat gain which may require additional response (i.e. climbing vegetation along the façade). In addition, identify SRI values of external materials.	3
Other		-	
Green wall, roofs, facades	No information has been provided.	Consider a green roof or wall to improve the ecological value of this site.	4

*** Council Assessment Ratings:**

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

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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	The proposal has targeted 8 innovation credits in the GS pathway, including: • **Soft Landings Commissioning** • **Ultra-Low VOC Paints** • **Air-Tightness Testing** • **Financial Transparency** • **Green Cleaning** • **Grounds keeping Practices** • **Procurement and Purchasing** • **BREEAM: Design for Robustness**	While all valuable initiatives, we recommend reducing reliance on the following credits for the 5-star rating. Ultra-low VOC paints, Financial transparency, and Grounds keeping practices from the GS pathway and focus on other credits such as 25.1 Heat Island Effect Reduction as mentioned above.	2
Innovative Social Improvements	-	-	-
New Technology	-	-	-
New Design Approach	-	-	-
Others	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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	The building owner will implement a building tuning process for at least the first 12 months after occupation, with an Independent Commissioning Agent will be engaged during the design phase to advise, monitor and verify the commissioning and tuning processes S(MP, p. 8).	Satisfactory.	1
Building Users Guide	Prior to occupancy, a Building User Guide (BUG) will be developed for use by the residents. The BUG will use non- technical language help facilitate more sustainable behaviour by building occupants and more efficient use of the building systems (SMP, p. 8).	Satisfactory.	1
Contractor has Valid ISO14001 Accreditation	The contractor engaged for the construction will hold ISO14001 certification. (SMP, p. 9).	Satisfactory.	1
Construction Management Plan	The contractor will prepare and implement a Best Practice project-specific EMP at the start of construction. (SMP, p. 9).	Satisfactory.	1
Others	-	-	-

*** Council Assessment Ratings:**

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

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

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Global South

Urban Design Review

Proposed commercial office development, 173-177 Barkly Avenue, Burnley (PLN20/0868)

Prepared by Simon McPherson

June 2021

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

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1.0 Introduction

1.1 Process and involvement

I have been asked by Yarra City Council officers to prepare a report comprising urban design review and advice, regarding the proposed commercial office development at 173-177 Barkly Avenue, Burnley.

In preparing this review, I have:

- Accessed from Council's website and reviewed the application package, including:
  - Town Planning Report (Human Habitats, 28 March 2021);
  - Architectural Plans (Gray Puksand, 27/11/2020);
  - Additional Plans: Food and Drink Premises (Gray Puksand, 25/03/2021);
  - Shadow Studies (Gray Puksand, 10/02/2021);
  - Landscape Planning Package (Site Image Landscape Architects, November 2020).
- Reviewed the applicable provisions of the Yarra Planning Scheme relating to urban design;
- Visited the site and surrounding area on 14 May 2021. The photos in this report are my own, except where specified.

1.2 Qualifications and experience to prepare this Review

1.2.1 Qualifications and registrations

(1) My academic qualifications are as follows:

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

(2) My professional registrations and memberships are as follows:

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

(3) I am engaged on the following professional organisations:

- Member, **Victorian Design Review Panel**;
- Member, **Design Review Panel for South Australia**;
- Member, Latrobe University Design Review Panel;
- Global Advisor, United Nations Global Compact – Cities Programme (discontinued);
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand (discontinued).

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1.2.2 Experience

Professional experience

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

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

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

Project experience

(6) My urban design experience includes the following projects:

- Policy and guidelines:
  - Author/contributor, *Better Placed*, NSW Architecture and Urban Design Policy, Government Architect NSW (2016-17). Benchmark design policy, winner Australia Award for Urban Design 2017;
  - Contributor (State Government employee), *Design Guidelines for Higher Density Residential Development*, *Activity Centre Design Guidelines*;
  - Contributor, SA *Medium-Density Design Guidelines*;
  - Lead consultant, Urban Design Guidelines, Bowden, SA (SJB Urban, 2015);
- Urban Design Advice:
  - Eden/Haven/Sanctuary on the River, Abbotsford, for HAMPTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
  - Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
  - Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews:
  - Regular independent reviews of permit applications, for Councils including Melbourne, Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
  - Footscray Built Form Review 2020, for Maribyrnong City Council;
  - Tarneit Major Town Centre: Economic Impact Assessment and Design Review 2018, for Wyndham City Council;
  - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
  - 1160 Sayers Road, Tarneit, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
  - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008;

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- Brighton Toyota Site UDF, for LEFTA Corporation;
- Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
- Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).

- Master Plans and Concept Designs
  - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
  - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
  - 433 Smith Street (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
  - Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
  - Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Experience preparing expert evidence

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

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2.0 Context

2.1 Strategic context

2.1.1 Zoning

The subject land is situated within the **Commercial 2 Zone (C2Z).** The purposes of this Zone include:

- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

2.1.2 Schedule 2 to the Design and Development Overlay (DDO2)

The subject land falls within **Design and Development Overlay 2 (DDO2): Main Roads and Boulevards.**

DDO2 includes the following design objectives:

- *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
- *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
- *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
- *To encourage high quality contemporary architecture.*
- *To encourage urban design that provides for a high level of community safety and comfort.*
- *To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.*

DDO2 provides the following decision guidelines:

- *The contribution of the proposal to the streetscape.*
- *The design, height and visual bulk of the development in relation to surrounding land uses and developments.*
- *The design, height and form of the development in relation to the built form character of the street.*

2.1.3 Schedule 5 to the Design and Development Overlay (DDO5)

The subject land falls within **Design and Development Overlay 5 (DDO5): City Link Exhaust Stack Environs**, which includes the following design objectives:

- *To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.*
- *To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.*

The assessment of the proposed development against DDO5 is beyond my expertise.

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2.1.4 Schedule 1 to the Significant Landscape Overlay (SLO1)

The subject land is also located within **SLO1: Yarra (Birrarung) River Corridor Environs**.

The landscape character objectives to be achieved include:

- *To retain vegetation that contributes to landscape character, heritage values or neighbourhood character.*
- *To maintain and protect linear public open space and provide for secluded areas of public open space with access to the river where appropriate.*

2.1.5 Planning Policy Framework

The following clauses are applicable to the subject site and proposal. Relevant content from these clauses is raised below in the context of my assessment of the proposal.

Clause 15 Built Environment discusses Urban Design objectives and strategies:

- **15.01-1S Urban Design** provides strategies for safe, healthy, functional and enjoyable urban environments. Strategies include:
  - *Require development to respond to its **context in terms of character, cultural identity**, natural features, surrounding landscape and climate.*
  - *Ensure development **contributes to community and cultural life** by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
  - *Ensure development **supports public realm amenity and safe access** to walking and cycling environments and public transport.*
  - *Ensure that the design and location of **publicly accessible private spaces**, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
  - *Ensure that development provides **landscaping** that supports the amenity, attractiveness and safety of the public realm.*
- **15.01-2S Building design** guides buildings which contribute positively to context and enhance the public realm, including responding to the strategic and cultural context of the location.
- **15.01-4R Healthy neighbourhoods - Metropolitan Melbourne** seeks to create a city of 20-minute neighbourhoods;
- **15.01-5S Neighbourhood character** seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place, including by emphasising the heritage values and built form that reflect community identity.
- **15.02-1S Energy and resource efficiency** promotes consolidation of urban development and integration of land use and transport.
- **15.03-1S Heritage conservation** encourages *appropriate development that respects places with heritage values*, and seeks to *ensure an appropriate setting and context for heritage places is maintained or enhanced.*

Clause 17.02-1S Business encourages *development that meets the community's needs for retail, entertainment, office and other commercial services.* Strategies include *ensuring commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure*; and *locating commercial facilities in existing or planned activity centres.*

2.1.6 Local Planning Policy Framework

Yarra's Local Planning Policy Framework includes the following clauses applicable to the subject site and proposal.

Clause 21.03 Vision states that *Yarra will have a distinctive identity as a low-rise urban form, with areas of higher development and highly valued landmarks*, and that *all new development will demonstrate design excellence.*

Clause 21.04-3 Industry, office and commercial seeks to *increase the number and diversity of local employment opportunities*, including *commercial and office use in existing industrial areas.*

Clause 21.05-2 Urban Design includes the following objectives and strategies:

- *To ensure that new development contributes positively to Yarra's urban fabric.*
- *Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*
- *To enhance the built form character of Yarra's activity centres.*
- *Require development within Yarra's activity centres to respect and not dominate existing built form.*
- *Support new development that contributes to the consolidation and viability of existing activity centres.*

Clause 21.05-3 Built form character seeks to improve the built form character of transport corridors.

Clause 21.08-2 Neighbourhoods – Burnley, Cremorne, South Richmond describes this neighbourhood as an eclectic mix of commercial, industrial and residential land use, with excellent public transport access.

The Neighbourhood Map identifies an area which includes the subject land, for *support (of) industry, offices and service business.*

The Built Form Character Map locates the subject land in Area 3: Non-residential areas, with the requirement to *improve the interface of development with the street.*

Clause 22.10 Built Form and Design Policy seeks to:

- *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.*
- *Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.*
- *Limit the impact of new development on the amenity of surrounding land, particularly residential land.*
- *Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.*
- *Create a positive interface between the private domain and public spaces.*
- *Encourage environmentally sustainable development.*

This Clause then provides extensive guidance for urban design outcomes.

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2.2 Built form context

2.2.1 Site location and local context

The subject land is a corner site located on the northern side of Barkly Avenue and the eastern side of Adam Street.

Barkly Avenue is a busy road which extends from the southern end of Burnley Street to the west, and into Twickenham Crescent and Yarra Boulevard to the east. It runs along the interface to the Citylink freeway which is below-grade in this location.

Adam Street is a predominantly residential street running north-south between Barkly Street and Madden Grove to the north.

The subject land is one of severala larger lots containing commercial/warehouse uses along Barkly Avenue, which interface to low-scale, fine-grain residential areas to the north, and the freeway and Yarra River corridors to the south, placing it at the interface of highly contrasting contextual conditions.

This position makes the site potentially visible from a range of locations, including nearby roads and the river corridor.



Figure 01: Houses on Adam Street adjacent to the subject land.



Figure 02: Subject land (right) with adjoining houses on Adam Street.



Figure 03: Subject land, southern interface, looking across Barkly Avenue.



Figure 04: Subject land (red brick buildings) and adjoining building to the east, looking west along Barkly Avenue.

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Figure 05: Subject land, Adam Street interface.



Figure 06: Rear of the subject land, looking west across the car park at the rear of the adjoining site at



Figure 07: Aerial photo of the subject land (centre, red marker) in its local context (image source: Google).



Figure 08: Aerial view of the subject land (centre, red marker) in the context of the Yarra River, Citylink freeway and local built form (image source: Google).

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2.2.2 Interfaces

The site's immediate interfaces comprise:

North:

Single-storey cottage house at 39 Adam Street, in the General Residential Zone (GRZ2), but not in the Heritage Overlay. This house is built to its southern side boundary, interfacing the subject land, with no windows at that interface.

The rear part of the residential property at 180 Stawell Street also interfaces the subject land.

The rear laneway between these houses, St Louis Place, terminates that the northern boundary of the subject land.

West:

Adam Street, which is approximately 19.5m wide including footpaths, and contains parallel parking on the western side, and angled parking on the eastern side.

Opposite the subject land, a 2-storey brick commercial building exists at the corner of Adam Street and Barkly Avenue, adjacent to a contemporary 4-storey commercial building with 3-storey street wall, at the corner of West Street. Low-scale residential built form exists north of West Street, but including a 3-storey flats building at 46 Adam Street.

South:

Barkly Avenue, which is approximately 19.5m wide including footpaths and the Barkly Avenue Reserve, which is up to 30m wide, but is 'isolated' between Barkly Avenue and the freeway cutting, so appears to attract little use and lacks maintenance.

East:

2-storey commercial building at 182-184 Stawell Street (corner Barkly Avenue), with zero (0m) setbacks to both streets and a rear at-grade car park. This site has the same depth from Barkly Avenue as the subject land, but is slightly narrower, and is seen as a potential redevelopment site.



Figure 09: Built form opposite the subject land on Adam Street, including a 4-storey commercial development and 2-storey brick commercial building, with West Street at right.



Figure 10: Houses on the western side of Adam Street.

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Figure 11:Barkly Avenue, looking west from the subject land, with the Barkly Avenue Reserve opposite (at left).



Figure 12: Existing 2-storey built form adjoining the subject land to the east, at 182-184 Stawell Street (Stawell Street frontage).

2.2.3 Proximity and access

The subject land benefits from proximity to public open space (Golden Square Bicentennial Park - 240m walking distance), public transport (Burnley Station – 250m walk), the Swan Street Major Activity Centre and tram corridor (500m walk approx., via pedestrian underpass aligned with Stawell Street), and a local centre on Madden Grove (320m walk).

2.2.4 On-site built form

The subject site is occupied by a single-storey brick commercial building with high sawtooth roof. The building is set back from both street frontages to provide for car parking areas, with a tall brick boundary wall along the Adam Street frontage and part of the Barley Avenue frontage at the corner.

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Figure 13: Existing building on the subject land, and boundary wall to Adam Street.



Figure 14: Existing building on the subject land, at Barkly Avenue frontage.

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2.2.5 Surrounding built form

The local context comprises predominantly commercial buildings along Barkly Avenue and into Burnley Street (low-scale, 1-2 levels), and traditional, fine-grain residential areas with some medium-density buildings behind these main roads (low-scale, 1-3 levels), as shown below.



Figure 15: Commercial built form along the north side of Barkly Avenue, looking west towards Burnley Street.



Figure 16: Commercial built form along the north side of Barkly Avenue, including the subject land.



Figure 17: Adam street, looking north towards the rail corridor and Swan Street Major Activity Centre beyond.



Figure 18: Stawell Street residential setting.

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Figure 19: Housing on Cherrill Street (north side).



Figure 20: Contemporary residential infill development, Cherrill Street (south side).



Figure 21: Adam Street residential flat buildings.



Figure 22: Housing on Adam Street (east side) looking south towards the subject land.

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2.3 The proposal

2.3.1 Configuration

The proposal is for an 8-storey building (plus basement) arranged as follows:

- Basement (3 levels): car parking, and building services;
- Ground Floor: Restricted retail tenancy, food and beverage tenancy, entry lobby, central courtyard, bike storage and end-of-trip facilities, vehicle car park entry, and building services;
- Levels 1-7: Office space around central core, with varied outdoor terrace spaces on Levels 2, 4 and 6.

The building form is configured as follows:

- Barkly Avenue interface:
  - 6-storey street wall with zero/0m setback (Levels G-5), with inset windows and central recess behind the façade spanning Levels 2-5;
  - Setback 3.8m – 4.0m approx. to Levels 6-7.
- Adam Street interface:
  - 6-storey street wall with zero/0m setback (Levels G-5), with inset angled windows
  - Setback 2.75m to Levels 6-7.
- Rear (north) interface:
  - Ground Floor setback 6.13m from boundary to northern wall to bike store;
  - 15.25m setback to northern wall of café tenancy;
  - 7.8m setback to overhang edge of Level 2;
  - Increasing setbacks to upper levels;
  - 20.545m setback to Levels 6-7.
- Side (east) interface:
  - Built to boundary at Levels G-5, with recess/light court spanning Levels 2-5;
  - Setback 3.25m approx. to Levels 6-7.

Therefore, the building form generally comprises a 6-storey mass/street wall form, expressed as a solid, robust form, with two upper levels set back, with more lightweight expression, and with incrementally increasing setbacks to the rear residential interface.

2.3.2 Heights

The overall building height is dimensioned as 34.4m – 35.3m.

Floor-to-floor heights are 4.8m at Ground Floor, and 3.8m at all other levels.

The street walls are approximately 23.8m - 24.7m in height.

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3.0 Review of the proposed development

3.1 Is the built form siting appropriate?

3.1.1 Guidance

DDO2 includes the following design objectives:

- *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
- *To encourage urban design that provides for a high level of community safety and comfort.*

DDO2 provides the following decision guidelines:

- *The contribution of the proposal to the streetscape.*
- *The design, height and visual bulk of the development in relation to surrounding land uses and developments.*
- *The design, height and form of the development in relation to the built form character of the street.*

Clause 21.05-2 Urban Design includes the following objectives and strategies:

- *To enhance the built form character of Yarra's activity centres.*
- *Require development within Yarra's activity centres to respect and not dominate existing built form.*

15.01-2S Building design guides buildings which contribute positively to context and enhance the public realm.

15.01-5S Neighbourhood character seeks to ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.

Clause 21.08-2 Neighbourhoods – Burnley, Cremorne, South Richmond includes a requirement to *improve the interface of development with the street.*

Clause 22.10 Built Form and Design Policy seeks to *ensure that new development positively responds to the context and respects the scale and form of surrounding development*, and *creates a positive interface between the private domain and public spaces.*

3.1.2 Assessment

The proposed siting provides for zero (0m) setbacks to both street frontages. This is appropriate in the commercial context, and aligned with other commercial buildings nearby. It also supports the provision of active frontages to the streetscapes, which is assessed below.

The proposed 0m side setback to the adjoining site to the east is also appropriate, and reflects existing conditions, while also supporting equitable outcomes if that site was to be redeveloped in the future.

It is also considered appropriate to provide clear setbacks at Ground Floor (and upper levels) to the northern residential interface, in response to this transition between different zones, and from small-scale residential to large-scale commercial.

The three-dimensional massing of this interface is assessed further below, but the siting (at Ground Floor), which positions built form 6.1m-15.3m from the boundary, is considered acceptable.

I am therefore supportive of the building siting as proposed.

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3.2 Is the proposed land use appropriate?

3.2.1 Guidance

The **Commercial 2 Zone (C1Z)** seeks to *encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*

Clause 15.01-1S Urban Design seeks to *ensure development contributes to community and cultural life by improving the quality of living and working environments*, and *supports public realm amenity and safe access.*

Clause 15.01-4R Healthy neighbourhoods - Metropolitan Melbourne seeks to *create a city of 20-minute neighbourhoods*, bringing homes within 20-minute access to employment, education, community infrastructure and other regular destinations.

Clause 15.02-1S Energy and resource efficiency promotes consolidation of urban development and integration of land use and transport.

Clause 17.02-1S Business encourages *development that meets the community's needs for retail, entertainment, office and other commercial services*, including *locating commercial facilities in existing or planned activity centres.*

Clause 21.04-3 Industry, office and commercial seeks to *increase the number and diversity of local employment opportunities.*

Clause 21.05-2 Urban Design supports *new development that contributes to the consolidation and viability of existing activity centres.*

3.2.2 Assessment

Commercial office

While the subject proposal is not in an activity centre, it is within walking distance of the Swan Street Major Activity Centre and Burnley Train Station, as noted above, close to other commercial buildings along Barkly Avenue and adjoining roads, and the C2Z zoning supports commercial office space, while acknowledging that Barkly Avenue is not an appropriate setting for residential use.

Restricted retail

A showroom or similar retail store is also appropriate to this location, being outside the activity centre but in a prominent position on a busy road. This retail use can provide for activation/passive surveillance opportunities to both streetscapes.

Food and beverage

This use will also support activity around the building, and invite people external to the building, to utilise it. The nearest café currently is approximately 350m walk (Seratonin, corner Madden Grove and Stawell Street), which is an easy walk, but the proposed café will provide more immediate access, and social/interaction opportunities, for the building and other commercial and residential buildings nearby.

I therefore consider the proposed land uses to be responsive to the zoning and context.

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3.3 Is the building height and massing appropriate?

3.3.1 Guidance

DDO2 seeks to *recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design*, and to *maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development*.

Decision guidelines include the *contribution of the proposal to the streetscape*, the *design, height and visual bulk of the development in relation to surrounding land uses and developments*, and the *design, height and form of the development in relation to the built form character of the street*.

3.3.2 Building height assessment

The Yarra Planning Scheme does not provide specific guidance for building height and massing in this location, noting that the subject land is not in an activity centre.

The local built form context is low-scale (1-3 levels).

There is not a clear emerging/redevelopment context in this location. A nearby proposal at 45 Gibdon Street (corner Twickenham Crescent, 230m from the subject land) of up to 8 storeys for residential use, is yet to receive a decision from VCAT, I am advised.

However, the subject land is a large site on a busy road in a commercial setting, with just one sensitive interface, and so presents opportunity for increased scale.

It is reasonable to expect that other commercial sites in this locality will also be redeveloped over time, because they are highly accessible and well-located for public transport and other facilities.

Barkly Avenue does not contain built form on its southern edge, so the proposal faces a broad open road environment to the south. While Barkly Avenue is approximately 19.5m wide, the combined width with the adjacent Reserve is up to 33m approximately, with the embankment down to Citylink beyond that.

Across Adam Street, the subject land faces other commercial sites which are not sensitive.

The expression of the street wall to both street frontages reflects horizontal proportions (greater width than height), and emphasises a 'grounded', 'squat' and robust character, which is responsive to the local commercial/industrial context, even though it is higher in scale.

The upper-level form is visually lighter, more recessive and reads visually as a roof form (refer Town Planning Report, Figures 24 and 27).

While I consider the massing relationship to the sensitive residential interface to the north below, I consider the proposed building height to be acceptable.

3.3.3 Building setbacks assessment

Front and side setbacks

As noted above, I am supportive of the zero (0m) setbacks to the street frontages.

The upper-level setbacks of approximately 4.0m to Barkly Avenue and 2.75m to Adam Street are considered sufficient, given the non-sensitive direct interfaces and the distinct expression of the upper-level form. The upper levels 'read' as adequately recessive and distinct from the

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more robust, solid building 'base' in the perspective views (refer Town Planning Report, Figures 22 and 24).

The proposed upper-level side setback of 3.244m is also appropriate, in that it provides for at least 6m separation between facing windows to commercial spaces, if the neighbouring site was to be redeveloped with an equivalent side profile, which I consider acceptable.

Rear (north) setbacks

The proposed development is configured to step away with increasing height from the neighbouring low-scale house to the north, which is an appropriate response in principle.

The Ground Floor built form is substantially set back from the boundary as outlined above, and the proposed car park vehicle entrance is defined by a series of open portal frames with reflect the shape and scale of nearby houses.

However, the massing relationship is largely defined by the extent of built form at Levels 2, 4 and 6, which comprise extended and overhanging edges to the expressed façade grid of the street wall. The setbacks are as follows:

- Level 2 edge: 7.537m
- Levels 2-3 glazing: 10.056m
- Level 4 edge: 8.790m
- Levels 4-5 glazing: 12.056m
- Level 6 edge: 10.642m

Levels 6 and 7 are set back a substantial distance from the northern boundary, as noted above.

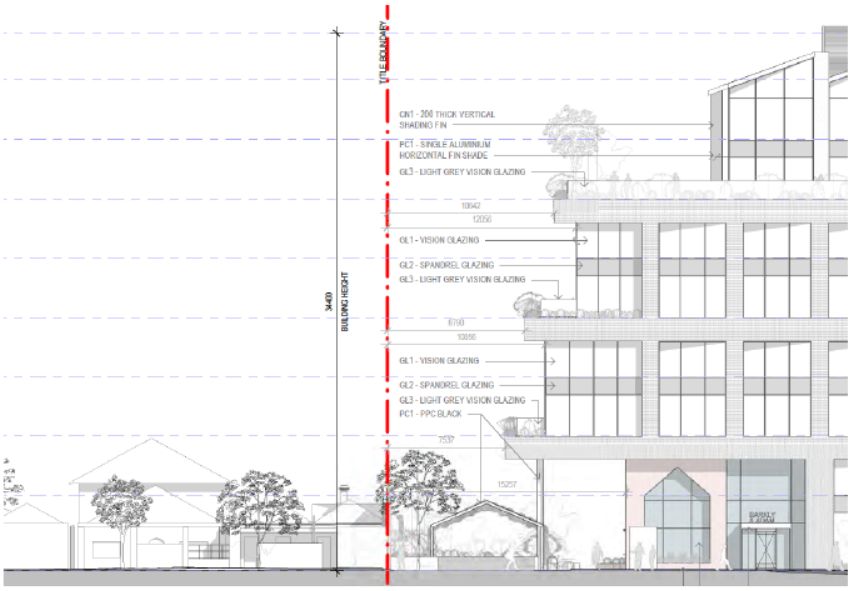


Figure 23: Proposed building profile to northern residential interface (excerpt from West Elevation, drawing TP250)

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Figure 24: Perspective view of proposed northern interface (excerpt from Town Planning Report, Figure 22).

It is noteworthy that the adjacent houses at 39 Adam Street (adjoining) and 37 Adam Street will not have direct visibility of the proposal except from their rear private open spaces, and that they will not be overshadowed by it, being to the north of the subject land.

It is also noteworthy that the proposal includes demolition and rebuilding of the existing boundary wall on the northern boundary (refer note on Ground Floor Plan, drawing TP212). This partly visible in the perspective view above (Figure 24), and appears to be quite tall. The rationale for this reconstruction of the boundary is unclear. It is not shown in the North Elevation, while Section 1 at drawing TP260 indicates a boundary fence which appears to be lower in height than shown above. This boundary condition requires clarification.

Recommendation 1:

Clarify and confirm the proposed northern boundary wall conditions, and the rational for this.

The proposed development has a substantial, bulky and 'massive' (i.e. reflecting visual 'mass', rather than appearing very large) appearance in Adam Street, as shown above. This creates a stark contrast to the low-scale, fine grain residential setting to the immediate north.

While a degree of contrast and significant shift in scale is to be expected at this interface of Commercial and Residential Zones, the above perspective view (Figure 24) illustrates, in my opinion, that the proposed interface is too abrupt, and the form is visually overwhelming in relation to the adjacent context. The proposed building appears to 'rear up' excessively over the neighbouring houses, in my view.

Further, I consider that the 'open ended' expression to this interface, or extend, cantilevered elements, is disruptive to the otherwise gridded facade and tends to exacerbate the visual contrast. This is also demonstrated in the closer-up view, below (Figure 25).

I consider that this profile should be modified to be more recessive and more 'contained' visually within the strongly established façade pattern.

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Figure 25: Closer-up view of the proposed northern interface profile, with overhanging horizontal elements (excerpt from Town Planning Report, Figure 1).

Recommendation 2:

Apply a more recessive profile at the northern interface, which is more integral with the façade pattern of the proposed building, as indicated below. This would align to the proposed façade column at Levels 4-5, a new column at equivalent spacing at Levels 2-3, extending down to Levels G-1.

This could be accompanied by a distinct, lightweight and/or glazed canopy extension above Ground Level or Level 1.

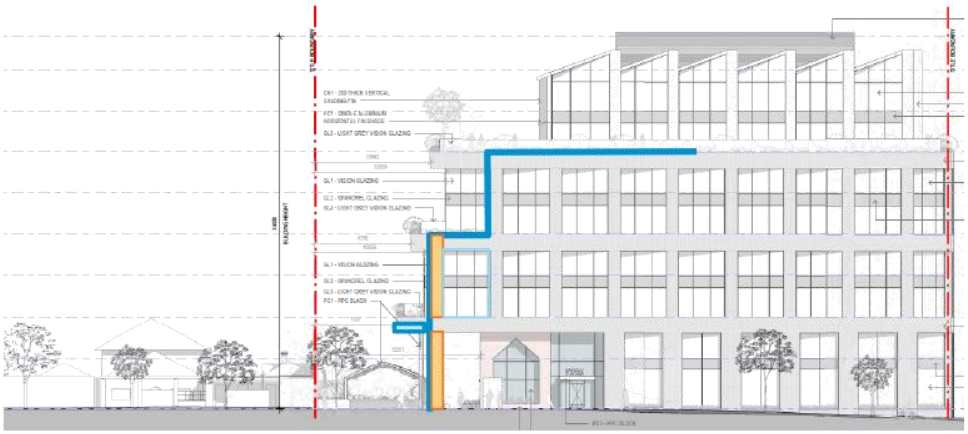


Figure 26: Excerpt from West Elevation (drawing TP250) with indication of recommended building profile to northern interface (blue outline), recommended continuation of redbrick façade grid (orange bands), and potential lightweight and/or glazed canopy extension.

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3.4 Are the public realm interfaces / frontages appropriate?

3.4.1 Guidance

DDO2 seeks to *encourage urban design that provides for a high level of community safety and comfort*. Decision guidelines include the *contribution of the proposal to the streetscape*.

Clause 15.01-1S Urban Design seeks to ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Clause 15.01-2S Building design guides buildings which contribute positively to context and enhance the public realm.

3.4.2 Assessment

Ground Floor frontages

The proposed restricted retail tenancy incorporates visually permeable frontages to both streets, to support activation and passive surveillance opportunities, through large, full-height windows, particularly during daytime hours when the retail tenancy is occupied.

The café tenancy will add to this activation, also presumably during daytime hours, along with the adjacent pedestrian entrance, and open 'laneway' access to the courtyard space, off Adam Street. These outcomes are supported.

The vehicle entrance off Adam Street is well-handled through its portal frame feature which is envisaged to accommodate planting, supporting a visually 'softer' and more attractive interface close to the residential context to the north. Similarly, the café frontage incorporates a pitched feature window which provides for visual interest and variation at the pedestrian interface, which is supported.

There is an additional vehicle entrance for loading off Barkly Avenue, between building services at the frontage, which occupies approximately 35% of the Barkly Street frontage.

Building services is beyond my expertise, but I recognise that technical requirements typically demand and extent of Ground Floor façade space for this purpose. However, the extent of these should be minimised in the façade, while noting that they appear to be effectively integrated within the façade design, through the use of louvred panels, within the overall façade grid pattern (but with vertical columns removed for this section of façade).

Traffic engineering is also not my area of expertise, however the necessity for two separate vehicle accessways raises questions, given the impact on façade activation. For example, could the loading function take place in the basement, and so utilise a single vehicle accessway?

However, I do not make specific recommendations given my limited expertise and the relevance of technical requirements.

Upper-level frontages

The extensive glazing to upper levels will also support activation, visual interaction and passive surveillance opportunities.

Café laneway configuration

The proposed laneway space to the immediate north of the café tenancy links to the central courtyard space, but incorporates sliding gates aligned to the rear of the café.

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While I recognise that these gates are required to secure the site and prevent access to the courtyard outside of office hours, I am not certain of the rationale for locating them at the rear of the café, rather than at the street frontage.

My concern is that when the gates are closed, this creates a deep recess in the building line, which presents potential safety, amenity and visual/aesthetic concerns, by creating a potential concealment space.

Recommendation 3:

Consider locating visually subtle gates at the street frontage to Adam Street, rather than at the rear of the café, to prevent creating a deep concealment space.

3.5 Is the architectural expression appropriate?

3.5.1 Guidance

Clause 15.01-1S Urban Design requires development to *respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*

Clause 15.01-2S Building design guides buildings which contribute positively to context and enhance the public realm.

Clause 21.05-2 Urban Design includes the following objectives and strategies:

- *To ensure that new development contributes positively to Yarra's urban fabric.*
- *Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.*
- *Support new development that contributes to the consolidation and viability of existing activity centres.*

3.5.2 Assessment

The building design is defined by a visually strong expression of red brickwork façade grids, which, large rectangular windows and a prominent sawtooth roof form.

These elements clearly reference the existing building on the subject land, and other commercial/industrial buildings nearby, and support an effective response to the context, in achieving a grounded, robust form and expression.

The street walls comprise a regular grid spanning two floor levels per module. This approach supports the robust, grounded appearance, creates a simplified façade expression, and tends to reduce the apparent vertical height, and so is supported.

The level of the Ground Floor is approximately 0.9m higher than the Barkly Avenue footpath level, resulting in the double-height windows being raised off the ground by that distance. Coupled with the substantial height of the windows (which span Ground and First Floors), this creates a condition where the streetscape façade interface is excessively tall in relation to pedestrian height, as the South Elevation shows (below).

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Figure 27: Excerpt from South Elevation, drawing TP251, showing the scale of pedestrians relative to the Ground/First Floor façade openings, and indication of recommended canopy over the streetscapes (blue outline).

Recommendation 4:

I consider that the introduction of a lightweight and/or glazed canopy over the footpath to both street frontages, at spandrel level above Ground Floor, would reduce the visual scale of the frontages, while also increasing public realm amenity.

At the rear (northern) interface, the regular façade grid is 'broken down' and the expression becomes more 'open-ended', with the horizontal bands extending outwards. Coupled with the café form which is set-in from the main façade, and the thin black columns supporting the Level 2 slab, this expression disrupts and undermines the otherwise regular, grounded and solid appearance of the lower levels of the building, which is a strong aspect of the design.

The extended floor slabs appear more lightweight and less integrated in the overall building. This makes the building appear less stable and grounded (see Figure 25, above), which is detrimental in my view, and exacerbates the sense of the building 'looming over' the lower-scale context to the north.

Recommendation 5:

I recommend, as indicated above at Figure 26, that the façade grid be reinforced at this interface by re-establishing vertical columns and removing cantilevered extensions to the north, with potential for a lightweight canopy extension over the Ground Floor space, if required.

This will support a more stable, grounded impression which I consider an important part of the contextual response, as well as a more recessive profile to the sensitive northern interface.

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4.0 Conclusion

The proposed development at 173-177 Barkly Street represents a strategically-appropriate intensification of commercial activity in an established commercial location, but outside an activity centre, and interfacing to residential areas. It is a considered design response to the commercial/industrial context, and addresses the subject land's varied contextual conditions through built form massing and profiles, while also contributing to the public realm through enhanced, activated frontages to both streets.

The design establishes a relatively high 6-storey street wall condition to the street frontages, but stepping down towards the northern residential interface, and with two upper levels set back and with a distinct, lighter expression reflecting an industrial roof form.

This approach establishes an appropriately robust, grounded main building form, which holds the street edges, supported by red brickwork reflecting the local context.

The northern interface to low-scale, fine-grain residential development requires an effective transition in building form and scale. While the proposal provides a setback profile, more open expression and incremental stepping-back from this interface, I consider that this part of the proposed building requires further design resolution, and increased upper-level setbacks, to support a more responsive interface and transition.

Apart from this aspect and other 'detailed' design recommendation set out above, I consider the proposal to be generally supportable from an urban design perspective.

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City of Yarra
333 Bridge Road
Richmond, Victoria, 3121

25 May 2021
Ref: 30N-21-0216-GCO-13529-0

Dear John Theodosakis,

173-177 Barkly Avenue, Burnley - Peer Review

This peer review of MEL Consultants "Environmental Wind Speed Measurements on a Wind Tunnel Model of the 173 Barkly Avenue Development, Burnley" (Report: 06-21-WT-ENV-00) is based on Vipac's experience as a wind engineering consultancy. No wind tunnel studies have been undertaken to support this review.

Vipac has reviewed the wind tunnel test report and have the following comments:

i. The wind tunnel test was carried out in February 2021 and the model was based on the design drawings dated November 2020.

ii. Vipac has no issues with the methodology, wind sampling technique and environmental wind criteria.

iii. A total of 43 locations were tested, 10 locations of which were tested on the terraces. Vipac has no issues with the spread along Barkly Avenue, Stawell Street and Adam Street. The findings from the report can be summarised as follows:
   a) All pedestrian pathways, except location 14a, in the public realm measured wind speeds within at least the walking comfort criterion with proposed conditions. Vipac has no issues with this and the mitigation strategy introduced to resolve the issue at Location 14a.
   b) Entrances into the proposed developments measured wind speeds within the recommended standing comfort criterion. Vipac has no issues with this.
   c) The terraces on Levels 2, 4 & 6. All locations measured wind speeds within at least the walking comfort criterion. Vipac has no issues with this.
   d) The safety criterion is satisfied in all locations except locations 14a and T7 with proposed conditions. Vipac has no issues with this, and the mitigation strategies introduced to resolve the issue at Locations 14a and T7.

   The plans show a proposed seating area north of the Food and Beverage tenancy on the ground floor. This can be represented by location 19 and it measured wind speeds within the standing comfort criterion. Mel Consultants suggested "ground level outdoor sitting areas (elective) to fulfil Standing". Vipac recommends the more stringent sitting criterion is more appropriate, however this is based on the intension of the design and part of the leasable space of tenancy. MEL Consultants should confirm whether the standing comfort criterion is appropriate.

iv. In Section 4.7, MEL Consultants have stated Test Location T7 meets the sitting criterion after mitigating measures were introduced. However, Table 6 shows this test location meets only the standing criterion.
   a) MEL Consultants should provide clarification.

v. Gust criteria plots in Appendix A is missing.
   a) MEL Consultants should append the Gust criteria plots for the completeness of the report.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

In conclusion, the MEL Consultants "Environmental Wind Speed Measurements on a Wind Tunnel Model of the 173 Barkly Avenue Development, Burnley" (Report: 06-21-WT-ENV-00) report uses the proper analysis and methodology to measure the wind effects on the pedestrian level surrounding the proposed development. While most critique in this review are minor and are not expected to alter results, Vipac notes that confirmation should be made on whether a standing comfort criterion is appropriate for seating areas north of the Food and Beverage tenancy.

Yours sincerely,

Vipac Engineers & Scientists Ltd

Rumman Islam
Project Engineer

Eric Yuen
Wind Team Leader

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

29 October 2021

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Yarra City Council
PO Box 168
RICHMOND 3121

Attention: John Theodosakis

Dear John

173 Barkly Avenue, Burnley
Development Application Acoustic Review

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic report prepared to support the application for a commercial development at 173 Barkly Avenue, Burnley.

Details of the report are as follows:

- Title: 173-177 Barkly Avenue, Burnley, Acoustic Engineering Brief
- Date: 22 September 2020
- Prepared for: Cova Thinking Pty Ltd
- Prepared by: Cogent Acoustics

The report was prepared to provide acoustic design advice for the project, and includes information beyond the scope of traditional planning acoustics. Matters in the report that do not pertain to Town Planning have not been reviewed.

1 Project Background

(Sections 2 and 4 of the acoustic report)

The proposal, the site context and location of the nearest noise sources are described/identified in the report.

- The proposal is for a multilevel commercial building comprising:
  - Three levels of basement car parking and mechanical plant areas
  - Ground floor food and beverage tenancy, amenities and loading bay
  - 7 levels of offices, including terraces on levels 2, 4 and 6
  - Rooftop plant
- The nearest residents are identified as the single level dwellings to the immediate north, west and north east of the subject site.
- Noise impacts to the subject site are identified as road traffic noise from CityLink, which is approximately 50 m to the south.

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- Potential noise impacts from the subject development are identified in subsequent sections of the report as mechanical plant and music from the café.

SLR Comment: *The site context, the nearest noise sensitive receivers and noise impacts to the subject site have been identified.*

Other potential noise impacts from the subject development include: voice noise from the ground level outdoor areas and the north facing terraces, vehicle / carpark noise from the basement entry on Adam Street. The loading area is accessed from the south and is not overlooked by sensitive receivers.

2 Road Traffic Noise to the Subject Development

2.1 Noise criteria

(Section 6.1 of the report)

Cogent recommend designing to achieve a maximum continuous noise level of 35 dBA in order to meet Green Star requirements in all areas, including private offices. The Green Star requirement is equal to the lower end of the relevant AS/NZS2107 range, + 5 dB. Cogent note that the Green Star level should be met by the combined contribution of project mechanical plant and road traffic noise (i.e. lower levels of road traffic noise should be targeted).

SLR Comment: *The proposed criteria are representative of a high standard. The focus of our review is to ensure an acceptable minimum level of acoustic amenity is met in offices. To that end, we would consider it reasonable that the upper end of the AS/NZS2107 ranges for open plan areas are not exceeded, with an allowance of 3 dB for contribution from mechanical services (i.e. an internal noise limit for road traffic of 42 dBA). This would be readily met with the proposed Green Star based criteria*

2.2 Road traffic noise levels

(Section 5.2 and Appendix B of the report)

Road traffic noise measurements were not undertaken for this project due to COVID-19 lockdown conditions. Instead, Cogent have referenced noise data obtained for another project in close proximity to CityLink. Details of the measurement referred to are provided in appendix B. The measurement was undertaken approximately 1.2 km south west of the subject site, in the middle of the day, for a 5 minute period. The measured noise level was 78 dBA.

The measured level has been adjusted for the additional distance of the subject site from the CityLink. The adjusted noise level for the most exposed façade is 71 dBA. Lower noise levels are identified for other facades.

Cogent state that they consider the adopted noise levels to be conservative, but nevertheless recommend that road traffic noise be verified once traffic returns to typical levels.

SLR Comments: *The use of data for another project is reasonable given the lockdown conditions. The measure duration was very short (5 minutes) and there is potential for it to be unrepresentative of typical noise impacts.*

The measurement location overlooked traffic travelling towards the city only, as east bound traffic is in the Burnley tunnel at that point. Traffic emerges from the tunnel approximately 300 m west of the subject development, so the subject site will be exposed to road traffic noise from both directs. A correction for the additional traffic would be relevant.

Based on the information provided, and taking into consideration the contribution from eastbound traffic, it is possible that the site could be impacted by higher noise levels. However, Cogent propose to remeasure traffic noise under typical conditions. We agree that this should be done, preferably at an elevated location at the subject site, and for a longer measurement period.

2.3 Façade upgrades for noise control

(Section 11 of the report)

Glazing in the facades exposed to road traffic noise is proposed to be 10.38 mm thick laminated glass or double glazing comprising 10mm glass/12 mm air cavity / 4 mm glass.

***SLR Comments**: Our indicative calculations suggest that the less onerous design criteria SLR have considered (42 dBA for traffic alone) may be met with the proposed glazing, taking into consideration the increase in level due to eastbound traffic. However, there would be a higher risk of not meeting the Green Star criteria in all spaces (35 dBA) based on our evaluation.*

In summary, the provided assessment and advice is acceptable from a preliminary planning perspective, however the assessment should be updated with traffic noise measurements specific to the subject site, and to confirm that the Green Star criteria will be met, if the Green Start point is to be targeted.

3 Noise from the subject development

3.1 Environmental Noise Limits

(Section 6.5 of the acoustic report)

Noise from mechanical plant and equipment associated with the application is proposed to be assessed to SEPP N-1. The SEPP N-1 zoning levels have been presented as the noise limits due to the fact that the report was prepared during a COVID-19 lockdown, and ambient noise was both atypical, and unable to be measured.

The identified zoning levels are 57 dBA (day), 51 dBA (evening) and 46 dBA (night). The zoning map used to calculate limits is included as Appendix C.

***SLR Comment**: Subsequent to the report being issued, SEPP N-1 was replaced with Part I of the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, Publication 1826 (the Noise Protocol). The Vic EPA have confirmed that the new legislation will be applied retrospectively.*

The setting of noise limits and assessment methodologies in the new Noise Protocol are the same as those in SEPP N-1 in most instances, and the limits would not change for this project. Given this, there is no pressing reason to reissue the report to address the change in legislation. However, if it is revised, the report should reference the current legislation.

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Our calculated zoning levels are consistent with Cogent's. We agree that it is reasonable to use the zoning levels as interim noise limits in the absence of measured background noise data in this instance. However background levels should be measured when conditions allow, to confirm that the limits are correct.

3.2 Project mechanical plant

(Section 14.1 and 15 of the acoustic report)

Cogent provide a preliminary review of noise from project mechanical plant and identify that there is a risk of noise from the equipment, which is predominantly proposed to be mounted on the roof, to exceed noise limits. On these grounds they recommend that a full acoustic review be undertaken during the detailed design phase.

They also state that it would be the responsibility of the future commercial tenant to ensure that noise from any mechanical plant proposed for the café tenancy complies with the relevant legislation. Cogent observe that compliance is achievable.

SLR Comment: *The proposed approach is appropriate. SLR agrees that an assessment during detailed design is necessary. We note that the carpark supply and exhaust fan intake and discharge grilles are reasonably close to dwellings (ground and level 1), and noise from these elements may need to be addressed.*

3.3 Café Music

(Section 16 of the report)

Cogent state that background music played inside the proposed café is unlikely to impact noise sensitive receivers, however they recommend that a SEPP N-2 assessment be conducted if the tenant proposes to either:

- play higher levels of music
- host live music
- include outdoor dining
- broadcast music to outdoors
- remain open after 10 pm Monday to Saturday or 9 pm Sunday

SLR Comment: *Music is currently assessable to Part II of the Victorian EPA Noise limit and assessment protocol (Publication 1826). While the noise limits under Publication 1826 are consistent with SEPP N-2, the definitions of the day/evening and night periods have changed. Any future assessment of music noise should reference the current legislation.*

With respect to music noise emissions, the risk management measures Cogent propose are appropriate and can be expected to address impacts.

4 Other matters (not addressed in the report)

4.1 Patron noise from café

There café has externally paved areas on all sides, which may be used for outdoor dining. Given the proximity of the cafe to a residential area, patron voice noise impacts should be considered. Outdoor dining during business hours (e.g. 7 am to 6 pm Monday to Friday) is less likely to cause nuisance. However, if outdoor dining is proposed after 6 pm, or on the weekends, we would recommend that a patron noise assessment be provided by the future tenant. Guidance for patron noise criteria is provided in the city of Yarra document 'Guidelines – managing noise impacts in urban development', October 2019, Section 6.1.4.

4.2 Outdoor decks

The subject development includes north facing terraces on Levels 2, 4 and 6, in close proximity to existing dwellings. Refer to elevation below.



Voice noise from people on terraces has the potential to cause nuisance, particularly if the spaces are used by large numbers of people, and/or during the evening / night periods.

The level 2 terrace on this project is very narrow and unlikely to bye used by large numbers of people. The upper level terraces are larger but include increased setbacks from the closest dwellings.

Based on our review of the plans, voice noise from the terraces is likely to be acceptable if their use is generally restricted to office hours, as is likely to be the case for terraces associated with offices. If evening or weekend use is proposed, an acoustic report should be submitted demonstrating that noise impacts can be managed.

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4.3 Basement carpark entrance

The basement carpark entrance is directly opposite a number of existing dwellings. Given this, it will be important to ensure that noise from carpark access gates and from vehicles entering the carpark is controlled. Noise from any gates should comply with both sleep disturbance criteria and Publication 1826.

5 Summary

SLR have carried out a review of the acoustic report prepared to address noise to and from the commercial development proposed for 173-177 Barkly Street, Burnley. The report demonstrates that there are no acoustic reasons preventing the project from proceeding. However, a number of matters are not fully addressed in the current report and will require attention in the future:

- An indicative traffic noise assessment has been provided using data obtained from a different site. Cogent propose to update the assessment with appropriate noise data once road traffic has normalised following the COVID-19 lockdowns. SLR agrees that a reassessment is appropriate. We recommend that traffic measurements are made closer to the subject development, at an elevated location with a line of sight to the freeway.
- Background noise levels for the determination of noise limits have not been measured. It is recommended that background noise levels in the residential area are measured post lockdown, to ensure that the identified environmental noise limits are correct. This could be undertaken during the detailed design phase of the project as part of the detailed mechanical plant review (see below).
- A detailed assessment of noise from mechanical plant is proposed to be undertaken during the detailed design phase of the project. SLR agrees that an assessment is necessary for a development of this size in such close proximity to dwellings. Noise from the carpark entrance gate should also be designed to comply with both Publication 1826 and sleep disturbance criteria.
- An assessment of music noise assessment from the café is recommended if music is not restricted to background levels indoors only, during the day/evening period.

The following matters are not addressed in the report, and could be managed via condition:

- Use of the café outdoor area by patrons should be restricted to 7 am to 6 pm Monday to Friday unless a patron noise assessment is provided.
- Use of the north facing office terraces should be restricted to 7 am to 6 pm Monday to Friday unless an acoustic report is prepared demonstrating that noise impacts are acceptable.

The updated report should reference the current environmental noise legislation.

Regards,



Dianne Williams
Principal – Acoustics

Checked/Authorised by: JA

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Memorandum of Advice

Traffix Group

To:	John Theodosakis (Yarra City Council)	From:	Leigh Furness (Traffix Group)
Our Ref:	G30214M-01A	Date:	Wednesday, 15 September 2021

173-177 Barkly Avenue, Burnley – Proposed Commercial Development

Introduction

As instructed, please find following our traffic engineering review of a proposed commercial development located at 173-177 Barkly Avenue, Burnley. This memorandum reviews the appropriateness of the car parking provision only. Bicycle and motorcycle parking are also considered (as far as they relate to car parking), however other issues such as the design of the carpark or traffic impacts are not covered by this assessment.

In completing this review, we have been provided with the following documents:

- Development plans by Gray Puksand (undated, but the set was advertised by Council).
- Traffic Impact Assessment (TIA) by Impact (dated 27th November, 2020)
- Green Travel Plan (dated 8th February, 2021)

Proposal

The proposal is for a commercial development at 173-177 Barkly Avenue, Burnley. The table below provides a development summary.

The allocation of car parking is consistent with that detailed in the Impact TIA.

Table 1: Development Summary

Use	Size/Number	Car Parking Allocation	Car Parking Rate
Office	11,685m^2	187 spaces	1.6 spaces / 100m^2
Restricted Retail	746m^2	26 spaces	3.5 spaces / 100m^2
Food and Drink	98m^2	None	N/A
Car Parking Total	231 spaces		
Motorcycle Parking	18 spaces		
Bicycle Parking	160 spaces 11 showers/ changerooms		

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Transport Context

A map of public transport services in the Richmond area is provided in the figure below. The site is located with the Principle Public Transport Network Area (PPTN).

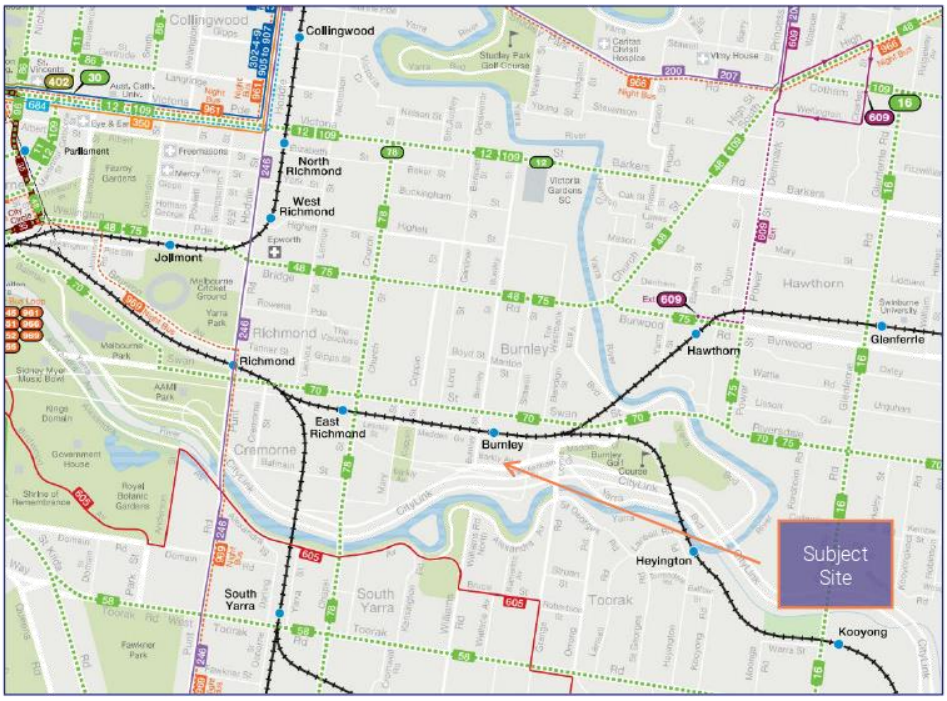


Figure 1: Public Transport Map (Source: PTV)

The site is 250m south of Burnley Station, although it is 650m to the station platforms due to poor pedestrian connectivity to the south side of the station. Burnley Sation is serviced by the Lilydale, Belgrave, Alamein and Glen Waverley Lines. It is two stops from Richmond and three stops from Flinders Street. Accordingly, it is well connected to metropolitan rail services.

The Route 70 Tram on Swan Street is 500m walking distance north of the site.

There are limited public transport connections in a north-south direct that a proximate to the site.

The site has good access to on and off-road bicycle infrastructure and is readily walkable from nearby areas.

We are satisfied that the site is generally well serviced by public transport services, including metropolitan rail, however we would not describe the level of access as being excellent.

The site has good access to the arterial road network. It enjoys a convenient access to CityLink/M1 freeway, providing a high level of access to Melbourne's wider freeway network.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Statutory Car Parking Assessment

The proposed development falls under the land-use categories of 'office', 'restricted retail' and 'food and drink premises' under Clause 73.03 of the Planning Scheme. The Planning Scheme sets out the parking requirements for new developments under Clause 52.06. The purpose of Clause 52.06 is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The statutory parking requirements are set out at Clause 52.06-5 of the Planning Scheme. The site is located within the Principal Public Transport Network area and accordingly the Column B parking rates apply.

The statutory car parking assessment is set out in the table below.

Table 2: Statutory Car Parking Assessment – Column B of Clause 52.06-5

Use	Size / No.	Statutory Parking Rate (Column B)	Parking Requirement(1)	Parking Provision	Shortfall / Surplus
Office	11,685m²	3 spaces per 100m² NFA	350	187	-163
Restricted Retail	746m²	2.5 spaces per 100m² LFA	18	26	+8
Food and drink premises	98m²	3.5 spaces per 100m² LFA	3	0	-3
TOTAL			371	213	-166

Notes:

Clause 52.06-5 specifies that where a car parking calculation results in a requirement that is not a whole number, then number of spaces should be rounded down to the nearest whole number.

Overall, the site has a shortfall of 166 car spaces, primarily associated with the office use proposed.

No parking is allocated to the Food and Drink premises and there is a shortfall of 3 car spaces for this use.

The Impact TIA states that the restricted retail premises will be provided with car parking in accordance with the statutory car parking requirement, but then assigns 26 car spaces

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

to this use at a rate of 3.5 car spaces per 100m^2, instead of 18 car spaces at the required restricted retail rate of 2.5 car spaces per 100m^2.

If the 'excess'[1] restricted retail car parking is reallocated to the office use, the office parking rate increases marginally from 1.6 to 1.7 car spaces per 100m^2.

Review of Car Parking Provision

Food and Drink Premises (café)

While the statutory car parking rate for a café is 3.5 car spaces per 100m^2, general practice for providing car parking cafes of this size is to provide car parking at a rate of approximately 1/100m^2 for staff only. Customers would park off-site.

This application proposes no parking for the café. We would prefer 1 car space was allocated to this use for staff only.

Restricted Retail Premise

As noted above, the application provides more restricted retail parking than the statutory minimum. Our preference is that the excess car parking for the restricted retail use above the minimum statutory requirement is reallocated to the office use.

Office

As proposed in the Impact TIA, the application provides car at a rate of 1.6 car spaces per 100m^2. This slightly over half the statutory requirement of 3 car spaces per 100m^2.

If restricted retail parking is reallocated, the rate marginally increases from 1.6 to 1.7 car spaces per 100m^2. This represents a car parking rate that is approximately 55% of the statutory requirement.

The TIA cites the following in support of the reduced rate:

- Travel Demand Management principles should be adopted to support sustainable transport choices and reduce the level of car parking proposed.
- The level of car parking is consistent with Council's sustainable transport policies and objectives.
- Empirical data of 11,407m^2 of office space at 40 River Street, Richmond, which found a parking rate of 1.74 car spaces per 100m^2. The TIA indicated that the demand was significantly less than the supply (199 car spaces vs a supply of 372 car spaces). It did not indicate when the surveys were completed, what the car parking arrangements were on the site (is the parking allocated or freely available), or how occupied the building was. These factors could influence whether the parking rate surveyed was 'unconstrained' and reflective of the underlying demand for office parking.
- The proposed car parking rate is slightly higher than other comparable developments recently approved within the City of Yarra, as noted in the table below.

[1] i.e. reduced back to the minimum required rate under Clause 52.06-5

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Table 2 Recently Approved Similar Mixed-Use Developments

Development	Yield / Use	Walking Distance to Train	Walking Distance to Tram	Supported Car Parking Rate
506-510 Church St, Cremorne	21,955sq.m office/shop	150 metres	150 metres	1.06 spaces per 100 sq.m
484-486 Swan St, Richmond	18,595sq.m office/retail	150 metres	150 metres	0.82 spaces per 100 sq.m
2-16 Northumberland St, Collingwood	15,473sq.m office /shop	700 metres	250 metres	0.88 spaces per 100 sq.m
459 Church Street, Richmond	17,131 sq.m Office / Retail	150 Metres	150 Metres	1.01 spaces per 100 sq.m
480 Swan Street, Richmond	33.678 sq.m Office / Retail	50 metres	10 Metres	0.66 spaces per 100 sq.m

Figure 2: Table 2 of the Impact TIA

- On-street parking is constrained and subject to short-medium term parking restrictions. The TIA provided does not include a parking survey to demonstrate that this is the case, however this is generally consistent with our experience of the Burnley area. If true, this would mean that employees without an on-site car space would need to use alternative transport modes as they would be unable to park in the nearby area.
- Whilst not explicitly stated in the car parking review section of the TIA, the development proposes 160 bicycle spaces, over 3 times the statutory requirement of 54 bicycle spaces under Clause 52.34.
- A detailed Green Travel Plan is provided as a separate report.

Overall, we are satisfied with the car parking rate proposed in this application. A significant reduction in the statutory car parking requirements is supportable on this site, given the alternative transport modes available and this would also be consistent with Yarra City Council's sustainable transport objectives.

While the parking rate proposed is slightly higher than the more typical 1.0 car spaces per 100m^2 that is adopted for many large commercial developments in the Yarra LGA in recent times (including those cited by the TIA), the rate is still low and is substantially below the current statutory car parking requirement applicable to the site.

The plans also include:

- substantial bicycle parking resources (3 times the statutory requirement) and end of trip facilities.
- 18 motorcycle parking spaces (approx. 1 per 10 office car spaces)
- EV vehicle parking

We are satisfied that the proposal has not neglected other transport options to provide additional car parking.

Some of the other approved office developments cited in Table 2 are located closer to public transport stops, have access to more public transport services or are more readily walkable from nearby residential areas. This site is a little more isolated by the Yarra River and not located in the 'heart' of a large Activity Centre.

Some examples cited such as in Cremorne, have very significant vehicle access challenges due to a highly constrained/congested road network and a low car parking rate

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

for these sites is appropriate to address these issues. This site has less challenges in terms of traffic congestion. While located near a congested freeway interchange, it does mean that trips from further afield are not extending substantially into arterial or local roads within the City of Yarra.

In our opinion, the rate proposed strikes a reasonable balance between the key objectives of encouraging sustainable transport and the transport context of the subject site. Accordingly, the level of car parking proposed is supported.

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Planning Referral

To:	John Theodosakis
From:	Chloe Wright
Date:	04/11/2021
Subject:	Strategic Transport Comments
Application No:	PLN20/0425
Description:	Construction of a mixed-use development.
Site Address	173 - 177 Barkly Avenue, Burnley

I refer to the above Planning Application and Traffic Report prepared by Impact Traffic Engineering in relation to the proposed development at 173 - 177 Barkly Avenue, Burnley. Council's Strategic Transport unit provides the following information:

Access and Safety

No access or safety issues have been identified.

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	11,685 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	39 employee spaces	
		1 visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	12 visitor spaces	
Retail	844 sqm	1 employee space to each 300 sqm of net floor area	3 employee spaces	
		1 visitor space to each 500 sqm of net floor area	2 visitor spaces	
Bicycle Parking Spaces Total			**42 employee spaces**	**132 employee spaces**
			14 visitor spaces	**28 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**5 shower / change room**	**11 showers / change rooms**

Attachment 12 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Internal and external referral advice collated and referenced in report relating to Decision Plans.

Adequacy of visitor spaces

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

- 28 visitor spaces are proposed, which exceeds Council's best practice rate[1] recommendation of 25 visitor spaces.
- Visitor spaces are located at the ground floor within the property boundary. Visitor spaces are positioned in locations that are accessible, however, the 24 visitor spaces located at the north-east corner may not be visible for people arriving at the main entrance at Adam Street. As such, it is recommended that wayfinding signage is provided to direct people to the visitor bicycle parking area.
- All visitor spaces are provided as horizontal at-grade racks and the layout of spaces appears to be in accordance with access and clearance requirements of AS2890.3.

Adequacy of employee spaces

Number of spaces

132 employee bicycle parking are proposed, which exceeds Council's best practice rate[2] recommendation of 120 employee spaces.

Design and location of employee spaces and facilities

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

- All employee spaces are provided within a secure facility at the ground floor, with access via courtyard and entry at Adam Street.
- Dimensions of bicycle spaces are not shown on the plans; however, the layout appears to be in accordance with clearance and access requirements of AS2890.3.
- 24 bicycle spaces are provided as horizontal spaces, which satisfies the AS2890.3 requirement for at least 20% of employee bicycle storage spaces to be provided as horizontal at ground-level spaces.
- 11 shower / change rooms and 166 lockers are provided for employees within an end of trip facilities area adjacent to the bicycle parking area, which meets Council's best practice recommendation.

Electric Vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). To allow for easy future provision for electric vehicle charging, it is recommended that car parking areas should be electrically wired to be 'EV ready' to enable future installation of EV charging.

Green Travel Plan

It is noted the applicant has supplied a Green Travel Plan (GTP). The GTP is adequate and can be endorsed.

Recommendations

The following should be shown on the plans before endorsement:

1. Wayfinding signage directing visitors to the visitor bicycle parking at the ground floor.

Regards

Chloe Wright
Sustainable Transport Officer
Strategic Transport Unit

---

[1] *Category 6 of the Built Environment Sustainability Scorecard (BESS) recommends 1 visitor space to each 500sqm of office floor space.*

[2] *Category 6 of the SDAPP offers the following for best-practice guidance* for employee office rates: *'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area*

Attachment 13 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Offer provided by Permit Applicant

Human Habitats
424 / 838 Collins Street
Docklands VIC 3008
www.humanhabitats.com.au
ABN 48 115 201 356
03 9909 2202

26 October 2021

John Theosodakis
Principle Statutory Planner
City of Yarra
PO Box 168 Richmond 3121

Dear John

WITHOUT PREJUDICE OFFER
SUBJECT SITE: 173-177 BARKLY AVENUE, BURNLEY
APPLICATION NO.: PLN20/0868

Human Habitats continues to act on behalf of the Permit Applicant in relation to the abovementioned Planning Application PLN20/0868.

We refer to the comments received from Council's Traffic Team in relation to this Application, and provide the following offer on a without prejudice basis. This offer is intended to provide a further response to these matters to assist Council's assessment of the Application. This follows extensive discussions with the proponent and the architect, which have developed a thoughtful response to the items raised.

To allow Council to resolve the application positively, please refer to the following revised material:

- **Sketch Plans** prepared by Gray Puksand, dated 23 August 2021; and
- **A Traffic Consultant Advice Note (CAN)** prepared by Impact, dated 21 October 2021.

Should these measures be deemed acceptable to the Council, these are capable of being secured via appropriately worded conditions of any permit issued.

1 Without Prejudice Offer

We can confirm that the Applicant is willing to make a without prejudice offer to Council. Specifically, the offer includes Without Prejudice Sketch Plans detailing a number of revisions to the proposed on site car parking, in response to comments received from Council's Engineers.

These revisions include ensuring the location of columns and the gradients of ramps within the basement carpark do not prevent the safe and efficient use of the parking spaces.

These revisions have been undertaken with guidance from Impact, who have provided the enclosed updated CAN demonstrating compliance with the relevant standards and requirements. This CAN also further demonstrates that traffic to and from the proposal will not disrupt the safe and efficient operation of the surrounding road network.

These revisions have resulted in a loss of four parking spaces, from 213 to 209; however this has been compensated for by an increase in motorbike spaces from 18 to 21. As is detailed in the enclosed CAN, the reduced parking provision continues to meet the needs of the proposed development.

This Offer (which can be facilitated through the suggested permit condition at Section 2 of this Submission) is made in good faith and assumes Council support for the sketch plans with no further changes.

Attachment 13 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Offer provided by Permit Applicant

2 Suggested Conditions

As aforementioned, the enclosed Sketch Plans are submitted to Council on a without prejudice basis. Should Council agree with the revisions tabled within these Plans, they may be incorporated into a Planning Permit through the below suggested Condition.

- *Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, the Applicant must submit to the Responsible Authority an electronic copy of architectural plans drawn to scale generally in accordance with the plans prepared by Gray Puksand and submitted to Council, but amended to:*
  - *Rearrange the car parking and access layout in accordance with the Plans (TP209, TP210 & TP211) prepared by Gray Puksand dated 23 August 2021.*

3 Conclusion

For the reasons set out in this letter, we hope that the Council agrees that the measures proposed would result in an acceptable outcome for all parties.

While it remains our Client's position that the previously-submitted parking layout is appropriate, the enclosed Sketch Plans measures are provided on a without prejudice basis to assist Council with its decision making. We look forward to discussing how these measures could be incorporated into a planning permit.

Should there be any further matters which need addressing, please do not hesitate to contact me or Will Pearce (Director) on 9909 2202 or jfisher@humanhabitats.com.au / wpearce@humanhabitats.com.au.

Yours sincerely

Joe Fisher
Senior Planner

Attachment 14 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic impact statement relating to without prejudice sketch plans in response to Council's Engineer's advice / comments.

IMPACT Traffic Engineering Pty Ltd
ABN: 78 611 424 107

Level 17, 31 Queen Street, Melbourne, Victoria 3000
impactaustralia.com.au

21 October 2021
Reference: IMP200850CAN02F02.docx

37°50'12"S 144°58'33"E

CONSULTANT ADVICE NOTICE

To:	Joe Fisher	From:	John-Paul Maina
Company	**Human Habitats**	Company:	**IMPACT®**
Email	jfisher@humanhabitats.com.au	Email:	jp@impactaustralia.com.au
CC			
PROJECT:	173-177 Barkly Avenue, Burnley	Reference:	IMP200850CAN02F02.docx
Subject	RESPONSE TO COUNCIL RFI COMMENTS		

Preamble

The following provides our response to referral comments as presented in City of Yarra Memo dated 10th May 2021.

For ease of reference, we have provided the comments and response in a table format.

Council Comments	Response
Car Parking Provision	
From a traffic engineering perspective, the waiver of parking associated with the office and food and drink uses is considered appropriate in the context of the development and the surrounding area. The Engineering Referral team has no objection to the reduction in the car parking requirement for this site.	Noted and Agreed. The reduced parking provision contributes positively to sustainable transport initiatives, and is further supported by the over provision of Motorcycle and bicycle parking spaces, specifically, the proposal provides: **Motorcycle:** 21 spaces **Bicycles:** 160 spaces
Traffic Impact	
To assess the traffic impact of the Adam Street/Barkly Avenue intersection, Impact Traffic Engineering has undertaken a SIDRA analysis. The base traffic conditions for peak hour traffic volumes into and out of the Adam Street from Barkly Avenue are based on assumptions rather than actual surveyed traffic data. In order to provide a more reliable and accurate analysis of the intersection, the applicant is to conduct peak hour turning movement counts for the base traffic conditions. The SIDRA analysis is to be revised and resubmitted to Council for review	Our ability to undertake credible and representative traffic volumes studies has been affected by the ongoing lock down restrictions. Notwithstanding, we are confident that the volumes adopted in our assessment are robust and are expected to represent an overestimate of volumes at this intersection. We note that in determining the estimated volumes, we sourced SCAT Data at Barkly Avenue / City Link Toll Road Intersection. These flows were adopted as baseline through volumes, with no discounts applied for existing turning movements. We have then allowed an additional 100 trips to / from Barkly Ave.

Attachment 14 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic impact statement relating to without prejudice sketch plans in response to Council's Engineer's advice / comments.

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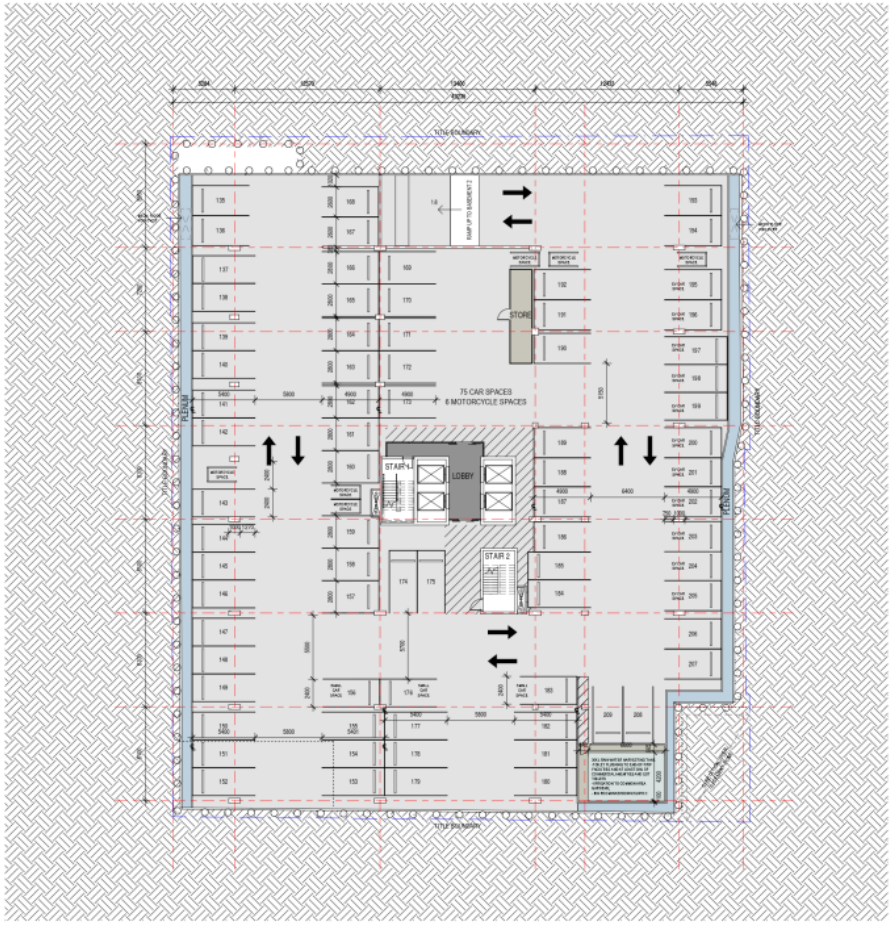
	At this volume level the intersection performs at a level ranked 'Excellent', with minimal queues and delays during both peak periods. Whilst we are satisfied that the above volumes provide a robust basis to inform decision making, we have undertaken a sensitivity analysis, and doubled the trips that arrive / depart from Barkley Ave, i.e. 200 trips to / from Barkly Avenue. The outcome of this assessment is comparable. The intersection continues to operate at conditions rated as 'good', with motorists on Adam Street experiencing manageable average delays (50 seconds) and queues (34 metres). We are satisfied that the proposed development will not adversely impact on the performance of the Adam Street/Barkly Avenue intersection.
Development Layout Design	
Access Arrangements	
A pedestrian triangle has not been superimposed at the exit lane of the entrance.	Provided and complies.
Headroom Clearance: Not dimensioned on the drawings.	This has been dimensioned on the drawings.
Car Park Modules	
Column Positions: The positions of several columns throughout the three levels of basement car park are non-compliant.	The marginal clashes between columns and door opening areas for parking bays have been resolved in most parts. The affected spaces have been redesigned to an applicable Clause 52.06-9 or AS/NZS 2890.1:2004 module. Whilst there remains a number of clashes that cannot be eliminated, these clashes have been limited to only 17 spaces For the proposed 209 spaces, this equates to (~8% of total provision). The affected spaces are summarised as follows. Basement 1: 6 spaces — Space 7,8,57,59,60 & 62 Basement 2: 6 spaces — Space 71,72,125,127,128 & 130

Attachment 14 - PLN20/0868 - 173 - 177 Barkly Avenue Burnley - Traffic impact statement relating to without prejudice sketch plans in response to Council's Engineer's advice / comments.

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	Basement 3: 5 spaces — Space 200,202,203 & 205 Whilst the above noted spaces are not fully compliant. The position of the column does not unreasonably compromise the functionality of the spaces. Motorists will be able to gain access to the spaces, and use the spaces comfortably, noting that the car park will be used for office related trips, which are predominately single occupant trips. Thus, full compliance with door opening for all doors is not a fundamental requirement.
Gradients	
Ramp Grade for First 5.0 metres inside Property	Ramp Grades have been specified. Refer section drawings.
Ramp Grades and Changes of Grade	
Vehicle Crossing Ground Clearance	
Vehicle Crossing Ground Clearance - Adam Street and Barkly Avenue	An assessment of the Vehicle Crossing Ground Clearance at the Adam Street and Barkly Avenue access can be undertaken as part of the detail design in accordance with Council's Vehicle Crossing Information Sheet.
Vehicle Crossing for Loading Facility - Barkly Avenue	
The vehicle crossing servicing the loading bay on Barkly Avenue is to be widened to 4.5 metres.	Plans updated to reflect a 4.5 metre wide access.

Attachment 15 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Sketch plans



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Any Discrepancies should be immediately referred to the Architect.
All work to comply with N.C.C. Statutory Authorities & Relevant Australian Standards.

REV	DESCRIPTION	DATE
1	WITHOUT PREJUDICE DRAWINGS	23/09/21

PROJECT NO	118256
DRAWN	Author
CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

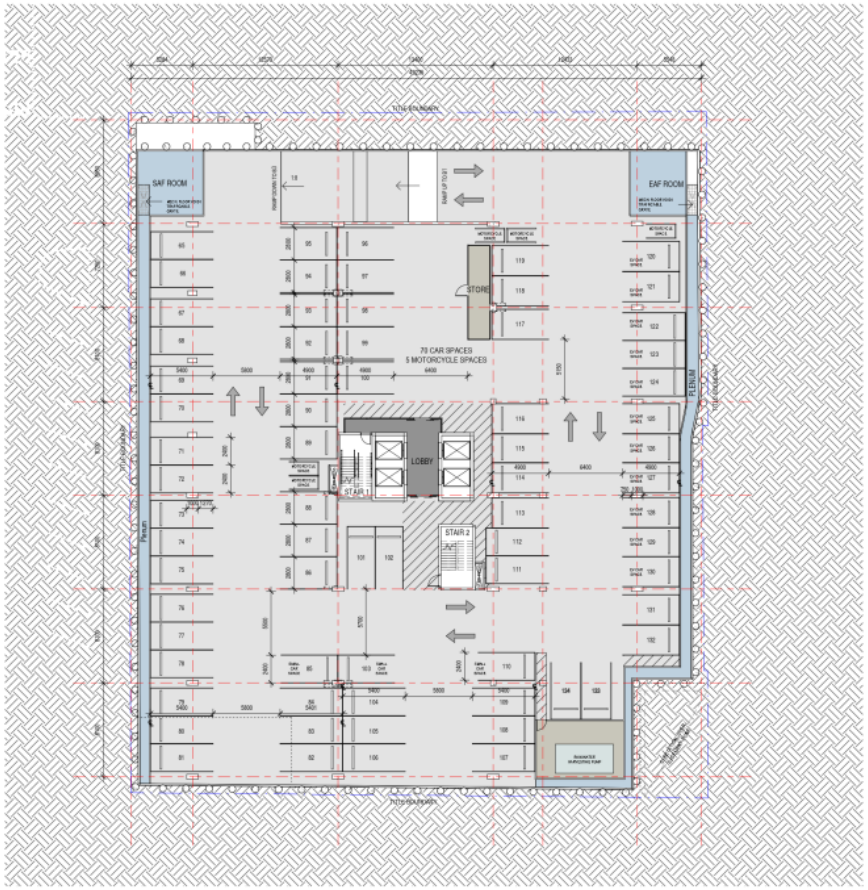
173-182 Barkly Avenue, Burnley VIC

BASEMENT 3 PLAN

DWG # TP209 REV 1

SCALE @ A1 1 : 200

Attachment 15 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Sketch plans



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REV	DESCRIPTION	DATE
1	WITHOUT PREJUDICE DRAWINGS	23/09/21

PROJECT NO	118256
DRAWN	Author
CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

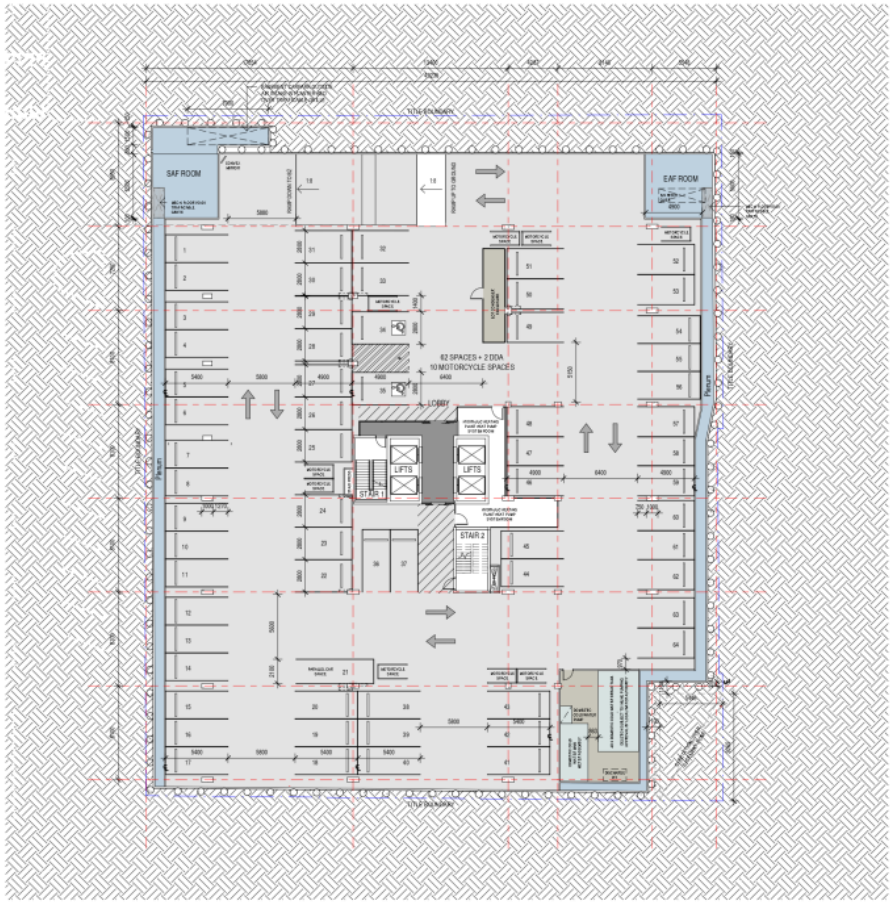
173-182 Barkly Avenue, Burnley VIC

BASEMENT 2 PLAN

DWG # TP210 REV 1

SCALE @ A1 1 : 200

Attachment 15 - PLN20/0868 - 173 - 177 Barkly Avenue, Burnley - Without Prejudice Sketch plans



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REV	DESCRIPTION	DATE
1	WITHOUT PREJUDICE DRAWINGS	23/09/21

PROJECT NO	118256
DRAWN	Author
CHECKED	Checker
APPROVED	Approver

BARKLY & ADAM

173-182 Barkly Avenue, Burnley VIC

BASEMENT 1 PLAN

DWG # TP211 REV 1

SCALE @ A1 1 : 200

Attachment 16 - PLN20 0868 - 173 - 177 Barkly Avenue Burnley - Engineering comments on Applicant's Response (i.e. without prejudcie sketch plans) to Traffic Engineering items.

CITY OF YARRA

MEMO

To: **John Theodosakis**

From: **Mark Pisani**

Date: **4 November 2021**

Subject: **Application No:** **PLN20/0868**
Description: **Traffic Items**
Site Address: **173-177 Barkly Avenue, Burnley**

I refer to the above Planning Application received on 28 October 2021 in relation to the proposed development at 173-177 Barkly Avenue, Burnley. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Gray Puksand	TP209 *Basement 3 Plan* TP210 *Basement 2 Plan* TP211 *Basement 1 Plan*	1 1 1	23 August 2021 23 August 2021 23 August 2021
Impact Traffic Engineering	Consultant Advice Notice – Response to Council RFI Comments		21 October 2021
	Traffic and Transport Assessment report	Final	27 November 2020

Comments on Consultant Advice Notice

Item	Details
Traffic Impact	The Engineering Referral team has reviewed the traffic impact assessment made by Impact Traffic Engineering and acknowledges that the traffic volumes adopted are considered appropriate. We also acknowledge that the COVID-19 pandemic has impacted on the ability to undertake counts and obtain representative data. Impact Traffic Engineering have obtained volumes from SCAT data of Barkly Avenue/City Link Toll Road intersection as well as add 100 trips to the Barkly Avenue approach. The results of the SIDRA analysis, based on the data adopted and on the traffic generated by the proposal, indicates that the Barkly Avenue/Adam Street intersection will operate satisfactorily under post development conditions. In light of the above, we are satisfied with the traffic impact assessment made by Impact Traffic Engineering.

Attachment 16 - PLN20 0868 - 173 - 177 Barkly Avenue Burnley - Engineering comments on Applicant's Response (i.e. without prejudcie sketch plans) to Traffic Engineering items.

Item	Details
Visibility	The latest version of the Ground Floor Plan has not been submitted. The Consultant Advice Notice indicates that a pedestrian sight triangle has now been provided.
Headroom Clearance	The latest version of the Section drawing has not been submitted. The Consultant Advice Notice indicates that the headroom clearance has now been dimensioned on the drawings.
Column Positions	In instances where full compliance with *Diagram 1 Clearance to car parking spaces* of Clause 52.06-9 or the Australian/New Zealand Standard AS/NZS 2890.1:2004 cannot be practically achieved with respect to column positions, it is considered acceptable to designate the affected parking spaces as Small Car Spaces. The practice of designating non-compliant spaces as Small Car Spaces has been applied to and adopted by many larger scale developments across the municipality. In this case, some 8% of spaces are affected – a small proportion of spaces. It should be noted that designating spaces as Small Car Spaces is used to assist motorists and is not regulatory (i.e. – enforced).
Ramp Grade for the First 5.0 metres inside the Property Ramp Grades and Changes of Grade	Impact Traffic Engineering has indicated that the ramp grades have been specified on the drawings (which have not been provided).
Vehicle Crossing Ground Clearance	Noted. The assessment of ground clearance of the two new vehicle crossings is to be undertaken at the detailed design stage.
Vehicle Crossing for Loading Facility – Barkly Avenue	Impact Traffic Engineering has indicated that a vehicle access arrangement for the Barkly Avenue loading facility has now been provided. Noted.

In summary, the Engineering Referral team is satisfied with the Consultant Advice Notice prepared by Impact Traffic Engineering. As indicated above, we recommend that the non-compliant spaces be designated as Small Car Spaces.

6.2 PLN20/0882 - 471-473 Swan Street, Richmond

Executive Summary

Purpose

1. This report provides Council with an assessment of planning application PLN21/0882 which is for the Construction of an 8 storey mixed use building, use of the land for residential hotel, motor vehicle sales and office (all no permit required), use of the land for the sale and consumption of liquor in association with the residential hotel, a reduction of the statutory car parking requirements, a reduction of visitor bicycle parking space requirements and removal of access to a road located within a Road Zone, Category. The report recommends approval subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Built form (Clauses 15.01, 21.05, 22.10, 34.01-8 and 43.02)
   (b) Clause 22.05 – Interface Uses Policy;
   (c) Clause 22.09 – Licensed Premises;
   (d) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design);
   (e) Clause 22.17 – Environmentally Sustainable Development;
   (f) Clause 34.01 – Commercial 1 Zone;
   (g) Clause 36.04 – Road Zone – Category 1;
   (h) Clause 43.02 – Design and Development Overlay (Schedule 17);
   (i) Clause 52.06 – Car Parking;
   (j) Clause 52.27 – Licensed premises;
   (k) Clause 52.29 – Land adjacent a Road Zone, Category 1;and
   (l) Clause 52.34 – Bicycle Parking.

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Strategic Justification;
   (b) Built form and urban design;
   (c) Sale and consumption of liquor;
   (d) On-site amenity including environmentally sustainable design;
   (e) Off-site amenity including City Link exhaust stacks and waste management;
   (f) Car parking, traffic and alteration of access;
   (g) Bicycle facilities and strategic transport;
   (h) Potentially contaminated land; and
   (i) Objector concerns.

Submissions Received

4. 28 objections were received to the application, these can be summarised as:

(a) Inappropriate built form and design (excessive building height, exceeding mandatory height limit, impact on built form character, height, colour and appearance of the northern street wall to ROW, lack of visual interest to Swan Street, scale and massing, overdevelopment and precedence);

(b) Off-site amenity impacts from the proposed building (visual bulk, overshadowing, loss of daylight, loss of privacy, wind);

(c) Noise and security issues from hotel and car sales operations, including truck movements.

(d) Rubbish from outdoor terraces;

(e) Insufficient open space and landscaping;

(f) Traffic (particularly along laneway and Belgravia Street access) and parking impacts on the surrounds and insufficient car parking for the proposal;

(g) Request for a Traffic Management Plan for the development to help manage traffic in the surrounding area;

(h) Removal of Council rubbish collection point for Belgravia Street dwellings;

(i) Impacts from construction activities (including cumulative impacts from multiple construction sites in the area);

(j) Negative impact on property values;

(k) Impact on cyclists and unsafe cycling infrastructure along Gibdon Street and Barkly Avenue; and

(l) Misleading advertising sign referencing ‘no permit required’.

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) Demonstrate compliance with the Overlooking Objective of Clause 55.04-6 for the hotel rooms and terraces on Level 03 and 04;

   (b) Various conditions to manage the impacts from the sale and consumption of liquor for the proposed residential hotel, including a Hotel Management Plan, a revised Noise Amenity Action Plan and pre and post commencement acoustic reports;

   (c) Provision of a Façade Strategy;

   (d) Public Art Management Plan for the northern interface;

   (e) Removal of the Section 173 agreement from the title prior to the development commencing; and

   (f) Revised landscape plans, WMP, wind assessment, acoustic report and SMP.

CONTACT OFFICER: **Daniel Herrmann**
TITLE: **Co-Ordinator Statutory Planning**
TEL: **9205 5147**

6.2 PLN20/0882 - 471-473 Swan Street, Richmond

Reference	D21/141378
Author	Daniel Herrmann - Co-Ordinator Statutory Planning
Authoriser	Manager Statutory Planning

Ward:	Melba Ward
Proposal:	Construction of an 8 storey mixed use building, use of the land for residential hotel (permit required), motor vehicle sales and office (all no permit required), use of the land for the sale and consumption of liquor in association with the residential hotel, a reduction of the statutory car parking requirements, a reduction of visitor bicycle parking space requirements and removal of access to a road located within a Road Zone, Category 1
Existing use:	Two storey office building
Applicant:	Swan Street Richmond Pty Ltd C/- Contour Consultants
Zoning / Overlays:	Commercial 1 Zone Design and Development Overlay (Schedules 2, 5 and 17 -Precinct 4) Development Contributions Plan Overlay (Schedule 1)
Date of Application:	3 December 2020
Application Number:	PLN20/0882

Planning History

1. See below planning permit history of the land at 471-473 Swan Street, Richmond:

   (a) Planning permit no. PL02/0901 was issued October 2002 for external painting.

   (b) Planning permit no. PL02/0595 was issued June 2003 for Signage and works to façade of existing building, and addition of an emergency generator with a reduction in car parking.

Background

2. The following matters are relevant background information:

Original Application

3. The application was lodged on 3 December 2020 for the construction of an 8 storey mixed use building, use of the land for residential hotel, motor vehicle sales and office (all no permit required), use of the land for the sale and consumption of liquor in association with the residential hotel, a reduction of the statutory car parking requirements, a reduction of visitor bicycle parking space requirements and removal of access to a road located within a Road Zone, Category 1.

4. As part of the application process, Council's external acoustic consultant, ESD Advisor and social strategy, strategic planning, engineering and urban design units provided referral comments that raised concerns regarding the following:

(a) Operational and management details for the sale and consumption of liquor, including operation beyond 1am.

(b) Acoustic impacts from patrons.

(c) Port cochere interface with Stawell Street.

(d) Ground floor design.

(e) Façade appearance to Swan Street.

(f) Lack of shading to north and western windows.

Lodgement of Section 57a amendment to application

5. On the 3rd September 2021 the applicant formally amended the application pursuant to Section 57A of the *Planning and Environment Act* (1987). The Section 57A plans incorporated the following changes:

   (a) Reduction of hours for the sale and consumption of liquor from 2am to 1am;

   (b) Reduction of the red line area;

   (c) Various changes to access and car parking layout;

   (d) A reduction of rooftop plant equipment area;

   (e) Change to glazing frame colour on south facing upper levels;

   (f) Addition of shading devices to northern and western windows;

   (g) Minor changes to public realm interface at ground level (including landscaping, services and bike parking location);

   (h) Provision of glazing between the showroom and concierge; and

   (i) Depiction of amenities for the office land use.

6. In addition to the above, a Noise and Amenity Action Plan associated with the use of the land for the sale and consumption of liquor; a Public Lighting Plan; and a revised acoustic report were submitted in support of the amended proposal.

7. Upon assessment of the Section 57a plans it was identified that the original advertising description of the proposal incorrectly referred to the proposed residential hotel use not requiring a permit. Due to the width of the residential hotel lobby at ground floor exceeding 2 metres, a permit for the use of the land for a residential hotel was required under Clause 34.01-1. The Section 57a amendment documents were re-notified to the surrounding owners and occupiers that were notified of the original application, which included the corrected application description. No additional objections were received.

8. The assessment of the application is based on the section 57A amended plans.

Lodgement of sketch plans

9. On 12 October 2021, the applicant submitted additional sketch plans (floor plans for Levels 3 – 6 and associated renders) in response to outstanding concerns in relation to visual interest of the upper levels facing Swan Street (south). The key changes shown on the sketch plans include:

   (a) Inclusion of 300mm deep vertical blades adjacent upper level windows of the southern elevation; and

   (b) Alternating colours on the blade sides, depending on which direction you approach the building.

Planning Scheme Amendments

Amendment C238 - Development Contributions Plan

10. Amendment C238 was introduced into the Yarra Planning Scheme on 1 February 2021 and inserts Clause 45.06 (Development Contributions Plan Overlay) with Schedule 1 into the Scheme. This overlay applies to all land in the City of Yarra and it applies to new development where there is an increase in the number of dwellings and/or an increase in retail, commercial and industrial floor space.

It requires a monetary contribution from the permit holder. Conditions have been included in the recommendation to require the development contributions to be met prior to commencement of the development.

Amendment C191 – Swan Street Major Activity Centre

11. On 15 December 2020, Council adopted Planning Scheme Amendment 'C191yara' which relates to the permanent built form controls associated with the Swan Street Major Activity Centre (MAC), which, under the current Yarra Planning Scheme ('the Scheme') relates to the interim Design and Development Overlay (Schedule 17).

12. The Planning Scheme Amendment has not yet been gazetted, however given that it has been adopted by Council it is considered to be seriously entertained. The subject site is located within Precinct 4 of the Swan Street MAC. The Planning Scheme Amendment will incorporate built form controls for Precinct 4 into a new Schedule 28 to the Design and Development Overlay (DDO28). Throughout this report, the interim control and the proposed control will be referred to as DDO17 and DDO28 respectively.

The Proposal

13. The application involves the construction of an 8 storey mixed use building, use of the land for residential hotel (permit required), motor vehicle sales and office (both no permit required uses), use of the land for the sale and consumption of liquor in association with the residential hotel, a reduction of the statutory car parking requirements, a reduction of visitor bicycle parking space requirements and removal of access to a road located within a Road Zone, Category 1.

Demolition (no permit required)

14. All existing buildings and works on the site will be demolished as part of the proposal. A permit is not required for demolition works on the Site pursuant to Clause 62.05 (Demolition).

Uses and Layout

15. A summary of uses and layout include:

    (a) Ground level to comprise:

        (i) Splayed southwest corner to highlight pedestrian access to Separate lobbies for office and residential hotel uses from Stawell Street.

        (ii) Motor vehicle sales showroom along Swan Street and Belgravia Street (approx. 950m2).

        (iii) Port cochere and basement vehicle access via Stawell Street.

        (iv) Loading facilities and motor vehicle sales access from ROW.

    (b) Level 1 is a mezzanine level for the motor vehicle sales showroom, which includes a void space over the residential hotel lobby and frontage to Swan Street.

    (c) Level 2 is dedicated to amenities associated with the residential hotel and includes a reception area, restaurant, pre function/function spaces, bar lounge area with external terrace orientated to the corner of Swan and Stawell streets, gymnasium and associated back-of-house areas.

    (d) Levels 3-6 comprises the residential hotel, which includes 149 hotel rooms across the floors, including:

        (i) 2 x 2 bedroom suites

        (ii) 5 x 1 bedroom suites.

        (iii) 4 x DDA King rooms

        (iv) 138 x king rooms

(e) Level 7 comprises approximately 871m2 office floor space and outdoor terrace areas along the eastern, western and southern edges of the building (approximately 230m2).

(f) Two basement levels comprising 80 car spaces, 46 bicycle spaces and end of trip facilities.

Construction

16. The proposal involves the following construction works:

(a) Two basement levels, accessed from Stawell Street.

(b) Three storey street wall to Swan Street.

(c) Seven storey street walls to Stawell Street and Belgravia Street.

(d) Two - four storey street wall to ROW.

(e) Two, 9m x 9.9m light courts adjacent ROW between Levels 2 – 4, serving residential hotel amenities and rooms.

(f) Levels 3-6 setback 3 metres above the street wall to Swan Street.

(g) Stepped upper levels above the ROW street wall, ranging between 3.7m to 9.9m.

(h) Level 7 setback 3 metres from Belgravia Street and Stawell Street, 5.1 metre from Swan Street and 9.9m from the ROW.

(i) 72 x 300W solar panels on Level 4 northern roofing areas.

(j) Rooftop to include plant areas and lift and stair overruns.

(k) The proposed building has an overall height of 23.8m to the Level 7 parapet and 26.8m to the top of the plant area.

Design

17. The proposal incorporates the following key attributes:

(a) Reinstatement of redundant vehicle crossing to Swan Street.

(b) Splayed built form (two level void) adjacent south west corner at lower levels to highlight the entrance to the residential hotel and provide passive recreation/landscaped space adjacent the tram stop and Ryan's Reserve (Tennis and Netball centre).

(c) Floor to ceiling glazed treatment of the street wall to Swan Street to maximise activation.

(d) Robust built form presentation to Swan Street and recessive upper levels adjacent the northern ROW.

(e) Consistent architectural treatment of upper levels, particularly facing Swan Street, articulated by a balanced solid to void ratio, angular/textured concrete panels and differing window frame finishes.

(f) Landscaped edges to terrace edges to soften the appearance of the development.

(g) Public art opportunities are proposed to the ROW interface at ground level.

(h) External materials and finishes comprising:

(i) Glazing (grey tint, clear with dark grey spandrels);

(ii) Concrete (polished finish off-white, natural finish and natural finish with pattern;

(iii) Paint finish (grey);

(iv) Metal cladding (charcoal);

(v) Metal louvres (charcoal and black coloured); and

(vi) Timber (natural finish).

Sale and Consumption of Liquor

18. The land for sale and consumption of liquor is proposed in association with the residential hotel component of the development and includes:
    (a) Sale and consumption of liquor under a 'general licence' between the following hours:
        (i) Level 02 amenities: 6am to 1am, seven days per week.
        (ii) Hotel rooms: 24/7.
    (b) Patron numbers for residential hotel amenity areas on Level 2 as follows (as detailed in the Applicant's Acoustic Report):
        (i) Bar/Lounge: 60 patrons
        (ii) Restaurant/lounge: 120 patrons
        (iii) Function centre: 450 patrons
        (iv) Outdoor terrace: 80 patrons (reduced to 30 patrons between 10pm and 1am)
    (c) Music internally will be limited to background music only. No music is proposed on the outdoor terrace.
    (d) The red line plans included with the application incorporate the abovementioned amenity areas on Level 2 and all hotel rooms for sale and consumption of packaged liquor purposes.

Existing Conditions

Subject Site

19. The Site is located on the northern side of Swan Street, Richmond, approximately 200 metres east of Burnley Street. The Site is formally described as land within Plan of Consolidation 152449.
20. The Site has a frontage of 68.35 metres to Swan Street, a frontage of 30.48 metres to Stawell Street and Belgravia Street and a total area of approximately 2083m2. An unnamed right of way is located immediately to the north of the Site.
21. The Site contains a two storey commercial building that has most recently been used for office and warehouse purposes. The existing building generally provides two storey street walls to all boundaries with the exception of a modest splay at the northwest corner and the southeast portion of the Site.
22. Vehicle access is available from Swan Street to a concrete 'open air' off-street car parking area. Two roller doors along the western side of the building provide internal vehicle access to the building from Belgravia Street.
23. The Site has very gentle slope from north to south. Two street trees, a tram stop and a signalised pedestrian crossing are located adjacent the Swan Street frontage.
24. The Certificate of Title does not identify any easements or covenants affecting the Site. The site is affected by Section 173 Agreement R19000K. The Agreement applies to the subject site and 10 Belgravia Street. The Agreement requires the car park at 10 Belgravia Street to cease operating as a car park if the Site is vacated.
25. It is considered that the application does not contravene the Agreement and it is noted that there are applications for the construction of town houses at 10 Belgravia Street currently under consideration by Council officers (PLN20/0456, PLN20/0457, PLN20/0458 and PLN20/0459). A condition has been included in the recommendation to ensure this agreement is removed from the title, prior to the development commencing.
26. Photos of the Site are provided below.



Photos: The existing building on the subject Site, viewed from Swan Street.

Surrounding Land

27. Land fronting Swan Street in close proximity to the Site is generally defined by commercial offerings and contained within the Swan Street Major Activity Centre (MAC), which is a business and retailing strip within the City of Yarra. The activity centre runs from Punt Road in the west to the rail overpass in the east and provides a range of business types, including offices, shops, restaurants and bars, interspersed with a number of dwellings.

28. Public transport is readily available to the site with immediate access to the tram services on Swan Street as well as Burnley Railway Station (250m southeast) and tram services along Bridge Road (800m north).



Image: The subject site and surrounding land (Nearmap, September 2021).

29. The subject site is located in the Commercial 1 Zone (C1Z) with properties to the west and east along Swan Street also zoned C1Z. The General Residential Zone (GRZ2) is to the north and the Public Park and Recreation Zone (PPRZ) to the south (associated with Ryan Reserve Tennis and Netball Centre). Other than this section of PPRZ, land on the southern side of Swan Street is zoned Commercial 2 Zone (C2Z) in this part of the MAC. Swan Street is located within a Road Zone, Category 1.

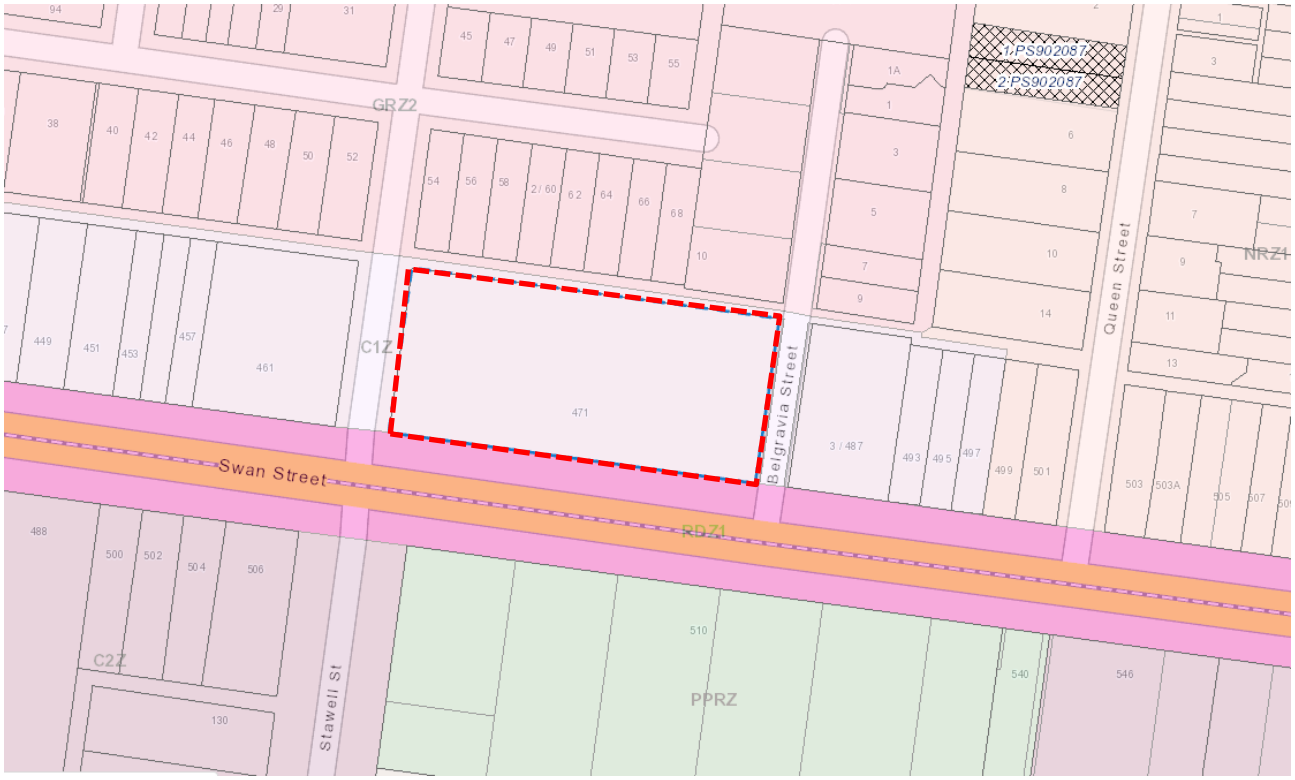


Image: Zoning map of the Site and surrounding context.

30. This section of Swan Street is typified by low-rise, one-three storey buildings used for showrooms, office or warehouses. The majority of the buildings are constructed flush to Swan Street and of the post-war or late 20th century eras. The area also has as an emergent character of mid-rise contemporary developments of up to 12 storeys, which provide contemporary architectural responses, typically with rectilinear forms and materials including concrete, metal cladding and facades with high proportions of glazing. Examples of this emergent character include the following:

(a) 487-491 Swan Street (immediately east) - A five storey office building approved under Planning Permit PLN20/0420. The building features a three storey street wall to Swan Street and ROW and a 5 metre setback from Swan Street to the upper levels. Endorsed plans have not yet been issued.
(b) 439 – 443 Swan Street (90m west) - A seven-storey office development approved under Planning Permit PLN18/0403. The approved proposal includes a five-storey street wall with two upper levels . Construction has not yet commenced.
(c) 429 – 437 Swan Street and 16 – 26 Farmer Street (120m west) - A part three, part six-storey, mixed-use development approved under Planning Permit PLN14/1205. The development has a five-storey street wall to Swan Street with one upper-level storey and has been completed within the last 12 months. The northern section of that site (Nos. 16 – 26 Farmer Street) is the three-storey component of the development, featuring townhouses that present to Farmer Street.
(d) 484-486 Swan Street, Burnley (75m southwest) - A twelve (12)-storey mixed-use development approved under Planning Permit PLN17/0448. Construction for this development has not yet commenced.

(e) 462-482 Swan Street, Burnley (115m southwest) – on 15 October 2020, Amendment C282 (PLN20/0006) applied a Specific Controls Overlay and associated incorporated document titled '462-482 Swan Street, Richmond' to this land. The incorporated document allows for the development of a thirteen (13) storey mixed use development consisting of a two-storey basement car park, one-storey of plant, ground floor retail and food and drink premises, and upper floors of office floorspace, and a ground level public pedestrian thoroughfare linking Swan Street with a pedestrian walkway adjacent to Burnley Station. Development has not yet commenced.

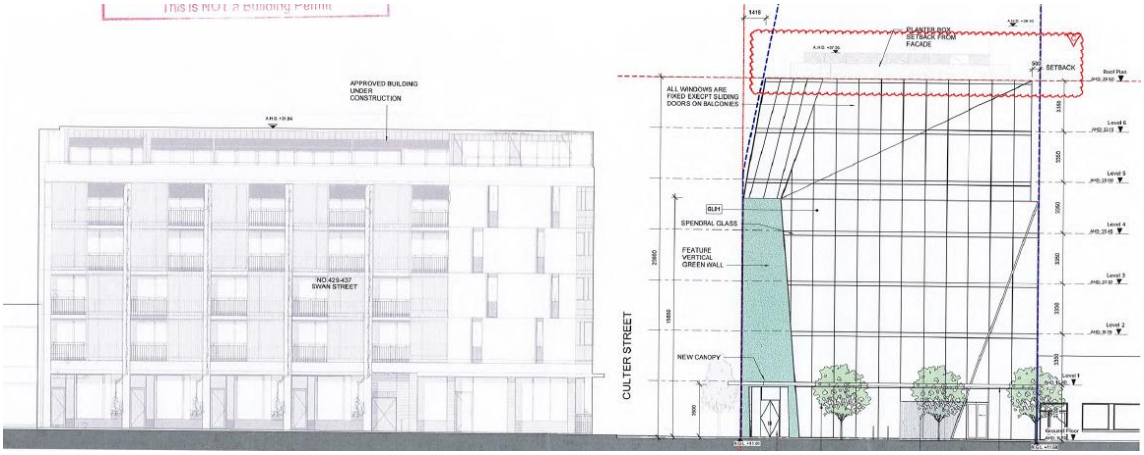


Image: The six-storey mixed use development at No. 429 – 437 Swan Street (left) and the six-storey office development located at No. 439 – 443 Swan Street. *Source: Council Endorsed Plans.*



Image: Render of the allowed under incorporated document titled '462-482 Swan Street, Richmond' (Amendment C272)

31. The immediate interfaces of the Site are described below:

North

32. To the immediate north is a 3.5m wide ROW which runs east-west from Park Grove to Burnley Street.

33. Adjacent the north-west of the Site are four lots known as No. 10 Belgravia Street. This land is currently a sealed area for car parking purposes. As described above, this land is connected with the Site via a Section 173 Agreement, which will be redundant once the office building on the Site is vacated/demolished. Four planning applications are currently being assessed on this land by Council, which involve the construction of multiple three-storey townhouses (see image below). A decision is yet to be made on these applications at the time of writing.



Image: Render of proposed townhouses at 10 Belgravia Street. Planning applications currently under assessment.

34. The remainder of the direct northern interface comprises eight land parcels known as 54 to 68 Farmer Street, Richmond. These allotments comprise a mix of fine grain, single and double storey dwellings. The southern portion of these allotments is generally occupied by secluded private open space or off-street car parking opportunities (accessed via the ROW).





Photos: Existing residential interfaces abutting the northern side of the rear ROW.

East

35. To the immediate east is Belgravia Street, which is approximately 6m wide (inclusive of the two narrow footpaths on either side of the roadway). The street is a no-through road and is two-way for traffic where it abuts the subject site. However, to the north of the subject site the street narrows to one-way to allow for on-street car parking on the eastern side of the road. The street terminates roughly 50m north of the subject site.

36. The land on the opposite side of Belgravia Street is 487-491 Swan Street. This land contains a three-storey building used for medical centre and office purposes generally constructed to all boundaries with some upper level setbacks to Swan and Belgravia Street.



Photos: Existing three storey commercial building at 487 Swan Street.

South

37. To the immediate south of the subject site is Swan Street, an east-west arterial road with a road reserve width of approximately 20 metres that carries four lanes of traffic, with tram lines sharing the middle two lanes and the two outside lanes accommodating parallel car parking outside of clearway times. On each side of the road is a footpath (approximately 3 metres wide). Swan Street provides an east-west connection linking the suburbs east of the City of Yarra with the CBD, intersecting with major arterials Burnley Street, Church Street and Punt Road.

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




Photos: Ryan Reserve on the southern side of Swan Street.

West

39. To the immediate west is Stawell Street, which is approximately 10m wide (inclusive of the two footpaths on either side of the roadway). The street contains two lanes that allow two way movement and provides a north-south connection between Swan Street and Bridge Road.

40. The land on the opposite side of Stawell Street is known as 461-463 Swan Street. This land represents one of the larger land holdings on the northern side of Swan Street in close proximity to the Site. The land contains a single storey building built to its northern boundary, while a sealed area occupies much of the remainder of the Site for access and car parking purposes. The Site was historically developed as a petrol station but has more recently been used as a convenience store.





Photos: Existing convenience store land on opposite side of Stawell Street, fronting Swan Street.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

41. Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required for the use of the land for office and motor vehicle sales. A permit is required for accommodation (including residential hotel) if any frontage at ground floor level exceeds 2 metres. As the proposed residential hotel lobby exceeds 2m in width along the Swan Street frontage, a permit is required for the proposed residential hotel.

42. Clause34.01-2 (Use of land) requires a use not to detrimentally affect the amenity of the neighbourhood by transport means, appearance of works and off-site emissions. A standard condition (Condition 57) has been included in the recommendation to ensure these general amenity considerations are addressed by the development on an ongoing bases. –

43. Pursuant to Clause 34.01-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

Clause 36.04 - Road Zone – Category 1 (Swan Street road reserve)

44. The following provisions apply:
    (a) Pursuant to Clause 36.04-2 of the Scheme, a planning permit is required to construct a building or construct or carry out works for a Section 2 use under Clause 36.09-1.

Overlays

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

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

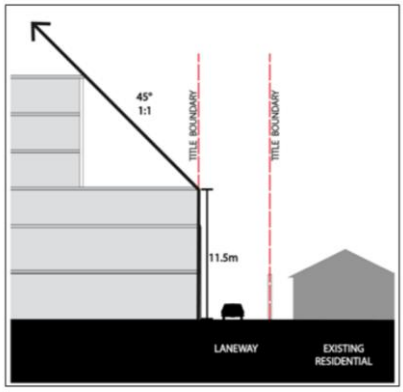
Design and Development Overlay (Schedule 5)

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

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

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

Item	**Control**
Building height (mandatory)	24m
Street wall height - Swan Street (preferred)	14.5m maximum
Upper level setback - Swan Street (preferred)	5m minimum
Street wall height - Belgravia Street / Stawell Street (preferred)	14.5m maximum
Upper level setback - Belgravia Street / Stawell Street (preferred)	3m minimum
Rear interface requirements (preferred)	Type I, which prescribes a maximum boundary wall height of 11.5m with upper levels set back at a 45-degree angle in accordance with Fig. 1 of DDO17, provided below



48. The DDO17 also has a number of design directives relating to the public realm experience, vehicle access, materiality and the response to nearby heritage buildings. These will be articulated where relevant through the assessment section of this report.

49. As previously outlined, the current DDO17 is an interim control which expires on 15 April 2022. As stated earlier in the report, Council adopted Planning Scheme Amendment C191 on 15 December 2020 with changes recommended by Planning Panels Victoria (the Panel). The amendment has not yet been gazetted by the Planning Minister, however the amendment is considered to be a 'seriously entertained' amendment given that it has been adopted by Council.

50. As relevant to the subject site, the Planning Scheme Amendment will introduce a new Schedule 28 to the Design and Development Overlay (DDO28). With regards to the subject site, the principal changes proposed by the Council-adopted DDO28 are the following:
    (a) Preferred maximum street wall heights of 14m for Swan, Belgravia and Stawell Streets (currently 14.5m); and
    (b) Preferred upper level setback of 6m from Swan Street (currently 5m).

Clause 45.06 – Development Contributions Plan Overlay (Schedule 1) (DCPO1)

51. The Development Contributions Plan applies to the proposed additional office floor area, requiring the developer to pay a cash contribution towards essential city infrastructure like roads and footpaths.

52. 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

53. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject site is located within Charge Area 9 (Central Richmond) and the development infrastructure levy is applicable to the office, residential hotel and retail floor space.

54. A planning permit is not required for works under the overlay. The requirements of the DCPO have been included as a condition in the recommendation.

Particular Provisions

Clause 52.06 – Car Parking

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

Land Use	Units/Area proposed	Rate	No. required	No. proposed	Reduction sought
Residential Hotel	149 rooms	Rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	27 (including 2 x port cochere spaces)	N/A
Office	923.7 m2	3.0 spaces per 100 m2 of net floor area	27	13	14
Restricted Retail - Showroom	2,345.1 m2	2.5 spaces per 100 m2 of leasable floor area	58	36	22
Private Car Park	6 spaces	-	-	6	N/A
Total			85 spaces + parking for the residential hotel	82	36

56. As shown in the table above, the development requires a planning permit for a car parking reduction pursuant to Clause 52.06-3. A reduction of 36 spaces is sought.

Clause 52.27 Licensed Premises

57. Pursuant to Clause 52.27 of the Scheme, a planning permit is required to use the land to sell or consume liquor if a licence is required under the *Liquor Control Reform Act* 1998. The requirement to obtain a planning permit is therefore triggered under Clause 52.27 of the Scheme.

Clause 52.29 – Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

58. The purpose of this clause is to *ensure appropriate access to identified roads*.

59. Pursuant to Clause 52.29-3, a permit is required to create or alter (including remove) access to a road in a Road Zone, Category 1.

Clause 52.34 – Bicycle facilities

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	923.7 m2	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	0 employee spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 visitor spaces	
Residential building (residential hotel)	149 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	15 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	15 visitor spaces.	
Retail premises	2,345.1 m2	1 employee space to each 300 sqm of leasable floor area	8 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	5 visitor spaces	
		Bicycle Parking Spaces Total	**23 resident / employee spaces**	**46 resident / employee spaces**
			20 visitor spaces	**16 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**1 showers / change rooms**	**4 showers / change rooms**

61. As detailed in the above table, the proposal provides an overall surplus of 19 spaces and 4 showers / change rooms. However, a permit is required for a reduction of 4 visitor spaces.

General Provisions

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

Planning Policy Framework (PPF)

63. Relevant clauses are as follows:

Clause 11.01-1R (Settlement - Metropolitan Melbourne)

64. 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)

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

    Clause 11.03 (Planning for Places)
    Clause 11.03-1R (Activity centres – Metropolitan Melbourne)

66. 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)

67. 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.

68. 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)

69. The relevant objective of this clause is:

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

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

    Clause 13.07 (Amenity)

    Clause 13.07-1S (Land use compatibility)

71. The objective of this clause is:

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

    Clause 15.01 (Built Environment and Heritage)

72. This clause outlines the following guidelines;
    (a) Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

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

Clause 15.01-1S (Urban design)

73. The objective 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)

74. The objective is:
(a) To create distinctive and liveable city with quality design and amenity.

Clause 15.01-2S (Building Design)

75. The objective is:
(a) To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

76. The strategies of this clause are:
(a) Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.
(b) Ensure development responds and contributes to the strategic and cultural context of its location.
(c) Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
(d) Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
(e) Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
(f) Ensure development is designed to protect and enhance valued landmarks, views and vistas.
(g) Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

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

77. 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)

78. The objective is:

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

79. Strategies are:
(a) Support development that respects the existing neighbourhood character or contributes to a 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 respecting the:
(i) Pattern of local urban structure and subdivision.
(ii) Underlying natural landscape character and significant vegetation.
(iii) Neighbourhood character values and built form that reflect community identity.

Clause 15.02 (Sustainable Development)
Clause 15.02-1S (Energy and resource efficiency)

80. The objective is:
(a) To encourage land use and development that is energy and resource efficient supports a cooler environment and minimises greenhouse gas emissions.

Clause 17 (Economic development)

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

Clause 17.01-1S (Diversified economy)

82. The objective is:
(a) *To strengthen and diversify the economy*.

83. Relevant strategies are:
(a) Protect and strengthen existing and planned employment areas and plan for new employment areas.
(b) Improve access to jobs closer to where people live

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

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

Clause 17.02-1S (Business)

85. The objective is:
(a) *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services.*

86. Relevant strategies include:
(a) Plan for an adequate supply of commercial land in appropriate locations.

(b) Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
(c) Locate commercial facilities in existing or planned activity centres

Clause 17.04-1S (Facilitating Tourism)

87. The relevant objective of this clause is:

(a) To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

88. The relevant strategy of clause 17.04-1R Tourism in Metropolitan Melbourne is:

(a) Maintain Metropolitan Melbourne's position as a global, national and local destination in its own right and as a gateway to regional Victoria by:
(i) Developing city precincts and promenades.
(ii) Revitalising the retail core of the Central City.
(iii) Supporting artistic and cultural life.
(iv) Improving public facilities, amenities and access.
(v) Maintaining city safety.
(vi) Providing information and leisure services.
(vii) Improving transport infrastructure.

Clause 18.02-1S – (Sustainable personal transport)

89. The objective is:
(a) To promote the use of sustainable personal transport.

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

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

91. 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)

92. The objective is:
(a) To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Clause 18.02-2R (Principal Public Transport Network)

93. 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)

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

95. A relevant strategy is:
Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Local Planning Policy Framework (LPPF)

96. Relevant clauses are as follows:

Clause 21.04-2 (Activity Centres)

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

Clause 21.04-3 (Industry, office and commercial)

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

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

Clause 21.05-2 (Urban design)

100. The relevant objectives and strategies are:
(a) *Objective 16 To reinforce the existing urban framework of Yarra;*
(b) *Objective 17 To retain Yarra's identity as a low-rise urban form with pockets of higher development.*
    (i) Strategy 17.2 encourages new development to be no more than five – six storeys unless it can be demonstrated that the development can achieve specific benefits.
(c) *Objective 18 To retain, enhance and extend Yarra's fine grain street pattern;*
(d) *Objective 20 To ensure that new development contributes positively to Yarra's urban fabric;*
(e) *Objective 21 To enhance the built form character of Yarra's activity centres;*
    (i) *Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form; and*
(f) *Objective 22 To encourage the provision of universal access in new development.*

Clause 21.05-3 (Built form character)

101. The relevant objective is:

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

Clause 21.05-4 (Public environment)

102. The relevant objective and strategies are:

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

Clause 21.06-1 (Walking and cycling)

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

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

Clause 21.06-2 (Public transport)

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

Clause 21.06-3 (The road system and parking)

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

Clause 21.07-1 (Environmentally sustainable development)

104. The relevant objective of this clause is:

(a) Objective 34 To promote ecologically sustainable development:

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

Clause 21.08-10 Neighbourhoods (Central Richmond)

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

Relevant Local Policies

106. Relevant clauses are as follows:

Clause 22.05 (Interface Uses Policy)

107. Relevant policies include:

(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.

Clause 22.07 (Development abutting laneways)

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

(a) To provide an environment which has a feeling of safety for users of the laneway.

(b) To ensure that development along a laneway acknowledges the unique character of the laneway.

(c) To ensure that where development is accessed off a laneway, all services can be provided to the development. To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

Clause 22.09 – Licensed Premises

109. This policy applies to an application under Clause 52.27 (Licensed Premises). The objectives of this clause are:

(a) To protect the amenity of nearby properties and areas by effectively managing the location, size, operation and hours of licensed premises.

(b) To encourage best practice venue design and venue operation for licensed premises.

(c) To protect residential and other commercial uses from excess noise, traffic and car parking issues.

(d) To provide for daytime trade and active street frontages in retail strips, while providing the reasonable commercial opportunities for the trading of licensed premises.

Clause 22.10 (Built form and design policy)

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

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

111. The policy has the following objectives:

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

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

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

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

Clause 22.16 Stormwater Management (Water Sensitive Urban Design)

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

Clause 22.17 (Environmentally Sustainable Design)

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

Other Documents

Plan Melbourne

114. Released in May 2017, Plan Melbourne 2017-2050 (Plan Melbourne) outlines the key strategic directions with regard to the provision of housing and commercial activity within Melbourne's urban areas. The strategic outcomes outlined in the document are required to be considered as part of Council's decision-making process and include (inter-alia):
(a) Outcome 1: *'Melbourne is a productive city that attracts investment, supports innovation and creates jobs.'*
(i) Direction 1.2 of Plan Melbourne is to *'Improve access to jobs across Melbourne and closer to where people live'*

115. The strategy promotes '20-minute neighborhoods' where there is access to local shops, schools, parks, jobs and a range of community services within a 20 minute trip from your front door.

Urban Design Guidelines for Victoria (DELWP)

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

Yarra Planning Scheme Amendment C269 – Rewrite of Local Policies

117. 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. The Amendment is currently subject to a hearing of submissions before an independent Planning Panel.

118. The revised local planning policy identifies the Site as being located within the Swan Street MAC, as shown on the Swan Street Activity Centre Plan. The Site is located within Precinct 4 of the proposed Swan Street Activity Centre Plan. The relevant strategies proposed for the Swan Street MAC are provided below:

    (a) Promote the distinct character and varying development opportunities defined by the four precincts along Swan Street – Richmond Station, Swan Street Retail Centre, Swan Street East and Burnley Station.
    (b) Support high quality development that fosters the transformation of precinct 4 (shown in Swan Street Activity Centre Plan to this clause) into a vibrant mixed-use precinct anchored by Burnley Station.
    (c) To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.

Melbourne Industrial and Commercial Land Use Plan (MICLUP)

119. The Melbourne Industrial and Commercial Land Use Plan builds on the relevant policies and actions of Plan Melbourne 2017-2050. It provides an overview of current and future needs for industrial and commercial land across metropolitan Melbourne and puts in place a planning framework to support state and local government to more effectively plan for future employment and industry needs, and better inform future strategic directions.

120. Map 5 within the document shows the commercial land within the inner metro region and identifies the site as being within an existing regionally significant commercial area (Figure 16).





Image: Excerpt from Map 5 of the MICLUP showing the Site (red dot).

Advertising

121. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 351 letters sent to surrounding owners and occupiers and by six (6) signs displayed on site. Council received 28 objections, the grounds of which are summarised as follows):

    (a) Inappropriate built form and design (excessive building height, exceeding mandatory height limit, impact on built form character, height, colour and appearance of the northern street wall to ROW, lack of visual interest to Swan Street, scale and massing, overdevelopment and precedence);

    (b) Off-site amenity impacts from the proposed building (visual bulk, overshadowing, loss of daylight, loss of privacy, wind);

    (c) Noise and security issues from hotel and car sales operations, including truck movements.

    (d) Rubbish from outdoor terraces;

    (e) Insufficient open space and landscaping;

    (f) Traffic (particularly along laneway and Belgravia Street access) and parking impacts on the surrounds and insufficient car parking for the proposal;

    (g) Request for a Traffic Management Plan for the development to help manage traffic in the surrounding area;

    (h) Removal of Council rubbish collection point for Belgravia Street dwellings;

    (i) Impacts from construction activities (including cumulative impacts from multiple construction sites in the area);

    (j) Negative impact on property values;

    (k) Impact on cyclists and unsafe cycling infrastructure along Gibdon Street and Barkly Avenue; and

    (l) Misleading advertising sign referencing ‘no permit required’.

122. The Section 57A amended plans do not increase the building envelope of the proposal and reduce the hours that liquor can be sold and consumed on the Site. Therefore, these plans have not been re-advertised as they would not cause material detriment to any person. The plans, however, have been sent to the objectors with the invitations to this PDC meeting for their reference.

123. No consultation meeting was held.

Referrals

124. Referral comments were received on the advertised plans. Additional referral comments were received from Council’s acoustic consultant, Social Strategy Unit, Engineering Unit, Strategic Transport Unit and ESD Advisor and City Works Branch (waste) in relation to the S57a amended plans.

External Referrals

125. The application was referred to the following external authorities:

    (a) Department of Transport; no response received.

(b) Transurban – no response received.

Internal Referrals

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

(a) Open Space Unit;
(b) Streetscapes and Natural Values Unit;
(c) Urban Design Unit;
(d) Engineering Unit;
(e) Social Strategy Unit;
(f) Community Amenity Unit;
(g) Strategic Transport Unit;
(h) Strategic Planning Unit;
(i) City Works Branch (waste);
(j) ESD Advisor;
(k) Acoustic Consultant (SLR);
(l) Urban design consultant (Hansen); and
(m) Wind Consultant (VIPAC).

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

OFFICER ASSESSMENT

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

(a) Strategic Justification;

(b) Use of the land for accommodation (residential hotel);

(c) Built form and urban design;

(d) Sale and consumption of liquor;

(e) On-site amenity including environmentally sustainable design;

(f) Off-site amenity including City Link exhaust stacks and waste management;

(g) Car parking, traffic and alteration of access;

(h) Bicycle facilities and strategic transport;

(i) Potentially contaminated land;

(j) Development contributions;

(k) Existing Section 173 Agreement; and

(l) Objector concerns.

Strategic Justification

129. The proposal enjoys considerable support from both State and local policy for accommodating increased development and employment in the given location. The site is appropriately located within the Swan Street Major Activity Centre (MAC), as well as its proximity to numerous public transportation options, including multiple bus routes, tram routes, and key arterial roads.

130. The C1Z encourages both residential and non-residential uses, with a purpose of the zone '*To create vibrant mixed-use commercial centres for retail, office, business, entertainment and community uses'.* The development of the site achieves this outcome, and is consistent with strategies outlined in clause 11.01-1S (Settlement) which aim to '*promote and capitalise on opportunities for urban renewal and infill redevelopment'* and *'ensure retail, office-based employment, community facilities and services are concentrated in central locations'.*

131. Consistent with the purpose of the C1Z, the use of the land for retail and office do not require a planning permit and the residential hotel only requires a use permit due ground floor design as opposed to operational matters. The buildings and works are triggered by the zone and overlay provisions. This indicates strategic support for the proposed uses within the precinct, which will provide activation along both Swan Street.

132. Clause 11.03-1R (Activity Centres – Metropolitan Melbourne) encourages development and growth in and around activity centres, with the Swan Street location supporting more intensive development. This is evident in the emerging mid-rise character within the immediate area.

133. The development provides opportunities for new employment within the proposed office, retail and residential hotel uses, consistent with clause 17.01-1S (Diversified Economy) and clause 17.02-1S (Business). These provisions, along with clause 21.04 (Land Use), recognise and support land uses and development that contributes '*to increase the number and diversity of local employment opportunities'.*

134. Clause 17.04-1R seeks to maintain and develop Metropolitan Melbourne as a desirable tourist destination. The proposed residential hotel will contribute to the availability of accommodation within the locality, while concurrently supporting the local economy through additional visitors to the area. Given the Site's location within the Swan Street MAC, this is considered an appropriate location for temporary accommodation. Furthermore, the location of the site in proximity to the Central Business District and Melbourne & Olympic Parks Precinct is likely to support proximate accommodation for both business and recreation travellers.

135. The development supports and promotes the use of sustainable personal transport by providing 44 on-site bicycle spaces and associated end-of-trip facilities, as sought by Clause 18.02-1S (Sustainable personal transport). Further to this, compliance with clause 18.01-2S (Integrated Transport) is achieved, with the development providing for communities' needs for commercial services by locating facilities within an existing activity centre with an established public transport system. This provides for a sustainable outcome with regards to land-use and transport integration.

136. This is also consistent with clause 21.06 (Transport), which aims to reduce car dependency by promoting walking, cycling and public transport use as viable and preferable alternatives. The site's proximity to public transport assists in achieving this objective.

137. Having regard to the above, the proposed re-development of the site for accommodation (residential hotel) with additional commercial uses (office and retail), is considered to have strategic planning support, however regard must be had to the off-site amenity impacts given the proximity to residentially zoned land to the north and the scale of the proposal, based on the individual context and constraints of the land.
This aspect of the development will be discussed below with regard to policies including clauses 22.05, 22.10 and various Design and Development Overlay provisions.

Use of the land for accommodation (residential hotel)

138. A permit is required to use the land for 'accommodation' (residential hotel) given the residential hotel lobby along the Swan Street frontage exceeds 2m (approximately 18.4m) in width at ground level, as outlined earlier in this report.

139. The intent of this permit trigger for accommodation uses is to ensure ground floor interfaces in commercial areas are appropriately activated with commercial uses, as opposed to residential frontages that would otherwise weaken the commercial function and vibrancy of activity centres.

140. Whilst the proposed residential hotel lobby is approximately 18.5 metres in width to Swan Street, it has been designed with a double height glazed form that provides an attractive and activated presentation to the corner with Stawell Street. This glazed treatment will also be enhanced with landscaping setbacks from the corner (refer to image below).



Image: Render of the ground floor frontages to the intersection of Swan and Stawell Streets. Source: S57a amendment documents.

141. It is also important to note that the proposed residential hotel incorporates ancillary bar, restaurant and function centre uses (these uses are allowable within the definition of a 'residential hotel' in Clause 73.03) that are available to both hotel guests and the general public. This lobby will therefore service both accommodation and commercial components of the hotel, which is considered to be entirely within the spirit of the Commercial 1 Zone.

142. Typical of residential hotel proposals, a Hotel Management Plan has been conditioned as part of the recommendation to detail matters relating to security and management of the residential hotel. This includes:

(a) A General or Duty Manager will be onsite at all times, providing immediate oversight of security, noise issues, maintenance and actioning of any complaints;
(b) Ground floor concierge to be staffed between 6am and 1am;
(c) CCTV surveillance will be provided across the premises at all times;
(d) The gym is restricted to hotel guests only;
(e) Reception operating hours;
(f) Hours of operation for Level 2 hotel amenities;
(g) Staffing/management arrangements;
(h) Provision for 'after hours' arrivals and departures;
(i) Security arrangements;
(j) Initiatives to direct hotel guests to the wider area from Swan Street and not the residential areas to the north (including Stawell and Belgravia Street), with a strategy provided outlining how this will be communicated to guests;
(k) Ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
(l) Establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
(m) An outline of all house rules intended to be used to manage residents and guests including:

(i) guest behaviour;

(ii) noise;

(iii) use of private terraces; and

(iv) methods of eviction if house rules are broken;

(n) Details of eviction process in the event house rules are broken.

Built form and urban design

143. This section of the report considers the built form of the proposed development and is guided principally by DDO17. This assessment is also based upon the decision guidelines of the Commercial 1 Zone at clause 34.01-7 and State and local planning policy at clauses 15.01-2 – Urban design principles; 21.05 – Urban design; 22.05 – Interface Uses Policy, 22.07 – Development abutting laneways policy, 22.10 – Built form and design policy and DDO2.

144. These provisions and policies seek a development that responds to the existing or preferred neighbourhood character and provides a contextual urban design response reflective of the aspirations of the area. Particular regard must be given to the site context, building height, massing, architectural response, the pedestrian experience and the development's interface with sensitive uses. These will be considered in the following paragraphs.

Site Context

145. As outlined within the 'surrounding land' section of this report, built form in the immediate area is mixed, with an emergence of contemporary, higher-scale development evident in the commercially-zoned strip along Swan Street (particularly to the west of the subject site). These developments are interspersed throughout a streetscape that is defined by hard-edged commercial buildings, typically provided with modest (if any) street setbacks. East along Swan Street, 487-491 Swan Street represents the eastern most 'purpose built' commercial building on the northern side of the Swan Street MAC.

146. To the north on the opposite side of the laneway, land is residential and generally defined by dwellings of one - two storeys, situated on narrow allotments with SPOS areas abutting the laneway. Clauses 22.05, 22.10 and the decision guidelines of the zone require that new development respond appropriately to sensitive residential interfaces.

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

Specific DDO17 versus DDO28 controls for the Site

148. The development is assessed against the quantitative building height and setback controls of DDO17 and proposed DDO28 (Amendment C191) in the table below. However, it is important to note that the proposed DDO28 controls are both seriously entertained and adopted by Council and only awaiting approval from the Minister. Accordingly, weight must be placed on DDO28, which are formally included in the Yarra Planning Scheme.

Item	DDO17	Proposed DDO28	Proposal	Complies?
Preferred street wall height				
• Swan Street	14.5m	14m	8.9m	Yes
• Belgravia and Stawell Streets	14.5m	14m	12.2m – 20.5m	No
• ROW (north)	11.5m	11m	5.8m – 12.9m	No
Mandatory maximum building height	24m	24m	23.8m	Yes

Min. Upper level setbacks (discretionary)				
• Swan St	5m	6m	3m	No
• Belgravia and Stawell St	3m	3m	0m (Level 00 – 06) 3m (Level 07)	No
• ROW	45 degrees	45 degrees	various	No

149. As demonstrated above, the proposal seeks variations from the discretionary street wall heights (Belgravia and Stawell Street and ROW) and upper level setbacks from all boundaries. It is important to note that the variations between DDO17 and DDO28 requirements are relatively minor. Accordingly, the following assessment is based on the interim DDO17 controls that currently exist within the Planning Scheme. These variation are discussed in detail below.

Street Wall Heights

150. The specific Precinct 4 controls set out in DDO17 refer to a preferred 14.5m maximum street wall height to Swan, Belgravia and Stawell Streets.

151. A Precinct 4 design requirement is to *'Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts'.*

152. The proposed Swan Street street wall measures up to 8.9m above the existing ground level and features a 4.5m setback at the southwest corner for a width of approximately 23 metres (1/3 of the Swan Street frontage). Accordingly, the street wall height to Swan Street comfortably sits below the preferred maximum street wall requirement of DDO17 (and DDO28).

153. The proposal exceeds the preferred street wall height requirement by up to approximately 6 metres along each of the side street frontages, with street walls ranging between 12.2m and 20.5m increasing in height closer to Swan Street(refer to image below).



Image: West elevation of the proposed development (Stawell Street street wall shown with red outline). Source: S57a plans.

154. Despite the variations sought from the preferred maximum street wall height requirements along Stawell and Belgravia Streets, it is considered that massing of these street walls is acceptable for the followings reasons:

    (a) The street walls step down to their lowest height to the north, adjacent the residential properties located along Farmer Street, to ensure visual amenity impacts are appropriately minimised.

    (b) The immediate interfaces to the east (existing three storey commercial building – also recently permitted for 5 storeys) and west (a former service station, presently used as a convenience shop) are not constrained by the Heritage overlay and are non-sensitive, lending to a robust street wall design.

    (c) The architectural composition of each street wall to the side streets is well composed (discussed further below under 'architectural quality').

    (d) The shadow impacts to the western footpath of Stawell Street are limited to a short time in the morning between the hours of 10am and 2pm on the September Equinox, which is not considered unreasonable given the north-south axis of this road.

155. Council's external urban designer reached the same opinion regarding the side street variations, noting the following:

    "In order to broadly comply, the east and west ends of Levels 5-6 would need to be setback 3m. Such an erosion of the form, would also assist in reducing the overshadowing impact to Stawell Street. While this setback could be easily applied to these levels (by omitting the end hotel rooms) it is considered it would unnecessarily compromise the strength of the massing arrangement and singular form of the 'floating' hotel component – when viewed on oblique from Swan Street. Therefore, we support the proposed massing arrangement to both side streets."

156. In summary, it is considered that the proposed development will satisfy the requirements to exceed the preferred maximum street wall height, including the general design objectives and requirements of DDO17.

Building Height

157. As noted in the table above, the proposed development will comply with the mandatory maximum building requirement of 24 metres (23.8 metres). It is important to note that this height has been considered and accepted by the appointed Panel for Amendment C191, resulting in consistent controls in DDO17 and proposed DDO28. This mandatory height control ensures that the new mid-rise character, sought by DDO17, is appropriately achieved.

158. It is noted that land to the west features the same mandatory height control of 24m, while the land to east has an 18m mandatory height limit to ensure built form transition is achieved to the lower scale built form constrained by the Heritage Overlay further east. The application of mandatory height controls in this manner means no further consideration of building height transition along Swan Street is necessary.

Upper level setbacks (east, west and south)

159. Similar to the street wall heights, the proposal seeks some variations to the preferred minimum upper level setbacks to Swan, Belgravia and Stawell Street respectively.

160. The 3m Swan Street upper level setback is 2 metres less than the DDO17 requirement or 3 metres less than DDO28 requirement. The top office level is setback 5.1 metres, in accordance with DDO17.

161. Notwithstanding the departure from the preferred minimum upper level setback requirements for Swan Street, it is considered that the 3m setback will achieve an appropriate built form outcome for the following reasons:

    (a) The significant width of the Swan Street frontage (approximately 67 metres) means that any proposed building will present significant mass to Swan Street, whether a 3m, 5m or 6m upper level setback is adopted for Levels 03-06.

    (b) The 3m Swan Street setback is sufficient to provide visual distinction between the ‘glazed’ street wall / lower levels and the more solid upper levels (refer to the image below).

    (c) The proposed building will not overshadow Ryans Reserve (directly south of the Site) between 10am and 2pm at the September Equinox.

    (d) The proposed building will not result in any overshadowing of the footpath on the southern side of Swan Street, between 10am and 2pm at the Equinox.

    (e) The consistent application of the 3 metre street setback to Levels 03-06 will avoid a ‘wedding cake’ appearance for the built form and will also help conceal the recessed nature of Level 07 from extensive vantages along Swan Street.

    (f) The reduced will setback will contribute to the mixed streetscape that exists along this section of Swan Street.

    (g) No residentially zoned property will be adversely affected by this reduced setback.



Image: Render of the proposed building viewed from Ryan Reserve (southern side of Swan Street). Source: S57a amendment documents.

162. The street walls to Stawell and Belgravia Street are considered acceptable as determined in the assessment above. The 3m setback of Level 07 above these street walls is compliant with the setback requirement of DDO17. Pergola structures project 1.5m beyond this setback but are open and lightweight in design and will be largely concealed from public views along Swan Street by the levels below.

Northern interface

163. One the key Design Objectives of DDO17 is to *'minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts'*. Residential properties fronting Farmer Street exist immediately north of the ROW at the rear of the Site.

164. To manage amenity impacts to this residential interface, DDO17 sets out a preferred maximum wall height of 11.5m (11m under proposed DDO28) to the sites northern boundary with upper levels above to be setback at a 45 degree angle from this wall.

165. The proposal adopts articulation to the northern walls of lower levels, which results in a balance of compliant and non-compliant wall heights in relation to the abovementioned controls.

166. In effect the northern wall to the laneway varies between 5.8m and 12.9m in height above the existing ground level. The lower heights are brought about by two light courts that service Level 02 and 03. Open-sided pergola structures with slatted roofing extend a further 1.8m above the maximum wall heights. The basic massing composition of the northern walls is shown in the image below.

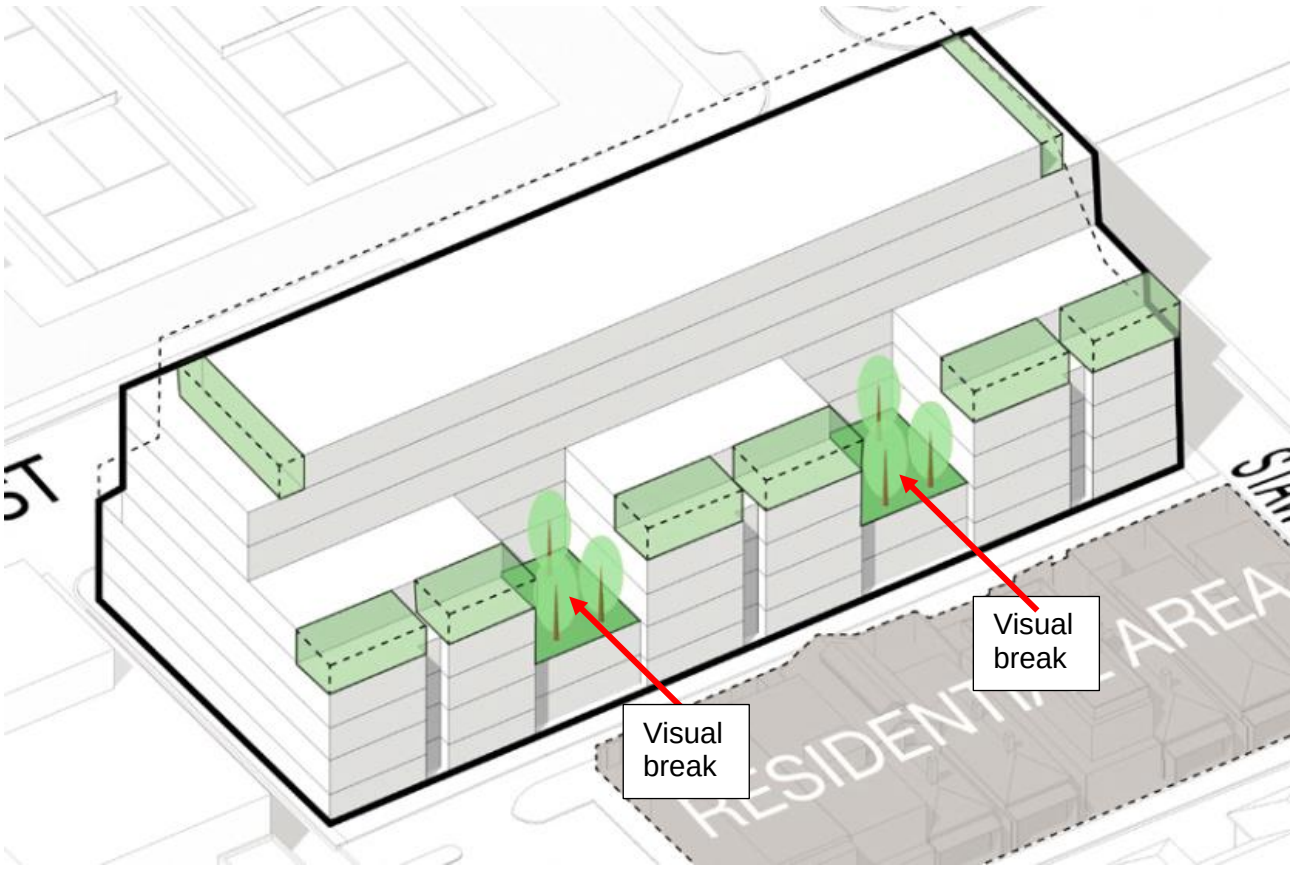


Image: 3D massing and lanscaped areas of the proposed building viewed from the northeast. Source: *Advertised Urban Context Report.*

167. The variations from the DDO17 wall height and setback requirements are better understood by Section A and B of the architectural plans, which are shown in the images below (with red outline showing the DDO17 setback requirements).

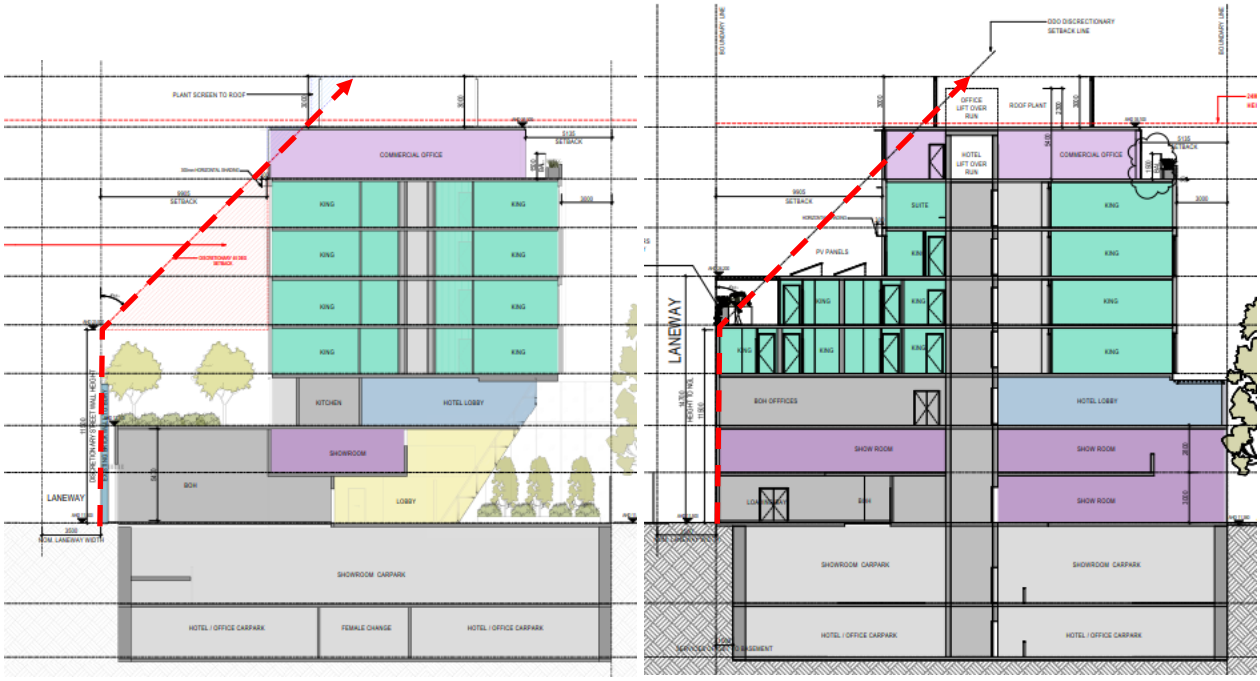


Image: Lightcourt Section (left) and 12.8m high wall to laneway (right) with dashed red outline markup showing DDO17 requirements. Source: S57a amendment plans.

168. The above sections show that the variations from the DDO17 requirements are generally limited to the balustrade/planter boxes and open pergola structures above the higher wall to the laneway boundary. An additional variation to the 45 degree angle requirement is noted at the Level 07 wall.

169. Having regard to the above, it is considered that the proposed massing approach for the northern walls is considered entirely acceptable for the following reasons:

    (a) The northern brick wall of the existing building on the Site stands approximately 8.3 metres in height with no visual or material articulation.

    (b) The massing approach for the proposed lower levels adjacent the laneway includes two significant breaks, measuring 9m in width x 9.9m depth, to ensure the visual impact of the northern laneway walls is appropriately mitigated.

    (c) On balance, the proposed mass is less than the maximum built form massing permitted by DDO17 as demonstrated by the above sections.

    (d) No overshadowing will occur to the northern adjoining residential properties.

    (e) Landscaping within Level 03 planter box balustrades and pergolas will further soften the appearance of the proposed northern walls.

    (f) Level 07 will be setback at least 13 metres from the adjoining residential properties, which will ensure no unreasonable visual impacts occur.

    (g) Council external urban designer considers that the northern interface is appropriately articulated to divide the form's breath and features appropriate architectural expression.



Image: Render of the proposed building viewed from the north, adjacent 54 Farmer Street (showing laneway interface). Source: S57a amendment documents.

Public realm interface / Pedestrian Experience

170. Both DDO17 and Clause 22.10-3.4 promote active and attractive frontages to the public domain in order to enhance public safety and the pedestrian experience. Due to the island nature of the site, pedestrian movement is possible on all sides of the proposed building.

171. The three storey street wall to Swan Street is considered to provide a human scale to Swan Street, which also provides the primary pedestrian corridor adjacent the Site. This street wall is designed with a simple glazed form with grey spandrels, which maximises surveillance and outlook from the proposed commercial uses and will also allow views into the Site. The primary entry of the motor vehicles sales showroom is appropriately located centrally along this street wall and annotated on the elevations as 'potential showroom entry to be confirmed in design development stage'. A condition has been included in the recommendation to confirm this entry location.

172. The southwest corner of the building is setback from Swan and Stawell Streets to create a plaza. This plaza has been designed with pedestrian paths that will enhance pedestrian connectivity to the main hotel and office entries along Stawell Street, bench seating, visitor bicycle parking spaces and significant landscaping with raised planter beds. The creation of the plaza not only serves to provide visual interest to an otherwise continuous street wall but also helps define the most prominent corner of the building (refer to the image below).



Image: perspective of the proposed building showing plaza located at the intersection of Swan and Stawell Streets. Source: S57a amendment documents

173. The design of pedestrian paths and landscaping areas has been undertaken in a manner that will give the perception that public realm is extended adjacent the existing tram stop and bench along Swan Street and footpath along part of Stawell Street. The plaza will also be partly overhung by the Level 02 terrace and upper levels, which will provide weather protection.

174. Council's Urban Design Unit has reviewed the proposed plaza design and raised no concerns with the Section 57a amendment plans, which addressed a number of issues raised with the original plans with regard to the public realm interface, street furniture and pedestrian circulation. They have identified that the previously proposed bench seating adjacent the Swan Street has a linework error. A condition has been included in the recommendation to ensure this bench seating is clearly shown on the ground floor plan. Between the two crossover, a landscaping barrier adjacent the Stawell Street frontage is proposed to help manage potential conflict between vehicles using the port cohere and pedestrians on the footpath.

175. The port cochere area and vehicle access to the basement are proposed along Stawell Street. This is considered acceptable, given existing vehicle access is removed along the Swan Street frontage to maximise activation to the primary street frontage. However, a condition is included to ensure new crossovers are clearly shown on the ground floor plan and that the landscape barrier along Stawell Street features a raised kerb.

176. The office and lobby entries fronting Stawell Street are appropriately located and designed with a 2.9m wide footpath zone separating the entries and the port cochere vehicle accessway. A condition has been included in the recommendation to ensure the pedestrian area in front of the entries features a raised level above the port cochere accessway. The plaza pedestrian paths significantly enhance connectivity to these entries, as discussed above. Clear sight lines will also be available to these entries along Stawell Street.

177. Glazed street walls are provided at ground floor – Level 02 along the majority of Belgravia Street that will provide opportunities for views into and out of the proposed building and opportunities for passive surveillance.

178. The motor vehicles showroom and the hotel BOH and waste vehicle entries are proposed along the rear laneway, which again is a good design outcome for the three street frontages. It is acknowledged that the laneway is used as an east-west pedestrian connection between Burnley Street and Bendigo Street. The existing site interface to this laneway incorporates graffiti at ground level, which provides some visual interest. The proposed ground floor and 01 precast concrete laneway walls are to be finished with public art work, by a local artist, to improve the visual experience along the laneway (refer to images below). A public art management plan condition is included in the recommendation to ensure the artwork is to Council's satisfaction.



Images: Photo of the existing northern wall along laneway (left) and render of proposed northern interface (right).

Architectural Quality

179. Policy at clause 15.01-2S encourages high standards in architecture and urban design, whilst clause 22.10 encourages the design of new development to respect (amongst others) the pattern, spatial characteristics, fenestration, roof form and materials in the surrounding area. DDO2 and DDO17 also provide general building design requirements.

180. As noted earlier, an increasing degree of contemporary, mid-rise built form is emerging within the Swan Street MAC. These developments typically provide robust, rectilinear designs, a balanced solid to void ratio to street walls with higher proportions of glazing at upper levels and flat roof forms.

181. The proposed building is generally considered to incorporate appropriate architectural quality and 'expression in the round', highlighted by the following features:

    (a) Splayed built form (two level void) adjacent south west corner at lower levels to highlight the entrance to the residential hotel and provide passive landscaped space adjacent the tram stop and Ryan's Reserve.

    (b) Floor to ceiling glazed treatment of the street wall to Swan Street, that wraps around Belgravia Street, to maximise activation and provide an engaging interface. This street wall also broken by the splay discussed above.

    (c) A robust built form presentation to Swan Street with recessive upper levels adjacent the northern ROW to respect the residential interface to the north.

    (d) Installation of vertical and horizontal fins to the upper level eastern and western and northern hotel room windows respectively for shading and visual interest purposes.

    (e) Consistent architectural treatment of upper levels, particularly facing Swan Street, articulated by a balanced solid to void ratio, angular/textured concrete panels and differing window frame finishes.

    (f) All four elevations have glazing and articulation, including materiality variations to different façade components, which ensure the building is attractive from all angles.

    (g) Landscaped edges to various terrace edges to soften the appearance of the development.

    (h) Incorporation of public art to the northern residential interface.

182. Council's urban design consultant raised no concern regarding the external architectural design of the building, with comments principally made regarding the port cochere interface to Stawell Street and internal amenity considerations. The urban design consultant supported the robust presentation of the building to Swan Street, stating the following:

> *"An initial concern in terms of the proposal's massing was its broad and uniform presentation of the hotel rooms at upper levels to Swan Street and whether or not the form required modulation and/or greater variation in order to better respond to the prevailing built form rhythm. Such modulation could be incorporated by reconfiguring the hotel rooms to the south of the lift core and introducing a further setback to slightly recess a central portion of the upper levels. However, given the site's current building, 'island' nature, the lack of built form opposite and the proposed hotel use a more striking and stronger massing arrangement is considered appropriate. It is also acknowledged that the façade contains subtle variations is wall profile and a gridded fenestration pattern which will provide sufficient articulation and visual interest to the hotel component. Therefore, despite the broad and rather uniform presentation of the hotel form to Swan Street, we consider it to be an appropriate arrangement."*

183. Whilst it is agreed that the robust massing is appropriate to Swan Street as discussed above, the proposed upper levels presenting to Swan Street are not considered to incorporate sufficient articulation, given the width of this façade extends continuously for approximately 68m. In response to this issue, the applicant has provided a set of sketch plans (refer to images below) that show the following changes:

    (a) Inclusion of 300mm deep vertical blades adjacent upper level windows of the southern elevation; and

    (b) Alternating colours on the blade sides, depending on which direction you approach the building.



Images: Render of the south elevation, S57a documents (left) and render of south elevation, sketch plans (right).

184. The comparison of renders above clearly show the visual improvement that the vertical fins will provide the Swan Street façade. The extra colour and depth created by the fins is considered to adequately address the concerns in relation to façade articulation. Accordingly, the changes shown on these sketch plans will be conditioned as part of the recommendation.

185. External materials and finishes are to be of a high quality and durable in nature, comprising:

    (a) Glazing (grey tint, clear with dark grey spandrels);

    (b) Concrete (polished finish off-white, natural finish and natural finish with pattern;

    (c) Paint finish (grey);

    (d) Metal cladding (charcoal);

    (e) Metal louvres (charcoal and black coloured); and

    (f) Timber (natural finish) to pergola slats.

186. Objectors residing within adjoining residential properties along Farmer Street have raised concerns regarding the dark ‘charcoal’ coloured cladding to the three lower level ‘box’ elements along the northern elevation (refer to image below). Given these walls will be south of adjoining properties (having limited impact on daylight), broken by light courts with different materials and landscaping and separated from residential properties by the existing laneway, the charcoal is considered appropriate and contributes positively to the contemporary architectural composition of the building.



Images: Atists impression (render) of the proposed development viewed from the SPOS of 66 Farmer Street. Source: Advertised Design Response.

187. Overall, it is considered that all sides of the proposed building will feature a high level of architectural quality and appearance. A façade strategy condition is included in the recommendation to ensure that all external finishes for the facades are executed to Council's satisfaction, including the provision of detailed images/samples of materials/finishes (including details of the proposed new material/colour of the fins as proposed by the sketch plans) to ensure a high quality finish is achieved. A further condition is recommended that requires the retention of Rothelowman as part of the detailed design and construction phases of the development.

Landscaping

188. A high level landscape concept for the development, prepared by Florian Wild, was included with the application, which features the following:

    (a) An extensive ground level plaza at the southwest corner servicing the hotel and office lobbies with scope for deep planting beds, including small canopy trees, to provide a green buffer between the Site and adjacent streets.

    (b) Planter boxes to the Level 02, 03 and 07 terrace edges with small shurbs and cascading ground cover plantings.

    (c) Two large, north facing lightcourts with extensive landscaping, on Level 03.

189. Council's open space unit have reviewed the landscape concept plans are supportive of the design overall, especially the direction for a 'paired-back green façade' along Swan Street. The Unit requested more detailed landscape plans for endorsement purposes. Conditions have been recommended to ensure this detail is required, together with updated plans that reflect the changes incorporated into the S57a amended plans, including the reconfigured ground level plaza and addition of low-height plantings in the northeast corner of the Site.

190. Council's arborist have reviewed the proposal in relation to its interface with the existing street trees along Swan Street. Council's arborist have requested that the trees are protected during demolition and construction with a tree protection bond payment and TPZ fencing. Conditions to this effect have been included in the recommendation.

Site coverage

191. Greater than 90% of the Site will be covered in built form. There are no site coverage requirements set out in DDO17. Whilst the development does not achieve the recommended maximum site coverage of 80% in accordance with Clause 22.10, this is acceptable because the proposed site coverage reflects that of the existing and emerging built form commercial context of the Swan Street MAC.

192. Having regard to the above assessment, it is considered that the proposal demonstrates substantial compliance with the policies of DDO17 and Clause 22.10 relating to built form and will contribute positively to the emerging/preferred built form character of the Burnley Street precinct.

Sale and consumption of liquor

193. To evaluate the appropriateness of the hotel in terms of the sale and consumption of liquor, clause 22.09 (Licensed Premises Policy) and clause 52.27 (Licensed Premises) contain the relevant policy guidelines. An assessment to this effect is provided below.

Location, Access and Venue Design

194. The proposed level 02 hotel amenity areas proposes to have a maximum capacity of 710 patrons at anyone time (including function centre, restaurant, bar and outdoor terrace). Whilst the Site is not located within a Core Entertainment Precinct (encouraged for premises over 200 patrons in Clause 22.09-3), the site is considered to have strong strategic support for a residential hotel as discussed above under 'strategic justification'. This includes being located within the Commercial 1 Zone, which is the most common zone for licensed premises throughout the municipality. The Site also forms part of the eastern end of the Swan Street MAC.

195. The site does however have an immediate residential interface to the north. This residential interface is zoned General Residential Zone and generally comprises a mix of single and double storey detached and attached dwellings. Refer to zoning map at Paragraph 29.

196. Pursuant to policy requirements, the venue has been designed to positively respond to the DGLV document as follows:
    (a) The patron entry and exit from the proposed premises is to be via a single hotel lobby entry facing Stawell Street. The proposed lobby part of the building features setbacks from the southwest corner of the Site, which incorporates pedestrian circulation paths that effectively facilitate pedestrian movements and desire lines out to Swan Street. These setback areas give the impression of extended public realm, which will improve public safety particularly along Stawell Street, which has a narrow footpath and will lead people away from the residential area to the north.
    (b) The lobby entry doors will be setback approximately 20 metres and 25 metres from the rear boundary and the closest dwelling of 54 Farmer Street respectively. This is considered to be a sufficient spatial buffer between both uses, particularly given the C1Z zoning context of the Site.
    (c) The 24/7 nature of the residential hotel operations (eg. staffing associated with managing hotel guests) and substantial glazing to the lobby will ensure there is opportunity for a high level of public safety and surveillance of patrons as they enter and leave the premises. Furthermore, the Applicant has confirmed that the ground floor concierge will be staffed between 6am and at least 1am, which will also provide additional surveillance over guests and patrons entering and exiting the premises.

A condition of permit is recommended to formalise this arrangement but also extend these hours to 1:30am to assist patron dispersal.

(d) The entry/exit area on site is clear of obstacles.

(e) A condition is recommended to ensure a sign is installed at the exit point reminding patrons to leave in a quiet and orderly manner for the benefit of the surrounding residents.

(f) The hotel lobby is generously proportioned and furnished with concierge and seating areas, together with stair and lift access for vertical circulation to hotel rooms and amenity areas. Importantly, the proportions of the lobby and footpath area next to the port cohere is expected to generally limit the potential for patron queueing / pedestrian movement disruption within the public realm. The lobby also has the potential to serve as a transitional space that separates patrons from hotel amenity areas on level 02 and the public realm along Stawell Street.

(g) The open plan design of Level 02 amenity areas allows clear sight lines inside the venue.

(h) Toilets are located away from the main circulation area on site.

(i) Smoking is to be permitted on the outdoor terrace, which will mean patrons will not need to leave the premises to smoke.

(j) The applicant has confirmed that CCTV surveillance will be installed at the ground floor lobby, which is also recommended to be formalised by permit condition.

The proposed venue design is therefore considered satisfactory.

197. A bin storage area for the hotel is appropriately proposed at ground level and accessed from the Back of House door to the rear laneway. Further assessment of waste management is included within the 'off-site amenity' section below.

Hours of Operation

198. A summary of the proposed hours of operation is summarised in the table below.

Hours of Operation summary

Area	Hours for liquor sale and consumption
Function Centre	6am – 1am
Restaurant/Lounge	6am – 1am
Bar/Lounge	6am – 1am
Outdoor Terrace	6am – 1am
Hotel rooms	24/7 (ie. mini bar)

199. The following policies of Clause 22.09-3 are relevant to the proposed hours of operation:

(a) Licensed premises within 30 metres of a residential zone should not provide for the sale and consumption of liquor beyond 11pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.

(b) Licensed premises in a Commercial or Industrial zone should not provide for the sale and consumption of liquor beyond 1am, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.

(c) For outdoor areas, including smoking areas, rooftops and open courtyards, the sale and consumption of liquor should not occur after 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.

(d) Licensed premises (including packaged liquor outlets) should not commence the sale and consumption of liquor before 9am.

200. The function centre, restaurant, bar and outdoor terrace hours all depart from the above policies due to hours of operation until 1am within 30 metres of a Residential Zone (Farmer Street properties) and a 6am commencement time. Council's Social Strategy Unit have recommended that the proposed hours of operation are entirely restricted to be in line within the above policies.

201. Council's Community Amenity Unit have raised no concerns regarding the internal hours of operation until 1am, subject to various conditions to address potential acoustic issues including the use of a noise limiter for music/vocals. Additional suggestions were made to close the outdoor terrace at 11pm Sunday to Thursday and midnight on Friday and Saturday.

202. The applicant has submitted an acoustic report prepared by RWDI in support of the proposed hours of operation and activities generally, subject to various mitigation measures, including:

(a) Building façade recommendations, including glazing performance.
(b) Various recommendation for the loading dock construction and operation, including restricting hours of operation between 7am and 6pm Monday to Saturday, with no deliveries on Sundays.
(c) Review of wall construction of the function centre at the planning permit/detailed design stage to ensure music noise breakout is adequately controlled.
(d) Music noise levels within all other social areas on level 2 to be limited to background music.
(e) Detailed assessment of mechanical equipment to be undertaken at the planning permit/detailed design stage.
(f) A full height unperforated acoustic screen to the northern and part of the western edge edges of the outdoor terrace shown with red lines in the image below.

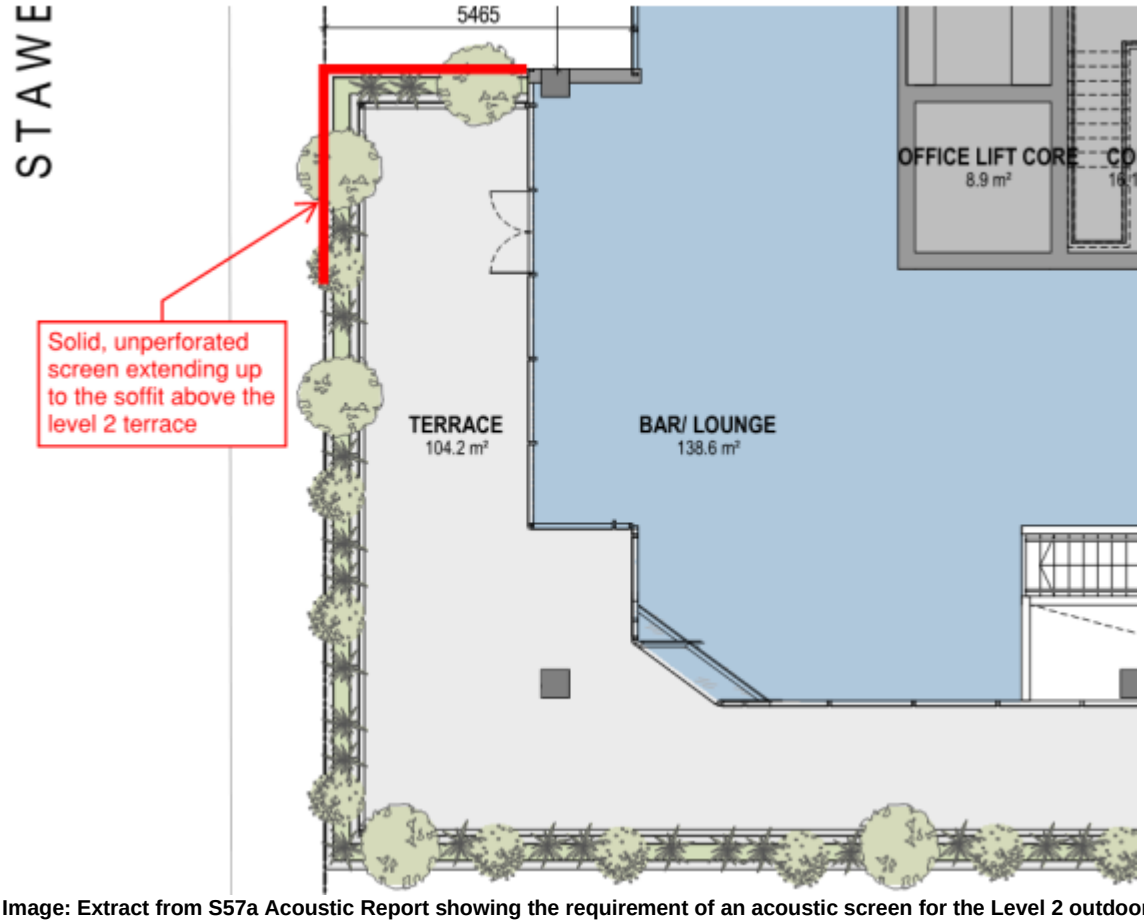


Image: Extract from S57a Acoustic Report showing the requirement of an acoustic screen for the Level 2 outdoor terrace.

203. Council's Acoustic Consultant has reviewed this report and confirmed that the report is generally satisfactory. However, the following requirements were recommended as additional matters (and are included as conditions in the recommendation):

    (a) Limiting music noise: All music in the function room to be played through a calibrated noise limiter / compressor. The monitoring equipment should include an external microphone.
    (b) Pre-commencement: An acoustic report should be submitted prior to use of these spaces, demonstrating that the sound system has been set up to ensure that the relevant noise limits will not be exceeded. Compliance should be demonstrated for both the day/evening period, and for the night period when lower levels of music are proposed.
    (c) Outdoor terrace: Patrons on the Level 2 outdoor terrace should be restricted to 30 from 10 pm nightly.

204. It is clear that acoustic impacts from internal activities can be well managed from the various recommendations in the acoustic report, particularly the use of concrete in the façade construction and glazing specification. Accordingly, the hours of operation for the various activities on level 2 are generally supported until 1am daily. A condition has been included in the recommendation to ensure no access is provided to the northeastern light court from the function centre room. The management of patrons during these hours is discussed further below.

205. The revised S57a architectural plans do not show the provision of an acoustic screen along the northern and part of the western edges of the Level 2 outdoor terrace. If this screen had been shown on the plans, its extent would be approximately 3.8 metres along the western elevation in length per the image markup below:



Image: Markup of the S57a amended western elevation, showing approximate location of the acoustic screen, required by the acoustic consultant.

206. From a design perspective, the addition of this screen will disrupt the continuous horizontal line of the outdoor terrace balustrade, which currently reads as a strong and attractive element of the architectural composition. This design element should be retained, particularly given this horizontal line effectively breaks up the upper level street wall above.

207. Council's external acoustic consultant was consulted regarding what hours of operation for the outdoor terrace would be appropriate if no acoustic screen was provided and stated the following (extract from supplementary email by SLR Consulting, included in the attachments):

*"I've had a look at the implications of removing the screen re patron noise impacts. I'd expect noise levels to increase by about 3 dB to receiver to the north east (west), without the screen (based on the estimate that the screen interrupted line of sight from the residence to about 50% of the exposed terrace – see snips below). Based on Table 25 of the report, this would result in levels of up to 52 dBA at that location, which is 2 dB over the identified **evening** noise limit (i.e. up to 10 pm night).*
This isn't ideal, however the patron noise limits are not mandatory; patron noise is quite variable, and 2 dB is not a substantial exceedance (usually described as 'barely noticeable'), so it would not be unreasonable for Council to approve the omission of the screens if this was perceived to be a better planning outcome.

Some extension of hours into Friday and Saturday nights may be reasonable given that background noise levels are typically higher on these nights. However I'd recommend not going past 11 pm, and restricting patrons outdoors at these times to 30 max (as advised in the acoustic report)."

[underlined word added for clarity]

208. The advice above indicates that outdoor terrace should not operate beyond 10pm Sunday to Thursday or 11pm on Friday and Saturday. It is acknowledged that the noise levels without the screen increase to approximately 2 dB above the evening noise limit. However, any adverse impacts from this minor exceedance is considered to be acceptable subject to the restricting of operating hours of the outdoor terrace to 10pm - 11pm, instead of 1am currently proposed. The hours of operation for the outdoor terrace are recommended to be conditioned to this effect, which is considered to be more closely aligned with Clause 22.09-3 policy.

209. It is also recommended to condition the consumption of the sale and consumption of liquor to commence no earlier than 9am daily, in line Clause 22.09-3 policy.

210. The provision of a liquor licence to service guests within hotel rooms only (via mini bar or room service) is unlikely to give rise to off-site amenity issues and is supported.

211. A condition will also be included to ensure deliveries and waste collection from the Site do not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law.

Patron Numbers

212. A summary of the proposed patron numbers is summarised in the table below.

Patron numbers summary

Area	Floor area m^2	No. of Patrons proposed	$m^2/0.75$
Function Centre	384	**450**	512
Restaurant/Lounge	316.3	**120**	421
Bar/Lounge	229.1	**60**	305
Outdoor Terrace	104.2	**80 (30 after 10pm)**	138
TOTAL		**710**	1376

213. The function centre use is proposed to have a maximum capacity of 450 patrons and represents the largest area in floor space terms on Level 2. The Applicant has indicated that no more than 6 functions per week will be held within the function centre room, which is recommended as a permit. It is noted that a portion of function attendees are likely to stay overnight within the proposed hotel rooms, which is typical expectation of hotels of this scale and offering.

214. The remainder of hotel amenity areas has a combined capacity of 260 patrons, which is significantly less than the VCGLR requirement of 864 patrons (based on combined floor space). As a result, patrons will experience high amenity in these areas.

215. It is noted that the proposed patron capacities in each of the Level 2 amenity area are well within the ratio of 0.75 patrons per 1m2 recommended in *Victorian Commission for Gambling and Liquor Regulation (2018) Liquor Licensing Fact Sheet - Maximum Patron Capacity*.

216. Council's Social Strategy and Community Amenity Units have not raised any specific concerns regarding the proposed patron numbers, given they satisfy the VCGLR maximum capacity guidelines and are therefore acceptable in purely quantitative terms.

217. The maximum capacity of between 660 (after 10pm) and 710 (before 10pm) patrons is notable outside of the Core Entertainment Precinct. However, it is important to distinguish a residential hotel from a typical licensed venue, where a residential hotel is likely to have a portion of its patrons stay overnight. Notwithstanding this, the potential amenity impacts to nearby residents need to be carefully considered.

218. The proposal currently seeks to reduce the number of patrons on the outdoor terrace after 10pm to no more than 30 to help minimise acoustic impacts on surrounding residential properties. However, as discussed above, the installation of the acoustic screen to the northern and part of the western edges of the outdoor terrace (currently not shown on the plans) is not supported. As a result, it is recommended that patron capacity limits of the outdoor terrace are to be limited as follows to minimise impacts to nearby sensitive receivers:

    (a) Sunday – Thursday:
        (i) 9am – 10pm: 80 patrons.
    (b) Friday and Saturday:
        (i) 9am – 10pm: 80 patrons
        (ii) 10pm – 11pm: 30 patrons.

219. Council's Social Strategy Unit raised concerns with the lack of information in relation to a patron exit strategy, which is a key issue from a licensing perspective having regard to the proposed patron capacities. To address this shortcoming of the NAAP, the following conditions are recommended:

    (a) Installation of a sign on the exit side of the lobby, reminding patrons to leave in a quiet and orderly manner for the benefit of the surrounding residents.
    (b) The noise and amenity action plan updated to include the following measures:
        (i) Measures to discourage mass patron dispersal, particularly during function centre events.
        (ii) The ground level concierge to be staffed between at least 6am and 1:30am each day to maximise surveillance and help deter inappropriate behaviour immediately outside the premises.
        (iii) Installation of CCTV surveillance throughout the premises.
        (iv) The management of large group bookings.
        (v) The management and dispersal of patrons, including patrons loitering around the venue after the venue has closed.
        (vi) Measures to prevent external queues.

Noise

220. No music on the outdoor terrace is proposed and is recommended to be conditioned accordingly. Furthermore, a music noise limiter is also included as a condition in the recommendation (including pre-commencement testing) for function centre activities, per Council's external acoustic consultants advice.

221. The issue of noise impacts from Level 2 activities (patron and music noise) associated with the sale and consumption of liquor has also been addressed under 'hours of operation' and 'patron numbers' above. Noise impacts were deemed to be acceptable subject to the acoustic report recommendations and additional conditions.

Noise and Amenity Action Plan

222. In accordance with the requirements of Clause 22.09, a NAAP is required to provide the following information:

    (a) Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or the Victorian Commission for Gambling and Liquor Regulation.
    (b) The management and dispersal of patrons, including patrons loitering around the venue after the venue has closed.
    (c) The management of large group bookings.
    (d) The management of external queues.
    (e) The management of smokers and on and off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed within the smoking area after a particular time).
    (f) How the movement and exit of patrons is to be managed, particularly where there is a requirement to close different sections of the venue at different times.
    (g) Details of the provision of music including the frequency and hours of entertainment provided by live bands and DJs.
    (h) Any other measures to be undertaken to ensure no unreasonable amenity impacts from the licensed premises.

223. The NAAP submitted with the application satisfies the requirements of item (a) and item (g). A condition is included in the recommendation requiring the NAAP to be updated to appropriately address the items within (b), (c), (d), (e), (f) and (h).

Cumulative Impact

224. The potential cumulative impacts of the proposed licensed premises will be assessed against the risk assessment matrix provided by the Corner Hotel decision (*Swancom Pty Ltd T/as Corner Hotel v Yarra City Council & Ors).* Applying the matrix of risk below, a reasonable consideration would suggest that a score of 1-3 would be *no risk* and would not require a cumulative impact assessment. Any score higher than 3 would suggest a potential risk that would require a cumulative impact assessment.

Type of Premise	**Risk Factor**
Café / Restaurant	0
Bar / Restaurant / Café	1
Bar	**3**
Hotel / Tavern	3
Night Club	3
Place of Assembly	2
Size of Premise	**Risk Factor**
0 – 49 patrons	0
50 – 99 patrons	1

100 – 199 patrons	2
200+	**3**
Closing hours	**Risk factor**
11pm	0
12am	1
1am	**2**
2am	3
3am	3
After 3am	4

225. The proposed licensed premises achieves a score of 8 and therefore consideration of a potential cumulative impact is required.

226. Practice Note 61 – Licensed premises: Assessing cumulative impact was released by the Department of Planning and Community Development (DPCD) in March 2011, and provides a framework for assessing cumulative impact. The Practice Note outlines the following matters to be considered when assessing the cumulative impact of licensed premises:

(a) Planning policy context
(b) Surrounding land use mix and amenity
(c) The mix of licensed premises
(d) Transport and dispersal
(e) Impact mitigation

227. However, not all applications bring rise to cumulative impact concerns or necessitate a detailed cumulative impact assessment against the DTPLI Practice Note (#61). The assessment carried out previously has addressed patron numbers, closing time, the type of venue, noise impacts, dispersal of patrons from the site and queuing of patrons.

228. As identified within the applicants NAAP (Appendix), there are only a limited number (2) of 'general' liquor licenses within the surrounding area being:

(a) The Grand Hotel – 334 Burnley Street, Richmond; and
(b) Rising Sun Hotel – 395 Swan Street, Richmond.

229. The remainder of liquor licenses within 500 metres of the Site are either restaurant and café, on-premises or limited licences.

230. It is considered that the proposal will result in a low risk of cumulative impact for the following reasons:

(a) The venue type (residential hotel), patron capacity for publicly accessible facilities on Level 2, and noise mitigation measures.
(b) The low density of 'general' licences and mix of other liquor licences within 500 metres of the Site;
(c) It is expected that a proportion of patrons will stay overnight at the hotel;
(d) The publicly accessible facilities proposing background music only (and no music on the outdoor terrace);
(e) Food will be available through the hours of operation, and a seating ratio of one seat per patron has been conditioned to discourage vertical drinking;
(f) The proposed limit on the number of functions that can occur per week;,and
(g) The provision of a liquor licence to service guests within hotel rooms only (via mini bar or room service) is unlikely to give rise to off-site amenity issues.

On-site amenity including environmentally sustainable design

Hotel rooms

231. It has been well established by VCAT that residential hotels do not require the same standard of internal amenity as a dwelling given the short term, temporary nature of the accommodation type.

232. In the matter of *Tribe v Whitehorse CC* [2014] VCAT 212, the Tribunal made the following observations at paragraphs 59 and 62 regarding the serviced apartments, which could equally apply to a residential hotel:

> *[59] The proposed apartments do not have layouts or facilities consistent with what would typically be provided for dwellings. As noted by the objectors, some apartments do not have balconies or ground level courtyards for open space, living spaces rather than some bedrooms are 'internalised' within the unit layout and facilities like storage and areas to dry clothes are not provided. The 'apartments' are, in many cases small, and more akin to a motel unit with cooking facilities.*
>
> *…*
>
> *[62] By and large, I do not see any difficulty with apartments of the size and type proposed being used for temporary accommodation. However, I would not approve them for dwellings providing permanent accommodation given the standard of amenity they provide. The absence of open space for some apartments, the internal layouts and absence of facilities do not make the proposed units suitable for permanent accommodation*

233. However, whilst residential hotels are not expected to provide the same level of internal amenity as permanent accommodation, a level of amenity commensurate with the expectations of temporary accommodation still needs to be considered. This was explored through VCAT decision at Nos. 42-44 Oxford Street, 61-63 Cambridge Street and 16 Langridge Street, *Langridge and Cambridge Funding Development Pty Ltd v Yarra CC* [2018] VCAT 703, which at paragraph 126 stated that:

> *[126] We accept there is limited guidance in the scheme as to the benchmarks that would demonstrate that a hotel room provides acceptable amenity. Clearly daylight, ventilation, safety and communal spaces are necessary starting points.*

234. With the above in mind, it is considered the proposed hotel rooms have been designed with acceptable internal amenity for the following reasons:

(a) All rooms will have a minimum of 23m2 floor area, which provides generous circulation around a king size bed, a desk, cabinetry storage and well-proportioned ensuite.
(b) A mix of rooms are provided as follows:

    (i) 2 x 2 bedroom suites
    (ii) 5 x 1 bedroom suites.
    (iii) 4 x DDA king rooms.
    (iv) 138 x king rooms.

(c) Each hotel room will have an external window that either faces a road, laneway or 9m light wide north facing, landscaped light courts to ensure access to daylight and external outlook is available.
(d) Hotel rooms will be serviced daily and have 24/7 access to room service.
(e) and laundry service is expected to be provided to guests.
(f) Vertical and horizontal shading fins have are proposed to the northern, eastern and western windows.

(g) An appropriate balance of solid to void ratio is provided to external walls, together with double glazed windows, to manage thermal performance.
(h) Rooms will be mechanically ventilated for guest comfort.
(i) Acoustic impacts from potential on and off site sources have been considered in the acoustic report, prepared by RDWI, which concludes that acoustic impacts to hotel rooms will be appropriately managed subject to the recommendations made.
(j) Significant communal amenity areas are provided on Level 2 for guests.
(k) The entry lobby is serviced by a concierge area and features waiting areas.
(l) The port cochere will help facilitate safe arrival and departure of guests by private motor vehicle or ride share.

Environmentally Sustainable Design (ESD)

235. The redevelopment of the site located in an existing built-up area makes efficient use of existing infrastructure and services, and the proximity of the subject site to numerous public transport modes reduces reliance on private vehicles.

236. 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. Council's ESD Advisor confirmed that the proposal, subject to conditions, would meet Council's Best Practice ESD standards. These conditions include:

(a) Provide a JV3 report prior to construction to support achievement against NCC and consider improving upon the NCC 2019 minimum requirements.
(b) Revised BESS report and JV3 modelling to indicate reductions in heating and cooling of more than 1% and in-line with GHG emission reductions of 15%.
(c) Include details of GHG emissions reductions in JV3 report, noting that energy and GHG emission reductions for building fabric and services (not only solar offsets) should be presented.
(d) Include details of peak energy demand reductions in JV3 report.
(e) Confirm that post-development stormwater flows will not exceed pre-development levels.
(f) Clarify whether any water filtration devices are proposed, and if so provide details.
(g) Confirm extent of recycled materials and products with post-consumer content included within the design'.
(h) *Confirm strategy to reduce embodied carbon in concrete through recycled aggregates and other alternatives.*

237. Based on the information provided, and the further details required by permit conditions, the proposal will satisfactorily address the requirements of the policy under clause 22.10-3.5 (Environmental Sustainability), clause 22.16 (Stormwater Management) and clause 22.17 (Environmentally Sustainable Development) of the Scheme.

Off-site amenity including City Link exhaust stacks and waste management

238. Clause 15.01-2S of the Scheme aims to provide building design that minimises the detrimental impact of development on neighbouring properties, the public realm and the natural environment, with potential impacts relating to overshadowing of SPOS, loss of daylight to windows, visual bulk, overlooking of sensitive areas and equitable development. The relevant policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) of the Scheme.

239. The subject site is zoned C1Z, as are the properties to the east and west. The land to the south is Ryans Reserve, which is zoned Public Park and Recreation Zone (PPRZ). The land to the north side of the ROW is within the General Residential Zone (GRZ) and is characterised by single and double storey detached and attached dwellings. It is also important to note that the island nature of the Site means that there are no direct abuttals.

240. The acceptability of off-site amenity impacts (i.e. noise, visual bulk, overlooking, overshadowing and equitable development) are considered below.

Noise

241. Policy at Clause 22.05-4.2 requires non-residential development to provide a high level of acoustic protection to adjoining properties. In this instance, the proposed development contains office and motor vehicle sales uses, which are both Section 1 uses and do not require a permit. However the general amenity condition will be included on any permit issued . An assessment of off-site acoustic impacts are therefore not required for these uses.

242. The potential off-site acoustic impacts with the residential hotel use is principally associated with the sale and consumption of alcohol, which has been assessed at length under the 'sale and consumption of liquor' section above. Various conditions relating to acoustic attenuation, patron capacity, hours of operation and management have been included in the recommendation to ensure potential noise impacts are not unreasonable.

Visual bulk

243. The above built form analysis considered the potential off-site amenity impacts by way of visual bulk to all interfaces and were found to be reasonable, having regard to the Site's C1Z and MAC context. The residential interface to the north is most sensitive to visual bulk and the proposed design has appropriately responded to this interface with visual breaks, landscaping and recessive upper levels above the laneway walls.

244. The proposal is considered to result in a significant improvement to the activation and visual surveillance of all three street frontages with extensive glazing and terraces with direct outlook, particularly Belgravia Street which currently has an inactive frontage.

Overshadowing

245. As the subject site is located to the south of residential land overshadowing is not an amenity matter requiring consideration.

246. The potential overshadowing to the public realm was considered in the above built form analysis. This analysis identified that the southern footpath along Swan Street and Ryans Road (opposite the Site) will not experience any overshadowing impacts between 10am and 2pm on the Equinox. This is in line with the requirements of DDO17.

247. Some overshadowing will occur on the western footpath of Stawell Street between 10am and 11am on the September Equinox, which departs from the overshadowing requirement in DDO17. However, an officer assessment indicates that by approximately 10:30-10:40 shadowing impacts will no longer affect the Stawell Street footpath. As a result, the shadow impact to Stawell Street is not considered unreasonable, particularly given the north-south axis of this road.

248. DDO17 does not identify any overshadowing requirements to be considered along Belgravia Street due to the narrow width of this street. As a result, no assessment of Belgravia Street has been undertaken.

Overlooking

249. The decision guidelines of the C1Z require the consideration of overlooking as a result of building or works affecting land in a General Residential Zone. Clause 22.05-4.2 also seeks new non-residential development to be designed to minimise potential for unreasonable overlooking into private open space and habitable room windows of residential properties.

250. Firstly, the eastern and western adjoining properties are occupied by non-sensitive commercial uses and therefore no overlooking considerations is required to these interfaces.

251. The northern interface of the Site features a 3m wide laneway followed by dwellings within the General Residential Zone further north. These residential properties front Farmer Street and typically have either SPOS areas or car parking spaces to their rear (abutting the laneway).

252. In general, the proposal has made a conscious effort to 'minimise' (but not prevent) overlooking opportunities into residential properties within a 9 metre horizontal distance of the northern boundary (in line with the requirements of Standard B22 of Clause 55.04-6). This is achieved through:

    (a) Limited north facing glazing on Level 01 and 02 for non-habitable areas.
    (b) Light courts on Level 03 and 04 providing a separation distance of approximately 13 metres to the proposed north facing hotel room windows.
    (c) Limited views from east and west facing hotel room windows on Levels 03 and 04, due to their perpendicular positioning to residential properties.
    (d) 1.1m high x 850mm deep planter boxes to the northern edges on Level 04 terraces that help prevent downward views into adjoining residential properties.
    (e) Hotel room windows on Level 05 and 06 and office windows on Level 07 are setback approximately 13 metres from the residential property boundaries.

253. The originally advertised architectural plans incorporated a number of sections to demonstrate potential views and visual impact to Farmer Street properties. Whilst these sections indicate that views are generally limited from terraces, it is unclear that the worst case scenario views have been considered. Section analysis of views from east and west facing windows within 9 metres of residential properties on Levels 03 and 04 have also not been prepared.

254. To ensure overlooking is adequately addressed from habitable hotel rooms, a condition has been included that requires that the development demonstrate compliance with the Overlooking Objective of Clause 55.04-6 for the hotel rooms and terraces on Level 03 and 04.

Wind impacts

255. The application was accompanied by a desktop wind assessment prepared by RDWI. The report made the following conclusions:

> *"Given the location and orientation of the site, and the fact that the proposed building is taller than its nearby neighbours, some local wind effects are expected at the street level. The wind conditions however are expected to remain mainly in the range from "strolling" to "walking" comfort criteria, which would be suitable for pedestrian thoroughfares, largely due to the inclusion of significant built form articulation and proposed landscaping."*

256. The following mitigation measures have been recommended by RDWI:

    (a) Ground Level mitigation:

(i) Trees with a dense canopy structure along the footpaths
(ii) Islands of dense shrub planting (between or around the trees) help to breakup winds channeled at street level (i.e., beneath the tree canopy).
(iii) As an alternative to the shrub planting, the trees may be interspersed with hard landscaping features such as free-standing screens, sculptures, street furniture or other solid or porous objects.

(b) Terrace areas – Level 2, 4 and 7:
(i) Increasing the balustrade height at all terraces to at least 1.5 m, or higher where possible.
(ii) Retention of the landscaping noted in the drawings, with screening around the seating areas located at windier corner locations.
(iii) Inclusion of porous screening on the eastern and western aspect of the eastern and western Level 4 terraces.
(iv) Inclusion of an awning over the southern exposed edge of the Level 2 balcony.

257. This wind report has been peer reviewed externally. The external wind consultant raised no concerns with the proposed analysis approach, site exposure, regional wind climate and description of the development used in the preparation of the assessment. Council's external wind consultant mostly agreed the mitigation measures by RDWI but recommended the following additional analysis that is required:

(a) Update the assessment to include the wind conditions outside the entrance and on the terraces.
(b) Apply standing criterion to the drop-off area.
(c) The appropriateness for dense canopy trees along the footpaths to be reviewed by Council.
(d) Assess wind conditions on terraces in terms of the defined comfort criteria.

258. The mitigation measures recommended by RDWI and additional analysis requested by Council's wind consultant are included as conditions in the recommendation. The recommendation to increase balustrade heights to a minimum of 1.5 metres in height will require the Level 4 balustrades to increase by approximately 400mm. This will have the potential to create additional visual bulk to the northern interface. To minimse additional bulk, the recommended conditions will require the additional balustrade height to be glass (or other transparent material). The landscaping mitigation strategies will also be conditioned to be within the Site title boundaries, whilst also maintaining appropriate pedestrian sightlines to existing and proposed footpaths.

259. Subject to the above-mentioned conditions it is considered that wind is adequately addressed and will ensure the development would not generate safety concerns for the pedestrian wind environment.

Fumes, air emissions, light spillage and public lighting

260. The majority of the hotel rooms are enclosed and the use conducted indoors (with the exception of the outdoor terraces associated with the individual rooms at varying levels and the roof terrace). The proposed uses are not considered to result in unreasonable air emissions, with light spill from the building limited due to the nature of the uses. There would be no fumes associated with the residential hotel use.

261. The original referral response from Council's Engineering Unit required that a Public Lighting Plan form a condition of permit which addressed lighting along the laneway interface and entrances to the building from a public safety point of view. The S57a amendment document included an external lighting report, prepared by Stantec. The report made the following recommendations for external lighting:

(a) Dual usage pole mounted street lighting on Swan Street is to remain.
(b) Street lighting on Stawell Street is to remain.
(c) New wall mounted luminaires to be mounted to the new Swan Street development to light the rear laneway.
(d) The entry and exit points for vehicle and pedestrian connection to Swan Street, Stawell Street and Belgravia Street of the development is to be lit to Australian Standards AS1158.3.1, Category PP3.
(e) The entry and exit points for vehicle and pedestrian connection to the laneway to the rear of the new development is to be lit to Australian Standards AS1158.3.1, Category PR3.

262. Council's Engineering Unit has reviewed the external lighting report and identified the following outstanding actions to be addressed:

(a) Provide details of the proposed luminaires in Belgravia Street and the laneway. Possibly lux diagram will be required.
(b) Confirmation of the compliance with the requirements of AS4282- 2019 in respect of the light spill into Habitable Rooms windows of the existing properties in Belgravia and Stawell Streets, laneway at the northern boundary of the site and proposed development to be provided to Council.
(c) Confirmation that lighting plan and Section S173 Agreement will be completed at no Cost for Council is required.
(d) Provide details of the temporary lighting provision once the existing public lighting is disconnected.

263. Council's Engineering Unit public lighting plan conditions have been include within the recommendation to address this, which also includes the requirement of a Section 173 agreement for the owners of the Site to appropriately maintain the proposed public lighting (unless the relevant power authority is to maintain).

Equitable Development

264. The site has no direct abuttals due to its island nature, which ensures there is a minimum of 3 metres separation from adjoining properties.

265. The built form analysis identified that the proposals northern interface was well composed and within the spirit of the relevant DDO17 building design requirements. It is also noted the residential properties to the north are constrained by a 9m mandatory height control. Accordingly, the proposal will not have impact on the equitable development opportunities of the adjoining residential properties.

266. Stawell Street is approximately 10 metres wide, which ensures that there will be adequate separation distance between the adjoining land to the west for daylight and overlooking purposes.

267. Belgravia Street is approximately 6 metres wide. DDO17 requires a separation distance of 3 metres from common boundaries for commercial or non-habitable room windows. As the proposal is of a commercial nature (including the residential hotel, given accommodation will be principally short term), it is considered that the minimum separation distance will be met when measured at the centre line of the laneway.

Waste Management

268. The applicant submitted a Waste Management Plan (WMP) prepared by Leigh Design and dated June 2020 that included the following key features:

(a) Hotel bin (dedicated) provision:
  (i) Garbage: 5 x 1,100L bins (3 times per week collection).
  (ii) Recycling: 4 x 1,100L bins (3 times per week collection).
  (iii) Organics: 5 x 240L bins (3 times per week collection).
  (iv) 2m2 of hard/E-waste/other waste area (collection on call).

(b) Commercial bin (shared) provision:
  (i) Garbage: 1 x 1,100L bins (3 times per week collection).
  (ii) Recycling: 1 x 1,100L bins (3 times per week collection).
  (iii) Recycling: 1 x 240L bins (3 times per week collection).
  (iv) Organics: 1 x 240L bins (3 times per week collection).
  (v) $2m^2$ area for hard/E-waste/other waste collection on call).

(c) All waste removal will be undertaken by a private contractor, three times per week for each service (with the exception of hard/e-waste, which will be on call). Waste collection will be undertaken internal to the building within the loading dock, accessed via the rear ROW.

(d) A wash down area will be provided within the loading bay, alternatively, a third-party contractor could be engaged for bin cleaning services to be in a mobile bin-wash vehicle.

269. Council's City Works Unit reviewed the submitted WMP, raising the following issues to be rectified for the:

(a) The size of the bin storage areas must be provided in M2, this is so we can assess if enough space is allocated to form an effective waste system.

270. The above item was addressed by the S57a amendment plans, which now annotates the numeric area of each bin store room. Council's City Works Unit has reviewed is now satisfied with the WMP, subject to the updated architectural plans being included in the WMP. This is addressed by permit condition. Accordingly, the proposal would result in satisfactory waste arrangements.

City Link Exhaust Stacks

271. The Design and Development Overlay Schedule 5, City Link Exhaust Stack Environs (DDO5) requires that notice of a development be given to the Transurban City Link Limited and the Roads Corporation (Transport for Victoria) as previously identified. The design objectives of DDO5 are as follows:

(a) To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.
(b) To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.
(c) To ensure that the relevant authorities are informed of development within close proximity of the City Link exhaust stack and to facilitate comment by those authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.

272. Transurban, City Link and the Road Corporation (Transport for Victoria) were notified of the proposal. No responses were received and therefore it is assumed there are no issues with the proposal meeting the Objectives of DDO5.

Car parking, traffic and alteration of access;

Car parking reduction

273. Under clause 52.06 of the Scheme, the applicant is seeking a parking reduction of the standard car parking requirements for the office (14) use and restricted retail showroom (22), while car parking for the residential hotel is to be provided to Council's satisfaction. A breakdown on the car parking requirements of the proposal and the allocation is provided in the table below:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Residential Hotel	149 rooms	Rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	27 (including 2 x Port Cochere)
Office	923.7 m^2	3.0 spaces per 100 m^2 of net floor area	27	13
Restricted Retail - Showroom	2,345.1 m^2	2.5 spaces per 100 m^2 of leasable floor area	58	36
Private Car Park	6 spaces	-	-	6
Total			**85 spaces + parking for the residential hotel**	**82 spaces**

274. It is noted that there is no specific detail provided in the application regarding the 6 'private' car parking spaces and this allocation is not specified on the plans. Though it is noted this car parking would need to be accommodated on Basement Level 02, given the showroom will utilise Basement Level 01 car parking.

275. In support of the proposed car parking provision for the residential hotel and the car parking reductions sought for the office and restricted retail showroom uses, a car parking demand assessment was undertaken by Traffix Group.

276. With regards to the car parking demand generated by the proposed retail/office uses, 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.

277. 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 precincts that are designated for greater change is applied.

278. 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.

279. Based upon the findings within these decisions, consideration needs to be given to the context and opportunities to encourage sustainable transport alternatives.

280. Council's Engineers reviewed the parking assessment undertaken by Traffix Group and concurred with the findings. They also stated the following in support of the proposed car parking provision:

    (a) Residential Hotel:
        (i) Residential Hotels can be classified as tourist accommodation facilities.
        (ii) In terms of parking provision for this type of accommodation, the NSW Roads and Maritime Services' Guide to Traffic Generating Developments version 2.2 provides a parking rate of one off-street space per four bedrooms (0.25 spaces per one-room apartment). The proposed development would be providing parking at a rate of 0.18 spaces per room.
        (iii) The actual parking demand for the residential hotel would be off-set by the lack of available long-stay on-street parking, the proximity to public transport services and access to on-street car share pods.
        (iv) Council has, in recent times, approved residential hotels with little or no on-site car parking (eg. 60-72 Langridge Street, Collingwood and 419 Fitzroy Street, Fitzroy).
        (v) For pick-up and drop-off parking A peak parking rate of 0.017 space per hotel room was identified by Traffix Group. Using this rate for the proposed 149 hotel rooms equates to 2.53 (say, three) spaces per hotel room. This parking can be easily accommodated on site within the porte cochère.
        (vi) We are satisfied with the on-site parking provision and short-stay parking storage for the residential hotel.

    (b) Office:
        (i) The office would be providing on-site car parking at a rate of 1.41 spaces per 100 m2 of floor area.
        (ii) Office developments throughout the municipality have been approved by Council with reduced rates (eg. 71-93 Gipps Street, Collingwood, 506-510 Church Street, Cremorne and 2-16 Northumberland Street, Collingwood).

(iii) The proposed office parking rate of 1.41 spaces per 100 square metres of floor area is considered appropriate as the site has very good access to public transport and seeks to encourage more sustainable forms of transport.

(c) Restricted Retail (motor vehicle sales):

(i) According to Traffix Group, the restricted retail premises would operate as a car showroom.

(ii) The on-site parking would cater for both staff and customers, which equates to 1.54 spaces per 100 square metre of floor area.

(iii) It is agreed that this type of showroom would experience peak parking demands at weekends. The on-site parking provision for this use is considered appropriate.

281. Planning Practice Note 22 (Using the Car Parking Provisions) indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such as the Swan Street retail precinct, where spare on-street car parking capacity would be shared amongst sites within the activity centre.

282. In summary, the proposed car parking provision for the residential hotel and reduction for office and restricted retail uses is supported and consistent with the intent of Clause 21.06, which seeks to reduce car dependency.

Traffic

283. In relation the additional car parking spaces accommodated on-site, Council's Engineering Unit reviewed the trip generation rates provided by Traffix Group. Their estimated trip generation is outlined below:

Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Residential Hotel (149 rooms)	0.18 trips per room in each peak hour	27	27
Office (13 spaces)	0.5 trips per space in each peak hour	7	7
Restricted Retail (36 spaces)	0.25 trips per space in each peak hour	9	9
Total		**43 trips**	**43 trips**

284. Council's engineers note that the Site has very good access to the arterial road network (Swan Street) and that the traffic generated by the development should not adversely impact the traffic operation of the surrounding road network.

Access and layout

285. The proposal incorporates access at the northern end of the Stawell Street frontage to the two levels of basement car parking. A port cochere is also accessed from Stawell Street and has capacity for the parking of two vehicles at one time.

286. 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.

287. These details, along with the proposed ramp designs have been reviewed by Council's Engineering Unit who is generally satisfied with the layout of vehicle access and car parking areas. Council's Engineering Unit has requested that the plans be revised to include the following details, which are recommended by way of conditions:

    (a) Car parking spaces 54 and 55 in Basement Level 02 be designated as Small Car Spaces.

    (b) Car stacker details to be provided, including detail to demonstrate that the floor to ceiling height is adequate for the stacker to be used.

    (c) The finished floor levels at the front edges of the slabs of entrances for the loading bay and Back of House are to be set 40 mm higher than the south edge of the laneway.

    (d) A vehicle crossing ground clearance check for a B99 vehicle.

    (e) The vehicle crossings are to be depicted on the drawings as standard Council vehicle crossings. The existing side entry pit on the east side of Stawell Street must have a clearance of no less 1.0 metre from the edge of the new vehicle crossing (southern crossing).

288. Several engineering conditions in regards to civil works, road asset protection, reconstruction of redundant vehicle crossings, construction management, footpath reconstruction on Swan, Belgravia and Stawell Streets have been recommended. These conditions have been included as part of the recommendation.

289. Overall, the proposed design and configuration of access and car parking areas are considered to achieve a satisfactory outcome, subject to the conditions requested by Council's Engineering Unit.

Loading and unloading

290. In accordance with clause 65.01, before deciding on an application or approval of a plan, the responsible authority must consider *the adequacy of loading and unloading facilities and any associated amenity traffic flow and road safety impacts.*

291. Loading is to be undertaken within a dedicated on-site loading bay and 'back of house' area are accessed from the rear ROW. Council's Engineering Unit reviewed this arrangement, providing the following comment:

> *The combined dimensions of the loading dock and Back of House (9.065 metres by 12.950 metres) are considered satisfactory in accommodating a B99 design vehicle and small rigid vehicle/small truck.*

292. The provision for on-site loading is considered acceptable, a condition will require the loading and unloading of vehicles and the delivery of goods to and from the land be conducted entirely within the sites boundaries.

293. As previously identified, a condition can require deliveries and waste collections to be undertaken in accordance with the times prescribed by Council's Local Law.

294. Whilst the application does not detail the frequency of car deliveries to the Site for the motor vehicle sales showroom, the applicant has confirmed that this will generally be undertaken once per week with three cars at a time. Delivery of vehicles is proposed to occur on Swan Street and cars will be either driven or walked to the showroom via the laneway during normal business hours. The number of delivery movements for the motor vehicles showroom is therefore considered to be low and unlikely to adversely impact on the traffic flows of the surrounding area. Conditions have been included in the recommendation that restrict the hours that loading and unloading activities can occur on the Site.

Bicycle facilities and strategic transport

295. The Clause 52.34 statutory bicycle parking/facility requirements for the proposal are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	885 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	0 employee spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 visitor spaces	
Residential building (other than specified in the table)	149 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	15 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	15 visitor spaces.	
Retail premises (other than specified in this table)	2342 sqm	1 employee space to each 300 sqm of leasable floor area	8 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	5 visitor spaces	
Bicycle Parking Spaces Total			**23 resident / employee spaces**	**46 resident / employee spaces**
			20 visitor spaces	**16 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**1 showers / change rooms**	**4 showers / change rooms**

296. The application significantly exceeds the planning scheme bicycle parking requirements for resident and employee spaces. No issues were raised by Council's strategic transport unit in relation to the design of these spaces.

297. A reduction of 4 visitor bicycle spaces is required by the proposal. Despite the reduction of visitor bicycle spaces sought, Council's Strategic Transport Unit raised no issues regarding this reduction and provided the following comments:

(a) 20 additional resident bicycle spaces (above the best practice requirements for residential / employee spaces) are also provided at basement levels 1 and 2.
(b) *8 of the visitor bicycle hoops at Swan Street have been relocated to the west of the pedestrian crossing, which is supported.*
(c) *All visitor bicycle spaces at the ground floor are located within the property boundary and are visible and easily accessible from Swan Street.*
(d) *Visitor spaces are provided as horizontal at-grade spaces and the layout appears to be in accordance with clearance and access requirements of AS2890.3.*

298. It should be noted that the proposed visitor bicycle spaces provided meet the requirement for the residential hotel. Should additional demand for visitor bicycle spaces be generated by the motor vehicle sales showroom in the future, additional spaces could be accommodate along the Site's extensive frontage to Swan Street.

299. The following additional recommendations were made by Council's strategic transport unit, which are addressed by conditions in the recommendation:

    (a) All car parking bays should be electrically wired to be 'EV ready'.
    (b) The Green Travel Plan should be updated to include details of bicycle parking shown on the final endorsed plans.

Potentially contaminated land

300. The site has previously been used for warehouse (and potentially industrial) purposes. As a result, there is potential for contamination to exist on the Site.

301. While the land is not included within an Environmental Audit Overlay, given the intended sensitive use (a residential building), it is considered reasonable to introduce conditions for investigations to be made and rectification works to occur, if required.

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

303. This condition is generally in line with the guidance provided under the Practice Note – *Potentially Contaminated Land* (July 2021) which outlines that where identified as potentially contaminated land and where a planning permit application may allow potentially contaminated land to be used for a sensitive use, that the responsible authority seek a Certificate of Environmental Audit or a Statement of Environmental Audit indicating that the site is suitable for the proposed use.

Development contributions

304. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject site is located within Charge Area 9 (Central Richmond). A community infrastructure levy is not applicable to the proposal. The development infrastructure levy is applicable to the additional commercial floor space.

305. A condition will be included outlining the requirements for the payment of the development infrastructure levy, in accordance with the relevant statutory requirements for each levy type.

306. 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.

Existing Section 173 Agreement

307. Schedule 1 of the Development Contributions Plan Overlay (DCPO1) applies to the proposal. The subject

308. As described in the subject site description above, the site is affected by Section 173 Agreement R19000K. The Agreement applies to the subject site and 10 Belgravia Street. The Agreement requires the car park at 10 Belgravia Street to cease operating as a car park if the Site is vacated.

309. It is considered that the application does not contravene the Agreement and it is noted that there are applications for the construction of town houses at 10 Belgravia Street currently under consideration by Council officers (PLN20/0456, PLN20/0457, PLN20/0458 and PLN20/0459).

310. A condition has been included in the recommendation to ensure this agreement is removed from the title, prior to the development commencing.

Objector concerns

311. 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) Inappropriate built form and design (excessive building height, exceeding mandatory height limit, impact on built form character, height, colour and appearance of the northern street wall to ROW, lack of visual interest to Swan Street, scale and massing, overdevelopment and precedence);

This is discussed within paragraphs 143 - 192.

(b) Off-site amenity impacts from the proposed building (visual bulk, overshadowing, loss of daylight, loss of privacy, wind);

This is discussed within paragraphs 238 - 272.

(c) Noise and security issues from hotel and car sales operations, including truck movements.

This is discussed within paragraphs 241 - 242.

(d) Rubbish from outdoor terraces;

Littering can affect many areas of the public realm. Hotel management staff will ultimately be responsible for guests and associated littering should this occur.

(e) Insufficient open space and landscaping;

This is discussed within paragraphs 188 - 190.

(f) Traffic (particularly along the laneway and Belgravia Street access) and parking impacts on the surrounds and insufficient car parking for the proposal;

(g) Request for a Traffic Management Plan for the development to help manage traffic in the surrounding area;

These matters are discussed within paragraphs 273 - 294.

(h) Removal of Council rubbish collection point for Belgravia Street dwellings;

Aerial photography indicates that the northeast corner of the Site has been used a rubbish collection point for Belgravia Street dwellings. The bins are seen to be lined up against the northern and eastern façade. The existing building has a zero-lot setback where these bins are located. Accordingly, the proposed development that will be constructed within title boundaries will not 'remove' this informal bin collection point for Belgravia Street residents.

(i) Impacts from construction activities (including cumulative impacts from multiple construction sites in the area);

Whilst this will be handled at the Building Permit stage, a Construction Management Plan will be required via condition to ensure the construction is managed in accordance with Council policies and procedures.

(j) Negative impact on property values;

The impact on property values is not a consideration within the Planning Scheme or the Objectives of the *Planning and Environment Act 1987*.

(k) Impact on cyclists and unsafe cycling infrastructure along Gibdon Street and Barkly Avenue; and

As detailed above, the proposal is to be constructed within the existing title boundaries of the Site and as such will not have any impact on existing cycling infrastructure along nearby Gibdon Street or Barkly Avenue.

(l) Misleading advertising sign referencing 'no permit required'.

The original application description was reviewed and it was identified that the proposed residential hotel land use was indeed incorrectly stated as 'no permit' required. The Section 57a amendment plans were advertised to all objectors and property owners and occupiers notified of the original application. The Section 57a advertising correspondence acknowledged this error and included the corrected description of the application.

Conclusion

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

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for construction of a multi storey building, use of the land for a residential hotel (permit required), use of the land for office and motor vehicle sales (no permit required), a reduction in the car parking requirements, a reduction of the visitor bicycle parking requirements and a removal of access to a Road Zone Category 1 at 471-473 Swan Street, Richmond subject to the following conditions:

Amended Plans

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. The plans must be generally in accordance with the decision plans, prepared by Rothelowman (Revision B, dated 31 August 2021) but modified to show:

(a) The changes as depicted on the "Sketch" plans prepared by Rothelowman, received by Council on 13 October 20201 that show:

(i) Inclusion of 300mm deep vertical blades adjacent upper level windows of the southern elevation; and

(ii) Alternating colours on the blade sides, depending on which direction you approach the building.

(b) Demonstrate compliance with the Overlooking Objective of Clause 55.04-6 for the hotel rooms and terraces on Level 03 and 04;
(c) Confirm location of the pedestrian entry for the proposed motor vehicles sales showroom to Swan Street;
(d) Annotation for the landscape buffer strip separating the port cochere access and Stawell Street footpath to feature a raised kerb edging;
(e) Annotation for the pedestrian forecourt between the residential hotel and office lobbies to have a raised level above the port cochere accessway;
(f) Bench seating clearly shown adjacent the Swan Street frontage (as depicted on the originally advertised plans);

(g) Ground level and Level 1 plans to be annotated to show location 'motor vehicles sales' use;
(h) Annotation on Level 2 plan to confirm no access will provided from the function centre room to the north east light court;
(i) Details of the materials/colours of vertical and horizontal fins to all elevations;
(j) Depict the location of all side entry pits and other relevant assets along Stawell Street.
(k) The vehicle crossings are to be depicted on the drawings as standard Council vehicle crossings. The existing side entry pit on the east side of Stawell Street must have a clearance of no less 1.0 metre from the edge of the new vehicle crossing (southern crossing).
(l) Car parking spaces 54 and 55 in Basement Level 02 be designated as Small Car Spaces.
(m) Car stacker details to be provided, including detail to demonstrate that the floor to ceiling height is adequate for the stacker to be used.
(n) The finished floor levels at the front edges of the slabs of entrances for the loading bay and Back of House are to be set 40 mm higher than the south edge of the laneway.
(o) A vehicle crossing ground clearance check, including a 1 in 20 scale cross sectional drawing showing the reduced level within 2 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement. All levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development;
(p) Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:

    (i) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space.

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

(q) The increased terrace balustrade heights, required by the wind assessment report at Condition 10, to be clear glass (or of an appearance to the satisfaction of the responsible authority).
(r) Any changes required by the amended Wind Assessment Report at Condition 10;
(s) Any changes required by the amended Waste Management Plan at Condition 7;
(t) Any changes required by the amended Sustainable Management Plan at Condition 5;
(u) Any changes required by the amended Landscape Plan at Condition 17; and
(v) Any changes required by the amended Acoustic Report at Condition 11.

2 The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

<u>Façade Strategy and Materials and Finishes Plan</u>

3 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 or 1:50 illustrating typical street wall and upper level details, entries and doors;
(b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
(c) Details of the materials/colours of vertical and horizontal fins to all elevations;
(d) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and graffiti proofing of walls.

4 As part of the ongoing progress and development of the site, Rothelowman 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.

Sustainable Management Plan

5 In conjunction with the submission of development plans under Condition 1, an amended SMP must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the Sustainable Management Plan dated 19 August 2021, prepared by Sustainable Development Consultants, but updated to include the following:

(a) A JV3 report prior to construction to support achievement against NCC and consider improving upon the NCC 2019 minimum requirements.
(b) Revised BESS report and JV3 modelling to indicate reductions in heating and cooling of more than 1% and in-line with GHG emission reductions of 15%.
(c) Include details of GHG emissions reductions in JV3 report, noting that energy and GHG emission reductions for building fabric and services (not only solar offsets) should be presented.
(d) Include details of peak energy demand reductions in JV3 report.
(e) Confirm that post-development stormwater flows will not exceed pre-development levels.
(f) Clarify whether any water filtration devices are proposed, and if so provide details.
(g) Confirm extent of recycled materials and products with post-consumer content included within the design'.
(h) Confirm strategy to reduce embodied carbon in concrete through recycled aggregates and other alternatives.
(i) Include Green Travel Plan with performance targets and monitoring and reporting components.

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

Waste Management Plan

7 In conjunction with the submission of development plans under Condition 1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 7 July 2020, but modified to include:

(a) Reference to the amended proposal as shown on the plans prepared by Rothelowman, Revision B, Dated 31 August 2021.

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

9 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Wind Report

10 Before the development commences, an amended Wind Assessment Report to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this Incorporated Document. The Wind Assessment Report must be generally in accordance with the Pedestrian Wind Assessment prepared by RDWI, dated 15 February 2021, but modified to refer to:

(a) An updated assessment to include the wind conditions outside the entrance and on the terraces.
(b) Apply standing criterion to the drop-off area (port cochere).
(c) The landscaping mitigation strategies to be contained wholly within the title boundaries of the Site, while also maintain appropriate pedestrian sightlines to existing and proposed footpaths.
(d) Assess wind conditions on terraces in terms of the defined comfort criteria.

Acoustic Report

11 In conjunction with the submission of development plans under Condition 1, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Report will be endorsed and will form part of this permit. The Report must be generally in accordance the acoustic report prepared by RWDI, dated 9 September 2021, but modified to include

(a) The report updated to include the hours of operation and hours for the sale and consumption of liquor as allowed by this permit and the proposal as amended pursuant to Condition 1.
(b) Detailed assessment of mechanical equipment.
(c) Review of wall construction of the function centre.
(d) Removal of the requirement for an acoustic screen for the Level 2 outdoor terrace.
(e) All music in the function room to be played through a calibrated noise limiter / compressor and the monitoring equipment to include an external microphone.

Once endorsed, the Report must not be modified except with the written consent of the Responsible Authority.

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

13 Following completion of the development, and prior to its occupation, a Post Development Acoustic Report to the satisfaction of the responsible authority must be submitted to, and be approved by, the responsible authority. The Report must be prepared by a suitably qualified acoustic engineer and must demonstrate compliance of the music noise, mechanical plant, loading dock and roller doors with both Environment Protection Authority Publication 1826 and the Environmental Protection Regulations 2021 and sleep disturbance targets at existing dwellings. When approved, the Report will be endorsed and will then form part of this permit.

14 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.

15 Within 3 months of the commencement of the food and drinks premises uses (restaurant and bar), a Post Commencement Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Report will be endorsed and will form part of this permit. The Report must assess the following:

(a) Confirm that the recommendations of the endorsed Acoustic Report required by Condition 11 have been implemented;

(b) Assess their effectiveness in meeting the predicted patron noise level and Environment Protection Authority Publication 1826 and the Environmental Protection Regulations 2021 rrequirements as outlined within the endorsed Acoustic Report required by Condition 11;

(c) Include measurements taken on nights where events with amplified background music and maximum patron occupancy (indoors and outdoors) occurs;

(d) if non-compliance is measured, recommendations for additional acoustic measures to ensure compliance with the endorsed Acoustic Report required by Condition 11.

16 The provisions, recommendations and requirements of the endorsed Post Commencement Acoustic Report be implemented within one month of the endorsement, or as otherwise agreed in writing by the Responsible Authority and complied with to the satisfaction of the Responsible Authority. During the time the additional acoustic measures are being implemented no operations which would cause non-compliance are to take place.

Landscape Plan

17 In conjunction with the submission of development plans under Condition 1, an updated landscape plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the landscape plan will then form part of this permit. The plan must be generally in accordance with the landscape concept plans, prepared by Florian Wild, dated Februarys 2021, but modified to show:

(a) Consistency with the landscaping areas shown on the amended architectural plans, prepared by Rothelowman, Revision B, dated 31 August 2021;
(b) Detail the landscape buffer strip separating the port cochere access and Stawell Street footpath to feature a raised kerb;
(c) Detail the pedestrian forecourt between the residential hotel and office lobbies has a raised level above the port cochere accessway;
(d) Provide a plant schedule and detailed planting plan showing the type, location, quantity, height at maturity and botanical names of all proposed plants, ensuring none listed on the DELWP list of advisory weeds species;
(e) provide details of the raised planters and terrace/rooftop planting (including planter box materials and dimensions, mulch layer – something that won't blow away, growing media – suitable in weight and content for roof top gardens, filter media, irrigation method, drainage system, root barrier / water proofing layer);
(f) provide details of the *proposed method for irrigation and drainage;*
(g) detail the *maintenance (duration, regime) and irrigation;*
(h) show the materiality of the proposed spaces;
(i) provide a specification of works to be undertaken prior to planting; and
(j) detail plant/planting maintenance schedules and requirements.

to the satisfaction of the Responsible Authority.

18 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.

Green Travel Plan

19 Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Traffix Group dated July 2020, but modified to include:

(a) Details of bicycle parking shown on the final endorsed plans.

20 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Residential Hotel Use

21 Except with the prior written consent of the Responsible Authority, the Level 2 internal hotel amenity areas (bar/lounge, restaurant/lounge, gym, pre-function and function centre areas) authorised by this permit may only operate between the following hours:

(a) Monday to Sunday 6:00am – 1:00am (the following day).

22 Except with the prior written consent of the Responsible Authority, the Level 2 and level 4 outdoor terraces associated with the residential hotel authorised by this permit may only operate between the following hours:

(a) Monday to Sunday 6:00am – 10:00pm.

(b) Saturday and Sunday 6:00am – 11:00pm.

23 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.

24 Before the uses commence, a HMP 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 include or show, but is not limited to, the following:

(a) A General or Duty Manager will be onsite at all times, providing immediate oversight of security, noise issues, maintenance and actioning of any complaints;
(b) Ground floor concierge to be staffed between 6am and 1:30am;
(c) CCTV surveillance to be provided across the premises at all times;
(d) The gym is restricted to hotel guests only;
(e) Reception operating hours;
(f) Hours of operation for Level 2 hotel amenities;
(g) Staffing/management arrangements;
(h) Provision for 'after hours' arrivals and departures;
(i) Security arrangements;
(j) Initiatives to direct hotel guests to the wider area from Swan Street and not the residential areas to the north (including Stawell and Belgravia Street), with a strategy provided outlining how this will be communicated to guests;
(k) Ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
(l) Establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
(m) An outline of all house rules intended to be used to manage residents and guests including:

(i) guest behaviour;

(ii) noise;

(iii) use of private terraces; and

(iv) methods of eviction if house rules are broken;

(n) Details of eviction process in the event house rules are broken.

25 The provisions, recommendations and requirements of the endorsed HMP must be implemented and complied with to the satisfaction of the Responsible Authority.

Sale and Consumption of Liquor

26 The sale and consumption of liquor 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.

27 Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor for Level 2 internal amenity areas (bar/lounge, restaurant/lounge, pre-function and function centre areas) may only occur between the following hours:

(a) Monday to Saturday 9:00am – 1:00am (the following day).

(b) Sunday 9:00am – 1:00am (the following day).

28 Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor for Level 2 outdoor terrace may only occur between the following hours:

(a) Sunday to Thursday 9:00am – 10:00pm.

(b) Friday and Saturday 9:00am – 11:00pm.

29 Except with the prior written consent of the Responsible Authority, no more than the following maximum number of patrons are permitted on the land at any time liquor is being sold and consumed:

(a) Function Centre – 450

(b) Bar/Lounge – 60

(c) Restaurant/Lounge – 120

(d) Outdoor Terrace:

(i) 9am – 10pm – 80 (Monday to Sunday)

(ii) 10pm – 11pm – 30 (Friday and Saturday only)

30 Speakers external to the building must not be erected or used.

31 Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent uses and to leave in a quiet and orderly manner.

32 No more than six (6) functions are to be held on the land per week.

Noise and Amenity Action Plan (NAAP)

33 Before the uses commence, an amended NAAP for the level two bar/lounge, restaurant/lounge and function centre 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 be generally in accordance with the NAAP, dated September 2021, but modified to include or show (but is not limited to), the following:

(a) Hours of operation for Level 2 hotel amenities;

(b) The ground floor concierge to be staffed between 9am and 1:30am (the following day);

(c) Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or the Victorian Commission for Gambling and Liquor Regulation.

(d) The management and dispersal of patrons to Swan Street, including patrons loitering around the venue after the venue has closed including installation of signage at exit points reminding patrons to leave in a quiet and orderly manner.

(e) Speakers external to the building must not be erected or used.

(f) The management of large group bookings.

(g) The measures to be prevent external queues.

(h) The management of smokers and on and off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed within the smoking area after a particular time).

(i) How the movement and exit of patrons is to be managed, particularly for closing different sections of the venue at different times.

(j) Details of the provision of music.

(k) Provision for the internal areas to call 'last drinks' at 12:45am on each night.

(l) Provision for the internal Level 2 amenity areas to disallow entry and pass outs from 12:30am.

(m) Any other measures to be undertaken to ensure no unreasonable amenity impacts from the licensed premises.

Once endorsed, the Noise and Amenity Action Plan must not be modified except with the written consent of the Responsible Authority.

34 The provisions, recommendations and requirements of the endorsed NAAP must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Art

35 Within 6 months of the development commencement, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:

(a) The location of the artwork (to be consistent with the northern elevation of the endorsed development plans);
(b) Outline of methodology for commission;
(c) Details of the commissioned artist(s);
(d) Description of art work, including:

(i) Materials;

(ii) Colours;

(iii) Dimensions;

(iv) Conceptual and site context rationale;

(v) Special features (for example lighting);

(e) Details of the installation process; and
(f) Details of art work maintenance schedule and ongoing ownership/caretaker details.

36 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

Car parking

37 Before the use commences, 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.

38 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.

Loading and Unloading

39 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.

40 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.

Environmental Audit

41 Before either the construction of the development authorised by this permit or the use authorised by this permit commence, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:

(a) a description of previous land uses and activities on the land;

(b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
(c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
(d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act 1970* (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.

42 If the assessment required by Condition 41 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

43 If the assessment required by Condition 41 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit or the use authorised by this permit commence, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:

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

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

If, pursuant to Condition 43, a Statement is issued:

(c) the:

(i) use; and

(ii) development,

authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;

(d) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (development pre-commencement conditions);
(e) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (use pre-commencement conditions);
(f) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
(g) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;

(h) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act 1987* (Agreement). The Agreement must:

(i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and

(ii) be executed before the sensitive use for which the land is being developed commences; and

(iii) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

Street trees

44 Before the development commences, the permit holder must provide an Asset Protection Bond of $50,000 (ex GST) for the four (4) existing street trees along Swan Street, unless otherwise advised by the Responsible Authority. The security bond:

(a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
(b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
(c) must be in accordance with the requirements of this permit.

45 Any pruning required to be undertaken for the four (4) street trees along the subject site's Swan Street frontage must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.

46 In conjunction with the submission of development plans under Condition 1, an amended Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the amended Tree Management Plan will be endorsed and will form part of the permit. The amended Tree Management Plan must be generally in accordance with the Arboricultural Assessment Report prepared by Glenn Water Arboriculture, dated 21 April 2020 but modified to include (or show):

(a) All four (4) existing street trees along the Swan Street frontage.

to the satisfaction of the Responsible Authority.

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

Public Lighting

48 Before the development commences, a Public Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along the northern boundary laneway and the entrances to the approved building. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for:

(a) all pedestrian access to a residential/multipurpose development will be lit by public lighting installations at least to lighting level P4 as specified in the Australian Standard AS 1158.3.1:2020 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements; or higher lighting level as recommended by AS1158.3.1 2020.
(b) new poles and luminaires will be sourced from CitiPower standard energy efficient luminaires list and comply with relevant CitiPower/Jemena technical requirements;
(c) consultation with affected property owners to be undertaken by the developer with respect to the location of any new pole/s and light/s (if required);
(d) light spillage into the windows of existing and proposed residences will be avoided or minimised and should comply with the requirements of Australian Standard AS 4282 — 2019 Control of the obtrusive effects of outdoor lighting;
(e) the locations of any new light poles will not obstruct vehicular access into private property;
(f) the provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority
(g) if any of the existing public lighting need to be removed it must be replaced with the temporary Light to the satisfaction of the Responsible Authority until the new permanent public lighting is operational.

49 Unless the relevant authority (i.e. CitiPower) provides written confirmation that the permanent replacement light will continue to be maintained by the relevant authority (i.e. Citipower), within six months of the commencement of the development authorised by this permit, or at a later date as agreed in writing by the Responsible Authority, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:

(a) The owner of the subject land is responsible for maintaining (in working order) public lighting to Lane No. 1779 as relocated in accordance with Condition [2], at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
(b) The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the section 173 Agreement in Land Title Office Victoria, including the costs borne by the Responsible Authority (Yarra City Council).

Road Infrastructure

50 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the following must occur:

(a) The footpaths along the property's Swan Street, Stawell Street and Belgravia Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
(b) The existing kerbs are to be retained (fixed control points).
(c) The new footpaths must have a cross-fall (the slope between the kerb and the property line) of no steeper than 1 in 33 (for asphalt) and 1 in 40 (for concrete) or unless otherwise specified by Council.
(d) In providing the new footpaths, the finished floor levels at the development's pedestrian entries must be readjusted to match the new footpath levels.
(e) All redundant vehicle crossings associated with the development must be demolished and reinstated with pavement and kerb and channel to Council's satisfaction and at the Permit Holder's cost.

51 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) 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) A lateral clearance of no less than 1.0 metre shall be provided in between the existing side entry pit on the east side of Stawell Street (just north of Swan Street) and the south edge of the southern vehicle crossing;
(d) At the Permit Holder's cost; and
(e) To the satisfaction of Council.

52 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:

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

53 Before the building is occupied, or by such later date as approved in writing by the responsible authority, any isolated areas of road pavement failure as a consequence of construction traffic impacts must be reconstructed:

(a) at developer's cost;
(b) the satisfaction of any other relevant authority; and
(c) to the satisfaction of the responsible authority.

54 Before the building is occupied, or by such later date as approved in writing by the responsible authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:

(a) at the developer's cost; and
(b) to the satisfaction of the responsible authority.

55 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 developer's cost; and
(b) to the satisfaction of the responsible authority.

56 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 developer 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 developer.

General

57 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.

58 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

59 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.

60 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.

61 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.

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

63 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.

Construction Management Plan

64 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;
(j) materials and waste;
(k) dust;
(l) stormwater contamination from run-off and wash-waters;
(m) sediment from the land on roads;
(n) washing of concrete trucks and other vehicles and machinery; and
(o) spillage from refuelling cranes and other vehicles and machinery;
(p) the construction program;
(q) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
(r) parking facilities for construction workers;
(s) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
(t) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
(u) 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;
(v) 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;
(w) 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;

During the construction:

(x) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
(y) 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;
(z) vehicle borne material must not accumulate on the roads abutting the land;
(aa) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
(bb) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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

Removal of Section 173 Agreement

65 Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is to be ended and removed from title.

Development Infrastructure Levy

66 Prior to the commencement of the development 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 Development Infrastructure Levy within a time specified in the agreement.

Time Expiry

67 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 and the sale and consumption of liquor is not commenced within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months 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 5585 for further information.

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

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

The 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.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

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.

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

These premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

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

Attachments

1 S57A Amendment Architectural Drawings

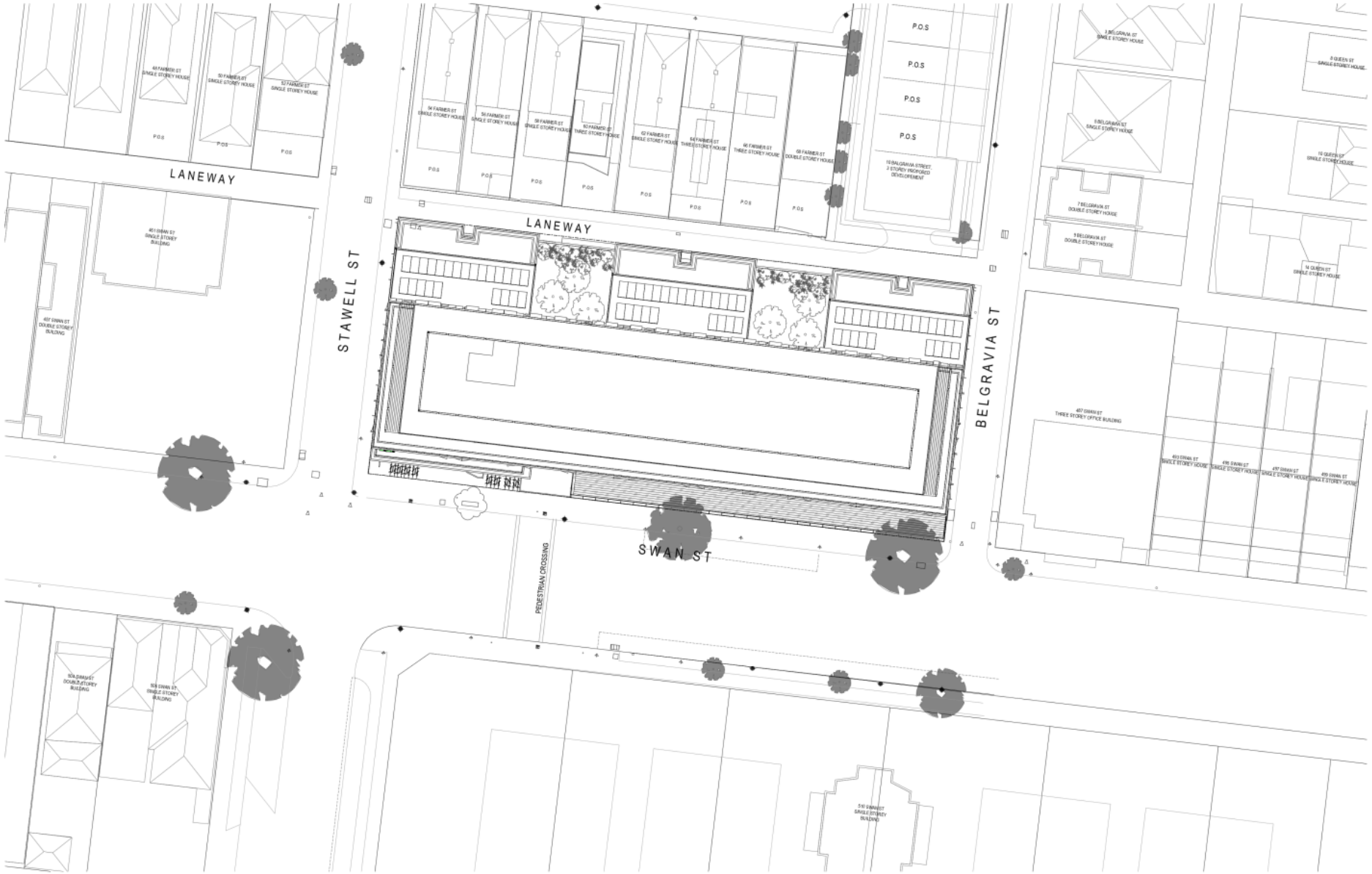
2 Original Application referral comments (consolidated)

3 S57a referral comments (Consolidated)

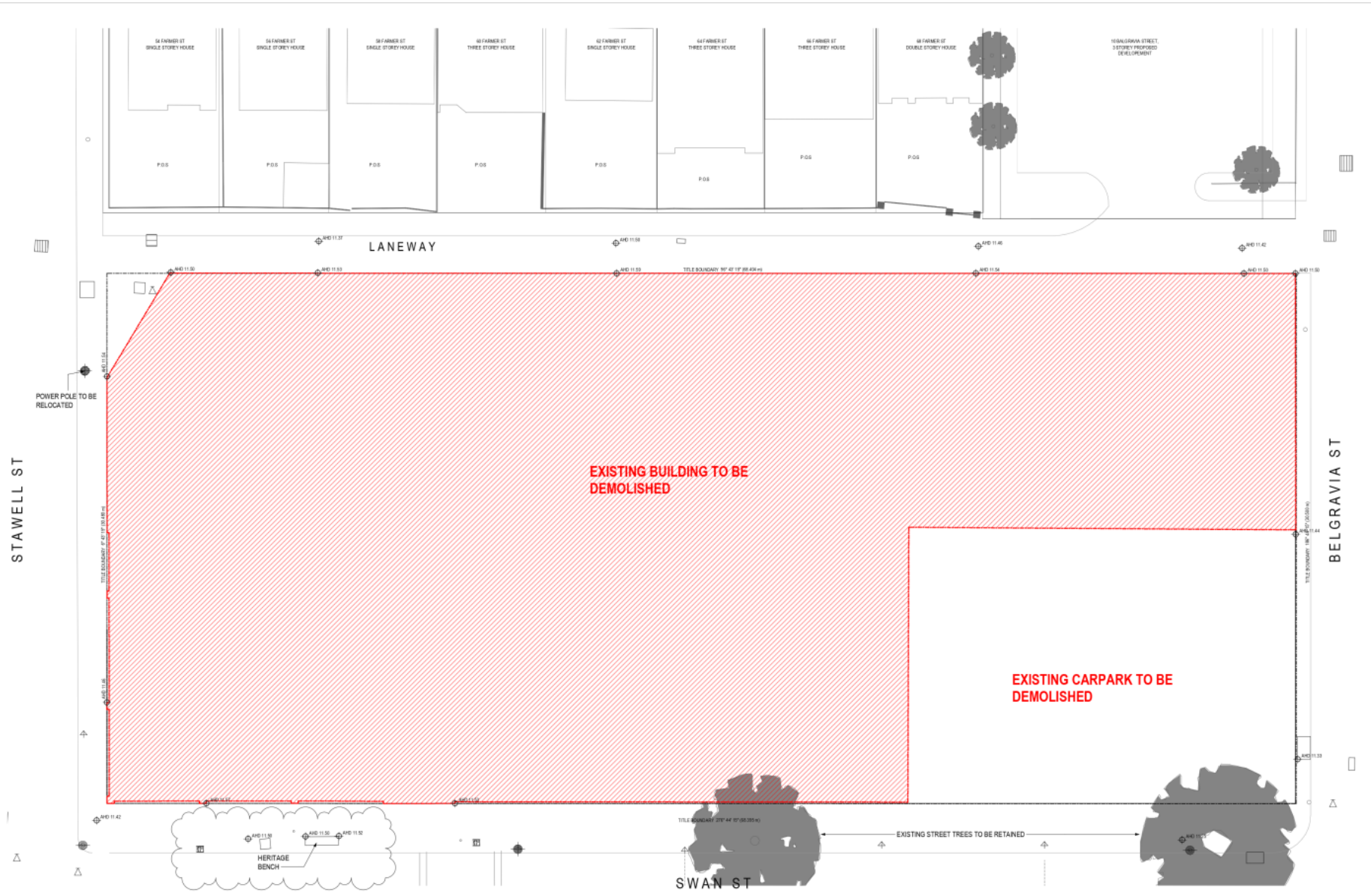
4 External Acoustic Consultant email re: Outdoor terrace acoustic barrier removal review

5 Sketch plans and renders

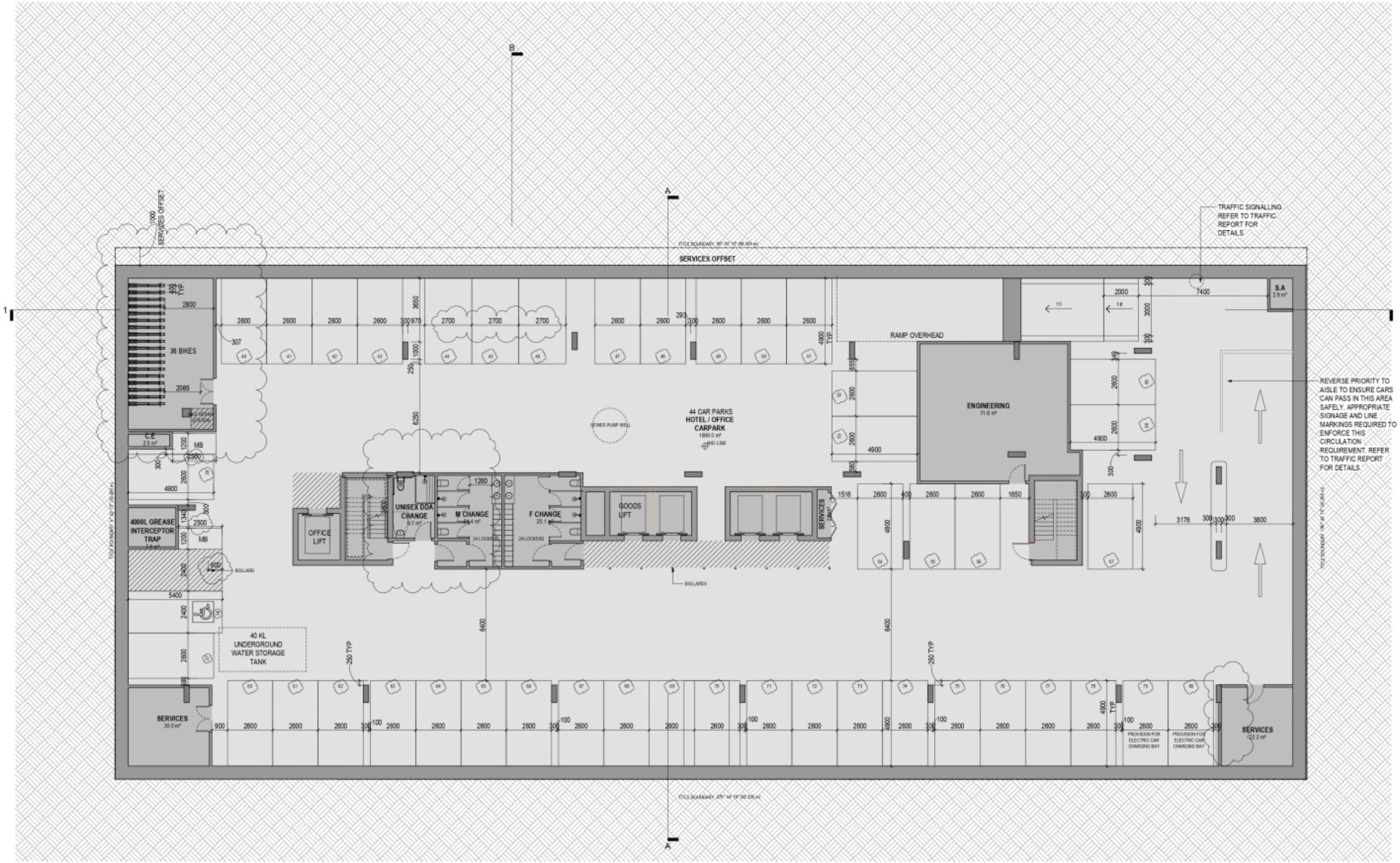
Attachment 1 - S57A Amendment Architectural Drawings



Attachment 1 - S57A Amendment Architectural Drawings



Attachment 1 - S57A Amendment Architectural Drawings



TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project	471 Swan St, Richmond	Drawing	Basement 02	Project No	219007	Date	02/18/19	Author	YW
Scale @ A1	1 : 100	Drawing No	TP01.02 B						

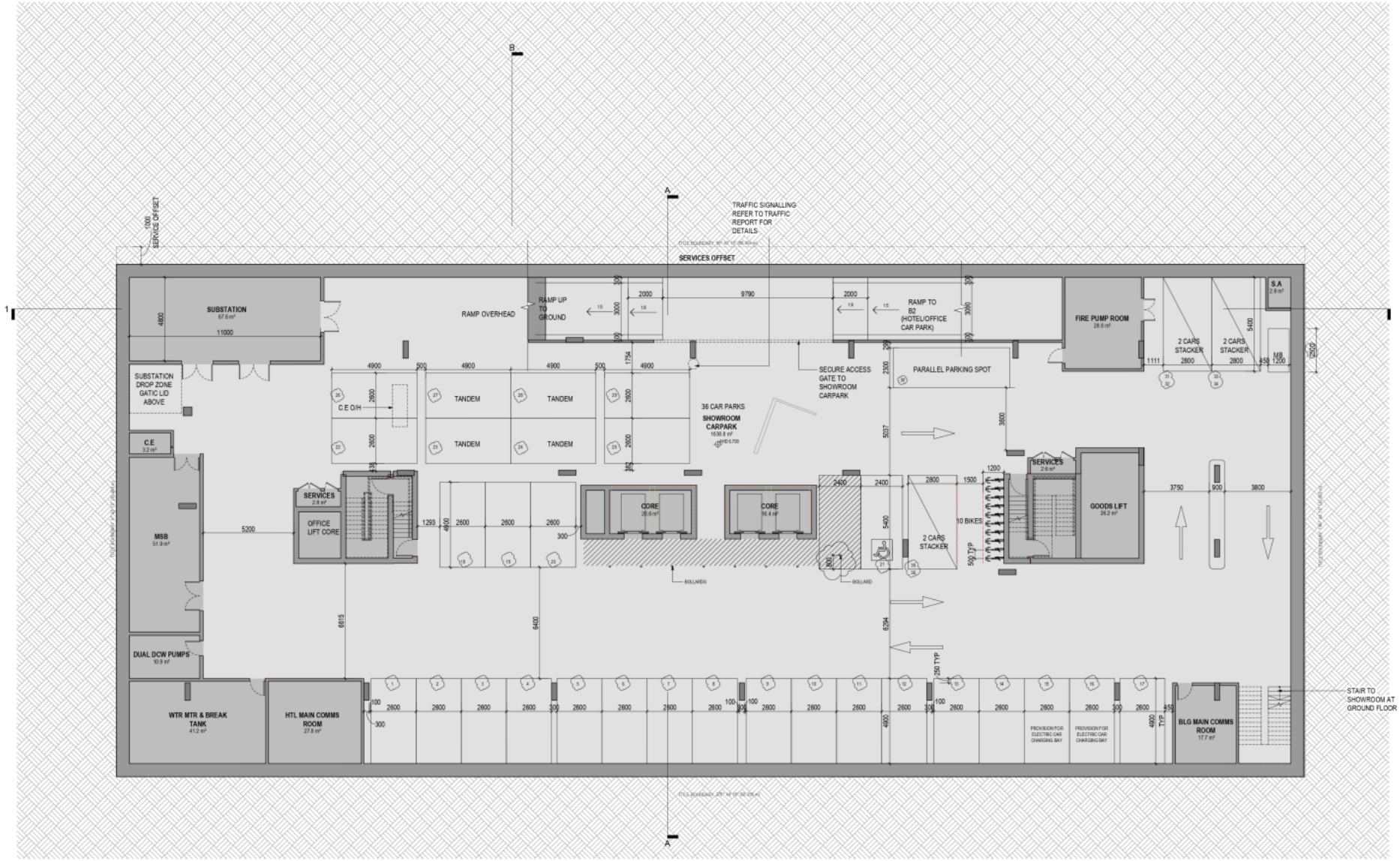
471 Swan St, Richmond

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Attachment 1 - S57A Amendment Architectural Drawings



TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

2/09/2021 2:38:02 PM

Project: 471 Swan St, Richmond | Drawing: Basement 01 | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.03 B

471 Swan St, Richmond

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Attachment 1 - S57A Amendment Architectural Drawings



TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HS
A	21.01.2021	RFI	HS
B	31.08.2021	Town Planning Amendment	HS

Project: 471 Swan St, Richmond | Drawing: Ground Floor Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.04 B

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TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Level 1 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.05 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Level 2 Plan - LOBBY | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.06 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

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Project: 471 Swan St, Richmond | Drawing: Level 4 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.08 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project	471 Swan St, Richmond	Drawing	Level 5 Plan	Project No	219007	Date	25/01/19	Author	YW	Scale @ A1	1 : 100	Drawing No	TP01.09 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Level 6 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.10 B

471 Swan St, Richmond

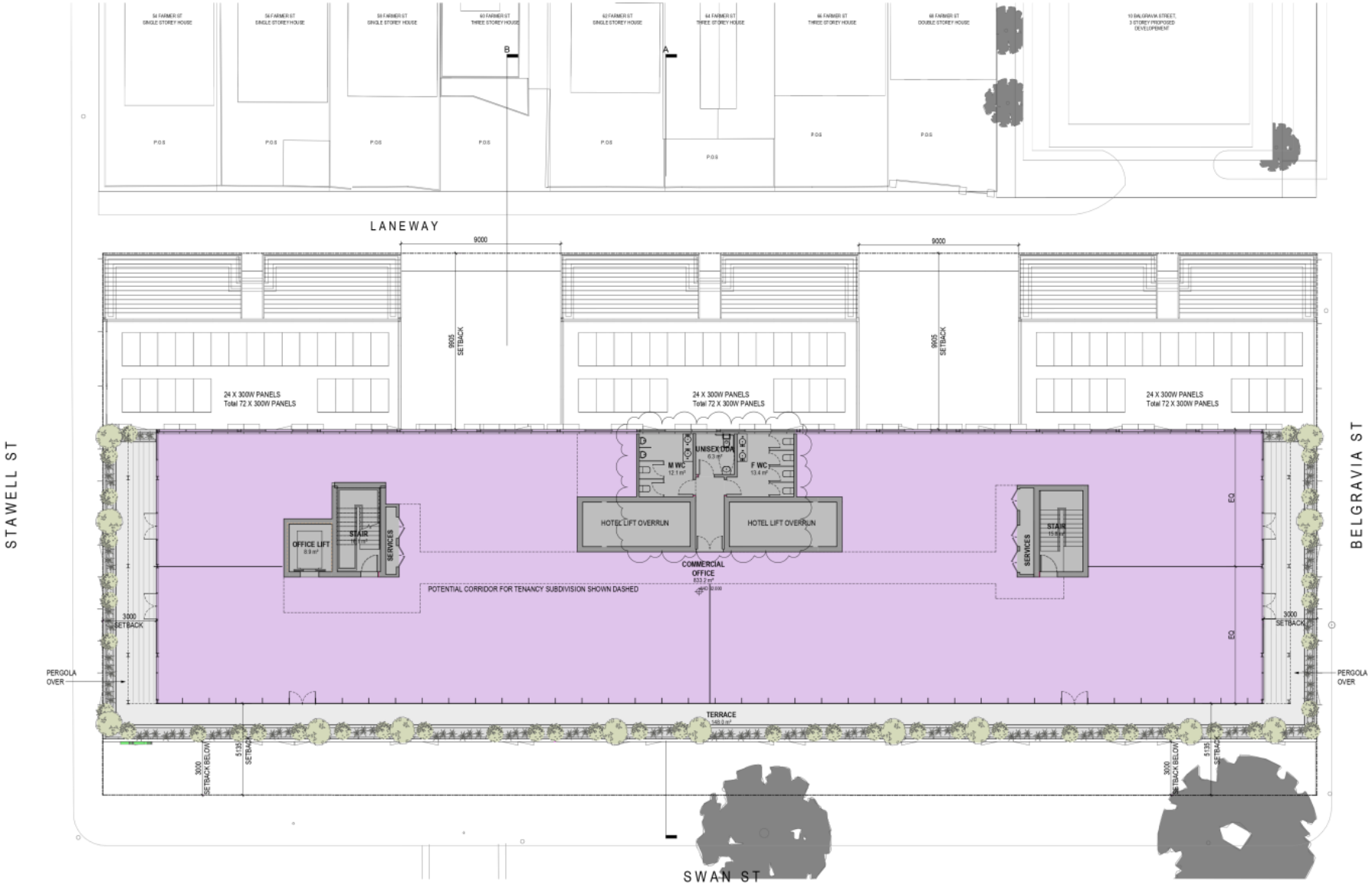
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TOWNPLANNING

Revisions		
-	22.10.2020 TP Issue	HB
A	21.01.2021 RFI	HB
B	31.08.2021 Town Planning Amendment	HB

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Project: 471 Swan St, Richmond | Drawing: Level 7 Plan | Project No: 219007 | Date: 03/19/20 | Author: Author | Scale: @ A1: 1 : 100 | Drawing No: TP01.11 B

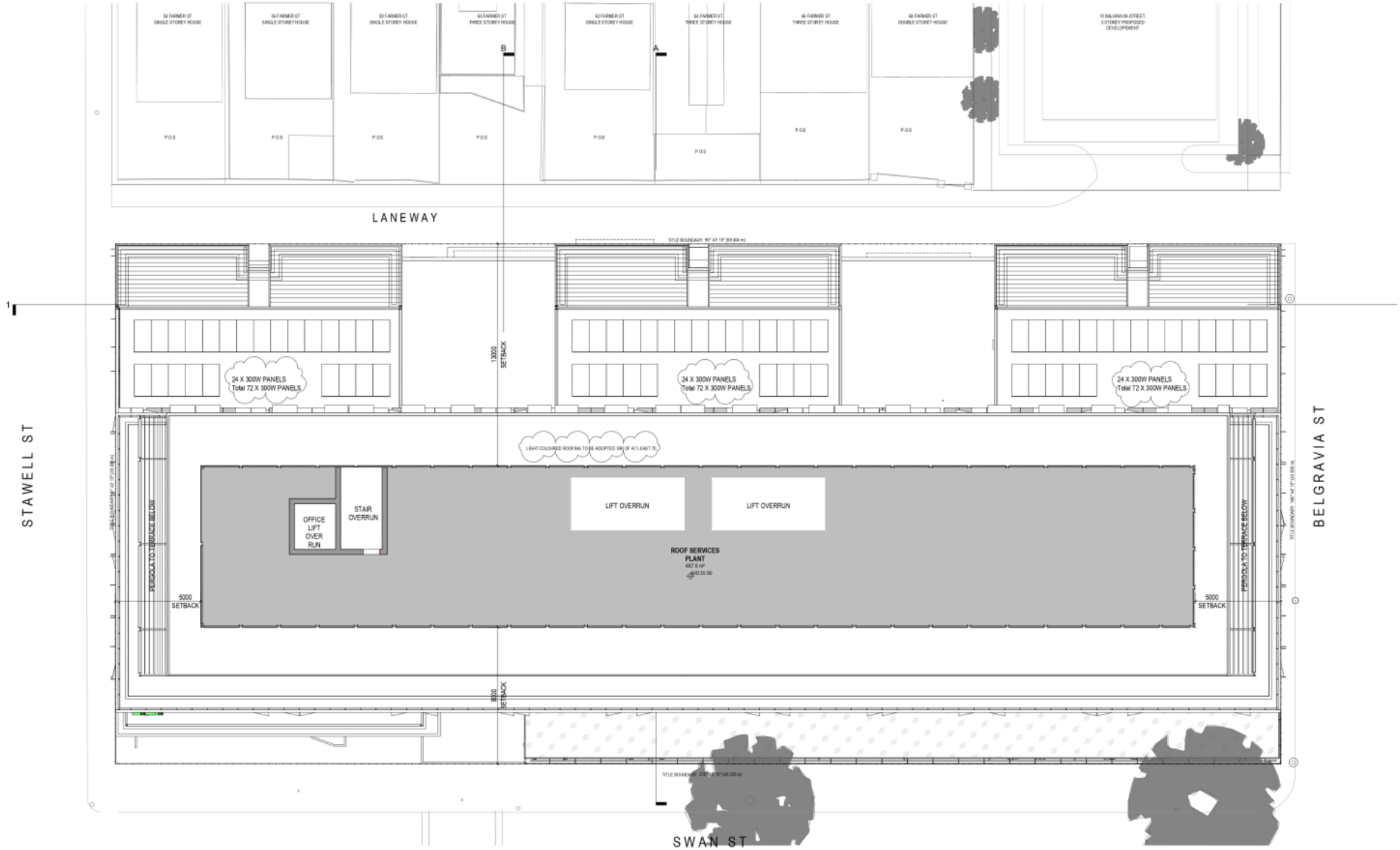
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TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

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Materials

CF01	CONCRETE - POLISHED FINISH - OFF WHITE	GT04	GLAZING - CLEAR SPANDREL
CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - SILVER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		GR01	TIMBER - NATURAL FINISH
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
471 Swan St, Richmond

Drawing: Swan Street South Elevation

Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP02.01 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

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Materials

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CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - SILVER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		GR01	TIMBER - NATURAL FINISH
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
471 Swan St, Richmond

Drawing: Belgravia Street East Elevation

Project No: 219007 | Date: 01/29/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP02.02 B

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Revisions

-	22.10.2020 TP Issue	HB
A	21.01.2021 RFI	HB
B	31.08.2021 Town Planning Amendment	HB

Materials

CF01	CONCRETE - POLISHED FINISH - OFF WHITE	GT04	GLAZING - CLEAR SPANDREL
CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - SILVER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		GR01	TIMBER - NATURAL FINISH
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
Drawing: Laneway North Elevation
Project No: 219007
Date: 01/29/19
Author: YW
Scale: @ A3: 1 : 100
Drawing No: TP02.03 B

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TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

2/09/2021 2:43:50 PM

Materials

CF01	CONCRETE - POLISHED FINISH - OFF WHITE	GT04	GLAZING - CLEAR SPANDREL
CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - SILVER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		RF01	ROOF FINISH - NATURAL TREAM
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
471 Swan St, Richmond

Drawing: Stawell Street West Elevation

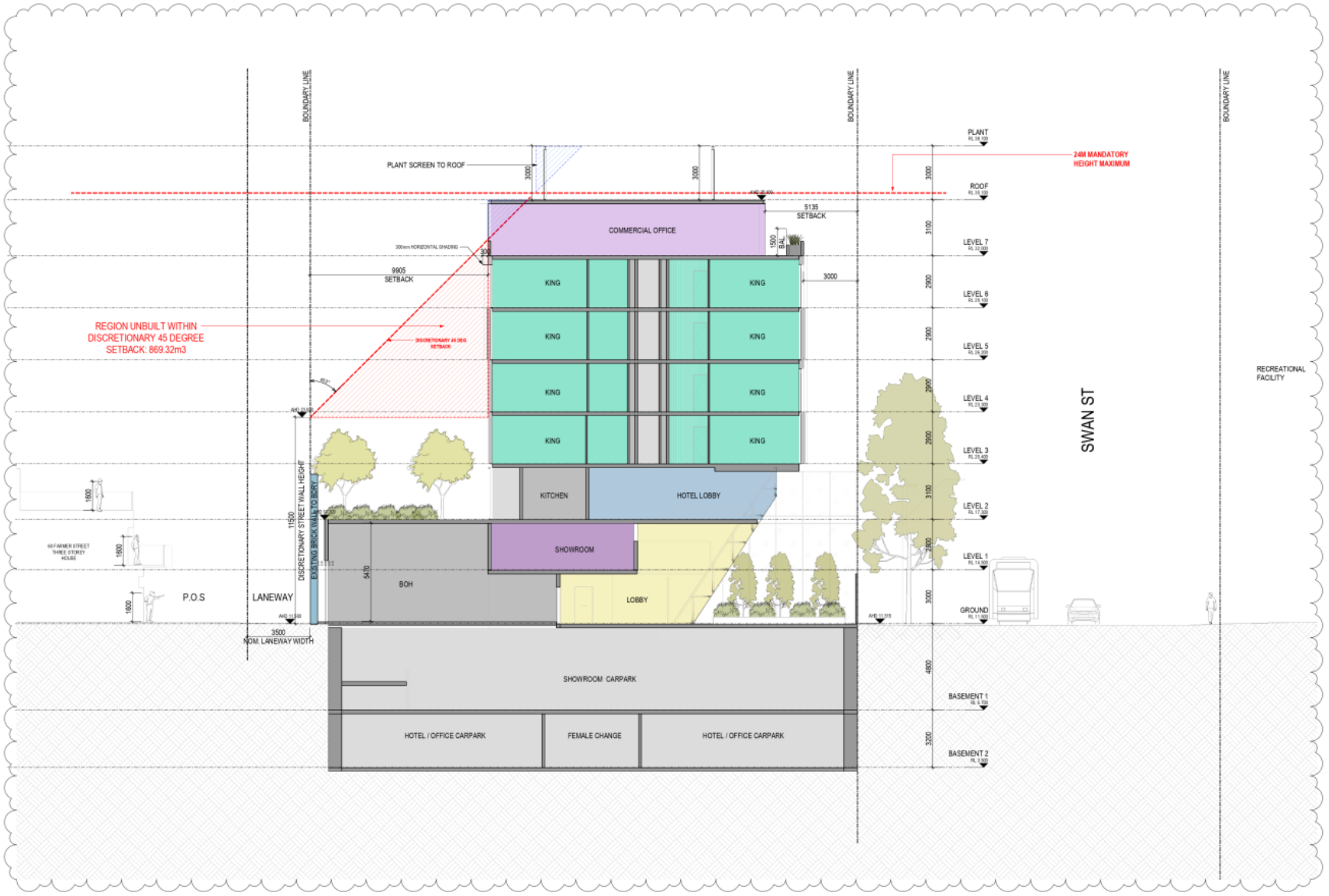
Project No: 219007 | Date: 01/29/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP2.04 B

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TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Section B | Project No: 219007 | Date: 01/18/21 | Author: SC | Scale: @ A1: 1 : 100 | Drawing No: TP03.01AB

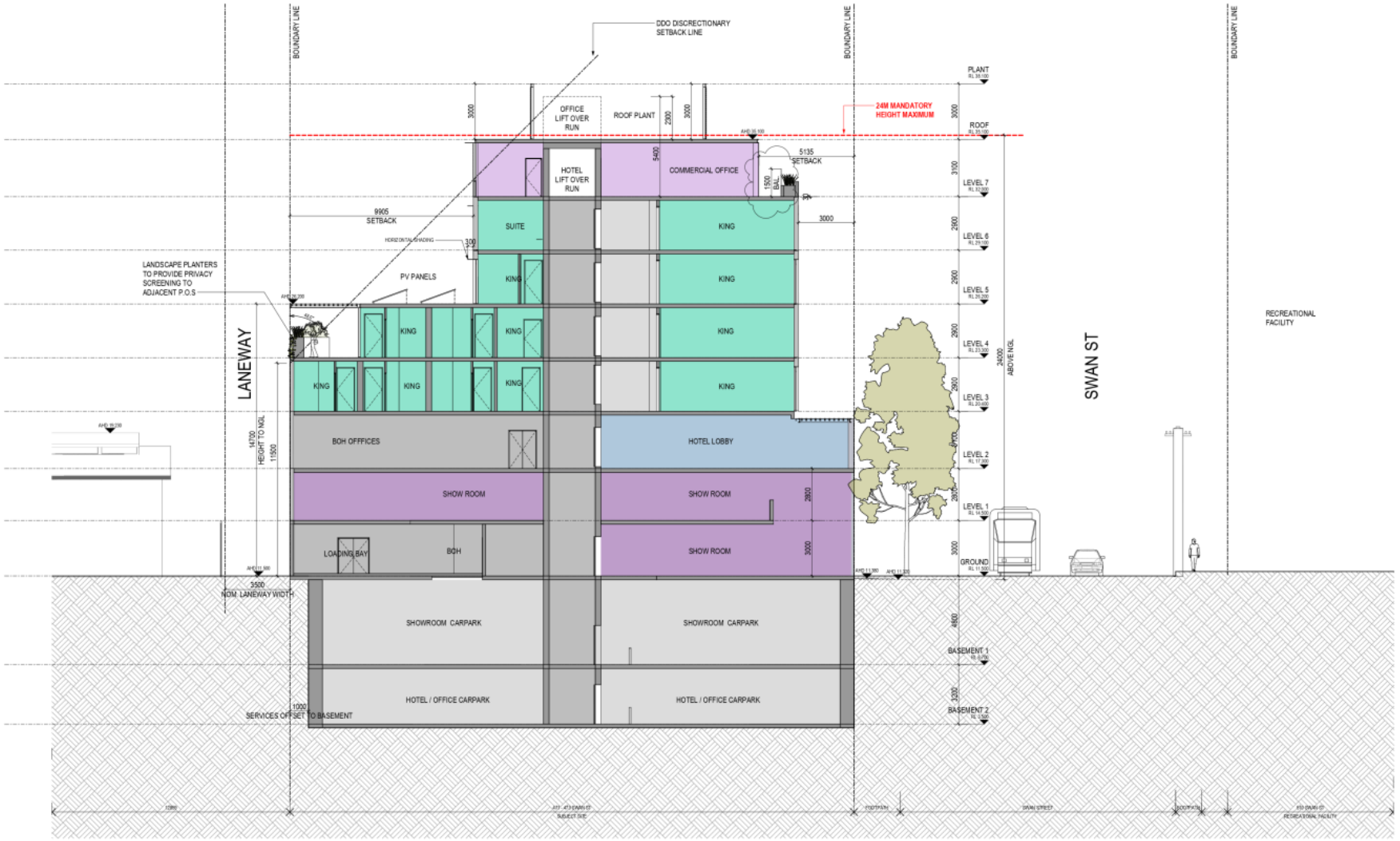
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TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.06.2021	Town Planning Amendment	HB

Project	Drawing	Project No	Date	Author	Scale @ A1	Drawing No.	
471 Swan St, Richmond	Section A	219007	25/01/19	YW	1 : 100	TP03.01	B

471 Swan St, Richmond

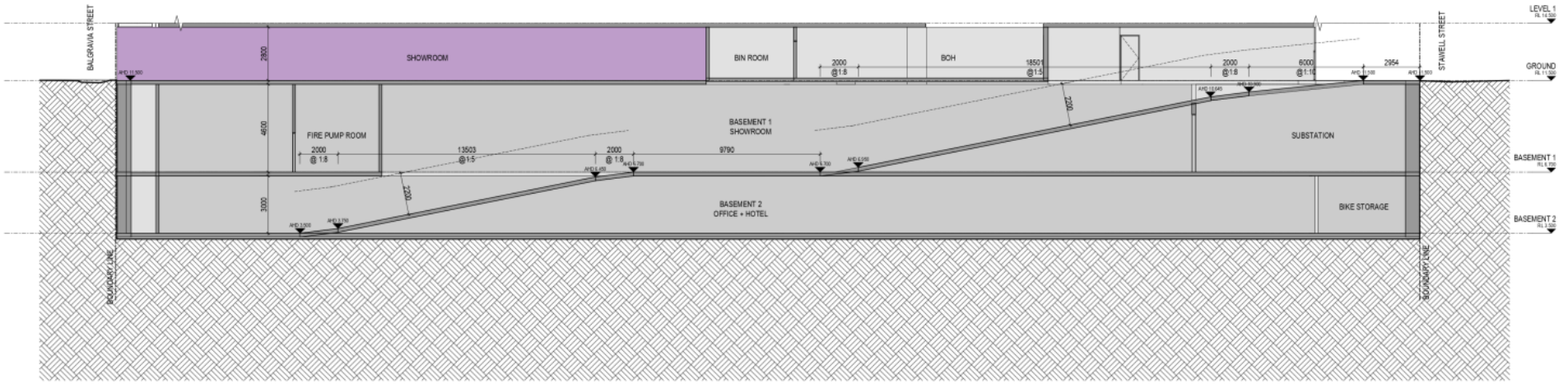
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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

2/09/2021 2:44:22 PM

Project: 471 Swan St, Richmond
Drawing: Ramp Section
Project No: 219007
Date: 06/24/20
Author: JS
Scale: @ A1: 1 : 100
Drawing No: TP03.02 B

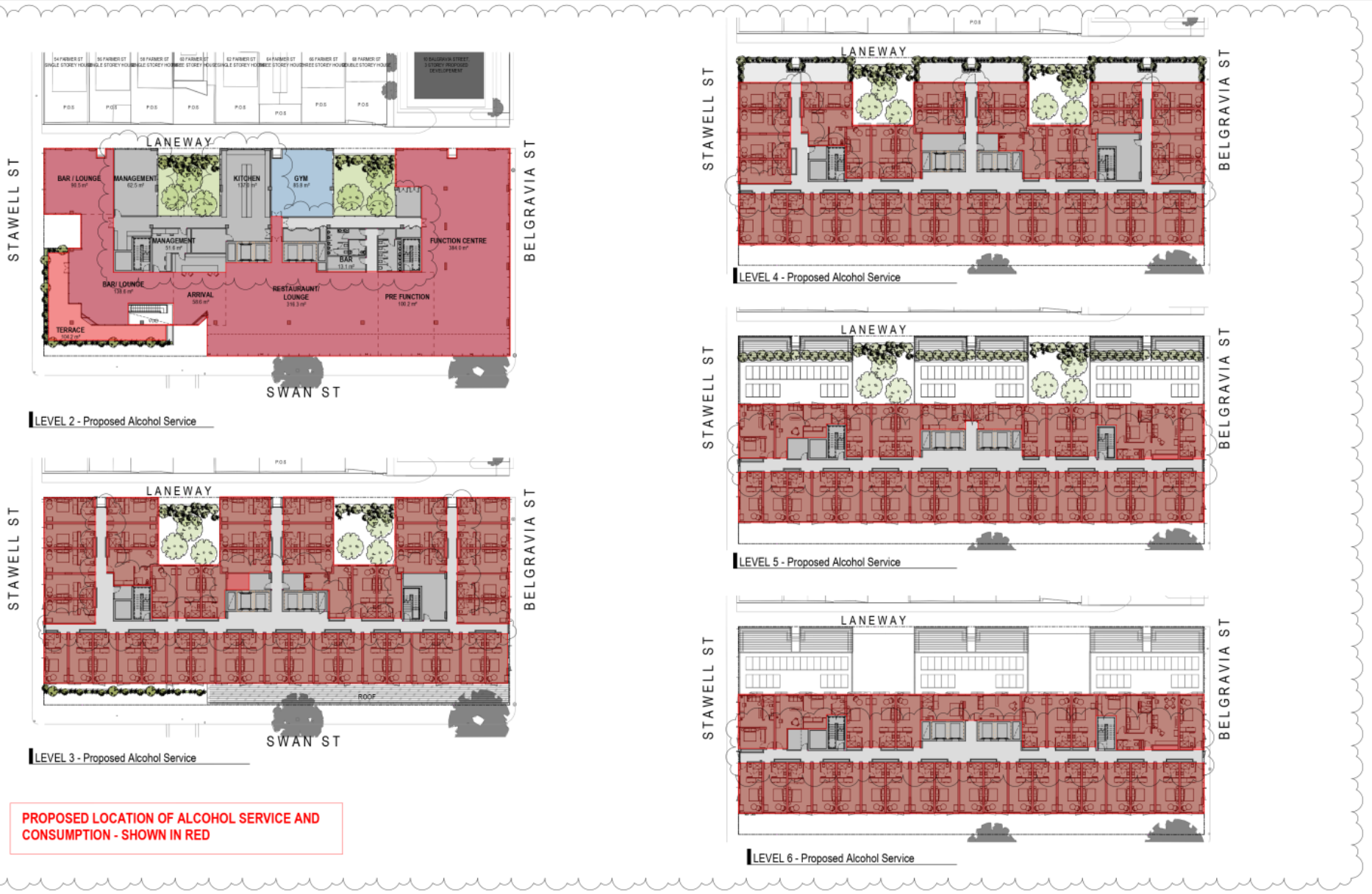
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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project	Drawing	Project No	Date	Author	Scale @ A1	Drawing No
471 Swan St, Richmond	Red Line Plan	219007	01/18/21	HB	1 : 250	TP06.01 B

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Attachment 1 - S57A Amendment Architectural Drawings

LEVEL	GFA (Excluding Terrace)	GFA Parking	NSA Hotel	NLA Retail	NLA Office	NLA Showroom	NSA/NLA Total	Hotel Amenity	Circulation & Services	Terrace POS	Hotel Rooms	Totals
BASEMENT 2	2015.0 m²	1699.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	316.0 m²	0.0 m²	0	0
BASEMENT 1	2012.9 m²	1638.8 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	374.1 m²	0.0 m²	0	0
GROUND	1743.7 m²	96.1 m²	0.0 m²	0.0 m²	51.9 m²	951.2 m²	1003.1 m²	0.0 m²	644.5 m²	0.0 m²	0	0
LEVEL 1	1579.2 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	1391.7 m²	1391.7 m²	0.0 m²	187.4 m²	0.0 m²	0	0
LEVEL 2	1693.7 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	1174.0 m²	519.6 m²	104.2 m²	0	0
LEVEL 3	1683.0 m²	0.0 m²	1156.5 m²	0.0 m²	0.0 m²	0.0 m²	1156.5 m²	0.0 m²	526.5 m²	0.0 m²	47	47
LEVEL 4	1556.5 m²	0.0 m²	1024.4 m²	0.0 m²	0.0 m²	0.0 m²	1024.4 m²	0.0 m²	532.1 m²	124.1 m²	41	41
LEVEL 5	1196.8 m²	0.0 m²	841.1 m²	0.0 m²	0.0 m²	0.0 m²	841.1 m²	0.0 m²	355.7 m²	0.0 m²	31	31
LEVEL 6	1198.2 m²	0.0 m²	844.9 m²	0.0 m²	0.0 m²	0.0 m²	844.9 m²	0.0 m²	353.3 m²	0.0 m²	30	30
LEVEL 7	1001.9 m²	0.0 m²	0.0 m²	0.0 m²	833.2 m²	0.0 m²	833.2 m²	0.0 m²	168.7 m²	148.0 m²	0	0
ROOF	487.9 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	487.9 m²	0.0 m²	0	0
	16168.6 m²	3433.9 m²	3866.9 m²	0.0 m²	885.1 m²	2342.9 m²	7094.9 m²	1174.0 m²	4465.8 m²	376.3 m²	149	149

	CARPARKS				
Level	Office	Showroom	Private	Hotel	Total
BASEMENT 2	13	0	6	26	45
BASEMENT 1	0	36	0	0	36
	13	36	6	26	81

BIKES:

62 TOTAL

16 X VISITOR
10 X SHOWROOM
36 X OFFICE/HOTEL STAFF

Hotel Rooms	Room Type
2	2 BED SUITE
4	DDA KING
138	KING
5	SUITE
149	

*For preliminary feasibility purposes. Areas are not to be used for purpose of lease or sale agreements. Layouts may not comply with building regulations or other regulatory requirements. The information contained in this schedule is believed to be correct at the time of printing. Areas are generally measured in accordance with the Property Council of Australia Method of Measurement.

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TOWNPLANNING

Revisions
- 22.10.2020 TP Issue HB
A 21.01.2021 RFI HB
B 31.06.2021 Town Planning Amendment HB

Project: 471 Swan St, Richmond
Drawing: Development Summary
Project No: 219007
Date: 02/18/19
Author: YW
Scale: @ A1
Drawing No: TP07.01 B

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Attachment 2 - Original Application referral comments (consolidated)

Urban Design Memo

To:	Daniel Herrmann	Date:	09/07/2021
Company:	City of Yarra	From:	Hansen Urban Design Team
Re:	**417- 473 Swan Street, Richmond**		

Thank you for the opportunity to review the application package for the proposed 7 storey mixed use hotel, showroom & office development at **417- 473 Swan Street, Richmond**. We have reviewed the application plans prepared by Rothe Lowman Architects, dated January 2021 and inspected the site and the surrounds. As well, we have reviewed the relevant background information including the Yarra Planning Scheme.

Our assessment in relation to urban design matters, includes a number of recommendations, as set down below.

Site and context

The subject site is located on the north side of Swan Street and centrally located between Stawell Street to the west and Belgravia Street to the east. There is a 3.5m wide ROW laneway to the north of the site which separates it from the abutting residential land. Tram route 70 travels along Swan Street connecting the site to the Docklands, Melbourne CBD and eastern suburbs. The site sits within the Swan Street Activity Centre Precinct 4 as part of the greater strategic directions for future employment and activity centre corridor uses.



Site context, Nearmap

The subject site is effectively flat with a rectangular shape with a 68.3m frontage to Swan Street and depth of 30.5m, resulting in a total site area of 2,088m^2.

The existing site comprises a 2 storey commercial office/warehouse building with frontage to Swan Street. The building is constructed to boundary along its western and northern boundary and partial construction to boundary along its southern and eastern boundaries, which is setback and accommodates a private parking space.

Attachment 2 - Original Application referral comments (consolidated)

The site has the following interfaces:

- To the immediate **south** is Swan Street an approximately 20m wide road reserve occupying 4 lanes of traffic and the tram route 70 through a central track provision. The near footpath accommodates three street trees, including two mature trees, and a tram stop. On the opposite side of the street is the Ryan's Reserve, which comprises an outdoor Tennis and Netball Centre. The Centre consists of 4 interchangeable tennis, netball and basketball courts. South of the Tennis and Netball centre is a railway corridor, connecting to Burnley Station to the west and leading to the Lilydale, Belgrave and Glen Waverley lines to the east.
- To the immediate **west** is Stawell Street, a 10m wide road reserve with 1.5m wide footpaths on either side. Further west at 461 Swan Street is a single storey 'My Local Store' convenience store with an apron of grade car parking along the southern and eastern boundaries. Frontages to Swan Street further to the west generally comprise 1-2 storey commercial and retail developments with car parking to the rear. There is a recent 6 storey mixed use residential apartment is located at the corner of Swan and Cutter Streets located approximately 115m from the subject site.
- To the immediate **north**, is a 3.5m wide rear service laneway which provides access to the back of houses for the row of eight residential properties which front onto Farmer Street and comprise 1-3 storey dwellings within the General Residential Zone – Schedule 2 (GRZ2). Also to the north is 10 Belgravia Street, which comprises a former surface car park associated with the subject site. It is understood it to be subject to a proposal for 10 3 storey townhouses.
- To the immediate **east** is Belgravia Street, an approximately 6m wide no through road reserve with 1.5m wide footpaths on either side. Further east is 487 Swan Street which comprises a 3 storey commercial building comprising a medical centre with frontage to Swan Street. The site also subject to an approval to construct a 5 storey commercial building. Abutting the commercial development to the east are three single storey commercial developments of Victorian style era and 1-2 storey residential developments located within the Neighbourhood Residential Zone further east.

This eastern section of Swan Street presents a relatively mixed streetscape character, which is echoed by its commercial zoning regime. With the northern side comprising finer grain shopfronts and the southern side comprising broader light industrial and warehouse forms.



Subject site – Swan Street frontage



South – Ryan's Reserve



West – 'My Location Store' at 461 Swan Street



North – 4m wide laneway



East – 3 storey office building at 487 Swan Street



Swan Street streetscape, looking west towards Melbourne CBD

Planning Context

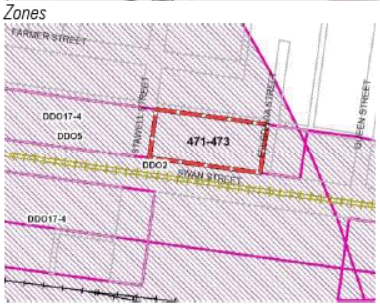
The subject site is located within a **Commercial 1 Zone (C1Z).** The purpose of the C1Z comprises:

- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The subject site is also located within the following key overlays:



Zones



Design Development Overlay

Design Development Overlay (DDO2- Main Roads & Boulevards)

Key purposes of the DDO2, amongst others are:

- *To recognise the importance of main roads to the image of the City.*
- *To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.*
- *To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.*
- *To recognise and reinforce the pattern of development and the character of the street, including traditional lot width, in building design.*
- *To encourage high quality contemporary architecture.*
- *To encourage urban design that provides for a high level of community safety and comfort.*
- *To limit visual clutter.*
- *To maintain and where needed, create, a high level of amenity to adjacent residential uses.*

Design Development Overlay (DDO17-4- Swan Street Activity Centre Precinct 4)

Key purposes of the DDO17-4, amongst others are:

- *Development must respect the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.*
- *Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.*
- *Development must maintain the amenity of Ryan's Reserve.*
- *Development must not overshadow the opposite footpath of Stawell Street (measured as 2.0m from the road boundary between 10am and 2pm at 22nd September).*
- *Development must maintain solar access to Ryan's Reserve as follows:*
    - *Beyond 16m of the eastern boundary of the reserve from 10am onwards on 22 September*
    - *At the western boundary of the reserve until 2pm on 22 September.*

The following State and Local planning policies are considered relevant:

Clause 11.01-1S – Settlement;
Clause 11.03-1S – Activity Centres;
Clause 15.01-1S – Urban Design;
Clause 15.01-2S – Building Design;
Clause 21.03 – Vision;
Clause 21.05 – Built Form;
Clause 22.07 – Development Abutting Laneways; and
Clause 22.10 – Built Form & Design Policy.

Other relevant documents:

- City of Yarra Urban Design Strategy (2011);
- Swan Street Activity Centre Built Form Framework (2017);
- Urban Design Guidelines for Victoria (2017); and
- Victorian Urban Design Charter (2010).

The Proposal

The proposed development comprises the demolition of the existing 2 storey structure and the construction of a 7 storey mixed use development (office, showroom, hotel and retail spaces) with 2 levels of basement car parking. Specifically, the proposed includes:

- An overall maximum building height of 23.73m, rising to RL 35.10;
- A massing arrangement comprising a 14.74m hotel mass rising above an 8.6m high street wall frontage set back 3m from the street frontage. The roof and lift overrun is 3m tall and set back 5m from Stawell Street and 4.86m from Belgravia Street;
- 88 car spaces at Basement 2, another 72 car spaces at Basement 1 and 58 bike spaces across Basements 1-2 and Ground Floor. Car parking is accessed via a vehicular ramp positioned to the rear of the site off Stawell Street;
- Ground Level comprises a porte cochre to Stawell Street, in front of an office, lobby, sheltered plaza and entrance to basement car parking. Building services and back of house are located centrally with a 953.2m^2 showroom to the east addressing Swan and Belgravia Streets;
- Level 1 consists of a 1204.8m^2 showroom with two lobby spaces;
- Level 2 comprises an open plan space accommodating: Bar/Lounge, Restaurant/Lounge, Function Centre, Pop up spaces and Gym as well as supporting kitchen, management and amenities;
- Levels 3-6 comprise a total of 149 hotel rooms;
- Level 7 comprises 871m^2 of open plan office space with terrace space around the east, south and west perimeter;
- The proposed building's upper levels façade for levels 3-6 is a mix of patterned concrete with glazing and level 7 is mostly timber slates with glazing, and;
- The street wall façade is defined by clear glazing with a more solid natural concrete rising form with punched windows.



Visualisation of proposal within Swan Street streetscape, extract pg 30, Architectural Design Response, Rothe Lowman

Urban Design Assessment

Strategic Context

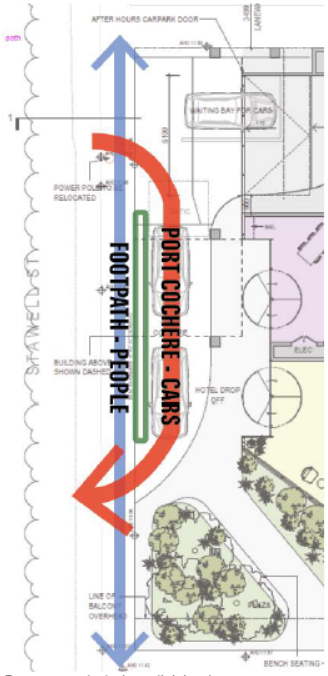
The subject site is located within the Swan Street MAC, comprising a broad frontage to the street and generous dimensions on an effectively 'island' commercial site benefitting from flexible access prospects given its three street frontages as well as rear laneway interface. It is well located in terms of public transport provision with a tram stop located directly in front and being a short walk from Burnley Train Station – while is on multiple rail lines. It is therefore, clearly a redevelopment candidate, with the existing 2 storey commercial/warehouse structure being at the end of its life, noting a considerable structural crack in its eastern external wall.

The interim DDO17 for the Swan Street Activity Centre encourages a *'new mid rise scale of built form'* and specifies a mandatory maximum building height of 24m for the site (and sites to its west) and maximum street wall heights of 14.5m to the street frontages, with a preferred 6m set back to upper levels from Smith Street and 3m from the side streets of Stawell and Belgravia. To the rear laneway a maximum street wall height of 11.5m with upper levels set back within a 45 degree profile.

The proposal seeks to respond favourably to the subject site's position within the Swan Street corridor, comprising a mixed use arrangement incorporating a 2 storey vehicle showroom, hotel and associated function centre/restaurant and a single level of office at the top. This unique combination of uses will fit in with the premium car dealership precinct evident to the west of Burnley Street and also contribute an accommodation offer and office component.

Site Planning

The proposed site planning arrangement and Ground Floor configuration and response to the site's varied public interfaces is well resolved. The position of the vehicle access and entry point to the basement levels is supported. Being located in the north-west corner of the site, it will be access directly off Stawell Street, which is a two-way local access street. The provision of a porte cochere is appropriate, given the accommodate function and need for vehicles to temporarily park in close proximity to the hotel lobby upon check-in as well as taxi and uber pickups and drop-offs. However, **there is a concern in terms of the porte cochere's immediate abuttal to the Stawell Street footpath and whether or not this is any hardscape delineation or physical kerb or planter box division of space, between the footpath and vehicle apron. It is considered this aspect of the building's entry requires further refinement to ensure vehicles using the porte cochere can not encroach onto the footpath or impede pedestrian movements.**



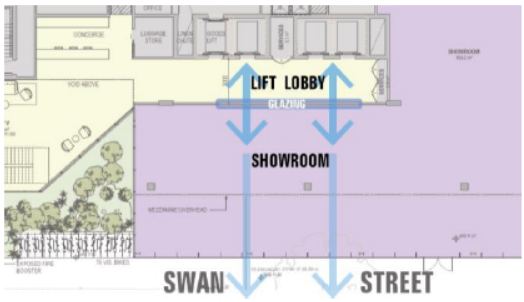
Recommended clear division between footpath and port cochere

The proposed position of the building's main entrance and associated plaza space to the site's south-west corner at the junction of Swan and Stawell Streets is entirely apt. This is the site's most prominent corner, being positioned on to the broader side street, nearest to the existing tram stop and associated signalised pedestrian crossing and orientated towards the majority of the Swan Street activity spine and Burnley Train Station. The publicly accessible plaza will enable pedestrians to 'cut the corner' enroute between the tram stop and residential neighbourhood accessible up Stawell Street. It also clearly connects the office and hotel entrances (which are positioned to Stawell Street) around to Swan Street, while providing a high amenity and weather protected environment.

The majority of the Ground Floor is to comprise a showroom (most probably for vehicle sales) and addresses the Swan Street frontage with a 0m setback and two levels of floor to ceiling clear glazing. This will provide an appropriate active and engaging interface to Swan Street and also 'wrap' around the corner into Belgravia Street.

The proposed presentation to the rear laneway incorporates site splays to increase visibility and access around the north-east and north-west corners and provides service access to the rear of the showroom and hotel and associated functions. Much of the ground and level rear laneway elevation is to accommodate a public art wall to encourage the continuation of street art activities to occur.

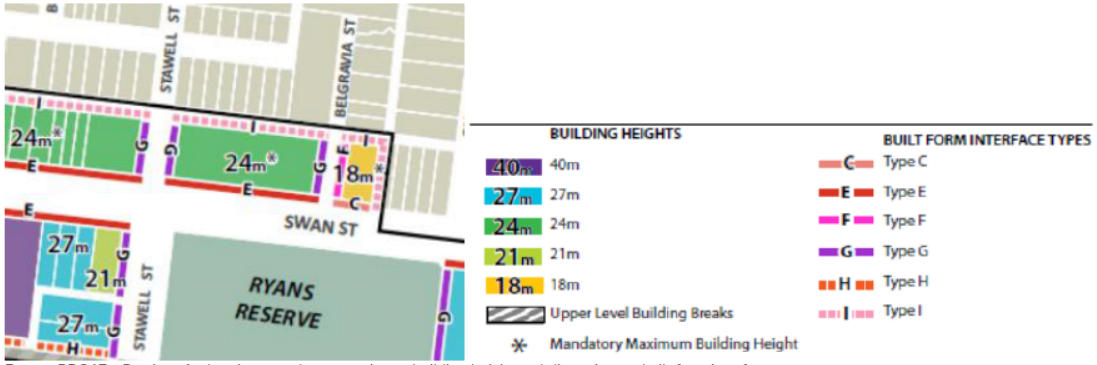
The central positioning of the hotel lift and stair core is appropriate and results in both an efficient basement arrangement and upper level configuration. However, the waiting space at Ground Floor could be enhanced by the **provision of some clear glazing into the abutting showroom space, to enable a visual connection into the showroom and ideally through to Swan Street.**



Suggested visual interaction between lift lobby and showroom – Swan St

Built Form massing

The interim DDO17 is the most relevant planning provision directing overall height and massing for the subject site. The proposal responds by falling within the identified 24m mandatory maximum height and broadly conforming to the various street wall and upper level setback and overshadowing provisions. To Swan Street the proposal presents a 3 storey (approximately 9m high) glazed box which erodes to express the building's entrance at the south-west corner. This street wall arrangement fits within the maximum 14.5m dimension. The upper levels are proposed to be set back 3m from Swan Street and the DDO17 seeks a preferred 5m minimum setback. Therefore, the proposal is 2m short of the preferred spatial separation between street wall and upper level massing.

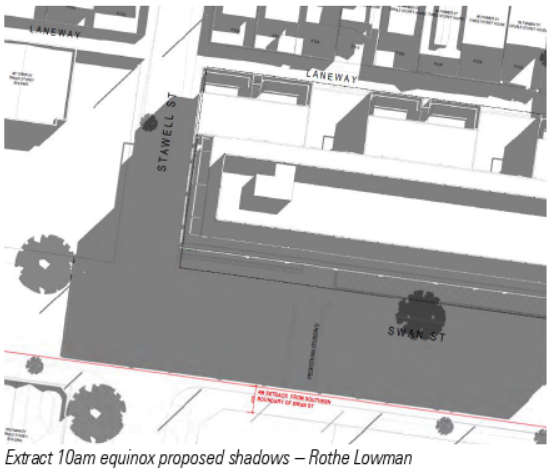


Extract DDO17 - Precinct 4, showing mandatory maximum building height and discretionary built form interface types

The key design requirements to assess this aspect of the proposal are that development: *'must achieve a prominent street wall', 'must maintain the amenity of Ryan's Reserve', 'must not overshadow the opposite footpath of Stawell Street'* (between 10am and 2pm at the equinox) and *'must maintain solar access to Ryan's Reserve'*. The proposal is considered to present a lightweight glazed unified street wall that will be visually dominated by the heavier upper levels. However, given the site's 'island' state and position opposite the 'open' Ryan's Reserve public space and that is accords with the other overshadowing provisions the more contemporary and bold massing arrangement is considered to contribute to the mixed streetscape character at this eastern end of Swan Street.

An initial concern in terms of the proposal's massing was its broad and uniform presentation of the hotel rooms at upper levels to Swan Street and whether or not the form required modulation and/or greater variation in order to better respond to the prevailing built form rhythm. Such modulation could be incorporated by reconfiguring the hotel rooms to the south of the lift core and introducing a further setback to slightly recess a central portion of the upper levels. However, given the site's current building, 'island' nature, the lack of built form opposite and the proposed hotel use a more striking and stronger massing arrangement is considered appropriate. It is also acknowledged that the façade contains subtle variations is wall profile and a gridded fenestration pattern which will provide sufficient articulation and visual interest to the hotel component. Therefore, despite the broad and rather uniform presentation of the hotel form to Swan Street, we consider it to be an appropriate arrangement.

The proposal does overshadow the opposite (western) footpath along Stawell Street at and just after 10am at the equinox, which breaches a requirement of Precinct 4. However, it is unclear why solar access to Stawell Street (a local side street) is sought to be protected. Particularly the short section of Stawell Street to the north of Swan Street. Maintaining solar access to the section south of Swan Street next to Ryan's Reserve would be more appropriate. Regardless, **we would recommend that further shadow studies be prepared to determine at what time after 10am that no overshadowing of the western 2m of the Stawell Street road reserve**, as its likely to be about 15 mins of so encroachment.



Extract 10am equinox proposed shadows – Rothe Lowman

The proposal exceeds the preferred street wall to both side street frontages. The DDO17 seeks a maximum 14.5m street wall height, while the hotel component rises to approximately 20-21m before setting back 3m to the top office level. In order to broadly comply, the east and west ends of Levels 5-6 would need to be setback 3m. Such an erosion of the form, would also assist in reducing the overshadowing impact to Stawell Street. While this setback could be easily applied to these levels (by omitting the end hotel rooms) it is considered it would unnecessarily compromise the strength of the massing arrangement and singular form of the 'floating' hotel component – when viewed on oblique from Swan Street. Therefore, we support the proposed massing arrangement to both side streets.

Internal configuration

The position of the function centre, restaurant/lounge, bar, pop up space and other hotel related facilities is supported at Level 2. Being located within the upper street wall profile, these facilities will overlook and surveil the broader Swan Street streetscape. While the plans lack details of their spatial fit out the general layout of the various activities is logical, particularly with the bar/lounge being positioned in the south-west corner, above the lobby and in association with an outdoor terrace space orientation towards Swan Street (away from the more sensitive residential interface). **Given this event hosting nature of this space, some storage facilities at this level would be advisable**, so that tables and chairs could be easily stored and readily available when reconfiguring the space between different functions.

The position of the gym to the rear of the floorplate is broadly supported. However, guests accessing it will need to do so via the restaurant/lounge area – due to the position of the lift core. While considered a minor matter will it result in guests in active wear traversing the more formal restaurant/lounge area for a brief moment.

The configuration of the hotel accommodation levels is broadly supported. The W shaped corridor arrangement at Levels 3-4 selects to appropriately maximum available yield within the DDO17 building envelope while, also ensuring that accommodation units are orientated to gain amenity from within the site and not overlooking neighbouring residential properties to the north. Levels 5-6 maintain the east-west aligned corridor permitting hotel rooms to orientation towards either Swan Street or the north – and are set back sufficiently to not unreasonably impact the residential neighbours. All corridor ends contain clear glazing and rooms within external corner positions contain glazing to both elevations, therefore suitably maximising their access to amenity.

The utilisation of the top level as an office space is supported. This level will permit a flexible arrangement of either open plan space or multiple offices arranged around a central east-west corridor with outdoor terrace space to three sides. However, the plans do not show provision of toilet amenities. While there is a note stating *'location of WC facilities shown dashed'* and it is appreciated that the design allows for flexibility provision of **such amenities should be shown and demonstrated** how it's provision works for both the single open plan or multiple tenancy configurations.

Off-site amenity considerations

As the subject site is located to the south of residential land overshadowing is not an amenity matter requiring consideration. However, overlooking and visual bulk are.

In terms of overlooking, the proposal does contain three communal terraces (for hotel guests) positioned along the northern boundary at Level 4. These terraces contain perimeter planter boxes, which will 'hold' back viewers so that downward views into the private open spaces at the rear of the neighbouring dwellings is not possible. Therefore, the possible suitably addresses overlooking considerations.

In terms of visual bulk, the proposal presents a modulated massing and varied architectural expression along its sensitive northern interface. The existing condition comprises an approximately 8m height sheer brick wall along the northern elevation. The proposal comprises a 2 storey (approximately 5.6m) wide solid wall incorporating service accesses which is to be a public streetart well. Slightly projecting over this art wall are 2-3 levels of standing seam metal in three boxes that are separated by an approximately 10m deep recess comprising landscape to the unifying concrete hotel component. This arrangement appropriately breaks up and visually divides the form's breadth.



Extract TP02.03 Rev A, showing modulation along rear residential interface

Further, from the abutting private open space to the north, generally only the lower 4 storey components of the proposal will be visible, with the upper levels setback so that they are largely visually concealed from view. Therefore, we consider the visual bulk impacts of the proposal to be well resolved and acceptable.

Conclusion

In summary, we are supportive of the proposed development. The proposed site plan arrangement is appropriate and incorporates a plaza space at the corner of Stawell and Swan Streets. The building, at 7 storeys is fits within the DDO17's mandatory maximum building height provision, although its three street frontage street walls and upper level setback arrangements do vary from the preferred profile. They are considered to result in a superior architectural massing arrangement that is befitting of this unique mix used scheme, comprising a 2 level showroom with hotel function space and rooms above. The rear interface broadly accords with the preferred profile and but provides a highly modulated arrangement, orientating lower level rooms away from neighbouring dwellings with inboard landscape provision.

In addition, we make the following recommendations to refine the proposal:

- Further refine the relationship and provide a clear spatial and/or physical barrier to define the boundary between the porte cochere and abutting footpath;
- Enhance the Ground Floor hotel lift lobby 'corridor' by providing glazing into the abutting showroom;
- Recommend the preparation of further shadow studies to determine at what time after 10am that no overshadowing of the western 2m of the Stawell Street road reserve occurs, to enable a further assessment.
- Explore if Level 2 contains sufficient store areas to accommodate the function rooms tables and chairs.
- Show the arrangement of toilets at the office level and demonstrate how their arrangement can be adapted to service either a single open plan tenancy or multiple tenancies.

We would be happy to liaise with the design team directly to progress these refinements in a timely manner.
Should you have any further enquiries, please don't hesitate to contact our office at (03) 9654 8844.

Yours faithfully,

Urban design team

Hansen Partnership Pty Ltd

2 July 2021

640.10090.06970 471-473 Swan St Richmond 20210702.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Daniel Herrman

Dear Daniel

471-473 Swan Street, Richmond
Development Application Acoustic Review
PLN20/0882

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic documentation prepared to support the application for a mixed use development at 471-473 Swan Street, Richmond.

Details of the acoustic report are as follows:

- Title: 471 Swan Street Richmond, VIC, Noise Impact Assessment
- Date: 26 March 2021
- Reference: RWDI #2102382
- Prepared for: Swan Street Joint Venture Pty Ltd
- Prepared by: RWDI Australia Pty Ltd (RWDI)

The report has bee prepared to address an RFI from the City of Yarra. The RFI is reproduced below.

"4. An acoustic report, prepared by a suitably qualified professional, providing an investigation of external noise intrusion into the development from surrounding noise sources and noise emissions from the subject site and associated mitigation measures".

1 Background Information

(Section 1.1 of the report)

The proposal is for an 8 level building comprising:

- Two levels of basement carparking
- Ground and Level 1- car showroom
- Level 2 - function centre, gym, bar lounge, terrace and pop-up space
- Levels 3 to 6 – Hotel rooms

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T: +61 3 9249 9400 E: melbourne@slrconsulting.com
www.slrconsulting.com ABN 29 001 584 612

- Level 7 - Offices
- Roof – mechanical plant

- Noise sensitive receivers are identified as single and double storey dwellings in the residential area to the immediate north, north east and north west
- Potential noise impacts to the development are identified as:
  - Road traffic and tram noise from Swan Street
  - Rail noise from the domestic rail corridor approximately 80 m south of the site.
- Potential noise impacts from the site are identified as:
  - Loading dock activity (loading dock is accessed from the rear lane, and is overlooked by existing dwellings)
  - Vehicle movements within the site (the car dealership showroom floor is also accessed via the rear lane)
  - Music (project includes a large function centre and a gym in close proximity to dwellings)

SLR Comments: *The proposal, noise sensitive receivers, potential noise impacts to and from the site have been identified.*

2 Noise from the subject site

The acoustic report considers noise impacts from all aspects of the proposal.

2.1 Background noise measurements for determining noise limits

(Section 2 of the report)

Attended and unattended measurements were conducted to quantify background noise levels for the purpose of determining noise limits.

Attended measurements were conducted in the lane between the subject site and the residential area to the north. The measured levels were:

- Day - 43 L_{A90} (measurement conducted Wed 10 Feb, 3:38pm to 3:53pm),
- Evening - 40 L_{A90} (measurement conducted Thurs 11 Feb, 8:08pm to 8:23 pm) and
- Night - 43 L_{A90} (measurement conducted Thursday 11 Feb, 10:12 pm to 10:27 pm). Octave band spectrum for this measurement provided in Table 2 of the report.

Unattended noise logging was conducted on the roof of the existing 2 level building, towards the Swan Street façade, from 10 – 21 February 2021. The period included a 5 day COVID-19 lockdown. Data collected during the lockdown has not been used in the analysis. The results were:

- Day - 53 L_{A90}
- Evening - 51 L_{A90} and
- Night 42 L_{A90}.

Background noise levels used for calculating noise limits have been derived from both the attended and unattended measurements, and are presented in Table 5. The identified levels are:

- Day - 41 L_{A90}
- Evening - 41 L_{A90} and
- Night 38 L_{A90}.

SLR Comments: *The use of attended measurements in the lane and unattended noise logging at the southern façade of the building is, in principle, a reasonable approach to quantifying background noise levels relative to the sensitive receivers to the north. However, we have the following further questions / comments on the approach taken:*

- *The method used to calculate the day, evening and night average levels from the noise logging data is not presented in the report. For limited periods of logging, it is usual practice to use the lowest of the average day, evening and night level obtained over the relevant period. An alternative approach, which may have been taken here, would be to average all day, evening and night data – this approach would result in higher background levels, and would not be acceptable without further justification. Clarification is sought from RWDI on the approach taken.*
- *The precise means by which the presented background noise data for dwellings to the north has been derived from the attended and unattended measurements is not explained in the report. Our main concern is with the presented night level, which is only 3 dB lower than the evening level. The logging data obtained at the front of subject site suggests that the night level could be 9 dB lower than the evening level. If noise logging closer to the residential receivers cannot be undertaken, we recommend conducting an attended measurement between midnight and 1 am, early in the week (e.g. Monday to Wednesday morning), under suitable weather conditions. In our experience, data obtained at this time can be representative of the whole night average.*
- *Background noise data used to determine limits for music should be obtained at the time that music is most likely to cause nuisance (typically towards the end of a function, when ambient noise is lowest). It is unclear whether the 10 pm background noise measurement addresses this issue. If later operation is proposed, or operation on quieter nights of the week, we recommend measuring background noise at this time.*

2.2 Noise limits for mechanical plant and equipment

(Section 3.2.1 of the report)

Noise from mechanical plant associated with the subject site is proposed to be assessed to SEPP N-1. The SEPP N-1 zoning levels for residential receivers to the north are presented in Table 9. SEPP N-1 noise limits have been calculated taking into consideration the zoning levels and the derived background noise levels. The identified limits are: 53 L_{Aeq} (day), 50 L_{Aeq} (evening) and 45 L_{Aeq} (night). The limits are based on 'low' background levels for the day period, and 'neutral' background levels for the evening and night periods.

SLR Comments: *Our calculations of the SEPP N-1 zoning levels agree with RWDI's. The calculated noise limits are consistent with the presented background noise data, however as indicated in* ***Section 2.1*** *of this review, we would like further evidence in support of the presented night background noise level, or for more targeted background noise measurements to be undertaken. There appears to be potential for lower background noise at night, and for the lower levels to result in lower SEPP N-1 noise limits.*

We note that Victoria is currently in a transitional period in relation to noise legislation, with the new Environment Protection Act 2017 intended to come into effect in July 2021. The General Environmental Duty (GED) is a centrepiece of the new laws and requires all Victorians to reduce the risk of activities potentially harming the environment or human health through pollution or waste.

Subordinate legislation – the Environment Protection Regulations (Regulations) and Environment Reference Standard (ERS) – have been released to support the new environment protection laws.

The Regulations will incorporate the new Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, *Publication 1826 (the Noise Protocol). This will effectively replace* State Environment Protection Policy No. N-1 (Control of Noise from Commerce, Industry and Trade), (SEPP N-1), State Environment Protection Policy No. N-2 (Control of Music Noise from Public Premises), (SEPP N-2) *and the* Noise from Industry in Regional Victoria (NIRV).

The setting of noise limits and assessment methodologies in the new Noise Protocol are the same as those in SEPP N-1 in most instances, and would not affect the limits for commercial noise on this project.

2.3 Commercial noise assessments

RWDI have considered noise from all potentially intrusive sources associated with the subject development.

2.3.1 Loading dock noise

(Section 6.1 and 6.5.1 of the report)

Noise from truck deliveries and rubbish collection from the loading dock is assessed to SEPP N-1 limits at sensitive receivers to the north. The assessment assumes:

- Use of the loading dock restricted to the hours of 7 am and 6 pm
- Unperforated, low noise roller door to be fitted to loading dock
- Absorptive treatment to be fitted to at least 50% of loading dock ceiling
- Roller door to be closed when trucks are inside the loading area
- Sound power levels of 85 and 81 L_{Aeq} for truck manoeuvring and idling respectively
- Trucks will enter and leave the loading dock within a 30 second time frame

With the above constraints and assumptions in place, the predicted 15 minute noise level at the nearest receiver location is noted to be 53 L_{Aeq}, and compliant with the identified SEPP N-1 day noise limit of 53 dBA.

SLR Comments: *The constraints around use of the proposed loading dock, which is in extremely close proximity to dwellings, are generally good. However, we note the following:*

- *The use is proposed to be restricted to the day period only however the report does not clarify that the day period is to align with the relevant legislation. The new Noise Protocol, Part I defines the 'day' period as being 7 am to 6 pm Monday to Saturday (whereas SEPP N-1 excluded Saturday afternoon from the day period). It is recommended that the use be restricted to the Noise Protocol Part I day period (i.e. deliveries / rubbish collection acceptable Monday to Saturday between 7 am and 6 pm but not permitted on Sunday).*
- *The presented sound power levels for trucks are extremely low, and in fact are equal to the levels presented in Table 18 for cars. Rubbish and non-articulated delivery trucks are likely to be at least 10 dB louder.*

- *The requirement to close the entrance door while rubbish collection or deliveries are in progress will need to be carefully managed. We note, too, that the adjacent BOH delivery door would also need to be closed to manage noise impacts as these spaces appear to be connected. The noise management plan for the building will need to emphasise this requirement and the building manager will need to ensure that it is enforced.*
- *A 'low noise' entrance door has been called up, however a noise level for the equipment has not been specified. We recommend that a maximum permissible noise at a reference location (say 1 m from any part of the door) be specified to help ensure that the selected door is suitably quiet.*
- *The SEPP N-1 and Noise Protocol Part I assessment period is 30 minutes, not 15. Assuming there is only one delivery / rubbish collection in any 30 minute period, this would result in a duration adjustment of -3 dBA.*
- *Our indicative calculations, using RWDI's assumptions agree with their results. However, if truck sound power levels were 10 dB higher, we would predict non-compliance with the relevant limits.*

Given the proposed daytime only operation, the likely infrequency of use, and the fact that noise from the lane itself is not formally assessable to EPA criteria (and the difficulty of separating noise from the lane and noise from private property during a truck movement), a small exceedance of the noise limit due to rubbish collection and / or deliveries may be acceptable. However, the exceedance should be minimised as far as practical.

2.4 Carpark noise

(Section 6.2 of the report)

Noise from vehicles accessing the basement carparks and the passing through the port cochere on the western side of the building has been assessed to SEPP N-1 limits. The assumptions made with respect to vehicle numbers are outlined in Section 6.2.1. Vehicle movements are based on numbers provided in the traffic engineering report as follows

- Day / evening
  - 27 vehicles per hour accessing the port cochere, including 3 minutes idling in the port cochere
  - 16 vehicles per hour accessing the basement
- Night
  - 27 vehicles per hour accessing the port cochere, including 3 minutes idling in the port cochere
  - 8 vehicles per hour accessing the basement

The predicted noise levels are 47 dBA at the nearest dwelling to the north, and 41 dBA at the nearest dwelling to the northwest.

An assessment to L_{Amax} sleep disturbance targets (effectively 65 L_{Amax} outside bedroom windows) is also provided, using an assumed L_{Amax} noise level of a car door closing of 92 dBA.

***SLR Comments**: We agree that the relevant legislation and the nominated L_{Amax}, sleep disturbance targets should be able to be met due to noise from private vehicles accessing the hotel site.*

2.5 Mechanical Plant

(Section 6.4 of the report)

RWDI observe that compliance with the relevant environmental noise limits is achievable for this project, but that a detailed assessment of noise from mechanical plant should nevertheless be conducted during the design phase of the project.

***SLR Comment**: We agree that an assessment of mechanical plant noise should be conducted during the detailed design phase.*

3 Music noise

3.1 Assessment criteria

Music is proposed to be assessed to SEPP N-2. The day and evening limits are 46 dBA (based on a background noise level of 41 dBA) and the octave band night limits are provided in Table 12 of the report. The limits are based on octave band background noise levels measured between approximately 10:12 pm and 10:27 pm Thursday 11 February 2021.

***SLR Comments**: The proposed hours of operation of the function centre are not provided in the acoustic report and there is potential for the use to operate beyond 10:30 pm. If this is likely, background noise levels should be obtained later in the night. Similarly, if the function centre is likely to operate earlier in the week, noise limits should be determined from background noise data obtained at that time (background noise is typically quieter earlier in the week).*

From 1 July 2021, music noise will be assessable to Part II of the Noise Protocol. The limits are calculated similarly to SEPP N-2, however the octave band 'night' limits will not apply until 11 pm Monday to Saturday nights, and 10 pm Sunday nights.

3.2 Assessment

(Section 6.3 and 6.5.2 of the report)

RWDI assess music to sensitive receivers using the following assumptions:

- A music level of 90 L_{Aeq} is assumed within the function centre and pop-up space. The low frequency content comprises: 94 Leq @ 63 Hz; 88 Leq @ 125 Hz and 86 LAeq @ 250 Hz (full spectrum provided in Table 21)
- Glazing to the building is assumed to have an Rw rating of not less than 30 dB.
- Music in other areas of the development, including the gym and social areas on level 2, is proposed to be restricted to 65 L_{Aeq}.

The predicted noise levels at the nearest receiver locations are presented in Table 23, and comply with both the day/evening and night noise limits with a considerable margin.

SLR Comments:

- *The octave band music levels included in the report are Leq levels, whereas SEPP N-2 quantifies music using the $L_{OCT,10}$ acoustic descriptor for night assessment. If the levels are assumed to be L_{10} levels instead of L_{eq}, the overall L_{Aeq} level would be 2 to 3 dB lower (i.e. 87-88 dBA instead of 90 dBA).*
- *Taking the above into consideration, the assumed levels of music are commensurate with moderately amplified music. They are not consistent with typical live bands or loud recorded dance style music. The proposed levels may be in line with the operator's expectations, however this should ideally be confirmed.*
- *Our indicative spreadsheet calculations suggest levels up to 5 dB higher at sensitive receiver locations than RWDI predict, however our results also indicate compliance with the identified limits. If later operation is proposed, and lower noise limits are determined, our calculations would indicate non-compliance in the 63 Hz band.*
- *Given that the assumed levels of music are lower than we would anticipate for these spaces, we recommend that all music in the pop-up space and function room is played through a calibrated noise limiter / compressor. If live music is proposed, the monitoring equipment should include an external microphone. An acoustic report should be submitted prior to use of these spaces, demonstrating that the sound system has been set up to ensure that the relevant noise limits will not be exceeded, and the type of music operations that are feasibly possible in the space (i.e. no loud amplified live bands).*

4 Impacts to the subject development

Noise and vibration to the subject development has been addressed in the acoustic report. Our review focuses on impacts to the residential component of the hotel.

4.1 Road traffic and tram noise

4.1.1 Criteria

(Section 3.1.1 of the report)

Road traffic noise is proposed to be assessed to an internal design criterion of 35 $L_{Aeq,8hr}$ in hotel rooms at night.

SLR Comment: *The nominated design criterion is appropriate.*

4.1.2 Quantification of impacts

(Section 2.2 of the report)

Road traffic noise was quantified via long term noise logging conducted on the roof of the existing 2 storey building, overlooking Swan Street. The measured levels are presented in Table 3 of the report and are equal to 63 $L_{Aeq,16hr}$ (day) and 58 $L_{Aeq,8hr}$ (night). The noise logging data is included in Appendix A.

SLR Comment: *The measured levels are lower than we have observed previously for Swan Street, and we would like to confirm that the logger had a full line of sight to all lanes of traffic. This is ideally demonstrated by taking a photo of the road from the microphone location, or of the logger from the nearest lane of traffic. (RWDI may have such a photo). Assuming there is a full line of sight, the logging location is acceptable.*

4.1.3 Noise control advice

(Sections 4.1 and 4.2 of the report)

Road traffic noise has been modelled to the subject development using the Cadna/A modelling package, and the resultant external noise levels have been used to predict noise indoors, with the specified façade upgrade treatments.

Glazing to all hotel suites with windows in the southern façade is required to have an Rw rating of not less than 35 dB. Hotel suites with windows on the east or west façade is required to have an Rw rating of not less than 31 dB.

SLR Comments: *The specified glazing can be expected to achieve the design criteria given the measured levels of road traffic noise.*

4.2 Vibration

4.2.1 Criteria

(Section 3.1.2 of the report)

Tram vibration is proposed to be assessed to BS6472. Vibration to hotel rooms is proposed to be assessed to VDV criteria of 0.2 to 0.4 during the day and 0.13 to 0.26 at night. Less onerous criteria are proposed for offices (VDV values of between 0.4 and 0.8 are nominated as acceptable).

SLR Comment: *The proposed criteria are appropriate.*

4.2.2 Vibration measurements

(Section 5.1 of the report)

Measurements of ground vibration due to tram passby events were conducted between 4:45 pm and 5:30 pm Wednesday 10 February. The results have been used to calculate the VDV levels. The calculated levels comply with the nominated criteria and no further treatment of the building to control vibration is proposed.

SLR Comment: *A full review of the provided vibration assessment has not been conducted by SLR because there is insufficient information in the acoustic report (details of the accelerometer mounting, the measured vibration levels and the assumptions made in calculation of the day and night VDV from the measured levels).*

However, vibration assessments are not currently required by Yarra City Council for residential development on tram lines, and for this reason we have not requested further information about the provided vibration assessment.

5 Summary

SLR has undertaken a review of the acoustic report prepared to support the application for mixed use development at 471-473 Swan Street, Richmond. The report generally addresses acoustic issues on the project, however we request further information on the following matters:

5.1 Background noise levels and noise limits

- The method used to calculate the day, evening and night average background noise levels from the logging data should be explained. Our expectation is that the average levels should be calculated for each day, evening and night period, and that the lowest average level for the logging period (excluding lockdown days) should be presented in the report.
- The background noise level used to calculate SEPP N-1 / Noise Protocol Part I limits for commercial noise at night should be representative of the whole night average. This may require further measurements. If noise logging closer to the residential receivers cannot be undertaken, we recommend conducting an attended measurement between Midnight and 1 am, early in the week (e.g. Monday to Wednesday morning), under suitable weather conditions. In our experience, data obtained at this time can be representative of the whole night average.
- Background noise data used to calculate limits for music at night should be obtained from the quietest period of the night, and on the quietest night of the week that the function centre is proposing to operate. The current measurement, undertaken just after 10 pm on a Thursday night, is unlikely to reflect the lowest noise limits that may apply to the use unless it is confirmed that the venue would only operate Thursday to Saturday up to 10.30 pm).

5.2 Loading dock noise assessment

- It is recommended that use of the loading dock for both deliveries and rubbish collection be restricted to the 'day' period as defined in the Noise Protocol, Part I, being Monday to Saturday between the hours of 7 am and 6 pm (excluding public holidays).
- The sound power levels used in the assessment of noise from the loading bay are low. It is recommended that the assessment be revised to include levels at least 10 dB louder. This may require implementation of further noise control to achieve compliance (e.g. a higher performance access door with acoustic seals, more absorption within the loading bay, etc).
- The revised assessment for commercial noise should use a 30 minute assessment interval, as per Victorian legislation.
- An objective specification should be provided for all access doors in the north façade of the building to ensure that the relevant noise legislation and sleep disturbance targets are complied with (e.g. specification for a maximum sound pressure level at 1 m from any part of the door).

5.3 Mechanical plant

A full assessment of mechanical plant noise from the site should be conducted during the detailed design phase of the project, consistent with RWDI's advice.

5.4 Music

- The provided music noise assessment should be revised if lower noise limits are identified. We would also like to confirm that the proposed music levels are in line with the client's expectations, as they will limit use of the function and pop up spaces to moderate level music.

- The revised assessment should quantify music within the venue as $L_{OCT,10}$ levels as per Victorian legislation (if the venue is to operate at night).
- It is recommended that all music in the pop-up space and function room is played through a calibrated noise limiter / compressor. If live music is proposed, the monitoring equipment should include an external microphone. An acoustic report should be submitted prior to use of these spaces, demonstrating that the sound system has been set up to ensure that the relevant noise limits will not be exceeded.

5.5 Road traffic and tram noise to the subject development

The measured levels of road traffic noise are lower than we have seen previously for Swan Street, and we would like to confirm that the noise logger had a full line of sight to all lanes of traffic.



Dianne Williams
Principal – Acoustics

Checked/Authorised by: JA

Attachment 2 - Original Application referral comments (consolidated)

22 CLEELAND ROAD
SOUTH OAKLEIGH VIC 3167
AUSTRALIA

M E L
CONSULTANTS

(ACN 004 230 013)

Ref: 72-21-DE-REV-00

2 July 2021

City of Yarra
PO Box 168
Richmond VIC 3121

Attn: Daniel Herrmann

Dear Daniel,

471 Swan Street, Richmond
Review of RWDI Wind Environment Desktop Assessment
RWDI Project: 2102382 February 15, 2021

The review of the RWDI Wind Environment Desktop Assessment is based on MEL Consultants' experience of wind flow around buildings and structures. This experience has been developed from a company experience of more than 40 years of desktop, wind tunnel, and full scale studies of environmental wind conditions in urban and sub-urban areas. No wind tunnel studies have been undertaken to support the review. Our comments are as follows:

- The RWDI Wind Environment Desktop Assessment has been prepared based on the experience of the consultancy and no wind tunnel testing by RWDI has been carried out to support the report. MEL Consultants have no issue with this approach for a desktop study as this is a common approach to provide architects, developers, and responsible authorities advice on the wind effects of the design.

- MEL Consultants have no issue with the Analysis Approach, Site Exposure, and Regional Wind Climate that have been used as the basis for the assessment. RWDI has clearly identified the process for the desktop assessment and this is

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consistent with the approach that MEL Consultants would take to prepare a desktop wind impact assessment.

- RWDI use a Pedestrian Safety Criterion of 23 ms^{-1}, which is the criterion recommended by the AWES Guidelines. The Pedestrian Comfort Criteria are similar to the DDO10 Capital City criteria and the Victorian Better Apartment Design Standards.

- The RWDI assessment presents the Existing Wind Conditions as being comfortable for standing and strolling all year on and around the existing site, including public sidewalks and parking places. MEL Consultants have no issue with this assessment.

- RWDI have assessed the Future Wind Conditions around the development. MEL Consultants would agree that the design has some positive features that assist with mitigating the wind impacts but would question the statement that the recessed entrance, under a building overhang, would mitigate the wind conditions. As indicated by RWDI in Figure 6 for the south sector wind directions, the wind flow is deflected and accelerates in the undercut area across the entrance and drop off area. A similar scenario would be expected for the north sector wind directions. RWDI mention that the landscaping at the southwestern corner (Figure 7) would mitigate wind channelled beneath the overhang but the images show limited tall landscaping to provide the suggested mitigation. The suggestion of channelling of wind flow beneath the overhang contradicts the earlier statement that the overhung is a positive design feature in terms of wind effects. RWDI have not stated the expected wind conditions at the entrance in terms of the defined comfort criteria.

- MEL Consultants have no issue with the assessment of the wind conditions on the footpaths as walking or strolling. However, the description of the shelter provided by the undercut would be questioned, as noted above, and again RWDI have not stated the assessed wind conditions in the drop-off area in terms of the defined comfort criteria. It would be expected the appropriate comfort criterion for a drop off area would be the standing criterion.

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- RWDI have suggested wind mitigation strategies to further enhance conditions that are based on landscaping. It is noted that one of the suggestions is trees along the footpath, which the City of Yarra will need to determine if this would be an acceptable strategy as it would be outside the site boundaries.

- RWDI have assessed the wind conditions on the terraces as impacted by the prevailing winds side streaming (accelerating) around the building corners and unobstructed direct predominant northerly winds at Level 4. RWDI have suggested mitigation strategies but have not assessed the wind conditions in terms of the defined comfort criteria. MEL Consultants have no issue with the suggested mitigation strategies.

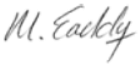
- MEL Consultants have no issue with the assessment of the wind conditions in the far field away from the development.

- The RWDI conclusion states the wind conditions would remain mainly in the range from strolling to walking comfort but will need to update the assessment to include the wind conditions outside the entrance and on the terraces. MEL Consultants agree that the wind conditions would satisfy the pedestrian safety criterion.

In conclusion, the RWDI Wind Environment Desktop Assessment has been prepared based on the consultant's experience of wind flow around buildings and structures. We have no issues with the Analysis Approach, Site Exposure, Regional Wind Climate, and description of the development used in the preparation of the assessment. This is consistent with the approach MEL Consultants would take to prepare a similar desktop environmental wind assessment. The report will need to be updated to provide an assessment of the wind conditions outside the entrance, in the drop off area, and on the terraces.

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Yours sincerely,



M. Eaddy
MEL Consultants Pty Ltd

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Attachment 2 - Original Application referral comments (consolidated)

Memo

diverse
vibrant
exciting
inclusive

To: Daniel Hermann

Cc: Glen Williams

From: Justin Bates

Date: 23/6/21

Subject: 471-473 Swan St Richmond

Hi Daniel,

There are currently three trees at the subject site on Swan St. All three tree will have to be protected as per the Arborist report during demolition and construction.
All trees will require TPZ fencing as per AS.4970-2009 Trees on Development Sites.

We would like a tree protection bond of 50K to be refunded after final inspection of trees upon completion of the development.

Please feel free to contact me with any questions or concerns on 0427426224

Regards
Justin

Attachment 2 - Original Application referral comments (consolidated)

CITY OF YARRA

MEMO

To:	**Daniel Herrmann**	
From:	**Mark Pisani**	
Date:	**25 June 2021**	
Subject:	**Application No:**	**PLN20/0882**
	Description:	**Eight-Storey Mixed Use Development**
	Site Address:	**471-473 Swan Street, Richmond**

I refer to the above Planning Application received on 31 May 2021 in relation to the proposed development at 471-473 Swan Street, Richmond. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Rothe Lowman Architects	TP01.02 *Basement 02*	A	21 January 2021
	TP01.03 *Basement 01*	A	21 January 2021
	TP01.04 *Ground Floor Plan*	A	21 January 2021
	TP01.05 *Level 1 Plan*	A	21 January 2021
	TP02.03 *Laneway North Elevation*	A	21 January 2021
	TP02.04 *Stawell Street West Elevation*	A	21 January 2021
	TP03.01A *Section B*	-	21 January 2021
	TP03.01 *Section A*	A	21 January 2021
	TP03.02 *Ramp Section*	A	21 January 2021
	TP07.01 *Development Summary*	A	21 January 2021
Land Dimensions	19076FL *Feature & Level Survey*	-	15 February 2019
Traffix Group	*Traffic Engineering Assessment* report	C	7 July 2020

Attachment 2 - Original Application referral comments (consolidated)

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
Residential Hotel	149 rooms	Rate not specified in Clause 52.06-5	To the satisfaction of the Responsible Authority	27
Office	923.7 m²	3.0 spaces per 100 m² of net floor area	27	13
Restricted Retail - Showroom	2,345.1 m²	2.5 spaces per 100 m² of leasable floor area	58	36
Private Car Park	6 spaces	-	-	6
Total			**85 spaces + parking for the residential hotel**	**82 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 Consideration	Details
Parking Demand for Residential Hotel Use	Residential Hotels can be classified as tourist accommodation facilities. In terms of parking provision for this type of accommodation, the NSW Roads and Maritime Services' *Guide to Traffic Generating Developments* version 2.2 provides a parking rate of one off-street space per four bedrooms (0.25 spaces per one-room apartment). The proposed development would be providing parking at a rate of 0.18 spaces per room. The actual parking demand for the residential hotel would be off-set by the lack of available long-stay on-street parking, the proximity to public transport services and access to on-street car share pods. Council has, in recent times, approved residential hotels with little or no on-site car parking, as shown below:

Development Site	Approved Parking
60-72 Langridge Street, Collingwood PLN18/0643 issued 23 September 2019	No on-site car parking (187 rooms)
419 Fitzroy Street, Fitzroy PLN18/0990 issued 3 September 2019	0.08 spaces per room (127 rooms; 10 on-site spaces)

Attachment 2 - Original Application referral comments (consolidated)

Parking Demand Consideration	Details
Parking Demand for Residential Hotel Use (...continued)	For pick-up and drop-off parking, Traffix Group has cited an empirical case study (231 rooms) which recorded parking during pick-up and drop-off times. A peak parking rate of 0.017 space per hotel room was identified. Using this rate for the proposed 149 hotel rooms equates to 2.53 (say, three) spaces per hotel room. This parking can be easily accommodated on site within the porte cochère. We are satisfied with the on-site parking provision and short-stay parking storage for the residential hotel.
Parking Demand for the Office Use	The office would be providing on-site car parking at a rate of 1.41 spaces per 100 m^2 of floor area. Office developments throughout the municipality have been approved by Council with reduced rates. A few examples include: ▪ 71-93 Gipps Street, Collingwood – 0.96 spaces/100 m^2 ▪ 506 & 508-510 Church Street, Cremorne – 1.09 spaces/100m^2 ▪ 2-16 Northumberland Street, Collingwood – 0.89 spaces/100m^2 The proposed office parking rate of 1.41 spaces per 100 square metres of floor area is considered appropriate as the site has very good access to public transport and seeks to encourage more sustainable forms of transport.
Parking Demand for the Restricted Retail Use	According to Traffix Group, the restricted retail premises would operate as a car showroom. The on-site parking would cater for both staff and customers, which equates to 1.54 spaces per 100 square metre of floor area. Is agreed that this type of showroom would experience peak parking demands at weekends. The on-site parking provision for this use is considered appropriate.

- *Availability of Public Transport in the Locality of the Land*. The following public transport services can be accessed to and from the site by foot:
  - Swan Street trams – directly outside property frontage
  - Burnley railway station – 220 metre walk
- *Multi-Purpose Trips within the Area*. Clients and customers to the development, and visitors to the residential hotel might combine their visit by engaging in other activities or business whilst in the area.
- *Convenience of Pedestrian and Cyclist Access*. The site is well positioned in terms of pedestrian access to public transport nodes and other nearby businesses and facilities. The site has good access to the on- and off-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand
Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- *Availability of Car Parking*. Traffix Group has undertaken a spot on-street parking occupancy survey of the surrounding area on Thursday 11 June 2020 at 3:00pm.During that time, parking occupancy would have been impact by COVID-19 restrictions. The survey area encompassed Swan Street (Burnley St to Park Gr), Farmer Street, Belgravia Street, Queen Street, Kimber Street and sections of Bendigo Street, Stawell Street and Cutter Street. A parking inventory of 206 publicly available spaces. Although the survey results may not reflect normal parking conditions, the results indicate that on-street parking occupancy was recorded at 67%.We expect the parking occupancy to be higher as COVID-19 restricted were lifted. The time based parking restrictions that operate in the surrounding streets (short-stay; 1P, 2P) would ensure

that parking turns over. Any possible parking overflow from the development should be able to be accommodated on-street.

- *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.
- *The Future Growth and Development of an Activity Centre*. Practice Note 22 – Using the Car Parking Provisions indicates that car parking should be considered on a centre-basis rather than on a site/individual basis. This is applicable to activity centres, such as the Swan Street retail precinct, where spare on-street car parking capacity would be shared amongst sites within the activity centre.

Adequacy of Car Parking
From a traffic engineering perspective, the provision of parking for the various uses is considered appropriate in the context of the development and the surrounding area. The on-site parking rates for the uses are not dissimilar to those in other approved developments throughout the municipality. The operation of the development should not adversely impact existing on-street parking conditions in the surrounding area.

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

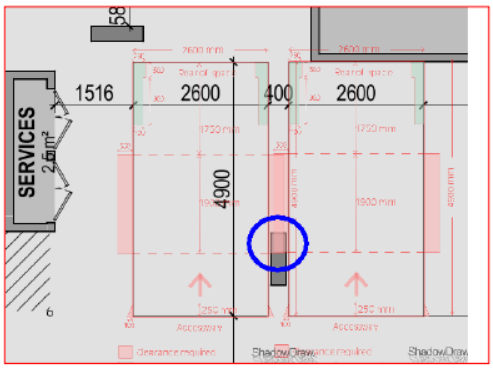
TRAFFIC IMPACT
Trip Generation
The trip generation for the site adopted by Traffix Group is as follows:

Proposed Use	Adopted Traffic Generation Rate	Peak Hour	
		AM	PM
Residential Hotel (149 rooms)	0.18 trips per room in each peak hour	27	27
Office (13 spaces)	0.5 trips per space in each peak hour	7	7
Restricted Retail (36 spaces)	0.25 trips per space in each peak hour	9	9
	Total	**43 trips**	**43 trips**

The peak hour traffic volumes generated by the development are not unduly high (an average of one vehicle every 1 minute and 23 seconds). The site has very good access to the Arterial Road network (Swan Street) and the traffic generated by the development should adversely impact the traffic operation of the nearby roads.

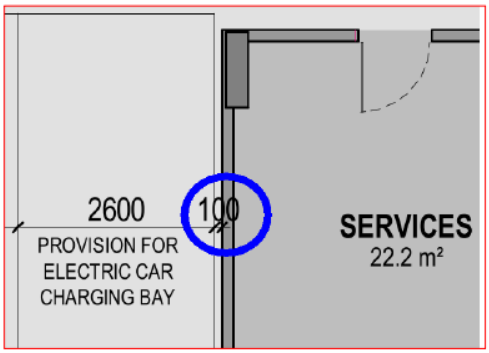
Attachment 2 - Original Application referral comments (consolidated)

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The 6.1 metre wide development entrance satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Vehicle Passing Area	A vehicle passing area of at least 5.5 metres by 7.0 metres has been provided at the development entrance and satisfies *Design standard 1 – Accessways* of Clause 52.06-9.
Visibility	The exit lane of the entrance has clear visibility of footpath conditions (towards Swan Street), which satisfies the sight line requirements of *Design standard 1*.
Headroom Clearance	Headroom clearances of no less than 2.2 metres have been provided, which satisfy AS/NZS 2890.1:2004.
Internal Ramped Accessways	The internal ramped accessways have widths of 3.0 metres with additional 300 mm wide kerbs, which satisfy AS/NZS 2890.1:2004.
Car Parking Modules and Mechanical Parking	
At-grade Parking Spaces	The dimensions of the parking spaces (2.6 metres by 4.9 metres) satisfy *Design standard 2: Car parking spaces*.
Tandem Parking Sets	The tandem parking sets have lengths of 10.3 metres which satisfy *Design standard 2*.
Accessible Parking Space	The dimensions of the accessible parking spaces and shared areas (each 2.4 metres by 5.4 metres) satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009. The shared areas have not been provided with bollards.
Aisles	A number of parking spaces along the north wall of Basement 02 car park are serviced by a 6.25 metre wide aisle, which falls short of the minimum aisle width (6.4 metres) specified in Clause 52.06-9. All other aisles satisfy *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	The positions of the columns satisfy *Diagram 1 Clearance to car parking spaces* in Clause 52.06-9, with the exception of one column located near the centre of the car park in Basement 02, as shown below: 

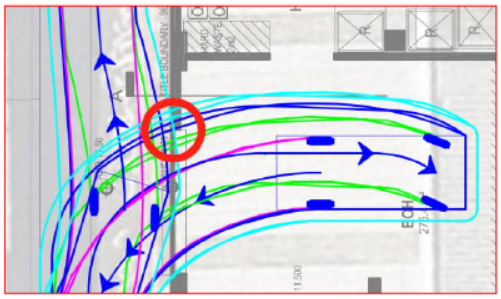
Attachment 2 - Original Application referral comments (consolidated)

Attachment 2 - Original Application referral comments (consolidated)

Item	Assessment
Clearances to Walls	Clearances for spaces adjacent to walls have been provided from 300 to 450 mm, with the exception of the electric car charging bay in Basement 02 car park, as shown below: 
Motorcycle Spaces	The motorcycle spaces have widths of 1.2 metres. The lengths of the motorcycle spaces have not been dimensioned.
Car Stacker Devices	In Basement 01, two dependent car stacker devices would be provided (one single unit and one double unit). Each stacker space has an envelope measuring 2.8 metres by 5.4 metres). In our experience, these space envelopes are considered adequate. However, no details have been provided for the stacker units or whether the floor to ceiling height is sufficient to accommodate the stackers.
Porte Cochère	The design of the porte cochère can adequately accommodate two b85 design vehicles and is considered satisfactory.
Gradients	
Ramp Grade for First 5.0 metres inside Property	From the property line, the ramp profile comprises a flat section for the first 2.954 metres, followed by a 6.0 metre length of 1 in 10. The ramp for the first 5.0 metres inside the property satisfies Design standard 3: Gradients.
Ramp Grades and Changes of Grade	The grades and changes of grade satisfy *Table 3 Ramp Gradients* of Clause 52.06-9.
Swept Path Assessment	
Development Entrance – Vehicle Turning Movements 26363-01-01* Sheet No. 01/05	The swept path diagrams for two B99 design vehicle entering and exiting the development entrance via Stawell Street and utilising the passing area are considered satisfactory.
Vehicle Movement – Porte Cochère 26363-01-01 Sheet No. 01/05	The swept path diagram for a northbound B99 design vehicle undertaking a U-turn movement and entering and exiting the porte cochère is considered satisfactory.
Waste Collection Vehicle Movements via Laneway 26363-02-01 Sheet No. 02/05	The swept path diagrams for a 6.4 metre long waste collection vehicle entering and exiting the development via the east-west aligned laneway are considered satisfactory.

* Traffix Group swept path diagram drawing number.

Attachment 2 - Original Application referral comments (consolidated)

Item	Assessment
Vehicle Entry and Exit Movements Back of House via Laneway 26363-02-01 Sheet No. 02/05	The swept path diagram for a B99 design vehicle entering and exiting the Back of House doorway via the laneway indicates that the doorway width as shown below: 
Vehicle Passing Movements Basement 01 Car Park 26363-02-01 Sheet No. 03/05	The swept path diagrams of two B99 design vehicles passing one another at the basement of the ramped accessway are considered satisfactory.
Vehicle Passing Movements Basement 02 Car Park 26363-02-01 Sheet No. 03/05	The swept path diagrams of two B99 design vehicles passing one another at the accessway abutting the east side of the basement 02 Car Park are considered satisfactory.
Vehicle Turning Movements Basements 01 and 02 Car Parks 26363-02-01 Sheet No. 04/05 26363-02-01 Sheet No. 05/05	The swept path diagrams for a B85 design vehicle entering and exiting the at-grade parking spaces and stacker platforms in Basements 01 and 02 Car Parks are considered satisfactory. However, the spaces abutting the 6.25 metre wide aisle in Basement 02 have not been tested.
Other Items	
Loading Bay and Back of House	The loading bay and Back of House have not been dimensioned on the drawings. The loading bay doorway has not been dimensioned. As identified in the swept path assessment, the doorway servicing the Back of House is insufficient for a B99 design vehicle.
Traffic Signal System	There is no objection to the use of traffic signal system to regulate vehicle entry and exit movements into and out of the development and within the basement car parks. Details of how system would operate should be incorporated into the Car Parking Management Plan for the development.
Vehicle Lane Priority – Eastern Sides of Basements 01 and 02 Car Parks	There is no objection to the lane priorities being reversed at the eastern sides of Basements 01 and 02 in order to facilitate vehicle passing movements, as described in the Traffix Group report (section 4.6; page 29).
Numbering of Parking Spaces	Parking spaces have not been numbered.
Vehicle Crossing Ground Clearance	A vehicle crossing ground clearance check is to be undertaken by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out (Please see under '*Engineering Advice for Design Items to be Addressed by the Applicant*' section).
Vehicle Crossings	Vehicle crossings have not been depicted on the Ground Floor Plan.

Attachment 2 - Original Application referral comments (consolidated)

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Accessible Parking Spaces	Bollards are to be inserted into the shared areas as required by AS/NZS 2890.6:2009.
Aisles	The applicant is to test the turning movements into and out of the spaces serviced by the 6.25 metre wide aisle in Basement 02 using the B85 design vehicle.
Column Depths and Setbacks	The two spaces abutting the column near the services cabinet in Basement 02 should be either repositioned or be converted into Small Car spaces.
Clearances to Walls	The space adjacent to the services cabinet at the south east corner of Basement 02 should be converted to a Small Car space.
Motorcycle Spaces	The lengths of the motorcycle spaces are to be dimensioned and should be no less than 2.5 metres as required by AS/NZS 2890.1:2004.
Car Stackers	Car stacker details should be provided. The applicant should demonstrate that the floor to ceiling height is adequate for the stacker to be used.
Back of House Doorway Width	The Back of House doorway width needs to be widened to ensure that it can adequately accommodate the swept path of a B99 design vehicle, including the clearances on either side of the vehicle.
Loading Bay and Back of House	The loading bay and Back of House are to be dimensioned on the drawings.
Numbering of Parking Spaces	Parking spaces are to be numbered on the drawings in order for easy identification.
Vehicle Crossing Ground Clearance	To assist the applicant, a Vehicle Crossing Information Sheet has been appended to this memo. The ground clearance check requires the applicant to obtain a number of spot levels out on site which includes the reduced level 2.0 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement – in this case, Stawell Street. These levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development. Providing the ground clearance check early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.
Vehicle Crossings	Vehicle crossings are to be clearly depicted on the Ground Floor Plan.
Entrances for the Loading Bay and Back of House – East-West Aligned Laneway	The finished floor levels at the front edges of the slabs of entrances for the loading bay and Back of House are to be set 40 mm higher than the south edge of the laneway.
Delineation between Council Land (Roads) and Publicly Accessible Land (Private	There should clear delineation between Council land (roads, footpaths) and publicly accessible land with the development (private land). Materials for publicly accessible land should be different to that of Council land.

Attachment 2 - Original Application referral comments (consolidated)

INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets	The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site. It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.
Footpaths along Stawell Street, Swan Street and Belgravia Street Frontages	
Footpath Reconstruction	The demolition of the existing building, the construction of the new building and the occupation of the footpath by plant and heavy equipment will impact on the footpath and deteriorate its condition. The footpaths along the property's Stawell Street, Swan Street and Belgravia Street frontages are to be reconstructed. In undertaking these works, the existing kerbs are to be retained (fixed control points). The new footpaths must have a cross-fall (the slope between the kerb and the property line) of no steeper than 1 in 33 (for asphalt) and 1 in 40 (for concrete) or unless otherwise specified by Council. In providing the new footpaths, the finished floor levels at the development's pedestrian entries must be readjusted to match the new footpath levels.
Other Items	
Detailed Engineering Design Drawings	Detailed engineering design drawings of all infrastructure surrounding the site are to be submitted to Council for assessment and approval.
Redundant Vehicle Crossings	To be demolished and reinstated with paving, kerb and channel.

Attachment 2 - Original Application referral comments (consolidated)

ENGINEERING CONDITIONS
Civil Works

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

- The footpaths along the property's Stawell Street, Swan Street and Belgravia Street frontages must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 (for concrete), 1 in 33 (for asphalt) or unless otherwise specified by Council.
- All redundant vehicle crossings are to be demolished and reinstated with paving, and kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- All redundant property drain outlets are to be demolished and reinstated with paving, and kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- Detailed engineering design drawings of all infrastructure works are to be submitted to Council for assessment and approval.

Vehicle Crossing

Before the drawings are endorsed, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossings must be designed and constructed:

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

Road Asset Protection

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

Construction Management Plan

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

Impact of Assets on Proposed Development

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

Discharge of Water from Development

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

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

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

PUBLIC LIGHTING CONDITIONS [Prepared by Lev Shinkarsky]

1. Before the development commences, a Public Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along the northern boundary laneway and the entrances to the approved building. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for:

   (a) all pedestrian access to a residential/multipurpose development will be lit by public lighting installations at least to lighting level P4 as specified in the Australian Standard AS 1158.3.1:2020 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements; or higher lighting level as recommended by AS1158.3.1 2020.

   (b) new poles and luminaires will be sourced from CitiPower standard energy efficient luminaires list and comply with relevant CitiPower/Jemena technical requirements;

   (c) consultation with affected property owners to be undertaken by the developer with respect to the location of any new pole/s and light/s (if required);

   (d) light spillage into the windows of existing and proposed residences will be avoided or minimised and should comply with the requirements of Australian Standard AS 4282 — 2019 Control of the obtrusive effects of outdoor lighting;

   (e) the locations of any new light poles will not obstruct vehicular access into private property;

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

   (g) if any of the existing public lighting need to be removed it must be replaced with the temporary Light to the satisfaction of the Responsible Authority until the new permanent public lighting is operational

2. Unless the relevant authority (i.e. CitiPower) provides written confirmation that the permanent replacement light will continue to be maintained by the relevant authority (i.e. Citipower), within six months of the commencement of the development authorised by this permit, or at a later date as agreed in writing by the Responsible Authority, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:

(a) The owner of the subject land is responsible for maintaining (in working order) public lighting to Lane No. 1779 as relocated in accordance with Condition [2], at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

(b) The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the section 173 Agreement in Land Title Office Victoria, including the costs borne by the Responsible Authority (Yarra City Council).

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.

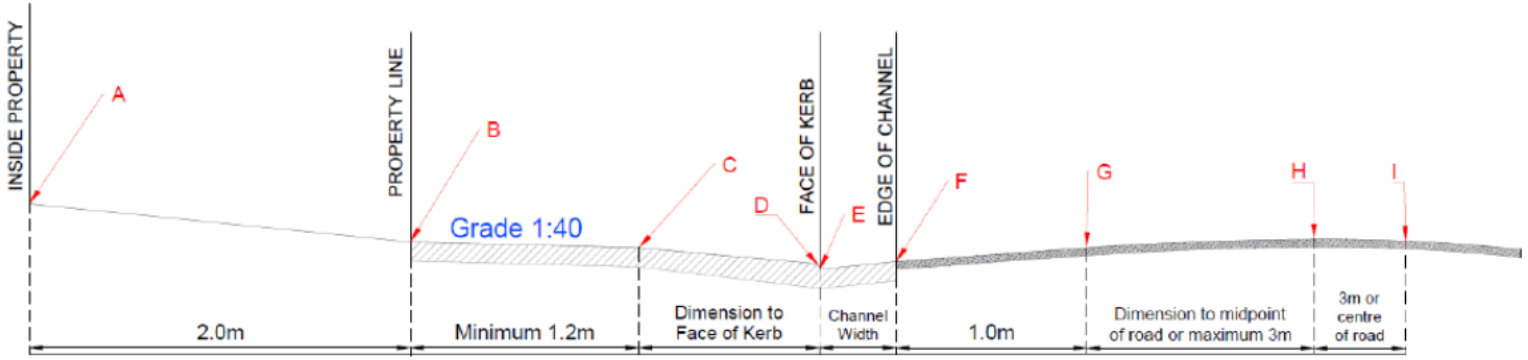
Attachment 2 - Original Application referral comments (consolidated)

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 2 - Original Application referral comments (consolidated)

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-r*esidential 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.

Attachment 2 - Original Application referral comments (consolidated)

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



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

Assessment Summary:

Responsible Planner:	Daniel Herrmann
ESD Advisor:	Gavin Ashley
Date:	01.07.2021
Subject Site:	PLN20/0882 471-473 Swan Street, Richmond VIC 3121
Site Area:	Approx. 2,080 m²
Project Description:	8 storey building comprising 2 basement levels, 3 levels of mixed use and 5 levels of hotel and commercial office space.
Pre-application meeting(s):	Unknown.
Documents Reviewed:	• Architectural Plans (Rev A – 21.02.21) by Rothelowman [2 parts] • Sustainable Management Plan (Rev 01A – 07.07.20), by Stantec

The standard of the ESD does not meet Council's Environmental Sustainable Design (ESD) standards. Should a permit be issued, the following ESD commitments (1) and deficiencies (2) should be conditioned as part of a planning permit to ensure Council's ESD standards are fully met.

Furthermore, it is recommended that all ESD commitments (1), deficiencies (2) and the outstanding information (3) are addressed in an updated SMP report and are clearly shown on Condition 1 drawings. ESD improvement opportunities (4) have been summarised as a recommendation to the applicant.

(1) Applicant ESD Commitments:

- The proposal achieves a BESS report score of 53% (SMP, p. 20).
- A Building Users Guide is to be developed and issued to building occupants (SMP, p. 14).
- Separate utility meters will be provided for each tenancy and for major common areas to give occupants the ability to monitor their water and electricity usage and consumption, and a Building Management System for the hotel operator (SMP, p. 14).
- Water efficient fire protection system (temporary storage for 80%) (SMP, p. 14).
- The landscaping and associated systems will be designed to reduce the consumption of potable water required for irrigation through the installation of subsoil drip irrigation and moisture sensor controls (SMP, p. 14).
- A STORM report with a 117% STORM score has been submitted that demonstrates best practice and relies on ~1,492 m² of roof connected to a 40,000-litre rainwater tank connected to toilet flushing and landscape irrigation (SMP, p. 14).
- Double glazing and window/wall ratio considerations to manage thermal performance of building fabric (SMP, p. 15).
- A high efficiency air cooled VRV system will be implemented to provide heating and cooling to each thermal zone (SMP, p. 15).
- The lighting power density will be reduced by at least 10% below the maximum lighting power density allowable in Table J6.2a (NCC 2019) (SMP, p. 15).
- A rooftop solar PV system of (anticipated) 21 kW proposed (SMP, p. 15).
- At least 60% of the nominated floor area is expected to achieve ample daylight access -equivalent to a daylight factor (DF) of 2%. Glazing selections are expected to have a VLT of no less than 40% (SMP, p. 16).
- Specifications around low VOC, PVC and formaldehyde materials and products (SMP, p. 16 & 18).
- On-site organic waste collection and management systems will be provided for food and garden waste (SMP, p. 17).

Attachment 2 - Original Application referral comments (consolidated)



- The project will incorporate landscaping over roughly 19% of the site area, via planters and landscaping helping reduce the urban heat island effect and provide amenity for tenants (SMP, p. 17).
- The hotel operator has an internal sustainability scorecard system which is based on USGBCA LEED program. The project is targeting a Level 3 (innovator) rating. The Green Engage scope largely governs internal operations and general ESD design requirement and has been attached to the SMP for information (SMP, p. 43).

(2) Application ESD Deficiencies:

- n/a

(3) Outstanding Information:

- Clarify provision of outdoor air via operable windows and amend plans (elevations) to show locations.
- Provide daylight modelling to support claim and confirm VLT.
- Confirm access to quality external views for hotel rooms.
- Clarify VOC and formaldehyde strategy extent (by mass or cost) and identify specifications (i.e. GBCA / Green Star guidelines).
- Provide a JV3 report to support achievement against NCC and consider improving upon the NCC 2019 minimum requirements.
- A 1% improvement is not considered adequate, and design should be revised to improve thermal performance. Details of heating and cooling should be presented in the JV3 report.
- Include details of GHG emissions reductions in JV3 report, noting that energy and GHG emission reductions for building fabric and services (not only solar offsets) should be presented.
- Include more information in the JV3 report to support claims of peak energy demand reduction.
- Clarify external shading strategy for the north (levels 5-7), east and west facades. Provide cross-sections and/or more detailed plans to illustrate design.
- Consider 3 pipe VRF for heating and cooling, and provide details of system within JV3 report.
- Amend rooftop plans (TP01.12) to indicate size and location of PV system.
- Confirm granularity of metering strategy and consider room-by-room to refine strategies to reduce potable water consumption.
- Include details of landscape irrigation in Landscape plan.
- Confirm that post-development stormwater flows will not exceed pre-development levels.
- Clarify whether any water filtration devices are proposed, and if so provide details.
- Clarify whether (and consider) any recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) are included within the design.
- Clarify (and consider) a strategy to reduce the embodied energy of steel and concrete, i.e. responsible steel maker and steel minimisation and use of recycled/alternative aggregates to reduce Portland cement content.
- Clarify extent of PVC strategy (by item, mass or cost), and define what PVC best practice guidelines the SMP is referring too (i.e. GBCA / Green Star).
- Include details of surrounding car share locations in Green Travel Plan, and consider a partnership to increase accessibility for hotel guests.
- Provide a Green Travel Plan with performance targets and monitoring and reporting components included.
- Confirm a target recycling rate of >80% of construction and demolition waste for the construction phase of the development to minimise the volume of waste to landfill, and include in construction Waste Management Plan, and tender documentation.
- Provide an operational Waste Management Plan (WMP) that articulates generation rates, and storage and collection of operational waste.
- Include details of organic waste management within WMP.
- Provide a Landscape Plan detailing planting schedule, cross-sections of planting zones to indicate soil depth and volume, irrigation and maintenance considerations.
- Provide an amended materials palette with SRI values of external cladding and roof materials to further articulate response to urban heat mitigation.

Attachment 2 - Original Application referral comments (consolidated)

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



- Confirm, all energy and water management systems will be commissioned in accordance with the manufacturer's specifications and clarify any other monitoring strategies.
- Recommend that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.

(4) ESD Improvement Opportunities

- The inclusion of gas is not supported considering it IS a fossil fuel and perpetuates GHG emissions. Consider using a heat pump and go all-electric for central building services to future-proof the building as a climate resilient asset.
- Consider increasing tank and rainwater reuse strategy to service hotel room WCs.
- Consider potential to increase rainwater tank size to service hotel room WCs.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider revising end of trip design to provide 1 unisex shower and changeroom for non-binary building occupants (this can be combined with a DDA toiler/shower).
- Consider pre-wiring additional parking spaces for EV charging to future-proof the building.
- Consider a green roof or wall to improve the ecological value of this site. Green facades at ground level are particularly beneficial for urban heat mitigation for the immediate streetscape.
- Consider additional, beyond best-practice initiatives to increase the environmental performance of the building.
- Consider Head contractor with ISO 14001 accreditation.

Further Recommendations:

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

Attachment 2 - Original Application referral comments (consolidated)

1. Indoor Environment Quality (IEQ)

Objectives:

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

Issues	Applicant's Design Responses	Council Comments	CAR*
Natural Ventilation and Night Purging	No information has been provided.	Clarify provision of outdoor air via operable windows and amend plans (elevations) to show locations.	3
Daylight & Solar Access	At least 60% of the nominated floor area is expected to achieve ample daylight access - equivalent to a daylight factor (DF) of 2% – however no modelling provided.	Provide daylight modelling to support claim and confirm VLT.	3
External Views	No information has been provided.	Confirm access to quality external views for hotel rooms.	3
Hazardous Materials and VOC	Low VOC and formaldehyde products and materials mentioned in the SMP, however no specific metric or specification identified.	Clarify VOC and formaldehyde strategy extent (by mass or cost) and identify specifications (i.e. GBCA / Green Star guidelines).	3
Thermal Comfort	Mechanical ventilation, double glazing and thermal mass (i.e. insulated pre-cast).	As above, clarify provision of operable windows and natural ventilation.	3

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 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	The building will achieve compliance with NCC 2019 requirements for building fabric (SMP, p. 15).	Provide a JV3 report to support achievement against NCC and consider improving upon the NCC 2019 minimum requirements.	3
Thermal Performance	1% reduction in heating and cooling (SMP, p. 28).	A 1% improvement is not considered adequate, and design should be revised to improve thermal performance. Details of heating and cooling should be presented in the JV3 report.	3
Greenhouse Gas Emissions	15% reduction in GHG emissions listed in the BESS report (SMP, p. 28).	Include details of GHG emissions reductions in JV3 report, noting that energy and GHG emission reductions for building fabric and services (not only solar offsets) should be presented.	3
Hot Water System	A high efficiency centralised gas fired boiler be installed to minimise greenhouse gas emissions from the domestic hot water demand from the facility (SMP, p. 15).	The inclusion of gas is not supported considering it IS a fossil fuel and perpetuates GHG emissions. Consider using a heat pump and go all-electric for central building services to future-proof the building as a climate resilient asset.	4
Peak Energy Demand	The BESS report indicates a 20% reduction in peak energy demand (SMP, p. 29).	Include more information in the JV3 report to support claims of peak energy demand reduction.	3
Effective Shading	Façade articulation provides adequate shading on the low to mid-levels, however concerns regarding shading design and operability on levels 5-7. No details regarding shading strategy for east or west façade.	Clarify external shading strategy for the north (levels 5-7), east and west facades. Provide cross-sections and/or more detailed plans to illustrate design.	3
Efficient HVAC system	A high efficiency air cooled VRV system will be implemented to provide heating and cooling to each thermal zone (SMP, p. 15).	Consider 3 pipe VRF for heating and cooling, and provide details of system within JV3 report.	3
Car Park Ventilation	Car park mechanical systems to include variable speed fan drives and Carbon Monoxide (CO) monitoring systems to improve energy efficiency and ensure systems only run when required (SMP, p. 15).	Satisfactory.	1
Efficient Lighting	The lighting power density will be reduced by at least 10% below the maximum lighting power density allowable in Table J6.2a (NCC 2019) (SMP, p. 15).	Satisfactory.	1
Electricity Generation	Anticipated size of PV system is 21 kWp, approximately 72 X 300W Panels proposed (SMP, p. 15).	Amend rooftop plans (TP01.12) to indicate size and location of PV system.	3

Attachment 2 - Original Application referral comments (consolidated)

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: (SMP, p. 14). • Taps: 5-star • Toilets: 4-star • Showers: 3-star (>6.0 but <=7.5 L/min)	Satisfactory.	1
Water for Toilet Flushing	Rainwater will be collected from roof and terrace areas and re-used for landscape irrigation and toilet flushing via a 40,000L retention tank. Extent of rainwater to toilet flushing includes Hotel Staff toilets and Amenities and Office toilets only.	Satisfactory. Consider increasing tank and rainwater reuse strategy to service hotel room WCs.	1 / 4
Water Meter	Separate utility meters will be provided for each tenancy and for major common areas to give occupants the ability to monitor their water and electricity usage and consumption.	Confirm granularity of metering strategy and consider room-by-room to refine strategies to reduce potable water consumption.	3
Landscape Irrigation	The landscaping and associated systems will be designed to reduce the consumption of potable water required for irrigation through the installation of subsoil drip irrigation and moisture sensor controls (SMP, p. 14).	Good. Include details of landscape irrigation in Landscape plan.	1 / 3
Other	-	-	

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 3. Water Efficiency
Water Efficient Labelling Scheme (WELS) www.waterrating.gov.au
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 117% STORM score has been submitted that demonstrates best practice and relies on ~1,492 m² of roof connected to a 40,000-litre rainwater tank connected to toilet flushing and landscape irrigation (SMP, p. 39).	Satisfactory.	1
Discharge to Sewer	No information has been provided.	Confirm that post-development stormwater flows will not exceed pre-development levels.	3
Stormwater Diversion	A total rooftop catchment area of 1,492 m2 is provided to divert stormwater to rainwater tank (SMP, p. 39).	Satisfactory.	1
Stormwater Detention	A 40,000-litre rainwater tank is proposed (SMP, p. 39).	Satisfactory. However, consider potential to increase rainwater tank size to service hotel room WCs.	1 / 4
Stormwater Treatment	Rainwater tanks and filtration equipment mentioned but no specific details provided (SMP, p. 42).	Clarify whether any water filtration devices are proposed, and if so provide details.	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: 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	No information has been provided.	Clarify whether (and consider) any recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) are included within the design.	3
Embodied Energy of Concrete and Steel	No information has been provided.	Clarify (and consider) a strategy to reduce the embodied energy of steel and concrete, i.e. responsible steel maker and steel minimisation and use of recycled/alternative aggregates to reduce Portland cement content.	3
Sustainable Timber	All new timber used in the project will be FSC or AFC certified (SMP, p. 18).	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	Selections for permanent formwork, pipes, flooring, blinds and cables will be either PVC free products or meet PVC Best Practice Guidelines (SMP, p. 18).	Clarify extent of PVC strategy (by item, mass or cost), and define what PVC best practice guidelines the SMP is referring too (i.e. GBCA / Green Star).	3

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 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	Car parking for 80 cars proposed in basement (SMP, p. 17).	Satisfactory.	1
Bike Parking Spaces	62 bike parking spaces provided: 36 for office and hotel staff, 16 for visitors and 10 for showroom tenancy (SMP, p. 17).	Satisfactory.	1
End of Trip Facilities	End of trip facilities have been provided in the form of 2 male, and 2 female showers with 24 lockers each in the basement (TP01.02).	Consider revising end of trip design to provide 1 unisex shower and changeroom for non-binary building occupants (this can be combined with a DDA toiler/shower).	4
Car Share Facilities	No information has been provided.	Include details of surrounding car share locations in Green Travel Plan, and consider a partnership to increase accessibility for hotel guests.	3
Electric vehicle charging	4 EV charging spaces have been provided in the basement (SMP, p. 17).	Good. Consider pre-wiring additional parking spaces for EV charging to future-proof the building.	1 / 4
Green Travel Plan	A Green Travel plan has not been provided.	Provide a Green Travel Plan with performance targets and monitoring and reporting components included.	3

*** Council Assessment Ratings:**

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

References and useful information:
SDAPP Fact Sheet: 6. Transport
Off-setting Car Emissions Options www.greenfleet.com.au
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	No information has been provided.	Confirm a target recycling rate of >80% of construction and demolition waste for the construction phase of the development to minimise the volume of waste to landfill, and include in construction Waste Management Plan, and tender documentation.	3
Operational Waste Management	While the SMP mentions clearly labelled recycling bins and separated waste streams, and a commercial and hotel bin room are located on the ground level, no operational Waste Management Plan has been provided (SMP, p. TP01.04).	Provide an operational Waste Management Plan (WMP) that articulates generation rates, and storage and collection of operational waste.	3
Storage Spaces for Recycling and Green Waste	On-site organic waste collection and management systems will be provided for food and garden waste (SMP, p. 17).	Good. Include details of organic waste management within WMP.	1 / 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	There is no productive topsoil on this site.	-	N/A
Maintaining / Enhancing Ecological Value	The project will incorporate landscaping over roughly 19% of the site area, via planters and landscaping (SMP, p. 17).	Provide a Landscape Plan detailing planting schedule, cross-sections of planting zones to indicate soil depth and volume, irrigation and maintenance considerations.	3
Heat Island Effect	The above strategy is associated with urban heat mitigation (SMP, p. 17).	Good. Provide an amended materials palette with SRI values of external cladding and roof materials to further articulate response to urban heat mitigation.	1 / 3
Other			
Green wall, roofs, facades	No information has been provided.	Consider a green roof or wall to improve the ecological value of this site. Green facades at ground level are particularly beneficial for urban heat mitigation for the immediate streetscape.	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	No innovations have been targeted for this development (SMP, p. 18).	Consider additional, beyond best-practice initiatives to increase the environmental performance of the building.	4
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	No information has been provided.	Confirm, all energy and water management systems will be commissioned in accordance with the manufacturer's specifications and clarify any other monitoring strategies.	3
Building Users Guide	A simple easy-to-use Building Users Guide is to be developed and issued to building occupants. (SMP, p. 14).	Satisfactory.	1
Contractor has Valid ISO14001 Accreditation	No information has been provided.	Consider Head contractor with ISO 14001 accreditation.	4
Construction Management Plan	No information has been provided.	Recommend that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.	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: 10. Construction and Building Management
ASHRAE and CIBSE Commissioning handbooks
International Organization for standardization – ISO14001 – Environmental Management Systems
Keeping Our Stormwater Clean – A Builder's Guide www.melbournewater.com.au

Attachment 2 - Original Application referral comments (consolidated)

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 2 - Original Application referral comments (consolidated)

Memo

To:	**Daniel Herrmann**
Cc:	
From:	**Julia Mardjuki**
Date:	**16 June 2021**
Subject:	**PLN20/0882 - 471-473 Swan Street, Richmond – Open Space Referral**

Dear Daniel

I have reviewed the landscape plans for the proposed development at 471-473 Swan Street, Richmond prepared by Florian Wild dated February 2021.

I am supportive of the landscape concept plan overall, especially the direction for a 'paried-back green façade' along Swan Street.

If a permit is granted for the application, we would like to request the following information:

(a) Provide a plant schedule and detailed planting plan showing the type, location, quantity, height at maturity and botanical names of all proposed plants, ensuring none listed on the DELWP list of advisory weeds species;
(b) provide details of the raised planters and terrace/rooftop planting (including planter box materials and dimensions, mulch layer – something that won't blow away, growing media – suitable in weight and content for roof top gardens, filter media, irrigation method, drainage system, root barrier / water proofing layer);
(c) provide details of the *proposed method for irrigation and drainage;*
(d) detail the *maintenance (duration, regime) and irrigation;*
(e) show the materiality of the proposed spaces;
(f) provide a specification of works to be undertaken prior to planting; and
(g) detail plant/planting maintenance schedules and requirements.

Please let me know if you require any further information from me at this stage.

Sincerely

Julia Mardjuki
Open Space Planner

Attachment 2 - Original Application referral comments (consolidated)

Planning Referral

To:	Daniel Herrmann
From:	Chloe Wright
Date:	18/06/2021
Subject:	Strategic Transport Comments
Application No:	PLN20/0882
Description:	Construction of an 8 storey building, including two basement levels and the use of the land for motor vehicle sales, residential hotel and office.
Site Address	471 – 473 Swan Street, Richmond

I refer to the above application and the accompanying Traffic report prepared by Traffix Group in relation to the proposed development at 471 – 473 Swan Street, Richmond. Council's Strategic Transport unit provides the following information:

Access and Safety

Clarification is required regarding access to the bicycle parking at Basement level 1 and 2. The Green Travel Plan notes that '*access to the bicycle spaces will be via pedestrian access from Swan Street via the lifts at the lobby*'. The lobby entrance at Stawell Street includes two revolving doors, which may not be accessible for bicycles. The entry at Swan Street appears to be an entrance to the show room and may not be appropriate for the office employees or residential hotel patrons and employees to use, particularly during after-hours. Please confirm the access arrangement for resident / employees to park bicycles at Basement Level 1 and 2 and consider including sliding doors at the lobby entrance to improve access.

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	923.7 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	0 resident spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 visitor spaces	
Residential building (other than specified in the table)	149 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	15 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	15 visitor spaces.	
Retail premises	2345.1 sqm	1 employee space to each 300 sqm of leasable floor area	8 employee spaces	

(other than specified in this table)		1visitor space to each 500 sqm of leasable floor area	5 visitor spaces	
Bicycle Parking Spaces Total			**23 resident / employee spaces**	**46 resident / employee spaces**
			20 visitor spaces	**16 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**1 showers / change rooms**	**4 showers / change rooms**

Adequacy of visitor spaces

The provision of visitor spaces is adequate for the following reasons:

- A total of 16 visitor spaces are provided at the ground floor. 20 additional bicycle spaces above the best practice rate for resident / employee spaces are provided at the basement levels, which is considered appropriate to accommodate for visitor bicycle parking for the residential hotel use;
- All visitor bicycle spaces at the ground floor are located within the property boundary and are visible and easily accessible from Swan Street;
- Visitor spaces are provided as horizontal at-grade spaces and the layout appears to be in accordance with clearance and access requirements of AS2890.3.

Adequacy of residential/employee spaces

Number of spaces

46 resident / employee spaces are provided, which exceeds the statutory rate and Council's best practice[1] recommendation of 26 resident / employee spaces.

Design and location of employee spaces and facilities

The following comments are provided in relation to provision of resident / employee bicycle parking:

- 36 resident / employee bicycle spaces are provided within a secure facility at basement level 2. An additional 10 spaces are provided at basement level 1. Both bicycle parking areas are within close proximity of lift shafts, with access from lobby entrances at Stawell Street. As noted above, clarification regarding access from the lobby entrances is required and sliding doors are recommended to improve access for people parking bicycles.
- 36 spaces are provided as two-tier bicycle racks, which satisfies the requirement of AS2890.3 for at least 20% of bicycle storage spaces to be provided as horizontal at ground-level spaces.
- Dimensions of the layout of employee / resident bicycle spaces are noted on the plans and demonstrate compliance with access and clearance requirements of AS2890.3.
- An end of trip facilities area is located adjacent to the employee bicycle parking area at Basement level 2 and includes 4 shower / change rooms and 48 lockers.

Electric Vehicles

Council's BESS guidelines encourage the use of electric vehicles (EV) and the provision of 2 electric vehicle charging bay is supported. To allow for easy future provision for EV charging, it is recommended that all car parking bays should be electrically wired to be 'EV ready'. This does not

[1] *Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following for best-practice guidance* for employee office rates: *'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area*

mean car parking bays must be fitted with chargers, but that the underlying wiring infrastructure is in place to allow future owners and tenants to easily install a charger.

Green Travel Plan

It is noted the applicant has supplied a Green Travel Plan (GTP). The GTP provides all the required information and can be endorsed.

However, it is noted that the details of visitor bicycle parking shown on pg. 10 is not consistent with the architectural plans. The GTP should be updated to include the final endorsed plans.

Recommendations

- Clarify the access arrangement for residents / employees to park bicycles at Basement Level 1 and 2 and consider including sliding doors at the lobby entrances to improve access.

Regards

Chloe Wright

Sustainable Transport Officer

Attachment 2 - Original Application referral comments (consolidated)

MEMO

To:	Daniel Herrmann (Statutory Planning)
From:	Hayley McNicol (Urban Design)
Date:	2 July 2021
Site Address:	471-473 Swan Street, Richmond
Application No:	PLN20/0882
Description:	Construction of a 8 storey building, including two basement levels. Use of the land for motor vehicle sales, residential hotel and office (all no permit required uses) Use of the land for the sale and consumption of liquor in association with the residential hotel A reduction of the statutory car parking requirements associated with the office use. Alterations to a road located within a Road Zone, Category 1 (removal of vehicle access from Swan Street).

COMMENTS SOUGHT

Urban Design comments have been sought on the proposal, in particular the impact on the public realm interface / ground plane / through block link.

These comments are provided on the Landscape Plans (Florian Wild, Feb 2021), as well as the Architectural Plans (Rothelowman, 21 Jan 2021). The extent of this review is limited to the proposed development's integration with the streetscape and public realm and excludes landscaping within the building and rooftop landscapes. Some comments are provided on the landscaping within the new laneway and should be read alongside comments from the Open Space team.

COMMENTS SUMMARY

This proposal is supported in principle, subject to the improvements and additional details outlined over the following page.

There are no known planned/approved capital works around the site being led by the Urban Design Team. A Streetscape Masterplan is currently being developed for Swan Street, which will set a framework of public realm/streetscape improvements along the corridor. Public consultation is planned for later this year.

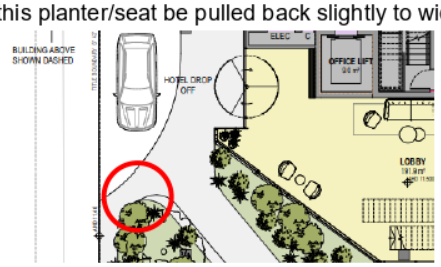
Note: The extent of this public realm review is limited to the proposed development's integration with the streetscape and public realm and excludes landscaping within the site and rooftop landscapes

Attachment 2 - Original Application referral comments (consolidated)

URBAN DESIGN COMMENTS

The following feedback is provided regarding the ground floor interface with Swan and Stawell Streets, including the recessed corner entrance. This excludes the landscaping within this space, which Open Space team will comment on.

- The raised planters within the forecourt provide some integrated seating, including one facing Swan Street. This is supported and will provide a resting space for people waiting for the tram.
- The forecourt (Swan Street frontage) includes a freestanding fire booster cabinet and bike parking.
  - The freestanding fire booster cabinet is not supported as it will cause clutter, be prominent in the street and detract from the landscaping behind. We suggest that this is relocated elsewhere and integrated with the façade of the building.
  - The bike parking is located directly opposite the pedestrian crossing and near the tram stop, which may cause a congested space where people are also trying to cross the road or get on/off the tram. Suggest repositioning the bike parking away this section of road.
- Within the forecourt, there is a section of footpath that appears to be narrow (see image below). Can this planter/seat be pulled back slightly to widen the pedestrian access?



- Further detail is required for the port cochere driveway, including the edge between the Stawell Street footpath and this surface, and the vehicle crossovers. Need to make sure that the vehicles do not access the footpath space.
- There is an existing heritage bench on Swan Street, between the pedestrian crossing and tram stop. We note that this has been recently refurbished. The existing seat should be marked on the drawings as being retained. If the footpaths are proposed to be resurfaced as part of this development, there may be an opportunity to flip the seat (so that it faces the property), however this would need to be done carefully given the age of the seat and how it has been originally installed.
- There appear to be doors that open outwards onto the Swan Street footpaths (refer ground floor plan) – these should open inwards.
- There is a visibility splay on the north-east corner – the building setback may provide an opportunity for some low-level greening or climbing plants in this space.
- Further detail is required on the drawings:
  - Dimensions of footpaths and unobstructed footpath width.
  - The exact location of the existing streetscape fixtures, including streetlight poles, seats and signs.
  - On-street parking bays
  - Drainage including any side entry pits
  - Surface materials

  Details on the requirements for landscape plans can be found on Council's website here.

Attachment 2 - Original Application referral comments (consolidated)

City Works Branch (Waste) comments on originally advertised plans – 10/6/2021

The waste management plan for 471-473 Swan Street, Richmond authored by Leigh Design and dated 7/7/20 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 size of the bin storage areas must be provided in M^2, this is so we can assess if enough space is allocated to form an effective waste system.*

Attachment 3 - S57a referral comments (Consolidated)

11 October 2021

640.10090.06970 471-473 Swan St Richmond 20211011.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Daniel Herrmann

Dear Daniel

471-473 Swan Street, Richmond
Development Application Acoustic Review
PLN20/0882

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic documentation prepared to support the application for a mixed use development at 471-473 Swan Street, Richmond. The revised report and memo were prepared to address issues raised by SLR Consulting Australia (SLR) in our review dated 23 July 2021.

Details of the acoustic report are as follows:

- Title: 471 Swan Street Richmond, VIC, Noise Impact Assessment
- Date: 9 September 2021
- Reference: RWDI #2102382
- Prepared for: Swan Street Joint Venture Pty Ltd
- Prepared by: RWDI Australia Pty Ltd (RWDI)

Detail of the memo are as follows:

- Title: Response to SLR Development Application Acoustic Review 471-473 Swan Street Richmond, VIC
- Date: 7 September 2021
- Reference: RWDI #2102382
- Prepared for: Luke Pirrie
- Prepared by: RWDI Australia Pty Ltd (RWDI)

Additional to the above, RWDI provided the following further clarifications to SLR in email correspondence (email received 22 September 2021):

- Details of the façade construction in areas where MC01 is noted on the plans. The façade in these areas is proposed to be masonry with a metal cladding (i.e. not lightweight construction).
- Confirmation that the proposed residential development at 10 Belgravia Street has been considered (3 level development immediately north of the function centre).

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

- Calculated reverberant patron levels used in the assessment of patron noise (details provided in **Section 1.5** of this review).

1 SLR July 2021 Review Comments

The issues raised by SLR were summarised in Section 5 of our review and are reproduced in *italics* in the sub-sections below. RWDI's responses and comment on the extent to which they address the issues raised by SLR are provided.

1.1 Background noise levels and noise limits

1.1.1 SLR July 2021 Background noise comment 1:

The method used to calculate the day, evening and night average background noise levels from the logging data should be explained. Our expectation is that the average levels should be calculated for each day, evening and night period, and that the lowest average level for the logging period (excluding lockdown days) should be presented in the report.

RWDI Response

(page 2 of memo)

RWDI have detailed their methodology and demonstrated that their calculated background noise levels using their method are lower than those that we be derived.

SLR Sept 2021 Comment: This issue is addressed.

1.1.2 SLR July 2021 Background noise comment 2:

The background noise level used to calculate SEPP N-1 / Noise Protocol Part I limits for commercial noise at night should be representative of the whole night average. This may require further measurements. If noise logging closer to the residential receivers cannot be undertaken, we recommend conducting an attended measurement between Midnight and 1 am, early in the week (e.g. Monday to Wednesday morning), under suitable weather conditions. In our experience, data obtained at this time can be representative of the whole night average.

RWDI Response

(page 4 of memo)

RWDI have detailed their methodology for estimating average background noise levels at the rear of the subject site.

SLR Sept 2021 Comment: This issue is addressed.

1.1.3 SLR July 2021 Background noise comment 3:

Background noise data used to calculate limits for music at night should be obtained from the quietest period of the night, and on the quietest night of the week that the function centre is proposing to operate. The current measurement, undertaken just after 10 pm on a Thursday night, does not align with the proposed operation of the entertainment facilities until 2 am, 7 days a week.

RWDI Response

(page 4 of memo and Table 13 of the acoustic report)

RWDI have corrected their measured background noise spectrum by -3 dB to reflect the lower background levels that are likely to occur later in the evening. They also clarify that the venues in the subject development are proposing to operate up until 1 am nightly, rather than 2 am as indicated in the original acoustic report.

SLR Sept 2021 Comment: It is strongly recommended that octave band background spectra be obtained for the period during which the noise limits will apply. Octave band levels can change differently compared with the overall A-weighted noise level, so applying adjustments identified from overall A-weighted levels is generally not appropriate.

However, irrespective of the background noise levels and noise limits that are determined now, the venues will need to comply with noise limits determined in accordance with Part II of the Noise Protocol at all times that they operate. If lower background noise levels are identified in the future and an exceedance is measured, the venue will be required to reduce their music emissions.

This fact, in combination with the revised lower background noise levels and reduced hours of operation (both of which reduce the risk of non-compliance), make the RWDI proposed octave band levels for determining music limits adequate in the context of the planning noise assessment.

We also note that it will not be possible to obtain representative night time background noise levels in the foreseeable future due to COVID-19 restrictions. **This issue is adequately addressed.**

1.2 Loading dock noise assessment

1.2.1 SLR July 2021 Loading dock comment 1:

It is recommended that use of the loading dock for both deliveries and rubbish collection be restricted to the 'day' period as defined in the Noise Protocol, Part I, being Monday to Saturday between the hours of 7 am and 6 pm (excluding public holidays).

RWDI Response

(Section 2.3.1 of the RWDI memo and Section 6.6.1 of the acoustic report)

RWDI have adopted SLR's recommendation.

SLR Sept 2021 Comment: This issue is addressed.

1.2.2 SLR July 2021 Loading dock comment 2:

The sound power levels used in the assessment of noise from the loading bay are low. It is recommended that the assessment be revised to include levels at least 10 dB louder. This may require implementation of further noise control to achieve compliance (e.g. a higher performance access door with acoustic seals, more absorption within the loading bay, etc).

RWDI Response

(Section 2.3.1 of the RWDI memo and Section 6.1.1 of the acoustic report)

The low sound power levels provided in the report are noted to have been a typo. The report has been updated to reflect the levels used, which were more than 10 dB higher.

SLR Sept 2021 Comment: The higher sound power level is in line with our expectations for this noise source. Our predicted truck noise levels are still higher than RWDI's however they are within the range that could be explained by differences in the noise model and are considered acceptable. **This issue is addressed.**

1.2.3 SLR July 2021 Loading dock comment 3:

The revised assessment for commercial noise should use a 30 minute assessment interval, as per Victorian legislation.

RWDI Response

(Section 2.3.1 of the RWDI memo and Section 6.1.1 of the acoustic report)

The revised assessment uses a 30 minute assessment period as per Victorian legislation for commercial noise.

SLR Sept 2021 Comment: This issue is addressed.

1.2.4 SLR July 2021 Loading dock comment 4:

An objective specification should be provided for all access doors in the north façade of the building to ensure that the relevant noise legislation and sleep disturbance targets are complied with (e.g. specification for a maximum sound pressure level at 1 m from any part of the door).

RWDI Response

(Section 2.3.1 of the RWDI memo and Section 6.6.2 of the acoustic report)

RWDI have provided a specification for all roller doors.

SLR Sept 2021 Comment: This issue is addressed.

1.3 Music

1.3.1 SLR July 2021 Music comment 1:

The provided music noise assessment should be revised if lower noise limits are identified. We would also like to confirm that the proposed music levels are in line with the client's expectations, as they will limit use of the function and pop up spaces to moderate level music.

RWDI Response

(Sections 1 and 3.1 of the RWDI memo and Sections 6.3.1 and 6.6.2 of the acoustic report)

The pop up space is proposed to be part of the larger Bar/Lounge area and only background music is proposed for this area. RWDI have confirmed that the music levels they propose in the report (which are unchanged from those in the original version of the report) are predicted to comply with all relevant noise limits including the lower night limits identified.

The proposed levels of music are 90 dB L_{Aeq} up until 10 pm (spectrum provided in Table 22 of the report) and 80 dB L_{Aeq} / 83 dB L_{A10} after 10 pm (spectrum not provided).

RWDI confirm that the proposed music levels are in line with their client's expectations regarding operation of the space. They note that live music is proposed, but that it will be played at levels that don't exceed those provided in the acoustic report.

SLR Sept 2021 Comment: The proposed levels of music after 10 pm are commensurate with bar style background music, and are likely to preclude most live music options. However, if they are in line with the applicant's expectations, they are acceptable provided that the appropriate music amplification controls are in place. **This issue is addressed.**

1.3.2 SLR July 2021 Music comment 2:

The revised assessment should quantify music within the venue as $L_{OCT,10}$ levels as per Victorian legislation (if the venue is to operate at night).

RWDI Response

(Section 2.3.1 of the RWDI memo and Section 6.1.1 of the acoustic report)

RWDI have updated their assessment to provide night assessments to L_{OCT10} levels, in accordance with Victorian legislation.

SLR Sept 2021 Comment: This issue is addressed.

1.3.3 SLR July 2021 Music comment 3:

It is recommended that all music in the pop-up space and function room is played through a calibrated noise limiter / compressor. If live music is proposed, the monitoring equipment should include an external microphone. Calibration of the limiter should be undertaken by a suitably qualified acoustical consultant, with compliance measurements carried out in the residential area to ensure that the limiter settings will enable the noise limits to be met. An acoustic report should be submitted prior to use of these spaces, detailing the assessment methodology and limiter settings.

RWDI Response

(Section 3.1 of the RWDI memo)

RWDI state that the condition to monitor music emissions in accordance with the guidance provided by SLR is acceptable to the applicant.

SLR Sept 2021 Comment: The report has not been updated to include advice for monitoring music levels. In the absence of this information, the requirement for music limiter / monitors can be conditioned by Council. **This issue is not addressed, but can be conditioned by Council.**

1.4 Road traffic and tram noise to the subject development

1.4.1 SLR July 2021 Road traffic assessment comment:

The measured levels of road traffic noise are lower than we have seen previously for Swan Street, and we would like to confirm that the noise logger had a full line of sight to all lanes of traffic.

RWDI Response

(Section 4.1.2 of the RWDI memo)

RWDI state that the noise logger had a line of sight to all lanes of traffic on Swan Street (limited view to the northern most lane, which is primarily parking).

SLR Sept 2021 Comment: This issue is addressed.

1.5 Patron noise

1.5.1 SLR July 2021 Patron noise comment:

Assessments of patron noise from within the venue and from the Level 2 terrace should be provided in the report.

RWDI Response

(Section 5 of the RWDI memo and 6.4 of the acoustic report)

Patron noise assessments have been provided.

The following patron numbers have been used in the assessment:

- Function centre: 450 patrons
- Restaurant /lounge: 120 patrons
- Bar/lounge: 60 patrons
- Outdoor terrace: 80 patrons

The modelling has been undertaken assuming 50% of patrons are speaking at any one time, with a sound power level of 75 dB L_{Aeq} per patron (commensurate with 'raised voice'). In email correspondence with SLR RWDI have stated that the calculated reverberant patron noise levels indoors using the procedure they have adopted are:

- Function Centre: 84 dBA
- Bar/Lounge/Restaurant: 79 dBA

Patron noise has been modelled to sensitive receiver locations. The model includes an acoustic screen detailed in Section 6.6.3.

The predicted levels at receiver locations are provided in Table 25 and are equal to 48 and 49 dB L_{Aeq} at dwellings to the north and north west respectively. The levels are observed to be dominated by contribution from patrons in the Level 2 terrace.

The predicted levels comply with the identified day and evening limits, but exceed the night noise limits.

RWDI propose that patron numbers on the terrace be restricted to 30 at night. This restriction is predicted to result in compliance at night.

SLR Sept 2021 Comment: Our review considers the provided indoor and outdoor patron assessments separately.

Patrons outdoors The assumed sound power level of 75 L_{Aeq} for 50% of patrons outdoors is considered reasonable for this application. The outdoor area is both reasonably large, elongated and fully open to one side. These factors are likely to minimise the risk of higher levels of patron voice effort for communication.

Our indicative calculations of patron noise level to sensitive receiver locations agree with RWDI's and we are satisfied that noise from this area has been addressed.

The 'night' period has not been defined in the report. It is recommended that patron numbers on the terrace be restricted to 30 from 10 pm nightly (i.e. in line with the definition of the night period provided for commercial noise / Noise Protocol Part I).

Patrons indoors The calculated levels of patron noise within the spaces are reasonable. We agree that patron noise from indoor areas can be expected to comply with the identified limits given that there are minimum windows in the north façade overlooking existing and proposed dwellings, and given the non-vision elements of these areas of the façade are proposed to be masonry.

The issue of patron noise from both indoor and outdoor areas of the proposal have been addressed in the revised report.

2 Proposed New Residential Receiver 10 Belgravia Street

Noise to the proposed residential development at 10 Belgravia Street was not explicitly assessed in the acoustic report, and was not raised in SLR's July review. The nearest apartments in that development will be approximately 6 m north of the function room façade, and are therefore some of the potentially most impacted by patron and music noise.

However, as discussed above, we are satisfied that patron noise from the function room to these future dwellings can be addressed by the proposed construction.

Music in the function room should be set at levels that ensure compliance at this location.

3 Summary

The revised acoustic report and supplementary documentation address the issues raised by SLR in our review of 2 July 2021.

It is recommended that the planning permit for the project require all music in the function room to be played through a calibrated noise limiter / compressor. If live music is proposed, the monitoring equipment should include an external microphone. An acoustic report should be submitted prior to use of these spaces, demonstrating that the sound system has been set up to ensure that the relevant noise limits will not be exceeded. Compliance should be demonstrated for both the day/evening period, and for the night period when lower levels of music are proposed.

Patrons on the outdoor terrace should be restricted to 30 from 10 pm nightly.



Dianne Williams
Principal – Acoustics

Checked/Authorised by: JA

Attachment 3 - S57a referral comments (Consolidated)

CITY OF YaRRA

MeMO

TO: **Daniel Herrmann**

cc:

FROM: **Gavin Ashley, ESD Advisor**

DATE: **01.10.2021**

SUBJECT: **471-473 Swan Street, Richmond VIC 3121**

Dear Daniel,

I have reviewed the amended SMP (and cover letter) prepared by Stantec (Rev 02 – 19.08.21) and plans (and list of changes) prepared by Rothelowman (Rev B – 31.08.21) for the above property in relation to the S57a amendment and previous ESD advice (01.07.21), with an assessment below (in **bold**):

From the list of changes provided, the following items are of interest from an ESD perspective:

- Shading treatment of windows to North Facade
  - **Satisfactory** – 300mm deep horizontal shade fins have been added to the northern façade (TP02.02 B).
- Shading treatment of windows to East Facade
  - **Satisfactory** – 300mm deep vertical shade fins have been added to the façade (TP02.03 B).
- Shading treatment of windows to West Facade
  - **Satisfactory** – 300mm deep vertical shade fins have been added to the façade (TP02.04 B).
- Relocation of bike parking away from the pedestrian crossing
  - **Satisfactory** – As the total amount of bicycle spaces is retained this is positive.
- Material / colour of window frames to tower adjusted
  - **Satisfactory** – Colour has changed from charcoal to silver, which has inherently higher SRI value due to lighter colour.
- All sides of external shading detail sections provided
  - **Satisfactory** – As above.
- Amended rooftop plans to indicate size and location of PV system
  - **Satisfactory** – Good.
- Light coloured roofing to be adopted. Noted on roof plan and material schedule
  - **Satisfactory** – Great, plans indicate SRI of at least 70 (TP01.12 B).
- Provided 1 unisex shower and changeroom for non-binary building occupants which is combined with a DDA toiler/shower in the basement.
  - **Satisfactory** – Great, located on plans (TP01.02 B).
- Add planting on ground floor at site splay area (North east corner)
  - **Satisfactory** – Great, increase makes up for loss due to re-location of bicycle parking.

In addition to the above, previous ESD advice highlighted the following within the SMP:

- Clarify provision of outdoor air via operable windows and amend plans (elevations) to show locations.
  - **Satisfactory** – The applicant has responded, saying that Operable windows are not proposed. Building will be mechanically ventilated.
  - **Action** – Demonstrate justification for not specifying operable windows in the hotel rooms.
- Provide daylight modelling to support claim and confirm VLT.

  - **Satisfactory** – The applicant has stated that daylight amenity of not a critical ESD item for hotel rooms, which are often not occupied during the day, and the office on level 7 has been designed with large amounts of glazing with VLT 40-50%.
- Confirm access to quality external views for hotel rooms.
  - **Satisfactory** – The applicant has responded by stating that Each hotel room has a window of at least 1.6m wide and the room depth is not more than 4.5m.
- Clarify VOC and formaldehyde strategy extent (by mass or cost) and identify specifications (i.e. GBCA / Green Star guidelines).
  - **Satisfactory** – VOC limits from Green Star will be applicable to 90% of all items applied on site (SMP, p. 6).
- Provide a JV3 report to support achievement against NCC and consider improving upon the NCC 2019 minimum requirements.
  - **Unsatisfactory** – Not provided.
  - **Action** – Include as a permit condition: *'Provide a JV3 report prior to construction to support achievement against NCC and consider improving upon the NCC 2019 minimum requirements'*.
- A 1% improvement is not considered adequate, and design should be revised to improve thermal performance. Details of heating and cooling should be presented in the JV3 report.
  - **Unsatisfactory** – The applicant is unsure why BESS report indicates 1% improvement in heating and cooling, stating they intend to reduce GHG emissions by 15% and demonstrate through JV3.
  - **Action** – Include as a permit condition: *'Revised BESS report and JV3 modelling to indicate reductions in heating and cooling of more than 1% and in-line with GHG emission reductions of 15%'*.
- Include details of GHG emissions reductions in JV3 report, noting that energy and GHG emission reductions for building fabric and services (not only solar offsets) should be presented.
  - **Unsatisfactory** – Not provided.
  - **Action** – Include as a permit condition: *'Include details of GHG emissions reductions in JV3 report, noting that energy and GHG emission reductions for building fabric and services (not only solar offsets) should be presented'*.
- Include more information in the JV3 report to support claims of peak energy demand reduction.
  - **Unsatisfactory** – Not provided.
  - **Action** – Include as a permit condition: *'Include details of peak energy demand reductions in JV3 report'*.
- Clarify external shading strategy for the north (levels 5-7), east and west facades. Provide cross-sections and/or more detailed plans to illustrate design.
  - **Satisfactory** – New shading details provided.
- Consider 3 pipe VRF for heating and cooling, and provide details of system within JV3 report.
  - **Satisfactory** – The applicant has confirmed a 2 pipe VRF system as there is limited scope for the VRF system to be in heating and cooling mode at the same time. The efficiencies shall be captured in the JV3 modelling report.
- Amend rooftop plans (TP01.12) to indicate size and location of PV system.
  - **Satisfactory** – Amended as per comments above.
- Confirm granularity of metering strategy and consider room-by-room to refine strategies to reduce potable water consumption.
  - **Satisfactory** – The applicant has clarified, Room by room metering unlikely to be adopted as it will be single operator of hotel. Metering to sperate major building services and floor by floor metering to lighting and general power only. Separate tenancies will have their own metering system.
- Include details of landscape irrigation in Landscape plan.
  - **Pending** – Landscape Plan not provided for assessment.
- Confirm that post-development stormwater flows will not exceed pre-development levels.
  - **Unsatisfactory** – The applicant has responded, saying is it yet to be determined by civil engineer at schematic design. However they expect this to be met from the RW reuse system and STORM compliance outcome.
  - **Action** – Include as a permit condition: *'Confirm that post-development stormwater flows will not exceed pre-development levels.'*
- Clarify whether any water filtration devices are proposed, and if so provide details.
  Unsatisfactory – The applicant has stated there are no filtration devices proposed yet, but hydraulic engineer to provide details through schematic design.

Attachment 3 - S57a referral comments (Consolidated)

    - **Action** – Include as a permit condition: *'Clarify whether any water filtration devices are proposed, and if so provide details.'*
- Clarify whether (and consider) any recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) are included within the design.
    - **Unsatisfactory** – The applicant has said this can be adopted, stating 'materials selection to consider recycled material content', however no firm comittments.
    - **Action** – Include as a permit condition: '*[Prior to construction] confirm extent of recycled materials and products with post-consumer content included within the design'.*
- Clarify (and consider) a strategy to reduce the embodied energy of steel and concrete, i.e. responsible steel maker and steel minimisation and use of recycled/alternative aggregates to reduce Portland cement content.
    - **Unsatisfactory** – While the steel has been incorporated into the amended SMP (p. 8), the concrete is to be confirmed.
    - **Action** – Include as permit condition: *'Confirm strategy to reduce embodied carbon in concrete through recycled aggregates and other alternatives'.*
- Clarify extent of PVC strategy (by item, mass or cost), and define what PVC best practice guidelines the SMP is referring too (i.e. GBCA / Green Star).
    - **Satisfactory** – The amended SMP states that 80% of the PVC by cost shall meet the Green Star criteria for PVC best practise guidelines (SMP, P. 8).
- Include details of surrounding car share locations in Green Travel Plan, and consider a partnership to increase accessibility for hotel guests.
    - **Pending** – Traffic Engineering Report not provided for assessment.
- Provide a Green Travel Plan with performance targets and monitoring and reporting components included.
    - **Pending** – Traffic Engineering Report not provided for assessment.
- Confirm a target recycling rate of >80% of construction and demolition waste for the construction phase of the development to minimise the volume of waste to landfill, and include in construction Waste Management Plan, and tender documentation.
    - **Satisfactory** – The amended SMP states, the head contractor will commit to divert at least 80% of the waste generated during construction and demolition from landfill. This shall form part of the contractors, environmental and waste management plans (SMP, p. 7).
- Provide an operational Waste Management Plan (WMP) that articulates generation rates, and storage and collection of operational waste.
    - **Pending** – Waste Management Plan was not provided for assessment.
- Include details of organic waste management within WMP.
    - **Pending** – While indicated in the amended SMP (p. 7), the Waste Management Plan was not provided for assessment.
- Provide a Landscape Plan detailing planting schedule, cross-sections of planting zones to indicate soil depth and volume, irrigation and maintenance considerations.
    - **Pending** – Landscape Plan not provided for assessment.
- Provide an amended materials palette with SRI values of external cladding and roof materials to further articulate response to urban heat mitigation.
    - **Satisfactory** – Roofing confirmed as (min) SRI of 70 as per comments above.
- Confirm, all energy and water management systems will be commissioned in accordance with the manufacturer's specifications and clarify any other monitoring strategies.
    - **Satisfactory** – The amended SMP states, Building Services are to be commissioned to the ASHRAE / CIBSE standards and each building services trade will provide As-Built Drawings, Operations & Maintenance Manual, Commissioning Reports and Training of Building Management Staff (SMP, p. 4).
- Recommend that an Environmental Management Plan be developed by the building contractor to monitor and control activities undertaken during construction.
    - **Satisfactory** – The amended SMP confirms environmental and waste management plans (SMP, p. 7).

Having reviewed the amended documentation, there remains a number of items which require further information, that can be included as permit conditions (as per the 'actions above). In addition, some of the requested documentation was not provided for this assessment and should also be included in the permit conditions.

Cheers,
Gavin

Attachment 3 - S57a referral comments (Consolidated)

Gavin Ashley
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Attachment 3 - S57a referral comments (Consolidated)

CITY OF YARRA

MEMO

To:	**Daniel Herrmann**	
From:	**Mark Pisani**	
Date:	**30 September 2021**	
Subject:	**Application No:**	**PLN20/0882**
	Description:	**Eight-Storey Mixed Use Development; Revised Drawings**
	Site Address:	**471-473 Swan Street, Richmond**

I refer to the above Planning Application received on 14 September 2021 in relation to the proposed development at 471-473 Swan Street, Richmond. Council's Engineering Referral team provides the following information:

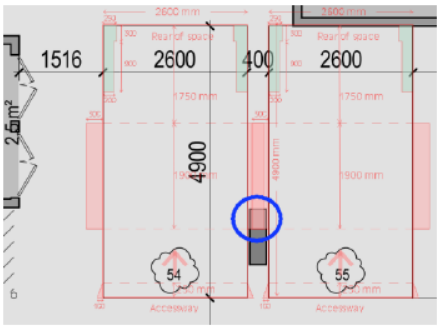
Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
Rothe Lowman Architects	TP01.02 *Basement 02*	B	31 August 2021
	TP01.03 *Basement 01*	B	31 August 2021
	TP01.04 *Ground Floor Plan*	B	31 August 2021
	TP01.05 *Level 1 Plan*	B	31 August 2021
	TP02.03 *Laneway North Elevation*	B	31 August 2021
	TP02.04 *Stawell Street West Elevation*	B	31 August 2021
	TP03.01A *Section B*	B	31 August 2021
	TP03.01 *Section A*	B	31 August 2021
	TP03.02 *Ramp Section*	B	31 August 2021
	TP07.01 *Development Summary*	B	31 August 2021
Rothe Lowman Architects	Statement of Changes	B	31 August 2021
Contour Town Planners	Town Planning Report		September 2021

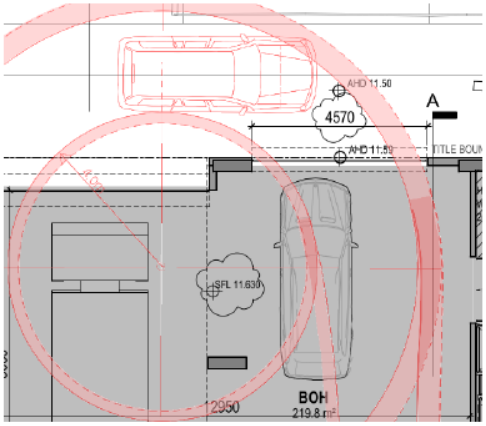
These comments should be read in conjunction with the referral comments prepared by the Engineering Referral team dated 25 June 2021.

Attachment 3 - S57a referral comments (Consolidated)

DEVELOPMENT LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The 6.1 metre wide development entrance satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Vehicle Passing Area	A vehicle passing area of at least 5.5 metres by 7.0 metres has been provided at the development entrance and satisfies *Design standard 1 – Accessways* of Clause 52.06-9.
Visibility	The exit lane of the entrance has clear visibility of footpath conditions (towards Swan Street), which satisfies the sight line requirements of *Design standard 1*.
Headroom Clearance	Headroom clearances of no less than 2.2 metres have been provided, which satisfy AS/NZS 2890.1:2004.
Internal Ramped Accessways	The internal ramped accessways have widths of 3.0 metres with additional 300 mm wide kerbs, which satisfy AS/NZS 2890.1:2004.
Car Parking Modules and Mechanical Parking	
At-grade Parking Spaces	The dimensions of the parking spaces (2.6 to 2.7 metres by 4.9 metres) satisfy *Design standard 2: Car parking spaces*.
Tandem Parking Sets	The tandem parking sets have lengths of 10.3 metres which satisfy *Design standard 2*.
Parallel Parking Space	The dimensions of the parallel parking space (bay 30) in Basement 02 (2.3 metres by 6.7 metres) satisfies *Design standard 2*.
Accessible Parking Space	The dimensions of the accessible parking spaces and shared areas (each 2.4 metres by 5.4 metres) satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009. The shared areas now contain bollards as required by the Standard.
Aisles	The aisle widths range from 6.25 metres to 7.876 metres, which satisfy *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	The positions of the columns satisfy *Diagram 1 Clearance to car parking spaces* in Clause 52.06-9, with the exception of one column positioned in between spaces 54 and 55 in Basement 02 car park, as shown below: 

Attachment 3 - S57a referral comments (Consolidated)

Item	Assessment
Clearances to Walls	Clearance of no less than 300 mm have been provided to spaces abutting walls, as per *Design standard 2*.
Motorcycle Spaces	The dimensions of the motorcycle spaces (1.2 metres by 2.5 metres) satisfy AS/NZS 2890.1:2004.
Car Stacker Devices	In Basement 01, two dependent car stacker devices would be provided (one single unit and one double unit). Each stacker space has an envelope measuring 2.8 metres by 5.4 metres). In our experience, these space envelopes are considered adequate. However, no details have been provided for the stacker units or whether the floor to ceiling height is sufficient to accommodate the stackers.
Porte Cochère	The design of the porte cochère can adequately accommodate two b85 design vehicles and is considered satisfactory.
Gradients	
Ramp Grade for First 5.0 metres inside Property	From the property line, the ramp profile comprises a flat section for the first 2.954 metres, followed by a 6.0 metre length of 1 in 10. The ramp for the first 5.0 metres inside the property satisfies Design standard 3: Gradients.
Ramp Grades and Changes of Grade	The grades and changes of grade satisfy *Table 3 Ramp Gradients* of Clause 52.06-9.
Other Items	
Vehicle Entry and Exit Movements Back of House via Laneway	A check of the turning movements for the B99 design entering the revised Back of House doorway (width: 4.57 metres) is considered satisfactory. We are satisfied that the B99 design vehicle can also adequately exit the Back of House via the laneway. 
Loading Dock and Back of House	The combined dimensions of the loading dock and Back of House (9.065 metres by 12.950 metres) are considered satisfactory in accommodating a B99 design vehicle and small rigid vehicle/small truck.

Attachment 3 - S57a referral comments (Consolidated)

Item	Assessment
Vehicle Crossing Ground Clearance	A vehicle crossing ground clearance check is to be undertaken by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out (Please see under '*Engineering Advice for Design Items to be Addressed by the Applicant*' section).
Vehicle Crossings – Stawell Street Ground Floor Plan	The vehicle crossings depicted on the Ground Floor Plan along the property's Stawell Street frontage are not consistent with Council's standard vehicle crossings. The existing side entry pit, just north of Swan Street, has not been depicted on the Ground Floor Plan.  Above: Existing side entry pit on east side of Stawell Street, just north of Swan Street.

Attachment 3 - S57a referral comments (Consolidated)

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Column Depths and Setbacks	The column in between spaces 54 and 55 in Basement 02 car park would impact on car door opening. It is recommended that these two spaces be designated as Small Car Spaces.
Car Stackers	Car stacker details should be provided. The applicant should demonstrate that the floor to ceiling height is adequate for the stacker to be used.
Entrances for the Loading Bay and Back of House – East-West Aligned Laneway	The finished floor levels at the front edges of the slabs of entrances for the loading bay and Back of House are to be set 40 mm higher than the south edge of the laneway.
Vehicle Crossing Ground Clearance	To assist the applicant, a Vehicle Crossing Information Sheet has been appended to this memo. The ground clearance check requires the applicant to obtain a number of spot levels out on site which includes the reduced level 2.0 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement – in this case, Stawell Street. These levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development. Providing the ground clearance check early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.
Vehicle Crossings	The vehicle crossings are to be depicted on the drawings as standard Council vehicle crossings. The existing side entry pit on the east side of Stawell Street must have a clearance of no less 1.0 metre from the edge of the new vehicle crossing (southern crossing).

INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets	The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site. It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.

Attachment 3 - S57a referral comments (Consolidated)

Item	Details
Footpaths along Stawell Street, Swan Street and Belgravia Street Frontages	
Footpath Reconstruction	The demolition of the existing building, the construction of the new building and the occupation of the footpath by plant and heavy equipment will impact on the footpath and deteriorate its condition. The footpaths along the property's Stawell Street, Swan Street and Belgravia Street frontages are to be reconstructed. In undertaking these works, the existing kerbs are to be retained (fixed control points). The new footpaths must have a cross-fall (the slope between the kerb and the property line) of no steeper than 1 in 33 (for asphalt) and 1 in 40 (for concrete) or unless otherwise specified by Council. In providing the new footpaths, the finished floor levels at the development's pedestrian entries must be readjusted to match the new footpath levels.
Other Items	
Detailed Engineering Design Drawings	Detailed engineering design drawings of all infrastructure surrounding the site are to be submitted to Council for assessment and approval.
Redundant Vehicle Crossings	To be demolished and reinstated with paving, kerb and channel.

ENGINEERING CONDITIONS

The Engineering Conditions and Public Lighting Conditions provided in the engineering referral comments of 25 June 2021 are still relevant and pertinent.

The Vehicle Crossing condition has been revised to include the clearance from the existing side entry pit, as shown below:

Vehicle Crossing

Before the development commences, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossings 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;
- A lateral clearance of no less than 1.0 metre shall be provided in between the existing side entry pit on the east side of Stawell Street (just north of Swan Street) and the south edge of the southern vehicle crossing;
- At the Permit Holder's cost; and
- To the satisfaction of Council.

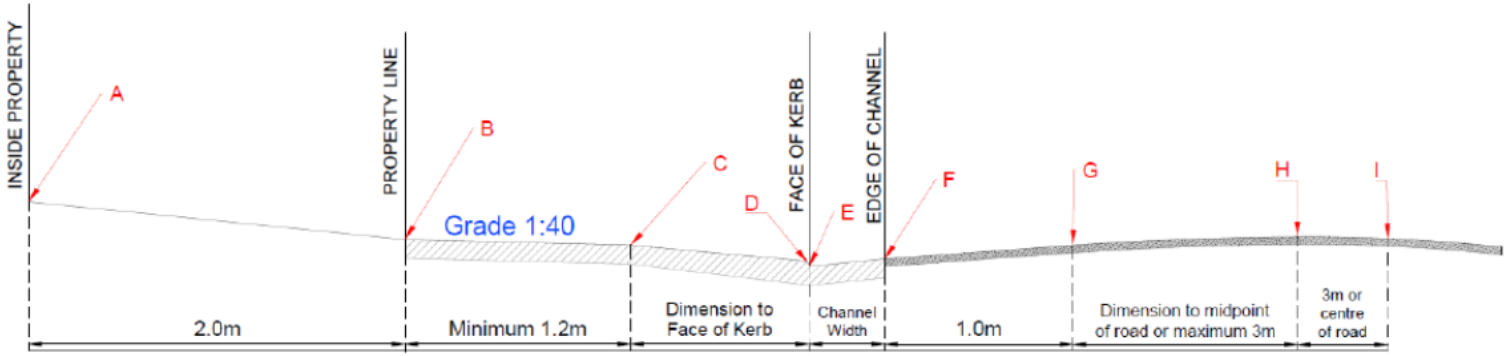
Attachment 3 - S57a referral comments (Consolidated)

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 3 - S57a referral comments (Consolidated)

Attachment 3 - S57a referral comments (Consolidated)

Planning Referral

To: Daniel Hermann

From: Lev Shinkarsky

Date: 29.09.2021

Subject: Engineering Referral: comments on Public Lighting Plan (ref. D21/119406)

Application No: PLN20/0882

Site Address 471-473 Swan Street, Richmond

Public lighting Conditions	Approved (A) Not approved (N)	Reason for non compliance	Comments	Action required
1(a)	N	The details of the luminaires are not provided and there is no calculation to prove lighting levels in Belgravia Street (2 lights on poles No.566 and No567)proposed to be disconnected) and laneway along the northern boundary of the site		Provide details of the proposed luminaires in Belgravia Street and the laneway. Possibly lux diagramm will be required (subject to futher discussion with L.S.)
1(b)	A	No new poles are proposed for the new lighting		
1(c)	A	No new poles are proposed for the new lighting		
1(d)	N	the submitted plan does not provide calculation of the future light spill into windows of habitable rooms of the existing properties and proposed development		Confirmation of the compliance with the requirements of AS4282- 2019 in respect of the light spill into Habitable Rooms windows of the existing properties in Belgravia and Stawell Streets, laneway at the northern bounday of the site and proposed development development to be provided to Council
1(e)	A	No new poles are proposed for the new lighting		
1(f)	N			Confirmation that lighting plan and Section 5173 Agreement will be completed at no Cost for Council is required
1(g)	N	No details of the proposed temporary lighting have been provided.		Provide details of the temporay lighting provision once the existing public lighting is disconnected
2	N	No confirmation of the engagement of Council lawyers to draft section 173 Agreement have been provided		start process of drafting section 173 Agreement
2(a)	N	No confirmation of the engagement of Council lawyers to draft section 173 Agreement have been provided		start process of drafting section 173 Agreement
2(b)	N	No confirmation of the engagement of Council lawyers to draft section 173 Agreement have been provided		start process of drafting section 173 Agreement

For a reference Public lighting plan conditions stated as follows:

PUBLIC LIGHTING CONDITIONS

1.Before the development commences, a Public Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along the northern boundary laneway and the entrances to the approved building. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for:

(a)all pedestrian access to a residential/multipurpose development will be lit by public lighting installations at least to lighting level P4 as specified in the Australian Standard AS 1158.3.1:2020 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements; or higher lighting level as recommended by AS1158.3.1 2020.

(b) new poles and luminaires will be sourced from CitiPower standard energy efficient luminaires list and comply with relevant CitiPower/Jemena technical requirements;

(c) consultation with affected property owners to be undertaken by the developer with respect to the location of any new pole/s and light/s (if required);

(d) light spillage into the windows of existing and proposed residences will be avoided or minimised and should comply with the requirements of Australian Standard AS 4282 — 2019 Control of the obtrusive effects of outdoor lighting;

(e) the locations of any new light poles will not obstruct vehicular access into private property;

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

(g) if any of the existing public lighting need to be removed it must be replaced with the temporary Light to the satisfaction of the Responsible Authority until the new permanent public lighting is operational

2.Unless the relevant authority (i.e. CitiPower) provides written confirmation that the permanent replacement light will continue to be maintained by the relevant authority (i.e. Citipower), within six months of the commencement of the development authorised by this permit, or at a later date as agreed in writing by the Responsible Authority, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:

2. Unless the relevant authority (i.e. CitiPower) provides written confirmation that the permanent replacement light will continue to be maintained by the relevant authority (i.e. Citipower), within six months of the commencement of the development authorised by this permit, or at a later date as agreed in writing by the Responsible Authority, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority (Yarra City Council) under Section 173 of the Planning and Environment Act 1987. which provides for the following:
(a) The owner of the subject land is responsible for maintaining (in working order) public lighting to Lane No. 1779 as relocated in accordance with Condition [2], at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
(b)The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the section 173 Agreement in Land Title Office Victoria, including the costs borne by the Responsible Authority (Yarra City Council).

Attachment 3 - S57a referral comments (Consolidated)

Planning Referral

To:	Daniel Herrmann
From:	Chloe Wright
Date:	04/10/2021
Subject:	Strategic Transport Comments
Application No:	PLN20/0882
Description:	Construction of an 8-storey building, including two basement levels and the use of the land for motor vehicle sales, residential hotel and office.
Site Address	471 – 473 Swan Street, Richmond

I refer to the Section 57a amendment for the above application at 471 – 473 Swan Street, Richmond. Council's Strategic Transport unit provides the following information:

Access and Safety

The responses to the original Strategic Transport referral comments provided by Contour provides clarification regarding the proposed access arrangements to the bicycle parking at basement levels 1 and 2 and is considered acceptable.

Bicycle Parking Provision

Statutory Requirement

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

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	885 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	0 resident spaces	
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	0 visitor spaces	
Residential building (other than specified in the table)	149 lodging rooms	In developments of four or more storeys, 1 resident space to each 10 lodging rooms	15 resident spaces	
		In developments of four or more storeys, 1 visitor space to each 10 lodging rooms	15 visitor spaces.	
Retail premises (other than specified in this table)	2342 sqm	1 employee space to each 300 sqm of leasable floor area	8 employee spaces	
		1visitor space to each 500 sqm of leasable floor area	5 visitor spaces	
		Bicycle Parking Spaces Total	**23 resident / employee spaces**	**46 resident / employee spaces**

		20 visitor spaces	**16 visitor spaces**
Showers / Change rooms	1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**1 showers / change rooms**	**4 showers / change rooms**

Adequacy of visitor spaces

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

- The amended plans maintain the same number of visitor spaces, including 16 spaces at the ground floor. 20 additional bicycle spaces (above the best practice requirements for residential / employee spaces) are also provided at basement levels 1 and 2.
- 8 of the visitor bicycle hoops at Swan Street have been relocated to the west of the pedestrian crossing, which is supported.
- All visitor bicycle spaces at the ground floor are located within the property boundary and are visible and easily accessible from Swan Street.
- Visitor spaces are provided as horizontal at-grade spaces and the layout appears to be in accordance with clearance and access requirements of AS2890.3.

Adequacy of residential / employee spaces

Number of spaces

No changes are proposed to the number of resident / employee bicycle spaces. 46 resident / employee spaces are provided, which exceeds the statutory rate and Council's best practice[1] recommendation of 26 resident / employee spaces.

Design and location of residential / employee spaces and facilities

The layout of resident / employee bicycle spaces has not been amended, and the previous comments are still relevant:

- 36 resident / employee bicycle spaces are provided within a secure facility at basement level 2. An additional 10 spaces are provided at basement level 1. Both bicycle parking areas are within close proximity of lift shafts, with access from lobby entrances at Stawell Street.
- 36 spaces are provided as two-tier bicycle racks, which satisfies the requirement of AS2890.3 for at least 20% of bicycle storage spaces to be provided as horizontal at ground-level spaces.
- Dimensions of the layout of employee / resident bicycle spaces are noted on the plans and demonstrate compliance with access and clearance requirements of AS2890.3.
- An end of trip facilities area is located adjacent to the employee bicycle parking area at Basement level 2 and includes 4 shower / change rooms and 48 lockers.

Electric Vehicles

Council's BESS guidelines encourage the use of electric vehicles (EV) and the provision of 4 electric vehicle charging bay is supported. To allow for easy future provision for EV charging, it is recommended that all car parking bays should be electrically wired to be 'EV ready'. This does not mean car parking bays must be fitted with chargers, but that the underlying wiring infrastructure is in place to allow future owners and tenants to easily install a charger.

Green Travel Plan

An updated Green Travel Plan (GTP) has not been provided. The GTP submitted with the original advertised documentation provides the required information and can be endorsed. However, the

[1] *Category 6 of the Built Environment Sustainability Scorecard (BESS) offers the following for best-practice guidance* for employee office rates: *'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area*

details of visitor bicycle parking shown on pg. 10 is not consistent with the architectural plans. The GTP should be updated to include details of bicycle parking as shown on the final endorsed plans.

Recommendations

The Green Travel Plan should be updated to include details of bicycle parking shown on the final endorsed plans.

Regards

Chloe Wright

Sustainable Transport Officer

Attachment 3 - S57a referral comments (Consolidated)

CITY OF YaRRA

MeMO

TO:	Daniel Herrmann, Co-ordinator Statutory Planning
FROM:	Steph Ashby, Senior Planner (Community Health and Safety)
DATE:	1 October 2021
ADDRESS:	471 – 473 Swan Street, Richmond
APPLICATION NO:	PLN20/0882
DESCRIPTION:	Application for the use of the land for the sale and consumption of liquor, associated with the use of the land as a hotel (no permit is required for the use of the land as a hotel). Construction of a eight storey mixed use building (with two basement levels).

Social Strategy has been requested to make comments on the proposal from a social planning perspective.

PROPOSAL

Key aspects of the site and proposal include:

- The site is located in the Commercial 1 Zone.
- The site is located within the Swan Street Major Activity Centre
- The site is located in the Design and Development Overlay (DDO) schedule 2, 5 and 17-4, and in the Development Contributions Plan Overlay (DCPO) schedule 1.
- The site adjoins a Commercial 1 Zone to the east and west. The rear of the site faces onto an unnamed laneway. The rear of the site faces a general residential zone. The site fronts onto Swan Street to the south, with a public park and recreation zoon directly opposite the site (currently occupied by tennis courts).
- The proposal seeks to apply for a General licence for the sale and consumption of liquor on site, from levels two to six (including Bar/Lounge, Restaurant/Lounge, Pre-Function and Function Centre and hotel guest rooms)
- The proposed redline area includes all areas and hotel rooms on levels 2 – 6, except for all transit zones, and the gym, kitchen, management and toilets on level 2.
- Detail on proposed seating and ratio of seated to standing in level two bar, restaurant and function spaces has not been provided.
- The proposed hours of operation for the sale of liquor for consumption on premises are:
    - Monday – Sunday: 6.00am – 1.00am (the following day)
- Music proposed is only background music, with no music to be played on the outdoor terrace on level 2.

COMMENTS / RECOMMENDATIONS

- There are 2 licensed premises within 100 metres of the subject site and a total of 16 licensed venues within 500 metres, with most concentrated westerly, along Burnley Street. As per Practice Note 61, 15 or more licenced premises (including the proposed premises) within a 500m radius of the site constitutes a cluster of licenced premises. This site is therefore located within a cluster, and a cumulative impact assessment and NAAP is required. The applicant has noted that only 2 of the 16 licenced premises located within 500m of the subject site hold a general licence, with the rest being restaurant/café, limited licences or on-premises licences. They have stated that given this:
  - *'there is not considered to be a cumulative impact associated with licensed premises within the vicinity of the site which would result in anti-social behaviour or disrupt the residential amenity of the area.'*
- Given this, they have not provided a cumulative impact assessment. This is not acceptable, and we will require a cumulative impact assessment to be prepared and provided, as is clearly required in clause 22.09.
- The provided acoustic report details the following patron capacities (Table 1). It is considered that the maximum number of patrons that may be accommodated on the internal premises could be based on a ratio of 0.75 square metres per person, as per the Victorian Commission for Gambling and Liquor Regulation (2018) Liquor Licensing Fact Sheet - Maximum Patron Capacity. All the proposed patron numbers are within the VCGLR guidelines and are therefore acceptable.

Table 1. Number of Patrons on ratio of 0.75 m^2 per person (based on Red Line Plan)

Area	Floor area m^2	No. of Patrons proposed	m^2/0.75
Function Centre	384	450	512
Restaurant/Lounge	316.3	120	421
Bar/Lounge	229.1	60	305
Outdoor Terrace	104.2	80	138
TOTAL		710	

- **Information on proposed seating arrangements is required.** This is because Practice Note 61 notes that: *Premises that provide little or no seating are associated with excessive alcohol consumption and potential for increased violence. Patrons from these venues are therefore more likely to have an adverse impact on the surrounding area.* Further detail is required regarding proposed seating, and ratio of seated to standing, in the hotel bar, restaurant, pre function and function centre.
- It is important to clarify if the site is proposed to host private events such as functions or weddings. This information will impact on patron dispersal considerations. **Detail on this is required.**
- In the provided NAAP the applicant has provided limited information regarding their 'patron exit strategy':
  - *Management personnel will use their best endeavours to ensure that patrons disperse in an orderly manner along Swan Street and that no patrons associated with the venue congregate in the surrounding area.*
- This level of detail is not acceptable and does not address how staff will encourage patrons to refrain from exiting the premises towards the nearby residential zone. An example would be to display signage requesting patrons exit in a quiet and respectful manner, employing a security guard and lighting/urban design techniques to

encourage/direct patrons to exit onto Swan Street and await taxis and rideshares, or proceed to public transport along Swan Street. **More detail will be required.**

- Clause 22.09 states that:
  - *'For outdoor areas, including smoking areas, rooftops and open courtyards, the sale and consumption of liquor should not occur after 10pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.'*
- It is noted that the application proposes to limit patron numbers to 30 on the outdoor terrace, and that no music will be played on the terrace. While it is appreciated that the applicant is seeking to reduce impacts on amenity, the sale and consumption of liquor on the outdoor terrace until 1am, as proposed by the applicant, is not acceptable. In addition, as defined in clause 22.09, this site is located outside of a Core Entertainment Precinct. Core Entertainment Precinct's are intended to accommodate larger licenced venues, due to their proximity to supporting infrastructure and services. Considering clause 22.09 and given the close proximity of the site to a residential zone, and that it is located outside of a Core Entertainment Precinct, the external terrace areas on the first floor, fronting Swan Street and Stawell Street, **are not recommended to be open for the sale and consumption of liquor past 10pm, to reduce potential amenity impacts on the surrounding area.**
- Clause 22.09 also states that:
  - *'Licensed premises should not commence the sale and consumption of liquor before 9am.'*
- **Considering clause 22.09, it is understood that the proposed commencement of licenced hours at 6am is not supported, and it is recommended to change this to 9am.**
- Clause 22.09 identifies that:
  - *'Licensed premises within 30 metres of a residential zone should not provide for the sale and consumption of liquor beyond 11pm' (the site is within 30m of a residential zone, being the residential zone at the rear of the site, off Stawell Street).*
- Considering clause 22.09, the proposed time for the sale and consumption of liquor being until 1am in the public areas on level 2 is considered excessive**. It is recommended that this be amended to 11pm for the public areas on level 2.** This is considering the predominant use of the site as a hotel and given the site is located outside an identified core entertainment precinct area.
- The red line has been revised to exclude amenity areas (including toilets/kitchen/storage areas) and all transit points. This is to contain the service and consumption of alcohol to 'zones' throughout the building. This is acceptable.
- The proposal now states that food will be available during all hours that liquor is sold. This is acceptable, considering that Practice Note 61 states that that: *Venues that serve food or meals are shown to be less at risk of excessive alcohol consumption. This does not include venues that only serve basic snacks*.
- The proposal has noted that all music will be limited to background music. No live bands or DJ's will operate from the premises. Music on the premises is required to comply with standards set out in the State Environment Protection Policy (SEPP N-2) – Control of Music Noise from Public Premises. No music will be played on the outdoor terrace. This is acceptable.

Attachment 3 - S57a referral comments (Consolidated)

- Deliveries to and waste collection from a licensed premise should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law. Emptying bottles into bins in outdoor areas should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday. This should be included as a condition of any approval.

Attachment 3 - S57a referral comments (Consolidated)

Community Amenity Unit comments on Section 57a application – 1/11/2021

Thank you for your email in relation to PLN20/0882 - 471-473 Swan Street, Richmond. I've had an opportunity to review the application including the acoustic report. I note, music will be limited to background music only and that no live music is proposed in the outdoor (terrace) area. The Compliance branch does not have any concern with the proposed sale and consumption of liquor. However I recommend the below planning permit conditions to be considered:

1. No amplified 'live music or vocals' at any time at any outdoor area (including the terrace), on all days.
2. On the approval date of the permit, the Permit Operator must have or install and maintain a Noise Limiter ("the Device"), set at a level by a qualified acoustic engineer, to ensure the escape of amplified music does not exceed the requirements of Environment Protection Act 2017- Noise Limit and Assessment Protocol, to the satisfaction of the Responsible Authority.
3. Within 14 days of the operation of the noise limiter a report to the satisfaction of the Responsible Authority prepared by a suitably qualified Acoustic Consultant must be submitted to the responsible authority and shall confirm that a Noise Monitor and Limiter ("the Device") is operating and has each and every of the following characteristics which are also operating:
    a. The Device limits internal noise levels so as to ensure compliance with the music noise limits according to Environment Protection Act 2017- Noise Limit and Assessment Protocol.
    b. The Device monitors noise levels at frequencies between 50Hz and 100Hz and is wired so as to ensure that the limiter governs all power points potentially accessible for amplification;
    c. The Device controls are in a locked metal case that is not accessible by personnel other than a qualified acoustic engineer or technician nominated by the licensee or occupier of the land and notified to the Responsible Authority;
    d. The Device is installed to control all amplification equipment;
4. The report must demonstrate compliance with the Environment Protection Act 2017- Noise Limit and Assessment Protocol.
5. Amplified music and vocals are not permitted to be played other than through the Permanently Installed Sound System and when the Device is installed and operating to ensure compliance with Environment Protection Act 2017- Noise Limit and Assessment Protocol
6. That within 3 months a further acoustic report is provided to demonstrate compliance with Environment Protection Act 2017- Noise Limit and Assessment Protocol.

In addition please consider:

1. No music after 10.00pm at any outdoor area Sunday to Thursday.
2. Any outdoor area to close 11pm Sunday to Thursday.
3 No music after 11.00pm at any outdoor area Friday and Saturday.
4. Any outdoor area to close 12 midnight Friday and Saturday

Attachment 3 - S57a referral comments (Consolidated)

The above recommendation was made with consideration to the fact noise will generally carry further from an open area. Experience tells us that open areas have a tendency to impact the amenity. The times suggested where no music is allowed was based on keeping consistent with the Environment Protection Regulations 2021 schedule for amplified music.

Attachment 3 - S57a referral comments (Consolidated)

City Works Branch (Waste) comments on Section 57a plans – 28/9/2021

I have noted the size in the plans however this information should be included in the waste management plan.

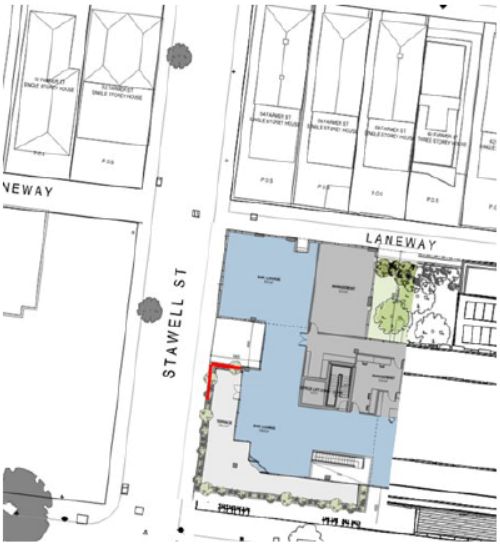
For the record once the WMP is updated it would be good to go.

Attachment 4 - External Acoustic Consultant email re: Outdoor terrace acoustic barrier removal review

Herrmann, Daniel

From: Dianne Williams <dwilliams@slrconsulting.com>
Sent: Friday, 5 November 2021 11:29 AM
To: Herrmann, Daniel
Subject: HPE CM: 473 Swan St, Richmond - terrace barrier

Hi Daniel,
I've had a look at the implications of removing the screen re patron noise impacts. I'd expect noise levels to increase by about 3 dB to receiver to the north east, without the screen (based on the estimate that the screen interrupted line of sight from the residence to about 50% of the exposed terrace – see snips below). Based on Table 25 of the report, this would result in levels of up to 52 dBA at that location, which is 2 dB over the identified **evening** noise limit (i.e. up to 10 pm night). This isn't ideal, however the patron noise limits are not mandatory; patron noise is quite variable, and 2 dB is not a substantial exceedance (usually described as 'barely noticeable'), so it would not be unreasonable for Council to approve the omission of the screens if this was perceived to be a better planning outcome.
Some extension of hours into Friday and Saturday nights may be reasonable given that background noise levels are typically higher on these nights. However I'd recommend not going past 11 pm, and restricting patrons outdoors at these times to 30 max (as advised in the acoustic report).
Regards,
Dianne.



Attachment 4 - External Acoustic Consultant email re: Outdoor terrace acoustic barrier removal review



Dianne Williams
Principal - Acoustics & Vibration
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+61 419 103 019
dwilliams@slrconsulting.com

SLR Consulting Australia Pty Ltd
Lvl 11, 176 Wellington Parade, East Melbourne, VIC, Australia, 3002

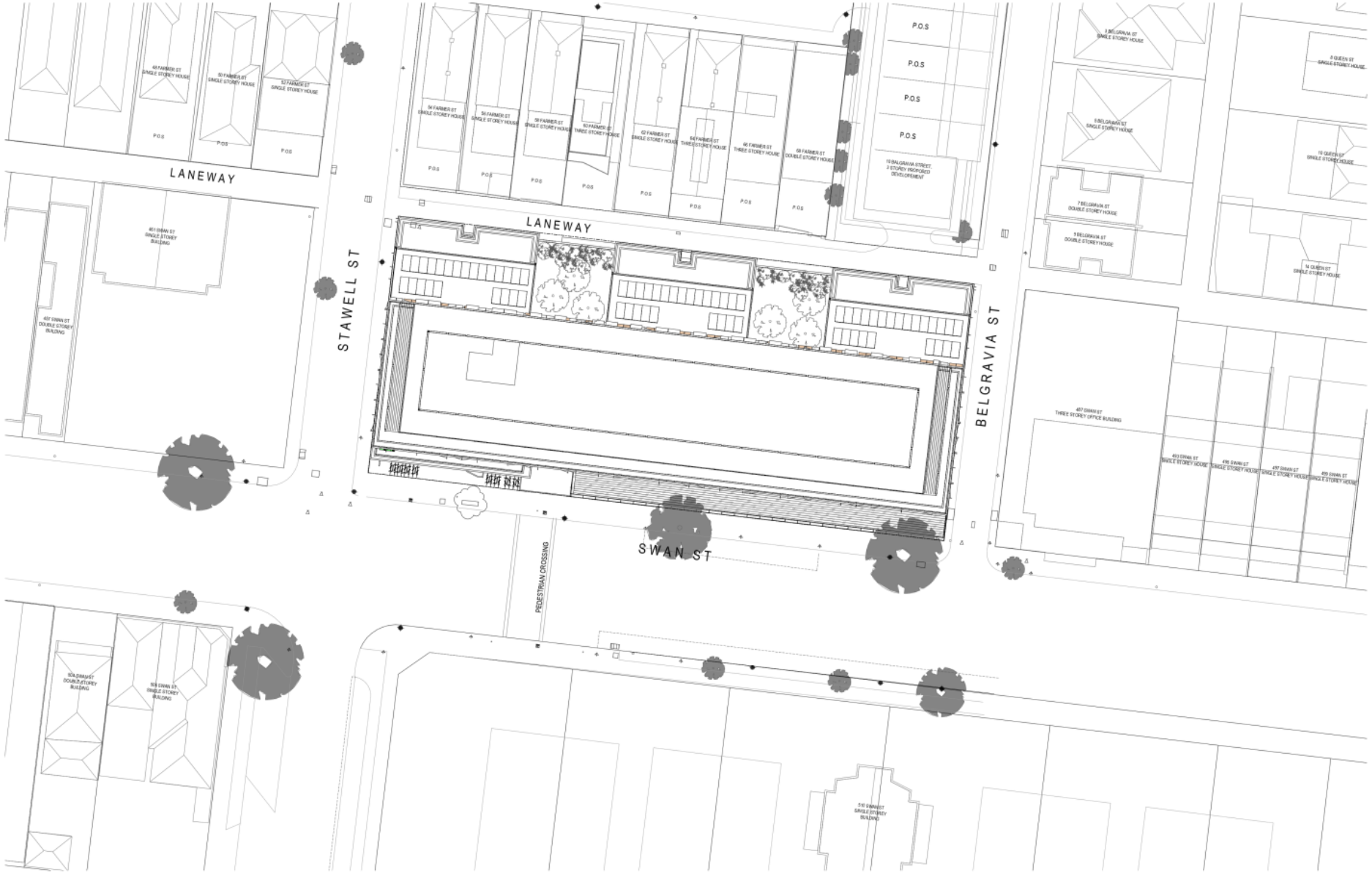
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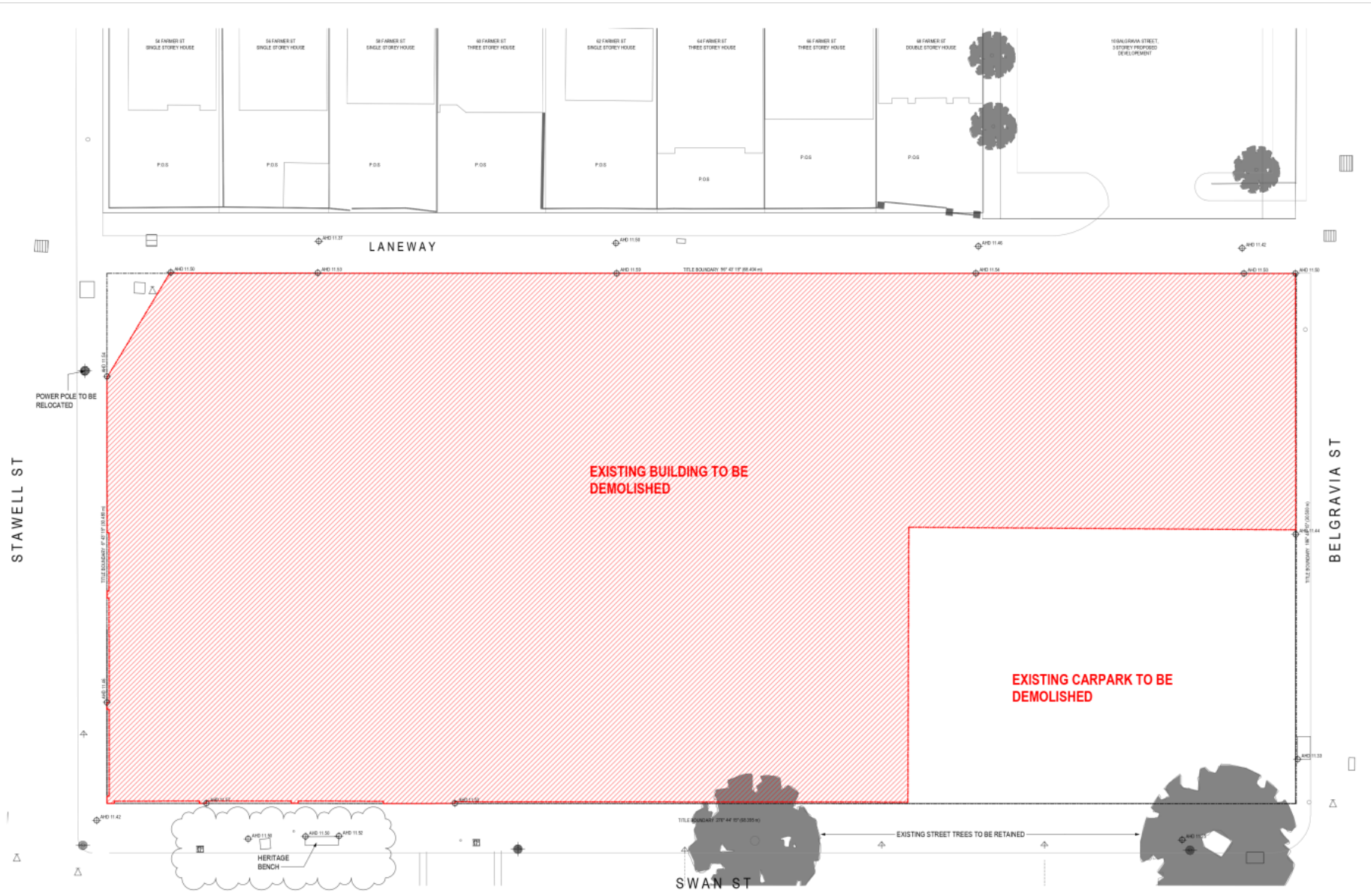
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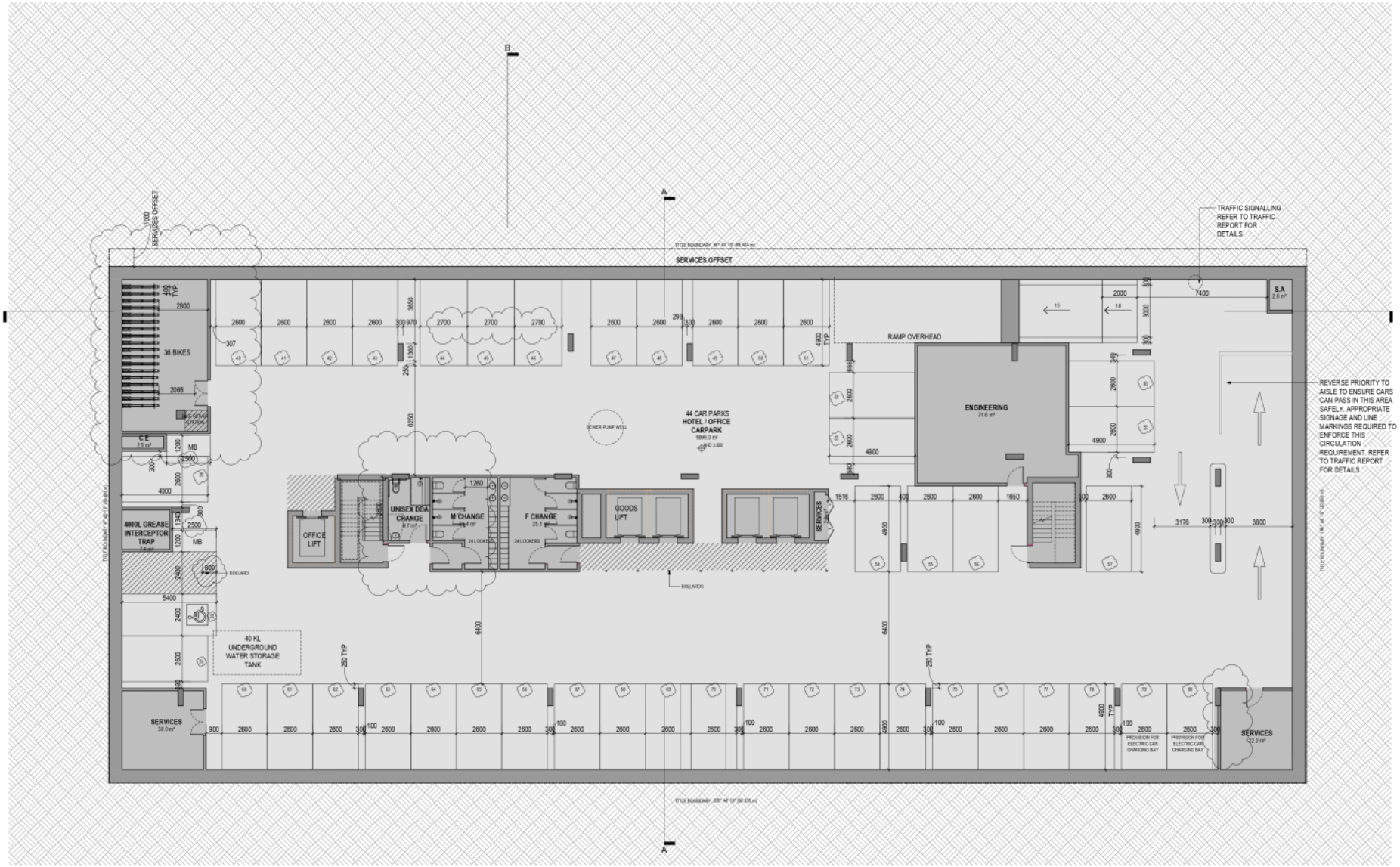
Attachment 5 - Sketch plans and renders



Attachment 5 - Sketch plans and renders



Attachment 5 - Sketch plans and renders



TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project	Drawing	Project No	Date	Author	Scale @ A1	Drawing No.
471 Swan St, Richmond	Basement 02	219007	02/18/19	YW	1 : 100	TP01.02 B

471 Swan St, Richmond

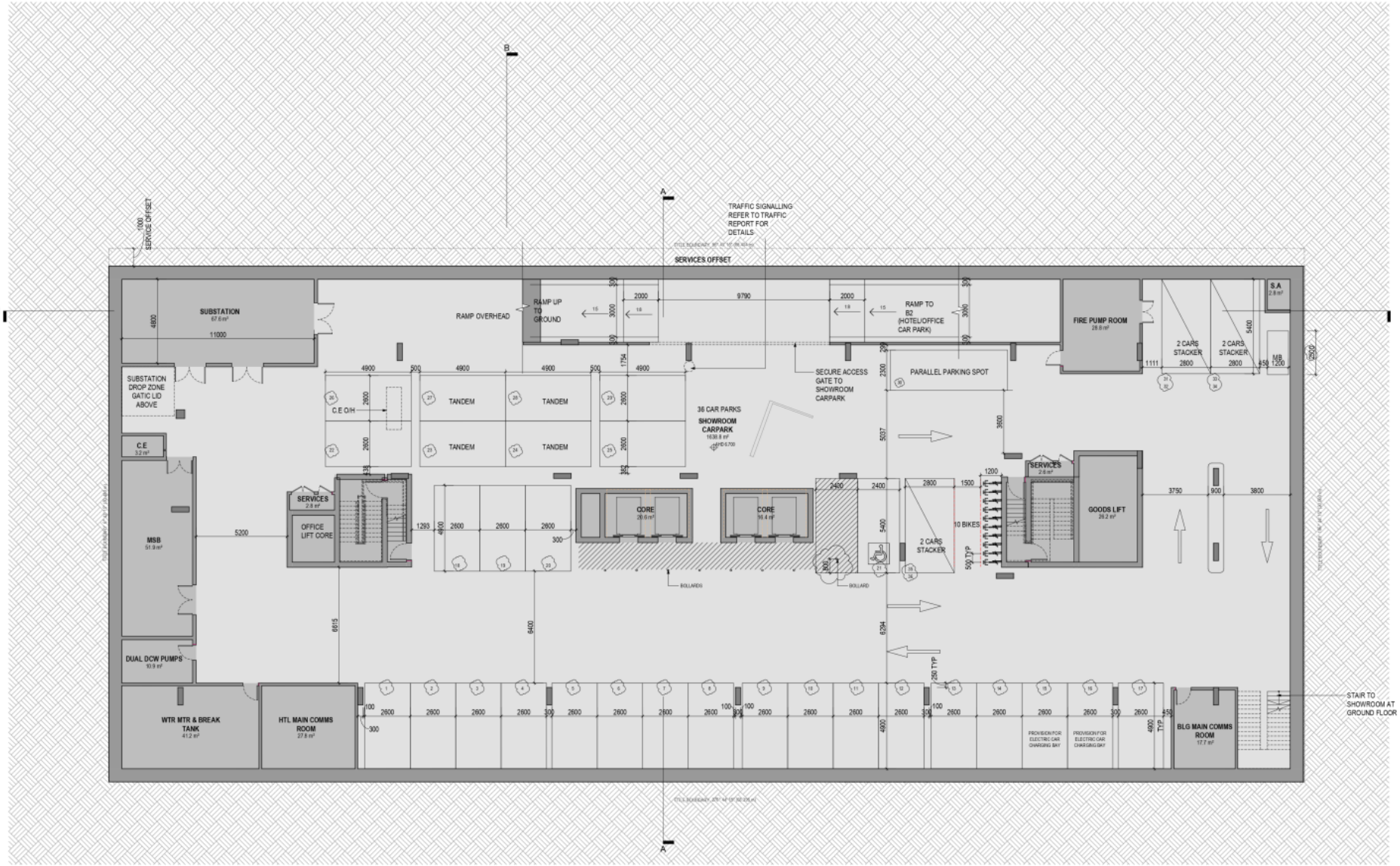
13/10/2021 8:19:34 AM

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Attachment 5 - Sketch plans and renders



TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Basement 01 | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.03 B

471 Swan St, Richmond

13/10/2021 8:19:39 AM

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Attachment 5 - Sketch plans and renders



TOWNPLANNING

Revisions			
-	22.10.2020	TP Issue	HS
A	21.01.2021	RFI	HS
B	31.08.2021	Town Planning Amendment	HS

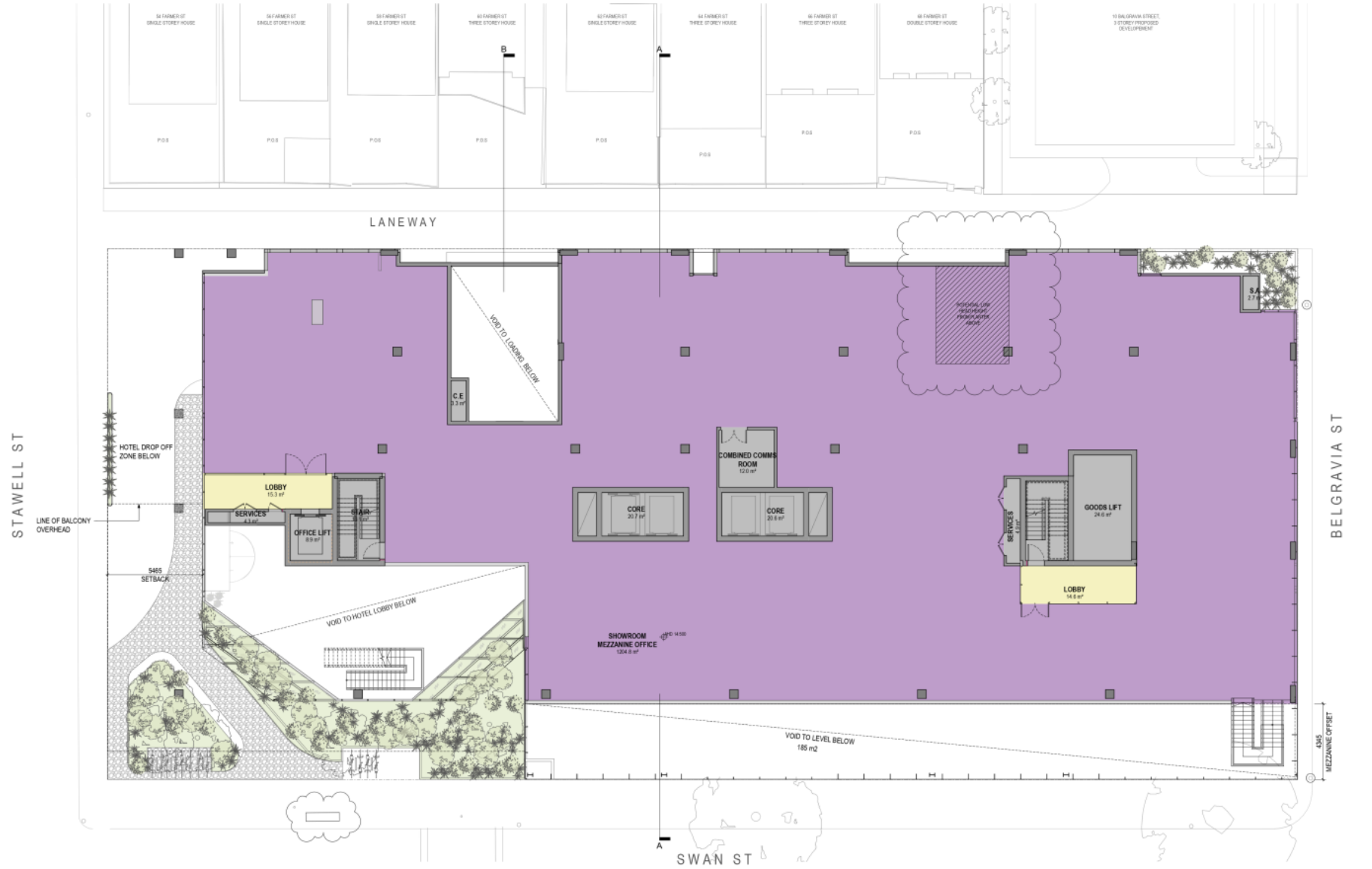
Project: 471 Swan St, Richmond | Drawing: Ground Floor Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.04 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Level 1 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.05 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

13/10/2021 8:29:07 AM

Project: 471 Swan St, Richmond | Drawing: Level 2 Plan - LOBBY | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.06 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Level 3 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.07 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

13/10/2021 8:23:24 AM

Project: 471 Swan St, Richmond | Drawing: Level 4 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.08 B

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Revisions		
-	22.10.2020 TP Issue	HB
A	21.01.2021 RFI	HB
B	31.08.2021 Town Planning Amendment	HB

13/10/2021 8:29:31 AM

Project: 471 Swan St, Richmond | Drawing: Level 5 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.09 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Level 6 Plan | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP01.10 B

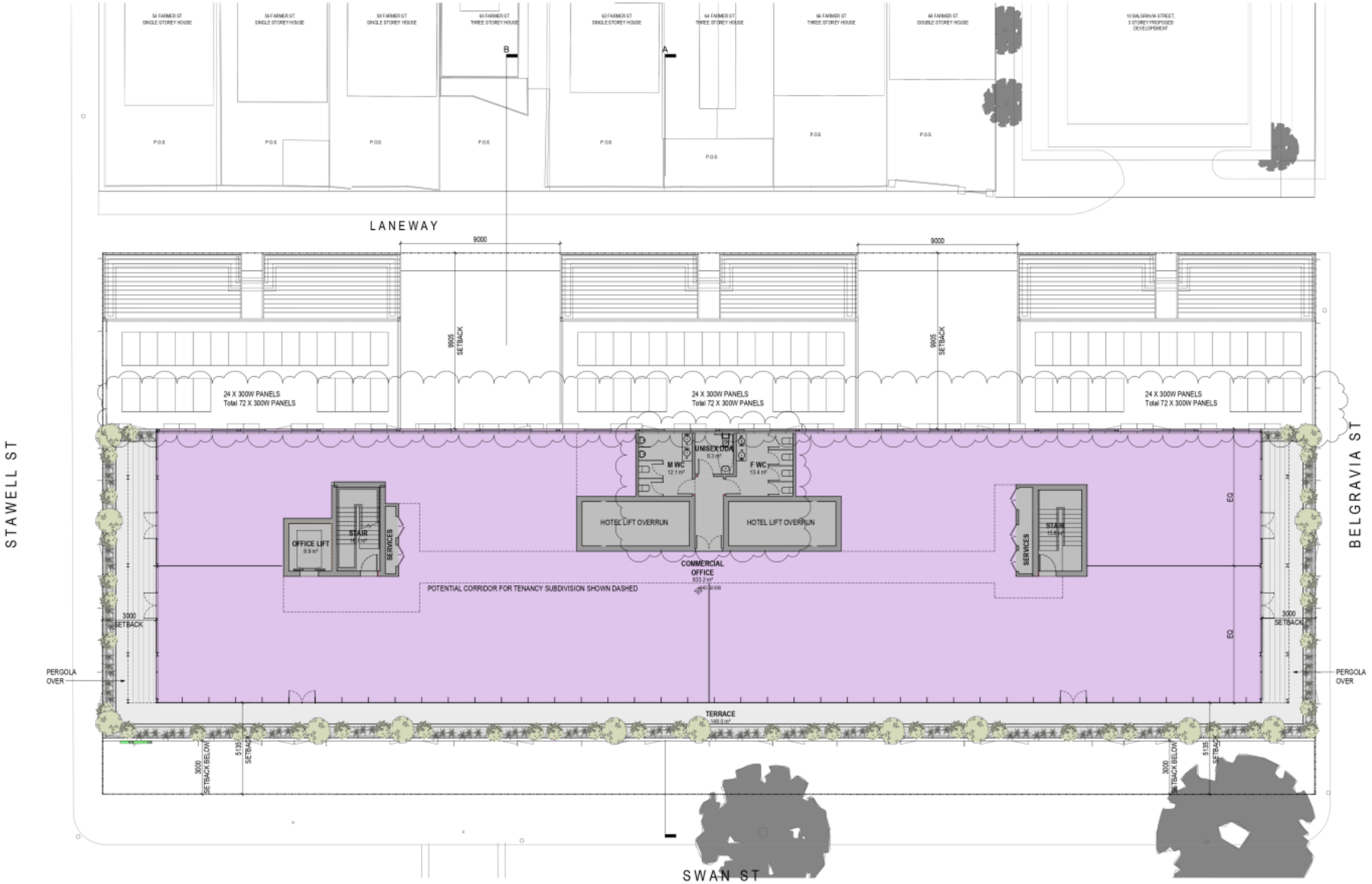
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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

13/10/2021 8:20:46 AM

Project: 471 Swan St, Richmond | Drawing: Level 7 Plan | Project No: 219007 | Date: 03/19/20 | Author: Author | Scale: @ A1: 1 : 100 | Drawing No: TP01.11 B

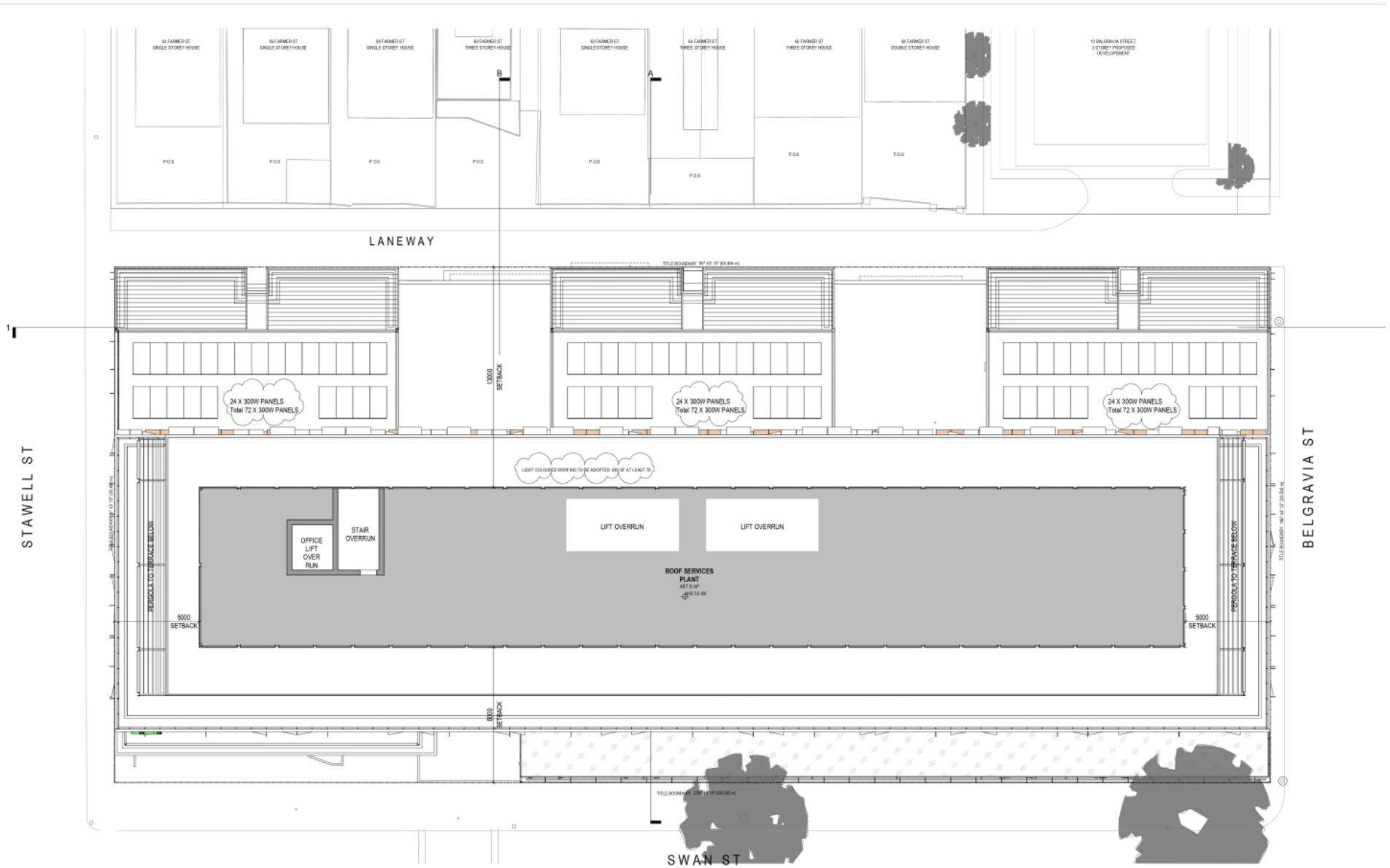
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A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Roof Plan | Project No: 219007 | Date: 30/10/19 | Author: DL | Scale: @ A1: 1 : 100 | Drawing No: TP01.12 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

13/10/2021 8:42:10 AM

Materials

CF01	CONCRETE - POLISHED FINISH - OFF WHITE	GT04	GLAZING - CLEAR SPANDREL
CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - LIGHT COPPER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		MF07	METAL FINISH - NATURAL STEEL
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
471 Swan St, Richmond

Drawing: Swan Street South Elevation

Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP02.01 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

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Materials			
CF01	CONCRETE - POLISHED FINISH - OFF WHITE	GT04	GLAZING - CLEAR BRANDREL
CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - LIGHT COPPER
GT03	GLAZING - DARK GREY BRANDREL	MF05	METAL FINISH - SILVER
		MP01	TIMBER - NATURAL FINISH
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
471 Swan St, Richmond

Drawing: Belgravia Street East Elevation

Project No: 219007 | Date: 01/29/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP02.02 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

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Materials

CF01	CONCRETE - POLISHED FINISH - OFF WHITE	GT04	GLAZING - CLEAR SPANDREL
CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF01	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - LIGHT COPPER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		GR01	TIMBER - NATURAL FINISH
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
Drawing: Laneway North Elevation
471 Swan St, Richmond
Project No: 219007
Date: 01/29/19
Author: YW
Scale: @ A1: 1 : 100
Drawing No: TP02.03 B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.06.2021	Town Planning Amendment	HB

13/10/2021 8:44:35 AM

Materials

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CF02	CONCRETE - NATURAL FINISH	MC01	METAL CLADDING - CHARCOAL
CF03	CONCRETE - NATURAL FINISH WITH PATTERN	MF01	METAL FINISH - CHARCOAL
EP01	EXTERNAL PAINT - GREY	MF02	METAL FINISH - BLACK
GT01	GLAZING - GREY TINT	MF03	METAL FINISH - LOUVRES - CHARCOAL
GT02	GLAZING - CLEAR	MF04	METAL FINISH - LOUVRES - LIGHT COPPER
GT03	GLAZING - DARK GREY SPANDREL	MF05	METAL FINISH - SILVER
		GR01	TIMBER - NATURAL TREES
		RF01	ROOF FINISH - LIGHT GREY

Project: 471 Swan St, Richmond
471 Swan St, Richmond

Drawing: Stawell Street West Elevation

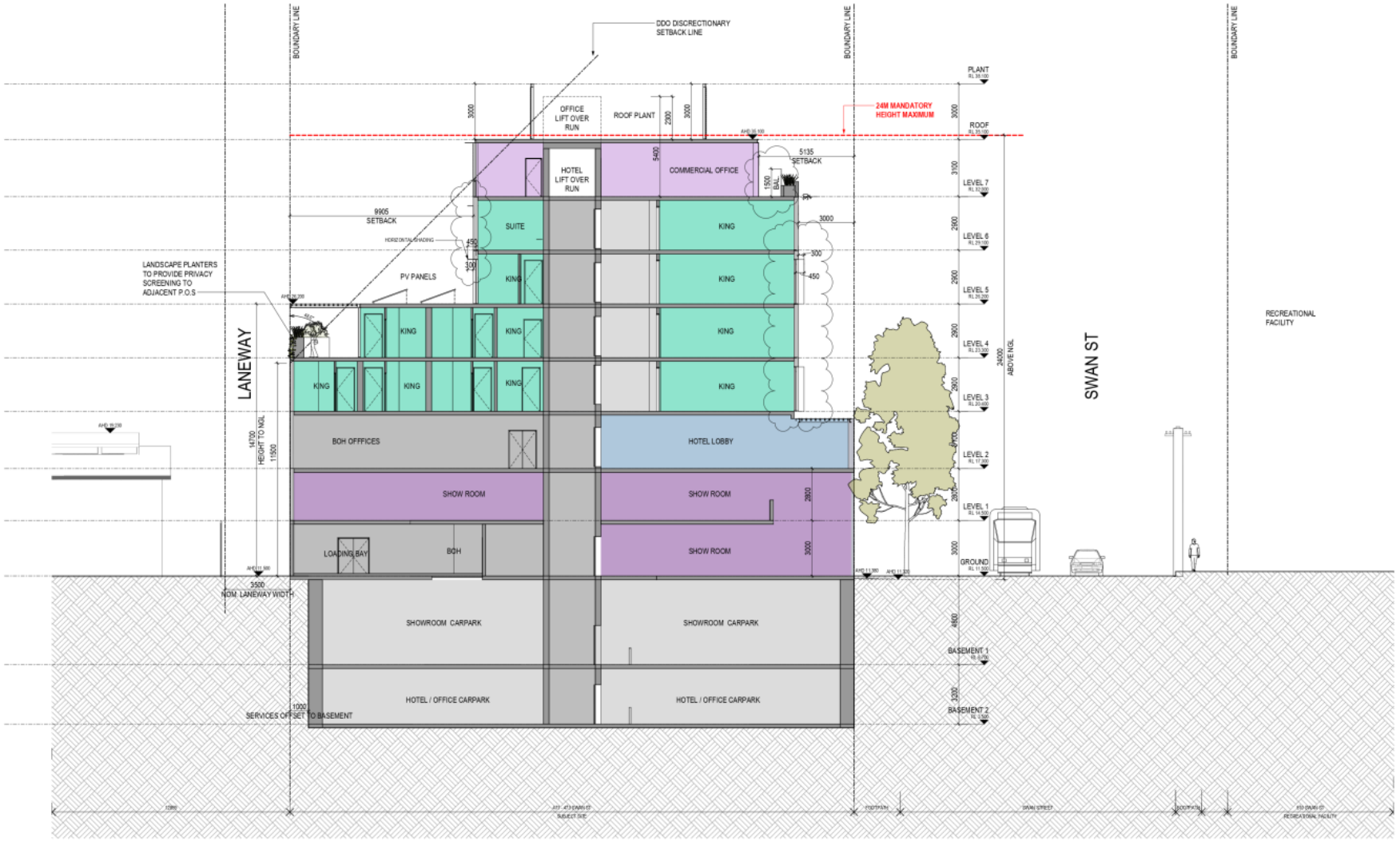
Project No: 219007 | Date: 01/29/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP2.04 | B

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Revisions			
-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Section A | Project No: 219007 | Date: 25/01/19 | Author: YW | Scale: @ A1: 1 : 100 | Drawing No: TP03.01 B

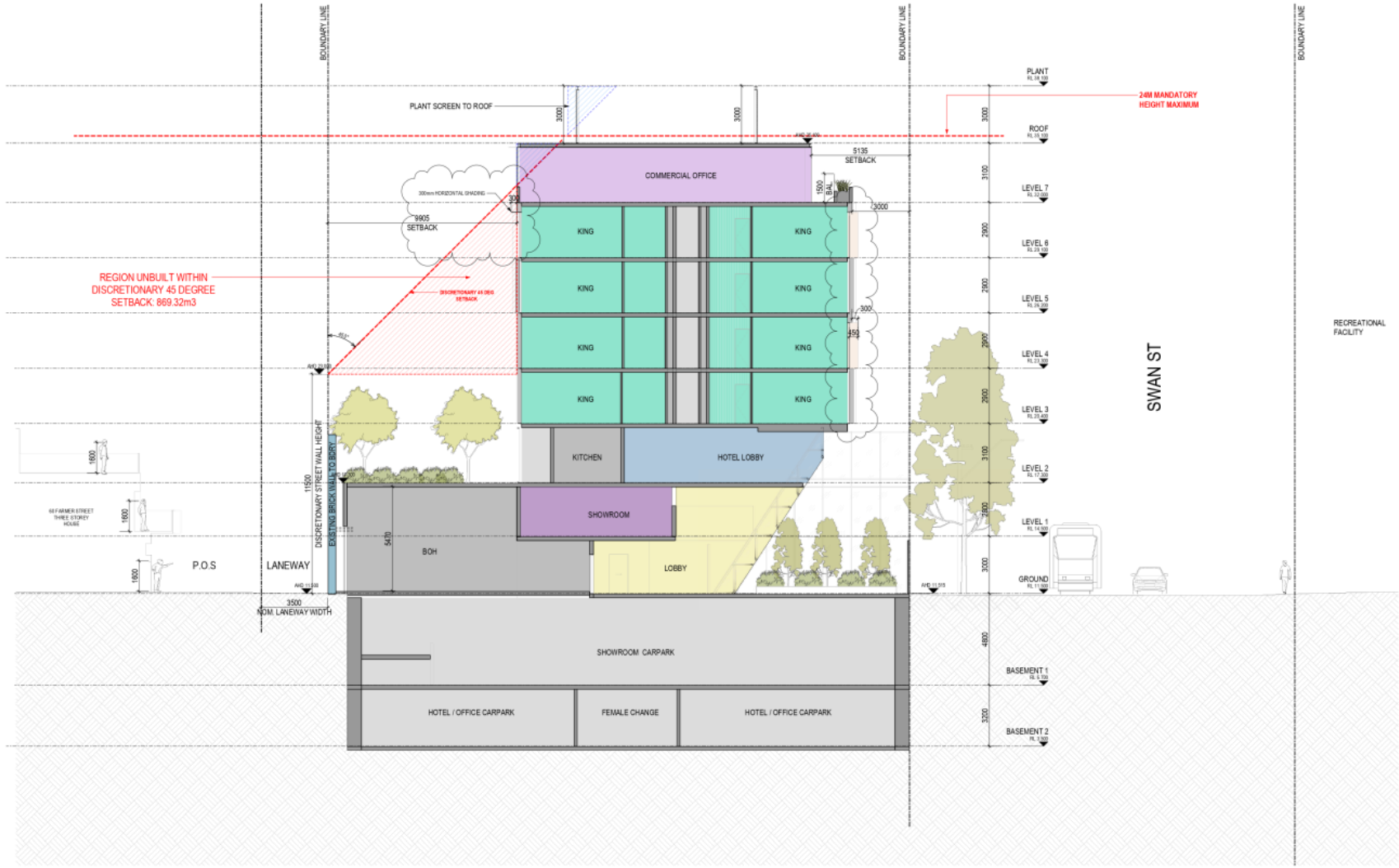
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-	22.10.2020	TP Issue	HB
A	21.01.2021	RFI	HB
B	31.08.2021	Town Planning Amendment	HB

Project: 471 Swan St, Richmond | Drawing: Section B | Project No: 219007 | Date: 01/18/21 | Author: SC | Scale: @ A1: 1 : 100 | Drawing No: TP03.01AB

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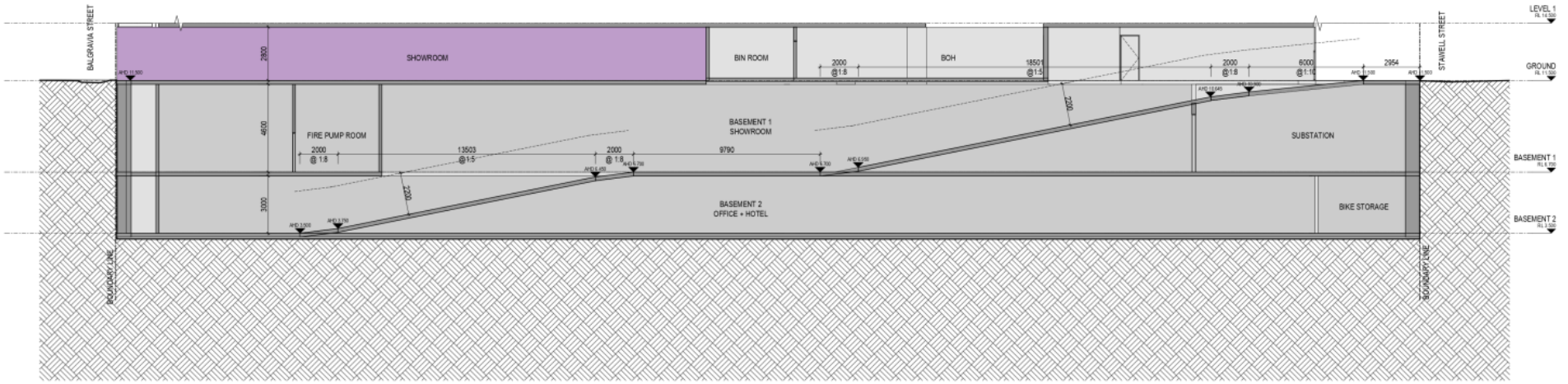
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B	31.08.2021	Town Planning Amendment	HB

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Project: 471 Swan St, Richmond
Drawing: Ramp Section
Project No: 219007
Date: 06/24/20
Author: JS
Scale: @ A1: 1 : 100
Drawing No: TP03.02 B

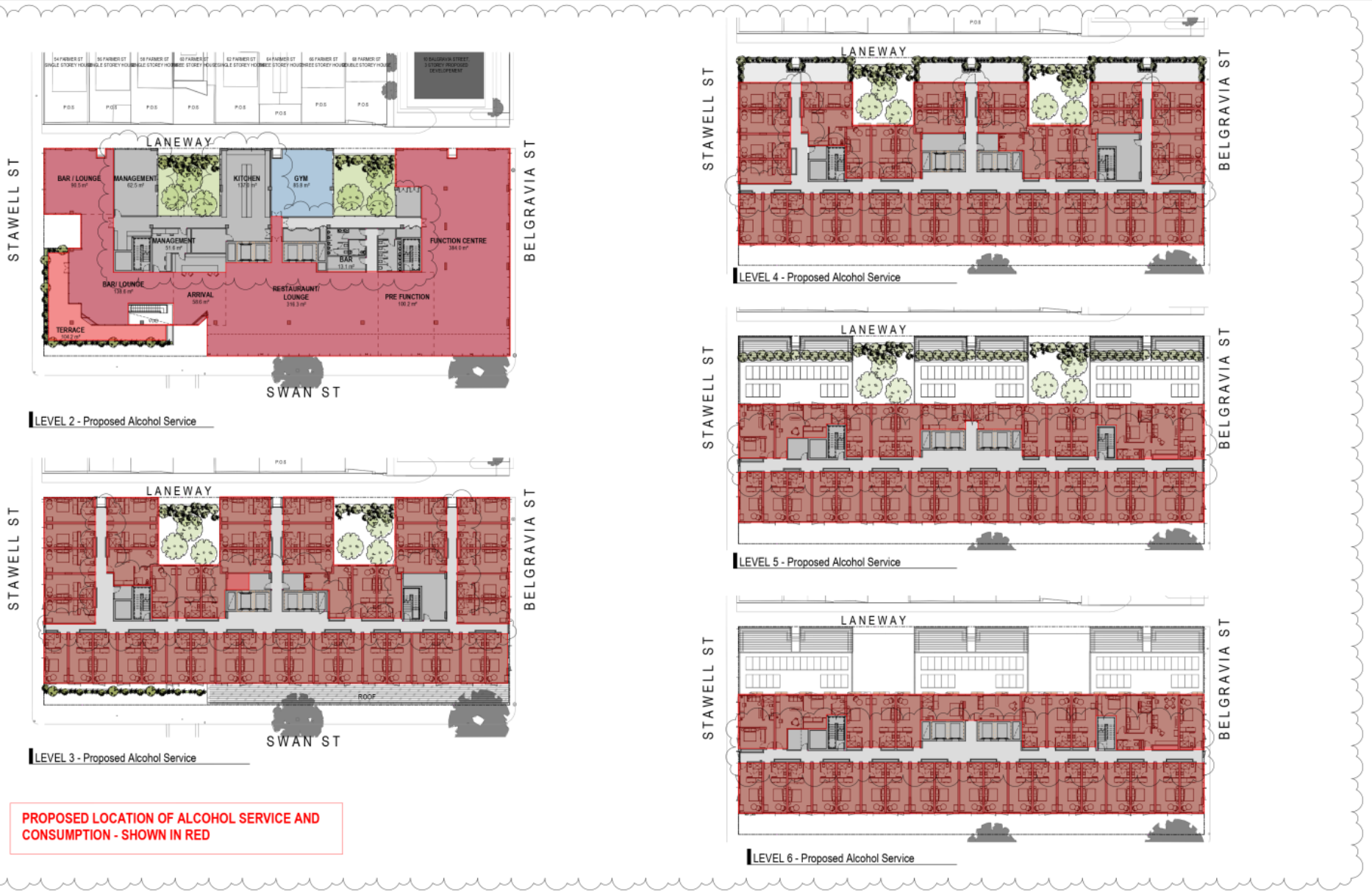
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LEVEL	GFA (Excluding Terrace)	GFA Parking	NSA Hotel	NLA Retail	NLA Office	NLA Showroom	NSA/NLA Total	Hotel Amenity	Circulation & Services	Terrace POS	Hotel Rooms	Totals
BASEMENT 2	2015.0 m²	1699.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	316.0 m²	0.0 m²	0	0
BASEMENT 1	2012.9 m²	1638.8 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	374.1 m²	0.0 m²	0	0
GROUND	1743.7 m²	96.1 m²	0.0 m²	0.0 m²	51.9 m²	951.2 m²	1003.1 m²	0.0 m²	644.5 m²	0.0 m²	0	0
LEVEL 1	1579.2 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	1391.7 m²	1391.7 m²	0.0 m²	187.4 m²	0.0 m²	0	0
LEVEL 2	1693.7 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	1174.0 m²	519.6 m²	104.2 m²	0	0
LEVEL 3	1683.0 m²	0.0 m²	1156.5 m²	0.0 m²	0.0 m²	0.0 m²	1156.5 m²	0.0 m²	526.5 m²	0.0 m²	47	47
LEVEL 4	1556.5 m²	0.0 m²	1024.4 m²	0.0 m²	0.0 m²	0.0 m²	1024.4 m²	0.0 m²	532.1 m²	124.1 m²	41	41
LEVEL 5	1196.8 m²	0.0 m²	841.1 m²	0.0 m²	0.0 m²	0.0 m²	841.1 m²	0.0 m²	355.7 m²	0.0 m²	31	31
LEVEL 6	1198.2 m²	0.0 m²	844.9 m²	0.0 m²	0.0 m²	0.0 m²	844.9 m²	0.0 m²	353.3 m²	0.0 m²	30	30
LEVEL 7	1001.9 m²	0.0 m²	0.0 m²	0.0 m²	833.2 m²	0.0 m²	833.2 m²	0.0 m²	168.7 m²	148.0 m²	0	0
ROOF	487.9 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	0.0 m²	487.9 m²	0.0 m²	0	0
	16168.6 m²	3433.9 m²	3866.9 m²	0.0 m²	885.1 m²	2342.9 m²	7094.9 m²	1174.0 m²	4465.8 m²	376.3 m²	149	149

	CARPARKS				
Level	Office	Showroom	Private	Hotel	Total
BASEMENT 2	13	0	6	26	45
BASEMENT 1	0	36	0	0	36
	13	36	6	26	81

BIKES:

62 TOTAL

16 X VISITOR
10 X SHOWROOM
36 X OFFICE/HOTEL STAFF

Hotel Rooms	Room Type
2	2 BED SUITE
4	DDA KING
138	KING
5	SUITE
149	

*For preliminary feasibility purposes. Areas are not to be used for purpose of lease or sale agreements. Layouts may not comply with building regulations or other regulatory requirements. The information contained in this schedule is believed to be correct at the time of printing. Areas are generally measured in accordance with the Property Council of Australia Method of Measurement.

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Revisions		
-	22.10.2020 TP Issue	HB
A	21.01.2021 RFI	HB
B	31.08.2021 Town Planning Amendment	HB

Project: **471 Swan St, Richmond** Drawing: **Development Summary** Project No: **219007** Date: **02/18/19** Author: **YW** Scale: @ A1 Drawing No: **TP07.01 B**

471 Swan St, Richmond

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Attachment 5 - Sketch plans and renders



Attachment 5 - Sketch plans and renders



6.3 PLN13/0483.05 - 16-18 River Street Richmond

Executive Summary

Purpose

1. This report provides Council with an assessment of an application at No. 16-18 River Street, Richmond to amend the permit to allow for an extension to the hours of operation and associated sale and consumption of liquor of the existing café.

Key Planning Considerations

2. Key planning considerations include:
   (a) Land Use (Clauses 33.01 & 22.05);
   (b) Liquor Service and Off-site amenity impacts (Clauses 22.09 & 52.27);

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Policy and strategic support;
   (b) Extended hours for café use;
   (c) Extended hours for associated sale and consumption of liquor; and
   (d) Objector Concerns.

Submissions Received

4. Seventeen (17) objections were received to the application, these can be summarised as:
   (a) Noise associated with extended operation of the venue (including outdoor area on River Street), patrons leaving the venue or congregating in the street, and taxi/rideshare vehicles picking up and dropping off patrons.
   (b) Disturbance from intoxicated patrons;
   (c) Lightspill;
   (d) Adverse impacts on traffic (including associated with loading and vehicle turning);
   (e) Reduced availability of car parking;
   (f) Waste (specifically, littering of empty/smashed bottles outside the venue); and
   (g) Property devaluation associated with diminished amenity.

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) That the extended hours of operation and sale/consumption of liquor associated with the food and drink premises (café) be limited to 10pm (rather than 11pm as proposed) on all days.
   (b) That an amended acoustic report be submitted to provide additional details of the speaker system to ensure music is limited to “background level”;
   (c) That a new condition requiring that all windows and doors associated with the food and drink premises (café) use be kept shut (other than for ingress/egress of patrons and staff) after 4pm.

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6.3 PLN13/0483.05 - 16-18 River Street Richmond

Reference	D21/160139
Author	Madeleine Moloney - Statutory Planner
Authoriser	Senior Coordinator Statutory Planning

Ward:	Melba
Proposal:	Section 72 amendment for an extension to the hours of operation and associated sale and consumption of liquor of the existing food and drink premises (café).
Existing use:	Coffee roasting industry and food and drinks premises (café)
Applicant:	Veneziano Coffee Roasters Pty Ltd C/- Clarke Planning Pty Ltd
Zoning / Overlays:	Industrial 1 Zone
Date of Application:	Development Contributions Plan Overlay (Schedule 1)
Application Number:	PLN13/0483.05

Planning History

1. Planning Permit No. 4148 was issued by Council on 4 January 1988 to undertake repairs to the south wall of the existing premises.

2. Planning Permit No. 7104 was issued by Council on 1 September 1993 for the purpose of constructing buildings and works to the existing factory. On 7 December 1993, the endorsed plans were amended to decrease the distance from the kerb to the canopy from 1500mm to 750mm.

3. Planning Permit PL04/0232 was issued by Council on 13 May 2004 to use part of the land at Nos. 16-18 River Street, Richmond (being more specifically approximately 1000m2 of land described as "warehouse one" on the north-western corner of 16-18 River Street, Richmond) for the purpose of a food and beverage industry- microbrewery (industrial manufacture, warehouse, associated office, wholesale) plus a partial waiver of car parking. A Section 72 amendment to the permit was approved on 11 December 2015 to allow for an amendment to Condition 5 (to increase staff numbers from 6 to 16) and delete condition 8 (to allow off-site loading). The microbrewery still operates on the subject site.

4. Planning Permit PL04/0506 was issued by Council on 13 December 2004 to use part of the land at Nos. 16-18 River Street, Richmond (being more specifically approximately 1000sqm of land described as “warehouse one” on the north-western corner of 16-18 River Street, Richmond) for the purpose of a function centre / bar in association with the approved micro-brewery (Mountain Goat Brewery) including the sale and consumption of alcohol (on-premises license) and waiver of car parking. A section 72 amendment was approved on 11 August 2008 to increase hours of operation, increase patron numbers and to amend condition 13 stipulating that after 8pm all external doors must be closed. A second Section 72 amendment was approved on 10 November 2015 to delete Condition 22 of the permit (thereby allowing external caterers onsite) and to increase the number of employees (during functions only) to 16.

   A third Section 72 amendment to the permit was approved on 13 January 2017 to increase operating hours and patron numbers associated with the function centre and remove the requirement to extend the permit every year. The function centre / bar still operates on the subject site.

5. Planning Permit PL05/1221 was issued by Council on 7 August 2006 for the use and development for a timber yard / trade supply and associated buildings and works and waiver of the bicycle parking requirements. A Section 72 amendment to the permit (endorsed plans) was approved on 14 May 2007 for minor changes to built form associated with the car parking area. The timber yard is no longer present on-site.

6. Planning Permit PL06/0939 was issued by Council on 26 February 2007 for the installation of business identification signs and directional signs.

7. Planning Permit PLN13/0483 (subject permit) was issued by Council on 29 November 2013 for use of the land as industry (coffee roasting), with an associated reduction in the car parking requirements.

8. A Section 72 amendment to Planning Permit PLN13/0483 was issued on 7 December 2015 to allow a partial change of use of the land to a food and drink premises (cafe), amendment to Condition 7 of the permit to increase the hours of coffee roasting, buildings and works and a reduction in the car parking requirement. The ground floor plan and roof plan were endorsed on 25 February 2016.

9. A second Section 72 amendment to the permit was lodged on 30 January 2017 for internal changes to the café layout, change to the location of the kitchen exhausts, installation of a security grille on the river street entrance, addition of several operable and non-operable windows on the north and east facades and modification to Conditions 2 and 12 of the permit to allow for the design changes. This amendment was later withdrawn.

10. A Section 71 Permit Correction was issued on 5 September 2017 to endorse the mezzanine plan and elevation in accordance with the first Section 72 amendment dated 7 December 2015.

11. A secondary consent application making changes to the number of endorsed plans, labelling, detailing, modification to the window sizes, addition of a security trellis and removal of on street bicycle parking was approved on 27 October 2017.

12. A further secondary consent application making changes to the internal layout of the kitchen and servery and installation of air conditioning units within the warehouse, air supply, exhaust fans and service access on the roof above the kitchen was lodged on 1 December 2017. This application was later withdrawn on 5 April 2018.

13. A third Section 72 amendment to the permit to allow the sale and consumption of liquor on the premises in association with the approved food and drink premises (cafe) and for changes to the plans including modification and increase to the associated floor areas (retrospective) and car parking allocation and buildings and works to construct a roof access catwalk was approved on 6 December 2019. The works have been completed and the premises has commenced the service of liquor in association with the café.

14. A fourth Section 72 amendment to the permit was approved on 29 October 2020 for an expansion of the use of industry (coffee roasting) to the ground floor of tenancy 2 (for ancillary storage) and a further reduction in the car parking requirements. This application was lodged retrospectively and thus represents existing conditions.

15. Planning permit PLN14/1212 was issued by Council on 24 February 2015 for development of the land for buildings and works (door).

Planning Scheme Amendments

Amendment C238

16. Amendment C238 was introduced into the Yarra Planning Scheme on 01 February 2021 and inserts Clause 45.06 (Development Contributions Plan Overlay) with Schedule 1 into the Scheme. This overlay applies to all land in the City of Yarra (with the exception of specific sites including schools, DHHS properties and public hospitals) and it applies to all new development where there is an increase in the number of dwellings and/or an increase in retail, commercial and industrial floor space. Where applicable, it requires a monetary contribution from the developer.

Amendment C269

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

18. Amendment C269 was adopted by Council on 3 August 2021 and has proceeded to a panel hearing (October 2021). In relation to this current planning application, the following clauses are of most relevance:

    - 13.07-1L – Interfaces and Amenity
    - 13.07 – 1L – Licenced premises
    - 17.01-1L – Employment

19. The above clauses are largely reflected in current planning policy and will not be contradictory to the proposed re-write of Clauses 21 and 22.

Aboriginal Cultural Heritage Significance

20. The subject site is within an Area of Aboriginal Cultural Heritage Sensitivity. However, the proposal is exempt from requiring a Cultural Heritage Management Plan (CHMP) as it does not propose any development or new land use.

The Proposal

21. The application seeks to amend planning permit PLN13/0483 to allow for an extension to the hours of operation and associated sale and consumption of liquor of the existing café, more specifically:

    (a) The hours of operation of the café (as set out under condition 8 of the permit) are proposed to be amended from (change in bold and underlined):

    Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
    Coffee roasting (all components)
    (a) 7.00am to 9.00pm, Monday to Friday
    (b) 9.00am to 7.00pm Saturday
    (c) 10.00am to 5.00pm Sunday

    Food and drinks premises (café)

    (a) 7.00am to 4.00pm

    To:

    Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
    Coffee roasting (all components)
    (a) 7.00am to 9.00pm, Monday to Friday
    (b) 9.00am to 7.00pm Saturday
    (c) 10.00am to 5.00pm Sunday

    Food and drinks premises (café)

    (a) 7.00am to **11.00pm**

    (b) The sale and consumption of liquor associated with the café (as set out under condition 10 of the permit) is proposed to be modified from (change in bold and underlined):

Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor from the food and drinks premises (café) may only occur between 9am and 4pm, seven days per week.

To:

Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor from the food and drinks premises (café) may only occur between 9am and **11pm,** seven days per week.

(c) An amended Operational Management Plan (submitted on 26 April 2021), an amended Waste Management Plan (prepared by OneMileGrid and dated 6 April 2021) and an amended Acoustic Report (prepared by Renzo Tonin & Associate and dated 18 March 2021) have been submitted to accompany the application. These are updated versions of existing endorsed documents to reflect the amended proposal.

(d) The acoustic report confirms that during the proposed extended hours of operation and associated sale/consumption of liquor, music will be limited to background level only and only played inside the building (consistent with existing permit conditions 17 and 18). No live music or DJs are proposed.

(e) No changes are proposed to the endorsed plans (including the extent and layout of the café and the licensed area); the type of liquor licence (restaurant and café licence); the maximum number of patrons (80) or staff (20) – as set out at conditions 11 and 12 of the permit.

Existing Conditions

Subject Site

22. The subject site comprises one of three tenancies within the larger (overall) site of No. 16-18 River Street, Richmond which is an irregular shaped parcel of land located at the corner of North, River and Crown Streets in Richmond.

23. The overall site has a frontage of 78.6m to North Street, 61.1m to River Street and 74m to Crown Street, yielding an area of approximately 4,646sqm. The building is occupied by a double-storey industrial style building, built to the north and east boundaries, and partly to the west and south boundaries.

24. The larger site contains three tenancies:

(a) Tenancy 1 - the subject tenancy (Veneziano Coffee Roasters) is located at the north-eastern portion of the site, and includes coffee roasting (industry) and a licensed food and drink premises (café, with café and restaurant liquor licence) as approved under planning permit PLN13/0383. The subject tenancy occupies the majority of the building including parts of the building at both ground and first floor.

(b) Tenancy 2 – previous officer reports indicate this was an animation studio ("Viskatoons") which occupies the south-east corner of the building. Veneziano Coffee Roasters has now expanded to use the ground floor of this part of the building for dry storage (as approved under the most recent amendment to planning permit PLN13/0483 and shown on the endorsed plans). The first floor above is a separate tenancy and still appears to be occupied by the animation studio (not part of planning permit PLN13/0483).

(c) Tenancy 3 - a micro-brewery (Mountain Goat) fronting North Street (at the western end) operates under planning permit PL04/0232 and has an associated bar/function centre with an on-premises liquor licence which operates under planning permit PL04/0506. The bar/function centre operates from Wednesday to Sunday, with maximum patron numbers (150) and latest trading hours (12 midnight) on Friday to Saturday (with reduced patron numbers (120) and/or earlier finishing times for other days of the week). The bar/function centre component is located along the North Street frontage.

25. The main pedestrian entry to the subject tenancy (including to the café) is from River Street, along the eastern boundary, with a secondary entrance from North Street (northern boundary).

26. Internally, the industrial (coffee roasting) use occupies the majority of the subject tenancy. Coffee roasting machines and associated storage areas, warehouse and loading bay occupy the majority of the tenancy at ground floor (central and southern portions) with ancillary office and training areas located at first floor/mezzanine levels. The food and drink premises (café) component of the subject tenancy is located at ground floor, with frontage to both North Street and River Street.

27. A waste storage area is located at the western side of the building near the Crown Street (southern) frontage.

28. An open concrete car parking area is located adjacent to Crown Street. This area contains a total of 23 car parking spaces of which 17 are provided for the subject tenancy (including 4 of these are specifically for the landlord). An internal loading bay is provided, with entry from Crown Street (south) and exit to North Street (north).

Surrounding Land

29. The subject site is located at the eastern end of an industrial zoned pocket of land, which continues to the north, south and west. To the east, on the opposite side of River Street, is land within the Commercial 1 Zone, with residentially zoned land (General Residential) to the north-east, as demonstrated in Figure 1 below.

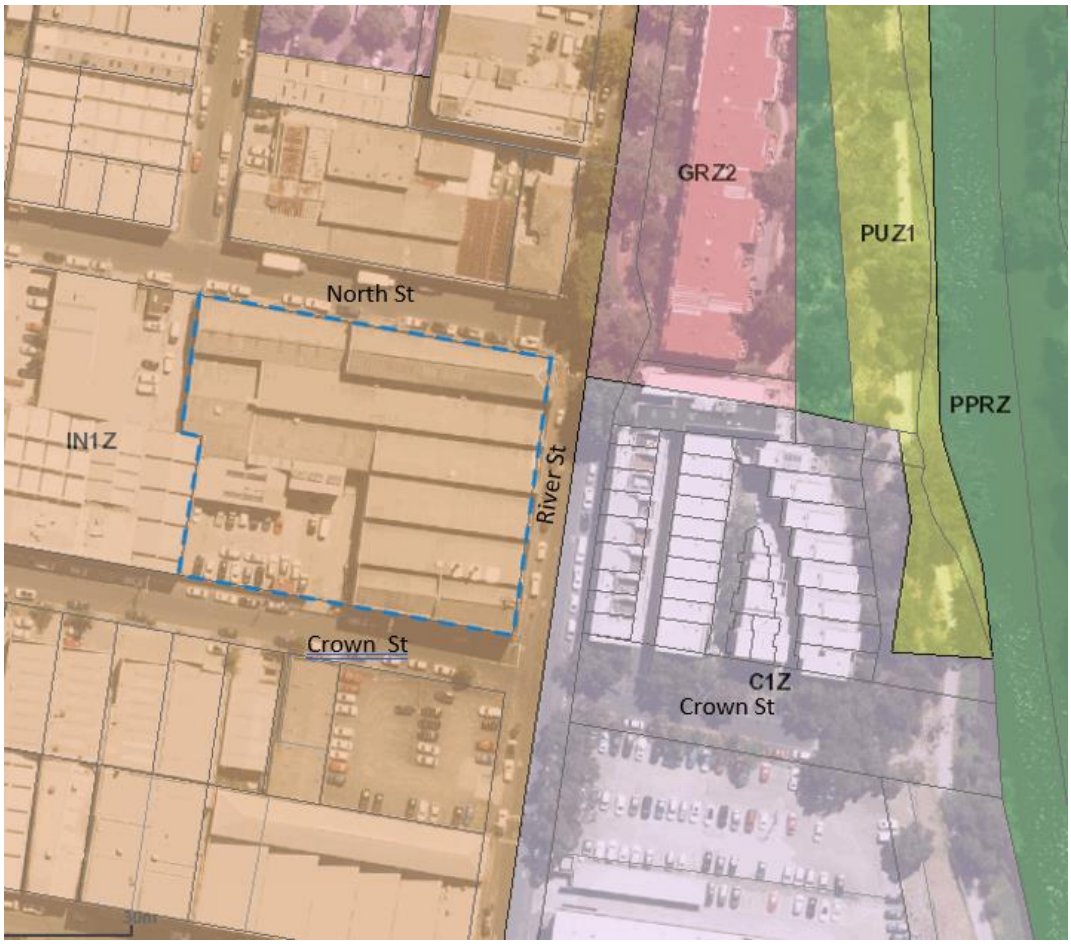


Figure 1 – Zoning/Aerial map

30. Built form and land uses in the area are diverse, and include residential, commercial and light industrial uses.

31. To the immediate west of the overall subject site, fronting North Street, is a car park associated with a single-storey commercial building. To the immediate west of the overall subject site, fronting Crown Street, is a row of showroom/office/warehouse tenancies.

32. Opposite the subject site on the north-west corner of River and North Streets, is the Royston Hotel. This hotel has a General Liquor Licence which allows for a maximum of 200 patrons and trading until 1am (the hotel appears to be operating under existing use rights). The hotel also contains accommodation at the first floor. The main pedestrian entry to the hotel is located approximately centrally along the River Street frontage. To the west of the hotel is a single storey industrial (factory/warehouse) building.

33. To the east of the subject site, on the opposite side of River Street from north to south is:

    (a) A four-storey residential (apartment) building (No. 29 River Street). The southern wing of the building is located in the Commercial 1 Zone and the northern wing is located in the General Residential Zone.

    (b) A residential development consisting of triple-storey, townhouse-style dwellings (some with roof terraces above), located within the Commercial 1 Zone. The development extends through to land abutting the Yarra River, with access from the eastern portion of Crown Street. The nine dwellings fronting River Street have their main pedestrian entry to River Street and car parking access from the rear. Each dwelling is constructed to the River Street frontage at ground and first floor, with an inset balcony at the second floor and most have roof terraces above.

34. To the south-east of the subject site (also on the eastern side of River Street) is a large, open car parking area associated with an office building at No. 43-67 River Street (located in the Commercial 1 Zone).

35. To the north-east of the subject site is a three-storey residential (apartment) building which extends from Nos. 17 – 25 River Street and is located in the General Residential Zone.

36. Directly to the south of the subject site, on the south-west corner of Crown Street and River Street is an open car park, surrounded by high wire fencing. To the south-west, further along Crown Street, are a row of single-storey industrial properties and two single-storey dwellings (all located within the Industrial 1 Zone).

37. Other than the licensed premises described above, the only other licensed premises within 100m of the subject site is Brogan's Way Distillery, located at No. 61 North Street, Richmond (approximately 36m north-west of the subject site). This premises operates under planning permit PLN17/0083 which, in addition to the distillery use allows for a food and drink premises (cellar door) and associated general liquor licence. The permit allows up to 121 patrons and the food and drink premises (including associated sale of liquor for consumption on and off the premises) is permitted until 10pm, Monday to Thursdays and 11pm all other days.

Legislation Provision

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

39. 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.*

40. Planning permit PLN13/0483 was issued by Council on 29 November 2013 and subsequently amended by Council on three occasions since this time. 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.

41. 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.

42. Accordingly, the relevant sections will be addressed in this report.

Planning Scheme Provisions

Zoning

Clause 33.01 - Industrial 1 Zone

43. The purpose of the Industrial 1 Zone is:

    (a) *To implement the Municipal Planning Strategy and the Planning Policy Framework.*

    (b) *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

44. Pursuant to the table of uses at clause 33.01-1 of the Scheme, a planning permit is required for a retail premises (other than shop and take-away food premises). A food and drink premises (café) is included under retail premises in the nesting diagram at clause 75.11 of the Scheme and therefore a permit is required for the use.

Overlays

Clause 45.06 - Development Contributions Plan Overlay (Schedule 1)

45. Pursuant to the schedule to the Development Contributions Plan Overlay, a development infrastructure levy and community infrastructure levy applies to an application that generates an increase in gross floor area. Given that the gross floor area is not proposed to increase, no payment is required under the overlay.

Particular Provisions

46. Pursuant to Clause 52.27 of the Scheme, a planning permit is required to use the land to sell or consume liquor if a premises is licenced under the *Liquor Control Reform Act* 1998 and the hours of trading allowed under a licence are to be extended. A planning permit is therefore required under Clause 52.27 of the Scheme for the extension of hours for sale and consumption of liquor.

47. Before deciding on an application, the Responsible Authority must consider as appropriate:

    (a) *The Municipal Planning Strategy of the Planning Policy Framework;*

    (b) *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area;*

    (c) *The impact of the hours of operation on the amenity of the surrounding area;*

    (d) *The impact of the number of patrons on the amenity of the surrounding area; and*

    (e) *The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.*

General Provisions

48. The decision guidelines outlined at Clause 65.01 of the Scheme are relevant to this application. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provision.

Planning Policy Framework (PPF)

Clause 13.05-1S – Noise Abatement

49. The objective of this clause is:

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

Clause 13.07-1S Land Use Compatibility

50. The relevant objective of this clause is:

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

Clause 17.01-1S – Diversified economy

51. The objective of this clause is:

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

52. The relevant strategies set out to achieve this objective include:

    (a) *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.*

    (b) *Improve access to jobs close to where people live.*

Clause 17.02-1S – Business

53. The objective of this clause is:

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

54. The relevant strategies set out to achieve this objective includes:

    (a) *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*

    (b) *Locate commercial facilities in existing or planned activity centres.*

55. Clause 17.03-1S Industrial Land Supply

56. The objective of this clause is:

    (a) *To ensure availability of land for industry*

57. The relevant strategies set out to achieve this objective includes:

    (a) *Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.*

Local Planning Policy Framework (LPPF)

Clause 21.04-1 Accommodation and housing

58. The relevant objective of this clause is:

    (a) *To reduce potential amenity conflicts between residential and other uses.*

59. The relevant strategies are:

(a) *Discourage late night and 24 hour trading activities located near residential zones to minimize impacts on residential amenity.*

(b) *Apply the Licensed Premises policy at clause 22.09.*

(c) *Apply the Discretionary Uses in the Residential 1 Zone policy at clause 22.01.*

Clause 21.04-3 Industry, office and commercial

60. The objective of the clause is:

(a) *To increase the number and diversity of local employment opportunities.*

Clause 21.08-9 North Richmond (area north of Bridge Road)

61. Figure 21 at Clause 21.08-9 of the Scheme seeks to support office and industrial uses within this section of the neighbourhood.

Relevant Local Policies

Clause 22.05 – Interface uses policy

62. This policy applies to applications for use or development within Industrial Zones (amongst others).

63. The relevant objective of this clause is:

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

Clause 22.09 – Licensed Premises

64. This policy applies to an application under Clause 52.27 (Licensed Premises). The objectives of this clause are:

(a) *To protect the amenity of nearby properties and areas by effectively managing the location, size, operation and hours of licensed premises.*

(b) *To encourage best practice venue design and venue operation for licensed premises.*

(c) *To protect residential and other commercial uses from excess noise, traffic and car parking issues.*

(d) *To provide for daytime trade and active street frontages in retail strips, while providing the reasonable commercial opportunities for the trading of licensed premises.*

Advertising

65. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 170 letters sent to surrounding owners and occupiers and by three signs displayed on site. Council received 17 objections, the grounds of which are summarised as follows:

(a) Noise associated with extended operation of the venue (including outdoor area on River Street), patrons leaving the venue or congregating in the street, and taxi/rideshare vehicles picking up and dropping off patrons.
(b) Disturbance from intoxicated patrons;
(c) Lightspill;
(d) Adverse impacts on traffic (including associated with loading and vehicle turning);
(e) Reduced availability of car parking;
(f) Waste (specifically, littering of empty/smashed bottles outside the venue); and
(g) Property devaluation associated with diminished amenity.

Referrals

External Referrals

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

Internal Referrals

67. The application was referred to the following internal departments and external consultants:
    (a) Internal Departments:
    (b) City Works (waste)
    (c) Civic Compliance (amenity)
    (d) External Consultants:
        (i) SLR Consulting (Acoustic Consultants) – referral of the amended Acoustic Report

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

OFFICER ASSESSMENT

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

    (a) Policy and strategic support;
    (b) Extended hours for café use;
    (c) Extended hours for sale and consumption of liquor; and
    (d) Objector Concerns.

Policy and Strategic Support

70. The current proposal does not seek to modify the land uses which have already been approved, but rather to intensify the existing licensed food and drink premises (café) component. Both the café and the associated sale/consumption of liquor is seeking to trade until 11pm on any day (currently ceases trading, including the sale/consumption of liquor, at 4pm).

71. Consistent with the policy at Clause 17.03-1S, which seeks to ensure that identified industrial areas are protected from the encroachment of non-industrial land uses, the café is still integrated with the industrial (coffee roasting) use and is only to be extended in the hours of operation (not the extent of the use). It is considered that the extended hours of the café use would continue to support the existing industrial operations on site, in particular, by using and serving the coffee product to customers.

72. The proposal has a number of further positive features which are consistent with broader objectives of the Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) such as:

    (a) Provision of a conveniently accessible service to the local area, now enhanced by the offering of a dinner service (with associated alcoholic beverages), consistent with policy at Clause 17.02-1S; and

    (b) Enhancing economic activity and improving employment opportunities by way of extended hours of trading (and associated service of liquor) - consistent with Clause 17.01-1S and Clause 21.04-3.

73. Various objectives and strategies within the PPF and LPPF (e.g. Clause 13.05-1S; Clause 13.07-1S and 21.04-1 of the Scheme) underline the importance of protecting amenity (in particular, sensitive uses such as residences) and minimising land use conflicts.

74. The following detailed analysis of the proposal against the relevant zone objectives, local policies and particular provisions is therefore necessary to determine if the intensification of the existing use, and associated liquor sale/consumption, strikes an appropriate balance between the objectives pertaining to facilitating a commercial activity that provides an economic benefit and local service, and preserving amenity of the rear.

Extended hours for café use

75. The café hours of operation – currently permitted to operate 7am to 4pm, seven days a week – are proposed to be extended to 11pm on all days.

76. The decision guidelines for a land use application within the Industrial 1 Zone at Clause 33.01-2 include the following, of relevance:

    (a) *The Municipal Planning Strategy and the Planning Policy Framework.*

(b) *The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.*

(c) *The effect that nearby industries may have on the proposed use.*

(d) *The effect of traffic to be generated on roads.*

77. The proposed extension of operating hours of the café is considered to be compatible with surrounding industrial uses, many of which would operate during daytime or typical business hours only. For industries which open later (including the coffee roasting industry on the subject site which is also authorised by the same permit and operates to 9pm) the café would be able to provide a service to workers in the surrounding area.

78. The effect of traffic associated with the extended operational hours is expected to be minimal given the modest capacity of the café (80 patrons maximum which is not proposed to change). The extended hours of the café would also be largely outside typical business hours when there would be less traffic than under existing conditions. Furthermore, the site is located in close proximity to (and adjacent) residential areas which would provide a proportion of its patronage. The site is also located within 400m of the Principal Public Transport Network (PPTN) Area of Melbourne with the nearest public transport being tram services along Bridge Road (approximately 300m to the south of the site).

79. In terms of the impact on more sensitive uses, specifically nearby residences (located within both residential and commercial zoned land), policy at Clause 22.05 (Interfaces Uses Policy) of the Scheme provides more detailed guidance.

80. Clause 22.05 of the Scheme includes the following decision guidelines that are relevant to the proposal:

(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.*

(b) *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.*

81. Given there will be no change to the building itself, or to the layout of uses within the building, issues of relevance to the proposal are: lightspill, fumes and air emissions, loading and unloading, waste management and noise. These will be considered below.

Lightspill

82. There is no new external lighting proposed in association with the operation of the premises in the evening. In terms of lightspill from within the building itself, the existing industrial component already has permission to operate until 7pm (Saturday) or 9pm (weekdays) and thus some parts of the building are already regularly illuminated after dark. Lightspill from the double-height windows to River Street would only emit diffuse rather than directional light and would be adjusted to ensure patron comfort internally. Thus the 15m separation to the closest residences fronting River Street would further reduce any impact of lightspill. In addition, there are existing street lights along the western side of River Street hence lighting from within the building would not be the only source of light within the street.

Fumes and Air emissions

83. The café would not be expected to generate offensive odours during the extended hours of operation. The main odours associated with the café would be cooking smells associated with the kitchen. Given the industrial zoning of the site and in the context of the range of potential odours associated with industrial land uses (including coffee roasting and breweries), this is considered to be reasonable.

The existing waste storage arrangements (located on the western side of the building away from the nearest residences to the east) would continue to provide an appropriate buffer from any associated odours.

Loading and unloading

84. The extended operating hours of the café would not adversely impact the amenity of the area as a result of loading and unloading as per existing permit conditions 20 - 22 (not sought to be altered). The conditions are as follows:

85. Condition 20:

All delivery and collection of goods (other than waste) associated with the business must be conducted between 7.30am and 5pm Monday to Friday.

86. Condition 21:

Parking and loading areas and access lanes must be kept available for those purposes at all times and must not be used for any other purpose (such as storage).

87. Condition 22:

The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and in a manner that limits interference with other vehicular traffic to the satisfaction of the Responsible Authority. The loading bay must be kept clear at all times for reception of goods.

Waste Management

88. The amended Waste Management Plan ("WMP") details that the additional waste associated with the extended operating hours of the café can be accommodated within the existing number of bins (and existing bin storage area). However, an additional waste collection service would be required each week (4 instead of 3 collections) which would continue to be undertaken by a private contractor.

89. Council's City Works Unit has reviewed the amended WMP and found it to be satisfactory.

90. In addition to the Waste Management Plan, conditions 23-25 of the permit are not being altered under this amendment, and would ensure amenity impacts associated with waste continue to be limited as follows:

91. Condition 23:

Waste (rubbish and recycling) may only be collected between

(a) *7.00 am – 8.00 pm Monday to Saturday;*

(b) *9.00 am – 8.00 pm Sunday and public holidays.*

92. Condition 24:

Bottles must not be broken up on the site and compaction must be carried out while the waste collection vehicle is moving, to the satisfaction of the Responsible Authority.

93. Condition 25:

Emptying of bottles and cans into bins may only occur between 7am and 10pm on Monday to Saturday or after 9am on a Sunday or public holiday.

94. Based on the above, it is considered that subject to the endorsement of the amended WMP, the emptying, storage and collection of waste would not adversely impact the amenity of the surrounding area, in particular nearby residences.

95. However, the amended WMP incorrectly refers to the existing and proposed opening hours of the café as being from 8am (instead of 7am) on Saturday to Sunday. Therefore a condition will require the amended WMP to be further updated to accurately reflect the correct commencement time of 7am, as per the existing permit conditions. In addition, the word "Draft" will be required to be removed from the document prior to endorsement.

To reflect these conditions (and reference the amended document), Condition 5 of the permit will therefore be amended from:

Before the sale and consumption of liquor 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 onemilegrid and dated 18 January 2016, but modified to include:
(a) All floor area and functions of the operation.

(b) Waste generation, procedures and practices as a result of the service of liquor from the site.

To:

Before the café use or sale and consumption of liquor for the extended hours 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 onemilegrid and dated **6 April 2021**, but modified to include:

(a) The existing and proposed hours of operation of the café to commence from 7am on all days.

(b) Removal of "Draft" from the report.

Noise

96. As detailed earlier, the applicant has submitted an amended Acoustic Report, prepared by Renzo Tonin & Associates, dated 18 March 2021. This has been peer reviewed by Council's Acoustic Consultant, SLR Consulting.

97. Key noise sources associated with the café that are identified and assessed in the acoustic report are:

    (a) Mechanical equipment noise;

    (b) Patron Noise; and

    (c) Music noise

98. The assessment measures impacts to the closest identified noise sensitive receivers – dwellings at Nos. 29-41 River Street and the Royston Hotel at No. 12 River Street (which has accommodation at first floor).

99. Since the time the acoustic report was prepared (April 2021), EPA regulations (SEPP N-1 and SEPP-N2) have been superseded (on 1 July 2021) by updated regulations as set out in *EPA Publication 1826.2 'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues'.* The acoustic report acknowledges this pending change and notes that the same methods to calculate noise limits and assess noise impacts for both SEPP N-1 and SEPP N-2 are applicable and thus this change does not alter the assessment.

Mechanical noise

100. The acoustic report finds that mechanical equipment associated with the café (roof mounted equipment comprising a kitchen exhaust fan; three airconditioning units; and two small scale exhaust flues) will not exceed the relevant limits under the EPA regulation for mechanical noise from commercial premises (SEPP N-1) at all times of trading.

101. The peer review by SLR Consulting found that subject to confirmation by the acoustic consultant that the three airconditioning units and 2 small scale flues are located close together (given the noise testing of this equipment was measured as one) the analysis and conclusions of the report regarding compliance are supported. The applicant's acoustic consultant confirmed in writing that this is the case.

102. SEPP N-1 (or the equivalent superseding EPA regulation as of 1 July 20201) is a mandatory requirement and Condition 15 of the permit already requires that: *The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).* The retention of this condition on any amended planning permit ensures Council's ability to enforce any non-compliance with the requirement in addition to the EPA.

Patron Noise

103. The assessment of patron noise from the café finds that the patron noise levels from within the café at the nearest noise sensitive receiver locations would be below the SEPPN-1 limits for day, evening and night time period (most restrictive) and would also be below sleep disturbance criteria (based on 1 patron located outside the door of the café, i.e. to account for patrons entering or leaving the site).

    The assessment assumes windows are closed and doors are opened only for ingress/egress and uses background noise data from the original acoustic report (from 2013) and measurements of recent noise taken from internal to the café during the busiest trading time.

104. The patron noise assessment does not include the external (footpath) seating area to River Street. This is acceptable as this area is excluded from requiring planning permission and instead is controlled by Council's local law permit process which is separate to the planning process.

105. Council's acoustic consultant peer review raised some concerns in relation to:

    (a) Relying on the background noise data from 2013 and applying an adjustment to obtain a spectrum for the night period that may overestimate background noise level to the most affected rooms at the quietest (night time) period (it was recommended that a an updated measurement be taken between the hours of 10pm and 11pm on a quiet night of the week at the ground level, rather than rooftop as the basis for the assessment);

    (b) The lack of detail regarding assumptions in materials of the façade (n particular windows); whether the café is open to first floor (and hence upper level windows) and numbers of patrons in the café at the time of noise data collection.

106. Nonetheless, Council's acoustic consultant found that *The predicted patron noise levels at sensitive receiver locations are, however, at least 18 dB below the identified limits. This suggests that the application is low risk and our indicative calculations (using the worst case assumptions re building construction) also suggest comfortable compliance.*

107. The applicant's acoustic consultant has been unable (until very recently) to undertake any additional on-site testing due to the Victorian State Government's restrictions on movement and activities associated with the Covid-19 pandemic. Council must therefore proceed with assessment in the absence of this additional (updated) noise data. The applicant has acknowledged their preference to proceed with the application without undertaking additional testing on the understanding that Council may opt to impose further conditions in the absence of this additional information and assessment.

108. While the peer review undertaken by Council's Acoustic Consultant indicates there is a low level of risk of the patron noise from the premises exceeding accepted noise criteria, given the premises is in such close proximity to dwellings directly opposite - in particular dwelling at Nos 31-41 River Street which have habitable rooms directly abutting the street at ground and first floor - in the absence of update noise data for the later evening, it is appropriate to exercise caution.

109. Therefore, in the absence of the updated noise data, as SEPP N-1 (and the relevant superseding EPA regulation) apply the most restrictive noise limits during from 10pm-7am (the "night time" period), which also correspond to typical sleeping period, it is therefore considered appropriate to support an extension to the trading hours of the café only until 10pm.

110. While the nearest dwellings are located in the Commercial 1 Zone, they are not located in a designated Activity Centre and thus are located in an area that would not be exposed to the same level of activity or associated background noise that is typical of Activity Centres (for example, the traditional shopping strips of Bridge Road, Victoria Street or Smith Street), particularly after normal business hours. The impact to accommodation above the Royston Hotel is of lesser concern as these rooms are situated above a licensed premises and thus already subject to a greater degree of noise from the venue within the same building. The apartment dwellings further north along River Street at No. 15 – 19 River Street are also progressively more protected as they are set back further from the street and generally more distant from the premises.

111. In addition, given the acoustic report assumes external windows and doors to the café are closed (other than ingress/egress of patrons), a new condition will be included that during the extended hours of operation (i.e. from 4pm) external doors and windows associated with the café must remain closed, except for the ingress/egress of patrons and staff.

Music Noise

112. The venue proposes to provide music - at background level only - internal to the building with no speakers to be provided externally. This is consistent with existing permit conditions 17 and 18, respectively.

113. The Acoustic Report defines background level music as per the Liquor control Reform Act, i.e. *…background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.*

114. The Acoustic Report finds that music played at background level from the internal speaker will comply with SEPP N-2 limits during all hours of operation, including during the extended hours to 11pm, with the predicted noise levels at sensitive received locations at least 5dB below the octave band limits (assuming external windows and doors are shut apart from ingress/egress). The assessment again uses background noise data from the original acoustic report (from 2013) in combination with music noise level data from inside the café taken in March 2021.

115. Council's Acoustic Consultant 's peer review found some shortcomings in this approach, in particular:

    (a) The reliance on "old" 2013 background noise data (for the same reasons given regarding the use of this data as the basis for the patron noise assessment);

    (b) There is a risk that music noise levels during the evening and night may be higher than those played during the daytime (when music noise was measured);

    (c) Reliance on the subjective definition of background music provided in the Liquor Control Reform Act (rather than more clearly defined levels);

116. On this basis it was recommended that:

    (a) Noise limits should be based on updated measurements of background noise level (e.g. taken between the hours of 10pm and 11pm on a quiet night of the week at the ground level of the nearest noise sensitive receivers (residences on River St opposite).

    (b) *the consultant provide advice for ensuring that compliant music levels are not exceeded, taking into consideration lower noise limits if these are identified. Management of impacts might entail documenting the current sound system (no of speakers, their location and type) and/or specifying that a calibrated music noise limiter / compressor be installed in the audio chain.*

117. As outlined earlier, the applicant has been precluded from undertaking revised background noise measurements due to Government restrictions associated with Covid-19. However, given the nature of the premises (a café where consumption of meals is the primary purpose), the risk of excessive music noise is considered much reduced compared to other uses, such as function centres, bars or pubs, where there is generally more emphasis on drinking and entertainment.

118. It is therefore considered sufficient to address the above concerns by requiring that the Acoustic Report be updated to outline the current sound system on which the acoustic test was based (including the number, location and type of sound speakers). Given that the extension to trading hours is only supported to 10pm rather than 11pm (to address patron noise levels), this would reduce associated risk of non-compliance even further.

119. Furthermore, it should be emphasised that condition 16 of the permit requires that: *The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).* This regulation (or its equivalent introduced in July of this year which superseded SEPP N-2) is a mandatory requirement for all commercial premises.

120. To address the above requirements, including reflecting the amended hours of operation of the café, as well as to reference the amended Acoustic Report, condition 2 of the permit will need to be amended from:

    Prior to the increase in hours of operations of the coffee roaster and before the café use commences, an amended acoustic report prepared by a suitably qualified expert to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the Renzo Tonin & Associates report, dated 28 May 2015, but modified to address the acoustic impacts of the proposal on the accommodation at 12 River Street, Richmond and the impacts of loading and unloading activities, demonstrating compliance with SEPP N-1.

    To:

    Prior to the increase in hours of operations of the café use, an amended acoustic report prepared by a suitably qualified expert to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the Renzo Tonin & Associates report, **dated 18 March 2021,** but modified to:

    (a) Be consistent with the hours of operation of the café permitted under condition 8 of this permit.

    (b) Provide details of the sound system (including number, location and type of sound speakers) upon which the acoustic testing within the report was based.

121. Subject to these conditions, it is considered music noise during will not be excessive.

Other noise sources – waste, deliveries and traffic

122. As there are no changes to the location of waste storage location and general arrangements for deliveries, the acoustic report does not provide any further assessment in this regard. As detailed earlier, existing permit conditions restrict the time of waste collection and the time and location of deliveries. These conditions are to be retained and thus no unreasonable detriment would be expected to arise from noise associated with waste or deliveries as a result of the proposed extended hours of operation of the café.

123. In terms of noise associated with traffic (including patrons being picked up or dropped off), this is not assessed as part of acoustic report, nor is it typically assessed within acoustic reports, and there are no specific policies regarding traffic noise or regulations. However, this has been raised as part of the objections. While there would likely be some additional traffic associated with patrons arriving or leaving by car and/or being picked up by taxi or rideshare vehicles, this is unlikely to result in unreasonable generation of noise given that:

    (a) The maximum number of patrons is 80 which is a modestly sized venue;

    (b) As detailed earlier, alternative forms of transport such as walking and public transport (and also access by cycle) are viable in the inner city location;

    (c) The site has multiple street frontages and thus traffic is not likely to be concentrated in one spot, such as the River Street frontage, particularly given that on-street parking would be likely to be more available in the industrial side streets (after hours when businesses are closed).

124. Having regard to the above assessment it is considered that the proposed use broadly complies with the objectives of the interface uses policy

Extended hours for associated Sale and Consumption of Liquor

125. The application proposes to extend closing hours for sale and consumption of liquor in line with the proposed extended closing hours of the café – i.e. to 11pm on all days of the week (with no change to the existing commencement time of 9am on all days).

126. With the café use being restricted to 10pm as discussed earlier in the report, the sale and consumption of liquor component would also be restricted accordingly via condition; however the assessment will nonetheless consider the full hours proposed.

127. The decision guidelines of Clause 52.27 of the Scheme and Clause 22.09 (Licensed premises policy) of the Scheme are relevant to assessment of the proposed extension of hours for sale and consumption of liquor associated with the café.

128. The below assessment is structured around the relevant sections and policies of Clause 22.09 as it draws from the decision guidelines and objectives of Clause 52.27 and provides more specific guidance to assess the proposal. The six key parts of the policy are location and access; venue design; hours of operation; patron numbers; noise; noise and amenity action plan; and cumulative impact. However, given the type of licensed premises and limited scope of the proposed changes, some of these elements are not applicable or only of limited relevance.

    Location and Access (including cumulative impact)

129. The site has already been found to be an appropriate site for a licensed premises in the granting of the previous amendment in 2019 that allowed the sale/consumption of liquor associated with the café.

130. Given the extended hours of operation being sought, it is relevant to revisit parts of the policy as locational attributes can exacerbate or mitigate off-site amenity impacts of extended trading (for example the premises will now operate after dark and during periods that would be quieter).

131. It is policy at Clause 22.09-3 of the Scheme that: *licensed premises should be located where:*

    (a) *Potential amenity impacts from (but not limited to) patron noise, ingress and egress of patrons, queuing of patrons, smoking areas for patrons, and dispersal of patrons from the site can be appropriately managed or buffered.*
    (b) *There is opportunity for a high level of public safety and surveillance of patrons as they enter and leave the premises.*
    (c) *The premises would not result in an unreasonable cumulative impact on the amenity of the surrounding area.*

132. For the reasons outlined in the noise assessment of the proposed extension to café operating hours, an extension to the café operating hours to 10pm only (rather than 11pm) is supported to ensure there is no unreasonable disturbance to residences from patron noise after 10pm.

133. Otherwise, the extended hours of operation are unlikely to result in adverse impacts from patron movement in terms of ingress or egress, smoking, queueing or the like; particularly given the operation of other licensed premises in the area which will operate later. The type of licence (café and restaurant) where the predominant activity is for serving meals, is not generally associated with queuing or congregating of patrons outside the premises or for the purposes of smoking (compared to, for example, nightclubs, bars or similar).

134. The building has two entries/exits – a main entry from River Street and secondary entry from North Street. In this instance it is considered appropriate that patrons have the option of entering/exiting via either of the two entries as it would reduce the likelihood of larger numbers of patrons congregating in any one location if several parties are departing at a similar time, particularly later in the evening. If on foot, patrons are likely to disperse away from residential areas to the north and back towards Burnley Street (to the west) or Bridge Road (to the south).

135. Such premises are also documented to be less likely associated with anti-social behaviour of patrons and as such it is not considered that the proximity of the premises to residences would otherwise preclude the support of the extended hours of operation.

136. Furthermore, condition 13 of the permit requires the following:

    Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.

137. This condition is not sought to be amended and would continue to ensure patrons are cognisant of their behaviour and the need to respect the residential surroundings as they leave the premises.

138. As the café use will now operate after dark, further consideration of the public safety and surveillance of patrons as they enter and leave the premises is required. In this regard, it is considered that the venue design will promote a safe environment, with the windows to both frontages providing good levels of surveillance to patrons. There are also street lights on River Street, North Street and Crown Street.

139. The presence of other licensed premises in the vicinity which operate in the evening (in particular the Royston Hotel and the Mountain Goat bar / function centre), as well as the dwellings located in the immediate vicinity of the premises would further enhance the safety of patrons by increasing opportunities for surveillance.

140. According to Practice Note 61 (a State Government publication which provides guidance on assessing cumulative impact associated with licensed premises), consideration of cumulative impact is most relevant where the premises is open after 11pm and are located in an area with a “cluster” of licensed premises.

141. The subject site is not proposed to open after 11pm but is located within a ‘cluster’ of licenced premises, as there are three or more (including the proposed premises) within a radius of 100 metres of the subject site.

142. The “Corner Hotel” decision (*Swancom Pty Ltd T/as Corner Hotel v Yarra City Council & ORs*) provides a potential assessment methodology for considering applications that may result in a cumulative impact. The decision also acknowledges that depending on the nature of the use, the required level of assessment will vary.

143. Applying the matrix of risk below, a reasonable consideration would suggest that a score of 1-3 would be no risk, but that a score higher than 3 would be a potential risk and require a cumulative impact assessment.

Type of Premise	**Risk Factor**
Café / Restaurant	0
Bar / Restaurant / Café	1
Bar	3
Hotel / Tavern	3
Night Club	3
Place of Assembly	2
Size of Premise	**Risk Factor**
0 – 49 patrons	0
50 – 99 patrons	1
100 – 199 patrons	2
200+	3
Closing hours	**Risk factor**
11pm	0
12am	1
1am	2
2am	3
3am	3
After 3am	4
TOTAL	1

144. According to the above calculation, the premises would have a risk factor of 1 (whether operating until 10pm or 11pm) and therefore is not considered to be a risk and therefore does not require a formal cumulative impact assessment.

145. Policy at Clause 22.09 excludes café and restaurant licences from the requirement to provide a cumulative impact assessment or a Noise and Amenity Action Plan (NAAP) in recognition of the low risk such premises pose in terms of off-site amenity impacts.

Venue Design

146. There are no changes proposed to the existing (approved) venue design and there are no changes to entry/exit points, internal layout or waste management and storage.

Hours of Operation

147. Policy at Clause 22.09-3 as relevant to this application is that:

    (a) *Licensed premises within 30 metres of a residential zone should not provide for the sale and consumption of liquor beyond 11pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*
    (b) *Licensed premises in a Commercial or Industrial zone should not provide for the sale and consumption of liquor beyond 1am, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area.*
    (c) *Deliveries to and waste collection from a licensed premises should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law.*
    (d) *Emptying bottles into bins in outdoor areas should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday*

148. The application proposes to extend the hours for sale and consumption of liquor on-site (restaurant and café licence) to 11pm (currently 4pm) on all days of the week.

149. The proposed extended hours for sale/consumption of liquor meets the preferred hours in the policy for industrial zoned land within 30m of residential zoned land (being located approximately 8m west of residential zoned land (which extends over the eastern half or River Street) and approximately 17m west of residential zoned properties (dwellings) on the opposite side of River Street.

150. The proposed hours for sale/consumption of liquor are consistent with the service of alcohol in an ancillary capacity to food. The café and restaurant liquor licence is a lower risk category of liquor licence than a bar or vertical drinking venue. Standard requirements on restaurant and café liquor licences include that seating is provided for a minimum of 75% of patrons which discourages "vertical drinking".

151. Council's Civic Amenity Unit have confirmed that there have been no recent complaints in regards to the existing premises and have supported the extended hours for sale and consumption of liquor subject to requirements that:

    (a) music is at background level only; and

    (b) no speakers or music is allowed outside the premises.

152. As already discussed in relation to the noise assessment, permit conditions 17 and 18, respectively, already limit music to background noise level and prohibit external speakers and would remain unchanged.

153. However, in order to ensure patron noise is appropriately limited, as detailed in the "land use" section of the report, the reduction of hours to 10pm will also be reflected in the associated sale and consumption of liquor. This will further mitigate any off-site amenity impacts resulting from the associated sale and consumption of liquor.

154. Issues relating to waste and deliveries have already been addressed earlier in the report.

Patron numbers

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

    (a) *The number of patrons should not exceed the safe and amenable operating capacity of the premises. An assessment of the maximum number of patrons that can be physically accommodated within a venue should be based on the VCGLR Liquor Licensing Fact Sheet – Maximum Patron Capacity (2016).*
    (b) *The number of patrons reflects the strategic and physical context of the site and will not adversely affect the amenity of nearby properties and the surrounding area, including by any unreasonable cumulative impact.*

156. There is no change to the existing (80) maximum patron numbers associated with the premise which is controlled at condition 11 of the permit.

157. Given the layout of the premises and licensed area is also not changing, the existing 80 patron capacity is appropriate for the extended hours.

158. As per the risk matrix calculation outlined earlier in the report, given the particulars of the premises, the proposal would not result in a negative cumulative impact on the surrounding area.

Noise

159. Clause 22.09 does not require a Noise and Amenity Action Plan to be submitted for applications for restaurant and café liquor licences, this recognises the low risk nature of these types of licences. An amended Operational Management Plan has been submitted with the application, however the intent of this Operational Management Plan is to mitigate impacts associated with the approved industry (coffee roasting) and the plan has been updated only with the amended hours of operation of the café.

    This is considered to be appropriate, however due to the reduced hours of the café supported (i.e. no later than 10pm instead of 11pm), the amended Operational Management Plan would need to be further updated to be consistent with the reduced hours.

160. To effect the above, Condition 4 of the permit will be changed from:

Prior to the commencement of the use, an updated operation management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the operation management plan will be endorsed and will then form part of the permit. The plan must include/address:

(a) procedures for minimising offsite impacts during upset conditions (e.g. plant malfunction);

(b) procedures for recording, responding to and investigating complaints from the local community regarding noise and air emissions;

(c) a complaints and incident register, which must be made available to Council officers upon request; and

(d) access to onsite car parking for café patrons.

To:

Prior to the commencement of the **extended café hours**, an **amended** operation management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the operation management plan will be endorsed and will then form part of the permit. **The amended plan must be generally in accordance with the plan submitted to Council on 26 April 2021 but updated to:**

(a) Be consistent with the hours of operation of the café permitted under condition 8 of this permit.

161. Further in relation to noise, it is policy at Clause 22.09-3 that:

(a) *Noise from the operation of the licensed premises should not have an unreasonable impact on the amenity of the area.*

(b) *Noise emissions from licensed premises should comply with the standards specified in the State Environmental Protection Policy or any other relevant requirement such as accepted sleep disturbance criteria or relevant Australian Standards.*

(c) *On-site noise attenuation measures should be applied for licensed premises where unreasonable amenity impacts on the surrounding area may result from the proposed activities.*

(d) *Where required, a licensed premise must be designed and managed in accordance with an acoustic report approved by the responsible authority.*

162. Policy at Clause 22.09 does not require an acoustic report to be provided for a liquor licence associated with a cafe where the preferred hours are met and hence the applicant has gone beyond the application requirements. However this was deemed appropriate due to proximity to residences, that the use itself requires a planning permit and that there is already an endorsed acoustic report that would need to be updated to reflect the modified hours of operation of the café.

163. In relation to noise emissions, a detailed noise assessment has already been undertaken in the "land use" section of the assessment and various conditions outlined to address noise, including most notably, a reduction in operating hours and associated hours for the sale/consumption of liquor to 10pm.

164. These conditions in conjunction with existing conditions outlined throughout this report would be sufficient to ensure that noise associated with the premises does not adversely impact the surrounding area.

Objector Concerns.

165. The majority of the issues raised by objectors have been addressed throughout this report as outlined below:

Noise associated with extended operation of the venue (including outdoor area on River Street), patrons leaving the venue or congregating in the street, and taxi/rideshare vehicles picking up and dropping off patrons.

166. The noise assessment at paragraphs 96-124 and paragraphs 159-164 has largely addressed the above matters. However, as per paragraph 104 the outdoor area on River Street is not being considered under this application and is a separate matter for local laws both in terms of sale/consumption of liquor and any occupation of these areas.

Disturbance from intoxicated patrons;

167. This is addressed at paragraphs 135-139.

Lightspill;

168. This is addressed at paragraph 82.

Adverse impacts on traffic (including associated with loading and vehicle turning);

169. Traffic is addressed at paragraphs 78 and 123 and loading/unloading has been discussed at paragraphs 84 to 87.

Reduced availability of car parking;

170. The permit already allows a reduction of car parking associated with the existing uses and there is no nexus with the proposed amendment for re-consideration of car parking provision on-site as there is no increase in patron numbers or floor area.

Waste (specifically, littering of empty/smashed bottles outside the venue);

171. Given the nature of the venue (food focused business) where alcohol service is ancillary to food service, there is a reduced likelihood of any associated littering beyond the premises as patrons would be finishing their drinks while seated. The liquor licence type allows only for consumption of liquor on the premises and thus bringing alcohol out of the venue would be a breach of liquor licence conditions.

Property devaluation associated with diminished amenity.

172. Amenity impacts have been discussed in detail in this report. Property devaluation specifically is not a matter that is within the scope of planning considerations.

Conclusion

173. The proposal, subject to conditions outlined in the recommendation below, the proposal is considered to generally comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval.

RECOMMENDATION

That having considered all objections and relevant planning controls, the Committee resolve to issue a Notice of Decision to Amend a Planning Permit PLN13/0483 to allow for an extension to the hours of operation and associated sale and consumption of liquor of the existing food and drink premises (café) at No. 16 – 18 River Street Richmond with no changes to the permit pre-amble and subject to the following conditions (**amended and new conditions and text in bold**):

1. Before the sale and consumption of liquor 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 24 May 2019 but modified to show:

   (a) WIN1, WIN2 (northern façade only) and WIN3 to be reinstated as fixed in accordance with the window schedule on the existing endorsed plans (dated 27/10/2017).
   (b) Deletion of reference to signage.

(c) Reinstatement of notations as shown on the existing endorsed plans (dated 27/10/2017), including the note: all new ground floor windows on the east and north facades are to remain closed whilst the coffee roaster is operational.
(d) Elevations of the roof access catwalk with the location of the roof access catwalk finalised on all plans (deletion of reference to nominal location).
(e) Sectional diagram demonstrating that the roof access catwalk is concealed from view when taken from the eastern footpath of River Street.
(f) The north point is to be reinstated on the plans.
(g) Plans must be provided at A1 size.

2. **Prior to the increase in hours of operations of the café use,** an amended acoustic report prepared by a suitably qualified expert to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the Renzo Tonin & Associates report, **dated 18 March 2021,** but modified to:
   (a) Be consistent with the hours of operation of the café permitted under condition 8 of this permit.
   (b) Provide details of the sound system (including number, location and type of sound speakers) upon which the acoustic testing within the report was based.

3. Prior to the commencement of the use, a report prepared by a NATA (National Association of Testing Authorities Australia) accredited professional, or a suitably qualified professional to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit.This report must assess the emissions from the site and the impacts to adjoining properties.

   The report must demonstrate that the food/beverage production operation is in compliance with the State Environment Protection Policy (Air Quality Management) and that the criteria of 1 Odour Unit will not be exceeded beyond the site boundary; or recommend methods to ensure compliance with the State Environment Protection Policy (Air Quality Management) can be achieved and maintained throughout the operation of the business, to the satisfaction of the Responsible Authority.

4. Prior to the commencement of the **extended café hours**, an **amended** operation management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the operation management plan will be endorsed and will then form part of the permit. **The amended plan must be generally in accordance with the plan submitted to Council on 26 April 2021 but updated to:**
   (a) Be consistent with the hours of operation of the café permitted under condition 8 of this permit.

5. **Before the café use or sale and consumption of liquor for the extended hours 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 onemilegrid and dated **6 April 2021**, but modified to include:
   (a) The existing and proposed hours of operation of the café to commence from 7am on all days.

(b) Removal of "Draft" from the report.

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

7. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

8. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:

   Coffee roasting (all components)

   (a) 7.00am to 9.00pm, Monday to Friday
   (b) 9.00am to 7.00pm Saturday
   (c) 10.00am to 5.00pm Sunday

   Food and drinks premises (café)

   (a) 7.00am to **10.00pm**

9. The two minor roaster (15kg and 5kg capacity) will not be operated when Roaster No. 1 is in operation, neither will they be operated at the following time:

   (a) Monday – Friday - after 6 p.m.
   (b) Saturday and Sunday – after 5 p.m.

10. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor from the food and drinks premises (café) may only occur between 9am and **10pm,** seven days per week.

11. No more than 80 patrons associated with the café are permitted on the land at any one time .

12. Not more than 20 staff may be present on the premises at any one time, unless with the prior written consent of the Responsible Authority.

13. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.

14. The amenity of the area must not be detrimentally affected by the use or development, 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;
   (e) to the satisfaction of the Responsible Authority.

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

16. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

17. Except with the prior written consent of the Responsible Authority, the provision of music must be at a background noise level.

18. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.

19. Windows and doors in the north and east facades must remain closed during roasting operations (the rear delivery entry may be left opened and doors may be opened to allow for pedestrian ingress and egress).

20. **External windows and doors associated with the food and drink premises (café) must remain closed from 4pm, other than to allow for the ingress/egress of patrons and staff.**

21. All delivery and collection of goods (other than waste) associated with the business must be conducted between 7.30am and 5pm Monday to Friday.

22. Parking and loading areas and access lanes must be kept available for those purposes at all times and must not be used for any other purpose (such as storage).

23. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and in a manner that limits interference with other vehicular traffic to the satisfaction of the Responsible Authority. The loading bay must be kept clear at all times for reception of goods.

24. Waste (rubbish and recycling) may only be collected between
    (a) 7.00 am – 8.00 pm Monday to Saturday;
    (b) 9.00 am – 8.00 pm Sunday and public holidays.

25. Bottles must not be broken up on the site and compaction must be carried out while the waste collection vehicle is moving, to the satisfaction of the Responsible Authority.

26. Emptying of bottles and cans into bins may only occur between 7am and 10pm on Monday to Saturday or after 9am on a Sunday or public holiday.

EPA conditions **(27 – 31)**

27. Offensive odours must not be discharged beyond the boundary of the premises.

28. Nuisance dust must not be discharged beyond the boundary of the premises.

29. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

30. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, to the satisfaction of the Responsible Authority.

31. There must be no discharge or seepage of waste from the premises to the land or water (including stormwater) environments.

32. Any new vehicular crossing must be constructed in accordance with Council's standard vehicular crossing specifications, prior to completion of the development, and to the satisfaction of the Responsible Authority.

33. This permit will expire if:

    (a) the development is not commenced within two years of the date of the amended permit;
    (b) the development is not completed within four years of the date of the amended permit; or
    (c) **the extended operation hours of the café is not commenced within two years of the date of this amended permit.**
    (d) **the extended hours of sale and consumption of liquor is not commenced within two years of the date of this amended 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.

NOTE: This premises must comply with the Food Act 1984. The use must not commence until plans have been approved by Council's Community Amenity and Health Branch.

NOTE: This premises must comply with the Health Act 1984. The use must not commence until plans have been approved by Council's Community Amenity and Health Branch.

NOTE: A building permit maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5351 to confirm.

NOTE: All future employees within the development and use approved under this permit will not be permitted to obtain employee or visitor parking permits.

EPA NOTE: Details of appropriate secondary containment for the storage and transfer of liquids can be found in the Bunding Guidelines (EPA publication 347).

Attachments

1 PLN13/0483.05 - 16 - 18 River Street Richmond - Locality Map

2 PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Acoustic Report

3 PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Operational Management Plan

4 PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Waste Management Plan

5 PLN13/0483.05 - 16 - 18 River Street Richmond - Current Planning Permit

6 PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans

7 PLN13/0483.05 - 16 - 18 River Street Richmond - Formal Referral Response - Acoustic Consultant

8 PLN13/0483.05 - 16 - 18 River Street Richmond - Formal Referral Response - Civic Compliance

9 PLN13/0483.05 - 16 - 18 River Street - Formal Referral Response - City Works (waste)

Attachment 1 - PLN13/0483.05 - 16 - 18 River Street Richmond - Locality Map

PLN13/0483.05 – 16 – 18 River Street, Richmond – Locality Map



⇧ North

★ Subject Site

Attachment 2 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Acoustic Report

RENZO TONIN & ASSOCIATES
inspired to achieve

Acoustics
Vibration
Structural Dynamics

18 March 2021
MB209-03F02 Addendum - Veneziano Coffee (r2).docx

Veneziano Coffee
Doug Richards
Doug.Richards@venezianocoffee.com.au

From: Nicholas L. Peters [Nicholas.Peters@renzotonin.com.au]

Veneziano Coffee, 16-18 River Street, Richmond - Addendum to Acoustic Assessment

(r2 – March 2021 update for extended café trading hours)

City of Yarra has provided the following acoustics related condition for Planning Permit PLN13/0483.01 amendment, (*Partial change of use of the land to a food and drink premises (café), ... increase the hours of coffee roasting, buildings and works and; a reduction in the car parking),* relating to the use and operation of Veneziano Coffee at 16-18 River Street (the Subject Premises):

> 15. *Prior to the increase in hours of operations of the coffee roaster and before the cafe use commences, an amended acoustic report prepared by a suitably qualified expert to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the Renzo Tonin & Associates report, dated 28 May 2015, but modified to address the acoustic impacts of the proposal on the accommodation at 12 River Street, Richmond and the impacts of loading and unloading activities, demonstrating compliance with SEPP N-1.*

Renzo Tonin & Associates has been engaged to provide an addendum to address the above condition, namely:

1. Noise impacts from the Subject Premises to 12 River street as a consequence of the permit amendment, based on previous acoustic assessments
2. The impact of deliveries and waste collection, based on previous acoustic assessments.
3. Noise impacts from the proposed café and recommended operational noise control measures.

March 2021 update (r2): This document contains updates in response to City of Yarra RFI (Amendment Application No. PLN13/0483.05) dated 21 December 2020, which requests an amended acoustic report

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to address the proposal to extend the trading hours of the café tenancy (Veneziano Coffee) to be from 7am to 11pm, daily. **Key changes/updates are denoted in green text.**

1 Previous Acoustic Assessments

1.1 MB209-01F03 Noise Impact Assessment, dated 13/9/2013

This acoustic assessment was conducted by Renzo Tonin & Associates to assess expected impacts associated with operation of the Subject Premises, as part of the planning application process. The report documented:

- SEPP N-1 noise limits
- Noise assessment of coffee processing equipment, exhaust flues, activities, vehicles, deliveries and dispatch
- Predicted compliance with SEPP N-1 noise limits
- Noise management procedures:
  - No windows or doors to be open on the north or east facades (the west delivery entry may be left open)
  - All loading and unloading activities to be conducted within the Subject Premises, accessed via the west entrance, with the loading dock access door left open as required.

1.2 MB209-02F02 Acoustic Assessment for Extension of Hours, dated 28/5/2015

This acoustic assessment reviewed the noise impacts associated with proposed extended operating hours. To this end, measurements were conducted of noise from the Subject Premises and were shown to comply with SEPP N-1 at all nearest affected residences during the proposed hours of operation.

The proposed hours assessed were the same as those on the current amended Planning Permit.

2 Site Overview

An overview of the Subject Premises and surrounds is presented in Figure 1.

The Subject Premises is located within an Industrial 1 Zone, and surrounded:

- To the north, south and west by Industrial 1 zoned commercial premises
- To the east, across River Street, by three-storey residential premises with roof terraces, located at 29-41 River Street, within a Commercial 1 Zone. These are the nearest noise sensitive dwellings proximate the Subject Premises

- To the north east, across River Street are four storey residential dwellings, located within a Residential 1 Zone
- To the north east, by the Royston Hotel at 12 River Street. The venue operates a bar, providing food and drink, but also provides accommodation on the second storey.

3 Operational Conditions

Per Planning Permit PLN13/0483.01, the hours of operation are as follows:

8. *Coffee roasting (all components)*
   a. *7.00am to 9.00pm, Monday to Friday*
   b. *9.00am to 7.00pm Saturday*
   c. *10.00am to 5.00pm Sunday*

   Food and drinks premises (cafe)
   d. *7.00am to 4.00pm*

Regarding café patron numbers:

11. *No more than 80 patrons associated with the cafe are permitted on the land at any one time.*

Regarding warehouse windows and doors:

12. *Windows and doors in the north and east facades must remain closed during roasting operations (the rear delivery entry may be left opened and doors may be opened to allow for pedestrian ingress and egress).*

Regarding dispatch, delivery and waste collection:

20. *All delivery and collection of goods (other than waste) associated with the business must be conducted between 7.30am and 5pm Monday to Friday.*
22. *The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and in a manner that limits interference with other vehicular traffic to the satisfaction of the Responsible Authority. The loading bay must be kept clear at all times for reception of goods.*
23. *Waste (rubbish and recycling) may only be collected between:*
   a. *7.00 am - 8.00 pm Monday to Saturday;*
   b. *9.00 am - 8.00 pm Sunday and public holidays.*

The proposed café is to be located at the north east corner of the Subject Site (see Figure 1), in a custom built, separate room to the coffee processing warehouse. The café kitchen is proposed to be located between the café and coffee processing warehouse.

Attachment 2 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Acoustic Report

As assessed previously, deliveries and dispatch are conducted using vans and trucks up to 12 tonne, within the warehouse, accessed via the loading bay door on the west side of the Subject Premises, between 7:30am and 4pm on weekdays only.

Waste bins are located abutting the west façade of the Subject Premises, and waste collection is conducted in the Subject Premises car park, two days a week between 7:30am and 4pm weekdays.

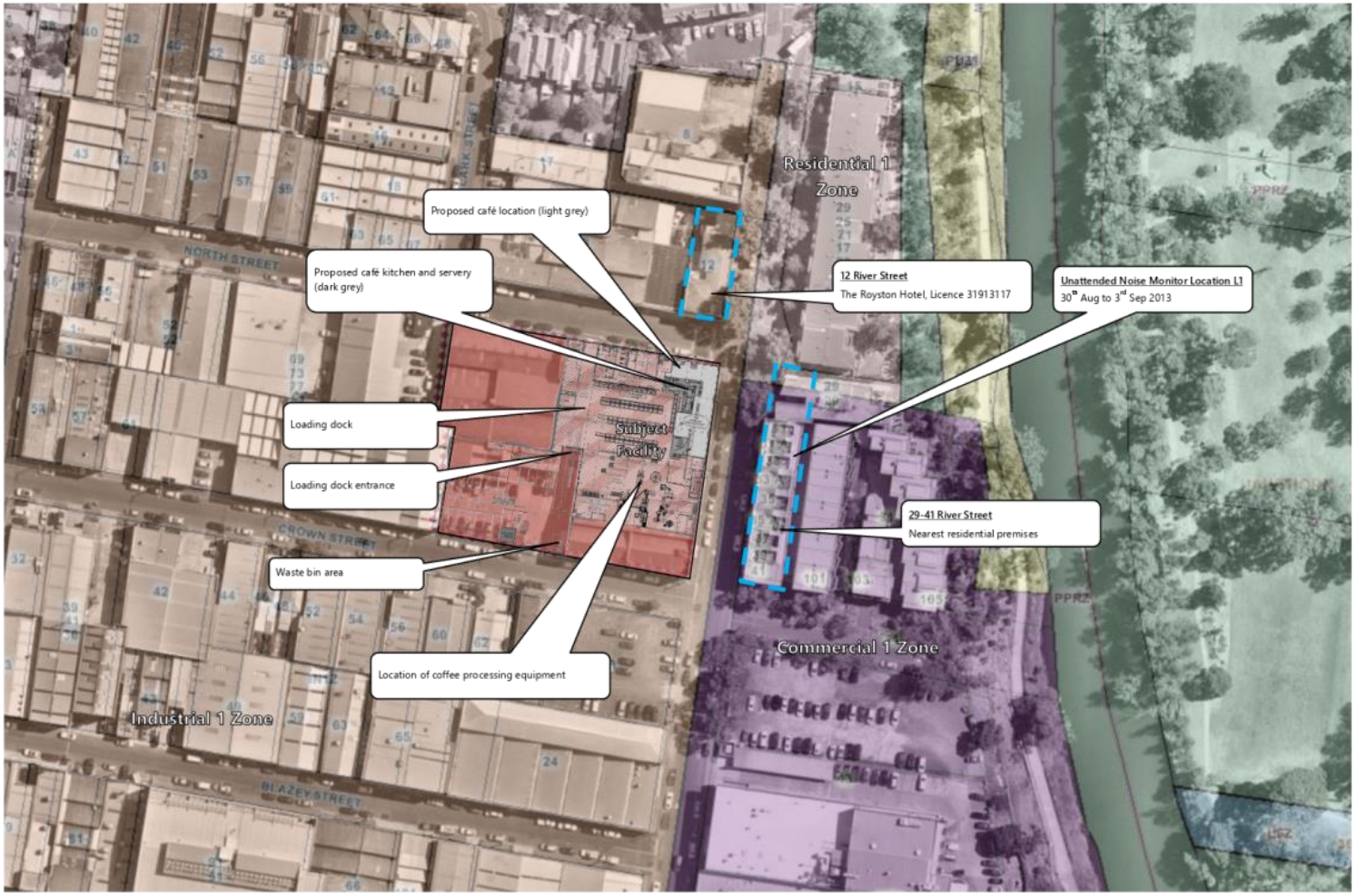


Figure 1: Site Overview

4 Noise Measurements

4.1 Background Noise Environment

Unattended noise monitoring was conducted in preparation of Report MB209-01F03, between Friday 30th of August and Tuesday 3rd of September 2013, at Location L1 shown in Figure 1.

Location L1 **33A River Street, 4th storey roof terrace**

Friday 30th August - Tuesday 3rd September 2013

The unattended noise monitor was set 1.5 metres above terrace level, prior to Veneziano Coffee's tenancy at the Subject Facility. No commercial noise sources affected noise levels at the monitor location and the noise environment was observed to be dominated by non-localised suburban activity.

The noise monitor was set to record hourly broadband noise descriptors.

Appendix C contains graphs of the monitored noise levels. Results relevant to the proposed extension of hours are presented in Table 1.

Table 1: Background noise levels

ID	Minimum period average background noise level, L_{90} dB(A)		
	Day	Evening	Night[2]
L1	45	44	41

Notes: 1. Periods as defined by SEPP N-1
2. Night period background noise level added to account for extended trading hours.

5 Criteria

Details of applicable noise criteria are presented in Appendix B. This includes updates to SEPP N-1 commercial noise limits and SEPP N-2 music noise limits in relation to the extended trading hours, as well as reference to superseding noise legislation effective from 1 July 2021.

6 Noise Assessment

6.1 Noise Impacts at 12 River Street

12 River Street, the Royston Hotel, had been excluded in previous assessments because it had not been established that accommodation was provided there.

The orientation of the Subject Premises, location of equipment and loading dock result in the address 12 River Street being more protected from noise associated with coffee processing than the previously assessed locations.

As established in Section 6.3 (following), noise from the proposed café is not expected to exceed relevant noise criteria at 12 River Street or any other address.

6.2 Noise Impacts of Deliveries and Waste Collection

Noise from truck movements had previously been assessed in report MB209-01F03, where it was established that the Subject Premises provided an effective barrier for truck operations, only permitted on the west side of the Subject Premises. Due to the significant noise reduction and short period of time that dispatch, delivery or waste vehicles are understood to be active, it is expected that any associated noise emissions will comply with established SEPP N-1 noise limits. We understand that deliveries and waste collection are currently conducted in accordance with EPA Publication 1254 guidelines and existing Planning Permit conditions. As such, no additional noise impacts are anticipated from dispatch, delivery or waste vehicles in relation to the proposal.

6.3 Noise from Proposed Café

The operation of the proposed café is limited by the Permit to between 7am to 4pm. The Subject Premises seeks to extend café trading hours to be from 7am to 11pm, daily. Sources of noise from the café are understood to include:

- Noise from roof-mounted mechanical plant
- Patron noise
- Background music noise

To assess the above, Renzo Tonin & Associates conducted attended noise measurements of roof-mounted mechanical plant serving the café tenancy, indoor speakers and busiest-period patrons at the Subject Premises on Wednesday 10th of March 2021. Table 2 summarises the noise measurement results:

Table 2: Attended Noise Measurements

Description	Measured noise level L_{eq} dB(A)
Kitchen exhaust fan, measured at 1.5 metres	65 dB(A)
3 x AC outdoor units and 2 x small-scale exhaust flues, measured at 2.5 metres	63 dB(A)
1 x indoor speaker (of 2 operational) playing background music, measured at 2 metres	69 dB(A)[3]
Patrons during understood busiest trading period, indoor reverberant level	69 dB(A)[1]

Note:
1. For assessment of peak patron noise events, a sound power level of $L_{W,max}$ 89 dB(A) has been applied.
2. Presented mechanical services comprise all equipment understood to serve the café use.
3. Measured L_{eq} music noise spectrum from indoor speaker, measured at 2 metres:

63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
68	71	67	66	63	61	58

The above noise levels are used in the following assessments.

6.3.1 Plant Noise

Table 3 presents the results of the mechanical plant noise assessment, based on noise measurements outlined in Table 2.

Table 3: Café Mechanical Services Assessment

Dwelling location	Predicted noise level at building façade, from mechanical plant serving the café tenancy, L_{eq} dB(A)	Conforms with SEPP N-1?		
		Day, 57 dB(A)	Evening, 53 dB(A)	Night, 48 dB(A)
29-41 River Sreet (East)	<35 dB(A)	✓	✓	✓
12 River Street (North)	<30 dB(A)	✓	✓	✓

As shown above, Renzo Tonin & Associates predicts noise impacts from mechanical plant serving the café tenancy to be well below the applicable SEPP N-1 day, evening and night noise limits.

As such, Renzo Tonin & Associates expects the Subject Premises to comply with SEPP N-1 commercial noise limits at all times during the proposed extended trading hours.

6.3.2 Patron Noise

There is no legislative noise limit applicable for patron noise in Victoria. During the night time period, sleep disturbance criteria (See Section B.4) is often applied for planning purposes to mitigate amenity impacts. Continuous noise from patrons can be benchmarked against SEPP N-1 criteria.

Table 4 presents the results of the patron noise assessment, based on noise measurements outlined in Table 2.

Table 4: Café Patron Noise Assessment

Dwelling location	Predicted noise levels at building façade		Conforms with project noise criteria?			
	Noise peak, L_{max} dB(A)	Continuous noise level, L_{eq} dB(A)	Sleep disturbance: L_{max} 60-65 dB(A)	SEPP N-1		
				Day, 57 dB(A)	Evening, 53 dB(A)	Night, 48 dB(A)
29-41 River Sreet (East)	58 dB(A)	< 30 dB(A)	✓	✓	✓	✓
12 River Street (North)	59 dB(A)	< 30 dB(A)	✓	✓	✓	✓

Notes:
- L_{eq} noise levels predicted assuming that all windows to the café tenancy are closed, and all doors are closed except for entry and egress.
- L_{max} noise levels assuming one patron outside at the door of the Cafe

As shown above, patron noise emissions from the Subject Premises are expected to comply with the proposed sleep disturbance criteria. Continuous patron noise levels are also expected to conform with SEPP N-1 benchmark criteria.

6.3.3 Background Music Noise

The café tenancy proposes to provide music at background noise levels, which is not expected to cause exceedance of SEPP N-2 limits. To help ensure compliance it is recommended that:

- Background music be played within the café at levels consistent with Clause S.9A(5) of the Liquor Control Reform Act 1998:

  ...background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.

- No loudspeaker, amplifier, relay or other audio equipment may be installed or used outside the building

Table 5 presents the music noise assessment, based on measured noise levels from speakers at the Subject Premises, which were found to operate in accordance with the above definition of music played at "background noise levels".

Table 5: Café Music Noise Assessment

Description	Day/Evening assessment, L_{eq} dB(A)	Night assessment L_{OCT10} dB in Octaves (Hz)						
		63	125	250	500	1k	2k	4k
SEPP N-2 music noise limit	49	60	55	50	47	48	45	39
Dwelling location	Predicted noise levels at building façade							
29-41 River Sreet (East)	< 35 ✓	< 55 ✓	< 50 ✓	< 45 ✓	< 35 ✓	< 30 ✓	< 30 ✓	< 30 ✓
12 River Street (North)	< 35 ✓	< 55 ✓	< 50 ✓	< 45 ✓	< 35 ✓	< 30 ✓	< 30 ✓	< 30 ✓

Notes:
1. Noise levels predicted assuming that all windows to the café tenancy are closed and all doors are closed except for entry and egress.

As shown above, Renzo Tonin & Associates predicts noise impacts from background music played at the café tenancy to be well below the applicable SEPP N-2 day, evening and night noise limits.

As such, Renzo Tonin & Associates expects the Subject Premises to comply with SEPP N-2 music noise limits at all times during the proposed extended trading hours.

7 Conclusion

Renzo Tonin & Associates was engaged to provide an addendum to previous reports prepared for Veneziano Coffee at 16-18 River Street (the Subject Premises), to address planning Permit PLN13/0483.01 amendments as well as City of Yarra RFI relating to planning Permit PLN13/0483.05. The findings of the assessment were as follows:

1. The location of equipment and loading dock result in the address 12 River Street being more protected from noise associated with coffee processing and vehicle activity than the previously assessed locations
2. No additional noise impacts are anticipated from dispatch, delivery or waste vehicles in relation to the proposal, at 12 River Street or any other address. Per previous assessments, these are expected to comply with SEPP N-1 limits.
3. Based on attended noise measurements of café mechanical plant, patron noise and background music noise conducted on 10 March 2021, noise impacts from the café tenancy are expected to conform with SEPP N-1 and SEPP N-2 noise limits during the proposed extended trading hours of 7am to 11pm.

Attachment 2 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Acoustic Report

Document Control

Date	Revision history	Non-issued revision	Issued revision	Prepared	Instructed	Authorised
21.12.2015	Draft	0		NP		
21.12.2015	Review		1	NP		DT
18.03.2021	Update re. extended café trading hours		2	AR		NP

Important Disclaimer:

The work presented in this document was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001.

This document is issued subject to review and authorisation by the Team Leader noted by the initials printed in the last column above. If no initials appear, this document shall be considered as preliminary or draft only and no reliance shall be placed upon it other than for information to be verified later.

This document is prepared for the particular requirements of our Client which are based on a specific brief with limitations as agreed to with the Client. It is not intended for and should not be relied upon by a third party and no responsibility is undertaken to any third party without prior consent provided by Renzo Tonin & Associates. The information herein should not be reproduced, presented or reviewed except in full. Prior to passing on to a third party, the Client is to fully inform the third party of the specific brief and limitations associated with the commission.

In preparing this report, we have relied upon, and presumed accurate, any information (or confirmation of the absence thereof) provided by the Client and/or from other sources. Except as otherwise stated in the report, we have not attempted to verify the accuracy or completeness of any such information. If the information is subsequently determined to be false, inaccurate or incomplete then it is possible that our observations and conclusions as expressed in this report may change.

We have derived data in this report from information sourced from the Client (if any) and/or available in the public domain at the time or times outlined in this report. The passage of time, manifestation of latent conditions or impacts of future events may require further examination and re-evaluation of the data, findings, observations and conclusions expressed in this report.

We have prepared this report in accordance with the usual care and thoroughness of the consulting profession, for the sole purpose described above and by reference to applicable standards, guidelines, procedures and practices at the date of issue of this report. For the reasons outlined above, however, no other warranty or guarantee, whether expressed or implied, is made as to the data, observations and findings expressed in this report, to the extent permitted by law.

The information contained herein is for the purpose of acoustics only. No claims are made and no liability is accepted in respect of design and construction issues falling outside of the specialist field of acoustics engineering including and not limited to structural integrity, fire rating, architectural buildability and fit-for-purpose, waterproofing and the like. Supplementary professional advice should be sought in respect of these issues.

Attachment 2 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Acoustic Report

APPENDIX A Glossary of Terminology

The following is a brief description of the technical terms used to describe noise to assist in understanding the technical issues presented.

Ambient noise	The all-encompassing noise associated within a given environment at a given time, usually composed of sound from all sources near and far.
Background noise	Background noise is the term used to describe the underlying level of noise present in the ambient noise, measured in the absence of the noise under investigation, when extraneous noise is removed. It is described as the average of the minimum noise levels measured on a sound level meter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a sample period. This is represented as the L90 noise level (see below).
Decibel [dB]	The units that sound is measured in. The following are examples of the decibel readings of every day sounds: 0dB The faintest sound we can hear 30dB A quiet library or in a quiet location in the country 45dB Typical office space. Ambience in the city at night 60dB CBD mall at lunch time 70dB The sound of a car passing on the street 80dB Loud music played at home 90dB The sound of a truck passing on the street 100dBThe sound of a rock band 120dBDeafening
dB(A)	A-weighted decibels. The A- weighting noise filter simulates the response of the human ear at relatively low levels, where the ear is not as effective in hearing low frequency sounds as it is in hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter.
Frequency	Frequency is synonymous to pitch. Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.
L_{10}	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.
L_{90}	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L90 noise level expressed in units of dB(A).
L_{eq}	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time.
Sound	A fluctuation of air pressure which is propagated as a wave through air.
Sound level meter	An instrument consisting of a microphone, amplifier and indicating device, having a declared performance and designed to measure sound pressure levels.
Sound pressure level	The level of noise, usually expressed in decibels, as measured by a standard sound level meter with a microphone.
Sound power level	Ten times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power.

Attachment 2 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Acoustic Report

APPENDIX B Noise Criteria

B.1 Superseding noise legislation

EPA Publication 1757.1 *'Summary of Proposed Noise Framework'* summarises the proposed noise framework effective 1 July 2021. EPA Publication 1826.2 *'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues'*, which is legislated by way of the Environment Protection Act 2017 and the Environment Protection Regulations supersedes:

- State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), SEPP N-1
- State Environment Protection Policy (Control of Music Noise from Public Premises), SEPP N-2
- Environment Protection (Residential noise) Regulations 2018
- Environment Protection (Vehicle emissions) Regulations 2013

EPA Publication 1826.2 uses the same methods to calculate noise limits and assess noise impacts as SEPP N-1 and N-2, except that the definition for noise sensitive premises has been expanded from residential uses and places-of-sleep, to also include educational uses.

For this transitional period, Renzo Tonin & Associates shall reference current noise policies and superseding policies.

B.2 SEPP N-1/1826.2 Commercial Noise Legislation

Within the Melbourne metropolitan region, noise from commercial plant affecting residential properties is governed by the Victorian EPA *State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1* (SEPP N-1); which is legislated by way of the *Environment Protection Act 1970*. SEPP N-1 is not legislatively applicable to music noise.

EPA Publication 1826.2 *'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues'*, which supersedes SEPP N-1 on 1 July 2021, uses the same methods to calculate noise limits and assess noise impacts. SEPP N-1/1826.2 noise limits are calculated from planning overlays and background noise levels measured within an area, in the absence of intrusive commercial noise sources.

Table 6 presents the SEPP N-1 noise limits established in Report MB209-02F02, updated to include night period noise limits, based on noise measurement results presented in Section 4.

Table 6: SEPP N-1/1826.2 criteria

Period	Zoning level, L_{eq} dB(A)	Background L_{90} dB(A)[1]	Background classification	SEPP N-1 limit L_{eq} dB(A)[2]
Day	60	45	Low Background	57
Evening	53	44	Neutral	53
Night	48	41	Neutral	48

Period Definitions:
Day: Weekdays 7am - 6pm; Saturdays 7am - 1pm; Sundays NA
Evening: Weekdays 6pm - 10pm; Saturdays 1pm - 10pm; Sundays 7am - 10pm
Night: All days 10pm - 7am

Notes: 1. Background noise levels applied from Table 1

SEPP N-1 night-time noise limits are typically more stringent than that of day or evening periods. As such, compliance during the night-time period implies compliance during the day and evening periods, provided that emitted noise levels do not vary.

B.3 SEPP N-2/1826.2 Music Noise Legislation

Music noise emissions from public premises are controlled and assessed in accordance with *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2), which is legislated by way of the *Environmental Protection Act 1970*. The goal of SEPP N-2 is to

> *... protect residents from levels of music noise that may affect the beneficial uses ... in particular, sleep in the night period... while recognising the community demand for a wide range of musical entertainment.*

EPA Publication 1826.2 *'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues'*, which supersedes SEPP N-2 on 1 July 2021, uses the same methods to calculate noise limits and assess noise impacts.

SEPP N-2/1826.2 applies the following noise limits for indoor venues:

Indoor venues
- For the day/evening period: Music noise L_{eq} dB(A) shall not exceed the background noise L_{90} + 5 dB(A)
- For the night period: Music noise L_{OCT10} dB shall not exceed the background noise L_{OCT90} + 8 dB

The night-time criteria are generally more stringent than those applied during the day/evening periods; in particular at bass frequencies. Therefore, compliance with night period criteria generally indicate compliance with the day and evening period criteria. Table 7 and Table 8 present the SEPP N-2 noise limits.

Table 7: SEPP N-2/1826.2 Day and Evening Music Noise Limits

Period	Background Noise Level[1], L_{90} dB(A)		SEPP N-2 noise limits, L_{eq} dB(A)
Day	45	+5 =	50
Evening	44	+5 =	49

Period Definitions: For venues that operate more than three times a week, the day/evening periods are defined as follows:
Saturdays 10am – 10pm; Sundays 12am – 9pm; Other 9am – 10pm

Notes: 1. Background noise levels documented in MB209-02F02, used in determination of SEPP N-1 noise limits

Table 8: SEPP N-2/1826.2 Night Period Music Noise Limits

Description	Octave Band Centre Frequency, Hz						
	63	125	250	500	1k	2k	4k
Background Noise Level[1], L_{OCT90} dB	52	47	42	39	40	37	31
	+8	+8	+8	+8	+8	+8	+8
SEPP N-2 limit, L_{OCT10} dB for night (10-11pm) trade	60	55	50	47	48	45	39

Period Definitions: For venues that operate more than three times a week, the night periods are defined as all times outside: Saturdays 10am – 10pm; Sundays 12am – 9pm; Other 9am – 10pm

Notes: 1. Previously documented background noise level spectra measured at 29-41 River Street have been adjusted downwards by 3dB to correspond with representative 11pm dB(A) background noise levels.

B.3.1 Background Music Noise

The term *background music* is defined by Clause S.9A(5) of the Liquor Control Reform Act 1998, which states:

> *...background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.*

Generally, noise levels from speaker configurations set up to achieve background music levels will achieve compliance with stated SEPP N-2 limits.

B.4 Patron Noise Criteria: Sleep Disturbance

There are currently no legislated policies or guidelines in Victoria for the control or assessment of noise from patrons. However, drawing on the results from an extensive survey of studies conducted world-wide on the impact of noise on domestic amenity, NSW EPA document *Environmental Criteria for Road Traffic Noise, 1999* (ECRTN) and the subsequent New South Wales Office of Environment and Heritage *Road Noise Policy, March 2011* (RNP), concluded that:

> *From the research on sleep disturbance to date it can be concluded that:*
>
> - *Maximum internal noise levels below 50-55dB(A) are unlikely to awaken people from sleep*
> - *One or two noise events per night, with maximum internal noise levels of 65-70dB(A), are not likely to affect health and wellbeing significantly.*

When a window to a room is open (such as might be required for natural ventilation during the night), it is commonly accepted that the noise level inside the room due to external sources would be 10dB(A) lower than the noise level outside the room.

The aforementioned criteria are generally accepted in Victoria where amenity may be affected due to sleep disturbance, such as with noise from patrons; and are typically taken to apply between 10pm and

7am the following day. The established sleep disturbance criteria are presented in Table 9 below. SEPP N-1 noise limits have been applied as a benchmark for continuous noise.

Table 9: Sleep Disturbance Criteria

Type	Period	Criterion
Maximum Noise	10pm – 7am[1]	L_{max} 50-55 dB(A) inside bedroom (or L_{max} 60-65 dB(A) outside an open bedroom window)

B.5 Deliveries and Waste Collection

EPA Victoria Publication 1254 *Noise Control Guidelines* provides the following guidelines to mitigate the impact of waste collection and deliveries on residential amenity:

B.5.1 Waste Collection

EPA Victoria Publication 1254 *Noise Control Guidelines* provides the following guidelines for waste collection:

- *Refuse bins should be located at sites that provide minimal annoyance to residential premises.*
- *Compaction should be carried out while the vehicle is moving*
- *Noisy verbal communication between operators should be avoided where possible.*

The following times are recommended for waste collection:

One collection per week

- *6:30 am — 8 pm Monday to Saturday*
- *9 am — 8 pm Sunday and public holidays*

Two or more collections per week

- *7 am — 8 pm Monday to Saturday*
- *9 am — 8 pm Sunday and public holidays*

B.5.2 Deliveries

EPA Victoria Publication 1254 *Noise Control Guidelines* provides the following guidelines for shop deliveries:

Schedule: Deliveries to shops, supermarkets & service stations

- *7 am — 10 pm Monday to Saturday*
- *9 am — 10 pm Sundays and public holidays*

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(Outside these hours)... deliveries should be inaudible in a habitable room of any residential premises ... regardless of whether any door or window ... is open

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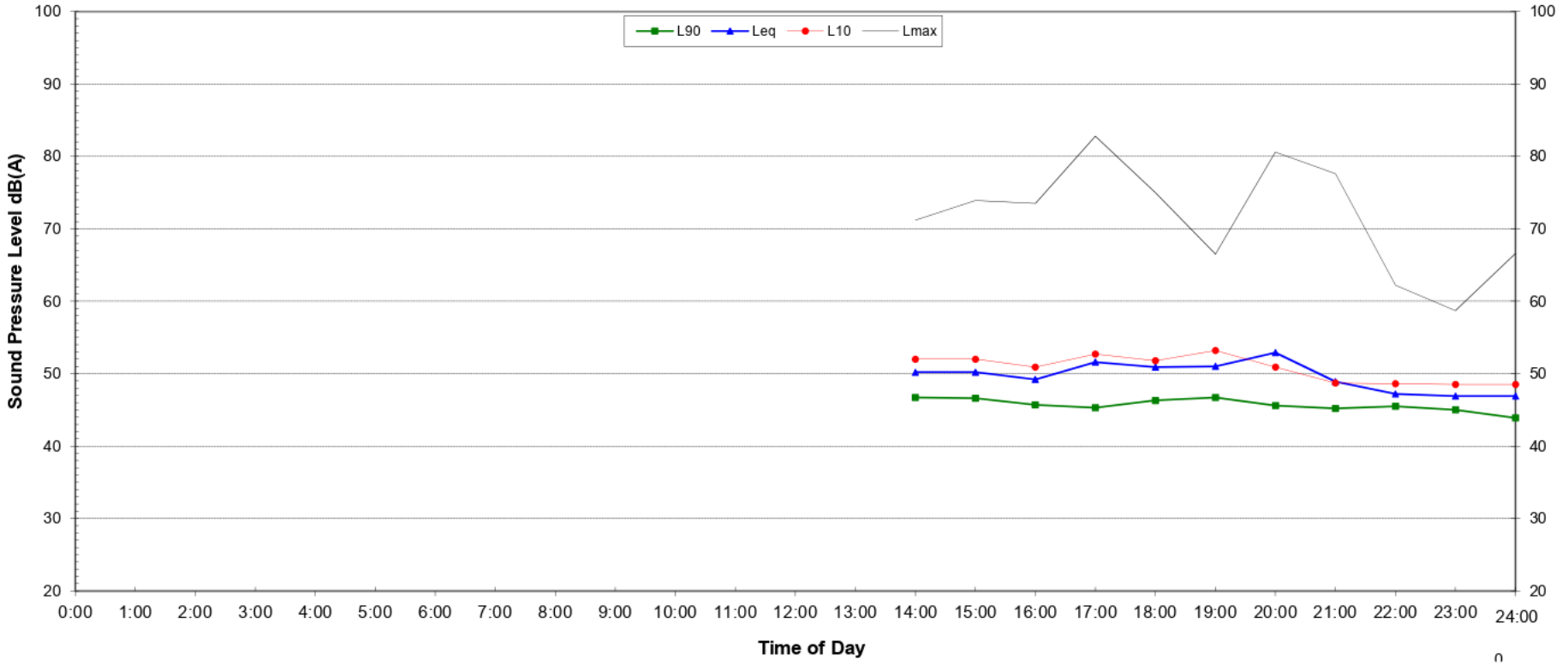
APPENDIX C Noise Monitoring Graphs

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EXISTING AMBIENT NOISE LEVELS

33A River Street, Level 3 Balcony

30/08/2013



EPA SEPP N1 Policy (Free Field)			
Descriptor dB(A)	Day	Evening	Night2
	7am-6pm	6pm-10pm	10pm-7am
L_{90}	46.1	45.8	41.6
Leq (see note 3)	48.5	48.5	46.5

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.

2. "Night" relates to period from 10pm on this graph to 7am on the following graph.

3. Graphed data measured in free-field; tabulated results facade corrected

4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax- Leq ≥ 15dB(A)

Night Time Maximum Noise Levels, dB(A)									(see note 4)
Lmax (Range)	65.8	to	77.7	Lmax - Leq (Range)	17.8	to	24.3		

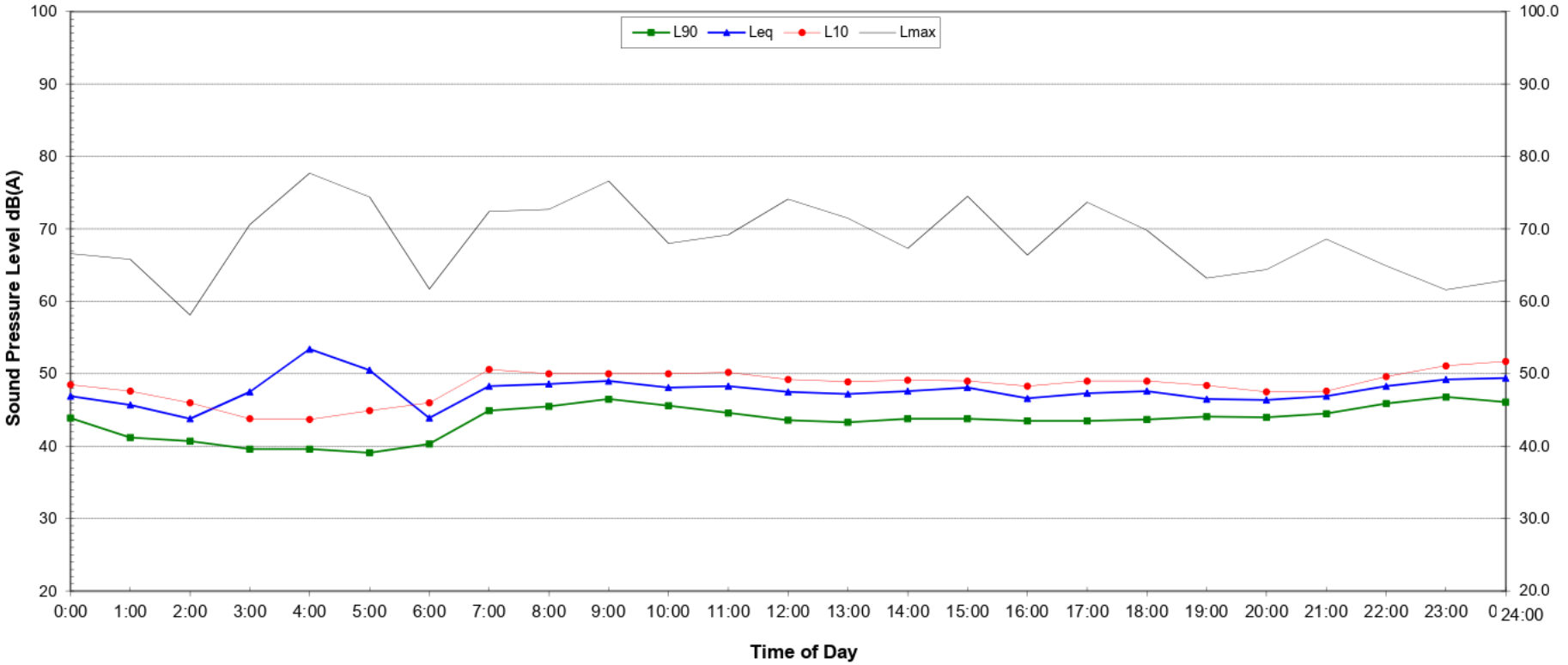
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EXISTING AMBIENT NOISE LEVELS

33A River Street, Level 3 Balcony

Saturday, 31 August 2013



EPA SEPP N1 Policy (Free Field)			
Descriptor dB(A)	Day	Evening	Night2
	7am-6pm	6pm-10pm	10pm-7am
L_{90}	44.3	44.6	42.1
Leq (see note 3)	45.9	45.1	46.5

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.

2. "Night" relates to period from 10pm on this graph to 7am on the following graph.

3. Graphed data measured in free-field; tabulated results facade corrected

4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax- Leq ≥ 15dB(A)

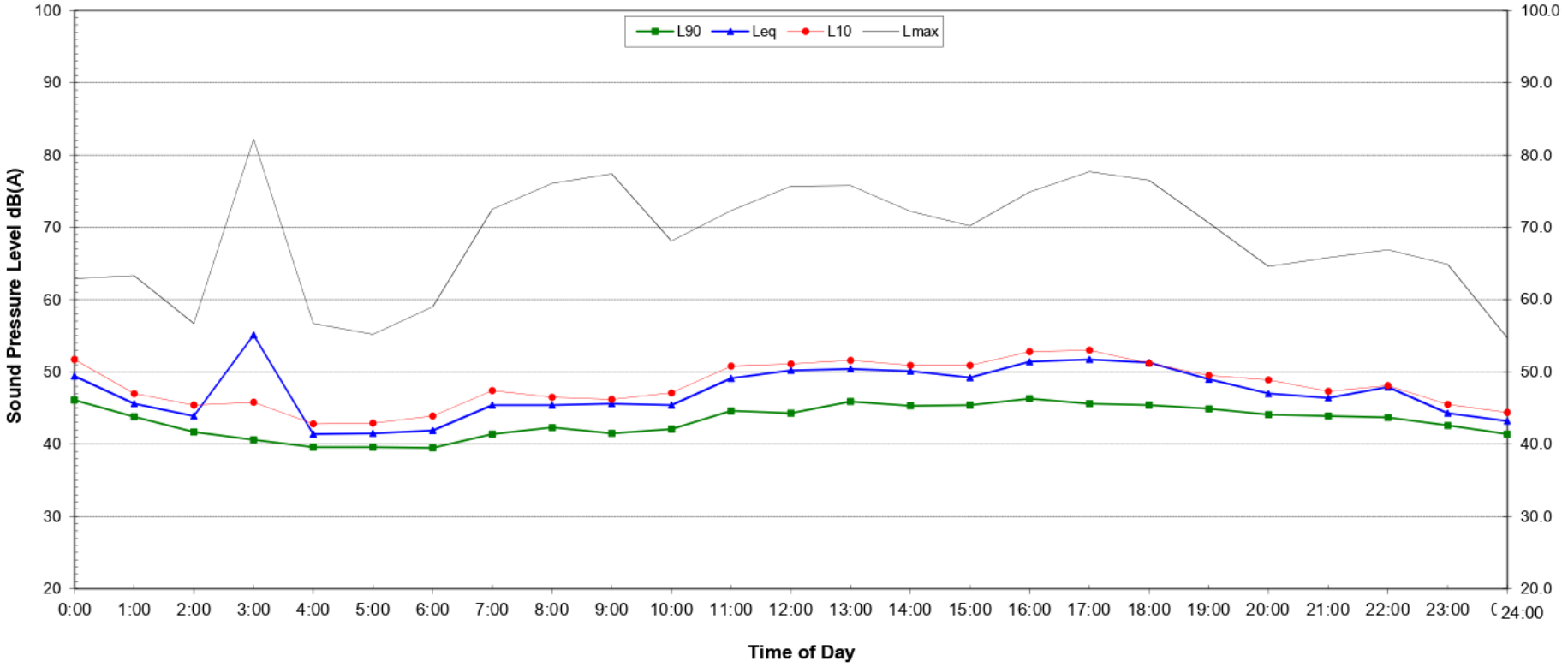
Night Time Maximum Noise Levels, dB(A)							(see note 4)
Lmax (Range)	72.5	to	82.2	Lmax - Leq (Range)	15.3	to	27.1

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EXISTING AMBIENT NOISE LEVELS

33A River Street, Level 3 Balcony

Sunday, 1 September 2013



EPA SEPP N1 Policy (Free Field)			
Descriptor dB(A)	Day	Evening	Night2
	7am-6pm	6pm-10pm	10pm-7am
L_{90}	44.4	44.2	40.8
Leq (see note 3)	47.6	45.7	42.9

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.

2. "Night" relates to period from 10pm on this graph to 7am on the following graph.

3. Graphed data measured in free-field; tabulated results facade corrected

4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax- Leq ≥ 15dB(A)

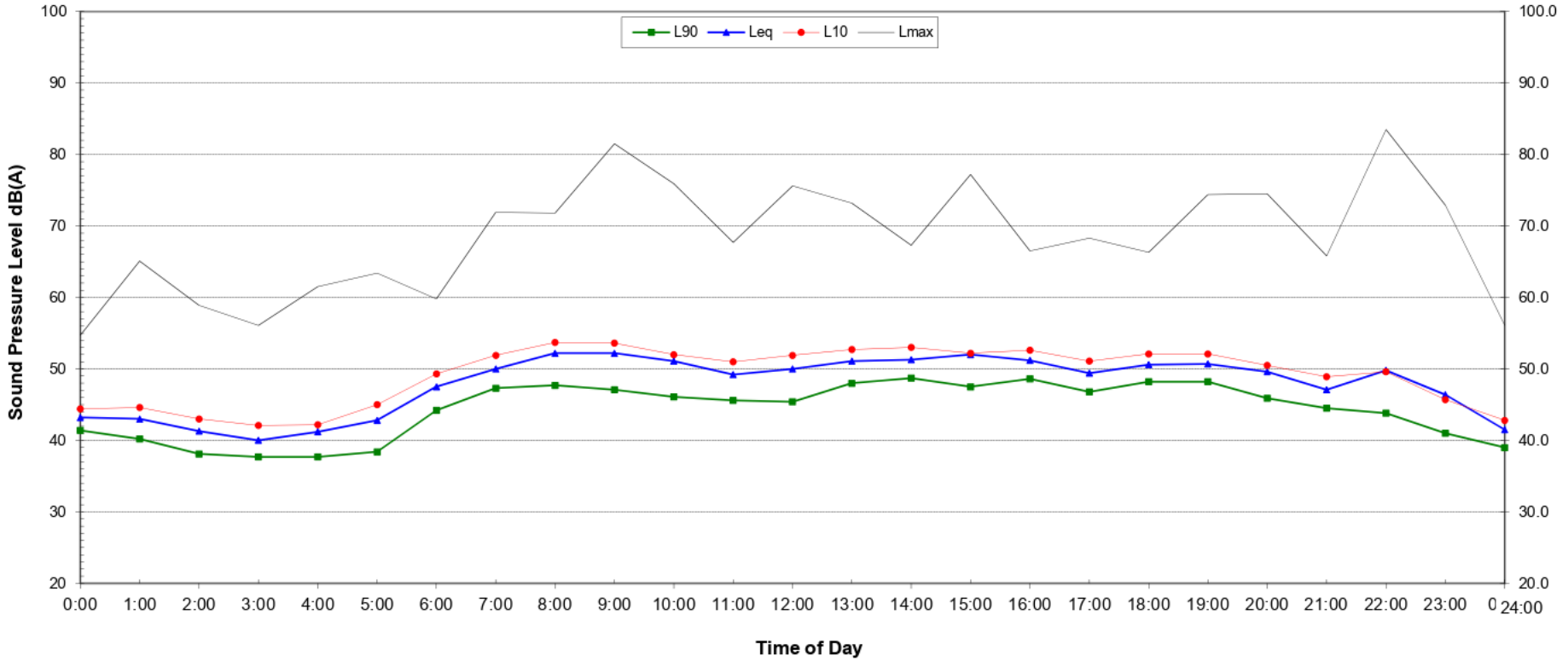
Night Time Maximum Noise Levels, dB(A)							(see note 4)
Lmax (Range)	65.1	to	71.9	Lmax - Leq (Range)	16.1	to	22.1

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EXISTING AMBIENT NOISE LEVELS

33A River Street, Level 3 Balcony

Monday, 2 September 2013



EPA SEPP N1 Policy (Free Field)			
Descriptor dB(A)	Day	Evening	Night2
	7am-6pm	6pm-10pm	10pm-7am
L_{90}	47.2	45.6	40.9
Leq (see note 3)	49.0	47.5	43.4

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.

2. "Night" relates to period from 10pm on this graph to 7am on the following graph.

3. Graphed data measured in free-field; tabulated results facade corrected

4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax- Leq ≥ 15dB(A)

Night Time Maximum Noise Levels, dB(A)							(see note 4)
Lmax (Range)	66.8	to	76.2	Lmax - Leq (Range)	15.1	to	33.7

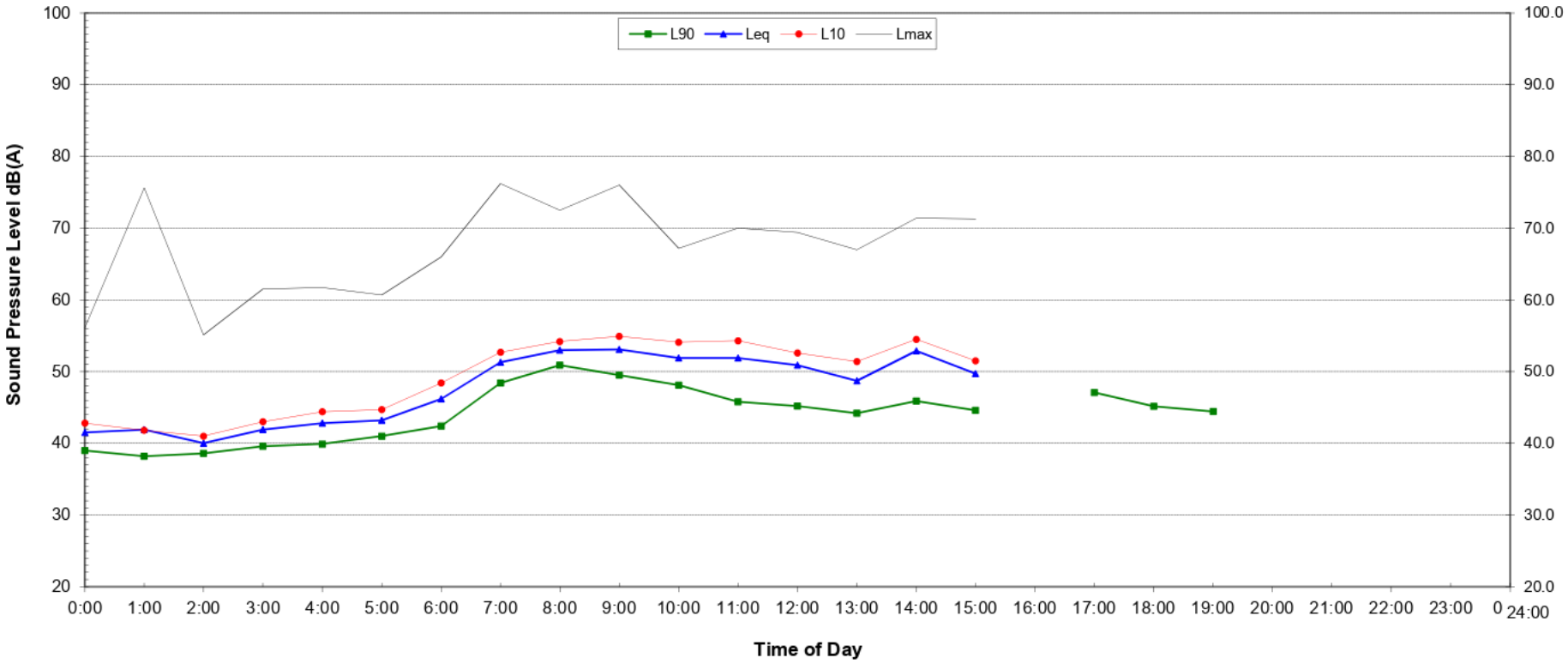
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EXISTING AMBIENT NOISE LEVELS

33A River Street, Level 3 Balcony

Tuesday, 3 September 2013



EPA SEPP N1 Policy (Free Field)			
Descriptor dB(A)	Day	Evening	Night2
	7am-6pm	6pm-10pm	10pm-7am
L_{90}	46.6	44.4	-
Leq (see note 3)	49.8	-	-

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.

2. "Night" relates to period from 10pm on this graph to 7am on the following graph.

3. Graphed data measured in free-field; tabulated results facade corrected

4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax- Leq ≥ 15dB(A)

Night Time Maximum Noise Levels, dB(A)							(see note 4)
Lmax (Range)	-	to	-	Lmax - Leq (Range)	-	to	-

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Attachment 3 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Operational Management Plan

ABN 25 600 033 654

HEAD OFFICE
16 – 18 RIVER STREET
RICHMOND VIC 3121

VENEZIANOCOFFEE.COM.AU
SALES@VENEZIANOCOFFEE.COM.AU
13 COFFEE (13 263333)

MANAGEMENT OPERATION PLAN

Management Team
Craig Dickson – Managing Director
Ben Romeril – General Manager
Facilities Manager Doug Richards

Amie Jacobson – Human Resources

Hours of Roaster Operation
Monday – Friday: 7:00am – 9:00pm
Saturday: 9:00am – 7:00pm
Sunday 10:00am – 5:00pm
Roaster operations includes all components of beans being roasted. Windows and doors in the north and east facades to remain closed during roasting operations.

Hours of Warehouse (deliveries)
Monday – Friday: 7:30am – 5:00pm.
Deliveries are minimized to maximize warehouse efficiencies

Waste Management Plan
All waste is removed by contractor Suez, three times per week to ensure bins are not overflowing within 7:00am – 8:00pm Monday - Friday. See waste management plan for more details

Complaints & Incident Register
Ph: 1300COFFEE. sales@veneziannocoffee.com.au.
Should a complaint be received by a resident or Council, it is logged in the Corrective Action Register (CAR). Corrective action is to be taken by the Manager responsible immediately and the team is advised at weekly Operations meetings. In addition, these CAR's are discussed at monthly management meetings. The CAR forms part of the SQF compliance.
Monthly maintenance of equipment is carried out by Priority Industrial Maintenance.
Pest control: W.R Gay.
Fire services: Network Fire Systems.
Security: EVERSAFE

Process Handling (SQF certification)
The plant is certified Safe Quality Food (SQF). SQF is recognized by retailers and foodservice providers around the world, who require a rigorous, credible food safety management system. The program is designed to reduce inconsistencies and costs of multiple assessment standards. SQF is the only scheme to integrate a quality component as well as food safety.

Food Safety Act: Registration is with City of Yarra.

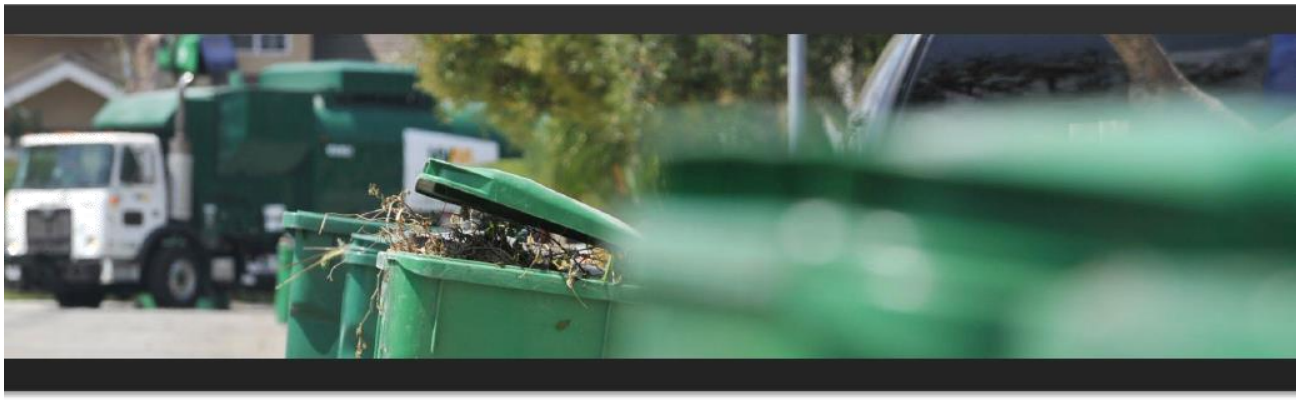
Café Hours of Operation
7am – 11pm. During these hours, carpark spaces of Veneziano Coffee Roasters (gated area – entrance from Crown St) will be made available to staff.

Attachment 4 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Waste Management Plan

onemilegrid
TRAFFIC ENGINEERING

16-18 River Street, Richmond

Waste Management Plan



16015WMP002A

6 April 2021

onemilegrid.com.au • 56 Down Street, Collingwood, VIC 3066 • (03) 9939 8250

Attachment 4 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Waste Management Plan

DRAFT

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DOCUMENT INFORMATION

Prepared For	Veneziano Coffee		
File Name	16015WMP002A	**Report Date**	6 April 2021
Prepared By	Jayden McClintock	**Authorised By**	James Dear
Signature		**Signature**	

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Attachment 4 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Waste Management Plan

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1 INTRODUCTION

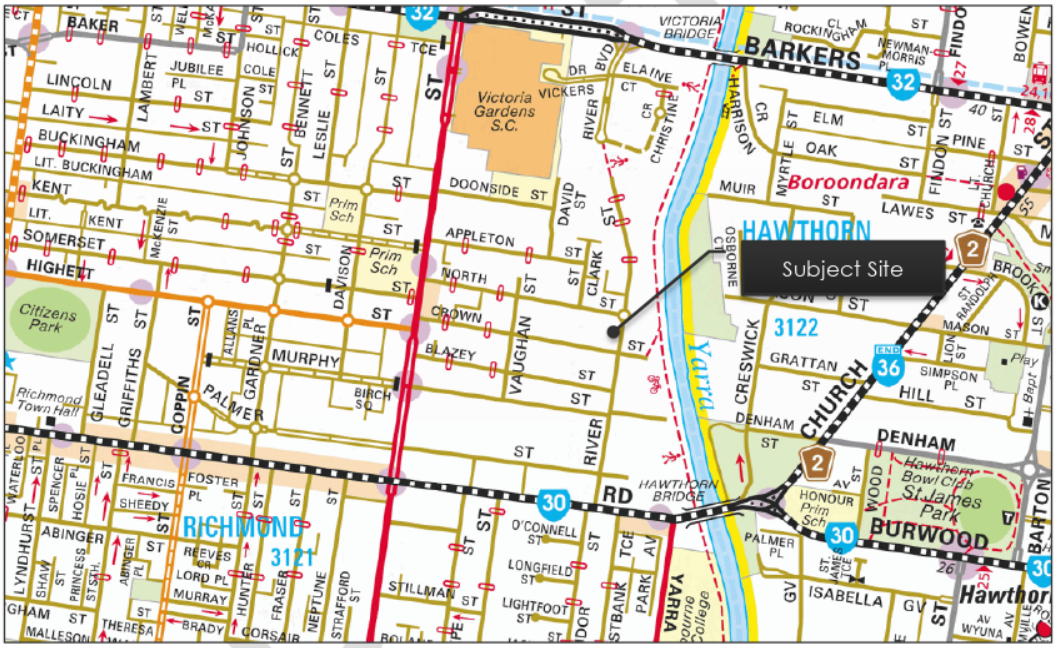
onemile**grid** has been requested by Veneziano Coffee to prepare a Waste Management Plan for the approved mixed-use development at 16-18 River Street, Richmond.

The preparation of this management plan has been undertaken with due consideration of the Sustainability Victoria Guidelines, industry best practice waste management, and relevant Council documentation.

2 EXISTING SITE CONDITIONS

The subject site is located on the north-western corner of the intersection between Crown Street and River Street as shown in Figure 1 below, and is addressed as 16-18 River Street, Richmond.

Figure 1 Site Location



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The site measures approximately 60 metres depth and 80 metres length, for a total area in the order of 4,500 m².

The site currently accommodates three separate tenancies, two of which (Tenancies 2 and 3, located on the south-western and north-eastern corners respectively) do not form part of this development.

The subject site, Tenancy 1, currently accommodates Veneziano Coffee, a coffee roasting, distribution and warehousing operation. The tenancy also includes an associated existing café use in the north east corner of the site, and ancillary training and office uses.

Vehicular access to the site is currently provided from Crown Street, approximately mid-way along the frontage. This access links to car parking, loading and waste collection areas shared amongst the three tenancies.

2.1 Existing Waste Collection

Information provided by the operator indicates that the primary waste generated by the coffee roasting and distribution operations are hessian sacks in which 'green' (unprocessed) coffee beans are transported to the site, and chaff, a by-product of the roasting process. The sacks cannot be recycled and are disposed of with other incidental garbage waste while the chaff is disposed of with the food organics waste from the café.

As part of the existing coffee roasting operations and café use, the site also features ancillary office and communications space on a mezzanine level and first floor with a total area of approximately 629 m², and a training room for the café with an area of 65m².

The waste produced from the training facility typically consists of coffee grounds and empty milk cartons while the office areas produce waste in line with the typical office use. The waste generated from these uses is currently accommodated for by the site wide waste collection services.

Waste disposal for all uses across the site is shared in order to minimise the number of waste collection vehicles visiting the site in addition to reducing the number of bins kept on site.

A variety of waste disposal methods are employed on site to segregate different waste streams, minimising the amount of waste sent to landfill.

Each waste stream is collected via a private contractor, with the current bins and collection frequency detailed below in Table 1.

Table 1 Existing Waste Management

Stream	*Bins/Disposal Method*	*Frequency*
Garbage	2 x 1.5 m³ dumpsters	3 times weekly
Recycling	1 x 1.5 m³ dumpster	3 times weekly
Commingled Recycling	1 x 240 litre bin	3 times weekly
Cardboard	Baler	Fortnightly
Polypropylene	Baler	Fortnightly
Polyethylene	Bagged	Fortnightly
Food Organics	1 x 660 litre bin	3 times weekly
Coffee Grounds	2 x 240 litre bins	Weekly
Pallets	Collected	As required

When undertaking collection, contractors prop adjacent to the waste storage area and manually transfer the bins to the adjacent concrete apron for collection by the relevant waste truck. Bins are then immediately transferred back their storage area.

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3 DEVELOPMENT PROPOSAL

3.1 General

The site currently operates as a coffee roasting operations and a food and drinks premise (café) of 230m² accommodating 80 patrons, open seven days per week. The operation also includes ancillary training and office spaces with areas of 65m² and 629m² respectively.

It is proposed to extend the operating hours of the café component as part of this application, noting that there is no proposed increase in floor area or patronage and that the remaining uses on-site will not be affected.

The existing and proposed operating hours of the café are detailed below in Table 2.

Table 2 Proposed Operating Hours

Day	*Existing*		*Proposed*		*Additional Hours*
	Opening	Closing	Opening	Closing	
Monday-Friday	7:00am	4:00pm	7:00am	11:00pm	7 hours
Saturday-Sunday	8:00am	4:00pm	8:00am	11:00pm	7 hours

3.2 Waste Management

The operator will continue to engage private waste contractors to manage the collection and disposal of all waste streams associated with the development.

Bins will be shared between the office, training, café and roasting components of the use to provide the most efficient use of resources.

Waste produced during the course of roasting operations will be immediately transferred by staff to the bin area and disposed of within the appropriate bins.

Café waste will be stored in the interim within bins located within the kitchen and servery and transferred by staff into the appropriate bins located within the communal bin area as required.

The training area will operate in the same manner, with small bins inside the room emptied into communal bins as required.

Office waste will also be stored in the interim within bins transferred by staff at the close of business each day.

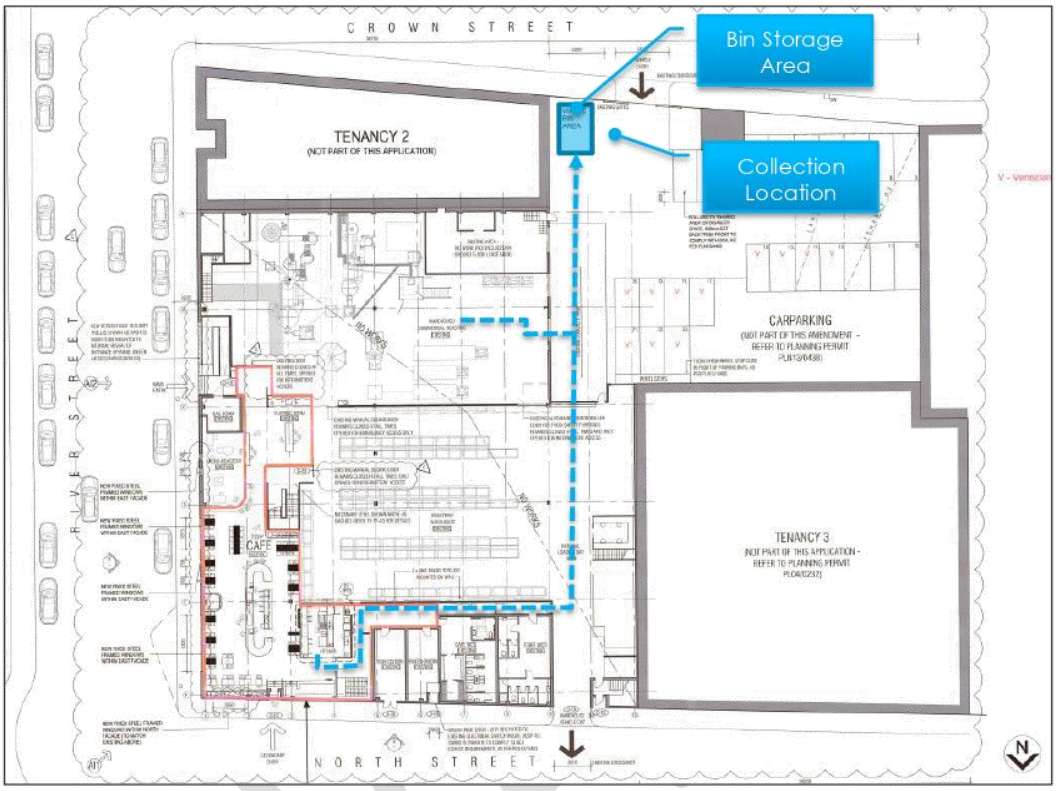
Bottles must not be broken up on the site and compaction must be carried out while the waste collection vehicle is moving to the satisfaction of the Responsible Authority.

The collection location and expected transfer route will remain as per existing conditions, as shown in Figure 2.

Attachment 4 - PLN13/0483.05 - 16 - 18 River Street Richmond - Advertised Amended Waste Management Plan

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Figure 2 Bin Storage Area and Collection Details



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4 WASTE GENERATION

Information provided by the operator indicates the following estimates of waste generation for the coffee roasting, café, office and training uses as shown in Table 3 below.

Table 3 Total Waste Generation

Use	Waste Stream	Existing Waste Generation / Week
Coffee Roasting	Garbage	3,900 Litres
	Recycling	1,900 Litres
Cafe	Garbage	3,500 Litres
	Recycling	2,400 Litres
Office	Garbage	315 Litres
	Recycling	315 Litres
Training	Garbage	95 Litres
	Recycling	95 Litres
Total	**Garbage**	**7,810 Litres**
	Recycling	**4,710 Litres**

It is noted that the rate identified within Sustainability Victoria and other waste management guidelines provide a rate for café uses based on floor area. As the hours of operation are proposed to increase with the floor area remaining the same, it is considered reasonable to adopt a waste generation rate based on the existing waste generation volume divided by the existing operating hours.

The existing waste generation of the café component has been broken down into a rate per hour based on the hours of operation detailed within Table 2. The total waste expected to be generated by the use is detailed below in Table 4.

Table 4 Amended Waste Generation

Use	Waste Stream	Existing Waste Generation / Week	Existing Waste Generation / Hour	Proposed Hours / Week	Amended Waste Generation / Week
Cafe	Garbage	3,500 Litres	57.4 litres	110 hours	6,312 litres
	Recycling	2,400 Litres	39.3 litres	110 hours	4,328 litres

As shown above, the café waste per week is expected to increase to 6,312 litres of garbage and 4,328 litres of recycling per week.

Adding the above to the existing waste generation per week for the remaining uses on-site equates to a total of 10,622 litres of garbage and 6,638 litres of recycling per week.

5 BIN REQUIREMENTS

5.1 Bin Provision and Specifications

5.1.1 Garbage and Recycling

Considering the projected waste generation outlined above and the existing waste management procedures, the following bins and waste collection schedule will be required for the proposed amended operating hours.

It is noted that the number of bins is as per existing conditions, with the collection frequency increased from 3 per week to 4 per week.

Table 5 Bin Provision

Stream	Total Waste / Week	Bin Size	Collection Frequency	Bins Required
Garbage	10,622 Litres	1,500 Litres	4 / Week	2 bins
Recycling	6,638 Litres	1,500 Litres 240 litres	4 / Week 4 / Week	1 bin 1 bin

5.2 Bin Storage

The number of bins and the bin storage location will remain as per existing conditions.

5.3 Bin Collection

Similar to the above, the method of waste collection is to remain consistent with the existing operation. Waste contractors will manually transfer bins to the adjacent concrete apron for collection by a front-lift waste truck. Bins are then immediately transferred back their storage area.

The hours of waste collection shall be in accordance with Condition 23 of the planning permit which states:

> *23. Waste (rubbish and recycling) may only be collected between:*
>
> *(a) 7:00AM-8:00PM Monday to Saturday*
>
> *(b) 9:00AM-8:00PM Sunday and public holidays*

5.4 Bin Cleaning

The operator shall ensure that the bins are kept in a clean state to minimise odours and to discourage vermin. The operator, waste contractor or a third party must regularly wash the waste areas and equipment, and bin lids must be kept closed.

DRAFT

6 WASTE MANAGEMENT

6.1 Best Practice Waste Management

Best Practice Waste Management is an initiative designed to reduce the amount of waste generated through encouraging a change of behaviour and action on waste management and moreover recycling.

The benefits of reducing waste generation are far reaching and has been identified as significantly important by Council and the Victorian Government.

The Victorian Waste and Resource Recovery Policy "Getting Full Value" has been prepared by the Victorian Government, and "sets out a position and an approach that will position Victoria as a national leader in resource recovery".

One of the primary goals of the policy is to "Assist Victorians to reduce the waste they generate and save Victorians' money through efficient use of resources", for which the following strategic directions are listed:

- Support commercial, not-for-profit and Victorian public sector organisations to achieve financial savings through waste reduction;
- Continue to work in partnership with the Commonwealth Government through the National Waste Policy: Less Waste, More Resources, and take a lead role in national strategies that harness Victoria's strengths and capabilities

This policy builds on the Towards Zero Waste strategy, which was launched in 2005.

The operator shall encourage staff to participate in minimising and reducing solid waste production where practicable by:

- Promoting the Getting Full Value Strategy and the Municipalities Waste Management Strategy, including the use of The Waste Hierarchy, which in order of preference seeks to:
  - Avoid waste generation in the first place;
  - Increase the reuse and recycling of waste when it is generated; and
  - Recover, treat or contain waste preferentially to;
  - Its disposal in Land Fill (which is least desirable).
- Providing information detailing recyclable materials to ensure that non-recyclable materials do not contaminate recycling collections;
- Providing information regarding safe chemical waste disposal methods and solutions, including correct battery and electronics disposal methods; and
- Encouraging composting of organic waste.

6.2 Signage

To avoid contamination between garbage streams, bins should include typical signage (preferably on the bin lid) to reinforce the appropriate materials to be deposited in each bin.

6.3 Staff Information

To ensure all staff are aware of their responsibilities with regard to waste and bin management, an information package should be prepared by the operator, including the following information:

- A copy of this Waste Management Plan;
- Methods and techniques for waste reduction and minimisation;
- Information regarding bin collection days and requirements; and
- Staff responsibilities with regard to bin usage, storage, and collection.

7 OCCUPATIONAL HEALTH & SAFETY RESPONSIBILITIES

The Owners Corporation/site operator shall ensure compliance to all relevant OH&S regulations and legislation, including the following:

- Worksafe Victoria Guidelines for Non-Hazardous Waste and Recyclable Materials

DRAFT

8 CONTACT INFORMATION

8.1 Council

Yarra City Council

Phone: (03) 9205 5555

Web: www.yarracity.vic.gov.au

Email: Info@yarracity.vic.gov.au

8.2 Others

Sustainability Victoria

Services: Sustainable Waste Management initiatives and information

Phone: 1300 363 744 (Energy, Waste and Recycling)

Web: www.sustainability.vic.gov.au

Email: info@sustainability.vic.gov.au

DRAFT

Attachment 5 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Planning Permit

Helping you understand your planning needs

PLANNING PERMIT (Amended)

Permit No: PLN13/0483

Planning Scheme: Yarra

Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

16-18 River St Richmond VIC 3121

THE PERMIT ALLOWS:

For the purpose of the following, in accordance with the endorsed plan(s).

Use of the land as industry (coffee roasting) and a food and drink premises (café), buildings and works, the sale and consumption of liquor (café and restaurant licence) and a reduction in the car parking requirements

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the sale and consumption of liquor 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 24 May 2019 but modified to show:

   (a) WIN1, WIN2 (northern façade only) and WIN3 to be reinstated as fixed in accordance with the window schedule on the existing endorsed plans (dated 27/10/2017).

   (b) Deletion of reference to signage.

   (c) Reinstatement of notations as shown on the existing endorsed plans (dated 27/10/2017), including the note: all new ground floor windows on the east and north facades are to remain closed whilst the coffee roaster is operational.

   (d) Elevations of the roof access catwalk with the location of the roof access catwalk finalised on all plans (deletion of reference to nominal location).

   (e) Sectional diagram demonstrating that the roof access catwalk is concealed from view when taken from the eastern footpath of River Street.

   (f) The north point is to be reinstated on the plans.

   (g) Plans must be provided at A1 size.

Date: **29 November 2013**

Ally Huynh
Signature for the Responsible Authority

2. Prior to the increase in hours of operations of the coffee roaster and before the café use commences, an amended acoustic report prepared by a suitably qualified expert to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be generally in accordance with the Renzo Tonin & Associates report, dated 28 May 2015, but modified to address the acoustic impacts of the proposal on the accommodation at 12 River Street, Richmond and the impacts of loading and unloading activities, demonstrating compliance with SEPP N-1.

3. Prior to the commencement of the use, a report prepared by a NATA (National Association of Testing Authorities Australia) accredited professional, or a suitably qualified professional to the satisfaction of the Responsible Authority, must be submitted to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit.

   This report must assess the emissions from the site and the impacts to adjoining properties. The report must demonstrate that the food/beverage production operation is in compliance with the State Environment Protection Policy (Air Quality Management) and that the criteria of 1 Odour Unit will not be exceeded beyond the site boundary; or recommend methods to ensure compliance with the State Environment Protection Policy (Air Quality Management) can be achieved and maintained throughout the operation of the business, to the satisfaction of the Responsible Authority.

4. Prior to the commencement of the use, an updated operation management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the operation management plan will be endorsed and will then form part of the permit. The plan must include/address:
   (a) procedures for minimising offsite impacts during upset conditions (e.g. plant malfunction);
   (b) procedures for recording, responding to and investigating complaints from the local community regarding noise and air emissions;
   (c) a complaints and incident register, which must be made available to Council officers upon request; and
   (d) access to onsite car parking for café patrons.

5. Before the sale and consumption of liquor 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 onemilegrid and dated 18 January 2016, but modified to include:
   (a) All floor area and functions of the operation.
   (b) Waste generation, procedures and practices as a result of the service of liquor from the site.

Date: 29 November 2013

Ally Huynh
Signature for the Responsible Authority

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

7. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

8. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
   Coffee roasting (all components)

   a. 7.00am to 9.00pm, Monday to Friday
   b. 9.00am to 7.00pm Saturday
   c. 10.00am to 5.00pm Sunday

   Food and drinks premises (café)

   a. 7.00am to 4.00pm

9. The two minor roaster (15kg and 5kg capacity) will not be operated when Roaster No. 1 is in operation, neither will they be operated at the following time:
   a. Monday – Friday - after 6 p.m.
   b. Saturday and Sunday – after 5 p.m.

10. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor from the food and drinks premises (café) may only occur between 9am and 4pm, seven days per week.

11. No more than 80 patrons associated with the café are permitted on the land at any one time .

12. Not more than 20 staff may be present on the premises at any one time, unless with the prior written consent of the Responsible Authority.

13. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.

14. The amenity of the area must not be detrimentally affected by the use or development, 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;
   (e) to the satisfaction of the Responsible Authority.

Date: 29 November 2013

Ally Huynh
Signature for the Responsible Authority

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

16. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

17. Except with the prior written consent of the Responsible Authority, the provision of music must be at a background noise level.

18. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.

19. Windows and doors in the north and east facades must remain closed during roasting operations (the rear delivery entry may be left opened and doors may be opened to allow for pedestrian ingress and egress).

20. All delivery and collection of goods (other than waste) associated with the business must be conducted between 7.30am and 5pm Monday to Friday.

21. Parking and loading areas and access lanes must be kept available for those purposes at all times and must not be used for any other purpose (such as storage).

22. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and in a manner that limits interference with other vehicular traffic to the satisfaction of the Responsible Authority. The loading bay must be kept clear at all times for reception of goods.

23. Waste (rubbish and recycling) may only be collected between
    (a) 7.00 am – 8.00 pm Monday to Saturday;
    (b) 9.00 am – 8.00 pm Sunday and public holidays.

24. Bottles must not be broken up on the site and compaction must be carried out while the waste collection vehicle is moving, to the satisfaction of the Responsible Authority.

25. Emptying of bottles and cans into bins may only occur between 7am and 10pm on Monday to Saturday or after 9am on a Sunday or public holiday.

EPA conditions (26 – 30)

26. Offensive odours must not be discharged beyond the boundary of the premises.

27. Nuisance dust must not be discharged beyond the boundary of the premises.

28. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

Date: 29 November 2013

Ally Huynh
Signature for the Responsible Authority

29. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, to the satisfaction of the Responsible Authority.

30. There must be no discharge or seepage of waste from the premises to the land or water (including stormwater) environments.

31. Any new vehicular crossing must be constructed in accordance with Council's standard vehicular crossing specifications, prior to completion of the development, and to the satisfaction of the Responsible Authority.

32. This permit will expire if:

    (a) the development is not commenced within two years of the date of the amended permit;
    (b) the development is not completed within four years of the date of the amended permit; or
    (c) the extended operation hours of coffee roasting and café is not commenced within five years of the date of the amended permit.
    (d) the sale and consumption of liquor is not commenced within two years of the date of this amended 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.

NOTE: This premises must comply with the Food Act 1984. The use must not commence until plans have been approved by Council's Community Amenity and Health Branch.

NOTE: This premises must comply with the Health Act 1984. The use must not commence until plans have been approved by Council's Community Amenity and Health Branch.

NOTE: A building permit maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5351 to confirm.

NOTE: All future employees within the development and use approved under this permit will not be permitted to obtain employee or visitor parking permits.

EPA NOTE: Details of appropriate secondary containment for the storage and transfer of liquids can be found in the Bunding Guidelines (EPA publication 347).

Date: 29 November 2013

Ally Huynh
Signature for the Responsible Authority

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
7 December 2015	Pursuant to Sections 73 and 74 of the Planning and Environment Act (1987), Section 72 Amendment to Planning Permit PLN13/0483 to allow a partial change of use of the land to a food and drink premises (cafe), amendment to Condition 7 of the permit to increase the hours of coffee roasting, buildings and works and a reduction in the car parking requirement. The following conditions have been amended – Conditions 1(a), (b), (c), (e), (f), 2, 4(d), 5, 6, 7, 8, 9, 24. The following conditions have been renumbered – Conditions 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23. The following note was included on the permit; *All future employees within the development and use approved under this permit will not be permitted to obtain employee or visitor parking permits.*
6 December 2019	Section 72 amendment to allow the sale and consumption of liquor on the premises in association with the approved food and drink premises (cafe) and for changes to the plans including modification and increase to the associated floor areas (retrospective) and car parking allocation and buildings and works to construct a roof access catwalk
29 October 2020	Amendment to planning permit PLN13/0483 including: expand the use of industry (coffee roasting) to the ground floor of tenancy 2 (for ancillary storage) and a further reduction in the car parking requirements

THIS PERMIT HAS BEEN CORRECTED AS FOLLOWS:

Date of correction	Brief description of correction
5 September 2017	The mezzanine plan and elevation plans have been endorsed in accordance with the amendment dated 7 December 2015.

Date: **29 November 2013**

Ally Huynh
Signature for the Responsible Authority

Attachment 5 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Planning Permit

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

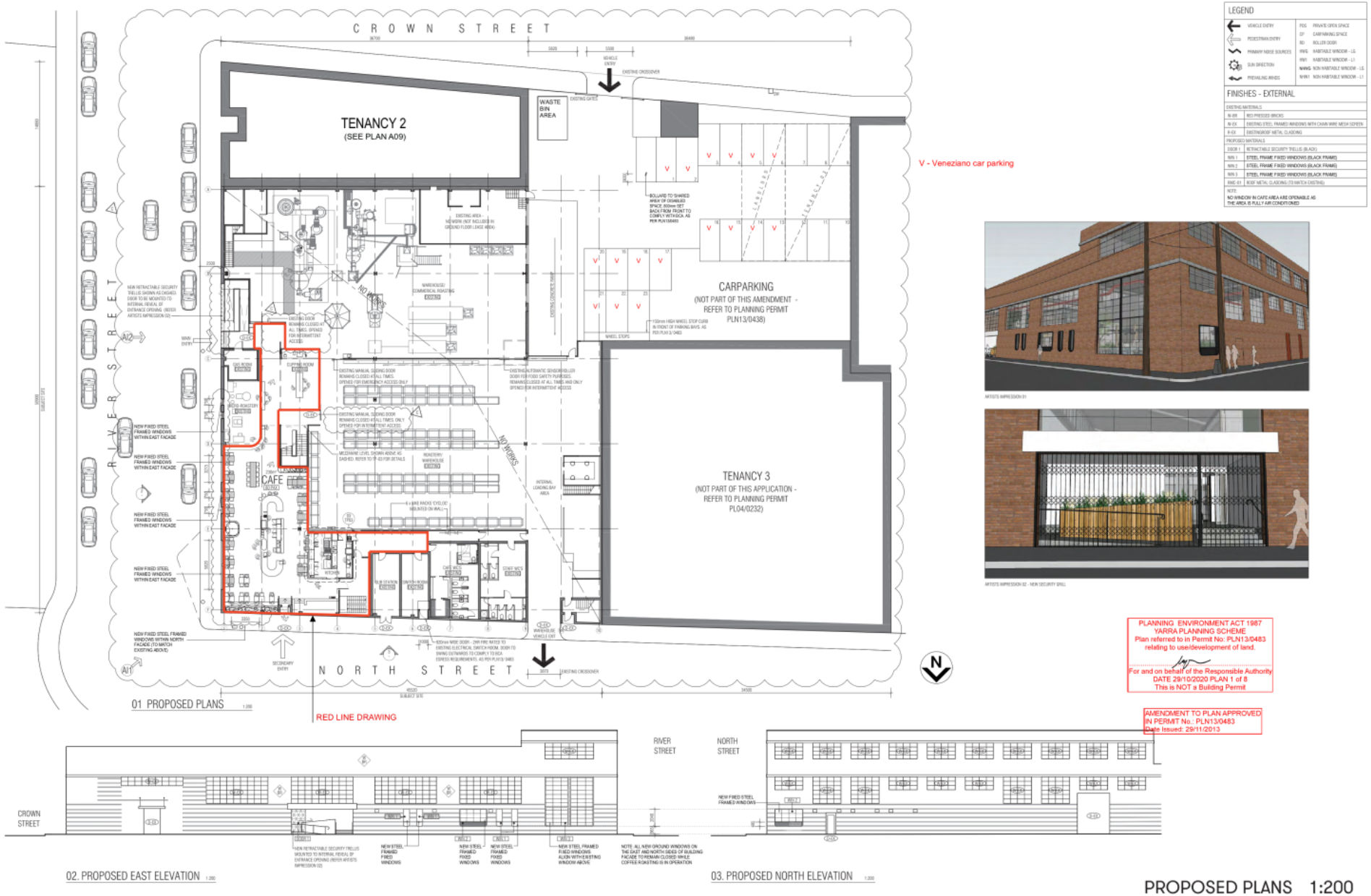
1. A permit for the development of land expires if—
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; 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 or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
   - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
   - the use is discontinued for a period of two years.
3. A permit for the development and use of land 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 of it 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; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
   - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

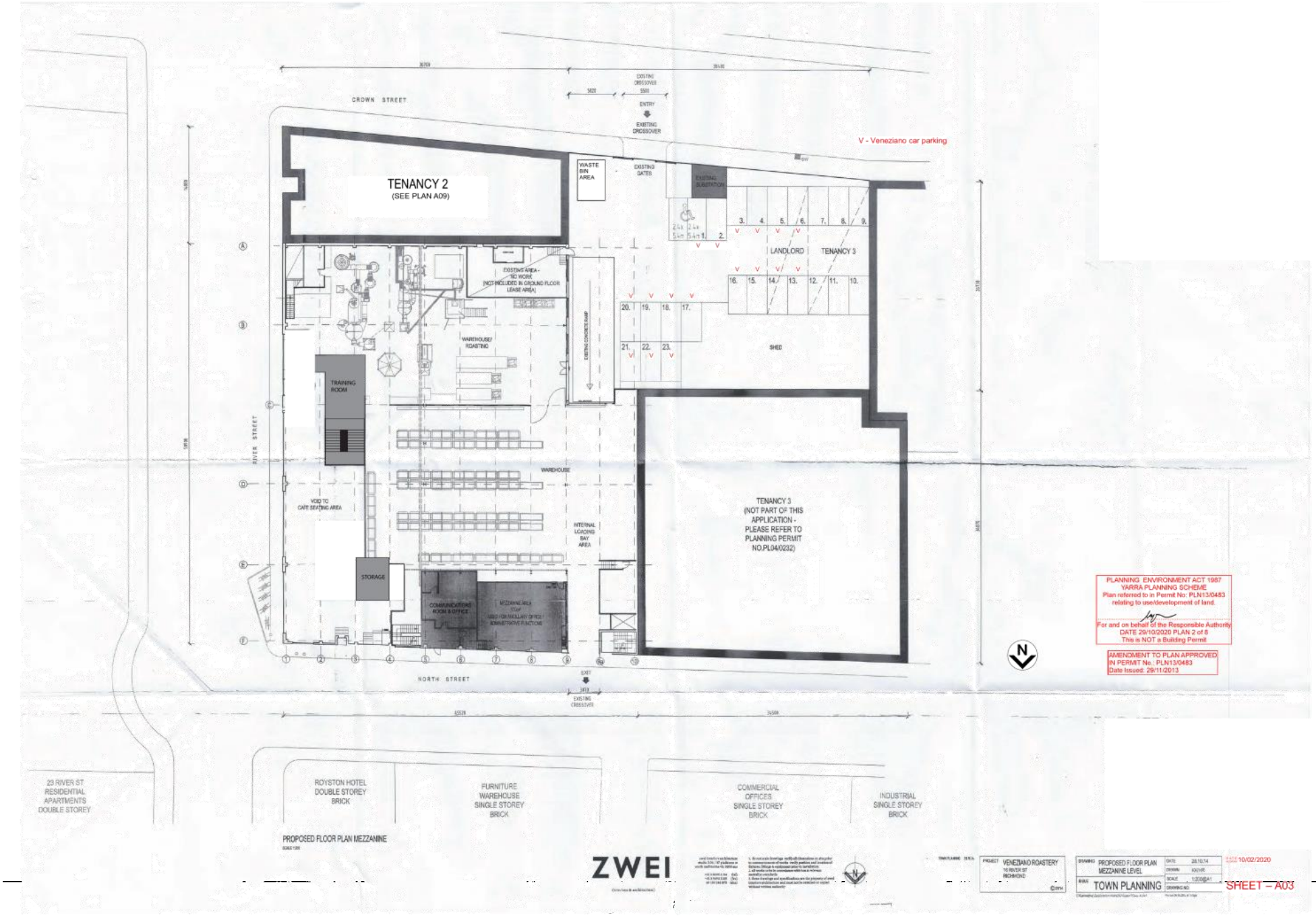
- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64 64A and 86

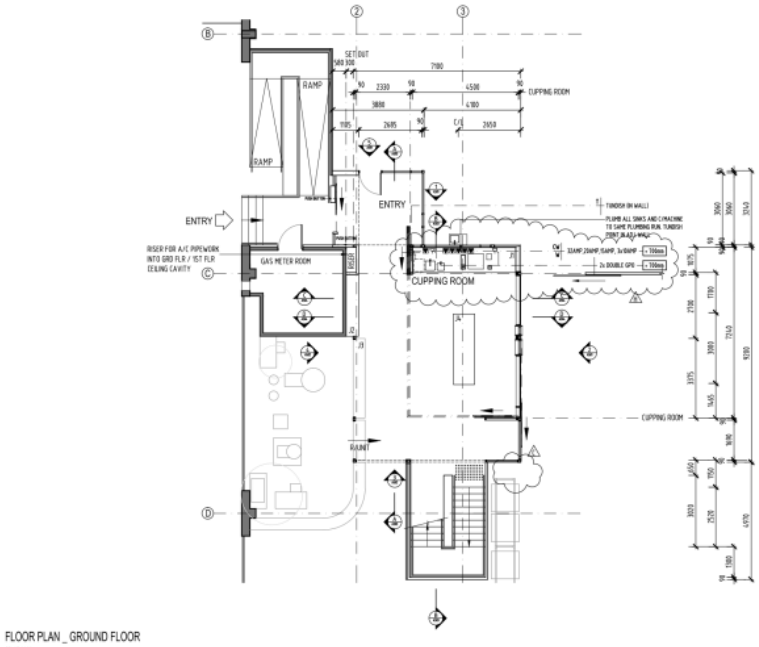
Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans



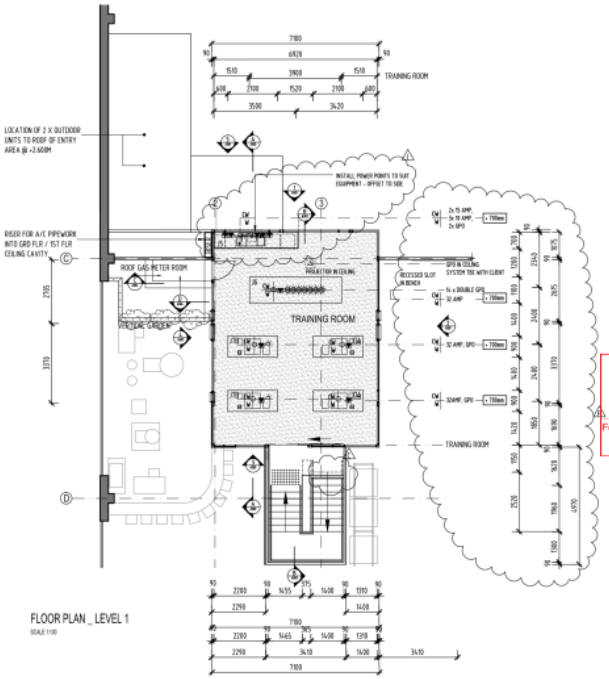
Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans



Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans



FLOOR PLAN _ GROUND FLOOR



FLOOR PLAN _ LEVEL 1



LOCATION PLAN

PLANNING ENVIRONMENT ACT 1987
YARRA PLANNING SCHEME
Plan referred to in Permit No: PLN13/0483
relating to use/development of land.

For and on behalf of the Responsible Authority
DATE 29/10/2020 PLAN 3 of 8
This is NOT a Building Permit

AMENDMENT TO PLAN APPROVED
IN PERMIT No.: PLN13/0483
Date Issued: 29/11/2013

LIGHTING LEGEND

EXISTING SWITCHBOARD & PHONE MAINS, NOTE: LOCATED IN SWITCHBOARD ROOM

RUNNING MAN EXIT SIGN

ARCHELUX ALBA 800 ROUND LED 15W SURFACE MOUNTED FITTING, WHITE CONTACT: FLAVIO 0439172768

MASTER KILL SWITCH

SWITCH FOR CIRCUIT AS SHOWN

NEW EMERGENCY LIGHT

NEW WALL MOUNTED EMERGENCY LIGHT

MECHANICAL LEGEND

SQUARE LOUVRE BLADED SUPPLY AIR DIFFUSER – LAYOUT TBC BY NOMINATED CONTRACTOR

DRAWINGS TO BE CO-ORDINATED WITH SEPARATE MECHANICAL DESIGN

FLOOR FINISHES LEGEND

SEL MARMOLEUM FLOORING, COVE UP WALL 25mm, DIRECT STICK TO SUBSTRATE

NOTE: GROUND FLOOR TREATMENT THROUGHOUT – LIGHT GRIND TO EXISTING SLAB, CLEAR EPOXY SEAL, 30% GLOSS LEVEL

SERVICES LEGEND

DOUBLE GPO - 10AMP

POWER POINT, DEDICATED CIRCUIT, AMP AS NOMINATED CAT 6 DATA LINE

NUMBERS INDICATE NUMBER OF POWER/ DATA OUTLETS AT 300mm AFFL. EG: 6/1/2 INDICATES 3x 10AMP-240V DOUBLE GPO's WITH 2x DATA OUTLETS - HARD WIRED.

DISTRIBUTION BOARD

DRY CHEM FIRE EXTINGUISHER TO COMPLY WITH BCA

HOT & COLD WATER SUPPLY

WASTE

FLOOR WASTE

TUNDISH

GAS

ZWEI

PROJECT VENEZIANO ROASTERY
16-18 RIVER ST
RICHMOND VIC

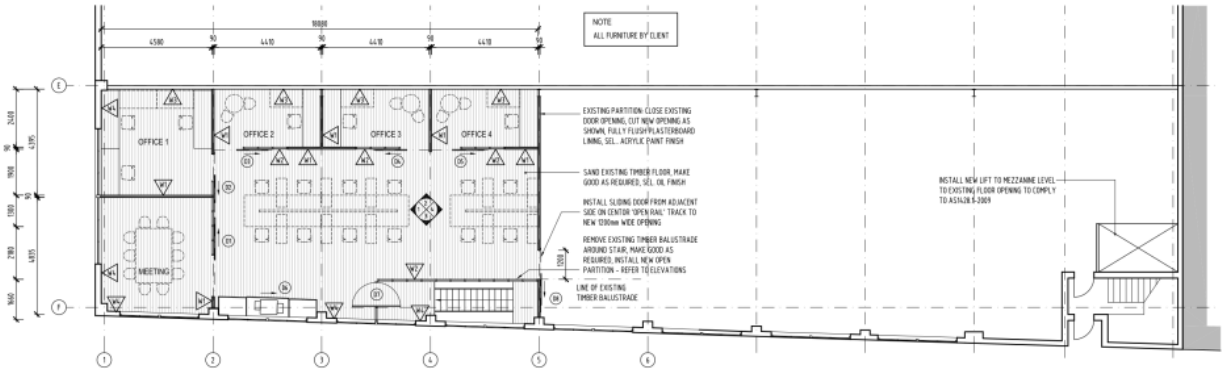
DRAWING CUPPING & TRAINING ROOM FLOOR PLAN GF & L1

DATE 15/04/15

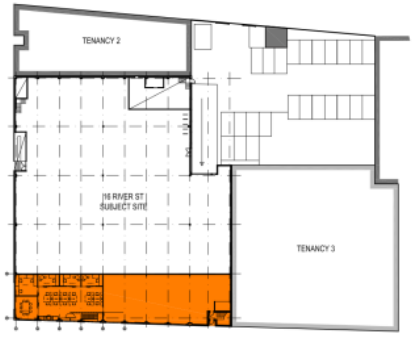
ISSUE CONSTRUCTION

SHEET - A05

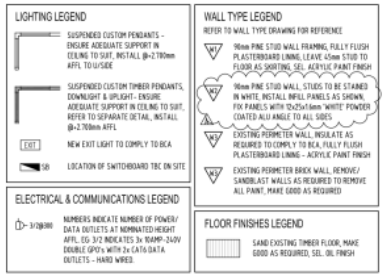
Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans



WALL LAYOUT & FLOOR FINISHES PLAN



LOCATION PLAN

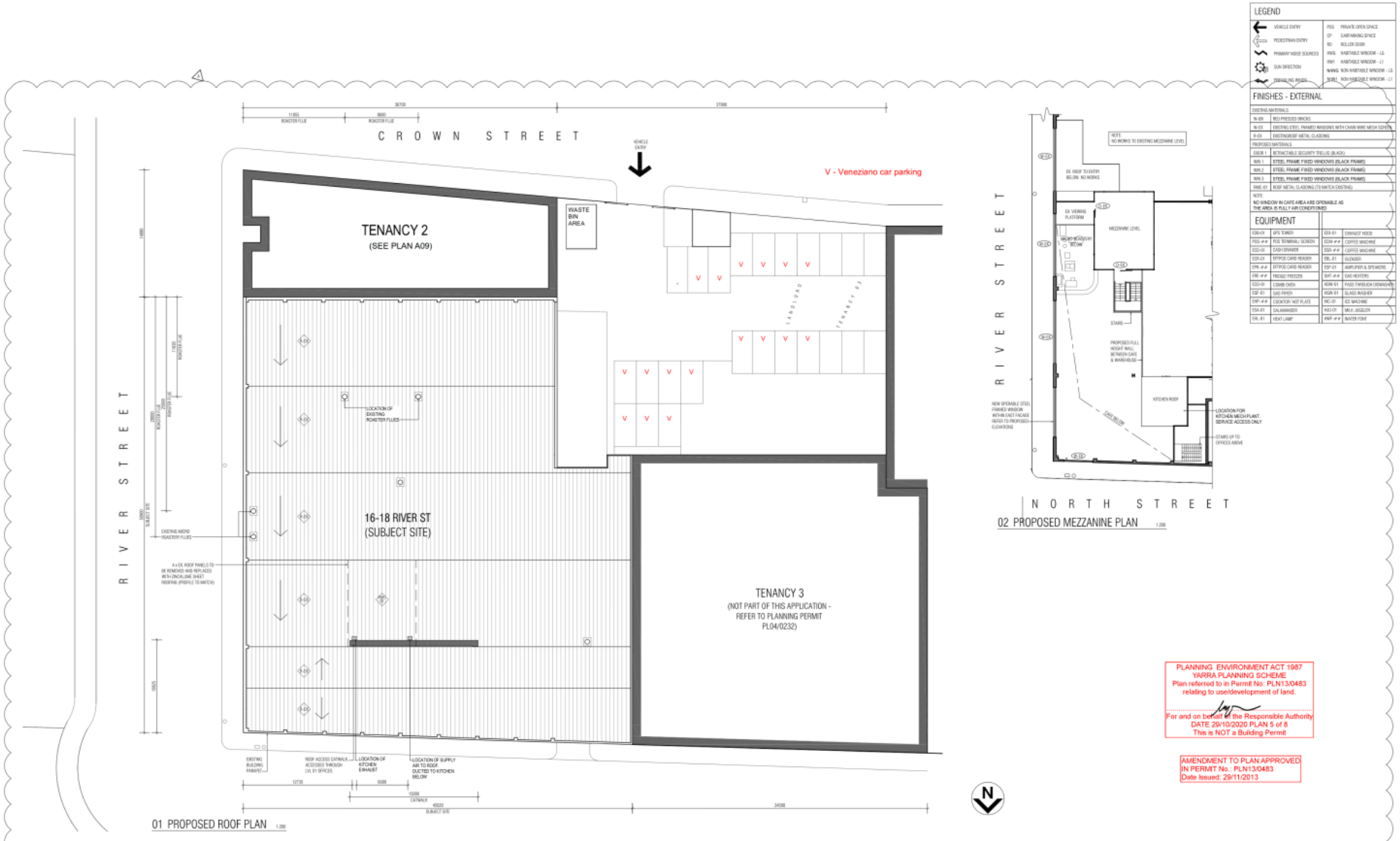


PLANNING ENVIRONMENT ACT 1987
YARRA PLANNING SCHEME
Plan referred to in Permit No: PLN13/0483
relating to use/development of land.
For and on behalf of the Responsible Authority
DATE 29/10/2020 PLAN 4 of 8
This is NOT a Building Permit

AMENDMENT TO PLAN APPROVED
IN PERMIT No.: PLN13/0483
Date Issued: 29/11/2013



Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans



PROPOSED ROOF PLAN & MEZZANINE PLAN 1:200

DO NOT SCALE FROM DRAWING. BUILDER TO CHECK DIMENSIONS ON SITE.

REVISIONS FOR THIS ISSUE SHOWN CLOUDED
- 17.03.2017 ISSUED FOR MINOR AMENDMENT TO PLANNING PERMIT PLN13/0483 (TO PLANNING CONSULTANT)
A 21.03.2017 ISSUED FOR MINOR AMENDMENT TO PLANNING PERMIT PLN13/0483

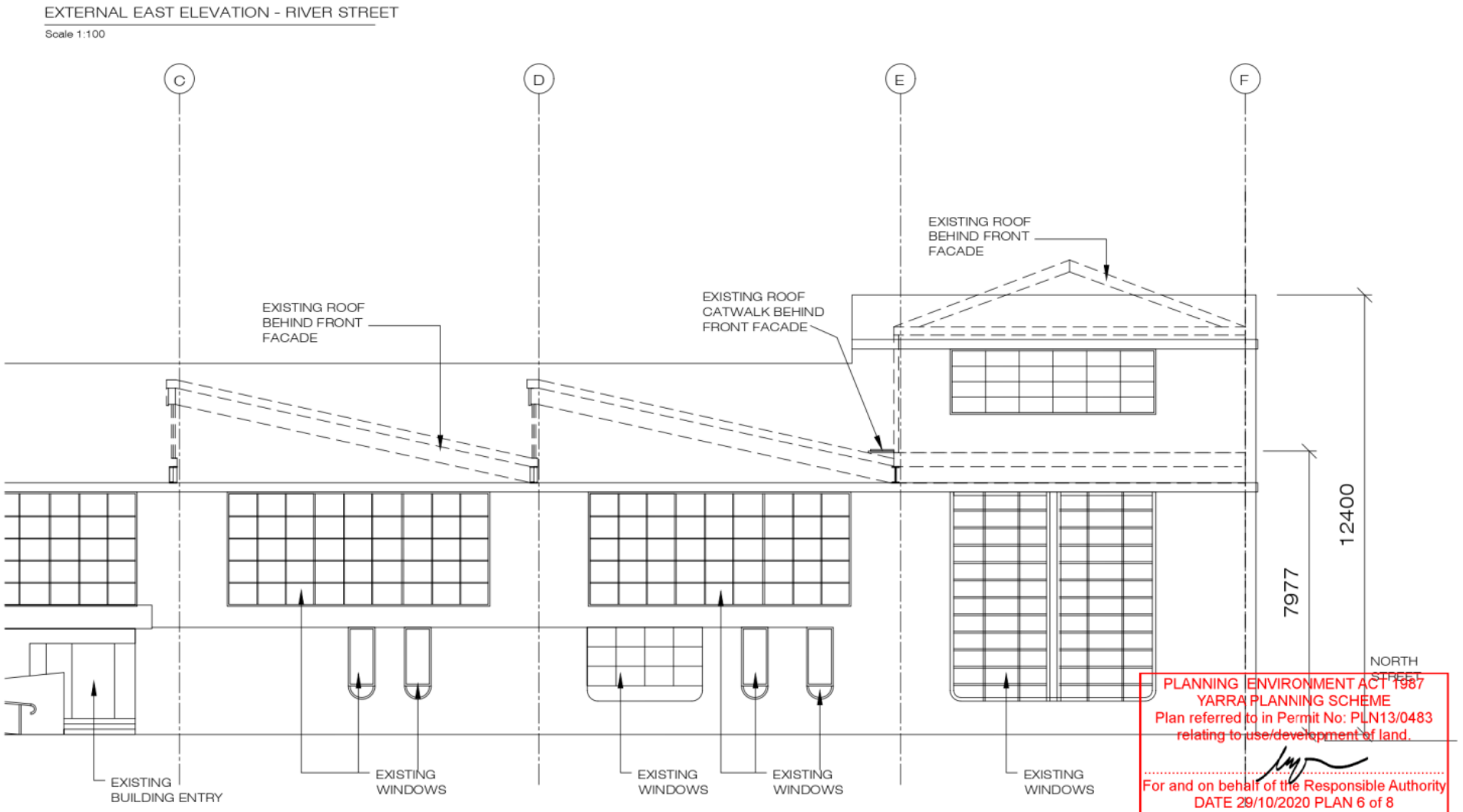
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VENEZIANO CAFE
PROJECT NO 14102
ADDRESS 16-18 RIVER STREET RICHMOND, VIC, 3121
CLIENT CRAIG DICKSON

PRINT SIZE A1
DRAFTED SM/ TS
CHECKED SM
ORIG. ISSUE MARCH '17

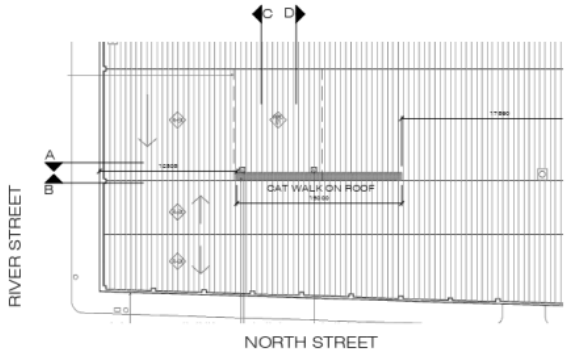
TOWN PLANNING
REV. 10/03/2020
SHEET – A04

Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans

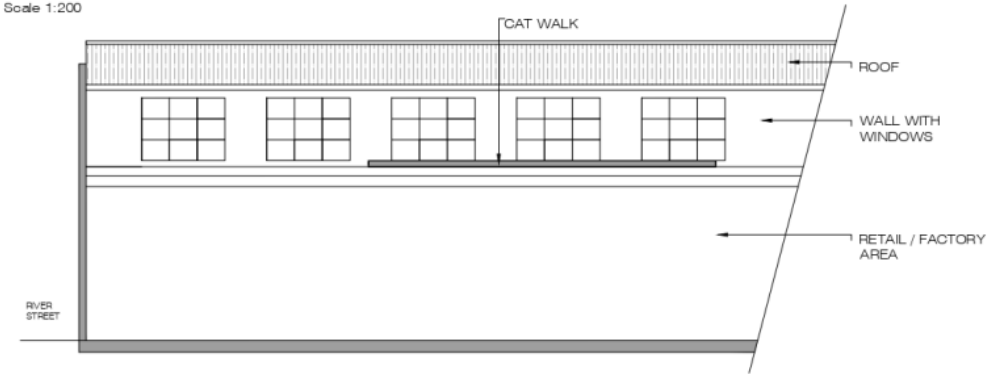


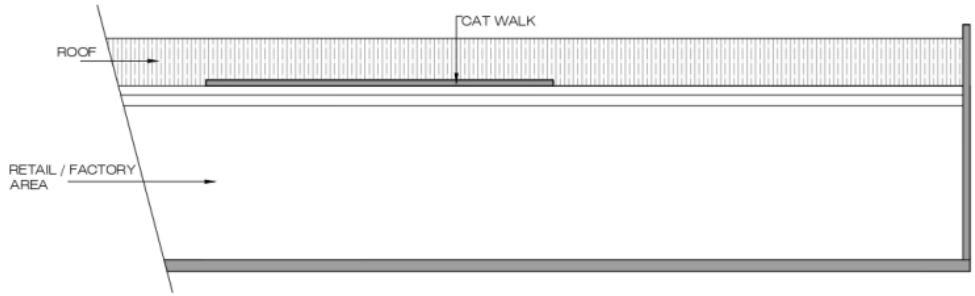
Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans

PLAN - KEY
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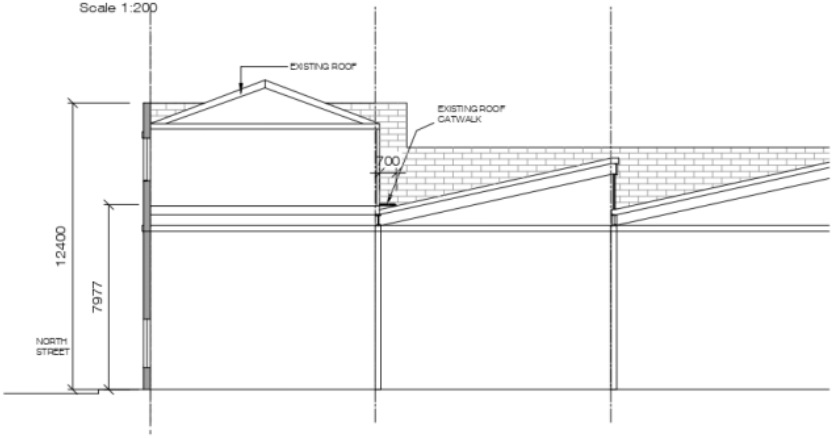
SECTION A
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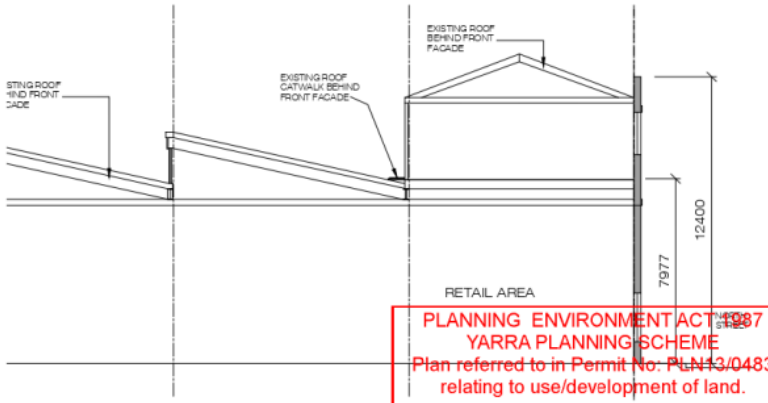




SECTION B
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SECTION C
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SECTION D
Scale 1:200

PLANNING ENVIRONMENT ACT 1987
YARRA PLANNING SCHEME
Plan referred to in Permit No: PLN13/0483
relating to use/development of land.

For and on behalf of the Responsible Authority
DATE 29/10/2020 PLAN 7 of 8
This is NOT a Building Permit

AMENDMENT TO PLAN APPROVED
IN PERMIT No.: PLN13/0483
Date Issued: 29/11/2013

REVISIONS

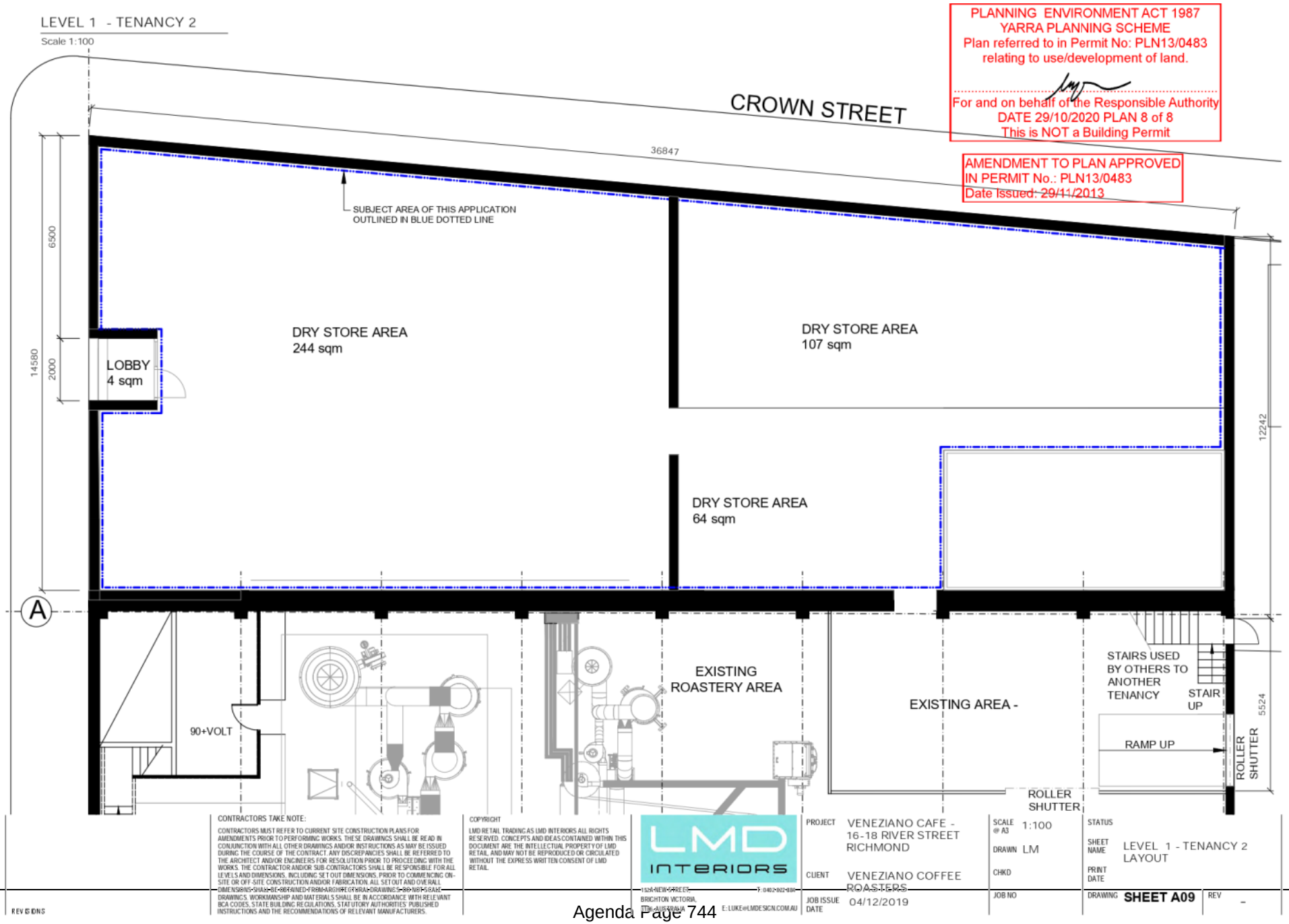
CONTRACTORS TAKE NOTE:
CONTRACTORS MUST REFER TO CURRENT SITE/CONSTRUCTION PLANS FOR AMENDMENTS PRIOR TO PERFORMING WORKS. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS AND/OR INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCIES SHALL BE REFERRED TO THE ARCHITECT AND/OR ENGINEERS FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORKS. THE CONTRACTOR AND/OR SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR ALL LEVELS AND DIMENSIONS, INCLUDING SET OUT DIMENSIONS, PRIOR TO COMMENCING ON-SITE OR OFF-SITE PREFABRICATION OF ANY ITEM. FIGURED DIMENSIONS SHALL BE OBTAINED FROM ARCHITECTURAL DRAWINGS. DO NOT SCALE DRAWINGS. WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH RELEVANT BCA CODES, STATE BUILDING REGULATIONS, STATUTORY AUTHORITIES' PUBLISHED INSTRUCTIONS AND THE RECOMMENDATIONS OF RELEVANT MANUFACTURERS.

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LMD INTERIORS
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PROJECT	VENEZIANO CAFE - 16-18 RIVER STREET RICHMOND
CLIENT	VENEZIANO COFFEE ROASTERS
JOB ISSUE DATE	04/12/2019
SCALE @ A3	1:200
DRAWN	LM
CHKD	
JOB NO	
STATUS	
SHEET NAME	ROOF TOP CAT WALK - SECTIONS
PRINT DATE	
DRAWING	SHEET A08
REV	-

Attachment 6 - PLN13/0483.05 - 16 - 18 River Street Richmond - Current Endorsed Plans



Attachment 7 - PLN13/0483.05 - 16 - 18 River Street Richmond - Formal Referral Response - Acoustic Consultant

28 July 2021

640.10090.03770 16-18 River St Richmond 20210728.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Madeleine Maloney

Dear Madeleine

16-18 River Street, Richmond
Development Application Acoustic Review
PLN13/0483.05

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic documentation prepared to support the application for changes to the venue at 16-18 River Street, Richmond.

Details of the acoustic documentation are as follows:

Addendum

- Title: Veneziano Coffee, 16-18 River Street, Richmond – Addendum to Acoustic Assessment (r2-March 2021 update for extended café trading hours)
- Date: 18 March 2021
- Prepared for: Veneziano Coffee
- Prepared by: Renzo Tonin & Associates

The previous acoustic report prepared for the application was for the coffee roasting component of the business. This version of the report comprises the endorsed acoustic report (issued 21 December 2021) with highlight modifications addressing the matter of the proposed extension of café trading hours.

1 Background Information

(Addendum introduction)

The proposal is to increase the hours of operation of the existing on-site café.

- Current café hours: 7 am to 4 pm daily
- Proposed café hours: 7 am to 11 pm daily

Potential noise impacts from the proposal are identified as:

- Roof mounted mechanical plant
- Patron noise
- Background music noise

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

SLR Comments: *The proposed changes and potential noise impacts have generally been identified.*

We note that the café currently has external dining introduced to compensate for the patron density restrictions indoors. This area is not mentioned in the acoustic report and it is unclear whether it is proposed to be used during the extended period.

2 Background noise levels

(Sections B.2 and B.3 of the Addendum)

Background noise logging undertaken in 2013 has been re-analysed to obtain background data for the night period. The data was obtained on the 4th storey roof terrace of 33A River Street. The A-weighted dated is presented in Table 1 and is equal to 41 dBA.

An octave band spectrum (for the purpose of determining music noise limits at night) is provided in Table 8. The level is noted to be derived from the spectrum previously measured by RTA (measurement conducted between 6:30 am and 7 am Thursday 16 April 2015), and adjusted down by 3 dB to reflect likely night levels.

SLR Comments: *The presented A-weighted night level is consistent with the noise logging data.*

The data itself is quite old, and due to the fact that it was obtained on the roof of 4 storey terrace, is likely to be higher than background levels at the potentially most impacted rooms of dwellings (which are likely to be on lower levels).

We also have concerns about applying a decibel adjustment to the octave band background data collected in the morning, to obtain a spectrum for the night period. There may be greater levels of low frequency noise in the morning period when higher levels of distant traffic and commercial noise are likely.

We recommend that a background noise measurement specific to this application be conducted to address noise during the proposed operating times to ground and first floor receivers. This could be an attended measurement at ground level, between the hours of 10 pm and 11 pm on a quiet night of the week, when the café proposes to operate.

3 Mechanical plant noise

3.1 Noise limits

(Section 5 of the report and Appendix B.2)

RTA discuss the new legislation for commercial noise (Publication 1826 / Noise Protocol, Part I) and observe that the noise limits will not change under the new legislation. They provide night noise limits for mechanical plant, based on the background noise data discussed in **Section 2** of this review.

SLR Comments: *From our understanding of the site, most mechanical plant is roof mounted, and will potentially impact upper level receivers more than ground and first floor. As such, the roof obtained background noise data is appropriate for an assessment of mechanical plant noise (i.e. the data is representative of background noise at the potentially most impacted receiver locations).*

3.2 Assessment

(Section 6.3 of the report)

RTA have assessed noise from the existing roof mounted mechanical plant to determine whether it will comply with the evening and night noise limits. Measurements were conducted on Wednesday 10 March. Measurements were conducted at reference distances from the roof mounted equipment, with the relevant items of plant and measured levels being:

- Kitchen exhaust fan – 65 dBA @ 1.5 m
- 3 x AC units and 2 x exhaust flues – 63 dBA @ 2.5 m

The measured noise levels have been used to predict noise to the nearest receiver locations. The predicted levels are below 35 dBA and comply with the lowest identified limit, being the night noise limit of 48 dBA.

SLR Comments: *We assume that the AC units and exhaust flues were located close together, and that the measured level is representative of noise from all these items of plant (to be confirmed by RTA).*

Provided this assumption is correct, the assessment adequately addresses mechanical plant noise from the proposed extension of hours.

4 Patron noise

4.1 Criteria

(Section 6.3.2 of the report)

RTA propose to assess patron noise to SEPP N-1 and to sleep disturbance criteria of 60-65 $L_{Amax.}$

SLR Comments: *The proposed criteria are reasonable. However, we as previously discussed, we recommend that noise limits be determined from background noise levels conducted for this specific application.*

4.2 Assessment

(Section 6.3.0 and 6.3.2 of the report)

Patron noise was measured within the café on Wednesday 10 March 2021 during the busiest trading period. The measured level was 69 L_{Aeq}. This data has been used to predict patron noise to sensitive receiver locations in Table 4. Noise from within the café is predicted and assessed to the SEPP N-1 limits, assuming windows closed and door used for egress only. Noise produced by an individual talking just outside the café is predicted and assessed to L_{Amax} criteria. Predictions are provided for noise from within the café. The predicted noise levels comply with the identified limits.

SLR Comments: *Some further information about the number of patrons in the café at the time the benchmark tests were conducted would have provided further assurance that the assessment is for worst case as the café may be busier during the evening than during the afternoon.*

The report does not provide much detail about the calculation methodology or assumptions made in the assessment. For example, it is unclear what the windows are assumed to be made of, whether there is any original glazing in the café, and whether the café is open to the first floor (with a resulting large area of glass, and what appear to be original factory windows). This information should be provided for transparency.

The predicted patron noise levels at sensitive receiver locations are, however, at least 18 dB below the identified limits. This suggests that the application is low risk and our indicative calculations (using the worst case assumptions re building construction) also suggest comfortable compliance.

5 Music

5.1 Criteria

Music noise limits have been determined from the background noise data discussed in **Section 2.**

***SLR Comments**: The noise limits should be determined from background noise data as per our guidance in Section 2 of this review.*

5.2 Assessment

(Section 6.3 and of the report)

Music was measured during RTA's daytime site visit at 2 m from loudspeakers within the café. The octave band spectrum is provided in Table 2 of the report, and equate to an overall level of 69 dBA / 75 dBC.

As assessment of music to sensitive receiver locations is provided in Table 5, using the measured indoor levels. The measured levels are noted to be consistent with 'background music' as defined in the Liquor Control Reform Act.

The predicted noise levels at sensitive receiver locations are at least 5 dB below the octave band limits.

To help ensure ongoing compliance, RTA recommend that music within the café be played at levels consistent with 'background music' as defined in the Liquor Control Reform Act, and that no audio amplification equipment is installed outside the building.

***SLR Comments**: We have some concern about assuming that the future evening / night music noise levels will be the same as the current daytime only levels, and with relying on the subjective definition of background music provided in the Liquor control Reform Act for managing impacts. There would appear to be a risk that higher levels of music may be played during the evening / night period.*

We recommend that the consultant provide advice for ensuring that compliant music levels are not exceeded, taking into consideration lower noise limits if these are identified. Management of impacts might entail documenting the current sound system (no of speakers, their location and type) and/or specifying that a calibrated music noise limiter / compressor be installed in the audio chain.

6 Summary

SLR has undertaken a review of the acoustic report prepared to support the application for an extension of hours of the café at 16-18 River Street, Richmond.

The report utilises background noise data that is not ideal for an assessment of music and patron noise from the site, and we recommend that new noise data be obtained and limits for patron and music noise are revised to take these into consideration.

Additionally, it is recommended that further guidance be provided to the venue for managing music levels.

Attachment 7 - PLN13/0483.05 - 16 - 18 River Street Richmond - Formal Referral Response - Acoustic Consultant

Noise from the external dining areas has not been assessed, and we understand that it is not required to be considered in the acoustic planning report. However, the café and the sensitive receivers are both shielded from major roads and there is potential for the area to be very quiet during the late evening / night periods. The introduction of external dining at these times is likely to have amenity impacts.

Regards,



Dianne Williams
Principal – Acoustics

Checked/Authorised by: JA

Attachment 8 - PLN13/0483.05 - 16 - 18 River Street Richmond - Formal Referral Response - Civic Compliance

Moloney, Madeleine

From: Alexander, Steve
Sent: Friday, 11 June 2021 4:11 PM
To: Moloney, Madeleine
Subject: RE: PLN13/0483.05 - 16 - 18 River Street Richmond - planning referral (amendment to licensed hours)

Dear Madeleine

Thank you for your referral. I've had an opportunity to review the application including the acoustic report, given the total numbers being 80 patrons and the use being 'café' until 11pm, the Compliance branch does not have any concern with the proposal. I recommend a condition stipulating ' background music only' and given they have a large outdoor dining area in the car parking spaces 'parklet', I also recommend a condition stipulating, 'no speakers or any music allowed outside the premises'.

In addition there have been no recent amenity complaints at the current location.

Steve Alexander
Coordinator Compliance and Construction Enforcement
Corporate Business and Finance
PO BOX 168 Richmond VIC 3121
T (03) 9205 5166
E steve.alexander@yarracity.vic.gov.au
W yarracity.vic.gov.au
Follow us on Facebook, Instagram and Twitter

From: Moloney, Madeleine <Madeleine.Moloney@yarracity.vic.gov.au>
Sent: Friday, 11 June 2021 2:42 PM
To: Alexander, Steve <Steve.Alexander@yarracity.vic.gov.au>
Subject: PLN13/0483.05 - 16 - 18 River Street Richmond - planning referral (amendment to licensed hours)

Hi Steve,

Please see attached memo (also containing link to relevant documents online) for the above application.

Please contact me if you have any queries.

Kind regards

Madeleine Moloney
Senior Statutory Planning Officer
Statutory Planning Branch

PO BOX 168 Richmond VIC
ABN 98 394 086 520
T (03) 9205 5009
E madeleine.moloney@yarracity.vic.gov.au

Attachment 9 - PLN13/0483.05 - 16 - 18 River Street - Formal Referral Response - City Works (waste)

Moloney, Madeleine

From: Athanasi, Atha
Sent: Monday, 25 October 2021 12:09 PM
To: Moloney, Madeleine
Subject: RE: PLN13/0483.05 - 16 - 18 River Street Richmond - Amended Waste Management Plan Referral

Hi Madeleine,

The waste management plan for 16-18 River Street, Richmond authored by One Mile Grid and dated 6/4/21 is satisfactory from a City Works Branch's perspective.

Regards,

Atha Athanasi
Contract Management Officer

Service Contracts and Waste Services - City Works Branch
168 Roseneath St CLIFTON HILL VIC 3068
T (03) 9205 5547 F (03) 8417 6666
Atha.Athanasi@yarracity.vic.gov.au
www.yarracity.vic.gov.au
Follow us on Facebook, Instagram and Twitter

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

From: Moloney, Madeleine <Madeleine.Moloney@yarracity.vic.gov.au>
Sent: Wednesday, 20 October 2021 9:25 AM
To: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Subject: PLN13/0483.05 - 16 - 18 River Street Richmond - Amended Waste Management Plan Referral

Hi Atha,

This application proposes to amend the existing permit (PLN13/0483) to extend the hours of operation of the existing (licensed) café from 4pm until 11pm (including the sale and consumption of liquor). There is no change to the size of café or maximum patron numbers (80).

The current permit also allows an industry (coffee roasting) on-site which is unchanged – I've attached the existing permit and the endorsed plans. The plans are not proposed to be modified.

The applicant has provided an amended Waste Management Plan (attached) to reflect the increased volume of waste generated by the extended hours of the café.

6.4 PLN20/0456 (Title B), PLN20/0457 (Title C), PLN20/0458 (Title D) and PLN20/0459 (Title A) - 10 Belgravia Street Richmond

Executive Summary

Purpose

1. This report provides Council with an assessment for four applications at No. 10 Belgravia Street Richmond, each for the construction of two triple storey dwellings with associated roof terraces. The report recommends approval of the applications subject to conditions. Each application will be provided a separate recommendation which will be included in the attachments to this report.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 32.08 – General Residential Zone (Schedule 2)
   (b) Clause 55 – Two or more dwellings (ResCode)
   (c) Clause 22.09 – Development abutting laneways
   (d) Clause 22.05 – Interface uses policy

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Strategic context
   (b) Clause 55 – Two or more dwellings (ResCode)
   (c) Vehicle access and public realm
   (d) Objector concerns

Submissions Received

4. Eight (8) objections were received for PLN20/0456 (Title B), PLN20/0457 (Title C), PLN20/0458 (Title D) and nine (9) objections were received for PLN20/0459 (Title A), these can be summarised as:
   (a) Over-development of the site
   (b) Excessive height and visual bulk impacts
   (c) Not in keeping with neighbourhood character
   (d) Off-site amenity impacts including daylight restriction and overlooking
   (e) No provision of footpath on Belgravia Street
   (f) Increased traffic, limited car parking availability and inadequate vehicle access (including for emergency vehicles)
   (g) Impacts from construction and excavation
   (h) Noise from roof terraces
   (i) Inappropriate location for residential uses given the commercial interface to the south
   (j) Insufficient notice provided

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 conditions outlined in the recommendations attached to this report.

CONTACT OFFICER: **Jessica Sutherland**
TITLE: **Statutory Planner**
TEL: **9205 5365**

6.4 PLN20/0456 (Title B), PLN20/0457 (Title C), PLN20/0458 (Title D) and PLN20/0459 (Title A) - 10 Belgravia Street Richmond

Reference	D21/156463
Author	Jessica Sutherland - Statutory Planner
Authoriser	Coordinator Statutory Planning

Ward:	Melba Ward
Proposal:	Construction on two triple storey dwellings with associated roof terrace on each lot.
Existing use:	Car parking lot.
Applicant:	Belgravia St Pty Ltd
Zoning / Overlays:	General Residential Zone (Schedule 2) Environmental Audit Overlay Design and Development Overlay (Schedule 5) Development Contributions Plan Overlay (Schedule 1)
Date of Application:	9 July 2020
Application Numbers:	PLN20/0456, PLN20/0457, PLN20/0458 and PLN20/0459

Planning History

1. On the 9 July 2020, the Applicant submitted four separate applications for the land at No. 10 Belgravia Street (which is comprised of four titles). An application was lodged for each title (Titles A – D) and propose the construction of two triple storey dwellings with associated roof terrace on each lot.
2. All four applications will be included in this report and heard at Councils PDC meeting on 17 November 2021. Each application will be provided a recommendation which will be included as attachments to this report.

Background

3. Four applications were received on 9 July 2020, and can be summarised as follows:
   (a) **PLN20/0456** - Lot 1 on P 572175G at No. 10 Belgravia Street Richmond (herein referred to as **Title B**) for the construction of three triple storey dwellings with associated roof terraces and a reduction in the car parking requirements of the Yarra Planning Scheme.
   (b) **PLN20/0457** - Lot 1 on TP 113554M No. 10 Belgravia Street Richmond (herein referred to as **Title C**) for the construction of three triple storey dwellings with associated roof terraces and a reduction in the car parking requirements of the Yarra Planning Scheme
   (c) **PLN20/0458** – Lot 1 on TP 102969S at No. 10 Belgravia Street Richmond (herein referred to as **Title D**) for the construction of two triple storey dwellings.
   (d) **PLN20/0459** – Lot 1 on TP 237453B at No. 10 Belgravia Street Richmond (herein referred to as **Title A**) for the construction of two triple storey dwellings.
4. Further information was received on 9 December 2020 for all applications.
5. The applications were advertised on 4 February 2021, however, Planning Applications PLN20/0456 and PLN20/0457 (Titles B and C) were subsequently re-advertised on 25 February to correct an error in the advertising preambles. Six (6) objections were received by Council for each application.

Lodgement of Section 57A Amendment

6. The Applicant lodged amendments pursuant to Section 57A of the *Planning and Environment Act* 1987 (**the Act**) on 21 May 2021 for each application, with further information submitted on 9 September 2021.

Section 57A Amendment to PLN20/0456 (Title B) and PLN20/0457 (Title C)

7. The amendment to PLN20/0456 made the following key changes to the application/plans:
   (a) Reduced the number of dwellings from three to two on the lot.
   (b) Provided two (2) car parking spaces to each dwelling (previously none provided).
   (c) Reduced the western setback to a minimum of 1.65 metres (from 1.75 metres).
   (d) Increased the front (eastern setback) to a minimum of 1.29 metres (from 1 metre).
   (e) Relocated the second-floor terraces to the west.
   (f) Increased the setback of the roof top terraces from the western boundary to 6.54 metres (from 4.7 metres).
   (g) A maximum building height of 9 metres, not inclusive of the rooftop terrace balustrade (previously 9 metres to the top of the roof terrace balustrade).

Section 57A Amendment to PLN20/0458 (Title D)

8. The amendment to PLN20/0457 made the following key changes to the application/plans:
   (a) Provided a rooftop terrace to each dwelling, resulting in a maximum building height of 9 metres to the parapet (not inclusive of the terrace balustrades and screening).
   (b) Relocated the first-floor terrace to the be within the front (east) setback in lieu of on the northern boundary.

Section 57A Amendment to PLN20/0459 (Title a)

9. The amendment to PLN20/0457 made the following key changes to the application/plans:
   (a) Provide a rooftop terrace to each dwelling, resulting in a maximum building height of 9 metres to the parapet (not inclusive of the terrace balustrades and screening).

10. In summary, the amendments resulted in all four applications proposing the construction of two triple storey dwellings with associated roof terraces, each with two (2) on-site car parking spaces.

11. The amended applications were advertised in September and October of 2021. One (1) additional objection was received (resulting in seven objections) for PLN20/0456 (Title B), PLN20/0457 (Title C) and PLN20/0458 (Title D) and two (2) additional objections were received (resulting in a total of eight objections) for PLN20/0459 (Title D).

Planning Scheme Amendments

C269

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

13. Amendment C269 was adopted by Council on 3 August 2021 and has proceeded to a panel hearing.

14. In relation to this application, the following clauses are of most relevance:
   (a) 16.01-2L – Location of residential development
   (b) 16.01-3L – Housing diversity
   (c) 15.01-1L – Urban design

(d) 15.01-2L – Building design

(e) 15.02-1L – Environmentally sustainable design

15. These clauses are largely reflected in current planning policy and will not be contradictory to the proposed re-write of Clauses 21 and 22.

The Proposal

16. The removal of existing trees, fencing, asphalt and kerbs to Belgravia Street and the southern laneway (*no permit required*).

PLN20/0456 (Title B) and PLN20/0257 (Title C)

17. The construction of two triple storey dwellings (with associated roof terraces) on each lot, TH03 and TH04 on Title B and TH05 and TH06 on Title C, with the following details:

(a) Dwellings front east to Belgravia Street, are attached and are designed to mirror each other.

(b) Each dwelling comprises of:

(i) A tandem garage (access provided from Belgravia Street), bedroom with ensuite and entry, stairs and lift shaft at ground floor.

(ii) Two bedrooms, each with an ensuite and walk in robes (WIR) and a study at first floor. The west facing bedroom provided with a 5sqm terrace.

(iii) An open living, kitchen and dining area with a west-facing terrace at second floor.

(iv) A roof terrace (38sqm), screened with 1.7 metre obscure glazing.

(c) Each dwelling is:

(i) Set back between 1.29 metres (first floor) and 4.48 metres (roof terrace) from the front (east) title boundary. The first-floor cantilevers over the ground floor garage and entry (set back 1.79 metres and 2.44 metres respectively).

(ii) Set back between 1.65 metres (ground floor) and 6.54 metres (roof terrace) from the rear (west) title boundary.

(iii) Constructed to the side boundaries for the length of each dwelling.

(iv) A maximum building height of 9 metres above natural ground level (**NGL**), with terrace screens resulting in a height of 10.7 metres above NGL.

PLN20/0458 (Title D)

18. The construction of two triple storey dwellings (with associated roof terraces) on the lot, TH07 and TH08, with the following details:

(a) Each dwelling comprises of:

(i) A double garage, master bedroom with ensuite and WIR, an entry, stairs and lift shaft at ground floor.

(ii) An open kitchen and dining area, laundry and powder room, and living area with associated terrace at first floor. TH08 is provided a green roof in lieu of terrace along the northern boundary.

(iii) Two bedrooms, each with an ensuite and robes at second floor. One of the bedrooms of TH07 is provided a terrace (9sqm in area).

(iv) A roof terrace screened with 1.7 metre obscure glazing.

(b) TH07 to front (with vehicle access provided to) east to Belgravia Street and TH08 to front (with vehicle access provided to) the north-south extension of Farmer Street.

(c) The dwellings are attached and constructed to the south boundaries for their length and to the north boundary at ground and first floor. They are then set back between 2.89 metres and 3.7 metres from the northern boundary at the second floor and roof terrace.

(d) TH07 is set back between 1.95 metres (ground floor) and 4.48 metres (roof terrace) from the eastern boundary to Belgravia Street.

(e) TH08 is set back between 1.65 metres (first floor) and 5.38 metres (roof terrace) from the western title boundary to Farmer Street.

(f) A maximum building height of 9 metres above NGL, with terrace screens resulting in a height of 10.7 metres above NGL.

PLN20/0459 (Title A)

19. The construction of two triple storey dwellings (with associated roof terraces) on the lot, TH01 and TH02, with the following details:

(a) Each dwelling comprises of:

(i) A double garage, master bedroom with ensuite and WIR, an entry, stairs and lift shaft at ground floor.

(ii) An open kitchen and dining area, laundry and powder room, and living area with associated terrace at first floor (TH02 terrace to front to the south and TH01 terrace to front to the west).

(iii) Two bedrooms, each with an ensuite and robes at second floor. One of the bedrooms of TH07 is provided a terrace (9sqm in area).

(iv) A roof terrace screened with 1.7 metre obscure glazing.

(b) TH02 to front (with vehicle access provided to) east to Belgravia Street and TH01 to front (with vehicle access provided to) the unnamed laneway to the south of the site.

(c) The dwellings are attached and constructed to the north boundaries for their length.

(d) TH02 is set back between 1.95 metres (ground floor) and 4.48 metres (roof terrace) from the eastern boundary to Belgravia Street. It is constructed to the southern boundary to the laneway at ground and first floor and then set back between 2.85 metres and 3.03 metres above.

(e) TH01 is set back between 2.1 metres (first floor) and 3.03 metres (roof terrace) from the southern title boundary to the laneway. It is set back between 1 metre (ground floor) and 6.28 metres (roof terrace) from the western title boundary.

(f) A maximum building height of 9 metres above NGL, with terrace screens resulting in a height of 10.7 metres above NGL.

General

20. Materials include metal cladding (charcoal and weathered copper) and white bricks for the elevations, aluminium flat plate balustrades and obscure glazing screening for terraces and external operable blinds (bronze and white).

21. Each dwelling is provided a clothesline, 2000Lt rainwater tank, lift, bicycle rack and PV panels.

Existing Conditions

Subject Site

22. No. 10 Belgravia Street (a total area of 889sqm) consists of four separate lots:

(a) Lot 1 on TP 237453B (**Title A**) the most southern lot which has a frontage to Belgravia Street of 12.19 metres and a site depth of 18.06 metres, yielding an overall site area of 220sqm. The lot is bound by an unnamed laneway to the south.



Image 1: Title A at No. 10 Belgravia Street Richmond (source: Decision Plans)

(b) Lot 1 on P 572175G (**Title B**), which has a frontage to Belgravia Street of 12.28 metres and a site depth of 18.1 metres, yielding an overall site area of 222sqm.



Image 2: Title B at No. 10 Belgravia Street Richmond (source: Decision Plans)

(c) Lot 1 on TP 113554M (**Title C**) which has a frontage to Belgravia Street of 12.19 metres and a site depth of 18.06 metres, yielding an overall site area of 220sqm. The lot is bound by the Farmer Street to the west.



Image 3: Title C at No. 10 Belgravia Street Richmond (source: Decision Plans)

(d) Lot 1 on TP 102969S (**Title D**) which has a frontage to Belgravia Street of 12.57 metres and a site depth of 18.06 metres, yielding an overall site area of 227sqm. The lot is bound by the Farmer Street to the west.



Image 4: Title D at No. 10 Belgravia Street Richmond (source: Decision Plans)

23. No. 10 Belgravia Street is located on the western side of Belgravia Street, 40 metres north of Swan Street, and is bound by:

    (a) an unnamed laneway to the south; and

    (b) Farmer Street and its north-south continuation to the west.

24. No. 10 Belgravia Street has been in use as a car parking area with 17 spaces in association with the land and use at No. 471 – 479 Swan Street. The site is generally asphalt bound by fencing and planting. Vehicle access to the site is currently provided from the laneway to the south.

25. The only immediately abutting properties are No. 68 Farmer Street to the west and No. 2 Belgravia Street to the north.

26. There are no historical listings for the site on Victoria Unearthed.

Title

27. The titles submitted do not show any easements or restrictions.

28. However, the titles are encumbered by Section 173 Agreement – R169000K. The agreement has resulted from Planning Permit 5128 which allowed for the development and use of No. 10 Belgravia Street for the purpose of 17 car parking spaces. The agreement relevantly states the following:

    The Owner (which term shall include the Owner or Owners of the land from time to time) with the intent that its covenants hereunder shall run with the land hereby covenants and agrees that it will upon vacating part of the land namely the premises known as 473 – 479 Swan Street, immediately cease to use another part of the land namely the 17 space car park the subject of the permit.

29. The Agreement does not restrict the development of No. 10 Belgravia however, the development of the subject site, as well as the proposed development at No. 471 – 479 Swan Street, would render the agreement redundant. As such, if a permit is to issue a condition should require that the Section 173 Agreement be removed prior to works commencing.

Surrounding Land

30. The surrounding area is predominantly residential in nature with commercial uses located to the south along Swan Street (Commercial 1 Zone). Built form is an eclectic mixture of single storey timber or brick dwellings from the Victorian/Edwardian or interwar eras, and double storey modern and contemporary infill dwellings.

31. There is a pattern of contemporary residential development in the immediate area, including the contemporary townhouses to the west and north of the subject site. As such, high site coverage and boundary to boundary development is a common characteristic of the area.

32. There is also an emerging character of higher density development in the immediate area with the following proposals recently approved or currently with Council:

    (a) Planning Permit PLN18/0929 was issued on 13 June 2019 for a six storey residential aged care facility at No. 171 Stawell Street (located approximately 30 metres north of the site on the vacant lot visible in Image 5).

    (b) Planning Permit PLN20/0420 was issued for the land at No. 487 – 491 Swan Street on 2 September 2021 for the construction of a five-storey building (plus basement and roof terrace) for an office. The site is located on the north-east corner of Swan Street and Belgravia Street.

    (c) Planning Application PLN20/0882 for the land at No. 471 – 479 Swan Street is currently with Council and proposes an 8 storey, mixed use building (residential hotel, motor vehicle sales, and office). The site is located to the south of the subject site, on the north-west corner of Swan Street and Belgravia Street, and is under the same ownership as the subject site (as indicated by the Registered Search Statements lodged with the applications).

    (d) Planning Application PLN21/0296 for the land at No. 3 Belgravia Street (immediately opposite the subject site to the east) is currently with Council and proposes two triple storey dwellings.

33. The site is adjacent to the Swan Street Major Activity Centre (**MAC**) and 600 metres west of the Yarra River environs and associated walking and cycling paths.



Image 5: the subject site and surrounds (source: NearMap, 1 September 2021)

South

34. To the south of No. 10 Belgravia Street is a 3 metre wide laneway which connects Stawell Street to the west and Belgravia Street to the east. The laneway is characterised by rear fences and roller doors along the northern aspect and the two storey boundary wall of No. 471 – 479 Swan Street to the south.

35. Further south, across the laneway, is No. 471 – 479 Swan Street which is currently developed with a two storey commercial building occupied by an office and warehouse use. As discussed, Planning Application PLN20/0882 is currently with Council and proposes an 8 storey, mixed use building (residential hotel, motor vehicle sales, and office). An architectural perspective of the proposed development (advertised plans for PLN20/0882) is provided below and generally proposes high on-boundary walls to Belgravia Street and the shared laneway. Vehicle access to the basement car parking is proposed from Stawell Street to the west.



Image 6: a perspective of the proposed development at No. 471 – 479 Swan Street (source: Advertised plans for PLN20/0882)

East

36. To the east is Belgravia Street, a narrow street which terminates at the north of No. 10 Belgravia Street and provides for on-street permit parking along the eastern aspect. Currently there is only a pedestrian walkway on the eastern side of the street, with light poles and power lines provided on the western side of Belgravia Street on the narrow kerb.

37. Across Belgravia Street are a mixture of single and double storey dwellings from a range of architectural eras. The dwellings have small front setbacks and are provided vehicle access from the rear laneway to the east.

North

38. Immediately to the north is No. 2 Belgravia Street which is developed with a complex of two storey, attached, rendered dwellings which form two rows, each facing inwards to the central common property/shared driveway. The complex is accessed via a gate at the northern end of Belgravia Street. Only one dwelling has an immediate abuttal with the subject site and it presents a two storey boundary wall to the site. The dwelling has an area of private open space (**POS**) located at its rear, abutting the north-west corner of Title D.

West

39. Immediately abutting the western boundary of Title A and Title B is No. 68 Farmer Street which is developed with a double storey dwelling which fronts north to Farmer Street. The dwelling is provided an area of POS, 42sqm in area, to the south. The dwelling is constructed flush to the shared boundary but has windows at both ground and first floor facing the subject site (building permit issued 23 January 1996). There are three (3) habitable room windows (**HRW**) at ground floor and three (3) HRW with obscure glazing at first floor. The windows do not benefit from a light or air easement and the ground floor windows are partially covered by the boundary fencing under existing conditions.

40. The remainder of the western boundary is abutted by Farmer Street and the north-south extension which creates an ‘L-shape’. The north-south extension of Farmer Street functions similarly to a laneway (visible in Image 7), providing vehicle access to the rear of properties along Farmer Street, Stawell Street to the west and to No. 2 Belgravia to the east.



Image 7: the north-south extension of Farmer Street looking north. No 55 Farmer Street is in the forefront and the boundary fence of the subject site is to the right (source: Officer’s site visit, October 2021)

41. Immediately across Farmer Street is No. 55 Farmer Street (visible above) which is constructed flush to the street boundary and has six (6) windows with obscure glazing facing the subject site.

Planning Scheme Provisions

Zoning

42. The subject site is zoned *General Residential Zone (Schedule 2).* The following provisions apply:

    (a) Pursuant to Clause 32.08-2, a dwelling is a Section 1 use and does not require a permit.

    (b) Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

    (c) Pursuant to Clause 32.08-4, an application to construct or extend a dwelling or residential building on a lot of 400sqm or greater must provide a minimum garden area. As each lot is subject to its own planning application, the minimum garden areas apply to each individual lot, rather than the collective site at No. 10 Belgravia Street. As such, the mandatory requirements of Clause 32.08-4 are not applicable to any of the individual Titles which are between 220-228sqm in area.

    (d) Pursuant to Clause 32.08-10, a building must not be constructed for use as a dwelling or a residential building that:

        (i) Exceeds the maximum building height specified in a schedule to this zone; or

        (ii) Contains more than the maximum number of storeys specified to this zone.

    (e) Under the General Residential Zone (**GRZ**) a dwelling must contain no more than three storeys and Schedule 2 of the GRZ specifies that a building used as a dwelling must not exceed the height of 9 metres above NGL.

    (f) Clause 73.01 (General terms) defines “Building height” as *the vertical distance from natural ground level to the roof or parapet at any point*. As such, terrace screening and balustrades which do not form part of the building’s parapet (are set back from the parapet or clearly differentiated through its materiality) are not included in calculating the overall building height.

    (g) In this instance, the terrace screens do not form part of, or create an extension to, the building parapets. The screens are set apart from the parapet and create a clear change in materiality (metal cladding to obscure glazing). As such, the proposed dwellings contain three storeys and have a maximum building height (to the parapet) of 9 metres above NGL. The dwellings therefore comply with the mandatory provisions of the GRZ (Schedule 2).

Overlays

43. The subject site is affected by the *Design and Development Overlay (Schedule 5).* The following provisions apply:

    (a) Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works. This does not apply:

        (i) If a schedule to this overlay specifically states a permit is not required.

    (b) Clause 2.0 of Schedule 5 to the overlay states that a permit is not required to construct a building or construct or carry out works.

    (c) Pursuant to Clause 4.0 of Schedule 5 to the overlay, where a permit is required to use land or for the construction of a building or the construction or carrying out of works under another provision in this scheme, notice must be given under section 52(1)(c) of the *Planning and Environment Act* 1987 to the person or body specified as a person or body to be notified in Cluse 66.06 or a schedule to that clause.

44. The subject site is affected by the *Environmental Audit Overlay*. The following provisions apply:

    (a) Pursuant to Clause 45.03-1 of the Scheme, before a sensitive use (which includes a residential use) commences or before the construction or carrying out of buildings and works an association with a sensitive use commences either:

        (i) a certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environmental Protection Act 1970, or

        (ii) an environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of the Act that the environmental conditions of the land are suitable for the sensitive use.

    (b) The proposal will result in buildings and works associated with a sensitive use, that being a dwelling, and therefore either an audit or a statement must be undertaken. A note highlighting these requirements will be included on any permit issued.

45. The subject site is affected by the *Development Contributions Plan Overlay (Schedule 1)*. The following provisions apply:

    (a) Pursuant to Clause 45.06-1, a permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plans has been incorporated into this scheme.

    (b) A permit granted must:

        (i) Be consistent with the provisions of the relevant development contributions plan.

        (ii) 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.

    (c) The proposed dwellings trigger the requirements of the overlay and as such, Council's standard condition and note will be included in the recommendation for each application.

Particular Provisions

Clause 52.06 – Car Parking

46. Pursuant to Clause 52.06, before a new use commences, the required car parking spaces must be provided on the land.

47. Table 1 at Clause 52.06-5 states that a three bedroom dwelling must provide two car parking spaces. Two three bedroom dwellings are proposed for each application, with each being provided two on-site car parking spaces.

48. As such, the car parking requirements of the Yarra Planning Scheme are met and no permit is triggered for any of the applications.

Clause 52.34 – Bicycle facilities

49. 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. Pursuant to Table 1 at Clause 52.34-5, bicycle spaces are only required to be provided for developments with four or more storeys and greater than 5 dwellings on a lot. Thus, the proposal for two dwellings on a lot does not trigger the requirement for any bicycle spaces.

50. Nevertheless, every dwelling is provided one (1) bicycle space.

Clause 55 – Two or more dwellings on a lot

51. This clause applies as the development is for the construction of two dwellings lower than five storeys.

General Provisions

Clause 65 – Decision Guidelines

52. The Decision Guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

53. Amongst other things, the Responsible Authority must consider the relevant Municipal Planning Strategy and the Planning Policy Frameworks, as well as the purpose of the Zone, Overlay or any other Provisions.

Planning Policy Framework (PPF)

Clause 11.01-1S – Settlement

54. The objective of this cause is to *promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements*.

Clause 15.01-S – Urban design

55. 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

56. The objective of this clause is:

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

57. The clause provides the following relevant Strategies to achieve its objective:

    (a) *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.*

    (b) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*

    (c) *Ensure the buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*

    (d) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*

Clause 15.01-5S – Neighbourhood character

58. 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

59. 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 16.01-1S – Integrated housing

60. The objective of this clause is:

    (a) *To promote a housing market that meets community needs.*

61. The clause provides the following relevant Strategy to achieve its objective:

    (a) *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*

Clause 16.01-2R – Housing opportunity areas – Metropolitan Melbourne

62. This clause provides the following relevant Strategies:

    (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) Neighbourhood activity centres – especially those with good public transport connections.

Clause 16.01-3R – Housing diversity – Metropolitan Melbourne

63. This clause provides the following relevant Strategy:

    (a) *Create mixed-use neighbourhoods at varying densities that offer more choice in housing.*

Clause 18.02-2R – Principal Public Transport Network

64. This clause provides the following relevant Strategy:

    (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.*

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.03 – Vision

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

Clause 21.04 Land Use

Clause 21.04-1 - Accommodation and housing

66. The relevant objectives of this clause are:

    (a) *To accommodate forecast increases in population.*

    (b) *Support residual population increases in established neighbourhoods.*

    (c) *Ensure new residential development in the Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones is designed to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity.*

Clause 21.05 – Built form

Clause 21.05-2 – Urban Design

67. This clause incorporates the following relevant objectives:

    (a) *Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*

    (b) *Ensure development is designed having particular regards to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*

Clause 21.05-3 – Built form character

68. This clause requires that new development respond to Yarra's built and cultural character and its distinct residential neighbourhoods. Strategy 24.1 requires that Clause 22.13 (Residential Built Form policy) be applied to development.

Clause 21.07-1 – Environmentally sustainable development

69. The relevant objective and strategies of the clause are:

    (a) *Objective 34 – To promote environmentally sustainable development.*

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

Clause 21.08-10 – Neighbourhoods – Central Richmond

70. The subject site is identified as being 'Inner Suburban Residential' on the *Figure 24 (Built Form Character Map).* The objectives for this area are to:

    (a) *Maintain the existing pattern of front setbacks.*

    (b) *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

71. This policy applies to applications for use or development within a residential zone where the *subject site is within 30 metres of a commercial zone. The objectives of this policy is:*

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

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

Clause 22.07 – Development abutting laneways

72. The policy applies to applications for development that is accessed from a laneway or has laneway abuttal. The clause incorporates the following relevant objectives:

    (a) *To provide an environment what has a feeling of safety for users of the laneway.*

    (b) *To ensure that development along a laneway acknowledges the unique character of the laneway.*

    (c) *To ensure that where development is accessed off a laneway, all services can be provided to the development.*

    (d) *To ensure that development along a laneway is provided with safe pedestrian and vehicular access.*

Clause 22.10 – Built form and design policy

73. The policy applies to all new development not included in a heritage overlay and has the following objectives:

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

Clause 22.13 – Residential built form policy

74. The policy applies to development in residential zones not covered by a Heritage Overlay and refers to the Built Form Character Type as set out in the Built Form Character Maps in Clause 21.08.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

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

(a) *To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*

Clause 22.17 – Environmentally Sustainable Development

76. The policy applies throughout the City of Yarra to residential and non-residential development that requires a planning permit. 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

77. The application and Section 57A Amendment were advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 101 letters sent to surrounding owners and occupiers and by a sign displayed on site. Seven (7) objections were received for PLN20/0456 (Title B), PLN20/0457 (Title C), PLN20/0458 (Title D) and eight (8) objections were received for PLN20/0459 (Title A), these can be summarised as:

(a) Over development of the site

(b) Excessive height and visual bulk impacts

(c) Not in keeping with neighbourhood character

(d) Off-site amenity impacts including daylight restriction, overlooking

(e) No provision of footpath on Belgravia Street

(f) Increased traffic, limited car parking availability and inadequate vehicle access (including for emergency vehicles)

(g) Impacts from construction and excavation

(h) Noise from roof terraces

(i) Inappropriate location for residential uses given the commercial interface to the south

(j) Insufficient notice provided

78. A planning consultation meeting was not held.

Referrals

External Referrals

79. The application and subsequent Section 57A Amendment were referred to the following authorities:

(a) VicRoads – no objection

(b) Transurban – no objection

(c) EPA – no objection

80. Transurban and EPA did not respond to the Section 57A amendment. All received referral responses received have been included as attachments to this report.

Internal Referrals

81. The application was referred to the following units within Council:
    (a) Urban Design
    (b) Engineering Services Unit
    (c) Open Space Unit
    (d) ESD Advisor

82. Given the nature of the Section 57A Amendment, it was only re-referred to Council's Engineering Services Unit and ESD advisor for further comment.

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

OFFICER ASSESSMENT

84. The primary considerations for this application are as follows:
    (a) Strategic context
    (b) Clause 55 (two dwellings on a lot)
    (c) Vehicle access and public realm
    (d) Objector concerns

Strategic context

85. The proposal is consistent with the various development objectives outlined in State Planning Policy Frameworks (PPF) and Local PPF in the Scheme, by providing a notable level of compliance with the relevant policies within the Scheme.

86. The subject site is located within a General Residential Zone (GRZ) and is adjacent to the Swan Street Major Activity Centre. The site is within close proximity to both public transport (along Swan Street) and bicycle networks (also along Swan Street and the Yarra River environs to the south of the site). Policy encourages urban consolidation and the location of higher density developments to be within, and in close proximity to, activity centres where existing infrastructure and services can be benefited from (Clauses 16.01-1S, 16.01-4S and 18.02-2R). Clause 16.01-2R (*Housing opportunity areas*), specifically, encourages medium and high density housing near to Activity Centres which offer easy access to employment opportunities and sustainable transport.

87. The site, which is currently used for 17 car parking spaces, is an example of the under-utilised land in established areas encouraged for growth and adaptation to reduce pressures on the metropolitan fringe (Clauses 16.01-1S and 21.04-4).

88. The proposed development is consistent with the purpose of the GRZ which seeks "*to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport*". The housing growth encouraged under the GRZ combined with the availability of existing infrastructure and public transport has clearly been a key driver for growth and development in the area with a clear emerging character of higher density and contemporary development. The proposed dwellings are in keeping with this pattern of development and will further enhance the contemporary, higher density, residential character of the streetscape.

89. Clause 21.04-4 of the Scheme encourages new developments to provide for a diversity of housing types. The proposal for two contemporary, three bedroom dwellings on each lot within an inner city location will offer higher density family homes of high architectural quality and will contribute to the diversity of housing in the area.

90. Clause 22.05 (Interface uses policy) provides policy guidelines to enable new residential development 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.

91. The subject site is adjacent to the Swan Street Activity Centre and opposite No. 471 – 473 Swan Street which currently has an application with Council for a multi-storey residential hotel, car sales and office building.

92. Given the existing residential nature of the area, the provision of eight more dwellings is unlikely to impede the growth and development of the adjacent commercial area and Activity Centre. The proposed development of No. 471 – 473 Swan Street is responsive to its residential interface and the proposed three storey dwelling (plus roof terraces) s subject to these applications will create an appropriate transition between the taller commercial buildings and existing two storey dwellings to the north.

93. In summary, the proposed development of No. 10 Belgravia Street has strong strategic support, is considered to be a positive contribution to the area and an appropriate use for an underutilized site.

Clause 55 (two dwellings on a lot)

94. Clause 55 comprises 48 design objectives and standards to guide the assessment of new residential development. It is noted that the provisions of Clause 55.07 do not apply, as this proposal is not for an apartment development. This assessment will also consider, where relevant, clauses 22.10, 22.13, and 22.17.

95. Given the site's location within a built up inner-city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. The following objectives are not relevant to this application:

    (a) *B3 Dwelling diversity objective* – Not relevant to development with less than 10 dwellings

    (b) *B11 Open space objective* – No communal open space provided or required for the development

    (c) *B20 North facing windows objective* - No north-facing windows face the site

    (d) *B33 Common property objectives* – There is no common property proposed

96. The remaining objectives and standards are assessed in detail below.

Neighbourhood character objectives (B1) and Detailed design (B31)

97. Clause 15.01-2S of the Planning Policy Framework seeks to "achieve building design outcomes that contribute positively to the local context and enhance the public realm".

98. Neighbourhood character considerations are informed by the policy provisions of Clause 22.10 (Built form and design policy) and Clause 22.13 (Residential built form policy) and as identified in Figure 6 of Clause 21.08-10 (Central Richmond) the site is located in an Inner Suburban Residential Area which encourages the following:

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

    (b) *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.*

99. The proposal fulfils the above objectives and has incorporated front setbacks consistent with other development in the abutting and nearby streets - that being 0 to 3 metres. As such, the proposed height is appropriate for the zoning and context. As discussed, the surrounding area has an emerging character of two storey modern and contemporary dwellings, with various recent approvals for multi-storey developments near to the site. The subject site is bordered by a commercial zone to the south where maximum heights are not prescribed.

As such, the subject site will act as a transition between the approved and proposed development of the commercial land to the south and the residential zoning to the north. Moreover, all immediately abutting built form is two storeys in height, and as such, the triple storey built form is an appropriate response to this context.

100. Design Guidelines at clause 22.10-3.4 encourage visual interest in buildings through the use of materials and finishes as well as incorporating vertical and horizontal elements to reflect the character of contemporary, attached dwellings in the immediate area. Moreover, as identified within Clause 22.10-3.3, proposed roof forms should respect those of the area. The flat roof form is consistent with adjacent contemporary development.

101. Based on the above the proposed development will adequately respect the existing and emerging neighbourhood character.

102. With regards to the design detail, the development is contemporary in design adopting materials such as metal cladding (charcoal and weathered copper) and white bricks. The materials and finishes are generally supported and fit within the broad range of development in the area. The colours proposed respect the surrounding colour palettes of new dwellings and are responsive to the existing industrial character of development along Swan Street.

103. Council's Urban Design Unit were generally supportive of the proposed design and design detail subject to various recommendations relating to the dwelling entries to Belgravia Street which were largely addressed by the Section 57A amended plans (discussed under Standard B6).

104. In summary, the proposed design and design detailing will offer a high level of architectural interest to the street and will integrate well with the existing and emerging character of development.

Residential policy objectives (B2)

105. The proposed dwellings are considered to meet the objectives of Standard B2 for the following reasons:

    (a) The development provides for higher density housing options in an area well serviced by public transport (trams along Swan Street, 40 metres to the south, and extensive bicycle networks along the Yarra River, 600 metres to the east).

    (b) The proposed dwellings offer family homes, in a medium density context. This contributes to a greater diversity of housing choices in the inner city area as encouraged by Clause 16.01-1R (Housing diversity).

Infrastructure objectives (B5)

106. Given the site is situated in an established residential area, on the border to a commercial zone and MAC, it is not expected to unreasonably overload the capacity of utility services and infrastructure.

Integration with the street objective (B6)

107. The objective of this Standard is "to integrate the layout of the development into the street".

108. The dwellings will provide the principal frontage to Belgravia Street and the visibility of dwelling entries have been prioritised through small front setbacks, clear pedestrian pathways and canopies over entries.

109. Clause 22.10-3.4 identifies that the design detail of new development should provide a reasonable level of transparent treatments within the front façade. The proposed dwellings provide a reasonable level of activation to Belgravia Street through the inclusion of operable and transparent windows at the upper levels. Council's Urban Design Unit (in reviewing the original plans) raised a number of concerns relevant to street frontage and interface. It is noted that the Section 57A Amendment resolved many of the concerns through the following design changes:

    (a) The front fences provided with 50% transparency.

(b) The removal of any stairs within the front setback and raising the entry to be generally at street level.

(c) The relocation of the bin storage to the garage, in lieu of the front setback.

(d) The commitment to relocate the existing power line underground.

(e) The amendment to reduce the dwellings from three to two also results in a less cluttered and busy frontage.

110. However, the inclusion of a tandem garage to each dwelling on Title B and Title C has reduced the level of activation at ground floor. It is considered that the garage doors for each dwelling, which are currently proposed to be metal cladding, could incorporate transparency or perforation to lessen the dominance of the garages within the frontage and improve the integration in the street. A condition will be included in the recommendation to this affect.

111. Subject to this condition, the proposed dwellings are considered to meet the objective of Standard B6.

Street setback objective (B6)

112. The Standard requires that the walls of buildings be set back the average distance of the setbacks of the existing buildings on the abutting allotments facing the street.

113. No. 10 Belgravia Street is the only property which directly fronts Belgravia Street along the western aspect. However, the side elevation of the existing commercial building at No. 471 – 473 Swan Street is constructed flush to the street boundary. Similarly, the dwellings at No. 2 Belgravia Street to the north are generally constructed to the common property which forms the extension to Belgravia Street.

114. In keeping with this pattern, the proposed dwellings will create a consistent minimum setback along the western aspect of Belgravia Street of between 1.29 metres and 1.95 metres. These front setbacks are also in keeping with the development along the eastern side of Belgravia Street which generally display front setbacks of between 0 to 2.5 metres.

115. With regards to southern laneway interface, the laneway is characterised by on boundary walls and garages on each side. As such, TH01 and TH02 (Title A), which have garages constructed on boundary or set back 2.35 metres from the laneway, are appropriate in the context of development along the laneway.

116. Finally, TH08 of Title D has a frontage to the north-south extension of Farmer Street. Similarly to the southern laneway, the extension to Farmer Street is characterised by roller doors and on-boundary walls. Therefore, the setback of TH08, which is set back a minimum of 1.65 metres is consistent with the rear setbacks of the abutting proposed and existing dwellings and will not appear out of character in its context.

Building height objective (B7)

117. The Standard prescribes that, pursuant to Schedule 2 of the Zone, the maximum building height of 9 metres is applicable. As the proposal has a maximum building height of 9 metres (from NGL to the parapet) the Standard is met.

Site coverage (B8) permeability (B9)

118. The proposal results in a site coverage (including cantilevered elements) of 84%, thereby exceeding the prescribed site coverage of 60% pursuant to Standard B8. However, the proposed site coverage meets the objective of the Standard to *ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site*, for the following reasons:

(a) As previously discussed, high site coverage is a prominent characteristic of the immediate area. It is particularly apparent on the existing adjacent residential properties to the west and north and the existing and emerging character of the commercial properties to the south.

(b) The design responds to the features of the site, providing adequate on-site and off-site amenity.

119. The proposal results in a permeability of 20%, thereby meeting the prescribed permeability of Standard B9.

Energy efficiency protection objectives (B10)

120. The first objective of Standard B10 is *to ensure the orientation and layout of development reduces fossil fuel energy use and makes appropriate use of daylight and solar energy*. Four Sustainable Design Assessment (SDA), prepared by Sustainable Development Consultants and dated May 2021, were submitted for each application. Each application achieves a BESS score of 50%, which meets best practice in accordance with the relevant energy efficiency objectives and standards at Clause 55.03-3 and the environmental sustainability design objectives and guidelines at Clause 22.17. Each SDA commits to the following:

(a) A BESS Score of between 53% – 58%.

(b) Heating and cooling within one energy rating star of the best available.

(c) Domestic hot water system (HWS) provided via gas continuous flow systems, or, if gas is unavailable, high efficiency electric heat pump system with COP greater than 3.5.

(d) All windows, doors and exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the 2019 Building Codes Act (BCA).

(e) Water-efficient fixtures, taps and appliances (dishwashers 5-star WELS).

(f) A STORM report with a 130% STORM score, demonstrating best practice and relying on a 2000Lt rainwater tank to each dwelling for toilet flushing and landscapes irrigation.

(g) Landscaping in garden beds and planter boxes will be drought tolerant and will include mulch and soil wetting agents to reduce the potable water.

(h) Specifications regarding volatile organic compounds (VOC), polyvinyl chloride (PVC) and formaldehyde identified to improve Indoor Environmental Quality (IEQ).

(i) Mechanical exhaust ventilation in kitchens with natural ventilation claimed through provision of operable windows and sliding doors.

(j) Operational waste management includes organic and green waste and glass and comingled recyclables.

(k) The builder will develop a construction waste management plan (CWMP) for the construction phase that contains a target of recycling and reusing (min) 80% of civil construction waste. The CWMP may form part of a broader Construction Environmental Management Plan (CEMP).

(l) A Building Users Guide (BUG) will be developed and made available to all owners/residents. It will be comprehensive and will include descriptions of the systems installed in the townhouses., sustainable transport in the area, and will include relevant sustainable living suggestions.

(m) Whenever possible, steel for the townhouses will be sourced from a Responsible Steel Maker, and concrete mixes will contain (min) 50% non-potable water.

(n) All timber used in the townhouses will ne Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled / reused.

(o) Specifications of all flooring to achieve environmental certification.

(p) Each dwelling will have 1 secure bicycle space.

(q) At least 7% of the site is covered with vegetation through the inclusion of planters across the development.

(r) A minimum of 90% of steel will be sourced from a Responsible Steel Maker.

(s) Incorporate light colours for the roofing materials will help to reduce the urban heat island (UHI) effect.

(t) External shading to all east and west facing HRWs.

(u) 1kW solar panel system on roof top.

(v) Clotheslines to each dwelling.

121. The SDAs was referred to Council's ESD advisor who states that, although supportable, additional information and commitments are required in order to meet Council's best practice. It is recommended that the following commitments be provided:

(a) Each dwelling achieves a NatHERS rating between 6.2 – 6.3 stars, however, a minimum improvement of 10% is recommended (6.6 stars or higher).

(b) The SDA claims lighting levels will not exceed maximum wattages listed in BCA table J6.2a , however, a 10% improvement on NCC 2019 illumination power densities (IPD). Is recommended.

(c) Provide breeze paths to support claims regarding natural ventilation.

(d) The materiality of external shading.

(e) Cross flow ventilation paths have only been identified to living areas, however BESS requires all habitable spaces are designed to achieve natural cross flow ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

122. Should a permit issue, a condition will require that the SDAs be amended to include the above and for all commitments to be shown on plans (where applicable).

123. The second objective of Standard B10 is *to achieve and protect energy efficient dwellings and residential buildings*. The proposed dwellings will not unreasonably impact the energy efficiency of any existing or proposed neighbouring dwellings. The eight dwellings will be constructed boundary to boundary with each other to ensure all new windows receive adequate daylight.

124. The only immediately abutting dwellings are No. 68 Farmer Street to the west and No. 2 Belgravia Street to the north, with all other nearby properties separated from the subject site by a laneway or street with a minimum width of 3 metres.

125. With regards to the interface with No. 2 Belgravia Street, the proposed dwellings (TH07 and TH08 of Title D) are generally constructed to the blank boundary wall and as such, will not reduce the daylight to any windows at No. 2 Belgravia Street. Further, as a northern property, No. 2 Belgravia will not be overshadowed by any development of the subject site.

126. With regards to the interface with No. 68 Farmer Street, windows are constructed to the shared boundary at both ground and first floor (building permit issued 23 January 1996). The ground floor windows are covered by the boundary fence under existing conditions and the first-floor windows are frosted. Given there are no specific light and air easements associated with the windows on boundary, and they were constructed after 1907 (as per sections 195 and 196 of the *Property Law Act* 1958), they do not have any rights to light or air access. There is therefore no requirement for the proposed development to provide setbacks to protect these windows.

127. Nevertheless, the dwellings of Title A and Title B, which are located opposite the windows, are set back to comply with the setbacks prescribed by Standard B17 (Side and rear setbacks) and will continue to allow for a reasonable level of daylight and amenity to the windows of No. 68 Farmer Street. This is considered an acceptable outcome in the context.

128. Subject to condition, the proposed dwellings meet the objectives of Standard B10 (Energy efficiency protection objective).

Safety objective (B12)

129. The proposed dwellings have been designed to provide for safety and security of residents and property. The entrances are not obscured or isolated and will be highly visible from the Belgravia Street, the exception to this being the entry to TH01 of Title A which is accessed via the southern laneway and is hidden from Belgravia Street by the garage of TH02 of Title A. Nevertheless, this is an acceptable outcome for the following reasons:

    (a) There is no alternative for the entrance as the laneway is the only street interface of TH01.

    (b) The south-facing windows and balconies at the first and second floors of TH01 and TH02 will provide for passive surveillance to the laneway to improve the perception of pedestrian safety.

    (c) Sensor motion lighting will be required for all dwelling entrances, including that of TH01.

    (d) A Civil Works Plan (to be discussed in the *Vehicle access and public realm* section of this report) will be required via condition and will ensure that the laneway be designed to allow for shared vehicle and pedestrian movement.

130. Subject to condition, the proposes dwellings are considered to meets the objective of Standard B12 which is *to ensure the layout of development provides for the safety and security of residents and property*.

Landscaping objectives (B13)

131. In accordance with Clause 22.13-3.2, proposals within Inner Suburban Residential areas should provide landscaping within the front setback in a style that reinforces the garden character of the streetscape, if a garden character exists.

132. Moreover, pursuant to Clause 22.10-3.3, new development constructed with a front setback to the street should include soft landscaping within the setback area.

133. A Landscape Plan has been submitted with each application, prepared by Rupert Baynes and dated May 2021, and it is considered that the proposal adequately responds to the relevant policies in the Scheme by providing an area of soft landscaping within the front setback of Belgravia Street, albeit modest, ‘grasscrete’ for trafficable areas, planterboxes and tension façade wires to allow for climbing plants.

134. The Landscape Plan was referred to Council’s Open Space Planning and Design Unit who considered the plans acceptable but recommended that the ‘grasscrete’ within the front setback be replaced with asphalt to match the existing surface material of Belgravia Street. This was also recommended by Council’s Engineering Services (to be discussed in the *Vehicle access and public realm section* of this report). As such, this will be included as a condition in the recommendation for each application.

Access (B14) and Parking location (B15) objectives

135. The objective of this Standard is *to ensure the number and design of vehicle crossovers respects the neighbourhood character* and more specifically the standard requires that the width of an access way or car parking space not exceed 33% of the street frontage.

136. Title A and Title D propose a double driveway to the Belgravia Street frontage and Title B and C each propose two single driveways. This will result in vehicle accesses exceeding 33% of the frontage and Belgravia Street being somewhat characterised by driveways along the western aspect. However, this is considered acceptable in this context for the following reasons:

    (a) Belgravia Street is not a Road Zone where the Standard directs that the number of access points should be minimised.

(b) There is a lack of clear streetscape character in the area due to irregular subdivision pattern. Nevertheless, there is a clear character in the area for the provision of on-site car parking for dwellings, a characteristic that the proposed development has responded to.

(c) Providing two (2) car spaces for every dwelling will reduce the pressure on the availability of on-street car parking.

(d) The proposed vehicle access for the site will not result in a loss of on-street car parking spaces.

(e) A Civil Works Plan will be required via condition to ensure the appropriate design and development of the vehicle access and movement and this private/public interface (to be discussed in the *Vehicle access and public realm* section of this report).

137. Finally, the proposal is considered to meet the objectives of Standard B15 (Parking location) for the following reasons:

(a) Car parking is provided at the ground floor of each corresponding dwelling, providing for safe and convenient access to its users.

(b) The garages will have natural ventilation opportunities.

Side and rear setbacks (B17) walls on boundaries (B18) objective

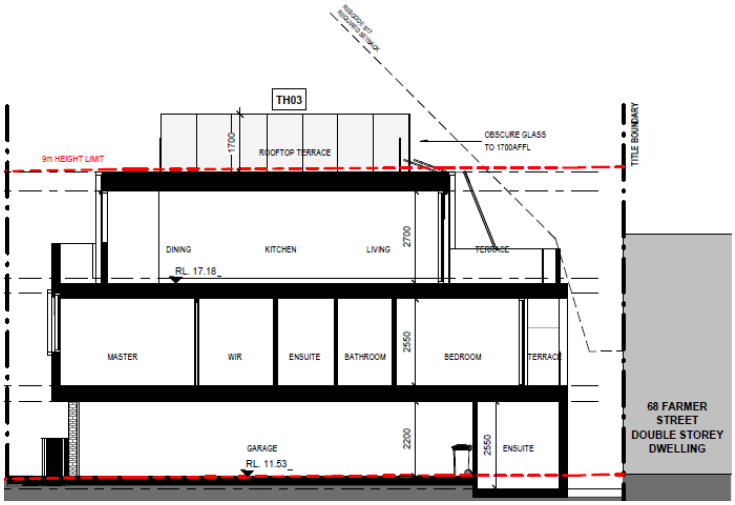


Image 8: Rear setback of Title B, which also applies to Title A and Title C (source: East-West Section, s57A advertised plans of PLN20/0456)



Image 9: Side setback of second storey of TH07 and TH08 of Title D from No. 2 Belgravia Street (Source: West Elevation, s57A advertised plans of PLN20/0458)

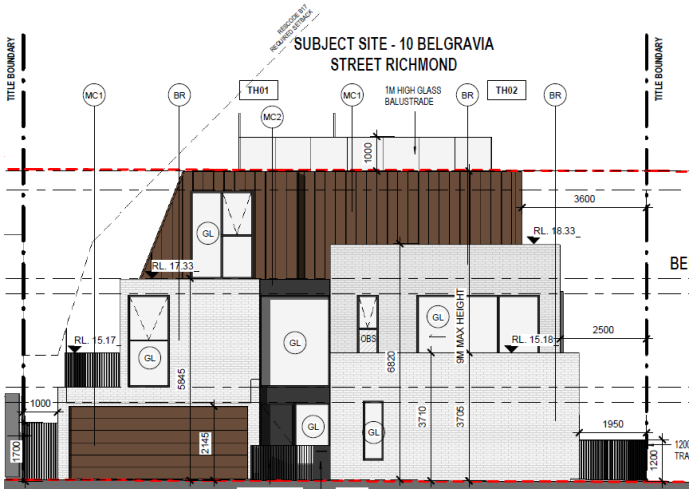


Image 10: Rear setback of TH01 of Title A from No. 68 Farmer Street (Source: South Elevation, s57A advertised plans of PLN20/0459)



Image 11: Side setback of TH02 of Title A from southern laneway (Source: East Elevation, s57A advertised plans of PLN20/0459 overlayed using Trapeze software)

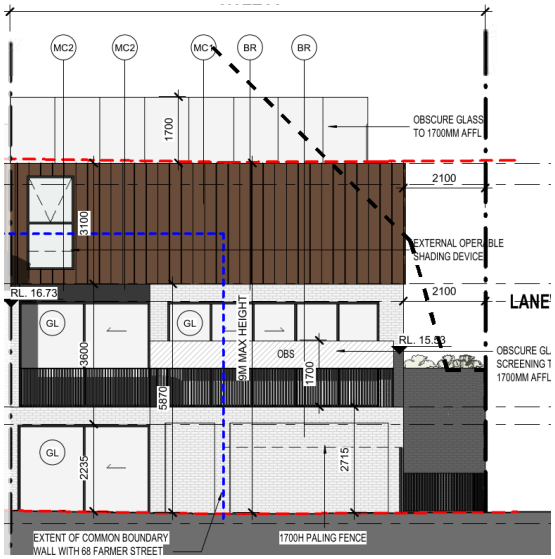


Image 12: Side setback of TH01 of Title A from southern laneway (Source: East Elevation, s57A advertised plans of PLN20/0459 overlayed using Trapeze software)

138. As demonstrated in the above images, the dwellings generally comply with side and rear setbacks with the exception of:

    (a) The terrace screening of TH07 and TH08 of Title D which require a variation of 815mm. This variation is supported as the screening is generally opposite the blank boundary wall of No. 2 Belgravia Street and, as a northern wall, will not overshadow the neighbouring POS area.

    (b) The second floor and terrace screening of TH01 and TH02 of Title A which require a variation of 1.48 metres. This variation is supported given the walls/screening are adjacent to the laneway and blank boundary wall of No. 471 – 473 Swan Street and will not result in the material detriment to others.

139. With regards to the proposed walls on boundaries, Standard B18 (Walls on boundaries), requires that a wall not exceed 3.6 metres in height or an average height of 3.2 metres. It also requires that a boundary wall not exceed a length of 10 metres plus 25% of the remaining length of the boundary of the adjoining lot. However, where there are existing or simultaneously constructed boundary walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is greater.

140. Each application proposes boundary walls to the neighbouring title which is 9 metres in height and a length of 13.81 metres, which would thus exceed the maximum prescribed height and length (which is 12 metres for each title). The existing conditions of each abutting lot is an empty car parking area, and the dwellings are proposed to mirror each other so that the height and length of each boundary wall will be the same. As such, the boundary walls to each lot would not result in a material detriment to the neighbouring lot under existing conditions and would comply with the Standard if they are to constructed simultaneously.

141. Finally, TH07 and TH08 of Title D propose boundary walls to No. 2 Belgravia Street, a 3.38 metre high wall associated with TH07's garage, a 6.51 metre high wall associated with TH07 and TH08's laundry and powder rooms, and a 3.43 metre wall associated with TH08's garage which has an overlooking screen above, resulting in an overall boundary wall height of 4.13 metres.

142. As demonstrated in the below image, TH07's garage and the 6.51 metre high wall is adjacent to the higher boundary wall of No. 2 Belgravia Street. As such, these walls comply with Standard B18 with regards to the prescribed height.

143. However, the boundary walls of Title D exceed the prescribed length of Standard B18 by 13.61 metres, and the garage wall and screen of TH08 exceed the prescribed maximum height by 530mm. This boundary wall and screen is adjacent to the POS area of No. 2 Belgravia Street and although will not overshadow the area, it may result in an unreasonable visual bulk impact. As such, the overlooking screen, which is required to limit views from the first-floor north facing dining room in accordance with Standard B22 will be required via condition to be removed from the boundary and relocated to the overlooking source. This would result in a boundary wall height of 3.43 metres which is lower than the prescribed maximum height and only exceeds the prescribed average height by 230mm.

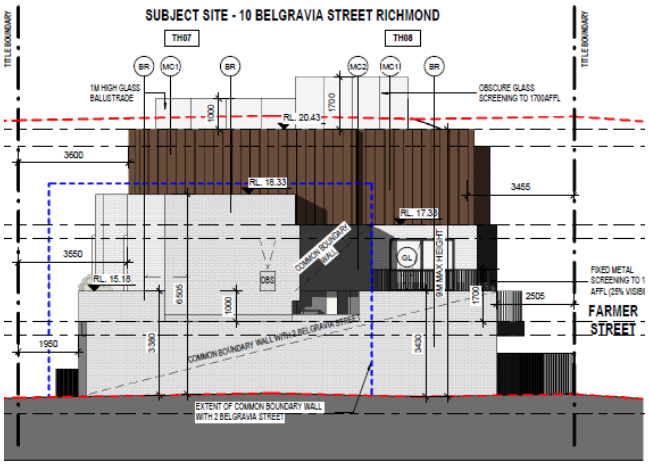


Image 13: Side setback of second storey of TH07 and TH08 of Title D from No. 2 Belgravia Street (Source: West Elevation, s57A advertised plans of PLN20/0458)

144. It is noted that internal elevations (those being the boundaries between each title) have not been provided. Although an accurate assessment was able to be carried out by Officers using the sections, floorplans and Trapeze software, a condition will require that additional elevations be provided for each title and all floorplans to be revised to dimension the length of boundary walls.

Daylight to existing windows objective (B19)

145. The only HRWs facing the subject site from an abutting lot (or within 3 metres of a title boundary) are the ground and first floor windows of No. 68 Farmer Street. TH01 of Title A and TH03 of Title B are opposite these windows and are set back between 1.65 metres and 6.54 metres from the title boundary. The below table assess the dwellings against the setback required of Standard B19.

Standard B19 Table					
Proposed Wall	Wall height (m)	B19 Setback (m)	Proposed setback (m)	Difference	Compliance
FF and SF terrace from GF windows	6.550	3.275	1.650	-1.625	No
terrace from GF windows	9.00	4.50	6.54	2.04	Yes
FF and SC terrace from FF windows **	3.55	1.78	1.65	-0.13	No
terrace from FF windows **	6.00	3.00	6.54	3.54	Yes

*** Based on the assumption that the first-floor level of No. 2 Belgravia Street is approximately 3 metres above NGL*

146. As demonstrated in the above table, the first-floor and second floor terrace do not meet the setback requirements from both the ground and first floor windows of No. 68 Farmer Street. However, the variations to the Standard is accepted for the following reasons:

    (a) As discussed, the windows are constructed on the boundary and do not benefit from a light and air easement. The location of these windows on boundary provides an unreasonable onus on the development of the subject site to provide full setbacks to comply with Standard B19 (noting that the setback would usually calculate any setback of a window from the shared boundary not just the setback of the proposal from the shared boundary).

(b) The variation required from the first-floor windows is 130mm which is considered modest and is unlikely to have an unreasonable impact on the daylight access to those windows.

(c) The ground-floor windows are covered by a fence under existing conditions.

(d) The first-floor windows are frosted and as such visibility to the proposed dwelling are tempered.

Overshadowing open space objective (B21)

147. Pursuant to Standard B21, *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.*

148. *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.*

149. TH01 of Title A will overshadow the POS of No. 68 Farmer Street to the west at 9am only. The dwelling will result in 7sqm of additional shadow at this time, resulting in the POS being completely overshadowed at this hour. Although the POS area will remain unimpacted by the proposed dwellings for the remainder of the day the POS does not receive 75% of sunlight at any hour of the day. As such, the Standard is not met

150. Although 7sqm of additional shadow is notable, it is contained to 9am only when the area is not likely to be used constituently for leisure and recreation. It is considered that the proposal has been reasonably designed to mitigate amenity impacts to the western area of property by exceeding the setback requirements of Standard B17.

151. For these reasons, the variation to Standard B21 is accepted.

Overlooking (B22) and internal views (B23) objectives

152. The following HRWs and areas of SPOS are within 9 metres of the subject site:

(a) The SPOS and HRWs of No. 68 Farmer Street to the west within 9 metres of TH01.

(b) The SPOS of No. 2 Belgravia Street to the north within 9 metres of TH08.

(c) The SPOS and HRWs of No. 55 Farmer Street to the west within 9 metres of TH08.

(d) The SPOS of No. 189 Stawell Street to the north-west within 9 metres of TH08.

153. TH01 of Title A is designed to limits views as follows:

(a) All east-facing windows to Belgravia Street do not have any areas of SPOS or HRW within a 9 metre radius.

(b) All south-facing windows to the laneway do not have any areas of SPOS or HRWs with a 9 metre, 45 degree radius.

(c) The roof terrace is screened with obscure glazing to a height of 1.7 metres above the roof terrace floor.

(d) A portion of TH01's west-facing terrace is screened with obscure glazing to a height of 1.7 metres above the roof terrace floor. As demonstrated by the below diagram, views from the remainder of the terrace (which has a 1 metre balustrade) are restricted by the boundary wall of No. 68 Farmer Street.

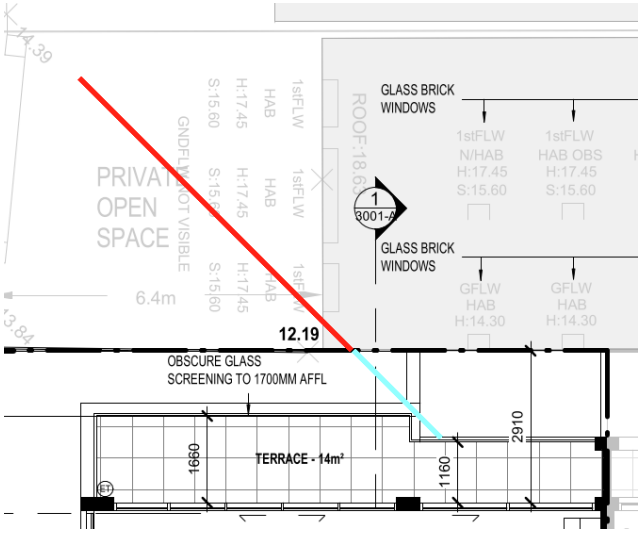


Image 14: A 9 metre view line, at a 45 degree angle from the terrace of TH01 to No. 68 Farmer Street (Source: First Floorplan, s57A advertised plans of PLN20/0459 overlayed using Trapeze software)

(e) The second floor, west-facing window of TH01 is shown to have an external operable shading device which would limit views to the SPOS of No. 68 Farmer Street. However, a condition will require that the materiality, transparency and depth of the screen be identified/dimensioned on the plans to ensure that the screen will limit views in accordance with the requirements of B22.

(f) The windows of No. 68 Farmer Street are frosted.

154. TH08 of Title D is designed to limits views as follows:

(a) The first-floor terrace with a 1 metre high screen. The POS of No. 55 Farmer Street and No. 189 Stawell Street are within 9 metres of the terrace, thus, a condition will require that an overlooking diagram to demonstrate compliance with Standard B22 and screening be provided where required.

(b) The first-floor, west-facing window of the dining room screened with a screen 1.7 metres. A condition will require that the transparency of the screen be notated to be a maximum transparency of 25% in accordance with Standard B22.

(c) The first-floor, north-facing window of the dining room with a 1.7 metre screen (with a maximum transparency of 25%) located on the title boundary but required via condition to be relocated to the window (discussed under Standard B18).

(d) A second floor west-facing window of a bedroom with an angled perforated copper screen (with a maximum transparency of 25%) limiting views to the SPOS to the north. A condition will require the length and angle of the screen be dimensioned.

(e) A second floor west-facing window of a bedroom screened to a height of 1.6 metres (maximum transparency of 25%), with in conjunction with a small ledge will direct views to a minimum height of 4.3 metres above the ground level of the nearby POS areas (demonstrated on Section 4 of Title Ds advertised plans). A condition will require that the depth of the ledge be dimensioned in Section 4 and the height of the screen be dimensioned on the West Elevation.

(f) The roof terrace screened with obscure glazing to a height of 1.7 metres along the northern elevation and obscure glazing to a height of 1 metre on the west elevation. The below diagram demonstrates that the west elevation of the terrace will not have any views to the neighbouring areas of SPOS.

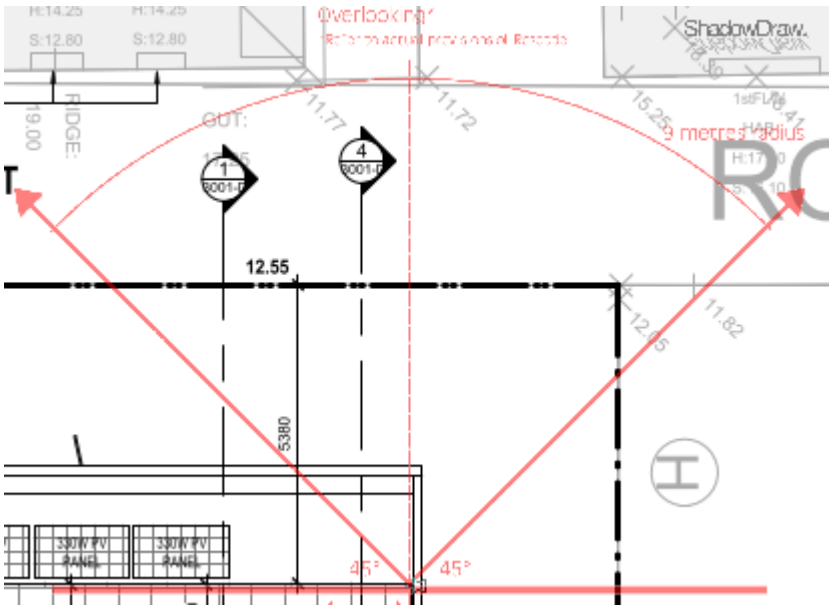


Image 15: A 9 metre view line, at a 45 degree angle from the roof terrace of (Source: Roof Terrace plan, s57A advertised plans of PLN20/0458 overlayed using Trapeze software)

155. Subject to condition, the dwellings will comply with Standard B22.

156. With regards to Standard B23, a screen to a height of 1.7 metres with obscure glazing has been provided on the shared boundary to limit views to the roof terraces of the adjacent lot. Further, full height dividing walls are provided between dwelling terraces to ensure there are no internal views between each.

157. The remaining west-facing windows and terraces are unscreened and thus would allow views down to the small 10sqm ground floor rear setbacks of TH03-TH06. However, this is considered acceptable in this instance as the ground floor setback is unlikely to be used for leisure and recreation and the screening of all west-facing windows and terraces would result in a poor internal amenity outcome for the proposed dwellings.

158. As such, the proposed dwellings is considered to meet the objective of Standard B23 which is *to limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development*.

Noise impacts objectives (B24)

159. It is reasonable to expect that any noise generated on the site would only be residential in nature without causing any unreasonable acoustic impacts on neighbouring properties.

160. The proposal incorporates a lift in in each dwelling, generally located central to the dwellings and occasionally located to abut a bedroom. As such, noise from its use will not unreasonably impact the amenity of an abutting dwelling, on the subject site or neighbouring properties. It is also considered that a lift would not be used excessively given that it will service only one dwelling which is also provided stairs.

Accessibility objective (B25)

161. The objective of Standard B25 is *to encourage the consideration of the needs of people with limited mobility in the design of developments*. As discussed, each dwelling has been provided a lift and stairless entries to allow for the convenient movement of people with limited mobility. The Standard is met.

Dwelling entry objective (B26)

162. The entry of dwellings have been discussed at Standard B2 (Integration to the street objective) and Standard B12 (Safety objective) and it is considered that they have been appropriately designed to provide adequate shelter and visibility to the street. In terms of sense of personal address, this is enhanced by the inclusion of low, permeable fencing, and the clear alignment of each front door to with the upper levels of the associated dwelling providing for the vertical rhythm of the development.

163. As will be discussed, mailboxes will be required to be provided to each dwelling fronting Belgravia Street and each dwelling entry will be required to have a motion sensor light. These elements will contribute to the sense of personal address and safety of the dwelling entries.

Daylight to new windows objective (B27)

164. Window openings are predominantly proposed on the east and west elevations of each dwellings, with south-facing windows provided for TH01 and TH02 on Title A. All windows are located to face an outdoor space and are clear to sky, with the exception of some of the ground-floor windows which are provided a canopy by the overhang of the first-floor. Nonetheless, given the overhangs are less then a metre in depth, it is considered that the windows will receive adequate daylight. The proposal thereby meets the objective of Standard B27.

Private open space (B28) and solar access to open space (B29)

165. According to the Standard B28, *a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space (**SPOS**) with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room*.

166. The SPOS provided for each dwelling is detailed in the below table:

	Ground floor	First floor terraces	Second floor terraces	Roof terrace
TH01 (Title A)	-	14sqm	-	20sqm
TH02 (Title A)	5sqm	9sqm	9sqm	36sqm
TH03 (Title B)	10sqm	5sqm	14sqm	38sqm
TH04 (Title B)	10sqm	5sqm	16sqm	38sqm
TH05 (Title C)	10sqm	5sqm	14sqm	38sqm
TH06 (Title C)	10sqm	5sqm	16sqm	38sqm
TH07 (Title D)	-	8sqm	-	26sqm
TH08 (Title D)	-	17sqm	9sqm	34sqm

167. The above table demonstrates that the majority of the dwellings comply with Standard B28, with the exception of TH07 which provides less than 40sqm of POS of TH01 which does not meet either aspect of the Standard. However, it is considered that the dwellings are provided with usable and accessible areas of POS, as encouraged by the objective of the Standard. Further, the subject site is walking distance (600 metres) to the Yarra River and associated public parklands providing the future residents of the dwelling additional open space and recreational opportunities.

168. Standard B29 requires that POS be located on the north side of the dwelling where appropriate and that the southern boundary of secluded private open space should be set back from any wall on north of the space by at least (2 + 0.9h)metres, where 'h' is the height of the wall.

169. The principal areas of POS is provided at the roof terrace of every dwelling where they have unimpeded solar access in accordance with the Standard.

Storage objective (B30)

170. Although each dwelling is generous in area and is provided robes in bedrooms and a bin storage area in the garage, only 2 cubic metres of storage are notated in the plans for each dwelling. A condition will require that each dwelling be provided with 6 cubic metres of storage space and for this to be notated on the plans, in accordance with the requirements of Standard B30.

Front fences objective (B32)

171. Standard B32 prescribes that the front fence be a maximum height of 1.5 metres. The proposed front fence has a maximum height of 1.2 metres and thus the Standard is met.

Site services objective (B34)

172. Each dwelling is provided a bin storage area within the garage which is concealed from the street and appropriately sized to store Council's various bins. It is considered that the bin and recycling enclosures are located for convenient access by residents and will blend in with the development. The original application was referred to Council's City Works Branch who considered the Waste Management Plans submitted with the application satisfactory, however, recommended that the bin storage area be notated to have a capacity of 240Lt. Although the bin storage areas (which were relocated to garage) as shown in the Section 57a amendment area larger, a condition will require that a notation confirm their capacity as 240Lt. The Waste Management Plans will be endorsed to form part of any permit issued.

173. Only TH01 of Title A has been allocated a mailbox which is to be constructed into the front fence. A condition will require the remaining dwellings be provided mailboxes.

174. Subject to condition, the dwellings meet the requirements of Standard B34.

Vehicle access and public realm

175. Crossovers and vehicle access points have been provided for each dwelling along Belgravia Street, and although supported with regards to their response to neighbourhood character, greater consideration needs to be given to the vehicle and pedestrian movement and location of public lighting, powerline poles and existing on-street car parking to ensure the functionality of the Belgravia Street and laneway frontages.

176. The plans and Traffic Impact Assessment were referred to Council's Engineering Services Unit who were generally supportive of the vehicle access to the site. They did however raise concern to the likelihood that vehicles would traverse over the small front setbacks provided to Belgravia Street and that these movements would eventually wear-down and damage the 'grasscrete' in this location. As previously discussed, the grasscrete will be required to be replaced with asphalt to match Belgravia Street which will resolve this concern. Moreover, these small setbacks will be required to be maintained to allow for the vehicle turning movements out of the site. As such, a condition should require that these areas be allocated as common property to ensure that future residents do not extend their front fence to Belgravia Street and restrict the vehicle movement of neighbouring sites. A condition will also require that dimensions be provided internally to each garage.

177. Finally, given the extent of works proposed along the eastern side of Belgravia Street, a Civil Works Plan will be included via condition and must incorporate all works proposed within Council road reserves including the laneway on the south side of the development, the proposed demolition of the kerb on the western side of Belgravia Street, the relocation of the powerline underground, the removal of parking signs and proposed public lighting. The plan will also require the following:

(a) The asphalt road pavement on the east side of Belgravia Street to be roto-milled and re-sheeted in accordance with Council Engineering standard and to Council satisfaction.

(b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

(c) As there is no footpath proposed for the west side of Belgravia Street in front of the development and the footpath on the east side is 800mm wide and inadequate for DDA access, pedestrians are likely to use the road pavement as access to the development. Moreover, no pedestrian footpath is proposed to provide access to TH01 along the southern laneway. As such, a streetscape design for the Belgravia Street and laneway frontages should be provided and should consider ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

(d) The provision of public lighting in in accordance with Council standards and AS1158.3.1 at the developers cost.

(e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

178. It is noted that Council's Engineering Services Team requested that public lighting be provided for every dwelling entry, given the lack of kerbing abutting the subject site, the sensor-motion lighting required by condition is considered to be a more practical response. Nevertheless, the Civil Works Plan should consider public lighting where appropriate.

Objector concerns

179. *Over development of the site*

Two (2) dwellings on each lot (approximately 220sqm in area) is not considered out character or an overdevelopment in the context of a residential area abutting a Commercial Zone and Major Activity Centre. The size of the proposed dwellings is consistent with the pattern of emerging contemporary development in the area.

180. *Excessive height and visual bulk impacts*

The matter of height has been discussed at paragraphs 117 + 42 of this report.

Any application is assessed against the relevant policy and the response to the individual site context, and in this instance the design response, subject to conditions, has been found to comply with the mandatory provisions of the General Residential Zone, and more generally the policy located at Clause 55. No. 10 Belgravia Street is generally buffered from neighbouring properties by Belgravia Street, Farmer Street and an unnamed laneway. Although the development will be visible, visibility of development in a built-up inner city area is not in itself unreasonable.

181. *Not in keeping with neighbourhood character*

This has been discussed at paragraphs 85 - 104 of this report and it is considered that the proposed dwellings are consistent with the objectives of the relevant design and character policies of the Yarra Scheme and the existing and emerging character of the area.

182. *Off-site amenity impacts including daylight restriction, overlooking*

This has been discussed at paragraphs 145 - 158 of this report, and subject to various conditions relating to overlooking, it is considered that the dwellings have been appropriately designed to limit off-site amenity impacts to neighbouring properties.

183. *No provision of footpath on Belgravia Street*

This matter has been discussed at paragraph 177 of this report. A Civil Works Plan has been required via condition to ensure a considered streetscape design which minimises any conflict between pedestrians and vehicles and enhancing pedestrian priority.

184. *Increased traffic, limited car parking availability and inadequate vehicle access (including for emergency vehicles)*

These matters have been discussed at paragraphs 135 – 137 and 175 – 177 of this report. The applications meet the car parking requirements of Clause 52.06 by providing two on-street car parking spaces to each dwelling, The proposal will also not result in any loss of on-street car parking.

Subject to conditions outlined in the report relating to common property and public realm design, the vehicle access to the site is considered appropriate.

The removal of the kerb on the western side of Belgravia Street and the proposed asphalt in the front setback of the dwelling fences will result in Belgravia Street being wider than existing conditions so will improve the access of larger vehicles in the street.

185. *Impacts from construction and excavation*

This is not a planning consideration. Construction matters will be addressed at the building permit stage. Nevertheless, a Construction Management Plan has been required via condition.

186. *Noise from roof terraces*

The use of the land as a dwelling is an as-of-right use in this instance, so noise from the proposed dwellings is not a planning consideration.

187. *Inappropriate location for residential uses given the commercial interface to the south*

188. This matter is discussed at paragraphs 90 - 92 of this report where it is substantiated that the site has strong strategic report for residential development. The proposed dwellings will not unreasonably inhibit the use or future development of neighbouring commercial sites.

189. *Insufficient notice provided*

Each application was advertised twice (original application and subsequent Section 57A amendment) in which 101 letters were sent to adjacent and nearby property owners and occupiers and six (6) signs were erected on the title boundaries of the site (Belgravia Street, Farmer Street and the southern laneway) for a minimum period of 14 days.

Section 52(1)(a) of the *Planning and Environment Act* 1987 (**the Act**) requires that notice be given to the owners and occupiers of allotments or lots adjoining the land to which the application applies unless the responsible authority is satisfied that the grant of the permit would not cause material detriment to any persons.

The extent of notice exceeds the requirements of the Act and is considered to be appropriate in this instance.

Conclusion

190. The proposal demonstrates an acceptable level of compliance with the policy requirements outlined in the Yarra Planning Scheme. Based on the report, the proposal is considered to generally comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval subject to conditions.

RECOMMENDATION FOR PLN20/0459 (Title A) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated September 2021 but modified to show:

    (a) The materiality, depth and transparency of the screen provided to the second floor west-facing window of TH01 in accordance with the objectives of Standard B22 (Overlooking).

    (b) The garage doors with transparency or permeability.

    (c) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

    (d) A South Elevation and North Elevation.

    (e) The length of walls on boundaries dimensioned on the floorplans.

    (f) Both dwellings with 6 cubic metres of storage.

    (g) Both dwellings with a mailbox.

    (h) The front setback to Belgravia Street, east of the front fence, as common property.

    (i) Internal dimensions for both garages.

    (j) The bin area with a capacity of 240Lt.

    (k) A motion sensor light to both dwelling entries.

    (l) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

    (m) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

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

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

   to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

    (b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

    (c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

    (d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

    (e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

    (a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

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

(n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
(o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

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

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

20. This permit will expire if:

(a) the development is not commenced within two years of the date of this permit; or
(b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

RECOMMENDATION FOR PLN20/0456 (Title B) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated May 2021 but modified to show:

    (a) The garage doors with transparency or permeability.

    (b) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

    (c) A South Elevation and North Elevation.

    (d) The length of walls on boundaries dimensioned on the floorplans.

    (e) Both dwellings with 6 cubic metres of storage.

    (f) Both dwellings with a mailbox.

    (g) The front setback to Belgravia Street, east of the front fence, as common property.

    (h) Internal dimensions for both garages.

    (i) The bin area with a capacity of 240Lt.

    (j) A motion sensor light to both dwelling entries.

    (k) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

    (l) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

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

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

    (a) located;
    (b) directed;
    (c) shielded; and

(d) of limited intensity,

to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

(b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

(c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

(d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

(e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

    (a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;
        (vi) washing of concrete trucks and other vehicles and machinery; and
        (vii) spillage from refuelling cranes and other vehicles and machinery;
    (i) the construction program;
    (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
    (k) parking facilities for construction workers;
    (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
    (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
    (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
    (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

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

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

20. This permit will expire if:

    (a) the development is not commenced within two years of the date of this permit; or
    (b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

RECOMMENDATION FOR PLN20/0457 (Title C) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated May 2021 but modified to show:

    (a) The garage doors with transparency or permeability.

    (b) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

    (c) A South Elevation and North Elevation.

    (d) The length of walls on boundaries dimensioned on the floorplans.

    (e) Both dwellings with 6 cubic metres of storage.

    (f) Both dwellings with a mailbox.

    (g) The front setback to Belgravia Street, east of the front fence, as common property.

    (h) Internal dimensions for both garages.

    (i) The bin area with a capacity of 240Lt.

    (j) A motion sensor light to both dwelling entries.

    (k) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

    (l) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

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

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

(b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

(c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

(d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

(e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

    (a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;
        (vi) washing of concrete trucks and other vehicles and machinery; and
        (vii) spillage from refuelling cranes and other vehicles and machinery;
    (i) the construction program;
    (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
    (k) parking facilities for construction workers;
    (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
    (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
    (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
    (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

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

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

20. This permit will expire if:

    (a) the development is not commenced within two years of the date of this permit; or
    (b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

RECOMMENDATION FOR PLN20/0458 (Title D) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated September 2021 but modified to show:

(a) The first-floor screen on the northern boundary wall of TH08 relocated to the north-facing first-floor dining room window, resulting in a northern boundary wall with a height of 3.43 metres.

(b) An Overlooking Diagram demonstrating views to No. Farmer Street's and No. 189 Stawell Streets area of POS from the first floor west facing terrace of TH08 are limited in accordance with the objective of the Standard B22 (Overlooking) of the Yarra Planning Scheme and, if applicable, any additional screening measures required to demonstrate compliance.

(c) The screen on the west-facing dining room window of TH08 with a maximum transparency of 25% in accordance with Standard B22 (Overlooking).

(d) The angle and length of the screen associated with the second floor west-facing bedroom window of (TH08) in accordance with the objective of Standard B22 (Overlooking).

(e) The height of the screen associated with the second floor west-facing bedroom window of TH08 dimensioned on the West Elevation and the depth of the ledge dimensioned in the overlooking diagram (Section 4) in accordance with the objective of Standard B22 (Overlooking).

(f) The garage doors with transparency or permeability.

(g) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

(h) A South Elevation and North Elevation.

(i) The length of walls on boundaries dimensioned on the floorplans.

(j) Both dwellings with 6 cubic metres of storage.

(k) Both dwellings with a mailbox.

(l) The front setback to Belgravia Street, east of the front fence, as common property.

(m) Internal dimensions for both garages.

(n) The bin area with a capacity of 240Lt.

(o) A motion sensor light to both dwelling entries.

(p) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

(q) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

(a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;

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

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

    (b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

    (c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

    (d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

    (e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

    (a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;
        (vi) washing of concrete trucks and other vehicles and machinery; and
        (vii) spillage from refuelling cranes and other vehicles and machinery;
    (i) the construction program;

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

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

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

20. This permit will expire if:

(a) the development is not commenced within two years of the date of this permit; or
(b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

Attachments

1 PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

2 PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

3 PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

4 PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

5 PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Officers recommendation

6 PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Officers recommendation

7 PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

8 PLN20/0458 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

9 10 Belgravia Street Richmond (all Titles) - Transurban DD05 response

10 10 Belgravia Street Richmond (all Titles) - Urban design referral response

11 10 Belgravia Street Richmond (all Titles) - Open space referral response

12 10 Belgravia Street Richmond (all Titles) - Waste referral response

13 10 Belgravia Street Richmond (all Titles) - Civil Engineering referral response

14 PLN20/0459 -10 Belgravia Street Richmond (Title A) - ESD response

15 PLN20/0456 -10 Belgravia Street Richmond (Title B) - ESD response

16 PLN20/0457 -10 Belgravia Street Richmond (Title C) - ESD response

17 PLN20/0458 -10 Belgravia Street Richmond (Title D) - ESD response

18 PLN20/0459 -10 Belgravia Street Richmond (Title A) - Traffic Engineering response

19 PLN20/0458 -10 Belgravia Street Richmond (Title D) - Traffic Engineering response

20 10 Belgravia Street Richmond (all titles) - Section 57a - VicRoads DD05 response

21 10 Belgravia Street Richmond (Title B and Title C) - Section 57A - Traffic Engineering response

22 10 Belgravia Street Richmond (all Titles) - Section 57A - Civil Engineering response

23 10 Belgravia Street Richmond (all titles) - Section 57A - ESD response

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

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Contact

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Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Project Team

Architecture
Cera Stribley

Planning
Contour Town Planning

ESD
Sustainable Development Consultants

Traffic
One Mile Grid

Landscape
Rupert Baynes Landscape Design



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Site Information

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP237453

Site Area
220sqm (approx.)

Site Frontage
12.19m (Belgravia Street)
18.06m (Laneway)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

SUBJECT SITE
Title A
10 Belgravia Street



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Site Location

SUBJECT SITE
Title A
10 Belgravia Street



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Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Site Context



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Street Views









Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Street Views









Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Site Analysis

LEGEND

- Subject Site
- Major Traffic Flows
- Secondary Traffic Flows
- Sun Path
- Electrical Pole
- Surrounding trees on site, footpath and adjoining properties



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Planning Controls

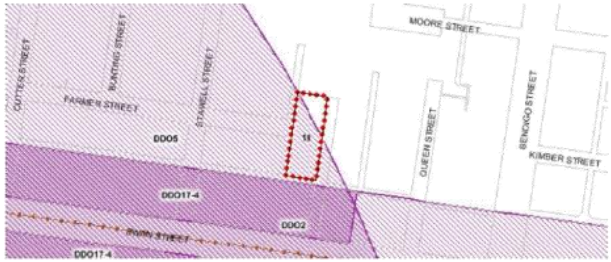
Planning Zone

GRZ2 - General Residential Zone - Schedule 2



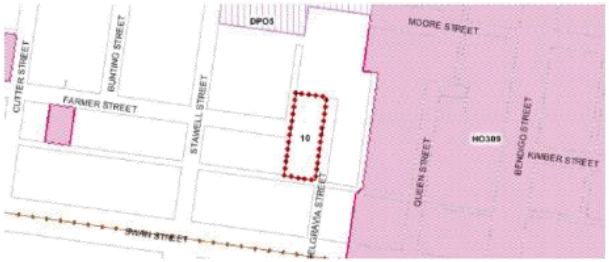
Planning Overlays

Design and Development Overlay - Schedule 5 (DDO5)



Other Overlays not affecting this Land

Development Plan Overlay (DPO) & Heritage Overlay (HO)



Environmental Audit Overlay (EAO)



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Architectural Statement

The design is informed firstly by the site address; Belgravia, taking cues from the multi-level terrace houses in the London suburb of the same name.

With this classic precedent in mind, the ground and first levels are grounded, solid volumes. While the ground floor steps down from the street level and maintains comfortable setbacks, this creates a concealed entry space to each townhouse. The first floor forms push out at varying distances, creating visual interest, framing the large feature windows.

Cutouts between townhouses at these levels create a break in the overall built form and the use of contrasting materials throughout breaks up the streetscape and responds to surrounding context.







Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Development Summary

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP237453

Site Area
220sqm (approx.)

Site Frontage
12.19m (Belgravia Street)
18.06m (Laneway)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

19044_10 BELGRAVIA STREET, RICHMOND
DEVELOPMENT SUMMARY - TITLE A

	SQM	%	REQ'D (RESCODE)
SITE AREA	220	-	-
SITE COVERAGE	165	75%	60%
PERMEABILITY	59	27%	20%
GARDEN AREA	36	16%	N/A

3 LEVELS

PROJECT SUMMARY - AREAS

LEVEL	PARKING / COMMON (m2)	TOWNHOUSE NSA (m2)	TERRACE / P.O.S (m2)	TOTAL TOWNHOUSE AREA (m2)	TOTAL GFA (EXCL. BALC) (m2)
L GROUND	77.0	81.0	38.0	119.0	158.0
L FIRST	-	128.0	22.0	150.0	128.0
L SECOND	-	102.0	9.0	111.0	102.0
SUBTOTAL	**77.0**	**311.0**	**69.0**	**380.0**	**388.0**

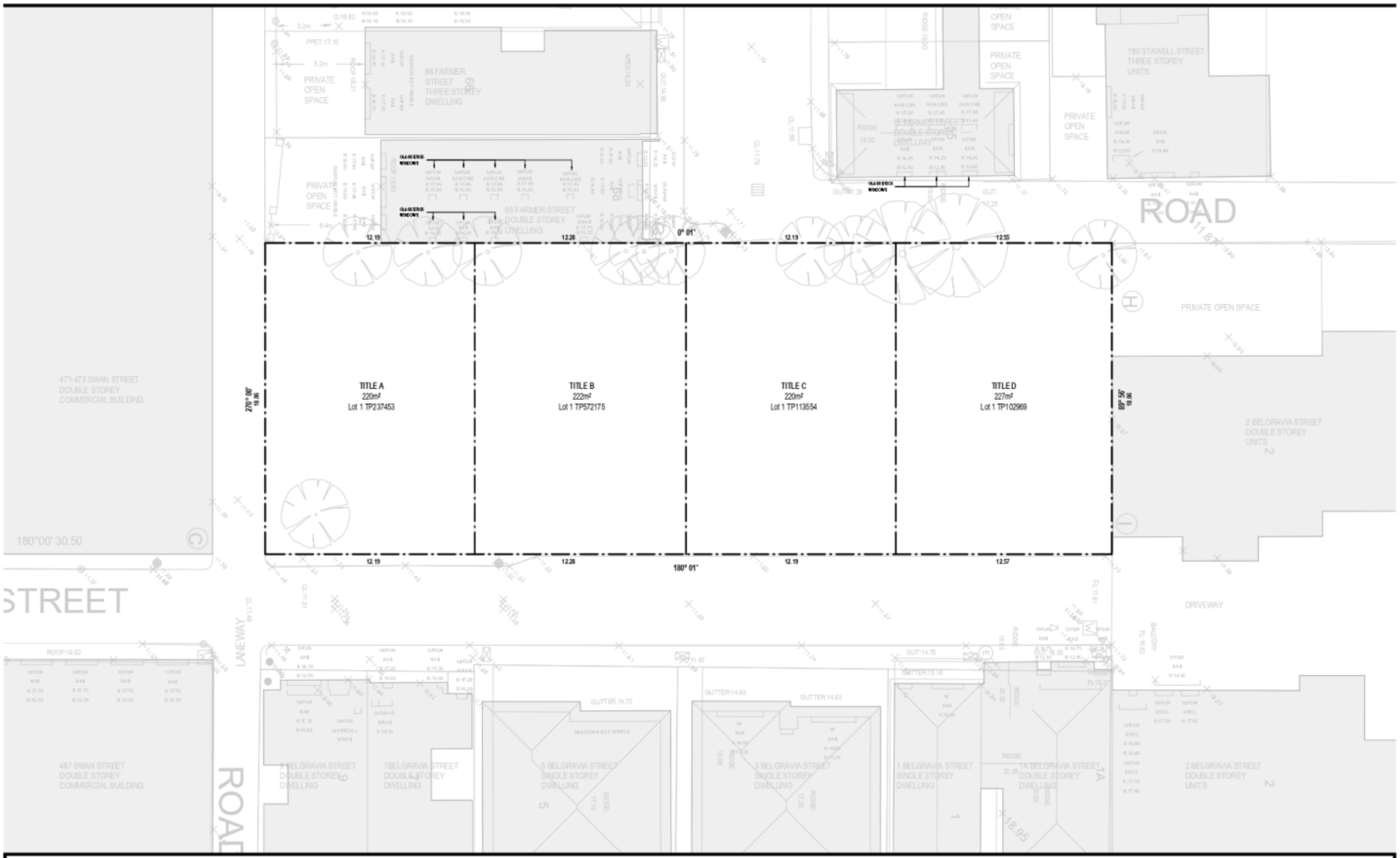
PROJECT SUMMARY - AREAS

TOWNHOUSE	TYPE	ORIENT.	CAR SPACES	GARAGE (m2)	GROUND FLOOR AREA (m2)	FIRST FLOOR AREA (m2)	SECOND FLOOR AREA (m2)	GROSS TH AREA (m2)	GARDEN (GROUND)	FIRST FLOOR TERRACE	SECOND FLOOR TERRACE	ROOF TERRACE	TOTAL OUTDOOR AREA (m2)
TH 01	3B2B	SW	2	35.0	41.0	61.0	53.0	155.0	22.0	14.0	0.0	20.0	**56.0**
TH 02	3B2B	SE	2	42.0	40.0	67.0	49.0	156.0	16.0	8.0	9.0	36.0	**69.0**
TOTALS **2**			**4**	**77**	**81.0**	**128.0**	**102.0**	**311.0**	**38.0**	**22.0**	**9.0**	**56.0**	**125.0**

Note: All areas are approximate only and are subject to final checking against survey infomration and authority approvals.

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



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REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

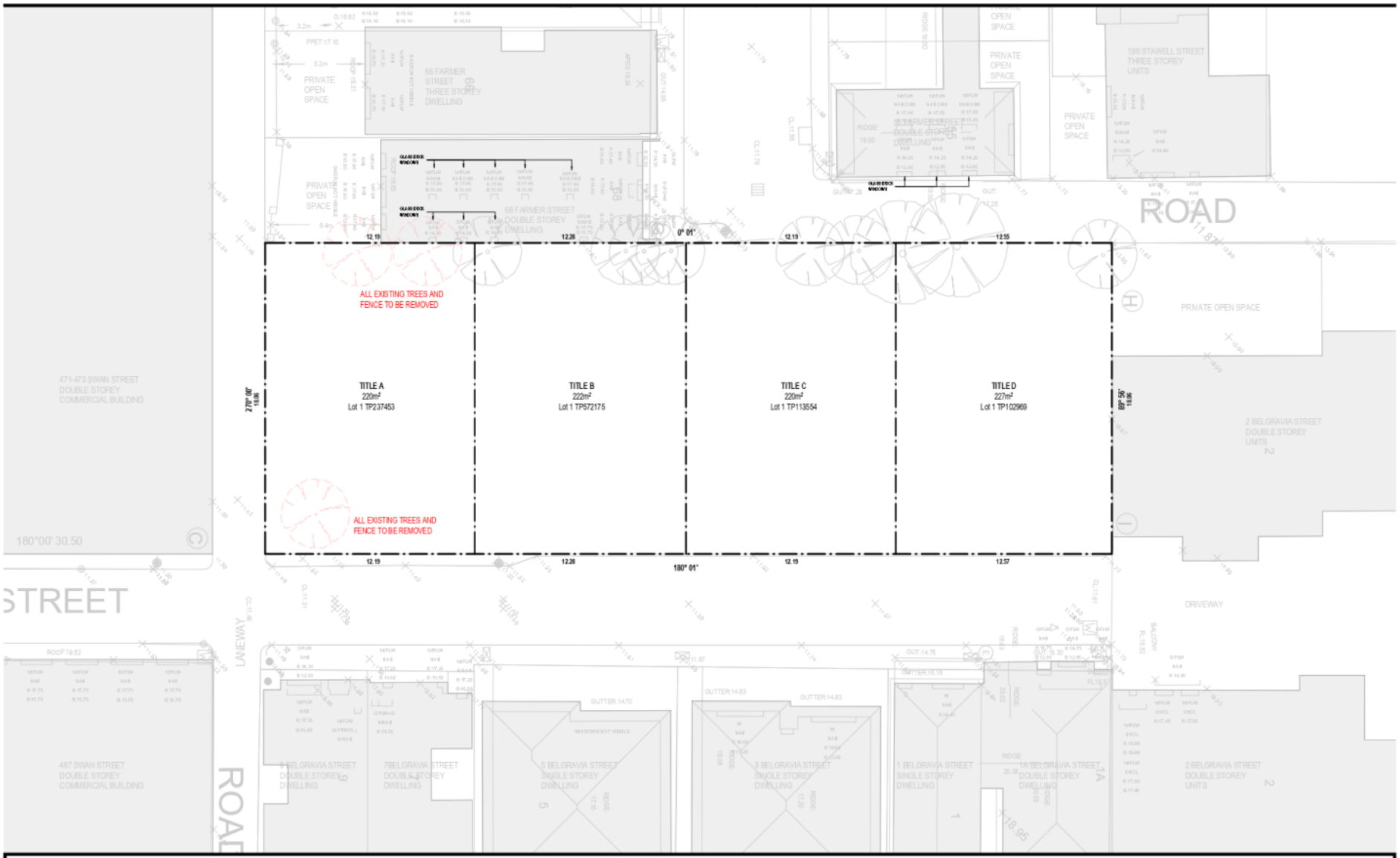
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JOB N°	19044
REVISION N°	C
DATE	06.09.2021
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DRAWN BY	FJ
CHECKED BY	DC/KH

DRAWING TITLE
EXISTING SITE PLAN
TITLE A

0100-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



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10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

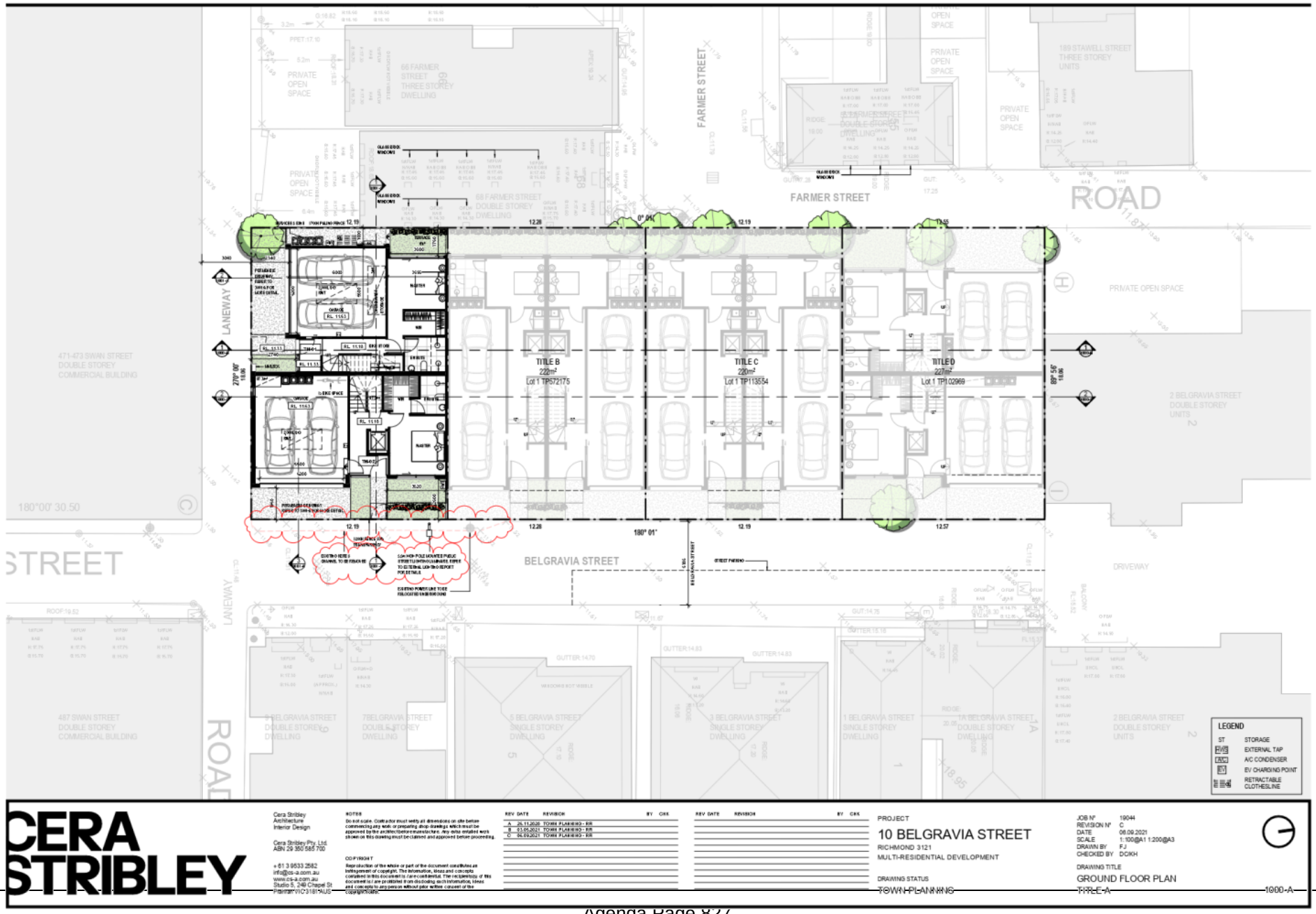
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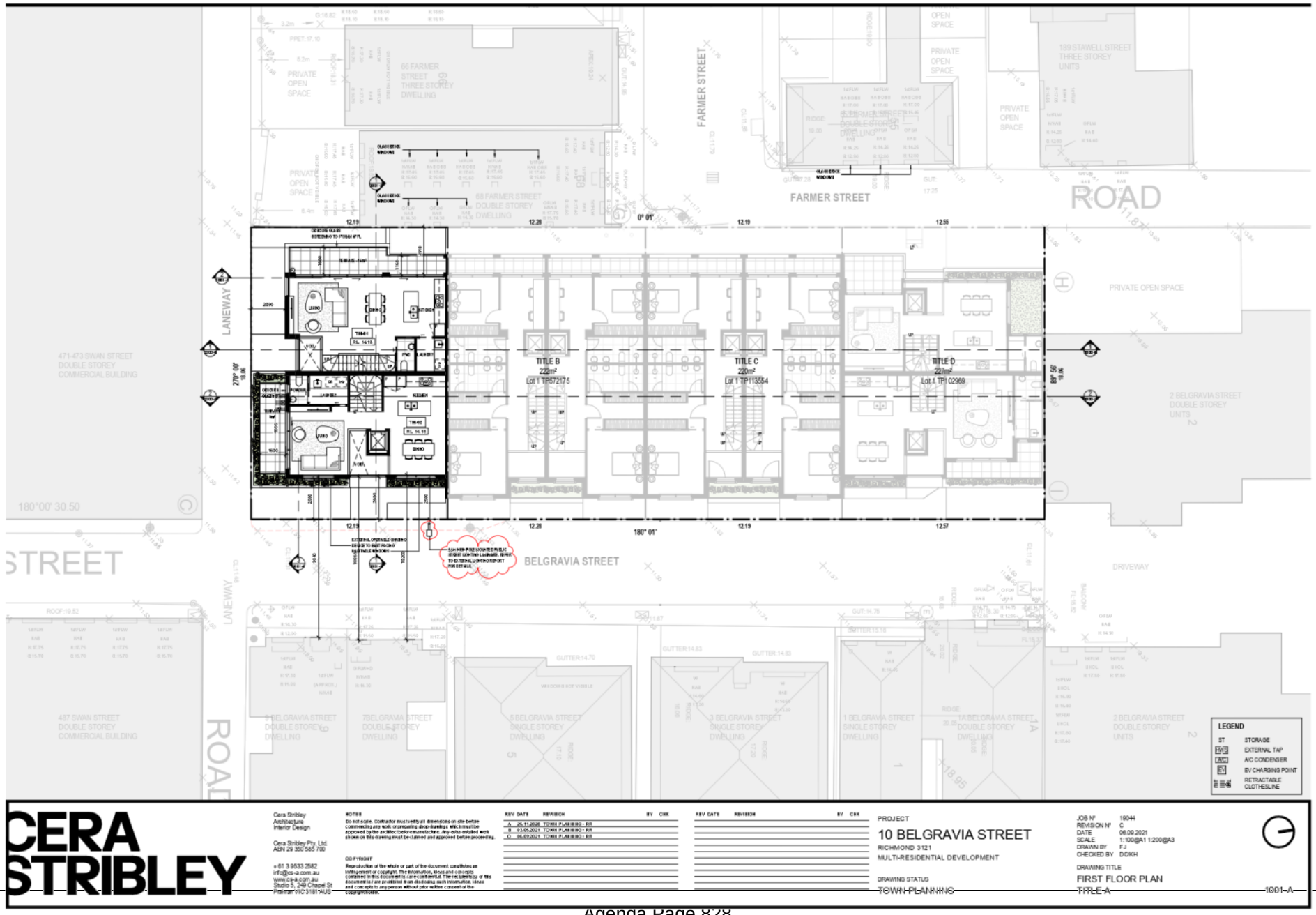
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DEMOLITION PLAN
TITLE A

0101-A

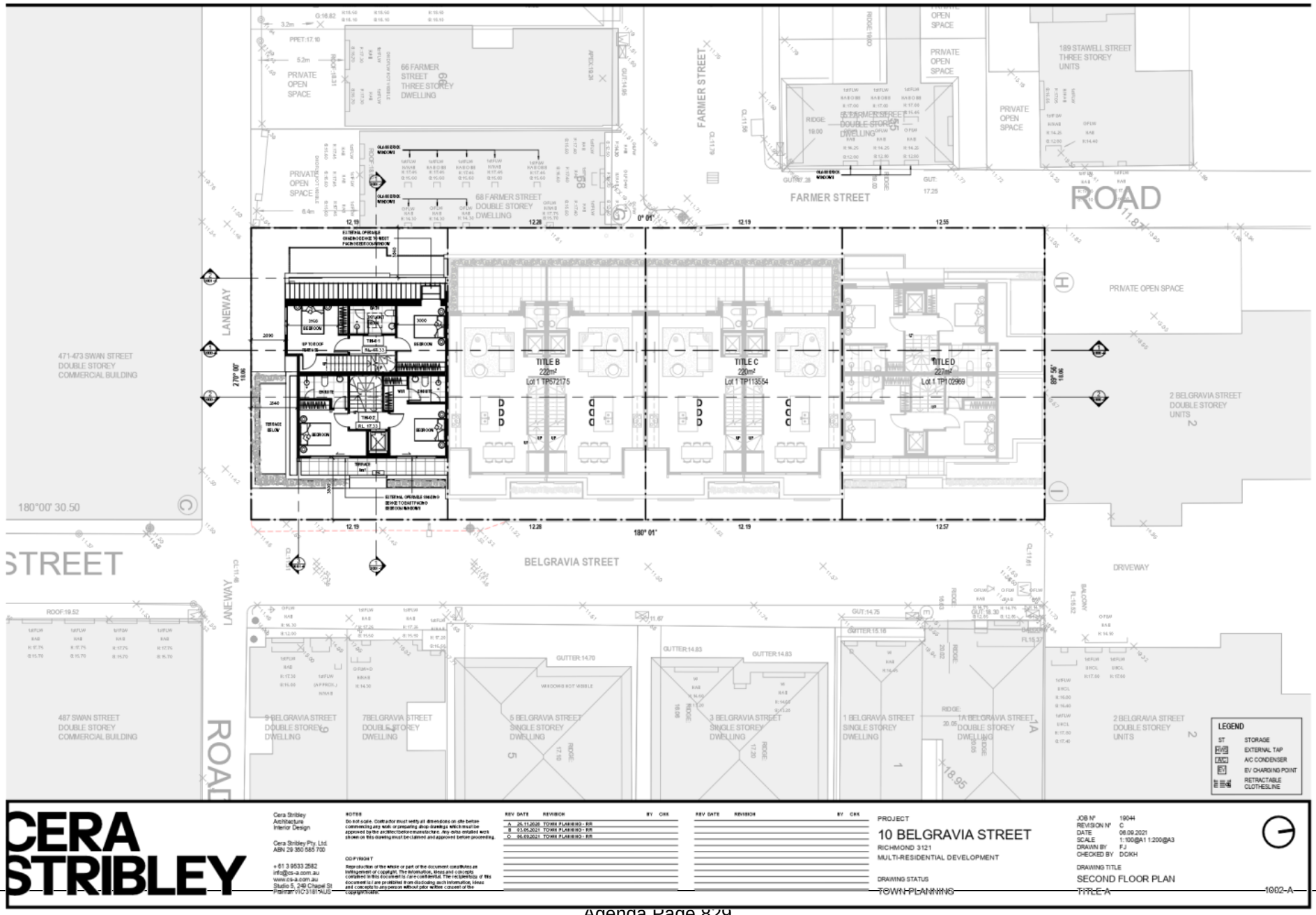
Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



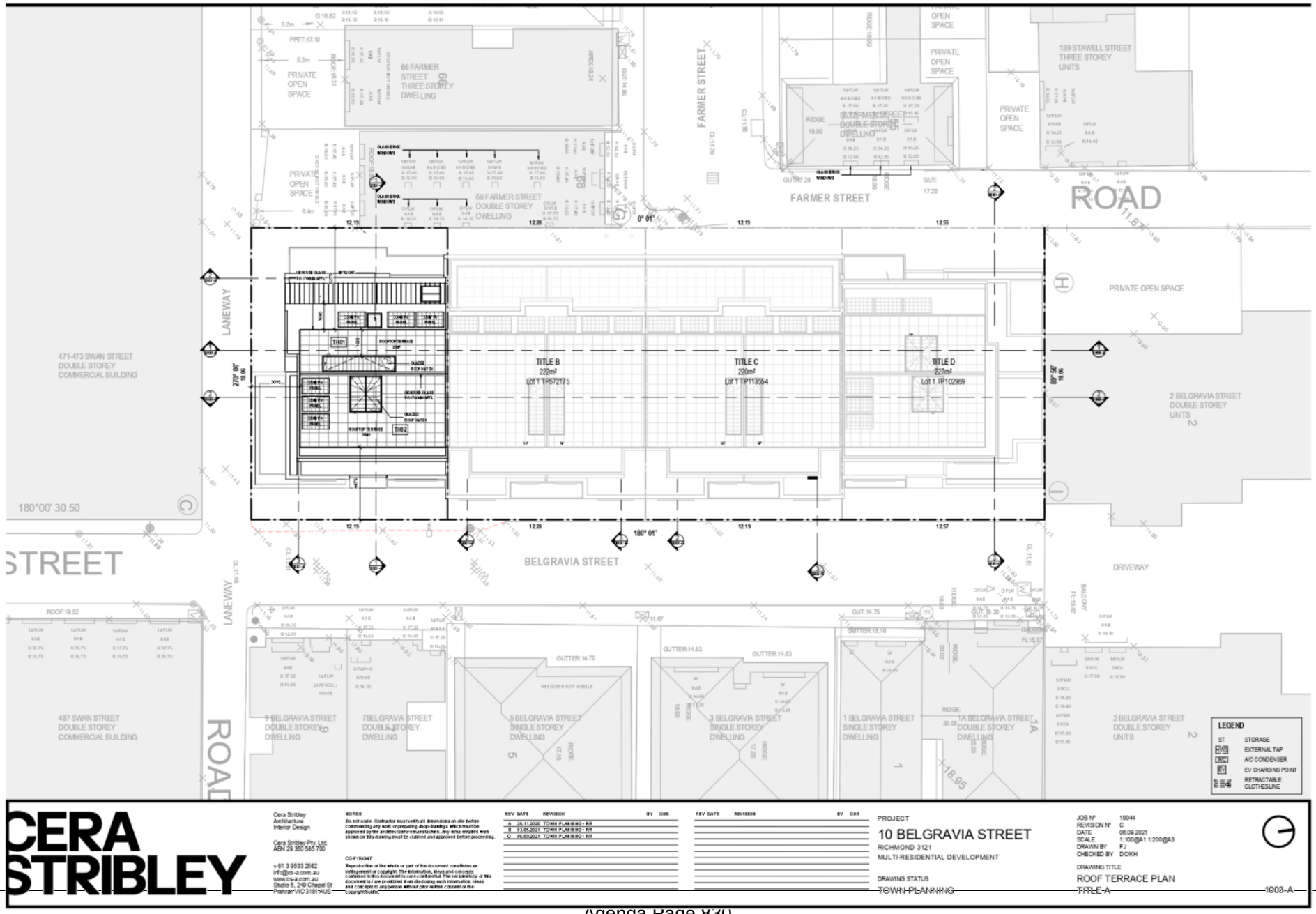
Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



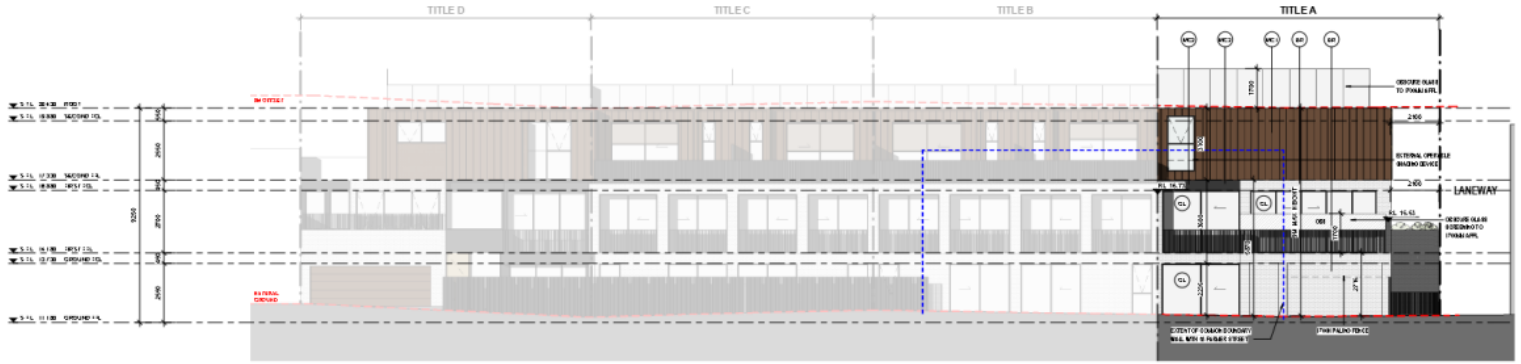
Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



1 TITLE A - EAST ELEVATION
SCALE 1 : 100



2 TITLE A - WEST ELEVATION
SCALE 1 : 100

MATERIAL LEGEND

PL: Landscape
AL: Aluminium Flat Plate Balustrade
MC1: Metal Cladding - Copper or similar
MC2: Metal Cladding - Charcoal
BR: Brick - Light Tones
GL: Glazing - Clear
OBS: Obscure Reeded Glass

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

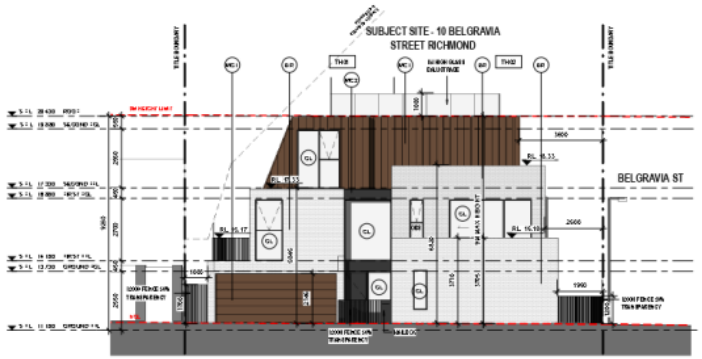
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TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
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DRAWN BY	FJ
CHECKED BY	DCKH

DRAWING TITLE
PROPOSED ELEVATIONS
TITLE A

2000-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



1 TITLE A - SOUTH ELEVATION
SCALE 1 : 100

MATERIAL LEGEND

PL: Landscape
AL: Aluminium Flat Plate Balustrade
MC1: Metal Cladding - Copper or similar
MC2: Metal Cladding - Charcoal
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RICHMOND 3121
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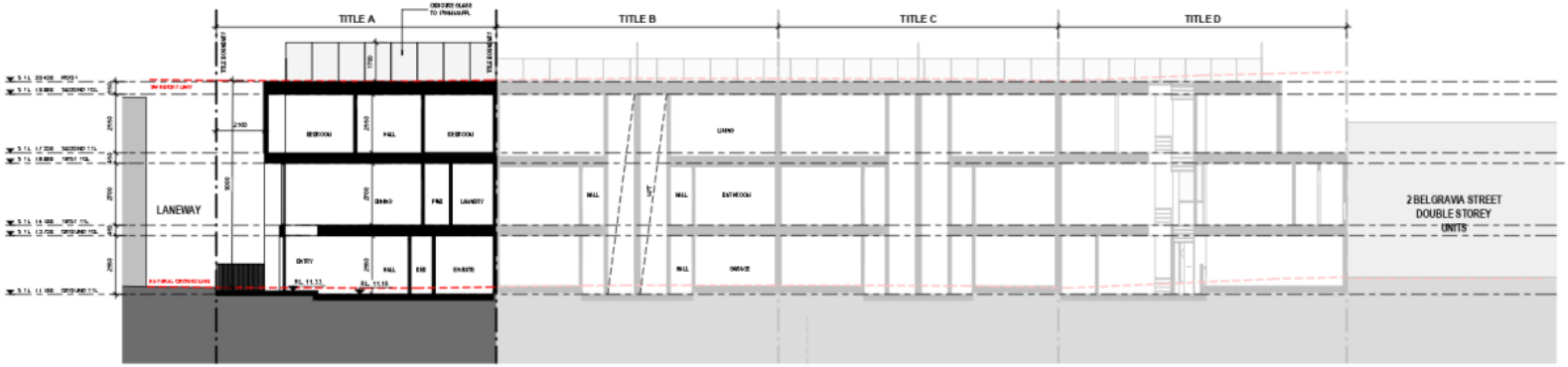
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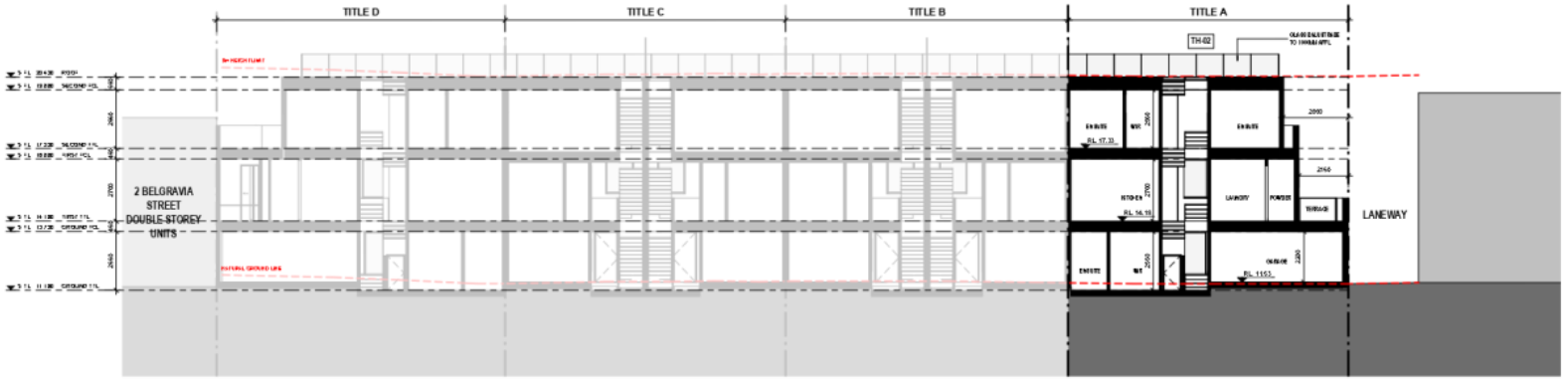
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PROPOSED ELEVATIONS
TITLE A

2001-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



1 / 1000-A TITLE A - NORTH-SOUTH SECTION 1
SCALE 1 : 100



2 / 1000-A TITLE A - NORTH-SOUTH SECTION 2
SCALE 1 : 100

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10 BELGRAVIA STREET
RICHMOND 3121
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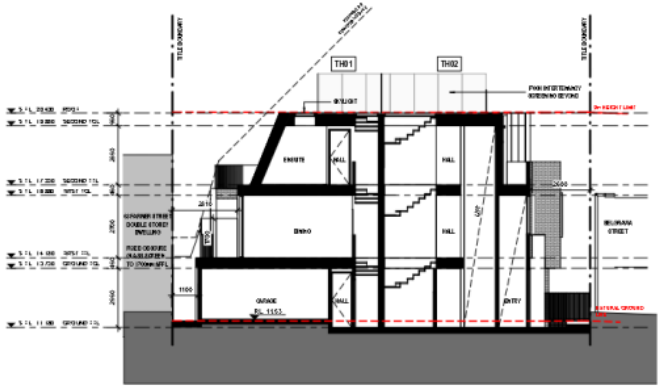
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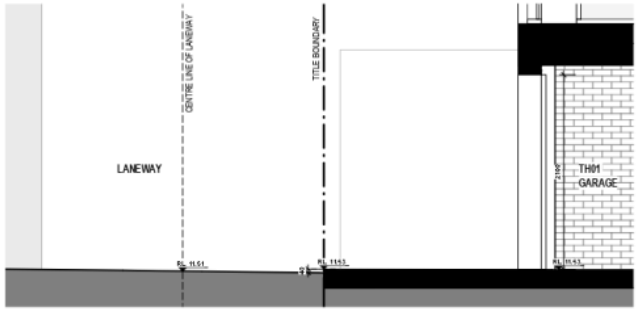
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SECTIONS
TITLE A

3000-A

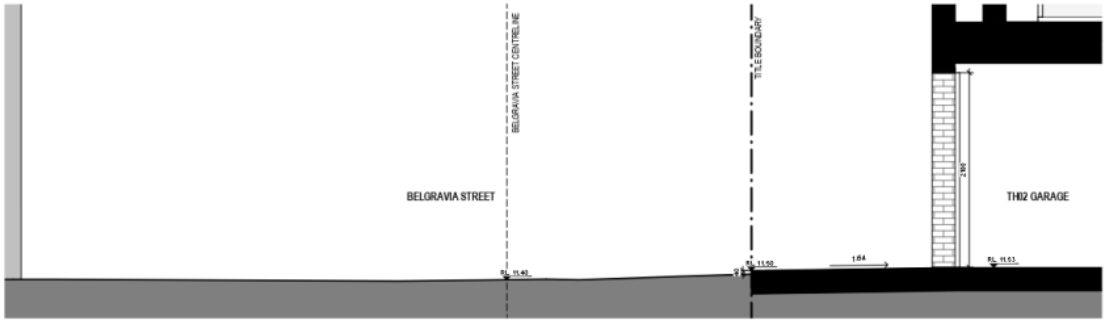
Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



1 1000-A TITLE A - EAST-WEST SECTION
SCALE 1 : 100



2 1000-A TITLE A - TH01 DRIVEWAY SECTION DETAIL
SCALE 1 : 25



3 1000-A TITLE A - TH02 DRIVEWAY SECTION DETAIL
SCALE 1 : 25

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DCKH

DRAWING TITLE
SECTIONS
TITLE A

3001-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Finishes

MC1
METAL CLADDING
COLOUR: WEATHERED COPPER OR SIMILAR

MC2
METAL CLADDING
COLOUR: CHARCOAL

BR
BRICK
COLOUR: WHITE TONES

GL2
OBSCURE GLASS
VISIBILITY: LESS THAN 25%

AL
ALUMINIUM FLAT PLATE BALSUTRADE
COLOUR: BLACK

PL
LANDSCAPING

ES
EXTERNAL SHADING - OPERABLE BLINDS
COLOUR: BRONZE & WHITE









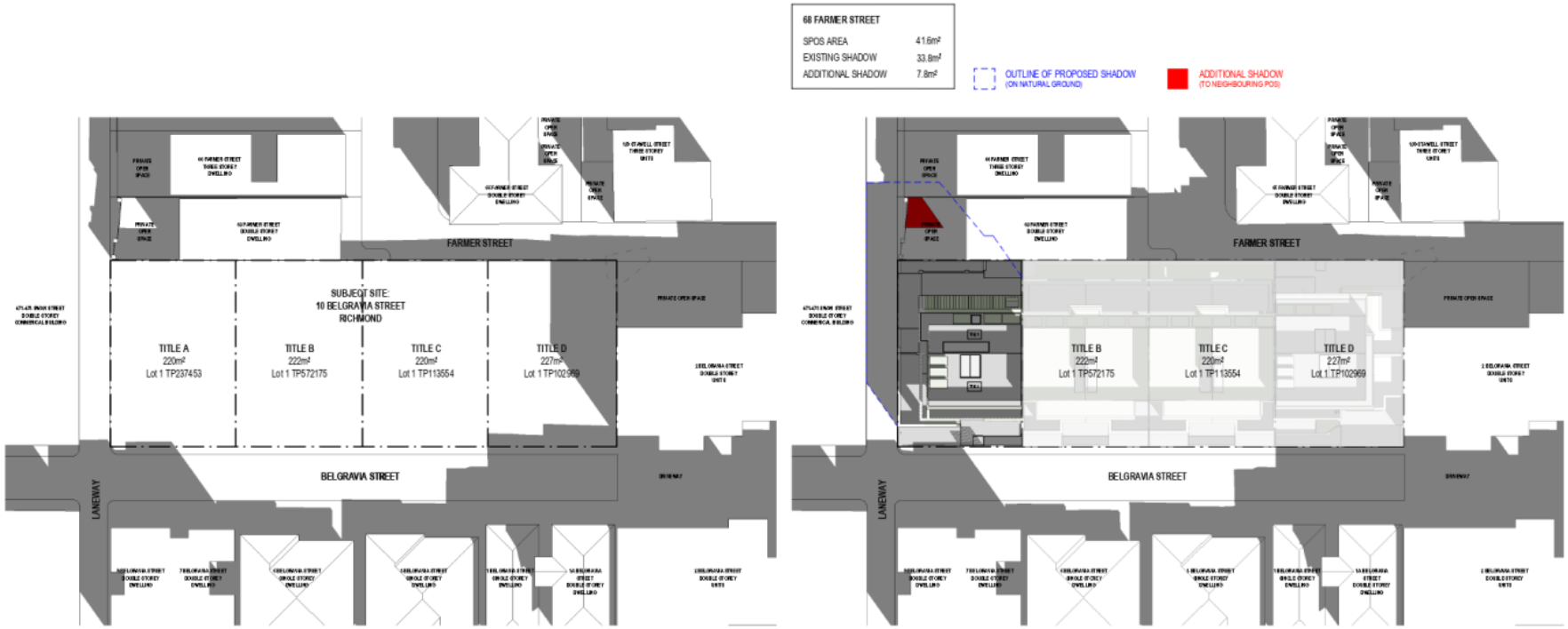








Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



9am
EXISTING
22 September

9am
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

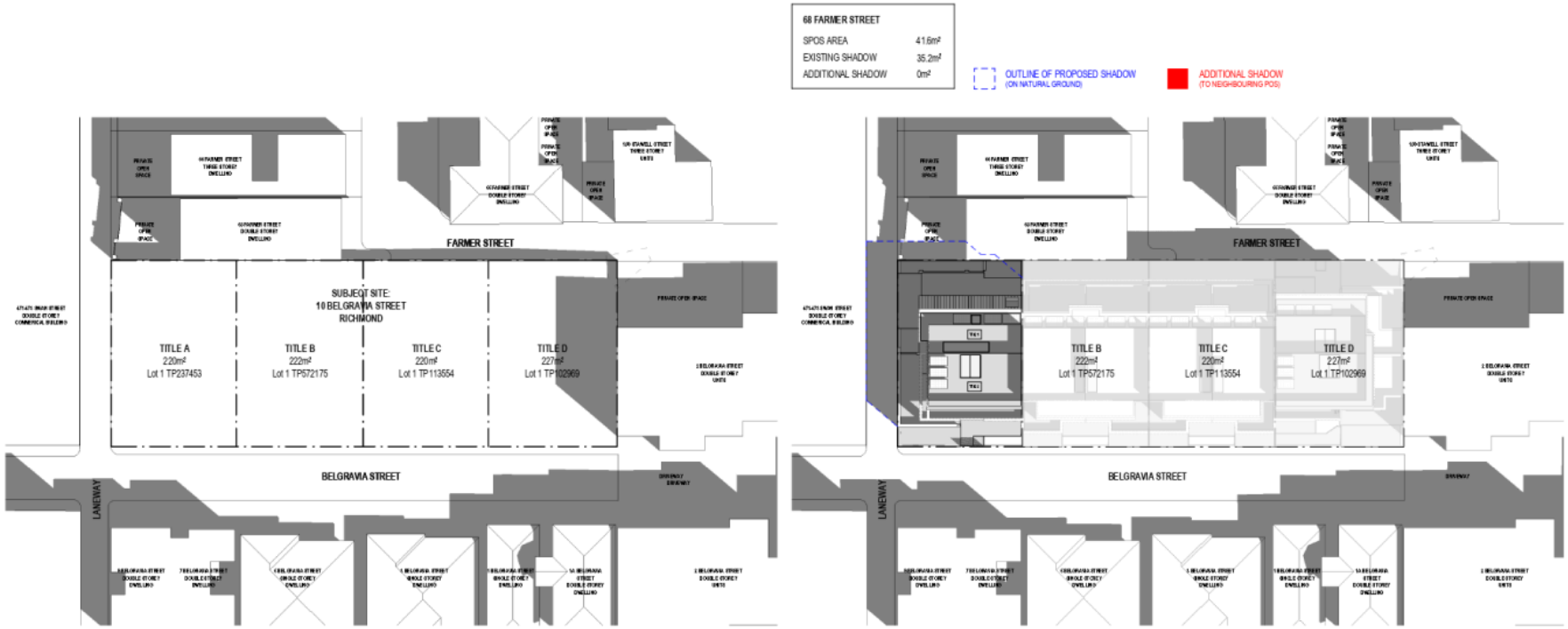
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REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
9AM SHADOW ANALYSIS
TITLE A

5000-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



10am
EXISTING
22 September

10am
PROPOSED
22 September

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REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

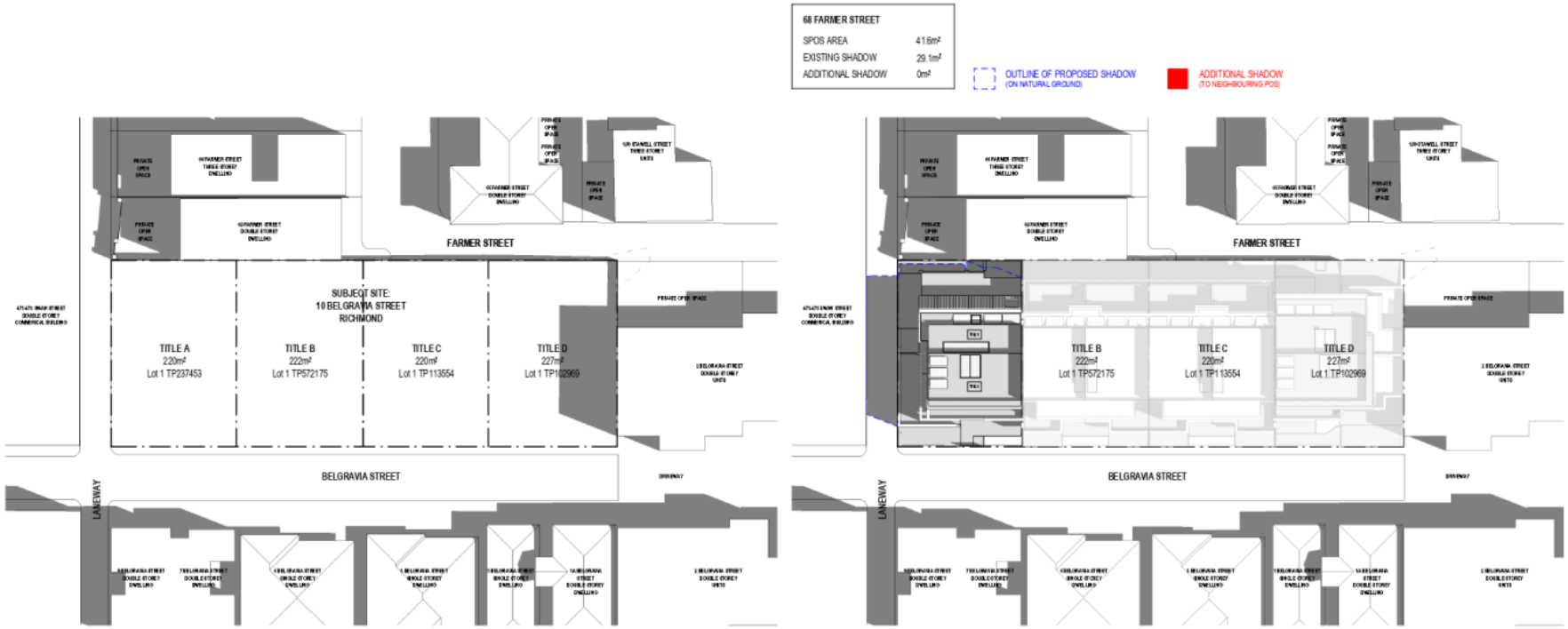
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TOWN PLANNING

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REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
10AM SHADOW ANALYSIS
TITLE A

5001-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



11am
EXISTING
22 September

11am
PROPOSED
22 September

CERA STRIBLEY

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Architecture
Interior Design

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C	06.09.2021	TOWN PLANNING - RR		

REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

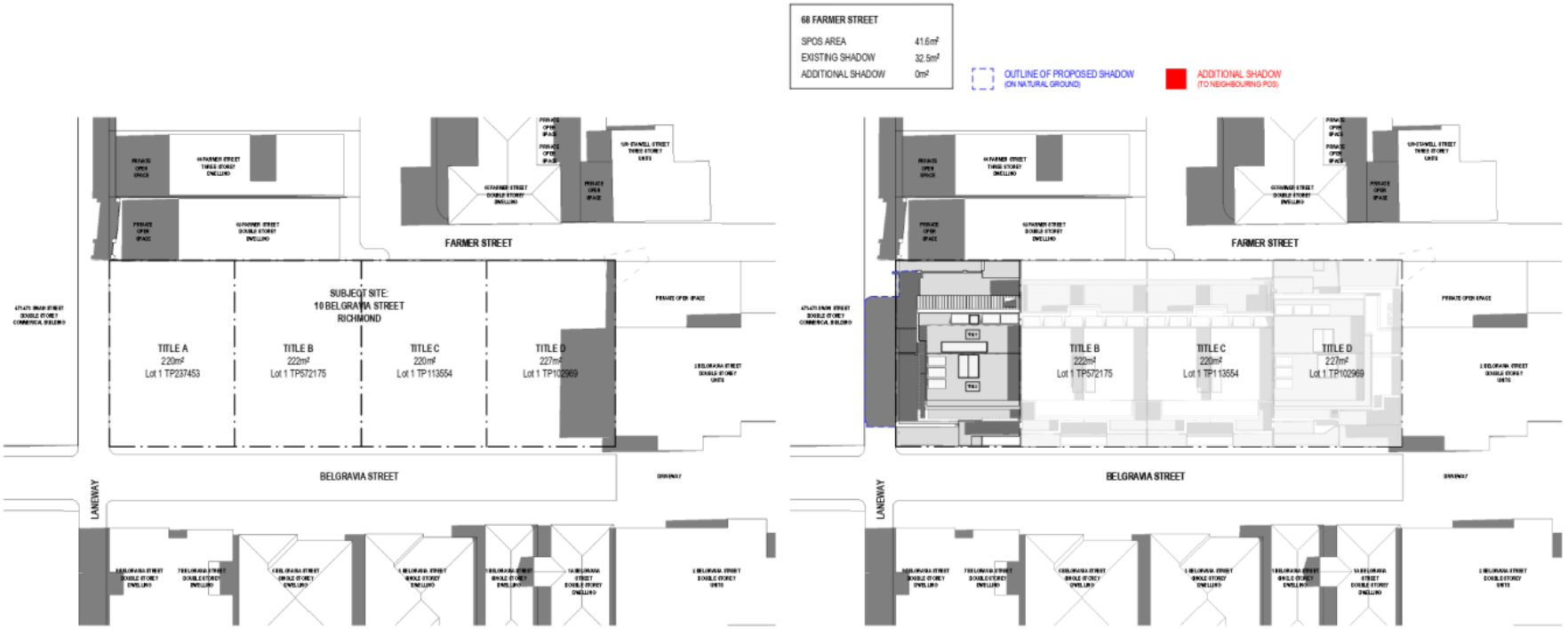
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TOWN PLANNING

JOB N° 19044
REVISION N° C
DATE 06.09.2021
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DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
11AM SHADOW ANALYSIS
TITLE A

5002-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



12pm
EXISTING
22 September

12pm
PROPOSED
22 September

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RICHMOND 3121
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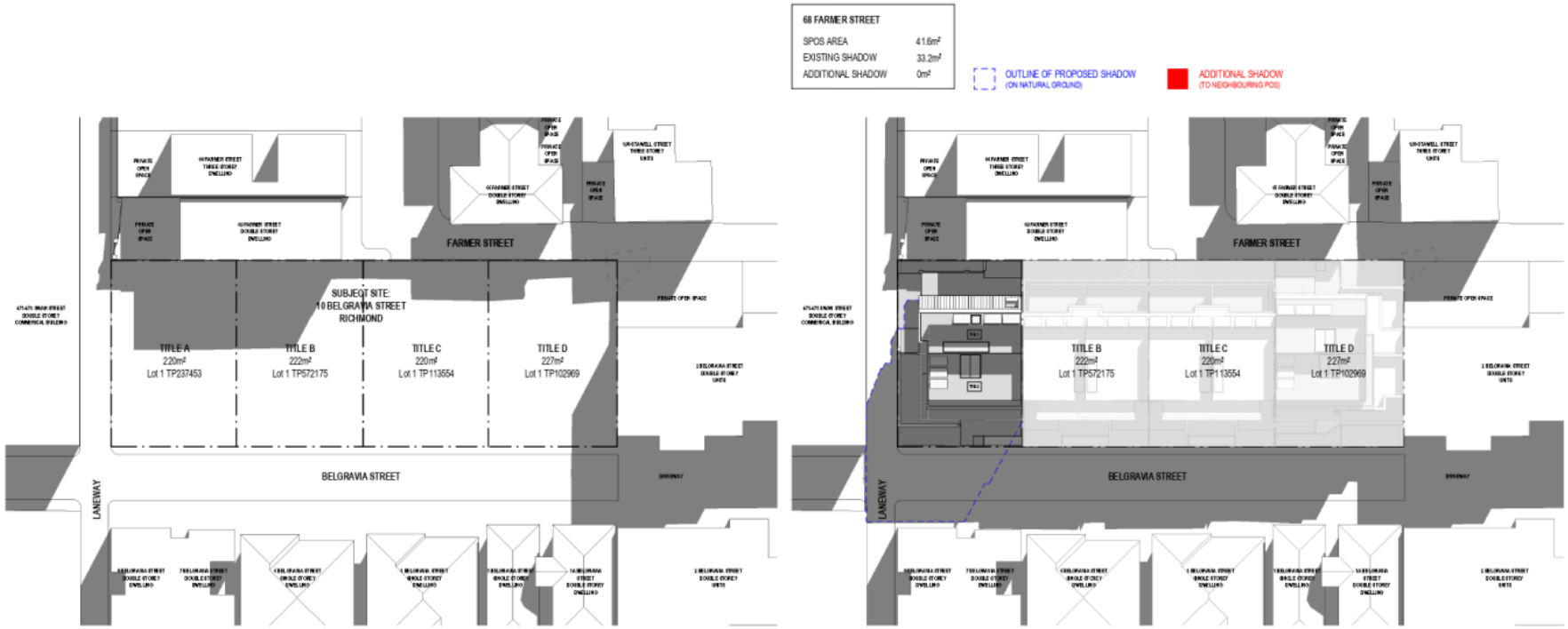
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DRAWN BY	FJ
CHECKED BY	DCKH

DRAWING TITLE
12PM SHADOW ANALYSIS
TITLE A

5003-A

Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans



3pm
EXISTING
22 September

3pm
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

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REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
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DRAWING TITLE
3PM SHADOW ANALYSIS
TITLE A

5004-A

Artist's Impression



Attachment 1 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Section 57A advertised plans

Cera Stribley Architects

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Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

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Architectural Statement
Site Response

1.5 Development Summary

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3.3 Artist's Impression

Contact

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Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Project Team

Architecture
Cera Stribley

Planning
Contour Town Planning

ESD
Sustainable Development Consultants

Traffic
One Mile Grid

Landscape
Rupert Baynes Landscape Design



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Site Information

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP572175

Site Area
222sqm (approx.)

Site Frontage
12.28m (Belgravia Street)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

SUBJECT SITE
Title B
10 Belgravia Street



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Site Location

SUBJECT SITE
Title B
10 Belgravia Street



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Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Site Context



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Street Views









Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Street Views









Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Site Analysis

LEGEND

- Subject Site
- Major Traffic Flows
- Secondary Traffic Flows
- Sun Path
- Electrical Pole
- Surrounding trees on site, footpath and adjoining properties



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Planning Controls

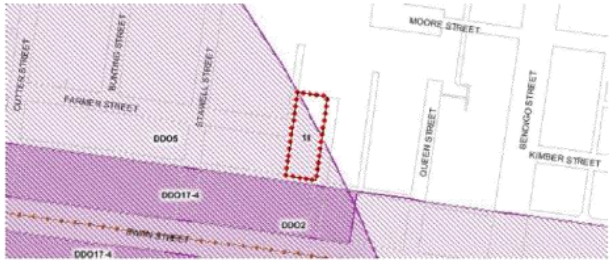
Planning Zone

GRZ2 - General Residential Zone - Schedule 2



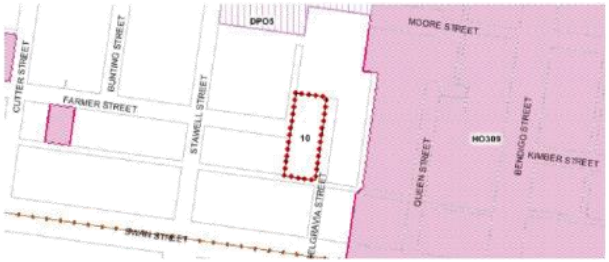
Planning Overlays

Design and Development Overlay - Schedule 5 (DDO5)



Other Overlays not affecting this Land

Development Plan Overlay (DPO) & Heritage Overlay (HO)



Environmental Audit Overlay (EAO)



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Architectural Statement

The design is informed firstly by the site address; Belgravia, taking cues from the multi-level terrace houses in the London suburb of the same name.

With this classic precedent in mind, the ground and first levels are grounded, solid volumes. While the ground floor steps down from the street level and maintains comfortable setbacks, this creates a concealed entry space to each townhouse. The first floor forms push out at varying distances, creating visual interest, framing the large feature windows.

Cutouts between townhouses at these levels create a break in the overall built form and the use of contrasting materials throughout breaks up the streetscape and responds to surrounding context.







Development Summary

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP572175

Site Area
222sqm (approx.)

Site Frontage
12.28m (Belgravia Street)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

19044_10 BELGRAVIA STREET, RICHMOND
DEVELOPMENT SUMMARY - TITLE B

	SQM	%	REQ'D (RESCODE)
SITE AREA	222	-	-
SITE COVERAGE	186	84%	60%
PERMEABILITY	45	20%	20%
GARDEN AREA	31	14%	N/A

3 LEVELS

PROJECT SUMMARY - AREAS

LEVEL	PARKING / COMMON (m2)	TOWNHOUSE NSA (m2)	TERRACE / P.O.S (m2)	TOTAL TOWNHOUSE AREA (m2)	TOTAL GFA (EXCL. BALC) (m2)
L GROUND	82.0	94.0	8.0	102.0	176.0
L FIRST	-	166.0	10.0	176.0	166.0
L SECOND	-	122.0	30.0	152.0	122.0
SUBTOTAL	**82.0**	**382.0**	**48.0**	**430.0**	**464.0**

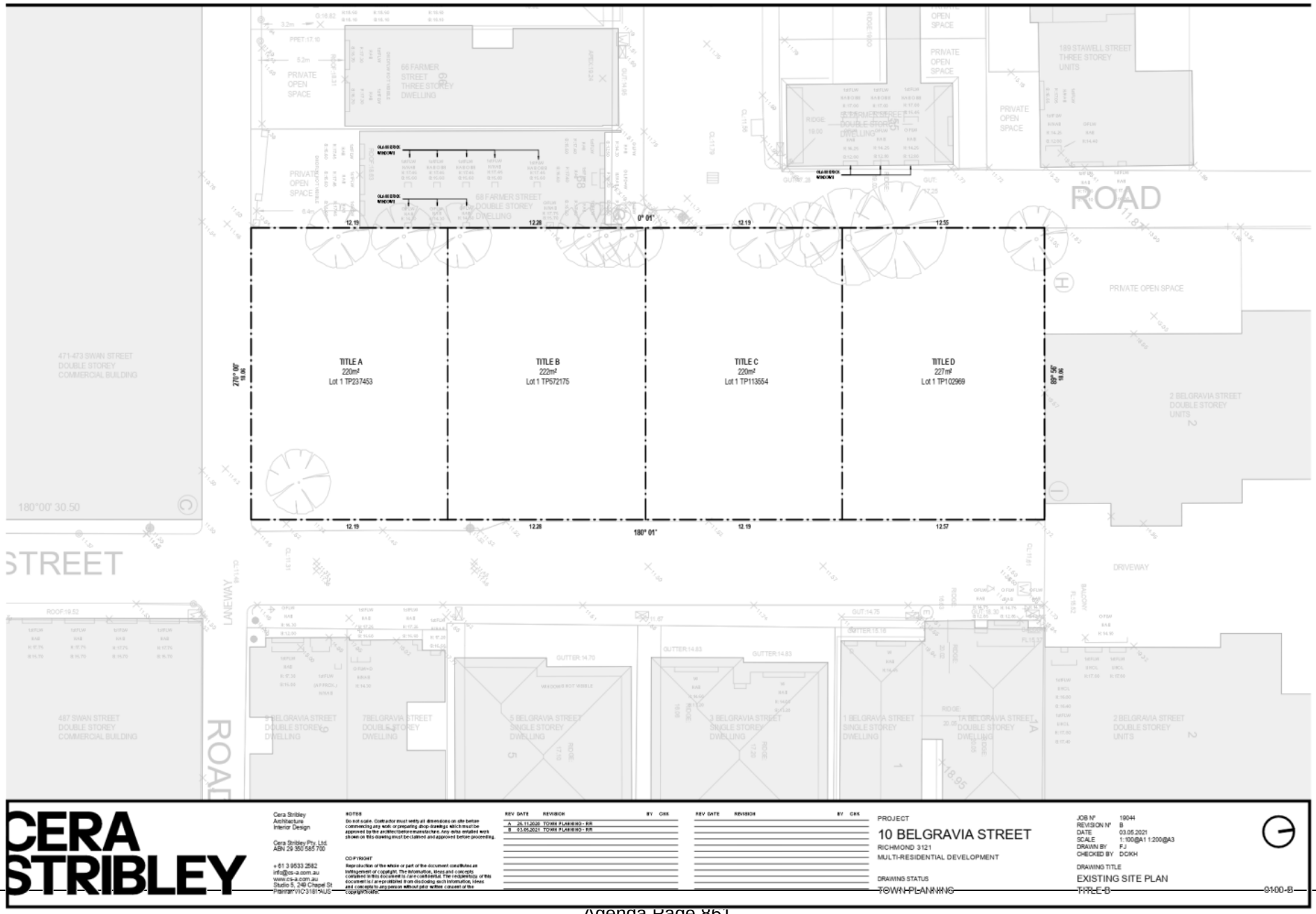
PROJECT SUMMARY - AREAS

TOWNHOUSE	TYPE	ORIENT.	CAR SPACES	GARAGE (m2)	GROUND FLOOR AREA (m2)	FIRST FLOOR AREA (m2)	SECOND FLOOR AREA (m2)	GROSS TH AREA (m2)	GARDEN (GROUND)	FIRST FLOOR TERRACE	SECOND FLOOR TERRACE	ROOF TERRACE	TOTAL OUTDOOR AREA (m2)
TH 03	3B2B	EW	2	41.0	47.0	83.0	61.0	191.0	4.0	5.0	14.0	38.0	**61.0**
TH 04	3B2B	EW	2	41.0	47.0	83.0	61.0	191.0	4.0	5.0	16.0	38.0	**63.0**
TOTALS **2**			**4**	**82**	**94.0**	**166.0**	**122.0**	**382.0**	**8.0**	**10.0**	**30.0**	**76.0**	**124.0**

Note: All areas are approximate only and are subject to final checking against survey infomration and authority approvals.

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

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RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

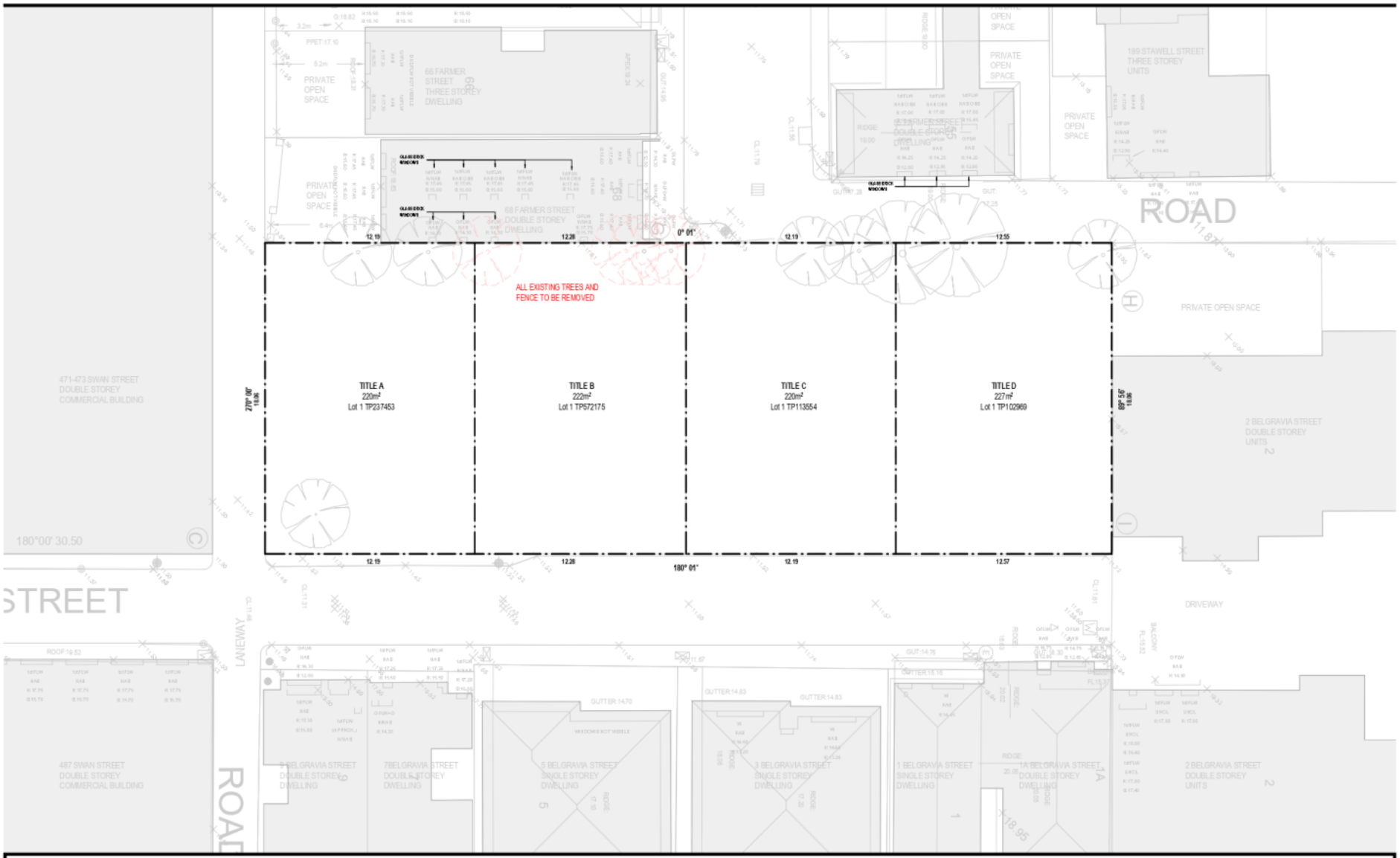
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DRAWN BY	FJ
CHECKED BY	DC/KH

DRAWING TITLE
EXISTING SITE PLAN
TITLE B

01.00-B

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RICHMOND 3121
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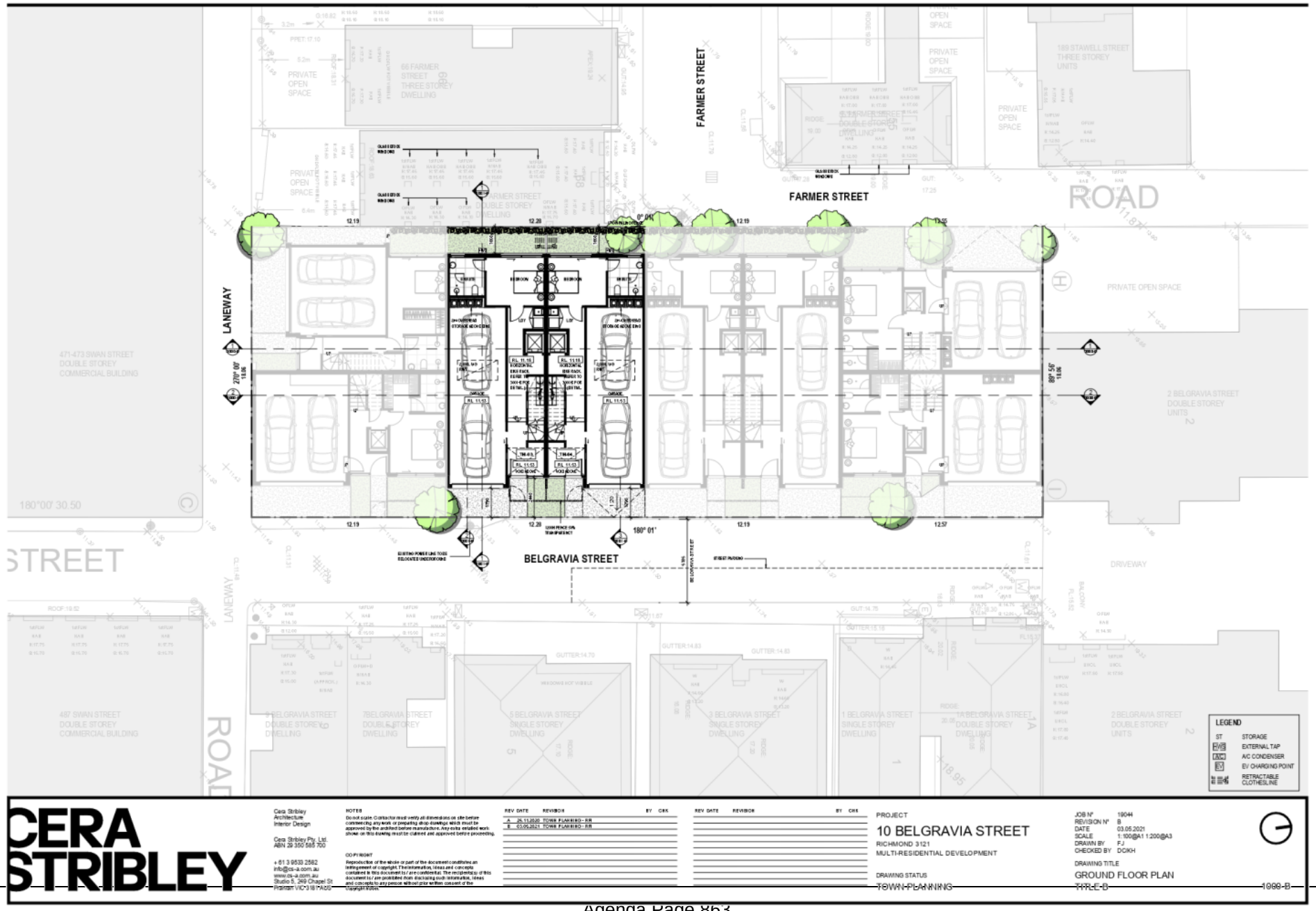
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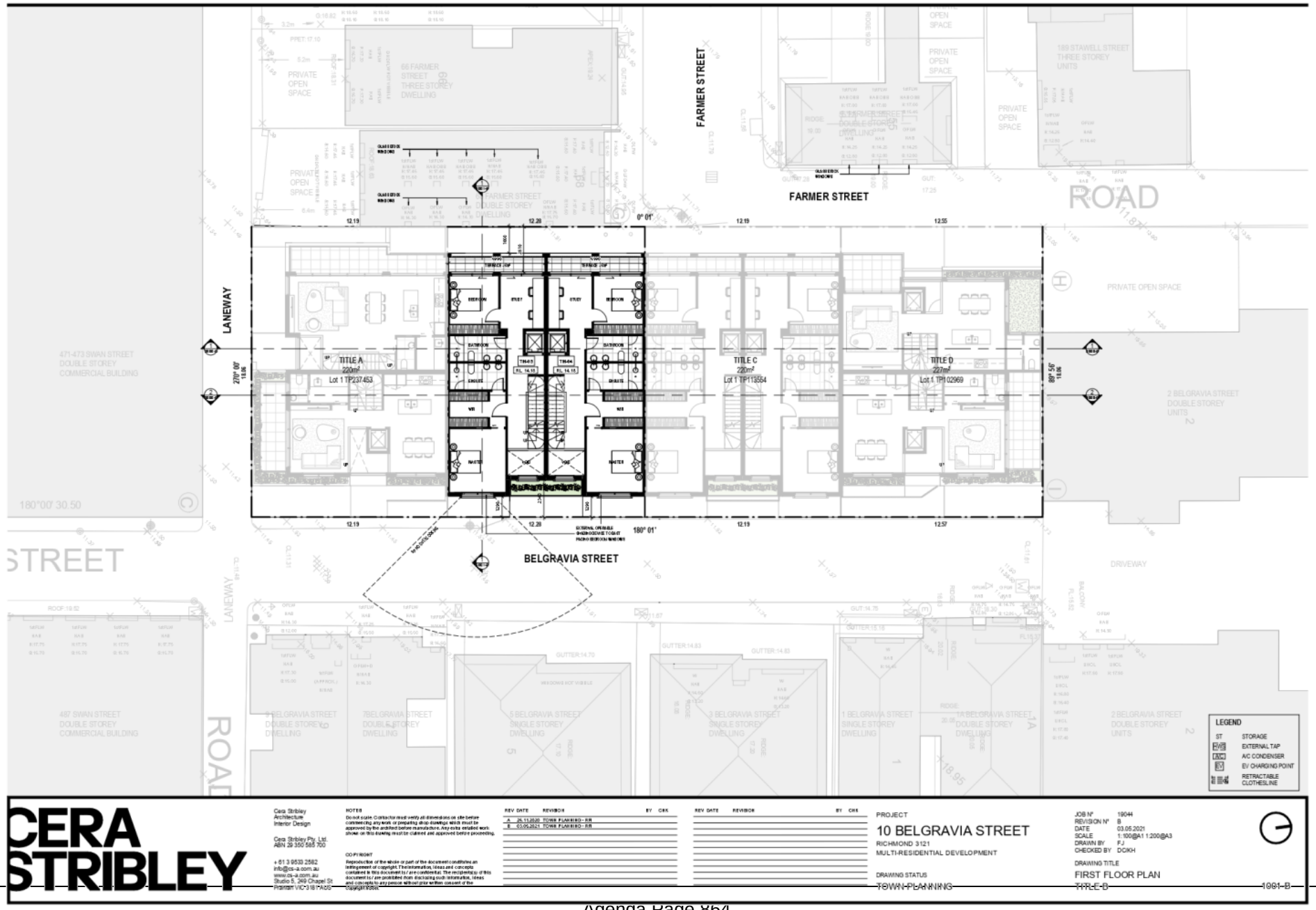
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0101-B

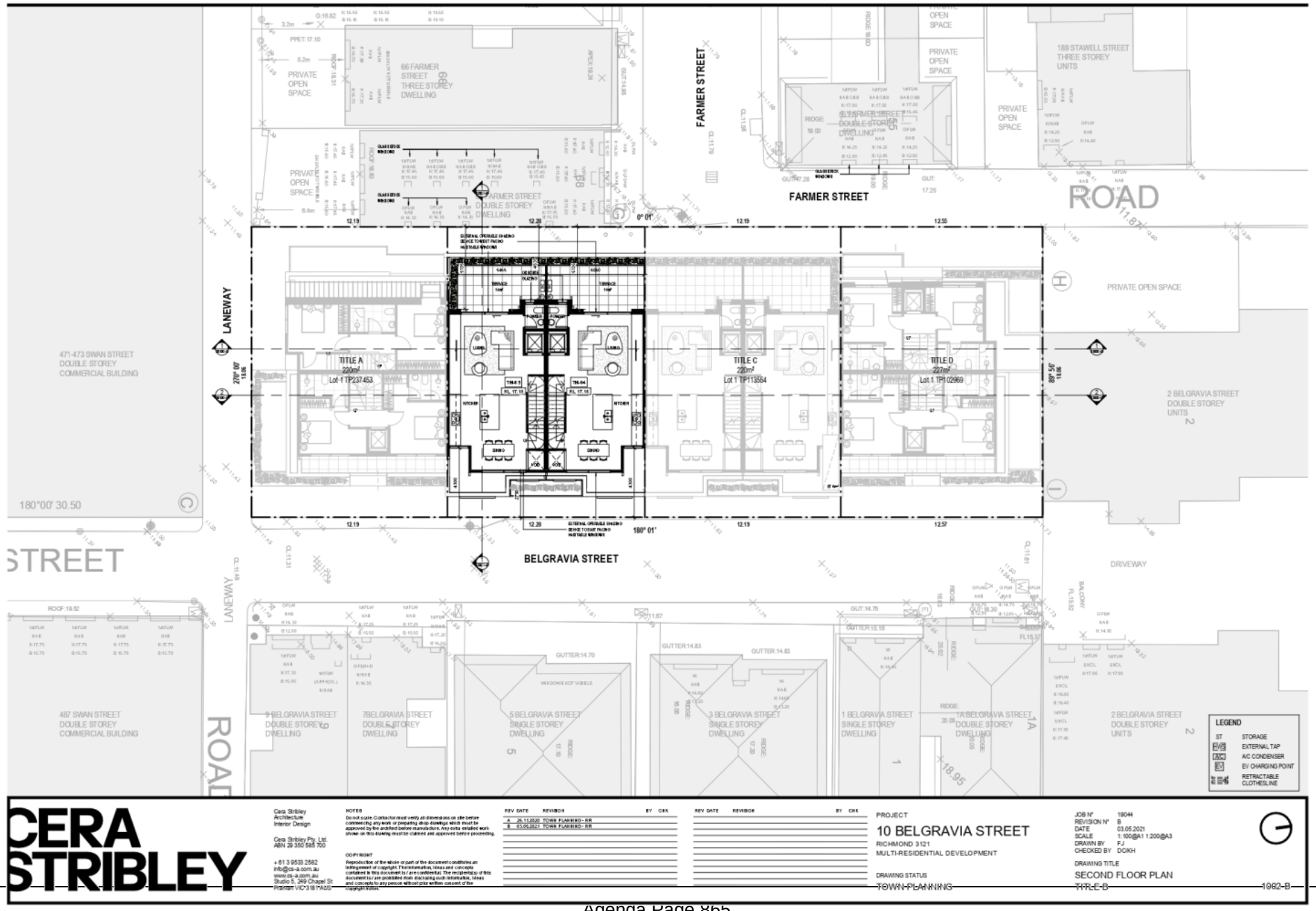
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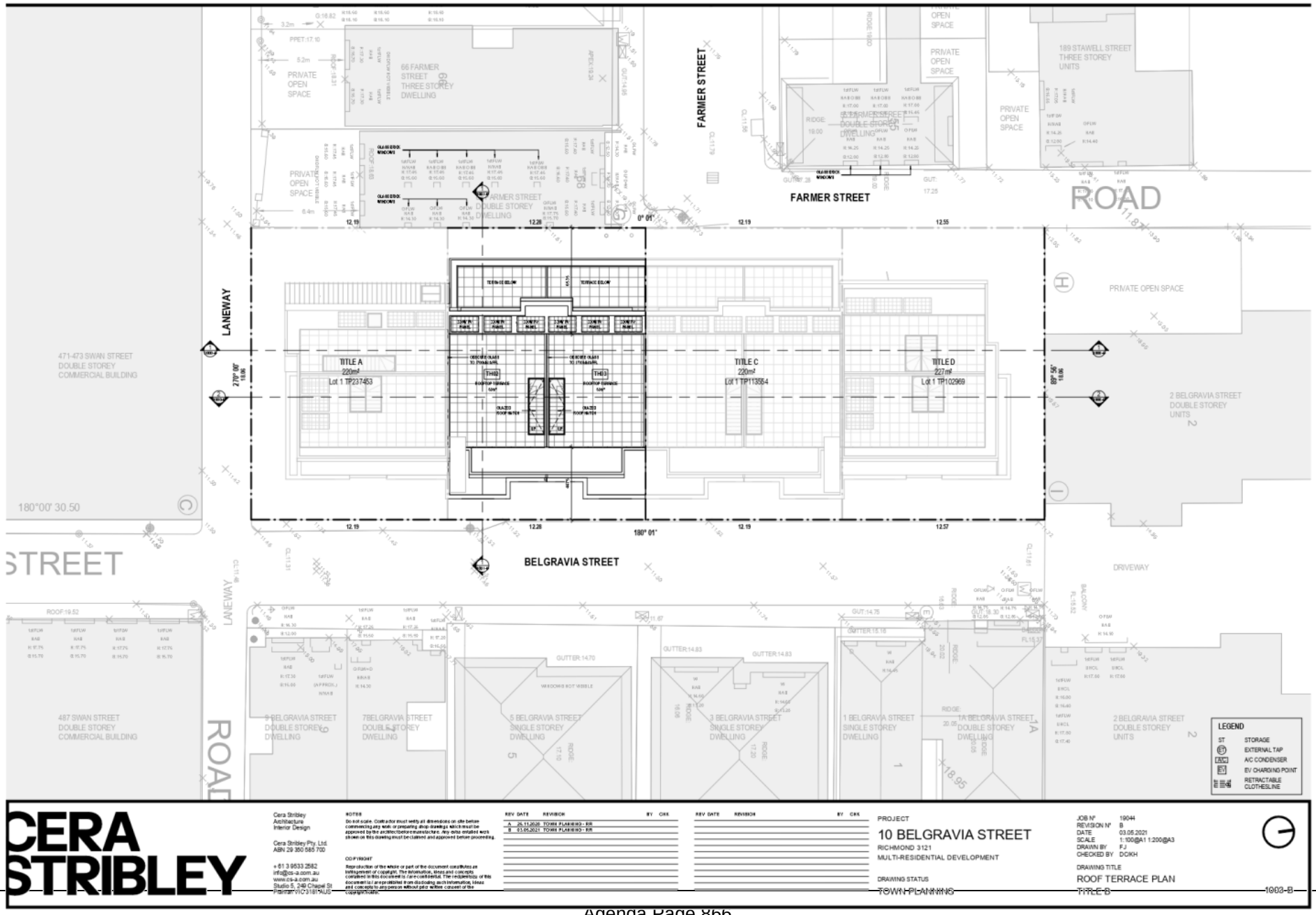
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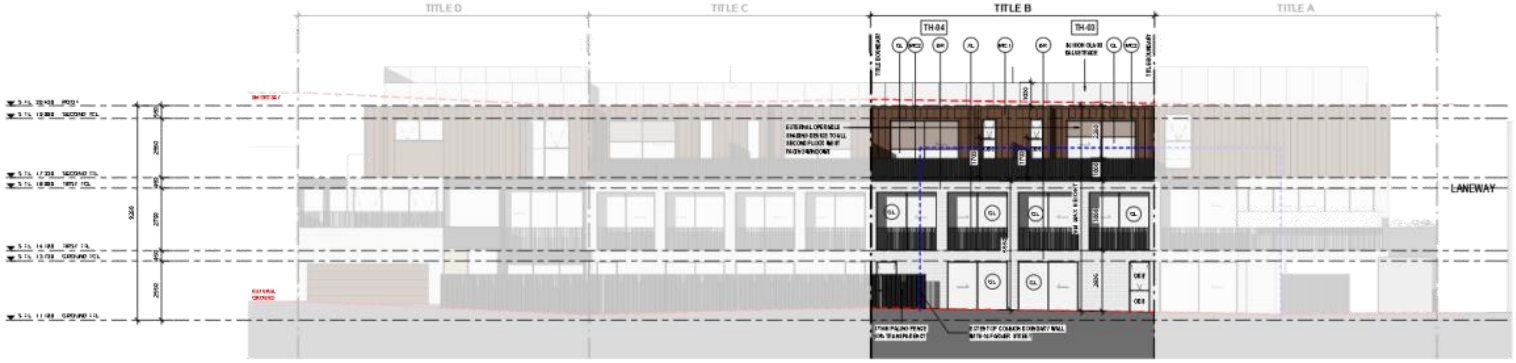


Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

SUBJECT SITE - 10 BELGRAVIA STREET RICHMOND



1 TITLE B - EAST ELEVATION
SCALE 1 : 100



2 TITLE B - WEST ELEVATION
SCALE 1 : 100

MATERIAL LEGEND

PL: Landscape
AL: Aluminium Flat Plate Balustrade
MC1: Metal Cladding - Copper or similar
MC2: Metal Cladding - Charcoal
BR: Brick - Light Tones
GL: Glazing - Clear
OBS: Obscure Reeded Glass

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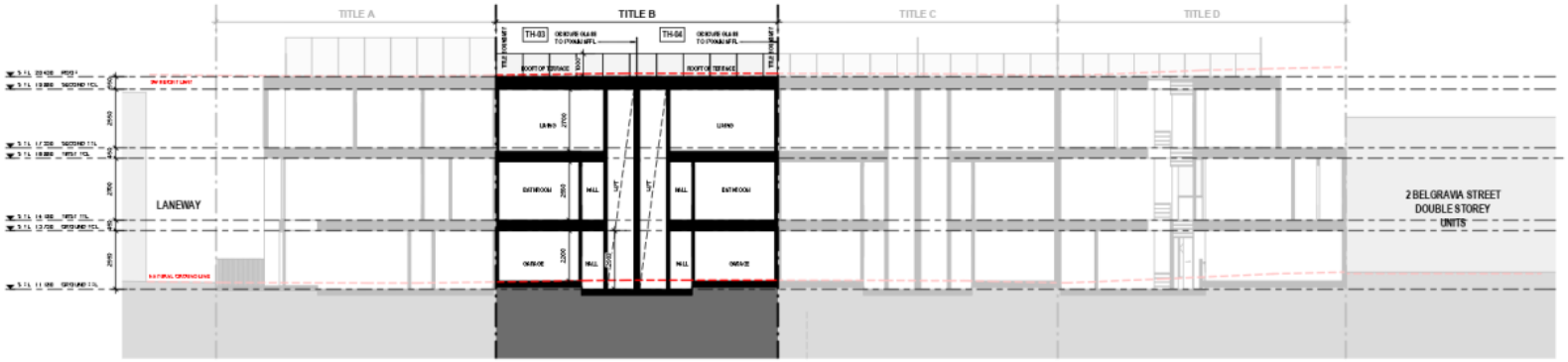
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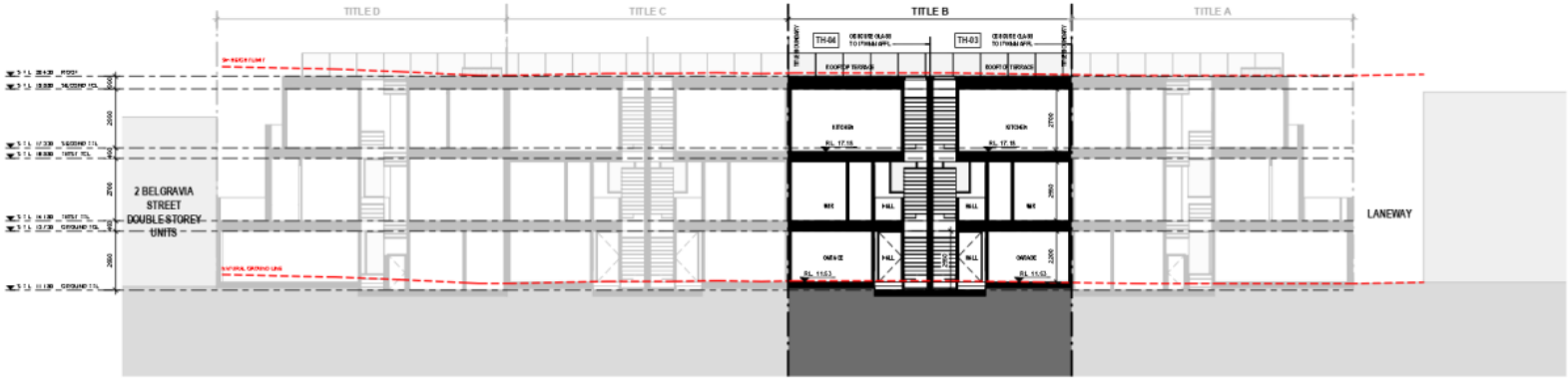
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TITLE B

2000-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



1 TITLE B - NORTH-SOUTH SECTION 1
1000-A SCALE 1 : 100



2 TITLE B - NORTH-SOUTH SECTION 2
1000-B SCALE 1 : 100

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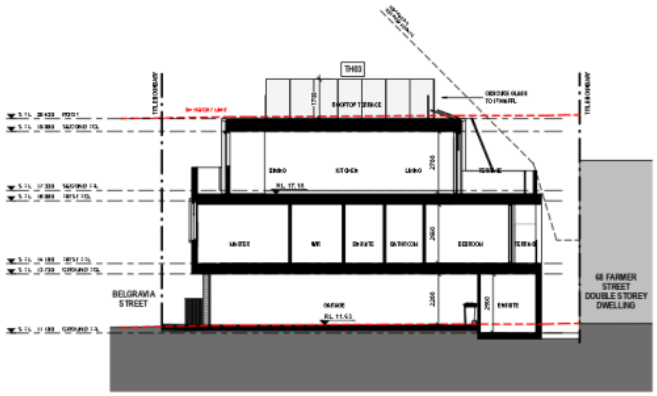
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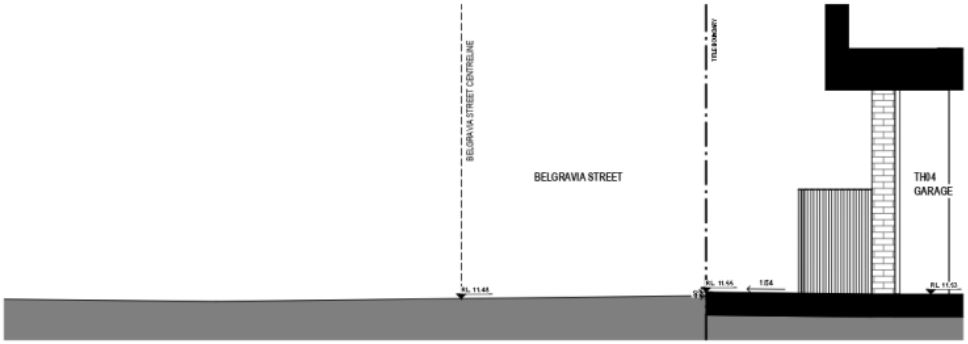
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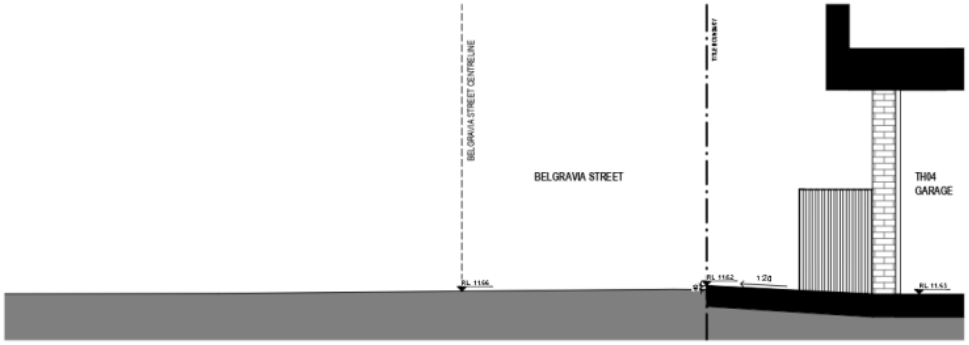
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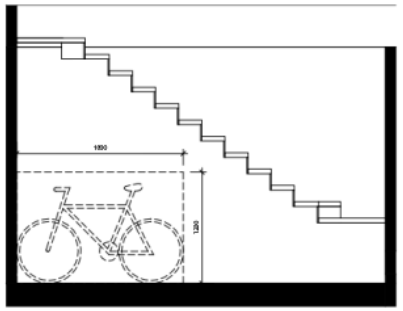
1 TITLE B - EAST-WEST SECTION
1000-B SCALE 1 : 100
@A1 1: 200@A3



2 TITLE B - TH03 DRIVEWAY SECTION DETAIL
1000-B SCALE 1 : 25



3 TITLE B - TH04 DRIVEWAY SECTION DETAIL
1000-B SCALE 1 : 25



4 TITLE B - TYPICAL BIKE STORE SECTION
SCALE 1 : 25

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	B
DATE	03.05.2021
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DRAWN BY	FJ
CHECKED BY	DC

DRAWING TITLE
SECTIONS
TITLE B

3001-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Finishes

MC1
METAL CLADDING
COLOUR: WEATHERED COPPER OR SIMILAR

MC2
METAL CLADDING
COLOUR: CHARCOAL

BR
BRICK
COLOUR: WHITE TONES

GL2
OBSCURE GLASS
VISIBILITY: LESS THAN 25%

AL
ALUMINIUM FLAT PLATE BALSUTRADE
COLOUR: BLACK

PL
LANDSCAPING

ES
EXTERNAL SHADING - OPERABLE BLINDS
COLOUR: BRONZE & WHITE

















Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



9am
EXISTING
22 September



9am
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

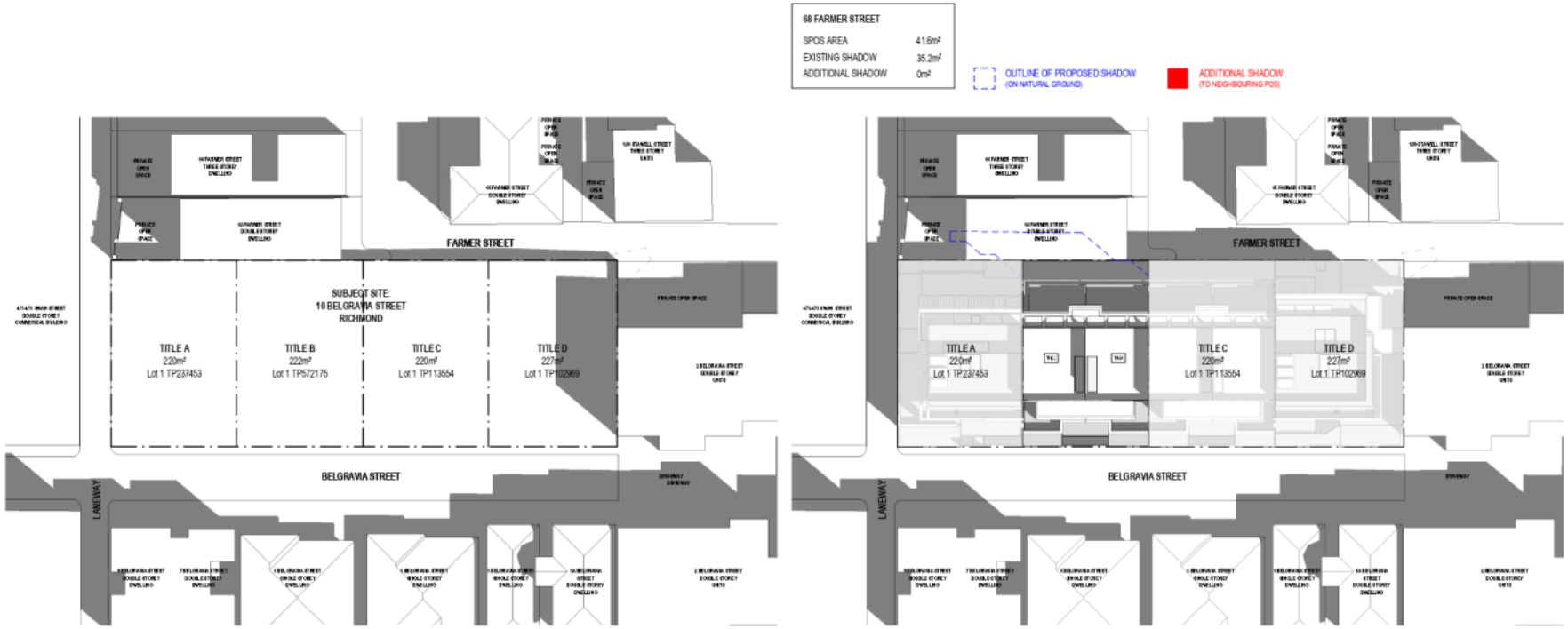
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TOWN PLANNING

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REVISION N° B
DATE 03.05.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
9AM SHADOW ANALYSIS
TITLE B

5000-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



10am
EXISTING
22 September

10am
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
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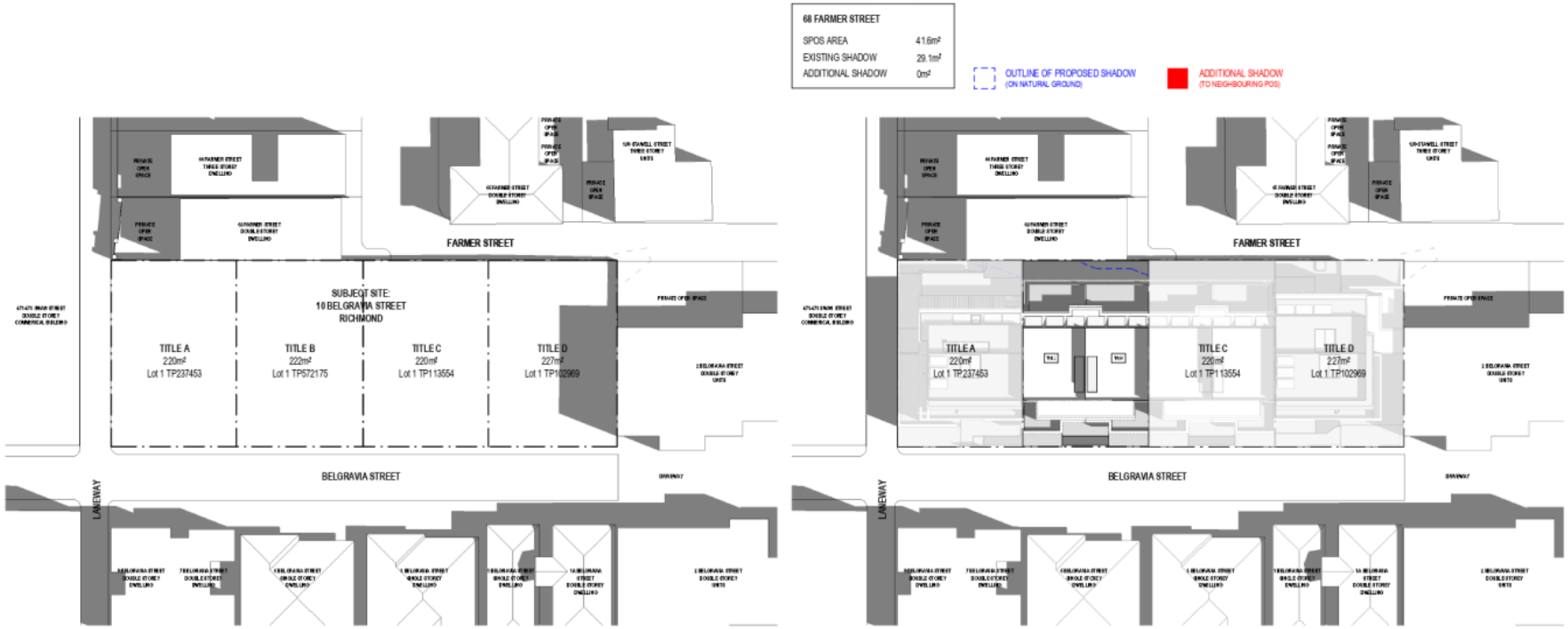
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DATE 03.05.2021
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DRAWING TITLE
10AM SHADOW ANALYSIS
TITLE B

5001-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



11am
EXISTING
22 September

11am
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22 September

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RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

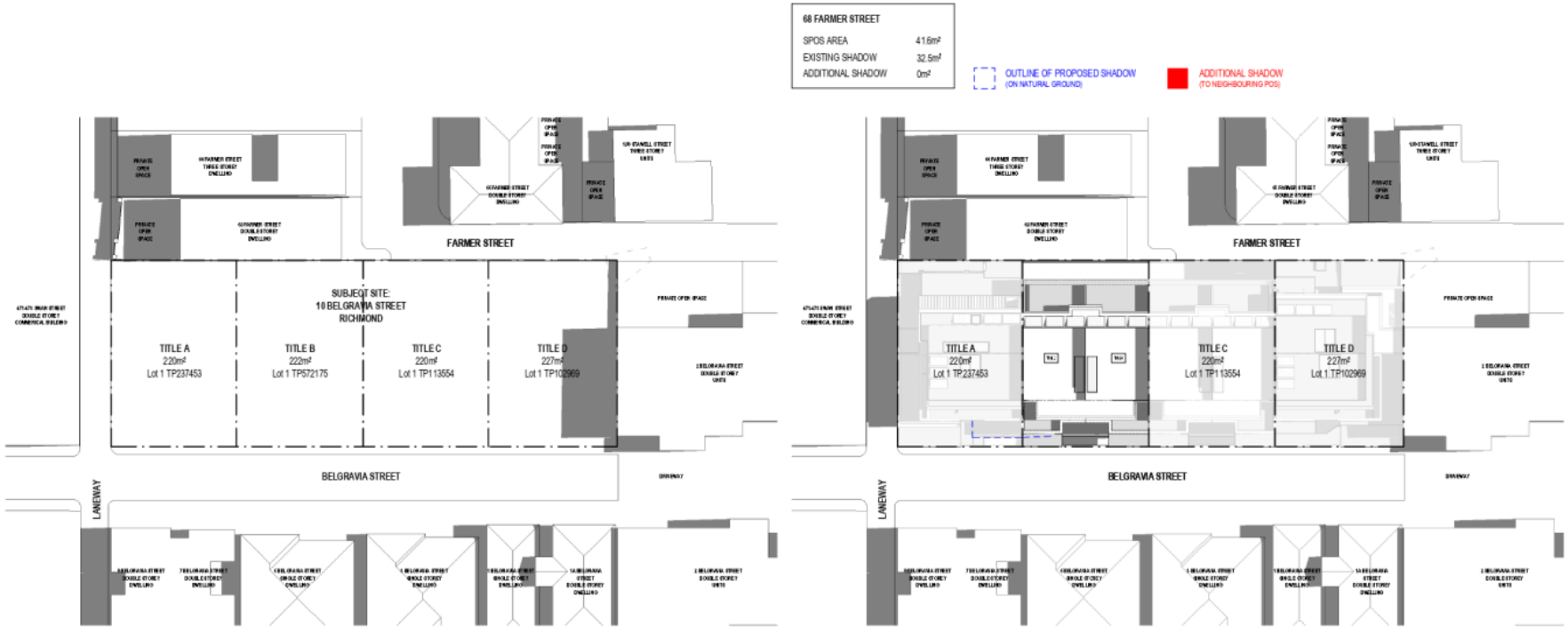
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TOWN PLANNING

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DATE 03.05.2021
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DRAWN BY FJ
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DRAWING TITLE
11AM SHADOW ANALYSIS
TITLE B

5002-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



12pm
EXISTING
22 September

12pm
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

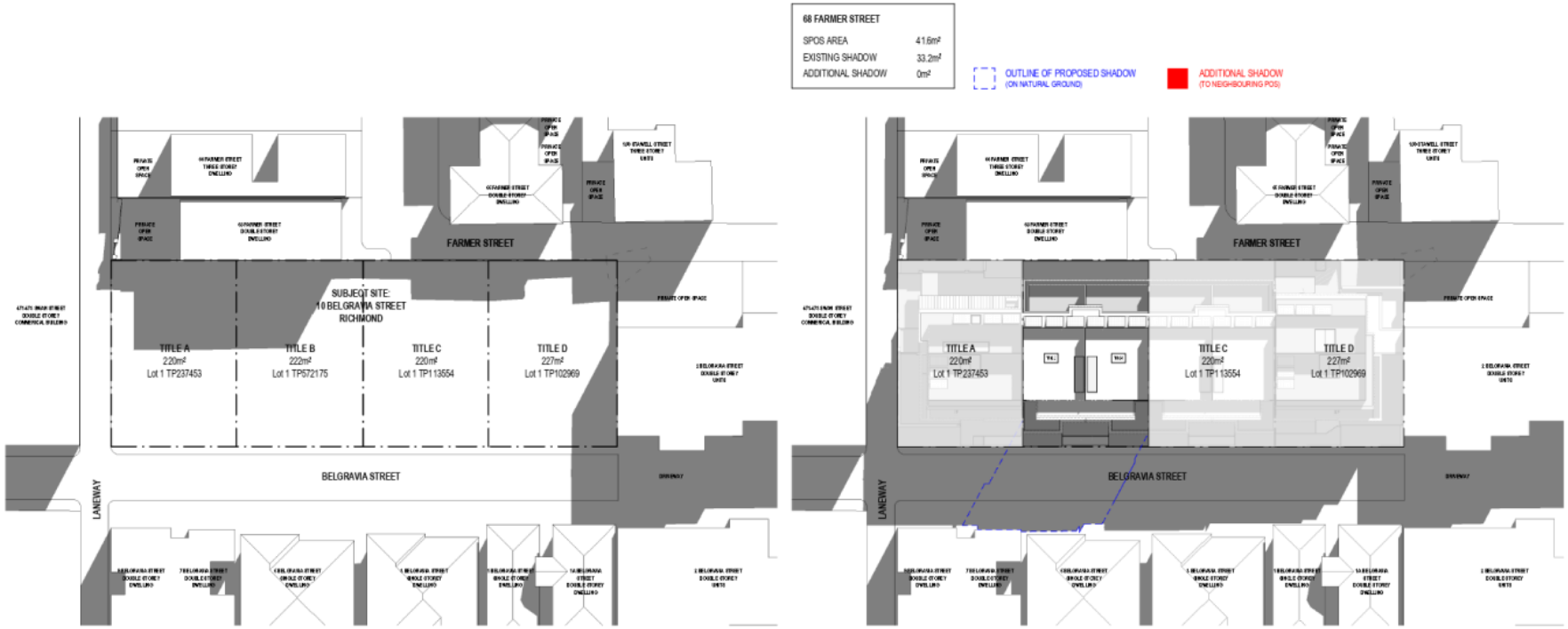
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TOWN PLANNING

JOB N° 19044
REVISION N° B
DATE 03.05.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
12PM SHADOW ANALYSIS TITLE B

5003-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans



3pm
EXISTING
22 September

3pm
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° B
DATE 03.05.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
3PM SHADOW ANALYSIS
TITLE B

5004-B

Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

Artist's Impression



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Cera Stribley Architects
Dom Cerantonio
Chris Stribley

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Attachment 2 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Section 57A advertised plans

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Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

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Street Views
Site Analysis
Planning Controls

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Feature Survey

1.4 Design Response
Architectural Statement
Site Response

1.5 Development Summary

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2.0 Drawings

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0101-C Demolition Plan
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1003-C Roof Terrace Plan
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3000-C Proposed Sections
3001-C Proposed Sections

03 Finishes, Shadows & Visualisation

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5001-C Shadow Analysis
5002-C Shadow Analysis
5003-C Shadow Analysis
5004-C Shadow Analysis
5005-C Shadow Analysis

3.3 Artist's Impression

Contact

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Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Project Team

Architecture
Cera Stribley

Planning
Contour Town Planning

ESD
Sustainable Development Consultants

Traffic
One Mile Grid

Landscape
Rupert Baynes Landscape Design



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Site Information

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP113554

Site Area
220sqm (approx.)

Site Frontage
12.19m (Belgravia Street)
12.19m (Farmer Street)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

SUBJECT SITE
Title C
10 Belgravia Street



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

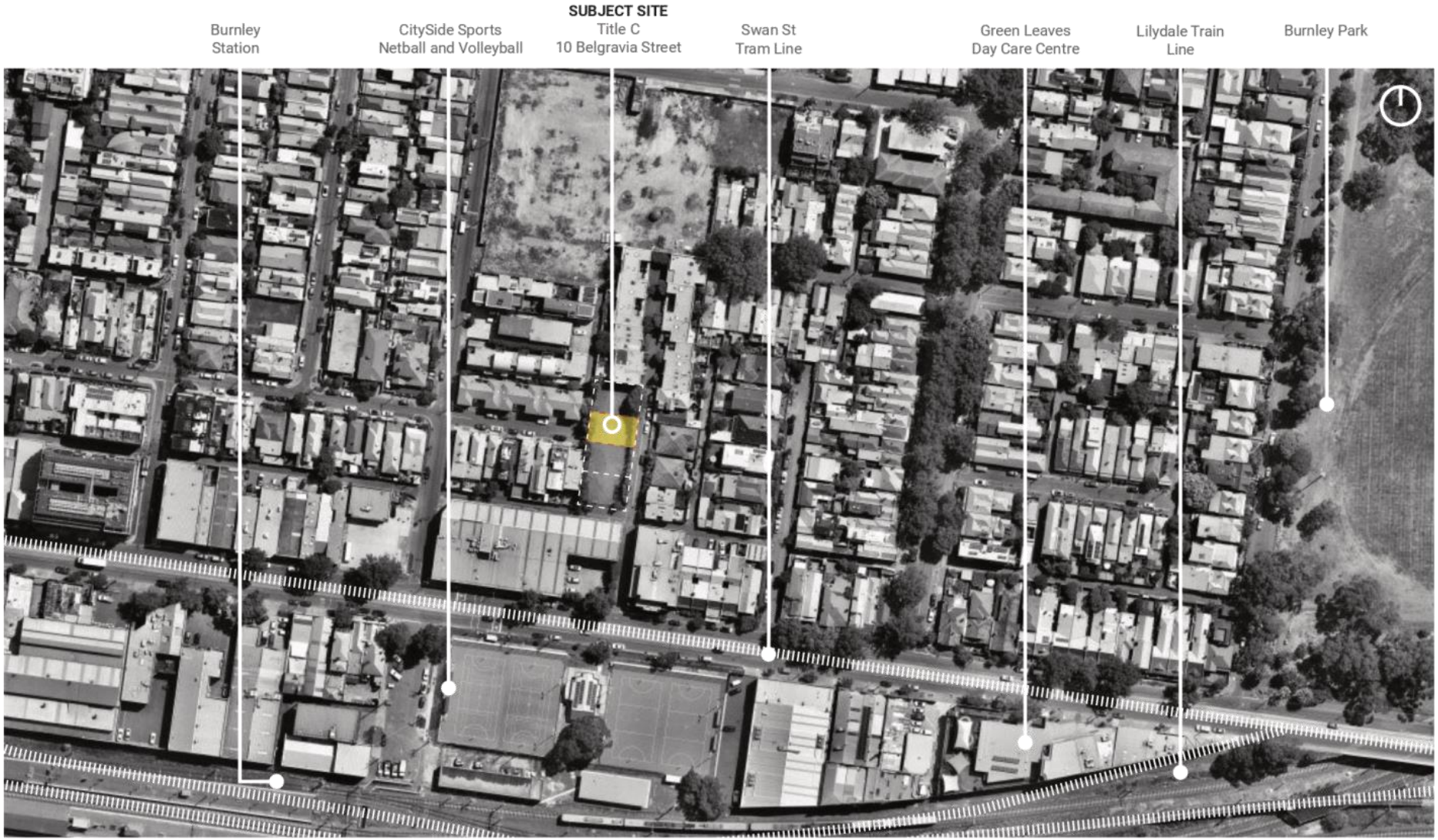
Site Location

SUBJECT SITE
Title C
10 Belgravia Street



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Site Context



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Street Views









Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Street Views









Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Site Analysis

LEGEND

- Subject Site
- Major Traffic Flows
- Secondary Traffic Flows
- Sun Path
- Electrical Pole
- Surrounding trees on site, footpath and adjoining properties



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Planning Controls

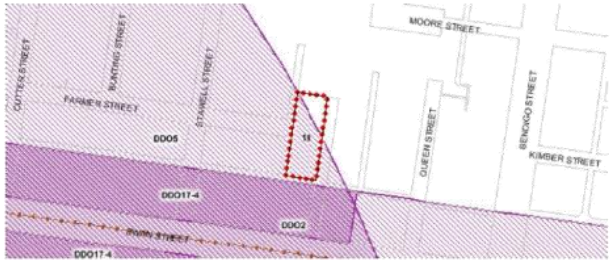
Planning Zone

GRZ2 - General Residential Zone - Schedule 2



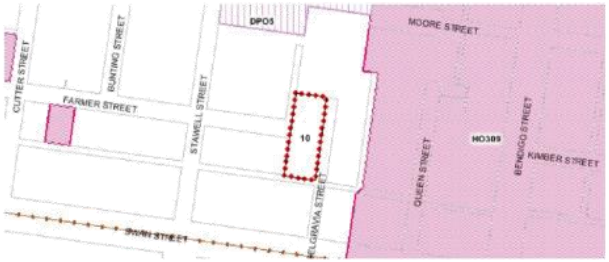
Planning Overlays

Design and Development Overlay - Schedule 5 (DDO5)



Other Overlays not affecting this Land

Development Plan Overlay (DPO) & Heritage Overlay (HO)



Environmental Audit Overlay (EAO)



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Architectural Statement

The design is informed firstly by the site address; Belgravia, taking cues from the multi-level terrace houses in the London suburb of the same name.

With this classic precedent in mind, the ground and first levels are grounded, solid volumes. While the ground floor steps down from the street level and maintains comfortable setbacks, this creates a concealed entry space to each townhouse. The first floor forms push out at varying distances, creating visual interest, framing the large feature windows.

Cutouts between townhouses at these levels create a break in the overall built form and the use of contrasting materials throughout breaks up the streetscape and responds to surrounding context.







Development Summary

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP113554

Site Area
220sqm (approx.)

Site Frontage
12.19m (Belgravia Street)
12.19m (Farmer Street)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

19044_10 BELGRAVIA STREET, RICHMOND
DEVELOPMENT SUMMARY - TITLE C

	SQM	%	REQ'D (RESCODE)
SITE AREA	220	-	-
SITE COVERAGE	184	84%	60%
PERMEABILITY	45	20%	20%
GARDEN AREA	31	14%	N/A

3 LEVELS

PROJECT SUMMARY - AREAS

LEVEL	PARKING / COMMON (m2)	TOWNHOUSE NSA (m2)	TERRACE / P.O.S (m2)	TOTAL TOWNHOUSE AREA (m2)	TOTAL GFA (EXCL. BALC) (m2)
L GROUND	82.0	94.0	8.0	102.0	176.0
L FIRST	-	166.0	10.0	176.0	166.0
L SECOND	-	122.0	30.0	152.0	122.0
SUBTOTAL	**82.0**	**382.0**	**48.0**	**430.0**	**464.0**

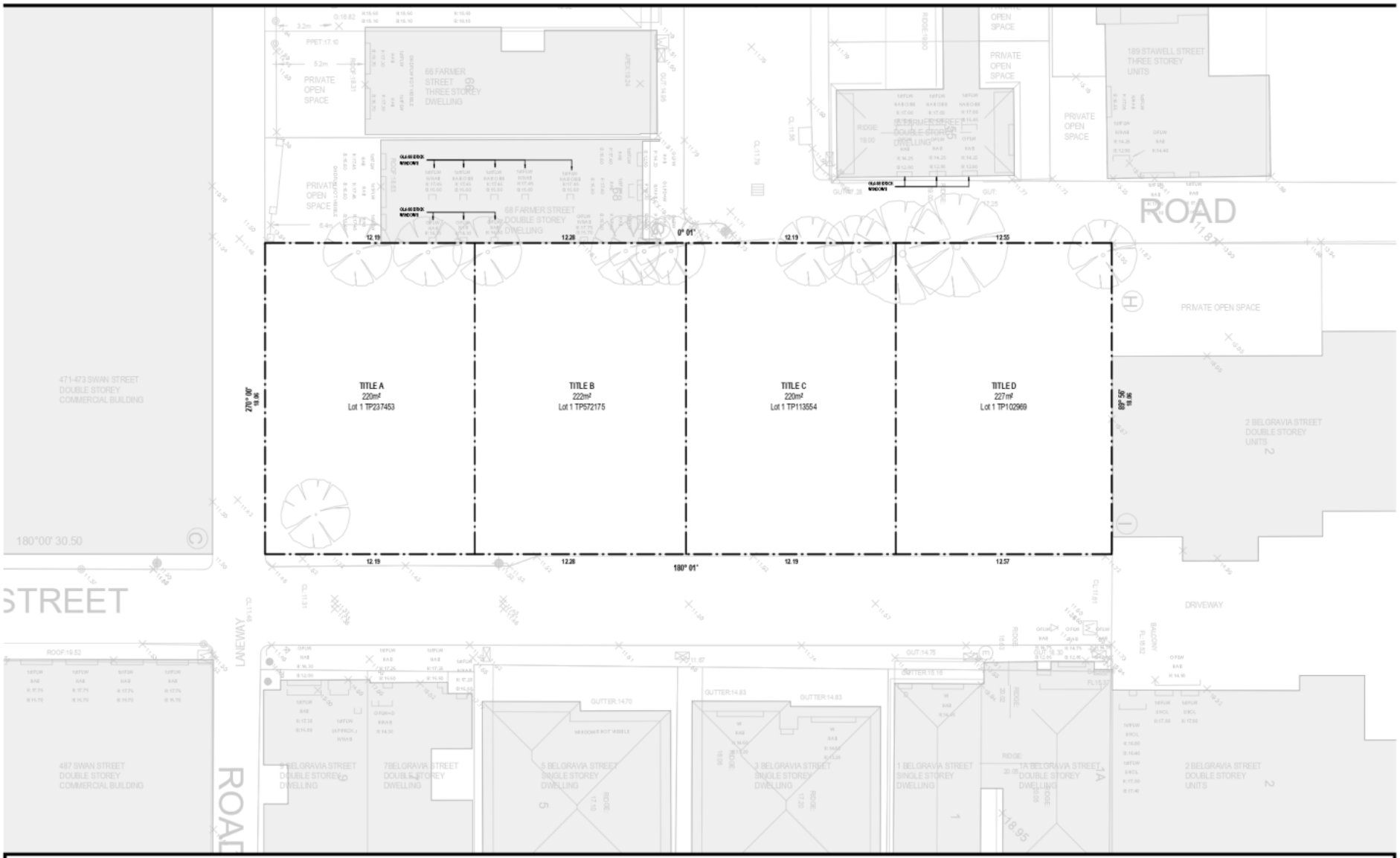
PROJECT SUMMARY - AREAS

TOWNHOUSE	TYPE	ORIENT.	CAR SPACES	GARAGE (m2)	GROUND FLOOR AREA (m2)	FIRST FLOOR AREA (m2)	SECOND FLOOR AREA (m2)	GROSS TH AREA (m2)	GARDEN (GROUND)	FIRST FLOOR TERRACE	SECOND FLOOR TERRACE	ROOF TERRACE	TOTAL OUTDOOR AREA (m2)
TH 05	3B2B	EW	2	41.0	47.0	83.0	61.0	191.0	4.0	5.0	16.0	38.0	**63.0**
TH 06	3B2B	EW	2	41.0	47.0	83.0	61.0	191.0	4.0	5.0	14.0	38.0	**61.0**
TOTALS **2**			**4**	**82**	**94.0**	**166.0**	**122.0**	**382.0**	**8.0**	**10.0**	**30.0**	**76.0**	**124.0**

Note: All areas are approximate only and are subject to final checking against survey infomration and authority approvals.

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

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RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

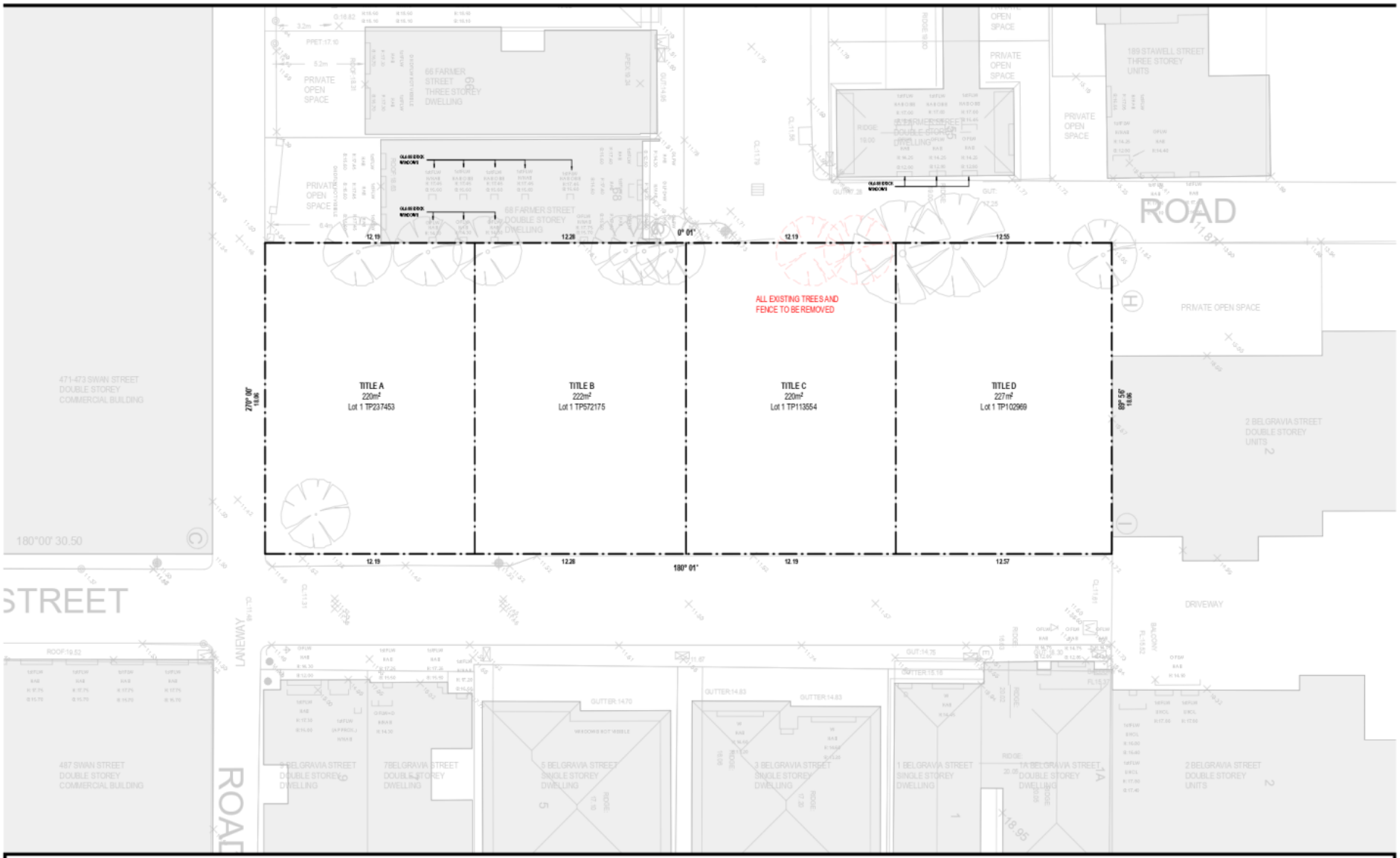
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CHECKED BY DCKH

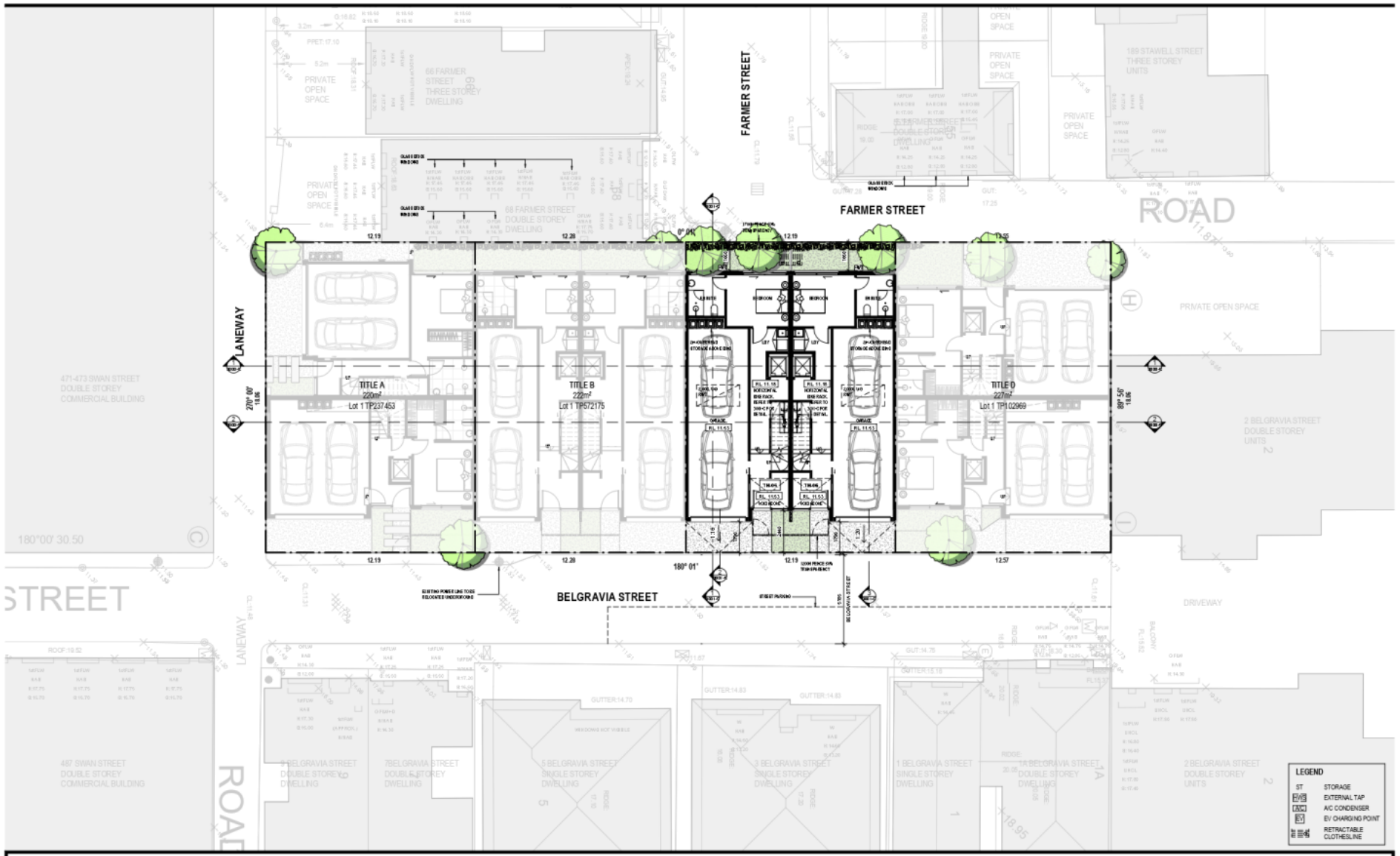
DRAWING TITLE
EXISTING SITE PLAN
TITLE C

0100-C

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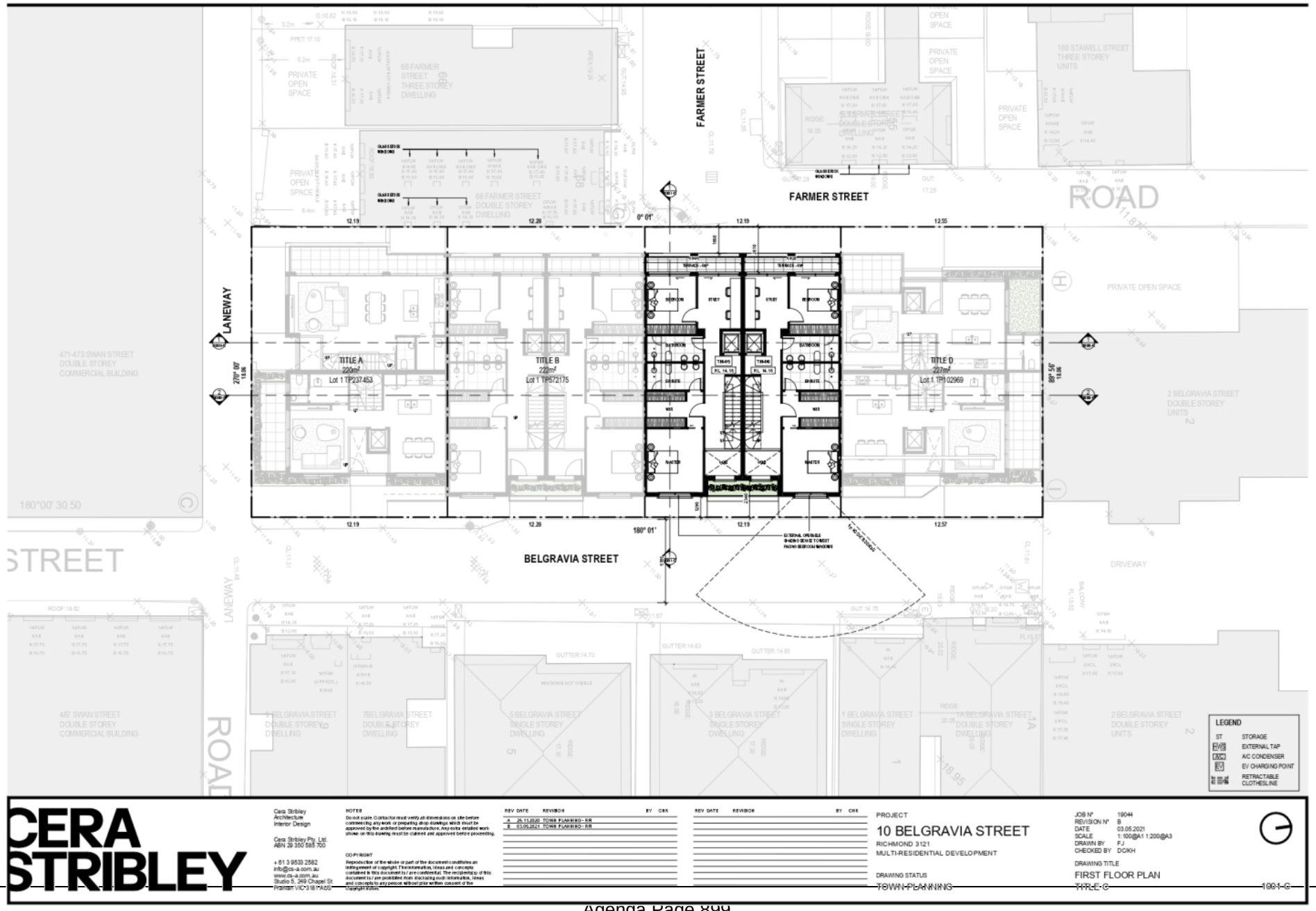
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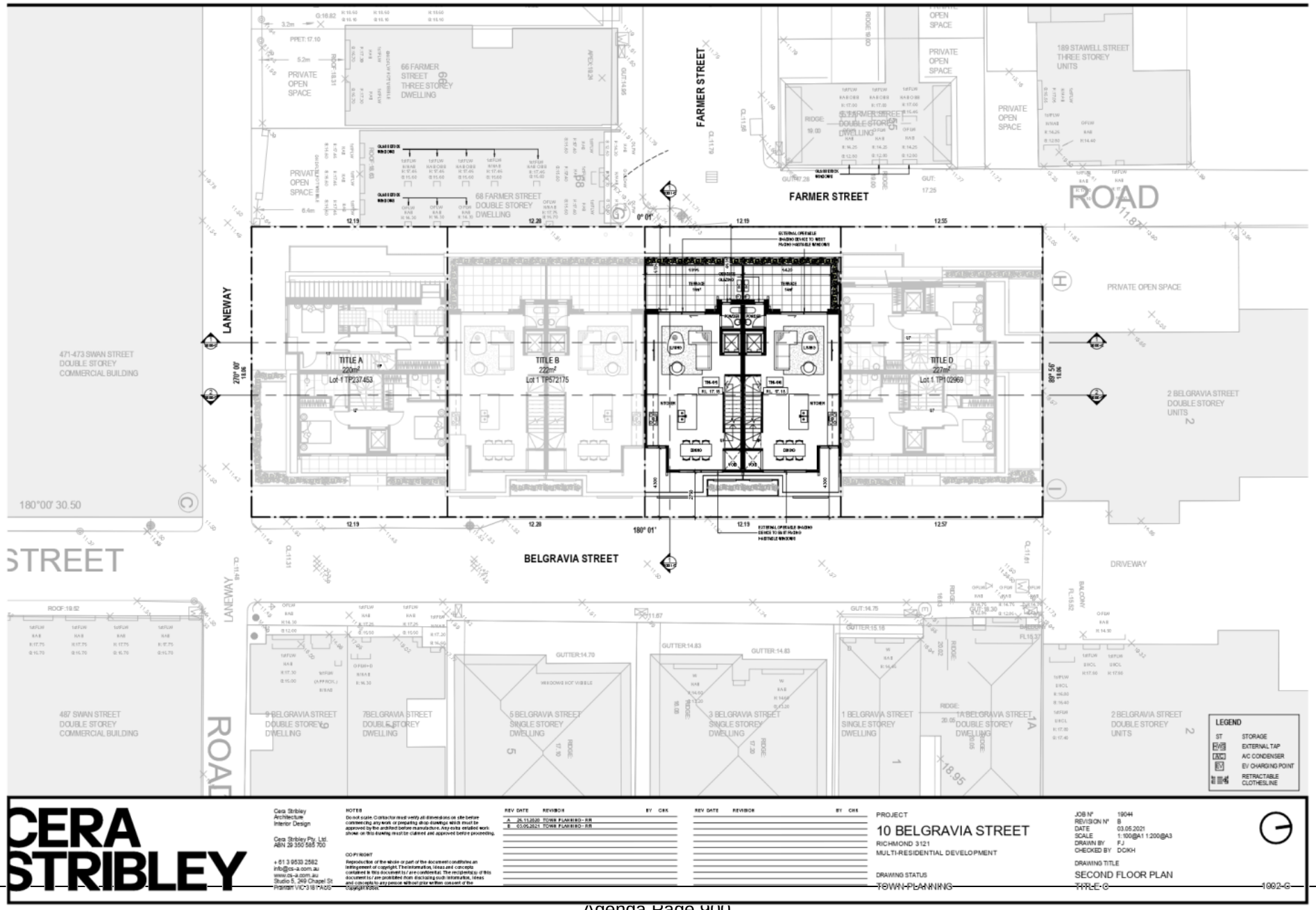
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GROUND FLOOR PLAN
TITLE C

1008-C

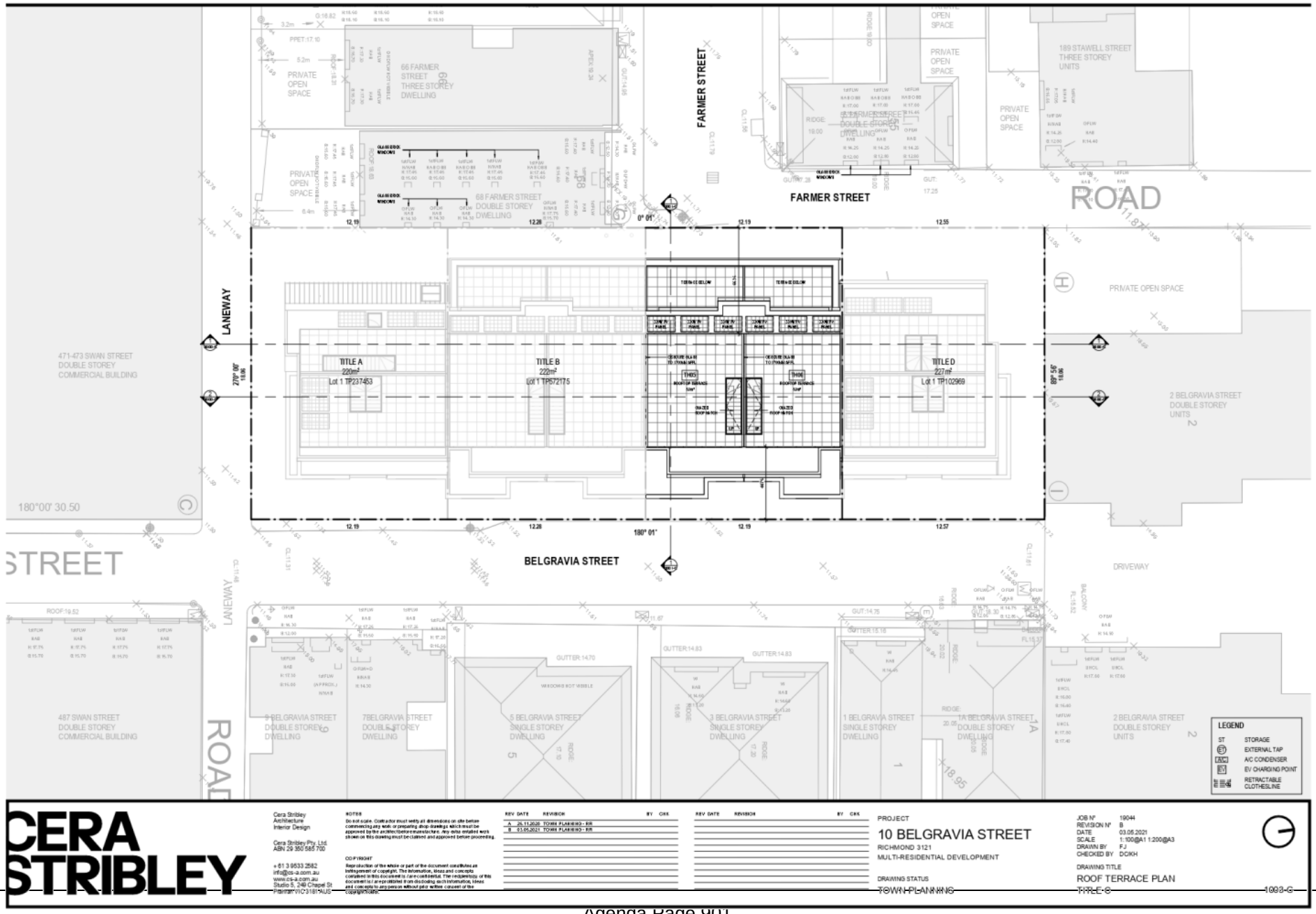
Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



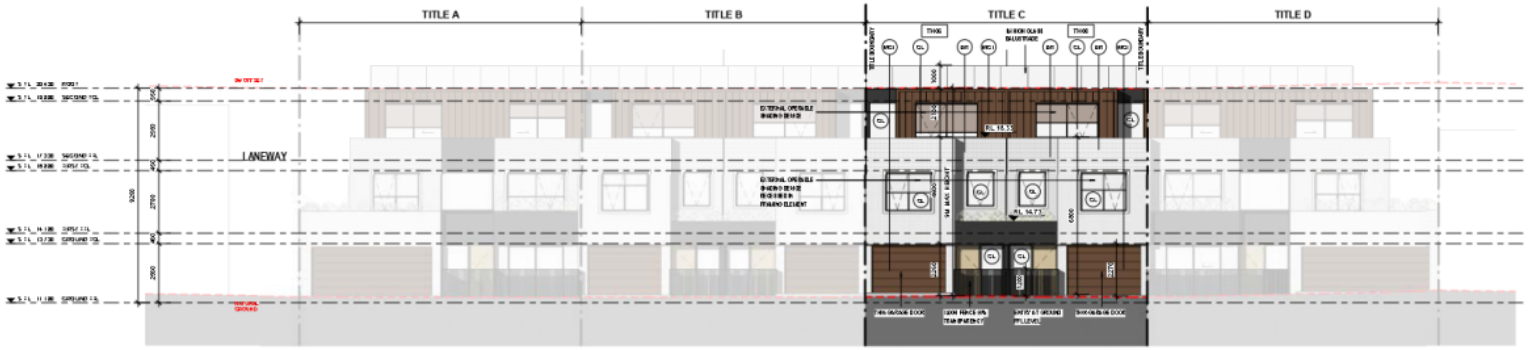
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Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



1 TITLE C - EAST ELEVATION
SCALE 1 : 100



2 TITLE C - WEST ELEVATION
SCALE 1 : 100

MATERIAL LEGEND

PL: Landscape
AL: Aluminium Flat Plate Balustrade
MC1: Metal Cladding - Copper or similar
MC2: Metal Cladding - Charcoal
BR: Brick - Light Tones
GL: Glazing - Clear
OBS: Obscure Reeded Glass

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B	03.05.2021	TOWN PLANNING - RR		

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

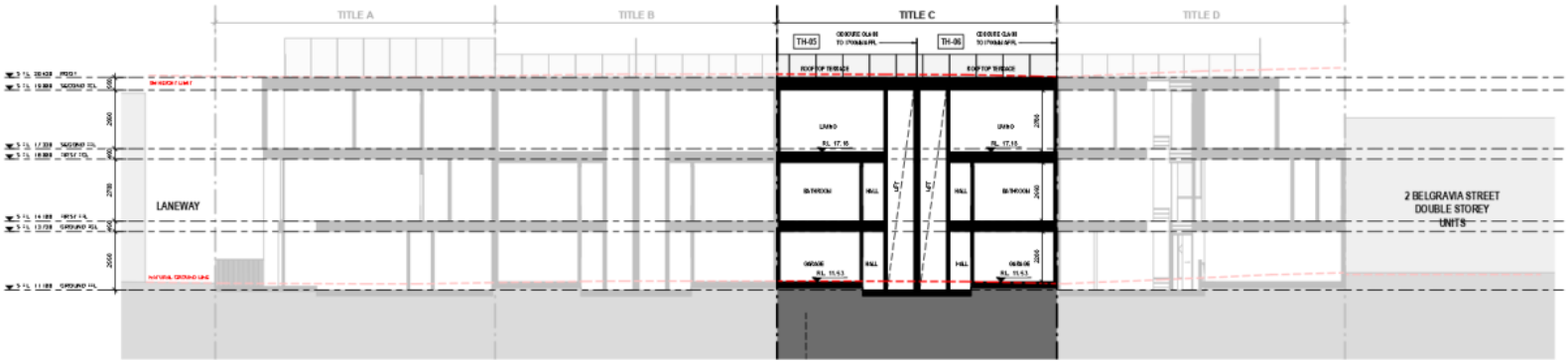
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TOWN PLANNING

JOB N°	19044
REVISION N°	B
DATE	03.05.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DC/KH

DRAWING TITLE
PROPOSED ELEVATIONS
TITLE C

2000-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



1 TITLE C - NORTH-SOUTH SECTION 1
1000-C SCALE 1 : 100



2 TITLE C - NORTH-SOUTH SECTION 2
1000-C SCALE 1 : 100

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° B
DATE 03.05.2021
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DRAWN BY FJ
CHECKED BY DCKH

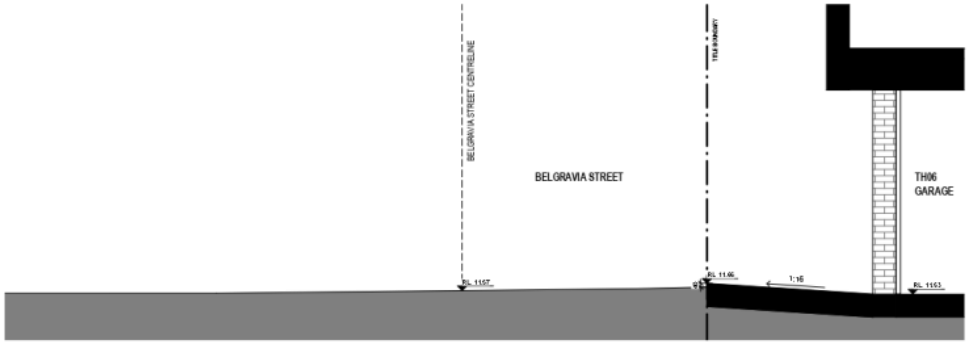
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SECTIONS
TITLE C

3000-C

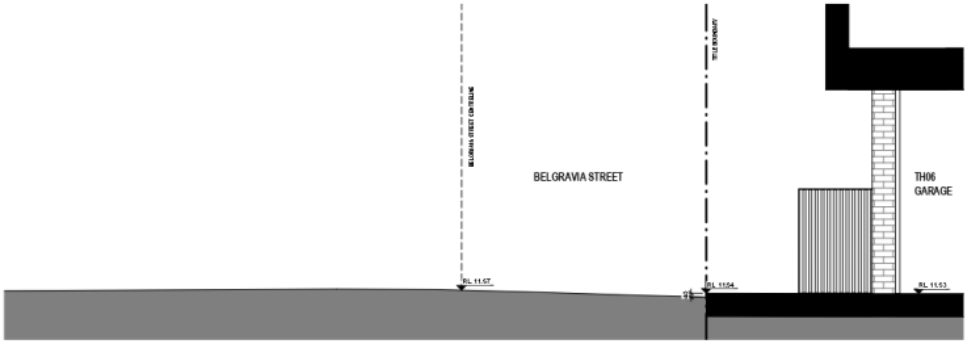
Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



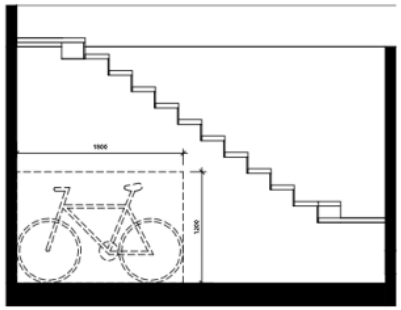
1 TITLE C - EAST-WEST SECTION
1000-C SCALE 1 : 100 @A1 | 200@A3



2 TITLE C - TH05 DRIVEWAY SECTION DETAIL
1000-C SCALE 1 : 25



3 TITLE C - TH06 DRIVEWAY SECTION DETAIL
1000-C SCALE 1 : 25



4 TITLE C - TYPICAL BIKE STORE SECTION
SCALE 1 : 25

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	B
DATE	03.05.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DCKH

DRAWING TITLE
SECTIONS
TITLE C

3001-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Finishes

MC1
METAL CLADDING
COLOUR: WEATHERED COPPER OR SIMILAR

MC2
METAL CLADDING
COLOUR: CHARCOAL

BR
BRICK
COLOUR: WHITE TONES

GL2
OBSCURE GLASS
VISIBILITY: LESS THAN 25%

AL
ALUMINIUM FLAT PLATE BALSUTRADE
COLOUR: BLACK

PL
LANDSCAPING

ES
EXTERNAL SHADING - OPERABLE BLINDS
COLOUR: BRONZE & WHITE













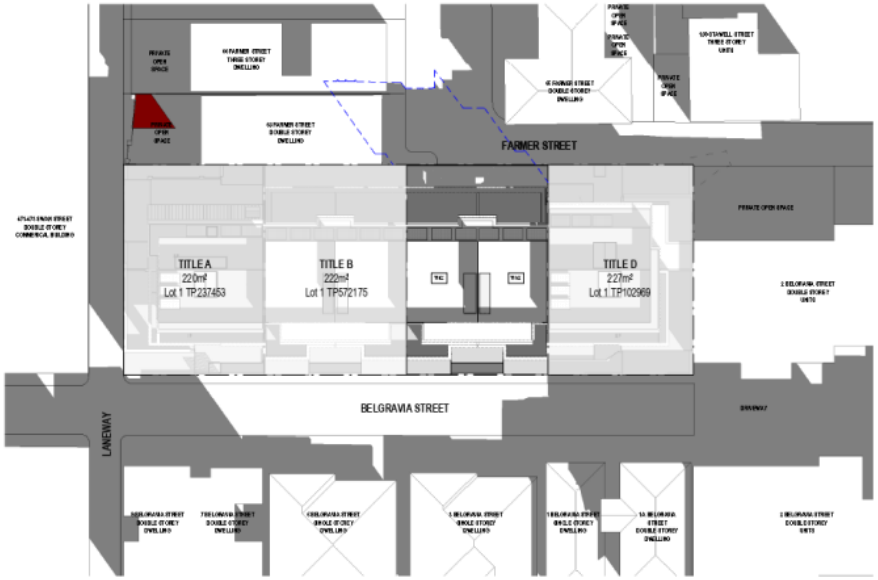




Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



9am
EXISTING
22 September



9am
PROPOSED
22 September

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10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

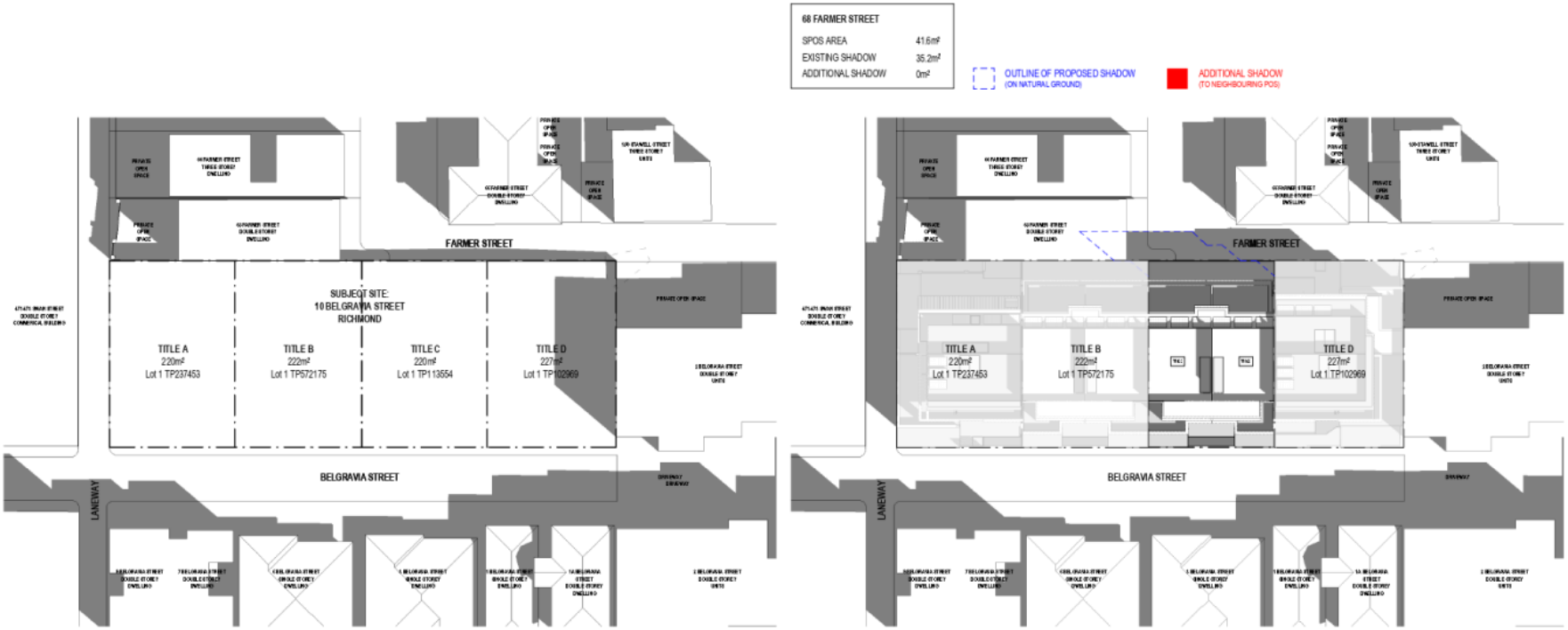
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TOWN PLANNING

JOB N° 19044
REVISION N° B
DATE 03.05.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
9AM SHADOW ANALYSIS TITLE C

5000-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



10am
EXISTING
22 September

10am
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

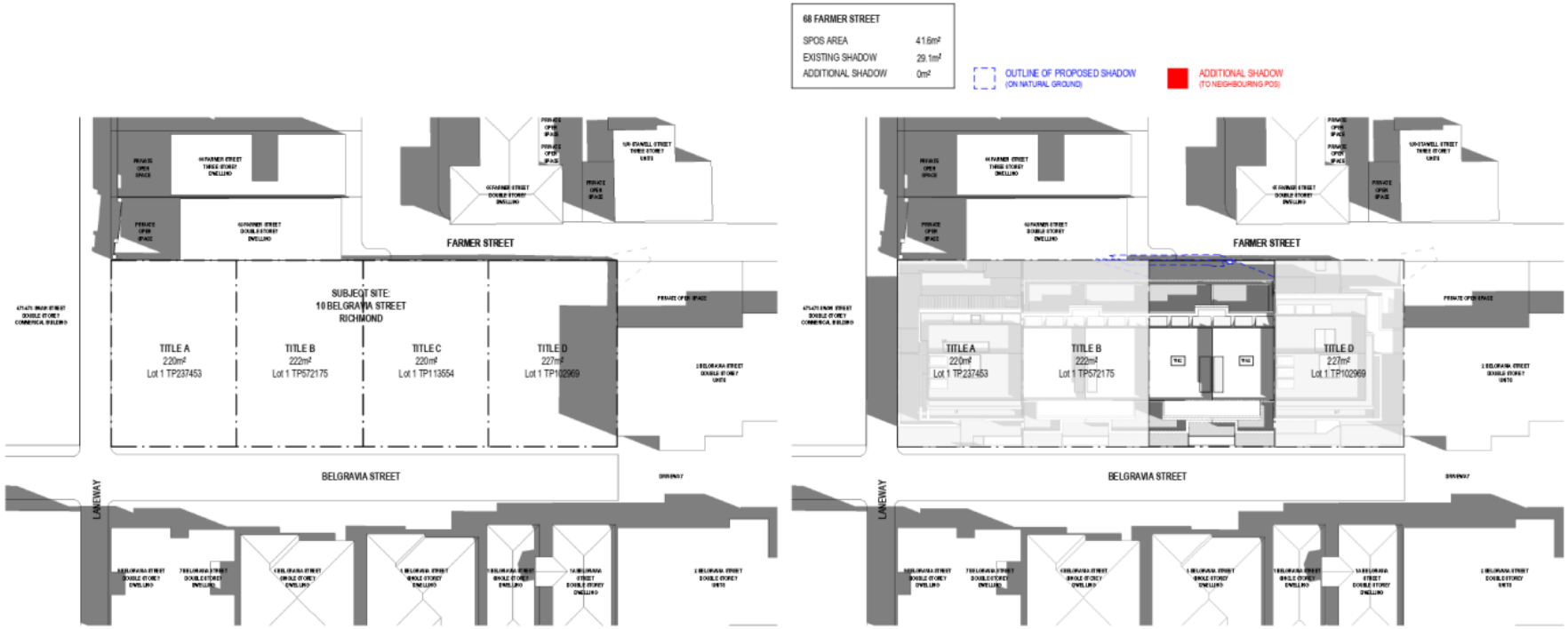
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TOWN PLANNING

JOB N° 19044
REVISION N° B
DATE 03.05.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
10AM SHADOW ANALYSIS
TITLE C

5001-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



11am
EXISTING
22 September

11am
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

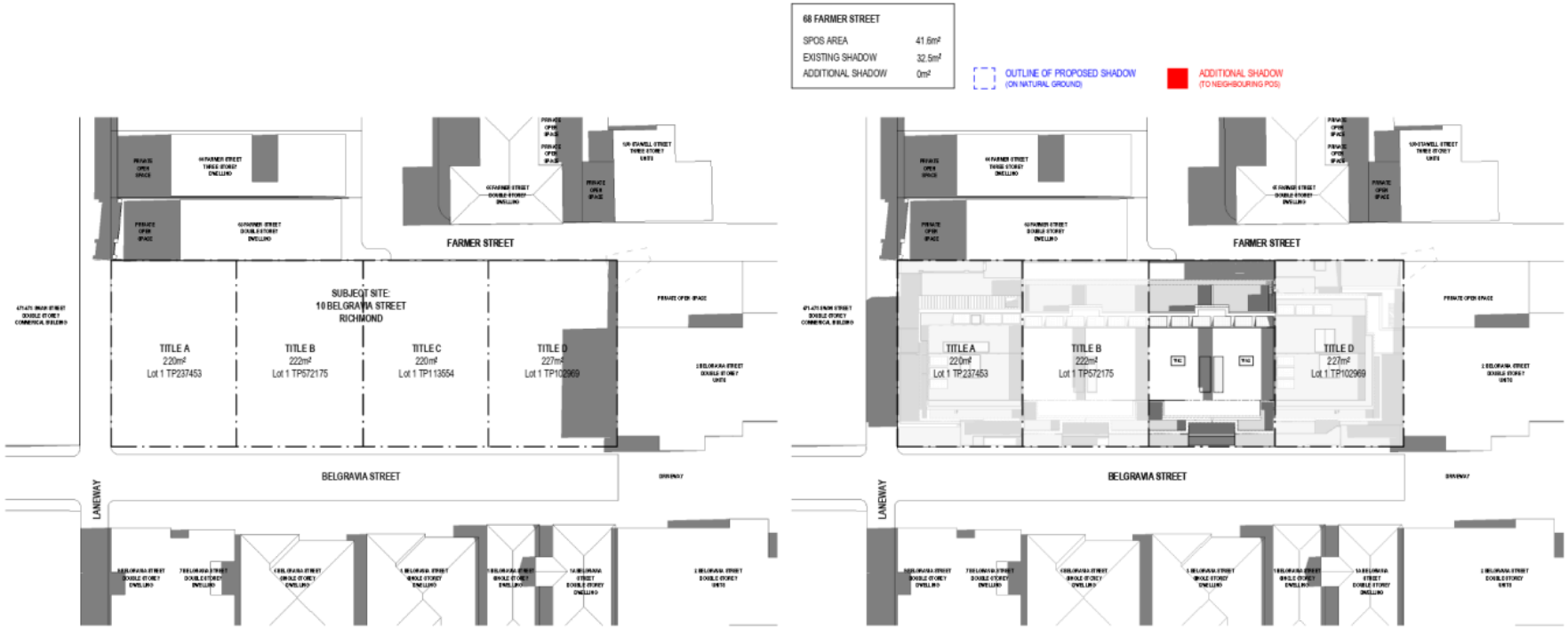
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DATE 03.05.2021
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DRAWN BY FJ
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DRAWING TITLE
11AM SHADOW ANALYSIS
TITLE C

5002-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



12pm
EXISTING
22 September

12pm
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

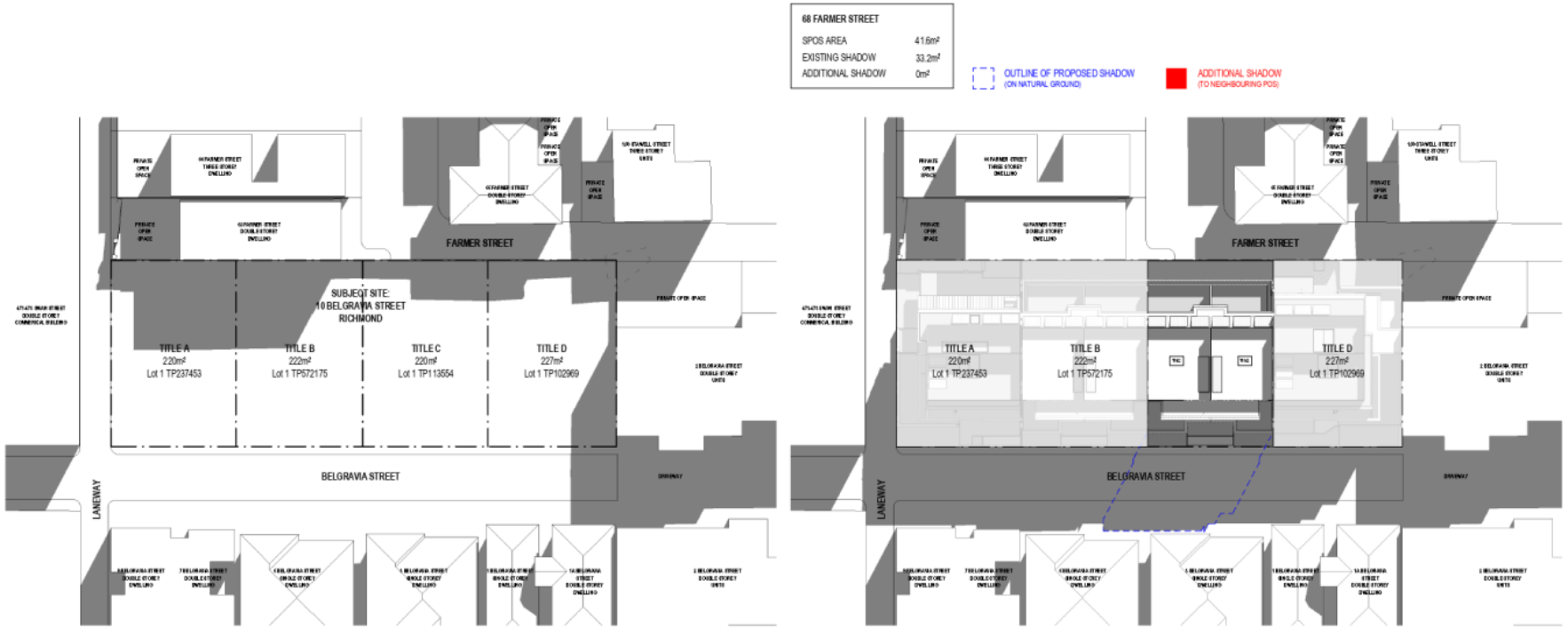
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DATE 03.05.2021
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CHECKED BY DCKH

DRAWING TITLE
12PM SHADOW ANALYSIS
TITLE C

5003-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans



3pm
EXISTING
22 September

3pm
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° B
DATE 03.05.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
3PM SHADOW ANALYSIS
TITLE C

5004-C

Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Artist's Impression



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Chris Stribley

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Attachment 3 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Section 57A advertised plans

Cera Stribley Architects

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Chris Stribley
Managing Principal
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Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

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Site Information
Site Location
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Street Views
Site Analysis
Planning Controls

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Feature Survey

1.4 Design Response
Architectural Statement
Site Response

1.5 Development Summary

02 Design Drawings

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2.0 Drawings

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0101-D Demolition Plan

1000-D Ground Floor Plan
1001-D First Floor Plan
1002-D Second Floor Plan
1003-D Roof Terrace Plan

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2001-D Proposed Elevations

3000-D Proposed Sections
3001-D Proposed Sections

03 Finishes, Shadows & Visualisation

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Material Schedule

3.2 Shadow Analysis
5000-D Shadow Analysis
5001-D Shadow Analysis
5002-D Shadow Analysis
5003-D Shadow Analysis
5004-D Shadow Analysis
5005-D Shadow Analysis

3.3 Artist's Impression

Contact

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Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Project Team

Architecture
Cera Stribley

Planning
Contour Town Planning

ESD
Sustainable Development Consultants

Traffic
One Mile Grid

Landscape
Rupert Baynes Landscape Design



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Site Information

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP102969

Site Area
227sqm (approx.)

Site Frontage
12.57m (Belgravia Street)
12.55m (Farmer Street)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

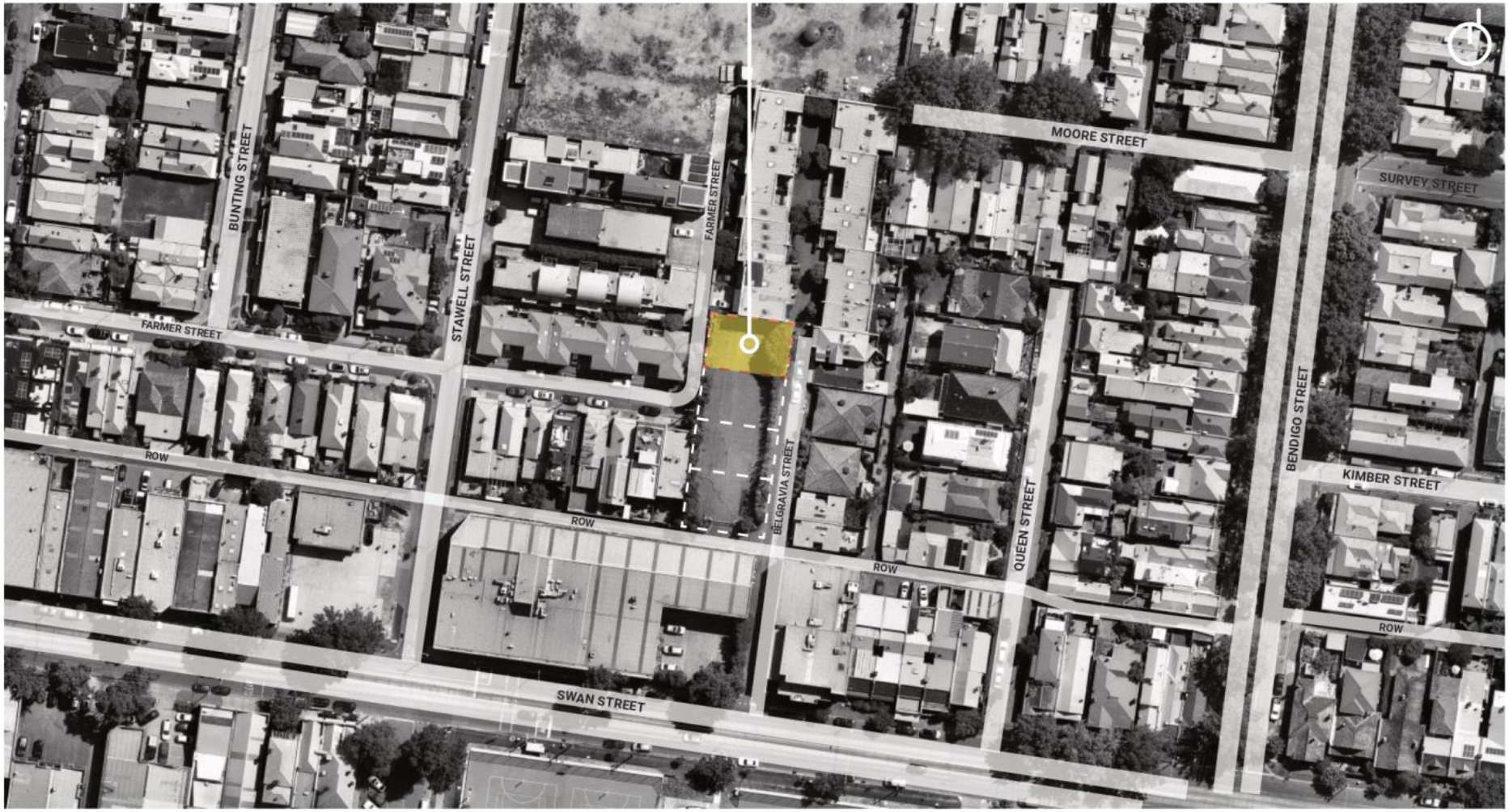
SUBJECT SITE
Title D
10 Belgravia Street



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

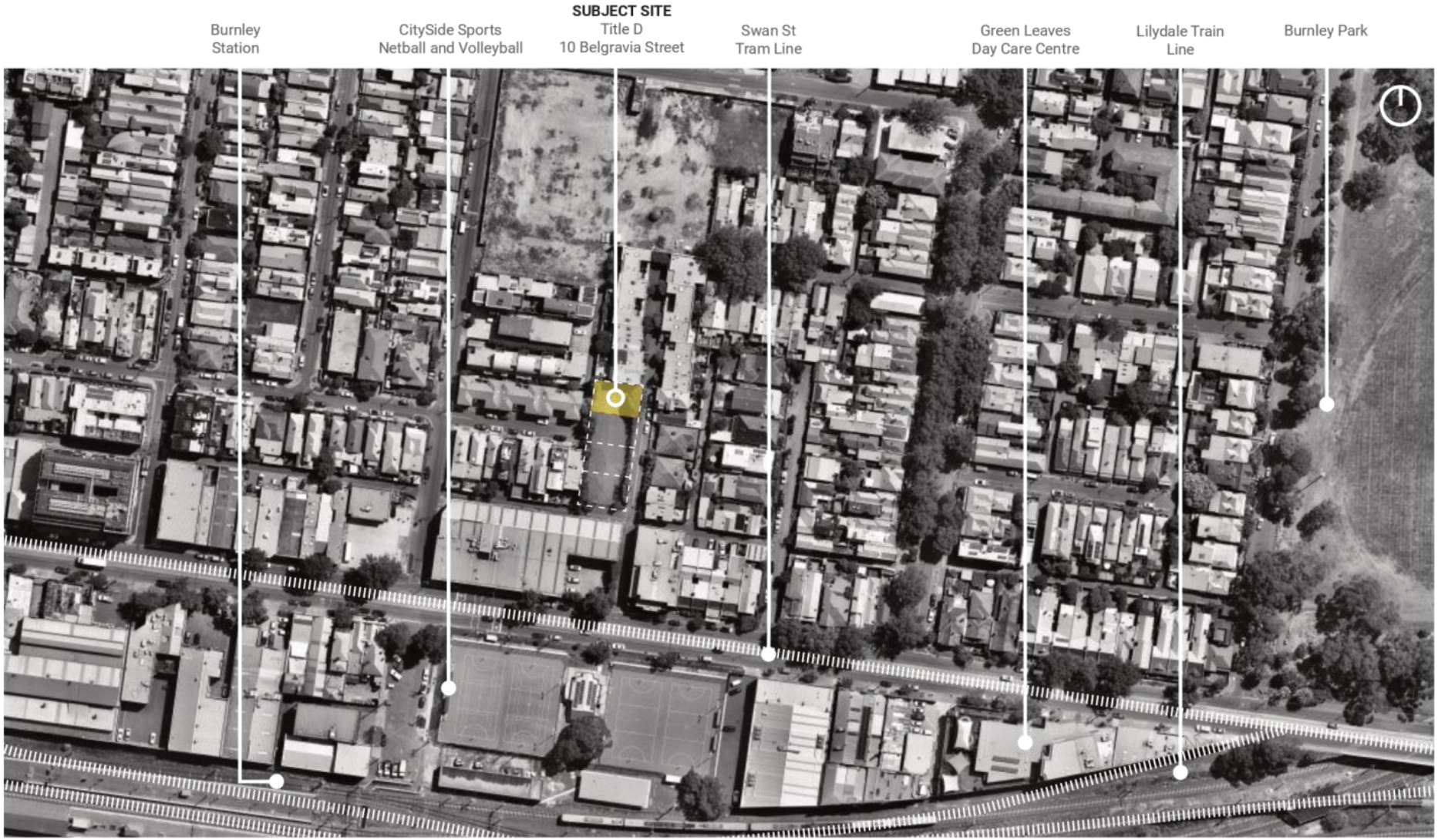
Site Location

SUBJECT SITE
Title D
10 Belgravia Street



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Site Context



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Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Street Views









Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Street Views









Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Site Analysis

LEGEND

- Subject Site
- Major Traffic Flows
- Secondary Traffic Flows
- Sun Path
- Electrical Pole
- Surrounding trees on site, footpath and adjoining properties



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Planning Controls

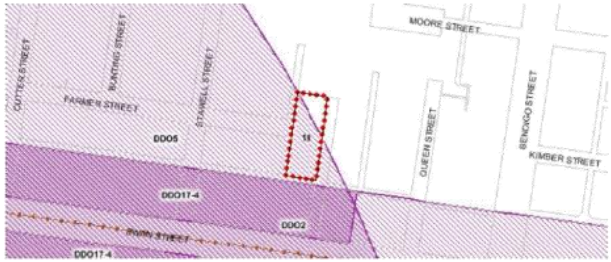
Planning Zone

GRZ2 - General Residential Zone - Schedule 2



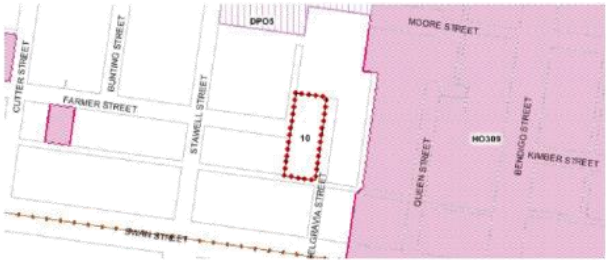
Planning Overlays

Design and Development Overlay - Schedule 5 (DDO5)



Other Overlays not affecting this Land

Development Plan Overlay (DPO) & Heritage Overlay (HO)



Environmental Audit Overlay (EAO)



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Architectural Statement

The design is informed firstly by the site address; Belgravia, taking cues from the multi-level terrace houses in the London suburb of the same name.

With this classic precedent in mind, the ground and first levels are grounded, solid volumes. While the ground floor steps down from the street level and maintains comfortable setbacks, this creates a concealed entry space to each townhouse. The first floor forms push out at varying distances, creating visual interest, framing the large feature windows.

Cutouts between townhouses at these levels create a break in the overall built form and the use of contrasting materials throughout breaks up the streetscape and responds to surrounding context.







Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Development Summary

Existing Address
10 Belgravia Street, Richmond 3121

Lot & Plan No.
Lot 1 TP102969

Site Area
227sqm (approx.)

Site Frontage
12.57m (Belgravia Street)
12.55m (Farmer Street)

Existing Building Type
Vacant Lot

Local Council
City of Yarra

19044_10 BELGRAVIA STREET, RICHMOND
DEVELOPMENT SUMMARY - TITLE D

	SQM	%	REQ'D (RESCODE)
SITE AREA	227	-	-
SITE COVERAGE	174	77%	60%
PERMEABILITY	59	26%	20%
GARDEN AREA	31	14%	N/A

3 LEVELS

PROJECT SUMMARY - AREAS

LEVEL	PARKING / COMMON (m2)	TOWNHOUSE NSA (m2)	TERRACE / P.O.S (m2)	TOTAL TOWNHOUSE AREA (m2)	TOTAL GFA (EXCL. BALC) (m2)
L GROUND	83.0	84.0	32.0	116.0	167.0
L FIRST	-	136.0	25.0	161.0	136.0
L SECOND	-	103.0	9.0	112.0	103.0
SUBTOTAL	**83.0**	**323.0**	**66.0**	**389.0**	**406.0**

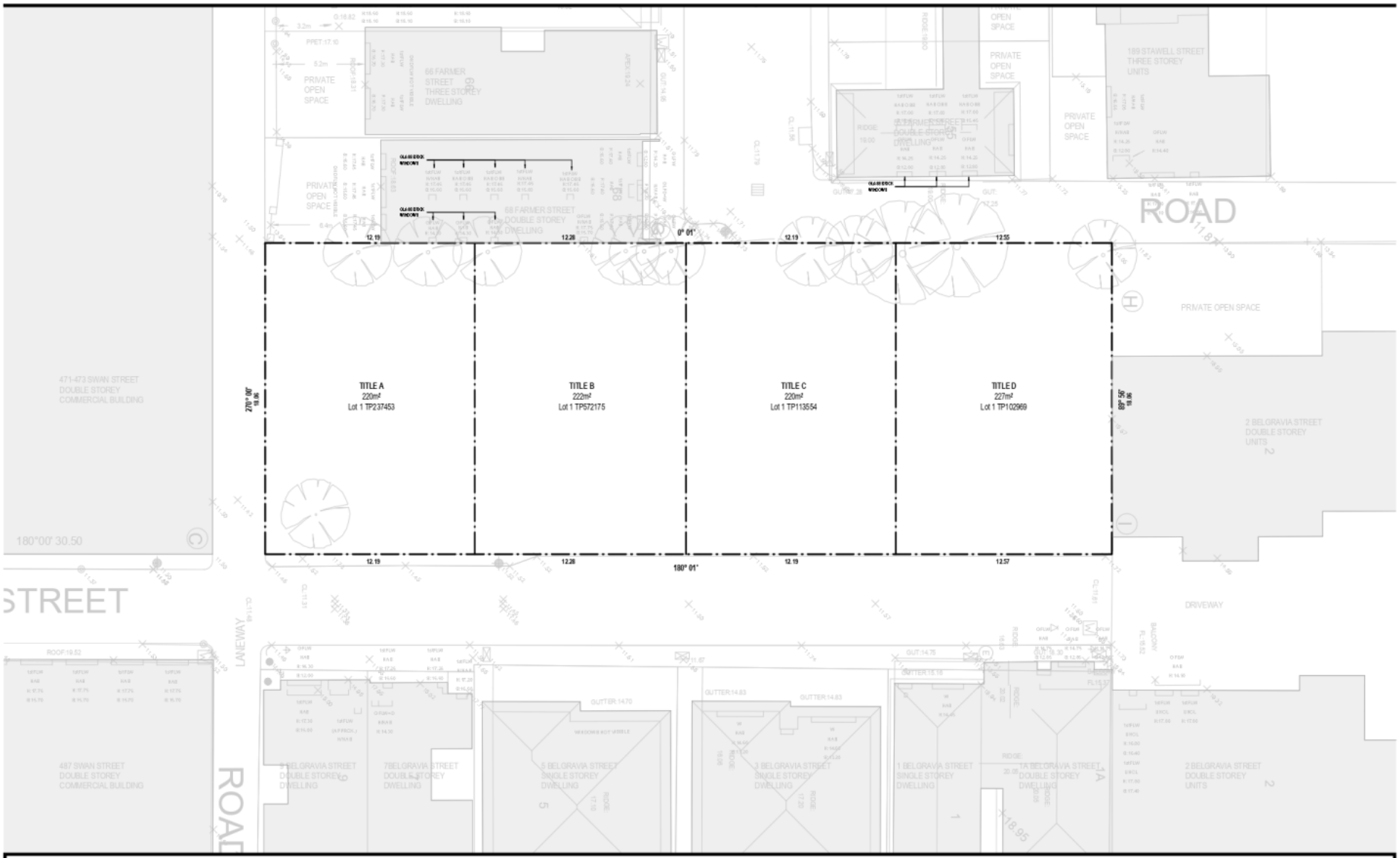
PROJECT SUMMARY - AREAS

TOWNHOUSE	TYPE	ORIENT.	CAR SPACES	GARAGE (m2)	GROUND FLOOR AREA (m2)	FIRST FLOOR AREA (m2)	SECOND FLOOR AREA (m2)	GROSS TH AREA (m2)	GARDEN (GROUND)	FIRST FLOOR TERRACE	SECOND FLOOR TERRACE	ROOF TERRACE	TOTAL OUTDOOR AREA (m2)
TH 07	3B2B	NE	2	43.0	42.0	73.0	51.0	161.0	16.0	17.0	9.0	34.0	**76.0**
TH 08	3B2B	NW	2	40.0	42.0	63.0	52.0	157.0	16.0	8.0	0.0	26.0	**50.0**
TOTALS 8			**4**	**83**	**84.0**	**136.0**	**103.0**	**318.0**	**32.0**	**25.0**	**9.0**	**60.0**	**126.0**

Note: All areas are approximate only and are subject to final checking against survey infomration and authority approvals.

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

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B	03.05.2021	TOWN PLANNING - RFI		
C	06.09.2021	TOWN PLANNING - RFI		

REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

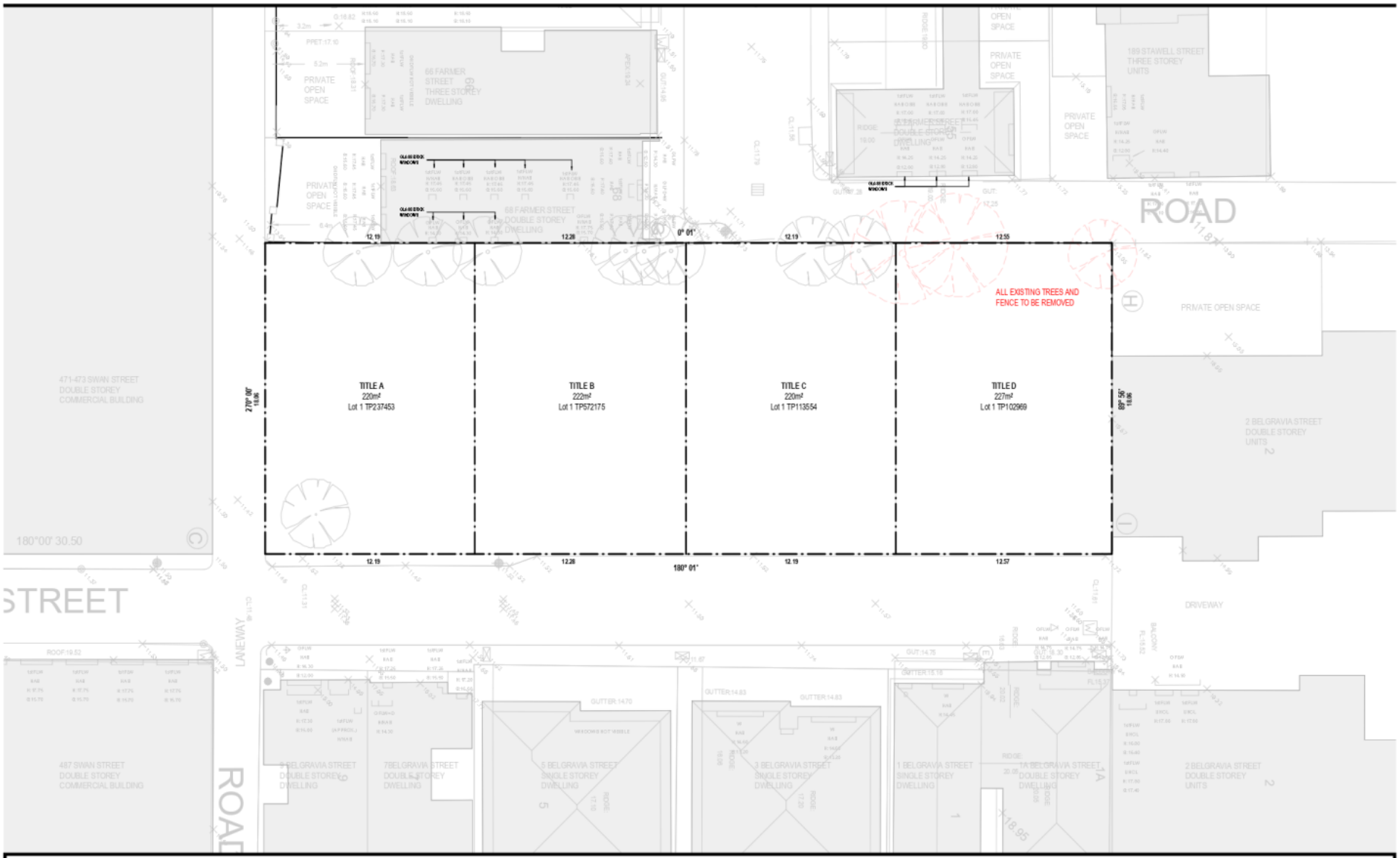
DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DC/KH

DRAWING TITLE
EXISTING SITE PLAN
TITLE D

0100-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

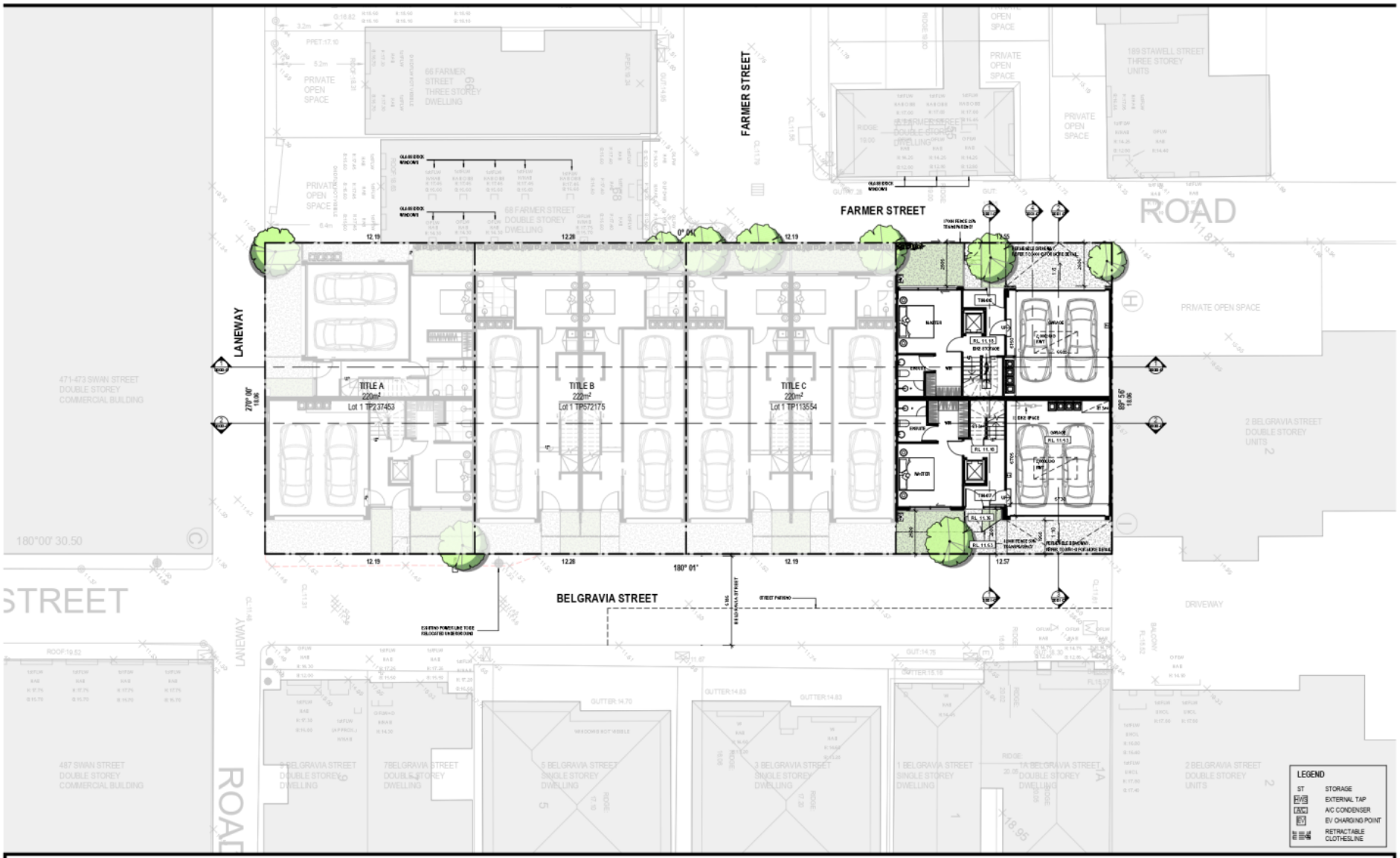
DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° C
DATE 06.09.2021
SCALE 1:100@A1 1:200@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
DEMOLITION PLAN
TITLE D

0101-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



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10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

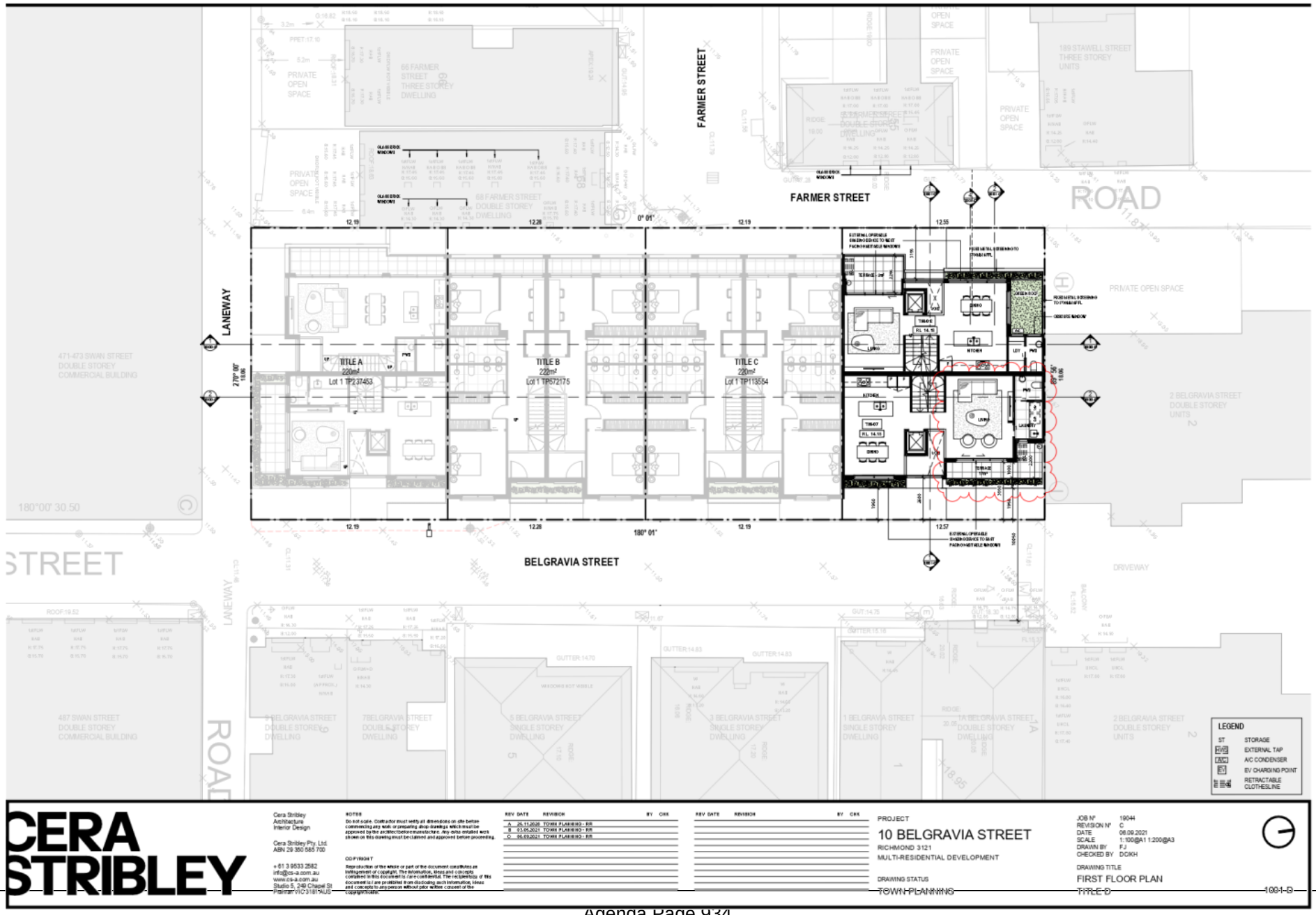
DRAWING STATUS
TOWN PLANNING

JOB N°	19044
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SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
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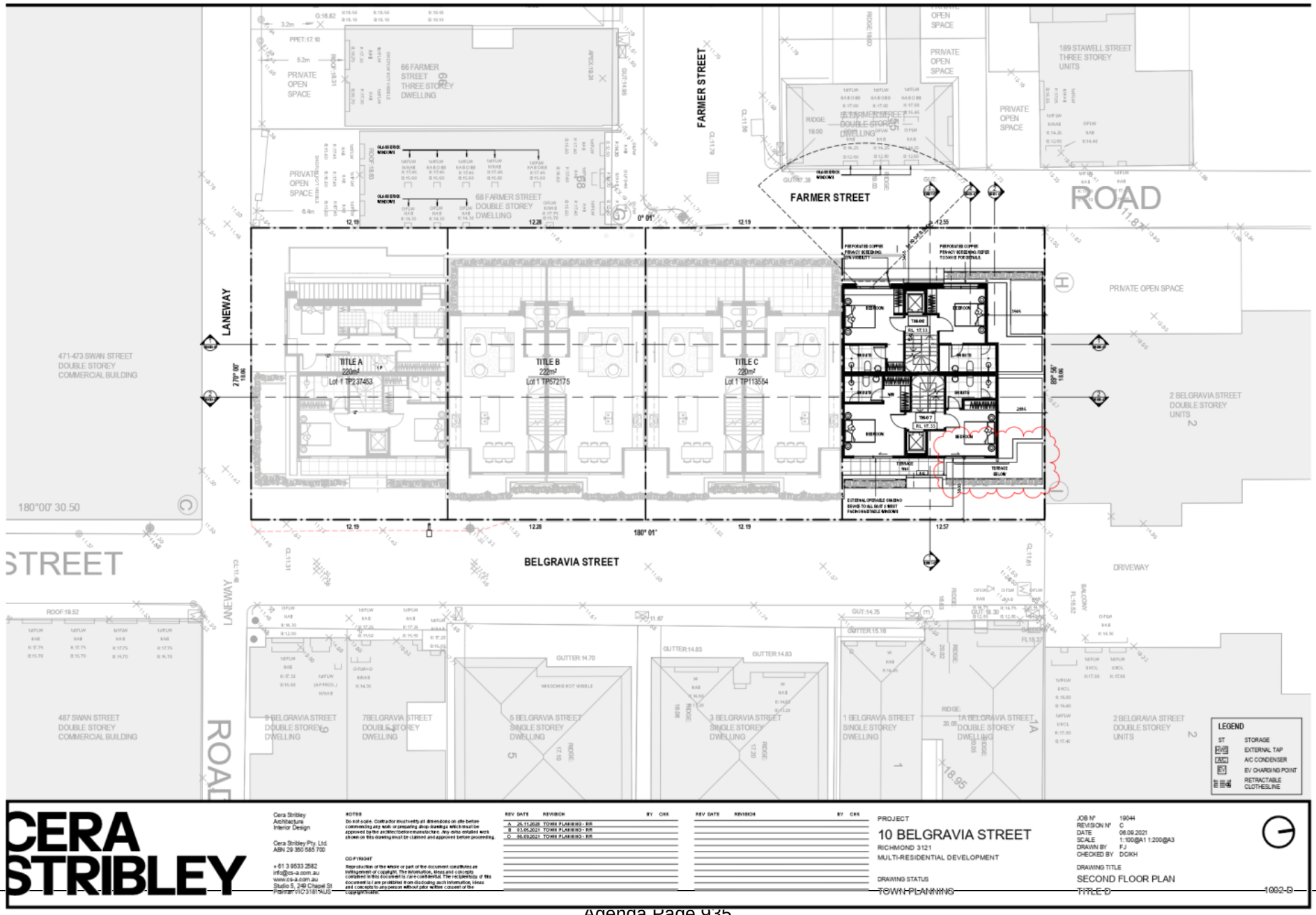
DRAWING TITLE
GROUND FLOOR PLAN
TITLE D

1000-D

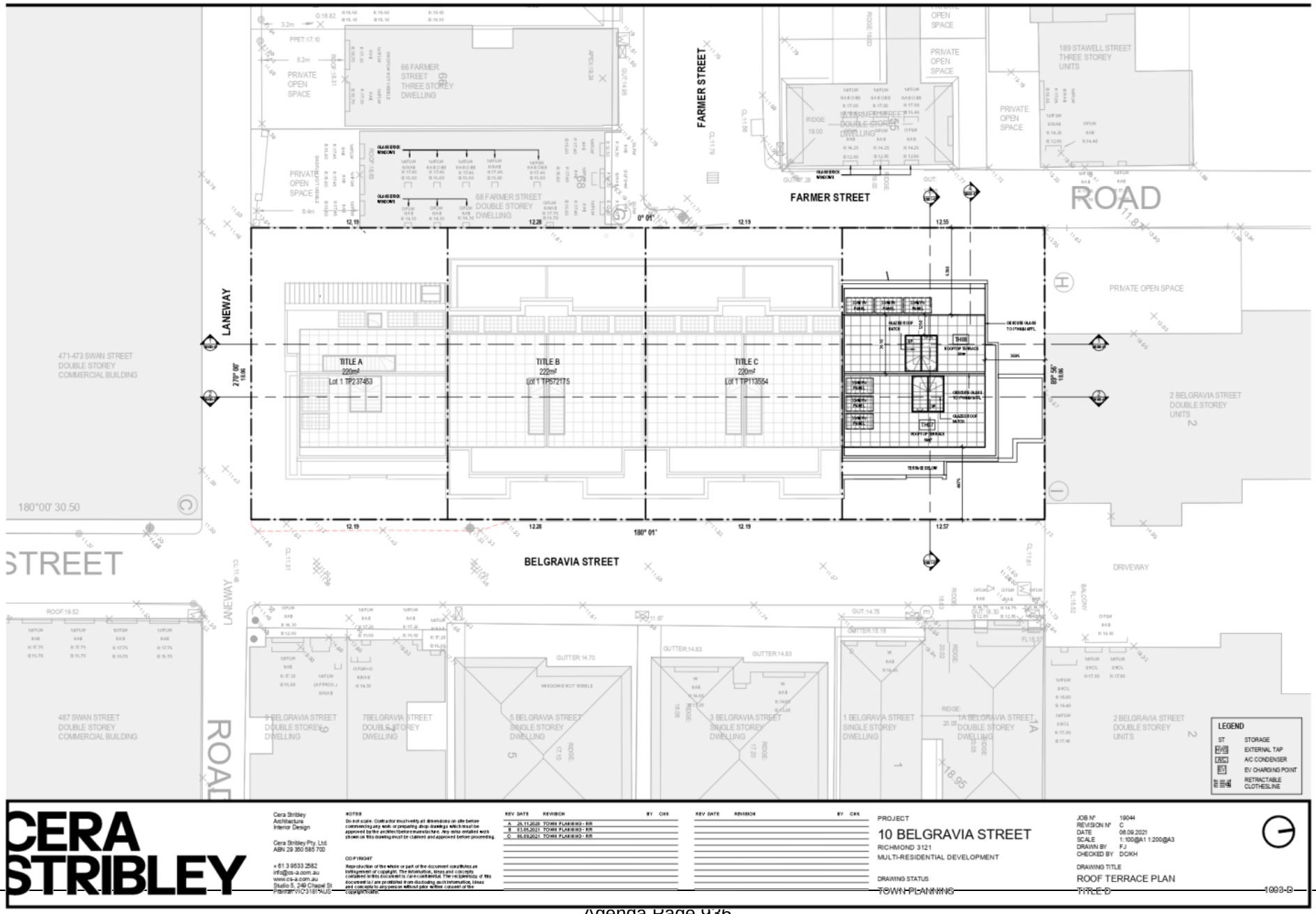
Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



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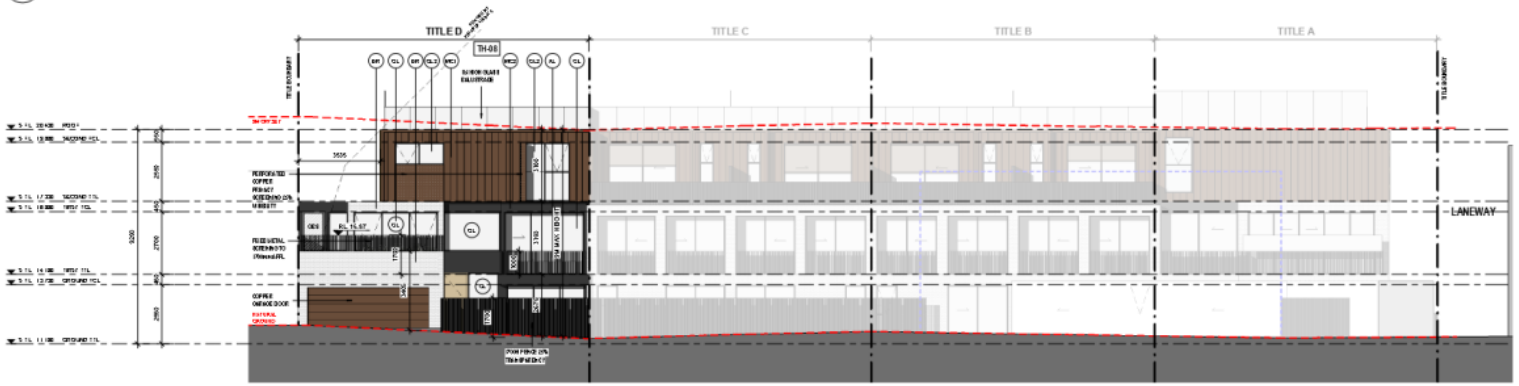
Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



1 TITLE D - EAST ELEVATION
SCALE 1 : 100



2 TITLE D - WEST ELEVATION
SCALE 1 : 100

MATERIAL LEGEND

PL: Landscape
AL: Aluminium Flat Plate Balustrade
MC1: Metal Cladding - Copper or similar
MC2: Metal Cladding - Charcoal
BR: Brick - Light Tones
GL: Glazing - Clear
OBS: Obscure Reeded Glass

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

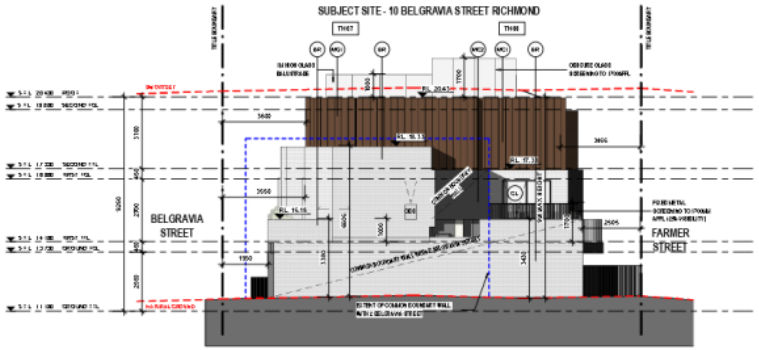
DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DC/KH

DRAWING TITLE
PROPOSED ELEVATIONS
TITLE D

2000-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



1 TITLE D - NORTH ELEVATION
SCALE 1 : 100

MATERIAL LEGEND

PL: Landscape
AL: Aluminium Flat Plate Balustrade
MC1: Metal Cladding - Copper or similar
MC2: Metal Cladding - Charcoal
BR: Brick - Light Tones
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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

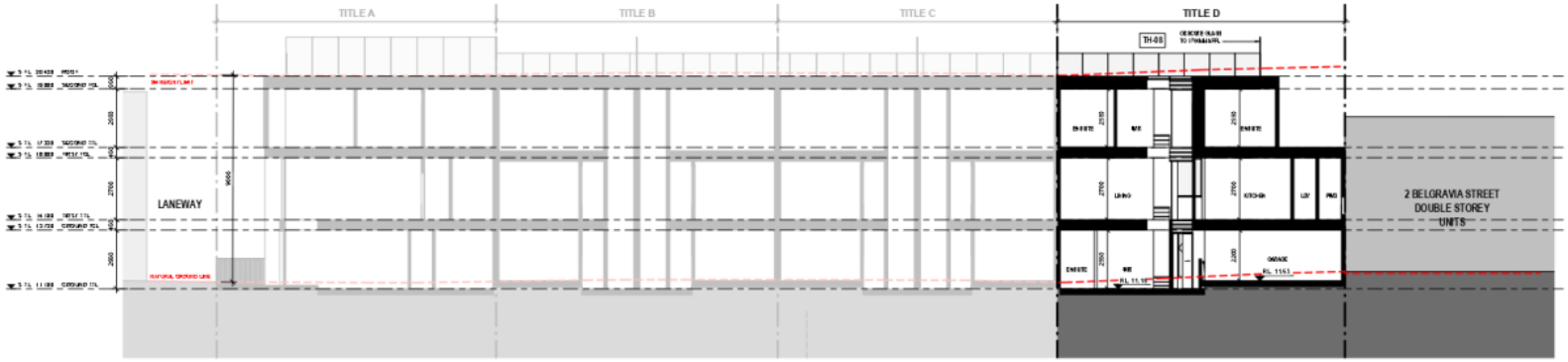
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TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
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DRAWN BY	FJ
CHECKED BY	DCKH

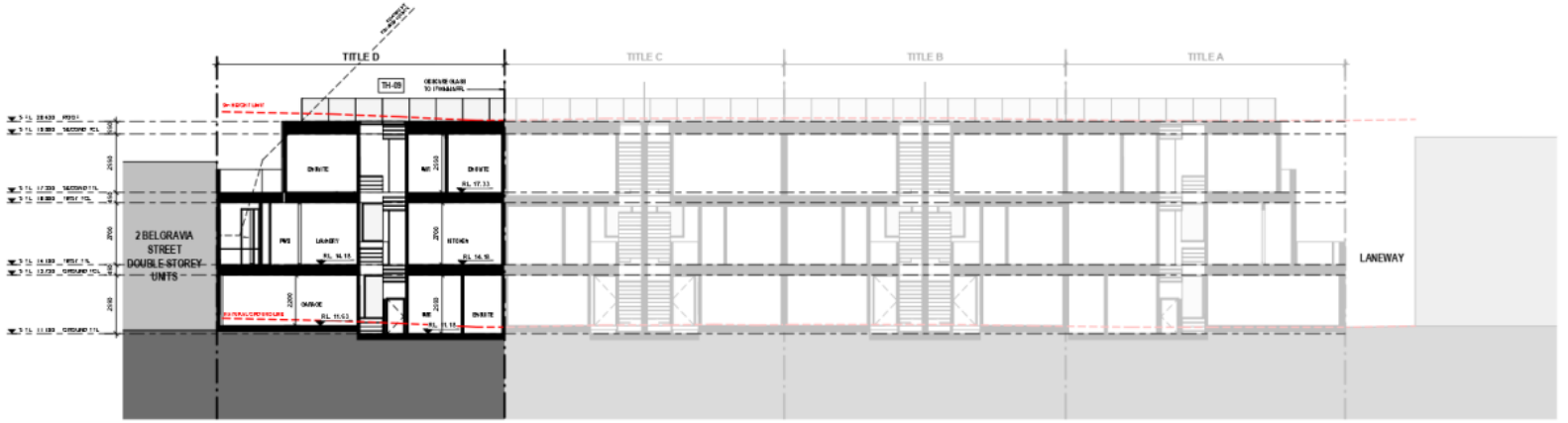
DRAWING TITLE
PROPOSED ELEVATIONS
TITLE D

2004-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



1 1000-D TITLE D - NORTH-SOUTH SECTION 1
SCALE 1 : 100



2 1000-D TITLE D - NORTH-SOUTH SECTION 2
SCALE 1 : 100

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DCKH

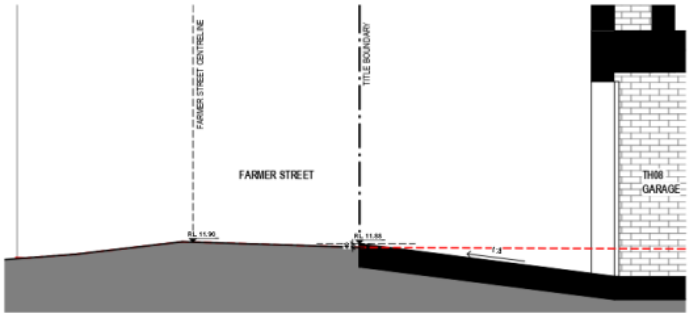
DRAWING TITLE
SECTIONS
TITLE D

3000-D

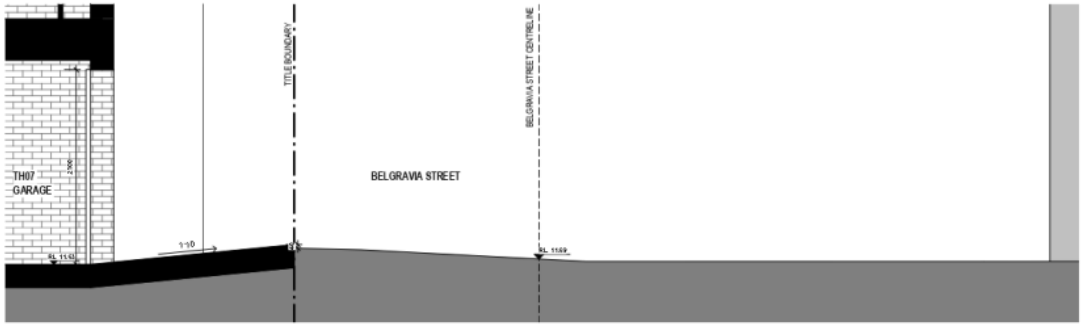
Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



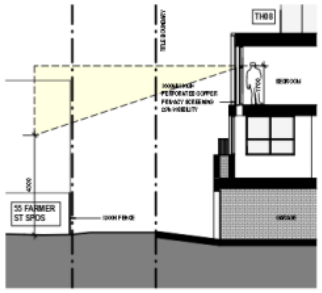
1 1000-D TITLE D - EAST-WEST SECTION
SCALE 1 : 100



2 1000-D TITLE D - TH08 DRIVEWAY DETAIL SECTION
SCALE 1 : 25



3 1000-D TITLE D - TH07 DRIVEWAY SECTION DETAIL
SCALE 1 : 25



4 1000-D TITLE D - TH08 OVERLOOKING DIAGRAM
SCALE 1 : 100

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REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N°	19044
REVISION N°	C
DATE	06.09.2021
SCALE	1:100@A1 1:200@A3
DRAWN BY	FJ
CHECKED BY	DCKH

DRAWING TITLE
SECTIONS
TITLE D

3001-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Finishes

MC1
METAL CLADDING
COLOUR: WEATHERED COPPER OR SIMILAR

MC2
METAL CLADDING
COLOUR: CHARCOAL

BR
BRICK
COLOUR: WHITE TONES

GL2
OBSCURE GLASS
VISIBILITY: LESS THAN 25%

AL
ALUMINIUM FLAT PLATE BALSUTRADE
COLOUR: BLACK

PL
LANDSCAPING

ES
EXTERNAL SHADING - OPERABLE BLINDS
COLOUR: BRONZE & WHITE









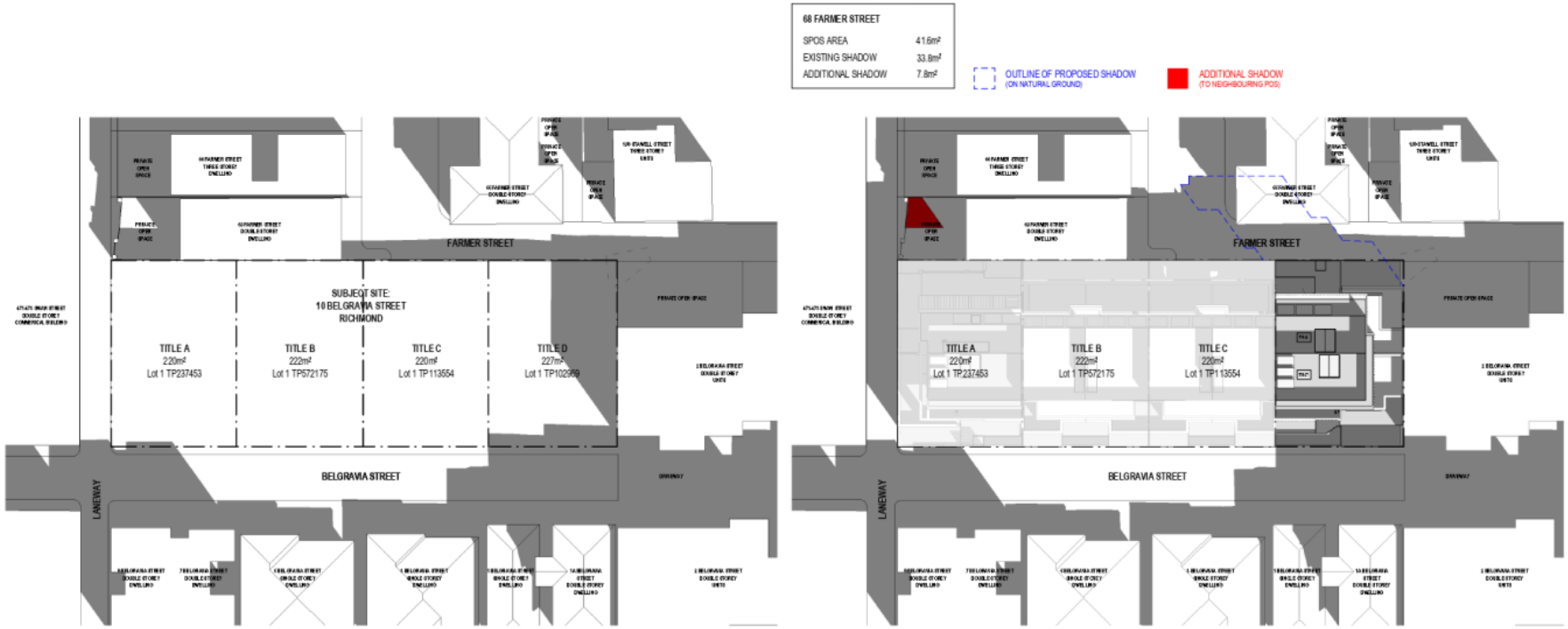








Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



9am
EXISTING
22 September

9am
PROPOSED
22 September

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PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

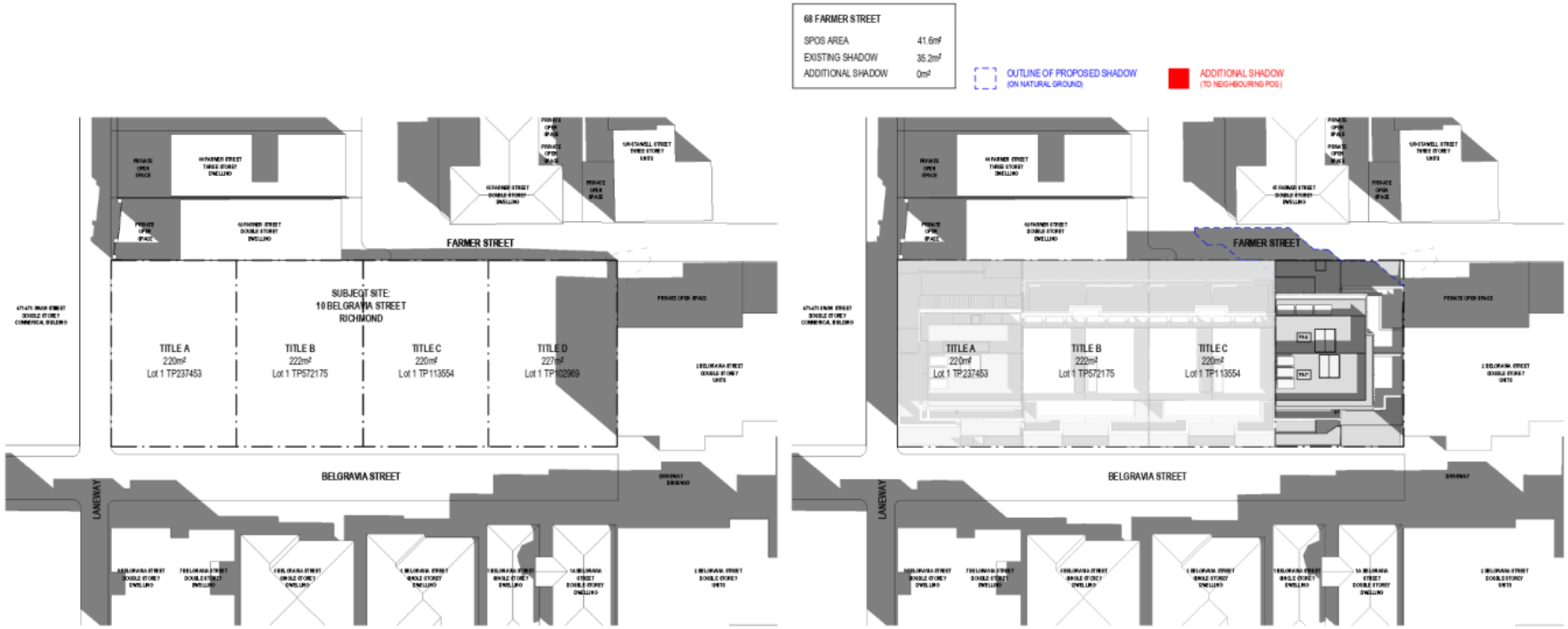
DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
9AM SHADOW ANALYSIS TITLE D

5000-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



10am
EXISTING
22 September

10am
PROPOSED
22 September

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REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

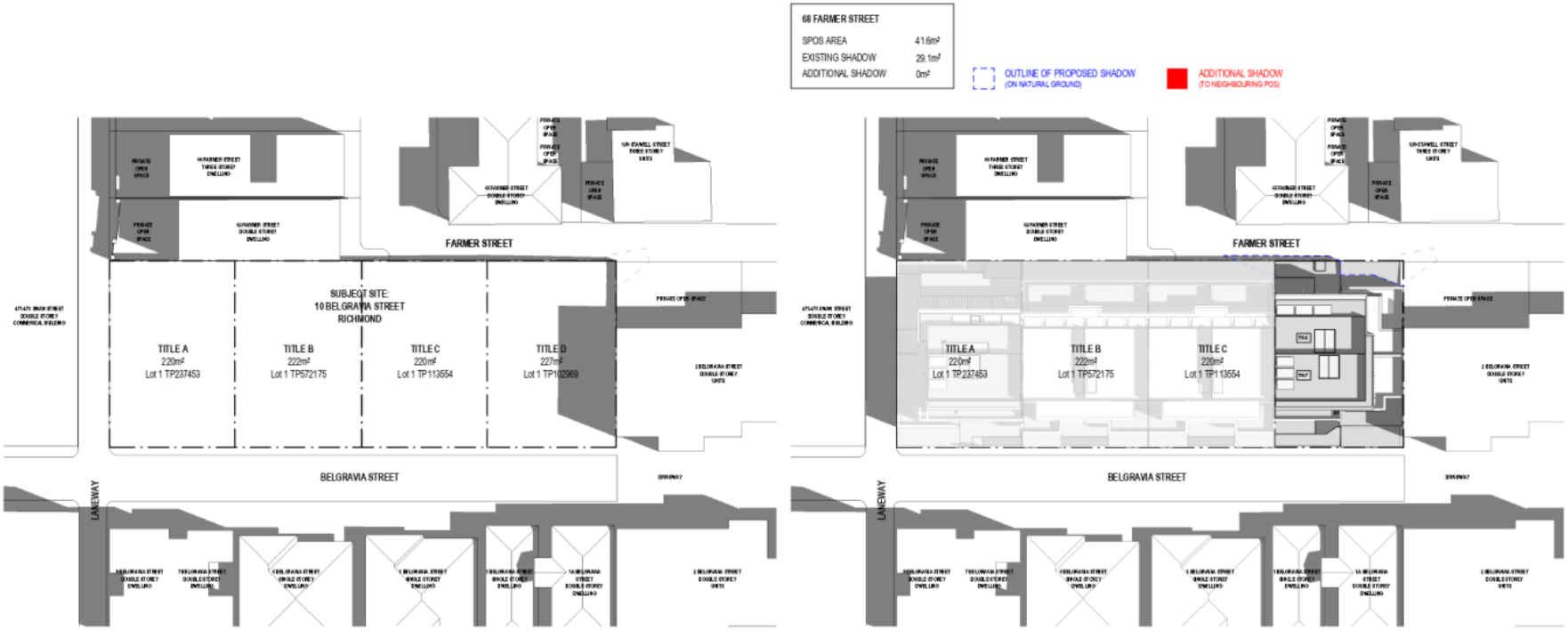
DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
10AM SHADOW ANALYSIS
TITLE D

S004-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



11am
EXISTING
22 September

11am
PROPOSED
22 September

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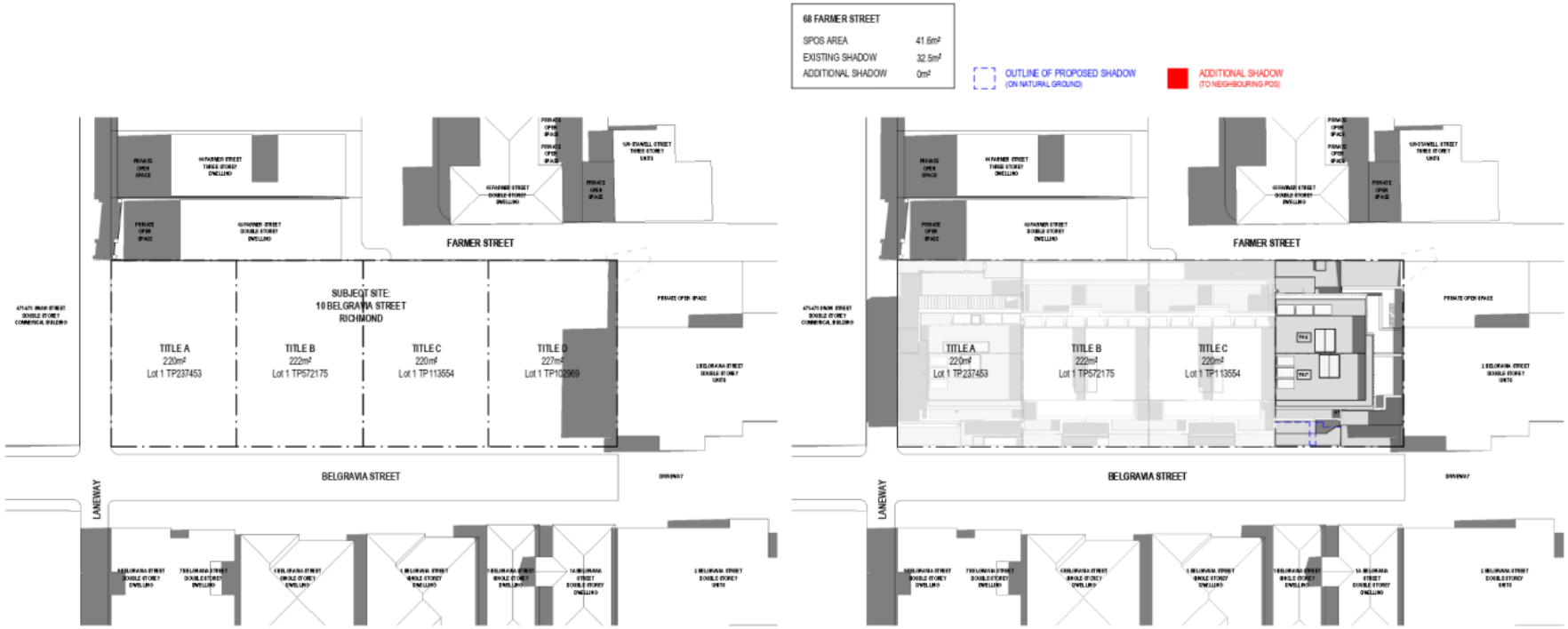
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TOWN PLANNING

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REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
11AM SHADOW ANALYSIS
TITLE D

5002-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



12pm
EXISTING
22 September

12pm
PROPOSED
22 September

CERA STRIBLEY

Cera Stribley Architecture Interior Design

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info@cs-a.com.au
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NOTES
Do not scale. Contractor must verify all dimensions on site before commencing any work or preparing shop drawings which must be approved by the architect before manufacture. Any detail omitted or shown on this drawing must be claimed and approved before proceeding.

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REV	DATE	REVISION	BY	CHK
A	26.11.2020	TOWN PLANNING - RR		
B	03.05.2021	TOWN PLANNING - RR		
C	06.09.2021	TOWN PLANNING - RR		

REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

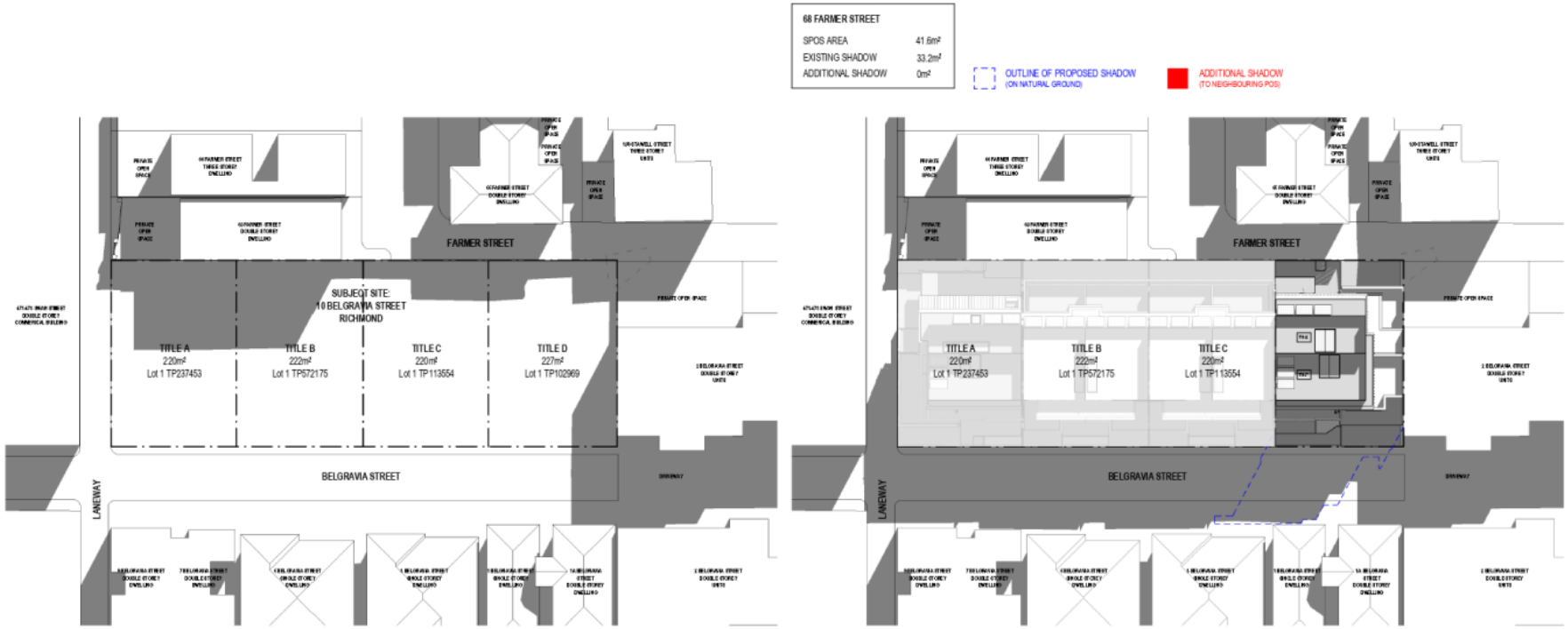
DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
12PM SHADOW ANALYSIS
TITLE D

5003-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans



3pm
EXISTING
22 September

3pm
PROPOSED
22 September

CERA STRIBLEY

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Interior Design

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REV	DATE	REVISION	BY	CHK
A	26.11.2020	TOWN PLANNING - RR		
B	03.05.2021	TOWN PLANNING - RR		
C	06.09.2021	TOWN PLANNING - RR		

REV	DATE	REVISION	BY	CHK

PROJECT
10 BELGRAVIA STREET
RICHMOND 3121
MULTI-RESIDENTIAL DEVELOPMENT

DRAWING STATUS
TOWN PLANNING

JOB N° 19044
REVISION N° C
DATE 06.09.2021
SCALE 1:200@A1 1:400@A3
DRAWN BY FJ
CHECKED BY DCKH

DRAWING TITLE
3PM SHADOW ANALYSIS
TITLE D

S004-D

Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

Artist's Impression



CERA STRIBLEY

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Attachment 4 - PLN20/0458 - 10 Belgravia Street Richmond (Title D) - Section 57A advertised plans

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Attachment 5 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Officers recommendation

RECOMMENDATION FOR PLN20/0459 (Title A) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated September 2021 but modified to show:

   (a) The materiality, depth and transparency of the screen provided to the second floor west-facing window of TH01 in accordance with the objectives of Standard B22 (Overlooking).

   (b) The garage doors with transparency or permeability.

   (c) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

   (d) A South Elevation and North Elevation.

   (e) The length of walls on boundaries dimensioned on the floorplans.

   (f) Both dwellings with 6 cubic metres of storage.

   (g) Both dwellings with a mailbox.

   (h) The front setback to Belgravia Street, east of the front fence, as common property.

   (i) Internal dimensions for both garages.

   (j) The bin area with a capacity of 240Lt.

   (k) A motion sensor light to both dwelling entries.

   (l) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

   (m) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

   (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
   (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or

(c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

   to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

    (b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

    (c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

    (d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

    (e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Attachment 5 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Officers recommendation

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

(a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

    (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
    (b) works necessary to protect road and other infrastructure;
    (c) remediation of any damage to road and other infrastructure;
    (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
    (e) facilities for vehicle washing, which must be located on the land;
    (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
    (g) site security;
    (h) management of any environmental hazards including, but not limited to,:
        (i) contaminated soil;
        (ii) materials and waste;
        (iii) dust;
        (iv) stormwater contamination from run-off and wash-waters;
        (v) sediment from the land on roads;

(vi) washing of concrete trucks and other vehicles and machinery; and
(vii) spillage from refuelling cranes and other vehicles and machinery;

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

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

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

20. This permit will expire if:

(a) the development is not commenced within two years of the date of this permit; or
(b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Attachment 5 - PLN20/0459 - 10 Belgravia Street Richmond (Title A) - Officers recommendation

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

Attachment 6 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Officers recommendation

RECOMMENDATION FOR PLN20/0456 (Title B) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated May 2021 but modified to show:

   (a) The garage doors with transparency or permeability.

   (b) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

   (c) A South Elevation and North Elevation.

   (d) The length of walls on boundaries dimensioned on the floorplans.

   (e) Both dwellings with 6 cubic metres of storage.

   (f) Both dwellings with a mailbox.

   (g) The front setback to Belgravia Street, east of the front fence, as common property.

   (h) Internal dimensions for both garages.

   (i) The bin area with a capacity of 240Lt.

   (j) A motion sensor light to both dwelling entries.

   (k) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

   (l) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

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

Attachment 6 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Officers recommendation

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

   to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

    (b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

    (c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

    (d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

    (e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Attachment 6 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Officers recommendation

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

(a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. 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;

Attachment 6 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Officers recommendation

(vi) washing of concrete trucks and other vehicles and machinery; and
(vii) spillage from refuelling cranes and other vehicles and machinery;

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

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

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

20. This permit will expire if:

(a) the development is not commenced within two years of the date of this permit; or
(b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Attachment 6 - PLN20/0456 - 10 Belgravia Street Richmond (Title B) - Officers recommendation

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

Attachment 7 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

RECOMMENDATION FOR PLN20/0457 (Title C) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated May 2021 but modified to show:

   (a) The garage doors with transparency or permeability.

   (b) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

   (c) A South Elevation and North Elevation.

   (d) The length of walls on boundaries dimensioned on the floorplans.

   (e) Both dwellings with 6 cubic metres of storage.

   (f) Both dwellings with a mailbox.

   (g) The front setback to Belgravia Street, east of the front fence, as common property.

   (h) Internal dimensions for both garages.

   (i) The bin area with a capacity of 240Lt.

   (j) A motion sensor light to both dwelling entries.

   (k) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

   (l) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

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

Attachment 7 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

   to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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

Development Contributions Levy

10. Prior to the issue of a Statement of Compliance 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 Development Infrastructure Levy within a time specified in the agreement.

Civil Works Plan

11. Before the development commences, a Civil Works Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Civil Works Plan will be endorsed and will form part of this permit. The Civil Works Plan must incorporate all works proposed within Council road reserve, including the laneway to the south of the development, all proposed demolition works, the relocation of the powerline on Belgravia Street and proposed public lighting, and must include or show:

    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

    (b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

    (c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

    (d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

    (e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Attachment 7 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

(a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. 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;

Attachment 7 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

(vi) washing of concrete trucks and other vehicles and machinery; and
(vii) spillage from refuelling cranes and other vehicles and machinery;

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

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

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

20. This permit will expire if:

(a) the development is not commenced within two years of the date of this permit; or
(b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

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

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

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

Attachment 7 - PLN20/0457 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

Attachment 8 - PLN20/0458 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

RECOMMENDATION FOR PLN20/0458 (Title D) OF 10 BELGRAVIA STREET RICHMOND

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 lodged pursuant to Section 57A of the Act, prepared by Cera Stribley, Plan no. 0100-A, 0101-A, 1000-A, 1001-A, 1002-A, 1003-A, 2000-A, 2001-A, 3000-A, 3001-A, 5000-A, 5001-A, 5002-A, 5003-A and 5004-A and dated September 2021 but modified to show:

   (a) The first-floor screen on the northern boundary wall of TH08 relocated to the north-facing first-floor dining room window, resulting in a northern boundary wall with a height of 3.43 metres.

   (b) An Overlooking Diagram demonstrating views to No. Farmer Street's and No. 189 Stawell Streets area of POS from the first floor west facing terrace of TH08 are limited in accordance with the objective of the Standard B22 (Overlooking) of the Yarra Planning Scheme and, if applicable, any additional screening measures required to demonstrate compliance.

   (c) The screen on the west-facing dining room window of TH08 with a maximum transparency of 25% in accordance with Standard B22 (Overlooking).

   (d) The angle and length of the screen associated with the second floor west-facing bedroom window of (TH08) in accordance with the objective of Standard B22 (Overlooking).

   (e) The height of the screen associated with the second floor west-facing bedroom window of TH08 dimensioned on the West Elevation and the depth of the ledge dimensioned in the overlooking diagram (Section 4) in accordance with the objective of Standard B22 (Overlooking).

   (f) The garage doors with transparency or permeability.

   (g) Asphalt in lieu of 'grasscrete' within the front setback to Belgravia Street, east of the front fence.

   (h) A South Elevation and North Elevation.

   (i) The length of walls on boundaries dimensioned on the floorplans.

   (j) Both dwellings with 6 cubic metres of storage.

   (k) Both dwellings with a mailbox.

   (l) The front setback to Belgravia Street, east of the front fence, as common property.

   (m) Internal dimensions for both garages.

Attachment 8 - PLN20/0458 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

(n) The bin area with a capacity of 240Lt.

(o) A motion sensor light to both dwelling entries.

(p) Any changes required to comply with Condition 13 (Sustainable Design Assessment).

(q) Any changes required to comply with Condition 11 (Civil works plan).

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

(a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
(b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
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4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

5. 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.

6. 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.

7. The amenity of the area must not be detrimentally affected by the 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.

Attachment 8 - PLN20/0458 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

8. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

9. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of Belgravia Street and footpath on the eastern side of Belgravia Street for the width of the property frontage if required by the Responsible Authority):

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Development Contributions Levy

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    (a) The asphalt road pavement on the east side of Belgravia Street roto-milled and re-sheeted in accordance with Council Engineering standards and to Council satisfaction.

    (b) Vehicle crossing profiles in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scrape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

    (c) A streetscape design for the Belgravia Street and laneway frontages demonstrating ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority.

    (d) The provision of public lighting in accordance with Council standards and AS1158.3.1 at the developers cost.

    (e) Should the existing power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs.

Removal of Section 173 Agreement

12. Before the development commences, the Section 173 Agreement – R169000K in the Register of Titles is removed.

Sustainable Design Assessment (SDA)

Attachment 8 - PLN20/0458 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

13. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Development Consultants and dated May 2021, but modified to include or show:

    (a) Each dwelling to achieves a NatHERS rating of at least 6.6 stars.

    (b) A 10% improvement on NCC 2019 illumination power densities (IPD).

    (c) Breeze paths to support claims regarding natural ventilation. If the bedrooms cannot meet BESS minimum requirements, it is recommended that further IEQ strategies be applied.

    (d) The materiality of external shading.

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

Waste Management Plan

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

Landscaping Plan

16. 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 Plan prepared by Rupert Baynes and dated May 2021, but modified to include (or show):

(a) Asphalt in lieu of grasscrete within the front setback of the front fences to Belgravia Street.

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

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

    to the satisfaction of the Responsible Authority.

Construction Management Required

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the

Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

(a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
(b) works necessary to protect road and other infrastructure;
(c) remediation of any damage to road and other infrastructure;
(d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
(e) facilities for vehicle washing, which must be located on the land;
(f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
(g) site security;
(h) management of any environmental hazards including, but not limited to,:
    (i) contaminated soil;
    (ii) materials and waste;
    (iii) dust;
    (iv) stormwater contamination from run-off and wash-waters;
    (v) sediment from the land on roads;
    (vi) washing of concrete trucks and other vehicles and machinery; and
    (vii) spillage from refuelling cranes and other vehicles and machinery;
(i) the construction program;
(j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
(k) parking facilities for construction workers;
(l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
(m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
(n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
(o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

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

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

20. This permit will expire if:

    (a) the development is not commenced within two years of the date of this permit; or
    (b) the development is not completed within four years of the date of this permit.

Attachment 8 - PLN20/0458 - 10 Belgravia Street Richmond (Title C) - Officers recommendation

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

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.

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

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

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

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

Prior to the issue of a building permit the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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 works permitted under the permit.

Attachment 9 - 10 Belgravia Street Richmond (all Titles) - Transurban DD05 response

Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Konrad Bruhn
Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Dear Konrad Bruhn

PLANNING APPLICATION NO.:	**PLN20/0456**
DEPARTMENT REFERENCE NO:	**PPR 34926/20**
PROPERTY ADDRESS:	**10 BELGRAVIA STREET, RICHMOND VIC 3121**

Section 52 – No objection

Thank you for forwarding planning permit application PLN20/0456 pursuant to Section 52 of the Planning and Environment Act 1987.

The Head, Transport for Victoria has considered the application and has no objection to the proposal.

Please note that this response is **not** in consultation with Transurban due to the holiday period. The Head, Transport for Victoria anticipates that Transurban will be responding separately to Council if they have any comments in relation to this application.

Should you have any enquiries regarding this matter, please contact Ewa Fiebelkorn on 9313-1187 or Ewa.Fiebelkorn@roads.vic.gov.au.

Yours sincerely

Gillian Menegas

Gillian Menegas
Senior Statutory Referrals Officer
Under delegation from the Head, Transport for Victoria

4/01/2020

Cc: permit applicant

VICTORIA State Government

Attachment 10 - 10 Belgravia Street Richmond (all Titles) - Urban design referral response

CITY OF YaRRA

MeMO

TO:	Konrad Bruhn (Statutory Planning)
FROM	Amruta Pandhe (Urban Design)
DATE:	23 February 2021
SUBJECT:	10 Belgravia Street, Richmond
APPLICATION NO:	PLN20/0456, PLN20/0457, PLN20/0458 and PLN20/0459
DESCRIPTION:	Construction of triple storey dwellings

COMMENTS SOUGHT

Urban Design comments have been sought on following matters:

- Height and massing
- Architectural and materiality
- Public realm interface

The comments are based on RFI Architectural Plans and Renders prepared by Cera Stribley Architecture and Interior Design dated 25 November 2020.

COMMENTS SUMMARY

Overall, the proposal is not supported in its current form. Below changes are recommended to make the development more acceptable from an urban design perspective:

- Bring the ground floor level to match the street level for all the sunken apartments but particularly for Townhouses TH03 – TH08 as there are pedestrian safety and accessibility concerns along Belgravia Street interface;
- The design of the undercroft space created at the ground level is very busy with landscaping, steps, entry gate;
- Reduce the dominance of bins along the street frontages for TH04 and TH07;
- There are concerns regarding the growth potential of the landscaping proposed on ground floor for Townhouses TH03-TH08;
- Please provide details of gates and levels for Townhouses TH03-TH08;
- The development needs to provide a less hostile area for accessibility of bins as they are going to be accessed from Belgravia Street and Farmer Street;
- The entry design of Townhouse 03 does not give consideration to the electric pole in the front There are concerns regarding the environment created along the laneway which provides the main entrance to TH01; and
- Increase the permeability of the fence (like 50% or more) for laneway and both street interfaces;

There are no known planned/approved capital works around the subject site which are being led by the Urban Design team.

URBAN DESIGN FEEDBACK

1. Belgravia Street configuration

Please note there are number of civil and traffic engineering issues for Belgravia Street that needs to be resolved. There is an application on 471-473 Swan Street, Richmond which also fronts Belgravia Street. It is highly recommended that there is more strategic thinking towards the road configuration of Belgravia Street

and that there is a co-ordinated response between the two applications to ensure a safe and accessible pedestrian environment is created along Belgravia Street.

2. Height and massing

The subject site is within GRZ which has a mandatory height limit of 9m. The proposed height is within 9m which is acceptable. However, to achieve this the development has majorly compromised the street interface and internal amenity, particularly for Townhouses TH03 – TH08. This is not acceptable from an urban design perspective. We understand the typology of sunken apartments, however, the below factors do not contribute to a built form outcome that of a traditional sunken townhouse:

- Ground floor is setback by only 1.5m
- First floor cantilevers over ground floor by 0.5m
- Majority of the frontages are going to be dominated with bins further contributing in creating a dark undercroft space
- The design of the fence is not very permeable
- The internal amenity of the study area/bedroom is also compromised

Overall there is no connection between the public and private realm which also contributes in lack of passive surveillance.

The precedent images of London multi-level terraces shown in the architectural package demonstrate a frontage with windows and doors that have a strong connection with the street. Below is an example of the traditional sunken townhouses in Brunswick East which has the ground floor setback by almost 4m, the fence is more permeable and the front setback is not occupied with bins. These traditional buildings provide a visual connection between the public and private realm which is missing from the proposed development.



Barkly Street, Brunswick East

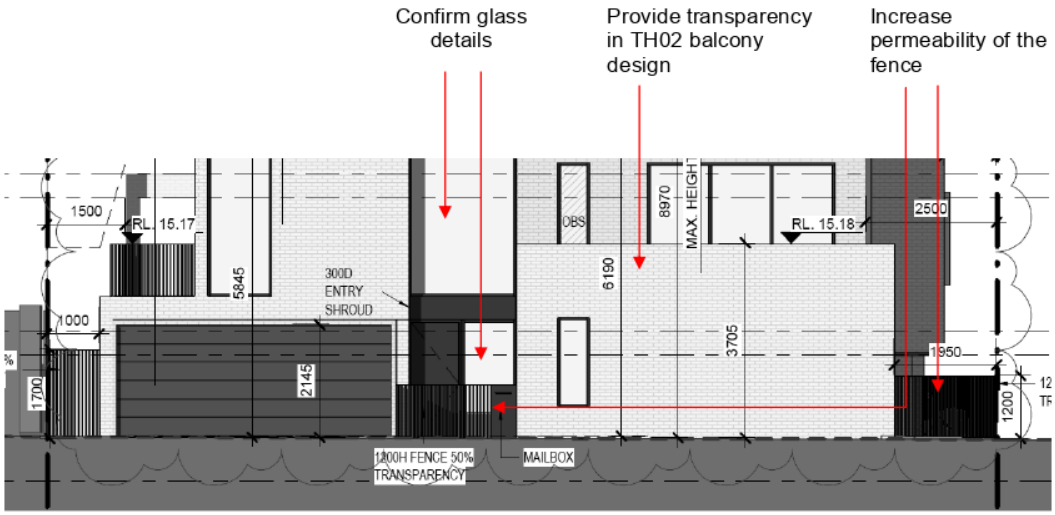
Further, there is no footpath to the western section of Belgravia Street which raises concern for the future resident's safety and accessibility. There is parallel parking on east side of Belgravia Street and a proposed garage for Townhouse 09. There is a potential that all these cars would be reversing out all the way till the east-west laneway. Hence, it is highly recommended that the development improves the street interface by providing an engaging and safe pedestrian environment. In the absence of a footpath it is very important that there is more direct visual connection between the street and the pedestrian entries. In order to achieve an acceptable outcome it is highly recommended to bring the ground floor level to match the street level.

The sunken apartments also raise other concerns which are discussed in *Section 4 Public realm interface*.

Please note that the development might be subject to flooding from the road reserve during severe storm events. The developer must demonstrate to Council satisfaction that surface stormwater from the road reserve will not enter the development during severe (1 in 100year) storm events.

The main entrance to TH01 is from laneway, however, there are concerns regarding the environment created along the laneway. Below recommendations are provided to mitigate risk of anti-social behaviour and providing passive surveillance in the laneway:

- Chance the design of the balcony for TH02 fronting laneway. Provide some level of transparency by incorporating transparent or translucent balustrades to the balcony that will create visual interest and provide some natural surveillance
- Confirm that the window next to the main entrance of TH01 has some level of transparency
- Confirm the material in from of the void area. It is recommended that there is glass used that has a high level of transparency. Explore opportunity in providing more visual connection between the public and private realm by removing the wall in front of the stairs
- Confirm that artificial lighting and/or security/sensor lights will be integrated in the building design for TH01 and TH02 along the laneway interface.



Title A East Elevation

There are no other height and massing concerns for the development.

3. Architectural and Materiality

The proposal presents a high quality architecture. It provides enough visual interest and vertical articulation which contributes positively to the streetscape character. Similarly the proposed materials are supported.

It is recommended to increase the permeability of the fence for laneway and both street interfaces.

Please confirm the material for all windows, whether there will be transparent or obscure or any other type of glass used.

4. Public realm interface

As mentioned above the proposed public realm interface for Townhouses TH03-TH08 is not acceptable. In addition to interface there are also concerns with the space created within the front setback. There are too many elements (bin storage, steps, entry gate) accommodated within the front setback space making it a very busy area. This is not acceptable.

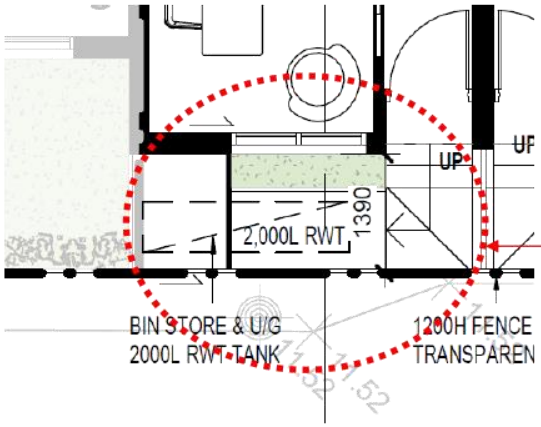
It is also recommended to reduce the dominance of bins along the street frontages for TH04 and TH07.

Please provide details of gates and levels for Townhouses TH03-TH08. The applicant needs to demonstrate that there is a seamless transition between the street and townhouse entries and that all doors for

Townhouses TH03-TH08 open inwards and not on the street. Further, they need to demonstrate that there is enough space for internal circulation with doors opening inwards.

It is important to provide a less hostile area for accessibility of bins as majority of the bins are going to be accessed from the street. To ensure residents safety while accessing the bins please confirm that artificial lighting and/or security/sensor lights will be integrated in the building design. This is not an urban design concern, however, it is unclear how furniture can be transported into these townhouses through these tight entry areas.

The entry design of Townhouse 03 is not supported as it does not give consideration to the electric pole in the front. The applicant needs to demonstrate how the pedestrian access and access to bins will work for this townhouse. Show the gate details and dimension the gap between the pole and the front fence.



Ground Floor Plan Title B (Townhouse 03)

There are concerns regarding the growth potential of the landscaping proposed on ground floor for Townhouses TH03-TH08. Landscaping in this tight undercroft space further contributes in making the space more busy.

Please do not show landscaping and footpath outside title boundary along Belgravia Street. This information is misleading.



Artist Impression

5. Streetscape and Capital Works

There are no known planned/approved capital works around the subject site which are being led by the Urban Design team.

Attachment 11 - 10 Belgravia Street Richmond (all Titles) - Open space referral response

Memo

To:	Konrad Bruhn
Cc:	
From:	Fiona O'Byrne
Date:	11/01/2020
Subject:	PLN20/0456, PLN20/0457, PLN20/0458 & PLN20/0459 - 10 Belgravia Street Richmond

Dear Konrad,

Open Space comments on the Landscape Concept Plans for 10 Belgravia Street, as prepared by Rupert Baynes Landscape Design (November 2020), are provided below.

The landscape plans provided are generally acceptable, with the exception of the proposed use of grasscrete outside the title boundary of the development. This should be replaced with asphalt to match the existing surface material of Belgravia Street.

Please feel free to contact me if you would like me to clarify any of these points.

Sincerely

Fiona O'Byrne
Open Space Planning and Design

Attachment 12 - 10 Belgravia Street Richmond (all Titles) - Waste referral response

Wooldridge, Corey

From: Athanasi, Atha
Sent: Thursday, 31 December 2020 9:44 AM
To: Bruhn, Konrad
Subject: RE: PLN20/0456, PLN20/0457, PLN20/0458 & PLN20/0459 - 10 Belgravia Street Richmond - Waste Referral

Hi Konrad,

Same comment for all of these around ensuring enough space for all waste scenarios the occupants of these townhouse's may encounter. As these are large Townhouse they may need a 240 litre recycling bin to cope with fortnightly collections however they may request up to 240 litres for other waste streams if they meet Council criteria.

The waste management plan for Title A, 10 Belgravia Street, Richmond authored by Sustainable Development Consultants and dated 1/12/20 is not satisfactory from a City Works Branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. Please ensure enough space has been allocated for residents to upgrade bins up to 240 litres, in order to asses this please include the space available in the bin storage areas in M^2

The waste management plan for Title B, 10 Belgravia Street, Richmond authored by Sustainable Development Consultants and dated 1/12/20 is not satisfactory from a City Works Branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. Please ensure enough space has been allocated for residents to upgrade bins up to 240 litres, in order to asses this please include the space available in the bin storage areas in M^2

The waste management plan for Title C, 10 Belgravia Street, Richmond authored by Sustainable Development Consultants and dated 1/12/20 is not satisfactory from a City Works Branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. Please ensure enough space has been allocated for residents to upgrade bins up to 240 litres, in order to asses this please include the space available in the bin storage areas in M^2

The waste management plan for Title D, 10 Belgravia Street, Richmond authored by Sustainable Development Consultants and dated 1/12/20 is not satisfactory from a City Works Branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. Please ensure enough space has been allocated for residents to upgrade bins up to 240 litres. In order to asses this please include the space available in the bin storage areas in M^2

Regards,

Atha Athanasi
Contract Management Officer

Attachment 12 - 10 Belgravia Street Richmond (all Titles) - Waste referral response

Yarra Waste Services - City Works Branch
168 Roseneath St CLIFTON HILL VIC 3068
T (03) 9205 5547 F (03) 8417 6666
Atha.Athanasi@yarracity.vic.gov.au
www.yarracity.vic.gov.au
Follow us on Facebook, Instagram and Twitter

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

From: Bruhn, Konrad
Sent: Monday, 21 December 2020 2:42 PM
To: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Subject: PLN20/0456, PLN20/0457, PLN20/0458 & PLN20/0459 - 10 Belgravia Street Richmond - Waste Referral

Hi Atha

Hope you're well mate.

I've received the following applications:

App No.	Address	Suburb	Proposal
PLN20/0456	10 Belgravia Street (Lot 1 TP572175G)	Richmond	Construction of two triple storey dwellings (with roof terraces) reduction of car parking requirements
PLN20/0457	10 Belgravia Street (Lot 1 TP113554M)	Richmond	Construction of two triple storey dwellings (with roof terraces) reduction of car parking requirements
PLN20/0458	10 Belgravia Street (Lot 1 TP102969S)	Richmond	Construction of two triple storey dwellings
PLN20/0459	10 Belgravia Street (Lot 1 TP237453B)	Richmond	Construction of two triple storey dwellings

Can you please review the WMP the applicant has provided and confirm whether it is acceptable? If it is not acceptable, your detailed feedback is appreciated.

Let me know if you have any questions or need additional info please

Regards

Konrad Bruhn
Senior Statutory Planner
STATUTORY PLANNING
City of Yarra PO Box 168 Richmond 3121
ABN 98 394 086 520

T (03) 9205 5124
E konrad.bruhn2@yarracity.vic.gov.au
W yarracity.vic.gov.au

Attachment 13 - 10 Belgravia Street Richmond (all Titles) - Civil Engineering referral response

10 Belgravia Street Richmond Development- Engineering Comments

From	Comment
Nick	1. The existing bluestone paving strips on the west side of Belgravia Street should be removed and the road pavement reinstated in accordance with Council standards. 2. The asphalt road pavement on the east side of Belgravia Street to be roto-milled and re- sheeted in accordance with Council Engineering standards and to Council satisfaction. 3. The applicant should provide a detailed design for the kerb extension in front of title A for Council approval. The design must consider provision for the proposed vehicle crossing into Title A, pedestrian access into Title B and widening the kerb extension by 600mm to provide adequate clearance from power pole to the kerb in accordance with Council's Traffic Unit comment. 4. The applicant must clarify if the existing kerb on the west side of Belgravia Street is to be retained. This kerb extends from the kerb extension abutting title A and B to the northern end of the street. If the kerb is to be removed it may allow surface water from the road to enter the development during severe rain events. The applicant is to provide a ground floor plan which clearly shows the surface level inside the property line at all entry points to the development, the top of kerb levels abutting the entry points (if the kerb is to be retained) and the road pavement levels abutting the entry points. 5. Some surface levels within the development are lower than the road level in Belgravia Street. Unit TH-01 has a front entry 110mm lower than the invert of the abutting Right of Way. The surface level of the maximum overland stormwater surface flow in Belgravia Street, Farmer Street and the Right of Way abutting the development, resulting from a 1 in 100year storm event must be determined by a qualified Engineer. There must be a minimum of 150mm of freeboard from the determined maximum stormwater surface flow level to the locations where surface stormwater could enter the development. A civil Works plan must be prepared in accordance with Council standards and submitted to Council for approval. This plan must incorporate all works proposed within Council road reserves, including the Right of Way (Lane) on the south side of the development. 6. All vehicle crossings into the development must meet Council and Australian standards. Vehicle crossing profiles must be provided in accordance with Council requirements at 1 in 20 scale for every vehicle entry point into the development to confirm vehicles will not scape entering and leaving the development. Where a driveway is more than 3m wide two profiles (one on each side of the driveway) are to be provided.

Attachment 13 - 10 Belgravia Street Richmond (all Titles) - Civil Engineering referral response

	7. The power pole in the kerb extension in front of 10 Belgravia St should be removed. This power pole and the two power poles in the Belgravia Street west side footpath adjoining 471-479 Swan street inhibit pedestrian movement and disability access from Swan Street to 10 Belgravia Street and encourage pedestrians to walk on the road. The power line should be placed underground and the power poles removed. 8. The applicant should seek a report from City Power to determine if the overhead power line can be placed underground and how street lighting could be provided in accordance with Council standards if the power poles are removed. 9. There is no footpath proposed for the west side of Belgravia Street in front of the development. The footpath on the east side is 800mm wide from building line to face of kerb and is inadequate for DDA access. There is parallel car parking on the east side adjacent to the footpath. There is limited opportunity for residents of the development to cross the road to access the footpath or to leave the footpath to go to their homes. Car parking demand is likely to increase with the development leaving less gaps between parked vehicles for the pedestrians to use. Pedestrians are likely to use the road pavement as access to the development. The footpaths in Belgravia Street between the development and Swan Street are narrow and on the west side there are two power poles in the footpath that obstruct pedestrians. On the east side there is a driveway that is 8m wide with a cross-fall in the order of 10 percent, which also inhibit pedestrians and disability access. 10. As there will be increased pedestrian and vehicle movement generated by the development, the applicant should provide a streetscape design for Belgravia Street from Swan Street to the northern end of 10 Belgravia Street. The Streetscape design should consider ways of improving pedestrian and disability access along the street, minimising conflict between pedestrians and vehicles and enhancing pedestrian priority. 11. Road modifications in Belgravia Street in front of No 10 should be considered in conjunction with the proposed development at 471- 479 Swan street to provide enhanced and safe pedestrian and disability access along entire length of Belgravia Street. 12. The development must discharge stormwater from the site to a Legal Point of Discharge nominated by Council in accordance with Council standards and requirements.
Lev	1. Public lighting abutting the development in Belgravia Street, the Right of Way on the south side of the development and Farmer Street needs to be assessed to establish if it is in accordance with Council standards and whether additional lighting is required. If additional lighting is required in Belgravia Street it would not be possible to install new pole at the

Attachment 13 - 10 Belgravia Street Richmond (all Titles) - Civil Engineering referral response

	northern end of the Street. The recommended option is to install public lighting on private walls. Public lighting must be provided in accordance with Council standards and AS1158.3.1 at the developers cost. A public lighting plan must be submitted to Council for approval. 2. Should additional street lighting be required, and it is not practicable to install light poles than consideration should be given to section S 173 Agreement as per planning and Environmental Act. This Agreement allows to install Public Street Lighting on the private walls of the new property at the developer costs (see note below). 3. Should the existing Power pole in front of title not be retained than power supply to the existing properties on the east site of Belgravia Street needs to be provided underground at the developer costs (see note below). 4. Should existing Public Street lighting need to be temporary disconnected for construction purposes than temporary lighting needs to be installed at the developer costs as well as reinstatement of the existing Public Street lighting on the completion of the development. (see note below). Note: The comments 1 and probably 2 and 3 above need to be included as a planning permit condition. (In my understanding recent VCAT decision created a precedent about it). 5. The existing trees on the west side of Belgravia Street within the "footpath" section require open space comment. It is not clear whether the existing trees should remain or replaced with alternative trees. 6. The light spill into windows of habitable rooms of the proposed development from the public Street lighting need to comply with AS4282 requirements 7. The existing trees on the west side of Belgravia Street within the "footpath" section require open space comment. It is not clear whether the existing trees should remain or replaced with alternative trees.
Traffic Unit	1. The existing kerb extension in front of no 10 Belgravia street should be widened by 600mm to properly protect the existing power pole. 2. Vehicles exiting Title A and Title D garages will need to do multi point manoeuvres to exit the garages and drive away in a forward direction. 3. There does not appear to be a need for traffic management in Belgravia Street. Existing conditions encourage low vehicle speeds.

Attachment 14 - PLN20/0459 -10 Belgravia Street Richmond (Title A) - ESD response

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:	Konrad Bruhn
ESD Advisor:	Gavin Ashley
Date:	27.01.2021
Subject Site:	PLN20/0459 10 Belgravia Street (Lot 1 TP237453B), Richmond 3121
Site Area:	Approx. 222 m2
Project Description:	Construction of two triple storey townhouses.
Pre-application meeting(s):	Unknown.
Documents:	• Sustainable Design Assessment (V2 – Dec 2020), by Sustainable Development Consultants • Architectural Plans (RFI – Nov 2020), by Cera Stribley Architects • Landscape Plan (RFI – Nov 2020), by Rupert Baynes Landscape 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:

- The proposal achieves a 53% BESS score (SDA, p. 17).
- Heating & cooling within one energy rating star of the best available (if no star rating applies, achieve an EER/COP at least 10% more efficient than minimum allowed under MEPS for an equivalent sized unit) (SDA, p. 8).
- Domestic HWS provided via gas continuous flow system OR (if gas unavailable) high efficiency electric heat pump system with COP>3.5 (SDA, p. 8).
- All windows, doors, exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the 2019 BCA (SDA, p. 9).
- Water efficient fixtures, taps and appliances (i.e. dishwashers 5-star WELS) (SDA, p. 9).
- A STORM report with a 154% STORM score has been submitted that demonstrates best practice and relies on ~160m^2 of roof connected to two 2,000 litre rainwater tanks used for toilet flushing and landscape irrigation (SDA, p. 24).
- Permeable pavement for driveways and pedestrian access (Landscape Plan).
- Landscaping in garden beds and planter boxes will be drought tolerant and will include mulch and soil wetting agents to reduce the potable water (SDA, p. 10).
- Specifications regarding VOC, PVC and formaldehyde identified to improve IEQ (SDA, P. 10 & 13).
- Mechanical exhaust ventilation in kitchens, with natural ventilation claimed through provision of operable windows and sliding doors (SDA, p. 10).
- Operational waste management includes organic & green waste and glass and comingled recyclables (SDA, p. 11).
- The builder will develop a construction waste management plan (CWMP) for the construction phase that contains a target of recycling and reusing (min) 80% of civil and construction waste. The CWMP may for part of a broader Construction Environmental Management Plan (CEMP) (SDA, p. 11).
- A Building Users Guide (BUG) will be developed and made available to all owners/residents. It will be comprehensive and will include descriptions of the systems installed in the townhouses,

Attachment 14 - PLN20/0459 -10 Belgravia Street Richmond (Title A) - ESD response



sustainable transport in the area, and will include relevant sustainable living suggestions (SDA, p. 12).

- Wherever possible, steel for the townhouses will be sourced from a Responsible Steel Maker, and concrete mixes will contain (min) 50% non-potable water (SDA, p. 12).
- All timber used in the townhouses will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled / reused (SDA, p. 12).
- Specifications of all flooring to achieve environmental certification (SDA, p. 13).
- Townhouses 1 and 2 will both contain an EV charging point in their garages, with appropriate charging infrastructure installed. Conduits will be installed to ensure that both garages can accommodate an additional charging station in the future if demand requires it (SDA, p. 14).
- At least 22% of the site is covered with vegetation through the inclusion of planters across the development (SDA, p. 15).

(2) Application ESD Deficiencies:

- The full BESS report is not provided (just the results).
- The proposal fails to incorporate on-site renewable energy generation (i.e. rooftop solar PV).
- FirstRate5 assessment indicates each townhouse only achieves a NatHERS rating of 6.1-stars (SDA, p. 16). The City of Yarra suggests a (min) 10% improvement on requirements (i.e. 6.6-stars).
- The SDA claims lighting levels will not exceed maximum wattages listed in BCA table J6.2a – Instead aim for a minimum 10% improvement on NCC 2019 illumination power densities (IPD).
- The shading strategy relies on overhang to provide shade to level 1 windows for townhouse 1 – however the plans and elevations (2001-A) indicate no overhang. Clarify design and depth of overhang in addition to design of external operable shading suggested for the level 2 main window.
- The development includes two parking spaces per townhouse yet doesn't provide storage for bicycle/s – consider incorporating compact vertical storage for bicycle/s in car park.

(3) Outstanding Information:

- Provide a full copy of the BESS report (not just the results).
- Provide breeze paths to support claims regarding natural ventilation and/or annotate elevations to identify operable windows (OW) and openable doors.
- Clarify extent of steel to be sourced from 'Responsible Steel Maker'.
- A statement is required which demonstrates how material choice has reduced the urban heat island effect.

(4) ESD Improvement Opportunities

- While the material category of the SDA indicates the use of 'environmentally innovative' materials – no firm commitment is made. Consider assigning a % (of weight or cost) target for these sustainable products to ensure fulfillment.
- While the concrete mix is specified to include 50% reclaimed water (SDA, p. 12), it is becoming more acceptable to also source recycled aggregates and/or slag substitute to further reduce embodied carbon impacts.
- The proposal preferences gas instantaneous over electric heat pumps (for HWS) – In order to reduce the environmental impacts of the development now and into the future, avoiding gas where possible and opting for high efficiency electric heat pump system is suggested.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider a green roof or wall to improve the ecological value of this site.
- Consider greater capacity onsite energy storage systems.
- Consider other mechanisms to manage peak demand.
- Consider Head contractor to be ISO14001 accredited.

Further Recommendations:

The applicant is encouraged to consider the inclusion of ESD recommendations, detailed in this referral report. Further guidance on how to meet individual planning conditions has been provided in

Attachment 14 - PLN20/0459 -10 Belgravia Street Richmond (Title A) - ESD response



reference to the individual categories. The applicant is also encouraged to seek further advice or clarification from Council on the individual project recommendations.

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 15 - PLN20/0456 -10 Belgravia Street Richmond (Title B) - ESD response

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

Assessment Summary:

Responsible Planner:	Konrad Bruhn
ESD Advisor:	Gavin Ashley
Date:	27.01.2021
Subject Site:	PLN20/0456 10 Belgravia Street (Lot 1 TP572175G), Richmond 3121
Site Area:	Approx. 222 m2
Project Description:	Construction of two triple storey dwellings (with roof terraces) and a reduction of car parking requirements.
Pre-application meeting(s):	Unknown.
Documents:	• Sustainable Design Assessment (V2 – Dec 2020), by Sustainable Development Consultants • Architectural Plans (RFI – Jun 2020), by Cera Stribley Architects • Landscape Plan (RFI – Nov 2020), by Rupert Baynes Landscape 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:

- The proposal achieves a 52% BESS score (SDA, p. 16).
- Heating & cooling within one energy rating star of the best available (if no star rating applies, achieve an EER/COP at least 10% more efficient than minimum allowed under MEPS for an equivalent sized unit) (SDA, p. 8).
- Domestic HWS provided via gas continuous flow system OR (if gas unavailable) high efficiency electric heat pump system with COP>3.5 (SDA, p. 8).
- All windows, doors, exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the 2019 BCA (SDA, p. 9).
- Water efficient fixtures, taps and appliances (i.e. dishwashers 5-star WELS) (SDA, p. 9).
- A STORM report with a 130% STORM score has been submitted that demonstrates best practice and relies on ~187m^2 of roof connected to three 2,000 litre rainwater tanks used for toilet flushing and landscape irrigation (SDA, p. 23).
- Landscaping in garden beds and planter boxes will be drought tolerant and will include mulch and soil wetting agents to reduce the potable water (SDA, p. 9).
- Specifications regarding VOC, PVC and formaldehyde identified to improve IEQ (SDA, P. 10 & 13).
- Mechanical exhaust ventilation in kitchens, with natural ventilation claimed through provision of operable windows and sliding doors (SDA, p. 10).
- Operational waste management includes organic & green waste and glass and comingled recyclables (SDA, p. 11).
- The builder will develop a construction waste management plan (CWMP) for the construction phase that contains a target of recycling and reusing (min) 80% of civil and construction waste. The CWMP may for part of a broader Construction Environmental Management Plan (CEMP) (SDA, p. 11).
- A Building Users Guide (BUG) will be developed and made available to all owners/residents. It will be comprehensive and will include descriptions of the systems installed in the townhouses,

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



sustainable transport in the area, and will include relevant sustainable living suggestions (SDA, p. 11).
- Wherever possible, steel for the townhouses will be sourced from a Responsible Steel Maker, and concrete mixes will contain (min) 50% non-potable water (SDA, p. 12).
- All timber used in the townhouses will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled / reused (SDA, p. 12).
- Specifications of all flooring to achieve environmental certification (SDA, p. 13).
- TH 3, 4 and 4 will each have one secure bicycle storage area (under the stairs as per 3001-B or adjacent the stairs for TH04) (SDA, p. 14).
- At least 7% of the site is covered with vegetation through the inclusion of planters across the development (SDA, p. 15).

(2) Application ESD Deficiencies:
- The full BESS report is not provided (just the results).
- The proposal fails to incorporate on-site renewable energy generation (i.e. rooftop solar PV).
- FirstRate5 assessment indicates each townhouse only achieves a NatHERS rating between 6.2 and 6.3-stars. The City of Yarra suggests a (min) 10% improvement on requirements (i.e. 6.6-stars).
- The SDA claims lighting levels will not exceed maximum wattages listed in BCA table J6.2a – Instead aim for a minimum 10% improvement on NCC 2019 illumination power densities (IPD).

(3) Outstanding Information:
- Provide a full copy of the BESS report (not just the results).
- Provide breeze paths to support claims regarding natural ventilation and/or annotate elevations to identify operable windows (OW) and openable doors.
- Clarify materiality of covers over terraces on level 1 which are relied upon as external shading devices.
- Clarify extent of steel to be sourced from 'Responsible Steel Maker'.
- A statement is required which demonstrates how material choice has reduced the urban heat island effect.

(4) ESD Improvement Opportunities
- While the material category of the SDA indicates the use of 'environmentally innovative' materials – no firm commitment is made. Consider assigning a % (of weight or cost) target for these sustainable products to ensure fulfillment.
- While the concrete mix is specified to include 50% reclaimed water (SDA, p. 12), it is becoming more acceptable to also source recycled aggregates and/or slag substitute to further reduce embodied carbon impacts.
- The proposal preferences gas instantaneous over electric heat pumps (for HWS) – In order to reduce the environmental impacts of the development now and into the future, avoiding gas where possible and opting for high efficiency electric heat pump system should be considered.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider a green roof or wall to improve the ecological value of this site.
- Consider greater capacity onsite energy storage systems.
- Consider other mechanisms to manage peak demand.
- Consider Head contractor to be ISO14001 accredited.

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

Attachment 15 - PLN20/0456 -10 Belgravia Street Richmond (Title B) - ESD response

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 16 - PLN20/0457 -10 Belgravia Street Richmond (Title C) - ESD response

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:	Konrad Bruhn
ESD Advisor:	Gavin Ashley
Date:	27.01.2021
Subject Site:	PLN20/0457 10 Belgravia Street (Lot 1 TP113554M), Richmond 3121
Site Area:	Approx. 220 m2
Project Description:	Construction of two triple storey dwellings (with roof terraces) and a reduction of car parking requirements.
Pre-application meeting(s):	Unknown.
Documents:	• Sustainable Design Assessment (V2 – Dec 2020), by Sustainable Development Consultants • Architectural Plans (RFI – Jun 2020), by Cera Stribley Architects • Landscape Plan (RFI – Nov 2020), by Rupert Baynes Landscape 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:

- The proposal achieves a 52% BESS score (SDA, p. 16).
- Heating & cooling within one energy rating star of the best available (if no star rating applies, achieve an EER/COP at least 10% more efficient than minimum allowed under MEPS for an equivalent sized unit) (SDA, p. 8).
- Domestic HWS provided via gas continuous flow system OR (if gas unavailable) high efficiency electric heat pump system with COP>3.5 (SDA, p. 8).
- All windows, doors, exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the 2019 BCA (SDA, p. 9).
- Water efficient fixtures, taps and appliances (i.e. dishwashers 5-star WELS) (SDA, p. 9).
- A STORM report with a 130% STORM score has been submitted that demonstrates best practice and relies on ~186m^2 of roof connected to three 2,000 litre rainwater tanks used for toilet flushing and landscape irrigation (SDA, p. 23).
- Landscaping in garden beds and planter boxes will be drought tolerant and will include mulch and soil wetting agents to reduce the potable water (SDA, p. 9).
- Specifications regarding VOC, PVC and formaldehyde identified to improve IEQ (SDA, P. 10 & 13).
- Mechanical exhaust ventilation in kitchens, with natural ventilation claimed through provision of operable windows and sliding doors (SDA, p. 10).
- Operational waste management includes organic & green waste and glass and comingled recyclables (SDA, p. 11).
- The builder will develop a construction waste management plan (CWMP) for the construction phase that contains a target of recycling and reusing (min) 80% of civil and construction waste. The CWMP may for part of a broader Construction Environmental Management Plan (CEMP) (SDA, p. 11).
- A Building Users Guide (BUG) will be developed and made available to all owners/residents. It will be comprehensive and will include descriptions of the systems installed in the townhouses,

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



sustainable transport in the area, and will include relevant sustainable living suggestions (SDA, p. 11).
- Wherever possible, steel for the townhouses will be sourced from a Responsible Steel Maker, and concrete mixes will contain (min) 50% non-potable water (SDA, p. 12).
- All timber used in the townhouses will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled / reused (SDA, p. 12).
- Specifications of all flooring to achieve environmental certification (SDA, p. 13).
- TH 6, 7 and 8 will each have one secure bicycle storage area (under the stairs as per 3001-B or adjacent the stairs for TH07) (SDA, p. 14).
- At least 7% of the site is covered with vegetation through the inclusion of planters across the development (SDA, p. 15).

(2) Application ESD Deficiencies:
- The full BESS report is not provided (just the results).
- The proposal fails to incorporate on-site renewable energy generation (i.e. rooftop solar PV).
- FirstRate5 assessment indicates each townhouse only achieves a NatHERS rating between 6.2 and 6.4-stars. The City of Yarra suggests a (min) 10% improvement on requirements (i.e. 6.6-stars).
- The SDA claims lighting levels will not exceed maximum wattages listed in BCA table J6.2a – Instead aim for a minimum 10% improvement on NCC 2019 illumination power densities (IPD).

(3) Outstanding Information:
- Provide a full copy of the BESS report (not just the results).
- Provide breeze paths to support claims regarding natural ventilation and/or annotate elevations to identify operable windows (OW) and openable doors.
- Clarify materiality of covers over terraces on level 1 which are relied upon as external shading devices.
- Clarify extent of steel to be sourced from 'Responsible Steel Maker'.
- A statement is required which demonstrates how material choice has reduced the urban heat island effect.

(4) ESD Improvement Opportunities
- While the material category of the SDA indicates the use of 'environmentally innovative' materials – no firm commitment is made. Consider assigning a % (of weight or cost) target for these sustainable products to ensure fulfillment.
- While the concrete mix is specified to include 50% reclaimed water (SDA, p. 12), it is becoming more acceptable to also source recycled aggregates and/or slag substitute to further reduce embodied carbon impacts.
- The proposal preferences gas instantaneous over electric heat pumps (for HWS) – In order to reduce the environmental impacts of the development now and into the future, avoiding gas where possible and opting for high efficiency electric heat pump system is suggested.
- While there appears to be external shading blinds for level 2 habitable windows (2000-C) for TH07/08, TH06 instead has vertical fins (for privacy) which may not provide the required shading during the afternoon. Consider an alternative shading treatment for TH06, or specifying an internal shade blind.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider a green roof or wall to improve the ecological value of this site.
- Consider greater capacity onsite energy storage systems.
- Consider other mechanisms to manage peak demand.
- Consider Head contractor to be ISO14001 accredited.

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

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 17 - PLN20/0458 -10 Belgravia Street Richmond (Title D) - ESD response

Sustainable Management Plan (SMP)

Referral Response by Yarra City Council

Assessment Summary:

Responsible Planner:	Konrad Bruhn
ESD Advisor:	Gavin Ashley
Date:	27.01.2021
Subject Site:	PLN20/0458 10 Belgravia Street (Lot 1 TP102969S), Richmond 3121
Site Area:	Approx. 227 m2
Project Description:	Construction of two triple storey townhouses.
Pre-application meeting(s):	Unknown.
Documents:	• Sustainable Design Assessment (V2 – Dec 2020), by Sustainable Development Consultants • Architectural Plans (RFI – Jun 2020), by Cera Stribley Architects • Landscape Plan (RFI – Nov 2020), by Rupert Baynes Landscape 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:

- The proposal achieves a 53% BESS score (SDA, p. 17).
- Heating & cooling within one energy rating star of the best available (if no star rating applies, achieve an EER/COP at least 10% more efficient than minimum allowed under MEPS for an equivalent sized unit) (SDA, p. 8).
- Domestic HWS provided via gas continuous flow system OR (if gas unavailable) high efficiency electric heat pump system with COP>3.5 (SDA, p. 8).
- All windows, doors, exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the 2019 BCA (SDA, p. 9).
- Water efficient fixtures, taps and appliances (i.e. dishwashers 5-star WELS) (SDA, p. 9).
- A STORM report with a 132% STORM score has been submitted that demonstrates best practice and relies on ~169m^2 of roof connected to two 2,000 litre rainwater tanks used for toilet flushing and landscape irrigation (SDA, p. 24).
- Permeable pavement for the driveway (1000-D).
- Landscaping in garden beds and planter boxes will be drought tolerant and will include mulch and soil wetting agents to reduce the potable water (SDA, p. 10).
- Specifications regarding VOC, PVC and formaldehyde identified to improve IEQ (SDA, P. 10 & 13).
- Mechanical exhaust ventilation in kitchens, with natural ventilation claimed through provision of operable windows and sliding doors (SDA, p. 10).
- Operational waste management includes organic & green waste and glass and comingled recyclables (SDA, p. 11).
- The builder will develop a construction waste management plan (CWMP) for the construction phase that contains a target of recycling and reusing (min) 80% of civil and construction waste. The CWMP may for part of a broader Construction Environmental Management Plan (CEMP) (SDA, p. 11).
- A Building Users Guide (BUG) will be developed and made available to all owners/residents. It will be comprehensive and will include descriptions of the systems installed in the townhouses,

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

sustainable transport in the area, and will include relevant sustainable living suggestions (SDA, p. 12).
- Wherever possible, steel for the townhouses will be sourced from a Responsible Steel Maker, and concrete mixes will contain (min) 50% non-potable water (SDA, p. 12).
- All timber used in the townhouses will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled / reused (SDA, p. 12).
- Specifications of all flooring to achieve environmental certification (SDA, p. 13).
- Townhouses 9 and 10 will both contain an EV charging point in their garages, with appropriate charging infrastructure installed. Conduits will be installed to ensure that both garages can accommodate an additional charging station in the future if demand requires it (SDA, p. 14).
- At least 21% of the site is covered with vegetation through the inclusion of planters across the development (SDA, p. 15).

(2) Application ESD Deficiencies:
- The full BESS report is not provided (just the results).
- The proposal fails to incorporate on-site renewable energy generation (i.e. rooftop solar PV).
- FirstRate5 assessment indicates each townhouse only achieves a NatHERS rating of 6.2 and 6.1-stars – with TH10 having a cooling load of 39.4 MJ/m^2 (SDA, p. 18). The City of Yarra suggests a (min) 10% improvement on requirements (i.e. 6.6-stars).
- The SDA claims lighting levels will not exceed maximum wattages listed in BCA table J6.2a – Instead aim for a minimum 10% improvement on NCC 2019 illumination power densities (IPD).
- The SDA claims shading is provided to west facing windows on level 1 from the overhanging roof – however this is not clear in 2001-D. The cooling load for TH10 indicates additional shading is required along the west and north-west portion of the building to reduce afternoon heat gain, of which exposure is evident from the solar analysis provided (5000-D to 5004-D). Clarify TH10 shading strategy and consider increasing external treatments (i.e. extending perforated copper screening to act as an eave for west-facing windows on level 1 & 2 in addition to privacy).
- The proposal includes two parking spaces per townhouse yet doesn't provide storage for bicycle/s – consider incorporating compact vertical storage for bicycle/s in the car park.

(3) Outstanding Information:
- Provide a full copy of the BESS report (not just the results).
- Provide breeze paths to support claims regarding natural ventilation and/or annotate elevations to identify operable windows (OW) and openable doors.
- Clarify extent of steel to be sourced from 'Responsible Steel Maker'.
- A statement is required which demonstrates how material choice has reduced the urban heat island effect.

(4) ESD Improvement Opportunities
- While the material category of the SDA indicates the use of 'environmentally innovative' materials – no firm commitment is made. Consider assigning a % (of weight or cost) target for these sustainable products to ensure fulfillment.
- While the concrete mix is specified to include 50% reclaimed water (SDA, p. 12), it is becoming more acceptable to also source recycled aggregates and/or slag substitute to further reduce embodied carbon impacts.
- The proposal preferences gas instantaneous over electric heat pumps (for HWS) – In order to reduce the environmental impacts of the development now and into the future, avoiding gas where possible and opting for high efficiency electric heat pump system is suggested.
- Consider a small pallet of materials and construction techniques that can assist in disassembly.
- Consider a green roof or wall to improve the ecological value of this site.
- Consider greater capacity onsite energy storage systems.
- Consider other mechanisms to manage peak demand.
- Consider Head contractor to be ISO14001 accredited.

Further Recommendations:

Attachment 17 - PLN20/0458 -10 Belgravia Street Richmond (Title D) - ESD response

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



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.

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 18 - PLN20/0459 -10 Belgravia Street Richmond (Title A) - Traffic Engineering response

CITY OF YARRA

MEMO

To: **Konrad Bruhn**

From: **Artemis Bacani**

Date: **11 January 2021**

Subject: **Application No:** **PLN20/0459**
Description: **Amended Plans - Three Triple Storey Dwellings (Title A)**
Site Address: **10 Belgravia Street, Richmond**

I refer to the above Planning Application received on 21 December 2020 in relation to the proposed development at 10 Belgravia Street, Richmond. Council's Civil Engineering unit provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
One Mile Grid	*Traffic Engineering Advice*		2 December 2020
Cera Stribley Architecture	1000-A *Ground Floor Plan – Title A* 2001-A *Proposed Elevations – Title A* 3000-A *Sections – Title A* 3001-A *Sections – Title A*		25 November 2020 25 November 2020 25 November 2020 25 November 2020

LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Garage Door Width – Townhouse 01 & 02	The garage doorway width for Townhouse 01 and 02 is 5.2 metres and is considered adequate to provide access for two B85 design vehicles.
Other Items	
Proposed Vehicle Access – Via Belgravia Street	Using Trapeze, the cross-section for the vehicle access off Belgravia Street was checked using the B85 design template. The ground clearance is considered adequate.
Proposed Vehicle Access – Via Laneway	Using Trapeze, the cross-section for the vehicle access off the laneway was checked using the B85 design template. The ground clearance is considered adequate.

Attachment 18 - PLN20/0459 -10 Belgravia Street Richmond (Title A) - Traffic Engineering response

Design Items to be Addressed

Item	Details
Power Pole Inside the Property	The applicant is to contact the relevant power authority to either relocate or decommission the power pole.

Attachment 19 - PLN20/0458 -10 Belgravia Street Richmond (Title D) - Traffic Engineering response

CITY OF YARRA

MEMO

To: **Konrad Bruhn**

From: **Artemis Bacani**

Date: **11 January 2021**

Subject: **Application No:** **PLN20/0458**
Description: **Amended Plans - Three Triple Storey Dwellings (Title D)**
Site Address: **10 Belgravia Street, Richmond**

I refer to the above Planning Application received on 21 December 2020 in relation to the proposed development at 10 Belgravia Street, Richmond. Council's Civil Engineering unit provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
One Mile Grid	*Traffic Engineering Advice*		2 December 2020
Cera Stribley Architecture	1000-D *Ground Floor Plan – Title D* 2000-D *Proposed Elevations – Title D* 3000-D *Sections – Title D*		25 November 2020 25 November 2020 25 November 2020

LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Garage Door Width – Townhouse 09 & 10	Not dimensioned on the drawings.
Vehicle Turning Movements – Via Belgravia Street	The swept path diagrams for a B85 design vehicle demonstrates satisfactory vehicle movements into and out of the garage via Farmer Street and Belgravia Street.
Other Items	
Proposed Vehicle Access – Via Belgravia Street	Using Trapeze, the cross-section for the vehicle access off Belgravia Street was checked using the B85 design template. The ground clearance is considered adequate.
Proposed Vehicle Access – Via Farmer Street	Using Trapeze, the cross-section for the vehicle access off Farmer Street was checked using the B85 design template. The ground clearance is considered adequate.

Attachment 19 - PLN20/0458 -10 Belgravia Street Richmond (Title D) - Traffic Engineering response

Design Items to be Addressed

Item	Details
Garage Door Width	The width of each garage door is to be dimensioned on the drawings.

Attachment 20 - 10 Belgravia Street Richmond (all titles) - Section 57a - VicRoads DD05 response

Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Jessica Sutherland
Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Dear Jessica Sutherland

PLANNING APPLICATION NO.:	**PLN20/0456**
DEPARTMENT REFERENCE NO:	**PPR 34926/20-A**
PROPERTY ADDRESS:	**10 BELGRAVIA STREET, RICHMOND VIC 3121 (TITLE B)**

Section 52 – No objection

Thank you for forwarding planning permit application PLN20/0456 pursuant to Section 52 of the Planning and Environment Act 1987.

In consultation with Transurban, the Head, Transport for Victoria has considered the application and has no objection to the proposal

Should you have any enquiries regarding this matter, please contact Ewa Fiebelkorn on 9313-1187 or Ewa.Fiebelkorn@roads.vic.gov.au.

Yours sincerely

Gillian Menegas

Gillian Menegas
Senior Statutory Referrals Officer
Under delegation from the Head, Transport for Victoria

14/10/2021

Cc: permit applicant

VICTORIA State Government

Attachment 21 - 10 Belgravia Street Richmond (Title B and Title C) - Section 57A - Traffic Engineering response

CITY OF YARRA

MEMO

To: **Jessica Sutherland**

From: **Artemis Bacani**

Date: **20 October 2021**

Subject: **Application No:** **PLN20/0456**
Description: **Amendment – Two Triple Storey Dwellings (Title B)**
Site Address: **10 Belgravia Street, Richmond**

I refer to the above Planning Application received on 22 September 2021 in relation to the proposed development at 10 Belgravia Street, Richmond. Council's Civil Engineering unit provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
One Mile Grid	*Transport Impact Assessment*		18 May 2021
Cera Stribley Architecture	1000-B *Ground Level Plan – Title B*	B	3 May 2021
	2000-B *Proposed Elevations – Title B*	B	3 May 2021
	3001-B *Sections – Title B*	B	3 May 2021

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:

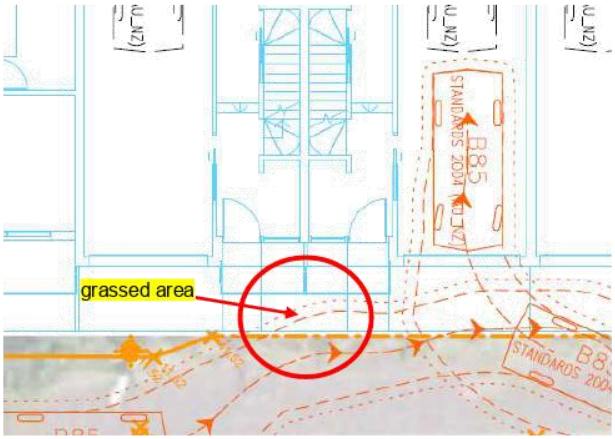
Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Three-bedroom dwellings	2	2 spaces to each dwelling	4	4

* 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.

The proposed development satisfies the car parking requirements of *Clause 52.06*.

Attachment 21 - 10 Belgravia Street Richmond (Title B and Title C) - Section 57A - Traffic Engineering response

LAYOUT DESIGN
Layout Design Assessment

Item	Assessment
Access Arrangements	
Garage Door Width – Townhouse 03 & 04	Not dimensioned on the drawings.
Headroom Clearance – Underneath Garage Door	The headroom clearance at each garage door is 2.27 metres which satisfy *Design standard 1 – Accessways*.
Vehicle Turning Movements – Into and Out of Garages	The swept path diagrams for the garage at Townhouse 04 shows that vehicles would be traversing onto the adjoining property to access the garage. The area circled in the diagram below consists of a grassed area. Vehicles that constantly traverse over this area would eventually wear-out and damage the lawn. 
Car Parking Modules	
Tandem Garages	The internal dimensions of the tandem garages are not depicted on the drawings.
Gradients	
Ramp Grade for First 5.0 metres inside Property – Townhouse 03	A 1 in 84 ramp section of 1.79 metres in length is provided inside the property line. The access grade within the first 5.0 metres satisfy *Design standard 3 – Gradients*.
Ramp Grade for First 5.0 metres inside Property – Townhouse 04	A 1 in 20 ramp section of 1.79 metres in length is provided inside the property. The access grade within the first 5.0 metres satisfy *Design standard 3 – Gradients*.

Attachment 21 - 10 Belgravia Street Richmond (Title B and Title C) - Section 57A - Traffic Engineering response

Other Items	
Proposed Vehicle Access – Cross-Sectional Drawing	It is unclear from the drawings if a kerb would be provided along the west side of Belgravia Street, in front of the development. If there is no kerb provided, the vehicle access at the site would be similar to a vehicle access from a laneway. The applicant is required to submit a cross-sectional drawing to determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure – refer to *Engineering Advice for Design Items to be Addressed by the Applicant* for further information.

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Garage Door Width	The applicant is to dimension on the drawings the garage door width for each dwelling.
Vehicle Turning Movements – Townhouse 04	1. The applicant should consider a more durable material to be used (instead of grass) in the front area of the development where it is likely that vehicles would traverse to manoeuvre into and out of the garage. 2. The applicant should confirm if the grassed area in front of the development is part of common property. How will property owners at the townhouses be restricted from extending the boundary fence (the fence that separates the two dwellings) up to the edge of the eastern boundary line? Extending the fence up to the eastern boundary line is likely to compromise the turning movements for Townhouse 04, as shown in the swept path diagrams.
Proposed Vehicle Access – Ground Clearance Assessment	To ensure the satisfactory access for vehicles off Belgravia Street and to show the provision of the 40 millimetre lip/bullnose along the western edge of Belgravia Street, the applicant is required to submit a ground clearance assessment with following spot levels in Belgravia Street and inside the property: - reduced level 2.0 metres inside the property; - the western edge and eastern invert of Belgravia Street; - the centreline of Belgravia Street; and - the 40 millimetre lip/bullnose along the eastern edge of the internal concrete slab. These levels are to be shown on a 1 in 20 scale cross-sectional drawing, with dimensions. Providing the ground clearance assessment early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.
Water Seepage Inside the Property	It was noted the finished floor level inside the garage is lower than the level along the eastern property line. This would result in water to flow inside the garage. How will the applicant mitigate and address water seepage within the property?

Attachment 21 - 10 Belgravia Street Richmond (Title B and Title C) - Section 57A - Traffic Engineering response

ENGINEERING CONDITIONS
Civil Works

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

- The half-width road pavement of Belgravia Street (from the western edge of the concrete spoon drain to the west kerb) along the property frontage must be profiled (grounded by 50 mm) and re-sheeted to Council's satisfaction and at the Permit Holder's cost.

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.

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 21 - 10 Belgravia Street Richmond (Title B and Title C) - Section 57A - Traffic Engineering response

Item	Details
Clearances to Electrical Assets	Overhead power lines run along the west side of Belgravia Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, *Building design near powerlines*, which can be obtained from their website: http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs

Attachment 22 - 10 Belgravia Street Richmond (all Titles) - Section 57A - Civil Engineering response

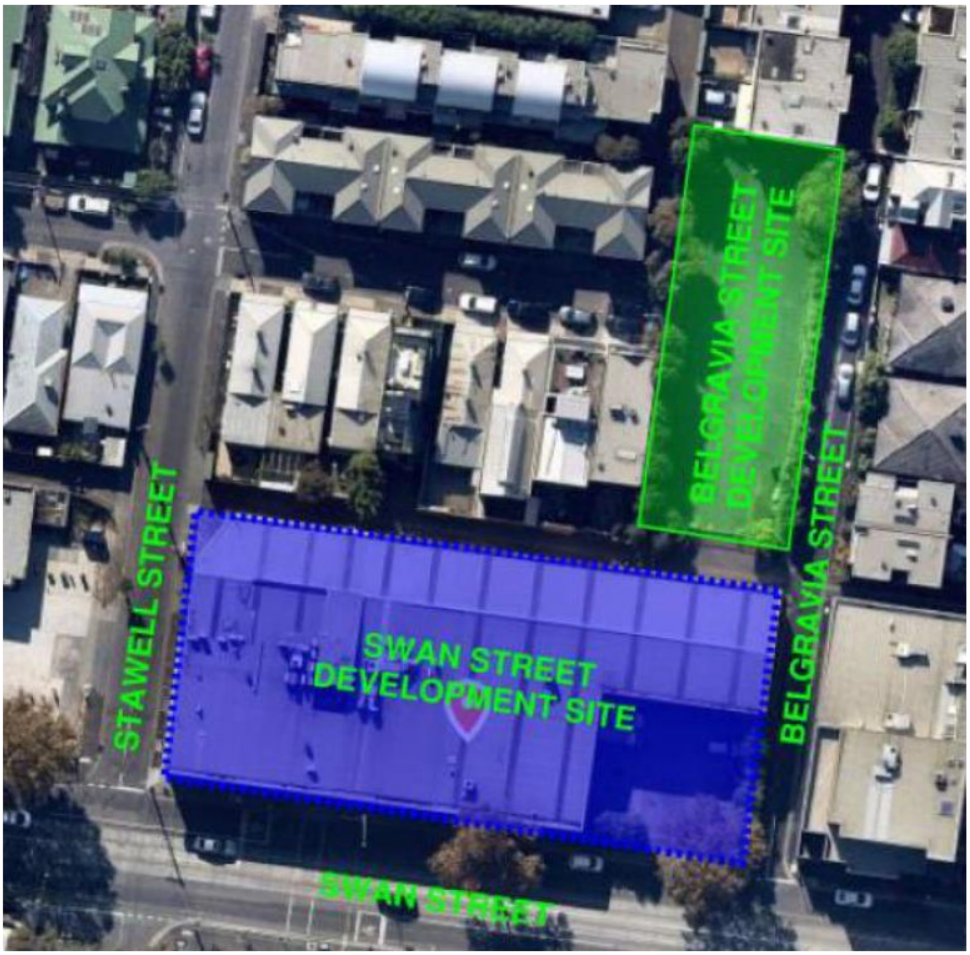
Wooldridge, Corey

From:	Shinkarsky, Lev
Sent:	Tuesday, 26 October 2021 1:12 PM
To:	Sutherland, Jessica
Cc:	Demosthenous, Nick; Pisani, Mark; Bacani, Artemis
Subject:	RE: Traffic referral - 10 Belgravia Street Richmond (PLN20/0456, PLN20/04567, PLN20/0458, PLN20/0459
Follow Up Flag:	Follow up
Flag Status:	Flagged

Hi Jessica,

Apologies for the delay in responding. I was looking into the proposed lighting plan in conjunction to the neighbouring development in Swan Street:

Attachment 22 - 10 Belgravia Street Richmond (all Titles) - Section 57A - Civil Engineering response



Attachment 23 - 10 Belgravia Street Richmond (all titles) - Section 57A - ESD response

CITY OF YaRRA

MeMO

TO: **Jessica Sutherland**

cc:

FROM: **Gavin Ashley, ESD Advisor**

DATE: **29.10.2021**

SUBJECT: **10 Belgravia Street Title A (Lot 1 TP237453B), Richmond 3121**

I have reviewed the amended SDA prepared by Sustainable Development Consultants (Version 3 – 06.05.21) and architectural drawings prepared by Cera Stribley (Rev. B – 03.05.21) for endorsement against previous advice for planning permit PLN20/0459 - 10 Belgravia Street Richmond (Title A).

To properly assess the application and ensure no loss of environmental performance through the update, the following is required:

(a) Cross-flow Ventilation
- **Unsatisfactory –** Cross flow ventilation paths only identified to ground floor living areas (SDA, p.11). BESS requires all habitable spaces are designed to achieve natural cross flow ventilation. Ground floor and second floor bedrooms do not meet BESS minimum requirements (TP 1000-A and 1002-A).
- **Action –** Ensure the Indoor Environmental Quality category is met with further IEQ strategies to be applied (e.g., effective shading devices to east and west façades – see comment below).

(b) Effective Shading
- **Unsatisfactory –** Shading strategy has not been clarified. No shading detailed to east and west façades.
- **Action** – Provide external shading devices to east and west facing glazing. Plans to show details of design and depth of devices. Operable shading devices are recommended. A variety of shading options are suitable, including vertical shading structures such as adjustable louvres and sliding screens.

(c) NatHERS Rating
- **Unsatisfactory** – FirstRate5 assessment indicates each townhouse only achieves NatHERS ratings of 6.1 and 6.4 stars (SDA, p. 18).
- **Action** – A minimum of 10% improvement on NCC requirements should be demonstrated (6.6 stars).

Having reviewed the amended documentation, there still remains a number of items that have not been addressed. The items actioned above are required before the development is deemed satisfactory from an ESD perspective.

Cheers,
Gavin

Gavin Ashley
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6.5 PLN21/0331 - 32 Spensley Street Clifton Hill

Executive Summary

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for No. 32 Spensley Street, Clifton Hill VIC 3068, which seeks approval for partial demolition and construction of a first floor addition to the existing single storey dwelling. The report recommends approval, subject to conditions.

Key Planning Considerations

2. Key planning considerations include:
   (a) Clause 22.02 – Development guidelines for sites subject to the heritage overlay;
   (b) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)
   (c) Clause 32.09 – Neighbourhood Residential Zone (Schedule 1);
   (d) Clause 43.01 – Heritage Overlay; and
   (e) Clause 54 – One dwelling on a lot (Rescode).

Key Issues

3. The key issues for Council in considering the proposal relate to:
   (a) Clause 54 (Rescode);
   (b) Heritage; and
   (c) Objector concerns;

Submissions Received

4. Six (6) objections were received to the application, these can be summarised as:
   (a) Overdevelopment of the site, including excessive height;
   (b) Noise impacts from mechanical equipment;
   (c) Neighbourhood character and heritage;
   (d) Visual bulk impacts;
   (e) Overshadowing to secluded private open space;
   (f) Daylight to windows impacts;
   (g) Impacts to proposed solar panels;
   (h) Location of neighbouring window not shown correctly;
   (i) Non-compliance with Standard A11 (Walls on boundary) and Standard A10 (Side and rear setbacks); and
   (j) Errors and misleading measurements on plans.

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) Incorporation of the changes shown in the submitted Sketch Plans;
   (b) First floor addition material to be colour that is matching brickwork or concrete lintels on ground floor; and

(c) Annotation on plans as to the use of water from rainwater tank.

CONTACT OFFICER: **Corey Wooldridge**
TITLE: **Statutory Planner**
TEL: **9205 5010**

6.5 PLN21/0331 - 32 Spensley Street Clifton Hill

Reference	D21/169650
Author	Corey Wooldridge - Statutory Planner
Authoriser	Coordinator Statutory Planning

Ward:	Langridge
Proposal:	Partial demolition and construction of a first floor addition to the existing single storey dwelling.
Existing use:	Dwelling
Applicant:	Stanton John Kroenert
Zoning / Overlays:	Neighbourhood Residential Zone (Schedule 1) Heritage Overlay (Schedule 316) Development Contributions Plan Overlay (Schedule 1)
Date of Application:	20 May 2021
Application Number:	PLN21/0331

Planning History

6. There is no record of previous planning permit applications.

Background

7. The application was received by Council on 20 May 2021, with further information provided in July 2021. The application was advertised from 22 July to 12 August 2021, with six (6) objections received.

8. In response to objections received, sketch plans were submitted on 1 October 2021 which show a reduction in the height of the north-eastern wall from 7.59 metres to 6.679 metres. This also resulted in a greater slope to the roof of the dwelling and altered façade to Spensley Street.

   These plans will be referenced in the assessment section of this report. It is noted that referral comments provided were in relation to the decision plans.

9. An informal meeting was held on 21 September 2021 between the applicant and two objectors to discuss the application.

The Proposal

10. The application is for part demolition and construction of a first floor addition to the existing single storey dwelling. Further details are as follows:

    Demolition

11. The roof and associated roof structure of the dwelling.

12. Decking and stairs of the first floor secluded private open space.

13. A portion of wall.

14. The garage roller door and adjoining wall and entry door on the south-eastern elevation.

15. Internal walls and doors (no permit required).

    Development

16. Internal rearrangement at ground floor to remodel existing bathroom, laundry and carport.

17. Construction of a first floor addition with outdoor terrace area:

(a) The first floor addition is constructed to the north-eastern, south-western and south-eastern title boundaries and is set back 0.577 metres from the north-eastern boundary. An outdoor terrace area is located to the north-west of the first floor area adjacent to the combined living and dining area.

(b) The first floor addition results in a maximum building height of 6.454 on the north-eastern boundary and 8.4 metres on the north-western boundary.

(c) The first floor addition is to contain combined living, dining and kitchen area, one bedroom with associated bathroom and robe. The first floor roofed terrace is accessed from the living area and contains a storage area (built to boundary) on the north-east side of the space.

(d) Materials and finishes include face brickwork at ground floor (existing red brick), Hebel panels in cream finish at first floor, metal roof sheeting, down pipes and guttering in green finish.

18. Alterations to the existing dwelling to move the location of the entry door from the existing carport entry to south-western corner of building.

Existing Conditions

Subject Site

19. The subject site is located on the north side of the roundabout at the intersection of Berry and Spensley Streets. The site has a frontage of 20.12 metres to Berry Street and 8.24 metres to Spensley Street. The site is regular in shape except for an area of 1.49 metres and 4.22 metres which projects from the north-eastern corner of the subject site. The site is bound by a drainage easement to the north-eastern boundary, which is 1.45 metres wide and accessed from Spensley Street to the south.

20. The site falls from north to south so that the southern corner of the site at Spensley Street is 0.51 metres lower than the northern corner of the site.

21. The site is developed with a single storey, building constructed between 1920 and 1935 with a red brick finish and tile hipped roof. The built form is constructed to the north-eastern, south-western and south-eastern boundaries. The existing built form is set back 0.57 metres from the north-western to no.48 Berry Street.

22. The existing building on the subject site contains a combined living, dining and kitchen area, two bedrooms and one bathroom. The existing first floor area contains an unroofed terrace space to the northern portion of the site and a storage area within roof cavity.



Figure 1: the subject site as seen from intersection of Berry and Spensley Street (source: Officers site visit, September 2021)

Surrounding Land

23. The surrounding area is a mix of commercial and residential uses, with the buildings on other corner sites of the intersection of Spensley and Berry Streets being commercial, and retail uses and residential buildings beyond. Built form is notably mixed with some detached Victorian/Edwardian-era dwellings as well as Victorian terrace rows, contemporary extensions and development and heritage conversions. The site is located in the Clifton Hill Eastern Precinct.

24. To the north-east of the site is Nos. 32B and 32C Spensley Street, which is developed with a single storey, inter-era dwelling with a tiled, gable roof and brick veneer construction. This building was constructed at the same time as the subject site and they once formed part of a single development. The land has subsequently been subdivided. A first floor addition has been constructed to the north-east of the site and second dwelling on the lot (as approved under PLN14/0170). The dwelling and extension are generally set back between 1.45 and 1.53 metres from the shared boundary with the subject site. Three (3) habitable room windows (HRW) face the subject site from within this setback. This setback largely consists of a light, air and drainage easement on No. 32C Spensley Street between the existing building on the site and shared boundary. No. 32C Spensley Street's principal area of private open space (**POS**) is a courtyard (35sqm in area) located on the north-western portion of the site adjacent to existing ground floor laundry of 32 Spensley. No. 32B Spensley Street's principal area of POS is a small garden area at ground floor and an unroofed terrace (55sqm in total area) located to the rear portion of the site. The building has a maximum height of 7.124 metres. The site is recognised as Contributory to the heritage precinct.

25. To the north-west of the subject site is No. 48 Berry Street which is developed with a single storey brick dwelling with contemporary first floor addition at the rear. This addition does not adjoin the subject site. The dwelling is constructed up to the shared boundary with the subject site and does not have any HRW facing the subject site. An area of POS is provided at the rear of this site which does not have any interface with the subject site. Further to the north-west are three buildings that form a row of four matching heritage buildings.

26. To the south-east, across Spensley Street are single storey commercial and retail shopfronts. This commercial development is located at the intersection of Berry Street and Spensley Street with multiple tenancies located within the building.

27. To the south-west is the intersection of Spensley and Berry Street. On the opposite side of the intersection is the Royal Hotel building, which is a three-storey heritage building and a prominent building on this intersection. To the opposite corner, across Berry Street, is a two-storey heritage building constructed to street boundary.

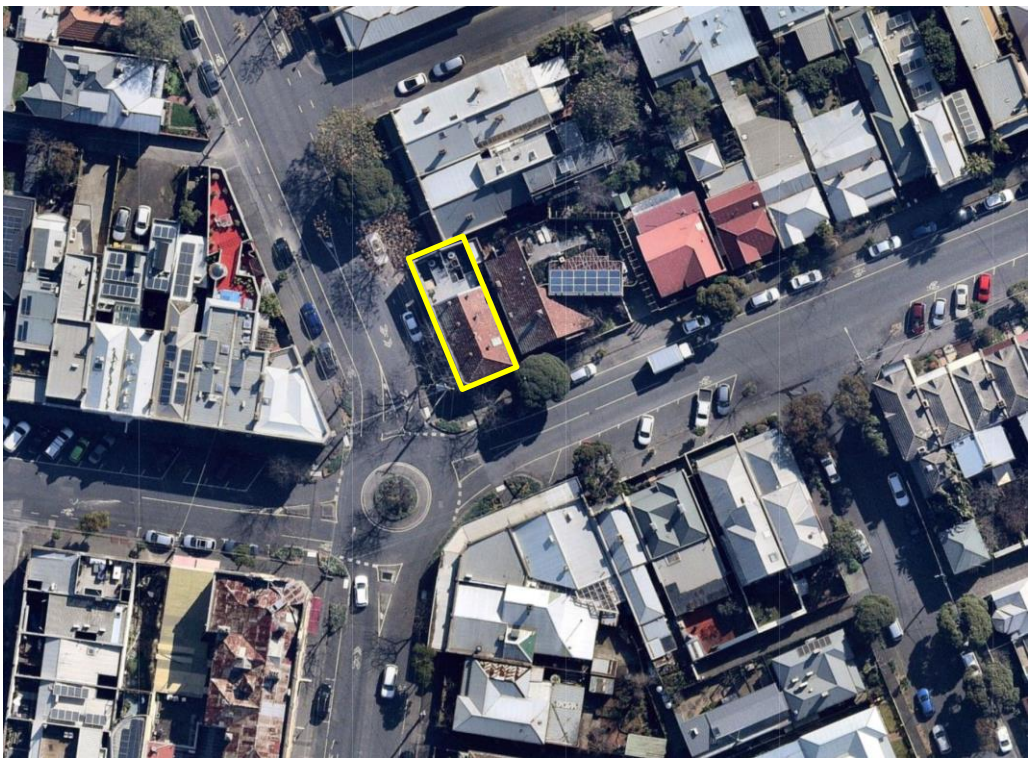


Figure 2: the subject site and surrounds (source: NearMap, 1 September 2021)

Planning Scheme Provisions

Zoning

Neighbourhood Residential Zone (Schedule 1)

28. Pursuant to Clause 32.09-1 of the Yarra Planning Scheme (**the Scheme**), a permit is not required to use the land as a dwelling.

29. Pursuant to Clause 32.09-5, *a planning permit is required to construct or extend a dwelling on a lot less than 500sqm* (as specified in Schedule 1 of the Zone). The subject site is an area of 270sqm thus a permit is required to extend one dwelling on a lot.

30. Pursuant to Clause 32.09-4 of the Scheme, mandatory minimum garden area requirements apply to lots greater than 400sqm. As the subject site is a total area of 270sqm, the garden area requirements are not applicable.

31. Pursuant to Clause 32.09-10, *a building used as a dwelling or residential building must not exceed a height of 9 metres or two storeys at any point.*

32. The proposed extension has a maximum height of 8.4 metres above natural ground level and is two storeys which meets the requirements of the mandatory provision.

Overlays

Heritage Overlay (Schedule 316)

33. Pursuant to Clause 43.01-1, a planning permit is required to demolish or remove a building and to construct and carryout works.

34. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 – The site is identified as being Not Contributory to the *Clifton Hill Eastern Precinct* (Schedule 316).

Development Contribution Plan Overlay (Schedule 1)

35. 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.

36. The proposal does not result in an increase in the number of dwellings; thus, the requirements of the Overlay do not apply.

Particular Provisions

Clause 54 – One dwelling on a lot (ResCode)

37. Pursuant to Clause 54 of the Scheme this provision applies to an application to construct a dwelling on a lot less than 500sqm. A development must meet the objectives of Clause 54.

General Provisions

38. 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. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

39. Amongst other things, the Responsible Authority must consider the relevant Municipal Planning Strategy and the Planning Policy Frameworks, as well as the purpose of the Zone, Overlay or any other Provision.

Planning Policy Framework (PPF)

Clause 11.02 – Managing growth

40. The clause includes several strategies to achieve this objective including '*planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of* existing *urban areas.*

Clause 15 – Built Environment and Heritage

Clause 15.01-1S – Urban design

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

Clause 15.02-1S – Energy and resource efficiency

42. The objective of this clause is '*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

43. The objective of this clause is '*to ensure the conservation of places of heritage significance'*.

Clause 16 – Housing

Clause 16.01-3S – Housing diversity

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

Local Planning Policy Framework (LPPF)

Clause 21 – Municipal Strategic Statement (MSS)

Clause 21.03 – Vision

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

Clause 21.04 – Land Use

Clause 21.04-1 – Accommodation and housing

46. The relevant objectives and strategies of this clause are '*to retain a diverse population and household structure'* and to '*encourage the retention of dwellings in established residential areas that are suitable for families with children'*.

Clause 21.05 – Built form

Clause 21.05-5 – Heritage

47. The principal objective of this clause is '*to protect and enhance Yarra's heritage places'*.

Clause 21.05-6 – Urban Design

48. This clause incorporates the following relevant objectives:

    (a) *Maintain and strengthen the preferred character of each Built Form Character Type within Yarra*; and

    (b) *Ensure development is designed having particular regards to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs*.

Clause 21.08-4 – Clifton Hill

49. The subject site is identified as 'Heritage Overlay' on the *Figure 12 (Built Form Character Map).* The objective for this area is to '*ensure that development does not adversely affect the significance of the heritage place*'.

Relevant Local Policies

Clause 22.02 – Development guidelines for sites under the heritage overlay

50. This policy applies to all land within a Heritage Overlay. The clause incorporates the following relevant objectives;

    (a) To conserve Yarra's natural and cultural heritage;

    (b) To conserve the historic fabric and maintain the integrity of places of cultural heritage significance;

    (c) To preserve the scale and pattern of streetscapes in heritage places;

    (d) To ensure that additions and new works to a heritage place respect the significance of the place; and

    (e) To encourage the retention of 'individually significant' and 'contributory' heritage places.

Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)

51. This policy applies to extensions greater than 50sqm in area. The objective of this clause is:

    (a) To achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).

Incorporated Document

52. Appendix 8 to the City of Yarra Review of Heritage Areas, 2007 (revised May 2017) – The site is identified as being Not Contributory to the *Clifton Hill Eastern Precinct* (Schedule 316).

Advertising

53. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 33 letters sent to surrounding owners and occupiers and by two signs displayed on site. Council received six (6) objections, the grounds of which are summarised as follows):

    (a) Overdevelopment of the site, including excessive height

    (b) Noise impacts from mechanical equipment

    (c) Not consistent with neighbourhood character and heritage

    (d) Visual bulk impacts

    (e) Overshadowing to secluded private open space

    (f) Daylight to existing windows impacts

(g) Impacts to proposed solar panels

(h) Location of neighbouring windows not shown correctly

(i) Non-compliance with Standard A11 (Walls on boundary) and Standard A10 (Side and rear setbacks)

(j) Errors and misleading measurements on plans

54. A planning consultation meeting was not held.

Referrals

55. The application was informally referred to Council's Heritage Advisor who provided the following comments:

(a) No issues with corner location or setbacks to street frontage, in keeping with the scale of the intersection; and
(b) Addition is low-key and does not make a statement.

56. They considered the proposal supportable subject to the following recommendations:

(a) The first floor addition is to be of a colour that reflects the existing red brickwork on ground floor or grey concrete lintels on windows and doorways.

OFFICER ASSESSMENT

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

(a) Clause 54 – ResCode

(b) Heritage

(c) Objector concerns

(d) Other matters

Clause 54 - ResCode

58. Clause 54 comprises design objectives and standards to guide the assessment of new residential development. Given the site's location within a built up inner city residential area, strict application of the standard is not always appropriate, whether the proposal meets the objective is the relevant test. The following objectives are not relevant to this application:

(a) *Standard A8 Significant trees objective* – no trees are to be removed or will be affected by the proposal

(b) *Standard A13 North facing windows objective* – no north-facing windows are within 3 metres of the subject site

(c) *Standard A18 Solar access to open space objective* – not applicable to extensions

(d) *Standard A20 Front fence* – no front fence is proposed

Standard A1 - Neighbourhood Character

59. The subject site is situated in an established residential area. Whilst the immediately neighbouring dwellings are predominantly from the Victorian-era and inter-war period, there is also a pattern of contemporary additions and development and heritage conversions within the surrounding area. The built form pattern is fairly irregular and high site coverage is a common characteristic. Considering this context, the design response, which is similar in siting and design to other contemporary infill, is appropriate.

60. Further, pursuant to the Figure 12 in Built Form Character Map of Clause 21.08-4 (Clifton Hill) the subject site is identified as being in a Heritage Overlay. The neighbourhood policy encourages that development within these areas *does not adversely affect the significance of the heritage place.*

61. For the reasons outlined, the proposal is considered to comply with the Neighbourhood Character Standard.

Standard A2 Integration with the street objective

62. The proposed double-storey dwelling is oriented to directly face Spensley and Berry Streets. The subject site does not have any fencing to the street frontage, with built form constructed to both street edges.

63. The proposed development therefore complies with Standard A2 at Clause 54.02-2.

Standard A3 – Street setback

64. Standard A3 requires that walls of buildings be set back from streets the same distance as the setback of the front wall of the existing building on the abutting allotment where on a corner lot. The first floor addition is constructed to the street boundary.

65. The first floor addition is considered to meet the objective of the Standard as the setback respects the existing neighbourhood character and makes efficient use of the site. The addition maintains the existing street setback of the building and is consistent with other buildings at the intersection of Berry Street and Spensley Street.

Standard A4 – Building Height

66. Standard A4 requires that *the maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.*

67. The building height must not exceed 9 metres (as specified in Schedule 1 of the Neighbourhood Residential Zone). The maximum height of the proposal is 8.4 metres and therefore complies with the Standard.

Standard A5 – Site Coverage

68. As no minimum site coverage is specified in Schedule 1 of the Neighbourhood Residential Zone, the maximum site coverage under the Standard of 60% applies.

69. The proposal has an overall site coverage of 97% and therefore does not comply with the Standard; however, it is considered to meet the objectives of the Standard for the following reasons:

    (a) Within the inner-city area where smaller lot sizes are prevalent, high site coverage is a prominent characteristic of the neighbourhood. Higher site coverage is visible on most neighbouring lots, particularly to the north and east.

    (b) The proposal does not result in any additional site coverage that is not already occupied by the existing built form. The new additions are proposed to be located above existing built form at ground level.

Standard A6 – Permeability

70. As no minimum permeability is specified in Schedule 1 of the Neighbourhood Residential Zone, pervious surfaces must cover at least 20% of the site. The proposed development will result in site permeability of 9%, and as such the Standard is not met.

71. Further, the objectives of the Standard A6 is *to reduce the impact of increased stormwater run-off on the drainage system* and *to facilitate on-site stormwater infiltration*. Local policy Clause 22.16 (Stormwater Management), which applies to an extension greater than 50sqm is an area, provides clear directive on how development can address stormwater run-off.

72. A STORM Rating report was provided with the application, demonstrating a score of 100% through the inclusion of 4000Lt rainwater tank. Two 2000Lt rainwater tanks are shown in plans, however, a condition will require that a notation be included on plans confirming that they are to be connected to irrigation systems or toilet flushing.

73. The proposed addition does not result in the loss of existing permeable areas on site.

74. The rainwater tanks will assist in reducing the stormwater run-off and to meet the objectives of Standard A6 (Permeability).

Standard A7 – Energy efficiency protection objective

75. The proposal meets the first objective of Standard A7 *to ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy* for the following reasons:

    (a) Generally, all habitable rooms are provided with good daylight access, through either north-east or south-west facing windows thereby reducing the dwellings reliance on artificial lighting.

76. The proposal meets the second objective of the Standard *to achieve and protect energy efficient dwellings* for the following reasons discussed below.

77. The adjoining lots at Nos. 32C and 32B Spensley Street are impacted by additional shadows from the development, however it is not considered that this additional shadowing or built form would reduce the energy efficiency of the building when considering the existing built form and shadowing across the sites.

78. There are no existing solar panels on neighbouring properties that may be impacted by the proposal. Existing solar panels are located on the far side of the site and would not be shadowed by the proposed development. The standard states that the solar energy system must exist at the date that the application is lodged.

Standard A10 – Side and rear setbacks and Standard A11 – Walls on boundaries

Standard A10 Table

Proposed Wall	Wall height (m)	A10 Setback (m)	Proposed setback (m)	Difference	Compliance
North eastern (side rear) wall above laundry	7.09	2.18	1.57	-0.61	No
North western (side) wall	7.66	2.75	0.63	-2.12	No

Standard A11 Tables

Wall(s) on boundary	Length (m)	A11 Length (m)	Difference	Compliance
GF North eastern wall	20.94	12.90	-8.04	No
FF North Eastern wall	15.87	12.90	-2.97	No

Wall on boundary	Ave. Height (m)	A11 Ave. Height (m)	Difference	Compliance
GF North eastern wall	3.88	3.20	-0.68	No
FF North Eastern wall	7.39	3.20	-4.19	No

Wall on boundary	Max. Height (m)	A11 Max. Height (m)	Difference	Compliance
GF North eastern wall	3.90	3.60	-0.30	No
FF North Eastern wall	7.59	3.60	-3.99	No

79. As is evident from the above tables, the north-east and north-west elevations do not currently meet the prescribed requirements of Standard A10 (Side and rear setbacks) and Standard A11 (Walls on boundary). The existing ground floor wall exceeds the length requirements and the maximum and average height requirements for the walls on boundary standard.

80. However, the variations to the standards in relation to the additions at first floor are supported for the following reasons:

(a) The existing wall is located on the north-east boundary with the proposed first floor addition being located directly above. The north-east wall is adjacent to the 1.45 metre wide light, air and drainage easement, which provides for a buffer between the buildings. The existing wall on boundary extends for the length of the site and this would not be altered by the proposal.

(b) There are habitable room windows located opposite to the subject site to the north-east at 32C Spensley Street. The direct outlook from these habitable room windows would not be unreasonably impacted by the proposal in terms of visual amenity due to the maintaining of the existing brick wall on boundary. Additional height would not be readily visible from these windows.

(c) The secluded private open space at Nos. 32B and 32C Spensley Street are located to the north-west of that site. These areas have a modest interface with the proposed first floor wall on boundary as the existing laundry area is being maintained as a single storey area. However, it is considered that the wall on boundary would not adversely impact the ability of these areas to be used as secluded private open space. This also allows for north-western aspect to remain uninterrupted along the easement.

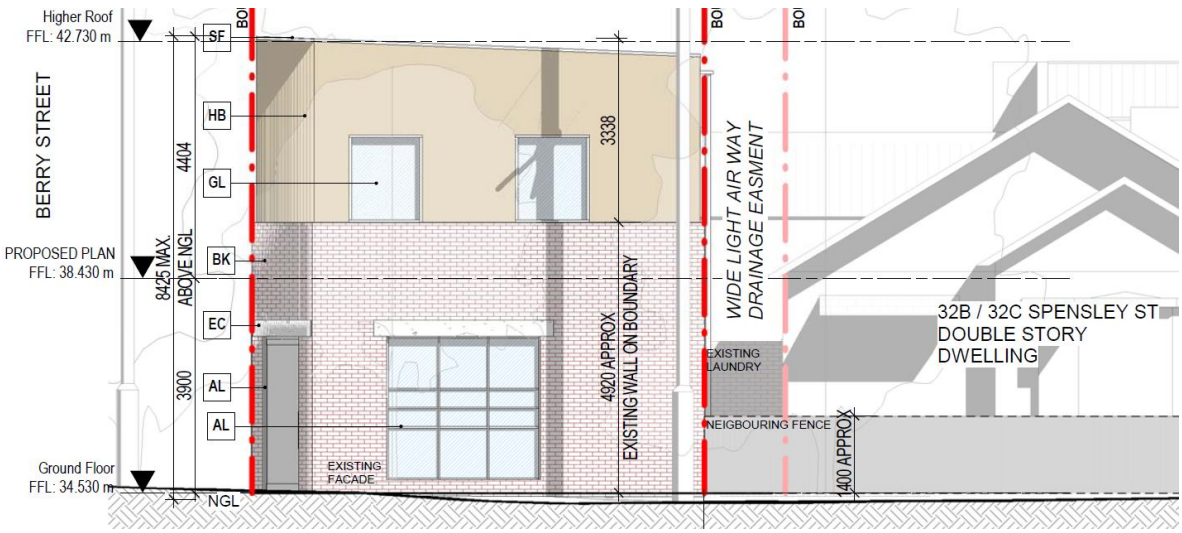
(d) Additional shadowing from the proposed development will fall on existing roof form as discussed below under the Standard A14 section of this report.

(e) The north-west wall of the proposal will not result in any shadows to the property to the north-west. It is deemed that the setback to this area is adequate considering the blank wall which exists along that point of the building at No. 48 Berry Street.

(f) The new area of wall to the north-west is restricted to the area of the storeroom. The remainder is open for the terrace area. The existing brickwork façade is maintained. This modest area of wall is adjacent to the existing wall on boundary at No. 48 Berry Street.

(g) Although the walls may be visible from the properties nearby, visibility of built form is expected in inner city locations and, two storey walls on or near to boundaries is a typical feature of the immediate area.

(h) Finally, it is noted that the sketch plans further reduce the potential for impacts by lowering the wall to the north-east boundary wall by nearly 1m. If a permit is to be issued a condition would be included that the wall height be lowered in accordance with the sketch plans.



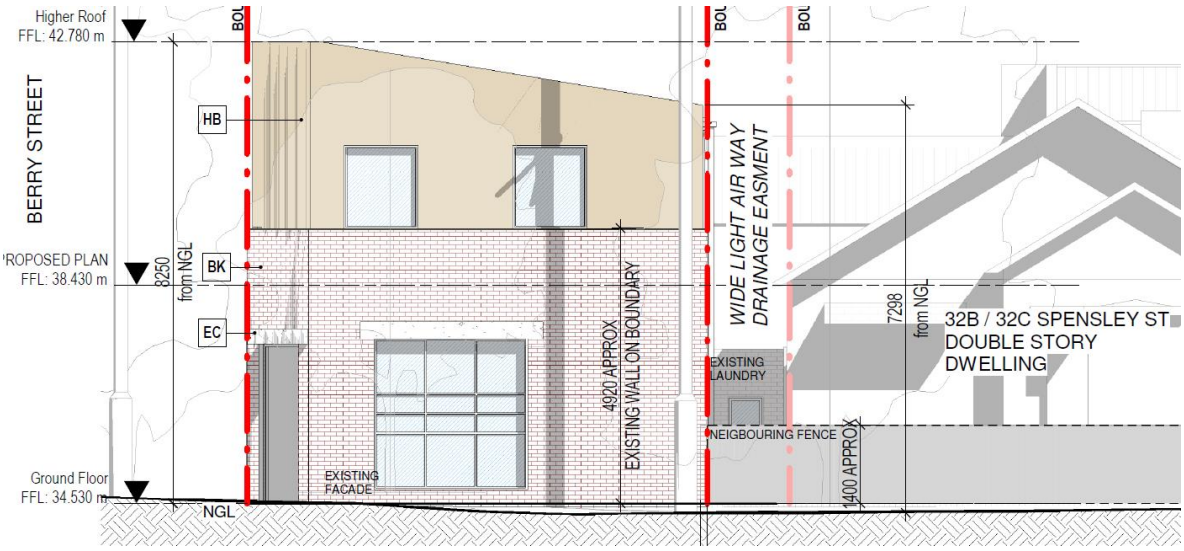


Figure 3: Comparison of decision plans (top) and submitted sketch plans (bottom) detailing reduction in height of north-eastern boundary wall

Standard - A12 Daylight to existing windows

81. There is three (3) HRW facing the proposal from Nos. 32B and 32C Spensley Street. Two HRW are located at ground floor at No. 32C and one HRW at first floor at No. 32B. The below table outlines the proposed development in accordance with the requirements of the standard.

Standard A12 Table

82. For the purposes of this assessment the easement that runs between the two properties has been included in the setback.

Proposed Wall	Opposite window	Wall height (m)	A12 Setback (m)	Proposed setback (m)	Difference	Compliance
Ground floor windows	Bedroom	7.59	3.80	1.45	-2.35	No
First floor window	Bedroom	7.09	3.55	4.60	1.06	Yes

83. As shown in the above table, the proposal complies with Standard A12 to the first floor HRW at 32B Spensley, however does not meet the requirements of the standard at ground floor at 32C Spensley. The wall is an existing wall on boundary with additional height to be constructed above.

84. The proposed addition maintains an area of a minimum dimension of 1 metre and area of 3sqm clear to the sky. The proposed addition does not however achieve the setback for additional height above 3 metres.

85. Subject to the reduction of the wall height shown in the sketch plans, the proposed first floor addition is considered acceptable in this instance as the ground floor HRWs currently face a 3.9 metre high wall with no change to the setback as part of the proposal. Therefore, these windows currently have restricted access to daylight that will not substantially be altered due to the additional wall height. It is considered that the amenity of the rooms served by the windows will not be unreasonably reduced.

86. The proposal is considered acceptable and to comply with the objective at Clause 54.04-3 (Daylight to existing windows).

Standard A14 – Overshadowing

87. Pursuant to Clause 54.04-5, (Standard A14), *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.*

88. *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.*

89. The standard protects only secluded private open space from shadows.

90. The only sites potentially impacted by additional shadowing as a result of the proposed development are Nos. 32B and 32C Spensley Street as shown below.

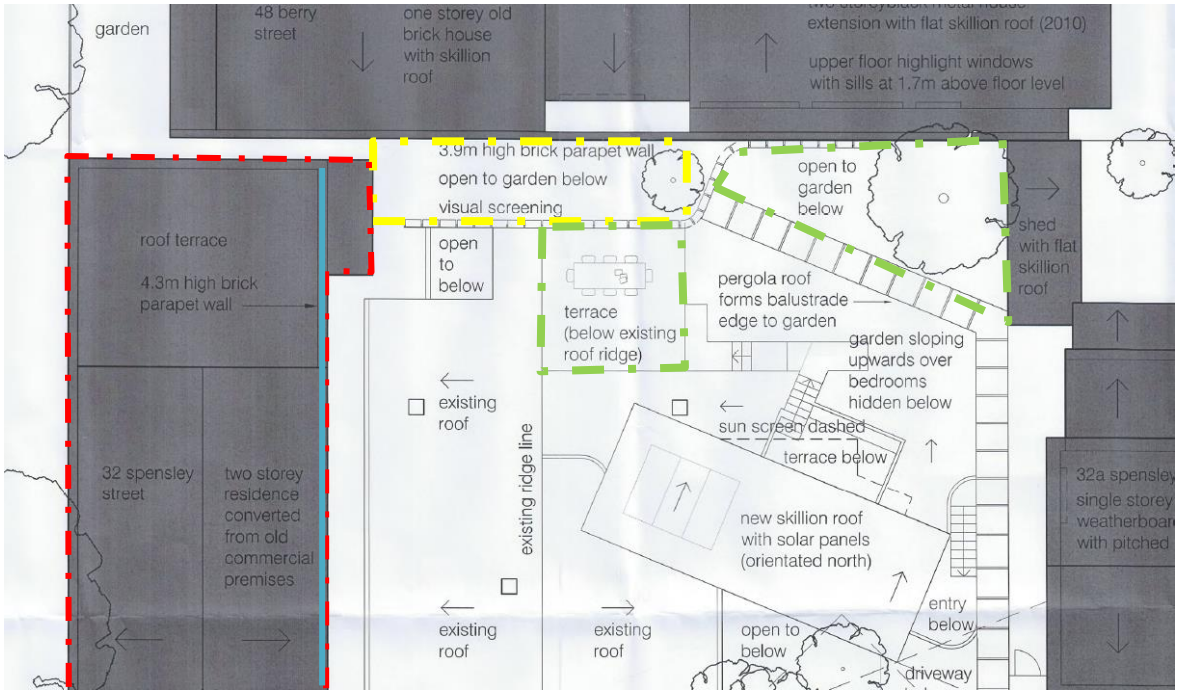


Figure 4: Principal SPOS of Nos. 32B (green) and 32C (yellow) Spensley Street (PLN14/0170) with subject site (red) and proposed wall (blue)

91. Due to the orientation of the subject site, the existing building overshadows the light and drainage easement located on the adjoining site at No. 32C Spensley Street (which is 1.45 metres in width), at 2pm and 3pm only. Additional shadowing from built form falls on the roof of No. 32C Spensley Street. Under the existing conditions the secluded private open space at 32C does not receive 75% of unshaded secluded private open space for five hours at the Equinox. Thus, the standard requires that the proposal not further reduce the sunlight provided to this area.

92. The principal secluded private open space at No. 32B Spensley Street is located further north-east of the site and receives sunlight to a minimum area of 40sqm with a dimension of 3 metres and will not be impacted by shadowing from the proposed development. The balcony at first floor at No. 32B Spensley Street facing the subject site is not accessible from a living room and therefore it is considered that the modest extent of shadowing is acceptable under this standard. The secluded private open space located on the first floor terrace, which is provided convenient access from a living room, and garden area at ground level will not be impacted by the proposed development and will continue to receive direct solar access as per existing conditions.

93. The objective of Standard A14 (Overshadowing) is met. Moreover, with the reduction of wall height shown in the sketch plans will only further reduce impacts.

Standard A15 – Overlooking

94. Pursuant to Clause 54.04-6, *the standard does not apply to a new habitable room window, which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room is less than 0.8 metres above ground level at the boundary.*

95. The proposed first floor addition does not provide for windows that would overlook the secluded private open space of adjoining properties. All new windows are to be street facing as well as the first floor terrace area.

96. The requirements of Standard A15 are met.

Standard A16 - Daylight to new windows

97. All new windows are located to face an outdoor space clear to sky, with a minimum light court of 3 metres and minimum dimension of 1 metre clear to sky.

98. The proposal complies with the Standard.

Standard A17 – Private open space objective

99. According to Standard A17, *a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space (POS) should consist of secluded private open space (SPOS) with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.*

100. Due to the existing built form of the site, secluded private open space is provided at first floor with a terrace accessible from the living area. The total area of the site set aside for private open space is 23.3sqm (both POS and SPOS).

101. Given the context of the site this is deemed acceptable, with the proposal just 1.7sqm short of meeting the requirements for the minimum SPOS. The first floor terrace has a minimum dimension of 3.7 metres, meeting the requirement of the standard. The SPOS also has direct access from the living area.

102. Overall, it is considered that the proposal meets the objective at Clause 54.05-2 (Private open space).

Standard A19 – Design detail

103. The objective of the Design detail Standard is *to encourage design detail that respects the existing or preferred neighbourhood character*. The proposal incorporates face brickwork (red brick) at ground floor, Hebel panels at first floor and metal roof sheeting. The red brick is retained from the existing structure. The Hebel panels at first floor are complementary to both the existing structure and surrounding heritage fabric on adjoining sites.

104. The proposal is considered to meet the objective of Standard A19 (Design detail) and is supported.

<u>Heritage</u>

105. The decision guidelines from Clause 43.01-4 (Heritage Overlay) and policy from Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay) of the Scheme are used to assess the proposed works, in-order to ensure that there is consistency achieved with the heritage values of the surrounding area.

Demolition

106. The site is recognised as Not Contributory to the *Clifton Hill Eastern Precinct* (Schedule 316). The ground floor of the dwelling and associated brick parapet is to be retained with the tiled roof and existing roof terrace area to be removed. This is consistent with policy at Clause 22.02-5.1 of local heritage policy which *generally encourages retention of a building in a heritage place, unless the building is identified as being not contributory*.

107. Council's Heritage Advisor raised no concern to the scope of demolition.

108. The demolition is therefore supported.

Development

109. The proposed scale and height of the development is considered to be acceptable as it respects the varying single and double-storey building heights of dwellings within the immediate area. The proposed façade, inclusive of parapet, varies between 7.298m to 8.4m on Spensley Street and 8.4m on Berry Street and will transition from the height of the single-storey dwellings along Spensley Street and Berry Street to the heights of the double-storey or higher buildings at the intersection of these two streets.

110. The first floor addition is to be built directly above the existing walls of the existing building at street boundary of the corner site. Heritage policy at Clause 22.02-5.7.2 *encourages new works on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection*. The buildings on other corners of the intersection are a single storey building, two-storey building and the three-storey Royal Hotel. The first floor addition is therefore in keeping with the scale and built form character of the intersection.

111. Council's Heritage Advisor considered the proposed building scale and transition in building heights to be an acceptable approach when considering the commercial nature of the building when first constructed and the scale of the buildings at the intersection.

112. With regards to materials, the proposal will not contain a large number of materials, with existing red brick being retained at ground floor and Hebel panels at first floor, as well as metal roof sheeting. Glazing is kept to modest levels at first floor and is reflective in terms of size and positioning of existing glazing at ground floor.

113. While the proposed materials are considered appropriate, the colour of the Hebel panels to the first floor addition are to be changed from cream to a colour matching brickwork or current roof tiling. This assists in creating a treatment to the streetscape that respects the existing significant buildings at the intersection.

114. Overall, the proposed first floor addition is considered acceptable and will not adversely impact the wider heritage precinct. The proposal appropriately responds to the surrounding heritage streetscape in terms of façade treatment and detailing.

115. In consideration of the above, the proposal is acceptable from a heritage perspective subject to condition.

Objector concerns

116. *Overdevelopment of the site, including excessive height*

A first floor addition is not considered out of character or an over development in the context of a residential area, particularly in a context of larger scale buildings along Spensley Street.

Any application is assessed against the relevant policy and the response to the individual site context, and in this instance the design response has been found to comply, subject to conditions, with the mandatory height provisions of the Neighbourhood Residential Zone, and more generally with the policy located at Clause 54, the Heritage Overlay and the relevant local policies.

117. *Noise impacts from mechanical equipment*

Any mechanical equipment must comply with EPA guidelines for noise. The small-scale proposal does not pose a significant risk for noise impacts.

118. *Neighbourhood character and heritage*

This concern is discussed at paragraphs 31-33 and 73-88, and the proposed development is considered to both reflect and complement the immediate neighbourhood character and nearby heritage fabric.

119. *Visual bulk impacts*

The extension will be visible from neighbouring properties; however, it appropriately responds to sensitive interfaces (SPOS areas and dwelling windows) to ensure that it is not overbearing or imposing to neighbouring dwellings. The north-eastern elevation is buffered from neighbouring dwellings by the drainage easement. Moreover, the sketch plans responded to concerns by reducing the height of the wall on the north-eastern boundary.

120. *Overshadowing to secluded private open space*

This concern is discussed at paragraphs 55-61; no additional shadow will be cast on adjoining SPOS during the September Equinox as required by Standard A14.

121. *Daylight to windows impacts*

This matter is discussed and deemed supportable at paragraphs 50-54.

122. *Impacts to proposed solar panels*

This concern is discussed at paragraph 48. Only those solar panels existing at the date of the application can be considered in the assessment of energy efficiency requirements.

123. *Location of neighbouring window not shown correctly*

The location of the first floor window has not been shown; however this window has been considered in Council's assessment of the proposal. The location of the window does not have a notable bearing on the assessment in this instance given that the proposal meets the requirements of Standard A12 (Daylight to existing windows).

124. *Non-compliance with Standard A11 (Walls on boundary) and Standard A10 (Side and rear setbacks)*

These matters have been discussed at paragraph 49. Only the north elevation is non-compliant with these standards, however, the north elevation will not unreasonably impact the amenity of any properties to the north and the wall is to be further reduced via condition.

125. *Errors and misleading measurements on plans*

The discrepancies have been addressed through Sketch plans submitted by the applicant in terms of built form on the subject site. The decision plans note that the adjoining site at 32C Spensley Street is a double storey building when this portion of the building is single storey. Council are aware of this discrepancy and the single storey nature of the building has been considered in Council's assessment.

Lastly, reference to any approximate measurements and additional relative levels will be required via condition.

Other matters

126. A note will be placed on the proposal due to proximity to existing street trees within the Spensley and Berry Street frontages which state that any works that require pruning of street trees may require a permit under local laws.

Conclusion

127. The proposal demonstrates an acceptable level of compliance with the policy requirements outlined in the Yarra Planning Scheme. Based on the report, the proposal is considered to generally comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval subject to conditions.

RECOMMENDATION

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 SKAr, Drawings TP04B - TP16 dated 26 June 2020, but modified to show:

    (a) The changes to the development in accordance with the Sketch Plans submitted on 1 October 2021, dated 26 June 2020, prepared by SKAr which show a reduction to the north-eastern first floor wall and correction to existing wall height on north-eastern boundary, minor alterations to dimensions to accurately reflect survey data

    But modified to show:

    (b) The Hebel panels at first floor to be of a colour matching or similar to existing brickwork at ground floor or concrete finish; and
    (c) A notation confirming rainwater tanks are connected to toilet flushing or irrigation systems.
    (d) Remove all references to 'APPROX' heights on existing and proposed plans.
    (e) Provide multiple RL heights at different points along the natural ground level, ground finished floor level, wall heights and overall heights for each elevation to account for the slope of the land. Multiple dimensions to all wall and overall heights must also be provided for each elevation.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to 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.

5. 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.

6. 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; or
    (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

7. The development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).

8. This permit will expire if:

   (a) the development is not commenced within two years of the date of this permit; or
   (b) the development is not completed within four years of the date of this permit.

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

Notes:

This site is subject to a Heritage Overlay. A planning permit may be required for any further external works.

A local law permit may be required for tree lopping, pruning or removal. Please contact Council's Compliance Branch on 9205 5555.

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

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

Attachments

1 PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans

2 PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)

3 PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)

4 PLN210331 - 32 Spensley Street Clifton Hill - Subject Site

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans

PRE - TOWN PLANNING SET

SITE INFORMATION:

Address - **32 Spensley Street, Clifton Hill VIC 3068**

Lot Number - **Lot 1**

Plan Number **- LP24090**

Council Property Number - **133780**

TP-00	COVER SHEET
TP-01	NEIGHBOURHOOD ANALYSIS SCHEME
TP-02	NEIGHBOURHOOD AND SITE DESCRIPTION PLAN
TP-03	DESIGN RESPONSE SCHEME
TP-04A	EXISTING CONDITIONS
TP-04B	PROPOSED SITE PLAN
TP-05	SHADOW DIAGRAM - SPRING EQUINOX 9AM - 12PM
TP-06	SHADOW DIAGRAM - SPRING EQUINOX 1PM - 3PM
TP-07	GROUND LEVEL EXISTING AND PROPOSED LAYOUT
TP-08	LEVEL 1 EXISTING AND PROPOSED LAYOUT
TP-09	EXISTING AND PROPOSED ROOF
TP-10	SOUTH ELEVATION - EXISTING AND PROPOSED
TP-11	WEST ELEVATION - EXISTING AND PROPOSED
TP-12	NORTH ELEVATION - EXISTING AND PROPOSED
TP-13	EAST ELEVATION - EXISTING AND PROPOSED
TP-14	SECTION
TP-15	ISOMETRIC VIEW
TP-16	MATERIAL BOARD



ISSUE	REVISION	DATE

MASTER PLANNING
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INTERIOR DESIGN

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SUNSHINE COAST

SKAr

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TOWN PLANNING

REASON FOR ISSUE
TOWN PLANNING

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- FOR ALL SERVICES CATEGORY P.C.S THE VARIOUS CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE BILLS AND PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
COVER SHEET

PROJECT No.:
19-002

N

SCALE:
@ A3

PROJECT DATE:
26/06/2020

DRAWING No.:
TP-00

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



Site Plan Photo

KEY TO THE PLAN

1 - SUBJECT SITE
2 - EXISTING PUBLIC FACILITIES ON GROUND LEVELS
3 - EXISTING PARKING
4 - NEIGHBOURING HOUSE 32 (with modern alteration)
5 - NEIGHBOURING VICTORIAN HOUSES
6 - ROYAL HOTEL

NEIGHBOURHOOD DESCRIPTION:

The subject site is situated on the intersection of Spensley and Berry streets. It is adjacent to Commercial zone (C1Z). All the ground floors of the neighbouring buildings located in this zone are occupied by public facilities (cafes, bars, etc.) The Clifton Hill train station is situated approximately 100m down to Spensley street to the West. There is also an extensive on-street parking for about 35 cars located along this part of the street.
The closest neighbourhood to the subject plot (East and North) preliminary consists of Hipped roof traditional 1-2 storey houses. However, the house on the adjacent plot (House 32) had been recently renovated by addition of contemporary style part.


View from Spensley St (West). Existing on-street parking on the left and Royal Hotel to the right



View from Berry St (North). Victorian houses on the left



View from Berry St (South). Existing public facilities on the right


View from Spensley St (East). Neighbouring House 32 with modern alteration on the right

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
NEIGHBOURHOOD
ANALYSIS SCHEME

PROJECT No.:
19-002

N

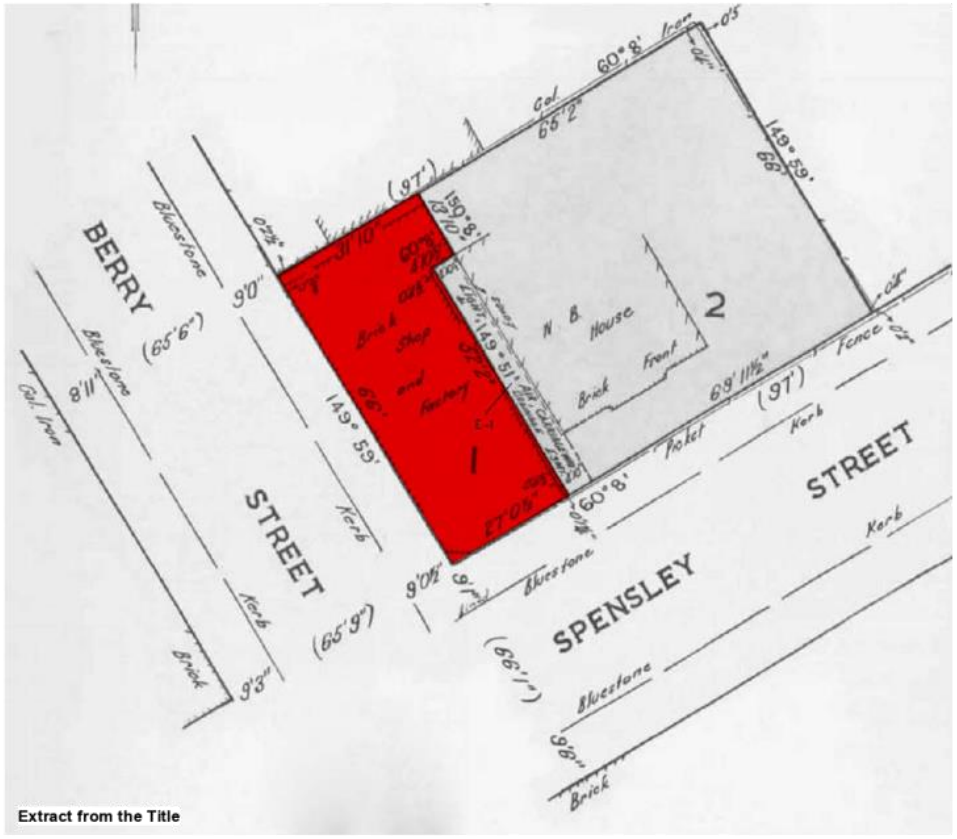
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PROJECT DATE:
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DRAWING No.:
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REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



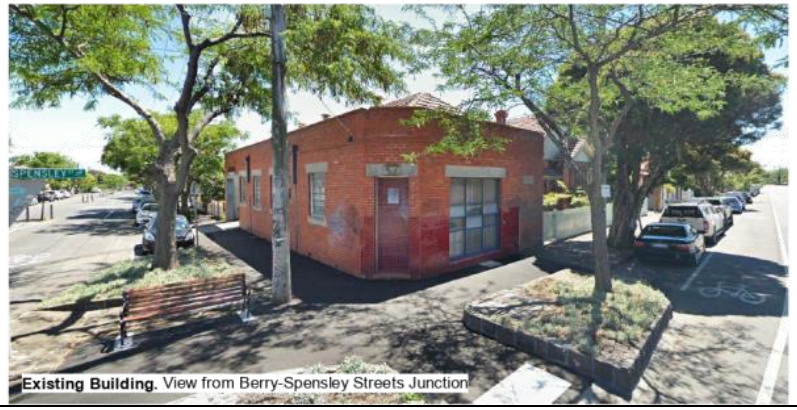
Extract from the Title

SITE INFORMATION:

Type of Zone - Neighbourhood Residential Zone (NRZ)
Max. allowable height - 9 m
Max. allowable number of storeys - 2
Approximate Site Area - 170 m2 (TBC by Survey)
Note: There is no specific information specified in the Schedule to the zone.
The subject site is also affected by heritage Overlay (HO316 - Clifton Hill Eastern Precinct). However, there are no specific requirements provided in the Schedule to Clause 43.01.
The subject site is currently occupied by single storey double brick 2-bedroom residential house which originally used to be a Brick shop / factory.



Subject Site (NEARMAP view)


Existing Building. View from Berry-Spensley Streets Junction


Existing Building. View from Berry Street

ISSUE	REVISION	DATE

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
NEIGHBOURHOOD AND
SITE DESCRIPTION PLAN

PROJECT No.:
19-002

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SCALE:
@ A3

PROJECT DATE:
26/06/2020

DRAWING No.:
TP-02

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



Existing Building. View from Berry-Spensley St Junction



Existing Building. View from Berry Street

DESIGN RESPONSE: PROPOSAL

The proposed development will extend the existing building vertically by one floor. The upper floor will contain the master bedroom, a living area, and an outdoor deck. The ground floor will retain the exiting carport, living area, and one bedroom. The overall house will retain the same number of bedrooms as existing.
There are no windows to adjoining properties, and the outdoor area on the upper floor is totally screened meaning there is no overlooking.

PROPOSED DEVELOPMENT NUMBERS

Total Area - 270 m2
Residential Area - 168 m2 (incl. Carport - 28 m2)

EXISTING BUILDING. SCOPE OF WORK

1 - Existing roof to be demolished
2 - All existing walls and windows are retained
3 - Main entry is to be relocated to the original position on the corner of Berry and Spensley street
4 - Existing Garage roller door relocated

PROPOSED EXTENSION

A - Upper floor will be painted Hebel cladding
B - the extension will follow the external wall line of the existing building
C - Windows on the western facade will match the form of the exisiting windows below
D - The facade will be a parapet design which matches the buildings on the adjacent corners



1 View from Berry-Spensley Streets Junction



2 View from Berry street

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
DESIGN RESPONSE SCHEME

PROJECT No.:
19-002

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SCALE:
@ A3

PROJECT DATE:
26/06/2020

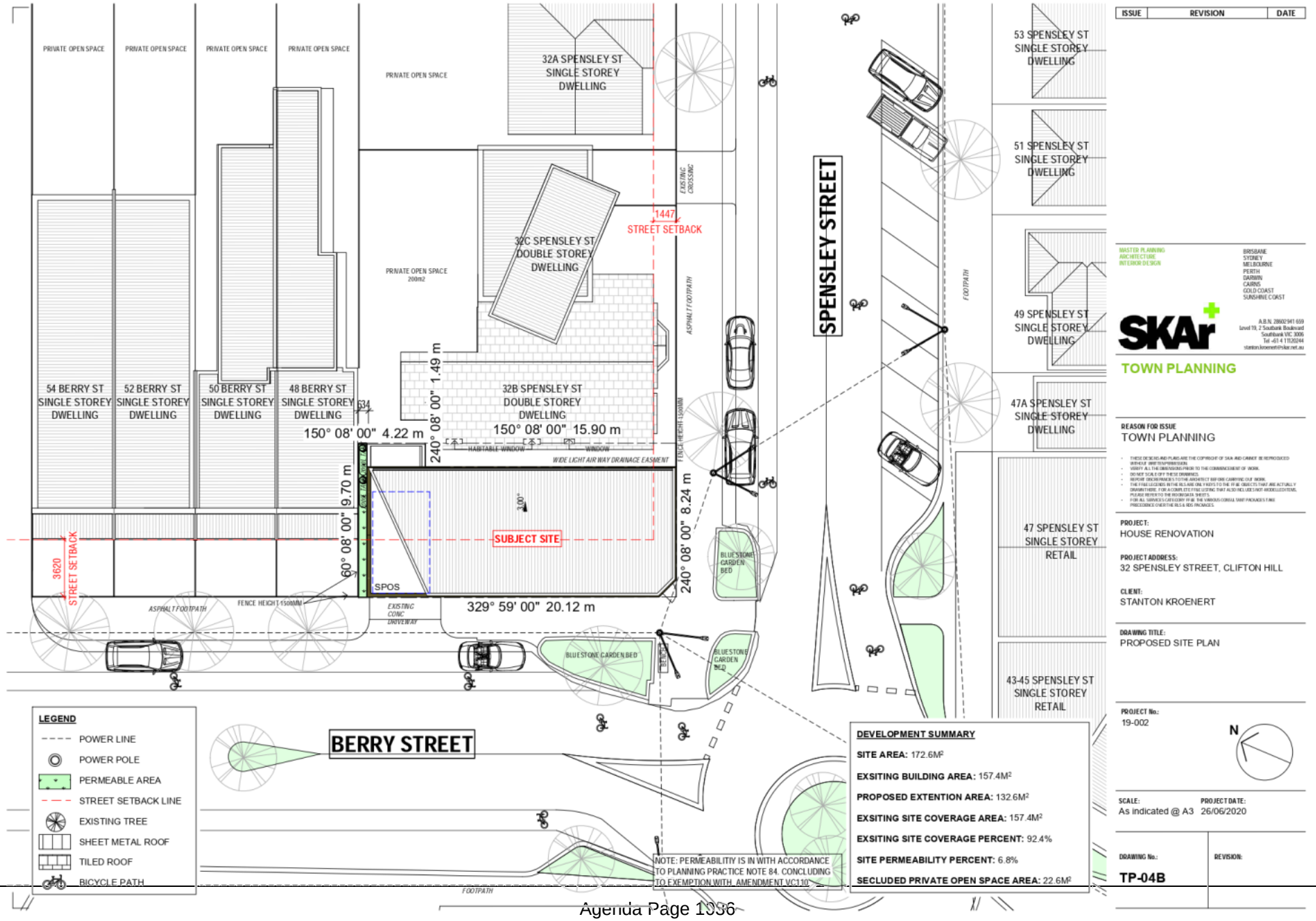
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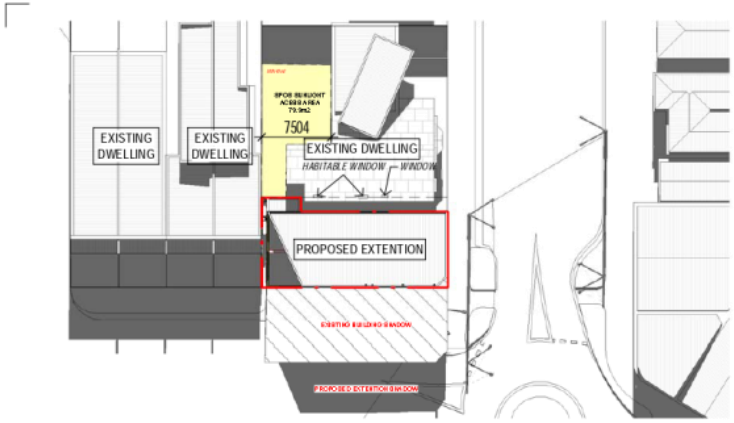
Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



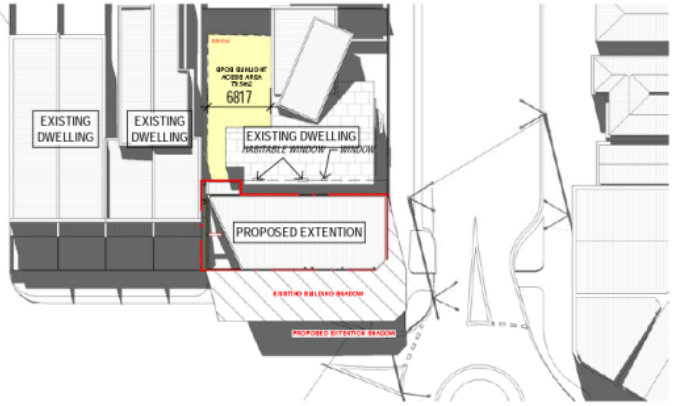
Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



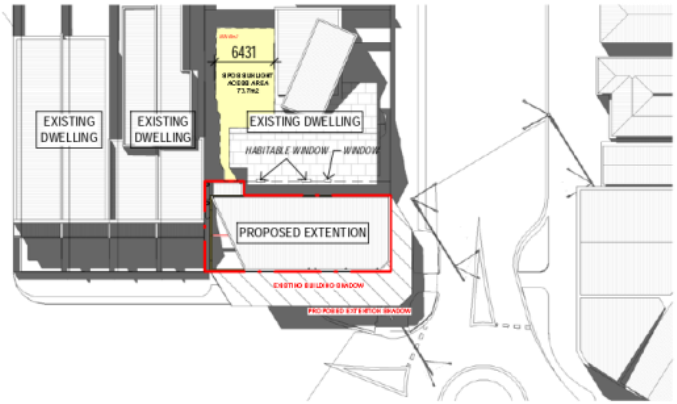
Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



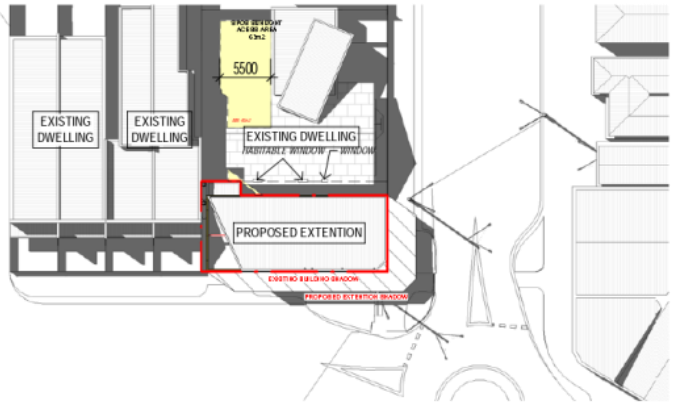
1 TP-10 PROPOSED - 9AM EQUINOX
SCALE 1 : 500



2 TP-10 PROPOSED - 10AM EQUINOX
SCALE 1 : 500



3 TP-10 PROPOSED - 11AM EQUINOX
SCALE 1 : 500



4 TP-10 PROPOSED - 12PM EQUINOX
SCALE 1 : 500

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

A.B.N. 28602941 659
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stanton.kroenert@skar.net.au

TOWN PLANNING

REASON FOR ISSUE
TOWN PLANNING

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SHADOW DIAGRAM - SPRING EQUINOX 9AM - 12PM

PROJECT No.:
19-002

N

SCALE:
1 : 500 @ A3

PROJECT DATE:
26/06/2020

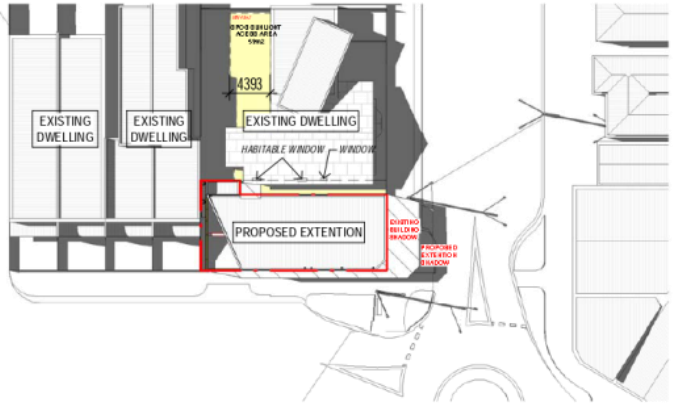
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TP-05

REVISION:

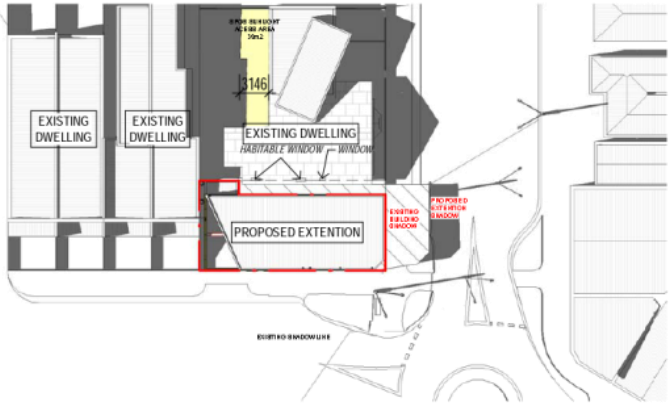
9AM - 12PM SHADOW DIAGRAM SUMMARY

TIME OF DAY	EXISTING SHADOW AREA	PROPOSED SHADOW AREA	TOTAL SHADOW AREA	SHADOW ENCROACHING AREA	SUNLIGHT ACCESS PERCENTAGE	SUNLIGHT ACCESS AREA	ADDITIONAL SHADOW ENCROACHING	COMPLIES
9AM	157m2	91m2	248m2	0m2	62.4%	79.9m2	NO	YES
10AM	123m2	61m2	184m2	0m2	62.1%	79.5m2	NO	YES
11AM	90m2	47m2	137m2	0m2	57.6%	73.7m2	NO	YES
12PM	67m2	38m2	105m2	0m2	49.2%	63m2	NO	YES

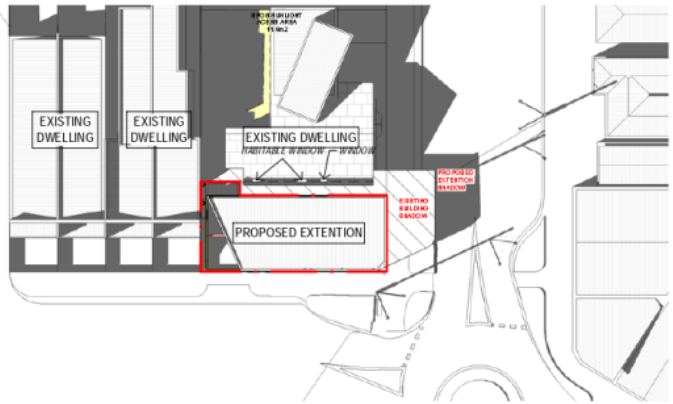
Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 TP-10 PROPOSED - 1PM EQUINOX
SCALE 1 : 500



2 TP-10 PROPOSED - 2PM EQUINOX
SCALE 1 : 500



3 TP-10 PROPOSED - 3PM EQUINOX
SCALE 1 : 500

1PM - 3PM SHADOW DIAGRAM SUMMARY								
TIME OF DAY	EXISTING SHADOW AREA	PROPOSED SHADOW AREA	TOTAL SHADOW AREA	SHADOW ENCROACHING AREA	SUNLIGHT ACCESS PERCENTAGE	SUNLIGHT ACCESS AREA	ADDITIONAL SHADOW ENCROACHING	COMPLIES
1PM	47m2	30m2	77m2	0m2	46%	59m2	NO	YES
2PM	59m2	27m2	86m2	17m2	27.3%	35m2	NO	YES
3PM	71m2	48m2	119m2	23m2	9%	11.5m2	NO	YES

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr
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REASON FOR ISSUE
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SHADOW DIAGRAM - SPRING EQUINOX 1PM - 3PM

PROJECT No.:
19-002

N

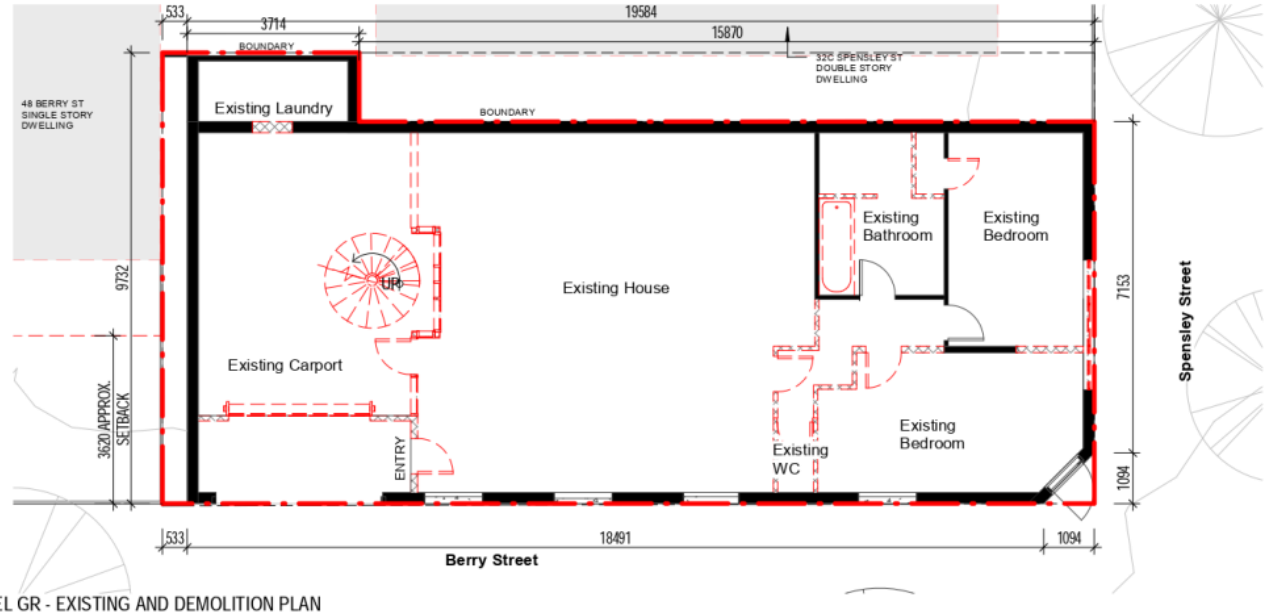
SCALE:
1 : 500 @ A3

PROJECT DATE:
26/06/2020

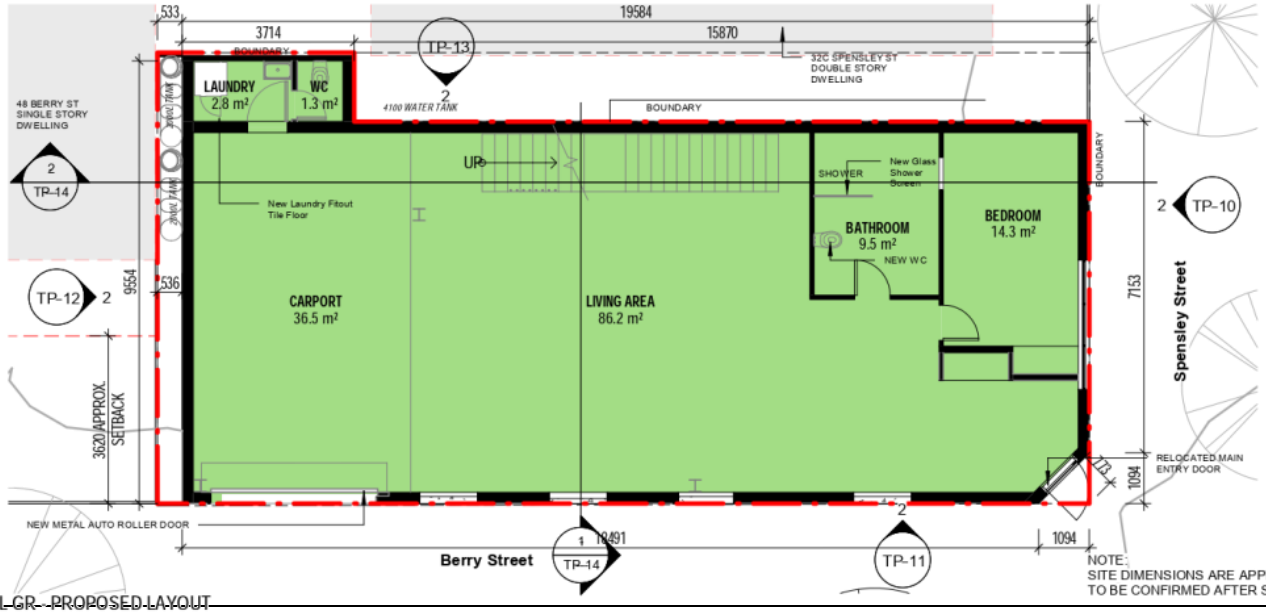
DRAWING No.:
TP-06

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



P / TP-10 LEVEL GR - EXISTING AND DEMOLITION PLAN
SCALE 1 : 100



NOTE:
SITE DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

1 / TP-10 LEVEL GR - PROPOSED LAYOUT
SCALE 1 : 100

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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CAIRNS
GOLD COAST
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
GROUND LEVEL EXISTING
AND PROPOSED LAYOUT

PROJECT No.:
19-002

N

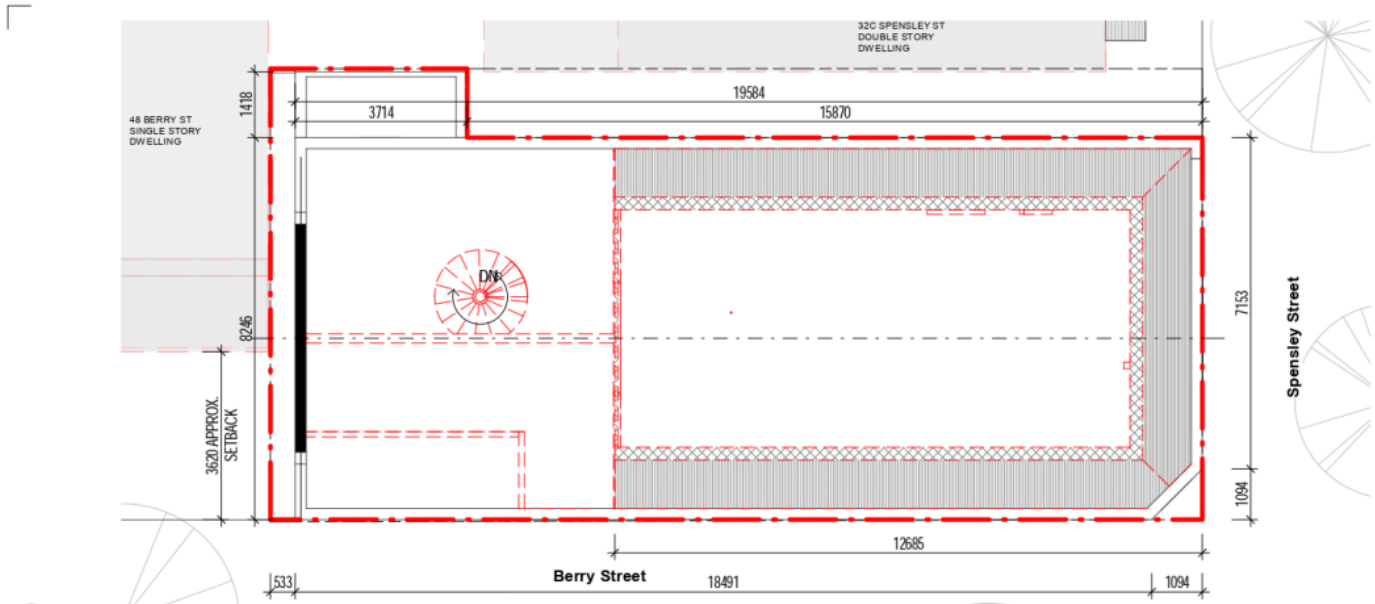
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PROJECT DATE:
26/06/2020

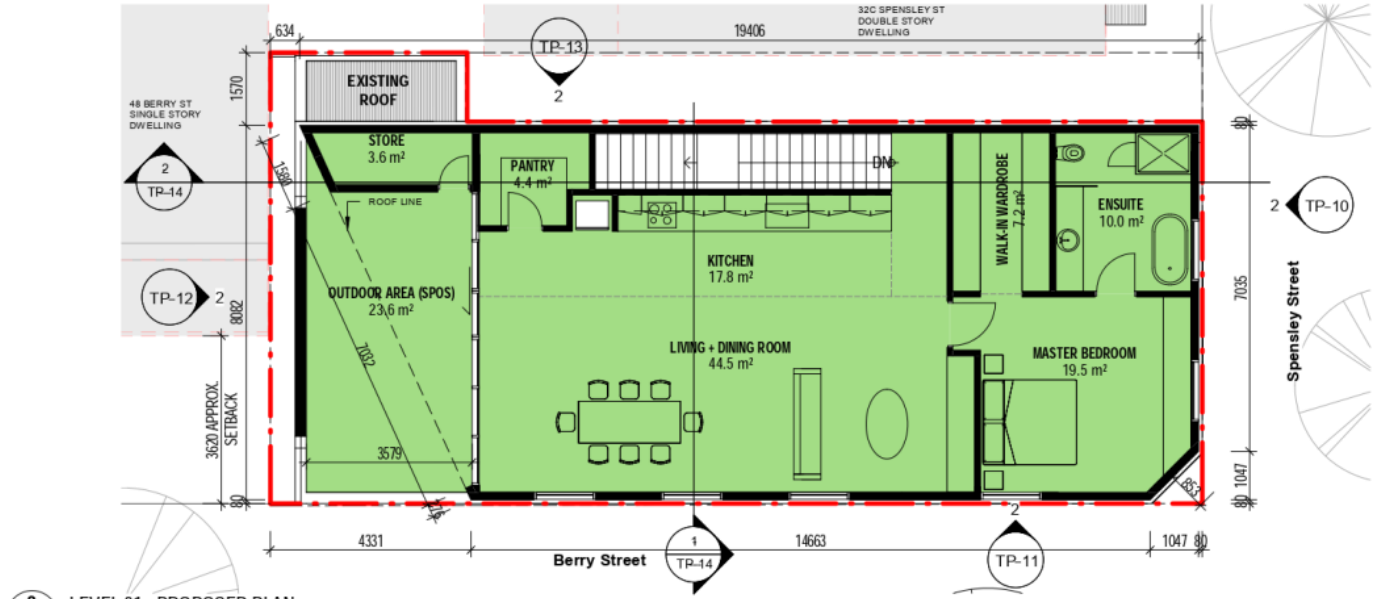
DRAWING No.:
TP-07

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 TP-10 LEVEL 01 - EXISTING AND DEMOLITION PLAN



2 TP-10 LEVEL 01 - PROPOSED PLAN

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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MELBOURNE
PERTH
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SUNSHINE COAST

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
LEVEL 1 EXISTING AND PROPOSED LAYOUT

PROJECT No.:
19-002

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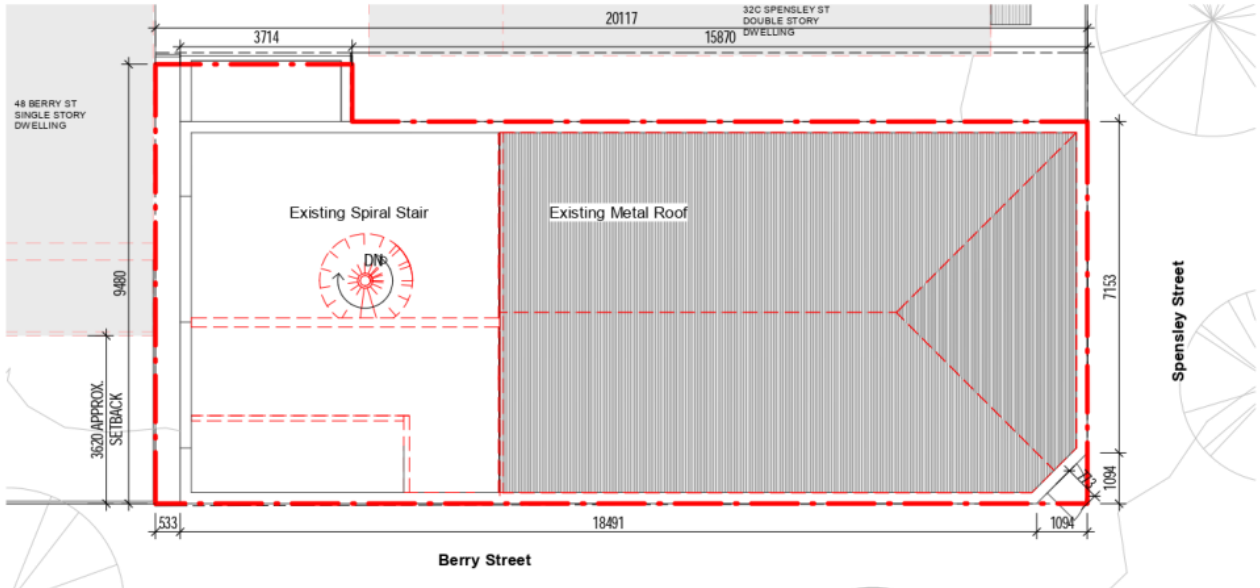
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PROJECT DATE:
26/06/2020

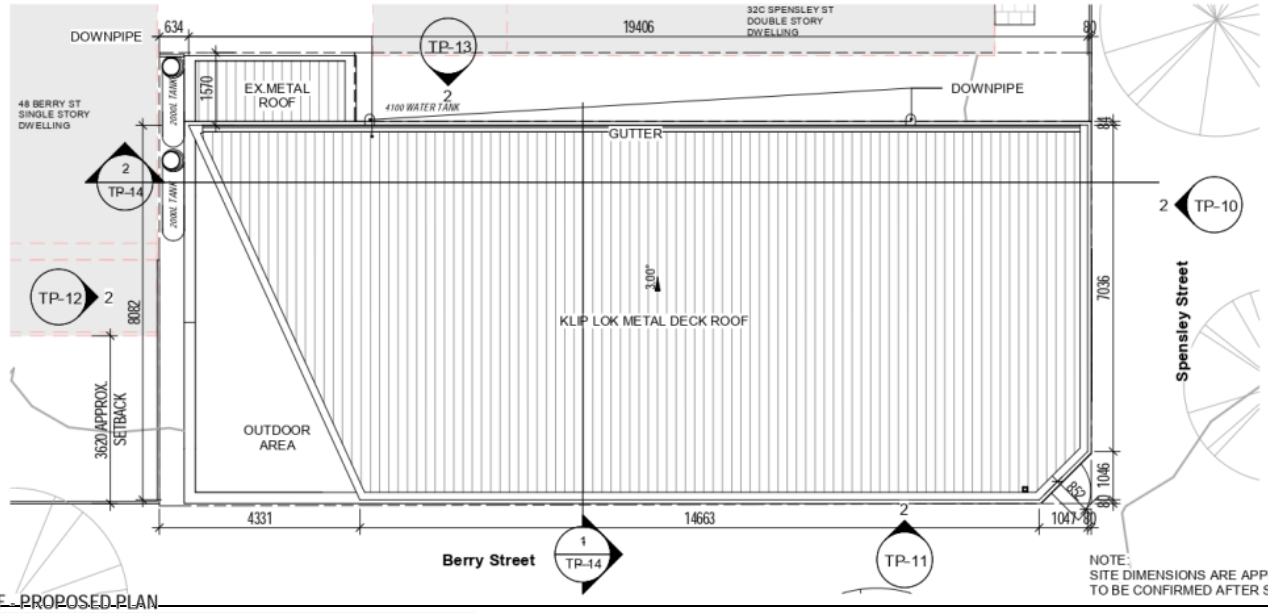
DRAWING No.:
TP-08

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 TP-10 ROOF - EXISTING AND DEMOLITION PLAN



NOTE:
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TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

2 TP-10 ROOF - PROPOSED PLAN

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
EXISTING AND
PROPOSED ROOF

PROJECT No.:
19-002

N

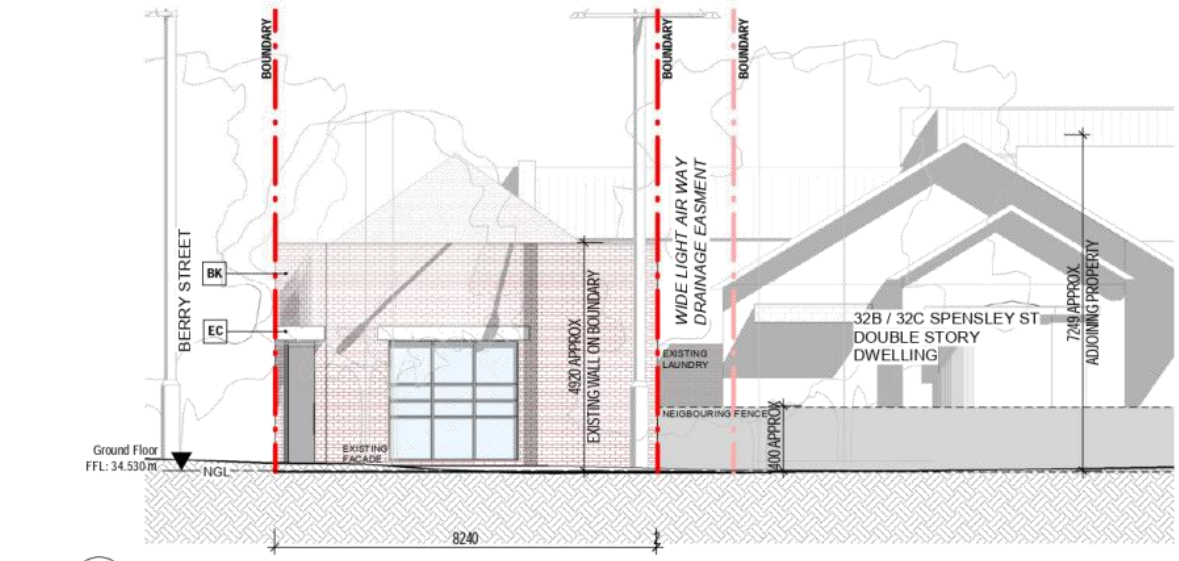
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PROJECT DATE:
26/06/2020

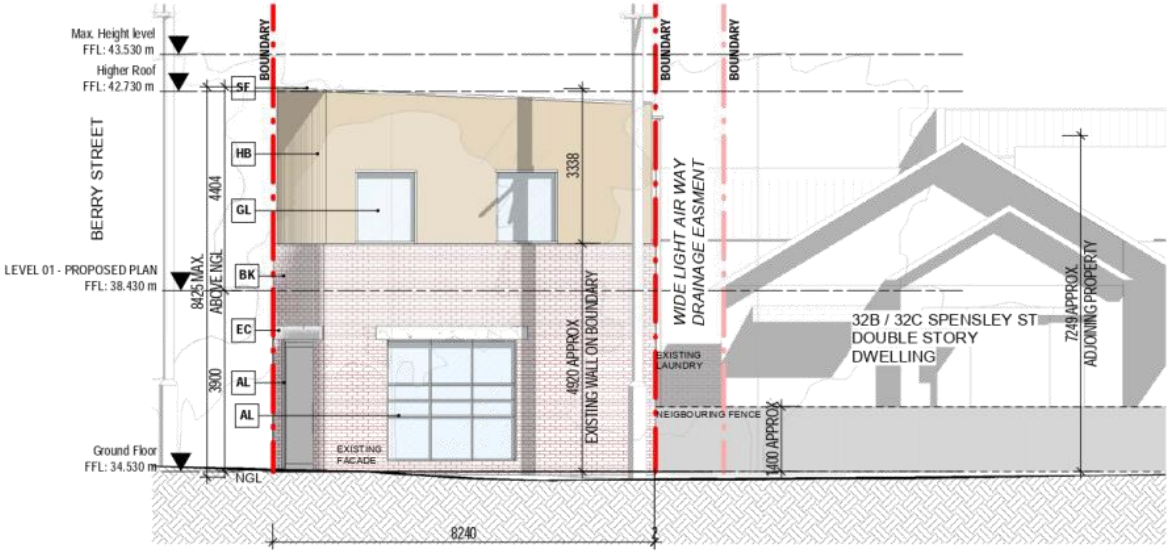
DRAWING No.:
TP-09

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 SOUTH ELEVATION - EXISTING



2 TP-07 SOUTH ELEVATION - PROPOSED

FACADE FINISHES LEGEND

AL - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR

BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

CG - DOUBLE GLAZED GLASS

EC - EXPOSED CONCRETE (EXISTING)

PA - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH

DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

SF - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR

MR - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR

HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

CL - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

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TOWN PLANNING

REASON FOR ISSUE
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SOUTH ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

N

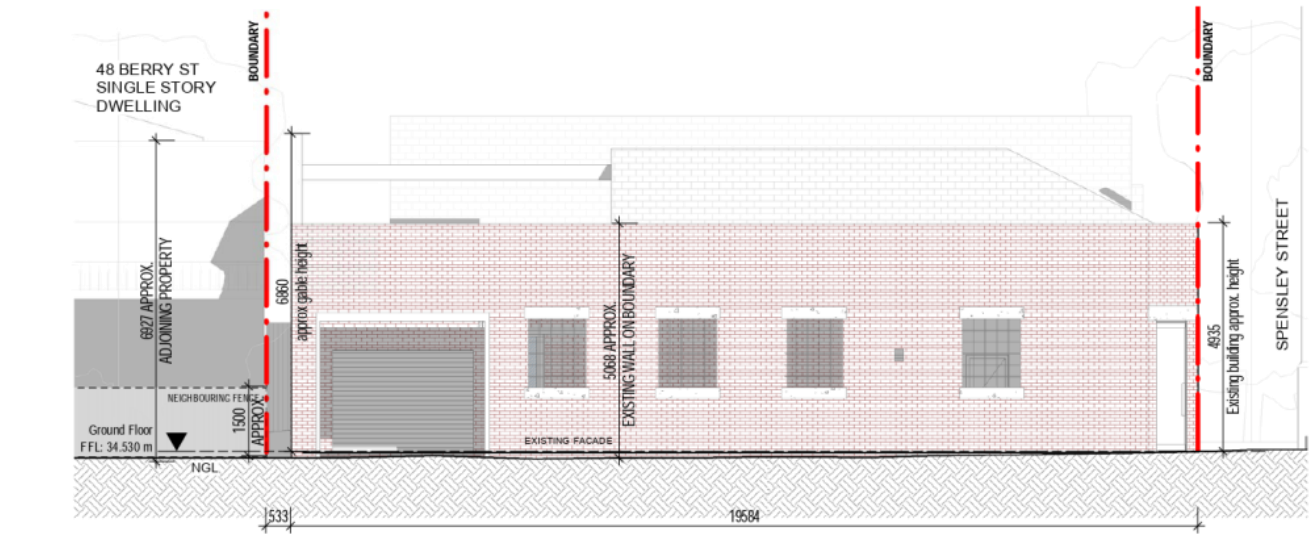
SCALE:
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PROJECT DATE:
26/06/2020

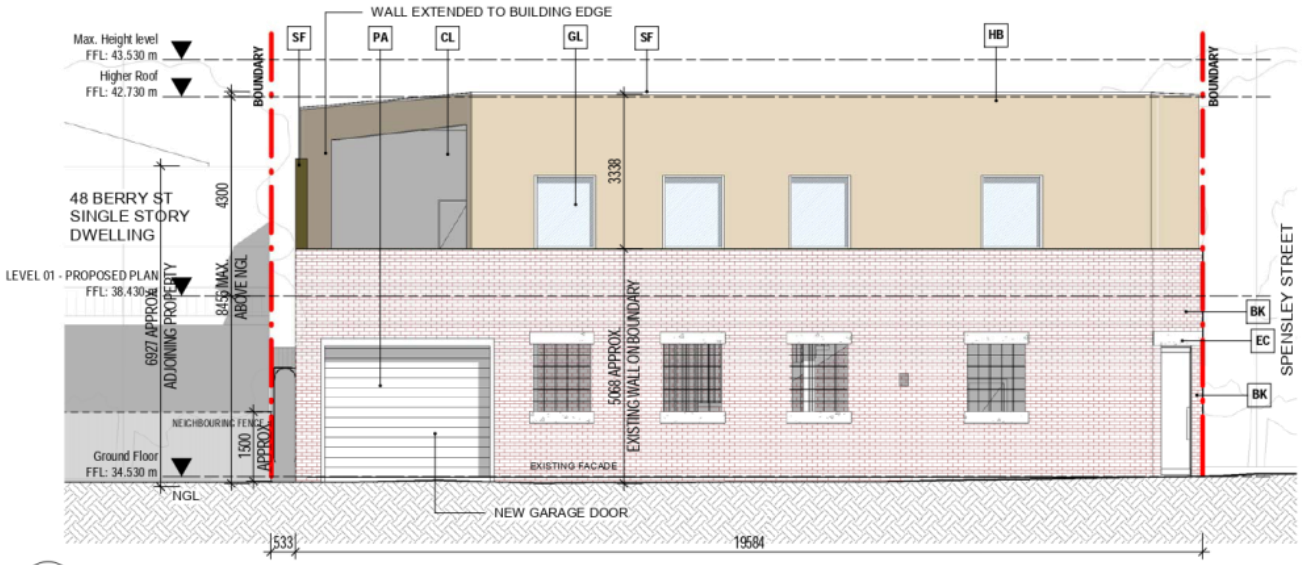
DRAWING No.:
TP-10

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 WEST ELEVATION - EXISTING



2 TP-07 WEST ELEVATION - PROPOSED

FACADE FINISHES LEGEND

- **AL** - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR
- **BK** - RED BRICK (EXISTING)
- **GL** - DOUBLE GLAZED TRANSPERENT LOW-E GLASS
- **CG** - DOUBLE GLAZED GLASS
- **EC** - EXPOSED CONCRETE (EXISTING)
- **PA** - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH
- **DP** - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR
- **SF** - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR
- **MR** - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR
- **HB** - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR
- **CL** - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

NOTE:
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ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
WEST ELEVATION -
EXISTING AND
PROPOSED

PROJECT No.:
19-002

N

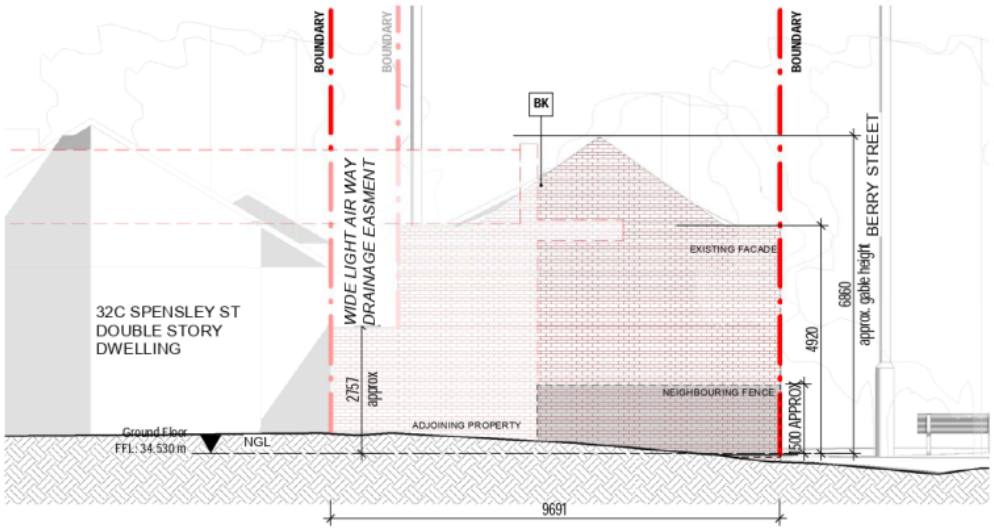
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PROJECT DATE:
26/06/2020

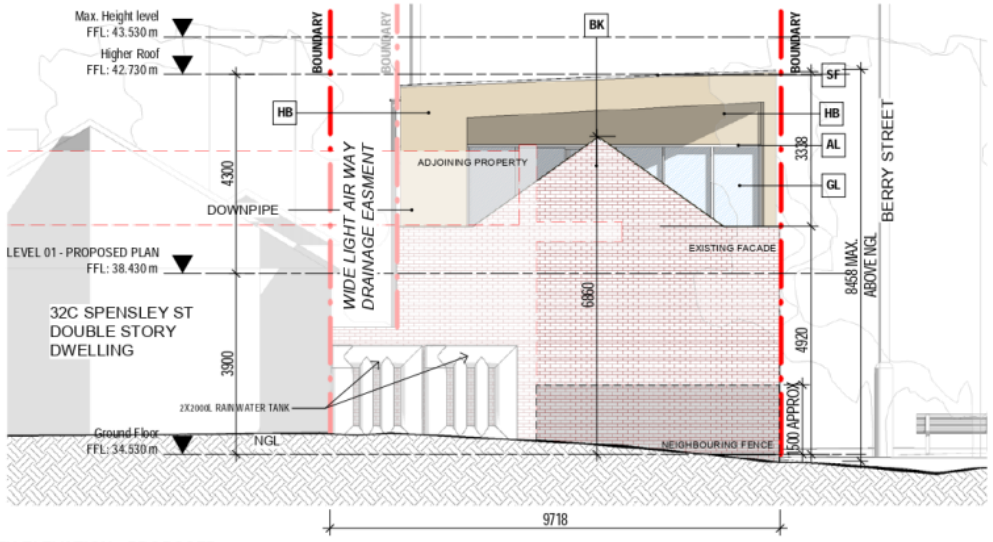
DRAWING No.:
TP-11

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 NORTH ELEVATION - EXISTING



2 TP-07 NORTH ELEVATION - PROPOSED

FACADE FINISHES LEGEND

AL - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR

BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

CG - DOUBLE GLAZED GLASS

EC - EXPOSED CONCRETE (EXISTING)

PA - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH

DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

SF - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR

MR - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR

HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

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NOTE:
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MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
NORTH ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

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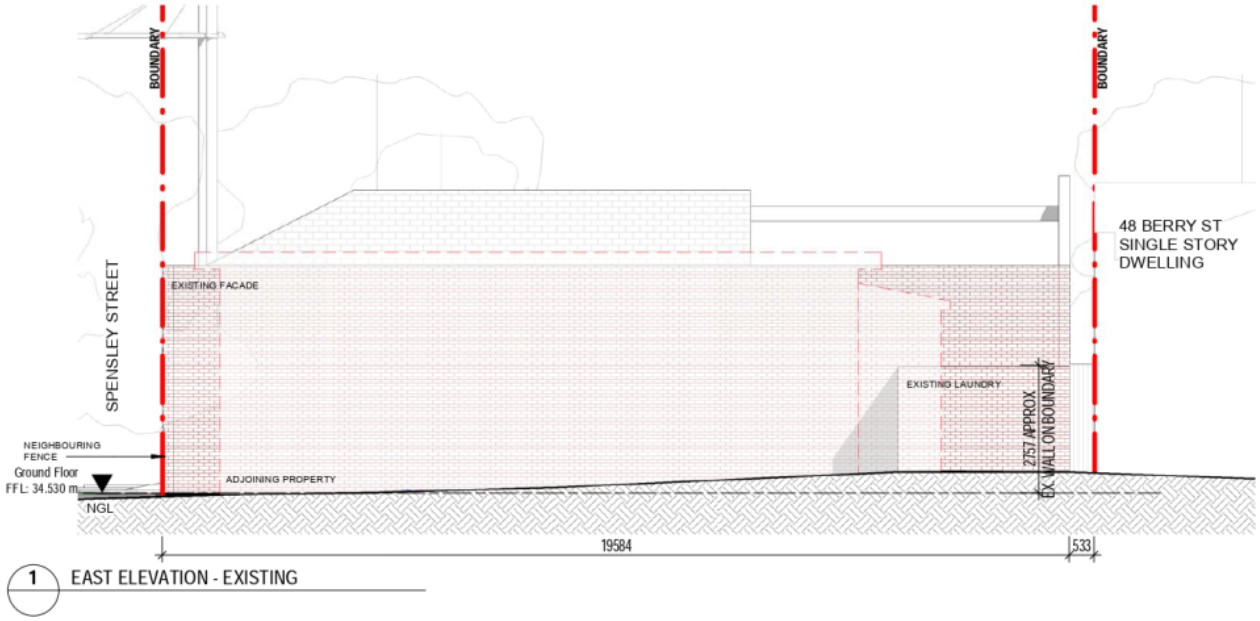
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PROJECT DATE:
26/06/2020

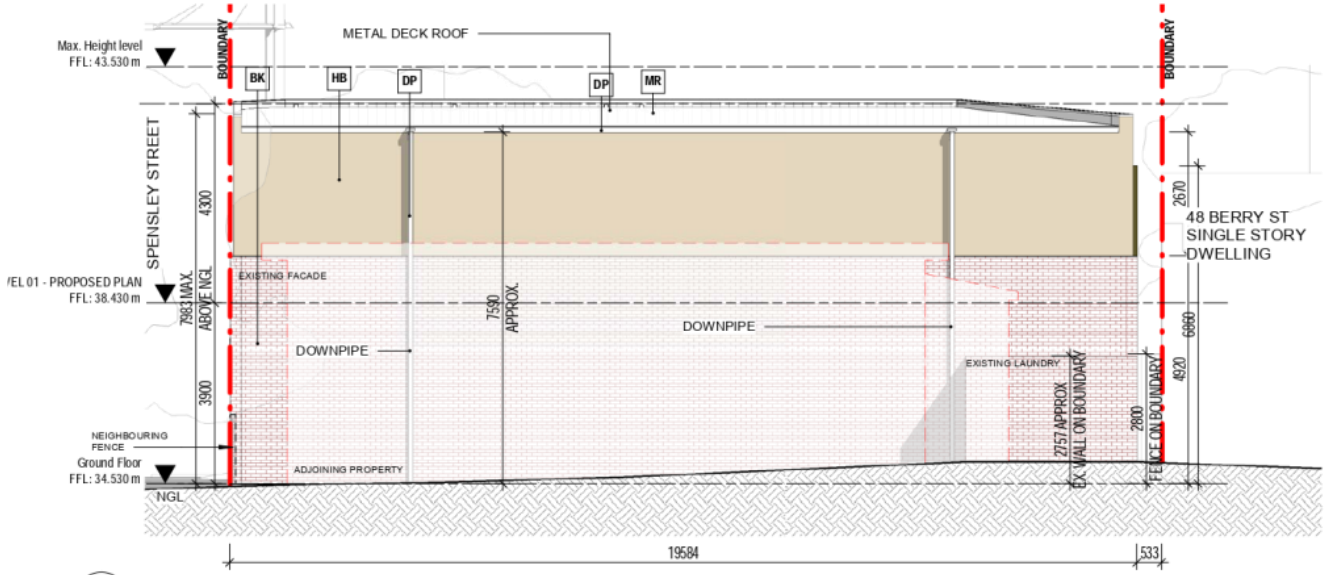
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REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 EAST ELEVATION - EXISTING



2 TP-07 EAST ELEVATION - PROPOSED

FACADE FINISHES LEGEND

AL - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR

BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

CG - DOUBLE GLAZED GLASS

EC - EXPOSED CONCRETE (EXISTING)

PA - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH

DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

SF - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR

MR - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR

HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

CL - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

NOTE:
ALL HEIGHT DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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TOWN PLANNING

REASON FOR ISSUE
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
EAST ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

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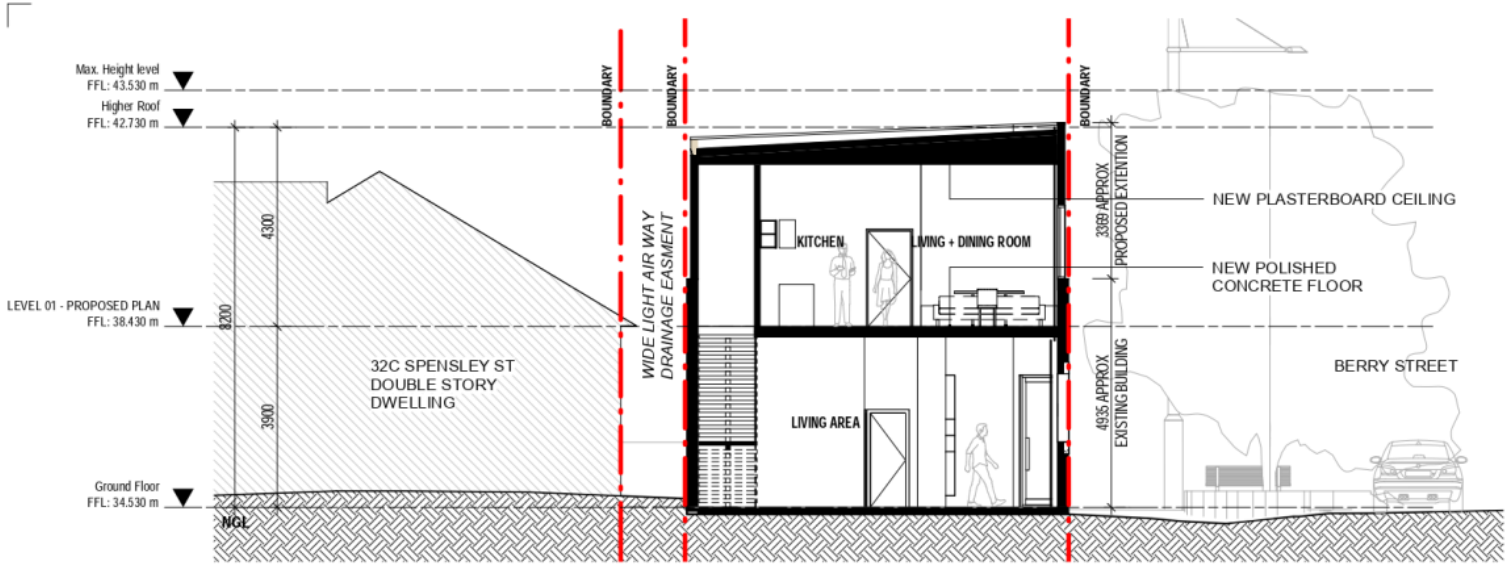
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PROJECT DATE:
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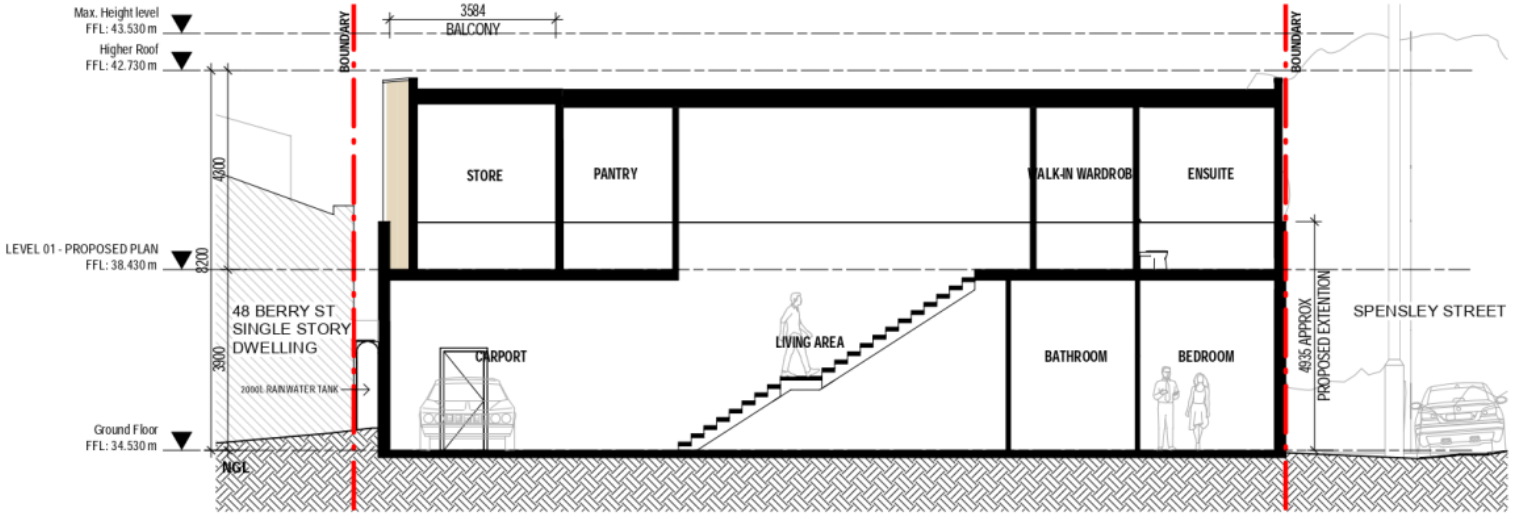
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REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans



1 TP-07 Section AA



2 TP-07 Section BB

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TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SECTION

PROJECT No.:
19-002

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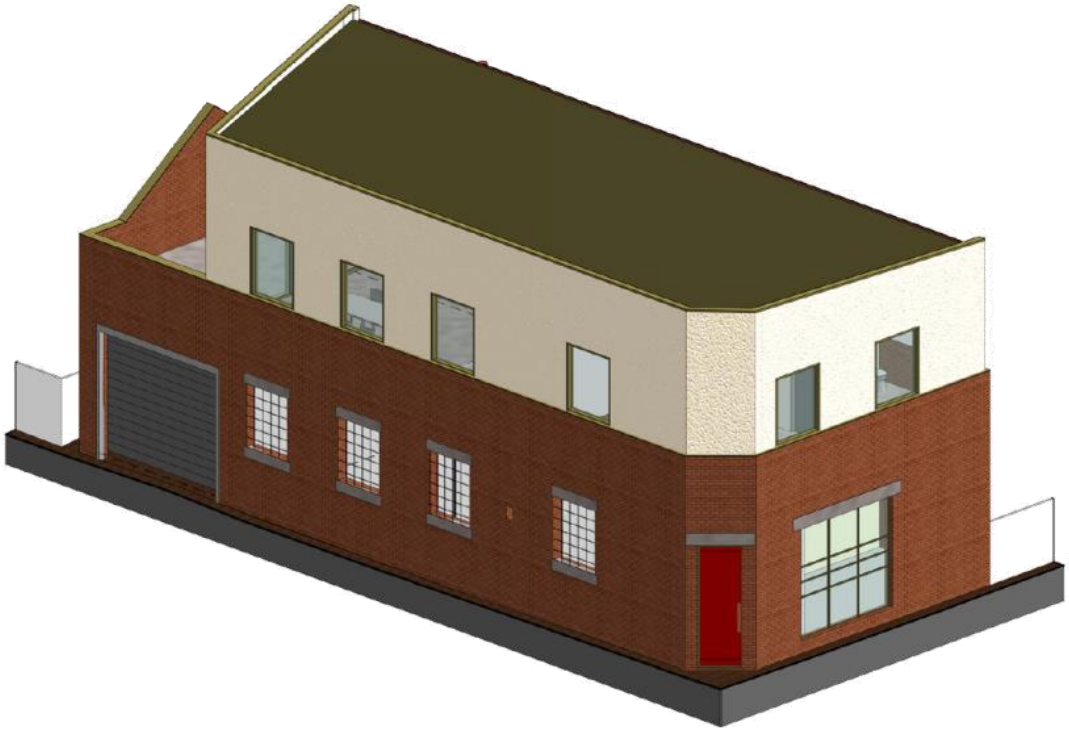
PROJECT DATE:
26/06/2020

DRAWING No.:
TP-14

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans

ISSUE	REVISION	DATE



1 ISOMETRIC

MASTER PLANNING
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
ISOMETRIC VIEW

PROJECT No.:
19-002

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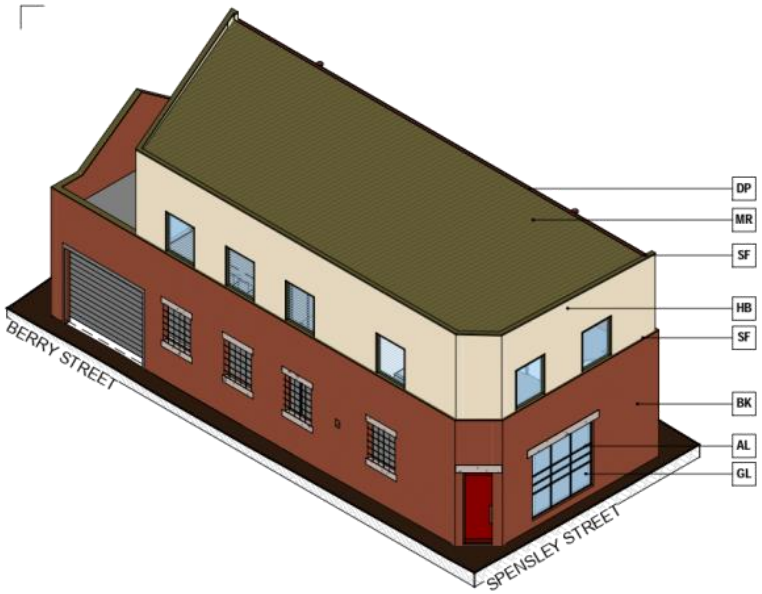
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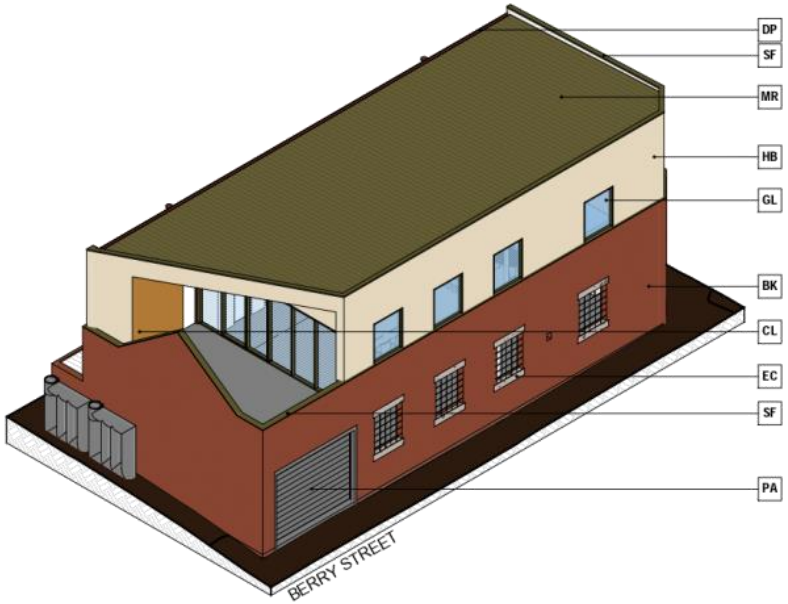
PROJECT DATE:
26/06/2020

DRAWING No.:
TP-15

REVISION:

Attachment 1 - PLN21/0331 - 32 Spensley Street Clifton Hill - Decision Plans





ISSUE	REVISION	DATE

LEGEND

TO BE DEMOLISHED

NEW CONSTRUCTION

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

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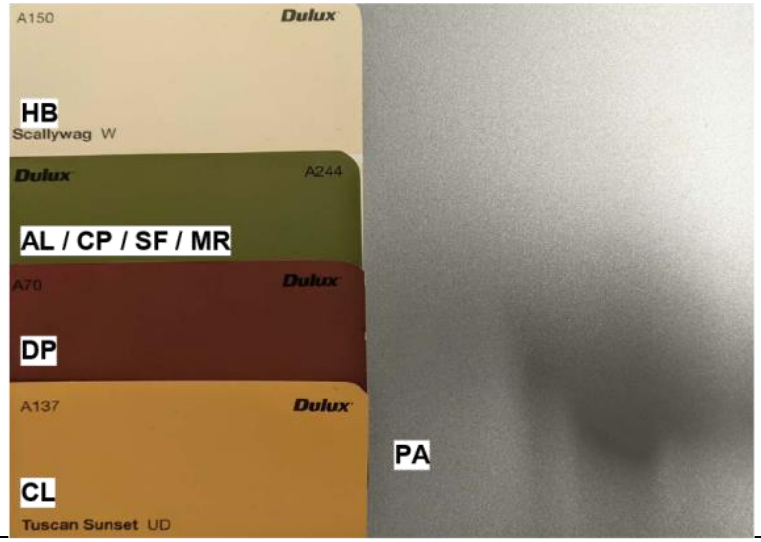
DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

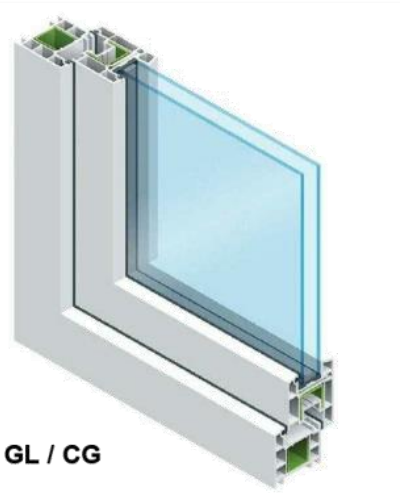
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HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

CL - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR





PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
MATERIAL BOARD

PROJECT No.:
19-002

N

SCALE:
1 : 100 @ A3

PROJECT DATE:
26/06/2020

DRAWING No.:
TP-16

REVISION:

Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)

PRE - TOWN PLANNING SET

SITE INFORMATION:

Address - **32 Spensley Street, Clifton Hill VIC 3068**

Lot Number - **Lot 1**

Plan Number **- LP24090**

Council Property Number - **133780**

TP-00	COVER SHEET
TP-01	NEIGHBOURHOOD ANALYSIS SCHEME
TP-02	NEIGHBOURHOOD AND SITE DESCRIPTION PLAN
TP-03	DESIGN RESPONSE SCHEME
TP-04A	EXISTING CONDITIONS
TP-04B	PROPOSED SITE PLAN
TP-05	SHADOW DIAGRAM - SPRING EQUINOX 9AM - 12PM
TP-06	SHADOW DIAGRAM - SPRING EQUINOX 1PM - 3PM
TP-07	GROUND LEVEL EXISTING AND PROPOSED LAYOUT
TP-08	LEVEL 1 EXISTING AND PROPOSED LAYOUT
TP-09	EXISTING AND PROPOSED ROOF
TP-10	SOUTH ELEVATION - EXISTING AND PROPOSED
TP-11	WEST ELEVATION - EXISTING AND PROPOSED
TP-12	NORTH ELEVATION - EXISTING AND PROPOSED
TP-13	EAST ELEVATION - EXISTING AND PROPOSED
TP-14	SECTION
TP-15	ISOMETRIC VIEW
TP-16	MATERIAL BOARD



ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
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SUNSHINE COAST

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DOCUMENTATION

REASON FOR ISSUE
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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
COVER SHEET

PROJECT No.:
19-002

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SCALE:
@ A3

PROJECT DATE:
26/06/2020

DRAWING No.:
TP-00

REVISION:

Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



Site Plan Photo

KEY TO THE PLAN

1 - SUBJECT SITE
2 - EXISTING PUBLIC FACILITIES ON GROUND LEVELS
3 - EXISTING PARKING
4 - NEIGHBOURING HOUSE 32a/b/c (with modern alteration)
5 - NEIGHBOURING VICTORIAN HOUSES
6 - ROYAL HOTEL

NEIGHBOURHOOD DESCRIPTION:

The subject site is situated on the intersection of Spensley and Berry streets. It is adjacent to Commercial zone (C1Z). All the ground floors of the neighbouring buildings located in this zone are occupied by public facilities (cafes, bars, etc.) The Clifton Hill train station is situated approximately 100m down to Spensley street to the West. There is also an extensive on-street parking for about 35 cars located along this part of the street.
The closest neighbourhood to the subject plot (East and North) preliminary consists of Hipped roof traditional 1-2 storey houses. However, the house on the adjacent plot (House 32) had been recently renovated by addition of contemporary style part.


View from Spensley St (West). Existing on-street parking on the left and Royal Hotel to the right


View from Berry St (North). Victorian houses on the left



View from Berry St (South). Existing public facilities on the right


View from Spensley St (East). Neighbouring House 32 with modern alteration on the right

ISSUE	REVISION	DATE

MASTER PLANNING
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INTERIOR DESIGN

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
NEIGHBOURHOOD
ANALYSIS SCHEME

PROJECT No.:
19-002

N

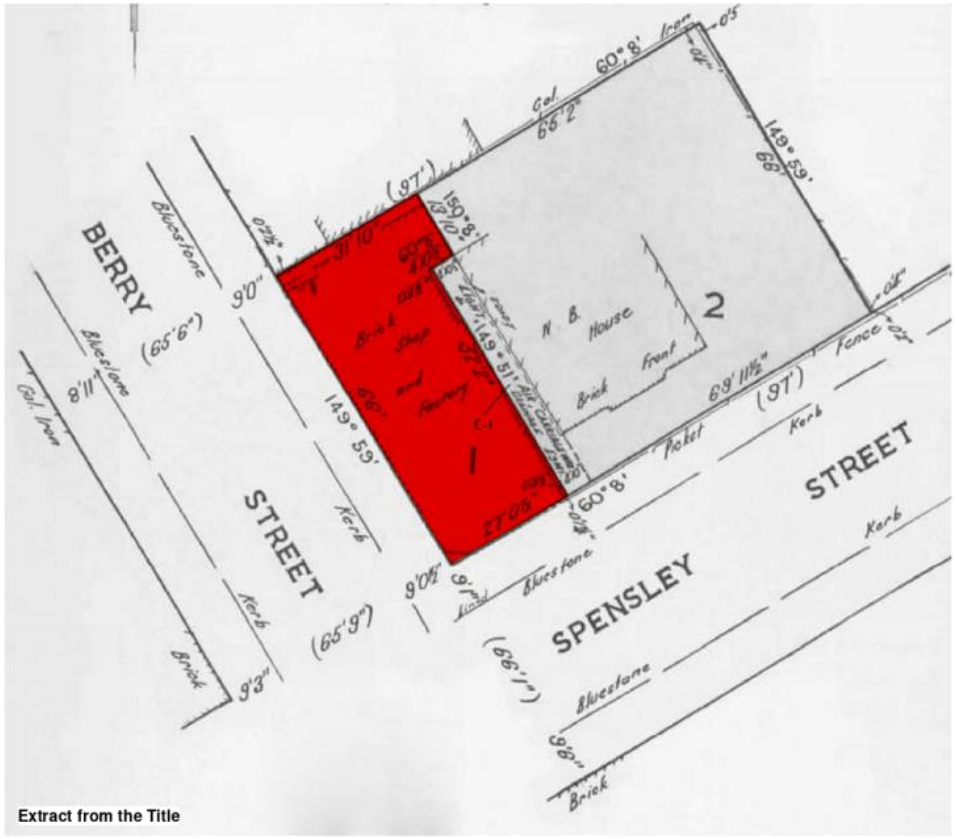
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PROJECT DATE:
26/06/2020

DRAWING No.:
TP-01

REVISION:

Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



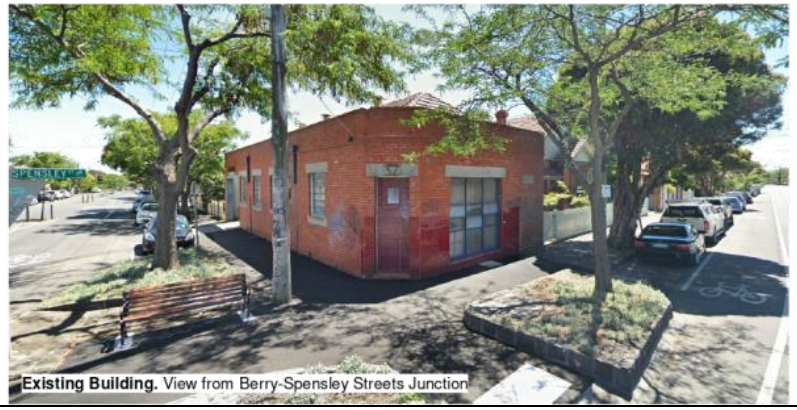
Extract from the Title

SITE INFORMATION:

Type of Zone - Neighbourhood Residential Zone (NRZ)
Max. allowable height - 9 m
Max. allowable number of storeys - 2
Approximate Site Area - 170 m2 (TBC by Survey)
Note: There is no specific information specified in the Schedule to the zone.
The subject site is also affected by heritage Overlay (HO316 - Clifton Hill Eastern Precinct). However, there are no specific requirements provided in the Schedule to Clause 43.01.
The subject site is currently occupied by single storey double brick 2-bedroom residential house which originally used to be a Brick shop / factory.



Subject Site (NEARMAP view)



Existing Building. View from Berry-Spensley Streets Junction



Existing Building. View from Berry Street

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
NEIGHBOURHOOD AND SITE DESCRIPTION PLAN

PROJECT No.:
19-002

N

SCALE:
@ A3

PROJECT DATE:
26/06/2020

DRAWING No.:
TP-02

REVISION:

Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



Existing Building. View from Berry-Spensley St Junction



Existing Building. View from Berry Street

DESIGN RESPONSE: PROPOSAL

The proposed development will extend the existing building vertically by one floor. The upper floor will contain the master bedroom, a living area, and an outdoor deck. The ground floor will retain the exiting carport, living area, and one bedroom. The overall house will retain the same number of bedrooms as existing.
There are no windows to adjoining properties, and the outdoor area on the upper floor is totally screened meaning there is no overlooking.

PROPOSED DEVELOPMENT NUMBERS

Total Area - 270 m2
Residential Area - 168 m2 (incl. Carport - 28 m2)

EXISTING BUILDING. SCOPE OF WORK

1 - Existing roof to be demolished
2 - All existing walls and windows are retained
3 - Existing Garage roller door relocated

PROPOSED EXTENSION

A - Upper floor will be painted Hebel cladding
B - the extension will follow the external wall line of the existing building
C - Windows on the western facade will match the form of the exisiting windows below
D - The facade will be a parapet design which matches the buildings on the adjacent corners



1 View from Berry-Spensley Streets Junction



2 View from Berry street

ISSUE	REVISION	DATE

MASTER PLANNING
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INTERIOR DESIGN

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PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
DESIGN RESPONSE SCHEME

PROJECT No.:
19-002

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SCALE:
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PROJECT DATE:
26/06/2020

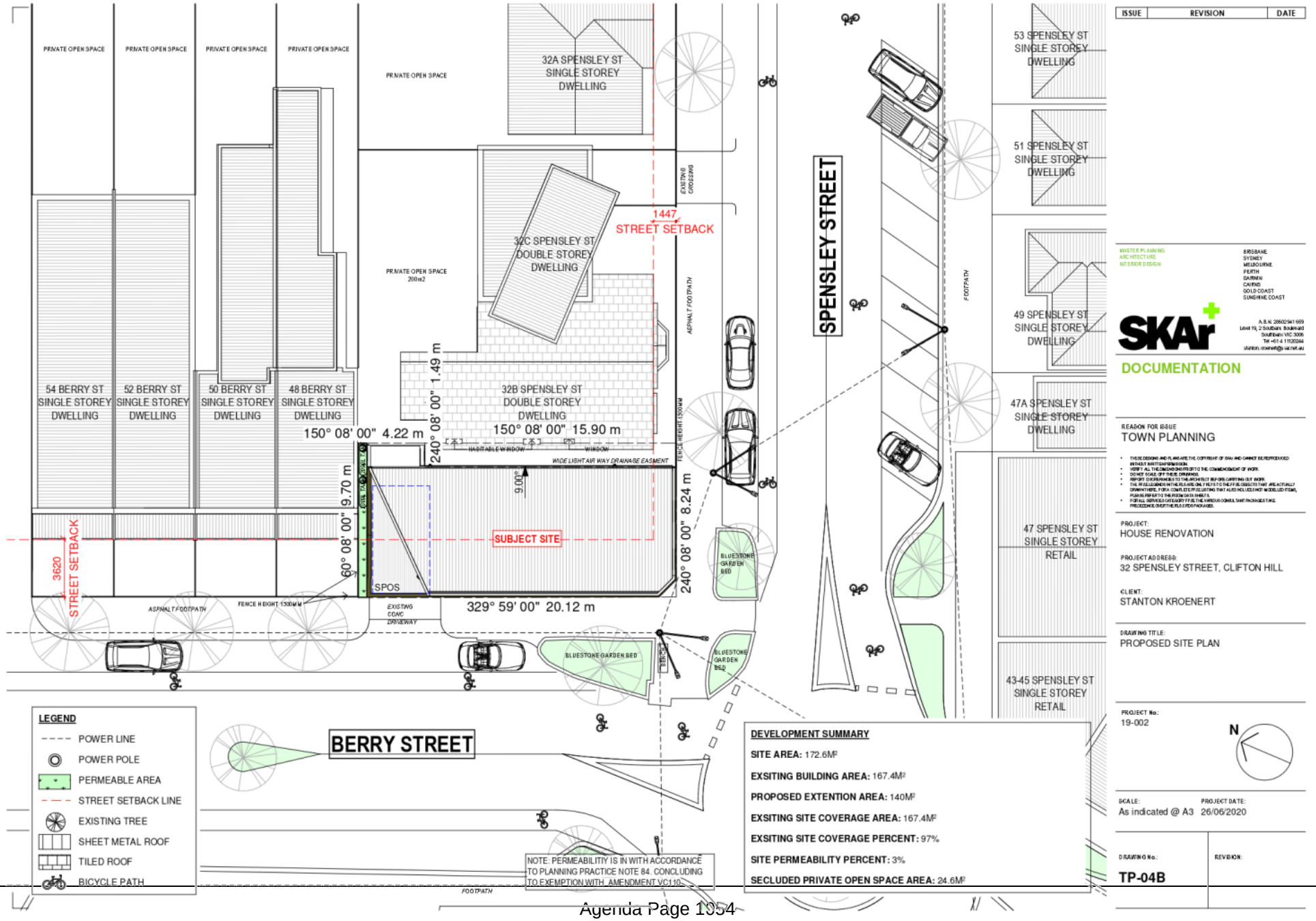
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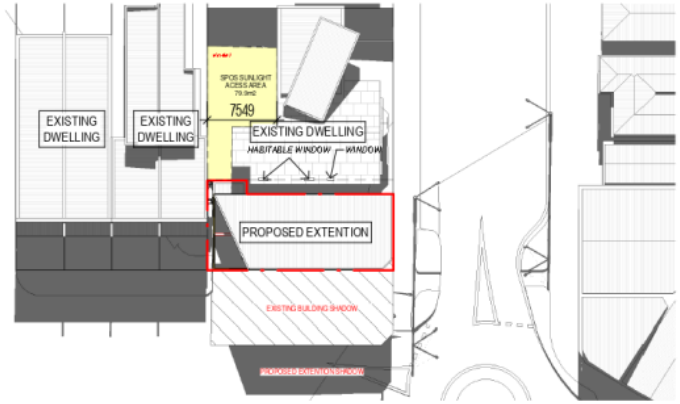
Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



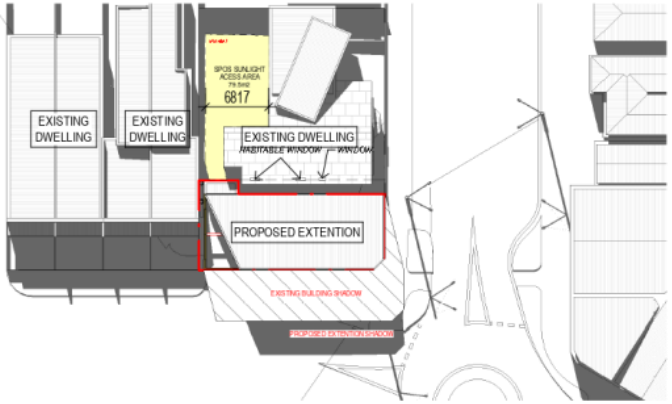
Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



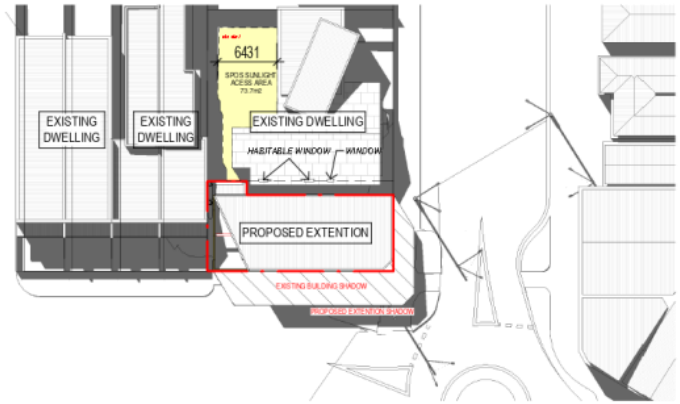
Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



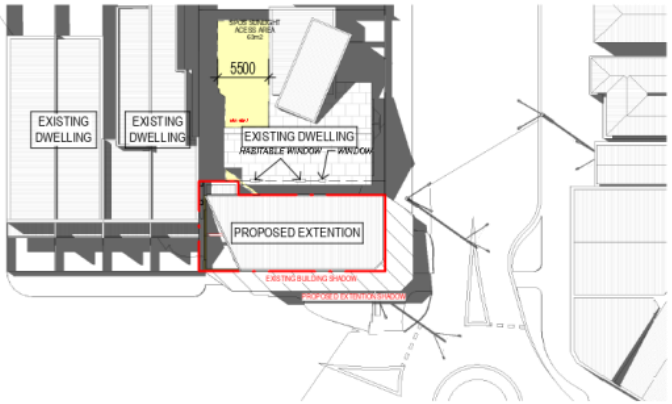
1 TP-10 PROPOSED - 9AM EQUINOX
SCALE 1 : 500



2 TP-10 PROPOSED - 10AM EQUINOX
SCALE 1 : 500



3 TP-10 PROPOSED - 11AM EQUINOX
SCALE 1 : 500



4 TP-10 PROPOSED - 12PM EQUINOX
SCALE 1 : 500

9AM - 12PM SHADOW DIAGRAM SUMMARY								
TIME OF DAY	EXISTING SHADOW AREA	PROPOSED SHADOW AREA	TOTAL SHADOW AREA	SHADOW ENCROACHING AREA	SUNLIGHT ACCESS PERCENTAGE	SUNLIGHT ACCESS AREA	ADDITIONAL SHADOW ENCROACHING	COMPLIES
9AM	157m2	91m2	248m2	0m2	62.4%	79.9m2	NO	YES
10AM	123m2	61m2	184m2	0m2	62.1%	79.5m2	NO	YES
12PM	67m2	38m2	105m2	0m2	49.2%	63m2	NO	YES

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

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Level 19, 2 Southbank Boulevard
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Tel +61 4 11120244
stanton.kroenert@ozemail.com.au

DOCUMENTATION

REASON FOR ISSUE
TOWN PLANNING

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- FOR ALL SERVICES NOT EXPLICITLY FOUND IN THE WINDOW SCHEDULE THAT PACKAGES TAKE PRECEDENCE OVER THE RELEASED PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SHADOW DIAGRAM - SPRING EQUINOX 9AM - 12PM

PROJECT No.:
19-002

N

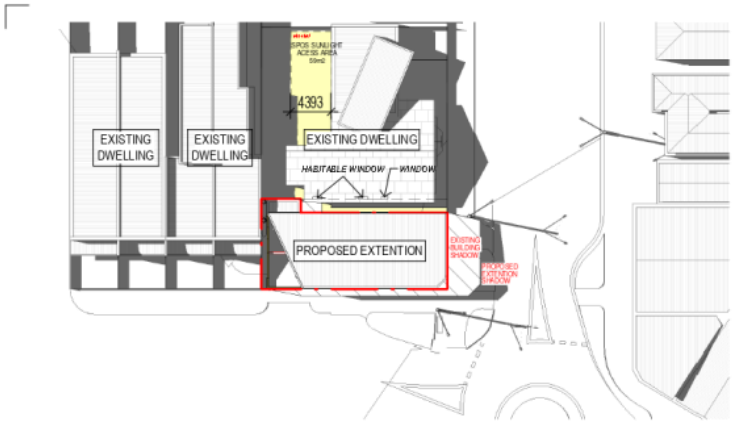
SCALE:
1 : 500 @ A3

PROJECT DATE:
26/06/2020

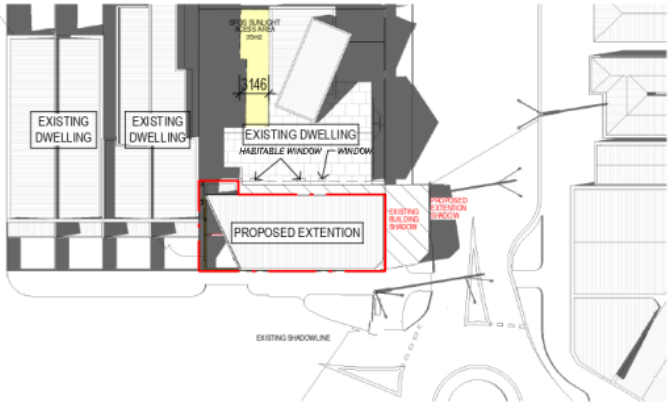
DRAWING No.:
TP-05

REVISION:

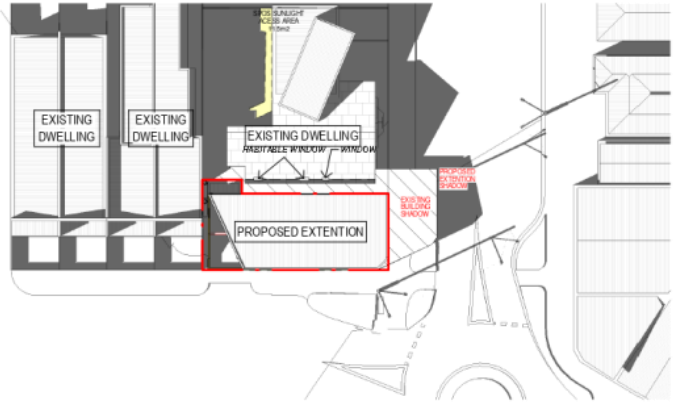
Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



1 TP-10 PROPOSED - 1PM EQUINOX
SCALE 1 : 500



2 TP-10 PROPOSED - 2PM EQUINOX
SCALE 1 : 500



3 TP-10 PROPOSED - 3PM EQUINOX
SCALE 1 : 500

1PM - 3PM SHADOW DIAGRAM SUMMARY								
TIME OF DAY	EXISTING SHADOW AREA	PROPOSED SHADOW AREA	TOTAL SHADOW AREA	SHADOW ENCROACHING AREA	SUNLIGHT ACCESS PERCENTAGE	SUNLIGHT ACCESS AREA	ADDITIONAL SHADOW ENCROACHING	COMPLIES
1PM	47m2	30m2	77m2	0m2	46%	59m2	NO	YES
2PM	59m2	27m2	86m2	17m2	27.3%	35m2	NO	YES
3PM	71m2	48m2	119m2	23m2	9%	11.5m2	NO	YES

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

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- IN CASE OF ANY CATEGORY PP IN THE VARIOUS CONSULTANT PACKAGES THE PRECEDENCE OVER THE PLUS PER PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SHADOW DIAGRAM - SPRING EQUINOX 1PM - 3PM

PROJECT No:
19-002

N

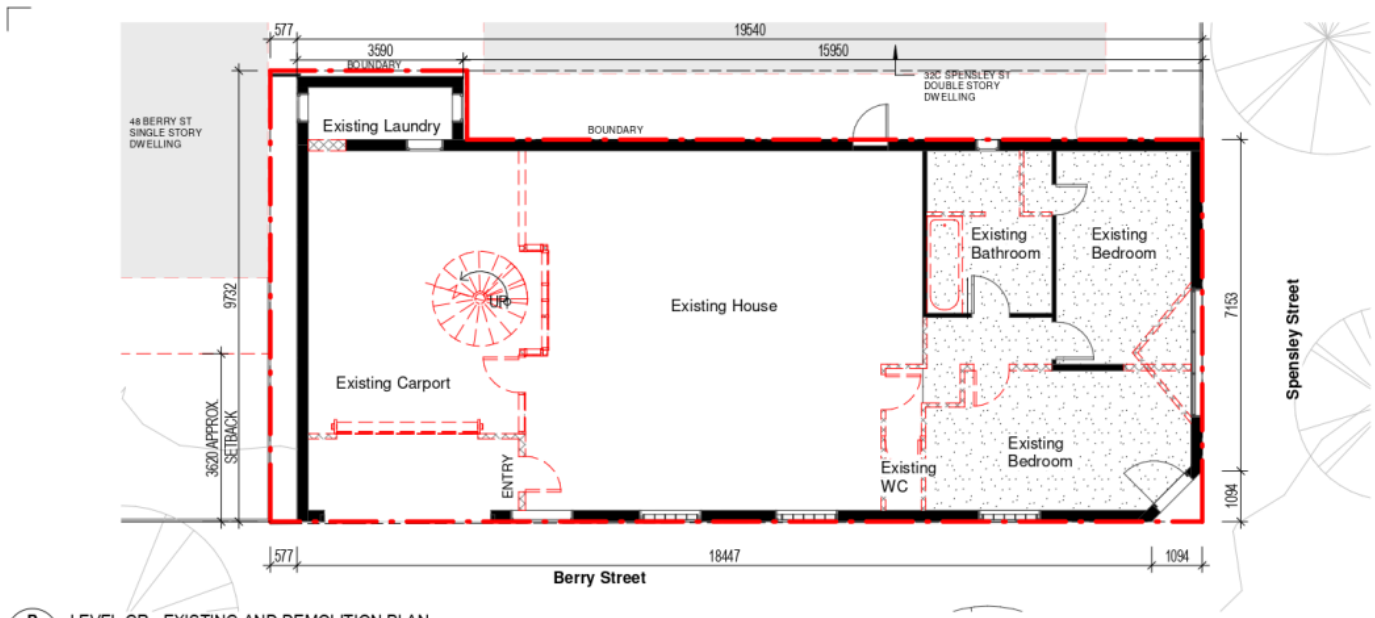
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PROJECT DATE:
26/06/2020

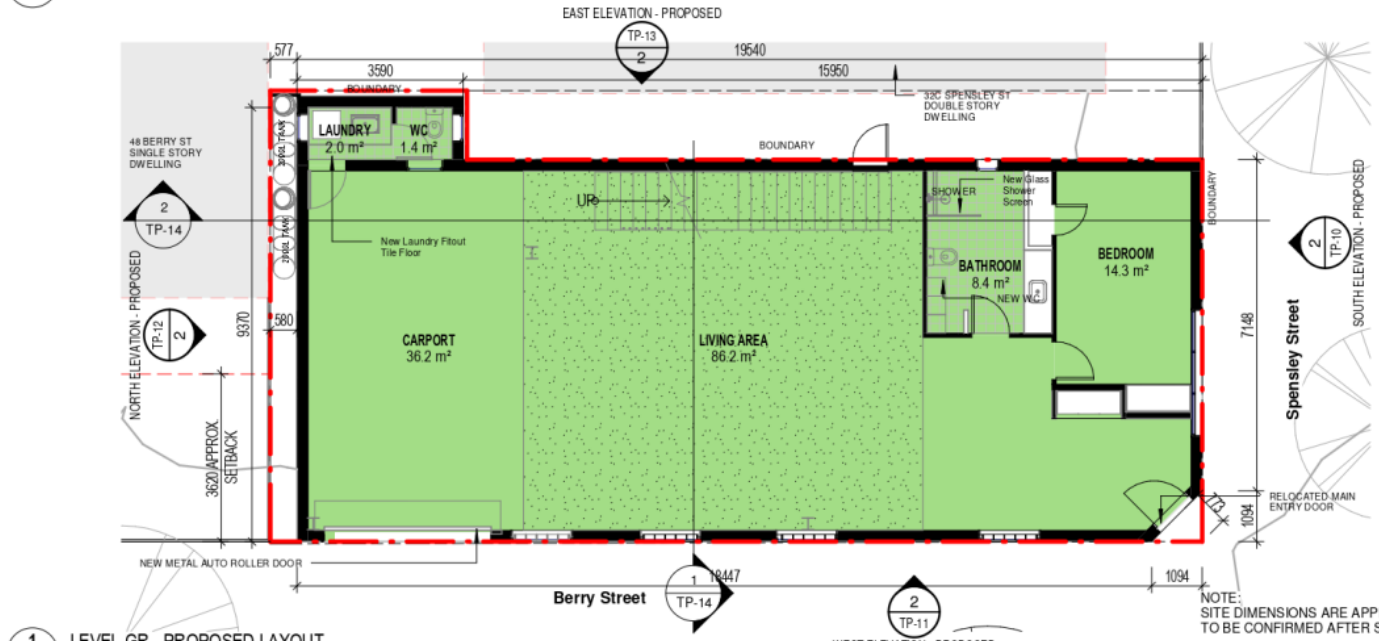
DRAWING No.:
TP-06

REVISION:

Attachment 2 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 1)



P TP-10 LEVEL GR - EXISTING AND DEMOLITION PLAN
SCALE 1 : 100



1 TP-10 LEVEL GR - PROPOSED LAYOUT
SCALE 1 : 100

NOTE:
SITE DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

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- FOR ALL SERVICES CATEGORY FF (ALTHOUGH SHOWN ON THE FLOOR PLANS) CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE FF LISTED FOR PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
GROUND LEVEL EXISTING
AND PROPOSED LAYOUT

PROJECT No.:
19-002

N

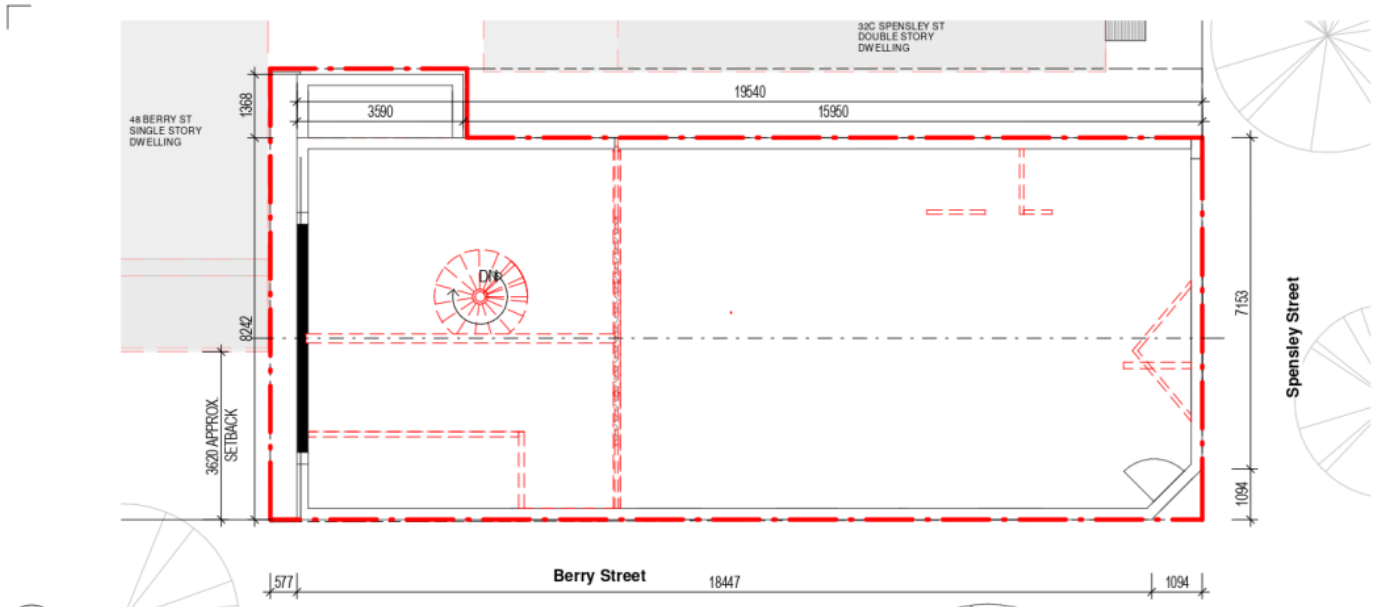
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PROJECT DATE:
26/06/2020

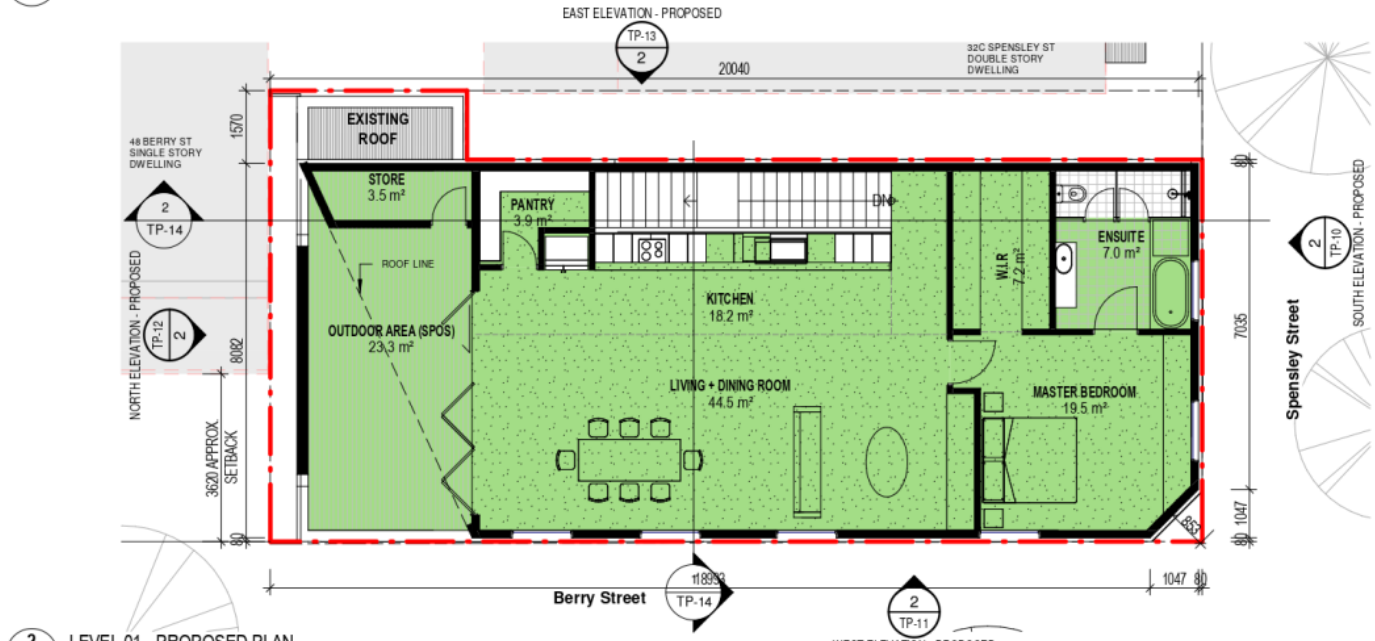
DRAWING No.:
TP-07

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 TP-10 LEVEL 01 - EXISTING AND DEMOLITION PLAN



2 TP-10 LEVEL 01 - PROPOSED PLAN

ISSUE	REVISION	DATE

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INTERIOR DESIGN

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- FOR ALL SERVICES CATEGORY FF ELEVATIONS CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE RL'S FROM PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
LEVEL 1 EXISTING AND PROPOSED LAYOUT

PROJECT No.:
19-002

N

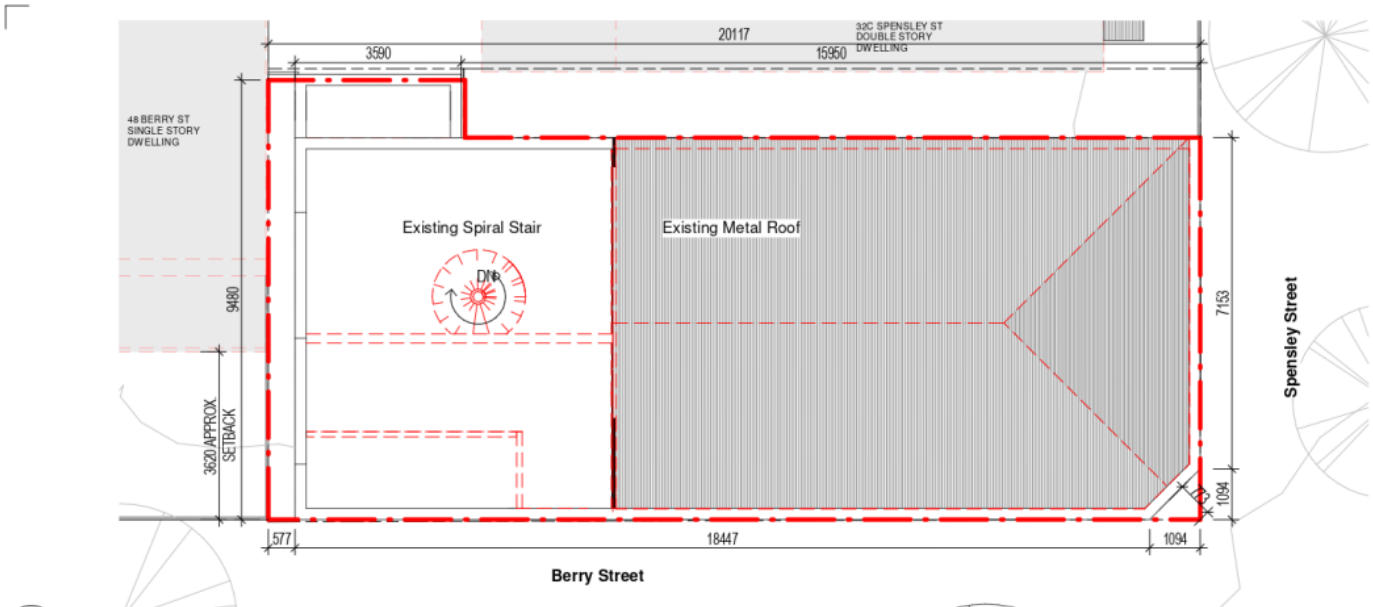
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PROJECT DATE:
26/06/2020

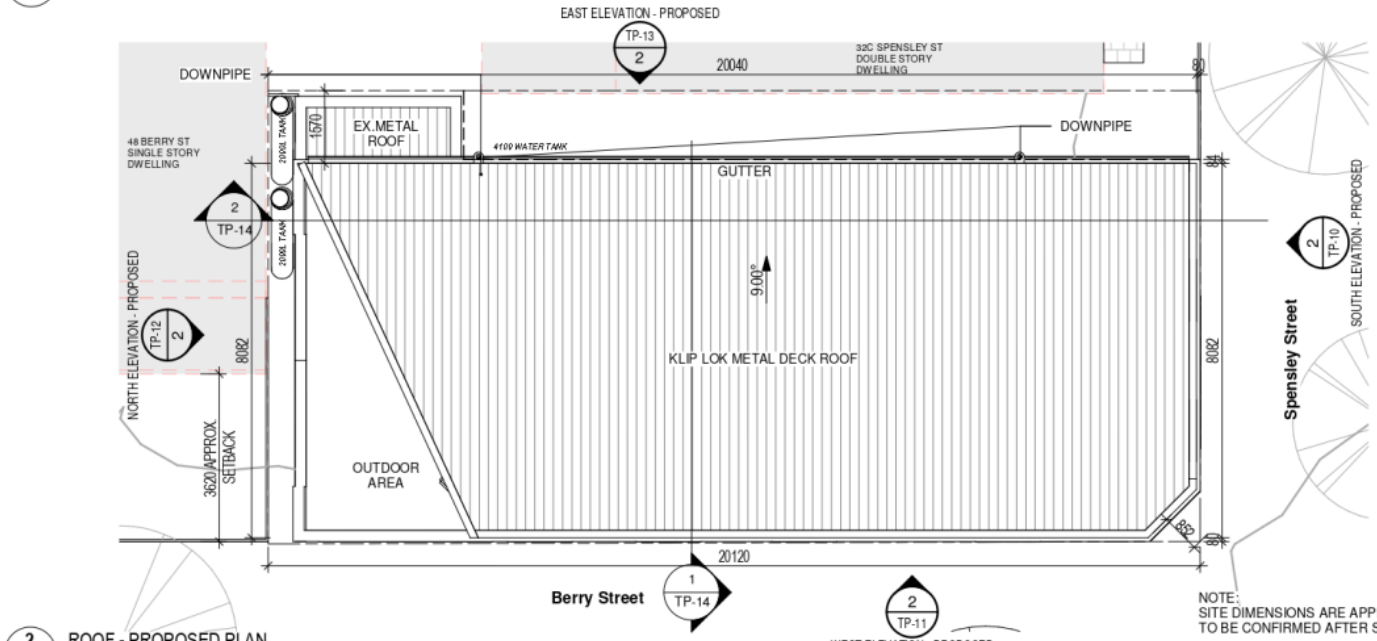
DRAWING No.:
TP-08

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 TP-10 ROOF - EXISTING AND DEMOLITION PLAN



2 TP-10 ROOF - PROPOSED PLAN

NOTE:
SITE DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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SUNSHINE COAST

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- FOR ALL SERVICES CATEGORY FF&E THE KITCHEN CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE RELEASED FF&E PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
EXISTING AND
PROPOSED ROOF

PROJECT No.:
19-002

N

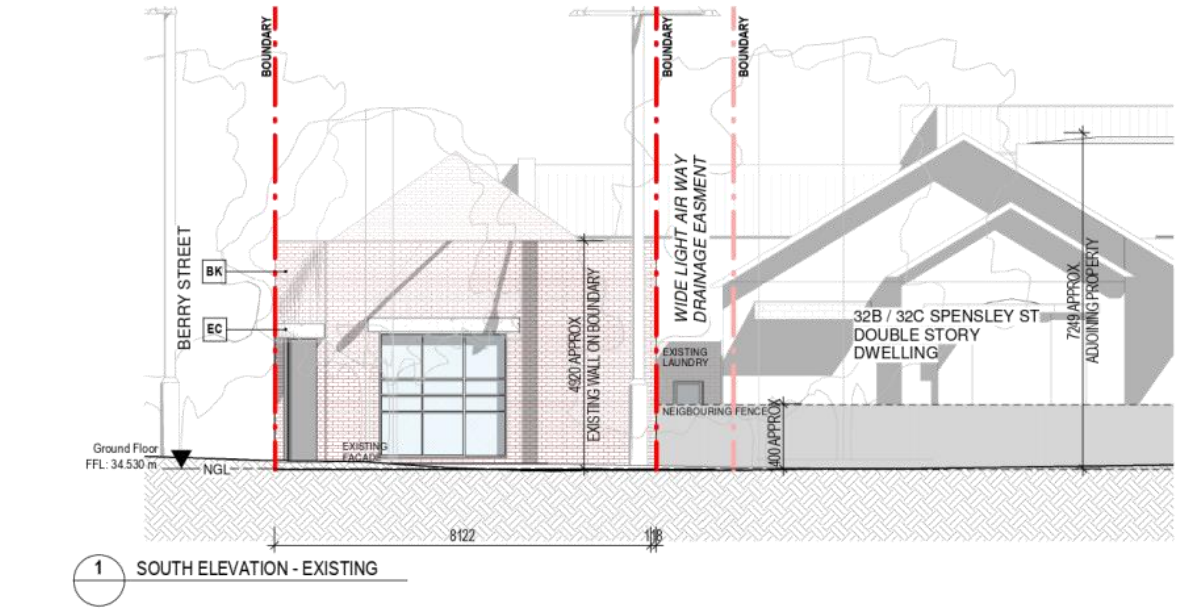
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PROJECT DATE:
26/06/2020

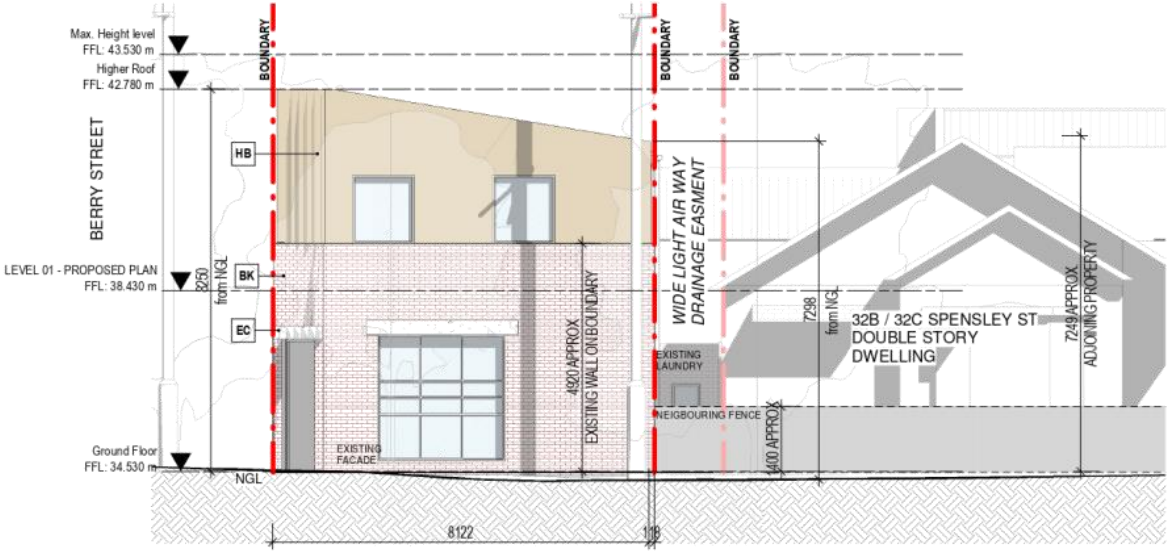
DRAWING No.:
TP-09

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 SOUTH ELEVATION - EXISTING



2 TP-07 SOUTH ELEVATION - PROPOSED

FACADE FINISHES LEGEND

AL - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR

BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

CG - DOUBLE GLAZED GLASS

EC - EXPOSED CONCRETE (EXISTING)

PA - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH

DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

SF - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR

MR - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR

HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

CL - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

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DOCUMENTATION

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- FOR ALL SERVICES OBTAIN FROM THE VARIOUS CONSULTANT PACKAGES. THE LATEST ISSUE OVERTHE RELEASED PDF PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SOUTH ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

N

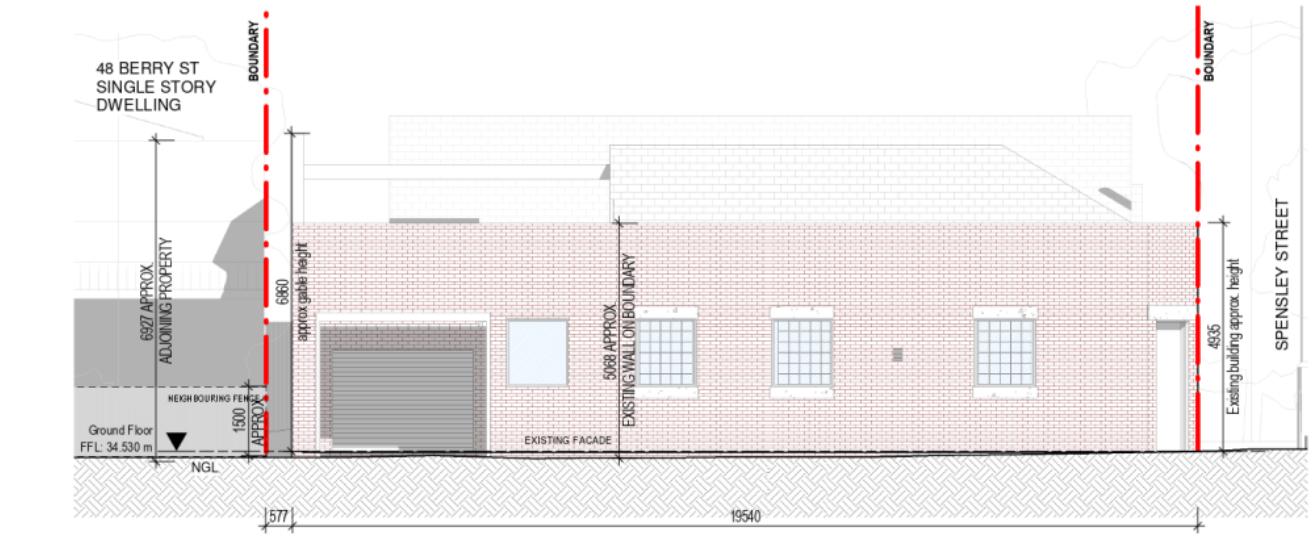
SCALE:
1 : 100 @ A3

PROJECT DATE:
26/06/2020

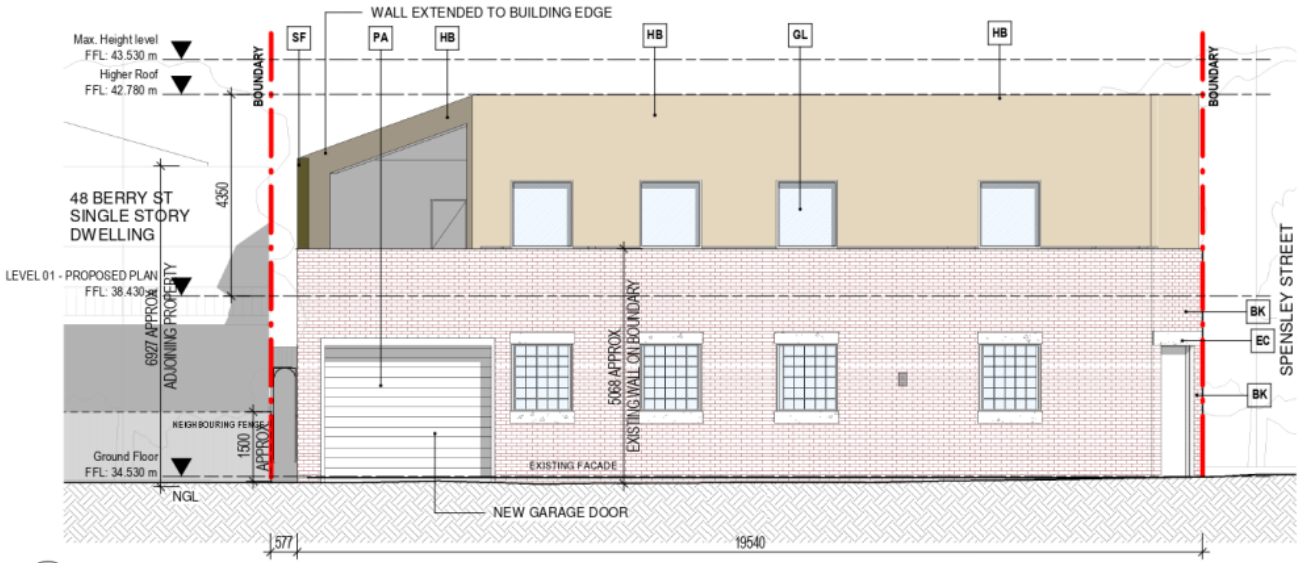
DRAWING No.:
TP-10

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 WEST ELEVATION - EXISTING



2 TP-07 WEST ELEVATION - PROPOSED

FACADE FINISHES LEGEND

- **AL** - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR
- **BK** - RED BRICK (EXISTING)
- **GL** - DOUBLE GLAZED TRANSPERENT LOW-E GLASS
- **CG** - DOUBLE GLAZED GLASS
- **EC** - EXPOSED CONCRETE (EXISTING)
- **PA** - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH
- **DP** - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR
- **SF** - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR
- **MR** - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR
- **HB** - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR
- **CL** - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

NOTE:
ALL HEIGHT DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

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DOCUMENTATION

REASON FOR ISSUE
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- THE RULES LISTED IN THE PLANS WILL ONLY FACTS TO THE FULFILLED OBJECTS THAT ARE ACTUALLY DRAWN THERE. FOR A CONFLICT, DIFFICULTIES LISTING THAT ALSO INCLUDES NOT MODELLED ITEMS, PLEASE REFER TO THE PRINCIPAL DRAWINGS.
- FOR ALL SERVICES NOT EXACTLY FULFILLED WHERE CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE RULES FOR PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
WEST ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

N

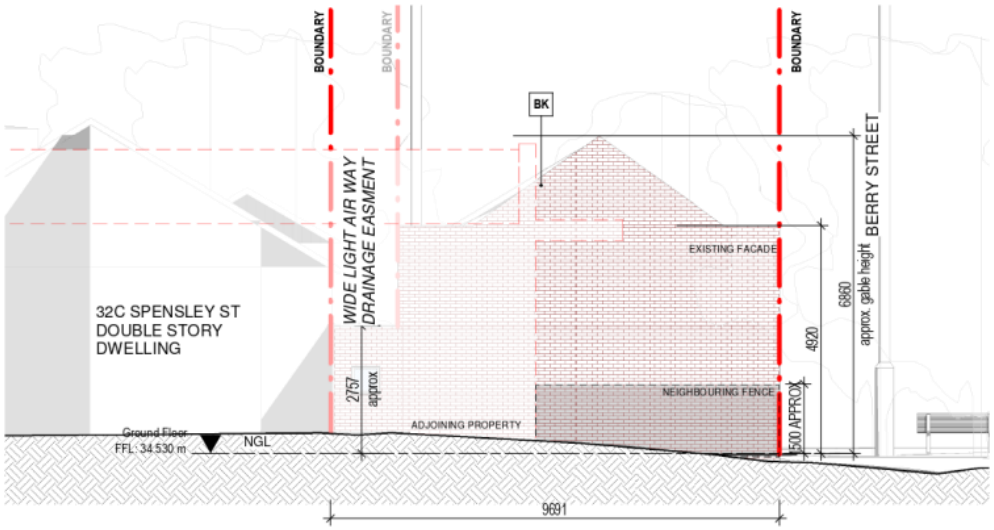
SCALE:
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PROJECT DATE:
26/06/2020

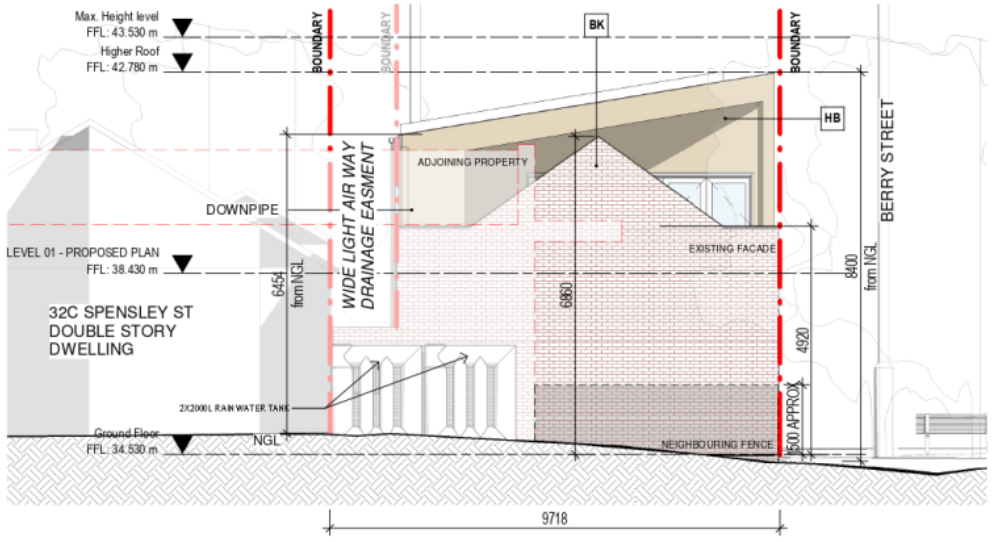
DRAWING No.:
TP-11

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 NORTH ELEVATION - EXISTING



2 TP-07 NORTH ELEVATION - PROPOSED

FACADE FINISHES LEGEND

AL - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR

BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

CG - DOUBLE GLAZED GLASS

EC - EXPOSED CONCRETE (EXISTING)

PA - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH

DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

SF - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR

MR - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR

HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

CL - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

NOTE:
ALL HEIGHT DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

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DOCUMENTATION

REASON FOR ISSUE
TOWN PLANNING

THESE DRAWING AND PLANS ARE THE COPYRIGHT OF SKAr AND CANNOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.
VERIFY ALL THE DIMENSIONS PRIOR TO THE COMMENCEMENT OF WORK.
DO NOT SCALE OFF THESE DRAWINGS.
REPORT DISCREPANCIES TO THE ARCHITECT BEFORE CARRYING OUT WORK.
THE RESPONSIBILITY OF THE BUILDER ALL FACTS TO THE FIT OF OBJECTS THAT ARE ACTUALLY DRAWN THERE, FOR A COMPLETE FIT LISTING THAT ALSO INCLUDES NOT MODELLED ITEMS, PLEASE REFER TO THE PROVISION SHEETS.
FOR ALL SERVICES OBTAIN ENTRY FEE TO THE VARIOUS CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE PLOTTED PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
NORTH ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

N

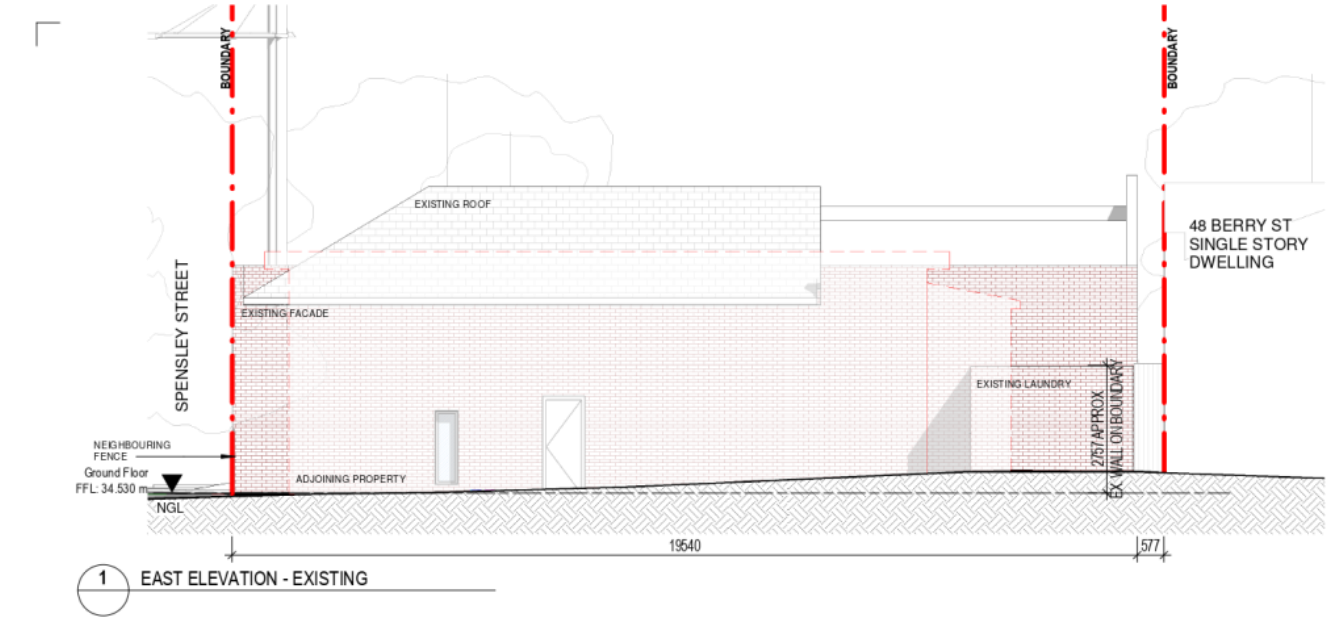
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PROJECT DATE:
26/06/2020

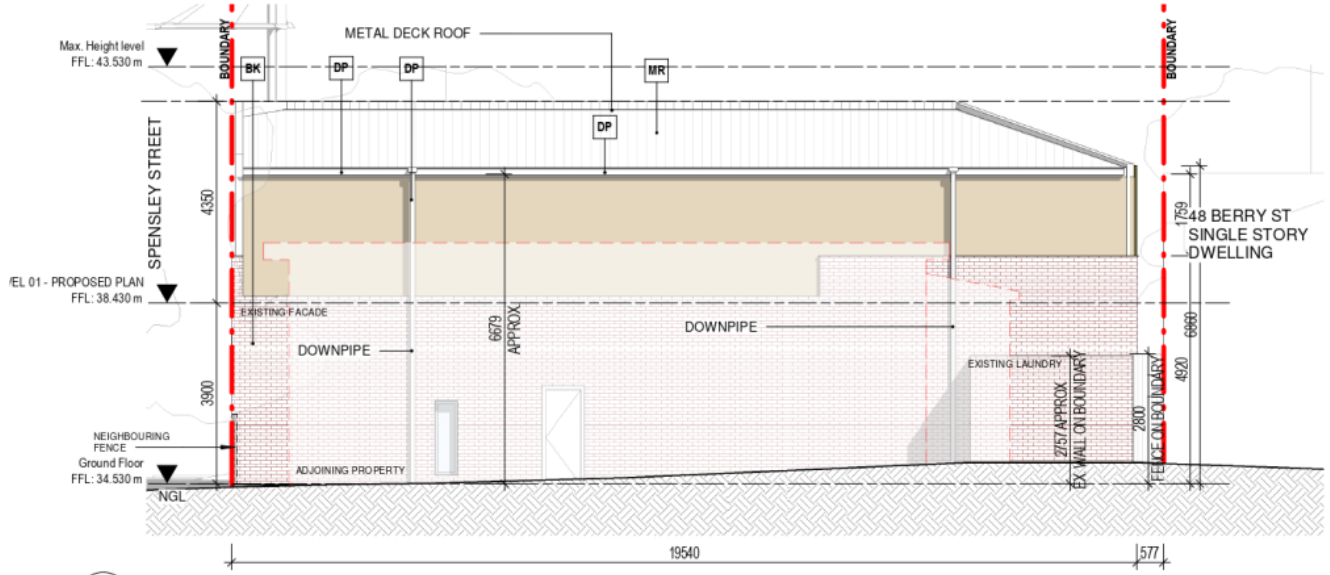
DRAWING No.:
TP-12

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 EAST ELEVATION - EXISTING



2 TP-07 EAST ELEVATION - PROPOSED

FACADE FINISHES LEGEND

- **AL** - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR
- **BK** - RED BRICK (EXISTING)
- **GL** - DOUBLE GLAZED TRANSPERENT LOW-E GLASS
- **CG** - DOUBLE GLAZED GLASS
- **EC** - EXPOSED CONCRETE (EXISTING)
- **PA** - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH
- **DP** - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR
- **SF** - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR
- **MR** - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR
- **HB** - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR
- **CL** - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR

NOTE:
ALL HEIGHT DIMENSIONS ARE APPROXIMATE.
TO BE CONFIRMED AFTER SURVEY IS IMPLEMENTED

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

A.B.N. 28602941 669
Level 19, 2 Southbank Boulevard
Southbank VIC 3006
Tel +61 4 11120044
stanton.kroenert@ozemail.com.au

DOCUMENTATION

REASON FOR ISSUE
TOWN PLANNING

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- THE FIGURED DIMENSIONS ON THESE PLANS ARE ONLY TO HELP IN DESCRIBING THE OBJECTS THAT ARE ACTUALLY DRAWN HERE. FOR A COMPLETE, UP TO DATE LISTING THAT ALSO INCLUDES NOT MODELLED ITEMS, PLEASE REFER TO THE PRISM DATA SHEETS.
- FOR ALL SERVICES OUTSIDE OF THE BUILDING ENVELOPE CONSULTANT PACKAGES TAKE PRECEDENCE OVER THESE PLANS FOR PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
EAST ELEVATION - EXISTING AND PROPOSED

PROJECT No.:
19-002

N

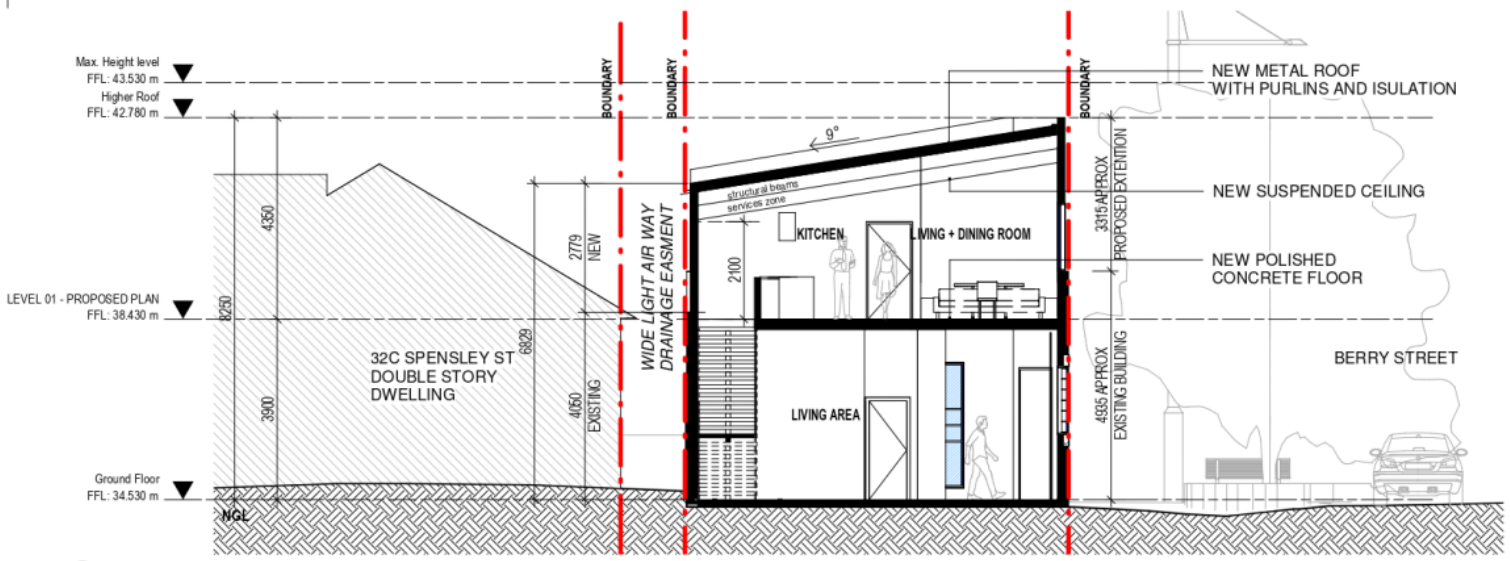
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PROJECT DATE:
26/06/2020

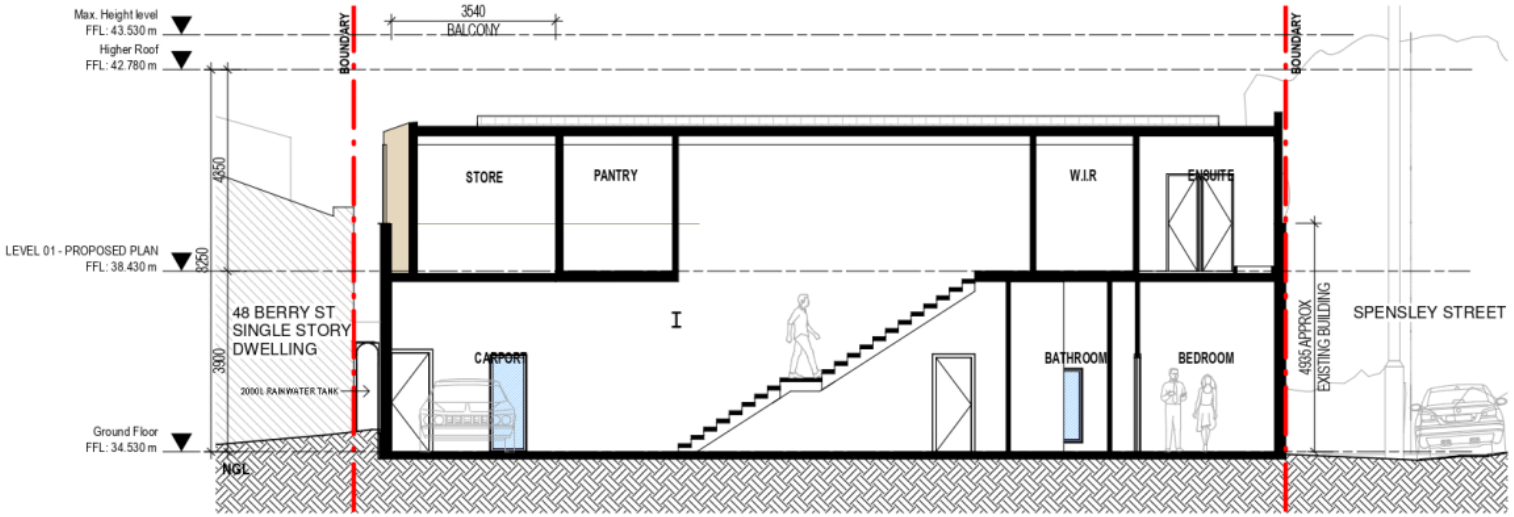
DRAWING No.:
TP-13

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)



1 TP-07 Section AA



2 TP-07 Section BB

ISSUE	REVISION	DATE

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

A.B.N. 28602941699
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stanton.kroenert@iinet.net.au

DOCUMENTATION

REASON FOR ISSUE
TOWN PLANNING

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- VERIFY ALL THE DIMENSIONS PRIOR TO THE COMMENCEMENT OF WORK.
- DO NOT SCALE OFF THESE DRAWINGS.
- REPORT ERRORS/FAILURES TO THE ARCHITECT OF BUILDERS CARRYING OUT WORK.
- THE FIGURED DIMENSIONS ON THE PLANS ARE ONLY NOTES TO THE PLANS. OBJECTS THAT ARE ACTUALLY DRAWN THERE, FOR A CONFLICT, EFFICIENCY THAT ALSO INCLUDES NOT MODELLED ITEMS, PLANS REFER TO THE PRISM DATA SHEETS.
- FOR ALL SERVICES CATEGORY FF&E THE VARIOUS CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE PLUS FOR PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
SECTION

PROJECT No.:
19-002

N

SCALE:
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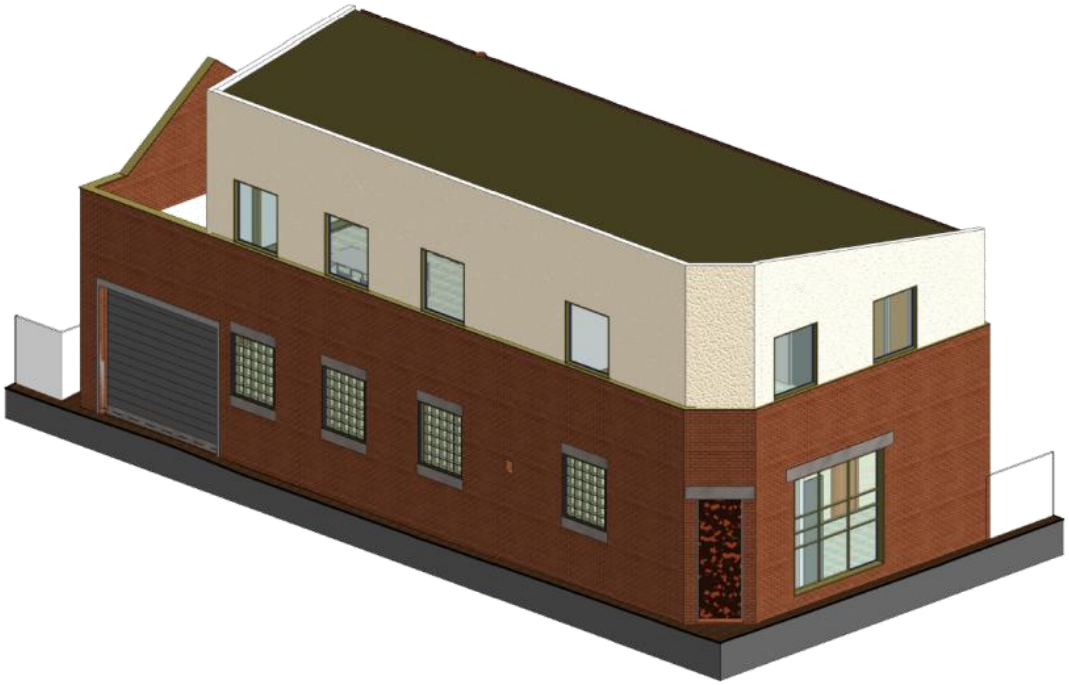
PROJECT DATE:
26/06/2020

DRAWING No.:
TP-14

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)

ISSUE	REVISION	DATE



1 ISOMETRIC

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

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DOCUMENTATION

REASON FOR ISSUE
TOWN PLANNING

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- DO NOT SCALE OFF THESE DRAWINGS.
- REPORT DISCREPANCIES TO THE ARCHITECT BEFORE CARRYING OUT WORK.
- THE FIGURED NOTES ON THESE DRAWINGS, ONLY, REFER TO THE FF&E OBJECTS THAT ARE ACTUALLY DRAWN HERE. FOR A COMPLETE FF&E LISTING THAT ALSO INCLUDES NOT MODELLED ITEMS, PLEASE REFER TO THE ROOM DATA SHEETS.
- FOR ALL SERVICES NOT EXPLICITLY FF&E THE VARIOUS CONSULTANT PACKAGES TAKE PRECEDENCE OVER THESE FF&E PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
ISOMETRIC VIEW

PROJECT No.:
19-002

N

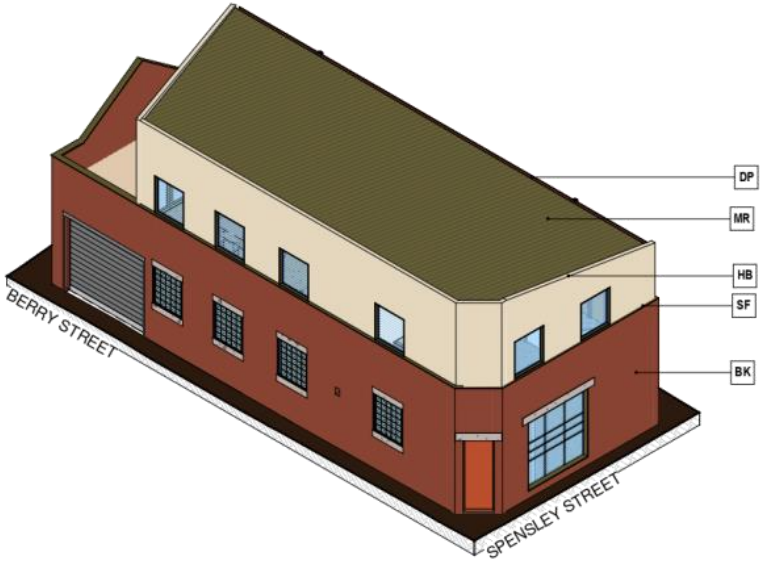
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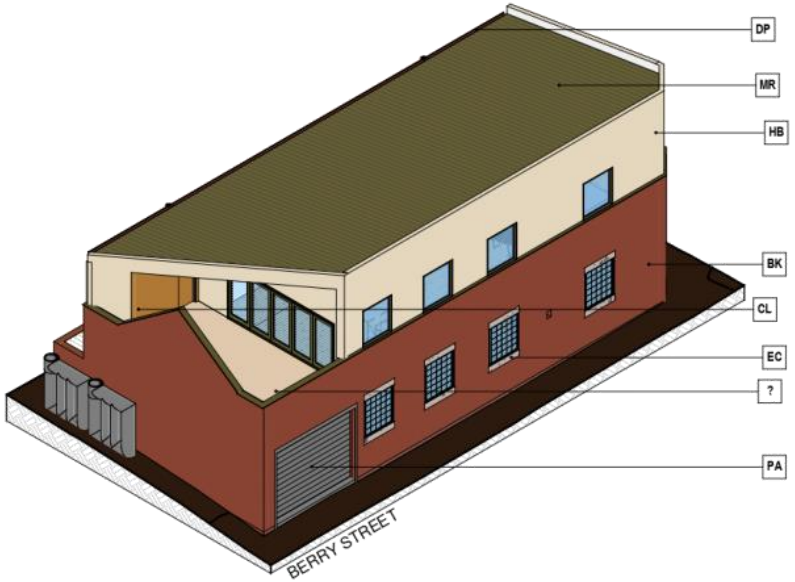
PROJECT DATE:
26/06/2020

DRAWING No.:
TP-15

REVISION:

Attachment 3 - PLN21/0331 - 32 Spensley Street Clifton Hill - Sketch Plans (Part 2)





ISSUE	REVISION	DATE

LEGEND

TO BE DEMOLISHED

NEW CONSTRUCTION

MASTER PLANNING
ARCHITECTURE
INTERIOR DESIGN

BRISBANE
SYDNEY
MELBOURNE
PERTH
DARWIN
CAIRNS
GOLD COAST
SUNSHINE COAST

SKAr

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- THE IR GUIDELINES IN THE PLD AXIS, ONLY PLOTS TO THE FF EL OBJECTS THAT ARE ACTUALLY DRAWN THERE. FOR A CONFLICT/FF EL LISTING THAT ALSO INCLUDES NOT MODELLED ITEMS, PLEASE REFER TO THE PDF DATA SHEETS.
- FOR ALL SERVICES OBTAIN FF EL THE VARIOUS CONSULTANT PACKAGES TAKE PRECEDENCE OVER THE PLD FF EL PACKAGES.

PROJECT:
HOUSE RENOVATION

PROJECT ADDRESS:
32 SPENSLEY STREET, CLIFTON HILL

CLIENT:
STANTON KROENERT

DRAWING TITLE:
MATERIAL BOARD

PROJECT No.:
19-002

N

SCALE:
1 : 100 @ A3

PROJECT DATE:
26/06/2020

DRAWING No.:
TP-16

REVISION:

FACADE FINISHES LEGEND

AL - ALUMINIUM MULLION OR FRAME / POWDERCOATED IN SCOTT'S PINE OR SIMILAR

BK - RED BRICK (EXISTING)

GL - DOUBLE GLAZED TRANSPERENT LOW-E GLASS

CG - DOUBLE GLAZED GLASS

EC - EXPOSED CONCRETE (EXISTING)

PA - ALUMINIUM GARAGE DOORS CLEAR ADONISED FINISH

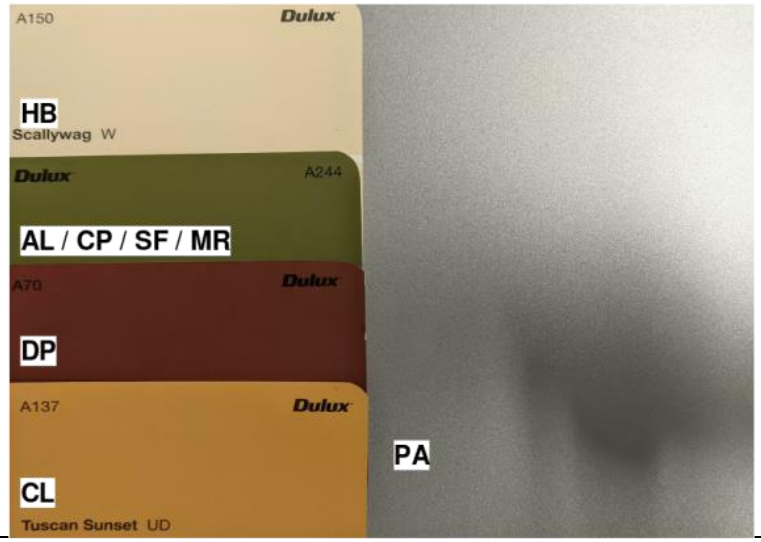
DP - DOWN PIPE / GUTTER POWDERCOATED IN MURRAY RED OR SIMILAR

SF - STEEL FLASHING/CAPPING POWDERCOATED IN SCOTT'S PINE OR SIMILAR

MR - KLIP LOK ROOF SHEETING IN SCOTT'S PINE OR SIMILAR

HB - HEBEL PANELS FINISHED IN SCALLWAG W OR SIMILAR

CL - CEILING TO BE FINISHED IN TUSCAN SUNSET OR SIMILAR





Attachment 4 - PLN210331 - 32 Spensley Street Clifton Hill - Subject Site

SUBJECT SITE

32 SPENSLEY STREET, CLIFTON HILL VIC 3068



SUBJECT SITE

NORTH

Attachment 4 - Without prejudice Proposed Terms of Settlement and Permit Conditions