## **Report to the Future Melbourne Committee**

Agenda item 6.2

6 December 2022

Planning Permit Application: TP-2019-835/B 364-370 Albert Street, East Melbourne

Presenter: Marjorie Kennedy, Head of Statutory Planning

## Purpose and background

- 1. The purpose of this report is to advise the Future Melbourne Committee of planning permit amendment application TP-2019-835/B for 364-370 Albert Street, East Melbourne, (refer Attachment 2 Locality Plan).
- 2. The applicant is O'Neill Consulting, the owner of the land is Sun Valley Construction Pty Ltd and the architect is Jolson Architecture and Interiors.
- 3. The land is located within the Commercial 1 Zone, Design and Development Overlay Schedule 20 (Victoria Parade and Albert Street Area) and Heritage Overlay (HO2 East Melbourne and Jolimont Precinct).
- 4. The amendment application seeks planning approval for the part demolition and subsequent reconstruction of heritage fabric associated with the rear area of the building at 364 Albert Street, East Melbourne (refer Attachment 3 Selected Plans).
- 5. The application is required to facilitate the construction works associated with the approved development so the heritage fabric across the broader site is not impacted and can be retained.
- 6. The dismantling and reconstruction of heritage fabric is to be undertaken under the supervision of a Heritage Conservation Architect and is to be completed in a like for like manner.
- 7. Public notice of the proposal has been undertaken and no objections have been received.

## Key issues

- 8. The key issue for consideration is the appropriateness of the demolition and subsequent reconstruction works.
- 9. The building at 364 Albert Street, East Melbourne is identified as 'Significant' in the *Heritage Places Inventory March 2022*.
- 10. The dismantling and reconstruction of heritage fabric to the rear of the building is appropriate having regard to the submitted technical reports and the advice from Council's Heritage Advisor.
- 11. The part demolition and reconstruction of the original fabric like for like is an acceptable outcome.

## **Recommendation from management**

12. That the Future Melbourne Committee resolves to issue an Amended Planning Permit subject to the additional conditions set out in the delegate report (refer to Attachment 4 – Delegate Report).

## Attachments:

- 1. Supporting Attachment (Page 2 of 89)
- 2. Locality Plan (Page 3 of 89)
- 3. Selected Plans (Page 4 of 89)
- 4. Delegate Report (Page 70 of 89)

## Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (the Act) sets out requirements in relation to applications for permits pursuant to the relevant planning scheme. The relevant provisions of the Melbourne Planning Scheme are set out in the delegate report (refer to Attachment 4).

## Finance

2. There are no direct financial issues arising from the recommendations contained with this report.

## **Conflict of interest**

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

## Health and Safety

4. Relevant planning considerations such as social, environmental and economic impacts that could impact on health and safety have been considered within the planning permit application and assessment.

## Stakeholder consultation

5. Public notice of the application has been undertaken to surrounding owners and occupiers, pursuant to Section 52 of the Act.

## **Relation to Council policy**

6. Relevant Council policies are discussed in the attached delegate report (refer Attachment 4).

## **Environmental sustainability**

 The proposal will achieve the relevant performance measures set out in Clauses 15.01-2L-01 (Energy and Resource Efficiency) and Clause 19.03-3L (Stormwater Management) of the Melbourne Planning Scheme. The existing approval includes permit conditions requiring implementation of the ESD initiatives.

# Locality Plan

364-370 Albert Street, East Melbourne



	TP000	COVER PAGE	R12	30	08	2022	
	TP001	EXISTING SITE PLAN	R12	30	08	2022	
1	TP002 ~	SITE ANALYSIS PLAN ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	$R12_{\gamma}$	30	08	2022	$\overline{)}$
<i>ل</i> ـ	TP004	DEMOLITION PLAN				2022	2
, ≻	TP005	GROUND FLOOR PLAN				2022	$\prec$
	TP005.1	GROUND FLOOR PLAN ENLARGED				2022	ζ
Ţ	TP006	BASEMENT B1+ B4 PLANS / / / / / / / / / / / / / / / / / / /				2022	- <del>X</del>
	TP007		X			2022	-
	TP007.1	LEVEL 1 PLAN ENLARGED	R12			2022	
	TP008	LEVEL 2 PLAN				2022	-
	TP008.1	LEVEL 2 PLAN ENLARGED				2022	r
$\overline{\ }$	TP009 -	LEVEL-3 PLAN			~ `	2022	
	TP009.1	LEVEL 3 PLAN ENLARGED			-	2022	
	TP010	LEVEL 4 PLAN				2022	
	TP010.1	LEVEL 4 PLAN ENLARGED				2022	
	TP011	LEVEL 5 PLAN				2022	
	TP011.1	LEVEL 5 PLAN ENLARGED				2022	
	TP012	LEVEL 6 PLAN				2022	
	TP012.1	LEVEL 6 PLAN ENLARGED				2022	
		LEVEL 7 PLAN					
	TP013					2022	
	TP013.1	LEVEL 7 PLAN ENLARGED				2022	
	TP014	LEVEL 8 PLAN	R12			2022	
	TP014.1	LEVEL 8 PLAN ENLARGED				2022	
	TP015	PROPOSED ROOF PLAN				2022	
	TP015.1	ROOF PLAN ENLARGED				2022	
	TP016	DEVELOPMENT MIX				2022	
	TP019	DIAGRAM DESIGN STANDARDS - APT A				2022	
	TP020	DIAGRAM DESIGN STANDARDS - APT B				2022	
	TP021	DIAGRAM DESIGN STANDARDS - APT C				2022	
	TP022	DIAGRAM DESIGN STANDARDS - APT D				2022	
	TP023	DIAGRAM DESIGN STANDARDS - APT E				2022	
	TP024	DIAGRAM DESIGN STANDARDS - APT F	R12	30	08	2022	
	TP025	DIAGRAM DESIGN STANDARDS - APT G	R12	30	08	2022	
	TP026	DIAGRAM DESIGN STANDARDS - APT H	R12	30	08	2022	
	TP027	DIAGRAM DESIGN STANDARDS - APT I	R12	30	08	2022	
	TP028	DIAGRAM DESIGN STANDARDS - APT J	R12	30	08	2022	
	TP029	DIAGRAM DESIGN STANDARDS - APT K	R12	30	08	2022	
	TP029A	DIAGRAM DESIGN STANDARDS - APT L	R12	30	08	2022	
	TP029B	DIAGRAM DESIGN STANDARDS - APT M	R12	30	08	2022	
	TP030	SOUTH ELEVATION	R12	30	08	2022	
	TP031	NORTH ELEVATION	R12	30	08	2022	
	TP032	EAST ELEVATION	R12	30	08	2022	
	TP033	WEST ELEVATION - LANSDOWNE STREET	R12	30	08	2022	
	TP034	WEST ELEVATION - PROVIDENCE LANE				2022	
	TP040	LONG SECTION				2022	
	TP041	CROSS SECTION	$\sim$		$\sim$	2022	
	TP042	CROSS SECTION				2022	
	TP043	LONG SECTION - THROUGH 366 ALBERT ST				2022	
	TP044	LONG SECTION - THROUGH 364 ALBERT ST	R12			2022	
	TP045	PODIUM FACADE STRATEGY - SOUTH				2022	$\sim$
	TP045.1	PODIUM FACADE STRATEGY - SOUTH				2022	
	TP046	PODIUM FACADE STRATEGY - NORTH				2022	
	TP047	PODIUM FACADE STRATEGY - EAST				2022	
	TP048	PODIUM FACADE STRATEGY - WEST				2022	
	TP049	TOWER FACADE STRATEGY				2022	
	TP050	EXTERNAL MATERIALS AND FINISHES	R12			2022	
,	TP051 ~~	EXTERNAL MATERIALS AND FINISHES V V V V V V V	<u> </u>	_	- 、 '	2022	<u>\</u>
	TP056	364 & 366 ALBERT ST - EXISTING AND PROPOSED ENTRY				2022	Ľ
	TP057	364 & 366 ALBERT ST - EXISTING & DEMOLITION ELEVATIONS				2022	
>	TP058	364 & 366 ALBERT ST - EXISTING & DEMOLITION PLAN				2022	$\prec$
	TP059	364 & 366 ALBERT ST - EXISTING & DEMOLITION PLAN				2022	
	TP060	364 ALBERT ST - BASEMENT & GROUND FLOOR PLAN				2022	
٦,	TP061	364 ALBERT ST - LEVEL 1 & LEVEL 2 PLAN			. /	2022	
	TP062	364 ALBERT ST - ROOF & SOUTH ELEVATION				2022	
	TP063	DIAGRAM DESIGN STANDARDS - HOUSE BASEMENT	R12			2022	
	TP064	DIAGRAM DESIGN STANDARDS - HOUSE GF				2022	
	TP065	DIAGRAM DESIGN STANDARDS - HOUSE L1				2022	
	TP066	DIAGRAM DESIGN STANDARDS - HOUSE L2				2022	
	TP070	11AM - 22.09.2019 - SHADOWS				2022	
	TP071	12PM - 22.09.2019 - SHADOWS	R12	30	08	2022	

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TP072 1PM - 22.09.201 2PM - 22.09.201 TP073 TP074 11AM - 22.03.20 TP075 12PM - 22.03.20 TP076 1PM - 22.03.201 TP077 2PM - 22.03.201 10AM - 21.06.20 TP079 11AM - 21.06.20 TP080 TP081 12PM - 21.06.20 TP082 1PM - 21.06.201 TP083 2PM - 21.06.201 TP084 3PM - 21.06.201 TP085 EXTENT OF WIN TP090 3D VIEW VIEW FROM PAF TP100 TP101 VIEW FROM PAF TP102 VIEW TOWARDS TP200 OVERLOOKING TP201

REV	DATE	<b>ISSUED BY</b>	DESCRIPTION
R4	29 01 20	MW	Planning RFI 02 Addenda
R5	07 09 20	MW	Amended Scheme
R6	24 09 20	MW	Amended Scheme
R7	16 11 20	MW	VCAT Interim Order
R8	30 09 21	DJM	Secondary Consent Amende
R9	16 12 2021	DJM	Plans to Comply
R10	17 12 2021	DJM	Section 72 Plans
R11	24 03 2022	DJM	Section 72 Plans
R12	30 08 2022	DJM	Revised Demolition Extent

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1PM - 22.09.2019 - SHADOWS	R12	30 08 2022
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11AM - 22.03.2019 - SHADOWS	R12	30 08 2022
12PM - 22.03.2019 - SHADOWS	R12	30 08 2022
1PM - 22.03.2019 - SHADOWS	R12	30 08 2022
2PM - 22.03.2019 - SHADOWS	R12	30 08 2022
10AM - 21.06.2019 - WINTER SHADOWS	R12	30 08 2022
11AM - 21.06.2019 - WINTER SHADOWS	R12	30 08 2022
12PM - 21.06.2019 - WINTER SHADOWS	R12	30 08 2022
1PM - 21.06.2019 - WINTER SHADOWS	R12	30 08 2022
2PM - 21.06.2019 - WINTER SHADOWS	R12	30 08 2022
3PM - 21.06.2019 - WINTER SHADOWS	R12	30 08 2022
EXTENT OF WINTER SHADOW DIAGRAMS	R12	30 08 2022
3D VIEW	R12	30 08 2022
VIEW FROM PARK - FAR	R12	30 08 2022
VIEW FROM PARK - CLOSE	R12	30 08 2022
VIEW TOWARDS CITY	R12	30 08 2022
OVERLOOKING AND SHADING STRATEGIES	R12	30 08 2022
OVERLOOKING AND SHADING STRATEGIES	R12	30 08 2022

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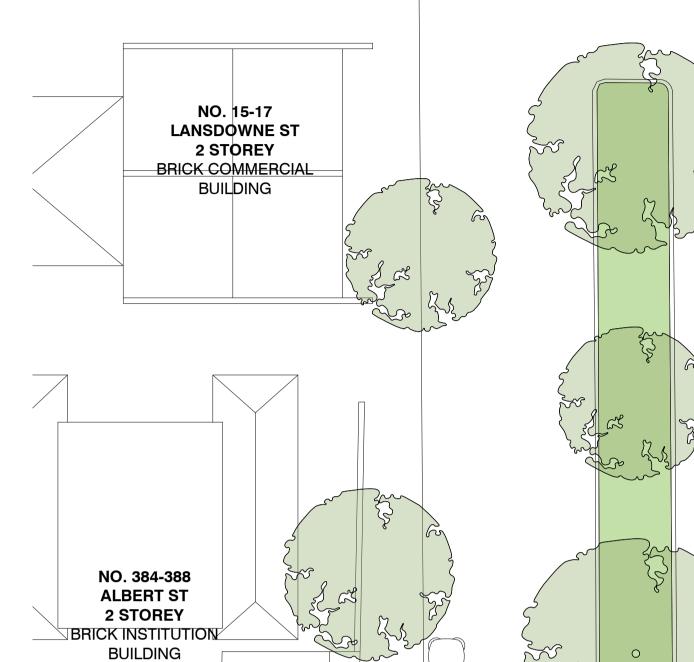


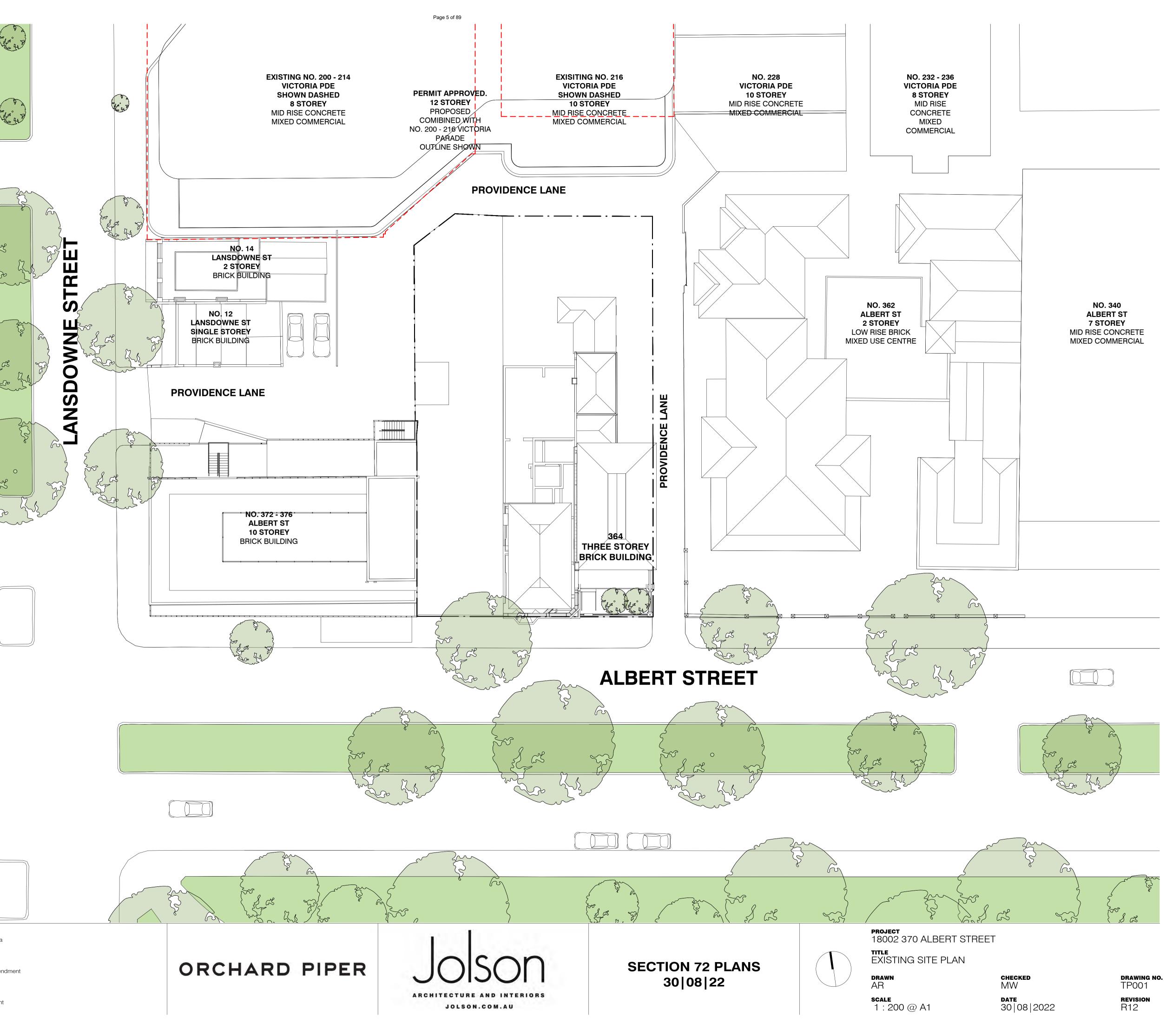
**SECTION 72 PLANS** 30|08|22

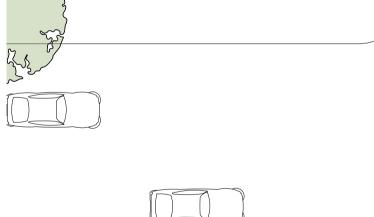
Attachment 3 Agenda item 6.2 Future Melbourne Committee 6 December 2022

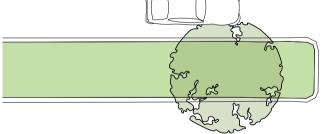
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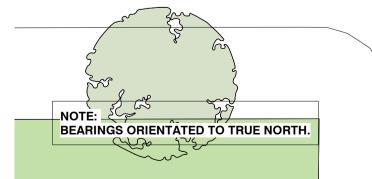






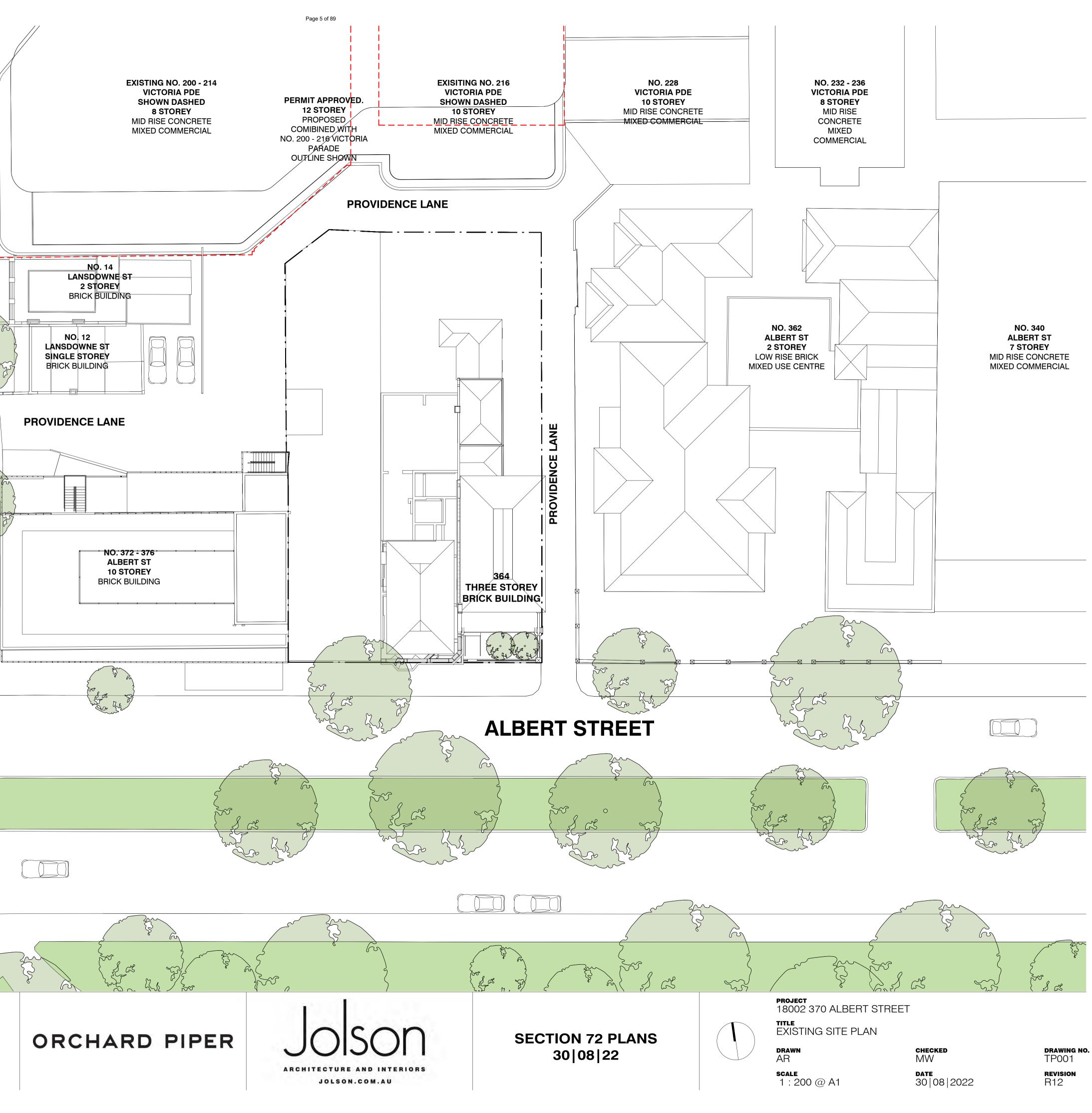


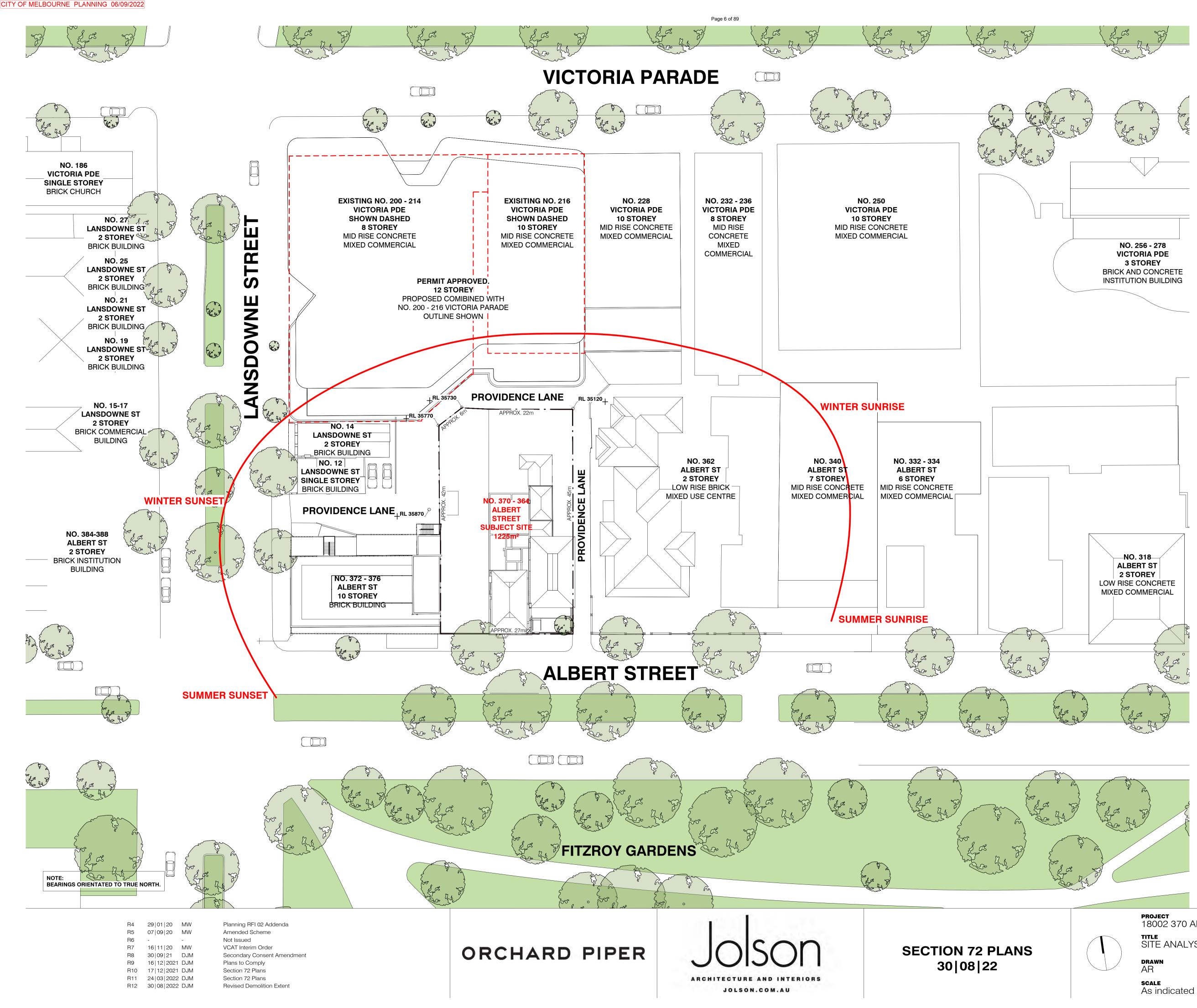




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R7	16 11 20	MW
R8	30 09 21	DJM
R9	16 12 2021	DJM
R10	17 12 2021	DJM
R11	24 03 2022	DJM
R12	30 08 2022	DJM

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# Opportunities

- The site is well located and has excellent access to services and amenities.
- Extended views to the Fitzroy Gardens, St Patricks Cathedral and the Melbourne Central Business District.
- Combined application site owned by a single owner allows for a broader development vision.
- West neighbouring property at 372-376 Albert Street is left with a blank 9+ storey wall, without architectural detail or fenestration and anticipates future equitable development for the subject site.
- Blank 9+ storey wall of a neighbouring property offers an opportunity to optimise proposed building's footprint along western boundary.
- An opportunity for urban repair of this existing building improving northern views from the gardens with an architecturally integrated built form.
- To positively contribute to the neighbourhood character through resolved contemporary design sympathetic to the scale of the existing built environment.
- To provide high quality accommodation with good access, security, and private open space.
- Opportunity to respond architecturally to two street fronts.
- Multiple access points for vehicles, service vehicles and pedestrians.
- To enhance the vitality and pedestrian activity within the precinct.
- To refurbish a disused rear alley into another of Melbourne's renowned culturally alive, safe and hospitable lane ways.
- To make a strong architectural statement in line with Melbourne's growing international reputation for architectural excellence.
- To create environmentally responsible building optimising ESD initiatives that benefits future generations as well as future tenants.
- To reuse and refurbish for modern living, an existing building of merit ensuring longevity into the future.
- To provide a mix of commercial, retail and residential uses.

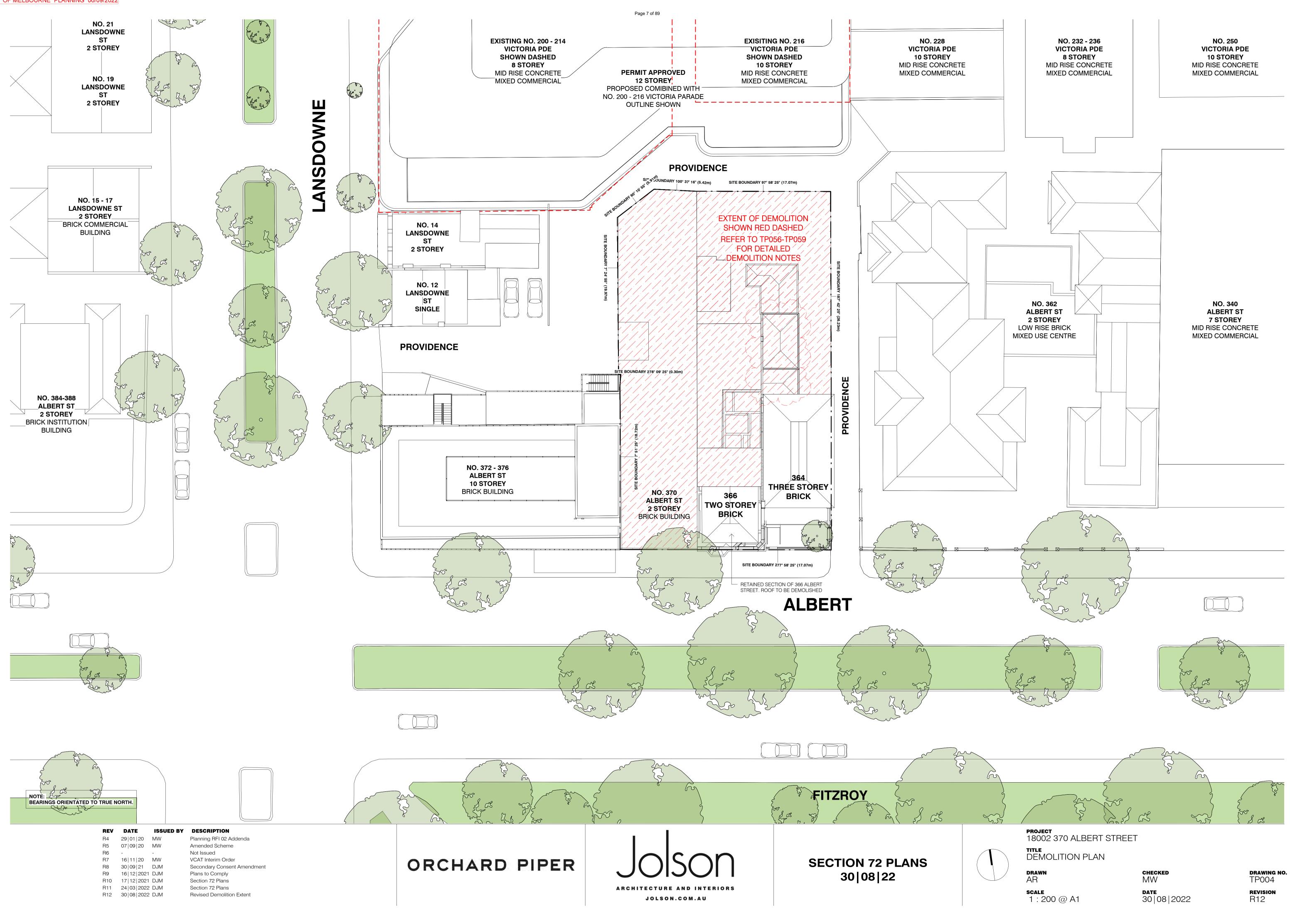
## Constraints

- Restricted views and solar access.
- Permit approved 12 storey office building for 200-216 Victoria Parade will restrict northern light opportunities.
- Blank 9+ storey wall of a neighbouring property blocks views to the city and overshadows the site.
- Outward views from the site are limited to south eastern and western orientation.
- Requirement to minimise overshadowing, particularly the Fitzroy Gardens at the Equinox as mandated by planning policy.
- Traffic access and egress.
- Old lane way lacks appeal, as main storage for rubbish bins and generally poor public amenity.

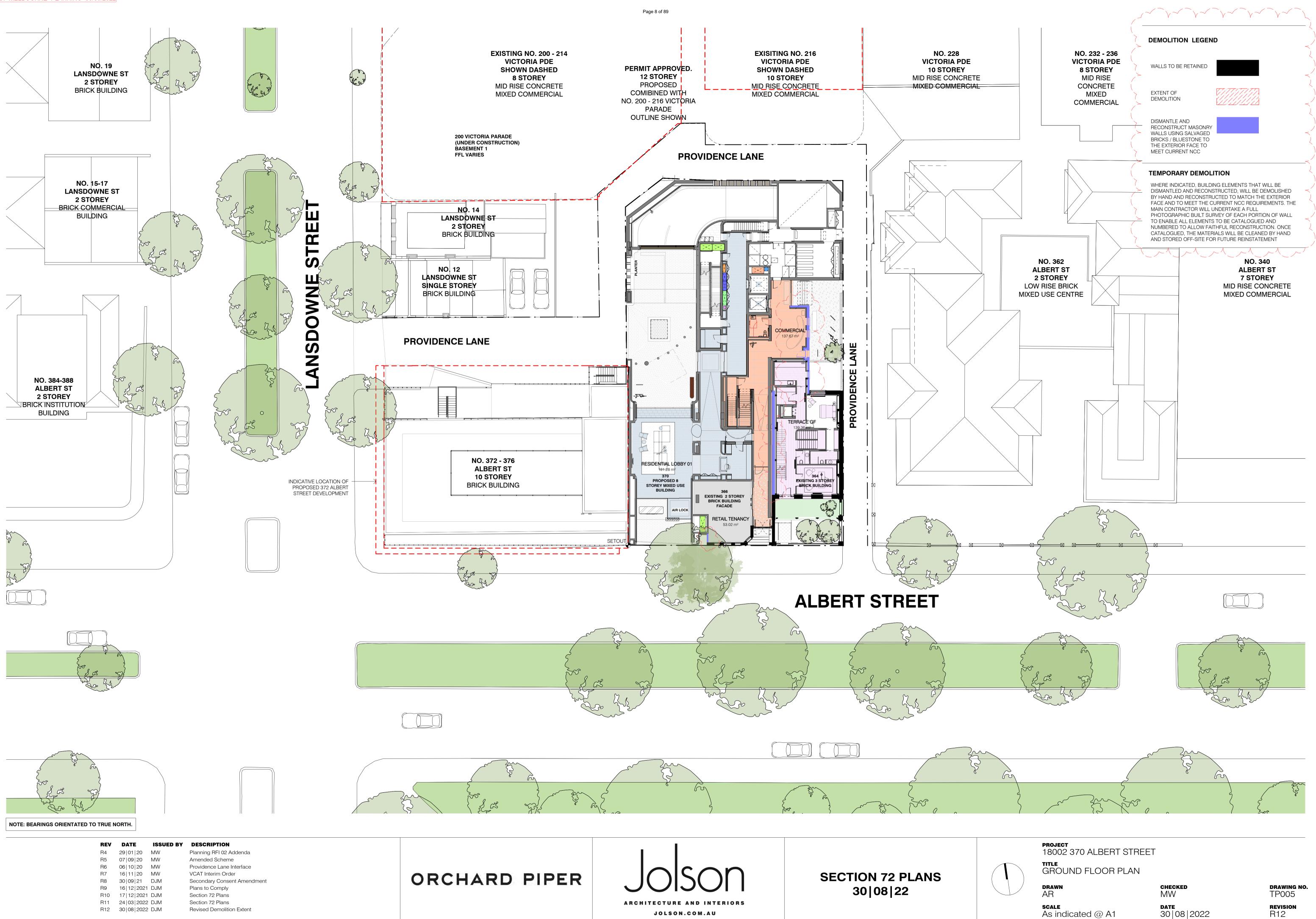
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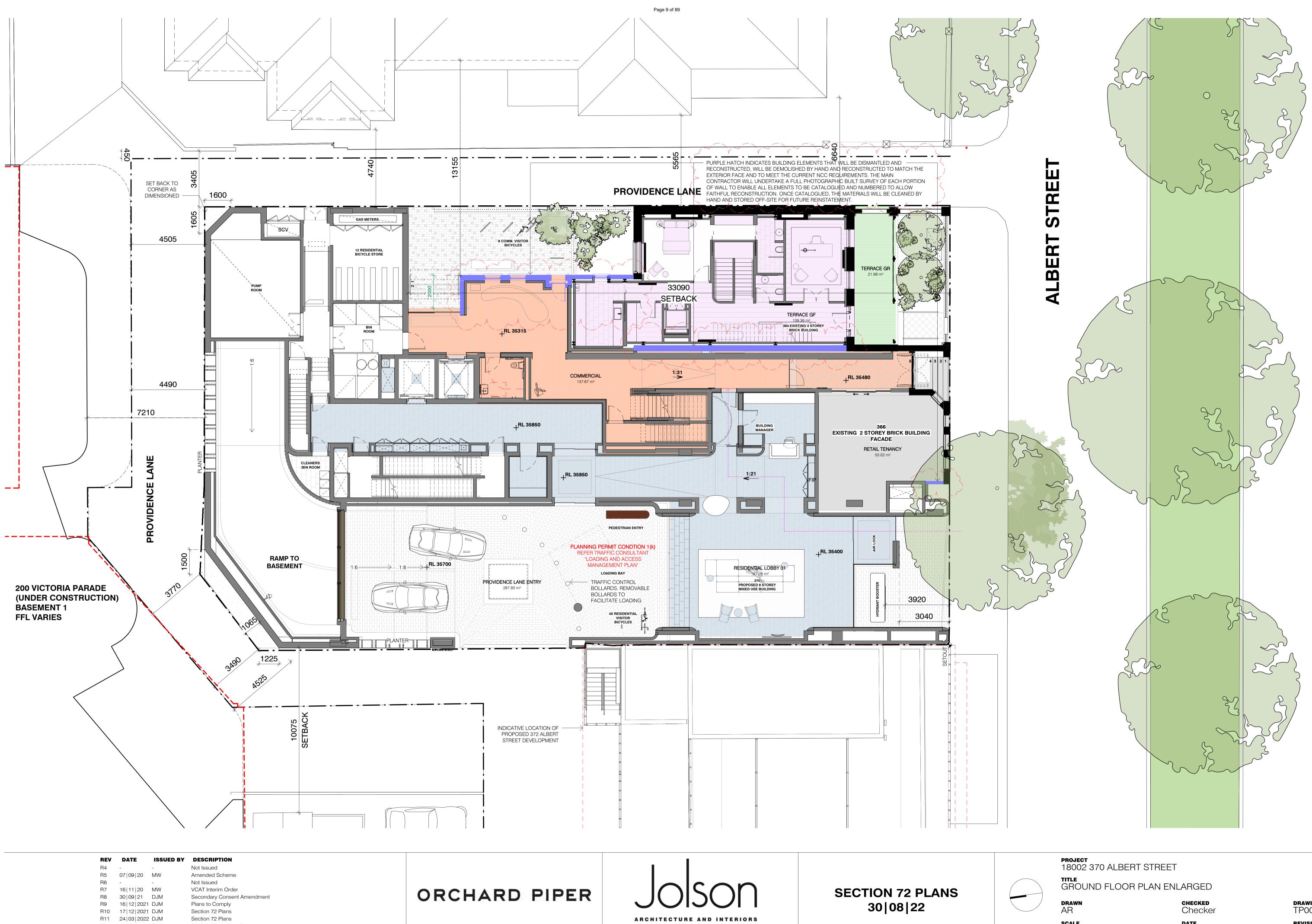












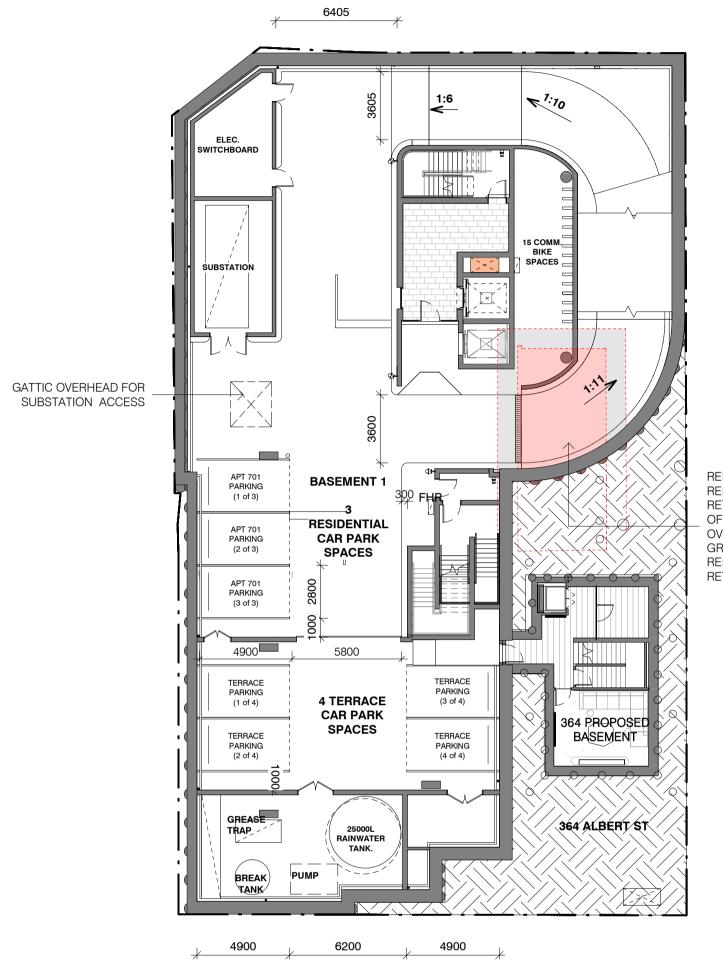
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R4	-	-	Not Issued
R5	07 09 20	MW	Amended Scheme
R6	-	-	Not Issued
R7	16 11 20	MW	VCAT Interim Order
R8	30 09 21	DJM	Secondary Consent Amendme
R9	16 12 2021	DJM	Plans to Comply
R10	17 12 2021	DJM	Section 72 Plans
R11	24 03 2022	DJM	Section 72 Plans
R12	30 08 2022	DJM	Revised Demolition Extent

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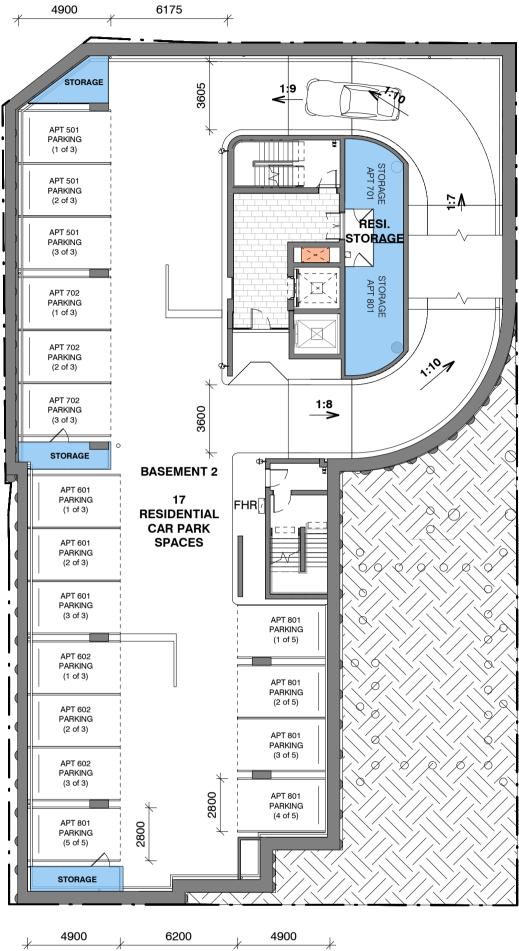
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1 BASEMENT 1 SCALE 1 : 200

CITY OF MELBOURNE PLANNING 06/09/2022

RED FILLED REGION REPRESENTATIVE OF RETAINED REAR PORTION OF 364 ALBERT STREET OVERHEAD. PERIPHERAL GREY FILLED REGION REPRESENTATIVE OF RETENTION SYSTEM.

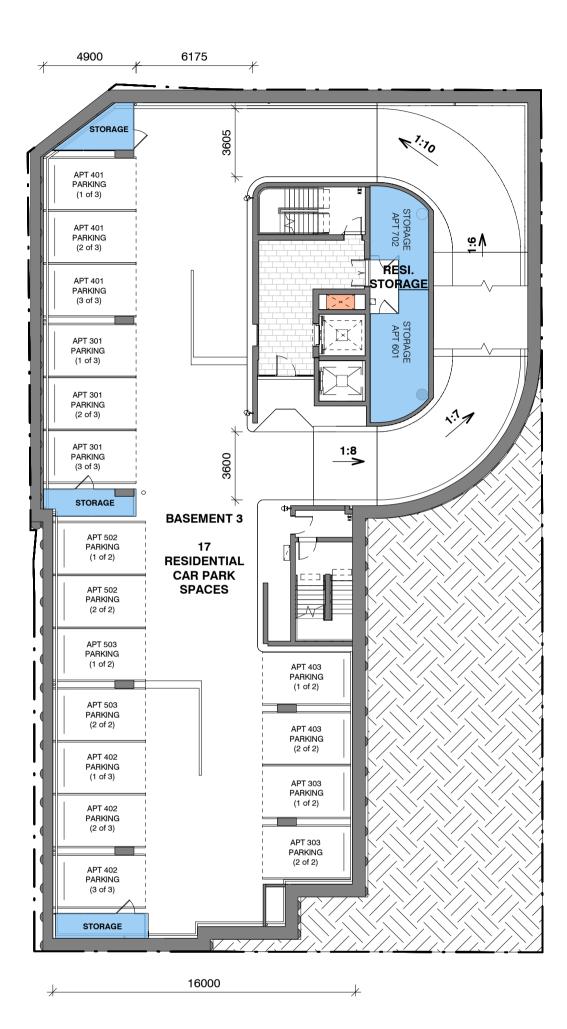


2 BASEMENT 2 SCALE 1 : 200

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R6	-	-	No
R7	16 11 20	MW	VC.
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R10	17 12 2021	DJM	Sec
R11	24 03 2022		Sec
R12	30 08 2022	DJM	Rev

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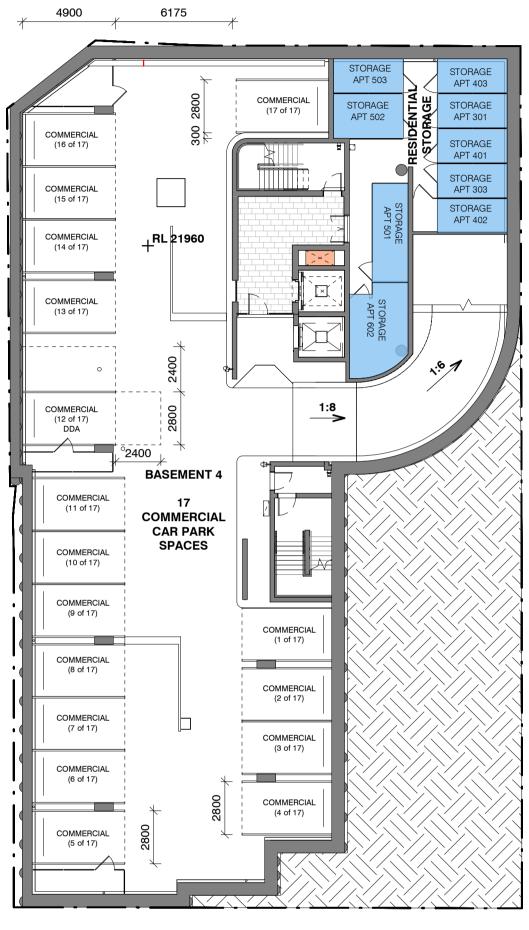


3 BASEMENT 3 SCALE 1 : 200

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**SECTION 72 PLANS** 30|08|22



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4 BASEMENT 4 SCALE 1 : 200

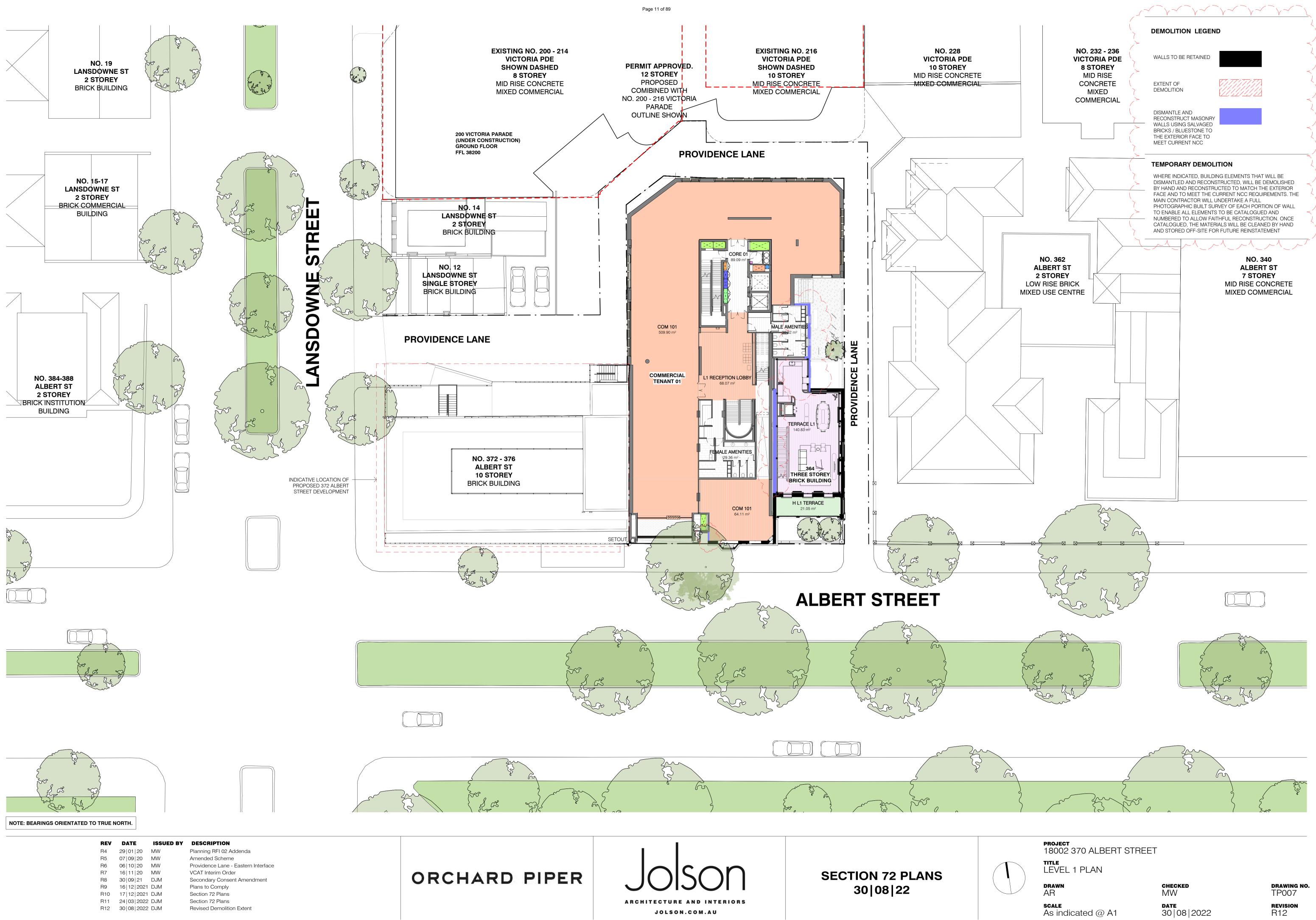


PROJECT 18002 370 ALBERT STREET TITLE BASEMENT B1 - B4 PLANS **drawn** AR **scale** 1 : 200 @ A1

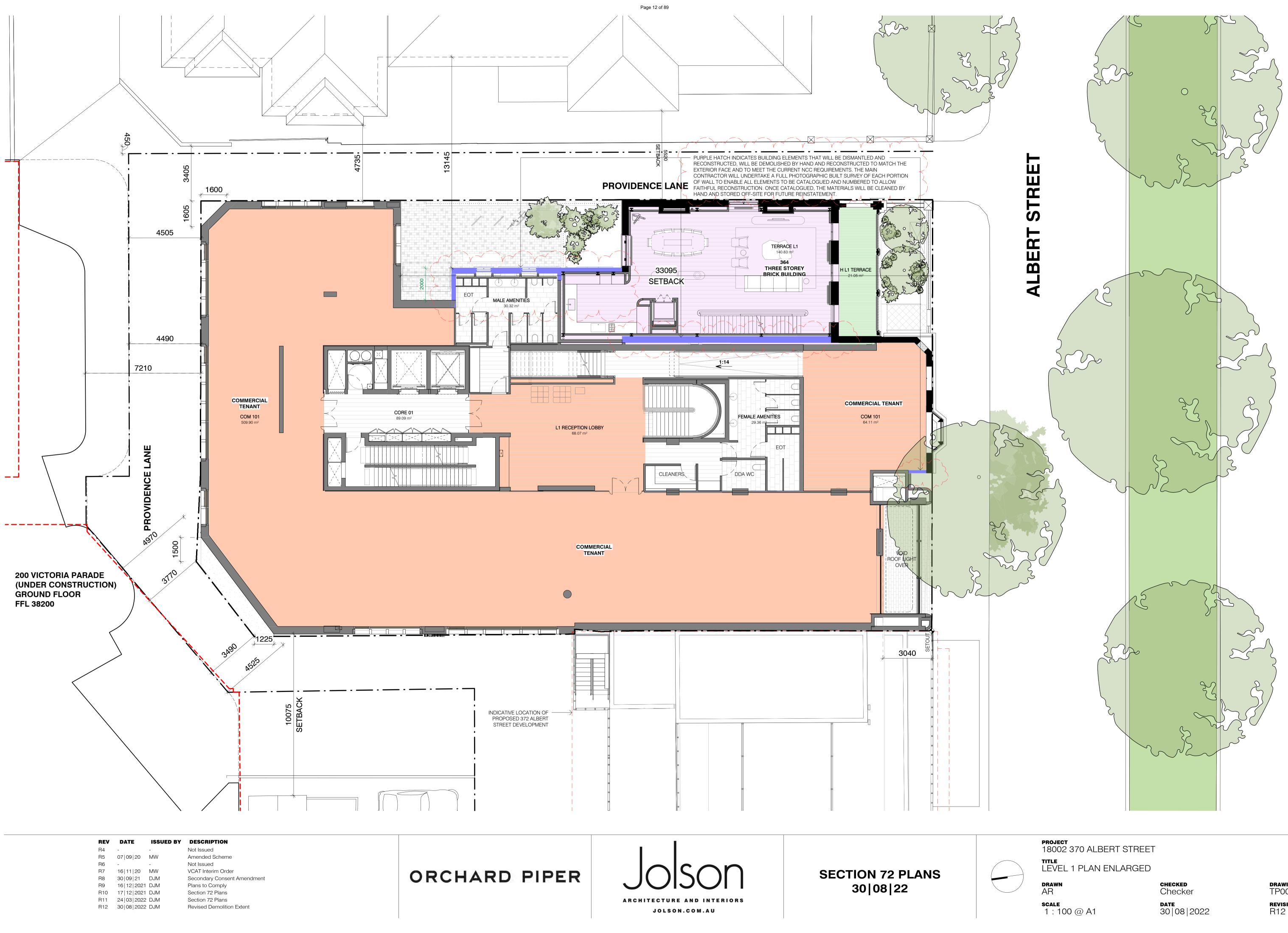
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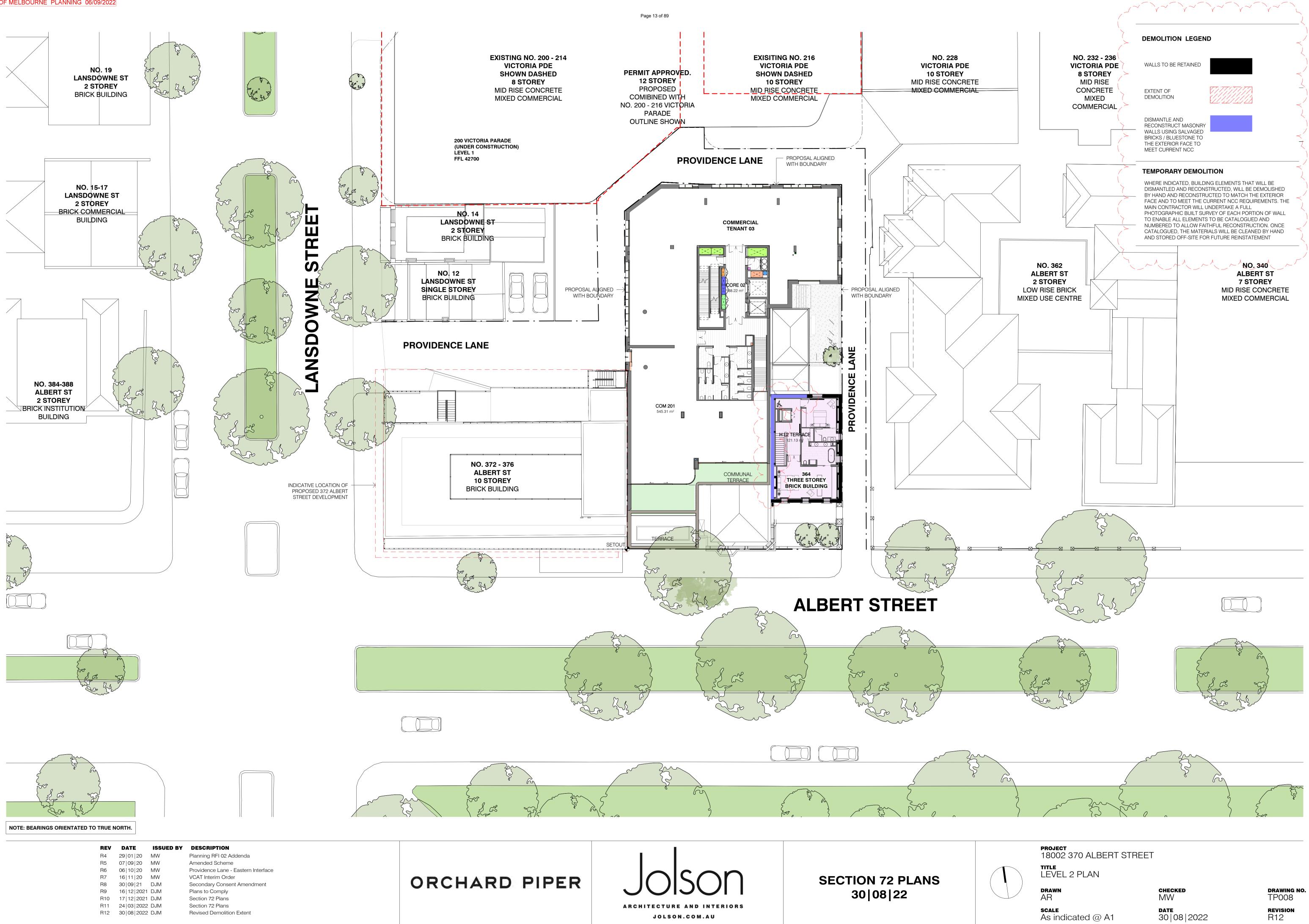


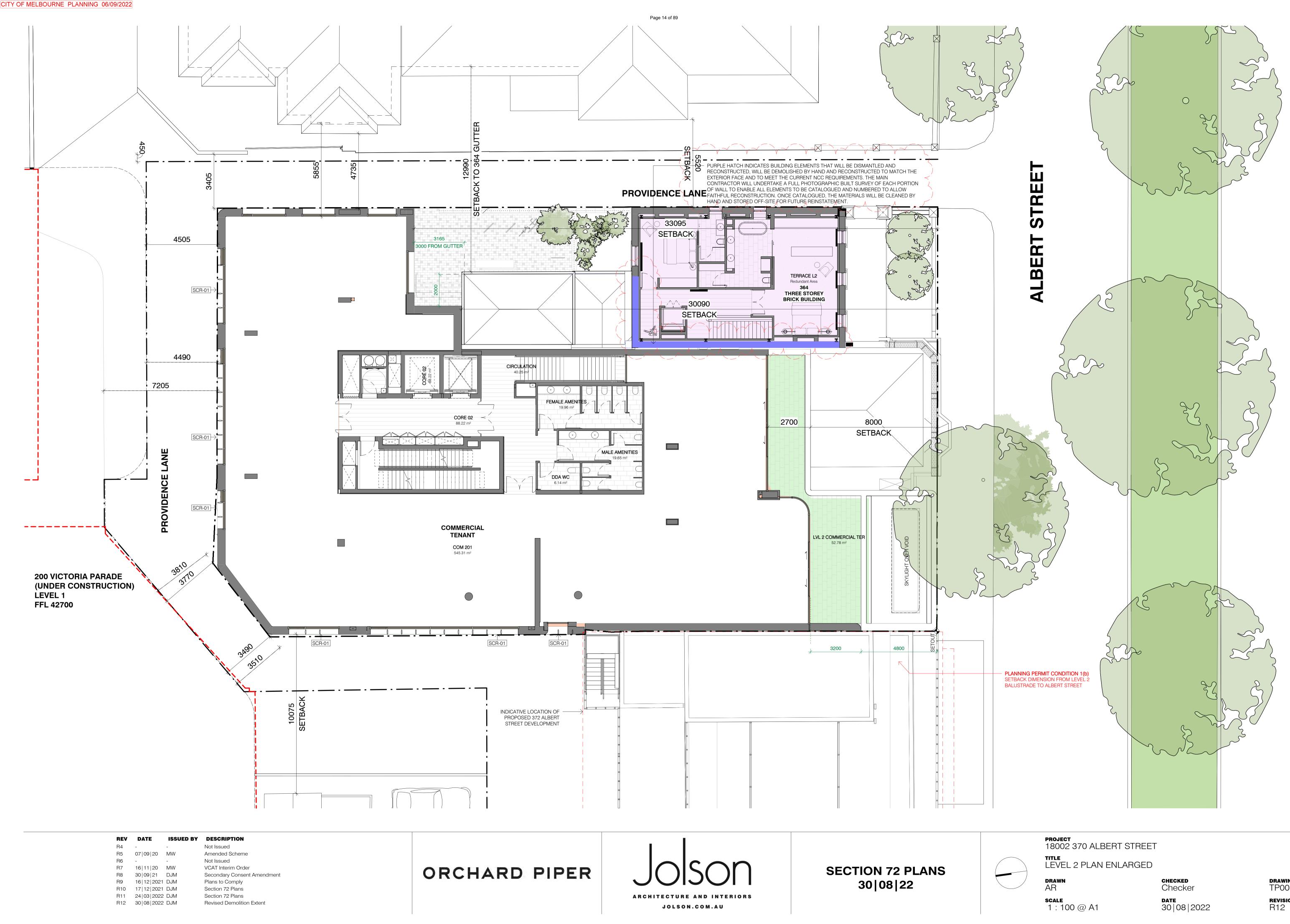


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R4	-	-	Not Issued
R5	07 09 20	MW	Amended Scheme
R6	-	-	Not Issued
R7	16 11 20	MW	VCAT Interim Order
R8	30 09 21	DJM	Secondary Consent A
R9	16 12 2021	DJM	Plans to Comply
R10	17 12 2021	DJM	Section 72 Plans
R11	24 03 2022	DJM	Section 72 Plans
R12	30 08 2022	DJM	Revised Demolition E

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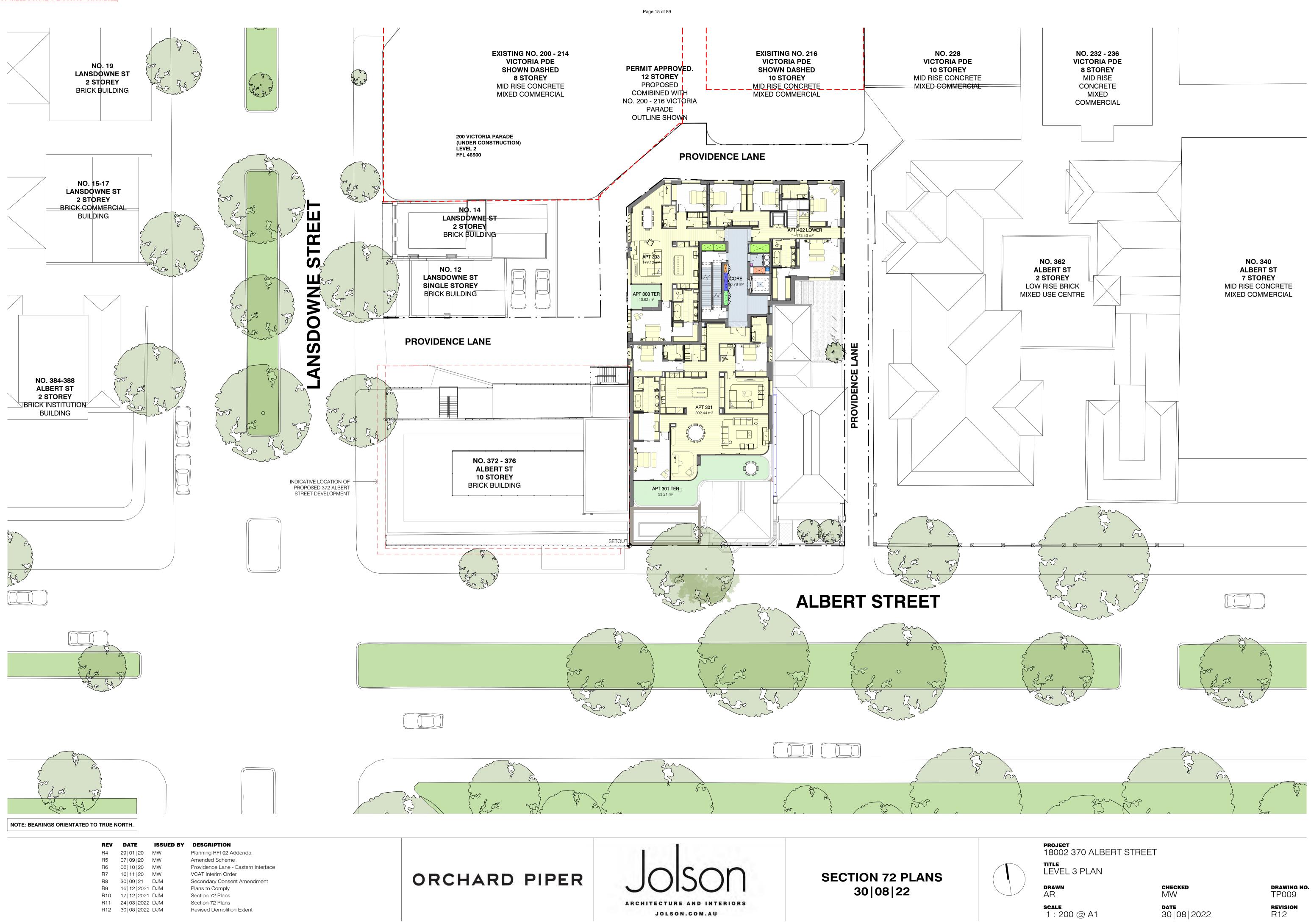


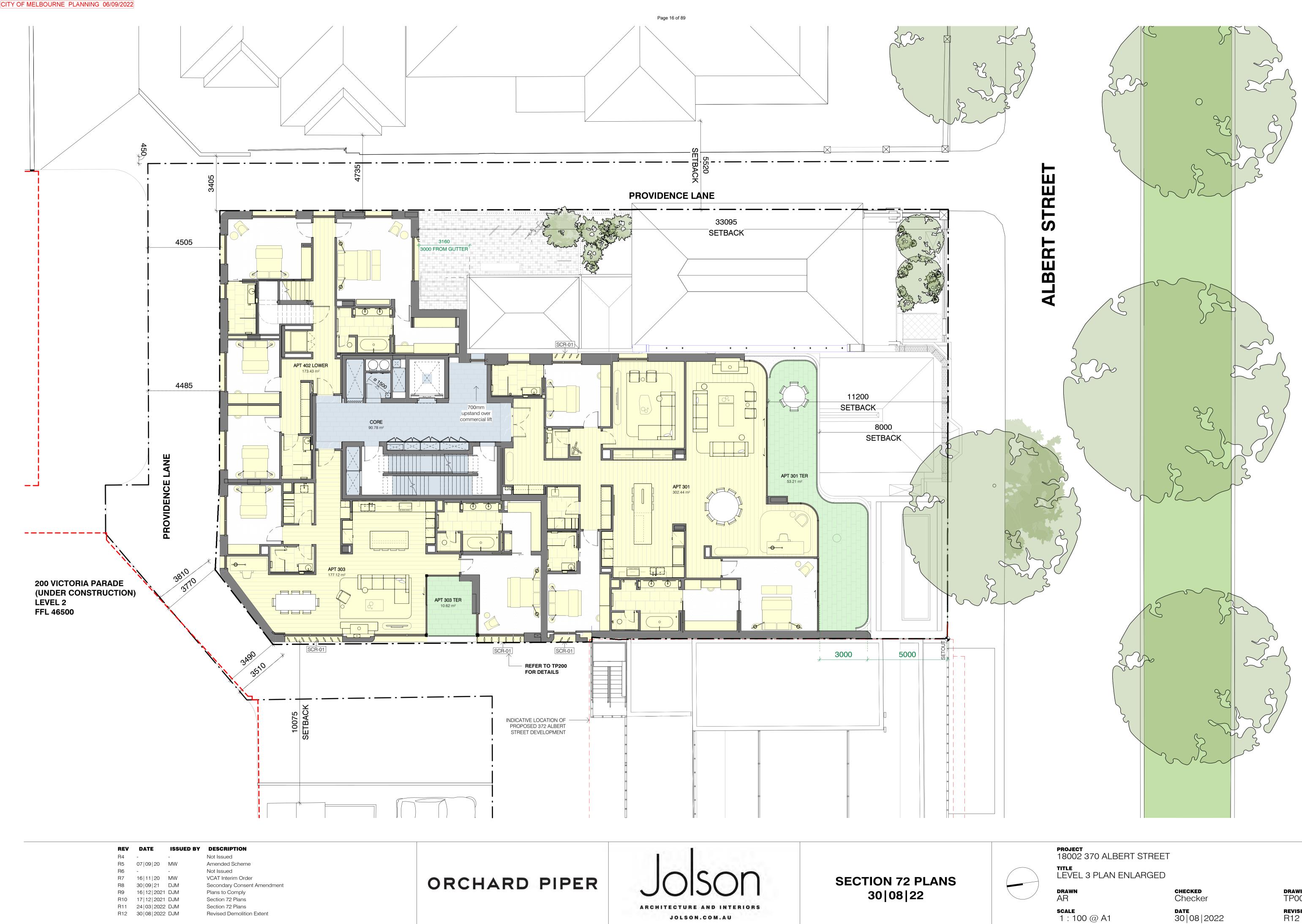


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R12	30 08 2022	DJM	F

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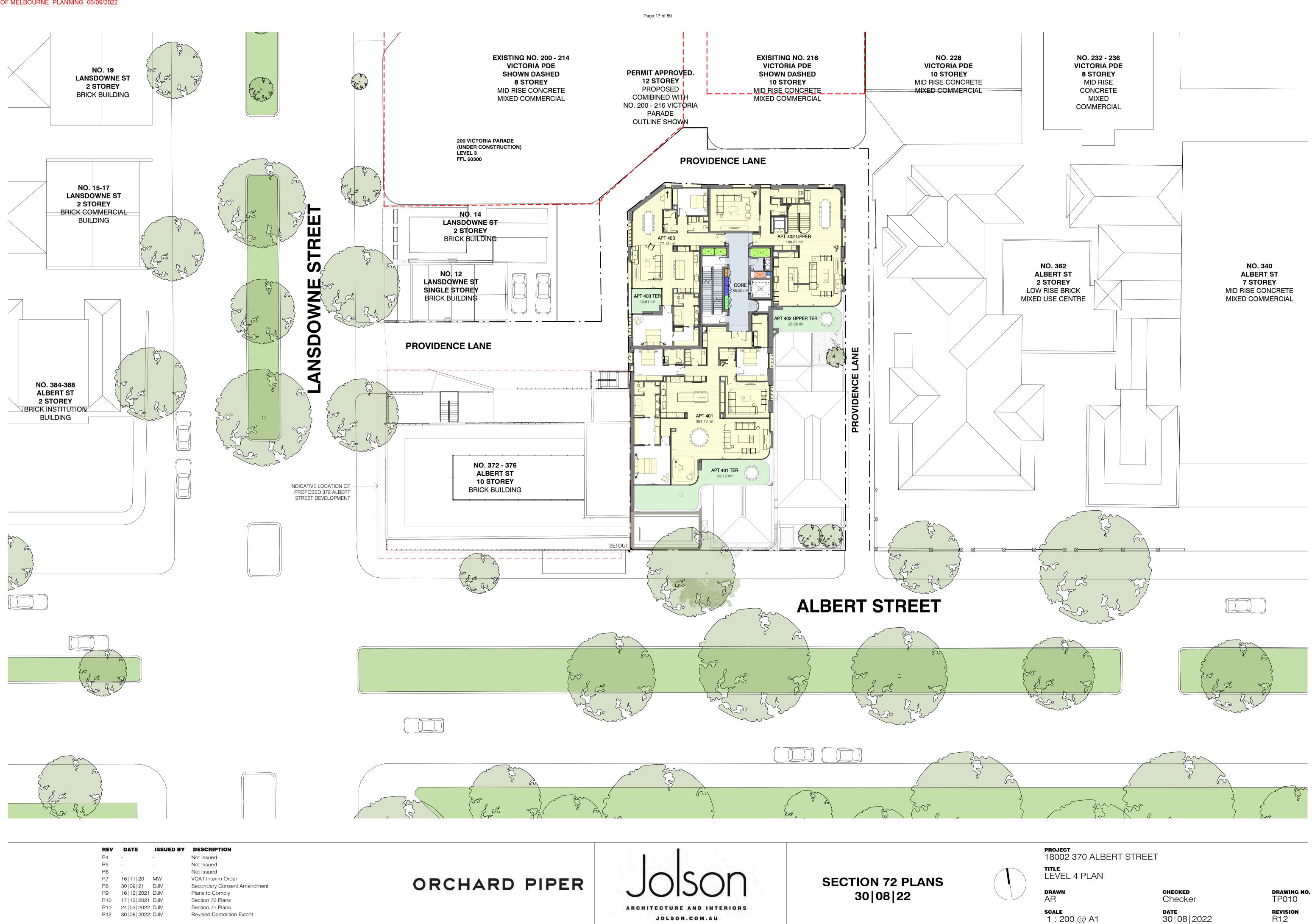




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R5	07 09 20	MW	Amended Scheme	
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R7	16 11 20	MW	VCAT Interim Order	
R8	30 09 21	DJM	Secondary Consent Amendment	ORCH
R9	16 12 2021	DJM	Plans to Comply	
R10	17 12 2021	DJM	Section 72 Plans	
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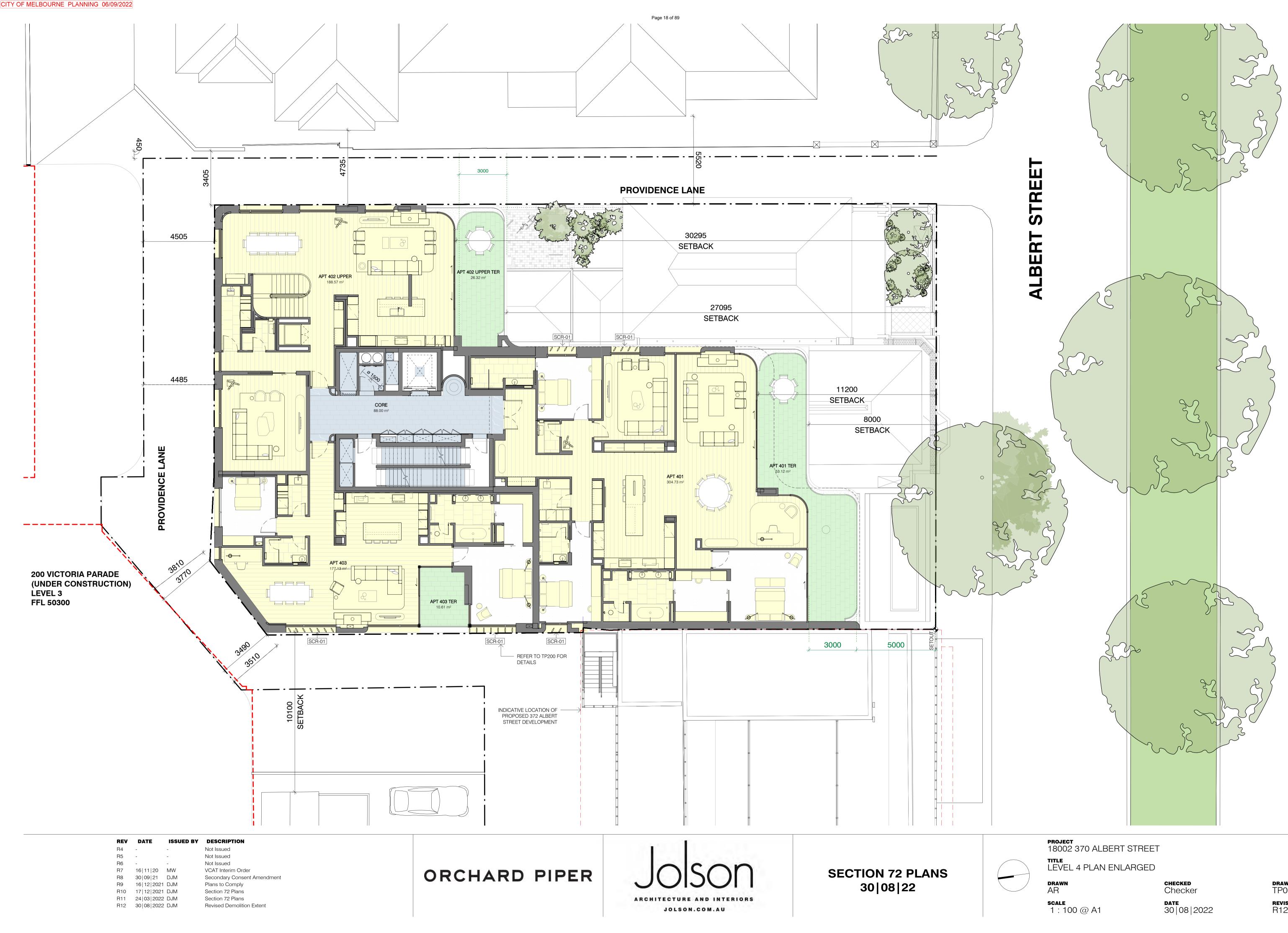
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**revision** R12



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