



# HOTHAM HISTORY PROJECT Inc.

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C/o North Melbourne Library, 66 Errol St, North Melbourne, Vic. 3051  
Ph: 03 9658 9700 Website: [hothamhistory.org.au](http://hothamhistory.org.au)

Estab. 1995  
ABN: 89 919 256 977

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30 June 2016

The Rt Hon. Robert Doyle and Councillors  
City of Melbourne  
PO Box 1603  
Melbourne 3001

Dear Lord Mayor and Councillors

## **Re: Draft Amendment C258 Heritage Policies Review**

The above draft amendment was discussed at our committee meeting on Tuesday night and it was agreed that we should write to you as our elected representatives to express our concerns.

Amendment C258 has been a very long and difficult process for everyone. It has been an enormous amount of work for the consultants and council staff, but also for the layperson to absorb the huge amount of documentation and assess how the proposed changes will impact on the municipality's heritage. Several members of our committee attended a consultation on 23 March 2015 at the Multicultural Hub and some of our input was included in the Statement of Significance for North and West Melbourne. As far as we know, there has been no other direct contact with community groups in the drawing up of the statements of significance and the formulation of the draft amendment C258.

We appreciate the Council deferring the agenda item considering the Heritage Policies Review amendment at the Future Melbourne Committee meeting in December when community groups had little notice to read and assess the impacts of this complex amendment. We also appreciate the consultants and Council staff taking into account some of the comments and criticisms made by submitters in February in the revised amendment.

However we believe there should have been combined briefings with heritage professionals and the community to workshop case studies and to explain the impacts of the proposed changes as some community groups have felt isolated by the process, and not convinced by the claims that the new grading system will strengthen the heritage protection of our suburbs.

The proposed Heritage Inventory 2016 accompanying the draft amendment is completely different in format to all past inventories, making it extremely difficult to check. The omission of many significant buildings that have been included in all earlier inventories because they are part of other planning scheme amendments in various stages of the planning process makes it a very incomplete document. We

strongly feel this inventory should be made more user-friendly before it proceeds. We also believe the inventory should be independently reviewed.

In conclusion, we wish to reiterate our request for a briefing on the impacts of such a fundamental change to the assessment of the municipality's heritage, and the opportunity to discuss our concerns in a wider forum.

Yours sincerely

Lorna Hannan  
Chair



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C/o North Melbourne Library, 66 Errol St, North Melbourne, Vic. 3051  
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Estab. 1995  
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5 July 2016

The Rt Hon. Robert Doyle and Councillors  
City of Melbourne  
PO Box 1603  
Melbourne 3001

Dear Lord Mayor and Councillors

**Re: Future Melbourne Committee 5 July 2016 – Agenda Item 6.1  
Draft Amendment C258 Heritage Policies Review**

Our Chair, Lorna Hannan, wrote to you last week expressing our concerns that the changes proposed in the draft amendment will not strengthen the protection of our heritage buildings. Lorna is unwell and unable to attend the meeting tonight.

We welcomed the draft Review of the Local Heritage Planning Policies in the Melbourne Planning Scheme when it was put out for comment in 2014. A review of the gradings system was long overdue. However we do not understand why the Council did not follow the State Government Practice Note 01 to use State and Local Significance as the definitions of significance. We share the concerns of other groups about the definition of the word 'contributory' and the supposed translation of the gradings system across to the new categories. With the dropping of level 2 & 3 streetscapes, less than 5% of N & W Melbourne streets are now assessed as significant. We are concerned that 75% of our total historic building stock is now assessed as contributory in non-significant streetscapes.

### Format of Heritage Inventory

We strongly object to the introduction into the Heritage Inventory of a new category of non contributory buildings. It has never been included before and we cannot see any rationale for its inclusion. It pads out the inventory unnecessarily. In N & W Melbourne alone there are over 1000 ungraded or non contributory places out of a total listing of 2538. The "non-contributory" attribution implies that buildings have been assessed as such and this is patently not the case. Some non contributory buildings in the inventory have been assessed as significant or contributory in Heritage Reviews still awaiting adoption and should eventually be consolidated into the one heritage inventory. Other buildings need to be reviewed. In the meantime the 'non contributory' status is dangerous for any building that ends up at VCAT. It would be a relatively easy exercise to remove the non contributory buildings and it would make the inventory much less unwieldy and easier to search. It would also save a large number of pages every time the inventory gets copied.

We believe the Heritage Places Inventory has been made unnecessarily difficult to use by the restructure into a sequential street numbering system. We welcome Councillor

Leppert's proposal to request Council officers to reformat the inventory into odds and evens when exhibiting the amendment.

We understand Councillor Leppert's arguments about further delays to amendment C258 affecting the passage of future heritage studies and planning scheme amendments. However obvious errors do need to be rectified. And any measures to make the Inventory more user-friendly will surely be welcomed by all those who use it.

We appreciate the opportunity to comment on this review.

Yours faithfully,

Mary Kehoe  
Secretary

**From:** Susan Balderstone  
**Sent:** Monday, 27 June 2016 11:26:13 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** CoM Meetings  
**Subject:** Future Melbourne (Planning) Committee meeting 5 July 2016 Melbourne Planning Scheme Amendment C258 Heritage Policies Review

**Council Business Team**  
**City of Melbourne**  
**PO Box 1603**  
**Melbourne Vic 3000**

I understand that the Agenda item **Melbourne Planning Scheme Amendment C258 Heritage Policies Review** at the Future Melbourne(Planning) Committee Meeting on 21 June 2016 was deferred to 5 July 2016.

I wish to make two points regarding the Statements of Significance for the Heritage Precincts :

- 1) The statement of significance for the **Collins Street East** heritage precinct doesn't mention the closing of the vista up Collins Street by the Old Treasury Building. This is an important heritage urban design feature of the precinct and I submit that it should be included.
- 2) The statement of significance for the **Parkville** heritage precinct doesn't mention the closing of the vista along Benjamin Street (South Parkville) by University High School . This is an important heritage urban design feature of the precinct and I submit that it should be included.

Both these vistas were raised in the earlier submission made by Roz Hansen, Ray Tonkin and myself regarding the Melbourne Heritage Strategy and I certainly raised the Parkville one when I attended the public consultation for Parkville.

Regards  
Susan Balderstone  
Story Street  
Parkville Vic. 3052

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From: P&G McSweeney  
Sent: Monday, 4 July 2016 8:42:19 PM (UTC+10:00) Canberra, Melbourne, Sydney  
To: Jackie Watts; Rohan Leppert; Robert Doyle; Susan Riley; Richard Foster; Kevin Louey;  
Stephen Mayne; Cathy Oke; Beverley Pinder-Mortimer; Arron Wood; Ken Ong  
Cc: Robyn Hellman; CoM Meetings  
Subject: Future Melbourne Committee Meeting 5 July 2016; Agenda Item 6.1- Draft  
Amendment C258 Heritage Review

Dear Lord Mayor and Councillors,  
I wish to make an oral presentation to the FMC meeting tomorrow evening in connection with the draft Amendment C258 Heritage Review.  
By way of example I attach a table relating to just one street in South Yarra to which I will refer tomorrow evening. I will explain some of the practical problems for this street, which I believe may be replicated in other similar heritage streets in Melbourne if the draft Amendment is adopted in its present form. None of these problems have been resolved by the recent amendments to the draft Amendment.  
I acknowledge assistance provided by Mr Ewan Ogilvy of the Carlton Residents Association in relation to the attached table.  
Kind regards  
Paul McSweeney

**Melbourne Heritage Review  
2016**

**Grading “Translation” Exercise Leopold Street, South Yarra, 3 July**

<b>Current Gradings</b>	<b>(continued)</b>	<b>Building/ Streetscape Grading</b>	<b>No. of examples</b>	<b>Proposed Grading under Amendment C258</b>	<b>No.</b>	
Outstanding [Clause 22.05, p 4]	Significant [National or State importance] [CI 22.05, p 5]	A	0	Significant [State or Local importance - Proposed CI 22.05-17]	0	
Outstanding [Clause 22.05, p 4]	Significant [Regional or metropolitan significance] [CI 22.05, p 5]	B	0	Significant [State or Local importance - Proposed CI 22.05-17]	0	
Contributory [Clause 22.05, p 4]	Significant	C/ Level 2	19	Contributory [important for contribution to precinct - Proposed CI 22.05-17]	19	Direct Transfer; “Not significant” streetscape
Contributory [Clause 22.05, p 4]	Significant	D/ Level 2	28	Contributory [important for contribution to precinct - Proposed CI 22.05-17]	27	Direct Transfer, except for one D2 erroneously graded non-contributory; “Not Significant” streetscape
	Significant	D/ Level 3	2	Contributory	2	Direct Transfer; “Not significant” streetscape
Other		Ungraded	20	Non-Contributory	21	Includes the one D2 erroneously omitted, referred to above; “Not significant” streetscape
		Total street buildings	69		69	

**Notes**

The Officers state that the Heritage Policies Review is not a review of heritage places or precincts. Actually, the consultants have reviewed many of the C and D graded properties throughout Melbourne, with many of these properties having a new status in the revised grading system. It is troubling that this review has been undertaken as **a desktop study with minimal field work**.

Current Streetscape Definitions: “Level 2 streetscapes are of significance either because they still retain the predominant character and scale of a similar period or style, or because they contain individually significant buildings. Level 3 streetscapes may contain significant buildings, but they will be from diverse periods or styles, and of low individual significance or integrity.”

VCAT 2006 : “...part of the streetscape’s significance lies in its interest as a very intact heritage fabric” and “...the bar for demolition is significantly raised” in a Level 2 streetscape.

Name: \* Ewan Ogilvy

Email address: \* [planningcra@gmail.com](mailto:planningcra@gmail.com)

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \* Future Melbourne Committee meeting

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: \* 6.1 Draft Amendment C258 Heritage Policies Review

Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.

Alternatively you may attach your written submission by uploading your file here:



[fmc\\_5\\_july\\_2016\\_\\_item\\_6.1\\_heritage\\_policies\\_review\\_\\_cra\\_submission\\_signed.pdf](#) 116.39 KB · PDF

Please indicate whether you would like to address the Future Melbourne Committee in support of your submission: Yes

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

Privacy acknowledgement: \* I have read and acknowledge how Council will use and disclose my personal information.





The Carlton Residents Association Inc  
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<http://facebook.com/pages/carltonresidentsassociation>

4 July 2016

The Rt. Hon. Robert Doyle and Councillors  
City of Melbourne  
PO Box 1603  
Melbourne 3001

Dear Lord Mayor and Councillors

**SUBJECT: FMC 5 July 2016 – Agenda Item 6.1 Draft Amendment C258 Heritage Policies Review**

Thank you for providing the Carlton Residents Association with this further opportunity to clarify our concerns in relation to this Amendment. While we appreciate that all the stakeholders will have an opportunity to make further submissions during the exhibition process, we think that both the Schedule and Mapping errors should be corrected before any documents are exhibited.

According to *Planning Practice Note 01 – Applying the Heritage Overlay*, where there is a conflict between the Heritage Overlay Map and the property description or address in the Heritage Overlay Schedule, the Heritage Overlay map will be the determining factor. Currently, there are many inconsistencies that should be addressed. For example,

- There are several heritage places included in the draft Inventory and/or the Heritage Overlay [Map and Schedule] that have been demolished, and
- There are several examples of mapping errors, where the boundaries of Heritage Overlays are incorrect. These include adjacent heritage places that are shown to be separated, and heritage places that are incorrectly located.

We do not understand why the Council did not undertake a comprehensive data matching exercise; this would have highlighted most of these errors.

Finally, we submit that the grading “translation” exercise has been quite problematic.

- The Officers state that the Heritage Policies Review is not a review of heritage places or precincts. Actually, the consultants have reviewed 1000s of the C and D graded properties, with over 600 of these properties having a new status in the revised grading system. It is troubling that this review has been undertaken as a desktop study with minimal field work.
- The new ‘Significant’ heritage place definition includes a place that "is individually important at state or local level, and a heritage place in its own right". It is not clear why the Council has not adopted the separate thresholds recommended by the State Government - “The thresholds to be applied in the assessment of significance shall be ‘State Significance’ and ‘Local Significance’. ‘Local Significance’ includes those places that are important to a particular community or locality.” [Extract from *Planning Practice Note 01 – Applying the Heritage Overlay\_p2*].
- Also, it is not clear how any heritage place can make an important contribution to a precinct [or be regarded as individually important] unless it has been graded as "a heritage place in its own right." *Planning Practice Note 01* lists the heritage criteria that shall be used for the assessment of the heritage values of a place: its historical significance, its rarity, its research potential, its representativeness, its aesthetic significance, its technical significance and/or its associative significance. These are the criteria that Lovell Chen would have used in their review work.

We do hope that the City of Melbourne will revisit the heritage grading review before the commencement of the Panel Hearing.

Yours faithfully

Ewan Ogilvy [for the Carlton Residents Association]

Name: \* Felicity Watson

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Contact phone  
number (optional): 0432672265

Please indicate  
which meeting  
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submission to by  
selecting the  
appropriate  
button: \*

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: Agenda Item 6.1 Draft Amendment C258 Heritage Policies Review

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**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

The National Trust congratulates the City of Melbourne for progressing this much-needed review of the City's heritage policy. The National Trust fundamentally supports the revised policies proposed for exhibition, and looks forward to submitting a detailed response to the exhibited amendment.

In particular, we support the Council's proposed guidelines that for places deemed to be of individual significance, the preservation of the entire building is to be reasonably expected, and for contributory places, the retention of the front portion of the building is to be reasonably expected. Clear guidelines regarding the incorporation of significant heritage places into new developments are urgently needed to address the phenomenon of "facadism". This often tokenistic approach to heritage places can have the ironic effect of completely undermining their significance, which was illustrated by the current proposal for 183-189 A'Beckett Street discussed at Agenda Item 6.1.

We believe the proposed revision of Melbourne's heritage policies will provide sound guidance for the assessment of planning applications, providing greater certainty for both residents and developers

with regard to protecting significant heritage places and incorporating them into new developments. We strongly urge Council to seek authorisation from the Minister for Planning to exhibit the amendment, and look forward to providing a detailed submission in response.

**Please indicate**      Yes  
**whether you**  
**would like to**  
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**Melbourne**  
**Committee in**  
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\*

**From:** Wufoo  
**Sent:** Tuesday, 5 July 2016 11:35:32 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** CoM Meetings  
**Subject:** Council and Committee meeting submission form [#720]

**Name: \*** Katrina Grant

**Email address: \*** [kat.grant@gmail.com](mailto:kat.grant@gmail.com)

**Contact phone** 0425794633  
**number (optional):**

**Please indicate** Future Melbourne Committee meeting  
**which meeting**  
**you would like to**  
**make a**  
**submission to by**  
**selecting the**  
**appropriate**  
**button: \***

**Date of meeting: \*** Tuesday 5 July 2016

**Agenda item title:** 6.1 Draft Amendment C258 Heritage Policies Review

\*

**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

Heritage Policies Review.

Melbourne Heritage Action supports this review. The current guidelines are far too vague and have not been sufficient to protect many significant heritage places. The proposal for the Grange Lynne site is an example of inappropriate development of a site with heritage protection, this type of proposal would not be allowed under the proposed guidelines.

We support the shift from A,B,C,D grading to significant and contributory, and we agree that many C and D rated places need to be reviewed and not just automatically switched over as many of these ratings are out-of-date and there are C and D buildings that would now be considered 'Significant' rather than 'Contributory'. We are pleased to see the acknowledgement of historical and social values as part of heritage. We are also pleased to see that proposals regarding the development/redevelopment of heritage places will be required to supply more detailed reports and

documentation regarding the impact of new developments on heritage sites.

One important point we would like to note, however, is that in the proposed guidelines under 'Additions' the policy currently allows an addition as long it maintains the external three-dimensional form and depth, which still leaves the door open for a level of facadism. We would like to see the proposed guidelines strengthened to say that facadism of any kind is a poor and unacceptable outcome for places that have been given heritage protection.

That said, I would reiterate that Melbourne Heritage Action is pleased to see this review of the heritage guidelines going ahead and we applaud the council for taking this important step.

**Please indicate**      Yes  
**whether you**  
**would like to**  
**address the Future**  
**Melbourne**  
**Committee in**  
**support of your**  
**submission:**

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provided for  
submitters to be  
heard at Council  
meetings.) \**

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**From:** Wufoo  
**Sent:** Monday, 4 July 2016 9:47:23 PM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** CoM Meetings  
**Subject:** Council and Committee meeting submission form [#711]

**Name: \*** Matthew Hammond

**Email address: \*** [hap.hammond@gmail.com](mailto:hap.hammond@gmail.com)

**Contact phone number (optional):** 0418149261

**Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \*** Future Melbourne Committee meeting

**Date of meeting: \*** Tuesday 5 July 2016

**Agenda item title: \*** 6.3 Melbourne Metro Rail Project – City of Melbourne’s submission to the Environmental Effects Statement

**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

A group of concerned residents of South Kensington, including myself, Lisa Whiffen and Adam Murchie have compiled a submission reflecting our view in support for the Alternative Option for the Western Portal of the Metro Tunnel.

We would like to address the committee on the context of the City of Melbourne’s EES Submission for the Melbourne Metro Rail Project.

Alternatively you may attach your written submission by uploading your file here:



[2016\\_07\\_06\\_ees\\_submission\\_metro\\_rail\\_tunnel\\_generic\\_final.pdf](#)

251.84 KB .PDF

**Please indicate whether you would like to address the Future Melbourne Committee in support of your submission:** Yes

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## MELBOURNE METRO RAIL TUNNEL

### SUBMISSION – ENVIRONMENTAL EFFECTS STATEMENT PANEL

1. This submission has been prepared by residents of Kensington, in particular those that reside in Ormond, Childers and Altona Streets. We make this submission having reviewed the Environmental Effects Statement (**EES**) and have genuine concerns regarding the Western Portal component of the Metro Rail Tunnel (**Project**). The Western Portal is proposed to be constructed on our doorstep over a number of years, yet we residents will receive no direct benefit from the Project.
  
2. It is recognised that the Project will provide long-term and far-reaching benefits for greater Melbourne as a whole and we are generally supportive of this intent. However the Concept Design of the Western Portal currently under consideration is plainly not in the long term best interests of the Kensington Community, nor, we believe, the efficient and effective operation of the resulting rail infrastructure and services. For the reasons that follow, we ask that the Panel **recommend that the Alternative Option for the Western Portal is the outcome adopted for the Project.**
  
3. The two Western Portal options have very different impacts on the community and it is universally considered that the Concept Option **is an inferior option** both from a technical standpoint (as conceded by the engineers that presented the two options to our community), as well as from an amenity standpoint.

#### *Summary of differences between the Western Portal Options*

	<b>Concept Design</b> <i>Tunnel entrance next to South Kensington Station (end of Ormond Street)</i>	<b>Alternative Design</b> <i>Tunnel entrance further west, i.e. approx. 300m from South Kensington Station</i>
1.	NINE homes would be compulsorily acquired (Childers and Ormond Street) together with thirteen local businesses in Bakehouse Drive.	Just ONE home would be compulsorily acquired (and the resident is happy to relocate).
2.	Loss of a number of local residents that are significant contributors to the local Kensington community.	Loss of only one local resident who has indicated a need/desire to relocate.
3.	Unsightly substation located adjacent to existing residential homes at the corner of Bakehouse Drive and Tennyson St.	No substation located in South Kensington
4.	Permanent and significant loss of Childers Street	Fewer car parking spaces lost and no roundabout

	car parking spaces for commuters and JJ Holland Park users, together with the parking spaces being changed from right angle to parallel parking which then necessitates the need for a roundabout to be developed so cars can turn around.	required which is a far better transport and amenity outcome.
5.	Substantial disruption / inconvenience to South Kensington Station with temporary access required for years. Lengthy closure of the Sunbury Line (Estimated 3-6 months).	No temporary access required. Acknowledged by Metro Rail engineers to be better and easier to construct which means it is quicker to build and results in less disruption for residents and commuters.
6.	Poor design and visual outcome together with train noise from tunnel entrance brought closer to all residents.	Tunnel will be underground near the pavilion in JJ Holland park resulting in a substantially reduced visual and audible impact on local residents. This also allows access to South Kensington Station to be safely maintained during construction.
7.	Potential for building damage to residential and commercial buildings due to ground movement arising from the cut and cover tunnel.	Vastly reduced risk of ground movement as the cut and cover tunnel is relocated westward from existing buildings.
8.	Construction truck diversions planned through Kensington – Derby, Ormond, Altona and Tennyson Streets – making access to the Park and its services difficult and dangerous FOR YEARS. This impact is particularly severe in circumstances where these streets are plainly unsuitable for large vehicles and where impacted households have young children and pets.	Truck access maintained via Childers Street, for the vast majority of construction period, so less impact on local residents.
9.	Closure of Childers Street will see local streets loaded up with commuter traffic seeking an alternative route through Ormond and Tennyson Sts to the industrial estate.	This risk is largely eliminated as Childers Street remains open for a far longer period of time.
10.	Permanent loss of shared pedestrian and bicycle path on southern side of Childers St	Reinstatement of shared path upon completion of Project works
11.	Poor design and visual outcome together with train noise from tunnel entrance brought closer to all residents.	Tunnel will be underground near the pavilion in JJ Holland park, resulting in better visual outcome and reduced noise for residents. It also allows access to South Kensington Station to be safely maintained
12.	Major diversion of high pressure gas main along Ormond, Altona and Tennyson Streets and	Likely avoidance of need to divert high pressure gas main.



## DETAILED ANALYSIS OF DIFFERENCES BETWEEN THE WESTERN PORTAL OPTIONS

Below is an analysis of the Western Portal options addressed in the context of the draft evaluation objectives.

### ***Transport Connectivity***

*Objective - To enable a significant increase in the capacity of the metropolitan rail network and provide multimodal connections, while adequately managing effects of the works on the broader transport network, both during and after the construction of the project.*

4. South Kensington bears the significant brunt of Project works for the Western Portal, yet obtains no direct benefit given the Metro Rail network will not be able accessible from South Kensington Station.
  
5. The Concept Option results in the following issues for the South Kensington Community:
  - (a) Sunbury rail line works in order to deliver a tunnel “bypass” for network redundancy. In order to complete these works, it is estimated that the Sunbury line will be closed for 3-6 months, increasing the passenger loads on other lines and reducing train capacity. It is already difficult to board a city bound train at South Kensington during peak hour by reason of South Kensington Station being one of the final stops into the city. Any further reduction in capacity will have serious ramifications for local residents. Train replacement bus services will also put more pressure on Kensington’s residential streets.
  - (b) These works will also create substantial noise during construction and longer term train wheel noise due to the introduction of new rail turn outs
  - (c) Re-routing of 50 Lloyd Street industrial traffic via Ormond, Altona and Tennyson Streets due to the closure of Childers St during construction. This will result in a massive traffic increase in these three quiet residential streets, especially Ormond and Tennyson Streets which are currently dead end streets. Given the nature of this traffic, including significant numbers of large trucks, residential parking along the Ormond-Altona-Tennyson Streets by-pass into the Industrial Estate is likely to be adversely affected for the duration of construction. Many commuters use the 50 Lloyd Street industrial estate as a “rat run” to access the CBD (resulting in congestion and collisions) and once Childers St is closed, these cars will seek access to the industrial estate via Derby, Ormond, Altona and Tennyson Streets further exacerbating traffic concerns.
  - (d) Traffic re-routing is a significant issue as it increases vehicle movements, especially heavy vehicle movements, past JJ Holland Park and its various amenities including the Kensington Childcare Centre, The Venny (children’s playground) and the YMCA

- Recreation Centre. Local families will be required to navigate substantial vehicle movements with young children to access the various amenities in the park.
- (e) A substantial number of parking spots on Childers Street will be lost during construction. This parking demand will be reallocated to local streets which already suffer parking deficiencies and do not having resident permit only parking restrictions.
6. The Alternative Option results in the following benefits for the South Kensington Community over the Concept Option:
- (a) Substantial line works to the Sunbury line are eliminated. This will improve redundancy and ensure that existing train services and capacity is maintained, benefiting the local residents. A reduction in rail turn outs will also have a long term (permanent) reduction in train wheel noise on local residents.
- (b) Childers Street remains open for virtually the whole construction period which substantially removes the need to re-route traffic via Ormond, Altona and Tennyson Streets. This will help preserve safe access to JJ Holland Park and ensure young families are not exposed to risk when accessing the Park and its services (Kensington Childcare Centre, the Venny and the Recreation Centre) or crossing Derby Street to access Kensington's two primary schools.
- (c) More parking spaces are preserved during construction, resulting in less load on existing residential on street parking.
7. The Kensington community recognises the longer term indirect benefits that the Project will bring through future proofing the existing train network, increasing capacity and making services more reliable. However regardless of the option, the impact of the Western Portal project is disproportionately borne by the residents of South Kensington who will receive no direct benefit from the years of noise and inconvenience during construction. Proceeding with the substandard Concept Option will ensure a lasting negative legacy for the local community.
8. The Alternative Option is a superior outcome to achieve the Transport Connectivity objective.

### **Built Environment**

*Objective - To protect and enhance the character, form and function of the public realm and buildings within and adjacent to the project alignment, and particularly in the vicinity of project surface structures, having regard to the existing and evolving urban context.*

9. Chapter 24 of the EES states that the "Design Strategy require that all surface structures are of a high quality design and finish, integrate with their location and settings, and have appropriate footprints. The design of Melbourne Metro must also take into account neighbourhood character and the local community's aspirations for each precinct as set out in the relevant planning polices and strategies and identified through consultation with Councils and other stakeholders."

10. Kensington residents, the Kensington Association and other local stakeholders have overwhelmingly offered their public support for the Alternative Option - Western Portal. The local community is willing to live with short/medium term disruption to ensure a legacy that is sympathetic to community wishes and in keeping with context of the local environment.
11. The current preferred Concept Option does not meet any of the Built Environment requirements for the following reasons:
  - (a) It requires compulsory acquisition of 9 local homes, many of them heritage buildings, that have long term occupation by local families. Upon completion of the Project, there is a genuine risk that the compulsorily acquired homes will be redeveloped into built forms not in keeping with the local character.
  - (b) There is a permanent net loss of 56 car parks in Childers St, increasing the load on local residential on street car parking which are already sparse and without restriction.
  - (c) On Childers Street the permanent car parking is parallel parking, not right angle parking as it is now, necessitating the need for a roundabout to be developed at the intersection of Childers and Ormond Streets to allow for cars to turn around. This roundabout will be directly adjacent to the South Kensington Station entrance which will serve as a quasi drop off point, thereby creating more risk of interaction between pedestrians and cars. It will also likely cause traffic bottle necks also as cars stop in the intersection to drop off and pick up train users (which is already common practice). Further, mini roundabouts are difficult / tight for many drivers to navigate, especially large trucks which need to access the industrial estate at 50 Lloyd Street which will result in a safety risk.
  - (d) 16 local businesses need to be compulsorily acquired, relocating employees and local income streams to other locations.
  - (e) The portal entrance is placed on the doorstep of local residences substantially reducing amenity and fundamentally altering the urban context. It is an inescapable conclusion that this will put the portal in line of sight and sound of local residences which will impact on property values and the highly prized amenity for residences on Ormond St.
  - (f) A substantial power substation will be constructed at the intersection of Bakehouse Drive and Tennyson Street. This will further reduce amenity, impact residential house pricing and be a long term negative legacy on a local community that will have already endured substantial disruption through the Project construction.
  - (g) A number of significant trees along Childers Street, adjacent to the residential houses, will be lost.

12. The Alternative Option results in the following benefits for the South Kensington Community over the Concept Option:
  - (a) Compulsory acquisition of only one residential dwelling is required (and that person is willing to be acquired).
  - (b) The 16 local businesses are retained.
  - (c) Less car parks on Childers Street are permanently lost and the car parks remain as right angle parking, reducing the need to develop a roundabout at the Station entrance.
  - (d) Western Portal is moved away from local residential housing and out of line of sight and sound. This option will also allow more space at the South Kensington Station entrance which could be landscaped and offered back to Kensington residents as a project benefit (reference the new landscaping works at the entrance to Kensington Station).
  - (e) The substation is not proposed in the South Kensington location, reducing a very negative amenity impact on the local community.
  - (f) Significant trees can likely be protected and retained.
13. The Alternative Option is a superior outcome to achieve the Built Environment objective.
14. It should be noted in the context of this objective that there are no upgrade works planned to the South Kensington station. The station experiences high levels of utilisation, and sits in the middle of the Project works, yet receives **no** capital expenditure despite it being one of the worst stations in the Melbourne metropolitan network.

### **Social, Community and Land Use**

*Objective – To manage the effects on the social fabric of the community in the area of the project, including with regard to land use changes, community cohesion, business functionality and access to services and facilities, especially during the construction phase.*

15. Chapter 10 of the EES identifies that the acquisition of houses in Kensington is only one of two risks deemed “High” in the context of the Project. This is the result of the compulsory acquisition of a number of residential homes and business forming a key part of the local social fabric.
16. The Concept Option results in the following issues for the South Kensington Community:
  - (a) High social risk as identified in the EES due to acquisition of a number of long term local residences.
  - (b) Loss of a number of residents who are particularly active in the local Kensington community therefore having a larger impact on more people than just the displacement of 9 households.

- (c) Loss of a number of local business in the Bakehouse Drive industrial estate with the remaining businesses heavily impacted by Project works.
  - (d) Poor access to community facilities in JJ Holland Park during construction due to the substantial re-routing of traffic from Childers Street and the likely impact of commuters “rat running” through residential streets to access the 50 Lloyd Street industrial estate cut through.
  - (e) Temporary loss of Childers Street car parking which will have a negative impact on residential on street parking for the duration of the Project construction, together with the permanent loss of 56 car parks on Childers Street once the Project is complete.
  - (f) Impost of a substantial substation adjacent to residential houses which is a land use change fundamentally adverse to South Kensington residents.
  - (g) Substantial services works required before the Western Portal construction commences, upsetting the local community for an extended period of time due to excavation, service “down time” and service relocation.
  - (h) Station access being severely compromised during construction. The cut and cover component of the portal entrance will occur at the current entrance to the station subway. This will necessitate the need for a flyover to access the station which will be a serious impediment to young, elderly and disabled train passengers. This structure will also be unsightly and a blight on the local amenity.
17. The Alternative Option results in the following benefits for the South Kensington Community over the Concept Option:
- (a) Only one residence is acquired and the occupant is amenable to acquisition.
  - (b) No loss of local business and minimal construction work impact on business during Project works.
  - (c) Current access to community facilities in JJ Holland Park largely preserved due to removal of re-routing of traffic from Childers Street for the majority of the Project construction.
  - (d) No substation adjacent to residential houses which supports local amenity and character.
  - (e) Potential for substantial services works to be mitigated as the Alternative Option means that many services may be able to remain in situ.
  - (f) No impact on Station access during construction as the cut and cover occurs further westward and thus the existing station entrance is preserved.
18. The Alternative Option is a superior outcome to achieve the Social, Community and Land Use objective.
19. It is implied in the EES that JJ Holland Park is “sacred” in the context of not being impacted by the Project. The local community is happy for some short term occupation of a small part of the Park (for example, to remove the Tunnel Boring Machine) if medium and longer term it results

in a far superior legacy to the Kensington locality and there is no direct impact on the playing fields.

### **Amenity**

*Objective – To minimise adverse air quality, noise or vibration effects on the amenity of nearby residents and local communities, as far as practicable, especially during the construction phase.*

20. The Kensington community recognises there will be an impact on amenity to deliver the Project. Generally this is deemed acceptable as long as a suitable outcome is delivered.
21. The current preferred Concept Option does not meet this Amenity objective for the following reasons:
  - (a) Construction activity, vibration and noise is brought particularly close to existing residential houses. This impact is not just during the construction phase, but is a perpetual impact once the project is operational.
  - (b) Sound modelling forming part of the EES clearly identifies the sound impact of the Concept Option is inferior to the Alternative Option. Train noise (including sounding whistles) entering and leaving the tunnel portal is brought closer to residential dwellings.
  - (c) Invasive cut and cover works occur adjacent to existing houses and businesses, fundamentally increasing the noise, dust and vibration impact.
  - (d) More substantial piling works are required in this option to construct the Sunbury line “bypass” which will have noise and vibration impacts.
22. The Alternative Option results in the following benefits for the South Kensington Community over the Concept Option:
  - (a) Construction activity, vibration and noise occurs further away from existing residential houses. This impact is not just during the construction phase, but is a perpetual impact once the project is operational.
  - (b) Sound modelling indicates residual sound outcomes post Project completion are better under the Alternative Option.
  - (c) Invasive cut and cover works occur further away from existing houses and businesses, fundamentally reducing the noise, dust and vibration impact.
  - (d) No piling works are required in this option to construct the Sunbury line “bypass” as it is not required in this option.
23. The Alternative Option is a superior outcome to achieve the Amenity objective.

## **Land Stability**

*Objective – To avoid or minimise adverse effects on land stability that might arise directly or indirectly from project works.*

24. Detailed modelling on land stability included in the EES show a substantial number of risks arising in particular from cut and cover excavation.
25. The current preferred Concept Option does not meet this Land Stability objective for the following reasons:
  - (a) The bulk of the cut and cover works will be conducted directly adjacent to residential and commercial buildings and thus a number of these buildings are at risk from aspects such as ground heave, settlement and groundwater drawdown.
  - (b) As per Technical Appendix P – Ground Movement and Land Stability - many of the greatest risks within the Western Portal area appear to come from the cut and cover aspect of works (see page 415 of Technical Appendix P) and cut and cover works certainly have a wider impact range for settlement than TBM tunnelling.
  - (c) Land stability will be a factor in the Sunbury line works required under this option given substantial cut and fill works necessary to drop the line and bring it back to grade.
26. The Alternative Option results in the following benefits for the South Kensington Community over the Concept Option:
  - (a) Risks to existing structures can be mitigated by having the cut and cover and TBM retrieval shaft moved further to the west where there are no surrounding buildings. The only potential risk would be to settlement of the JJ Holland Park and this is much more easily mitigated than structural damage. Notwithstanding, JJ Holland Park is already exposed to settlement risk from groundwater draw.
  - (b) No substantial land works are required to the Sunbury line and thus there is minimal land stability impact.
27. The Alternative Option is a superior outcome to achieve the Land Stability objective.

## **Landscape, Visual and Recreational Values**

*Objectives – To avoid or minimise adverse effects on landscape, visual amenity and recreational values as far as practicable.*

28. It is recognised that suitable landscape and visual treatment can soften the impact of the decline structure for the Western Portal.

29. The current preferred Concept Option does not meet the Landscape, Visual and Recreational Values objective for the following reasons:
- (a) It brings the portal adjacent to existing houses, results in the loss of established families/residences and locates the portal entrance adjacent to the South Kensington Station subway.
  - (b) Sound walls are required to be both higher and longer and have a greater landscape impact.
  - (c) The higher retaining walls for the portal abut residential housing and the station entrance, becoming a dominant aspect and reducing the amenity of the local area.
  - (d) The new line is above ground for a longer period of time, becoming more of a dominating factor and being more visible from JJ Holland Park.
  - (e) The shared bicycle and pedestrian path to the south of Childers Street is permanently lost.
  - (h) A number of significant trees along Childers Street, adjacent to existing residential houses, will be lost.
30. The Alternative Option results in the following benefits for the South Kensington Community over the Concept Option:
- (a) The portal is located further westward, putting it further away from residential areas and placing it further out of the line of sight of existing residents
  - (b) The rail line goes underground earlier thus mitigating noise and visual impact to recreational users of the Park.
  - (c) Given the portal is further westward of the South Kensington Station entrance, it allows for a better interface around the station, allows for greater retention of car parking for station and park users and removes the need for a roundabout at the Station entrance.
  - (d) Presentations provided by MMRA to a Kensington community workshop showed the landscape treatment for the Alternative Option is a superior visual, landscape and recreational outcome.
  - (e) The shared bicycle and pedestrian path to the south of Childers Street is retained.
  - (f) Significant trees can likely be retained.
31. It is recognised that Under the Alternative Option there is an impact to residences in Kensington Banks due to the extension of the rail bridge over Kensington Road. However, it is noted that only a small number (approximately 6) Kensington Banks residents are in close proximity to the Kensington Road bridge. It is also noted that there are already 3 bridges in this location so there is minimal amenity impact arising from any bridge extension. Furthermore, under the Alternative Option the HV electrical tower near the intersection of Childers Street and Kensington road would be relocated to the other side of the rail corridor. This is arguably a



greater amenity improvement than any bridge impact and thus can be argued to be a better outcome for Kensington Banks residents.

32. Locating the portal further west has less overall change to the current South Kensington amenity, allows for better maintenance of JJ Holland Park, maintenance of user car parking, retention of the shared pathway to the south of Childers Street and a better integration of the JJ Holland Park/Station interface.
33. The Alternative Option is a superior outcome to achieve the Landscape, Visual and Recreational Values objective.

## **CONCLUSION**

34. Based on the above submission, it is evident that the Alternative Option is the superior outcome for the Western Portal entrance as it is better designed to achieve the:
  - (a) Transport Connectivity objective;
  - (b) Built Environment objective;
  - (c) Social, Community and Land Use objective;
  - (d) Amenity objective;
  - (e) Land Stability objective; and
  - (f) Landscape, Visual and Recreational Values objective.
35. The community recognises that it must suffer some short term discomfort to deliver the Project, but the long term disadvantage of this can be ameliorated by endorsing the Alternative Option.
36. From all the representations that we have received from senior MMRA staff, it is apparent that the only one true advantage of the Concept Design is that of cost.
37. The EES discloses that the Alternative Option is approximately \$20m more expensive than the Concept Option. Notwithstanding, this gap has closed significantly from the \$60m price differential initially estimated and it is highly probable that this gap may close further during detailed design.
38. We request that the panel weighs up whether a cost saving of perhaps \$20m should override community support of the Alternative Option. It is clear that the local community will reject the Concept Option for the multitude of sound planning, engineering and amenity reasons outlined above.
39. The additional \$20m cost for the Alternative Option is an increase of only 0.2% to the disclosed Project budget. To put this in perspective, by delivering this Project, the Victorian Government will “unlock” the land it owns around the proposed Arden Station. The value of this site is

estimated at over \$1bn and it would appear somewhat unbalanced if the Government can claim a \$1bn receipt from the Project whilst ignoring robust community acceptance of the Alternative Portal entrance due to an additional cost of \$20m.

40. The community appreciates the work that has been done to design the Alternative Option in response to the vocal and entirely consistent concerns of residents. The EES now discloses two very distinct options for the Western Portal – one that will have a significant, elongated and permanent impact on community, and one that will not. It is almost unthinkable in a Project as large and expensive as this, that where a clear and obvious choice has been identified and will have the support of impacted residents, that a (relatively) low financial differentiation could be the deciding factor.
  
41. We hope that the Panel views this submission favourably and supports the Alternative Option for the Western Portal.

**5 July 2016**

**Residents of Kensington**

Name: \* George Nedovic

Email address: \* [gnedovic@gmail.com](mailto:gnedovic@gmail.com)

Contact phone number (optional): 0412 202 662

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \* Future Melbourne Committee meeting

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: \* Planning Permit Application: TP-2015-906, 88 Park Street South Yarra

Alternatively you may attach your written submission by uploading your file here:



[fmc\\_submission\\_tp2015906\\_3.7.2016.pdf](#) 289.58 KB

PDF

Please indicate whether you would like to address the Future Melbourne Committee in support of your submission: Yes

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

Privacy acknowledgement: \* I have read and acknowledge how Council will use and disclose my personal information.

## To Melbourne City Council Councillors

### Permit Application No. TP-2015-906 - 88 Park Street, South Yarra

I am the owner of 88 Park Street, South Yarra.

I have a permit application going to the Future Melbourne Committee meeting on 5 July 2016.

I am seeking a planning permit to demolish the existing house on the site, which is an ungraded, single storey, 2 bedroom house.

I am seeking to replace it with a well-considered, respectful and contemporary two storey, 3 bedroom home.

The development is for my own purposes and I intend to live in the property.

My architect lived in a graded three storey Victorian dwelling on Park Street for many years and is very familiar with, and has a true appreciation for, the area.

I have spent a great deal of time living on or near Park Street, South Yarra. I previously lived at 78 Toorak Road West, South Yarra for many years, and currently live on Park Street.

Prior to submission of my planning permit application I met with a number of owners of nearby properties in relation to my proposed permit application.

There were 26 objections to the permit application, including 9 objections from Leopold Street, South Yarra.

After receiving copies of the objections, and making further amendments to the plans, I hand-delivered the **enclosed** letter to 23 of the 26 objectors. I had already met, and had email correspondence, with the three objectors to whom I did not deliver a copy of the attached letter, being the two properties to the immediate north and the property to the immediate south.

I hoped the letter would help explain the reasons for the design and further amendments to the plans since they were originally advertised. I concluded the letter by inviting the objectors to contact me to discuss their objections either in person or by mobile telephone, email or post.

Only two of the 23 objectors to whom I delivered letters contacted me. One of those two objectors withdrew her objection, and the other met with me but did not withdraw his objection.

None of the other 21 objectors have communicated with me in any way. I am left to wonder why.

The property is in a Neighbourhood Residential Zone 1, is covered by Heritage Overlay 6 and is located on the east side of Park Street, which is a Level 2 Streetscape.

Adjoining properties:

- To the south – 2, two storey terraces – Both C Graded
- To the north – 2, single storey row houses – Both D Graded
- The single storey row house abutting to the north has a two storey extension at the rear.

The existing house on the site:

- Was rebuilt in 1950s and again in the 1980s.
- Does not retain any original Victorian features.
- Is ungraded.
- Its demolition is supported by Mr Bryce Raworth (an independent heritage advisor), by Council's heritage advisor and by Council's planning officer.
- Is only 2 bedrooms, is of poor internal design and amenity, is poorly suited to current day standards of living, is quite small and is not suitable to accommodate a family.

The front elevation and front setback of the new building has been designed to match and to respect the adjoining two C Graded two storey terraces to the south, and to fit into the Park Street streetscape.

Side and rear setbacks have been designed to respond to the setbacks of buildings on adjoining properties to the north and to the south.

Where walls have been located on boundaries, they have been designed to be consistent with the location of walls on boundaries and with habitable room windows of existing houses on the adjoining properties to the north and south.

Overshadowing of the property to the south has been minimised.

There will be no overlooking of secluded private open space.

The footprint and building envelope at both the ground and the first floor level, is entirely consistent with a respectful, modern day extension of a two storey terrace house in a heritage area such as Park Street.

Council's Planning Officer has recommended the grant of a permit.

If you would like further information about my application, or would like to inspect my property before the Committee meeting, please feel free to call me on 0412 202 662 or contact me via email: [gnedovic@gmail.com](mailto:gnedovic@gmail.com).

**George Nedovic, 3 July 2016**

George Nedovic  
5/107 Park Street  
South Yarra VIC 3141

17 April 2016

**Re: 88 Park Street, South Yarra – TP-2015-906**

I refer to your objection to my planning permit application.

By way of background, I have spent a great deal of time in the Domain precinct of South Yarra and I love this area. I attended Melbourne Grammar School, my family restored and converted the former West End Hotel at 76-80 Toorak Road West, South Yarra into two apartments and one house, and we resided at 78 Toorak Road West for many years. I currently live at 5/107 Park Street, South Yarra and I am a member of the Melbourne South Yarra Residents Group. In my view, the combination of the Domain precinct's beautiful architecture, extensive parkland, proximity to the city, sense of community and the local Domain shops make it the best place in Melbourne to live.

When I purchased 88 Park Street in December 2014, my intention had been to restore the property to its former glory, as it previously had been one of three late Victorian row houses at 88 to 92 Park Street designed by Walter Buckhurst and constructed in approximately 1884. In order to trace the history of the property, I contacted a local historian, the Melbourne South Yarra Residents Group, a heritage builder who inspected the property, and trawled through old documents and plans stored at the Public Records Office of Victoria in North Melbourne. I also attended the State Library of Victoria and the Architecture, Building and Planning Library at the University of Melbourne trying to find any information I could about the property.

Sadly, I discovered that in the 1957, the entire façade, verandah and parapet of number 88 were demolished and a new, largely glazed, front wall was constructed approximately half a metre in front of the original wall. Then, in the early 1980s, an attempt was made to restore the façade to its original appearance, but non-original bricks were used, and the builder did not recreate the original parapet, window openings or verandah. This is why number 88 no longer visually relates to numbers 90 and 92, and the front wall of number 88 sits forward of the front walls of numbers 90 and 92. The internal floor plan has also been changed many times throughout the building's history. The building no longer has its original roofline or any of its original chimneys. The Council

advised me the building has no heritage value even though it is within a heritage overlay. I was very disappointed to discover all of this.

Faced with this conundrum, I approached a close friend of mine who is an architect, and requested he develop a design for 88 Park Street which would be sensitive and respectful to both Park Street and the wider Domain precinct. My architect lived in a Victorian three storey brick row house with a tower and widow's walk on Park Street for many years. He is very familiar with, and has a true appreciation for, the area.

I worked with my architect over many months to develop a design for my home which, among other things, was directed towards meeting the objective in Clause 22.05 of the Melbourne Planning Scheme which states that the details of a new building "*should preferably be interpretive, that is, a simplified modern interpretation of the historic form rather than a direct reproduction*". We considered many proposed designs and redesigns and eventually arrived at a classical, trabeated, triple bay façade. There are many other properties along Park Street which have triple bay facades, with varying widths of columns/pilasters and extensiveness of ornamentation. The Petersen brick I wish to use is a Danish handmade, coal-fired brick and is very similar to the brick David Chipperfield used for the Fayland House in Oxfordshire, England, which The Architectural Review awarded world house of the year in 2015. It is a beautiful brick and I feel would sit comfortably and respectfully in the streetscape.

Unfortunately, the perspective sketch on the second page of the original advertised town planning drawings from December 2015, and the appearance of the brick in the elevations in the original advertised drawings, is unrepresentative of what the proposed building would look like. It appears from the perspective sketch that the building is larger than it would be, and the façade almost appears to be exposed concrete. I believe this may have caused some confusion as to the proposed appearance of the building, and may in large part be the reason for most of the objections I have received. I apologise for any confusion the drawings and perspective sketch may have caused, and understand your objection if it was based on these.

Most of the objections I have received relate solely to the appearance of the dwelling from the street, and predominantly to the concern that it would be bulky, dominating, out of character and unsympathetic. Given the unfortunate angle and colour of the perspective sketch, I understand these concerns. If you refer to page 5 of the latest advertised material, the west elevation in the top left corner shows the progression in heights from number 90 (30.307 to top of parapet), proposed number 88 (31.1 to top of parapet - n.b. the roof is below the parapet height) and number 86 (32.3 to top of roof, which sits above its parapet). I understand these measurements are taken from the Australian Height Datum (i.e. the mean sea level). Therefore the actual heights taken from the natural ground level at the façade of 88 Park Street would be: number 92 (7.207 metres), number 88 (8 metres) and number 86 (9.2 metres). The two **enclosed** A4 colour

visualisations, looking northeast and southeast, probably best represent this progression in heights.

I arranged for the visualisations to be prepared in order to avoid any confusion as to what is proposed. The visualisations incorporate various changes to the original advertised plans, which are listed below. I made the changes in response to the advice I received from Council and the objections I have received. The changes include:

1. Reduced width of pilasters and depth of parapet on façade.
2. Slender white window and door frames to be used throughout.
3. Revised front fence for more permeable and inclusive interface with street.
4. Updated external finishes schedule.

For your information, I have also made the following changes, which do not impact the façade:

5. Proposed garage at rear of property replaced with open car parking / outdoor entertaining space.
6. Full width glazing to living room with movable external timber screens.
7. Use of white render on sections of south and east elevations, and portion of north elevation towards rear of property.
8. Setback on southern elevation upstairs towards rear increased from 500mm to 1000mm.
9. Updated shadow diagrams.

I **enclose** the updated plans, which reflect the above changes together with a heritage report prepared by Bryce Raworth dated 12 April 2016. These documents are both currently available to be viewed on the City of Melbourne's online town planning permits register.

I would very much appreciate the opportunity to meet with you to discuss your objection and whether, given the revisions to the plans, the visualisations, the report from Mr Raworth, and the explanation provided above, you would consider withdrawing your objection. I would greatly appreciate if you would at least consider this, as it would help reduce the delays and cost to me of the planning process.

Would you please contact me on 0412 202 662, or write to me at either gnedovic@gmail.com or 5/107 Park Street, South Yarra VIC 3141, if you would like to discuss the above and hopefully arrange a time to meet.

Yours sincerely,



George Nedovic

Name: \* Lucas Annabell

Email address: \* [lucas.annabell@gmail.com](mailto:lucas.annabell@gmail.com)

Contact phone  
number (optional):

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \*

Date of meeting: \* Sunday 5 July 1987

Agenda item title: TP 2015 906 – 88 Park St

\*

**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

I am the owner of 86 Park St, South Yarra, which is the property to the immediate south of the proposed redevelopment.

Unfortunately I am overseas at the time of this meeting. I was only notified on 27 June of this meeting and was not able to adjust my travel plans accordingly. As my property is most directly affected by the proposed redevelopment, it is most disappointing to find out so late, and that I will not be able to attend the meeting in person and voice my concerns. This is particularly concerning in circumstances where the council report either does not address, or mischaracterizes, a number of the concerns raised.

My main concerns regarding the redevelopment are the loss of natural light to my property, and the poor integration into the streetscape of the proposed building.

Overshadowing habitable windows–

There is no mention in the report of a window to be completely covered by the development. This window faces north provides significant natural light to a habitable room.



Section 14.2.7 is incorrect as it says that the skylight is on the opposite side of the building whereas in fact it is directly opposite the proposed building. Secondly the report dismisses the skylight for consideration on a technicality that the standard does not refer to skylights. Skylights have been used to supplement the light for internal living areas for decades and an oversight in its inclusion is not an excuse to deprive me of natural light in my home.

Two windows have been dismissed as being too small to provide a significant amount of sunlight. In truth, these are north facing and do provide significant light to a habitable room.

A second light is completely blocked in on the ground floor in my second room, which is completely unacceptable; the courtyard which would be the only remaining source of light is also grossly overshadowed by the lack of setback in this area.

Chimney-

A proposed chimney intrudes on the 1 metre minimum setback from the boundary above the ground floor and because of the location it will effect a loss of natural light to a habitable room. As a minimum the chimney should also be subject to the 1 metre setback.

Front setback-

The Urban Design Department included the condition that "the front setback is equal or greater that the average of the adjoining allotment".

This condition has not been met by the plan.

It is a serious omission in the conditions set down by the report for approval of this development.

Height of the facade-

The top of the front facade is aligned with the parapet of 86 Park Street, it should be aligned with the roof of the balcony of 86 Park Street. The photos on page 17 show this issue and also how much higher it will be over 86 Park Street.

The height of the front of the facade should be reduced. This is a simple change, other similar buildings in Park Street have a step in the top of the facade.

## Summary-

While there have been some changes to the side setback, there are still issues with overshadowing and loss of light to habitable rooms.

The front facade of the development will detract the view of the C and D graded Victorian buildings on either side. The issues of the front facade and visual bulk have not been addressed by the plans. I also note the open sided nature of the upstairs balcony is a potential fire hazard to neighbouring properties.

The council report recommends a number of slight amendments to the development plan. These amendments are quite minor in the context of the overall plan and simply do not address the substance of the concerns raised by neighbors. The fundamental issue remains that the proposed building is quite clearly inappropriate for this site. Other developments in Park Street (and the surrounding neighborhood) have been successfully completed and provide more than adequate living space within reasonable visual boundaries. There are a number of possible reasonable compromises which seem to have been overlooked in the development plan and the council report. Park Street contains many fine Victorian houses, and the development, if approved, will be a great loss to the character of the street.

**Please indicate**      No  
**whether you**  
**would like to**  
**address the Future**  
**Melbourne**  
**Committee in**  
**support of your**  
**submission:**

*(No opportunity is  
provided for  
submitters to be  
heard at Council  
meetings.) \**

**Privacy**                      I have read and acknowledge how Council will use and disclose my personal information.  
**acknowledgement:**

\*

**From:** Wufoo  
**Sent:** Tuesday, 5 July 2016 11:32:18 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** CoM Meetings  
**Subject:** Council and Committee meeting submission form [#719]

**Name: \*** marcus hoare

**Email address: \*** [marcus.hoare@yahoo.com](mailto:marcus.hoare@yahoo.com)

**Contact phone number (optional):** 0409436486

**Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \*** Future Melbourne Committee meeting

**Date of meeting: \*** Tuesday 5 July 2011

**Agenda item title: \*** 6.4 planning permit application TP 2015-906 88 park st south yarra

Alternatively you may attach your written submission by uploading your file here:



[88\\_park\\_street\\_objection\\_05.07.16\\_town\\_planners.pdf](#) 504.33

KB . PDF

**Please indicate whether you would like to address the Future Melbourne Committee in support of your submission:** No

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

**Privacy acknowledgement: \*** I have read and acknowledge how Council will use and disclose my personal information.

5 July 2016

Statutory Planning  
City of Melbourne  
Council House 2  
240 Little Collins Street  
Melbourne VIC 3000

Dear Sir/Madam,

**Re:     Objection to Application for Planning Permit No. TP-2015-906.  
          Site Address: 88 Park Street, South Yarra**

We act on behalf of Mr Marcus Hoare, the owner of No. 92 Park Street, South Yarra. We object to the above proposal based on the following grounds:

#### **Compliance with ResCode (Clause 54)**

The setback of the first floor rear wall fails to comply with the requirements of Standard A10 and the objective of Clause 54.04-1 (Side and rear setbacks). As this area of non-compliance is located opposite two habitable-room windows, the non-compliance with the standard will cause significant visual bulk impacts for the neighbouring property at 86 Park Street. Additionally, this area of non-compliance is highly visible from the rear secluded private open space of 86 Park Street and will be visually dominant, creating significant amenity impacts. Overall, it is considered that the proposal fails *“to ensure that the height and setback limits the impact on the amenity of existing dwellings.”*

The proposal fails to comply with Standard A12 and the objective of Clause 54.04-3 (Daylight to existing windows). No. 86 Park Street’s skylight along the northern boundary provides valuable internal solar access to the ground floor kitchen. The proposed first floor addition at the rear does not comply with the Standard A12 and will greatly reduce solar access for the existing habitable room skylight. Though the ground floor kitchen has a west facing window providing additional daylight into the ground floor kitchen, this is not considered sufficient to compensate for the significant reduction in daylight as a result of the proposed development. Overall, the overshadowing of the skylight at 86 Park Street fails *“to allow adequate daylight into existing habitable room windows,”* and does not comply with the objective of Clause 54.04-5.

The proposal fails to comply with Standard A14 and the objective of Clause 54.04-5 (Overshadowing open space). The property at 86 Park Street already receives less than the permissible sunlight, to increase the level of overshadowing would breach Standard A14 and would not comply with the objective of Clause 54.04-5, *“to ensure buildings do not unreasonably overshadow existing secluded private open space.”*

The points raised above are all exacerbated by the first floor rear addition proposed. Accordingly, by reducing the extent of this built form, significant mitigation of the amenity impacts for No. 86 Park Street may be achieved.

## Heritage

The proposal fails to adequately respond to the neighbouring dwellings and diminishes the value of the heritage place. Though it is considered that the proposal adequately responds to the façade of 86 Park Street, the relationship with the single-storey dwellings at No. 90 and No. 92 Park Street is not satisfactory. The single-storey to double-storey change in height and built form ensure the northern end of the proposal's west façade is perceived as excessively bulky.

Accordingly, this section of the façade dominates over the modest, single storey dwellings to its north and therefore detracts from the value of the heritage place. It is considered that the proposal's façade should provide a more appropriate transition in height between the single-storey development to the north and the double-storey townhouse to the south. By stepping down the façade, this will ensure the proposal presents less visual bulk and therefore, a more suitable addition to the heritage place.

Accordingly, it is considered that the application in its current form should not be supported by Council.

We eagerly await the consideration of this application. In the meantime, please do not hesitate to contact the undersigned should you have any queries.

Yours Sincerely,  
**for Urban Edge Consultants**



---

*Hugh Stanford*  
**Town Planner**

Cc. Mr Marcus Hoare

Name: \* Mark Annabell

Email address: \* [mark@sharikatkho.com.au](mailto:mark@sharikatkho.com.au)

Contact phone number (optional): 0417 389 489

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \* Future Melbourne Committee meeting

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: \* Planning Permit Application TP-2015-906, 88 Park Street South Yarra

Alternatively you may attach your written submission by uploading your file here:



[88parkstreet.pdf](#) 20.99 KB .PDF

Please indicate whether you would like to address the Future Melbourne Committee in support of your submission: Yes

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

Privacy acknowledgement: \* I have read and acknowledge how Council will use and disclose my personal information.

Submission to the Future Melbourne (Planning) Committee  
Agenda Item 6.4  
5 July 2016

Planning Permit Application: TP-2015-906  
88 Park Street South Yarra

## Background

We are the owners of 90 Park Street, South Yarra, the immediate neighbour on the north side of the proposed development.

We have read the Council report and are deeply disappointed with its contents. It seems to us that the Report borrows heavily from the arguments and wording of the developer's submission, but does not give adequate weight to the huge number of objections and also the recommendations from the Urban Design office. The local council is there for the people, we feel that the 25 objections should not be ignored.

While the report seems to suggest that the necessary consultations have taken place (and cites the urban design, heritage, engineering aspects etc, with the urban design forming an important part of the argument), we fail to understand why the conditions set for approval do not include the specific clauses conditional to the urban design department's support of the proposed development (13.1.3), page 23 of 35.

## Section 5.2 Local Planning Policy Framework:

The following statement is relevant in terms of built environment and heritage:

“•Ensure development in South Yarra is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.

• Encourage low rise sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the residential areas in South Yarra.”

The report indicates that, while the heritage adviser stated that the preferred outcome would see a new infill respond to its heritage host properties at Nos. 90 and 92, as there is no policy imperative to do so, he was persuaded that the two story buildings to the south at nos. 84 and 86 are the more relevant neighbours. By not insisting that the design should ensure the front setback is equal to or greater than the average of adjoining allotment”, this would mark a total divorce from the historical host properties.

The top of the front facade of the adjoining 86 Park Street is stepped down and the raised modern flat facade of the development has not only blocked the parapet of 86 but also does not complement the visual image of the roofs and parapets from the adjoining properties. It certainly does not contribute or blend in with 84 and 86.

The top of the front facade is aligned with the parapet of 86 Park Street, it should be aligned with the roof of the balcony of 86 Park Street. The photos on page 17 clearly show this issue and also how much higher it will be over 86 Park Street.

The height of the front of the facade should be reduced. This is quite a simple change to the plan, and we note that other similar buildings in Park Street have a step in the top of the facade. However, this practical and reasonable solution seems to have been overlooked entirely by the report.

## Section 11 Objections

The letter from Council dated 14 April 2016 said that the revised plans

“incorporate changes that intend to address some of the issues raised by the Planning Department as well as objector’s concerns”

It is necessary to put this statement in its proper context. Out of the 26 objections made to the plan, only a single objection was withdrawn. Further, five objectors submitted further objections. Plainly, the concerns of the objectors have not been addressed. Unless viewed in this context, this letter is apt to mislead.

The appearance of the front facade and the visual bulk are key issues raised by the objectors. Besides a few superficial changes, there has been virtually no attempt to address these issues in the revised plan.

## Section 13.1.3 Urban Design

The Urban Design Department stated:

“Our support is conditional on the following revisions  
Ensure that the front setback is equal or greater than the average of the adjoining allotment”

The final paragraph of section 13.1.3 in the report stated that

“the revised draft plans (those informally provided to all objectors) received on 3 April 2016 were deemed to have addressed most of the above recommendations and Urban Design has not raised any concerns.”

No change has in fact been made to the front setback. Clearly this condition has not been met. It is concerning that the failure to incorporate the concerns of the Urban Design Department is not addressed in the report.



### Section 13.1.2 Heritage

The report refers to revised plans and gives the impression that significant changes made in response to the issues. However, there is no description or list of what was actually changed. As far as we can ascertain, at the front the only changes were the front fence - from solid brick to lattice and the slightly changed front columns. The overall height of the facade appears to be unchanged.

There appears to be no attempt to address the other issues such as the front setback, the building height or the architectural expression.

### Section 14.2.10 Overlooking

An opening in the balcony at the front overlooks private open space of our property and also our neighbour to the north. Whilst front gardens are not technically considered secluded private open space the front fence is solid and due to the size of the properties in the area, any private open space is limited. The neighbouring properties do not have similar openings. This issue was raised by ourselves and also 92 Park Street.

Further the opening presents an unacceptable fire risk on the boundary.

### Summary

We do not have an issue with the demolition of number 88. Nor are we suggesting that no renovations should be allowed – there have in fact been a number of renovations in Park Street over the years which have been sympathetic to the character of the neighbourhood. However, the proposed design seems to be an attempt to maximise the available space by simply pushing the front, side and height boundaries to the limit without showing any real regard for, or understanding of, the neighbouring properties or the streetscape in general. The 25 objections lodged by neighbours speak for themselves – this is a design which is quite clearly inappropriate for the neighbourhood. If this design is approved, it would be a significant loss to the character of Park Street, and South Yarra more generally.

Yours faithfully

Mark Annabell

Sek-Ching Khoo

1 Woolerton Court  
Donvale Vic 3111

Name: \* Megan Evans

Email address: \* [megg.evans@gmail.com](mailto:megg.evans@gmail.com)

Contact phone number (optional): 0412063570

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \*

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: 6.5. Planning Permit Application: TP-2015-570, 121-131 Collins Street  
\*

**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

I'd like to speak to the new home for the world-renowned Bennetts Lane Jazz Club. My name is Megg and I've been with the club for over 23 years, watching it grow, watching the scene grow, and helping shape the live music scene in Australia. Almost 2 years ago I was given the news that the property had been sold and that the club would close as the owner, Michael Tortoni, owned both the site and the venue. Live jazz venues, contrary to some dreams, are not money makers – they're social cohesion, culture and art makers. It was a bleak prospect I faced as the club is not an occupation for me – it's the cornerstone of many musicians musical lives and it's my duty, not job, to support them. Fortunately David Marriner saw the opportunity for a perfect marriage between space (the site in question) & Bennetts Lane Jazz Club with its huge cultural capital and social ties and asked Michael for my hand. I'm wanting to thank the council for its detailed report on the design and operation of the club in its quest to establish a new home. I've learnt a lot in the process and have been well placed to reflect on the decades of small changes, mistakes and lessons the club has experienced over the 2 decades it's been here. A lot of the problems we face at our current venue will be designed out in the new and I look forward to ushering in a new era and a better future for musicians and their audiences. I, and the

thousands of patrons & musicians, are grateful for the opportunity.

The lack of objections in this area speaks to the long history Bennetts Lane has enjoyed of sharing the city with care and respect with resident neighbours and businesses. We have held a 3am liquor licence without incident since we opened. I would like to see the club offered as a model of good policy in practice, where a small business that offers the opportunity for alarm (late licence, noise, amenity, waste etc.) actually provides the city with cause to applaud.

I'm available at any time for any councillor, or other, for questions or suggestions...

**Please indicate**      Yes  
**whether you**  
**would like to**  
**address the Future**  
**Melbourne**  
**Committee in**  
**support of your**  
**submission:**

*(No opportunity is  
provided for  
submitters to be  
heard at Council  
meetings.) \**

**Privacy**                      I have read and acknowledge how Council will use and disclose my personal  
**acknowledgement:** information.

\*

**From:** Wufoo  
**Sent:** Monday, 4 July 2016 8:39:40 PM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** CoM Meetings  
**Subject:** Council and Committee meeting submission form [#710]

**Name: \*** Frank Tong

**Email address: \*** [archintoto@hotmail.com](mailto:archintoto@hotmail.com)

**Contact phone** 0147049031  
**number (optional):**

**Please indicate** Future Melbourne Committee meeting  
**which meeting**  
**you would like to**  
**make a**  
**submission to by**  
**selecting the**  
**appropriate**  
**button: \***

**Date of meeting: \*** Tuesday 5 July 2016

**Agenda item title:** Agenda Item 6.6 TPM-2015-26 640 Bourke Street, Melbourne

\*

**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

Dear Councillors,

Over the past weekend, I was made aware of an article in The Age (1 July 2016), "Giant Skyscraper Planned for Bourke Street" and am greatly concerned with the bulk and scale of development especially on the east and west facades and strongly OBJECT to this proposal. The developer's architectural renderings (page 32 of 49 of the FMC Report) are so misleading, it appears that the two towers blend into the sky. Make no mistake, this is a solid building with solid edges and you can't see through it. It will present a massive, massive east and west face, like someone has plonked an enormous meat cleaver or cheeseboard into the western edge of Melbourne.

As an owner of an apartment that faces east at 200 Spencer St, the deep shadows will result in a loss of sunlight until late morning before noon and then glare off the building (it does not have any undulations or balconies to break up the light) for the rest of the day, not to mention the corresponding loss of privacy from the 86 level wall of units. I was aware of a previous planning approval in 2012 for a lower development that had a much lower tower at the northern end and believe the height should be no more than that of the Upper West Side Stage 3 (approx 100m).

The current proposal, is well overdeveloped, it disrespects all of its neighbours, it is too close to Little Bourke Street and does not take into account the scale of this street and how you experience it as a pedestrian. I acknowledge there are precedents for a taller tower fronting Bourke Street but at 86 levels it will dwarf everything around it. The proposal is an abomination, it is so unashamedly selfish. The architectural rendering looking across from Southern Cross station was so misleading that I wasn't even aware that the second tower to the north existed until I downloaded the FMC paper (referenced above) and had a look at the plans. It cannot be permitted to be further considered. I urge the FMC to REJECT this proposal outright and to ask the developers to come back with something better considered, it kinder to its surroundings, acknowledges the width and scale of the Hoddle street grid. Most importantly, we need to respect the residents of these areas t hat Council has planned.

I thank you for your kind consideration of this submission.

I do hope that whoever is the ultimate approval authority will also see this as selfish overdevelopment that gives nothing to the city, that puts residents and neighbors last.

Regards

Frank Tong

Ph: 0417 049 031

**Please indicate**      No  
**whether you**  
**would like to**  
**address the Future**  
**Melbourne**  
**Committee in**  
**support of your**  
**submission:**

*(No opportunity is  
provided for  
submitters to be  
heard at Council  
meetings.) \**

**Privacy**                      I have read and acknowledge how Council will use and disclose my personal  
**acknowledgement:** information.

\*

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**From:** Wufoo  
**Sent:** Tuesday, 5 July 2016 11:45:45 AM (UTC+10:00) Canberra, Melbourne, Sydney  
**To:** CoM Meetings  
**Subject:** Council and Committee meeting submission form [#721]

**Name: \*** Katrina Grant

**Email address: \*** [kat.grant@gmail.com](mailto:kat.grant@gmail.com)

**Contact phone** 0425794633  
**number (optional):**

**Please indicate** Future Melbourne Committee meeting  
**which meeting**  
**you would like to**  
**make a**  
**submission to by**  
**selecting the**  
**appropriate**  
**button: \***

**Date of meeting: \*** Tuesday 5 July 2016

**Agenda item title:** 6.6 Ministerial Referral: TPM-2015-26 – Partial demolition and construction of  
**\*** mixed used tower and use of the land for a child care centre, 640 Bourke Street,  
Melbourne

**Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.**

Melbourne Heritage Action opposes this proposal. The treatment of a significant heritage building is unacceptable. This Edwardian Red Brick Warehouse (known as the 'Eliza Tinsley' building) is a significant building in its own right and in the Bourke St streetscape. We agree with the advice in the report that on a heritage basis the proposal should be rejected. We disagree that 6 metres is an acceptable retention, and argue that at an absolute minimum 10 metres of the building should be retained, and that the interior of the retained building should reflect the heritage building's original form.

Under the proposed new Heritage Policies this building will be listed as significant and this is an

unacceptable treatment of such a building.

Please indicate Yes

whether you  
would like to  
address the Future  
Melbourne  
Committee in  
support of your  
submission:

*(No opportunity is  
provided for  
submitters to be  
heard at Council  
meetings.) \**

Privacy I have read and acknowledge how Council will use and disclose my personal  
acknowledgement: information.

\*

Name: \* A Hoskin

Email address: \* [ahoskin@urbis.com.au](mailto:ahoskin@urbis.com.au)

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \* Future Melbourne Committee meeting

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: \* 640–652 Bourke Street, Melbourne (TPM–2015–26)

Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible. Please refer to attached written submission.

Alternatively you may attach your written submission by uploading your file here:



[ma8927\\_let005.pdf](#) 178.82 KB PDF

Please indicate whether you would like to address the Future Melbourne Committee in support of your submission: No

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

Privacy acknowledgement: \* I have read and acknowledge how Council will use and disclose my personal information.



4 July 2016

Manager Governance Services  
City of Melbourne  
120 Swanston Street  
MELBOURNE VIC 3000

Dear Sir/Madam,

## Planning Permit Application No. 2015/35721 – 640 Bourke Street, Melbourne

### Written submission to Future Melbourne Committee (MCC reference TPM-2015-26)

Urbis Pty Ltd continues to act on behalf of Besgate Bourke Street Pty Ltd in respect of an application for the multi-storey mixed use development of 640 Bourke Street, Melbourne.

We refer to the Future Melbourne Committee meeting scheduled on 5<sup>th</sup> July 2016 and have been instructed to provide below a written submission to the Committee in support of the proposed development.

#### 1 Overview of the Proposal

A planning application was submitted to the Department on 29 June 2015 for a proposed 85 storey (273.3 metres) development comprising 980 residential apartments along with office, childcare centre, gallery and public open space with associated car parking.

The site benefits from an existing planning approval for a multistorey residential development (Planning Permit No. 2012/007209 granted on 19 March 2013).

The proposal has evolved based on various pre-application meetings with the Department over the past year and forms a scheme that is of a high architectural quality that will contribute positively to the streetscape. On the basis of the proposed height for a 273.3 metre building (for which PANS-OPS approval has been obtained), the scheme includes various public and community benefits built into the proposal, including widening Langs Lane, public open space, childcare facilities and gallery space, as discussed further below.

The proposal accords with the relevant planning policy overall and is worthy of support.

#### 2 Response to Key Issues

We are of the view that the following key matters are of relevance to the Future Melbourne Committee's consideration of the scheme.

##### **Community and Public Benefits:**

Importantly, the proposal incorporates various substantial community benefits by enhancing the public realm and integrates a number of initiatives to fulfil community needs and public improvements to this area of the city. These include:

- **Langs Lane widening** from 3.6m to a substantially more generous width of 7m-7.5m. This will allow for two way vehicular traffic, servicing both this and neighbouring properties. It will also make the area more inviting to pedestrians and will create a through-link between Bourke Street and Little Bourke Street and beyond. Together with the proposed retail (café) tenancies along the laneway, the widening will turn what was formally a redundant city laneway into a vibrant thoroughfare connecting Bourke Street to Little Bourke Street and beyond to Rose Lane in the Upper West Side development.

Further, it is proposed to widen the currently narrow interface at Bourke Street to expose the entrance to the laneway and to allow for more open and pedestrian activated use of this laneway, whilst still retaining the existing heritage façade. This extra width in the laneway is intended to be a gift of land to the City of Melbourne to further enhance Melbourne's "laneway" culture.

- **Public Open Space** to the rear of the site along the length of the Little Bourke Street frontage (approximately 268sqm area). This area is designed as a landscaped and green, publically accessible and useable 'breathing space' in what is otherwise a dense part of the city. The public open space is capable of private ownership or could be excised to MCC in future. It is also designed so that there is nothing underneath the space allowing for deep planting of vegetation. The applicant is prepared to work collaboratively with MCC to ensure the space delivers maximum public benefit.

Other benefits offered to the broader community within the proposal include:

- **Childcare Centre** for 90 children is provided for within the development. Whilst the childcare centre will be privately operated, it will serve as a community benefit, providing a much needed service within the central city, close to public transport, new residential dwellings and workplaces within the CBD. Further, it will benefit the broader community through contributing to the social infrastructure of the central city and it will also offer employment opportunities.
- **Public Gallery** space is provided behind the retained heritage building along the Bourke Street frontage through offering a generous combined curated lobby space and public art gallery. The proposed design provides for a substantive, open and architecturally remarkable space that will be activated through continual use 24/7. It is proposed that this space can be inhabited by public art groups (via a curator), in conjunction with MCC. As advised within the planning application, the Applicant is open to developing this idea in conjunction with MCC to ensure the space is suitably designed and controlled. It is intended this space will be a curated space for a mix of architectural, design and photography displays.

As seen above, the proposal (in contrast to other recently approved large development sites) will provide for a substantial contribution to the public realm and community overall. We respectfully seek that the Future Melbourne Committee will take into consideration the significant public benefits that are incorporated into this scheme.

## Height

- The proposed maximum building height of 273.3 metres is considered suitable within the context of the CCZ and existing and approved buildings of comparable height in this portion of the CBD. The building steps down considerably in height from Bourke Street across the site by 99.94 metres to a height of 173.36 metres towards the rear.
- Further the building height, its location and existing surrounding built form means that the proposed development will not cause additional overshadowing of key landmarks within the central city, including the north bank of the Yarra River.

### **Setbacks / Massing / Plot Ratio**

- The proposed building setbacks are generally consistent with setbacks of the approved development under Planning Permit No. 2012/007209. The setbacks have been designed to respond to the existing planning approval on the site and will allow for adequate separation from existing development and future potential redevelopment opportunities on the adjoining sites.
- Side tower setbacks to the western site boundary ranging from 5.4 metres increasing to 8.1 metres (to address an existing window on the neighbouring building) will ensure sufficient access to light and air, and is generally consistent with setbacks approved under the existing permit.
- The proposed building massing will create an appropriate stepping down of built form across the site. The indentation mid-way along the east and west elevations combined with the considered use of contrasting materials and the difference in overall building height across the site will achieve a well resolved design outcome for the site.
- Transitional arrangements apply to the proposed development from the recent interim built form controls (Amendment C262). The proposed development has a site plot ratio of 34.7:1 which is suitable on balance when considering the transitional arrangements, the existing approved development onsite and the surrounding inner city context which includes various towers of substantial height and scale within close proximity.
- Further, the proposed scheme is an example of a development that delivers a high level of contribution to the community and public realm improvements, acknowledging the importance of public benefits within the current planning climate. Overall, the proposed scheme provides for an attractive and well considered design.

### **Public realm and ground floor interface**

- The proposal will substantially improve the amenity of the laneway when compared with existing conditions.
- The widening of Langs Lane, combined with retention of the heritage façade and new retail tenancies and gallery space fronting the lane, will contribute positively to the quality of the streetscape and will encourage more frequent pedestrian traffic and laneway activation.
- Furthermore the northern interface of the site to Little Bourke Street will be opened up through provision of public open space, which extends a depth of 9.6 metres from the rear site boundary.

### **Heritage**

- The proposal is supported by a Heritage Impact Assessment report prepared by Bryce Raworth, and assesses that the proposal is acceptable overall from a heritage perspective.
- Consideration has been made regarding the layout of the space behind the retained heritage façade. The proposal realises a balanced outcome between old and new, incorporating significant contemporary built form elements while respecting and retaining the significant heritage values inherent in its Bourke Street façade.

### **Internal Amenity**

- A good level of internal amenity is achieved for apartments overall, with access to natural light and provision of generous communal amenities (including areas set aside for gym, dining/lounge, events, cinema and entertainment facilities) for future residents within the development.

### 3 Conclusion

For the reasons discussed above, we are of the view that the proposed scheme will contribute positively to the character of the Central City. It meets the relevant policies of the Melbourne Planning Scheme overall and responds to the emerging high quality built environment within the surrounding area.

We respectfully seek that the Future Melbourne Committee will favourably consider the proposal.

Should you have any queries in relation to the above, please do not hesitate to contact the undersigned or Alison Hoskin on 8663 4888.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jamie Govenlock".

Jamie Govenlock  
Director

Name: \* shayne linke

Email address: \* [slinke@contour.net.au](mailto:slinke@contour.net.au)

Contact phone number (optional): 9347 6100

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \* Future Melbourne Committee meeting

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: \* 6.7 (22 whitehart lane)

Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible. I would like to make a verbal submission on behalf of the applicant as their town planning consultant.

Please indicate whether you would like to address the Future Melbourne Committee in support of your submission: Yes

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

Privacy acknowledgement: \* I have read and acknowledge how Council will use and disclose my personal information.

Name: \* Stephen Johnson

Email address: \* [stephen@maxostudios.com](mailto:stephen@maxostudios.com)

Contact phone number (optional): 0417893389

Please indicate which meeting you would like to make a submission to by selecting the appropriate button: \* Future Melbourne Committee meeting

Date of meeting: \* Tuesday 5 July 2016

Agenda item title: \* 6.7 22 Whitehart Lane

Please write your submission in the space provided below and submit by no later than noon on the day of the scheduled meeting. We encourage you to make your submission as early as possible.

I would like to address the committee meeting on behalf of the applicant, my company 3 Bags Full P/L.

I will outline our operating history and briefly talk about our vision for 22 Whitehart LANE.

Please indicate whether you would like to address the Future Melbourne Committee in support of your submission: Yes

*(No opportunity is provided for submitters to be heard at Council meetings.) \**

Privacy acknowledgement: \* I have read and acknowledge how Council will use and disclose my personal information.