

**Report to the Future Melbourne (Planning) Committee**

**Agenda item 6.1**

**Ministerial Planning Referral: TP-2018-286  
138-142 Bouverie Street, Carlton (Lincoln Square)**

**2 October 2018**

**Presenter:** Evan Counsel, Practice Leader Land Use and Development

**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application lodged by the Melbourne City Council, seeking approval for the partial demolition and works to expand the public open space know as Lincoln Square into adjacent roadways. The site is located between Lincoln Square North, Lincoln Square South, Bouverie Street and Swanston Street, Carlton (refer Attachment 2 – Locality Plan).
2. The applicant is Melbourne City Council (Council), the plans were prepared by the City of Melbourne City Design Studio and the land is owned by the Crown (managed by Council) and Council.
3. The site is located primarily within the Public Park and Recreation Zone, with the surrounding roads located within Capital City Zone Schedule 5 (City North). The site is also affected by the Design and Development Overlay Schedule 70 (Melbourne Metro Rail Project) and the Parking Overlay Schedule 1.
4. The proposed development includes an additional 12 metre park expansion into the roadway of Lincoln Square North and 15 metre park expansion into Lincoln Square South. The expansion of Lincoln Square will result in an additional 3000 square metres of public open space (a 28 per cent increase). Two-way traffic will be retained on both Lincoln Square North and Lincoln Square South. Parallel parking will be retained on either side of Lincoln Square North and on the south side of Lincoln Square South. A total of 65 on-street car parking spaces, mostly central-island parking, will be removed to achieve the park expansion. A new two metre wide, physically separated bicycle lane will be built on Lincoln Square South. The bluestone kerbs will be reconstructed to City of Melbourne standards as per the submitted plans. Existing trees along Swanston Street are proposed to be removed. Within the park there is to be new tree planting, new footpaths and a new play area fronting Lincoln Square South.
5. Prior to, and outside of the planning process, the project team have undertaken consultation with the community regarding the expansion and improvement of the park. The first phase of community engagement held during April-May 2017 involved asking the community to share their vision for Lincoln Square as well as likes and dislikes. The second phase of community engagement held October-November 2017 involved release of a draft concept for community feedback both in person and on the City of Melbourne website via Participate Melbourne. 5000 information postcards were also sent to the Carlton community in addition to information posters being installed on site. The final concept plan for the upgrade to Lincoln Square was endorsed by the Future Melbourne Committee on 3 April 2018.
6. Public notification of this planning permit application was undertaken and one objection has been received, primarily in relation to the reduction of on street car parking spaces.

**Key issues**

7. The key issue for consideration is the appropriateness of the proposed demolition and new works within the Capital City Zone (i.e. the road reserve).
8. The proposal is a positive response to relevant State and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. It provides for and appropriately balances the need to increase the provision of public open space and landscaping for a growing community with the movement of pedestrians, cyclists, and vehicles and the provision of on-street car parking.
9. The proposal is considered to be of significant net community benefit and provides an increased and enhanced public open space to serve the needs of residents, workers, students and visitors.

**Recommendation from management**

10. That the Future Melbourne Committee resolves to issue a Notice of Decision subject to the conditions set out in the delegate report (refer Attachment 4 – Delegate Report).

**Attachments:**

1. Supporting Attachment (Page 2 of 27)
2. Locality Plan (Page 3 of 27)
3. Plans (Page 4 of 27)
4. Delegate Report (Page 16 of 27)

## Supporting Attachment

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### Legal

1. Pursuant to section 96(1) of the *Planning and Environment Act 1987* (Act), 'a responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority, unless the planning scheme gives an exemption'.
2. Clause 67.01 of the Melbourne Planning Scheme provides an exemption from the provisions of section 96 of the Act for the use and development of land for the purpose of leisure and recreation.
3. Pursuant to Clause 67.02, notice was given in accordance with section 52(1)(c) of the Act to the owners and occupiers of the adjoining land.
4. As an objection has been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

### Finance

5. There are no direct financial issues arising from the recommendations contained in this report.

### Conflict of interest

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

### Stakeholder consultation

7. Formal public notification of the application was carried out by placing notices on site and by ordinary mail to surrounding owners and occupiers of adjoining land.

### Relation to Council policy

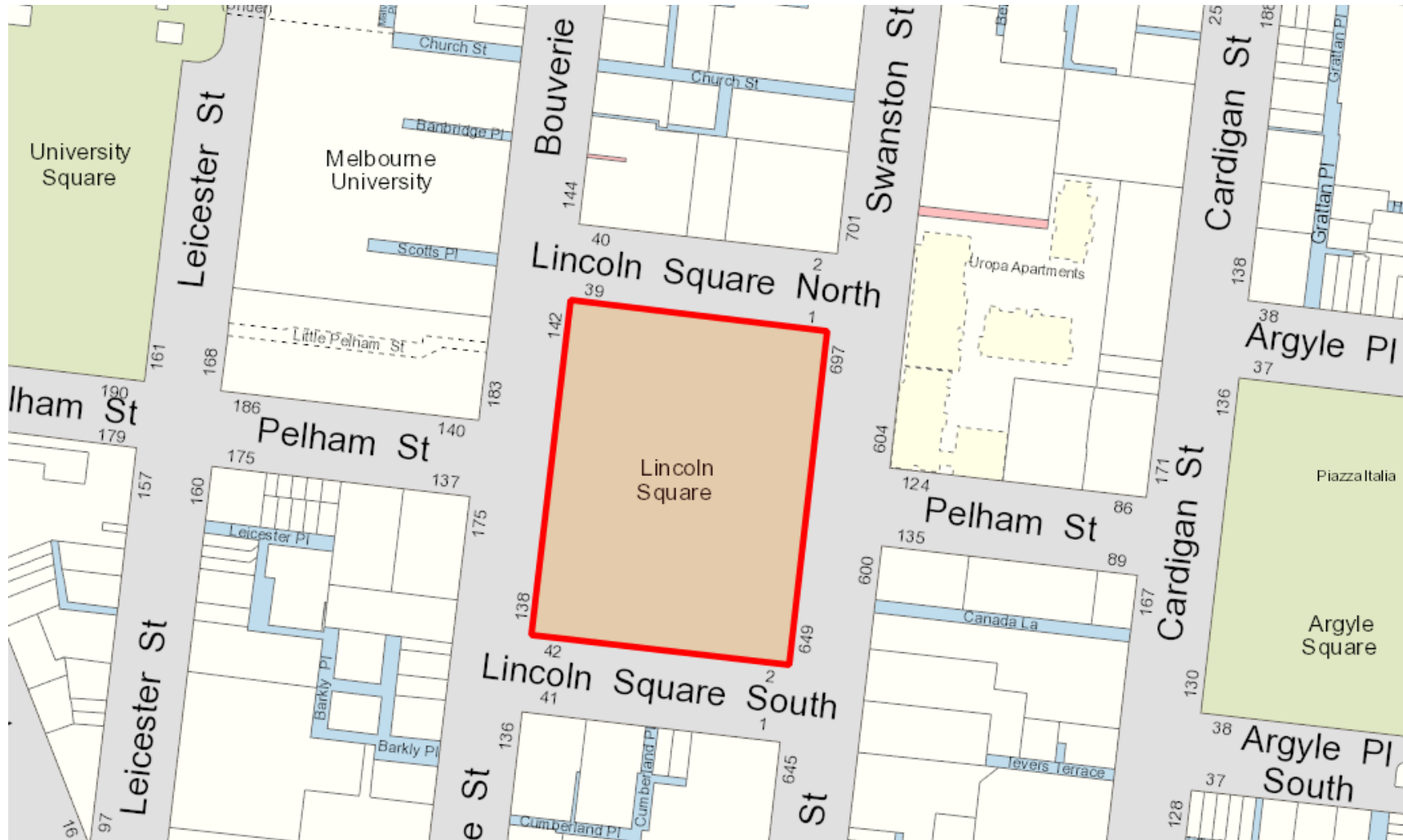
8. Relevant Council policies are discussed in the attached delegate report (refer Attachment 4).

### Environmental sustainability

9. Not relevant to this application as Clause 22.19 Energy, Water and Waste Efficiency of the Melbourne Planning Scheme does not apply to applications for buildings and works for the purpose of leisure and recreation.

# Locality Plan

## Lincoln Square, 138-142 Bouverie Street, Carlton



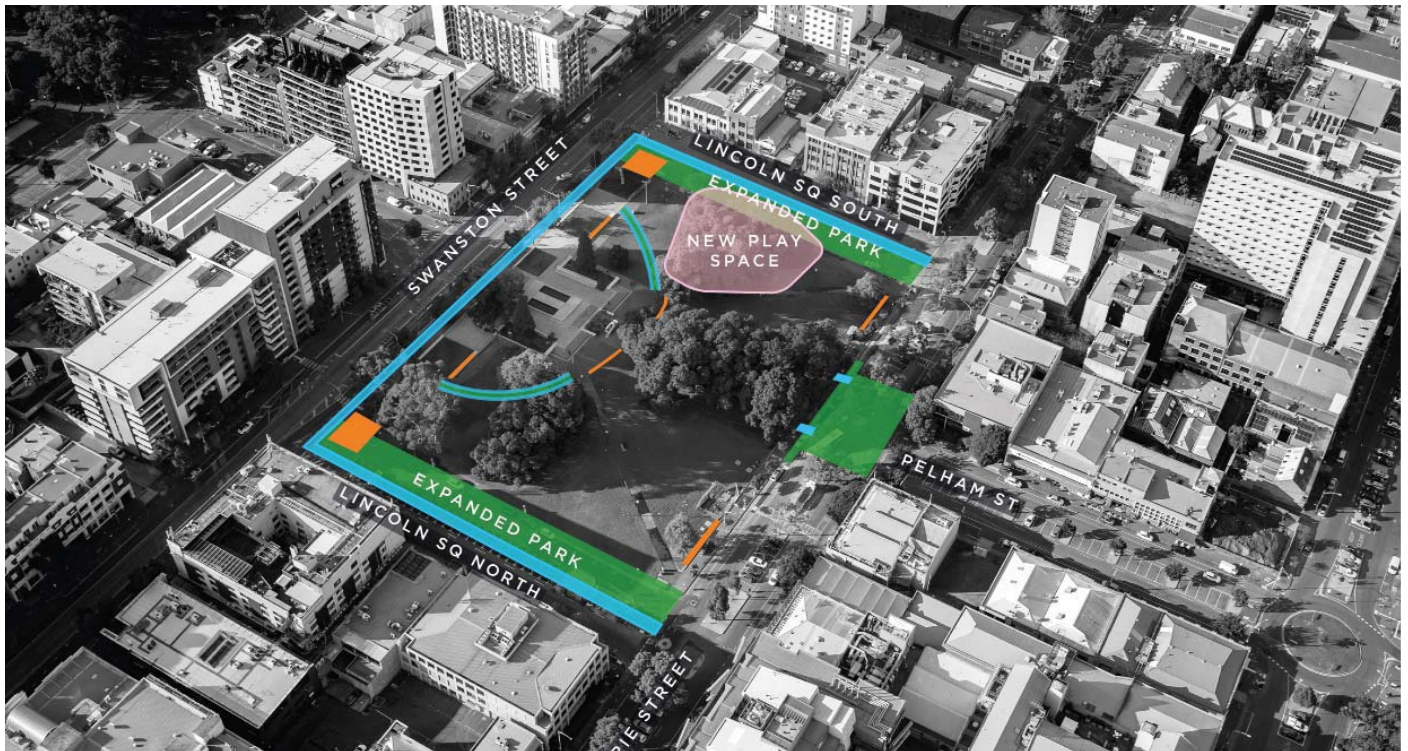
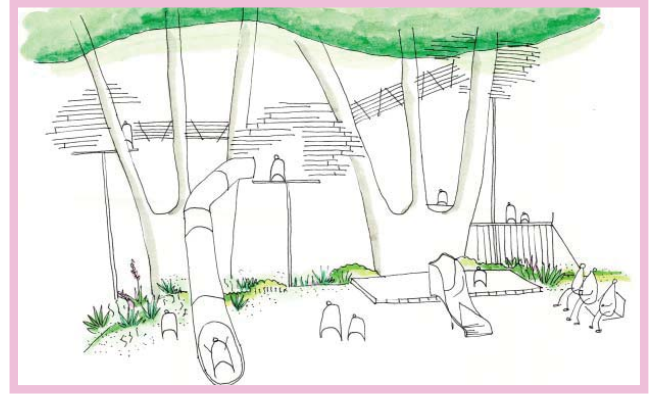


# LINCOLN SQUARE FINAL CONCEPT PLAN

## 1. EXPANDED PARK



## 2. NEW PLAY SPACE



## 3.. PLANNING FOR TREES

## 4. IMPROVED PARK AMENITY







LINCOLN SQUARE EXISTING CONDITION AND TOWN PLANNING PERMIT EXTENTS



- Notes**
- 1- 6917 PRELIMINARY TO CLIENT COMMENTS
  - 2- 161017 AMENDED TO CLIENT COMMENTS
  - 3- 171017 AMENDED TO CLIENT COMMENTS
  - 4- 28318 AMENDED TO CLIENT COMMENTS
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 Cad File MOVENDO-LINCOLN SQUARE  
 Original sheet size A3  
 Client

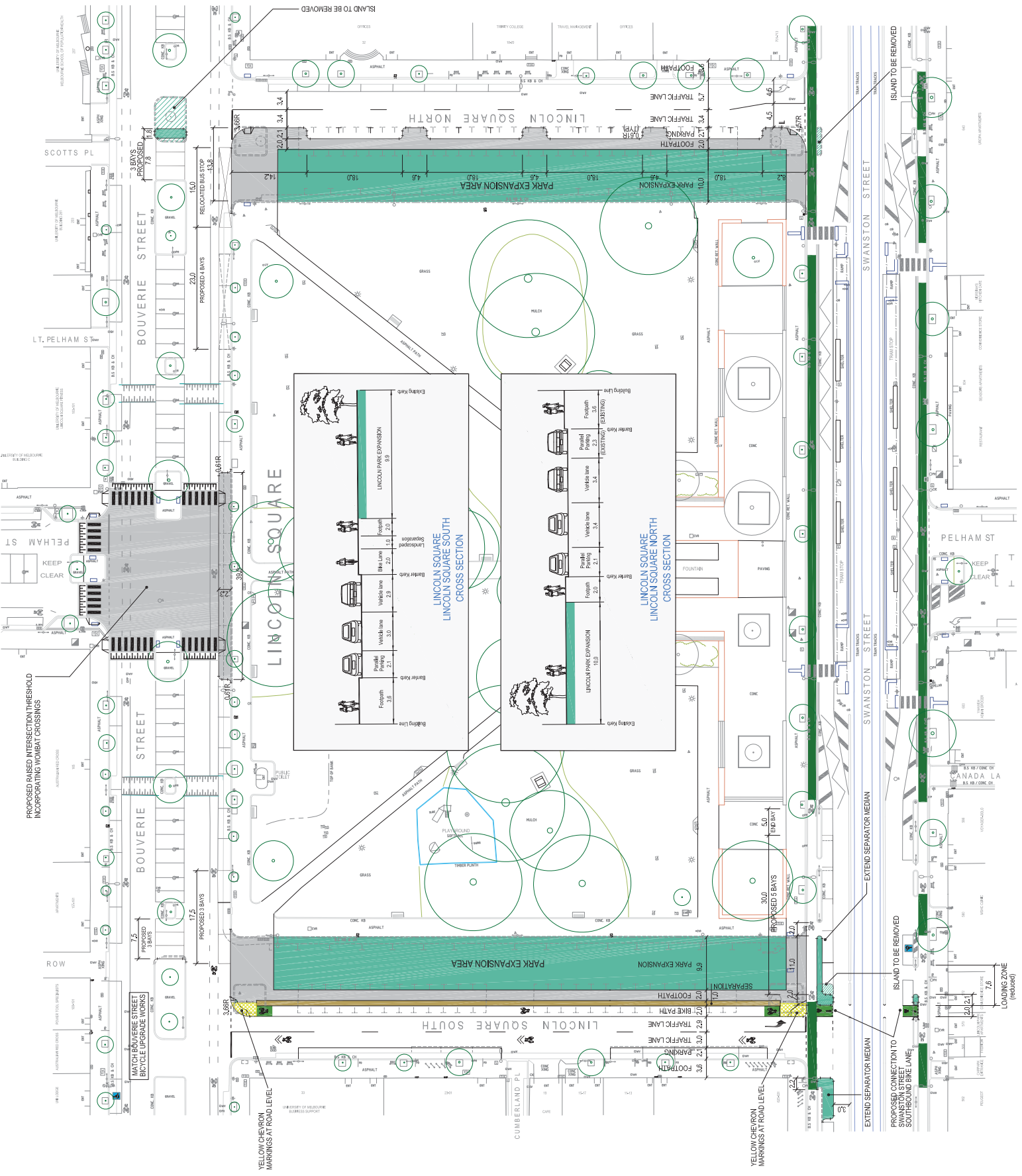


CITY OF MELBOURNE

Project  
 LINCOLN SQUARE  
 CARLTON

Details  
 FUNCTIONAL LAYOUT

Sheet 1 of 3 Revision 10



PROPOSED RAISED INTERSECTION THRESHOLD INCORPORATING WALKWAY CROSSINGS

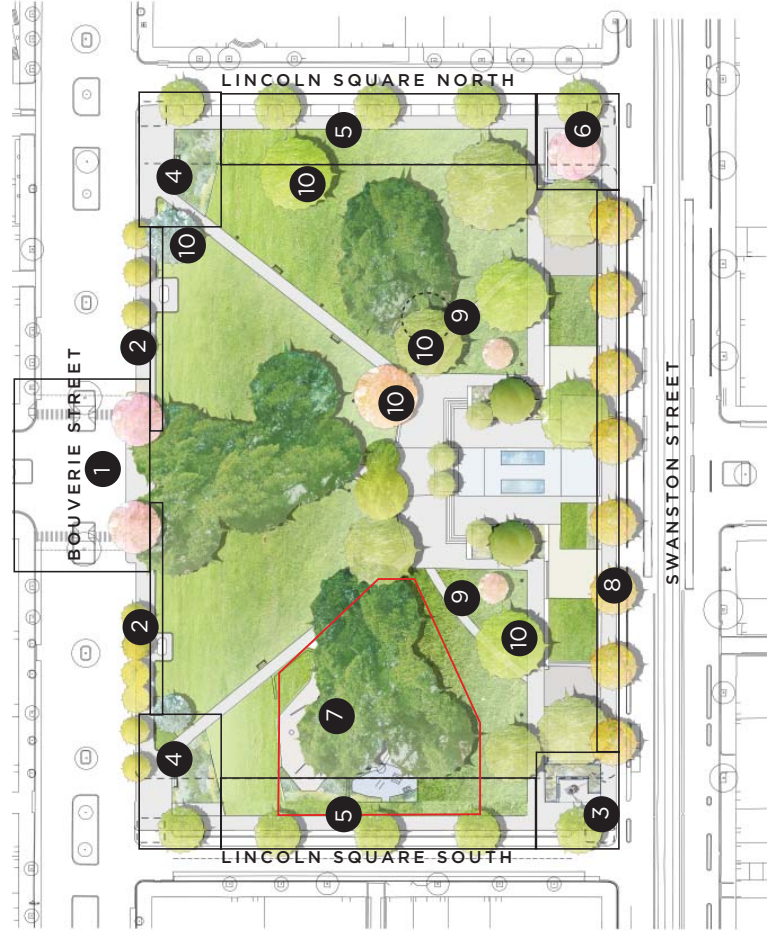
MATCH BOUVIER STREET BIKE LANE UPGRADE

YELLOW CHEVRON MARKINGS AT ROAD LEVEL

YELLOW CHEVRON MARKINGS AT ROAD LEVEL

LOADING ZONE (reduced)





- 1 Proposed raised pedestrian intersection
- 2 New raised bluestone edge and timber rod seating
- 3 New seating spaces and Solar Tree on Lincoln Square South
- 4 New kerb outstand and feature planting on Bouverie Street corners
- 5 New park expansion area
- 6 New seating area and Garden Bed on Lincoln Square North
- 7 New play area with tree top play experience
- 8 Existing trees along Swanston Street to be removed. Proposed new deciduous trees and structural soil.
- 9 New radial footpath
- 10 New tree planting



1 Proposed raised pedestrian intersection



3 New seating spaces and Solar Tree on Lincoln Square South



5 New park expansion area



2 New raised bluestone edge and timber rod seating



4 New kerb outstand and feature planting on Bouverie Street corners




6 New seating area and Garden Bed on Lincoln Square North





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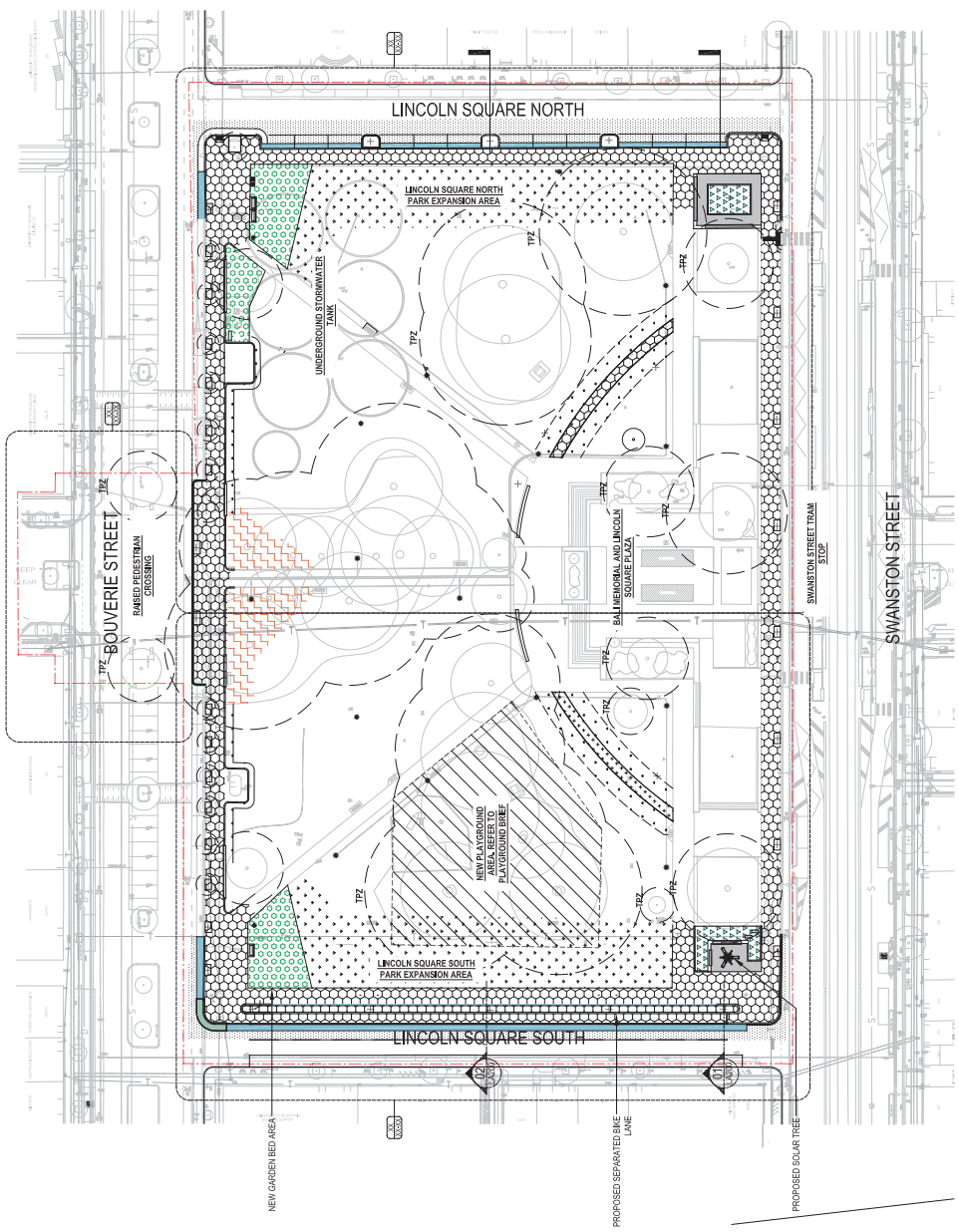
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**CITY OF MELBOURNE**  
CITY DESIGN STUDIO  
100 COLLEGE STREET  
MELBOURNE VIC 3000  
PH: (03) 9595 9000  
F: (03) 9595 9000

DRAWN BY CITY OF MELBOURNE	
PROJECT LINCOLN SQUARE CONCEPT PLAN CARLTON	
DRAWING OVERALL SITE PLAN	
DATE FOR CO-ORDINATION	
CHECKED	REVIEWED
AUTOCAD USE	
NORTH POINT	DESIGN
—	KC
AS SHOWN	NTS
DATE PLOTTED 29 MAY 2018	
PROJECT NO.	REV.
903844	LA100 -
© COPYRIGHT 2018 CITY OF MELBOURNE	


FOR INFORMATION



01 OVERALL SITE PLAN  
PLAN



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**CITY OF MELBOURNE**  
CITY DESIGN STUDIO  
100 COLLEGE STREET  
MELBOURNE VIC 3000  
PH: (03) 9595 9000  
F: (03) 9595 9000

**CITY OF MELBOURNE**

PROJECT: LINCOLN SQUARE CONCEPT PLAN  
CARLTON

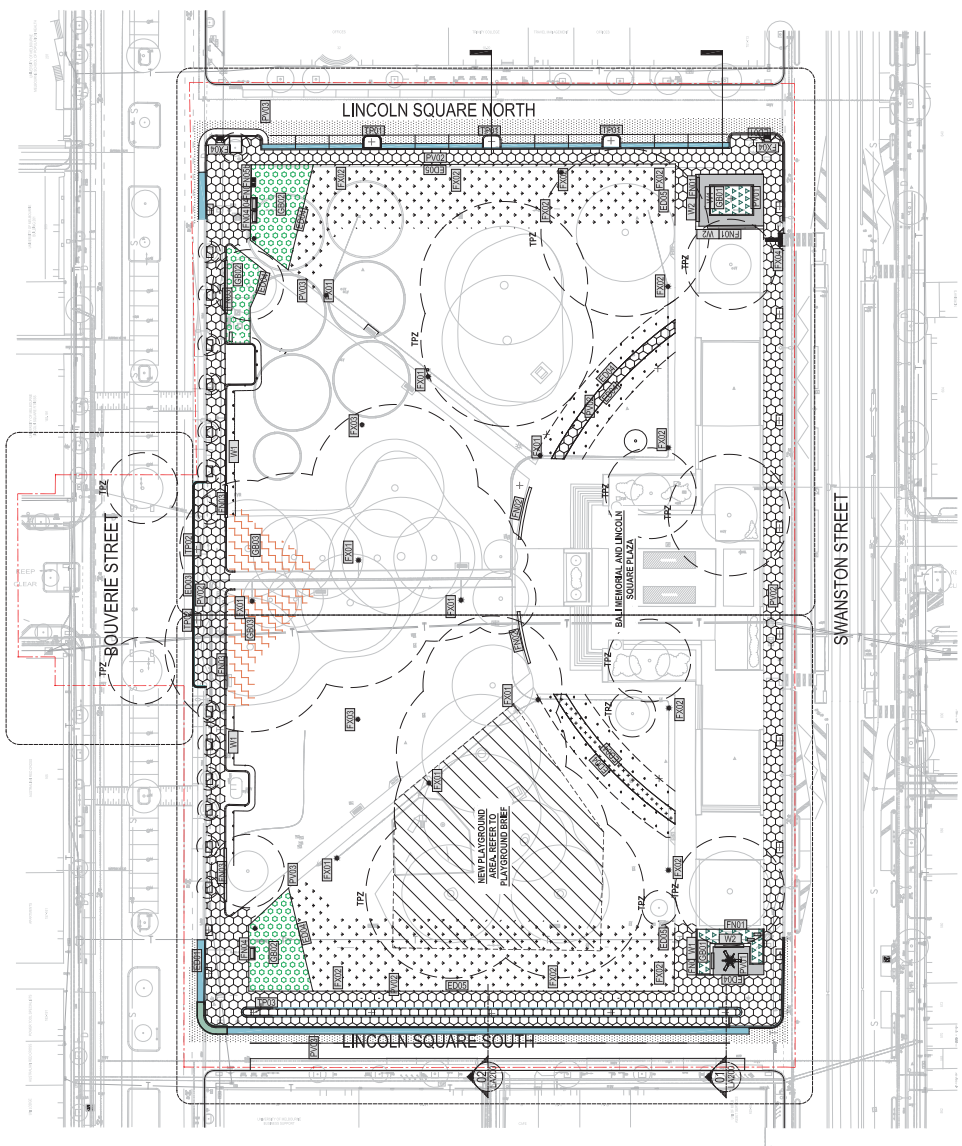
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DATE: 28 MAY 2018

PROJECT NO: 903844


REV: -



01 SURFACES MATERIALS AND JOINTING PLAN 1:500

FOR INFORMATION

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FACSIMILE: 03 9595 9000

**CITY OF MELBOURNE**

PROJECT: LINCOLN SQUARE CONCEPT PLAN  
CARLTON

DRAWING: SURFACES MATERIALS AND JOINING

DATE: 29 MAY 2018

FOR CO-ORDINATION

CHECKED: [Signature] REVISIONS: AUTOCAD/CURE

DESIGNED: [Signature] DRAWN: [Signature] KC

APPROVED: [Signature] AT SHOW: [Signature] NTS

PROJECT NO: 903844 DATE PLOTTED: 29 MAY 2018

SCALE: 1:1000

REV: -

### LEGEND

#### SURFACES AND FINISHES

- 100 X 100 NATURAL SPLIT FACE GRANITE PAVERS.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, ENGINEERING AND ENGINEERS DOCUMENTATION)
- PEDESTRIAN ASPHALT ON STRUCTURAL SOIL.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- RESHEET ASPHALT.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- PEDESTRIAN ASPHALT.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)

#### EDGING

- SAWN BLUESTONE GEBB AND SINGLE ROW PITCHER CHANNEL.** (REFER TO CITY OF MELBOURNE ENGINEERING STANDARD P9046 AND P9048. REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- RECLAIMED FIVE ROW PITCHER CHANNEL.** (REFER TO CITY OF MELBOURNE DESIGN STANDARD P9046. REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- RECLAIMED BLUESTONE PITCHER GEBB AND SAWN PITCHER CHANNELS.** (REFER TO CITY OF MELBOURNE ENGINEERING STANDARD P9046 AND P9048. REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- MILD STEEL EDGE.** (REFER TO CITY OF MELBOURNE DESIGN STANDARD 300.02. REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION)
- TIMBER EDGE.** (REFER TO CITY OF MELBOURNE DESIGN STANDARD 300.02. REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION)

### LEGEND

#### STRUCTURAL ELEMENTS

- 150H X 200 W BLUESTONE WALL.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- 150H X 600 W BLUESTONE WALL.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)
- BLUESTONE CLAD WALL.** (REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION AND ENGINEERS DOCUMENTATION)

#### FURNITURE AND FITTINGS

- SS ROO SEAT.** (REFER TO INDUSTRIAL DESIGN DOCUMENTATION, ENGINEERS DOCUMENTATION, LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, LANDSCAPE ARCHITECTURE SPECIFICATION)
- CURVED SS ROO SEAT.** (REFER TO INDUSTRIAL DESIGN DOCUMENTATION, ENGINEERS DOCUMENTATION, LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- TIMBER ROO SEAT.** (REFER TO INDUSTRIAL DESIGN DOCUMENTATION, ENGINEERS DOCUMENTATION, LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- PARK SEAT.** (REFER TO INDUSTRIAL DESIGN DOCUMENTATION, ENGINEERING DOCUMENTATION AND DESIGN STANDARD 701.03. REFER TO LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- LITTER AND RECYCLING BIN.** (REFER TO INDUSTRIAL DESIGN DOCUMENTATION, ENGINEERS DOCUMENTATION, LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- SWANSTON STREET LIGHT ON REGULATED POLE.** (REFER TO INDUSTRIAL DESIGN AND ELECTRICAL ENGINEERS DOCUMENTATION)
- SWANSTON STREET LIGHT.** (REFER TO INDUSTRIAL DESIGN AND ELECTRICAL ENGINEERS DOCUMENTATION)
- KEBS ACCESS RAMP IN ASPHALT FOOTPATH WITH CERAMIC TISSI PLAY.** (REFER TO ENGINEERING STANDARD P9006. REFER TO ENGINEERS DOCUMENTATION)

### LEGEND

#### TREE FITS

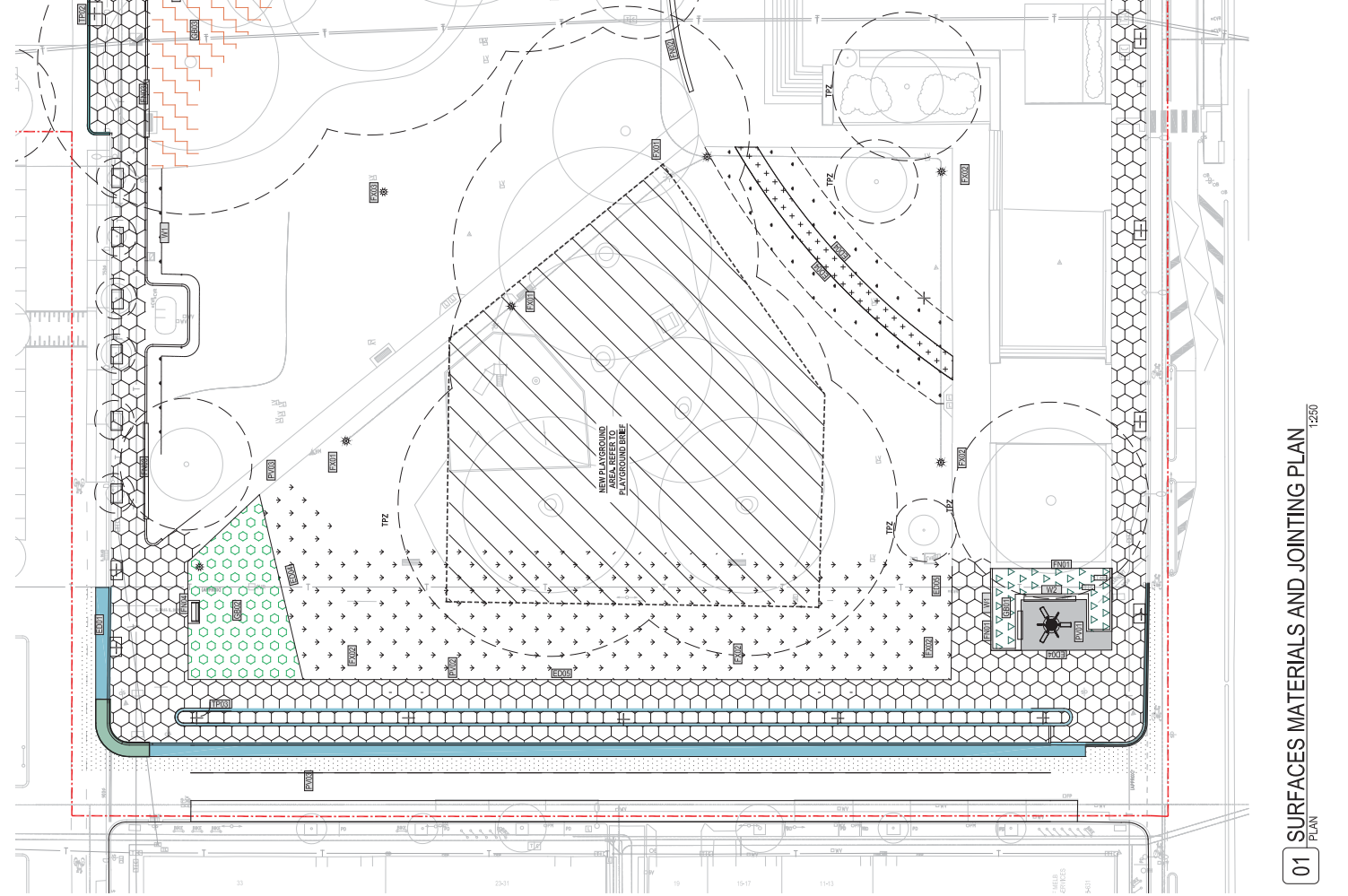
- RAISED BLUESTONE TREE PIT IN ROAD.** (REFER TO ENGINEERS DOCUMENTATION, SOIL SPECIFICATION, LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- GRANITE GRAVEL TREE PIT ON STRUCTURAL SOIL.** (REFER TO ENGINEERS DOCUMENTATION, ARCHITECTURE MATERIALS SCHEDULE)
- RAISED BLUESTONE WITH GRANITE GRAVEL IN FULL SEPARATED PAVEMENT.** (REFER TO ENGINEERS DOCUMENTATION, SOIL SPECIFICATION, TRAFFIC MARKING AND LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE)

#### SOFTSCAPE


- BURRUA AND YU SUE.** (REFER TO SOFTSCAPE PLAN, LANDSCAPE ARCHITECTURE MATERIALS SCHEDULE, SOIL SPECIFICATION AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- NAME GARDENING TREE.** (REFER TO SOIL SPECIFICATION, SOFTSCAPE PLAN AND LANDSCAPE ARCHITECTURE SPECIFICATION)
- GARDEN BED IN PLAZA AREA.** (REFER TO SOFTSCAPE PLAN, PLANTING SCHEDULE AND SOIL SPECIFICATION)
- GARDEN BED IN EXISTING SITE SOIL.** (REFER TO SOFTSCAPE PLAN, PLANTING SCHEDULE AND SOIL SPECIFICATION)
- GARDEN BED IN MORETON BAY FIS AVENUE.** (REFER TO SOFTSCAPE PLAN AND SOIL SPECIFICATION)

#### TPZ

- TREE PROTECTION ZONE.** (REFER TO SOFTSCAPE PLAN, PLANTING SCHEDULE, SOIL SPECIFICATION AND TREE PROTECTION NOTES)

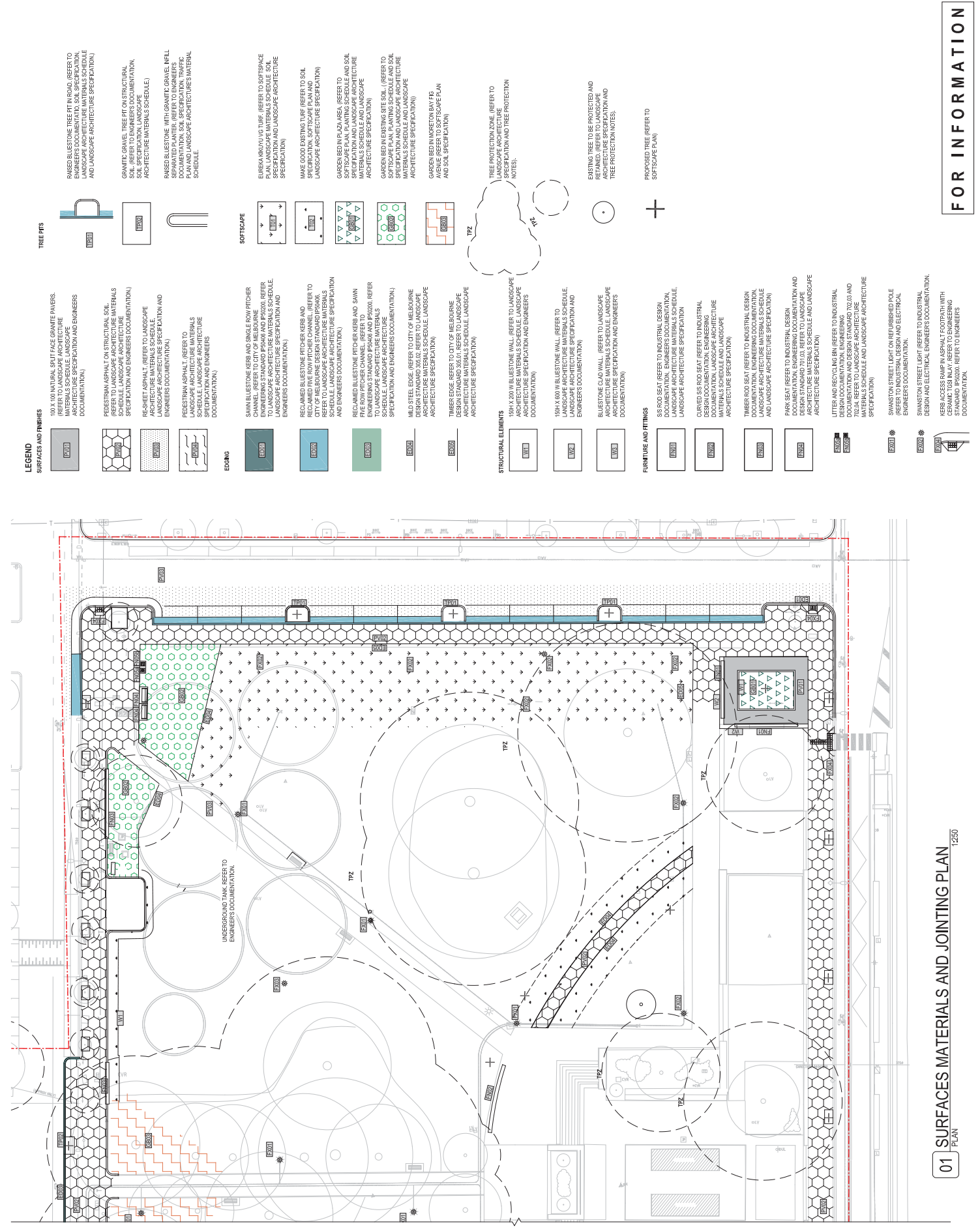


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PROJECT: LINCOLN SQUARE CONCEPT PLAN  
DRAWING: SURFACES MATERIALS AND JOINING  
DATE: 29 MAY 2018  
DRAWN BY: JC  
CHECKED BY: JC  
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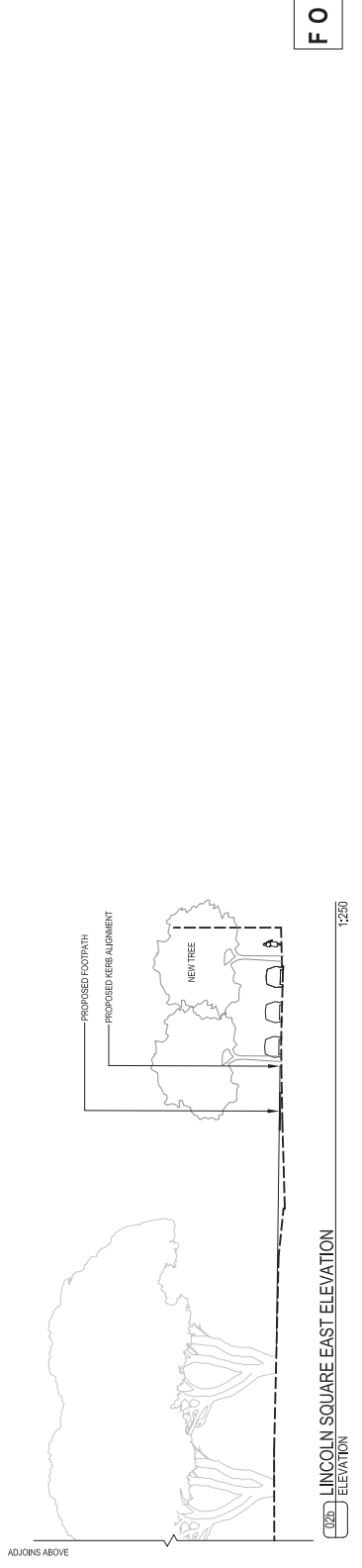
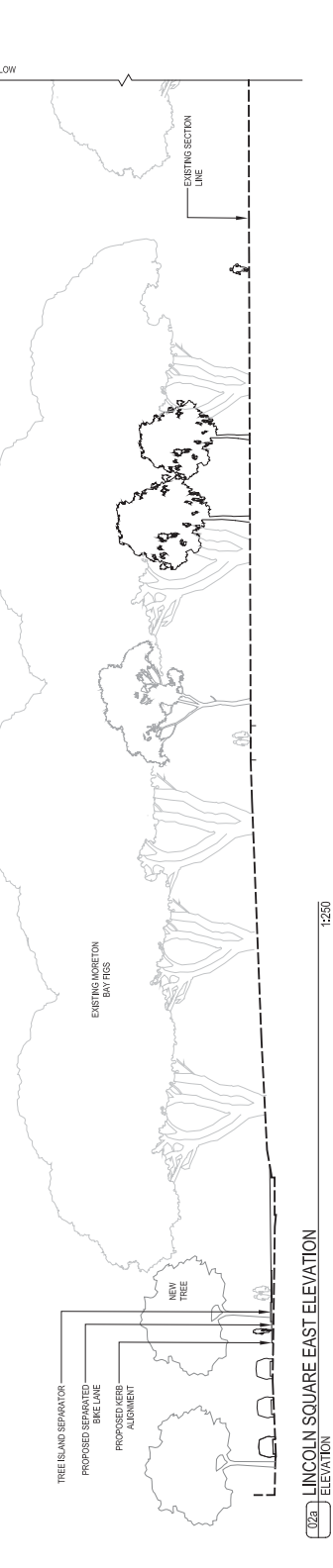
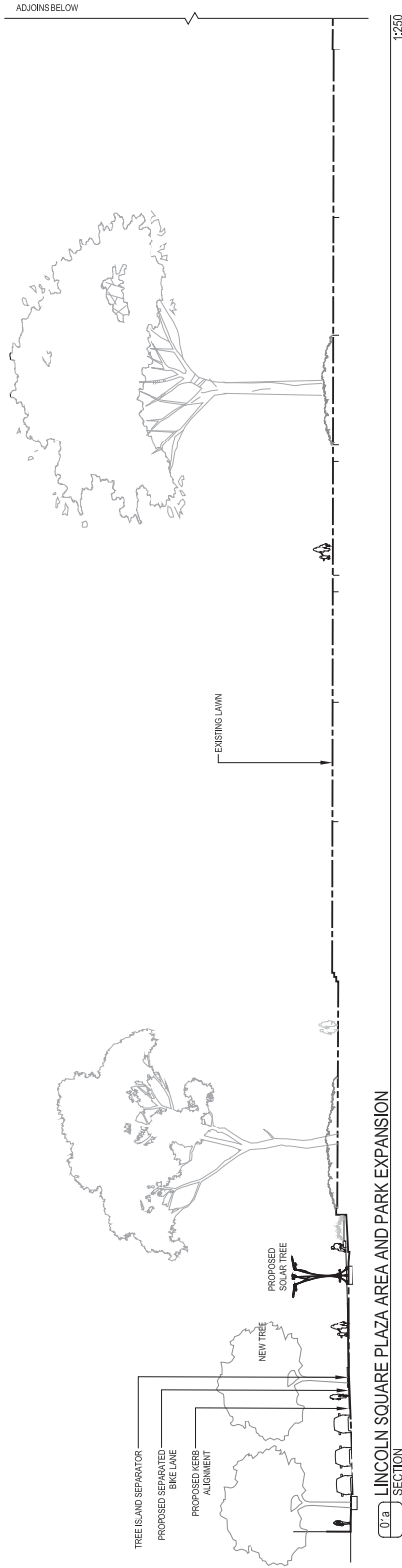
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CLIENT	CITY OF MELBOURNE
PROJECT	LINCOLN SQUARE CONCEPT PLAN CARLTON
DRAWING	GENERAL ARRANGEMENT SECTIONS
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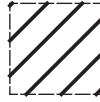


**FOR INFORMATION**

Not to Scale



Government Road



Land subject to Discontinuance



**DELEGATED PLANNING APPLICATION REPORT**

<b>Application number:</b>	<b>TP-2018-286</b>
<b>Applicant:</b>	<b>Melbourne City Council, City Design and Projects</b>
<b>Address:</b>	Lincoln Square, 138-142 Bouverie Street, CARLTON VIC 3053
<b>Proposal:</b>	Demolition and works to expand Lincoln Square into adjacent roadways of Lincoln Square North and Lincoln Square South while retaining two-way traffic and parallel parking and incorporating a new bicycle connection on Lincoln Square South
<b>Date of application:</b>	29 March 2018
<b>Responsible officer:</b>	Julian Larkins

**1 SUBJECT SITE AND SURROUNDS**

Lincoln Square is located in Carlton, approximately 380 metres from the northern edge of the CBD at Victoria Street. The rectangular park area is formed by Lincoln Square North, Bouverie Street, Lincoln Square South and Swanston.

Pedestrian, bicycle and vehicular access is available from all perimeter streets. Tram routes 1, 3/3a, 5, 16, 64, 67 and 72 serve Swanston Street. Nearby Grattan Street is served by bus routes 401, 402, 546, and 479. Further west Tram routes 19, 57 and 59 serve Elizabeth Street, 57 and 59 service Flemington Road and route 19 serves Royal Parade. Buses service Flemington Road on weekends with the no. 479. Bus route 546 travels along Royal Parade.

The perimeter streets are Road Reserves managed by the City of Melbourne. The land itself is Crown Land managed by the City of Melbourne.

Nearby open spaces include University Square to the west and Argyle Square to the east, both similar sized parks which are also Crown Land managed by the City of Melbourne.



## Aerial Photo / Locality Plan



## 2 BACKGROUND AND HISTORY

### 2.1 Pre-application discussions

Pre-application discussions were held with Council's urban planners prior to the lodgement of the application.

It has been advised by the applicant (City of Melbourne's City Design and Projects Department) that the following consultations with the community have been undertaken prior to the lodgement of the planning permit application (summarised):

- First phase community engagement April-May 2017 involved asking the community to share their vision for Lincoln Square as well as likes and dislikes.
- Second phase of community engagement October-November 2017 when a draft concept was released for community feedback both in person and on interactive plan on the City of Melbourne website via Participate Melbourne. 5000 postcards were sent to the Carlton community along with information posters installed on site.

According to the applicant the consultation process confirmed a high level of support for the draft concept plan.

### 2.2 Future Melbourne Committee

The final concept plan for the upgrade to Lincoln Square was endorsed by the Future Melbourne Committee on 3 April 2018.

### 2.3 Planning Application History

There is no directly relevant history or background for this application. It is noted that The Open Space Strategy (2012) recommends that a landscape concept plan should be prepared for Lincoln Square, in conjunction with University Square, to meet an increasing demand for public open space and to acknowledge the relationship between the three Carlton Squares.

## 3 PROPOSAL

The application seeks planning approval for the demolition and works associated with an additional 12 metre park expansion into the roadway of Lincoln Square North and 15 metre park expansion into Lincoln Square South.

The plans which have been considered in this planning assessment are those prepared by City of Melbourne City Design Studio dated 28 March 2018 and 29 May 2018.

The expansion of Lincoln Square will result in an additional 3000 square metres of the square (a 28 per cent increase). Two-way traffic will be retained on both Lincoln Square North and Lincoln Square South. Parallel parking will be retained on either side of Lincoln Square North and on the south side of Lincoln Square South. A total of 65 on-street car parking spaces, mostly central-island parking, will be removed to achieve the park expansion. A new two metre wide, physically separated bicycle lane will be built on Lincoln Square South. The bluestone kerbs will be reconstructed to City of Melbourne standards as per the submitted drawings.





Further details of the full scope of works associated with the park expansion are as follows:

1. Raised pedestrian intersection on Bouverie Street



2. New raised bluestone edge and timber rod seating fronting Bouverie Street footpath.



3. New seating spaces and Solar Tree near corner of Swanston on Lincoln Square South.



4. New kerb and feature planting on Bouverie Street corners.



5. New park expansion areas on Lincoln Square North and South



6. New seating and garden bed near corner of Swanston on Lincoln Square North.



Within the park there is also to be new tree planting, new footpaths and a new play area fronting Lincoln Square South. Existing trees along Swanston Street are proposed to be removed.

For additional information the existing conditions and demolition plans (Drawing LA001) shows very specific details of all demolition.

The applicant has advised that, if approved, construction will commence in March 2019.

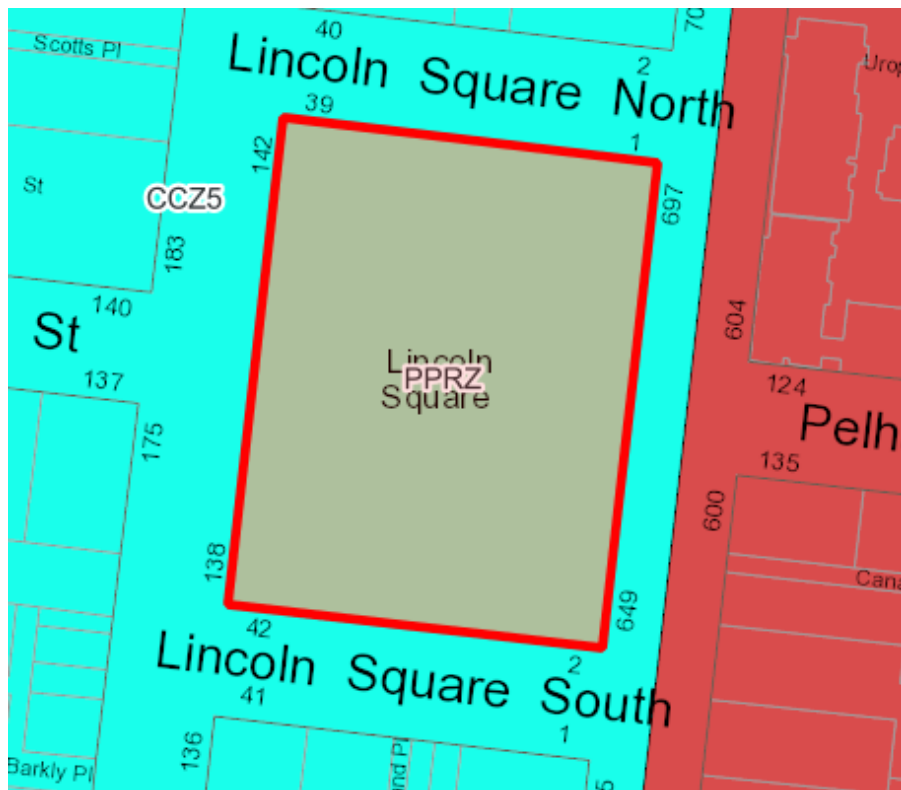
#### 4 STATUTORY CONTROLS

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

Clause	Permit Trigger
<p>Clause 36.02 Public Park and Recreation Zone</p>	<p>Pursuant to Clause 36.02, a permit is required to construct a building or construct or carry out works. This does not apply to:</p> <ul style="list-style-type: none"> <li>• Pathways, trails, seating, picnic tables, drinking taps, shelters, barbecues, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.</li> <li>• Planting or landscaping</li> <li>• A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988</li> </ul> <p>City of Melbourne is the public land manager of Lincoln Square. A permit is not required for works within University Square boundaries</p>
<p>Clause 37.04 Capital City Zone Schedule 5</p>	<p>Pursuant to Clause 37.04, Schedule 5, a permit is required to demolish a building or works, and to construct a building or construct or carry out works.</p> <p>Pursuant to Clause 62.02-1, Buildings and works not requiring a permit:</p> <ul style="list-style-type: none"> <li>• Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality</li> </ul> <p>The proposed works exceed \$1,000,000 - a permit is required for both the demolition and buildings and works.</p>
<p>Clause 43.02 Design and Development Overlay  Schedule 70 – Melbourne Metro Rail Project Infrastructure Protection Area</p>	<p>Pursuant to Clause 43.02, a permit is required to construct a building or construct or carry out works.</p> <p>A permit is not required for:</p> <ul style="list-style-type: none"> <li>• Earthworks or excavation that do not change the Surface Level by more than one metre.</li> <li>• An underground utility provided any trench is no more than two metres below Surface Level.</li> </ul> <p>The applicant has confirmed that the excavation proposed does not alter the surface by more than one metre.</p> <p>The proposed tank is located outside the Melbourne Metro Infrastructure Protection area. A permit is not required for this component.</p>



<p>Clause 45.09 Parking Overlay Schedule 1</p>	<p>A permit is required to provide car parking spaces in excess of the specified rate.  As no parking is proposed as part of this application a permit is not required.</p>
<p>Clause 62.02-2 Uses, Buildings, Works, Subdivisions and Demolition not requiring a permit.</p>	<p>Pursuant to Clause 62.02-2 (Buildings and works not requiring a permit unless specifically required by the planning scheme), any requirement in the Scheme relating to the construction of a building or carrying out of works, does not apply to:</p> <ul style="list-style-type: none"> <li>• Roadworks</li> <li>• Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets</li> <li>• Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets</li> </ul>



Planning Zone Map

In summary the following works require planning approval:

- demolition of the road (Lincoln Square North and Lincoln Square South);
- carry out works associated with the construction of the road (Lincoln Square North and Lincoln Square South);
- works associated with the creation of a park;

The minor upgrades proposed within Lincoln Square do not require a planning permit.

## **5 STRATEGIC FRAMEWORK**

### **5.1 State Planning Policy Framework (SPPF)**

The relevant provisions of the SPPF are summarised as follows:

- Clause 11.03-5S, Distinctive areas and landscapes, seeks to protect and enhance the valued attributes of identified distinctive areas and landscapes.
- Clause 12.05-2S, Landscapes, seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.
- Clause 15.01-2, Urban design principles, which seeks to achieve outcomes that 'contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties'. Relevant strategies include:
  - 'Creating landscaped streets and a network of open spaces to meet a variety of needs...'
  - 'Reduce car dependency by allowing for safe and attractive spaces and networks for walking and cycling'
- Clause 15.02-1S, Energy and resource efficiency, seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions. Relevant strategies include:
  - Support low energy forms of transport such as walking and cycling.
  - Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.
  - Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.

### **5.2 Local Planning Policy Framework (LPPF)**

#### **5.2.1 Municipal Strategic Statement (MSS)**

The relevant provisions of the MSS are summarised as follows:

- Clause 21.06-3, Sustainable development, includes strategies on designing open spaces to minimise urban heat island effect and contribute to urban cooling.
- Clause 21.06-3, Carlton, includes the following objectives in relation to open space:
  - Ensure the retention of all parkland and protect Carlton Gardens, and the Carlton squares...from uses that would reduce their landscape character and recreational role.
  - Ensure any buildings or structures in parks and gardens in Carlton are sensitively designed and located to minimise impacts on the landscape character and recreational role.
- Clause 21.10-2, Open space, seeks to maintain, enhance and increase Melbourne's public open space network and promote greening of the City.

#### **5.2.2 Local Policies**

The relevant local policies are summarised as follows:

- Clause 22.01, Urban design within the Capital City Zone, which provides relevant urban design policy including open space for sites within the Capital City Zone.

## 6 ZONE

The subject site is located within the Public Park and Recreation Zone. The works that are the subject of planning approval within Lincoln Square North and Lincoln Square South are located within the Capital City Zone:

Capital City Zone (Schedule 5, City North). The purpose of the zone:

- To develop City North as a mixed use extension of the Central City
- To encourage a range of uses that complement the capital city function of the locality and serves the needs of residents, workers, students and visitors.

Public Park and Recreation Zone. The purpose of the zone:

- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.

## 7 OVERLAY(S)

The overall site area is affected by the Design and Development Overlay, Parking Overlay, and the Heritage Overlay. Design and Development and Parking Overlays are discussed in section 4.

## 8 PARTICULAR PROVISIONS

There are no relevant particular provisions for this proposal.

## 9 GENERAL PROVISIONS

The following general provision(s) apply to the application:

- Clause 65, Decision Guidelines, which includes the matters set out in Section 60 of the Planning and Environment Act 1987.
- Clause 67, Applications under Section 96 of the Act.

## 10 PUBLIC NOTIFICATION

Pursuant to Clause 67.02 (Notice Requirements), In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting four notices on the site for a 14 day period in accordance with Section 52 of The *Planning and Environment Act 1987*

Lincoln Square is not classified by the National Trust.

## 11 OBJECTIONS

One objection was received from the Melbourne Sexual Health Centre at 580 Swanston Street, and raised the following concerns with the proposal:

- 'Melbourne Sexual Health Centre is a public sexual health clinic operating Monday – Friday 8.30 – 5.00. The clinic sees over 200 patients each day. As the only public, free, specialist sexual health clinic in the state, patients from all over Melbourne and the state of Victoria visit us daily. Many of these



patients drive rather than use public transport due to the distances they have to travel and rely on the availability of public parking near the clinic.'

- Street parking is already difficult to find in this area and the clinic does not have the capacity to offer patient parking.
- The loss of more than 60 on-street car parking spaces to make way for a bike lane will negatively impact the clinic's clients by making it more difficult for them to find close and appropriate parking.
- The clinic is a walk in and wait service and so it is very difficult for clients to predict how long they will be in the clinic each visit. It can be up to two hours per visit. This means patients often have to leave the clinic to pay for additional parking time to avoid fines. If they are not able to park close by then this will further affect their access issues.
- Please consider retaining at least 50% of these car parking spaces for public use. We suggest: no expansion of the park space in Lincoln Square north, replacement of the parallel parking spaces in Lincoln Square north with a bike lane and retaining the centre island parking.

## **12 CONSULTATION**

Given the receipt of the above objection, the following consultation was undertaken:

The project team have contacted the objector to discuss this issue and indicate that car parking is not directly relevant to the planning application.

It is also noted that car parking was considered throughout the project inception and during consultation.

## **13 REFERRALS**

### **13.1 Internal**

The application was not referred internally to any department because it was determined that there is adequate direction included in the relevant sections of the Melbourne Planning Scheme to inform the assessment.

### **13.2 External**

The application was not required to be referred externally.

## **14 ASSESSMENT**

The application seeks planning approval for the demolition and works associated with an additional 12 metre park expansion into the roadway of Lincoln Square North and 15 metre park expansion into Lincoln Square South.

The key issues for consideration in the assessment of this application are the appropriateness of the demolition and works. Despite not being within a Heritage Overlay it is important to note the background and historical context of Lincoln Square.

Lincoln Square is one of a group of three historic Carlton squares along with University Square and Argyle Square. Lincoln Square is home to what is thought to be the first public playground in Victoria (approximately 1907). Lincoln Square is an important component of the small, London-style, local park squares that distinguish the 1850s plan for the subdivision of Carlton. The squares and the wide perimeter streets are part of the early town plan for Melbourne (including the 1853 'Plan for Extension of Melbourne called Carlton' by John Hoddle and the Cox Plan dated 1866 which both show Lincoln Square).

The strong definition of the Lincoln Square boundary is a key feature of the open space and similar nearby open spaces. Definition of the reserved land for Lincoln Square was part of a pattern of formal avenues and plantings established initially by Lincoln and Argyle Squares and then complemented in the design of University Square. The definition is further reinforced by the perimeter footpath, kerb and gutter.

This above background information establishes that Carlton was always intended to have aesthetic significance for the open park landform in a city setting.

Bluestone kerbs and guttering pitchers removed from the periphery of the existing square are to be lifted and reused across the expanded park. The preservation of these materials is considered important and will complement similar works occurring at University Square under TP-2017-734.

While the proposal removes some of the road formation, the design makes reference to the original street layout and reuse of original materials.

The form of the area is altered by way of the expansion of Lincoln Square, but retains the rectilinear nature of the space. The addition of new tree planting and landscaping will enhance and contribute to the space to be enjoyed by nearby residents and workers as well as domestic and international tourists.

Installation of new lighting, trees, landscaping and paths will result in an improved user experience and contribute to increased safety through the grounds.

The works to Lincoln Square, including the alterations to the road reserves are consistent with the decision guidelines of Schedule 5 to Clause 37.04 (City North) in that:

- The location, area, dimensions and suitability of use of the land for public use is consistent with State and Local planning policy
- The movement of pedestrians, cyclists and vehicles are well considered and the required infrastructure is well appointed
- The works will improve and enhance the existing public space

With regard to the car parking concerns raised in the objection, it is not directly relevant to this assessment given that no planning permit is required to reduce car parking in this location. Nonetheless, any concerns in relation to the impacts of the loss of public car parking must be balanced against the significant net community benefit of a larger and more functional public open space and increased bicycle network. The benefit of enhanced open space is particularly important in Carlton where so much of the rapidly growing population live in apartments with limited open space.

## **14.1 Conclusion**

The proposal successfully satisfies the objectives and strategies of state and local policies of the Melbourne Planning Scheme as it contributes to:

- Ensuring land is set aside and developed in urban areas for passive recreation use
- Ensuring the urban open spaces provide for passive recreation, social interaction, peace and solitude.
- Creating health and active neighbourhoods and maintaining Melbourne's identity as one of the world's most liveable cities
- Supporting the provision of open space and recreation facilities for the local resident, working community, wider public and tourists.

- Enhances and increases Melbourne's public open space network to promote greening of the City

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above.

## **15 RECOMMENDATION**

That a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. The development as shown on the endorsed plan(s) must not be altered or modified unless with the prior written consent of the Responsible Authority.
2. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within two years of the date of this permit.
  - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.