

**Report to the Future Melbourne Committee**

Agenda item 6.1

Future Melbourne Committee  
13 April 2021**Planning Permit Application: TP-2020-89****Queen Victoria Market (Trader Shed), 16-94 Peel Street, MELBOURNE****Presenter:** Larry Parsons, 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 seeking approval for demolition, construction of a building, and alteration of access to a road in a Road Zone – Category 1 at the Queen Victoria Market, 16-94 Peel Street, Melbourne (refer Attachment 2 – Locality Plan).
2. The applicant is Tract Consultants Pty Ltd who is acting on behalf of Melbourne City Council who is the land manager and owner. The architect is NH Architecture.
3. The site is located in a Capital City Zone Schedule 1 (CCZ1), Heritage Overlay (HO7 (Queen Victoria Market Precinct) and HO496 (Queen Victoria Market, 65-159 Victoria Street, West Melbourne)), Design and Development Overlay Schedules 1, 4, and 14 – Area16 (DDO1, DDO4, and DDO14-A16), and Parking Overlay Schedule 1 (PO1).
4. The application seeks to demolish the existing trader building and toilet block located within the market and construct a new three storey building with four basements levels to be used for loading, storage, waste, public amenities, and trader facilities / amenities. The building proposed to be demolished is not a heritage graded building. The maximum height of the proposal is 10.22 metres and the building footprint sits within the general footprint of the building to be removed.
5. As Queen Victoria Market is listed on the Victorian Heritage Register, Heritage Victoria has assessed and issued a permit for the proposal, with changes that require more respectful materials (more red brick), a gable style roof form to Queen Street, and relocation of most building services to one of the basement levels. The applicant has advised the design modifications imposed by Heritage Victoria are accepted and these will be incorporated through planning permit conditions.
6. The application would be exempt from notice had it not been lodged on behalf of the City of Melbourne. Public notice of the application was undertaken and 89 objections and seven letters of support have been received. The changes imposed by Heritage Victoria, and introduced via permit conditions, are not considered to introduce additional material detriment that would require further public notice.

**Key issues**

7. The key issues for consideration are urban design and built form, traffic, and the objections received.
8. The development is consistent with all relevant State and Local Planning Policy, responding appropriately to the built form guidance at Clause 22.01 (Urban Design within the Capital City Zone) and the design objectives and built form outcomes of DDO14-Area 16. While contemporary in design, the new building is a respectful and utilitarian design that will improve the function and operation of the market. The height of the building above the DDO preferred seven metres is an acceptable response to the adjoining market structures and will not detract from the architecture and built form in the immediate surrounds. Heritage Victoria supports the design of the proposal.
9. The traffic conditions resulting from the proposal have been reviewed by the City of Melbourne's traffic engineers who have not raised any significant issues. The new waste sorting, storage and processing facilities will improve the market's ability to sustainably manage waste. Issues raised in objection have been addressed in the delegate report.

**Recommendation from management**

10. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit subject to the conditions set out in the delegate report (refer Attachment 4 of the report from management).

**Attachments:**

1. Supporting Attachment (Page 2 of 65)
2. Locality Plan (Page 3 of 65)
3. Selected Plans (Page 4 of 65)
4. Delegate Report (Page 21 of 65)

## Supporting Attachment

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### Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (the Act) sets out requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have 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

3. There are no direct financial issues arising from the recommendations contained within this report.

### Conflict of interest

4. Rob Adams, the Council's City Architect and Michael Tenace, the General Manager Finance and Corporate are Board Directors of Queen Victoria Market Pty Ltd. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

### Health and Safety

5. Relevant planning considerations such as traffic and waste management, potential amenity impacts and potentially contaminated land that could impact on health and safety have been considered within the planning permit application and assessment process.

### Stakeholder consultation

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

### Relation to Council policy

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

### Environmental sustainability

8. The Environmentally Sustainable Design (ESD) report submitted with the application confirms the development will achieve the relevant performance measures set out in Clauses 22.19 (Energy, Water and Waste Efficiency) and 22.23 (Stormwater Management) of the Melbourne Planning Scheme.

# Locality Plan

Queen Victoria Market, Trader Shed. 16-94 Peel Street, MELBOURNE



# Queen Victoria Market Trader Shed

## PLANNING SUBMISSION - DRAWING REGISTER

vg	Sheet Name	Current Revision
TP0-040	COVER SHEET	8
TP0-400	PROPOSED SITE PLAN	6
TP1-400	EXISTING PLANS - GROUND AND ROOF	6
TP1-500	DEMOLITION PLANS - GROUND AND ROOF	6
TP1-520	DEMOLITION ELEVATIONS 1	5
TP1-521	DEMOLITION ELEVATIONS 2	3
TP2-400	PROPOSED PLANS - GROUND, LEVEL 01	8
TP2-401	PROPOSED PLANS - LEVEL 02 AND ROOF	4
TP2-451	PROPOSED BASEMENT LEVELS - B1, B2	6
TP2-452	PROPOSED BASEMENT LEVELS - B3, B4	4
TP5-400	PROPOSED ELEVATIONS - EAST	7
TP5-401	PROPOSED ELEVATIONS - NORTH	5
TP5-402	PROPOSED ELEVATIONS - SOUTH	6
TP5-403	PROPOSED ELEVATIONS - WEST	6
TP6-400	PROPOSED SECTION 1	5
TP6-401	PROPOSED SECTION 2	3
TP9-450	PROPOSED EXTERNAL MATERIALS & FINISHES	6
Grand total: 17		

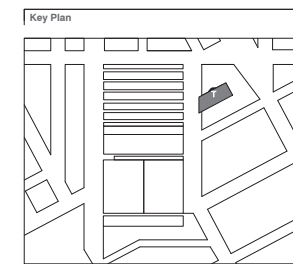


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Rev	Date	Description
8	AUG. 20	FOR HERITAGE VICTORIA RESPONSE
7	18.12.19	PLANNING SUBMISSION - FINAL
6	13.12.19	PLANNING SUBMISSION
5	08.12.19	PLANNING SUBMISSION
4	05.12.19	PLANNING SUBMISSION
3	25.11.19	PLANNING SUBMISSION DRAFT
2	14.11.19	TP DRAFT FOR REVIEW
1	08.11.19	TP DRAFT FOR REVIEW



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**PLANNING SUBMISSION**

Project Name  
QUEEN VICTORIA MARKET

Drawing Name  
COVER SHEET

Checked By  
NB

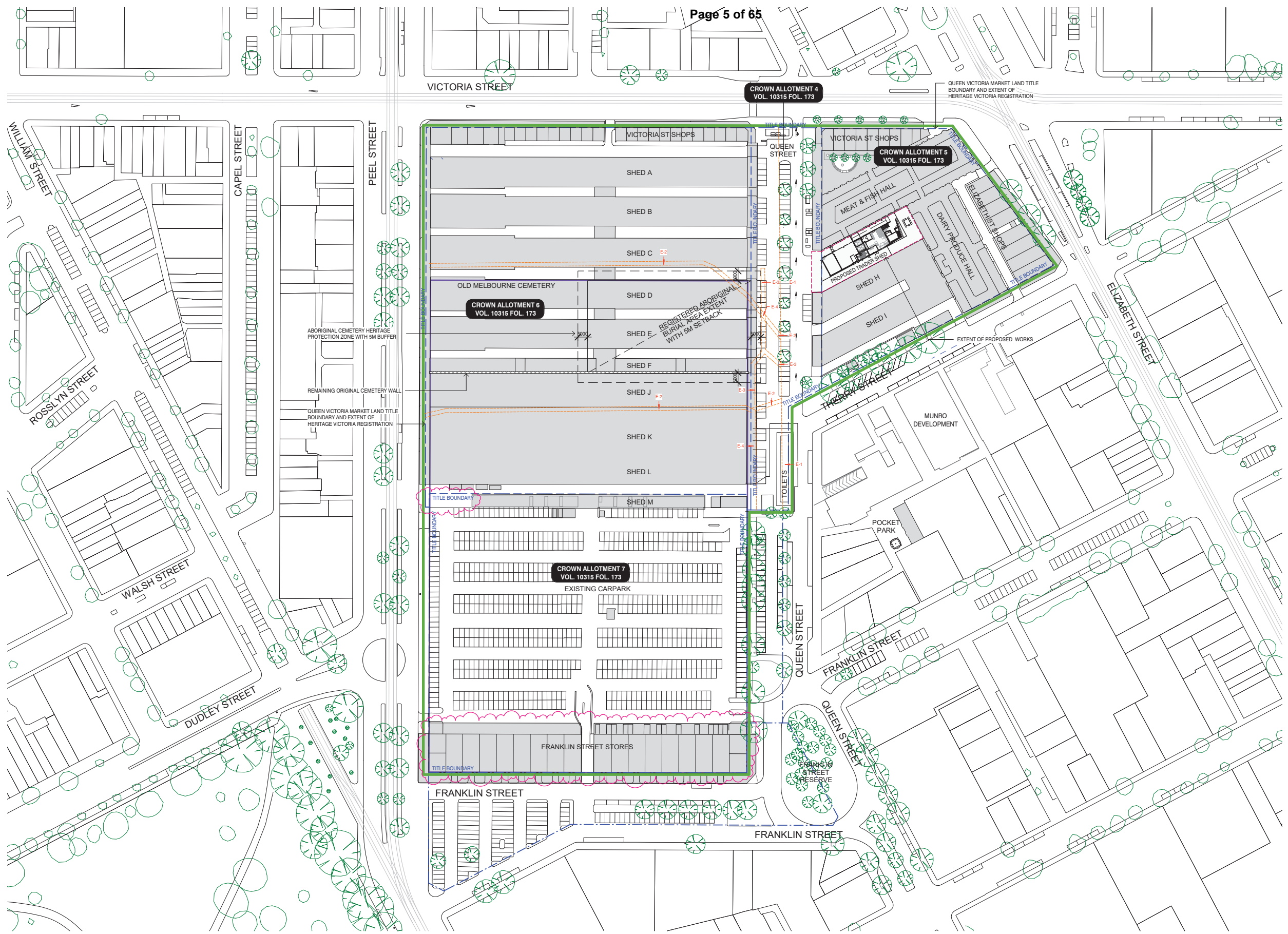
Drawn By  
MH

Project Number  
170700

Drawing Number  
TP0-040

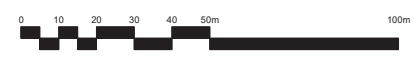
Scale @ A1

Revision  
8



- LEGEND**
- TITLE BOUNDARY LINE
  - AREA SUBJECT TO PLANNING APPLICATION
  - EXISTING BUILDING
  - HERITAGE OVERLAY: HV AND NATIONAL
  - EASEMENT
  - OLD MELBOURNE CEMETERY

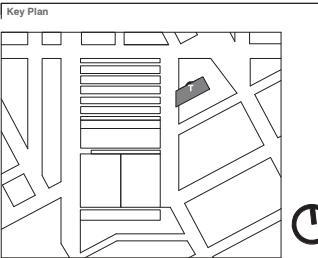
**1 SITE PLAN**  
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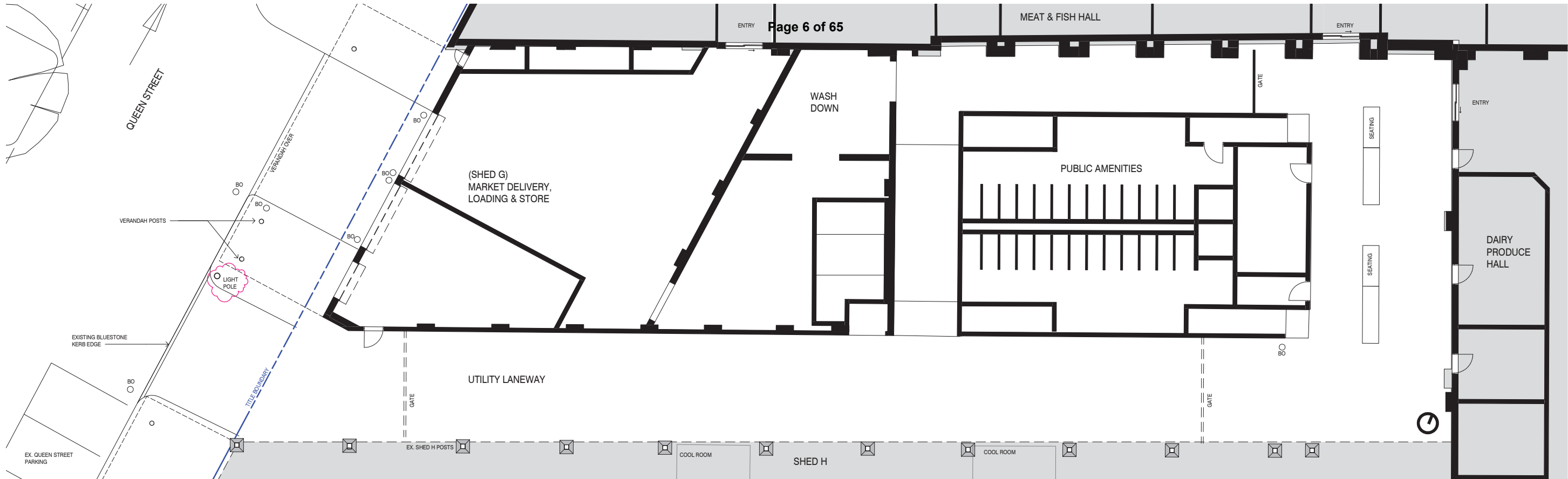
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8	AUG. 20		FOR HERITAGE VICTORIA RESPONSE
5	18.12.19		PLANNING SUBMISSION - FINAL
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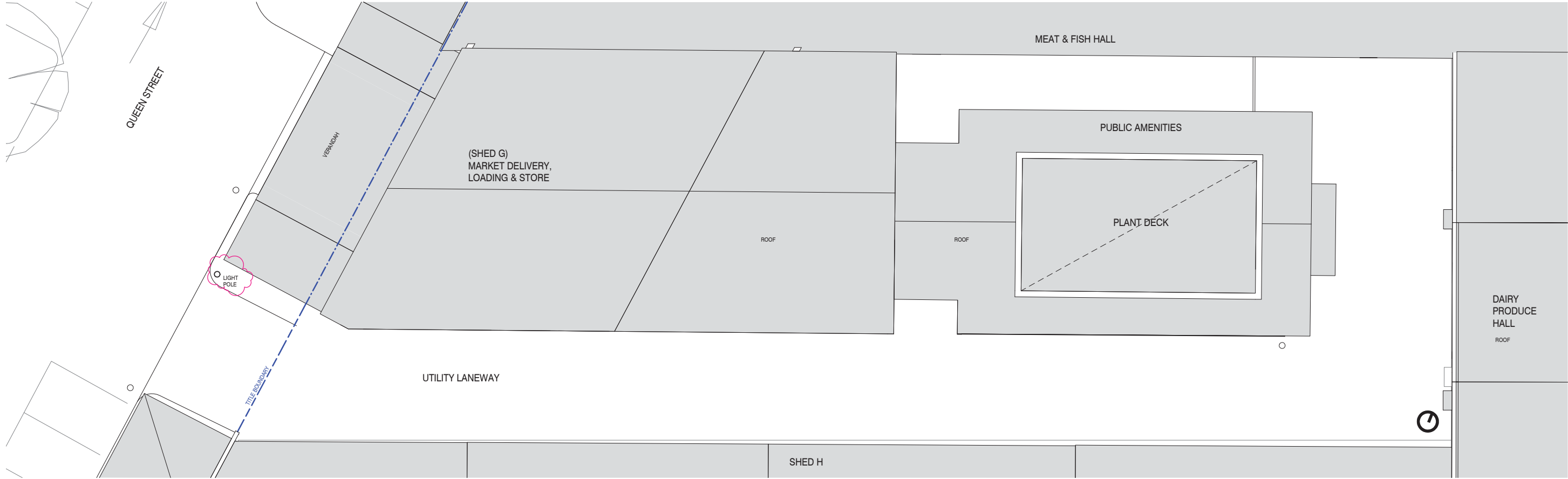
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Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>PROPOSED SITE PLAN</b>		
Checked By <b>NB</b>	Drawn By <b>MH</b>	Scale @ A1 <b>As indicated</b>
Project Number <b>170700</b>	Drawing Number <b>TP0-400</b>	Revision <b>6</b>



1 EXISTING GROUND LEVEL  
1 : 100



2 EXISTING ROOF LEVEL  
1 : 100

- LEGEND**
- TITLE BOUNDARY LINE
  - AREA SUBJECT TO PLANNING APPLICATION
  - EXISTING BUILDING
  - BO BOLLARD
  - COL COLUMN
  - EX EXISTING
  - SP SOLAR PANEL
  - SL SKYLIGHT

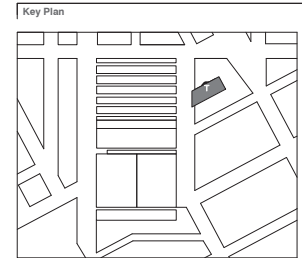
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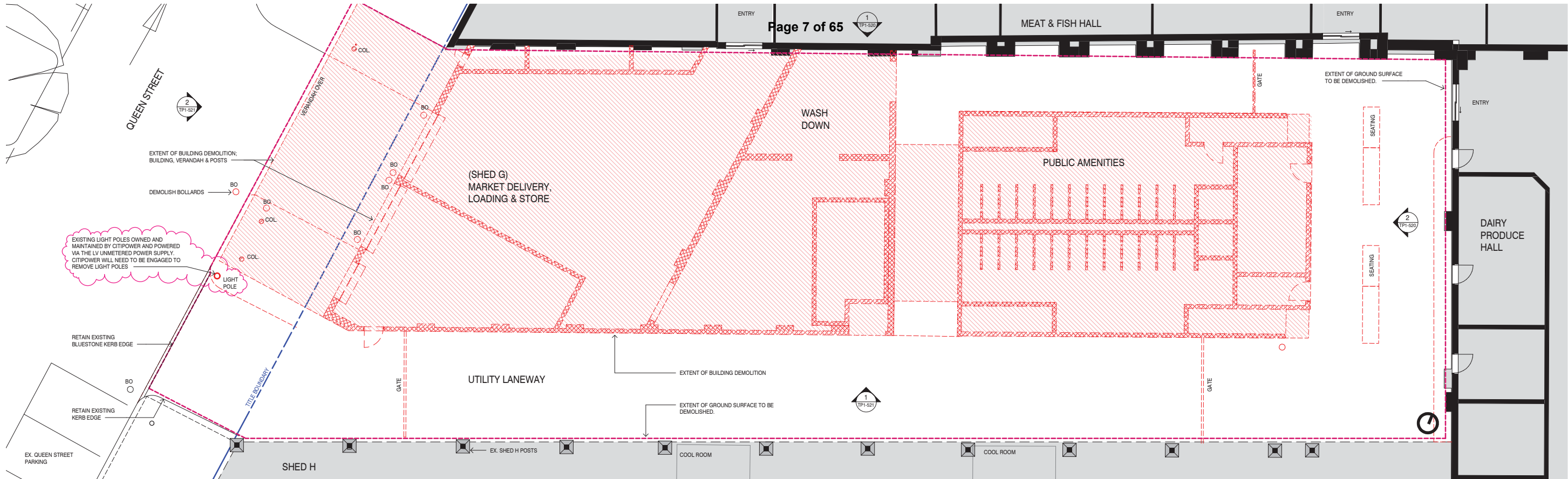
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Project Number <b>170700</b>	Drawing Number <b>TP1-400</b>	Revision <b>6</b>

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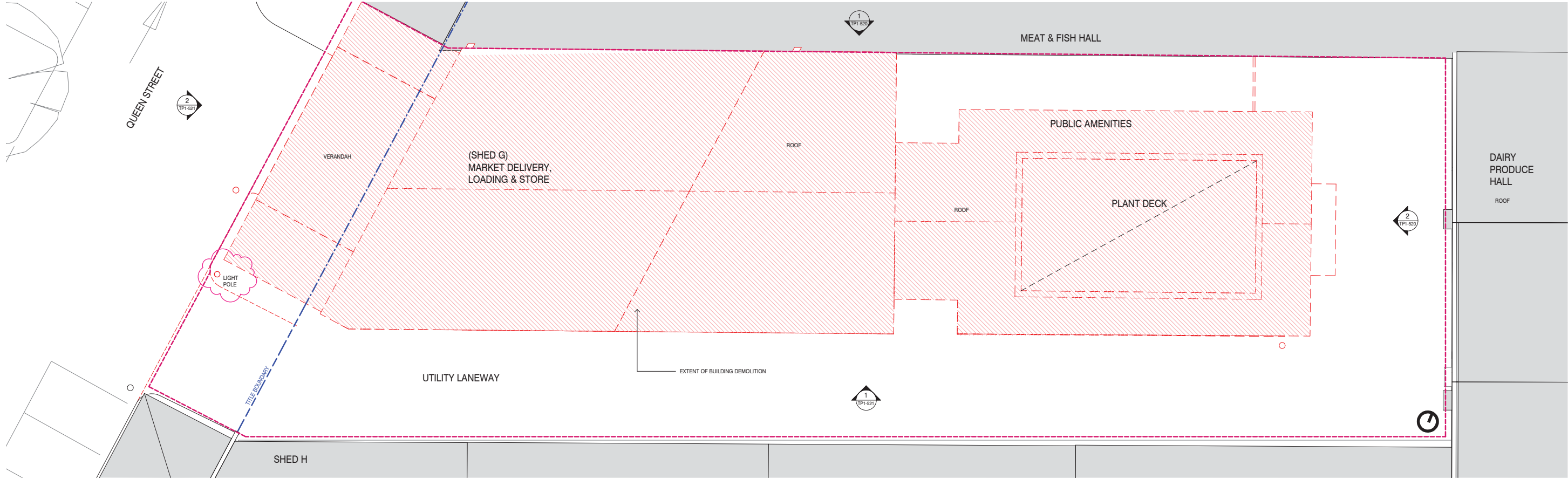
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1 DEMOLITION LEVEL 00 - GROUND  
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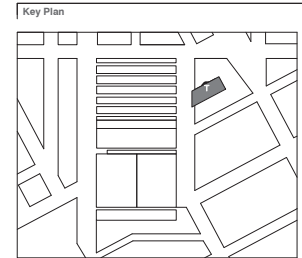


2 DEMOLITION ROOF  
1 : 100

- LEGEND**
- TITLE BOUNDARY LINE
  - AREA SUBJECT TO PLANNING APPLICATION
  - EXISTING/ RETAIN
  - DEMOLISH
  - EXTENT OF BUILDING DEMOLITION
  - EASEMENT
  - OLD MELBOURNE CEMETERY

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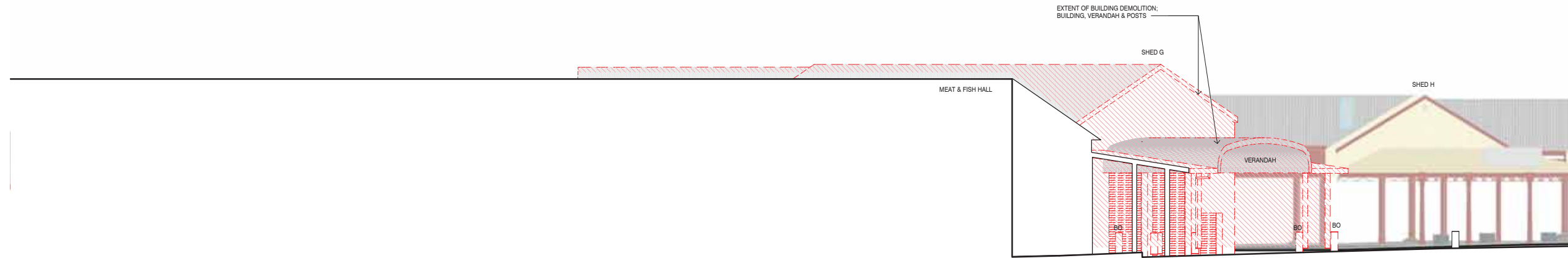
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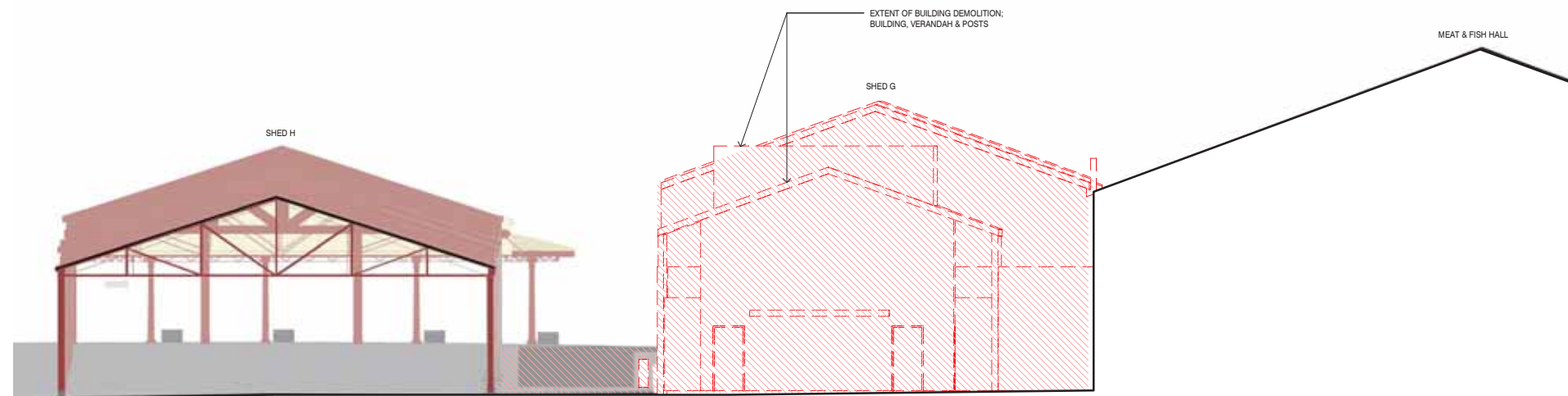
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Project Number <b>170700</b>	Drawing Number <b>TP1-500</b>	Revision <b>6</b>

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1 DEMOLITION ELEVATION - NORTH  
1 : 100



2 DEMOLITION ELEVATION - EAST  
1 : 100

LEGEND

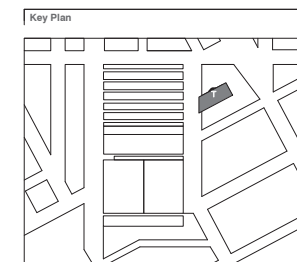
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-  AREA SUBJECT TO PLANNING APPLICATION
-  DEMOLISH
-  EXTENT OF BUILDING DEMOLITION



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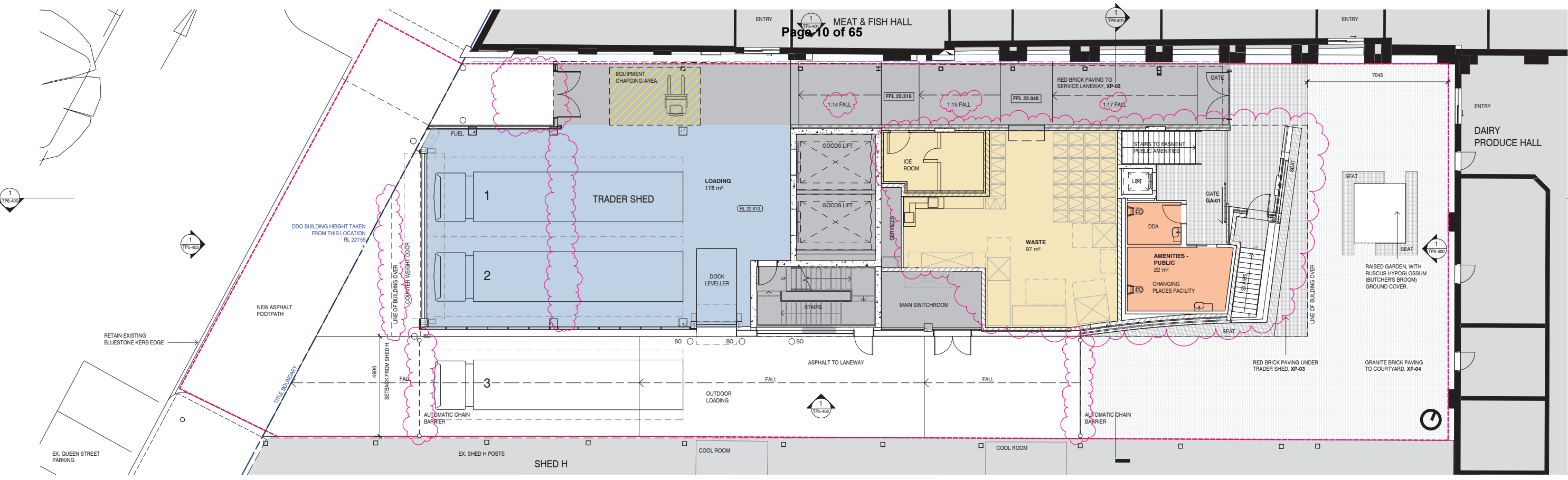
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Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>DEMOLITION ELEVATIONS 1</b>		
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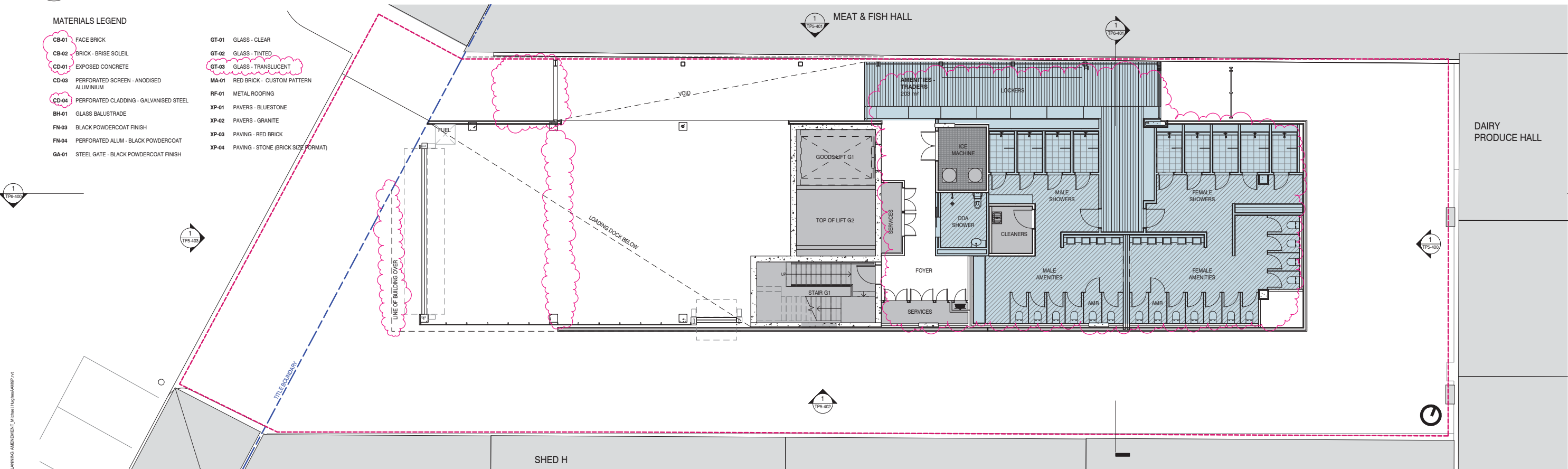






1 PROPOSED LEVEL 00 - GROUND  
1 : 100

- MATERIALS LEGEND**
- CB-01 FACE BRICK
  - CB-02 BRICK - BRISE SOLEIL
  - CD-01 EXPOSED CONCRETE
  - CD-03 PERFORATED SCREEN - ANODISED ALUMINIUM
  - CD-04 PERFORATED CLADDING - GALVANISED STEEL
  - BH-01 GLASS BALUSTRADE
  - FN-03 BLACK POWDERCOAT FINISH
  - FN-04 PERFORATED ALUM - BLACK POWDERCOAT
  - GA-01 STEEL GATE - BLACK POWDERCOAT FINISH
  - GT-01 GLASS - CLEAR
  - GT-02 GLASS - TINTED
  - GT-03 GLASS - TRANSLUCENT
  - MA-01 RED BRICK - CUSTOM PATTERN
  - RF-01 METAL ROOFING
  - XP-01 PAVERS - BLUESTONE
  - XP-02 PAVERS - GRANITE
  - XP-03 PAVING - RED BRICK
  - XP-04 PAVING - STONE (BRICK SIZE FORMAT)

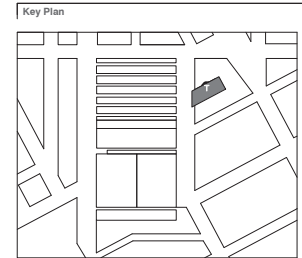


2 PROPOSED LEVEL 01  
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- LEGEND**
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  - EASEMENT
  - BO BOLLARD
  - COL COLUMN
  - EX EXISTING
  - SB SERVICES BOLLARD
  - SP SOLAR PANEL
  - SL SKYLIGHT

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**PLANNING SUBMISSION**

Project Name  
**QUEEN VICTORIA MARKET**

Drawing Name  
**PROPOSED PLANS - GROUND, LEVEL 01**

Checked By  
**NB**

Drawn By  
**MH**

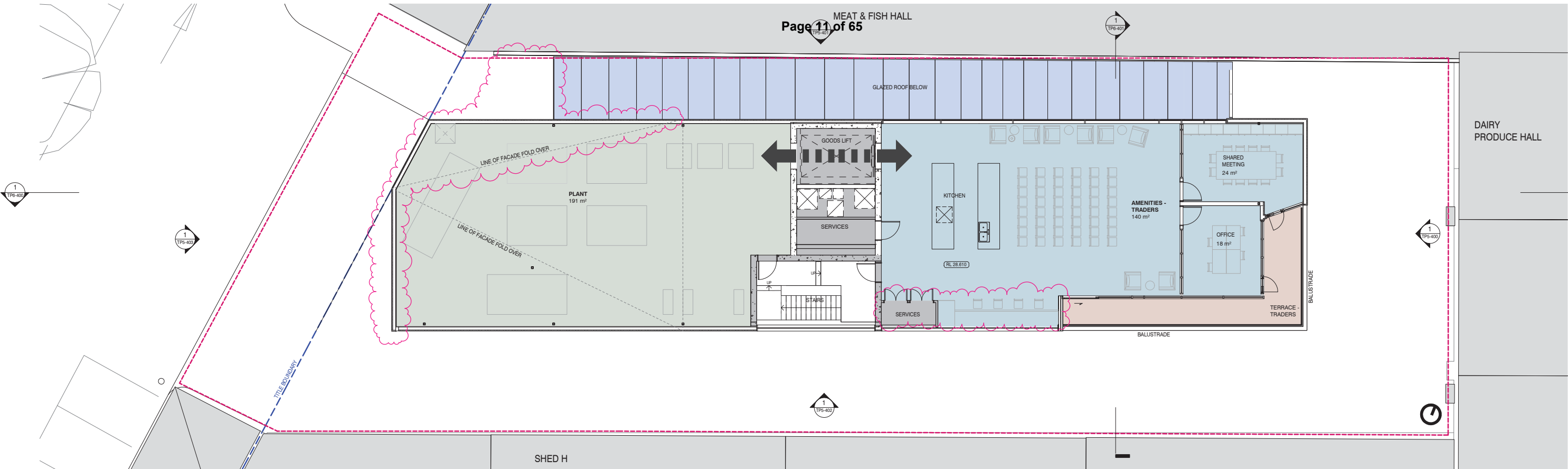
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Project Number  
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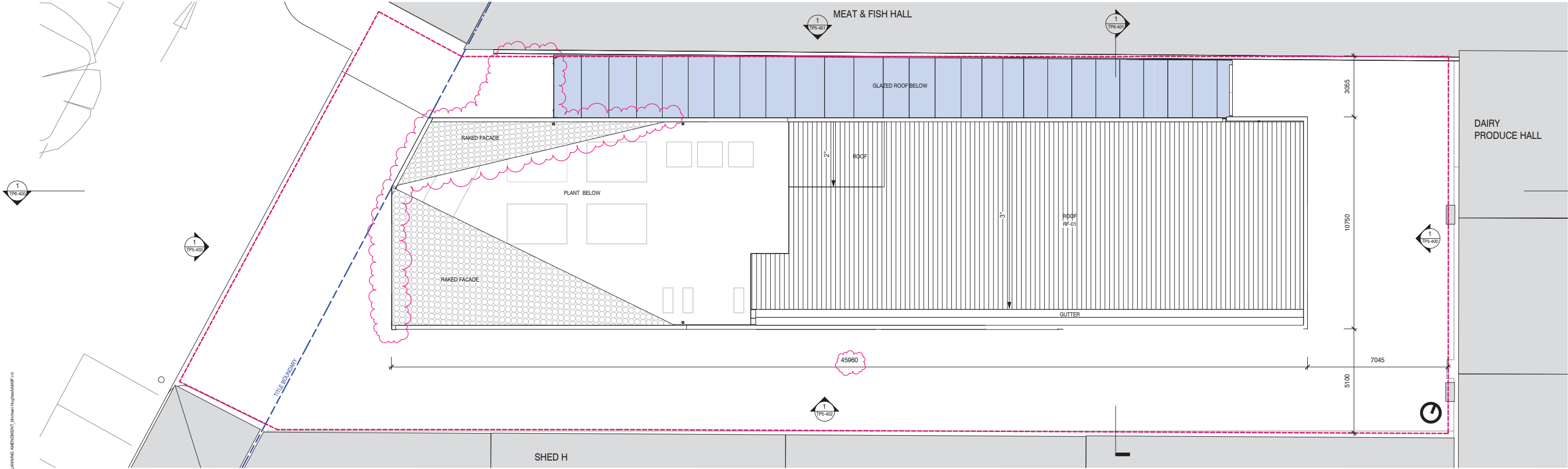
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Revision  
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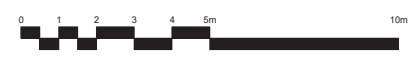
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1 PROPOSED LEVEL 02  
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2 PROPOSED ROOF  
1 : 100



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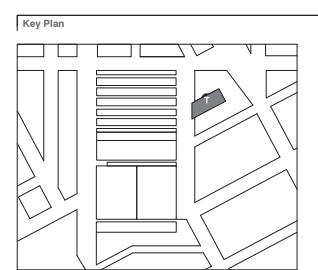
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Revisions	Rev	Date	Description
	4	AUG. 20	FOR HERITAGE VICTORIA RESPONSE
	3	18.12.19	PLANNING SUBMISSION - FINAL
	2	05.12.19	PLANNING SUBMISSION
	1	25.11.19	PLANNING SUBMISSION DRAFT



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**CITY OF MELBOURNE**

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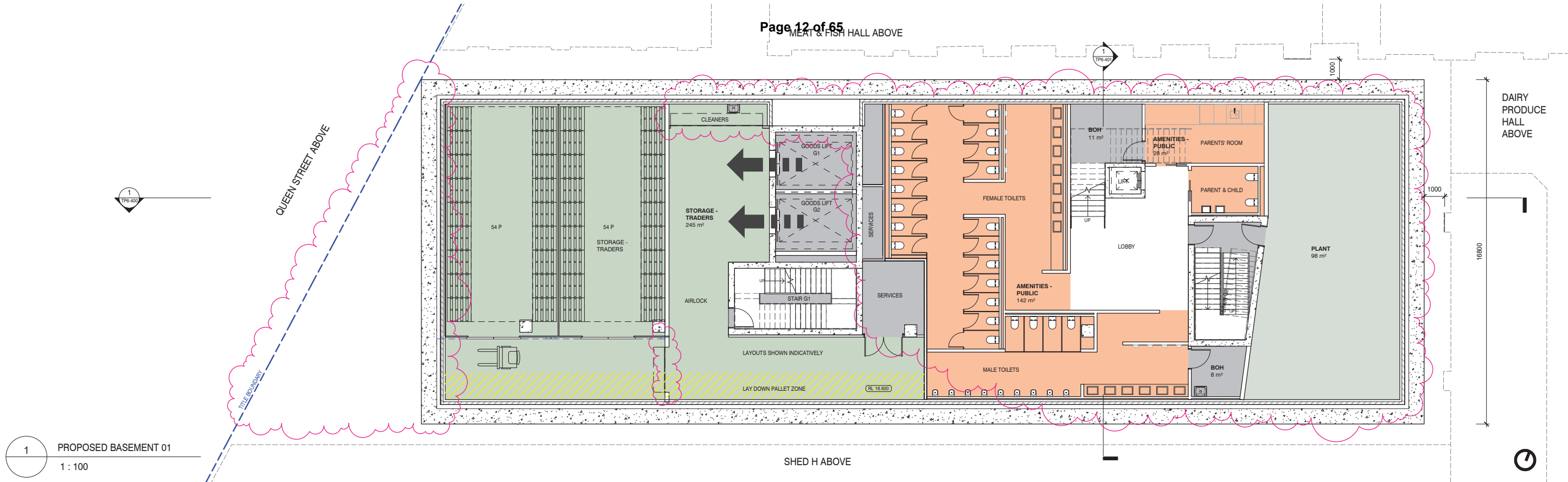
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**PLANNING SUBMISSION**

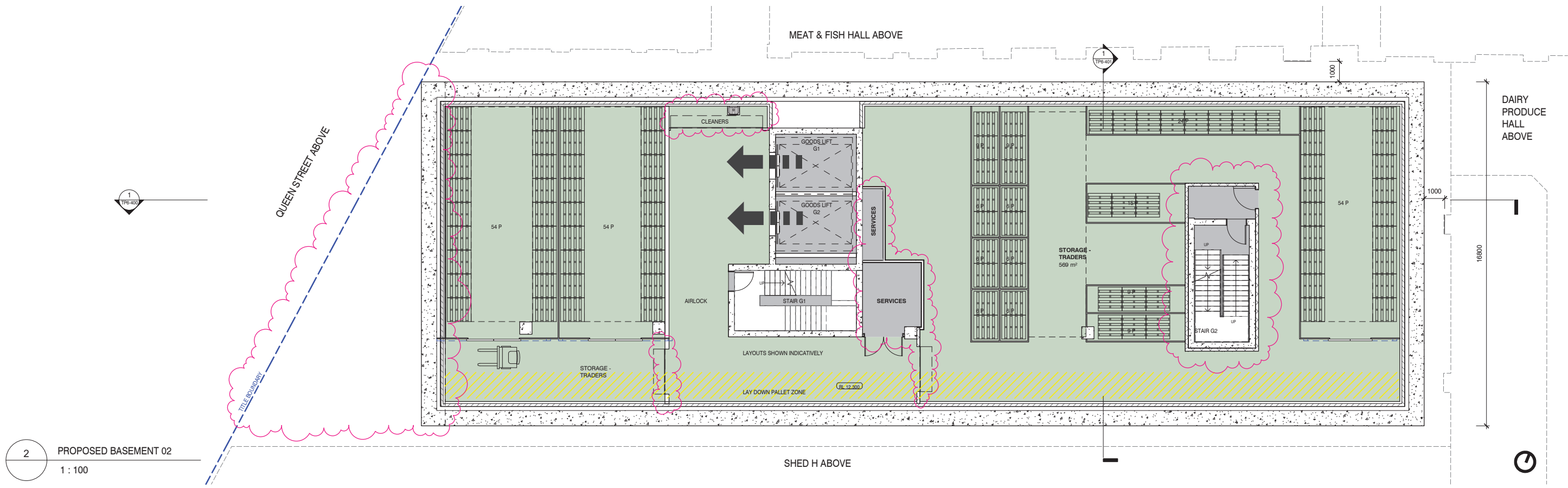
Project Name  
**QUEEN VICTORIA MARKET**

Drawing Name  
**PROPOSED PLANS - LEVEL 02 AND ROOF**

Checked By <b>NB</b>	Drawn By <b>MH</b>	Scale @ A1 <b>1 : 100</b>
Project Number <b>170700</b>	Drawing Number <b>TP2-401</b>	Revision <b>4</b>

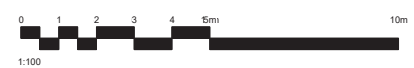


1 PROPOSED BASEMENT 01  
1 : 100



2 PROPOSED BASEMENT 02  
1 : 100

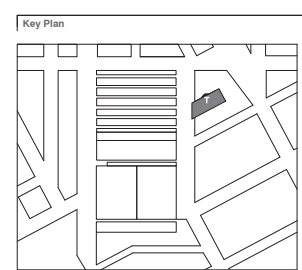
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Consultant Team  
**MOTT MACDONALD**  
**trethowan**  
**irwinconsult**

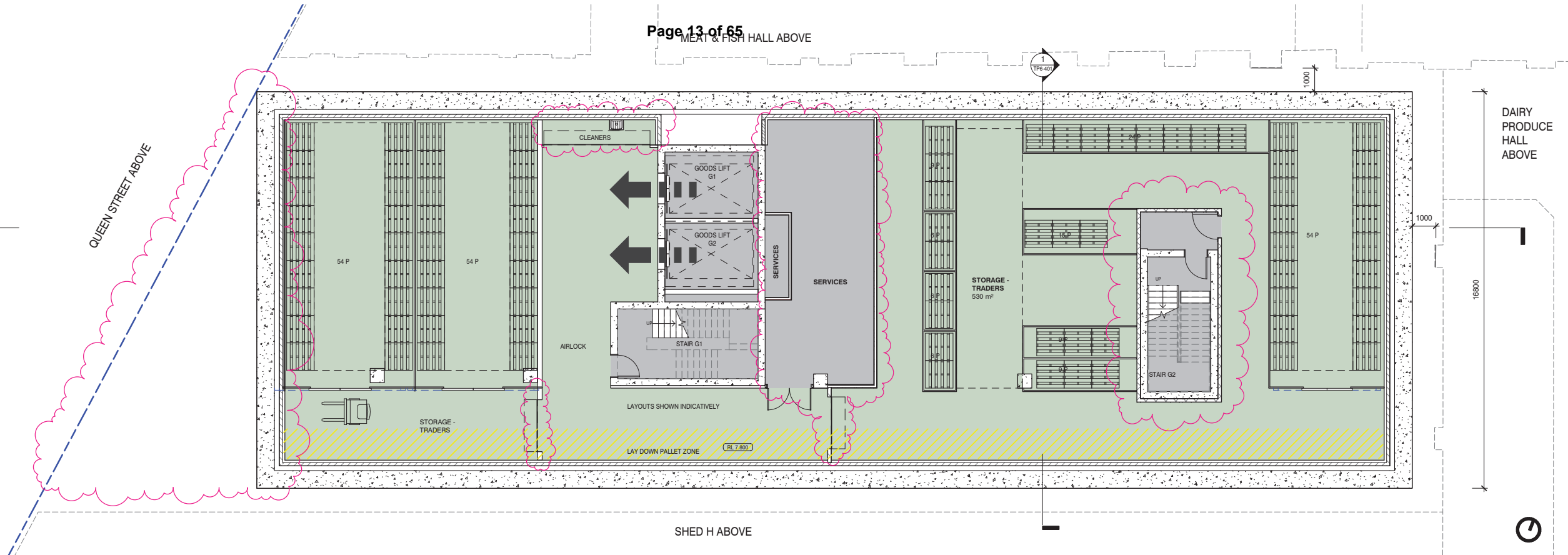
Rev	Date	Description
6	AUG. 20	FOR HERITAGE VICTORIA RESPONSE
5	18.12.19	PLANNING SUBMISSION - FINAL
4	05.12.19	PLANNING SUBMISSION
3	25.11.19	PLANNING SUBMISSION DRAFT
2	14.11.19	TP DRAFT FOR REVIEW
1	08.11.19	TP DRAFT FOR REVIEW



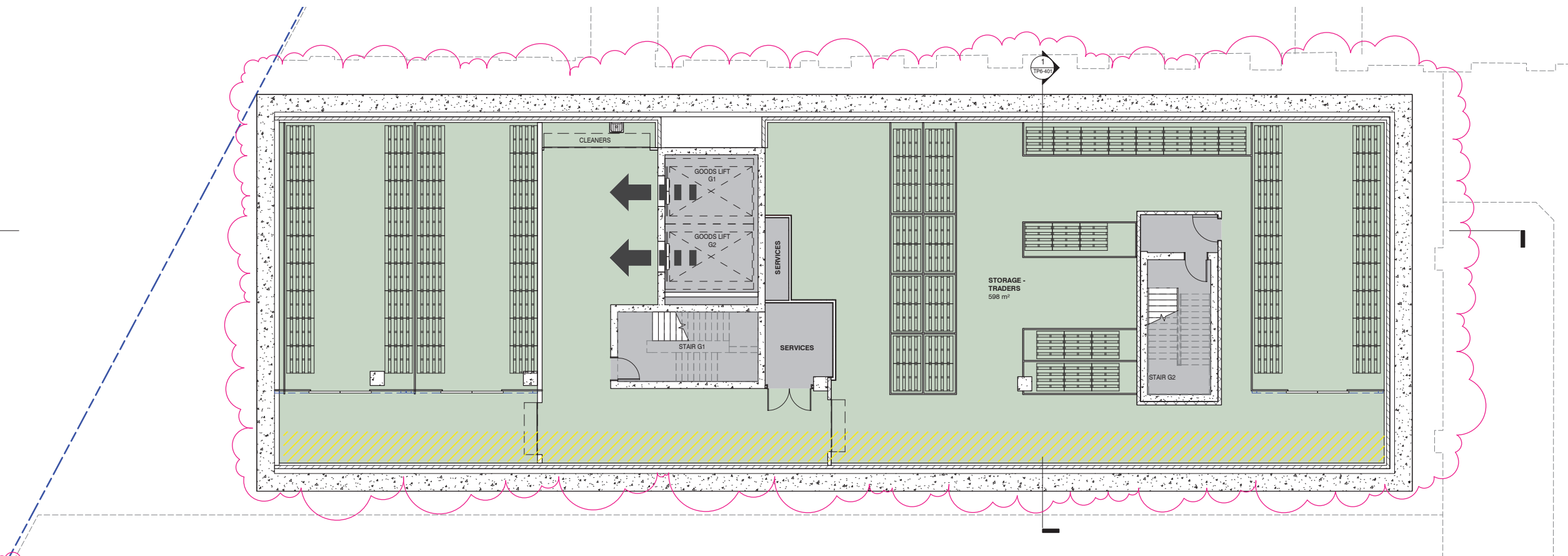
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 Facsimile +613 9654 4938  
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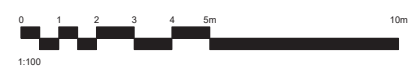
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Drawing Name PROPOSED BASEMENT LEVELS - B1, B2		
Checked By NB	Drawn By MH	Scale @ A1 1 : 100
Project Number 170700	Drawing Number TP2-451	Revision 6



1 PROPOSED BASEMENT 03  
1 : 100



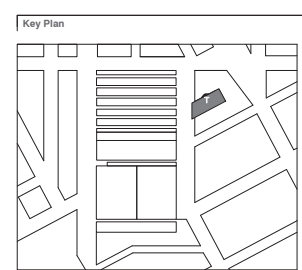
2 PROPOSED BASEMENT 04  
1 : 100



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**MOTT MACDONALD**  
**trethowan**  
**irwinconsult**

Revisions	Revisions
4	AUG. 20 FOR HERITAGE VICTORIA RESPONSE
3	18.12.19 PLANNING SUBMISSION - FINAL
2	05.12.19 PLANNING SUBMISSION
1	25.11.19 PLANNING SUBMISSION DRAFT
Rev	Date Description



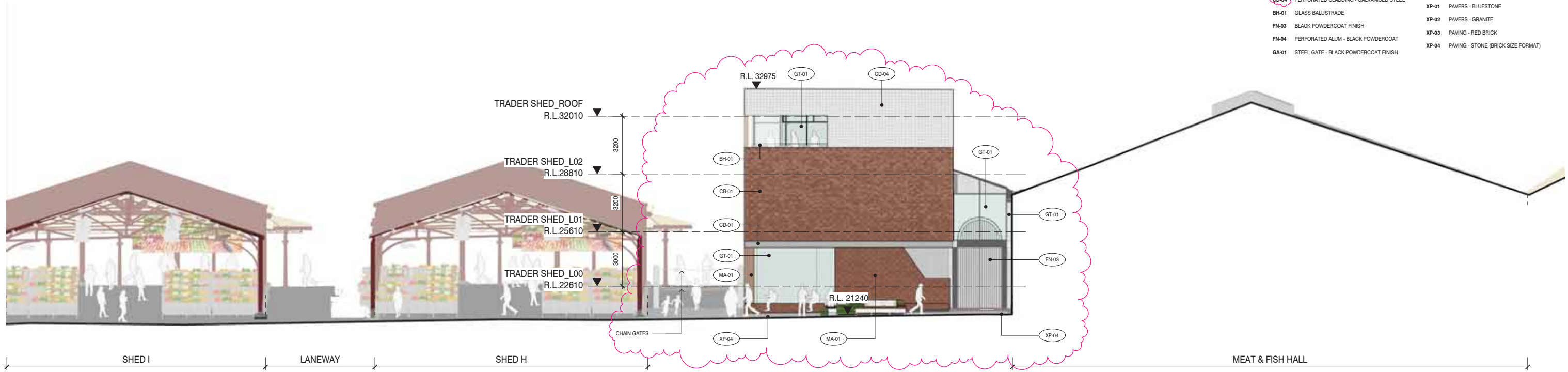
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 www.nharchitecture.net

**PLANNING SUBMISSION**

Project Name QUEEN VICTORIA MARKET		
Drawing Name PROPOSED BASEMENT LEVELS - B3, B4		
Checked By NB	Drawn By MH	Scale @ A1 1 : 100
Project Number 170700	Drawing Number TP2-452	Revision 4

**MATERIALS LEGEND**

CB-01 FACE BRICK	GT-01 GLASS - CLEAR
CB-02 BRICK - BRISE SOLEIL	GT-02 GLASS - TINTED
CD-01 EXPOSED CONCRETE	GT-03 GLASS - TRANSLUCENT
CD-03 PERFORATED SCREEN - ANODISED ALUMINIUM	MA-01 RED BRICK - CUSTOM PATTERN
CD-04 PERFORATED CLADDING - GALVANISED STEEL	RF-01 METAL ROOFING
BH-01 GLASS BALUSTRADE	XP-01 PAVERS - BLUESTONE
FN-03 BLACK POWDERCOAT FINISH	XP-02 PAVERS - GRANITE
FN-04 PERFORATED ALUM - BLACK POWDERCOAT	XP-03 PAVING - RED BRICK
GA-01 STEEL GATE - BLACK POWDERCOAT FINISH	XP-04 PAVING - STONE (BRICK SIZE FORMAT)



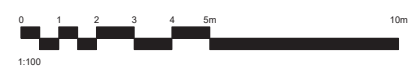
1 PROPOSED - EAST ELEVATION  
TP2-400 1 : 100



REAR VIEW FROM SHED H LOOKING WEST



VIEW UNDER SHED H LOOKING NORTH WEST TOWARDS THE MEAT & FISH HALL



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**MOTT MACDONALD**  
**trethowan**  
**Irwinconsult**

Revisions	Key Plan
7 AUG. 20 FOR HERITAGE VICTORIA RESPONSE	
6 13.12.19 PLANNING SUBMISSION	
5 08.12.19 PLANNING SUBMISSION	
4 05.12.19 PLANNING SUBMISSION	
3 25.11.19 PLANNING SUBMISSION DRAFT	
2 14.11.19 TP DRAFT FOR REVIEW	
1 08.11.19 TP DRAFT FOR REVIEW	
Rev Date Description	

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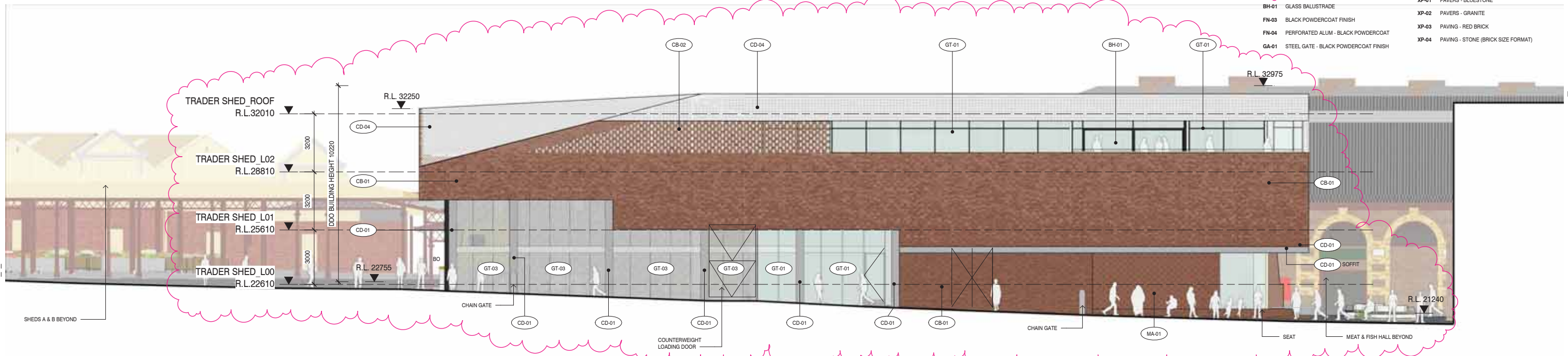
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**PLANNING SUBMISSION**

Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>PROPOSED ELEVATIONS - EAST</b>		
Checked By <b>NB</b>	Drawn By <b>TC</b>	Scale @ A1 <b>As indicated</b>
Project Number <b>170700</b>	Drawing Number <b>TP5-400</b>	Revision <b>7</b>



MATERIALS LEGEND			
CB-01	FACE BRICK	GT-01	GLASS - CLEAR
CB-02	BRICK - BRISE SOLEIL	GT-02	GLASS - TINTED
CD-01	EXPOSED CONCRETE	GT-03	GLASS - TRANSLUCENT
CD-03	PERFORATED SCREEN - ANODISED ALUMINIUM	MA-01	RED BRICK - CUSTOM PATTERN
CD-04	PERFORATED CLADDING - GALVANISED STEEL	RF-01	METAL ROOFING
BH-01	GLASS BALLUSTRADE	XP-01	PAVERS - BLUESTONE
FN-03	BLACK POWDERCOAT FINISH	XP-02	PAVERS - GRANITE
FN-04	PERFORATED ALUM - BLACK POWDERCOAT	XP-03	PAVING - RED BRICK
GA-01	STEEL GATE - BLACK POWDERCOAT FINISH	XP-04	PAVING - STONE (BRICK SIZE FORMAT)



1 PROPOSED - SOUTH ELEVATION  
TP2-400 1 : 100

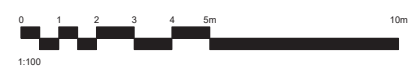


VIEW FROM QUEEN STREET LOOKING NORTH



VIEW LOOKING EAST BETWEEN SHED H

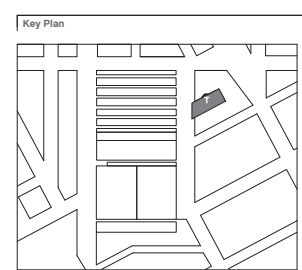
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**trethowan**  
**Irwinconsult**

Revisions	Rev	Date	Description
6	AUG. 20		FOR HERITAGE VICTORIA RESPONSE
5	13.12.19		PLANNING SUBMISSION
4	05.12.19		PLANNING SUBMISSION
3	25.11.19		PLANNING SUBMISSION DRAFT
2	14.11.19		TP DRAFT FOR REVIEW
1	08.11.19		TP DRAFT FOR REVIEW



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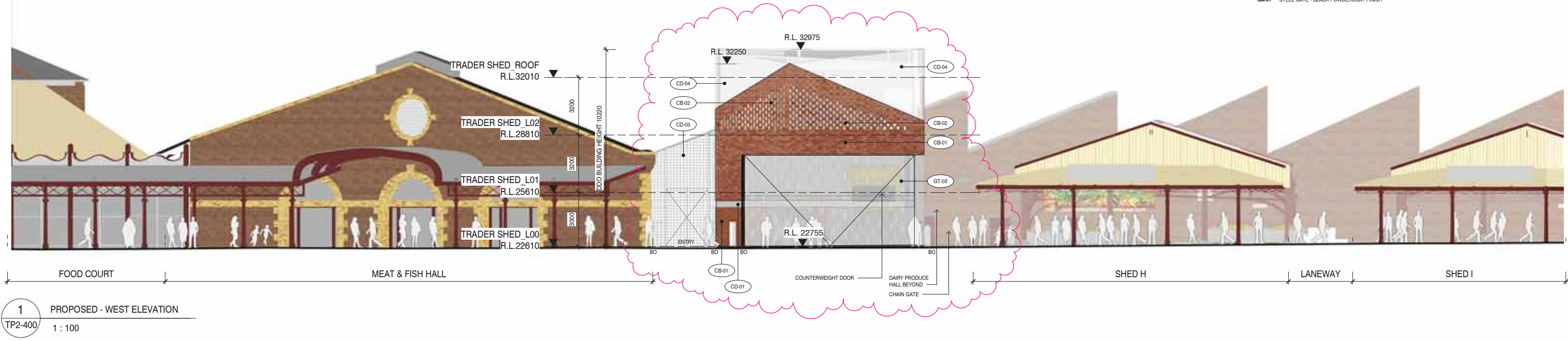
**PLANNING SUBMISSION**

Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>PROPOSED ELEVATIONS - SOUTH</b>		
Checked By <b>NB</b>	Drawn By <b>TC</b>	Scale @ A1 <b>As indicated</b>
Project Number <b>170700</b>	Drawing Number <b>TP5-402</b>	Revision <b>6</b>



MATERIALS LEGEND

- CB-01 FACE BRICK
- CB-02 BRICK - BRISE SOLEIL
- CD-01 EXPOSED CONCRETE
- CD-03 PERFORATED SCREEN - ANODISED ALUMINIUM
- CD-04 PERFORATED CLADDING - GALVANISED STEEL
- BH-01 GLASS BALUSTRADE
- FN-03 BLACK POWDERCOAT FINISH
- FN-04 PERFORATED ALUM - BLACK POWDERCOAT
- GA-01 STEEL GATE - BLACK POWDERCOAT FINISH
- GT-01 GLASS - CLEAR
- GT-02 GLASS - TINTED
- GT-03 GLASS - TRANSLUCENT
- MA-01 RED BRICK - CUSTOM PATTERN
- RF-01 METAL ROOFING
- XP-01 PAVERS - BLUESTONE
- XP-02 PAVERS - GRANITE
- XP-03 PAVING - RED BRICK
- XP-04 PAVING - STONE (BRICK SIZE FORMAT)



1 PROPOSED - WEST ELEVATION  
TP2-400 1 : 100

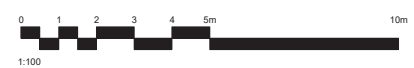


VIEW FROM QUEEN STREET LOOKING EAST



VIEW FROM QUEEN STREET LOOKING SOUTH

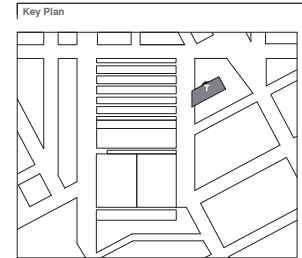
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**Irwinconsult**

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6	AUG. 20		FOR HERITAGE VICTORIA RESPONSE
5	06.12.19		PLANNING SUBMISSION
4	05.12.19		PLANNING SUBMISSION
3	25.11.19		PLANNING SUBMISSION DRAFT
2	14.11.19		TP DRAFT FOR REVIEW
1	08.11.19		TP DRAFT FOR REVIEW



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www.nharchitecture.net

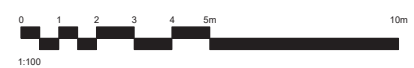
**PLANNING SUBMISSION**

Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>PROPOSED ELEVATIONS - WEST</b>		
Checked By <b>NB</b>	Drawn By <b>TC</b>	Scale @ A1 <b>As indicated</b>
Project Number <b>170700</b>	Drawing Number <b>TP5-403</b>	Revision <b>6</b>



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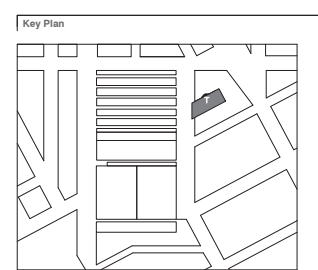
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**trethowan**  
**Irwinconsult**

Revisions	Rev	Date	Description
5	AUG. 20		FOR HERITAGE VICTORIA RESPONSE
4	05.12.19		PLANNING SUBMISSION
3	25.11.19		PLANNING SUBMISSION DRAFT
2	14.11.19		TP DRAFT FOR REVIEW
1	08.11.19		TP DRAFT FOR REVIEW

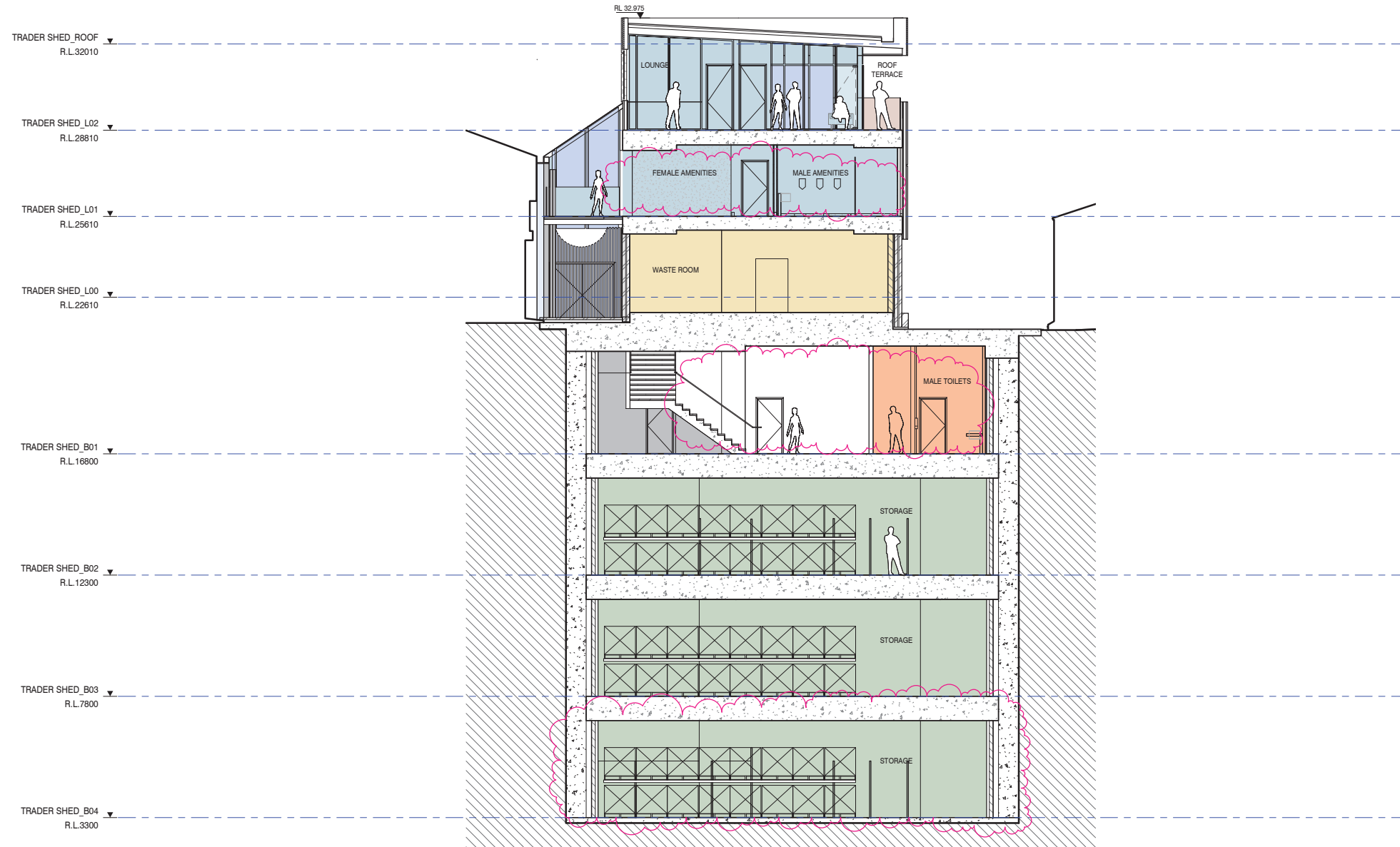


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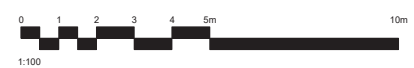
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Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>PROPOSED SECTION 1</b>		
Checked By <b>NB</b>	Drawn By <b>MH</b>	Scale @ A1 <b>1 : 100</b>
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1 PROPOSED SECTION 2  
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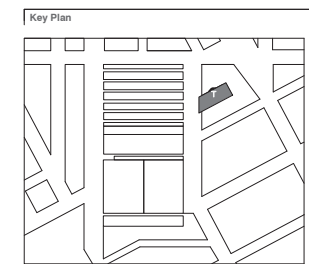
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**irwinconsult**

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3	AUG. 20	FOR HERITAGE VICTORIA RESPONSE
2	05.12.19	PLANNING SUBMISSION
1	25.11.19	PLANNING SUBMISSION DRAFT



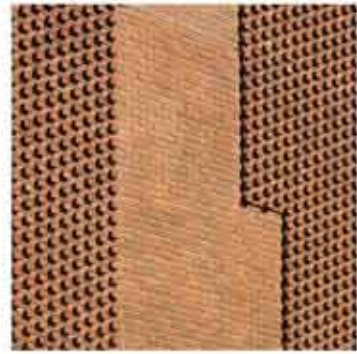
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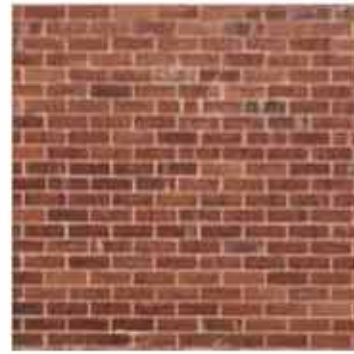
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Project Name <b>QUEEN VICTORIA MARKET</b>		
Drawing Name <b>PROPOSED SECTION 2</b>		
Checked By <b>NB</b>	Drawn By <b>TC</b>	Scale @ A1 <b>1 : 100</b>
Project Number <b>170700</b>	Drawing Number <b>TP6-401</b>	Revision <b>3</b>

EXTERNAL MATERIALS & FINISHES



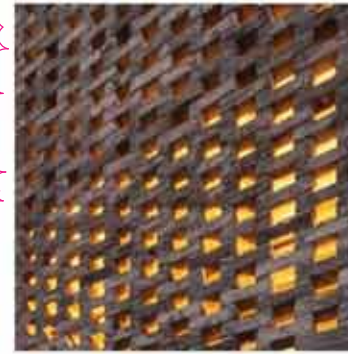
**MA-01**  
MASONRY  
CUSTOM RED BRICK WALL



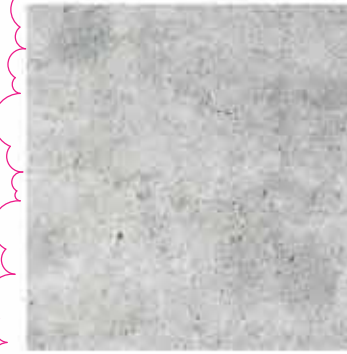
**CB-01**  
BRICK CLADDING  
FACE BRICK



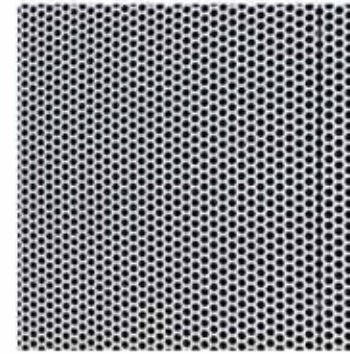
**BH-01**  
BALUSTRADE & HANDRAIL  
GLASS BALUSTRADE



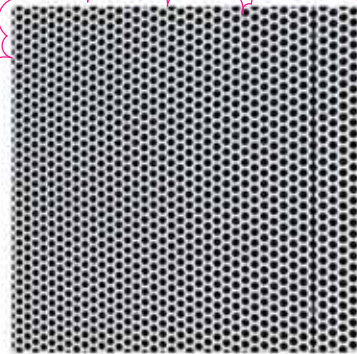
**CB-02**  
CLADDING  
BRICK BRISE SOLEIL



**CD-01**  
CLADDING  
EXPOSED CONCRETE



**CD-03**  
CLADDING  
ANODISED PERFORATED ALUMINIUM



**CD-04**  
CLADDING  
GALVANISED PERFORATED STEEL



**RF-01**  
ROOFING  
METAL ROOFING



**GT-01**  
GLASS TYPE  
GLASS - CLEAR



**GT-02**  
GLASS TYPE  
GLASS - TINTED



**GT-03**  
GLASS TYPE  
GLASS - TRANSLUCENT (OR POLYCARBONATE  
DEPENDING ON WEIGHT OF LOADING DOOR)



**XP-01**  
EXTERNAL PAVING  
BLUESTONE PAVERS



**XP-02**  
EXTERNAL PAVING  
STONE PAVERS



**XP-03**  
EXTERNAL PAVING  
RED BRICK PAVING



**XP-04**  
EXTERNAL PAVING  
STONE PAVING (BRICK SIZE FORMAT)



**FN-03**  
FINISH  
BLACK POWDERCOAT FINISH



**FN-04**  
FINISH  
PERFORATED ALUMINIUM - BLACK  
POWDERCOAT



**GA-01**  
GATE  
STEEL GATE - BLACK POWDERCOAT  
FINISH



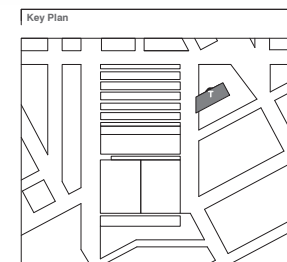
**PLANT: GROUND COVER**  
RUSCUS HYPOGLOSSUM (BUTCHER'S  
BROOM) GROUND COVER.

MATERIALS NOMINATED ARE INDICATIVE ONLY

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Consultant Team  
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**trethowan**  
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Revisions	Rev	Date	Description
	6	AUG. 20	FOR HERITAGE VICTORIA RESPONSE
	5	13.12.19	PLANNING SUBMISSION
	4	05.12.19	PLANNING SUBMISSION
	3	25.11.19	PLANNING SUBMISSION DRAFT
	2	14.11.19	TP DRAFT FOR REVIEW
	1	08.11.19	TP DRAFT FOR REVIEW



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**PLANNING SUBMISSION**  
 Project Name  
**QUEEN VICTORIA MARKET**  
 Drawing Name  
**PROPOSED EXTERNAL MATERIALS & FINISHES**  
 Checked By  
**NB**  
 Project Number  
**170700**  
 Drawn By  
**MH**  
 Drawing Number  
**TP9-450**  
 Scale @ A1  
 Revision  
**6**

**DELEGATED PLANNING APPLICATION REPORT**

<b>Application number:</b>	<b>TP-2020-89</b>
<b>Applicant:</b>	<b>Tract Consultants Pty Ltd on behalf of the City Of Melbourne</b>
<b>Owner:</b>	<b>City Of Melbourne</b>
<b>Architect</b>	<b>NH Architecture</b>
<b>Address:</b>	Queen Victoria Market, 16-94 Peel Street, MELBOURNE VIC 3000
<b>Proposal:</b>	Development of the new Trader Shed, including associated demolition, buildings and works and alteration of access to a road in a Road Zone - Category 1.
<b>Cost of works:</b>	\$22,000,000
<b>Date of application:</b>	5 February 2020
<b>Responsible officer:</b>	Ryan Cottrell, Senior Urban Planner

**1 SITE AND SURROUNDS****1.1 Subject Site**

This application relates to the land known as:

- Queen Victoria Market (**QVM / the Market**), 16-94 Peel Street, Melbourne (the **Site**), and/or;
- Queen Victoria Market (**QVM / the Market**), 65-159 Victoria Street, Melbourne (the **Site**), and/or;
- Formally referred to as Crown Allotment 1D Section A (the **Site**).

The Market is located on the northern periphery of the CBD, south-east of the intersection of Peel Street and Victoria Street, Melbourne (Figure 1).

The Market site is irregular and large with an approximate area of 81,879 square metres. The Site has street frontages to Peel Street, Victoria Street, Queen Street, Elizabeth Street, Therry Street, and Franklin Street.

Crown Allotment 1D has an area of 10,400 square metres and is bounded by Victoria Street to the north, Elizabeth Street to the east, Therry Street to the south and Queen Street to the west. The allotment contains Sheds G, H and I, the Meat and Fish Hall, Dairy Produce Hall, food court and Victoria and Elizabeth Street terraces (Figure 2).

This application relates specifically to the former G Shed which contains a loading and waste annex connected to the Meat & Fish Hall which was built in the late 1990s. The building is largely constructed of red brick and includes a pitched roof in keeping with the surrounding sheds and halls (Figure 3).

The former G Shed is not a heritage graded building.

The building includes delivery, loading and storage areas, as well as wash down areas and public amenities. The building also contains a plant deck on the roof.

The Site's Title Plan (TP 76247Y) does not contain any easements or restrictions relevant to this application.

The remaining areas of the Market are not subject to this application. The southern half of the Market contains a large car park that is predominately uncovered and the west section of the market contains large sheds where fruit, vegetables, and other goods are sold (Figure 2).

Vehicle access to the Site mainly occurs via a section of Queen Street that runs north / south through the Site.

The following parts of the Market have been afforded the following heritage categories in the City of Melbourne's Heritage Places Inventory February 2020 (Amended July 2020) Part A:

- Sheds A-F (Peel Street, North Melbourne): 'Significant' in a 'Significant' streetscape.
- 65-159 Victoria Street, North Melbourne: 'Significant' in a non-categorised streetscape.

The Site is included on the Victorian Heritage Register (**VHR**) (Reference Number H0734) and the National Heritage List (Place ID 106277).

The Site is identified as a place of potential Aboriginal Cultural Heritage Significance and the applicant has provided an approved Cultural Heritage Management Plan that correlates with this application.

Regarding the national heritage listing, an application has been made to DEE to satisfy the requirements of the *Environment Protection and Biodiversity Conservation Act 1999*.

**Figure 1 – Locality map**



Figure 2 – The Site, satellite view identifying the G shed (outlined in red)



Figure 3 – North-west corner of the G shed



## 1.2 Site Surrounds

The immediate surrounds form part of the Queen Victoria Market precinct, which comprises several retail and commercial properties.

The built form surrounding the Site varies with large scale towers to the south and lower scale development to the north (Figure 4).

The Market and surrounds is well serviced by public transport. It is approximately 500 metres from Flagstaff train station, 500m from Melbourne Central train station and 800 metres from the University of Melbourne (noting the location of the new Metro Station on Grattan Street). It also abuts the Queen Victoria Market / Elizabeth Street tram stop (tram numbers 19/57/59).

To the south east of this Market (within the Queen Victoria Market Precinct Renewal Area) is the Munro development which is currently under-construction. When completed, this development will comprise two buildings, one 38 storey and one 10 storey (Figure 5). These buildings will accommodate apartments, a community

centre, childcare centre, residential hotel, event spaces, and retail uses. The development includes 503 car parking spaces for Market customers.

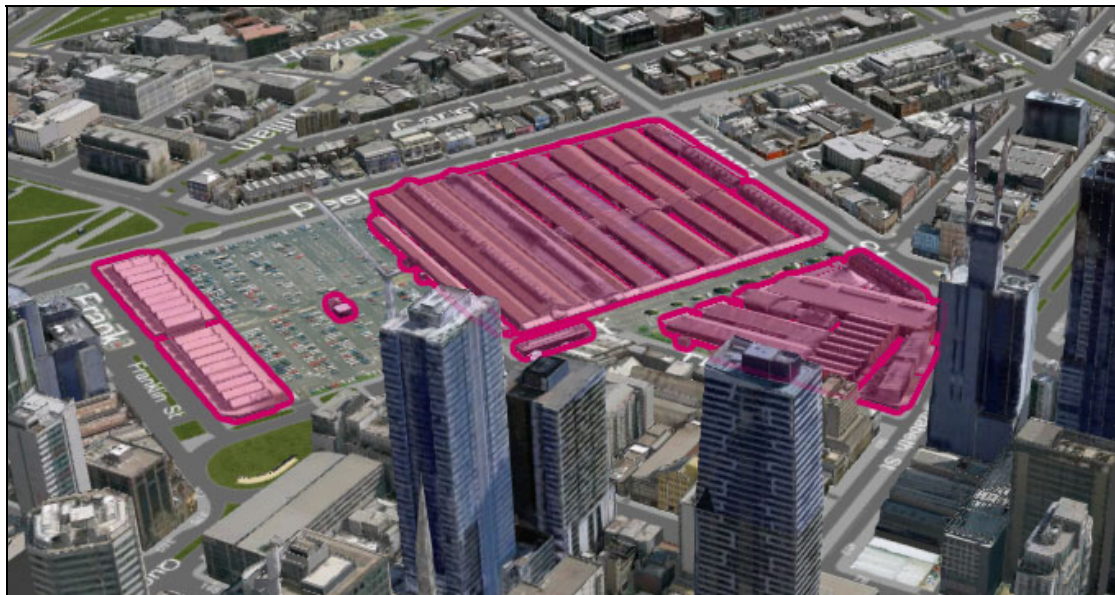
Directly abutting the former G Shed to the north is the Meat & Fish Hall, a one storey brick building built in 1869. Further to the north is Victoria Street, a two-way street with approximately 30 metre wide road reservation incorporating footpaths along both sides, parallel parking along the northern side and bus stopping areas along the southern side.

The Dairy Produce Hall lies to the east of the G Shed, with Elizabeth Street beyond, a two-way, north-south road reservation with footpaths along both sides.

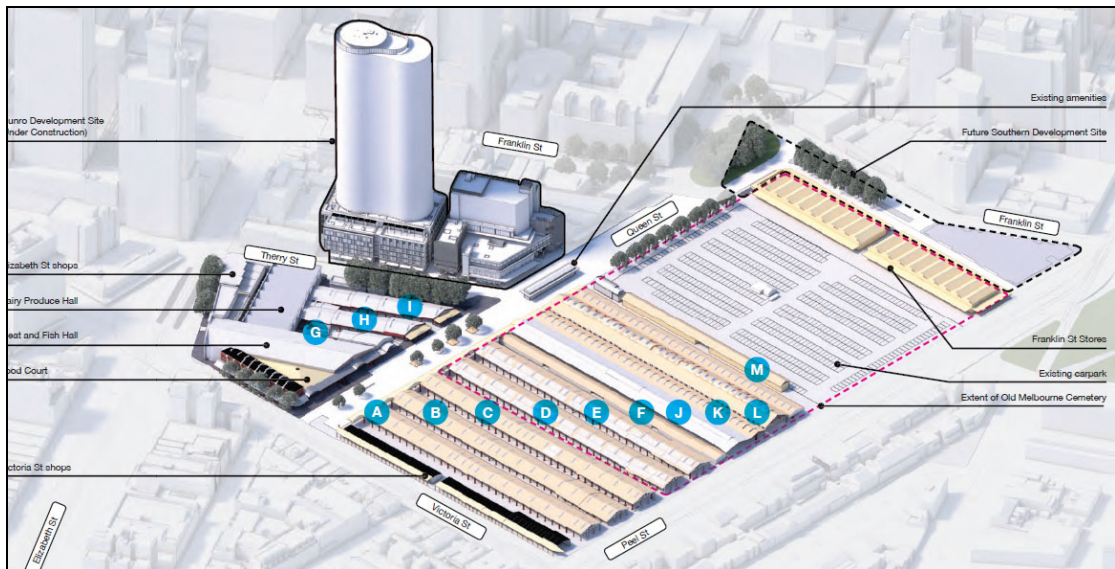
To the south of the G shed are additional Market sheds (Shed H and Shed I) and further south is Therry Street.

The existing land uses in the surrounding area are predominantly commercial in nature and include a variety of mixed-use market related activities, retail, food and drink premises, institutional uses and car parking.

**Figure 4 – 3D view of the surrounds (Looking north-west)**



**Figure 5 – Site and surrounds**





## 2 BACKGROUND AND HISTORY

### 2.1 Planning Application History

The following applications, listed as considered relevant to the current proposal, have previously been considered for the Site and surrounding sites (Table 1):

Table 1: Planning Application History			
Reference	Property Address	Description of Proposal	Decision & Date
PA-2019-356	Queen Victoria Market	Pre-application for QVM works.	Completed 31/07/2019
HV-2020-6 (Heritage Victoria Ref: P32629)	Queen Victoria Market	Installation of services within Sheds A, B, C, D, H and I, construction of a new centralised waste and recycling facility, installation of operable bollards, retractable gates and a new raised street edge to facilitate segregated loading, and associated landscaping and public realm works with Queen Street.	HV Permit issued: 03/12/2020
HV-2020-5 (Heritage Victoria Ref: P30767)	Queen Victoria Market	Demolition of the Meat Market Annex and toilet block building and construction of a new three-storey, plus four level basement building to be known as 'Trader Shed' and associated public realm upgrades.	HV Permit issued: 03/12/2020
TP-2020-101	Queen Victoria Market	Development of a northern shed, including associated demolition, buildings and works and alteration of access to a road in a Road Zone - Category 1.	Not determined.

Heritage Victoria permit P30767 is relevant. This permit considered the heritage aspects of this proposal given the Market is included in the Victorian Heritage Register.

Heritage Permit P30767 allows the following development:

*Demolition of the Meat Market Annex and toilet block building and construction of a new three-storey, plus four level basement building to be known as 'Trader Shed' and associated public realm upgrades.*

Throughout the application process for this application and the Heritage Victoria application (P30767), the applicant made changes to the proposal that responded to the comments prepared by Heritage Victoria in order to secure permit P30767.

These drawings are referenced and described at Section 3 of this report and will be referred to as the **Discussion Plans**.

Note this application has not been formally amended to include the design changes.

### 2.2 Planning Scheme Amendments

Upcoming Melbourne Planning Scheme Amendment C308 is of relevance as it seeks to refresh Design and Development Overlay Schedule 1 (DDO1) through

consolidating several Design and Development Overlays and bringing them into line with best practice.

Amendment C308 inserts stronger policy relating to high quality, pedestrian oriented built form with activated street frontages.

The Site is included in the Central City area affected by the proposed amendment and is not included in a Special Character Area which means there are no mandatory public interface requirements that would impact on the decision making process for this application.

## **2.3 Relevant Strategic Documents**

### **2.3.1 City North Structure Plan 2012**

This structure plan provides a framework to guide the renewal of City North and to fulfil the precinct's potential as an extension of the Central City. City North is described as displaying strong characteristics of a Central environment, with a diverse mix of uses, including well-established industrial, commercial, retail and residential uses alongside major health, education and research institutions. The structure plan notes that a large proportion of the area is underutilised and exhibits relatively low levels of activity. Principles include:

- Cultivate a vibrant and distinct precinct connected to the Central City.
- Create a liveable local neighbourhood.
- Strengthen the knowledge economies to cultivate prosperity and creativity.
- Retain the intimate precinct layered with charm.
- Integrate the area's heritage into urban renewal.
- Regenerate the area's public realm.
- Develop liveable dwellings that house a diverse and inclusive community.
- Create a connected and accessible place.
- Support a culturally and socially engaged community.
- Grow a city that prospers within the earth's ecological limit.

### **2.3.2 Queen Victoria Market Precinct Renewal Master Plan 2015**

The Queen Victoria Market Precinct Renewal Master Plan (the **Master Plan**) is a reference document under Clause 21.17 of the Melbourne Planning Scheme (MPS).

The Master Plan sets a broad vision for the market and contains the following strategic vision:

*The future vision for Queen Victoria Market is of a thriving and diverse market place that is loved by locals and a must see for tourists.*

The vision contains the following strategic directions:

- A market of markets. A place that supports and encourages sustainable market trading in all its varieties.
- A Melbourne experience. A place to experience Melbourne's local character, liveability and identity.
- A community meeting place. A place to meet and connect with the diverse and vibrant communities of Melbourne.

The Master Plan divides the Market into four quarters, each linked to the other by a market cross of public spaces with the heart of the precinct.

The proposed proposal relates to the Northern Shed which is in Quarter 2, with the structure itself being within the Market Cross area C2.

The priorities for Quarter 2 are:

- *Resolve conflicts between forklift and other service vehicles and public spaces.*
- *Improve access for delivery including off-street loading and breakdown areas, wash-down service and storage facilities.*
- *Improve trader facilities including showers, toilets, breakout spaces and storage.*
- *Improve waste management facilities with a focus on organic waste.*
- *Develop sustainable infrastructure.*
- *Allow for servicing but minimise the presence of vehicles during public access hours.*
- *Provide dedicated back-of-house facilities for this quarter.*
- *Provide accessible public amenities for the quarter.*

The priorities for Market Cross area C2 are:

- *Enhance as a public space for casual use with opportunities to gather, eat and relax.*
- *Accommodate temporary market stalls and programmed events.*
- *Remove parking and vehicular traffic.*
- *Separate service vehicle operation from public activity.*
- *Increase shade and public seating.*

### **2.3.3 QVM Peoples Panel Report 2018**

The CoM established a 40 person Peoples Panel for the QVM in August 2018 that would represent traders, customers, residents and stakeholders to deliberate on the future of the QVM and to represent the QVM with a range of voices to inform future recommendations to the Council.

The Panel's mandate was to consider options to address the Market's ageing infrastructure, operational requirements, trader's needs and car parking.

The Panel formed the following key principles (and objectives) relating to the above:

- Ensure a sustainable economic future for the QVM.
  - Ensure market infrastructure provides the QVM management and traders with the opportunity to grow the market, diversify the offer and free up more space for new traders and events.
- Deliver the QVM Pty Ltd operating requirements.
  - Deliver infrastructure essential to improve operating efficiency for the market as set out in the attached summary. This includes back-of-house trader and operator storage, loading requirement, basic services, amenities, cleaning and waste management, and security.
- Provide a safe and secure environment for all users of the QVM.
  - Ensure QVM is a safe place for customers, traders and visitors, through the provision of infrastructure that complies with best practice

workplace health and safety and food safety, and that minimises risk at the site from security incidents.

- Minimise disturbance to former Old Melbourne Cemetery.
  - Avoid impacts to human remains within the boundary of the Old Melbourne Cemetery, and if sub-surface works are required, keep disturbance to a minimum.
- Protection of Aboriginal cultural values and sites.
  - Ensure that the market infrastructure provision protects and recognises Aboriginal cultural sites at the market precinct.
- Minimise impact to the historic, architectural and aesthetic significance of the market.
  - Ensure that market infrastructure minimises impacts to the historical, architectural and aesthetic values of the site.

### 3 PROPOSAL

#### 3.1 Plans / Reports considered in assessment

This application has been lodged on behalf of the City of Melbourne for development within the Queen Victoria Market. The plans which have been considered in this assessment are identified in Table 2 below:

<b>Table 2: Plans / Reports considered in assessment</b>		
<b>Plan / Report Title</b>	<b>Drawing/ Report No.</b>	<b>Date Stamped / dated</b>
Metropolitan Planning Levy (MPL)	MPLCERT14651.	01/03/2020
Copy of Title	Volume 10315, Folio 173.	05/02/2020
Cultural Heritage Management Plan - <b>Notice of approval</b>	Signed by Harry Webby, Director Heritage Services Aboriginal Victoria	12/05/2020
Cultural Heritage Management Plan	Extent Heritage Advisors	29/04/2020
Planning Report	Tract Consultants Pty Ltd.	13/01/2020
Design Context Report	NH Architecture	12/2019
Development Plans (NH Architecture)	Drawing No: TP0-040, TP0-400, TP1-400, TP1-500, TP1-520, TP1-521, TP2-400, TP2-401, TP2-451, TP2-452, TP5-400, TP5-401, TP5-402, TP5-403, TP6-400, TP6-401, and TP9-450.	18/12/19
Plans prepared in response to Heritage Victoria's requirements (NH Architecture)(Discussion Plans)	Drawing No: TP0-040, TP0-400, TP1-400, TP1-500, TP1-520, TP1-521, TP2-400, TP2-401, TP2-451, TP2-452, TP5-400, TP5-401, TP5-402, TP5-403, TP6-400, TP6-401, and TP9-450.	Aug/2020

Environmentally Sustainable Design (ESD) report.	Mott MacDonald	19/12/2019
Waste Management Plan	IrwinConsult	18/12/2020
Traffic Impact Assessment	Mott MacDonald	19/12/2019
Safety and Logistics Management Report	Cardno	03/12/2019
Water Sensitive Urban Design (stormwater management) report	Mott MacDonald	19/12/2019

### 3.2 Summary of proposed development

The proposal, as shown on the plans referenced in Table 2 above, seeks planning approval for demolition, buildings and works, and alteration to access to a road in a Road Zone, Category 1.

Specifically, the proposal involves the demolition of the current loading dock (former G Shed) and public amenities, and replacement with a new building; the 'Trader Shed'. The building presents as two storeys to Queen Street, with three levels of basement below and will provide trader amenities and storage areas for the Queen Victoria Market.

The proposal will provide for storage, servicing and utilities infrastructure that will assist in the operation and function of the Market, while also providing trader amenities including bathrooms, showers and communal facilities and new public amenities.

The specific details include:

- Demolition of the G shed.
- Construction of a new building. The building program is as follows:
  - The basement levels: Open plan with high ceiling heights, centralised cores with space for storage, sorting areas, and logistic facilities. Access to the basement will be provided via two large goods lifts within the ground floor loading and logistics room.
  - Ground Floor: A large internal loading dock with lay down and sorting areas, waste processing space and public amenities. This area will contain retractable gates to prevent pedestrian access to the area during loading times.
  - First Floor: Toilets, individual shower / change rooms and a locker and social space for traders. It will also include a new centralised Plant which is located over the loading dock. This plant provides upgraded services for the Meat & Fish Hall, Dairy Produce Hall, Market Sheds and Trader Shed itself, replacing the exposed plant deck located on top of the current public amenities block.
  - Second Floor: This floor will relocate the existing Trader Lounge from across Victoria Street into a central location in the market. This space is for the Market traders to relax as well as provide for larger trader meetings and events.
- Carry out public realm upgrades to the rear of the building at the Construct a central raised garden bed with integrated seating.

- Materials and colours include perforated aluminium screening, red brick, galvanised steel cladding, mirror finish aluminium cladding, black steel gates, red and granite paving, and a range of clear, tinted, and red glass.

### 3.3 Detailed Information

The following detailed information is relevant (Table 3):

Table 3: Detailed information	
<b>Built Form</b>	
Number of storeys	3
Maximum Building Height	10.22 metres
Number of basement levels	3
<b>Traffic</b>	
Car parking spaces	0
Bicycle spaces	0
Motorcycle spaces	0

### 3.4 Key Excerpts from Development Plans

Excerpts from the development plans are found at Figures 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18.

Figure 6 - Proposed demolition plans (Ground level and roof)

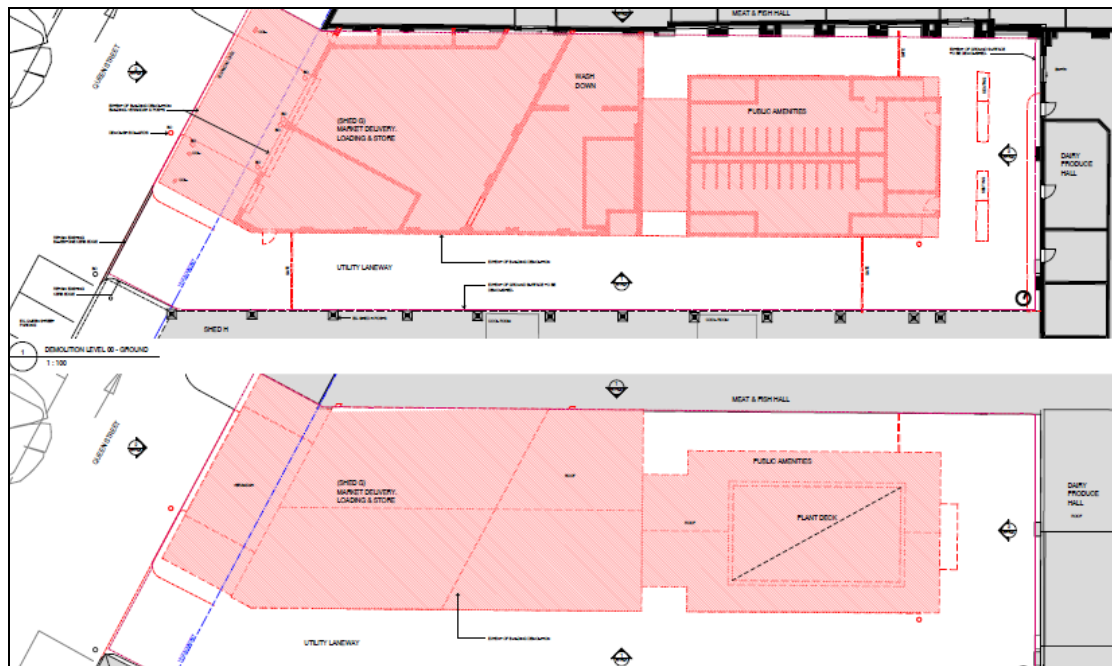


Figure 7 - Proposed Ground Level plan

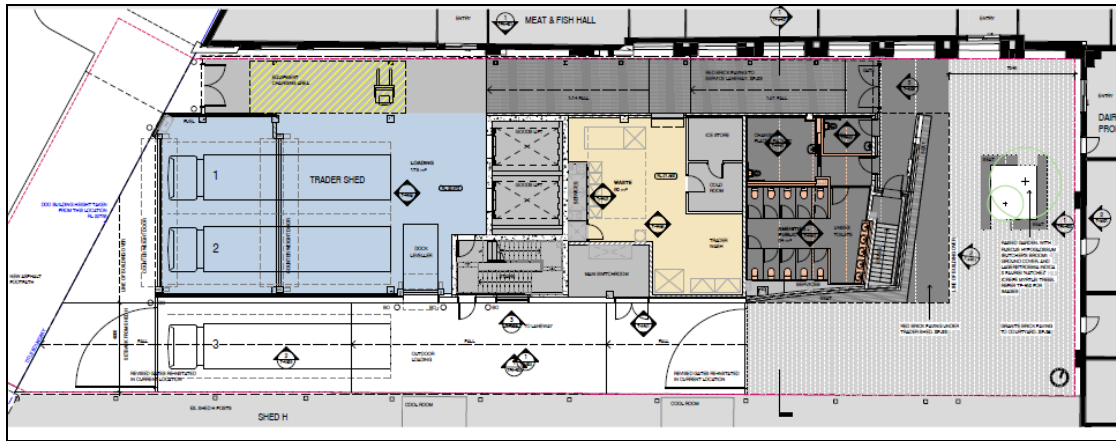


Figure 8 - Proposed Level 01 plan

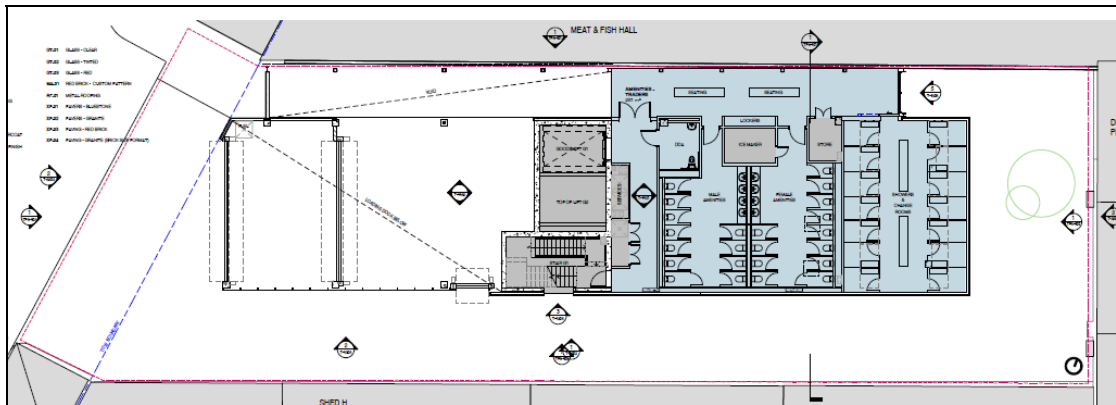


Figure 9 - Proposed Level 02 Plan

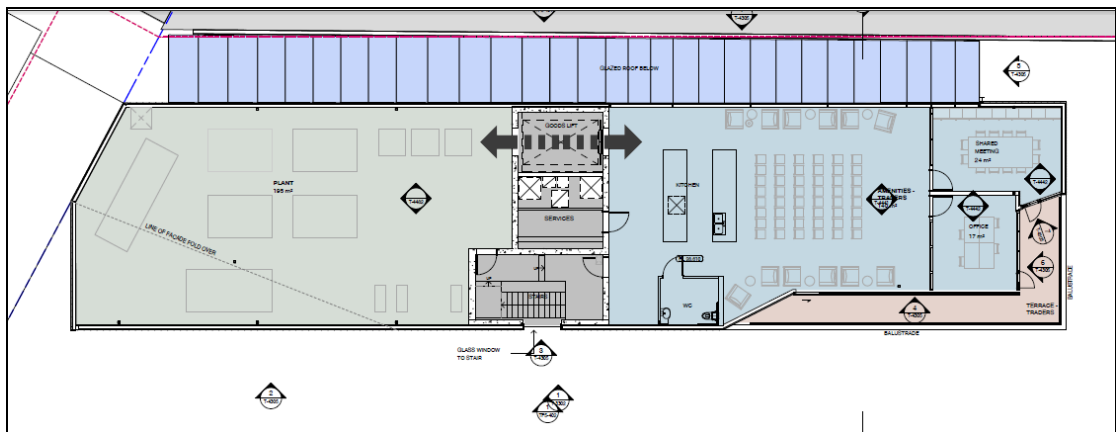


Figure 10 – Proposed roof plan

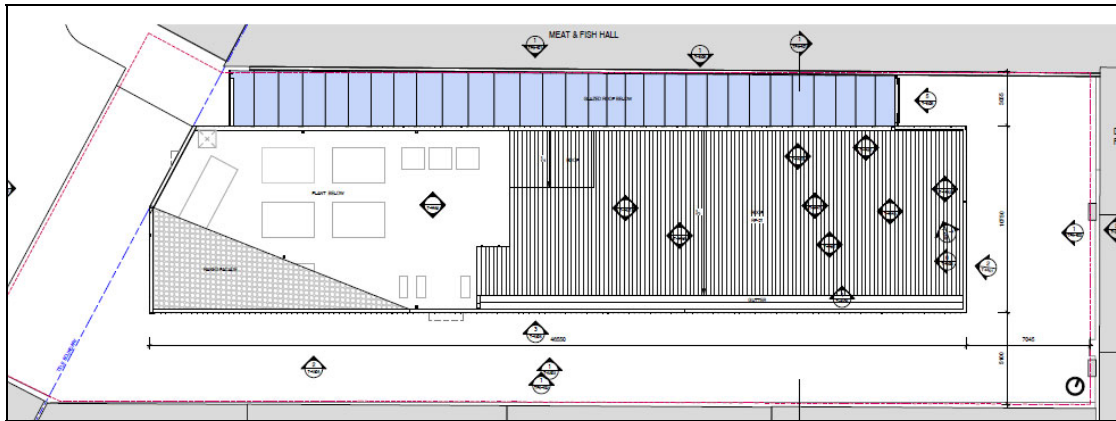


Figure 11 – Proposed Basement Level 01

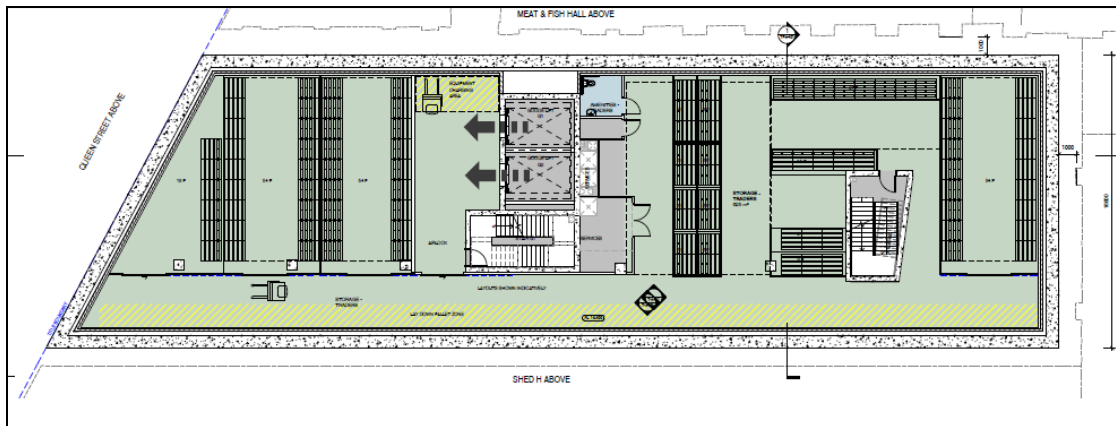


Figure 12 – Proposed Basement Level 02 and 03

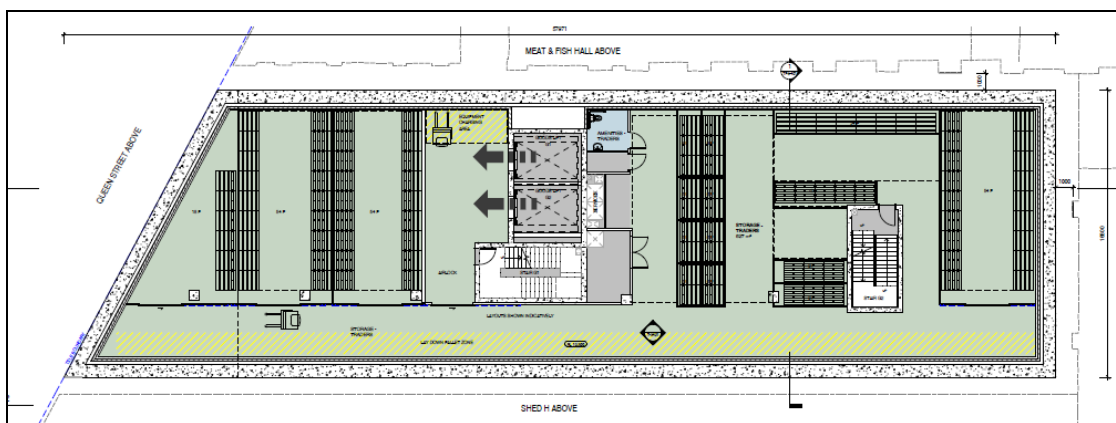




Figure 13 – Proposed east elevation

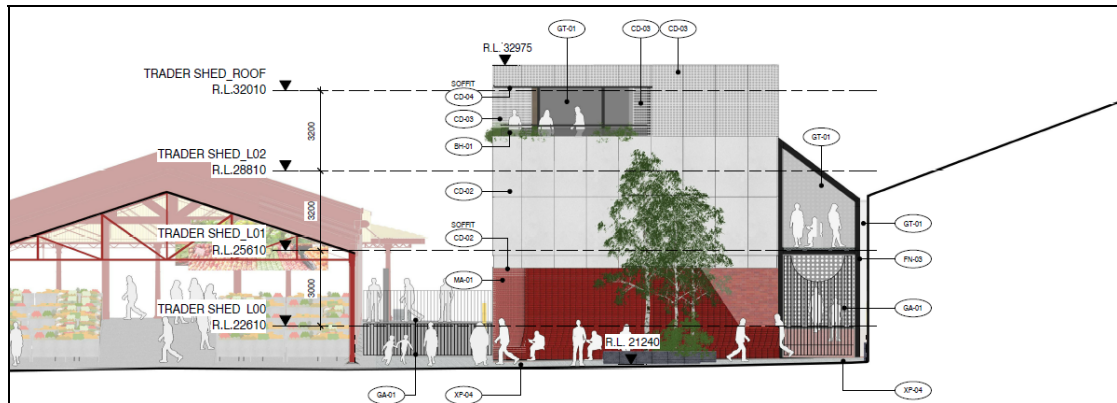


Figure 14 – Proposed north elevation



Figure 15 – Proposed south elevation

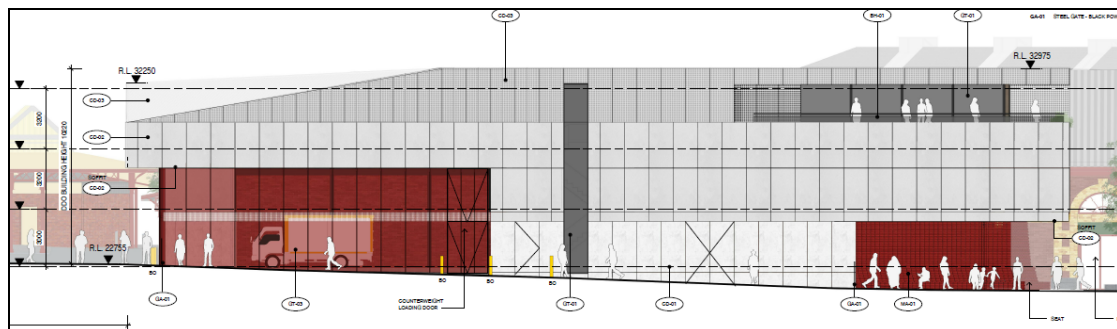


Figure 16 – Proposed west elevation

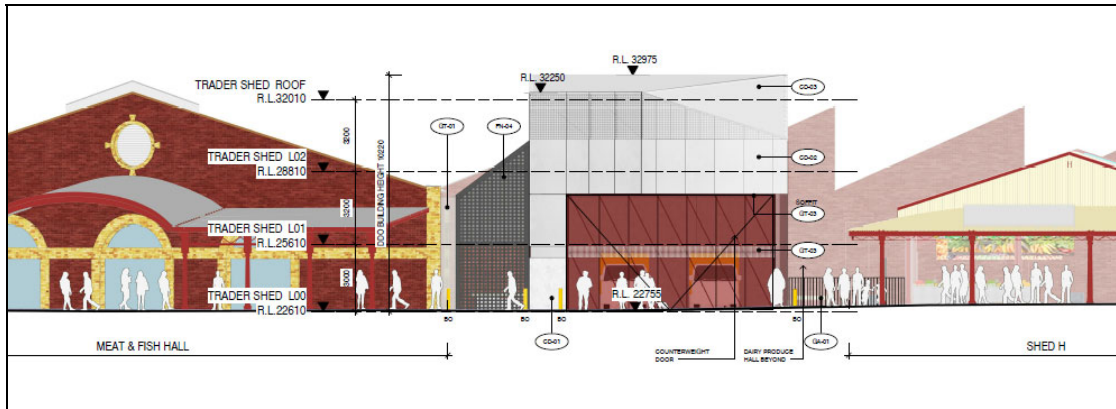


Figure 17 – 3D render (looking west)



Figure 18 – 3D render (looking east from Queen Street)



### 3.5 Summary of informal changes resulting from HV Permit P32659

Heritage Victoria were not supportive of the materials and design of the proposal as detailed above. In consultation with the application, Heritage Victoria has resolved to issue Heritage Permit P30767 based on the changes described below as shown in the plans prepared by NH Architecture, dated August 2020. These drawings will be referred to as the **Discussion Plans**.

The changes include:

- Insert an additional level of basement.
- Relocate part of the roof plant to Basement Level 03.
- Increasing the number public toilets at Ground Level and Basement Level 01. They will no longer be unisex.
- Reshaping the building's form and scale to Queen Street via a gable end roof with heights being relative to the adjacent sheds. The maximum height is not increasing or decreasing (remaining at 10.22 metres).
- Replacement of galvanised street and aluminium panel to face brick.
- Reduction in perforated aluminium and change to perforated galvanised steel to the upper rear parapet and plant enclosure.
- Change red translucent façade elements to clear and opaque panelling.
- Inclusion of concrete and galvanised steel lintels.
- Replace the existing gates with two sets of drop chain bollard system at either end of the southern laneway.

### 3.6 Plans supported by Heritage Victoria

The following excerpts from the plans referenced in Heritage Victoria's permit P30767 are shown at Figures 19, 20, 21, 22, 23, 24, 25, and 26.

**Figure 19 – Additional level: Basement Level 01**

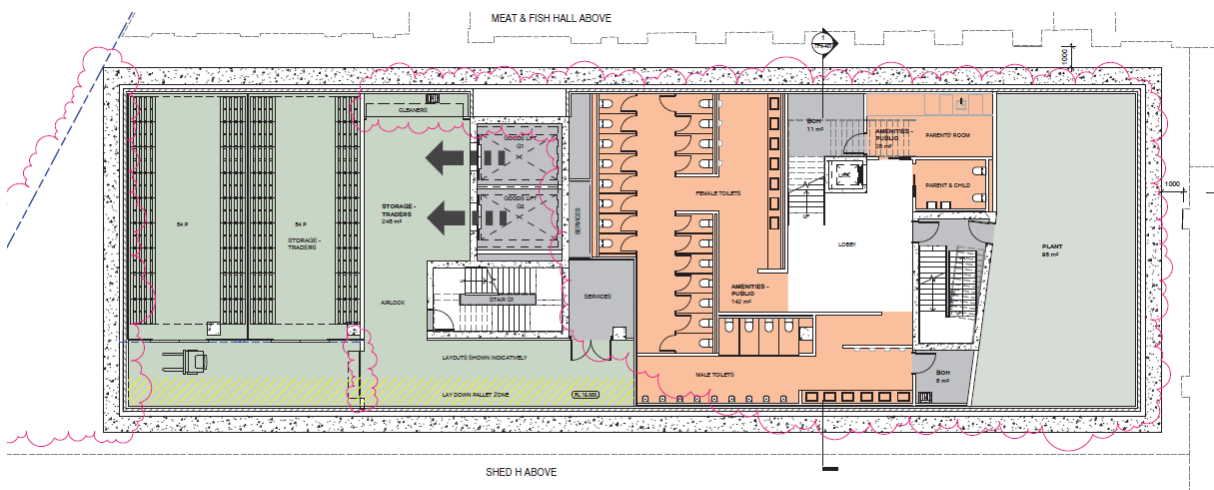


Figure 20 – Roof plan showing gable roof form adjacent to Queen Street and roof plant

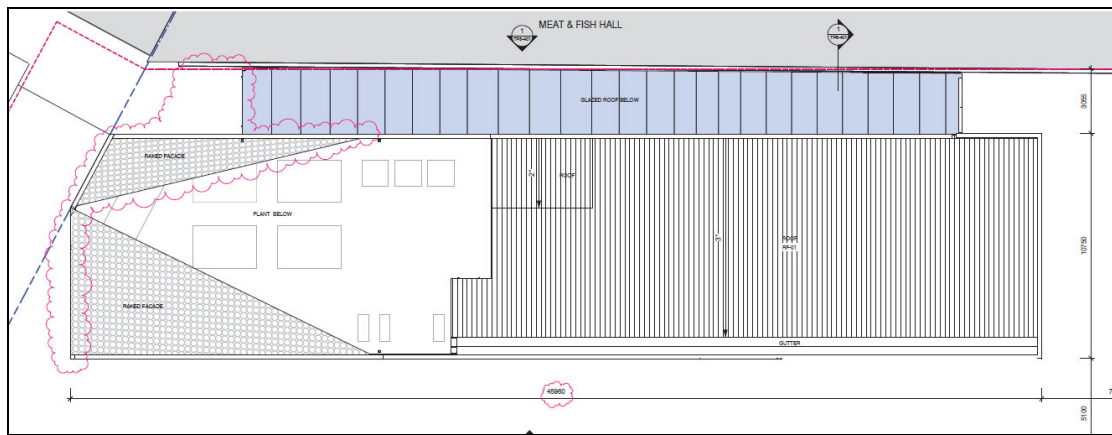


Figure 21 – Amended east elevation, now showing brick

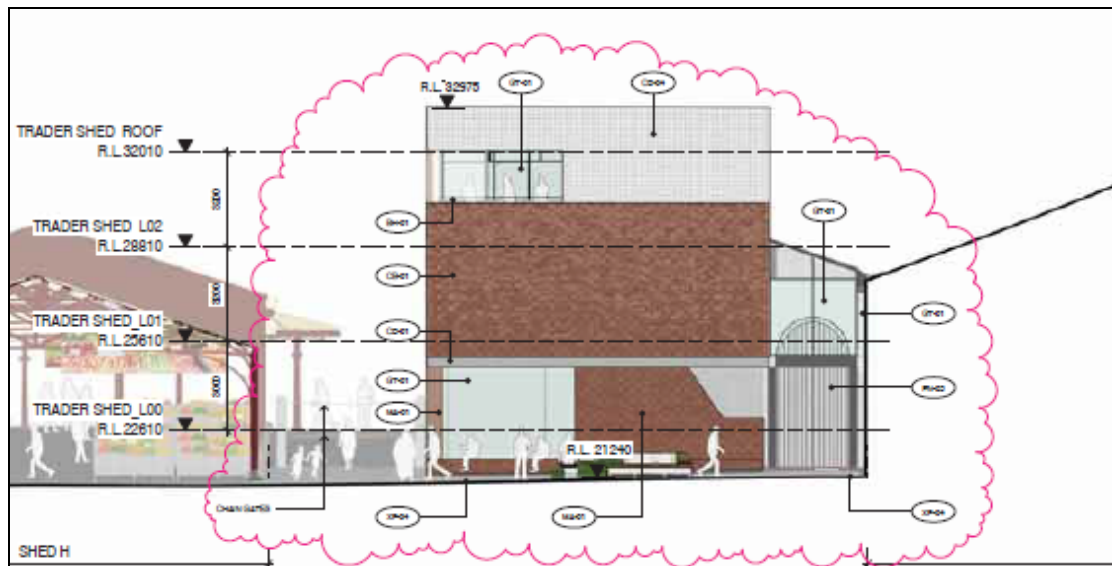


Figure 22 – Amended north elevation showing brick and gable roof form



Figure 23 – Amended south elevation showing brick and gable roof form

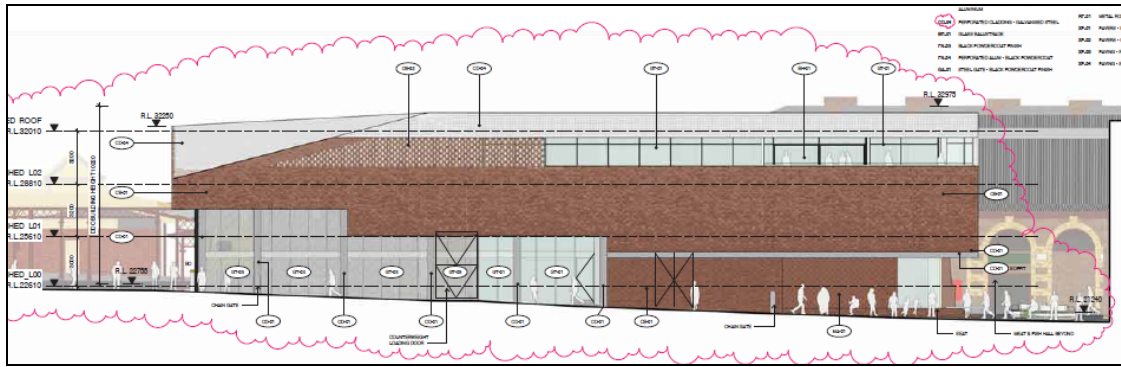


Figure 24 – Amended west elevation now showing brick and gable roof form

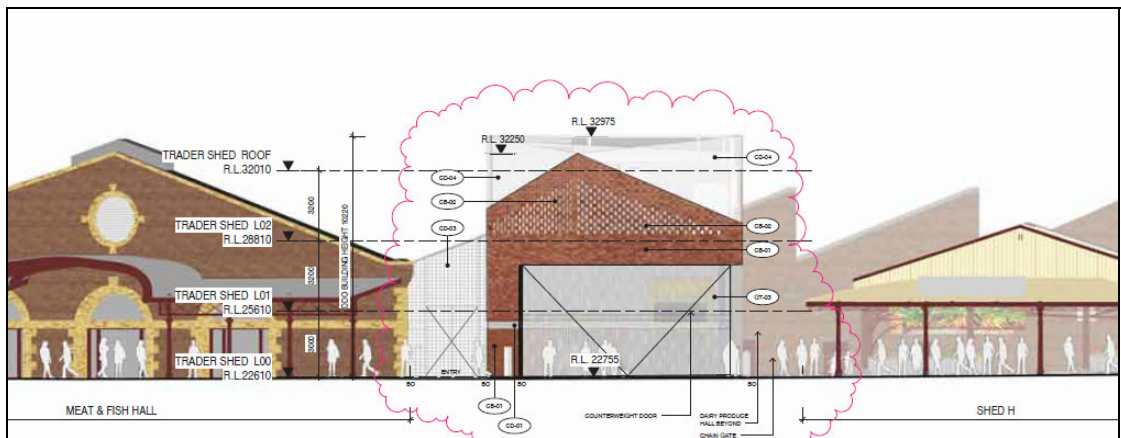


Figure 25 – 3D render (looking west)



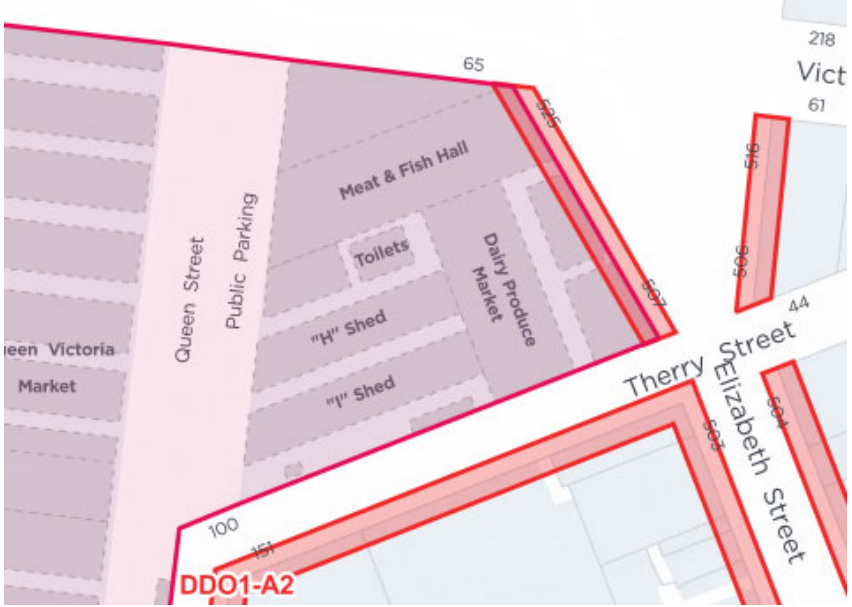

Figure 26 – 3D render (looking east from Queen Street)



#### 4 STATUTORY CONTROLS

The following provisions of the Melbourne Planning Scheme apply (Table 4):

Table 4: Statutory Controls	
Clause	Permit Trigger
Clause 37.04 Capital City Zone Schedule 1	<p>Pursuant to Clause 37.04, Schedule 1, a Retail Premises, which includes a Market, is a Section 1 use; therefore, a permit is not required for the use.</p> <p>Pursuant to Clause 37.04-4, a planning permit is required to:</p> <ul style="list-style-type: none"> <li>▪ Construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.</li> <li>▪ Demolish or remove a building or works if specified in the schedule to this zone.</li> </ul> <p>Pursuant to Clause 3.0 of Clause 37.04, Schedule 1, a <b><u>permit is required</u></b> to construct a building and to carry out works.</p> <p>Pursuant to Clause 3.0 of Clause 37.04, Schedule 1, the following elements of the proposal do not require a permit:</p> <ul style="list-style-type: none"> <li>▪ Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne.</li> <li>▪ Street furniture.</li> </ul> <p>Pursuant to Clause 4.0 of Clause 37.04, Schedule 1, a <b><u>permit and prior approval for the redevelopment of the site are required</u></b> to demolish or remove a building or works (this applies to the works to remove the existing bitumen).</p>
Clause 43.01 Heritage Overlay Schedule 7 (Queen Victoria Market Precinct)	<p>Pursuant to Clause 43.01-3, no permit is required under this overlay to develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</p> <p>The Site is listed in the Victorian Heritage Register (VHR) under reference number H0734; as such, no permit is required.</p>

<p>Schedule 496 (Queen Victoria Market, 65-159 Victoria Street, West Melbourne)</p>	
<p>Clause 43.02 Design and Development Overlay Schedule 1</p>	<p>In this instance, DDO1 only affected the Site along the Elizabeth Street frontage of the Site. A permit is not required.</p> 
<p>Clause 43.02 Design and Development Overlay Schedule 4</p>	<p>In this instance, DDO4 only applies to the Elizabeth Street frontage of the Site. A permit is not required.</p> 
<p>Clause 43.02 Design and Development Overlay Schedule 14 –</p>	<p>Pursuant to Clause 43.02-2, a planning permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.</p> <p>Schedule 14 to Clause 43.02 does not provide any permit exemptions; therefore, a <b>permit is required</b>.</p> <p>Clause 2.0 of Clause 43.02, Schedule 14 states that buildings and works</p>

Area 16	<p>should not exceed the Maximum Building Height specified in the table to this schedule.</p> <p>Area 16 of Schedule 14 to Clause 43.02 stipulates a maximum building height of 7 metres.</p> <p>Clause 2.0 of Clause 43.02, Schedule 14 also states that an application to exceed the Maximum Building Height must demonstrate how the development will continue to achieve the Design Objectives and Built Form Outcomes of this schedule and any local planning policy requirements.</p>
<p>Clause 45.09 Parking Overlay Schedule 1</p>	<p>Clause 45.09, Schedule 1 provides maximum rates for dwellings and uses other than dwellings.</p> <p>Pursuant to Clause 2.0, a permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.</p> <p>The application does not seek to insert car parking; therefore, a permit is not required.</p>
<p>Clause 52.34 Bicycle Facilities</p>	<p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</p> <p>Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.</p> <p>Pursuant to Table 1 of Clause 52.34-5, bicycle parking is only required when the number of stalls is being increased. This application seeks to introduce new waste and loading floor area for the market; therefore, bicycle parking is not required.</p> <p>Bicycle facilities are not required and a permit is not required.</p>
<p>Clause 52.29 Land Adjacent to a Road Zone Category 1, or a Public Acquisition Overlay for a Category 1 Road</p>	<p>Pursuant to Clause 52.29-2, a <b>permit is required</b> to create or alter access to a road in a Road Zone, Category 1.</p> <p>The proposal seeks to modified loading and trader facilities for the Market which is adjacent to Victoria Street which is a Road Zone, Category One. The proposed changes are likely to result in traffic movements to and from the Site which are considered to be altering access to the Road Zone, Category 1.</p>

## 5 STRATEGIC FRAMEWORK

### Planning Policy Framework (PPF)

- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 17 – Economic Development.
- Clause 19 – Infrastructure.

### Local Planning Policy Framework (LPPF)

#### Municipal Strategic Statement (MSS)

- Clause 21.02 – Municipal Profile
- Clause 21.02-4 – Creative City Of Melbourne
- Clause 21.05-5 – Prosperous City Of Melbourne



- Clause 21.03 – Vision
- Clause 21.06 – Built Environment and Heritage
- Clause 21.11 – Local Areas
- Clause 21.12 – Hoddle Grid.

#### **Local Policies**

- Clause 22.01 – Urban Design within the Capital City Zone
- Clause 22.07 – Advertising Signs
- Clause 22.19 – Energy, Water and Waste Efficiency
- Clause 22.23 – Stormwater Management (Water Sensitive Urban Design).

#### **Particular provisions**

- Clause 52.05 – Signs
- Clause 52.06 – Car Parking
- Clause 52.29 – Land Adjacent to a Road Zone Category 1, or a Public Acquisition Overlay for a Category 1 Road.

#### **General Provisions**

- Clause 65 - Decision Guidelines
- Clause 67 - Applications under Section 96 of the Act.

#### **Operational Provisions**

- Clause 73 - Meaning or Terms.

## **6 PUBLIC NOTIFICATION**

This application is exempt from notice and review, with both the Capital City Zone, Schedule 1 (Clause 3) and Design and Development Overlay, Schedule 14 (Clause 3) stating:

*An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review of rights of Section 82(1) of the Act.*

Pursuant to Clause 67.02 of the Melbourne Planning Scheme, where an application is made under Section 96 of the *Planning and Environment Act 1987* (application where land is owned or a permit is required by Responsible Authorities), notice must be given in accordance with Section 52(1)(c) of the Act to:

- The owner 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 was given in accordance with Section 52(1)(c) of the *Planning and Environment Act 1987*.

The changes as shown in the Discussion Plans do not significantly alter the proposal as they generally relate to material changes, the design of the roof at Queen Street, and an additional basement level.

In this instance it was determined that re-advertising the application was not required as the reductions would not result in further material detriment.

## 7 OBJECTIONS AND SUPPORT

A total of seven letters of support for the application were received. They included the following comments (summarised):

- The upgrades will prevent further decline of the Market.
- Upgrades and more facilities are welcomed.
- The works will improve efficiency.
- The proposed infrastructure will ensure the ongoing success of the Market.
- Improved safety.
- Improve sustainability and cleanliness.

A total of 89 objections were received in response to the application. The issues raised are summarised below (Table 5):

<b>Table 5: Summary of Objections</b>	
<b>Subject</b>	<b>Specific issues</b>
Heritage	<ul style="list-style-type: none"> <li>▪ Damage to historic use.</li> <li>▪ Damage to cultural heritage.</li> <li>▪ Heritage impacts.</li> <li>▪ The market should be preserved.</li> </ul>
Built form	<ul style="list-style-type: none"> <li>▪ The design is not in keeping with the market character.</li> <li>▪ Scale not respectful.</li> <li>▪ Loss of gritty market feel.</li> <li>▪ Contemporary shopping centre style approach should not be supported.</li> <li>▪ Height exceeds DDO14.</li> <li>▪ Loss of public toilets.</li> <li>▪ Proposal not consistent with the purpose of CCZ1.</li> </ul>
Traffic	<ul style="list-style-type: none"> <li>▪ Impacts to foot traffic.</li> <li>▪ Closure of Queen Street to cars will hinder traffic and loading.</li> <li>▪ OHS risks not supported by previous incidents.</li> <li>▪ There is no history of safety issues at the market.</li> <li>▪ The planned changes to the delivery operations do not resolve logistics issues.</li> <li>▪ Loss of car parking.</li> <li>▪ Trader parking.</li> </ul>
Other	<ul style="list-style-type: none"> <li>▪ Traders don't need storage.</li> <li>▪ There are other less costly solutions to the health, safety and compliance issues.</li> <li>▪ There is no economic justification.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Adjourn the application until Covid-19 ends.</li> <li>▪ CoM has limited community engagement.</li> <li>▪ Restrictions to hours and movement of traders.</li> <li>▪ The proposal will create greater overheads and increase trader's rent.</li> <li>▪ The two applications shouldn't have been lodged separately.</li> <li>▪ Disruption to market operation during construction.</li> <li>▪ No need for trader facilities.</li> <li>▪ Need more public toilets.</li> <li>▪ There should not be unisex toilets.</li> <li>▪ Not enough loading areas.</li> </ul>
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The above objections are addressed throughout the assessment of the application at Section 10 of this report.

## 8 INTERNAL REFERRALS

This application contained a Market wide approach when preparing supporting documents which a separate planning permit application (TP-2020-101) also relies on. The following internal referrals were undertaken:

### 8.1 Urban Design

The application was referred to the City of Melbourne's Urban Design. They provided the following comments (summarised) and recommendations:

#### Comments (summarised)

- The relocation of the loading area is more centralised and has been considered without compromising the efficiency of logistics.
- The design response appears impermeable and dominant in the public realm, particularly at Queen Street.
- The current context holds a strong set of rooflines that determine the scale and urban grain of the precinct. The heritage quality of the environment is an important aspect of the experience of the market.
- The proposal is strongly driven by functionality and considered to be out of scale in its surroundings.
- The scale of the building is related to the actual massing of the volume but also the façade concept, interface with the public realm and activation. A more contextual scale and roof form should be considered, as well as a higher level of activation to the public realm at Queen Street at the upper floors.
- Orientating the balcony and trader lounge facilities towards Queen Street would provide a better design outcome for the traders and for the activation of Queen Street.
- Internal rearrangement of the plant services could allow for reduced building heights towards the Dairy Produce Hall (to the east).

- A finer grain façade concept would be more appropriate in providing a sensitive response to the primarily heritage context, as well as a better sense of human scale to Queen Street.
- The building facade needs to reflect an improved relationship to heritage context with a softer interface than is currently suggested. Brick is preferred.
- The steel and aluminium material is considered to be less appropriate as the dominant material of the façade, given the heritage context.
- A specific issue for the north elevation is the spatial relationship of the new trader shed with the meat and fish hall. The gap between old and new structure has been designed to incorporate a structure that does not appear to respond to the intricate brick façade of the heritage hall.
- The glass framework with strong black shapes in the gaps space between old hall and new shed also obscures the wall qualities of the hall and is not supported.
- The rear of the building currently has public amenities and they are incorporated in this proposal with an undercroft space, potentially giving more volume to the small courtyard space.
- Given the courtyard space is at the rear of the building without any activation proposed, we have concern this space is potentially unsafe and unattractive, especially outside of trading hours.
- We prefer the building to define a clear edge to the courtyard space with clearly visible and safe access to the public amenities, without the undercroft. Seating on the edge of the building could be a positive addition.
- Given the rear of the trader shed courtyard is mostly a circulating and connection space we prefer the large planter to be replaced by tree(s) with flush tree covers, designed in line with the future landscape plan of Queen Street. This could include seating.

### **Recommendations**

Urban Design provided the following recommendations:

- Reconsider the plant space at the upper level in the Queen Street frontage to the rear of the building and replace this with the traders lounge, providing activation and surveillance of the street space.
- Remove the undercroft at the rear of the building and create a more clear building edge definition to the courtyard space at the Dairy Produce Hall.
- Reconsider materiality of the shed and incorporate a more transitional approach to the surrounding heritage structures by incorporating more brick material.
- Redesign the glass corridor to be more respectful and complementary of the Meat and Fish Hall's façade heritage characteristics.

### Planner's Response

The Discussion Plans contain the following changes that respond to the above raised issues:

- Roof plant is relocated to the basement to allow from a more respectful gable roof form which also lowers the building height at the north-west corner fronting Queen Street.
- Replacing the more contemporary materials with brick to respect the adjoining built form and soften the appearance of the proposed building against the Meat and Fish Hall (Figure 27 and Figure 28).

The comments relating to relocating the traders lounge to the Queen Street side of the proposal, activation / safety, and appearance of the glass corridor are noted.

The following points are relevant:

- Seating is already proposed within the courtyard and along the rear of the proposed building.
- The rear trader's lounge and amenities contains a balcony which provides activation and passive surveillance over the rear courtyard. Additionally, this is where the entrance to public toilets are located which infers it will likely be highly used / activated.
- The reduced roof form at Queen Street shown in the Discussion Plans does not allow for relocation of the traders lounge.
- Heritage Victoria has supported the interface between the proposal and the Meat and Fish Hall as shown in the Discussion Plans (Figure 27 and Figure 28).

A complete assessment of the relevant built environment and urban design policies is found at Section 10 of this report.

**Figure 27 – Application plans: interface with the Meat and Dairy Hall**



**Figure 28 - Discussion Plans: interface with the Meat and Dairy Hall (supported by HV)**



## 8.2 Traffic

The application was referred to the City of Melbourne's Traffic Engineers who did not object to the removal of car parking spaces or the proposed traffic conditions. They provided the following comments (summarised):

- Two principal internal loading bays and a further external overflow bay will be provided at the Trader Shed loading zone which will require trucks to reverse to enter the loading area. The basement storage below is intended to house fresh produce / meat / fish / dairy goods. The Trader Shed delivery point is intended to receive the bulk of the deliveries required for the Meat and Fish Hall and, Dairy Produce Hall.
- The development will replace the existing 2-bay loading dock and laneway.
- There will be no additional parking provided.
- No car parking spaces are proposed to be lost as part of this development application.
- The impact on public parking supply for the QVM is considered to be minimal and accepted as part of the planning scheme requirements.
- Infrastructure and Assets offers no objection in this regard.
- No information has been provided with regards to any additional bicycle parking provision; there are a number of locations where bicycle parking could be provided. Infrastructure and Assets considers that additional bicycle parking facilities could be provided along Queen Street between Therry and Victoria Streets as this area will be primarily designed as public open.
- Delivery times are intended to be outside of trading and peak hours, this will dramatically improve pedestrian / cyclist safety as truck path operation is generally kept outside of times of high pedestrian volume.

- Infrastructure and Assets offers no objection to the design, and accept any internal operational issues are to be considered and resolved by QVM.
- The proposed development is unlikely to negatively impact the surrounding transport network or vehicle circulation given there are no additional car parking spaces.
- The design and proposed development will improve the environment for pedestrians and cyclists by restricting vehicular use and formalising loading.
- Infrastructure and Assets offers no objection to the proposal.
- A formal independent desktop Road Safety Audit of the proposed development should be undertaken prior to construction, at the developer's expense, which should include the vehicular / bicycle / pedestrian access arrangements, loading and waste arrangements & circulation / layout. The findings of the Audit should be incorporated into the detailed design, at the developer's expense.

### **Planner's Response**

The City of Melbourne's Traffic Engineers have not objected to the proposal and consider the proposed waste and loading traffic conditions to be acceptable.

They have also recommended a road safety audit be prepared to ensure there are no dangerous traffic scenarios introduced.

- It is recommended a road safety audit is prepared and that this be required through a permit condition, if a permit is issued.

The traffic related elements of the proposal are addressed at Section 10 of this report.

### **8.3 Waste and Recycling**

The application was referred to the City of Melbourne's Waste and Recycling Department who provided the following comments:

"We have reviewed the WMPs by irwinconsult dated 18<sup>th</sup> December 2019 (Master Plan DM#13362889, Northern Shed DM#13362887 and Trader Shed DM#13362750) for this proposed development and found them to be needing further clarification before they can be accepted.

The following items need to be addressed:

- It is a great outcome to see the amount of source separation that will occur at the site. The separation and management of glass has not been included - is this a source that could also be managed separately?
- The 1100L recycling bins have not been shown in the storage area in the Northern shed and need to be included.
- Clarification of how the 240L bins from the waste hubs are emptied into the 1100L bins in storage is required.
- Clarification of where bins will be washed is required. There is an area marked as 'Trader Wash' in the Trader Shed – is the intended use of this area specifically for bin washing?"

### Planner's Response

There are issues relating to the submitted waste management plan that should be resolved by the applicant. It is recommended this be achieved through conditions on any permit issued.

### 8.4 Infrastructure and Assets (Civil Design)

The application was referred to the City of Melbourne's Civil Design Engineers who requested that the standard civil design conditions be included on any permit issued as well as providing the following comments (summarised):

- Installation of outward opening doors projecting beyond the building line is not recommended. The doors might create a hazard for vulnerable road users and they shall be redesigned such that they do not project beyond the building line when open, when closed or when being opened or closed.
- The plans show that the counter weight door is projecting beyond the property boundary of the subject land. The door shall be redesigned such that it does not project beyond the building line when open, when closed or when being opened or closed.
- The maximum permissible width of a vehicle crossover without a pedestrian refuge island is 7.6 metres. Crossings wider than 7.6 metres should include the provision of a minimum of 2.0 metres long pedestrian refuge islands at 7.6 metre spacing.
- The existing stormwater grated side-entry pit shall be relocated at least one metre away from the proposed vehicle crossing.
- The vehicle crossing shall be designed at least one metre away from the existing street lighting pole. Alternatively, the pole shall be relocated to the satisfaction of the Responsible Authority.
- The kerb extension shall be redesigned in alignment with the northern side of the vehicle crossing.
- All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to clearances from the surface pavement.
- The stormwater management report recommends using a rainwater harvesting system for the site. Stormwater will be captured for reuse in a ground rainwater tank located within the road reserve of Queen Street. The tank shall be redesigned within the QVM site in parallel with the road alignment to allow the provision of underground services within the road reserve. The gross pollutant trap for the paved areas shall be also redesigned within the QVM site. The QVM management shall be responsible for the care and management of the tank and gross pollutant trap.

### Planner's Response

The matters raised by Civil that are not included in the provided standard conditions could be appropriately addressed via a permit condition for amended plans. These include requiring:

- All projections beyond the title boundary are to comply with the City of Melbourne's Road Encroachment Operational Guidelines.



- A design treatment to the Queen Street crossing which has been prepared in consultation with the Responsible Authority (Infrastructure and Assets) that provides for a safe environment for pedestrians.
- The Queen Street crossing being a minimum of 1 metre away from any pole.
- The kerb extension is designed in alignment with the northern side of the Queen Street crossing.

The outward projecting doors from the proposed building have been removed in the Discussion Plans and replaced by chains in line with Heritage Victoria's recommendation.

## **8.5 Environmentally Sustainable Design (ESD)**

The application was referred to the City of Melbourne's ESD and Green Infrastructure team who provided a standard ESD implementation and landscape package permit condition in addition to the following comments (summarised):

- The development includes ESD targets that meet the minimum requirements of Clause 22.19 of the Melbourne Planning Scheme.
- The energy targets for the development are reflective of good practice for similar building typologies in the City of Melbourne.
- The ESD report states that the "project will explore the possibility to join the City of Melbourne's Renewable Energy Procurement group to buy its non – onsite electrical requirements from renewable sources on long term contracts". As the Melbourne Renewable Energy Procurement project has finished available rounds of new members, it is advised that this should be amended to refer instead to investigate a renewable energy power purchase agreement.
- The development includes 200kW of solar PV capacity on the Meat, Fish & Dairy Halls of the development. A battery storage system is also proposed, however no detailed sizing or feasibility is included.
- The proposal contains some on-structure landscaping; however these elements require additional information to assess their viability.
- A detailed landscape package is required as should include schedules of species with consideration given to their suitability relating to the volume of planter or growing medium proposed. It is unlikely that the proposed planters will be able to support proposed trees as shown.
- No information on proposed bicycle parking facilities has been provided.
- The Stormwater Management strategy defers to the site-wide strategy and rainwater harvesting for reuse.
- Additionally there is the opportunity to provide temporary treatment of rainwater discharge through the use of planter box raingardens for treatment. Planter box raingardens can be sized by using the new roof area as the input for the STORM calculator.

### **ESD requested the following addition information:**

- Amended reference to renewable energy power purchase agreements as detailed above.
- Further detail on sustainable transport provisions.
- Further information relating to the size and feasibility of the battery storage required for the 200kW of solar PV capacity.

- Further detail on proposed WSUD response prior to site-wide connection to rainwater harvesting.

### **Planner's Response**

The ESD elements of the proposal have been assessed and considered to be an acceptable response to Clause 22.19.

Advice relating to the management of stormwater will be sought from Engineering. It is noted the proposal would not significantly increase stormwater catchment areas as this part of the Market is covered with buildings / bitumen.

Given Heritage Victoria have required the roof form to be redesigned, including solar PV on the roof is no longer possible. Given this change, it is recommended the submitted ESD report be amended to include the changes and provide a response to Clause 22.19.

It is recommended the above further information relating to renewable energy purchase programs is required through a permit condition for an amended ESD report.

It is also recommended the supplied permit conditions be applied to any permit issued to ensure the ESD elements as described are implemented and the landscaping is viable.

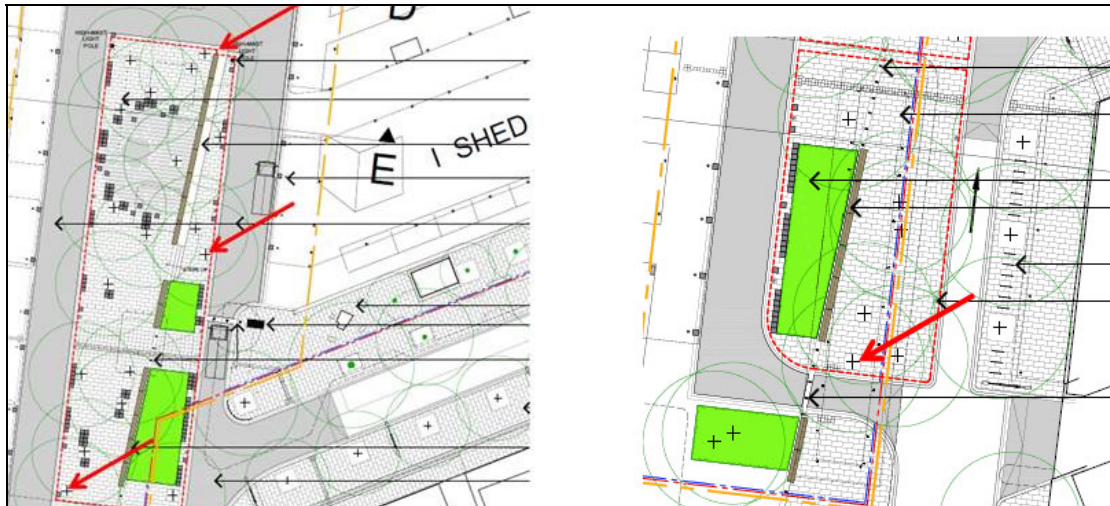
In this instance, there are no statutory requirements for bicycle parking or facilities.

### **8.6 Urban Forest and Ecology**

The application was referred to the City of Melbourne's Urban Forest and Ecology team who provided standard public tree related conditions as well as noting the further information was required:

- Confirmation of the location of below ground services – existing and proposed. This is critical in determining the feasibility of structural soil cells.
- Confirmation of soil depths and volumes. This is critical in determining the viability of proposed tree planting. As we are aware the extent of excavation will be limited by previous land use (cemetery).
- Confirmation if irrigation systems are to be proposed as it appears none are shown. This will be critical to tree health.
- Verification that the proposed locations for tree planting will not interfere with sightlines. The clip below shows locations of new trees that seem too close to the edges of the structural soil area and less favourable ground (vehicle access). Some examples are identified by the red arrows (Figure 29):

**Figure 29 - Tree locations that may cause sightline issues**



### **Planner's Response**

The applicant provided a written response to the information request relating to below ground services, stating:

“Services throughout Queen Street that are to remain are generally run north-south and are located within the width footpath either side of Queen Street that will be largely maintained. Services that are within Queen Street roadway are generally going to be cleared out from the width of the roadway to make space for the Northern Shed Basement. The limited number of in-ground that will remain within this width of roadway have been coordinated so not to clash with the structural soil cells.”

Urban Forestry's comments relate to this application in terms of protecting public trees as well as extending to a separate concurrent application (TP-2020-101) which seeks to insert new trees along Queen Street.

If a permit is granted, it is recommended the supplied standard tree protection plan permit conditions be included on any permit issued to ensure that any retained public tree is not damaged by any construction activity.

Regarding the lacking information, the landscape package permit condition recommendation from ESD will adequately address the viability of the trees and landscaping proposed.

Traffic's recommended traffic safety audit will also provide for any sightline issues that may arise from the proposed tree locations which relate to TP-2020-101.

The recommend civil engineering conditions will ensure that no services are impacted and the above explanation is accepted.

For the above reasons, the above issues will be adequately dealt with by the various conditions supplied by Urban Forestry, Civil, ESD, and Traffic.

## **9 EXTERNAL REFERRALS**

The application was required to be referred to the following external referral authorities:

### **9.1 Department of Transport (DoT (VicRoads))**

Pursuant to Clause 52.29 and Clause 66.03, the application was required to be referred to the DoT.

The DoT provided a referral response on 16 February 2021 stating they do not object to the proposal subject to conditions.

The supplied conditions require:

- All existing traffic from the Market to turn left only on to Victoria Street.
- Works to all vehicle cross overs and works affecting Victoria Street to be to the DoT's satisfaction.

### **Planner's Response**

The DoT is accepting of the proposal subject to conditions. The supplied permit conditions are reasonable and are recommended to be included on any permit issued.

## **10 ASSESSMENT**

The application seeks planning approval for demolition, buildings and works and alteration of access to a road in a Road Zone - Category 1. The key considerations include:

- The built environment (urban design).
- The design objectives, requirements, and built form outcomes of DDO14.
- Traffic.
- Objections.

**Note:** Heritage is not considered in this assessment as Heritage Victoria is the decision maker for heritage matters in this instance.

### **10.1 Built Environment**

The proposal responds appropriately to the purpose and decision guidelines of the Capital City Zone and relevant built environment (urban design) policies for the following reasons:

- The works align with the purpose of the Capital City Zone as they seek to enhance the function of a use that complements the locality.
- The consolidated loading, sorting, and storage areas will support the traders through increased efficiency while transferring the space to be more pedestrian friendly.
- An approved Cultural Heritage Management Plan has been submitted with this application, ensuring the protection and conservation of places of Aboriginal cultural heritage significance in accordance with Clause 15.03-2/S.
- It is acknowledged that the contemporary form on the proposal attracted numerous objections and concerns from Urban Design and Heritage Victoria. The updated design in the Discussion Plans appropriately addresses many key issues by:
  - Replacing the more contemporary façade materials with red brick to respond to the surrounding structures and Market.
  - Reducing the height of the north and south sides of the Queen Street façade through inserting a gable roof form. This reduces the perceived height of the building while also providing a sensitive design response that aligns with the roof form of the adjoining and adjacent Market buildings and sheds.

- The proposal does not unreasonably obscure views of buildings within the Market. The proposal generally aligns with the former G Shed's footprint and contains setbacks that do not diminish the appreciation of the surrounding Market structures.
- At the Queen Street interface, the southern edge of the Shed is set back from the boundary and the southern corner of the top level is folded back towards the building with the resultant form presenting as recessive within the streetscape and maintaining site lines to Sheds H and I.
- The rear courtyard to the east of the proposed building contains landscaping and public seating that will increase activation to that area of the Market that is functional and attractive.
- The proposed building increases passive surveillance and activation through providing the upper level trader's terrace which looks over the:
  - Side (south) adjacent lane.
  - Rear square / courtyard behind the proposed building.
  - North glazed corridor between the proposed building and the Meat and Fish Hall.
- The proposal as per the application plans presented as a relatively large building within the Market precinct. In this instance the above listed design features and modifications adequately mitigate concerns relating to height and bulk. The design shown in the Discussion Plans appropriately balances the Market's infrastructure, loading, waste, and amenities needs with the heritage and social significance of the Market. This is confirmed by Heritage Victoria who have considered the Discussion Plans to be an acceptable response to the heritage site.
- The Queen Street presentation of the proposed building is centred on functionality as the main loading and access point for Market traders. While this is the case, the design ensures that functionality has not come at the cost of the Market's character and significance, noting the Discussion Plans show a sensitive and site responsive choice of materials and form.
- The new waste sorting and storage areas are long overdue and will encourage more considerate and appropriate sorting, storage, and collection of waste.
- The improved public toilet facilities as shown in the Discussion Plans will enhance the Market experience for shoppers through providing quality amenities.
- The proposal seeks to improve the Queen Street section of road and footpath which will improve the appearance of the public realm.
- The proposal does not cast any shadow on the key public spaces listed at Clause 22.02, nor does it introduce any unreasonably reduction of solar access to the Market or the surrounding public realm.
- The works directly respond to the goals of the Queen Victoria Market Precinct Renewal Master Plan 2015 by:
  - Reducing traffic conflicts.
  - Improving access for deliveries and off street loading.
  - Inserting trader showers, toilets, and rest areas.
  - Improving the processing of organic waste.

- Removing parking and reducing traffic.
- Increasing public amenities such as seating and toilets.
- The proposal aligns with the QVM Peoples Panel Report 2018 by:
  - Centralising storage, waste, and loading which will free space for future events; ensuring a sustainable economic future for the Market.
  - Inserting quality Trader amenities and increasing safety.
  - Avoiding disturbance to the Old Melbourne Cemetery.
  - Protecting Aboriginal cultural values and sites through receiving an approved Cultural Heritage Management Plan.
  - Providing a design response that does not detract from the Market's historic values.

The performance standards of Clause 22.01 have been assessed below as a method of determining the appropriateness of the proposal:

<b>Building Envelope and Building Design (Clause 22.01-1 and Clause 22.01-2)</b>
<p>The proposed building envelope and design is supported for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The overall form does not unreasonably detract from the public realm or any of the civic landmarks identified in Clause 22.01-1.</li> <li>▪ The footprint and scale of the proposed building provide a balanced approach to resolving long standing traffic, loading, and waste issues while respecting the surrounding character and built form.</li> <li>▪ The proposed street walls and setbacks align with the existing building being replaced and maintain continuity with the adjoining structures.</li> <li>▪ Bulk is alleviated through the roof treatment and parapet detailing at Queen Street and through inserting an upper level terrace to the rear and sides of the third level.</li> <li>▪ The gable roof form at Queen Street and the simple design of the upper rear of the proposal is an acceptable response to the adjoining buildings (Figure 30).</li> <li>▪ While the proposed structure is larger than the building to the south, the proposed design and proportions provide a reasonable transition in scale to the larger building to the north (Meat and Fish Hall) (Figure 30).</li> <li>▪ The proposal does not introduce concerns relating to outlook, daylight or sunlight.</li> </ul> <p>Height is provided for at DDO14 which is assessed at Section 10.2 of this report.</p>
<b>Pedestrian Permeability and Connectivity (Clause 22.01-3)</b>
<p>The proposal maintains north, south, and east pedestrian connectivity to the surrounding Market buildings that are free from unreasonable visual obstruction. This design is acceptable.</p>
<b>Facades (Clause 22.01-4)</b>
<p>The proposed development avoids blank façades and inserts visual interest through details including the openings, integrated seating, and the upper level terrace.</p> <p>The use of brick is supported as this material provides texture that is site responsive.</p>
<b>City and Roof Profiles (Clause 22.01-5)</b>

The roof as shown in the Discussion Plans is a respectful and modern interpretation of the existing roof profiles at the Market. The transition to a simplified and flat roof at the rear of the building is appropriate as it ensures the overall height is not increased and that there will be no additional visual obstruction to the surrounding buildings.

The building services are appropriately located at the rear of the proposed building which will ensure they are not visible from Queen Street.

**Projections (Clause 22.01-6)**

There is one minor projection in the form of the cantilevering door for the loading bay. Amended plans detailing compliance with the City of Melbourne’s Road Encroachment Operational guidelines will ensure this is not an issue.

**Wind and Weather Protection (Clause 22.01-7)**

The proposal is for a building that is 10.22 metres high and it is not likely to result in or create unreasonable wind conditions.

The proposal includes an undercover area over the northern adjoining laneway which will provide for weather protection.

**Public Spaces (Clause 22.01-8)**

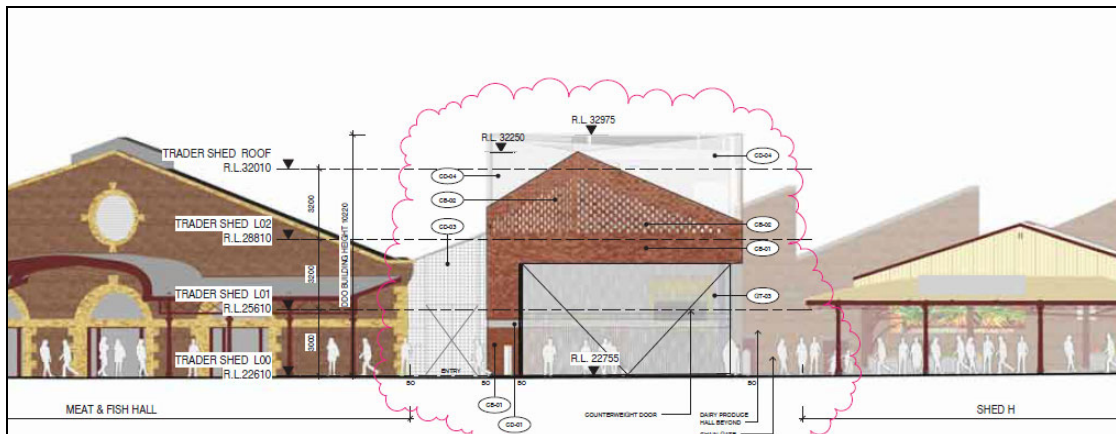
The design of the public spaces is supported for the following reasons:

- The proposal enhances the public space through landscaping, seating, and increased safety.
- The design ensures clear views throughout.
- The proposed public areas contain direct access to public toilets.

**Access and Safety (Clause 22.01-9)**

The proposal inserts higher levels of activation and does not introduce any unsafe alcoves or entrapment spaces.

**Figure 30 – Proposal at Queen Street (Discussion Plans)**



**10.2 DDO14**

DDO14 seeks to provide for respectful development within the Market as well as provide for a transition to higher buildings outside the Market.

The height control in DDO14 – Area 16 is 7 metres. Clause 2.0 of DDO14 states an application can exceed the 7 metre height control provided the proposal satisfies the design objectives and built form outcomes of the policy.

The design objectives of DDO14 are:

- *To ensure that any development within the Queen Victoria Market is consistent with its Victorian character and low-scale.*
- *To ensure that development around the Market edges and within close proximity to the Market provides an appropriate scale transition from the low scale Market buildings towards the medium and high rise towers in the Central Business District.*
- *To ensure that any development in close proximity to the Queen Victoria Market is compatible with the scale and character of the Market, surrounding residential developments and adjacent precincts.*

The built form outcome relevant to Area 16 is:

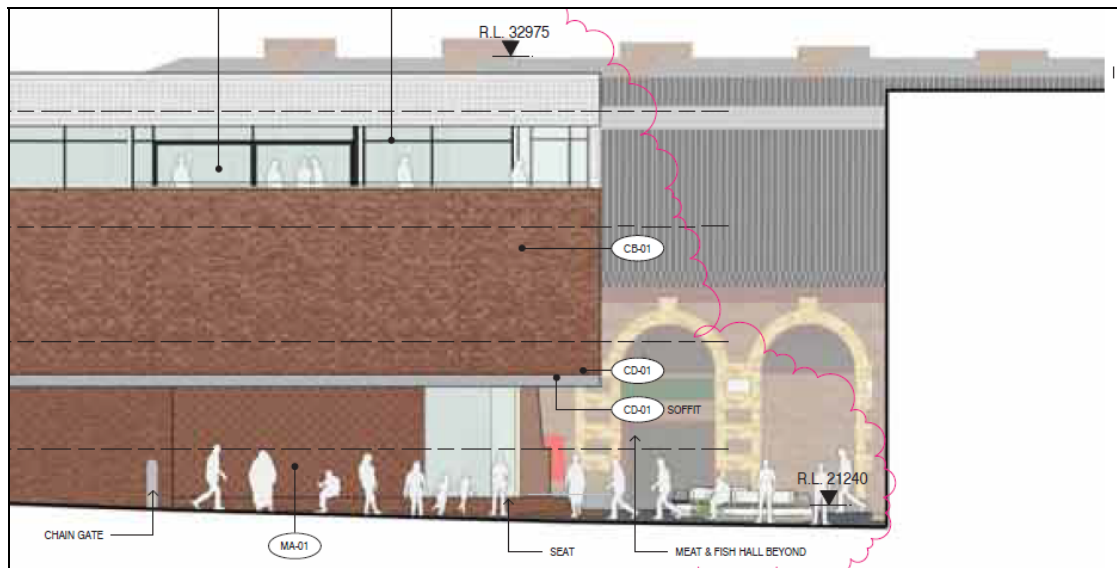
- *Development maintains the consistency of scale and built form of the historic Queen Victoria Market.*

Although higher than the preferred 7m (10.22m at the highest rear part), the proposed development is an acceptable response to DDO14 and its design objectives and built form outcomes for the following reasons:

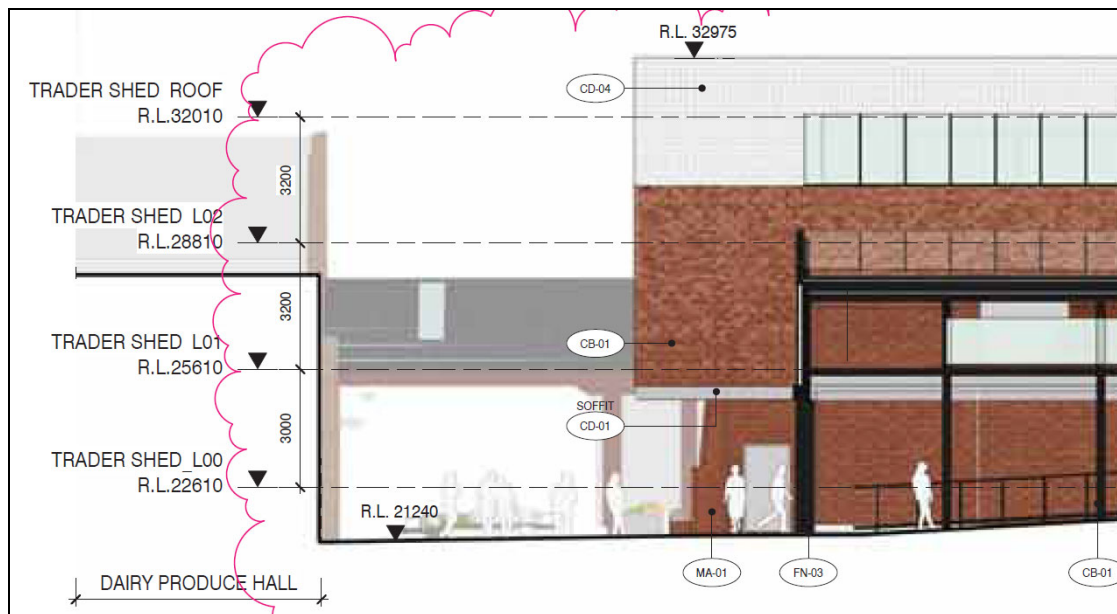
- The height of the building is scaled to align with the existing buildings surrounding the proposal and does not detract from the surrounding buildings. The proposal achieves this through inserting a building of a similar height to the Meat and Fish Hall to the north and the Dairy Produce Hall to the east; both of which are higher than 7 metres (Figure 31 and Figure 32).
- The proposal satisfies the relevant design objectives of Clause 1.0 of DDO14 by ensuring the development is consistent with the Victorian and low scale character of the Market. This is achieved through adopting appropriate materials and a roof form that is guided by the design of the surrounding buildings.
- The proposed building is respectful and does not unreasonably obscure important views of structures within the Market. This is achieved through removing the G Shed building and its canopy that projects towards Queen Street, and setting the proposed structure in line with the Meat and Fish Hall and H Shed.



**Figure 31 – Elevation showing Meat and Fish Hall behind**



**Figure 32 – North elevation showing the Dairy Produce hall to the east (left)**



### 10.3 Sustainability

#### 10.3.1 Energy, Water and Waste Efficiency

The proposed development has been assessed by the City of Melbourne’s ESD officer who has confirmed the proposal contains appropriate sustainability elements and satisfies the performance measures set out in Clause 22.19-5.

The submitted documentation relies on the National Construction Code to achieve compliance with Clause 22.19 as well as the introduction of water saving fittings and significant waste efficiency improvements.

Noting the changes imposed by Heritage Victoria alter the proposal’s ability to provide solar panels, it is recommended an updated ESD report be submitted that addresses the requirements of Clause 22.19 as well as investigation into a power purchase agreement as per the City of Melbourne’s ESD officer’s advice.

It is recommended these items be required through permit conditions for an updated ESD report and plans amended to show any changes.

### 10.3.2 Stormwater Management (Water Sensitive Urban Design)

Clause 22.23 provides that it is policy that development applications relating to new buildings incorporate water sensitive urban design that achieve the best practice water quality performance objectives set out in the Urban Stormwater Best Practice Environmental Guidelines, CSIRO 1999 (or as amended).

The proposed building does not significantly increase the total stormwater catchment area / roofed area and will rely on the existing City of Melbourne stormwater infrastructure.

The provided civil engineering conditions relating to stormwater will adequately ensure stormwater is not an issue.

**Note:** there are plans and studies for the Market taking place for a site-wide approach to rainwater retention where new catchment tanks will be installed. This will form part of a new permit application that will introduce stormwater storage and reuse.

### 10.4 Traffic

The traffic related elements of the application are supported for the following reasons:

- The proposed alteration of vehicle access to the Site is an acceptable response to Clause 52.29 as it will not unreasonably impact the Road Zone, Category 1 (Victoria Street). This was confirmed by DoT who does not object to the proposal, subject to conditions.
  - The provided conditions are reasonable and recommended to be included on any permit issued for this application.
- While additional bicycle parking would be well received, bicycle parking facilities are not a statutory requirement in this instance.
- The proposal seeks to centralise loading by reducing the number of loading areas in and around the Market and reduce the number and frequency of forklifts moving around the Market. This will improve safety and the pedestrian experience regardless of the lack of any previous incidents.
- The proposal seeks to clear access ways and footpaths of traffic and obstructions; this is a positive outcome for the Market.
- The City of Melbourne's traffic engineers are supportive of the proposal and have not raised any significant issues. They have recommended a road safety audit be carried out to ensure the changes can be achieved safely.
  - It is recommended a road safety audit be included on any permit issued for the proposal.

### 10.5 Objections

Where the above assessment has not addressed matters raised by objectors, those matters are assessed below:

<b>Table 5: Summary of Objections</b>	
<b>Subject</b>	<b>Specific issues</b>

Heritage	<ul style="list-style-type: none"> <li>▪ In this instance, the application is not being assessed against the heritage policies of the Melbourne Planning Scheme as the Market is listed in the Victorian Heritage Register.</li> <li>▪ Heritage Victoria have issued a permit for the land to be developed and the applicant is willing to adopt their design advice / requirements.</li> </ul>
Built form	<ul style="list-style-type: none"> <li>▪ While the Market’s built form and gritty feel is unique and attractive to tourists, the need to update loading, waste, and facilities is long overdue. The proposed development replaces an existing non-heritage building and will not unreasonably detract from the appearance or history of the surrounding sheds which are to be preserved.</li> <li>▪ The design modifications shown in the Discussion Plans will ensure the proposed development maintains the existing desirable Market character.</li> </ul>
Other	<ul style="list-style-type: none"> <li>▪ The Covid-19 Pandemic is being managed and government policy is to reactivate the economy.</li> <li>▪ While there are objections relating to the proposed changes not being required, the unorganised and cluttered appearance of the Market and stock infers that improved storage and facilities are necessary.</li> <li>▪ The proposal is economically justified by improved functional efficiency and by the increased space freed up by greater consolidation of loading, waste, and storage, which can be used for other purposes.</li> <li>▪ The City of Melbourne has carried out extensive community engagement through the Queen Victoria Market Precinct Renewal Master Plan 2015 and the QVM Peoples Panel Report 2018.</li> <li>▪ The scale and complexity of the projects to develop the Market result in timing, resourcing, and project management challenges. Application TP-2020-89 and TP-2020-101 have not been lodged separately in attempt to disguise the City of Melbourne’s intentions; all of which are clearly detailed in the submitted documentation.</li> <li>▪ Increases to rent is not a planning matter.</li> <li>▪ The City of Melbourne supports inclusivity which was the driver behind unisex bathroom facilities. It is understood the Discussion Plans now show separate male and female public amenities.</li> </ul>

**10.6 Other Matters to Consider**

**10.6.1 Construction matters**

Given the scale of the proposed development and proximity to the operating areas of the market, it is recommended that any permit issued includes a permit condition requiring a demolition and construction management plan to the satisfaction of the City of Melbourne’s Construction Group. This will allow for the reasonable control of any impact the proposed construction works may have on the surrounding locality.

**11 RECOMMENDATION**

That Melbourne City Council resolves to issue a notice of decision to grant a permit subject to conditions. The permit should contain the following preamble:

*Demolition, construction of a building and works, and alteration of access to a road in a Road Zone - Category 1 in accordance with the endorsed plans.*

## **12 CONDITIONS**

### **Amended Plans**

1. Prior to commencement of development, including demolition and bulk excavation, an electronic copy of the plans, drawn to scale must be submitted to the Responsible Authority generally in accordance with the development plans prepared by NH Architecture, dated 18 December 2019, but amended to show:
  - a) The design changes shown in the plans prepared by NH Architecture, dated August 2020 and any changes to the plans as required by Heritage Victoria Permit No. P30767 including:
    - i. The provision of an additional basement level and partial relocation of rooftop plant to the basement, as necessary to comply with Condition 1(a)(ii).
    - ii. Inclusion of a gable form end to Queen Street and variations to height and roof form.
    - iii. Modifications to materials.
    - iv. Replacement of the existing gates with two sets of drop chain bollard systems at either end of the southern laneway.
  - b) A design treatment to the Queen Street crossover which has been prepared in consultation with the Responsible Authority (Infrastructure and Assets) that provides for a safe environment for pedestrians.
  - c) All projections beyond the title boundary are to comply with the City of Melbourne's Road Encroachment Operational Guidelines.
  - d) The Queen Street crossover being a minimum of 1 metre away from any pole.
  - e) The kerb extension is designed in alignment with the northern side of the Queen Street crossover.
  - f) Any design modifications as required by condition 3 (Waste).
  - g) Any design modifications as required by condition 4 (ESD).

The amended plans must be to the satisfaction of the Responsible Authority and when approved will be the endorsed plans of this permit.

### **Compliance with Endorsed Plans**

2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

### **Waste**

3. Prior to the commencement of the development, an amended Waste Management Plan (WMP) must be submitted to and approved by Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Irwinconsult, dated 18 December 2019, but amended to include:
  - a) Details relating to the separation and management of glass.
  - b) The location of the 1100 litre recycling bins within the development.

- c) Clarification of how the 240 litre bins from the waste hubs are emptied into the 1100 litre bins in storage is required.
- d) Clarification relating to the location of where the waste bins are to be washed.

The amended WMP must not be altered without prior consent of the Melbourne City Council – Waste and Recycling.

#### **Environmentally Sustainable Design (ESD)**

- 4. Prior to the commencement of the development, an amended ESD report must be submitted to and approved by the Responsible Authority. The amended ESD report must be generally in accordance with the report prepared by Mott MacDonald, dated 19 December 2019, but amended to include:
  - a) Investigation into a renewable energy power purchase agreement.
  - b) A response to the requirements of Clause 22.19.
  - c) Removal of reference to ESD elements no longer being relied upon.

The amended ESD report must not be altered without prior consent of the Responsible Authority.

- 5. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide sufficient evidence that all measures specified in the report have been implemented in accordance with the relevant approved plans. The report must include all final calculations and modelling reports, relevant specification extracts, commissioning and testing reports, building user guides and other supplementary materials etc. required to demonstrate compliance with the relevant targets included in the ESD report.
- 6. Prior to commencement of development, a scheme for landscaping and planting in connection with the proposed development must be submitted to, and be approved by the Responsible Authority. This should include landscape plans with detailed planter sections including soil volumes and schedules of species with soil volume requirements and growing media proposed, a Landscape Maintenance Plan provide details of proposed maintenance regimes with provision for maintenance beyond the fifty two week period following Practical Completion and a Landscape Irrigation Performance Specification. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

#### **Engineering Services**

- 7. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – Infrastructure and Assets. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system.
- 8. Prior to the commencement of the use / occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel

reconstructed, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.

9. All portions of roads affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
10. The footpath adjoining the site along Queen Street must be reconstructed in sawn bluestone, or as otherwise agreed by in writing by the Responsible Authority (Infrastructure and assets), together with associated works including the renewal of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
11. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Infrastructure and Assets.
12. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.

#### **Demolition Management Plan**

13. Prior to the commencement of the development, including demolition and bulk excavation, a detailed demolition management plan must be submitted to and be approved by the Melbourne City Council – Construction Management Group. This demolition management plan must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:
  - a) Public safety, amenity and site security.
  - b) Operating hours, noise and vibration controls.
  - c) Air and dust management.
  - d) Stormwater and sediment control.
  - e) Waste and materials reuse.
  - f) Traffic management.

#### **Construction Management Plan**

14. Prior to the commencement of the development, excluding demolition and including bulk excavation, a detailed construction management plan must be submitted to and be approved by the Melbourne City Council – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:
  - a) Public safety, amenity and site security.
  - b) Operating hours, noise and vibration controls.
  - c) Air and dust management.
  - d) Stormwater and sediment control.
  - e) Waste and materials reuse.

- f) Traffic management.

### **Tree Protection**

15. Prior to the commencement of any works including demolition and any bulk excavation, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (Urban Forestry & Ecology). The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
  - a) City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
  - b) Reference to the finalised Construction and Traffic Management Plan, including any public protection gantries, where applicable.
  - c) Site specific details of the temporary tree protection to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.
  - d) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned trees. These must be provided for any utility connections or civil engineering works.
  - e) Full specifications of any pruning required to publicly owned trees with reference to marked images.
  - f) Any special arrangements required to allow ongoing maintenance of publicly owned trees for the duration of the development.
  - g) Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).
16. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority.
17. Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
18. No public tree adjacent to the site can be removed or pruned in any way without the written approval of the Melbourne City Council.

### **Traffic**

19. Prior to the commencement of the development, a formal independent desktop road safety audit of the proposed development must be undertaken at the developer's expense, which should include the vehicle / bicycle / pedestrian access arrangements & loading arrangements. The findings of the audit should be incorporated into the detailed design to the satisfaction of the Responsible Authority - Engineering Services at the developer's expense.
20. The design / dimensions of any bicycle parking should comply with the relevant Australian Standards or Bicycle Network guidelines to the satisfaction of the Responsible Authority or Melbourne City Council - Engineering Services.

### **Department of Transport conditions (VicRoads)**

21. Before the commencement of the use of the new Traders Shed loading bay/s, a concept plan showing a left turn only exit lane from Queen Street into Victoria Street including (but not limited to) painted arrow, line marking changes and associated signage at the intersection of Victoria Street and Queen Street, must be submitted to and approved by the Head, Transport for Victoria (Department of Transport). When approved by the Department, the concept plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided to show:
  - a) All vehicular access onto Victoria Street must be restricted to “left turn out” only.
  - b) The installation of a painted arrow, line marking, signs and associated road works which restrict access to left out only movements from Queen Street into Victoria Street.
22. Prior to the commencement of the use of the new Traders Shed loading bays, the following roadworks must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria (Department of Transport) and the Responsible Authority:
  - a) The installation of a painted arrow, signs and associated road works to facilitate left out only movements from Queen Street into Victoria Street.
23. All disused or redundant vehicle crossings (along Victoria Street where it intersects with Queen Street) must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to Head, Transport for Victoria prior to the occupation of the building/s hereby approved.
24. The permit holder must avoid disruption to tram operation along Victoria Street during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty five days (35) prior. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.
25. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

### **Permit Expiry**

26. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within three years of the date of this permit.
  - b) The development is not completed within five 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.



**Notes:**

- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The applicant / owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant / owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- Separate consent may be required from Head, Transport for Victoria under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Victoria Street). Please contact Head, Transport for Victoria prior to commencing any works.
- This Planning Permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- All necessary approvals and permits are to be first obtained from the City of Melbourne's Infrastructure and Assets Branch and the works performed to the satisfaction of the responsible road authority.
- In accordance with the Tree Retention and Removal Policy a bank guarantee must be:
  1. Issued to City of Melbourne, ABN: 55 370 219 287.
  2. From a recognised Australian bank.
  3. Unconditional (i.e. no end date).
  4. Executed (i.e. signed and dated with the bank stamp).
- Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au) to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.
- At the time of lodgement of the bank guarantee the completed Project Arborist Confirmation Form must be provided. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the health of the subject public trees has not been compromised.