

**Management report to Future Melbourne Committee (Planning)**

**Agenda item 6.5**

**Planning Scheme Amendment C320: 154-160 Leicester Street, Carlton  
(former Corkman Irish Pub)**

**Council**

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

**6 February 2018**

**Purpose and background**

1. The purpose of this report is for Future Melbourne Committee to endorse the form of Amendment C320 for land at 154-160 Leicester Street, Carlton (known as the former Carlton Inn, or Corkman Irish Pub).
2. The Carlton Inn was a two storey rendered brick hotel constructed in the mid 1880's. The property is covered by the Heritage Overlay (HO85) which prohibits demolition without planning approval. On 15-16 October 2016 the building was demolished without planning approval.
3. On 27 October 2016 the Minister for Planning introduced an interim Design and Development Overlay Schedule 68 (DDO68) over the site via Melbourne Planning Scheme Amendment C299 to allow Council time to consider permanent controls and involve the community through public exhibition of the controls. DDO68 is set to expire and will cease to have effect on 31 October 2018.
4. In addition to the aforementioned planning controls, the site is currently located in the Capital City Zone Schedule 5 (CCZ5 - City North) and is also covered by the Design and Development Overlay Schedule 61 (DDO61 – City North) and the Parking Overlay Schedule 1 (PO1).
5. Proceedings relating to the illegal demolition of the building are currently underway at the Victorian Civil and Administrative Tribunal, and also at the Magistrates' Court. Amendment C320 and corresponding changes to the relevant planning controls are not able to require the future use of the land as a hotel/pub, nor can it mandate the reconstruction of the former building by a specified date.

**Key issues**

6. Amendment C320 must seek to facilitate development which achieves the objectives of planning in Victoria as set out in the *Planning and Environment Act 1987*. The Amendment is not the appropriate mechanism to seek to apply a penalty or punish, but rather to give a framework for future development.
7. Amendment C320 proposes to remove interim DDO68 and amend the current DDO61 (City North) on the site, to introduce new site specific built form controls which seek reconstruction and restoration of the front 19th century (Victorian period) sections of the former building and consideration of reinstating the form of part of the sections constructed during the Interwar period. The new controls also stipulate a mandatory minimum extent of reconstruction should development occur on the site.
8. The Amendment is supported by an expert heritage report and expert planning report which identify significant elements of the former building, recommend an appropriate extent of reconstruction, and balance the requirements of the Melbourne Planning Scheme and *Planning and Environment Act 1987*.
9. Public exhibition is likely to occur during February/March 2018 and will involve a notice in the newspaper and letters to nearby property owners. The public may make written submissions to Council on the proposed Amendment during the notice period, following which all submissions will be reviewed and potential changes made before reporting back to the Future Melbourne Committee for consideration.

**Recommendation from management**

10. That the Future Melbourne Committee:
  - 10.1. Endorses Amendment C320 planning documentation (refer attachment 2) and supporting expert heritage and planning reports (refer attachments 3 and 4).
  - 10.2. Authorises the Director City Strategy and Place to make any further minor changes to the amendment if required.

**Attachments:**

1. Supporting Attachment (Page 2 of 96)
2. Draft Planning Scheme Amendment C320 documentation (Page 3 of 96)
3. Heritage report, RBA Architects & Conservation Consultants, January 2018 (Page 23 of 96)
4. Town Planning report, TRACT, January 2018 (Page 43 of 96)

**Supporting Attachment**

**Legal**

1. Divisions 1 and 2 of Part 3 of the *Planning and Environment Act 1987* deal with planning scheme amendments.

**Finance**

2. The estimated cost for this planning scheme amendment is \$80,000 and will be absorbed within Council's overall budget.

**Conflict of interest**

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

**Stakeholder consultation**

4. Extensive consultation will occur via public exhibition and notice of the amendment.

**Environmental sustainability**

5. Environmental sustainability is not relevant to proposed Melbourne Planning Scheme Amendment C320. Matters of environmental sustainability are already addressed via Clause 22.19 (Energy, Water and Waste Efficiency) and Clause 22.23 (Stormwater Management (Water Sensitive Urban Design)) of the Melbourne Planning Scheme.

## MELBOURNE PLANNING SCHEME AMENDMENT C320

### EXPLANATORY REPORT

#### Who is the planning authority?

This amendment has been prepared by the Melbourne City Council which is the planning authority for this amendment.

#### Land affected by the Amendment

The Amendment applies to 154-160 Leicester Street, Carlton (Former Carlton Inn, also known as the Corkman Irish Pub).



#### What the amendment does

The Amendment proposes the following changes to the Melbourne Planning Scheme:

- Deletes the interim Design and Development Overlay 68 (DDO68 – 160 Leicester Place, Carlton); and
- Amends the existing Design and Development Overlay Schedule (DDO61 – City North) to introduce permanent built form controls including requiring the reconstruction of the significant heritage building at 154-160 Leicester Place, Carlton.

#### Strategic assessment of the Amendment

##### Why is the Amendment required?

This Amendment is required to introduce appropriate permanent built form controls for the site. This will ensure the significant heritage building is reconstructed so that its heritage significance can be recognised and protected and will ensure a good long term planning outcome is achieved.

The Carlton Inn was a two storey rendered brick hotel constructed in the mid 1880's. The property is covered by Heritage Overlay (HO85 – Carlton Inn 154-160 Leicester Street, Carlton).

On 15-16 October 2016 the building was demolished without planning approval.

On 27 October 2016 the Minister for Planning introduced interim planning controls over the site via Melbourne Planning Scheme Amendment C299. The amendment applied a new Schedule 68 to the Design and Development Overlay (DDO68 - 160 Leicester Place, Carlton) to the land, which introduced interim built form controls requiring the reconstruction of the significant heritage building.

DDO68 (160 Leicester Place, Carlton) is set to expire and will cease to have effect on 31 October 2018.

**How does the Amendment implement the objectives of planning in Victoria?**

Under section 4(1) of the Planning and Environment Act 1987, the proposed amendment will implement the following objectives of planning in Victoria:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);
- (g) to balance the present and future interests of all Victorians.

**How does the Amendment address any environmental, social and economic effects?**

The changes proposed by this amendment are not relevant to environmental effects.

The changes proposed by this amendment seek to address social and economic effects to achieve a net community benefit.

Due to the heritage significance of the former building and the illegal demolition which occurred in October 2016, reconstruction of the former building will ensure significant historic, architectural, aesthetic, social and cultural values are upheld with regard to the site. This will be to the benefit of the site, the immediate and local area and to the people of Victoria.

The amendment will contribute to an understanding of Melbourne's local history, particularly social, architectural and economic history.

**Does the Amendment address relevant bushfire risk?**

The amendment affects land within inner metropolitan Melbourne which is not a bushfire prone area.

**Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987 and Ministerial Direction No.11 Strategic Assessment of Amendments.

The Amendment complies with Direction No. 9 Metropolitan Planning Strategy and specifically supports Direction No.4, Policy 4.4 - "Respect Melbourne's heritage as we build for the future".

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The Amendment supports the following objectives of the State Planning Policy Framework:

Clause 11.06-4 (Place and identity)



- To create a distinctive and liveable city with quality design and amenity.

Clause 15 (Built Environment and Heritage):

- To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.
- To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- To recognise and protect cultural identity, neighbourhood character and sense of place.
- To ensure the conservation of places of heritage significance.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The Amendment supports and implements the MSS which includes the following:

- Clause 21.03 which states, among other things:

Protecting existing built form character and heritage, in addition to providing an attractive and liveable built environment in parts of the City where development will intensify is essential. Also important is minimizing the ecological footprint of the City and managing the City so that it is responsive to climate change.

- Clause 21.04–1.2 which states, among other things:

City North is identified for proposed renewal given its existing role as a specialised activity centre, the proposed Parkville Station as part of the Melbourne Metro project and its proximity as an extension of the Central City. The City North Structure Plan 2012 has been adopted by the City of Melbourne and has been implemented into the planning scheme via a planning scheme amendment.

- Clause 21.06 which states, among other things:

Melbourne's character is defined by its distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, and individually significant heritage buildings. Heritage buildings, precincts and streetscapes are a large part of Melbourne's attraction and the conservation of identified heritage places from the impact of development is crucial.

The buildings in the private realm should be coordinated with the development of the streets, paths, parks and places in the public realm. Development must add positively to Melbourne's public realm and contribute to making it safe and engaging for users.

**Does the Amendment make proper use of the Victoria Planning Provisions?**

The Amendment makes proper use of the Victoria Planning Provisions. The Schedule to the Design and Development Overlay is the proper Victorian Planning Provision tool for the introduction of built form controls.

The Amendment also addresses the requirements of the following Planning Practice Notes:

[PPN10: Writing Schedules](#)

[PPN23: Applying the Incorporated Plan and Development Plan Overlays](#)

[PPN59: The Role of Mandatory Provisions in Planning Schemes](#)

### **How does the Amendment address the views of any relevant agency?**

The views of any relevant agencies have not been sought. Council will engage with relevant agencies, affected property owners and relevant principal community groups during the public exhibition phase of the Amendment.

### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

This planning scheme amendment is not likely to have a significant impact on the transport system as defined by Section 3 of the Transport Integration Act 2010.

### **Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

It is not expected that the amendment will give rise to any unreasonable resource or administrative costs for the responsible authority. The amendment will provide the appropriate planning framework for the responsible authority to efficiently plan for this site.

### **Where you may inspect this Amendment**

The amendment can be viewed on the City of Melbourne's Participate Website at:

[To be determined].

The Amendment is available for public inspection, free of charge, during office hours at the following places:

City of Melbourne  
Council House 2, Planning and Building Reception Counter  
Level 3, 240 Little Collins Street  
MELBOURNE VIC 3000

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by [To be determined].

A submission must be sent to: [planningpolicy@melbourne.vic.gov.au](mailto:planningpolicy@melbourne.vic.gov.au)

Or

Team leader – Planning Policy  
City of Melbourne  
PO Box 1603  
MELBOURNE VIC 3001

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [To be determined].
- panel hearing: [To be determined].

*Planning and Environment Act 1987*

**MELBOURNE PLANNING SCHEME**

**AMENDMENT C320**

**INSTRUCTION SHEET**

The planning authority for this amendment is the City of Melbourne.

The Melbourne Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of one attached map sheet.

***Overlay Maps***

1. Amend Planning Scheme Map No. 05DDOPT3 in the manner shown on the attached map marked Melbourne Planning Scheme Amendment C320, by deleting DDO68.

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

1. In Overlays – Clause 43.02, delete Schedule 68.
2. In Overlays – Clause 43.02, replace Schedule [621](#) with a new Schedule [621](#) in the form of the attached document.

End of document



LEGEND

Part of Planning Scheme Map 5DDOPT3

**D-DDO68** AREA TO BE DELETED FROM A DESIGN AND DEVELOPMENT OVERLAY (D-DDO68)

AMENDMENT C320



15/10/2015  
C196

## SCHEDULE 61 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO61**.

### CITY NORTH

#### 1.0

#### Design objectives

15/10/2015  
Proposed  
C320496

- To encourage City North to develop as a central city precinct characterised by university, research and medical buildings.
- To establish a mid-rise scale of buildings (6 to 15 storeys) that is distinct from the tall built form in the Hoddle Grid area to the south, which steps down at the interface to the lower scale surrounding established neighbourhoods in North and West Melbourne.
- To support increased density and diversity of uses along the Victoria Street, Flemington Road, Elizabeth Street and Swanston Street tram corridors and around the proposed Grattan and CBD North Metro Rail stations.
- To establish built form that creates a strong sense of street definition by adopting a building height at the street edge determined by a 1:1 (building height to street width) ratio.
- To ensure development responds appropriately with suitable building scale, heights and setbacks to the existing character, context, and interfaces with established residential areas, and immediate amenity.
- To ensure that new buildings respect the rich heritage fabric of the area and that new buildings that adjoin the heritage buildings respect their height, scale, character and proportions.
- To develop a fine grain urban form by encouraging buildings with a wide street to be broken into smaller vertical sections,
- To develop the Haymarket area as a central city gateway precinct and public transport interchange.
- To ensure university, research and medical buildings are actively integrated with the surrounding public realm.
- To design buildings to provide passive surveillance and activation of ground floors addressing the streets.
- To ensure development allows good levels of daylight and sunlight to penetrate to the streets and to lower storeys of buildings by providing adequate separation between buildings.
- To deliver a scale of development that provides a high level of pedestrian amenity having regard to sunlight, sky views and wind conditions.
- To improve the walkability of the precinct by encouraging new laneways and pedestrian connections.
- To encourage the ground floor of buildings to be designed so that they can be converted to a range of alternative active uses over time.
- To ensure any development of the land at 154 - 160 Leicester Street, Carlton provides for the reconstruction, rebuilding and restoration of the former heritage building.

#### 2.0

#### Buildings and Works

15/10/2015  
Proposed  
C320496

A permit is not required for public works or minor alterations or the installation of service

fixtures to existing buildings.

All buildings and works requiring a permit should:

- be constructed in accordance with the preferred maximum street edge height, preferred maximum building height and preferred upper level setback requirements for the specific areas as identified in Part 1.0 and Table 1 of this Schedule
- meet the Design objectives and Design Requirements as set out in Table 2 of this Schedule.

An application to exceed the preferred maximum building height should demonstrate achievement of the relevant the Design objectives and Built Form Outcomes as identified in Part 1.0 and Table 1 of this Schedule.

The street wall height is measured at the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

154 - 160 Leicester Street, Carlton

All buildings and works on the land located at 154 - 160 Leicester Street, Carlton (land) should include the reconstruction, rebuilding and restoration in facsimile of the front 19th century Victorian period sections (refer Figure 2) of the former building on the land.

Consideration should also be given to reinstating the sections constructed during the Interwar period (refer Figure 2).

Where the Victorian and Interwar period sections of the building (refer Figure 2) are not proposed to be reconstructed, rebuilt and restored in full, the construction of buildings and the carrying out of works on the land must include the reconstruction, rebuilding and restoration in facsimile of the front 19th century Victorian period sections of the former building (refer Figure 2) on the land to a minimum depth of 6 metres, measured from the Leicester and Pelham Street property boundaries.

The reconstruction, rebuilding and restoration works carried out on the land must:

- be managed and constructed in accordance with an approved Conservation and Restoration Management Plan; and
- reuse materials from the demolished building where practicable and safe to do so. Where materials are unable to be reused, like for like materials must be used.

Where buildings and works are proposed within the potential infill section of the Leicester Street frontage located to the south of the reconstructed façade (see Figure 2) a maximum streetwall height that is below the façade parapet of the reconstructed Leicester Street façade must be adopted.

Where additions are proposed above the reconstructed facades and / or the street wall, buildings and works:

- should not be constructed above the reconstructed 19th century sections (refer Figure 2) of the building; and
- must be setback a minimum of 6 metres from the Leicester and Pelham Streets frontages.

A permit cannot be granted to vary these requirements. However, minor alterations to the sections of the building to be reconstructed and restored may be considered where required by the Building Code of Australia (BCA) and/or other relevant legislation and appropriately justified to the satisfaction of the Responsible Authority.

### 3.0 Subdivision

15/10/2015  
C196

A permit is not required to subdivide land.

### 4.0 Application requirements

15/10/2015  
Proposed  
C320+196

An application for permit, other than an application for minor buildings or works as determined by the responsible authority, must be accompanied by a comprehensive site analysis and urban context report documenting the key planning influences on the development. The urban context report must identify the development opportunities and constraints, and demonstrate how the development, addresses:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- The objectives, design requirements and outcomes of this Schedule.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate including sunlight, daylight and wind effects on streets and public spaces.
- Energy efficiency and waste management.
- Ground floor and lower level street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.

In addition to the above requirements, an application for permit relating to land located at 154 - 160 Leicester Street, Carlton must be accompanied by:

- A Conservation and Restoration Management Plan (CRMP) prepared by a qualified architect with significant experience in reconstructing and restoring heritage buildings to the satisfaction of the Responsible Authority. The CRMP must include a fully detailed methodology and method statement. The methodology and method statement must:
  - Clearly demonstrate the methods of storing of the heritage fabric, restoration and repair of any fabric and the subsequent reconstruction, rebuilding and restoration of the Former Carlton Inn
  - Explain the proposed method and staging (if any) of reconstruction, rebuilding and restoration works on the land
  - Include a detailed analysis of surviving documentation (e.g. drawings, images, etc.) and the surviving building materials and fabric
- A set of drawings and specifications informed by the methodology and method statement that include the following key elements:
  - Hipped roof form, clad in corrugated sheet metal (these may have had a green finish – painted or powdered coated)
  - Chimneys with moulded cappings, 3 chimneys are to be provided at the perimeter of the building and 2 chimneys are to be provided at other locations visibly penetrating the roof
  - Parapet – bottle balustrade, with signage to west corner and orbs surmounted by finials
  - Walls
    - rendered finish – substrate may have been a combination of stone/likely basalt (western part) and brick (eastern part).

- [cornice – possibly basalt – simple profile, with narrow projecting capping,](#)
- [subtle trabeation \(post and lintel\) to western part to both levels \(possibly basalt\), and eastern part,](#)
- [platband,](#)
- [\(basalt\) plinth with a draft margin,](#)
- [Tiled dado – probably dating to Interwar period \(a section survives at east end\),](#)
- [Windows – different detailing to western and eastern parts of the building, double hung sash timber windows](#)
  - [Phase 1 Original western section \(refer Figure 2\) – \(probably\) basalt projecting sill \(first floor only\); lintel, jambs and lower bracket-like element \(latter components flush with wall\); 2 at ground floor had later glass bricks \(north elevation\).](#)
  - [Phase 2 Later eastern section \(refer Figure 2\) – uncertain materials, wider sills, higher in wall \(at first floor\)](#)
- [Doorways – narrow moulding above corner doorways and that to western elevation, original doors had been replaced and locations altered over time.](#)
- [Floor levels – the internal finished floor level to Australian Height Datum \(AHD\)](#)

**5.0**15/10/2015  
C196**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposal achieves the design objectives in Part 1.0 of this Schedule
- Whether the proposal achieves the built form outcomes contained in Table 1.
- Whether the proposal achieves the design requirements contained in Table 2.
- Whether the development maintains and enhances the character and amenity of the streetscape.
- The wind effect at ground level as demonstrated by wind effects studies as necessary.

**6.0**15/10/2015  
C196**Exemption from notice and appeal**

- An application to construct a building or carry out works on land located within the Capital City Zone (CCZ5) is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act

**7.0**15/10/2015  
[Proposed](#)  
[C320496](#)**Reference documents**

City North Structure Plan 2012

[Heritage report: 154 - 160 Leicester Street Carlton, RBA Architects & Conservation Consultants, January 2018](#)

[Town Planning report: 154 - 160 Leicester Street Carlton, TRACT, January 2018](#)

**Table 1 – Preferred Built Form Outcomes for Specific Areas**



DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
1	24 metres	<p><b>Buildings fronting O'Connell, Cobden and Princess Street:</b></p> <p>20 metre street edge height.</p> <p>Any part of the building above the 20 metre setback 4 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Respects the heritage character of the Queen Victoria Market Buildings;</li> <li>Avoids overshadowing the Queen Victoria Market buildings;</li> <li>Delivers an even transition in scale from the lower built form in Peel Street and adjacent areas in North Melbourne.</li> </ul>
2	24 metres	<p><b>Buildings fronting Harcourt Street:</b></p> <p>14 metre street edge height.</p> <p>Any part of the building at the street edge of Harcourt Street above 14 metres setback from the street behind a 45 degree line.</p> <p><b>Buildings adjacent to DDO32:</b></p> <p>14 metre building height at the property boundary.</p> <p>For sites adjacent to DDO32, any part of the building above 14 metres setback from the street behind a 45 degree line in accordance with Figures 1.</p> <p><b>Buildings facing all other streets:</b></p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback from the street behind a 45 degree line.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Delivers an appropriate transition in scale of development from the lower scale built form in Courtney Street to the higher scale built form in Flemington Road.</li> <li>Limits amenity impacts of excessive building bulk, overlooking and overshadowing on existing buildings in DDO 32</li> </ul>
3	40 metres	<p>Building facing all streets:</p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Creates strong definition to the streetscape.</li> <li>Does not dominate buildings in Area 2.</li> <li>Has a scale that reinforces Flemington Road as a civic spine and facilitates the enhancement of its landscape character</li> </ul>
4.1	40 metres	<p><b>Buildings fronting Grattan, Pelham, Queensberry, Bouverie, Leicester, Barry, Berkeley and Lincoln Square North and South streets:</b></p> <p>24 metre street edge height.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Reinforces Elizabeth Street as a civic spine and facilitates the enhancement of its landscape character.</li> <li>Creates stronger definition to the streetscape.</li> </ul>

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
		<p>Any part of the building above 24 metres setback 6 metres from the street.</p> <p><b>Buildings fronting O'Connell Street:</b></p> <p>20 metre street edge height.</p> <p>Any part of the building above 20 metres setback 6 metres from the street.</p> <p><b>Buildings fronting Swanston Street:</b></p> <p>32 metre street edge height.</p> <p>Any part of the building above 32 metres should be setback 6 metres from the street.</p> <p><b>Buildings facing all other streets:</b></p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<ul style="list-style-type: none"> <li>▪ Complements the existing character established by the university, research and medical buildings.</li> <li>▪ Ensures sunlight reaches the lower floors of new developments.</li> <li>▪ Facilitates an integrated built form on both sides of the Swanston Street.</li> <li>▪ Delivers a scale of development that provides street definition and a high level of pedestrian amenity, having regard to access to sunlight, sky views and a pedestrian friendly scale.</li> <li>▪ Provides a street edge height that integrates new development with lower scale heritage buildings.</li> </ul>
4.2	32 metres	<p><b>Buildings facing all streets;</b></p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Delivers a scale of development that provides a high level of pedestrian amenity, including access to sunlight at ground floor (to Berkeley Street), sky views and a pedestrian friendly scale.</li> <li>▪ Respects the scale of existing heritage buildings.</li> </ul>
5	60 metres	<p><b>Buildings fronting Pelham and Berkely Street:</b></p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres should be setback 6 metres from the street.</p> <p><b>Buildings facing O'Connell Street:</b></p> <p>20 metre street edge height.</p> <p>Any part of the building above 20 metres setback 6 metres from the street.</p> <p><b>Buildings facing Blackwood Street:</b></p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 10 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Supports the gateway role of the Haymarket.</li> <li>▪ Has a scale of development that is complementary to the proposed medium level built form of its surrounds.</li> <li>▪ Has a consistent streetscape built form that integrates Elisabeth Street with Flemington Road.</li> <li>▪ Does not overshadow the proposed civic space within the Haymarket.</li> <li>▪ Delivers a scale of development that provides an appropriate transition to the lower scale built form in Berkeley and Pelham Street.</li> <li>▪ Provides a high level of</li> </ul>

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
			pedestrian amenity, including access to sunlight to ground floor and sky views.
1-5		On the street edge of laneway frontages, any part of the building above 10.5 metres should be setback 4 metres.	Development that ensures laneways have appropriate access to daylight and sunlight.

**Table 2-Design Requirements for all DDO Areas**

Design Objective	Design Requirement
<b>Building Heights, Scale and Setbacks</b>	
<p>To ensure that the height of new buildings reinforces the built form character of specific areas as defined in Table 1 in this Schedule.</p> <p>To ensure appropriate building scale, height and setbacks at interfaces with established residential areas having regard to existing character, context and amenity.</p> <p>To ensure appropriate building scale on the side and rear boundaries of new buildings and works that respects the scale of existing adjoining buildings.</p> <p>To avoid to exposed blank walls</p> <p>To assist in limiting visual impact and adverse amenity on adjacent development sites.</p> <p>To promote articulated rooflines with architectural interest and variation.</p> <p>To establish a generally consistent built form to the street edge that creates a strong sense of definition and place.</p> <p>To ensure that the scale of built form provides an urban environment that is comfortable for pedestrians.</p> <p>To ensure equitable and good access to sunlight / daylight for occupants of buildings and in public places.</p> <p>To ensure that new development is adaptable over the long term to a range of alternate uses.</p>	<p>Deliver a scale of development at the street edge in accordance with Table 1 in this Schedule.</p> <p>Buildings should be constructed to the street boundary of the site.</p> <p>Upper levels above the maximum street wall heights should be visually recessive and more diminutive than the building's base.</p> <p>On corner sites where two different street edge heights are nominated, buildings should "turn the corner" and apply the higher street edge and transition to the lower nominated street edge height.</p> <p>Buildings should have a minimum ground floor to floor height of 4 metres at ground floor and a minimum floor to floor height of 3.2 metres in levels above the ground floor.</p>
<p>To ensure that new buildings and works adjoining individually significant heritage buildings or buildings within a heritage precinct respects the character, form, massing and scale of the heritage buildings.</p>	<p>The design of new buildings should respect the character, height, scale, rhythm and proportions of the heritage buildings.</p> <p>New buildings should step down in height to adjoining lower scale heritage buildings.</p> <p>New buildings should consider retaining the traditional heritage street wall (as opposed to defining a new higher street wall) where appropriate.</p>
<b>Building Facades and Street Frontages</b>	
<p>To ensure that buildings are well designed and enhance the amenity of City North.</p>	<p><b>Addressing the Street</b></p> <p>The articulation of building facades should</p>

Design Objective	Design Requirement
<p>To deliver a fine grain built form with architectural variety and interest.</p> <p>To encourage high quality facade and architectural detailing.</p>	<p>express a fine grain. Expressing the vertical elements is encouraged to minimise the dominance of wide building frontages.</p> <p>Multiple doors/entrances to buildings and windows should be provided off the street to improve activation of the street.</p> <p>The facades of buildings should maintain the continuity, and traditional characteristic vertical rhythm of streetscapes.</p> <p>All visible sides of a building should be fully designed and appropriately articulated and provide visual interest.</p> <p>Blank building walls that are visible from streets and public spaces should be avoided.</p> <p>Buildings on corner sites should address both street frontages.</p> <p><b>Service areas</b></p> <p>Service areas (plant, exhaust, intake vents and other technical equipment and other utility requirements) should be treated as an integral part of the overall building design and visually screened from public areas.</p> <p>Buildings should be designed to integrate attachments (including antennae) without disrupting the appearance of the building.</p> <p><b>Building Projections</b></p> <p>Building projections outside the property boundary should accord with Council's Road Encroachment Guidelines.</p>
<p><b>Active and Safe Street Frontages</b></p>	
<p>To create safe streets.</p> <p>To ensure all streets are pedestrian oriented and contribute to pedestrian safety.</p> <p>To ensure development presents welcoming, engaging and active edges to streets and other public spaces at ground floor and the street frontages of lower storeys.</p> <p>To ensure development contributes to passive surveillance of the public domain.</p>	<p>Ground floor frontages should contribute to city safety by providing lighting and activity.</p> <p>At least the first five levels of a building should provide windows and balconies, fronting the street or lane.</p> <p>Access to car parking and service areas should minimise impact on street frontages and pedestrian movement.</p> <p>Carparking should not be located at ground floor and should not occupy more than 20% of the length of the street frontage above ground floor.</p> <p>Facades at ground level should not have alcoves and spaces that cannot be observed by pedestrians.</p>
<p>To provide continuity of ground floor shops and food and drink premises in proposed activity nodes.</p>	<p>Buildings with ground-level street frontages along Royal Parade at the Haymarket area and Victoria Street as shown on <b>Map 1</b> should contribute to the appearance and support the proposed retail function of the area to the satisfaction of the responsible authority, by providing:</p>

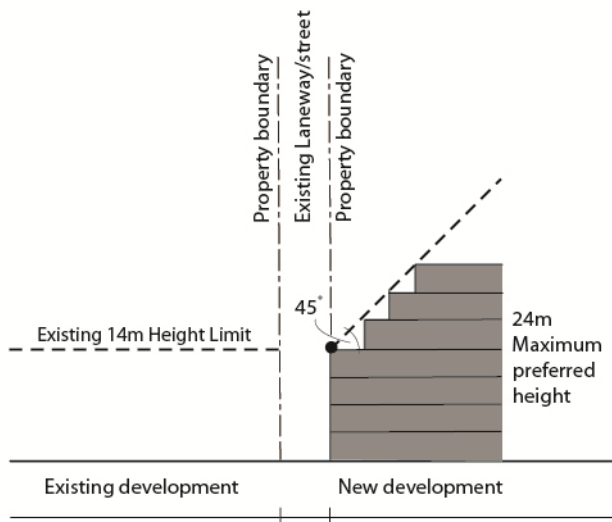
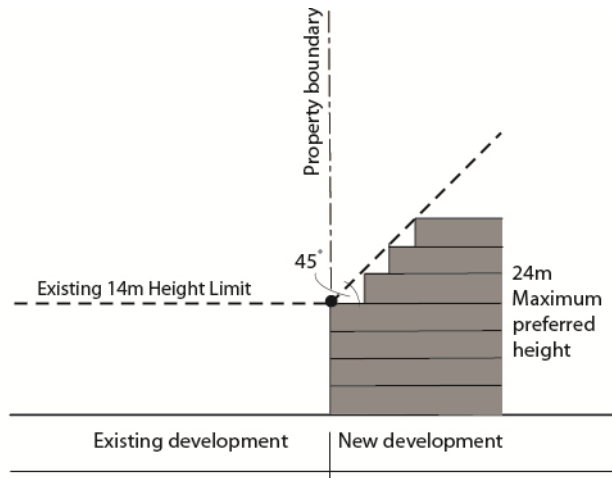
Design Objective	Design Requirement
	<ul style="list-style-type: none"> <li>▪ At least 5 metres or 80% of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises.</li> <li>▪ Clear glazing (security grilles should be transparent)</li> </ul>
<p>To ensure ground floor frontages to major pedestrian area add interest and vitality.</p>	<p>Buildings with ground-level street frontages to Elizabeth Street, Peel Street, Grattan Street, Swanston Street and Queensberry Streets as shown on <b>Map 1</b> should present an attractive pedestrian oriented frontage to the satisfaction of the responsible authority, by providing:</p> <ul style="list-style-type: none"> <li>▪ At least 5 metres or 80 % of the street frontages (whichever is the greater) as: <ul style="list-style-type: none"> <li>· an entry or display window to a shop and/or a food and drink premises; or</li> <li>· as any other uses, customer service areas and activities, which provide pedestrian interest or interaction.</li> </ul> </li> <li>▪ Clear glazing (security grilles must be transparent).</li> </ul>
<p><b>Provision of Public Places</b></p>	
<p>To encourage the provision of well-designed and publicly accessible spaces</p>	<p>The opportunity for the inclusion of public spaces should be promoted.</p>
<p><b>Sunlight to Public Places</b></p>	
<p>To ensure that new buildings allow daylight and sunlight penetration to public spaces, and open space throughout the year.</p> <p>To protect sunlight to public spaces.</p> <p>To ensure that overshadowing of public spaces by new buildings or works does not result in significant loss of sunlight.</p>	<p>Buildings and works should not cast a shadow between 11.00 am and 2.00 pm on 22 March and 22 September over public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, and privately owned plazas open to the public. A permit may only be granted if the overshadowing will not prejudice the amenity of those areas.</p> <p>Maximise the extent of the northerly aspect of public open spaces.</p> <p>Ensures sunlight reaches the lower floors of new developments.</p>
<p><b>Pedestrian Links</b></p>	
<p>To encourage the creation of new lanes and connections, particularly in locations where block lengths exceed 100m.</p> <p>To ensure new laneways are aligned to respect the street pattern;</p> <p>To ensure new laneways integrate with the pattern of development of adjacent areas,</p> <p>To accommodate vehicular and service access to developments.</p>	<p>Pedestrian through block connections should be provided where the average length of a street block exceeds 100 metres. For street blocks exceeding 200metres in length at least two connections should be provided.</p> <p>Connections should be located towards the centre of the street block, no more than 70 metres from the next intersection or pedestrian connection.</p> <p>Where a development site is suitably located for a pedestrian connection but does not exceed the full depth of the block, the development should include a connection which would be completed</p>

Design Objective	Design Requirement
	<p>when a connection is provided through the adjoining site.</p> <p>Where a development site has the potential to achieve a through block connection by extending an existing or proposed connection on an adjoining site, the new development should provide for the completion of the through block connection.</p> <p>Development should provide pedestrian connections that are aligned with other lanes or pedestrian connections in adjacent blocks (or not offset by more than 30 metres) so as to provide direct routes through City North.</p> <p>Bluestone lanes, kerbs and guttering within heritage precincts must be retained, and should also be retained outside heritage precincts.</p> <p><b>Laneway design and character</b></p> <p>Developments should provide pedestrian connections which are:</p> <ul style="list-style-type: none"> <li>▪ Safe, direct, attractive and which provide a line of sight from one end of the connection to another.</li> <li>▪ Publicly accessible.</li> <li>▪ At least 3-6 metres wide.</li> <li>▪ Open to the sky or if enclosed at 7.6 metres.</li> <li>▪ Flanked by active frontages.</li> </ul> <p>Existing lanes should not be covered.</p> <p>The pedestrian amenity of lanes which are primarily used for servicing and car parking, should be improved through the use of materials, lighting and designated areas for pedestrians and vehicles.</p> <p><b>Buildings and works adjoining lanes</b></p> <p>The design and management of access and loading areas along lanes should not impede pedestrian movement.</p> <p>New development should respond to the fine grain pattern, vertical articulation and division of building frontages where this forms part of the lane way character.</p> <p>New development along lanes should provide highly articulated and well detailed facades that create visual interest, particularly at the lower levels.</p>
<b>Weather Protection</b>	
<p>To promote pedestrian amenity.</p> <p>To ensure built form does not increase the level of wind at ground level and that buildings are designed to minimise any adverse effect on pedestrian comfort.</p>	<p>The design of the building should minimise the potential for ground-level wind and any adverse effect on pedestrian comfort as follows:</p> <ul style="list-style-type: none"> <li>▪ In the proposed activity nodes shown on Map 1 the peak gust speed during the</li> </ul>

Design Objective	Design Requirement
	<p>hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 10 ms-1. This speed is generally acceptable for stationary, long term exposure (&gt;15 minutes); for instance, outdoor restaurants/cafes, theatres</p> <ul style="list-style-type: none"> <li>▪ Along major pedestrian areas shown on Map 1 the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 13 ms-1. This speed is generally acceptable for stationary, short term exposure (&lt;15 minutes); for instance, window shopping, standing or sitting in plazas;</li> <li>▪ Along all other streets the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 16 ms-1 (which results in half the wind pressure of a 23ms-1 gust) which is generally acceptable for walking in urban and suburban areas.</li> </ul> <p>Landscaping within the public realm should not be relied on to mitigate wind.</p>
<p>To protect pedestrians from the elements by providing shelter from the rain and sun, without causing detriment to building or streetscape integrity.</p>	<p>Buildings should include protection from the weather in the form of canopies, verandas and awnings.</p> <p>The design, height, scale and detail of canopies, verandas and awnings:</p> <ul style="list-style-type: none"> <li>▪ should be compatible with nearby buildings, streetscape and precinct character;</li> <li>▪ may be partly or fully transparent to allow light penetration to the footpath and views back up the building façade;</li> <li>▪ should be setback to accommodate existing street trees; and</li> <li>▪ should be located so that verandah support posts are at least 2 metres from tree pits.</li> </ul> <p>Protection need not be provided where it would interfere with the integrity or character of heritage buildings, heritage precincts or streetscapes and lanes.</p>

Figure 1

Provisions for Area 2 (Land adjoining DDO32)





Map 1 – Street Frontages



Figure 2

Former building on land at 154-160 leicester Street Carlton - Key phases of development



Red - Phase 1, Victorian period constructed 1856

Yellow - Phase 2, Victorian period constructed later 19th century, possibly 1860

Dark blue - Phase 3, Interwar period constructed 1923

Light blue - Phase 4, Interwar period constructed 1936

Orange - Potential infill section of the Leicester Street frontage

Note rear parts, post 1954

(Source: Nearmap, 13 September 2015)



**Amendment C320**  
160 Leicester Street, Carlton

---

**Heritage Report**

January 2018

**RBA ARCHITECTS +**  
**CONSERVATION CONSULTANTS** PTY LTD  
**FITZROY STREET** 4C/171  
**ST KILDA VIC AUSTRALIA** 3182  
**613 9525 5666** TEL  
**613 9525 4906** FAX  
**rba@rbaarchitects.com.au** EMAIL  
**www.rbaarchitects.com.au** WEB



## TABLE OF CONTENTS

---

<b>1</b>	<b>Introduction</b>	
1.1	Purpose	1
1.2	Location	1
1.3	Statement of Significance	1
<b>2</b>	<b>Site Details</b>	
2.1	Citation	3
2.2	Development Overview	4
2.3	Intactness	5
<b>3</b>	<b>Reconstruction</b>	
3.1	Introduction	6
3.2	Compliance with the Burra Charter and other Charters	6
3.3	Documentary Evidence	8
3.4	Precedents for Reconstruction	8
3.5	Heritage Issues	9
3.6	Recommended Methodology	10
3.7	Recommended Extent of Reconstruction	10
<b>4</b>	<b>Redevelopment Potential</b>	
4.1	Introduction	12
4.2	DDO61	12
4.3	DDO68	13
4.4	Adjacent Heritage Overlays	14
4.5	Discussion	16
4.6	Recommendations	18

# 1 INTRODUCTION

---

## 1.1 Purpose

This document has been prepared by RBA Architects + Conservation Consultants and provides a discussion of the heritage issues relating to the former Carlton Inn/Corkman Hotel (subject site) as part of Amendment C320 (City of Melbourne), which is in the course of being prepared. Amendment C320 is being developed to provide specific requirements for the subject site within DDO61 in light of the site specific DDO68 expiring later in the year.

The building on the subject site was largely demolished without a permit on 15 and 16 October 2016. Currently the party wall (parts of the late 19<sup>th</sup> century and 1936 sections) on the east side survives *in situ* and some of the displaced building fabric also remains protected at the site.

## 1.2 Location

The subject site is located on the south-east corner of Leicester and Pelham streets, Carlton.



Aerial with subject site indicated  
(Source: Nearmap, 23 November 2017)

## 1.3 Statement of Significance

The Carlton Inn, at 154-160 Leicester Street (also 175 Pelham Street) is protected by an individual heritage overlay (HO85) in the Melbourne Planning Scheme and is graded C. As such, it has been attributed with local significance as outlined in the existing statement of significance.<sup>1</sup>

### **What is Significant?**

The original front section of the Carlton Inn, excluding the rear additions.

### **How is it Significant?**

The Carlton Inn is of historic and aesthetic significance to the City of Melbourne.

### **Why is it Significant?**

The Carlton Inn is historically significant as one of the earliest extant buildings in this part of Carlton, which has undergone substantial change since the time of its initial phase of construction in 1857.

(AHC Criterion A4)

<sup>1</sup> RBA Architects 'City North Heritage Review 2013: Statements of Significance' (Revised June 2015)

The Carlton Inn is of aesthetic significance as a good example of the Victorian period. The façade is relatively plain and generally indicative of the early to mid-Victorian period, though the parapet may date to the later Victorian period. The façade has a stucco finish but the original corner section may be partly stone.  
(AHC Criterion E2)



## 2 SITE DETAILS

### 2.1 Citation

The following history and description is reproduced from the citation for the *Carlton Inn* prepared by the authors for the 'City North Heritage Review' 2013 (vol. 2), a reference document in the planning scheme.

#### History

The quarter acre block the corner of Pelham and Leicester Street was purchased in 1853 by R. Hepburn, who also bought the adjacent allotment to the east on Pelham Street and three others opposite.<sup>2</sup> Hepburn's holdings were subdivided soon after and the land, on which the subject site is located, comprised a single lot.<sup>3</sup>

An application for a Publicans' Licence by George Edwards of the Carlton Inn was postponed on 22 April 1856 but granted a month later.<sup>4</sup> In the following year, the Carlton Hotel was listed in the Sands & Kenny Directory with an unnumbered address to Leicester Street. In 1860, it was listed in the rate books list as a stone building and the licensee was John Cozens.<sup>5</sup> By 1862 it appeared in rate books as having 12 rooms.<sup>6</sup>

By 1896, according to the MMBW plans, the main section that fronts Pelham Street had been constructed, probably to two storeys, and a cellar was identified at the north-west corner. To the rear were two timber buildings: substantial stables (to the southern boundary) and a smaller fowl house (to the east boundary).<sup>7</sup>

Over the course of the 20<sup>th</sup> century several additions have been made to the rear, from the 1920s onwards. In 1923, the architects Thomas Watts & Sons designed a small addition to the rear to the value of £500, which included a new kitchen to the ground floor and bathroom above. The front bar was also altered at this stage and the builder was G. J. Edwards of North Brighton.<sup>8</sup> In 1936, a new two storey section on the eastern boundary was constructed, costing £700. The kitchen was relocated to the ground floor (next to the dining room, which had previously been a billiard room) and additional bedrooms above. Harry J. Johnson was the architect and J. A. Trencher of Caulfield was the builder. The outbuildings to the southern boundary still existed at this time.<sup>9</sup>

In 1954, the architect Harry J. Little designed further alterations to the rear, being two separate single storey sections with laundry and toilets. The outbuildings were demolished to make way for a garage and fuel store. The builder was R. J. Johnstone of Mitcham.<sup>10</sup>

Later single storey sections were added to the south-east corner.<sup>11</sup> The locations of doorways to the middle of the Pelham Street elevation have been altered since the mid-20th century.<sup>12</sup> Extensive alterations were also undertaken in 1972 and 1989.<sup>13</sup>

The hotel remained in the Noble family for about a century. In 1863, Mrs Noble is listed as the owner in the rate books, the first year owners were noted. In 1923, William K. Noble of Mirboo owned the site, and retained the ownership in 1936. By 1954, the proprietor was the Estate of W. K. Noble.

#### Description

The original section of the Carlton Inn located on the south-east corner of Pelham and Leicester Streets is possibly a mostly stone construction. It was extended to the east (that is along Pelham Street) during the latter part of the 19th century, when the extant parapet may have been added. Subsequently, a series of additions have been constructed to the rear, both single and two storey.

<sup>2</sup> Township Plan, Melbourne M314(14), allotment 10 and 11, section 25

<sup>3</sup> Vale Collection (SLV), vol.3, p37. 'Subdivision of allotments no. 18, 19 & 20 section 30 and allotments 10 & 11 of section 25 – North Melbourne at Carlton', no date. The square lot was 70 by 70 feet

<sup>4</sup> The *Argus*, 23 April 1856, p.6 and 7 May 1856, p.4

<sup>5</sup> City of Melbourne rate book 1860, Smith Ward, entry no 748. The correct spelling of the surname is uncertain.

<sup>6</sup> City of Melbourne rate book 1862, Smith Ward, entry no 203.

<sup>7</sup> MMBW detail plan, no 1177 (1896)

<sup>8</sup> Application 5304: VPRS 11200/P2/Unit 107 and VPRS 11201/P1/Unit 66

<sup>9</sup> Application 17,100: VPRS 11200/P1/Unit 1941 and VPRS 11201/P1/Unit 204

<sup>10</sup> Application 27,992: VPRS 11200/P7/Unit 711 and VPRS 11201/P1/Unit 351

<sup>11</sup> Building Application Index, VPRS11202 and Mahlstedt Fire Insurance Plan, map 21A (cf 1923-28 series, section 2 north, versions 1+ 4 and 1962 series)

<sup>12</sup> Refer c.1957 photograph by Lyle Fowler (SLV: image no. a42872)

<sup>13</sup> Building Application Index, VPRS11202

The front part of the Victorian period hotel is double storey with a painted stucco façade above a stone plinth, also painted. The hipped roof, clad in corrugated sheet metal, is hidden by a parapet, which includes the name of the building at the corner and elsewhere has a bottled balustrade with urns above. There is an unusually plain cornice, similar to that above the pair of corner entries, however these may be later alterations. There is a subtle trabeation expression (post and lintel) evident in the stucco work, which may have been more prominent previously, as it is possible that the stucco has been built up over the years. The lower part of the walls are tiled (possibly during the Interwar period) but have been painted over.

To the first floor, the window settings of the original corner section differ from those at the east end of the Pelham Street elevation. The lintels of the latter group sit directly below the cornice and have a panelled section below the sills. All the windows have timber-framed double hung sashes.

## 2.2 Development Overview

It is known that the front part of the hotel was constructed in two principal stages during the 19<sup>th</sup> century, and so dates to the Victorian period:

- 1856/57 - the larger western corner.
- by 1895, though possibly as early as 1860<sup>14</sup> – the smaller eastern part. The difference in the window detailing between the two parts along the northern elevation (Pelham Street) suggests that a larger time frame may have ensued than a mere 3 years.



Aerial showing key phases of development (site boundary dashed)

Phase 1 – red, 1856

Phase 2 – yellow, later 19<sup>th</sup> century, possibly 1860

Phase 3 – dark blue, 1923

Phase 4 – light blue, 1936

Note rear parts, post 1954

(Source: Nearmap, 13 September 2015)

14

The *Argus*, 13 April 1860, p8. A tender notice as follows 'Wanted, Tenders for building six rooms of brick. Apply at Carlton Inn, Leicester-street, North Melbourne'. The notice does not specify that the tender relates to the subject site and there are other tender notices at this time relating to other sites, where an application was to be made at the Carlton Inn.



The next major development phase was during the Interwar Period when two storey sections were built to the central and eastern part to the rear. These sections had survived prior to the demolition and there are original drawings (and so are well documented). The tiled dado to the exterior, which survived but had been overpainted, was likely introduced at this stage. A section of this dado has survived intact on the eastern party wall.

- 1923 – small central section, kitchen and bathroom. Internal alterations to the earlier parts also undertaken. It is likely that the entry at the western end of the north elevation was introduced at this time.
- 1936 – larger eastern section, kitchen and bedrooms. Some internal changes to the original sections. The eastern party wall survives *in situ*.

Subsequently, post-1954, various single storey additions were constructed to the rear/southern part of the site.

### 2.3 Intactness

Externally, the front part of the building had remained largely intact prior to its substantial demolition. The primary changes had been some modifications to the pattern of openings and the introduction of the tiled dado (during the Interwar period, a common alteration to hotels at that time).



Earliest photograph of Carlton Inn, circa 1940s  
(Source: *Herald Sun*, 23 October 2016, np)



Carlton Inn, mid-2011  
Comparison with the earlier photograph shows that it was largely intact to its earlier 20<sup>th</sup> century appearance  
NB the tiled dado had been painted over  
(Source: RBA)

## 3 RECONSTRUCTION

---

### 3.1 Introduction

Given that the Carlton Inn/Corkman Hotel was identified as a significant building and was protected by an individual heritage overlay in the Melbourne Planning Scheme (HO85), it is highly unlikely that, had an application for the full demolition of the building been submitted, a planning permit would have been approved. On this basis, the reconstruction of the significant parts of the building can be considered an appropriate action.

As such, this section of the report addresses the potential reconstruction of the hotel building on the subject site and includes discussion about the appropriateness of such an action in light of the *Burra Charter*, etc., an appropriate extent of reconstruction, and guidelines for reconstruction (methodology, extent and components).

### 3.2 Compliance with the Burra Charter and other Charters

#### **The Burra Charter (2013 edition)**

*or The Australia ICOMOS Charter for Places of Cultural Significance*

Reconstruction is addressed in the *Burra Charter* in article 1 (definitions) and article 20 (Conservation Processes) as follows:

#### **Article 1. Definitions**

1.8 Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material.

1.15 Associations mean the connections that exist between people and a place.

1.16 Meanings denote what a place signifies, indicates, evokes or expresses to people.

#### **Article 20. Reconstruction**

20.1 Reconstruction is appropriate only where a place is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the fabric. In some cases, reconstruction may also be appropriate as part of a use or practice that retains the cultural significance of the place.

20.2 Reconstruction should be identifiable on close inspection or through additional interpretation.

In regards to article 20, further information is provided in the 'Explanatory Notes' as follows:

Places with social or spiritual value may warrant reconstruction, even though very little may remain (e.g. only building footings or tree stumps following fire, flood or storm).

The requirement for sufficient evidence to reproduce an earlier state still applies.

#### **Article 24. Retaining associations and meanings**

24.1 Significant associations between people and a place should be respected, retained and not obscured.

Opportunities for the interpretation, commemoration and celebration of these associations should be investigated and implemented.

24.2 Significant meanings, including spiritual values, of a place should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

In regards to article 24, further information is provided in the 'Explanatory Notes' as follows:

For many places associations will be linked to aspects of use, including activities and practices.

#### **Other Charters**

Other international charters provide a similar basis for an authentic reconstruction if a significant site has been lost through disaster, etc. and for which there are strong social/symbolic/emotional associations such as the 'Nara (Japan) Document on Authenticity' (ICOMOS 1994), the 'Riga (Latvia) Charter' (ICCRROM 2000), and the 'Principles for the Conservation of Heritage Sites in China' (China ICOMOS 2002).

The recent charters noted have grappled with the primacy that had been given to authentic/original fabric in earlier charters (such as the Venice Charter 1964) to develop a more pluralistic approach (that is a non-Eurocentric approach).

This subtle shift in heritage philosophy is outlined in the final three articles in the 'Nara Document on Authenticity'.

11. All judgements about values attributed to cultural properties as well as the credibility of related information sources may differ from culture to culture, and even within the same culture. It is thus not possible to base judgements of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must be considered and judged within the cultural contexts to which they belong.

12. Therefore, it is of the highest importance and urgency that, within each culture, recognition be accorded to the specific nature of its heritage values and the credibility and truthfulness of related information sources.

13. Depending on the nature of the cultural heritage, its cultural context, and its evolution through time, authenticity judgements may be linked to the worth of a great variety of sources of information. Aspects of the sources may include form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling, and other internal and external factors. The use of these sources permits elaboration of the specific artistic, historic, social, and scientific dimensions of the cultural heritage being examined.

## Discussion

It is evident from the extract relating to Article 20 in the *Burra Charter* that there are instances where it can be appropriate to reconstruct the significant portions of the building, that is, especially if the site had considerable social significance and sufficient documentation survives to allow for an accurate reconstruction.

In this case, although RBA (the authors of the Statement of Significance) did not attribute the site with social significance in the current statement (only historic and aesthetic significance were attributed to the site), this was not to the exclusion of its potential. This was in part a circumspect analysis as it can be difficult to substantiate social significance, especially within the limited time frames available to undertake heritage studies. It has however become clear through the level of indignation at the loss of the Carlton Inn as expressed through traditional printed media, social media, etc. that this site had personal significance for many people. In recent years there has been a growing awareness about social significance and there have been some strong community campaigns to save historic hotels from demolition that have been important community hubs but which had not been subject to heritage protection (partly because they had been altered over time and so their architectural significance was deemed to be compromised).<sup>15</sup> As such, social significance can be retrospectively attributed to the Carlton Inn through its continuous use as a hotel for over a century and a half, its associations and meanings, as well as the response to its loss.

In addition, there was broad community exasperation expressed that it was possible for a protected heritage building to be so readily demolished and that the owners would likely bear relatively limited financial hardship from such action. As such, the demolition of the Carlton Inn has taken on another facet of cultural significance as a seminal test case in regards to heritage protection, in particular issues of penalties and enforcement.

Therefore given the significance of the site, especially in light of its evident social significance, there is a sound basis in both the *Burra Charter* (and other internationally recognised heritage charters) to warrant reconstruction on the presumption that it can be reliably undertaken (addressed below). This approach would largely reclaim the significance of the site – primarily its aesthetic and social significance – though less so its historic significance.

Potential options, other than reconstruction, for the site could include an interpretive design adopting the same building envelope to the front section however this approach would have less capacity to reclaim the significance of the site as the significance was integrally related to its design and fabric, which was evocative of its period of construction. Alternately, allowing the construction of another type of building that was unrelated to the Victorian period building would limit the former significance associated with the site and there would probably be no need to retain a heritage overlay as it would become largely redundant. These other options would provide a poor heritage outcome compared to reconstruction.

<sup>15</sup>

Examples include the Stork Hotel in Melbourne, the London Hotel in Port Melbourne, and the Greyhound Hotel in St Kilda.

### 3.3 Documentary Evidence

In the case of the Carlton Inn, no original drawings have come to light however there are various documents which provide considerable detail, especially about the plan and location of external openings, during the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The most useful sources are outlined in the following table. Recent aerials (available on Googleearth, Nearmap, etc.), but prior to demolition, are also useful in providing details of the roof plan and location of chimneys.

Resource	Date	Details/Comments
MMBW (Melbourne Metropolitan Board of Works)	1895 1896	Plan no. 30 (1 inch – 160 feet) – footprint Detail plan no. 1177 (1 inch – 40 feet)
Mahlstedt Fire Insurance Plans - map 21A, section 2 North	1923-28/Version 1 (unaltered) 1923-28/Version 4 (altered) 1962	Has same footprint as in MMBW, timber stables to rear Post 1936, showing various 2 and single storey sections Shows several single storey sections to the rear
City of Melbourne Applications (held at PROV), both files and drawings	1923 1936 1954	Application 5304 – 2 storey rear additions, central, incl. new kitchen and bathroom (above) Application 17,100 – 2 storey rear additions, east end, incl. new kitchen, 2 bedrooms (above) Application 27,992 – single storey rear additions, west end, M + F toilets, laundry; garage to south boundary
Historic photographs	Ca 1957	Lyle Fowler, SLV - H92.20/6162 (NB in poor condition, and not possible to procure a high resolution copy).
	Ca 1940s	Reproduced in the <i>Herald Sun</i> , 23 October 2016 (Justin Smith, 'Corkman Irish Pub demolition and the Western Bulldogs unite our city').
Historic Aerials (in background)	Mid-20 <sup>th</sup> century	Provide limited detail but external tiled dado is evident in both. SLV - H91.160/471 – 1946 (C Pratt) SLV - H91.160/519 – ca 1930-48 (C Pratt)
Recent photographs	Post-2000	RBA City of Melbourne Others

### 3.4 Precedents for Reconstruction

There are instances in recent years in Victoria where buildings or parts of buildings have been reconstructed as outlined below, the most well-known being the St Kilda Pier kiosk.

#### Kiosk at the St Kilda Pier

The St Kilda Pier kiosk was destroyed by fire in late 2003. It was reconstructed using salvaged fragments and based on documentary sources. There was a similar extensive outcry about the loss of this iconic site and broad public support for its reconstruction though less enthusiastically by members of the architectural community.

The site was managed by Parks Victoria and the reconstruction was not subject to an enforcement order. A Conservation Management Plan (CMP) was prepared to determine whether the significance might be recovered in a replacement structure.

### **142-46 Queens Parade, North Fitzroy**

City of Yarra, Application No. PLN11/0906

The redevelopment of a former industrial site for multi-storey residential building had been approved at VCAT with the retention of the front part of the circa 1881, two storey building. Subsequently the original building was completely demolished and Yarra Council sought for the façade to be reconstructed.

Permit condition/recommendations from the Heritage Adviser (2015):

1. That a suitably qualified and experienced heritage architect must be engaged to prepare a comprehensive report addressing the method for reconstruction, including fully scaled computer generated drawings from previous photographs of the building, the extent of original and new materials, finishes and detailing for the facade of the former foundry building. The works must include the results of investigations into the original external finish of the building, the original fenestration and the original window configurations.
2. That details on an interpretive display relating to the history of use and redevelopment of the building must be submitted and approved. The display must be positioned in a location that is visible from the public realm.

The façade has been reconstructed and RBA prepared drawings and assisted with the development of an interpretation panel.

### **7 Newry Street, Richmond**

A developer was forced to reconstruct a brick wall to the side of a factory, which had been approved for residential development. An enforcement order was issued by Yarra City Council and was upheld at VCAT (P360/2012) as follows:

In relation to the enforcement application by the Responsible Authority (P360/2012), I find that the land at 7 Newry Street Richmond was developed in contravention of condition 1(a) of the Planning Permit PL/09/0954 in that the removal of the south, east and west walls was not in accordance with the plans endorsed under the permit and I order, pursuant to section 119B of the Planning and Environment Act 1987 that the walls, which planning permit PL/09/0954 were required to be retained be reinstated to the satisfaction of the Responsible Authority to as near as practicable to the condition prior to such demolition (excluding the reinstatement of any structural defects that may have existed prior to such demolition) using the same bricks that formed part of the original walls, such reinstatement to be achieved on or before 6 August 2012.

### **664-666 Riversdale Road, Camberwell**

Robin Boyd House I, (VHR – H879). The roof was removed from the second phase of the house (1952) and was ordered to be replaced according to a Supreme Court order.

### **Others**

There have also been examples where a building has been partly destroyed by fire and full demolition was not approved, although there was no requirement to reconstruct the building:

- St Josephs Catholic Church. Collingwood – Full demolition sought after fire but refused. VCAT P3700/2011
- Building at 64 Geelong Road, Footscray – Full demolition sought after fire but refused. VCAT P3462/2006

## **3.5 Heritage Issues**

### **Presentation**

There would be opportunities to better present the exterior of a reconstructed building than it had been prior to demolition, for instance:

- The tiled dado (of which some sections survive at east end) could be revealed rather than being painted over.
- More sympathetic pattern of openings to the ground floor (that is, an earlier configuration) as there had been changes to openings during the late 20<sup>th</sup> or early 21<sup>st</sup> century.

### **Review of significance**

Given the additional research that has been undertaken, and it is likely that further work will be undertaken if reconstruction proceeds, it would be an opportune time to review the statement of significance for the site.

### 3.6 Recommended Methodology

A preliminary methodology is provided which should be adopted during the reconstruction process, but may not be limited to the following:

- An appropriately experienced heritage architect should be engaged to document and oversee the reconstruction of the building.
- Reconstruction will rely upon a detailed analysis of surviving documentation (drawings, images) and the existing fabric to develop a set of drawings and a specification.
- Carefully document location of any *in situ* fabric.
- Carefully separate displaced/demolished building fabric and determine viability of reusing fragments.
- Reuse remnant fabric where ever possible.
- Remnant fabric will provide a basis for suitable matching to the original type for individual components and finishes.
- Use salvaged/second-hand materials especially for the basalt and/or other wall components.
- Provide interpretation at the site, including explanation of the reconstruction process.

### 3.7 Recommended Extent of Reconstruction

In order to best reclaim the significance of the site as an early example of a relatively intact 19<sup>th</sup> century hotel, the first phase of which was constructed in about 1856, the fabric that primarily relates to the significance should be reinstated. The significant fabric related to the front 19<sup>th</sup> century/Victorian period two storey sections of the building. The key elements of the external fabric that should be reinstated includes the following:

- Hipped roof form, clad in corrugated sheet metal (the roof had a green finish – painted or powdered coated)
- Chimneys with moulded cappings, 3 to perimeter and 2 penetrating
- Parapet – bottle balustrade, with signage to west corner and orbs surmounted by finials
- Walls
  - rendered finish – substrate may have been a combination of stone/likely basalt (western part) and brick (eastern part),
  - cornice – possibly basalt – simple profile, with narrow projecting capping,
  - subtle trabeation (post and lintel) to western part to both levels (possibly basalt), and eastern part,
  - platband,
  - (basalt) plinth with a draft margin,
  - Tiled dado – probably dating to Interwar period (a section survives at east end),
- Windows – different detailing to western and eastern parts, double-hung sash timber windows
  - Original western – (probably) basalt projecting sill (first floor only); lintel, jambs and lower bracket-like element (latter components flush with wall); 2 at ground floor had later glass bricks (north elevation).
  - Later eastern – uncertain materials, wider sills, higher in wall (at first floor)
- Doorways – narrow moulding above corner doorways and that to western elevation, original doors had been replaced and locations altered over time.

In addition, consideration could be given to reinstating the form of the 1936 section constructed during the Interwar period to the east end (the party wall of this section survives *in situ*). When built, this section included a kitchen to the ground floor and bedrooms to the first floor.

There is no heritage imperative to reinstate the smaller 1923 additions to the central rear, which were of a secondary nature and seemed to have been considerably altered. In addition, the single storey sections to the rear dated to the 1950s onwards and were not of significance.



Subject site dashed  
19<sup>th</sup> century section – should be reconstructed  
1936 section – could be reconstructed  
(Source: Nearmap, 13 September 2015)

## 4 REDEVELOPMENT POTENTIAL

---

### 4.1 Introduction

The following discussion of redevelopment potential is based upon the front/19<sup>th</sup> century sections being reconstructed such that the site would reclaim heritage significance.

The following overlays and clauses apply to the site:

- HO85 (at Clause 43.02) - Heritage Overlay Schedule, and the associated Clause 22.05 (which is undergoing review as part of Amendment C258)
- DDO61 (at Clause 43.02) – City North (a defined area immediately north of the CBD/CAD in the planning scheme)
- DDO68 (at Clause 43.02) – 160 Leicester Place [sic], Carlton

The heritage overlay has been long established at the site (at least since the current/new format planning schemes were introduced during the late 1990s)<sup>16</sup> and the specific local policy at Clause 22.05 (Heritage Places outside the Capital City Zone) applies.

In regards to the DDOs, DDO61, with a broad purview, was introduced in 2015 (Amendment C196) and the DDO68, which is site specific, was introduced on 27/10/2016 (Amendment C299). The latter is a temporary DDO and is due to expire after 31 October 2018.

It is understood that consideration is being given to creating a site specific DDO area within DDO61 to guide future change at the subject site after the current DDO68 expires.

### 4.2 DDO61

The subject site was located within Area 4.1, which allows for 40 metre (approx. 10-12 storey development) as part of the 'Preferred Built Form Outcomes for Specific Areas' (table 1). In addition, due to its specific location, there is a 24 metre street edge height requirement with upper parts to be set back 6 metres from the street.

Within the built form outcomes, the following is noted:

- Provides a street edge height that integrates new development with lower scale heritage buildings.

Within DDO61, the key relevant objectives include:

- To encourage City North to develop as a central city precinct characterised by university, research and medical buildings.
- To establish a mid-rise scale of buildings (6 to 15 storeys) that is distinct from the tall built form in the Hoddle Grid area to the south, which steps down at the interface to the lower scale surrounding established neighbourhoods in North and West Melbourne.
- To ensure development responds appropriately with suitable building scale, heights and setbacks to the existing character, context, and interfaces with established residential areas, and immediate amenity.
- To ensure that new buildings respect the rich heritage fabric of the area and that new buildings that adjoin the heritage buildings respect their height, scale, character and proportions.

<sup>16</sup>

The exact date of the site's introduction into the Melbourne Planning Scheme has not been confirmed but the site was graded 'C' in the Carlton North Carlton and Princess Hill Conservation Study (Nigel Lewis & Assoc., 1984). As it has a relatively low number (HO85), it presumably was included in the Schedule (or its equivalent in the pre-1999 version) at a relatively early stage in the city's protection of heritage sites.



Table 2 - Design Requirements for all DDO areas

Relevant aspects are noted below

Design Objective	Design Requirement
<b>Building Heights, Scale and Setbacks</b>	
<p>To ensure that the height of new buildings reinforces the built form character of specific areas as defined in Table 1 in this Schedule.</p> <p>To ensure appropriate building scale, height and setbacks at interfaces with established residential areas having regard to existing character, context and amenity.</p> <p>To ensure appropriate building scale on the side and rear boundaries of new buildings and works that respects the scale of existing adjoining buildings.</p> <p>...</p> <p>To establish a generally consistent built form to the street edge that creates a strong sense of definition and place.</p> <p>...</p>	<p>Deliver a scale of development at the street edge in accordance with Table 1 in this Schedule.</p> <p>Buildings should be constructed to the street boundary of the site.</p> <p>Upper levels above the maximum street wall heights should be visually recessive and more diminutive than the building's base.</p> <p>On corner sites where two different street edge heights are nominated, buildings should "turn the corner" and apply the higher street edge and transition to the lower nominated street edge height.</p> <p>Buildings should have a minimum ground floor to floor height of 4 metres at ground floor and a minimum floor to floor height of 3.2 metres in levels above the ground floor.</p>
<p>To ensure that new buildings and works adjoining heritage buildings or heritage precincts respects the character, form, massing and scale of the heritage buildings.</p>	<p>The design of new buildings should respect the character, height, scale, rhythm and proportions of the heritage buildings.</p> <p>New buildings should step down in height to adjoining lower scale heritage buildings.</p>
<b>Building Facades and Street Frontages</b>	
<p>To ensure that buildings are well designed and enhance the amenity of City North.</p> <p>To deliver a fine grain built form with architectural variety and interest.</p> <p>To encourage high quality facade and architectural detailing.</p>	<p><b>Addressing the Street</b></p> <p>The articulation of building facades should express a fine grain. Expressing the vertical elements is encouraged to minimise the dominance of wide building frontages.</p> <p>Multiple doors/entrances to buildings and windows should be provided off the street to improve activation of the street.</p> <p>The facades of buildings should maintain the continuity, and traditional characteristic vertical rhythm of streetscapes.</p> <p>All visible sides of a building should be fully designed and appropriately articulated and provide visual interest.</p> <p>Blank building walls that are visible from streets and public spaces should be avoided.</p> <p>Buildings on corner sites should address both street frontages.</p>



### 4.3 DDO68

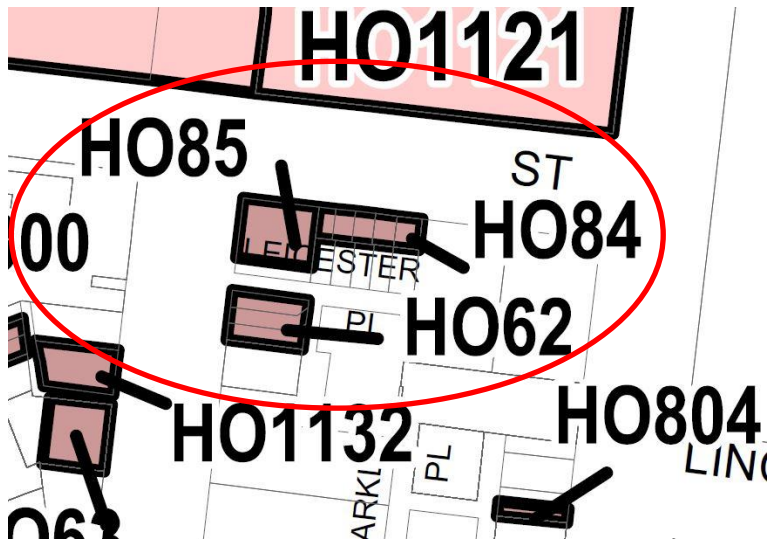
The site specific DDO68 primarily relates to the potential restoration and reconstruction of the hotel building that formerly stood on the land.

This DDO is due to expire on 31 October 2018.

#### 4.4 Adjacent Heritage Overlays

The subject site is adjacent to two existing heritage overlays - HO84 and HO62 – details of which are outlined in the following table.

HO	Location	Details
HO84	To the east 157-163 Pelham St	<p>Former C Huppert &amp; Co. Factory 1940s – two storey, Moderne style, brick building with part third storey additions (post-1962).</p> 
HO62	To the south, across Leicester Place 148-152 Leicester St	<p>Pattison Terrace Circa 1860, two storey terrace group of three houses with expressed pitched roof, clad in slate (to the front), face brick walls, and timber verandahs.</p> 



Heritage overlays in vicinity  
(Source: Melbourne 5HO map)



Corner of Pelham and Leicester streets, showing relationship to adjacent HOs to the Carlton Inn  
(Source: City of Melbourne Interactive Map, circa 2016)

In addition, there are two other broader heritage overlays in the immediate vicinity on Pelham Street - HO1121 (Little Pelham Precinct) and HO1 (Carlton Precinct). Whilst HO1121 is directly opposite, its significance relates to the industrial development of the early to mid-20<sup>th</sup> century and its character is different to that of the 19<sup>th</sup> century building that had stood on the subject site. The 19<sup>th</sup> century building stock in the nearby section of HO1 is some distance away and has already undergone substantial change to the rear (e.g. west side of Barry Street). As such, there are limited further contextual heritage considerations generated by these two heritage overlays.

## 4.5 Discussion

Assuming the original 19<sup>th</sup> century, two storey sections are reinstated in form and appearance, approximately half the site or so could be redeveloped to the rear. The total site area is 458.29 m<sup>2</sup>.

According to the existing requirements in DDO61 (clause 43.02), there would be considerable potential for redevelopment to the rear of a reconstructed building on the site. This potential however would need to be balanced with the heritage provisions at Clauses 22.05 and 43.01, which would remain relevant and a trigger on the basis that the existing heritage overlay was retained, in order to ensure an appropriate outcome. Within DDO61, there are also objectives and requirements that the potential negative impacts on adjacent heritage buildings are considered.

The immediate context is varied and a range of architectural periods are represented in the existing building stock. There is a mixture of traditional low scale buildings, mainly single and two storey, several of which are included within heritage overlays, juxtaposed with more recent multi-storey development. An example of the latter stands opposite on the block to the west - an eleven storey building (University of Melbourne, building C) constructed in 2002 and for which there is strategic basis for in the City North Structure Plan.

As noted above, there is an existing heritage overlay adjacent to the subject site on both sides. Of particular importance is Pattison Terrace to the south, separated by a laneway, which was built at a commensurate time to the Carlton Inn, that is, circa 1860. Although a disparate pair in terms of building typology, they formed a distinct group in terms of being fabric from the earliest phase of development in this part of Carlton, of which there are few remnants.

As such, any infill development fronting the Leicester Street part of the site (assuming a reconstructed original section of the Carlton Inn) needs to be sympathetically introduced so as not to overwhelm these significant heritage assets. Careful consideration would need to be given to the articulation of an infill section so that it complements, or relates to, that evident in the adjacent buildings (typical of the mid-19<sup>th</sup> century).



Leicester Street, south of Pelham Street - Carlton Inn (left) and Pattison Terrace (right)  
(Source: Googleearth, October 2016)

Other heritage considerations relate to the interface of a reconstructed original section and any additions. In this case, the rear edge of the original section, including the prominent chimneys, was widely visible along Leicester Street and the rear laneway, Leicester Place. It would be appropriate for some visibility of these chimneys (if reconstructed) to be ensured.





Carlton Inn, rear along Leicester Street, showing visibility of original chimneys  
(Source: City of Melbourne Interactive Map, circa 2015)



Carlton Inn, rear along Leicester Place, showing visibility of original chimneys  
(Source: RBA, 2011)

In regards to the development to the south-east part of the site (that is, behind the original sections and a low scale infill section on Leicester Street), the preferred height limit of 40 metres applies to this part of Carlton (area 4.1). This potential however may not be appropriate at the subject site, that is, a less intensive level of development may be required, in order to comply with the heritage provisions and the relevant design objective in DDO61 as follows:

- To ensure that new buildings respect the rich heritage fabric of the area and that new buildings that adjoin the heritage buildings respect their height, scale, character and proportions.

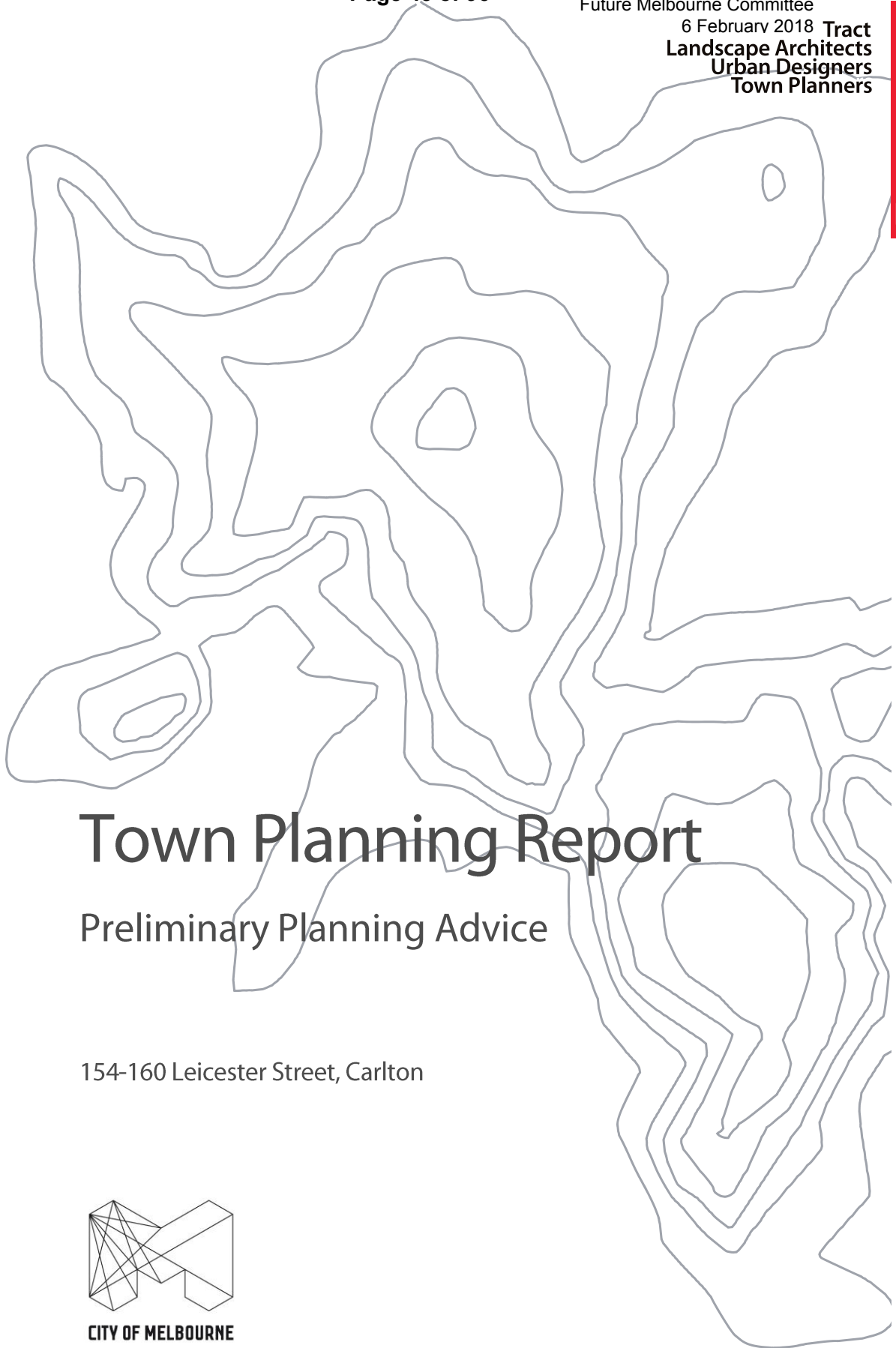
## 4.6 Recommendations

If the original 19<sup>th</sup> century/front sections building were reconstructed, it would follow that the (rear) parts of the site could be developed as if the building had not been demolished and a future planning application should be assessed on that basis. This would ensure that the reclaimed/reinstated significance of the original section is respected and not overwhelmed by inappropriate development.

As such, the following recommendations are provided to ensure a sympathetic relationship between the recommended extent of reconstructed 19<sup>th</sup> century sections and any future additions in light of the objectives and policies in both the heritage provisions and DDO61.

Recommendations for appropriate development to the rear of the site:

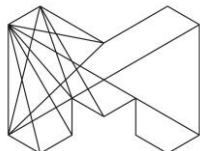
- Additions should be located behind reconstructed 19<sup>th</sup> century sections.
- Higher rear parts should not cantilever over the reconstructed sections.
- Limit the height of the façade on Leicester Street (south end of site) to 2 storeys so as to form a consistent street wall between the Carlton Inn (HO84) and Pattison Terrace (HO62).
- 2 storey additions to the south of the reconstructed section should be to a similar depth as the original extent, about 9 metres.
- The additions, immediately adjacent, should be located below the eaves gutter of the south wall of the reconstructed 1856 section of the building and relate to the façade parapet.
- Retain some views of the two chimneys to the south wall of the 1856 section.
- Create a sympathetic relationship between the reconstructed and infill sections along Leicester Street.
- The extant crossover on Leicester Street could be deployed or vehicular access could be relocated to Leicester Place.



# Town Planning Report

## Preliminary Planning Advice

154-160 Leicester Street, Carlton



**CITY OF MELBOURNE**

Prepared on behalf of City of Melbourne

0318-0032 – 31 January 2018

LEVEL 6, 6 Riverside Quay, SOUTH BANK VIC 3006  
Phone: (03) 9429 6133  
[www.tract.com.au](http://www.tract.com.au)

## Quality Assurance - Report Record

Project Name	154-160 Leicester Street, Carlton
Document Number	PR001
Revision (see below)	00
Prepared By	Liam Riordan
Reviewed By	Daniel Soussan
Approved By	Daniel Soussan
Date of Issue	31 January 2018

### Revision Status- all revisions must be identified by the following information

Revision Number	00
Description of Revision	N/A
Prepared By	N/A
Reviewed By	N/A
Pages Revised	N/A



## Contents

<b>1</b>	<b>Introduction</b>	<b>2</b>
1.1	Background / Overview	2
1.2	Instructions	2
1.3	Report Structure	3
<b>2</b>	<b>Subject Site and Surrounds</b>	<b>4</b>
2.1	Subject Site	4
2.2	Site Surrounds	5
<b>3</b>	<b>Relevant Planning Controls</b>	<b>10</b>
3.1	Introduction / Overview	10
3.2	Capital City Zone – Schedule 5 (CCZ5)	10
3.3	Design and Development Overlay – Schedule 61-A4.1 (DDO61 Area 4.1)	10
3.4	Design and Development Overlay – Schedule 68 (DDO68)	11
3.5	Heritage Overlay – Schedule 85 (Carlton Inn 154-160 Leicester Street, Carlton)	12
3.6	Parking Overlay – Schedule 1 (PO1).	12
<b>4</b>	<b>Summary of RBA Advice &amp; Recommendations</b>	<b>13</b>
<b>5</b>	<b>Assessment</b>	<b>14</b>
5.1	Site Context - Opportunities and Constraints	14
5.2	Planning Commentary on RBA Advice & Recommendations	14
5.3	Recommendations regarding reconstruction and street wall height	18
<b>6</b>	<b>Conclusion</b>	<b>19</b>

# 1 INTRODUCTION

---

## 1.1 Background / Overview

We understand that the Carlton Inn (former Corkman Irish Pub) at 154-160 Leicester Street, Carlton was a two storey rendered brick hotel constructed in the mid 1880's that was demolished without planning approval on 15-16 October 2016 (noting that a permit was required for demolition under both the Capital City Zone and Heritage Overlay affecting the site).

On 27 October 2016 the Minister for Planning introduced interim planning controls over the site via Melbourne Planning Scheme Amendment C299. The amendment applied a new Schedule 68 to the Design and Development Overlay (DDO68 - 160 Leicester Place, Carlton) to the land, which introduced interim built form controls requiring the reconstruction of the significant heritage building.

We understand that the City of Melbourne has recently sought authorisation from the Minister for Planning for the preparation of Amendment C320 as outlined in the explanatory report prepared by the City of Melbourne dated 12 December 2017, the purpose of which is to introduce permanent controls by:

- Deleting the interim DDO68 (160 Leicester Place, Carlton); and
- Amending the existing DDO61 (City North) to introduce permanent built form controls including requiring the reconstruction of the significant heritage building at 154-160 Leicester Place, Carlton.

## 1.2 Instructions

As part of this process the City of Melbourne has sought planning advice regarding the built form outcome that might have been achieved had the building not been demolished, or were the building to be reconstructed, particularly having regard to the DDO61 and heritage advice from RBA Architects and Conservation Consultants (RBA).

In preparing this preliminary planning advice we have had regard to:

- The subject site and its immediate context.
- The current planning controls affecting the subject site, specifically including Design and Development Overlay 61.
- The draft Heritage Report prepared by RBA dated January 2018.
- Floor plans and elevations of the former Hotel building prepared by William Boag Architects (WBa) dated 14 July 2017.
- The management report to Council regarding Melbourne Planning Scheme Amendment C320 and the draft explanatory report (dated 12 December 2017).

### 1.3 Report Structure

This report sets out in brief an assessment of the site and its context, the relevant planning provisions, a summary of the recommendations from RBA, and sets out planning advice regarding potential reconstruction and built form.

## 2 SUBJECT SITE AND SURROUNDS

### 2.1 Subject Site

The subject site is located on the south-east corner of the intersection of Pelham Street and Leicester Street in Carlton, diagonally opposite Lincoln Square.

It is roughly square in shape with a frontage to Leicester Street of approximately 21m, an interface to Pelham Street of 21m and a total site area of approximately 458sqm.

The site is currently vacant, with the existing buildings on site having been demolished in October 2016.

Prior to demolition the site incorporated a two storey rendered brick hotel otherwise known as the Carlton Inn and / or the Corkman Irish Pub.



Figure 1 – Image of former Hotel building on site (Source: [maps.melbourne.vic.gov.au](https://maps.melbourne.vic.gov.au))- pre-demolition.



Figure 2 – View of subject site from intersection of Pelham and Leicester Streets looking generally south-east – post demolition.

## 2.2 Site Surrounds

The site is located on a prominent corner within the City North precinct, in close proximity to University Square (to the north-west) and Lincoln Square (to the east).

With respect to the sites interfaces we note:

- **North:** Immediately to the north of the site is Pelham Street, a 30m wide road reservation with a single lane of traffic in either direction. Pelham Street includes wide asphalt footpaths with parallel parking along located either side of the street and within the central median. There is no street planting within the footpath immediately adjacent to the site on Pelham Street. On the far side of Pelham Street, opposite the site, is the side elevation of Melbourne Business School – which presents a single storey rendered brick building with elevated fenestration to Pelham Street.
- **South:** Immediately to the south of the site is Leicester Place, which is a dead end laneway (albeit that it connects through to Corporation Lane CL1002 to the south) with a road reservation of approximately 4.5m. On the far side of Leicester Place immediately opposite the subject site is 152 Leicester Street, which is one of three attached two storey brick dwellings with a pitched slate roof form at 148-152 Leicester Street.
- **East:** Immediately to the east of the site fronting Pelham Street is a part two (where abutting the subject site) and part three storey brick former warehouse and factory building that has been converted to retail tenancies (fronting Pelham Street). The tenancy immediately adjacent to the subject site is Mama Tsai, a restaurant and cafe. Immediately to the east fronting Leicester Place is 9 Leicester Place, a four storey dwelling with a two storey presentation to the laneway. The upper levels are setback around 3m from the built form below to Leicester Place. A second storey terrace area is located at the southern side of this dwelling within this setback, There appears to be a cut-out servicing a west facing window at the upper level at the north-west corner of the site. There is a balustrade to this area which would suggest this function as a terrace.
- **West:** Immediately to the west of the site is Leicester Street, a 30m wide road reservation with a single lane of traffic in either direction. Leicester Street, again with asphalt footpaths, parallel parking along either side of the street and parking within the central median. There are two street trees within the



footpath adjacent to the site on Leicester Street. On the far side of Leicester Street is Melbourne University Building C – an eleven storey concrete building constructed in 2002.



Figure 3 – View of site looking generally south across Pelham Street with two to three storey former warehouse building to left.



Figure 4 – View towards subject site looking across Leicester Street with four storey adjoining development in centre and two storey brick heritage properties to right (over Leicester Place).

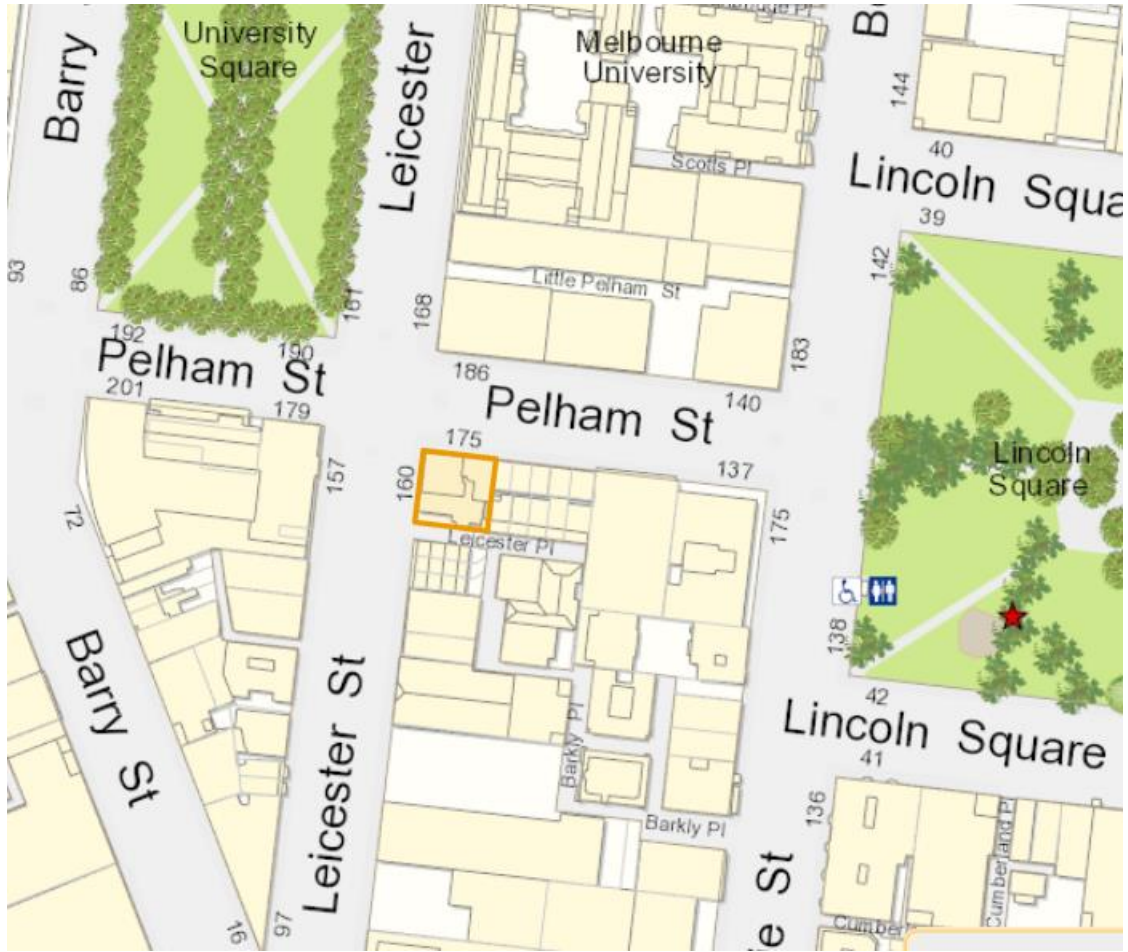


Figure 5 – Location and Context Map (Source: maps.melbourne.vic.gov.au)



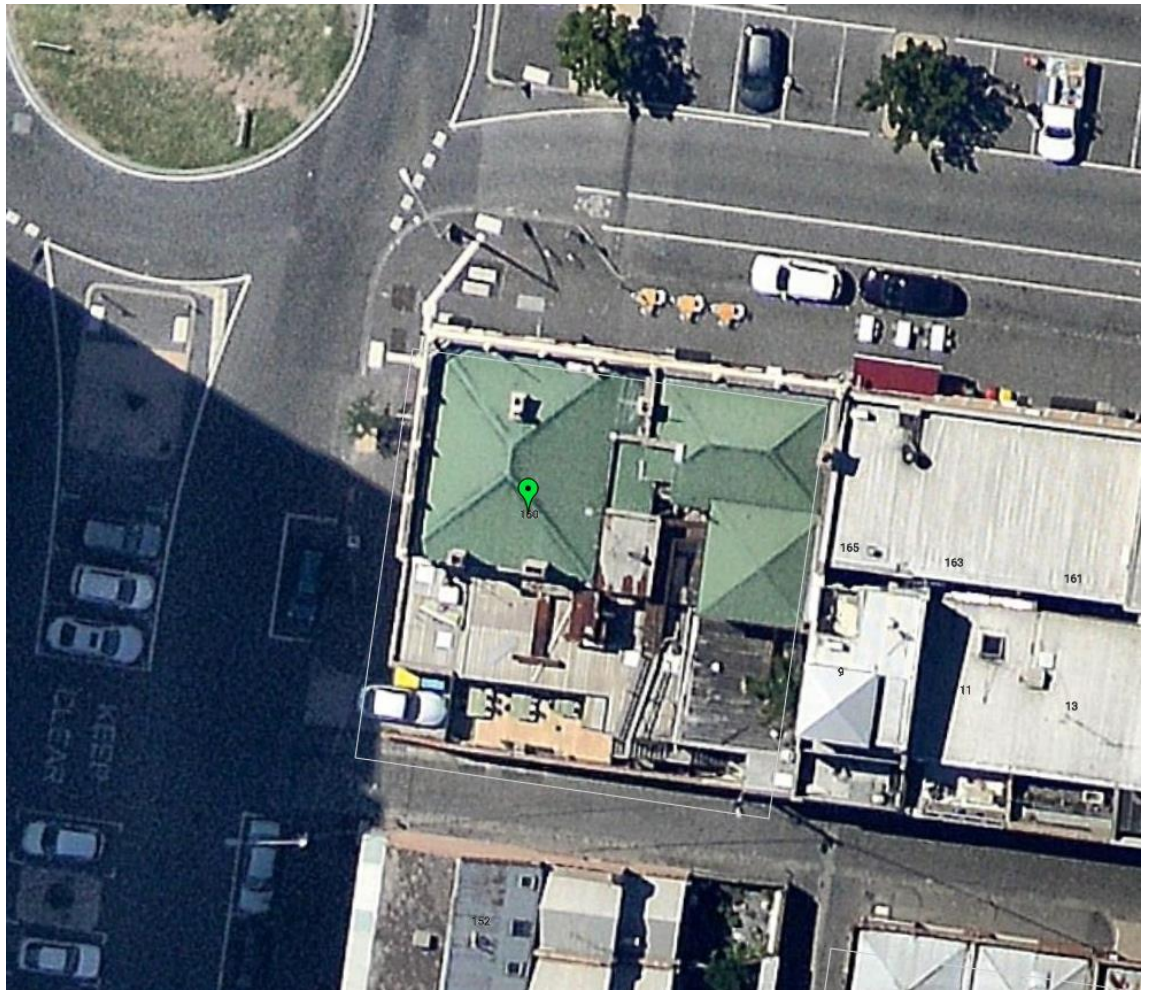


Figure 6 – Aerial Photo 5 February 2016 (Source: Nearmap) – prior to demolition.





Figure 7 – Aerial Photo – 23 November 2017 (Source: Nearmap) – post demolition.

## 3 RELEVANT PLANNING CONTROLS

---

### 3.1 Introduction / Overview

We note that the subject site is affected by the following planning controls:

- Capital City Zone – Schedule 5;
- Design and Development Overlay – Schedule 61 (Area 4.1);
- Design and Development Overlay – Schedule 68;
- Heritage Overlay – Schedule 85; and
- Parking Overlay – Precinct 1 Schedule.

More information on these controls, including a OneMap report with map showing the extent of the controls, is provided at Attachment 1 to this report. A brief summary of each of the controls is set out below.

### 3.2 Capital City Zone – Schedule 5 (CCZ5)

The Site is located within the Capital City Zone – Schedule 5 (CCZ5) pursuant to 37.04 of the *Melbourne Planning Scheme*. We note that under the CCZ5 a permit is required to construct a building or construct or carry out works (with some exemptions that are largely irrelevant in this case). A permit is also required for 'demolition'.

Clause 37.04 (Capital City Zone) seeks:

- *"To enhance the role of Melbourne's central city as the capital of Victoria and as an area of national and international importance;*
- *To recognise and provide for the use and development of land for specific purpose as identified in a schedule to this zone;*
- *To create through good urban design as an attractive, pleasurable, safe and stimulating environment"*

The purpose of Schedule 5 to the Capital City Zone is:

- *"To develop City North as a mixed use extension of the Central City;*
- *To provide for a range of educational, research and medical uses as part of an internationally renowned knowledge district; and*
- *To encourage a range of uses that complement that capital city function of the locality and serves the needs of residents, workers, students and visitors".*

### 3.3 Design and Development Overlay – Schedule 61-A4.1 (DDO61 Area 4.1)

The site is subject to Schedule 61 to the Design and Development Overlay (DDO61 Area 4.1). Under DDO61 a permit is required to construct a building or construct or carry out works.

Clause 43.02 sets out a series of detailed design objectives and built form outcomes for the precinct as follows:

- *To encourage City North to develop as a central city precinct characterised by university, research and medical buildings.*
- *To establish a mid-rise scale of buildings (6 to 15 storeys) that is distinct from the tall built form in the Hoddle Grid area to the south, which steps down at the interface to the lower scale surrounding established neighbourhoods in North and West Melbourne.*
- *To support increased density and diversity of uses along the Victoria Street, Flemington Road, Elizabeth Street and Swanston Street tram corridors and around the proposed Grattan and CBD North Metro Rail stations.*
- *To establish built form that creates a strong sense of street definition by adopting a building height at the street edge determined by a 1:1 (building height to street width) ratio.*
- *To ensure development responds appropriately with suitable building scale, heights and setbacks to the existing character, context, and interfaces with established residential areas, and immediate amenity.*
- *To ensure that new buildings respect the rich heritage fabric of the area and that new buildings that adjoin the heritage buildings respect their height, scale, character and proportions.*
- *To develop a fine grain urban form by encouraging buildings with a wide street to be broken into smaller vertical sections,*
- *To develop the Haymarket area as a central city gateway precinct and public transport interchange.*
- *To ensure university, research and medical buildings are actively integrated with the surrounding public realm.*
- *To design buildings to provide passive surveillance and activation of ground floors addressing the streets.*
- *To ensure development allows good levels of daylight and sunlight to penetrate to the streets and to lower storeys of buildings by providing adequate separation between buildings.*
- *To deliver a scale of development that provides a high level of pedestrian amenity having regard to sunlight, sky views and wind conditions.*
- *To improve the walkability of the precinct by encouraging new laneways and pedestrian connections.*
- *To encourage the ground floor of buildings to be designed so that they can be converted to a range of alternative active uses over time.*

The site is located within Area 4.1 under DDO61 which amongst other matters seeks the following (noting that the height and setback provisions are discretionary controls that can be varied with a permit):

- An overall building height of 40 metres.
- A street edge height for buildings fronting Leicester Street of 24 metres and upper level setback of 6 metres from the street for any part of the building over 24 metres.

The relevant built form outcomes for Area 4.1 seek development that:

- *Creates a stronger definition to the streetscape*
- *Complements the existing character established by the university, research and medical buildings*
- *Ensures sunlight reaches the lower floors of new developments*
- *Facilitates an integrated built form on both sides of the Swanston Street*
- *Delivers a scale of development that provides street definition and a high level of pedestrian amenity, having regard to access to sunlight, sky views and a pedestrian friendly scale*
- *Provides a street edge height that integrates new development with lower scale heritage buildings*

### 3.4 Design and Development Overlay – Schedule 68 (DDO68)

The site is subject to Schedule 68 to the Design and Development Overlay (DDO68). This is a site specific interim control that is due to expire on 31 October 2018.

The design objective under this overlay is:

*“To require the restoration and reconstruction of a significant heritage place.”*

Amongst other matters this overlay notes that all building sand works requiring a permit must:

*“restore and reconstruct in facsimile the building at 160 Leicester Place, Carlton as it stood immediately prior to its demolition in October 2016, reusing materials from the demolished building where practicable and safe to do so. Where materials are unable to be reused, like for like materials must be used.”*

### 3.5 Heritage Overlay – Schedule 85 (Carlton Inn 154-160 Leicester Street, Carlton)

The Site is affected by a site specific heritage overlay (HO85). Under the heritage overlay a permit is required to (inter alia) construct a building or carry out works, demolish or remove a building and to externally alter a building by structural work.

The broad purposes of the Heritage Overlay are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

### 3.6 Parking Overlay – Schedule 1 (PO1).

The Site is affected by Parking Overlay – Schedule 1 (PO1).

The relevant purpose statements of the Parking Overlay are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking.*

Schedule 1 to the Parking Overlay identifies the car parking rates for various uses within the Capital City Zone. A permit is required to provide car parking in excess of the car parking rates in the schedule to the clause. Where a site is used partly for dwellings and partly for other uses, the maximum number of spaces allowed:

- *For that part of the site devoted to dwellings (including common areas serving the dwellings) must not exceed one (1) space per dwelling.*
- *For that part of the site devoted to other uses, (excluding common areas serving the dwellings) must not exceed the number calculated using one of the following formulas:*

**Maximum spaces =**

**5 x net floor area of buildings on that part of the site in sq m**

**1000 sq m**

**or**

**12 x that part of the site area in sq m**

**1000 sq m**

## 4 SUMMARY OF RBA ADVICE & RECOMMENDATIONS

---

We have reviewed the draft report prepared by RBA and have had regard to this in forming our view on an appropriate built form massing outcome for the site (as detailed in Section 5 below).

We note that Section 4.6 of the RBA report provides for a summary of recommendations as follows:

- Additions should be located behind original 19<sup>th</sup> century sections.
- Higher rear parts should not cantilever over the original section.
- Limit the height of the façade on Leicester Street (south end of site) to 2 storeys so as to form a consistent street wall between the Carlton Inn (HO84) and Pattison Terrace (HO62).
- 2 storey additions to the south of the original section should be to a similar depth as the original section, about 9 metres.
- The additions, immediately adjacent, should be located below the eaves gutter of the south wall of the original/1856 section of the building and relate to the façade parapet.
- Retain some views of the two chimneys to the south wall of the 1856 original section.
- Create a sympathetic relationship between the reconstructed and infill sections along Leicester Street.
- The extant crossover on Leicester Street could be deployed or vehicular access could be relocated to Leicester Place.



## 5 ASSESSMENT

### 5.1 Site Context - Opportunities and Constraints

In terms of broader development opportunities and constraints based on the site and its context we would note the following:

- The subject site is affected by a heritage overlay, and we understand that the City of Melbourne is pursuing the reconstruction of the former hotel on the site. This would create a two storey street wall presentation to Pelham Street (and a portion of Leicester Street previously occupied by the two storey form of the hotel) with a height to the top of the parapet (excluding the more decorative upper level parapet element) of approximately 6.7m.
- The site is on the corner of a main intersection within the City North precinct and is well located with respect to various services and facilities (including open space, proximity to the university, etc).
- The site is bound on three sides by roadways, two x 30m road reservations to the north and west, and a 4.5m smaller street to the south.
- To the east is a two storey parapet form associated with a heritage building.
- To the east the neighbouring site largely presents as a high unarticulated wall, albeit with a small section centrally located that appears to function as a terrace / setback to a west facing window, and for a 3m setback to Leicester Place (which appears to function as a second storey terrace area associated with the dwelling at 9 Leicester Place).
- To the south is a Leicester Place, which provides some physical separation from the subject site to the two storey brick heritage dwellings at 148-152 Leicester Street.
- There is a small area of secluded private open space located to the rear of 152 Leicester Street, this is however located within DDO61 – where amenity expectations need to be balanced against the anticipated built form outcomes.

### 5.2 Planning Commentary on RBA Advice & Recommendations

The draft RBA report represents in our view an appropriate heritage assessment of the original hotel building.

In terms of the recommendations within this draft report we would make the following comments from a planning perspective (noting that the role of the planning officer in ultimately assessing any redevelopment application for this site would need to be cognisant of this advice, but would also need to balance this in the context of other relevant planning controls and provisions).

We have addressed each of the recommendations below in turn.

*Additions should be located behind original 19<sup>th</sup> century sections.*

Whilst we appreciate the intent of this recommendation, in our view the full reconstruction of the two 19<sup>th</sup> Century building forms seems somewhat onerous when read in the context of the DDO61 controls, which would typically seek that where a heritage building and street edge condition is being maintained that

any upper levels should be setback 6m. We note that having regard to the roof plan prepared by WBa that if the front 6m of the roof form to these two sections of the building were retained that this would include the ridge line of the roof of both elements and all but one of the former chimneys located on the roof.

For the reasons set out below, in our view a more appropriate response would require the reconstruction of the facades and at least the first 6m of the roof form (inclusive of chimneys) of the 19<sup>th</sup> Century section of the former hotel to both Leicester Street and Pelham Street.

That is not to say that additional reconstruction of 19<sup>th</sup> Century fabric should be entirely dismissed, and it may be appropriate to include discretionary controls regarding these elements.

See roof plan below for indicative outline of suggested setbacks above the 19<sup>th</sup> Century form. The green coloured area in the Figure below is the area we would suggest ought to be a mandatory reconstruction, the orange as 'discretionary' reconstruction, with the balance in 'red' being later additions and unnecessary in our view as a candidate for reconstruction.



Figure 8 – Roof plan of former hotel (Source:WBa). Red dashed lines, colour and dimensions added by Tract.

Higher rear parts should not cantilever over the original section.

Noted. Whilst in other circumstances within the City North precinct we acknowledge that there have in the past been some elements of cantilever introduced, we also understand that the City of Melbourne's position on this has evolved significantly and that such elements are proposed to be discouraged under the future iteration of the heritage policy as set out in Amendment C258. Given the relative significance of the former hotel we would agree with this recommendation for this site.

Limit the height of the façade on Leicester Street (south end of site) to 2 storeys so as to form a consistent street wall between the Carlton Inn (HO84) and Pattison Terrace (HO62).

We note that one of the built form outcomes set out under DDO61 – Area 4.1 seeks to provide "a street edge height that integrates new development with lower scale heritage buildings". In this regard we would be

broadly supportive of the intent of this requirement, however we would note that there is a height differential between the former hotel building and the properties further to the south. Further, we would note that the separation afforded by Leicester Place to the south provides some relief in terms of potential street wall height (again having regard to the properties further to the south).



Leicester Street, south of Pelham Street - Carlton Inn (left) and Pattison Terrace (right)  
(Source: Googleearth, October 2016)

Figure 9 – Streetscape elevation of Leicester Street (Source; RBA report). Green and Orange dashed lines added by Tract.

The image above (taken from the RBA report) demonstrates this height differential, with the green dashed line denoting the approximate parapet height of the former hotel (exclusive of the more decorative elements above) and the orange dashed line denoting the approximate height of the southern wall (see further below).

In our view the height of the main parapet below the first floor cornice (green line above) of the reconstructed hotel building on the site is the more relevant consideration in terms of an appropriate street wall height for this section of the subject site and we would therefore suggest that the street wall in this location ought to be expressed in terms of the height of the reconstructed parapet of the hotel as opposed to seeking to mimic the height of the properties at 148-152 Leicester Street (or to adopt the height of the southern wall – see further below).

2 storey additions to the south of the original section should be to a similar depth as the original section, about 9 metres.

DDO61 – Area 4.1 suggests a street wall height to Leicester Street of 24m, with any part of the building above 24m setback 6 metres from the street.

Whilst we would agree that a lower street wall height at this location (as outlined above) ought to be pursued, imposing additional setbacks above this street wall beyond the 6m that would typically be required under DDO61 seems overly onerous in our view, particularly given the impact that any reasonable review of potential infill development on the southern section of the site would have on views to chimneys and roof form beyond (see further below) and given the nature and intent of the DDO61 control.

We would therefore recommend that additions to the south of the original section should be setback a minimum of 6m from Leicester Street. Given this is a matter already set out under DDO61 this would be a matter that could be dealt with through the planning application process rather than through an amendment of the planning controls.

The additions, immediately adjacent, should be located below the eaves gutter of the south wall of the original/1856 section of the building and relate to the façade parapet.

Whilst we can appreciate the intent of this recommendation, in our view adopting a lower parapet height than the principal parapet of the reconstructed building fronting Leicester Street would present an unusual street edge condition. For the reasons outlined above and below we would suggest that the main parapet of the former hotel building fronting Leicester Street ought to be adopted as the street edge height for this component of the site.



Retain some views of the two chimneys to the south wall of the 1856 original section.

Again, we respect the intent of this recommendation, however in a practical sense any infill redevelopment of the southern section of the site will have an impact on potential views to these two chimneys.

This is illustrated in the image below (again taken from the RBA report). The green dashed line again denotes the principal parapet height of the former hotel building to Leicester Street (sitting below the cornice at first floor), and the orange dashed line denotes the height that might be anticipated if the southern wall height were adopted.

We have (as outlined above) recommended that the higher parapet form be adopted for any infill at this southern section of the site. We note that the second chimney (being the chimney located deeper within the site in the image below) would be concealed on this view by even the more modest two storey form.



**Carlton Inn, rear along Leicester Street, showing visibility of original chimneys  
(Source: City of Melbourne Interactive Map, circa 2015)**

Figure 10 – View of rear of former Hotel from Leicester Street (Source: RBA Report). Green and Orange dashed lines added by Tract.

Create a sympathetic relationship between the reconstructed and infill sections along Leicester Street.

We agree with and support this recommendation. In our view this can be achieved by the recommendations as set out below and above, but will also need to have regard to window proportions, material choice and the like to ensure a sympathetic infill. This is a matter that could be addressed through a future planning control (or revision to existing control) affecting the site, but given the existing controls and policies that apply to the site this may also be better dealt with through the planning application process.

The extant crossover on Leicester Street could be deployed or vehicular access could be relocated to Leicester Place.

Whilst we appreciate that the existing crossover on Leicester Street could be utilised for vehicle access, in our view should vehicle access be required (whether for parking, loading or services) this would be better located along Leicester Place as this would provide greater opportunity for activation of the principal street address to Leicester Street. Again, this is a matter that in our view could be dealt with through the planning application process.

### 5.3 Recommendations regarding reconstruction and street wall height

Having regard to the matters outlined above we would recommend the following with respect to the reconstruction and street wall height for the subject site:

#### Recommended mandatory provisions

- Reconstruction of the facades and at least the first 6m of the roof form (inclusive of chimneys) of the 19<sup>th</sup> Century sections of the former hotel to both Leicester Street and Pelham Street.
- Adoption of a street edge height for the infill section of the site to the south of the original section of the reconstructed hotel that is no higher than the main parapet height / first floor cornice element of the reconstructed hotel.
- Adoption of a 6m minimum setback for any built form above the reconstructed hotel.

It is noted that the above recommendations are not intended to preclude reconstruction and restoration of more than the recommended mandatory minimum requirements.

In our view other matters associated with the built form massing on the site (i.e. the height of the building, setbacks, how a new building might respond to the specific interface condition to the east and / or the open space of the property to the south) could appropriately be dealt with (if required) through the normal planning process, without any specific need to address these matters in any future control and without any further revision to DDO61.

In this regard we note that there are design objectives within the DDO61 and indeed within the various policy provisions of the scheme which currently address height, scale and form, residential amenity requirements, materiality and the like.

## 6 CONCLUSION

---

This report has undertaken a preliminary assessment of the potential reconstruction and street wall height for the site at 154-160 Leicester Street having regard to proposed amendment C320 to the Melbourne Planning Scheme, the site context, advice from RBA and the relevant planning controls affecting the site.

It has recommended the inclusion of some mandatory controls to provide for a balanced planning scheme outcome for the proposed site, and in our view reflects a reasonable balancing of the proposal for reconstruction of the former hotel and for future development potential of the land.

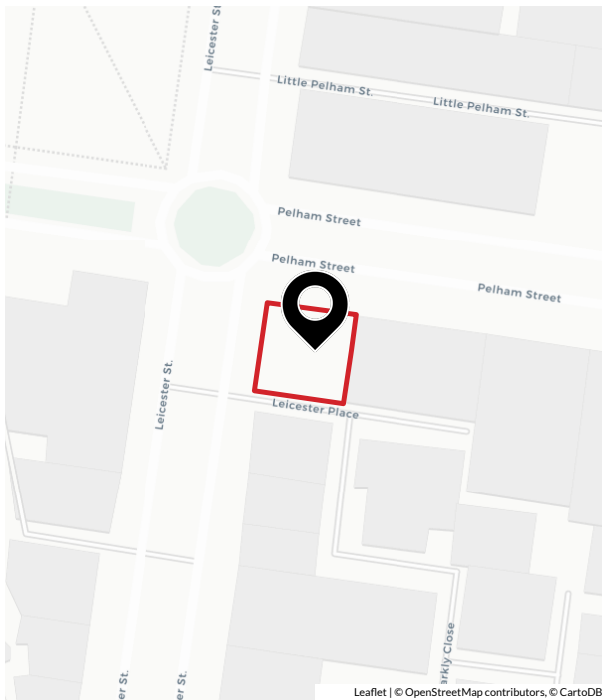
ATTACHMENT 1 – ONEMAP REPORT & RELEVANT  
PLANNING CONTROLS

---

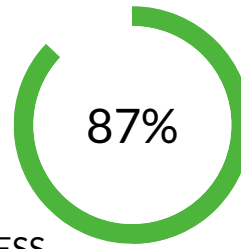
**Tract**  
**Landscape Architects**  
**Urban Designers**  
**Town Planners**

**SITE REPORT**  
**154-160 LEICESTER STREET**  
**CARLTON 3053**  
 CREATED ON 23-01-2018

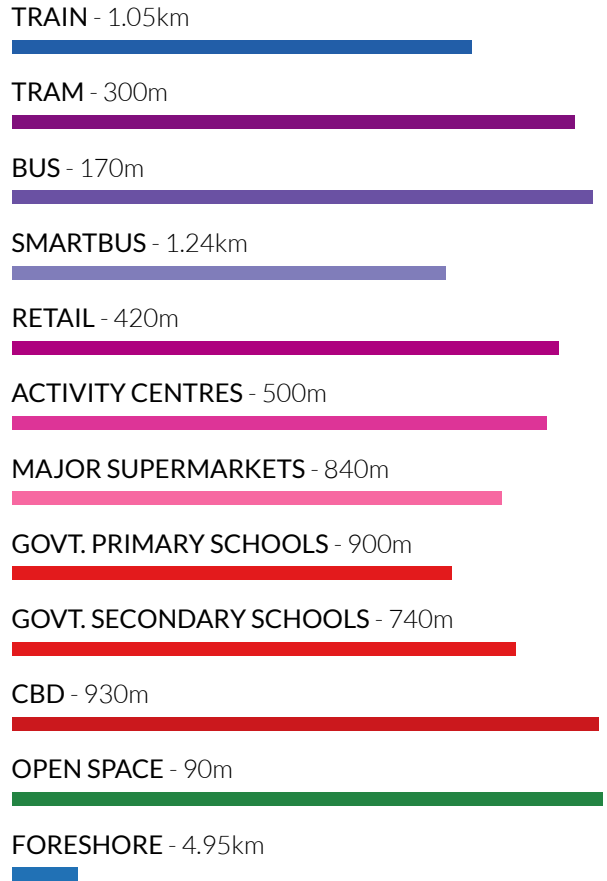
POWERED BY  **ONEMAP**



**ONEMAP RATING**



**ACCESS**



**ADDITIONAL INFORMATION**

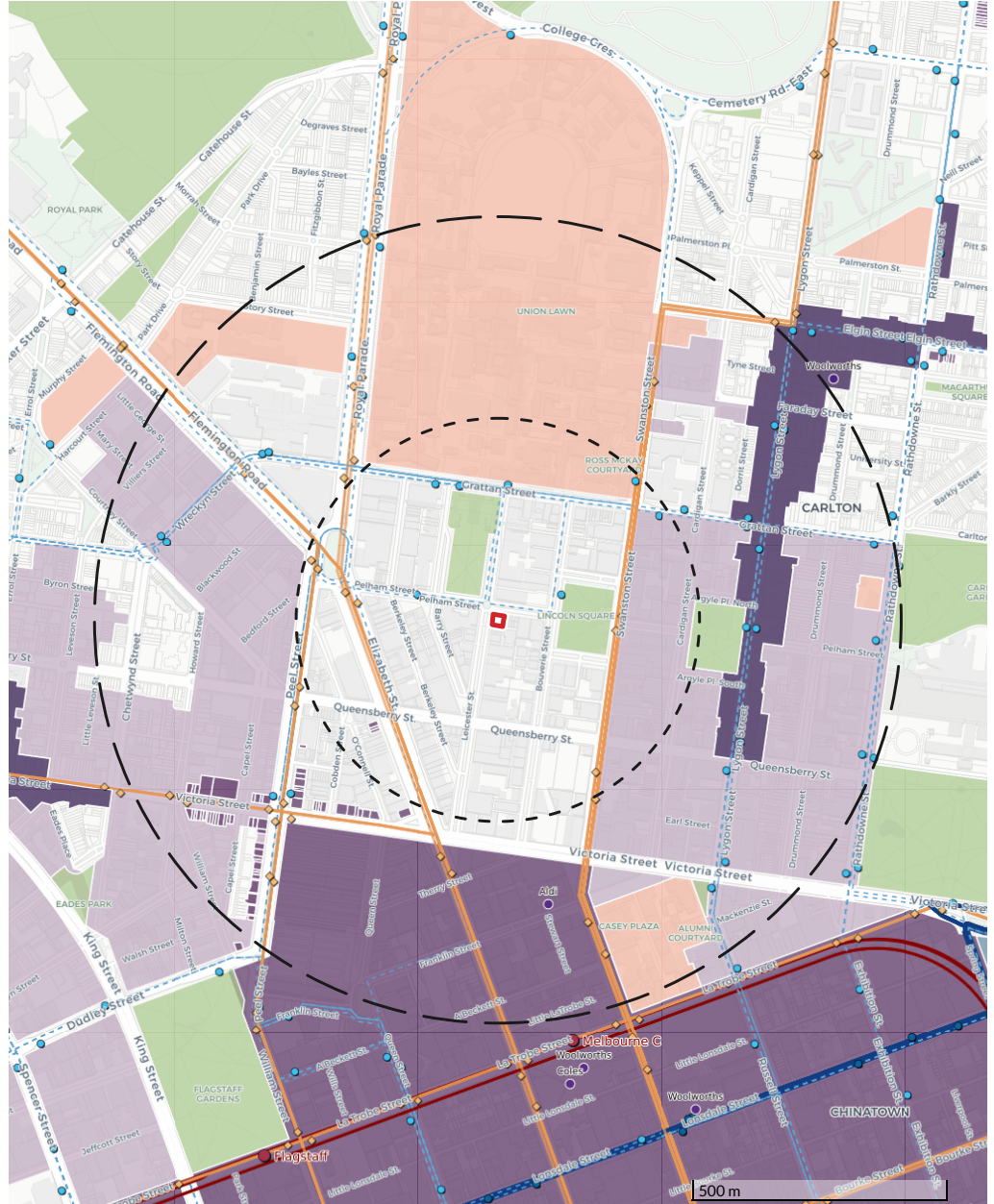
**CLOSEST GOVERNMENT PRIMARY SCHOOL**

Carlton Gardens Primary School (900m)

**CLOSEST GOVERNMENT SECONDARY SCHOOL**

University High School (740m)

### SITE CONTEXT MAP



Leaflet | © OpenStreetMap contributors, © CartoDB, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016, © CARTO, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016, Copyright © The State of Victoria, Public Transport Victoria 2016

### LEGEND

- SITE BOUNDARY
- 400M RADIUS
- 800M RADIUS

### LAND USE

- RETAIL
- MIXED USE
- OFFICE / COMMERCIAL
- INDUSTRIAL
- EDUCATION
- OPEN SPACE

POWERED BY 

### TRANSPORT

- TRAIN STATIONS
- ◆ TRAM STOPS
- SMARTBUS STOPS
- BUS STOPS
- TRAIN LINES
- TRAM ROUTES
- SMARTBUS ROUTES
- BUS ROUTES



**SITE PLAN**

AREA: 457M<sup>2</sup>

NO. OF PARCELS: 1

MUNICIPALITY:

MELBOURNE

SUBURB:

CARLTON

PARCEL SPI:

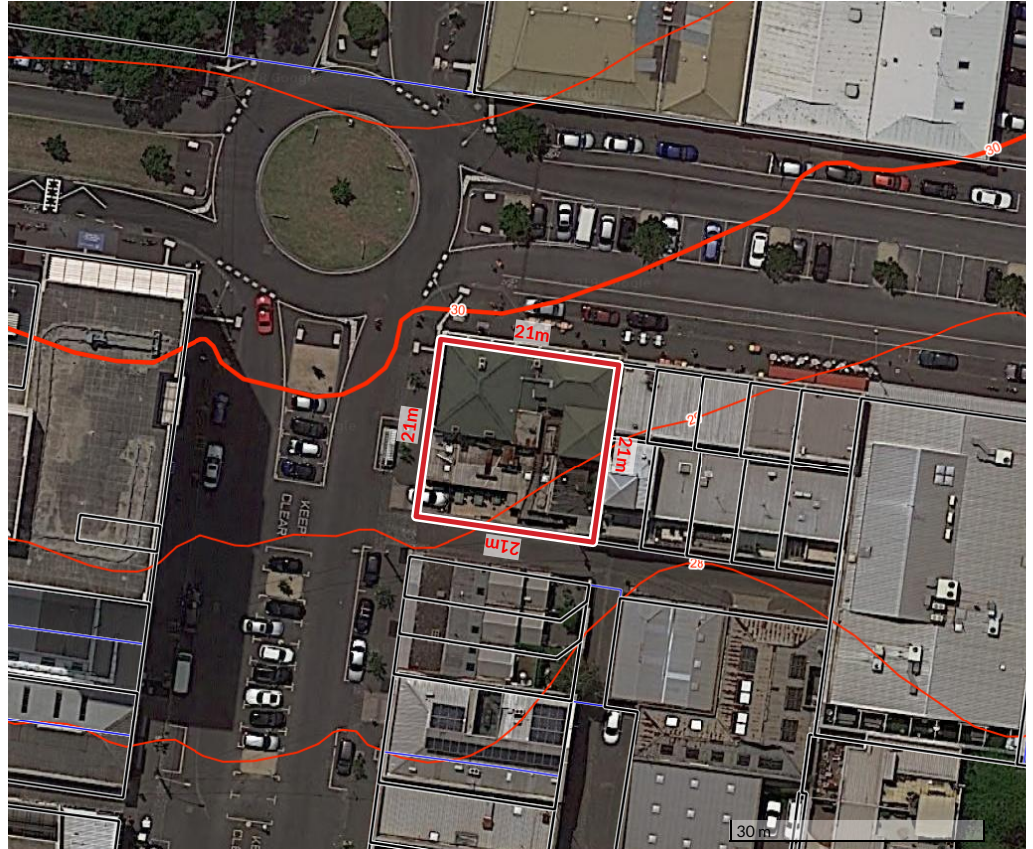
1\TP834505

MEDIAN HOUSE PRICE (SUBURB):

\$983K

MEDIAN UNIT PRICE (SUBURB):





\$345.5K



Leaflet | Google, Aerometrex, CNES / Astrium, Cnes/Spot Image, DigitalGlobe, Sinclair Knight Merz & Fugro, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016.  
 Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2015

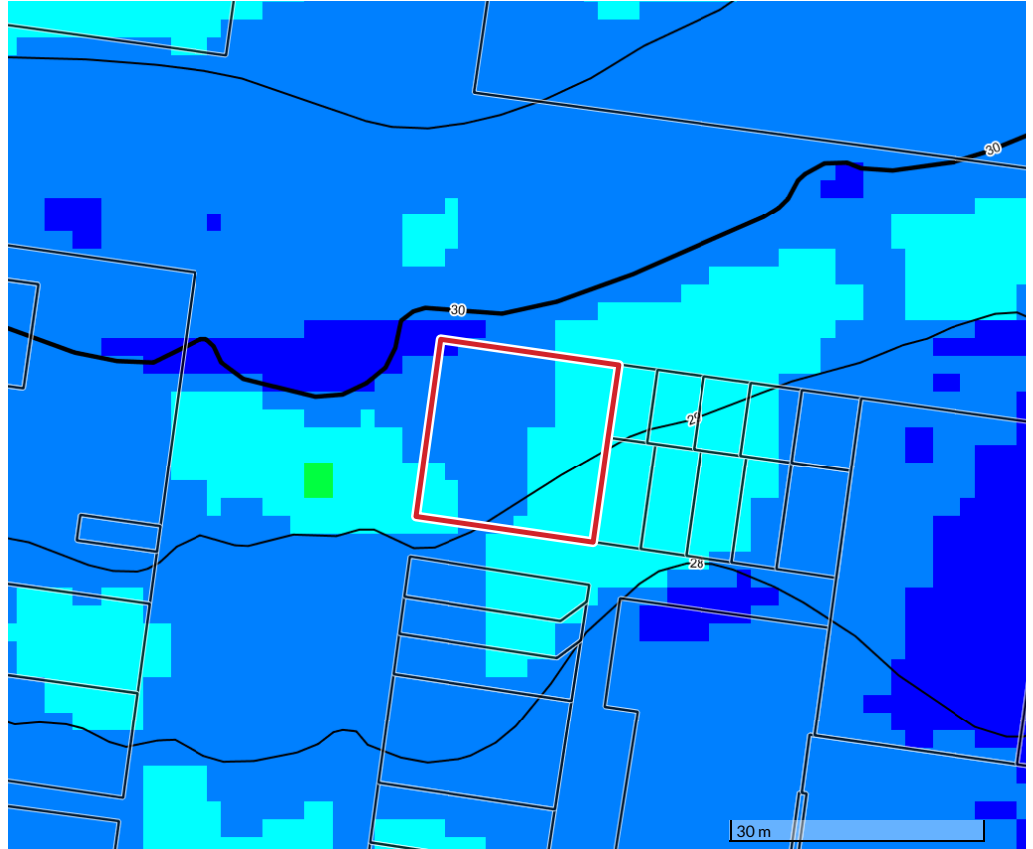
**LEGEND**

POWERED BY  ONEMAP

-  SITE BOUNDARY
-  CONTOURS
-  PARCELS
-  PROPERTIES

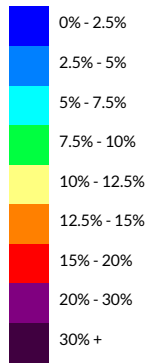
### SLOPE MAP

AVERAGE SLOPE: 5.07%



Leaflet | © OpenStreetMap contributors, © CartoDB, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2015

### LEGEND



POWERED BY  ONEMAP



**PLANNING ZONES**

**CCZ5**

CAPITAL CITY ZONE  
CAPITAL CITY ZONE -  
SCHEDULE 5



Leaflet | © OpenStreetMap contributors, © CartoDB, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016  
PLANNING ZONES CURRENT AS OF 12/01/2018.

POWERED BY ONEMAP

**LEGEND**

**RESIDENTIAL ZONES**

- RGZ - RESIDENTIAL GROWTH
- R2Z - RESIDENTIAL 2
- GRZ - GENERAL RESIDENTIAL / R1Z - RESIDENTIAL 1
- NRZ - NEIGHBOURHOOD RESIDENTIAL
- R3Z - RESIDENTIAL 3
- LDRZ - LOW DENSITY RESIDENTIAL
- MUZ - MIXED USE
- TZ - TOWNSHIP

**COMMERCIAL / BUSINESS ZONES**

- C1Z - COMMERCIAL 1 / BUSINESS 1
- B2Z - BUSINESS 2
- C2Z - COMMERCIAL 2
- B3Z - BUSINESS 3
- B4Z - BUSINESS 4
- B5Z - BUSINESS 5

**SPECIAL DEVELOPMENT ZONES**

- ACZ - ACTIVITY CENTRE
- CCZ - CAPITAL CITY
- DZ - DOCKLANDS
- CDZ - COMPREHENSIVE DEVELOPMENT
- PDZ - PRIORITY DEVELOPMENT
- UGZ - URBAN GROWTH

**INDUSTRIAL ZONES**

- IN1Z - INDUSTRIAL 1
- IN2Z - INDUSTRIAL 2
- IN3Z - INDUSTRIAL 3

**RURAL ZONES**

- RLZ - RURAL LIVING
- RAZ - RURAL ACTIVITY
- FZ - FARMING / RUZ - RURAL
- GWAZ - GREEN WEDGE A
- GWZ - GREEN WEDGE
- ERZ - ENVIRONMENTAL RURAL
- RCZ - RURAL CONSERVATION

**OTHER ZONES**

- SUZ - SPECIAL USE
- CA - COMMONWEALTH LAND
- PZ - PORT
- RDZ1 - ROAD - CATEGORY 1
- RDZ2 - ROAD - CATEGORY 2
- UFZ - URBAN FLOODWAY
- PPRZ - PUBLIC PARK AND RECREATION
- PCRZ - PUBLIC CONSERVATION AND RESOURCE
- PUZ4 - PUBLIC USE - TRANSPORT
- PUBLIC USE - PUZ1 - SERVICE & UTILITY / PUZ2 - EDUCATION / PUZ3 - HEALTH COMMUNITY / PUZ5 - CEMETARY / CREMATORIUM / PUZ6 - LOCAL GOVERNMENT / PUZ7 - OTHER PUBLIC USE
- MUNICIPALITY BOUNDARIES
- URBAN GROWTH BOUNDARY

## HERITAGE AND BUILT FORM OVERLAYS

### DD614.1

**DESIGN AND DEVELOPMENT OVERLAY**  
 DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 61 (AREA 4.1)

### DDO61

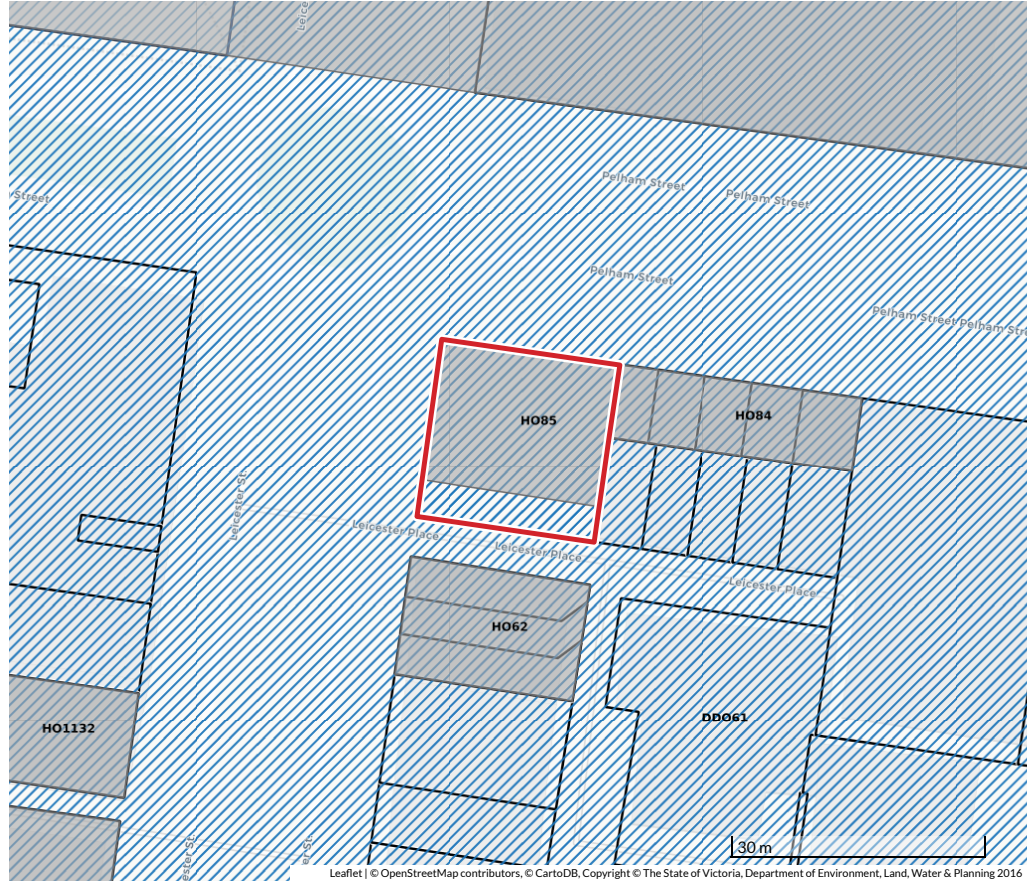
**DESIGN AND DEVELOPMENT OVERLAY**  
 DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 61

### DDO68

**DESIGN AND DEVELOPMENT OVERLAY**  
 DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 68

### HO85






**HERITAGE OVERLAY**  
 HERITAGE OVERLAY (HO85)



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

POWERED BY  ONEMAP

## LEGEND

-  Heritage (HO)
-  Design & Development (DDO)
-  Neighbourhood Character (NCO)
-  Incorporated Plan (IPO)
-  Development Plan (DPO)

ENVIRONMENTAL  
AND LANDSCAPE  
OVERLAYS  
NONE



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

POWERED BY ONEMAP

LEGEND

-  Environmental Significance (ESO)
-  Vegetation Protection (VPO)
-  Significant Landscape (SLO)








LAND  
 MANAGEMENT  
 OVERLAYS  
 NONE



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

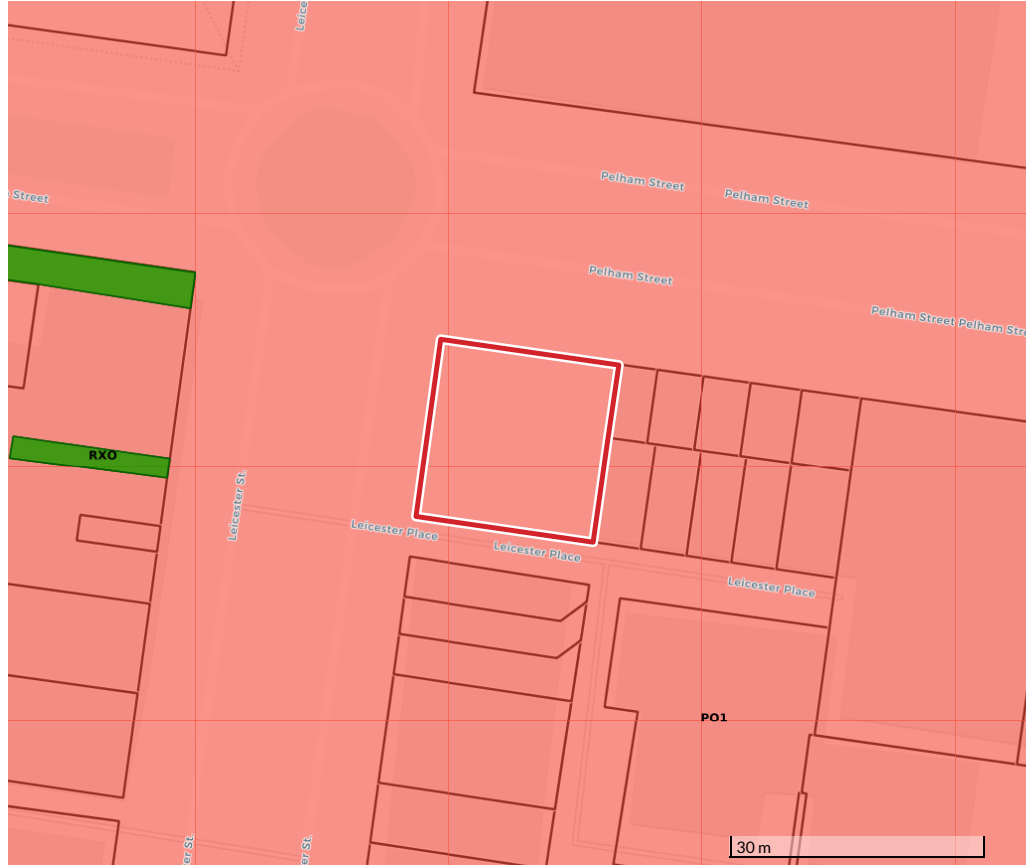
POWERED BY  ONEMAP

**LEGEND**

-  Erosion Management (EMO)
-  Special Building (SBO)
-  Land Subject To Inundation (LSIO)
-  Floodway (FO/RFO)
-  Wildfire Management (WMO)
-  Bushfire Management (BMO)
-  Salinity Management (SMO)

### OTHER OVERLAYS


**PO1**  
 PARKING OVERLAY  
 PARKING OVERLAY - PRECINCT  
 1



PLANNING OVERLAYS CURRENT AS OF 12/01/2018. Leaflet | © OpenStreetMap contributors, © CartoDB, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016

POWERED BY  ONEMAP

### LEGEND

-  Airport Environs Overlay (AEO)
-  City Link Project Overlay (CLPO)
-  Development Contributions Plan Overlay (DCPO)
-  Environmental Audit Overlay (EAO)
-  Melbourne Airport Environs (MAEO)
-  Public Acquisition (PAO)
-  Parking (PO)
-  Restructure Overlay (RO)
-  Road Closure Overlay (RXO)

AREAS OF  
CULTURAL  
HERITAGE  
SENSITIVITY  
NONE



CULTURAL SENSITIVITY CURRENT AS OF 12/01/2018.

LEGEND

AREAS OF CULTURAL HERITAGE SENSITIVITY

POWERED BY ONEMAP



## LEGAL DISCLAIMER

This document has been prepared by or on behalf of OneMap aus Pty Ltd 611 326 526 (**OneMap**) solely for the use and specific purposes of the person that exported it from the OneMap system (**Direct Recipient**).

This document should be used as a general guide only, and is not a comprehensive source of information in relation to the properties referred to. To the extent permitted by law, OneMap accepts no liability for any loss or damage you may suffer in connection with any reliance on this document and we recommend that you independently verify the currency, accuracy and completeness of information contained in this document.

This document may include content originating from parties other than OneMap (**Third Party Content**), including from the parties listed in any attributions in this document or in the table below. OneMap does not own any of the rights in the Third Party Content and is not in any way responsible for the currency, accuracy or completeness of such Third Party Content. Your rights to use such Third Party Content will be determined by the licence terms and conditions prescribed by the source of that Third Party Content.

This disclaimer must not be removed from this document or any other document that is created using information contained in this document.

## DATA ATTRIBUTION

Dataset Name	Provider	Attribution	Licence	Current as of
Planning Zones	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	12/01/2018
Train Stations / Lines	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence	22/11/2016
Tram Stops / Lines	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence	22/11/2016
Bus Stops	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence	22/11/2016
Smartbus Stops	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence	22/11/2016
Retail	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	17/08/2015
Activity Centres	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	17/08/2015
Woolworths Stores	Dervied From Woolworths Data		licence	07/11/2016
Aldi Stores	Dervied From Aldi Data		licence	07/11/2016
Coles Stores	Dervied From Coles Data		licence	07/11/2016
Supa IGA Stores	Dervied From IGA Data		licence	07/11/2016
Thomas Dux Stores	Dervied From Thomas Dux Data			07/11/2016
Le Max Group Stores	Dervied From LeMax Group Data			07/11/2016
About Life Stores	Dervied From About Life Data			07/11/2016
Properties	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	30/08/2017
Parcels	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	30/08/2017
Contours	The State of Victoria, Department of Environment, Land, Water & Planning 2015	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2015	licence	29/06/2015
Median House Prices	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2015	licence	16/01/2017
Median Unit Prices	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2015	licence	16/01/2017
Slope	The State of Victoria, Department of Environment, Land, Water & Planning 2015	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2015	licence	29/06/2015
Planning Overlays	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	12/01/2018
Cultural Sensitivity	The State of Victoria	Copyright © The State of Victoria, Department of Environment, Land, Water & Planning 2016	licence	12/01/2018

30/06/2016  
C293

## SCHEDULE 5 TO THE CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ5**.

### City North

#### Purpose

To develop City North as a mixed use extension of the Central City.

To provide for a range of educational, research and medical uses as part of an internationally renowned knowledge district.

To encourage a range of uses that complement the capital city function of the locality and serves the needs of residents, workers, students and visitors.

### 1.0

15/10/2015  
C196

#### Table of uses

##### Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	Along the street frontages as shown at Map 1 of Clause 43.02 Schedule 61, any frontage at ground floor level must not exceed 4 metres
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forests Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Office	
Place of assembly (other than Amusement parlour, Function Centre and Nightclub)	
Railway	
Railway station	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Road	
Stone exploration	Must not be costeaning or bulk sampling.
Tramway	

**Section 2 - Permit required**

Use	Condition
Adult sex bookshop	
Amusement parlour	
Car park (other than Commercial car park or an open lot car park )	Must meet the requirements of Clause 52.06.
Corrective institution	
Function Centre	
Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and Recreation (other than Minor sports and recreation facility and informal outdoor recreation).	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Stone exploration)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)	
Any other use not in Section 1 or 3	

**Section 3 - Prohibited**

Use
Commercial car park or an open lot car park
Cold store
Extractive industry
Freezing and cool storage
Liquid fuel depot

**2.0**

15/10/2015  
C196

**Use of land**

**Exemption from notice and review**

An application to use land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

This exemption does not apply to an application to use land for a Function centre, Nightclub, Tavern, Brothel, Adult sex bookshop, Amusement parlour or Hotel.

**Decision Guidelines**

Before deciding on a permit application under this schedule the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework.
- The comments and requirements of relevant authorities.
- The existing and future use and amenity of the land and the locality.
- The impact the use will have on the amenity of existing dwellings and adjacent and nearby sites including noise emissions and how this impact is to be minimised.
- The provision of physical infrastructure and community services sufficient to meet the needs of the proposed use.
- The effect that existing uses may have on the proposed use.

### 3.0

15/10/2015  
C196

#### Subdivision

##### Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### 4.0

15/10/2015  
C196

#### Buildings and works

##### Permit Requirement

A permit is required to construct a building or carry out works.

This does not apply to:

- Alterations to a building authorised under the Heritage Act, provided the works do not alter the existing building envelope or floor area.
- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are not visible from any street, lane or public place.
- Changes to glazing of existing windows with not more than 15% reflectivity.
- External works to provide disabled access that complies with all legislative requirements.
- Buildings or works carried out by or on behalf of Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port Management Act 1995, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
- Buildings or works for Railway purposes.

##### Application Requirements

An application for permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.

- Ground floor street frontages, including visual impacts and pedestrian safety.
- Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
- Energy efficiency and waste management.
- Public infrastructure, including reticulated services, traffic and car parking impact.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An application for a permit to construct or carry out works for development of a building listed in the Heritage Overlay must be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter) to the satisfaction of the responsible authority.

### **Exemption from notice and review**

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 rights of Section 82(1) of the Act.

### **Decision guidelines**

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.
- The adequacy of entrance to and egress from the site.
- The existing and future use and amenity of the land and the locality.
- The location, area, dimensions and suitability of use of land proposed for public use.
- The provision of landscaping.
- The effect of the proposed works on solar access to existing open spaces and public places.
- The provision of solar access to private open space areas in residential development.
- The responsibility for the maintenance of buildings, landscaping and paved areas.
- The impact a new development will have on the amenity of existing dwellings on adjacent sites and how this impact has been minimised.
- The incorporation of design measures to attenuate against noise associated with the operation of other businesses and activities, including limiting internal noise levels of new habitable rooms to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control, for new and refurbished residential developments and other sensitive uses.

- Whether the provision of storage for refuse and recyclable material provided off-street is fully screened from public areas.
- Whether the first five levels of buildings are developed with a “casing” of dwellings or offices or other active uses so that a visual relationship between occupants of upper floors and pedestrians is able to be established and better surveillance of the street is achieved.

## **5.0**

15/10/2015  
C196

### **Demolition or Removal of Buildings**

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

- Demolition or removal of temporary structures.
- Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority. Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

### **Exemption from notice and review**

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

## **6.0**

15/10/2015  
C196

### **Advertising signs**

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4
- An under-verandah business sign if:
  - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
  - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
  - It does not contain any animation or intermittent lighting.
- A ground floor business sign cantilevered from a building if:



- It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
  - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
  - It does not contain any animation or intermittent lighting.
- A window display.
  - A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
  - Renewal or replacement of an existing internally illuminated business identification sign.

#### **Exemption from notice and review**

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

15/10/2015  
C196

## SCHEDULE 61 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO61**.

### CITY NORTH

#### 1.0

15/10/2015  
C196

#### Design objectives

- To encourage City North to develop as a central city precinct characterised by university, research and medical buildings.
- To establish a mid-rise scale of buildings (6 to 15 storeys) that is distinct from the tall built form in the Hoddle Grid area to the south, which steps down at the interface to the lower scale surrounding established neighbourhoods in North and West Melbourne.
- To support increased density and diversity of uses along the Victoria Street, Flemington Road, Elizabeth Street and Swanston Street tram corridors and around the proposed Grattan and CBD North Metro Rail stations.
- To establish built form that creates a strong sense of street definition by adopting a building height at the street edge determined by a 1:1 (building height to street width) ratio.
- To ensure development responds appropriately with suitable building scale, heights and setbacks to the existing character, context, and interfaces with established residential areas, and immediate amenity.
- To ensure that new buildings respect the rich heritage fabric of the area and that new buildings that adjoin the heritage buildings respect their height, scale, character and proportions.
- To develop a fine grain urban form by encouraging buildings with a wide street to be broken into smaller vertical sections,
- To develop the Haymarket area as a central city gateway precinct and public transport interchange.
- To ensure university, research and medical buildings are actively integrated with the surrounding public realm.
- To design buildings to provide passive surveillance and activation of ground floors addressing the streets.
- To ensure development allows good levels of daylight and sunlight to penetrate to the streets and to lower storeys of buildings by providing adequate separation between buildings.
- To deliver a scale of development that provides a high level of pedestrian amenity having regard to sunlight, sky views and wind conditions.
- To improve the walkability of the precinct by encouraging new laneways and pedestrian connections.
- To encourage the ground floor of buildings to be designed so that they can be converted to a range of alternative active uses over time.

#### 2.0

15/10/2015  
C196

#### Buildings and Works

A permit is not required for public works or minor alterations or the installation of service fixtures to existing buildings.

All buildings and works requiring a permit should

- be constructed in accordance with the preferred maximum street edge height, preferred maximum building height and preferred upper level setback requirements for the specific areas as identified in Part 1.0 and Table 1 of this Schedule
- meet the Design objectives and Design Requirements as set out in Table 2 of this Schedule.

An application to exceed the preferred maximum building height should demonstrate achievement of the relevant the Design objectives and Built Form Outcomes as identified in Part 1.0 and Table 1 of this Schedule.

The street wall height is measured at the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

### **3.0**

15/10/2015  
C196

#### **Subdivision**

A permit is not required to subdivide land.

### **4.0**

15/10/2015  
C196

#### **Application requirements**

An application for permit, other than an application for minor buildings or works as determined by the responsible authority, must be accompanied by a comprehensive site analysis and urban context report documenting the key planning influences on the development. The urban context report must identify the development opportunities and constraints, and demonstrate how the development, addresses:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- The objectives, design requirements and outcomes of this Schedule.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate including sunlight, daylight and wind effects on streets and public spaces.
- Energy efficiency and waste management.
- Ground floor and lower level street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.

### **5.0**

15/10/2015  
C196

#### **Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposal achieves the design objectives in Part 1.0 of this Schedule
- Whether the proposal achieves the built form outcomes contained in Table 1.
- Whether the proposal achieves the design requirements contained in Table 2.
- Whether the development maintains and enhances the character and amenity of the streetscape.
- The wind effect at ground level as demonstrated by wind effects studies as necessary.

### **6.0**

15/10/2015  
C196

#### **Exemption from notice and appeal**

An application to construct a building or carry out works on land located within the Capital

City Zone (CCZ5) is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act

**7.0**

**Reference documents**

15/10/2015  
C196

City North Structure Plan 2012

**Table 1 – Preferred Built Form Outcomes for Specific Areas**

<b>DDO Area</b>	<b>Building Height</b>	<b>Street edge height and upper level setback</b>	<b>Built Form Outcome</b>
1	24 metres	<p><b>Buildings fronting O’Connell, Cobden and Princess Street:</b></p> <p>20 metre street edge height.</p> <p>Any part of the building above the 20 metre setback 4 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Respects the heritage character of the Queen Victoria Market Buildings;</li> <li>▪ Avoids overshadowing the Queen Victoria Market buildings;</li> <li>▪ Delivers an even transition in scale from the lower built form in Peel Street and adjacent areas in North Melbourne.</li> </ul>
2	24 metres	<p><b>Buildings fronting Harcourt Street:</b></p> <p>14 metre street edge height.</p> <p>Any part of the building at the street edge of Harcourt Street above 14 metres setback from the street behind a 45 degree line.</p> <p><b>Buildings adjacent to DDO32:</b></p> <p>14 metre building height at the property boundary.</p> <p>For sites adjacent to DDO32, any part of the building above 14 metres setback from the street behind a 45 degree line in accordance with Figures 1.</p> <p><b>Buildings facing all other streets:</b></p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback from the street behind a 45 degree line.</p>	<p><b>Development that:</b></p> <ul style="list-style-type: none"> <li>▪ Delivers an appropriate transition in scale of development from the lower scale built form in Courtney Street to the higher scale built form in Flemington Road.</li> <li>▪ Limits amenity impacts of excessive building bulk, overlooking and overshadowing on existing buildings in DDO 32</li> </ul>
3	40 metres	<p>Building facing all streets:</p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Creates strong definition to the streetscape.</li> <li>▪ Does not dominate buildings in Area 2.</li> <li>▪ Has a scale that reinforces Flemington Road as a civic spine and facilitates the</li> </ul>

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
			enhancement of its landscape character
4.1	40 metres	<p><b>Buildings fronting Grattan, Pelham, Queensberry, Bouverie, Leicester, Barry, Berkeley and Lincoln Square North and South streets:</b></p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p> <p><b>Buildings fronting O'Connell Street:</b></p> <p>20 metre street edge height.</p> <p>Any part of the building above 20 metres setback 6 metres from the street.</p> <p><b>Buildings fronting Swanston Street:</b></p> <p>32 metre street edge height.</p> <p>Any part of the building above 32 metres should be setback 6 metres from the street.</p> <p><b>Buildings facing all other streets:</b></p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Reinforces Elizabeth Street as a civic spine and facilitates the enhancement of its landscape character.</li> <li>▪ Creates stronger definition to the streetscape.</li> <li>▪ Complements the existing character established by the university, research and medical buildings.</li> <li>▪ Ensures sunlight reaches the lower floors of new developments.</li> <li>▪ Facilitates an integrated built form on both sides of the Swanston Street.</li> <li>▪ Delivers a scale of development that provides street definition and a high level of pedestrian amenity, having regard to access to sunlight, sky views and a pedestrian friendly scale.</li> <li>▪ Provides a street edge height that integrates new development with lower scale heritage buildings.</li> </ul>
4.2	32 metres	<p><b>Buildings facing all streets;</b></p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Delivers a scale of development that provides a high level of pedestrian amenity, including access to sunlight at ground floor (to Berkeley Street), sky views and a pedestrian friendly scale.</li> <li>▪ Respects the scale of existing heritage buildings.</li> </ul>
5	60 metres	<p><b>Buildings fronting Pelham and Berkely Street:</b></p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres should be setback 6 metres from the street.</p> <p><b>Buildings facing O'Connell Street:</b></p> <p>20 metre street edge height.</p> <p>Any part of the building above</p>	<p>Development that:</p> <ul style="list-style-type: none"> <li>▪ Supports the gateway role of the Haymarket.</li> <li>▪ Has a scale of development that is complementary to the proposed medium level built form of its surrounds.</li> <li>▪ Has a consistent streetscape built form that integrates Elisabeth Street with Flemington Road.</li> </ul>

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
		<p>20 metres setback 6 metres from the street.</p> <p><b>Buildings facing Blackwood Street:</b></p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 10 metres from the street.</p>	<ul style="list-style-type: none"> <li>▪ Does not overshadow the proposed civic space within the Haymarket.</li> <li>▪ Delivers a scale of development that provides an appropriate transition to the lower scale built form in Berkeley and Pelham Street.</li> <li>▪ Provides a high level of pedestrian amenity, including access to sunlight to ground floor and sky views.</li> </ul>
1-5		On the street edge of laneway frontages, any part of the building above 10.5 metres should be setback 4 metres.	Development that ensures laneways have appropriate access to daylight and sunlight.

**Table 2-Design Requirements for all DDO Areas**

Design Objective	Design Requirement
<b>Building Heights, Scale and Setbacks</b>	
<p>To ensure that the height of new buildings reinforces the built form character of specific areas as defined in Table 1 in this Schedule.</p> <p>To ensure appropriate building scale, height and setbacks at interfaces with established residential areas having regard to existing character, context and amenity.</p> <p>To ensure appropriate building scale on the side and rear boundaries of new buildings and works that respects the scale of existing adjoining buildings.</p> <p>To avoid to exposed blank walls</p> <p>To assist in limiting visual impact and adverse amenity on adjacent development sites.</p> <p>To promote articulated rooflines with architectural interest and variation.</p> <p>To establish a generally consistent built form to the street edge that creates a strong sense of definition and place.</p> <p>To ensure that the scale of built form provides an urban environment that is comfortable for pedestrians.</p> <p>To ensure equitable and good access to sunlight / daylight for occupants of buildings and in public places.</p> <p>To ensure that new development is adaptable over the long term to a range of alternate uses.</p>	<p>Deliver a scale of development at the street edge in accordance with Table 1 in this Schedule.</p> <p>Buildings should be constructed to the street boundary of the site.</p> <p>Upper levels above the maximum street wall heights should be visually recessive and more diminutive than the building's base.</p> <p>On corner sites where two different street edge heights are nominated, buildings should "turn the corner" and apply the higher street edge and transition to the lower nominated street edge height.</p> <p>Buildings should have a minimum ground floor to floor height of 4 metres at ground floor and a minimum floor to floor height of 3.2 metres in levels above the ground floor.</p>
<p>To ensure that new buildings and works adjoining individually significant heritage buildings or buildings within a heritage precinct respects the character, form,</p>	<p>The design of new buildings should respect the character, height, scale, rhythm and proportions of the heritage buildings.</p> <p>New buildings should step down in height</p>



Design Objective	Design Requirement
massing and scale of the heritage buildings.	to adjoining lower scale heritage buildings.  New buildings should consider retaining the traditional heritage street wall (as opposed to defining a new higher street wall) where appropriate.
<b>Building Facades and Street Frontages</b>	
<p>To ensure that buildings are well designed and enhance the amenity of City North.</p> <p>To deliver a fine grain built form with architectural variety and interest.</p> <p>To encourage high quality facade and architectural detailing.</p>	<p><b>Addressing the Street</b></p> <p>The articulation of building facades should express a fine grain. Expressing the vertical elements is encouraged to minimise the dominance of wide building frontages.</p> <p>Multiple doors/entrances to buildings and windows should be provided off the street to improve activation of the street.</p> <p>The facades of buildings should maintain the continuity, and traditional characteristic vertical rhythm of streetscapes.</p> <p>All visible sides of a building should be fully designed and appropriately articulated and provide visual interest.</p> <p>Blank building walls that are visible from streets and public spaces should be avoided.</p> <p>Buildings on corner sites should address both street frontages.</p> <p><b>Service areas</b></p> <p>Service areas (plant, exhaust, intake vents and other technical equipment and other utility requirements) should be treated as an integral part of the overall building design and visually screened from public areas.</p> <p>Buildings should be designed to integrate attachments (including antennae) without disrupting the appearance of the building.</p> <p><b>Building Projections</b></p> <p>Building projections outside the property boundary should accord with Council's Road Encroachment Guidelines.</p>
<b>Active and Safe Street Frontages</b>	
<p>To create safe streets.</p> <p>To ensure all streets are pedestrian oriented and contribute to pedestrian safety.</p> <p>To ensure development presents welcoming, engaging and active edges to streets and other public spaces at ground floor and the street frontages of lower storeys.</p> <p>To ensure development contributes to passive surveillance of the public domain.</p>	<p>Ground floor frontages should contribute to city safety by providing lighting and activity.</p> <p>At least the first five levels of a building should provide windows and balconies, fronting the street or lane.</p> <p>Access to car parking and service areas should minimise impact on street frontages and pedestrian movement.</p> <p>Carparking should not be located at ground floor and should not occupy more than 20% of the length of the street frontage above ground floor.</p> <p>Facades at ground level should not have</p>

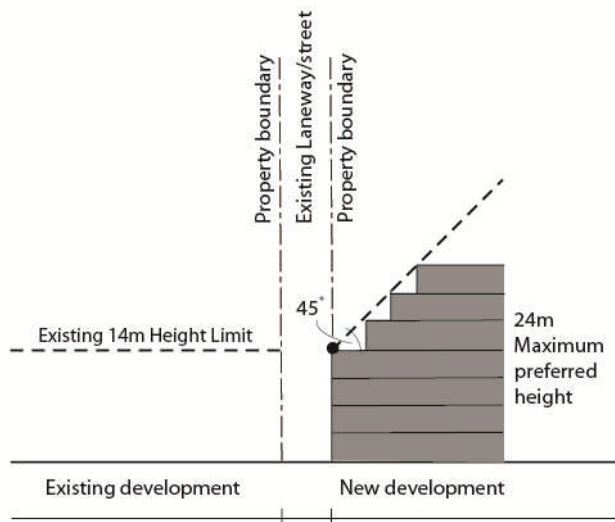
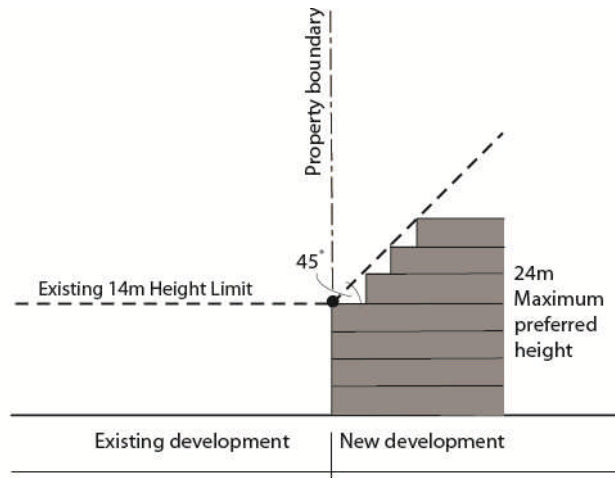
Design Objective	Design Requirement
	alcoves and spaces that cannot be observed by pedestrians.
To provide continuity of ground floor shops and food and drink premises in proposed activity nodes.	Buildings with ground-level street frontages along Royal Parade at the Haymarket area and Victoria Street as shown on <b>Map 1</b> should contribute to the appearance and support the proposed retail function of the area to the satisfaction of the responsible authority, by providing: <ul style="list-style-type: none"> <li>▪ At least 5 metres or 80% of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises.</li> <li>▪ Clear glazing (security grilles should be transparent)</li> </ul>
To ensure ground floor frontages to major pedestrian area add interest and vitality.	Buildings with ground-level street frontages to Elizabeth Street, Peel Street, Grattan Street, Swanston Street and Queensberry Streets as shown on <b>Map 1</b> should present an attractive pedestrian oriented frontage to the satisfaction of the responsible authority, by providing: <ul style="list-style-type: none"> <li>▪ At least 5 metres or 80 % of the street frontages (whichever is the greater) as: <ul style="list-style-type: none"> <li>· an entry or display window to a shop and/or a food and drink premises; or</li> <li>· as any other uses, customer service areas and activities, which provide pedestrian interest or interaction.</li> </ul> </li> <li>▪ Clear glazing (security grilles must be transparent).</li> </ul>
<b>Provision of Public Places</b>	
To encourage the provision of well-designed and publicly accessible spaces	The opportunity for the inclusion of public spaces should be promoted.
<b>Sunlight to Public Places</b>	
To ensure that new buildings allow daylight and sunlight penetration to public spaces, and open space throughout the year.  To protect sunlight to public spaces.  To ensure that overshadowing of public spaces by new buildings or works does not result in significant loss of sunlight.	Buildings and works should not cast a shadow between 11.00 am and 2.00 pm on 22 March and 22 September over public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, and privately owned plazas open to the public. A permit may only be granted if the overshadowing will not prejudice the amenity of those areas.  Maximise the extent of the northerly aspect of public open spaces.  Ensures sunlight reaches the lower floors of new developments.
<b>Pedestrian Links</b>	
To encourage the creation of new lanes and connections, particularly in locations where block lengths exceed 100m.  To ensure new laneways are aligned to respect the street pattern;	Pedestrian through block connections should be provided where the average length of a street block exceeds 100 metres. For street blocks exceeding 200metres in length at least two connections should be provided.

Design Objective	Design Requirement
<p>To ensure new laneways integrate with the pattern of development of adjacent areas,</p> <p>To accommodate vehicular and service access to developments.</p>	<p>Connections should be located towards the centre of the street block, no more than 70 metres from the next intersection or pedestrian connection.</p> <p>Where a development site is suitably located for a pedestrian connection but does not exceed the full depth of the block, the development should include a connection which would be completed when a connection is provided through the adjoining site.</p> <p>Where a development site has the potential to achieve a through block connection by extending an existing or proposed connection on an adjoining site, the new development should provide for the completion of the through block connection.</p> <p>Development should provide pedestrian connections that are aligned with other lanes or pedestrian connections in adjacent blocks (or not offset by more than 30 metres) so as to provide direct routes through City North.</p> <p>Bluestone lanes, kerbs and guttering within heritage precincts must be retained, and should also be retained outside heritage precincts.</p> <p><b>Laneway design and character</b></p> <p>Developments should provide pedestrian connections which are:</p> <ul style="list-style-type: none"> <li>▪ Safe, direct, attractive and which provide a line of sight from one end of the connection to another.</li> <li>▪ Publicly accessible.</li> <li>▪ At least 3-6 metres wide.</li> <li>▪ Open to the sky or if enclosed at 7.6 metres.</li> <li>▪ Flanked by active frontages.</li> </ul> <p>Existing lanes should not be covered.</p> <p>The pedestrian amenity of lanes which are primarily used for servicing and car parking, should be improved through the use of materials, lighting and designated areas for pedestrians and vehicles.</p> <p><b>Buildings and works adjoining lanes</b></p> <p>The design and management of access and loading areas along lanes should not impede pedestrian movement.</p> <p>New development should respond to the fine grain pattern, vertical articulation and division of building frontages where this forms part of the lane way character.</p> <p>New development along lanes should provide highly articulated and well detailed facades that create visual interest,</p>

Design Objective	Design Requirement
	particularly at the lower levels.
<p><b>Weather Protection</b></p> <p>To promote pedestrian amenity.</p> <p>To ensure built form does not increase the level of wind at ground level and that buildings are designed to minimise any adverse effect on pedestrian comfort.</p>	<p>The design of the building should minimise the potential for ground-level wind and any adverse effect on pedestrian comfort as follows:</p> <ul style="list-style-type: none"> <li>▪ In the proposed activity nodes shown on Map 1 the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 10 ms<sup>-1</sup>. This speed is generally acceptable for stationary, long term exposure (&gt;15 minutes); for instance, outdoor restaurants/cafes, theatres</li> <li>▪ Along major pedestrian areas shown on Map 1 the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 13 ms<sup>-1</sup>. This speed is generally acceptable for stationary, short term exposure (&lt;15 minutes); for instance, window shopping, standing or sitting in plazas;</li> <li>▪ Along all other streets the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 16 ms<sup>-1</sup> (which results in half the wind pressure of a 23ms<sup>-1</sup> gust) which is generally acceptable for walking in urban and suburban areas.</li> </ul> <p>Landscaping within the public realm should not be relied on to mitigate wind.</p>
<p>To protect pedestrians from the elements by providing shelter from the rain and sun, without causing detriment to building or streetscape integrity.</p>	<p>Buildings should include protection from the weather in the form of canopies, verandas and awnings.</p> <p>The design, height, scale and detail of canopies, verandas and awnings:</p> <ul style="list-style-type: none"> <li>▪ should be compatible with nearby buildings, streetscape and precinct character;</li> <li>▪ may be partly or fully transparent to allow light penetration to the footpath and views back up the building façade;</li> <li>▪ should be setback to accommodate existing street trees; and</li> <li>▪ should be located so that verandah support posts are at least 2 metres from tree pits.</li> </ul> <p>Protection need not be provided where it would interfere with the integrity or character of heritage buildings, heritage precincts or streetscapes and lanes.</p>

Figure 1

Provisions for Area 2 (Land adjoining DDO32)



Map 1 – Street Frontages





27/10/2016  
C299

## SCHEDULE 68 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO68**.

### 160 Leicester Place, Carlton

#### 1.0

27/10/2016  
C299

#### Design objectives

To require the restoration and reconstruction of a significant heritage place.

#### 2.0

27/10/2016  
C299

#### Buildings and works

All buildings and works requiring a permit must:

- restore and reconstruct in facsimile the building at 160 Leicester Place, Carlton as it stood immediately prior to its demolition in October 2016, reusing materials from the demolished building where practicable and safe to do so. Where materials are unable to be reused, like for like materials must be used.

These requirements may not be varied by a permit.

Any temporary works proposed for the site prior to restoration and reconstruction of the demolished building must be constructed to the satisfaction of the responsible authority. Temporary works may include:

- Landscaping of the site for the purpose of public recreation and open space.

#### *Application requirements*

An application for buildings and works must be accompanied by a fully detailed methodology and method statement, prepared by a qualified architect demonstrating significant heritage experience to the satisfaction of the Responsible Authority. The methodology and method statement must:

- Include a methodology statement fully describing and clearly demonstrating the methods of storing of the heritage fabric, restoration and repair and the subsequent reconstruction of the building;
- Include reference to the staging of reconstruction works on the site.

#### 3.0

27/10/2016  
C299

#### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must also consider, as appropriate:

- The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013

#### 4.0

27/10/2016  
C299

#### Expiry

The requirements of this overlay cease to have effect after 31 October 2018.

19/04/2013  
VC95

## SCHEDULE 1 TO THE PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

### CAPITAL CITY ZONE – OUTSIDE THE RETAIL CORE

#### 1.0 Parking objectives to be achieved

19/04/2013  
VC95

To identify appropriate car parking rates for various uses within the Capital City Zone.

#### 2.0 Permit requirement

19/04/2013  
VC95

A permit is required to provide car parking spaces in excess of the car parking rates in Clause 3.0 of this schedule.

This does not include the provision of additional car parking, to the satisfaction of the responsible authority, which is required to serve:

- on site use for dwellings or a residential hotel.
- a use that generates a significant demand for short stay parking (up to 4 hours) and the spaces are not accessible to vehicles between the hours of 5.30am and 9.30am Monday to Friday, or such other hours that the responsible authority is satisfied are appropriate.

#### 3.0 Number of car parking spaces required

19/04/2013  
VC95

The car parking rates apply to use in connection with another activity on the site.

Where no part of the site is used for dwellings the number of car parking spaces must not exceed the number calculated using one of the following formulas:

**Maximum spaces =**

$$\frac{5 \times \text{net floor area of buildings on the site in sq m}}{1000 \text{ sq m}}$$

**or**

$$\frac{12 \times \text{site area in sq m}}{1000 \text{ sq m}}$$

Where a site is used wholly for dwellings, the number of spaces for each dwelling must not exceed one (1).

Where a site is used partly for dwellings and partly for other uses, the maximum number of spaces allowed:

- for that part of the site devoted to dwellings (including common areas serving the dwellings) must not exceed one (1) space per dwelling.
- for that part of the site devoted to other uses, (excluding common areas serving the dwellings) must not exceed the number calculated using one of the following formulas:

**Maximum spaces =**

$$\frac{5 \times \text{net floor area of buildings on that part of the site in sq m}}{1000 \text{ sq m}}$$

**or**

$$\frac{12 \times \text{that part of the site area in sq m}}{1000 \text{ sq m}}$$

## Motorcycle parking rates

All buildings that provide on-site car parking must provide motorcycle parking for the use of occupants and visitors, at a minimum rate of one motor cycle parking space for every 100 car parking spaces, unless the responsible authority is satisfied that a lesser number is sufficient.

### 4.0 Decision guidelines for permit applications

19/04/2013  
VC95

Before deciding on an application which includes the provision of car parking spaces, the responsible authority must consider as appropriate:

- Any relevant local planning policies.
- Whether the proposal involves the making or the use of an access point across a traffic conflict frontage.
- Any effect on vehicle and pedestrian traffic in the area.
- The safety and convenience of pedestrians moving to, from and within the car parking facility, including lighting levels, surveillance systems, signage, ease of orientation and visibility.
- Whether any public car park facility will be connected to the City of Melbourne Parking Guidance System.
- The extent to which the proposed access point would conflict with any proposal to limit or prohibit traffic in certain roads.
- Any alternative route by which access to the car park could be obtained.
- The ease with which casual visitors to the central city can find, enter and leave the facility.
- The size, internal design and general operation for users.
- The location and context of directional and pricing signage to enable easy customer recognition before entering the car park.
- The suitability for use during weekends and outside normal business hours.
- Whether the development incorporates bicycle and motorcycle parking.
- Whether the development incorporates other uses in the site that will contribute to achievement of relevant policies.
- The current usage patterns of any nearby public parking facilities.
- Any adverse impacts on present vehicular traffic flows and in the context of any likely future changes in car parking and traffic conditions in the area.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO884	<i>Queen Elizabeth Maternal &amp; Child Health Centre, 52-112 Keppel Street, 455-495 Cardigan Street &amp; 960 Swanston Street, Carlton</i>	-	-	-	-	Yes Ref No H1813	Yes	-	No
HO59	<i>The 60L Green Building 62 Leicester St, Carlton</i>	Yes	No	No	No	No	No	-	No
HO62	<i>Pattison Terrace 148-152 Leicester St, Carlton</i>	Yes	No	No	No	No	No	-	No
HO85	<i>Carlton Inn 154-160 Leicester Street, Carlton (Alternate address is 175 Pelham St, Carlton)</i>	Yes	No	No	No	No	No	-	No
HO1131	<i>Former Astral Motor Wheel Works 51-61 Leicester Street, Carlton</i>	Yes	No	No	No	No	No	-	No
HO63	<i>Former Factory &amp; Residence 119-125 Leicester St, Carlton</i>	Yes	No	No	No	No	No	-	No
HO1132	<i>Former Factory 135-139 Leicester Street, Carlton</i>	Yes	No	No	No	No	No	-	No
HO64	<i>1-31 Lygon St, Carlton</i>	Yes	No	No	No	No	No	-	No
HO65	<i>St Judes Anglican Church, 349-371 Lygon Street, 221-239 Palmerston Street &amp; 2-34 Keppel Street, Carlton</i>	-	-	-	-	Yes Ref No H14	Yes	-	No