

Report to the Future Melbourne (Planning) Committee

Agenda item 6.2

**Planning Permit Application: TP-2017-931
407-415 King Street, West Melbourne**

16 October 2018

Presenter: Evan Counsel, Practice Leader Land Use and Development

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a planning application seeking approval to carry out partial demolition of a B graded building, construct a 19 storey (62.8 metres) residential hotel with retail and licensed restaurant and function centre on ground level and the roof (On-Premises Licence), construction and display of illuminated business identification signage and reduction of bicycle parking requirements at 407-415 King Street, West Melbourne (refer Attachment 2, Locality Plan).
2. The applicant is DCF 407 King Street Developing Entity Pty Ltd c/o Tract Consultants, the owner is DCF 407 King Street Developing Entity Pty Ltd and the architect is Fender Katsalidis.
3. The land is located in the Mixed Use Zone and is affected by a site specific Heritage Overlay (HO842) and the Design and Development Overlay Schedule 33 (DDO33). DDO33 outlines a discretionary maximum building height of 40 metres; a podium height of 16 metres; and setbacks above the podium of six metres from all front, side and rear boundaries and two metres from a laneway.
4. A previous planning application seeking approval for the construction of a 69.4 metres high tower to be used for the purposes of dwellings, residential hotel and a licensed restaurant on the ground level was submitted on 29 May 2016. On 26 September 2016, a failure appeal was lodged at VCAT. Council formed the view that, had a failure appeal not been lodged, the application would have been refused due to significant concerns relating to heritage, built form and design matters. On 13 April 2017, VCAT directed that no planning permit issue.
5. The site is also affected by proposed Melbourne Planning Scheme Amendment C309 - West Melbourne Structure Plan which seeks to rezone the site from Mixed Use Zone to Special Use Zone and outlines site specific built form controls. The amendment is currently with the Minister for Planning seeking authorisation to exhibit.
6. The proposed development will have a gross floor area of 11,479m² and will include 258 hotel rooms, two function spaces on the roof level and a licensed restaurant with a leasable floor area of 177m² on the ground level.
7. Public notice of the application was undertaken and a total of nine objections were received, primarily relating to height, design and amenity impacts.

Key issues

8. Key issues to consider include heritage, built form, design detail, amenity impacts, appropriateness of the proposed uses, parking, traffic and waste.
9. The proposed development, subject to a reduction in the overall building height to 53m, is an appropriate response when considered in the context of its physical and policy setting and having regard to the previous VCAT decision.
10. The proposed development is a high quality design that is respectful of the B graded heritage building. The development, subject to a reduction in the height, will not have unreasonable impacts on the amenity of the surrounding area. Conditions have been included to address overlooking.
11. Concerns are raised regarding the function centre use and its close proximity to sensitive uses. It has been recommended that this be removed from the application.

Recommendation from management

12. That the Future Melbourne Committee resolves that a Notice of Decision to Grant a Permit be issued subject to the conditions set out in the Delegate Report (refer Attachment 4).

Attachments:

1. Supporting Attachment (Page 3 of 74)
2. Locality Plan (Page 4 of 74)
3. Plans (Page 5 of 74)
4. Delegate Report (Page 30 of 74)

Supporting Attachment

Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987* (Act) sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

Finance

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

Conflict of interest

4. 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.

Occupational Health and Safety

5. In developing this proposal, no Occupational Health and Safety issues or opportunities have been identified.

Stakeholder consultation

6. Public notice of the application has been undertaken to surrounding owners and occupiers and by posting two notices on the King and Batman Street frontages of the site, pursuant to Section 52 of the Act 1987.

Relation to Council policy

7. Relevant Council policies are discussed in the Delegate Report (refer Attachment 4).

Environmental sustainability

8. An Environmentally Sustainable Design (ESD) statement was provided with a Waste Management Plan indicating that the proposal will achieve the requirements set out in Clause 22.19 and 22.23 of the Melbourne Planning Scheme. Further details of ESD measures are set out in the attached delegate report (refer Attachment 4).

Locality Plan

Attachment 2
Agenda item 6.2
Future Melbourne Committee
16 October 2018

407 – 415 King Street West Melbourne





KING STREET

FENDER KATSALIDIS

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REVISION	SI	DATE
TOWN PLANNING	SI	21.09.2017
TOWN PLANNING	SI	11.01.2018

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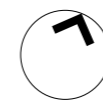
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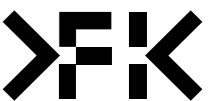


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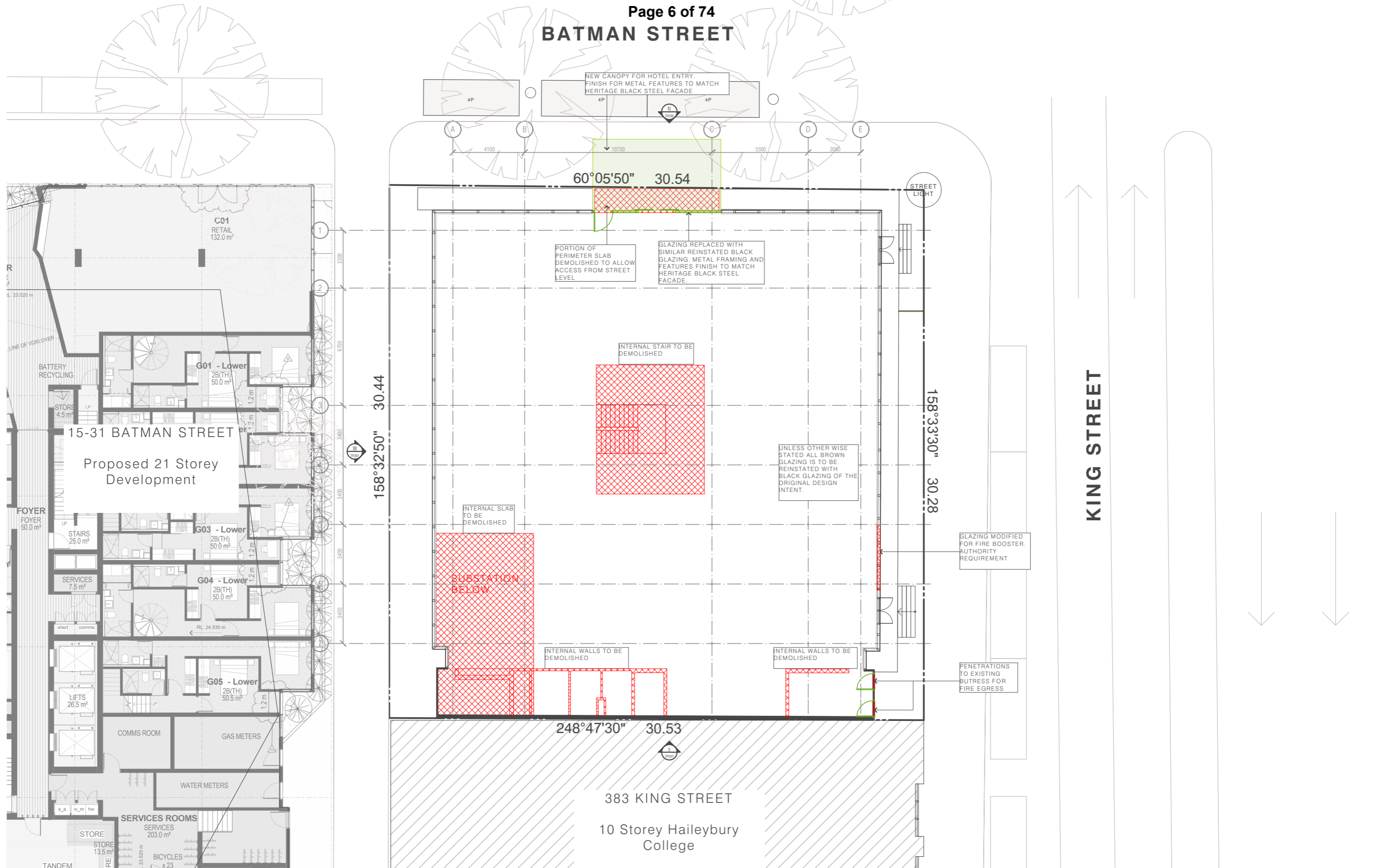
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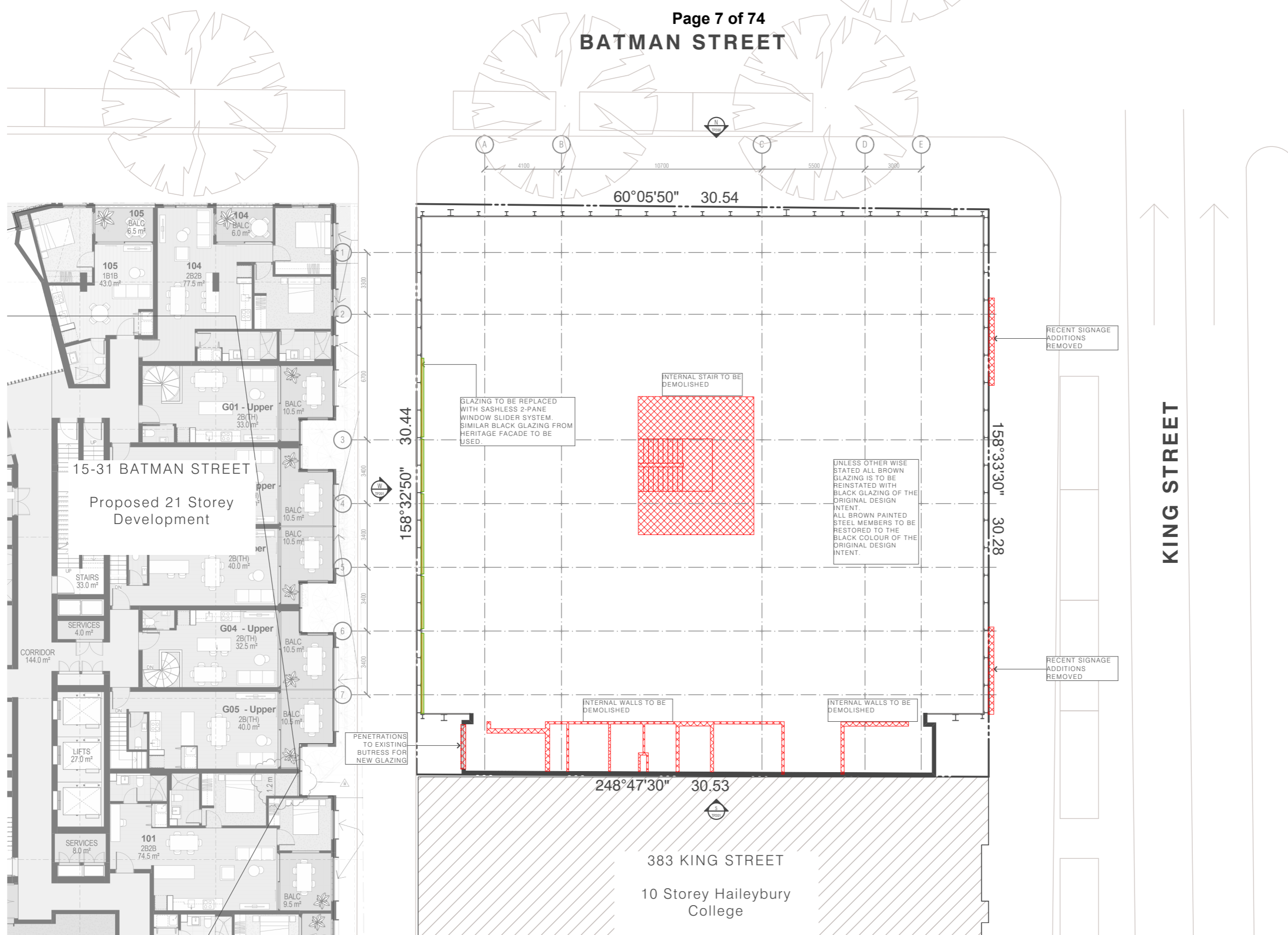
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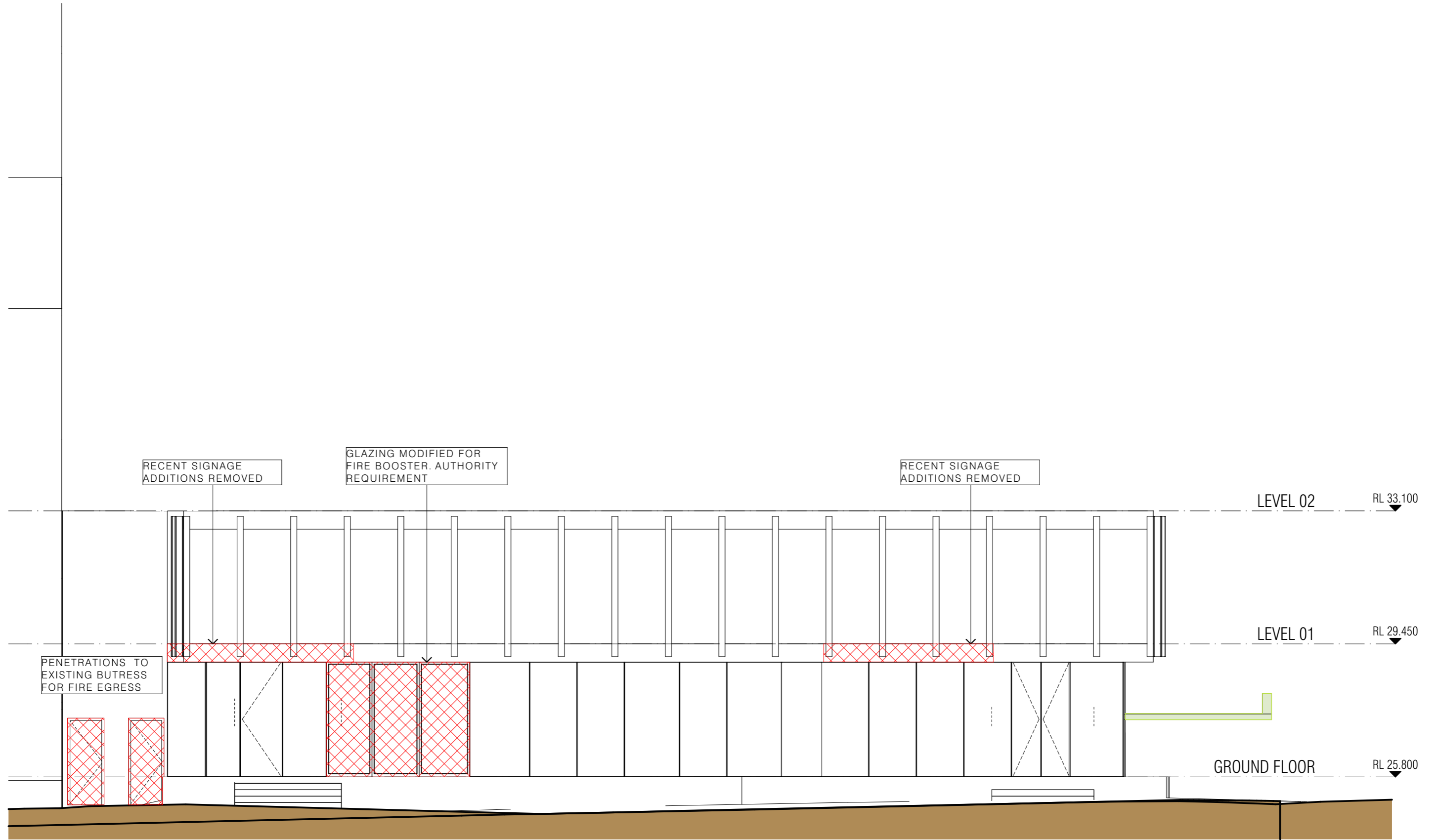
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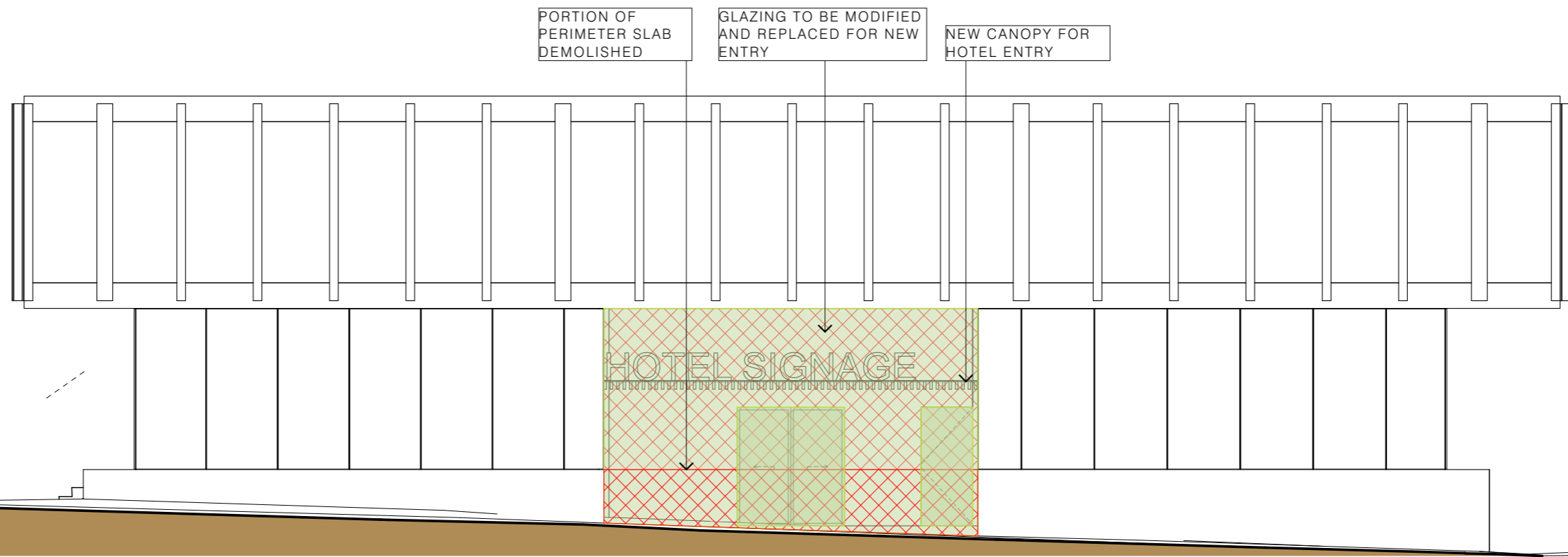
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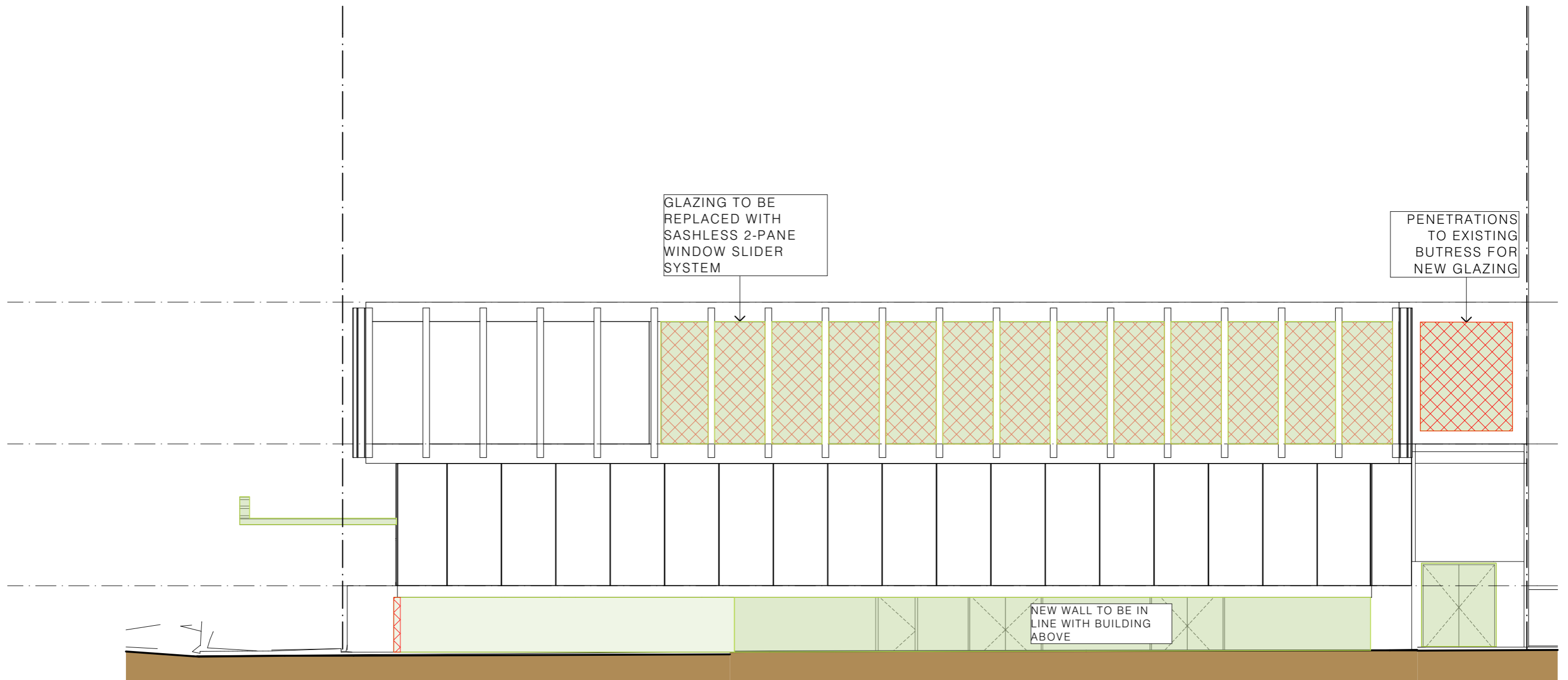
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