

Report to the Future Melbourne (Planning) Committee

Agenda item 6.1

**Ministerial Planning Referral: TPM-2019-19
150-170 Pelham Street, Carlton****15 September 2020****Presenter:** Evan Counsel, Director Planning and Building**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee (FMC) of a Ministerial planning application seeking approval for full and partial demolition of the existing heritage buildings, construction of a new building for education, student accommodation, indoor recreation facility (gym) and retail (other than adult sex bookshop, hotel and tavern), and a reduction of bicycle parking at 150-170 Pelham Street, Carlton (refer Attachment 2 – Locality Plan).
2. The applicant is Melbourne Business School Ltd (MBS) c/o Contour Consultants Aust Pty Ltd, the owner is MBS, and the architect is Woods Bagot Pty Ltd.
3. More specifically, the application seeks approval for full demolition of the buildings to the south of Little Pelham Street, partial demolition of the buildings to the north of Little Pelham Street, and construction of a new building with two basement levels, an eight storey 'podium' and a five storey 'tower'. The development provides 22,432m² of education floor space for 262 staff and 2,355 students, 3,205m² of student accommodation floor space for 78 lodging rooms, 2,884m² of retail floor space, and a 961m² gym. The basement levels provide for loading, servicing and parking, including four car parking spaces and 164 bicycle parking spaces.
4. The land is located within the Capital City Zone Schedule 5 (CCZ5) and is affected by Heritage Overlay (HO1121), Design and Development Overlay Schedule 61 Area 4.1 (DDO61-A4.1), and Parking Overlay (Schedule 1). DDO61-A4.1 seeks preferred built form specific to buildings fronting Pelham, Bouverie and Leicester Streets of a maximum building height of 40m; comprising a 24m street wall with any part of the building above 24 m setback 6 m from the street.
5. The Minister for Planning has given formal notice of the application to Council under section 52(1)(a) of the *Planning and Environment Act 1987* (Act).
6. On 4 September 2020, the Department of Environment, Land, Water and Planning provided Council with a copy of a revised 3D render of the Pelham Street frontage, a section plan and shadow diagrams. A more advanced set of 'without prejudice' plans, including floorplans and elevations, was received by Council on 8 and 9 September 2020 that aligned with the changes provided on 4 September 2020.
7. The permit applicant advised that the changes detailed within the revised plans are 'without prejudice' and that the formal application plans remain the decision plans.
8. An assessment of the without prejudice plans received 4, 8 and 9 September 2020 is included at section 9 of the delegate report (refer to Attachment 4).

Key issues

9. The key issues relevant to this proposal relate to land use; heritage; the design objectives, built form controls and built form outcomes of DDO61-A4.1; equitable development; Council's student housing policy; wind and shadow impacts; parking, loading and waste; environmentally sustainable design; and potentially contaminated land.
10. The site is located within the renewal areas of the Parkville National Employment and Innovation Cluster and 'City North' precinct which is also an established area of Carlton. While the renewal and expansion of the Melbourne Business School facilities are positive and the development has excellent ESD and WSUD targets, the university and accommodation building is too large for the site, the design response does not justify the full and partial demolition of the heritage buildings, and the scale, form and appearance of the development will adversely affect the amenity, character and heritage significance of the site and surrounds.

11. The changes required to address concerns are significant, may result in unintended consequences and outcomes if not dealt with in an integrated manner, and are therefore not appropriately dealt with via conditions. The applicant is encouraged to holistically revisit the proposal with due regard and consideration of the detailed feedback that has been provided to assist this process.

Recommendation from management

12. That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that Melbourne City Council objects to the proposal on the grounds outlined in the delegate report (refer to Attachment 4 of the report from management).

Attachments:

1. Supporting attachment (Page 2 of 108)
2. Locality Plan (Page 3 of 108)
3. Plans (Page 4 of 108)
4. Delegate Report (Page 54 of 108)

Supporting Attachment

Legal

1. The Minister for Planning is the Responsible Authority for determining this application.
2. The Minister for Planning has formally notified Melbourne City Council of the application under section 52(1)(a) of the Act.
3. Council is afforded third party notice and appeal rights pursuant to Clause 43.01 (Heritage Overlay).

Finance

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

Conflict of interest

5. 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.

Health and safety

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

Stakeholder consultation

7. The application is not 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 pursuant to Clause 43.01 (Heritage Overlay).
8. It is the responsibility of Department of Environment, Land, Water and Planning on behalf of the Minister for Planning to administer public notice where required.

Relation to Council policy

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

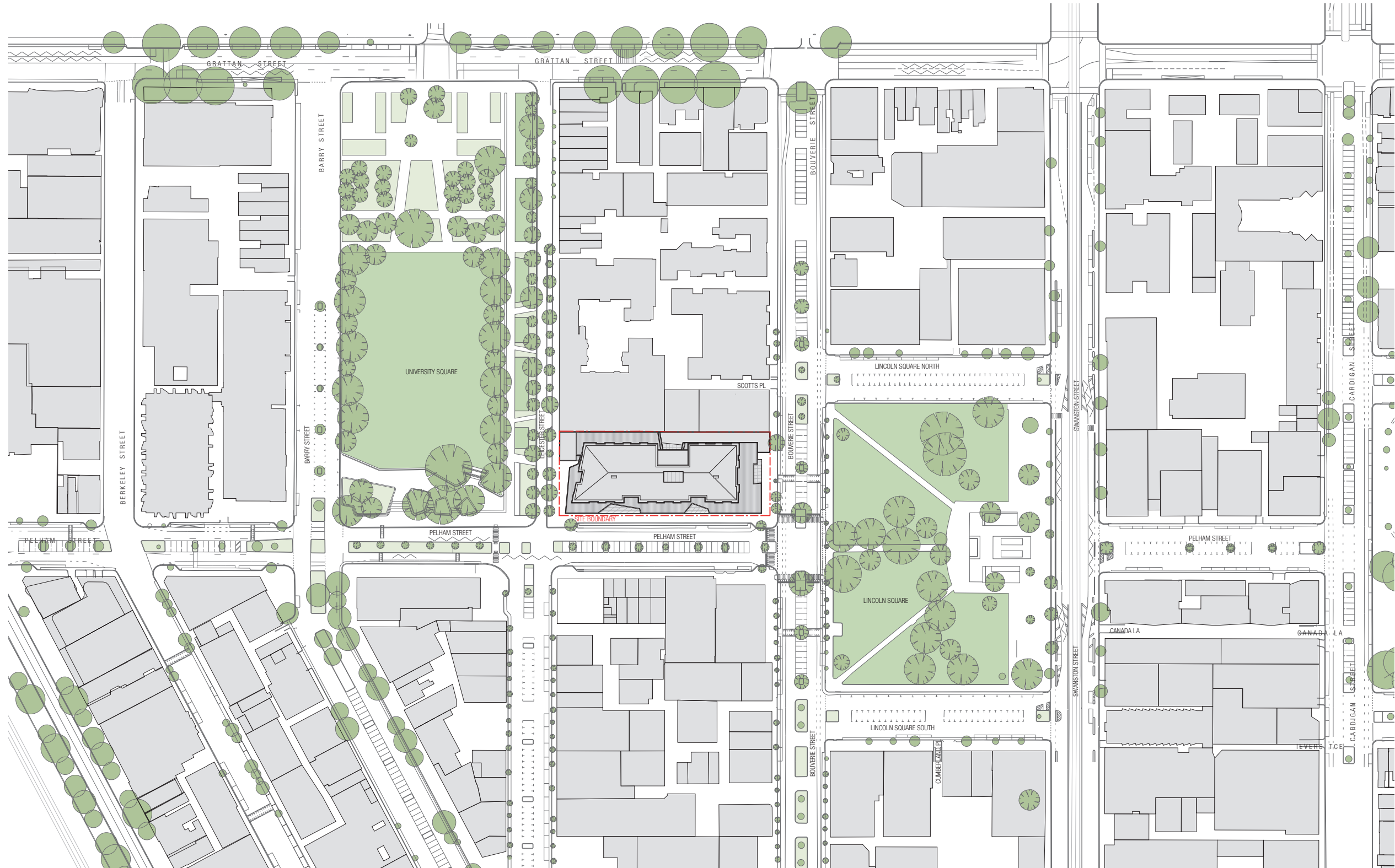
Environmental sustainability

10. The development has excellent ESD and WSUD targets that exceed the minimum requirements of Clause 22.19 (Energy, Water and Waste Efficiency) and Clause 22.23 (Stormwater Management).

Locality Plan

150-170 Pelham Street, Carlton





Recent revision history		Date	Notes & Legend
#	Status	Description	Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.
A	Town Planning	14/06/19	

Notes & Legend	
Existing Building	Grey
Garden Bed	Light Green
Lawn	Green
Tree	Dark Green

Project
 Melbourne Business School - Campus Renewal Project

Client
 Melbourne Business School Ltd

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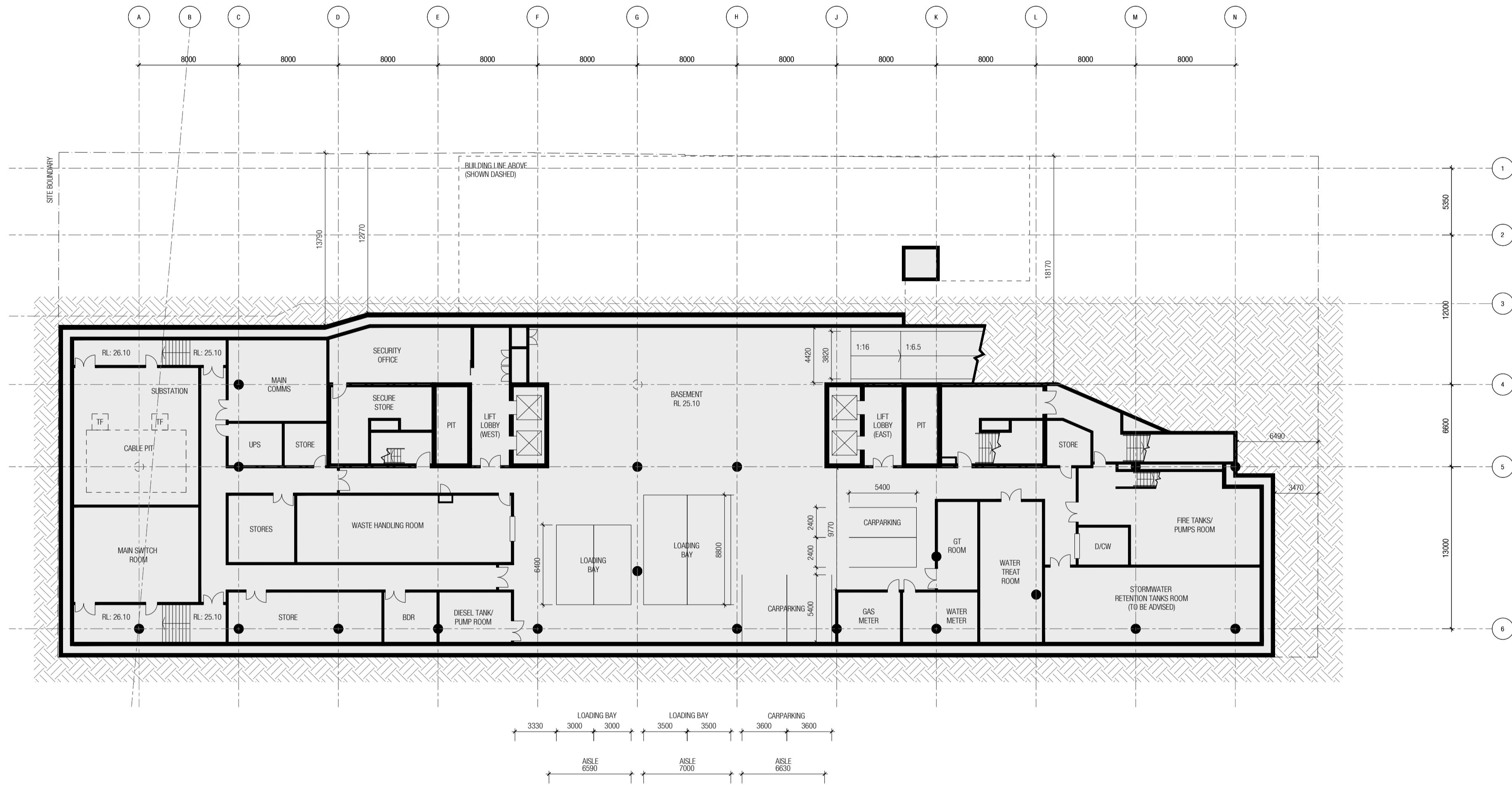
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A	Town Planning		14/06/19

Notes & Legend
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 SUBJECT TO FUTURE DEVELOPMENT.

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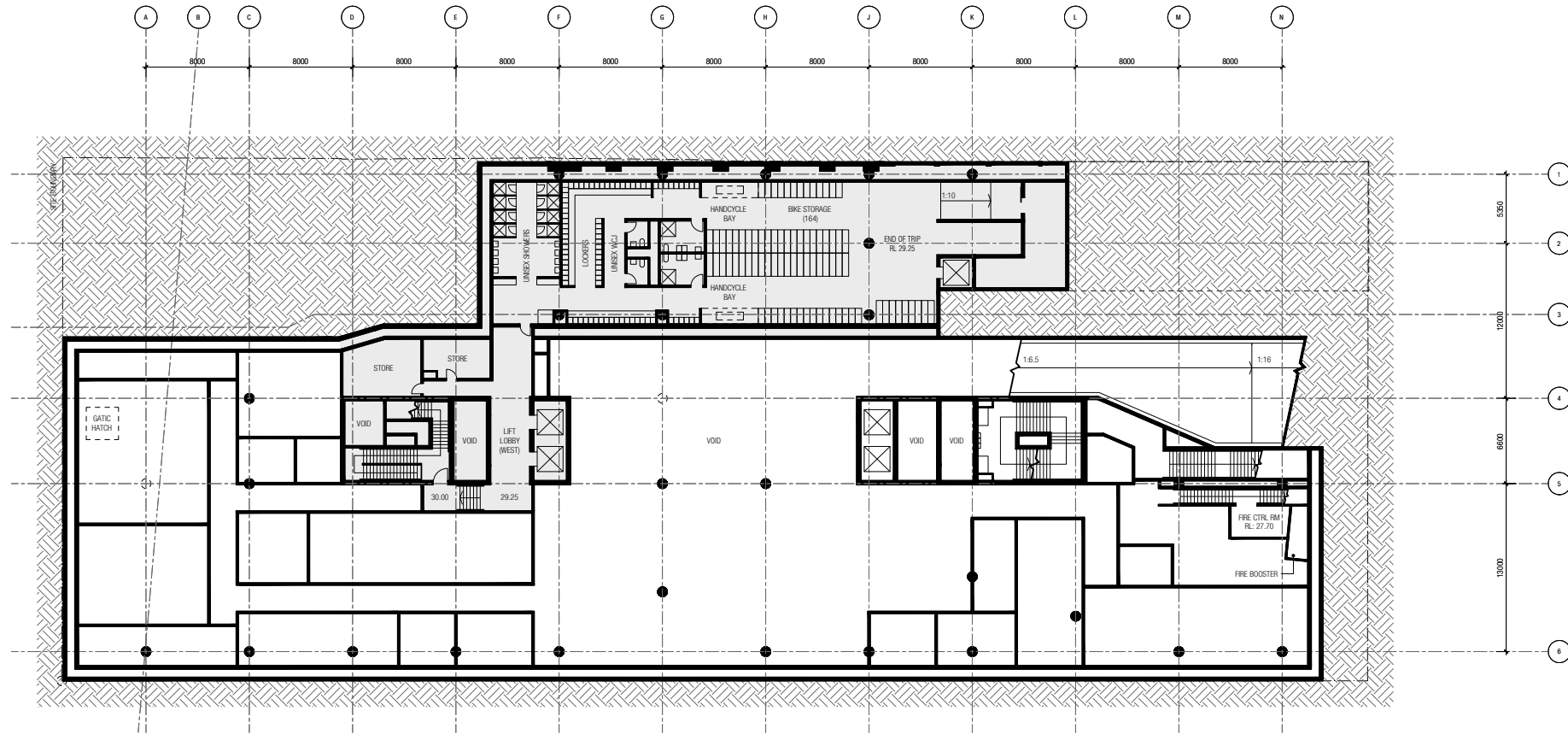
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Revision B



Recent revision history		
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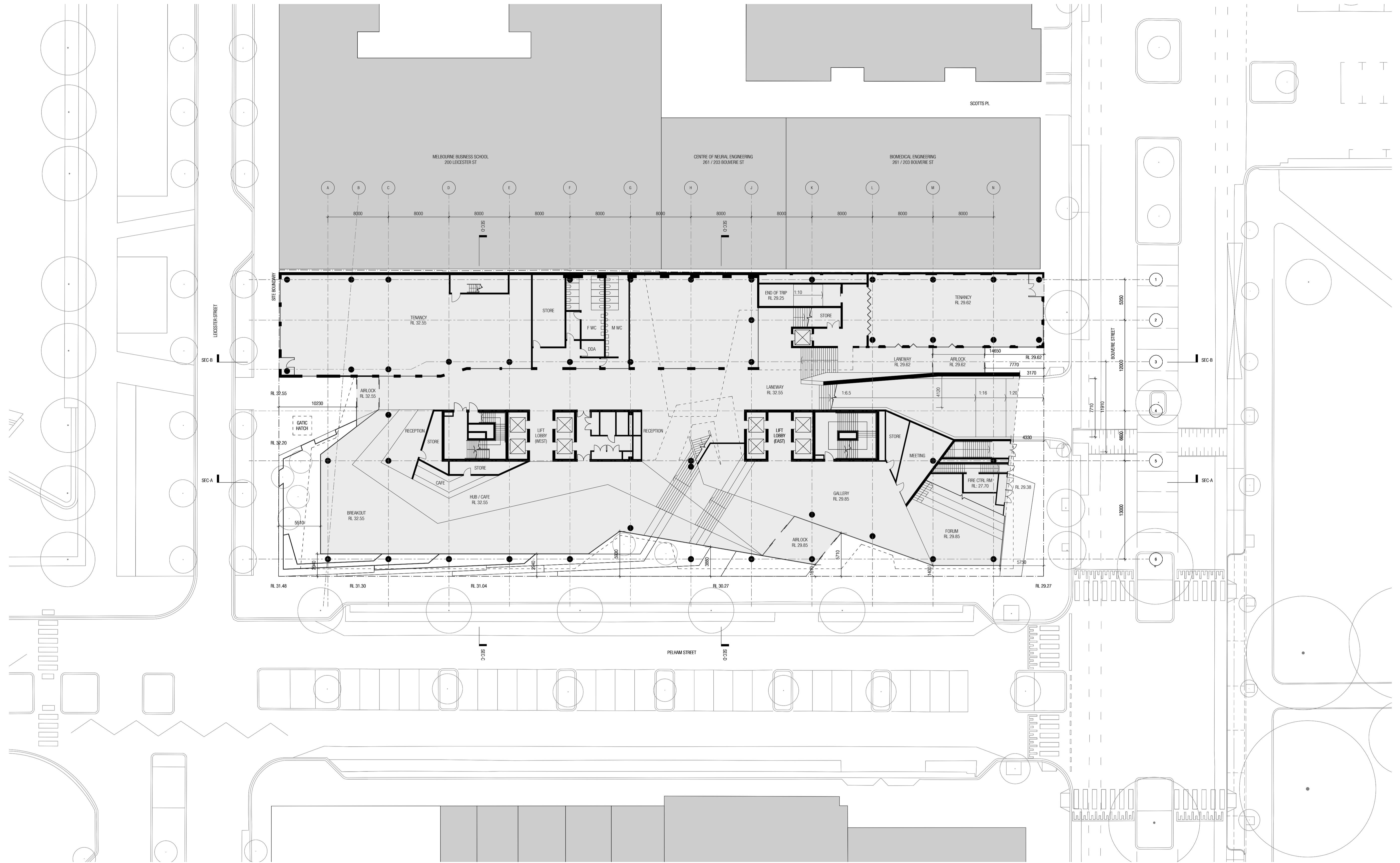
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A	Town Planning	

Notes & Legend	
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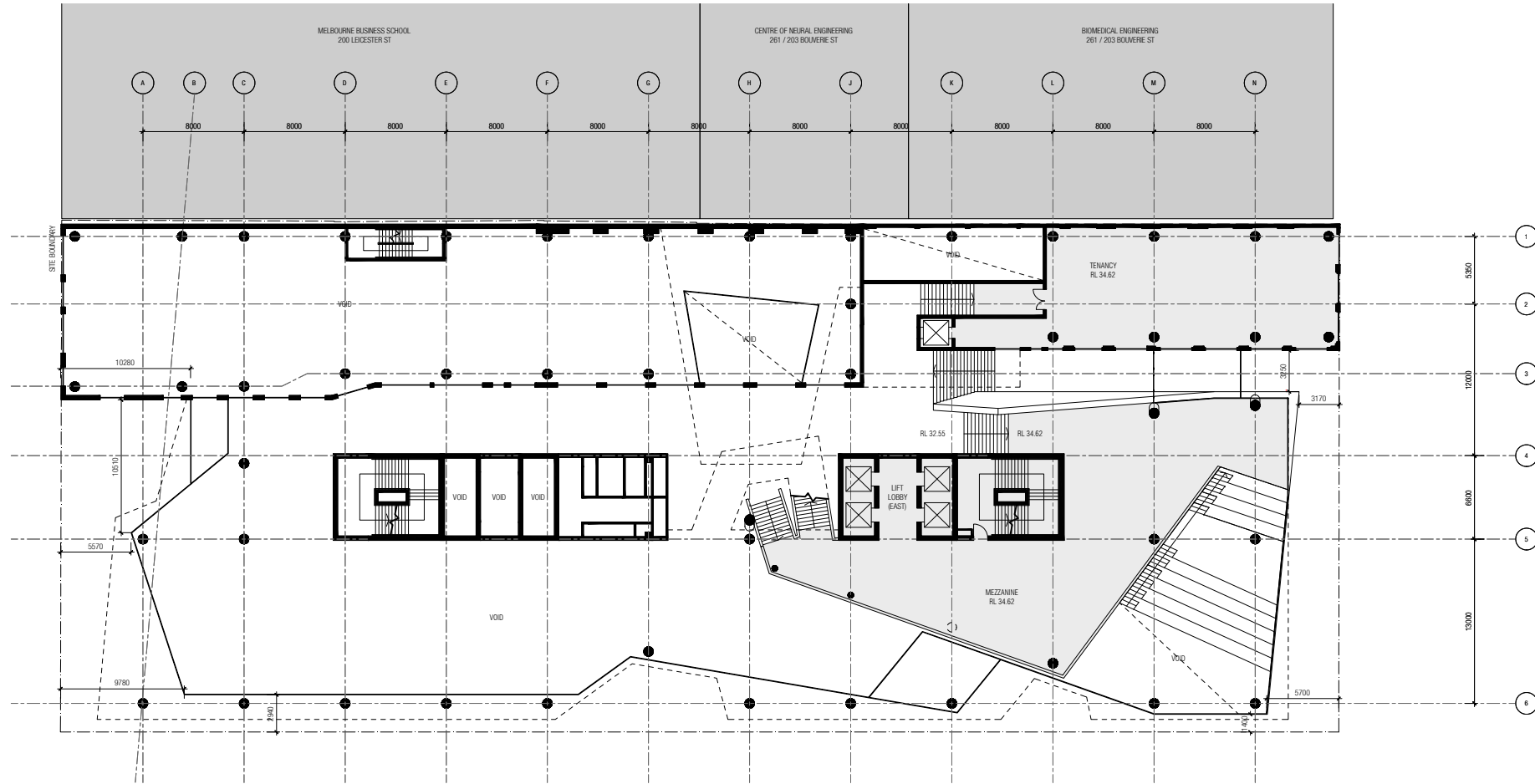
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Notes & Legend		
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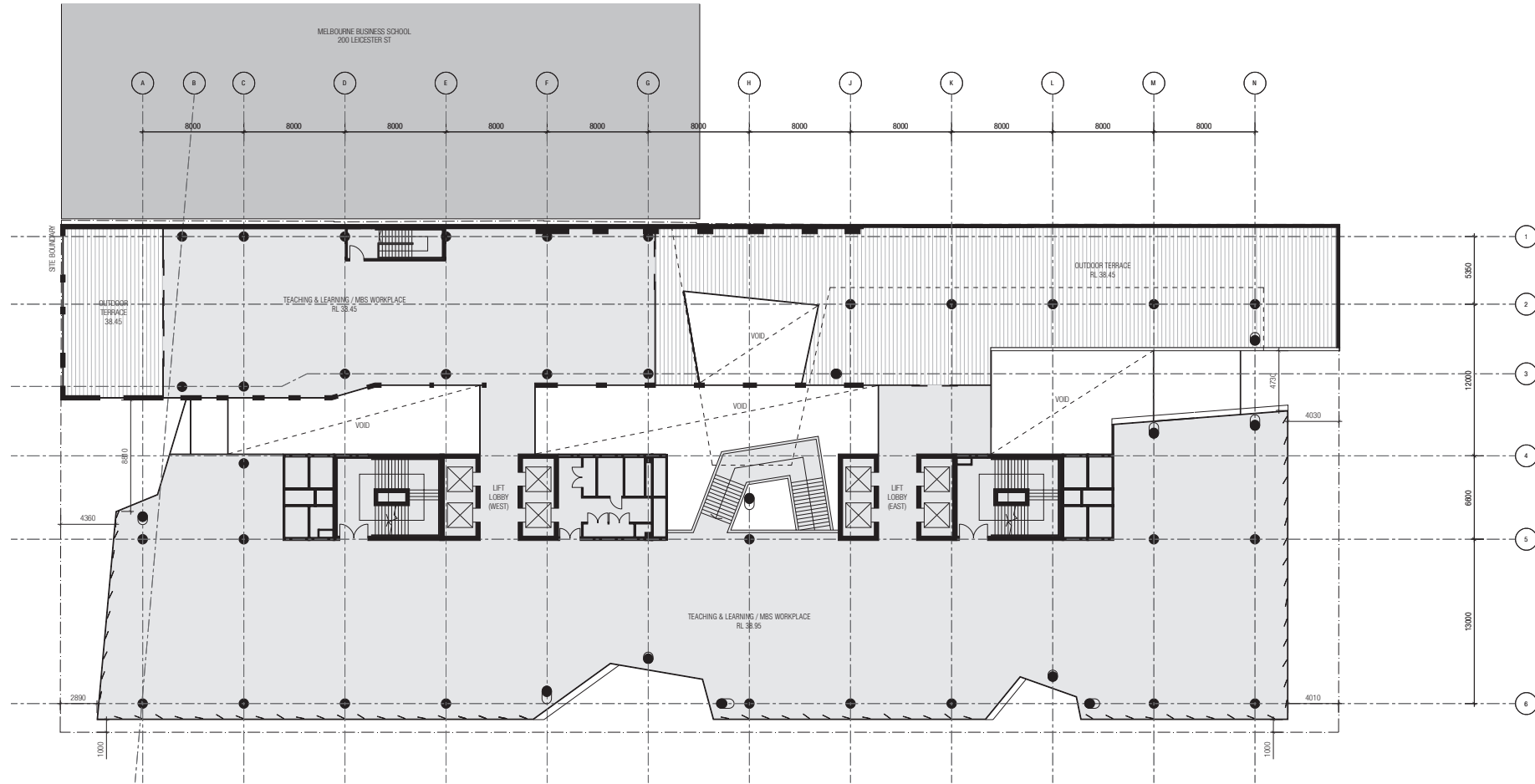
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Recent revision history		
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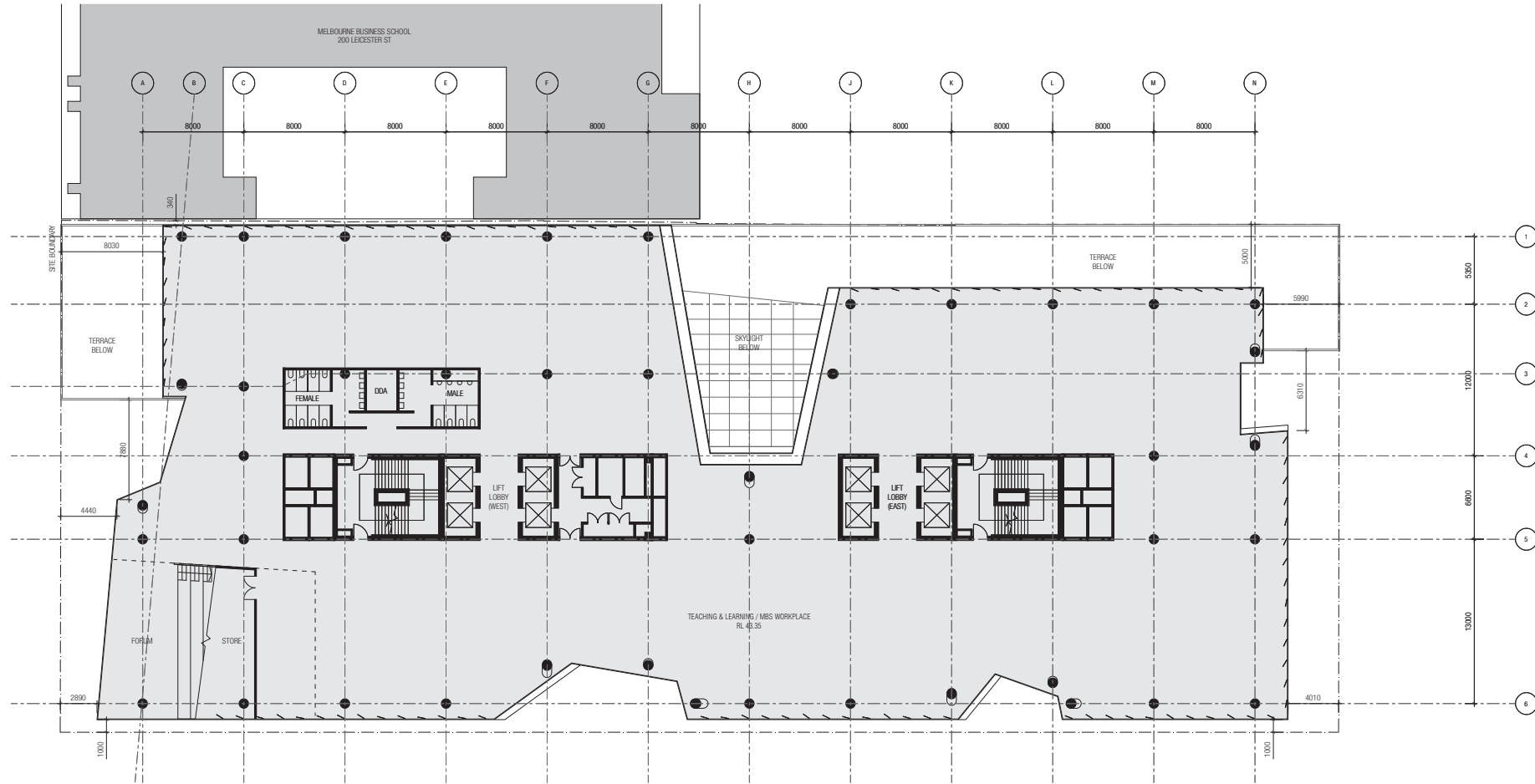
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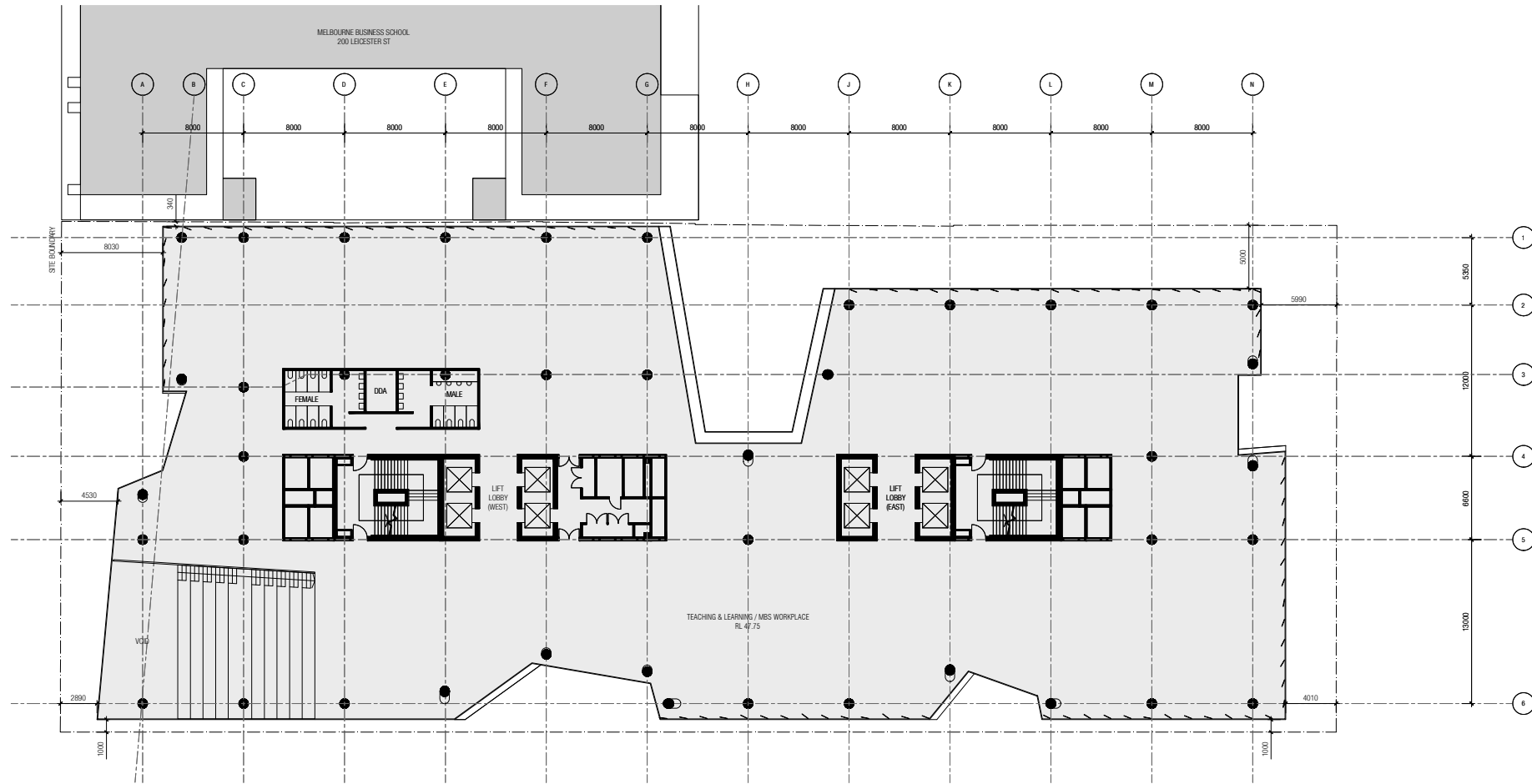
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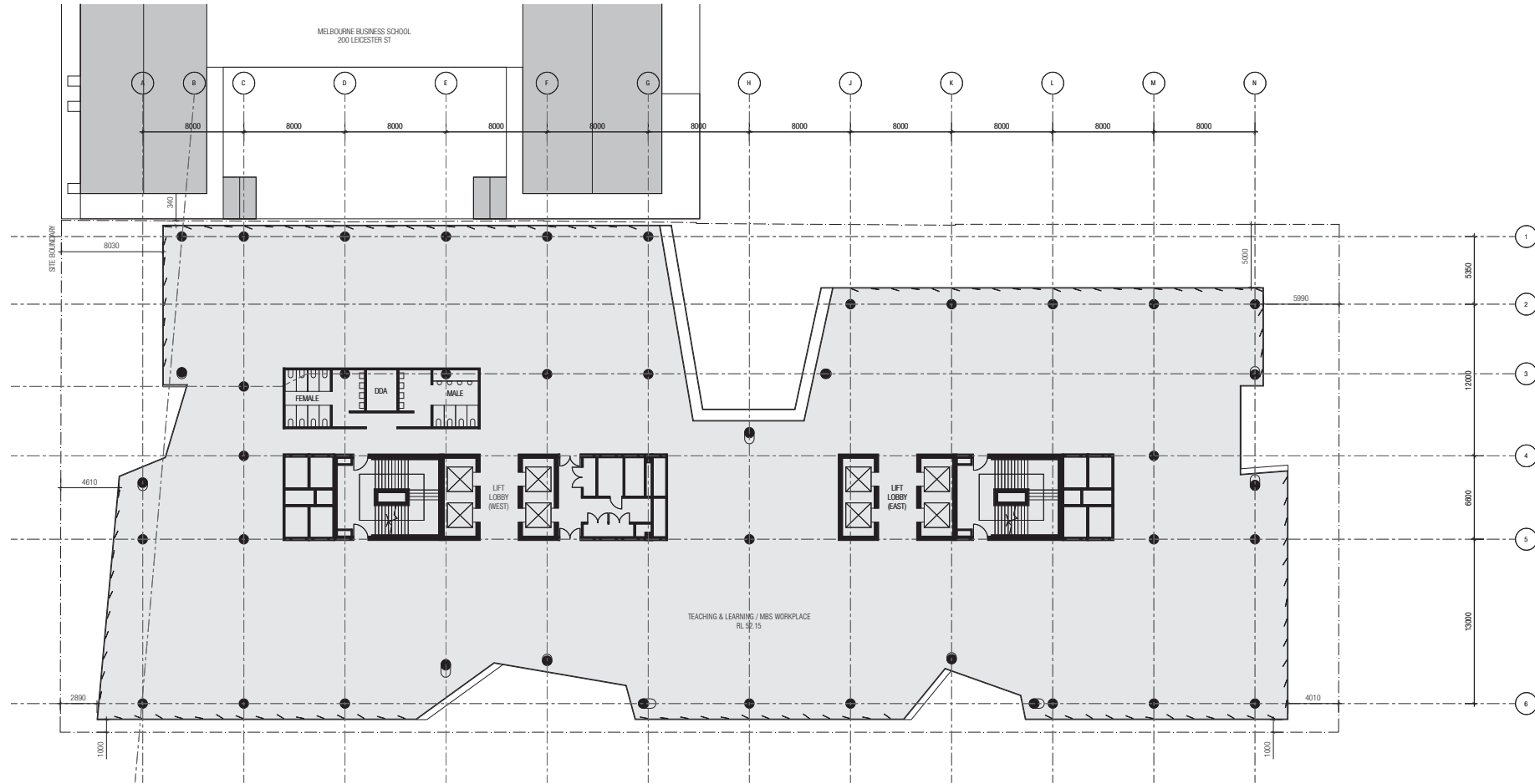
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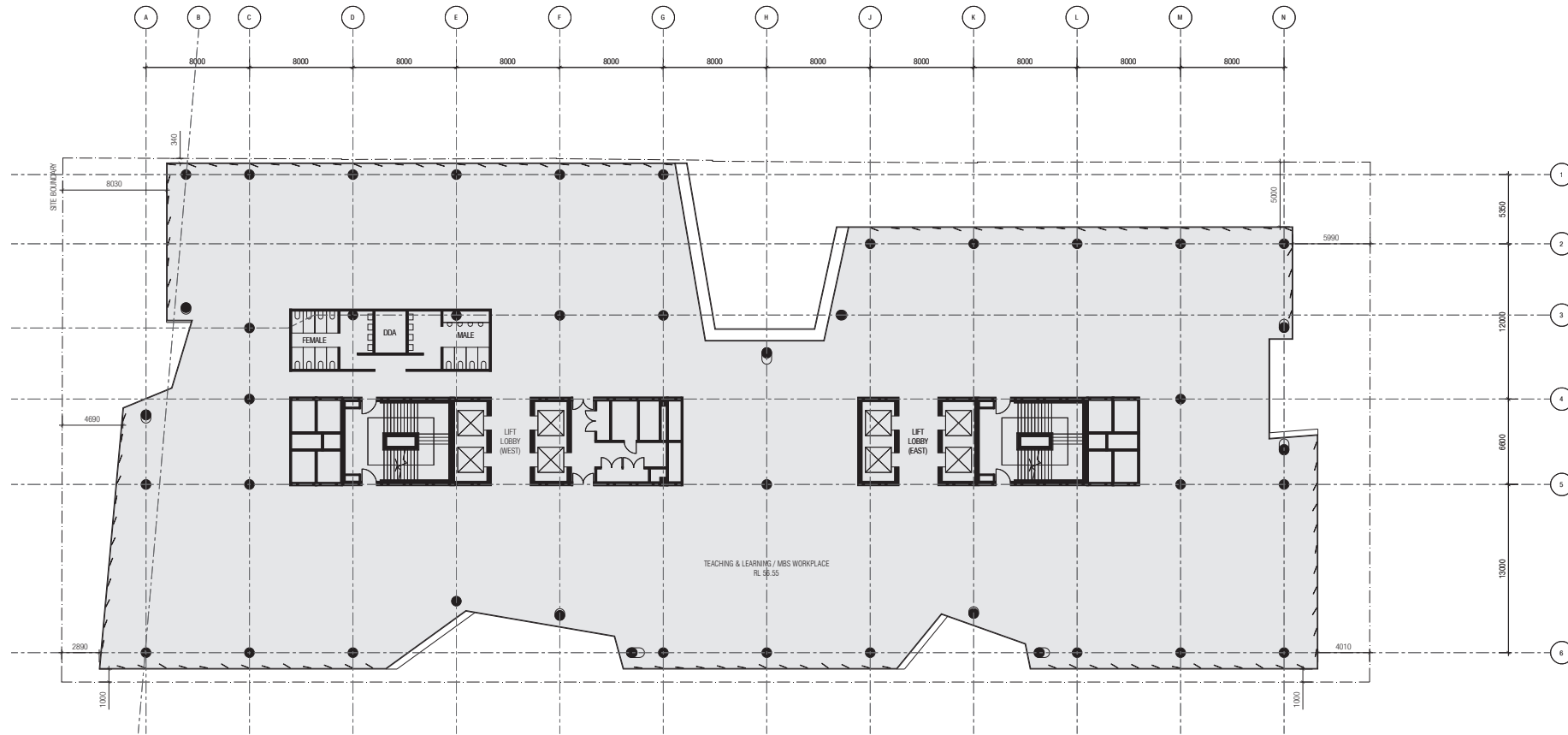
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Recent revision history		
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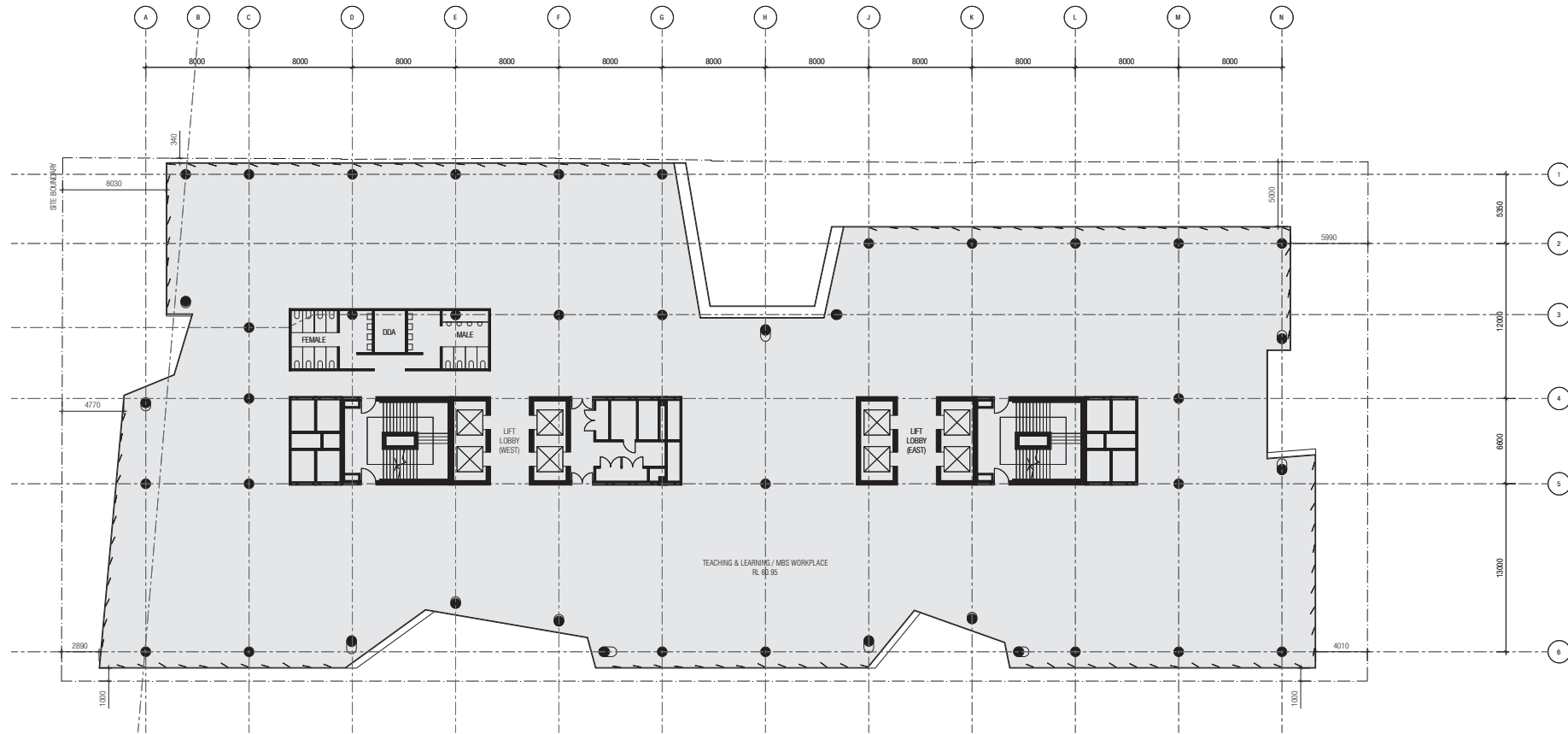
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Recent revision history		
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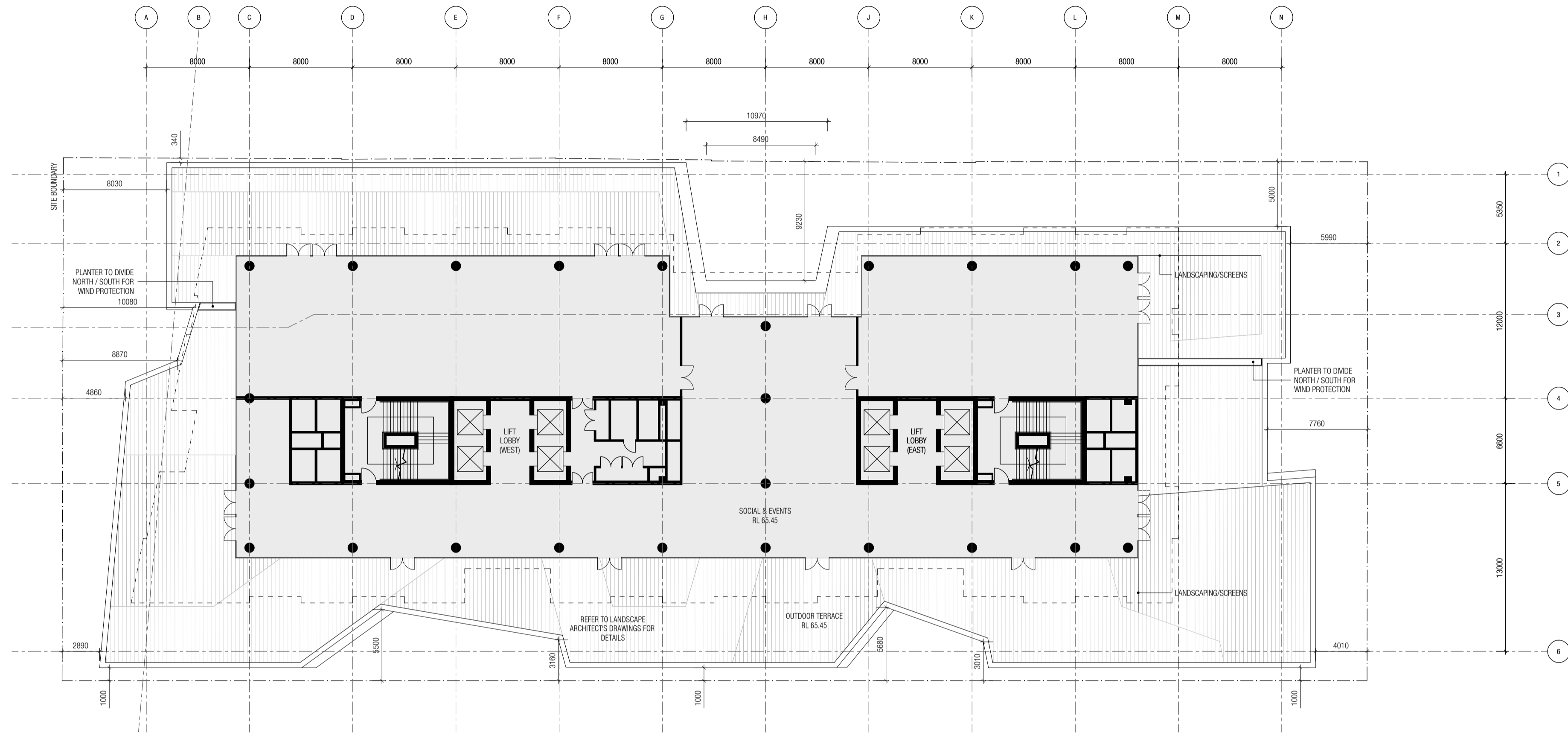
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		Revision	A



Recent revision history		
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A	Town Planning	

Notes & Legend	
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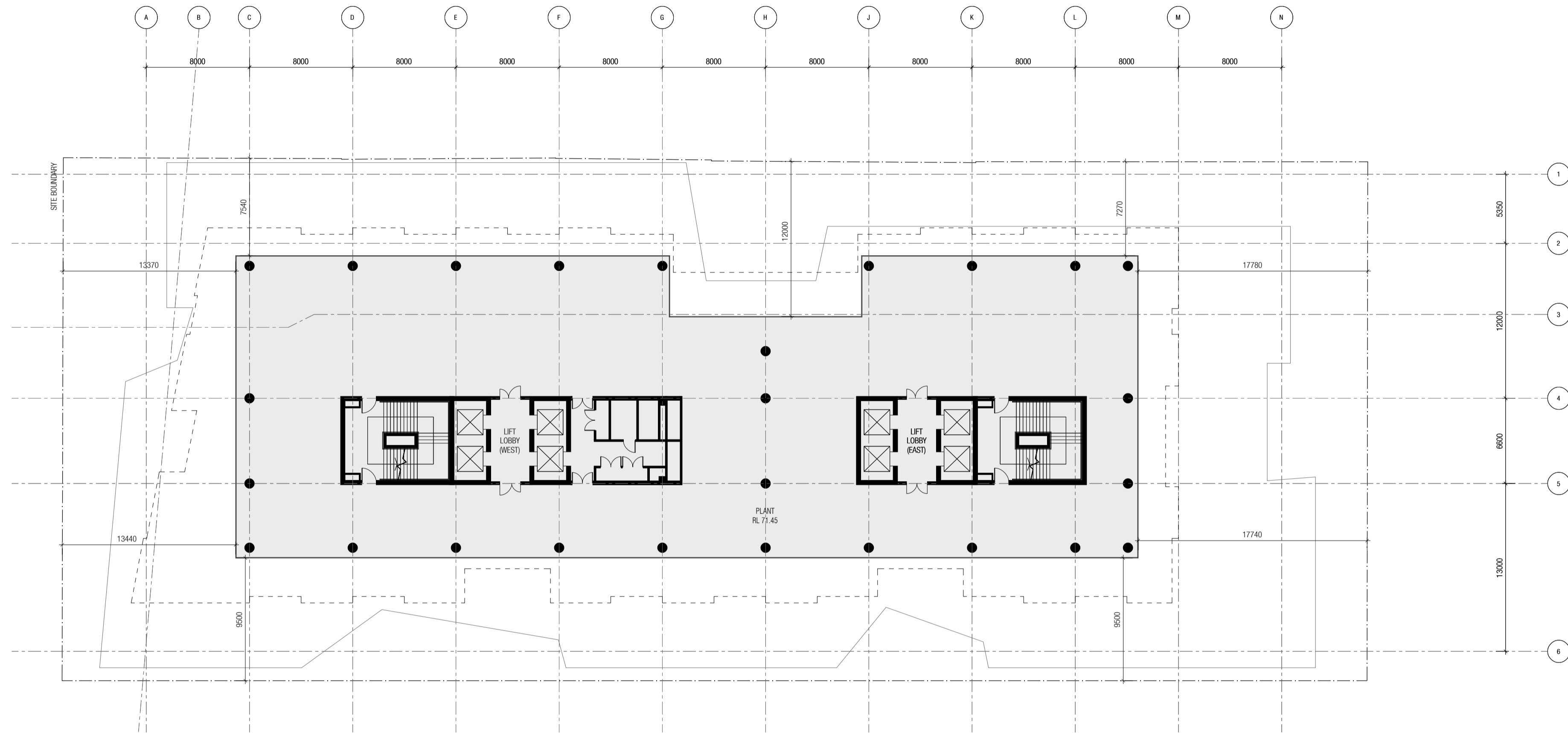


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A	Town Planning	

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 Floor Plan Level 08

Sheet number
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Revision
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Recent revision history			
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A	Town Planning		14/06/19

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Sheet title
 Floor Plan Level 09

Sheet number
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Status
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Revision
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Recent revision history		
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A	Town Planning	

Notes & Legend	
Date	30/08/19
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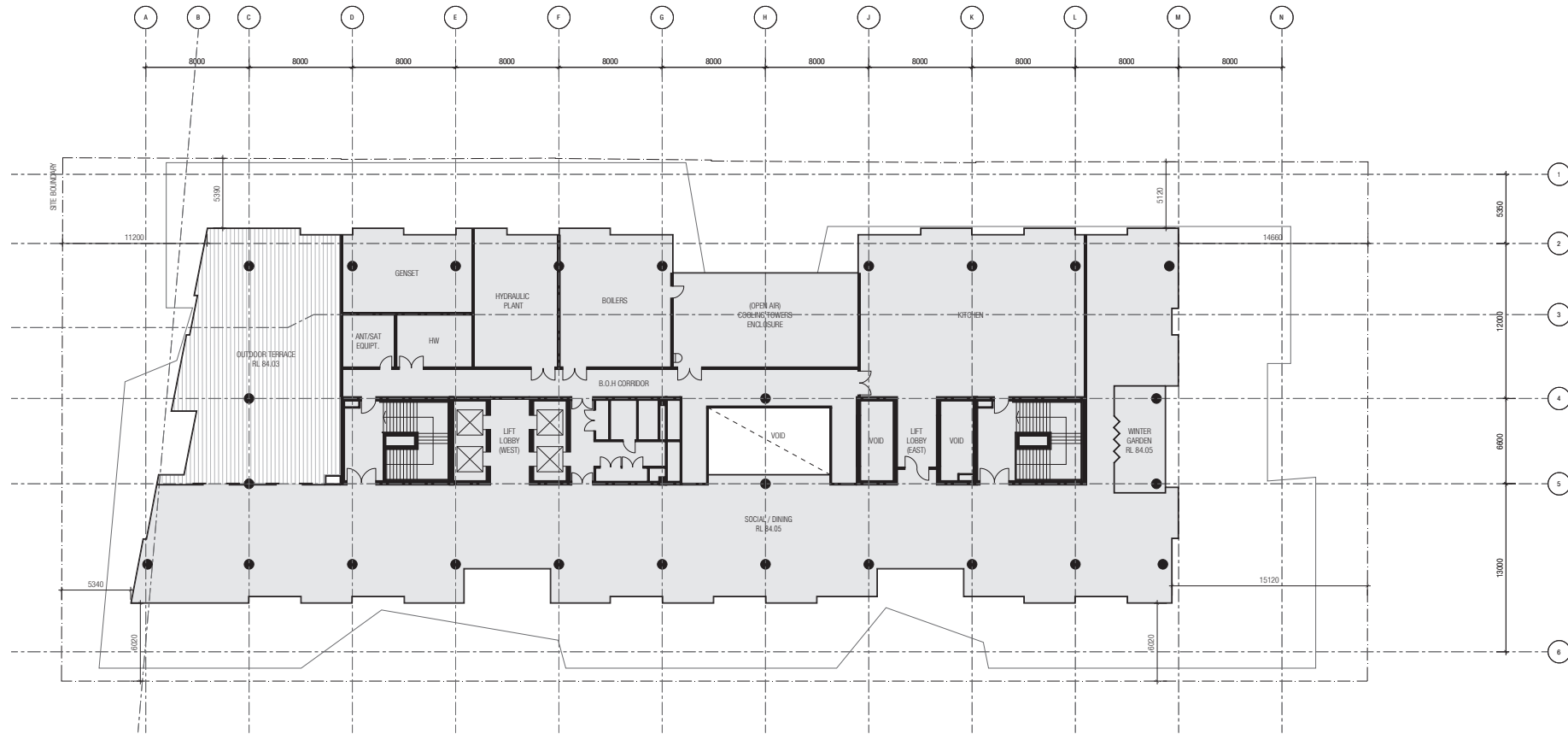
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Revision
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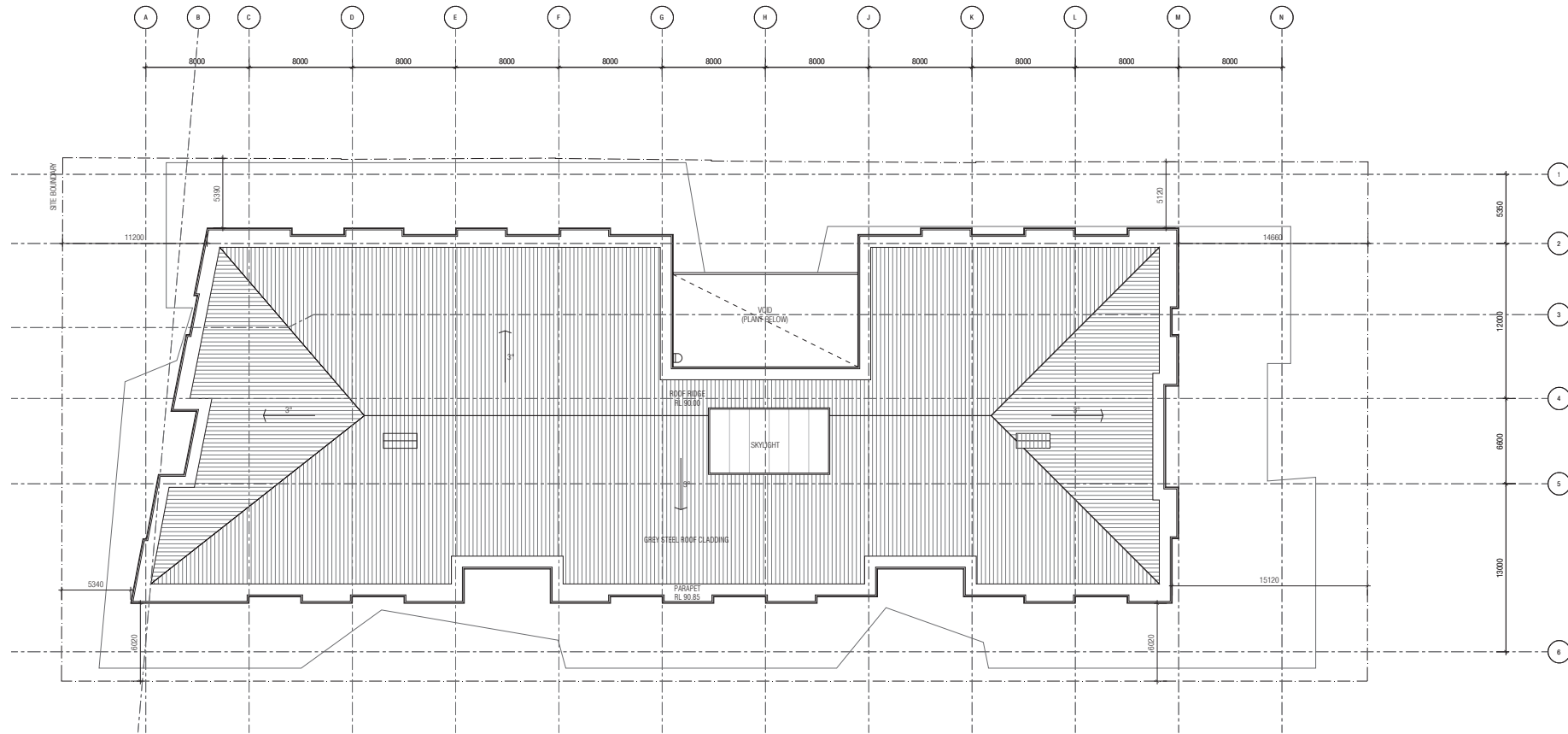
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Recent revision history		
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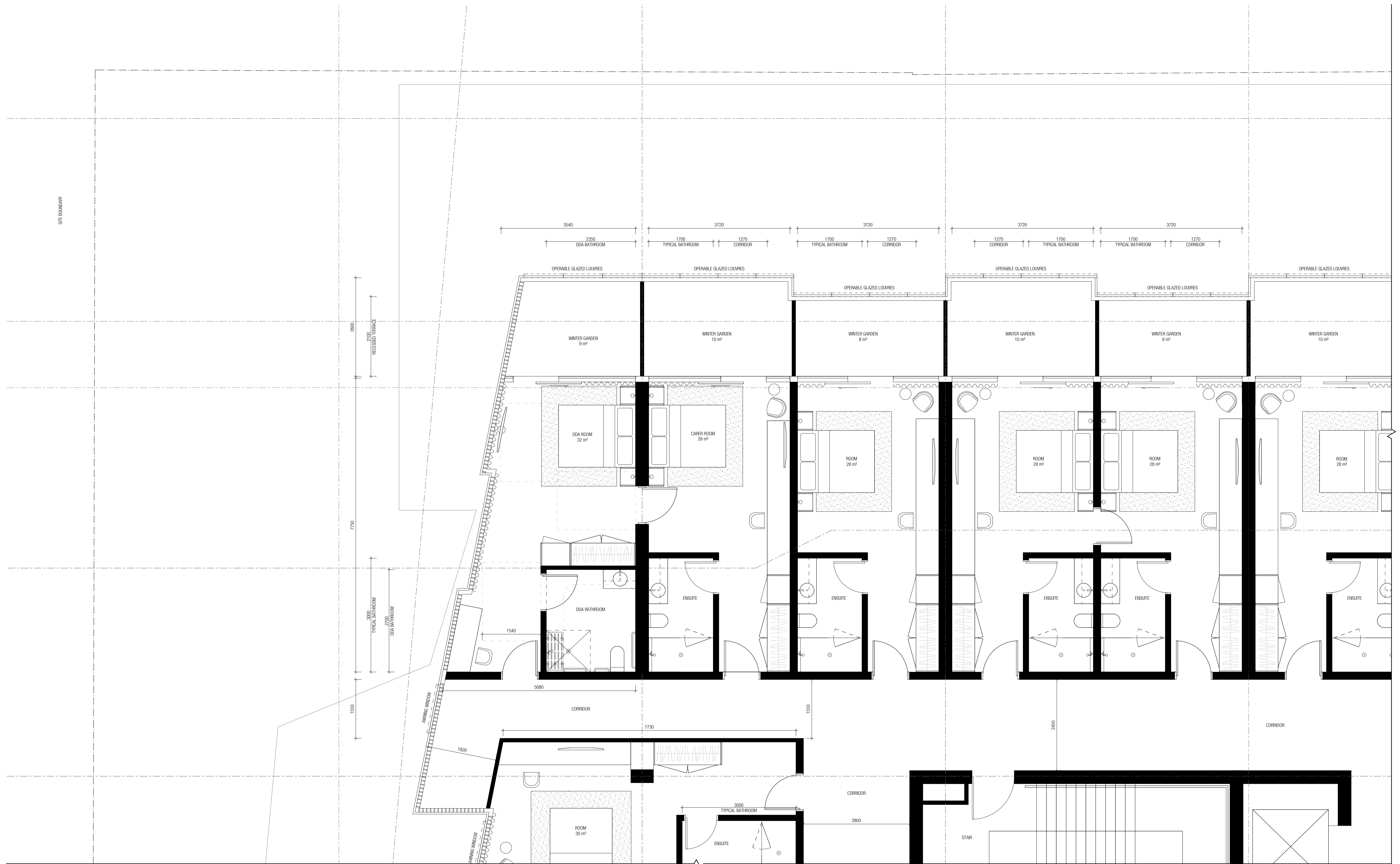
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TP-22112	A	Town Planning	



FOR CONTINUATION REFER SHEET 4

FOR CONTINUATION REFER SHEET 2

Recent revision history		
#	Status	Description
A	Town Planning	Town Planning RFI

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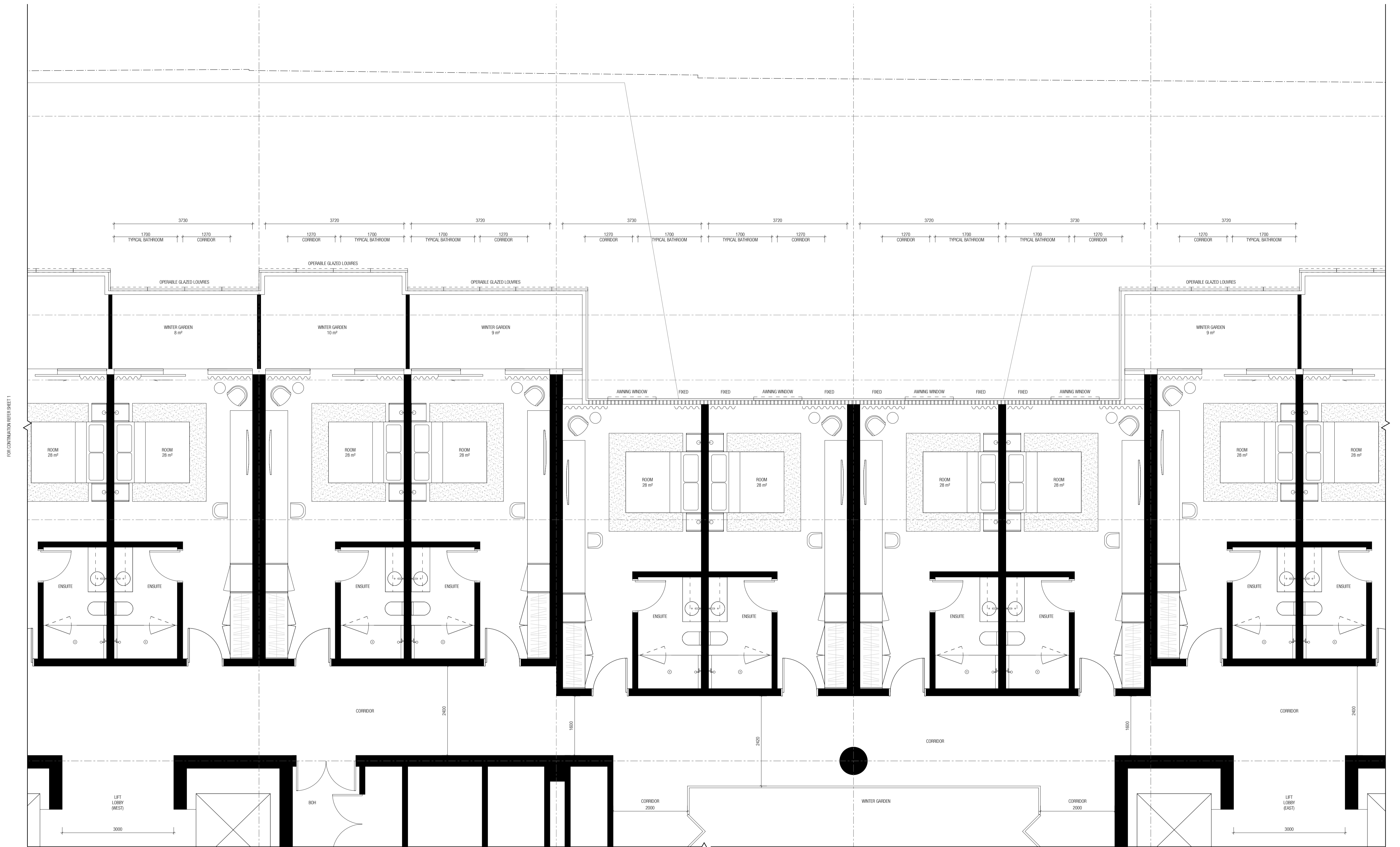
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Sheet title
 Level 09 Accommodation Plan - Sheet 1

Sheet number
 TP-25901
 Status
 Town Planning

Revision
 A



Recent revision history			
#	Status	Description	Date
A	Town Planning	Town Planning RFI	30/08/19

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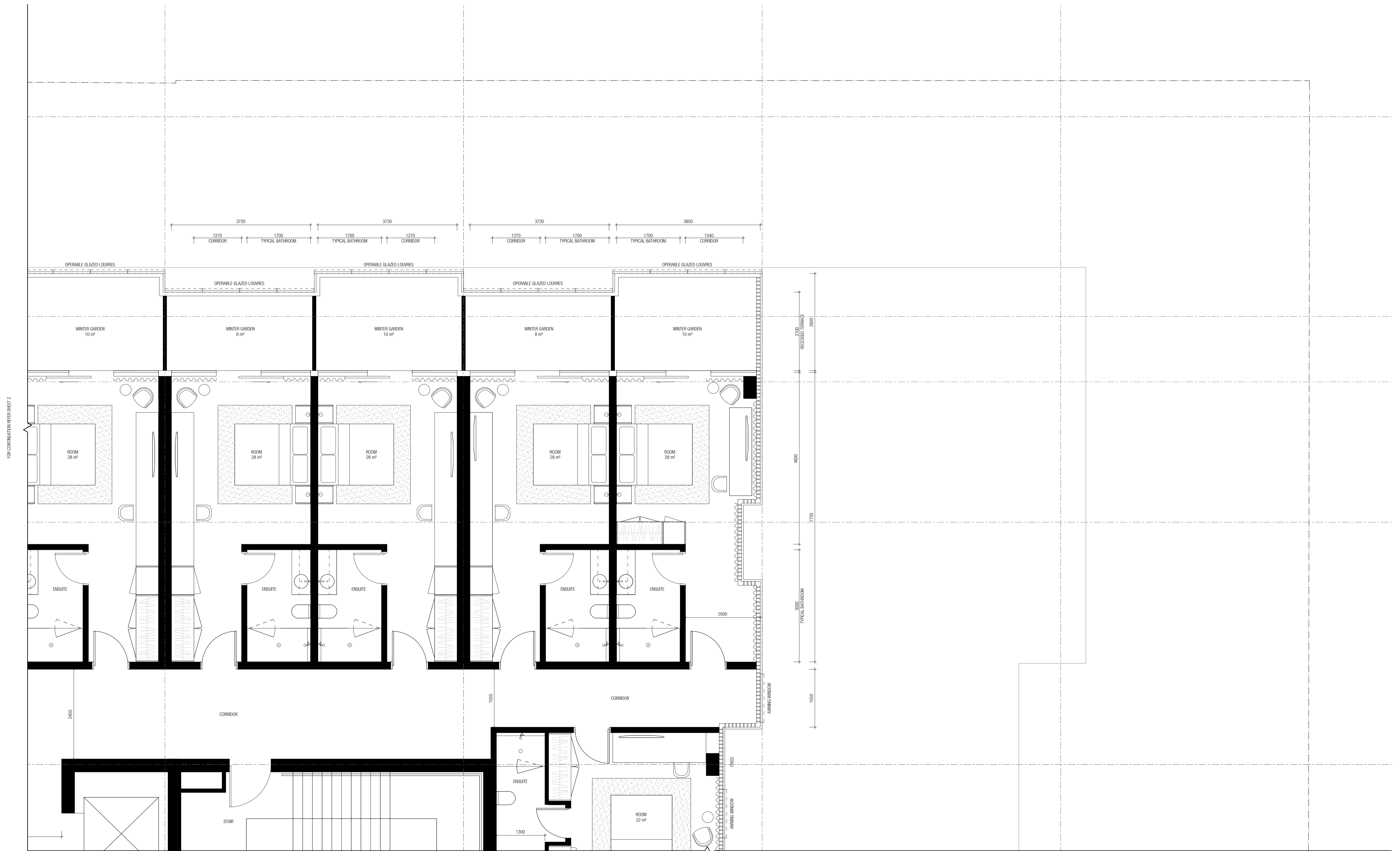
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Sheet title
 Level 09 Accommodation Plan - Sheet 2

Sheet number
 TP-25002
 Status
 Town Planning

Revision
 A



FOR CONTINUATION REFER SHEET 2

FOR CONTINUATION REFER SHEET 6

#	Status	Description	Date
A	Town Planning	Town Planning RFI	30/08/19

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Sheet title
 Level 09 Accommodation Plan- Sheet 3

Sheet number
 TP-25003
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 Town Planning
 Revision
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FOR CONTINUATION REFER SHEET 1



FOR CONTINUATION REFER SHEET 5

Recent revision history		
#	Status	Description
A	Town Planning	Town Planning RFI

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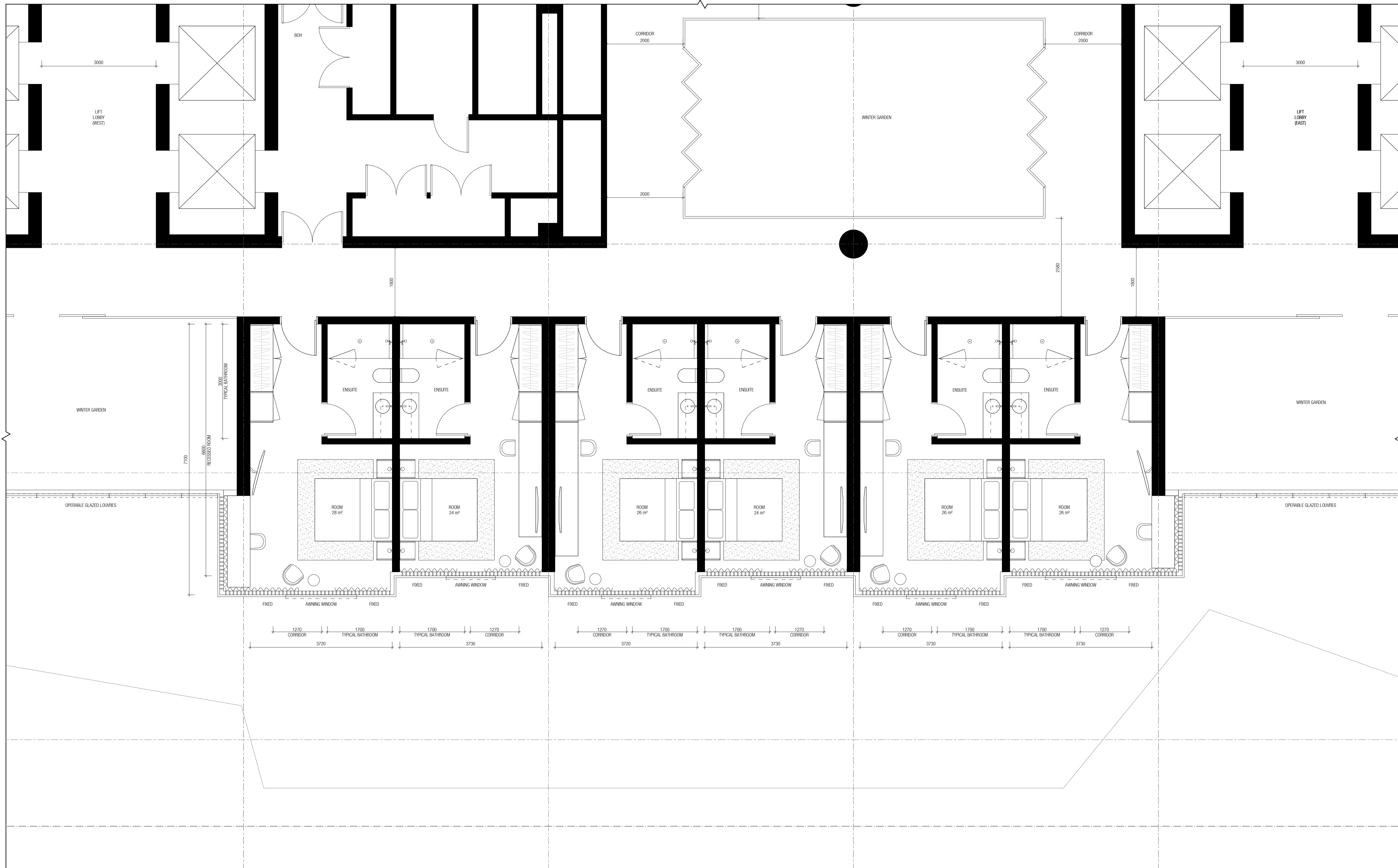
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Sheet title
 Level 09 Accommodation Plan- Sheet 4

Sheet number
 TP-25004
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Revision
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FOR CONTINUATION REFER SHEET 2



#	Status	Description	Date
A	Town Planning	Town Planning RFI	30/08/19

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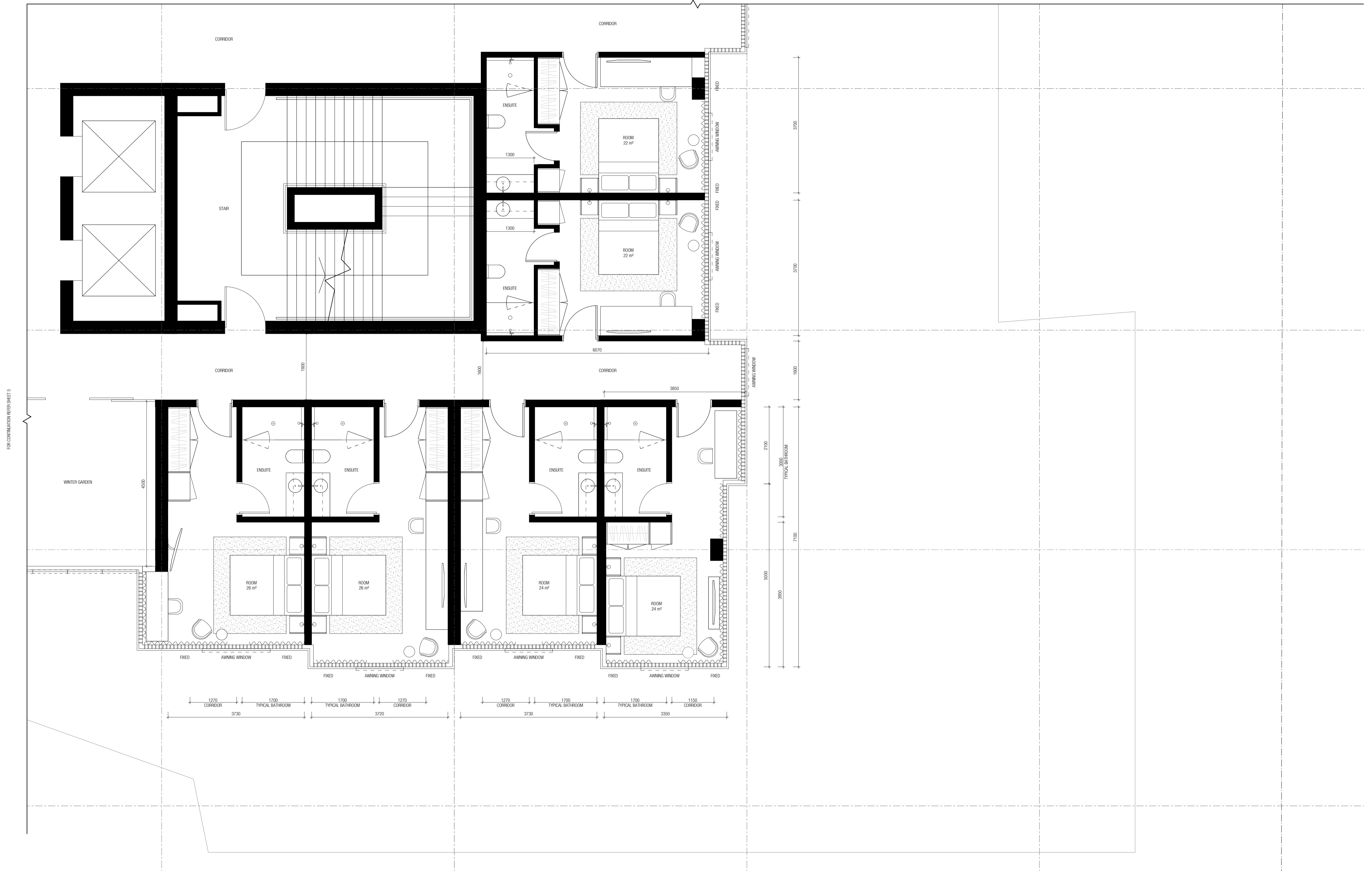
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Sheet number
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Status
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Revision
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#	Status	Description	Date
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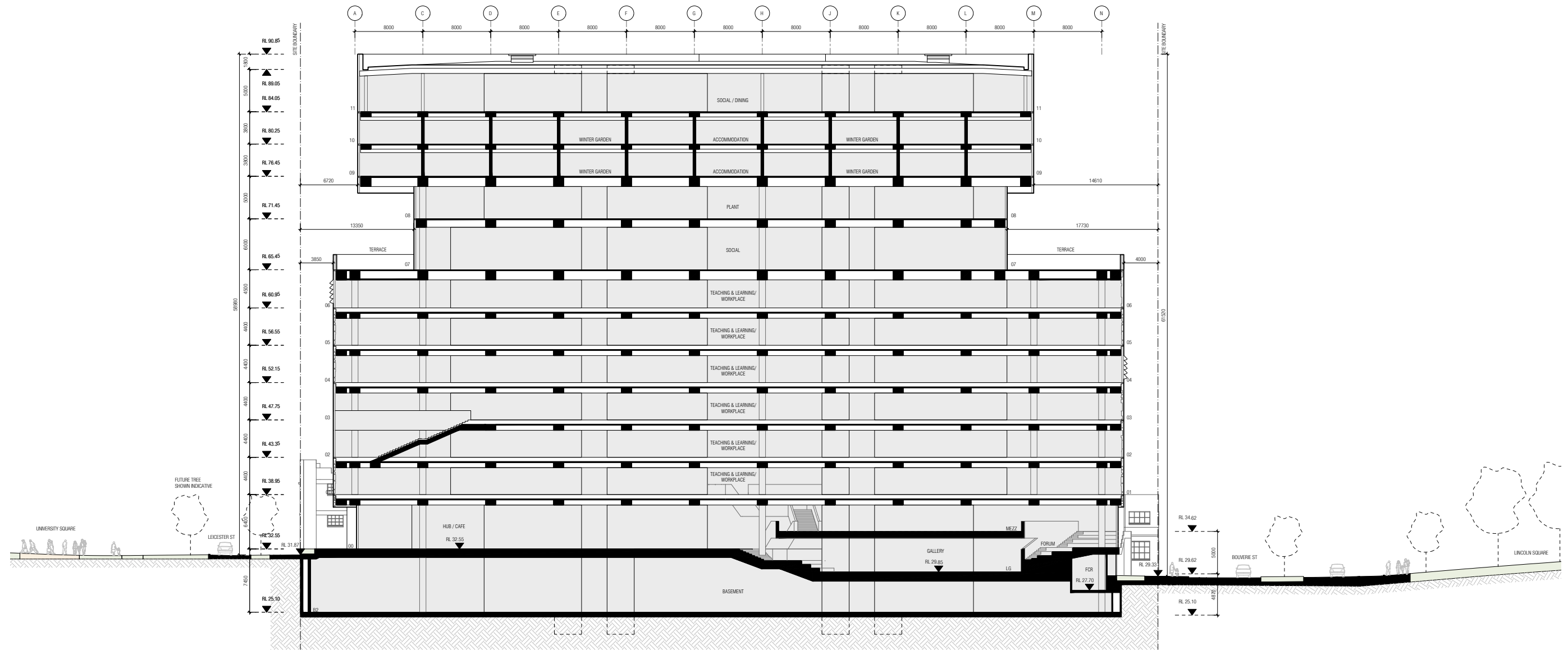
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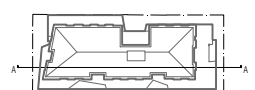
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Sheet number TP-25906
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Recent revision history		
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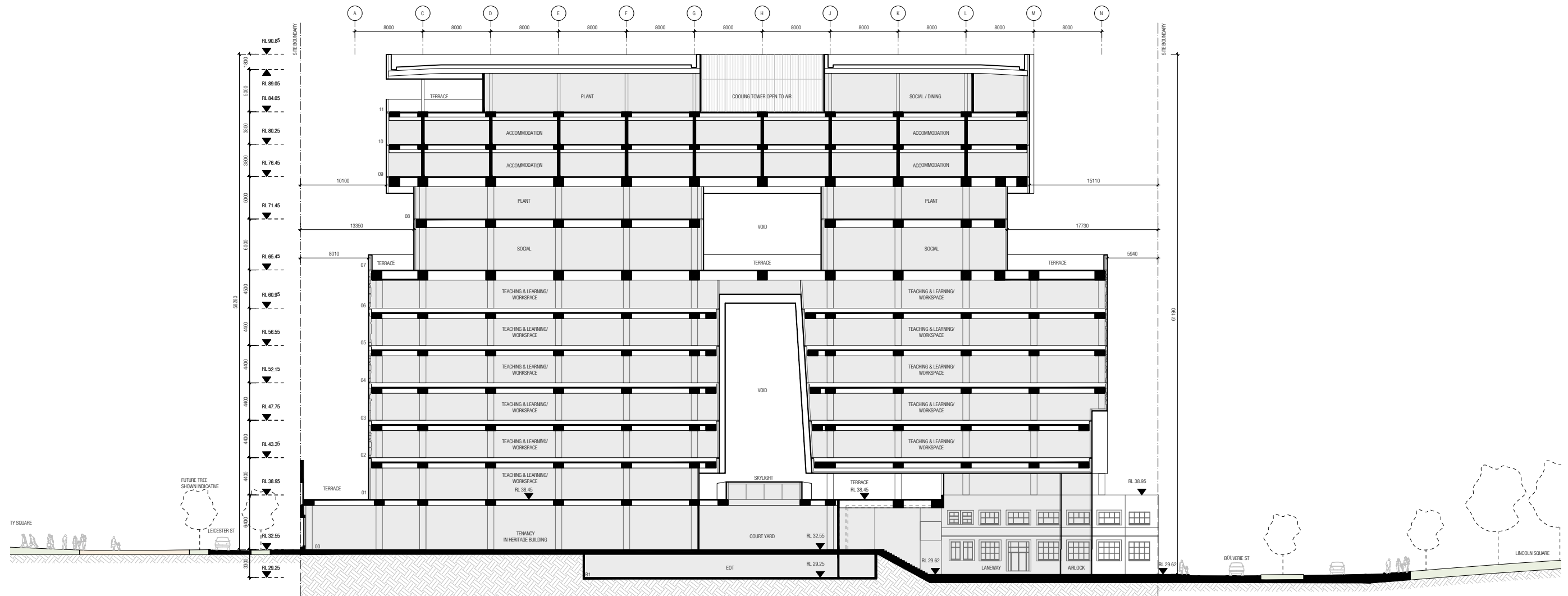
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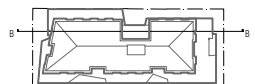
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Section A-A		A	
Sheet number	TP-31000	Status	Town Planning



Recent revision history		
#	Status	Description
A	Town Planning	

Notes & Legend
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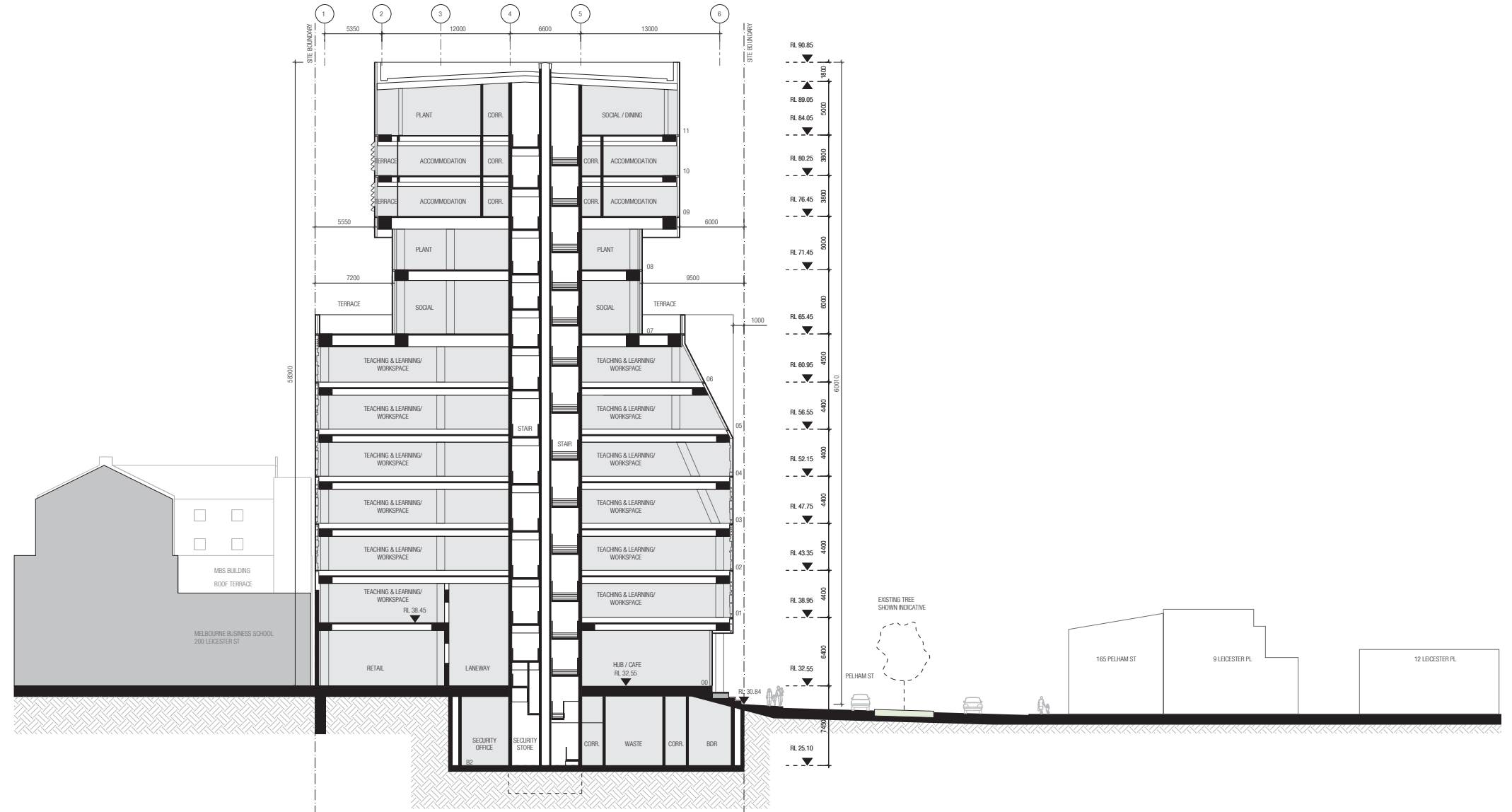
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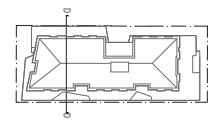
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Section B-B		A	
Sheet number: TP-31001	Status: Town Planning		



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A	Town Planning	

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.



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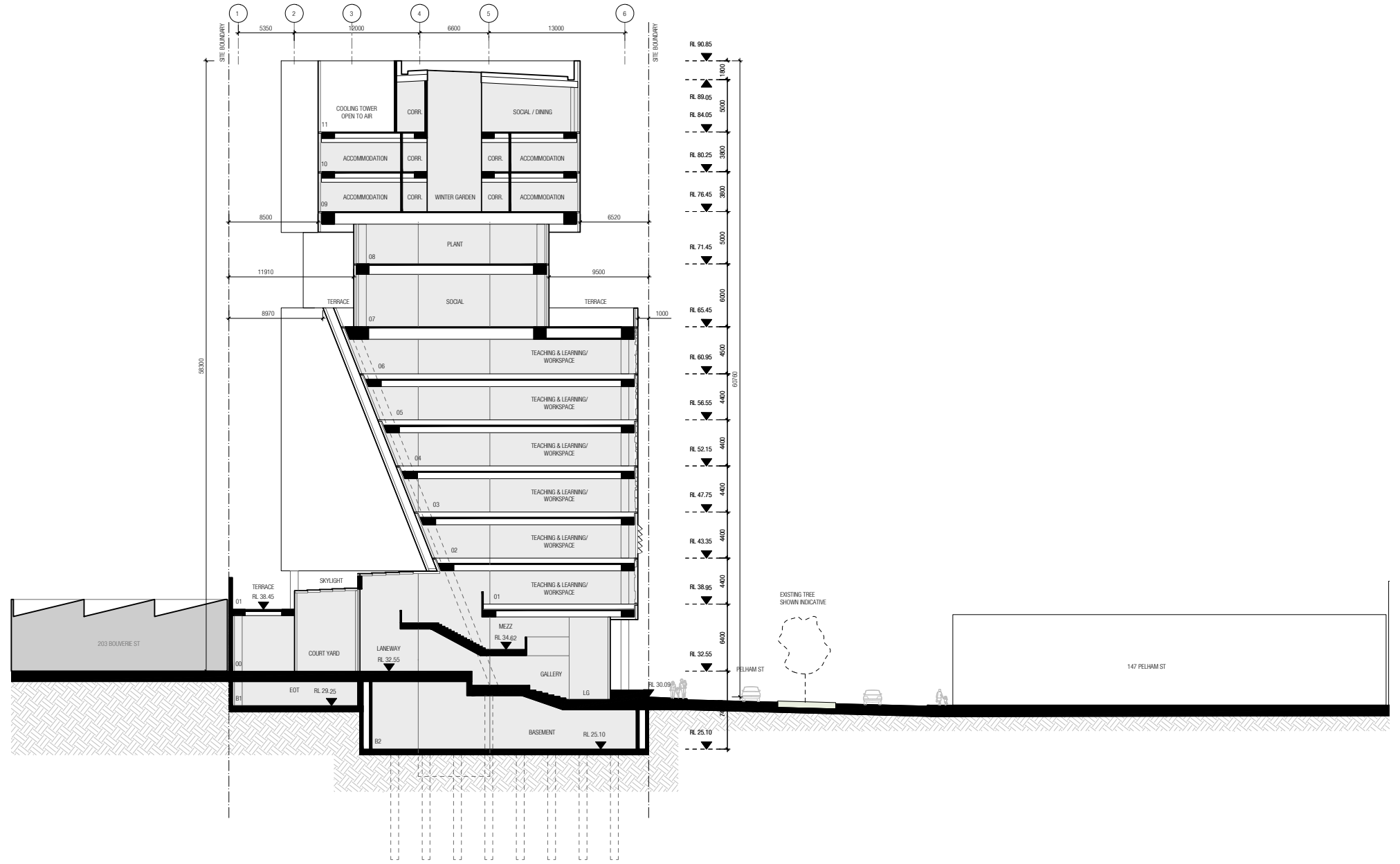
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Project number: 130603
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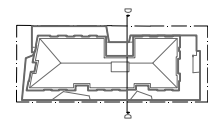
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Sheet title		Revision	
Section C-C		A	
Sheet number	TP-31002	Status	Town Planning



Recent revision history		
#	Status	Description
A	Town Planning	

Notes & Legend
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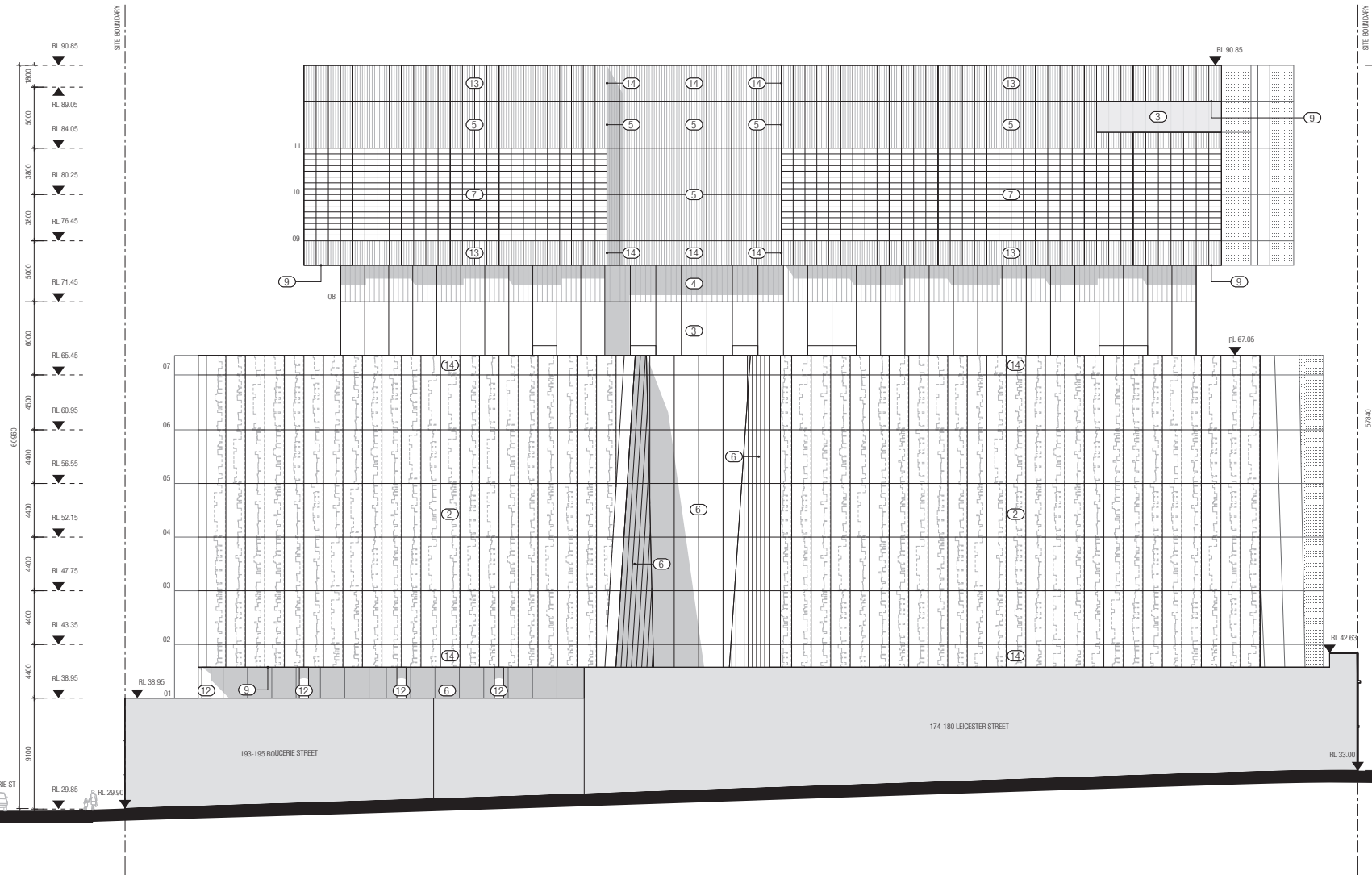
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Sheet title		Revision	
Section D-D		A	
Sheet number	TP-31003	Status	Town Planning

FINISHES LEGEND

- ① FULL HEIGHT FRAMELESS GLAZED PANEL TO STRUCTURAL GLASS FINS
- ② FULL HEIGHT UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS - BEYOND INTERNAL OPERABLE TIMBER SHADING LOUVER
- ③ FULL HEIGHT FRAMELESS GLAZED PANEL TO TIMBER CLAD STRUCTURAL SUPPORT
- ④ GRC / TERRACOTTA LOUVER - CHARCOAL BLANKING PANEL BEYOND WHERE APPROPRIATE
- ⑤ FULL HEIGHT UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING TIMBER CLAD BLIND MULLIONS - BEYOND INTERNAL OPERABLE TIMBER SHADING PANEL
- ⑥ CANTED FULL HEIGHT UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING
- ⑦ UNITISED OPERABLE GLAZED LOUVER SYSTEM
- ⑧ BRICK CLADDING
- ⑨ FIBER C (GRC) SOFFIT
- ⑩ CHARCOAL WEBFORDGE SCREEN OVER COLOUR MATCHED SUBSTRATE
- ⑪ CHARCOAL WEBFORDGE SECTIONAL DOOR
- ⑫ EXPOSED CONCRETE COLUMNS WITH CLEAR ANTI-GRAFFITI COATING
- ⑬ UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS AND CHARCOAL BACK-PAN - INTERNAL TIMBER PANEL WITHIN
- ⑭ UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS AND CHARCOAL BACK-PAN - INTERNAL TIMBER LOUVER WITHIN
- ⑮ GLAZED AUTOMATIC DOORS



Recent revision history		Notes & Legend	
#	Status	Description	Date
A	Town Planning		14/06/19

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Project
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Client
Melbourne Business School Ltd

Issuer
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Project number
130603

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JS

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BM

Size check
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Sheet size
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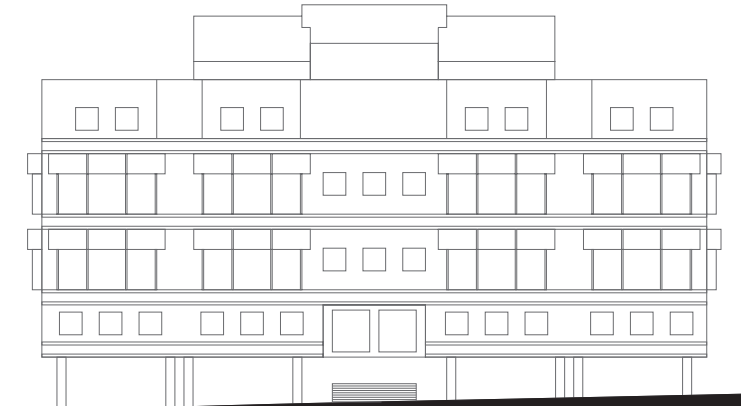
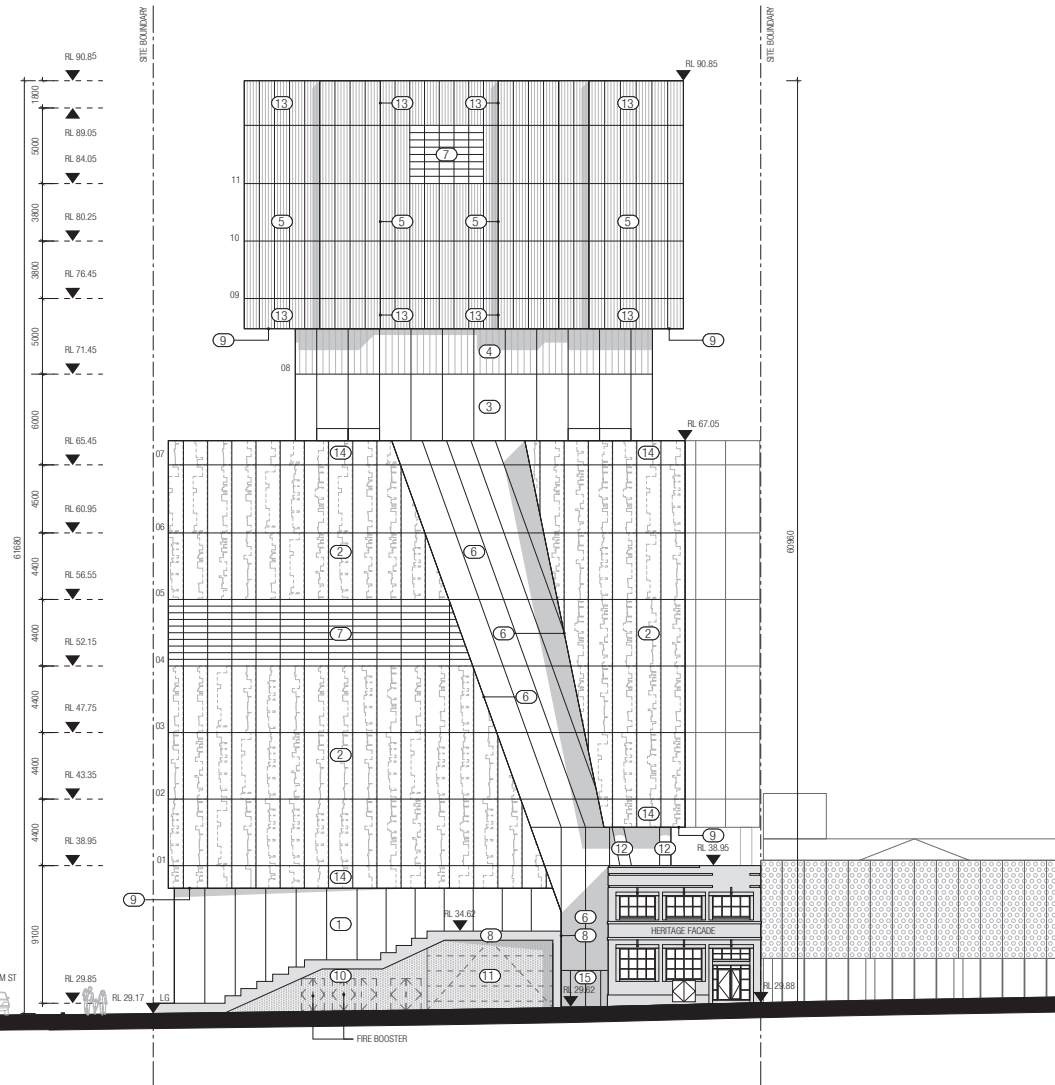
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Sheet title		Revision	
North Elevation	Sheet number	Status	Town Planning
TP-32000	A		

FINISHES LEGEND

185 PELHAM ST IN DISTANCE

- ① FULL HEIGHT FRAMELESS GLAZED PANEL TO STRUCTURAL GLASS FINS
- ② FULL HEIGHT UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS - BEYOND INTERNAL OPERABLE TIMBER SHADING LOUVER
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- ⑮ GLAZED AUTOMATIC DOORS



Recent revision history		Notes & Legend	
#	Status	Description	Date
A	Town Planning		14/06/19

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Project
Melbourne Business School - Campus Renewal Project

Client
Melbourne Business School Ltd

Issuer
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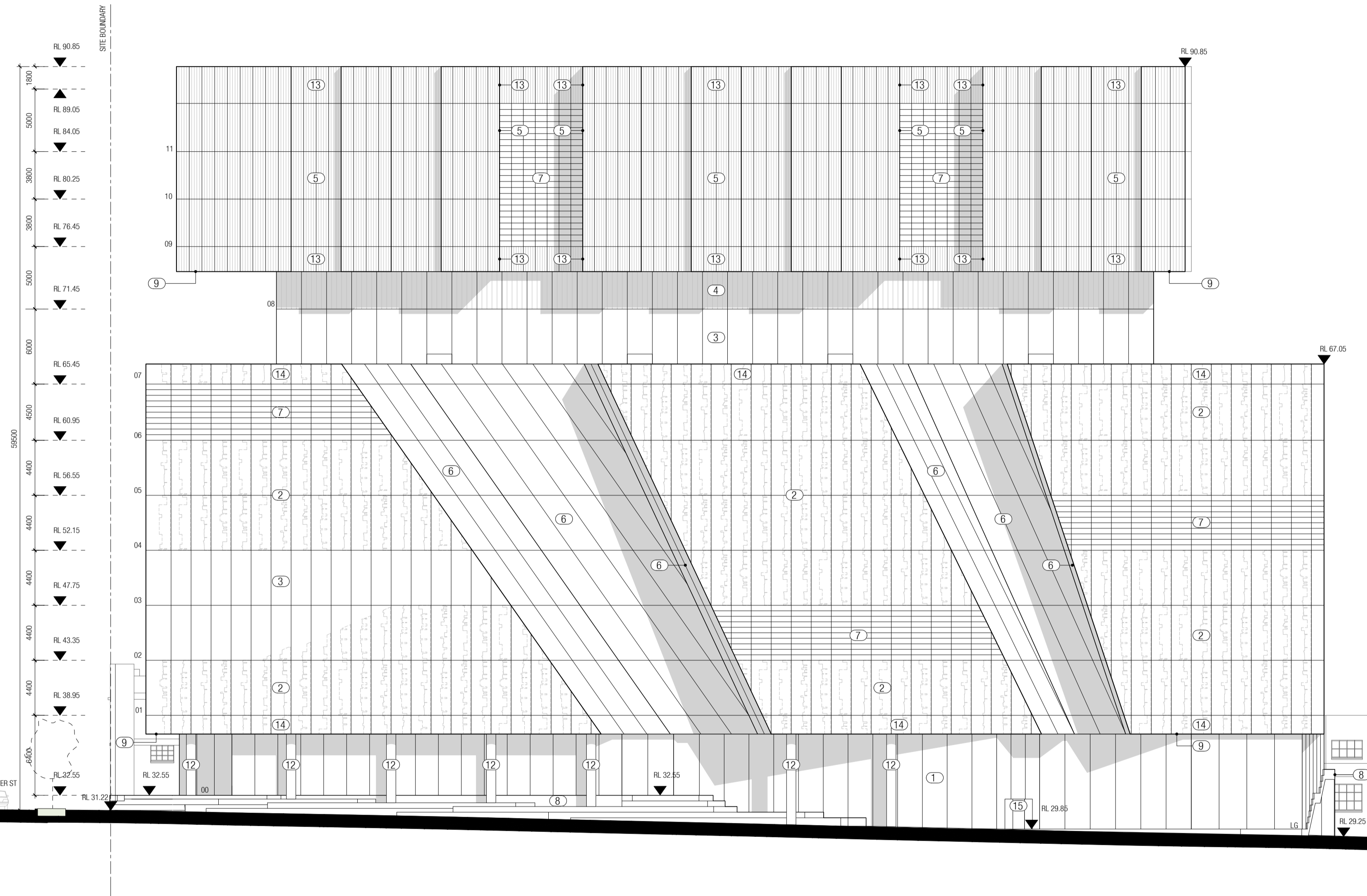
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Sheet title		Revision	
East Elevation			
Sheet number TP-32001	Revision A	Status Town Planning	

FINISHES LEGEND

- ① FULL HEIGHT FRAMELESS GLAZED PANEL TO STRUCTURAL GLASS FINIS
- ② FULL HEIGHT UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS – BEYOND INTERNAL OPERABLE TIMBER SHADING LOUVER
- ③ FULL HEIGHT FRAMELESS GLAZED PANEL TO TIMBER CLAD STRUCTURAL SUPPORT
- ④ GRC / TERRACOTTA LOUVER – CHARCOAL BLANKING PANEL BEYOND WHERE APPROPRIATE
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- ⑭ UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS AND CHARCOAL BACK-PAN - INTERNAL TIMBER LOUVER WITHIN
- ⑮ GLAZED AUTOMATIC DOORS



#	Status	Description	Date
A	Town Planning		14/06/19

Notes & Legend
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Project number
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Approved
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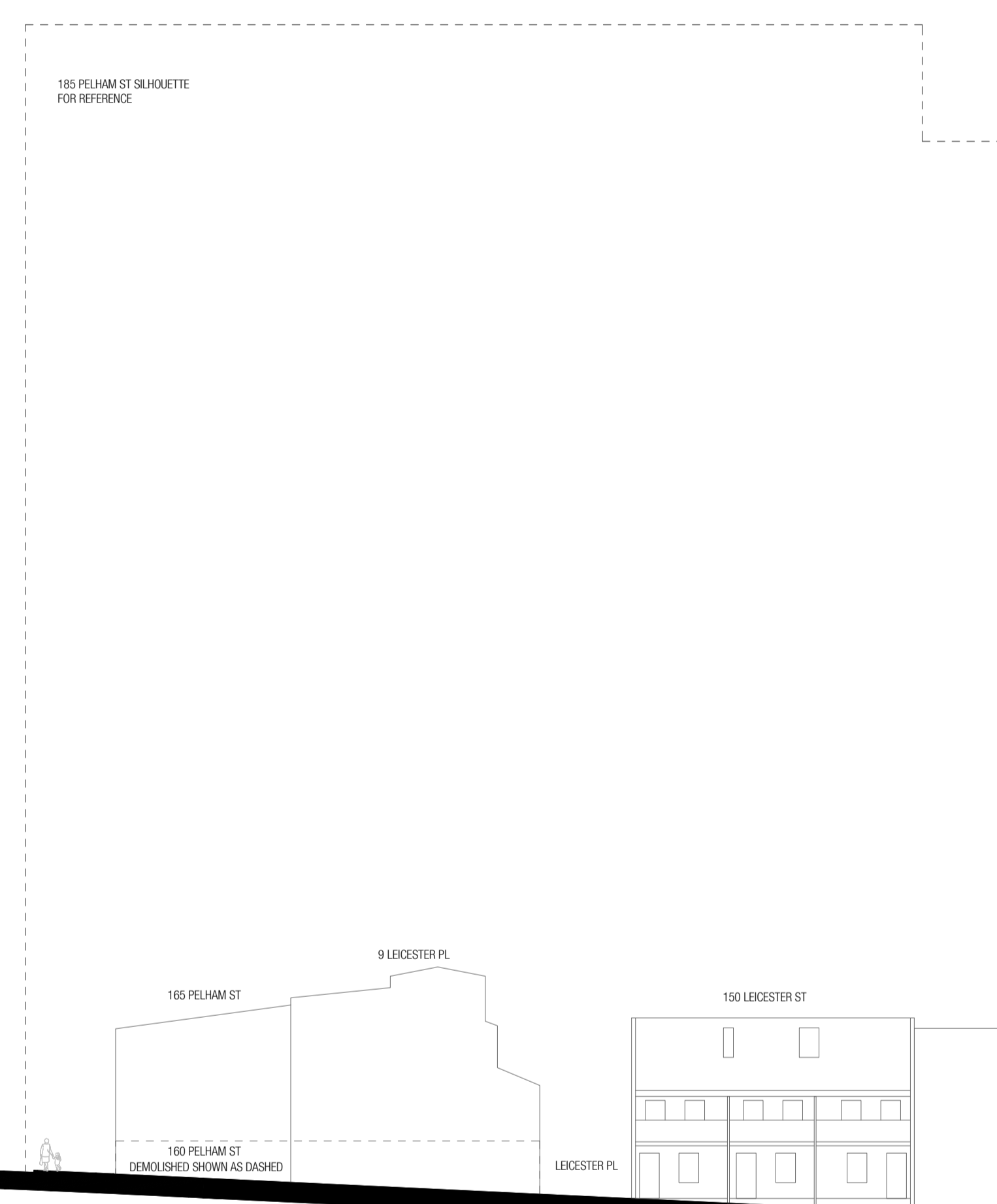
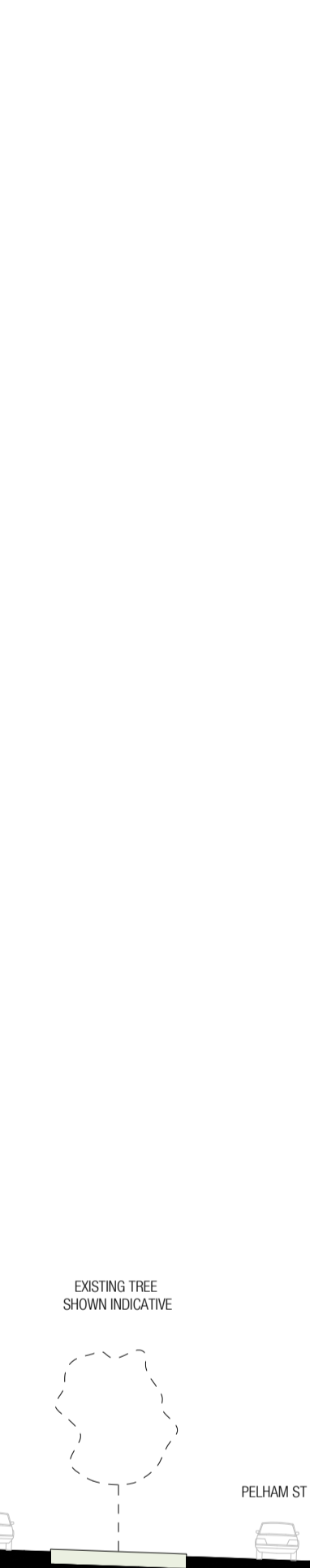
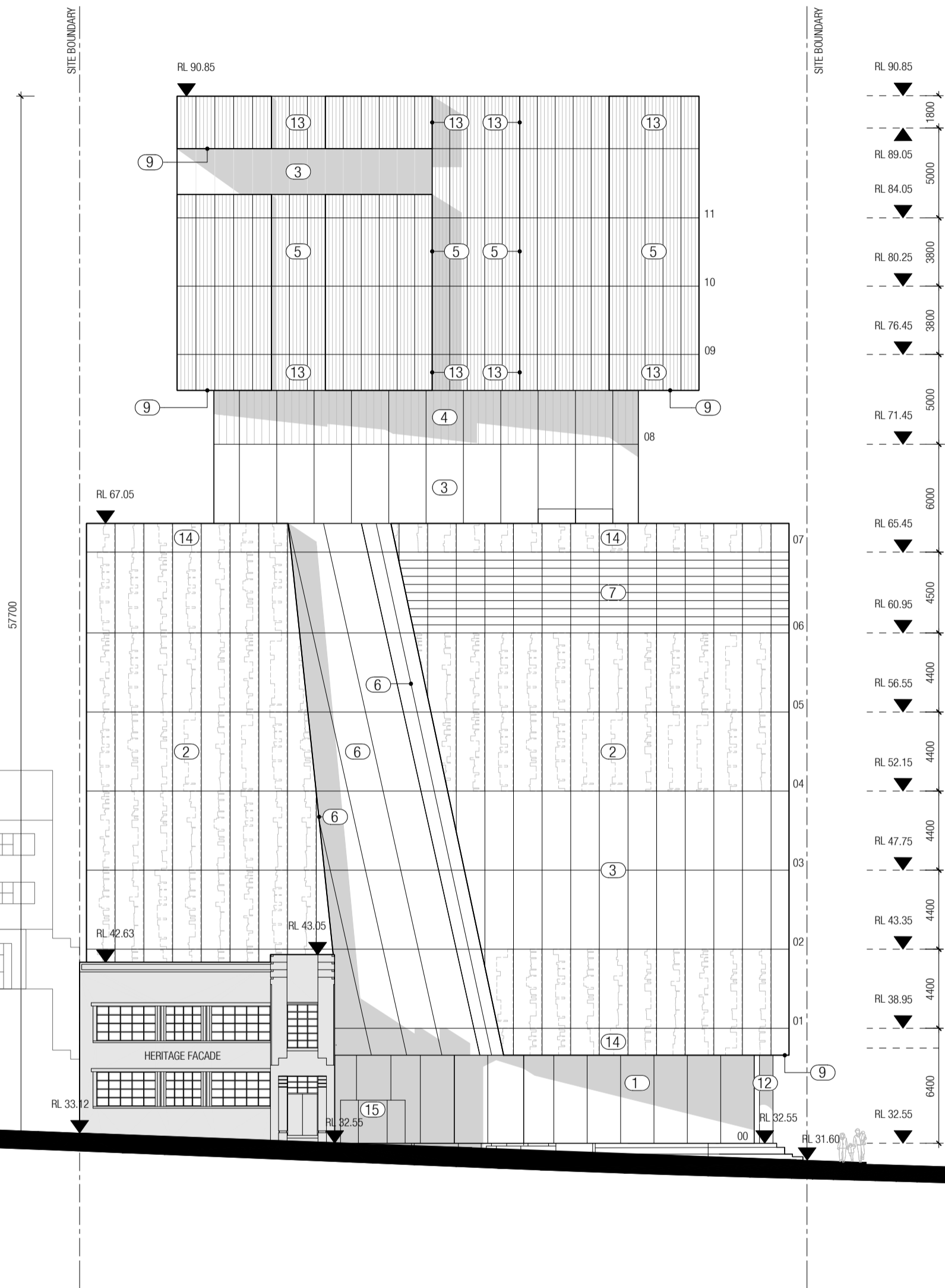
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Status	Town Planning	

FINISHES LEGEND

- ① FULL HEIGHT FRAMELESS GLAZED PANEL TO STRUCTURAL GLASS FINS
- ② FULL HEIGHT UNITISED GLAZING SYSTEM WITH HIGH PERFORMANCE GLAZING AND TIMBER CLAD BLIND MULLIONS – BEYOND INTERNAL OPERABLE TIMBER SHADING LOUVER
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- ⑮ GLAZED AUTOMATIC DOORS



Recent revision history			
#	Status	Description	Date
A	Town Planning		14/06/19

Notes & Legend
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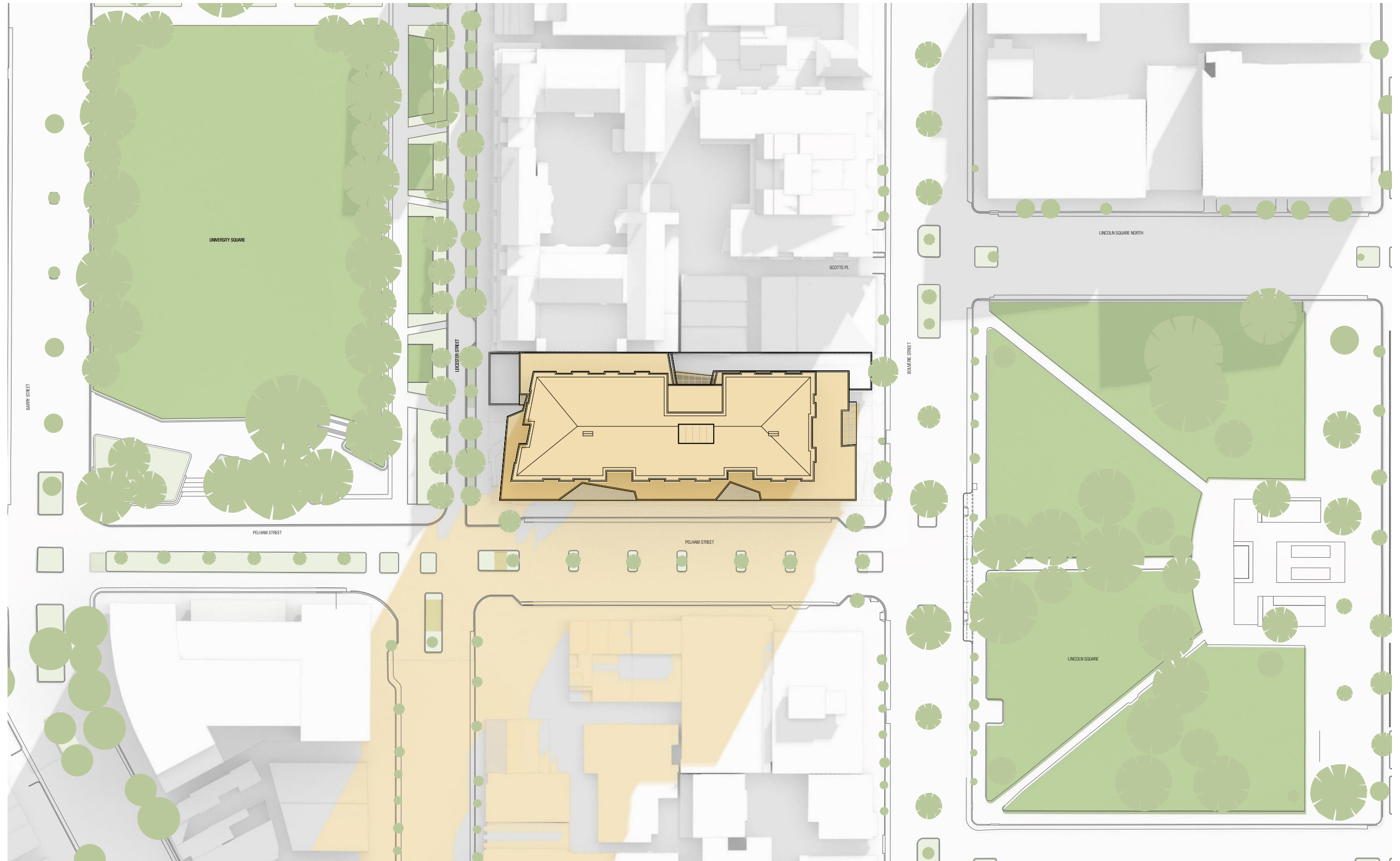
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Sheet number	TP-32003
Status	Town Planning
Revision	A



21 JUNE- 10AM PROPOSED MASSING

Recent revision history	
#	Status
A	Town Planning

Description

Date

Notes & Legend

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
Lawn



Project
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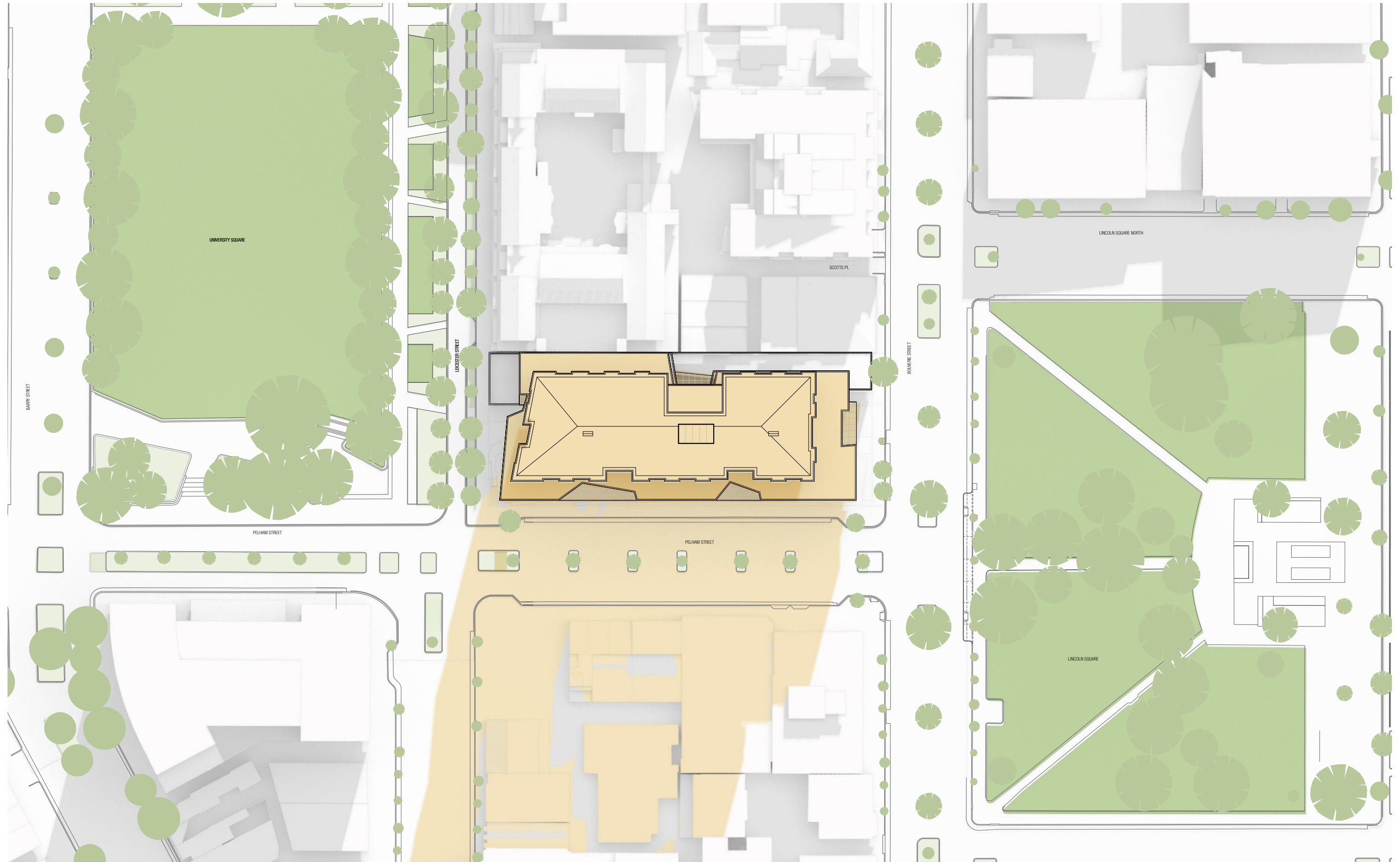
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Sheet number
TP-90010

Status
Town Planning

Revision
A



21 JUNE- 11AM PROPOSED MASSING

Recent revision history	
#	Status
A	Town Planning

Description

Date

30/06/19

Notes & Legend
Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
Lawn



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Client
Melbourne Business School Ltd

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Project number
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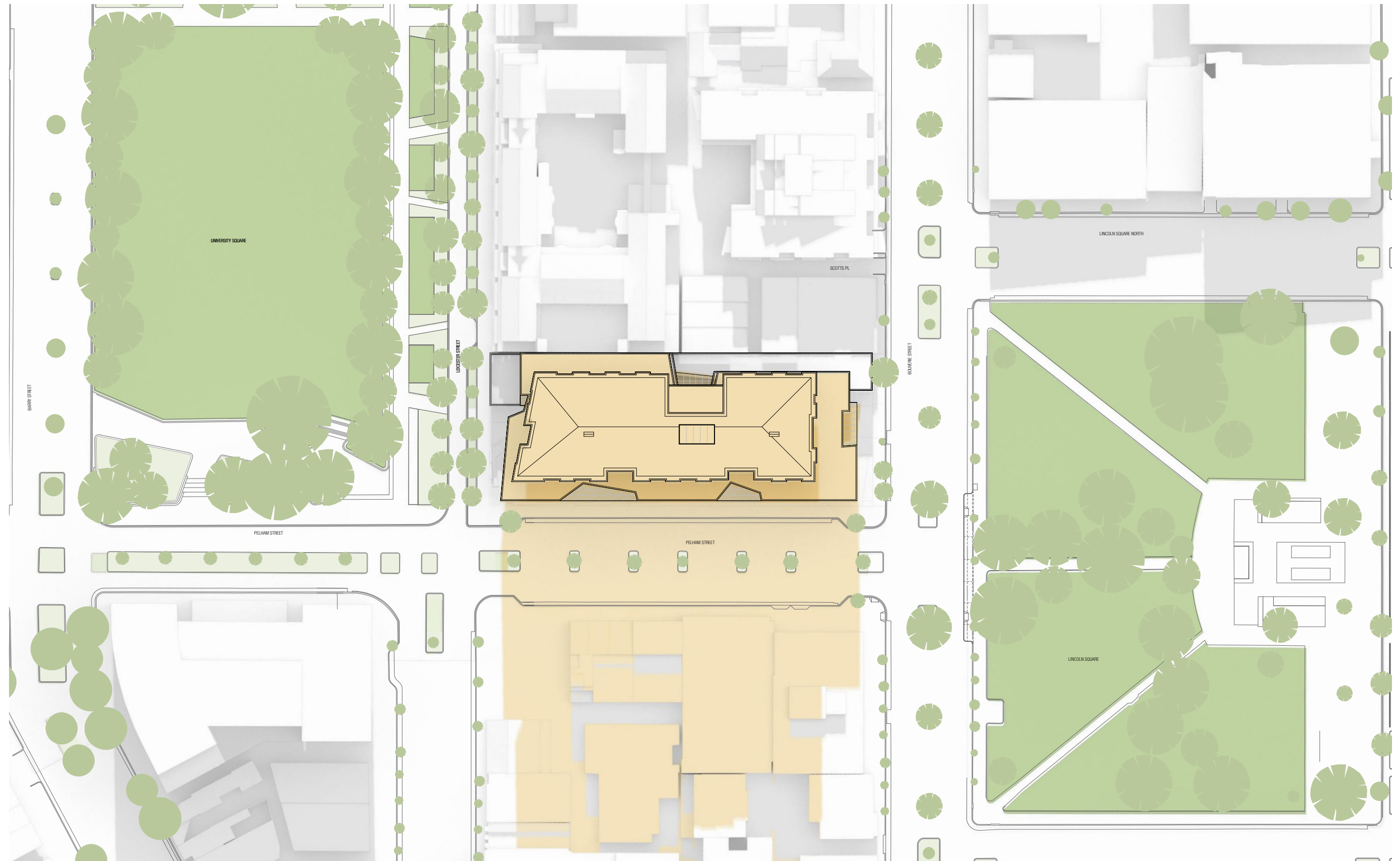
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Sheet number
TP-90011

Status
Town Planning

Revision
A



21 JUNE- 12PM PROPOSED MASSING

Recent revision history	
#	Status
A	Town Planning

Description

Date

Notes & Legend
Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
Lawn



Project
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Client
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Project number
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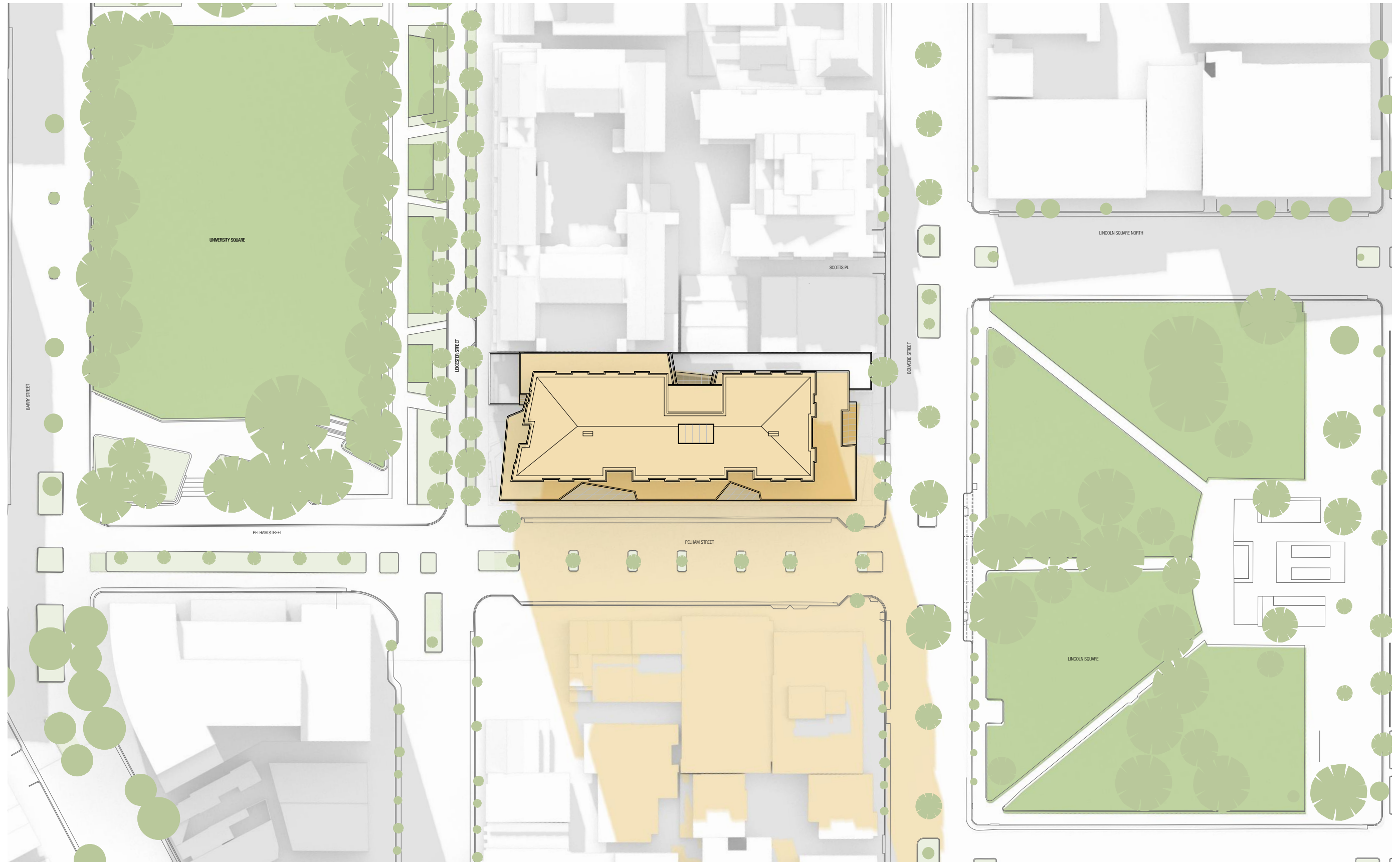
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Sheet number
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Status
Town Planning

Revision
A



21 JUNE- 01PM PROPOSED MASSING

Recent revision history	
#	Status
A	Town Planning

Description

Date

30/06/19

Notes & Legend

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
Lawn



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Project number
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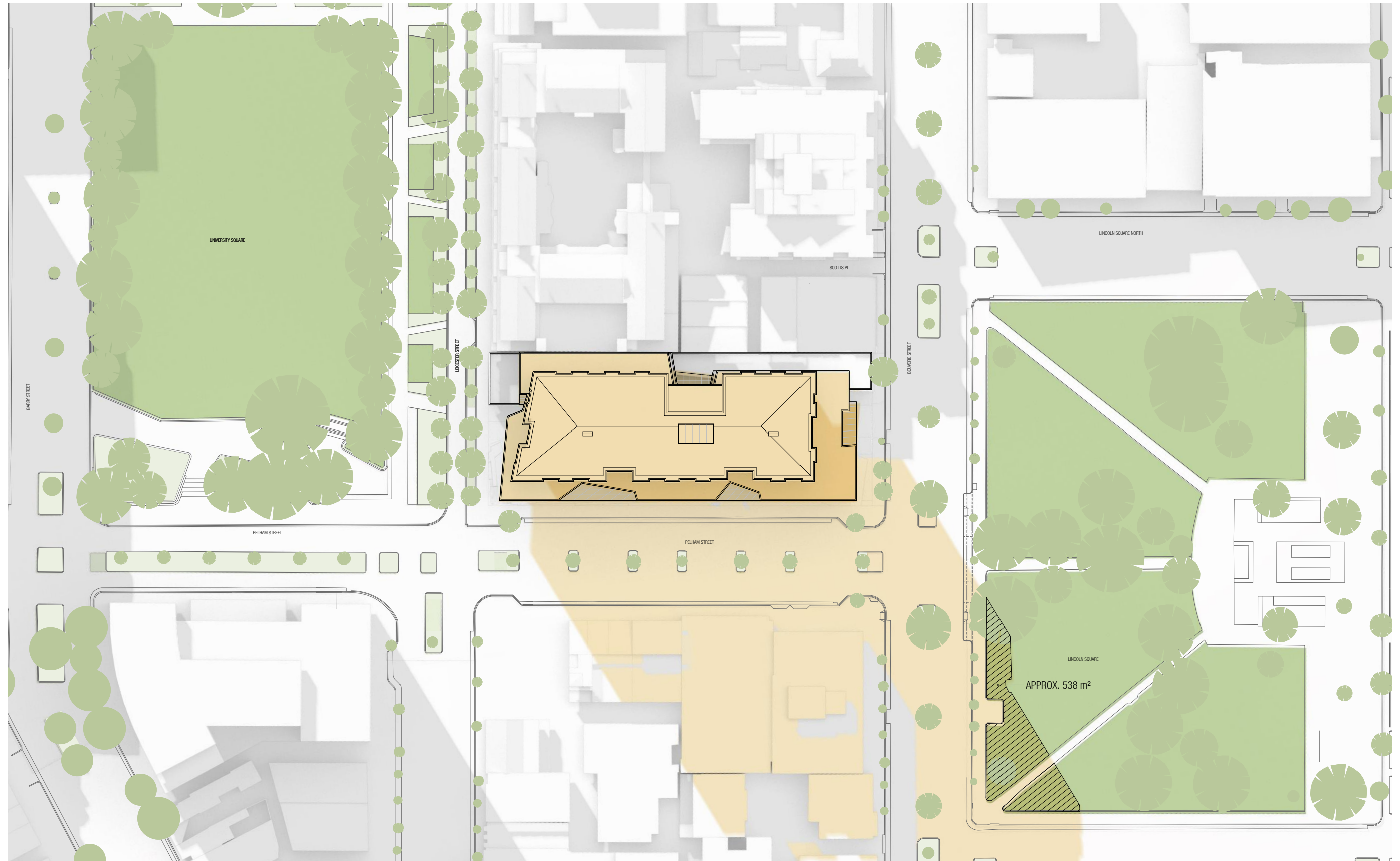
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Sheet number
TP-90013

Status
Town Planning

Revision
A



21 JUNE- 02PM PROPOSED MASSING

Recent revision history	
#	Status
A	Town Planning

Description

Date

30/06/19

Notes & Legend

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
Lawn



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Client
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Project number
130603

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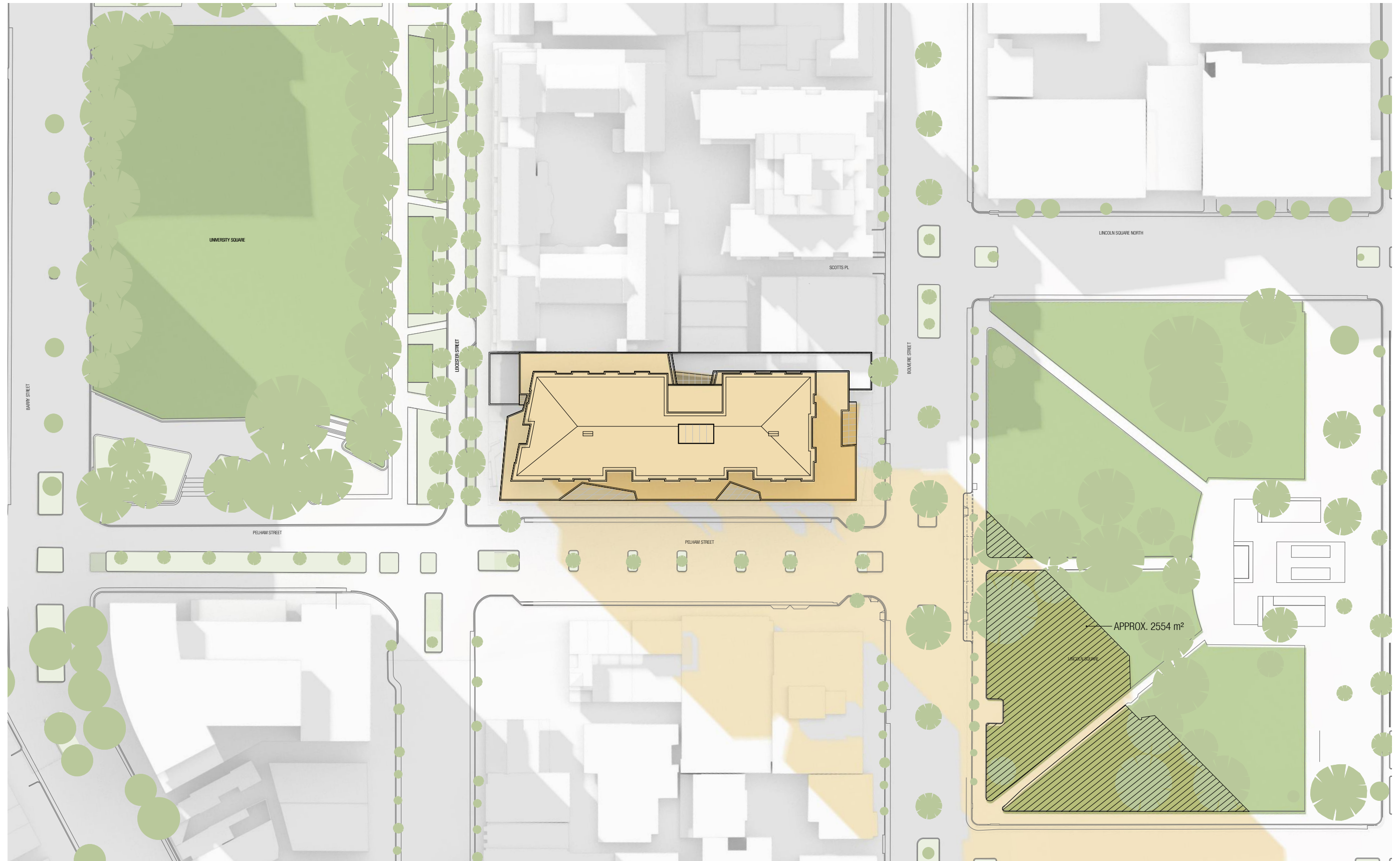
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Sheet number
TP-90014

Status
Town Planning

Revision
A



21 JUNE- 03PM PROPOSED MASSING

Recent revision history	
#	Status
A	Town Planning

Description

Date

30/06/19

Notes & Legend
Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
Lawn



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130603

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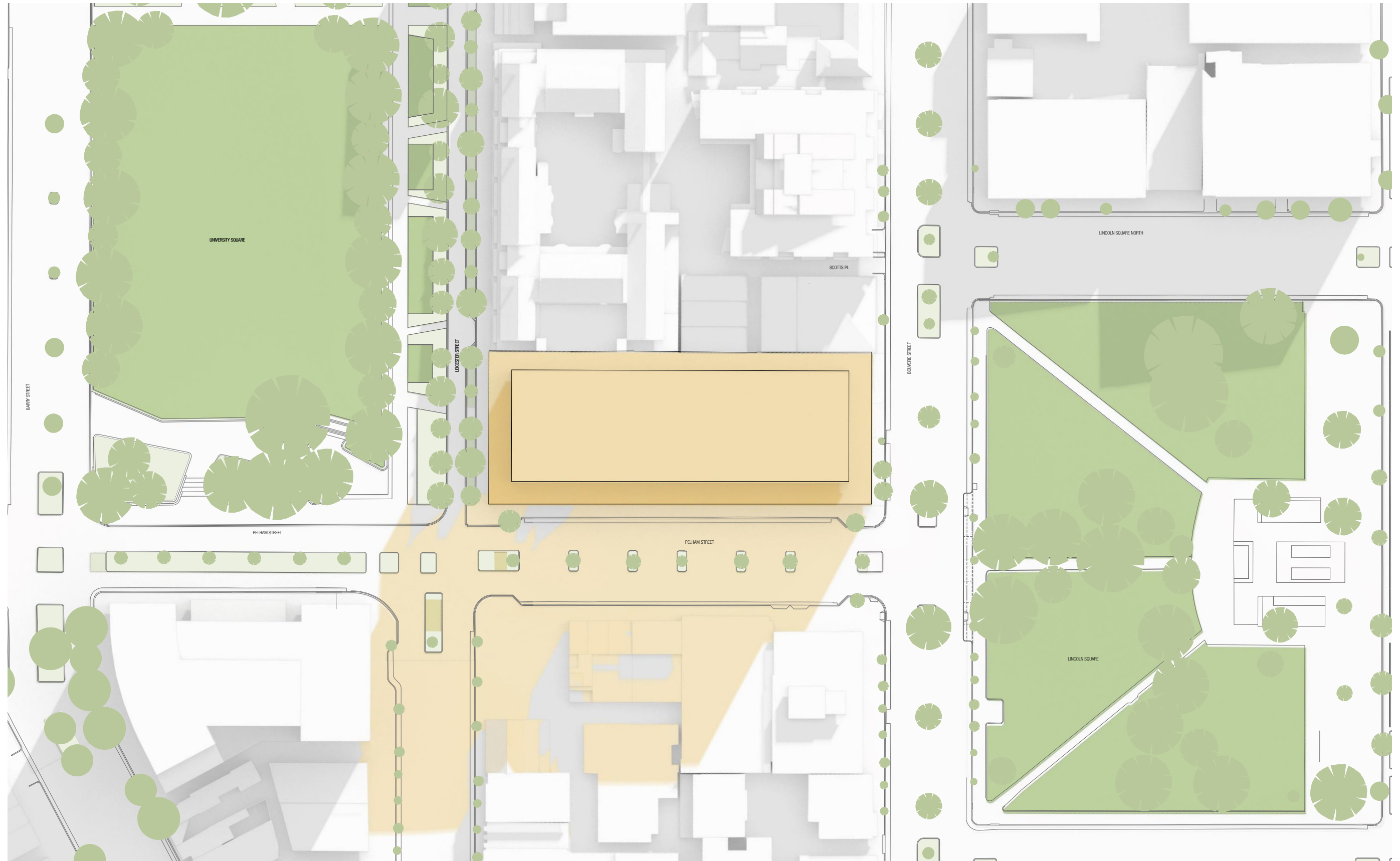
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Proposed Massing - 21 June 03pm

Sheet number
TP-90015

Status
Town Planning

Revision
A



21 JUNE- 10AM

DDO MASSING

Recent revision history
 # Status Description

Date
 30/06/19

Notes & Legend

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
 Lawn



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 Melbourne Business School - Campus Renewal Project

Client
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Issuer
WOODS BAGOT

Project number
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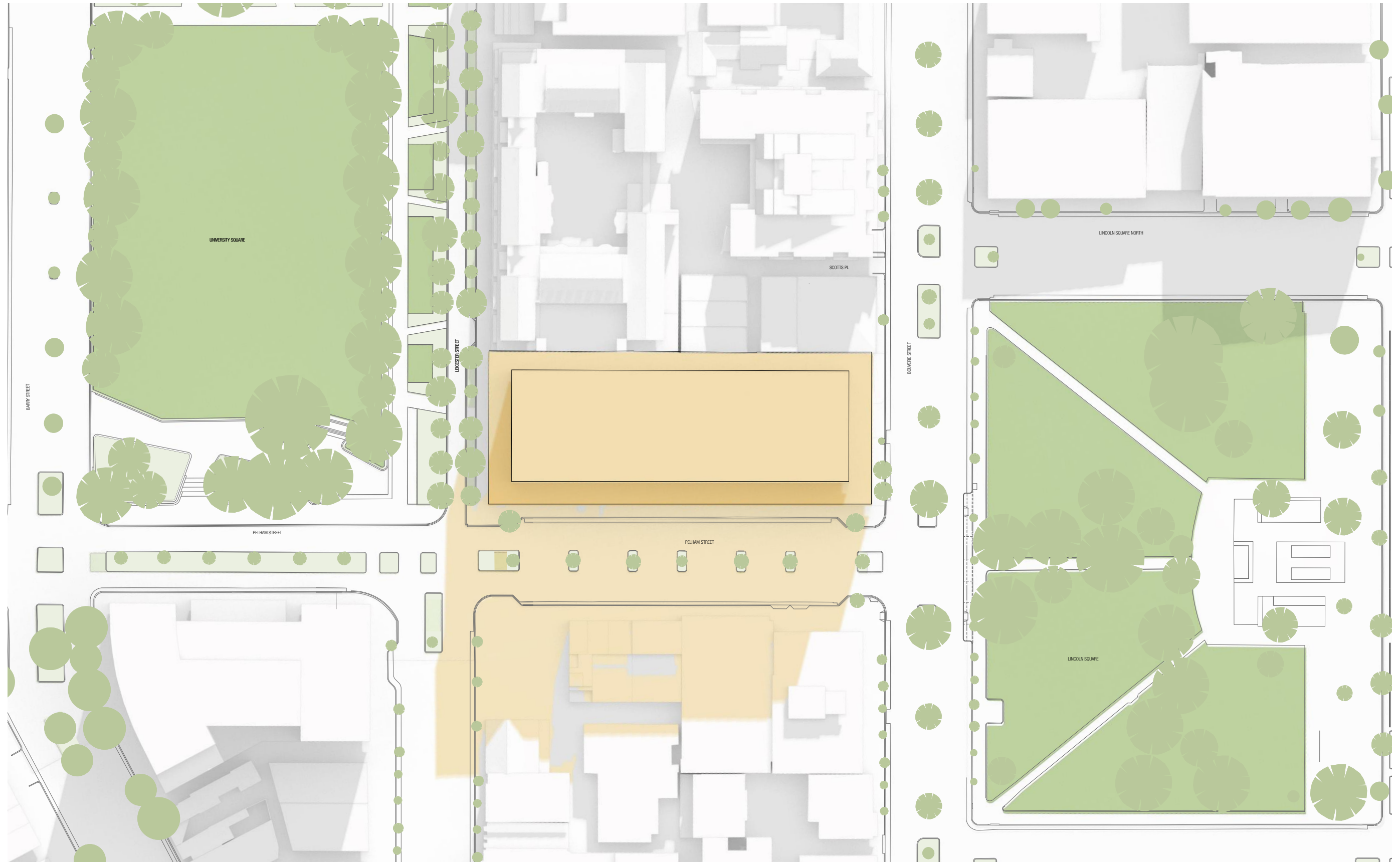
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Sheet number
 TP-90016

Status
 Town Planning

Revision
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21 JUNE- 11AM

DDO MASSING

Recent revision history
 # Status Description

Date
 30/06/19

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
 Lawn

Project
 Melbourne Business School - Campus Renewal Project

Client
 Melbourne Business School Ltd

Issuer
WOODS BAGOT

Project number
 130603

Checked
 JS

Size check
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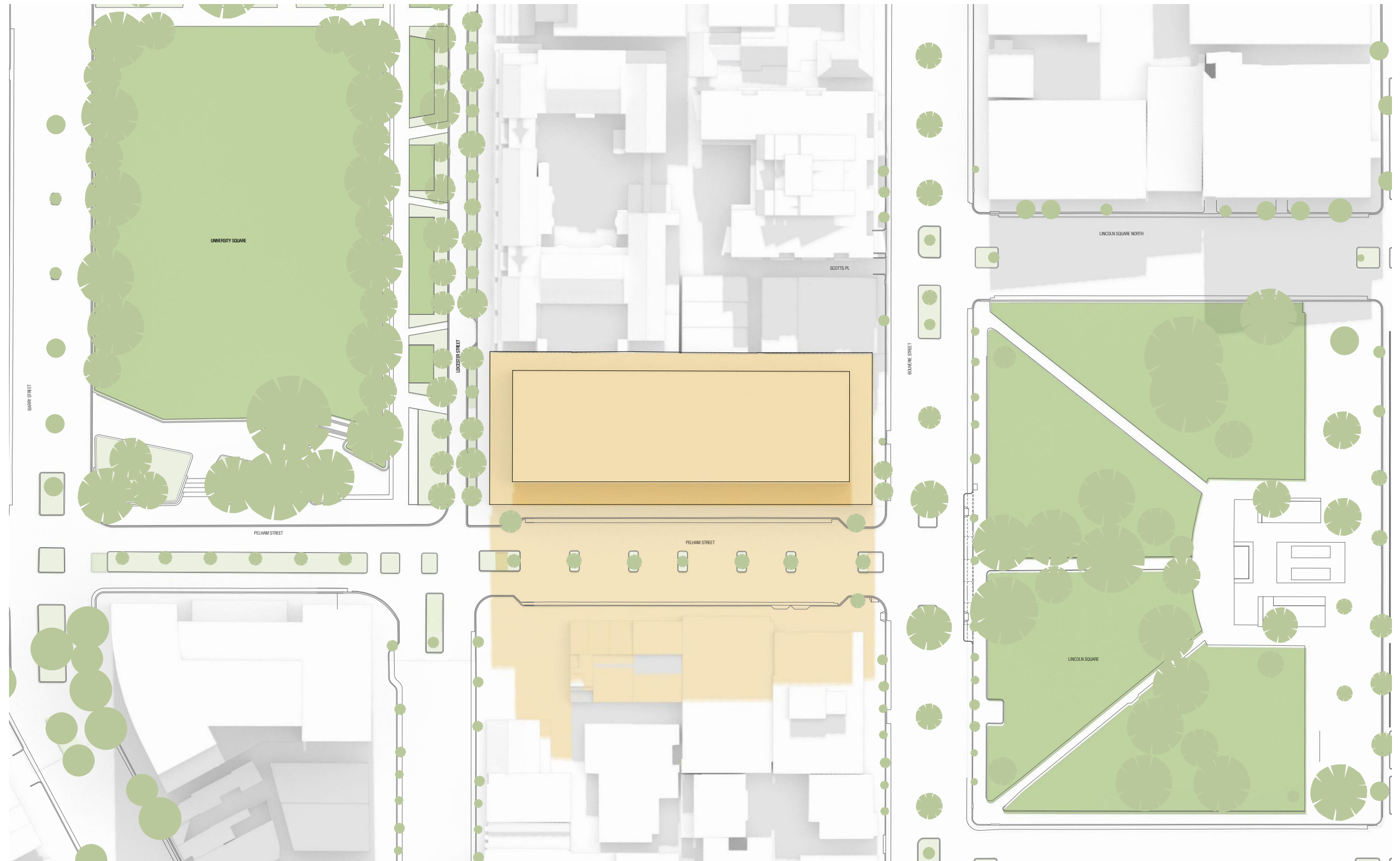
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 DDO Massing- 21 June 11am

Sheet number
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Status
 Town Planning

Revision
 A



21 JUNE- 12PM

DDO MASSING

Recent revision history
 # Status Description

Date
 30/06/19

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
 Lawn

Project
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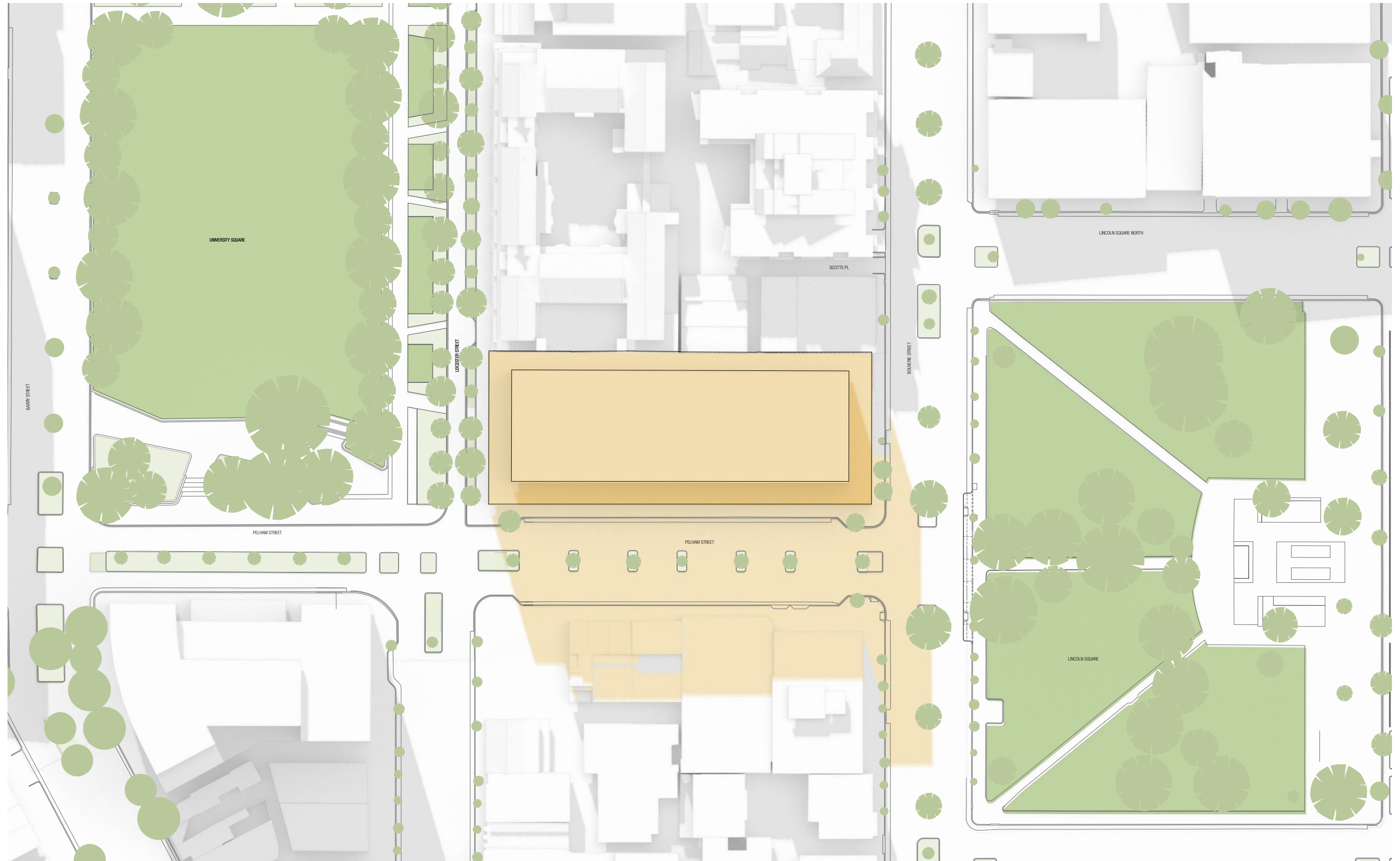
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Sheet title
 DDO Massing- 21 June 12pm

Sheet number TP-90018
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 Revision A



21 JUNE- 01PM

DDO MASSING

Recent revision history
 # Status Description

Date
 30/06/19

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
 Lawn

Project
 Melbourne Business School - Campus Renewal Project

Client
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Issuer
WOODS BAGOT

Project number
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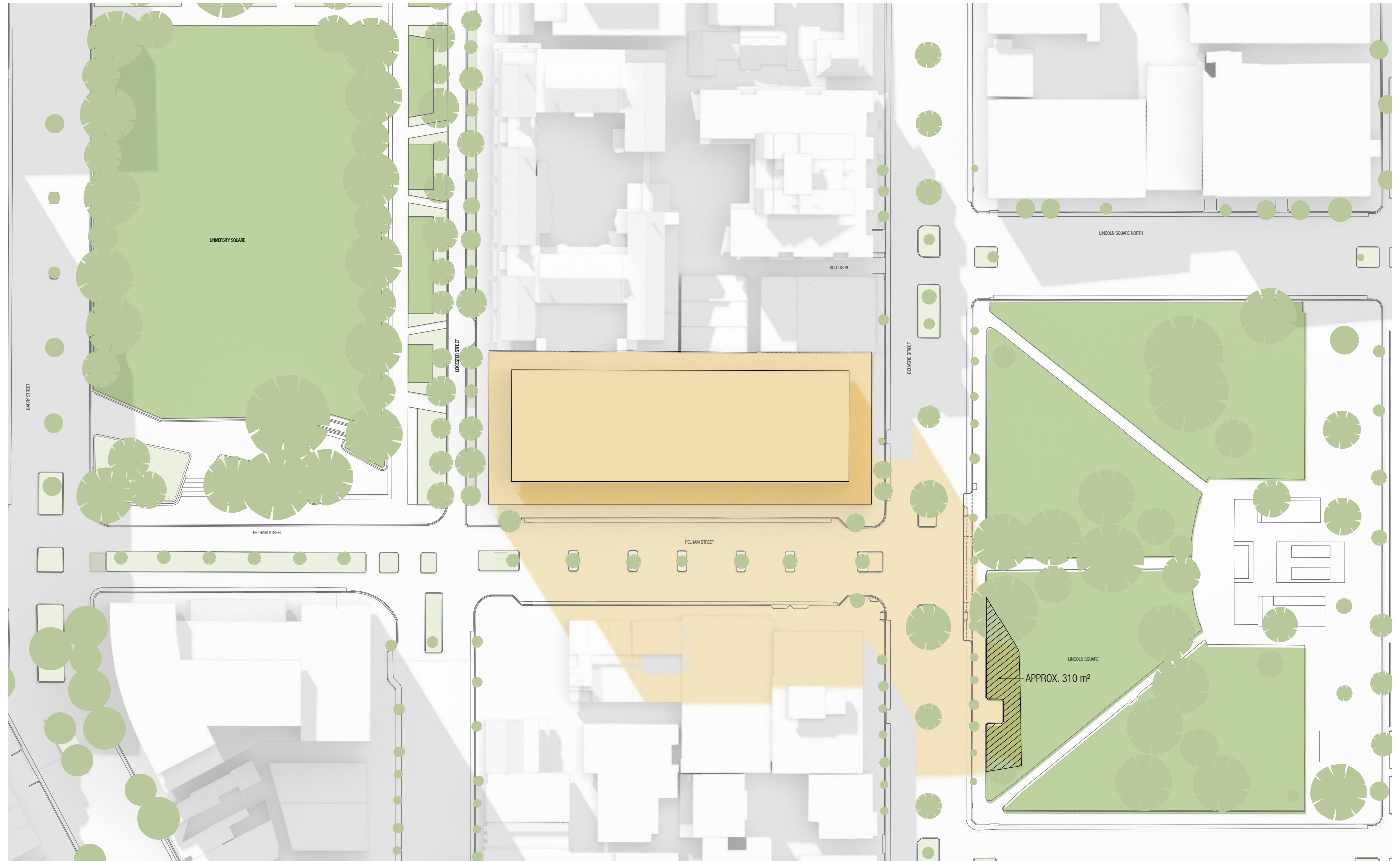
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Sheet title
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Sheet number
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Status
 Town Planning

Revision
 A



21 JUNE- 02PM

DDO MASSING

Recent revision history
 # Status Description

Date
 30/06/19

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
 Lawn

Project
 Melbourne Business School - Campus Renewal Project

Client
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Issuer
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Project number
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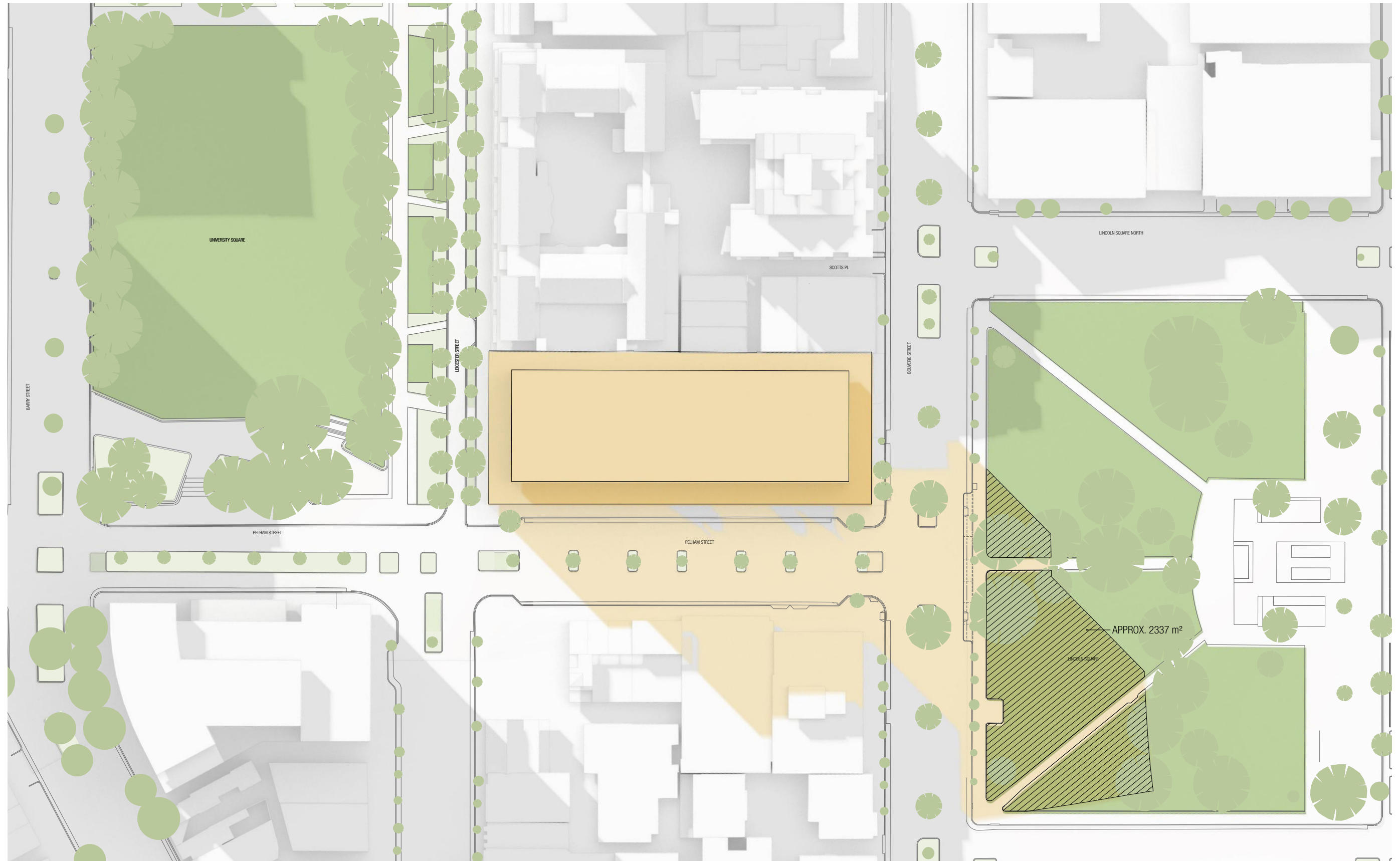
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Sheet number
 TP-90020

Status
 Town Planning

Revision
 A



21 JUNE- 03PM

DDO MASSING

Recent revision history
 # Status Description

Date
 30/06/19

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Garden Bed
 Lawn

Project
 Melbourne Business School - Campus Renewal Project

Client
 Melbourne Business School Ltd

Issuer
WOODS BAGOT

Project number
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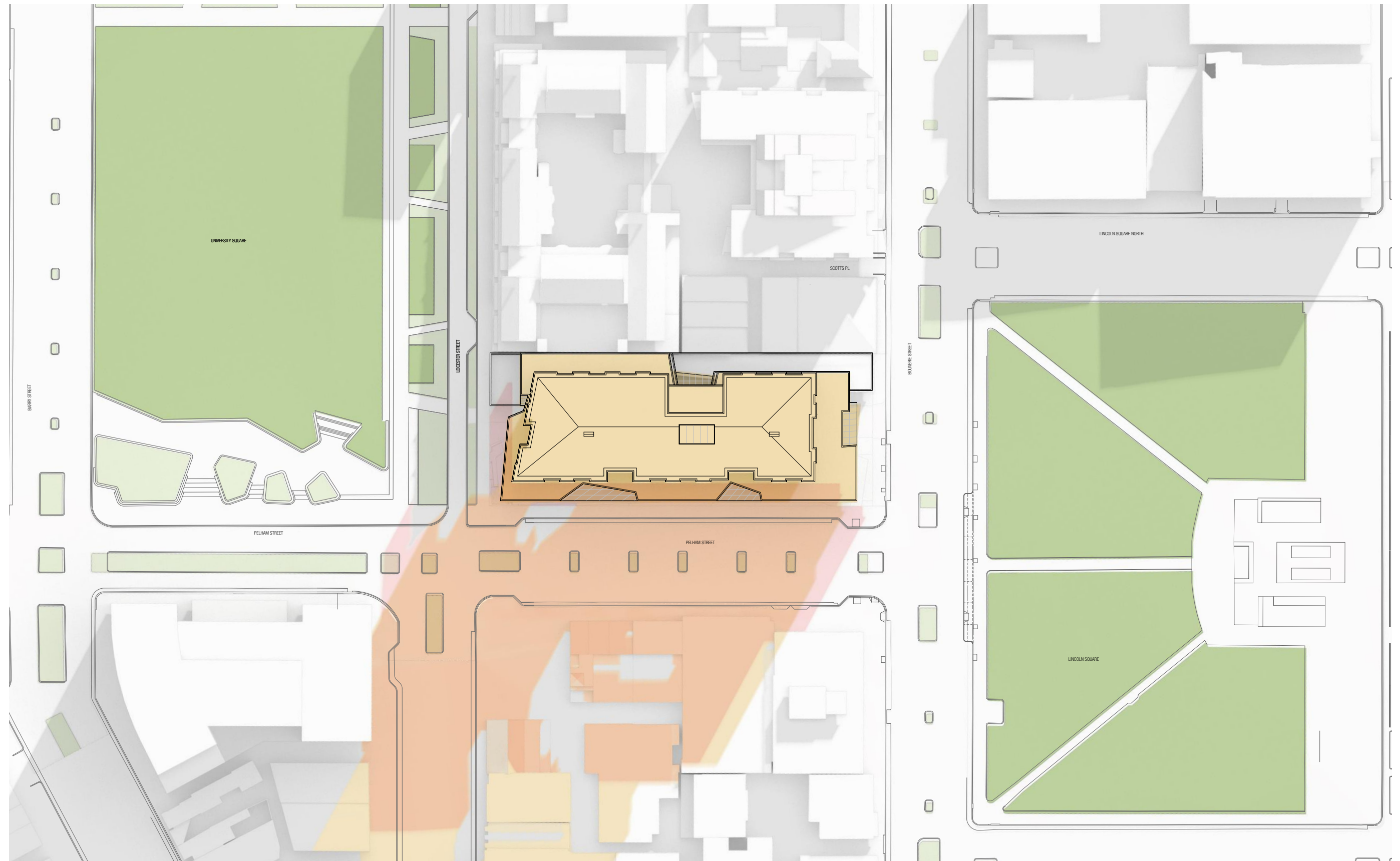
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Sheet title
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Sheet number
 TP-90021

Status
 Town Planning

Revision
 A



21 JUNE- 10AM SHADOW OVERLAY

Recent revision history	
#	Status
A	Town Planning

Description

Date

Notes & Legend
Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Proposed Missing Overshadow
000 Missing Overshadow



Project
Melbourne Business School - Campus Renewal Project

Client
Melbourne Business School Ltd

Issuer
WOODS BAGOT

Project number
130603

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JS

Size check
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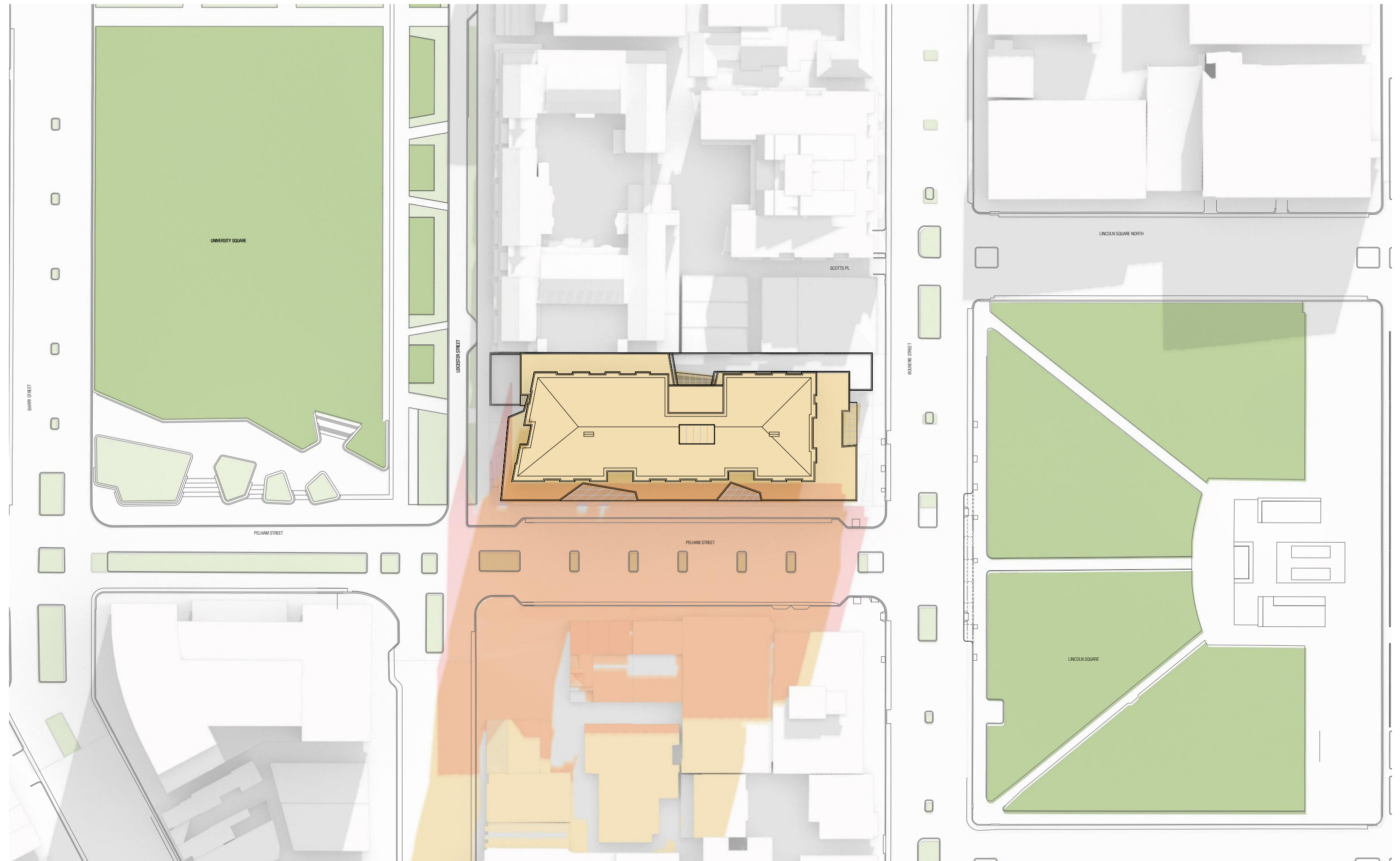
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Shadow Overlay- 21 June 10am

Sheet number
TP-90022

Status
Town Planning

Revision
A



21 JUNE- 11AM SHADOW OVERLAY

Recent revision history	
#	Status
A	Town Planning

Description

Date

Notes & Legend

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Proposed Missing Overshadow ■
 DDO Missing Overshadow ■

Project
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Client
Melbourne Business School Ltd

Issuer
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Project number
130603

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JS

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Approved
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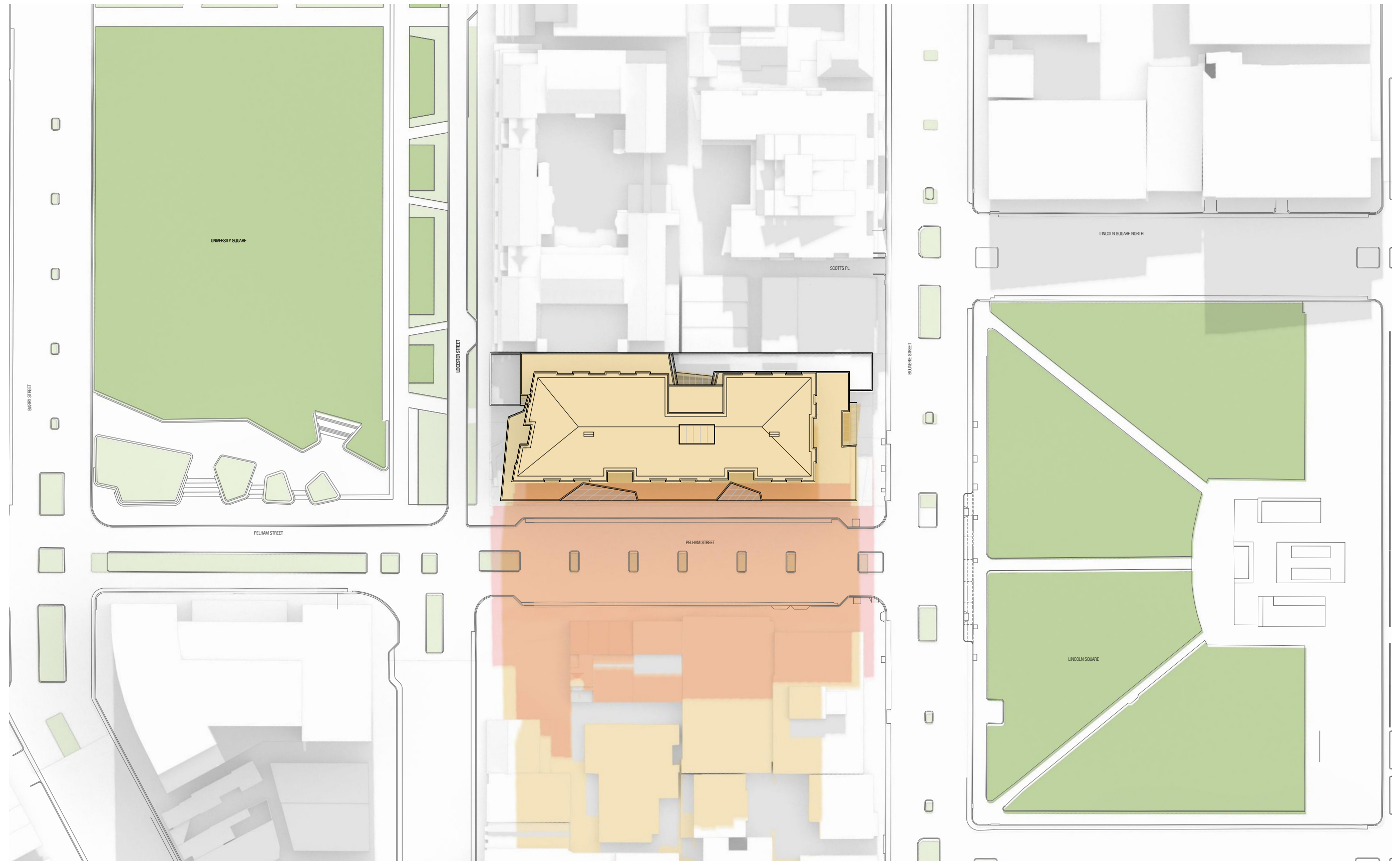
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Sheet title
Shadow Overlay- 21 June 11am

Sheet number
TP-90023

Status
Town Planning

Revision
A



21 JUNE- 12PM SHADOW OVERLAY

Recent revision history	
#	Status
A	Town Planning

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Proposed Missing Overshadow ■
 Existing Missing Overshadow ■

Project
 Melbourne Business School - Campus Renewal Project

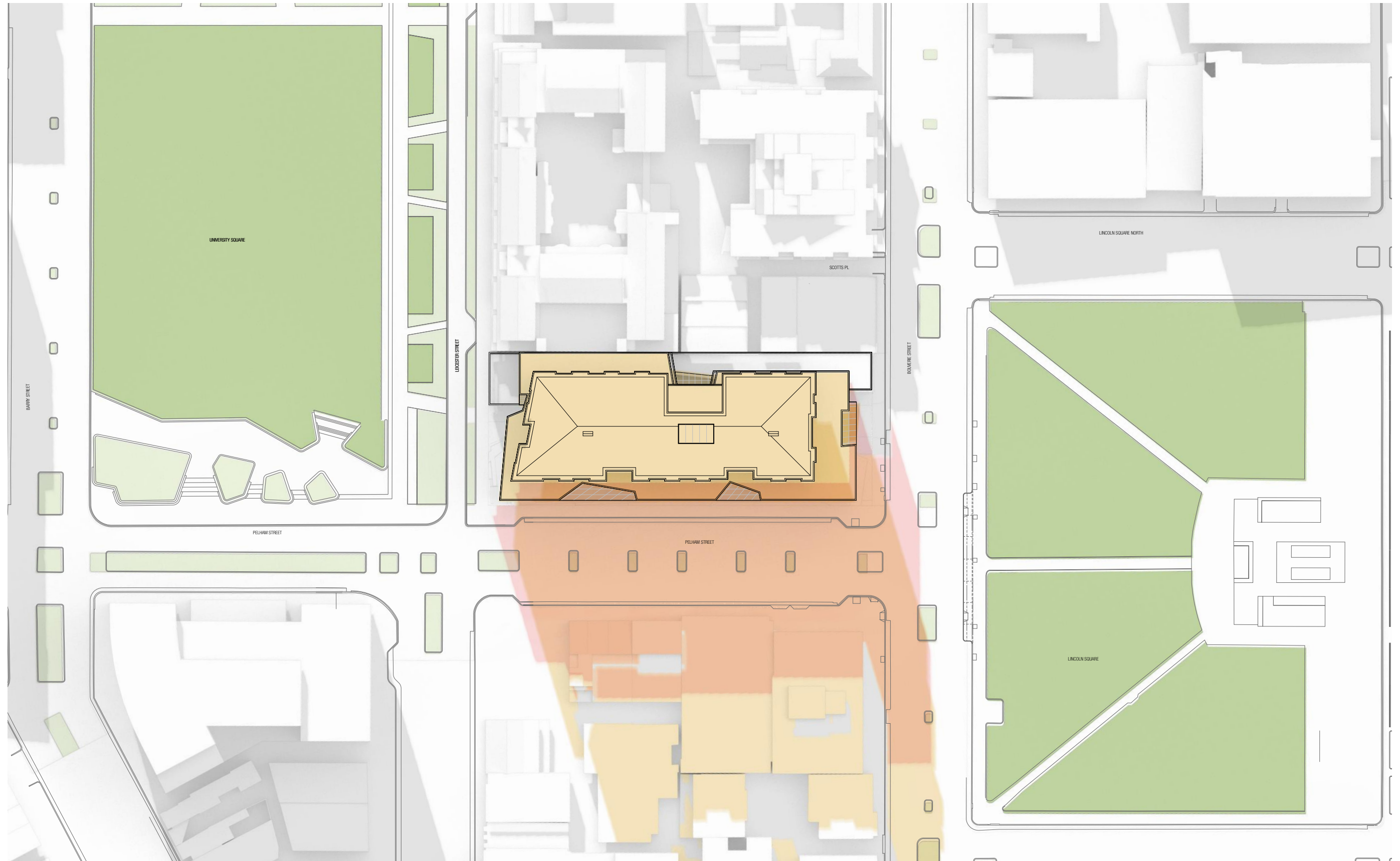
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Shadow Overlay- 21 June 12pm	
Sheet number TP-90024	Revision A
Status Town Planning	



21 JUNE- 01PM SHADOW OVERLAY

Recent revision history	
#	Status
A	Town Planning

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Proposed Missing Overshadow ■
 DDO Missing Overshadow ■

Project
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Client
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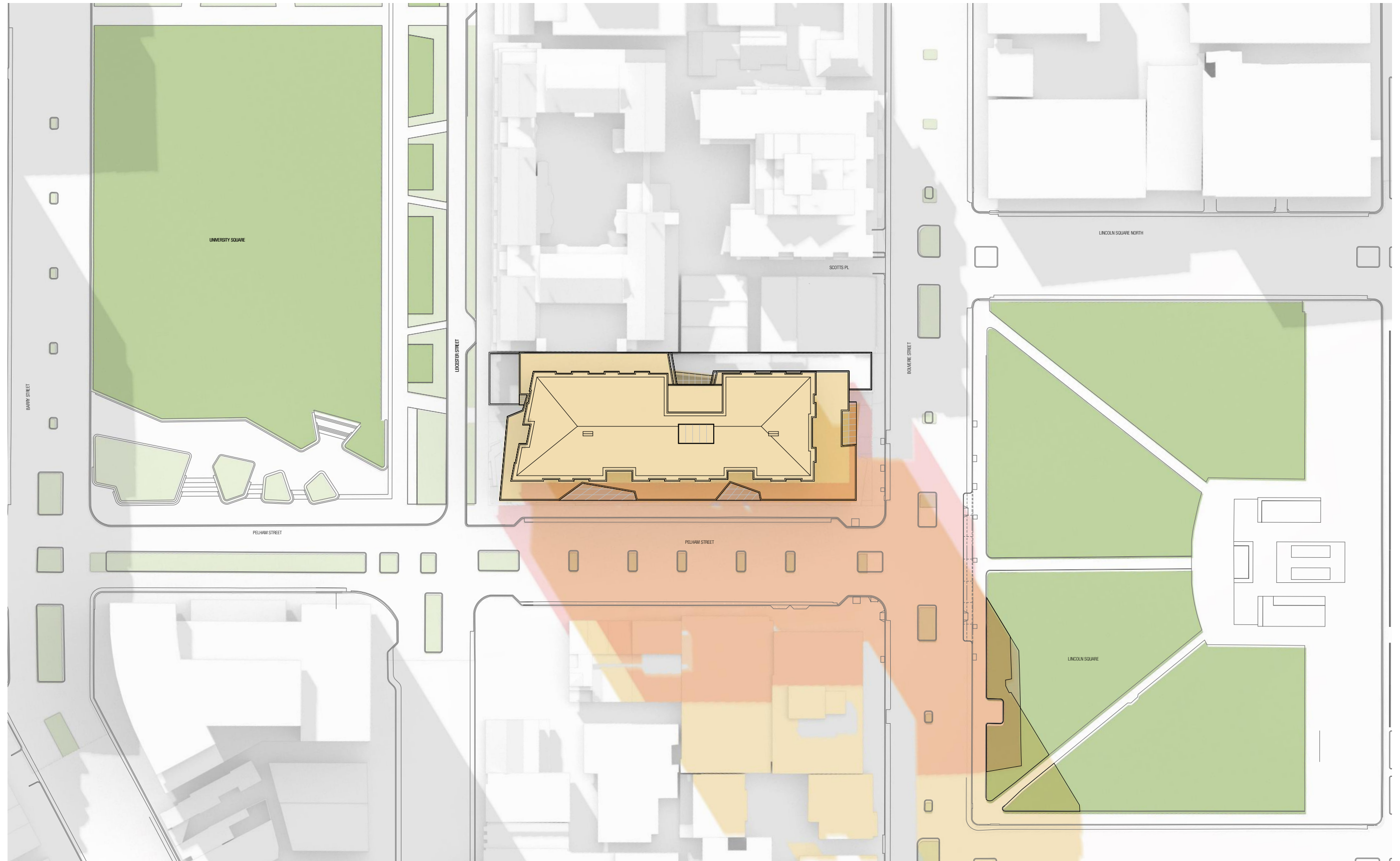
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Sheet title
 Shadow Overlay- 21 June 01pm

Sheet number TP-90025
 Status Town Planning

Revision A



21 JUNE- 02PM SHADOW OVERLAY

Recent revision history	
#	Status
A	Town Planning

Description

Date

30/06/19

Notes & Legend

Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

- Proposed Missing Overshadow ■
- 000 Missing Overshadow ■

Project
Melbourne Business School - Campus Renewal Project

Client
Melbourne Business School Ltd

Issuer
**WOODS
BAGOT**

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Project number
130603

Size check
25mm

Checked
JS

Approved
BM

Sheet size
A3

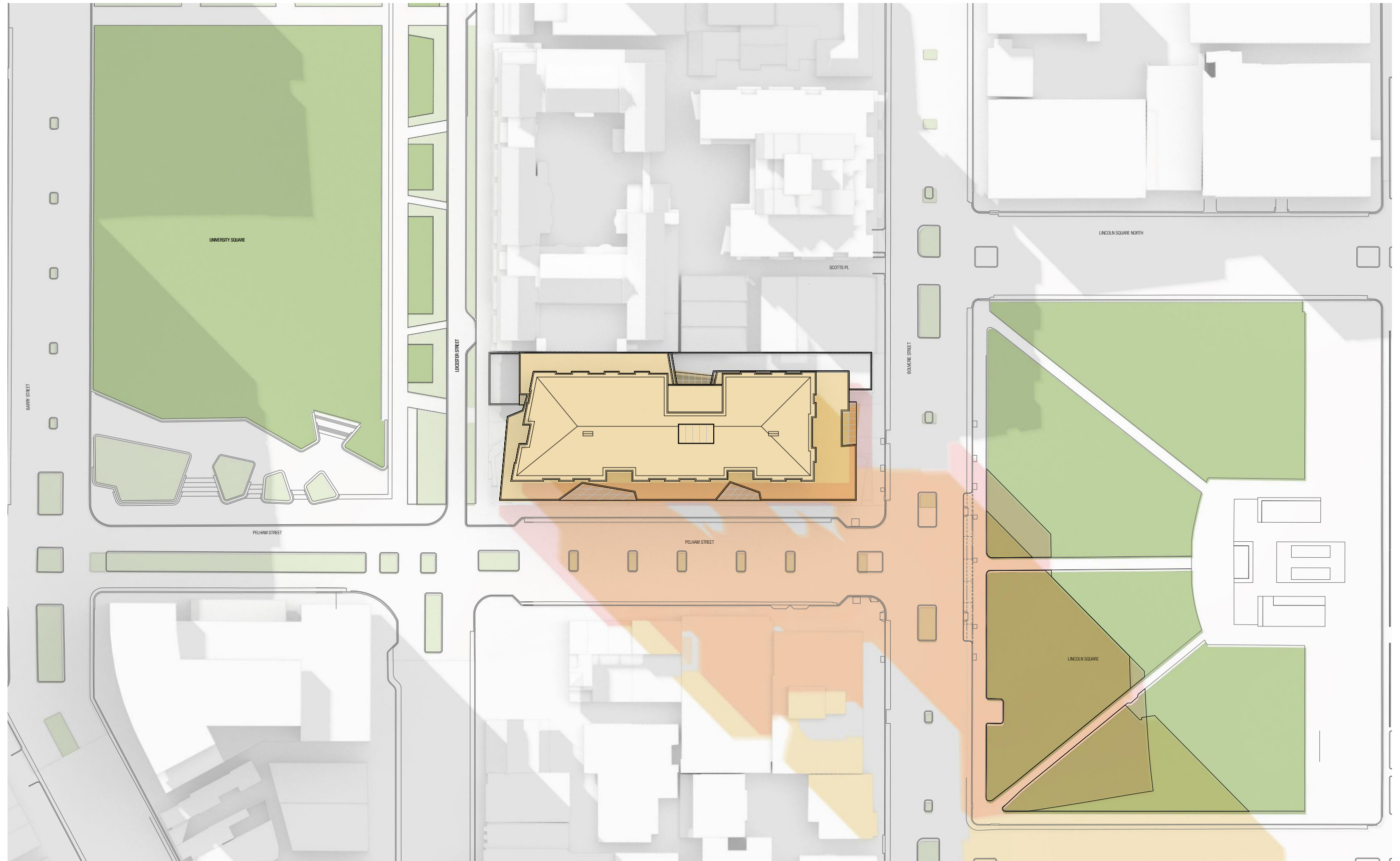
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Sheet title
Shadow Overlay- 21 June 02pm

Sheet number
TP-90026

Status
Town Planning

Revision
A



21 JUNE- 03PM SHADOW OVERLAY

Recent revision history	
#	Status
A	Town Planning

Notes & Legend
 Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.

Proposed Missing Overshadow ■
 DDO Missing Overshadow ■

Project
 Melbourne Business School - Campus Renewal Project

Client
 Melbourne Business School Ltd

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Project number: 130603
 Checked: JS
 Approved: BM

Size check: 25mm
 Sheet size: A3
 Scale: 1:1000

Sheet title	
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Sheet number	Revision
TP-90027	A
Status	Town Planning

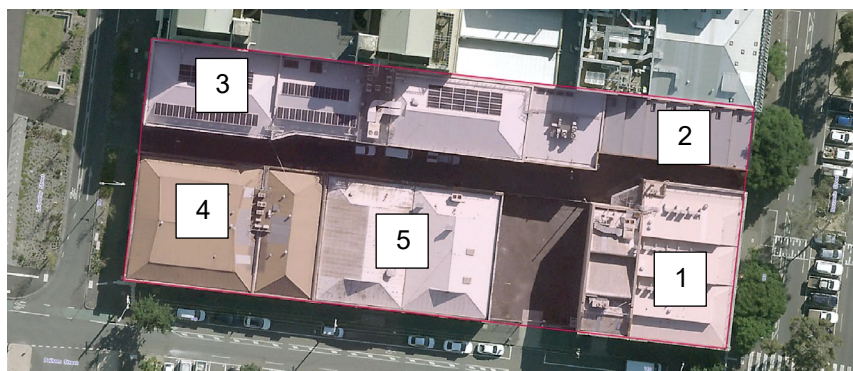
DELEGATE REPORT**MINISTERIAL PLANNING REFERRAL**

COM application number:	TPM-2019-19
DELWP application number:	PA1900614
Applicant / Owner / Architect:	Melbourne Business School Ltd c/o Contour Consultants Aust Pty Ltd / Melbourne Business School Ltd / Woods Bagot Pty Ltd
Address:	150-170 Pelham Street, Carlton
Proposal:	Full and partial demolition of the existing buildings, construction of a new building for education, student accommodation, indoor recreation facility (gym) and retail (other than adult sex bookshop, hotel and tavern), and a reduction of bicycle parking
Cost of works:	\$143 million
Received by City of Melbourne:	25 June 2019
City of Melbourne status:	Third party notice under Section 52(1)(a) of the Act
Responsible officer:	Ashley Treloar, Principal Urban Planner

1 SUBJECT SITE AND SURROUNDS**1.1 Subject site**

The site is located on the north side of Pelham Street between Lincoln Square to the east and University Square to the west. The site has a regular shape with a 101.1m frontage Pelham Street, a 40.2m frontage to Bouverie Street and a 40.5m frontage to Leicester Street. The site is approximately 4,076m² in area and slopes from the northwest to the southeast.

The site contains a complex of inter-war and post-war factories and warehouses that have been repurposed for the Melbourne Business School (MBS) and the University of Melbourne. An open-to-sky, east-west laneway with bluestone kerb and channel, known as Little Pelham Street, provides access between Bouverie Street and Leicester Street. The laneway is privately owned. The vacant land adjoining Pelham Street is used for car parking.



1. 183-189 Bouverie Street (non-contributory)
2. 193-195 Bouverie Street ('C' graded)
3. 174-178 Leicester Street ('C' graded)
4. 168 Leicester Street (graded 'contributory')
5. 160-170 Pelham Street (graded 'contributory')

Aerial Photograph (Source: Council's GIS dated April 2020)

The existing buildings can be described as follows.

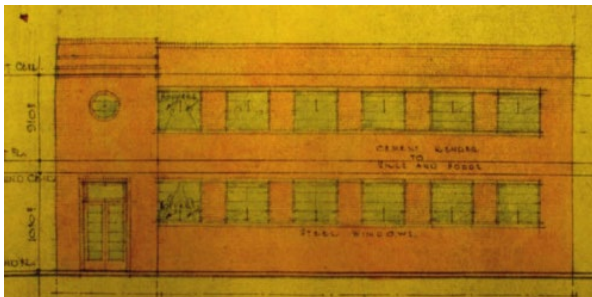
1. **183-189 Bouverie Street** is a two-storey brick building located on the corner of Pelham Street and Bouverie Street, constructed in 1941 and substantially remodelled in 1956.

The principal façade of the original building was oriented to Pelham Street and had face brick, steel framed windows, a porthole window above the main entrance and horizontal banding to the parapet. The original elevation to Bouverie Street had face brick and a sawtooth roof.

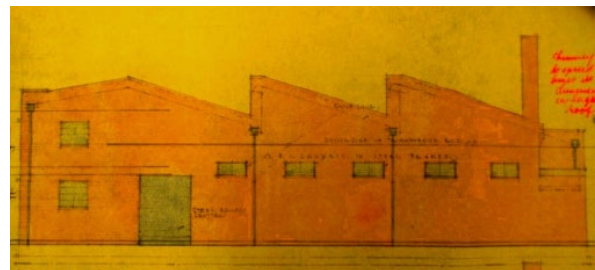
In 1956, the Pelham Street elevation was extended to the west and a first floor addition was added to the Bouverie Street elevation. Further alterations included painting the face brick and installing glazed doors.

183-189 Bouverie Street is non-contributory in the Heritage Places Inventory, February 2020.

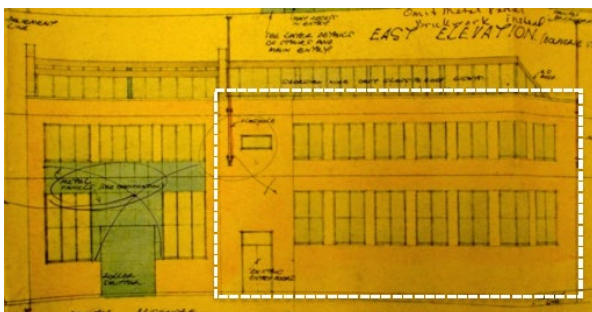
183-189 Bouverie Street 1941 and 1956 drawings from the Public Records Office Victoria and recent photographs (Source: Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019)



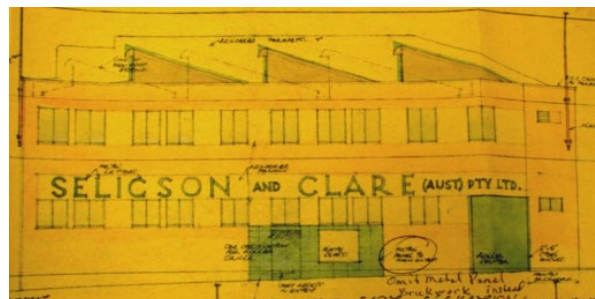
Extract from the 1941 drawings showing the original façade to Pelham Street



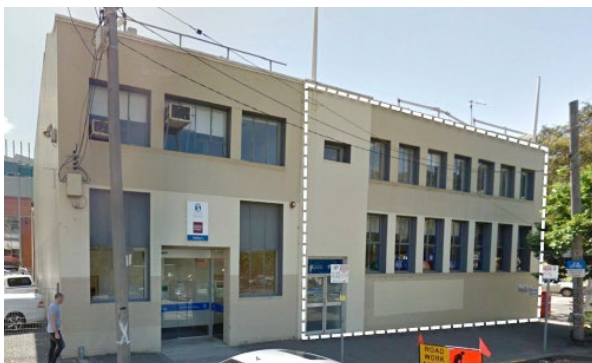
Extract from the 1941 drawings showing the original façade to Bouverie Street



Extract from the 1956 drawings showing the altered façade to Pelham Street. The dashed line marks the original façade



Extract from the 1956 drawings showing the first floor additions to the Bouverie Street elevation



Recent photograph of the Pelham Street elevation. The dashed line marks the original façade



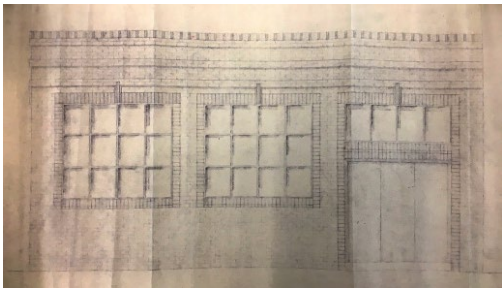
Recent photograph of the Bouverie Street elevation

2. **193-195 Bouverie Street** is a two-storey brick building located in the northeast corner of the site. Some aspects of the original brickwork on the front façade are evident, including the central plat bands and frieze, fins above the windows and soldier course to the parapet. The side elevation to Little Pelham Street has large windows with clinker brick frames. The original steel framed windows have been largely replaced with aluminium framed windows, but are still multi-paned.

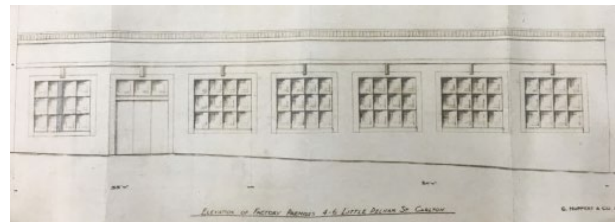
The original single-storey building was constructed in 1934. A first floor extension and a two-storey rear extension were added in 1937.

193-195 Bouverie Street is 'C' graded in a 'level 2' streetscape in the Heritage Places Inventory, February 2020 (Part B).

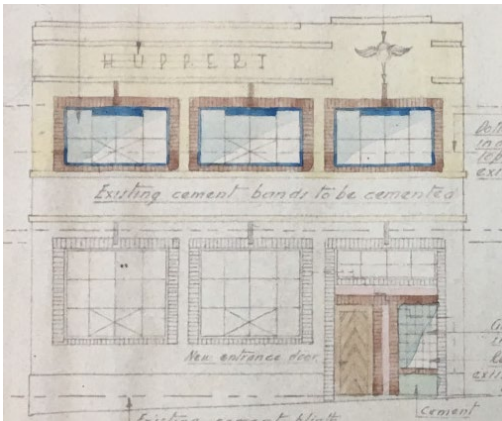
193-195 Bouverie Street 1934 and 1937 drawings from the Public Records Office Victoria and recent photographs (Source: Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019)



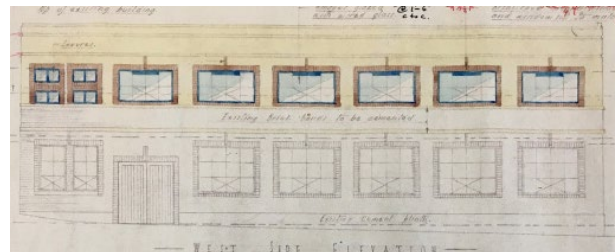
Extract of the 1934 drawings showing the original façade to Bouverie Street



Extract of the 1934 drawings showing the original façade to Little Pelham Street



Extract of the 1937 drawings showing the first floor extension to the Bouverie Street elevation



Extract of the 1937 drawings showing the first floor extension to the Little Pelham Street elevation



Recent photograph of the Bouverie Street elevation



Recent photograph of the Little Pelham Street elevation

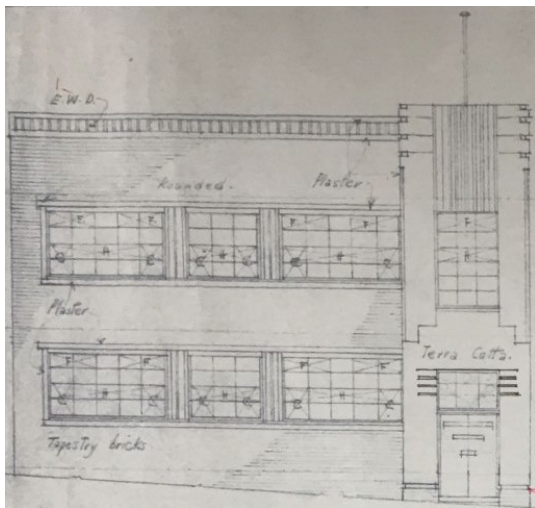
3. **174-178 Leicester Street** is a two-storey brick building located in the northwest corner of the site, constructed in 1940. The single-storey rear wing shown in the 1940 drawings does not appear to have been built and is marked 'not part of this contract'.

A two-storey rear extension was added in 1952 using an exposed concrete frame and red brick. A further extension was added in 1964 using red brick.

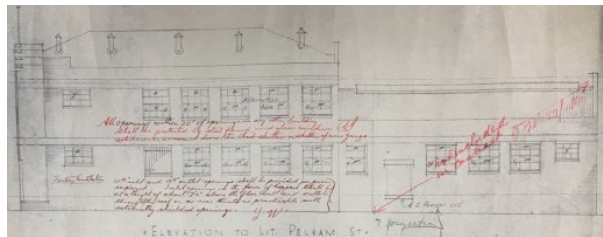
The front façade has a vertical entrance bay with a parapet and Moderne style ornament, and multi-pane steel framed windows with continuous concrete hoods. The front façade is largely intact except for the painted brick and mosaic tiles covering the original green glazed faience tiles at the main entrance. The side elevations to Little Pelham Street have an industrial character with red brick and multi-pane steel framed windows, a number of which have been replaced with aluminium framed windows.

174-178 Leicester Street (excluding the rear of the site) is 'C' graded in a 'level 2' streetscape in the Heritage Places Inventory, February 2020 (Part B).

174-178 Leicester Street 1940 drawings from the Public Records Office Victoria and recent photographs (Source: Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019)



Extract of the 1940 drawings showing the original front façade to Leicester Street



Extract of the 1940 drawings showing the original side elevation to Little Pelham Street. The single-storey rear wing was not constructed



Recent photograph of the front façade to Leicester Street



Recent photograph of the side elevation to Little Pelham Street

4. **168 Leicester Street** is a single-storey brick building located on the corner of Leicester Street and Pelham Street, constructed in 1924 and extended to the east in 1926. The building was damaged by fire and partially rebuilt in 1946, including reconstruction of the roof.

The building has painted brick and a hipped corrugated iron roof that is partially concealed behind a parapet. The front façade to Leicester Street is symmetrical with a simple pediment and recessed panel. The side elevation to Pelham Street has projecting piers at the corners and to each bay. The upper parts of the walls are panelled.

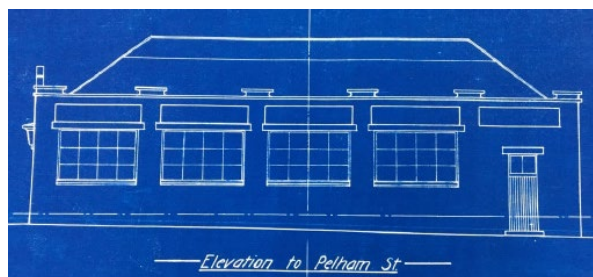
The building has been subject to a number of changes. The window openings to Leicester Street have been bricked up, the timber doors to the main entrance have been replaced with glazed doors behind a steel roller door. A new door has created to the south of the main entrance. The original door on the side elevation to Pelham Street has been bricked up.

168 Leicester Street is graded 'contributory' in the Heritage Places Inventory, February 2020 (Part A).

168 Leicester Street 1924 drawings from the Public Records Office Victoria and recent photographs
(Source: Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019)



Extract of the 1924 drawings showing the original façade to Leicester Street



Extract of the 1924 drawings showing the original façade to Pelham Street



Recent photograph of the Leicester Street elevation



Recent photograph of the Pelham Street elevation. The dashed line marks the 1926 extension

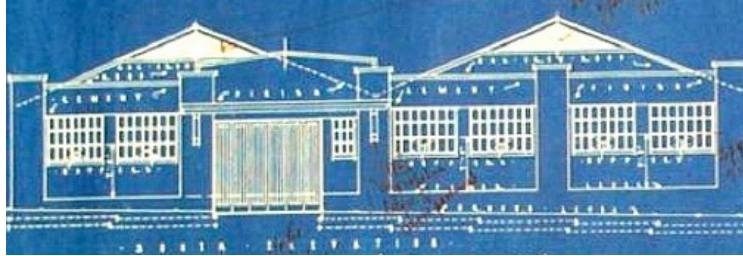
5. **160-170 Pelham Street** is a single-storey brick building located in between 183-189 Bouverie Street and 168 Leicester Street, constructed in 1928.

The original front façade had a stripped classical expression, multi-pane steel framed windows between brick piers, and a triangular pediment above the main entrance. The rear elevation to Little Pelham Street had brick pilasters as per the front façade but was otherwise more simply detailed.

All of the windows on the front façade have been replaced with large fixed windows and the main entrance has been infilled. Most of the original windows to the rear elevation have been removed and the door opening has been partly infilled and fitted with a glazed sliding door.

160-170 Pelham Street is graded 'contributory' in the Heritage Places Inventory, February 2020 (Part A).

160-170 Leicester Street 1928 drawings from the Public Records Office Victoria and recent photographs (Source: Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019)



Extract of the 1928 drawings showing the original façade to Pelham Street



Recent photograph of the front façade to Pelham Street

The site is affected by Heritage Overlay (HO1121 Little Pelham Street Precinct).

The Incorporated Document 'City North Heritage Review 2013: Statements of Significance (Revised June 2015)' includes the following statement of significance for HO1121 Little Pelham Street Precinct (summarised).

What is significant?

The land and the factory/ warehouse buildings located in Pelham Street, Bouverie Street and Leicester Street all of which back onto Little Pelham Street. Elements of note are the original external treatments such as red and brown face brick combined with areas of cement render and multi-paned windows.

How is it significant?

The Little Pelham Street Precinct is of historic significance to the City of Melbourne.

Why is it significant?

The Little Pelham Street Precinct is of historic significance for being illustrative of the industrial development that occurred in this part of Carlton and adjacent parts of Melbourne during the inter-war period and transformed it from a largely residential suburb.

The Little Pelham Street Precinct is of representative aesthetic significance as a largely intact and rare cluster of light industrial buildings from the inter-war and post-war periods. Although individual buildings have undergone varying degrees of change and some are undistinguished examples, they are evocative of this development phase and provide a rare opportunity to experience a streetscape of mid-twentieth century buildings. The most impressive building is 174-178 Leicester Street. The original detailing to the rear of 193-195 Bouverie Street is also noteworthy.

The site is formally described as Land in Plan of Consolidation 362299L (Volume 11042, Folio 490). The site is not affected by any easements or restrictive covenants.

1.2 Adjoining properties

200 Leicester Street to the north is developed with a four-storey building that is occupied by MBS.



200 Leicester Street to the north (Source: Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19/6/2019)

203 Bouverie Street to the north is developed with a two-storey building that is occupied by the University of Melbourne.



203 Bouverie Street to the north (Source: Council's GIS)

1.3 Surrounds

The site is located within the Parkville National Employment and Innovation Cluster (NEIC) and 'City North', a precinct characterised by university, research and medical buildings.

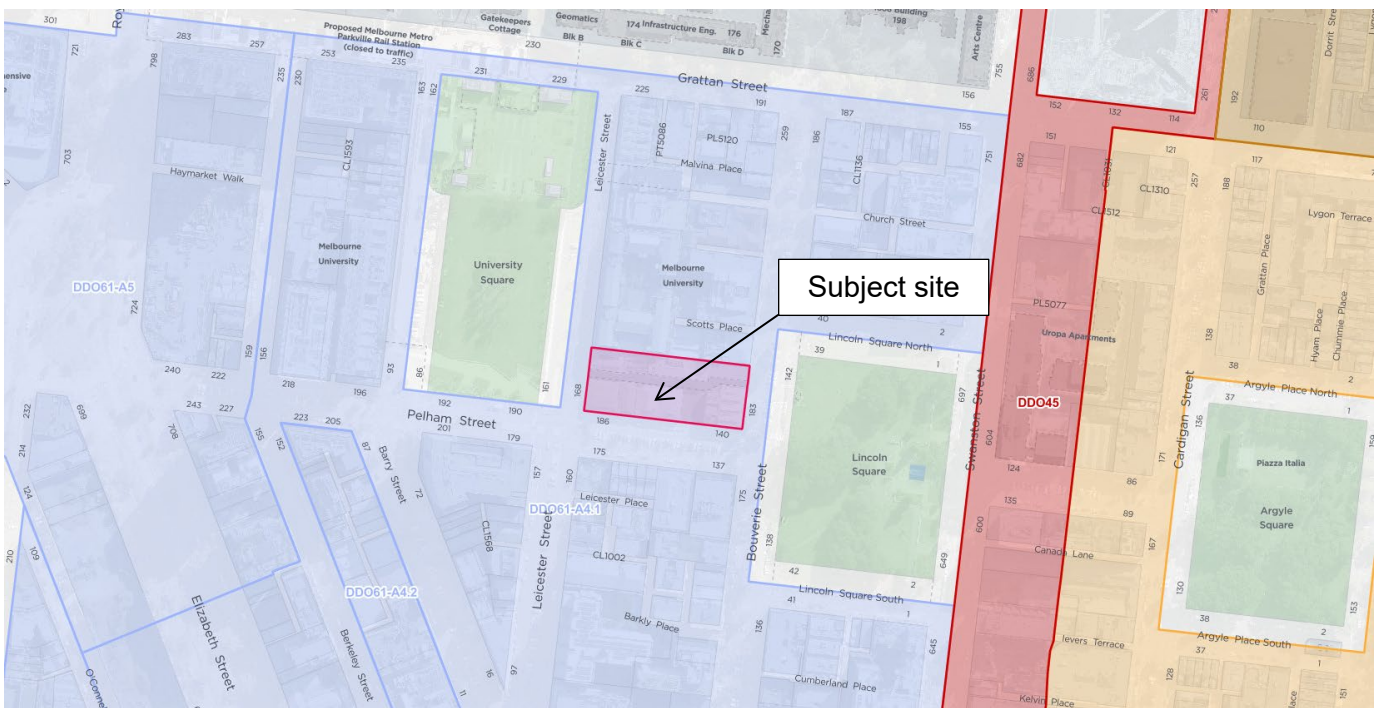


City North Proposed Urban Renewal Area (Source: Clause 21.14)

The surrounding built form includes a mix of heritage buildings and modern developments of different heights and scales. The maps below show the sites affected by the Heritage Overlay and the boundaries of Design and Development Overlay Schedule 61 and the surrounding schedules that guide built form, including Schedules 45, 47 and 48.



Heritage Overlay Map (Source: Council's GIS)



Design and Development Overlay Schedules 45, 47, 48 and 61 Map (Source: Council's GIS)

The properties across Pelham Street (opposite on south side) include:

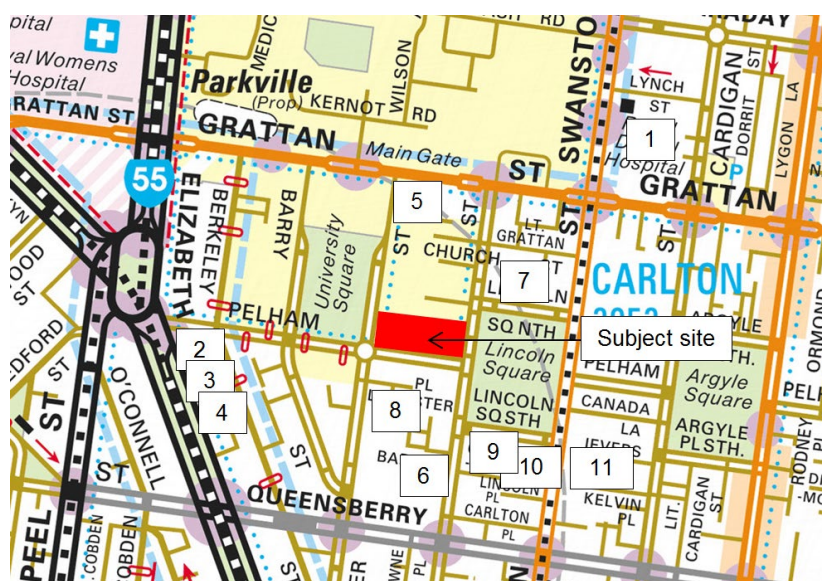
- 165 Bouverie Street that contains a three-storey office building built in 1985.
- 147-155 Pelham Street that contains a two-storey office building built in 1970, currently occupied by the Australian Red Cross.
- 157-165 Pelham Street that contains a two and three-storey former warehouse and factory built in 1943 and converted into a retail and residential building in 1994. The building is graded 'significant' in the Heritage Places Inventory, February 2020 (Part A).
- 154-160 Leicester Street, which is vacant land (former Corkman Hotel).

1.4 Other

The permit applicant has suggested that the following developments set a precedent for the height and scale of the proposal. The developments highlighted by the permit applicant are identified on the following location map and a summary of each development is provided overleaf.

These developments do not set a precedent for the height and scale of the proposal for a number of reasons, including but not limited to:

- The heritage buildings on the subject site.
- The properties across Pelham Street that are affected by the Heritage Overlay and form the immediate streetscape.
- The overshadowing constraints provided by Lincoln Square and University Square.
- The subject site is located within Design and Development Overlay Schedule 61 Area 4.1 (DDO61-A4.1) that has a 40m building height as opposed to Design and Development Overlay Schedule 61 Area 5 (DDO61-A5) that has a 60m building height.
- The site is not located at Haymarket, which is an identified gateway to the Central City and a public transport interchange where higher density development is supported.
- The site is not located on the Elizabeth Street or Swanston Street tram corridors or around the Grattan Metro Rail Station where higher density development is supported.
- The variations to the preferred built form controls are not proportionate to those sought by the proposed development.



1. 700 Swanston Street
2. 708 Elizabeth Street
3. 690 Elizabeth Street
4. 684 Elizabeth Street
5. 234 Leicester Street
6. 123 Bouverie Street
7. 18-20 Lincoln Square North
8. 4-12 Leicester Place
9. 23-31 Lincoln Square South
10. 5 Lincoln Square South
11. 558-566 Swanston Street

Location map of suggested precedent developments identified by the permit applicant



1. 700 Swanston Street, Melbourne

Incorporated Document – Carlton Connect Initiative
University of Melbourne, March 2018

47m (14 storeys)



2. 708 Elizabeth Street, Melbourne

Planning Permit TP-2016-240 issued 26/9/2019

71m (22 storeys)

DDO61-A5

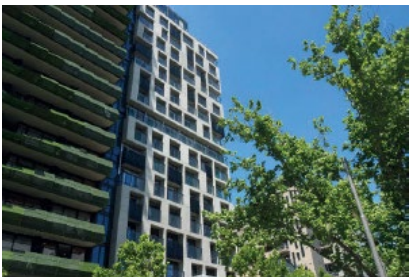


3. 690 Elizabeth Street, Melbourne

Planning Permit TP-2014-319 issued 3/12/2014

60m (20 storeys)

DDO61-A5



4. 684 Elizabeth Street, Melbourne

Planning Permit TP-2015-1219 issued 18/8/2016

59m (20 storeys)

DDO61-A5



5. 234 Leicester Street, Carlton

Planning Permit TP-2016-798 issued 31/7/2018

40m (11 storeys)

DDO61-A4.1

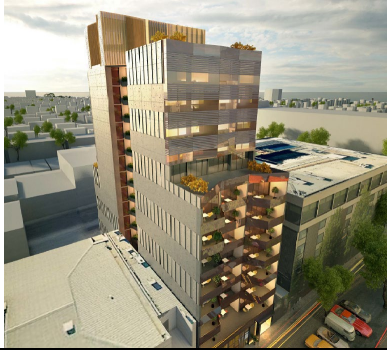


6. 123 Bouverie Street, Carlton

Planning Permit TP-2017-188 issued 19/1/2018

44m (14 storeys)

DDO61-A4.1



7. 18-20 Lincoln Square North, Carlton

Planning Permit TP-2017-446 issued 10/1/2018

46m (15 storeys)

DDO61-A4.1



8. 4-12 Leicester Place, Carlton

Planning Permit TP-2017-616 issued 20/11/2018

41m (13 storeys)

DDO61-A4.1



9. 23-31 Lincoln Square South, Carlton

Planning Permit TP-2018-449 issued 30/4/2019

41m (12 storeys)

DDO61-A4.1

Note: the render does not reflect the height of the approved development. Condition 1 requires deletion of two levels



10. 5 Lincoln Square South, Carlton

Planning Permit TP-2017-761 issued 25/5/2018

44m (14 storeys)

DDO61-A4.1



11. 558-566 Swanston Street, Carlton

Planning Permit TP-2015-1057 issued 12/9/2016

43m (14 storeys)

DDO45

2 BACKGROUND AND HISTORY

2.1 Pre-application discussions

Pre-application meetings commenced in February 2019 prior to lodgement with urban planners from DELWP and Council, who raised the following concerns (summarised):

- The extent of demolition of heritage buildings.
- The cantilever over the retained buildings.
- The street wall and overall building heights.
- The design and 'publicness' of the through block link.
- The levels and how they are managed across the ground plane.
- The absence of overshadowing diagrams for 22 March and 22 September between 11am and 2pm (Clause 22.02) and 21 June between 10am and 3pm (Amendment C278).
- The heritage and urban design response, including:
 - The street walls should be built to the title boundaries to be consistent with the predominant character of the area and delete the undercroft spaces.
 - The façade treatment, including the curtain wall glazing, the angled 'cuts' and the extent to which the cross laminated timber (CLT) will be visible behind the glazing.

2.2 OVGA comments

DELWP requested an independent design review of the proposal by the Office of the Victorian Government Architects (OVGA). An independent design review panel was held on 2 May 2019 and a report provided on 3 June 2019.

The advice is summarised below.

- The site is located both within the City North 'renewal' precinct but also in Carlton, and the vision and characteristics of each are somewhat at odds. The project is a challenge within this context.
- The D-grade heritage buildings to the south of Little Pelham Street are to be demolished and the C-grade heritage buildings to the north are to be adaptively reused. The amalgamation of the properties will significantly impact the grain of the precinct, which is important to the 'sense of place'. There are also challenges at the ground plane, which needs to absorb the fall across the site.
- The street wall and building heights exceed the preferred envelope to fit the project brief. While we commend the client on an ambitious investment in this locale and support the competitive process that led to the appointment of the design team, we are concerned that the extensive program has led to a building that may be too large for the site. The project brief needs to be balanced with the capacity of the site.
- The street wall and building heights in the controls are a considered response to context. In particular, we suggest a 24m high street wall is appropriate for this site and the concept plans do not convince us otherwise.
- The suggested 'Carlton stack' is contradicted by the scale of the single building outcome and uniform curtain wall glazing over piloti structure. The concept of grain and materiality is obscured and needs to be visible.
- We are supportive of the retention of 174-178 Leicester Street, 193-195 Bouverie Street and the laneway. However, we are concerned with the impact of the mass of the upper levels on the heritage buildings and suggest there may be too much program on the site.
- Generally, the loss of contributory buildings is detrimental to the intactness and aesthetic significance of Carlton. There is little interpretation in the proposal that responds to the

history of the former buildings on the site. We question the suitability of the glazed envelope, particularly at ground level and encourage a richer material palette that speaks to the grain, detail, fabric, form and historic stories of the site.

- The building is at odds with the more common approach in this precinct which seeks to hold the corner and define the street edge. The design must be strongly justified to deliver this uncommon response.
- We are not convinced that Pelham Street is where people will want to stop and stay. Offering places for people to stop that relate to the entrances, solar and park aspects would be more attractive and intuitive.
- The topography of the ground plane needs to be assessed with regard to universal access.
- How the building engages with the corners, street edges and level changes needs further consideration.
- The east end of the laneway feels compromised by its adjacencies (basement ramp) and width.
- A shadow analysis is required to demonstrate minimal overshadowing to the street to the south and the parks to the east and west.
- We support locating services within the basement to ensure the building frontages are maximised to provide an active ground plane.
- We support the use of CLT and the hybrid building method.

2.3 Application history

- Notice of the application was received by the City of Melbourne on 25 June 2019.
- DELWP sent the permit applicant a request for further information (RFI) on 16 July 2019.
- A copy of the further information was received by the City of Melbourne on 9 October 2019.
- On 21 October 2019, without prejudice plans were received that showed a 3m reduction in building height, including a 0.8m reduction in street wall height and an eastern splay to the three upper levels. The without prejudice plans were accompanied by revised shadow diagrams for 2pm and 3pm on 21 June.
- On 8 November 2019, a more complete set of without prejudice plans were received that showed the changes provided on 21 October 2019. The without prejudice plans were accompanied by context plans taken from a 3D model.
- On 19 February 2020, without prejudice plans were received that showed, in addition to the changes provided on 21 October 2019, a reduction in height of one storey taken from the 'podium' element. The without prejudice plans were accompanied by revised shadow diagrams for 2pm and 3pm on 21 June.
- On 14 April 2020, Council's Chief Executive Officer (CEO), General Manager of Strategy, Planning and Climate Change and Director of Planning and Building met with the Dean of MBS to discuss the changes required to obtain in principle support. This meeting was held given the strategic importance of university, research and education uses, including that of the Melbourne Business School, within the City North precinct. However, despite best efforts, unfortunately an agreeable outcome could not be reached.
- On 26 May 2020, a revised shadow diagram for 2pm on 21 June was received for the changes provided on 19 February 2020 but with the as-built, expanded Lincoln Square.
- On 19 June 2020, without prejudice plans were received that showed, in addition to the changes provided on 19 February 2020, a reduction in height of one storey taken from

the 'tower' element and the ground floor glazing line brought to Pelham Street and provided with a masonry base.

- On 4 September 2020, DELWP provided Council with a copy of the without prejudice plans tabled with the Minister for Planning on 11 August 2020. The plans included a revised section, revised shadow diagrams for 10am and 2pm on 21 June, and a revised render of the Pelham Street elevation. A render of the through block link (east-facing) was also provided, but does not appear to show any change. The revised section shows the number of storeys in the 'podium' reduced by one and the number of storeys in the 'tower' increased by one, and increased setbacks from the east boundary.
- On 8 September 2020, the permit applicant provided a more advanced set of without prejudice plans that showed the changes provided on 4 September 2020, including plans, elevations and sections.
- On 9 September 2020, the permit applicant provided a revised shadow diagram for 2pm on 21 June for the changes provided on 4 and 8 September 2020.
- Refer to section 9 of this report for a review of the without prejudice plans received 4, 8 and 9 September 2020.

2.4 Planning history

The following applications are relevant to the site and surrounds.

Address	Application	Description	Decision
University Square	TP-2017-734	Demolition and reconstruction of Leicester Street and a park, including the installation of an underground water tank	Permit 20/11/2017
Lincoln Square	TP-2018-286	Demolition and works to expand Lincoln Square into the adjacent roadways of Lincoln Square North and Lincoln Square South, while retaining two-way traffic and parallel parking and incorporating a new bicycle connection along Lincoln Square South	Permit 4/10/2018

3 PROPOSAL

The application seeks planning permission for full and partial demolition of the existing buildings, construction of a new building for education, student accommodation, indoor recreation facility (gym) and retail (other than adult sex bookshop, hotel and tavern), and a reduction of bicycle parking.

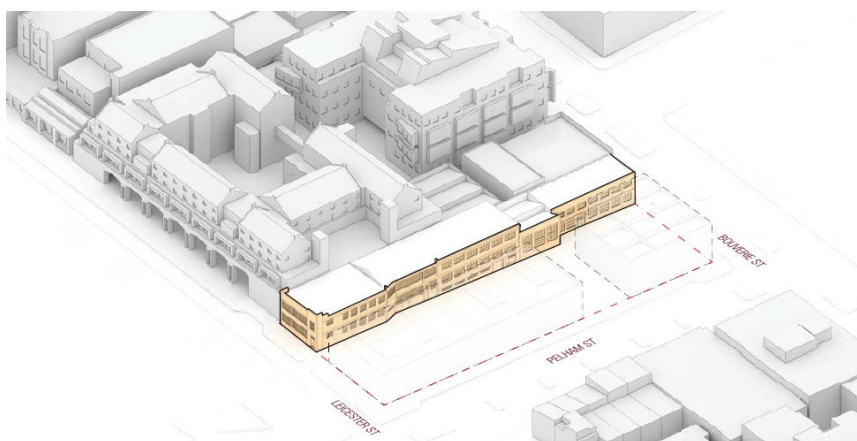
The plans referred to the City of Melbourne for comment are those received on 9 October 2019 following DELWP's RFI.

The plans that have been considered in this assessment are the drawings by Woods Bagot Pty Ltd dated 30 August 2019 (Revisions A and B).

However, it is noted that:

- An updated development summary was not submitted with the RFI response and the figures below are taken from the development summary submitted with the original application. There may be discrepancies.
- The plans do not include the floor areas of the internal spaces, except the lodging rooms i.e. the retail tenancies, outdoor terraces, indoor and outdoor communal areas associated with the student accommodation etc.
- The indoor recreation facility (gym) is not shown on the plans.

- Demolition plans and elevations were not submitted with the original application or RFI response. The Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19 June 2019 includes the following image of the retention and demolition, but does not provide details of the partial demolition to the retained buildings to accommodate the proposed buildings and works.
- The plans do not provide details of the external alterations to the retained buildings and there are discrepancies between the renders and coloured elevations. The renders show face brick whereas the coloured elevations show painted brick to the front facades of 183-189 Bouverie Street and 174-178 Leicester Street.



Retention and demolition image (Source: Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19 June 2019)

- The 22 March, 22 September and 21 June shadow diagrams do not represent the as-built, expanded Lincoln Square.
- The shadow cast from the 'DDO massing outcome' appears to reflect a DDO61 building envelope, not a DDO61 street wall envelope as required by Amendment C278.
- No shadow calculations have been provided for the 'DDO massing outcome'.

3.1 Development summary

GFA	35,297m ²	
Land uses	Education	22,432m ² (262 staff and 2,355 students)
	Student accommodation	3,205m ²
	Retail (other than adult sex bookshop, hotel and tavern)	2,884m ²
	Indoor recreation facility (gym)	961m ²
Building height (Pelham St elevation)	13 storeys / 59.5m to 61.6m high, including plant	
Street wall height (Pelham St elevation)	8 storeys / 35.8m to 37.8m high, including balustrades	
'Podium' element setbacks excluding angled 'cuts' and lightwells	North boundary	0m and 5m
	East boundary (Bouverie St)	6m and 4m
	South boundary (Pelham St)	1m

	West boundary (Leicester St)	8m and 4.9m to 2.9m	
'Tower' element setbacks excluding vertical 'cuts' and lightwells	North boundary	5.4m to 5.1m	
	East boundary (Bouverie St)	15.1m to 14.7m	
	South boundary (Pelham St)	6m	
	West boundary (Leicester St)	11.1m to 5.3m	
Student accommodation	78 lodging rooms (levels 9 and 10)		
Parking spaces	Car	4	
	Motorcycle	0	
	Bicycle	164	
Vehicle access	Vehicle access to the parking and servicing in the basement is via a double width crossover on Bouverie St.		
Loading / unloading	Four loading bays are provided in the basement, including two 8.8m x 3.5m bays and two 6.4m x 3m bays.		

3.2 Demolition

- Full demolition of:
 - 183-189 Bouverie Street (non-contributory)
 - 168 Leicester Street ('contributory' heritage building)
 - 160-170 Pelham Street ('contributory' heritage building)
- Partial demolition of:
 - 193-195 Bouverie Street ('C' graded heritage building)
 - 174-178 Leicester Street ('C' graded heritage building)
- Insufficient information has been submitted to describe the partial demolition to the retained buildings.

3.3 Buildings and works

- Excavation of part of the site for two levels of basement, including basement under the retained buildings.
- The ground floor has two main entrances, one on Pelham Street and one on Leicester Street. The glazing line is setback from the street frontages to provide undercroft seating and landscaping. The ground plane has different levels and multiple stairs. An indirect, E-W, through block link is maintained albeit with airlocks at either end. The through block link is 4.5m to 3.3m wide with stairs to manage a 2.9m high change in levels.
- 193-195 Bouverie Street and 174-178 Leicester Street will be retained and converted into retail tenancies. The first floor of 174-178 Leicester Street will be partially demolished and converted into a terrace.
- The development has a seven to eight-storey 'podium' element and a five-storey 'tower' element. Levels 7 and 8 above the 'podium' are inset to provide a 'skirt'.
- The 'podium' is articulated by angled 'cuts'. The three upper levels of the 'tower' are articulated by vertical 'cuts'.
- The development will have a hybrid timber and concrete structure with exposed concrete columns along the Pelham Street frontage.

- The ‘podium’ and ‘tower’ elements have different curtain wall glazing systems. The ‘podium’ features timber clad blind mullions.

3.4 Program

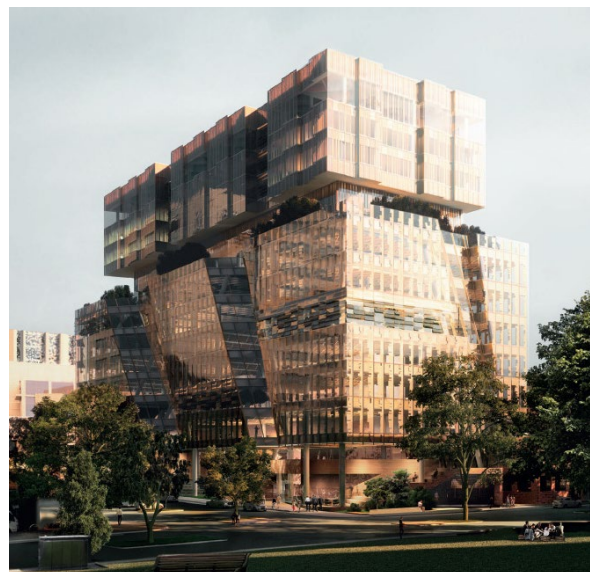
Level	Indoor	Outdoor
Basement levels 1-2	Car parking, bicycle parking and facilities, loading and services	None
Ground floor	Reception areas, retail tenancies, a gallery space, a meeting room, amenities, and a through block link	None
Mezzanine	The first floor to the retail tenancy in 193-195 Bouverie Street and a multi-purpose mezzanine space	None
Level 1	Teaching and learning / MBS workplace	A west-facing terrace in 174-178 Leicester Street and an east-facing terrace in the NE corner of the site
Levels 2-6	Teaching and learning / MBS workplace	None
Level 7	Social and events	A terrace that wraps the ‘skirt’ of the building above the ‘podium’ element
Level 8	Plant	None
Level 9	Student accommodation	Two south-facing winter gardens and terraces to the north-facing lodging rooms
Level 10	Student accommodation	Two south-facing winter gardens and terraces to the north-facing lodging rooms
Level 11	Kitchen, dining, social and plant	A west-facing terrace and an east-facing winter garden

3.5 Renders and plans

Renders (Source: Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19/6/2019)



View from Pelham Street



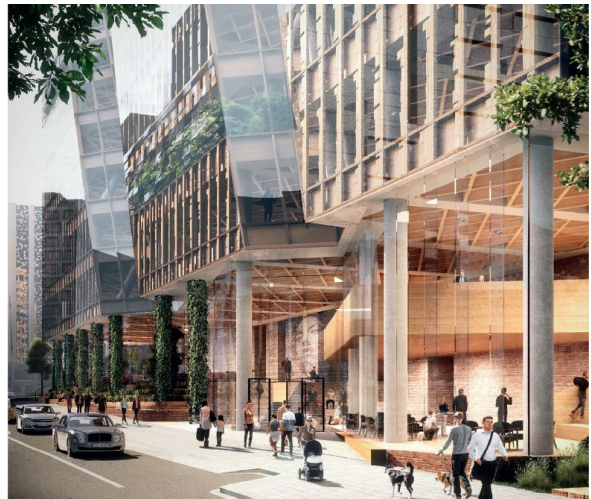
View from Lincoln Square



Pelham Street elevation



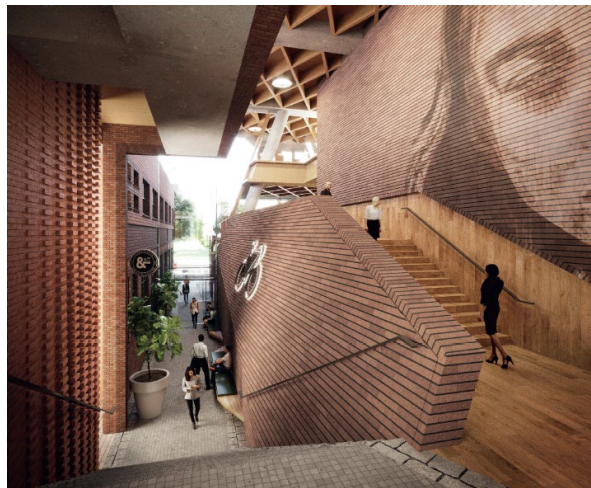
Leicester Street entrance



Pelham Street entrance



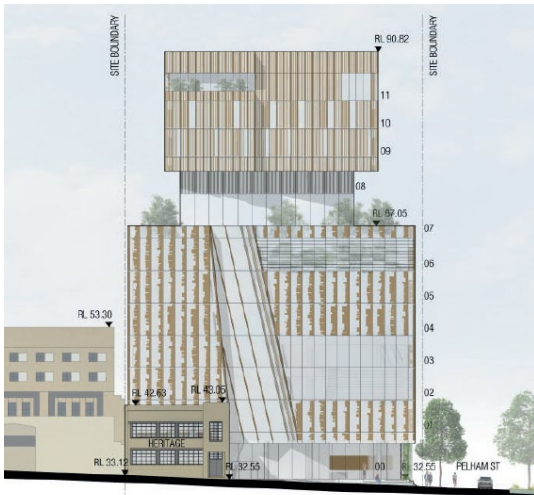
Through block link – looking east



Through block link – looking west



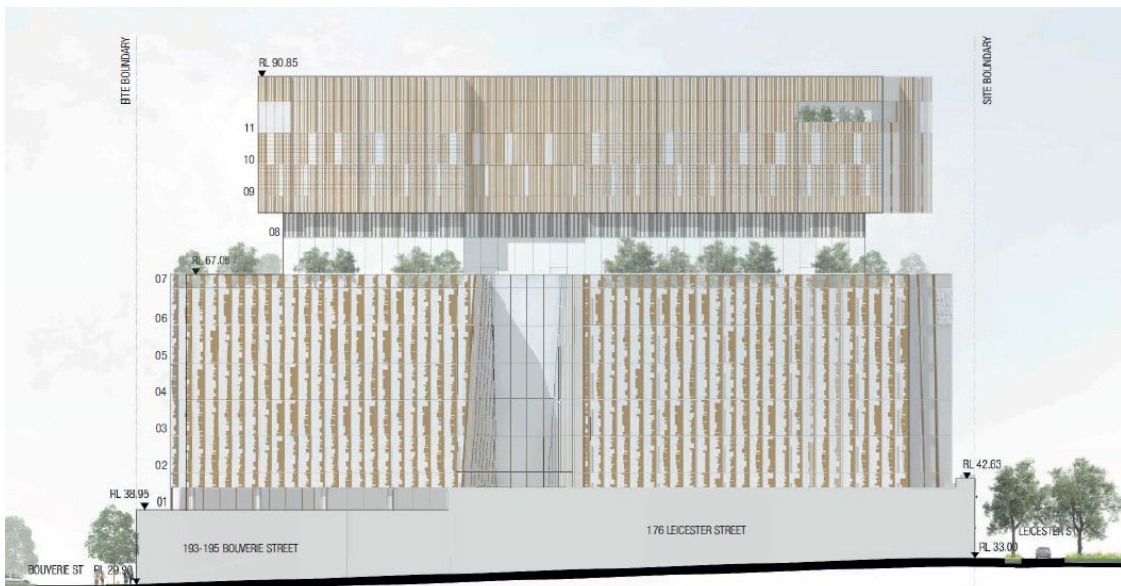
Pelham Street elevation



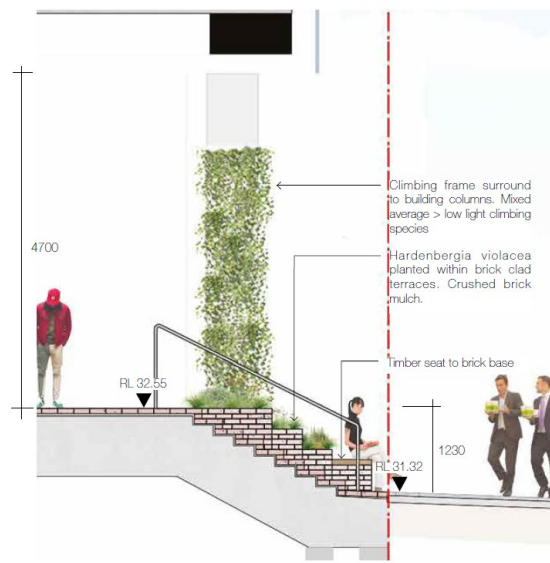
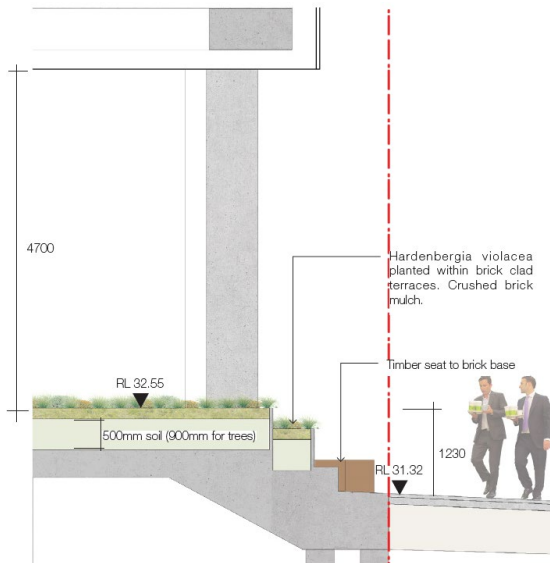
Leicester Street elevation



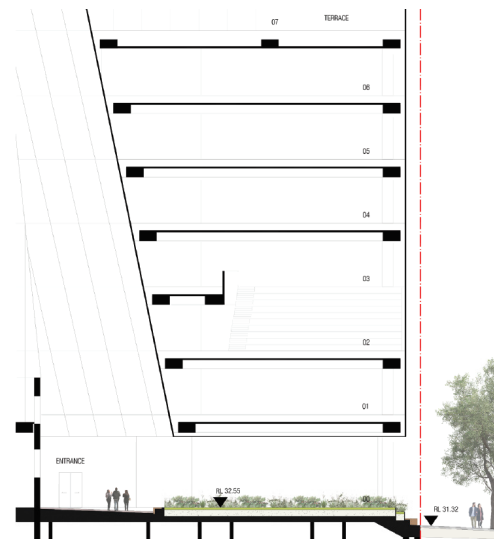
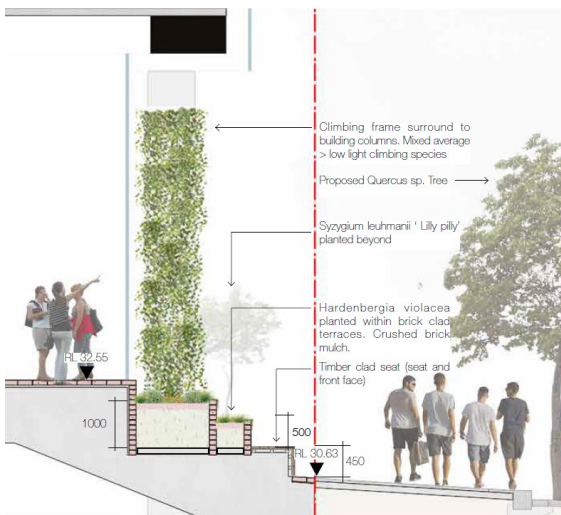
Bouverie Street elevation



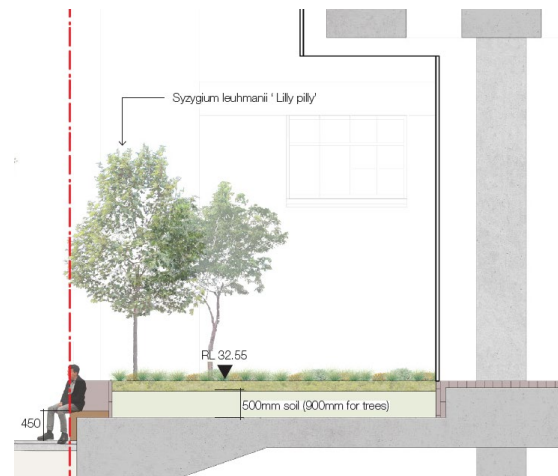
North elevation



Pelham Street sections (note the change in levels, proximity of the seat and stairs to the title boundary and the cantilevered built form over the landscaping with a southern aspect)



Pelham Street sections (note the change in levels, proximity of the seat to the title boundary and the cantilevered built form over the landscaping with a southern aspect)



Bouverie Street section (note the seat appropriately setback from the title boundary)

Leicester Street section (note the proximity of the seat to the title boundary)

4 STATUTORY CONTROLS

The following provisions of the Melbourne Planning Scheme apply to the application.

Planning Policy Framework	<p>Clause 11 – Settlement</p> <p>Clause 13 – Environmental Risks and Amenity</p> <p>Clause 15 – Built Environment and Heritage</p> <p>Clause 17 – Economic Development</p> <p>Clause 18 – Transport</p> <p>Clause 19 – Infrastructure</p>
Municipal Strategic Statement	<p>Clause 21.02 – Municipal Profile</p> <p>Clause 21.03 – Vision</p> <p>Clause 21.04 – Settlement</p> <p>Clause 21.06 – Built Environment and Heritage</p> <p>Clause 21.08 – Economic Development</p> <p>Clause 21.09 – Transport</p> <p>Clause 21.10 – Infrastructure</p> <p>Clause 21.14 – Proposed Urban Renewal Areas (City North)</p>
Local Planning Policies	<p>Clause 22.01 – Urban Design within the Capital City Zone</p> <p>Clause 22.02 – Sunlight to Public Spaces</p> <p>Clause 22.04 – Heritage Places within the Capital City Zone</p> <p>Clause 22.19 – Energy, Water and Waste Efficiency</p> <p>Clause 22.23 – Stormwater Management</p> <p>Clause 22.24 – Student Housing Policy</p>

Statutory Controls	
<p>Clause 37.04</p> <p>Capital City Zone Schedule 5 (CCZ5)</p>	<p>A permit is required to use the land for an indoor recreation facility (gym).</p> <p>A permit is required to construct a building or carry out works.</p> <p>A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.</p>
<p>Clause 43.01</p> <p>Heritage Overlay (HO1121)</p>	<p>A permit is required to:</p> <ul style="list-style-type: none"> • Demolish or remove a building. • Construct a building or construct or carry out works. • Externally alter a building.
<p>Clause 43.02</p> <p>Design and Development Overlay Schedule 61 Area 4.1 (DDO61-A4.1)</p>	<p>A permit is required to construct a building or construct or carry out works.</p> <p>The provisions of this schedule relate to: building height; street wall height; upper level setback; building facades and street frontages; active and safe street frontages; provision of public spaces; sunlight to public spaces; pedestrian links; and weather protection.</p>
<p>Clause 45.09</p> <p>Parking Overlay Schedule 1 (PO1)</p>	<p>No permit is required under this schedule as the development does not exceed the maximum car parking rates or the minimum motorcycle parking rate.</p>

Particular Provisions																			
Clause 52.06 Car Parking	<p>Plans must be prepared to the satisfaction of the responsible authority before a new use commences or the floor area or site area of an existing use is increased.</p> <p>Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.</p>																		
Clause 52.34 Bicycle Facilities	<p>The bicycle parking requirements are set out below.</p> <ul style="list-style-type: none"> • 1 employee space to each 20 employees for an education centre. • 1 student space to each 20 FTE students for an education centre. • 1 resident space to each 10 lodging rooms in a residential building of four or more storeys. • 1 visitor space to each 10 lodging rooms in a residential building of four or more storeys. • 1 employee space to each 300m² of leasable floor area for a retail premises. • 1 shopper space to each 500m² of leasable floor area for a retail premises. • 1 employee space per 4 employees for a minor sports and recreation facility (gym). • 1 visitor space to each 200m² of net floor area for a minor sports and recreation facility (gym). • If 5 or more employee bicycle spaces are required, 1 shower and change room for the first 5 employees plus 1 shower and change room to each 10 employees thereafter <p>These rates generate the following bicycle facility requirements.</p> <table border="1"> <thead> <tr> <th>Use</th> <th>Bicycle parking spaces</th> <th>Showers</th> </tr> </thead> <tbody> <tr> <td>Education centre with 262 staff and 2,355 students</td> <td>13 employee spaces 118 student spaces</td> <td>1</td> </tr> <tr> <td>Student accommodation with 78 lodging rooms</td> <td>8 resident spaces 8 visitor spaces</td> <td>n/a</td> </tr> <tr> <td>Retail premises with 2,884m² floor area</td> <td>10 employee spaces 6 shopper spaces</td> <td>1</td> </tr> <tr> <td>Minor sports and recreation facility (gym) with 961m² floor area. Number of staff not provided.</td> <td>? employee space 5 visitor spaces</td> <td>0</td> </tr> <tr> <td style="text-align: right;">Total</td> <td>168</td> <td>2</td> </tr> </tbody> </table> <p>The development generates a statutory requirement of at least 168 bicycle parking spaces and 2 showers, noting that the number of employees for the gym has not been provided.</p> <p>The development provides 164 bicycle parking spaces and 8 showers. As such, a permit is required for a reduction of bicycle parking (at least 4 spaces).</p>	Use	Bicycle parking spaces	Showers	Education centre with 262 staff and 2,355 students	13 employee spaces 118 student spaces	1	Student accommodation with 78 lodging rooms	8 resident spaces 8 visitor spaces	n/a	Retail premises with 2,884m ² floor area	10 employee spaces 6 shopper spaces	1	Minor sports and recreation facility (gym) with 961m ² floor area. Number of staff not provided.	? employee space 5 visitor spaces	0	Total	168	2
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Minor sports and recreation facility (gym) with 961m ² floor area. Number of staff not provided.	? employee space 5 visitor spaces	0																	
Total	168	2																	

General Provisions	
Clause 72.01 Responsible Authority for this Planning Scheme	The Minister for Planning is the responsible authority for this application as the gross floor area (GFA) of the development exceeds 25,000m ² .
Clause 66.02 Use and Development Referrals	The Minister for Planning is responsible for referrals of the kind listed in Clause 66.02-11 (Integrated Public Transport Planning).
Clause 65 Decision Guidelines	The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause, which include the matters set out in Section 60 of the <i>Planning and Environment Act 1987</i> (the Act) and the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

5 PLANNING SCHEME AMENDMENTS

5.1 Amendment C278 Sunlight to Parks

Amendment C278 proposes to change the Melbourne Planning Scheme by:

- Amending Clause 22.02 (Sunlight to Public Spaces) to distinguish between public parks within and outside of the Central City and Southbank, and to reflect a shift to protecting winter sunlight access outside of the Central City and Southbank. This policy does not apply to Docklands.
- Introducing a new schedule to the Design and Development Overlay (DDO8). The proposed DDO8 introduces requirements for the protection of winter sunlight access for public parks in the municipality, excluding the Hoddle Grid, Spring Street South, Southbank and Docklands.
- Amending Clause 21.17 (Reference Documents) to include the 'Sunlight Access to Public Spaces Modelling Analysis Report by Hodyl + Co dated February 2018'.

Map 7 to the proposed DDO8 identifies Lincoln Square and University Square as 'park type 2' and sets out that a permit cannot be granted for buildings and works that cast additional shadow onto the parks between 10am and 3pm on 21 June beyond the existing shadow or allowable shadow, whichever is greater.

'Existing shadow' is defined as any shadow cast by existing buildings and works.

'Allowable shadow' is defined as shadow that would be cast on the park between 10am and 3pm on 21 June by a street wall of a building on land abutting a park, built to the lower of any street wall or building height requirement in the planning scheme.

'Land abutting a park' is defined as land with a common boundary to a park or land separated from the park by a public street or laneway.

Amendment C278 has been set down for a hearing to commence on 12 October 2020 at Planning Panels Victoria. The amendment is not currently considered to be 'seriously entertained'.

6 PUBLIC NOTIFICATION

The Minister for Planning has formally notified Melbourne City Council of the application pursuant to Clause 43.01 (Heritage Overlay) under Section 52(1)(a) of the Planning and Environment Act 1987 (the Act) and Council is afforded the review rights of Section 82(1) of the Act.

While it is the responsibility of DELWP on behalf of the Minister for Planning to administer public notice where required, it is noted that the City of Melbourne received two objections that have been forward to DELWP.

7 INTERNAL REFERRALS

The application was referred to heritage, urban design, traffic, waste, civil, urban forest and ecology, ESD and green infrastructure and city design who provided the following comments (summarised). The application was also referred to land survey who did not have any comments.

7.1 Heritage

7.1.1 Demolition summary

- Demolition drawings have not been submitted.
- The Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019 provides the following description, but the extent of demolition is not clear:

'The heritage buildings at 193-195 Bouverie Street and 174-180 Leicester Street will be retained, to the extent of their street facades and much of both their north and south side elevations, and will be incorporated into the development as a podium element. The southern elevation will be amended as necessary to provide permeability within the complex at ground floor.'
- In part, the proposed demolition can be deduced from the new floor levels and building structure.
- On the north side of Little Pelham Street:
 - 193-195 Bouverie Street: the front façade and return walls will be retained to a depth of 26m. The floor structures and sawtooth roof with highlight windows will be demolished.
 - 174-178 Leicester Street: the front façade and return walls will be retained to a depth of 8m. The floor structures and roof will be demolished. The side elevation to Little Pelham Street will demolished to accommodate the construction of a basement and openings to new floor levels.
- On the south side of Little Pelham Street:
 - The existing buildings on the south side of Little Pelham Street will be demolished, including 160-170 Pelham Street, 183-189 Bouverie Street and 168 Leicester Street.
- Little Pelham Street will be demolished, including the street form, bluestone materials and continuous slope of the land.

7.1.2 Demolition assessment

- HO1121 'Little Pelham Street Precinct' gains its name from the small street that runs through it. This street and the five buildings that have frontages to it, contribute to the visual and historic character of Little Pelham Street. The three buildings on the south side have had more alterations and/or are less architecturally distinguished than the two buildings on the north side.
- **183-189 Bouverie Street:** while consistent with the period of development, alterations to the building have resulted in a 'non-contributory' heritage classification. Demolition of the existing building is acceptable, but the replacement building must be consistent with the precinct, including definition of the Little Pelham Street alignment with new built form.
- **193-195 Bouverie Street:** is 'C' graded in a 'level 2' streetscape in the Heritage Places Inventory, February 2020 (Part B). The extent of demolition to 193-195 Bouverie Street is inconsistent with the policy at Clause 22.04. Concerns include:

- demolition of the 1939 addition,
- demolition of the sawtooth roof with highlight windows,
- insufficient information regarding the proposed works to the retained heritage fabric, and
- lowering the ground floor RL.

Demolition of the steel framed windows would not be supported.

- **174-178 Leicester Street:** is 'C' graded in a 'level 2' streetscape in the Heritage Places Inventory, February 2020 (Part B). Ideally, the whole of this corner building would be retained. The extent of demolition is inconsistent with the policy at Clause 22.04. Concerns include:

- retention of heritage fabric along Little Pelham Street,
- demolition of the first floor and associated roof to provide an outdoor terrace adjoining Leicester Street,
- the new floor structure to the terrace across glazed elements of the front façade,
- loss of the three-dimensional form,
- insufficient information regarding the proposed works to the retained heritage fabric, and
- lowering the ground floor RL.

Demolition of the steel framed windows would not be supported.

- **168 Leicester Street:** is graded 'contributory' in the Heritage Places Inventory, February 2020 (Part A). Retention is desirable but given the extent of alteration, demolition of the front of the building could be supported provided the face brick wall to Little Pelham Street was retained. Definition of the street frontages should continue to define the precinct. The replacement building does not retain the Little Pelham Street alignment or clearly define the Leicester Street and Pelham Street frontages.
- **160-170 Leicester Street:** is graded 'contributory' in the Heritage Places Inventory, February 2020 (Part A). Demolition of the front of the building could be supported provided the face brick wall to Little Pelham Street was retained. Definition of the street frontages should continue to define the precinct. The replacement building does not retain the Little Pelham Street alignment or clearly define the Pelham Street frontage.
- **Little Pelham Street:** the street itself is an integral part of the heritage place. The continuous sloping form, bluestone kerbs, coursed bluestone gutters and asphalt footpaths and roadway contribute to HO1121.

Demolition of Little Pelham Street is proposed. The north alignment will be retained, but at a consistent floor level that is at odds with the arrangement of buildings descending a sloping street with many entry points.

The Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019 provides the following assessment of the original intent in relation to Little Pelham Street:

'While the original intent was to retain the existing fall of the laneway through the ground floor, studies of how this could be managed indicated conflicts in terms of equal access requirements, as well as impacts upon the basement vehicular entry. In order to manage these competing requirements, the scheme has adopted a strategy of having only one point of transition in level.'

A review of the proposed RLs indicates central locations where the difference between the existing and proposed levels along Little Pelham Street will be over 1m. For the sections of retained building at each end of Little Pelham Street, the existing floor levels will be lowered by 0.4m to 0.5m to accommodate the proposed floor plate RLs.

In justifying the demolition of all buildings to the south of Little Pelham Street and roughly half of the length of buildings to the north, the Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019 provides:

'The strategy that has been developed is to celebrate and emphasise the heritage stock that has a higher rating (buildings north of Little Pelham Street) whilst demolishing buildings that have been significantly altered and have a lower or no heritage classification (south of Little Pelham Street).'

In a heritage precinct setting there will be a variety of levels of significance. Clause 22.04 defines 'significant', 'contributory' and 'non-contributory' heritage places. The policies that flow from these classifications are different; 'contributory' buildings should be retained and 'non-contributory' buildings could be demolished. In treating these two classifications as equally suitable for demolition, the heritage assessment by Bryce Rayworth Pty Ltd is at odds with Clause 22.04.

7.1.3 Assessment of works to the retained heritage fabric

- 174-180 Leicester Street: the ground floor will be lowered approximately 0.6m. The first floor will run across the steel framed windows to the front façade. No existing or proposed south elevations have been provided.
- 193-195 Bouverie Street: a south elevation has been provided but the proposed works are not shown. It is unclear how the lower floor level will be accommodated at the existing entrance off Bouverie Street and off the south elevation.
- No information has been provided for works to the existing windows to the retained facades. It is unclear whether the steel framed windows will be retained and reinstated or replaced with aluminium framed windows.
- The list of works in the Assessment of Heritage Impacts by Bryce Rayworth Pty Ltd dated June 2019 primarily relate to cleaning or removing paint from existing surfaces.
- The documents do not contain structural engineering drawings to show how the façades would be retained and supported in situ.

7.1.4 Assessment of the new building

- Although in many aspects this is a high quality development, it has not adopted 'respectful contextual design'.
- Precinct heritage considerations have taken a low priority in the proposed scheme.
- The contributions made to the precinct by the existing frontages along Little Pelham Street have not been given sufficient weight in the proposed scheme.
- The development will remove a large proportion of the components that contribute to the heritage place.
- 'Facadism' is adopted where heritage fabric is retained.
- The retained heritage fabric will be penetrated by structure associated with a new building that dramatically exceeds its height and scale and combined with the minimal setbacks, overwhelms the retained heritage fabric.
- The development will dominate and visually disrupt the appreciation of the heritage place.
- While it is acknowledged that Little Pelham Street was sold some years ago, it remains an open-to-sky street. Access to light and air, and an understanding of the relationship between the topography of the land and the adjoining built form are fundamental to the interconnected character of the buildings and HO1121.
- The proposal does not retain Little Pelham Street. The proposed "laneway" element is a flat, two-storey corridor space with a relatively small skylight element at its centre. It does not maintain the character and appearance of the heritage place.

- Whether Part A or Part B of Clause 22.04 were applied to the proposal, the development is inconsistent with the purpose of Clause 43.01 (Heritage Overlay):
 - 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.
- In considering the decision guidelines at Clause 43.01-8, there are adverse findings in relation to:
 - Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
 - Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- The proposal is not supported.

7.2 Urban Design

7.2.1 Height and bulk

- The development is 50% taller than the preferred building height (40m preferred; 61.6m proposed) and 50% taller than the preferred street wall height (24m preferred; 37.8m proposed).
- Recent developments in the area have resulted in building heights above the established height of the Carlton area, however these have typically occurred either on the edge of the Central City, at major boulevard intersections or on prominent corner sites.
- The increased height and bulk does not enhance the character and amenity of the streetscapes.
- The top volume emphasises the immense building form. The bulk and breadth are also more pronounced as a result of the uniform glazing treatment to all frontages.
- It is recommended that the building height is reduced to 40m and the 'podium' is more effectively broken down through discernible material layering and articulation.

7.2.2 Overshadowing

- A high level of solar access must be maintained for the public realm, including the streets and public parks. The shadow diagrams demonstrate that the increased height and bulk will impose unreasonable shadow impacts on surrounding footpaths and public parks.

7.2.3 Through block link

- The site includes a complex of former factories and warehouses and the dog-leg laneway of Little Pelham Street.
- The proposal involves full demolition of the heritage buildings to the south of the laneway and partial demolition of the heritage buildings to the north of the laneway, including the removal of sawtooth roofs and wholesale changes to the laneway in terms of its openness and single level access.
- Better recognition of Little Pelham Street, a key element of this heritage collective, is required. The through block link should offer greater access to natural light and be devoid of complex level changes, achieved through a revision to the parking and servicing arrangements.

7.2.4 Street interface

- The development features large expanses of planar glass to all aspects, which offer limited relationship with the surrounding context.
- The timber behind the glazing will not be readily evident and nonetheless, does not offer a materiality or colouring consistent with the broader Carlton area.
- The ground plane is dominated by the management of the change in levels, an imposition of the vehicle access and parking and servicing in the basement, which also defines the southern portion of the Bouverie Street elevation.
- It is recommended that the necessity of the vehicle access be reviewed to provide for an improved streetscape address.
- Further review of the façade treatment is also recommended to offer a character that connects with the locality and distinguishes each solar aspect.

7.2.5 Parking and servicing

- The basement vehicle entry and service zone is off Bouverie Street. It is recommended that the development utilise a precinct parking strategy in conjunction with MBS and the University of Melbourne to either remove them altogether or to cater for the low volume of vehicle requirements elsewhere. If parking and servicing is to be provided in basement form, relocate the access further away from the through block link.

7.3 Traffic

7.3.1 Car parking provision, access and layout

- The provision of 4 car parking spaces is less than the maximum rates and is supported.
- Pedestrian sight triangles of 2m x 2.5m should be provided at the exit from the basement.
- The proximity of the through block link to the vehicle access is of concern, as it is likely to result in conflict between pedestrians and vehicles. This arrangement should be redesigned so that a 2m refuge is provided between through block link and the vehicle access.
- The road hump next to the vehicle access is unacceptable. Either the vehicle access should be located away from the road hump or the road hump should be relocated at the developer's expense.
- The door/gate to the basement should be either offset 6m from the title boundary or left open during peak periods to ensure entering vehicles don't stop in the street and obstruct pedestrians and traffic while waiting for the car park entry to open.
- All spaces, ramps, grades, transitions, accessways and height clearances must be generally in accordance with the Melbourne Planning Scheme or AS/NZS 2890.1:2004.
- A note should be placed on any permit stating: "Council will not change the on-street parking restrictions to accommodate the access/ delivery/ parking/ servicing needs of the development, as the restrictions are designed to cater for a number of competing demands and access requirements. Council reserves the right to change/ introduce restrictions to on-street parking in the future. As per Council's policy, student accommodation is not entitled to resident parking permits. Therefore, the students/ visitors/ staff of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions".

7.3.2 Motorcycle and bicycle parking provision, access and layout

- Some motorcycle parking should be provided to meet the likely demand.
- 168 bicycle parking spaces should be provided in accordance with Clause 52.34.

- The design and dimensions of the bicycle parking should comply with the relevant Australian Standards or Bicycle Network Guidelines.

7.3.3 Loading and unloading

- While on-site loading is supported in principle, a loading management plan should be prepared specifying how the access and egress of loading vehicles is to be managed. Ideally, a dock manager would be employed, responsible for controlling the operation of the loading bays and the loading and unloading of goods.
- The design of the loading bays, including all dimensions, grades and height clearances should comply with relevant standards for Commercial Vehicles (AS2890.2-2002).
- Further information is required to demonstrate sufficient height clearances for all access and egress movements, including cross sections etc.

7.3.4 Road safety audit

- A condition should be included on any permit requiring a formal, independent, desktop road safety audit of the development, prior to construction, at the developer's expense, which should include the vehicle/ bicycle/ pedestrian access and egress arrangements, loading arrangements, and internal circulation and layout. The findings of the audit must be incorporated into the detailed design, at the developer's expense.

7.4 Waste

- The Waste Management Plan (WMP) by irwinconsult dated 18 June 2019 is acceptable.
- The waste storage, processing and collection arrangements must be in accordance with the WMP. The WMP must not be altered without prior consent of the City of Melbourne – Waste and Recycling.

7.5 Civil

- The footpaths surrounding the site shall be reconstructed in asphalt (not bluestone paving as shown on the plans). Details of the streetscape works will be determined during a review of engineering drawings submitted to the City of Melbourne.
- The bluestone pitcher channel adjacent to the site along Pelham Street and Bouverie Street shall be reconstructed with a single row bluestone pitcher.
- We object to the seats adjoining the title boundary. The seats must be setback a minimum of 1m to maintain pedestrian movement along the footpath.
- We object to the stairs adjoining the title boundary. The stairs must be setback to enable tactile ground surface indicators to be installed within the property curtilage.
- The pedestrian crossing on Leicester Street requires the provision of access ramps on both sides of the street.
- To allow the provision of a DDA compliant footpath adjacent to the site, the developer shall determine the finished floor levels of the building and footpath in consultation with the City of Melbourne, prior to the commencement of development.
- The tree plots shall be redesigned to provide a safe environment for vehicular traffic.
- The maximum permissible width of a vehicle crossover without a pedestrian refuge is 7.6m. Crossovers wider than 7.6m should include pedestrian refuges a minimum of 2m in length at 7.6m maximum spacings.
- The shape of the vehicle crossover does not meet current standards. The bluestone straight edges shall be redesigned perpendicular to the building line. The access ramps on both sides of the crossover should be removed from the plans.

- The vehicle crossover is located next to the speed hump, which shall be relocated to the satisfaction of the City of Melbourne.
- The plans should not include the pedestrian crossing next to the through block link. The crossing may mislead pedestrians to think that they can cross the road at this location.
- The footpath adjacent to the through block link shall be redesigned in asphalt to provide a continuous surface treatment along the street.

7.5.1 Conditions

- Pelham Street, Bouverie Street and Leicester Street footpaths
- Street levels not to be altered without approval
- Street lighting not to be altered without approval
- Street furniture not to be altered without approval
- Demolish and construct access
- DDA compliant footpaths
- Public lighting

7.6 Urban Forest & Ecology

- The street trees are supported in principle, especially along Pelham Street.
- The key to the street trees along Pelham Street realising their potential will be the provision of appropriate soil volume, permeability of surrounding surfaces and no above ground obstructions to growth. Increased soil volumes with structural soils and continuous trenches, have been implemented with new tree planting on Leicester Street. In this regard, the plans should be amended to show continuous trenches, structural soils and permeable surface designs. Additionally, the undergrounding of the overhead power lines on Pelham Street should be confirmed and shown on the plans.

7.6.1 Conditions

- Tree protection plan
- Tree protection plan bank guarantee
- Tree protection zone

7.7 ESD & Green Infrastructure

The development has excellent ESD targets, supported by a well-documented submission.

The commitment to certification and achievement of a 6 star rating will ensure that the project realises an exemplary level of sustainability in design and operation.

Evidence of the Green Star Project Application (GBCA) registration should be submitted to the Responsible Authority in consultation with City of Melbourne.

The location of the solar PV system should be shown on the plans.

The rainwater tank capacity and associated infrastructure should be shown on the plans.

The species selection for the vegetation along Pelham Street and the ability of plants to thrive to the degree shown in the project visualisations is of concern. The southern aspect and degree of overhang means that landscaping in this location will receive little to no direct sunlight. The landscape drawings and species selections indicate that low light or partial shade species are to be selected, however given the public facing nature of the area, assurances that the vegetation will be maintained and replaced if found to be inappropriate will need to be made.

The ESD report outlines that the project achieves compliance with Clause 22.23 and includes a compliant WSUD report with MUSIC modelling.

7.7.1 Conditions

- Condition 1 amended plans to show the location of the solar PV system and the rainwater tank capacity and associated infrastructure.
- GBCA registration
- Verification of certified Green Star rating
- Implementation of ESD and WSUD initiatives
- Landscape maintenance plan and irrigation performance specification

7.8 City Design

- The indicative landscape works are at ground level and on the upper levels. The ground level landscaping is comparatively small compared to the relatively hidden upper levels.
- The character of the ground level landscaping does not reflect the public realm as it derives from the need to manage the interface between the elevated ground floor level and the surrounding streets rather than the use of materials from these streets and adjacent public parks.
- All of the landscaping is on structure except a minor area on Bouverie Street. It is expected that a schematic design with details of species, their locations, soil depths and volumes will be provided to demonstrate the feasibility of the landscaping and show coordination with the architectural design.
- The plans show the surrounding footpaths as bluestone paving, implying a change from the existing asphalt. City Design is not aware of any plans for bluestone paving in this area and support continued use of asphalt.

8 ASSESSMENT

The key issues in the assessment of the application are:

- Use of the land for an indoor recreation facility (gym).
- Heritage, including the extent of demolition, the scale, form and appearance of the development and the impact on the significance of the heritage place.
- An assessment against the design objectives, built form controls and built form outcomes of DDO61-A4.1 and the urban design policies.
- The impact on the amenity and equitable development of the adjoining properties.
- An assessment against the student housing policy.
- Wind and shadow impacts.
- Parking, loading and waste.
- Environmentally sustainable design.
- Potentially contaminated land.

8.1 Section 2 land use (gym)

The site is located in the CCZ5 where a permit is required to use the land for an indoor recreation facility (gym).

The application form and development summary include a 961sqm gym, but the gym has not been shown on the plans.

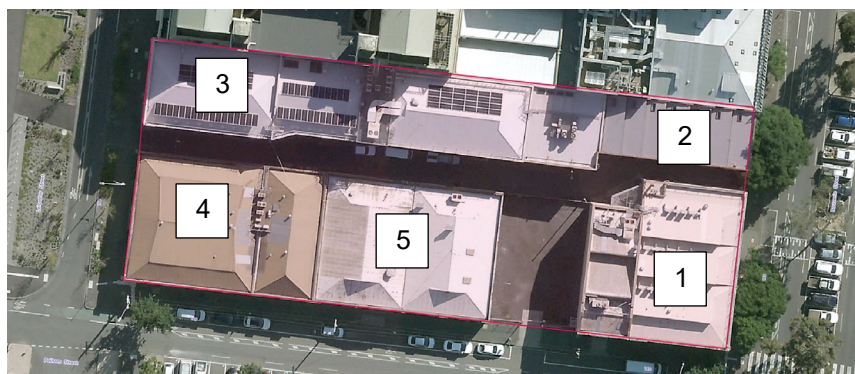
While the provision of a gym is supported in principal, further information is required regarding:

- The location.
- The operating hours.
- The number of staff and patrons.
- Noise impacts and attenuation, if required.

Without this information, this use cannot be appropriately assessed or approved.

8.2 Heritage

The site is affected by HO1121 and contains five buildings:



1. 183-189 Bouverie Street (non-contributory)
2. 193-195 Bouverie Street ('C' graded)
3. 174-178 Leicester Street ('C' graded)
4. 168 Leicester Street (graded 'contributory')
5. 160-170 Pelham Street (graded 'contributory')

Aerial Photograph (Source: Council's GIS dated April 2020)

The buildings to the south of Little Pelham Street are subject to Part A of Clause 22.04 (Heritage Places within the Capital City Zone) and the buildings to the north are subject to Part B. However for the purposes of this assessment, Part A is applied to the site.

8.2.1 Demolition, alterations and relationship to the retained heritage fabric

Policy context

In relation to demolition, it is policy that full demolition of contributory buildings will not normally be permitted. Partial demolition of significant elements and the front or principal part of contributory buildings will not generally be permitted. The front or principal part of a non-residential building is considered to be one structural bay in depth, including the structure and roof or 8-10m in depth. Retention of the three dimensional form is encouraged; facadism is discouraged.

In relation to alterations, it is policy that external fabric that contributes to the aesthetic, historic or social significance of the heritage place or any visible part of a contributory building should be preserved. Removal of paint from original unpainted masonry is encouraged provided it can be undertaken without damage to the heritage place.

In relation to restoration and reconstruction, it is policy to encourage the restoration and/or reconstruction of a heritage place. Any reconstructive or restoration buildings and works to any visible part of a contributory building should form part of an authentic process based on evidence of what a building originally looked like or should not preclude such a process in future.

In relation to new buildings, it is policy that they do not extend into the air space directly above the front or principal part of a contributory building.

Assessment

183-189 Bouverie Street is non-contributory and demolition of the building is supported.

193-195 Bouverie Street is 'C' graded. It appears that the front façade and return walls will be retained to a depth of 26m. The floor structures and sawtooth roof with highlight windows will be demolished. The retained facades will be integrated into the development as a two-storey retail tenancy (ground floor and mezzanine) with a terrace above (level 1). The 'podium' element of the new building is setback 6m from the retained front façade and 5m from the retained north elevation.

The proposed demolition does not comply with Clause 22.04. It does not retain the three dimensional form of the front or principal part of the contributory building and results in facadism. It is recommended that the floor structures and sawtooth roof be retained to a depth of 10m as this would maintain an appreciation of the original levels and provide for the retention of the front three sections of the sawtooth roof. The sawtooth roof contributes to the long-term conservation of the significant fabric and will be visible from the outdoor terrace on level 1 and lower levels of the 'podium'.

A variation of 2m for the extension into the air space above the front or principal part of the contributory building is considered acceptable having regard to the 5m setback from the north boundary (side).

Further information is required regarding the alterations to the retained facades, including but not limited to, if the paint will be removed from the front façade and if the steel framed windows will be retained and reinstated.

174-178 Leicester Street is 'C' graded. It appears that the front façade and return walls will be retained to a depth of 8m. The floor structures and roof will be demolished. The retained facades will be integrated into the development as a retail tenancy on the ground floor and an outdoor terrace on level 1. Council's Heritage Advisor has noted that new floor level to the outdoor terrace appears to cross the front windows. It appears that the side elevation to Little Pelham Street will be demolished and reconstructed in an altered form to accommodate the basement construction and openings to new floor levels. The 'podium' element of the new building is setback 8m from the retained front façade.

The proposed demolition does not comply with Clause 22.04. It does not retain the three dimensional form of the front or principal part of the contributory building and results in facadism. It is recommended that the floor structures and first floor, including the pitched roof be retained to a depth of 8m to maintain an appreciation of the original levels and the three dimensional form.

The 'podium' element of the new building is appropriately setback from the front or principal part of the contributory building.

Further information is required regarding the alterations to the retained facades, including but not limited to, if the paint will be removed from the front façade and if the steel framed windows will be retained and reinstated.

168 Leicester Street and 160-170 Pelham Street and both graded 'contributory' and will be demolished.

The proposed demolition does not comply with Clause 22.04, which contains policy that full demolition of contributory buildings will not normally be permitted. Council's Heritage Advisor recommended that the front or principal parts of the contributory buildings could be demolished provided the face brick walls to Little Pelham Street were retained and the new built form defined the Leicester Street and Pelham Street frontages. While the existing frontages to Little Pelham Street have historic and aesthetic significance and contribute to the significance of the precinct, this approach is contrary to policy and does not appear to be feasible given the location of the basement and core. It is recommended that, at minimum, the Leicester Street and Pelham Street walls are retained and restored as the alterations do not appear to be irreversible and they hold the corner and define the street edge. It is considered that the restored frontages to Leicester Street and Pelham Street would enhance the significance of the contributory buildings and heritage precinct, and their appreciation from the public realm. Ideally, the existing buildings would be retained to a depth of 6m,

including the floor levels and roofs that are visible above the parapets to maintain the three dimensional form of the contributory buildings. The 'podium' element above should be setback 6m so not to encroach into the air space.

Conditions requiring a structural engineer's report and bond for the retained heritage fabric and a conservation management plan for the restoration and reconstruction works are recommended should a permit be issued.

8.2.2 New building

Policy context

It is policy that new buildings are in keeping with the 'key attributes' of the heritage precinct such as the prevailing height, mass, form, architectural expression, materials and details. New buildings should not visually dominate or visually disrupt the appreciation of a heritage place. The design of new buildings should adopt a high quality and respectful contextual design. Contextual design is defined as a design approach derived through analysis of the subject property and its heritage context. Such an approach requires development to comfortably and harmoniously integrate with the site and streetscape.

Assessment

The location, scale, form and appearance of the new building will adversely affect the significance of HO1121 (Little Pelham Street Precinct) and the surrounding heritage places, including HO1 (Carlton Precinct) to the west, HO84 (Former C Huppert & Co. Factory) across Pelham Street and the broader Carlton area.

The height, mass, form, architectural expression, materials and details do not adopt a high quality, site responsive and respectful contextual design derived through an analysis of the subject property and its heritage context.

The height and mass of the new building will visually dominate and overwhelm the retained heritage fabric.

The monolithic scale and form of the new building will adversely affect the fine grain of the precinct and the broader Carlton area.

The new building does not comfortably and harmoniously integrate with the site and streetscapes.

The setbacks at ground and 'podium' levels fail to hold the corners and define the street edges, which is characteristic of the built form adjoining Lincoln Square and University Square and along Pelham Street, including the heritage places within HO1, HO84, HO122 and HO1121.

The architecture, materials and details, including the angled and vertical 'cuts', curtain wall glazing, timber clad blind mullions and exposed concrete columns are not in keeping with or respectful of the grain, fabric, materiality and history of the heritage places. The CLT behind the glazing will not be readily evident and nonetheless, does not offer a materiality or colouring consistent with the broader Carlton area.

The through block link is not in keeping with the social, historic and aesthetic significance of Little Pelham Street, including the street form, bluestone materials, continuous slope, single level access, descending adjoining built form, openness and sightlines.

The development will not conserve and enhance the elements that contribute to the significance of the heritage place, and the new building does not justify the full and partial demolition of the existing heritage buildings.

8.3 Built form and urban design

DDO61-A4.1

The site is affected by DDO61-A4.1, which includes the following design objectives relevant to the site:

- 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.
- 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 appropriately responds to the existing context, character, interfaces and amenity with suitable building heights and setbacks.
- To ensure development respects the heritage fabric of the area and that new buildings that adjoin heritage buildings respect their scale, character and proportions.
- To develop a fine grain urban form by encouraging buildings with wide street frontages to be broken into smaller vertical sections.
- To ensure university, research and medical buildings integrate with the public realm.
- To provide passive surveillance and ground floor activation addressing the streets.
- To ensure development allows good levels of daylight and sunlight to penetrate the streets and the lower levels of the 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.

Pursuant to Part 2.0 to DDO61, all buildings and works requiring a permit should:

- be constructed in accordance with the preferred building height, street wall height and upper level setback requirements identified in Table 1; and
- meet the design objectives and design requirements set out in Table 2.

8.3.1 Table 1 to DDO61

An assessment against the preferred built form controls and built form outcomes of Table 1 to DDO61 is provided below.

DDO Area	Building height	Street wall height and upper level setback	Built form outcomes
4.1	40m	24m street wall height to Pelham, Bouverie and Leicester Streets Any part of the building above 24m setback 6m from the street	Development that: <ul style="list-style-type: none"> • Creates stronger definition to the streetscape. • Complements the existing character established by the university, research and medical buildings. • Ensures sunlight reaches the lower levels of new developments. • 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.

			<ul style="list-style-type: none"> Provides a street edge height that integrates new development with lower scale heritage buildings.
<p>Assessment:</p> <p>The development exceeds the preferred building height by 19.5m to 21.6m (59.5m to 61.6m high on the Pelham Street elevation, including plant).</p> <p>The development exceeds the preferred street wall height to Pelham Street by 11.8m to 13.8m (35.8m to 37.8m high, including balustrades).</p> <p>The development satisfies the preferred upper level setback to Pelham Street (6m).</p> <p>The development exceeds the preferred street wall height to Bouverie Street by 13.2m to 13.9m (37.2m to 37.9 high, including balustrades).</p> <p>The development satisfies the preferred upper level setback to Bouverie Street (14.7m to 15.1m).</p> <p>The development exceeds the preferred street wall height to Leicester Street by 9.9m to 11.5m (33.9m to 35.5m high, including balustrades).</p> <p>The development satisfies the preferred upper level setback to Leicester Street in part (5.3m to 11.1m).</p> <p>The development exceeds the preferred building height and street wall height by 50%. The proposed variations are not supported for the following reasons:</p> <ul style="list-style-type: none"> The development dominates the retained heritage buildings. The development dominates the heritage building at 157-165 Pelham Street. The development does not appropriately respond to the features of the site and its context, including: the existing heritage buildings and laneway on the site; the scale, character and proportions of the surrounding built form; and the overshadowing constraints provided by the public parks and major pedestrian routes. The 'podium' element exceeds a 1:1 building height to street width ratio and does not provide a pedestrian friendly scale along the street frontages. The development does not provide a fine grain to Pelham Street that has a 101.1m street frontage. The variations to the built form controls significantly increase overshadowing to Lincoln Square and Pelham Street. The development is not located along the Victoria Street, Flemington Road, Elizabeth Street and Swanston Street tram corridors, around the Grattan and CBD North metro rail stations, or the Haymarket public transport interchange where higher density development is encouraged. 			

8.3.2 Table 2 to DDO61

An assessment against the design objectives and design requirements of Table 2 to DDO61 is provided below.

Building heights, setbacks and scale

Assessment:

- The development will not reinforce the built form character of the area for the reasons set out in section 8.3.2 of this report.
- The height of the 'podium' element and its setbacks from the street frontages will not establish a generally consistent built form to the street edge to create a strong sense of definition and place.
- The development does not respect the scale, rhythm, character and proportions of the heritage buildings on site or in the surrounding streetscapes.
- The development does not retain the existing heritage street walls.
- While the floor-to-floor heights exceed 4m on the ground floor and 3.2m on the upper levels

ensuring they can be adapted to a range of uses, the notable floor-to-floor heights contribute to the overall height of the development.

Level	Floor-to-floor height
Ground floor, including mezzanine	8.9m
Levels 1-5	4.4m
Level 6	4.5m
Level 7	6m
Level 8	5m
Levels 9-10	3.8m
Level 11	5m

Building facades and street frontages

- The development does not express a fine grain and minimise the dominance of the wide building frontage to Pelham Street. The form and curtain wall glazing present a single building outcome. The angled and vertical 'cuts' do not adequately break-up the perceived bulk and mass. The CLT will not be readily evident behind the glazing.
- The recessed glazing line, varying levels, and seating and landscaping along the street frontages minimise the ground plane activation with the street.
- The building facades do not maintain the continuity and traditional character and vertical rhythm of the existing buildings and streetscapes.
- The plant and services have been considered as part of the overall design and absorbed within the building and screened from public view as far as practicable.

Active and safe street frontages

- The ground floor contributes to city safety by providing activity and lighting. However, the recessed glazing line, varying levels, and seating and landscaping along the street frontages minimise the ground plane activation with the street.
- The development provides windows and terraces facing the street frontages.
- Parking and servicing is located within the basement.
- The vehicle crossover on Bouverie Street minimises the impact on the street frontages in terms of the number and location of crossovers. However, the proximity to the through block link creates a conflict between vehicles and pedestrians, and the crossover must be redesigned in accordance with the requirements set out in sections 7.3 and 7.5 of this report.
- The recessed and indented glazing line and exposed columns create alcoves and spaces that cannot be observed by pedestrians. The glazing is unlikely to be as transparent as depicted in the renders.

Provision of public places

- While the development provides seating and landscaping along the street frontages:
 - Pelham Street is unlikely to be a location where people will want to stop and stay. Public places that relate to the entrances, solar and park aspects are more attractive and intuitive.
 - Landscaping along Pelham Street will receive little to no direct sunlight given the southern aspect and cantilevered built form.
 - Ideally, the existing heritage street walls would be retained.
 - Alternatively, the 'podium' element would be built to the street frontages to establish a generally consistent built form to the street edge to create a strong sense of definition and place.
 - The recessed and indented glazing line and exposed columns create alcoves and spaces that

cannot be observed by pedestrians. The glazing is unlikely to be as transparent as depicted in the renders.

- Any seating and landscaping adjoining the street frontages should be appropriately setback from the title boundaries to maintain pedestrian movement along the footpath.

Sunlight to public places

- DDO61 states that buildings and works should not cast a shadow between 11am and 2pm on 22 March and 22 September over: public parks; major pedestrian routes, including streets and lanes; and publicly accessible, privately owned plazas. A permit may only be granted if the overshadowing will not prejudice the amenity of the area. Overshadowing is assessed in section 8.7 of this report.

Pedestrian links

- The through block link does not provide single level access and a line of sight from one end to the other due to the dog-leg and the 2.9m change in levels that appears to be a result of the vehicle access. The through block link should be redesigned to provide single level access and a line of sight between Lincoln Square and University Square.
- The proximity of the through block link to the vehicle access is likely to result in conflict between pedestrians and vehicles. A 2m refuge should be provided between through block link and the vehicle access.
- Further information is required to determine the days and hours for which the through block link will be publicly accessible.
- Further information is required to determine if a bluestone kerb and channel will be maintained in the through block link.
- The width and height of the through block link is acceptable i.e. at least 3-6m wide and 7.6m high, albeit concerns regarding single level access and sightlines.
- The through block link is flanked by active uses.

Weather protection

- While not identified in Map 1, Pelham Street is considered a major pedestrian route due to its location between the Swanston Street tram routes and the Haymarket public transport interchange, and its location between Lincoln Square and University Square. It is considered that new development along this street frontage should provide weather protection. Weather protection would not be required if the existing heritage street walls were retained as this would interfere with the integrity and character of the buildings.

8.4 Urban design policies

It is considered that the urban design policies at Clause 22.01 relating to: building envelope; building design; pedestrian permeability and connectivity; facades; city and roof profiles; projections; wind and weather protection; public spaces; and access and safety are consistent with and adequately addressed by the provisions within DDO61. As such, no further assessment is required.

8.5 Amenity impacts and equitable development

The planning policies encourage development that considers the amenity and development potential of adjoining sites.

The site has two adjoining properties to the north:

- 200 Leicester Street that is developed with a four-storey building occupied by MBS.
- 203 Bouverie Street that is developed with a two-storey building occupied by the University of Melbourne.

The development has a seven-storey boundary wall adjoining 200 Leicester Street that appears to be the retained side elevation of 174-178 Leicester Street and curtain wall glazing above. A terrace is located on level 7. Level 8 is setback at least 7.5m. Levels 9-11 are

setback at least 5.4m. A condition requiring a S173 Agreement is recommended for the windows on the boundary. It is noted that the development should not expect the adjoining property to mirror the terrace on level 7 or the central lightwell adjoining the north boundary.

The development has a two-storey boundary wall adjoining 203 Bouverie Street that appears to be the retained side elevation of 193-195 Bouverie Street. A terrace is located on level 1. Levels 2-7 are setback at least 5m. Level 8 is setback at least 7.3m. Levels 9-11 are setback at least 5.1m. The solid boundary wall and upper level setbacks provide for the equitable development of the adjoining property. It is noted that the development should not expect the adjoining property to mirror the terrace on level 1 or the central lightwell adjoining the north boundary.

8.6 Student accommodation

The development contains 78 lodging rooms on levels 9 and 10. The Town Planning and Urban Context Report by Contour Consultants Aust Pty Ltd dated August 2019 describes the accommodation as student housing.

An assessment against student housing policies at Clause 22.24 is provided below.

Bicycle, motorcycle and car parking, and loading and unloading

- The development does not provide at least 1 bicycle parking space per student for the student housing component of the development as set out in the Traffic Impact Assessment by irwinconsult dated 19 June 2019. Bicycle parking is provided in accordance with the statutory requirement for residential buildings i.e. 1 resident space plus 1 visitor space to each 10 lodging rooms, which equates to a total of 16 bicycle parking spaces for 78 lodging rooms (a rate of 0.2 spaces per student), which is not supported. Bicycle parking is discussed further at section 8.8.3 of this report.
- The development does not provide motorcycle parking to meet the likely needs of the development, including the student housing component.
- Four car parking spaces are located within the basement. It is not clear if any of the spaces are allocated to the management and servicing needs of the student housing. Zero spaces would be supported given the site is well served by public transport.
- Loading and unloading is discussed at section 8.8.4 of this report.

Students' rooms

- The lodging rooms range in size between 22m² and 33m², including ensuites. The rooms exceed the minimum floor space of 10.8m², excluding ensuites and kitchens.
- The size and layout of the rooms comfortably accommodates:
 - A bed, accessible from a long side;
 - A study area with a desk and bookshelf;
 - A robe or drawer for storing clothing and personal items; and
 - A computer and TV.
- The smaller rooms do not accommodate a table or bench to eat separate from the study area, which is acceptable given the overall size of the rooms.
- Every room has an external window for daylight and natural ventilation. The study areas have access to daylight from an external window.
- The rooms are not overlooked from the same building or an adjoining property.
- Secure, long term storage does not appear to have been provided.

Shared facilities

- The development does not provide laundry facilities. The Town Planning and Urban Context Report by Contour Consultants Aust Pty Ltd dated August 2019 notes that a laundry service will be provided similar to a residential hotel.

- While a kitchen and dining/ social room is provided on level 11, these facilities do not appear to be associated with the student housing. The Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19 June 2019 describes the space as an 'informal setting for students, staff and business and industry leaders to interact and entertain. MBS social will contain an array of different programs from dining to boardrooms and presentations that will take advantage of the notable views'. As such, the student housing component of the development does not appear to have individual or shared cooking and dining facilities, which is not supported.

Communal indoor and outdoor areas

- It is policy that students have access to communal indoor and outdoor areas that are safe, accessible, well designed and appropriately maintained. One way to comply with this policy is to provide:
 - Indoor space at a rate of 15m² for every 12 students. This equates to 97.5m² indoor space for the student housing component.
 - Outdoor space at a rate of 2.5m² per student. This equates to 195m² outdoor space for the student housing component.
- The Town Planning and Urban Context Report by Contour Consultants Aust Pty Ltd dated August 2019 does not identify any communal indoor areas but identifies the communal outdoor areas as the winter gardens on levels 9 and 10 and the rooftop terrace adjoining the restaurant on level 11. However, a restaurant is not clearly shown on level 11 and the Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19 June 2019 describes level 11 as a space for a different programs from dining to boardrooms and presentations.
- Having reviewed the plans, there does not appear to be any communal indoor areas allocated to the student housing component whereas individual and communal outdoor areas include:
 - 30 of the 78 lodging rooms have a north-facing terrace that ranges in size between 8m² and 10m². This equates to approximately 270m² private outdoor space.
 - Levels 9 and 10 each have two south-facing winter gardens that are 35m² each. This equates to 140m² communal outdoor space.
- While students may have access to the facilities and amenities within the building, it is important that they have a dedicated communal indoor area that promotes social interaction away from the facilities and amenities that are available to the 2,355 other students within the building. 97.5m² communal indoor space for the student housing component is relatively small compared to the overall program and should be readily provided.
- The private and communal outdoor areas for the student housing component are acceptable, on balance, as the total area exceeds the minimum requirement by 215m² and the site is located between Lincoln Square and University Square.

The absence of laundry, cooking and dining facilities, and communal indoor areas for the student housing component of the development with 78 lodging rooms does not provide a healthy and well managed environment with sufficient space and amenity for the reasonable requirements of the students.

8.7 Wind and shadow impacts

8.7.1 Wind

The planning policies seek to ensure that development minimises the adverse impacts of wind on the public realm.

Three wind reports have been submitted:

- Environmental Wind Speed Measurements on a Wind Tunnel Model of the Melbourne Business School Development, Carlton by Mel Consultants Pty Ltd dated May 2019 (Report 55-19-WT-ENV-00).
- Addendum A to Report 55-19-WT-ENV-00 by Mel Consultants Pty Ltd dated June 2019.

- Environmental Wind Considerations for Amended Design by Mel Consultants Pty Ltd dated 30 August 2019.

8.7.2 May 2019 wind report

The May 2019 wind report recommends the following criteria:

- Pedestrian transit areas: walking criterion
- Building entrances: standing criterion
- Outdoor terraces: sitting criterion

The May 2019 wind report concludes:

- The wind conditions along Pelham Street meet walking criterion (nos. 1, 6, 8, 9, 10, 11, 12 and 24), with one location achieving standing criterion (no. 1) and one location achieving sitting criterion (no. 11).
- The wind conditions along Bouverie Street pass walking criterion (nos. 3, 4, 15 and 19), with all locations achieving standing criterion.
- The wind conditions along Leicester Street meet walking criterion (nos. 7, 17 and 18), with one location achieving standing criterion (no. 17).
- The wind conditions within Lincoln Square meet walking criterion (nos. 14 and 20).
- The wind conditions within University Square meet walking criterion (no. 13).
- The wind conditions at the Pelham Street entrance meet standing criterion (no. 5).
- The wind conditions at the Bouverie Street entrance meeting standing criterion (no. 2).
- The wind conditions at the Leicester Street entrance achieve sitting criterion (no. 22).
- The wind conditions for the west-facing outdoor terrace (level unknown) meet standing criterion (no. 21). Localised screening is required for outdoor dining.
- The wind conditions for the south-facing outdoor terrace (level unknown) meet walking criterion (no. 23). Localised screening is required for outdoor dining.

A map of the test locations and wind conditions from the May 2019 wind report is provided below.



Test locations and wind conditions for the proposed development (Source: Environmental Wind Speed Measurements on a Wind Tunnel Model of the Melbourne Business School Development, Carlton by Mel Consultants Pty Ltd dated May 2019 (Report 55-19-WT-ENV-00))

Officer comment:

The May 2019 wind report does not appear to have assessed the east or north-facing outdoor terraces. Further, there are a number of terraces on different levels and it is unclear which west and south-facing terraces have been assessed.

8.7.3 June 2019 wind report

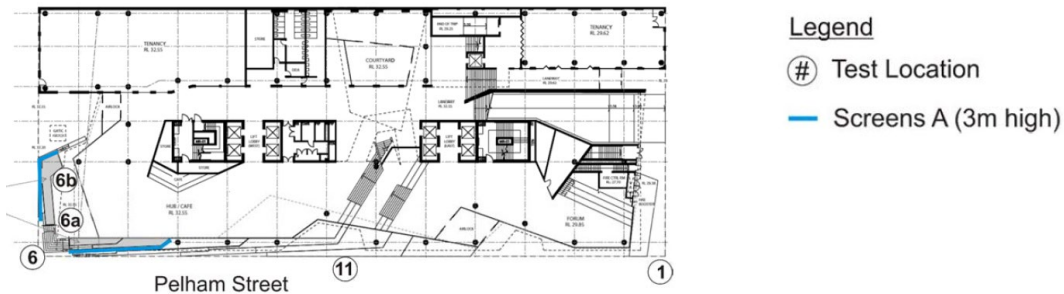
The June 2019 wind report considers an amended ground floor and the outdoor terraces.

The June 2019 wind report concludes:

- The wind conditions along Pelham Street meet walking criterion (nos. 1, 6 and 11).
- The wind conditions for the outdoor terrace on the ground floor in the southwest corner meet standing criterion (nos. 6a and 6b), subject to 3m high screens/ landscaping (50% porosity) in the locations marked with a blue line.
- The wind conditions for the outdoor terrace on level 7 meet walking criterion (nos. T1 to T7), except for one location (no. T5). A 3m high wind-break screen is required to reduce the wind conditions at T5 to standing criterion. An additional 3m high wind-break screen is recommended to reduce the wind conditions at T10 from walking to standing criterion. The locations of the 3m high wind-break screens are marked with a green line. It is noted that the report also recommends increasing the height of the balustrades from 1.2m to 2.4m around three locations (nos. T1, T7 and T10) but this has not been shown.
- The wind conditions for the outdoor terrace on level 11 meet standing criterion (nos. T8 and T9).

Plans showing the wind test locations from the June 2019 wind report are provided below.

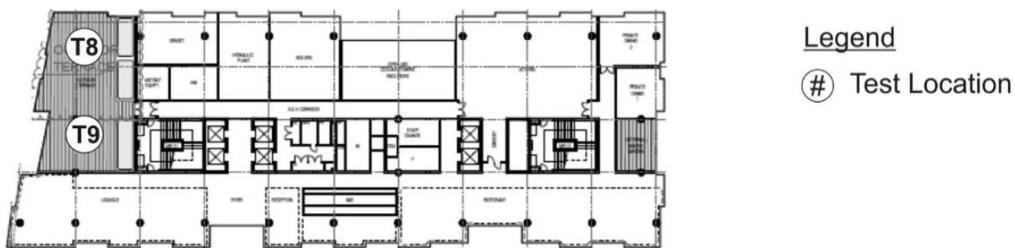
Wind test locations for the proposed development (Source: Addendum A to Report 55-19-WT-ENV-00 by Mel Consultants Pty Ltd dated June 2019)



Ground level test locations



Level 7 outdoor terrace test locations



Level 11 outdoor terrace test locations

Officer comment:

The southwest corner of the ground floor is shown as landscaping on the architectural plans rather than an outdoor terrace, which is supported as the 3m high screens/ landscaping required for a terrace would reduce the activity, visibility and openness of the area.

Wind-break screens to the outdoor terrace on level 7 are shown on the architectural plans, but not in the locations recommended by the wind report.

2.4m high balustrades to the outdoor terrace on level 7 at wind test locations nos. T1, T7 and T10 should be shown on the architectural plans, if they are required for wind mitigation. This change would increase the height of the 'podium' element.

Similar to the May 2019 wind report, it is not clear from the June 2019 wind report that the wind conditions on all outdoor terraces have been assessed, including the east-facing terraces on levels 1 and 11, and the north-facing terraces on levels 9 and 10.

8.7.4 August 2019 wind report

The August 2019 wind report considers an amended ground floor and outdoor terrace on level 7.

The August 2019 wind report concludes that:

- The outdoor terrace on the ground floor in the southwest corner has been replaced with landscaping and the 3m high screens/ landscaping are no longer required.
- Planter barriers have been added to the outdoor terrace on level 7 to divide the terrace into north and south sections. Sectioning the terrace ensures that if there are unfavourable conditions in the north section, the south section may still be accessed.
- A Building Management System (BMS) will be provided for the outdoor terraces on levels 7 and 11 that automatically restrict access during unfavourable conditions. The BMS could be set for conditions better than walking criterion i.e. sitting criterion.

Officer comment, including a summary of all three reports:

- The wind conditions on all outdoor terraces should be assessed and a BMS should be provided for all terraces that do not meet sitting criterion.
- The June 2019 wind report indicates that 2.4m high balustrades are required for the outdoor terrace on level 7 to meet walking criterion in location T7 and standing criterion in locations T1 and T10. The 2.4m high balustrades should be shown on the architectural plans, if they are required. This change would increase the height of the 'podium' element.
- The wind conditions at the building and through block link entrances meet or exceed standing criterion.
- The wind conditions at the pedestrian transit areas meet or exceed walking criterion.
- The development will not change the wind comfort at the test locations in Lincoln Square and University Square.

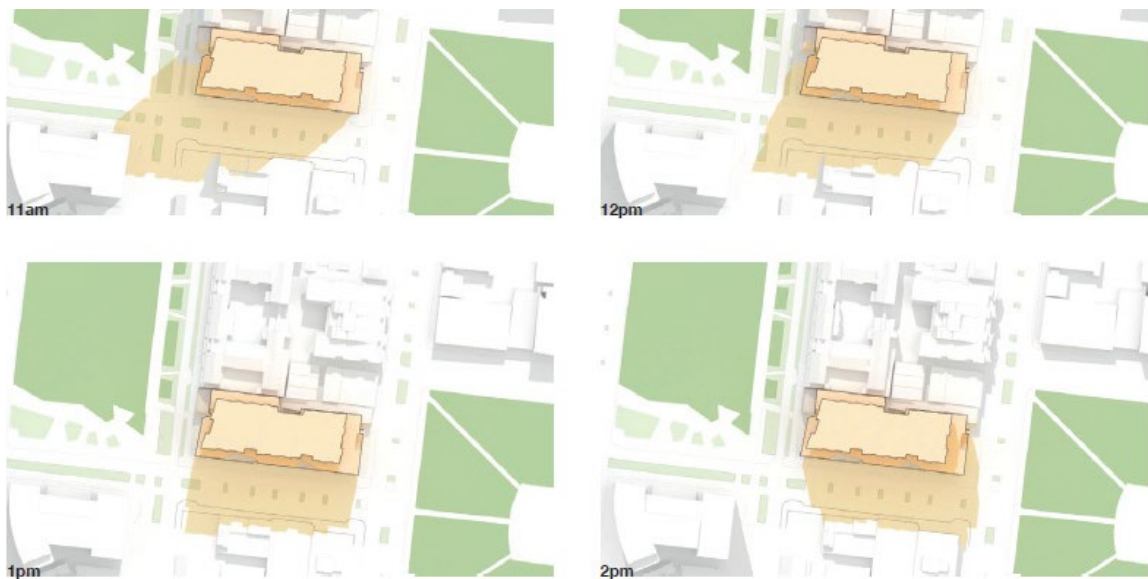
8.7.5 DDO61 overshadowing

DDO61 states that buildings and works should not cast a shadow between 11am and 2pm on 22 March and 22 September over: public parks; major pedestrian routes, including streets and lanes; and publicly accessible, privately owned plazas. A permit may only be granted if the overshadowing will not prejudice the amenity of the area.

The shadow diagrams for the 22 March and 22 September included in the Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19 June 2019 demonstrate that:

- The development will not overshadow Lincoln Square and University Square between 11am and 2pm on 22 March and 22 September. While the shadow diagrams do not represent the as-built, expanded Lincoln Square (to the north and south), the shadow will not extend beyond the footpath.
- The development will significantly overshadow the footpaths on the north and south sides of Pelham Street, between Bouverie Street and Leicester Street, between 11am and 2pm on 22 March and 22 September. This section of Pelham Street is considered to be a major pedestrian route due to the connection it provides between the Swanston Street and Haymarket, and the connection it provides between two public parks. It is considered that the overshadowing will prejudice the amenity of the area, and that the height of the development should be reduced and/or the scale of the development should be broken-up to reduce the overshadowing to the footpath on the south side of Pelham Street.

DDO61 shadow diagrams (Source: Architecture and Landscape Design Report by Woods Bagot Pty Ltd and McGregor Coxall dated 19/6/2019)



22 March shadow diagrams (11am to 2pm) note the overshadowing to the footpaths on the north and south sides of Pelham Street



22 September shadow diagrams (11am to 2pm) note the overshadowing to the footpaths on the north and south sides of Pelham Street

8.7.6 Amendment C278 overshadowing

While Amendment C278 is not 'seriously entertained', it demonstrates Council's desire to protect winter sunlight to public parks outside of the Central City, Southbank and Docklands.

While it is not appropriate to strictly apply the proposed controls, it is important to have regard to their provisions and ensure that the development does not prejudice the amenity of Lincoln Square and University Square.

As set out in section 5.1 of this report, the proposed DDO8 states that a permit cannot be granted for buildings and works that cast additional shadow onto Lincoln Square and University Square between 10am and 3pm on 21 June beyond the existing shadow or allowable shadow, whichever is greater.

'Existing shadow' is defined as any shadow cast by existing buildings and works.

'Allowable shadow' is defined as shadow that would be cast on the park between 10am and 3pm on 21 June by a street wall of a building on land abutting a park, built to the lower of any street wall or building height requirement specified in the planning scheme. The allowable shadow for the site is therefore the shadow cast by a 24m high street wall.

The shadow diagrams for the 21 June prepared by Woods Bagot Pty Ltd dated 30 August 2019 raise the following concerns:

- They do not represent the as-built, expanded Lincoln Square.
- The shadow cast from the 'DDO massing outcome' appears to reflect a DDO61 building envelope (i.e. 24m street wall height, 6m upper level setbacks and 40m building height), not a DDO61 street wall envelope (i.e. 24m high) as required by the proposed DDO8.
- No shadow calculations have been provided for the 'DDO massing outcome'.

As such, Council officers prepared a 3D model to assess the overshadowing to Lincoln Square at 2pm and 3pm, noting that the development will not overshadow Lincoln Square at 1pm and will not overshadow University Square. Council officers also considered the overshadowing from a DDO61 building envelope. The results are provided below.

Shadow analysis

	Applicant's shadow diagrams, excluding the expanded Lincoln Square	Council's shadow diagrams, including the expanded Lincoln Square
2pm 'allowable shadow' to Lincoln Square	Not provided	0m ²
3pm 'allowable shadow' to Lincoln Square	Not provided	963m ²
2pm proposed shadow to Lincoln Square	310m ²	1,153m ²
3pm proposed shadow to Lincoln Square	2,337m ²	4,077m ²
DDO61 building envelope 2pm shadow to Lincoln Square	Not provided	438m ²
DDO61 building envelope 3pm shadow to Lincoln Square	Not provided	2,782m ²

This assessment demonstrates that:

- The overshadowing to Lincoln Square at 2pm and 3pm on 21 June significantly increases when Lincoln Square is plotted in its as-built, expanded form.

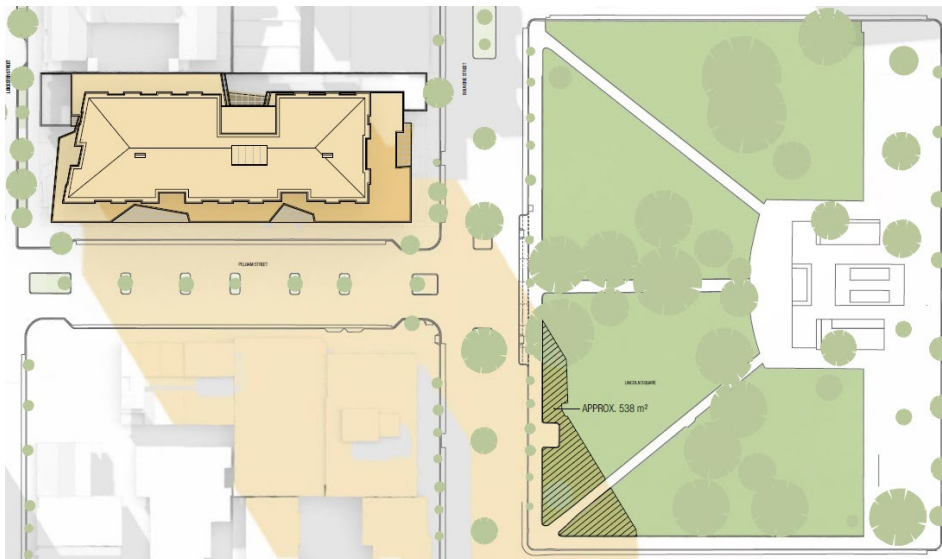
- The development exceeds the proposed mandatory overshadowing controls by approximately 1,153m² at 2pm and 3,114m² at 3pm on 21 June.
- The proposed variations to the built form controls in DDO61 increase overshadowing to Lincoln Square by approximately 715m² at 2pm and 1,295m² at 3pm on 21 June.

It is considered that the shadow cast by the development would unreasonably affect the amenity of Lincoln Square at 2pm and 3pm on 21 June.

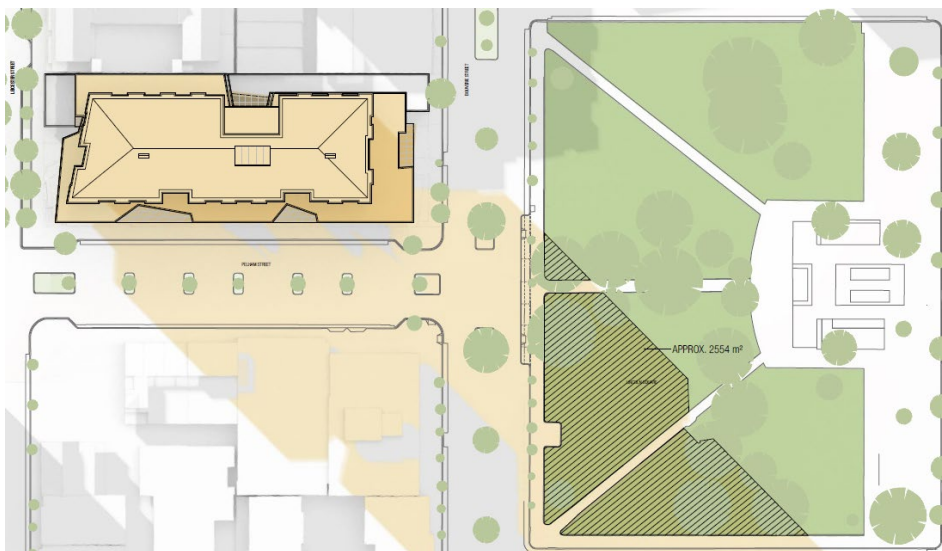
While the development is not expected to comply the mandatory provisions in the proposed DDO8, it is difficult to justify the proposed variations to the built form controls in DDO61 given the significant overshadowing impacts at 2pm and 3pm on 21 June coupled with the heritage and urban design concerns raised in sections 8.2 and 8.3 of this report.

Extracts from the applicant's shadow diagrams and Council officers 3D modelling are provided below.

Applicant's C278 shadow diagrams (Source: Shadow Diagrams by Woods Bagot Pty Ltd dated 30 August 2019)









Applicant's 2pm 21 June shadow diagram



Applicant's 3pm 21 June shadow diagram

Council's C278 shadow diagrams

	2pm 21 June	3pm 21 June
'Allowable shadow' (24m high street wall)		
Proposed development (38m high street wall, 6m upper level setback to Pelham St, 14m upper level setback to Bouverie St, 62m building height)		
DDO61 building envelope (24m high street walls, 6m upper level setbacks, 40m building height)		

8.8 Parking, loading and waste**8.8.1 Car parking**

PO1 provides a maximum car parking provision of 176 spaces for the site. The development provides four spaces, which is acceptable subject to access, layout and design considerations.

As set out in sections 7.2, 7.3 and 7.5 of this report, Urban Design, Traffic and Civil have raised a number of concerns with the vehicle access, not all of which can be dealt with via conditions. The following concerns should be addressed prior to the issue of any permit:

- The ground plane and through block link are dominated by the change in levels, including a 2.9m high set of stairs in the through block link that does not provide single level access. The proposed levels appear to be a result of the vehicle access for parking and servicing in the basement. The ground plane and through block link should be redesigned to provide single level access in the through block link.
- The proximity of the through block link and vehicle access results in conflict between pedestrians and vehicles. A 2m refuge should be provided between the through block link and the vehicle access.
- Pedestrian sight triangles of 2m x 2.5m should be provided at the exit from the basement.
- Further information is required to demonstrate sufficient height clearances for all access and egress movements, including cross-sections etc.

If the vehicle access for parking and servicing in the basement cannot be redesigned to provide single level access in the through block link and address the conflict between pedestrians and vehicles, it would be preferable for the four car parking spaces and loading bays to be deleted. Kerb-side waste collection and servicing would be supported.

While on-site waste collection is preferable due to the high volume of waste that will be generated by the development, if on-site collection could not be accommodated the Waste Team would consider collection from the kerbside provided a bin store was located adjacent to the street where a waste vehicle could legally stop to perform collections. Bins would need to be brought to the waste vehicle at the time of collection and returned to the bin store after collection.

8.8.2 Motorcycle parking

While there is no requirement to provide motorcycle parking, the provision of some spaces is recommended to meet the likely demand, subject to acceptable access, layout and design considerations.

8.8.3 Bicycle parking

The development generates a statutory requirement of at least 168 bicycle parking spaces and 2 showers as set out in the table below, noting that the number of employees for the gym has not been provided.

Statutory requirement for bicycle facilities

Use	Bicycle parking spaces	Showers
Education centre with 262 staff and 2,355 students	13 employee spaces 118 student spaces	1
Student accommodation with 78 lodging rooms	8 resident spaces 8 visitor spaces	n/a
Retail premises with 2,884m ² floor area	10 employee spaces 6 shopper spaces	1
Minor sports and recreation facility (gym) with 961m ² floor area. Number of staff not provided	? employee space 5 visitor spaces	0
Total	168	2

The development provides 164 bicycle parking spaces and 8 showers. As such, a permit is required for a reduction of bicycle parking (at least 4 spaces).

However, further to the statutory requirement at Clause 52.34 (Bicycle Facilities), the local policy for student housing is also relevant. Clause 22.24 (Student Housing Policy) requires at least 1 bicycle parking space per student for the student housing component of the development.

The bicycle parking rate for student housing in Clause 22.24 (1 space per lodging room) is greater than the rate for a residential building of four or more storeys in Clause 52.34 (1 resident space plus 1 visitor space to each 10 lodging rooms) i.e. 78 spaces compared to 16 spaces. The higher rate would increase the bicycle parking requirement from 168 spaces to 230 spaces.

The reduction of bicycle parking is not supported. It is recommended that the bicycle parking provision be increased to at least 230 spaces, ideally more to meet the likely demand, encourage sustainable transport modes, and complement the exemplar ESD initiatives.

8.8.4 Loading and unloading

Clause 65.01 requires consideration of the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Four loading bays are provided in the basement, including two 8.8m x 3.5m bays and two 6.4m x 3m bays.

While on-site loading is generally supported, in this instance the vehicle access for parking and servicing in the basement appears to be exacerbating the change in levels on the ground plane and in the through block link. As discussed in section 8.8.1 of this report, if the vehicle access cannot be redesigned to provide single level access in the through block link and address the conflict between pedestrians and vehicles, it would be preferable for the four car parking spaces and loading bays to be deleted. Kerb-side waste collection and servicing would be supported provided a bin store was located adjacent to the street where a waste vehicle could legally stop to perform collections. Bins would not be allowed to be placed kerbside for collection, they would need to be brought to the waste vehicle at the time of collection and returned to the bin store after collection.

8.8.5 Waste and recycling

Clause 22.19 requires a WMP prepared in accordance with the current version of the City of Melbourne's guidelines.

The Waste Team has advised that the WMP by irwinconsult dated 18 June 2019 is acceptable.

8.8.6 Public realm works

As set out in sections 7.5 and 7.6 of this report, Civil and Urban Forest & Ecology have provided comments and conditions for the public realm works outside of the title boundary, the details of which would be determined during a review of engineering drawings submitted to the City of Melbourne.

Civil has also raised concern with the works adjoining the street frontages and requested that:

- The seats adjoining the title boundary be setback a minimum of 1m to maintain pedestrian movement along the footpath.
- The stairs adjoining the title boundary be setback to enable tactile ground surface indicators to be installed within the property curtilage.

These changes are supported and could be addressed by permit conditions.

8.9 Environmentally sustainable design

Clause 22.19 requires that applications for buildings over 2,000m² GFA demonstrate that the building has the preliminary design potential to achieve the relevant performance measures set out in Clause 22.19-5.

Clause 22.19-5 requires the following performance measures for education centres over 5,000m² GFA, accommodation up to 5,000m² GFA and retail premises between 2,000m² and 5,000m² GFA:

- 5 points for Ene-1 credit under a current version of the Green Building Council of Australia's Green Star – Education rating tool or equivalent.
- 3 points for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Education rating tool or equivalent.
- 5 star rating under a current version of the Green Building Council of Australia's Green Star – Education rating tool or equivalent.

- 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent.
- 5 points for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Retail rating tool or equivalent.

Clause 22.23 requires that applications be accompanied by a water sensitive urban design response.

As set out in section 7.6 of this report, ESD & Green Infrastructure has advised that the development has excellent ESD and WSUD targets, supported by a well-documented submission.

The commitment to certification and achievement of a 6 star rating will ensure that the project realises an exemplary level of sustainability in design and operation.

Standard conditions are recommended to ensure the ESD and WSUD initiatives are achieved in the completed development.

8.10 Potentially contaminated land

Clause 13.04-1S (Contaminated and potentially contaminated land) seeks to ensure that contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

It includes strategy to require applicants to provide adequate information on the potential for contamination to adversely affect future land use if the land is known to have been used for industry, mining or the storage of gas, chemicals, wastes or liquid fuel.

The site contains a complex of inter-war and post-war factories and warehouses that were used for industry and may have included the storage of gas, chemicals, wastes or liquid fuel.

The ESD Town Planning Report by ARUP dated 18 June 2019 states that a contamination assessment will be undertaken and best practice remediation measures implemented where contamination is found. However, a preliminary environmental assessment has not been submitted with the application.

Conditions to address potentially contaminated land are recommended should a permit be issued.

8.11 Other

The permit applicant has suggest that, with regard to net community benefit, the policy support for a world class graduate business facility with an estimated cost of development of \$143 million and the construction and related jobs that it will generate outweigh the non-compliance with the preferred built form controls at DDO61 (and any other concerns relating to heritage, urban design, overshadowing etc.).

More specifically, the permit applicant has likened the proposal to Ministerial Planning Permit PA1900537 for 645-681 Elizabeth Street, Melbourne for a research and development centre occupied by CSL Limited that was considered by FMC on 3 September 2019.

While the site is located within the Parkville NEIC and 'City North', the projects are not comparable and the policy support for a university and accommodation building on the site does not justify variations to the preferred built form controls at DDO61 to the extent proposed or prevail over heritage, urban design, shadow and traffic matters etc.

The following key differences between the proposed development and the approved development at 645-681 Elizabeth Street are noted:

- The context and features of each site are different:
 - The approved development at 645-681 Elizabeth Street forms 'Stage 2' of the wider, three stage development of 611-691 Elizabeth Street located at Haymarket, which is

a gateway to the Central City and a public transport interchange where higher density and taller development is supported.

- 645-681 Elizabeth Street is not affected by the Heritage Overlay and did not contain heritage buildings.
- 645-681 Elizabeth Street is not located between public parks that create overshadowing constraints.
- The heritage significance and character of the Carlton area in which the subject site is located, including the varying property sizes, heritage places and park setting provides an entirely different context to 645-681 Elizabeth Street.
- The proposed development includes two storeys of student housing, which is not a university, research or medical use. Further, there are numerous student housing buildings located in close proximity to the site.
- Ministerial Planning Permit PA1900537 includes a condition requiring a S173 Agreement that requires level 1 and above to be used for research and development only.
- The approved development at 645-681 Elizabeth Street will not adversely affect the amenity, character or heritage significance of the area or public open spaces.

9 'WITHOUT PREJUDICE' PLANS

As set out in section 2.3 of this report, the most recent without prejudice plans were received by Council on 4, 8 and 9 September 2020.

The permit applicant and DELWP officers have advised that the revised plans are 'without prejudice' to the application and that the formal decision plans remain the RFI plans received 9 October 2019. The permit applicant is seeking a condition of permit to incorporate the changes detailed within these without prejudice plans.

While the without prejudice plans received 4, 8 and 9 September 2020 do not have formal status, the following assessment is provided.

It is noted that the following positive changes shown in the without prejudice plans received 19 June 2020 are not shown in the without prejudice plans received 4, 8 and 9 September 2020.

- A reduction in overall building height, including a 3m reduction in the floor-to-floor heights and deletion of one level in the 'podium' and one level in the 'tower'.
- The ground floor glazing line brought to Pelham Street and provided with a masonry base.

Unfortunately, the without prejudice plans received 4, 8 and 9 September were not accompanied by a statement of changes prepared by the architect or any technical reports. Further, the late submission of informal plans has not allowed time for referrals to heritage, urban design, traffic etc.

The without prejudice plans received 4, 8 and 9 September show the following key changes:

- The number of storeys in the 'podium' reduced by one and the number of storeys in the 'tower' increased by one, resulting in no change to the overall building height.
- The street wall height of the podium (Pelham Street elevation) reduced by 4.5m.
- The 'podium' setback from the east increased by 3m to 5m, creating a 9m wide forecourt at ground level.
- The 'tower' setback from the east increased by 27m to 27.4m, resulting in a reduction in the upper level building mass.
- The building 'skirt' reduced from two levels to one level.

- The number of ‘accommodation’ levels increased from two to three with a reduced floorplate.
- The number of bicycle parking spaces increased from 164 to 170.
- There appears to be a discrepancy between the south elevation and section B-B and the floor plans; the south elevation and section B-B show increased setbacks from the west that are not shown on the floor plans.

The key changes between the decision plans and the without prejudice plans is provided below.

	Decision plans (RFI plans received 9 October 2019)	Without prejudice plans (received 4, 8 and 9 September 2020)
Street wall height (Pelham St elevation)	8 storeys / 35.8m to 37.8m high, including balustrades	7 storeys / 31.3m to 33.3m high, including balustrades
‘Podium’ street setback from the east	6m and 4m	9m
‘Tower’ street setback from the east	15.1m to 14.7m	42.1m



Without prejudice section A-A received 4 and 8 September 2020 with DDO61 preferred street wall and building heights taken from the lowest street frontage (Boulevard Street)

The elevations and render show no change to the architectural expression, materials and details.

The shadow diagram for 10am on 21 June shows that the revised building envelope does not overshadow University Square.

The shadow diagram for 2pm on 21 June shows that the revised building envelope does not overshadow Lincoln Square, excluding the footpath. However, Amendment C278 proposes shadow controls between 10am and 3pm on 21 June and no shadow diagram has been provided for 3pm on 21 June when the overshadowing to Lincoln Square is greatest.

While significant changes have been made to increase the setbacks from the east and reduce the shadow to Lincoln Square at 2pm on 21 June, which are positive, the without

prejudice plans received 4, 8 and 9 September 2020 do not address the following key concerns:

- The absence of demolition plans and elevations.
- The absence of plans that show the external alterations to the retained heritage fabric.
- The full demolition of contributory heritage buildings.
- The partial demolition of the front or principal part of contributory buildings.
- The apparent facadism and how the new building responds to the retained heritage fabric.
- The overshadowing to the south side of Pelham Street between 11am and 2pm on 22 March and 22 September (DDO61).
- The apparent continued overshadowing to Lincoln Square between 2pm and 3pm on 21 June (Amendment C278).
- The scale, form and appearance of the development and the impact on the amenity, character and heritage significance of the site and surrounding area.
- The development does not adopt a high quality, site responsive and respectful contextual design derived through an analysis of the heritage context and the design objectives of DDO61.
- The through block link does not provide single level access and sightlines from one end to the other.
- The lack of communal indoor areas for the student housing component i.e. dedicated social spaces and laundry, cooking and dining facilities.
- Inadequate bicycle parking.
- Issues relating to the vehicle access and onsite parking and servicing, including: pedestrian sight triangles; height clearances within the basement; and the proximity of the through block link and the vehicle access, and the conflict that this creates between pedestrians and vehicles.

The changes required to address these concerns are significant, may result in unintended consequences and outcomes if not dealt with in an integrated manner, and are therefore not appropriately dealt with via conditions. The applicant is encouraged to holistically revisit the proposal with due regard and consideration of the detailed feedback that has been provided.

10 CONCLUSION AND OFFICER RECOMMENDATION

The subject site is located within the renewal areas of the Parkville NEIC and 'City North', but it is also located within the established area of Carlton.

While the renewal and expansion of the MBS facilities are positive and the development has excellent ESD and WSUD targets, the university and accommodation building is too large for the site, the design response does not justify the full and partial demolition of the heritage buildings, and the scale, form and appearance of the development will adversely affect the amenity, character and heritage significance of the site and surrounds.

The development exceeds the preferred street wall and building heights by 50% and the proposed variations to the built form controls in DDO61 significantly increase overshadowing to Lincoln Square at 2pm and 3pm on 21 June and Pelham Street on 22 March and 22 September. While the development is not expected to comply with the mandatory provisions in the proposed DDO8 to Amendment C278 Sunlight to Parks, it is difficult to justify the proposed variations to the built form controls in DDO61 given the significant overshadowing impacts to Lincoln Square coupled with the heritage and urban design issues.

Other issues relate to: the scale, form and appearance of the development; the full and partial demolition of the heritage buildings; the failure to provide single level access and sightlines in the through block link; the absence of laundry, cooking and dining facilities, and communal indoor areas for the student housing component of the development with 78 lodging rooms; insufficient bicycle parking; and traffic safety and urban design issues associated with the vehicle access.

Recommendations have been provided to assist the permit applicant where possible, however some matters cannot be dealt with by conditions and require the applicant to revisit the scheme.

It is considered that the proposal is inconsistent with the relevant sections of the Melbourne Planning Scheme. It is recommended that DELWP be advised that the City of Melbourne objects to the proposed full and partial demolition of the existing heritage buildings, construction of a new building for education, student accommodation, indoor recreation facility (gym) and retail (other than adult sex bookshop, hotel and tavern), and a reduction of bicycle parking at 150-170 Pelham Street, Carlton on the following grounds.

1. Scale, form and appearance

The scale, form and appearance of the development will adversely affect the amenity, character and heritage significance of the site and surrounding area, contrary to Clause 15 (Built Environment and Heritage), Clause 21.06 (Built Environment and Heritage), Clause 22.01 (Urban Design within the Capital City Zone), Clause 22.02 (Sunlight to Public Spaces), Clause 22.04 (Heritage Places within the Capital City Zone), Clause 43.01 (Heritage Overlay), Clause 43.02 Schedule 61 (Design and Development Overlay Schedule 61), and Amendment C278 to the Melbourne Planning Scheme (Sunlight to Parks).

2. Contextual design

The height, mass, form, architectural expression, materials and details of the new building do not adopt a high quality, site responsive and respectful contextual design derived through an analysis of the heritage context, contrary to Clause 15 (Built Environment and Heritage), Clause 21.06 (Built Environment and Heritage), Clause 22.04 (Heritage Places within the Capital City Zone) and Clause 43.01 (Heritage Overlay).

3. Demolition

The development will not conserve and enhance the elements that contribute to the significance of the heritage place, and the new building does not justify the full and partial demolition of the contributory buildings, contrary to Clause 15 (Built Environment and Heritage), Clause 21.06 (Built Environment and Heritage), Clause 22.04 (Heritage Places within the Capital City Zone) and Clause 43.01 (Heritage Overlay).

4. Through block link

The through block link does not provide single level access and sightlines from one end to the other, contrary to Clause 15 (Built Environment and Heritage), Clause 21.06 (Built Environment and Heritage), Clause 22.01 (Urban Design within the Capital City Zone), and Clause 43.02 Schedule 61 (Design and Development Overlay Schedule 61).

5. Student housing

The absence of laundry facilities, and dedicated cooking and dining facilities and communal indoor areas for the student housing component of the development with 78 lodging rooms does not provide a healthy and well managed environment with sufficient space and amenity for the reasonable requirements of the students, contrary to Clause 22.24 (Student Housing Policy).

6. Bicycle parking

The development does not provide bicycle parking in accordance with Clause 52.34 (Bicycle Facilities) and Clause 22.24 (Student Housing Policy), and the reduction of bicycle parking is not supported having regard to the land uses and the surrounding bicycle network.

7. Vehicle access

The change in levels appears to be a result of the vehicle access for parking and servicing in the basement and prevents single level access in the through block link. The proximity of the through block link and vehicle access results in a conflict between pedestrians and vehicles; a 2m refuge is required in between. Pedestrian sight triangles and further information to demonstrate sufficient height clearances are required. These traffic safety and urban design matters cannot be dealt with via permit conditions and are contrary to Clause 15 (Built Environment and Heritage), Clause 18 (Transport), Clause 21.06 (Built Environment and Heritage), Clause 21.09 (Transport), Clause 22.01 (Urban Design within the Capital City Zone), Clause 43.02 Schedule 61 (Design and Development Overlay Schedule 61), and Clause 52.06 (Car Parking).