

Privacy acknowledgement: I have read and acknowledge how Council will use and disclose my personal information.

*

Name: * Jonathan Adams

Email address: * jadams@landreal.com.au

Date of meeting: * Tuesday 20 July 2021

Agenda item title: 83-89 Coventry St, Southbank - TP-2016-981 /A

*

Alternatively you may attach your written



submission by [20210601_8389_coventry_st_southbank_suite_2401_level_24_6870_dorcas_st_response_to_objection_L](#)
uploading your 677.40 KB · PDF
file here:

Please indicate whether you would like to address the Future Melbourne Committee live via phone or Zoom in support of your submission: * Yes

Stanton Lea Pty Ltd
Suite 2401, Level 24
68-70 Dorcas Street
Southbank VIC 3006

1st June 2021

Attention:
City of Melbourne
GPO Box 1603
Melbourne VIC 3001
By email: planning@melbourne.vic.gov.au

Dear _____,

Re. Response to Objection – 83-89 Coventry St, Southbank – TP-2016-981/A

I am writing on behalf of Stanton Lea Pty Ltd ATF Pilmora Superannuation Fund, the owner of Suite 2401, Level 24, 68-70 Dorcas Street, Southbank, located immediately to the south of the subject land.

We have been provided with a letter from SJB Planning dated 21st May 2021 [SLB] which responds to objections received regarding Planning Permit Amendment Application TP-2016-981/A.

We do not believe this letter has satisfactorily addressed any of the concerns we have raised, and we therefore do not withdraw our objection.

In response to some of the points contained in the SJB Planning letter, we note:

Re. Overshadowing / Access to Daylight

SJB (para 3): “*The design objectives of the DDO60 require consideration of amenity and daylight and address this via the design requirements listed under Table 5 to Schedule 60.*”

And

“*The key design objective in the context of the built form relationship with No. 68-70 Dorcas Street requires a minimum built form setback of 5 metres from the centreline of Wells Place.*”

SJB has combined two separate and unevenly weighted elements of DDO60, and claimed that “*by extension*” of complying with one, the design has achieved the other. **This is simply not true.**

DDO60 has a **mandatory** Design Objective (1.0 Design Objective Dot Point 5) to “Allow daylight **and** sunlight to penetrate to... lower building levels.” DDO60 has a **mandatory** Built Form requirement (2.3 Requirements – Built Form Dot Point 1) that Buildings and works **must** meet this Design Objective. [Emphasis added]

The applicant’s claim that the sunlight/daylight penetration design objective is met by satisfying the 5 metre minimum Wells Place centreline setback is incorrect because:

- The 5 metre setback is not a key “*design objective*” under DDO60 as claimed by SJB. It is not even an Area Design Objective for Area 5. Under DDO60 it is a “*minimum*” design requirement which *should* be met, and DDO60 makes no assertion by meeting this requirement, the design will “*by extension*” also meet any of the mandatory design objectives.
- The 5 metre minimum required setback is not orientation specific, and it defies logic that a design requirement could be considered an equally applicable deemed-to-satisfy solution to a design objective for an east-west façade relationship (for example) in the same way that it would apply to a north-south façade relationship (as is the case in question).

- The 5 metre minimum required setback applies to any building heights above 20 metres, and once again it defies logic that a design requirement could be considered an equally applicable deemed-to-satisfy solution to a design objective for a built form extending up to just 23 metres (for example) in the same way that it would apply to built form extending up to 73 metres (as is the case in question).

The onus is on the *permit applicant*, where buildings exceed the Table 4 Preferred Building Height (as is this case) to demonstrate *how* the design satisfies the mandatory Design Objectives (DDO60 2.3 Built Form Requirements). Clearly this application has found this impossible to do because the proposed built form on the north side of 68-70 Dorcas Street overshadows the lower building levels, and thus fails to allow penetration of daylight and sunlight.

Re. Excessive Building Mass, Bulk and Height

The first Design Objective is “To ensure that the suitability of each development to its context takes precedence over the individual merit of the building”. The application fails to do this due to its Excessive Building Mass, Bulk and Height, and in attempting to justify this, SJB has been very selective regarding into which part of its context the proposal is suitable.

The proposal should be genuinely considered in its actual context, including as follows:

- It fronts Coventry Street (which is contextually more relevant to assessment of the application than Dorcas Street),
- It has 3 storey low rise residential structures directly abutting on its east side at 81 Coventry Street,
- It has 3 storey low rise residential structures directly opposite at 100 Coventry Street,
- It has low rise commercial on its west side (across Dodds Street) at 95 Coventry Street,
- The nearest high intensity development in its streetscape is Sunday Apartments at 65 Coventry Street, which is only 15 storeys high, and
- The high heritage value Victorian Barracks is adjacently opposite at 119 Coventry Street (including 5 storey red brick and bluestone buildings of high architectural significance and a single storey childcare building).

Where a proposal seeks to exceed the discretionary preferred building height of 60m (as is the case here) there is clear requirement under DDO60 (2.3 Requirements – Built Form Dot Point 1) to demonstrate how the application has achieved the built form objectives. This application has not demonstrated how it is suitable to its context. The SJB response notes “In this case, the amended design proposes a building height of 73m, and whilst that exceeds the preferred building height, the proposed height directly correlates to those in the immediate proximity.” This is clearly not true, when considering all the examples given above in the immediate proximity of the proposed building.

If the aim is to satisfy contextual suitability by consolidating a streetscape height, then the proposed building should be no higher than the 15 storey high Sunday Apartments at 65 Coventry Street. The mandatory Built Form Outcome for Area 5A in DDO60 Table 4 “requires the provision of an appropriate transition to development to the north of Area 5 (Coventry Street)”. This appropriate transition is clearly not achieved by the proposed increase in height to 73m (75.0 AHD) under the current proposal, which creates an abrupt sheer wall (very slightly tapered at its top) with inadequate setbacks, as demonstrated in the figure below:

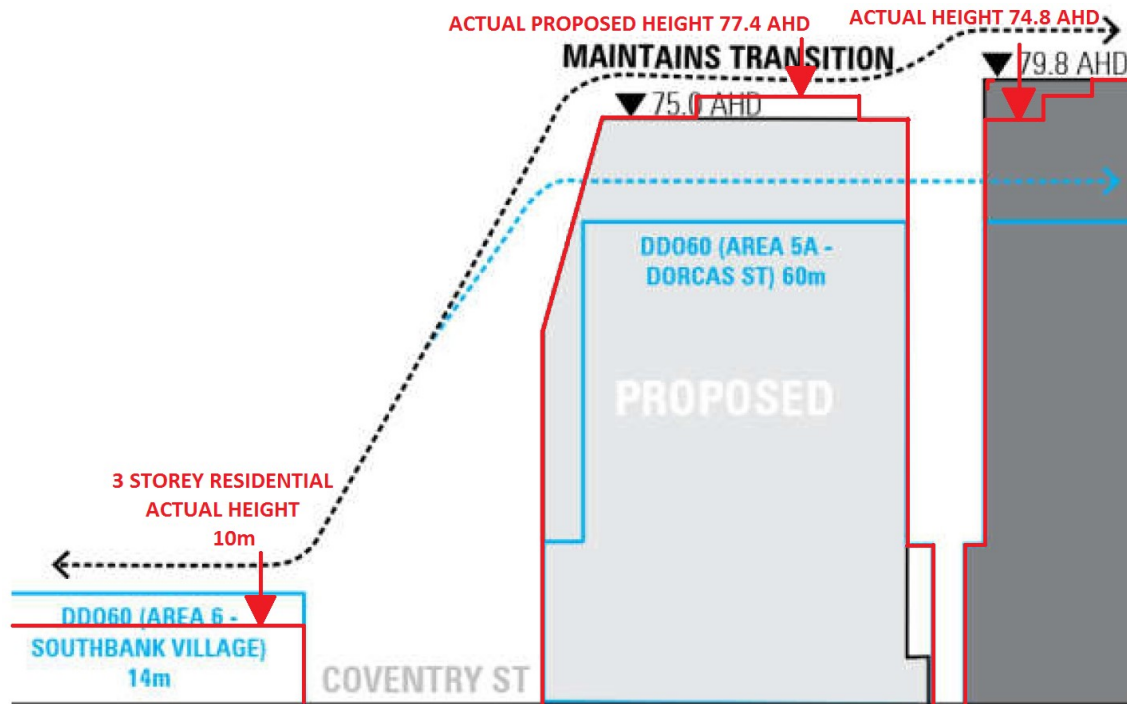


Figure: Czarny (Hansen) memo Coventry St section with notations added.

Re. The Proposal Fails To Comply with Mandatory Requirements Under DDO60

SJB seeks to circumvent the 60m mandatory height limit relevant at the time of the original permit application, whilst also maintaining transitional provisions to exclude necessary BADS compliance.

It is not logical that the mandatory height requirement in place at the time of the original permit can be removed, without also removing the transitional provisions relating to BADS compliance.

The proposal should have either the:

- Mandatory 60m height limit, with transitional provisions for BADS compliance (original permit application date), or
- Discretionary 60m height limit, without transitional provisions for BADS compliance (amended permit application date).

Even if the discretionary 60m height limit does apply, there remain strict mandatory requirements within DDO60 which must be demonstrated to have been appropriately addressed (which this proposal fails to do).

Re. The Provision of Serviced Apartments Contributing to Adverse Amenity

We have not claimed that the provision of serviced apartments has contributed to adverse amenity, but we do believe the building layout has contributed to adverse amenity for the building's occupants. This matter has not been responded to by SJB, despite being raised in our original submission.

The excerpt below from Level 16 (for example) shows:

- Apartment 16.03 is a 2 Bedroom apartment with an area of only 56.4m² and it has a bedroom with a dimension of approx. 2m, that can barely fit a single bed in it.

- Apartment 16.04 has a living area the size of a small bedroom and an outdoor area of just 7.8m² including an AC unit (refer below).

The design appears not to be non-compliant with the BADS minimum dimensions for living areas, bedroom sizes, external area sizes, and overall dwelling size. This non-compliance appears to fall short of the mandatory Design Objective (DDO60 1.0 Dot point 8) "To ensure that development provides a high level of amenity for building occupants." The proposed level of occupant amenity is low, when it is a mandatory requirement that it be high (not moderate, not adequate, not reasonable, but "high").



Figure: Excerpt Bruce Henderson Architectural Drawing (Level 16 Floor Plan).

In addition to the points outlined in this letter, the points made in the objection letter dated 23rd March 2021 we still consider have not been adequately addressed by the proponent.

We respectfully request that all the issues we have raised will be considered by the planning authority in assessment of the application.

Please contact _____ should you have any queries regarding this correspondence.

Yours sincerely,

Director

Stanton Lea Pty Ltd ATF Pilmora Superannuation Fund
Suite 2401, Level 24
68-70 Dorcas Street
Southbank VIC 3006

Privacy acknowledgement: I have read and acknowledge how Council will use and disclose my personal information.

*

Name: * Tony Penna

Email address: * president@southbankresidents.org.au

Date of meeting: * Tuesday 20 July 2021

Agenda item title: 6.1 Planning Permit Application: TP-2016-981 /A, 83-89 Coventry Street, Southbank

*

Please write your submission in the space provided below and submit by no later than 10am on the day of the scheduled meeting.

Submissions will not be accepted after 10am.

Alternatively you may attach your written submission by uploading your file here:



[fmc_meeting_no._16_agenda_item_6.1_planning_permit_application_tp2016981a_8389_coventry_street](#)

179.91 KB • PDF

Please indicate whether you No

would like to
address the Future
Melbourne
Committee live via
phone or Zoom in
support of your
submission: *



PO Box 1195 South Melbourne VIC 3205
Phone: 03 9028 2774
ABN 58 986 783 321 Cert. of Inc. A0036364B
info@southbankresidents.org.au
www.southbankresidents.org.au

Submission to Future Melbourne Committee

Future Melbourne Committee Meeting No. 16, Tuesday 20 July 2021
Town Hall Commons, Ground Floor Melbourne Town Hall
Agenda Item 6.1 Planning Permit Application: TP-2016-981/A, 83-89 Coventry Street, Southbank

Southbank Residents Association (SRA) would like to express the following concerns regarding the Planning Permit Application TP-2016-981/A for 83089 Coventry Street, on the corner of Dodds Street and Coventry Street in Southbank.

Parking

SRA notes that the planning permit application provides for one bike space per apartment, which is commendable and five times what is required. In contrast, the planning permit application only provides one car space for every 2.5 apartments when the requirement is clearly for one space per apartment. According to Page 20 of the application, the required number of spaces for this development is 174, and the application is only providing 67. SRA believes this is an inadequate provision which needs to be addressed before FMC consider approving this planning application to amend Planning Permit No. TP-2016-981.

In addition, the use of car stackers in this development adds to the inadequate parking arrangements for residents. While there are space saving benefits to the developer by installing car stackers, which allows for other features in the building, there are known downsides for residents. Notably, there is the wait time between users, the heavy power usage, the cost of operation and maintenance, the equitable sharing of costs among residents, the regular induction of new residents and guests, the impact of the occasional breakdown of the car stacker and the cost to car owners for call outs when there is a power failure. There is also a noise issue for neighbours when car stackers are installed at ground level, rather than underground. It is worth noting that Paddington Council in NSW does not permit car stackers for environmental reasons. We ask Councillors to take this into consideration.

Apartment size

It appears that the apartment sizes provided on Page 45 of the application are extremely small. In particular, SRA has concerns about the following property types:

- Level 1, 1B1B (47m² net apartment area, plus 25m² balcony)
- Level 2 and above, 1B1B (48m² net apartment area, plus 5m² balcony)
- 2B1B (58m² net apartment area, with 6m² balcony)
- 2B2B (63m² net apartment area, with 8m² balcony area)



We acknowledge that the state of Victoria does not have a requisite for minimum apartment sizes, however we'd like to express our opinion that the apartment sizes in this development are too small.

Height

With respect to the height of this development, SRA was disappointed to see that the 73m height exceeds the DD060 preferred 60m height. The opinion that the development is '*consistent with the height of neighbouring developments*' is immaterial. DD060 should be applied in this case and the height of the development reduced accordingly.

Setbacks

SRA acknowledges that the setback on the corner of Coventry Street and Dodds Street is well designed and will enhance the area, and is optimistic the plantings on the corner will address any exposure to the wind. SRA was pleased to note that the side and rear setbacks are maintained and comply with DDO60.

Public trees

SRA was relieved to see the protections in place for public trees adjacent to the development site and was reassured by the specification that '*no public tree adjacent to the site can be removed or pruned in any way without the written approval of the City of Melbourne.*'

Summary

In conclusion, SRA would like to see the changes outlined above taken onboard prior to endorsing this development.

Yours sincerely,

Tony Penna
President
Southbank Residents Association

Privacy acknowledgement: *

I have read and acknowledge how Council will use and disclose my personal information.

Name: *

Adam Haines

Email address: *

ahaines@sjbplanning.com.au

Date of meeting: *

Tuesday 20 July 2021

Agenda item title: *

6.1

Alternatively you may attach your written submission by uploading your file here:



[committee_letter_coventry_st_id_1897918.pdf](#) 70.94 KB · PDF

Please indicate whether you would like to address the Future Melbourne Committee live via phone or Zoom in support of your submission: *

Yes



Mayor and Councillors
Melbourne City Council
Future Melbourne Committee

Date: 20 July 2021

**Re: Future Melbourne Committee – Address to Councillors
Planning Permit Amendment Application TP-2016-981/A
83-89 Coventry Street, Southbank**

Dear Councillors,

Thank you for the opportunity to address the Planning & Amenity Committee Meeting in support of this application. My name is Adam Haines. I am a Senior Associate of SJB Planning.

Firstly, we commend the Statutory Planning recommendation that an amended planning permit should issue for this proposal. The report is a thorough, measured and balanced consideration of the planning merits having regard for the various requirements set out under the Melbourne Planning Scheme. Having thoroughly reviewed the recommendation, we wholly support the Officer's technical review and subsequent recommendations provided to the Committee.

We appreciate that objections have been received during the course of the amendment application. The project team, through the entire design and development process, has been cognisant of how the amended design will interact and relate to each of its individual interfaces, including the public realm relationship to the north and west, as well as the private realm considerations to the south and east. In this regard the amendment seeks to preserve the setback parameters per the current approved design, as well as complying with the requirements of the applicable planning controls, including a tower element which tapers and recedes to each road interface as the building height increases, together with the additional building height which maintains the required setbacks to each residential interfaces. Substantial improvements are also provided to the key pedestrian environs to Coventry Street and Dodds Street.

All mandatory design objectives area met by the proposal, in particular those conferred under the Design and Development Overlay 60, in addition to meeting the design objectives of the discretionary design requirements. Again, the Officer's report goes into appreciable detail on these items at Section 10.2.4.

In response to the objections received, we agree with the Officer's summation in responding to the various design items through Section 10, as well as Section 10.7 of the Officer's recommendation.

As demonstrated in the quantifiable and qualitative compliances of this proposal, we consider that all considerations of amenity and public realm have been appropriately managed and addressed with this amended proposal. The built form relationship of this development is in no way 'unique' with regard to the surrounding context, noting recent developments to the east of the subject site along Coventry Street, between Wells Street and Anthony Lane, as well of course to the south with the Kings Domain project at 68-70 Dorcas Street at 25 storeys, and the two 24 storey towers at 52-66 Dorcas Street. This is a locale which clearly anticipates, and has delivered, higher density redevelopment.

The importance of facilitating new development under the current economic and societal conditions is vitally important, particularly for proposals which demonstrate such a high level of compliance with the requirements of the planning scheme, and where unanimous support has been provided by Council's internal referrals. Our Client is not a land investor and/or a speculator. They are a deliverer of projects (as is evidenced from a current project only 2 blocks to the south at 41-49 Bank Street) and it remains their absolute and underlying intention to act upon and deliver this development proposal - with these design changes resulting from a genuine exercise of design refinement and design improvement ahead of delivering this project.

This is an amendment proposal that is clearly supported by the Melbourne Planning Scheme, both in terms of the quantifiable criteria, but also its qualitative considerations. Per the Statutory Planning Departments recommendations put forward this evening, we hereby encourage your support that an amended planning permit be granted for the proposal.

Yours sincerely

Adam Haines
Senior Associate
ahaines@sjbplanning.com.au