

11 August 2016

Eli Giannini
MGS Architects

By email: egiannini@mgsarchitects.com.au

WITNESS STATEMENT on behalf of The Graduate Union of The University of Melbourne

Dear Eli

**Re: Graduate House - 199-235 Bouverie Street, Carlton
Preliminary Planning Advice**

I understand that Graduate House is interested in redeveloping the northern portion of their existing site at 195-235 Bouverie Street, Carlton for the purposes of a multi-storey mixed use building. More particularly I understand that the subject site includes the seven existing two storey townhouses located on the corner of Leicester Street and Grattan Street.

This preliminary planning advice has been prepared having regard to the draft concept plans prepared by MGS architects.

In preparing this advice I have had regard to both the existing site context and the relevant planning controls and policies affecting the site. I have also drawn on my knowledge and local experience of similar developments where appropriate.

Site Context

The subject site is located on the south-east corner of the intersection of Leicester Street and Grattan Streets in Carlton, immediately opposite University Square.

It is currently occupied by seven x two storey Victorian era heritage buildings fronting Leicester Street, with the northernmost terrace having a side elevation to Grattan Street.

A review of the contour maps available via Planning Maps Online suggests that there is a fall across the site from west to east (and in part from north-west to south-east) of in the order of 1m.

Immediately to the north of the site is Grattan Street, a wide thoroughfare (of approximately 30m in width), with two lanes of traffic in either direction and relatively wide footpaths containing street tree planting. There is a particularly large existing street tree located in the footpath immediately adjacent to the site. I understand that there is a proposal for the introduction of a new Metro train station and underground rail infrastructure proposed within this road reserve – although I note that I have not reviewed any of the relevant material with respect to this. On the far side of Grattan Street is the southern boundary of the University of Melbourne, specifically the Infrastructure Engineering Building, which appears to be in the order of six storeys in height.

Immediately to the east of the site is a Private Laneway (PL5086), which runs north-south connecting Grattan Street (to the north) with Malvina Place (to the south). This laneway appears to be in the order of 3m in width. On the far side of the private laneway is the property at 215 Grattan Street which comprises a two storey brick office building with a steel deck roof constructed in 1964. This building is listed with a C grading in the City of Melbourne's Heritage Places Inventory 2016.

To the south of the subject site is a building owned and operated by Graduate House which I understand comprises post-graduate accommodation (some of whom

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are students), dining facilities, meetings rooms, etc. This building is a contemporary structure that presents a two storey form to Leicester Street with an additional two storeys above (set back from Leicester Street by in the order of 10m). The building incorporates a number of north facing windows associated with the accommodation use which are set back around 3m from the boundary with the subject site (albeit noting this all appears to be one land holding). This building also includes underground access to the University Square car park which is accessed via Bouverie Street.

To the west of the site is Leicester Street, which at this point provides for a narrowed carriageway with additional open space provided adjacent to University Square – a significant area of public open space (with a car park below). On the far side of University Square opposite the site is the University of Melbourne's Alan Gilbert Building at 161 Barry Street, Carlton. This building comprises a series of retained heritage terraces at its base, before rising to a height of eight storeys. These appear to be commercial floor to floor heights and the building would therefore appear to be in the order of 32m in height.

Relevant Planning Controls

Following the gazettal of Amendments C196 to the Melbourne Planning Scheme on 15 October 2015, the relevant planning controls affecting the subject site are as follows.

The site is subject is within the Capital City Zone – Schedule 5 (CCZ5 – City North), and is affected by a series of Design and Development Overlays (DD061-Area 4.1, DDO66 and (in part) DDO65), a Heritage Overlay (HO1) and a Parking Overlay (PO1).

Under CCZ5 a permit is not required for the use of the land as accommodation) and the construction of the building is exempt from both advertising and appeal rights under the zone.

There remain notice and appeal rights under the heritage overlay – however any objectors to the proposal can only raise issues relating specifically to heritage matters, and any VCAT appeal by objectors would be similarly constrained.

DDO61-Area 4.1 sets the following relevant controls:

- An overall building height of 40m (as measured from the centre of the Leicester Street frontage).
- A 24m street edge height to Leicester Street and Grattan Street, above which the building should be set back 6m.
- A street edge height of 10.5m to the laneway (PL5086), above which the building should be set back 4m.

DDO61 also includes a series of both general and specific design objectives and built form outcomes for the City North precinct. The particular 'built form outcomes' for Area 4.1 seek development that:

- Reinforces Elizabeth Street as a civic spine and facilitates the enhancement of its landscape character.
- Creates stronger definition to the streetscape.
- Complements the existing character established by the university, research and medical buildings.

- Ensures sunlight reaches the lower floors of new developments.
- Facilitates an integrated built form on both sides of the Swanston Street.
- Delivers a scale of development that provides street definition and a high level of pedestrian amenity, having regard to access to sunlight, sky views and a pedestrian friendly scale.
- Provides a street edge height that integrates new development with lower scale heritage buildings.

DDO66 affects the whole of the subject site, whereas DDO65 affects what appears to be the front 4-5m from Leicester Street. These overlays were introduced by Ministerial amendment on 29 February 2016 and relate specifically to helicopter flight paths (in this case the flightpaths associated with the Royal Women's Hospital).

Both DDO65 and DDO66 states that a permit is not required to construct a building or construct or carry out works with a height less than the nominated referral height. The nominated referral heights are 67.3AHD (DDO65) and 77.3AHD (DDO66) respectively.

HO1 is a precinct based heritage overlay otherwise known as the 'Carlton Precinct' which affects large areas of the suburb. Under the City of Melbourne Heritage Places Inventory 2016, I understand that the buildings have been afforded a 'C' Grading.

Under the HO a permit is required for demolition (including partial demolition), and to construct a building or construct or carry out works. The demolition of the 'front part' of a 'C' graded building (which is typically nominated as the front two rooms in depth) is discouraged under the current policy framework.

PO1 is a parking overlay that sets a maximum rather than minimum car parking rate. A permit can be granted to provide car parking spaces in excess of the relevant rates.

Relevant Planning Policies

The redevelopment of this site would be broadly consistent with and supported by a number of State planning policies, in relation to urban consolidation, development in close proximity to public transport infrastructure and in terms of economic development.

The City of Melbourne Planning Scheme also sets out a number of relevant local planning policies which are summarised below:

- Clause 22.05 – Heritage Places Outside the Capital City Zone – provides policy guidance with respect to demolition and the construction of new buildings. More particularly this policy discourages the demolition of the 'front part' of C graded buildings (and many D graded buildings).
- Clause 22.19 – Energy, Water and Waste Efficiency – encourages energy and water efficient design and requires a detailed waste management plan to be prepared for new buildings. More particularly, this seeks to ensure that new buildings over 5000sqm in gross floor area have the preliminary design potential to achieve a 5 star green star rating under the Green Building Council of Australia's Multi-Unit Residential Rating Tool.

- Clause 22.23 – Stormwater Management (Water Sensitive Urban Design) – encourages best practice water performance in new buildings.
- Clause 22.24 – Student Housing Policy – seeks to ensure that the internal layout of rooms and communal facilities in student housing developments provide sufficient space and amenity while promoting social interaction. More particularly, this provides policy direction in terms of minimum communal open space and room sizes.

Proposal and Recommendations

The conceptual proposal prepared by MGS Architects provides for an 11 storey mixed use building on the subject site.

From a policy perspective there is strong support for the provision of post-graduate student and temporary university staff accommodation within this precinct. In this regard I note that the Capital City Zone – Schedule 5 specifically seeks:

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

And

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

The proposal would also clearly be consistent with the range of SPPF and LPPF provisions that seek to support education related facilities through the provision of purpose built accommodation for post-graduate students, university staff and members of The Graduate Union, within a knowledge precinct and close to Melbourne’s premier university campuses.

The design of the building would need to be cognisant of the student housing policy, including the provision of communal spaces and the like, but this is a matter that could be readily resolved through detailed design.

There are also specific requirements and policy provisions regarding ESD performance – but these are matters that can also be addressed through detailed design.

In terms of heritage and built form related matters the proposal provides for the retention of the northernmost terrace house in its entirety, and for the front six metres in depth of the properties fronting Leicester Street. Beyond this the proposal rises to 40m in height (AHD 76.56).

As I understand it on the laneway, the proposal adopts a three storey height to the boundary (albeit slightly setback from the existing laneway) before stepping back by 4m.

The height and setbacks are consistent with the overall height nominated under Area 4.1 of Schedule 61 to the DDO, as is the street edge and upper level setback proposed to the private laneway.

To Leicester Street and Grattan Street, the proposal has adopted the existing ‘heritage’ street edge condition in manner consistent with the design requirement set out at Table 2 to DDO61 which states:

“New buildings should consider retaining the traditional heritage street wall (as opposed to defining a new higher street wall) where appropriate.”

Above this the proposal adopts a 6m setback which is consistent with that sought for upper level setbacks (above the 24m street edge height) under the DDO. From a planning perspective this would appear to strike the appropriate balance between policy provisions that seek to encourage a higher street edge in this precinct and the need to conserve and protect existing heritage assets.

In terms of the Grattan Street presentation, the retention of the northernmost townhouse and the setback of the built form above provides an appropriate transition to the two storey heritage building to the east.

Another relevant matter in terms of built form, and height in particular, are the helicopter flight path referral provisions under DDO65 and DDO66. As the project does not propose any additional height within 6m of Leicester Street (and given DDO65 only appears to affect the front 5 metres of the site), there would not be any referral requirements under DDO65 for this part of the site.

DDO66 affects the whole of the site and triggers referral to DHHS above a height of 77.3AHD. The building itself would appear to sit below this (at 76.56AHD) but it is likely that cranes and construction equipment will sit above this RL. Given this it is likely that the matter will need to be referred to DHHS.

It is important to note however that this AHD height is simply the trigger for referral and that it is not a provision that seeks to dictate height. Further I note that the technical papers that accompanied the introduction of this overlay specify a flight path some distance above the referral height.

This is a matter that can be further investigated with an aeronautical consultant if required.

In terms of potential amenity impacts I would note the following:

- To the immediate east is a heritage office building which is at present not a particularly sensitive interface. Whilst this incorporates some windows on the laneway—the built form proposed on the subject site at this interface is consistent with the DDO provisions. It would provide for separation between the taller elements of in the order of 7m to the property boundary. If the site to the east were further developed as some form of residential development and in a manner consistent with the DDO this would provide for a separation of form of around 11m – which is sufficient to ensure no unreasonable overlooking and should ensure appropriate solar access.
- To the north is a main road thoroughfare on the far side of which is the University – which by virtue of site orientation and land use does not present a particularly sensitive interface.
- To the west is University Square. The provisions of Clause 22.02 – Sunlight to Public Spaces does not apply to land within the CCZ5 – but there are particular provisions in the DDO itself that would seek to ensure no unreasonable overshadowing of this space between 11am and 2pm on 22 September. The orientation of the site, its height and setbacks would tend to suggest that there will be limited impact through this period (based on the likely angle of the shadow at 11am) but this is a matter that if required could be more thoroughly tested through detail design.
- To the south is land that is owned and operated by Graduate House. There are a number of windows to accommodation units in the northern face of this building – but given the relative width of the site only a small proportion of these might be affected by the proposed building envelope. In any event the existing building on the adjoining site provides some separation between the two sites. Again this is a matter that could be addressed through detailed design and planning.

Other matters

In any planning application for this site there are also likely to be requirements (and as such potentially the requirement for engagement of specialists) in the areas of heritage, environmentally sustainable design, wind effects, landscape and waste management.

It is also relevant to note that as of 1 July 2015 an application for development with a value of more than \$1 million would be subject to the Metropolitan Planning Levy (MPL).

Summary / Conclusion

In summary I would note the following:

- The site is well suited for redevelopment of a mixed use proposal of this nature.
- The use of the land as accommodation (for post-graduate students, university staff and members of The Graduate Union) is entirely appropriate for this site, and is specifically supported by both State and Local policy provisions and by the zone itself.
- Subject to heritage advice regarding the appropriateness of setbacks under the heritage overlay, the proposal is broadly consistent with the relevant planning controls and policies of the Melbourne Planning Scheme, including the relevant provisions of the DDO.
- The proposal will not have any unreasonable amenity impacts on private or public amenity and maintains opportunities for equitable development on nearby sites.

Having regard to the above, in my view the proposal represents a site responsive and appropriate concept design that is consistent with the relevant provisions of the Melbourne Planning Scheme.

I have included at Attachment 1 to this letter details regarding my qualifications and experience in the event that this letter is relied upon as an expert opinion.

Should you have any queries regarding the above please do not hesitate to contact me on (03) 9429 6133.

Yours sincerely



Daniel Soussan
Principal Town Planner
Tract Consultants Pty Ltd

Attachment 1 – Statement of Qualifications and Expertise

Name and Address

Daniel Victor Soussan is a Principal of Tract Consultants Pty Ltd, landscape architects, urban designers, and town planners, the professional address of which is 195 Lennox Street, Richmond, Victoria, 3121.

Qualifications

Bachelor of Urban Planning and Development (Hons), University of Melbourne.

Member of Planning Institute of Australia (PIA)

Member of Victorian Planning and Environmental Law Association (VPELA)

Professional Experience

Principal – Tract Consultants Pty Ltd Present	May 2015 -
Planning Coordinator – City of Melbourne 2015	August 2009 – May
Associate Director – Ratio Consultants Pty Ltd	July 2008 – August 2009
Senior Planner – Ratio Consultants Pty Ltd 2008	July 2006 – July
Statutory & Strategic Planner – Ratio Consultants Pty Ltd	2003 - July 2006
Town Planner – Urban Enterprise	2000 - 2003

Areas of Expertise

Principal Town Planner with over 15 years of both public and private sector experience.

From 2009 to 2015, I was the planning co-ordinator at the City of Melbourne working on a wide range of statutory and strategic planning projects within what was at the time the fastest growing municipality in Australia. During this time I worked on a variety of projects ranging from extensions to heritage properties in Parkville, to public realm plans, large scale urban renewal projects in Melbourne's growth areas (Docklands, Fishermans Bend, City North and Arden-Macaulay) and to some of Melbourne's tallest residential skyscrapers.

I have expertise in small to medium and high density residential and mixed-use developments, industrial and commercial developments, liquor licensing and gaming applications, as well as a highly developed appreciation of heritage and urban design related matters, particularly in the context of the development approvals process.

Expertise to prepare this report

My training and experience, including my involvement in the assessment of numerous developments in the inner suburbs of Melbourne, and in particular within the City North precinct, over the past 15 years qualifies me to comment on the town planning implications of the proposed development.

Relationship with applicant

I do not have any private or business relationship with the applicant, other than being engaged to review the concept proposal and provide an expert opinion in the form of the attached letter.

Instructions which define the scope of this report

I received instruction from Ms Eli Giannini of MGS Architects on behalf of Graduate House to consider the planning controls and policies associated with the concept proposal, and to provide advice, and to provide a brief letter of opinion.

Facts matters and Assumptions upon which the report proceeds

My letter is based on the concept plans prepared by MGS Architects.

In preparing this advice I have:

- Inspected the subject site and surrounding area numerous times.
- Reviewed the concept plans prepared by MGS Architects.
- Reviewed and considered the relevant provisions of the **Melbourne** Planning Scheme.

Reference documents and materials considered

In preparing this report I have had regard to the following documents:

- Relevant provisions of the **Melbourne** Planning Scheme
- Plan Melbourne.
- City North Structure Plan 2012

Identity of persons undertaking the work

This report was prepared by Daniel Soussan - Principal Town Planner – Tract Consultants Pty Ltd.

Summary of opinions

Having considered the key planning issues, the relevant planning provisions of the Melbourne Planning Scheme and visited the subject site and surrounds, I am of the opinion that:

- The site is well suited for redevelopment of a mixed use proposal of this nature.
- The use of the land as accommodation (for post-graduate students, university staff and members of The Graduate Union) is entirely appropriate for this site, and is specifically supported by both State and Local policy provisions and by the zone itself.
- Subject to heritage advice regarding the appropriateness of setbacks under the heritage overlay, the proposal is broadly consistent with the relevant planning controls and policies of the Melbourne Planning Scheme, including the relevant provisions of the DDO.
- The proposal will not have any unreasonable amenity impacts on private or public amenity and maintains opportunities for equitable development on nearby sites.

Declaration

I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.



Daniel Soussan
Principal Town Planner
Tract Consultants Pty Ltd