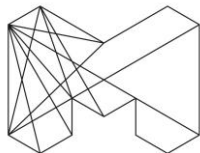


Town Planning Report

Preliminary Planning Advice

154-160 Leicester Street, Carlton



CITY OF MELBOURNE

Prepared on behalf of City of Melbourne

0318-0032 – 31 January 2018

LEVEL 6, 6 Riverside Quay, SOUTHBANK VIC 3006
Phone: (03) 9429 6133
www.tract.com.au

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1 INTRODUCTION

1.1 Background / Overview

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

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

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

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

1.2 Instructions

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

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

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

1.3 Report Structure

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

2 SUBJECT SITE AND SURROUNDS

2.1 Subject Site

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

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

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

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



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



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

2.2 Site Surrounds

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

With respect to the sites interfaces we note:

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

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



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



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

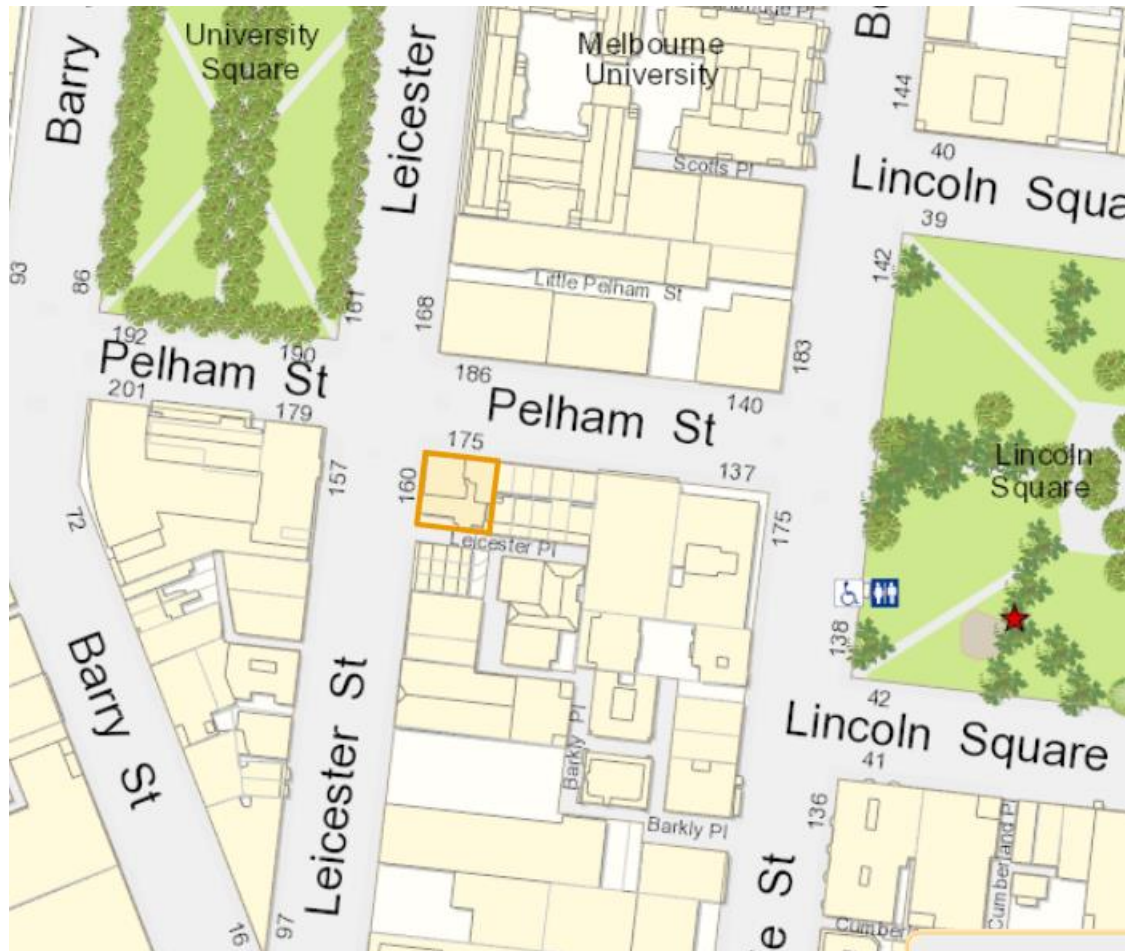


Figure 5 – Location and Context Map (Source: maps.melbourne.vic.gov.au)

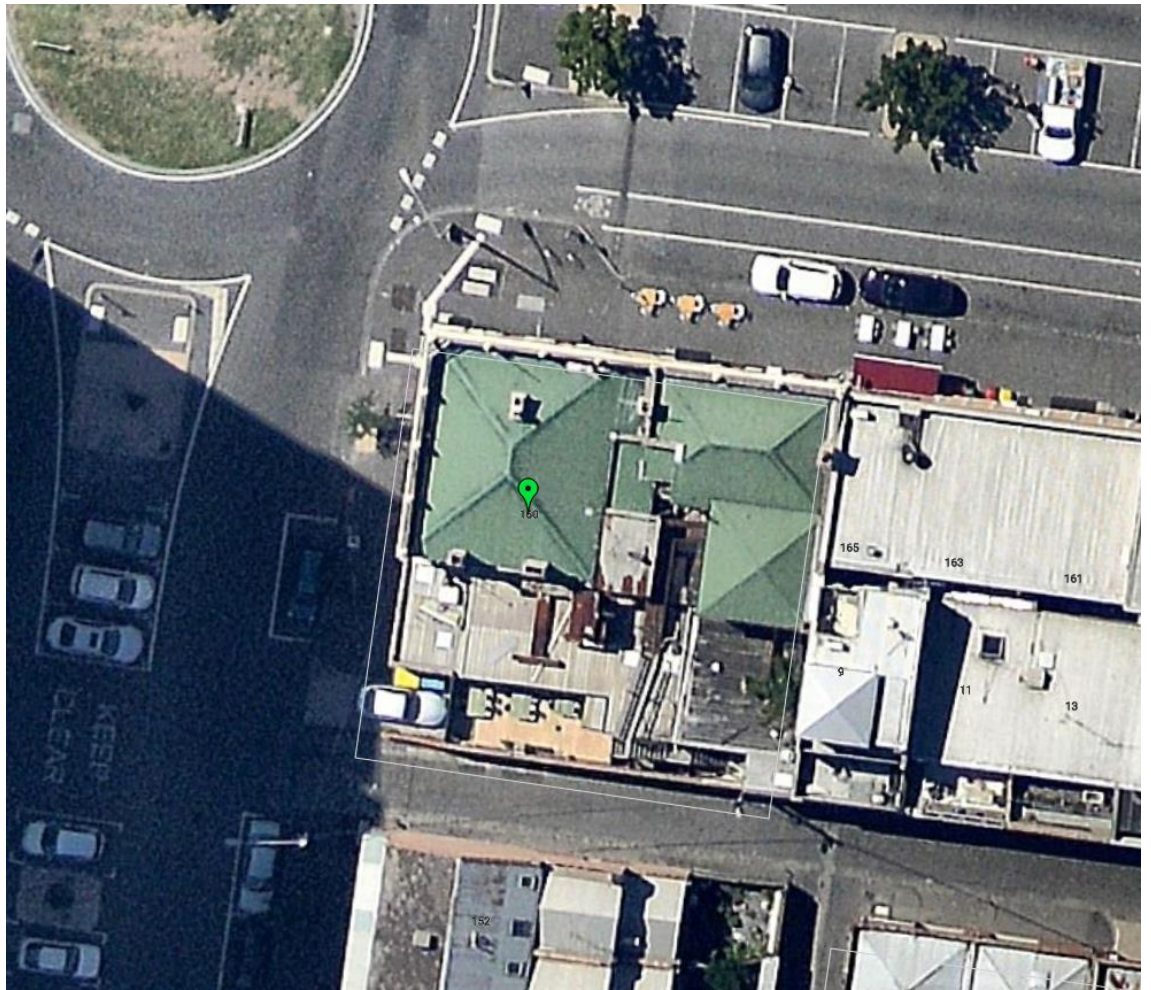


Figure 6 – Aerial Photo 5 February 2016 (Source: Nearmap) – prior to demolition.



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

3 RELEVANT PLANNING CONTROLS

3.1 Introduction / Overview

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

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

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

3.2 Capital City Zone – Schedule 5 (CCZ5)

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

Clause 37.04 (Capital City Zone) seeks:

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

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

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

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

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

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

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

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

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

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

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

3.4 Design and Development Overlay – Schedule 68 (DDO68)

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

The design objective under this overlay is:

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

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

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

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

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

The broad purposes of the Heritage Overlay are:

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

3.6 Parking Overlay – Schedule 1 (PO1).

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

The relevant purpose statements of the Parking Overlay are:

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

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

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

Maximum spaces =

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

1000 sq m

or

12 x that part of the site area in sq m

1000 sq m

4 SUMMARY OF RBA ADVICE & RECOMMENDATIONS

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

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

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

5 ASSESSMENT

5.1 Site Context - Opportunities and Constraints

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

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

5.2 Planning Commentary on RBA Advice & Recommendations

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

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

We have addressed each of the recommendations below in turn.

Additions should be located behind original 19th century sections.

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

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

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

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

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

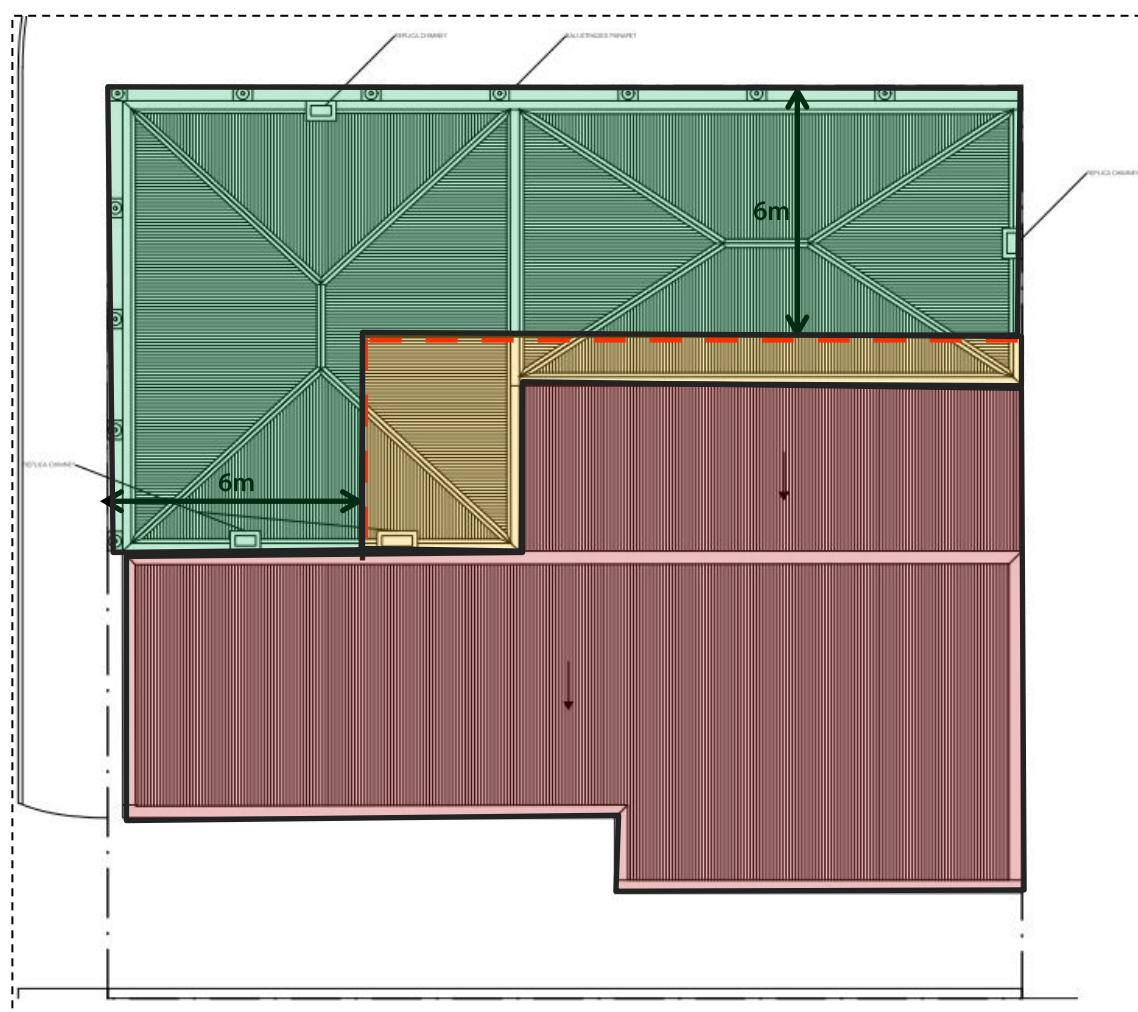


Figure 8 – Roof plan of former hotel (Source:WBa). Red dashed lines, colour and dimensions added by Tract.

Higher rear parts should not cantilever over the original section.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

5.3 Recommendations regarding reconstruction and street wall height

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

Recommended mandatory provisions

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

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

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

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

6

CONCLUSION

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

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

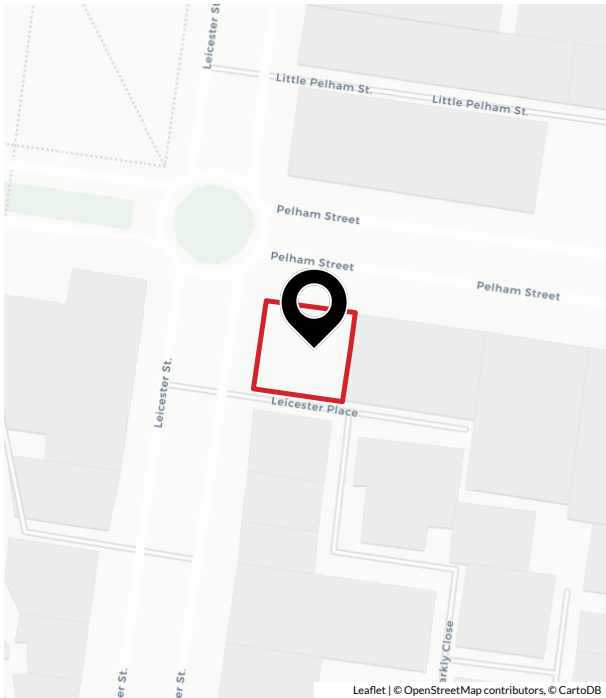
ATTACHMENT 1 – ONEMAP REPORT & RELEVANT PLANNING CONTROLS

Tract

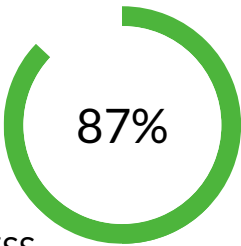
Tract
Landscape Architects
Urban Designers
Town Planners

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

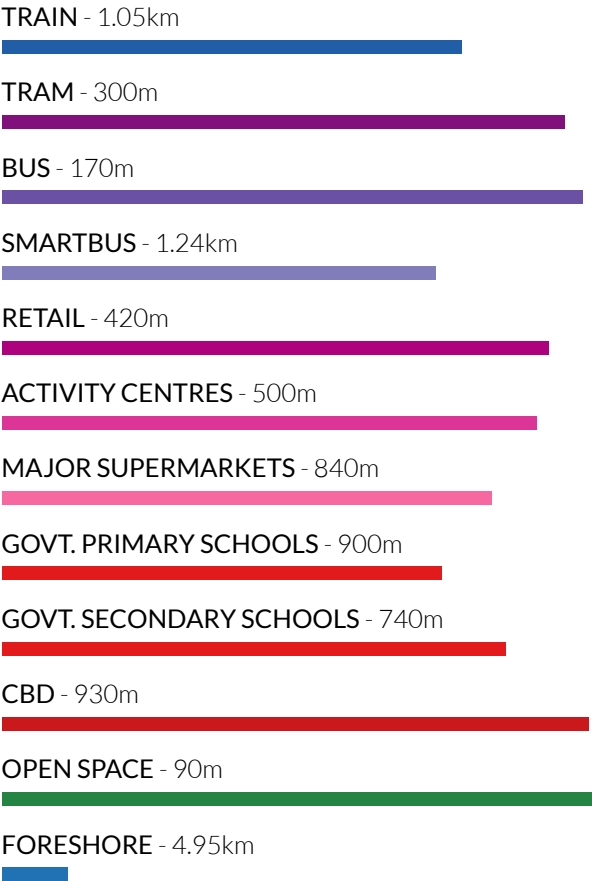
POWERED BY  ONEMAP



ONEMAP RATING



ACCESS



ADDITIONAL INFORMATION

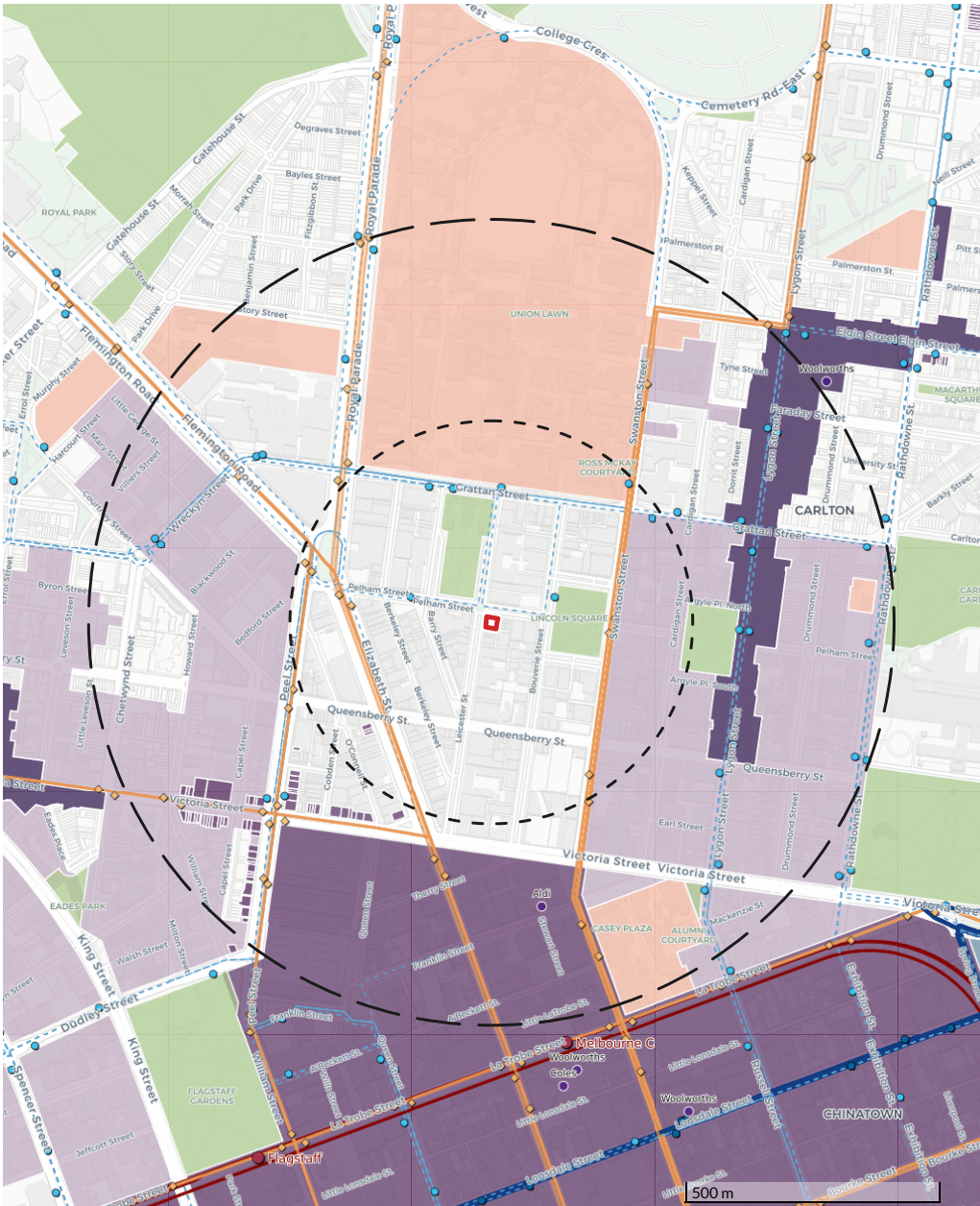
CLOSEST GOVERNMENT PRIMARY SCHOOL

Carlton Gardens Primary School (900m)

CLOSEST GOVERNMENT SECONDARY SCHOOL

University High School (740m)

SITE CONTEXT MAP



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LEGEND

- SITE BOUNDARY
- 400M RADIUS
- 800M RADIUS

LAND USE

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

POWERED BY ONEMAP

TRANSPORT

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

SITE PLAN

AREA: 457M²

NO. OF PARCELS: 1

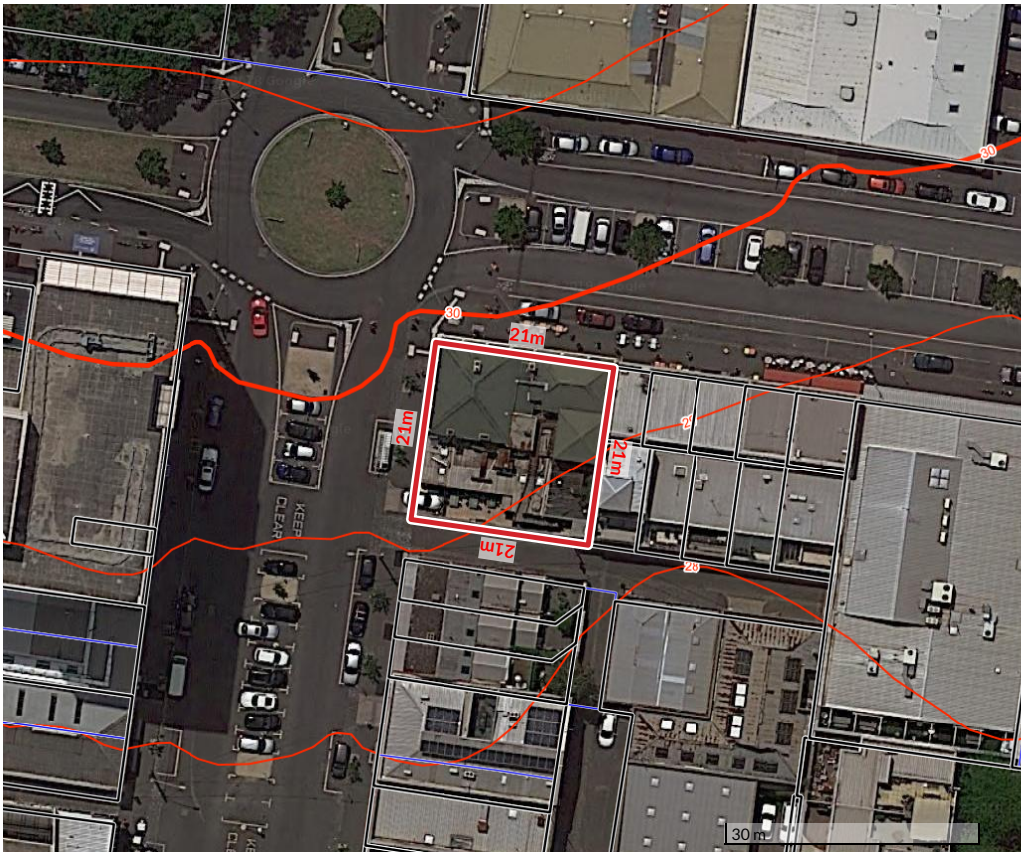
MUNICIPALITY:
MELBOURNE

SUBURB:
CARLTON

PARCEL SPI:
1\TP834505

MEDIAN HOUSE
PRICE (SUBURB):
\$983K

MEDIAN UNIT
PRICE (SUBURB):
\$345.5K



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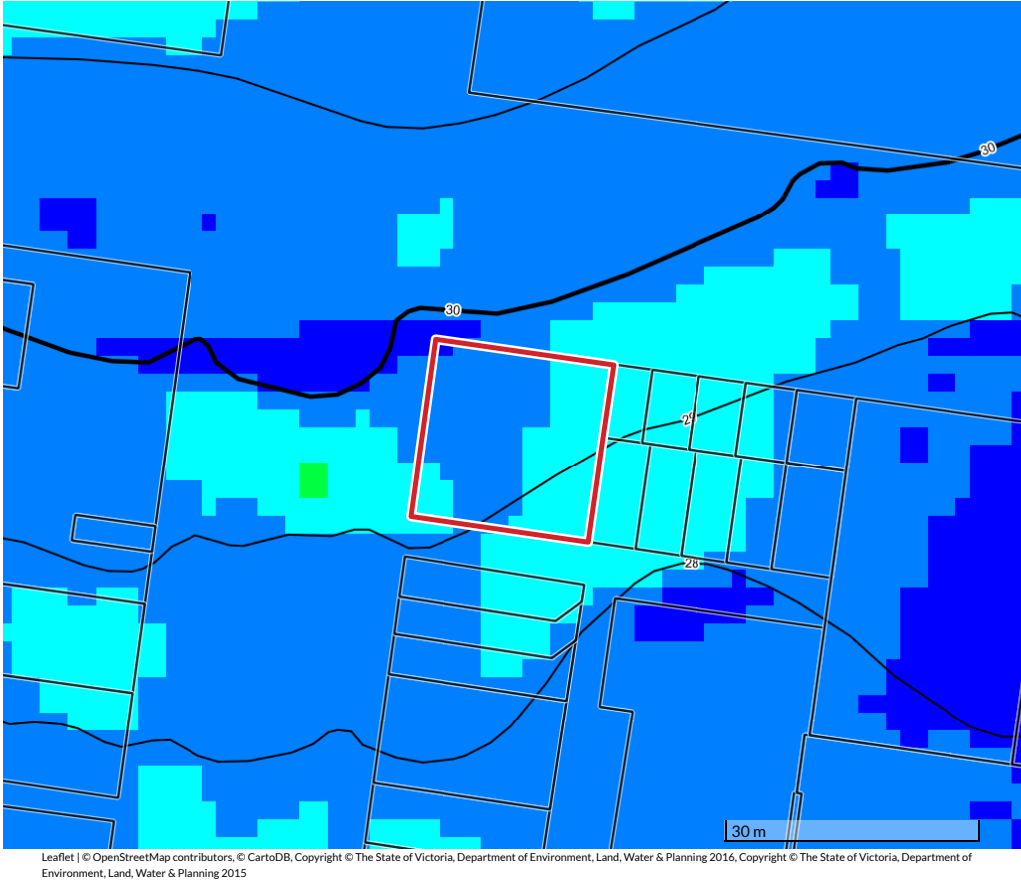
LEGEND

- SITE BOUNDARY
- CONTOURS
- PARCELS
- PROPERTIES

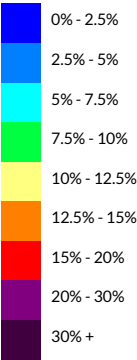
POWERED BY  ONEMAP

SLOPE MAP

AVERAGE SLOPE: 5.07%



LEGEND



POWERED BY ONEMAP

PLANNING ZONES

CCZ5

CAPITAL CITY ZONE
CAPITAL CITY ZONE -
SCHEDULE 5



PLANNING ZONES CURRENT AS OF 12/01/2018.
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POWERED BY ONEMAP

LEGEND

RESIDENTIAL ZONES

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

COMMERCIAL / BUSINESS ZONES

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

SPECIAL DEVELOPMENT ZONES

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

INDUSTRIAL ZONES

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

RURAL ZONES

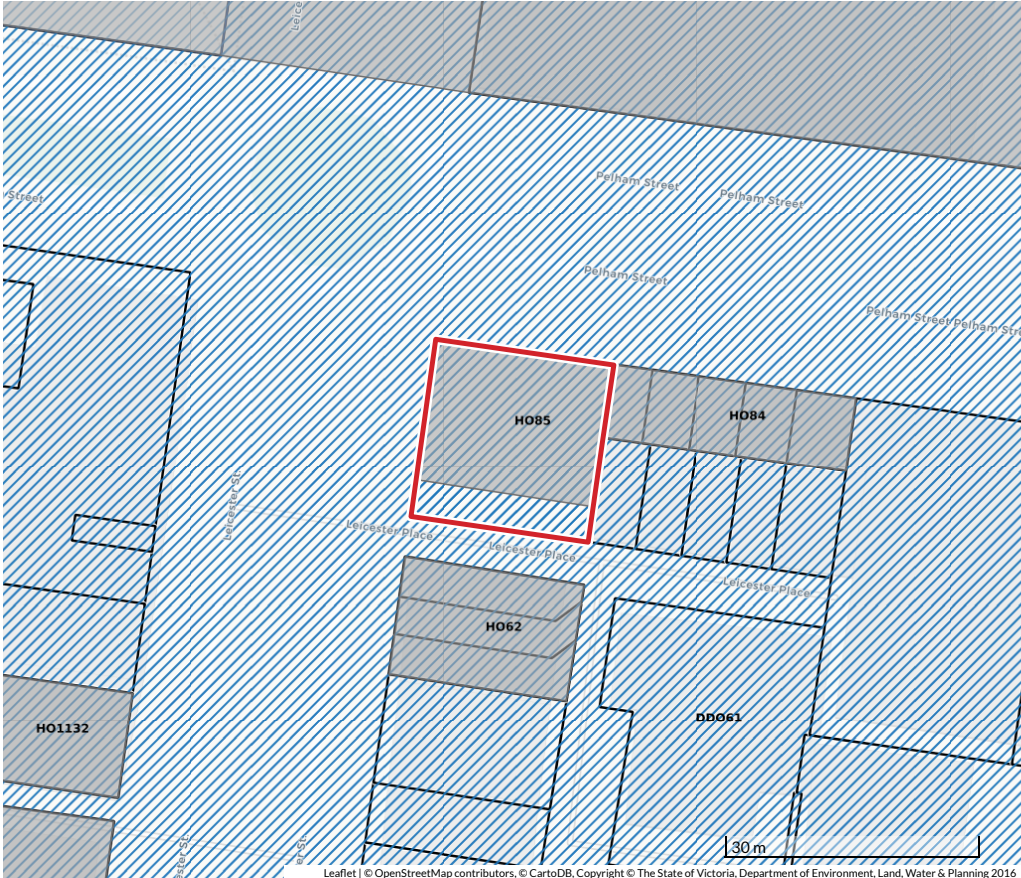
- RLZ - RURAL LIVING
- RAZ - RURAL ACTIVITY
- FZ - FARMING / RUZ - RURAL
- GWAZ - GREEN WEDGE A
- GWZ - GREEN WEDGE
- ERZ - ENVIRONMENTAL RURAL
- RCZ - RURAL CONSERVATION

OTHER ZONES

- SUZ - SPECIAL USE
- CA - COMMONWEALTH LAND
- PZ - PORT
- RDZ1 - ROAD - CATEGORY 1
- RDZ2 - ROAD - CATEGORY 2
- UFZ - URBAN FLOODWAY
- PPRZ - PUBLIC PARK AND RECREATION
- PCRZ - PUBLIC CONSERVATION AND RESOURCE
- PUZ4 - PUBLIC USE - TRANSPORT
- PUBLIC USE - PUZ1 - SERVICE & UTILITY / PUZ2 - EDUCATION / PUZ3 - HEALTH COMMUNITY / PUZ 5 - CEMETARY / CREMATORIUM / PUZ 6 - LOCAL GOVERNMENT / PUZ7 - OTHER PUBLIC USE
- MUNICIPALITY BOUNDARIES
- URBAN GROWTH BOUNDARY

HERITAGE AND
BUILT FORM
OVERLAYS

- DD614.1
DESIGN AND DEVELOPMENT
OVERLAY
DESIGN AND DEVELOPMENT
OVERLAY - SCHEDULE 61 (AREA
4.1)
- DDO61
DESIGN AND DEVELOPMENT
OVERLAY
DESIGN AND DEVELOPMENT
OVERLAY - SCHEDULE 61
- DDO68
DESIGN AND DEVELOPMENT
OVERLAY
DESIGN AND DEVELOPMENT
OVERLAY - SCHEDULE 68
- HO85
HERITAGE OVERLAY
HERITAGE OVERLAY (HO85)



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

POWERED BY ONEMAP

LEGEND

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

ENVIRONMENTAL
AND LANDSCAPE
OVERLAYS

NONE



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

POWERED BY ONEMAP

LEGEND

Environmental Significance (ESO)

Vegetation Protection (VPO)

Significant Landscape (SLO)

LAND
MANAGEMENT
OVERLAYS
NONE



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

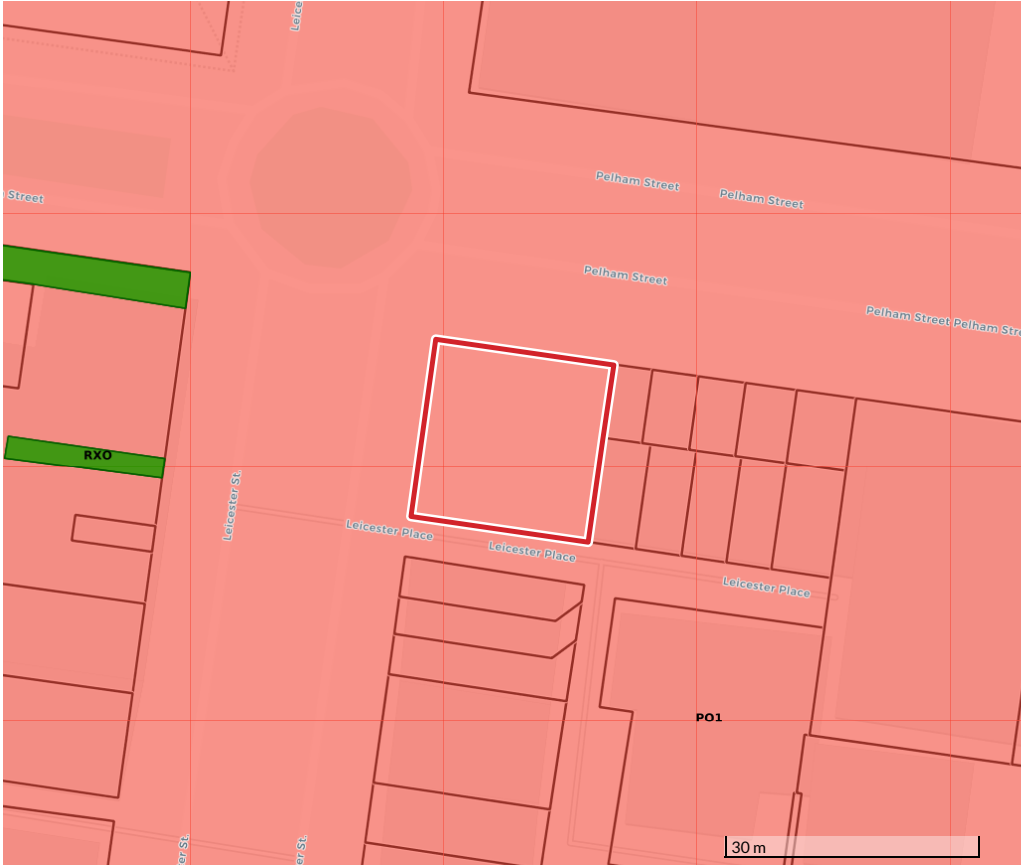
POWERED BY ONEMAP

LEGEND

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

OTHER OVERLAYS

PO1
PARKING OVERLAY
PARKING OVERLAY - PRECINCT
1



PLANNING OVERLAYS CURRENT AS OF 12/01/2018.

LEGEND

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

POWERED BY ONEMAP

AREAS OF
CULTURAL
HERITAGE
SENSITIVITY

NONE



CULTURAL SENSITIVITY CURRENT AS OF 12/01/2018.

LEGEND

AREAS OF CULTURAL HERITAGE SENSITIVITY

POWERED BY  ONEMAP

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30/06/2016
C293**SCHEDULE 5 TO THE CAPITAL CITY ZONE**Shown on the planning scheme map as **CCZ5**.**City North****Purpose**

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

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

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

1.015/10/2015
C196**Table of uses****Section 1 - Permit not required**

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

Section 2 - Permit required

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

Section 3 - Prohibited

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

2.015/10/2015
C196**Use of land****Exemption from notice and review**

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

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

Decision Guidelines

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

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

3.015/10/2015
C196**Subdivision****Exemption from notice and review**

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

4.015/10/2015
C196**Buildings and works****Permit Requirement**

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

This does not apply to:

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

Application Requirements

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

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

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

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

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

Exemption from notice and review

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

Decision guidelines

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

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

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

5.0

15/10/2015
C196

Demolition or Removal of Buildings

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

This does not include:

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

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

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

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

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

Exemption from notice and review

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

6.0

15/10/2015
C196

Advertising signs

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

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

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

Exemption from notice and review

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

15/10/2015
C196**SCHEDULE 61 TO THE DESIGN AND DEVELOPMENT OVERLAY**

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

CITY NORTH**1.0**15/10/2015
C196**Design objectives**

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

2.015/10/2015
C196**Buildings and Works**

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

All buildings and works requiring a permit should

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

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

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

3.0

15/10/2015
C196

Subdivision

A permit is not required to subdivide land.

4.0

15/10/2015
C196

Application requirements

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

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

5.0

15/10/2015
C196

Decision guidelines

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

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

6.0

15/10/2015
C196

Exemption from notice and appeal

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

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

7.0

Reference documents

15/10/2015
C196

City North Structure Plan 2012

Table 1 – Preferred Built Form Outcomes for Specific Areas

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

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
			enhancement of its landscape character
4.1	40 metres	<p>Buildings fronting Grattan, Pelham, Queensberry, Bouverie, Leicester, Barry, Berkeley and Lincoln Square North and South streets:</p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p> <p>Buildings fronting O'Connell Street:</p> <p>20 metre street edge height.</p> <p>Any part of the building above 20 metres setback 6 metres from the street.</p> <p>Buildings fronting Swanston Street:</p> <p>32 metre street edge height.</p> <p>Any part of the building above 32 metres should be setback 6 metres from the street.</p> <p>Buildings facing all other streets:</p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> 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.
4.2	32 metres	<p>Buildings facing all streets;</p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> Delivers a scale of development that provides a high level of pedestrian amenity, including access to sunlight at ground floor (to Berkeley Street), sky views and a pedestrian friendly scale. Respects the scale of existing heritage buildings.
5	60 metres	<p>Buildings fronting Pelham and Berkely Street:</p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres should be setback 6 metres from the street.</p> <p>Buildings facing O'Connell Street:</p> <p>20 metre street edge height.</p> <p>Any part of the building above</p>	<p>Development that:</p> <ul style="list-style-type: none"> Supports the gateway role of the Haymarket. Has a scale of development that is complementary to the proposed medium level built form of its surrounds. Has a consistent streetscape built form that integrates Elisabeth Street with Flemington Road.

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

Table 2-Design Requirements for all DDO Areas

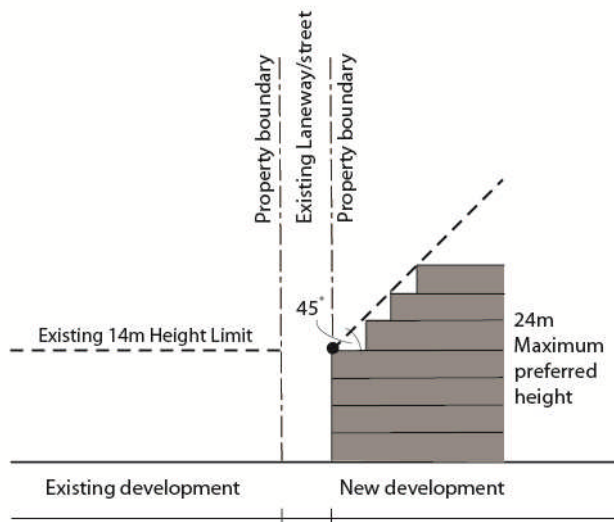
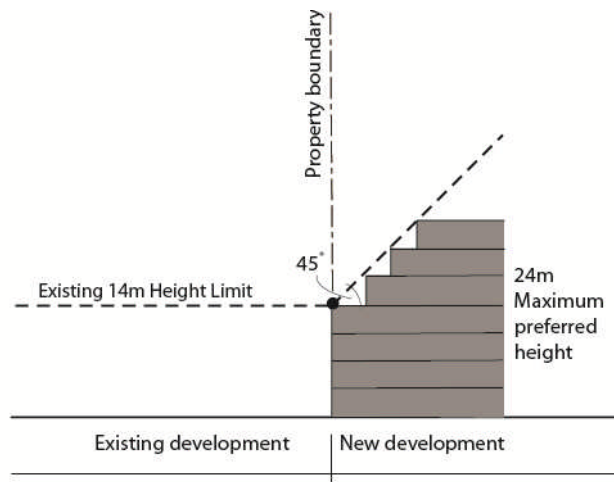
Design Objective	Design Requirement
Building Heights, Scale and Setbacks	
<p>To ensure that the height of new buildings reinforces the built form character of specific areas as defined in Table 1 in this Schedule.</p> <p>To ensure appropriate building scale, height and setbacks at interfaces with established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

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

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

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

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

Figure 1**Provisions for Area 2 (Land adjoining DDO32)**

Map 1 – Street Frontages



27/10/2016
C299

SCHEDULE 68 TO THE DESIGN AND DEVELOPMENT OVERLAY

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

160 Leicester Place, Carlton

1.0

27/10/2016
C299

Design objectives

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

2.0

27/10/2016
C299

Buildings and works

All buildings and works requiring a permit must:

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

These requirements may not be varied by a permit.

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

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

Application requirements

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

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

3.0

27/10/2016
C299

Decision guidelines

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

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

4.0

27/10/2016
C299

Expiry

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

19/04/2013
VC95**SCHEDULE 1 TO THE PARKING OVERLAY**

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

CAPITAL CITY ZONE – OUTSIDE THE RETAIL CORE**1.0 Parking objectives to be achieved**19/04/2013
VC95

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

2.0 Permit requirement19/04/2013
VC95

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

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

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

3.0 Number of car parking spaces required19/04/2013
VC95

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

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

Maximum spaces =

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

or

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

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

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

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

Maximum spaces =

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

or

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

Motorcycle parking rates

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

4.0 Decision guidelines for permit applications

19/04/2013
VC95

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

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

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