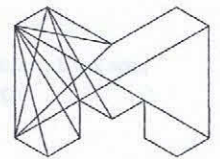


# PLANNING PERMIT OBJECTION FORM

Planning and Environment Act 1987



CITY OF MELBOURNE

## Important notes about the objection to permit application

**Is this form for me?** This is the form to object to a planning permit application where the City of Melbourne is the decision maker. Please do not use this form to object to Ministerial applications.

1. Your objection and the personal information on this form is collected by the City of Melbourne for the purposes of the planning process, as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, the City of Melbourne will not be able to consider your objection.
2. Your objection will be available at the City of Melbourne office for any person to inspect, during the relevant period set out in the Act. A full copy of your objection (including your name and personal information) will be made available on request to any person, for a limited period.
3. A summary of your objection will be included in a publicly available planning report, which may be published on Council's website. Your name will not be published in the planning report. Your objection, and the personal information supplied with it, will not be disclosed to any other external party, unless required or authorised by law.
4. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. You can request access to your personal information by contacting the City of Melbourne.

See also [Objecting to a planning application](#)

## Who is objecting?

Name	Carlton Residents Association	Contact No.	
Postal Address	PO Box 1140 Carlton	Post Code	3053
Email	planningcra@gmail.com		

## What Planning Permit Application are you objecting to?

Address	232-234 Faraday St. Carlton	Application No.	TP-2016-1128
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## What are the reasons for your objection?

The Carlton Residents association is of the opinion that the development proposed by this application is inappropriate for several reasons.

Despite not being a prohibited use in a GRZ 1 zone, CRA asserts that a restaurant is a use that the Local Policy specifically discourages at this location.

The proposal does not appropriately respond to the existing streetscape.

The net community benefit of 'meeting a local need' which is asserted by the applicant, is spurious. Around the corner on Lygon Street there are currently many premises, previously restaurants, which have been vacant medium to long term. Locally it is acknowledged, by residents and traders, that there is an over supply of restaurants in the area.

CRA acknowledges that economic viability is not a planning issue, however if the above assertion is proffered in support of the application, we must challenge it.

CRA is also of the opinion that there are amenity issues with the residential accommodation proposed and that the waste management arrangement is virtually ignored relegating it to the Responsible Authority to solve with permit conditions.

The key planning controls, relevant to the subject site, which the application fails to satisfy are:

- [Local Planning policy Framework](#)
- [GRZ1 \(General Residential Zone 1\)](#)
- [DD048 \(DDO-48 Building Height/Setback Controls\)](#)
- [H01 \(Carlton Precinct\)](#)
- [P012 \(Parking Overlay 12\)](#)



**In respect of the Local Planning Policy Framework:** The relevant goals of Cl.21.06 that the application fails to achieve are:

- **Housing:** Support limited residential development which maintains the low scale nature of heritage streetscapes and buildings north of Grattan Street.
- **Economic Development:** If restaurants are discouraged in Lygon Street north of Grattan Street, then surely they should be discouraged in the adjoining streets north of Grattan Street
- **Built Environment and Heritage:** Dot points 1 has relevance.

**In respect of General residential Zone 1:** relevant goal the application fails to achieve is:

- To encourage development that respects the neighbourhood character of the area.

**In respect of Design and development Overlay 48:** CRA does not believe that the proposal satisfies the requirements of DDO 48 due to:

- The visible bulk of the development.
- The stated building height of 11.3 m (Wilcox Project Planning Report p.9) fails to comply with the Table to Schedule 48.

**Heritage Overlay HO1:** The proposal does not adequately address the issue of partial concealment of higher parts of the redevelopment at the rear of the site.

**Parking:** The applicant justifies the acknowledged shortfall of 12 spaces for the restaurant by suggesting that it will not affect the demand for parking because there will be a redistribution of patronage from other restaurants. This is difficult to reconcile with the net community benefit claim of local need. The lack of dedicated loading and unloading facilities has been unduly discounted.

**Amenity:** Apartments 103/203 and 104/204 have amenity and reciprocal rights issues with the balcony open spaces proposed.

**The Carlton Residents Association advocates on behalf of its members to**

- Support the retention of the heritage assets of the Carlton community and to discourage new developments that fail to respect these assets
- Maintain the quality of the public realm with a focus upon maintaining access to sunlight and sky views, and a pedestrian friendly scale
- Interpret and apply the performance based provisions of the Melbourne Planning Scheme fairly so that the interests of no one party are unfairly privileged over the interests of another party.

**Signature:**

  
Warren Green

**Date:** 16 May 2017

#### How to Apply and Enquiries:

**Mail:** Planning Department - City of Melbourne  
GPO Box 1603 Melbourne 3001

**Email:** [planning@melbourne.vic.gov.au](mailto:planning@melbourne.vic.gov.au)

**Tel:** 03 9658 9658



The Carlton Residents Association Inc.  
A0034345G ABN 87 716 923 898  
PO Box 1140, Carlton, Victoria, 3053  
[planningcra@gmail.com](mailto:planningcra@gmail.com)

05 July 2017

Mr Loughlan Curran  
Planning Department  
City of Melbourne  
GPO Box 1603,  
Melbourne, 3001

Dear Loughlan,

**Re: Planning Application TP-2016-1128 for 232-234 Faraday. Carlton.**

Carlton Residents Association acknowledges the positive response by the applicant by amending the proposal and providing additional information relating to traffic, waste management, acoustics and clarifying the issue relating to overall height of the proposed development.

Regrettably, the amended application does not address CRA's concerns totally. CRA still maintains that the proposal is inappropriate as stated in the original objection:

*Despite not being a prohibited use in a GRZ 1 zone, CRA asserts that a restaurant is a use that the Local Policy specifically discourages at this location.*

*The net community benefit of 'meeting a local need' which is asserted by the applicant, is spurious. Around the corner on Lygon Street there are currently many premises, previously restaurants, which have been vacant medium to long term. Locally it is acknowledged, by residents and traders, that there is an over supply of restaurants in the area.*

*CRA acknowledges that economic viability is not a planning issue, however if the above assertion is proffered in support of the application, we must challenge it.*

With regard to the acoustic report, CRA is of the opinion that it should reflect the impact on the surrounding residents and as such the report provided uses inappropriate base line measurements. In this matter, we endorse the comments from Mr Ian Bird:

*Background noise measurements were made only at the front of the site, facing Faraday St., but not in the rear garden facing Tyne St. Faraday St. traffic noise appears to have coloured 'Day' measurements, resulting in an elevated limit of 58dBA, 3db (twice) above the 55dBA, determined by two recent measurements made in the same area for the King & Godfree development (WMG, 11 Aug 2016 & SLR, 29 Aug 2016). We suggest this elevated and likely erroneous limit will adversely impact Tyne St residents.*

I refer you to the recent King & Godfree application, TP-2016-188, which raised similar concerns that were addressed during the application process.

Yours faithfully,

Warren Green [for Carlton Residents Association Inc.]