

PLANNING PERMIT OBJECTION FORM

Planning and Environment Act 1987



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 Your name will not be published in the planning report.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 Inc	Contact No.	
Postal Address	PO Box 1140, Carlton VIC	Post Code	3053
Email	carltonresidents@gmail.com		

What Planning Permit Application are you objecting to?

Address	186-190 Lygon Street Carlton 3053	Application No.	TP-2022-195
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What are the reasons for your objection?

Note: Your objection should state how the proposal will affect you and should relate to matters relevant to the proposed use or development.

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

CRA OBJECTION TO PLANNING PERMIT APPLICATION TP-2022-195

We submit that the proposed building is inappropriate for this site and does not comply with the Melbourne Planning Scheme. Accordingly, the CRA submits that the permit application should be refused.

The Site is located within the C1Z and is affected by DDO47, PO12 and HO1

GENERAL INCONSISTENCIES WITH THE MELBOURNE PLANNING SCHEME (MPS)

In our view there are several strategies, objectives, DDO guidelines and more specifically, key provisions of the following Melbourne Planning Scheme Clauses which would not be satisfied:

CI 21.06-1 Urban Design Strategy 4.3

'Strategy 4.3 In areas where the existing built form is to be retained, ensure development is designed to maintain the general low scale and character of those areas.'

In the Council's Draft Municipal Planning Strategy [under the section addressing The Built Environment at 02.03-4] the Council has emphasised the importance of maintaining this distinction. This Strategy was considered at the second FMC

Meeting held on the 19th July of this year. "Ensure a strong distinction between the built form scale of the Central City with that of ALL other areas"

In this context, this same Draft Municipal Planning Strategy has designated Carlton as an Established Neighbourhood. The following extract from p 5 is relevant [emphasis added]:

Carlton, East Melbourne and Jolimont, Kensington, Parkville, North Melbourne and South Yarra are neighbourhoods that will accommodate development as the city changes. These are well established, predominately residential areas, most with a strong heritage character. Change will be more subtle and gradual than in other areas of the municipality.

In our view, the built form scale of the proposed development at 186-190 Lygon Street is more appropriate for the Central City zone than for prevailing streetscape height in Carlton.

The development also has problems conforming with the relevant requirements of the Planning Scheme, including the Clauses 22.05, 22.15 and 22.17

Acceptable heritage, built form and streetscape outcomes are not achieved.

- *The development will negatively impact the heritage significance of the HO1 precinct, noting that the Site is located within a highly intact and significant streetscape, in particular the section of Lygon Street. between Queensberry and Elgin Streets. The only major intrusions into this cohesive Victorian streetscape are the two twentieth century office buildings at nos. 200 and 204 Lygon Street.*
- *'The height of the proposed building does not relate to the prevailing pattern of height and scale of existing development in the surrounding area.'*
- *'Unacceptable bulk is not reduced in this new development.'*

The policies in this clause cover the issues of scale, context, building height and building bulk. These objectives and policies are not met in this Application.

In particular, the design of the podium is not successful in response to the scale, articulation and materiality of the two storey characteristic heritage buildings along Lygon Street and the adjacent buildings along Pelham St to the East. The proposed top two levels of the building protrude above the podium level and this overhang is a major visual intrusion, especially when viewed from Pelham St. This section of the building at the fourth floor level (RL.51.400) is actually cantilevered over the Right of Way giving access to the adjoining property.

The Proposed building height is not acceptable.

DDO 47 section 2 of the schedule, outlines the following Maximum Building Height requirements for land within the Central Carlton South precinct.

4 Storeys - at 4 metres floor to floor dimension for non-residential use, this equates to a 16metre height limit.

Therefore the proposed building height to roof level (RL 58.800) at 19.5 metres above footpath level (RL 39.300) is already 3.5 metres over the maximum height requirements under the DDO 47 schedule.

However, if we include the additional structures, rooftop bar with kitchen and toilet facilities, which are added above the roof level, the actual height of the total building increases to (RL 63.300) 24 metres above footpath level.

This means that the overall height of the building is well over the stipulated 16 metre limit by 8 meters, and not the 3.5 meters as stated in the applicant's Town Planning Submission Clause 5.1.2 as part of the Planning Merits statement.

Refer to DWG A2.00 South and West Elevations.

Car parking.

The development seeks a full waiver of the associated car parking requirements including bicycle storage facilities under the Parking Overlay Schedule 12 relevant to the Site.

CRA considers this not to be consistent with site conditions and is not an appropriate response to the requirements of the site and nature of the locale.

Inappropriate use of roof top area.

The proposed use of the roof top terrace as a bar and entertainment area is unacceptable with so many of the properties in the immediate vicinity being residential. Achieving an acceptable level of amenity cannot be guaranteed by the imposition of permit conditions alone.

CONCLUSION

The proposed development for this site fails to meet the heritage context of the Carlton Precinct, as sought by the Melbourne Planning Scheme and other controls.

It is submitted that the proposal for the Site is not an adequate design response by the applicant and the application should not be granted a Planning Permit

(If there is not enough room, attach a separate page)

<u>Mail:</u> Planning Department - City of Melbourne GPO Box 1603 Melbourne 3001	<u>Email:</u> planning@melbourne.vic.gov.au	<u>Tel:</u> 03 9658 9658
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