



The Carlton Residents Association Inc.

A0034345G ABN 87 716 923 898

Carlton, Victoria, 3053

THE CARLTON RESIDENTS ASSOCIATION INC

SUBMISSION TO VCAT

V1



We submit that the planning application is inappropriate for this site and does not comply with the intent or statutory requirements of the Melbourne Planning Scheme (MPS).

Melbourne Planning Scheme



00 PURPOSE AND VISION

Municipal Planning Strategy



10

PLANNING POLICY FRAMEWORK



15 BUILT ENVIRONMENT AND HERITAGE

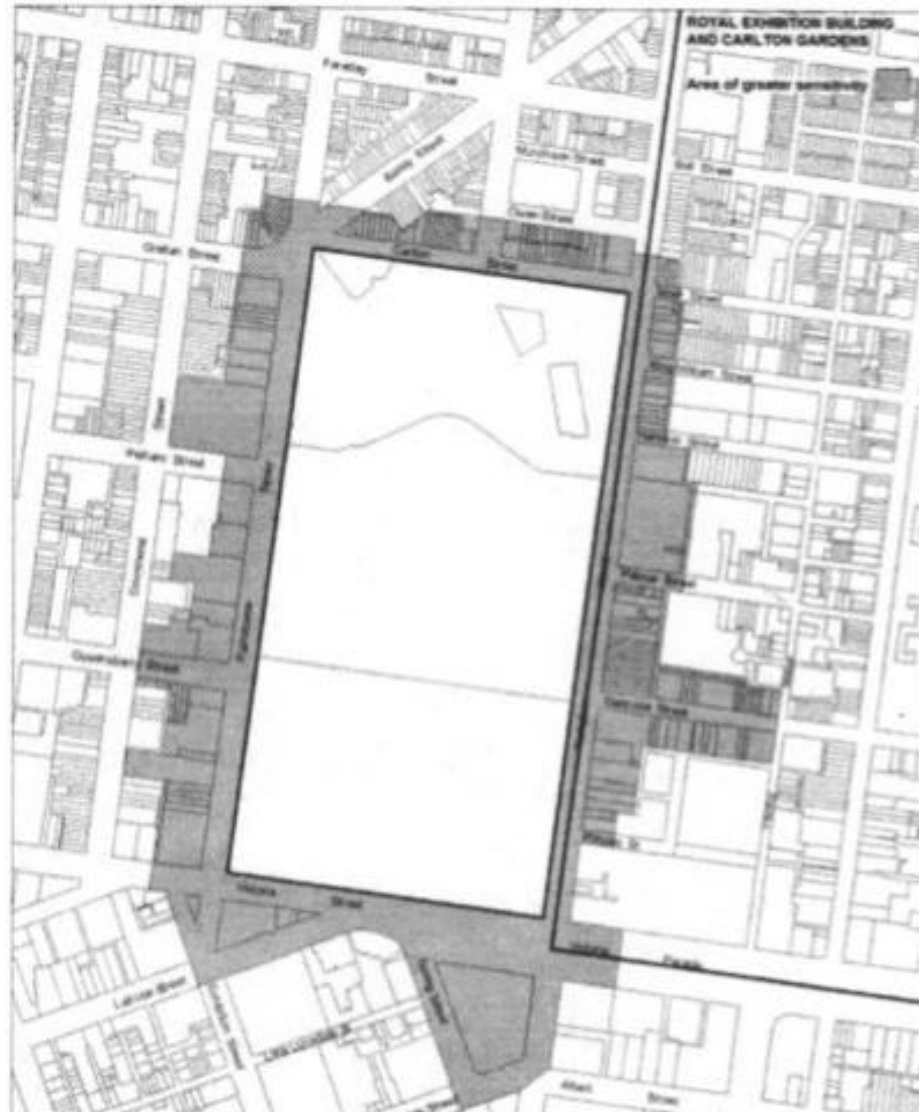


HERITAGE



Heritage places within the WHEA

Map of WHE





The proposed development does not meet the requirements of the WHEA.

Inappropriate Development



1 Queensberry St circa 1980



1 Queensberry St 2023



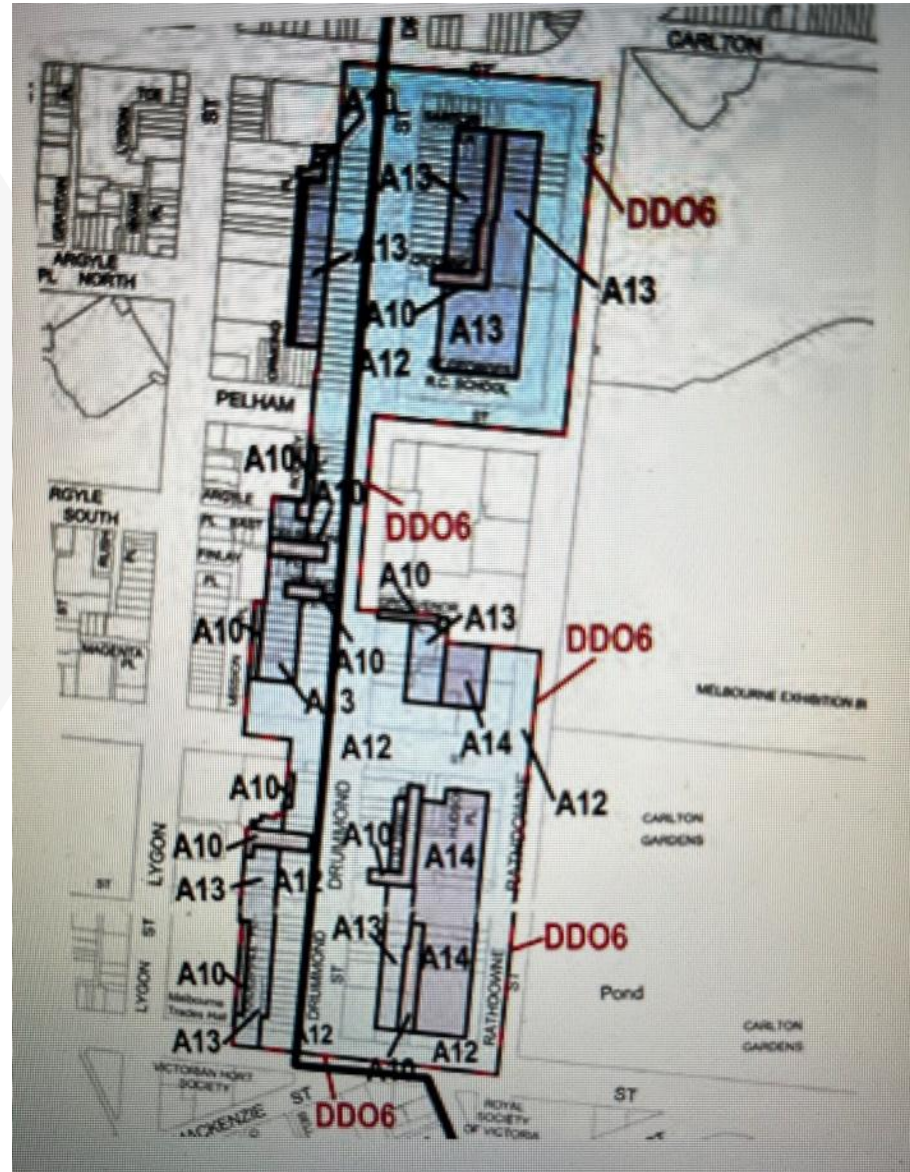
CI 15.03-1L-02 Heritage



40 OVERLAYS

CL 43.01 Heritage Overlay

DDO6



DD06 CI 1.0 Design Objectives



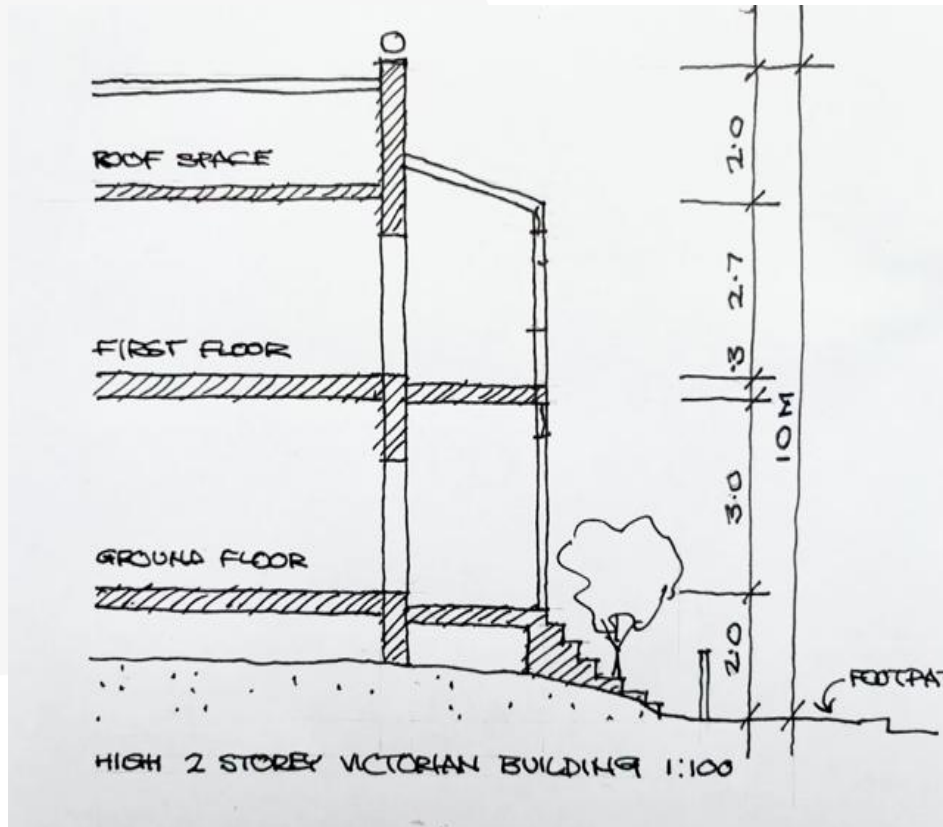
- *To protect and conserve buildings and streetscapes of significance and to reinforce the built form character of the area as being essentially of low rise buildings.*
- *To maintain the human scale of the area and to ensure compatibility with the scale and character of the existing built form.*
- *To ensure that any redevelopment or new development is compatible with the scale of adjoining buildings and the area.*
- *To protect and manage the values of and views to the Royal Exhibition Building.*

Table to Schedule 6



Area	Maximum Building Height	Outcomes
10	8 metres	The predominantly 1-2 storey built form character of the area is maintained to ensure a pedestrian scale of development abutting the streets and laneways.
12	10 metres	The low-rise built form of the area, which is predominantly 2-3 storey, is maintained to ensure that the existing Victorian character of the area is conserved.
13	13.5 metres	The existing historic character of the area remains.
14	16 metres	Development of an appropriate scale to Cardigan Street is achieved, but in doing so maintains a comfortable relationship with the surrounding low-scale area. Views to the drum, dome, lantern and flagpole of the Royal Exhibition Building from the footpath on the south side of Queensberry Street between Lygon Street (west side) and Rathdowne Street are protected.

29-31 Drummond Street





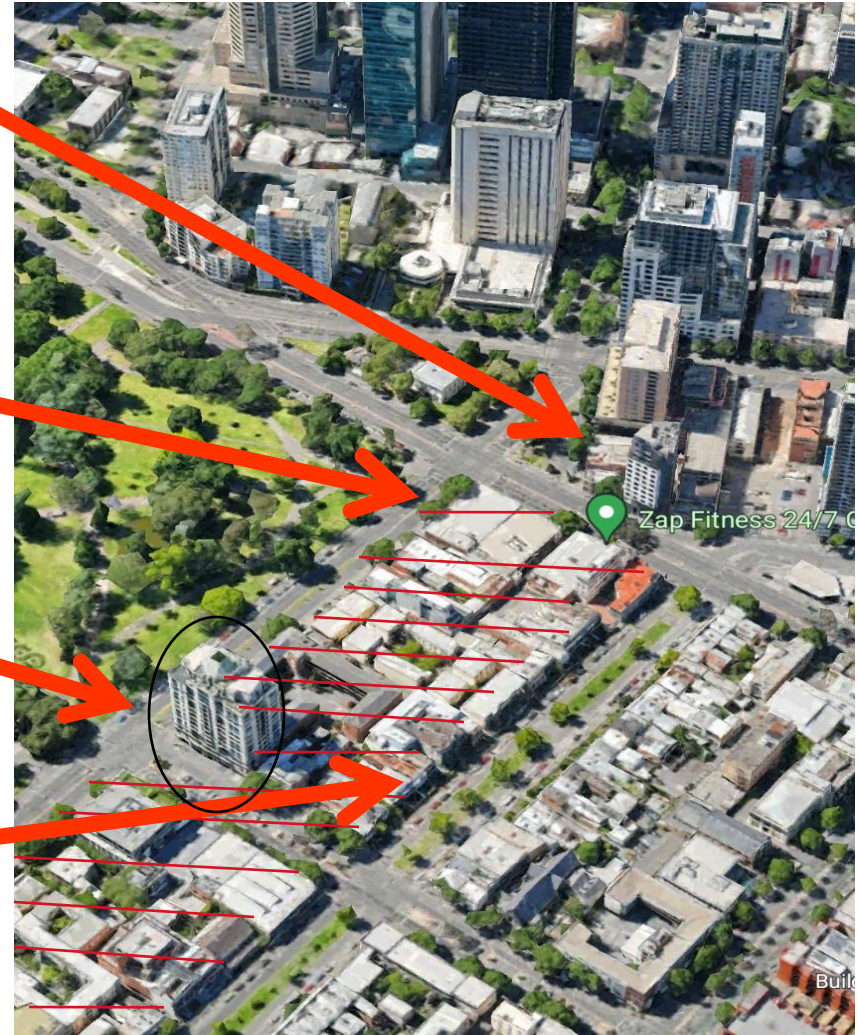
2-3 Storey Victoria Era buildings characterize the Carlton WHEA

High rise city buildings south of Victoria Pde

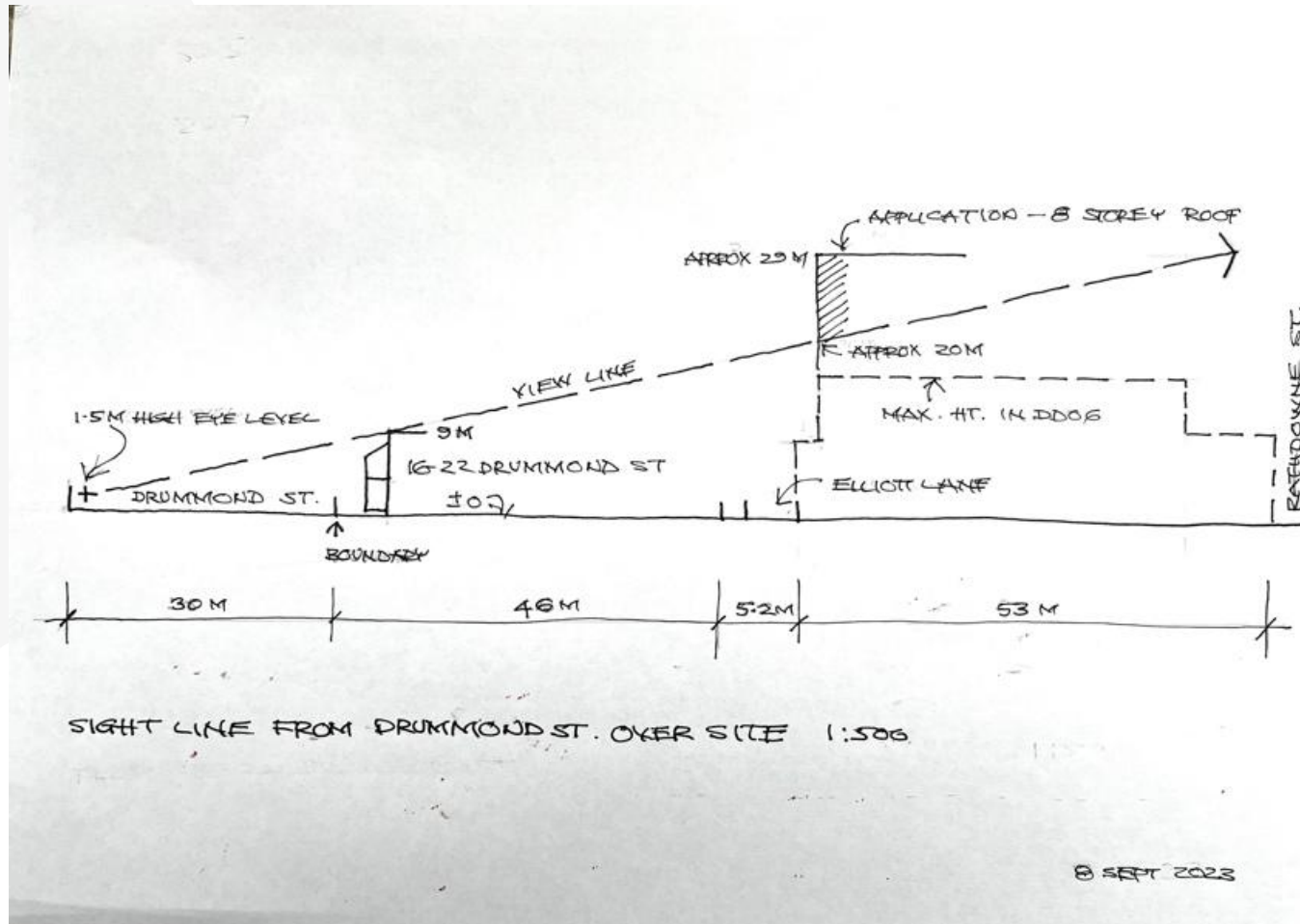
1-23 Rathdowne St

1 Queensberry St anomaly

2-3 storey Victorian era buildings in WHEA



Sight Lines from Drummond St



1-23 Rathdowne St – West Elevation

View from Significant Heritage Streetscape on Drummond St



21-23 Queensberry Street,



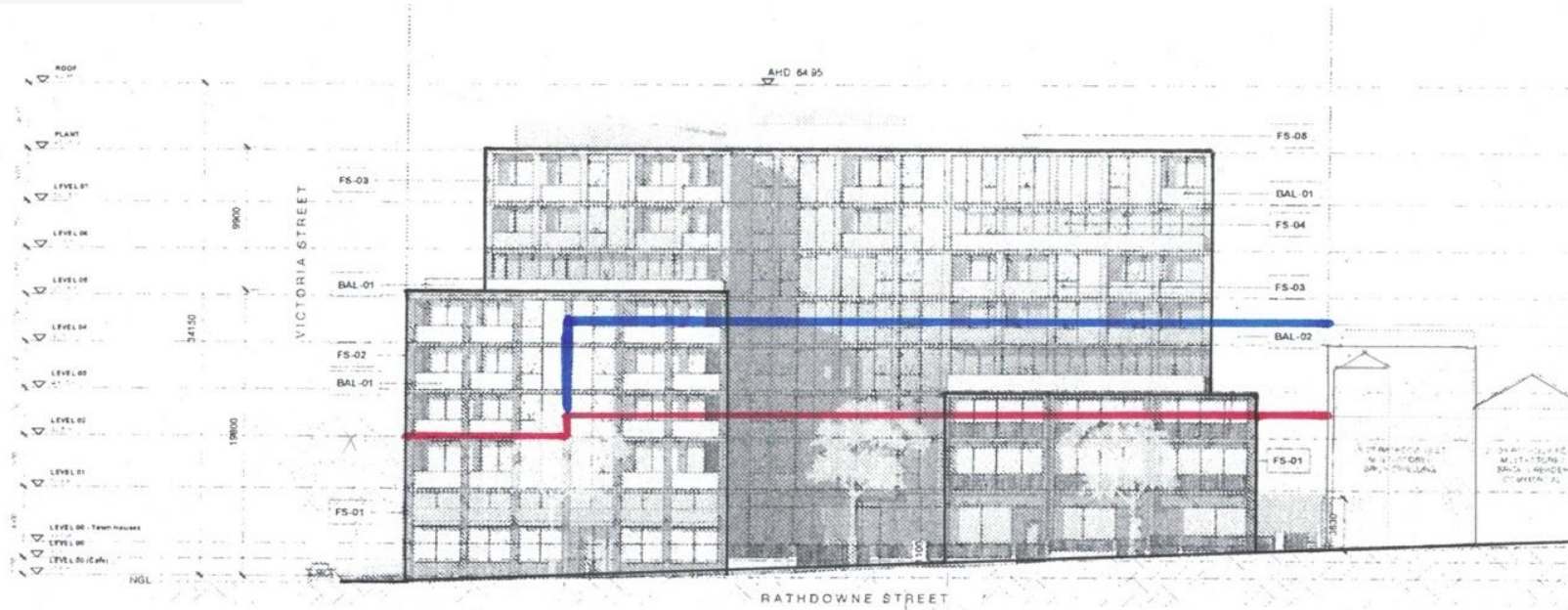
View along Elliott Place facing North.



From Victoria Street facing the REB + CG



East elevation of the application with maximum heights shown.



1 East Elevation
1:200

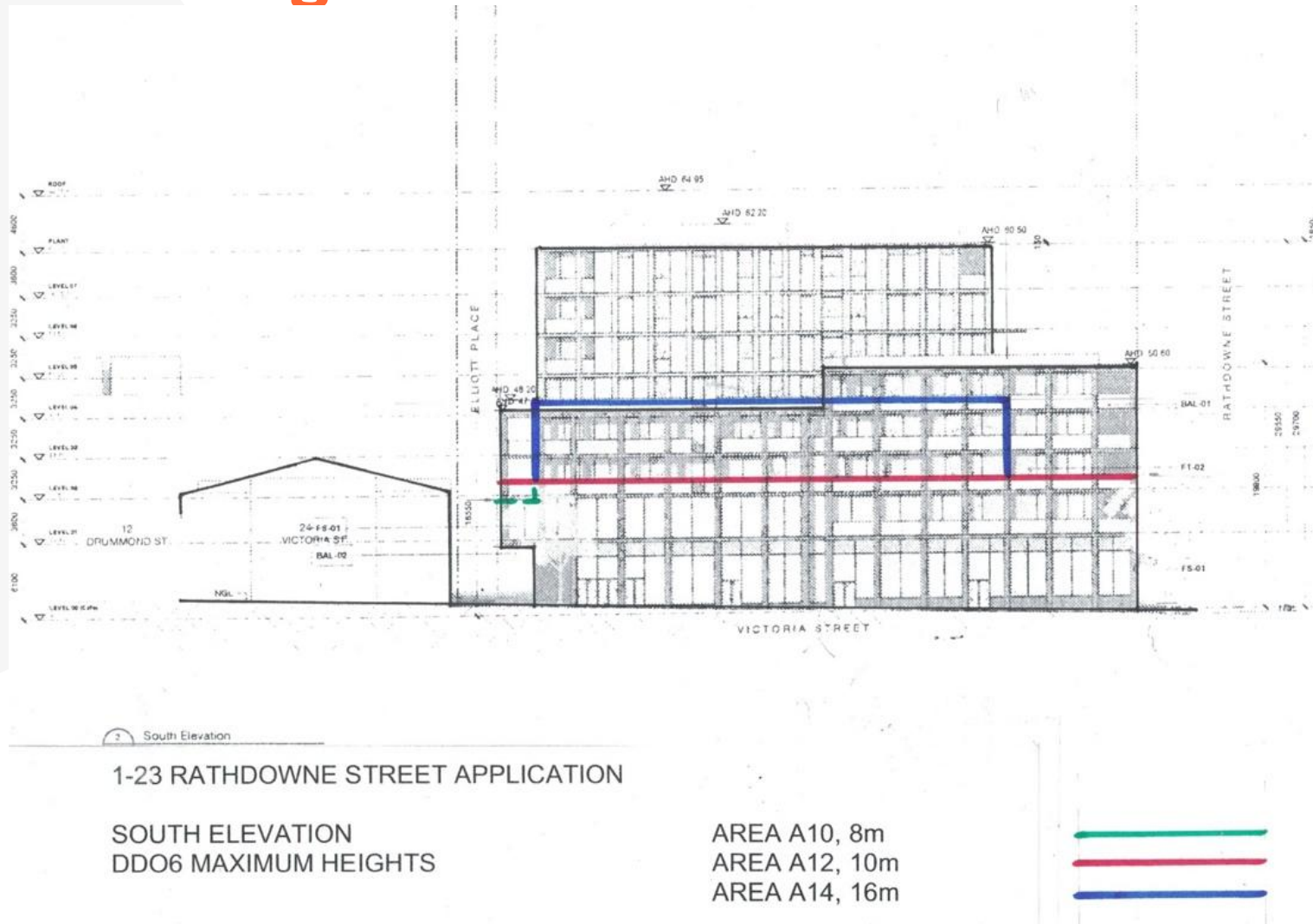
1-23 RATHDOWNE STREET APPLICATION

EAST ELEVATION
DDO6 MAXIMUM HEIGHTS

AREA A12, 10m
AREA A14, 16m



South elevation of the application with maximum heights shown.



From Victoria Street facing REB & CG



Heritage Character



- **SCALE**
- **MASSING and BULK**
- **DETAILS**
- **MATERIALS**
- **FRONT SETBACKS**
- **CHARACTER**

VCAT Rulings for the Area since MPS and DD06



No	CoM Ref	VCAT Ref	Address	Planning Application Summary	Final Outcome
1	TP-2007-1213	P?/2009	83-95 Rathdowne Street	Construct 6 storey building consisting of 57 dwellings, a restaurant and two retail shops	CONDITIONAL PERMIT GRANTED to meet urban design and heritage requirements - development reduced to 5 levels with no restaurant and shops.
2	TP-2010-319	P1738/2011	69-71 Drummond Street	To demolish the rear of the existing Victorian era building and to construct an apartment building. The building would contain 4 levels above natural ground level, one level below natural ground containing apartments and a second level below ground for storage and bicycle parking.	NO PERMIT GRANTED. Did not meet urban design and heritage guidelines.
3	TP-2013-630	P1375/2014	15-31 Pelham Street	Partial demolition of the front and rear building, conversion of existing buildings into dwellings and extend the rear building with 4 additional levels.	NO PERMIT GRANTED. Did not meet urban design and heritage guidelines. Developer amended design to meet CoM heritage and urban design requirements.
4	TP-2014-734	P834/2015	66-68 Lygon Street	Demolition of an existing four level motel building and its replacement with a 13 storey new building above 2 basements to contain retail premises, a place of assembly and residential apartments.	NO PERMIT GRANTED. Did not meet urban design and heritage guidelines.
5	TP-2018-892	P237/2019	16-22 Drummond Street	Partial demolition of 4 x Victorian terraces, construction of a 5 storey building (plus basements) accommodating dwellings and car parking.	NO PERMIT GRANTED. Did not meet urban design and heritage guidelines.

Corner Drummond and Pelham Streets





Key Governance Considerations

- ❑ The proposed development at 1-23 Rathdowne St *should not exceed* the DDO6 Maximum Building Height (MBH) requirements and if so *must demonstrate* achievement of the 4 design objectives - these are not *discretionary* but *conditional* requirements. The Applicant is required to prove that all 4 DDO6 design objectives are met.
- ❑ A REB and CG Draft Strategy Plan is currently before the Minister that recommends strengthening the current height controls for the WHEA which includes DDO6.
- ❑ Since 2004 VCAT has consistently not granted permits for applicants exceeding DDO6 MBH recommendations or compromising the heritage character in the Carlton area. VCAT has already set a number of relevant precedents.
- ❑ The REB & CG is an Australian and UNESCO significant heritage site. The Victoria Minister for Planning is the delegated responsible authority to protect the heritage values of the site on behalf of the Federal Government (EPBC Act).

Conclusions



The application does not comply with the statutory requirements of the MPS, specifically.

- ☐ Lack of a response to this highly important heritage area of Carlton, including the World Heritage listed Royal Exhibition Building and Carlton Gardens.
- ☐ The requirement is for a low rise development
- ☐ The requirement for a responsive design in this predominantly Victorian era area in relation to character, proportion, appearance, scale, massing and bulk, details, materials, and setbacks (all terms used in the MPS in relation to this area).
- ☐ Lack of response to the broad urban heritage character of the area including the protection of historic Elliott Lane.