

14 June 2017

Mr Billy Rebakis
Planning and Building Branch
Level 3, Council House 2
240 Little Collins Street
Melbourne Vic 3000
Planning@melbourne.vic.gov.au

Dear Billy

**Land at: Application for Planning Permit TP-2017-222, Whitley College 263-281
Royal Parade, Parkville**
**Purpose: Buildings and works to the existing building to facilitate the use of
the land as a student accommodation building**

The Association is concerned about and objects to the proposed application in relation to the following matters:

Intensification of a non conforming use

While the applicant asserts existing use rights as a basis for the Responsible Authority to permit a prohibited use (student accommodation) in the Commercial 1 Zone, the Association considers that the City of Melbourne (the Council) should not allow this huge intensification of what is a non conforming use in terms of the Melbourne Planning Scheme on this site. The number of students proposed to be accommodated on the site would increase from 130 currently accommodated in Whitley College to 366 – an increase of 236 students or approximately 180% - with a corresponding increase and intensification of built form on the site. By comparison, International House, just to the south of Leonard Street, accommodates approximately 350 students on a site approximately three times the size of the subject site.

As a matter of 'best practice' planning policy, where possible and appropriate, non conforming uses should be phased out over time and the use brought into conformity with the provisions of the Melbourne Planning Scheme. Bearing this principle in mind, the Council should not permit a massive intensification of the non conforming use on this site. If this site is deemed suitable for student accommodation in relation to contemporary planning considerations, the Council should review the planning controls that apply to the site and, if appropriate, introduce relevant zoning and other controls that would deliver appropriate land use and amenity outcomes. This is a preferred outcome to trying to facilitate a massive intensification of a non conforming use by what is patently a substantial overdevelopment of the site.

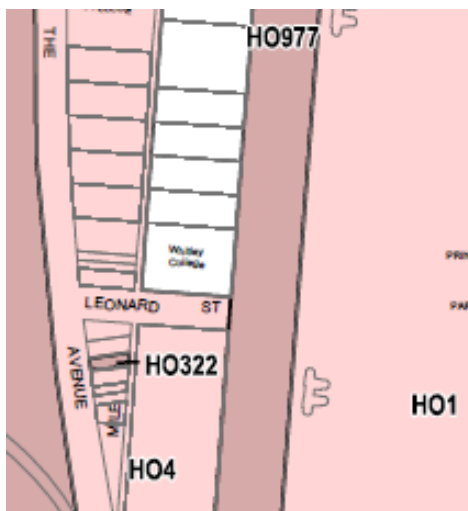
Inadequate material provided by the applicant

The Association considers that there are gaps in the voluminous material supplied with the Planning Permit application. As a result, we consider that the Council is not in a position to make a fully informed decision. Examples of this inadequate material include:

- *inadequate assessment of on-street parking usage:*

As part of the justification for zero parking provision, the Traffix traffic assessment included a parking survey undertaken on nearby streets in early December 2016 when the nearby Universities are in non-teaching periods and most resident students at Whitley would not have been in residence and non-residential students would not have been attending on campus. So, naturally, there would be a lower than normal on street parking utilization apparent. A further survey during teaching periods for nearby educational facilities should be conducted to provide an accurate assessment of current on-street parking use.

- *inadequate site context analysis*
While the subject site is not covered by the Heritage Overlay, most of the surrounding area is covered by precinct or site-specific Heritage Overlays (see below extract from HO 5). This fact, together with the overriding heritage character and significance of Parkville, should have been documented as an important influence on building bulk and design on the site and informed the visual assessment of the proposed building from significant heritage places including Royal Park, Princes Park and Royal Parade.



In addition, the site analysis does not include any meaningful visual assessment of the likely visual impact of the proposed six level building **on views from** Royal Park, Royal Parade and Princes Park. Rather, it focuses on the advantages of having uninterrupted views from the rooms in the proposed building to these parklands and views south to the CBD.

- *Insufficient material in relation to the operation of the proposed student accommodation*
One of the policy objectives of the Student Housing Policy presented in the Melbourne Planning Scheme at Clause 22.24 is 'To provide a safe, healthy, secure and well managed living environment'. The Association considers that, as a minimum, the applicant should have submitted a draft Management Plan to provide information on the matters set out in Clause 22.24-4. This would enable nearby residents to have some understanding of how this fully commercial student accommodation facility (as opposed to the church-based Whitley College facility) is intended to be managed in order to prevent adverse impacts on adjoining and nearby residents. A particular concern of some local residents is that in the long non teaching period for universities over the summer, this facility may become a general short term tourist accommodation facility or an AirBNB facility.

Potential overdevelopment of the site

The number of students to be accommodated on the site would increase from 130 currently accommodated in Whitley College to 366 – an increase of 236 students or approximately 180%.

As a result, a large, bulky building which exceeds the specified maximum controls in relation to parameters including building height and setbacks is required to accommodate this

increase in student residents. Essentially, this proposal is an 'ambit claim' to try and maximize the size of the proposed development above and beyond what the site and its context can reasonably accommodate without substantial detrimental effects.

For the reasons set out below, the Association considers that the proposed new building on the Mile Lane frontage is inconsistent with several of the design objectives set out in DDO 36, namely:

- To reflect the existing built form and open space pattern of North Parkville.
- To ensure that buildings do not dominate the landscape character of the area.
- To encourage generous setback so as to provide landscaping and a sense of spaciousness between buildings which allow for views between buildings.

The Association considers that there is no justifiable reason for allowing exceedances of the parameters set out in DDO36. There is no demonstrable material provided by the applicant on which the Responsible Authority could be satisfied that '...an increased height improves the amenity and enhances the urban character...' of this part of North Parkville.

In turn, this large and bulky built form would have a number of adverse impacts as follows:

- **actual overlooking of nearby private open space** (and/or the perception of this) of nearby residential properties fronting The Avenue both north and south of Leonard Street from the 50-60 student rooms located in the new building that would be oriented to the west;
- the **very low amenity of the proposed basement rooms** located below ground level on both Mile Lane and internal parts of the site – particularly in terms of actual daylight access into and natural ventilation of the rooms as opposed to the outdoor terraces and the general amenity of rooms at or above ground level. It appears that these rooms – particularly on the west side of the building fronting Mile Lane – would not meet the intent or requirements of Clause 22.24, namely:
 - Every room has direct access to daylight and fresh air and an external window.
 - That at least one source of light to study bedrooms be from external walls open to the sky.

The Association considers that approval of these basement rooms would set an unfortunate precedent for the provision of sub-standard accommodation and is generally inconsistent with good design guidelines for residential accommodation in Australia. This is an example of the 'ambit claim' nature of the proposal, namely, when faced with a specified 'maximum building height' just burrow down into the ground without any regard for the amenity outcomes for the occupants.

- the '**slab-like**' appearance of the west elevation of the new building to be located along Mile Lane and its visual impact from Royal Park in particular. While there are several long-established taller buildings along The Avenue and Royal Parade which predate the introduction of the maximum height controls in DDO 36, most are generally located perpendicular to these street frontages and thus present narrower elevations to views from either Royal Park, Royal Parade and Princes Park. The Association considers that a degree of built form modulation should be required that is consistent with the Design Objectives rather than a design that merely proposes not only to fill the maximum envelope but to exceed it wherever possible.
- The resultant **internal planning** of this slab-like building would see long (approximately 50m), narrow double-loaded corridors – a feature that is generally inconsistent with good residential design.
- The Association queries the choice of **type and colour of building materials** and the apparent relationship of some of these 'look at me' materials, for example, blue glazed bricks and use of very light white or off white colours to the heritage character of the local area. The Association suggests some more recessive building materials in texture and colour would be more appropriate in the local context.

Concern about proposed car and bicycle parking provision

While the Association is supportive of Council's policies in relation to sustainable transport modes, it considers that the application's minimal car parking provision of 2 tandem spaces for staff and zero spaces for the 366 students is an unrealistic and unjustified proposal.

Current approaches to planning usually rely on 'evidence-based' responses – in this case, little or no reliable evidence has been provided in relation to the proposed minimal staff car parking and zero car parking for student occupiers. For example, there is no information provided about the proposed staffing levels of the facility and the relationship of this workforce to the proposed parking provision. In addition, tandem parking spaces are a sub-optimal type of parking provision often necessitating regular shuffling of vehicles in and out of these spaces. Further, the delivery arrangements to serve this much larger facility are arguably not appropriately catered for through the limited provision of loading area located off Mile Lane

There is no information provided on expected car ownership by students – the assumption is made that because the site is within walking and cycling distance of the Universities and is reasonably well served by public transport none of the 366 students in residence will own a car and, if they do, there is adequate space in existing on-street parking to accommodate any such car ownership. The Association considers that the Council should request some 'evidence-based' information from similar facilities to justify a complete exemption from the provision of any on-site car parking.

The effect of this virtual absence of on-site car parking means that more of the site area is available to accommodate the proposed large bulky building and there is no need for expensive basement car parking. Rather, the occupation of the development is likely to make unreasonable demands on on-street car parking, essentially externalizing the provision of car parking to the public domain.


The Association suggests the desirability of providing some disabled parking spaces on site as a bare minimum.

Misleading description of the application

The Association considers that the stated 'purpose' of the proposed development on the Notice on site and other communications to nearby residents was misleading to the average reader as it did not alert people to the actual scale and likely impacts of the proposed development.

In future, the Association would appreciate being formally notified as part of the notification process under the Act of applications of such large scale so that it can represent the interests of the local community in a timely and considered manner.

Yours faithfully



Helen Weston
Secretary
The Parkville Association Inc

cc Clr Watts, Clr Wood and Clr Leppart