

Dear all

Since our last Newsletter, the Eastern Precinct Development appeal has begun at VCAT, with Part 2 to start on August 25th. So far the architect, Daryl Jackson, has described the building and pointed to the different style of student accommodation being proposed (see *The Age* 18th June). Mr Paul Briggs from Becton (*The Age*, 17th June) referred to the “financial gymnastics” required to justify the project, as one based on students being only able to afford low rents, which translates into low returns to investors and the need for so many units to make the project financially viable. The unfortunate consequence for the neighbourhood is the massive scale of this building complex in the heart of Carlton. Becton have provided a 3D model of the development as part of the evidence. It is worth viewing, since it gives an idea of the scale of the development. Peter Sanders has taken some photos of the model. The following view of the model is from the intersection of Faraday and Cardigan Streets. Other views are included towards the end of this Newsletter.

The use of the Becton model for marketing purposes between Parts 1 and 2 of the VCAT case has been criticized (see article in *The Melbourne Times*, 25th June).

The barrister representing the Minister of Planning (Ragu Appudurai) argued that since the Design and Development Overlay (DDO46 University East: introduced on 19th December 2002 as part of the C20 Amendment) for the block had a height limit of 10.5 metres along Cardigan Street to a depth of 15 metres and 36 metres elsewhere, the planners who wrote DDO46 must have known the possible impact of a 36 metre building on the amenity and heritage significance of surrounding buildings and considered that impact acceptable. Since the building fits the height limits, then the development is acceptable. It also would provide much needed student accommodation, and match the building heights on the hospital block. He claimed that most of the houses on the block and along Cardigan Street are in a run down state. The next case was put for the University of Melbourne by Michelle Quigley SC, with Professor Lee Dow as expert witness. The University supports the development: more

student accommodation on the University's doorstep would be convenient. The design is seen as consistent with the University Masterplan and the Fooks Martin & Sandow (FMS) strategy plan that the University used to support its case for a 36 metres height limit when presenting to the Independent Panel. That Panel received submissions and wrote an influential report on the C20 Amendment. The University also distanced itself from the project by stating that Becton was not acting on behalf of the University, and that once the sale of the land was completed the University would have no control over the development. In answer to a question from the leader of CRA's legal team, Simon Molesworth QC, Professor Lee Dow acknowledged that the University would also support alternative building designs. He had not seen any plans for the present proposal. The main support from the University was for student accommodation. This would assist the University to attain its goal of an increase in the proportion of International students from 21 to 28% in the period 2003-2007.

Becton's legal representative, Michael Wright QC, argued that the University did have an interest in the project, and that the 11 storey student accommodation development was in a Public Use zone which meant that it did not need a permit for student accommodation purposes. The contract of sale between the University and Becton for the Eastern Precinct development was produced in support of that argument, although the University noted its objection to the contract being made public. This zoning argument is being held over until the legal teams of the different parties have time to consider their responses. Since Becton had in fact applied for a permit to develop and use the main building complex for student accommodation, the case continued. Other parties seemed of the opinion that the main 11 storey complex did require a permit, and should be included in the current VCAT appeal.

Melbourne City Council then began its evidence with expert presentations by Graeme Dixon (planning), Kim Dovey (urban design & architecture), Meredith Gould (heritage) and Craig Zarny (urban design). Anthony Southall QC and David O'Brien barrister are the MCC legal team presenting the Councils

case. Key points made by the Council's team and experts were that the development does not meet the objectives of DDO46 (in particular the objective to respect the scale and form of the heritage buildings in Faraday and Cardigan Streets and appropriate development in the section of Swanston Street which is west side of the Eastern Precinct block). Kim Dovey argued that the plan is inconsistent with the University's Masterplan and the FMS strategy plan. In particular there is a plan for a forecourt on the west side of the Swanston/Faraday Street junction which would be overshadowed by the 11 storey complex. Also, the Tyne Street extension lane through the Eastern Precinct block (which is part of the University Masterplan) was not included in the Becton plan. Amendments to the University Masterplan need to be passed by the University Council, following a 3 month notification period. This has not occurred. Additionally, the 11 storey scale would dominate recent exemplary buildings University buildings on the west side of Swanston Street (Potter Museum, Asia Centre). A high standard of architecture would be expected opposite to complement these buildings.

The Becton development would very much restrict the development of the entrance to the University on Swanston Street developing as a significant public space and prevent functional links to Carlton through the block. Meredith Gould emphasized the distinct nature of the Eastern Precinct block when compared to blocks south of Grattan Street. The Eastern Precinct block has historically been part of the residential zone that was established north of Grattan Street very early in Carlton's history. She pointed out that DDO46 was the only DDO which had respect for the **heritage context** as a design objective, and that heritage reference meant heritage considerations were relevant for the whole block as defined by DDO46 (Swanston, Faraday, Cardigan, Elgin Streets). She also demonstrated that the two houses in Swanston Street that are proposed for demolition are actually very early houses (1860s), and are linked as a heritage streetscape corner with the Faraday Street houses. A more sympathetic development would integrate the two streetscapes. She was critical of the negative impact that the

proposed new 11 storey complex and three storey new residential building in Cardigan Street would have on the existing heritage buildings on the block and the context buildings in Faraday and Cardigan Streets (scale relationship and unsympathetic appearance). Craig Zarny also emphasized the distinction between the Eastern Precinct block and other blocks south of Grattan Street, as demonstrated in the different design objectives for these areas. He referred to Map 7 of the Melbourne Planning Scheme's Municipal Strategic Statement, which clearly shows that the Eastern Precinct block falls in the "existing stable" area category rather than being a "growth" area.

This is a critical point, since growth areas are where high density development is expected. In Carlton the DDO areas which have "future character", "transition" "higher form" and growth in education and research & development" in their design objectives are DDO45 Swanston Street and DDO44 Elizabeth and South Carlton areas. The design objectives for these three areas are provided below.

Design Objectives

DDO44 Elizabeth Street and South Carlton

- "To encourage a consistent **higher form** development in this area
- To acknowledge the **transitional nature** of the area and the opportunity for the development of a new built form character
- To encourage development opportunities for **growth in the education, research** and development sectors"
- Max Ht: 8 storeys (28-32m)

DDO45: Swanston Street

- "To promote the **future character** of this precinct as a major, tree-lined, civic spine fronted by buildings of consistent scale
- To encourage development opportunities for **growth in the education, research and development** sectors
- To acknowledge the **transitional nature** of the area and the opportunity for the development of a **new built form**

character”

- Max HT: 9 storeys [31.5-36m]

DDO46: University East

- “To encourage development that reinforces the importance of Swanston Street as a major thoroughfare.
- To ensure that the highest parts of any redevelopment are located at the Swanston Street frontage of the site.
- To ensure that new development respects the scale and form of heritage buildings on Faraday and Cardigan Streets.”

The differences between design objectives for these areas are critical for the Tribunal’s decision. There are also other policies in the Melbourne Planning Scheme (including design policy for new developments outside the capital city zone and heritage policy) that we will argue are not met in the Becton development. We will be placing evidence from the Hearing that is available in electronic form on our website

www.carltonresidents.org.au. This includes an excellent MCC submission which provides an overview of the Council’s position.

Members may wish to know how they can help promote our case. Many are already assisting in the preparation and presentation of the case. There are also opportunities for raising the public’s awareness of the scale of the project, and the negative impact it will have in the heart of the local Carlton community (in terms of being a good place to walk around and the low scale Victorian building character of the area). We will be preparing posters for Lygon Street businesses and residences plus flyers. Let us know if you would like to distribute or display a poster. You could also write letters to the Minister of Planning, your local MP, members of the University of Melbourne’s Council or to the media (letters to editor). Addresses will be made available on our website. You could also plan to attend some or all of the VCAT Hearing starting on Monday August 25th. CRA is due to present evidence on four days starting on August 25th. Further details of the presentation days will be provided as they become available.

The six weeks before the resumption of the VCAT Hearing provide a great opportunity for the public to become more

aware of the proposal and why the Carlton community opposes the development. Donations would be appreciated to cover the additional costs of photocopying, postage and phone calls. These can be sent to the Secretary or Treasurer. Overall we have a tremendous team working on the case, great evidence but formidable opponents! The long-term impact of the proposed development on Carlton would be as enormous as that of the high-rise housing estates and institutional buildings of the 1960s and 1970s: all of which are being used as precedents for further development which erodes the character of Carlton. It is very disappointing that many members of the University appear either unaware or unconcerned about the negative impact the Becton development would have for public life on the east side of the University itself, and on the University's historic connection with the Carlton neighbourhood.

Planning

We do have the occasional "win"! The Carlton Movie House is to be leased by STA Travel service. A planning application for modifications to the building included the removal of the "Carlton" sign.

Fortunately, on inquiry the sign is classified with the building, and following representations to the MCC, National Trust and the town planner working on the modifications, the sign will stay. For many people the sign is associated with the Carlton Movie House which was a Carlton institution for many years. It is pleasing that the STA Travel Agency recognized that the sign was valued by the Carlton community and is willing to include it in the building's next lease of life.

An important emerging issue is the redevelopment of the Lygon/Rathdowne Housing Estate and the Queen Elizabeth Site. This was discussed at the MCC Environment, Community and Cultural Development Committee on Monday 16th June (see Agenda Item 5.2

<http://www.melbourne.vic.gov.au/committees/infopage.cfm?pid=13&m=58>). Council gave in-principle support to the draft redevelopment plan proposed by the Office of Housing. This plan includes the retention of the number of public housing

units as well as the inclusion of private dwellings to encourage greater social integration. A total of 1549 dwellings is planned; with 220 on the Queen Elizabeth site, ranging from 2-6 storeys in height and respecting the historic buildings context and the elm avenue. Residential blocks on the Lygon/Rathdowne Street estate will be redeveloped so that the historical street pattern is restored, with buildings aligned along Rathdowne, Drummond, Neill and Lygon Streets and median plantations. An extensive community consultation process is planned.

Another key development being proposed is one for the Cancer Council site on the corner of Rathdowne and Victoria Streets. Details are being finalized, with heights of 14 to 18 storeys mooted. The CRA Committee decided at its meeting last week that such heights in that location would be opposed by CRA on heritage grounds. It is expected that the Planning Group will have an opportunity at its next meeting to assess the amenity impact of the development.

Heritage Walks

To coincide with the launch of his two books on the Melbourne General Cemetery, Don Chambers will lead two walks of the Cemetery, the first will be the "South Walk" on **Sunday July 13th** and the second will be the "North Walk" on **Sunday July 20th**. Both walks will start from 244 Faraday Street at 2pm. There will be no charge. Members are welcome to attend the book launch by Minister Bronwyn Pike at Readings on Thursday 17th July at 6pm.

Regards

Sue Chambers

President