



Merri-bek City Council

Minutes of the Planning and Related Matters Meeting

Held at the Council Chamber, Merri-bek Civic Centre,
90 Bell Street, Coburg
on Wednesday 24 April 2024

The Mayor opened the meeting at 6.32 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Adam Pulford, Mayor	6.32 pm	6.54 pm
Cr Lambros Tapinos, Deputy Mayor	6.38 pm	6.54 pm
Cr Angelica Panopoulos	6.32 pm	6.54 pm
Cr Annalivia Carli Hannan	Leave of absence	
Cr Helen Davidson	6.32 pm	6.54 pm
Cr Helen Pavlidis	6.32 pm	6.54 pm
Cr James Conlan	6.32 pm	6.54 pm
Cr Mark Riley	6.32 pm	6.54 pm
Cr Monica Harte	6.32 pm	6.54 pm
Cr Oscar Yildiz JP	6.32 pm	6.54 pm
Cr Sue Bolton	6.42 pm	6.54 pm

OFFICERS

Director Place and Environment - Joseph Tabacco
Group Manager City Development – Phil Priest
Unit Manager Urban Planning – Mark Hughes
Principal Urban Planner – Jack Poulson
Unit Manager Governance – Troy Delia
Team Leader Governance – Naomi Ellis

APOLOGIES/LEAVE OF ABSENCE

Cr Carli Hannan was on an approved leave of absence - 1 April 2024 to 30 April 2024 inclusive.

DISCLOSURES OF CONFLICTS OF INTEREST

Nil

MINUTE CONFIRMATION

Resolution

Cr Pavlidis moved, Cr Panopoulos seconded -

That the minutes of the Planning and Related Matters Meeting held on 27 March 2024 be confirmed.

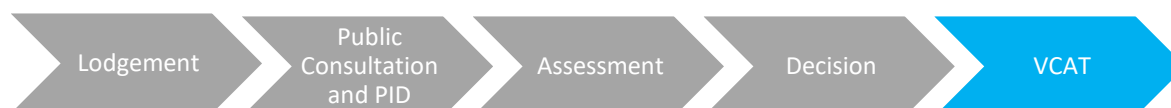
Carried

6.38 pm Cr Tapinos entered the meeting.

6.42 pm Cr Bolton entered the meeting.

COUNCIL REPORTS

5.1 1 CHAMP STREET, COBURG - MPS/2021/968



Property:	1 Champ Street (Lot S12), Coburg		
Proposal:	Construction of an 11-storey building (Building 1) and a 12-storey building (Building 2) comprising residential apartments above multiple basement levels		
Zoning and Overlay/s:	Activity Centre Zone –Precinct 9 (ACZ1) Heritage Overlay (HO47) Parking Overlay (PO1) Environmental Audit Overlay (EAO1) Development Contributions Plan Overlay		
Strategic setting:	Minimal change	Incremental change	Significant change
Objections:	No public notice has been directed. VCAT will determine the need for public notice.		
Planning Information and Discussion (PID) Meeting:	No PID held		
ESD:	Minimum average NatHERS rating of 7.3 stars BESS Score of 63 per cent		
Accessibility:	Adaptable apartments comprise 51 per cent of the proposal		
Key reasons for refusal	Excessive building height that is not consistent with ACZ or Pentridge Masterplan expectations. The proposal's overshadowing, inadequate accessibility and absence of commercial land uses fails to create an active and vibrant entry and publicly-accessible spaces within a setting of significant heritage assets.		

Recommendation:	That Council advises the Victorian Civil and Administrative Tribunal (VCAT) and all parties that the proposed development is not supported.
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Officer Recommendation

That Council writes to the Victorian Civil and Administrative Tribunal (VCAT) and all parties to the VCAT review advising that Council does not support planning permit application MPS/2021/968 at 1 Champ Street (Lot S12), Coburg for the construction of an 11-storey building (Building 1) and a 12-storey building (Building 2) comprising residential apartments above multiple basement levels, subject to the following grounds:

1. The proposal fails to meet the objectives of Schedule 1 to the Activity Centre Zone as it exceeds the preferred building height limits and preferred graduated form/upper level setbacks set out in the Pentridge Coburg Masterplan February 2014 (Incorporated Plan), resulting in an inappropriate scale and unacceptable visual impacts to the public realm and publicly-accessible open space. In particular it is noted that the additional height sought fails to:
 - a) Ensure the publicly-accessible spaces are attractive, comfortable, or experienced at a human scale, as encouraged by the Masterplan.
 - b) Respond to the heritage context of the former Pentridge Prison, and in particular to the significance of the historic A Division immediately east of the site.
 - c) Establish a scale of development on the northwest interface (Champ Street) that does not overwhelm the character of existing one and two-storey development opposite.
2. The proposal does not provide an acceptable response to the design and development requirements of Section 4.4 of Schedule 1 to the Activity Centre Zone in relation to the additional building height sought. In particular, it is noted the proposal does not sufficiently demonstrate how the additional height sought:
 - a) Facilitates benefits to the community such as excellent ESD performance, positive contributions to public open space or the public realm, or the provision of affordable housing;
 - b) Avoids adverse impacts on the streetscape, heritage values and public realm;
 - c) Avoids unacceptable visual impact on surrounding streets and public spaces.
3. Providing only residential and communal land uses at the lower levels adjacent to the forecourt and courtyards A and B fails to address the Vision For Pentridge as set out in the Pentridge Coburg Masterplan 2014, in that the proposal does not:
 - a) respond to the mixed-use ambition of the precinct;
 - b) create a vibrant and sustainable urban hub, a place for the shared use of its residents and workers, the neighbouring community, and tourists;
 - c) provide new employment opportunities through the proposed mix of uses
4. The proposal fails to satisfy the requirements of Clause 58.02-1 of the Merri-bek Planning Scheme in relation to Standard D1 (Urban Context) in that the design response is not appropriate to the urban context or the site, and that the proposal does not respect the existing or preferred urban context through excessive building scale and land uses restricted to residential dwellings.

5. The proposal fails to comply with the following Land Use and Development Objectives of the Schedule to the Activity Centre Zone:
 - a) Develop Precincts 9 and 10 in accordance with the Pentridge Coburg Masterplan February 2014.
6. The proposal fails to provide an acceptable response to the Precinct 9 Objectives (Section 5.9-2 of Schedule 1 to the Activity Centre Zone) and Precinct Guidelines (Section 5.9-4 of Schedule 1 to the Activity Centre Zone).
7. The proposed development will unreasonably overshadow publicly-accessible open space identified as Courtyards A and B, nominated as primary publicly-accessible open spaces within the Coburg Pentridge Masterplan (Figure 4.5a – Open Space Plan). As such, the proposal fails to ensure the publicly-accessible spaces are attractive and comfortable, as encouraged by the Masterplan.
8. The proposed development does not provide adequate access for people of limited mobility through the site to Success Lane, with this thoroughfare identified as a Primary Inter-precinct Pedestrian Link at Figure 4.8c of the Pentridge Coburg Masterplan (Incorporated Document). As such, the proposal fails to ensure the publicly-accessible spaces are accessible, as encouraged by the Masterplan.

Resolution

Cr Riley moved, Cr Bolton seconded -

That Council writes to the Victorian Civil and Administrative Tribunal (VCAT) and all parties to the VCAT review advising that Council does not support planning permit application MPS/2021/968 at 1 Champ Street (Lot S12), Coburg for the construction of an 11-storey building (Building 1) and a 12-storey building (Building 2) comprising residential apartments above multiple basement levels, subject to the following grounds:

1. **The proposal fails to meet the objectives of Schedule 1 to the Activity Centre Zone as it exceeds the preferred building height limits and preferred graduated form/upper level setbacks set out in the Pentridge Coburg Masterplan February 2014 (Incorporated Plan), resulting in an inappropriate scale and unacceptable visual impacts to the public realm and publicly-accessible open space. In particular it is noted that the additional height sought fails to:**
 - a) **Ensure the publicly-accessible spaces are attractive, comfortable, or experienced at a human scale, as encouraged by the Masterplan.**
 - b) **Respond to the heritage context of the former Pentridge Prison, and in particular to the significance of the historic A Division immediately east of the site.**
 - c) **Establish a scale of development on the northwest interface (Champ Street) that does not overwhelm the character of existing one and two-storey development opposite.**
2. **The proposal does not provide an acceptable response to the design and development requirements of Section 4.4 of Schedule 1 to the Activity Centre Zone in relation to the additional building height sought. In particular, it is noted the proposal does not sufficiently demonstrate how the additional height sought:**
 - a) **Facilitates benefits to the community such as excellent ESD performance, positive contributions to public open space or the public realm, or the provision of affordable housing;**
 - b) **Avoids adverse impacts on the streetscape, heritage values and public realm;**

- c) Avoids unacceptable visual impact on surrounding streets and public spaces.
- 3. Providing only residential and communal land uses at the lower levels adjacent to the forecourt and courtyards A and B fails to address the Vision For Pentridge as set out in the Pentridge Coburg Masterplan 2014, in that the proposal does not:
 - a) respond to the mixed-use ambition of the precinct;
 - b) create a vibrant and sustainable urban hub, a place for the shared use of its residents and workers, the neighbouring community, and tourists;
 - c) provide new employment opportunities through the proposed mix of uses.
- 4. The proposal fails to satisfy the requirements of Clause 58.02-1 of the Merri-bek Planning Scheme in relation to Standard D1 (Urban Context) in that the design response is not appropriate to the urban context or the site, and that the proposal does not respect the existing or preferred urban context through excessive building scale and land uses restricted to residential dwellings.
- 5. The proposal fails to comply with the following Land Use and Development Objectives of the Schedule to the Activity Centre Zone:
 - a) Develop Precincts 9 and 10 in accordance with the Pentridge Coburg Masterplan February 2014.
- 6. The proposal fails to provide an acceptable response to the Precinct 9 Objectives (Section 5.9-2 of Schedule 1 to the Activity Centre Zone) and Precinct Guidelines (Section 5.9-4 of Schedule 1 to the Activity Centre Zone).
- 7. The proposed development will unreasonably overshadow publicly-accessible open space identified as Courtyards A and B, nominated as primary publicly-accessible open spaces within the Coburg Pentridge Masterplan (Figure 4.5a – Open Space Plan). As such, the proposal fails to ensure the publicly-accessible spaces are attractive and comfortable, as encouraged by the Masterplan.
- 8. The proposed development does not provide adequate access for people of limited mobility through the site to Success Lane, with this thoroughfare identified as a Primary Inter-precinct Pedestrian Link at Figure 4.8c of the Pentridge Coburg Masterplan (Incorporated Document). As such, the proposal fails to ensure the publicly-accessible spaces are accessible, as encouraged by the Masterplan.

Carried unanimously

URGENT BUSINESS

Nil

The Council meeting closed at 6.54 pm.

Confirmed

Cr Adam Pulford
MAYOR