

Report to the Future Melbourne (Planning) Committee

Agenda item 6.1

Planning Permit Application: TP-2019-953 B2, 101 Batman Street, West Melbourne

1 December 2020

Presenter: Evan Counsel, Director Planning and Building

Purpose and background

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application seeking approval for the use of the land for an education centre and a reduction of the statutory car parking requirements at B2, 101 Batman Street, West Melbourne (Refer to Attachment 2, Locality Plan).
2. The applicant is Con Tsourounakis, the owner is 377 Spencer Pty Ltd and the architect is Ridgemont Designs.
3. The site is located within the Mixed Use Zone (MUZ) and is affected by Heritage Overlay (HO771 - Sands & McDougall precinct 83-113,115,135 Batman Street, 23 Franklin Place, 102 Jeffcott Street, 355 & 371 Spencer Street, West Melbourne) and Design and Development Overlay Schedule 12 (DDO12) and Schedule 33 (DDO33). The land is also affected by proposed Melbourne Planning Scheme Amendment C309 (West Melbourne Structure Plan).
4. The proposed use as an education centre will occupy a purpose built ground level commercial tenancy of the Melbourne Village development. The use includes a maximum 163 people on site at any one time and maximum operating hours of 7am to 10pm Monday to Sunday.
5. Public notice of the proposal has been undertaken and a total of 75 objections have been received.

Key issues

6. Key issues for consideration are the suitability of the proposed land use, reduction of the statutory car parking, and potential amenity impacts on the surrounding area.
7. The use of the land for an Education Centre is consistent with the purpose of the Mixed Use Zone and would not result in any unreasonable offsite amenity impacts. The hours of operation are consistent with Ministerial Planning Permit 2012/000444-1 that applies to the whole of the site.
8. The reduction of the statutory car parking requirements of 41 spaces is considered to be consistent with the purpose of Clause 52.06 (Car Parking) of the Melbourne Planning Scheme given the site constraints, location and proposed strategic goals of reducing car parking demand in the area. The reduction of car parking is also consistent with Amendment C309 which, among other things, seeks to minimise car parking in this location.
9. While the use is considered compatible with the immediate and nearby neighbourhood context, a recommended permit condition requires an operation management plan to be submitted and approved to form part of the permit. The operational management plan will ensure the business operations are appropriately managed to ensure no unreasonable amenity impacts.

Recommendation from management

10. That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit, subject to the conditions outlined in the Delegate Report (refer Attachment 4 of the report from management).

Attachments:

1. Supporting attachment (Page 2 of 23)
2. Locality Plan (Page 3 of 23)
3. Plans (Page 4 of 23)
4. Delegate Report (Page 11 of 23)

Supporting Attachment

Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987 (Act)* sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

Finance

3. There are no direct financial issues arising from the recommendations contained in this report.

Conflict of interest

4. No member of Council staff or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

5. Relevant planning considerations such as traffic, waste management and potential amenity impacts that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

6. Public notice of the application has been undertaken to surrounding owners and occupiers, pursuant to Section 52 of the Act.

Relation to Council policy

7. Relevant Council policies are discussed in the attached Delegate Report (refer Attachment 4)

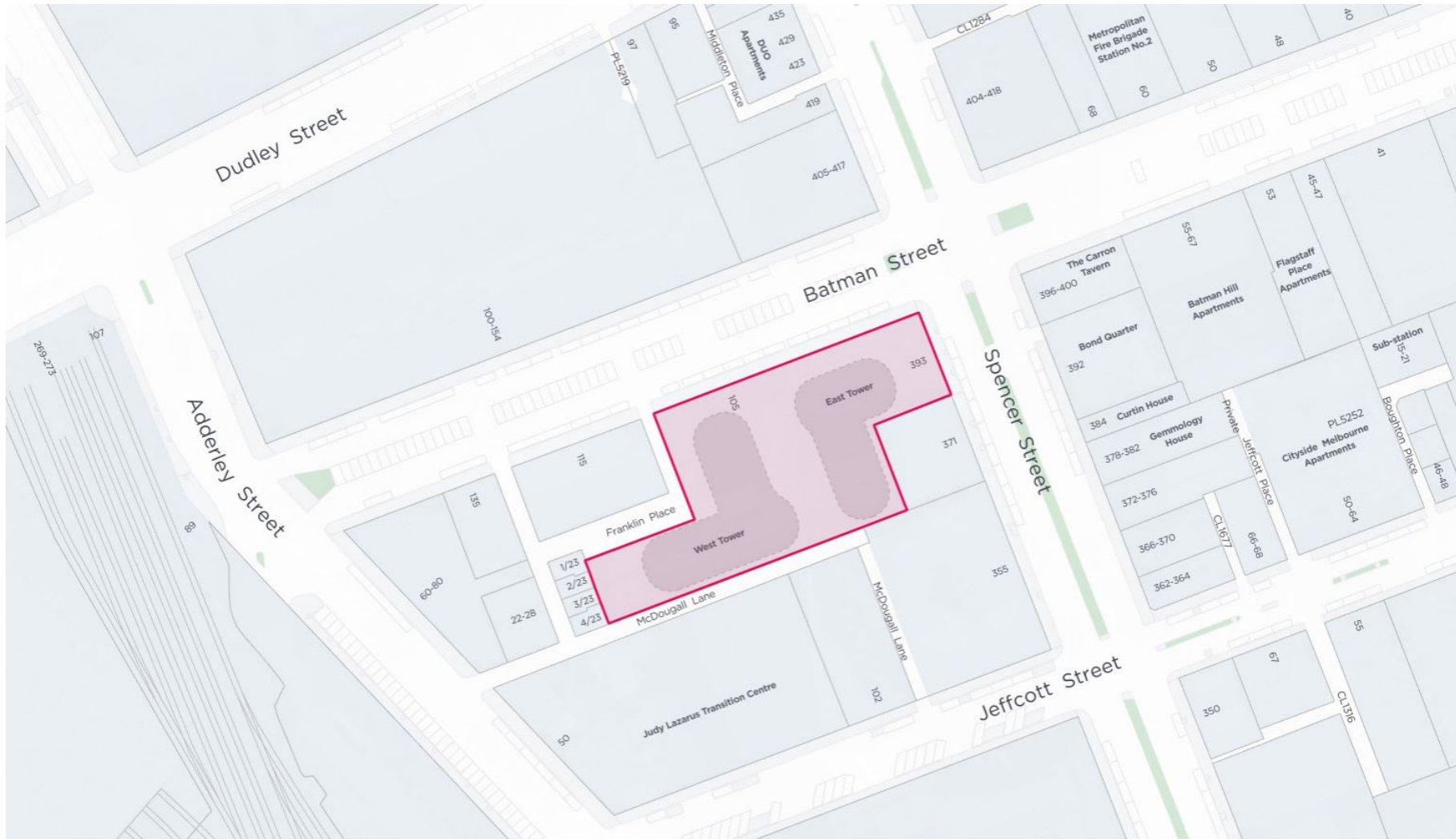
Environmental sustainability

8. The Environmentally Sustainable Design (ESD) considerations have been considered under the planning permit approved by the Minister for Planning for the development of the land.

Locality Plan

Attachment 2
Agenda item 6.1
Future Melbourne Committee
1 December 2020

B2, 101 Batman Street, West Melbourne (Melbourne Village)



Educational Facility
 BO2, 101 Batman Street
 West Melbourne



Brief Overview

Change of use from retail Class 6 to an educational Facility (Class 9b)
 Internal changes in wall partitioning and layout of existing space to become an educational space.

Cover Page

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 RBP: DP- SD58 & DP- AD1577

UPDATES		
No.	DATE	DESCRIPTION
A	28 11 19	Town Planning
B	05 02 20	Town Planning
C	18 03 20	Working Drawings

PROPOSED: EDUCATION FACILITY
 AT: 101 BATMAN STREET
 WEST MELBOURNE

DATE: 27 11 19
 DRG. No. 101BAT
 SHEET 1 of 14
 SCALE : As Shown
 DRAWN BY L.M

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PS801387G

C & ST NOTATED AREAS ARE TO BE ALLOCATED ON A PART LOT BASIS TO CERTAIN LOTS IN THE FINAL PLAN OF SUBDIVISION

BATMAN STREET

SITE BOUNDARY

SITE BOUNDARY

SPENCER STREET

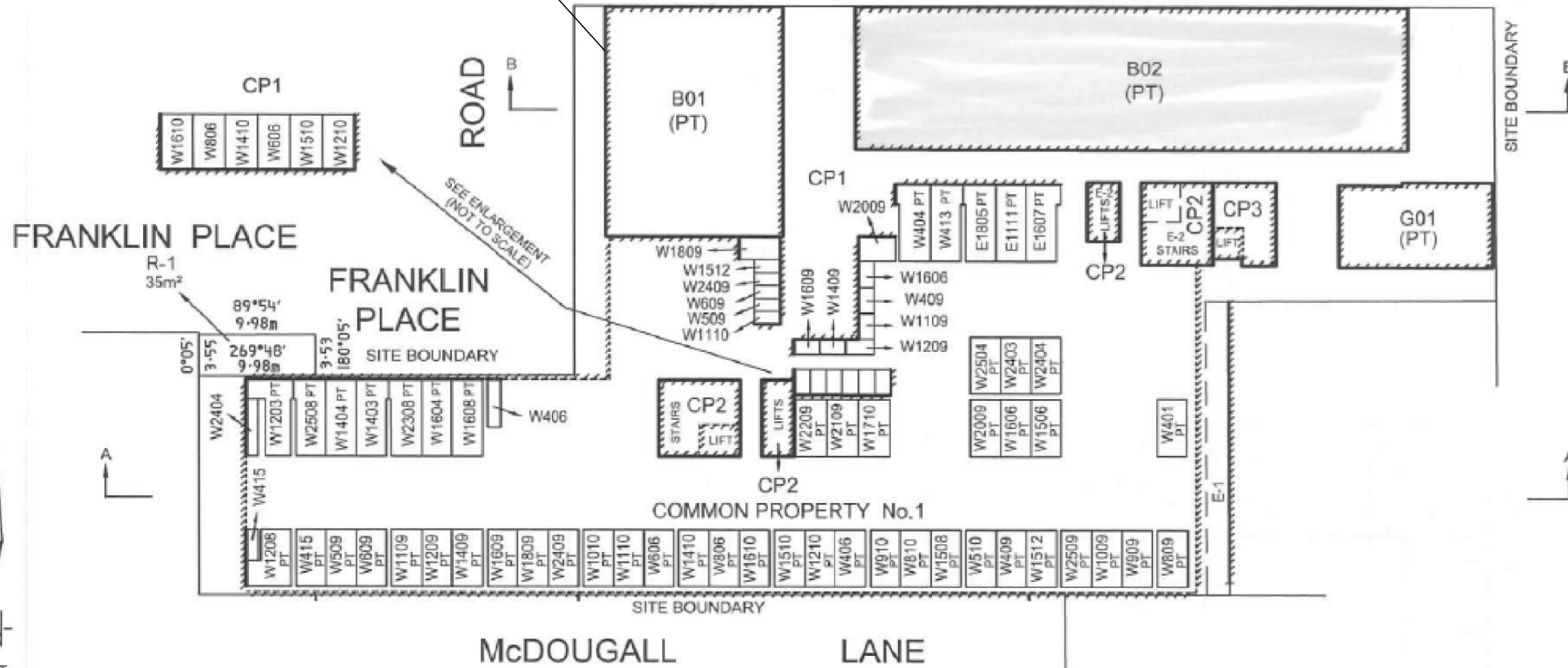
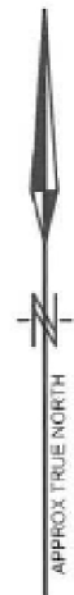


DIAGRAM 5
GROUND FLOOR



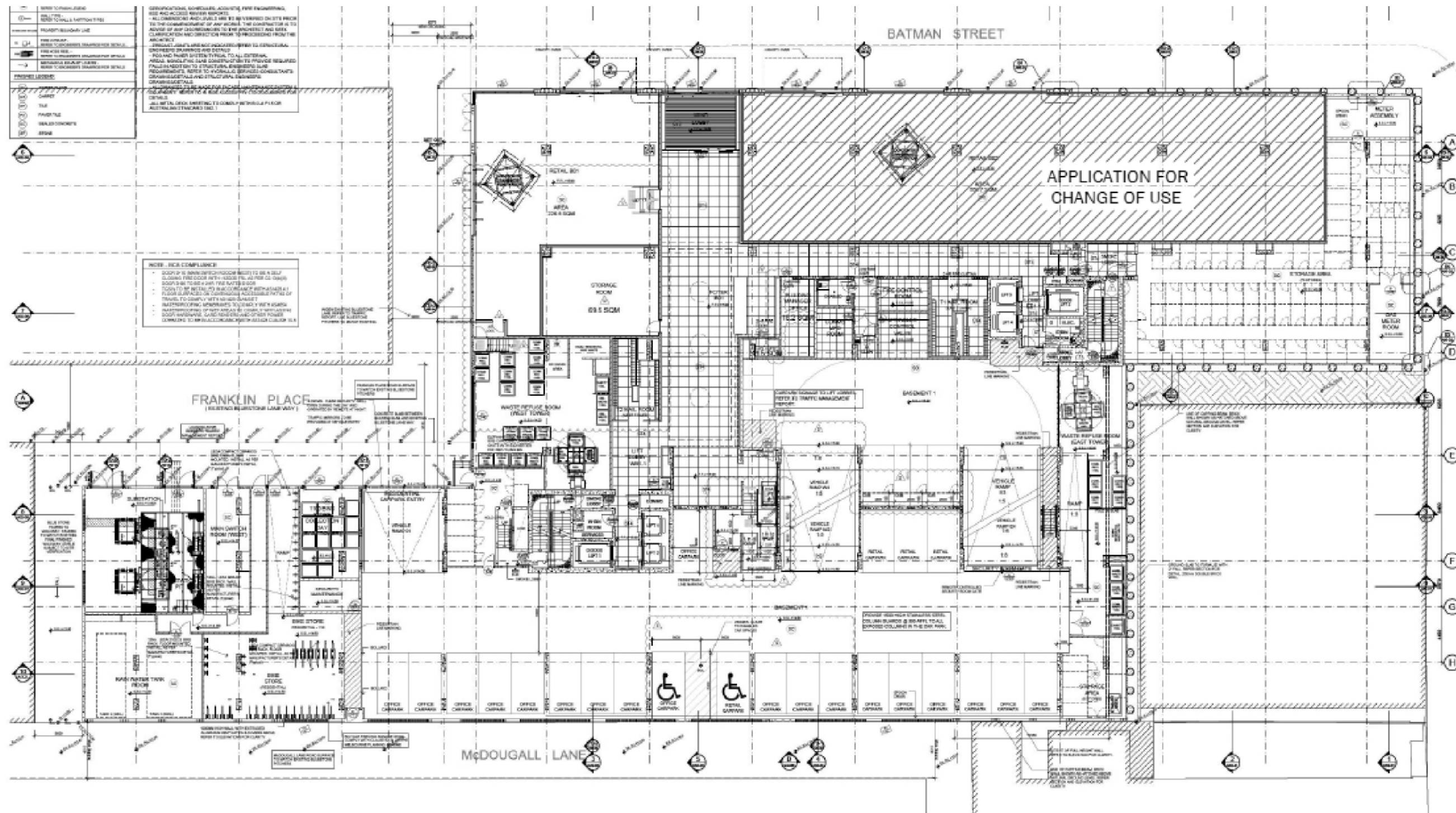
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Spencer Street

Site Plan

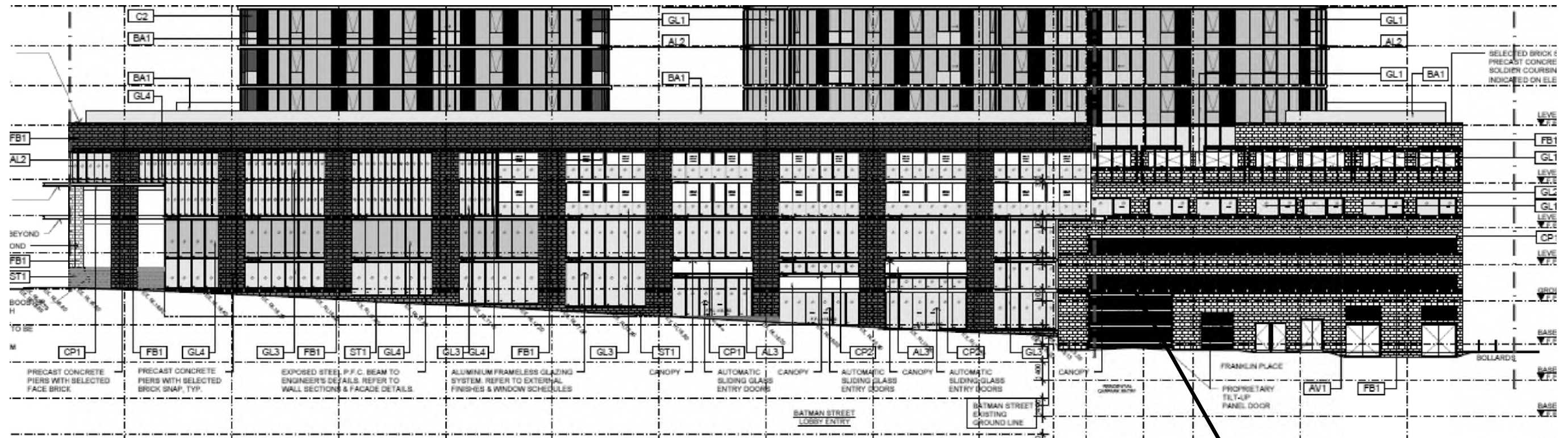
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The discharge location for the commercial kitchen is on the west elevation which is the grille above the roller shutter door.

Batman/ Franklin St Elevation

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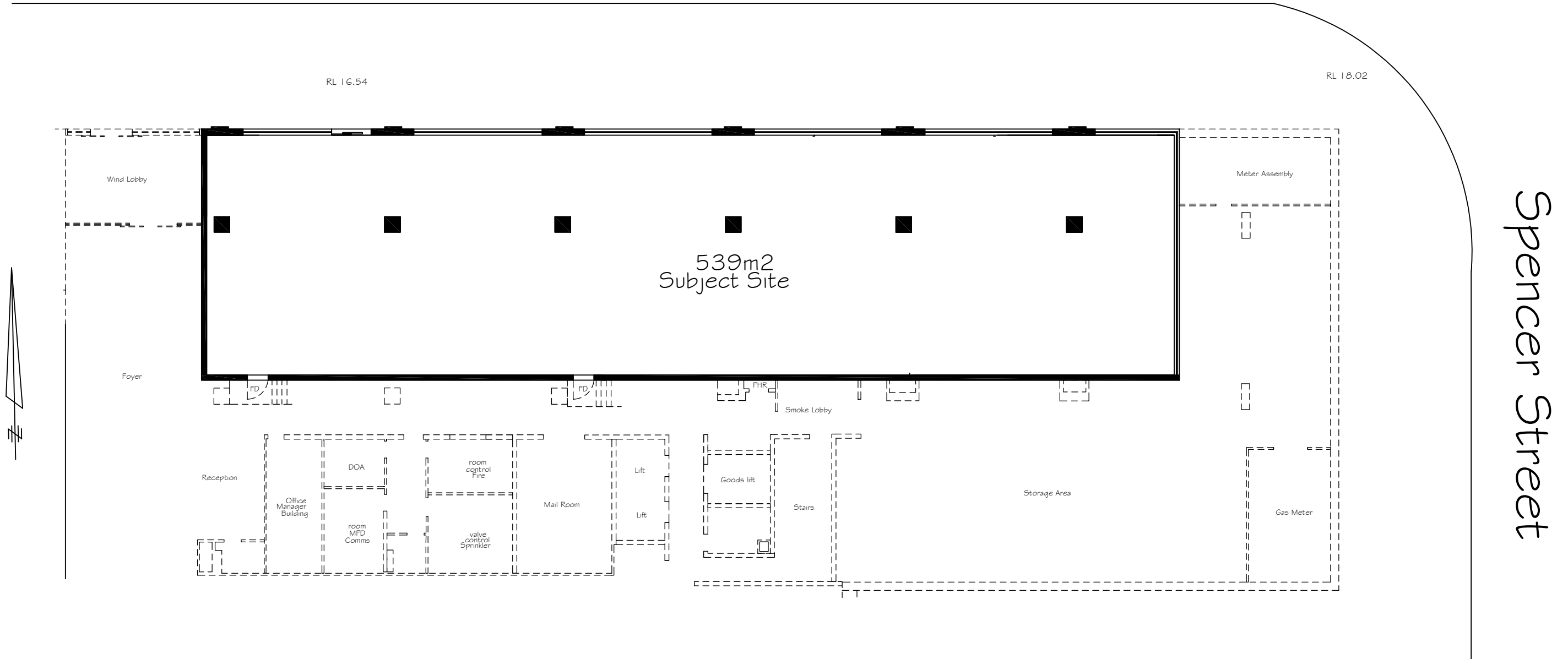
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Batman Street



Existing Floor Plan
1:200

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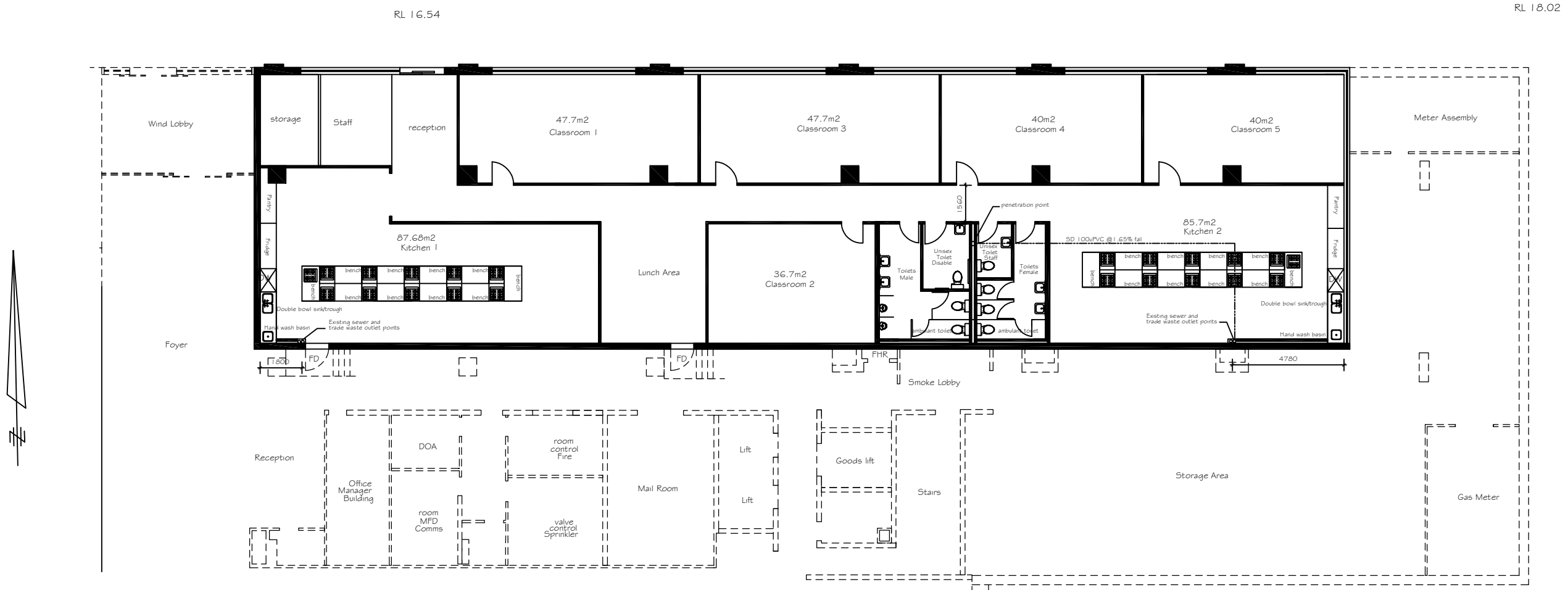
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Batman Street

Spencer Street



Proposed Floor Plan

1:200

Ridgemont Designs

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Notes

Walls are to be constructed of non-combustible material utilizing steel wall frames.

Glazing is required to comply with AS2047 and AS1288.

Wall and floor linings will comply with BCA Spec. C1.10.

Fire extinguisher(s) to be provided in accordance with AS2444 and BCA E1.6; extinguisher required in the kitchen to cover Class F fire risk.

Kitchen exhaust system designed to comply with AS4254.1 and AS4254.2. A fire damper will be required where the exhaust duct penetrates a wall required to have an FRL.

Accessible sanitary compartment in accordance with AS1428.1 Clause 15
 Ambulant sanitary facility(s) in accordance with AS1428.1 Clause 16
 Signage to comply with AS1428.1 Clause 8;
 Signage required to accessible sanitary facilities in accordance with BCA D3.6

Circulation space at doorways in accordance with AS1428.1 Clause 13.3

Luminance contrast at doorways in accordance with AS1428.1 Clause 13.

Door hardware to comply with AS1428.1 Clause 13.5

Floor surfaces will comply with BCA D3.3 and AS1428.1 Clause 7

Notes

Glazing and Glazed assemblies to comply with AS1288, AS2047 and AS1170

Mechanical ventilation to comply with AS1668.1 and AS1668.2

Door hardware to comply with AS1428 Clause 13.5

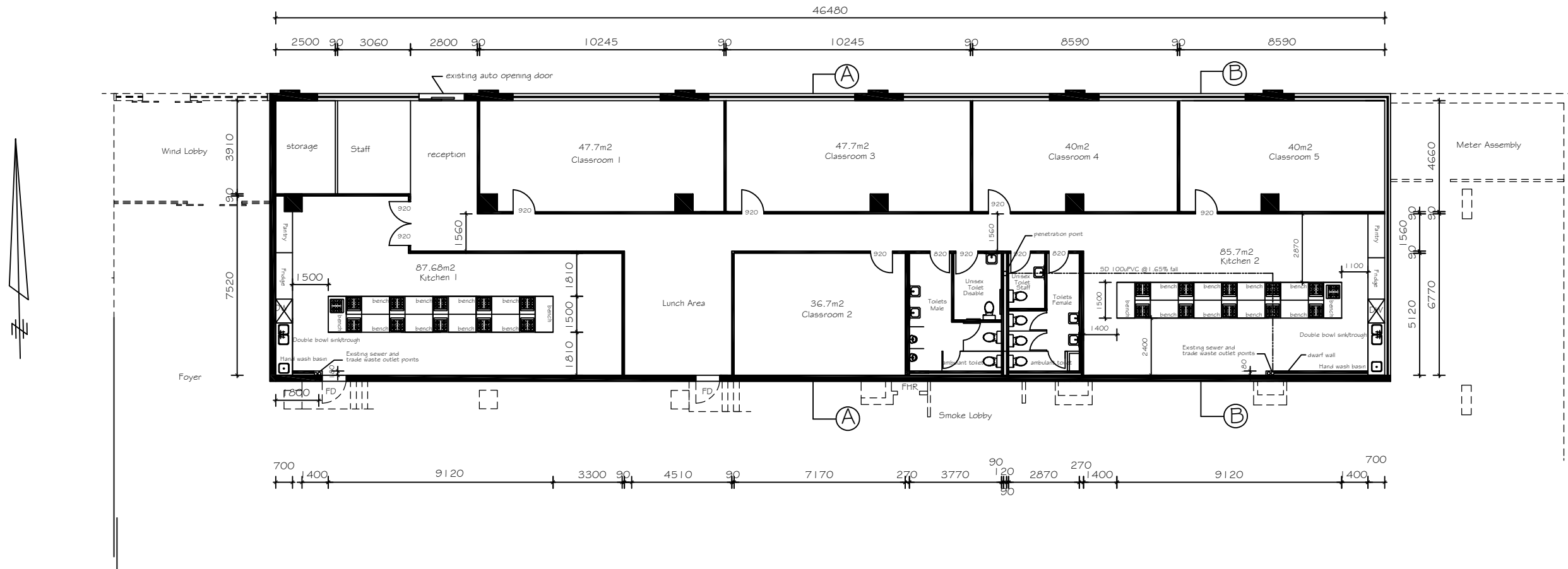
Exit and Emergency lighting to comply with BCA Part E4 and AS2293.1

Sprinkler system to comply with BCA E1.5 and AS2118

Smoke detection system to comply with AS1670.1

Steel framing to comply with NASH standard – Part 1 or Part 2

Timber frame construction to comply with AS1684



Proposed Floor Plan
1:200

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DELEGATE REPORT PLANNING APPLICATION REPORT

Application number:	TP-2019-953
Applicant:	Con Tsourounakis
Owner:	377 Spencer PTY LTD
Architect:	Ridgemont Designs
Address:	B2, 101 Batman Street, West Melbourne VIC 3003
Proposal:	Use of the land for an education centre and the reduction of the statutory car parking requirements
Date of application:	30 November 2019
Responsible officer:	Adam Birch

1 Site and Surrounds

1.1 The Site

Planning Application TP-2019-953 (the Application) concerns the land known as:

- B2, 101 Batman Street, WEST MELBOURNE
- The formal land description is Lot B02 PS801387G

The land includes a Section 173 Agreement (AQ413503K) relating to projections into Council Land.

The tenancy forms part of 83-113 Batman Street, West Melbourne, also known as *Melbourne Village*. The site is a complex of two towers constructed of a brick podium base. The site is on the corner of Batman and Spencer Streets. The site has access to the corporation lanes – Franklin Place and McDougall Lane.

The building contains:

- Basement car parking
- Retail tenancy at basement and ground floor
- First-floor office
- Podium level apartments and swimming pool
- Apartment dwellings spread over two towers
- The building contains a total of 529 apartment dwellings



Figure 1: Aerial Photograph on the site



Figure 2: Site Photograph (10 November 2020)



Figure 3: Photograph of Entry (10 November 2020)

1.2 Surrounding Properties

The surrounding properties include:

To the north:

- 100-154 Batman Street contains a three-storey brick building used for offices by the Australia Red Cross Society.
- 406-417 Spencer Street contains a single storey building used for motor vehicle sales.

To the west:

- 115 Batman Street contains a four-storey brick and concrete building used for offices.

To the east

- On the opposite side of Spencer Street are commercial and residential multi-storey buildings.

To the south:

- Commercial buildings facing Spencer Street and Jeffcott Street.
- 44-58 Adderley Street contains the Judy Lazarus Transition Centre.

2 Background and history

2.1 Pre-application discussions

No pre-application meeting was requested by the applicant.

2.2 Planning Application History

The following applications, listed as considered relevant to the current proposal, have previously been considered for the subject site:

TP number	Description of Proposal / Approval	Decision & Date of Decision	Comments
Ministerial Planning Permit 2012/000444-1 (CoM Ref: TPM-2012-4/A)	Demolition of existing buildings including part demolition and construction or carry out works within the Heritage Overlay, and construction of two multi-storey buildings comprising of dwellings, office and retail premises (other than hotel, tavern and gaming premises), to vary the requirements of Design and Development Overlay (Schedule 22) and to reduce the car parking requirements and loading and unloading requirements of the Melbourne Planning Scheme in accordance with the endorsed plans	Permit Issued: 12 August 2015 Amended: 13 January 2017	Condition 16: ESD Report Condition 50 restricts trading hours between 7am to 10pm. Condition 51 restricts delivery times.
Application TP-2019-591	Use of the land for the purpose of an education facility and a reduction of the associated car parking requirements	Withdrawn. 7 October 2019	The application was submitted by a different applicant but withdrawn because the Plan of Subdivision was not available at the time of the application due to the building not being completed.

3 Proposal

The application seeks approval for use of the land for an education centre and the reduction of the statutory car parking requirements.

The plans which have been considered in this planning assessment were prepared by Ridgemont Designs dated 18 March 2020.

In support of the application the following documents were provided by the applicant:

- Town Planning report by Con Tsourounakis dated 29 November 2019
- Parking Impact Assessment by EB Traffic Solutions dated 29 February 2019

Tenancy B2 is proposed to be used as a hospitality school with a maximum of 155 students and eight staff occupying the site at any one time.

The proposed operating hours are 7am to 10pm Monday to Sunday.

The proposed layout includes:

- Direct access and reception from Batman Street

- Existing fire doors for emergency use only to the common areas
- Five Classrooms
- Two Kitchens
- Lunch Area
- Toilets
- Staff Room
- Storage.

The kitchen is proposed to discharge from the existing mechanical exhaust grille on the Batman Street façade (see Figure 4).

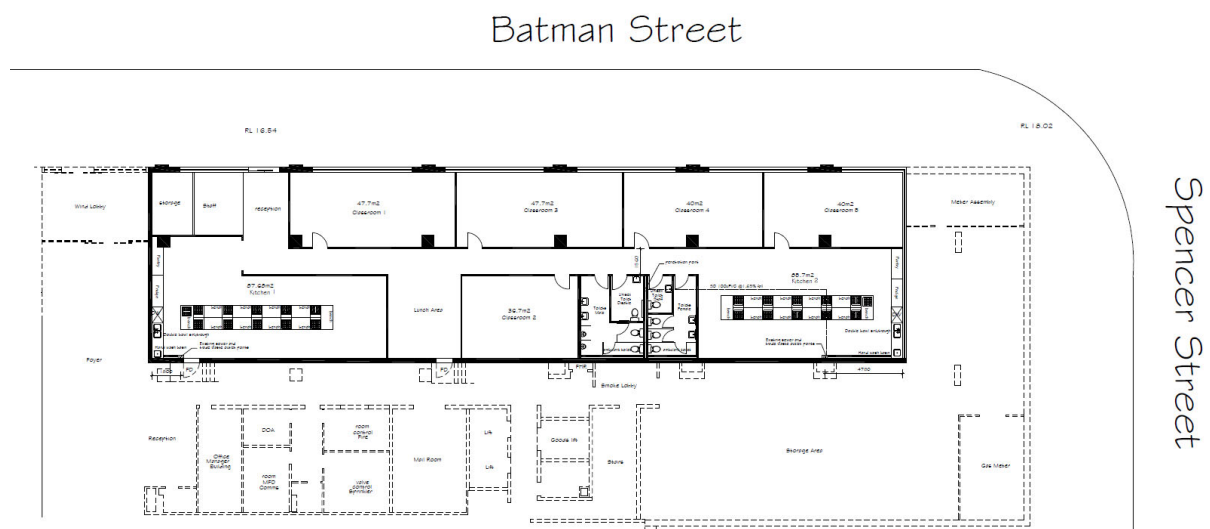
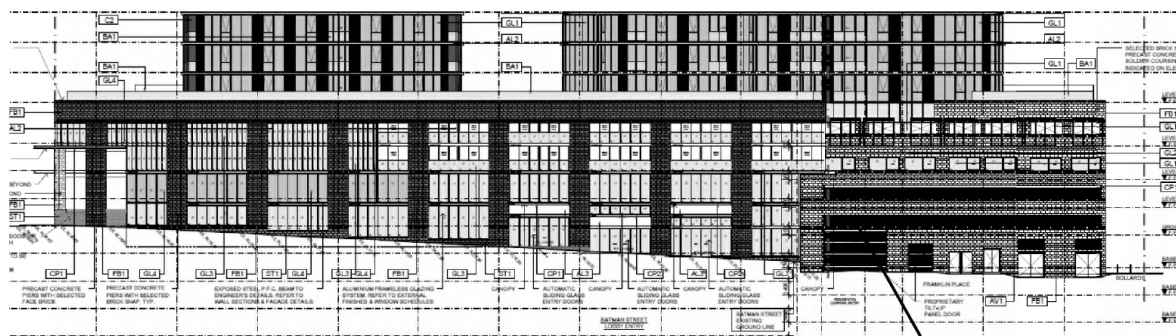


Figure 4: Layout Plan (Source: Ridgemont Designs)



The discharge location for the commercial kitchen is on the west elevation which is the grille above the roller shutter door.

Figure 5: Batman Street Elevation showing Discharge Location (Source: Ridgemont Designs)

4 Statutory controls

The following clauses in the Melbourne Planning Scheme require a planning permit for this proposal:

Clause	Permit Trigger
Mixed Use Zone	Pursuant to Clause 32.04-2, a permit is required to use the land for the purpose of an Education Centre.
Heritage Overlay (HO771 - Sands & McDougall precinct 83-113,115,135 Batman Street, 23 Franklin Place, 102 Jeffcott Street, 355 & 371 Spencer Street, West Melbourne)	No permit required.
Design and Development Overlay Schedule 12 Schedule 33	No permit required
Clause 52.06 Car Parking	<p>Permit Required – Reduction of Car Parking</p> <p>Pursuant to Clause 52.06-5, a car parking rate of 0.3 car spaces to each student present on site at any time is required. For 155 students, a total of 46 spaces is required.</p> <p>The premises currently have five spaces allocated.</p> <p>Therefore, initially a planning permit is required for a reduction of 41 spaces.</p> <p>However, it should be noted that, the approved development included a reduction of the car parking requirements for tenancy developed for retail. This gives the tenancy a parking credit of 14 car parking spaces, leading to a deficiency of 27 spaces.</p>

5 Strategic Framework

5.1 Planning Policy Framework (PPF)

- Clause 19-02.2S Education Facilities, that has the objective of 'To assist the integration of education and early childhood facilities with local and regional communities.' This includes the strategy of 'Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.'

5.2 Local Planning Policy Framework (LPPF)

- Clause 21.08 Economic Development.
- Clause 21.16-5 North and West Melbourne. Support the ongoing operation and establishment of small to medium enterprises and businesses that provide professional and business support services to the Capital City Zone in the Mixed Use Zone of North and West Melbourne adjacent to the Hoddle Grid.

6 Particular provisions

The following particular provisions apply to the application:

- Clause 52.06, Car Parking
- Clause 52.34, Bicycle Facilities

7 General Provisions

The following general provisions apply to the application:

- Clause 65, Decision Guidelines, which includes the matters set out in Section 60 of the Planning and Environment Act 1987.

8 Planning Scheme Amendment C309

Amendment C309 proposes to implement the built form and land use directions of the West Melbourne Structure Plan 2018 by introducing new planning provisions into the Planning Scheme to guide future land use and built form in the area. The Amendment proposes the following changes of relevance to the current application and the site:

- Rezoning the land to a Special Use Zone Schedule 6, where the land would be located within the Flagstaff Precinct, and a permit is required to use land for the purpose of an Education Centre.
- Apply Parking Overlay Schedule 14 to introduce a maximum parking rate of 0.5 per 100 net square metres of floor areas of a building for uses other than a dwelling.

The Panel Report of 11 October 2019 was generally supportive of the application of the proposed Parking Overlay Schedule 14.

The Planning Scheme Amendment C309 West Melbourne Structure Plan Committee meeting of 28 April 2020, Council was unable to consider adopting Melbourne Planning Scheme Amendment C309 (the Amendment) due to a loss of quorum. The Amendment cannot be adopted under delegation due to the operation of section 188(2) of the Planning and Environment Act 1987 (the Act).

The amendment was referred to the Minister for Planning and it was requested that the Minister for Planning prepare and approve the Amendment under section 20(4) of the Act given the Amendment has been lawfully exhibited and subject to consultation and a Panel process under the Act; and authorised by the General Manager, Strategy, Planning and Climate Change to make further minor editorial changes to the Amendment documentation prior to submitting the Amendment to the Minister for Planning.

The amendment is considered seriously entertained.

9 Public Notification

It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding properties and by posting two notices on the site for a 14 day period, in accordance with Section 52 of the Planning and Environment Act 1987.

10 Submissions

10.1 Objections

A total of 75 objections were received, and raised the following concerns with the proposal:

- Student numbers

- Discharge and potential odour
- Security
- Access
- Noise
- Waste Management
- Car parking
- Operating hours

11 Consultation

In response to the objections, the applicant provided a written response. This response advised (summarised):

- The kitchen exhaust is existing. Oil and smoke discharge has been previously approved.
- Security of staff and students is a high priority to the operator.
- Staff are entitled to access the existing car parking and driveway area.
- A detailed Waste Management Plan has been provided with the application.
- Staff are entitled to access the lift to the car park.
- The premises will mostly be used during normal business hours with some classes occurring outside of these times.

12 Referrals

12.1 Internal

The application was referred to Infrastructure and Assets Branch for Traffic Comments and the Waste and Recycling Branch.

12.1.1 Traffic

Traffic Engineering advised that:

While there is generally P ticket and 4P ticket parking in the vicinity, we will be introducing short term restrictions in the future. However, we will not change the on street parking to accommodate this development's parking / servicing requirements.

Given there is ample public transport facilities in the vicinity, we have no objections to this application on the condition that one car share space is provided on site.

12.1.2 Waste and Recycling

The Waste and Recycling Branch advised that the Waste Management Plan submitted by the applicant prepared by Leigh Design dated 14 May 2020 was acceptable and provided a standard condition of permit.

12.2 External

The Melbourne Planning Scheme did not require any external referrals to be undertaken.

13 Assessment

The key issues for consideration in the assessment of this application are:

- Use of the land for an Education Centre
- Potential Amenity Impacts
- Reduction of car parking
- Other matters raised by objectors
- Other detailed matters

13.1 Land Use

The site is located within the Mixed Use Zone of West Melbourne, where residential properties and commercial operations co-exist. The purpose of MUZ includes 'To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality'.

State and Local Policies generally support the Education Centres, whilst protecting the amenity of Mixed Use Zoned areas (Clauses 19-02.2S and 21.08)

The land is also proposed to be rezoned to the Special Use Zone Schedule 6 that includes the purpose of 'To retain and increase local employment and facilitate an increase in jobs in West Melbourne.'

The site is located in a mixed-used building, with purpose-built commercial tenancies at ground floor, offices on the first floor and apartment dwellings on the upper levels of the podium and towers. The ground floor tenancy has been designed for commercial use and is marked as 'retail' on the endorsed plans of the Ministerial Permit 2012/000444-1/.

The surrounding area is predominantly used for commercial purposes.

The attributes of the tenancy include:

- A total area of 539 square metres.
- A street frontage of 46.48 metres.
- Floor to floor heights of 5 metres.
- Direct access from Batman Street only with an awning.
- An office tenancy above the tenancy to buffer the site from podium level apartment dwellings.

These attributes favour the premises being used for commercial purposes.

The proposal itself would provide for local jobs and education opportunities that would support the local economy and improve demand for local services and the growing hospitality industry.

13.1.1 Layout and Circulation

The proposed layout as detailed in Section 3 of this report is considered to provide for the adequate functioning of the tenancy as Education Centre and active frontages to Batman Street.

The layout provides for suitable separation of the classrooms, student and staff breakout areas and circulation without directly impacting on the lobby and foyer to the residential apartments. It is recommended that a condition of permit require that students only access the site from the Batman Street entry to ensure the main entry and lifts to the existing apartments are not impacted.

13.1.2 Student and Staff Numbers

The proposal seeks to accommodate 155 students and 8 staff (163 people maximum). The tenancy has area of 539 m² which can accommodate a large number of people on site.

The proposed student and staff numbers are considered to be acceptable and would not unreasonably impact on the amenity of the surrounding area given the nature of the use as a hospitality school that runs classes in groups. The flow of students to and from the site would occur at regular and predictable intervals.

13.1.3 Operating Hours

The proposed operating hours are 7am to 10pm Monday to Sunday inclusive. These operating hours are consistent with the approved operating hours of the Ministerial Permit for the development. The hours are considered to be acceptable given the Mixed Use Zone given the nature of the proposed use as a hospitality school.

13.1.4 Management of Premises

It is considered appropriate to require an Operational Management Plan to detail the specific nature of how the use will be carried out without unreasonably impacting on surrounding commercial and residential properties. This should be included as a condition of the permit, and an Operational Management Plan should detail the measure on how the Education Centre will be run, and what measures will be put in place to minimise off-site amenity impacts.

It is reasonable to accept the Education Use, provided there is not an unreasonable detrimental amenity impact, and that the site can be easily and safely accessed from the surrounding transport network.

13.2 Potential Amenity Impacts

The proposed use of the land for an education centre may raise other concerns that might impact on the amenity of surrounding properties if not adequately addressed by the proposal. Outside of the matters already discussed, this includes noise and odour impacts, with potential odours from kitchen exhaust.

It is considered that the proposed use of the land as an education centre would operate within the allowable limits of the relevant State Environmental Protection Policies for Noise (SEPP N-1). These relevant policies should be referred to as conditions on the permit, should one issue.

It should be noted, the discharge location for the kitchen is on the north elevation from the existing grille above the existing roller door. No additional works are proposed to require the use of the existing discharge. Furthermore, it should be noted that matters related to discharge from commercial kitchens are enforceable by Council where any breach of relevant regulation occurs.

Generally, Education Centres are a compatible land use in residential settings, and it is not unusual to find schools, TAFEs, training centres and universities in residential settings. The proposed hospitality training centre is considered complementary to the Mixed Use Zone, and would not cause unreasonable detriment to the surrounding residential properties. It is considered that the noise levels, odours, waste management, people and vehicle movement would be within acceptable levels that would not compromise the existing amenity of surrounding residents.

The existing businesses that surround the site are not considered to have their commercial operation restricted by the proposed use and nearby food and drink premises would likely benefit from additional demand from students.

It is considered that the proposed use as an Education Centre would enhance the mixed-use function of the area, and would not result in any unreasonable offsite amenity impacts.

13.3 Car Parking and Access

13.3.1 Car parking

Critical for assessment for applications for Education Centres, Clause 19-02.2S has the strategy of 'Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.'

A limited number of car parking spaces (five in total) are proposed to be available for staff. Students would access the site either by foot, bicycle, and public transport, taxi / car sharing or by parking elsewhere off-site.

A permit is required under Clause 52.06 for the reduction of 41 car parking associated with 155 students using the Education Centre, noting that there is an existing exemption of 14 spaces for the permitted retail tenancy.

It should be noted Planning Scheme Amendment C309 seeks to introduce Parking Overlay Schedule 14 which sets out a maximum car parking rate of 0.5 car parking spaces per 100 net floor area. A permit would only be required under the proposed overlay if the premise has more than three car parking spaces.

The site has good access to public transport stops and to pedestrian and bicycle routes. The site is located 300 metres from Southern Cross Station and 600 metres from Flagstaff Train Station and is close to the No 30, 35 and 86 Tram.

The proposed reduction of 41 car parking spaces under Clause 52.06 of the Melbourne Planning Scheme that the applicant has applied for is considered acceptable and consistent with the purpose of the Car Parking provision of the Melbourne Planning Scheme. Clause 52.06 seeks 'to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.' and 'To support sustainable transport alternatives to the motor car'. Given the nature of the proposal as an Education Centre located in a part of West Melbourne that is close to train stations and tram stops, the demand for car parking is considered to be low.

13.3.2 Bicycle Facilities

Clause 52.34 of the Melbourne Planning Scheme seeks to encourage cycling as a mode of transport with the provision of secure, accessible and convenient bicycle parking spaces.

A statutory requirement for eight bicycle parking spaces is required for the Education Centre use for eight staff and 155 students.

The approved development of the site includes 444 bicycle parking spaces for the building. Given the existing high volume of the bicycle parking spaces located already onsite, no further bicycle parking facilities are required.

13.4 Other matters raised in objection

The objections also raised several matters, which are Body Corporate matters, Occupation Health and Safety matters or building and construction related matters. These are dealt with under other regulations and are not able to be considered as part of the planning process.

13.5 Other detailed matters

13.5.1 Waste Management

A Waste Management Plan has been provided with the application advising:

- Bins shall be stored with the existing Bin Store.
- Waste shall be collected on Franklin Place (to rear of site).

The Waste and Recycling Branch advised that the submitted Waste Management Plan was acceptable.

13.5.2 Environmentally Sustainable Design

Matters relating to Environmentally Sustainable Design (ESD) have been addressed under the Ministerial Permit issued for the development of the land.

13.6 Conclusion

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above, and that a Notice of Decision to Grant a Permit should be issued for the proposal subject to the following conditions:

14 Recommendation

That a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Prior to the commencement of the use, the applicant must submit an Operational Management Plan describing:
 - a. The ways in which staff and students are to be made aware of the conditions attached to this permit.
 - b. The details of the education provided onsite.
 - c. The arrangements for students and staff to use the on-site facilities when not in class to minimise impacts on the amenity of nearby properties.
 - d. The entry and exit arrangements for students and staff to minimise impacts on the amenity of nearby properties such as smoking and littering.
 - e. A complaints handling procedure.

The Operational Management Plan must be to the satisfaction of, and be approved by, the Responsible Authority. Once approved, the management plan will form a part of the endorsed documents under this permit. The operation of the use must be

carried out in accordance with the endorsed operational management plan unless with the prior written consent of the Responsible Authority.

2. The use as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
3. Except with the prior written consent of the Responsible Authority, the maximum number of people (inclusive of staff and students) on the premises must be no more than 163 at any one time.
4. Except with the prior written consent of the Responsible Authority, education and training activities must only occur between 7am to 10pm Monday to Sunday.
5. Except for emergency access and egress, students must only access and egress the premises from Batman Street.
6. The waste storage and collection arrangements as detailed in the Waste Management Plan prepared by Leigh Design dated 14 May 2020 must not be altered without the prior written consent of the Responsible Authority – Engineering Services.
7. The maximum noise level emitted from the premises must not exceed levels specified in the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
8. This permit will expire if the use is not started within two years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards.

Permit Notes

The City of Melbourne will not change the on-street parking restrictions to accommodate the access, servicing, delivery or parking needs of this development, as the existing restrictions in the area are designed to cater for a range of other competing demands and access requirements. However, new restrictions may be introduced in the surrounding streets, if considered appropriate by City of Melbourne.

This planning permit does not constitute Body Corporate / Owners Corporation approval for development within common property on the site. The consent of the Body Corporate / Owners Corporation of the property must be obtained for any works undertaken within the common property.

This Planning Permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.