

10 August 2018

Team Leader
Planning Policy
City of Melbourne

By email: planningpolicy@melbourne.vic.gov.au

Dear Team Leader

Proposed Planning Scheme Amendment C308: Central City and Southbank Urban Design

The Victorian division of the Urban Development Institute of Australia (UDIA Victoria) welcomes the opportunity to lodge a submission in response to the proposed Planning Scheme Amendment C308 (PSA C308).

In principle, UDIA Victoria fully supports the City of Melbourne's objective of protecting the city's long-term value as a high amenity, liveable place and a generator of significant economic growth. As such, we support planning provisions that:

- Provide certainty and overall consistency in the application of discretion in relation to built form outcomes;
- Improve public amenity; and
- Ensure development enhances Melbourne's long-term liveability.

Having reviewed the proposed amendment and supporting documentation, UDIA Victoria has concerns about the capacity of the proposed amendment, especially the amended DDO1, to achieve the stated outcomes.

UDIA Victoria supports the consolidation of the existing DDO1 and DDO4 into a single DDO.

However, UDIA Victoria considers this planning scheme amendment is fundamentally misguided in its approach to consolidate the urban design policies that currently apply to the Central City and Southbank into one Design and Development Overlay (DDO).

As drafted, the proposed DDO1 introduces a range of qualitative and quantitative design requirements that have the potential to create confusion and conflict with existing C270 DDO controls relating to street wall heights and setbacks.

We consider the policy guidance relating to urban structure, site layout, building program, massing and public interfaces is appropriate local policy content rather than content that should be contained in an overlay. On this basis, we request that Clause 22.01 be retained and strengthened, rather than deleted. The Synthesis Report specifically identifies key areas where stronger policy guidance is required included the impact of parking, vehicle access, building services on the public realm and design investment in the lower 20 metres of a building.

We consider the deletion of Clause 22.01 will create a gap in the urban design policy guidance regarding the exercise of discretion for matters triggered under other provisions of the scheme. The proposed broad and indiscriminate application of the revised DDO1 across all of the CBD and Southbank adds an unnecessary additional layer of control, however the decision guidelines in the draft DDO1 lack actual guidance to decision makers.

Further, it is unclear what statutory status the Central Melbourne Design Guidelines are proposed to have within the context of the Melbourne Planning Scheme, noting that it is referred to within the decision guidelines of

Clause 5.0 of DDO1 but it does not appear to be a reference document listed within policy nor an incorporated document in Clause 81.

UDIA Victoria requests the following specific changes be made to PSA C308. Discussion of the issues underpinning these requests is outlined in further detail below.

Requested changes to C308

1. That Clause 22.01 be retained and strengthened to provide urban design policies that currently apply to the Central City and Southbank, rather than deleted.
2. Amend the provisions to provide discretion to allow for above ground carparking sleeved by active uses in the Central City where appropriate.
3. Amend the provisions to provide discretion to allow for a limited number of carparks for specific uses (such as service vehicles) on the ground level of sites in Southbank.
4. Amend the provisions to provide discretion to allow the requirement that the area of any ground floor of a building occupied by building services, including waste, loading and parking must be less than 40% of the total site area, to be waived or reduced for smaller sites.
5. Amend the provisions to make the requirement for at least 5 metres or 80% (whichever is the greater) of the frontage of a building in special character areas must be entry /display window to be discretionary rather than mandatory, as this may not be possible to achieve for all sites.
6. Amend the provisions to apply the requirement for floor to floor heights of a minimum of 3.5 metres to above ground carparking provision only.
7. Amend the provisions to provide discretion to allow ramped parking structures for above ground car parking on small site or where a stacker system is not feasible.
8. Delete the overly prescriptive design requirements associated with the design outcomes for pedestrian connections to allow discretion to be applied when deciding whether the design outcomes have been met.
9. Delete the requirements for a competitive design process to be used for the development of large sites with multiple buildings or sites of strategic importance, and for multiple architectural firms to be employed where a development comprises multiple buildings.

Summary of Issues

Design and Development Overlay – Schedule 1 - Mandatory Requirements

The mandatory requirements set out in Table 4 of DDO1 relating to carparking and building services and are unnecessarily restrictive and may result in adverse outcomes or render sites unviable.

We note the following:

- Table 4 of DDO1 requires vehicle parking in the Central City to be located within the basement levels of a building. In our view there are specific situations where above ground parking sleeved by active uses may be appropriate and the provisions should allow for this.
- Table 4 of DDO1 requires that, where podium parking is proposed within Southbank the carpark must be on the first floor or above. We consider this to be too restrictive as it is common to provide a limited number of car parks at ground level for specific use and service vehicles which are located away from the facade.
- Table 4 of DDO1 requires that the area of any ground floor of a building occupied by building services, including waste, loading and parking must be less than 40% of the total site area. We note this may not

be possible for smaller sites due to the requirements imposed by responsible and referral authorities for substations, fire hydrant boosters and clear access for waste bins to be taken to the street.

- Table 4 of DDO1 requires that at least 5 metres or 80% (whichever is the greater) of the frontage must be entry /display window in “Special Character Areas”. We note this may not be possible for smaller sites as demonstrated by the attached ground floor plan of 361 Queen Street. This site has the benefit of a corner location (two street frontages) and no carparking access is provided. The design outcome has provided the maximum active frontages possible. However, due to the provision of services to the building edge, as required by Citipower (substation), MFB (Boosters) and garbage room access (MCC), this building only achieves 77% active frontage and would be prohibited by the proposed controls if the site were located in a special character area.
- Table 4 of DDO1 requires parking structures to be designed with floor-to-floor heights of at least 3.5 metres to enable future adaptation. Whilst we support the provision for future adaptation and re-use, we consider it unlikely that basement car parking would be retrofitted for use as habitable rooms. Further, under the proposed requirement, an underground carpark would require an extra (fourth level) of excavation to accommodate three levels of carparking, and the associated ramps would need to be longer to reach each level which creates an inefficient layout. On this basis, it is our view that this requirement should apply to above ground carparking structures only.
- Table of DDO1 includes a mandatory design requirement that car parking areas not rely on ramped parking structures that preclude adaptation to other uses. The Central Melbourne Design Guide notes that parking structure should adopt flat floor plates or stacker systems. In our experience, stacker systems may not allow for convenient access to vehicles and could result in queuing outside the building in the event of malfunction. Carparks which are partially ramped (i.e. most of the floor is still level) would still be suitable for adaptation where the ramped driveways represent only be a small area of the overall floor.

Design and Development Overlay – Schedule 1 – Discretionary Requirements

The discretionary requirements set out in Tables 1 and 6 of DDO1 are unnecessarily restrictive and may result in adverse outcomes or render sites unviable.

We note the following:

- Table 1 of DDO1 requires street blocks exceeding 200 metres in length, to provide at least two new pedestrian connections that are six metres wide, open to the sky, and lined by active uses. We consider this requirement overly prescriptive and that the design outcome of providing new, direct and convenient pedestrian connections aligned with existing pedestrian connections can be achieved without the associated requirement of two pedestrian connection for blocks exceeding 200 metres in length. Industry feedback indicates that this requirement, in combination with the requirement that pedestrian connections be located centrally and less than 70 metres from the next intersection, would render some sites undevelopable.
- Table 6 of DDO1 requires that a competitive design process be employed for the development of large sites with multiple buildings or sites of strategic importance, and that multiple architectural firms are to be employed where a development comprises multiple buildings to achieve a diversity of forms, typologies and architectural languages. We consider both these requirements to be unnecessary and will be expensive and time consuming. Further, this recommendation incorrectly assumes that a single architectural firm is not capable of designing multiple buildings for a single site that are sufficiently diverse. It is also inappropriate for a planning control to include provisions that relate to matters of process – the appropriate mechanism for prescribing changes to planning process is via a legislative amendment to the *Planning and Environment Act* or Ministerial Guideline issued in accordance with the relevant provisions of the Act.



Due to the potential impact of these issues on development in the Central City and Southbank, UDIA Victoria requests the opportunity to meet with Council Officers to discuss and resolve these matters. We will also be lodging a request to be heard at the panel hearing which is set down for the week commencing 26 November 2018.

If you have any queries, please do not hesitate to contact Caroline Speed, Policy and Research Director, by email at caroline@udiavic.com.au or by phone on 9832 9600 for further information.

Yours sincerely,

A handwritten signature in black ink that reads 'Danni Addison'. The signature is written in a cursive style with a long horizontal flourish underneath the name.

Danni Addison
Chief Executive Officer

Urban Development Institute of Australia (Victoria)

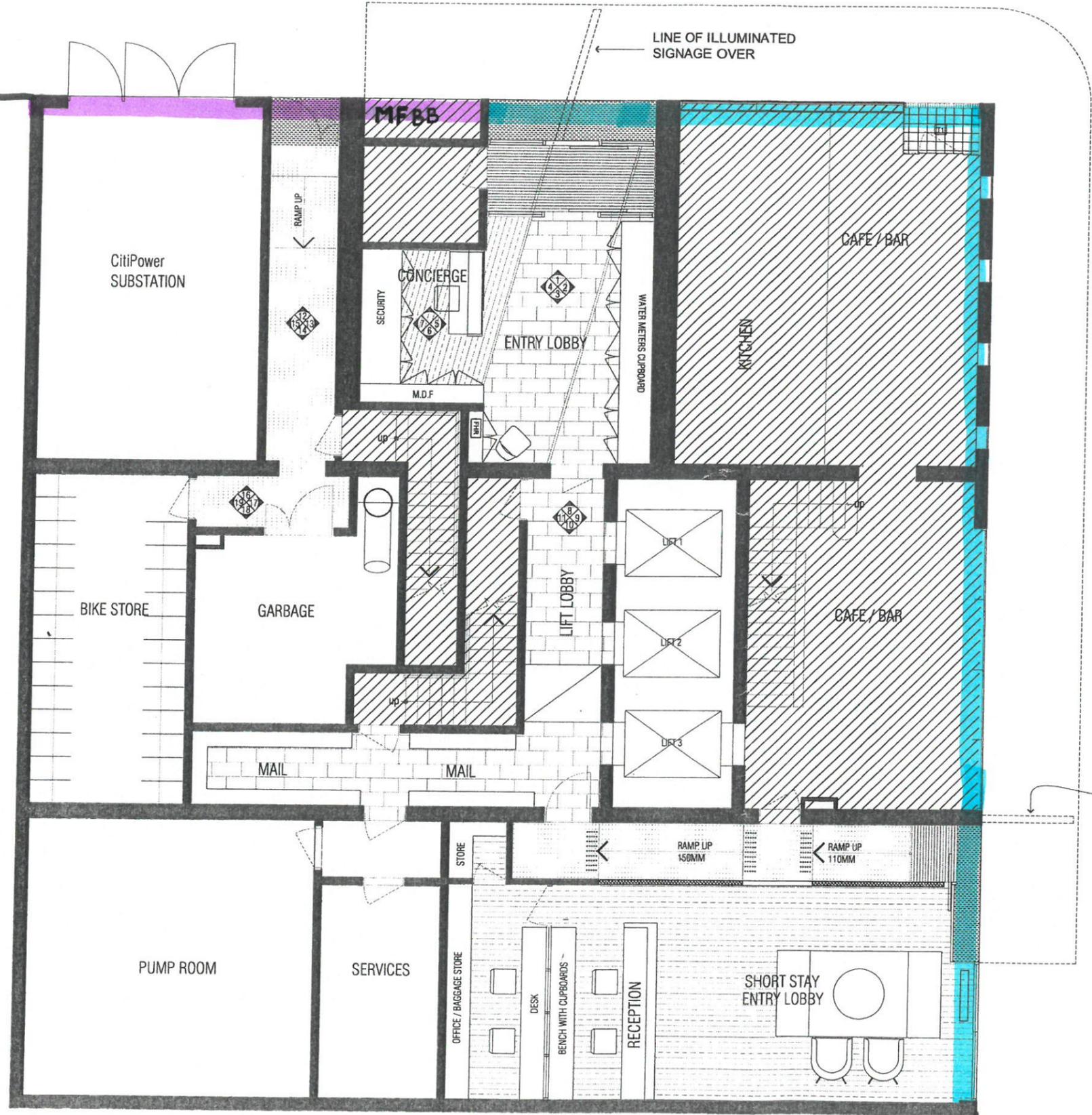
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A'BECKETT STREET

DEVELOPMENT
19 MAY 2010
PLANNING

ADJOINING BUILDING



TOTAL STREET FRONTAGE = 41m
ACTIVE FRONTAGE = 77%

QUEEN STREET

PLANNING & ENVIRONMENT ACT 1987
MELBOURNE PLANNING SCHEME
Plan Referred to in Permit No.
TP 2010-300
Signed *[Signature]*
Date 20/5/10 For and on behalf of
Council of the City of Melbourne
Sheet No. 1 of 5 sheets

LINE OF ILLUMINATED SIGNAGE OVER

ADJOINING BUILDING

Project Title: CITY TEMPO - 361 Queen Street, Melbourne
Drawing Title: SIGNAGE DETAILS - LOCATION PLAN
Drawn by: JK
Drawing no: S-01