

10–22 Manton Lane  
Melbourne 3000 Australia  
T +61 3 9291 9900  
mgs@mgsarchitects.com.au  
mgsarchitects.com.au  
ABN 13 006 488 302



## INDEPENDENT URBAN DESIGN ADVICE

### PROPOSED VICTORIA GARDENS EXPANSION

JULY 2022

#### Prepared by

Robert McGauran

B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, FVPELA, Architect

Our Ref: 22047

Directors  
Chris Jones  
Cameron Lacy  
Robert McGauran  
Elliet Spring  
Joshua Wheeler

## BACKGROUND

1. In May 2022 I was asked by the City of Yarra (Council) to provide urban design advice on a planning application for land at Victoria Gardens, Richmond.
2. In April 2022 the applicant lodged an amended Section 96A Planning Application submission for a combined planning scheme amendment, and permit application. The planning scheme amendment (Victoria Gardens Expansion) relates to the overall site with specific changes associated with the Doonside Precinct and the River Boulevard Precinct. The permit application relates only to the Doonside Precinct at 1-9 Doonside Street, Richmond.
3. Council have specifically asked for my opinion on aspects I have assessed previously, these relate to scale of the built form, building separation, laneway interfaces and widths and locations/useability of proposed communal open space within the site. I will also comment on the building design.
4. I have also been asked to assess the height increases the applicant is proposing over the site, with particular reference to Lot 9 (shown on page 34 of the Section 96A Planning Report).
5. I have previously had discussion with the applicant around earlier presentations and conceptual thinking.

## SITE CONTEXT

6. The Victoria Gardens Precinct forms part of the wider Victoria Street Major Activity Centre and is located towards its eastern end, alongside the Yarra River. It includes the Victoria Gardens Shopping Centre and surrounding land. The area is generally bounded by Victoria Street to the north, the Yarra River to the east, Doonside Street to the south and Burnley Street to the west.
7. The Victoria Gardens Expansion area comprises four precincts:
  - > The existing Victoria Gardens Shopping Centre (including No. 40 River Boulevard, the existing commercial building on site)
  - > Doonside Precinct
  - > River Boulevard Precinct, including Lots 9 and 10 & No. 25-35 River Boulevard
  - > Barkers Road Bridge Precinct.



## STATUTORY AND STRATEGIC PLANNING CONTEXT

### PLAN MELBOURNE

8. Within *Plan Melbourne*, there are several outcomes, directions and policies that need to be considered when reviewing this proposal from an urban design perspective.
9. *Plan Melbourne* outlines a vision of Melbourne as a 'global city of opportunity and choice'. This vision is guided by seven key outcomes, each supported by directions and policies towards their implementation.
10. Outcomes relevant to the land-use and built-form changes sought by this proposal include the following:
  - a) Outcome 1: Melbourne is a productive city that attracts investment, supports innovation and creates jobs
  - b) Outcome 4: Melbourne is a distinctive and liveable city with quality design and amenity
  - c) Outcome 5: Melbourne is a city of inclusive, vibrant and healthy neighbourhoods
11. **Direction 1.1** seeks to create a city structure that strengthens Melbourne's competitive for jobs and investment, particularly regarding supporting the central city to become Australia's largest commercial and residential centre by 2050.
  - a) Policy 1.1.1 & 1.1.2 encourages new development opportunities to create grow office floor space amongst residential space is to deliver co-benefits of employment, reduced commuting and transport costs for workers and residents. Urban renewal precincts in and around the central city is acknowledged here to play a major role in delivering high-quality, distinct and diverse neighbourhoods that offer a mix of uses.
12. **Direction 4.1** advocates a place-making approach to urban design to create "*more great public places across Melbourne.*"
  - a) Policy 4.3.1 seeks to integrate place-making practices into road-space management to ensure the design of streets encourages the use of active transport and facilitates a greater degree of and encounter and interaction between people and places.
13. **Direction 5.1** outlines the ambition of creating a city of 20-minute neighbourhoods by encouraging the development of vibrant, mixed-use neighbourhoods linked by a network of activity centres. 'Walkability', 'housing diversity', 'ability to age in place' are identified here as key characteristics of 20-minute neighbourhoods.
14. **Direction 5.3** notes the importance of social infrastructure in supporting strong communities. Delivery and co-location of social infrastructure in accessible locations in close proximity to public transport is a key policy under this direction.
15. Policy guidelines to consider where relevant include:
  - a) *Urban Design Guidelines* for Victoria (Department of Environment, Land, Water and Planning, 2017).
  - b) *Safer Design Guidelines* for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).
  - c) *Urban Design Charter* for Victoria (Department of Planning and Community Development 2009).

### STATE PLANNING POLICY FRAMEWORK

16. State and regional planning provisions relevant to this application are set out below:
17. **Clause 11.01-1 Settlement - Metropolitan Melbourne** includes the following relevant strategies:
  - a) Focus investment and growth in places of state significance, including Metropolitan Melbourne Central City, Metropolitan activity centres and major urban renewal precincts.

- b) Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.
18. **Clause 15.01-1S Urban design** seeks to create urban environments that are *“safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”* Relevant strategies outlined towards achieving this goal include the following:
- a) *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
  - b) *Ensure the interface between the private and public realm protects and enhances personal safety.*
  - c) *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
  - d) *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
  - e) *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
  - f) *Promote good urban design along and abutting transport corridors.*
19. **Clause 15.01-1R Urban design – Metropolitan Melbourne** sets out to create a *“distinctive and liveable city with quality design and amenity”* by undertaking the following relevant strategies:
- a) *Support the creation of well-designed places that are memorable, distinctive and liveable*
  - b) *Integrate placemaking practices into road space management*
  - c) *Provide spaces and facilities that encourage and support the growth and development of Melbourne’s cultural precincts and creative industries.*
20. **Clause 15.01-02S Building design** aims to ensure that building design outcomes contributes positively to local contexts and enhances public realm, strategies relevant to this proposal include:
- a) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
  - b) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
  - c) *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
  - d) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
  - e) *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
21. **Clause 15.01-4S Healthy neighbourhoods** seeks to achieve neighbourhoods that foster healthy active living and community wellbeing by designing neighbourhoods that encourage community interaction, physical activity and engagement amongst community members of all ages and abilities. Key relevant strategies include the provision of:
- a) *Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
  - b) *Streets with direct, safe and convenient access to destinations.*
  - c) *Conveniently located public spaces for active recreation and leisure.*
22. **Clause 15.02 Sustainable Development** is concerned with encouraging development that is energy and resource efficient, minimising greenhouse gas emissions towards supporting a cooler environment. Strategies outlined under this clause include the incorporation of ESD

- principles in new developments and supporting low energy forms of transport such as walking and cycling.
23. **Clause 17.01-1 Economic Development** acknowledges the role of planning in providing a strong, innovative and diversified economy where all sectors are critical to its property. Specifically, planning has a key role in providing land, facilitating decisions and resolving land use conflicts to enable regions to capitalise upon its strengths and achieve its economic potential.
  24. **Clause 18 Transport** encourages solutions that ensure an integrated and sustainable public transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movement of goods and people and is safe.
  25. **Clause 18.01-1 Land use and transport planning** outlines strategies to develop an integrated, equitable and accessible transport networks that connects people to jobs and services and goods to the market. The following strategies are relevant to this proposal:
    - a) Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
    - b) Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
  26. **Clause 18.02-2S Public Transport** seeks to increase the use of public transport and encourage increased development close to high quality public transport networks.
  27. **Clause 18.02-4S Car parking** encourages the efficient provision of car parking by consolidating facilities and ensuring that such facilities achieve a high quality of urban design and protects local amenity, including pedestrians and other users.
  28. **Clause 19.02-6R Open space – Metropolitan Melbourne** outlines the objective to strength the integration of Melbourne’s open space network, strategies relevant to this proposal include the following:
    - a) Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.
    - b) Create continuous open space links and tails along the Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).
    - c) Continue the development of the lower Yarra River as a focus for sport, entertainment and leisure.
  29. **Urban Design Guidelines for Victoria**
    - a) The Victoria Planning Provisions were amended to require consideration of the Urban Design Guidelines for Victoria, and Apartment Design Guidelines for Victoria, where applicable, in the design and assessment of new development proposals.
    - b) 1.3 Large Development Structure seeks to develop a high-quality amenity for sites whilst Objective 1.4.1 b seeks to arrange blocks and streets in higher density residential precincts to provide all lots with access to an activity centre, public transport, and high-quality open space within a walking distance.
    - c) Objective 1.5.1 a seeks to locate walking destinations and activities along main pedestrian streets and paths with destinations nominated including bus stops parks and recreation facilities.
    - d) 1.5.1b., seeks to Provide for a level of active frontage and lot access appropriate to street frontage and notes that *driveways and crossovers compromise pedestrian amenity and safety.*
    - e) Cl 3. 4.1, seeks to ensure communal open space is accessible and functional. Section 3 notes that design of communal open space is to be usable in a range of weather conditions

and at all times of the year and provides a tip, to consider orientation of the open space for optimal winter solar access and summer shading, shelter from wind and rain and providing all weather ground surface materials.

- f) 5.1 buildings in activity centres
  - 5.1.1 seeks to ensure the building scale and building form support the context and preferred future character of the activity area centre.
  - 5. 1.3, seeks to ensure buildings in activity centres provide equitable access to daylight and sunlight. Objective I seek to locate and arrange the buildings to allow daylight and winter sun access to key public spaces and keep pedestrian street spaces, Objective B seeks to allow sufficient distance between buildings to allow access to daylight for neighbouring windows. Objective C seeks to protect daylight and sunlight access to the private and communal open space of adjacent dwellings.
- g) Objective 5.1.4 seeks to minimise adverse wind effects caused by buildings in activity centres and to:
  - orient large buildings to minimise wind effects at Street level and on adjoining properties and public spaces.
  - detail the building facade to minimise wind effects on streets and spaces
  - as part of buildings design, to instal continuous weather protection for pedestrian priority streets and public spaces.

## LOCAL PLANNING POLICY FRAMEWORK

30. **Clause 21.04 – Land Use** Local planning provisions relevant to this application are set out below:

- a) Acknowledges the need for Yarra to accommodate its share of Melbourne's population growth, noting the need to direct higher density residential development to strategic re-development sites. Given the pre-existing population diversity, the clause looks to maintain diversity by encouraging all household types and structures - including supporting the provision of affordable housing, particularly in Strategic Redevelopment Sites. The subject site has been identified as a Strategic Development Site in the Swan Street Structure Plan, January 2014.

31. In response, Objective 8 under Clause 21.04-3 outlines the objective to increase the number and diversity of local employment opportunities by undertaking the following strategies:

- a) Strategy 8.1 Support re-zonings, as identified on the relevant Neighbourhood plan, to permit increased commercial and office use in existing industrial areas.
- b) Strategy 8.2 Support home-based businesses.
- c) Strategy 8.3 Encourage residential and business land use within the Mixed-Use Zone to locate on the same site.
- d) Strategy 8.5 Support opportunities for new uses on isolated industrial sites provided they reflect the predominant surrounding uses.

32. A key element of importance in this instance relates to Objective 3 under Clause 21.04.1 wherein it is important to ensure new built residential development in Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones is designed to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity.

33. **Clause 21.05 Built Form** contains objectives and strategies considering heritage, urban design, built form character and the public environment. It seeks to reinforce the existing urban framework of Yarra of a 'low-rise urban form punctuated by pockets of higher development'. Objectives and strategies under this clause relevant to this application include the following:

- a) Developments on strategic redevelopment sites should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal provide community benefits such



- as the provision of affordable housing or a positive contribution to the enhancement of the public domain.
- b) Retain, enhance, and extend Yarra's fine grain urban fabric by ensuring new developments are designed regarding its surrounding urban context and fabric, including the re-establishment of historical streets and laneways.
  - c) Provide a public environment that encourages community interaction and activity
  - d) Objective 16 under Clause 21.05 seeks to reinforce the existing urban framework of the City of Yarra, with Strategy 16.2 seeking to "maintain" and strengthen the preferred character of each built form character type within the City of Yarra."
  - e) Objective 17 under Clause 21.05 seeks to "retain Yarra's identity as a low-rise urban form with pockets of higher development", outlining the following relevant strategies:
  - f) Strategy 17.2 Development on strategies development sites or within Activity Centres should generally be no more than five to six storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
    - > Significant upper-level setbacks
    - > Architectural design excellence
    - > Best practice environmental sustainability objectives in design and construction
    - > High quality restoration and adaptive use of heritage buildings
    - > Positive contribution to enhancement of the public realm
    - > Provision of affordable housing.
  - g) Objective 19 under Clause 21.05 seeks to create an inner-city environment with landscaped beauty, outlining the following strategies:
    - > Strategy 19.1 Require well resolved landscape plans for all new development.
    - > Strategy 19.2 Encourage opportunities for planting suitable trees and landscape areas in new development.
    - > Objective 20 under Clause 21.05 seeks to ensure that new development contributes positively to Yarra's urban fabric, including the following strategies:
  - h) Strategy 20.1 Ensure development is designed having regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties, and its environs.
  - i) Strategy 20.2 requires development of Strategic Redevelopment Sites to consider the opportunities for development on adjoining land.
  - j) Objective 21 under Clause 21.05 seeks to enhance the built form character of Yarra's Activity Centres.
  - k) Objective 22 under Clause 21.05 seeks to encourage the provision of universal access in new development.
34. **Clause 21.05-3 Built Form Character** outlines the built form character type for each character area.
- a) New development must respond to Yarra's built and cultural character, its distinct residential 'neighbourhoods' and individualised shopping strips, which combine to create a strong local identity.
  - b) Clause 21.05-4 "Public environment" notes: "New development must add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged. Public spaces and urban squares provide outdoor spaces for people to meet and gather. Opportunities to create such spaces will be sought. There is a need to ensure that, as development occurs, Yarra's public environment, buildings and transport infrastructure are accessible to all people."
35. **Objective 28 under Clause 21.05-4** seeks to provide a public environment that encourages community interaction and activity. Strategy 28.1 Encourage universal access to all new public spaces and buildings.
- a) Strategy 28.2 Ensure that buildings have a human scale at street level.

- b) Strategy 28.3 requires buildings and public spaces to provide a safe and attractive public environment.
  - c) Strategy 28.4 Require new development to consider the opportunity to create public spaces as part of new development.
  - d) Strategy 28.5 Require new development to make a clear distinction between public and private spaces.
  - e) Strategy 28.6 Require new development to consider the creation of public access through large development sites, particularly those development sites adjacent to waterways, parkland, or activity centres.
  - f) Strategy 28.8 Encourage public art in new development.
  - g) Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.
  - h) Strategy 28.10 requires site rezoning for new development to consider the inclusion of public domain improvements commensurate with the new use.
36. **Clause 21.06 Transport** seeks to reduce car dependency by promoting active and public transport by improving the quality of walking and cycling infrastructure. It is explicitly noted that 'walking' includes people who use wheelchairs and other mobility devices. Strategies relevant to this application include:
- a) Improve pedestrian and cycling links in association with new development where possible.
  - b) Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.
37. **Clause 21.07 Environmental sustainability** promotes environmentally sustainable development.
38. **Clause 21.08 Neighbourhoods** sets out locally specific objectives and strategies for each neighbourhood, the site sits within the North Richmond Neighbourhood.



39. **Clause 22.03 Landmarks and Tall Structures** sets out the objective to maintain the prominence of Yarra's valued landmarks and landmark signs and outlines policies and design responses to this end.
40. **Clause 22.03-3 Policy**
- a) Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal-built form reference.
  - b) Maintain the prominence of Yarra's valued landmarks and landmark signs and and
  - c) Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.
  - d) In this context, the Ball Tower of Dimmeys, Swan Street and Spire of St Ignatius Cathedral, Church Street, Richmond are identified under Clause 22.03-4 as landmarks where



development should protect views to these elements to ensure it remains the principal-built form reference.

41. **Clause 22.05 Interface Uses Policy** seeks to facilitate the 'development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes'. Its aim is to ensure that residential uses located within Mixed-Use Zones or near commercial centres and industrial uses enjoy a reasonable level of amenity and are designed to minimise the impact of nearby business operations and industrial activities on the amenity within the proposed dwellings.
42. **Clause 22.10 Built Form and Design Policy.** The objectives of this clause are to:
  - a) Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.
  - b) Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.
  - c) Limit the impact of new development on the amenity of surrounding land, particularly residential land.
  - d) Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and 'walkability' of the City's streets and public spaces.
  - e) Create a positive interface between the private domain and public spaces and,
  - f) Encourage environmentally sustainable development
43. **Clause 22.10-3.2 Urban form and character** notes as it aims the following Design Objectives:
  - a) To retain and extend the City's fine grain of street pattern and urban form.
  - b) To ensure that developments contribute positively to the urban fabric and public realm.
  - c) To improve the transparency and legibility of the city's urban form and structure.
  - d) To achieve continuity in the built form having regard to rhythm and spacing of buildings and any distinctive street pattern (as identified in the Site Analysis Plan and Design Response).
44. **Design Guidelines outlined in the clause** and relevant to the subject proposal include the following:
  - a) Within large redevelopment sites, design a vehicle and pedestrian network that ensures a high level of access within the development for all vehicular and non-vehicular traffic that connects and integrates with the broader network.
  - b) New development on large remnant sites should respect any existing prevailing subdivision pattern (as identified in the Site Analysis Plan and Design Response) by providing adequate separation between buildings and modular building bulk rather than unbroken mass.
  - c) Express the original fine-grained subdivision pattern in building design, massing, modulation, and facade articulation.
  - d) Within sites removed from the small lot, fine-grain areas of the city, create a new urban character that adds to the layering of the city's historical evolution.
45. **Clause 22.10-3.3 Setbacks & Building Height** Sets out design objectives relevant to the site including the following:
  - a) To ensure that the setbacks of new development complement the desired neighbourhood character of the area (as identified in the Site Analysis Plan and Design Response, the Municipal Strategic Statement, and any relevant local planning policies).
  - b) To ensure that the height of new development is appropriate to the context of the area (as identified in the Site Analysis Plan and Design Response) and respects the prevailing pattern of heights of the area where this is a positive contribution to neighbourhood character.
  - c) To ensure new roof forms respect any prevailing roof forms in the area (as identified in the Site Analysis Plan and Design Response) and contribute to the skyline silhouette.

46. **Guidelines** include that new development that is higher than adjacent buildings should adopt a secondary setback for the higher building component which:
  - a) Aligns to the street pattern.
  - b) Retains existing view lines to nearby heritage places and other key features
47. **Other provisions of the clause** include objectives:
  - a) To ensure the building presents visually interesting elevations on all faces visible from the public domain.
  - b) To provide pedestrian/human scaled design at street level
48. Design guidelines specifically see that new development should:
49. Be oriented to front existing and proposed streets.
  - a) Produce high quality architectural design.
  - b) Maintain the dominant parapet line of adjacent buildings (where this exists).
  - c) Express the traditional and characteristic vertical rhythm of buildings and the dominant lot widths (where they exist) within the street.
  - d) Continue vertical or horizontal themes within the facade (where these exist and where appropriate).
  - e) Use appropriate materials, finishes and colours, which add visual interest and, assist in breaking up the mass and bulk of new development.
  - f) Incorporate roof articulation.
50. **Clause 22.10-3.8 Off-Site Amenity.** Design Objectives seek:
  - a) To ensure that new development does not prejudice the rights of adjoining and/or nearby land users (especially residents) to enjoy solar access, privacy, and acceptable noise levels.
  - b) To ensure that built form enhances and does not detract from the landscape character of parks and open spaces.
  - c) To ensure that new development does not substantially overshadow adjoining residential private open space or public facilities such as parks and gardens.
51. **Design Guidelines** seek to ensure that new development should ensure that:
  - a) The location, length and height of any wall built to a side or rear boundary should not adversely impact on the amenity of any adjoining residential properties in terms of overshadowing of private open space, visual bulk, or daylighting to habitable room windows.
  - b) Where private open space and/ or windows to adjacent uses are affected, additional setbacks from side boundaries are required to address loss of daylight, overshadowing and visual bulk impacts on neighbouring properties, especially residential properties.
  - c) The perimeter walls of new development should provide appropriate articulation (utilising setbacks,
52. Recent amendments to the Planning and Environment Act 1987 have established the delivery of affordable housing as a key purpose of planning policy and have defined affordable housing as housing available for very low-, low- and moderate-income earners.
53. **Clause 22.07 Development abutting laneways** seeks to ensure that laneways and their interfaces are considered as an important part of the public realm and the lanes an important shared movement network that should enjoy informal surveillance and activation from development.
54. **Clause 22.17 Environmentally sustainable development** builds upon Clause 21.07 by setting out an aspirational framework to encourage developments that incorporate best practice in environmentally sustainable development from design through to construction.
55. **Clause 22.10 Built form and design policy**
56. **Clause 22.16 Stormwater Management (Water Sensitive Urban Design)**
57. **Clause 22.17 Environmentally Sustainable Development**

- 58. Clause 52.06 Car Parking
- 59. Clause 52.35 Bicycle Facilities

## **SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE (CDZ1)**

- 60. This clause applies to land generally bounded by Victoria Street, Burnley Street, the Yarra River and Doonside Street (in part) Richmond, as defined by the incorporated document "Victoria Gardens - Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area".
- 61. The purpose of the CDZ1 is:
  - > To encourage the comprehensive redevelopment of land on the south side of Victoria Street between Burnley Street and the Yarra River, City of Yarra.
  - > To ensure that development on the site will complement and enhance the Yarra River environment.
  - > To assist redevelopment as a mix of office, retail, entertainment, residential, commercial and ancillary uses.
  - > To ensure that the combination of uses, their overall density and the scale, character and level of redevelopment are compatible with:
    - The amenity of the surrounding area and the nature of the surrounding uses.
    - The visible skyline as seen from and along the Yarra River and the River's general environs, and views along Victoria Street and Barkers Road.
    - The capacity of the existing road system and any proposed modifications to accommodate any increase in traffic.
    - The capacity of existing essential services and proposed modifications.
  - > To ensure retailing in the zone is compatible with and serves the existing and future commercial, industrial and residential uses in the surrounding area.
  - > To provide greater public access, in particular for pedestrians and cyclists, to and along the Yarra River bank.
  - > To ensure that the land is developed in an orderly and proper manner.
  - > To encourage a high standard of urban design.
  - > To encourage the provision of active frontages to streetscapes and high quality interfaces with the public realm and internal pedestrian interfaces.
  - > To improve pedestrian amenity and safety and enhance connectivity within and to surrounding development.
  - > To limit overshadowing affecting the amenity of adjoining land and, in particular, areas of public open space and the Yarra River.
  - > To avoid adverse wind conditions in pedestrian areas.
  - > To ensure that buildings and works along the Yarra River do not adversely affect drainage or flooding.



## **OVERLAYS**

- 62. The Site is covered by a Significant Landscape Overlay – Schedule 1 and is partially affected by a Land Subject to Inundation Overlay. Clause 6.0 of the CDZ1 identifies that the provisions of both overlays do not apply to any development constructed in accordance with an approved development plan.
- 63. The western Mixed-Use area of the site has a Design Development Overlay DDO9 Doonside Precinct. This overlay acknowledges amongst other things that:

- a) To recognise this Precinct, being on the edge of an activity centre and abutting low rise residential development, is transitional in its location and function.
- b) To ensure building design responds to the industrial character of the precinct but respects the character of the established residential areas to the south (and less relevantly) east of the Precinct.
- c) To provide a pedestrian friendly environment along all street frontages.
- d) To encourage improvements to the public domain, including the provision of public open space.
- e) To ensure that new development does not adversely impact on local traffic conditions.
- f) To ensure a high standard of architectural design.
- g) To ensure that new development does not prejudice the ongoing operation of nearby commercial, industrial and warehouse businesses.

#### Heights and Setbacks

64. The DDO contemplates that:

- a) Buildings on Doonside, Burnley and David Streets should be built to the property frontage.
- b) The height of any development in the precinct should not exceed:
  - > 11m along street frontages.
  - > 15.5m with appropriate setbacks above 11m.
- c) Development above 15.5m it notes:
  - > Should demonstrate a high standard of architectural design.
  - > Should not overshadow adjoining streets, public spaces or private properties beyond that caused by a building of 11m when measured between the hours of 10.00am and 2.00pm at the Equinox.

#### Amenity

65. It further notes Development that includes residential or other sensitive uses should:

- a) Minimise the potential impacts of local business (including noise, light, odour and 24 hour traffic movements), in the design and construction of buildings.
- b) Include design and noise attenuation measures that achieve the noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of State Environment Protection Policy No. N-1 'Control of Noise from Commerce, Industry and Trade' (SEPP N-1) for calculation of noise limits.
- c) Locate and if necessary, screen private open spaces, including balconies, to attenuate industrial noise to meet the requirements of SEPP N-1.
- d) Incorporate design measures that minimise the potential impact of non-routine odour emission

#### Decision Guidelines

66. Before deciding on an application, the DDO notes that the responsible authority must consider, as appropriate:

- > The effect of the development on the identified heritage places within the precinct.
- > The impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
- > How ground level commercial occupancy addresses the Burnley Street frontage.
- a) How the design, height and form of development responds to the built form character of Victoria Gardens and existing development in Appleton Street.
- b) How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
- c) How the proposal improves the street environment for pedestrians along street frontages.
- d) The location of, and access to, parking facilities and their effect on the local road network.

- e) The effectiveness of new residential development and other noise sensitive uses in protecting their own amenity where potentially affected by existing commercial, industrial, and warehouse businesses.
67. Obviously with the approval of the amendment for the Harry the Hirer Site south of Doonside Street, some of the anticipated nature of scale and form that underpinned this earlier work has changed. That said, equally the amendment highlighted that with intensification came a need to provide a significant amplification of the public domain and the 24 hour pedestrian street networks that supported it. The amendment also established criteria for the protection of the southern footpaths relied on by those working, living in and visiting the precinct and also for the western side of Burnley Street along with appropriate setbacks and moderation of scale impacts on heritage buildings south of Doonside Street.

## OTHER RELEVANT STRATEGIC DOCUMENTS

### Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area

68. Provisions of the CDZ1 identify that the use of the land and approval of a development for any and all stages must be generally in accordance with this building envelope and precinct plan. Height requirements at Clause 17 of the CDZ1 further identify that:

*A building or works must not exceed the height above the Australian Height Datum for any particular site as shown on the Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area incorporated in this Planning Scheme.*

*This does not apply to:*

- > *the height of architectural features, building services, electronic media antennas, flagpoles, lighting poles, fences and advertising signs approved under Part 22 of this Schedule.*
  - > *limited built form projections in the 'height projection area' shown in Precinct 2 which project above RL31 height limit but which do not exceed RL37 and do not exceed 10% of the precinct height projection area.*
69. Victoria Gardens Building Envelope and Precinct Plan establishes the expected scale of development at the Site, anticipating the following:
- > A maximum height requirement of RL29 metres within a 20 metre setback of the top of bank alongside the Yarra River; and
  - > Outside of the river setback, a maximum height of RL31 metres with projections allowable up to RL37 provided they 'do not exceed 10% of the precinct height projection area,'





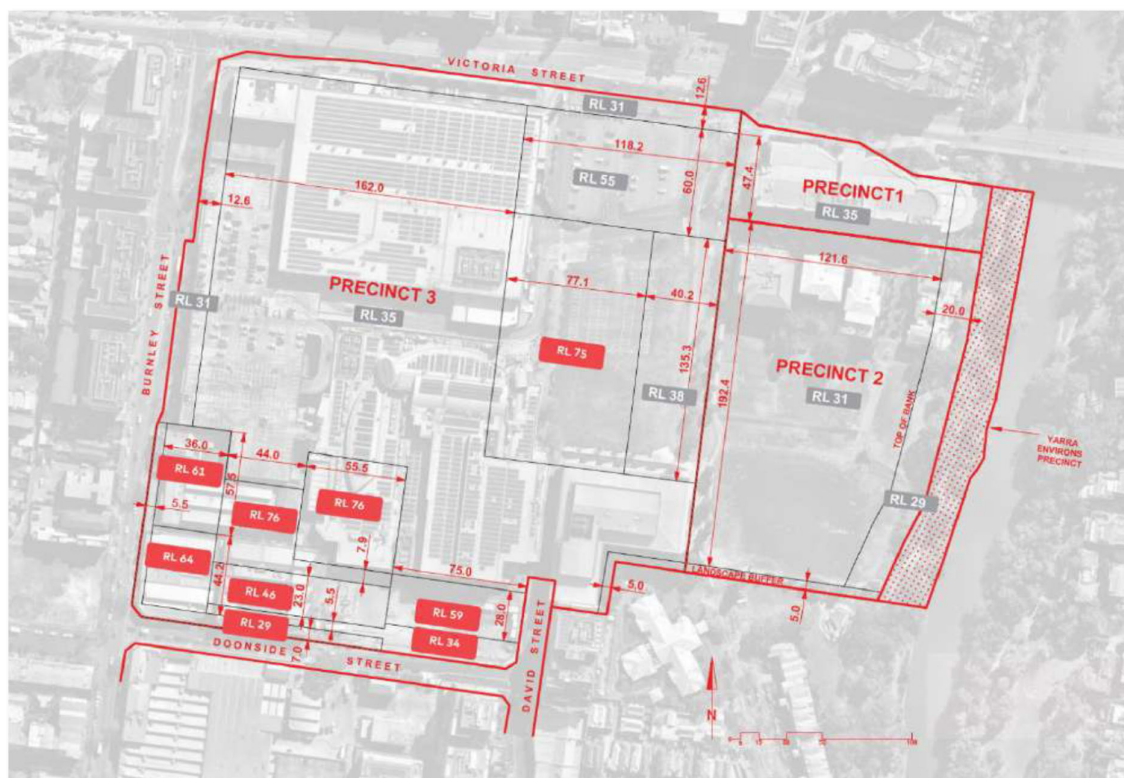


### **Victoria Garden Urban Design Guidelines (November 1996)**

72. These Guidelines are referenced at Clause 15 of the CDZ1 as matters which must be considered by the responsible authority in deciding on the approval of a development plan. They address the following design elements and are 'designed to be flexible in their approach':
- > Design Element 1 – Setbacks, Building Envelopes and Height Limits
  - > Design Element 2 – Building Form, Materials and Colour
  - > Design Element 3 – Orientation, Overshadowing and Overlooking
  - > Design Element 4 – Streetscape and Landscape
  - > Design Element 5 – Views and Vistas
  - > Design Element 6 – Car Park Access and Treatment
  - > Design Element 7 – Open Space
  - > Design Element 8 – Pedestrian Movement and Security
  - > Design Element 9 – Advertising Signs
  - > Design Element 10 – Interface Areas
  - > Design Element 11 – Boat Landings

### **A Proposed Amendment**

73. Pages 33 and 34 of the Planning submission put forward a proposal to rezone the a segment of the proposed site from Mixed Use to a Comprehensive Development Zone. The proposition is outlined below:
74. There are five key components to the Planning Scheme Amendment request as follows:
- a) Rezone land known as Land in Title Plans 211146G and 212632R, and Lots 4-9 on Lodged Plan 13552 from Mixed Use Zone (MUZ) to Comprehensive Development Zone, Schedule 1 (CDZ1)
  - b) Replace Schedule 1 to the Comprehensive Development Zone with a new Schedule (new format) with the height restriction amended over the Doonside Precinct and Lot 9 within River Boulevard Precinct, deletion of the sensitive use buffer, and application of new car parking provision rates (refer to Section 4.1.1 for further details)
  - c) Remove Schedule 9 to the Design and Development Overlay
  - d) Apply the Environmental Audit Overlay to land subject to the 'sensitive use buffer' of CDZ1, located within Lot 14 on Plan of Subdivision 427328
  - e) Insert Incorporated Document, 'Victoria Gardens Comprehensive Development Plan, 2022' to replace 'Victoria Gardens – Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse Area' with the height restriction amended over the Doonside Precinct and Lot 9 within River Boulevard Precinct, and deletion of the sensitive use buffer
75. The Planning Scheme Amendment request also seeks to update the Yarra Planning Scheme Maps to reflect the above changes as outlined within the Instruction Sheet. 4.1.1. Schedule 1 to the Comprehensive Development Zone
76. A new Schedule 1 to the CDZ has been proposed to replace the existing Schedule 1. This will it is claimed ensure the entirety of the subject site is subject to the same zone and associated provisions.
77. While the current Schedule 1 to the CDZ applies to the broader Victoria Gardens Comprehensive Development area, generally bound by Victoria Street, Burnley Street, the Yarra River and Doonside Street (in part), it is proposed that the new Schedule will apply to the entirety of the subject site as indicated within Figure 15, including the Doonside Precinct.
78. The proposed new Schedule 1 to the CDZ has been drafted to follow the current drafting format, replacing the old format of the existing Schedule 1.
79. A map has been prepared in support of the proposal and shown below



EGL	EXISTING GROUND LEVEL
RL 55	Maximum Height (except for architectural features building services, electronic media antennas, lighting poles, fences and advertising signs) to which building and works may be constructed shown thus being the Reduced Level above the Australian Height Datum
—	Boundary of land subject to this Comprehensive Development Plan
NOTE: FINAL DIMENSIONS AND SETOUT SUBJECT TO FORMAL SURVEY COORDINATION	
<b>PROPOSED</b>	
VICTORIA GARDENS COMPREHENSIVE DEVELOPMENT PLAN	
RL XX	MANDATORY BUILDING HEIGHT CONTROL
RL XX	DISCRETIONARY BUILDING HEIGHT CONTROL

80. Key changes and new requirements of the proposed Schedule 1 to the Comprehensive Development Zone are proposed and are noted as follows:
- Reference to a new 'Victoria Gardens Comprehensive Development Plan 2022' for the Victoria Gardens
  - Expansion area, including the various precincts. This is to reflect the incorporated document 'Victoria Gardens – Building Envelope and Precinct Plan and Precinct 3 Plan – Warehouse

Area'. Amendments to table of uses to align with current formatting and recent changes to land use terminology.

- c) Reference to the Victoria Gardens Masterplan & Urban Design Guidelines which reflect the existing incorporated document title Victoria Gardens Urban Design Guidelines.
- d) Amendment to the height controls over the Doonside and River Boulevard Precincts, requiring all buildings or works to not exceed the heights shown in the Victoria Gardens Comprehensive Development Plan 2022.
- e) Deletion of the sensitive use buffer as it applies to the Doonside Precinct, alternatively extending the Environmental Audit Overlay to affect the entirety of the subject site.
- f) Application of new car parking provision rates, providing a new maximum statutory car parking requirement for dwellings, office and shop uses, and confirmation that the statutory car parking requirement for food and drink premises, place of assembly, restricted retail premises and trade supplies are minimums. No changes are proposed to any of the other car parking rates. Clause 52.06 rates are adopted where no rates are specified, as per the existing schedule, this will result in an overall reduction to the statutory car parking rate for the proposed development.
- g) Transitional Provisions which state that for any approved development plans or any amendments to them, the requirements of the CDZ are as they were in force immediately before the gazettal of the amendment, continue to apply.
- h) It is claimed that the new CDZ1 will facilitate the Victoria Gardens Expansion, including the redevelopment of the Doonside Precinct, as well as enhancing the publicly accessible open space offering and increased connections through both Doonside and River Boulevard Precincts.

### The Proposal

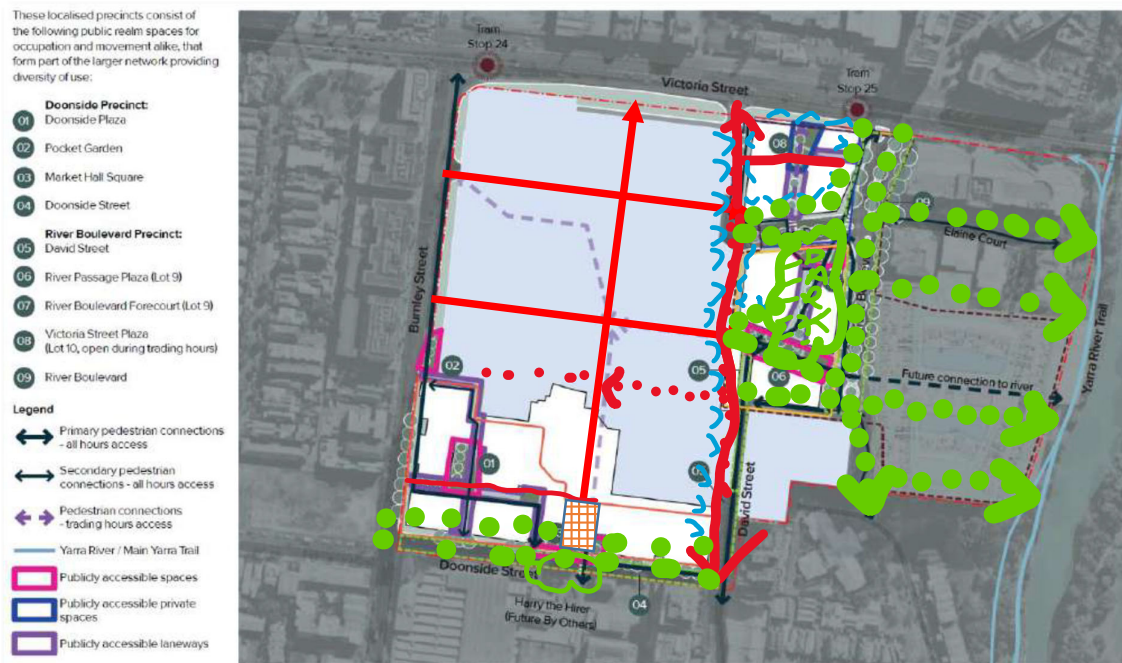
- 81. Given the above proposition it is disappointing that very little detail is provided in the proposal around a vision for Lot 9 and its integration with the broader expanded network of spaces, including the significant neighbourhood proposed for the Doonside Precinct.
- 82. Clearly the opportunity does exist in my view for substantial development within key parts of the precinct, but this is predicated on coordinated approaches to placemaking including integrated through precinct 24 hr public space connections, substantial new public spaces and places and carefully curated integration with surrounding emerging and existing neighbourhoods.
- 83. Sections 6.2 and 6.3 of the Planning report seek to outline the proposed Economic and Public Benefits. This proposal it is said presents a significant opportunity for redevelopment and provision of substantial public realm benefits.

### Comment

- 84. I would agree with this statement however I would challenge the subsequent assertions that these benefits have both been secured in the vision and that they represent an appropriate apportionment of benefit between private and public interest arising from the substantial intensification proposed. Somewhat frustratingly, I see this working against the long-term interests of both workforces and residents within the precinct.
- 85. The application also makes the leap in asserting that intensification of housing in the precinct necessarily delivers affordable housing. The Planning and Environment Act is clear on the definition for affordable housing and the application is at this stage unambitious in securing substantive contributions to long term secure affordable rental housing as prescribed therein.
- 86. The proposal claims that redevelopment will ensure an improved pedestrian environment and facilities for a growing population *and is considered highly coherent with policy directives of both State and Local Planning Policy Frameworks. The application presents a well-considered proposal that integrates with the proposed redevelopment with the existing Shopping Centre to support and improve its ongoing functionality.*

87. In my view there is no clear evidence of this with the proposed linkages through the shopping centre convoluted, reliant on shopping centre operational hours, poorly configured and scoped for convenience when compared to conventional Town Centre precinct permeability.
88. To accommodate the proposed scope of change envisaged, the joint owners of the precinct need to develop a holistic approach to the CDZ consistent with the expectations applied to other locations where similar change is envisaged. In the absence of this coordinated action it is apparent that the outcomes will be poor and the reliance on already stressed perimeter spaces and street networks will become unacceptable.

The mapping below applies a more conventional approach that would envisage the inclusion of a major new soft landscaped public space, a Town Park within Lot 9 of the precinct at the confluence of River Boulevard and the major two interconnecting east west spines, a more generous market plaza and 24 hour connected laneway networks to the Doonside Street frontage, and through-centre new streets conducive to enhanced integration of the precincts.



### Comment

89. In reviewing the extent of material provided with the application (shown below) it is difficult to sustain such a proposition when benchmarked against renewal of comparative size elsewhere in the City of Yarra such as for example the Alphington Mills and Fitzroy Gasworks, Channel 9 site, the Doonside Street Harry the Hirer site to the south of the subject site or the North Richmond Housing Estate.
90. Each is characterised by clear open-to-the-sky primary walking streets bisecting the sites, substantial new tree canopy provision to diminish heat island effects, ambitious community infrastructure and ESD programs and substantial expansion of the public realm supportive of the new residential populations proposed and meaningful contributions at scale of additional affordable housing managed by Community Housing Agencies.

### 'Net Community Benefit'

91. It is claimed by the applicant *that this redevelopment will provide an improved pedestrian environment and facilities for a growing population.*
92. Without the initiatives I have outlined above I am unconvinced this will be the case with substantial increased demand on each of the arrival interfaces with little contribution by way of



additional open space and no additional through block linkages east-west or north south linking the Doonside precinct to Victoria Street or River Boulevard that are not relying on existing networks already under pressure.

93. With the Public Transport in the former and Parkland assets in the latter relied on for reasonable levels of amenity and access to open space given the paucity of the provision within the collective proposals for amendment.
94. To suggest that *the public realm strategy is a well-considered proposal and integrates with the proposed redevelopment of the overall site and also with the existing Shopping Centre to support and improve its ongoing functionality for all*, is at odds with the emerging benchmarks for the transitions of shopping malls into Town Centres and the aligned permeability we are seeing elsewhere globally and across Australia. Quite simply the proposal as proposed above falls well short of these benchmarks.

#### **Comment**

95. I do not accept that the proposed arrangements deliver a net community benefit in public realm improvements as submitted, quite the reverse. I consider that the proposed scale of development is not supported by a commensurate growth in the scale and amenity of public spaces and pedestrian networks through the precinct necessary to deliver a net community benefit outcome.

#### **The Doonside Proposal**

96. Some good thinking and progress have been made regarding architectural language and the development of interblock permeability as well as the acknowledgement of the significance of the amenity and activation of the two primary street interfaces.
97. The thinking however needs to be supported by amplified principles of place making for the integration of the precinct into the attributes and changing intensity and movement network shifts that ensure these arrangements are fit for purpose and for the substantial additional population envisaged within the development.
98. Additionally, they should be informed by well established principles in the city regarding the importance of streetscape amenity in principal walking streets.
99. Doonside Street, like Appleton Street and Burnley Street requires protection of amenity to cater to the substantial new populations of pedestrians shopping, living, recreating and working in the buildings and neighbourhoods interfacing with these spines including the subject site.
100. Additionally the development of the site should be informed by earlier feedback we have provided regarding height, shared amenity, quality of semi-private podium shared areas and the importance of interconnectivity through the precinct.

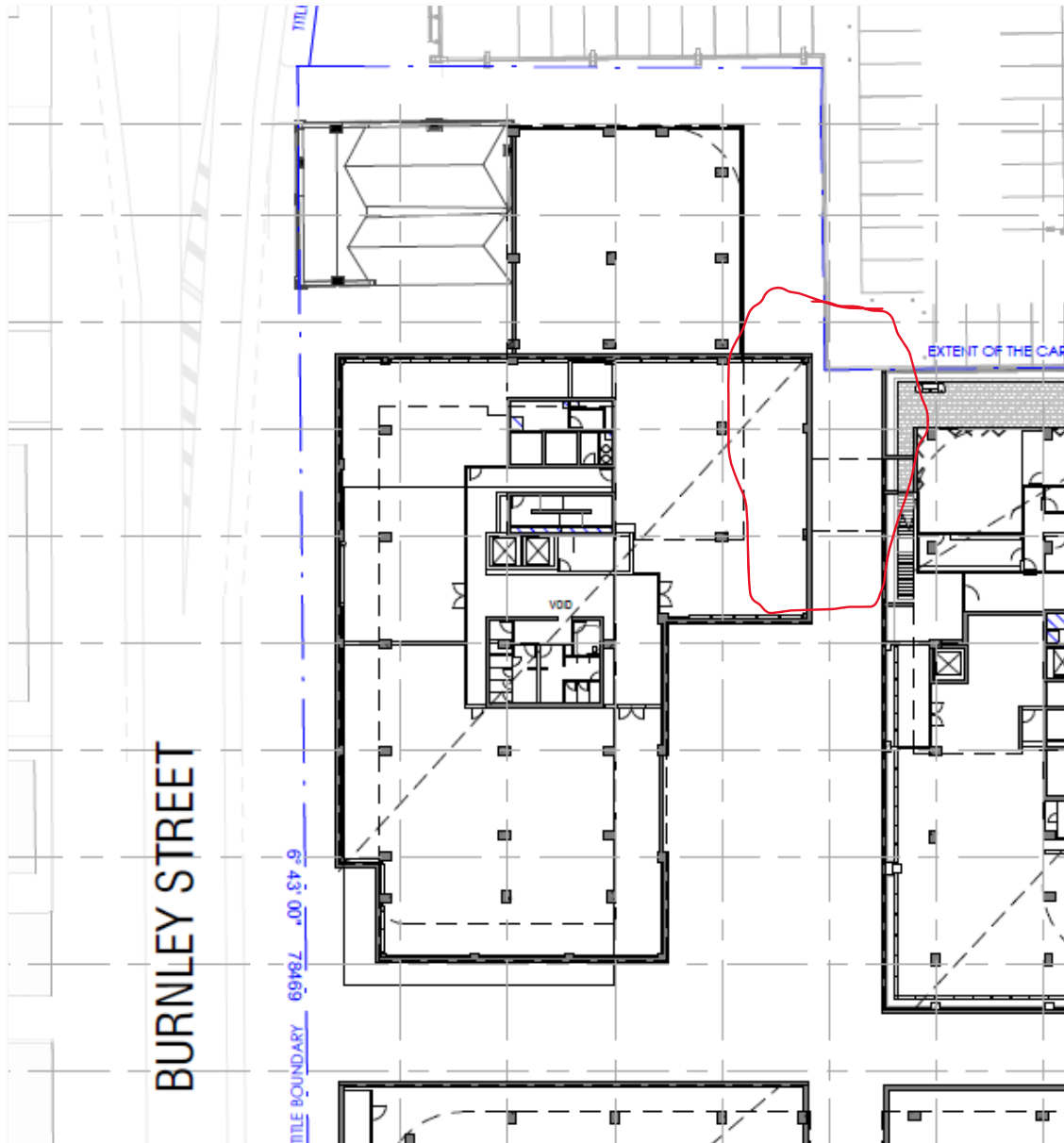
#### **Laneways**

101. As noted, the provision of laneways is supported, and their general alignment is similarly supported.
102. What is not supported is the narrow dimensional characteristics, lack of clear wayfinding and overhanging of the laneway at key locations.
103. The expansion of this ambition through the inclusion of agreed principles with neighbouring partners to provide a framework for enhanced walkability, interconnectivity with the river environs and the core shopping centre precinct should form part of the strategy.
104. Without this as noted earlier, too much reliance is placed on Doonside Street and David Street to supply the carparking access to the site and lading and to provide access to the river and open space corridors therein that are of metropolitan significance. There is an obvious mutual interest outcome for the abutting owners of developing a shared approach to this vision to both introduce more visitation to the precinct and heighten the development prospects therein. Without this permeability, necessarily a more curtailed ambition and replication will arise.

105. We are told repeatedly the differing ownerships necessitate other options. I would only note many examples exist globally of satisfactory outcomes involving much more complex technical and ownership structures.
106. In this instance there are demonstrable ownership synergies that must be leveraged now for the reasons earlier noted if the suggested land use uplift and associated value can be optimised in conjunction with the necessary transformations in placemaking, affordable housing, community infrastructure and street networks to deliver nett community benefit.
107. As a principal, laneways should be 6m in width to enable some flexibility over time around external seating and activities associated with internal use, landscaping, reasonable standards of amenity for users in podium levels to each side and sunlight into the ground level spaces. This laneway should continue at this width through to Doonside Street. Both north-south laneways connecting to Doonside Street should be 6m in width and both should have a minimum 6m double height volume before any interconnecting bridge over or dwellings to invest them with the necessary civic scale commensurate with their role.
108. In the example such as described below the east façade of the podium of building 1 south of the hotel should be realigned to match its abutting northern podium east wing, creating a generous and varied transition into the plaza beyond and enhanced wayfinding and sense of safety between these connections. This proposed new lane manifested as a public lane and interconnecting Doonside Street north and south of the existing hotel and its proposed neighbouring Building 1 must be a 24hour laneway open to the public and forming part of the public laneway network in its expanded form.
109. The Doonside Street footpath is ambiguous in how buildings meet the street with differences between plans and associated renderings. Currently the footpath capacity is modest. Commencing logic must be that the capacity of Doonside Street including its corner interface with David Street and Burnley Street must be increased to facilitate the vibrant street life and amenity underpinning the masterplan principles.
110. I support the principle that Doonside Street will be a key front door for the precinct and the drop-off areas for short stay parking, disability parking, taxis and Ubers will be essential. Similarly, space will be required for the avenue tree planting envisaged in the rendering with a 6m canopy zone considered a minimum.
111. Zones for outdoor seating also need to be considered within this context as does a revised treatment linking the proposed pedestrian lane and park south of Doonside Street with the proposed urban Plaza and entry to the marketplace to the northern side of Doonside Street. It is recommended therefore that setbacks are provided uniformly to the Doonside Street frontage to accommodate a minimum pavement zone of 6m into which indented parking can be provided at points between outstand public seating and tree areas.
112. Similarly, it is critical in my view that the generosity of the east-west lane from Burnley Street is extended eastwards to meet the Marketplace entry in a form that provides a more coherent and consistent profile and street wall character.
113. It will be important within the key intersecting urban square at the junction of north and south laneways to provide opportunities for deep soil planting for one or more feature trees that over time will become key elements of the site. I also think deep soil planting is needed in the Marketplace forecourt to extend the park character and identity from south of the street to its matching urban piazza to the north side.
114. I had talked in earlier discussions about the need for the marketplace forecourt to be a public square of genuine local value and significance. I am not convinced that its current realisation has hit the mark.
115. As a guide I would suggest the dimensional characteristics of the space should be in the order of 400-500m out to the kerb outstand line and configured to host a range of events complimentary to the park opposite.



116. I note the current configuration has a roofed structure that obviates the potential for sunlight to this space. There would seem to be an opportunity with alternative profiles to bring sunlight into the space from the north, particularly given the proposed substantial setbacks of Building 3.
117. This concept needs more work to enhance the quality and amenity and capacity of this space.
118. There is value in my view of separating the taller Building 3 from Building 5 at levels 3 and 4 to diminish the bulk and create a clearer visual break.



#### Scale of buildings and urban amenity

119. Based on the principles of preserving solar amenity along with the scaling of the building interfaces with Burnley Street to appropriately connect with the built form of neighbouring zones it is clear that the indicative scale of building 4 is excessive and substantial change is required.
120. It would be my recommendation that the scale of the tower is lowered to ensure that the south side of Doonside Street is protected to the kerb line at the September equinox between the hours of 10:00am and 2:00pm.

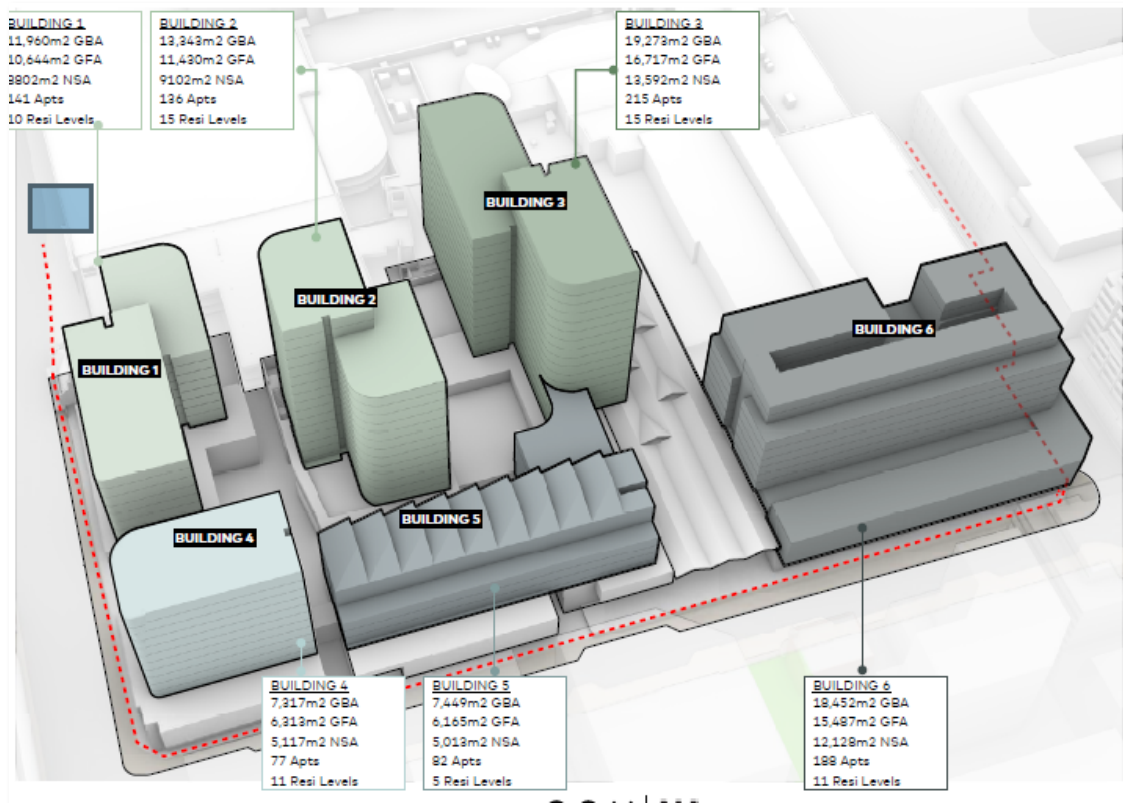
121. It is my view that the proposed urban park to the south side of Doonside Street should be protected from any additional overshadowing arising from development on the subject site between the hours of 11:00am and 2:00pm at the winter solstice.
122. I would similarly argue that the eastern footpath of David Street should be protected between the hours of 10:00am and 2:00pm at the September equinox.
123. The laneways are doing a lot of heavy lifting for visitor, resident and worker amenity within the site for what is envisaged as a substantial population. Assessed against the amenity outcomes noted earlier it is clear that the tower heights and their positioning are in some instances negatively impacting the quality of inter-block public spaces.
124. The applicant should be encouraged to refine the footprints and forms to demonstrate meaningful access to sunlight at key times of the day to these spaces at the September equinox.
125. Similar provisions should be put in place for the proposed new east west links north and south of Lot 9 and the suggested substantive Town Park therein.

### **Interfacing with heritage**

126. The resolution of the building massing, particularly at the interface with the former hotel on Burnley Street requires more work to deliver the street interface continuity and, in its massing, support a contextually responsive precinct scale.
127. The proposed podium level roofs and the roof of lower tower forms in juxtaposition with higher tower forms provides an important opportunity for a coordinated approach to achieving a series of objectives including reducing urban heat island effects and passive and active recreation areas, children's play and early learning areas, fitness zones, shared community hubs and social spaces, community gardens, business and coworking, external complimentary breakout areas, etc.
128. The proposal also illustrates the potential nexus for these spaces to include in some instances commercial spaces further activating and accessed from the adjoining laneway network. The plans as presented have not to this point provided this narrative.
129. I would suggest higher roof areas are reserved for primary green energy generation measures but that all upper lower tower roofs are associated with social, landscape amenity, recreational and productive zones for occupiers of the buildings. The efficacy of these areas will require careful programming of interfacing supporting shared space and the design of the building edge and external spaces so that at least 25% of the external space is available at all times of the year for comfortable occupation in windy and rainy conditions as sought by the Urban Design Guidelines of Victoria.
130. Notably these spaces should in each occupancy building provide external areas that are suitable in their wind speed to facilitate long sitting along with more active utilisation i.e., they must be fit for purpose and support liveability, not simply be safe. The opportunity to have some uses that might interconnect with the key laneway spaces to create for example a rooftop or balcony experience should also be explored as an attribute of many of the more popular destination areas of the city.

### **Reverse amenity**

131. Additionally residential uses interfacing with the primary laneway plaza should be invested with reverse amenity criteria that can ensure the lane and plaza can be a lively high-time venue whilst residents continue to enjoy inside amenity.



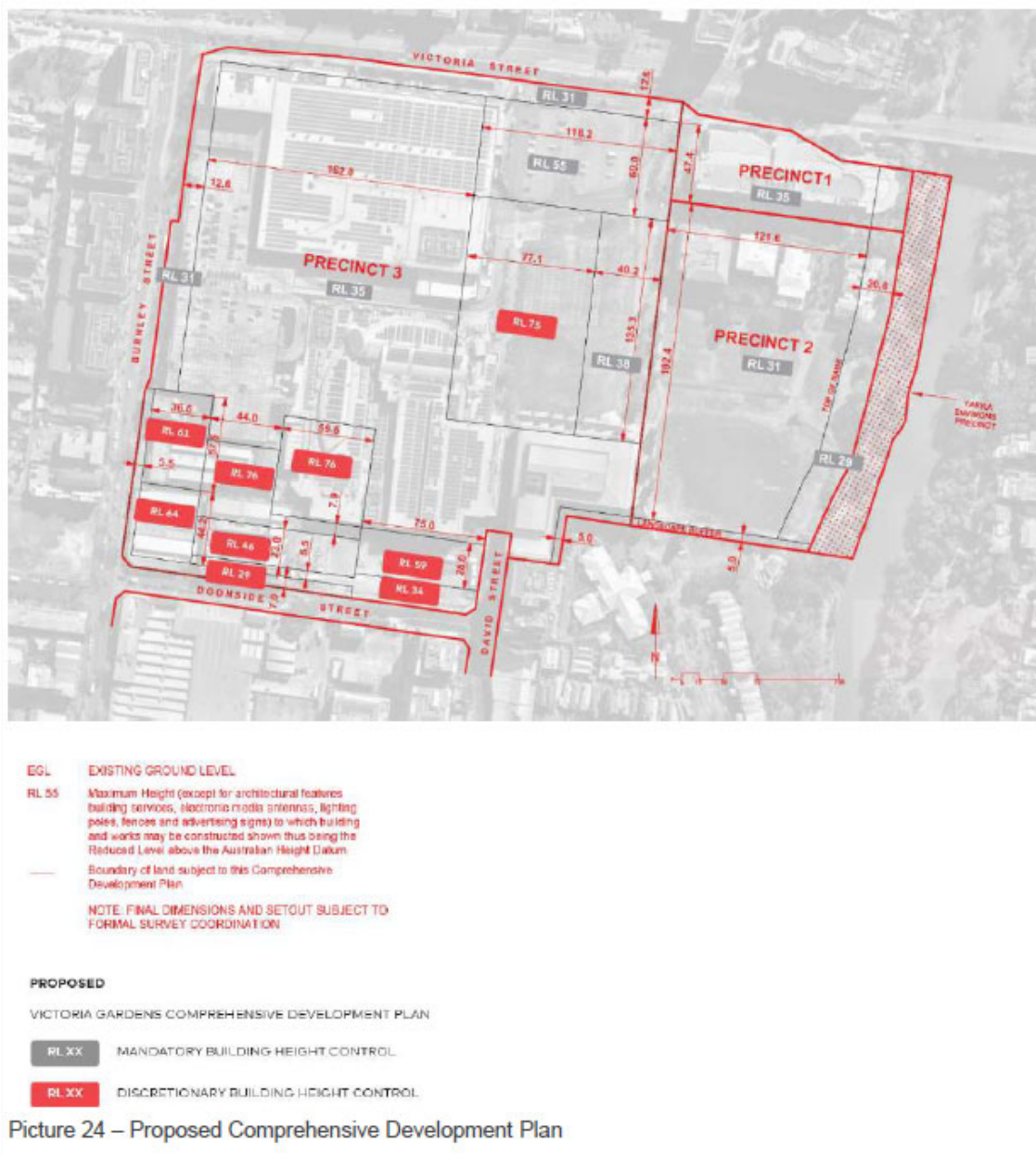
### Affordable housing and diversity

132. I was not able to glean from the applicant's material a clear approach to affordable housing for the project.
133. The site is eminently suited to a substantive diversification of households and the inclusion of affordable housing, with the nearby workforces largely meeting the keyworker low- and moderate-income thresholds and emerging critical needs. The focus of this housing can also be on households with low parking demand to mitigate impacts on surrounding streets.
134. To support development taller than that delivered opposite in Burnley Street of less than half the proposed taller scales in this instance, a net community benefit is necessary that might be achieved through a combination of measures that should as a foundation include a substantive affordable for rent component of the GFA of residential accommodation. It would be my view that a reasonable basis would be 10% of the residential GFA.
135. Whilst the general layouts are competently managed the development would also benefit from some increased diversification including a greater number of 3-bedroom dwellings and a larger build to rent component of the mix.
136. The applicant should also look at the measures that have been applied to ensure that there is no overlooking between units within the same tower at internal corners.

### Above ground parking

137. The inclusion of further above ground carparking is in my view a retrograde step and needs to be reviewed. It is apparent elsewhere in adjoining development that this is not necessary, and the importance of the ground plan being dedicated to both economically productive and amenity enriching activity should be self-evident. Parking above ground will only further encumber opportunities for ground level interconnectivity.

## The tower heights and the proposed CDZ



138. The proposal seeks the following across the 3 precincts.

- Lot 9 proposes an uplift of 37m from RL 38 to RL 75, an effective amplification in excess of 60% in development potential.
- The Sensitive Buffer Zone area in the south eastern precinct north of the proposed Harry the Hirer renewal parklands and heritage buildings proposes a stepped form with RL 34 at the street interface and a step up to RL 59 (25m increase to the 28m wide zone between the existing centre and this area.)
- Hinterland areas of the development most distant from the two Burnley Street and Doonside Frontages (but reliant on the latter for primary access) propose heights of RL 76 where heights immediately adjacent anticipate RL 35 or some 41m lower in the current CDZ area, stepping down to RL 61 south of the heritage hotel on Burnley Street and RL 64 to the

corner with Doonside Street. Lower but nonetheless significant scales of RL 29 stepping up to RL 46 are proposed to balance of the Doonside Street frontage.

### **The southwestern Doonside Precinct**

139. I have previously commented on the necessary reduction in the characteristics of Building 4 to stitch the precinct into the Burnley Street environs and ensure that offsite impacts are mitigated. Typically, the precinct's renewal has been characterised by development of 4-12 levels and the recent C233 Amendment continues to support this principle.
140. I have previously noted that logically the site is one when considered as a whole, where with the right integrating primary walking street networks and placemaking connections, intensification and greater heights could be considered within the heart of the centre.
141. The magnitudes of difference might be one to argue, but logically it would be my view that development that might be 50% higher might be envisaged (or up to approximately 60m for taller built form) in the centre of a broadened Activity Centre central precinct that incorporated the adjoining shopping centre zone in an integrated way and had associated substantial landscaped walking streets and public places interconnecting the neighbourhoods rather than the largely introverted mall core sleeved with modestly permeable high density areas as currently modelled.
142. Buildings at the edges however should in my view continue to foster the character of the broader precinct and provide the necessary transitioning edges. They would similarly be expected to preserve the amenity of abutting streets and underpin the amenity of the internal laneway network.
143. I am comfortable with the proposed scales for Buildings 5 and 6 subject to necessary tweaking required to address offsite impacts noted earlier aimed at protecting the amenity of the public realm.
144. Building 1, like Building 4, requires significant surgery to mitigate impacts on the quality of the internal plaza areas and street.
145. Building 3 could incorporate tower form of up to 60m but whilst I understand why they might have the lower form to the north, logically it should be to the south, scaling down towards the predominant 40m scales south of Doonside Street.
146. As continually noted in this report, support for such a scale would be necessarily linked to the upgrading of the quality of pedestrian links through the site in both capacity and after centre hour utility and safety.
147. Secondary entrance opportunities to the towers need to be enhanced too off these laneway networks if Doonside Street is not to be overwhelmed by the multiple roles it is expected to serve.
148. Enhanced interconnection of the east-west laneway network directly into an expanded market plaza zone would be critical as would the enhanced integration of the eastern end of the precinct with Bond Street and its eastern linkages to the Yarra Trail and the eastern boulevard as part of an expanded and substantially upgraded walking network.

### **Lot 9**

149. The resolution and proposed scale of Lot 9 is not supported in its current form.
  - a) The proposition of substantial uplift without substantial enhancements to the shared capacity and amenity of the public realm is not sustained.
  - b) In broad terms pro-rata expectations for open space should be informed by the recent work on the Harry the Hirer site with an obvious opportunity to provide a substantial new town park for the precinct to host Activity Centre community events in the manner that most village green and town square spaces now do.
  - c) This ambition should be incorporated within the Lot 9 River Boulevard interface as the gateway and buffer between the denser and higher core and the adjoining river interface

zone, with benchmarks drawn from other renewal areas earlier noted to inform the approach in respect to both site coverage and plot ratio.

- d) The absence of these benchmarks of capacity and amenity for public spaces is a glaring omission and something that needs to be addressed by the applicant both in their reports and in the configuration and orientation of development sites and spaces. The core deliverables delivered under the proposal must demonstrate genuine community benefit and accommodate the necessary shift in the allocation of public space and street networks to accommodate the high density urban form envisaged by the applicant and its associated substantial increases in population both pedestrian and vehicular.
150. With the proposed developments east of River Boulevard and the proposed east west linkages along with the substantial populations proposed for the balance of the Lot 9 and adjoining areas, the precinct requires a substantial and timely inclusion of a significant new Town Park that is consistent in its quality, scale and ambitions with the needs of a large new resident and employment population.
151. In the absence of a major space within Lot 9 no substantive uplift in that zone should be contemplated in my view and similarly more modest uplift should be contemplated in the Doonside Precinct.

#### **David Street and the eastern interface and Burnley Street frontage**

152. There is also an opportunity to interlink its provision and scale in part with community benefit that might be assigned to the broader development zone, car parking and access.
153. David Street to the eastern edge provides a critical all hours north-south pedestrian link to the parklands, river and Victoria Street superstop.
154. Up until now, except for the new residential apartments to the east, developments have largely given it over to a servicing role. This necessarily must change.
155. The application proposes removal of loading from the street level but introduces two further vehicle entry points onto the contested road space. I have previously sought rationalisation of this and mitigation of its impacts. I am not satisfied this has been adequately prosecuted.
156. I would agree with the OVGA that maximum car parking capacities need to be allocated to sites and that these are equitably apportioned between developments, with the Prahran Central precinct an example of such an approach. This could as a by-product, support housing types with lower demand profiles i.e. affordable, build to rent, older persons independent living and short term accommodation and commercial use that will diminish demand along with more ambitious share travel options

#### **CONCLUSION**

157. Good progress is being made but more needs to be done with the Lot 9 area and the east-west and north-south linkages and public realm expansion and the amenity of streets and spaces requiring particular focus.



Prepared by Robert McGauran